

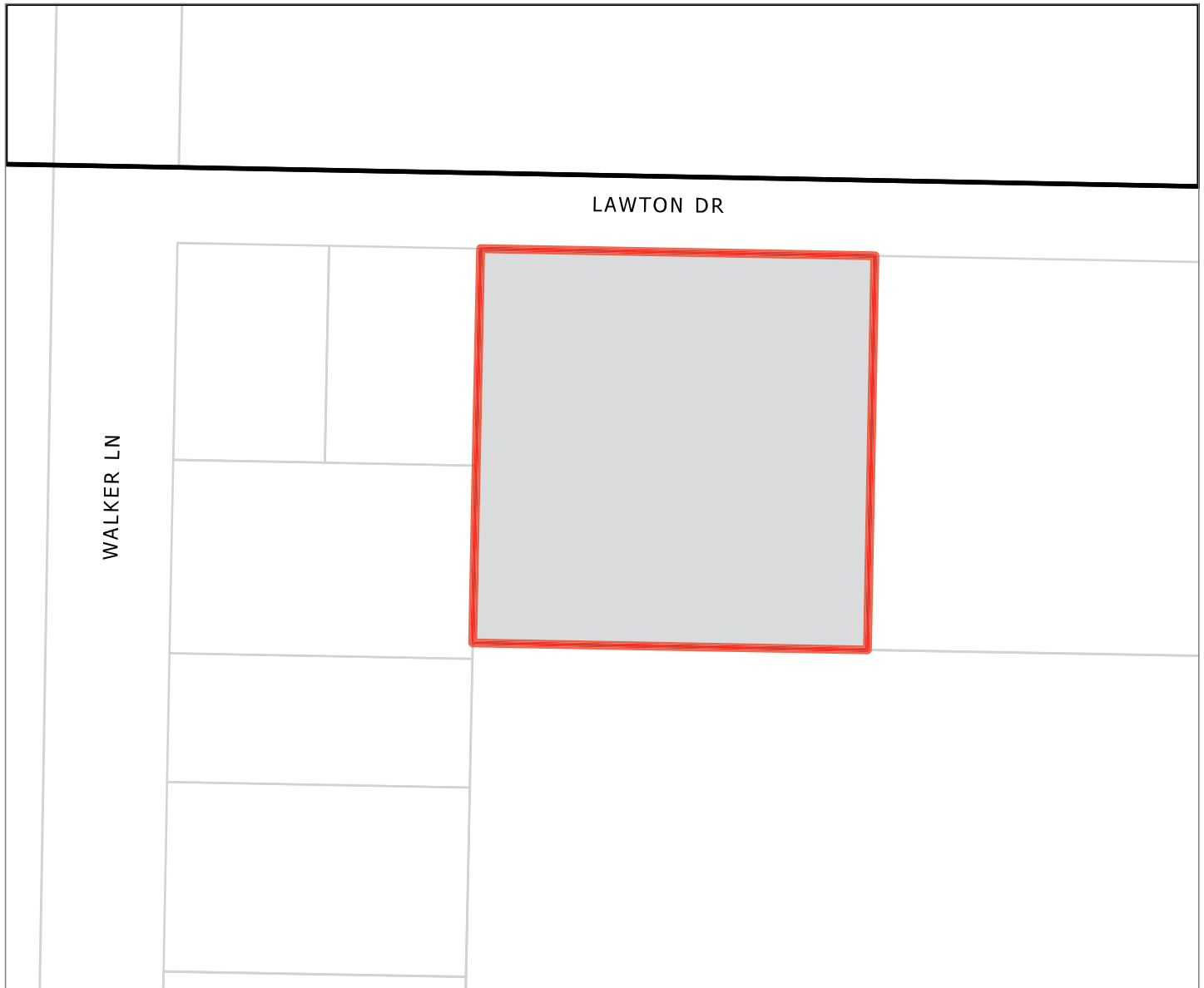
E. NEW BUSINESS

3. Reutov Subdivision; KPB File 2023-065

Segesser Surveys / Reutov

Location: Lawton Drive

City of Kenai

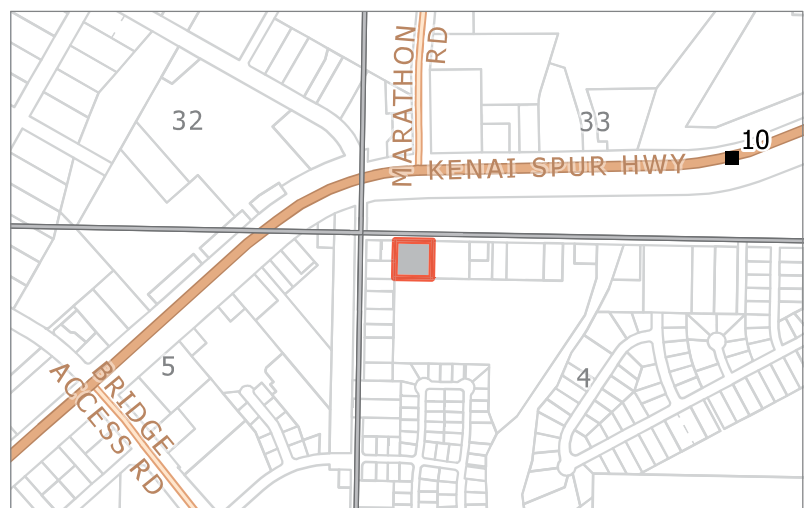
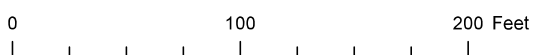


KPB File 2023-065

T 05N R 11W SEC 04

Kenai

6/22/2023





LEGEND:

- 3 1/4" ALUM. CAP MONUMENT FOUND
- N 1/16 POS. 2" ALUM. CAP FOUND
- 5/8" REBAR w/ALUM. CAP FOUND
- 5/8" REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP LS8859 SET
- () RECORD DATUM PLAT 84-305 KRD

NOTES:

- 1) Basis of bearing taken from Sprucewood Glen Subdivision No. 2, Plat KN 84-305, Kenai Recording District.
- 2) This plat is subject City of Kenai zoning regulations.
- 3) The 20-foot wide access portion of the flag lots (Lots 3 and 4) must be unobstructed and maintained for emergency access.
- 4) Easements comprising the North 40 feet of this property granted to the Public for a public roadway are recorded in Book 18 Page 418 and Book 31 Page 53 Kenai Recording District.
- 5) An easement for electric lines or system and/or telephone lines granted to Kenai Power Corporation is recorded in Book 1 Page 20, Kenai Recording District. No definite location disclosed.
- 6) **WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.

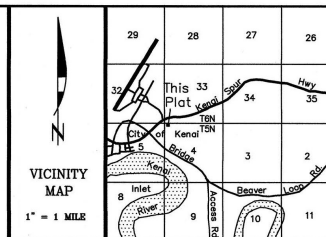
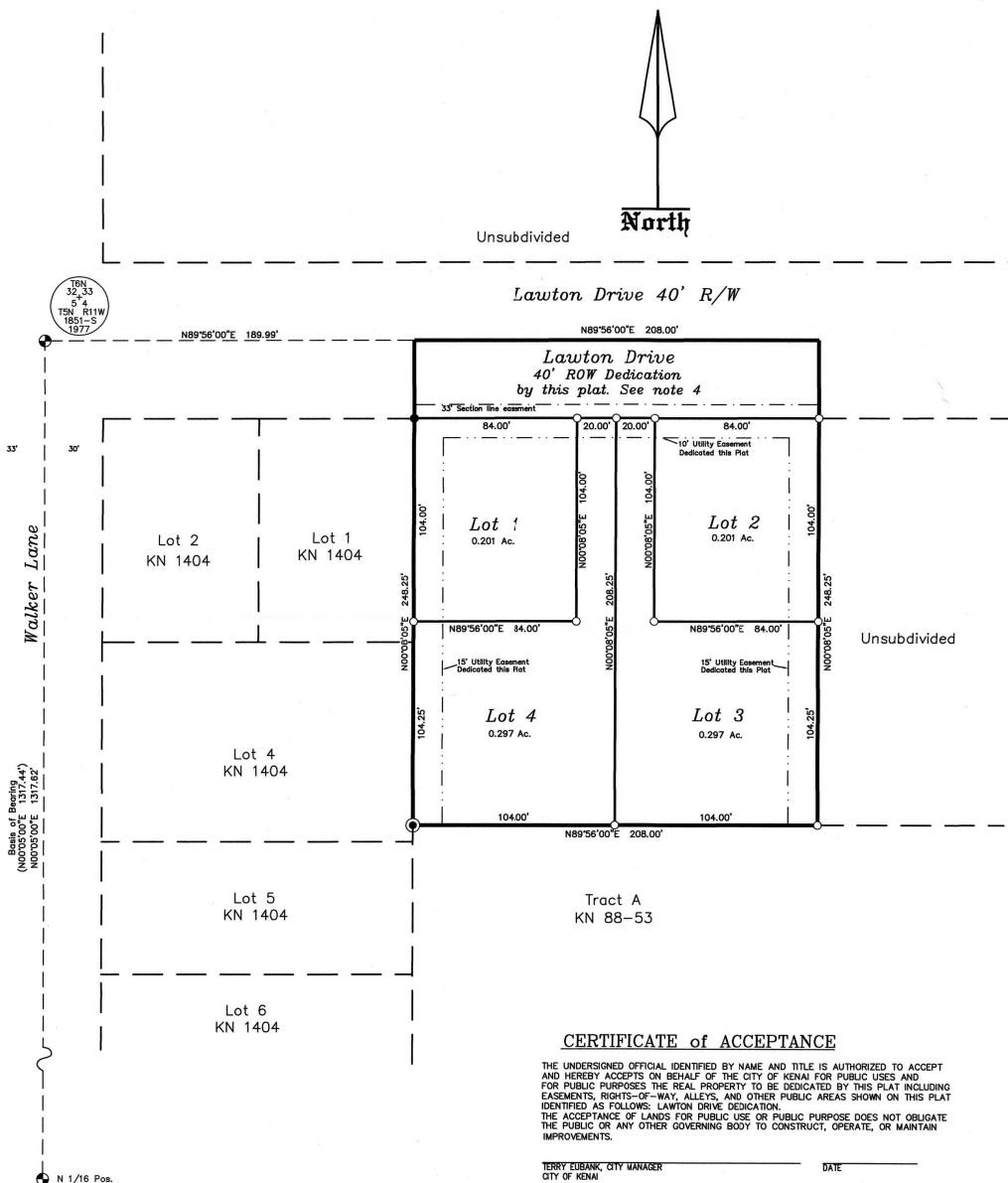


SURVEYOR'S CERTIFICATE

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 _____

Tract 1A
KN 84-305



CERTIFICATE of OWNERSHIP and DEDICATION

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

SAVATY REUTOV
P.O. BOX 826
STERLING, AK 99672

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 _____

CERTIFICATE of ACCEPTANCE

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

TERRY LUBANK, CITY MANAGER
CITY OF KENAI

DATE _____

KPB FILE No.

Reutov Subdivision

A Subdivision of property more particularly described as follows: Beginning at the Northwest corner of Section 4, T5N, R11W, S.M.; thence, East 190 feet to the Point of Beginning and Corner Number 1; thence, East 208 feet to Corner Number 2; thence, South 248 feet to Corner Number 3; thence, West 208 feet to Corner Number 4; thence, North 248 feet to the Point of Beginning, the same being a portion of the original Delta Calvin Walker Homestead, Patent No. 1137176. Located within the NW1/4 NW1/4 Section 4, T5N, R11W, S.M., City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 1.185 Acres

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99569 (907) 262-3906	Savaty Reutov P.O. Box 826 Sterling, AK 99672
JOB NO. 23036	DRAWN: 6-21-23
SURVEYED: March 2023	SCALE: 1"=30'
FIELD BOOK: 23-1	SHEET: 1 of 1

AGENDA ITEM E. NEW BUSINESS

ITEM 3 - REUTOV SUBDIVISION

KPB File No.	2023-065
Plat Committee Meeting:	July 17, 2023
Applicant / Owner:	Savaty Reutov
Surveyor:	John Segesser / Segesser Surveys
General Location:	Lawton Dr, City of Kenai

Parent Parcel No.:	049-020-08
Legal Description:	Part of NW1/4 NW1/4 Section 4 Township 5 North Range 11 West
Assessing Use:	Residential
Zoning:	Suburban Residential
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 1.185 acre parcel into 4 lots ranging in size from 0.201 acres to 0.297 acres.

Location and Legal Access (existing and proposed): The preliminary plat is located just to the east of the intersection of Walker Lane and Lawton Drive along Lawton Drive. Lawton Drive is maintained by the City of Kenai. Walker Lane is accessed from state-maintained Kenai Spur Highway.

The parcel is currently vacant. There will be dedication of Lawton Drive as the current description includes a portion of the road to the section line.

The block is incomplete as there is no dedication from Walker Lane to Rogers Road, a distance of 2600 feet. This plat only being 200 feet from the intersection of Walker Lane, could not provide a dedication to complete the block. ***Staff recommends*** the plat committee concur that an exception is not required as this plat cannot create a dedication to improve the block.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Griebel, Scott Comments: No comments
SOA DOT comments	

Site Investigation:

There are no areas of steep drainage. The plat is flat with slope toward the south of the parcel.

There are no improvements on the land and there does not appear to be any encroachment issues.

There are no wetlands, lakes or rivers on or near the plat. The plat is not in a flood hazard area or an anadromous water habitat protection district.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: within flood hazard area
-------------------------	--

	Comments: This is within mapped Zone D which is undetermined risk and non-regulatory. No notes or depiction being requested. B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	No objections

Staff Analysis This platting is the first platting of this parcel from is description from the aliquot parcel description of the Government lot metes and bounds description from the original patent.

A soils report will not be needed as the lots will have city service. Per the Planning and Zoning Commission Resolution PZ2023-10 an installation agreement will not be required.

Notice of the proposed plat was mailed to the beneficial interest holder on July 6, 2023. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

The plat is located inside the City of Kenai. Th Kenai Planning and Zoning Commission saw the plat at the June 14, 2023 meeting. The Commission with Resolution PZ2023-10 recommended approval for Preliminary Plat – Reutov Subdivision by unanimous vote.

Utility Easements This parcel has never been subdivided and there are no platted utility easements to carry forward. The certificate to plat listed several recorded easements. **Staff recommends:** *plat notes be added for the easements as detailed by the certificate to plat.*

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

Utility provider review:

HEA	No comments
ENSTAR	No comments or recommendations
ACS	No objections
GCI	Approved as shown

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 106 LAWTON DR Existing Street Names are Correct: Yes List of Correct Street Names:
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	<p>LAWTON DR, WALKER LN</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: CITY OF KENAI WILL ADVISE ON ADDRESSES.</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p> <p>Review Not Required</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Add KPB File No 2023-065.

Add the date of July 17, 2023 to the Plat Approval certificate.

KPB 20.25.070 – Form and contents required

Staff recommendation: final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
 2. Legal description, location, date, and total area in acres of the proposed subdivision;
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.
- Staff recommendation:** Match legal description certificate to plat legal description
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
- Staff recommendation:** Add the range to the vicinity map and correct any overstrikes.

KPB 20.30 – Subdivision Design Requirements

Staff recommendation: final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.

KPB 20.40 – Wastewater Disposal

Staff recommendation: final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.

20.40.010 Wastewater disposal.

Platting Staff Comments: The current note is correct for parcels located within cities and city water and sewer is available.

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

Staff recommendation: final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.

20.60.110. Dimensional data required.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: Add net distance across north line of lots. Note between measured and recorded / deeded distances and bearings and *comply with 20.60.110.*

20.60.150. Utility easements.

B. The following note shall be shown on the final plat:

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.

Staff recommendation: *comply with 20.60.150.*

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: *Place the following notes on the plat.*

- Add to plat note 3: No structures are permitted within the panhandle portion of the flag lot(s).

20.60.200. Survey and monumentation.

Staff recommendation: Essential monument to the north line would be W1/16th to compute the width of the plat north line. Essential monument to the south line would be any monument of Stacey Subdivision KN85-11 or Central View Subdivision KN88-53 to compute the width of the plat south line and *comply with 20.60.200.*

RECOMMENDATION:

STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



Aerial View





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2023-10**

A RESOLUTION **RECOMMENDING** THAT REUTOV SUBDIVISION PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESS: 106 Lawton Drive

LEGAL DESCRIPTION: Beginning at the U.S. Land Survey Iron Monument which marks the Northwest corner of Section 4, Township 5 North, Range 11 West, Seward Meridian: Thence East, 190 feet to the POB; Thence East, 208 feet; Thence South, 248 feet; Thence West, 208 feet; Thence North, 208 feet to the POB, Excluding Therefrom the North 40 feet.

KPB PARCEL NUMBER: 04902008

WHEREAS, the City of Kenai received the plat from Segesser Surveys, Inc. on behalf of the property owner, Savaty Reutov; and,

WHEREAS, the plat meets Kenai Municipal Code preliminary plat requirements and development requirements for the Suburban Residential (RS) zoning district; and

WHEREAS, street names are referenced correctly; and,

WHEREAS, the subdivided lots will have access via Lawton Drive, which is a City-maintained road; and

WHEREAS, City water and sewer lines are available along Lawton Drive; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 *Subdivision design standards*, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed subdivision would provide satisfactory and desirable building site, 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 meet City standards for minimum lot sizes in the subject zoning district.
3. Pursuant to Kenai Municipal Code 14.24.020 *General Requirements*, the proposed lots meet City standards for minimum lot width and utility easements. Compliance with the

maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That the preliminary plat of Reutov Subdivision be approved subject to the following condition.

1. Update the City of Kenai's City Manager name under the Certificate of Acceptance section.
2. Place the following note on the plat: The 20-foot wide access portion of the flag lots (Lots 3 and 4) must be unobstructed and maintained for emergency access.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 14th day of June, 2023.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director *LM*
DATE: June 9, 2023
SUBJECT: Resolution No. PZ2023-10 – Preliminary Plat – Reutov Subdivision

Request The applicant is proposing a preliminary plat to subdivide one (1) lot into four (4) lots.

Staff Recommendation Adopt Resolution No. PZ2023-10 recommending approval for a Preliminary Plat – Reutov Subdivision to subdivide a parcel described by metes and bounds into four (4) lots.

Applicant: Segesser Surveys, Inc.
Attn: John Segesser
30485 Rosland Street
Soldotna, AK 99669

Property Owner: Savaty Reutov

Legal Description: Beginning at the U.S. Land Survey Iron Monument which marks the Northwest corner of Section 4, Township 5 North, Range 11 West, Seward Meridian: Thence East, 190 feet to the POB; Thence East, 208 feet; Thence South, 248 feet; Thence West, 208 feet; Thence North, 208 feet to the POB, Excluding Therefrom the North 40 feet.

Property Address: 106 Lawton Drive

KPB Parcel No.: 04902008

Lot Size (acreage): 0.99

Zoning: Suburban Residential (RS)

Current Use: Vacant

Proposed Use: Multi-Family Dwelling

Land Use Plan: Suburban Residential (SR)

Associated Permit(s): Building Permit for a Triplex (under review)

SUMMARY

The proposed preliminary plat will subdivide an approximately 0.99-acre parcel described by metes and bounds into four (4) lots with each lots ranging between 8,755-12,937 square feet (0.201-0.297 acre). The subject parcel is a treed vacant lot located in the southeast corner of Walker Lane and Lawton Drive. Surrounding properties are residential uses to the west, vacant city-owned property to the north, and vacant lots to the east and south.

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

ANALYSIS

The proposed subdivision meets the preliminary plat requirements and development requirements for the Suburban Residential (SR) zoning district. The subdivided lots will have access via Lawton Drive, which is a City-maintained road. City water and sewer lines are available along Lawton Drive. An installation agreement is not required.

The proposed preliminary plat meets the general standards of KMC Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table*.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Reutov Subdivision meets the general standards of Kenai Municipal Code, Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table*, and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2023-10 to Kenai Peninsula Borough, subject to the following condition.

1. Update the City of Kenai's City Manager name under the Certificate of Acceptance section.
2. Place the following note on the plat: The 20-foot wide access portion of the flag lots (Lots 3 and 4) must be unobstructed and maintained for emergency access.

ATTACHMENTS

Aerial Map
Application with Certificate of Plat
Preliminary Plat, Reutov Subdivision

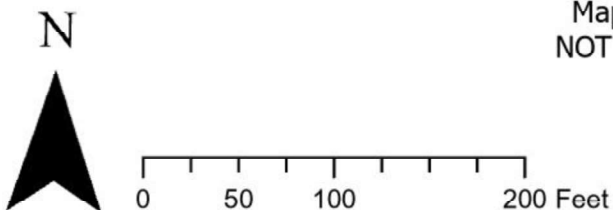


Resolution No. PZ2023-10
Preliminary Plat - Reutov Subdivision
106 Lawton Drive
KPB Parcel ID: 04902008



Date Printed: 6/9/2023

Map for Reference Only
NOT A LEGAL DOCUMENT





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:	Savaty Reutov						
Mailing Address:	P.O. Box 826	City:	Sterling	State:	AK	Zip Code:	99672
Phone Number(s):							
Email:	savatyreutov@yahoo.com						

PROPERTY INFORMATION

Property Owner Name:	Savaty Reutov					
Current City Zoning:	Urban residential					
Use:	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Recreational <input type="checkbox"/> Commercial <input type="checkbox"/> Other:					
Water:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community					
Sewer:	<input type="checkbox"/> On Site <input checked="" type="checkbox"/> City <input type="checkbox"/> Community					

PLAT INFORMATION

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

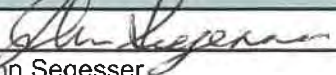
Exceptions Required and Requested:

Comments:

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:			Date:	4-27-23	
Print Name:	John Segesser		Title/Business:	Segesser Surveys Inc	

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JUNE 14, 2023 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on June 14, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeff Twait, Chair
Gary Greenberg
John Coston
Gwen Woodard

Joe Halstead, Vice Chair
Jim Glendenning
Diane Fikes

A quorum was present.

Absent:

None

Also in attendance were:

Linda Mitchell, Planning Director
Meghan Thibodeau, Deputy City Clerk
Henry Knackstedt, Council Member

3. Approval of Agenda and Consent Agenda

Chair Twait noted the following additions to the Packet:

Add to item I.3

City Administration Report

- 2022 Conditional Use Permits Annual Report Review

Add to item O.2

Informational Items

- King of the River Food Drive Flyer

MOTION:

Vice Chair Halstead **MOVED** to approve the agenda and consent agenda with the requested revisions. Council Member Woodard **SECONDED** the motion.

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

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

UNANIMOUS CONSENT was requested.

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of May 24, 2023

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Will Jahrig provided an update on the progress of the Restaurant/Brewery development at 800 Childs Avenue.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2023-10** – Recommending Approval for Preliminary Plat - Reutov Subdivision to Subdivide a Parcel into Four (4) Lots Located at 106 Lawton Drive (Parcel ID: 04902008) in the Suburban Residential (RS) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-10. Commissioner Coston **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant intends to subdivide the parcel into four lots. Zoning and uses of surrounding lots were reviewed; staff recommended approval to Kenai Peninsula Borough, subject to the following conditions:

1. Update the City of Kenai's City Manager name under the Certificate of Acceptance section.
2. Place the following note on the plat: The 20-foot wide access portion of the flag lots (Lots 3 and 4) must be unobstructed and maintained for emergency access.

Discussion ensued.

VOTE:

YEA: Fikes, Glendening, Woodard, Twait, Greenberg, Halstead, Coston

NAY: None

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2023-09** – Granting a Conditional Use Permit (CUP) to Allow for Lodging on the Property Located at 1534 Stellar Drive (Parcel ID: 04714032) in the Suburban Residential (RS) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-09. Commissioner Glendening **SECONDED** the motion.

Planning Director Mitchell clarified the definition of lodging in Kenai Municipal Code, and presented her staff report with information provided in the packet explaining that the applicant had been running a lodging operation for a few years without knowing it required a conditional use permit (CUP). The criteria

for CUPs were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. Quiet hours are from 10:00 p.m. to 6:00 a.m.

Applicant Mary Kennedy noted that she had submitted a statement into the packet, and would be available for questions.

Chair Twait opened for public hearing. There being no one wishing to be heard, the public hearing was closed.

Support was expressed; it was noted that the applicant had put in a good faith effort to comply with code.

In response to questions from the commission, Mary Kennedy clarified that she is not collecting sales tax but has been paying it to the Kenai Peninsula Borough; apologized for not being aware of the CUP requirement and expressed appreciation for Director Mitchell for helping her through the process; noted that she doesn't advertise but does list her property on AirBNB and VRBO; explained how a group with travel trailers had booked her property last summer, and she had made neighbors aware beforehand and provided them with her contact information in case of issues; noted that her property has been consistently booked in previous years; discussed how she mitigates potential guest issues with a security camera and communication with neighbors; and clarified she has had no homeowner's insurance claims.

VOTE:

YEA: Glendening, Woodard, Greenberg, Fikes, Twait, Halstead, Coston

NAY: None

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. ***Action/Approval** – Requesting an Excused Absence for the May 24, 2023 Regular Meeting - Coston.

Approved by the consent agenda.

2. ***Action/Approval** – Time Extension for Compliance with Conditions in Resolution PZ2022-14 for a Restaurant/Brewery on the Property Located at 800 Childs Avenue (Parcel ID: 04901138) in the Heavy Industrial (IH) Zoning District.

Approved by the consent agenda.

I. REPORTS

1. City Council – Council Member Knackstedt reported on the actions of the June 7, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the June 12, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:

- Storefront and Streetscape Improvement grant applications have been out since last week; two completed applications recieved. Explained program process.
- FY2024 budget includes travel expenses for commissioners who want to the American Planning Association conference in Anchorage on September 20, 2023.
- There will be a work session prior to the regular meeting on June 28th.
- Reviewed the 2022 Conditional Use Permits Annual Report provided in laydown; asked commissioners to review and noted that it is within the purview of commission to revoke permits.

J. ADDITIONAL PUBLIC COMMENT – None.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: June 28, 2023

Vice Chair Halstead noted he would be absent from the June 28th meeting.

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

1. Kenai Public Open House Flyer

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

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of June 14, 2023.

Meghan Thibodeau
Deputy City Clerk