## E. NEW BUSINESS

4. Utility Easement Vacation; KPB File 2025-129V
Edge Survey & Design / Thomsen
Request: Vacates a 20' wide utility easement along a proposed to be vacated interior lot line & a 10' wide utility easement along the southwesterly lot line of Lot 9 Valhalla Heights Subdivision Part 3, Plat KN-1568
City of Kenai

Vicinity Map

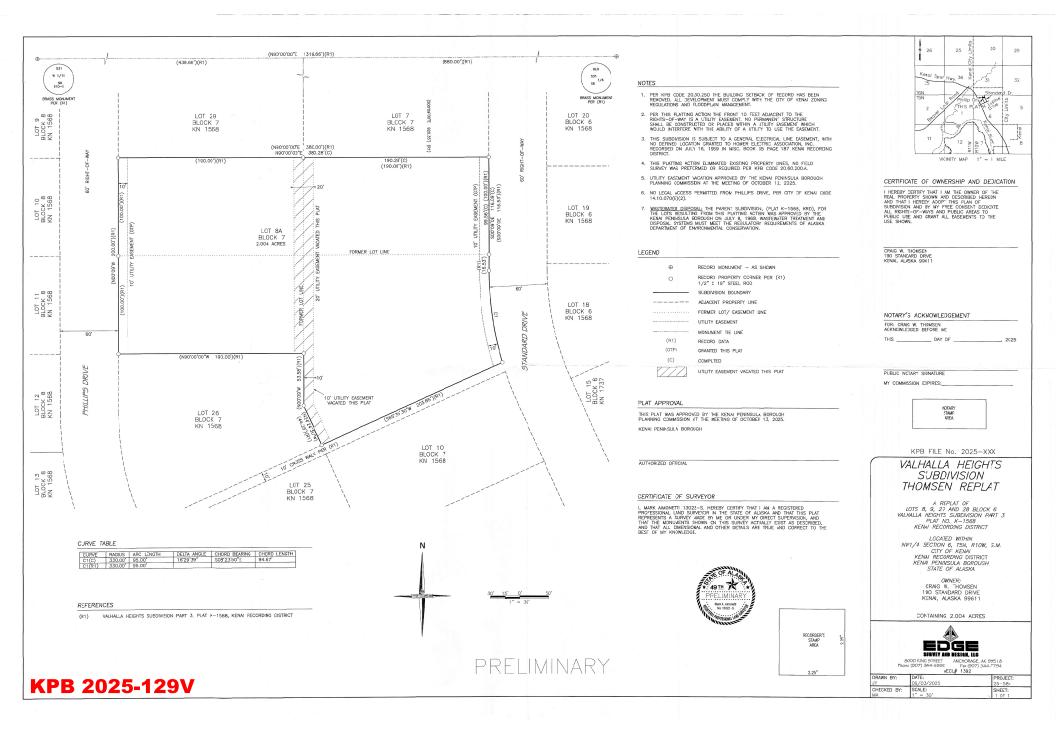






**Planning** 





AGENDA ITEM E. NEW BUSINESS

#### **ITEM #4 - UTILITY EASEMENT ALTERATION**

# VACATE THE 10-FOOT UTILITY EASEMENT ALONG THE EAST BOUNDARY OF LOTS 27 AND 28 AND ALONG THE WEST BOUNDARY OF LOTS 8 AND 9 ALL WITHIN BLOCK 7 GRANTED BY VALHALLA HEIGHTS SUBDIVISION PART 3 (PLAT KN 1568)

KPB File No.	2025-129V
Planning Committee Meeting:	October 27, 2025
Applicant / Owner:	Craig W. Thomsen of Kenai, AK
Surveyor:	Jason Young, Edge Survey & Design LLC
General Location:	Standard Drive and Phillips Drive, City of Kenai

### STAFF REPORT

## Specific Request / Purpose as stated in the petition:

The petitioner requests the vacation of a 20-foot utility easement along proposed to be vacated interior lot line, and a 10-foot utility easement along a side lot line granted by Plat K-1588, Kenai Recording District.

**Notification:** Notice of vacation mailings were sent by regular mail to twenty-nine owners of property within 300 feet. Notice of the proposed vacation was emailed to five agencies and interested parties.

The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

## **Staff Analysis:**

Valhalla Heights Subd. Part 3 (K-1568) originally subdivided the area and granted a 10-foot utility easement on the rear lot lines of Lots 8,9,27 and 28, Block 7. This easement is petitioned to be vacated as represented by the hatched area on the submitted preliminary plat. Additionally, the plat is proposed to eliminate the common lot lines between Lots 8,9.27, and 28, resulting in one Lot.

The associated plat, Valhalla Heights Subdivision Thomsen Replat, is scheduled for the October 27<sup>th</sup> Plat Committee Meeting. Upon approval, the plat will finalize the utility easement vacation.

On August 28, 2025, The City of Kenai Planning and Zoning Commission granted conditional approval of the associated plat Valhalla Heights Subdivision Thomsen Replat by PZ Resolution PZ2025-27 which included the petitioned utility easement vacation.

The proposed plat is granting a 10-foot utility easement adjacent to Phillips Drive and Standard Drive. ACS, HEA and Enstar have provided written non-objections to the vacation. No additional easements have been requested by utility agencies.

## Utility provider review:

HEA	No objection
ENSTAR	Approved as shown
ACS	No objections
GCI	No response

## **Applicant Findings:**

- 1. The utility easements are currently unused and remain vacant.
- 2. The proposed platting action will grant a 10-foot utility easement along all rights-of-ways, ensuring adequate space for future utility installation.
- 3. All utility providers who reviewed the request were in favor of vacating the unused portion of the easement.

Page 1 of 3

4. Vacating the easement will provide the landowner with additional usable property area.

## **Staff Findings:**

- 5. ACS, ENSTAR, HEA provided written non-objection to the proposed vacation. GCI did not respond after two separate contact attempts.
- 6. Valhalla Heights Subd. Part 3 (K-1568) originally subdivided the area and granted a 10-foot utility easement on the rear lot lines of all lots in the subdivision
- 7. On August 28, 2025, The City of Kenai Planning and Zoning Commission granted conditional approval of the associated plat Valhalla Heights Subdivision Thomsen Replat by PZ Resolution PZ2025-27 which included the petitioned utility easement vacation.
- 8. No surrounding properties will be denied utilities.

## STAFF RECOMMENDATIONS

**CORRECTIONS / EDITS** 

Make the following corrections:

### **RECOMMENDATION:**

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends <u>APPROVAL</u> of the utility easement alteration as petitioned, subject to:

- 1. Grant utility easements requested by the Kenai City Council and any utility providers.
- 2. Finalizing the approval of the easement alteration by either;
  - a. The recording of a subdivision plat within 24 months, compliant with the requirements of Chapter 20 of KPB Code or,
  - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
    - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
    - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
    - iii. The Planning Department is responsible for filing the Planning Commission resolution.

## 20.65.070 Alteration of platted utility easements

- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

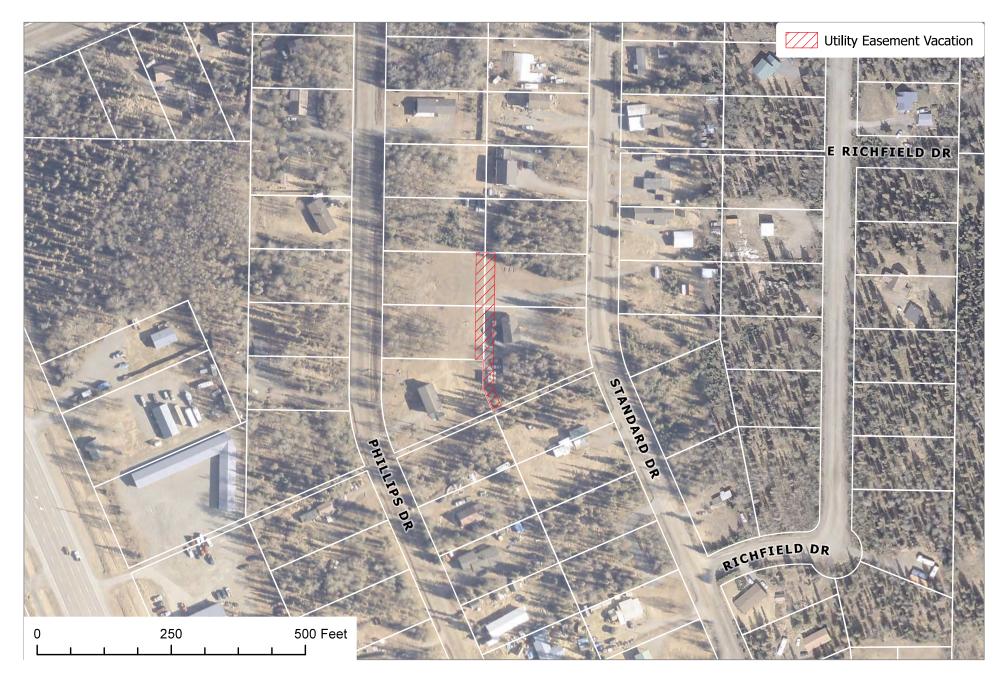
Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

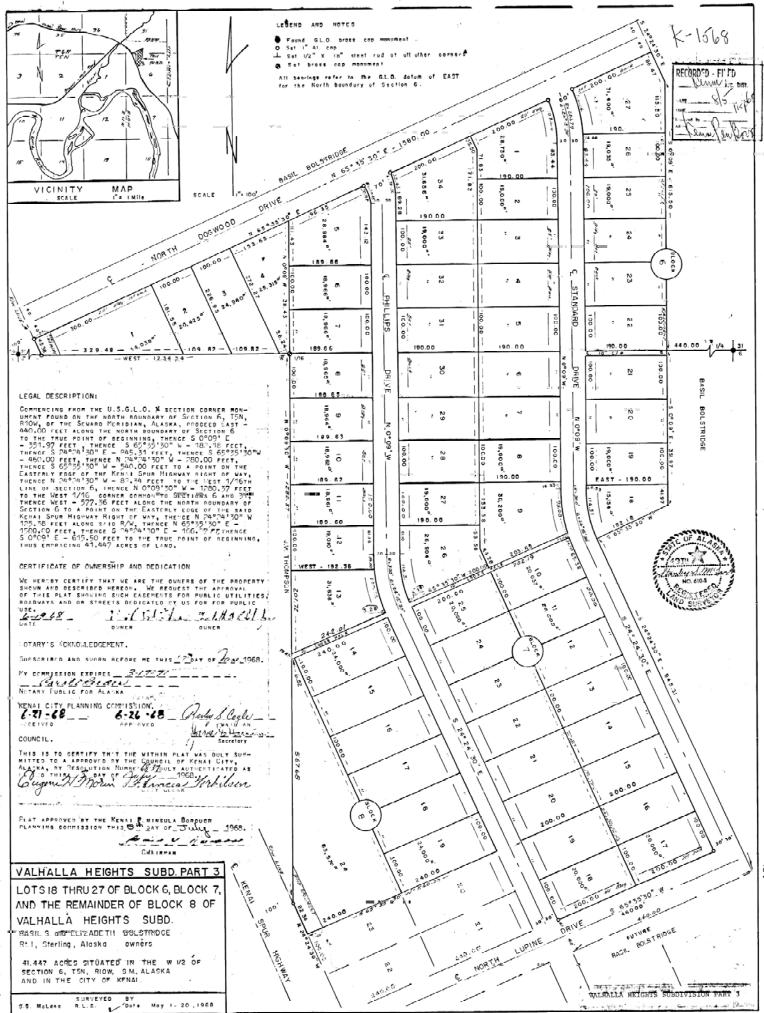
Page 2 of 3

- Focus Area: Energy and Utilities
  - Objective A Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.
    - Strategy 1. Near Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.
    - Strategy 2. Near Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.
    - Strategy 3. Near Term: Identify potential utility routes on Borough lands.
- Housing
  - Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.
    - Strategy 1. Near Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.

## **END OF STAFF REPORT**







\*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 July 23, 2025.

Approved by the consent agenda.

- C. <u>SCHEDULED PUBLIC COMMENTS</u> None.
- D. UNSCHEDULED PUBLIC COMMENTS None.

## E. CONSIDERATION OF PLATS

 Resolution No. PZ2025-27 — Recommending Approval of Preliminary Plat — Valhalla Heights Subdivision Thomsen Replat, Lots 8, 9, 27, & 28, Block 7, Valhalla Heights Subdivision Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, to the Kenai Peninsula Borough, in the Rural Residential Zoning District.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2025-27.

#### MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-27. Commissioner Pettey **SECONDED** the motion.

Vice Chair Earsley opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

There was discussion regarding double frontage rule; the intent of the property owner to construct a larger shop; and relocation of the utility easement.

Clarification was provided that in single residential areas there were no restrictions on land clearing; and although the City did try to locate covenants, they were not enforceable by the City.

## VOTE:

YEA: Reveal, Pettey, Earsley, Krause, Fikes, Woodard

NAY: None ABSENT: Twait **MOTION PASSED.** 

## F. PUBLIC HEARINGS

**1. Resolution No. PZ2025-26** - Recommending the Kenai City Council Amend the Official Zoning Map by Rezoning Thirteen Properties Zoned with Multiple Zones and Assigning One Zoning District per Parcel, Tract, or Government Lot.

## **MOTION:**

Commissioner Woodard **MOVED** to approve Resolution PZ2025-26. Commissioner Pettey **SECONDED** the motion.

Planning Director Buettner read the report as included in the packet and attached to Resolution PZ2025-26.



# CITY OF KENAI PLANNING AND ZONING COMMISSION RESOLUTION NO. PZ2025-27

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT VALHALLA HEIGHTS SUBDIVISION THOMSEN REPLAT ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 180 & 190 Standard Drive; 175 & 185 Phillips Dr.

LEGAL DESCRIPTION: Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights

Sub Part Three, Township 5 North, Range 10 West,

Section 6, Seward Meridian

KPB PARCEL NUMBERS: 04921016, 04921017, 04921018, & 04922003

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey & Design, LLC, on behalf of property owner Craig Thomsen, for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian; and,

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

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

WHEREAS, the proposed lots will have access solely from Standard Drive (a maintained gravel City road); and,

WHEREAS, the proposed lots will not have access from Phillips Drive (a maintained gravel City road) per Kenai Municipal Code (KMC) 14.10.070(e)(2) which prohibits double frontage; and,

WHEREAS, the primary address for the parcel will be 190 Standard Drive, as the primary structure is currently at this address; and,

WHEREAS, City water is not available to the proposed lot; and,

WHEREAS, City sewer is not available to the proposed lot; and,

WHEREAS, an easement for utilities is granted this plat adjacent to the Standard Drive and Phillips Drive rights-of-way, along the eastern and west boundaries of the proposed lot; and,

WHEREAS, an existing easement for utilities along the rear of the current existing lots is requested to be vacated as of this replat; and,

WHEREAS, an installation agreement is not required; and,

Resolution No. PZ2025-27 Page 2 of 2

WHEREAS, the Planning and Zoning Commission finds:

- 1. Pursuant to KMC 14.10.070 Subdivision Design Standards, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The well and septic system is subject to the regulatory requirements of the Alaska Department of Environmental Conservation.
- 2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the Standard Drive right-of-way exists within the proposed preliminary plat. Standard Drive is an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
- 3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet (≈ 0.47 acre), with a proposed lot size of 2.004 acres or approximately 87,294 square feet.
- 4. Pursuant to KMC 14.24.020 General Requirements, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

**Section 1.** That preliminary plat Valhalla Heights Sub Thomsen Replat, for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, be approved, subject to the following conditions:

- 1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
- 2. A plat note added to the final plat to prohibit access from Phillips Drive to avoid double frontage, in accordance with KMC 14.10.070(e)(2).

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 27<sup>th</sup> DAY OF AUGUST, 2025.

JEFF TWAIT, CHAIRPERSON
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## STAFF REPORT

## PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission

FROM: Kevin Buettner, Planning Director

**DATE:** August 20, 2025

**SUBJECT:** Resolution No. PZ2025-27 – Preliminary Plat – Valhalla Height Subdivision

Thomsen Replat

Request The applicant is proposing a preliminary plat to replat Lots 8, 9, 27, &

28, Block Seven, Valhalla Heights Sub Part Three.

Staff Adopt Resolution No. PZ2025-27 recommending approval of

Recommendation Preliminary Plat - Valhalla Heights Subdivision Thomsen Replat,

creating one (1) lot of 2.004 acres.

Applicant: Edge Survey & Design, LLC

Attn: Jason Young

PO Box 208

Kasilof, AK 99610

Property Owner: Craig Thomsen

Legal Descriptions: Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three,

Township 5 North, Range 10 West, Section 6, Seward Meridian

Property Address: 180 & 190 Standard Drive; 175 & 185 Phillips Dr.

KPB Parcel Nos.: 04921016, 04921017, 04921018, & 04922003

Zoning District: Rural Residential (RR)

Land Use Plan: Suburban Residential (SR)

Surrounding Uses: Rural Residential

## **SUMMARY**

A preliminary plat has been submitted from Edge Survey & Design, LLC on behalf of the property owner for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, to create one (1) parcel.

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

## **ANALYSIS**

The proposed replat meets the minimum lot size requirement of 20,000 square feet (≈ 0.47 acre) for the Rural Residential (RR) zoning district. The size of the proposed lot is approximately 87,294 square feet (2.004 acres).

City water and wastewater is not available along Standard Drive and developments on the proposed lot already have an established private water and septic system. Any expansion of the system will be subject to regulations set forth by the Alaska Department of Environmental Conservation.

Direct access to the proposed lots is provided via Standard Drive, a maintained gravel City road. The owner intends to retain their access driveway onto Standard Drive. If approved, the owners intend to keep the 190 Standard Drive address, as the primary structure is already addressed as such. The City of Kenai Public Works Department has reviewed the preliminary plat and has no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

Prior to development, the City of Kenai Floodplain Administrator should be contacted for information and regulations. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

- 1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites, and the existing well and septic system is subject to the regulatory requirements of the Alaska Department of Environmental Conservation.
- 2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat exists prior to this plat. The right-of-way is a continuation of an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
- 3. Pursuant to KMC 14.24.010 Minimum lot area requirements, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet (≈ 0.47 acre), with a proposed lot size of 2.004 acres or approximately 87,294 square feet
- 4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

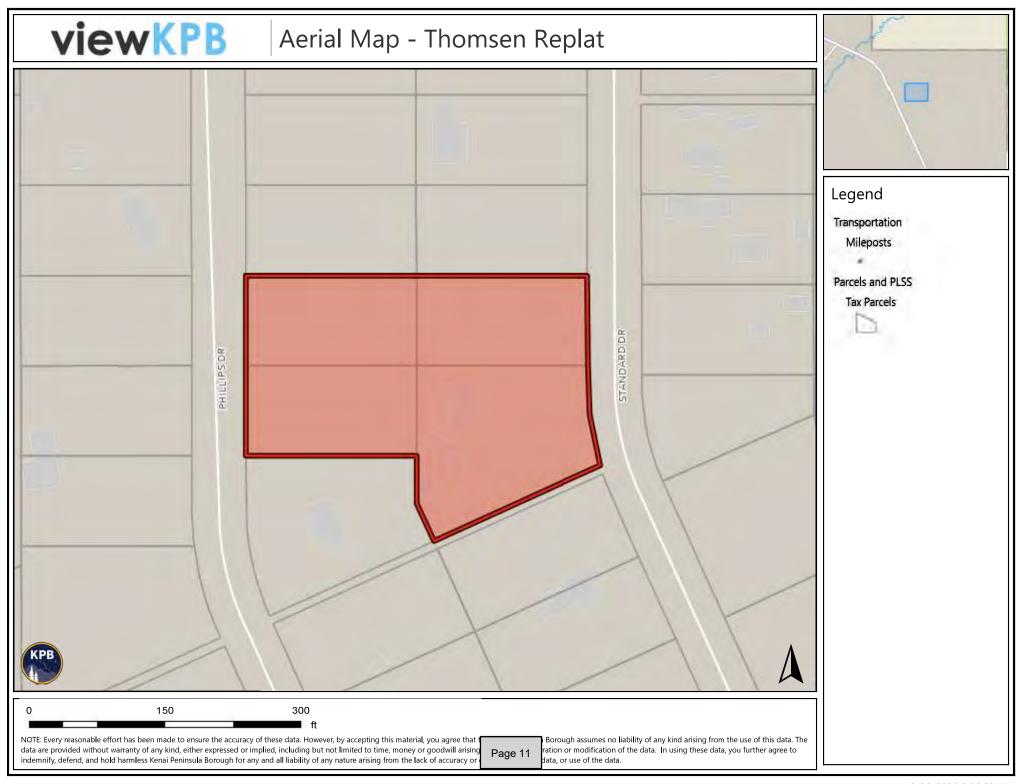
## STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Valhalla Heights Subdivision Thomsen Replat meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommend approval of Resolution No. PZ2025-27 for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, to the Kenai Peninsula Borough, subject to the following conditions:

- 1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
- 2. A plat note added to the final plat to prohibit access from Phillips Drive to avoid double frontage, in accordance with KMC 14.10.070(e)(2).

## **ATTACHMENTS**

Aerial Map Application Preliminary Plat, Valhalla Heights Sub Thomsen Replat Correspondence – Double Frontage





## 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 (SURVEYO	OR)	
Name:	Edge Survey and D			
Mailing Address:	PO Box 208	City: Kasilof	State: AK Zip Code: 99610	
Phone Number(s):	907-283-9047	71.55		
Email:				
		PROPERTY OWNER		
Name:	Craig Thomsen			
Mailing Address:	190 Standard Dr.	City: Kenai	State: AK Zip Code: 99610	
Phone Number(s):				
Email:				
		PROPERTY INFORMATI	ION	
Kenai Peninsula Bo	rough Parcel #:	04921016,04921017	7,04921018, and 04922003	
Current City Zoning	2			
Use:	■ Residential □ Other:	☐ Recreational	☐ Commercial	
Water:	On Site	☐ City	☐ Community	
Sewer:	On Site	☐ City	☐ Community	
		PLAT INFORMATION		
Preliminary Plat Nar	me:	Valhalla Heights Sut	odivsion Thomsen Replat	
Revised Preliminary	Plat Name:			
Vacation of Public R	Right-of-Way:	☐ Yes	■ No	
Street Name (if vaca	ating ROW):			
	Exce	ptions Required and Req	uested:	
		Comments:		
		EQUIRED ATTACHMEN		
	Certificate to Pla	SIGNATURE	(2) 11" x 17" Plats and/or PDF	
Signature:	155122	SIGNATURE	Date:   7/10/	
Print Name:	Craig Thomsen	Title/Business:	Date:   7/16/2	2
	The second secon		and the state of t	

## Stewart Title of the Kenai Peninsula, Inc.

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

## CERTIFICATE TO PLAT

Edge Survey and Design, LLC. File Number: 25615 PO Box 208 Premium: \$300.00

Kasilof, AK 99610 Tax:

Attention: Jason Young

### Gentlemen:

This is a certificate as of July 28, 2025 at 8:00 A.M. for a plat out of the following property:

Lots Eight (8), Nine (9), Twenty-seven (27), and Twenty-eight (28), Block Seven (7), VALHALLA HEIGHTS SUBD. PART 3, according to Plat No. K-1568, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Craig W. Thomsen, an unmarried person as to Lot 8 Block 7; and Craig W. Thomsen, a married person, as to Lots 9, 27 and 28, Block 7.

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

RESERVATIONS and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.

2. RESERVATIONS AND EXCEPTIONS as contained in Mineral Patent from the United States of America to

the State of Alaska

Recorded: September 27, 1982

Volume/Page: 194/781

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

TAXES AND ASSESSMENTS, if any due the taxing authority indicated (We will advise by submitting a copy of our report upon receipt of the information):

Taxing Authority: CITY OF KENAI

4. TAXES AND ASSESSMENTS, if any, due the taxing authority indicated:

Taxing Authority: KENAI PENINSULA BOROUGH

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

Recorded: July 16, 1969 Volume/Page: Misc. 35/187

Granted To: Homer Electric Association, Inc.

Affects: General Easement, no definite location disclosed

6. RESERVATION of oil, gas and mineral rights constructive notice of which is given by recital in deeds:

Recorded: July 17, 1968

Volume/Page: Deed Book 52, Pages 51, 52, 70 and 71

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

Certificate to Plat KB1 File No.: 25615

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

Recorded: August 10, 1973

Volume/Page: 72/770

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

- 8. EASEMENTS, SET-BACKS AND DEDICATIONS as delineated on Plat No. K-1568.
- 9. EFFECT of the notes on said Plat No. K-1568.
- 10. BUILDING ENERGY EFFICIENCY STANDARDS CERTIFICATION including the terms and provisions

therein:

Recorded:

October 2, 1998

Serial No.:

541/834

11. SUMMARY OF BUILDING INSPECTION including the terms and provisions therein:

Recorded:

October 2, 1998

Serial No.:

541/835

12. DEED OF TRUST, including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:

Amount:

\$250,000.00

Dated:

November 3, 2021 November 8, 2021

Recorded: Serial No.:

2021-012351-0

Trustor:

Cralg W. Thomsen, a married person Credit Union 1

Trustee: Beneficiary:

Credit Union 1

Affects Lot 9, Block 7

 INTEREST OF THE SPOUSE of the vestee, if married, and the subject property has been used as a marital homestead.

Stewart Title of the Kenai Peninsula, Inc.

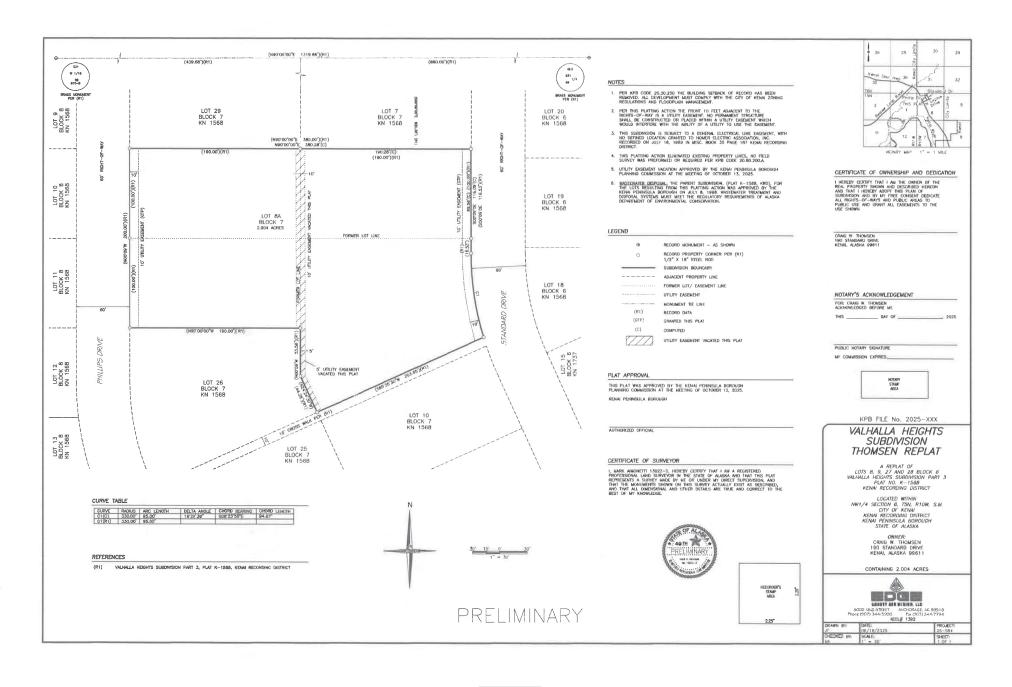
By

**Authorized Countersignature** 

Mary Frengle Authorized Signator

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

Certificate to Plat KB1 File No.: 25615



## **Kevin Buettner**

From: Jason Young <jason@edgesurvey.net>
Sent: Monday, August 18, 2025 11:10 AM

To: Kevin Buettner

**Subject:** Re: Valhalla Heights Sub - Thomsen Replat

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

Landowner has no intentions of constructing access to Phillips, so a note will be fine and I can add before KPB submittal.

Thanks, Jason Young Edge Survey and Design 907-283-9047

From: Kevin Buettner <kbuettner@kenai.city>
Sent: Monday, August 18, 2025 9:12 AM
To: Jason Young <jason@edgesurvey.net>
Subject: Valhalla Heights Sub - Thomsen Replat

Jason,

I am reviewing the replat you dropped off last week. The new proposed parcel will have double frontage, which is not allowed per KMC 14.10.070(e)(2). Would the owner be opposed to a plat note stating that no access shall be given from Phillips Dr.? If that is acceptable, I will ask for an exception to this rule from P&Z.

## Kevin Buettner, AICP, LEED AP, CNU-A

Planning Director

(907) 283-8235 (0) | (907) 971-0867 (M)



14.10.070 ez

double frontage

Paccess Phillips

From: Kevin Buettner
To: jason@edgesurvey.net

Cc: <u>Planning Department</u>; <u>Carpenter</u>, <u>Beverly</u>

Subject: <EXTERNAL-SENDER>Notice of Recommendation- Preliminary Plat-Valhalla Heights Sub Thomsen Replat

**Date:** Thursday, August 28, 2025 10:17:20 AM

Attachments: <u>image001.png</u>

Resolution PZ2025-27 Thomsen Replat signed.pdf

NOD to KPB PZ2025-27.pdf

**CAUTION**: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Dear Edge Survey & Design, LLC:

On Wednesday, August 27, 2025, the City of Kenai Planning and Zoning Commission recommended approval of Resolution PZ2025-27 for Preliminary Plat – Valhalla Heights Subdivision Thomsen Replat. An installation agreement is not required. Enclosed is a copy of the resolution.

If you have any questions, please contact Planning & Zoning Department at 907-283-8237 or <a href="mailto:planning@kenai.city">planning@kenai.city</a>.

Kevin Buettner, AICP, LEED AP, CNU-A

Planning Director (907) 283-8235 (0) | (907) 971-0867 (M) www.kenai.city





SENT VIA ELECTRONIC MAIL

August 28, 2025

Edge Survey & Design, LLC PO Box 208 Kasilof, AK 99610 jason@edgesurvey.net

RE: Notice of Recommendation - Resolution PZ2025-27 - Preliminary Plat - Valhalla Heights Subdivision Thomsen Replat

Dear Edge Survey & Design, LLC:

On Wednesday, August 27, 2025, the City of Kenai Planning and Zoning Commission recommended approval of Resolution PZ2025-27 for Preliminary Plat – Valhalla Heights Subdivision Thomsen Replat. An installation agreement is not required. Enclosed is a copy of the resolution.

If you have any questions, please contact Planning & Zoning Department at 907-283-8237 or <a href="mailto:planning@kenai.city">planning@kenai.city</a>.

Sincerely,

Kevin Buettner, AICP, LEEP AP, CNU-A

Planning Director

Enclosure

cc: Beverly Carpenter, KPB Planing Department (bcarpenter@kpb.us)



# CITY OF KENAI PLANNING AND ZONING COMMISSION RESOLUTION NO. PZ2025-27

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT VALHALLA HEIGHTS SUBDIVISION THOMSEN REPLAT ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 180 & 190 Standard Drive; 175 & 185 Phillips Dr.

LEGAL DESCRIPTION: Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights

Sub Part Three, Township 5 North, Range 10 West,

Section 6, Seward Meridian

KPB PARCEL NUMBERS: 04921016, 04921017, 04921018, & 04922003

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey & Design, LLC, on behalf of property owner Craig Thomsen, for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian; and,

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

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

WHEREAS, the proposed lots will have access solely from Standard Drive (a maintained gravel City road); and,

WHEREAS, the proposed lots will not have access from Phillips Drive (a maintained gravel City road) per Kenai Municipal Code (KMC) 14.10.070(e)(2) which prohibits double frontage; and,

WHEREAS, the primary address for the parcel will be 190 Standard Drive, as the primary structure is currently at this address; and,

WHEREAS, City water is not available to the proposed lot; and,

WHEREAS, City sewer is not available to the proposed lot; and,

WHEREAS, an easement for utilities is granted this plat adjacent to the Standard Drive and Phillips Drive rights-of-way, along the eastern and west boundaries of the proposed lot; and,

WHEREAS, an existing easement for utilities along the rear of the current existing lots is requested to be vacated as of this replat; and,

WHEREAS, an installation agreement is not required; and,

Resolution No. PZ2025-27 Page 2 of 2

WHEREAS, the Planning and Zoning Commission finds:

- 1. Pursuant to KMC 14.10.070 Subdivision Design Standards, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The well and septic system is subject to the regulatory requirements of the Alaska Department of Environmental Conservation.
- 2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the Standard Drive right-of-way exists within the proposed preliminary plat. Standard Drive is an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
- 3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet (≈ 0.47 acre), with a proposed lot size of 2.004 acres or approximately 87,294 square feet.
- 4. Pursuant to KMC 14.24.020 General Requirements, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

**Section 1.** That preliminary plat Valhalla Heights Sub Thomsen Replat, for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, be approved, subject to the following conditions:

- 1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
- 2. A plat note added to the final plat to prohibit access from Phillips Drive to avoid double frontage, in accordance with KMC 14.10.070(e)(2).

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 27th DAY OF AUGUST, 2025.

Son uf Euroley for JEFFITWAIT, CHAIRDERSON Chair Jeff Twait

ATTEST:

PARKS, Deputy City Clerk



## STAFF REPORT

## PLANNING & ZONING DEPARTMENT

TO:

Planning and Zoning Commission

FROM:

Kevin Buettner, Planning Director

DATE:

August 20, 2025

SUBJECT:

Resolution No. PZ2025-27 - Preliminary Plat - Valhalla Height Subdivision

Thomsen Replat

Request The applicant is proposing a preliminary plat to replat Lots 8, 9, 27, &

28, Block Seven, Valhalla Heights Sub Part Three.

Staff

Adopt Resolution No. PZ2025-27 recommending approval of

Recommendation Preliminary Plat - Valhalla Heights Subdivision Thomsen Replat,

creating one (1) lot of 2.004 acres.

Applicant: Edge Survey & Design, LLC

Attn: Jason Young

PO Box 208 Kasilof, AK 99610

Property Owner:

Craig Thomsen

Legal Descriptions:

Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three,

Township 5 North, Range 10 West, Section 6, Seward Meridian

Property Address:

180 & 190 Standard Drive; 175 & 185 Phillips Dr.

KPB Parcel Nos.:

04921016, 04921017, 04921018, & 04922003

Zoning District:

Rural Residential (RR)

Land Use Plan:

Suburban Residential (SR)

Surrounding Uses:

Rural Residential

## SUMMARY

A preliminary plat has been submitted from Edge Survey & Design, LLC on behalf of the property owner for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, to create one (1) parcel.

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

## **ANALYSIS**

The proposed replat meets the minimum lot size requirement of 20,000 square feet (≈ 0.47 acre) for the Rural Residential (RR) zoning district. The size of the proposed lot is approximately 87,294 square feet (2.004 acres).

City water and wastewater is not available along Standard Drive and developments on the proposed lot already have an established private water and septic system. Any expansion of the system will be subject to regulations set forth by the Alaska Department of Environmental Conservation.

Direct access to the proposed lots is provided via Standard Drive, a maintained gravel City road. The owner intends to retain their access driveway onto Standard Drive. If approved, the owners intend to keep the 190 Standard Drive address, as the primary structure is already addressed as such. The City of Kenai Public Works Department has reviewed the preliminary plat and has no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

Prior to development, the City of Kenai Floodplain Administrator should be contacted for information and regulations. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

- Pursuant to KMC 14.10.070 Subdivision Design Standards, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites, and the existing well and septic system is subject to the regulatory requirements of the Alaska Department of Environmental Conservation.
- 2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat exists prior to this plat. The right-of-way is a continuation of an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
- 3. Pursuant to KMC 14.24.010 Minimum lot area requirements, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet (≈ 0.47 acre), with a proposed lot size of 2.004 acres or approximately 87,294 square feet
- 4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

Resolution No. PZ2025-27 Preliminary Plat Valhalla Heights Sub Thomsen Replat

## STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Valhalla Heights Subdivision Thomsen Replat meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommend approval of Resolution No. PZ2025-27 for a replat of Lots 8, 9, 27, & 28, Block Seven, Valhalla Heights Sub Part Three, Township 5 North, Range 10 West, Section 6, Seward Meridian, to the Kenai Peninsula Borough, subject to the following conditions:

- 1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
- 2. A plat note added to the final plat to prohibit access from Phillips Drive to avoid double frontage, in accordance with KMC 14.10.070(e)(2).

## **ATTACHMENTS**

Aerial Map Application Preliminary Plat, Valhalla Heights Sub Thomsen Replat Correspondence – Double Frontage