



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

May 12, 2021 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

****Telephonic Participation info Page 2****

Agenda

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. * April 28, 2021

C. SCHEDULED PUBLIC COMMENT

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

D. UNSCHEDULED PUBLIC COMMENT

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

E. CONSIDERATION OF PLATS

1. **Resolution PZ2021-14** – Preliminary Subdivision Plat of FBO Subdivision No. 11, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611

F. PUBLIC HEARINGS

- 1. Resolution PZ2021-15** – Application for a Conditional Use Permit for Cabin Rentals for the property described as Lot 3, James H Cowan Estates, located at 1050 Angler Drive, Kenai, Alaska 99611. The application was submitted by Bryan Lowe, Rachel Lowe and Bryson Lowe, 411 Eadies Way, Kenai, AK 99611

2. **Resolutions PZ2021-16 and PZ2021-17** – Application for a Conditional Use Permit for a Guide Service and Lodging for the property described as Lot 4, Block 4, Basin View Subdivision Part 3, located at 345 Dolchok Lane, Kenai, Alaska 99611. The application was submitted by Dean M. Schlehofer, P.O. Box 201565, Anchorage, AK 99520-1565

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **Action/Approval** – Application for Lease of City-owned Lane within the Airport Reserve described as Tract A-2, General Aviation Apron Subdivision No. 7. The application was submitted by SOAR International Ministriies, P.O. Box 1714, Kenai, AK 99611

I. PENDING ITEMS

J. REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

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

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. May 26, 2021

N. COMMISSION COMMENTS AND QUESTIONS

O. ADJOURNMENT

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.

Join Zoom Meeting

<https://us02web.zoom.us/j/85126889365>

Meeting ID: 851 2688 9365

Passcode: 054798

One tap mobile

16699006833

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Meeting ID: 851 2688 9365

Passcode: 054798

File Attachments for Item:

1. * April 28, 2021

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
APRIL 28, 2021 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
VICE CHAIR FIKES, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

Vice Chair Fikes led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: D. Fikes, J. Twait, J. Halstead, G. Woodard, G. Greenberg,
A. Douthit, R. Springer

Commissioners absent:

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

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Woodard **MOVED** to approve the agenda as written and Commissioner Greenberg **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Douthit **MOVED** to approve the consent agenda and Commissioner Greenberg **SECONDED** the motion. There were no objections; **SO ORDERED**.

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

5. *Excused absences – None

B. APPROVAL OF MINUTES

1. *April 14, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

- 1. Resolution PZ2021-06** – Preliminary Subdivision Plat of TKC Subdivision, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of TKC, LLC, P.O. Box 10658, Bakersfield, CA 93389

[Clerk's Note: At their April 14, 2021 meeting, Resolution PZ2021-06 was postponed by the Planning & Zoning Commission until the utility line design had been confirmed. A motion to approve is on the floor.]

Planning Director Foster presented his staff report with information provided in packet noting that the commission passed PZ2021-02 on January 27, 2021 which allowed for eight additional single family dwelling units to be constructed on a 2.5 acre parcel which, after being issued a Conditional Use Permit, the property owner decided to divide into three lots. Consideration of this subdivision was postponed at the Planning & Zoning Commission meeting of April 14, 2021 in order to confirm the final design of the utilities associated with the development of the eight additional units and the subdivision, and the design for water and sewer connections has now been accepted by the Public Works Department.

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

- Further development of the property shall conform to all federal, State of Alaska, and local regulations; and,
- The plat number referenced for the Kenai Christian Church lot which lies to the South is labeled incorrectly; the plat number should be changed to KN2011-52.

Clarification was provided that there is a driveway to access the four units on lot 4.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

- 2. Resolution PZ2021-13** – Preliminary Subdivision Plat of Baleen Cove Subdivision, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of Vann Revocable Trust, P.O. Box 561, Kasilof, AK 99610

Planning Director Foster presented his staff report with information provided in packet noting that the plat will subdivide the 10 acre lot into 7 lots of approximately 1-2 acres each. He noted that the primary access to the proposed lots would be via Baleen Avenue which is a gravel City maintained road, and the applicant has granted a 30 foot public access easement which could be used for access along the southern side of the lots, but is not recommended for primary access. The City does not have water and sewer lines in this area and the property owners would have to install water wells and septic systems.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations;
2. Delineate the access easement as set forth under Plat Note number 4 on the face of the plat;
3. Add to Plat Note number 4 that the City of Kenai does not recommend that the access easement be used as primary access into the subdivision;
4. Specify the acreage or square footage of each lot on the face of the plat;
5. The surrounding property notation for Lots 8 and 9, Block 3, should be changed to Lot 8A, Block 3, KN 2014-86;
6. Capitalize the "k" for Kasilof under the owner's signature line.

MOTION:

Commissioner Greenberg **MOVED** to recommend approval of Resolution No. PZ2021-13 with staff recommendations and Commissioner Woodard **SECONDED** the motion.

Clarification was provided that the 30 foot easement is provided in the notes, and that the easement was already existing as part of the preliminary plat and staff's recommendation on how to handle it is based on the zoning of this parcel as limited commercial.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2021-12** – Application for a Conditional Use Permit for a Day Care for the property described as Lot 1, Block L, Woodland Subdivision Part 1, located at 530 Ash Avenue, Kenai, Alaska 99611. The application was submitted by Lupine Orlob, 530 Ash Avenue, Kenai, AK 99611

Planning Director Foster presented his staff report with information provided in packet noting that the applicant wishes to increase the number of children attending their day care to 12 children, which exceeds the maximum of eight children under the age twelve allowed with a Home Occupation Permit, therefore requiring a Conditional Use Permit. The criteria for conditional use permits was reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

- Further development of the property shall conform to all federal, State of Alaska, and local regulations;
- A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year;
- Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai;
- The applicant will meet with City staff for on-site inspections when requested;
- If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5);
- Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.

MOTION:

Commissioner Douthit **MOVED** to recommend approval of Resolution No. PZ2021-12 with staff recommendations and Commissioner Greenberg **SECONDED** the motion.

Vice Chair Fikes opened for public hearing.

Lupine Orlob, owner of Sproutlets Creative Learning, clarified details about her business and property for the commission including parking, the increase in children in her care, and State license status. An email from her neighbor as provided in the laydown was noted, and Ms. Orlob explained her policy on children picking up their own toys.

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

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

The 15-day appeal period for a Conditional Use Permit was noted.

2. **Resolution PZ2021-10** – Application for a Conditional Use Permit for a Planned Unit Development for the property described as Tract A, Kenai Landing Cottages Subdivision, located at 2101 Bowpicker Lane, Kenai, Alaska 99611. The application was submitted by Kenai Landing, Inc., 2101 Bowpicker Lane, Kenai, AK 99611

Planning Director Foster presented his staff report with information provided in packet noting that the applicant has proposed a planned unit residential development (PUD) for 60 dwelling units in Phase A, and that Phase A includes six development areas within an approximately 13 acre project site. The criteria for conditional use permits was reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations;
2. Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director;
3. Prior to issuance of a Building Permit, conditions listed under 14.20.170 Planned Unit

- Residential Development must be reviewed and approved by the Planning Director;
4. Prior to issuance of a Building Permit, conditions listed under 14.20.160 Townhouses must be reviewed and approved by the Planning Director. Adjustments to criteria regarding lot width, lot size, and setbacks will be considered due to the nature of the project, including the Condominium approach in lieu of fee simple lots;
 5. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai;
 6. Applicant will provide a copy of DEC compliance certification on the water/sewer system;
 7. Approval and issuance of the Conditional Use Permit for the Planned Unit Residential Development results in expiration of PZ2020-35 granting a Conditional Use Permit for two, two unit townhouses and one three unit townhouse on the subject property;
 8. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year;
 9. The applicant will meet with City staff for on-site inspections when requested;
 10. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5);
 11. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year;
 12. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit;
 13. The developer or subdivider of any Planned Unit Residential Development including common open area, property, or amenities, shall have evidence that compliance with Uniform Common Interest Ownership Act, AS 34.08, has been made prior to the sale of any townhouse dwelling units.

MOTION:

Commissioner Springer **MOVED** to recommend approval of Resolution No. PZ2021-10 with staff recommendations and Commissioner Greenberg **SECONDED** the motion.

Vice Chair Fikes opened for public hearing.

John Faulkner and Steve Agni presented their vision of Home Port, including the location, the phases of construction, development areas and designs for townhomes and houses, and anticipated timeline.

Dawn Bragg expressed enthusiasm for the project, shared her own vision and offered suggestions.

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

Clarification was provided on the point at which private road maintenance takes over from State road maintenance. The applicants recognized that there are historic gravesites in the area, and assured the commission they will be preserved.

Discussion included the applicant's request to alter the language of Condition 4 to read "Prior to Issuance of a building permit, conditions listed under 14.20.160 Townhouses must be reviewed for conformity by the Planning Director. However, due to the unique nature of the project and its status as a condominium, the criteria under 14.20.160 regarding lot width, lot size and setbacks is hereby modified according to the attached grid as organized by Development Area and

represented on the Home Port master plan". The request and associated grid was provided to the commission in the laydown. Planning Director Foster explained that he had reviewed the presented data and noted that we was open to accepting the suggested replacement of Condition 4 with the understanding that, with the specificity of the setbacks provided in the grid, if things did change after the fact then the matter would have to return to the Planning & Zoning Commission.

Director Foster questioned the TBD status of the side setbacks on the nonresidential side of Cannery North, and the applicant recommended that it be set at 10 feet. The applicant also clarified that Cannery South had 0 lot lines for the units who share a common wall and had a 10 foot setback on the units at the end of the building.

MOTION TO AMEND:

Commissioner Springer **MOVED** to amend Resolution No. PZ2021-10 to replace Condition Four with the suggested version as presented in the laydown, and to clarify that the TBD for side setbacks at Cannery North to be 10 feet. Commissioner Halstead **SECONDED** the motion.

VOTE ON AMENDMENT:

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

MOTION PASSED UNANIMOUSLY.

VOTE ON MAIN MOTION AS AMENDED:

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

MOTION PASSED UNANIMOUSLY.

The 15-day appeal period for a Conditional Use Permit was noted.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS – None.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the April 21, 2021 City Council meeting.
2. **Borough Planning** – Vice Chair Fikes reported on the actions from the April 26, 2021 Borough Planning meeting, noting that they are now meeting in person with social distancing.
3. **City Administration** – Planning Director Foster reported on the following:
 - Planning & Zoning department has been very busy;

- Next meeting will include two conditional use permits and a plat, and potentially another plat and an airport lease.

K. ADDITIONAL PUBLIC COMMENT

1. Citizens Comments

Dawn Bragg inquired about code restrictions for salmon stream habitats in the Kenai Peninsula Borough Code and Kenai Municipal Codes.

2. Council Comments

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. May 12, 2021

N. COMMISSION COMMENTS & QUESTIONS

Chair Twait, who was participating via Zoom, noted that it was nice to see everything from a different perspective.

Commissioner Halstead commended Planning Director Foster on his phenomenal and thorough job presenting all the information at tonight's meeting.

Commissioner Springer noted it was nice to be here in person for the first time in over a year.

Commissioner Greenberg noted that it is very exciting to see what's happening over at Kenai Landing, and is hoping the project will be successful.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 9:31 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk

File Attachments for Item:

1. Resolution PZ2021-14 – Preliminary Subdivision Plat of FBO Subdivision No. 11, submitted by Segesser Surveys, 30485 Rosland Street, Soldotna, AK 99669, on behalf of City of Kenai, 210 Fidalgo Avenue, Kenai, AK 99611



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-14**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT FBO SUBDIVISION NO. 11 ATTACHED HERETO BE APPROVED

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

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

WHEREAS, street names are referenced correctly; and,

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

WHEREAS, Water and sewer lines are located within the right-of-way of North Willow Street. An installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of FBO Subdivision No. 11 be approved subject to the following conditions:

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

Resolution No. PZ2021-14

Page 2 of 2

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: May 6, 2021
SUBJECT: PZ2021-14 – Preliminary Plat – FBO Subdivision No. 11

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

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

Requested Action: Preliminary Subdivision Plat – FBO Subdivision No. 11

Legal Description: Lots 3 and 4, FBO Subdivision No. 7

Property Address: 515 N. Willow Street and 525 N. Willow Street

KPB Parcel No: 04336039 and 04336040

Lot Size: Approximately 3.60 acres (156,816 square feet) per lot

Existing Zoning: Airport Light Industrial

Current Land Use: ARFF/SRE Facility (Lot 3) and Vacant (Lot 4)

Land Use Plan: Airport Industrial

GENERAL INFORMATION

The Airport Operation Building is located on Lot 3, FBO Subdivision No.7. Lot 4, FBO Subdivision No. 7 is leased to the State of Alaska, Division of Forestry. The City of Kenai has been issued a building permit to construct an approximately 5,600 square foot building to be used for sand storage for maintenance of the airfield. The City of Kenai wishes to increase the size of the Lot 3 for the construction of the building. The preliminary plat of FBO Subdivision No. 11 will move the

property line between Lots 3 and 4, FBO Subdivision No. 7 approximately northerly 125 feet, resulting in a larger lot for the sand storage building and a smaller lot that is leased to the State of Alaska, Division of Forestry.

Segesser Surveys, Inc. submitted a preliminary plat on behalf of the property owners, the City of Kenai. The plat affects the parcels described as Lots 3 and 4, FBO Subdivision No. 7. The proposed Lot 3A, FBO Subdivision No. 11 is comprised of approximately 4.725 acres (approximately 205,821 square feet); and Lot 4A, FBO Subdivision No. 11 is comprised of approximately 2.475 acres (approximately 107,811 square feet).

Application, Public Notice, Public Comment

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

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of March 6, 2021.

ANALYSIS

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

Water and sewer lines are located within the right-of-way of North Willow Street. The Airport Operations Building is connected to City water and sewer services. The Lessee of Lot 4, FBO Subdivision NO. 7 may connect to water and sewer services. An installation agreement is not required.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required* under *Chapter 14.10 Subdivision Regulations*.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of FBO Subdivision No. 11, subject to the following conditions:

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



ATTACHMENTS

1. Resolution No. PZ2021-14
2. Application
3. Preliminary Plat
4. Aerial Map





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-14**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT FBO SUBDIVISION NO. 11 ATTACHED HERETO BE APPROVED

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

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

WHEREAS, street names are referenced correctly; and,

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

WHEREAS, Water and sewer lines are located within the right-of-way of North Willow Street. An installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of FBO Subdivision No. 11 be approved subject to the following conditions:

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

Resolution No. PZ2021-14

Page 2 of 2

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

Name:	Segesser Surveys Inc						
Mailing Address:	30485 Rosland St	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	907-262-3909, 907-252-3421						
Email:	seggy@ptialaska.net						

PROPERTY OWNER

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

PROPERTY INFORMATION

Property Owner Name:	CITY OF KENAI						
Current City Zoning:	ALI						
Use:	<input type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input checked="" type="checkbox"/> Commercial				
	<input type="checkbox"/> Other:						
Water:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community				
Sewer:	<input type="checkbox"/> On Site	<input checked="" type="checkbox"/> City	<input type="checkbox"/> Community				

PLAT INFORMATION

Preliminary Plat Name:	FBO # 11						
Revised Preliminary Plat Name:							
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes			<input checked="" type="checkbox"/> No			
Street Name (if vacating ROW):							

Exceptions Required and Requested:

Comments:

REQUIRED ATTACHMENTS

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

SIGNATURE

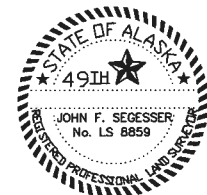
Signature:				Date:	4/4/21		
Print Name:	John Segesser	Title/Business:	Segesser Surveys Inc				

LEGEND:

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

NOTES:

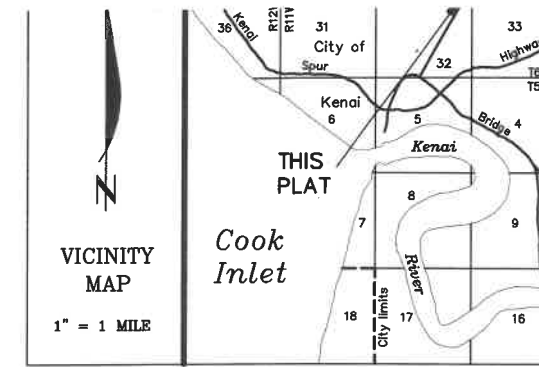
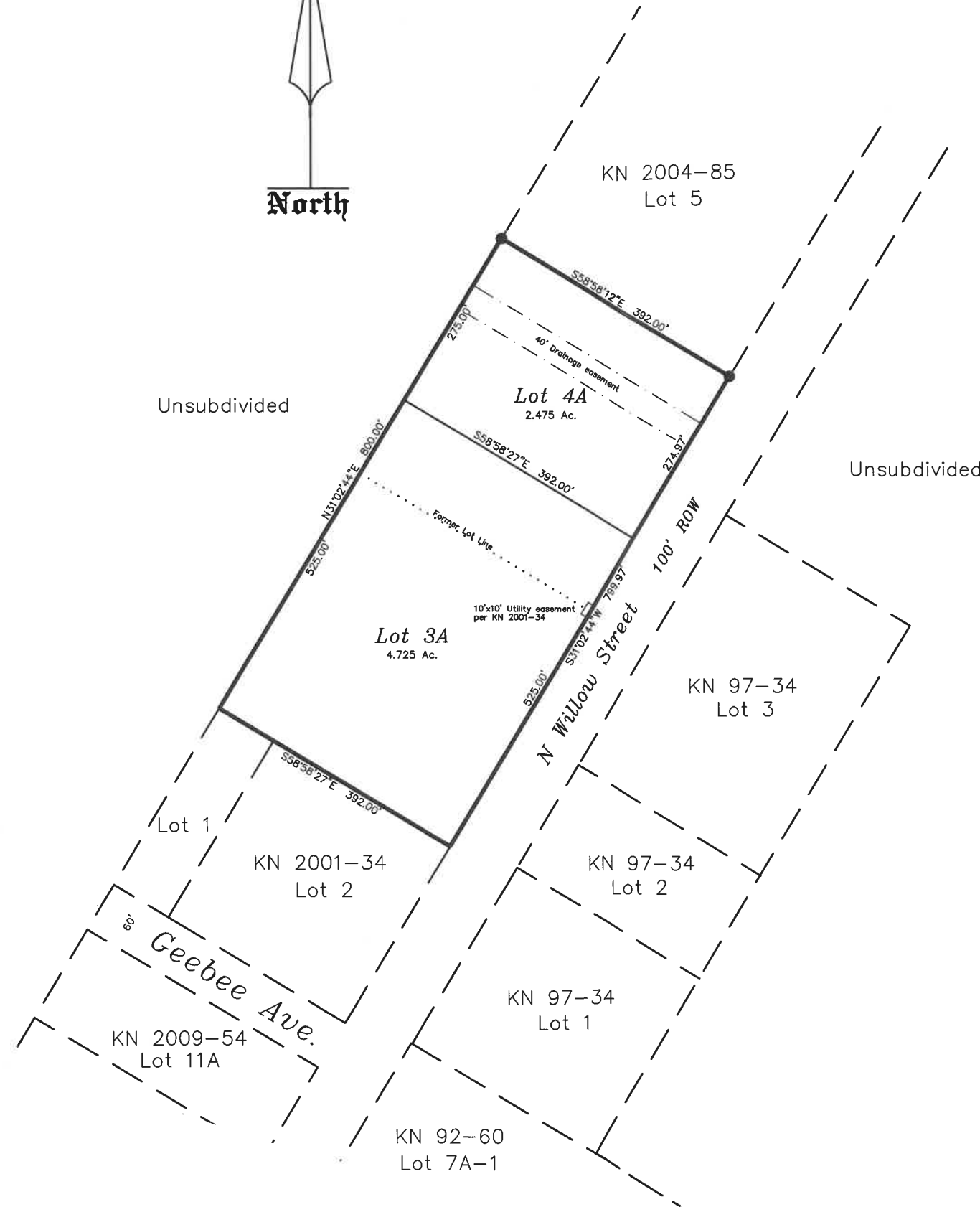
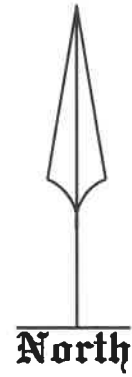
- 1) This plat is subject to City of Kenai zoning regulations.
- 2) Basis of bearing taken from Baron Park 2007 Replat, Plat 2007-8, Kenai Recording District.
- 3) Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 4) These lots are served by city water and sewer.
- 5) Existing buried powerline(s) is the centerline of a 15' wide electrical distribution line easement.
- 6) Front 10 feet adjacent to rights-of-way is an utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 7) **WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date _____



CERTIFICATE of OWNERSHIP and DEDICATION

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

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

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

KPB FILE No. _____

FBO Subdivision No. 11

A resubdivision of Lots 3 and 4 FBO Subdivision No. 7, Plat 2001-34, Kenai Recording District.

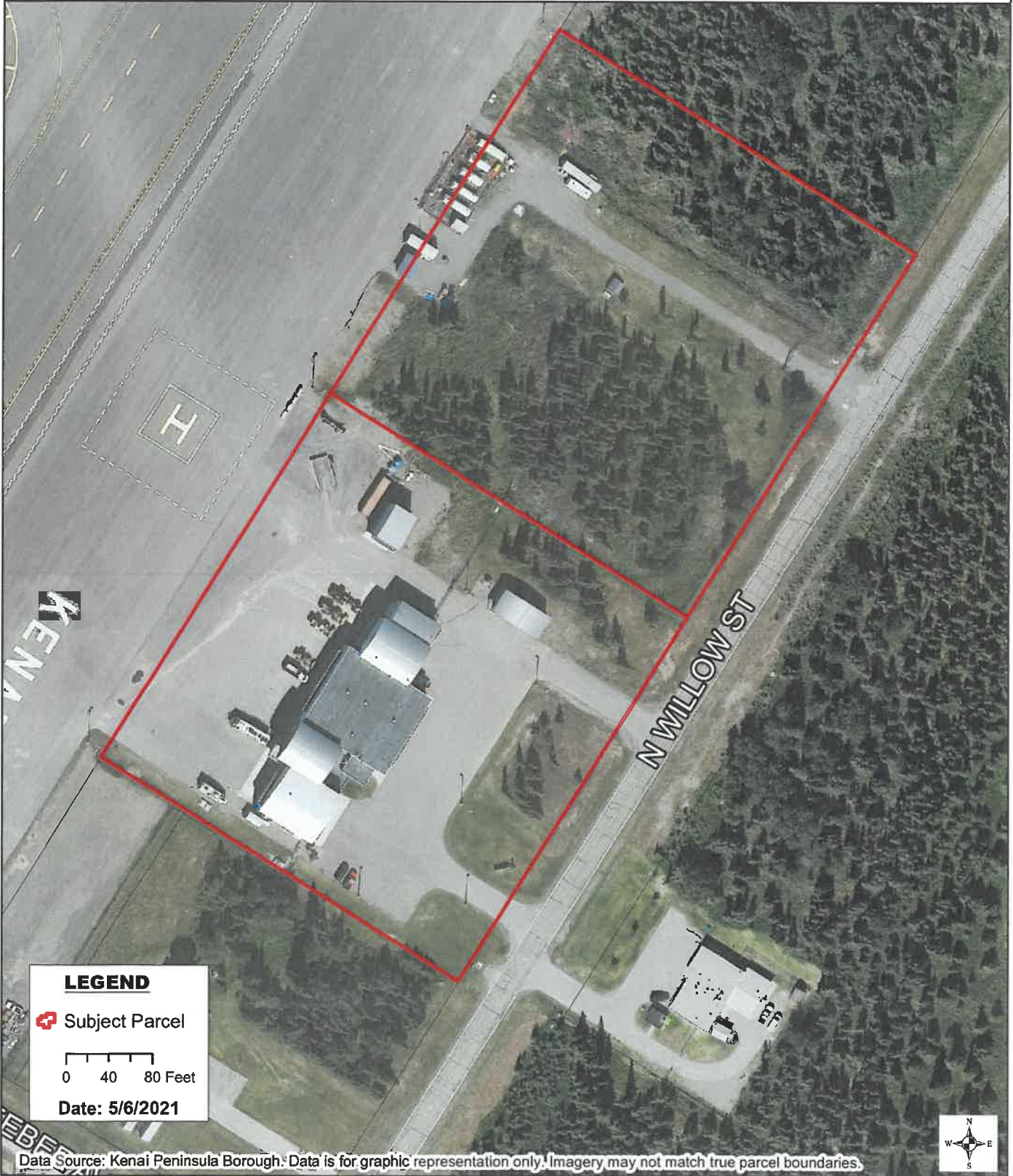
Located within NE1/4 Section 32, T6N, R11W, S.M., City of Kenai, Kenai Peninsula Borough, Alaska.

Containing 7.199 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner City of Kenai 210 Fidalgo Ave. Ste 200 Kenai, Alaska 99611
JOB NO. 21057	DRAWN: 5-6-21
SURVEYED:	SCALE: 1"=100'



PZ2021-14 FBO SUBDIVISION NO. 11
KPB #04336039 and 04336040
515 N. Willow St. and 525 N. Willow St.
Lots 3 and 4, FBO Subd. No. 7



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

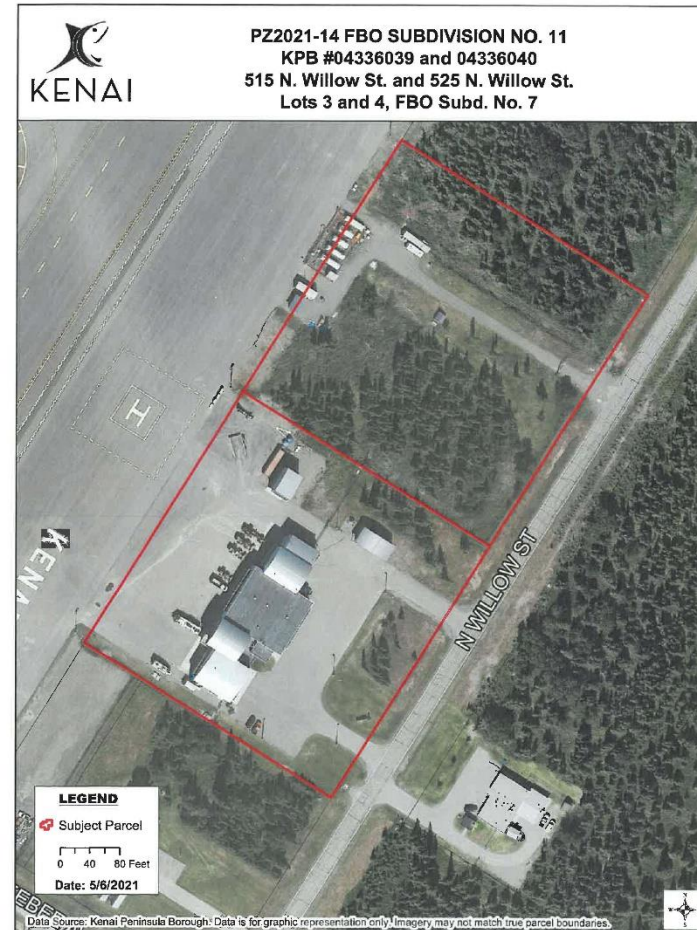
PLANNING & ZONING COMMISSION

PZ2021-14 – Preliminary Plat -

FBO Subdivision No. 11

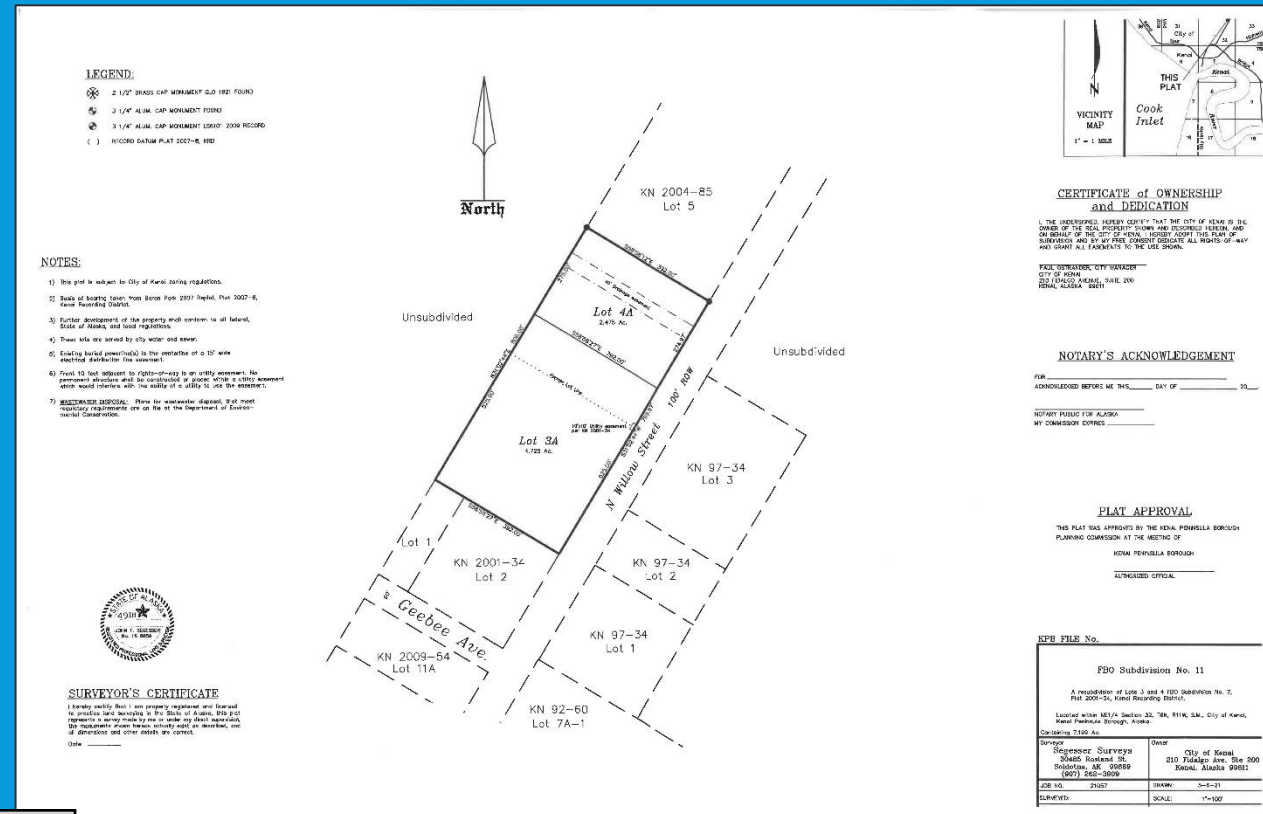
SUMMARY

- Segesser Surveys, LLC has submitted a preliminary plat on behalf of the property owner, the City of Kenai.
- The City of Kenai wishes to increase the size of the Lot 3 for the construction of an approximately 5,600 sf building to be used for sand storage for maintenance of the airfield.



PRELIMINARY PLAT

- The plat affects the parcels described as Lots 3 and 4, FBO Subdivision No. 7.
- The proposed Lot 3A, FBO Subdivision No. 11 is comprised of approximately 4.725 acres (approximately 205,821 square feet); and Lot 4A, FBO Subdivision No. 11 is comprised of approximately 2.475 acres (approximately 107,811 square feet).



STAFF ANALYSIS

- Access to the proposed lots is provided via North Willow Street, which is a paved City maintained road.
- Water and sewer lines are located within the right-of-way of North Willow Street. The Airport Operations Building is connected to City water and sewer services. The Lessee of Lot 4, FBO Subdivision NO. 7 may connect to water and sewer services. An installation agreement is not required.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.

RECOMMENDATIONS

- City staff recommends approval of the preliminary plat of FBO Subdivision No. 11, subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.

ATTACHMENTS

- 1. Resolution No. PZ2021-14
- 2. Application
- 3. Preliminary Plat
- 4. Aerial Map

1. RESOLUTION



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-14**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT FBO SUBDIVISION NO. 11 ATTACHED HERETO BE APPROVED

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

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

WHEREAS, street names are referenced correctly; and,

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

WHEREAS, Water and sewer lines are located within the right-of-way of North Willow Street. An installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of FBO Subdivision No. 11 be approved subject to the following conditions:

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

Resolution No. PZ2021-14
Page 2 of 2

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 12th day of May, 2021.


JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK

2. APPLICATION

P2 2021-14

	Preliminary Plat Submittal Form	City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99511 (907) 283-8200 planning@kenai.city www.kenai.city/planning
APPLICANT (SURVEYOR)		
Name:	Segesser Surveys Inc	
Mailing Address:	30485 Rosland St	City: Soldotna State: AK Zip Code: 99669
Phone Number(s):	907-262-3909, 907-252-3421	
Email:	seggy@ptialaska.net	
PROPERTY OWNER		
Name:	CITY OF KEWAI	
Mailing Address:	210 FIDALGO	City: KEWAI State: AK Zip Code: 99611
Phone Number(s):		
Email:		
PROPERTY INFORMATION		
Property Owner Name:	CITY OF KEWAI	
Current City Zoning:	ALI	
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Other:	
Water:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community	
Sewer:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community	
PLAT INFORMATION		
Preliminary Plat Name:	FBD #11	
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) Survey <input checked="" type="checkbox"/> (2) 11" x 17" Plats		
Signature:	<i>John Segesser</i>	Date: 4/4/21
Print Name:	John Segesser	Segesser Surveys Inc

3. PRELIMINARY PLAT

LEGEND:

- ⊗ 2 1/2" BRASS CAP MONUMENT OLD 1921 FOUND
- ⊙ 3 1/4" ALUM. CAP MONUMENT FOUND
- ⊕ 3 1/4" ALUM. CAP MONUMENT L65101 2009 RECORD
- () RECORD DATUM PLAT 2007-8, KR0

NOTES:

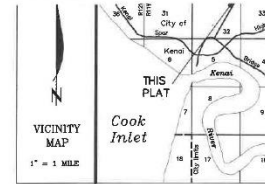
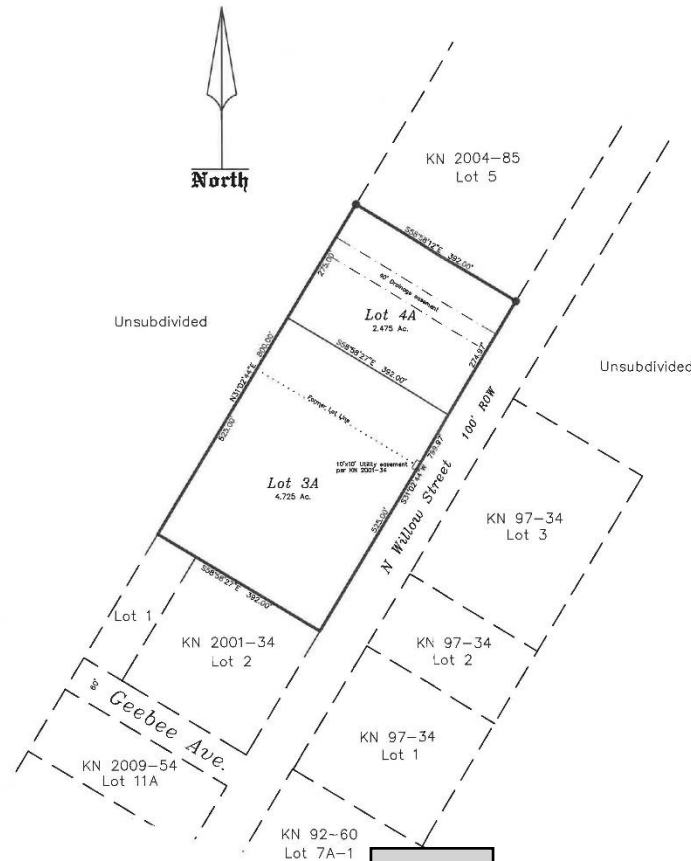
- 1) This plat is subject to City of Kenai zoning regulations.
- 2) Basis of bearing taken from Baron Park 2007 Replat, Plat 2007-8, Kenai Recording District.
- 3) Further development of the property shall conform to all federal, State of Alaska, and local regulations.
- 4) These lots are served by city water and sewer.
- 5) Existing buried powerline(s) is the centerline of a 15' wide electrical distribution line easement.
- 6) Front 10 feet adjacent to rights-of-way is on utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 7) **WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date: _____



CERTIFICATE of OWNERSHIP and DEDICATION

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

PAUL GOSWAMER, CITY MANAGER
CITY OF KENAI
210 FOXGLO AVENUE, SUITE 200
KENAI, ALASKA 99611

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

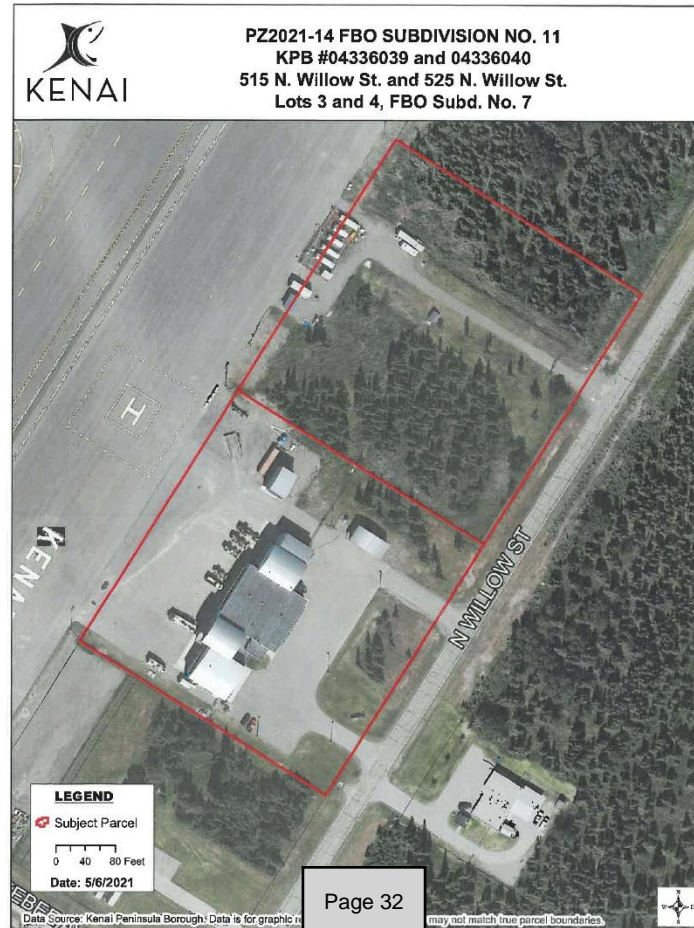
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

KPB FILE No.

FBO Subdivision No. 11	
A resubdivision of Lots 3 and 4, FBO Subdivision No. 7, Plat 2001-34, Kenai Recording District.	
Located within NE1/4 Section 32, T8N, R11W, S14E, City of Kenai, Kenai Peninsula Borough, Alaska.	
Containing 7.198 Ac.	
Surveyor Stegesser Surveys 30465 Rosland St. Soldotna, AK 99689 (907) 262-3909	Owner City of Kenai 210 Tidigo Ave. Ste 100 Kenai, Alaska 99611
JOB NO. 21057	DRAWN: S-6-21
SURVEYED:	SCALE: 1"=100'

4. AERIAL MAP



File Attachments for Item:

1.



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-15**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A CONDITIONAL USE PERMIT FOR CABIN RENTALS.

APPLICANT: Bryan Lowe

PROPERTY ADDRESS: 1050 Angler Drive

LEGAL DESCRIPTION: T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H Cowan Estates Lot 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04939055

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 12, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

The Land Use Table provides that Cabin Rentals are a conditional use; therefore, a conditional use permit must be granted for the construction and operation of rental cabins. The applicant has provided a site plan that provides the layout of the cabins and parking.

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

Criteria Met. The parcels located to the North, South, East and West of the subject property are zoned rural residential and are undeveloped City owned property to the west, with single family residential uses to the north, south, and east. The value of adjacent properties should not be significantly impacted with the construction of four rental cabins. Generally speaking, new construction of this nature, tends to increase neighborhood property values.

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

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. There are several cabins, lodges, and guide services already on Angler Drive and four additional rental cabins will not impair the quality of life within the neighborhood. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- ED-9 Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.
- LU-2 Promote the infill of existing, improved subdivision lots.
- Q-4 Promote the siting and design of land uses that are in harmony and scale with surrounding uses.

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

Criteria Met. City water and sewer is not in the vicinity of the subject property, therefore, onsite water and wastewater treatment and disposal systems will be necessary. The applicant must meet the wastewater disposal requirements of KPB Chapter 20.40 and the regulatory requirements of the Alaska Department of Environmental Conservation. The property has access to electricity and telephone services. Angler Drive is a paved road which is maintained by the City of Kenai.

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

Criteria Met: The use of four rental cabins will not be harmful to public safety, health, or welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient parking available for rental guests.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Bryan Lowe for Cabin Rentals for property described as T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H Cowan Estates Lot 3, and located at 1050 Angler Drive.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director.
3. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai.
4. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
5. The applicant will meet with City staff for on-site inspections when requested.
6. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
7. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: May 6, 2021
SUBJECT: PZ2021-15 – Conditional Use Permit – Cabin Rentals

Applicant: Bryan Lowe
411 Eadies Way
Kenai, Alaska 99611

Legal Description: T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H
Cowan Estates Lot 3

Property Address: 1050 Angler Drive

KPB Parcel No: 04939055

Lot Size: 1.41 Acres (61,419 square feet)

Existing Zoning: Rural Residential

Current Land Use: Vacant Parcel

Land Use Plan: Low Density Residential

GENERAL INFORMATION

Cabin rentals are listed as a conditional use within the Rural Residential zone in Kenai Municipal Code 14.22.010, Land Use Table. KMC 14.20.320 Definitions, defines cabin rentals “Cabin rentals” means the renting out of one (1) or more individual, detached dwelling units or buildings to provide overnight sleeping accommodations for a period of less than thirty (30) consecutive days.

Application, Public Notice, Public Comment

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. The applicant

submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the conditional use request.

ANALYSIS

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

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

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

Applicant Response: The addition of these cabins is very similar in look and feel of surrounding structures.

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

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

- (2) To prohibit uses which would:
 - (A) Violate the residential character of the environment;
 - (B) Generate heavy traffic in predominantly residential areas.

The Land Use Table provides that Cabin Rentals are a conditional use; therefore, a conditional use permit must be granted for the construction and operation of rental cabins. The applicant has provided a site plan that provides the layout of the cabins and parking.

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

Applicant Response: This project expands on similar uses and bolsters the status quo of the area.

Staff Response: The parcels located to the North, South, East and West of the subject property are zoned rural residential and are undeveloped City owned property to the west, with single family residential uses to the north, south, and east. The value of adjacent properties should not be significantly impacted with the construction of four rental cabins. Generally speaking, new construction of this nature, tends to increase neighborhood property values.



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

Applicant Response: This project is in harmony with the current economic developments that have been established in similar land use of the area. This project aligns with the current recreation of surrounding properties in an environmentally aesthetic fashion that enriches the quality of life the Kenai is known for.

Staff Response: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. There are several cabins, lodges, and guide services already on Angler Drive and four additional rental cabins will not impair the quality of life within the neighborhood. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- ED-9 Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.
- LU-2 Promote the infill of existing, improved subdivision lots.
- Q-4 Promote the siting and design of land uses that are in harmony and scale with surrounding uses.

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

Applicant Response: Yes, existing utility are sufficient to serve the proposed conditional use.

Staff Response: City water and sewer is not in the vicinity of the subject property, therefore, onsite water and wastewater treatment and disposal systems will be necessary. The applicant must meet the wastewater disposal requirements of KPB Chapter 20.40 and the regulatory requirements of the Alaska Department of Environmental Conservation. The property has access to electricity and telephone services. Angler Drive is a paved road which is maintained by the City of Kenai.

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

Applicant Response: This conditional use is in harmony with the surrounding businesses that have grown in the area for over a decade, in addition, the applicant is well versed in this area and has years of success in building the current standard you see present in the area today.

Staff Response: The use of four rental cabins will not be harmful to public safety, health, or welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient parking available for rental guests.



Criteria # 6: Specific conditions deemed necessary.

Applicant Response: No, these cabins are a continuation of current land use and fall well in line with all aspects of neighboring properties as well as the surrounding area.

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

RECOMMENDATIONS

City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(4) of Kenai Municipal Code 14.20.185, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use Permit application, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director.
3. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai.
4. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
5. The applicant will meet with City staff for on-site inspections when requested.
6. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
7. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

ATTACHMENTS

- A. Resolution No. PZ2021-15
- B. Application
- C. Draft Site Plan
- D. Floor Plans/Elevation Drawings
- E. Aerial Map
- F. Business License





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-15**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A CONDITIONAL USE PERMIT FOR CABIN RENTALS.

APPLICANT: Bryan Lowe

PROPERTY ADDRESS: 1050 Angler Drive

LEGAL DESCRIPTION: T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H Cowan Estates Lot 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04939055

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 12, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

The Land Use Table provides that Cabin Rentals are a conditional use; therefore, a conditional use permit must be granted for the construction and operation of rental cabins. The applicant has provided a site plan that provides the layout of the cabins and parking.

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

Criteria Met. The parcels located to the North, South, East and West of the subject property are zoned rural residential and are undeveloped City owned property to the west, with single family residential uses to the north, south, and east. The value of adjacent properties should not be significantly impacted with the construction of four rental cabins. Generally speaking, new construction of this nature, tends to increase neighborhood property values.

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

Criteria Met. The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. There are several cabins, lodges, and guide services already on Angler Drive and four additional rental cabins will not impair the quality of life within the neighborhood. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- ED-9 Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.
- LU-2 Promote the infill of existing, improved subdivision lots.
- Q-4 Promote the siting and design of land uses that are in harmony and scale with surrounding uses.

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

Criteria Met. City water and sewer is not in the vicinity of the subject property, therefore, onsite water and wastewater treatment and disposal systems will be necessary. The applicant must meet the wastewater disposal requirements of KPB Chapter 20.40 and the regulatory requirements of the Alaska Department of Environmental Conservation. The property has access to electricity and telephone services. Angler Drive is a paved road which is maintained by the City of Kenai.

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

Criteria Met: The use of four rental cabins will not be harmful to public safety, health, or welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient parking available for rental guests.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Bryan Lowe for Cabin Rentals for property described as T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H Cowan Estates Lot 3, and located at 1050 Angler Drive.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director.
3. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai.
4. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
5. The applicant will meet with City staff for on-site inspections when requested.
6. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
7. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



Conditional Use Permit Application

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

PROPERTY OWNER

Name:	Bryan, Rachel and Bryson Lowe			
Mailing Address:	411 Eadies Way			
City:	Kenai	State:	AK	Zip Code: 99611
Phone Number(s):	907-398-19999			
Email:	bryanlowe123@yahoo.com			

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:	Bryan Lowe			
Mailing Address:	411 Eadies Way			
City:	Keani	State:	AK	Zip Code: 99611
Phone Number(s):	907-398-1999			
Email:	bryanlowe123@yahoo.com			

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04939055
Physical Address:	1050 Angler Dr.
Legal Description:	T 5N R 11W SEC 11 Seward Meridian KN 0970071 James Cowen Estates Lot 3
Zoning:	Rural Residential
Acres:	1.41

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? Vacant

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

4 cabins on one parcel in alignment with current land use of the neighborhood.

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

The addition of these cabins is very similar in look and feel of surrounding structures.

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

This project expands on similar uses and bolsters the status quo of the area.

Use of surrounding property - north:	Rural Residential
Use of surrounding property - south:	Rural Residential
Use of surrounding property - east:	Rural Residential
Use of surrounding property - west:	Rural Residential

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

This project is in harmony with the current economic developments that have been established in similar land use of the area. This project aligns with the current recreation of surrounding properties in an environmentally aesthetic fashion that enriches the quality of life the Kenai is known for.

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

Yes, existing utility are sufficient to serve the proposed conditional use.

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

This conditional use is in harmony with the surrounding businesses that have grown in the area for over a decade, in addition, the applicant is well versed in this area and has years of success in building the current standard you see present in the area today.

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?

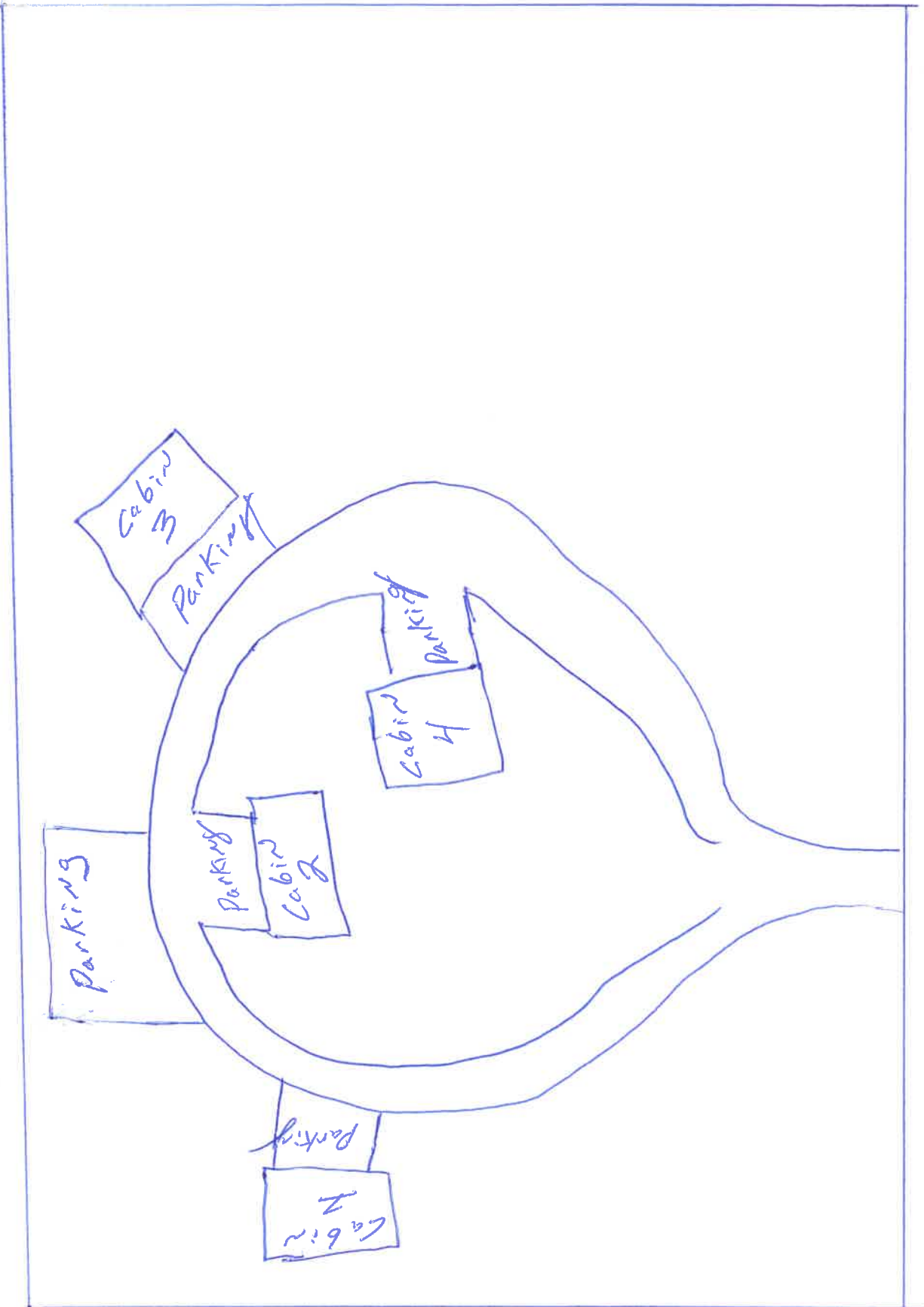
No, these cabins are a continuation of current land use and fall well in line with all aspects of neighboring properties as well as the surrounding area.

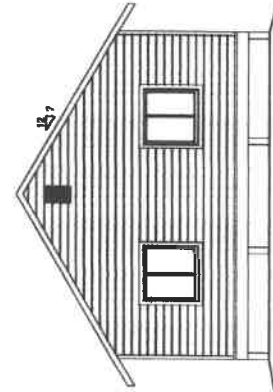
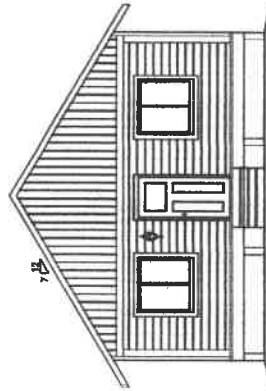
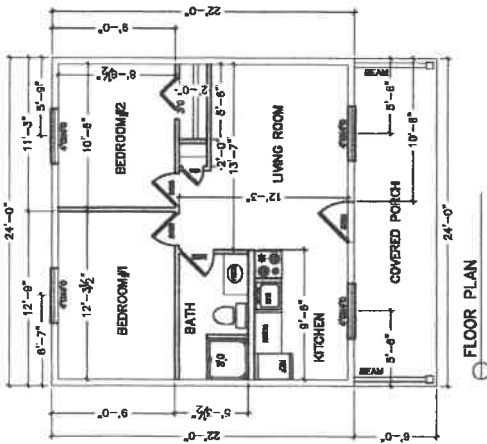
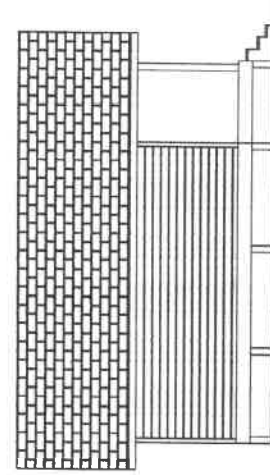
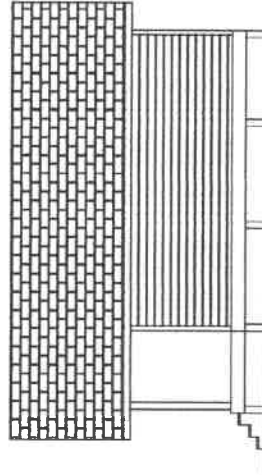
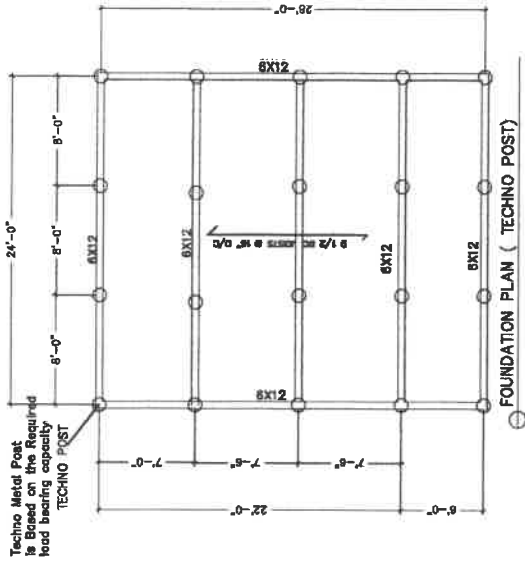
AUTHORITY TO APPLY FOR CONDITIONAL USE:
 I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is 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:	4/15/21
Print Name:	Bryan R Lowe	Title/Business:	owner / Papa Johns Camp

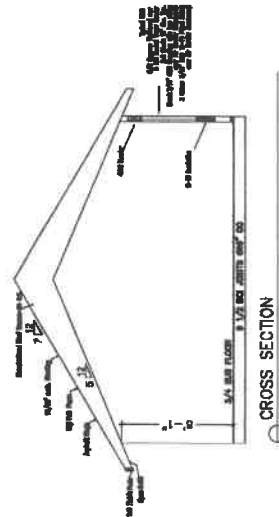
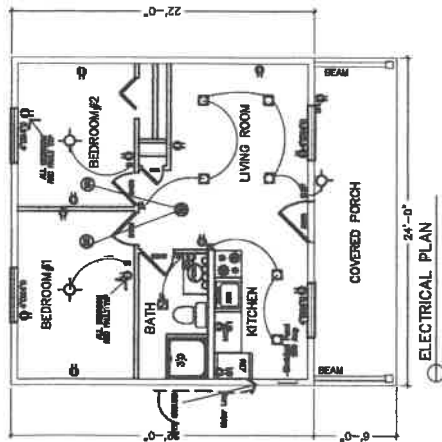
For City Use Only	Date Application Fee Received:	4/19/21
	PZ Resolution Number:	PZ 20215

1050 Anzer Dr
Kenai



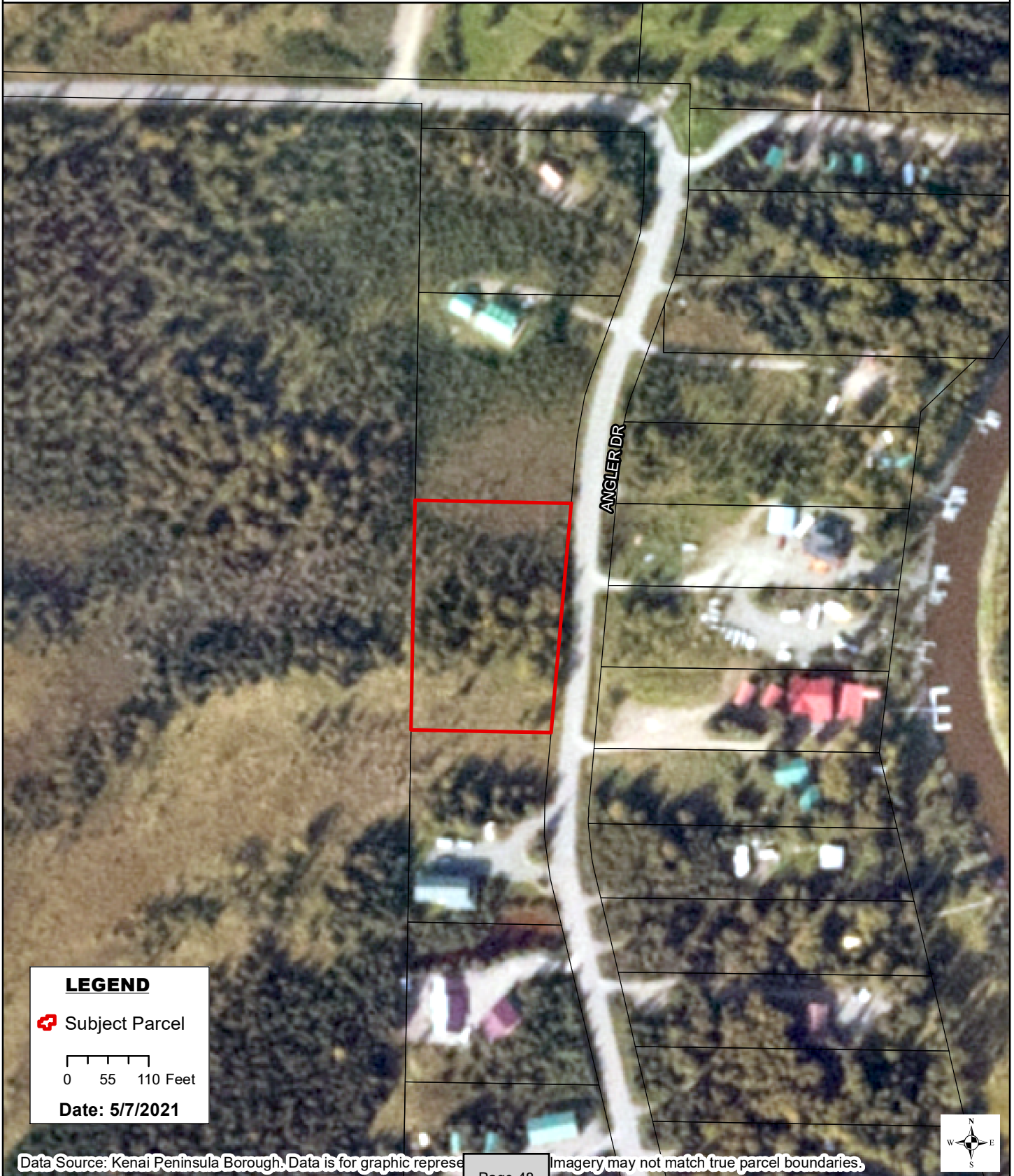


ELEVATION






T 5N R 11W SEC 11 Seward Meridian KN
0970071 James H Cowan Estates Lot 3
1050 Angler Drive
Parcel 04939055



LEGEND

 Subject Parcel

0 55 110 Feet

Date: 5/7/2021



Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

Papa Johns camp

411 Eadies Way, Kenai, AK 99611

owned by

bryan Robert lowe

is licensed by the department to conduct business for the period

April 15, 2021 to December 31, 2022
for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Julie Anderson
Commissioner

PLANNING & ZONING COMMISSION

Resolution PZ2021-15 – Conditional Use Permit – Cabin Rentals

1050 Angler Drive

SUMMARY

Applicant: Bryan Lowe
411 Eadies Way
Kenai, Alaska 99611

Legal Description: T 5N R 11W SEC 11 Seward Meridian
KN 0970071 James H Cowan Estates
Lot 3

Property Address: 1050 Angler Drive

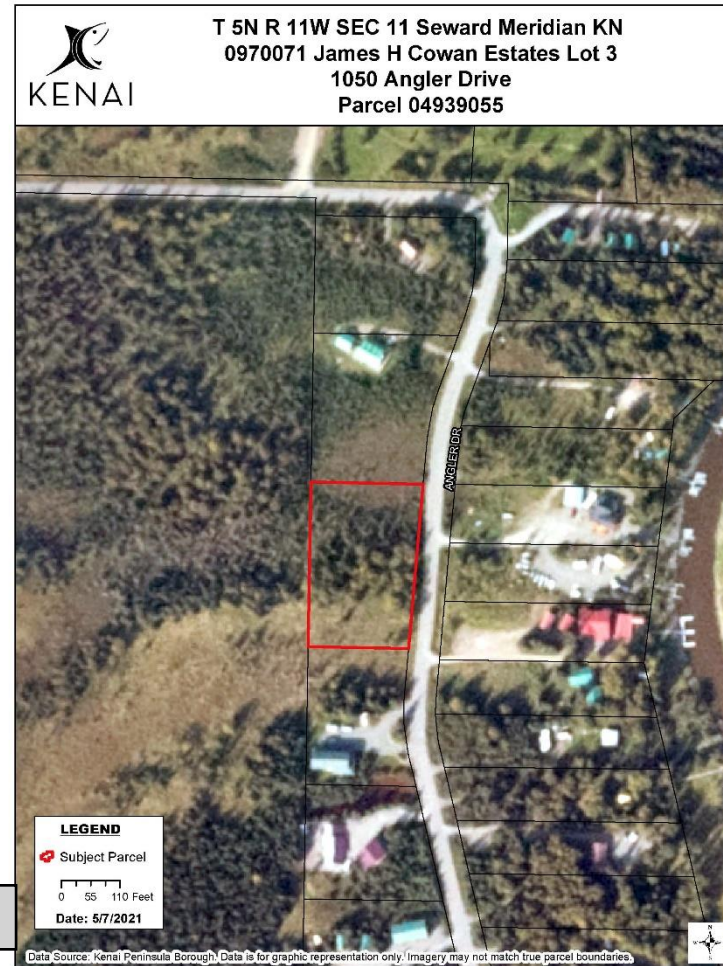
KPB Parcel No: 04939055

Lot Size: 1.41 Acres (61,419 square feet)

Existing Zoning: Rural Residential

Current Land Use: Vacant Parcel

Land Use Plan: Low Density Residential

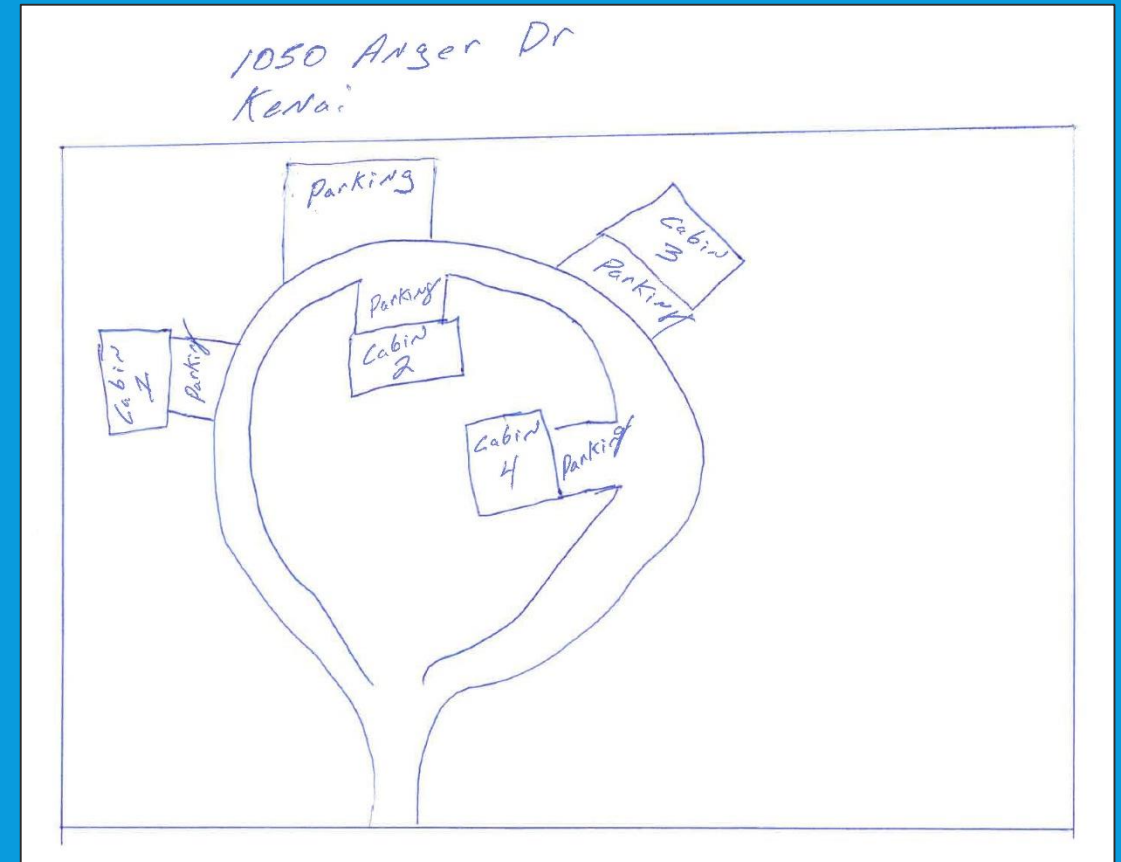


SUMMARY

- Cabin rentals are listed as a conditional use within the Rural Residential zone in Kenai Municipal Code 14.22.010
- Land Use Table. KMC 14.20.320 Definitions, defines cabin rentals “Cabin rentals” means the renting out of one (1) or more individual, detached dwelling units or buildings to provide overnight sleeping accommodations for a period of less than thirty (30) consecutive days.

SITE PLAN

- Site plan identifies the rough layout of the 4 rental cabins.
- Each cabin is approximately 528 sf plus a porch.



STAFF ANALYSIS

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

REVIEW CRITERIA

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

RECOMMENDATIONS

- City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(4) of Kenai Municipal Code 14.20.185, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use Permit application, subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director.
 3. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai.
 4. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.

RECOMMENDATIONS CONTINUED

5. The applicant will meet with City staff for on-site inspections when requested.
6. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
7. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

ATTACHMENTS

- A. Resolution PZ2021-15
- B. Application
- C. Draft Site Plan
- D. Floor Plans/Elevation Drawings
- E. Aerial Map
- F. Business License

A. RESOLUTION



CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-15

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A CONDITIONAL USE PERMIT FOR CABIN RENTALS.

APPLICANT: Bryan Lowe

PROPERTY ADDRESS: 1050 Angler Drive

LEGAL DESCRIPTION: T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H Cowan Estates Lot 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04939055

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 12, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

Resolution No. PZ2021-15
Page 2 of 3

The Land Use Table provides that Cabin Rentals are a conditional use; therefore, a conditional use permit must be granted for the construction and operation of rental cabins. The applicant has provided a site plan that provides the layout of the cabins and parking.

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

Criteria Met: The parcels located to the North, South, East and West of the subject property are zoned rural residential and are undeveloped City owned property to the west, with single family residential uses to the north, south, and east. The value of adjacent properties should not be significantly impacted with the construction of four rental cabins. Generally speaking, new construction of this nature, tends to increase neighborhood property values.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. There are several cabins, lodges, and guide services already on Angler Drive and four additional rental cabins will not impair the quality of life within the neighborhood. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- ED-9 Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.
- LU-2 Promote the infill of existing, improved subdivision lots.
- Q-4 Promote the siting and design of land uses that are in harmony and scale with surrounding uses.

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

Criteria Met: City water and sewer is not in the vicinity of the subject property, therefore, onsite water and wastewater treatment and disposal systems will be necessary. The applicant must meet the wastewater disposal requirements of KPB Chapter 20.40 and the regulatory requirements of the Alaska Department of Environmental Conservation. The property has access to electricity and telephone services. Angler Drive is a paved road which is maintained by the City of Kenai.

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

Criteria Met: The use of four rental cabins will not be harmful to public safety, health, or welfare. Staff believes that services are available to adequately serve this development. The applicant has provided the City with a draft site plan, which indicates that there will be sufficient parking available for rental guests.

A. RESOLUTION CONTINUED

Resolution No. PZ2021-15
Page 3 of 3

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Bryan Lowe for Cabin Rentals for property described as T 5N R 11W SEC 11 Seward Meridian KN 0970071 James H Cowan Estates Lot 3, and located at 1050 Angler Drive.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to issuance of a Building Permit, a landscape/site plan must be reviewed and approved by the Planning Director.
3. Prior to beginning construction of the project, a building permit must be issued by the Building Official for the City of Kenai.
4. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
5. The applicant will meet with City staff for on-site inspections when requested.
6. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
7. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.


JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK

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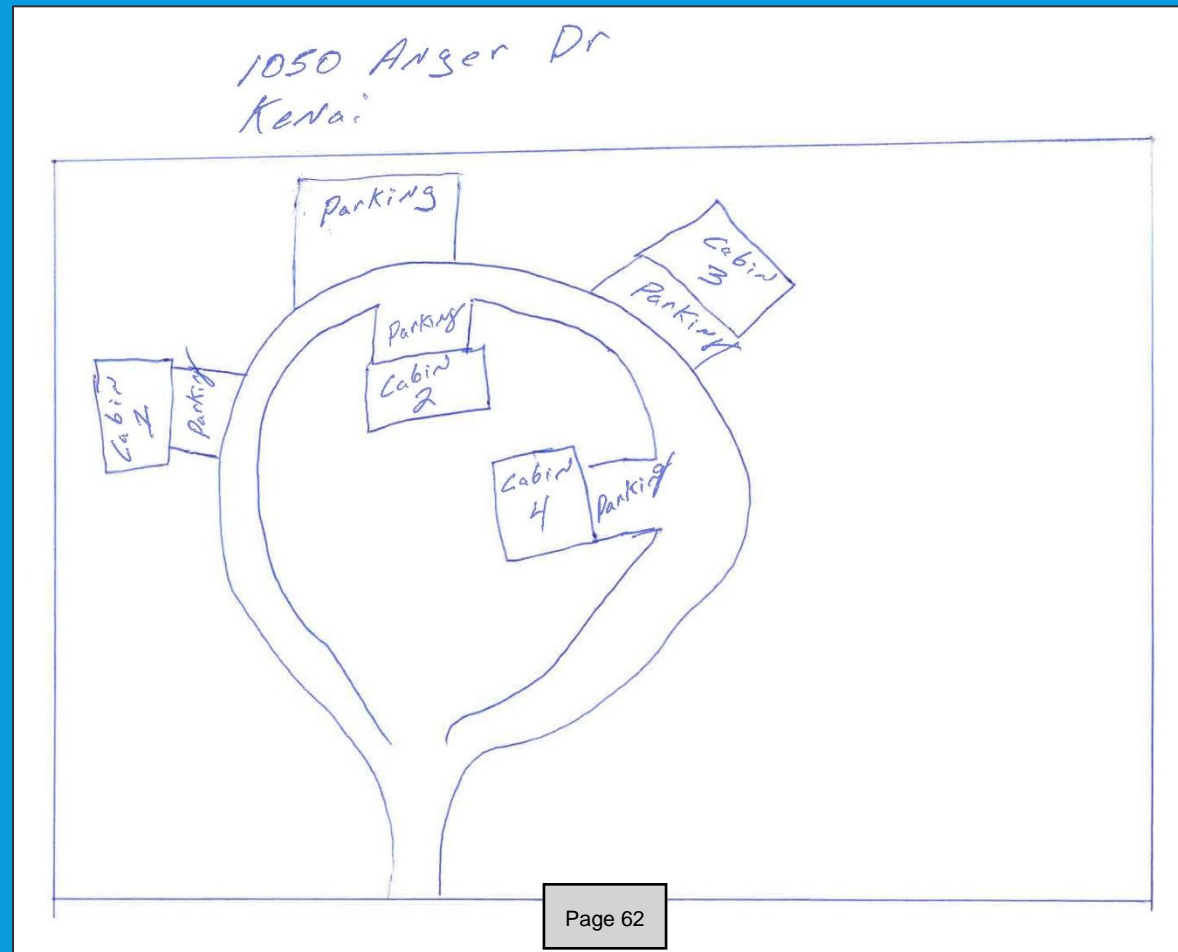
B. APPLICATION

	Conditional Use Permit Application			City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-5200 planning@kenai.city www.kenai.city/planning
	PROPERTY OWNER			
Name:	Bryan, Rachel and Bryson Lowe			
Mailing Address:	411 Eadles Way			
City:	Kenai	State:	AK	Zip Code: 99611
Phone Number(s):	907-398-19999			
Email:	bryanlowe123@yahoo.com			
PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)				
Name:	Bryan Lowe			
Mailing Address:	411 Eadles Way			
City:	Kenai	State:	AK	Zip Code: 99611
Phone Number(s):	907-398-1999			
Email:	bryanlowe123@yahoo.com			
PROPERTY INFORMATION				
Kenai Peninsula Borough Parcel # (Property Tax ID):	04839055			
Physical Address:	1050 Angler Dr.			
Legal Description:	T 5N R 11W SEC 11 Seward Meridian KN 0970071 James Cowen Estates Lot 3			
Zoning:	Rural Residential			
Acres:	1.41			
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?	Vacant			
Conditional Use Requested for (attach additional sheets if necessary):	4 cabins on one parcel in alignment with current land use of the neighborhood.			
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:	The addition of these cabins is very similar in look and feel of surrounding structures.			
Explain how the value of adjoining property and neighborhood will not be significantly impaired by the conditional use:	This project expands on similar uses and bolsters the status quo of the area.			

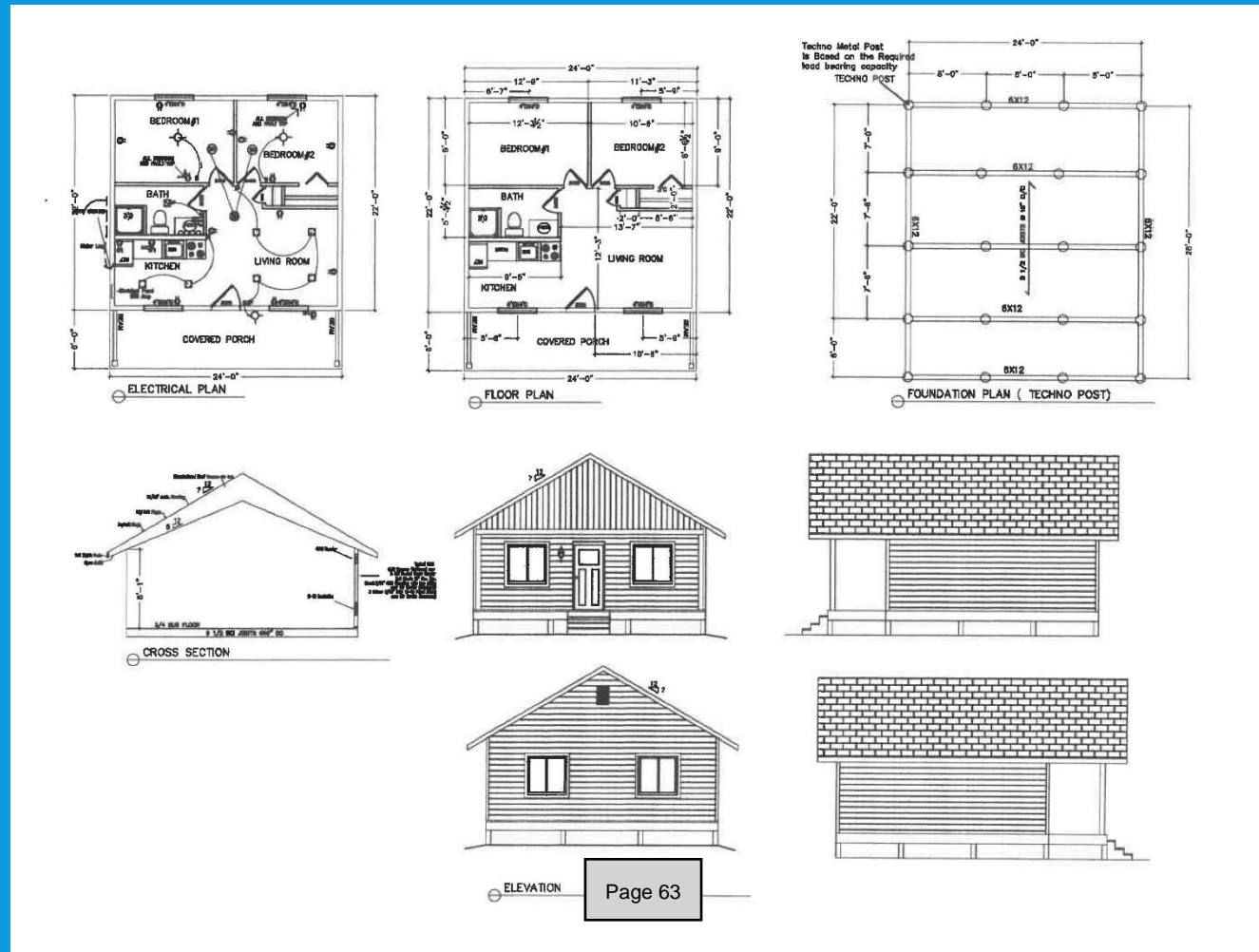
PAID APR 15 2021

Use of surrounding property - north:	Rural Residential
Use of surrounding property - south:	Rural Residential
Use of surrounding property - east:	Rural Residential
Use of surrounding property - west:	Rural Residential
Explain how the conditional use is in harmony with the City's Comprehensive Plan:	
This project is in harmony with the current economic developments that have been established in similar land use of the area. This project aligns with the current recreation of surrounding properties in an environmentally aesthetic fashion that enriches the quality of life the Kenai is known for.	
Are public services and facilities on the property adequate to serve the proposed conditional use?	
Yes, existing utility are sufficient to serve the proposed conditional use.	
Explain how the conditional use will not be harmful to public safety, health, or welfare:	
This conditional use is in harmony with the surrounding businesses that have grown in the area for over a decade, in addition, the applicant is well versed in this area and has years of success in building the current standard you see present in the area today.	
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?	
No, these cabins are a continuation of current land use and fall well in line with all aspects of neighboring properties as well as the surrounding area.	
AUTHORITY TO APPLY FOR CONDITIONAL USE: I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.	
Signature:	<i>Bryan R. Lowe</i>
Date:	4/15/21
Print Name:	Bryan R. Lowe
Title/Business:	Owner / Papa John's Camp
For City Use Only	Date Application Fee Received: 4/15/21
	PZ Resolution Number: PZ 202115

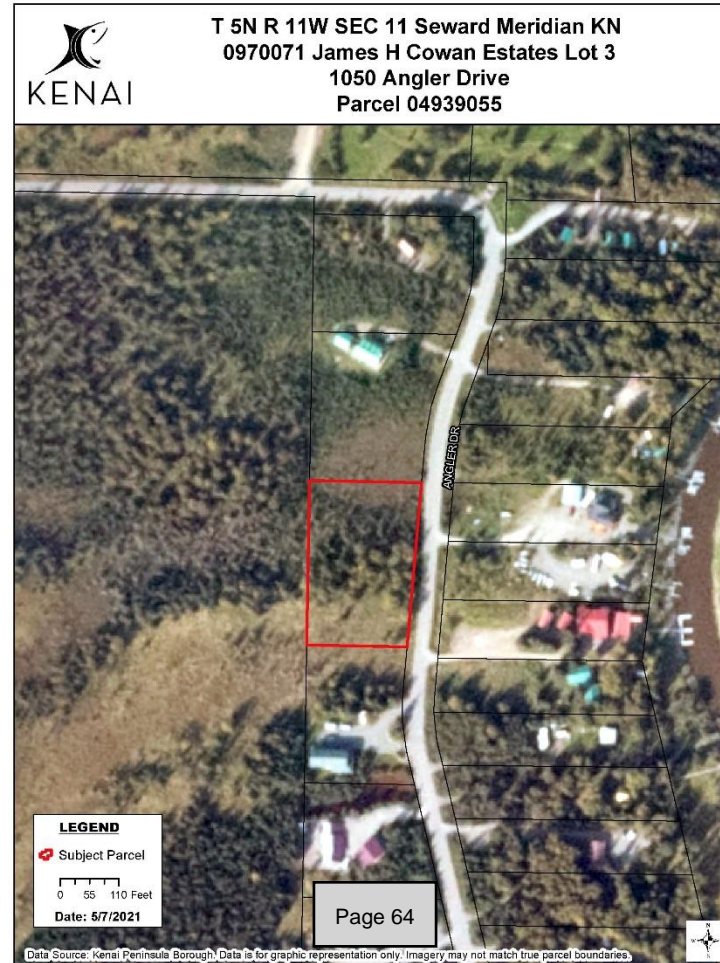
C. SITE PLAN



D. FLOOR PLANS/ELEVATION DRAWINGS



E. AERIAL MAP



F. BUSINESS LICENSE

Alaska Business License # 2129586


Alaska Department of Commerce, Community, and Economic Development
Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that

Papa Johns camp
411 Eadles Way, Kenai, AK 99611

owned by
bryan Robert lowe

is licensed by the department to conduct business for the period
April 15, 2021 to December 31, 2022
for the following line(s) of business:
72 - Accommodation and Food Services

 This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.
This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.
Julie Anderson
Commissioner

Page 65

File Attachments for Item:

2.



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-16**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A CONDITIONAL USE PERMIT FOR GUIDE SERVICE.

APPLICANT: Dean Michael Schlehofer

PROPERTY ADDRESS: 345 Dolchok Lane

LEGAL DESCRIPTION: Lot 4, Block 4, Basin View Subdivision Part 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04926211

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 6, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

- (A) Preserve the rural, open quality of the environment;
- (B) Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

- (A) Violate the residential character of the environment;
- (B) Generate heavy traffic in predominantly residential areas.

The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Criteria Met: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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;*

Criteria Met: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

Criteria Met: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Dean Michael Schlehofer for a Guide Service for property described as Lot 4, Block 4, Basin View Subdivision Part 3, and located at 345 Dolchok Lane.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-17**

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

APPLICANT: Dean Michael Schlehofer

PROPERTY ADDRESS: 345 Dolchok Lane

LEGAL DESCRIPTION: Lot 4, Block 4, Basin View Subdivision Part 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04926211

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 6, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

- (A) Preserve the rural, open quality of the environment;
- (B) Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

- (A) Violate the residential character of the environment;
- (B) Generate heavy traffic in predominantly residential areas.

The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Criteria Met: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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;*

Criteria Met: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

Criteria Met: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Dean Michael Schlehofer for Lodging for property described as Lot 4, Block 4, Basin View Subdivision Part 3, and located at 345 Dolchok Lane.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: May 6, 2021
SUBJECT: PZ2021-16 – Conditional Use Permit – Guide Service
PZ2021-17 – Conditional Use Permit - Lodging

Applicant: Dean Michael Schlehofer
P.O. Box 201565
Anchorage, Alaska 99520-1565

Legal Description: Lot 4, Block 4, Basin View Subdivision Part 3

Property Address: 345 Dolchok Lane

KPB Parcel No: 04926211

Lot Size: 1.94 Acres (approximately 84,506 square feet)

Existing Zoning: Rural Residential

Current Land Use: Single Family Dwelling

Land Use Plan: Low Density Residential

GENERAL INFORMATION

The applicant recently purchased this property, and would like to conduct a guide service and lodge from the premises. Kenai Municipal Code 14.22 Land Use Table provides that a guide service and lodge are a conditional use; therefore, the applicant has submitted an application for a Conditional Use Permit. The applicant states that the purpose for this conditional use request is to help him serve King of the River's clients, who have booked with him to sleep over and leave in the morning to join a professional guide for fishing on King of the River's riverboats on the Kenai or Kasilof Rivers. This is a 100% fishing service that includes accommodations. He does not offer any accommodations without first booking a fishing trip.

Application, Public Notice, Public Comment

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

ANALYSIS

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

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

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

Applicant Response: The operation of the fishing season is between May and September/early October. Our fishing service provides clients with accommodations on the property, where they will stay overnight between 6 p.m. (check in) and check out early in the morning (5 a.m.- 8:00 a.m.) before their fishing trips with King of the River. The average number clients sleep over is four or five people per night for the entire summer. Our lodging includes four rooms, and our maximum capacity is eight clients. May and September are usually slow, June and August are typically busy, and the month of July is extremely popular. We operate no other activities except fishing and accommodations on the property at 345 Dolchok Lane. During the day, it will be frequently vacated/empty, especially between May and September, while clients are on the riverboats with the guides. The lodging will only be occupied with clients in the evening until early morning. There is no service in the winter from mid-October to April.

Beaver Creek is closed to fishing all year round, under ADFG's regulations. King of the River clients are not allowed to fish on the waterfront of 345 Dolchok Lane.

King of the River does not offer any cooked meals to clients, except a continental breakfast (yogurt, hard-boiled egg, bagels, danish, snack bar, etc.) in each room with mini refrigerators. The lower level of the house has a full kitchen. The clients can bring their own meals to cook in using the full kitchen on the lower level. Cooking is prohibited elsewhere in the rooms.

All rooms are included in the floor plan maps to show the safest ways to exit the house.

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

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

The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Applicant Response: The property is nearly two acres, which is wide open. The north-side neighbor has wooden fences, with nearly no visibility between the neighbor's property and our property. The south-side neighbor has almost no visibility of our property because of the forest pines. The south-side neighbor's home is closer to the Beaver Creek. It is farther from the 345 Dolchok Lane home than the north-side neighbor, and there is minimal visibility between us.

The parking lot at 345 Dolchok Lane can fit many vehicles; however, most likely between four and eight of our clients will use one to three vehicle parking spaces daily.

Staff Response: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Applicant Response: Each room will include a laminated letter on the wall with the property instructions and restrictions (rules of the lodging) to ensure the safety and harmony of all guests.

Sample Letter:



Welcome to King of the River Accommodations

And welcome to Alaska! We ask that our guests respect the following house rules:

1. Quiet hours begin at 10 p.m.
2. We are a tobacco-free facility.
3. No cleaning/filleting/vacuuming any fish (outside/inside or in the kitchen). Note King of the River provides fish processing.
4. Please remove your shoes before entering the rooms.
5. If staying for one night only, please remove your belongings in the morning before fishing. If staying for multiple nights, your belongings may be left until the last morning of your stay.
6. Meet at your fishing site (Kenai River, Kasilof, or Ninilchik) at (time of meeting)

It takes approximately four minutes to drive from the King of the River's lodge to Eagle Rock State Site Parking Lot/Dock, 30 minutes to Kasilof Recreational State Park, and 50 minutes to Deep Creek State Recreation Area.

For King of the River fishing, there are two things you need to remember:

- 1) In the morning, please park your vehicle in one of the following parking lots: Eagle Rock Launch, Kasilof Recreational State Park/Launch, or Deep Creek State Park.
- 2) Please DO NOT ENTER or roam around the properties of our north- and south-side neighbors because they are private property. Please respect our neighbors.

Staff Response: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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.

Applicant Response: We have limited public services and facilities on our property because it will only be used for overnight accommodations when King of the River clients have booked and scheduled fishing trips with us. This is not a public *offer* and is only available to clients who have booked with King of the River through phone, email, or other correspondence before they appear at the property. Clients can search for information



about us through our website, social media, and other advertisements. When the clients schedule/book with us, a booking agent will attach a file reservation form along with a confirmation letter via email, including directions, information, what to bring, policies, time to meet, and so on. We do not accept any clients who show up at the property without a confirmation letter or a reservation with King of the River.

Staff Response: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

Applicant Response: There are no foreseeable harms to public safety, health, or welfare on the property of 345 Dolchok Lane because a helper, my family, and I are in the house most of the time while the clients are with us.

Staff Response: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

Criteria # 6: Specific conditions deemed necessary.

Applicant Response: Not at this time; however, I plan to research building a floating dock on Beaver Creek this summer for installation in 2022 or 2023. It is difficult to observe or comprehend whether the waterfront creek would adapt well to a floating dock or access to the Kenai River because of the low tide water level. I purchased the property on March 12, 2021. Because the creek was frozen solid at that time, it was difficult to observe or access it in the early spring because of the snow (thickness) conditions. The previous owners had never tried to use their boats on Beaver Creek. Additionally, it is 1.6 miles away from the property to the confluence of the Kenai River. The creek might be inaccessible due to possible low water conditions such as gravel bars. I will have a full answer for the next season. I have no intention of pursuing any other measures that would *affect* access, screening, site development, building design, or business operation on my property.

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

RECOMMENDATIONS

City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(4) of Kenai Municipal Code 14.20.185, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use Permit application, subject to the following conditions:



1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

ATTACHMENTS

- A. Resolution No. PZ2021-16
- B. Resolution No. PZ2021-17
- C. Application
- D. Site Plan Aerials
- E. Floor Plans/Elevation Drawings
- F. Aerial Map
- G. Email Responses





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-16**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A CONDITIONAL USE PERMIT FOR GUIDE SERVICE.

APPLICANT: Dean Michael Schlehofer

PROPERTY ADDRESS: 345 Dolchok Lane

LEGAL DESCRIPTION: Lot 4, Block 4, Basin View Subdivision Part 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04926211

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 6, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

- (A) Preserve the rural, open quality of the environment;
- (B) Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

- (A) Violate the residential character of the environment;
- (B) Generate heavy traffic in predominantly residential areas.

The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Criteria Met: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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;*

Criteria Met: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

Criteria Met: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Dean Michael Schlehofer for a Guide Service for property described as Lot 4, Block 4, Basin View Subdivision Part 3, and located at 345 Dolchok Lane.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
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5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-17**

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

APPLICANT: Dean Michael Schlehofer

PROPERTY ADDRESS: 345 Dolchok Lane

LEGAL DESCRIPTION: Lot 4, Block 4, Basin View Subdivision Part 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04926211

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 6, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

- (A) Preserve the rural, open quality of the environment;
- (B) Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

- (A) Violate the residential character of the environment;
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The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Criteria Met: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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;*

Criteria Met: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

Criteria Met: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Dean Michael Schlehofer for Lodging for property described as Lot 4, Block 4, Basin View Subdivision Part 3, and located at 345 Dolchok Lane.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

JEFF TWAIT, CHAIRPERSON

ATTEST:

JAMIE HEINZ, MMC, CITY CLERK



Conditional Use Permit Application

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

PROPERTY OWNER

Name:	Dean Michael Schlehofer				
Mailing Address:	PO Box 201565				
City:	Anchorage	State:	AK	Zip Code:	99520-1565
Phone Number(s):	907-268-5519				
Email:	mykingoftheriver@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):	04926211
Physical Address:	345 Dolchok Lane, Kenai AK 99611
Legal Description:	Basin View Pt3 L4 B4
Zoning:	Rural Residential
Acres:	1.94

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?	Fishing Guide Lodging
Conditional Use Requested for (attach additional sheets if necessary):	
See attached:	

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

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

RECEIVED
CITY OF KENAI
DATE 4-15-21
PLANNING DEPARTMENT

Use of surrounding property - north:	Driveway/parking lots, access to the lower level of the house
Use of surrounding property - south:	South side of a large deck, open green field
Use of surrounding property - east:	Entry to lower level, driveway parking lot, view of Beaver Creek
Use of surrounding property - west:	See attached:

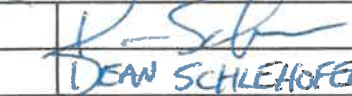
Explain how the conditional use is in harmony with the City's Comprehensive Plan:
 See attached:

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

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

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?
 See attached:

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:	4/15/2021
Print Name:	DEAN SCHLEHOFER	Title/Business:	GUIDE / OWNER
For City Use Only		Date Application Fee Received:	4/15/21
		PZ Resolution Number:	2021-16 Fishing Guide 2021-17 Lodging

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

This purpose for this Conditional Use Request is to help us serve King of the River's clients, who have booked with us to sleep over and leave in the morning to join a professional guide for fishing on King of the River's riverboats on the Kenai or Kasilof Rivers. This is a 100% fishing service that includes accommodations. We do not offer any accommodations without first booking a fishing trip.

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

The operation of the fishing season is between May and September/early October. Our fishing service provides clients with accommodations on the property, where they will stay overnight between 6 p.m. (check in) and check out early in the morning (5 a.m.- 8:00 a.m.) before their fishing trips with King of the River. The average number clients sleep over is four or five people per night for the entire summer. Our lodging includes four rooms, and our maximum capacity is eight clients. May and September are usually slow, June and August are typically busy, and the month of July is extremely popular. We operate no other activities except fishing and accommodations on the property at 345 Dolchok Lane. During the day, it will be frequently vacated/empty, especially between May and September, while clients are on the riverboats with the guides. The lodging will only be occupied with clients in the evening until early morning.

There is no service in the winter from mid-October to April.

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

The property is nearly two acres, which is wide open. The north-side neighbor has wooden fences, with nearly no visibility between the neighbor's property and our property. The south-side neighbor has almost no visibility of our property because of the forest pines. The south-side neighbor's home is closer to the Beaver Creek. It is farther from the 345 Dolchok Lane home than the north-side neighbor, and there is minimal visibility between us.

The parking lot at 345 Dolchok Lane can fit many vehicles; however, most likely between four and eight of our clients will use one to three vehicle parking spaces daily.

See "A," "B," and "C" files attached (top view photos)

- Use of surrounding property – north: Driveway/parking lots, access to the lower level of the house
- Use of surrounding property – south: South side of a large deck, open green field
- Use of surrounding property – east: Entry to lower level, driveway parking lot, view of Beaver Creek
- Use of surrounding property – west: Large parking lots for the main level, exit to Dolchok Lane/Beaver Loop Road

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

Each room will include a laminated letter on the wall with the property instructions and restrictions (rules of the lodging) to ensure the safety and harmony of all guests.

Sample Letter:

Welcome to King of the River Accommodations

And welcome to Alaska! We ask that our guests respect the following house rules:

1. Quiet hours begin at 10 p.m.
2. We are a tobacco-free facility.
3. No cleaning/filleting/vacuuming any fish (outside/inside or in the kitchen).
Note King of the River provides fish processing.
4. Please remove your shoes before entering the rooms.
5. If staying for one night only, please remove your belongings in the morning before fishing. If staying for multiple nights, your belongings may be left until the last morning of your stay.
6. Meet at your fishing site (Kenai River, Kasilof, or Ninilchik) at (time of meeting) _____.

It takes approximately four minutes to drive from the King of the River's lodge to Eagle Rock State Site Parking Lot/Dock, 30 minutes to Kasilof Recreational State Park, and 50 minutes to Deep Creek State Recreation Area.

For King of the River fishing, there are two things you need to remember:
1) In the morning, please park your vehicle in one of the following parking lots: Eagle Rock Launch, Kasilof Recreational State Park/Launch, or Deep Creek State Park.

2) Please DO NOT ENTER or roam around the properties of our north- and south-side neighbors because they are private property. Please respect our neighbors.

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

We have limited public services and facilities on our property because it will only be used for overnight accommodations when King of the River clients have booked and scheduled fishing trips with us. This is not a public offer and is only available to clients who have booked with King of the River through phone, email, or other correspondence before they appear at the property. Clients can search for information about us through our website, social media, and other advertisements. When the clients schedule/book with us, a booking agent will attach a file reservation form along with a confirmation letter via email, including directions, information, what to bring, policies, time to meet, and so on. We do not accept any clients who show up at the property without a confirmation letter or a reservation with King of the River.

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

There are no foreseeable harms to public safety, health, or welfare on the property of 345 Dolchok Lane because a helper, my family, and I are in the house most of the time while the clients are with us.

Introduction: Dean Schlehofer, Professional Guide and Owner

I am the founder and owner of King of the River fishing, established in 1992. I have served thousands of clients. Summer 2021 will be my 30th year in business. I have lived in and been a resident of Alaska since June 1981. I received my first Coast Guard license in 1996, and I have been guiding ever since. I received my 6th license in March 2021 (renewal every five years). I run my business solo and have a proven record of safely guiding over 14,000 clients on the Kenai/Kasilof Rivers. I spend 70–80 days of the year guiding 10- to 12-hour charters on these waters. Some quick math shows that I have in excess of 23,000 hours on the water.

My philosophy as a guide is to conduct myself at the highest professional level and provide the best service I can as a Kenai/Kasilof River guide. My excellent safety record is due to my 36 years of experience on the rivers. I believe in ensuring the utmost safety and health of all my clients, on my property and in the riverboats.

King of the River does not offer any cooked meals to clients, except a continental breakfast (yogurt, hard-boiled egg, bagels, danish, snack bar, etc.) in each room with mini refrigerators. The lower level of the house has a full kitchen. The clients can bring their own meals to cook in using the full kitchen on the lower level. Cooking is prohibited elsewhere in the rooms.

Beaver Creek is closed to fishing all year round, under ADFG's regulations. King of the River clients are not allowed to fish on the waterfront of 345 Dolchok Lane.

All rooms are included in the floor plan maps to show the safest ways to exit the house.

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

Not at this time; however, I plan to research building a floating dock on Beaver Creek this summer for installation in 2022 or 2023. It is difficult to observe or comprehend whether the waterfront creek would adapt well to a floating dock or access to the Kenai River because of the low tide water level. I purchased the property on March 12, 2021. Because the creek was frozen solid at that time, it was difficult to observe or access it in the early spring because of the snow (thickness) conditions. The previous owners had never tried to use their boats on Beaver Creek. Additionally, it is 1.6 miles away from the property to the confluence of the Kenai River. The creek might be inaccessible due to possible low water conditions such as gravel bars. I will have a full answer for the next season. I have no intention of pursuing any other measures that would affect access, screening, site development, building design, or business operation on my property.



PHOTOGRAPH

A

NITS

2019-08-16 22:17:35
-151 13568 460 66581



B

NTS



PHOTOGRAPH

C

D



REAR SIDE ENTRY

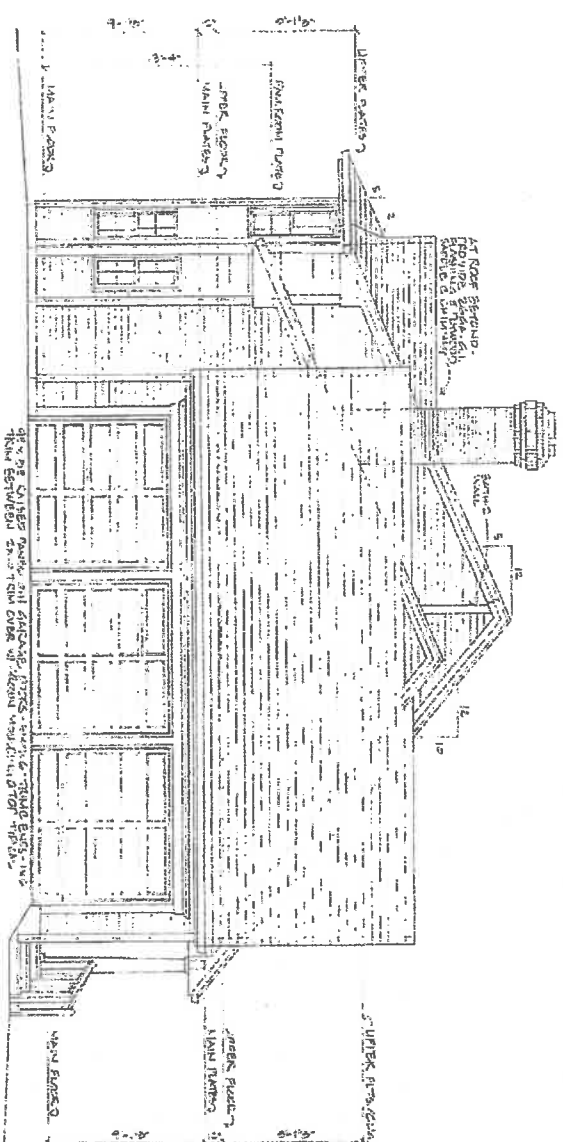
E



COPYRIGHT

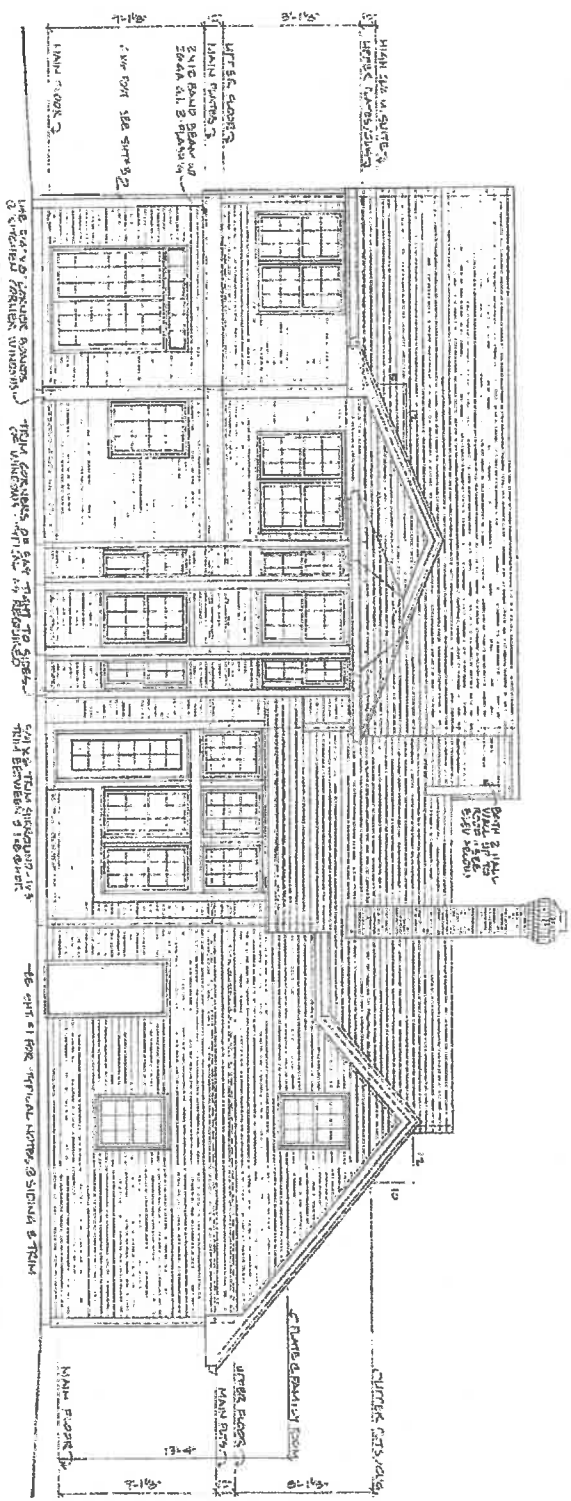
FRONT SIDE ENTRY

LEFT SIDE ELEVATION:




1/4" = 1'-0"

REAR ELEVATION:



1/4" = 1'-0"

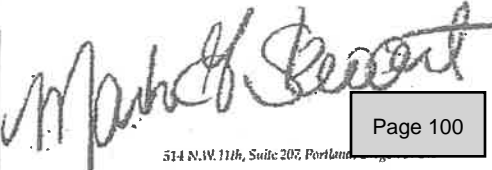


 DRAWN BY: RSM

 CHECKED:

 PROJECT:

 DATE: 02/27/03



 Designer

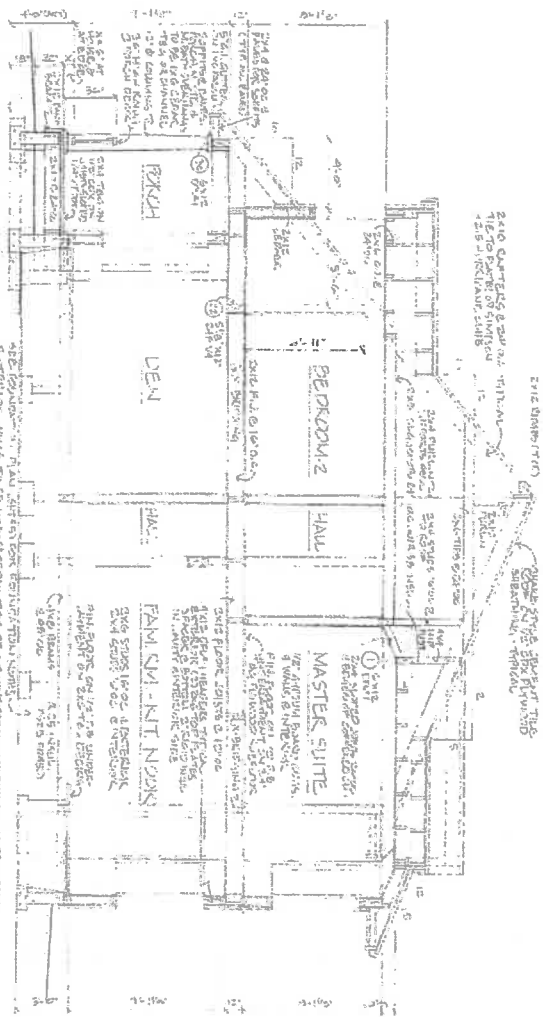
Mark Stewart

 "the leading edge"

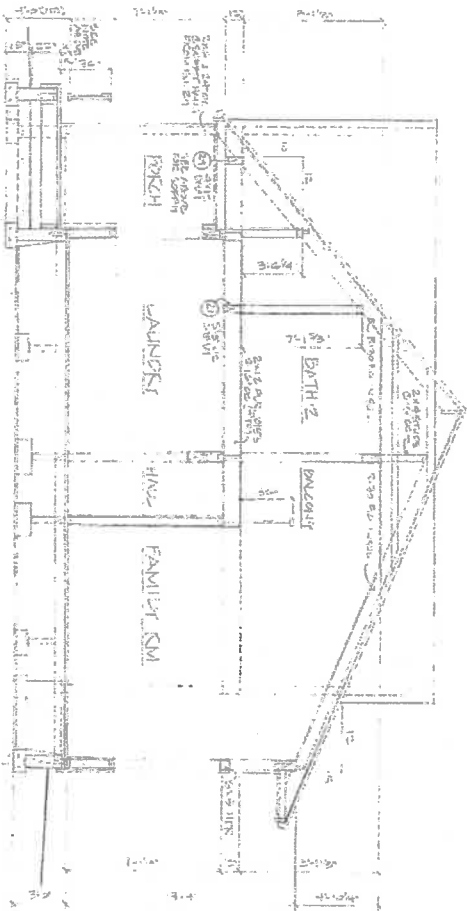
 Home Design

 (503) 224-7450

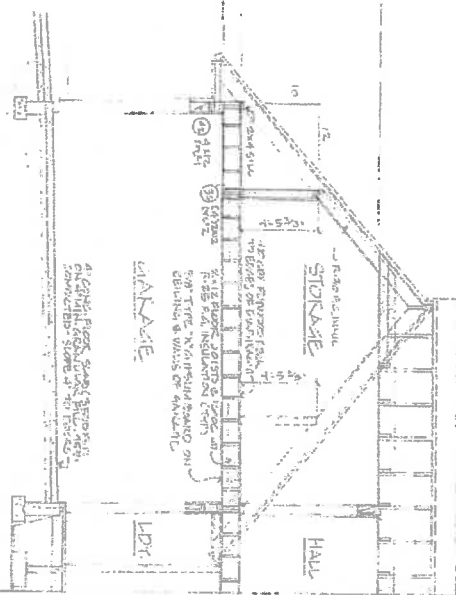
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A CROSS SECTION:
 1/4" = 1'-0"



B CROSS SECTION:
 1/4" = 1'-0"



C SECTION:
 1/4" = 1'-0"


 Designer
Mark Stewart
 "the leading edge"
 Home Design
 (503) 224-7450

514 N.W. 11th, Suite 207, Portland, OR
 Page 101
 017



RESOLUTIONS PZ2021-16 & PZ2021-17
Parcel 04926211
345 Dolchok Lane
Lot 4, Block 4, Basin View Subd. Part 3



Wilma Anderson

From: Josh Schultz <jschu88@gmail.com>
Sent: Wednesday, May 5, 2021 10:43 PM
To: Wilma Anderson
Subject: Resolutions PZ2021-16 and PZ2021-17

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

Wilma,

My wife Rebecca Schultz and I at 375 Dolchok Lane oppose this application for rezoning. This would be against the neighborhood covenants, inject a transient population through the neighborhood and the creek at their residence would not support boat traffic. I feel there are places for a guide service and lodging but this neighborhood is not a good location.

Thank you,

Josh Schultz

May 6, 2021

Planning and Zoning Commissioners:

Unfortunately, we are unable to attend the May 12th planning commission meeting that will address the Conditional Use Permit for a lodge and guide service business at 345 Dolchok Lane (Resolutions PZ2021-16 and PZ2021-17). We would like to express our opposition to approval of this conditional use permit in this letter.

We have lived on Dolchok Lane for almost 20 years. We chose the neighborhood for its residential non-business character, and we have known and appreciated for all that time that businesses were not allowed in the neighborhood due to the neighborhood covenants. In fact, we appreciated the character of the neighborhood so much that we sold our first house on the street and bought and moved into another on the same street. Many of us that still live in the neighborhood participated in paying for the street improvements through the LID process and certainly not with the intention that we would be improving and paying to pave a street to the benefit of a business moving in and violating the neighborhood covenants.

We believe this business conflicts with the restrictions in KMC 14.20.150. This section requires the "separation of residential structures to an extent which will allow for adequate light, air and privacy." This residence, driveway and deck are all open to the street with limited trees separating it from neighbors. Since the neighborhood is in the throes of the beetle kill destruction, the opening up of the neighborhood to less privacy and more noise will continue in the next few years. That Code section also "prohibits uses which would: (A) Violate the residential character of the environment; (B) Generate heavy traffic in predominantly residential areas." We believe this business would clearly violate both of those provisions. Operating the residential home as a fishing lodge with all the customers and guide traffic every day, which will likely include early morning traffic, will clearly violate the residential nature of the subdivision and create heavier traffic and additional noise. KMC 14.20.150 speaks to not impairing the value of the adjoining property and neighborhood. It is not uncommon for this neighborhood to experience noise from the racetrack and gun range across the highway during the summer months, and the introduction of another source of summer business noise into the neighborhood, especially to the close neighbors, could impact property values and property sales. KMC 14.20.150 also requires that the proposal be in harmony with the City's comprehensive plan. We believe that this proposal conflicts with Goal #1, in that it does not protect the livability of existing neighborhoods (Q-2), and it does not promote land uses that are in harmony with surrounding uses (Q-4). This proposal also seems to conflict with Goal 2 of the Comprehensive plan which suggests promoting reuse of business property downtown and along the Kenai Spur (ED-3) and, prior to zoning, minimizing potential conflicts with non-business uses through site design (ED-6). Goal #3 suggests that the City "Establish siting and design standards so that development is in harmony and scale with surrounding uses (LU-1); and, "Review Zoning Code to consider use of buffers and buffer zones to separate incompatible land uses. Review landscaping ordinance to ensure buffers are required to protect neighborhoods (LU-6)." It seems that the Comprehensive Plan goes to great length to suggest the preservation of the neighborhood when considering the introduction of business, and this business location clearly conflicts with the nature of the neighborhood.

We are concerned that the allowance of a lodge and fishing guide business in clear violation of the neighborhood covenants could permanently change the nature of the subdivision. There are many properties in the neighborhood that are on Beaver Creek with views and with creek access, and many of those are possibly even more conducive to similar business activities. Those property owners are currently operating within the neighborhood covenants and not operating businesses in the neighborhood. However, if this Conditional Use Permit were authorized it seems there would be no reason not to authorize one on every other property in the neighborhood.

We appreciate your consideration of this matter. We ask you to deny the Conditional Use Permit and retain the residential nature of the neighborhood that all residents bought into when they purchased property in the neighborhood.

Thank You,

Dave & Lara Ross
365 Dolchok Ln.
Kenai, AK 99611

Wilma Anderson

From: S Jurek <mcjurek@gmail.com>
Sent: Thursday, May 6, 2021 8:53 PM
To: planning@kenai.city; Wilma Anderson
Cc: alex@douthits.com; ggreenberg@akmapco.com; woodard.g@outlook.com; joe@digitsak.com; Ryan Foster
Subject: Resolutions PZ2021-16 and PZ2021-17

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

Dear Ms. Anderson and members of the Planning & Zoning Commission,

We are residents of Basinview Subdivision. We value this area and we were attracted to it because it is a quiet, residential-only neighborhood. However, we are very concerned about two upcoming resolutions.

We oppose Resolutions PZ2021-16 and PZ2021-17, which are conditional use permits for guide services and lodging in Lot 4, Block 4 of Basinview Subdivision Part 3 at 345 Dolchok Lane in Kenai. The Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Basinview Subdivision Part 3 (Book 216, Page 242 of the Kenai Recording District, State of Alaska) explicitly states in paragraph 2 (c) "No lot shall be used for other than single family residential purposes".

Allowing a guide service and lodge in our neighborhood willfully and deliberately violates the neighborhood's covenant. Furthermore, it will destroy the ambiance of this peaceful area. We oppose the resolutions for these reasons.

Thank you,
Frances and Mark Jurek
3065 Kim N Ang Court
Kenai, AK 99611

PLANNING & ZONING COMMISSION

Resolution PZ2021-16 – Conditional Use Permit – Guide Service

Resolution PZ2021-17 – Conditional Use Permit – Lodging

345 Dolchok Lane

SUMMARY

Applicant: Dean Michael Schlehofer
P.O. Box 201565
Anchorage, Alaska 99520-1565

Legal Description: Lot 4, Block 4, Basin View Subdivision Part 3

Property Address: 345 Dolchok Lane

KPB Parcel No: 04926211

Lot Size: 1.94 Acres (approximately 84,506 square feet)

Existing Zoning: Rural Residential

Current Land Use: Single Family Dwelling

Land Use Plan: Low Density Residential

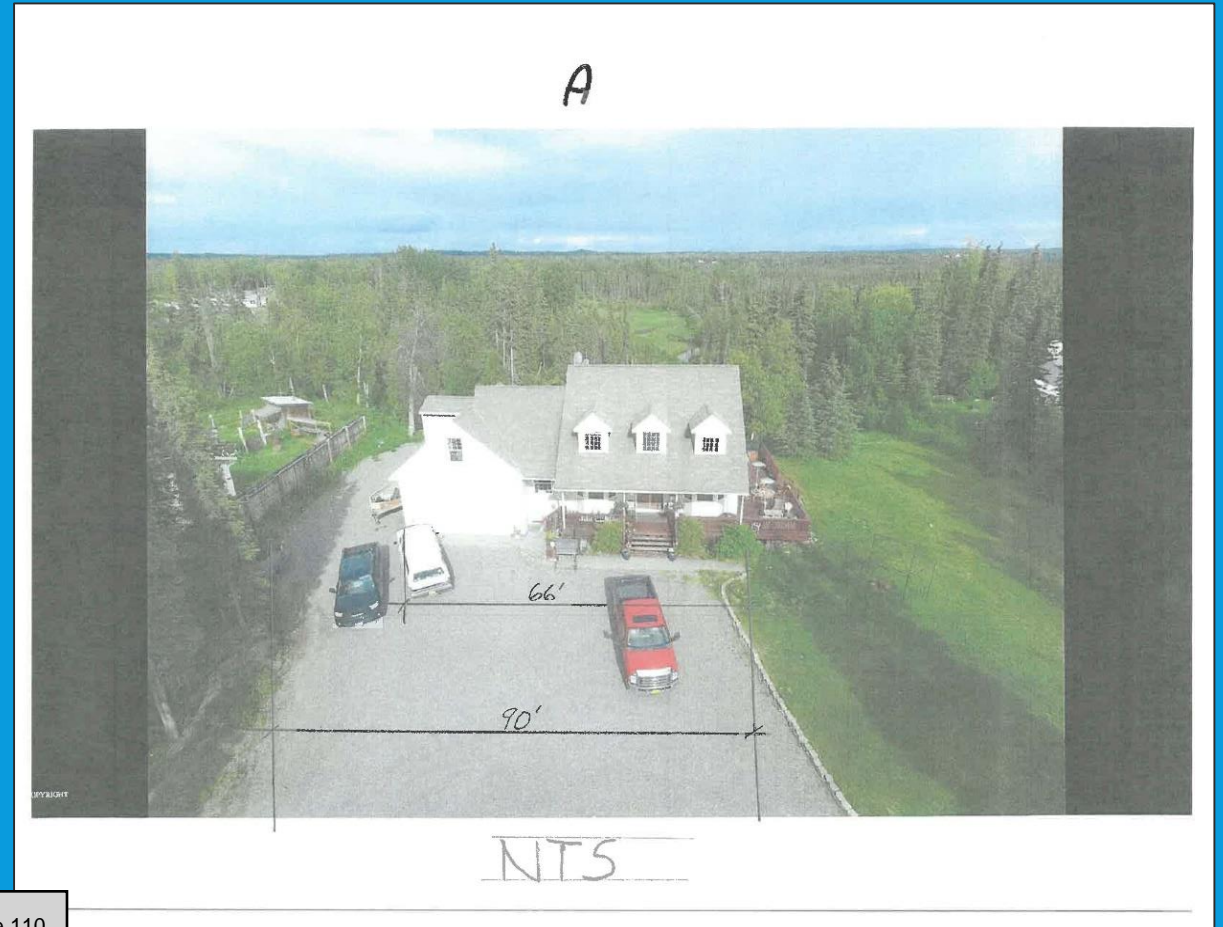


SUMMARY

- The applicant recently purchased this property, and would like to conduct a guide service and lodge from the premises.
- Kenai Municipal Code 14.22 Land Use Table provides that a guide service and lodge are a conditional use, requiring a conditional use permit.
- The applicant states that the purpose for this conditional use request is to help him serve King of the River's clients, who have booked with him to sleep over and leave in the morning to join a professional guide for fishing on King of the River's riverboats on the Kenai or Kasilof Rivers.
- This is a 100% fishing service that includes accommodations and the applicant does not offer any accommodations without first booking a fishing trip.

SITE PLAN

- Site plan identifies the layout of the existing subject property.



STAFF ANALYSIS

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

REVIEW CRITERIA

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

RECOMMENDATIONS

- City staff find that the applicant meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (d)(1) through (d)(4) of Kenai Municipal Code 14.20.185, and hereby recommends that the Planning and Zoning Commission approve the Conditional Use Permit application, subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
 3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
 4. The applicant will meet with City staff for on-site inspections when requested.

RECOMMENDATIONS CONTINUED

5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

ATTACHMENTS

- A. Resolution PZ2021-16
- B. Resolution PZ2021-17
- C. Application
- D. Draft Site Plan
- E. Floor Plans/Elevation Drawings
- F. Aerial Map
- G. Email Responses

A. RESOLUTION PZ2021-16



CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-16

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI
GRANTING A CONDITIONAL USE PERMIT FOR GUIDE SERVICE.

APPLICANT: Dean Michael Schlehofer

PROPERTY ADDRESS: 345 Dolchok Lane

LEGAL DESCRIPTION: Lot 4, Block 4, Basin View Subdivision Part 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04926211

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 6, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

Resolution No. PZ2021-16
Page 2 of 4

The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Criteria Met: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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;*

Criteria Met: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

A. RESOLUTION PZ2021-16 CONTINUED

Resolution No. PZ2021-16
Page 3 of 4

Criteria Met: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Dean Michael Schlehofer for a Guide Service for property described as Lot 4, Block 4, Basin View Subdivision Part 3, and located at 345 Dolchok Lane.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

Resolution No. PZ2021-16
Page 4 of 4

ATTEST:

JEFF TWAIT, CHAIRPERSON

JAMIE HEINZ, MMC, CITY CLERK

B. RESOLUTION PZ2021-17



CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2021-17

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

APPLICANT: Dean Michael Schlehofer

PROPERTY ADDRESS: 345 Dolchok Lane

LEGAL DESCRIPTION: Lot 4, Block 4, Basin View Subdivision Part 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04926211

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 15, 2021; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on May 6, 2021, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

Resolution No. PZ2021-17
Page 2 of 4

The guide services and lodging are proposed to take place in an existing single family home, there are no proposed physical changes that would violate the residential character of the neighborhood. The maximum capacity of four bedrooms for lodging is not anticipated to generate heavy traffic in the neighborhood, and likely results in roughly the same number of vehicle trips as other single family homes in the neighborhood. The KMC 14.22 Land Use Table provides that Guide Services and Lodging are a conditional use; therefore, a conditional use permit must be granted for the operation of these services. The applicant has provided illustrations of the layout of the property and floor plans/elevations of the single family home.

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

Criteria Met: This parcel is approximately 1.94 acres in size and contains a large paved driveway in the front of the residence to accommodate parking of guest vehicles. The aerial photo provided by the applicant indicates that the distances between the structures and the tree line provides a natural buffer between the properties. The parcels located to the North, South, East and West are zoned rural residential and have similar single family residential uses as the subject property. The value of adjacent properties should not be significantly impacted by the addition of guide services and lodging uses, the physical characteristics of the property remain unchanged.

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

Criteria Met: The Comprehensive Plan has goals to support businesses and economic development and to provide a high quality of life within the City. Goal 2 of the Comprehensive Plan is to provide economic development to support the fiscal health of Kenai. The tourism industry is an important component for economic development within the City of Kenai. The guide services, bed and breakfast, cabin rentals, and lodging businesses support the tourism industry. Low-density residential land uses typically include single-family low-density, large lots with individual on-site water supply and wastewater disposal systems.

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

- 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;*

Criteria Met: City water and sewer lines are not available in this area; therefore, the property owner has installed a private water well and septic system. Natural gas, electricity and telephone services are available. Dolchok Avenue is a paved road which is maintained by the City of Kenai. The operation of a guide service and lodge will not impact these facilities.

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

B. RESOLUTION PZ2021-17 CONTINUED

Resolution No. PZ2021-17
Page 3 of 4

Criteria Met: The property is serviced by a private well and septic system which have been installed by the property owner. Public utilities are available and access to the property is via a City maintained paved road. There is no reason to believe that the operation of the guide service and lodge will be harmful to the public safety, health or welfare of the community.

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

See Conditions of Approval as set forth below.

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

Section 1. That a conditional use permit is granted to Dean Michael Schlehofer for Lodging for property described as Lot 4, Block 4, Basin View Subdivision Part 3, and located at 345 Dolchok Lane.

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

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
3. Biennial fire inspection must be completed by the Fire Marshal for the City of Kenai.
4. The applicant will meet with City staff for on-site inspections when requested.
5. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(i)(5).
6. Pursuant to KMC 14.20.150(i)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
7. Before a floating dock can be installed, the property owner must receive the proper permits from the Kenai River Center.
8. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 12th day of May, 2021.

Resolution No. PZ2021-17
Page 4 of 4

ATTEST:

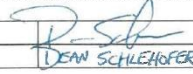
JEFF TWAIT, CHAIRPERSON

JAMIE HEINZ, MMC, CITY CLERK

C. APPLICATION

		Conditional Use Permit Application		<small>City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99611 (907) 283-8200 planning@kenai.city www.kenai.city/planning</small>	
				PROPERTY OWNER	
Name:	Dean Michael Schlehofer				
Mailing Address:	PO Box 201565				
City:	Anchorage	State:	AK	Zip Code:	99520-1565
Phone Number(s):	907-268-5519				
Email:	mykingoftheriver@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):	04926211				
Physical Address:	345 Dolchok Lane, Kenai AK 99611				
Legal Description:	Basin View Pt3 L4 B4				
Zoning:	Rural Residential				
Acres:	1.94				
CONDITIONAL USE DESCRIPTION <small>(include site plan/floor plan with square footages) (include State Business License and KPB Tax Compliance if applicable)</small>					
How is this property currently being used?	Fishing Guide Lodging				
Conditional Use Requested for (attach additional sheets if necessary):					
See attached:					
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:					
See attached:					
Explain how the value of adjoining property and neighborhood will not be significantly impaired by the conditional use:					
See attached:					

RECEIVED
 CITY OF KENAI
 DATE 4-15-21
 PLANNING DEPARTMENT

Use of surrounding property - north:	Driveway/parking lots, access to the lower level of the house
Use of surrounding property - south:	South side of a large deck, open green field
Use of surrounding property - east:	Entry to lower level, driveway parking lot, view of Beaver Creek
Use of surrounding property - west:	See attached:
Explain how the conditional use is in harmony with the City's Comprehensive Plan:	
See attached:	
Are public services and facilities on the property adequate to serve the proposed conditional use?	
See attached:	
Explain how the conditional use will not be harmful to public safety, health, or welfare:	
See attached:	
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?	
See attached:	
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:	4/15/2021
Print Name:	DEAN SCHLEHOFER
Title/Business:	GUIDE / OWNER
Date Application Fee Received: 4/15/21	
PZ Resolution Number: 2021-16 Fishing Guide 2021-17 Lodging	

C. APPLICATION CONTINUED

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

This purpose for this Conditional Use Request is to help us serve King of the River's clients, who have booked with us to sleep over and leave in the morning to join a professional guide for fishing on King of the River's riverboats on the Kenai or Kasilof Rivers. This is a 100% fishing service that includes accommodations. We do not offer any accommodations without first booking a fishing trip.

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

The operation of the fishing season is between May and September/early October. Our fishing service provides clients with accommodations on the property, where they will stay overnight between 6 p.m. (check in) and check out early in the morning (5 a.m.- 8:00 a.m.) before their fishing trips with King of the River. The average number clients sleep over is four or five people per night for the entire summer. Our lodging includes four rooms, and our maximum capacity is eight clients. May and September are usually slow, June and August are typically busy, and the month of July is extremely popular. We operate no other activities except fishing and accommodations on the property at 345 Dolchok Lane. During the day, it will be frequently vacated/empty, especially between May and September, while clients are on the riverboats with the guides. The lodging will only be occupied with clients in the evening until early morning.

There is no service in the winter from mid-October to April.

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

The property is nearly two acres, which is wide open. The north-side neighbor has wooden fences, with nearly no visibility between the neighbor's property and our property. The south-side neighbor has almost no visibility of our property because of the forest pines. The south-side neighbor's home is closer to the Beaver Creek. It is farther from the 345 Dolchok Lane home than the north-side neighbor, and there is minimal visibility between us.

The parking lot at 345 Dolchok Lane can fit many vehicles; however, most likely between four and eight of our clients will use one to three vehicle parking spaces daily.

See "A," "B," and "C" files attached (top view photos)

- Use of surrounding property – north: Driveway/parking lots, access to the lower level of the house
- Use of surrounding property – south: South side of a large deck, open green field
- Use of surrounding property – east: Entry to lower level, driveway parking lot, view of Beaver Creek
- Use of surrounding property – west: Large parking lots for the main level, exit to Dolchok Lane/Beaver Loop Road

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

Each room will include a laminated letter on the wall with the property instructions and restrictions (rules of the lodging) to ensure the safety and harmony of all guests.

Sample Letter:

Welcome to King of the River Accommodations

And welcome to Alaska! We ask that our guests respect the following house rules:

1. Quiet hours begin at 10 p.m.
2. We are a tobacco-free facility.
3. No cleaning/filleting/vacuuming any fish (outside/inside or in the kitchen).
Note King of the River provides fish processing.
4. Please remove your shoes before entering the rooms.
5. If staying for one night only, please remove your belongings in the morning before fishing. If staying for multiple nights, your belongings may be left until the last morning of your stay.
6. Meet at your fishing site (Kenai River, Kasilof, or Ninilchik) at (time of meeting) _____.

It takes approximately four minutes to drive from the King of the River's lodge to Eagle Rock State Site Parking Lot/Dock, 30 minutes to Kasilof Recreational State Park, and 50 minutes to Deep Creek State Recreation Area.

C. APPLICATION CONTINUED

For King of the River fishing, there are two things you need to remember:
1) In the morning, please park your vehicle in one of the following parking lots: Eagle Rock Launch, Kasilof Recreational State Park/Launch, or Deep Creek State Park.
2) Please DO NOT ENTER or roam around the properties of our north- and south-side neighbors because they are private property. Please respect our neighbors.

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

We have limited public services and facilities on our property because it will only be used for overnight accommodations when King of the River clients have booked and scheduled fishing trips with us. This is not a public offer and is only available to clients who have booked with King of the River through phone, email, or other correspondence before they appear at the property. Clients can search for information about us through our website, social media, and other advertisements. When the clients schedule/book with us, a booking agent will attach a file reservation form along with a confirmation letter via email, including directions, information, what to bring, policies, time to meet, and so on. We do not accept any clients who show up at the property without a confirmation letter or a reservation with King of the River.

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

There are no foreseeable harms to public safety, health, or welfare on the property of 345 Dolchok Lane because a helper, my family, and I are in the house most of the time while the clients are with us.

Introduction: Dean Schlehofer, Professional Guide and Owner

I am the founder and owner of King of the River fishing, established in 1992. I have served thousands of clients. Summer 2021 will be my 30th year in business. I have lived in and been a resident of Alaska since June 1981. I received my first Coast Guard license in 1996, and I have been guiding ever since. I received my 6th license in March 2021 (renewal every five years). I run my business solo and have a proven record of safely guiding over 14,000 clients on the Kenai/Kasilof Rivers. I spend 70-80 days of the year guiding 10- to 12-hour charters on these waters. Some quick math shows that I have in excess of 23,000 hours on the water.

My philosophy as a guide is to conduct myself at the highest professional level and provide the best service I can as a Kenai/Kasilof River guide. My excellent safety record is due to my 36 years of experience on the rivers. I believe in ensuring the utmost safety and health of all my clients, on my property and in the riverboats.

King of the River does not offer any cooked meals to clients, except a continental breakfast (yogurt, hard-boiled egg, bagels, danish, snack bar, etc.) in each room with mini refrigerators. The lower level of the house has a full kitchen. The clients can bring their own meals to cook in using the full kitchen on the lower level. Cooking is prohibited elsewhere in the rooms.

Beaver Creek is closed to fishing all year round, under ADFG's regulations. King of the River clients are not allowed to fish on the waterfront of 345 Dolchok Lane.

All rooms are included in the floor plan maps to show the safest ways to exit the house.

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

Not at this time; however, I plan to research building a floating dock on Beaver Creek this summer for installation in 2022 or 2023. It is difficult to observe or comprehend whether the waterfront creek would adapt well to a floating dock or access to the Kenai River because of the low tide water level. I purchased the property on March 12, 2021. Because the creek was frozen solid at that time, it was difficult to observe or access it in the early spring because of the snow (thickness) conditions. The previous owners had never tried to use their boats on Beaver Creek. Additionally, it is 1.6 miles away from the property to the confluence of the Kenai River. The creek might be inaccessible due to possible low water conditions such as gravel bars. I will have a full answer for the next season. I have no intention of pursuing any other measures that would affect access, screening, site development, building design, or business operation on my property.

D. SITE PLAN AERIALS

A



NTS

B

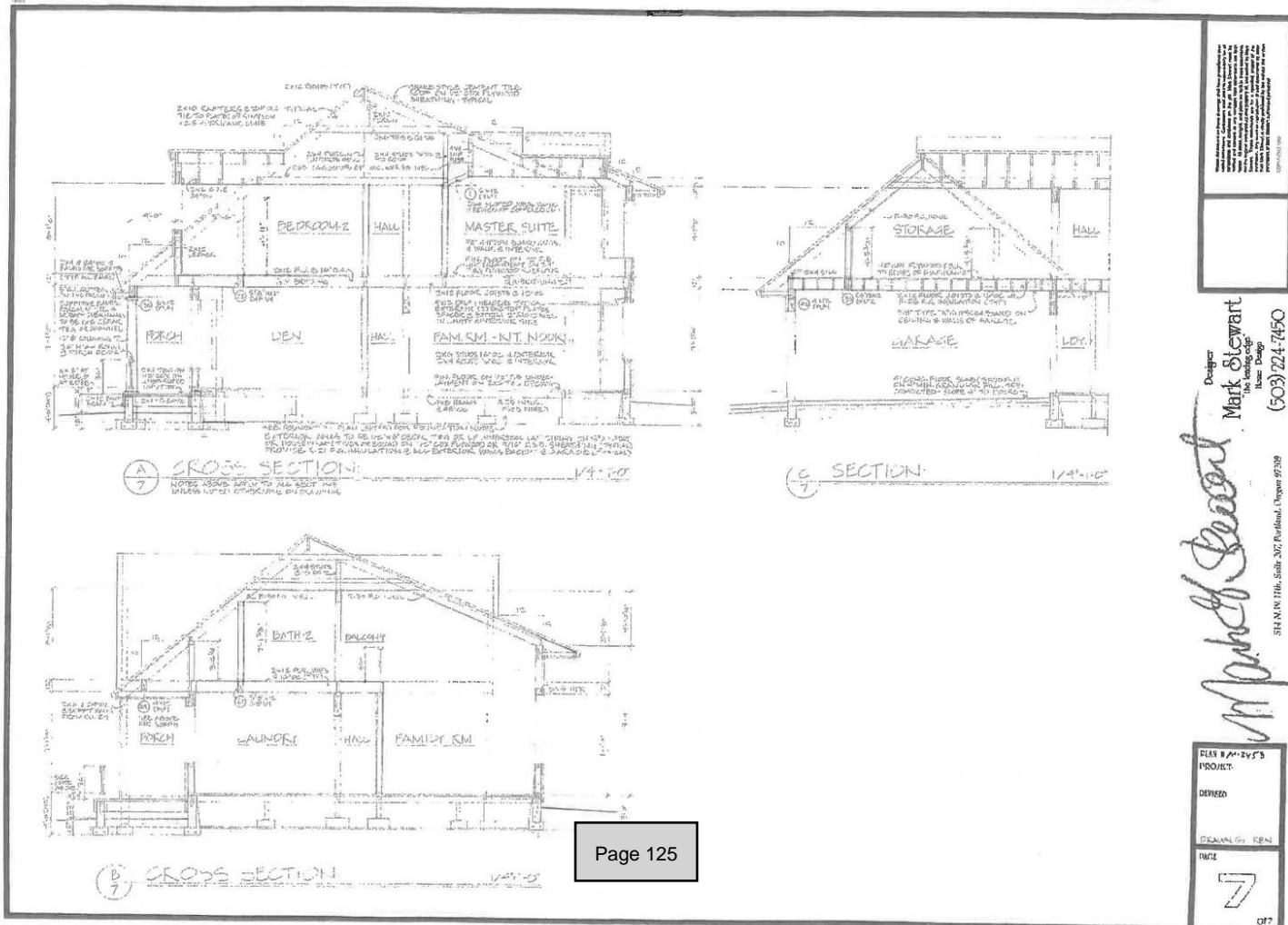


NTS

E. FLOOR PLANS/ELEVATION DRAWINGS



E. FLOOR PLANS/ELEVATION DRAWINGS



F. AERIAL MAP



G. EMAIL RESPONSES

Wilma Anderson

From: Josh Schultz <jschu88@gmail.com>
Sent: Wednesday, May 5, 2021 10:43 PM
To: Wilma Anderson
Subject: Resolutions PZ2021-16 and PZ2021-17

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

Wilma,

My wife Rebecca Schultz and I at 375 Dolchok Lane oppose this application for rezoning. This would be against the neighborhood covenants, inject a transient population through the neighborhood and the creek at their residence would not support boat traffic. I feel there are places for a guide service and lodging but this neighborhood is not a good location.

Thank you,

Josh Schultz

May 6, 2021

Planning and Zoning Commissioners:

Unfortunately, we are unable to attend the May 12th planning commission meeting that will address the Conditional Use Permit for a lodge and guide service business at 345 Dolchok Lane (Resolutions PZ2021-16 and PZ2021-17). We would like to express our opposition to approval of this conditional use permit in this letter.

We have lived on Dolchok Lane for almost 20 years. We chose the neighborhood for its residential non-business character, and we have known and appreciated for all that time that businesses were not allowed in the neighborhood due to the neighborhood covenants. In fact, we appreciated the character of the neighborhood so much that we sold our first house on the street and bought and moved into another on the same street. Many of us that still live in the neighborhood participated in paying for the street improvements through the LID process and certainly not with the intention that we would be improving and paying to pave a street to the benefit of a business moving in and violating the neighborhood covenants.

We believe this business conflicts with the restrictions in KMC 14.20.150. This section requires the "separation of residential structures to an extent which will allow for adequate light, air and privacy." This residence, driveway and deck are all open to the street with limited trees separating it from neighbors. Since the neighborhood is in the throes of the beetle kill destruction, the opening up of the neighborhood to less privacy and more noise will continue in the next few years. That Code section also "prohibits uses which would: (A) Violate the residential character of the environment; (B) Generate heavy traffic in predominantly residential areas." We believe this business would clearly violate both of those provisions. Operating the residential home as a fishing lodge with all the customers and guide traffic every day, which will likely include early morning traffic, will clearly violate the residential nature of the subdivision and create heavier traffic and additional noise. KMC 14.20.150 speaks to not impairing the value of the adjoining property and neighborhood. It is not uncommon for this neighborhood to experience noise from the racetrack and gun range across the highway during the summer months, and the introduction of another source of summer business noise into the neighborhood, especially to the close neighbors, could impact property values and property sales. KMC 14.20.150 also requires that the proposal be in harmony with the City's comprehensive plan. We believe that this proposal conflicts with Goal #1, in that it does not protect the livability of existing neighborhoods (Q-2), and it does not promote land uses that are in harmony with surrounding uses (Q-4). This proposal also seems to conflict with Goal 2 of the Comprehensive plan which suggests promoting reuse of business property downtown and along the Kenai Spur (ED-3) and, prior to zoning, minimizing potential conflicts with non-business uses through site design (ED-6). Goal #3 suggests that the City "Establish siting and design standards so that development is in harmony and scale with surrounding uses (LU-1); and, "Review Zoning Code to consider use of buffers and buffer zones to separate incompatible land uses. Review landscaping ordinance to ensure buffers are required to protect neighborhoods (LU-6)." It seems that the Comprehensive Plan goes to great length to suggest the preservation of the neighborhood when considering the introduction of business, and this business location clearly conflicts with the nature of the neighborhood.

G. EMAIL RESPONSES

We are concerned that the allowance of a lodge and fishing guide business in clear violation of the neighborhood covenants could permanently change the nature of the subdivision. There are many properties in the neighborhood that are on Beaver Creek with views and with creek access, and many of those are possibly even more conducive to similar business activities. Those property owners are currently operating within the neighborhood covenants and not operating businesses in the neighborhood. However, if this Conditional Use Permit were authorized it seems there would be no reason not to authorize one on every other property in the neighborhood.

We appreciate your consideration of this matter. We ask you to deny the Conditional Use Permit and retain the residential nature of the neighborhood that all residents bought into when they purchased property in the neighborhood.

Thank You,

Dave & Lara Ross
365 Dolchok Ln.
Kenai, AK 99611

Wilma Anderson

From: S Jurek <mcjurek@gmail.com>
Sent: Thursday, May 6, 2021 8:53 PM
To: planning@kenai.city; Wilma Anderson
alex@douthits.com; ggreenberg@akmapco.com; woodard.g@outlook.com;
joe@digitsak.com; Ryan Foster
Subject: Resolutions PZ2021-16 and PZ2021-17

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

Dear Ms. Anderson and members of the Planning & Zoning Commission,

We are residents of Basinview Subdivision. We value this area and we were attracted to it because it is a quiet, residential-only neighborhood. However, we are very concerned about two upcoming resolutions.

We oppose Resolutions PZ2021-16 and PZ2021-17, which are conditional use permits for guide services and lodging in Lot 4, Block 4 of Basinview Subdivision Part 3 at 345 Dolchok Lane in Kenai. The Declaration of Covenants, Conditions, Restrictions and Reservations of Easements for Basinview Subdivision Part 3 (Book 216, Page 242 of the Kenai Recording District, State of Alaska) explicitly states in paragraph 2 (c) "No lot shall be used for other than single family residential purposes".

Allowing a guide service and lodge in our neighborhood willfully and deliberately violates the neighborhood's covenant. Furthermore, it will destroy the ambiance of this peaceful area. We oppose the resolutions for these reasons.

Thank you,
Frances and Mark Jurek
3065 Kim N Ang Court
Kenai, AK 99611

File Attachments for Item:

1. Action/Approval – Application for Lease of City-owned Lane within the Airport Reserve described as Tract A-2, General Aviation Apron Subdivision No. 7. The application was submitted by SOAR International Ministriies, P.O. Box 1714, Kenai, AK 99611



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: May 6, 2021
SUBJECT: EXECUTION OF A LEASE TO SOAR INTERNATIONAL MINISTRIES

The Kenai City Council approved, via Resolution 2019-57, a 45-year lease application from SOAR International Ministries for Tract A-2, General Aviation Apron Subdivision No. 7 to be used as a hangar with office space on August 21, 2019. A 6 month application extension was granted by Kenai City Council on August 19, 2020 with an expiration date of February 21, 2021. A lease was delivered to SOAR International Ministries on February 19, 2021 and a lease extension was approved by the City Manager to SOAR until June 19, 2021. On May 3, 2021, SOAR International Ministries requested an amendment to the approved lease execution.

Please review the attached draft memo, draft resolution, and application materials.

Does the Commission recommend Council approve the execution of a lease to SOAR International Ministries with amendments?



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Paul Ostrander, City Manager

FROM: Ryan Foster, Planning Director

DATE: May 6, 2021

SUBJECT: **Resolution No. 2021-XX – APPROVING THE EXECUTION OF A LEASE TO SOAR INTERNATIONAL MINISTRIES**

The Kenai City Council approved, via Resolution 2019-57, of a 45-year lease application from Soar International Ministries for Tract A-2, General Aviation Apron Subdivision No. 7 to be used as a hangar with office space on August 21, 2019. A 6-month application extension was granted by Kenai City Council on August 19, 2020 with an expiration date of February 21, 2021. A lease was delivered to Soar International Ministries on February 19, 2021 and a lease extension was approved by the City Manager to Soar until June 19, 2021. Soar International Ministries has requested an amendment to the approved lease execution resolution on May 3, 2021. Soar has requested that the 100 foot by 110 foot connecting office facility, with an aggregate cost of \$1,500,000, be completed no later than June 30, 2025, two years later than the other required improvements. All of the other required improvements from Resolution 2019-57, the approximately 120 foot by 180 foot hangar, aircraft ramp and tie-down area, and parking, with an aggregate cost of at least \$2,000,000, would be completed by June 30, 2023. Soar has noted that extending the connecting office facility portion of the improvements completion date to 2025 will assist with their concurrent improvements to the former Kenai Fabric property.

Thank you for your consideration.

Attachment:

Resolution 2019-57 and the City of Kenai Lease Development Incentive Application received July 1, 2019 from Soar International Ministries.



Sponsored by: Administration

CITY OF KENAI

RESOLUTION NO. 2019 - 57

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING THE EXECUTION OF A LEASE OF AIRPORT RESERVE LANDS USING THE STANDARD LEASE FORM BETWEEN THE CITY OF KENAI AND SOAR INTERNATIONAL MINISTRIES, INCORPORATED, FOR THE UNDEVELOPED PORTION OF TRACT A, GENERAL AVIATION APRON NUMBER TWO.

WHEREAS, on July 1, 2019, SOAR International Ministries, Inc., (SOAR) submitted an application to lease City owned properties within the Airport Reserve, described as the undeveloped portion of Tract A, General Aviation Apron Number 2; and,

WHEREAS, SOAR's lease application states plans to construct a hangar facility for aircraft storage and maintenance; a connecting office facility, an aircraft ramp and tie-down area, and parking, an investment that gives a lease term of 45 years according to the term table in Kenai Municipal Code 21.10.080; and,

WHEREAS, the proposed development would be mutually beneficial and would conform with the Kenai Municipal Code for zoning, Kenai's Comprehensive Plan, the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations; and,

WHEREAS, the City of Kenai did not receive a competing lease application within thirty (30) days of publishing a public notice of the lease application from SOAR; and,

WHEREAS, at their regular meeting on August 14, 2018, the Planning and Zoning Commission reviewed the lease application and recommended approval by the City Council; and,

WHEREAS, at their regular meeting on August 8, 2018, the Airport Commission reviewed the lease application and recommended approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1: That a Lease of Airport Reserve Lands is approved and the City Manager is authorized to execute a lease between the City of Kenai, Lessor, and SOAR International Ministries, Incorporated, Lessee, as follows:

Lot improvements as outlined in lease application from SOAR International Ministries, Incorporated, including an approximately 120 foot x 180 foot hangar facility for aircraft storage and maintenance, an approximately 100 foot x 110 foot connecting office facility, an aircraft ramp and tie-down area, and parking to be completed within two (2) years of signing the lease;

The evidence must be submitted to the City within 60 days of the completion of the development and improvements;

The lease term will be 45 years;

Lot developments will prevent unauthorized access to the airfield;

Structures will be built behind the 100 foot building restriction line;

The relocation of the airport perimeter fence will allow aircraft full access to the proposed aircraft ramp and tie down area;

Paving will be completed up to the existing transient aircraft apron pavement;

SOAR is responsible for all snow removal, and snow may not touch the perimeter security fence or be piled to a height that would allow access to the airport; and

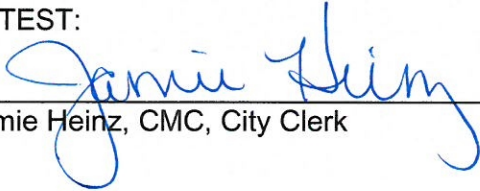
SOAR will subdivide the property to designate the portion of Tract A, General Aviation Apron Number Two (2) that it wishes to lease from the City of Kenai as set forth on Exhibit A attached hereto, and the subdivision will include a 40-foot easement for utilities with the cost of the subdivision being shared equally by the City and SOAR.

Section 2: That this resolution takes effect immediately upon passage.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 21st day of August, 2019.



BRIAN GABRIEL SR., MAYOR

ATTEST:


Jamie Heinz, CMC, City Clerk





"Village with a Past, City with a Future"

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

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Paul Ostrander, City Manager
FROM: Elizabeth Appleby, City Planner
DATE: August 14, 2019
SUBJECT: Resolution 2019-57

SOAR International Ministries, Incorporated (SOAR) submitted a lease application to develop a hangar, office, and parking on the undeveloped portion of Tract A, General Aviation Apron No. 2 within the Airport Reserve on July 1, 2019. SOAR had previously submitted an application for the same parcel for the same use in 2018 that was approved by City Council, but it expired after one year after no lease was executed and an extension was not granted pursuant to Kenai Municipal Code 21.10.050 No right of occupancy - Application expiration in May 2019.

The parcel is 5.25 acres fronting the aviation apron. It has street frontage on North Willow and Granite Point streets. The area adjacent to the taxiway has been developed for airplane parking and the back half of the lot with the street frontages remains treed and undeveloped. SOAR proposes to build on the portion of the lot that is currently treed, and would need to subdivide the lot prior to construction. SOAR is proposing the City share evenly in the cost of the subdivision required before the parcel may be leased. Kenai Municipal Code 21.10.040(c) states subdivision costs may be shared in whatever amount the City Council determines is reasonable given benefit to the Airport if City Council determines the subdivision serves other Airport purposes. City staff recommends an even split as both SOAR benefits and the City benefits from the creation of a more desirable parcel for lease. SOAR is current on rent payments for existing leases within the Airport Reserve from the City of Kenai.

SOAR proposes to lease a portion of Tract A, General Aviation Apron No. 2 for an aeronautical use. SOAR proposes to construct an approximately 120 foot x 180 foot hangar for aircraft storage and maintenance. There would also be a connecting office facility of approximately 100-foot x 110-foot, an aircraft ramp and tie-down area, and parking. Possible activities noted on SOAR's lease application include flight training, aircraft parts sales, aviation safety meetings, community meetings, and storage of aircraft floats. SOAR requested a lease term of 55 years to start on September 1, 2019, however, the maximum term of a lease allowed under KMC 21.10.080 is 45



years. In addition, with timing of Commission and Council meetings and the 30-day waiting period to allow for a competitive lease process to accept other lease applications, the lease may not reasonably start until mid-September 2019. SOAR would need to ensure the fence encompassing its development met Airport safety and security standards.

Pursuant to Kenai Municipal Code 21.10.060 Lease application review, notice of the new lease application was posted in the *Peninsula Clarion* and stated competing applications may be submitted for the parcel within 30-days to the City. The 30-day window from publication ended on August 3, 2019, and no competing applications were submitted to the City.

The parcel is within the Airport Light Industrial (ALI) Zone. Pursuant to KMC 14.20.065, the purpose of the ALI Zone is to protect the viability of the Kenai Municipal Airport as a significant resource to the community by encouraging compatible land uses and reducing hazards that may endanger the lives and property of the public and aviation users. The proposed aeronautical use by SOAR is a permitted and compatible use in the ALI Zone.

The Imagine Kenai 2030 Comprehensive Plan outlines goals, objectives, and action items for the City, including this one pertaining to the Kenai Municipal Airport:

- Objective T-1: *Support future development near or adjacent to the airport when such development is in alignment with the Kenai Municipal Airport's primary mission, "To be the commercial air transportation gateway to the Kenai Peninsula Borough and Cook Inlet."*

The proposed use by SOAR complies with the Imagine Kenai 2030 Comprehensive Plan in that it supports development on lease lots and the development is in alignment with the Kenai Municipal Airport's marketing strategy.

The Airport Land Use Plan was developed to identify the highest and best uses of Kenai Municipal Airport land. The Airport Land Use Plan discusses leasing land and enhancing opportunities for local economic development. The proposed use by SOAR complies with the Airport Land Use Plan. It would enhance local economic development.

The Airport Commission and Airport Manager recommended approval of the lease application during their meeting on August 8, 2019, as they found it complied with the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations. The Planning and Zoning Commission recommended approval during their meeting on August 14, 2019.

Thank you for your consideration.

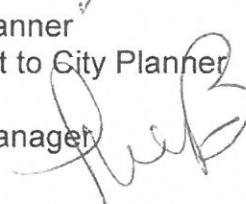


"Serving the Greater Kenai Peninsula"

305 N. WILLOW ST. SUITE 200 KENAI, ALASKA 99611
TELEPHONE 907-283-7951
FAX 907-283-3737

Memo

To: Elizabeth Appleby – City Planner
Wilma Anderson – Assistant to City Planner

From: Mary Bondurant - Airport Manager 

Date: August 9, 2019

Subject: SOAR Lease Application – Tract A General Aviation Apron No. 2

Airport Commission reviewed the lease application from SOAR International Ministries at the August 8, 2019 Commission meeting.

Airport Commission unanimously recommends Council approve the subject lease.

If you have any questions, please contact me.

Cc: Wilma Anderson



City of Kenai Kenai Municipal Airport Land Lease Application

Application for:

New Lease
 Amendment
 Extension/Renewal

Application Date: July 1, 2019

Applicant Information

Name of Applicant:	Richard Page						
Mailing Address:	34225 Page street	City:	Soldotna	State:	Alaska	Zip Code:	99669
Phone Number(s):	Home Phone: (907) 252-1841 Cell		Work/ Message Phone: (907) 283-1961				
E-mail: (Optional)	RichardPage@soarinternational.org						
Name to Appear on Lease:	SOAR International Ministries						
Mailing Address:	P.O. Box 1714	City:	Kenai	State:	Alaska	Zip Code:	99611
Phone Number(s):	Home Phone: (907) 252-1841 Cell		Work/ Message Phone: (907) 283-1961				
E-mail: (Optional)							
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Government <input type="checkbox"/> Other _____						

Description of Property and Term Requested

Legal Description of Property: Undeveloped portion of General Aviation Subdivision #2 Tract A

Does the Property Require Subdivision? (if Yes, answer next two questions) YES NO

Are you prepared to be responsible for all costs associated with subdivision? YES NO

Do you believe the proposed subdivision would serve other Airport purposes? YES NO

Do you have or have you ever had a lease with the City of Kenai? YES NO

If Yes, please provide description of property leased (e.g. legal or physical description):

Is this application for renewal or term extension of an existing lease? YES NO

If Yes, please provide a description of the property leased:

Lease Term Requested: ⁴⁵ ~~55~~ Years EA City of Kenai Starting Date: September 1, 2019

Proposed Use and Activities

Proposed Use (check one): Aeronautical Non-Aeronautical

Do you plan to construct new or additional improvements? YES NO

Will the proposed improvement char or alter the use under an existing lea:

YES NO

If yes, what is the new proposed use?

What is the type (e.g. building, land) and nature (e.g. maintenance, new construction) of the proposed improvement?
New office and hangar facility for SOAR International Ministries and additional hangar facility to accommodate transient corporate aircraft. Potential FBO and flight training facility.

What is the estimated amount of investment in the construction of new permanent improvements on the premises?
The complete project is estimated to cost 3.5 million dollars.

List of proposed use and business activities:

Base of operations for SOAR International Ministries. Aircraft storage and maintenance, hangaring transient aircraft, potential FBO, potential flight training facility, potential aircraft parts sales, installation, removal, and inside storage of aircraft floats, facility to host community events such as aviation safety meetings, community fundraising events, etc.

Lease Extension or Renewal*

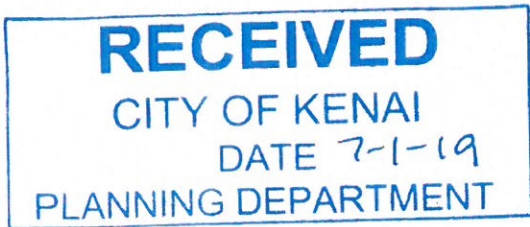
*This section not required for new lease or amendment applications

Method to determine value of improvements/term for a lease renewal or expiring lease:

- Professional estimate of the remaining useful life of the principle improvement on the property
- Market value appraisal of the principle improvement on the property
- Purchase price of improvements

Submitting an application for a lease does not give the applicant a right to lease or use the land requested in the application. The application shall expire twelve (12) months after the date the application has been made if the City and the applicant have not, by that time, entered into a lease, unless the City Council for good cause grants an extension for a period not to exceed six (6) months. The City has no obligation to amend, renew or extend a lease and may decline to do so upon making specific findings as to why a lease renewal, extension, or amendment is not in the best interest of the City

Signature:	<i>Richard L Page</i>	Date:	<i>07/01/2019</i>
Print Name:		Title:	



Elizabeth Appleby

From: Elizabeth Appleby
Sent: Monday, July 22, 2019 3:40 PM
To: 'Richard Page'
Cc: Wilma Anderson
Subject: Lease Application (new lease)

Good afternoon,

Thanks for dropping off the new assignment request today. I was reviewing your application for the new lease and noticed you had requested a term of 55 years. The maximum term allowed in City Code is 45 years. I will amend your application term request to 45 years. Please let me know if you have questions. I think this was just a copy carry-over from when you had applied to lease this lot in 2018 as the same change was made then to the requested term.

--Elizabeth

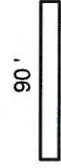
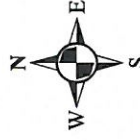
Elizabeth Appleby, AICP
City Planner
City of Kenai
210 Fidalgo Avenue
Kenai, AK 99611
(907) 283-8235/phone
eappleby@kenai.city



SOAR Lease Application

Parcel No:
04324025

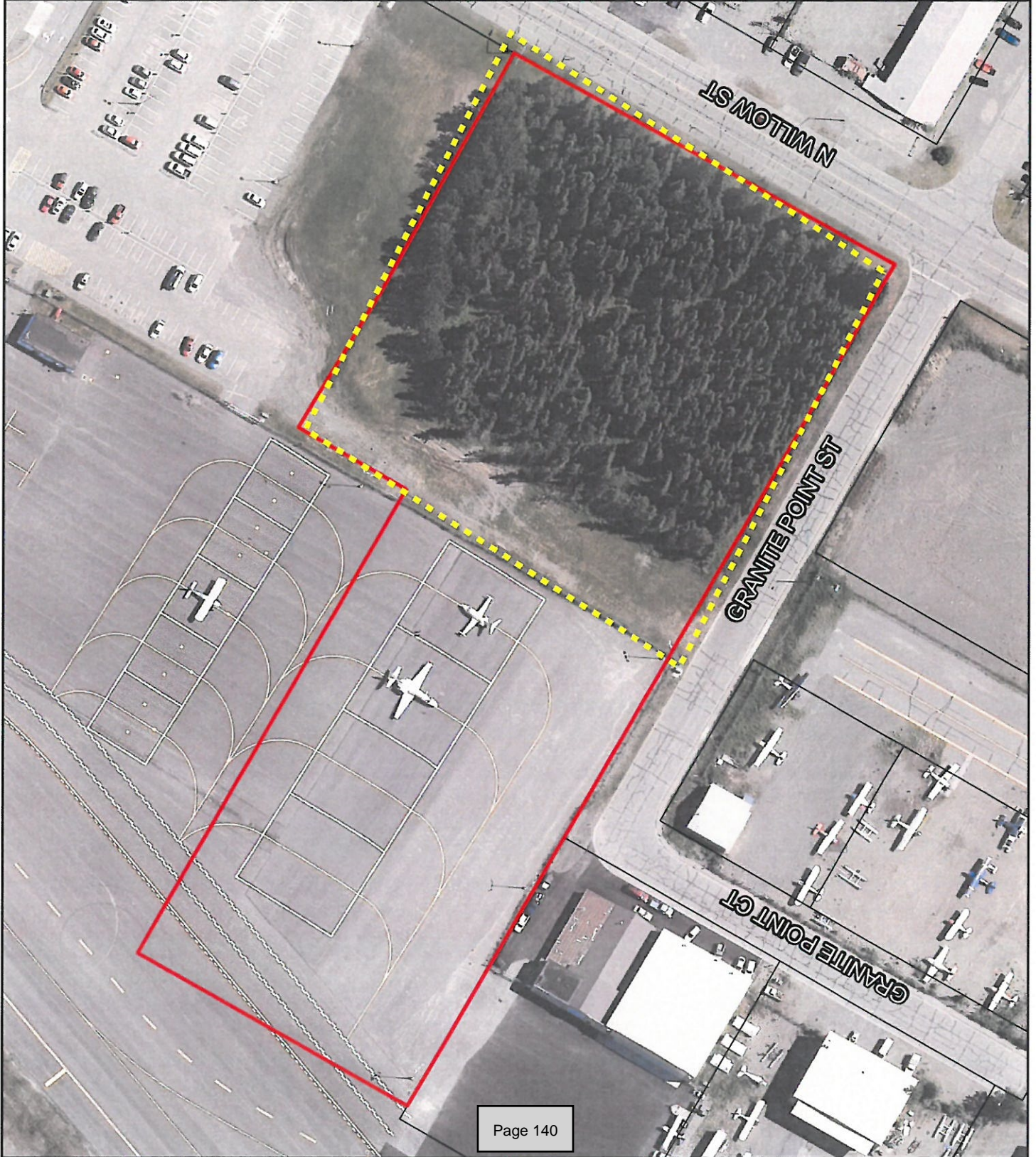
Undeveloped
portion of
General Aviation #2
Tract A



1 inch equals 110 feet

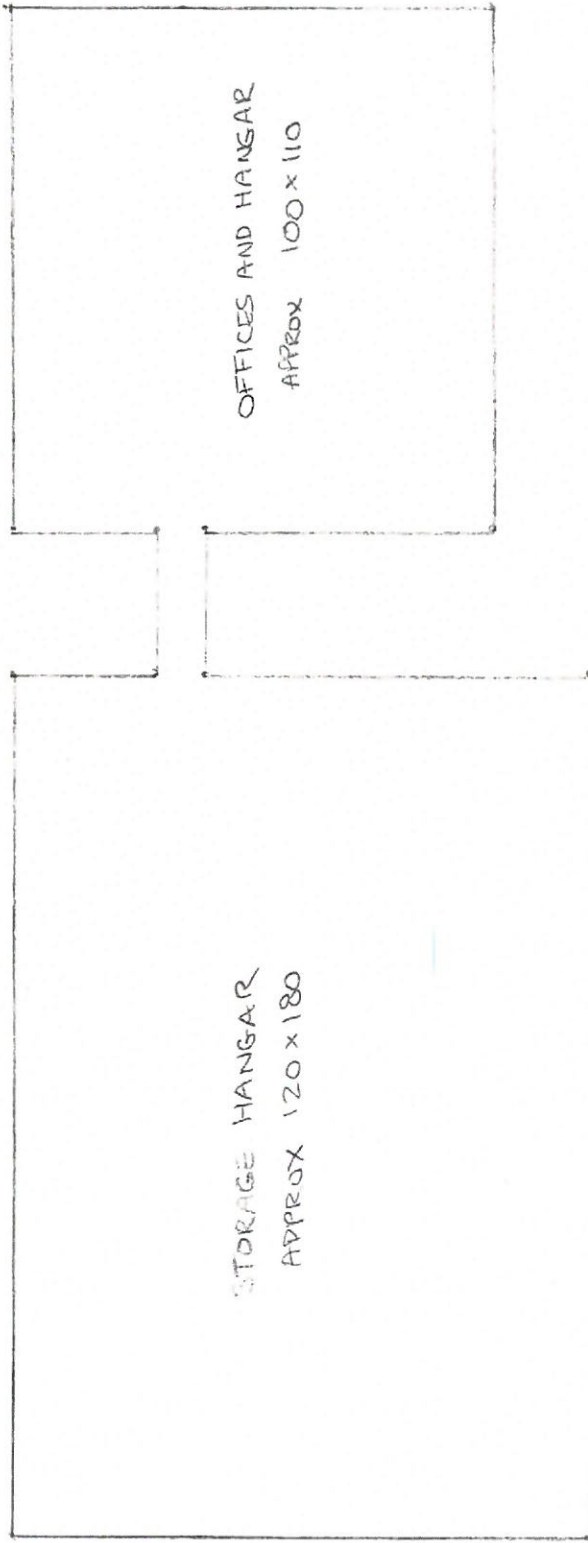
The information depicted here on is for graphic representation only of the best available sources. The City of Kenai assumes no responsibility for errors on this map.

Date: 7/23/2019



AIRCRAFT RAMP AND TIE-DOWN AREA

APPROX 350'

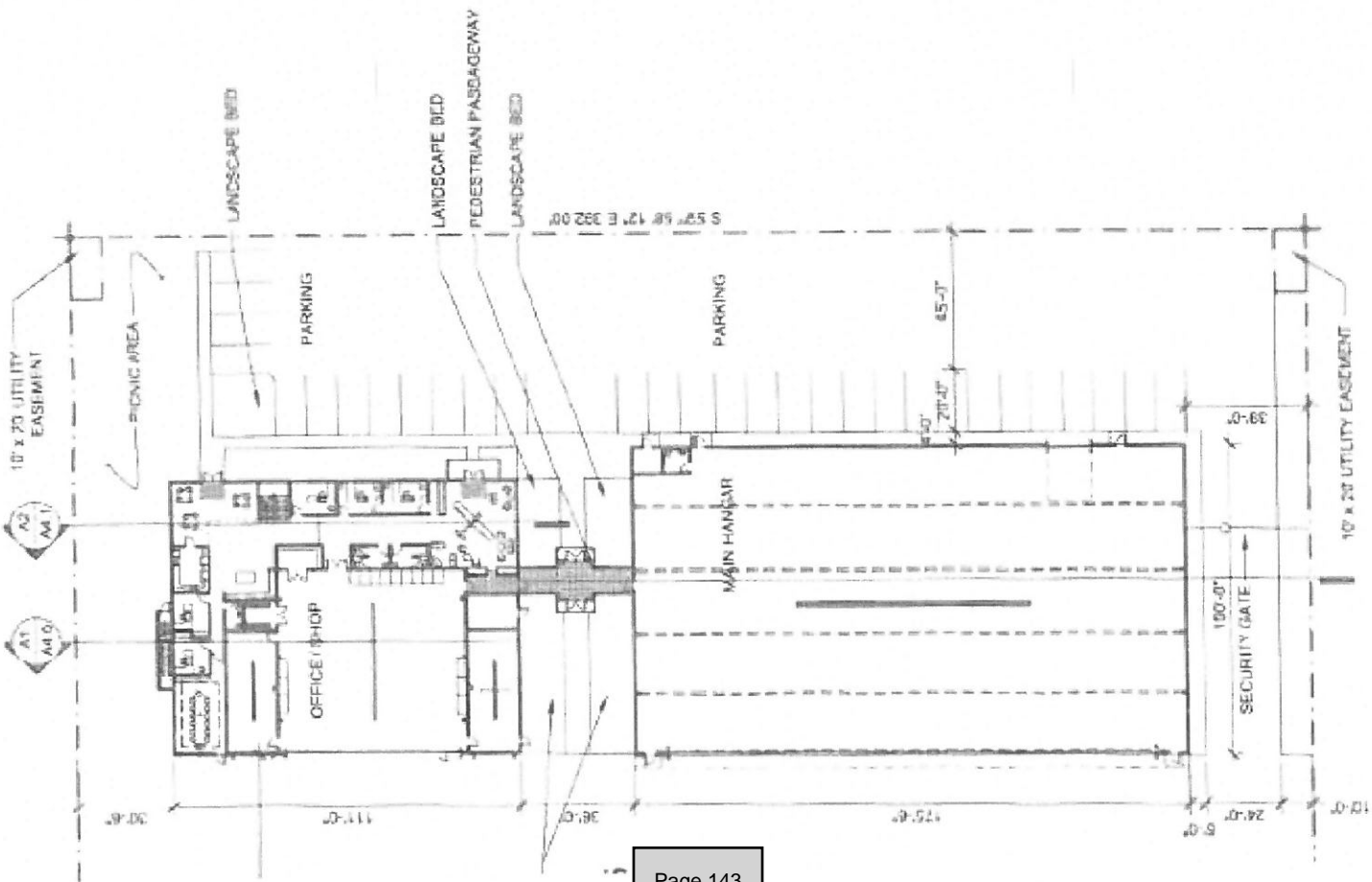


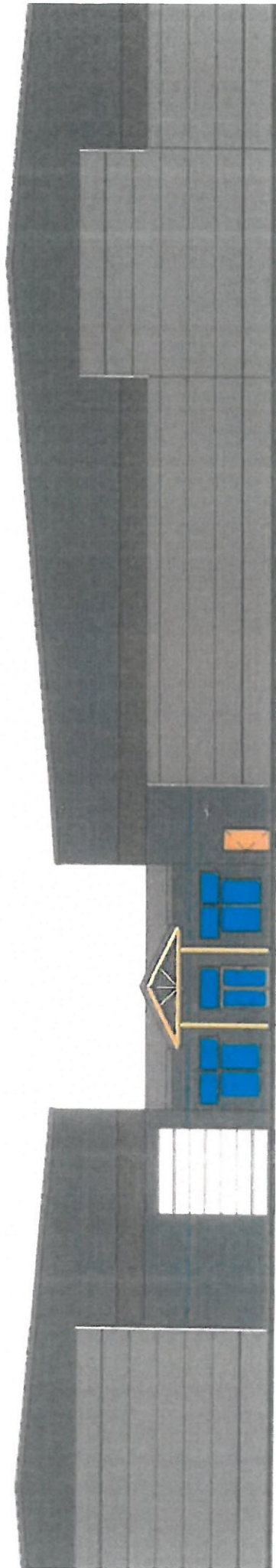
STORAGE HANGAR
APPROX 120 x 180

OFFICES AND HANGAR
APPROX 100 x 110

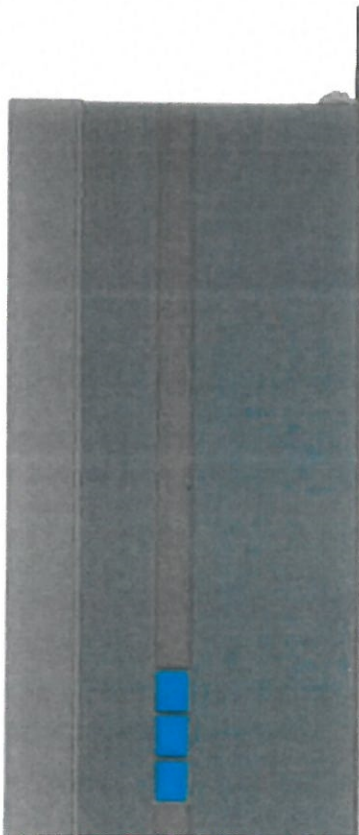
PARKING

APPROX 350'





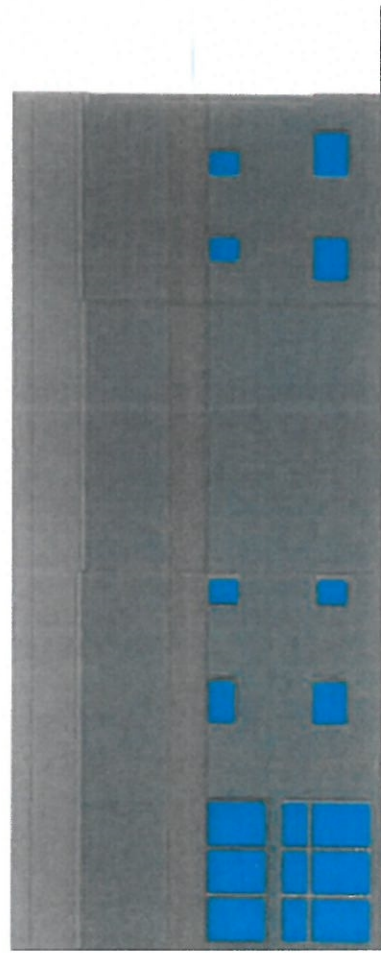
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CITY OF KENAI

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE COUNCIL OF THE CITY OF KENAI, ALASKA APPROVING THE EXECUTION OF A LEASE OF AIRPORT RESERVE LANDS USING THE STANDARD LEASE FORM BETWEEN THE CITY OF KENAI AND SOAR INTERNATIONAL MINISTRIES, INCORPORATED, FOR TRACT A-2, GENERAL AVIATION APRON SUBDIVISION NO.7.

WHEREAS, on July 1, 2019, SOAR International Ministries, Inc., (SOAR) submitted an application to lease City owned properties within the Airport Reserve, described as the undeveloped portion of Tract A, General Aviation Apron Number 2; and,

WHEREAS, SOAR's lease application states plans to construct a hangar facility for aircraft storage and maintenance; a connecting office facility, an aircraft ramp and tie-down area, and parking, an investment that gives a lease term of 45 years according to the term table in Kenai Municipal Code 21.10.080; and,

WHEREAS, the proposed development would be mutually beneficial and would conform with the Kenai Municipal Code for zoning, Kenai's Comprehensive Plan, the Airport Land Use Plan, Airport Layout Plan, Federal Aviation Administration regulations, Airport Master Plan, Airport Improvement Program grant assurances, and Airport operations; and,

WHEREAS, the City of Kenai did not receive a competing lease application within thirty (30) days of publishing a public notice of the lease application from SOAR; and,

WHEREAS, at their regular meeting on August 14, 2018, the Planning and Zoning Commission reviewed the lease application and recommended approval by the City Council; and,

WHEREAS, at their regular meeting on August 8, 2018, the Airport Commission reviewed the lease application and recommended approval by the City Council.

WHEREAS, the Kenai City Council approved of a 45-year lease application from Soar International Ministries for Tract A-2, General Aviation Apron Subdivision No. 7 to be used as a hangar with office space; and,

WHEREAS, a 6-month application extension was granted by Kenai City Council on August 19, 2020 with an expiration date of February 21, 2021; and,

WHEREAS, a lease was delivered to Soar International Ministries on February 19, 2021; and,

WHEREAS, a lease extension was approved by the City Manager to Soar International Ministries until June 19, 2021; and,

WHEREAS, Soar International Ministries requested an amendment to the approved lease execution resolution on May 3, 2021; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1: That a Lease of Airport Reserve Lands is approved and the City Manager is authorized to execute a lease between the City of Kenai, Lessor, and SOAR International Ministries, Incorporated, Lessee, as follows:

REQUIRED IMPROVEMENTS: At no cost to the City, Lessee agrees to complete land development and construction of Permanent Improvements including prepare site for construction and construct an approximately 120 foot x 180 foot hangar facility for aircraft storage and maintenance, an aircraft ramp and tie-down area, and parking, by no later than June 30, 2023, with an aggregate cost of at least \$2,000,000.00, excluding financing costs. In addition to the as-built drawings required by this Lease, the Lessee must submit to the City written evidence that the Lessee has completed the land development and constructed improvements on the Premises with an aggregate cost or investment of not less than \$2,000,000.00. The evidence of cost must be submitted to the City within sixty days of the completion of the development and improvements, but by no later than August 29, 2023.

At no cost to the City, Lessee agrees to complete land development and construction of Permanent Improvements including prepare site for construction and construct an approximately 100 foot x 110 foot connecting office facility, by no later than June 30, 2025, with an aggregate cost of at least \$1,500,000.00, excluding financing costs. In addition to the as-built drawings required by this Lease, the Lessee must submit to the City written evidence that the Lessee has completed the land development and constructed improvements on the Premises with an aggregate cost or investment of not less than \$1,500,000.00. The evidence of cost must be submitted to the City within sixty days of the completion of the development and improvements, but by no later than August 29, 2025.

Lot developments will prevent unauthorized access to the airfield;

Structures will be built behind the 100 foot building restriction line;

The relocation of the airport perimeter fence will allow aircraft full access to the proposed aircraft ramp and tie down area;

Paving will be completed up to the existing transient aircraft apron pavement;

SOAR is responsible for all snow removal, and snow may not touch the perimeter security fence or be piled to a height that would allow access to the airport.

Section 2: That this resolution takes effect immediately upon passage.

ADOPTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, this 2nd day of June, 2021.

BRIAN GABRIEL SR., MAYOR

ATTEST:

Jamie Heinz, CMC, City Clerk

DRAFT

File Attachments for Item:

1. City Council



Kenai City Council - Regular Meeting

May 05, 2021 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

****Telephonic/Virtual Information on Page 4****

www.kenai.city

Action Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED PUBLIC COMMENTS

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

1. **Peter Torkelson** - Alaska Redistricting Board's Upcoming Map-Drawing Cycle.

C. UNSCHEDULED PUBLIC COMMENTS

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

D. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY. Ordinance No. 3205-2021** - Authorizing a Budget Transfer in the General Fund, Fire and Non-Departmental Departments and Increasing Estimated Revenues and Appropriations in the Public Safety Improvement Capital Project Fund to Provide Supplemental Funding to the Fire Station #2 Station Alerting Project and the Dispatch Base Station Radio Replacement Project. (Administration)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3206-2021** - Accepting and Appropriating Private Donations to the Kenai Animal Shelter for the Care of Animals. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3207-2021** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting Funds from Both the Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of Ballistic Vests. (Administration)

4. **ENACTED UNANIMOUSLY. Ordinance No. 3209-2021** - Accepting and Appropriating a Grant from Derek Kaufman Fund through the Alaska Community Foundation for the Purchase of Library Materials. (Administration)
5. **POSTPONED TO 5/19/2021. Ordinance No. 3210-2021** - Amending Kenai Municipal Code Sections 23.25.020 - Pay Plan and Adoption, 23.55.020 – Compensation Structure by Grade for Employees in the Classified Service, 23.55.050 – Hourly Rates, Removing the Appended Salary Schedule from the City’s Code of Ordinances to Allow for Adoption of the Salary Schedule through the Ordinance Adopting a Budget for the Following Fiscal Year or by Resolution. (Administration)
6. **ADOPTED UNANIMOUSLY. Resolution No. 2021-28** - Adopting the City's Capital Improvement Plan for Fiscal Years 2022-2026. (Administration)
7. **ADOPTED UNANIMOUSLY. Resolution No. 2021-29** - Authorizing a Budget Transfer in the Personal Use Fishery Fund for the Purchase of Automatic External Defibrillators with Enclosures for the City’s Dock, North Beach and South Beach. (Administration)

E. MINUTES

1. **APPROVED BY THE CONSENT AGENDA.** *Special Meeting of April 20, 2021. (City Clerk)
2. **APPROVED BY THE CONSENT AGENDA.** *Regular Meeting of April 21, 2021. (City Clerk)
3. **APPROVED BY THE CONSENT AGENDA.** *Special Meeting of April 22, 2021. (City Clerk)
4. **APPROVED BY THE CONSENT AGENDA.** *Work Session Summary of April 24, 2021. (City Clerk)

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Bills to be Ratified. (Administration)
2. **APPROVED BY THE CONSENT AGENDA.** *Action/Approval - Non-Objection to the Renewal of Liquor Licenses for Oaken Keg #1808 and Kenai Joe's Taphouse, LLC. (City Clerk)
3. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 5/19/2021.** *Ordinance No. 3211-2021 - Adopting the Annual Budget for the Fiscal Year Commencing July 1, 2021 and Ending June 30, 2022 and Committing \$4,898,000 of General Fund, Fund Balance for Future Capital Improvements. (Administration)
4. **INTRODUCED BY THE CONSENT AGENDA/PUBLIC HEARING SET FOR 5/19/2021.** *Ordinance No. 3212-2021 - Increasing Estimated Revenues and Appropriations in the Airport Fund, Airfield and Administration Departments for Expenditures in Excess of

Budgeted Amounts Related to Additional Temporary Hours and Overtime Hours Needed for Winter Snow Removal Activity and Leave Cash-In Amounts in Excess of Budgeted Amounts Caused by Employee Retirement. (Administration)

5. **INTRODUCED AND PUBLIC HEARING SET FOR 5/19/2021. *Ordinance No. 3213-2021** - Increasing Revenues and Appropriations in the General, Airport, Water and Sewer and Senior Citizen Funds for City Employee COVID-19 Resilience Pay and Authorizing Payments to Employees on a Retroactive Monthly Basis. (Council Member Glendening, Council Member Winger)
6. **APPROVED UNANIMOUSLY AS AMENDED. Action/Approval** - Donation of \$500 to Mountain View Elementary School to be Used for Purchasing Bike Helmets for Their Annual Bike Rodeo Event. (Council Member Winger)
7. **APPROVED UNANIMOUSLY. Action/Approval** - Amending Employment Agreements between the City of Kenai and City Attorney, City Clerk, and City Manager. (Mayor Gabriel)
8. **Discussion** - Replacement Chairs for Dais and Executive Session Conference Room. (Mayor Gabriel)
9. **Discussion** - COVID-19 Response. (Administration)

H. COMMISSION / COMMITTEE REPORTS

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

I. REPORT OF THE MAYOR

J. ADMINISTRATION REPORTS

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

K. ADDITIONAL PUBLIC COMMENT

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

L. **EXECUTIVE SESSION**

M. **PENDING ITEMS**

N. **ADJOURNMENT**

O. **INFORMATION ITEMS**

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

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.

Join Zoom Meeting

<https://us02web.zoom.us/j/85151446831>

Meeting ID: 851 5144 6831 **Passcode:** 802258

OR

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

Meeting ID: 851 5144 6831 **Passcode:** 802258

File Attachments for Item:

2. Kenai Peninsula Borough Planning



Planning Commission Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax
Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

Melanie Aeschliman, Planning Director • Charlie Pierce, Borough Mayor

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

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

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

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

**May 10, 2021
7:30 p.m.**

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDAS

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

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

- *1. Time Extension Request**
- *2. Planning Commission Resolutions**
- *3. Plats Granted Administrative Approval**
- *4. Plats Granted Final Approval (20.10.040)**
- *5. Plat Amendment Request**
- *6. Commissioner Excused Absences**
- *7. Minutes**
 - a. April 26, 2021 Planning Commission Meeting

D. OLD BUSINESS - None

E. NEW BUSINESS

- 1. Building Setback Encroachment Permit
Alder Slopes 2011 Addition Tract D-1
KPB File 2021-050; PC Resolution 2021-16
Applicant: Andrew Peter of Homer, AK

F. PLAT COMMITTEE REPORT - Plat Committee will review 7 Plats

G. OTHER

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

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, May 24, 2021** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

ADVISORY PLANNING COMMISSION MEETINGS

ADVISORY COMMISSION	MEETING LOCATION	DATE	TIME
Anchor Point	Zoom	June 10, 2021	7:00 PM
Cooper Landing	Zoom	June 9, 2021	6:00 PM
Funny River	Funny River Community Center	June 9, 2021	7:00 PM
Kalifornsky	Zoom	June 9, 2021	6:00 PM
Kachemak Bay	Zoom	June 10, 2021	7:00 PM
Moose Pass	Inactive	TBD	N/A
Hope / Sunrise	Zoom	June 9, 2021	7:00 PM

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

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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

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

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



Plat Committee Tentative Agenda

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2215 • (907) 714-2378 Fax
Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

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

May 10, 2021
6:00 p.m.

The hearing procedure for the Plat Committee public hearings is as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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

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

***1. Agenda**

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

***3. Minutes**

- a. Plat Committee April 26, 2021 Meeting Minutes

D. OLD BUSINESS - None

E. NEW BUSINESS

1. Christensen Tracts 2021 Addition
KPB File 2021-046; [Geovera, LLC / Hough]
Location: East End Road & Hough Road
City of Homer

2. Barker Subdivision #2
KPB File 2021-055; [Johnson Surveying / Naptowne Holdings, LLC]
Location: On Scout Lake Loop Rd., Greenwood Court & Sterling Highway
Sterling Area
3. Willard Point
KPB File 2021-056; [Johnson Surveying / Willard]
Location: Near MP 148 Sterling Highway
Happy Valley Area
Anchor Point APC
4. Forest Acres Harmon Addition
KPB File 2021-049; [Lang & Associates Inc. / Harmon]
Location: On Hemlock Avenue & Maple Street
City of Seward
5. Seldovia Townsite Pollack Addition
KPB File 2021-053; [Peninsula Surveying, LLC / Pollack]
Location: On Alder Street & Kachemak Street
City of Seldovia
6. Alaska State Land Survey No. 2020-10
KPB File 2021-052; [McLane Consulting Group / Alaska State DNR]
Location: Kenai Spur Hwy
Point Possession Area
7. Van Sky Subdivision No. 7
KPB 2021-012R1; [Segesser Surveys / Dukowitz, Estate of Dennis Van Sky]
Location: On Birchwood Dr., Jeffery Ave. & Sequoya Dr.
Nikiski Area

F. PUBLIC COMMENT

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, May 24, 2021** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **5:30 p.m.**

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Written comments will be accepted until 1:00 p.m. on the last business day (usually a Friday) before the day of the Plat Committee meeting in which the item is being heard. If voluminous information and materials are submitted staff may request seven copies be submitted. Maps, graphics, photographs, and typewritten information that is submitted at the meeting must be limited to 10 pages. Seven copies should be given to the recording secretary to provide the information to each Committee member. If using large format visual aids (i.e. poster, large-scale maps, etc.) please provide a small copy (8 ½ x 11) or digital file for the recording secretary. Audio, videos, and movies are not allowed as testimony. If testimony is given by reading a prepared statement, please provide a copy of that statement to the recording secretary.

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