

**March 26, 2025
PLANNING & ZONING COMMISSION MEETING
ADDITIONAL MATERIAL/REVISIONS**

REQUESTED ADDITIONS TO THE PACKET

| <u>ACTION</u> | <u>ITEM</u> | <u>REQUESTED BY</u> | <u>PAGE</u> |
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MEMORANDUM

TO: Planning and Zoning Commission

FROM: Kevin Buettner, Planning Director

DATE: March 26, 2025

SUBJECT: **Changes to Staff Report for Resolution No. PZ2025-05 – Preliminary Plat – Black Gold Estates 2025 Replat**

In the Staff Report dated March 19, 2025, the following language was included in the second paragraph of the Analysis section:

Right of way along Wildwood Drive has been previously been contested. The City of Kenai is working with Kenai Native Association and State of Alaska to address any and all potential ownership issues. This process is ongoing, and pending the results of those discussions, the City of Kenai has not reached a final decision on the vacation of the unnamed 60' ROW.

After further review, it was determined that there was the possibility of confusion as there are two separate right of ways directly adjacent to each other along this corridor. As such, the following language has been modified in a substitute staff report to clarify the actual rights of way by name or reference:

Wildwood Drive right of way has previously been contested. The City of Kenai is working with Kenai Native Association and State of Alaska to address any and all potential ownership issues. This process is ongoing, and pending the results of those discussions, the City of Kenai has not reached a final decision on the vacation of the unnamed 60' ROW that is immediately adjacent to the Wildwood Drive right of way.

This substitution more accurately defines the City's recommendation to the Kenai Peninsula Borough and Kenai City Council.



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Brandon McElrea, Planning Technician
DATE: March 26, 2025
SUBJECT: Resolution No. PZ2025-05 – Preliminary Plat – Black Gold Estates 2025 Replat

Request The applicant is proposing a preliminary plat to merge Lots 11, 12, 16, 17 and 60 feet of Right-of-Way in Black Gold Estates Subdivision.

Staff Recommendation Adopt Resolution No. PZ2025-05 recommending conditional approval of Preliminary Plat – Black Gold Estates 2025 Replat merging Lots 11, 12, 16, 17 and 60 feet of Right-of-Way into a single Lot.

Applicant: McLane Consulting
Attn: Andrew Hamilton
P.O. Box 468
Soldotna, AK 99669

Property Owner: Alex Douthit

Legal Descriptions: Lots 11, 12, 16, 17 & 60 Feet of Right-of-Way

Property Addresses: 2705 & 2707 Windflower Drive
2712 & 2714 Wildwood Drive

KPB Parcel Nos.: 03904007, 03904008, 03904011, 03904012

Zoning District: Suburban Residential (RS)

Land Use Plan: Suburban Residential (SR)

Surrounding Uses: General Commercial, Suburban Residential

SUMMARY

A preliminary plat has been submitted from McLane Consulting on behalf of Alex Douthit for a replat of Lots 11, 12, 16, 17 and 60' of unnamed Right-of-Way (ROW) in the Black Gold Estates Subdivision to create one Lot. The subject lots are located between Wildwood Drive and

Windflower Drive near the intersection of the Kenai Spur Highway and Wildwood Drive. The subject lots as well as the unnamed Right-of-Way are unimproved. If approved, the merging of the four (4) subject Lots and the vacation and subsequent merging of the unnamed ROW will result in a single approximately 0.937-acre parcel.

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

ANALYSIS

The proposed parcel merger meets the preliminary plat requirements and development requirements for the Suburban Residential (RS) zoning district. The merged parcel will have primary access off of Wildwood Drive, which is a City maintained paved road. City sewer and water are available along Wildwood Drive. The Public Works Director, Fire Marshal, and Building Official have reviewed the preliminary replat and have no comments.

Wildwood Drive right of way has previously been contested. The City of Kenai is working with Kenai Native Association and State of Alaska to address any and all potential ownership issues. This process is ongoing, and pending the results of those discussions, the City of Kenai has not reached a final decision on the vacation of the unnamed 60' ROW that is immediately adjacent to the Wildwood Drive right of way. The City is currently awaiting documentation from the Kenai Native Association that would allow City Council to determine there is no public benefit to retaining the unnamed 60' ROW. The City does not object to the merger of the four parcels, Lots 11, 12, 16, & 17, and does not wish to stymie potential development along this corridor.

Staff finds that the preliminary plat for a replat of Lots 11, 12, 16, 17 & 60' of unnamed ROW meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides a satisfactory and desirable building site, and the accessible water and wastewater systems are subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a replat of four lots within a subdivision that has dedicated rights-of-way and determined acceptable access, subject to the listed conditions. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RS zoning district of 7,200 square feet (0.165 acre), the resulting lot sizes of this subdivision will be approximately 0.937-acre.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Black Gold Estates 2025 Replat to replat Lots 11, 12, 16, 17 and 60 feet of unnamed ROW meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends conditional approval of Resolution No. PZ2025-05 for a replat of Lots 11, 12, 16, 17 and 60 feet of unnamed ROW to Kenai Peninsula Borough, subject to the following conditions:

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the unnamed sixty-foot right-of-way not needed for a public purpose and approve the vacation of the right-of-way as shown on the preliminary plat.

ATTACHMENTS

Aerial Map
Application
Preliminary Plat, Black Gold Estates 2025 Replat