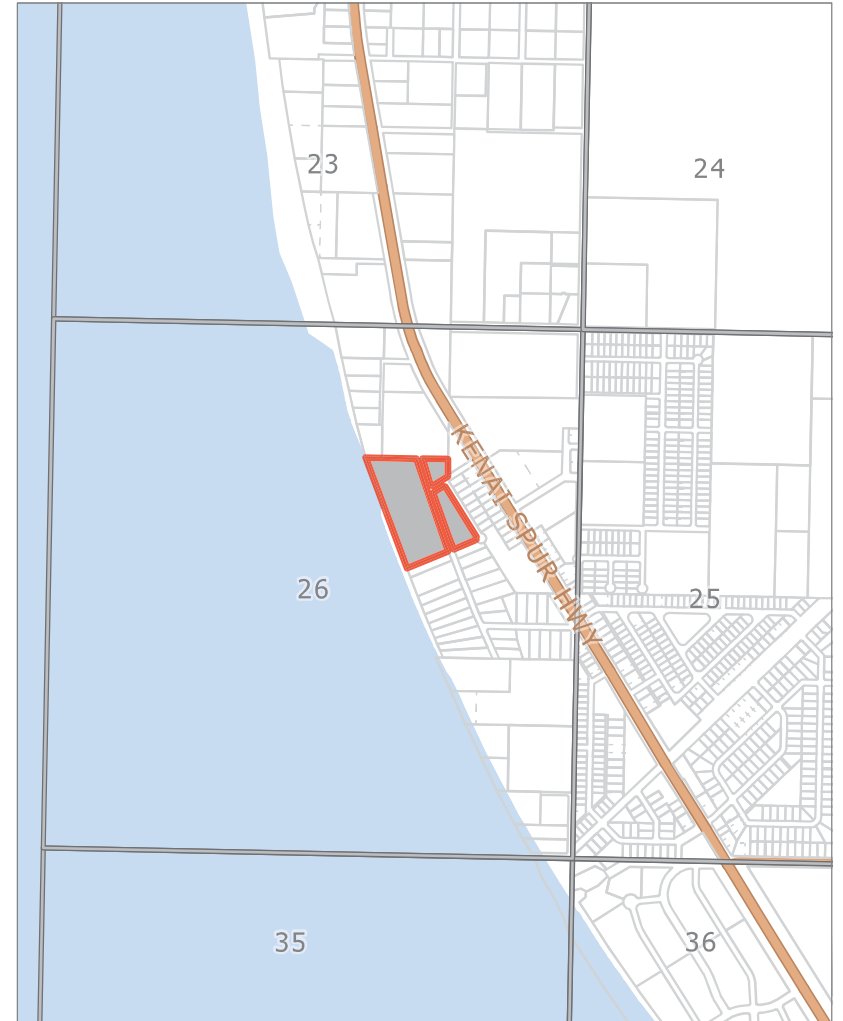


E. NEW BUSINESS

- 14. Shoreline Heights 2023 Addition; KPB File 2023-121
Segesser Surveys / Lowe
Location: Pey Drive
City of Kenai**



KPB File 2023-121
T 06N R 12W SEC 26
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.

LEGEND:

- 2 1/2" BRASS. CAP. MON. GLO 1921 FOUND
- 3 1/4" ALUM. CAP. MONUMENT LSS332 1975 FOUND
- 3 1/4" ALUM. CAP. MONUMENT J197-S 1985 FOUND
- 5/8" REBAR w/PLASTIC CAP FOUND
- 5/8" REBAR w/PLASTIC CAP LSS859 SET
- RECORD DATUM PLAT 2015-24 KRD

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	104°59'20"	20.00	36.65	28.06	31.73	N70°34'55" W
C2	89°52'48"	20.00	27.17	18.15	28.31	N18°00'00" E
C3	89°52'48"	20.00	31.41	20.00	28.25	S78°04'41" E
C4	58°32'59"	50.00	33.74	17.34	33.11	S00°42'22" W

LINE	BEARING	DISTANCE
L1	S89°59'22"E	63.12
L2	S08°52'21"E	85.75
L3	N55°32'25"E	89.49
L4	S22°32'27"E	10.01
L5	S22°32'27"E	12.01
L6	N22°32'27"W	85.02
L7	N22°32'27"W	85.02
L8	N70°16'14"E	60.07

NOTES:

- 1) Basis of bearing taken from Shoreline Heights 2014 Addition Phase 1 Subdivision, Plat 2015-24, Kenai Recording District.
- 2) Development of these lots is subject to the City of Kenai Zoning Regulations.
- 3) Roads must meet the design and construction standards established by the City of Kenai in order to be considered for certification and inclusion in the road maintenance program.
- 4) Covenants, conditions, and restrictions which effect this subdivision are recorded as serial number 2015-005278-0 and amendments thereto recorded as serial numbers 2016-002335-0 and 2020-004433-0 Kenai Recording District. The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- 5) An easement for electric lines or system and/or telephone lines granted to Kenai Power Corporation is recorded in Book 2 Page 41, Kenai Recording District. No definite location disclosed.
- 6) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Book 289 Page 146, Kenai Recording District. No definite location disclosed.
- 7) An easement for gas transmission pipelines granted to Union Oil Company of California is recorded in Book 17 Page 185, Kenai Recording District.
- 8) An easement for right of way is recorded in Book 307 Page 179, Kenai Recording District.
- 9) Front 10 feet adjacent to right-of-ways is a utility easement. This easement is for above ground transformers and pedestals only. All underground utilities within this easement must be installed perpendicular to the right-of-ways. 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.
- 10) The natural meanders of the line of mean high water forms the true bounds of the subdivision. The approximate line of mean high water, as shown, is for computations only. The true property corners being on the extension of the site lot lines and their intersection with the natural meanders.
- 11) All lots to be served by city water services.
- 12) Lots 1-10, inclusive, are subject to bluff erosion. The upland area from the top of the bluff line to the ROW has been shown on these lots.
- 13) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in 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.

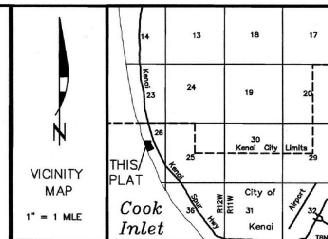
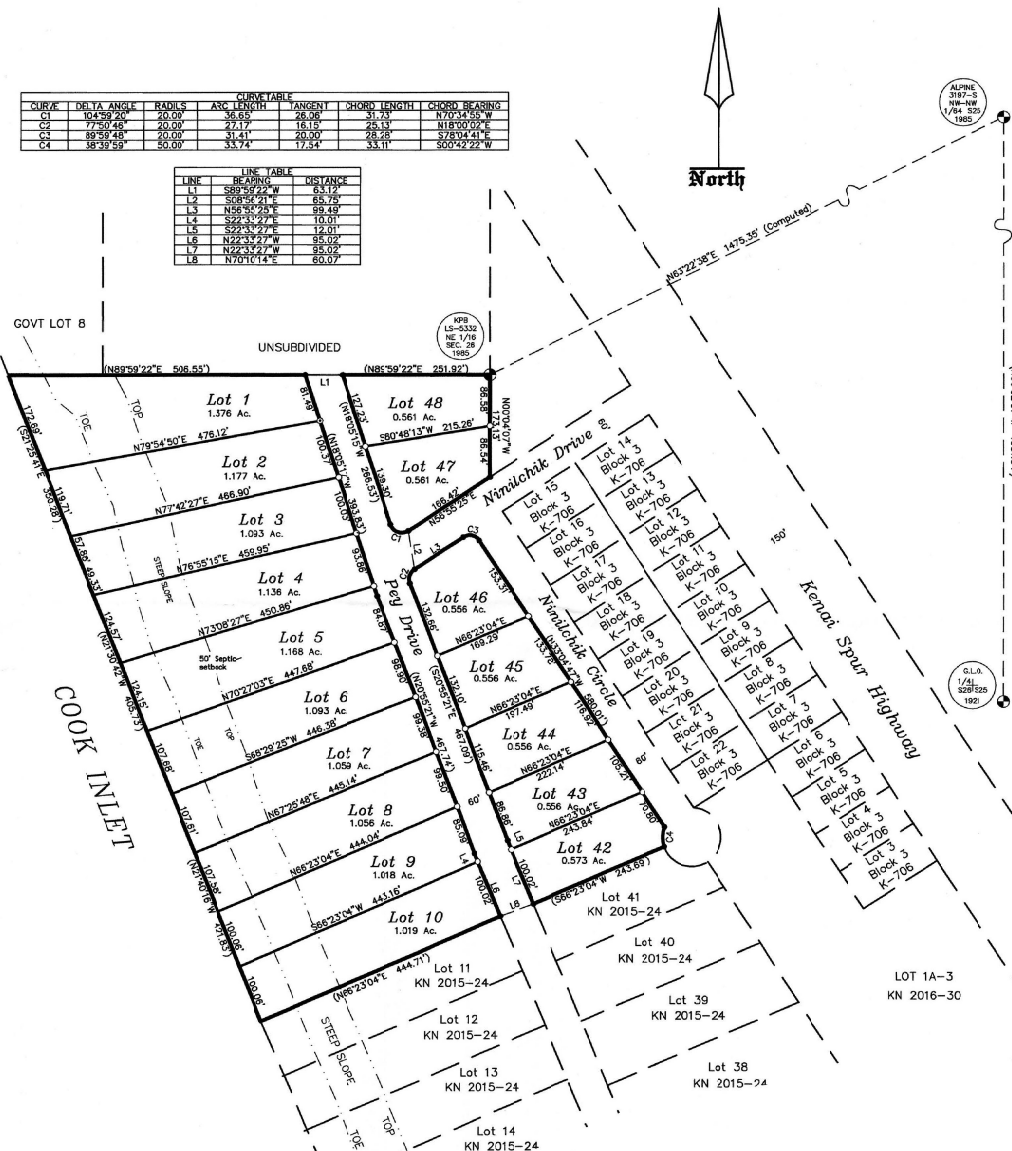
Engineer License No. date



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date



CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

BRYAN R. LOWE
1529 PEY DRIVE
KENAI, AK 99611

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

KPB FILE No.

Shoreline Heights 2023 Addition

A Subdivision of Tract A, Tract B, and Tract C of Shoreline Heights Subdivision Plat 2015-24 Located within the N1/2 SE1/4 & NE1/4 Section 26, T06N, R12W, Seward Meridian, City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 16.720 Acres

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Bryan R. Lowe 1529 Pey Drive Kenai, AK 99611
JOB NO. 23050	DRAWN: April 2023
SURVEYED:	SCALE: 1"=100'
FIELD BOOK:	SHEET: 1 of 1

KPB 2023-121

AGENDA ITEM E. NEW BUSINESS

**ITEM #14 - PRELIMINARY PLAT
SHORELINE HEIGHTS 2023 ADDITION**

KPB File No.	2023-121
Plat Committee Meeting:	November 13, 2023
Applicant / Owner:	Bryan Lowe of Kenai, AK
Surveyor:	John Segesser / Segesser Surveys
General Location:	Pey Dr, Kenai / City of Kenai

Parent Parcel No.:	039-141-31, 039-141-32 & 039-141-33
Legal Description:	Tract A, B & C of Shoreline Heights 2014 Addition Phase 1
Assessing Use:	Vacant
Zoning:	Rural Residential (RR)
Water / Wastewater	City / Onsite
Exception Request	none

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide three tracts into 17 lots ranging in size from 0.561 acres to 1.376 acres.

Location and Legal Access (existing and proposed): The subdivision is accessed along Pey Drive from Bree Avenue coming from Kenai Spur Highway near mile point 14.5. All lots will have access to Pey Drive, which is developed and not currently maintained by the City of Kenai. Lots 46 and 47 will have access to Ninilchik Drive and Lots 42-46 will have access to Ninilchik Circle which are both undeveloped currently.

All roads have been dedicated by previously recorded subdivisions and there will be no vacations with this subdivision either.

The is subdivision is not affected by a section line easement as the ADL that crossed the property was vacated by a previous platting action.

Block length is non-compliant, but due to the Cook Inlet being located to the west there is no dedication that can be done to give compliancy. ***Staff recommends the Plat Committee concur that an exception in not needed.***

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

Site Investigation: There are steep slopes on the west going down to the Cook Inlet as shown on the drawing by the top and toe. The rest of the subdivision is generally flat with a slight slope towards the inlet.

There are no structures currently located on the subdivision property.

The entire subdivision is designated as a wetland. Standard KPB wetlands note should be added to the plat.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie
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	Floodplain Status: Within City of Kenai Comments: City of Kenai should advise on any required notes. B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments C. State Parks Reviewer: VACANT Comments:
State of Alaska Fish and Game	

Staff Analysis The subdivision has previously been subdivided several times, originally being Government lots. The land was then subdivided four times with the last subdivision Shoreline Heights 2014 Addition Phase 1 KN2015-24 creating the current Tracts A, B and C being platted by this subdivision.

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 subdivision was reviewed by the City of Kenai at their regular meeting of the Planning & Zoning Commission on July 26th, 2023. It was unanimously approved to pass Resolution PZ2023-14 recommending approval for Preliminary Plat- Shoreline Heights 2023 Addition. A copy of the city minutes, packet, and resolution are included in the packet. Resolution PZ2023-14 also indicated an installation agreement is not required.

Utility Easements: Easements listed in the certificate to plat are shown on the subdivision in the plat notes. Assignment of Easement listed as Book 11 Page 188 of the certificate to plat needs to be added to the subdivision as it appears to affect the area as listed in section 82 of the document. **Staff recommends:** *surveyor verify if this easement is still valid and if so, the extent of its affect.*

Homer Electric Association Inc was provided the preliminary plat for review and requested plate note eight be revised. **Staff recommends:** *the surveyor make the requested changes before final submittal.*

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

Utility provider review:

HEA	Revise the plat note to allow a utility line to be placed within the utility easement and be run parallel with the right of way.
ENSTAR	
ACS	No objections
GCI	

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 1541 PEY DR, 1540 PEY DR, 1610 PEY DR Existing Street Names are Correct: Yes
------------	--

	List of Correct Street Names: PEY DR, NINILCHIK DR, NINILCHIK CIR, KENAI SPUR HWY Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: CITY OF KENAI WILL ADVISE ON ADDRESSING
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Assessing	Reviewer: Windsor, Heather Comments: No comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

- The legend symbols do not match the symbols on the drawing.
- In the legend, verify the date on the second monument listed.
- Labels for top, toe and steep slope should match in font size.
- Plat note 11, add at the end of the note 'bordered by the top of slope on the west'.
- Easement listed in plat not 5 does not affect this property and can be removed.

KPB 20.25.070 – Form and contents required

Staff recommendation: *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

Staff recommendation:

- *Correct the name of the parent subdivision.*
- *Change the legal, the plat is only in the NE1/4.*
- *Total acreage is listed incorrect, should be 15.112 acres from parent plat.*

- Lots total to 15.114 acres.
- Owners address needs updated in title block and Certificate of Ownership. If the address shown is correct the owners should contact the Assessing Department to have the address on file updated.
- Update KPB File No to 2023-121.

G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff recommendation:

- Lot 1A to the northeast needs a label added.
- Lots 12 and 13 to the south need correct labeling.

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.

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: comply with 20.60.110.

- show measured data on drawing

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: comply with 20.60.190.

Add date of November 13, 2023 to Plat Approval

20.60.200. Survey and monumentation.

Staff recommendation: *comply with 20.60.200*

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

RECOMMENDATION:

STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

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

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

END OF STAFF REPORT



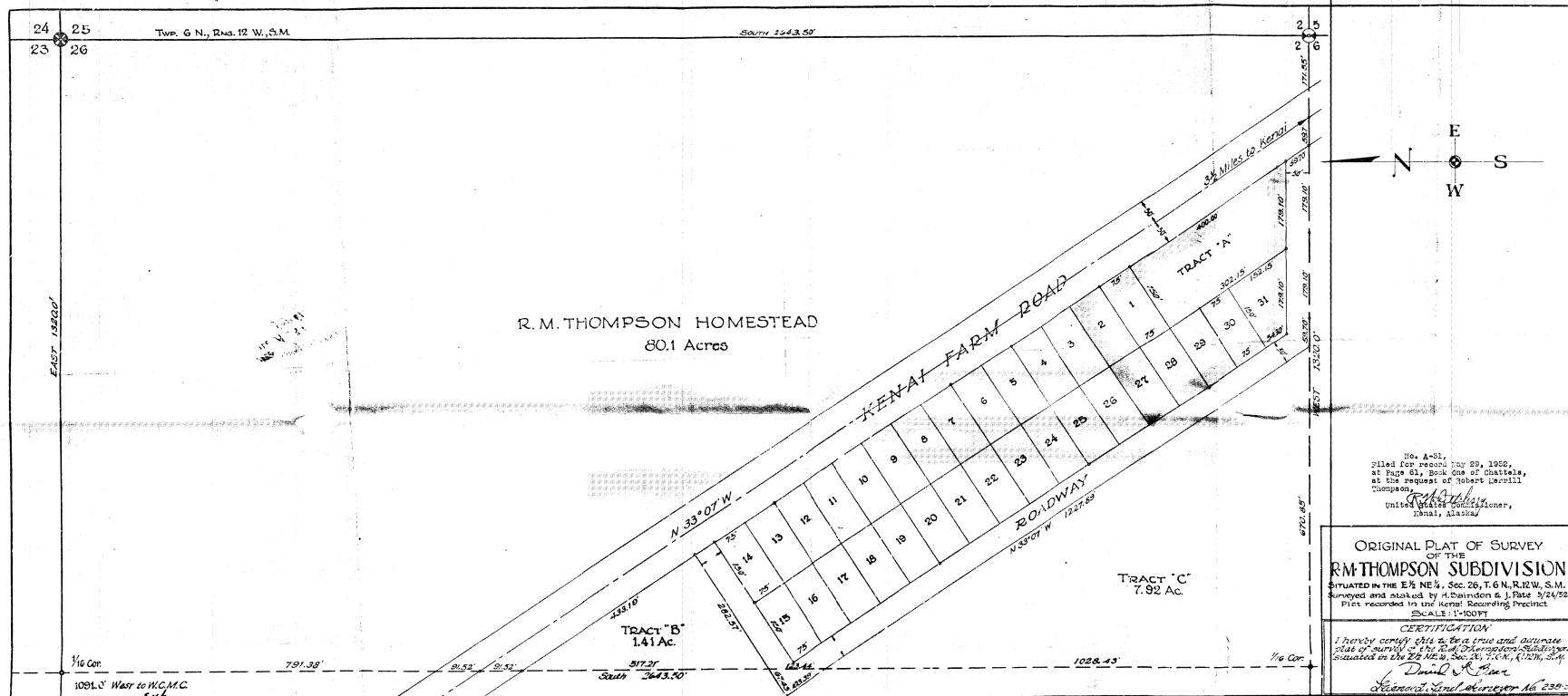
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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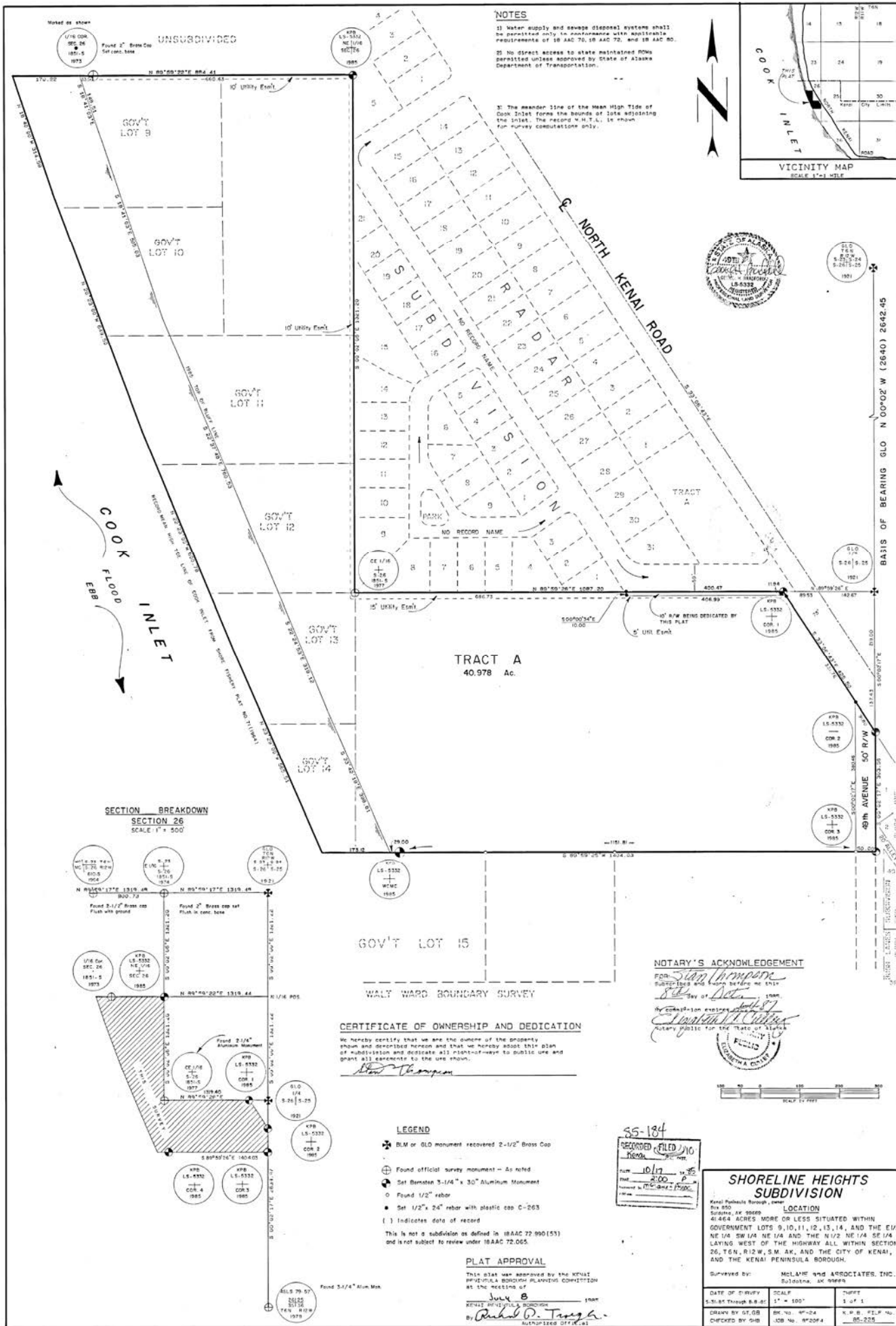


No. A-31,
 filed for record May 29, 1926,
 at Page 62, Book One of Chittels,
 at the request of Robert Merrill
 Thompson
 United States Commissioner,
 Kenai, Alaska

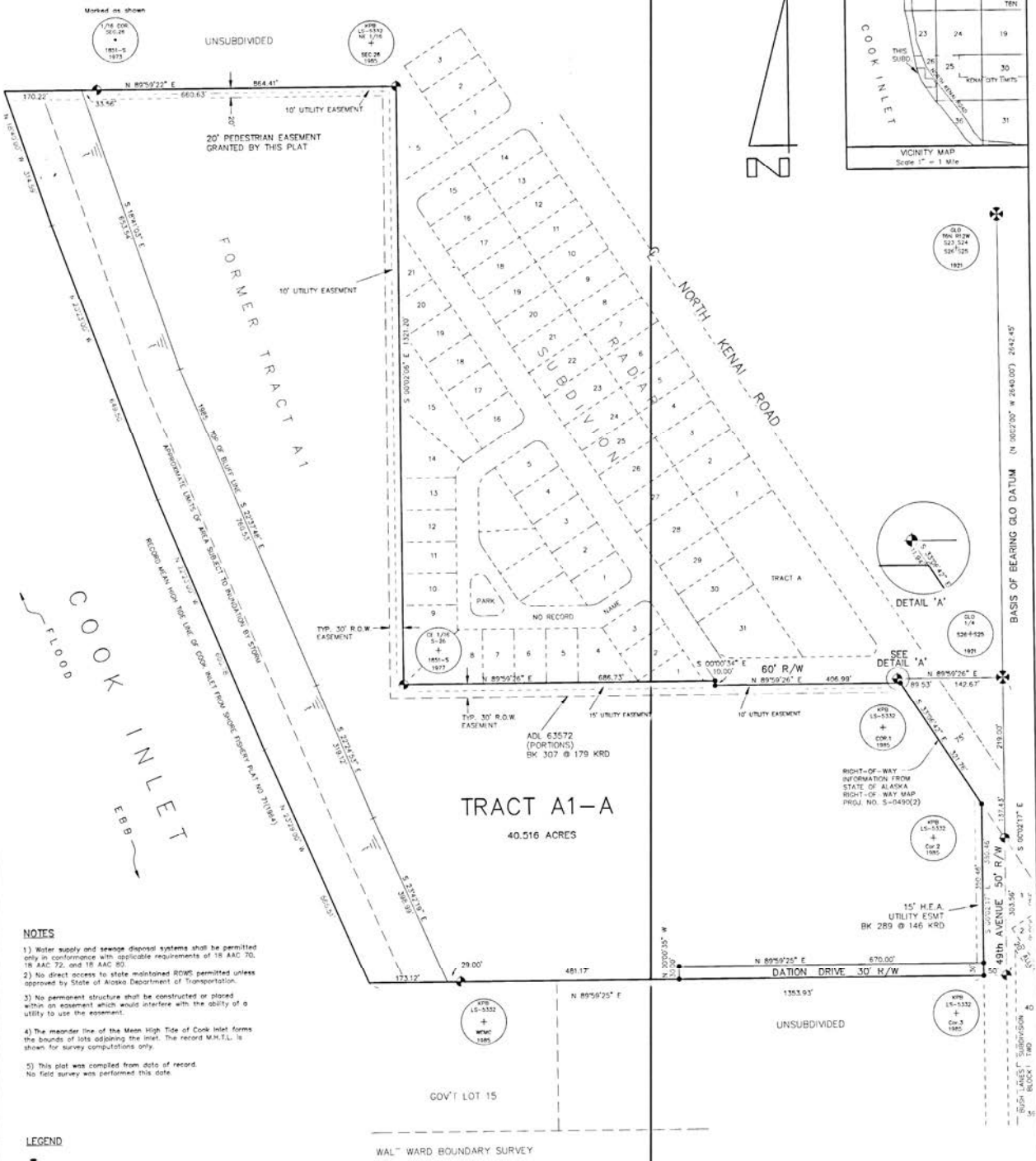
ORIGINAL PLAT OF SURVEY
 OF THE
R.M. THOMPSON SUBDIVISION
 SITUATED IN THE E 1/4 NE 1/4, Sec. 26, T. 6 N., R. 12 W., S. 1 M.
 Surveyed and plotted by J. Davidson & J. Pate 3/24/26
 Plots recorded by the Kenai Recording Precinct
 SCALE: 1"=100 FT.

CERTIFICATION
 I hereby certify this to be a true and accurate
 plat of survey of the R.M. Thompson Subdivision
 situated in the E 1/4 NE 1/4, Sec. 26, T. 6 N., R. 12 W., S. 1 M.
 David R. Pate
 Licensed Civil Engineer No. 2393

Thompson, R.M. Homestead
 Kx A-31



KN 99-5



- NOTES**
- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
 - 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation.
 - 3) 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 meander line of the Mean High Tide of Cook Inlet forms the bounds of lots adjoining the inlet. The record M.H.T.L. is shown for survey computations only.
 - 5) This plot was compiled from data of record. No field survey was performed this date.

- LEGEND**
- ✱ BLM/GLO monument of record
 - ⬢ Official survey monument of record
 - 1/2" rebar of record
 - () Record date

NOTARY'S ACKNOWLEDGEMENT

FOR:

Subscribed and sworn before me this
 22nd day of February, 1999.
 My commission expires May 22, 1999.

Beverly S. Dove
 Notary Public for the State of Alaska

NOTARY PUBLIC
 BEVERLY S. DOVE
 STATE OF ALASKA

WASTEWATER DISPOSAL

These lots are of at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the real property shown and described herein and we hereby adopt this plan of subdivision and by our free consent grant all easements to the use shown.

Mike Novara
 Mike Novara, Mayor
 Authorized Official for the Kenai Peninsula Borough

PLAT APPROVAL

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

January 11, 1999.

KENAI PENINSULA BOROUGH by
Walter Scott
 Authorized Official



99-5
 RECORDED 20
 KENAI REC. DIST
 MAY 26 1999
 BY 107
 WALTER SCOTT
 Consulting Group
 4000 4th Ave. S.
 Suite 200
 Anchorage, AK 99509

**SHORELINE HEIGHTS
 SUBDIVISION NO. 3**
 (A RESUBDIVISION OF SHORELINE HEIGHTS SUBDIVISION NO. 2 TO GRANT A PEDESTRIAN EASEMENT)

Kenai Peninsula Borough, owner
 144 North Rinley
 Soldotna, AK 99689

LOCATION
 40.497 AC. M/L SITUATED WITHIN GOVERNMENT LOTS 9, 10, 11, 12, 13, 14, AND THE E 1/2 NE 1/4 SW 1/4 NE 1/4 AND THE N 1/2 NE 1/4 SE 1/4 LAYING WEST OF THE HIGHWAY ALL WITHIN SECTION 26, T. 6 N., R. 12 W., S.M., AK. THE CITY OF KENAI, THE KENAI PENINSULA BOROUGH AND THE KENAI RECORDING DISTRICT.

Surveyed by: Consulting Group
 P.O. BOX 488
 Soldotna, AK 99689

McLANE

Date: Sept. 1998 Book No.: 85-24 Project No. 982033
 Drawn by: Scale 1" = 100' KPB File No. 98-217
 Checked by: MTM

EASEMENT VACATION PLAT

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, AND THAT THIS PLAT WAS DRAFTED UNDER MY DIRECT SUPERVISION, AND THAT ALL DATA SHOWN HEREON IS TRUE, AND CORRECT AS COMPILED FROM EXISTING RECORD INFORMATION.

SCOTT A. HAY
REGISTERED LAND SURVEYOR
LA 11798
REGISTRATION NO.
1/30/2017
DATE



CERTIFICATE OF OWNERSHIP

I, THE UNDERSIGNED, CERTIFY THAT I AM THE OWNER OF LOTS 11-18, 22-24, 30-35, AND 37 AND TRACTS A, B AND C OF SHORELINE HEIGHTS 2014 ADDITION PHASE 1, AS SHOWN ON THIS PLAT. I APPROVE THIS EASEMENT VACATION PLAT.

BRYAN R. LOWE
1205 5TH ST.
KENAI, AK 99611
DATE 1/28/17

NOTARY'S ACKNOWLEDGMENT

FOR BRYAN R. LOWE
ACKNOWLEDGE BEFORE ME THIS 3rd DAY OF JANUARY, 2017

NOTARY PUBLIC FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES 12/31/2020

CERTIFICATE OF OWNERSHIP

WE, THE UNDERSIGNED, CERTIFY THAT ALASKA BELL LLC IS THE OWNER OF LOT 36 OF SHORELINE HEIGHTS 2014 ADDITION PHASE 1, AS SHOWN ON THIS PLAT. I APPROVE THIS EASEMENT VACATION PLAT.

ALASKA BELL LLC
40 BOX STREET
WASILLA, AK 99697
DATE 1/28/17

NOTARY'S ACKNOWLEDGMENT

FOR NANCY BELL
ACKNOWLEDGE BEFORE ME THIS 23rd DAY OF January, 2017

NOTARY PUBLIC FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES 12/31/2018

NOTARY'S ACKNOWLEDGMENT

FOR JOSEPH BELL
ACKNOWLEDGE BEFORE ME THIS 23rd DAY OF January, 2017

NOTARY PUBLIC FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES 12/31/2018

NOTES:

- 1) DIAGONALLY HATCHED AREA INDICATES THE PORTIONS OF ADL 63572 EASEMENT BEING VACATED WITHIN SECTION 26 OF T10N R12W SEWARD MERIDIAN.
- 2) NO FIELD SURVEY HAS BEEN CONDUCTED IN RELATION TO THE PREPARATION OF THIS VACATION PLAT. ALL BOUNDARY LINES AND OTHER DETAILS AS SHOWN ARE FROM THE PLAT OF SHORELINE HEIGHTS 2014 ADDITION PHASE 1 PLAT NO. 2015-24 KENAI RECORDING DISTRICT.
- 3) IT IS NOT THE INTENT OF THIS PLAT TO VACATE ANY OTHER DEDICATED PUBLIC RIGHTS OF WAY OR EASEMENTS.
- 4) VACATION OF ADL 63572 EASEMENT, AS SHOWN ON THIS DRAWING, WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION ON THE MEETING OF OCTOBER 27, 2014. THE HATCHED AREA SHOWS THE PORTION OF EASEMENT THAT WILL BE VACATED BY THIS PLAT.
- 5) THIS EASEMENT VACATION IS IN COMPLIANCE WITH THE FINAL DECISION EV-3-235 APPROVED JUNE 30, 2016.
- 6) THE ALTERNATE ROUTE IN ACCORDANCE WITH 11 AAC 01.05 IS VIA THE KENAI SPUR HIGHWAY AND PLATTED RIGHTS-OF-WAY DEDICATED BY THE PLAT OF SHORELINE HEIGHTS 2014 ADDITION PHASE 1.



NORTH

LEGEND:

- PORTION OF ADL 63572 EASEMENT VACATED BY THIS PLAT

CERTIFICATE OF PUBLIC ACCESS EASEMENT VACATION

THE STATE OF ALASKA, ACTING BY AND THROUGH THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES DOES HEREBY STATE AND DECLARE THAT THE STATE OF ALASKA VACATES AND RELEASES ALL RIGHTS AND TITLE TO THE PORTIONS OF PUBLIC ACCESS EASEMENTS MAINTAINED BY THE DEPARTMENT OF NATURAL RESOURCES THAT WERE GRANTED UNDER THE RIGHT-OF-WAY PERMIT ADL 63572 (SECTION AREA DELINEATED BY DIAGONAL HATCHING ON THIS PLAT).

APPROVED: *Paul R. Olt* DATE 2/8/17
COMMISSIONER
DEPARTMENT OF NATURAL RESOURCES

CERTIFICATE OF ACCEPTANCE

I HEREBY CERTIFY THAT THE CITY OF KENAI APPROVES AND ACCEPTS THE VACATION OF EASEMENTS AS SHOWN ON THIS EASEMENT VACATION PLAT.

Paul R. Olt 2/8/17
CITY MANAGER - CITY OF KENAI
210 FRIMLOG AVE.
KENAI, AK 99611

Plat

Rec. Dist. _____
Date _____ 20____
Time _____ M

PLAT APPROVAL

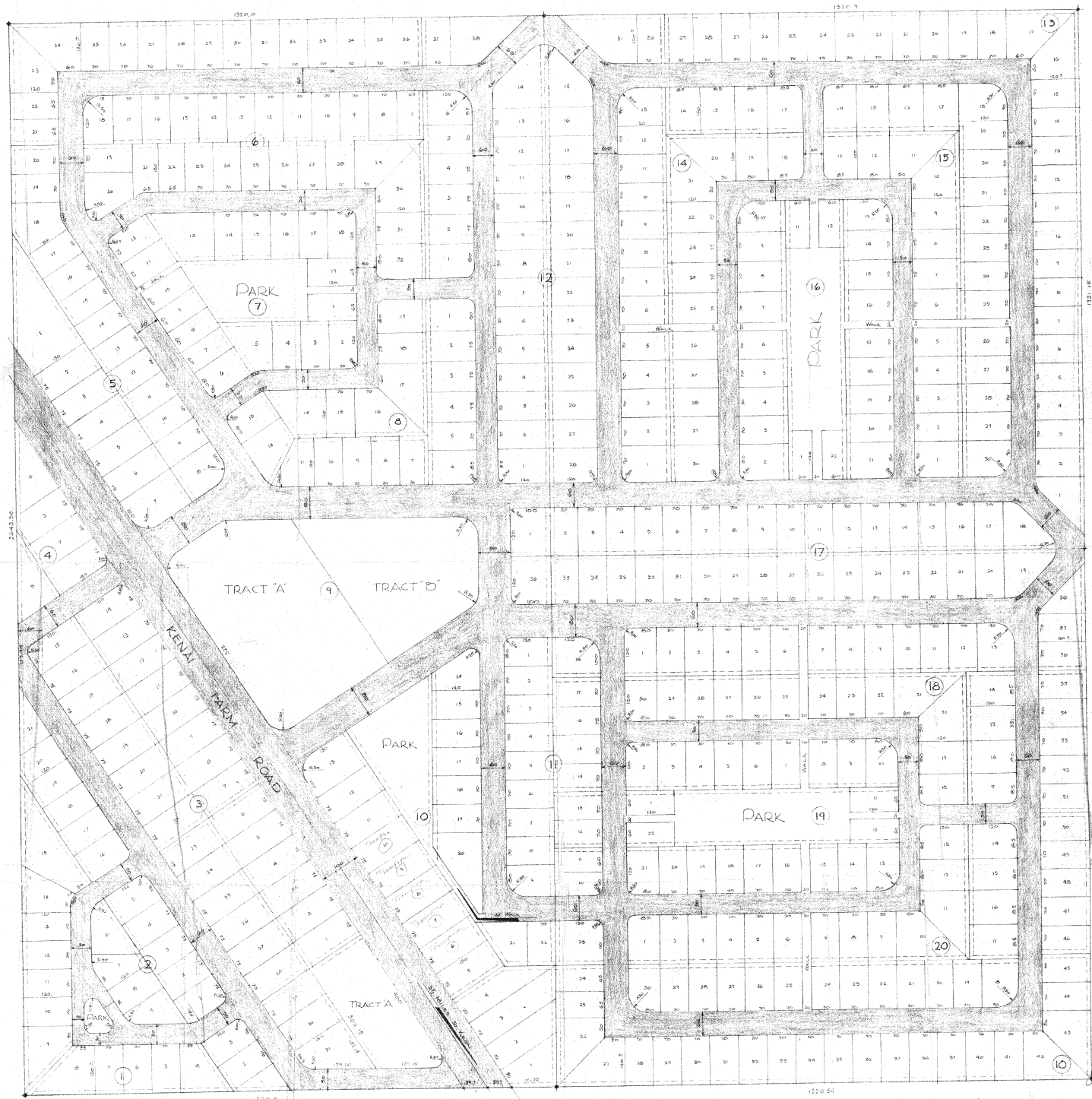
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF August 22, 2014.

KENAI PENINSULA BOROUGH

Paul B. Jackson
AUTHORIZED OFFICIAL

KPB FILE No. 2016-094	
DATE OF SURVEY Beginning N/A Ending N/A	NAME OF SURVEYOR INTEGRITY SURVEYS INC. 820 3RD ST. N.E. KENAI, AK 99611 integritysurveys@alaska.net
STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES DIVISION OF MINING, LAND AND WATER ADL 63572 EASEMENT VACATION PLAT ASSOCIATED WITH LOTS 11-18, 22-24, 30-35, 37-38 AND TRACTS A, B AND C OF SHORELINE HEIGHTS 2014 ADDITION PHASE 1 PLAT 2015-24 KENAI RECORDING DISTRICT	
WITHIN SECTION 26 T10N, R12W, SEWARD MERIDIAN CITY OF KENAI, KENAI RECORDING DIST., KENAI PENINSULA BOROUGH, ALASKA	
DRAWN BY: <i>SA</i>	APPROVAL/RECOMMENDATION: <i>Paul B. Jackson</i> 2/27/2017
DATE: DEC. 29, 2016	DATE: 2/27/2017
SCALE: 1" = 100'	CHECKED: FILE 214120 ESMT.DWG
JOB No. 214120	FIELD No. N/A DNR FILE No. EV-3-235

Page 1 of 1



N
 K-706
 FILED
 MAGISTRATE OFFICE
 THIRD FEDERAL DISTRICT
 KENAI, ALASKA
 Date Filed: 10/12/52
 Time: 1:15 P.M.
 DEPUTY MAGISTRATE
 BY: [Signature]
 EASEMENTS: [Blank]
 All EASEMENTS IN WORK
 ON EXIST. PROPERTY LINE
 AS SHOWN
 [Signature]
 OCTOBER 12, 1952

Radar Sub.
 K-706

E14-16

VICTOR FISHER PLANNING CONSULTANT ANCHORAGE, ALASKA	E. D. CRITTENDEN ARCHITECT Box 354 ANCHORAGE, ALASKA	GENERAL PLAN RADAR SUBDIVISION KENAI, ALASKA	SUBDIVISION OF W & NW 1/4 SEC 28 AND E 1/4 NW 1/4 SEC 28 T-14 N, R-12 W, SEWARD MERIDIAN
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Job # 5251



CERTIFICATE OF SURVEYOR

I HEREBY CERTIFY THAT THE PROPERTY REPRESENTED BY THIS SURVEY WAS SURVEYED IN THE STATE OF ALASKA, THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA.

NOTES:

- 1) DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
- 2) NO PRIVATE ACCESS TO STATE MAINTAINED RIGHT-OF-WAY IS PERMITTED, UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
- 3) FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY IS A UTILITY EASEMENT. THIS EASEMENT IS FOR ABOVE GROUND TRANSFORMERS AND PEDESTALS ONLY. ALL UNDERGROUND UTILITIES WITHIN THIS EASEMENT MUST BE INSTALLED PERPENDICULAR TO THE RIGHTS-OF-WAY. 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.
- 4) ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE CITY OF KENAI IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
- 5) THE NATURAL MEANDERS OF THE LINE OF MEAN HIGH WATER FORMS THE TRUE BOUNDS OF THE SUBDIVISION. THE APPROXIMATE LINE OF MEAN HIGH WATER, AS SHOWN, IS FOR COMPUTATIONS ONLY. THE TRUE PROPERTY CORNERS BEING ON THE EXTENSION OF THE SIDE LOT LINES AND THEIR INTERSECTION WITH THE NATURAL MEANDERS.
- 6) PUBLIC RIGHT-OF-WAY AND RIGHT-OF-WAY EASEMENTS WERE APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION ON THE MEETING OF OCTOBER 27, 2014. TO COMPLETE THE VACATION OF A/D 03572 STATE APPROVAL WILL BE REQUIRED.
- 7) UTILITY EASEMENTS THAT ARE BEING VACATED BY THIS PLAT WERE APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 27, 2014. UTILITY EASEMENTS BEING VACATED INCLUDE ALL EASEMENTS WITHIN BLOCK 1 AND BLOCK 2 OF RADAR SUBDIVISION (K-706) AND ALL EASEMENTS WITHIN TRACT A AT SHORELINE HEIGHTS SUBDIVISION NO. 3 THAT ADJACENT FORMER LOT LINE COMMON WITH RADAR SUBDIVISION AND HENDERSON AVE RIGHT-OF-WAY.
- 8) ALL LOTS TO BE SERVED BY CITY WATER SERVICES.
- 9) LOTS 11-21 INCLUDE ARE SUBJECT TO SLURF EROSION, THE UPLAND AREA FROM THE TOP OF THE BLUFF LINE TO THE ROW HAS BEEN SHOWN ON THESE LOTS.
- 10) AN EXCEPTION TO KRS 20.30.100 (3.1 DEPTH TO WIDTH RATIO) AND KRS 20.30.170 (BLOCK LENGTH) WAS APPROVED AT THE PLAT COMMITTEE MEETING OF SEPTEMBER 22, 2014.
- 11) THESE PARCELS MAY BE SUBJECT TO A HIGHWAY RESERVATION 100 FEET ON EACH SIDE OF THE CENTER LINE KENAI SEWARD HIGHWAY AS CLAIMED BY THE STATE OF ALASKA OR ITS SUCCESSOR IN INTEREST, PURSUANT PUBLIC LAND ORDER NO. 757, AND 1013 AND DEPT. ORDER 2665 ISSUED BY THE SECRETARY OF INTERIOR OF THE UNITED STATES OF AMERICA.
- 12) A 30' RIGHT-OF-WAY EASEMENT UNDER A/D 03572 AFFECTS THESE PROPERTIES. THE APPLICATION TO VACATE THE EASEMENT HAS BEEN SUBMITTED TO THE STATE OF ALASKA.
- 13) THESE PARCELS MAY BE AFFECTED BY THE FOLLOWING EASEMENTS:
ELECTRIC EMT. A/D 4, 1958 BK 2 PG 4, KRD
ASSIGNED TO CITY OF KENAI BK 1 PG 188 KRD
GAS TRANSMISSION LINE, RIVERS Y PARALLEL TO THE KENAI SEWARD HWY MAY 24, 1965 BK 17 PG 185 KRD
ASSIGNED TO MARATHON OIL BK 400 PG 335 KRD
ELECTRIC EMT. A/D 28, 1986 BK 200 PG 146 KRD
RIGHT OF WAY. MARCH 20, 1987 BK 307 PG 179 KRD
- 14) WASTEWATER DISPOSAL: SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR COMPLEX 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.

15) THIS SUBDIVISION MAY BE AFFECTED BY PUBLIC ACCESS EASEMENTS GRANTED BY THE STATE PATENT PER AS 36.08/127

DATE: 4/3/2015
LICENSE: 4
DATE: 4/3/2015



LEGEND

- 1. OLD/BLM MONUMENT RECOVERED AS NOTED
- 2. PRIMARY MONUMENT RECOVERED AS NOTED
- 3. SECONDARY MONUMENT SET THIS SURVEY
- 4. 5/8" X 30" REBAR WITH PLASTIC CAP
- 5. SECONDARY MONUMENT RECOVERED AS NOTED
- 6. ROW VACATION SEE NOTE 6
- 7. UTILITY EASEMENT VACATION SEE NOTE 7
- 8. FORMER LOT LINE BEING REMOVED (TYPICAL)
- 9. RECORD PER SHORELINE HEIGHTS SUBDIVISION NO. 3
- 10. PLAT NO. 99-5
- 11. RECORD PER R.M. THOMPSON SUBDIVISION HENDERSON REPLAT
- 12. PLAT NO. 87-51

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
1	20.00	3.1416	3.1416	90.0000°	90.0000°
2	20.00	3.1416	3.1416	90.0000°	90.0000°
3	20.00	3.1416	3.1416	90.0000°	90.0000°
4	20.00	3.1416	3.1416	90.0000°	90.0000°
5	20.00	3.1416	3.1416	90.0000°	90.0000°
6	20.00	3.1416	3.1416	90.0000°	90.0000°
7	20.00	3.1416	3.1416	90.0000°	90.0000°
8	20.00	3.1416	3.1416	90.0000°	90.0000°
9	20.00	3.1416	3.1416	90.0000°	90.0000°
10	20.00	3.1416	3.1416	90.0000°	90.0000°
11	20.00	3.1416	3.1416	90.0000°	90.0000°
12	20.00	3.1416	3.1416	90.0000°	90.0000°
13	20.00	3.1416	3.1416	90.0000°	90.0000°
14	20.00	3.1416	3.1416	90.0000°	90.0000°
15	20.00	3.1416	3.1416	90.0000°	90.0000°
16	20.00	3.1416	3.1416	90.0000°	90.0000°
17	20.00	3.1416	3.1416	90.0000°	90.0000°
18	20.00	3.1416	3.1416	90.0000°	90.0000°
19	20.00	3.1416	3.1416	90.0000°	90.0000°
20	20.00	3.1416	3.1416	90.0000°	90.0000°
21	20.00	3.1416	3.1416	90.0000°	90.0000°
22	20.00	3.1416	3.1416	90.0000°	90.0000°
23	20.00	3.1416	3.1416	90.0000°	90.0000°
24	20.00	3.1416	3.1416	90.0000°	90.0000°
25	20.00	3.1416	3.1416	90.0000°	90.0000°
26	20.00	3.1416	3.1416	90.0000°	90.0000°
27	20.00	3.1416	3.1416	90.0000°	90.0000°
28	20.00	3.1416	3.1416	90.0000°	90.0000°
29	20.00	3.1416	3.1416	90.0000°	90.0000°
30	20.00	3.1416	3.1416	90.0000°	90.0000°
31	20.00	3.1416	3.1416	90.0000°	90.0000°
32	20.00	3.1416	3.1416	90.0000°	90.0000°
33	20.00	3.1416	3.1416	90.0000°	90.0000°
34	20.00	3.1416	3.1416	90.0000°	90.0000°
35	20.00	3.1416	3.1416	90.0000°	90.0000°
36	20.00	3.1416	3.1416	90.0000°	90.0000°
37	20.00	3.1416	3.1416	90.0000°	90.0000°
38	20.00	3.1416	3.1416	90.0000°	90.0000°
39	20.00	3.1416	3.1416	90.0000°	90.0000°
40	20.00	3.1416	3.1416	90.0000°	90.0000°
41	20.00	3.1416	3.1416	90.0000°	90.0000°

LINE	BEARING	DISTANCE
1	N 89° 58' 35" E	20.00
2	S 89° 58' 35" E	20.00
3	N 89° 58' 35" E	20.00
4	S 89° 58' 35" E	20.00
5	N 89° 58' 35" E	20.00
6	S 89° 58' 35" E	20.00
7	N 89° 58' 35" E	20.00
8	S 89° 58' 35" E	20.00
9	N 89° 58' 35" E	20.00
10	S 89° 58' 35" E	20.00
11	N 89° 58' 35" E	20.00
12	S 89° 58' 35" E	20.00
13	N 89° 58' 35" E	20.00
14	S 89° 58' 35" E	20.00
15	N 89° 58' 35" E	20.00
16	S 89° 58' 35" E	20.00
17	N 89° 58' 35" E	20.00
18	S 89° 58' 35" E	20.00
19	N 89° 58' 35" E	20.00
20	S 89° 58' 35" E	20.00
21	N 89° 58' 35" E	20.00
22	S 89° 58' 35" E	20.00
23	N 89° 58' 35" E	20.00
24	S 89° 58' 35" E	20.00
25	N 89° 58' 35" E	20.00
26	S 89° 58' 35" E	20.00
27	N 89° 58' 35" E	20.00
28	S 89° 58' 35" E	20.00
29	N 89° 58' 35" E	20.00
30	S 89° 58' 35" E	20.00
31	N 89° 58' 35" E	20.00
32	S 89° 58' 35" E	20.00
33	N 89° 58' 35" E	20.00
34	S 89° 58' 35" E	20.00
35	N 89° 58' 35" E	20.00
36	S 89° 58' 35" E	20.00
37	N 89° 58' 35" E	20.00
38	S 89° 58' 35" E	20.00
39	N 89° 58' 35" E	20.00
40	S 89° 58' 35" E	20.00
41	N 89° 58' 35" E	20.00

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

BRYAN R. LOWE
12231 N. CHERRY HILLS DR. W
KENAI, AK 99541

NOTARY'S ACKNOWLEDGMENT

FOR BRYAN R. LOWE
ACKNOWLEDGED BEFORE ME THIS 29 DAY OF March, 2015

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 07/2018



CERTIFICATE OF ACCEPTANCE

I HEREBY CERTIFY THAT THE CITY OF KENAI APPROVES AND ACCEPTS THE VACATION OF THE RIGHT OF WAYS AND EASEMENTS AS SHOWN ON THIS SUBDIVISION PLAT.

BRUCE YODH
CITY MANAGER - CITY OF KENAI
310 HADALOO AVE.
KENAI, AK 99541

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF SEPTEMBER 22, 2014.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

KPB FILE NO. 2015-24

SHORELINE HEIGHTS 2014 ADDITION PHASE 1

A SUBDIVISION OF BLOCK 1 AND 2 RADAR SUBDIVISION (PLAT KN-706) AND TRACT A-A SHORELINE HEIGHTS SUB. NO. 3 (PLAT 99-5 KRD)

OWNER: BRYAN LOWE
12231 N. CHERRY HILLS DR. W
KENAI, AK 99541

LOCATED WITHIN THE 4th 6th & 7th SECTION 26, TOWNSHIP 12W, SEWARD MERIDIAN, CITY OF KENAI, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA

CONTAINING 40,707 ACRES

INTEGRITY SURVEYS INC.

820 SET HET DRIVE KENAI AK 99541

PHONE - (907) 283-9047

FAX - (907) 283-9071

integritysurveys.com

PLANNERS

JOB NO: 214120 DRAWN: MARCH 19, 2015 SH

SURVEYED: AUG. - SEPT. 2014 SCALE: 1" = 100'

FIELD BY: 2014-B PD: 1-6 FILE: 214120 FP PH.DWG

**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.



Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2023-14**

A RESOLUTION **RECOMMENDING** THAT SHORELINE HEIGHTS 2023 REPLAT PRELIMINARY PLAT ATTACHED HERETO BE APPROVED.

PROPERTY ADDRESSES: 1540, 1541, and 1610 Pey Drive

LEGAL DESCRIPTIONS: Tracts A, B, and C Shoreline Heights 2014 Addition Phase 1 (Plat No. KN 2015-24)

KPB PARCEL NUMBERS: 03914131, -32, and -33

WHEREAS, the City of Kenai received the plat from Segesser Surveys Inc. on behalf of the property owner, Bryan Lowe; and,

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

WHEREAS, the street name is referenced correctly; and,

WHEREAS, the subdivided lots will have access via Pey Drive, which is not a City-maintained road; and

WHEREAS, City water is available and City sewer is 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, on-site water system will be subject to the regulatory requirements of the Public Works Department, and wastewater treatment or disposal system will be subject to the regulatory requirements of ADEC.
2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the proposed lots meet City standards for minimum lot sizes in the subject zoning district.
3. Pursuant to KMC 14.24.020 *General Requirements*, the proposed lots 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 Shoreline Heights 2023 Addition be approved.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 26th day of July, 2023.

JEFF TWAIT, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Linda Mitchell, Planning Director
DATE: July 21, 2023
SUBJECT: Resolution No. PZ2023-14 – Preliminary Plat – Shoreline Heights 2023 Addition

Request The applicant is proposing a preliminary plat to subdivide three (3) parcels into 17 lots.

Staff Recommendation Adopt Resolution No. PZ2023-14 recommending approval of Preliminary Plat – Shoreline Heights 2023 Addition for the subdivision of Tracts A, B, and C, Shoreline Heights 2014 Addition Phase 1 into 17 lots.

Applicant: Segesser Surveys Inc
Attn: John Segesser
30485 Rosland Street
Soldotna, AK 99669

Property Owner: Bryan Lowe

Legal Descriptions: Tracts A, B, and C Shoreline Heights 2014 Addition Phase 1 (Plat No. KN 2015-24)

Property Addresses: 1540, 1541, and 1610 Pey Drive

KPB Parcel Nos.: 03914131, -32, and -33

Lot Size Range: 0.556 – 1.376 acres

No. of Lots: 17

Zoning District: Rural Residential (RR)

Surrounding Uses: North – Vacant; South – Single-Family Residences; West – Cook Inlet; East – Vacant Lots, Single-Family Residence, and Marijuana Manufacturing Establishment

SUMMARY

The proposed preliminary plat would subdivide three (3) parcels described as of Tracts A, B, and C, Shoreline Heights 2014 Addition Phase 1 (Plat No. KN 2015-24) into 17 lots. The lot size ranges between 0.556 and 1.376 acres. Access would be restricted to Pey Drive as Ninilchick Drive and Ninilchik Circle will not be improved.

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

ANALYSIS

The proposed subdivision meets the preliminary plat requirements and development requirements for the Rural Residential (RR) zoning district with the exception of KMC 14.10.070(e)(2) regarding double frontage lots shall be avoided. Lots 42-46 will have double frontage off Pey Drive and Ninilchick Circle and prohibiting the double frontage lots would land lot lots to the west of this proposed subdivision. Overall, the preliminary plat generally meets the lot design standards. The subdivided lots will have access via Pey Drive, which is not a City-maintained road. City water services are available to the proposed lots. The proposed subdivision will be subject to the requirements of the Alaska Department of Environmental Conservation (ADEC) for on-site wastewater systems. The Public Works Director reviewed the proposed preliminary plat and had no comments. An installation agreement is not required.

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, on-site water system will be subject to the regulatory requirements of the Public Works Department, and wastewater treatment or 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 RECOMMENDATION

Staff finds that the proposed preliminary plat for Shoreline Heights 2023 Addition 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. PZ2023-14 to Kenai Peninsula Borough.

ATTACHMENTS

Aerial Map

Application with Certificate of Plat

Preliminary Plat, Shoreline Heights 2023 Addition

Shoreline Heights 2014 Addition Phase 1 (Plat No. KN 2015-24)



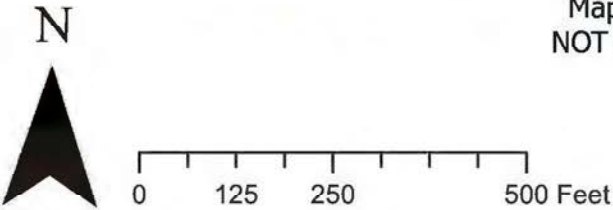
Preliminary Plat - Shoreline Heights 2023 Addition
Resolution No. PZ2023-14

Tracts A, B, C, Shoreline Height 2014 Addn. Phase 1
1540, 1541, and 1610 Pey Drive



Date Printed: 7/21/2023

Map for Reference Only
NOT A LEGAL DOCUMENT



RECEIVED**CITY OF KENAI**
DATE
PLANNING DEPARTMENT**Preliminary Plat**
Submittal FormCity 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:	Segesser Surveys Inc						
Mailing Address:	30485 Rosland St	City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	907-262-3909, 907-252-3421						
Email:	seggy@ptialaska.net						

PROPERTY OWNER

Name:	Bryan Lowe						
Mailing Address:	1529 Pey Dr.	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):							
Email:							

PROPERTY INFORMATION

Property Owner Name:	Tracts A, B, and C KN 2015-24				
Current City Zoning:					
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 checked="" type="checkbox"/> City <input type="checkbox"/> Community				
Sewer:	<input type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community				

PLAT INFORMATION

Preliminary Plat Name:	Shoreline Heights 2023 Addion				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes <input type="checkbox"/> No				
Street Name (if vacating ROW):					

Exceptions Required and Requested:

Comments:

REQUIRED ATTACHMENTS☒ Certificate to Plat ☒ (1) 24" x 36" Plat ☒ (2) 11" x 17" Plats**SIGNATURE**

Signature:				Date:	6/9/23
Print Name:	John Segesser	Title/Business:	Segesser Surveys Inc		