



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

**June 25, 2025 – 7:00 PM**

**Kenai City Council Chambers**

**210 Fidalgo Avenue, Kenai, Alaska**

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

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

**Agenda**

**A. CALL TO ORDER**

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

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

**B. APPROVAL OF MINUTES**

1. \*Regular Meeting of May 28, 2025

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

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

**E. CONSIDERATION OF PLATS**

1. **Resolution PZ2025-21** – Recommending Approval of Preliminary Plat – Beaver Creek Alaska Subdivision Amended 2025 Replat, to replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian to the Kenai Peninsula Borough, in the General Commercial and Rural Residential Zoning Districts.
2. **Resolution PZ2025-22** – Recommending Approval of Preliminary Plat – Kenaitze Acres, to replat Section 30, Township 6 North, Range 11 West, Seward Meridian to the Kenai Peninsula Borough, in the Rural Residential Zoning District.
3. **Resolution PZ2025-23** – Recommending Approval of Preliminary Plat – Terra-B Subdivision 2025 Replat, to Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian to the Kenai Peninsula Borough, in the Suburban Residential Zoning District.

4. **Resolution PZ2025-24** – Recommending Approval of Preliminary Plat – Ruby’s Dazzling Scenic View Subdivision Hendriks Addition, to replat Lots 7 & 8, Ruby’s Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian, to the Kenai Peninsula Borough, in the Rural Residential Zoning District.

**F. PUBLIC HEARINGS**

**G. UNFINISHED BUSINESS**

1. **Discussion** – Aspen Creek 701 N. Forest Drive CUP

**H. NEW BUSINESS**

1. **Action/Approval** – Resolution No. 2025-38 – Recommending Approval on the Street Renaming of South Spruce Street to Kenai Beach Street
2. **Action/Approval** – Recommending Council Approve a Lease of Airport Reserve Land for the Property Described as Lot 3, Block 2, General Aviation Apron According to Plat No. 73-68 with Schilling Rentals

**I. REPORTS**

1. Planning Director
2. Commission Chair
3. Kenai Peninsula Borough Planning
4. City Council Liaison

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

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: July 9, 2025

**L. COMMISSION COMMENTS AND QUESTIONS**

**M. PENDING ITEMS**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS**

**\*\*COMMISSIONERS, PLEASE CONTACT US IF YOU WILL NOT BE ABLE TO ATTEND THE MEETING\*\***

*The agenda and supporting documents are posted on the City’s website at [www.kenai.city](http://www.kenai.city). Copies of resolutions and ordinances are available at the City Clerk’s Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Planner at 907-283-8237.*

**Registration is required to join the meeting remotely through Zoom.** Please use the following link to register: [https://us02web.zoom.us/join/register/G5GS8wd4Snql\\_Hqe4\\_pGNq](https://us02web.zoom.us/join/register/G5GS8wd4Snql_Hqe4_pGNq)

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
MAY 28, 2025 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
VICE CHAIR EARSLEY, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on May 28, 2025, in City Hall Council Chambers, Kenai, AK. Vice Chair Earsley called the meeting to order at approximately 7:00 p.m.

**1. Pledge of Allegiance**

Vice Chair Earsley led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Sonja Earsley, Vice chair  
Glenese Pettey  
Stacie Krause

Jeanne Reveal  
Gwen Woodard  
Diane Fikes

A quorum was present.

Absent:

Jeff Twait, Chair

Also in attendance were:

Kevin Buettner, Planning Director  
Victoria Askin, City Council Liaison  
Michelle Saner, City Clerk

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

Vice Chair Earsley noted the following addition to the Packet:

Add to Item F. 1.

**Public Hearing** - Resolution PZ2025-18

- Public Comment

**MOTION:**

Commissioner Woodard **MOVED** to approve the agenda and consent agenda with the requested revisions. Commissioner Fikes **SECONDED** the motion.

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

Vice-Chair Earsley 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 May 14, 2025

Approved by the consent agenda.

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

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

**E. CONSIDERATION OF PLATS**

1. **Resolution No. PZ2025-20** - Recommending Approval of Preliminary Plat – Ward Estates Addition No. 2, a for a subdivision of Government Lot 16 and SE1/4 SW1/4 NE1/4 SE1/4 & SE1/4 NE1/4 SE1/4, Section 26, Township 6 North, Range 12 West, Seward Meridian to the Kenai Peninsula Borough, in the Rural Residential (RR) Zoning District.

**MOTION:**

Commissioner Woodard **MOVED** to approve Resolution PZ2025-20. Commissioner Fikes **SECONDED** the motion.

Planning Director Buettner read into the record the staff report as included in the packet and attached to Resolution No. PZ2025-20; concluding that staff recommends approval of the preliminary plat for Wellsway Estates with conditions.

There was discussion regarding Wells Way currently being an unmaintained, undeveloped right-of-way; it functions as a driveway to existing residence, only serving two residences; no immediate road upgrades are required; future development may trigger the need for road improvements; and questions related to the responsible party for snow removal and signage.

**VOTE:**

YEA: Pettey, Fikes, Earsley, Krause, Woodard, Reveal

NAY: None

ABSENT: Twait

**MOTION PASSED WITHOUT OBJECTION.**

**F. PUBLIC HEARINGS**

1. **Resolution No. PZ2025-18** - Consideration of a Conditional Use Permit to Operate a Retail Marijuana Store on the Property Described as Cole Homestead Subdivision Tract A Located at 7825 Kenai Spur Hwy, in the General Commercial Zoning District.

**MOTION:**

Commissioner Woodard **MOVED** to approve Resolution PZ2025-18. Commissioner Fikes **SECONDED** the motion.

Planning Director Buettner read into the record the staff report as included in the packet and attached to Resolution No. PZ2025-18; concluding that staff recommends approval of the conditional use permit.

Vice Chair Earsley opened the floor for public hearing.

Michael Welch, applicant stated he purchased the building and made renovations, and noted he has owned and operated another retail store on K-Beach Road since 2020.

The applicant provided clarification that the K-Beach establishment is a marijuana establishment; this property before the Commission was originally purchased with the intent of a growing operation; since

growing is not allowed on a parcel so small, plans changed to a retail store; and he clarified that there would be no cultivation whatsoever on at this location.

Staff provided clarification the largest buffer distance requirements were related to schools; there was not a buffer distance required between specific types of marijuana establishments; and the City did not establish a maximum number of marijuana establishments allowed within the City.

Reed Knackstedt, Kenai resident addressed the Commission in opposition to retail marijuana stores and marijuana cultivation, noting concerns with the proximity of this store to his home and the school; felt the City and Borough should have more regulations on the matter; and he would rather not see this approved.

There being no one wishing to be heard, the public hearing was closed.

At the request of the Commission the applicant clarified that hours of operation are intended to be 8:00 a.m. to 10:00 p.m. during the winter and spring; summer hours would be 8:00 a.m. to Midnight.

**VOTE:**

YEA: Fikes, Earsley, Krause, Pettey

NAY: Woodard, Reveal

ABSENT: Twait

**MOTION PASSED.**

Vice Chair Earsley noted the 15-day appeal period.

**G. UNFINISHED BUSINESS**

**1. Discussion - Aspen Creek, 701 N. Forest Drive CUP**

Planning Director Buettner provided an update noting the traffic count was not yet complete; the plan is to conduct at least three spot traffic counts; each count will last about an hour; landscape contractors were on-site finalizing work; internal construction is reportedly complete; and a more detailed report will be provided at the next meeting.

**H. NEW BUSINESS**

**1. \*Action/Approval - Requesting Excused Absences for the May 14, 2025 Regular Meeting – Pettey**

Approved by the consent agenda.

**I. REPORTS**

1. Planning Director - Planning Director Buettner reported on the following:
  - Preliminary work on a high-level existing condition report on transportation in Kenai is underway.
  - Hazard Mitigation Plan is on hold due to changes in FEMA requirements and lack of available funding.
2. Commission Chair - No report.
3. Kenai Peninsula Borough Planning - No report.
4. City Council Liaison – Council Member Askin reported on recent actions of the City Council.

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

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: The June 11, 2025 meeting was cancelled, next meeting was scheduled for June 25, 2025.

**L. COMMISSION COMMENTS AND QUESTIONS**

General appreciation was stated for the thoroughness of staff.

**M. PENDING ITEMS - None.**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS - None.**

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:49 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of May 28, 2025.

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Michelle M. Saner, MMC, City Clerk



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2025-21**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT BEAVER CREEK ALASKA SUBDIVISION AMENDED 2025 REPLAT ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 6575 & 6607 Kenai Spur Highway and 3415 Mudhen Drive

LEGAL DESCRIPTION: Lots 2, 3, 14, & 15, Block F, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian

KPB PARCEL NUMBER: 04106302, 04106303, & 04106317

WHEREAS, the City of Kenai received a preliminary plat from McLane Consulting, on behalf of property owner Casey Gaze aka Casey J. Gaze & Liana Gaze, to replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended into one 4.546-acre lot to be known as Lot 2A, Block F, Beaver Creek Subdivision Amended; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lot has existing access from the Kenai Spur Highway (state-maintained paved road); and,

WHEREAS, City water is not available to the proposed lots; and,

WHEREAS, City sewer is not available to the proposed lots; and,

WHEREAS, a 10-foot easement for utilities is located adjacent to rights-of-way, along the north and south boundaries of the proposed lot; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The on-site water and wastewater systems are subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.24.010 Minimum lot area requirements, there are no minimum lot sizes within the General Commercial zoning district, but the proposed lot sizes will allow for commercial uses to be developed and operated on the new parcel
3. Pursuant to KMC 14.24.020 General Requirements, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

**Section 1.** That preliminary plat Beaver Creek Alaska Subdivision Amended, for a replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian, be approved, subject to the following conditions:

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

**Section 2.** If the Preliminary Plat is approved by the Kenai Peninsula Borough, the property owner will rezone the newly created lot to General Commercial (CG) Zoning District to conform with KMC 14.20.040(a)(2) – Rules for Interpretation: [Zoning] boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 25<sup>th</sup> DAY OF JUNE, 2025.

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JEFF TWAIT, CHAIRPERSON

ATTEST:

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Michelle M. Saner, MMC, City Clerk





# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Kevin Buettner, Planning Director  
**DATE:** June 4, 2025  
**SUBJECT:** Resolution No. PZ2025-21 – Preliminary Plat – Beaver Creek Alaska Subdivision Amended 2025 Replat

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**Request**

The applicant is proposing a preliminary plat to replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended into one 4.546-acre lot to be known as Lot 2A, Block F, Beaver Creek Subdivision Amended.

**Staff Recommendation**

Adopt Resolution No. PZ2025-21 recommending approval of Preliminary Plat – Beaver Creek Alaska Subdivision Amended 2025 Replat, one 4.546-acre lot to be known as Lot 2A, Block F, Beaver Creek Subdivision Amended.

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**Applicant:** McLane Consulting  
Attn: Andrew Hamilton  
PO Box 468  
Soldotna, AK 99669

**Property Owner:** Casey Gaze aka Casey J. Gaze & Liana Gaze

**Legal Descriptions:** Lots 2, 3, 14, & 15, Block F, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian

**Property Address:** 6575 & 6607 Kenai Spur Highway and 3415 Mudhen Drive

**KPB Parcel Nos.:** 04106302, 04106303, & 04106317

**Zoning District:** General Commercial (CG) & Rural Residential (RR)

**Land Use Plan:** General Commercial (GC)

**Surrounding Uses:** General Commercial (CG) & Rural Residential (RR)

## SUMMARY

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A preliminary plat has been submitted from McLane Consulting on behalf of the property owner to replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian into one 4.546-acre lot to be known as Lot 2A, Block F, Beaver Creek Subdivision Amended. Current improvements include an RV campground with hookups and a main structure for administration.

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

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The proposed replat meets intent of the General Commercial (CG) zoning district. There are no minimum lot sizes within the General Commercial zoning district, but the proposed lot size will allow for commercial uses to be developed and operated. The area is immediately adjacent to the Kenai Spur Highway and commercial uses are preferred due to the increased road noise. Commercial developments can help shield future residential development through proper vegetative screening, and the increased distance from the highway.

City water and wastewater are not directly available in this area, as a water main is located on the north side of the Kenai Spur Highway. The parcel is currently served by a well and septic system. The water and septic systems must meet the regulatory requirements of the State of Alaska, Department of Environmental Conservation (ADEC).

Access to the proposed Lots is currently provided via the Kenai Spur Highway, a state-maintained paved road. No direct access to state-maintained rights-of-way are permitted unless approved by the State of Alaska Department of Transportation and Public Facilities, as denoted in plat note seven (7). All rights-of-way within the proposed preliminary plat are existing. The Public Works Director has reviewed the preliminary plat and had no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

A 10-foot easement for utilities is located along the north and south boundaries of the lot adjacent to existing rights-of-way. This is denoted in plat note three (3), which states the front 10-feet adjacent to rights-of-way is a utility easement.

Prior to new development, the City of Kenai Floodplain Administrator should be contacted for information and regulations. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat to replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian 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 subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites, and the on-site water and wastewater systems are subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, there are no minimum lot sizes within the General Commercial zoning district, but the proposed lot sizes will allow for commercial uses to be developed and operated on the new parcel.
3. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

## STAFF RECOMMENDATION

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Staff finds that the proposed preliminary plat for Beaver Creek Alaska Subdivision Amended 2025 Replat 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 recommend approval of Resolution No. PZ2025-21 to replat Lots 2, 3, 14, & 15, Beaver Creek Alaska Subdivision Amended, Section 36, Township 6 North, Range 11 West, Seward Meridian to the 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. If the Preliminary Plat is approved by the Kenai Peninsula Borough, the property owner will rezone the newly created lot to General Commercial (CG) Zoning District to conform with KMC 14.20.040(a)(2) – *Rules for Interpretation*: [Zoning] boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines

## ATTACHMENTS

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Aerial Map

Application

Preliminary Plat, Beaver Creek Alaska Subdivision Amended, 2025 Replat





### Legend

Transportation

Mileposts



Parcels and PLSS

Tax Parcels



0 300 600  
ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or use of the data.





# 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
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

## PROPERTY OWNER

Name:	Casey Gaze				
Mailing Address:	6573 KENAI SPUR HWY	City:	KENAI	State:	AK
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

## PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04106303,04106302,04106317				
Current City Zoning:	RURAL RESIDENTIAL + GENERAL COMMERCIAL				
Use:	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Recreational <input checked="" type="checkbox"/> Commercial				
	<input type="checkbox"/> Other:				
Water:	<input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community				
Sewer:	<input checked="" type="checkbox"/> On Site <input type="checkbox"/> City <input type="checkbox"/> Community				

## PLAT INFORMATION

Preliminary Plat Name:	Beaver Creek Alaska Subdivision 2025 Replat				
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Street Name (if vacating ROW):					

Exceptions Required and Requested:

Comments:

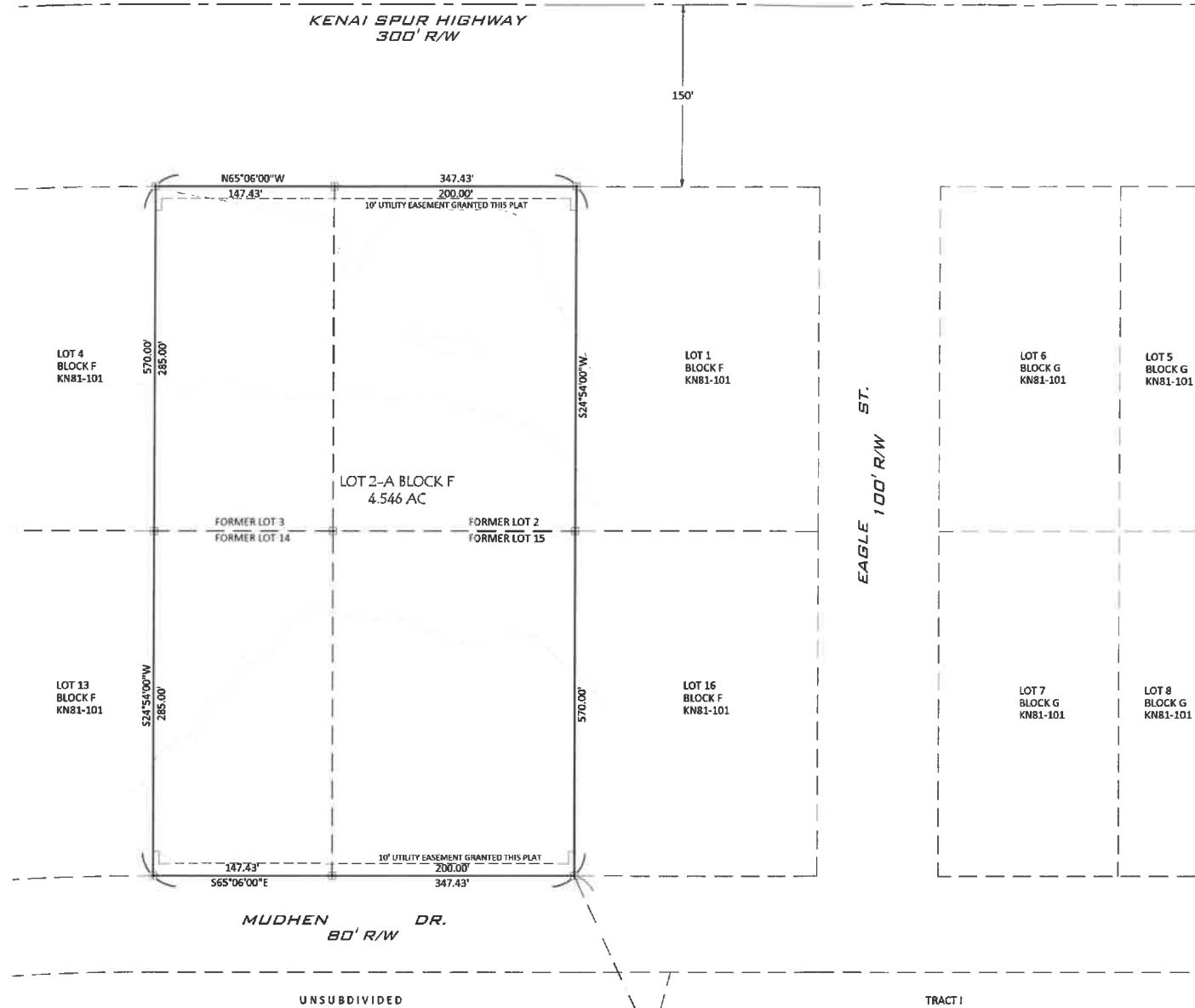
PROPERTY USE IS COMMERCIAL

## REQUIRED ATTACHMENTS

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

Signature:	[Signature]		Date:	12/12/2024
Print Name:	Casey Gaze	Title/Business:	KENAI CENTRAL CAMPGROUND	



- 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 PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  3. THE 10 FEET ADJOINING DEDICATED RIGHTS-OF-WAY IS A UTILITY EASEMENT INCLUDING 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES.
  4. DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS.
  5. THIS SUBDIVISION IS SERVED BY CITY OF KENAI WATER AND SEWER.
  6. THIS PLAT WAS PREPARED FROM DATA OF RECORD (KN81-101). NO ADDITIONAL FIELD SURVEY WAS REQUIRED PER KPB 20.60.200(A).
  7. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
  8. THIS PLAT MAY BE SUBJECT TO THE FOLLOWING:
    - 8.1. TERMS, COVENANTS, CONDITIONS, AND PROVISIONS INCLUDING RIGHTS OF WAY AND EASEMENTS AS CONTAINED IN THE ALASKA NATIVE CLAIMS SETTLEMENT ACT, DATED DECEMBER 18, 1971, U.S. PUBLIC LAW 92-203, 85 STAT. 688, U.S.C. 1601 ET SEQ.
    - 8.2. RESERVATION OF THE SUBSURFACE ESTATE IN SAID LAND INCLUDING, BUT NOT LIMITED TO, RIGHTS OF ENTRY TO EXPLORE, DEVELOP OR REMOVE MINERALS FROM SAID SUBSURFACE ESTATE, AS SET FORTH IN SECTIONS 14(F) AND 14(G) OF THE ALASKA NATIVE CLAIMS SETTLEMENT ACT REFERRED TO HEREIN ABOVE.
    - 8.3. CONTRACT, INCLUDING THE TERMS AND CONDITIONS THEREIN: RECORDED: OCTOBER 4, 1983 VOLUME/PAGE: 219/306
    - 8.4. RESERVATION OF EASEMENT FOR HIGHWAY PURPOSES, AND ANY ASSIGNMENTS OR USES THEREOF FOR RECREATIONAL, UTILITY OR OTHER PURPOSES, AS DISCLOSED BY PUBLIC LAND ORDER NO. 601, DATED AUGUST 10, 1949 AND AMENDED BY PUBLIC LAND ORDER NO. 757, DATED OCTOBER 10, 1959; PUBLIC LAND ORDER NO. 1613, DATED APRIL 7, 1958; AND DEPARTMENT OF THE INTERIOR ORDER NO. 2665, DATED OCTOBER 16, 1951, AMENDMENT NO. 1 THERETO, DATED JULY 17, 1952 AND AMENDMENT NO. 2 THERETO, DATED SEPTEMBER 15, 1956. FILED IN THE FEDERAL REGISTER.

- LEGEND**
- ⊕ RECORD PRIMARY MONUMENT AS DESCRIBED
  - ⊕ 1"x1" HUB AND TACK PER KN81-101
  - - - CONTOUR INTERVAL = 5'

**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.

**NOTARY'S ACKNOWLEDGEMENT**

FOR: CASEY & LIANA GAZE  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025  
MY COMMISSION EXPIRES: \_\_\_\_\_

CASEY GAZE AKA CASEY J GAZE  
6575 KENAI SPUR HIGHWAY, KENAI, AK 99611

LIANA GAZE  
6575 KENAI SPUR HIGHWAY, KENAI, AK 99611

NOTARY PUBLIC FOR THE  
STATE OF ALASKA

Plat # \_\_\_\_\_

Rec Dist \_\_\_\_\_

Date \_\_\_\_\_ 20 \_\_\_\_\_

Time \_\_\_\_\_



**BEAVER CREEK ALASKA SUBDIVISION AMENDED 2025 REPLAT**

REPLAT OF LOTS 2, 3, 14, & 15 BEAVER CREEK ALASKA SUBDIVISION AMENDED (KN81-101)

OWNERS:  
CASEY GAZE AKA CASEY J. GAZE & LIANA GAZE  
6575 KENAI SPUR HIGHWAY, KENAI, AK 99611

4.546 AC. M/L SITUATED IN THE W1/2 OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THE CITY OF KENAI AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TESTING  
SURVEYING - MAPPING  
P.O. BOX 408  
SOLODOYNA, AK 99669  
VOICE: (907) 283-4218  
FAX: (907) 283-3286  
WWW.MCLANECG.COM

KPB File No. 2025-XXXX

Project No. 252003

Scale 1" = 60' Date : MAY 2025 Drawn by : AHH

**WASTEWATER DISPOSAL**

THIS PLAT INCREASES LOT SIZES BY 1,000 SQUARE FEET OR MORE OF AREA SUITABLE FOR CONVENTIONAL DEVELOPMENT AS DESCRIBED IN KPB 20.40.020(2). WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH IN ACCORDANCE WITH KPB 20.10.040.

AUTHORIZED OFFICIAL \_\_\_\_\_

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

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

## **CERTIFICATE TO PLAT**

McLane Consulting, Inc.  
PO Box 468  
Soldotna, AK 99669  
Attention: Andrew Hamilton

File Number: 25418  
Premium: \$300.00  
Tax:

Gentlemen:

This is a certificate as of May 08, 2025 at 8:00 A.M. for a plat out of the following property:

Lots Two (2), Three (3), Fourteen (14), and Fifteen (15), Block "F", BEAVER CREEK ALASKA SUBDIVISION AMENDED, according to Plat No. 81-101, Kenai Recording District, Third Judicial District, State of Alaska.

**EXCEPTING THEREFROM** the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 [85 Stat. 688, 704; 43 U.S.C. 1601, 1613 (f) (1976)], as reserved by the United States of America in the Patent of record to said land.

The Company certifies that record title is vested in

Casey J. Gaze and Liana Gaze, husband and wife, as to Lot 2; and Casey Joshua Gaze and Liana Rae Gaze, husband and wife, as to Lots 3, 14 and 15  
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **RESERVATIONS AND EXCEPTIONS** as contained in State of Alaska Patent, and/or in acts authorizing the issuance thereof. Said patent, among other things, reserves all oil, gas and other minerals together with the privileges, mining and drilling rights and immunities. **FURTHER**, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.
3. **ASSESSMENTS**, if any due the taxing authority indicated:  
Taxing Authority: City of Kenai
4. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
5. **TERMS, COVENANTS, CONDITIONS AND PROVISIONS**, including rights of way and easements as contained in the Alaska Native Claims Settlement Act, dated December 18, 1971, U.S. Public Law 92-203, 85 Stat. 688, U.S.C. 1601 et seq.
6. **RESERVATION** of the subsurface estate in said land including, but not limited to, rights of entry to explore, develop or remove minerals from said subsurface estate, as set forth in Sections 14 (f) and 14 (g) of the Alaska Native Claims Settlement Act referred to herein above.

NOTE: No assurance is given as to the vertical delineation of the surface and subsurface estates in said land as provided in said act.

7. **CONTRACT**, including the terms and conditions therein:

Recorded: October 4, 1983

Volume/Page: 219/906

**Affects Lot 3**

8. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.

**Affects Lots 2 and 3**

9. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 81-101.

10. **EFFECT** of the notes on said Plat No. 81-101.

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

By



Authorized Countersignature

Mary Frengle

Authorized Signator

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



Current Zoning – Beaver Creek Alaska Sub. Amended, 2025 Replat







**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2025-22**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT KENAITZE ACRES ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 1000 Redoubt Avenue

LEGAL DESCRIPTION: Section 30, Township 6 North, Range 11 West,  
Seward Meridian

KPB PARCEL NUMBER: 04101002

WHEREAS, the City of Kenai received a Right-of-Way Dedication plat from Edge Survey & Design, LLC, on behalf of property owner Kenaitze Indian Tribe, for a replat of Section 30, Township 6 North, Range 11 West, Seward Meridian; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lots will have access from Redoubt Avenue (a maintained asphalt City road); and,

WHEREAS, City water is available to the proposed lots; and,

WHEREAS, City sewer is available to the proposed lots; and,

WHEREAS, this plat grants a 30-foot by 487-foot utility easement and a 20-foot by 2,122-foot utility easement along the western boundary; a 60-foot by 977-foot utility easement aligned to the north of Walnut Avenue; a 30-foot by 180-foot utility easement between the aforementioned easement and Windward Drive in the Inlet Woods Subdivision; and dedicating the 33-foot Redoubt Avenue right-of-way with a 10-foot utility easement; and,

WHEREAS, an installation agreement is required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The City water and wastewater is subject to the regulatory requirements of the City of Kenai Public Works Department.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat is newly dedicated. The proposed, private right-of-way is a continuation of an existing street and is determined acceptable access.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet ( $\approx$  0.47 acre), with the lot remaining 158.275 acres.
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.

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

**Section 1.** That preliminary plat Kenaitze Acres for a right-of-way dedication of Section 30, Township 6 North, Range 11 West, Seward Meridian, be approved, subject to the following conditions:

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. An exception to KMC 14.10.070(d)(1) – Block length greater than 1,400 feet is recommended in order to maintain a large parcel suitable for future tribal-led development.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 25<sup>th</sup> DAY OF JUNE, 2025.

---

JEFF TWAIT, CHAIRPERSON

ATTEST:

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Michelle M. Saner, MMC, City Clerk



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Kevin Buettner, Planning Director  
**DATE:** June 10, 2025  
**SUBJECT:** Resolution No. PZ2025-22 – Preliminary Plat – Kenaitze Acres

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<b>Request</b>	The applicant is proposing a Right-of-Way Dedication plat of SE 1/4, Section 30, Township 6 North, Range 11 West, Seward Meridian.
<b>Staff Recommendation</b>	Adopt Resolution No. PZ2025-22 recommending approval of Right-of-Way Dedication plat – Kenaitze Acres, granting utility easements and a 33-foot right-of-way along Redoubt Avenue.

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Applicant:	Edge Survey & Design, LLC Attn: Jason Young PO Box 208 Kasilof, AK 99610
Property Owner:	Kenaitze Indian Tribe IRA
Legal Descriptions:	SE 1/4, Section 30, Township 6 North, Range 11 West, Seward Meridian
Property Address:	1400 Redoubt Avenue
KPB Parcel No.:	04101002
Zoning District:	Rural Residential (RR)
Land Use Plan:	Low Density Residential (LDR)
Surrounding Uses:	Rural Residential, Suburban Residential, and Airport

## SUMMARY

A Right-of-Way Dedication plat has been submitted by Edge Survey & Design, LLC on behalf of the property owner granting utility easements and a 33-foot right-of-way along Redoubt Avenue on SE 1/4, Section 30, Township 6 North, Range 11 West, Seward Meridian. This plat will grant a 30-foot by 487-foot utility easement and a 20-foot by 2,122-foot utility easement along the western boundary; a 60-foot by 977-foot utility easement aligned to the north of Walnut Avenue;

a 30-foot by 180-foot utility easement between the aforementioned easement and Windward Drive in the Inlet Woods Subdivision; and dedicating the 33-foot Redoubt Avenue right-of-way with a 10-foot utility easement. There is a steep ravine impacting the southeast corner of the parcel. There are no current plans to bridge this ravine until future development warrants. Redoubt Avenue will terminate in a cul-de-sac on either side of the ravine. The western end of Redoubt Avenue will approach from N. Forest Drive and the east will terminate at the edge of the airport until development warrants. Redoubt Avenue is on a section line easement, which allows for the continuation of the easement through ravine.

This plat does not intend to subdivide the property, as it is Kenaitze Indian Tribe's intention to retain ownership of the entire parcel, even after development is completed.

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

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The proposed Right-of-Dedication plat far exceeds the minimum lot size requirement of 20,000 square feet ( $\approx 0.47$  acre) for the Rural Residential (RR) zoning district. The parcel is 158.275 acres.

City water and sewer is available along Redoubt Avenue and North Forest Drive at the southwest corner of the parcel. Extensions of the water and sewer mains onto the parcel will be completed as a condition of development.

Access to the proposed Lots is provided via Redoubt Avenue, a maintained asphalt City road.

A private road ROW is within the proposed preliminary plat and is newly dedicated as of this plat. The proposed dedicated ROW overlays a utility easement that is granted to the City of Kenai for the installation and maintenance of water and wastewater utilities. The City of Kenai Public Works Department has reviewed the preliminary plat and has no comments. There is an existing agreement between the City of Kenai, as agreed to in Resolution 2025-37 where the City of Kenai will conduct limited road maintenance for a period of ten years. Therefore, staff finds that an installation agreement may be required for the final plat.

This plat will grant a 30-foot by 487-foot utility easement and a 20-foot by 2,122-foot utility easement along the western boundary; a 60-foot by 977-foot utility easement aligned to the north of Walnut Avenue; a 30-foot by 180-foot utility easement between the aforementioned easement and Windward Drive in the Inlet Woods Subdivision; and dedicating the 33-foot Redoubt Avenue right-of-way with a 10-foot utility easement.

The parcel has been designated by FEMA as non-regulatory flood zone D, described as *Undetermined Flood Risk* (See Floodplain Designation Exhibit A). Prior to development, the City of Kenai Floodplain Administrator should be contacted for information and regulations. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat for Right-of-Way Dedication plat of SE 1/4, Section 30, Township 6 North, Range 11 West, Seward Meridian 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 Right-of-Way Dedication plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The City water and wastewater is subject to the regulatory requirements of the City of Kenai Public Works Department.
  - a. An exception is requested for KMC 14.10.070(d)(1) – *Blocks*. No block shall be longer than one thousand four hundred (1,400) feet. Due to the use of this land as a private, tribally-owned community, future private roads will be constructed at the discretion of the Kenaitze Indian Tribe and will provide reasonable access to buildings within the larger parcel.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat is newly dedicated. The proposed right-of-way is a continuation of an existing street and is determined acceptable access.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet ( $\approx$  0.47 acre), with the lot remaining 158.275 acres.
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

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Staff finds that the proposed preliminary plat for Kenaitze Acres 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 recommend approval of Resolution No. PZ2025-22 for a Right-of-Way Dedication plat of SE 1/4, Section 30, Township 6 North, Range 11 West, Seward Meridian to the 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. An exception to KMC 14.10.070(d)(1) – Block length greater than 1,400 feet is requested by the City in order to maintain a large parcel suitable for future tribal-led development.

## ATTACHMENTS

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Aerial Map  
Application  
Preliminary Plat, Kenaitze Acres





Legend

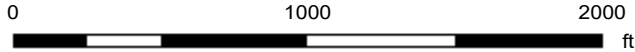
Transportation

Mileposts



Parcels and PLSS

Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

Borough assumes no liability of any kind arising from the use of this data. The creation or modification of the data. In using these data, you further agree to data, or use of the data.





## 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:	Edge Survey and Design LLC.				
Mailing Address:	PO Box 208	City:	Kasilof	State:	AK Zip Code: 99610
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

### PROPERTY OWNER

Name:	Kenaitze Indian Tribe				
Mailing Address:	PO Box 988	City:	Kenai	State:	AK Zip Code: 99610
Phone Number(s):	[REDACTED]				
Email:	Jerry O'Brien - Construction Director				

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04101002				
Current City Zoning:	Rural Residential				
Use:	<input type="checkbox"/> Residential <input type="checkbox"/> Recreational <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Other: Vacant at this time				
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:					
Revised Preliminary Plat Name:					
Vacation of Public Right-of-Way:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Street Name (if vacating ROW):					

### Exceptions Required and Requested:

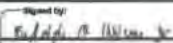
To not dedicate Right-of-Way along West, North and East boundary.

### Comments:

### REQUIRED ATTACHMENTS

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

Signature:		Date:	04/14/2025
Print Name:	Rudolph O. Wilson	Title/Business:	Executive Director



NOTES

1. DEVELOPMENT OF THIS PARCEL SUBJECT TO THE CITY OF KENAI ZONING REGULATIONS.
2. FURTHER DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO ALL FEDERAL, STATE OF ALASKA AND LOCAL REGULATIONS.
3. THE FRONT 10 FEET ADJACENT TO RIGHT OF WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH COULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
4. THIS PARCEL SUBJECT TO An ELECTRIC LINE EASEMENT GRANTED TO HOMER ELECTRIC ASSOCIATION, RECORDED BOOK 301 PAGES 737 AND 738, KENAI RECORDING DISTRICT. THIS EASEMENT IS LOCATED WITHIN THE RIGHT-OF-WAY DEDICATED THIS PLAT.
5. EXCEPTIONS TO KPB CODE 20.30.030 PROPOSED STREET LAYOUT, 20.30.170 BLOCK LENGTH AND 20.30.100 CUL-DE-SACS WAS GRANTED BY THE KENAI PENINSULA BOROUGH PLAT COMMITTEE AT THE JULY 14, 2025 MEETING.
6. THIS PARCEL SUBJECT TO A WATER DRAINAGE/UTILITY EASEMENT GRANTED TO CITY OF KENAI, RECORDED AS SERIAL NUMBER 2025-?????-1, KENAI RECORDING DISTRICT.
7. **WASTEWATER DISPOSAL:** CITY WATER AND SEWER ARE AVAILABLE TO SERVE THIS PARCEL. PLANS FOR WASTEWATER TREATMENT AND DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

CERTIFICATE OF ACCEPTANCE BY CITY OF KENAI

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THE PLAT IDENTIFIED AS FOLLOWS:

DEDICATION OF RIGHT OF WAY – NORTH 33 FEET OF REDOUBT AVENUE AND CUL-DE-SAC AREAS

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: TERRY EUBANK – CITY MANAGER  
CITY OF KENAI  
210 FIDALGO AVENUE  
KENAI, ALASKA 99611

DATE: \_\_\_\_\_

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF JULY 14, 2025.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL \_\_\_\_\_

CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT KENAITZE INDIAN TRIBE IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HERE AND THAT ON BEHALF OF KENAITZE INDIAN TRIBE I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

RUDOLPH O. WILSON JR., INTERIM EXECUTIVE DIRECTOR  
PO BOX 988  
KENAI, ALASKA 99611  
KENAITZE INDIAN TRIBE IRA  
KENAITZE INDIAN TRIBE

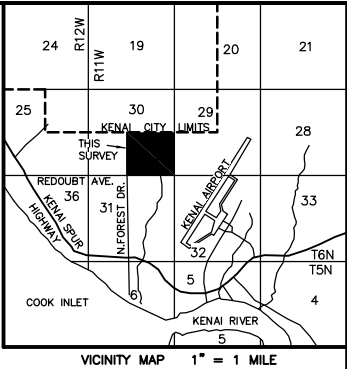
NOTARY’S ACKNOWLEDGEMENT

FOR: RUDOLPH O. WILSON JR.  
ACKNOWLEDGED BEFORE ME

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

NOTARY PUBLIC SIGNATURE \_\_\_\_\_

NOTARY  
STAMP  
AREA



RECORDER'S  
STAMP  
AREA

2.25"

2.25"

KPB FILE No. 2025-000

KENAITZE ACRES

A RIGHT-OF-WAY DEDICATION PLAT  
OF  
SOUTH EAST QUARTER  
SECTION 30  
TOWNSHIP 6 NORTH RANGE 11 WEST  
SEWARD MERIDIAN, ALASKA  
AS SHOWN ON BLM PLAT  
ACCEPTED JUNE 9, 1922

OWNERS:  
KENAITZE INDIAN TRIBE IRA  
KENAITZE INDIAN TRIBE  
PO BOX 988  
KENAI, ALASKA 99611

LOCATED WITHIN SE 1/4, SECTION 30,  
T.6N., R.11W. S.M.  
STATE OF ALASKA  
KENAI PENINSULA BOROUGH  
KENAI RECORDING DISTRICT  
CITY OF KENAI

CONTAINING 160.192 ACRES



8000 KING STREET ANCHORAGE, AK 99518  
Phone (907) 344-5990 Fax (907) 344-7794

AECL# 1392 www.edgesurvey.net

DRAWN BY: JY	DATE: 06/01/2025	PROJECT: 25-533
CHECKED BY: MA	SCALE: 1" = 200'	SHEET: 2 OF 2

*Stewart Title of the Kenai Peninsula, Inc.*

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

**CERTIFICATE TO PLAT**

Edge Survey and Design, LLC.  
PO Box 208  
Kasilof, AK 99610  
Attention: Jason Young

File Number: 25373  
Premium: \$300.00  
Tax:

Gentlemen:

This is a certificate as of April 16, 2025 at 8:00 A.M. for a plat out of the following property:

The Southeast One-quarter (SE1/4) of Section 30, Township 6 North, Range 11 West, Seward Meridian, Kenai Recording District, Third Judicial District, State of Alaska

The Company certifies that record title is vested in

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

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **SPECIAL ASSESSMENTS**, if any due the taxing authority indicated:  
Taxing Authority: City of Kenai
3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
4. **SUBJECT TO A ROAD RESERVATION** of 33 feet along each side of the section line as created by 43 U.S.C. 932.
5. **ANY PROHIBITION OR LIMITATION** on the use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any waters which may cover the land or to use any portion of the land which is now or may formerly have been covered by water.
6. **RIGHTS OF THE PUBLIC** and or governmental agencies in and to that portion of said premises lying below the mean high water mark of the creeks and any questions of right of access to creeks in the event said lands do not in fact abut the creeks.
7. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:  
Recorded: December 1, 1965  
Volume/Page: 36/77

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

8. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded: December 12, 1986  
Volume/Page: 301/737  
Granted To: Homer Electric Association, Inc.  
Affects: North 20 feet of the South 50 feet of the West 360 feet of said land

9. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:

Recorded: December 12, 1986  
Volume/Page: 301/738  
Granted To: Homer Electric Association, Inc.  
Affects: North 20 feet of the South 50 feet of the West 360 feet of said land

10. **NOTES, REFERENCES AND EASEMENTS AS SHOWN ON RECORD OF SURVEY NO. 2023-1**, filed for record in the Kenai Recording District on January 17, 2023.

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

By



Authorized Countersignature

Mary Frengle

Authorized Signator

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



**KENAITZE**  
**INDIAN**  
**TRIBE**

www.kenaitze.org

Phone: 907-335-7200 • FAX: 855-335-8865

P.O. Box 988 • Kenai, AK 99611

**Kenaitze Indian Tribe**  
**Resolution No. 2024-26**

***Authorizing Rudolph O. Wilson, Jr. Interim Executive Director, to sign all contracts, agreements, and official documents on behalf of Kenaitze Indian Tribe in FY2023–2024***

**WHEREAS**, Kenaitze Indian Tribe is a Federally recognized tribal government reorganized in 1971 under the statutes of the Indian Reorganization Act of 1934, as amended for Alaska in 1936, and the Tribal Council is the governing body of Kenaitze Indian Tribe; and,

**WHEREAS**, Kenaitze Indian Tribe has established long-term goals to enhance the health, social, and economic well-being, education, judicial, and cultural concerns of its people via programs that serve over 4,740 Alaska Native and American Indian (AN/AI) and other people who reside in the central and upper Kenai Peninsula, including approximately 2,023 enrolled Tribal Members; and,

**WHEREAS**, Kenaitze Indian Tribe has successfully administered P.L. 93-638 "Indian Self-Determination and Educational Assistance Act" (ISDEAA) programs independently for more than 18 years, as well as other federally funded projects via the Bureau of Indian Affairs, the Indian Health Service, and the U.S. Departments of Health and Human Services, Justice, Education, Labor, Housing and Urban Development, Interior, and Homeland Security, in addition to other grants and funding agreements awarded by the State of Alaska and private foundations, among other sources, and will continue such successful administration into the future; and,

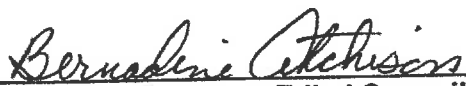
**NOW THEREFORE BE IT RESOLVED**, that the Kenaitze Tribal Council hereby authorizes Rudolph O. Wilson, Jr. Interim Executive Director, to sign all contracts, agreements, and official documents on behalf of Kenaitze Indian Tribe in FY2023–2024 in accordance with the "Signing Authority for Grants, Contracts, and Agreements" Policy and Procedure; and,


**BE IT FURTHER RESOLVED**, that additional approval from the Tribal Council is required for any Resolution, Waiver of Sovereign Immunity, encumbrance of Tribal assets, or where the risk of negative impact upon the Tribe is unusually high; and,

**BE IT FURTHER RESOLVED**, that Rudolph O. Wilson, Jr. may delegate signature authority to a designated alternate.

**CERTIFICATION**

Adopted this 14<sup>th</sup> day of August, 2024, by a vote 4 yeas and  
0 nays 0 abstentions, and 2 absent, 0 opposed.

  
Bernadine Atchison, Tribal Council Chair  
Kenaitze Indian Tribe

  
Ronette Stanton, Tribal Council Secretary  
Kenaitze Indian Tribe



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2025-23**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT TERRA-B SUBDIVISION 2025 REPLAT ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 108, 110, & 112 Baker St

LEGAL DESCRIPTION: Lots 7, 8, & 9, Block One, Terra-B Subdivision,  
Township 6N, Range 11 West, Section 34, Seward  
Meridian

KPB PARCEL NUMBERS: 04522040, 04522041, 04522042

WHEREAS, the City of Kenai received a preliminary plat from McLane Consulting, on behalf of property owner Patrick Devlin, for a replat of Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lots will have access from Baker Street (a maintained gravel City road); and,

WHEREAS, City water is not available to the proposed lots; and,

WHEREAS, City sewer is not available to the proposed lots; and,

WHEREAS, an easement for utilities is already located adjacent to rights-of-way, along the west boundary of the proposed lot; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The on-site water and wastewater systems are subject to the regulatory requirements of ADEC.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the Baker Street right-of-way exists within the proposed preliminary plat. Baker Street is an existing street and is determined acceptable access. 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 ( $\approx 0.17$  acre), with a proposed lot size of 2.04 acres or 88,862 square feet.
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.

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

**Section 1.** That preliminary plat Terra-B Subdivision 2025 Replat, for a replat of Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6N, Range 11 West, Section 34, Seward Meridian, be approved, subject to the following conditions:

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

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
THIS 25<sup>th</sup> DAY OF JUNE, 2025.

---

JEFF TWAIT, CHAIRPERSON

ATTEST:

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Michelle M. Saner, MMC, City Clerk



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Kevin Buettner, Planning Director  
**DATE:** June 10, 2025  
**SUBJECT:** Resolution No. PZ2025-23 – Preliminary Plat – Terra-B Subdivision 2025 Replat

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**Request** The applicant is proposing a preliminary plat to replat Lots 7, 8, & 9, Block One, Terra-B Subdivision.

**Staff Recommendation** Adopt Resolution No. PZ2025-23 recommending approval of Preliminary Plat – Terra-B Subdivision 2025 Replat, creating one (1) lot of 2.2028 acres.

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**Applicant:** McLane Consulting  
Attn: Andrew Hamilton  
PO Box 468  
Soldotna, AK 99669

**Property Owner:** Patrick Devlin

**Legal Descriptions:** Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6N, Range 11 West, Section 34, Seward Meridian

**Property Address:** 108, 110, & 112 Baker St

**KPB Parcel Nos.:** 04522040, 04522041, 04522042

**Zoning District:** Suburban Residential (RS)

**Land Use Plan:** Suburban Residential (SR)

**Surrounding Uses:** Suburban Residential

## SUMMARY

A preliminary plat has been submitted from McLane Consulting on behalf of the property owner for a replat of Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6N, Range 11 West, Section 34, Seward Meridian, to create one (1) 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

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The proposed replat meets the minimum lot size requirement of 7,200 square feet ( $\approx 0.17$  acre) for the Suburban Residential (RS) zoning district. The size of the proposed lot is approximately 88,862 square feet (2.04 acres).

City water is not available along Baker Street. City wastewater is not available along Baker Street therefore private septic systems have been proposed. The water well and private septic systems are subject to the regulatory requirements of the State of Alaska, Department of Environmental Conservation (ADEC).

Access to the proposed Lots is provided via Baker Street, a maintained gravel City road. The City of Kenai Public Works Department has reviewed the preliminary plat and has no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

The northeast and eastern portions of the proposed lots are prone to riverine inundation. Prior to development, the City of Kenai Floodplain Administrator should be contacted for information and regulations. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat for a replat of Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6N, Range 11 West, Section 34, Seward Meridian 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 subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The on-site water and wastewater systems are subject to the regulatory requirements of ADEC.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat exists prior to this plat. The right-of-way is a continuation of an existing street and is determined acceptable access. 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 Suburban Residential zoning district of 7,200 square feet ( $\approx 0.17$  acre), with a proposed lot size of 2.04 acres.
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

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Staff finds that the proposed preliminary plat for Terra-B Subdivision 2025 Replat 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



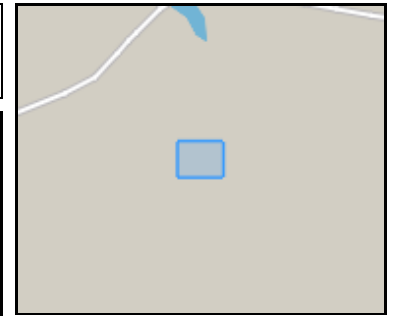
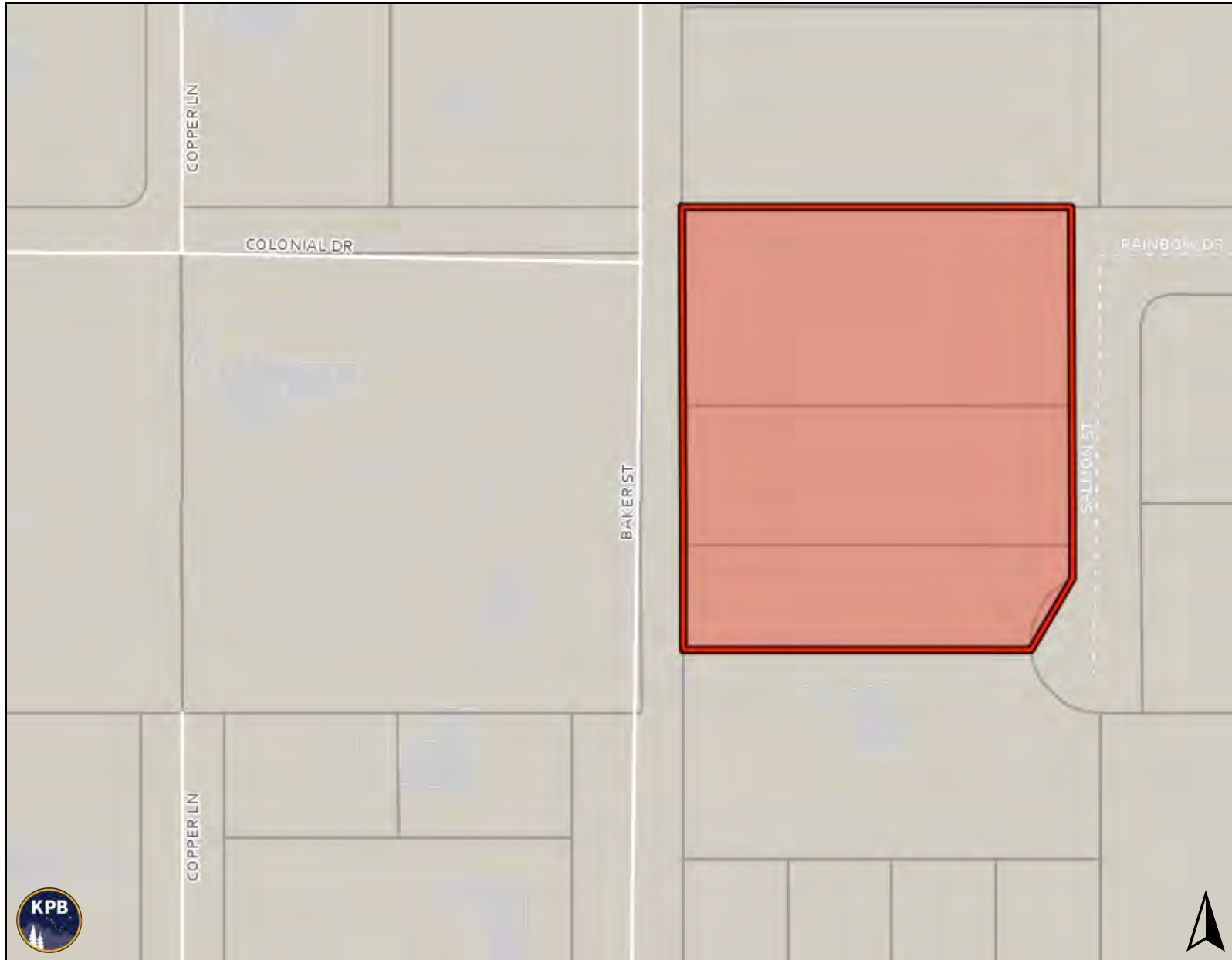
Zoning Commission recommend approval of Resolution No. PZ2025-23 for a replat of Lots 7, 8, & 9, Block One, Terra-B Subdivision, Township 6N, Range 11 West, Section 34, Seward Meridian, to the Kenai Peninsula Borough, subject to the following conditions:

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

## ATTACHMENTS

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Aerial Map  
Application  
Preliminary Plat, Terra-B Subdivision 2025 Replat



### Legend

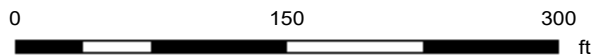
#### Transportation

##### Mileposts



#### Parcels and PLSS

##### Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

Borough assumes no liability of any kind arising from the use of this data. The Borough assumes no liability for any error, omission, or modification of the data. In using these data, you further agree to release, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or use of the data.



## 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): [REDACTED]  
Email: [REDACTED]

### PROPERTY OWNER

Name: Patrick James Devlin  
Mailing Address: 2233 ALA WAI BLVD APT 15C City: HONOLULU State: HI Zip Code: 96815-2417  
Phone Number(s): [REDACTED]  
Email: [REDACTED]

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #: 04522040, 04522041, 04522042  
Current City Zoning: Rural Residential  
Use: ☒ Residential ☐ Recreational ☐ Commercial  
☐ Other:  
Water: ☒ On Site ☐ City ☐ Community  
Sewer: ☒ On Site ☐ City ☐ Community

### PLAT INFORMATION

Preliminary Plat Name: Terra-B Subdivision 2025 Replat  
Revised Preliminary Plat Name:  
Vacation of Public Right-of-Way: ☐ Yes ☒ 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: *Patrick Devlin* Date: 5-27-2025  
Print Name: PATRICK DEVLIN Title/Business:



# McLANE

CONSULTING, INC.

P.O. Box 468 Soldotna, Alaska 99669  
(907) 283-4218 fax (907) 283-3265

## LETTER OF TRANSMITTAL

To: City of Kenai  
Planning and Zoning Department  
210 Fidalgo Avenue  
Kenai, Alaska 99611

DATE: JUNE 2, 2025 JOB # 252018  
ATTENTION: Platting and Zoning Department  
RE: Terra-B Subdivision 2025 Replat  
KBP File 2025-XXX  
PRELIMINARY PLAT  
From: Andrew Hamilton

We are sending you: ☒ Attached ☐ Under separate Cover

Via: Delivered

Copies	Description
1	Blackline Prelim Plat full size
2	Prelim Plat 11x17" size
1	Certificate to Plat
1	City of Kenai/KPB Owner Submittal Forms

### Reason for Transmittal Checked Below:

☐ FOR APPROVAL ☐ AS REQUESTED ☐ APPROVED AS SUBMITTED ☐ REVIEW/COMMENT  
☒ FOR YOUR USE ☐ APPROVED AS NOTED ☐ RETURNED FOR CORRECTIONS

Remarks:

Copy to: File Signed: Andrew Hamilton





**First American Title™**

# Guarantee

## Subdivision Guarantee

Issued by

**First American Title Insurance Company**

GUARANTEE NUMBER

**5033602-0229-4275157**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE LIMITS OF LIABILITY AND THE CONDITIONS AND STIPULATIONS OF THIS GUARANTEE,

**FIRST AMERICAN TITLE INSURANCE COMPANY**  
a Nebraska corporation, herein called the Company

### GUARANTEES

the Assured named in Schedule A against actual monetary loss or damage not exceeding the liability stated in Schedule A, which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

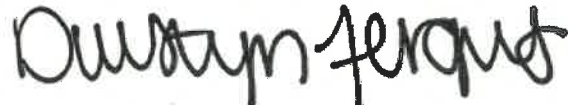
### FIRST AMERICAN TITLE INSURANCE COMPANY

  
Sally F. Tyler, President

  
Lisa W. Cornehl, Secretary

**This jacket was created electronically and constitutes an original document**

**First American Title Insurance Company**



Dustyn Fergus, Title Officer

## SCHEDULE OF EXCLUSIONS FROM COVERAGE OF THIS GUARANTEE

1. Except to the extent that specific assurances are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
  - (a) Defects, liens, encumbrances, adverse claims or other matters against the title, whether or not shown by the public records.
  - (b) (1) Taxes or assessments of any taxing authority that levies taxes or assessments on real property; or, (2) Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not the matters excluded under (1) or (2) are shown by the records of the taxing authority or by the public records.
  - (c) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excluded under (1), (2) or (3) are shown by the public records.
2. Notwithstanding any specific assurances which are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
  - (a) Defects, liens, encumbrances, adverse claims or other matters affecting the title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A), (C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways to which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any structure or improvements; or any rights or easements therein, unless such property, rights or easements are expressly and specifically set forth in said description.
  - (b) Defects, liens, encumbrances, adverse claims or other matters, whether or not shown by the public records; (1) which are created, suffered, assumed or agreed to by one or more of the Assureds; (2) which result in no loss to the Assured; or (3) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of the assurances provided.
  - (c) The identity of any party shown or referred to in Schedule A.
  - (d) The validity, legal effect or priority of any matter shown or referred to in this Guarantee.

## GUARANTEE CONDITIONS AND STIPULATIONS

### 1. Definition of Terms.

The following terms when used in the Guarantee mean:

- (a) the "Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
- (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
- (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
- (e) "date": the effective date.

### 2. Notice of Claim to be Given by Assured Claimant.

An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice.

### 3. No Duty to Defend or Prosecute.

The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

### 4. Company's Option to Defend or Prosecute Actions; Duty of Assured Claimant to Cooperate.

Even though the Company has no duty to defend or prosecute as set forth in Paragraph 3 above:

- (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
- (b) If the Company elects to exercise its options as stated in Paragraph 4(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
- (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.
- (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all

## GUARANTEE CONDITIONS AND STIPULATIONS (Continued)

reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

### 5. Proof of Loss or Damage.

In addition to and after the notices required under Section 2 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this Guarantee to the Assured for that claim.

### 6. Options to Pay or Otherwise Settle Claims:

#### Termination of Liability.

In case of a claim under this Guarantee, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.  
The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the

indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase.

Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price.

Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4, and the Guarantee shall be surrendered to the Company for cancellation.

- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.

To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay.

Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4.

### 7. Determination and Extent of Liability.

This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the Exclusions From Coverage of This Guarantee.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A or in Part 2;
- (b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 6 of these Conditions and Stipulations or as reduced under Section 9 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

### 8. Limitation of Liability.

- (a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by



## GUARANTEE CONDITIONS AND STIPULATIONS (Continued)

any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.

- (b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- (c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

### 9. Reduction of Liability or Termination of Liability.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the amount of liability pro tanto.

### 10. Payment of Loss.

- (a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- (b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

### 11. Subrogation Upon Payment or Settlement.

Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company, the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies. If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

### 12. Arbitration.

Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

### 13. Liability Limited to This Guarantee; Guarantee Entire Contract.

- (a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- (b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- (c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

### 14. Notices, Where Sent.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at **First American Title Insurance Company, Attn: Claims National Intake Center, 1 First American Way, Santa Ana, California 92707 [Claims.NIC@firstam.com](mailto:Claims.NIC@firstam.com) Phone: 888-632-1642 Fax: 877-804-7606**



**First American Title™**

# Schedule A

## Subdivision Guarantee

ISSUED BY

**First American Title Insurance Company**

GUARANTEE NUMBER

**4275157**

Order No.: 4275157

Liability: \$1,000.00

Fee: \$300.00

Tax: \$N/A

Name of Assured: McLane Consulting Inc

Date of Guarantee: May 27, 2025

The assurances referred to on the face page hereof are:

1. Title is vested in:

Patrick James Devlin, a married person

2. That, according to the Public Records relative to the land described in Schedule C attached hereto (including those records maintained and indexed by name), there are no other documents affecting title to said land or any portion thereof, other than those shown under Record Matters in Schedule B.

3. The following matters are excluded from the coverage of this Guarantee:

A. Unpatented Mining Claims, reservations or exceptions in patents or in acts authorizing the issuance thereof.

B. Water rights, claims or title to water.

C. Tax Deeds to the State of Alaska.

D. Documents pertaining to mineral estates.

4. No guarantee is given nor liability assumed with respect to the validity, legal effect or priority of any matter shown herein.

5. This Guarantee is restricted to the use of the Assured for the purpose of providing title evidence as may be required when subdividing land pursuant to the provisions of A.S. Section 38.04.045 and A.S. Chapter 40.15., and the local regulations and ordinances adopted pursuant to said statute. It is not to be used as a basis for closing any transaction affecting title to said property.

6. Any sketch attached hereto is done so as a courtesy only and is not part of any title commitment, guarantee or policy. It is furnished solely for the purpose of assisting in locating the premises and First American expressly disclaims any liability which may result from reliance made upon it.



**First American Title™**

## Schedule B

### Subdivision Guarantee

ISSUED BY

**First American Title Insurance Company**

GUARANTEE NUMBER

**4275157**

File No.: 0229-4275157

### RECORD MATTERS

7. Reservations or exceptions in patents or in acts authorizing the issuance thereof.

Said patent, among other things, reserves all oil, gas and other minerals together with the privileges, mining and drilling rights and immunities.

Note: Title to the mineral estate, as it pertains to said reservation, has not been further searched and no insurance is provided under this policy.

8. Taxes and/or Assessments, if any, due The Kenai Peninsula Borough and The City of Kenai.

9. Any question that may arise due to the shifting and/or changing in the course of Cronic Creek.  
Affects: Lots 8 and 9

10. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Cronic Creek.  
Affects: Lots 8 and 9

11. Any prohibition or limitation on the use, occupancy or improvements of the land resulting from the right of the public or riparian owners to use any waters which may cover the land or to use any portion of the land which is now or may formerly have been covered by water.  
Affects: Lots 8 and 9

12. Easement, including terms and provisions contained therein:  
Recording Information: September 28, 1964, [Book 29 Page 294](#)  
In Favor of: Public  
For: Roadway and public utilities  
Affects: Portion as delineated in instrument

13. The effect of the notes which appear on the plat of said subdivision. (Copy Attached)

14. Easements as dedicated and shown on the plat of said subdivision. (Copy Attached)

15. Covenants, conditions and restrictions, as shown on the Plat of said subdivision.

NOTE: We find no outstanding voluntary liens of record affecting subject property. An inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest in the subject property.



*First American Title™*

## Schedule C

### Subdivision Guarantee

ISSUED BY

**First American Title Insurance Company**

GUARANTEE NUMBER

**4275157**

File No.: 0229-4275157

The land in the Recording District of Kenai, State of Alaska, described as follows:

Lots 7, 8, and 9, Block 1, TERRA B SUBDIVISION, according to the official plat thereof, filed under Plat Number [K-1751](#), Records of the Kenai Recording District, Third Judicial District, State of Alaska.



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2025-24**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT RUBY'S DAZZLING SCENIC VIEW SUBDIVISION HENDRIKS ADDITION ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESS: 1312 & 1402 Barabara Dr.

LEGAL DESCRIPTION: Lots 7 & 8, Ruby's Dazzling Scenic View  
Subdivision, Township 5 North, Range 11 West,  
Section 10, Seward Meridian

KPB PARCEL NUMBERS: 04912060 & 04912061

WHEREAS, the City of Kenai received a preliminary plat from Edge Survey and Design, LLC, on behalf of property owner LJ Hendriks Trust, for a replat of Lots 7 & 8, Ruby's Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, the proposed lots will have access from Barabara Drive (a maintained gravel City road); and,

WHEREAS, City water is not available to the proposed lots; and,

WHEREAS, City sewer is not available to the proposed lots; and,

WHEREAS, an easement for utilities is already located adjacent to rights-of-way, along the east and southeast boundaries of the proposed lot; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The on-site water and wastewater systems are subject to the regulatory requirements of ADEC.



2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the Baker Street right-of-way exists within the proposed preliminary plat. Baker Street is an existing street and is determined acceptable access. 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 Rural Residential (RR) zoning district of 20,000 square feet ( $\approx 0.47$  acre), with a proposed lot size of two (2) acres or 87,120 square feet.
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.

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

**Section 1.** That preliminary plat Lots 7 & 8, Ruby's Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian, be approved, subject to the following conditions:

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

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
THIS 25<sup>th</sup> DAY OF JUNE, 2025.

---

JEFF TWAIT, CHAIRPERSON

ATTEST:

---

Michelle M. Saner, MMC, City Clerk



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**FROM:** Kevin Buettner, Planning Director  
**DATE:** June 12, 2025  
**SUBJECT:** Resolution No. PZ2025-24 – Preliminary Plat – Ruby’s Dazzling Scenic View Subdivision Hendriks Addition

---

**Request** The applicant is proposing a preliminary plat to replat Lots 7 & 8, Ruby’s Dazzling Scenic View Subdivision Hendriks Addition.

**Staff Recommendation** Adopt Resolution No. PZ2025-24 recommending approval of Preliminary Plat – Ruby’s Dazzling Scenic View Subdivision Hendriks Addition, creating one (1) two-acre lot.

---

**Applicant:** Edge Survey & Design, LLC  
Attn: Jason Young  
PO Box 208  
Kasilof, AK 99610

**Property Owner:** LJ Hendriks Trust

**Legal Descriptions:** Lots 7 & 8, Ruby’s Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian

**Property Address:** 1312 & 1402 Barabara Dr.

**KPB Parcel Nos.:** 04912060 & 04912061

**Zoning District:** Rural Residential (RR)

**Land Use Plan:** Low Density Residential

**Surrounding Uses:** Low Density Residential

## SUMMARY

A preliminary plat has been submitted from Edge Survey & Design on behalf of the property owner for a replat of Lots 7 & 8, Ruby’s Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian, to create one (1) two-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 replat meets the minimum lot size requirement of 20,000 square feet ( $\approx 0.47$  acre) for the Rural Residential (RR) zoning district. The size of the proposed lot is approximately 87,120 square feet (2.00 acres).

City water is not available along Barabara Drive. City wastewater is not available along Barabara Drive, therefore a private septic system has been installed on proposed Lot 7A. The water well and private septic systems are subject to the regulatory requirements of the State of Alaska, Department of Environmental Conservation (ADEC).

Access to the proposed Lots is provided via Barabara Drive, a maintained gravel City road. The City of Kenai Public Works Department has reviewed the preliminary plat and has no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

According to Plat Note 8, some or all of the property has been designated by FEMA as a flood hazard area (X-U). Prior to development, the City of Kenai Floodplain Administrator should be contacted for information and regulations. The City of Kenai Floodplain Administrator has reviewed the preliminary plat and has no comments.

Staff finds that the preliminary plat for a replat of Lots 7 & 8, Ruby's Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian 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 subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites. The on-site water and wastewater systems are subject to the regulatory requirements of ADEC.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat exists prior to this plat. The right-of-way is a continuation of an existing street and is determined acceptable access. 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 Rural Residential zoning district of 20,000 square feet ( $\approx 0.47$  acre), with a proposed lot size of two (2) acres.
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 Ruby's Dazzling Scenic View Subdivision Hendriks Addition 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 recommend approval of Resolution No. PZ2025-24 for a replat of Lots 7 & 8, Ruby's Dazzling Scenic View Subdivision, Township 5 North, Range 11 West, Section 10, Seward Meridian, to the 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.

## **ATTACHMENTS**

---

Aerial Map

Application

Preliminary Plat, Ruby's Dazzling Scenic View Subdivision Hendriks Addition



Legend

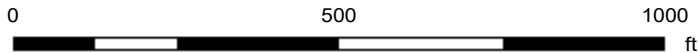
Transportation

Mileposts



Parcels and PLSS

Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or



RECEIVED

6/11/25



## 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: Edge Survey and Desing LLC  
Mailing Address: PO Box 208 City: Kasiloof State: AK Zip Code: 99610  
Phone Number(s): [REDACTED]  
Email: [REDACTED]

### PROPERTY OWNER

Name: LJ Hendriks Trust  
Mailing Address: 1402 Barabara Dr City: Kenai State: AK Zip Code: 99610  
Phone Number(s): [REDACTED]  
Email: [REDACTED]

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #: 04912060 and 04912059  
Current City Zoning: Rural Residential  
Use: ☒ Residential ☐ Recreational ☐ Commercial  
☐ Other:  
Water: ☒ On Site ☐ City ☐ Community  
Sewer: ☒ On Site ☐ City ☐ Community

### PLAT INFORMATION

Preliminary Plat Name: Ruby's Dazzling Scenic View Subdivision Hendriks Replat  
Revised Preliminary Plat Name:  
Vacation of Public Right-of-Way: ☐ Yes ☒ No  
Street Name (if vacating ROW):

### Exceptions Required and Requested:

None

### Comments:

Vacating lot line

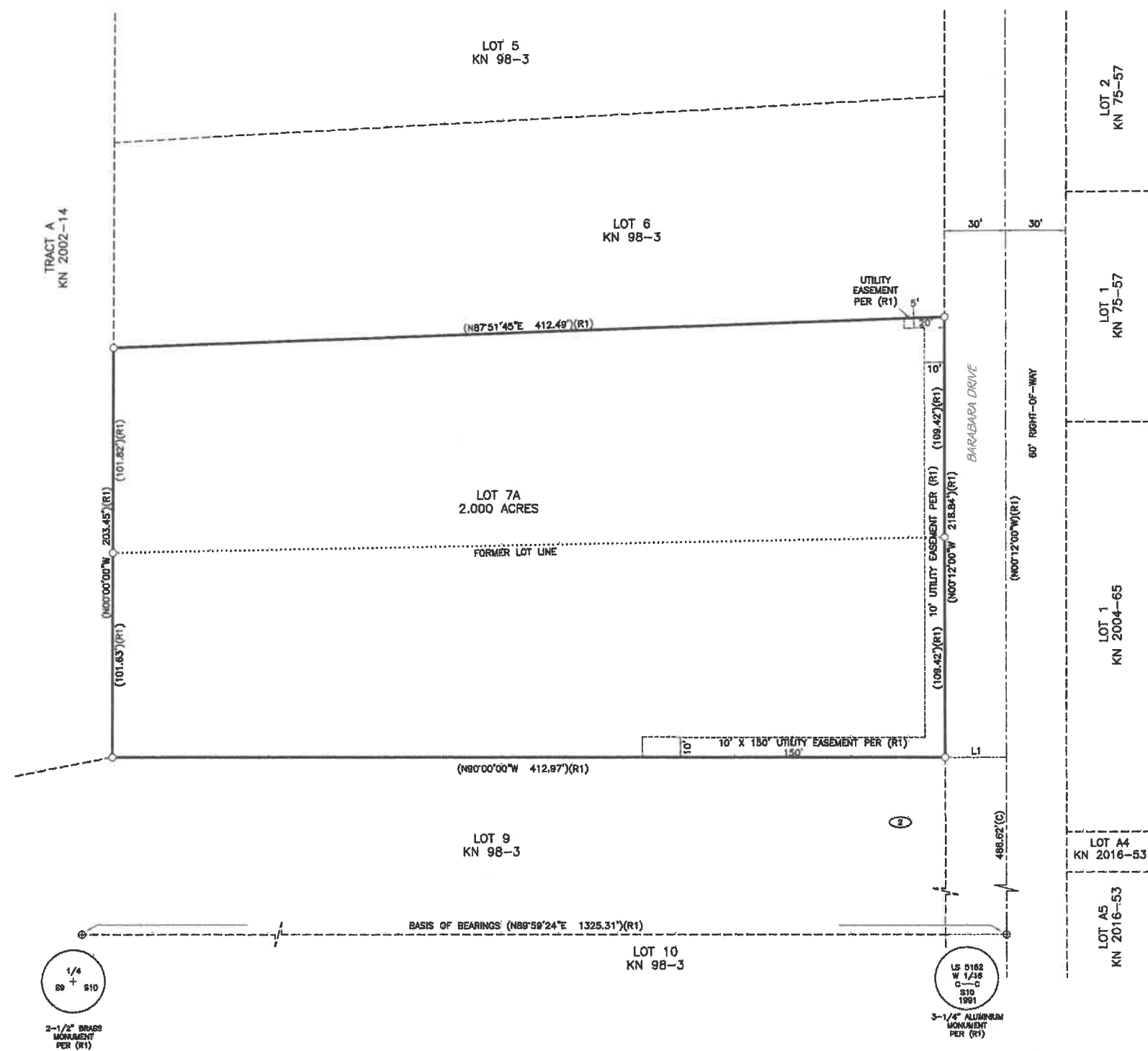
### REQUIRED ATTACHMENTS

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

### SIGNATURE

Signature: *Chelsea Ryan Hendriks* Date: 6-2-25  
Print Name: Chelsea Ryan Hendriks Title/Business:

PRELIMINARY

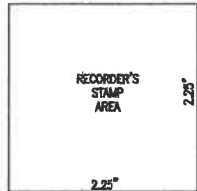


LEGEND		
⊕	RECORD PRIMARY MONUMENT AS REFERENCED	----- SUBDIVISION BOUNDARY
○	RECORD PROPERTY CORNER 5/8" REBAR	----- FORMER LOT LINE
( )	RECORD DATA PER (R1)	----- ADJACENT PROPERTY LINE
(C)	COMPUTED DATA PER (R1)	----- EASEMENT
		----- CENTERLINE
		----- MONUMENT TIE LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N80°00'00"E	30.00'



30' 15' 0' 30'  
1" = 30'



NOTES

- DEVELOPMENT OF THESE PARCELS IS SUBJECT TO THE CITY OF KENAI ZONING REGULATION.
- PER (R1) THE FRONT 10 FEET ADJACENT TO THE RIGHTS-OF-WAY AND THE FRONT 20 FEET WITHIN 5' OF THE SIDE LOT LINES IS A UTILITY EASEMENT. 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.
- ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLANDS DETERMINATION IF APPLICABLE.
- THESE PARCELS SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED JUNE 4, 1998, VOLUME 531, PAGE 382, AND AMENDMENTS THERETO RECORDED JUNE 30, 1998, VOLUME 533, PAGE 903, KR0.
- THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS, OR DEED RESTRICTIONS PER KPB 20.60.170.
- THESE PARCELS SUBJECT TO AN EASEMENTS, WITH NO DEFINED LOCATION, GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED SEPTEMBER 18, 1958, MISC. VOLUME 4, PAGE 96 AND 97 AND MARCH 12, 1980 VOLUME 154, PAGE 185, KENAI RECORDING DISTRICT.
- FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAVE BEEN DESIGNATED BY FEMA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. PRIOR TO DEVELOPMENT, THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 21.08 OF THE KENAI PENINSULA BOROUGH CODE. THIS PLAT IS AFFECTED BY FLOOD ZONES X PER MAP PANEL 021220-0140F.
- WASTEWATER DISPOSAL: THE PARENT SUBDIVISION FOR THE LOTS RESULTING FROM THIS PLATING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON JANUARY 24, 1984. ANY WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST BE MEET THE REGULATOR REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

NOTARY'S ACKNOWLEDGEMENT

FOR: CHELSEA M. HENDRIKS  
ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

PUBLIC NOTARY SIGNATURE

MY COMMISSION EXPIRES: \_\_\_\_\_



NOTARY'S ACKNOWLEDGEMENT

FOR: RYAN O. HENDRIKS  
ACKNOWLEDGED BEFORE ME  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

PUBLIC NOTARY SIGNATURE

MY COMMISSION EXPIRES: \_\_\_\_\_



REFERENCES

(R1) RUBY'S DAZZLING SCENIC VIEW SUBDIVISION, PLAT 98-3, KENAI RECORDING DISTRICT

PLAT APPROVAL

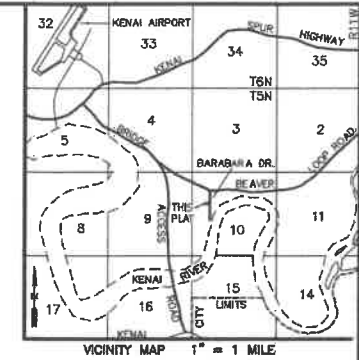
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH  
IN ACCORDANCE WITH KPB 20.10.040.

BOROUGH OFFICIAL

DATE

CERTIFICATE OF SURVEYOR

I, MARK AMONETTI 13022-S, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALASKA AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT THE MONUMENTS SHOWN ON THIS SURVEY ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



CERTIFICATE OF OWNERSHIP  
AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT LJ HENDRIKS TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF LJ HENDRIKS TRUST, WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

CHELSEA M. HENDRIKS  
1402 BARABARA DRIVE  
KENAI, ALASKA 99610

RYAN O. HENDRIKS  
1402 BARABARA DRIVE  
KENAI, ALASKA 99610

KPB FILE No. 2025-XXX

RUBY'S DAZZLING  
SCENIC VIEW  
SUBDIVISION  
HENDRIKS  
ADDITION

A REPLAT OF  
LOT 7 AND LOT 8  
RUBY'S DAZZLING SCENIC VIEW SUBDIVISION  
PLAT 98-3  
KENAI RECORDING DISTRICT

LOCATED WITHIN:  
NW 1/4 SECTION 10,  
T.5N., R.11W. S.M.  
STATE OF ALASKA  
KENAI PENINSULA BOROUGH  
KENAI RECORDING DISTRICT  
CITY OF KENAI

OWNERS:  
CHELSEA M. HENDRIKS  
AND  
RYAN O. HENDRIKS  
1402 BARABARA DRIVE  
KENAI, ALASKA 99610

CONTAINING 2.000 ACRES



6000 KING STREET ANCHORAGE, AK 99516  
Phone (907) 344-5990 Fax (907) 344-7794  
AEDL# 1382 www.edgesurvey.net

DRAWN BY:	DATE:	PROJECT:
JY	06/11/2025	25-567
CHECKED BY:	SCALE:	SHEET:
MA	1" = 100'	1 OF 1

*Stewart Title of the Kenai Peninsula, Inc.*

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

**CERTIFICATE TO PLAT**

Edge Survey and Design, LLC.  
PO Box 208  
Kasilof, AK 99610  
Attention: Jason Young

File Number: 25465  
Premium: \$300.00  
Tax:

Gentlemen:

This is a certificate as of May 30, 2025 at 8:00 A.M. for a plat out of the following property:

Lots Seven (7) and Eight (8), RUBY'S DAZZLING SCENIC VIEW SUBDIVISION, according to Plat No. 98-3, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

LJ Hendriks Trust with Ryan Hendriks acting as the Trustee, as to Lot 7;  
AND

LJ Hendriks Trust with Chelsea Hendriks and Ryan Hendriks acting as the Trustees, as to Lot 8  
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: KENAI PENINSULA BOROUGH
3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:  
Taxing Authority: CITY OF KENAI
4. **AN OIL AND GAS LEASE**, including the terms, covenants and conditions therein provided:  
Lessor: Waldo Edmund Coyle and Ruby S.Coyle  
Lessee: Marathon Oil Company, an Ohio Corporation and Union Company of California  
Recorded: May 21, 1973  
Volume/Page: 71/423

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

5. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:  
Recorded: September 18, 1959  
Volume/Page: Misc. 4/96  
Granted To: Homer Electric Association, Inc.  
Affects: General Easement, no definite location disclosed

6. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:  
Recorded: September 18, 1959  
Volume/Page: Misc. 4/97  
Granted To: Homer Electric Association, Inc.  
Affects: General Easement, no definite location disclosed

7. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:  
Recorded: March 12, 1980  
Volume/Page: 154/185  
Granted To: Homer Electric Association, Inc.  
Affects: General Easement, no definite location disclosed

8. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 98-3.

9. **EFFECT** of the notes on said Plat No. 98-3.

10. **COVENANTS, CONDITIONS AND RESTRICTIONS**, including the terms and provisions thereof, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such Covenant, condition or restriction violates 42 USC 3604 (c), as contained in an instrument:  
Recorded: June 4, 1998  
Volume/Page: 531/362

**AND AMENDMENTS** thereto:

Recorded: June 30, 1998  
Volume/Page: 533/903

11. **RESERVATION** of oil, gas and mineral rights constructive notice of which is given by recital in deed:  
Recorded: August 6, 1998  
Volume/Page: 536/863  
**Affects Lot 7**

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

12. **BUILDING ENERGY EFFICIENCY STANDARDS CERTIFICATION** including the terms and provisions therein:  
Recorded: December 23, 2004  
Serial No.: 2004-012925-0  
**Affects Lot 8**

13. **DEED OF TRUST**, including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:  
Amount: \$423,922.00  
Dated: August 18, 2016  
Recorded: September 1, 2016  
Serial No.: 2016-007706-0  
Trustor: Chelsea M. Charbonneau and Ryan O. Hendriks, wife and husband  
Trustee: First American Title Insurance Company  
Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS) acting as nominee for Alaska USA Mortgage Company, LLC  
**Affects Lot 8**



14. **DEED OF TRUST**, including terms and provisions thereof, to secure an indebtedness of the amount herein stated and for any other amounts payable under the terms thereof:

Amount: \$58,500.00  
Dated: June 21, 2023  
Recorded: June 22, 2023  
Serial No.: 2023-004767-0  
Trustor: Ryan O. Hendriks, a married man  
Trustee: First American Title Insurance Company  
Beneficiary: Global Federal Credit Union  
**Affects Lot 7**

15. **TERMS, CONDITIONS AND PROVISIONS** of the unrecorded trust as set out below:  
Trust: LJ Hendriks Trust

Stewart Title of the Kenai Peninsula, Inc.

By



Authorized Countersignature

Mary Frengle

Authorized Signator

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



## MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** Kevin Buettner, Planning Director

**DATE:** June 18, 2025

**SUBJECT:** **Aspen Creek CUP – 701 N. Forest Drive Findings**

---

At the regular Planning and Zoning Commission Meeting on January 8, 2025, Commissioner Petty requested copies of the Conditional use Permits for Aspen Creek Assisted Living Facility be included as additional information in preparation for a potential future public hearing.

They following resolutions were submitted:

- Resolution PZ2012-22: Conditional Use Permit to Clint Hall, for Assisted Living Facility – Building 1
- Resolution PZ2015-24: Conditional Use Permit to Clint Hall for Assisted Living Facility – Building 2
- Resolution PZ2023-05: Amendment to the CUP to Aspen Creek/Douglas Clegg, to allow the expansion of the facility, connecting buildings 1 and 2
- Resolution PZ2023-18: Granting a modification to PZ2023-05 to Aspen Creek/Douglas Clegg to reduce the width of the ROW easement to/from Ponderosa Street from 60 ft width to 30 ft width.
- 2023-CTR-4: CUP Transfer from Brooks Holding LLC and Miriam, LLC to Aspen Creek Kenai Property, LLC.

At the regular Planning and Zoning Commission Meeting on February 12, 2025, the owner of Aspen Creek requested to give Scheduled Public Comments. Further discussions with nearby property owners and testimony received during public meetings were noted and it was determined that the Planning & Zoning Department would determine if traffic levels remained elevated as winter ended and interior construction was completed in early May.

In May 2025, traffic volume and speed were captured on various days by Temporary Enforcement Officers with the Kenai Police Department in an unmarked vehicle between May 19<sup>th</sup> and 27<sup>th</sup>. The attached report shows a small number (5 out of 150) of vehicles were speeding over 25 MPH and only 8 out of 150 came from the rear entrance to Aspen Creek.

**From:** [David Ross](#)  
**To:** [Kevin Buettner](#)  
**Cc:** [Terry Eubank](#)  
**Subject:** FW: Message from Dispatch650i  
**Date:** Thursday, May 29, 2025 2:57:49 PM  
**Attachments:** [SDispatch6525052914200.pdf](#)

---

Kevin,

Our TEO did speed measurements on Pine and Ponderosa from an unmarked car from 5/19-5/27 until she measured 50 vehicle at each of three times per day (7-8:30A, 11-12:30p, and 4:30-6p.) Out of those 150 vehicles I counted 5 that were over the 25 MPH speed limit, and three of those were going 26 MPH. Only 8 of those 150 vehicles came or went from Ponderosa St. which leads to the back of the Aspen Assisted Living.

The data is attached.

Dave

**From:** bizhub@kenai.city <bizhub@kenai.city>  
**Sent:** Thursday, May 29, 2025 3:21 PM  
**To:** David Ross <DRoss@kenai.city>  
**Subject:** Message from Dispatch650i

# **Pine and Ponderosa St.**

## **Traffic study**

**5/19-5/27**

**2025**



7:00-8:30 AM

Speed	Bound	Street
15	Inbound	Pine
20	Outbound	Pine
26	Outbound	Pine
17	Outbound	Pine
19	Outbound	Pine
14	Outbound	Pine
21	Inbound	Pine
21	Outbound	Pine
19	Outbound	Pine
20	Outbound	Pine
25	Outbound	Pine
20	Outbound	Pine
25	Outbound	Pine
22	Outbound	Pine
26	Inbound	Pine
17	Inbound	Pine
20	Outbound	Pine
20	Outbound	Pine
22	Outbound	Pine
18	Inbound	Pine
20	Outbound	Pine
28	Inbound	Pine
30	Outbound	Pine
15	Outbound	Pine
19	Outbound	Pine
24	Outbound	Pine
14	Outbound	Pine
19	Outbound	Pine
20	Outbound	Pine
26	Outbound	Pine
19	Outbound	Pine
25	Outbound	Pine
23	Outbound	Pine
21	Outbound	Pine
23	Outbound	Pine
12	Outbound	Pine
20	Outbound	Pine
19	Outbound	Pine
19	Outbound	Pine
22	Inbound	Pine
17	Outbound	Pine
20	Outbound	Pine
11	Inbound	Pine
19	Outbound	Pine
20	Outbound	Pine

7:00-8:30 AM

Speed	Bound	Street
22	Inbound	Pine
11	Outbound	Pine
19	Outbound	Pine
16	Outbound	Pine
24	Outbound	Pine



11:00 AM-12:30 PM

Speed	Bound	Street
14	Inbound	Pine
18	Outbound	Pine
16	Outbound	Pine
22	Inbound	Pine
24	Inbound	Pine
19	Outbound	Pine
22	Inbound	Pine
17	Outbound	Pine
20	Outbound	Pine
18	Inbound	Pine
21	Outbound	Pine
11	Inbound	Pine
10	Outbound	Pine
17	Inbound	Pine
16	Outbound	Ponderosa
22	Inbound	Pine
15	Outbound	Pine
16	Inbound	Pine
22	Outbound	Pine
24	Inbound	Pine
15	Outbound	Pine
19	Outbound	Pine
9	Outbound	Pine
11	Outbound	Pine
10	Outbound	Pine
14	Outbound	Pine
16	Outbound	Pine
21	Outbound	Pine
17	Outbound	Pine
17	Outbound	Pine
21	Inbound	Pine
22	Outbound	Pine
21	Inbound	Pine
8	Outbound	Pine
17	Outbound	Pine
9	Outbound	Pine
24	Inbound	Pine
16	Inbound	Ponderosa
17	Outbound	Pine
18	Inbound	Ponderosa
19	Outbound	Pine
13	Outbound	Pine
12	Inbound	Pine
23	Outbound	Pine
15	Inbound	Pine

11:00 AM-12:30 PM

Speed	Bound	Street
20	Outbound	Pine
20	Outbound	Pine
18	Outbound	Pine
19	Inbound	Ponderosa
15	Outbound	Pine

4:30-6:00 PM

Speed	Bound	Street
16	Inbound	Pine
11	Outbound	Pine
13	Outbound	Pine
20	Outbound	Pine
21	Inbound	Pine
22	Inbound	Pine
20	Inbound	Pine
11	Outbound	Pine
22	Inbound	Pine
21	Outbound	Pine
10	Outbound	Pine
18	Outbound	Pine
21	Outbound	Pine
21	Inbound	Pine
17	Inbound	Pine
21	Inbound	Pine
22	Inbound	Pine
16	Inbound	Ponderosa
12	Inbound	Pine
13	Outbound	Pine
17	Inbound	Pine
21	Inbound	Pine
23	Inbound	Pine
12	Inbound	Pine
21	Inbound	Pine
18	Inbound	Pine
16	Outbound	Pine
14	Inbound	Pine
12	Inbound	Pine
17	Outbound	Pine
23	Inbound	Pine
19	Inbound	Pine
14	Inbound	Pine
22	Inbound	Pine
19	Outbound	Pine
11	Outbound	Pine
24	Inbound	Pine
19	Inbound	Ponderosa
18	Inbound	Pine
24	Inbound	Ponderosa
16	Inbound	Pine
18	Outbound	Pine
15	Inbound	Pine
18	Outbound	Pine
14	Outbound	Pine

4:30-6:00 PM

Speed	Bound	Street
14	Inbound	Pine
16	Inbound	Pine
17	Inbound	Pine
19	Inbound	Ponderosa
17	Inbound	Pine

## MEMORANDUM

**TO:** Planning & Zoning Commission

**FROM:** Kevin Buettner, Planning Director

**DATE:** June 17, 2025

**SUBJECT:** **Resolution No. 2025-38** - Street Renaming of South Spruce Street to Kenai Beach Street

---

On June 4, 2025, Resolution 2025-38 was introduced to the Kenai City Council during a regularly scheduled meeting. This resolution seeks to change the street name of South Spruce Street to Kenai Beach Street. Pursuant to Kenai Municipal Code Section 14.15.140, City Council may change, rename, or name an existing street or newly established street within City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough (KPB) or any other affected municipality. In accordance with this section of code, the resolution has been referred to the Planning & Zoning Commission for their review and recommendation.

Planning & Zoning staff met with the Kenai Post Office Postmaster on June 5, 2025. On June 17, 2025, staff was informed that if the resolution is passed by Council, the legislation should then be taken to the post office as soon as possible to forward to Anchorage's main post office. The main Anchorage post office will officially forward all mail of affected properties for a period of one year to allow for new addresses to be updated.

On June 5, 2025, Planning & Zoning staff emailed all affected City departments to include Fire, Police, Parks & Recreation, and Public Works. One comment was received on behalf of the Wastewater Treatment Plant. There are four distinct addresses associated with the plant, two of which are on South Spruce Street. It was recommended to reduce this to one and readdress the plant to Kenai Avenue, which is the street on which it physically has frontage. A copy of this comment is attached to this memorandum.

On June 11, 2025, written notices were mailed to all property owners and property lessees along South Spruce Street. In addition to those notices, a 300' buffer for public noticing was set along the entire length of the street. Notices were sent to these additional properties to inform the surrounding area of the potential name change. The notice contained information about the June 25, 2025 Planning & Zoning Commission meeting, as well as the public hearing to take place on July 2, 2025 City Council meeting. As of the date of this memorandum, no comments had been received.

On June 17, 2025, staff contacted the Kenai Peninsula Borough. The Borough confirmed the proposed name does not conflict with any other Borough or Municipality street name. If passed,



a copy of the resolution must be sent to the Kenai Peninsula Borough Planning Department to allow them to update their addressing system and other data used by their GIS department and Central Emergency Services dispatch, which is the backup emergency dispatch to the City of Kenai.

Lastly, on June 17, 2025, staff contacted the Alaska Department of Transportation & Public Facilities' regional planner. An inquiry was made to determine any potential impacts to the Kenai Spur Highway and relevant signage. As of the date of this memorandum, no comments had been received.





**CITY OF KENAI  
RESOLUTION NO. 2025-38**

**A RESOLUTION RENAMING SOUTH SPRUCE STREET TO KENAI BEACH STREET.**

---

WHEREAS, Kenai Municipal Code Section 14.15.140 authorizes City Council to name and rename an existing street or newly established street within City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough (KPB) or any other affected municipality; and,

WHEREAS, Kenai Municipal Code Section 14.15.010(b)(1) provides that all through east and west streets shall carry the designation “avenue,” and all through or potentially through north and south streets shall carry the designation “street.”; and,

WHEREAS, access to Kenai’s North Beach is important to the City of Kenai as an amenity for residents and visitors and anchors the City’s summer economic boom during fishing season; and,

WHEREAS, the change to Kenai Beach Street would function as built-in wayfinding to guide residents and visitors to the beach access without the need for additional road signage; and,

WHEREAS, the KPB Planning Department has no objection to renaming South Spruce Street to Kenai Beach Street; and,

WHEREAS, adjacent property owners have been notified by mail to changing the street name to Kenai Beach Street; and,

WHEREAS, the street name assignment would not adversely impact 911 navigation; and,

WHEREAS, the Planning and Zoning Commission during their June 25, 2025 regular meeting recommended Council \_\_\_\_\_ this resolution renaming South Spruce Street to Kenai Beach Street; and,

WHEREAS, it is in the best interest of the City of Kenai to rename the street to use the road name to safely guide increased tourist traffic, reducing sudden braking applications on the Kenai Spur Highway due to late or missed turns.

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

**Section 1.** That South Spruce Street in the City of Kenai is renamed Kenai Beach Street.

**Section 2.** That this Resolution takes effect immediately upon passage.

**PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 2<sup>ND</sup> DAY OF JULY, 2025.**

---

Brian Gabriel Sr., Mayor

ATTEST:

---

Michelle M. Saner, MMC, City Clerk

## MEMORANDUM

**TO:** Mayor Gabriel and Council Members

**FROM:** Henry Knackstedt, Vice Mayor

**DATE:** May 27, 2025

**SUBJECT:** Resolution No. 2025-~~XX~~38 - Street Renaming of South Spruce Street to Kenai Beach Street

This resolution seeks to change the street name of South Spruce Street to Kenai Beach Street. The City of Kenai's North Beach is a fundamental part of the city's tourism and fishing seasons, drawing thousands of visitors annually for the year-round world-class views of the inlet and Redoubt Volcano and as the base of dip-net fishing in summer. The beach is also used extensively by residents as a recreational space.

Pursuant to Kenai Municipal Code Section 14.15.140, City Council may change, rename, or name an existing street or newly established street within City limits upon recommendation from the Planning and Zoning Commission and after consultation with the Kenai Peninsula Borough (KPB) or any other affected municipality.

This resolution will be referred to Planning and Zoning Commission for their recommendation at their regularly scheduled meeting on June 25, 2025.

All property owners along South Spruce Street will be notified of the proposed street renaming and the scheduled public meetings to provide several opportunities for submissions of comments. In addition, staff will request for comments from the Public Works Department, Police Department, Fire Department, and local United States Post Office.

Thank you for your consideration.

**Attachment**  
Map



### Legend

Transportation

Mileposts



Parcels and PLSS

Tax Parcels



0 1000 2000  
ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

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**From:** [Eric Jean](#)  
**To:** [Kevin Buettner](#)  
**Subject:** RE: Comments Requested - Street Name Change - S. Spruce  
**Date:** Friday, June 6, 2025 8:01:45 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Kevin,

The WWTP's address has multiple listings. It is listed as 600 S. Spruce St. with the city and DEC. The borough has 2 addresses listed for it, 200 S. Spruce St. and 301 S Forest Drive. Google lists the address as 1450 Kenai Ave.

I don't know which one we want to go with, but we should probably get everything straightened out. The only road that the WWTP fronts is Kenai Ave. Would we want to make this the actual address? I know it is really hard to get any deliveries down at the plant and for people to find the facility. Listing the address as Kenai Ave may help with that issue as the wastewater treatment plant is the only facility that lies on Kenai Ave.

I am open to anything, but most of all, it would be nice to just have it straightened out.

Thank you,

Eric Jean

City of Kenai  
Assistant Public Works Director  
[ejean@kenai.city](mailto:ejean@kenai.city)  
Office: 907-283-8247  
Cell: 507-382-9067



---

**From:** Kevin Buettner <[kbuettnr@kenai.city](mailto:kbuettnr@kenai.city)>  
**Sent:** Thursday, June 5, 2025 4:44 PM  
**To:** Planning Department <[planning@kenai.city](mailto:planning@kenai.city)>  
**Subject:** Comments Requested - Street Name Change - S. Spruce

All,



On June 4, 2025, Resolution 2025-38 was introduced to City Council and subsequently referred to the Planning & Zoning Commission. This resolution is intending to change the name of S. Spruce St. to Kenai Beach St. I have met with the local postmaster for their feedback and will be reaching out to KPB and the Alaska DOT.

On behalf of the Planning & Zoning Commission, I am seeking to understand any potential impacts that may arise that could affect your respective departments. Impacts may include, but are not limited to:

- Time needed to coordinate with other entities (KPB, etc.)
- Traffic safety/motorist confusion
- Deliveries to site (wastewater?)
- Time needed to change addresses/directions on website or marketing materials
- Other comments as appropriate

Comments can be sent back by emailing me back for inclusion into the Staff Report I will put together for the commission. I am asking for comments by June 19<sup>th</sup> so they can be included in the commission packet.

I appreciate your attention to this matter and welcome any feedback received.

Kevin Buettner, AICP, LEED AP, CNU-A

Planning Director

(907) 283-8235 (O) | (907) 971-0867 (M)

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





## MEMORANDUM

**TO:** Planning and Zoning Commission

**THROUGH:** Kevin Buettner, Planning Director

**FROM:** Brandon McElrea, Planning Technician

**DATE:** June 4, 2025

**SUBJECT:** **Action/Approval** – Lease of Airport Reserve Land for the Property Described as Lot 3, Block 2, General Aviation Apron According to Plat No. 73-68

---

Schilling Rentals, LLC (“Schilling Rentals”) submitted a land lease renewal application of Airport Reserve Land for the property described as Lot 3, Block 2, General Aviation Apron Subdivision, located at 155 Granite Point Court (KPB Parcel No. 04324006). Pursuant to Kenai Municipal Code (KMC) 21.10.080(e) *Length of Lease Term*, the applicant is requesting a term of 45 years based on a professional opinion of remaining useful life, supplied by Larson Engineering & Design. The 30-day notice of competitive land lease application will expire on June 16, 2025. As-of-date, the City has not received any competing lease applications for the subject property.

The applicant intends to continue to use the premises for aviation related purposes. Schilling Rentals currently holds several leases with the City and is in compliance with the terms and conditions of their leases.

The subject property is approximately 1.15 acres and located within the Airport Light Industrial (ALI) Zone. The intent of the ALI Zone is to protect the viability of the Kenai Municipal Airport as a significant resource to the community by encouraging compatible land uses and reducing hazards that may endanger the lives and property of the public and aviation users. The continuing use is permitted in the ALI Zone and is an airport compatible use. Furthermore, the use is consistent with the 2016 Imagine Kenai 2030 Comprehensive Plan. It supports Goal 5-Transportation, which has a vision for Kenai Municipal Airport as a gateway to the Kenai Peninsula.

Pursuant to KMC 14.05.010(b)(2), the Planning and Zoning (P&Z) Commission shall act in an advisory capacity to City Council regarding City and airport land leases. P&Z Commission makes their recommendation based on the proposed development and compliance with the City’s Comprehensive Plan and the Zoning Code. The Airport Commission will also review the application and provide a recommendation to City Council. City Council will be notified of your commission’s recommendation as part of their consideration of the lease application.

**Does your Commission recommend approval to City Council on the lease renewal application of Airport Reserve Land at the property described as Lot 3, Block 2, General Aviation Apron?**

**Attachments**

Aerial Map

Application

Professional Opinion





Legend

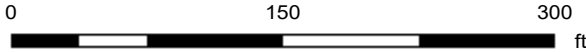
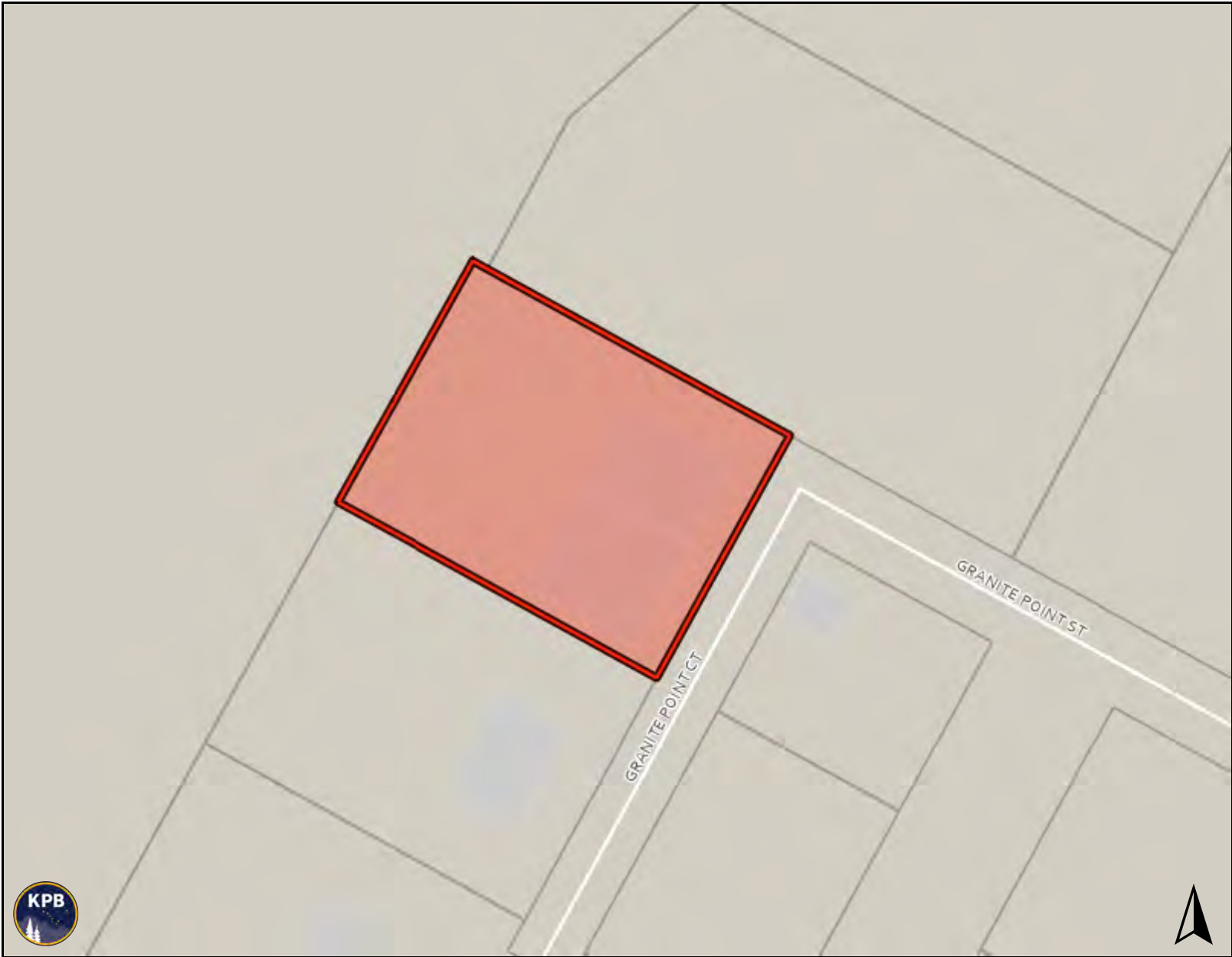
Transportation

Mileposts



Parcels and PLSS

Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

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City of Kenai  
Land Lease Application

Application for: ☐ New Lease  
☐ Amendment ☐ Extension  
☐ Assignment ☒ Renewal

Application Date: 4/21/2025

Applicant Information

Name of Applicant:	Schilling Rentals, LLC						
Mailing Address:	PO Box 3426	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	Home Phone:		Work/ Message Phone: [REDACTED]				
E-mail: (Optional)	[REDACTED]						
Name to Appear on Lease:	Schilling Rentals, LLC						
Mailing Address:	PO Box 3426	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	Home Phone:		Work/ Message Phone: [REDACTED]				
E-mail: (Optional)	[REDACTED]						
Type of Applicant:	<input type="checkbox"/> Individual (at least 18 years of age) <input type="checkbox"/> Partnership Corporation <input type="checkbox"/> Government <input checked="" type="checkbox"/> Limited Liability Company (LLC) <input type="checkbox"/> Other _____						

Property Information and Term Requested

Legal description of property (or, if subdivision is required, a brief description of property):  
Lot 3, Block 2, General Aviation Apron No. 1 Amended

Does the property require subdivision? (if Yes, answer next questions) ☐ YES ☒ NO  
Subdivision costs are the responsibility of the applicant unless the City Council determines a subdivision serves other City purposes:  
1. Do you believe the proposed subdivision would serve other City purposes? ☐ YES ☐ NO  
2. If determined it does not, applicant is responsible for all subdivision costs. Initials ms

If an appraisal is required to determine the minimum price on the land, applicant is responsible for the deposit to cover costs associated with appraisal. If a sale is approved, the cost of the appraisal will be either refunded or credited to the applicant. Initials ms

It is the responsibility of the applicant to cover recording costs associated with lease. Initials ms

Do you have or have you ever had a Lease with the City? (if Yes, answer next question) ☒ YES ☐ NO  
1. Legal or brief description of property leased:

Various

Request a Lease with an Option to Purchase once development requirements are met? ☐ YES ☒ NO

Requested term for Initial Lease or Renewal (based on Term Table, not to exceed 45 years): 45 years

Requested term for Lease Extension (based on Term Table, not to exceed a total of 45 Years):

Requested Starting Date: 7/01/2025



### Proposed Use and Improvements

Proposed Use (check one):      ☒ Aeronautical      ☐ Non-Aeronautical

Do you plan to construct new or additional improvements? (if Yes, answer next five questions)      ☐ YES    ☒ NO

1. Will the improvement change or alter the use under an existing lease?      ☐ YES    ☐ NO

2. What is the proposed use of the improvement?

3. What is the estimated value of the improvement?

4. What is the nature and type of improvement?

5. What are the dates construction is estimated to commence and be completed?

(generally, construction must be completed within two years)

Estimated Start Date:

Estimated Completion Date:

Describe the proposed business or activity intended:

Aeronautical operations & storage

How does the proposed lease support a thriving business, residential, recreational, or cultural community?

Helps to support the community by supporting local airlines

Lease Assignment Only: What is the name of the individual or legal entity the lease is to be assigned?

### Lease Renewal Only

Renewal of an Existing Lease (at least one year of term remaining): Requires new development.

Lease Term based on: Estimated cost of new improvements and ☐ Purchase Price (optional)

☒ Renewal of an Expiring Lease (less than one year of term remaining): Does not require new development.

Lease Term based on: ☐ Purchase Price ☒ Professional Estimate of Remaining Useful Life

☐ Fair Market Value appraisal and/or ☐ Estimated cost of new improvements (optional)

Requested Term for Renewal Based on Term Table, not to exceed 45 Years: **45 years**

Submitting an application for a lease does not give the applicant a right to lease or use the land requested in the application. The application shall expire twelve (12) months after the date the application has been made if the City and the applicant have not, by that time, entered into a lease, unless the City Council for good cause grants an extension for a period not to exceed six (6) months. The City has no obligation to amend, renew or extend a lease and may decline to do so upon making specific findings as to why a lease renewal, extension, or amendment is not in the best interest of the City

Signature:



Date:

4/21/2025

Print Name:

Michael H. Schilling

Title:

Member

For City Use Only:

☐ General Fund

☐ Airport Reserve Land

☐ Airport Fund

☐ Outside Airport Reserve

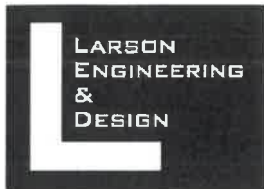
Account Number:

Date Application Fee Received:

Date Application Determined Complete:

30-Day Notice Publication Date:

City Council Action/Resolution:



53510 VECO AVE  
CIVIL - STRUCTURAL - ENVIRONMENTAL  
CONSULTING

KENAI, AK 99611  
PHONE: (907) 283-1565

April 30, 2025

Rob Marsters  
Schilling Rentals

Re: Lot 3, Block 2 GAA Sub No.1 Amended – 155 Granite Point Court – Building Inspection

Mr. Marsters,

Larson Engineering & Design, P.C. has inspected the structures located at 155 Granite Point Court property, within the Kenai Airport land leases.

The existing buildings have been recently re-roofed and sided within the last 10 years. I did not see signs of structural material degradation while onsite.

In my professional opinion, if the buildings have proper maintenance, the remaining useful life will exceed 45 years.

Sincerely,

Signature: \_\_\_\_\_

Blake W. Larson, P.E.







June 9, 2025 – 7:30 PM

## Action Agenda

Betty J. Glick Assembly Chambers  
George A. Navarre Kenai Peninsula  
Borough Administration Building and Through

**Jeremy Brantley, Chair**  
Sterling/Funny River  
Term Expires 2027

**Pamela Gillham, Vice Chair**  
Kalifornsky / Kaslof District  
Term Expires 2026

**Virginia Morgan**  
Cooper Landing / Hope  
Eastern Peninsula District  
Term Expires 2025

**Diane Fikes**  
City of Kenai  
Term Expires 2025

**Paul Whitney**  
City of Soldotna  
Term Expires 2027

**Franco Venuti**  
City of Homer  
Term Expires 2025

**Karina England**  
City of Seward  
Term Expires 2026

**Jeffrey Epperheimer**  
Nikiski District  
Term Expires 2026

**Dawson Slaughter**  
South Peninsula District  
Term Expires 2025

*Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible*

### ZOOM MEETING DETAILS

**Zoom Meeting Link:** <https://us06web.zoom.us/j/9077142200>

**Zoom Toll Free Phone Numbers:** 888-788-0099 or 877-853-5247

**Zoom Meeting ID:** 907 714 2200

To join the meeting from a computer, visit the Zoom meeting link above. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the meeting ID, and your participant number. To attend the Zoom meeting by telephone, use the Zoom toll free phone numbers listed above.

### A. CALL TO ORDER

### B. ROLL CALL

### C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

#### ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

#### \*1. Time Extension Requests

- a. Bostwick Subdivision; KPB File 2021-068
- b. Jack Gist Subdivision No. 3; KPB File 2020-107

#### \*3. Plats Granted Administrative Approval

- a. Ageya Homestead 2024 Replat; KPB File 2024-088
- b. Atkinson Subdivision Savely Addition; KPB File 2024-095
- c. Bayview Gardens Subdivision Addition 2 Jennings 2024 Replat; KPB File 2024-109
- d. Dawn Estates Whitten Berg Addition; KPB File 2024-120R1
- e. Eker Estates No. 3 Tract A-1 2024 Replat; KPB File 2024-089
- f. Glacier View Subdivision No. 28; KPB File 2024-041
- g. Kyzer Subdivision Carlson Addition; KPB File 2024-130
- h. Sea Watch Estates 2024 Addition; KPB File 2024-121
- i. Shepherd Subdivision; KPB File 2024-098
- j. Trust Land Survey 2023-05 Three Ponds Subdivision; KPB File 2024-006
- k. Trust Land Survey 2024-066 Emerald Subdivision; KPB File 2024-066

#### \*7. Minutes

- a. May 12, 2025 Planning Commission Meeting Minutes

**Motion to approve the consent and regular agendas passed by unanimous vote (9-Yes)**

## **D. UNFINISHED BUSINESS – None**

## **E. NEW BUSINESS**

### **Public Hearing: Legislative Matters**

1. Ordinance 2025-10: Authorizing the sale of certain parcels owned by the Kenai Peninsula Borough via a live public outcry/simulcast online auction followed by a secondary online-only auction. *(Staff Person: Land Agent Jennifer Shields)*

**Motion to forward to the Assembly a recommendation to adopt Ordinance 2025-10 passed by unanimous vote (9-Yes)**

2. Resolution 2025-XX: Authorizing the correction of title to a parcel of land originally acquired by Peninsula General Hospital *(Staff Person Land Management Officer Aaron Hughes)*

**Motion forward to the Assembly a recommendation to adopt Resolution 2025-XX: Authorizing the correction of title to a parcel of land originally acquired by Peninsula General Hospital, passed by unanimous vote (9-Yes)**

3. Ordinance 2025-11: Amending KPB 2.56.007 to adopt the 2025 Kenai Peninsula Borough Safe Streets & Roads For All Comprehensive Safety Action Plan as an element of the 2019 Kenai Peninsula Borough Comprehensive Plan *(Staff Person: Planning Director Robert Ruffner)*

**Motion forward to the Assembly a recommendation to adopt Ordinance 2025-11 passed by unanimous vote (9-Yes)**

4. Ordinance 2025-12: Amending KPB 21.18.081 to clarify the requirements for conditional use permits and amending KPB 21.18.140 to define "Water-Dependent" *(Staff Person: KRC Manager Samantha Lopez)*

**Motion forward to the Assembly a recommendation to adopt Ordinance 2025-12 passed by unanimous vote (9-Yes)**

**Public Hearing: Quasi-Judicial Matters - None** *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

## **F. PLAT COMMITTEE REPORT – The plat committee will review 5 plats**

## **G. OTHER**

## **H. PRESENTATIONS/PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 MINUTES PER SPEAKER)**

## **I. DIRECTOR'S COMMENTS**

## **J. COMMISSIONER COMMENTS**

## **K. ADJOURNMENT**

### **MISCELLANEOUS INFORMATIONAL ITEMS**

#### **NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held **Monday, June 23, 2025** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

#### **CONTACT INFORMATION**

##### **KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215 / Toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: [planning@kpb.us](mailto:planning@kpb.us)

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees.

Vacations of rights-of-way, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly. Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, 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.



## Kenai City Council - Regular Meeting

June 04, 2025 — 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

**\*\*Telephonic/Virtual Information on Page 3\*\***

### Action Agenda

#### **A. CALL TO ORDER**

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

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

#### **C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker; twenty (20) minutes aggregated*)**

#### **D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)**

#### **E. PUBLIC HEARINGS**

1. **ENACTED AS AMENDED UNANIMOUSLY. Ordinance No. 3471-2025** - Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the Fiscal Year Commencing July 1, 2025 and Ending June 30, 2026 and Committing \$2,850,457 of General Fund, Fund Balance for Future Capital Improvements. (Administration)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3472-2025** - Accepting and Appropriating Grant Funds from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3473-2025** - Accepting and Appropriating a Grant Received Through the American Society for the Prevention of Cruelty to Animals to the Kenai Animal Shelter for Attendance at the Alaska Animal Control Association 2025 Training Conference. (Administration)
4. **ENACTED UNANIMOUSLY. Ordinance No. 3474-2025** - Increasing Estimated Revenues and Appropriation in the Wastewater, Water & Sewer, and Municipal Roadway Improvements Capital Project Funds to Transfer Residual Balance from Completed Projects Back to their Original Funding Sources. (Administration)
5. **ENACTED UNANIMOUSLY. Ordinance No. 3475-2025** - Increasing Estimated Revenues and Appropriations in the General Fund – Legislative Department and Increasing the Purchase Order Amount to BDO USA, P.C. for the FY2024 and FY2025 Financial Audits. (Administration)

6. **ADOPTED UNANIMOUSLY. Resolution No. 2025-35** - Approving a Memorandum of Understanding Between the City of Kenai and the Salamatof Tribe to Recognize Areas of Mutual Concern and Support, establish a Framework for Cooperative Relationships, and Promote Government-to-Government Communication for the Benefit of the Community of Kenai as a Whole. (Daniel)
7. **ADOPTED UNANIMOUSLY. Resolution No. 2025-36** - Approving a Memorandum of Understanding Between the City of Kenai and the Kenaitze Indian Tribe to Recognize Areas of Mutual Concern and Support, establish a Framework for Cooperative Relationships, and Promote Government-to-Government Communication for the Benefit of the Community of Kenai as a Whole. (Daniel)
8. **ADOPTED UNANIMOUSLY. Resolution No. 2025-37** - Approving a Limited Road Maintenance Agreement Between the City of Kenai and the Kenaitze Indian Tribe. (Administration)
9. **REFERRED TO THE PLANNING & ZONING COMMISSION AND POSTPONED TO JULY 2, 2025. Resolution No. 2025-38** - Renaming South Spruce Street to Kenai Beach Street. (Knackstedt)
10. **ADOPTED UNANIMOUSLY. Resolution No. 2025-39** - Fixing the Rate of Levy of Property Tax for the Fiscal Year Commencing July 1, 2025 and Ending June 30, 2026. (Administration)
11. **ADOPTED UNANIMOUSLY. Resolution No. 2025-40** - Amending the Comprehensive Schedule of Rates, Charges and Fees to Incorporate Fiscal Year 2026 Budget Changes to Include Adjusting Airport Fees, Animal Control Fees, Library Fees, Multipurpose Facility Fees, Building Permit Fees and Adjusting the Monthly Rental Rates for Vintage Pointe. (Administration)

#### **F. MINUTES**

1. \*Regular Meeting of May 21, 2025. (City Clerk)

#### **G. UNFINISHED BUSINESS**

#### **H. NEW BUSINESS**

1. **\*Action/Approval** - Bills to be Ratified. (Administration)
2. **\*Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
3. **\*Action/Approval** - Special Use Permit to Empire Airlines, Inc. for Use of 11,250 Square Feet of Apron Space at the Kenai Municipal Airport for Aircraft Parking. (Administration)
4. **\*Action/Approval** - First Amendment to the Agreement with Tyler Distributing Company, Inc. for ATM Services at the Kenai Municipal Airport Terminal. (Administration)
5. **\*Ordinance No. 3476-2025** - Increasing Estimated Revenues and Appropriations in the General Fund - Fire Department Personnel Budget for Fiscal Year 2025 for Unanticipated Overtime Costs Resulting from Vacancies and Retirements. (Administration)
6. **\*Ordinance No. 3477-2025** - Increasing Estimated Revenues and Appropriations in the General Fund - Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of a Ballistic Vest. (Administration)

7. **\*Ordinance No. 3478-2025** - Enacting Kenai Municipal Code Section 13.30.070 - Travel Through Private or Public Property, and Incorporating a Fine into Kenai Municipal Code 13.10.015 - Minor Offense Fine Schedule. (Administration)

**I. COMMISSION REPORTS**

1. Council on Aging Commission
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Commission

**J. REPORT OF THE MAYOR**

**K. ADMINISTRATION REPORTS**

1. City Manager
2. City Attorney
3. City Clerk

**L. ADDITIONAL PUBLIC COMMENTS**

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

**M. EXECUTIVE SESSION**

**N. PENDING ITEMS**

**O. ADJOURNMENT**

**P. INFORMATION ITEMS**

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

**Registration is required to join the meeting remotely through Zoom.** Please use the following link to register:

<https://us02web.zoom.us/join/register/zU7rP4QRQVvOWIjBEoM7w>