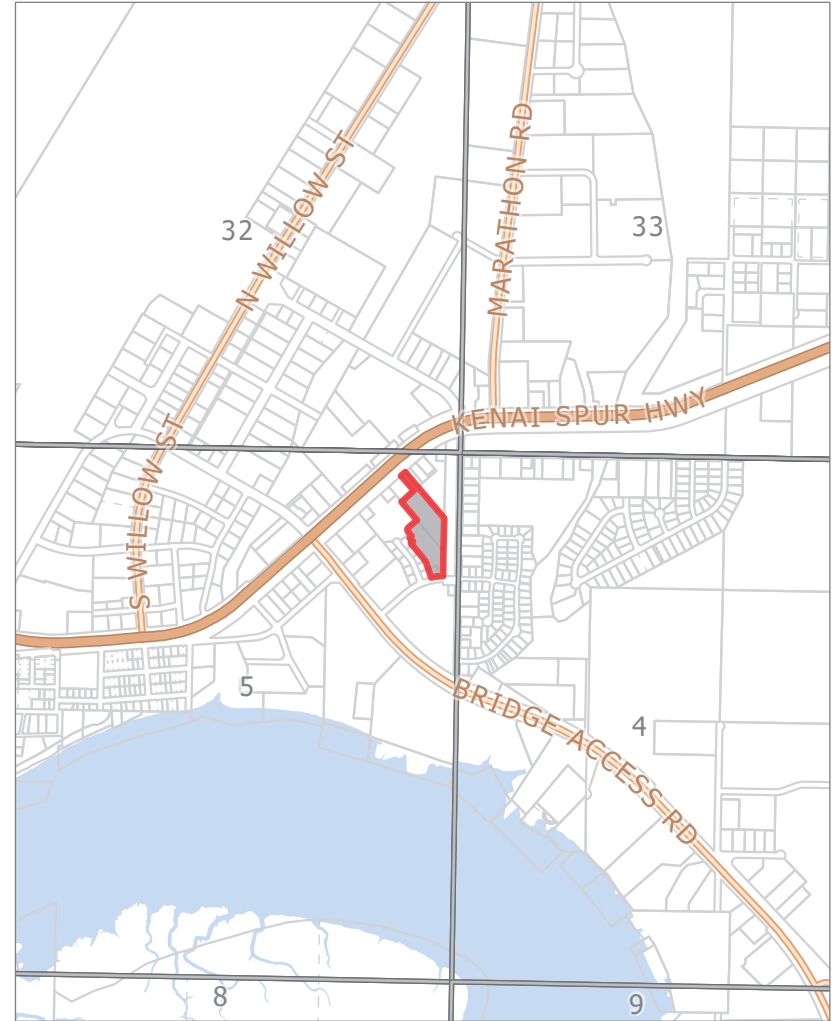
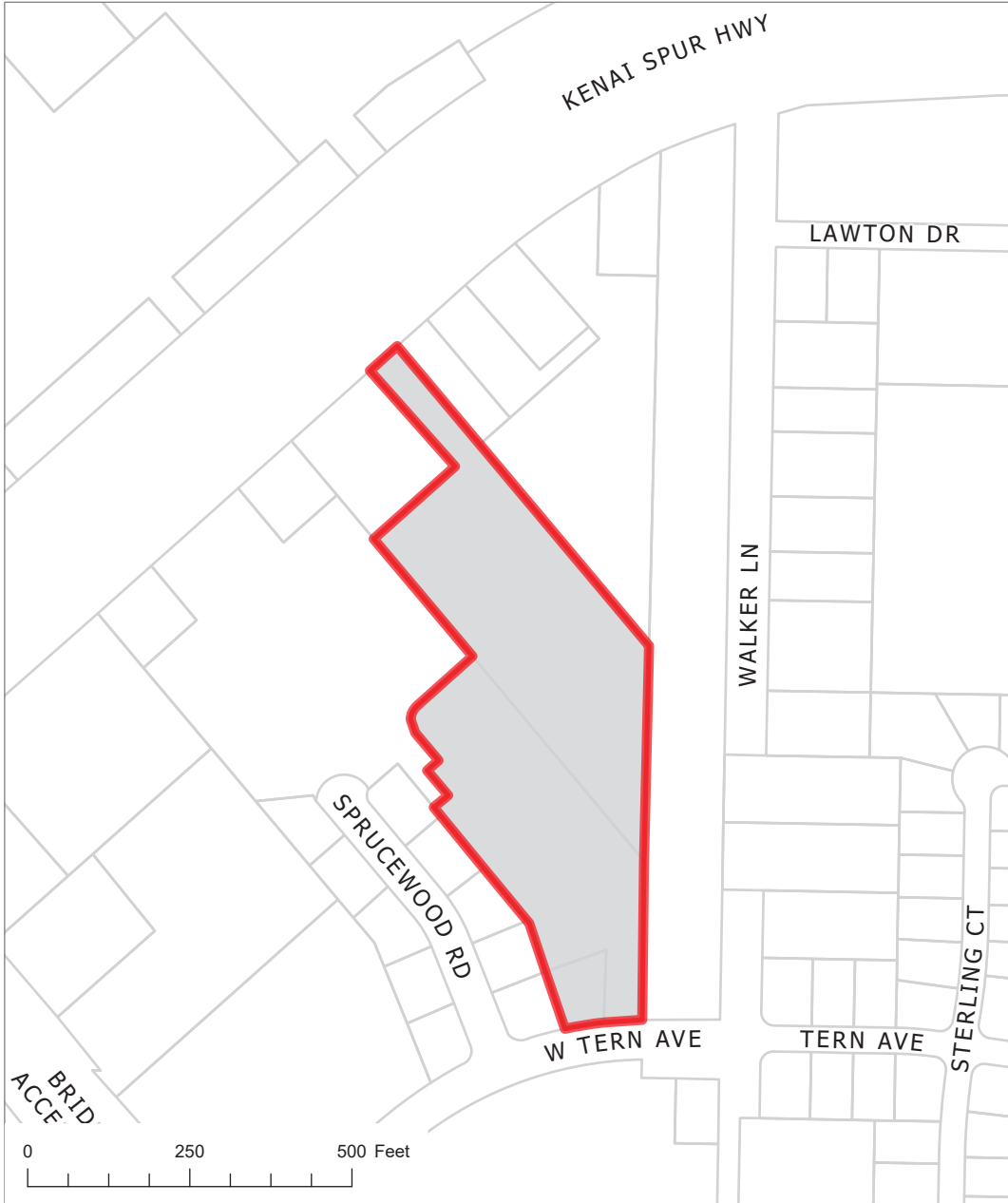


E. NEW BUSINESS

- 2. Sprucewood Glen Subdivision No. 11
KPB File 2024-001
Edge Survey & Design, LLC / Travostino
Location: W. Tern Avenue & Kenai Spur Highway
City of Kenai**

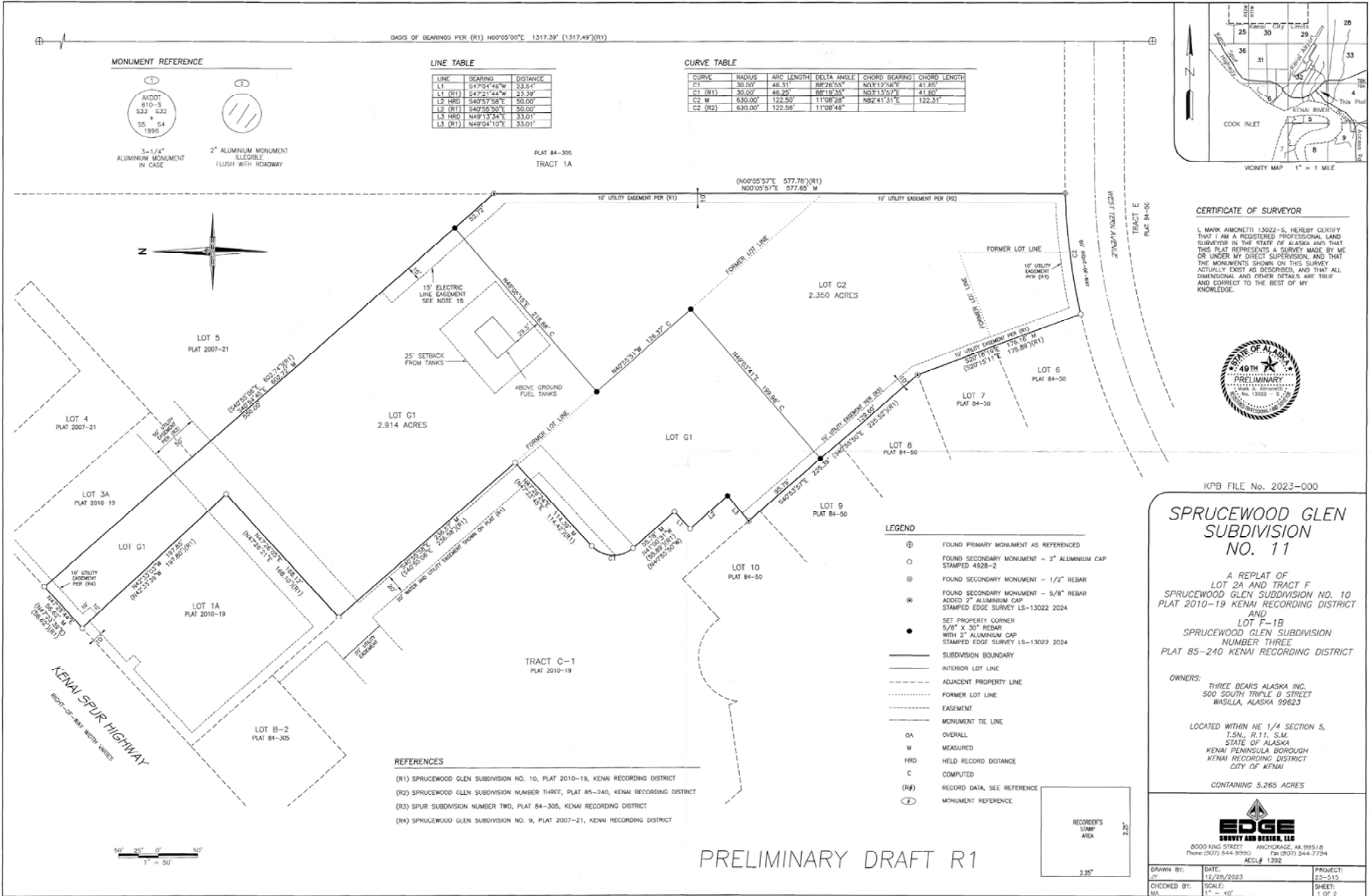


KPB File 2024-001
T 05N R 11W SEC 05
Kenai

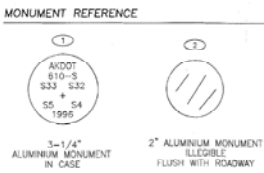
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



DAGIS OF BEARINGS PER (R1) N00°05'00"E 1317.39' (1317.49')(R1)

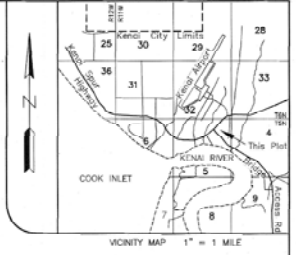


LINE TABLE

| LINE | BEARING | DISTANCE |
|---------|-------------|----------|
| L1 | S47°21'46"W | 23.64' |
| L1 (R1) | S47°21'44"W | 23.38' |
| L2 | S40°57'58"E | 50.00' |
| L2 (R1) | S40°56'50"E | 50.00' |
| L3 | N49°13'54"E | 33.01' |
| L3 (R1) | N49°04'10"E | 33.01' |

CURVE TABLE

| CURVE | RADIUS | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|---------|---------|------------|-------------|---------------|--------------|
| C1 | 30.00' | 46.31' | 88°26'50" | N0°17'56"E | 41.89' |
| C1 (R1) | 30.00' | 46.25' | 88°19'30" | N0°13'57"E | 41.80' |
| C2 | 630.00' | 122.50' | 11°08'20" | N8°41'31"E | 122.31' |
| C2 (R2) | 630.00' | 122.59' | 11°08'40" | | |



CERTIFICATE OF SURVEYOR

I, MARK AMONETHI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF LOT 2A AND TRACT F SPRUCEWOOD GLEN SUBDIVISION NO. 10 PLAT 2010-19 KENAI RECORDING DISTRICT AND LOT F-1B SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE PLAT 85-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC. 500 SOUTH TRIPLE B STREET WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5, T.5N., R.11, S.4E. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

CONTAINING 5.265 ACRES



8000 KING STREET ANCHORAGE, AK 99518 Phone (907) 544-5090 Fax (907) 544-7724 AEL# 1392

| | | |
|----------------|------------------|------------------|
| DRAWN BY: JH | DATE: 12/25/2023 | PROJECT#: 23-215 |
| CHECKED BY: MA | SCALE: 1" = 40' | SHEET: 1 OF 2 |

- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS REFERENCED
 - FOUND SECONDARY MONUMENT - 2" ALUMINUM CAP STAMPED 4928-2
 - ⊙ FOUND SECONDARY MONUMENT - 1/2" REBAR
 - ⊗ FOUND SECONDARY MONUMENT - 5/8" REBAR ADDED 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
 - SET PROPERTY CORNER 5/8" X 30" REBAR WITH 2" ALUMINUM CAP STAMPED EDGE SURVEY LS-13022 2024
 - SUBDIVISION BOUNDARY
 - INTERIOR LOT LINE
 - - - ADJACENT PROPERTY LINE
 - · · FORMER LOT LINE
 - · · EASEMENT
 - · · MONUMENT TIE LINE
 - OA OVERALL
 - M MEASURED
 - HRO HELD RECORD DISTANCE
 - C COMPUTED
 - (R#) RECORD DATA, SEE REFERENCE
 - Ⓡ MONUMENT REFERENCE

- REFERENCES**
- (R1) SPRUCEWOOD GLEN SUBDIVISION NO. 10, PLAT 2010-19, KENAI RECORDING DISTRICT
 - (R2) SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE, PLAT 85-240, KENAI RECORDING DISTRICT
 - (R3) SPUR SUBDIVISION NUMBER TWO, PLAT 84-305, KENAI RECORDING DISTRICT
 - (R4) SPRUCEWOOD GLEN SUBDIVISION NO. 9, PLAT 2007-21, KENAI RECORDING DISTRICT

PRELIMINARY DRAFT R1

NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. THE FRONT 16 FEET ADJACENT TO DEDICATED RIGHTS-OF-WAY IS ALSO A 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.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
4. WASTEWATER DISPOSAL: CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
5. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN OUTCLAIM DEED, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF: RECORDED: APRIL 20, 1964, VOLUME/PAGE: 27/303 AND DEED OF RELEASE: RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 228/395, KENAI RECORDING DISTRICT.
6. THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES, AS DISCLOSED BY PUBLIC LAND ORDER NO. 5011, DATED AUGUST 10, 1948 AND AMENDED BY PUBLIC LAND ORDER NO. 751, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1013, DATED APRIL 7, 1958; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2468, DATED OCTOBER 16, 1951, AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1956, FILED IN THE FEDERAL REGISTER.
7. THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL LINE EASEMENT, WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 18, 1974, VOLUME/PAGE: 76/950, KENAI RECORDING DISTRICT.
8. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT: RECORDED: JUNE 27, 1986 VOLUME/PAGE: 289/269, KENAI RECORDING DISTRICT.
9. THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN: RECORDED: JUNE 27, 1986 VOLUME/PAGE: 289/273, AND 289/283 AND AMENDMENT THERETO: RECORDED: MAY 17, 2007 SERIAL NO.: 2007-005097-0 KENAI RECORDING DISTRICT.
10. THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN: RECORDED: JUNE 27, 1986 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
11. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT: RECORDED: AUGUST 4, 1986 VOLUME/PAGE: 292/687 AND AMENDMENTS THERETO: RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-002955-0 RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011867-0 RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-0, KENAI RECORDING DISTRICT.
12. THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THERETO: RECORDED: MAY 8, 2001, VOLUME/PAGE: 626/387, KENAI RECORDING DISTRICT.
13. THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN: RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011868-0, KENAI RECORDING DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT: RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003374-0 AND AMENDMENT THERETO: RECORDED: DECEMBER 21, 2021 SERIAL NO.: 2021-013982-0, KENAI RECORDING DISTRICT.
15. PORTION OF FORMER LOT 2A AFFECTED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SHRUBBERY, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2022 SERIAL NO.: 2022-008716-0, KENAI RECORDING DISTRICT.
16. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF THREE BEARS ALASKA INC. 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.

JOAN TRAVOSTINO, VICE PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE D STREET
WASILLA, ALASKA 99623

NOTARY ACKNOWLEDGEMENT

FOR: JOAN TRAVOSTINO

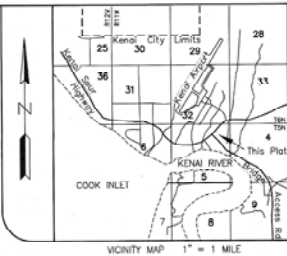
ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____, 2023

NOTARY PUBLIC SIGNATURE

NOTARY
STAMP
AREA

RECORDERS'S
STAMP
AREA
2 1/2"
3 3/4"



KPB FILE No. 2023-000

SPRUCEWOOD GLEN
SUBDIVISION
NO. 11

A REPLAT OF
LOT 2A AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1B
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 82-240 KENAI RECORDING DISTRICT

OWNERS:
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5,
T.5N., R.11, S.M.
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES



8000 KING STREET ANCHORAGE, AK 99516
Phone (907) 344-5980 Fax (907) 344-7794
AEC# 1392

| | | |
|-------------------|---------------------|--------------------|
| DRAWN BY: JT | DATE: 12/28/2023 | PROJECT: 23-515 |
| CHECKED BY: MA | SCALE: 1" = 50' | SHEET: 2 OF 2 |

PRELIMINARY DRAFT

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT
SPRUCEWOOD GLEN SUBDIVISION NO. 11**

| | |
|--------------------------------|--|
| KPB File No. | 2024-001 |
| Plat Committee Meeting: | January 22, 2024 |
| Applicant / Owner: | Three Bears Alaska INC. / Wasilla Alaska |
| Surveyor: | Mark Aimonetti / Edge Survey and Design, LLC |
| General Location: | Kenai Spur Highway / City of Kenai Alaska |

| | |
|---------------------------|---|
| Parent Parcel No.: | 047-052-38, 047-052-41 & 047-052-24 |
| Legal Description: | Lot 2A and Tract F of Sprucewood Glen Subdivision No 10 and Tract F-1B of Sprucewood Glen Subdivision No. 3 |
| Assessing Use: | Commercial |
| Zoning: | General Commercial |
| Water / Wastewater | City |
| Exception Request | None |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will three parcels together and separate them into two new lots with sizes of 2.914 acres and 2.350 acres.

Location and Legal Access (existing and proposed):

Legal access to the subdivision is from the Kenai Spur Highway and West Tern Avenue. Coming from Kenai Spur Highway vehicles are crossing other properties using shopping center easements and agreements as listed from the certificates to plat and identified in the plat notes. These easements and agreements are general location easements for access and parking throughout the shopping center complex.

There will be no new dedications with this subdivision.

Block length is compliant as this subdivision is within a shopping complex and easements and road complete access.

| | |
|--------------------------|--|
| KPB Roads Dept. comments | Out of Jurisdiction: Yes Roads Director: Griebel, Scott Comments: City of Kenai - No RSA comments. |
| SOA DOT comments | |

Site Investigation:

There are no steep areas on the plat as the terrain is relatively flat. The ground sloped appropriately to drain basins and sewer intakes as needed.

The City of Kenai should be contacted to address the location on FEMA Flood Insurance Rate Maps.

There are improvements on the subdivision that are not shown. A convenience store and gasoline pumps have been installed, that when the plat is done will be located on Lot G1.

There do not appear to be any encroachments shown coming onto the subdivision.

| | |
|-------------------------------|---|
| KPB River Center review | <p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Within City of Kenai Comments: Managed by the City of Kenai</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks Reviewer: Comments: None</p> |
| State of Alaska Fish and Game | Comments: None |

Staff Analysis The land this plat sits on has been subdivided several times since 1979. This will be the eleventh subdivision in this shopping complex of Sprucewood Glen reconfiguring the lots.

A soils report will not be required as city water and sewer are available.

Notice of the proposed plat was mailed to the beneficial interest holder on January 2, 2024. 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 City of Kenai Planning and Zoning Commission at their regular meeting of December 27, 2023, recommended approval for Preliminary Plat – Sprucewood Glen Subdivision No. 11 with Resolution PZ2023-22. Minutes for the meeting and the resolution are in the packet for viewing.

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

Utility Easements

There are several easements listed in the certificate to plat with most of them being general location easements with no defined location. They have been listed in the plat notes. The easements that could be shown or carried forward from previous plats are shown on the drawing.

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 comment |
| ENSTAR | No comment |
| ACS | No objections |
| GCI | Approved as shown |

KPB department / agency review:

| | |
|------------------------------|--|
| Addressing | <p>Reviewer: Leavitt, Rhealyn Affected Addresses: 10489 KENAI SPUR HWY, 101 W TERN AVE, 99 W TERN AVE</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: W TERN AVE, KENAI SPUR HWY</p> <p>Existing Street Name Corrections Needed: None</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 ADVIES ON ADDRESSES</p> |
| Code Compliance | <p>Reviewer: Ogren, Eric 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. Review not required</p> |
| Assessing | <p>Reviewer: Windsor, Heather Comments: No comment</p> |
| Advisory Planning Commission | None |

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Bring scale and north arrow together.

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:

Verify the address of the owner, KPB Assessing has a different address list at their website

KPB file no should be 2024-001, please correct.

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Staff recommendation:
Other subdivisions have shown R/W sizes / dimensions from some found monuments and PI in the road, please do so on the final.
Show source of right-of-way for the Kenai Spur Highway
Show Spruce Wood Road as it is within 100' from property to the west through the lots.
- 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:
Darken the location of the subdivision on the vicinity maps.

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.

20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

B. The access portion of a flag lot shall not be less than 20 feet wide. A flag lot with the access portion less than 60 feet wide may be subject to a plat note indicating possible limitations on further subdivision based on access issues, development trends in the area, or topography. If the access portion is less than 60 feet wide, it may not exceed 150 feet in length. The access portion may not be used for permanent structures or wastewater disposal area, must meet the design standards of KPB 20.30.030(A) and 20.30.090 for access, and, if at least 60 feet wide, will be subject to the building setback restrictions of KPB 20.30.240.

Staff recommendation: place the standard note on the plat for the flag lot(s): No structures are permitted within the panhandle portion of the flag lot(s).

20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).

Staff recommendation: The City of Kenai does not meet the specified requirements for the application and consideration of different standards.

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:
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.*

20.60.180. 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.*

- *“No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.”*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *Revised date in the Plat Approval to January 22, 2024*
- *Correct several typos in the plat notes.*

20.60.200. Survey and monumentation.

Staff recommendation: *comply with 20.60.200*

Tie the survey to the nearest GLO / BLM line

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.

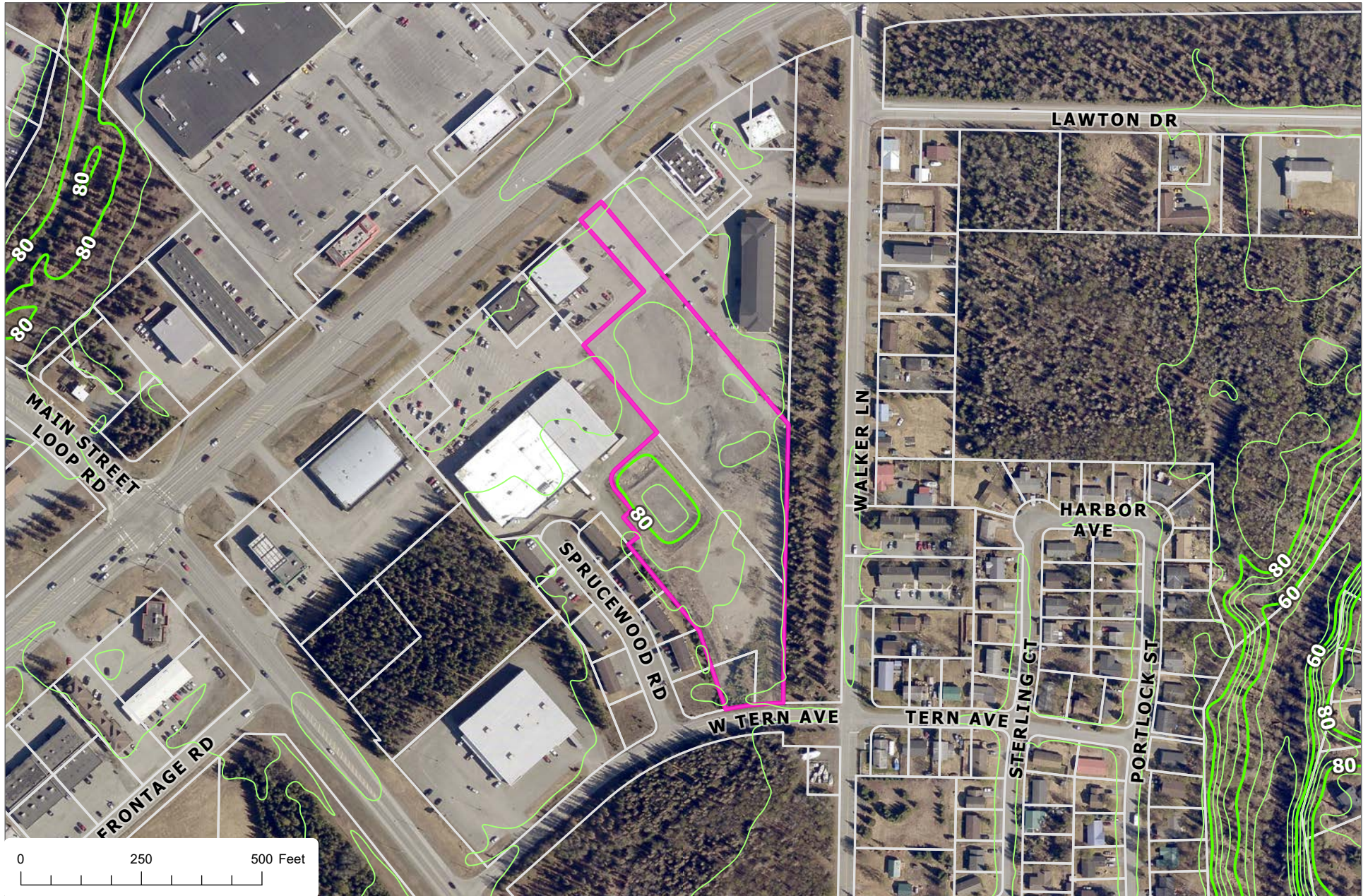
A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

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.

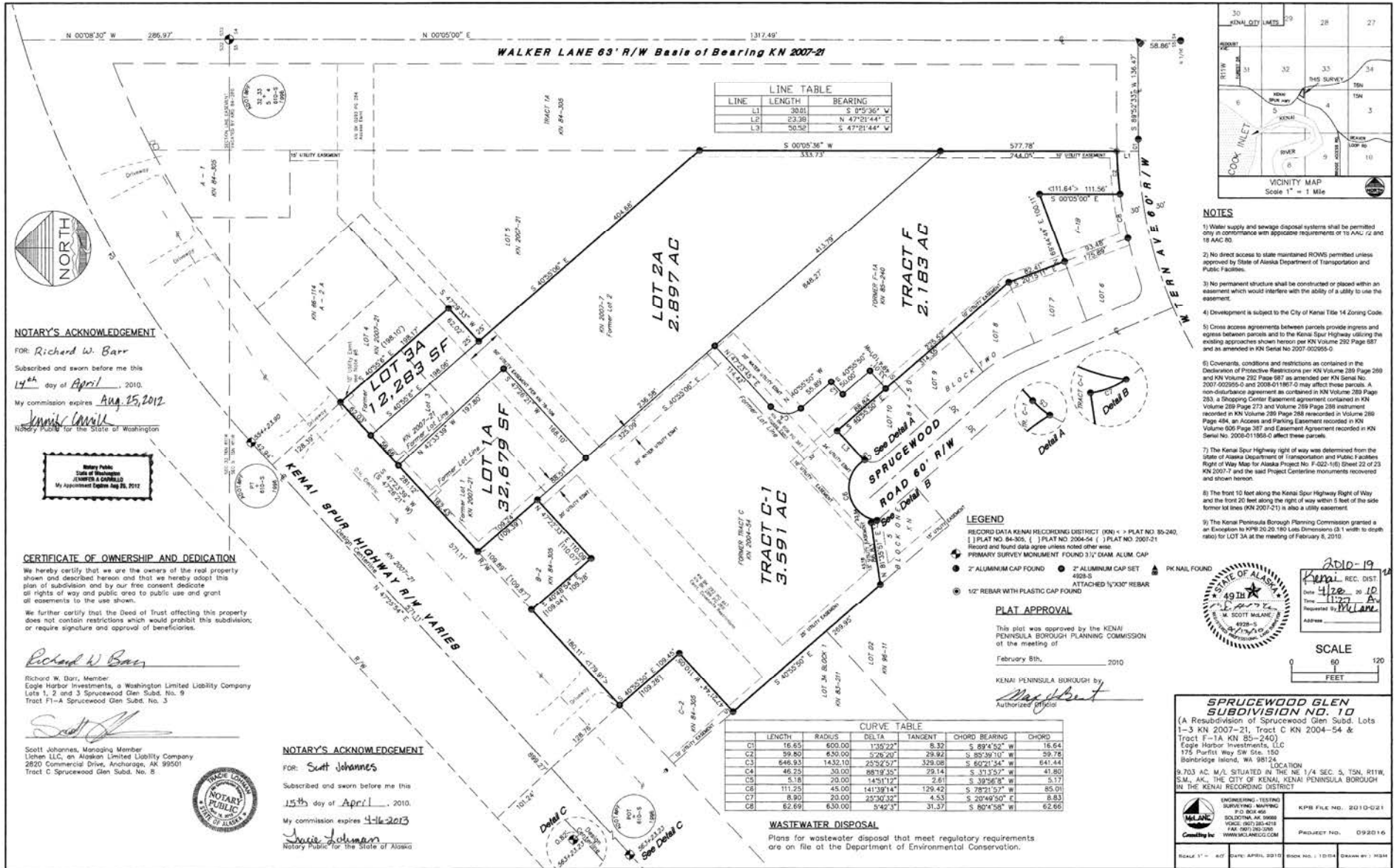
END OF STAFF REPORT



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

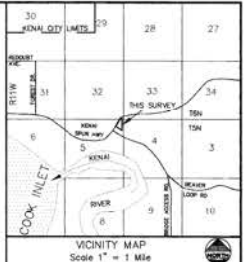


LINE TABLE

| LINE | LENGTH | BEARING |
|------|--------|---------------|
| L1 | 30.01 | S 8°32'32" W |
| L2 | 23.39 | N 47°21'44" E |
| L3 | 50.52 | S 47°21'44" W |

CURVE TABLE

| CHORD | LENGTH | RADIUS | DELTA | TANGENT | CHORD BEARING | CHORD |
|-------|--------|---------|------------|---------|---------------|--------|
| C1 | 16.85 | 600.00 | 1°35'22" | 8.32 | S 89°4'52" W | 16.84 |
| C2 | 59.80 | 630.00 | 5°26'20" | 29.92 | S 85°39'10" W | 59.78 |
| C3 | 646.93 | 1432.10 | 25°23'57" | 329.08 | S 60°21'54" W | 641.44 |
| C4 | 46.23 | 30.00 | 88°18'25" | 39.14 | S 31°23'7" W | 41.80 |
| C5 | 5.18 | 20.00 | 14°51'12" | 2.61 | S 32°56'8" W | 5.17 |
| C6 | 111.25 | 45.00 | 141°39'14" | 129.42 | S 78°21'57" W | 85.01 |
| C7 | 8.90 | 20.00 | 25°30'32" | 4.53 | S 20°49'50" E | 8.83 |
| C8 | 62.89 | 630.00 | 3°42'37" | 31.37 | S 89°4'58" W | 62.85 |



- NOTES**
- Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 19 AAC 12 and 19 AAC 90.
 - No direct access to state maintained ROWs permitted unless approved by State of Alaska Department of Transportation and Public Facilities.
 - No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
 - Development is subject to the City of Kenai Title 14 Zoning Code.
 - Cross access agreements between parcels provide ingress and egress between parcels and to the Kenai Spur Highway utilizing the existing approaches shown hereon per KN Volume 292 Page 887 and as amended in KN Serial No 2007-02955-0.
 - Covenants, conditions and restrictions as contained in the Declaration of Protective Restrictions per KN Volume 289 Page 289 and KN Volume 292 Page 887 as amended per KN Serial No 2007-02955-0 and 2008-011807-0 may affect these parcels. A non-disturbance agreement is contained in KN Volume 289 Page 283, a Shopping Center Easement agreement contained in KN Volume 289 Page 273 and Volume 289 Page 289 instrument recorded in KN Volume 289 Page 288 recorded in Volume 289 Page 484, an Access and Parking Easement recorded in KN Volume 100 Page 387 and Easement Agreement recorded in KN Serial No. 2008-011855-0 affect these parcels.
 - The Kenai Spur Highway right of way was determined from the State of Alaska Department of Transportation and Public Facilities Right of Way Map for Alaska Project No. 4-022-1(0) Sheet 22 of 23 KN 2007-7 and the said Project Centerline monuments recovered and shown hereon.
 - The front 10 feet along the Kenai Spur Highway Right of Way and the front 20 feet along the right of way within 5 feet of the side former lot lines (KN 2007-21) is also a utility easement.
 - The Kenai Peninsula Borough Planning Commission granted an exception to KPB 20-20-180 Lateral Dimensions (L) width to depth ratio) for LOT 3A at the meeting of February 8, 2010.

NOTARY'S ACKNOWLEDGEMENT

FOR: Richard W. Barr
 Subscribed and sworn before me this 14th day of April, 2010.
 My commission expires Aug. 25, 2012
Janis Convik
 Notary Public for the State of Washington



CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights of way and public area to public use and grant all easements to the use shown.

We further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision, or require signature and approval of beneficiaries.

Richard W. Barr
 Richard W. Barr, Member
 Eagle Harbor Investments, a Washington Limited Liability Company
 Lots 1, 2 and 3 Sprucewood Glen Subd. No. 9
 Tract F1-A Sprucewood Glen Subd. No. 3

Scott Johannes
 Scott Johannes, Managing Member
 Lichen LLC, an Alaska Limited Liability Company
 2820 Commercial Drive, Anchorage, AK 99501
 Tract C Sprucewood Glen Subd. No. 8

NOTARY'S ACKNOWLEDGEMENT

FOR: Scott Johannes
 Subscribed and sworn before me this 15th day of April, 2010.
 My commission expires 4-6-2013
Janis Convik
 Notary Public for the State of Alaska



LEGEND

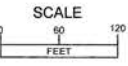
- RECORD DATA KENAI RECORDING DISTRICT (KN) < > PLAT NO. 80-240, [] PLAT NO. 84-505, [] PLAT NO. 2004-54 [] PLAT NO. 2007-21
- Record and found data agree unless noted other wise.
- PRIMARY SURVEY MONUMENT FOUND 3 1/2" DIAM. ALUM. CAP
- 2" ALUMINUM CAP FOUND
- 2" ALUMINUM CAP SET 459-S
- ATTACHED 1/2" X 3/8" REBAR
- 1/2" REBAR WITH PLASTIC CAP FOUND

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of
 February 8th, 2010
 KENAI PENINSULA BOROUGH by
Max Scott
 Authorized Official



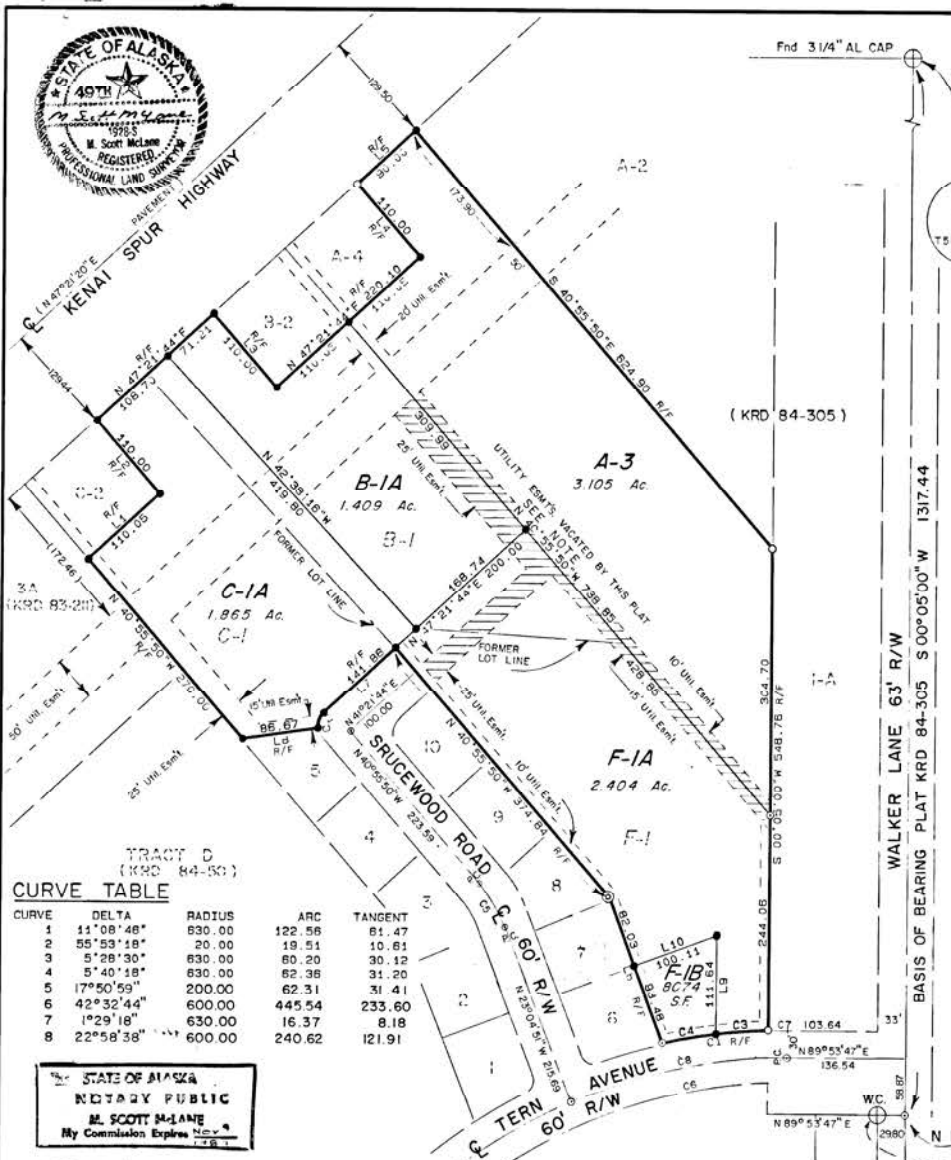
2010-19
 Kenai REC. DIST.
 Date 4/16, 20 10
 Time 11:27 AM
 Requested by W. Barr
 Approved



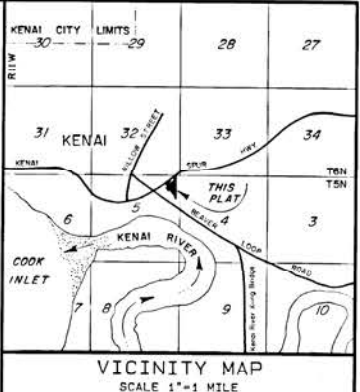
SPRUCEWOOD GLEN SUBDIVISION NO. 10
 (A Resubdivision of Sprucewood Glen Subd. Lots 1-3 KN 2007-21, Tract C KN 2004-54 & Tract F-1A KN 80-240)
 Eagle Harbor Investments, LLC
 175 Parfitt Way SW Ste. 150
 Bonbridge Island, AK 98124
 9.703 AC. M/A. SITUATED IN THE NE 1/4 SEC. 5, T5N, R17W, S.M., AK., THE CITY OF KENAI, KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT

ENGINEERING - TESTING
 SURVEYING - MAPPING
 P.O. BOX 466
 SOLDOTNA, AK 99669
 PHONE: (907) 283-4218
 FAX: (907) 283-2980
 www.MCLANECC.COM

KPB FILE NO. 2010-021
 PROJECT NO. 092016
 SCALE 1" = 300'
 DATE: APRIL 2010
 BOOK NO. 1 | 101A
 DRAWN BY: JHKA



**SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE**
(A RESUBDIVISION OF TRACTS B-1, C-1 AND
F-1 AND THE VACATION OF UTILITY EASEMENTS
WITHIN TRACTS A-3, B-1 AND F-1 SPRUCEWOOD
GLEN SUBDIVISION NUMBER TWO)



85-240
 RECORDED - FILED 10-
 Kenai REC. DIV.
 DATE 12/31 1985
 TIME 9:30 AM
 BY Ed Lowry

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| 1 | N 47°21'44"E | 110.05 |
| 2 | N 40°55'50"W | 110.00 |
| 3 | S 40°55'50"E | 110.00 |
| 4 | N 40°55'50"W | 110.00 |
| 5 | N 47°21'44"E | 90.00 |
| 6 | N 20°15'11"W | 175.51 |
| 7 | S 47°21'44"W | 110.60 |
| 8 | S 81°35'51"W | 88.87 |
| 9 | N 00°05'00"E | 111.64 |
| 10 | S 69°44'49"W | 100.11 |

- LEGEND**
- ⊕ Found official survey monument
 - Set Bernsten 3 1/4" x 30" aluminum survey monument
 - Found 5/8" rebar
 - ⊙ Set 5/8" x 30" rebar with 2" aluminum cap by 6/1/86
 - Found 1/2" rebar
 - Set 1/2" x 24" rebar with plastic cap C 263
 - ⊙ Found 2" aluminum cap
 - () Indicates record data - R/F Record/Found Identical
 - 7/7/86 Indicates utility easements — vacated - SEE NOTE

- NOTES**
- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
 - 2) No direct access to state maintained ROWs permitted unless approved by State of Alaska Department of Transportation.
 - 3) Tracts within this subdivision must be served by city water and sewer.

**CERTIFICATE OF APPROVAL BY THE ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**
 This subdivision has been reviewed in accordance with
 18AAC72.065 and is approved, subject to any noted restrictions.
 Paul D. Harwell, EE II Title 11-27-85
 Signature Title Date

CURVE TABLE

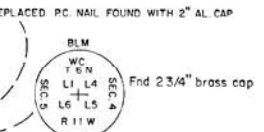
| CURVE | DELTA | RADIUS | ARC | TANGENT |
|-------|-----------|--------|--------|---------|
| 1 | 11°08'48" | 630.00 | 122.56 | 81.47 |
| 2 | 55°53'18" | 20.00 | 19.51 | 10.61 |
| 3 | 5°28'30" | 630.00 | 60.20 | 30.12 |
| 4 | 5°40'18" | 630.00 | 62.36 | 31.20 |
| 5 | 17°50'59" | 200.00 | 62.31 | 31.41 |
| 6 | 42°32'44" | 600.00 | 445.54 | 233.60 |
| 7 | 1°29'18" | 630.00 | 16.37 | 8.18 |
| 8 | 22°58'38" | 600.00 | 240.62 | 121.91 |

SPECIAL NOTE
 Utility easement vacations shall not be in effect until such time existing utilities are abandoned or relocated.

NOTARY PUBLIC
 M. SCOTT McLANE
 My Commission Expires Nov. 9, 1985

NOTARY'S ACKNOWLEDGEMENT
 FOR: Edwin R. Lowry & Tommy S. Partee
 Subscribed and sworn before me this
 4th day of Nov., 1985.
 My commission expires Nov. 9, 1987
 M. Scott McLane
 Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION
 We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right-of-ways to public use and grant all easements to the use shown.
 Edwin R. Lowry Tommy S. Partee



PLAT APPROVAL
 This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of
 MARCH 25 1985
 KENAI PENINSULA BOROUGH
 By Richard P. Trapp
 Authorized official

**SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE**

Edwin Lowry, owner
 Tommy Partee, owner
 1089 Kenai Spur Highway Suite 125
 Kenai, AK 99611

LOCATION
 8.969 Ac. M/L SITUATED WITHIN THE NE1/4 SECTION 5,
 T5N, R11W, S.M. AK. AND THE CITY OF KENAI IN THE
 KENAI PENINSULA BOROUGH.

Surveyed by: **McLANE and ASSOCIATES, INC.**
 Soldotna, AK 99689

| | | |
|-----------------------------------|---------------------------------------|-----------------|
| DATE OF SURVEY 9/23/85 | SCALE 1" = 100' | SHEET 1 of 1 |
| DRAWN BY GT, GB CHECKED BY MSM | BK. No. 84-56/85-41 JOB No. 852010 | K.P.B. FILE No. |



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

December 27, 2023 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of November 29, 2023

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 PZ2023-22** – Recommending Approval for Preliminary Plat – Sprucewood Glen Subdivision No. 11 for a Replat of Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10, and Tract F-1B, Sprucewood Glen Subdivision No. 3 in the General Commercial (CG) Zoning District.

F. PUBLIC HEARINGS

1. **Resolution PZ2023-25** - Recommending Approval for a Variance Permit to Allow an Off-Premise Sign on a Property Located at 11631 Kenai Spur Highway in the Central Mixed Use (CMU) Zoning District.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Requesting an Excused Absence for the December 27, 2023 Regular Meeting – Fikes

I. REPORTS

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

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

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: January 10, 2024

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

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

Join Zoom Meeting

<https://us02web.zoom.us/j/88448948553>

OR Call: (253) 215-8782 or (301) 715-8592

Meeting ID: 884 4894 8553 **Passcode:** 811601 **Meeting ID:** 884 4894 8553 **Passcode:** 811601

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
NOVEMBER 29, 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 November 29, 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
Jim Glendening
Diane Fikes

A quorum was present.

Absent:

Joe Halstead, Vice Chair

Also in attendance were:

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

3. Approval of Agenda and Consent Agenda

MOTION:

Commissioner Greenberg **MOVED** to approve the agenda and consent agenda. Commissioner Coston **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 November 8, 2023

Approved by the consent agenda.

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

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

E. **CONSIDERATION OF PLATS**

1. **Resolution PZ2023-21** – Recommending Approval for Preliminary Plat – Kenai Townsite Oiler’s 2024 Addition for a Parcel Merger of Lot 4, Block 18 Original Townsite of Kenai, and Lots 5A and 5B, Kenai Townsite Oilers Addition, a Right-of-Way Vacation of Outside Way as Dedicated on Original Townsite of Kenai Subdivision, a Utility Easement Vacation, and a 60-foot Right of Way Dedication in the Central Commercial (CC) Zoning District.

MOTION:

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-21. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and it was noted that the applicant has requested to a merger of three parcels, a right-of-way (ROW) vacation and a ROW dedication. Clarification was provided that the request was originally submitted and approved in 1994, but unfortunately the final plat was never recorded so the applicants have submitted the same request but with a 60-foot ROW instead of 40-foot. Zoning, uses of surrounding lots and conditions of approval were reviewed; staff recommended approval subject to the following conditions:

1. Reduce the proposed 60-foot ROW dedication to 50 feet.
2. Correct the note reference from Note 8 to Note 6 for the indicated 5’ Public Street Easement Note 8.
3. Revise the street suffix of the proposed street name, Oilers “Avenue” to “Street”.
4. Kenai City Council must consent to the ROW vacation of Outside Way between Cook Avenue and Riverview Drive is not needed for a public purpose and approve the ROW vacation.
5. Kenai City Council adopt a resolution for the naming of the 50-foot dedicated ROW to Oilers Street.

Jason Young, a surveyor working on this project, explained the applicant’s reasons for the requests and responded to questions from the Commission.

Discussion ensued.

MOTION:

Commissioner Greenberg **MOVED** to amend Resolution PZ2023-21 Condition 1 to read “The proposed 60-foot ROW dedication may be reduced to 50 feet, subject to the applicant providing acceptable evidence that a 50-foot ROW covers the existing road.” Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

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

NAY: None

ABSENT: Halstead

MOTION PASSED WITHOUT OBJECTION.

VOTE ON MAIN MOTION AS AMENDED:

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

NAY: None

ABSENT: Halstead

MOTION PASSED WITHOUT OBJECTION.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. ***Action/Approval** - Requesting an Excused Absence for the November 8, 2023 Regular Meeting – Halstead and Woodard.

Approved by the consent agenda.

I. **REPORTS**

1. City Council – Council Member Douthit reported on the actions of the November 15, 2023 City Council Meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the November 13, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
 - The second part-time Planning Administrative Assistant job has been posted.
 - The Kenai Peninsula Borough is offering a training on its new GIS mapping system on December 4th via Zoom.
 - Discussed with Commissioners their availability for the December 27th meeting; Commissioner Fikes noted she would not be available December 13th nor 27th, and Commissioner Coston confirmed that he could attend on the 27th via Zoom.

J. **ADDITIONAL PUBLIC COMMENT** – None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: December 13, 2023

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted the good discussion, and that he is looking forward to working with the new commissioners.

Commissioner Coston stated that it was a good discussion.

Commissioner Fikes requested excused absences for December 13th and 27th.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

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

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of November 29, 2023.

DRAFT



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2023-22**

A RESOLUTION **RECOMMENDING** THAT SPRUCEWOOD GLEN SUBDIVISION NO. 11 PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 99 W. Tern Avenue
101 W. Tern Avenue
10489 Kenai Spur Highway

LEGAL DESCRIPTIONS: Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10
Tract F-1B, Sprucewood Glen Subdivision No. 3

KPB PARCEL NUMBERS: 04705224, -38, and -41

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Three Bears Alaska, Inc. to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3; and,

WHEREAS, the preliminary plat, subject to the listed conditions, generally meets Kenai Municipal Code (KMC) subdivision and development requirements for the General Commercial (CG) zoning district; and,

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

WHEREAS, the subdivided lots will have access via Kenai Spur Highway, a State-maintained right-of-way and W. Tern Avenue, a City-maintained right-of-way; and,

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

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the

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

4. The existing convenience store with gas station and above ground fuel tanks meet the setbacks and lot coverage. Therefore, the preliminary plat will not create any nonconforming status with setbacks or lot coverage.

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

Section 1. That the preliminary plat for Sprucewood Glen Subdivision No. 11 to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3 be approved subject to the following condition.

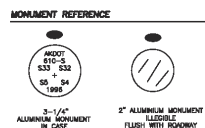
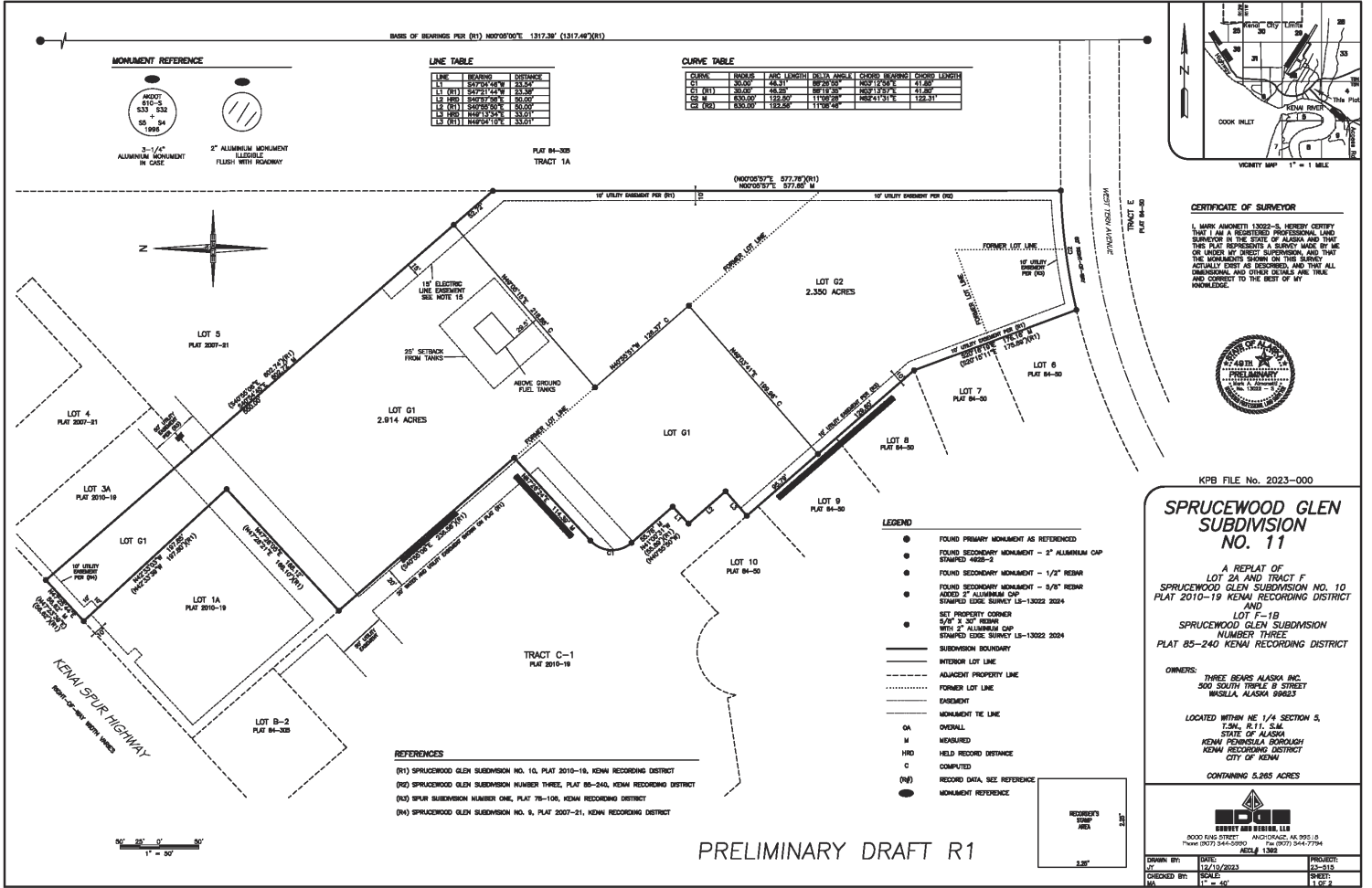
1. Correct the note reference for (R3) to "Sprucewood Glen Subdivision No. 2, Plat 84-305".

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 27TH DAY OF DECEMBER, 2023.

Jeff Twait, Chairperson

ATTEST:

Meghan Thibodeau, Deputy City Clerk

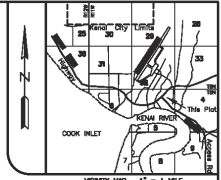


LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| 11 | S47°51'24"W | 23.54' |
| 12 | S47°51'24"W | 33.58' |
| 13 | S47°51'24"W | 50.00' |
| 14 | S47°51'24"W | 50.00' |
| 15 | S47°51'24"W | 50.00' |
| 16 | S47°51'24"W | 33.00' |
| 17 | S47°51'24"W | 33.00' |

CURVE TABLE

| CURVE | BEARINGS | ARC LENGTHS | DELTA ANGLES | CHORD BEARINGS | CHORD LENGTHS |
|---------|-------------|-------------|--------------|----------------|---------------|
| C1 | S01°00'00"E | 48.31' | 89°20'00" | N01°12'55"E | 41.86' |
| C1 (R1) | S01°00'00"E | 48.31' | 89°20'00" | N01°12'55"E | 41.86' |
| C2 | S01°00'00"E | 122.26' | 111°09'28" | S08°21'51"E | 122.31' |
| C2 (R2) | S01°00'00"E | 122.26' | 111°09'28" | S08°21'51"E | 122.31' |



CERTIFICATE OF SURVEYOR

I, MARY ANNHEIT 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF LOT 2A AND TRACT F SPRUCEWOOD GLEN SUBDIVISION NO. 10, PLAT 2010-19 KENAI RECORDING DISTRICT AND LOT F-1B SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE PLAT B5-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC. 300 SOUTH TRIPLE B STREET WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5, T.34N., R.11E., S.4M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

CONTAINING 5.265 ACRES



BERRY BEE REINER, L.L.C. 3000 EAST STREET - ANCHORAGE, ALASKA 99515 Phone (907) 544-0590 Fax (907) 544-7794

| | | |
|-------------|------------|----------|
| OWNER BY: | DATE: | PROJECT: |
| LP: | 12/10/2023 | 23-015 |
| CHECKED BY: | SCALE: | SHEET: |
| MR. | 1" = 50' | 1 OF 2 |

- REFERENCES**
- (R1) SPRUCEWOOD GLEN SUBDIVISION NO. 10, PLAT 2010-19, KENAI RECORDING DISTRICT
 - (R2) SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE, PLAT B5-240, KENAI RECORDING DISTRICT
 - (R3) SPUR SUBDIVISION NUMBER ONE, PLAT 78-106, KENAI RECORDING DISTRICT
 - (R4) SPRUCEWOOD GLEN SUBDIVISION NO. 9, PLAT 2007-21, KENAI RECORDING DISTRICT

- LEGEND**
- FOUND PRIMARY MONUMENT AS REFERENCED
 - FOUND SECONDARY MONUMENT - 2" ALUMINUM CAP SQUARED HEADS-3
 - FOUND SECONDARY MONUMENT - 1/2" REBAR
 - FOUND SECONDARY MONUMENT - 3/8" REBAR
 - ADDED 2" ALUMINUM CAP SQUARED HEAD SURVEY LS-13022 2024
 - SET PROPERTY CORNER 5/4" x 5/8" REBAR WITH 2" ALUMINUM CAP SQUARED HEAD SURVEY LS-13022 2024
 - SUBDIVISION BOUNDARY
 - INTERIOR LOT LINE
 - ADJACENT PROPERTY LINE
 - FORMER LOT LINE
 - EASEMENT
 - MONUMENT TRAIL LINE
 - OVERALL
 - M MEASURED
 - HRD HELD RECORD DISTANCE
 - C COMPUTED
 - (RM) RECORD DATA, SEE REFERENCE
 - MONUMENT REFERENCE

PRELIMINARY DRAFT R1

NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. THE FRONT 10 FEET ADJACENT TO DEDICATED RIGHTS-OF-WAY IS ALSO A 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.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
4. UNDERLIES FEDERAL, CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL; PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
5. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN QUIETEN DEED, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF RECORDED APRIL 28, 1984, VOLUME/PAGE: 27/303 AND DEED OF RELEASE RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 225/365, KENAI RECORDING DISTRICT.
6. THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES, AS RECORDED BY PUBLIC LAND ORDER NO. 1571, DATED AUGUST 10, 1984 AND AMENDED BY PUBLIC LAND ORDER NO. 757, DATED OCTOBER 10, 1990; PUBLIC LAND ORDER NO. 1513, DATED APRIL 7, 1988, AND DEPARTMENT OF THE INTERIOR ORDER NO. 2785, DATED OCTOBER 10, 1991; AMENDMENT NO. 1 THEREOF DATED JULY 17, 1993 AND AMENDMENT NO. 2 THEREOF DATED SEPTEMBER 16, 1994, FILED IN THE FEDERAL REGISTER.
7. THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRIC LINE EASEMENT WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 16, 1974, VOLUME/PAGE: 75/360, KENAI RECORDING DISTRICT.
8. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, MARITAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/296, KENAI RECORDING DISTRICT.
9. THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/273, AND 289/283 AND AMENDMENT THEREOF RECORDED: MAY 17, 2007 SERIAL NO.: 2007-00897-D KENAI RECORDING DISTRICT.
10. THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
11. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, MARITAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: AUGUST 4, 1986 VOLUME/PAGE: 202/887 AND AMENDMENTS PURSUED RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-00298-D RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011897-D RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-D, KENAI RECORDING DISTRICT.
12. THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES THEREIN RECORDED: MAY 6, 2001, VOLUME/PAGE: 605/381, KENAI RECORDING DISTRICT.
13. THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011898-D, KENAI RECORDING DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, MARITAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003377-H-0-0-0 AMENDMENT THEREOF RECORDED: DECEMBER 21, 2011 SERIAL NO.: 2011-013362-D, KENAI RECORDING DISTRICT.
15. PORTION OF FORMER LOT 2A AFFERED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SUBDIVISION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2002 SERIAL NO.: 2002-008716-G, KENAI RECORDING DISTRICT.
16. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KRS 20.90.170.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

PRELIMINARY DRAFT

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF THREE BEARS ALASKA INC. 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.

JUAN TRAGUSTO, VICE PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
MOOSELA, ALASKA 99623

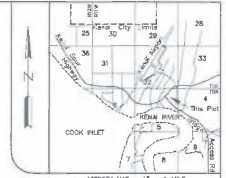
NOTARY ACKNOWLEDGEMENT

FOR: JUAN TRAGUSTO

ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____ 2023

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF
LOT 24 AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1D
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 62-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
MOOSELA, ALASKA 99623

LOCATED WITHIN AS 1/4 SECTION 5,
T.54N. R.11. E.4W
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES



EDGE SURVEY AND RECORD, LLC
4000 KING STREET ANCHORAGE, AL 99518
Phone: (907) 544-5899 Fax: (907) 544-7794
ARC# 1392

| | | |
|-------------|----------|----------|
| DRAWN BY: | DATE: | PROJECT: |
| CHECKED BY: | SCALE: | SHEET: |
| | 1" = 50' | 3 OF 5 |



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: December 21, 2023
SUBJECT: Resolution No. PZ2023-22 – Preliminary Plat – Sprucewood Glen Subdivision No. 11

Request The applicant is proposing a preliminary plat to merge three (3) lots and subdivide into two (2) lots.

Staff Recommendation Adopt Resolution No. PZ2023-22 recommending approval of Preliminary Plat – Sprucewood Glen Subdivision No. 11 to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3.

Applicant: Edge Survey and Design, LLC
Attn: Jason Young
PO Box 208
Kasilof, AK 99610

Property Owner: Three Bears Alaska, Inc.

Legal Descriptions: Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10
Tract F-1B, Sprucewood Glen Subdivision No. 3

Property Addresses: 99 W. Tern Avenue
101 W. Tern Avenue
10489 Kenai Spur Highway

KPB Parcel Nos.: 04705224, -38, and -41

Replat Total Area: 5.265 acres

Existing Uses: Convenience Store, Retention Basin and Vacant Lot

Zoning District: General Commercial (CG)

Surrounding Uses: North – Kenai Spur Highway, Restaurant, Hotel
South – Apartments, and W. Tern Avenue
West – Grocery Store, Medical Clinic, Automotive Retail
East – Vacant Lot

SUMMARY

The City received a preliminary plat from Edge Survey and Design, LLC on behalf of the property owner, Three Bears Alaska, Inc. for a replat of Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3. The plat would merge three (3) lots and subdivide into two (2) lots. The total area of the three (3) lots is 5.265 acres, which would be subdivided into lot sizes of 2.914 acres and 2.350 acres. A convenience store with a gas station was constructed within the last year on Lot 2A, Sprucewood Glen Subdivision No. 10. A retention basin is situated on Tract F, Sprucewood Glen Subdivision No. 10 and the other lot is vacant.

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

ANALYSIS

The proposed replat meets the subdivision and development requirements for the General Commercial (CG) zoning district. The proposed lots will have access via Kenai Spur Highway, a State-maintained right-of-way (ROW) and W. Tern Avenue, a City-maintained right-of-way. City water and sewer lines are available to the proposed subdivision. An installation agreement is not required since the adjacent ROWs are state/city-maintained and City water and sewer lines are available to the proposed lots. The Public Works Director reviewed the proposed preliminary plat and had no comments.

Staff finds that the proposed preliminary plat meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the preliminary plat, subject to the listed conditions, conforms to the minimum street widths, provides utilities/access easements, provides satisfactory building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the subject zoning district.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.
4. The existing convenience store with gas station and above ground fuel tanks meet the setbacks and lot coverage. Therefore, the preliminary plat will not create any nonconforming status with setbacks or lot coverage.

STAFF RECOMMENDATION

Staff finds that the preliminary plat for Sprucewood Glen Subdivision No. 11 to replat Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10 and Tract F-1B, Sprucewood Glen Subdivision No. 3 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. PZ2023-22 to Kenai Peninsula Borough, subject to the following condition.

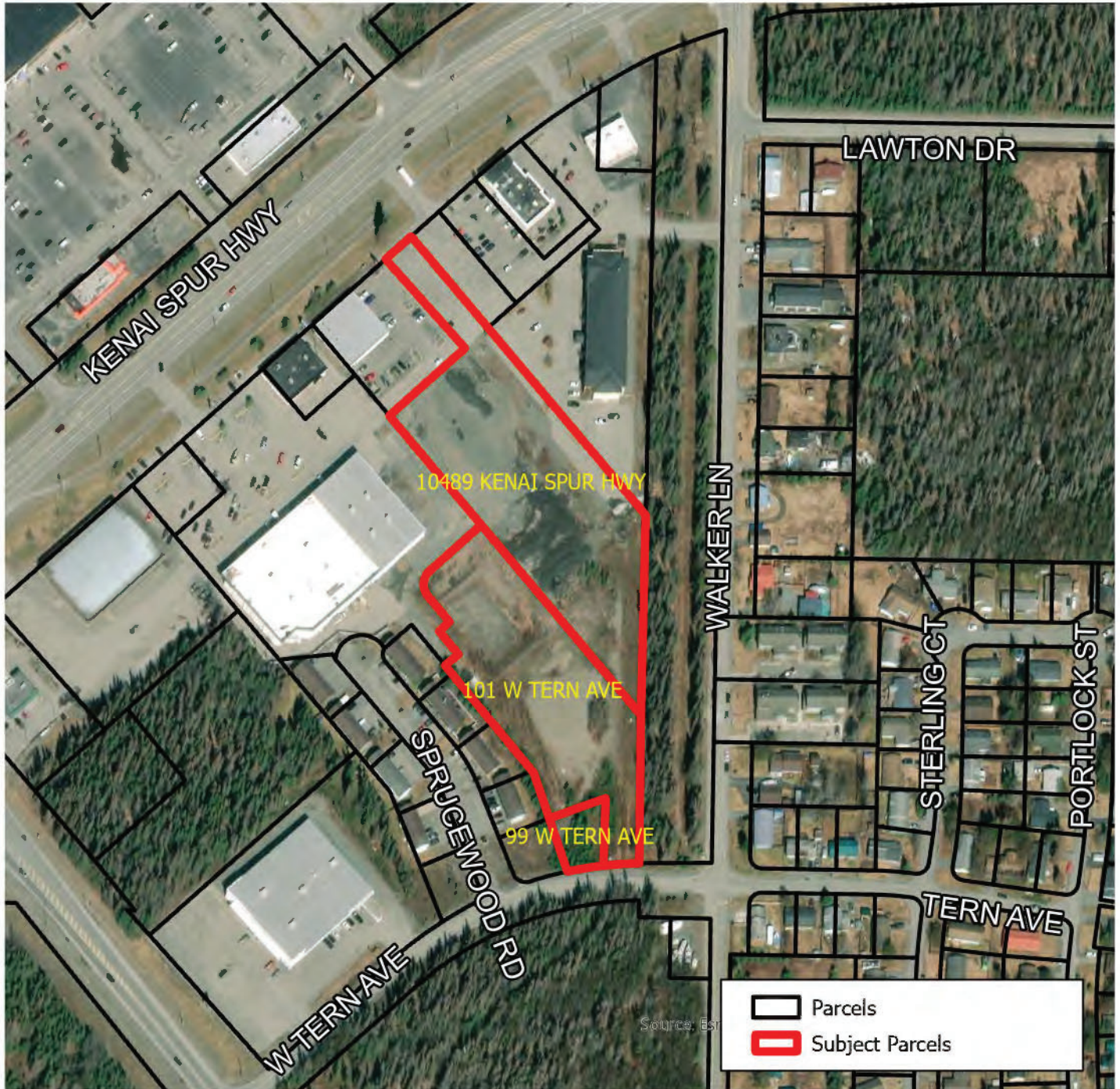
1. Correct the note reference for (R3) to "Sprucewood Glen Subdivision No. 2, Plat 84-305".

ATTACHMENTS

Location Map
Preliminary Plat, Sprucewood Glen Subdivision No. 11
Application with Certificate of Plat
Sprucewood Glen Subdivision No. 10
Sprucewood Glen Subdivision No. 3

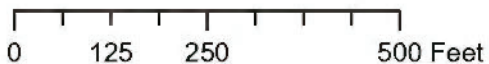


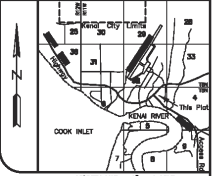
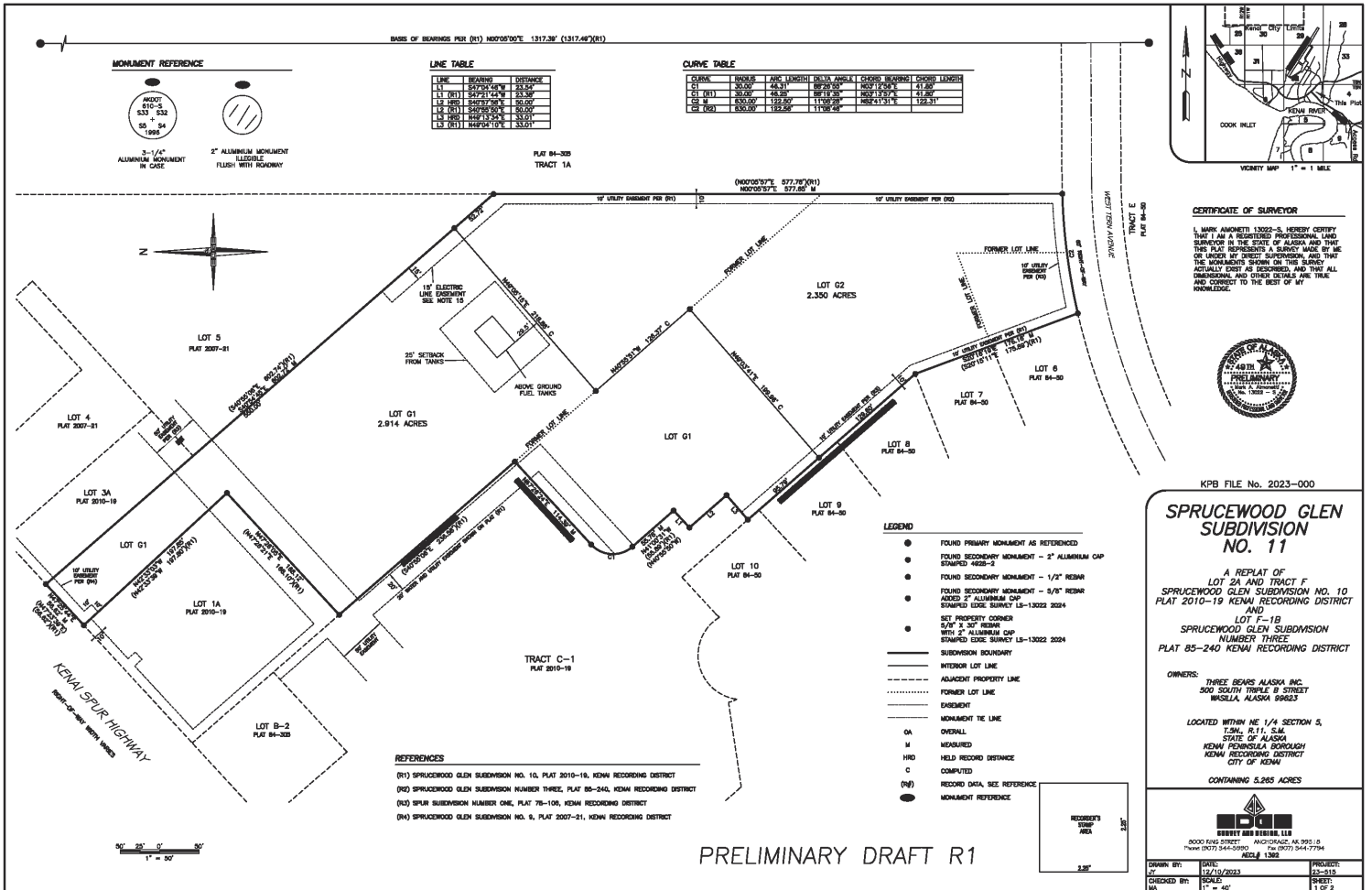
Resolution PZ2023-22
Preliminary Plat
Sprucewood Glen Subdivision No. 11



Date Printed: 12/22/2023

Map for Reference Only
NOT A LEGAL DOCUMENT





LINE TABLE

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| 11 | S47°04'24\" | 23.54' |
| 12 | S47°04'24\" | 33.58' |
| 13 | S47°04'24\" | 50.00' |
| 14 | S47°04'24\" | 50.00' |
| 15 | S47°04'24\" | 50.00' |
| 16 | S47°04'24\" | 33.00' |
| 17 | S47°04'24\" | 33.00' |

CURVE TABLE

| CURVE | BEARINGS | ARC LENGTHS | DELTA ANGLES | CHORD BEARINGS | CHORD LENGTHS |
|---------|-------------|-------------|--------------|----------------|---------------|
| C1 | S00°00'00\" | 48.31' | 89°20'00\" | N00°12'55\"E | 41.86' |
| C1 (R1) | S00°00'00\" | 48.31' | 89°19'00\" | N00°13'52\"E | 41.86' |
| C2 | S00°00'00\" | 122.26' | 119°09'00\" | S08°21'51\"E | 152.31' |
| C2 (R2) | S00°00'00\" | 122.26' | 119°08'00\" | S08°21'51\"E | 152.31' |

CERTIFICATE OF SURVEYOR

I, MARY ANNHEIT 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF LOT 2A AND TRACT F SPRUCEWOOD GLEN SUBDIVISION NO. 10, PLAT 2010-19 KENAI RECORDING DISTRICT AND LOT F-1B SPRUCEWOOD GLEN SUBDIVISION NUMBER THREE PLAT B5-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC. 300 SOUTH TRIPLE B STREET WASILLA, ALASKA 99623

LOCATED WITHIN NE 1/4 SECTION 5, T.34N., R.11E., S.4M. STATE OF ALASKA KENAI PENINSULA BOROUGH KENAI RECORDING DISTRICT CITY OF KENAI

CONTAINING 5.265 ACRES

BERREY BEE REINER, LLC
 8000 EAGLE STREET - ANCHORAGE, ALASKA 99518
 Phone (907) 544-0590 Fax (907) 544-7794

OWNER BY: DATE: 12/10/2023
 CHECKED BY: SCALE: 1" = 50'
 DRAWN BY: SHEET: 1 OF 2

NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. THE FRONT 10 FEET ADJACENT TO DEDICATED RIGHTS-OF-WAY IS ALSO A 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.
3. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
4. UNDERLIES FEDERAL, CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL; PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
5. THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN QUIETEN DEED, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF RECORDED APRIL 28, 1984, VOLUME/PAGE: 27/303 AND DEED OF RELEASE RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 225/365, KENAI RECORDING DISTRICT.
6. THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES, AS RECORDED BY PUBLIC LAND ORDER NO. 1571, DATED AUGUST 10, 1984 AND AMENDED BY PUBLIC LAND ORDER NO. 1757, DATED OCTOBER 10, 1990; PUBLIC LAND ORDER NO. 1513, DATED APRIL 7, 1988, AND DEPARTMENT OF THE INTERIOR ORDER NO. 2785, DATED OCTOBER 10, 1991; AMENDMENT NO. 1 THEREOF DATED JULY 17, 1992 AND AMENDMENT NO. 2 THEREOF DATED SEPTEMBER 16, 1994, FILED IN THE FEDERAL REGISTER.
7. THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL LINE EASEMENT WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 16, 1974, VOLUME/PAGE: 75/360, KENAI RECORDING DISTRICT.
8. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, ANCESTRY, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/296, KENAI RECORDING DISTRICT.
9. THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/273, AND 289/283 AND AMENDMENT THEREOF RECORDED: MAY 17, 2007 SERIAL NO.: 2007-00897-D KENAI RECORDING DISTRICT.
10. THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
11. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, ANCESTRY, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: AUGUST 4, 1986 VOLUME/PAGE: 202/887 AND AMENDMENT THEREOF RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-00298-D RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011897-D RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-D, KENAI RECORDING DISTRICT.
12. THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES OF SAID HOMER, AND INCIDENTAL PURPOSES THEREIN RECORDED: MAY 6, 2001, VOLUME/PAGE: 605/381, KENAI RECORDING DISTRICT.
13. THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011898-D, KENAI RECORDING DISTRICT.
14. THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, ANCESTRY, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003377-0-0-0-0-0-0-0-0-0-0 RECORDED: DECEMBER 21, 2011 SERIAL NO.: 2011-013362-0, KENAI RECORDING DISTRICT.
15. PORTION OF FORMER LOT 2A AFFERED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SUBDIVISION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2002 SERIAL NO.: 2002-000716-0, KENAI RECORDING DISTRICT.
16. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20-90.170.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF THREE BEARS ALASKA INC. 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.

JOAN TRAGSTADT, DEED PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
MOOSELA, ALASKA 99623

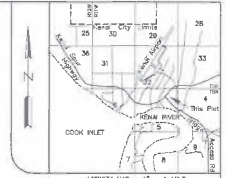
NOTARY ACKNOWLEDGEMENT

FOR: JOAN TRAGSTADT

ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____ 2023

NOTARY PUBLIC SIGNATURE



PRELIMINARY DRAFT

KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF
LOT 24 AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1D
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 62-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
MOOSELA, ALASKA 99623

LOCATED WITHIN AS 1/4 SECTION 5,
T54N, R21E, S4M
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES



4000 KING STREET ANCHORAGE, AL 99518
Phone: (907) 544-5890 Fax: (907) 544-7794
ARC# 1392

| | | |
|------------------|------------------|-----------------|
| DRAWN BY: DALE | DATE: 08.22.2023 | PROJECT: 23-0-5 |
| CHECKED BY: JOAN | SCALE: 1" = 50' | SHEET: 2 OF 2 |

Letter of Transmittal



Date: 11/06/2023
To: City of Kenai Planning

Attn:
Address:

City: **State:** **ZIP:**

Phone:

From: Edge Survey - Mark Aimonetti

Re: SpruceWood Glen Subdivision No. 11

Job No.: 23-535

We are sending you:

Hand Delivery

We are sending you:

- Exhibits Plans
- Prints Maps
- Copies
- Specifications

Contract/Change Order

Other: _____

These are transmitted as checked below:

- For Approval For your use As requested For review/comment

| Copies | Description |
|--------|---------------------------------------|
| 1 | full sized plat |
| 3 | 211x17 copies |
| 1 | Cert to Plat |
| 1 | KPB Plat Submittal Form wit signature |
| 1 | Secretary's Cert |
| 1 | City of Kenai Plat submittal form |
| | |
| | |
| | |

Comments:

Updated Cert to Plat ordered 11/6/2023
 Client signed KPB plat submittal form, included, but forgot to sign City of Kenai form.

RECEIVED
CITY OF KENAI
 NOV 07 2023
 Planning & Zoning
 By: *lm*

SECRETARY'S CERTIFICATE

THE UNDERSIGNED, JULIE C. MORALES, DOES HEREBY CERTIFY as follows:

1. She is the duly elected or appointed and acting Secretary and Vice President of Three Bears Alaska, Inc., a corporation organized under the laws of the State of Alaska.
2. The resolutions authorizing borrowing ("Resolutions") were duly and regularly adopted in all respects as required by law on July 13, 2023. The undersigned further certifies that said Resolutions and all of the certifications made therein are still in full force and effect and none of said resolutions has been in anywise annulled, amended, rescinded or revoked, and the same are in full force and effect on the date hereof. The following is the text of the Resolutions:

APPROVAL OF AUTHORITY TO SUBDIVIDE PROPERTY IN KENAI, ALASKA

WHEREAS, Three Bears Alaska, Inc. (the "Company") is in title to the property legal described as Lot 2A and Tract F Sprucewood Glen Subdivision No. 10, Plat 2010-19 and Lot F-1B Sprucewood Glenn Subdivision Number Three, Plat 82-240, both in the Kenai Recording District (the "Property");

WHEREAS, the Board decided it is in the best interests of the Company to replat/subdivide the Property to facilitate future development;

WHEREAS, the governmental authority with the jurisdiction over the replating/subdivision requires a Company resolution showing who has the authority to bind the Company regarding replating/subdivision matters; and

WHEREAS, the Board desires to name certain officers with the authority to bind the Company regarding replating/subdivision matters.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, effective as of the date hereof, the following officers have the authority to sign an application to replat/application to subdivide the Property on behalf of the Company, to apply for any other permits or licenses or governmental permissions to facilitate the replat/subdivision of the Property, to enter into any agreement with any governmental entity regarding the replat/subdivision of the Property, and to bind the Company on any issue between the Company and any governmental authority regarding the replat/subdivision of the Property: (i) David A. Weisz, President; (ii) Stephen D. Mierop, Vice President; (iii) Paul D. Sonnenberg, Vice President; (iv) Joan Travostino, Vice President; and (v) Julie Morales, Vice President and Secretary (each of which is an "Authorized Person").

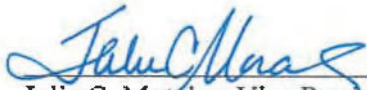
GENERAL AUTHORIZING RESOLUTIONS

RESOLVED FURTHER, that each Authorized Person be, and hereby is, authorized, empowered and directed to do or cause to be done all such acts and things, to make, execute and deliver, or cause to be made, executed and delivered, all documents in the name and on behalf of the Company, and to pay all such fees, expenses and taxes, as any Authorized Person may determine to be necessary, desirable, advisable or appropriate to effectuate the foregoing resolutions, the doing of such acts or things and the making, execution and delivery of such other documents and the paying of such fees, expenses and taxes to be conclusive evidence of such determination;

RESOLVED FURTHER, that each Authorized Person may authorize any other officer, employee or agent of, or legal counsel to, the Company or any of its subsidiaries to take any and all actions and to execute and deliver any and all certificates, documents, agreements and instruments referred to in these resolutions in place of or on behalf of such Authorized Person, with full power as if such Authorized Person were taking such action himself or herself; and

RESOLVED FURTHER, that all instruments, documents, agreements, amendments and certificates heretofore executed and/or delivered and any and all actions heretofore taken by any officer or employee of the Company that would have been authorized by the foregoing resolutions except that such actions were taken prior to the adoption of such resolutions, be and hereby are approved, ratified and confirmed in all respects as the act and deed of the Company, as applicable.

IN WITNESS WHEREOF, the undersigned has set his hand as of 9/19, 2023.



Julie C. Morales, Vice President and Secretary



Planning Department

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

PRELIMINARY PLAT SUBMITTAL FORM

- PRELIMINARY PLAT REVISED PRELIMINARY PLAT (no fee required) PHASED PRELIMINARY PLAT
- PRELIMINARY PLAT FOR PRIVATE STREETS/GATED SUBDIVISION – all requirements of chapter 20, excluding 20.30.210 and 20.50 apply and must be met.

SUBDIVISION PLAT NAME: must be a unique name, contact staff for assistance if needed.

Sprucewood Glen Subdivision No. 11

PROPERTY INFORMATION:

Legal description: Lot 2A and Tract F, Sprucewood Glen Subdivision No. 10, Plat 2010-019 and Tract F-1B Sprucewood Glen Subdivision No. 3, Plat 85-240

| | | |
|---|--------------|---------------------|
| Section: 32 | Township: 5N | Range: 11W |
| General area description City of Kenai, Three Bears | | |
| City (if applicable): City of Kenai | | Total Acreage: 5.27 |

SURVEYOR

| | |
|---------------------------------|------------------------------------|
| Company: Edge Survey and Design | Contact Person: Jason Young |
| Mailing Address: PO Box 208 | City, State, Zip Kasilof, AK 99610 |
| Phone: 907-283-9047 | e-mail: jason@edgesurvey.net |

PROPOSED WASTEWATER AND WATER SUPPLY

WASTEWATER: on site City community WATER: on site City community

SUBMITTAL REQUIREMENTS

A preliminary plat application will be scheduled for the next available plat committee meeting after a complete application has been received.

- 1 – full size paper copy
- 3 – reduced sized drawing (11 x 17)
- Preliminary plat NON-REFUNDABLE submittal fee \$400
- City Planning Commission minutes when located within city limits or Bridge Creek Watershed District
- Certificate to plat for ALL parcels included in the subdivision
- Documentation showing proof of signatory authority (partnerships, corporations, estates, trusts, etc.)
- ALL requirements of KPB 20.25.070 (see page 2 for checklist) and KPB 20.25.080

EXCEPTIONS REQUESTED TO PLATTING CODE: Complete the EXCEPTION REQUEST APPLICATION and attach to the preliminary plat submittal.

APPLICANT: SIGNATURES OF ALL LEGAL PROPERTY OWNERS ARE REQUIRED. Additional signature sheets can be attached. When signing on behalf of another individual, estate, corporation, LLC, partnership, etc., documentation is required to show authority of the individual(s) signing. Contact KPB staff for clarification if needed.

OWNER(s)

| | |
|---|---------------------------------------|
| Name (printed): Joan Travnostino VP | Signature: <i>Joan Travnostino</i> |
| Phone: 907 242 4322 | e-mail: JOAN@THREE BEARS STORE |

| | |
|-----------------|------------|
| Name (printed): | Signature: |
| Phone: | e-mail: |

| | |
|-----------------|------------|
| Name (printed): | Signature: |
| Phone: | e-mail: |

| | |
|-----------------|------------|
| Name (printed): | Signature: |
| Phone: | e-mail: |

FOR OFFICE USE ONLY

RECEIVED BY _____ DATE SUBMITTED _____ KPB FILE # _____



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: | Edge Survey and Design | | | | | | |
| Mailing Address: | PO Box 208 | City: | Kasilof | State: | AK | Zip Code: | 99610 |
| Phone Number(s): | 907-283-9047 | | | | | | |
| Email: | jason@edgesurvey.net | | | | | | |

PROPERTY OWNER

| | | | | | | | |
|------------------|---|-------|---------|--------|----|-----------|-------|
| Name: | Three Bears Alaska Inc. - Joan Travostino | | | | | | |
| Mailing Address: | 7362 W. Parks Hwy | City: | Wasilla | State: | AK | Zip Code: | 99623 |
| Phone Number(s): | 907-242-4322 | | | | | | |
| Email: | joan@threebears.store | | | | | | |

PROPERTY INFORMATION

| | | | | | | |
|-----------------------------------|--------------------------------------|--|--|--|--|--|
| Kenai Peninsula Borough Parcel #: | 04705238, 04705241 and 04705224 | | | | | |
| Current City Zoning: | General Commercial (GC) | | | | | |
| 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: | Sprucewood Glen Subdivision No. 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:

None a this time

Comments:

REQUIRED ATTACHMENTS

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

SIGNATURE

| | | | |
|-------------|--|-----------------|--|
| Signature: | | Date: | |
| Print Name: | | Title/Business: | |

Stewart Title of the Kenai Peninsula, Inc.

35681 Kenai Spur Hwy., Unit B
Soldotna, AK 99669

Phone: (907) 260-8031 Fax: (907) 260-8036
Email:

CERTIFICATE TO PLAT

Edge Survey and Design, LLC.
PO Box 208
Kasilof, AK 99610
Attention: Jason Young

File Number: 23188
Premium: \$250.00
Tax:

Gentlemen:

This is a certificate as of June 16, 2023 at 8:00 A.M. for a plat out of the following property:

PARCEL 1:

Tract "F" One "B" (F-1B), SPRUCEWOOD GLEN SUBDIVISION, NO. 3, according to Plat No. 85-240, Kenai Recording District, Third Judicial District, State of Alaska.

PARCEL 2:

Tract "F" and Lot Two "A" (2A), SPRUCEWOOD GLEN SUBDIVISION, NO. 10, according to Plat No. 2010-19, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Three Bears Alaska, Inc., an Alaska corporation
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **RESERVATIONS** and exceptions as contained in QUITCLAIM DEED, and/or acts authorizing the issuance thereof:

| | |
|--------------|----------------|
| Recorded: | April 20, 1964 |
| Volume/Page: | 27/303 |

| | |
|----------------------|-------------------|
| and Deed of Release: | |
| Recorded: | December 12, 1983 |
| Volume/page: | 225/395. |
3. **RESERVATIONS AND EXCEPTIONS** as contained in Mineral Patent from the United States of America to the State of Alaska

| | |
|--------------|--------------------|
| Recorded: | September 17, 1986 |
| Volume/Page: | 296/347 |

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

4. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated
Taxing Authority: City of Kenai
5. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH

6. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2865, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
7. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

| | |
|--------------|----------------------------------|
| Recorded: | May 16, 1974 |
| Volume/Page: | 76/960 |
| Granted To: | Homer Electric Association, Inc. |
| Affects: | Blanket Easement |
8. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 85-240.
9. **EFFECT** of the notes on said Plat No. 85-240.
10. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2010-19.
11. **EFFECT** of the notes on said Plat No. 2010-19.
12. **COVENANTS, CONDITIONS AND RESTRICTIONS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:

| | |
|--------------|---------------|
| Recorded: | June 27, 1986 |
| Volume/Page: | 289/269 |
13. **SHOPPING CENTER EASEMENT AGREEMENT**, including the terms and conditions therein:

| | |
|--------------|---------------|
| Recorded: | June 27, 1986 |
| Volume/Page: | 289/273 |

AND AMENDMENT thereto:

| | |
|-------------|---------------|
| Recorded: | May 17, 2007 |
| Serial No.: | 2007-005097-0 |
14. **NON-DISTURBANCE AGREEMENT**, including the terms and conditions therein:

| | |
|--------------|---------------|
| Recorded: | June 27, 1986 |
| Volume/Page: | 289/283 |
15. **SHOPPING CENTER EASEMENT AGREEMENT**, including the terms and conditions therein:

Disclosed in Exhibit B in Instrument Recorded June 27, 1986

| | |
|--------------|---------|
| Volume/page: | 289/283 |
|--------------|---------|
16. **COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:

| | |
|--------------|----------------|
| Recorded: | August 4, 1986 |
| Volume/Page: | 292/687 |

AND AMENDMENTS thereto:

| | |
|-------------|----------------|
| Recorded: | March 22, 2007 |
| Serial No.: | 2007-002955-0 |

| | |
|-------------|-------------------|
| Recorded: | November 18, 2008 |
| Serial No.: | 2008-011867-0 |

Recorded: December 10, 2010
Serial No.: 2010-011093-0

17. **ACCESS AND PARKING EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:

Recorded: May 8, 2001
Volume/Page: 606/387

18. **EASEMENT AGREEMENT**, including the terms and conditions therein:

Recorded: November 18, 2008
Serial No.: 2008-011868-0

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

Recorded: April 29, 2010
Serial No.: 2010-003374-0

AND AMENDMENT thereto:

Recorded: December 21, 2021
Serial No.: 2021-013962-0

20. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded: October 13, 2022
Serial No.: 2022-008716-0
Granted To: Homer Electric Association, Inc.
Affects: portion of Lot 2A

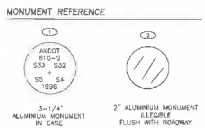
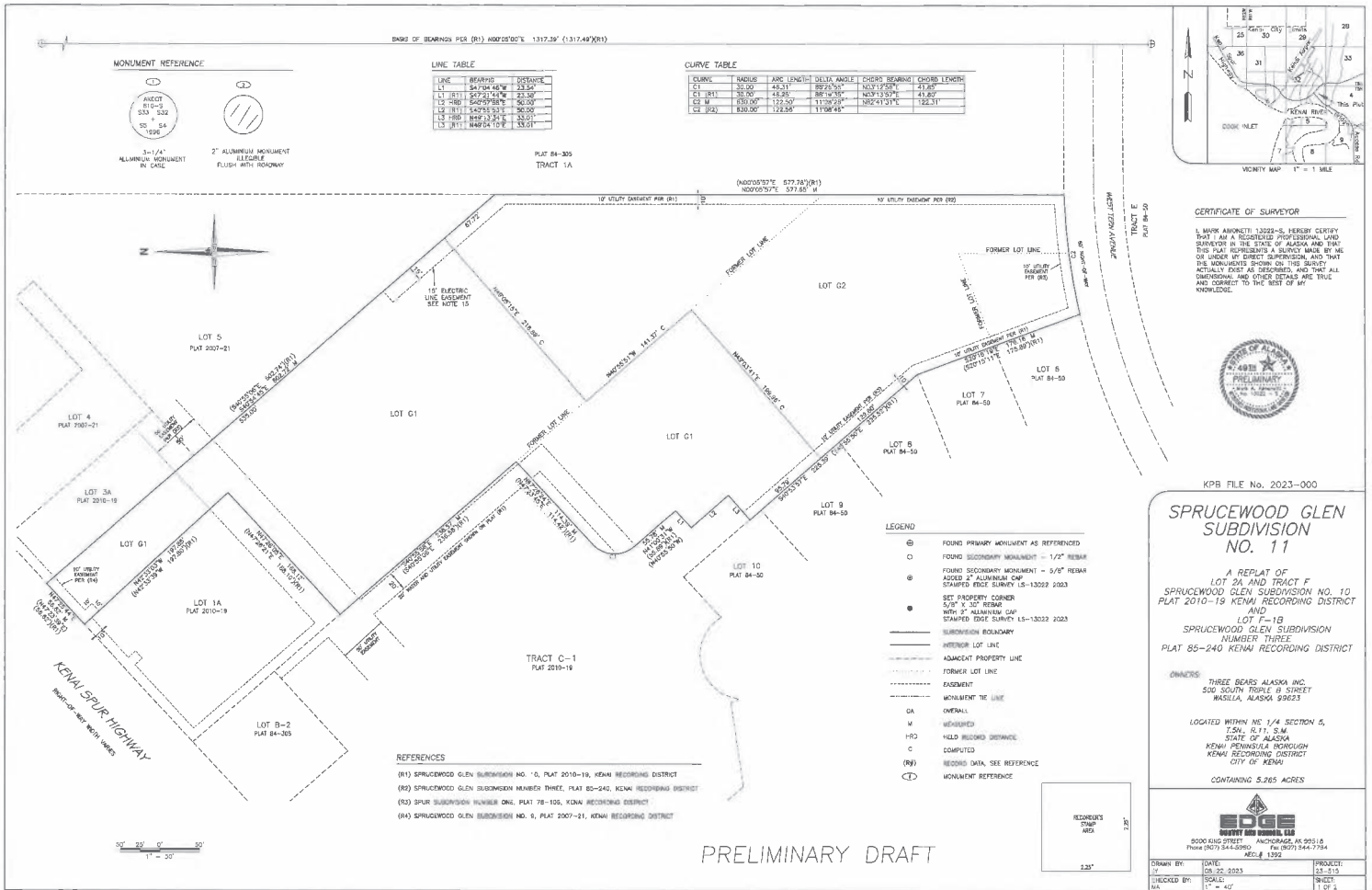
Stewart Title of the Kenai Peninsula, Inc.

By


Authorized Co-signature

Terri Cotterell
Authorized Signator

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



LINE TABLE

| LINE | BEARING | DISTANCE |
|---------|-------------------|----------|
| L1 | S47°04'46"W | 23.50' |
| L1 (R1) | S72°21'41"W | 23.50' |
| L2 | 175°-RED EASEMENT | 50.00' |
| L2 (R1) | S42°25'51"E | 50.00' |
| L3 | 175°-RED EASEMENT | 23.50' |
| L3 (R1) | S42°25'51"E | 23.50' |

CURVE TABLE

| CURVE | RADIUS | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|---------|---------|------------|-------------|---------------|--------------|
| C1 | 20.00' | 48.31' | 89°12'55" | N03°17'58"E | 41.80' |
| C1 (R1) | 20.00' | 48.30' | 88°14'25" | N03°13'57"E | 41.80' |
| C2 | 630.00' | 122.50' | 113°04'24" | N82°41'31"E | 122.31' |
| C2 (R2) | 630.00' | 122.50' | 113°04'24" | | |



CERTIFICATE OF SURVEYOR

I, MARK ANONETTI, LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA, AND THIS SURVEY IS THE RESULT OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AND CORRECT AND TRUE AND CORRECT TO THE REST OF MY KNOWLEDGE.



KPB FILE NO. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAY OF
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-10
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 85-240 KENAI RECORDING DISTRICT

OWNER: THREE BEARS ALASKA INC.
500 SOUTH POPLAR B STREET
WASILLA, ALASKA 99623

LOCATED WITHIN 1/4 SECTION 5,
T54N, R11E, S34E
STATE OF ALASKA
KENAI PENINSULA REGION
KENAI RECORDING DISTRICT
CITY OF KENAI

CONTAINING 5.265 ACRES



3000 KING STREET ANCHORAGE, AK 99516
PHONE (907) 544-5200 FAX (907) 544-1794
ME# 1592

DRAWN BY: DATE: 06.22.2023 PROJECT: 23-015
CHECKED BY: SCALE: 1" = 40' SHEET: 1 OF 2

Page 25

NOTES

- DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
- THE FRONT 10 FEET ADJACENT TO DEDICATED RIGHTS-OF-WAY IS ALSO A 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.
- NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY ARE PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES.
- UNDESIRABLE SURFICIAL CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL; PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
- THIS SUBDIVISION IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN QUIETUS IN DEBIT, AND/OR ACTS AUTHORIZING THE ISSUANCE THEREOF RECORDED APRIL 24, 1984, VOLUME/PAGE: 27/303 AND DEED OF RELEASE RECORDED: DECEMBER 12, 1983 VOLUME/PAGE: 225/365, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES, AS RECORDED BY PUBLIC LAND ORDER NO. 1501, DATED AUGUST 10, 1984 AND AMENDED BY PUBLIC LAND ORDER NO. 757, DATED OCTOBER 10, 1990; PUBLIC LAND ORDER NO. 1513, DATED APRIL 7, 1998, AND DEPARTMENT OF THE INTERIOR ORDER NO. 2785, DATED OCTOBER 10, 1991; AMENDMENT NO. 1 THEREOF DATED JULY 17, 1992 AND AMENDMENT NO. 2 THEREOF DATED SEPTEMBER 16, 1994, FILED IN THE FEDERAL REGISTER.
- THIS SUBDIVISION IS SUBJECT TO A GENERAL ELECTRICAL LINE EASEMENT WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: MAY 16, 1974, VOLUME/PAGE: 75/360, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION VIOLATING A PROTECTION, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, MARITAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/296, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO SHOPPING CENTER EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/273, AND 289/283 AND AMENDMENT THEREOF RECORDED: MAY 17, 2007 SERIAL NO.: 2007-00897-C KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO NON-DISTURBANCE AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: JUNE 27, 1988 VOLUME/PAGE: 289/283, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION VIOLATING A PROTECTION, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, MARITAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: AUGUST 4, 1984 VOLUME/PAGE: 202/887 AND AMENDMENTS PURSUANT RECORDED: MARCH 22, 2007 SERIAL NO.: 2007-00298-D RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011897-D RECORDED: DECEMBER 10, 2010 SERIAL NO.: 2010-011093-D, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO ACCESS AND PARKING EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES OF THIS HOMER, AND INCIDENTAL PURPOSES THEREIN RECORDED: MAY 6, 2001, VOLUME/PAGE: 605/381, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO EASEMENT AGREEMENT, INCLUDING THE TERMS AND CONDITIONS THEREIN RECORDED: NOVEMBER 18, 2008 SERIAL NO.: 2008-011898-D, KENAI RECORDING DISTRICT.
- THIS SUBDIVISION IS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION VIOLATING A PROTECTION, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, MARITAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANT, CONDITION OR RESTRICTION VIOLATES 42 USC 3604 (C), AS CONTAINED IN AN INSTRUMENT RECORDED: APRIL 29, 2010 SERIAL NO.: 2010-003377-H-0-0-0 AMENDMENT THEREOF RECORDED: DECEMBER 21, 2011 SERIAL NO.: 2011-013962-D, KENAI RECORDING DISTRICT.
- PORTION OF FORMER LOT 2A AFFERED BY EASEMENT FOR ELECTRIC LINES OR SYSTEM AND/OR TELEPHONE LINES TOGETHER WITH RIGHT TO ENTER, MAINTAIN, REPAIR AND CLEAR SUBDIVISION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED: OCTOBER 13, 2002 SERIAL NO.: 2002-000716-C, KENAI RECORDING DISTRICT.
- THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.90.170.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 23, 2023.
KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF OWNERSHIP AND DEDICATION

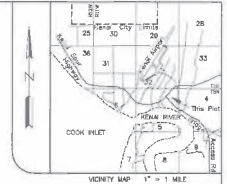
I HEREBY CERTIFY THAT THREE BEARS ALASKA INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF THREE BEARS ALASKA INC. I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JOAN TRAGSTADT, VICE PRESIDENT AND SECRETARY
THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
MOOSELA, ALASKA 99623

NOTARY ACKNOWLEDGEMENT

FOR: JOAN TRAGSTADT
ACKNOWLEDGED BEFORE ME
THIS _____ DAY OF _____, 2023

NOTARY PUBLIC SIGNATURE



KPB FILE No. 2023-000

SPRUCEWOOD GLEN SUBDIVISION NO. 11

A REPLAT OF
LOT 24 AND TRACT F
SPRUCEWOOD GLEN SUBDIVISION NO. 10
PLAT 2010-19 KENAI RECORDING DISTRICT
AND
LOT F-1D
SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE
PLAT 62-240 KENAI RECORDING DISTRICT

OWNERS: THREE BEARS ALASKA INC.
500 SOUTH TRIPLE B STREET
MOOSELA, ALASKA 99623

LOCATED WITHIN AN 1/4 SECTION 5,
T54N, R21E, S4W
STATE OF ALASKA
KENAI PENINSULA BOROUGH
KENAI RECORDING DISTRICT
CITY OF KENAI

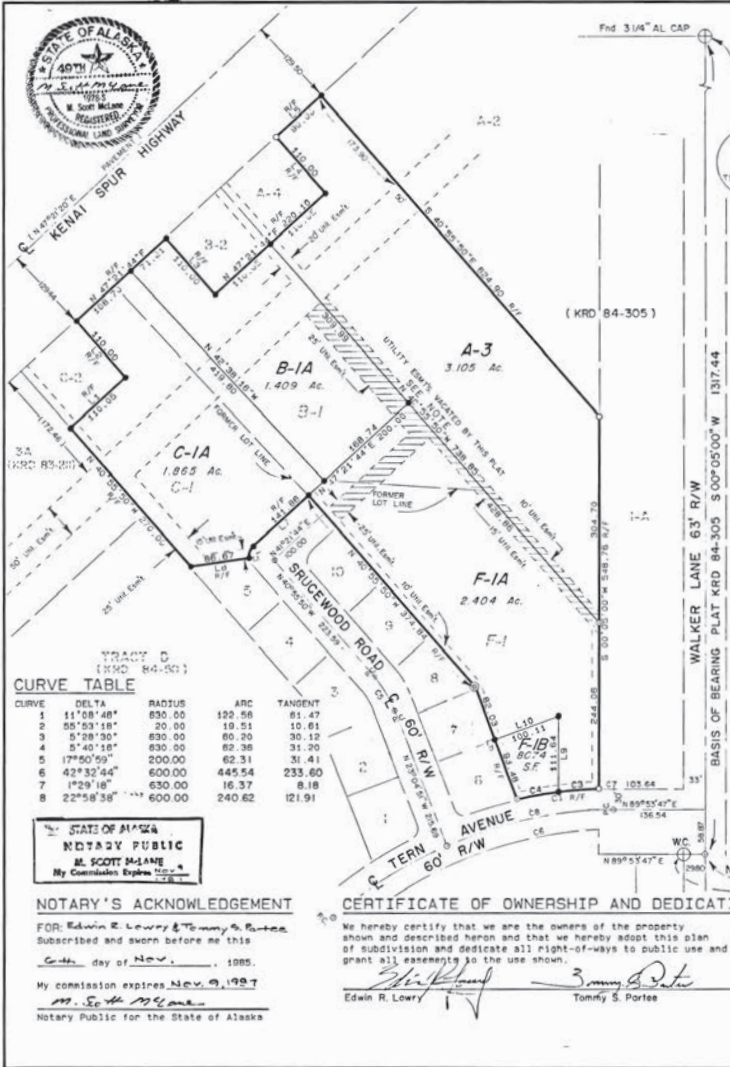
CONTAINING 5.265 ACRES



8000 KING STREET ANCHORAGE, AL 99518
Phone: (907) 544-5890 Fax: (907) 544-7794
ARC# 1392

| | | |
|------------------|------------------|-----------------|
| DRAWN BY: DALE | DATE: 08.22.2023 | PROJECT: 03-0-5 |
| CHECKED BY: JOAN | SCALE: 1" = 50' | SHEET: 2 OF 2 |

PRELIMINARY DRAFT



**SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE**
(A RESUBDIVISION OF TRACTS B-1, C-1 AND
F-1 AND THE VACATION OF UTILITY EASEMENTS
WITHIN TRACTS A-3, B-1 AND F-1 SPRUCEWOOD
GLEN SUBDIVISION NUMBER TWO)



35-240
RECORDED - 10-10-85
Kenai REC DEPT
DATE 12/31/85
BY Ed Lowry

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| 1 | N 47°21'44"E | 110.05 |
| 2 | N 40°55'50"W | 110.00 |
| 3 | S 40°55'50"E | 110.00 |
| 4 | N 40°55'50"W | 110.00 |
| 5 | N 47°21'44"E | 80.00 |
| 6 | N 20°15'11"W | 175.51 |
| 7 | S 47°21'44"W | 110.00 |
| 8 | S 81°35'51"W | 86.87 |
| 9 | N 00°05'00"E | 111.84 |
| 10 | S 69°44'49"W | 100.11 |

- LEGEND**
- ⊕ Found official survey monument
 - Set Bernsten 3 1/4" x 30" aluminum survey monument
 - Found 5/8" rebar
 - Set 5/8" x 30" rebar with 2" aluminum cap by 6/1/86
 - Found 1/2" rebar
 - Set 1/2" x 24" rebar with plastic cap C 263
 - ⊙ Found 2" aluminum cap
 - () Indicates record data - R/F Record/Found Identical

- NOTES**
- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
 - 2) No direct access to state maintained RDMs permitted unless approved by State of Alaska Department of Transportation.
 - 3) Tracts within this subdivision must be served by city water and sewer.

**CERTIFICATE OF APPROVAL BY THE ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**
This subdivision has been reviewed in accordance with
18AAC 005 and is approved, subject to any noted restrictions.
Paul H. Harrel, EE II
Signature Title Date

CURVE TABLE
TRACT D
(MSM 84-50)

| CURVE | DELTA | RADIUS | ARC | TANGENT |
|-------|-----------|--------|--------|---------|
| 1 | 11°08'48" | 830.00 | 122.56 | 61.47 |
| 2 | 55°53'18" | 20.00 | 19.51 | 10.61 |
| 3 | 5°28'50" | 830.00 | 80.20 | 30.12 |
| 4 | 5°40'18" | 830.00 | 82.38 | 31.20 |
| 5 | 17°50'59" | 200.00 | 62.31 | 31.41 |
| 6 | 42°32'44" | 600.00 | 444.54 | 233.60 |
| 7 | 1°29'18" | 630.00 | 16.37 | 8.18 |
| 8 | 22°58'38" | 600.00 | 240.62 | 121.91 |

SPECIAL NOTE
Utility easement vacations shall not be in effect until such time existing utilities are abandoned or relocated.

**SPRUCEWOOD GLEN SUBDIVISION
NUMBER THREE**

Edwin Lowry, owner
Tommy Portee, owner
1089 Kenai Spur Highway Suite 125
Kenai, AK 99611

LOCATION
8969 Ac. M/L SITUATED WITHIN THE NE 1/4 SECTION 5,
T5N, R11W, S.M. AK AND THE CITY OF KENAI IN THE
KENAI PENINSULA BOROUGH.

Surveyed by: McLANE and ASSOCIATES, INC.
Soldotna, AK 99686

| | | |
|---------------------------|--------------------|-----------------|
| DATE OF SURVEY 9/23/85 | SCALE 1" = 100' | SHEET 1 of 1 |
| DRAWN BY GT, GB | BK No. 84-56/85-6 | K.P.B. FILE No. |
| CHECKED BY MSM | JOB No. 8520G | |

NOTARY'S ACKNOWLEDGEMENT
FOR: Edwin R. Lowry & Tommy S. Portee
Subscribed and sworn before me this
_____ day of Nov., 1985.
My commission expires Nov. 9, 1987
M. Scott McLane
Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION
We hereby certify that we are the owners of the property shown and described herein and that we hereby adopt this plan of subdivision and dedicate all right-of-ways to public use and grant all easements to the use shown.
Edwin R. Lowry
Tommy S. Portee

PLAT APPROVAL
This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of
MARCH 25 1985
KENAI PENINSULA BOROUGH
By: [Signature] Authorized Official



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2023-25**

A RESOLUTION **GRANTING** THE APPLICATION FOR A VARIANCE PERMIT FOR AN OFF-PREMISE SIGN.

APPLICANTS: Jennifer Yeoman and Jason Yeoman

PROPERTY ADDRESS: 11631 Kenai Spur Highway

LEGAL DESCRIPTION: Tract B, Gusty Subdivision Addition No. 2

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04716002

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code (KMC) 14.20.185(c) was submitted to the City on November 30, 2023; and,

WHEREAS, the applicant has demonstrated that the prerequisites of a variance permit have been met pursuant to KMC 14.20.180(b); and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing, following requirements outlined in KMC 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds the criteria are met as set forth in KMC 14.20.180(c):

1. *Special conditions or circumstances are present which are peculiar to the land or structures involved which are not applicable to other lands or structures in the same land use or zoning district.*

Findings: The existing medical clinic (“clinic”) is located at 11595 Kenai Spur Highway, known as Tract A-1, Shadura Subdivision Nichil Addition. The clinic is currently established on a parcel that records show it was first platted under Shadura Subdivision (Plat No. K-831) in 1961. Subsequently, several replats have been recorded on the parcel with the clinic but the overall property lines of the parcel have remained the same (see attached plats). The parcel with the clinic is setback at least 86 feet away from Kenai Spur Highway compared to other adjacent parcels with street frontage along Kenai Spur Highway. Therefore, the clinic is on a parcel with a unique site development that are not similar to surrounding parcels with primary access off of Kenai Spur Highway.

As expressed by the applicant, they have sought various options and concluded there is not a practical place on the subject parcel to place a sign for the clinic with reasonable visibility.

2. *The special conditions or circumstances have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.*

Findings: Staff finds the requested variance is not intended to redress a pecuniary hardship or inconvenience by the applicant; rather, it would address a non-pecuniary hardship to persons who visit the clinic for services.

3. *The granting of the variance shall not authorize a use that is not a permitted principal use in the zoning district in which the property is located.*

Findings: The proposed off-premise sign is intended to promote and identify the existing clinic, which is a permitted use in the Central Mixed Use (CMU) zoning district. The existing use is under construction for expansion. Therefore, the existing use will be compliant with the zoning district.

4. *The granting of a variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure.*

Findings: The granting of the variance will allow an off-premise sign to be installed on 11631 Kenai Spur Highway, that would meet setbacks, height, and size requirements. The proposed sign face for the off-premise sign would be approximately 75 square feet, approximately 18-foot tall and at least 10 feet from the east property line due to an existing utility easement. In the CMU zone, it does not state a minimum setback from property lines; however due to the layout of the right-of-way, staff is recommending that a minimum 20-foot setback is required from the northeast corner and 10-foot setback from the street frontage along Kenai Spur Highway on the parcel with the off-premise sign to minimize any visual obstructions or interference with any future ROW expansion. Within proximity of the subject parcel, there is an existing pole sign, currently displaying “Coffee Time” along Kenai Spur Highway. If the business was located on 11631 Kenai Spur Highway, the proposed sign would be permitted without a variance permit. Therefore, the variance request would not provide relief beyond what would be allow if it was an on-premise sign.

5. *The granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district.*

Findings: The business location presents its own unique circumstance due to how it was originally platted and how the right-of-way of Kenai Spur Highway has changed overtime. Staff finds that the granting of this variance permit is not based upon other non-conforming land uses or structures within the same land use or zoning district.

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

- Section 1.** That the request for a variance permit is granted for an approximately 75 square foot off-premise sign, not to exceed 18 feet in height, on the parcel located at 11631 Kenai Spur Highway and described as Tract B, Gusty Subdivision Addition No. 2.

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

1. Applicant(s) must comply with all federal, State of Alaska, and local regulations.
2. The off-premise sign must be located a minimum 20-foot setback from the northeast corner and 10-foot setback from the street frontage along Kenai Spur Highway.
3. Prior to the installation of an off-premise sign on City-owned property, the applicant(s) must obtain approval from the City of Kenai City Council.
4. Applicant(s) must obtain a sign permit issued by the Building Official.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 27TH DAY OF DECEMBER, 2023.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk