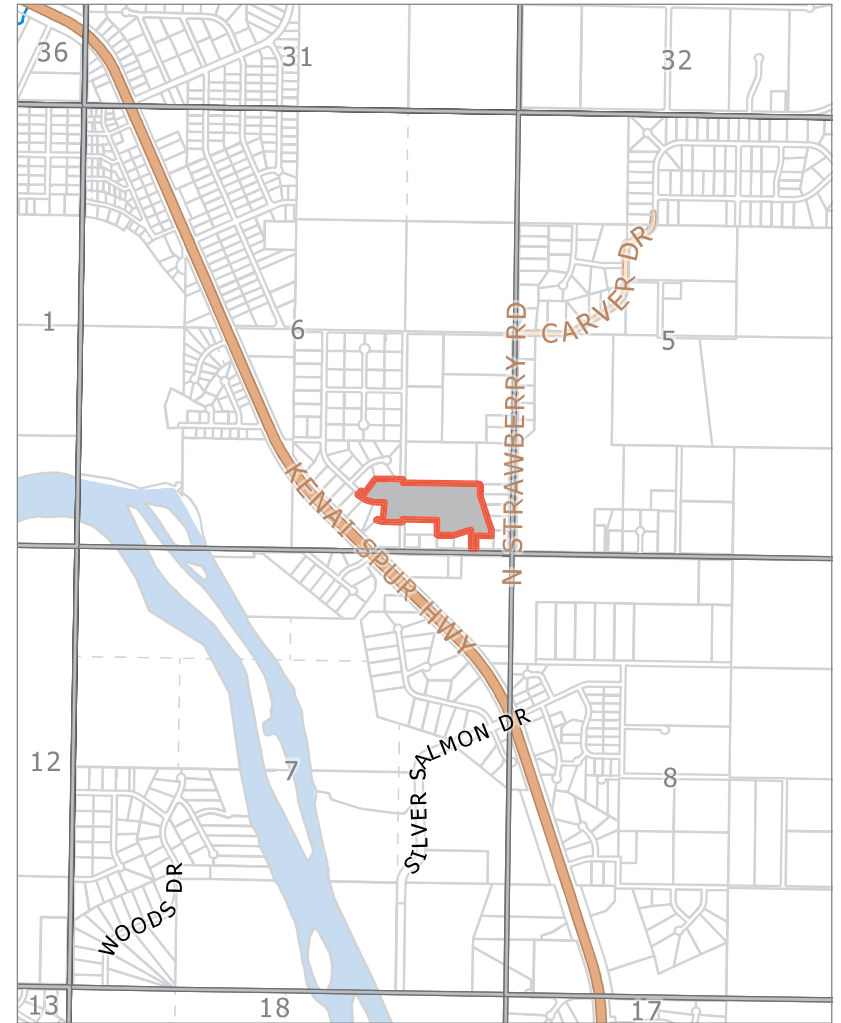
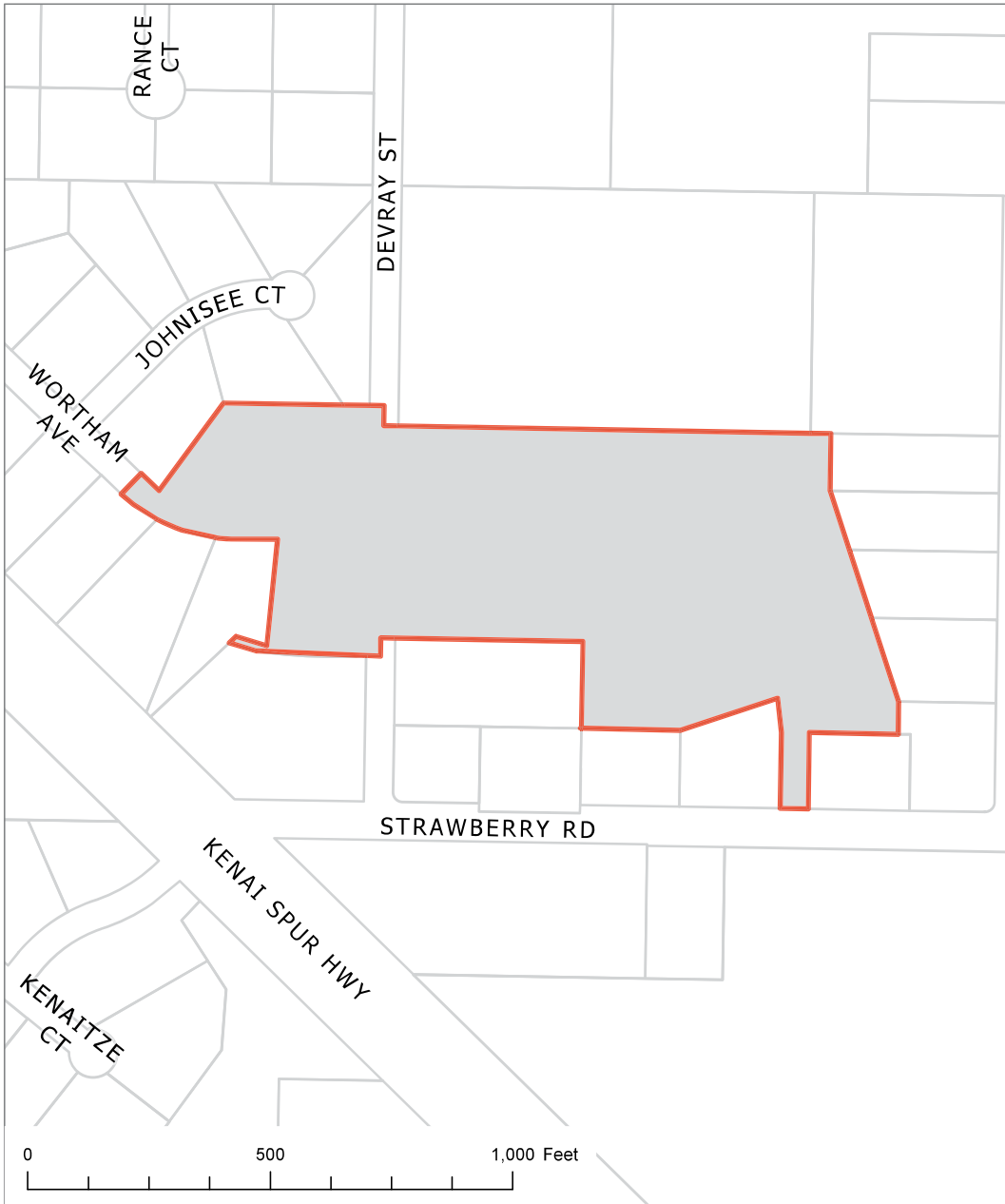


## **E. NEW BUSINESS**

- 11. Strawberry Hill Estates 2023 Addition; KPB File 2024-016  
McLane Consulting Group / Bunts  
Location: Wortham Avenue & Devray Street  
City of Kenai**



KPB File 2024-016  
 T 05N R 10W SEC 06  
 Kenai

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





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



**CERTIFICATE OF ACCEPTANCE**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAN INCLUDING EASEMENTS, RIGHTS-OF-WAY (WORTHAM AVE., STRAWBERRY RD), ALLEYS AND OTHER PUBLIC AREAS SHOWN ON THIS PLAN. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
CITY MANAGER, CITY OF KENAI

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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 ALLEASMENTS TO THE USE SHOWN.

DAVID BUNTS  
PO BOX 226, STERLING, AK 99672

TRACEY BUNTS  
PO BOX 226, STERLING, AK 99672

**NOTARY'S ACKNOWLEDGEMENT**

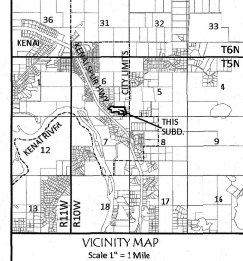
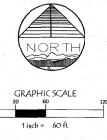
FOR: DAVID & TRACEY BUNTS  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023  
MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC FOR THE STATE OF ALASKA

**WASTEWATER DISPOSAL**

SOIL CONDITIONS, WATER TABLE LEVELS AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

KODY R. McLANE CE. 13510 AK DATE \_\_\_\_\_



- LEGEND**
- FOUND PRIMARY MONUMENT AS DESCRIBED
  - FOUND 1/2" REBAR
  - SET 5/8"x30" REBAR w/ 1" STAINLESS 5' EEL CAP 85032-S
  - CONTOUR INTERVAL = 4'
- NOTES**
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AC 72 AND 18 AC 80
  2. THE FRONT 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAYS ALSO A UTILITY EASEMENT HEREBY GRANTED.
  3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF UTILITY TO USE THE EASEMENT.
  4. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
  5. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
  6. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC UTILITIES.
  7. THIS PARCEL MAY BE AFFECTED BY AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION ON LINE S, 2588 IN MICR. BOOK 31, PAGE 124, KRD, LOCATION NOT DEFINED.

CURVE #	BETA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	938.11	330.07	55.90	27.82	N 80° 10' 08" W	55.44
C2	4728.46	330.07	256.42	131.59	N 60° 14' 50" W	244.66
C3	10797.90	210.07	502.11	252.38	S 51° 50' 07" E	501.48
C4	12704.50	330.07	780.27	393.51	N 07° 01' 38" W	777.17
C5	32749.29	210.07	151.68	79.55	N 77° 34' 30" W	152.57
C6	12754.54	330.07	111.09	90.67	N 82° 20' 40" W	103.53
C7	5177.27	330.07	104.77	152.20	N 40° 00' 38" W	30.46
C8	8355.55	210.07	345.2	172.29	N 64° 06' 54" W	341.46
C9	22723.47	210.07	111.95	58.17	N 47° 37' 20" W	112.79
C10	15111.01	430.07	73.5	3.88	N 2° 55' 08" W	7.65
C11	27251.20	430.07	205.80	104.93	N 13° 41' 53" W	203.84
C12	16711.97	310.07	105.65	53.19	S 2° 14' 54" E	105.29
C13	36597.09	110.07	10.74	56.85	S 45° 59' 17" E	107.84
C14	24542.22	210.07	111.80	58.80	S 2° 42' 02" E	114.93
C15	9038.50	210.07	32.77	20.05	S 47° 56' 20" W	28.12
C16	8751.07	210.07	31.36	20.05	N 41° 03' 40" W	28.12
C17	9038.50	210.07	31.47	20.05	N 44° 56' 20" E	28.12
C18	8751.06	210.07	31.36	19.99	S 45° 03' 40" E	28.15



**Plat #**  
Revised: \_\_\_\_\_  
Date: \_\_\_\_\_  
Time: \_\_\_\_\_

**STRAWBERRY HILL ESTATES 2023 ADDITION**  
SUBDIVISION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER (S1/2 SE 1/4) LYING EAST OF THE KENAI SPUR HIGHWAY, SECTION 6, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA EXCEPTING PLAT NO. 72-6, 83-284, 75-24, 8-87, 72-63, 89-5, 14-111, WARRANTY EED BOOK 29, PAGE 334 KENAI RECORDING DISTRICT AND ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF ANY AND ALL PUBLIC OR PRIVATE ROADS AND HIGHWAYS.

DAVID BUNTS TRACY BUNTS  
PO BOX 226 PO BOX 226  
STERLING, AK 99672 STERLING, AK 99672

16.4664 AC. N/2 SITUATED IN THE SE1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN AK, THE CITY OF KENAI, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT.

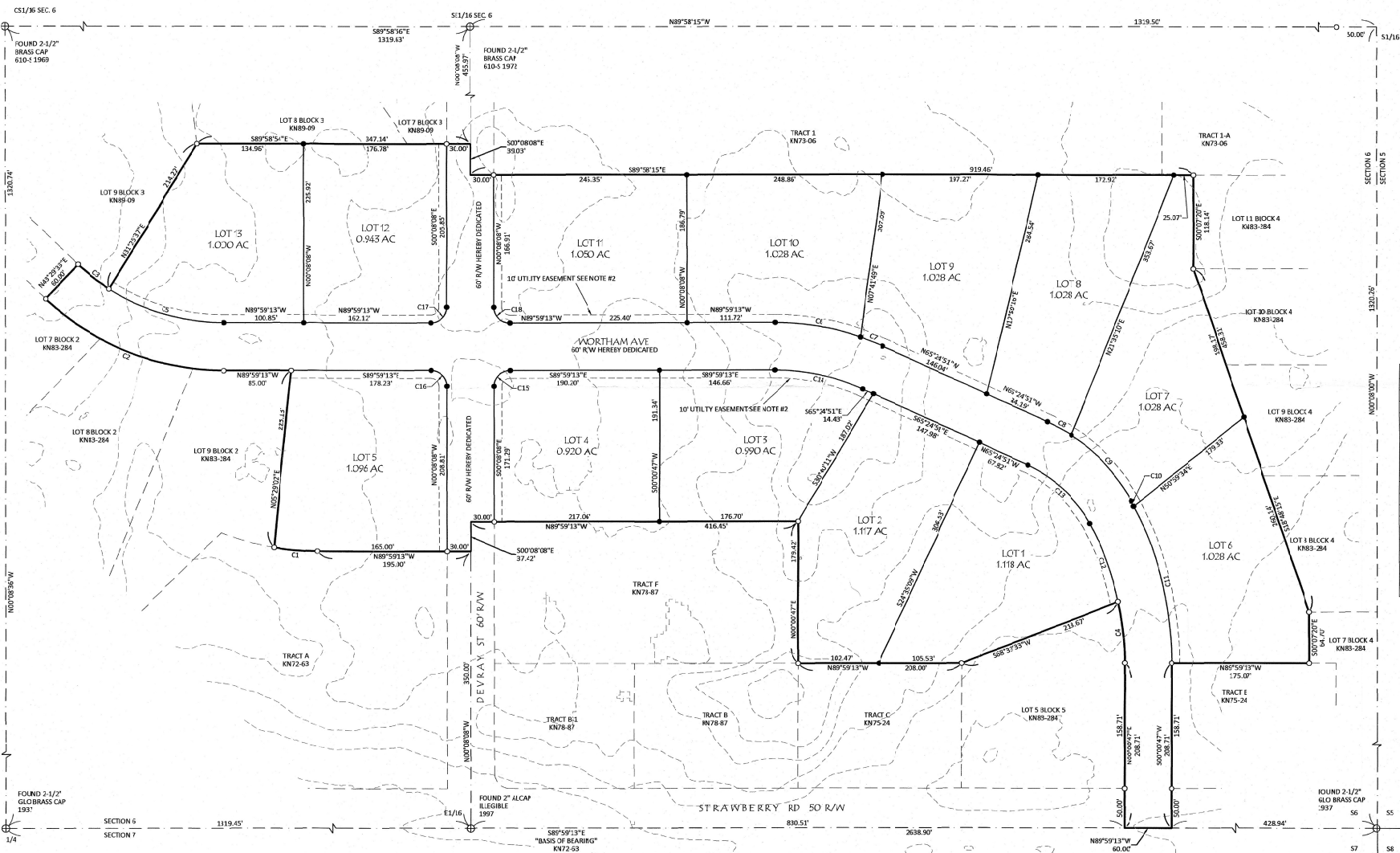
**PLAT APPROVAL**  
THIS PLAT HAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_, 2023.

**ENGINEERING, TESTING SURVEYING & MAPPING**  
KODY R. McLANE  
P.E. 824 489  
JAMES A. HALL  
VOICE (807) 983-4615  
FAX (807) 253-5265  
WWW.MCLANE2.COM

TRACY BUNTS  
PC BOX 226  
STERLING, AK 99672

KPS File No. 2023-xxx  
Project No. 222002

Scale: 1" = 60' Date: JAN 2023 Book No.: 22-04 Drawn by: JAH



**KPB 2024-016**



AGENDA ITEM E. NEW BUSINESS

**ITEM #11 - PRELIMINARY PLAT  
STRAWBERRY HILL ESTATES 2023 ADDITION**

<b>KPB File No.</b>	2024-016
<b>Plat Committee Meeting:</b>	February 26, 2024
<b>Applicant / Owner:</b>	David and Tracey Bunts of Sterling
<b>Surveyor:</b>	James Hall / McLane Consulting Inc
<b>General Location:</b>	Strawberry Rd & Kenai Spur Highway

<b>Parent Parcel No.:</b>	049-510-27
<b>Legal Description:</b>	T 5N R 10W SEC 6 SEWARD MERIDIAN KN THAT PORTION OF THE S1/2 SE1/4 LYING NORTHEAST OF THE KENAI SPUR HWY EXCLUDING DAVIDSON HOMESTEAD TRACTS A & B-1 & C & E & F & HORNADAY PROPERTY SURVEY & STRAWBERRY HILL ESTATES SUB & MYERS/ STRAWBERRY RD ROW MAP & STRAWBERRY HILL ESTATES SUB JOHNISEE ADDN & THAT PORTION AS PER WD 79 @ 314
<b>Assessing Use:</b>	Vacant
<b>Zoning:</b>	Rural Unrestricted
<b>Water / Wastewater</b>	Onsite
<b>Exception Request</b>	None

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will subdivide a 16.466 acres parcel in 13 lots and two dedications

**Location and Legal Access (existing and proposed):**

Legal access to the plat is from Strawberry Rd from Kenai Spur Highway at mile post 4.75. From Strawberry Rd you enter the subdivision on Wortham Ave which all the lots will have access from.

The plat is affected by a section line easement along the bottom of the plat in the right-of-way dedication and should be noted.

Block length is compliant with the dedication of Devray St within the subdivision.

KPB Roads Dept. comments	Out of Jurisdiction: Yes  Roads Director: Griebel, Scott Comments: Within City of Kenai. No RSA comments
SOA DOT comments	While not part of this subdivision, we're not sure the ROW for Strawberry Road is a consistent 50' as shown. Tract B may still have a 33' SLE ROW along the southern boundary, however we did not perform an extensive search to confirm.

**Site Investigation:**

There are no structures located within the plat.

There appears to be a structure close to the property line on Tract C on the south line of the plat. Verification of any encroachments should be made and noted with resolution to staff if found when field work is being done.

No wetlands are apparent and the plat is not identified in a flood hazard zone. The City of Kenai should be consulted to see if there are any flood notes to be added on the plat notes.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: Comments:</p>
State of Alaska Fish and Game	

**Staff Analysis**

The plat is last unsubdivided large area north of the Kenai Spur Highway in the S1/2 SE1/4 Section 6 Township 5 North Range 10 West SM Alaska to be developed.

A soils report will be required and an engineer will sign the final plat.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The Planning and Zoning Commission of the City of Kenai recommended approval of the plat Strawberry Hill Estates 2023 Addition with the passing of Resolution PZ2023-16 at the regular meeting of August 18, 2023. Staff was notified by the City of Kenai Planning Director that an installation agreement would be required. Kenai City Council approved Resolution 2023-55 at their regular meeting of October 24, 2023.

**Utility Easements**

No utility easements appear in the certificate to plat.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. A replies ere of no comment. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

**Utility provider review:**

HEA	No comment
ENSTAR	No comment
ACS	
GCI	No comment
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

**KPB department / agency review:**



Addressing	<p>Reviewer: Leavitt, Rhealyn  Affected Addresses:  801 DEVRAY ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:  DEVRAY ST, WORTHAM AVE, STRAWBERRY RD</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments:  CITY OF KENAI WILL ADVISE ON 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.</p> <p>Material Site Comments:  There are not any material site issues with this proposed plat.  Review Not Required</p>
Assessing	<p>Reviewer: Windsor, Heather  Comments: No comment</p>
Advisory Planning Commission	

**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

- KPB File no is 2024-016

**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.*

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;  
**Staff recommendation:**  
Label Strawberry Rd on vicinity map
- 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:**

Need to indicate Strawberry Rd portion of dedication on the drawing.

---

**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.

20.60.180. Plat notes.

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

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

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

- in place of a setback note “Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements.”

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** comply with 20.60.190.

- Add the dedication of Devray Street to the Certificate of Acceptance
- Add the date of February 26 to the Plat Approval

20.60.200. Survey and monumentation.

**Staff recommendation:** comply with 20.60.200

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**RECOMMENDATION**

**STAFF RECOMMENDS:**

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



- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

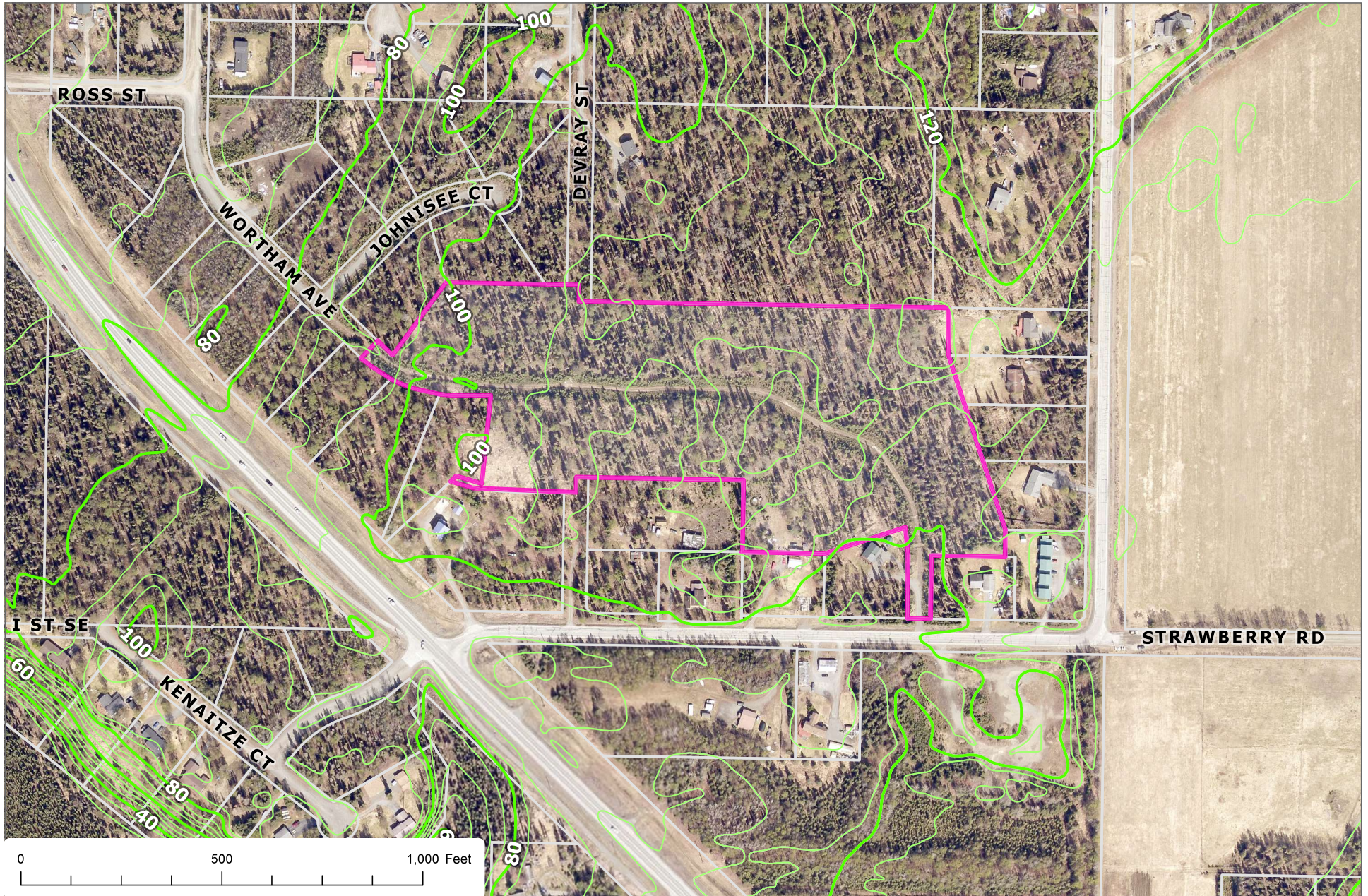
END OF STAFF REPORT





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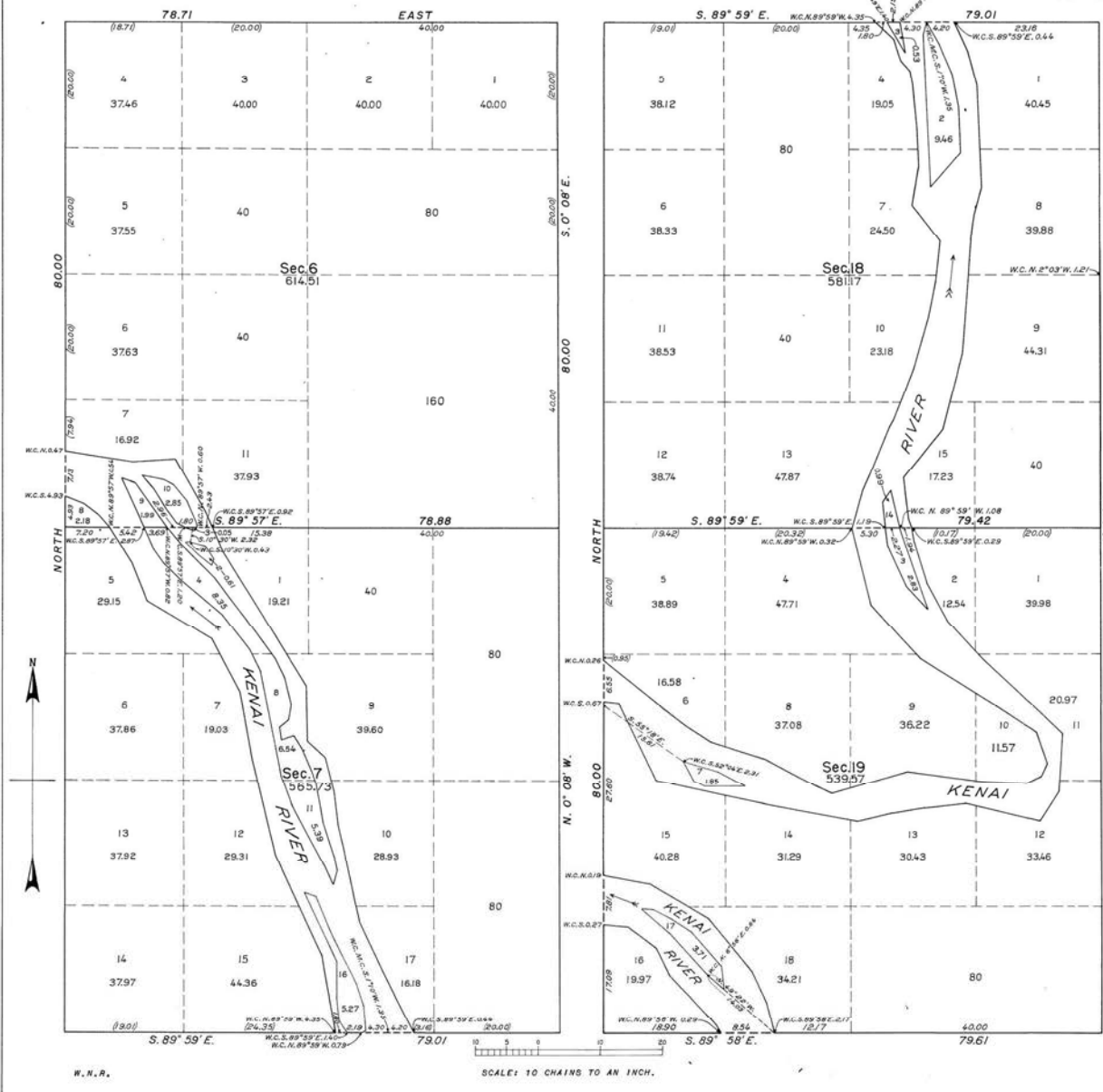


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



TOWNSHIP NO.5 NORTH, RANGE NO.10 WEST OF THE SEWARD MERIDIAN, ALASKA.

IN TWO SHEETS - SHEET 2



OFFICE OF THE SUPERVISOR OF SURVEYS,  
DENVER, COLORADO, JUNE 16, 1943.

THIS PLAT OF SECTIONS 6, 7, 18, AND 19,  
TOWNSHIP NO. 5 NORTH, RANGE NO. 10 WEST OF  
THE SEWARD MERIDIAN, ALASKA, IS STRICTLY  
CONFORMABLE TO THE FIELD NOTES OF THE SURVEY  
THEREOF, WHICH HAVE BEEN EXAMINED AND  
APPROVED.

*Russell J. Allen*  
ACTING ASSISTANT  
SUPERVISOR OF SURVEYS.

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE  
WASHINGTON, D.C., JUNE 24, 1943.

THE SURVEY REPRESENTED BY THIS PLAT,  
HAVING BEEN CORRECTLY EXECUTED IN ACCORDANCE  
WITH THE REQUIREMENTS OF LAW AND THE  
REGULATIONS OF THIS OFFICE, IS HEREBY AC-  
CEPTED.

*Carl Ward Wolfson*  
ASSISTANT COMMISSIONER.

**From:** [Planning Department](#)  
**To:** [Carpenter, Beverly](#)  
**Subject:** <EXTERNAL-SENDER>RE: PLAT REVIEW FOR February 26, 2024 MEETING: City of Kenai, Kenai EMS  
**Date:** Wednesday, February 14, 2024 4:38:39 PM  
**Attachments:** [image001.png](#)  
[AA Preliminary Plat Add Condition to PZ2023-15 Memo.pdf](#)  
[AA-Strawberry Hill Estates Attachments.pdf](#)  
[2023-10-25 Planning & Zoning Minutes.pdf](#)

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Beverly,

My apologies for the late comments but I do have additional information to provide for the Strawberry Hill Estates 2023 Addition. Kenai Planning and Zoning Commission added a condition to the subject preliminary plat, to **require an installation agreement**. Attached are the associated documents on the added conditions.

Please let me know if you need anything else.

Thank you,

**Linda Mitchell**  
Planning Director

**City of Kenai** | 210 Fidalgo Avenue | Kenai, AK 99611  
O: (907) 283-8235 | C: (907) 252-2476 | [lmitchell@kenai.city](mailto:lmitchell@kenai.city)



---

**From:** Carpenter, Beverly <BCarpenter@kpb.us>  
**Sent:** Thursday, February 8, 2024 8:46 AM  
**To:** Planning Department <planning@kenai.city>  
**Subject:** PLAT REVIEW FOR February 26, 2024 MEETING: City of Kenai, Kenai EMS

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

Hello,

Attached are the plats to be reviewed for the **February 26, 2024** meeting.

- City Park Subdivision 2023 Replat KPB 2023-145
- 5 D Subdivision KPB 2024-012
- Strawberry Hill Estates 2023 Addition KPB 2024-016



Please provide comments by **February 14, 2024** to ensure the comments will be included in a preliminary plat staff report.

Preliminary plat comments will be accepted until 1:00p.m. Friday before the Plat Committee's meeting.

Kind regards,

*Beverly Carpenter*

Platting Technician  
Planning Department  
Ph: (907) 714-2200

KENAI PENINSULA BOROUGH  
144 North Binkley Street  
Soldotna, Alaska 99669



## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Linda Mitchell, Planning Director  
**DATE:** October 24, 2023  
**SUBJECT:** **Action/Approval – Add a Condition to the Preliminary Plat – Strawberry Hill Estates 2023 Addition (Resolution PZ2023-15)**

---

The Planning and Zoning Commission recommended approval of the Preliminary Plat – Strawberry Hill Estates 2023 Addition on August 23, 2023 subject to the following conditions.

1. Recommend Kenai City Council to deny the requested exceptions to exceed the maximum block length of 1,400 linear feet and waive the rights-of-way dedication of Devray Street.
2. Recommend Kenai City Council to approve the exceptions from connecting to City water and sewer systems.
3. Revised Note 4 on the Preliminary Plat to "DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS".

On September 6, 2023, City Council unanimously adopted Resolution No. 2023-55 to deny and grant certain exceptions listed in KMC Chapter 14.10 *Subdivision Regulations*. Subsequently, the developer and city staff met to discuss the required improvements for the proposed preliminary plat and collectively agreed that an installation agreement is required. There are no proposed changes to the preliminary plat. The number of lots and overall site layout as shown on the preliminary plat remains the same.

### STAFF RECOMMENDATION

---

Staff hereby recommends approval to add a condition to Resolution PZ2023-15 to require an installation agreement for Preliminary Plat – Strawberry Hill Estates 2023 Addition. This action will be forward to Kenai Peninsula Borough Planning Department for the review of the preliminary plat.

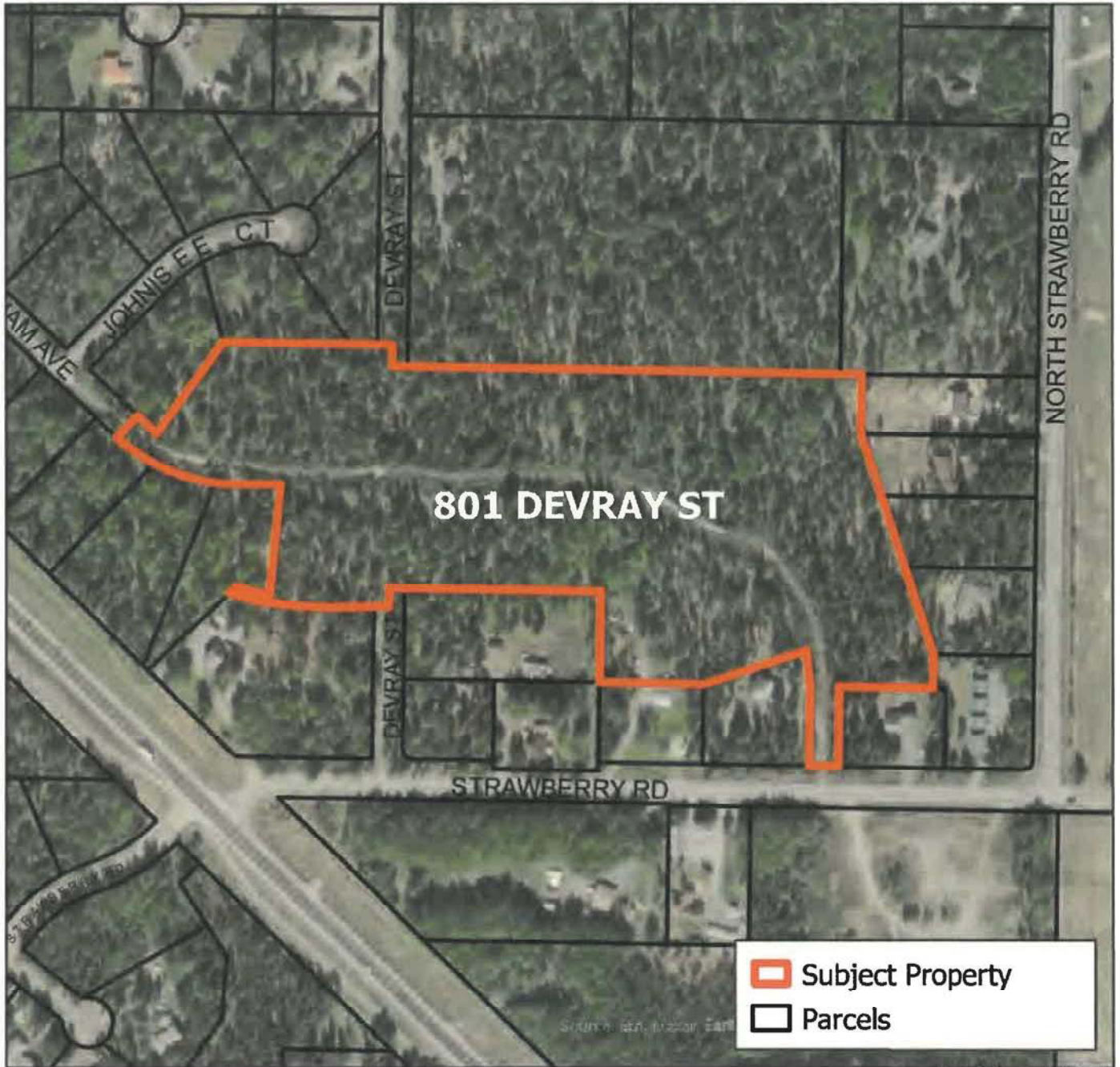
### ATTACHMENTS

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- A. Aerial Map
- B. Resolution PZ2023-15
- C. Resolution No. 2023-55



PRELIMINARY PLAT  
Resolution No. PZ2023-15  
801 Devray Street  
KPB Parcel ID: 04951027



Date Printed: 8/18/2023

Map for Reference Only  
NOT A LEGAL DOCUMENT



0 165 330 660 Feet





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2023-15**

**A RESOLUTION RECOMMENDING THAT STRAWBERRY HILL ESTATES 2023 ADDITION PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.**

**PROPERTY ADDRESS:** 801 Devray Street

**LEGAL DESCRIPTION:** That certain parcel of land located in the South ½ of the Southeast ¼ lying East of the Kenai Spur Highway, in Section 6, Township 5 North, Range 10 West, Seward Meridian, Excepting Therefrom: Plat Nos. 73-6, 83-284, 75-24, 78-87, 72-63, 89-9, 84-111, and Corrected Warranty Deed (Book 79 at Page 314) in the records of the Kenai Recording District, Third Judicial District, State of Alaska. Further excepting therefrom, any portion within the rights-of-way of any and all public or private roads and highways.

**KPB PARCEL NUMBER:** 04951027

WHEREAS, the City of Kenai received the plat from McLane Consulting, Inc. on behalf of the property owners, David Bunts and Tracey Bunts for the subdivision of the subject parcel into 13 lots with two (2) requested exceptions to the adjoining street systems and block length standards; and,

WHEREAS, the plat generally meets Kenai Municipal Code (KMC) preliminary plat requirements and development requirements for the Rural Residential (RR) zoning district; and

WHEREAS, the street names are referenced correctly; and,

WHEREAS, the subdivided lots will have access via Wortham Avenue and Devray Street, which are not City-maintained roads; and

WHEREAS, City water and sewer systems are not available to the proposed subdivision; 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 plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed subdivision would provide satisfactory and desirable building site, and on-site water system and wastewater treatment/disposal system will be subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.10.070 *Subdivision design standards*, the plat does not meet the dedicated right-of-way for the continuation of the existing streets in adjoining areas and maximum block length of 1,400 linear feet. The request for the exception could potentially remove traffic congestion in exchange for convenient and additional access to surrounding subdivisions. The requested exception does not demonstrate a substantial hardship or injustice.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the proposed parcel meet City standards for minimum lot sizes in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the proposed parcel meet City standards for minimum lot width and utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

**Section 1.** That the preliminary plat of Strawberry Hill Estates 2023 Addition for the subdivision of the parcel located at 801 Devray Street (KPB Parcel No. 04951027) into 13 lots be approved, subject to the follow conditions:

1. Recommend Kenai City Council to deny the requested exceptions to exceed the maximum block length of 1,400 linear feet and waive the rights-of-way dedication of Devray Street.
2. Recommend Kenai City Council to approve the exceptions from connecting to City water and sewer systems.
3. Revised Note 4 on the Preliminary Plat to "DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS".
4. Recommend Kenai City Council to approve the exception from the road improvement construction of Devray Street and requiring the subdivider include a covenant on the recorded plat that if an improvement district is formed, the real property involved will be a part of the improvement district without further action by the then owner of the property in question.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 23<sup>RD</sup> DAY OF AUGUST, 2023.

  
\_\_\_\_\_  
Jeff Twait, Chairperson

ATTEST:

  
\_\_\_\_\_  
Meghan Thibodeau, Deputy City Clerk

**CERTIFICATE OF ACCEPTANCE**

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

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
CITY MANAGER, CITY OF KENAI

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.

DAVID BUNTS  
PO BOX 226, STERLING, AK 99672  
  
TRACY BUNTS  
PO BOX 226, STERLING, AK 99672

**NOTARY ACKNOWLEDGEMENT**

BEFORE ME, DAVID C. HODGE, NOTARY PUBLIC, DAVID C. BUNTS AND TRACY BUNTS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023  
MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY PUBLIC FOR THE STATE OF ALASKA

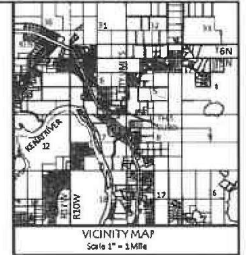
**WASTEWATER DISPOSAL**

SUB-CONDITIONS, WATER TABLE LEVELS, AND SOILS OPENING THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

COO' R. McLANE C.E. 11510 AK DATE \_\_\_\_\_



GRAPHIC SCALE  
1" = 40'



**LEGEND**

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 1/2" REBAR
- SET 5/8"x60" REBAR w/ 1" STAINLESS STEEL CAP KN78-5
- CONTOUR INTERVAL: 4'

**NOTES**

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 28 AAC 80.
2. THE FRONT 20 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT HEREBY GRANTED.
3. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
5. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
6. NO DIRECT ACCESS TO STATE MAINTAINED HIGH-50-OR-HIGHER PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
7. THIS PARCEL MAY BE AFFECTED BY AN ELECTRIC EASEMENT GRANTED TO HONOR A LICENSEE ASSOCIATION ON JUNE 5, 1968 IN MISC. BOOK 11, PAGE 124, KRD, LOCATION NOT DEFINED.

CURVE#	CHORD	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C2	1879.98'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C3	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C4	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C5	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C6	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C7	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C8	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C9	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C10	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C11	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C12	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C13	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C14	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'
C15	1738.11'	50.00'	55.50'	11.82'	N 87° 10' 00" W	51.64'



**Plat #**  
 Name: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

**STRAWBERRY HILL ESTATES 2023 ADDITION**  
 SUBDIVISION OF THE SOUTH HALF OF THE SEQUARTER QUARTER BLU/2 (SE1/4) LYING EAST OF THE KENAI SPUR HIGHWAY, SECTION 6, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, ALASKA, EXCEPTING PLAT NO. 72-61, 63-204, 75-24, 78-57, 72-61, 85-5, 84-111, WARRANTY DEED BOOK 79, PAGE 314 KENAI RECORDING DISTRICT AND ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF ANY AND ALL PUBLIC OR PRIVATE ROADS AND HIGHWAYS.

DAVID BUNTS  
PO BOX 226  
STERLING, AK 99672

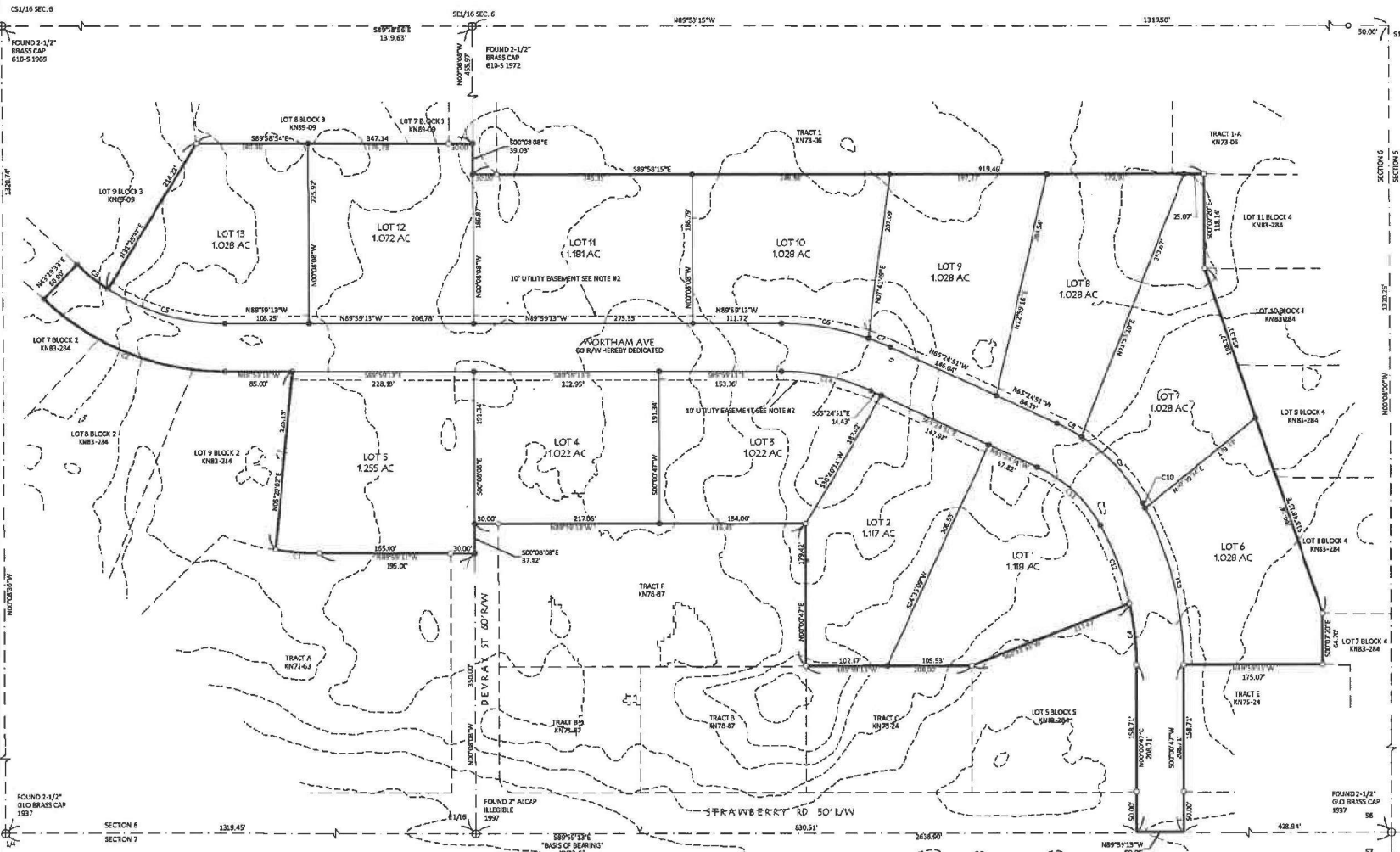
TRACY BUNTS  
PO BOX 226  
STERLING, AK 99672

18.446 AC. M.S. SITUATED IN THE SE1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 10 WEST, SEWARD MERIDIAN, AC. THE CITY OF KENAI, KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT.

**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_, 2023.

ENGINEERING - TESTING - SURVEYING - MAPPING  
 P.C. BOEHLER  
 10000 N. KENAI BLVD. SUITE 100  
 KENAI, AK 99540  
 FAX: 907-884-3818  
 WWW.PCBOEHLER.COM

KPS File No. 2023-000  
 Project No. 222002  
 Scale: 1" = 40'  
 Date: JAN 2023  
 Book No.: 22-04  
 Drawn by: JAH







Sponsored by: Administration

**CITY OF KENAI  
RESOLUTION NO. 2023-55**

A RESOLUTION DENYING THE REQUESTED EXCEPTIONS TO KENAI MUNICIPAL CODE SECTION 14.10.070, SUBDIVISION DESIGN STANDARDS AND GRANTING EXCEPTIONS TO KENAI MUNICIPAL CODE SECTION 14.10.080, MINIMUM IMPROVEMENTS REQUIRED FOR STRAWBERRY HILL ESTATES 2023 ADDITION PRELIMINARY PLAT.

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WHEREAS, Kenai Municipal Code Section (KMC) 14.10.090 *Variations and exceptions* allows for the City Council to vary or modify the minimum subdivision requirements, after a report by the Planning and Zoning Commission so that the subdivider may develop the property in a reasonable manner while at the same time protecting the public welfare and interests of the City, surrounding areas, and general intent and spirit of the development requirements when the tract to be subdivided is of unusual shape or size or is surrounded by such development or unusual conditions that strict application of the improvement requirements would result in real difficulties, substantial hardship, or injustice; and,

WHEREAS, the Planning and Zoning Commission reviewed a preliminary plat for Strawberry Hill Estates 2023 Addition on August 23, 2023, including requested variances and exceptions; and,

WHEREAS, the Planning and Zoning Commission passed Resolution No. PZ2023-15 on August 23, 2023, recommending that the City Council deny the requested exceptions to KMC Subsections 14.10.070(a) and 14.10.080(d)(1) from exceeding the maximum block length of 1,400 linear feet and waive the right-of-way dedication of Devray Street; however, Planning and Zoning Commission recommends that the City Council approve exceptions to KMC Subsections 14.10.080(c), (e), and (f) from the requirements of road improvement construction of Devray Street and connecting to City water and sewer systems; and,

WHEREAS, the Planning and Zoning Commission Resolution PZ2023-15 provided substantial findings to deny the requested exceptions and support the exceptions presented by staff; and,

WHEREAS, denying an exception to the requirements of KMC Subsections 14.10.070(a) and 14.10.080(d)(1) does not result in real difficulties, substantial hardship, or injustice for the subdivider from developing the property in a reasonable manner; and,

WHEREAS, granting an exception to the requirements of KMC Subsections 14.10.080(c), (e), and (f) will allow the subdivider to provide water supply and on-site wastewater systems for the development without connecting to City water and sewer systems since there's no connections within reasonable proximity; furthermore, the subdivider would not have to construct or improve the dedicated right-of-way, Devray Street since Wortham Avenue will provide adequate right-of-way access for the proposed subdivision and will be developed to City's standards for construction; and,

WHEREAS, the Planning and Zoning Commission conditioned its recommendation for exceptions to include a note on the recorded plat that when an improvement district is formed, the real property involved will be part of the improvement district without further action by the then owner of the property in question.

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

**Section 1.** That pursuant to KMC 14.10.090, exceptions to KMC Subsections 14.10.070(a) and 14.10.080(d)(1) from exceeding the maximum block length of 1,400 linear feet and waive the right-of-

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New Text Underlined; [DELETED TEXT BRACKETED]

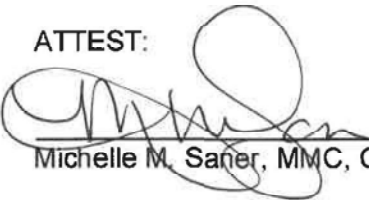
way dedication of Devray Street are denied, however the City grants exceptions to the requirement for City water and sanitary sewer lines to each lot in the subdivision and the construction or improvement of Devray Street based on the findings stated above.

**Section 2.** That Council's action to provide exceptions for the above requests shall be revoked if the subdivision or individual phases of the subdivision are not completed within the allowable Kenai Peninsula Borough preliminary plat time extension process.

**Section 3.** That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2023.

  
\_\_\_\_\_  
Brian Gabriel Sr., Mayor

ATTEST:  
  
\_\_\_\_\_  
Michelle M. Sauer, MMC, City Clerk

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
AUGUST 23, 2023 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on August 23, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Jeff Twait, Chair  
Gary Greenberg  
John Coston

Joe Halstead, Vice Chair  
Jim Glendening  
Gwen Woodard

A quorum was present.

Absent:

Diane Fikes

Also in attendance were:

Linda Mitchell, Planning Director  
James Baisden, City Council Liaison  
Meghan Thibodeau, Deputy City Clerk

**3. Approval of Agenda and Consent Agenda**

Chair Twait noted the following additions to the Packet:

**ACTION**

Add to Item H.1

**ITEM**

**Discussion/Action** - AMCO Adopted Marijuana Regulation Changes  
• Recommendation Memo

**MOTION:**

Commissioner Woodard **MOVED** to approve the agenda and consent agenda with the requested additions. Commissioner Coston **SECONDED** the motion.

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

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

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED**.

\*All items listed with an asterisk (\*) are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a



Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of July 26, 2023

Approved by the consent agenda.

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

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

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2023-16** – Recommending Approval for Preliminary Plat – Strawberry Hill Estates 2023 Addition for a Subdivision of a Parcel Located at 801 Devray Street (KPB Parcel No. 04951027) into 13 Lots and Deny the Requested Exceptions to the Subdivision Design Standards in the Rural Residential (RR) Zoning District.

**MOTION:**

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-16. Commissioner Greenberg **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and it was noted that the applicant is requesting two exceptions to the standards. Zoning and uses of surrounding lots were reviewed; staff recommended approval subject to the following conditions:

1. Recommend Kenai City Council to deny the requested exceptions to exceed the maximum block length of 1,400 linear feet and waive the rights-of-way dedication of Devray Street.
2. Recommend Kenai City Council to approve the exceptions from connecting to City water and sewer systems.
3. Revised Note 4 on the Preliminary Plat to “DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS”.

Chair Twait opened the floor for public comment.

Applicant David Bunts explained the requested exceptions and responded to questions from the Commission.

There being no one else wishing to be heard, the public comment period was closed.

**MOTION TO AMEND:**

Vice Chair Halstead **MOVED** to amend the Resolution by changing the number to PZ2023-15. Commissioner Woodard **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to amend.

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

**MOTION TO AMEND:**

Vice Chair Halstead **MOVED** to amend the Resolution PZ2023-15 by adding the following condition:

4. Recommend Kenai City Council to approve the exception from the road improvement construction of Devray Street and requiring the subdivider include a covenant on the recorded plat that if an improvement district is formed, the real property involved will be a part of the improvement district without further action by the then owner of the property in question.

Commissioner Greenberg **SECONDED** the motion.

**VOTE ON AMENDMENT:**

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

NAY: None

ABSENT: Fikes

**MOTION PASSED WITHOUT OBJECTION.**

**VOTE ON MAIN MOTION AS AMENDED:**

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

NAY: None

ABSENT: Fikes

**MOTION PASSED WITHOUT OBJECTION.**

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. **Discussion/Action** – Alcohol and Marijuana Control Office (AMCO) Adopted Marijuana Regulation Changes

Planning Director Mitchell presented a brief summary of the information provided in the packet.

Ryan Tunseth, owner of East Rip and President of the Alaska Marijuana Industry Association, provided information about the State regulations and responded to questions from the Commission.

**MOTION:**

Commissioner Glendening **MOVED** to recommend that the City Council place a moratorium on allowing marijuana establishments to continue offering exterior walk-up and drive through window pick-up services, and that they refer the issue back to the Planning & Zoning Commission for further consideration. Vice Chair Halstead **SECONDED** the motion.

**VOTE:**

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

NAY: None

ABSENT: Fikes

**MOTION PASSED WITHOUT OBJECTION.**

I. **REPORTS**

1. City Council – Vice Mayor Baisden reported on the actions of the August 16, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – No report.
3. City Administration – Planning Director Mitchell reported on the following:
  - Max Best has been hired as a temporary planner to assist with the waterfront revitalization project rezoning; Mitchell explained next steps on the project including the public process and development of hybrid zoning design standards.
  - New administrative assistant started today; recruitment for 2<sup>nd</sup> part-time assistant is ongoing.
  - A conditional use permit for the Aspen Creek facility development that was previously approved by the Commission has been delayed due to a condition of the permit; the applicant will submit a CUP amendment request to modify a condition to reduce the width of the right-of-way easement.

- There has been an increase in code violation complaints.

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

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: September 13, 2023

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening inquired why a local business was denied a storefront improvement grant.

Vice Chair Halstead noted the good discussions, and thanked the Commission for asking the right questions.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 8:21 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of August 23, 2023.



\_\_\_\_\_  
Meghan Thibodeau  
Deputy City Clerk





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

**August 23, 2023 – 7:00 PM**

**Kenai City Council Chambers**

**210 Fidalgo Avenue, Kenai, Alaska**

[www.kenai.city](http://www.kenai.city)

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

**Agenda**

**A. CALL TO ORDER**

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

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

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of July 26, 2023

**C. SCHEDULED PUBLIC COMMENT *Public comment limited to ten (10) minutes per speaker***

**D. UNSCHEDULED PUBLIC COMMENT *(Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated)***

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2023-16** – Recommending Approval for Preliminary Plat – Strawberry Hill Estates 2023 Addition for a Subdivision of a Parcel Located at 801 Devray Street (KPB Parcel No. 04951027) into 13 Lots and Deny the Requested Exceptions to the Subdivision Design Standards in the Rural Residential (RR) Zoning District.

**F. PUBLIC HEARINGS**

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

1. **Discussion/Action** - Alcohol and Marijuana Control Office (AMCO) Adopted Marijuana Regulation Changes

**I. REPORTS**

- [1.](#) City Council
- [2.](#) Kenai Peninsula Borough Planning
3. City Administration

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

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: September 13, 2023

**L. COMMISSION COMMENTS AND QUESTIONS**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS**

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

**Join Zoom Meeting**

<https://us02web.zoom.us/j/83232519219>

**Meeting ID:** 832 3251 9219 **Passcode:** 907554

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

**Meeting ID:** 832 3251 9219 **Passcode:** 907554

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
JULY 26, 2023 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JEFF TWAIT, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on July 26, 2023, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Chair Twait led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Jeff Twait, Chair  
Gary Greenberg  
John Coston  
Gwen Woodard

Joe Halstead, Vice Chair  
Jim Glendening  
Diane Fikes

A quorum was present.

Absent:

None

Also in attendance were:

James Baisden, City Council Liaison  
Linda Mitchell, Planning Director  
Meghan Thibodeau, Deputy City Clerk

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Vice Chair Halstead **MOVED** to approve the agenda and consent agenda. Commissioner Woodard **SECONDED** the motion.

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

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

**UNANIMOUS CONSENT** was requested.

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

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

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of July 26, 2023



Approved by the consent agenda.

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

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

E. **CONSIDERATION OF PLATS**

1. **Resolution PZ2023-13** – Recommending Approval for Preliminary Plat – City Park 2023 Replat for a Parcel Merger of Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision and the Right-of-Way Vacations of Char Circle as Dedicated on Park View Subdivision (Plat No. KN 79-156) and City Park Subdivision No. 2 (Plat No. KN 2007-149) and a Portion of S. Spruce Street as Dedication on Park View Subdivision (Plat No. KN 79-156) in the Suburban Residential (RS) and Urban Residential (RU) Zoning Districts.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-13. Vice Chair Halstead **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet. Zoning and uses of surrounding lots were reviewed; staff recommended approval subject to the following condition:

1. Kenai City Council must consent to the right-of-way (ROW) vacations of Char Circle and a portion of S. Spruce Street are not needed for a public purpose and approve the ROW vacations as shown on the proposed preliminary plat.

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

**MOTION TO AMEND:**

Commissioner Greenberg **MOVED** to amend the recommendation so that S. Spruce Street not be vacated. Commissioner Fikes **SECONDED** the motion.

**VOTE ON AMENDMENT:**

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

NAY: None

**MOTION PASSED UNANIMOUSLY.**

**VOTE ON MAIN MOTION AS AMENDED:**

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

NAY: None

**MOTION PASSED UNANIMOUSLY.**

2. **Resolution PZ2023-14** – Recommending Approval for Preliminary Plat – Shoreline Heights 2023 Addition to Subdivide Tracts A, B, and C of Shoreline Heights 2014 Addition Phase 1 Subdivision into 17 Lots Located at 1540, 1541, and 1610 Pey Drive (Parcel IDs: 03914131, -32, and -33) in the Rural Residential (RR) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-14. Vice Chair Halstead. **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet. Zoning and uses of surrounding lots were reviewed; staff recommended approval.

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

Applicant Bryan Lowe responded to questions asked by the Commission.

**VOTE:**

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

NAY: None

**MOTION PASSED UNANIMOUSLY.**

**F. PUBLIC HEARINGS**

1. **Resolution PZ2023-16** – Granting an Encroachment Permit for a Single-Family Residence to Encroach into the Required (North) Side Yard Setback on the Property Located at 1436 Pey Drive (Parcel ID: 03914146) in the Rural Residential (RR) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-16. Commissioner Coston **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant is requesting an encroachment permit to allow the home to encroach approximately 16.8 inches into the required side yard setback along the north parcel line. Existing uses, land use designation, surrounding uses, and criteria for encroachment permits were reviewed; it was noted the application met the criteria and City staff recommends approval.

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

It was noted that this is a common occurrence in town. Clarification was provided that an encroachment up to 12 inches can be approved administratively, but because it exceeds that by 4.8 inches it needed to be brought to the commission for approval.

In response to questions from the Commission, applicant Bryson Lowe clarified that the driveway on Lot 22 was put in for that lot but has since been moved; this is his fourth development since 2016; and that the as-built has not been updated to reflect the driveway adjustment. Director Mitchell clarified that driveway changes will not be an issue for him to obtain building permits.

**VOTE:**

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

NAY: None

**MOTION PASSED UNANIMOUSLY.**

Chair Twait noted the 15-day appeal period.

**G. UNFINISHED BUSINESS** – None.

**H. NEW BUSINESS**

1. **\*Action/Approval** - Requesting an Excused Absence for the July 12, 2023 Regular Meeting – Glendening.

Approved by the consent agenda.

2. **\*Action/Approval** - Transfer of Conditional Use Permit PZ2021-15 for Cabin Rentals on a property described as Lot 3, James H. Cowan Estates, located at 1050 Angler Drive within the Rural Residential (RR) zoning district.

Approved by the consent agenda.

**I. REPORTS**

1. City Council – Vice Mayor Baisden reported that there had been no City Council meeting since the previous Planning & Zoning Commission meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the July 17, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - Will be reviewing applicants for open Planning & Zoning administrative assistant positions.
  - The first meeting in August is cancelled.
  - Went on code enforcement site visits with a police officer, will provide the commission with updates on some of these sites at future meetings.

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

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: August 23, 2023

**L. COMMISSION COMMENTS AND QUESTIONS**

Commissioner Fikes noted she will be absent at the August 23, 2023 meeting.

Chair Twait noted the plat discussion provided good ideas for Council to consider.

**M. PENDING ITEMS** – None.

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS** – None.

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

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of July 26, 2023.

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Meghan Thibodeau  
Deputy City Clerk





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2023-16**

A RESOLUTION **RECOMMENDING** THAT STRAWBERRY HILL ESTATES 2023 ADDITION PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESS: 801 Devray Street

LEGAL DESCRIPTION: That certain parcel of land located in the South ½ of the Southeast ¼ lying East of the Kenai Spur Highway, in Section 6, Township 5 North, Range 10 West, Seward Meridian, Excepting Therefrom: Plat Nos. 73-6, 83-284, 75-24, 78-87, 72-63, 89-9, 84-111, and Corrected Warranty Deed (Book 79 at Page 314) in the records of the Kenai Recording District, Third Judicial District, State of Alaska. Further excepting therefrom, any portion within the rights-of-way of any and all public or private roads and highways.

KPB PARCEL NUMBER: 04951027

WHEREAS, the City of Kenai received the plat from McLane Consulting, Inc. on behalf of the property owners, David Bunts and Tracey Bunts for the subdivision of the subject parcel into 13 lots with two (2) requested exceptions to the adjoining street systems and block length standards; and,

WHEREAS, the plat generally meets Kenai Municipal Code (KMC) preliminary plat requirements and development requirements for the Rural Residential (RR) zoning district; and

WHEREAS, the street names are referenced correctly; and,

WHEREAS, the subdivided lots will have access via Wortham Avenue and Devray Street, which are not City-maintained roads; and

WHEREAS, City water and sewer systems are not available to the proposed subdivision; 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 plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed subdivision would provide satisfactory and desirable building site, and on-site water system and wastewater treatment/disposal system will be subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.10.070 *Subdivision design standards*, the plat does not meet the dedicated right-of-way for the continuation of the existing streets in adjoining areas and maximum block length of 1,400 linear feet. The request for the exception could potentially remove traffic congestion in exchange for convenient and additional access to surrounding subdivisions. The requested exception does not demonstrate a substantial hardship or injustice.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the proposed parcel meet City standards for minimum lot sizes in the subject zoning district.
4. Pursuant to KMC 14.24.020 *General Requirements*, the proposed parcel meet City standards for minimum lot width and utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

**Section 1.** That the preliminary plat of Strawberry Hill Estates 2023 Addition for the subdivision of the parcel located at 801 Devray Street (KPB Parcel No. 04951027) into 13 lots be approved, subject to the follow conditions:

1. Recommend Kenai City Council to deny the requested exceptions to exceed the maximum block length of 1,400 linear feet and waive the rights-of-way dedication of Devray Street.
2. Recommend Kenai City Council to approve the exceptions from connecting to City water and sewer systems.
3. Revised Note 4 on the Preliminary Plat to “DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS”.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 23<sup>RD</sup> DAY OF AUGUST, 2023.

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Jeff Twait, Chairperson

ATTEST:

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Meghan Thibodeau, Deputy City Clerk



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Linda Mitchell, Planning Director *LM*  
**DATE:** August 18, 2023  
**SUBJECT:** Resolution No. PZ2023-16 – Preliminary Plat – Strawberry Hill Estates 2023 Addition

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## Request

The applicant is proposing a preliminary plat to subdivide one (1) parcel into 13 lots with two (2) requested exceptions to the adjoining street system and block length standards.

## Staff Recommendation

Adopt Resolution No. PZ2023-16 recommending approval of Preliminary Plat – Strawberry Hill Estates 2023 Addition for the subdivision of a parcel described by metes and bounds into 13 lots, deny the requested exceptions, and approve the exceptions to connecting to City water and sewer systems.

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**Applicant:** McLane Consulting, Inc.  
Attn: James Hall  
P.O. Box 468  
Soldotna, AK 99669

**Property Owners:** David Bunts and Tracey Bunts

**Legal Description:** That certain parcel of land located in the South ½ of the Southeast ¼ lying East of the Kenai Spur Highway, in Section 6, Township 5 North, Range 10 West, Seward Meridian, Excepting Therefrom: Plat Nos. 73-6, 83-284, 75-24, 78-87, 72-63, 89-9, 84-111, and Corrected Warranty Deed (Book 79 at Page 314) in the records of the Kenai Recording District, Third Judicial District, State of Alaska. Further excepting therefrom, any portion within the rights-of-way of any and all public or private roads and highways.

**Property Address:** 801 Devray Street

**KPB Parcel No.:** 04951027

**Lot Size Range:** 1.022 – 1.255 acres

**No. of Lots:** 13



Zoning District: Rural Residential (RR)  
Current Use: Vacant  
Proposed Use: Residential  
Surrounding Uses: North – Vacant Lots; South – Single-Family Residences; West – Vacant Lots; East – Vacant Lot and Single-Family Residences

## BACKGROUND

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The proposed preliminary plat would subdivide one (1) parcel located at 801 Devray Street (KPB Parcel No. 04951027) into 13 lots. The lot size ranges between 1.022 and 1.255 acres.

The applicant has requested for two (2) exceptions to the Kenai Municipal Code (KMC) Subsections 14.10.070(a) *relationship to Adjoining Street System* and 14.10.070(d)(1) *Blocks [Length]*.

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. Furthermore, KMC Section 14.10.090 *Variations and exceptions* states that City Council may vary or modify such requirements in KMC Chapter 14.10 *Subdivision Regulations* so that the subdivider may develop their property in a reasonable manner, but at the same time, the public welfare and interests of the City and surrounding areas are protected and the general intent and spirit of these regulations preserved.

## ANALYSIS

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The proposed subdivision meets the development requirements (i.e., lot size and lot width) for the Rural Residential (RR) zoning district. The proposed preliminary plat generally meets the subdivision design standards with the exceptions to the requested waivers. The proposed access is through the 60-foot right-of-way dedication to connect and continue Wortham Avenue from the west and intersect Strawberry Road to the south. Wortham Avenue is not a city-maintained road. The applicant is requesting to waive the 60-foot right-of-way dedication of Devray Street, which is not a City-maintained road. City water and sewer services are not available to the proposed lots. The proposed subdivision will be subject to the requirements of the Alaska Department of Environmental Conservation (ADEC) for water supply and on-site wastewater systems. The Public Works Director reviewed the proposed preliminary plat and had no comments. An installation agreement is not required.

### Lot Size

The subdivision is located in the Rural Residential zoning district, which requires a minimum of lot size of 20,000 square feet. Each lot is in excess of one (1) acre; therefore, all 13 lots meet the minimum lot size for the subject zoning district.

### Lot Width

The minimum lot width for the subject zoning district is 90 feet, which all 13 lots exceeds the minimum lot width.

### Adjoining Street System and Block Length

KMC Subsection 14.10.070(a) states the arrangement of streets in the new subdivision shall make provisions for the continuation of the principal existing streets in adjoining areas. In the aforementioned subsection, it also states the street arrangement shall be such as not to cause a hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. The subject parcel abuts Devray Street (to the north and south), Wortham Avenue, and Strawberry Road. The applicant states that the extension of Wortham Avenue through the subdivision gives adequate access to all properties created and adjoining removing pressure to access adjoining lots from Kenai Spur Highway as the reason for the request to waive the 60-foot rights-of-way dedication for the continuation of Devray Street. In addition, the applicant states that not connecting Devray Street removes congestion potential of traffic backup on Strawberry Road onto Kenai Spur Highway. The waiver of the right-of-way dedication of Devray Street would require the waiver of exceeding the maximum block length of 1,400 linear feet by approximately  $\pm 300$  linear feet. KMC Subsection 14.10.080(d)(1) states that no block shall be longer than 1,400 feet and where blocks are longer than 1,000 feet, a crosswalk at least 10 feet in width may be required near the center of the block.

When requesting for variations and exceptions to the KMC Chapter 14.10 *Subdivision Regulations*, the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in the regulations would result in real difficulties, substantial hardship or injustice. Staff finds that the requirement of the 60-foot right-of-way dedication of Devray Street would not impose a substantial hardship or injustice. The right-of-way dedication would allow more convenient access from Kenai Spur Highway to the subject subdivision as well as several subdivisions to the north such as Three W's Subdivision Addition No. 1, Hornaday Property Survey, Strawberry Fields Forever Addition No. 2, and Strawberry Fields Forever Addition No. 3.

With the requested exception, it would leave the existing dedicated Devray Street to have dead ends that do not meet the current standards, which shall terminate into an open space (preferable circular) having a minimum radius of 50 feet.

#### Public Water and Sewer

KMC Subsections 14.10.080(e) and (f), states that in subdivisions of 10 or more lots, an approved public water supply and sewer lines shall be provided/installed to serve each lot. This is not feasible as there are no City water and sewer connections in the surrounding area. Therefore, these standards require exceptions to the provisions. It would meet the intent for exceptions as it would cause a substantial hardship or burden on the development of this subdivision.

#### Summary

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

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed subdivision would provide satisfactory and desirable building site, and on-site water system and wastewater treatment/disposal system will be subject to the regulatory requirements of ADEC.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the proposed parcel meet City standards for minimum lot sizes in the subject zoning district.

3. Pursuant to KMC 14.24.020 *General Requirements*, the proposed parcel meet City standards for minimum lot width and utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

Staff does not find that the proposed preliminary plat meets the following Title 14 of Kenai Municipal Code (KMC) section.

1. Pursuant to KMC 14.10.070 *Subdivision design standards*, the plat does not meet the dedicated right-of-way for the continuation of the existing streets in adjoining areas and maximum block length of 1,400 linear feet. The request for the exception could potentially remove traffic congestion in exchange for convenient and additional access to surrounding subdivisions. The requested exception does not demonstrate a substantial hardship or injustice.

## STAFF RECOMMENDATION

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Staff finds that the proposed preliminary plat for Strawberry Hill Estates 2023 Addition generally meets the general standards of Kenai Municipal Code, Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table*, and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2023-16 to Kenai Peninsula Borough, subject to the following conditions.

1. Recommend Kenai City Council to deny the requested exceptions to exceed the maximum block length of 1,400 linear feet and waive the rights-of-way dedication of Devray Street.
2. Recommend Kenai City Council to approve the exceptions from connecting to City water and sewer systems.
3. Revised Note 4 on the Preliminary Plat to “DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS”.

## ATTACHMENTS

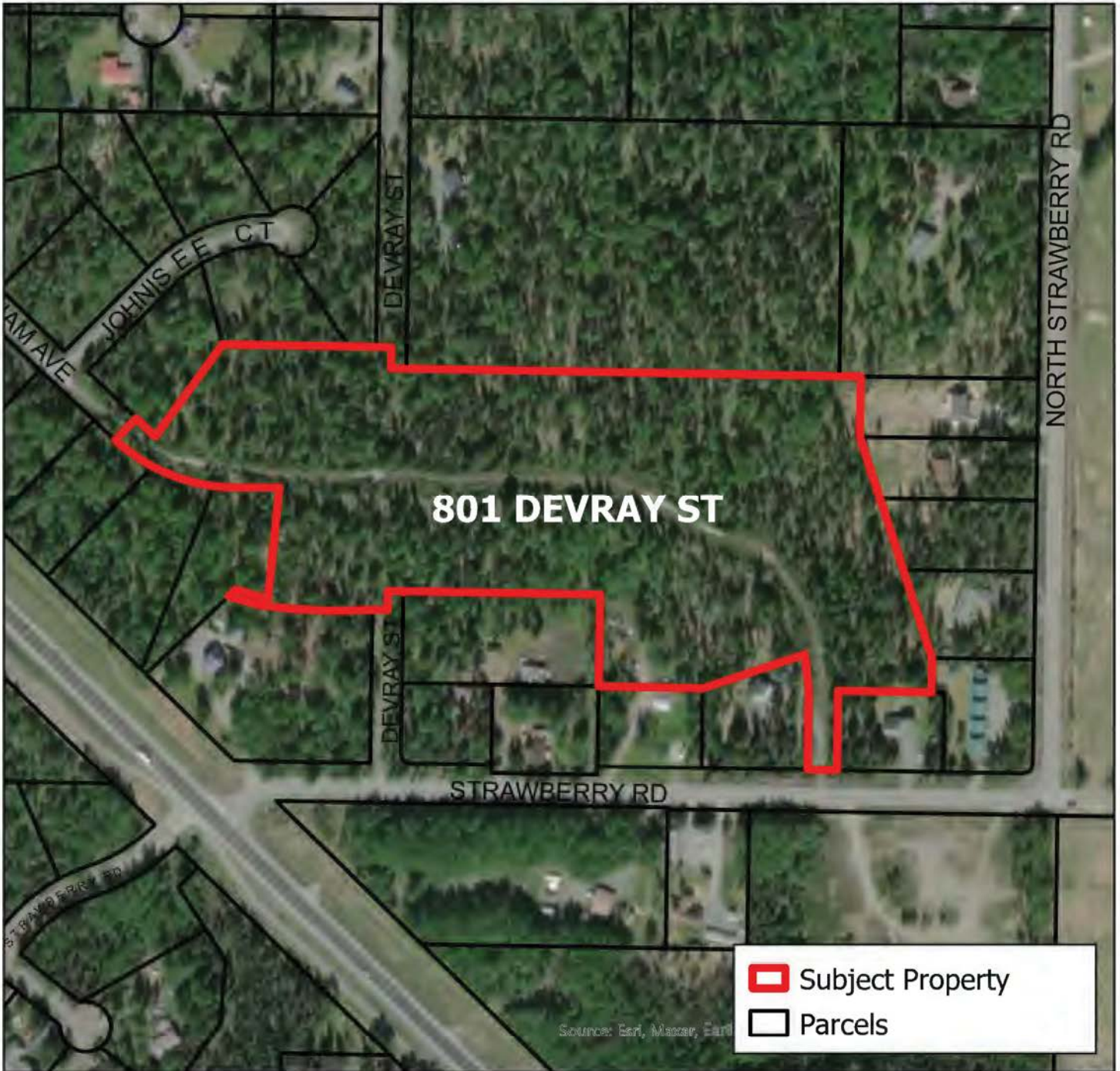
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Aerial Map  
Application with Certificate of Plat  
Preliminary Plat, Strawberry Hill Estates 2023 Addition





PRELIMINARY PLAT  
Resolution No. PZ2023-16  
801 Devray Street  
KPB Parcel ID: 04951027



N



Map for Reference Only  
NOT A LEGAL DOCUMENT

Date Printed: 8/18/2023







# Preliminary Plat Submittal Form

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

### APPLICANT (SURVEYOR)

Name:	McLane Consulting						
Mailing Address:	PO BOX 468	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	907-283-4218						
Email:	JHALL@MCLANECG.COM						

### PROPERTY OWNER

Name:	David & Tracey Bunts						
Mailing Address:	PO BOX 226	City:	Sterling	State:	AK	Zip Code:	99672
Phone Number(s):							
Email:							

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04951027						
Current City Zoning:	Rural Residential						
Use:	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Recreational	<input type="checkbox"/> Commercial				
	<input type="checkbox"/> Other:						
Water:	<input checked="" type="checkbox"/> On Site	<input type="checkbox"/> City	<input type="checkbox"/> Community				
Sewer:	<input checked="" type="checkbox"/> On Site	<input type="checkbox"/> City	<input type="checkbox"/> Community				

### PLAT INFORMATION

Preliminary Plat Name:	Strawberry Hill Estates 2023 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:

KPB 20.30.170 Block Length  
KPB 20.30.030(A) Street Layout

Comments:

Extension of Wortham Ave through the subdivision gives adequate access to all properties created and adjoining removing pressure to access adjoining lots from Kenai Spur Hwy. Not connecting Devray Street removes congestion potential of traffic backup on Strawberry Rd onto Kenai Spur Hwy.

### REQUIRED ATTACHMENTS

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

Signature:	<i>David Bunts</i>	Date:	5-4-2023
Print Name:	DAVID BUNTS	Title/Business:	



# Planning Department

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

## PRELIMINARY PLAT SUBMITTAL FORM

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

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

Strawberry Hill Estates 2023 Addition

### PROPERTY INFORMATION:

Legal description: SUBDIVISION OF (S1/2 SE1/4) EAST OF THE K-SPUR HWY, S6, T5N, R10W, SM, AK EXCEPTING PLAT No. 73-6, 83-284, 75-24, 78-87, 72-63, 89-9, 84-111, WD B79, PG 314, KR D

Section: 6      Township: 5N      Range: 10W

General area description Strawberry Rd and Kenai Spur Hwy

City (if applicable): Kenai      Total Acreage: 16.466

### SURVEYOR

Company: McLane Consulting, Inc.	Contact Person: James Hall
Mailing Address: PO BOX 468	City, State, Zip Soldotna, AK 99669
Phone: 907-283-4218	e-mail: jhall@mcclanecg.com

### PROPOSED WASTEWATER AND WATER SUPPLY

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

### SUBMITTAL REQUIREMENTS

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

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

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

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

### OWNER(S)

Name (printed): <i>DAVID BUNTS</i>	Signature: <i>David Bunts</i>
Phone: <i>907-398-4781</i>	e-mail: <i>David@sterlingcustomhomes.net</i>

Name (printed): <i>Tracy Bunts</i>	Signature: <i>Tracy Bunts</i>
Phone: <i>907-398-4736</i>	e-mail: <i>tbunts@alaska.net</i>

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

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

### FOR OFFICE USE ONLY

RECEIVED BY \_\_\_\_\_ DATE SUBMITTED \_\_\_\_\_ KPB FILE # \_\_\_\_\_



*Stewart Title of the Kenai Peninsula, Inc.*

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

Amendment No. 1: Change effective date

**CERTIFICATE TO PLAT**

McLane Consulting, Inc.  
PO Box 468  
Soldotna, AK 99669  
Attention: James Hall

File Number: 21301  
Premium: \$250.00  
Tax:

Gentlemen:

This is a certificate as of July 06, 2023 at 8:00 A.M. for a plat out of the following property:

That certain parcel of land located in the South one-half of the Southeast one-quarter (S1/2SE1/4) lying East of the Kenai Spur Highway, in Section 6, Township 5 North, Range 10 West, Seward Meridian, in the records of the Kenai Recording District, Third Judicial District, State of Alaska.

EXCEPTING THEREFROM:

Hornaday Property Survey, according to Plat No. 73-6, Kenai Recording District, Third Judicial District, State of Alaska;

Strawberry Hill Estates, according to Plat No. 83-284, Kenai Recording District, Third Judicial District, State of Alaska;

Tracts E and C Davidson Homestead, according to Plat No. 75-24, Kenai Recording District, Third Judicial District, State of Alaska;

Tracts B-1 and F Davidson Homestead, according to Plat No. 78-87, Kenai Recording District, Third Judicial District, State of Alaska;

Tract A Davidson Homestead, according to Plat No. 72-63, Kenai Recording District, Third Judicial District, State of Alaska;

Strawberry Hill Estates Johnisee Addition, according to Plat No. 89-9, Kenai Recording District, Third Judicial District, State of Alaska;

Myers/Strawberry Road Right of Way Map, according to Plat No. 84-111, Kenai Recording District, Third Judicial District, State of Alaska;

That portion conveyed by Corrected Warranty Deed recorded August 23, 1974 in Book 79 at Page 314;

FURTHER EXCEPTING THEREFROM, any portion lying within the rights-of-way of any and all public or private roads and highways.

The Company certifies that record title is vested in

David Bunts and Tracey Bunts

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

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

- 3. **TAXES AND ASSESSMENTS**, if any due the taxing authority indicated:  
Taxing Authority: City of Kenai
  
- 4. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
  
- 5. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:  
Recorded: June 5, 1968  
Volume/Page: Misc. 31/124  
Granted To: Homer Electric Association, Inc.  
Affects: General Easement, no definite location disclosed

**Stewart Title of the Kenai Peninsula, Inc.**

By



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Terri Cotterell  
Authorized Signator

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

**CERTIFICATE OF ACCEPTANCE**

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

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
CITY MANAGER, CITY OF KENAI

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND 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.

DAVID BUNTS  
PO BOX 236, STERLING, AK 99672

TRACY BUNTS  
PO BOX 236, STERLING, AK 99672

**NOTARY'S ACKNOWLEDGMENT**

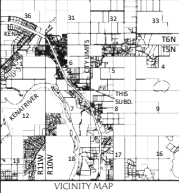
"I, DAVID & TRACY BUNTS"  
ACKNOWLEDGE BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023  
MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC FOR THE STATE OF ALASKA

**WASTEWATER DISPOSAL**

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE FAMILY OR DUPLEX RESIDENCES AND MEETING THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A PROFESSIONAL ENGINEER REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CODY R. MILANE, C.E. 11510 AK DATE \_\_\_\_\_



**LEGEND**

- FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 1/2" REBAR
- SET 1/8" REBAR w/ 1" STAINLESS STEEL CAP BODIES
- CONTOUR INTERVAL = 4'

- NOTES**
- WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED IN ACCORDANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
  - THE FRONT 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS ALSO A UTILITY EASEMENT HEREBY GRANTED.
  - NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  - DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 ZONING CODE REQUIREMENTS.
  - FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
  - NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
  - THIS PARCEL MAY BE AFFECTED BY AN ELECTRIC EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION UNDER 5.1568 IN MISC. BOOK 31, PAGE 124, KNO. LOCATION NOT DEFINED.

**CURVE TABLE**

CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	194°11'	283.07	153.97	27.67	N 89°20'30" W	161.41
C2	47°29'40"	330.07	204.42	133.10	N 87°34'50" W	344.40
C3	10°59'20"	270.00	102.21	25.18	S 15°30'10" E	104.14
C4	12°04'10"	270.00	78.02	20.13	N 89°20'30" W	77.87
C5	32°04'00"	270.00	154.46	79.57	N 77°34'50" W	183.57
C6	19°14'54"	330.00	110.00	54.00	N 89°20'30" W	110.57
C7	15°17'20"	330.00	104.47	15.20	N 89°20'30" W	104.80
C8	8°15'10"	280.00	114.27	12.39	N 89°20'30" W	114.48
C9	28°23'14"	270.00	118.90	58.17	N 42°30'20" W	131.79
C10	17°51'30"	400.00	7.00	3.87	N 27°30'30" W	7.60
C11	27°25'20"	400.00	26.80	15.81	N 42°30'20" W	26.84
C12	10°21'10"	370.00	35.65	13.19	S 29°34'50" E	35.29
C13	36°50'00"	170.00	109.74	58.80	S 49°15'10" E	127.84
C14	24°04'20"	270.00	110.60	10.80	S 17°42'30" E	110.81

**Plot #**

Noted \_\_\_\_\_

City \_\_\_\_\_

Date \_\_\_\_\_

Time \_\_\_\_\_

**STRAWBERRY HILL ESTATES 2023 ADDITION**  
SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER (S1/2 S1/4) LING EAST OF THE KENAI SPUR HIGHWAY, SECTION 6, TOWNSHIP 5 NORTH RANGE 15 WEST, SEWARD MERIDIAN, ALASKA EXCEPTING PLAT NO. 73-6, 83-284, 75-24, 78-87, 73-63, 89-6, 84-111, WARDEN'S DECISION NO. 79, PAGE 214 KENAI RECORDING DISTRICT AND ANY PORTION LYING WITHIN THE RIGHTS-OF-WAY OF ANY AND ALL PUBLIC OR PRIVATE ROADS AND HIGHWAYS.

DAVID BUNTS  
PO BOX 236  
STERLING, AK 99672

TRACY BUNTS  
PO BOX 236  
STERLING, AK 99672

**PLAT APPROVAL**

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

APPROVED: \_\_\_\_\_  
KPB File No. 2023-xxx

PROJECT NO. 222002

Scale: 1" = 40' Date: JAN 2023 Book No.: 22-04 Drawn by: JAH

