

E. NEW BUSINESS

- 7. Valhalla Heights 2024 Addition; KPB File 2024-093
Fineline Surveys / Wisniewski
Location: Togiak Street & Fern Street
City of Kenai**



KPB File 2024-093
T 06N R 10W SEC 31
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.



Aerial 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.

NOTES:

1. NO ACCESS TO STATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPT. OF TRANSPORTATION.
2. THE FRONT 10 FEET OF ADJOINING RIGHTS-OF-WAY, AND 20' WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
3. PROPERTY SUBJECT TO RESERVATION OF AN EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY THE FOLLOWING PUBLIC LAND ORDERS:
(P.L.O. 601 8/10/1949 AND AMENDED BY P.L.O. 757 8/10/1959)
(P.L.O. 1613 4/7/1958)
(DEPT. OF THE INTERIOR ORDER #2665 10/16/1951,
AMENDMENT NO 1 THERETO 7/17/1952 & AMENDMENT NO 2 THERETO 9/15/1956)
4. HOMER ELECTRIC ASSOCIATION, INC. HAS BEEN GRANTED EASEMENTS (BK. 35, PG. 187 7/11/1969 K.R.D.), & (SERIAL #2016-010321-0 11/21.2016) FOR ELECTRIC LINES AND SYSTEM, WITH THE RIGHT TO ENTER, MAINTAIN, OR REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.
5. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KP.B. 20.50.170.
6. POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPEMENT TRENDS IN THE AREA, OR TOPOGRAPHY.
7. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.

CERTIFICATE OF OWNERSHIP:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS SUBDIVISION PLAN AND BY OUR FREE CONSENT GRANT ALL EASEMENTS TO USE SHOWN.

GRANT WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

AMANDA WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT:

FOR: GRANT WISNIEWSKI & AMANDA WISNIEWSKI

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

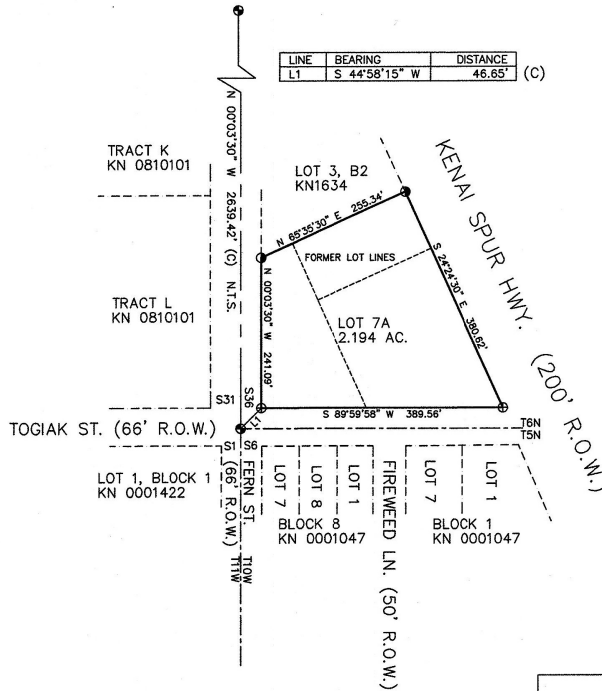
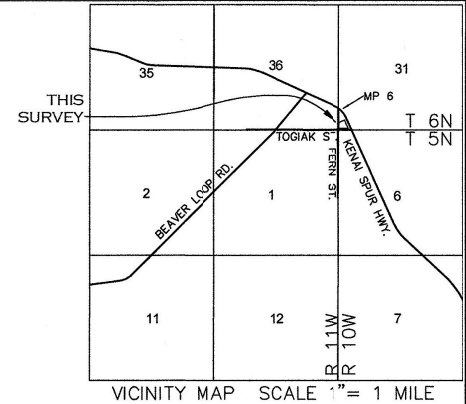
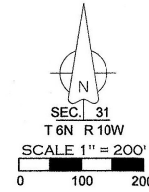
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

WASTEWATER DISPOSAL:

THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON 10/16/1974. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND:

- GLO BRASS CAP MONUMENT 1/4 CORNER SECS 31 & 66
- ⊕ 1/2" REBAR WITH 1" ALCAP 1968 610-S
- 1/2" REBAR 1968 610-S
- (R) RECORD BEARINGS AND DISTANCES PER (KN 1634)
- (C) COMPUTED



LINE	BEARING	DISTANCE
L1	S 44°58'15" W	46.65'

PLAT APPROVAL:

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING DATED, / /

KENAI PENINSULA BOROUGH

BY: _____
AUTHORIZED OFFICIAL: _____

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THE PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

VALHALLA HEIGHTS 2024 ADDN,
K.P.B. FILE # 2024-

A VACATION OF LOT LINES BETWEEN LOTS 4 & 7 VALHALLA HEIGHTS SUBD PART 2 (KN-1634) AND LOT 5-A1 VALHALLA HEIGHTS SUBD WISNIEWSKI SECOND ADDN (KN2016-0067), SW 1/4 OF SW 1/4 SECTION 31, TOWNSHIP 6 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA. KENAI RECORDING DISTRICT. containing 2.194 acres.

OWNERS: GRANT WISNIEWSKI & AMANDA WISNIEWSKI
5839 KENAI SPUR HWY, KENAI, AK 99611

FINELINE SURVEYS

P.O. Box 774
Anchor Point, Alaska 99556
Dmitri D. Kimbrell, RLS (907) 360 6382

SCALE: 1"=200' DATE: 8/6/2024

KPB 2024-093

AGENDA ITEM E. NEW BUSINESS

**ITEM #7 - PRELIMINARY PLAT
VALHALLA HEIGHTS 2024 ADDN**

KPB File No.	2024-093
Plat Committee Meeting:	October 14, 2024
Applicant / Owner:	Grant & Amanda Wisniewski
Surveyor:	Dmitri Kimbrell / Fineline Surveys
General Location:	Togiak Street & Fern Street at Milepost 6 Kenai Spur Hwy, Kenai Area

Parent Parcel No.:	049-230-36, 049-230-16 & 049-230-19
Legal Description:	T 06N R 10W SEC 31 SEWARD MERIDIAN KN 2016067 VALHALLA HEIGHTS SUB WISNIEWSKI SECOND ADDN LOT 5A-1 BLK 2 T 6N R 10W SEC 31 SEWARD MERIDIAN KN 0001634 VALHALLA HEIGHTS SUB PART 2 LOTS 4 & 7 BLK 2
Assessing Use:	Commercial, Vacant
Zoning:	Unrestricted
Water / Wastewater	Community / Community
Exception Request	None Requested

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will combine three lots into one larger lot of size 2.194 acres

Location and Legal Access (existing and proposed):

Legal access to the property is available from Togiak Street, which connects to the Kenai Spur Highway. Togiak Street is a 66-foot-wide dedication maintained by the City of Kenai, while the Kenai Spur Highway is maintained by the State of Alaska. On the west side of the plat is Fern St, an 83-foot-wide dedication that has not been developed.

The plat does not finalize a vacation or propose a new dedication.

There are section line easements along the west and south sides of the plat within the dedications, but they do not directly affect the plat. **Staff recommends that the surveyor label all the section line easements on the drawing.**

The block length is compliant due to Togiak Street, Fern Street and the Kenai Spur Highway.

PER DOT: The platting action voids any previous issued permits. Land owners will need to reapply for driveway access permits to state road and right-of-way access.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Griebel, Scott Comments: Within City of Kenai. No RSA comments or objections.
SOA DOT comments	See comments in the packet.

Site Investigation:

There is a structure located on the plat and a parking lot. With the combining of the lots, the parking lot will be completely inside one lot of the plat.

The terrain is flat across the property with a slight slope to the east for drainage. And there are no steep areas on the plat.

There is no wetland on the property. The plat is in a FEMA designated flood hazard zone. *The City of Kenai is considered an independent community by the National Flood Insurance Program (NFIP) and is not within the jurisdiction of the KPB Floodplain Management Program. Kenai administers their own floodplain management programs. The City of Kenai may be reached at 907-283-8237 or at planning@kenai.city for information on floodplain regulations and permits required within Kenai city limits.*

*KPB satellite imagery indicates this property may contain wet areas. **Staff recommendation:** place a note on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination if applicable.*

KPB River Center Review	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Within City of Kenai Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish & Game	No Response

Staff Analysis

The land was originally part of Lot 4 in Section 31, Township 6 North, Range 10 West, Seward Meridian, Alaska within the City of Kenai, Alaska. Subsequently, Lots 24 through 35 of Block 1 and Block 2 of Valhalla Heights Subdivision #2, KN 0001634, divided a portion of Lot 4. The Valhalla Heights Subdivision Wisniewski Addition, KN 96-89, adjusted the boundary between Lots 5 & 6 in Block 2. Later, Valhalla Heights Subdivision Wisniewski Second Addition, KN 2016-67, merged Lots 5A and 6A in Block 2 into a single large lot. This current platting action will combine Lot 5A-1. KN2016-67. and Lots 4 and 7, KN 01634, into one lot.

A soils report will not be required as the property is served by community water and wastewater. An installation agreement is not required per the City of Kenai.

Notice of the proposed plat was mailed to the beneficial interest holder on September 9, 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 plat is located in City of Kenai. The plat was reviewed by the City of Kenai Planning and Zoning Commission at their September 25, 2024 meeting. During the meeting, the City of Kenai approved the preliminary plat.

Utility Easements

The certificate to plat includes an easement recorded under serial number 2016-010321-0.

HEA review states that the easement exists but is no longer required as the interior lot line was removed on plat KN 2016-67. This easement of record could be released if the owners wish. The owners would need to contact HEA to prepare the easement release document as well as pay the recording fee. **Staff recommends** that the surveyor discuss with the owners how to proceed with the easement.

There is a 20-foot existing utility easement running north-south on the west side of the plat, per K-1634. HEA requests that the utility easement be depicted and labeled correctly. **Staff recommends that the surveyor depict the easement on the plat.**

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

Utility provider review:

HEA	See comments in packet
ENSTAR	No response
ACS	No response
GCI	No response

KPB department / agency review:

Addressing	<p>Reviewer: Leavitt, Rhealyn Affected Addresses: 5887 KENAI SPUR HWY, 5839 KENAI SPUR HWY, 4005 TOGIAC ST Existing Street Names are Correct: Yes List of Correct Street Names: TOGIAC ST, KENAI SPUR HWY, FERN ST, FIREWEED LN Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: CITY OF KENAI WILL ADVISE ON ADDRESSING.</p>
Code Compliance	<p>Reviewer: Ogren, Eric Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. 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>

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- Modify plat note #2: The current wording makes it sound as if it is describing the front 10 feet of the right-of-way.
- Remove plat note #5: The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170(B).
- Add the date of October 14, 2024 to the Plat Approval
- Switch section labels at SW Corner for S31 & S36
- Correct the labeling of the first icon in the legend; it should indicate that it is not only a ¼ corner but also 36.

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:
Add 093 to the KPB File # 2024-
Add Block 2 to the legal description to both legal description lines after the lot numbers.
Add City of Kenai to the legal description.

- 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:
Identify any section line easements adjacent to the plat.
Label the right-of-way width of Fern St beside the plat.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;
Staff recommendation:
Show the 10' utility easement along ROW on drawing
Easements should be carried forward from parent plat as shown on drawings

- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation:
Show the easement in 2016-010321-0 on the plat.
Indicate in the plat note that easement bk 35 pg 187 is a general easement with no description of location

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation:
Add Block 2 to the lot designation

KPB 20.30 – Subdivision Design Requirements

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

KPB 20.40 – Wastewater Disposal

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

- 20.40.010 Wastewater disposal.
Platting Staff Comments:
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.*

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, 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 DECISION OF THE PLAT COMMITTEE MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



Aerial Map

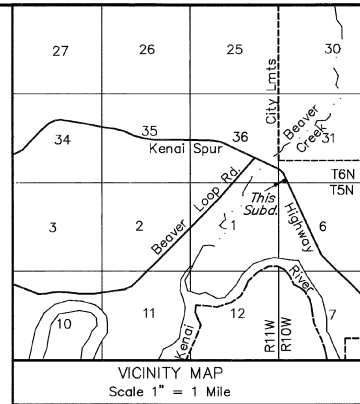
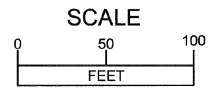


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WASTEWATER DISPOSAL

The existing parent subdivision was approved by the Department of Environmental Conservation (June 26, 1996) and this subdivision is limited to moving one or more lot lines without increasing the number of developable lots, while maintaining a minimum of 20,000 square feet of contiguous area, as described in KPB 20.40.040(A)(4)(a), for each lot affected by the lot line movement per KPB 20.40.020 (1)(c).



LEGEND

- Primary monument as described.
- Record Primary monument as described.
- Property Corner of Record 5/8" rebar
- Property Corner Found 5/8" rebar
- Record data KN 96-89 and found data agree unless noted otherwise.
- Record data KN 2007-7 and found data agree unless noted otherwise.
- Computed data

NOTES

- Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 72 and 18 AAC 80.
- No permanent structure shall be constructed or placed within a easement which would interfere with the ability of a utility to use the easement.
- This plat was prepared from data of record (KN 96-89 and KN 2007-7) and no additional field work was done except for the asbuilt information and ties to the property corners shown as found on Lot 6A completed in 2016 by 4928-S.
- Development must meet the City of Kenai Chapter 14 Zoning Code requirements.
- The Kenai Peninsula Borough Planning Commission granted an exception to KPB 20.30.240 Removal of 25' Building Setback depiction on the face of the plat at the meeting of August 22, 2016.
- The Kenai Spur Highway Right of Way was determined by ADOT&PF Right of Way Map Alaska Project No. F-022-1(6) Kenai Spur Highway Mile 2.8 to 10.6 sheet 13 of 26 (KN 2007-7) and Title Commitment prepared for this plat which contains the following:
RESERVATION OF EASEMENT FOR HIGHWAY 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. 1813, 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.
- Homer Electric Association has a general blanket utility easement per KN Vol/Pg. 35/187 which affects this parcel, no definite location disclosed.
- No access to state maintained right-of-ways permitted unless approved by the State of Alaska Department of Transportation.

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

Timothy J. Wisniewski *Terri R. Wisniewski*
 Timothy J. Wisniewski Terri R. Wisniewski
 AKA Tim J. Wisniewski
 5839 Kenai Spur Highway
 Kenai, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR: *Timothy J. and Terri R. Wisniewski*
Acknowledged before me this

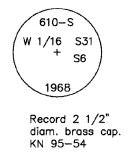
11th day of *Oct.*, 2016

My commission expires: *4-1-2017*

Blaine J. Elder
 Notary Public for the
 State of Alaska



<436.64'> 33' 33' 436.65 TCGIAK STREET 66' R/W 109.81 <688.05'> 687.94(c) <N90°00'00"E 1234.41' <1234.47'>



2016-67
 Plat #
 Kenai
 Rec Dist
 1121
 Date
 20 16
 Time 12:22 P.M.

**VALHALLA HEIGHTS SUBDIVISION
 WISNIEWSKI SECOND ADDITION**
 (A Resubdivision of Valhalla Heights Subdivision
 Wisniewski Addn. Lots 5A & 6A Block 2 KN 96-89)

Tim & Terri Wisniewski
 5839 Kenai Spur Highway
 Kenai, AK 99611 LOCATION
 1.076 AC. M/L SITUATED IN THE SW 1/4 SW 1/4 SEC. 31
 T.6N., R.10W., S.M., AK., THE CITY OF KENAI AND THE
 KENAI PENINSULA BOROUGH IN THE KENAI RECORDING
 DISTRICT.

	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK 99669 VOICE: (907) 283-4216 FAX: (907) 283-3265 WWW.MCLANECONG.COM	KPB FILE NO. 2016-98
		PROJECT NO. 162009

SCALE 1" = 50 DATE: AUG 2016 BOOK NO.: 15-15 DRAWN BY: MSM



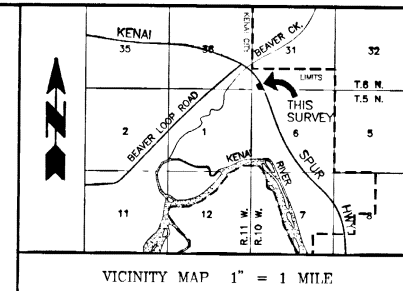
1" = 50'

LEGEND:

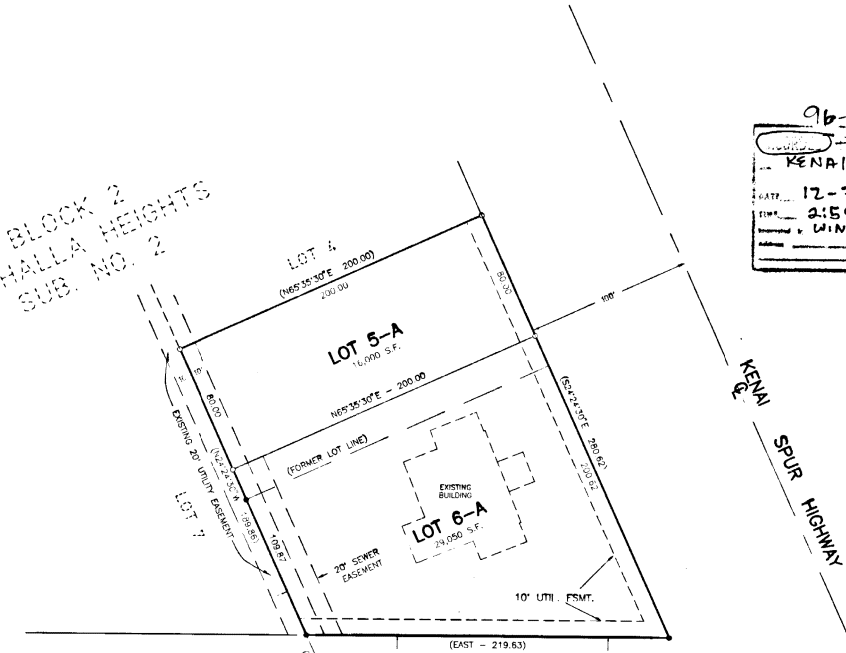
- 1/2" REBAR/METAL ROD FOUND
 - 5/8" x 24" REBAR SET
 - ⊕ G.L.O. SURVEY MONUMENT
- RECORD INFORMATION SHOWN IN ()

NOTES:

1. PROPOSED LAND USES ARE GOVERNED BY LOCAL ZONING REGULATIONS.
2. ALL LOTS IN THIS SUBDIVISION WILL BE SERVED BY CITY WATER AND SEWER.
3. THE FRONT 10' OF THE BUILDING SETBACK ADJACENT TO STREET RIGHTS OF WAY IS RESERVED AS A UTILITY EASEMENT.
4. NO PERMANENT STRUCTURE MAY BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
5. NO ACCESS TO STATE-MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION



BLOCK 2
VALHALLA HEIGHTS
SUB. NO. 2



96-89
FILED 20
KENAI REC. DIST.
FEB 12-30 1996
2:55 P.
WINCE CORTHELL

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY (OUR) FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN. I (WE) FURTHER CERTIFY THAT DEEDS OF TRUST AFFECTING THIS PROPERTY DO NOT CONTAIN RESTRICTIONS WHICH WOULD PROHIBIT THIS REPLAT, OR REQUIRE SIGNATURE AND APPROVAL OF BENEFICIARIES.

Timothy J. Wisniewski
TIMOTHY J. WISNIEWSKI
5839 KENAI SPUR HWY.
KENAI, AK 99611

Terri R. Wisniewski
TERRI R. WISNIEWSKI
5839 KENAI SPUR HWY.
KENAI, AK 99611

NOTARY'S ACKNOWLEDGMENT FOR TIMOTHY J. WISNIEWSKI

SWORN AND SUBSCRIBED TO BEFORE ME, A NOTARY PUBLIC, THIS 12 DAY OF MAY 1996.

D. D. Brown
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 12-5-97

NOTARY'S ACKNOWLEDGMENT FOR TERRI R. WISNIEWSKI

SWORN AND SUBSCRIBED TO BEFORE ME, A NOTARY PUBLIC, THIS 12 DAY OF May 1996.

Dixie Cord
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES April 4, 1997

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION

AT THE MEETING OF November 13, 1995.

BY: *Patrick J. Malone*
AUTHORIZED OFFICIAL

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

THIS SUBDIVISION HAS BEEN REVIEWED IN ACCORDANCE WITH 18 AAC 72.355 AND IS APPROVED, SUBJECT TO ANY NOTED RESTRICTIONS.

Scott Injue EEA 6-26-96
SIGNATURE TITLE DATE

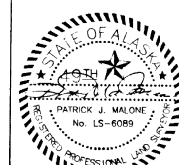
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S.1 S.6 T.5 N. (217.81)

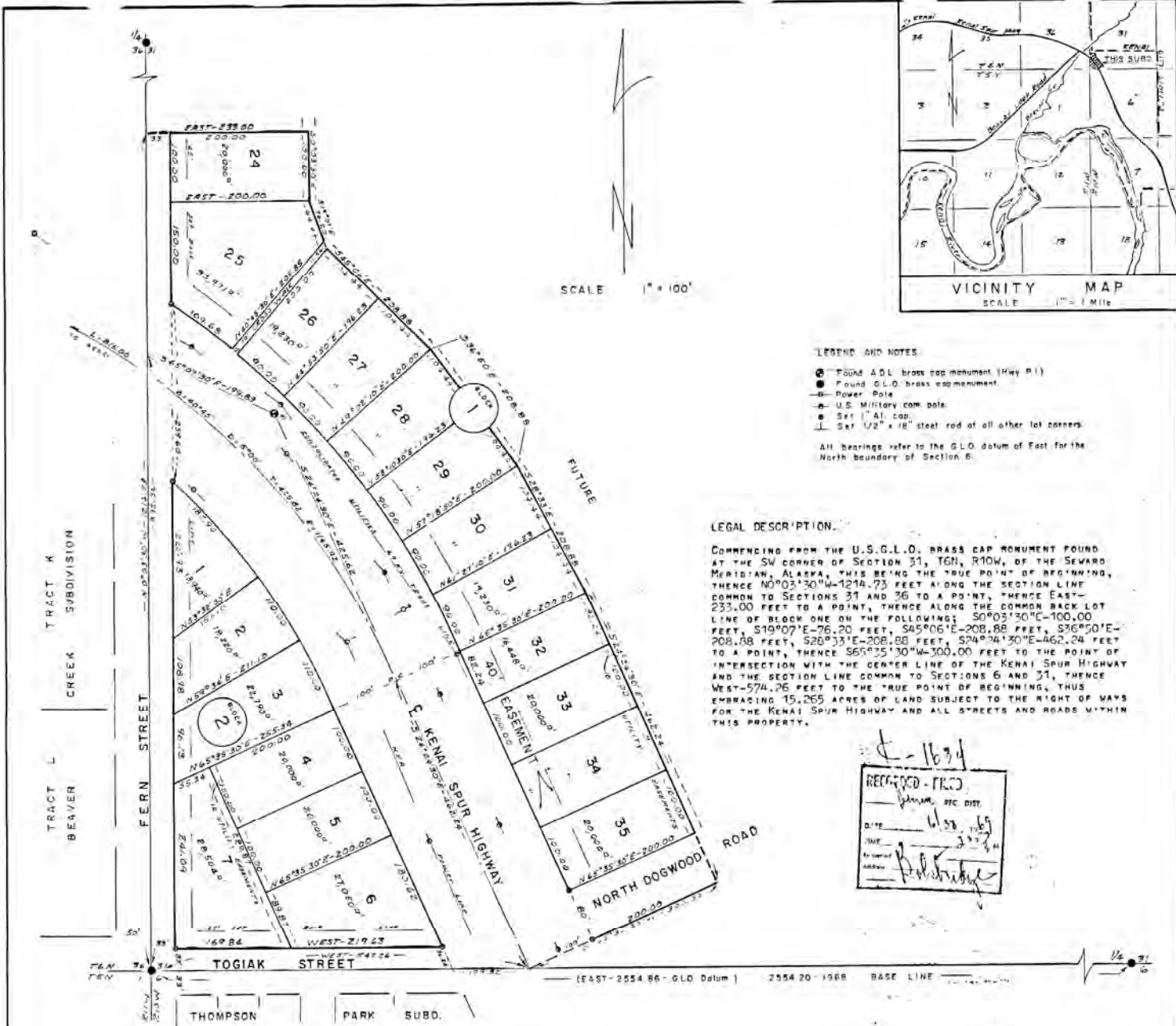
TOGIAK STREET
BASIS FOR BEARINGS - VALHALLA HEIGHTS SUB. NO. 2

THOMPSON PARK SUBDIVISION

U.S.G.L.O. MONUMENT
3" BRASS CAP
NOT RECOVERED THIS SURVEY

WINCE-CORTHELL-BRYSON		P.O. BOX 1041, KENAI, AK 99611	
VALHALLA HEIGHTS SUBDIVISION WISNIEWSKI ADDITION			
A REPLAT OF LOTS 5 & 8, BLOCK 2 OF THE PLAT OF LOTS 24 THRU 35 BLOCK 1, AND BLOCK 2 VALHALLA HEIGHTS SUBDIVISION #2 WITHIN THE SW 1/4 SW 1/4, SEC. 31, T.6 N. R.10 W., CITY OF KENAI, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA CONTAINING 1.080 ACRES, M/L			
SCALE: 1"=50'	DRAWN BY: PJM	FILE NAME: 95086_2	
DATE: FEB. 28, 1996	CHKD BY:	K.P.B. FILE NO. <u>95-178</u>	
SURVEYOR: PATRICK J. MALONE, BOX 1041, KENAI, AK 99611			





SCALE 1" = 100'



LEGEND AND NOTES

- FOUND A.D.L. brass cap monument (Hwy P1)
 - FOUND G.L.O. brass cap monument
 - Power Pole
 - U.S. Military com. pole
 - Set 1" Al. cap.
 - ⊥ Set 1/2" x 18" steel rod at all other lot corners.
- All bearings refer to the G.L.O. datum of East for the North boundary of Section 6.

LEGAL DESCRIPTION.

COMMENCING FROM THE U.S.G.L.O. BRASS CAP MONUMENT FOUND AT THE SW CORNER OF SECTION 31, T6N, R10W, OF THE SEWARD MERIDIAN, ALASKA, THIS BEING THE TRUE POINT OF BEGINNING, THENCE N0°03'30"W-1214.73 FEET ALONG THE SECTION LINE COMMON TO SECTIONS 31 AND 36 TO A POINT, THENCE EAST-233.00 FEET TO A POINT, THENCE ALONG THE COMMON BACK LOT LINE OF BLOCK ONE ON THE FOLLOWING: S0°03'30"E-100.00 FEET, S19°07'E-76.20 FEET, S45°06'E-208.88 FEET, S36°50'E-208.88 FEET, S20°33'E-208.88 FEET, S24°24'30"E-462.24 FEET TO A POINT, THENCE S65°25'30"W-300.00 FEET TO THE POINT OF INTERSECTION WITH THE CENTER LINE OF THE KENAI SPUR HIGHWAY AND THE SECTION LINE COMMON TO SECTIONS 6 AND 31, THENCE WEST-574.76 FEET TO THE TRUE POINT OF BEGINNING, THUS EMBRACING 15.265 ACRES OF LAND SUBJECT TO THE RIGHT OF WAYS FOR THE KENAI SPUR HIGHWAY AND ALL STREETS AND ROADS WITHIN THIS PROPERTY.

1634

RECORDED - FILED

DATE 6/28/69

FILE 3124

INDEXED

Sheriff

KENAI CITY PLANNING COMMISSION

Received 5/10/68 Approved 5/10/68

Chairman James S. Wildes

City Clerk Francesca Turkilainen

COUNCIL

This is to certify that the within plat was duly submitted to and approved by the Council of Kenai City, Alaska, by Resolution Number 62-17 duly authenticated as passed this 25 day of March, 1968.

Mayor Arvid G. Hagen City Clerk Francesca Turkilainen

Plat approved by the KENAI PENINSULA BOROUGH planning commission this 13 day of April, 1968.

Chairman Henry A. Nawara

CERTIFICATE OF REGISTERED LAND SURVEYOR.

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS LOCATED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

DATE MARCH 18, 1968 Stanley S. McCane

COVENANT.

EACH OF THE LOTS IN THIS SUBDIVISION SHALL BE SUBJECT TO ASSESSMENTS FOR IMPROVEMENTS REQUIRED BY ORDINANCE OF THE CITY OF KENAI, WHEN INSTALLED BY THE CITY OF KENAI.

CERTIFICATE OF OWNERSHIP AND DEDICATION.

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON. WE REQUEST THE APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS, AND OR STREETS DEDICATED BY US FOR PUBLIC USE.

DATE Basild Bolstridge Elizabeth A. Bolstridge

OWNER

NOTARY'S ACKNOWLEDGEMENT.

SUBSCRIBED AND SWORN BEFORE ME THIS 20 DAY OF March, 1968.

MY COMMISSION EXPIRES January 1, 1972

Harlow Hillstrom

NOTARY PUBLIC FOR ALASKA

LOTS 24 THRU 35 OF BLOCK 1 AND BLOCK 2 OF VALHALLA HEIGHTS SUBDIVISION #2

BASIL S BOLSTRIDGE and ELIZABETH BOLSTRIDGE
Rt. 1, Sterling, Alaska.
OWNERS

15.265 ACRES SITUATED IN LOT 4 OF SECTION 31, T6N, R10W, S.M, ALASKA, AND IN THE CITY OF KENAI, ALASKA.

SURVEYED BY
Stanley S. McCane, R.L.S. Date March 5-18, 1968



From: [Keiner, Robert \(DOT\)](#)
To: [Carpenter, Beverly](#)
Subject: <EXTERNAL-SENDER>RE: PLAT REVIEW FOR October 14, 2024 MEETING: Plat Review State Group; GCI; Enstar; HEA; ACS
Date: Tuesday, October 1, 2024 8:54:01 AM
Attachments: [image001.png](#)
[image002.png](#)
[Plat Prelim KPB 2024-093_091224 Reduced - ROWE comments.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.

Beverly,

Just some minor drafting comments on this one, but the ROW for all of them look good.

Thanks!

Bob Keiner, P.L.S.
ROW Engineering Supervisor
Central Region DOT/PF
(907)269-0713

From: Carpenter, Beverly <BCarpenter@kpb.us>
Sent: Tuesday, September 24, 2024 12:27 PM
To: Marsengill, Dale <DMarsengill@HomerElectric.com>; ENSTAR ROW <row@enstarnaturalgas.com>; Biloon, Joselyn (DOT) <joselyn.biloon@alaska.gov>; Keiner, Robert (DOT) <bob.keiner@alaska.gov>; 'ospdesign@gci.com' <ospdesign@gci.com>; Percy, Colton T (DFG) <colton.percy@alaska.gov>; 'Huff, Scott' <shuff@HomerElectric.com>; 'Duilio.Guerrero@acsalaska.com' <Duilio.Guerrero@acsalaska.com>
Cc: 'Zubeck, Brad' <BZubeck@HomerElectric.com>
Subject: PLAT REVIEW FOR October 14, 2024 MEETING: Plat Review State Group; GCI; Enstar; HEA; ACS

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

Attached are the plats to be reviewed for the **October 14, 2024** meeting.

- Forest Hills Lookout Subdivision Watson Addition No. 2 (KPB 2024-101)
- Crane-France Subdivision Replat 2024 (KPB 2024-099)
- Shepherd Subdivision (KPB 2024-098)
- Atkinson Subdivision Savely Addition (KPB 2024-095)
- Valhalla Heights 2024 Addition (KPB 2024-093)
- Woodrow Farms No. 2 2024 Replat (KPB 2024-091R1)

Fireweed Meadows 2024 (KPB 2024-092)

- Thomas Court Subdivision (KPB 2023-078R1)
- Grouse Creek Subdivision 2024 Addition (KPB 2022-022R2)

Please provide comments by **October 2, 2024** to ensure the comments will be included in a preliminary plat staff report.

Preliminary plat comments will be accepted until the 1:00 p.m. Friday before the meeting date.

Kind regards,

Beverly Carpenter

Platting Specialist, Planning Department

Office: 907-714-2200 **Direct:** 907-714-2207



Kenai Peninsula Borough

144 N. Binkley St. Soldotna, AK 99669

kpb.us

NOTES:

1. NO ACCESS TO STATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPT. OF TRANSPORTATION.
2. THE FRONT 10 FEET OF ADJOINING RIGHTS-OF-WAY, AND 20' WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
3. PROPERTY SUBJECT TO RESERVATION OF AN EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY THE FOLLOWING PUBLIC LAND ORDERS:
(P.L.O. 601 8/10/1949 AND AMENDED BY P.L.O. 757 8/10/1959)
(P.L.O. 1613 4/7/1958)
(DEPT. OF THE INTERIOR ORDER #2665 10/16/1951,
AMENDMENT NO 1 THERETO 7/17/1952 & AMENDMENT NO 2 THERETO 9/15/1956)
4. HOMER ELECTRIC ASSOCIATION, INC. HAS BEEN GRANTED EASEMENTS (BK. 35, PG. 187 7/11/1969 K.R.D.), & (SERIAL #2016-010321-0 11/21.2016) FOR ELECTRIC LINES AND SYSTEM, WITH THE RIGHT TO ENTER, MAINTAIN, OR REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.
5. THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KP.B. 20.60.170.
6. POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPEMENT TRENDS IN THE AREA, OR TOPOGRAPHY.
7. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.

CERTIFICATE OF OWNERSHIP:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS SUBDIVISION PLAN AND BY OUR FREE CONSENT GRANT ALL EASEMENTS TO USE SHOWN.

GRANT WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

AMANDA WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT:

FOR: GRANT WISNIEWSKI & AMANDA WISNIEWSKI

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

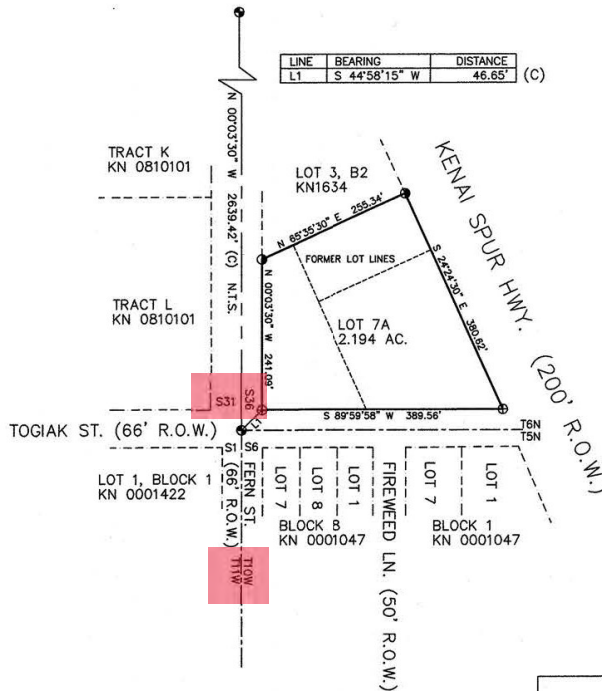
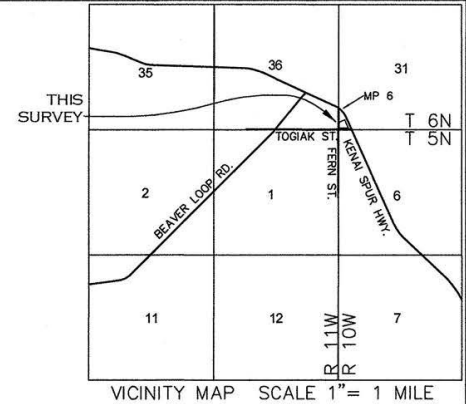
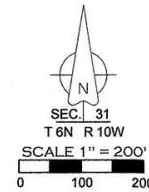
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

WASTEWATER DISPOSAL:

THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON 10/16/1974. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND:

- GLO BRASS CAP MONUMENT 1/4 CORNER SECS 31 & 66
- ⊕ 1/2" REBAR WITH 1" ALCAP 1968 610-S
- 1/2" REBAR 1968 610-S
- (R) RECORD BEARINGS AND DISTANCES PER (KN 1634)
- (C) COMPUTED



PLAT APPROVAL:

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING DATED, // /

KENAI PENINSULA BOROUGH

BY: _____
AUTHORIZED OFFICIAL: _____

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THE PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

VALHALLA HEIGHTS 2024 ADDN,
K.P.B. FILE # 2024-

A VACATION OF LOT LINES BETWEEN LOTS 4 & 7 VALHALLA HEIGHTS SUBD PART 2 (KN-1634) AND LOT 5-A1 VALHALLA HEIGHTS SUBD WISNIEWSKI SECOND ADDN (KN2016-0067), SW 1/4 OF SW 1/4 SECTION 31, TOWNSHIP 6 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA. KENAI RECORDING DISTRICT.
containing 2.194 acres.

OWNERS: GRANT WISNIEWSKI & AMANDA WISNIEWSKI
5839 KENAI SPUR HWY, KENAI, AK 99611

FINELINE SURVEYS

P.O. Box 774
Anchor Point, Alaska 99556
Dmitri D. Kimbrell, RLS (907) 360 6382

SCALE: 1"=200' DATE: 8/6/2024

KPB 2024-093

NOTES:

1. NO ACCESS TO STATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPT. OF TRANSPORTATION.
2. THE FRONT 10 FEET OF ADJOINING RIGHTS-OF-WAY, AND 20' WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
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GRANT WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

AMANDA WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT:

FOR: GRANT WISNIEWSKI & AMANDA WISNIEWSKI

ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

WASTEWATER DISPOSAL:

THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATTING ACTION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON 10/16/1974. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

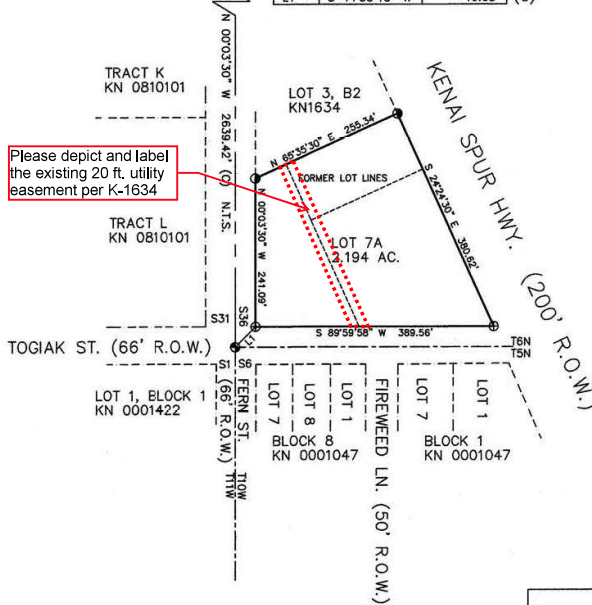
LEGEND:

- GLO BRASS CAP MONUMENT 1/4 CORNER SECS 31 & 66
- ⊕ 1/2" REBAR WITH 1" ALCAP 1968 610-S
- ⦿ 1/2" REBAR 1968 610-S
- (R) RECORD BEARINGS AND DISTANCES PER (KN 1634)
- (C) COMPUTED

This easement still exists but is no longer required as the interior lot line was removed on plat KN 2016-67. This easement of record could be released if the owners wish. The owners would need to contact HEA to prepare the easement release document as well as pay the recording fees.

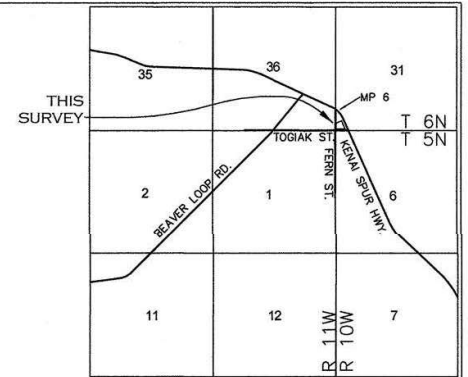
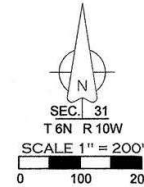
Please depict and label the existing 20 ft. utility easement per K-1634

LINE	BEARING	DISTANCE
L1	S 44°58'15" W	46.65'



HEA REVIEWED - SEE COMMENTS
Scott Huff
Scott Huff 9/25/2024
Land Management Officer

KPB 2024-093



PLAT APPROVAL:

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING DATED, / /

KENAI PENINSULA BOROUGH

BY: _____

AUTHORIZED OFFICIAL: _____

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THE PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

VALHALLA HEIGHTS 2024 ADDN,
K.P.B. FILE # 2024-

A VACATION OF LOT LINES BETWEEN LOTS 4 & 7 VALHALLA HEIGHTS SUBD PART 2 (KN-1634) AND LOT 5-A1 VALHALLA HEIGHTS SUBD WISNIEWSKI SECOND ADDN (KN2016-0067), SW 1/4 OF SW 1/4 SECTION 31, TOWNSHIP 6 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA. KENAI RECORDING DISTRICT. containing 2.194 acres.

OWNERS: GRANT WISNIEWSKI & AMANDA WISNIEWSKI
5839 KENAI SPUR HWY, KENAI, AK 99611

FINELINE SURVEYS

P.O. Box 774
Anchor Point, Alaska 99556
Dmitri D. Kimbrell, RLS (907) 360 6382

SCALE: 1"=200' DATE: 8/6/2024



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-21**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT VALHALLA HEIGHTS 2024 ADDITION ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESSES: 5839 Kenai Spur Highway
5887 Kenai Spur Highway
4005 Togiak Street

LEGAL DESCRIPTIONS: Lot 4 and Lot 7, Block 2, Valhalla Heights
Subdivision Part 2
Lot 5A-1, Block 2, Valhalla Heights Subdivision
Wisniewski Second Addition

KPB PARCEL NUMBERS: 04923016, 04923019, and 04923036

WHEREAS, the City of Kenai received a preliminary plat from FineLine Surveys, on behalf of the property owners, Amanda and Grant Wisniewski for a replat of Lot 4 and Lot 7, Block 2, Valhalla Heights Subdivision Part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition; 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 lot will have access from Togiak Street (a paved and City-maintained road); 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 for replat, subject to the listed conditions, provides utilities/access easements as denoted in plat notes 2 and 3, provides a satisfactory and desirable building site, and the on-site water and wastewater systems are subject to the regulatory requirements of the City of Kenai 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 Rural Residential (RR) and Limited Commercial (LC) zoning districts.
3. 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 2024 Addition for a replat of Lot 4 and Lot 7, Block 2, Valhalla Heights Subdivision Part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition be approved.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 25TH DAY OF SEPTEMBER, 2024.



JOE HALSTEAD, CHAIRPERSON

ATTEST:



Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Brandon McElrea, Acting Planning Director
DATE: September 12, 2024
SUBJECT: Resolution No. PZ2024-21 – Preliminary Plat – Valhalla Heights 2024 Addn.

Request The applicant is proposing a preliminary plat to replat Lots 4 & 7, Block 2 Valhalla Heights Subdivision Part 2, and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addn.

Staff Recommendation Adopt Resolution No. PZ2024-21 recommending approval of Preliminary Plat – Valhalla Heights 2024 Addition for the parcel merger of Lots 4 and 7, Block 2, Valhalla Heights Subdivision part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Addition.

Applicant: FineLine Surveys
Attn: Dmitri Kimbrell
P.O. Box 774
Anchor Point, AK 99556

Property Owner: Amanda & Grant Wisniewski

Legal Descriptions: Lot 4 and Lot 7, Block 2, Valhalla Heights Subdivision Part 2
Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addn.

Property Addresses: 5839 Kenai Spur Highway
5887 Kenai Spur Highway
4005 Togiak Street

KPB Parcel Nos.: 04923016, 04923019, and 04923036

Zoning District: Limited Commercial (LC) and Rural Residential (RR)

Land Use Plan: Mixed Use (MU)

Surrounding Uses: South-Residential & Commercial, East-Kenai Spur Highway, West-Vacant Residential, North-Vacant Commercial

SUMMARY

The City received a preliminary plat from FineLine Surveys on behalf of the property owners for a replat of Lots 4 and 7, Block 2, Valhalla Heights Subdivision Part 2, and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition to merge the three (3) parcels into one (1) parcel, in order to facilitate the expansion of Peninsula Memorial Chapel. The combined parcel area will be approximately 2.194 acres. Lots 4 and 7 are vacant and Peninsula Memorial Chapel resides on lot 5A-1.

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 parcel merger meets the preliminary plat requirements and development requirements for the Limited Commercial (LC) and Rural Residential (RR) zoning districts. The merged parcel will have access via Togiak Street, which is a City maintained road. City sewer and water are available and are installed on lot 5A-1. The Public Works Director, Fire Marshal, and Building Official have reviewed the preliminary plat and have no comments.

Staff finds that the 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 for replat, subject to the listed conditions, provides utilities/access easements as denoted in plat notes 2 and 3, provides a satisfactory and desirable building site, and the accessible water and wastewater systems are subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot sizes in the subject zoning districts.
3. 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 2024 Addition to replat Lots 4 and 7, Block 2, Valhalla Heights Subdivision part 2 and Lot 5A-1, Block 2, Valhalla Heights Subdivision Wisniewski Second Addition meets the general standards for Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2024-21 to the Kenai Peninsula Borough.

ATTACHMENTS

- Aerial Maps
- Application
- Preliminary Plat, Valhalla Heights 2024 Addition

Aerial Map



Limited Commercial

Rural Residential

Suburban Residential





Preliminary Plat
Submittal Form

RECEIVED
CITY OF KENAI
AUG 26 2024
Planning & Zoning

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

By: *(Signature)*

APPLICANT (SURVEYOR)

Name:	FINELINE SURVEYS						
Mailing Address:	PO BOX 774	City:	ANCHOR POINT	State:	AK	Zip Code:	99556
Phone Number(s):	907 360 6382						
Email:	FLCCDMITRI@AK.NET						

PROPERTY OWNER

Name:	AMANDA & GRANT WISNIEWSKI						
Mailing Address:	5839 KENAI SPUR HWY	City:	KENAI	State:	AK	Zip Code:	99611
Phone Number(s):							
Email:							

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04923036, 04923016, 04923019		
Current City Zoning:			
Use:	<input type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial
	<input type="checkbox"/> Other:		
Water:	<input type="checkbox"/> On Site	<input type="checkbox"/> City	<input checked="" type="checkbox"/> Community
Sewer:	<input type="checkbox"/> On Site	<input type="checkbox"/> City	<input checked="" type="checkbox"/> Community

PLAT INFORMATION

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

Exceptions Required and Requested:

--

Comments:

--

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:	<i>(Signature)</i>	Date:	8/20/24
Print Name:	DMITRI KIMBRELL	Title/Business:	PRES/ FINELINE SURVEYS

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

Fineline Surveys
PO Box 774
Anchor Point, AK 99556
Attention: Dmitri Kimbrell

File Number: 24554
Premium: \$300.00
Tax: \$23.55

Gentlemen:

This is a certificate as of August 02, 2024 at 8:00 A.M. for a plat out of the following property:

PARCEL 1:

Lots Four (4) and Seven (7), Block Two (2), VALHALLA HEIGHTS SUBDIVISION PART 2, according to Plat No. K-1634, Kenai Recording District, Third Judicial District, State of Alaska.

PARCEL 2:

Lot Five "A" One (5A-1), Block Two (2), VALHALLA HEIGHTS SUBDIVISION, WISNIEWSKI ADDITION , according to Plat No. 2016-67, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Grant Wisniewski and Amanda Wisniewski, husband and wife
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH / CITY OF KENAI
3. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
4. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: November 17, 1968
Volume/Page: 52/113
(Lot 4)

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

5. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: November 17, 1968
Volume/Page: 52/117
(Lot 7)

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

6. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: July 17, 1968
Volume/Page: 52/114
(Lot 5A-1)

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

7. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: July 17, 1968
Volume/Page: 52/115
(Lot 5A-1)

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. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:
Recorded: August 8, 1972
Volume/Page: 67/198
(Lot 5A-1)

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

9. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:
Recorded: July 11, 1969
Volume/Page: 35/187
Granted To: Homer Electric Association, Inc.
Affects: General Easement, no definite location disclosed

10. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:
Lessor: Basil S. Bolstridge and Elizabeth W. Bolstridge
Lessee: Union Oil Company of California
Recorded: May 23, 1973
Volume/Page: 71/459

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

11. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:
Lessor: Basil S. Bolstridge and Elizabeth W. Bolstridge
Lessee: Chevron USA Inc.
Recorded: April 21, 1980
Volume/Page: 155/531

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

12. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. K-1634.
13. **EFFECT** of the notes on said Plat No. K-1634.
14. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2016-67.
15. **EFFECT** of the notes on said Plat No. 2016-67.
16. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded:	November 21, 2016
Serial No.:	2016-010321-0
Granted To:	Homer Electric Association, Inc.
Affects:	Portion of Lot 5A-1
17. **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:	\$1,550,000.00
Dated:	December 30, 2022
Recorded:	January 4, 2023
Serial No.:	2023-000023-0
Trustor:	Grant Wisniewski and Amanda Wisniewski, husband and wife
Trustee:	Stewart Title of the Kenai Peninsula, Inc.
Beneficiary:	Terri R. Wisniewski

THE AMOUNT NOW SECURED by said Deed of Trust and the terms upon which the same can be discharged or assumed should be ascertained from the holder of the indebtedness secured.

Stewart Title of the Kenai Peninsula, Inc.

By



Christopher Hough
Authorized Signator

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

NOTES:

- NO ACCESS TO STATE MAINTAINED RIGHTS OF WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPT. OF TRANSPORTATION.
- THE FRONT 10 FEET OF ADJOINING RIGHTS-OF-WAY, AND 20' WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
- PROPERTY SUBJECT TO RESERVATION OF AN EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES AS DISCLOSED BY THE FOLLOWING PUBLIC LAND ORDERS:
(P.L.O. 601 8/10/1949 AND AMENDED BY P.L.O. 757 8/10/1959)
(P.L.O. 1613 4/7/1958)
(DEPT. OF THE INTERIOR ORDER #2665 10/16/1951,
AMENDMENT NO 1 THERETO 7/17/1952 & AMENDMENT NO 2 THERETO 9/15/1956)
- HOMER ELECTRIC ASSOCIATION, INC. HAS BEEN GRANTED EASEMENTS (BK. 35, PG. 187 7/11/1969 K.R.D.), & (SERIAL #2016-010321-0 11/21.2016) FOR ELECTRIC LINES AND SYSTEM, WITH THE RIGHT TO ENTER, MAINTAIN, OR REPAIR AND CLEAR SHRUBBERY. NO DEFINITE LOCATION DISCLOSED.
- THE BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
- POSSIBLE LIMITATIONS ON FURTHER SUBDIVISION BASED ON ACCESS ISSUES, DEVELOPEMENT TRENDS IN THE AREA, OR TOPOGRAPHY.
- ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.

CERTIFICATE OF OWNERSHIP:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS SUBDIVISION PLAN AND BY OUR FREE CONSENT GRANT ALL EASEMENTS TO USE SHOWN.

GRANT WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

AMANDA WISNIEWSKI
5839 KENAI SPUR HWY
KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT:

FOR: GRANT WISNIEWSKI & AMANDA WISNIEWSKI

ACKNOWLEDGED BEFORE ME THIS _____ 20 _____ DAY OF _____

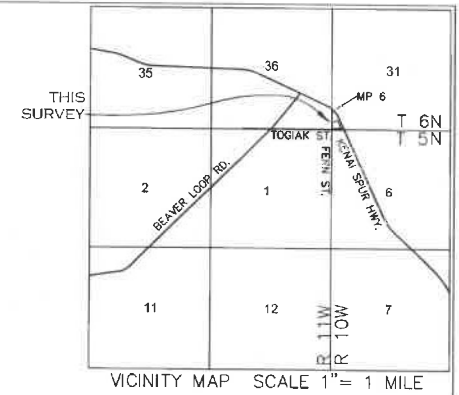
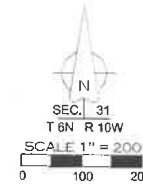
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

WASTEWATER DISPOSAL:

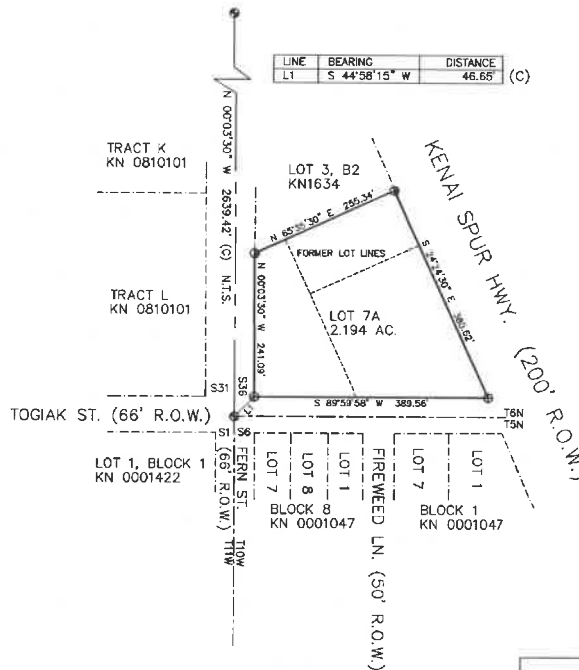
THE PARENT SUBDIVISION FOR LOTS RESULTING FROM THIS PLATTING ACTION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION ON 10/16/1974. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND:

- ⊕ GLO BRASS CAP MONUMENT 1/4 CORNER SECS 31 & 66
- ⊕ 1/2" REBAR WITH 1" ALCAP 1968 610-S
- ⊕ 1/2" REBAR 1968 610-S
- (R) RECORD BEARINGS AND DISTANCES PER (KN 1634)
- (C) COMPUTED



LINE	BEARING	DISTANCE	(C)
L1	S 44°58'15" W	46.65'	



PLAT APPROVAL:

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING DATED: / /

KENAI PENINSULA BOROUGH

BY: _____

AUTHORIZED OFFICIAL: _____

SURVEYORS CERTIFICATE:

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THE PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

VALHALLA HEIGHTS 2024 ADDN,

K.P.B. FILE # 2024-

A VACATION OF LOT LINES BETWEEN LOTS 4 & 7 VALHALLA HEIGHTS SUBD PART 2 (KN-1634) AND LOT 5-A1 VALHALLA HEIGHTS SUBD WISNIEWSKI SECOND ADDN (KN2016-0067), SW 1/4 OF SW 1/4 SECTION 31, TOWNSHIP 6 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, ALASKA. KENAI RECORDING DISTRICT.

containing 2.194 acres

OWNERS: GRANT WISNIEWSKI & AMANDA WISNIEWSKI
5839 KENAI SPUR HWY, KENAI, AK 99611

FINELINE SURVEYS

P.O. Box 774
Anchor Point, Alaska 99556

Dmitri D. Kimbrell, RLS (907) 360 6382

SCALE: 1"=200' DATE: 8/6/2024



SENT VIA ELECTRONIC MAIL

September 26, 2024

Fineline Surveys
PO Box 774
Anchor Point, AK 99556
FLCCDMITRI@AK.NET

RE: Notice of Recommendation - Resolution PZ2024-21 – Preliminary Plat – Valhalla Heights 2024 Addition

Dear Fineline Surveys:

On Wednesday, September 25, 2024, the City of Kenai Planning and Zoning Commission recommended approval of Resolution PZ2024-21 for Preliminary Plat Valhalla Heights 2024 Addition. 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 planning@kenai.city.

Sincerely,

Beth McDonald
Planning Administration

Enclosure

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