



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

March 11, 2026 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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 February 25, 2026

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

F. PUBLIC HEARINGS

1. **Resolution PZ2026-05** - Granting a Conditional use Permit for a Retail Marijuana Store on the Property Described as Lot 12, Block B, Beaver Creek Alaska Subdivision, Located at 6384 Kenai Spur Hwy in the General Commercial Zoning District.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **DISCUSSION** - Rescheduling April Planning & Zoning Commission Meetings

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: March 25, 2026

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. 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/meeting/register/L7yMgrDoRGe6xf6aVr6UqQ>

**KENAI PLANNING & ZONING COMMISSION – REGULAR MEETING
FEBRUARY 25, 2026 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR KEATON, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on February 25, 2026, in City Hall Council Chambers, Kenai, AK. Chair Keaton called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Keaton led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Sonja Earsley (<i>remote attendance</i>)	Gwen Woodard
Alex Douthit, Vice Chair	Jeanne Keaton
Stacie Krause	Marty Askin

A quorum was present.

Absent:

Diane Fikes

Also in attendance were:

Kevin Buettner, Planning Director
Phil Daniel, City Council Liaison
Logan Parks, Deputy City Clerk

3. Agenda and Consent Agenda Approval

Chair Keaton noted the following additions to the Packet:

- | | |
|------------------|---|
| Add to item B.1. | Meeting Minutes <ul style="list-style-type: none">• P&Z Commission January 14, 2026 |
| Add to item F.2. | Rezone Contour & Drainage Map <ul style="list-style-type: none">• Added to PZ2026-03 |
| Add to item O.1. | CUP Closure Memorandum <ul style="list-style-type: none">• Closure of PZ2021-41 |

MOTION:

Commissioner Douthit **MOVED** to approve the agenda and consent agenda with the requested revisions. Commissioner Krause **SECONDED** the motion.

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

Chair Keaton 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.

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

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 Commissioner 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 January 28, 2026.
2. *Regular Meeting of January 14, 2026.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS - None.

F. PUBLIC HEARINGS

1. Granting a Conditional Use Permit to Allow for Assemblies at the Coral Seymour Memorial Ballpark in the Recreation Zoning District

[Clerk's Note: Commissioner Earsley abstained from discussion and participation in accordance with KMC 14.05.025(e)]

MOTION:

Commissioner Douthit **MOVED** to approve granting the Conditional Use Permit. Commissioner Krause **SECONDED** the motion.

Chair Keaton opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Clarification was provided that this was a new conditional use permit; the intent was to host fundraising events during the summer; and the Oilers are responsible for field maintenance under their lease agreement.

VOTE:

YEA: Askin, Keaton, Douthit, Krause, Woodard

NAY: None

ABSENT: Fikes

ABSTENTION: Earsley

MOTION PASSED.

Chair Keaton noted the 15-day appeal period.

2. Recommending the Kenai City Council Approve the Rezone from Conservation (C) to Suburban Residential (RS) Zoning District for 81-Acre Lot Located at 10060 Kenai Spur Highway.

MOTION:

Commissioner Douthit **MOVED** to approve granting a Conditional Use Permit. Commissioner Woodard **SECONDED** the motion.

Chair Keaton opened the floor for public comment.

Vaughn Vroman addressed the Commission with concern with rezoning the 81-acre parcel from conservation to residential use.

Rose Seavey addressed the Commission with concern regarding potential impacts of utility extensions on properties currently served by wells and septic systems.

Benjamin Meyer addressed the Commission in support of protecting the wetland and ravine areas, noting their ecological importance as headwaters to a tributary of the Kenai River and salmon habitat, the lowland acreage would remain conservation.

Jessica Wilshusen addressed the Commission with concerns regarding potential traffic increases, road conditions, and possible extension of Magic Avenue.

There was discussion regarding the proposed rezone, with clarification provided that it would primarily impact approximately 10-15 acres of upland near existing utilities, eliminate the Conditional Use Permit requirement while still requiring subdivision, platting, and developer-funded infrastructure improvements, and that wetlands would not be developed; lowland areas could be rezoned following subdivision; Suburban Residential designation versus Rural Residential, with staff explaining Rural Residential was recommended due to access to utilities and flexibility in lot sizes and density, with configuration determination through the platting process subject to City review, wetland protections, and applicable conditions; adjacent zoning is Rural Residential, and existing Rural Residential properties may subdivide within those standards. It was noted that conditions, public use designations, and floodplain regulations could be applied to protect sensitive areas; properties more than 200 feet from a newly extended water or sewer main are not be required to connect; there are no current plans to extend Magic Avenue, any future improvements would depend on traffic volumes, Council appropriations, and potential developer participation.

MOTION TO AMEND:

Commissioner Douthit **MOVED** to amend the recommended rezone as follows:

“Recommending the Kenai City Council Approve the Rezone from Conservation (C) to [Suburban Residential (RS)] Rural Residential (RR) Zoning District for 81-acre Lot Located at 10060 Kenai Spur Highway.”

Commissioner Askin **SECONDED** the motion.

VOTE ON MOTION TO AMEND:

YEA: Keaton, Douthit, Earsley, Woodard, Askin

NAY: Krause

ABSENT: Fikes

MOTION TO AMEND PASSED.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Douthit, Earsley, Woodard, Askin, Keaton

NAY: Krause

ABSENT: Fikes

MAIN MOTION AS AMENDED PASSED.

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

1. Transfer of Conditional Use Permit, PZ1999-05 and PZ1997-53 for the use of Lodging, Cabin Rentals, and Boat Parking.

MOTION:

Commissioner Douthit **MOVED** to approve the transfer of Conditional Use Permit PZ1999-05 and PZ 1997-53. Commissioner Woodard **SECONDED** the motion.

Clarification was provided that there was no history of code enforcement.

UNANIMOUS CONSENT was requested on the motion.

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

2. Transfer of Conditional Use Permit, PZ2017-33 for the use of Retail Marijuana and Product Storage.

MOTION:

Commissioner Douthit **MOVED** to transfer Conditional Use Permit PZ2017-33. Commissioner Woodard **SECONDED** the motion.

Clarification was provided that there was no history of code enforcement.

UNANIMOUS CONSENT was requested on the motion.

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

I. REPORTS

1. Planning Director

Planning Director Buettner reported on the following:

- Staff have begun reviewing Conditional Use Permit files and closed those associated with businesses that have closed, sold, or retired in order to maintain accurate records.
2. Commission Chair - No report.
 3. Kenai Peninsula Borough Planning - No report.
 4. City Council Liaison

Council Member Daniel reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENTS

Benjamin Meyer addressed the Commission with concerns regarding the rezone of Conservation land.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: March 11, 2026

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Askin expressed support for the proposed rezone.

Commissioner Woodard thanked the public for attending.

Commissioner Krause thanked the public for attending and encouraged continued participation at future meetings.

Commissioner Douthit thanked all participants for their involvement.

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 approximately 8:10 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of February 25, 2026.

Logan Parks, Deputy City Clerk

DRAFT



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-05**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT TO ALLOW FOR A RETAIL MARIJUANA STORE.

APPLICANT: David Parker

PROPERTY ADDRESS: 6384 Kenai Spur Highway

LEGAL DESCRIPTION: Lot 12, Block B, Beaver Creek Alaska Subdivision Amended

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04106212

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on February 26, 2026; and,

WHEREAS, the applicant has demonstrated that the prerequisites of a Conditional Use Permit have been met pursuant to Kenai Municipal Code 14.20.150; and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on February 27, 2026, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

1. *KMC 14.20.150(d)(1) The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district;*

Findings: The General Commercial Zone, as outlined in KMC 14.20.120, is established to provide for areas where a broad range of retail, wholesale, and service establishments is desirable. Uses are regulated to concentrate commercial development to the greatest extent possible and to prevent any uses which would have an adverse effect upon nearby properties.

As proposed, the Commercial Marijuana Establishment (CME) would consist of an approximately 257 square-foot Retail Marijuana Store, located within an approximate 3,680 square-foot building. 333 square-feet will be used for product storage, and the remaining square footage will be divided into leasable retail spaces.

Primary access to the subject CME would be from the Kenai Spur Highway, which is classified by the State of Alaska Department of Transportation and Public Facilities as a Principal Arterial. A Principal Arterial road serves activity centers of statewide significance including airports, seaports, colleges, medical complexes, military bases, recreational

areas, and industrial and commerce centers; carry a high proportion of urban travel on minimal mileage; and accommodate trips entering and leaving urban areas and movements through the urban areas.

Designated parking, following the regulations set forth in KMC 14.20.250 will be located on-site.

Staff finds it reasonable the proposed retail marijuana store would be consistent with the purpose of KMC 14.20.150 and the intent of the General Commercial Zoning District given the compliance of all federal, state, and local regulations.

2. *KMC 14.20.150(d)(2) The economic and noneconomic value of the adjoining property and neighborhood will not be significantly impaired;*

Findings: The proposed development must comply with the requirements of KMC 14.20.330 – Standards for Commercial Marijuana Establishments. In addition, the proposed development must also comply with Alaska Statute 17.38, an Act to Tax and Regulate the production, Sale, and Use of Marijuana, as well as Alaska Administrative Code, Title 3, Marijuana Control Board, Omnibus licensure requirements and procedures for marijuana establishments.

Pursuant to KMC 14.20.010 – Land Use Table, a retail marijuana store may be established in the General Commercial Zone with a Conditional Use Permit. In addition, KMC 14.20.330 – Standards for Commercial Marijuana establishments, provisions have been put in place to help mitigate impacts to the value of adjoining property and surrounding neighborhoods.

Provided that all conditions required by the State of Alaska and the City of Kenai are followed, Staff does not find that the value of the adjoining properties and neighborhoods will be significantly impaired.

3. *KMC 14.20.150(d)(3) The proposed use is in harmony with the Comprehensive Plan;*

Findings: The subject parcel is defined in the 2016 Comprehensive Plan as General Commercial. The plan defines CG as:

General Commercial is intended for retail, service, and office businesses that serve the Kenai and the larger region. General Commercial is appropriate for locations along the arterial road system. General Commercial-type development requires larger parcels of land and access to a major road system. It is also intended to support smaller-scale businesses.

The surrounded lots are currently all vacant with the northern lots being zoned as Rural Residential, and the lots to the east, west, and south, zoned as Limited Commercial.

Staff finds that the proposed use meets is in harmony with the Comprehensive Plan both as currently zoned.

The proposed reinvigoration of the property is consistent and in harmony with several goals in the 2016 Comprehensive Plan.

In *Imagine Kenai 2030 Comprehensive Plan*, Chapter 6, “Goals, Objectives, and Implementation”, several goals and objectives are met from the proposed use.

Goal 2 – Economic Development: Provide economic development to support the fiscal health of Kenai.

Objective ED-1

Promote projects that create workforce development opportunities.

Objective ED-2

Implement business-friendly regulations, taxation, and incentives to create a stable, positive climate for private investment.

Objective ED-5

Promote adaptive reuse of vacant commercial buildings in the city center and along the Kenai Spur Highway.

Goal 3 – Land Use is to develop land use strategies to implement a forward-looking approach to community growth and development.

Objective LU-5

Support development at emerging community “centers” that lie outside the major employment centers but provide a mix of retail, service, and residential uses.

4. *KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;*

Findings: The subject property is accessed via a paved, State of Alaska maintained arterial road. The lot is currently serviced by City water and has private on-site septic. Additionally there is access to natural gas, electricity, and telephone services.

5. *KMC 14.150(d)(5) The proposed use will not be harmful to the public safety, health or welfare;*

Findings: The proposed use is to establish and operate a Commercial Marijuana Establishment consistent of a retail marijuana store and on-site marijuana storage. CME’s are required to strictly adhere to a variety of federal laws, state statutes, and city municipal codes in regard to sales, odor emissions, health, and safety. Additionally, CME’s require the approval and issuance of a Retail Marijuana Store license from the State of Alaska Marijuana Control Board.

With regard to buffer distances discussed in KMC 14.20.330(f)(1), the proposed CME would not be located within 1,000 feet of any primary or secondary school (Kindergarten – 12th grade) or within 500 feet of any vocational program, post-secondary school, including but not limited to trade, technical, or vocational schools, colleges, or universities. In addition, it would not be within 500 feet of any recreation or youth centers, correctional facilities, churches, and state licensed substance abuse treatment facilities providing substance abuse treatment.

Given the multiple-agency regulations and requirements, Staff does not find that the proposed use would have a harmful impact to the public safety, health, or welfare.

6. *KMC 14.150(d)(6) Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions should be met by the applicant. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.*

Findings: No additional or specific conditions are deemed necessary to fulfill the above-mentioned criteria.

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

Section 1. That a conditional use permit is granted to allow for a Retail Marijuana Store on Lot 12, Block B, of Beaver Creek Alaska Subdivision Amended, with a street address of 6384 Kenai Spur Highway.

Section 2. That the conditional use permit is subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Prior to beginning construction, a building permit must be issued by the Building Official for the City of Kenai.
3. Prior to starting operations, a landscape/site plan must be reviewed and approved by the Planning Director.
4. Prior to operation, the applicant shall submit a copy of the approved and fully executed license from the Alaska Alcohol & Marijuana Control Board. The applicant shall comply with all regulations as stipulated by the Control Board.
5. All standards for Commercial Marijuana Establishments found in KMC 14.20.330 must be maintained.
6. Pursuant to Kenai Municipal Code Section 14.20.150(f) the applicant shall submit an annual report to the City of Kenai, due no later than December 31 of each year.
7. The applicant will meet with City Staff for on-site inspections when requested.
8. If there is a change of use for the above described property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5)
9. Failure to provide documentation to the City of adhere to the conditions required shall be grounds for the suspension or revocation of the Conditional Use Permit.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 11TH DAY OF MARCH, 2026.

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Kevin Buettner, Planning Director
THROUGH: Jessica See, Planning Technician
DATE: February 27, 2026
SUBJECT: Resolution PZ2026-05 – Conditional Use Permit to Allow a Retail Marijuana Establishment.

Request The applicant is requesting a Conditional Use Permit to Operate a Retail Marijuana Store.

Staff Recommendation Adopt Resolution PZ2026-05 Approving a Conditional Use Permit for the Operation of a Retail Marijuana Store.

Applicant	David Parker
Property Owners	David Parker
Legal Description	Lot 12, Block B, Beaver Creek Alaska Subdivision Amended
Building Address	6384 Kenai Spur Highway
KPB Parcel ID	04106212
Lot Size (acreage)	41,382 square-feet (0.95 Acres)
Zoning	General Commercial (CG)
Current Property Use	Vacant
Current Building Use	Vacant
Land Use Plan	General Commercial (CG)

SUMMARY

This is an application for the operation of a Commercial Marijuana Establishment (CME). The proposed retail marijuana store would contain an approximately 257 square-foot retail space and an approximately 333 square-foot product storage area with the remaining square-footage of the remodeled/expanded current structure being divided into spaces to be used for commercial lease. The subject CME would be located within an existing structure that is being remodeled and expanded, located on an approximately 0.95-acre lot.

ANALYSIS

Pursuant to KMC 14.20.150(a), the intent of a conditional use permit is to allow some uses that may be compatible with the designated principal uses in specific zoning districts provided certain conditions are met. Prior to granting a conditional use permit or amendment, the Commission shall determine that the identified criteria as outlined in KMC 14.20.150(e) *Conditional Use Permits Review Criteria* are met.

Criteria 1: The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district.

Findings: The subject parcel is zoned General Commercial (CG). Pursuant to Ordinance 2870-2016 approved by City Council on January 20, 2016 with an effective date of February 19, 2016, a Retail Marijuana Store may be established and operated under a Conditional Use Permit within the CG zone.

The CG Zone is established to provide for areas where a broad range of retail, wholesale, and service establishments is desirable. Uses are regulated to concentrate commercial development to the greatest extent possible and to prevent any uses which would have an adverse effect upon nearby properties.

As proposed, the Commercial Marijuana Establishment (CME) would consist of an approximately 257 square-foot Retail Marijuana Store, located within an approximate 3,680 square-foot building. 333 square-feet will be used for product storage, and the remaining square footage will be divided into leasable retail spaces.

Primary access to the subject CME would be from the Kenai Spur Highway, which is classified by the State of Alaska Department of Transportation and Public Facilities as a Principal Arterial. A Principal Arterial road serves activity centers of statewide significance including airports, seaports, colleges, medical complexes, military bases, recreational areas, and industrial and commerce centers; carry a high proportion of urban travel on minimal mileage; and accommodate trips entering and leaving urban areas and movements through the urban areas.

Designated parking, following the regulations set forth in KMC 14.20.250 will be located on-site.

Staff finds it reasonable the proposed retail marijuana store would be consistent with the purpose of KMC 14.20.150 and the intent of the General Commercial Zoning District given the compliance of all federal, state, and local regulations.

Criteria 2: The economic and noneconomic value of the adjoining property and neighborhood will not be significantly impaired.

Findings: The proposed development must comply with the requirements of KMC 14.20.330 – Standards for Commercial Marijuana Establishments. In addition, the proposed development must also comply with Alaska Statute 17.38, an Act to Tax and Regulate the Production, Sale, and Use of Marijuana, as well as Alaska Administrative Code, Title 3, Marijuana Control Board, Omnibus licensure requirements and procedures for marijuana establishments.

Pursuant to KMC 14.20.010 – Land Use Table, a retail marijuana store may be established in the General Commercial Zone with a Conditional Use Permit. In addition, KMC 14.20.330 – Standards for Commercial Marijuana establishments, provisions have been put in place to help mitigate impacts to the value of adjoining property and surrounding neighborhoods.

Provided that all conditions required by the State of Alaska and the City of Kenai are followed, Staff does not find that the value of the adjoining properties and neighborhoods will be significantly impaired.

Criteria 3: The proposed use is in harmony with the Comprehensive Plan.

Findings: The subject parcel is defined in the 2016 Comprehensive Plan as General Commercial. The plan defines CG as:

General Commercial is intended for retail, service, and office businesses that serve the Kenai and the larger region. General Commercial is appropriate for locations along the arterial road system. General Commercial-type development requires larger parcels of land and access to a major road system. It is also intended to support smaller-scale businesses.

RELEVANT GOALS

In *Imagine Kenai 2030 Comprehensive Plan*, Chapter 6, “Goals, Objectives, and Implementation”, several goals and objectives are met from the proposed use.

Goal 2 – Economic Development: Provide economic development to support the fiscal health of Kenai.

Objective ED-1

Promote projects that create workforce development opportunities.

Objective ED-2

Implement business-friendly regulations, taxation, and incentives to create a stable, positive climate for private investment.

Objective ED-5

Promote adaptive reuse of vacant commercial buildings in the city center and along the Kenai Spur Highway.

Goal 3 – Land Use is to develop land use strategies to implement a forward-looking approach to community growth and development.

Objective LU-5

Support development at emerging community “centers” that lie outside the major employment centers but provide a mix of retail, service, and residential uses.

Criteria 4: Public services and facilities are adequate to serve the proposed use.

Findings: The subject property is accessed via a paved, State of Alaska maintained arterial road. The lot is currently serviced by City water and has private on-site septic. Additionally there is access to natural gas, electricity, and telephone services.

Criteria 5: The proposed use will not be harmful to the public safety, health or welfare.

Findings: The proposed use is to establish and operate a Commercial Marijuana Establishment consistent of a retail marijuana store and on-site marijuana storage. CME's are required to strictly adhere to a variety of federal laws, state statutes, and city municipal codes in regard to sales, odor emissions, health, and safety. Additionally, CME's require the approval and issuance of a Retail Marijuana Store license from the State of Alaska Marijuana Control Board.

With regard to buffer distances discussed in KMC 14.20.330(f)(1), the proposed CME would not be located within 1,000 feet of any primary or secondary school (Kindergarten – 12th grade) or within 500 feet of any vocational program, post-secondary school, including but not limited to trade, technical, or vocational schools, colleges, or universities. In addition, it would not be within 500 feet of any recreation or youth centers, correctional facilities, churches, and state licensed substance abuse treatment facilities providing substance abuse treatment.

Given the multiple-agency regulations and requirements, Staff does not find that the proposed use would have a harmful impact to the public safety, health, or welfare.

Criteria 6: Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.

Findings: No additional or specific conditions are deemed necessary to fulfill the above-mentioned criteria.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.330(c) notices of the public hearing for the conditional use permit amendment to allow a retail marijuana store were mailed to property owners within a five hundred-foot (500') periphery of the subject property or expanded until a minimum of 30 different property owners are available for notification. City staff published notice of the public hearing in the *Peninsula Clarion* at least seven (7) days prior to the date of the hearing. City staff submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the conditional use permit amendment request.

As of the date of this staff report, no public comments have been received.

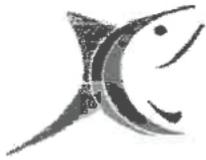
STAFF RECOMMENDATION

Staff finds that the proposed use of a retail marijuana store on Lot 12, Block B, Beaver Creek Alaska Subdivision Amended, located at 6384 Kenai Spur Highway meets the criteria and conditions for issuance of a Conditional Use Permit as set forth in subsections (e)(1) through (e)(6) of Kenai Municipal Code (KMC) 14.20.150 and KMC 14.20.330 Standards for Commercial Marijuana Establishments, and hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2026-05 approving the Conditional Use Permit, subject to the following conditions:

1. Further development of the property shall conform to all State and local regulations.
2. Prior to beginning construction, a building permit must be issued by the Building Official for the City of Kenai.
3. Prior to starting operations, a landscape/site plan must be reviewed and approved by the Planning Director.
4. Prior to operation, the applicant shall submit a copy of the approved and fully executed license from the Alaska Alcohol & Marijuana Control Board. The applicant shall comply with all regulations as stipulated by the Control Board.
5. All standards for Commercial Marijuana Establishments found in KMC 14.20.330 must be maintained.
6. Pursuant to Kenai Municipal Code Section 14.20.150(f) the applicant shall submit an annual report to the City of Kenai, due no later than December 31 of each year.
7. The applicant will meet with City Staff for on-site inspections when requested.
8. If there is a change of use for the above described property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5)
9. Failure to provide documentation to the City or adhere to the conditions required shall be grounds for the suspension or revocation of the Conditional Use Permit.

ATTACHMENTS:

Aerial Map
Application
Buffer Maps



Conditional Use Permit Application

RECEIVED 2/26/26
SCANNED 2/26/26
 City of Kenai
 Planning and Zoning Department
 210 Fidalgo Avenue
 Kenai, AK 99611
 (907) 283-8200
 planning@kenai.city
 www.kenai.city/planning

PROPERTY OWNER

Name:	David Parker		
Mailing Address:	P.O. Box 1462		
City:	Sterling	State:	AK Zip Code: 99672
Phone Number(s):	[REDACTED]		
Email:	[REDACTED]		

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:			
Mailing Address:			
City:		State:	Zip Code:
Phone Number(s):			
Email:			

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	
Physical Address:	6384 Kenai Spur Hwy,
Legal Description:	
Zoning:	commercial
Acres:	1+

CONDITIONAL USE DESCRIPTION

(include site plan/floor plan with square footages)
 (include State Business License and KPB Tax Compliance if applicable)

How is this property currently being used?	N/A
Conditional Use Requested for (attach additional sheets if necessary):	

A portion is to be used as Retail marijuana store. The other portions are for lease (commercial uses)

Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:

The zoning is commercial. Therefore retail space is appropriate.

Explain how the value of adjoining property and neighborhood will not be significantly impaired by the conditional use:

The property currently has no adjacent neighbors.

Use of surrounding property - north:	not in use
Use of surrounding property - south:	not in use
Use of surrounding property - east:	not in use
Use of surrounding property - west:	Kenai Spar Hwy

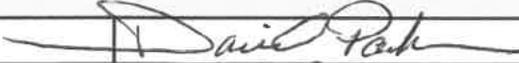
Explain how the conditional use is in harmony with the City's Comprehensive Plan:
 A Retail Marijuana store must comply with state thorough and City set-back requirements a retail store in this area is in harmony with the City Plan

Are public services and facilities on the property adequate to serve the proposed conditional use?
 Yes the property has Power, Gas, city water and on site septic system.

Explain how the conditional use will not be harmful to public safety, health, or welfare:
 Fat Tops is a well established Retail Company with 3 locations. The properties are clean and well kept. We have had a positive impact on the communities we serve.

Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors?
 None at All.

AUTHORITY TO APPLY FOR CONDITIONAL USE:
 I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.

Signature:  Date: 2/26/26
 Print Name: David Parker Title/Business: member/owner

For City Use Only Date Application Fee Received:
 PZ Resolution Number:

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing
PO Box 110806, Juneau, AK 99811-0806

This is to certify that the owner

FAT TOPS, LLC.

is licensed by the department to do business as

FAT TOPS, LLC.

PO BOX 1462, STERLING, AK 99672

for the period

June 27, 2025 to December 31, 2026
for the following line(s) of business:

11 - Agriculture, Forestry, Fishing and Hunting; 42 - Wholesale Trade; 44-45 - Retail Trade



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

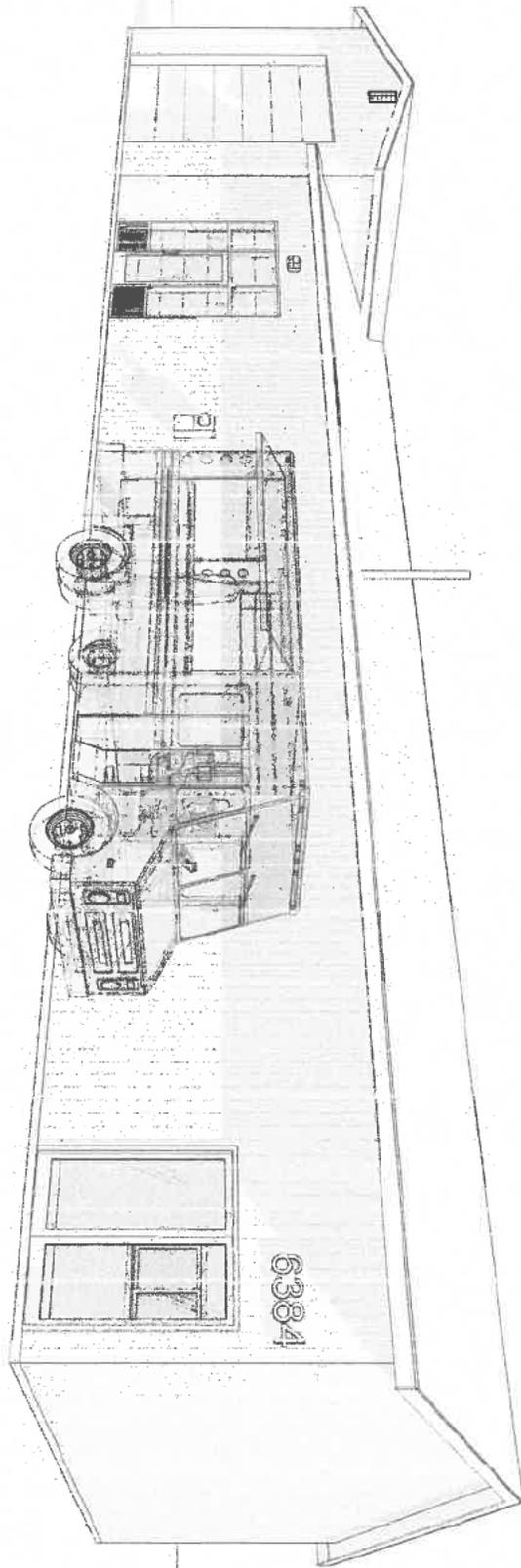
This license must be posted in a conspicuous place at the business location.
It is not transferable or assignable.

Julie Sande
Commissioner

NOTE: USE HALF INDICATED SCALE FOR 1/4" X 1/4" DRAWINGS

Fat Tops III

Design progress



CVR

Project Title: Fat Tops III
Prepared for: Dos Fat Tops LLC
Sheet Title: Title Sheet
Address: 6384 Kenai Spur Hwy, Kenai, AK 99611

Page 21

SCHEMATIC
DEVELOPMENT
PHASE

Sheet Issue Date: 2/28/2018 5:01:22 PM
Drawn by: MJC
Checked by: DHC

Determine DESIGN LLC AECL1813
506 E FIREWEED LN, STE A
ANCHORAGE, AK 99503
Office: (907)339-9100
dan@determinedesign.com

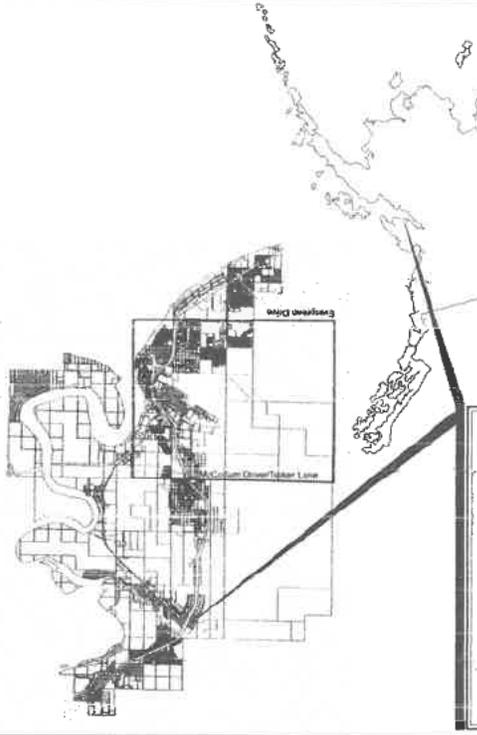
Determine
DESIGN

VICINITY MAP - KENAI ALASKA

CODE REVIEW

INDEX

Site Data:
 PROJECT NO: 2024-001
 SITE ADDRESS: 6384 KENAI SPUR HWY, KENAI, AK 99811
 LEGAL DESCRIPTION: T 0N R 1W SEC 26 SEWARD MERIDIAN KN 081 001 BSEWER CREEK ALASKA S1/8 CALUDA BLDG LOT 12 BLK 8
 COMPANY OWNER NAME: PARKER DAVID R



SITE VICINITY



NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

I. CODE: 2021 INTERNATIONAL BUILDING CODE, 2021 INTERNATIONAL FIRE CODE, 2021 EXISTING BUILDING CODE & 2021 INTERNATIONAL ENERGY CONSERVATION CODE AS ADOPTED BY THE STATE OF ALASKA.

II. SCOPE: CHANGE OF USE OF PORTION OF AN EXISTING 3,000 SF BLDG FROM A GARAGE TO A MARULUVA STORE.

III. OCCUPANT CLASSIFICATION:

LEVEL	AREA	FUNCTION	GROUP
GROUND	1,800 SF	MARULUVA STORE	N
GROUND	2,200 SF	OFFICE	B
GROUND	800 SF	GARAGE	B

IV. SPECIAL DETAILED OCCUPANCY REQUIREMENTS MARULUVA RETAIL.

V. GENERAL HEIGHTS AND AREAS

ADDRESS IDENTIFICATION: 20' TALL x 40' WIDE NUMBERS SIGNS SHALL BE PERMITTED SEPARATELY.

THE MOST RESTRICTIVE TYPE OF CONSTRUCTION WHICH APPLIES FOR THE BUILDING IS **II-B**.

BASIC ALLOWABLE, MOST RESTRICTIVE: V-B
 HEIGHT, IBC 7004.3: 40 FT
 STORIES, IBC 7004.4: 1 STORY
 AREA, IBC 7004.2: 9,000 SF
 ACTUAL HEIGHT/STORY/AREA: 20 FT / 1 STORY / 4,900 SF

VI. TYPES OF CONSTRUCTION

TYPE OF CONSTRUCTION REQUIRED: V-B
 OCCUPANT GROUP CLASSIFICATION (RESTRICTIVE): M

VII. FIRE RESISTANCE REQ'D

- SHAFT PENETRATIONS SHALL COMPLY WITH SECT'S WHERE PROTECTED DOOR/SHUTTER ASS'Y (7716.5)

EXTERIOR WALL REQUIRED RATINGS (IBC 7004.5)

DISTANCE	RATING (MOST RESTRICTIVE)
0'-3'-10"	1-HOUR
10'-0'-00"	2-HOUR / NO RATING

ALL EXTERIOR WALLS ARE MORE THAN 10 FEET AWAY FROM THE PROPERTY LINES.

VIII. INTERIOR FINISHES TABLE 603.3 & 604.4

SPRINKLER (NO)

CLASS C WALL/CEILING FINISHES REQUIRED CLASS II FLOOR CONFINING WITH DOC P-1, PULL TEST

IX. FIRE PROTECTION SYSTEMS

IFC 603.1: KNOX BOX MOUNTED AT 66" AFG - EXISTING TO REMAIN

IFC 603.10: PORTABLE FIRE EXTINGUISHERS REQUIRED EVERY 75'

IFC 907: MANUAL PULL FIRE ALARM: NOT REQUIRED

X. MEANS OF EGRESS

OCCUPANT LOAD: ** PERSON

AREA: CORRIDOR WIDTH SHALL NOT BE LESS THAN: 36" (IBC 1002.2) DOORS SHALL NOT PROJECT MORE THAN 7" INTO WIDTH. EXIT SIGNS BE ILLUMINATED WHEN MULTIPLE EXIT REQUIRED EXIT SHALL BE ILLUMINATED, 90 MIN BATTERY BACKUP

MAX CEILING HGT: 20 FT (IBC 1002.4)

DISTANCE TO EXIT WHERE MULTIPLE: 200 FT (IBC 1017.2) AT ALL TIMES WITH 90 MINUTE BATTERY BACKUP

STAIRS: 4 1/4" TREAD MINIMUM, MINIMUM WIDTH 46" UNLESS SERVING 50 OR FEWER PERSONS, WHICH CASE THE REQUIRED WIDTH IS 36". ONE LANDING REQ'D FOR EVERY 12' OF OVERALL RISE AND BE MINIMUM DEPTH EQUAL TO WIDTH OF DOOR SWING.

EXISTING STAIRS: EXISTING AND IN COMPLIANCE WITH IFC SECTION 1005.1. STAIRS SHALL BE ILLUMINATED WITH 90 MIN BATTERY BACKUP. THE RISE DOES NOT EXCEED 6 1/4" AND THE RUN IS NOT LESS THAN 9 INCHES.

RAMP: MAXIMUM SLOPE OF 1 IN 12. MINIMUM WIDTH SHALL BE 36". RAMP SHALL BE ILLUMINATED WITH 90 MIN BATTERY BACKUP. RAMP SHALL BE ILLUMINATED WITH 90 MIN BATTERY BACKUP. RAMP SHALL BE ILLUMINATED WITH 90 MIN BATTERY BACKUP.

XI. ACCESSIBILITY

NEW CONSTRUCTION & ALTERATIONS REQUIRE COMPLIANCE WITH ACCESSIBILITY WITH REGARD TO ELEMENTS OF THE BUILDING INCLUDING STAIRS AND PLATFORMS. ELEVATION: 117.7500

XII. INTERIOR ENVIRONMENT

LIGHTING & TEMPERATURE: VEP OR NATURAL VENTILATION TO BE NATURAL, OPENABLE PORTION NOT LESS THAN 4%

MINIMUM ROOM HEIGHT NOT LESS THAN 7'-6"

MEZZANINE AREAS PERMITTED MINIMUM HEIGHT OF 7'-0"

SMALLER THAN 10' x 10' OCCUPIED AREAS NOT LESS THAN 3' EXCEPT TO ACCESS MEZ, 1, 2

UNOCCUPIED SPACES: CRAWLSPACE OR ATTIC (YES).

ATTIC ACCESS: ACCESS BY ACOUSTICAL CEILING TILES

CBAM, SPACES: NONE

XIII. PLUMBING FACILITIES

1. SERVICE SINK & 1 ADA RESTROOM REQUIRED & THEY ARE EXISTING TO REMAIN

CODE REVIEW: 2024 IBC

CHAPTER 5 IBC: CHANGE OF USE FROM B TO M

IBC: T1011.1 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.2 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.3 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.4 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.5 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.6 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.7 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.8 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.9 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.10 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.11 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.12 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.13 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.14 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.15 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.16 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.17 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.18 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.19 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.20 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.21 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.22 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.23 MEANS OF EGRESS HAZARD CATEGORIES

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IBC: T1011.99 MEANS OF EGRESS HAZARD CATEGORIES

IBC: T1011.100 MEANS OF EGRESS HAZARD CATEGORIES

Code	Description
G-1	Vicinity, Index & Code Review
A-1.0	Site Plan
A-1.2	Floor Plan
A-2.1	Reflected Ceiling Plans
A-4.1	Section & Elevation
A-5.1	Schedules & Details
AMCO	AMCO Plans

ELECTRICAL SCOPE: NONE

MINOR RELOCATION OF EXISTING OUTLETS AND EGRESS

THIS PROJECT DOES NOT ENTAIL THE MODIFICATION OF SERVICE LOADS, ONE-LINE DIAGRAMS NOR CALCULATIONS, WHICH WOULD REQUIRE A LICENSED ELECTRICAL ENGINEER

MECHANICAL SCOPE: NONE

-NO MECHANICAL OR PLUMBING SCOPE FOR THIS PROJECT

Project Title: Fat Tops III
 Prepared for: Dos Fat Tops LLC
 Sheet Title: Vicinity, Index & Code Review
 Address: 6384 Kenai Spur Hwy, Kenai, AK 99611

Page 22

Determine DESIGN LLC AECL1613
 506 E FIREWEED LN, STE A
 ANCHORAGE, AK 99503
 Office: (907)339-9100
 dan@determinedesign.com

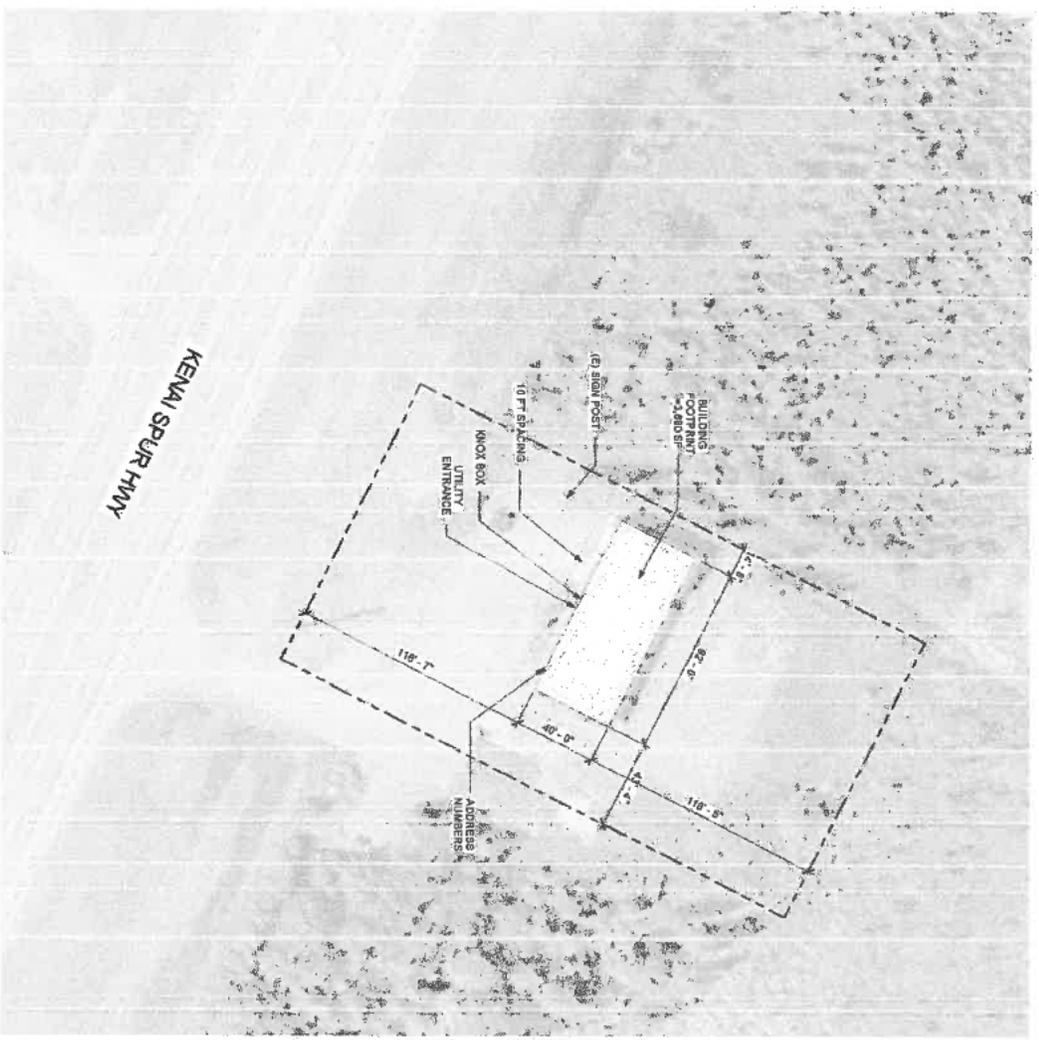
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 Drawn by: MO
 Checked by: DHC

SCHEMATIC DEVELOPMENT PHASE

G-1

Site Data:
 P/N: 64108212
 SITE ADDRESS: 6384 KENAI SPUR HWY, KENAI, AK 99611
 LEGAL DESCRIPTION: TEN IN. 11W SEC 35 S14W4
 ADJACENT TO THE SOUTHWEST CORNER OF
 ADJACENT LOT 12 B.L.K. 8
 CALCULATED AREA: 0.95 ACRE
 COMPANY OWNER NAME: PARKER DAVID R

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS



1 Site Plan



A-1.0

Project Title: Fat Tops III
 Prepared for: Dos Fat Tops LLC
 Sheet Title: Site Plan
 Address: 6384 Kenai Spur Hwy, Kenai, AK 99611

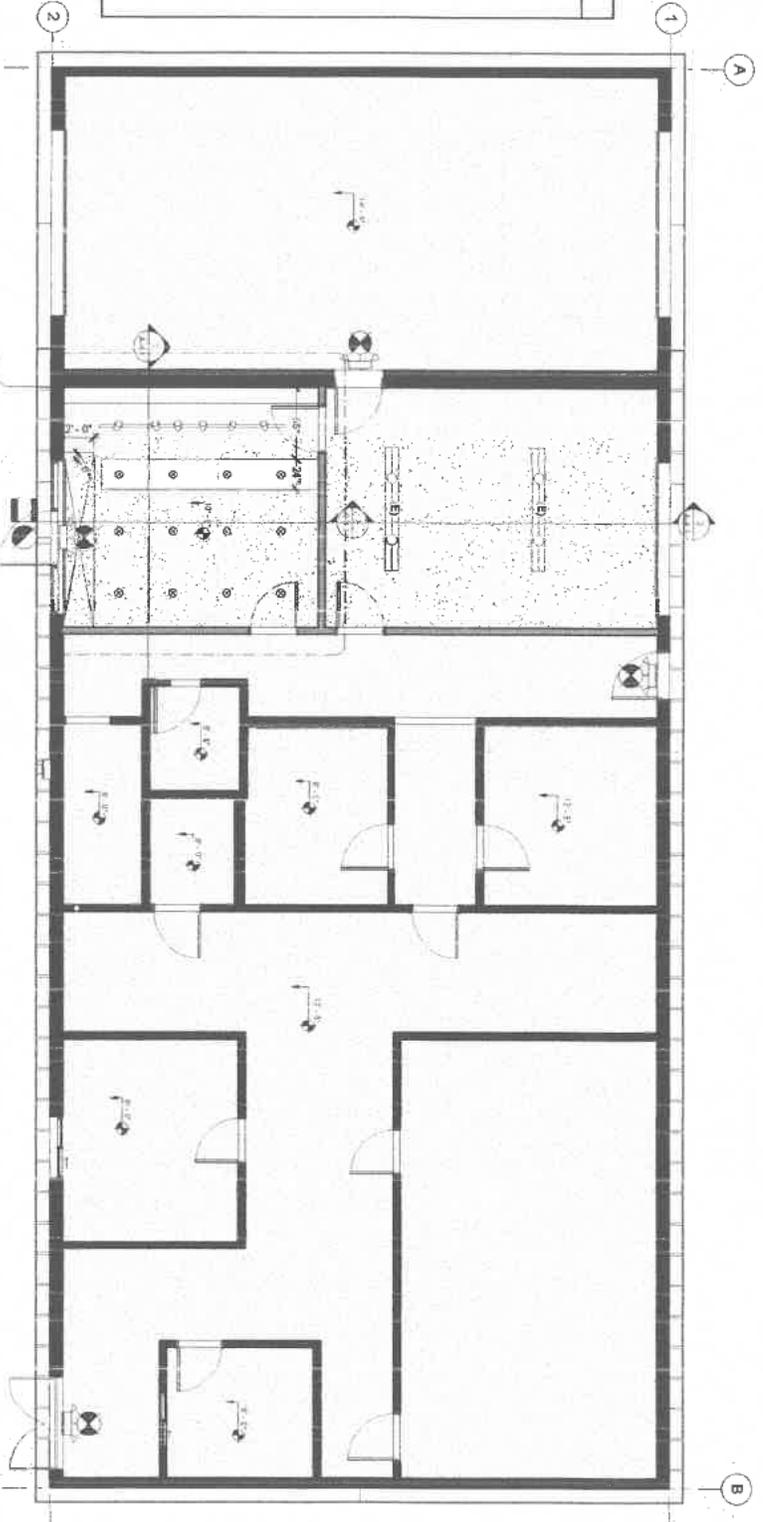
Page 23

SCHMATIC DEVELOPMENT PHASE
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 Drawn by: MCO
 Checked by: DHC

Determine DESIGN LLC AECL1613
 506 E FIREWEED LN, STE A
 ANCHORAGE, AK 99503
 Office: (907)339-9100
 dan@determinedesign.com

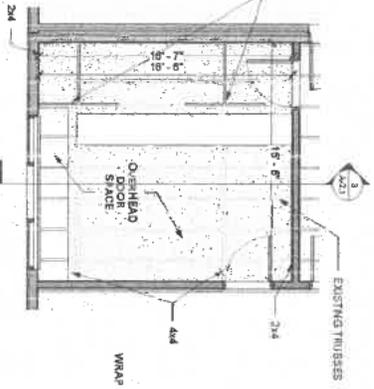


KEY - SYMBOL - LEGEND	
	EXISTING WALL
	NEW WALL
	GYPSUM BOARD LID
	EXIT SIGN
	EXTERIOR EGRESS LIGHT
	EMERGENCY LIGHT w/ BACKUP BATTERY
	4 FT LED LIGHT
	DIRECTIONAL SPOT LIGHT
	CAN LIGHT

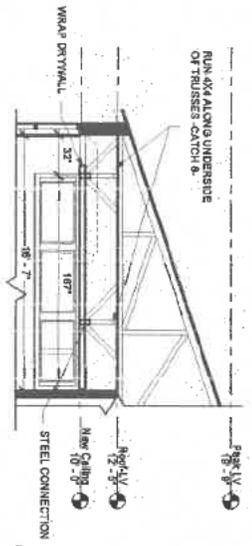


1 Reflected Ceiling Plan
1/8" = 1'-0"

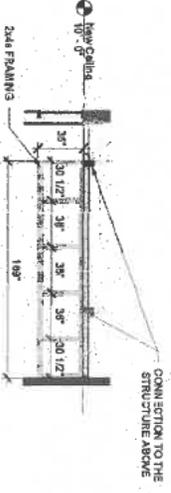
2 Pocket ceiling plan
1/8" = 1'-0"



3 Pocket ceiling connection
1/8" = 1'-0"



5 Soffit Structure
1/8" = 1'-0"



4 Soffit Structure



NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS

A-2.1

Project Title: Fat Tops III
 Prepared for: Dos Fat Tops LLC
 Sheet Title: Reflected Ceiling Plans
 Address: 6384 Kenai Spur Hwy, Kenai, AK 99611

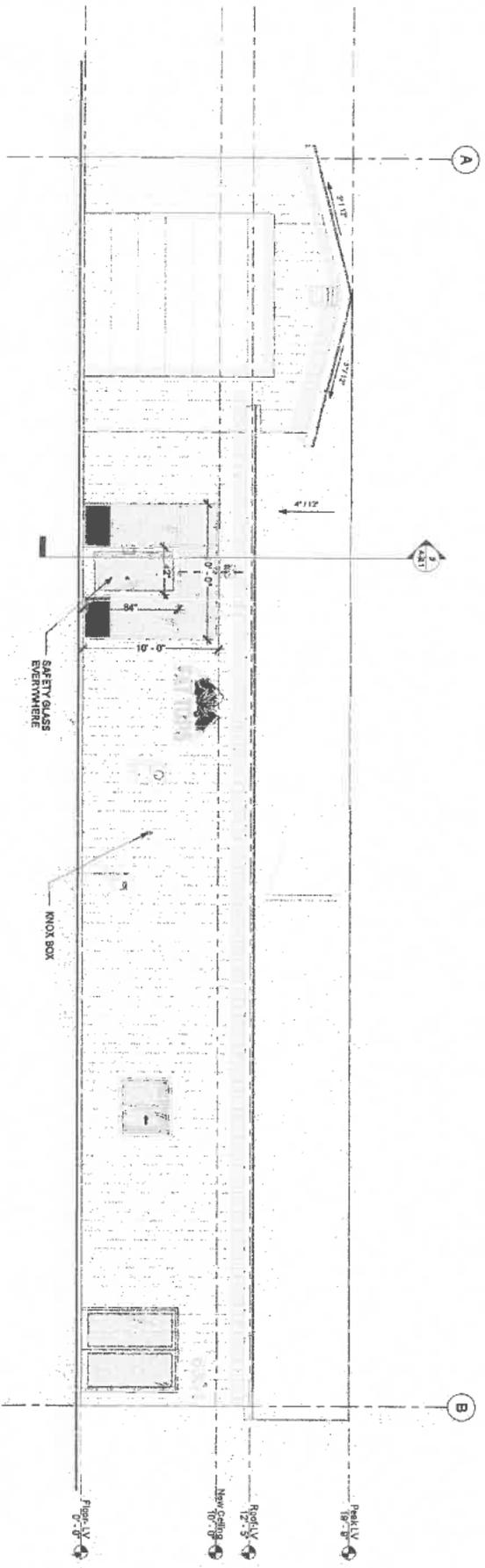
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 Drawn by: MO
 Checked by: DHC

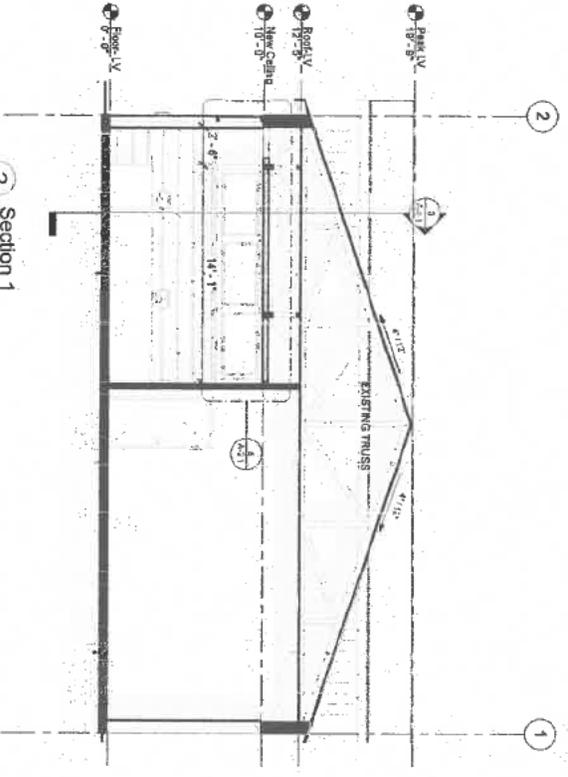
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Determine DESIGN

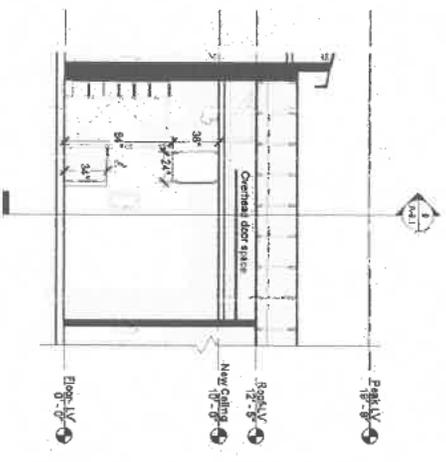
NOTE: USE HALF INDICATED SCALE FOR 1/4"=1'-0" DRAWINGS



1 Front Elevation
1/4" = 1'-0"



2 Section 1
1/4" = 1'-0"



3 Section 2
1/4" = 1'-0"

A-4.1

Project Title: Fat Tops III
 Prepared for: Dos Fat Tops LLC
 Sheet Title: Section & Elevation
 Address: 6384 Kenai Spur Hwy, Kenai, AK 99611

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SCHEMATIC
 DEVELOPMENT
 DRAWING
 SHEET
 CHECKED BY: JHC

Determine DESIGN LLC AECL1613
 508 E FIREWEED LN, STE A
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dan@determinedesign.com



NOTE: USE HALF INDICATED SCALE FOR 1/4"=1'-0" DRAWINGS

New Door Schedule

Door #	Width x Height	Type	Door Material	Frame Material	Hardware Group	Additional Items	Comments
N-1	42"X81"	B	GL	HW	R		STOREFRONT
N-2	36"X84"	A	WO	WO	F		
N-3	36"X81"	A	WO	WO	F		
N-4	36"X84"	A	WO	WO	F		

DOOR SCHEDULE LEGEND
 WD: WOOD
 GL: GLASS
 HW: INSULATED HOLLOW METAL
 L: ENTRY LATCH COMMERCIAL LOCK
 F: FINISH TO REJMAN
 R: FINISH TO REJMAN ENTRY LATCH

DOOR TYPES

ELEVATION	PLAN	DESCRIPTION
		TYPE A FLUSH SINGLE LEAF HINGED
		TYPE B GLASS STOREFRONT SINGLE LEAF HINGED

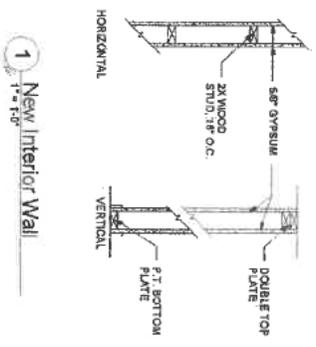
Existing Door Schedule

Door #	Width x Height
E-1	72"X96"
E-2	34"X60"
E-3	38"X60"
E-4	34"X60"
E-5	34"X60"
E-6	36"X60"
E-7	36"X60"
E-8	36"X60"
E-9	36"X60"
E-10	36"X60"
E-11	36"X60"
E-12	120"X120"
E-13	120"X120"
E-14	36"X60"
E-15	144"X180"
E-16	144"X120"

Room Schedule

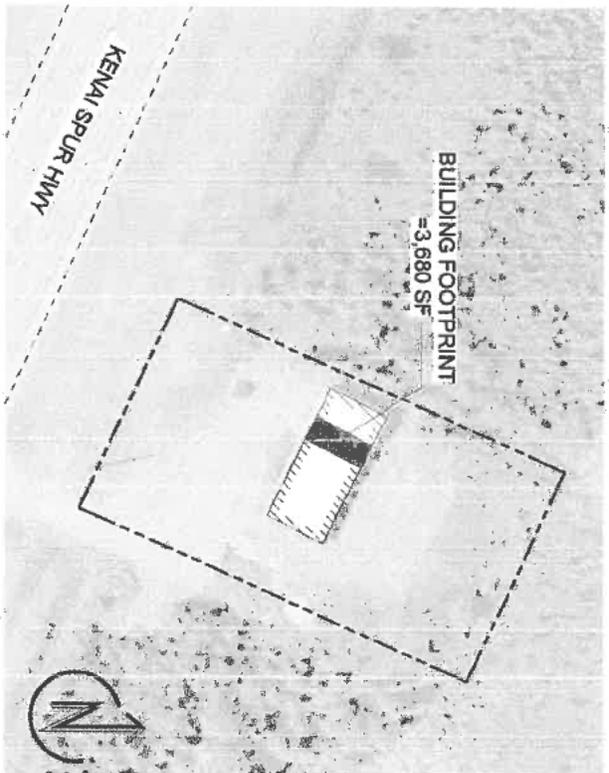
#	Name	Area	Finish	Ceiling Finish	Base Finish	Floor Finish	Comments
1	Rear Storage	217 SF	PLYR-1	EXIST	R8	LVP	
2	Storage	303 SF	GYPR-1	EXIST	R8	C	
3	HANGARS	2773 SF	GYPR-1	EXIST	R8	C	

ROOM LEGEND
 P-1: PAINT (WHITE COLOR)
 P-2: PAINT (PALE SUNLIGHT COLOR)
 GYP: GYPSUM BOARD
 RB: # RUBBER BASE (GREEN COLOR)
 LVP: LUXURY VINYL PLANK
 C: CONCRETE
 F.Y.: FINISH TO REJMAN
 EXST: EXISTING TO REJMAN





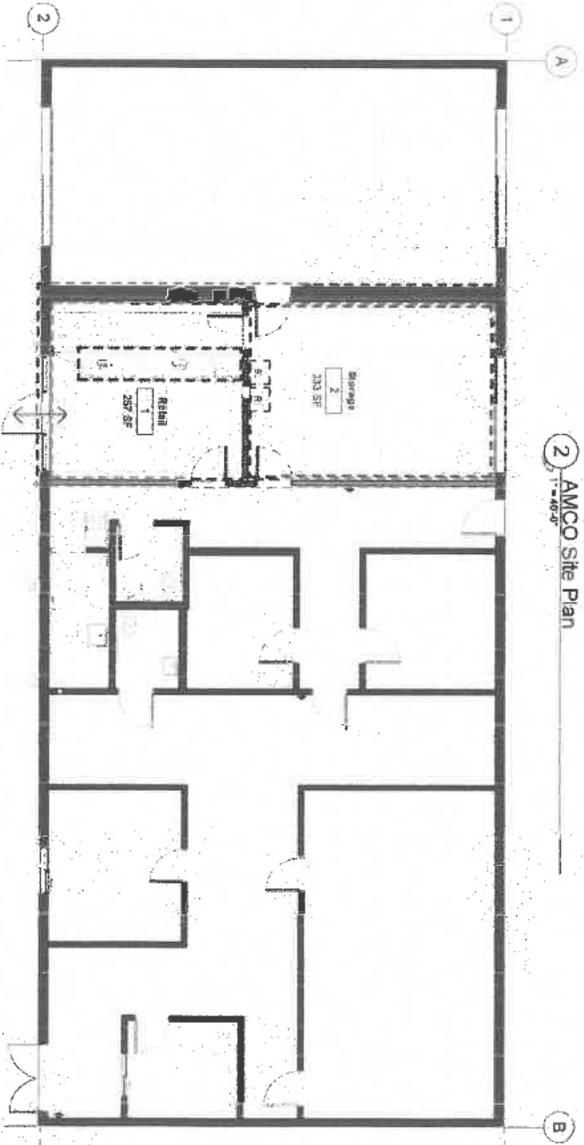
SITE VICINITY



2 AMCO Site Plan

Site Data:
 PN-24100212
 SITE ADDRESS: 6384 KENAI SPUR HWY, KENAI, AK 99611
 LEGAL DESCRIPTION: SECTION 17, T14N, R10E, S16E, AMCO
 AMENDED LOT 13 24 x 8
 CALCULATED AREA: 0.85 ACRE
 COMPANY OWNER NAME: PARKER DAVID R

AMCO KEY	
---	PROPOSED LICENSED PREMISES
---	SHELFING/DISPLAY WITH MANULIWA
---	MANULIWA STORAGE
---	RESTRICTED ACCESS AREA
---	POS SYSTEM
---	SURVEILLANCE EQUIPMENT & RECORDING STORAGE
---	SIX MONTHS BUSINESS RECORDS STORAGE
---	INGRESS & EGRESS
---	MANULIWA STORE PORTION PROPOSED LID-BASED PREMISES



1 AMCO Floor Plan

NOTE: USE HALF INDICATED SCALE FOR 11X17 DRAWINGS





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 the use of this data. The Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The Kenai Peninsula Borough does not warrant the accuracy or modification of the data. In using these data, you further agree to 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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KENAI

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MEMORANDUM

TO: Planning & Zoning Commission Members
THROUGH: Kevin Buettner, Planning Director
FROM: Jessica See, Planning Technician
DATE: March 4, 2026
SUBJECT: **Discussion** – Rescheduling April Planning & Zoning Commission Meetings

The City Special Election is scheduled for April 14, 2026. Pursuant to KMC 6.40.020, the Canvass Board is required to meet seven days following the election to canvass the results.

The April 15, 2026 regular Council meeting has been rescheduled to April 22, 2026 to allow for the Canvass Board to complete its work in accordance with City Code, and enable the Council to certify the election results the day following the canvass without delay.

Rescheduling the Planning & Zoning Commission meetings in April would allow the Council to hold their meeting on the new scheduled date, thereby avoiding the conflict of overscheduling the Chambers.



February 23, 2026 – 7:30 PM

Action Agenda

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

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

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

Vacant
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

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

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 AGEN

*7. Minutes

- a. February 9, 2026 Planning Commission Meeting Minutes

Motion to approve the consent & regular agendas passed by unanimous vote (8-Yes)

D. UNFINISHED BUSINESS – None

E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters - (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)

1. Utility Easement Vacation; KP File 2025-184V

No Surveyor / Limacher

Request: Vacates a 15' wide by approximately 640' long utility easement adjoining the south boundary of Lot 1-A and Lot 2-A, Lofty Estates Subdivision Unit 2 2014 Addition; Plat HM 2015-21

Diamond Ridge Area

Motion to approve the vacation as petitioned pass by unanimous vote (8-Yes)

2. Conditional Use Permit; PC Resolution 2026-16

Applicant: Alaska Department of Transportation

Request: Replacing a culvert & adding fill within the 50-Foot Habitat Protection District of an unnamed stream

Location: MP 4 Kenai Spur Highway

Ridgeway Area

Motion granting approval of a conditional use permit pursuant to KPB 21.18 passed by unanimous vote (8-Yes)

3. Conditional Use Permit; PC Resolution 2026-15

Applicant: Kenai Peninsula Borough

Request: Install ELP & fence for bank protection in the 50-Foot Habitat Protection District of the Kenai River

Location: 514 Funny River Rd. / PIN 06034019

City of Soldotna

Staff Responsible: Planner Morgan Aldridge

Motion granting approval of a conditional use permit pursuant to KPB 21.18 passed by unanimous vote (8-Yes)

Public Hearing: Legislative Matters

4. Ordinance 2026-07: Authorizing the Kenai Peninsula Borough to enter into a long-term lease agreement with the City of Seward for operation of a public outdoor shooting range.

Staff Responsible: LMD Officer Aaron Hughes

Motion to forward to the assembly a recommendation to adopt Ordinance 2026-07 passed by unanimous vote (8-Yes)

5. Ordinance 2026-06: Amending borough code section 17.10.100(F) regarding methods of disposition.

Staff Responsible: LMD Officer Aaron Hughes

Motion to forward to the assembly a recommendation to adopt Ordinance 2026-06 passed by unanimous vote (8-Yes)

6. Ordinance 2026-04: Amending KPB 2.56.030 to adopt the 2045 Homer Comprehensive Plan for that portion of the Borough within the boundaries of the City of Homer.

Staff Responsible: Planning Director Robert Ruffner

Motion to forward to the assembly a recommendation to adopt Ordinance 2026-04 passed by unanimous vote (8-Yes)

F. PLAT COMMITTEE REPORT – The plat committee will review 4 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, March 16, 2026** 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

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

March 04, 2026 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

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

1. Street Condition Assessment, Tyler Rossow, PE and Daniel Dahms, PE with TR Consulting Services.

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 UNANIMOUSLY. Ordinance No. 3505-2026** - Increasing Estimated Revenues and Appropriations in the General Fund – Buildings Department Computer Software, for the Purchase of Permitting Software. (Administration)
2. **ENACTED UNANIMOUSLY. Ordinance No. 3506-2026** - Accepting and Appropriating a Grant from the American Library Association for the Kenai Community Library's Participation in the Digital Pathways: Online Health Literacy Programming for Adults Initiative. (Administration) [KMC 1.15.070(d)]
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)
 3. Motion for Enactment (Requires Five Affirmative Votes)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3507-2026** - Increasing Estimated Revenues and Appropriations for Consulting Services to Evaluate Natural Gas Storage Opportunities on Kenai Municipal Airport Lands. (Administration) [KMC 1.15.070(d)]
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)

3. Motion for Enactment (Requires Five Affirmative Votes)
4. **ADOPTED UNANIMOUSLY. Resolution No. 2026-14** - Amending the City's Schedule of Rates, Charges and Fees to Allow for Reduced or Eliminated Plan Review Fees for Successive Identical Structures. (Administration)

F. MINUTES

1. *Regular Meeting of February 18, 2026. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Special Use Permit to Rainbow River Lodge Aviation, LLC for Aviation Related Activities at Kenai Municipal Airport. (Administration)
3. ***Action/Approval** - Approving the Grant of a Temporary Easement to the State of Alaska for the Bridge Access Road Pavement Preservation Project. (Administration)
4. ***Action/Approval** - Confirmation of Mayor Nomination for a Partial Term Appointment of Caroline Karpik as Student Representative to the Council on Aging Commission. (Knackstedt)
5. ***Action/Approval** - Non-Objection to the Transfer of Ownership of a Retail Marijuana Store from Transferor Cook Inlet Cannabis Co, LLC, to Transferee Straight Street Investments, LLC DBA East RIP - License No. 13382.
6. ***Ordinance No. 3508-2026** - Accepting and Appropriating Donations to the Kenai Community Library for Library Materials, Equipment, and Programming. (Administration)
7. **APPROVED UNANIMOUSLY. Action/Approval** - Workplan 2026 Airport Commission. (Airport Commission)
8. **APPROVED UNANIMOUSLY. Discussion/Action** - Alaska Children's Institute for the Performing Arts dba Triumvirate Theater Parking and Landscaping Matching Grant Request. (Administration)
9. **APPROVED UNANIMOUSLY. Discussion/Action** - Inviting Council Participation in External Auditor Evaluation Committee. (Administration)
10. **RESCHEDULED FOR APRIL 22, 2026. Discussion/Action** - Rescheduling the April 15, 2026 City Council Meeting. (Knackstedt)
11. **SPECIAL MEETING SCHEDULED FOR MARCH 25, 2026 AT 5PM AND APRIL 8, 2026 AT 5PM. Discussion** - Scheduling Council Employee Evaluations. (Knackstedt)

I. COMMISSION REPORTS

1. Council on Aging Commission
2. Airport Commission
3. Parks and Recreation Commission
4. Planning and Zoning Commission
5. 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. 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/meeting/register/I5RufdWkTKyhK2IHCamKiw>