

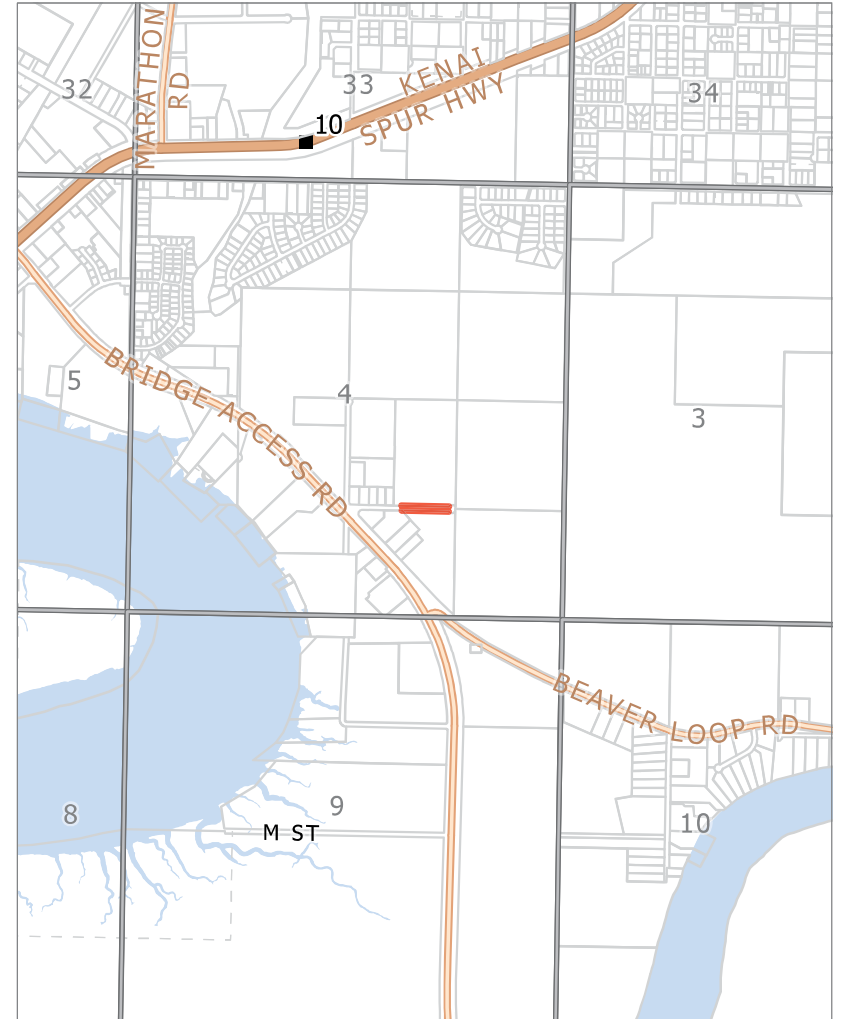
E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters

E1 Right-of-Way Vacation; KPB File 2022-040V

**Request: A Portion of Van Antwerp Avenue &
Associated Utility Easement**

**Petitioner(s)/Land Owner(s): James Hall, BMGC LLC &
Peninsula Storage LLC
City of Kenai**



KPB File # 2022-040V

Township 05N-Range 11W-Section 04

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.

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - RIGHT OF WAY VACATION
A PORTION OF 60 FOOT WIDE VAN ANTWERP RIGHT OF WAY AND ASSOCIATED UTILITY EASEMENTS

KPB File No.	2022-040V
Planning Commission Meeting:	April 25, 2022
Applicant / Owner:	BMGC LLC and Peninsula Storage LLC all of Kenai, AK
Surveyor:	James Hall / McLane Consulting
General Location:	Bridge Access Road, Childs Avenue, City of Kenai
Legal Description:	Van Antwerp Avenue associated with Tract 4 Jaynes Subdivision Big Mikes Addition, Plat KN 2015-099, and Tract A-1 Bridge Road Subdivision 2019 Replat, Plat KN 2020-015, Kenai Recording District, Section 4 Township 5 North, Range 11 West, Seward Meridian

STAFF REPORT

Specific Request / Purpose as stated in the petition:

- Same owners on both sides of R/W.
- To accommodate future expansion needs of the storage facility.
- R/W is unconstructed for road use and has no vehicular/pedestrian traffic.
- The alternate route will be constructed and provides access around the facility.

Notification: Public notice appeared in the April 14, 2022 issue of the Peninsula Clarion as a separate ad. The public hearing notice was published in the April 21, 2022 issue of the Peninsula Clarion as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Kenai

Post Office of Kenai

Nineteen certified mailings were sent to owners of property within 300 feet of the proposed vacation. Eight receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to two owners within 600 feet of the proposed vacation.

Twenty public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
State of Alaska DNR Forestry
City of Kenai
Emergency Services of Kenai

Nikiski Community Council
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed): The proposed vacation is for approximately 551 feet of the eastern portion of Van Antwerp Avenue and some temporary turn around areas previously granted by plat. Van Antwerp Avenue is a 60 foot wide right of way that is accessed from state maintained Bridge Access Road. Childs Avenue is a 60 foot wide dedication that is at the same intersection with Van Antwerp Avenue. Childs Avenue is a north south right

of way. Van Antwerp Avenue is an east west right of way. Property involved with the dedication also has access from the south from Beaver Loop Road.

Per the City of Kenai staff report, Childs Avenue and Van Antwerp Avenue are gravel roads that are not currently maintained by the City of Kenai. Beaver Loop Road is paved and maintained by the City of Kenai.

The proposal is to vacate the eastern portion of Van Antwerp Avenue to allow two lots to be combined into one. The proposal will leave approximately 678 feet of Van Antwerp Avenue, will provide an eyebrow dedication for a turnaround area, and a turnaround area will remain to the east. New right of way dedications will be off Childs Avenue. The right of way will be approximately 1,340 feet. Another right of way will be dedicated along the eastern boundary and will end at the cul-de-sac located at the end of the existing Van Antwerp Avenue right of way.

The distance along Bridge Access Road between Childs Avenue and Beaver Loop Road is slightly longer than allowable block lengths. The current configuration does not comply as the block is not closed. The proposal of cul-de-sacs will not provide for closed blocks. Due to the development within the parcels and the neighboring terrain the ability to get a closed block with compliant lengths is minimal.

The lot to the north is a 40 acre lot owned by the City of Kenai. The only platted access is a 30 foot width of Childs Avenue. Childs Avenue has an eyebrow dedication to allow for a turnaround area with possible continuation in the future. The lot to the northeast is a 40 acre lot owned by the City of Kenai. This lot has access by section line easements and a 50 foot dedication of S Tinker Lane.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	The ROW for Bridge Access Road is as shown on page 7 of 25 of Beaver Loop Road Improvement Right of Way Map Plat 2014-104, KRD) and appears to be shown correctly.

Site Investigation: Wetlands are present through portions of the proposal. Areas with proposed right of ways contain low wet areas. Per KPB GIS Imagery, there appears to be areas with open water that the right of way dedications will avoid. The terrain is relatively flat within the existing right of way and within the proposed dedications.

There appears to be encroachments within the portion of the right of way proposed for vacation.

KPB River Center review	A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Within City of Soldotna/Kenai Comments: No comments B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: Russell, Pam Comments: No Comments
State of Alaska Fish and Game	No objections

Staff Analysis: The dedication of Van Antwerp Avenue has occurred over several plats. Jaynes Subdivision, Plat KN 73-3, granted the temporary turn around located in the western portion on the north side of the proposed

vacation. It design indicates then intent to vacate the turnaround area and dedicate a portion of a cul-de-sac bulb that is slightly more east of the existing temporary turn around area. Jaynes Subdivision Big Mikes Addition, Plat KN 2015-99, dedicated the eastern portion of the northern half of Van Antwerp Avenue and the eyebrow located at the eastern end of the right of way.

The southern 30 foot width of Van Antwerp Avenue was originally dedicated on Bridge Road Subdivision, Plat KN 81-59. That plat also indicated a temporary turn around on the unsubdivided remainder. Bridge Road Subdivision Number Two, Plat KN 84-68, dedicated the eastern portion of the southern half of Van Antwerp Avenue. Bridge Road Subdivision 2019 Replat, Plat KN 2020-15 dedicated an eyebrow at the end of the right of way.

The lot located to the east is owned by Cook Inlet Natural Gas Storage Alaska LLC. It appears there may be a current access from the end of Van Antwerp Avenue. They will continue to have access from that route but the new right of way is currently not constructed but the City of Kenai has requested information regarding the construction of the new right of ways. The lot also appears to have another access from Beaver Loop Road and that appears to be the main access.

Some of the plats did not grant utility easements along the dedications. The most recent plats did grant along the portions proposed for vacation. The southern 30 foot has a 10 foot utility easement adjacent to the right of way while the northern 30 feet has a 15 foot utility easement adjacent to the right of way. The portions adjoining the right of way are proposed for vacation. ***Staff recommends the vacation of the utility easements should be depicted that 10 foot utility easements remain along the new dedications and so a connection is available to existing and remaining utility easements.***

It is stated that the portion to be vacated is used for internal access between lots and their improvements. The property houses storage units and provides outdoor storage.

The City of Kenai Planning and Zoning Commission heard the vacation at their March 23, 2022 meeting. They noted the property is zoned as Heavy Industrial. The vacation was approved unanimously. They adopted Resolution 2022-07 with the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easements to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

20.65.050 – Action on vacation application

- D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:
1. The right-of-way or public easement to be vacated is being used;
Staff comments: The right of way is constructed as a gravel road. The portion to be vacated provides access to two additional lots other than included in the replat.
 2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: The road appears to be useable but limits development and ability to protect assets. New dedications are proposed and the City of Kenai is requesting information regarding the construction of the dedications.
 3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

Staff comments: The lots on either side of the right of way are owned by the same owner and they wish to combine the lots. Those lots are being used as Industrial. The lot to the southeast has developed access from Beaver Loop Road. The lot the northeast is undeveloped. Previous plats granted numerous utility easements. New easements will be required along new dedications. Requested easements from the utility providers must be worked out with the providers.

4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

Staff comments: Does not provide access to a public interest area.

5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

Staff comments: The new dedications will allow for future dedications. Due to the use of the lot to the southeast, future extensions may not be preferred. The lot to the northeast will have multiple access routes and ability to continue right of ways.

6. Other public access, other than general road use, exist or are feasible for the right-of-way;

Staff comments: As the right of way provides access to private and large parcels additional public access does not seem to be needed as long as new dedications are granted.

7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

Staff comments: Utility easements along new dedications must remain. A request has been received for a natural gas easement located within the Van Antwerp Avenue right of way proposed to be vacated.

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

Staff comments: Industrial, large acreage lots, that are wanting to combine lots to allow expansions of their business while limiting access. New dedications are proposed.

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

If approved, Jaynes Subdivision 2022 Replat will finalize the proposed right of way vacations. A complete submittal was received when this staff report was prepared. It will be scheduled for the first available Plat Committee meeting once received.

KPB department / agency review:

Planner	Comments not received when staff report was prepared. This is located within the City of Kenai.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Addressing	Reviewer: Haws, Derek Affected Addresses: 1345 BRIDGE ACCESS RD 511 VAN ANTWERP AVE 601 CHILDS AVE Existing Street Names are Correct: No

	<p>List of Correct Street Names: VAN ANTWERP AVE BRIDGE ACCESS RD BEAVER LOOP RD</p> <p>Existing Street Name Corrections Needed: CHILDS AVE should be labeled. Newly dedicated ROWs need approved street names.</p> <p>All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied:</p> <p>Comments: City of Kenai will advise on affected addresses.</p>
Assessing	<p>Reviewer: Wilcox, Adeena Comments: No Comment</p>

Utility provider review:

HEA	HEA comments provided a map which requested a portion of hatching be removed to provide a connection between utility easements. They also noted that a lines had been removed in an easement not related to this vacation but should remain unless a vacation petition for the easement was submitted and approved.
ENSTAR	<p>There is an existing natural gas main line located within the Van Antwerp Avenue ROW. ENSTAR objects to this plat unless one of the following is met:</p> <ol style="list-style-type: none"> 1. Add a note which says, "There is a fifteen foot (15 FT) wide natural gas easement centered on the existing main line." And draw in the approximate location of the main line on the map and add, "Approximate location of natural gas main and centerline of fifteen foot (15 FT) wide natural gas easement." 2. Owner signs an ENSTAR Natural Gas Easement document for a fifteen foot (15 FT) wide natural gas easement, centered on the main line at this location.
ACS	No objections
GCI	Approved as shown

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by Kenai City Council.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Grant utility easements requested by the Kenai City Council and utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).

KPB 20.65.050 – Action on vacation application

H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning

commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.

- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

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

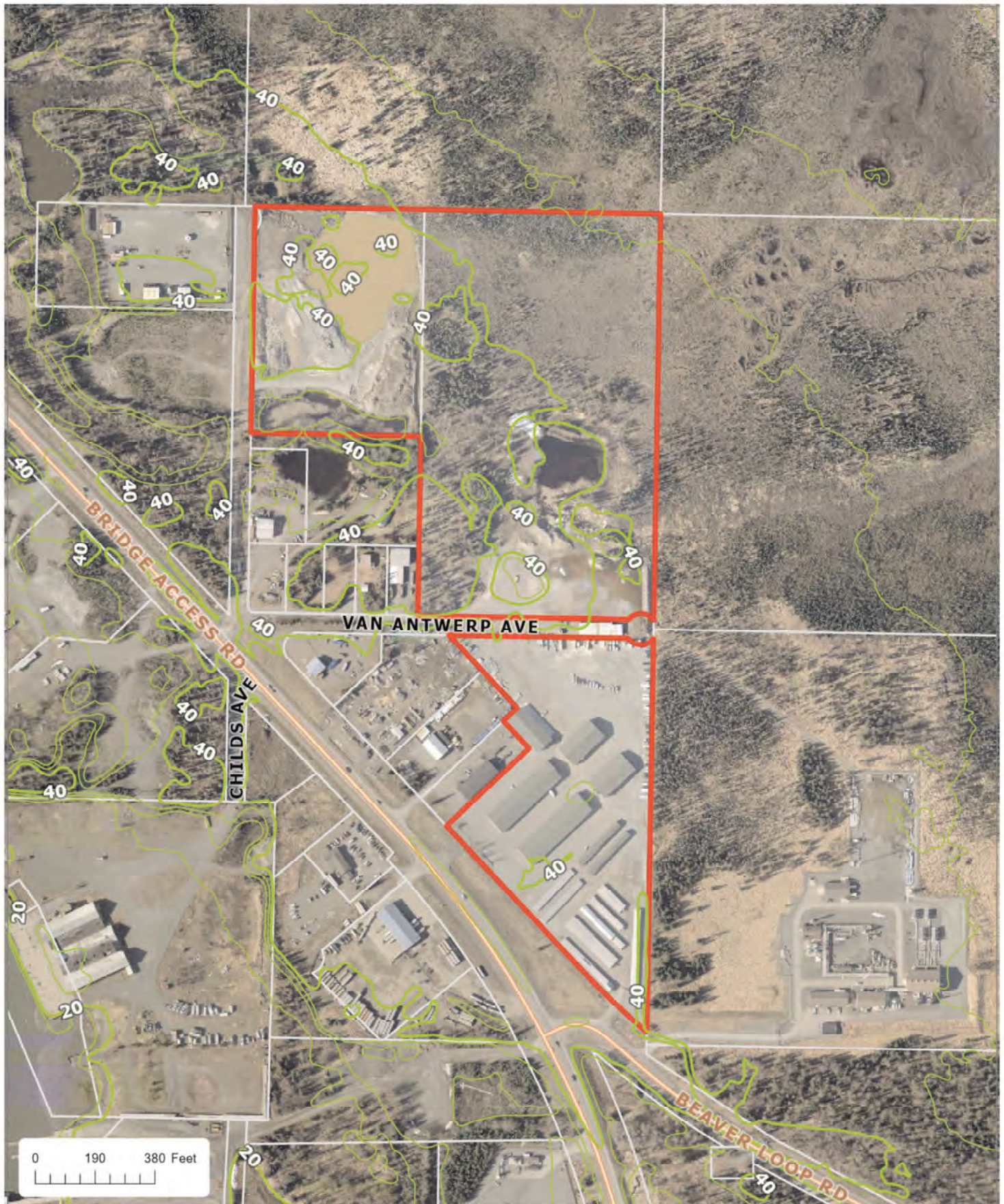
Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

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

Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

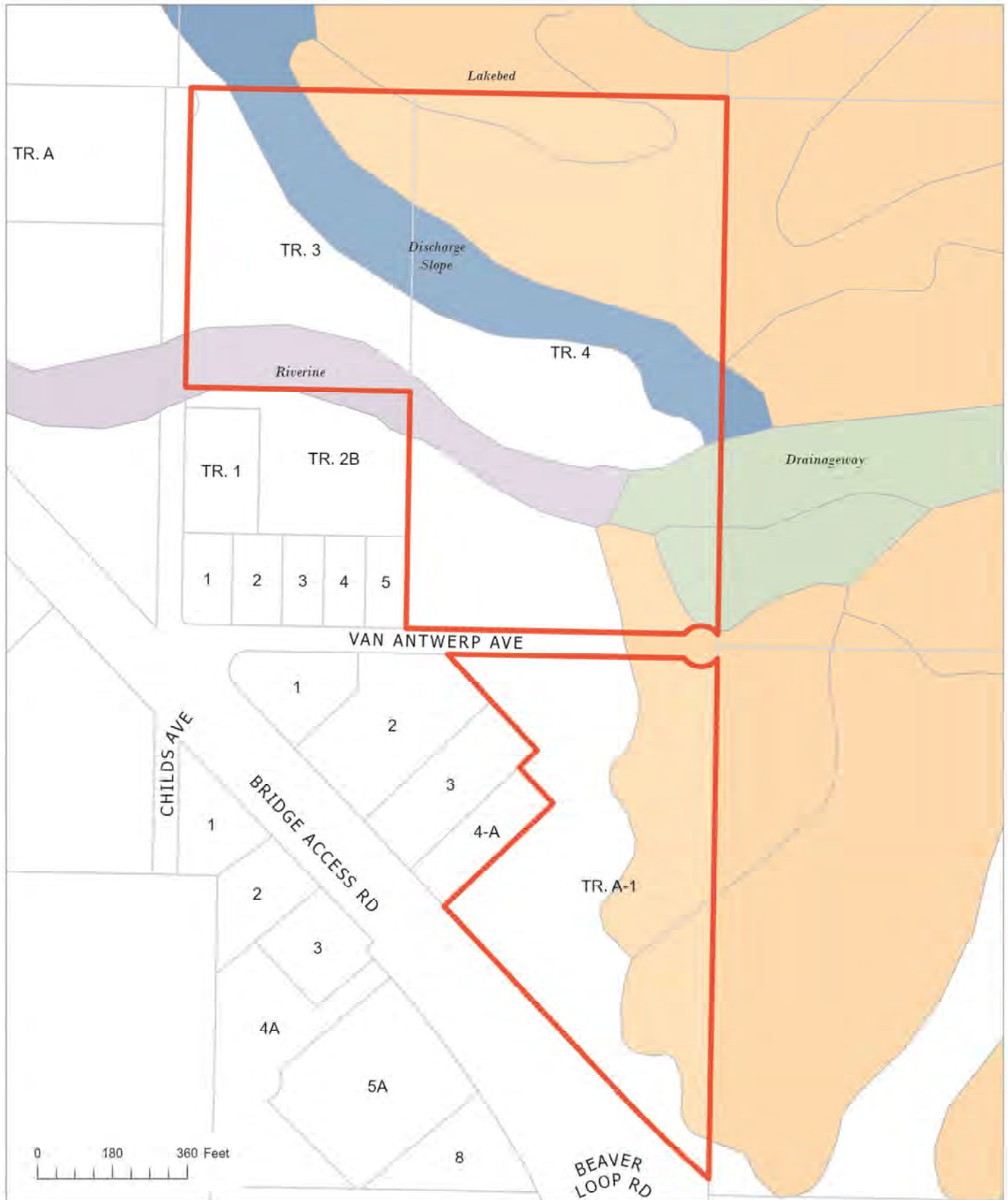
END OF STAFF REPORT







Wetlands



NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
3. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14 FORM CODE REQUIREMENTS. THE 80' RADIAL EASEMENT R/W DEDICATION AT THE END OF VAN ANTWERP AVENUE IS FOR TURN-AROUND AND NOT FOR FUTURE EXTENSION TO ADJACENT PROPERTY.
4. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA, AND LOCAL REGULATIONS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION (F. 40100000).
5. EXCEPTOR GRANTED TO BLOCK LENGTH (800' 00.00/170) BY PLANNING COMMISSION MEETING OCTOBER 28, 2019.
6. THIS SUBDIVISION MAY BE AFFECTED BY A RESERVATION OF EASEMENT RESERVED BY PUBLIC LAND ORDER NO. 001 DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER NO. 017 DATED OCTOBER 10, 1959. PUBLIC LAND ORDER NO. 015 DATED APRIL 7, 1958 AND DEPARTMENT OF THE INTERIOR ORDER NO. 0003 DATED OCTOBER 10, 1991. AMENDMENT NO. 1 DATED JULY 17, 1997 AND AMENDMENT NO. 2 DATED SEPTEMBER 10, 1998 FILED IN THE FEDERAL REGISTER.
7. STATE OF ALASKA RIGHTS-OF-WAY ARE GRANTED PER BEAVER LOOP ROAD IMPROVEMENT PLAT 2014-104, PAID 7.75% AND BEAVER LOOP CROSSING PLAT 70-134 PAID 9 AND 10.
8. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VARIATION OF THE 20' UTILITY EASEMENT CREATED BY KENAI-00 AT THE MEETING OF OCTOBER 14, 2019.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT PENINSULA MBS STORAGE LLC IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS LOT 4, BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KENAI-00) AND LOT 7A BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KENAI-00) AND ON BEHALF OF PENINSULA MBS STORAGE LLC WE HEREBY GRANT THIS PLAT OF SUBDIVISION AND BY OUR FREE CONSENT GRANT ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

DAVID SCHULING MEMBER
PENINSULA MBS STORAGE, LLC (OWNER)
47 SPIR VIEW DR., KENAI, AK 99501

MICHAEL SCHULING MEMBER
PENINSULA MBS STORAGE, LLC (OWNER)
47 SPIR VIEW DR., KENAI, AK 99501

NOTARY'S ACKNOWLEDGEMENT

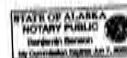
I, DAVID SCHULING, Notary Public,
ACKNOWLEDGE BEFORE ME THIS

1st DAY OF Dec, 2019

MY COMMISSION EXPIRES June 3, 2023

DAVID SCHULING, FOR THE

STATE OF ALASKA.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT SBC DEVELOPMENT GROUP, INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AS LOT 4, BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KENAI-00) AND ON BEHALF OF SBC DEVELOPMENT GROUP, INC. I HEREBY GRANT THIS PLAT OF SUBDIVISION AND BY MY FREE CONSENT GRANT ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

KEVIN M. CLINE, PRESIDENT
SBC DEVELOPMENT GROUP, INC. (OWNER)
4015 EASTWINDY BEACH RD. SUITE B,
SOLICHTHA, AK 99589

NOTARY'S ACKNOWLEDGEMENT

I, KEVIN M. CLINE, Notary Public,
ACKNOWLEDGE BEFORE ME THIS

10th DAY OF Feb, 2020

MY COMMISSION EXPIRES June 3, 2023

KEVIN M. CLINE, FOR THE

STATE OF ALASKA.



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 IDENTIFIED BY THIS PLAT, INCLUDING EASEMENTS, USE-OF-WAY DEDICATION FOR VAN ANTWERP AVENUE, RIGHTS-OF-WAY, EASEMENTS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT. THE ACCEPTANCE OF LAND FOR PUBLIC USE FOR PUBLIC PURPOSES DOES NOT EXHAUST THE PUBLIC OR ANY GOVERNMENT BODY TO CONVEY, CONVEY, OR MAINTAIN EASEMENTS.

BY: Paul DeBarr 12/14/19

PAUL DEBARR

CITY MANAGER

CITY OF KENAI

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 28, 2019.

Paul DeBarr 12/14/19

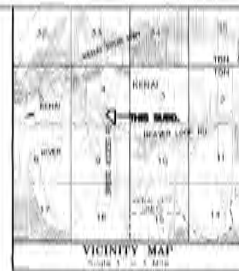
PAUL DEBARR

CITY MANAGER

CITY OF KENAI



GRAPHIC SCALE
1" = 100' ±



LEGEND

- 1. FOUND PRIMARY MONUMENT AS DESCRIBED
- 2. FOUND 5/8" PEARL UNLESS NOTED
- 3. FOUND 2" AL CAP 15-1513
- 4. SET 1/2" 1/2" 1/2" REBAR W/ 1" STAINLESS STEEL CAP 1513-1513
- 5. RECORD DATA AND FOUND DATA AGREE UNLESS OTHERWISE NOTED
- 6. AREA SHOWN TO BOUNDARY

UTILITY EASEMENT PER BEAVER LOOP ROAD SUBDIVISION NUMBER TWO (KENAI-00) TO BE VACATED BY THIS PLAT AND APPROVED FOR VACATING BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION MEETING OCTOBER 28, 2019.

WASTEWATER DISPOSAL TRACT A-1

THIS TRACT IS AT LEAST 80,000 SQUARE FEET OR MORE IN AREA AND THIS SUBDIVISION IS LIMITED TO MOORE OR MORE LOTS WITHOUT INCREASING THE NUMBER OF DEVELOPABLE LOTS, WHILE MAINTAINING A MINIMUM OF FIFTY SQUARE FEET OF CONTIGUOUS AREA. AS REQUIRED BY SUBDIVISION ACT (ASL), FOR EACH LOT AFFECTED BY THE LOT LINE MOVEMENT PER SUB 20.0002(A)(1)(C), WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

WASTEWATER DISPOSAL LOT 4-A

THE EXISTING PARENT SUBDIVISION WAS APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (MARCH 20, 1984) AND THIS SUBDIVISION IS LIMITED TO MOORE OR MORE LOTS WITHOUT INCREASING THE NUMBER OF DEVELOPABLE LOTS, WHILE MAINTAINING A MINIMUM OF FIFTY SQUARE FEET OF CONTIGUOUS AREA. AS REQUIRED BY SUBDIVISION ACT (ASL), FOR EACH LOT AFFECTED BY THE LOT LINE MOVEMENT PER SUB 20.0002(A)(1)(C), WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CURVE TABLE					
CURVE #	DEG	RADIUS	LENGTH	CHORD BEARING	CHORD LENGTH
01	45.000	2774.78	288.81	S 47° 15' 30" W	288.87
02	180.000	0.00	0.00	S 89° 57' 10" E	80.00



BRIDGE ROAD SUBDIVISION 2019 REPLAT

(A REVISION OF LOTS 1, 6 & TRACT A BLOCK 1 BRIDGE ROAD SUBDIVISION NUMBER TWO (KENAI-00) AND LOT 7A BLOCK 1 BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION (KENAI-00))

PENINSULA MBS STORAGE, LLC (OWNER)

47 SPIR VIEW DR., KENAI, AK 99501

SBC DEVELOPMENT GROUP, INC. (OWNER)

4015 EASTWINDY BEACH RD. SOLICHTHA, AK 99589

13,708 AC. M/A SITUATED IN A PORTION OF THE

SE1/4 OF SEC. 4, T.18N., R.17W., S.14N., AK, THE CITY OF

KENAI, AND THE KENAI PENINSULA BOROUGH, IN THE

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CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	307.78	2814.79	6°15'54"	154.04	S47°23'10"E	307.63
C2	289.63	2774.79	5°58'50"	144.95	S47°14'38"E	289.50

LINE TABLE		
LINE	LENGTH	BEARING
L1	14.88	S89°55'25"E
L2	39.68	S00°04'44"E

Record monument
Not Recovered
3 1/4 inch
diam. alum. cap



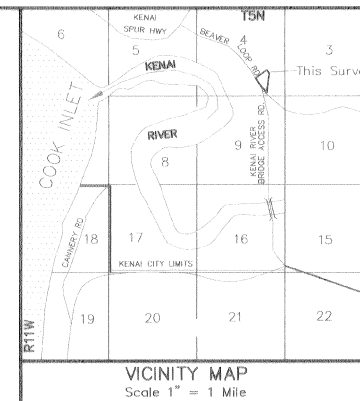
LEGEND



Survey monument as noted.



Found or set 1/2" rebar at property corner.



NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 72 and 18 AAC 80.
- 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation and Public Facilities.
- 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) The Kenai River Crossing and Beaver Loop Road rights of way were determined from monumentation shown hereon and from the State of Alaska DCT&PF Right of Way for Project No. S-0463(10) sheet 9 of 11.

WASTEWATER DISPOSAL

The parent subdivision for lots resulting from this platting action was approved by the Alaska Department of Environmental Conservation on March 20, 1984.

Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

The soils on parent parcels of this subdivision are unsuitable for conventional on-site waste disposal systems. No person may construct, install, maintain or operate a pressurized water system or a water carried waste disposal system on the this lot without obtaining prior written approval of this plan for the system from the the Alaska Department of Environmental Conservation. The burden of providing the soils testing data, groundwater table information, engineering designs, and any other information required by the Department to complete a review of the proposed system rests solely with the lot owner.

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.

Mark E. Lockwood

Michael P. Lockwood
1345 Bridge Access Road
Kenai, AK 99611

NOTARY'S ACKNOWLEDGMENT

FOR: *Mark E. Lockwood*
Michael P. Lockwood
Subscribed and sworn before me this

31st day of *December*, 2003

My commission expires *11/9/2007*

Notary Public for the State of Alaska

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

August 12, 2002.

KENAI PENINSULA BOROUGH by

Authorized Official



2004-18
KENAI REC. DIST. 20-
Date 5-28-04
Time 11:39 AM
Requested By *McLANE*
Address

BRIDGE ROAD SUBDIVISION LOCKWOOD ADDITION

(A Resubdivision of Bridge Road Subd.
Number Two Lots 7 & 8 Block One)

MARK LOCKWOOD
P.O. BOX 1566
KENAI, AK. 99611

LOCATION

3.367 AC. SITUATED IN A PORTION OF THE SW 1/4
SEC. 4, T5N, R11W, S.M. AK AND IN THE CITY OF KENAI
IN THE KENAI RECORDING DISTRICT

SCALE 1" = 100'	DATE: SEPT. 2003	BOOK NO. 02-07	DRAWN BY: LSC
P.O. Box 468 Seldovia, AK 99669		PROJECT NO. 022011	
		KPB FILE NO. 2002-157	

KW 83-144

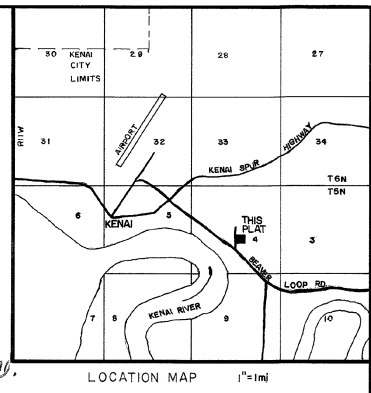
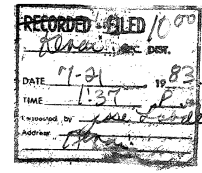
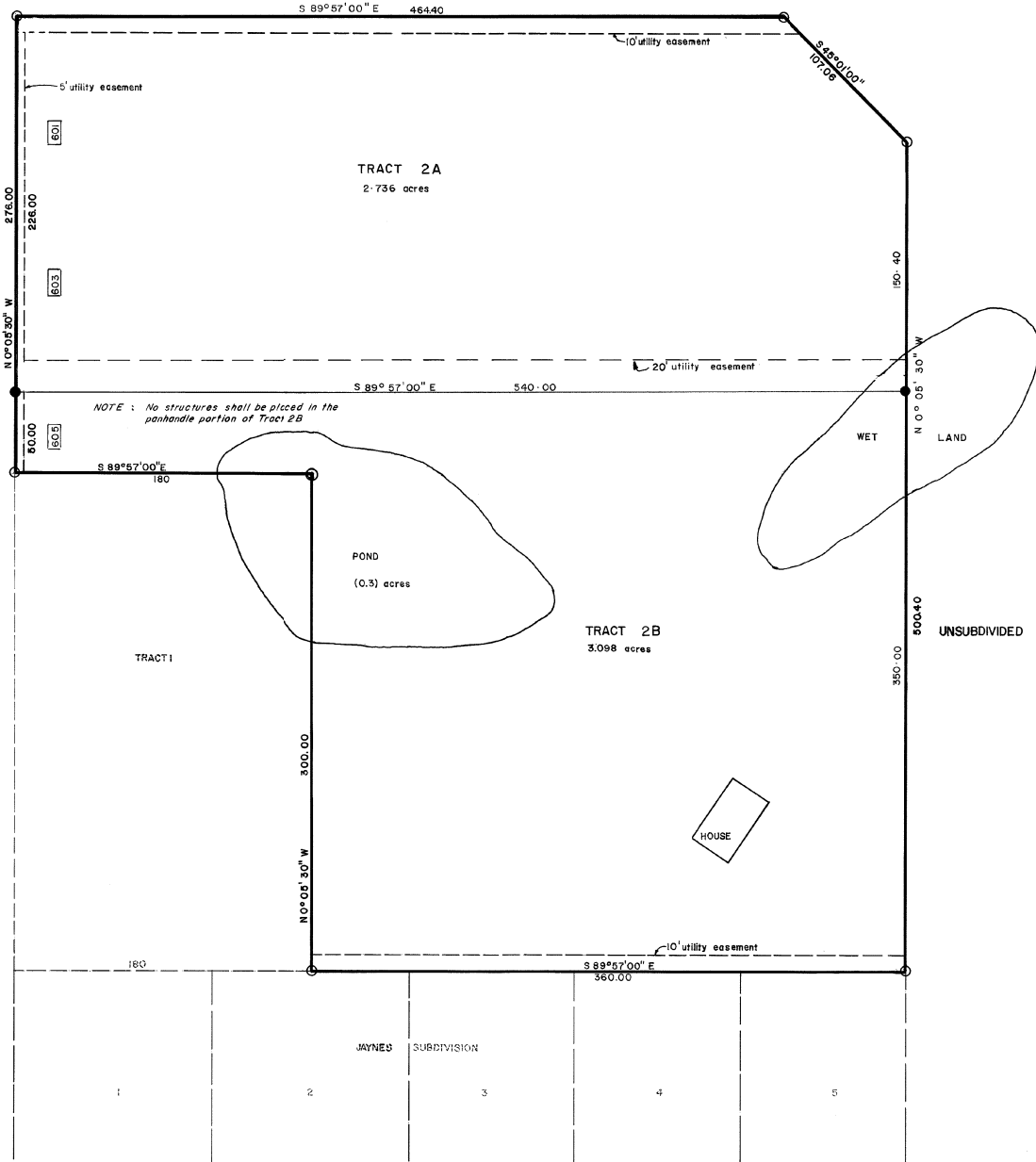
UNSUBDIVIDED

UNSUBDIVIDED

N

CS 1/4
S 4
494.47
276.00
276.00
550.00
CS 1/16
S 4

N 0° 05' 30" W (basis of bearing)
CHILD'S AVENUE



CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE ALL RIGHTS OF WAY TO THE PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

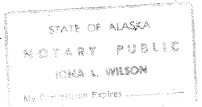
Peter J. Childs
PETER J. CHILDS

Kathleen M. Childs
KATHLEEN M. CHILDS
P.O. Box 3623
Kenai Alaska 99611

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21 DAY OF June, 1983
ARE Peter J. Childs AND Kathleen M. Childs

Jane L. Wilson
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8/5/84



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF July 11, 1983

KENAI PENINSULA BOROUGH

BY *Frank S. Lipp*
AUTHORIZED OFFICIAL

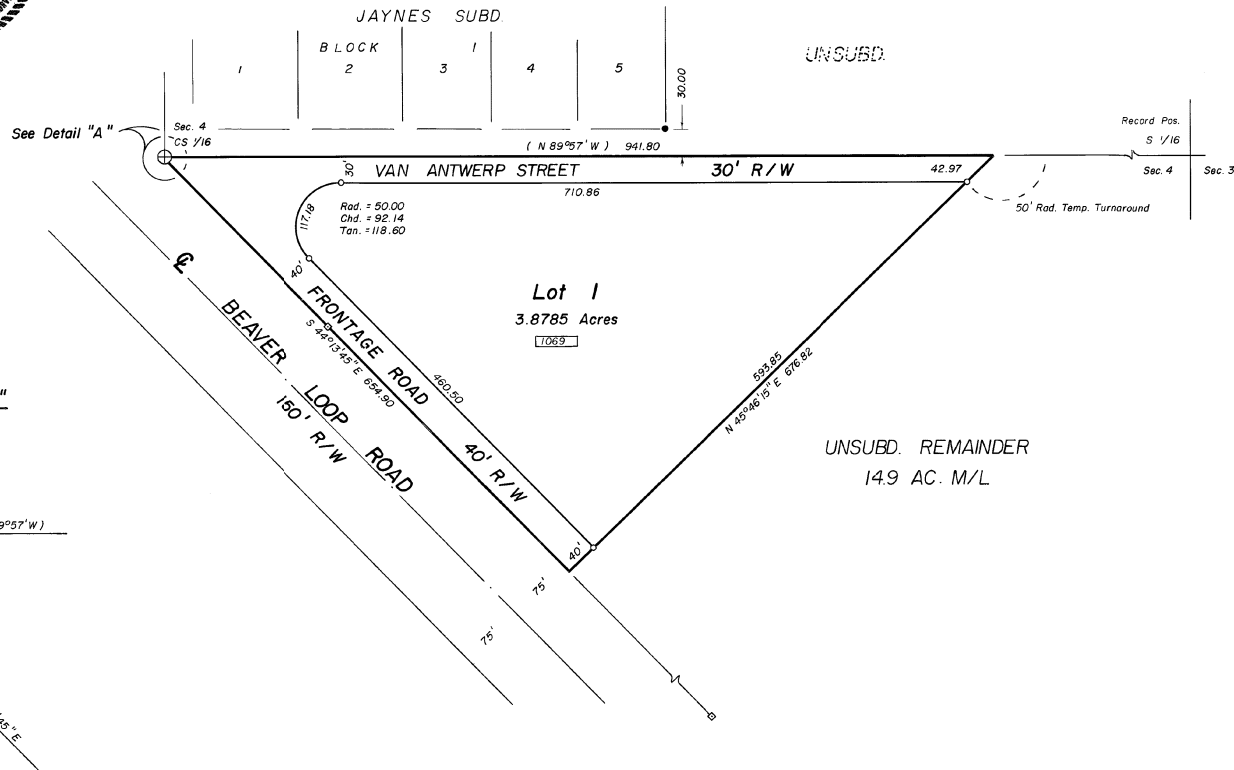
SURVEYORS CERTIFICATE

3000 S
REGISTRATION NUMBER, SEAL AND SIGNATURE
Jesse Lobdell

JAYNES SUBDIVISION CHILDS ADDITION			
A Subdivision of tract 2 Jaynes Subd Add No 1 within the w 1/2 nwl/4 sel/4 sec 4			
TSN R11W 5M City of Kenai, Kenai Peninsula Borough, Alaska			
Scale 1"= 50'	Area subdivided 5.84 acres	Date of survey June 18, 1983	
PETER AND KATHLEEN CHILDS P.O. Box 3623 Kenai, Alaska		JESSE LOBDELL - SURVEYOR P.O. Box 1386 Kenai, Alaska	

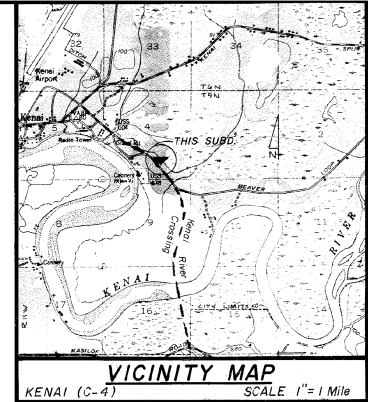
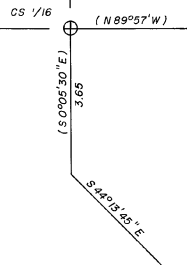
- LEGEND:
- Found 1/2" rebar at lot corner
 - Set 5/8" rebar at lot corner
 - ⊙ Monument of record not found this survey

BRIDGE ROAD SUBDIVISION



DETAIL "A"

Not to Scale



LEGEND AND NOTES

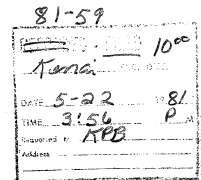
- ⊕ Found 2" brass cap set in conc., 1851-S 1971.
- Found 6"x6" conc. R/W monument.
- Found 1/2" steel rebar.
- Set 1/2"x24" steel rebar at all lot corners.
- () Indicates datum of record, K.R.D. 73-3.
- Street address number

Basis of bearing is the record datum of N 89°57'W for the S 1/16 line of Section 4, K.R.D. 73-3.

All wastewater treatment and disposal systems shall comply with existing law at time of construction.

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 said property and request the approval of this plat showing such easements for public utilities, roadways, and/or streets dedicated by us for public use.

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this

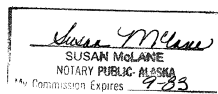
19. day of May, 1981.

My commission expires 9-23.

Susan McLane
notary public for Alaska

Richard I. Morgan

Shirley L. Morgan



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of January 5, 1981.

Kenai Peninsula Borough
By: [Signature]
Authorized Official
ADMINISTRATIVE OFFICER

BRIDGE ROAD SUBDIVISION

Richard I. & Shirley L. Morgan, owners
Drawer 1101, Kenai, Ak. 99611

LOCATION

5.127 ACRES LOCATED IN GOVT. LOT 9, SEC. 4, T5N, R11W, S.M., AK., NORTH AND EAST OF THE KENAI RIVER CROSSING AND IN THE CITY OF KENAI, A PORTION OF THE SW1/4 SE1/4 SEC. 4, T5N, R11W S.M. AK.

Surveyed by: McLane and Assoc., Inc.
Box 468, Soldotna, Ak. 99669

DATE OF SURVEY Aug. 14 - Sept. 29, 1980	SCALE 1" = 100'	FILE 80-17
--	--------------------	---------------

Karen B. Doggett Hall
Karen B. Doggett Hall - owner - Box 3489, Kenai, Ak.

Gordon A. Jaynes
Gordon A. Jaynes - owner - Box 969, Kenai, Ak.

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this
15th day of April, 1977.

My commission expires 8-13-78.

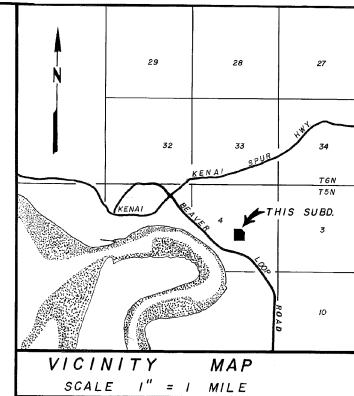
Wanda E. Mauer
notary public for Alaska

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this
15th day of April, 1977.

My commission expires 8-13-78.

Wanda E. Mauer
notary public for Alaska



UNSUBD. REMAINDER
30 AC. *

CERTIFICATE OF OWNERSHIP AND DEDICATION.

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Irene (Jaynes) Hartwig
Irene (Jaynes) Hartwig, owner, 2800 East 15th, Anchorage, AK 99501

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 14 day of April, 1977.

My commission expires 3/5/79.

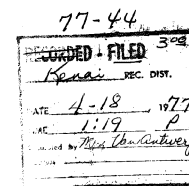
Donna L. Kiel
notary public for Alaska

PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of April 4, 1977, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of law appertaining thereto.

KENAI PENINSULA BOROUGH

By: H. O. Wain



JAYNES SUBDIVISION
ADDITION NO. 1

Irene (Jaynes) Hartwig, owner
2800 East 15th, Anchorage, Alaska 99501

DESCRIPTION
7.475 ACRES SITUATED IN THE NW 1/4 SE 1/4
SECTION 4, T5N, R11W, S.M. AK. AND IN THE
CITY OF KENAI.

Surveyed by: McLane & Associates
Soldotna, Alaska

Date of Survey Feb. 26, 1977	Scale 1" = 100'	Bk. No. 76-06
---------------------------------	--------------------	------------------

LEGEND:

- Found official 2" brass cap
- Found 1/2" steel rebar
- Set 1/2" x 24" steel rebar

NOTES:

All bearings refer to the south E-W 1/16 line
of Section 4 as being N 89° 57' W.

The temporary turnaround shown on the plat of Jaynes
Subd. K.R.D. 73-3 north of Block 1 on 9th Ave. S.E.
is hereby removed as the street dedication is herein continued.

A minimum 25' bldg. setback exists along all dedicated R/W's.

COVENANTS:

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.

All wastewater disposal systems shall comply with existing law at time
of construction.

C 1/4
SEC 4

LEGEND AND NOTES

- ⊕ Found G.L.O. brass cap monument
- ⊙ Found 2" brass cap set in concrete
- ⊕ Set 2 1/2" brass cap attached to 3/4" pipe
- Set 1/2" X 24" steel rebar
- ⊖ Power pole

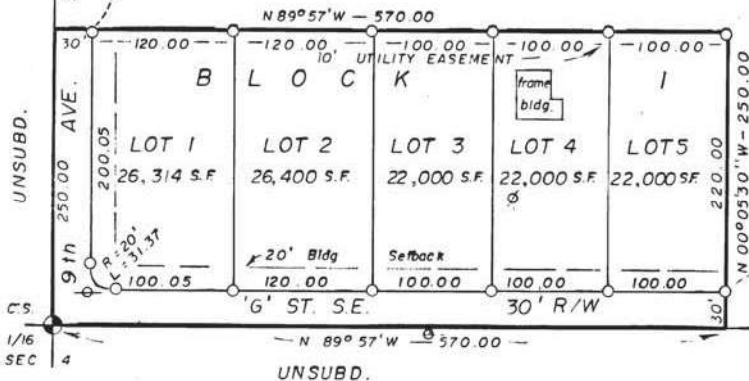
All bearings refer to the G.L.O. Datum of
N 00° 04' W for the EAST line of Sec. 4

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.

TEMP. TURN-AROUND

JAYNES UNSUBD. REMAINDER 37± AC.



VICINITY MAP
SCALE 1" = 1 Mile

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of said property, and request the approval of this plat showing such easements for public utilities, roadways and or streets dedicated by us for public use.

Date JANUARY 10, 1973

George D. Jaynes
owner

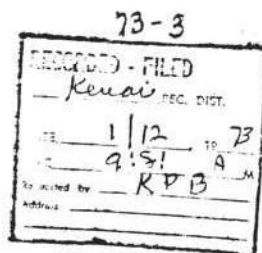
owner

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 14 day of January, 1973

My commission expires 3-4-75

Sharon Sterling
Notary Public for Alaska



PLAT APPROVAL

Plot approved by the commission this
6th day of JANUARY, 1973.

Stanley F. Hoar, May 1907
Mayor

JAYNES SUBDIVISION

George L. Jaynes — owner
Box 342 , Kenai Alaska 99 611

DESCRIPTION

3.271 ACRES SITUATED IN THE NW 1/4
SE 1/4 SEC. 4, T5N, R11W, S.M. AK. AND
THE CITY OF KENAI, AK.

Surveyed by: S.S. McLane R.L.S.

DATE OF SURVEY
Sept. 7-12, 1972

SCALE
1" = 100'

BK. NO.
33-68

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 23, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: J. Twait, A. Douthit, G. Woodard, J. Halstead, V. Askin

Commissioners absent: D. Fikes, G. Greenberg

Staff/Council Liaison present: Planning Director R. Foster, Administrative Assistant K. Rector, Deputy Clerk M. Thibodeau, Vice Mayor J. Glendening

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda. Commissioner Askin **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda. Commissioner Askin **SECONDED** the motion. There were no objections; **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.

5. *Excused absences – Fikes

B. APPROVAL OF MINUTES

1. *Regular Meeting of February 23, 2022

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2022-06** - Preliminary Subdivision Plat of Toyon Subdivision 2021 Replat, submitted by Edge Survey and Design, P.O. Box 208, Kasilof, AK 99610, on behalf of Kenaitze Indian Tribe, P.O. Box 988, Kenai, AK 99611

MOTION:

Commissioner Askin **MOVED** to approve Resolution PZ2022-06. Commissioner Halstead **SECONDED** the motion.

Director Foster provided a summary description of the property noting that the plat had previously gone before the Planning & Zoning Commission but the new preliminary plat had been updated with changes requested by the Kenai Peninsula Borough (KPB) including a turnaround in the western portion of the plat. He noted that the changes were significant enough to require another review by City staff and the commission.

Approval of the plat was recommended, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the two 20' public street easements to be vacated is not needed for a public purpose and approve the vacation of the 20' public street easements as shown on the preliminary plat.
3. The City of Kenai requests notification of the schedule for construction of the right of way turnaround at the end of Alaska Avenue.

The commission expressed appreciation for the addition of turnaround, noting that it addressed concerns discussed when the previous resolution was passed. It was noted that the City should consider placing "No Parking" signs at the turnaround, and that the addition would be good for snow removal vehicles.

VOTE:

YEA: Askin, Halstead, Woodard, Douthit, Twait
NAY: None

MOTION PASSED UNANIMOUSLY.

2. **Resolution PZ2022-07** - Preliminary Subdivision Plat of Jaynes Subdivision 2022 Replat, submitted by McLane Consulting, P.O. Box 468, Kenai, AK 99611, on behalf

of BGMC LLC, P.O. Box 2682, Kenai, AK 99611

MOTION:

Commissioner Halstead **MOVED** to approve Resolution PZ2022-07. Commissioner Woodard **SECONDED** the motion.

Director Foster provided a summary description of the property noting that it will create a Tract 3a and a Tract 4a; and the eastern half of Van Antwerp Avenue right of way and the utility easement proposed for vacation, as well as proposed creation of new dedicated 60 foot right of way connecting Childs Avenue to the current termination of Van Antwerp Avenue.

Approval of the plat was recommended, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

Clarification was provided regarding the easement location, and that the use is heavy industrial. Discussion involved how the new right of way could impact utilization of the new tract 3a.

VOTE:

YEA: Halstead, Woodard, Douthit, Twait, Askin

NAY: None

MOTION PASSED UNANIMOUSLY.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. **Action/Approval** - Windhaven Estates Phase 4 Time Extension

MOTION:

Commissioner Halstead **MOVED** to approve the Windhaven Estates Phase 4 Time Extension. Commissioner Woodard **SECONDED** the motion.

Director Foster provided a staff report noting that a two-year time extension had been requested for the finalization of the plat, and in order to do so KPB requires concurrence from the City of Kenai. A two-year extension for Phase 4 had previously been approved in 2020 and was set to expire tonight, and allows for a total approval time of six years and that expiration of time extensions require the submission of an action on a new preliminary plat if they run over the six years of time extensions.

Commission discussed how larger subdivisions are developed in phases and it is common that

they take a long time and require time extensions. The commission discussed possibly reasons for the time extension of finalization.

VOTE:

YEA: Woodard, Douthit, Twait, Askin, Halstead

NAY: None

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Vice Mayor Glendening reported on the actions of the March 16, 2022 City Council Meeting.
2. **Borough Planning** – No report.
3. **City Administration** – Planning Director Foster reported on the following:
 - Next Commission meeting on April 13, 2022 will include an application for lease renewal, a conditional use permit application and a special use permit application.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. April 13, 2022

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Woodard noted she is glad to be back.

Commissioner Askin noted the upcoming March for Meals fundraiser at Senior Center and encouraged everyone to go. Noted she is glad to see the roads are clearing of snow.

Vice Chair Douthit noted that he might not be able to make the April 13th meeting.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:42 p.m.

Minutes prepared and submitted by:

Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 2022-07**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **RECOMMENDING** THAT JAYNES SUBDIVISION 2022 REPLAT ATTACHED HERETO BE APPROVED

WHEREAS, the City of Kenai received the plat from McLane Consulting and,

WHEREAS, the plat meets Municipal Code requirements of the Heavy Industrial (HI) District; and,

WHEREAS, street names are referenced correctly; and,

WHEREAS, access is provided via Bridge Access Road, which is a paved, State of Alaska maintained road; and

WHEREAS, City water and sewer lines are located along Bridge Access Road; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to Kenai Municipal Code 14.10.070 Subdivision design standards, the plat conforms to the minimum street widths, easements are sufficiently provided for utilities, the proposed lot would be arranged to provide satisfactory and desirable building sites, and the preliminary plat meets standards for water and wastewater.
2. Pursuant to Kenai Municipal Code 14.24.010 Minimum lot area requirements, the proposed lots meets City standards for minimum lot sizes.
3. Pursuant to Kenai Municipal Code 14.24.020 General Requirements, the proposed lots meet City standards for minimum lot width, maximum lot coverage, maximum height, and setbacks.

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

Section 1. That the preliminary plat of Jaynes Subdivision 2022 Replat be approved subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.

2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
this 23rd day of March, 2022.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Michelle M. Saner, MMC, City Clerk

STAFF REPORT

TO: Planning and Zoning Commission
FROM: Ryan Foster, Planning Director
DATE: March 17, 2022
SUBJECT: PZ2022-07 – Preliminary Plat – Jaynes Subdivision 2022 Replat

Applicant: BGMC LLC
P. O. Box 2682
Kenai, AK 99611

Submitted By: McLane Consulting
P.O. Box 468
Kenai, AK 99611

Requested Action: Preliminary Subdivision Plat – Jaynes Subdivision 2022 Replat

Legal Description: Tract 3, Jaynes Subdivision Big Mikes Addition
Tract 4, Jaynes Subdivision Big Mikes Addition
Tract A-1, Bridge Road Subdivision 2019 Replat

Property Address: 601 Childs Ave, 511 Van Antwerp Ave, 1345 Bridge Access Rd

KPB Parcel No: 04935012, 04935013, and 04901324

Lot Size: Approximately 8.89 acres, 22.21 acres, and 11.99 acres

Existing Zoning: Heavy Industrial

Current Land Use: Vacant and Commercial

Land Use Plan: Industrial

GENERAL INFORMATION

McLane Consulting submitted a preliminary plat on behalf of the property owners, BGMC LLC. The plat affects the parcels at 601 Childs Ave (KPB: 04935012), 511 Van Antwerp Ave (KPB: 04935013), 1345 Bridge Access Rd (KPB: 04901324).

The proposed Jaynes Subdivision 2022 Replat will create a Tract 3A (approximately 18.4 acres), consisting of Tract 3 and the northern portion of Tract 4, Jaynes Subdivision Big Mikes Addition. And also create a Tract 4A (approximately 22.7 acres), consisting of the southern portion of Tract 4, Jaynes Subdivision Big Mikes Addition and all of Tract A-1, Bridge Road Subdivision 2019 Replat. The eastern half of Van Antwerp Avenue is proposed for vacation, with the creation of new dedicated 60' rights of way connecting from Childs Avenue to the current termination of Van Antwerp Avenue.

Application, Public Notice, Public Comment

KMC 14.10.010 General under *Chapter 14.10 Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review prior to the submittal of the plat to the Kenai Peninsula Borough Planning Department. *Kenai Municipal Code (KMC) 14.10.060* describes the process in more detail. The plat will be reviewed first by the City of Kenai Planning and Zoning Commission and then by the Kenai Peninsula Borough's Plat Committee and Planning Commission.

The property owners completed the City of Kenai preliminary plat submittal form. The City of Kenai follows *Kenai Peninsula Borough Code 20.25.070* and *20.25.080* for preliminary plat submittal requirements. City staff published notice of the consideration of the plat as part of the agenda for the City of Kenai Planning and Zoning Commission in the *Peninsula Clarion*. No public comments have been received as of March 17, 2022.

ANALYSIS

Access to the proposed Jaynes Subdivision 2022 Replat is provided via Bridge Access Road, which is a paved, State of Alaska maintained road, Childs Avenue, which is a gravel road, not maintained by the City, Van Antwerp Avenue, which is a gravel road, not maintained by the City, and Beaver Loop Road, which is a paved, City maintained road. City water and sewer lines are adjacent along Bridge Access Road.

The preliminary plat meets requirements of *KMC Subdivision design standards* and *KMC 14.10.080 Minimum improvements required* under *Chapter 14.10 Subdivision Regulations*.

RECOMMENDATIONS

City staff recommends approval of the preliminary plat of Jaynes Subdivision 2022 Replat subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.



2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

ATTACHMENTS

1. Application
2. Preliminary Plat
3. Aerial Map





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: BGMC LLC
Mailing Address: PO BOX 2682 City: KENAI State: AK Zip Code: 99611
Phone Number(s):
Email:

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #: KPB PID 04935012, 04935013, 04901324
Current City Zoning: Heavy Industrial
Use: ☐ Residential ☐ Recreational ☒ Commercial
☒ Other: Material Extraction Site
Water: ☒ On Site ☐ City ☐ Community
Sewer: ☒ On Site ☐ City ☐ Community

PLAT INFORMATION

Preliminary Plat Name: Jaynes Subdivision 2022 Replat
Revised Preliminary Plat Name:
Vacation of Public Right-of-Way: ☒ Yes ☐ No
Street Name (if vacating ROW): Portion of Van Antwerp Ave

Exceptions Required and Requested:


Comments:

Alternate access is being dedicated per the plat

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature:  Date: 3/7/2022
Print Name: Mike Brown Title/Business: CEO / BACX LLC



Preliminary Plat Submittal Form

City of Kenai
Planning and Zoning Department
210 Fidalgo Avenue
Kenai, AK 99611
(907) 283-6200
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@MCLANEOG.COM

PROPERTY OWNER

Name: PENINSULA MINI STORAGE, LLC
Mailing Address: 47 SPUR VIEW DR City: KENAI State: AK Zip Code: 99611
Phone Number(s):
Email:

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #: KPB PID 04935012, 04935013, 04901324
Current City Zoning: Heavy Industrial
Use: ☐ Residential ☐ Recreational ☒ Commercial
☒ Other: Material Extraction Site
Water: ☒ On Site ☐ City ☐ Community
Sewer: ☒ On Site ☐ City ☐ Community

PLAT INFORMATION

Preliminary Plat Name: Jaynes Subdivision 2022 Replat
Revised Preliminary Plat Name:
Vacation of Public Right-of-Way: ☒ Yes ☐ No
Street Name (if vacating ROW): Portion of Van Antwerp Ave

Exceptions Required and Requested:

Comments:

Alternate access is being dedicated per the plat

REQUIRED ATTACHMENTS

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

SIGNATURE

Signature: *David Schilling* Date: 3-7-21
Print Name: David Schilling Title/Business: Member



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:	PENINSULA MINI STORAGE, LLC						
Mailing Address:	47 SPUR VIEW DR	City:	KENAI	State:	AK	Zip Code:	99611
Phone Number(s):							
Email:							

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	KPB PID 04935012, 04935013, 04901324					
Current City Zoning:	Heavy Industrial					
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other: Material Extraction Site					
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:	Jaynes Subdivision 2022 Replat					
Revised Preliminary Plat Name:						
Vacation of Public Right-of-Way:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
Street Name (if vacating ROW):	Portion of Van Antwerp Ave					

Exceptions Required and Requested:

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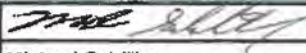
Comments:

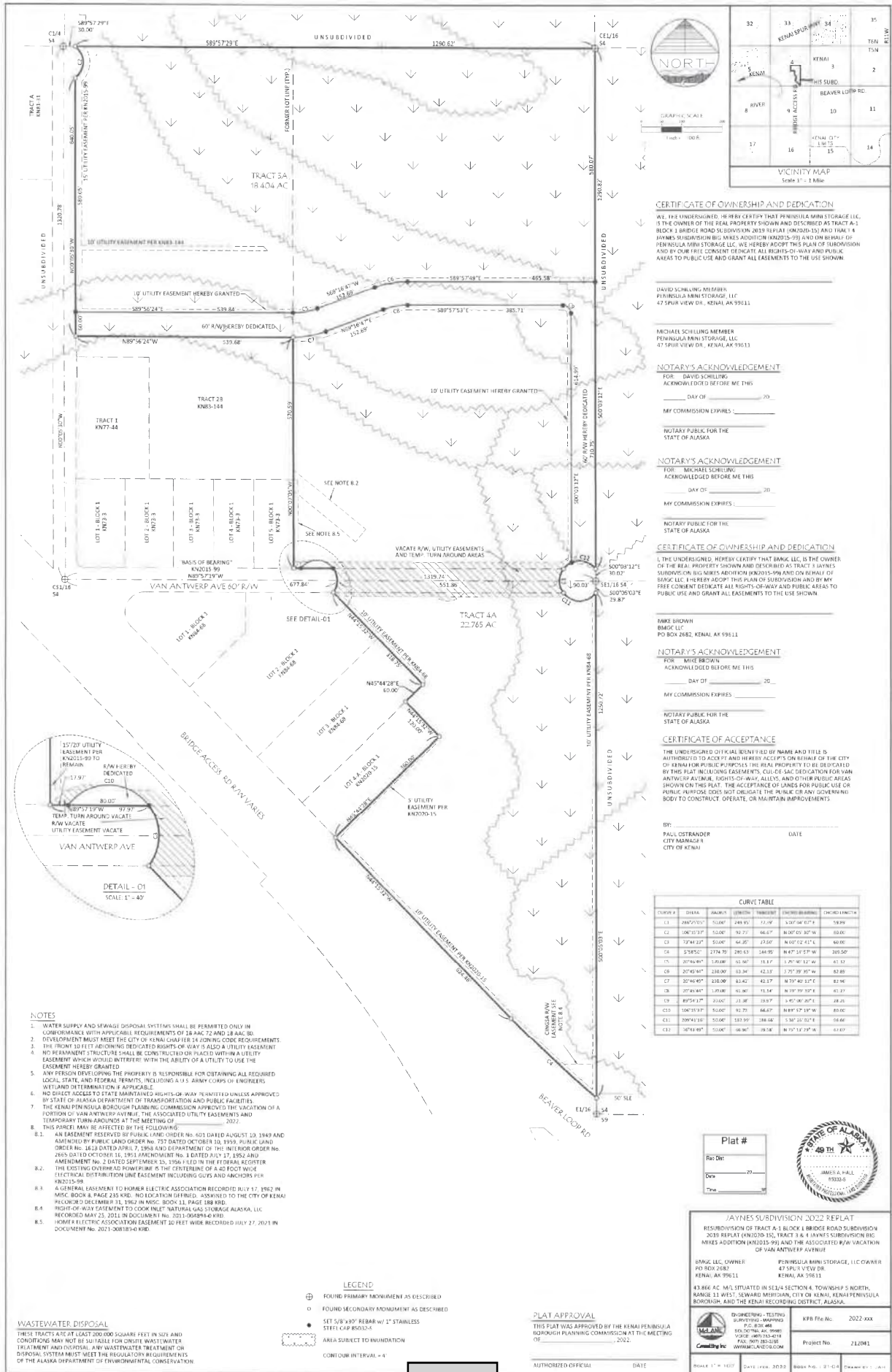
Alternate access is being dedicated per the plat					
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REQUIRED ATTACHMENTS

<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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STAMP HERE

Signature:		Date:	3-7-22
Print Name:	Michael Schilling	Title/Business:	Member



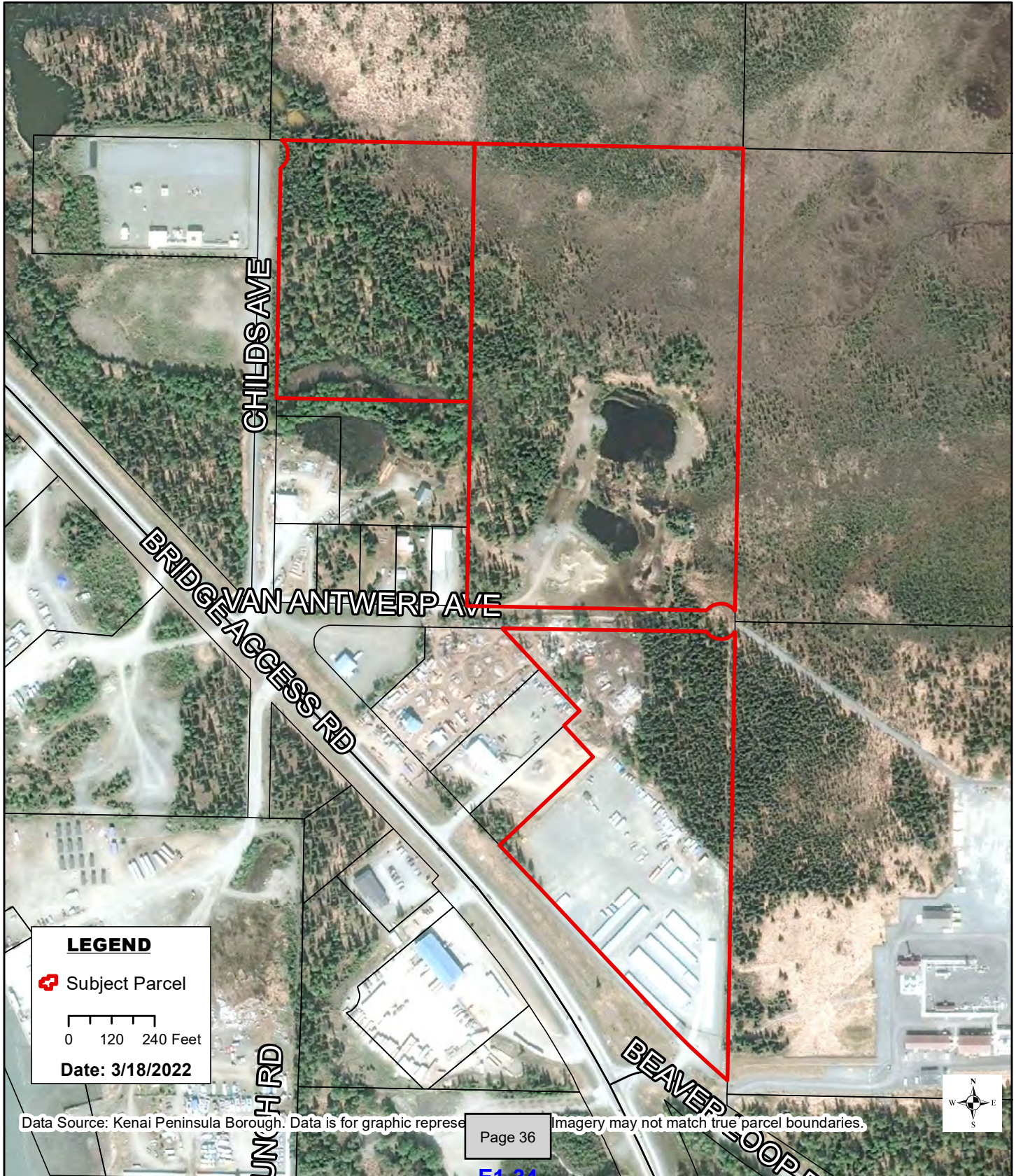


Jaynes Subdivision 2022 Replat

KPB #04935012

KPB #04935013

KPB #04901324



PLANNING & ZONING COMMISSION

Resolution PZ2022-07 – Preliminary Plat – Jaynes Subdivision 2022 Replat

Page 37

1

SUMMARY

Applicant: BGMC LLC
P. O. Box 2682
Kenai, AK 99611

Property Address: 601 Childs Ave, 511 Van Antwerp Ave,
1345 Bridge Access Rd

KPB Parcel No: 04935012, 04935013, and 04901324

Lot Size: Approximately 8.89 acres, 22.21 acres,
and 11.99 acres

Existing Zoning: Heavy Industrial

Current Land Use: Vacant and Commercial

Land Use Plan: Industrial

Page 38



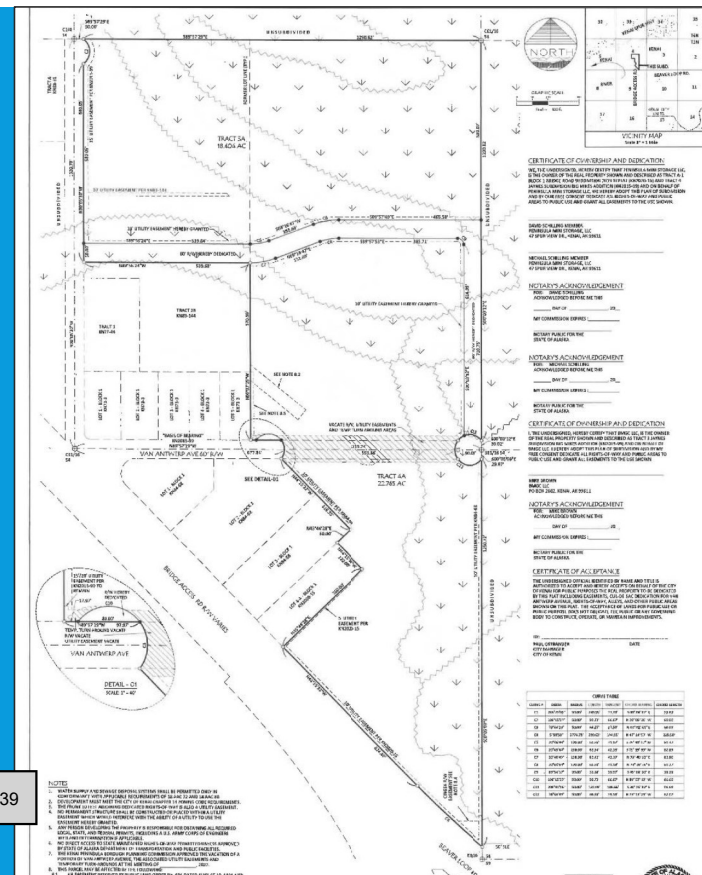
Jaynes Subdivision 2022 Replat
KPB #04935012
KPB #04935013
KPB #04901324



PRELIMINARY PLAT

- The proposed Jaynes Subdivision 2022 Replat will create a Tract 3A (approximately 18.4 acres), and a Tract 4A (approximately 22.7 acres),
- The eastern half of Van Antwerp Avenue ROW and utility easements is proposed for vacation.
- Proposed creation of new dedicated 60' rights of way connecting from Childs Avenue to the current termination of Van Antwerp Avenue.

Page 39



STAFF ANALYSIS

- Access to the proposed Jaynes Subdivision 2022 Replat is provided via Bridge Access Road, which is a paved, State of Alaska maintained road, Childs Avenue, which is a gravel road, not maintained by the City, Van Antwerp Avenue, which is a gravel road, not maintained by the City, and Beaver Loop Road, which is a paved, City maintained road.
- City water and sewer lines are adjacent along Bridge Access Road.
- The preliminary plat meets requirements of KMC Subdivision design standards and KMC 14.10.080 Minimum improvements required under Chapter 14.10 Subdivision Regulations.


RECOMMENDATIONS


- City staff recommends approval of the preliminary plat of Jaynes Subdivision 2022 Replat subject to the following conditions:
 1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
 2. The Kenai City Council must declare that the Van Antwerp 60' right of way and 25' of utility easement's to be vacated is not needed for a public purpose and approve the vacation as shown on the preliminary plat.
 3. The City of Kenai requests notification of the schedule for construction of the 60' dedicated rights of way starting at Childs Avenue.

ATTACHMENTS


- A. Application
- B. Preliminary Plat
- C. Aerial Map

A. APPLICATION

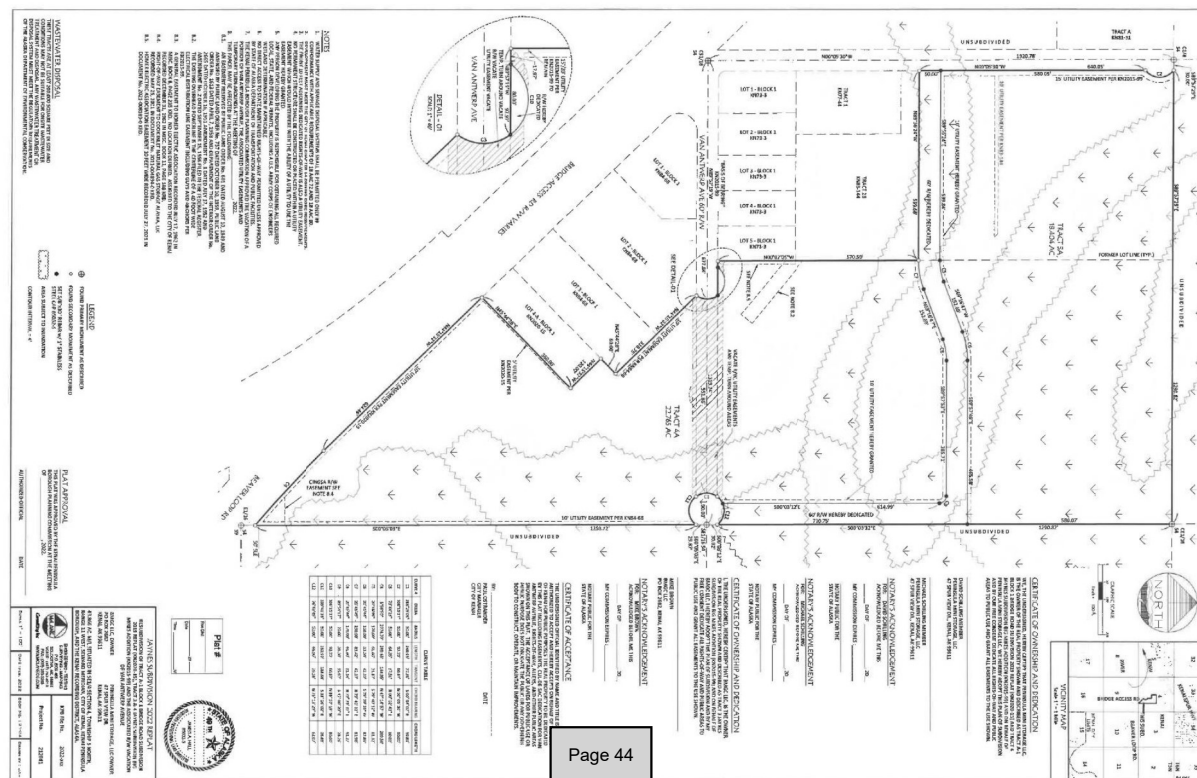
		City of Kenai Planning and Zoning Department 210 Fidalgo Avenue Kenai, AK 99511 (907) 283-8200 planning@kenai.city www.kenai.city/planning	
		Preliminary Plat Submittal Form	
APPLICANT (SURVEYOR)			
Name:	McLane Consulting		
Mailing Address:	PO BOX 468	City: Soldotna	State: AK Zip Code: 99669
Phone Number(s):	907-283-4218		
Email:	JHALL@MCLANECG.COM		
PROPERTY OWNER			
Name:	BOMC LLC		
Mailing Address:	PO BOX 2682	City: KENAI	State: AK Zip Code: 99611
Phone Number(s):			
Email:			
PROPERTY INFORMATION			
Kenai Peninsula Borough Parcel #:	KPB PID 04935012, 04935013, 04901324		
Current City Zoning:	Heavy Industrial		
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other: Material Extraction Site		
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Sewer:	<input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community		
PLAT INFORMATION			
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Revised Preliminary Plat Name:			
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Street Name (if vacating ROW):	Portion of Van Antwerp Ave		
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Comments:			
Alternate access is being dedicated per the plat			
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<input checked="" type="checkbox"/> Certificate to Plat <input checked="" type="checkbox"/> (1) 24" x 36" Plat <input checked="" type="checkbox"/> (2) 11" x 17" Plats			
Signature:	[Signature] Date: 3/7/22		
Print Name:	Mike Brown Title/Business: CEO / BOMC LLC		

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Phone Number(s):	907-283-4218		
Email:	JHALL@MCLANECG.COM		
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Mailing Address:	47 SPUR VIEW DR	City: KENAI	State: AK Zip Code: 99611
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Signature:	[Signature] Date: 3-7-21		
Print Name:	David Schilling Title/Business: Member		

Page 43

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Signature:	[Signature] Date: 3-7-22		
Print Name:	Michael Schilling Title/Business: Member		

B. PRELIMINARY PLAT



C. AERIAL MAP







ENSTAR Natural Gas Company
A DIVISION OF SEMCO ENERGY
Engineering Department, Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

April 6, 2022

Kenai Peninsula Borough, Platting Division
144 North Binkley Street
Soldotna, AK 99669

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following Right of Way vacation request **JAYNES SUBDIVISION 2022 REPLAT (KPB Case # 2022-040V)** and advises that there is an existing natural gas main line located within the Van Antwerp Avenue ROW. Attached is an approximate ENSTAR as-built for you reference. ENSTAR objects to this plat unless one of the following is met:

1. Add a note which says, "There is a fifteen foot (15 FT) wide natural gas easement centered on the existing main line." And draw in the approximate location of the main line on the map and add, "Approximate location of natural gas main and centerline of fifteen foot (15 FT) wide natural gas easement".
2. Owner signs an ENSTAR Natural Gas Easement document for a fifteen foot (15 FT) wide natural gas easement, centered on the main line at this location.

If you have any questions, please feel free to contact me at 334-7944 or by email at james.christopher@enstarnaturalgas.com.

Sincerely,

A handwritten signature in black ink that reads "James Christopher". The signature is written in a cursive, flowing style.

James Christopher
Right of Way & Compliance Technician
ENSTAR Natural Gas Company



