



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

**February 25, 2026 – 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 January 28, 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. Granting a Conditional Use Permit to Allow for Assemblies at the Coral Seymour Memorial Ballpark in the Recreation Zoning District
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.

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

1. Transfer of Conditional Use Permit, PZ1999-05 and PZ1997-53 for the use of Lodging, Cabin Rentals, and Boat Parking.
2. Transfer of Conditional Use Permit, PZ2017-33 for the use of Retail Marijuana and Product Storage.

**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 11, 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](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.**

[https://us02web.zoom.us/meeting/register/XN2IL3J\\_SmqjTUisTjDqzg](https://us02web.zoom.us/meeting/register/XN2IL3J_SmqjTUisTjDqzg)

**KENAI PLANNING & ZONING COMMISSION – REGULAR MEETING  
JANUARY 28, 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 January 28, 2026, in City Hall Council Chambers, Kenai, AK. Chair Keaton called the meeting to order at approximately 7:01 p.m.

**1. Pledge of Allegiance**

Chair Keaton led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Sonja Earsley	Gwen Woodard
Alex Douthit, Vice Chair	Jeanne Keaton, Chair
Stacie Krause	Diane Fikes

A quorum was present.

Absent:

Marty Askin

Also in attendance were:

Kevin Buettner, Planning Director  
Sovala Kisenia, 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 I.1.

**Conditional Use Permit Closures Update**

- PZ1999-12
- PZ2020-30
- PZ2022-21

**MOTION:**

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

The following items were withdrawn at the request of the Administration:

Item B.1

**Approval of Minutes**

- January 14, 2026

Item H. 3

**Action/Approval** - Recommending to City Council Determining an Approximate 2,700 Square Foot Section of the Northwestern Corner of Tract A, Woodland Subdivision Part 4 is Not Needed for a Public Purpose.

\*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** - None.
- C. **SCHEDULED PUBLIC COMMENTS** - None.
- D. **UNSCHEDULED PUBLIC COMMENTS** - None.
- E. **CONSIDERATION OF PLATS** - None.
- F. **PUBLIC HEARINGS** - None.
- G. **UNFINISHED BUSINESS** - None.
- H. **NEW BUSINESS**

- 1. **Action/Approval** - Transfer of a Conditional Use Permit, PZ2019-01 for the Use of a Boarding House.

**MOTION:**

Commissioner Douthit **MOVED** to transfer Conditional Use Permit PZ2019-01. Commissioner Woodard **SECONDED** the motion.

Director Buettner summarized the memo as included in the packet.

**UNANIMOUS CONSENT** was requested on the motion.

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

**TRANSFER APPROVED.**

- 2. **Action/Approval** - Recommending Approval of Proposed Ordinance to City Council Determining Four City-Owned Properties known as Lots 1, 2, 3, and 4, Beaver Loop Acres Addition No. 3 are Not Needed for a Public Purpose.

**MOTION:**

Commissioner Douthit **MOVED** to recommend City Council approval of the proposed ordinance. Commissioner Woodard **SECONDED** the motion.

Director Buettner summarized the memo as included in the packet.

Clarification was provided that operational standards would be established in the Conditional Use Permit process; DNR review was not required for sale; the process used to calculate the minimum bid; and sale was recommended due to the City's limited availability to verify extracted quantities.

**UNANIMOUS CONSENT** was requested on the motion.

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

**RECOMMENDATION APPROVED.**

I. **REPORTS**

- 1. Planning Director

Planning Director Buettner reported on the following:

- Three Conditional Use Permits have been closed pursuant to provisions in City code.
- Provided clarification to the Commission on Conditional Use Permit record retention.

- Subdivision regulation, temporary dwelling regulations, and the Conditional Use Permit process and land use table updates.
- Scheduling a Work Session for February 25, 2026.

2. Commission Chair - No report.

3. Kenai Peninsula Borough Planning

Commissioner Fikes reported on recent actions of the Kenia Peninsula Borough Planning Commission.

4. City Council Liaison

Council Member Kisena reported on recent actions of the City Council, Work Sessions, and city projects, including airport runway rehabilitation and building a playground.

**J. ADDITIONAL PUBLIC COMMENTS**

Marion Nelson referenced historic planning of the playground and encouraged Commission Members to build on the prior plans.

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: February 11, 2026

**L. COMMISSION COMMENTS AND QUESTIONS**

Commissioners thanked staff for their work and the public for attending and participating in Planning & Zoning meetings.

**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 7:50 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of January 28, 2026.

---

Logan Parks, Deputy City Clerk



**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ2026-02**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT TO ALLOW FOR ASSEMBLIES AT THE CORAL SEYMOUR MEMORIAL BALLPARK IN THE RECREATION ZONING DISTRICT.

APPLICANT: Peninsula Oilers Baseball Club, Inc.

PROPERTY ADDRESS: 103 S. Tinker Lane

LEGAL DESCRIPTION: North West ¼ of Government Lot 4

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04938217

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on January 28, 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 25, 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 Recreation Zone is intended to contain both public and private lands to be utilized for commercial and non-commercial recreation and residential purposes. Lands designated for this district should be evaluated for long-term public benefits to accrue from the protection offered by this designation.*

The proposed use would allow the operators of the Coral Seymour Memorial Ballpark, the Peninsula Oilers Baseball Club, Inc. to offer additional recreational events within their stadium. Events held at the stadium have been described by the applicant as being fundraising events to support the baseball team. The events would benefit from the already established parking and infrastructure onsite, reducing the burden on the surrounding neighborhood by reducing the length of time for event setup/tear down.

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 current location has been a baseball field since 1976. The proposed assemblies would take place during the late spring and summer, which overlaps with the baseball season. Parking is already in place onsite and events would be timed to minimize disruption (i.e., scheduled for afternoon or early evenings) to the surrounding neighborhood, akin to the game schedule.

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

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Parks, Recreation, and Open Space land use classification. This Land Use Classification is defined in the Comprehensive Plan:

*Parks, Recreation, and Open Space is intended for those public recreation facilities, as well as undeveloped lands that provide for the conservation of natural or scenic resources. These areas can be used for a variety of passive and active outdoor and indoor sports and recreational activities. Areas that may suitable for future natural resource development may be included in this category.*

The surrounding uses consist of Suburban Residential (RS) to the north and west, Education (E) to the Northeast, and Recreation to the east and south. Staff finds that the proposed use meets is in harmony with the Comprehensive Plan both as currently zoned.

As stated by the applicant, the proposed reinvigoration of the property as proposed 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 1 – Quality of Life is to promote and encourage quality of life in Kenai.

Objective Q-9

Encourage healthy lifestyles by providing opportunities and/or facilities for outdoor activities.

Goal 2 – Economic Development is to provide economic development to support the fiscal health of Kenai.

Objective ED-9

Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

Goal 6 – Ensure that Kenai has excellent parks and recreational facilities and opportunities.

Objective PR-2

Maintain existing recreational opportunities and plan for new parks and recreation improvements.

Objective PR-4

Support projects that provide additional quality outdoor and indoor recreation.

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

Findings: The ballpark is already established with city water and sewer and meets the needs to service sizeable crowds and if needed additional temporary lavatories will be utilized.

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

Findings: There is adequate parking and buffer for the proposed use to minimize the impact to the surrounding area. It is not anticipated that the continued use will be harmful to the public safety, health or welfare.

As noted by the applicant, the events will be occasional and would occur at times and duration similar to the current use. This will be during times when nearby residents are active.

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: Applicant states that considerate placement of sound equipment will be utilized to lessen the impact to the neighboring lots. With this consideration in place the proposed use should not disrupt daily activity in the area.

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 assemblies at the ballpark on the property described as North West ¼ of Government Lot 4, located at 103 S. Tinker Lane.

**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. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
THIS 25<sup>TH</sup> DAY OF FEBRUARY, 2026.

---

Jeanne Keaton, Chairperson

ATTEST:

---

Logan Parks, Deputy City Clerk



# STAFF REPORT

PLANNING & ZONING DEPARTMENT

**TO:** Planning and Zoning Commission  
**THROUGH:** Kevin Buettner, Planning Director  
**FROM:** Jessica See, Administrative Assistant  
**DATE:** February 11, 2026  
**SUBJECT:** Resolution PZ2026-02 – Conditional Use Permit – Assemblies

---

**Request** The applicant is requesting a Conditional Use Permit to allow for assemblies, as defined by KMC 14.20.320, at the Coral Seymour Memorial Ballpark in the Recreation Zoning District.

**Staff Recommendation** Adopt Resolution PZ2026-02 approving a Conditional Use Permit to allow assemblies.

---

Applicant: Peninsula Oilers Baseball Club, Inc  
Legal Description: North West ¼ of Government Lot 4  
Property Address: 103 S Tinker Lane  
KPB Parcel No.: 04938217  
Lot Size: 435,600 square feet (10 acres)  
Zoning: Recreation (R)  
Current Use: Baseball Field  
Land Use Plan: Parks, Recreation, and Open Space

## SUMMARY

The applicant is requesting to host assemblies on the already established 10-acre lot. A Conditional Use Permit (CUP) is required to allow assemblies. This property currently operates as a baseball stadium and the applicant is wanting to add the allowance of assemblies in addition to sports.

## 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, 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 Recreation Zone is intended to contain both public and private lands to be utilized for commercial and non-commercial recreation and residential purposes. Lands designated for this district should be evaluated for long-term public benefits to accrue from the protection offered by this designation:*

The proposed use would allow operators of the Coral Seymour Memorial Ballpark, the Peninsula Oilers Baseball Club, Inc. to offer additional recreational events within their stadium. Events held at the stadium have been described by the applicant as being fundraising events to support the baseball team. The events would benefit from the already established parking and infrastructure onsite, reducing the burden on the surrounding neighborhood by reducing the length of time for event setup/teardown.

The proposed use is not anticipated to generate a significant change in daily traffic as events would not be a daily occurrence. Additionally, it is serviced by two larger collector roads providing adequate and safe travel routes to and from the property and there is adequate parking available on-site. The existing density would remain unchanged since there is no proposed alteration to increase the number or size of any structures on the lot. Additionally, the events would provide supplemental entertainment and recreational activities to participants, while supporting the primary recreational baseball program. Staff finds that the proposed use meets the intent of the Recreation Zoning District.

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

**Findings:** The proposed use mirrors the current use of the property that has been established since 1976. There is no history of complaints or issues stemming from the current use of the property. The proposed assemblies would take place during the late spring and summer, which overlaps with the baseball season. Parking is already in place onsite and events would be timed to minimize disruption to the surrounding neighborhood akin to the game schedule.

Therefore, Staff finds the proposed use would not have an adverse impact on the neighborhood and adjoining properties. Staff finds the proposed use would not impair the economic and noneconomic value of adjacent properties and neighborhood.

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

**Findings:** The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Recreation (R) land use classification. The R Land Use Classification is defined in the Comprehensive Plan:

*Parks, Recreation, and Open Space is intended for those public recreation facilities, as well as undeveloped lands that provide for the conservation of natural or scenic resources. These areas can be used for a variety of passive and active outdoor and indoor sports and recreational activities. Areas that may suitable for future natural resource development may be included in this category.*

The surrounding uses consist of Suburban Residential (RS) to the north and west, Education (E) to the Northeast, and Recreation to the east and south. Staff finds that the proposed use meets is in harmony with the Comprehensive Plan both as currently zoned.

As stated by the applicant, the proposed reinvigoration of the property as proposed is consistent and in harmony with several goals in the 2016 Comprehensive Plan.

## **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 1** – Quality of Life is to promote and encourage quality of life in Kenai.

**Objective Q-9**

*Encourage healthy lifestyles by providing opportunities and/or facilities for outdoor activities.*

**Goal 2** – Provide Economic development to support the fiscal health of Kenai.

**Objective ED-9**

*Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural, and other events.*

**Goal 6** – Ensure that Kenai has excellent parks and recreational facilities and opportunities.

**Objective PR-2**

*Maintain existing recreational opportunities and plan for new parks and recreation improvements.*

**Objective PR-4**

*Support projects that provide additional quality outdoor and indoor recreation.*

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

**Findings:** The ballpark is already established with city water and sewer and meets the needs to service sizeable crowds and if needed additional temporary lavatories will be utilized.

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

**Findings:** There is adequate parking and buffer for the proposed use to minimize the impact to the surrounding area. It is not anticipated that the continued use will be harmful to the public safety, health or welfare.

As noted by the applicant, the events will be occasional and would occur at times and duration similar to the current use. This will be during times when nearby residents are active.

**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:** Applicant states that considerate placement of sound equipment will be utilized to lessen the impact to the neighboring lots. With this consideration in place, and the current uses of the lot already established, Staff finds that the proposed use not disrupt daily activity in the area.

## **PUBLIC NOTICE**

---

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. 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 request.

No public comments have been received at the time of this report.

## **STAFF RECOMMENDATION**

---

Staff finds that the proposed Conditional Use Permit for assemblies at the ballpark on the property described as North West ¼ of Government lot 4, meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (e)(1) through (e)(6) of Kenai Municipal Code 14.20.150, and hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2025-10 approving the Conditional Use Permit, 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. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

## **ATTACHMENTS**

---

Aerial Map  
Application



# Conditional Use Permit Application

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

### PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:	Peninsula Oilers Baseball Club, Inc.			
Mailing Address:	PO Box 318			
City:	Kenai	State:	AK	Zip Code:
Phone Number(s):	[REDACTED]			
Email:	[REDACTED]			

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04938217
Physical Address:	103 S. Tinker Lane
Legal Description:	T 5N R 11W SE 3 SEWARD Meridian KN NW 1/4 OF GOVT LOT 4
Zoning:	Recreation
Acres:	10

### 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?	It is being used for recreational baseball activities by the Oilers and American Legion
--	---

Conditional Use Requested for (attach additional sheets if necessary):

We would like to add Assemblage to our zoning use to hold fundraising events that would include concerts, movies, or other large events.

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

The events would provide supplemental entertainment and recreational activities to participants while supporting the primary recreational baseball program of the Peninsula Oilers.

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

No alterations to the existing site are being planned or proposed.

Use of surrounding property - north:	Suburban Residential		
Use of surrounding property - south:	Recreational - Kenai Disc Golf Course		
Use of surrounding property - east:	Recreational - Kenai Disc Golf Course		
Use of surrounding property - west:	Suburban Residential		
Explain how the conditional use is in harmony with the City's Comprehensive Plan:			
Adding assemblage to the site would enhance the quality of life of Kenai residents through music and other entertainment. It would increase the economic development through fundraising activities that will benefit our local vendors and help the Oilers continue their recreational baseball program.			
Are public services and facilities on the property adequate to serve the proposed conditional use?			
The ballpark already services sizeable crowds. If needed, temporary portable lavatories will be used.			
Explain how the conditional use will not be harmful to public safety, health, or welfare:			
Occasional assembly events would occur at times and duration similar to our games. The noise may be different but will occur when nearby residents are active.			
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?			
Considerate placement of sound equipment will be chosen to lessen impacts to the neighbors.			
<b>AUTHORITY TO APPLY FOR CONDITIONAL USE:</b> 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:	
Print Name:		Title/Business:	
<b>For City Use Only</b>		Date Application Fee Received:	
		PZ Resolution Number:	





**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION PZ2026-03**

A RESOLUTION **RECOMMENDING** THE KENAI CITY COUNCIL APPROVE THE REZONE FROM CONSERVATION (C) TO SUBURBAN RESIDENTIAL (RS) ZONING DISTRICT FOR THE FOLLOWING PROPERTIES AND AS DEPICTED ON THE ATTACHED BOUNDARY MAP.

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>	<u>Legal Description</u>
04501057	10060 Kenai Spur Hwy.	81.0 acres	T 6N R 11W SEC 33 SEWARD MERIDIAN KN W1/2 LYING N OF KENAI SPUR HWY & E OF MARATHON RD EXCL ALL BARON PARK SUBS & KENAI INDUSTRIAL PARK SUB

WHEREAS, the property located at 10060 Kenai Spur Highway and known as Kenai Peninsula Borough Parcel number 04501057, as described above, is currently zoned as Conservation (C); and,

WHEREAS, Kenai Municipal Code (KMC) 14.20.070 intends the Conservation Zone to apply to areas which should be preserved primarily as open areas and as watersheds and wildlife reserves. Airport and related uses have been included in this zone to allow for the reservation of aircraft approach zones; and,

WHEREAS, the City of Kenai applied to the Federal Aviation Administration (FAA) Alaska Region for a deed of release to remove FAA restrictions on an 81-acre parcel located east of the airport; and,

WHEREAS, the Deed of Release was approved by the FAA removing the aforementioned restrictions and was recorded on September 15, 2025; and,

WHEREAS, the City recognizes that upland portions of the larger parcel may be desirable for new residential development near existing subdivisions; and,

WHEREAS, the City of Kenai is initiating an amendment to the Kenai Official Zoning Map through the Kenai Planning & Zoning Commission in accordance with KMC Section 14.20.270(b)(1)(B) - *Amendment procedures*; and,

WHEREAS, the area proposed to be rezoned contains a minimum of one (1) acre (excluding street or alley rights-of-way); and,

WHEREAS, the proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous nine (9) months; and,

WHEREAS, a map has been included of the proposed rezone area; and,

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

WHEREAS, the Planning and Zoning Commission finds:

1. The current zoning district, Conservation (C) is intended to apply to areas which should be preserved primarily as open areas and as watersheds and wildlife reserves. Airport and related uses have been included in this zone to allow for the reservation of aircraft approach zones. The existing Conservation zone is not the preferred land use for this area as there are no longer FAA restrictions on the property and upland portions of the parcel may be desirable for new residential development.
2. The rezone to Suburban Residential Zone would allow for low- to medium-density residential development adjacent to existing residential neighborhoods within walking, biking, or short driving distance to commercial services. City utilities are located at the southeast corner of the parcel, which would allow for denser development.
3. The existing land use classification states that the area is to be Parks, Recreation, and Open Space. A majority of the parcel will remain as open space, as it lies within a large drainage area and is not suited for development. Approximately 10-15 acres of the parcel, mostly on the eastern edge has upland portions that would be suitable for residential development, but the 81-acre parcel would require subdivision prior to development.
4. The proposed rezone to RS would align with the current low to medium density residential character of the adjoining neighborhood.

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

**Section 1.** That Kenai City Council approve the rezone request for the property located at 10060 Kenai Spur Highway from Conservation (C) to Suburban Residential (RS) zoning district.

**Section 2.** That the Commission will forward its written recommendation to the Kenai City Council, along with all certified minutes and public records relating to the proposed amendment.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,  
THIS 25<sup>TH</sup> DAY OF FEBRUARY, 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  
**DATE:** February 17, 2026  
**SUBJECT:** Resolution PZ2026-03 – Rezone One 81-Acre Parcel from Conservation to Suburban Residential (RS) Zoning District

**Request** The applicant is requesting a rezone of one (1) parcel from Conservation to the Suburban Residential (RS) Zoning District.

**Staff Recommendation** Adopt Resolution PZ2026-03 recommending approval of a rezone of one (1) parcel from Conservation to the Suburban Residential (RS) Zoning District.

**Applicants:** City of Kenai  
 Attn: Planning & Zoning Department/Lands Administration  
 210 Fidalgo Ave.  
 Kenai, AK 99611

<u>Parcel No.</u>	<u>Address</u>	<u>Lot Size</u>
04501057	10060 Kenai Spur Hwy.	81 acres

**Legal Description:** T 6N R 11W SEC 33 SEWARD MERIDIAN KN W1/2 LYING N OF KENAI SPUR HWY & E OF MARATHON RD EXCL ALL BARON PARK SUBS & KENAI INDUSTRIAL PARK SUB

**Current Zoning:** Conservation (C)

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

**Current Land Use** Vacant Land

**Land Management Plan:** Mixed – Dispose / Retain

**Land Use Plan** Parks, Recreation, & Open Space

## SUMMARY

---

The City of Kenai is seeking to rezone one 81-acre parcel located at 10060 Kenai Spur Highway from Conservation to the Suburban Residential (RS) zoning district. The purpose of the rezone is to allow for low- to medium-density residential development adjacent to existing residential neighborhoods within walking, biking, or short driving distance to commercial services.

## ANALYSIS

---

Pursuant to KMC Section 14.20.270, the initiation of a Zoning Map Amendment may be initiated by the Kenai Planning & Zoning Commission. This parcel is wholly owned by the City of Kenai. The area to be rezoned contains far above the minimum of one (1) acre (excluding street or alley rights-of-way) unless the amendment enlarges an adjacent district boundary.

### **Existing and Proposed Zoning**

The existing zoning is Conservation (C) and the intent as outlined in KMC Section 14.20.070 states the following:

*The C-Zone is intended to apply to areas which should be preserved primarily as open areas and as watersheds and wildlife reserves. Airport and related uses have been included in this zone to allow for the reservation of aircraft approach zones. It is intended that this zone shall apply mainly to publicly owned land.*

**Findings:** In August 2025, the City applied to the Federal Aviation Administration (FAA) Alaska Region for a deed of release to remove FAA restrictions on an 81-acre parcel located east of the airport. On September 15, 2025, the Deed of Release was approved by the FAA and recorded with the State of Alaska. This deed of release removed a number of restrictions and allows this land to be leased for other than aeronautical uses, and also may be sold for fair market prices, if authorized by the City. Furthermore, the proposed rezone area contains a large drainage area throughout most of the western sections of the parcel. Upland portions along the eastern side of the parcel are adjacent to existing residential neighborhoods. Approximately 10-15 acres of these uplands are suitable for residential development. Conservation only allows for residential development with a Conditional Use Permit.

The proposed zoning is Suburban Residential and the intent as outlined in KMC Section 14.20.090 states the following:

*The RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:*

- (1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;*
- (2) To prohibit uses which would:
  - (A) Violate the residential character of the environment;*
  - (B) Generate heavy traffic in predominantly residential areas.**

**Findings:** The rezone to RS zone would align with the adjacent residential zoning districts. As mentioned above, approximately 10-15 acres of upland portions of the parcel would be suitable for residential development. Suburban Residential is appropriate in areas where there are common utility systems, in this case City utilities are available at the corner of Princess Lane and Magic Avenue. This is on the southeastern corner of one of the upland portions.

### **Comprehensive Plan – Land Use Classification**

The existing land use classification is be Parks, Recreation, and Open Space and the intent as outlined in the *Imagine Kenai 2030 Comprehensive Plan* (“Comprehensive Plan”) states the following:

*Intended for those public recreation facilities, as well as undeveloped lands that provide for the conservation of natural or scenic resources. These areas can be used for a variety of passive and active outdoor and indoor sports and recreational activities. Areas that may be suitable for future natural resource development may be included in this category.*

**Findings:** The existing land use classification states that the area is to be Parks, Recreation, and Open Space. A majority of the parcel will remain as open space, as it lies within a large lowland drainage area and is not suited for development. Approximately 10-15 acres of the parcel, mostly on the eastern edge has upland portions that would be suitable for residential development, but the 81-acre parcel would require subdivision prior to development.

An amendment to the land use map in the Comprehensive Plan is not currently required, as residential uses are allowable in Conservation zone, albeit as conditional uses. The City anticipates updating the Comprehensive Plan within a couple years, and a new Land Use Plan may be developed as a part of this process.

The Comprehensive Plan supports this rezoning in the following identified goal:

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

- *LU-3: Review existing zoning and subdivision codes to determine if they address current and future land uses adequately.*

**Findings:** The proposed rezone to RS would align largely with the intent of keeping a majority of the lowland drainage areas protected, as the parcel would be subdivided and with the City of Kenai retaining ownership. This would also align with supporting Workforce Development by allowing for new low to medium density residential development in appropriate areas served by City utilities.

### **Existing Use**

In the proposed rezone area, the land is vacant.

**Findings:** The proposed rezone to RS zone would allow for upland portions of the parcel, largely on the eastern side, would allow for low- to medium density residential development adjoining and existing residential neighborhood, which has been identified as a crucial need for the City.

## **PUBLIC NOTICE**

---

Pursuant to Kenai Municipal Code 14.20.280 notices of the public hearing for the rezone were mailed to property owners within a three hundred-foot (300') periphery of the subject properties. City staff published notice of the public hearing in the *Peninsula Clarion*, and notification was posted.

No public comments have been received as-of-date.

## **STAFF RECOMMENDATION**

---

Based on the findings and analysis in this staff report, Staff recommends the Planning & Zoning Commission recommend approval of the rezone request for the property located at 10060 Kenai Spur Highway from Conservation (C) to Suburban Residential (RS) zoning district. Planning & Zoning Commission's recommendation will be forwarded to City Council for consideration.

## **ATTACHMENTS**

---

Zoning Map – Existing and Proposed  
Application  
Deed of Release



# Rezoning Application

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

## PETITIONER

Name:	City of Kenai						
Mailing Address:	210 Fidalgo Ave.	City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	907-283-8200						
Email:	planning@kenai.city						

## PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (s):	04501057
Physical Address:	10060 KENAI SPUR HWY
Legal Description:	T 6N R 11W SEC 33 SEWARD MERIDIAN KN W1/2 LYING N OF KENAI SPUR HWY & E OF MARATHON RD EXCL ALL BARON PARK SUBS & KENAI INDUSTRIAL PARK SUB

## ZONING INFORMATION

Present Zone:	Conservation
Proposed Zone:	Suburban Residential

Intended Use and/or Reason for Rezoning (attach additional sheets if necessary):

Potential development of upland portions of the larger, 81-acre parcel. This parcel was released by the FAA in late 2025. The Conservation Zoning District, as defined by the City of Kenai, was intended to apply to areas which should be preserved primarily as open areas. Airport and related uses have been included in this zone to allow for the reservation of aircraft approach zones. As this has been released from this restriction, the City maintains there are portions of the larger parcel that could be opened for development.

## AMENDMENT PROCEDURE REQUIREMENTS

The area proposed to be rezoned contains a minimum of 1 acre (excluding street or alley rights-of-way), unless the amendment enlarges an adjacent zoning district boundary.	<input checked="" type="checkbox"/> YES
This proposed amendment to the zoning ordinance is not substantially the same as any other unapproved proposed amendment submitted within the previous 9 months.	<input checked="" type="checkbox"/> YES
I understand a public hearing is required as outlined in the Kenai Zoning Code, a \$250 fee is required (\$265 total after tax), and that this application will be reviewed following Kenai City Code 14.20.270, available at kenai.municipal.codes/KMC/14.20.270.	<input checked="" type="checkbox"/> YES
I have included a map of the proposed rezone area and applicable signatures.	<input checked="" type="checkbox"/> YES

The proposed Zoning Code and Official Zoning Map Amendments is initiated by (check one):

- Kenai City Council
- Kenai Planning & Zoning Commission
- Petition of majority of the property owners in the area to be rezoned
- Petition bearing the signatures of 50 registered voters within the City of Kenai
- Petition as provided by the Home Rule Charter of the City of Kenai

## PETITIONER'S SIGNATURE

Signature:		
Printed Name:	Kevin Buettner, Planning Director	Date: 2/17/26

**For City Use Only**

Date Application Fee Received:  
 PZ Resolution Number:

**DOCUMENT  
ELECTRONICALLY  
RECORDED**

A  
L  
A  
S  
K  
A

**2025-006725-0**

Recording Dist: 302 - Kenai

9/15/2025 01:34 PM Pages: 1 of 4



DEED OF RELEASE

This instrument, a Deed of Release, made by the United States of America, acting by and through the Chief, Airports Division, Alaskan Region, Federal Aviation Administration, under and pursuant to the powers and authority contained in the provisions of Public Law 81-311 (63 Stat. 700), as amended, to the City of Kenai, a body politic under the laws of the State of Alaska, Witnesseth:

WHEREAS, The United States of America, acting by and through the Administrator of General Services under and pursuant to the powers and authority contained in the provisions of the Federal Property and Administrative Services Act of 1949 (83 Stat. 377) and the Surplus Property Act of 1944 (58 Stat. 765), as amended, and regulations and orders promulgated thereunder, by instrument entitled "Quitclaim Deed" and dated December 1, 1963, did remise, release, and forever quitclaim to the City of Kenai, its successors and assigns, all rights, title and interests of the United States in and to certain real property located near Kenai, Alaska, under and subject to the reservations, exceptions, restrictions, and conditions contained in the Deed; and \* BOOK 27 PAGES 303-312 Kenai Recording District.

WHEREAS, the City of Kenai has requested the Administrator of the Federal Aviation Administration to release an area of land hereinafter described from all conditions, reservations, and restrictions contained in said "Quitclaim Deed" to permit sale or long-term lease of the property for non-airport use, and has by appropriate resolution No. 70-5 dated March 18, 1970, obligated itself to devote the revenues received from the lease or sale of the hereinafter described property exclusively for the development, improvement, operation, or maintenance of the Kenai Municipal Airport; and

WHEREAS, The Administrator or authorized delegate of the Federal Aviation Administration, under and pursuant to the powers and authority contained in Public Law 81-311 (63 Stat. 700) is authorized to grant a release from any of the terms, conditions, reservations, and restrictions contained in, and to convey, quitclaim, or release any right or interest reserved to the United States by, any instrument of disposal under which surplus airport property was conveyed to a non-Federal public agency pursuant to Section 13 of the Surplus Property Act of 1944 (58 Stat. 765); and

WHEREAS, the Administrator of the Federal Aviation

Administration has determined that said land no longer serves the purpose for which it was transferred; and, that such property can be used, leased, sold, or disposed of by the City of Kenai for other than airport purposes without materially and adversely affecting the development, improvement, operation, or maintenance of the Kenai Municipal Airport; and

WHEREAS, the City of Kenai covenants and agrees as follows:

- (1) To use the revenues received from the sale or lease of the hereinafter-described property, exclusively for the development, improvement, operation of the Kenai Municipal Airport.
- (2) To restrict the height of structures, objects of natural growth and other obstacles on the hereinafter-described real property to a height of not more than 242 feet above mean sea level;
- (3) To prevent any use of the real property hereinafter described which would interfere with the landing or taking off aircraft at the Kenai Municipal Airport or otherwise constitute an airport hazard.

NOW, THEREFORE, for and in consideration of the above-expressed recitals and of the benefits to accrue to the United States and to civil aviation, the United States of America, upon inclusion by the City of Kenai in a Lease or Instrument of Transfer conveying title to the hereinafter described real property of provisions as follows:

- (1) That the City of Kenai reserves unto itself, successors, transferees, and assigns, for the use and benefit of the public a right of flight for the passage of aircraft in the space above the surface of the real property hereinafter described, together with the right to cause in said air space such noise as may be inherent in the operation of aircraft, now known or hereafter used, for navigation of or flight in the said airspace, and for use of said airspace for landing on taking off from or operating on Kenai Municipal Airport,
- (2) That the Grantee expressly agrees for itself, heirs, executors, administrators, successors, transferees, and assigns to restrict the height of structures, objects of natural growth and other obstructions on the hereinafter described real property to a height of not more than 242 feet above mean sea level.
- (3) That the Grantee expressly agrees for itself, heirs, executors, administrators, transferees, and assigns to prevent any use of the herein- after described real property which would interfere with landing or taking off of aircraft at the Kenai Municipal Airport or otherwise constitute an airport hazard.



(4) All covenants heretofore stated shall run with the land and shall inure to the benefit of, and be binding upon the heirs, executors, administrators, successors, transferees, and assigns of the parties hereto.

Hereby releases the said real property from the conditions, reservations, and restrictions as contained in the above-mentioned Instrument of Transfer from the United States of America to the City of Kenai dated December 1, 1963, which real property is described as follows:

T6N R11W Section 33 Seward Meridian KN W1/2 lying N of Kenai Spur Highway & East of Marathon Road excluding all Baron Park Subs & Kenai Industrial Park Sub.

By its acceptance of this Deed of Release the City of Kenai covenants and agrees for itself, successors, transferees, and assigns, to comply with and observe all of the conditions and limitations hereof, which are expressly limited to the above- described real property.

IN WITNESS WHEREOF, the United States of America has caused this Deed of Release to be executed as of the 10<sup>th</sup> day of September 2025.

UNITED STATES OF AMERICA

By 

Laurie Suttmeier  
Division Manager, Airports Division  
Alaskan Region

Accepted:

CITY OF KENAI

By   
Terry Eubank  
City Manager

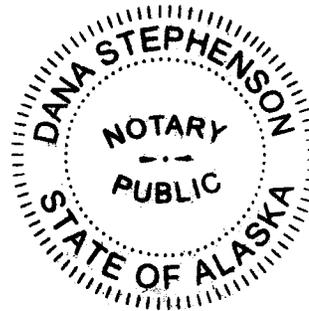


# ALASKA NOTARY ACKNOWLEDGEMENT

State of Alaska

3rd Judicial District of the Municipality of Anchorage

On this 10th day of September in the year 2025, before me, the undersigned notary public, personally appeared: Laurie J. Suttmeier known to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.



(Seal)

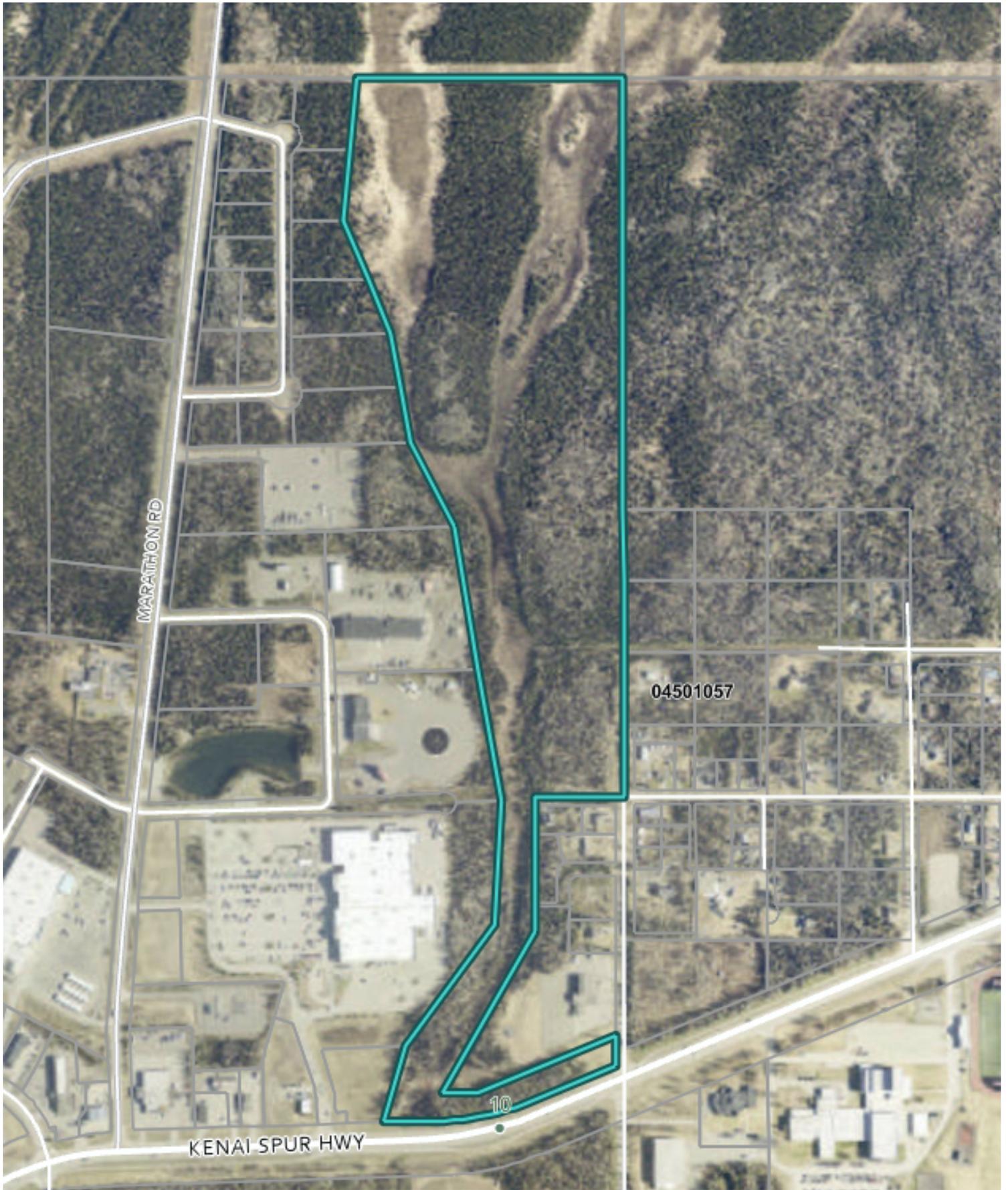
*Dana Stephenson*  
Dana Stephenson, Notary Public

200601001  
Commission Number

My Commission Expires: with office

Return to:  
City of Kenai  
210 Fidalgo Ave.  
Kenai, AK 99611





Proposed Rezone





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Planning and Zoning Commission  
**THROUGH:** Kevin Buettner, Planning Director  
**FROM:** Jessica See, Planning Technician  
**DATE:** February 17, 2026  
**SUBJECT:** **Action/Approval - Transfer of Conditional Use Permit, PZ1997-53 & PZ1999-05 for the use of Lodging, Boat Parking, & Cabin Rentals**

---

The Planning and Zoning Commission is being asked to grant the transfer of Conditional Use Permits for the use of a lodging, cabin rentals, and boat parking on the 0.98-acre property described as Lot 8, Anglers Acres Sub Part Three (3), located at 1125 Angler Drive within the Rural Residential (RR) zoning district. The original resolution number for lodging and boat parking is PZ1996-09 for lodging & boat parking, which was transferred in 1997 (Resolution No. PZ1997-53), and in 1999 cabin rentals were added to the property through resolution number PZ1999-05.

On February 11, 2026, an Application for Transfer of the Conditional Use Permits (CUPs) was submitted by Transferee, Derek Gardner, in accordance with Kenai Municipal Code (KMC), as set forth below:

- KMC 14.20.150(l)(5) *A Conditional Use Permit is not transferable from one (1) parcel of land to another. Conditional Use Permits may be transferred from one (1) owner to another for the same use, but if there is a change in use on the property, a new permit must be obtained.*
- KMC 14.20.157(a) *No Conditional Use Permit issued hereunder shall be transferred until the proposed transferee has made application for transfer in writing filed with the administrative official, which application shall state that he intends to be bound by the plan and statements contained in the application of the permit holder or shall contain the amendments to the plan his proposed operation would mandate. The Commission shall approve the application for transfer and in so doing amend the site plan and statements if such amendments as are contained in the application for transfer would have been approved had they been contained in the original application.*

There will not be a change in use on the property and the transferee has provided a copy of the Alaska State Business License. The transferee is required to operate under the terms and conditions of the approved CUPs at the subject property.

## **STAFF RECOMMENDATION**

---

Staff hereby recommends approval of the Transfer of the Conditional Use Permit Resolution Nos. PZ1997-53 and PZ1999-05 for lodging, cabin rentals, and boat parking on the 0.98-acre property described as Lot 8, Anglers Acres Subdivision Part Three, located at 1125 Angler Drive within the Rural Residential (RR) zoning district, subject to the conditions as set forth in the approved CUPs.

## **ATTACHMENTS**

---

- A. Aerial Map
- B. Application
- C. Resolution Nos. PZ1996-09, PZ1997-53, & PZ1999-05





## Transfer of Conditional Use Permit Application

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

### TRANSFEROR

Current CUP Holder (Transferor):		Jackie English			
Mailing Address:	1125 Angler Drive				
City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	N/A				
Email:	N/A				

### TRANSFeree

Proposed New CUP Holder (Transferee):		Derek Gardner			
Mailing Address:	1125 Angler Drive				
City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):		04939032			
Physical Address:	1125 Angler Drive Kenai, Ak 99611				
Legal Description:	Lot 8 Anglers Acres				
Zoning:	Residential				
Current CUP Resolution #:	PZ1999 - 05 & PZ1997-53				
Allowed Use by Current CUP:	Short Term Rental				

**CERTIFICATION OF TRANSFeree:** I hereby certify that I am the property owner (transferee), or have been authorized to act on behalf of the property owner, and hereby apply for a Transfer of Conditional Use Permit. I agree to operate under the terms and conditions of the original Conditional Use Permit and application. I have submitted with this transfer application any amendments to the site plan or proposed amendments to operation. If amendments would prevent compliance with terms and conditions of the Conditional Use Permit to be transferred, a new Conditional Use Permit may be required. I understand site visits may be required to process this application for purpose of confirming compliance with conditional use permit conditions.

Signature:	<i>Derek Gardner</i>	Date:	2/9/2016
Print Name:	Derek Gardner	Title/Business:	

**ACKNOWLEDGEMENT OF TRANSFEROR:** I hereby acknowledge this application for a Transfer of Conditional Use Permit and consent to the transfer.

Signature:		Date:	
Print Name:		Title/Business:	

**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

**DEREK L GARDNER**

is licensed by the department to do business as

**ALASKA'S FINS AND FEATHERS GUIDING COMPANY**

35555 KENAI SPUR HWY #212, SOLDOTNA, AK 99669

for the period

February 16, 2025 to December 31, 2026

for the following line(s) of business:

53 - Real Estate, Rental and Leasing; 71 - Arts, Entertainment and Recreation



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

CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ 96-9  
**CONDITIONAL USE PERMIT**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **(GRANTING) (DENYING)** A REQUEST FOR A CONDITIONAL USE PERMIT FOR Helen & Bryan Lowe  
USE Lodging & Boat Parking  
LOCATED at Lot 8, Anglers Acres, Part 3

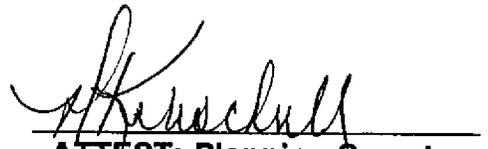
WHEREAS, the Commission finds:

- 1) That an application meeting the requirements of Section 14.20.150 has been submitted and received on: January 19, 1996
- 2) This request is on land zoned Rural Residential
- 3) That the applicant has demonstrated with plans and other documents that they can and will meet the following specific requirements and conditions in addition to existing requirements:
  - a.
  - b.
- 4) That a duly advertised public hearing as required by KMC 14.20.280 was conducted by the Commission on: February 14, 1996

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI THAT THE APPLICANT **(HAS) (HAS NOT)** DEMONSTRATED THAT THE PROPOSED Lodging and Boat Parking MEETS THE CONDITIONS REQUIRED FOR SAID OPERATION AND THEREFORE THE COMMISSION **(DOES) (DOES NOT)** AUTHORIZE THE ADMINISTRATIVE OFFICIAL TO ISSUE THE APPROPRIATE PERMIT.

**PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, FEBRUARY 14, 1996.**

  
CHAIRPERSON

  
ATTEST: Planning Secretary

**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ97-53 (PZ96-9)  
TRANSFER OF CONDITIONAL USE PERMIT  
LODGING & BOAT PARKING**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI GRANTING THE TRANSFER OF A CONDITIONAL USE PERMIT FOR LODGING AND BOAT PARKING AS AUTHORIZED BY 14.20.158 OF THE KENAI ZONING CODE, FROM:

HELEN AND BRYAN LOWE TO JACKIE JOHNSON FOR THE PROPERTY DESCRIBED AS LOT 8, ANGLERS ACRES, PART 3

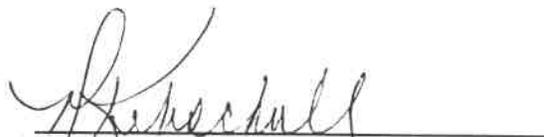
WHEREAS, the Commission finds:

1. That a Conditional Use Permit was granted to Helen & Bryan Lowe on February 14, 1996.
2. That KMC 14.20.158 requires that a written request for transfer be submitted.
3. That Jackie Johnson submitted a request for transfer on November 5, 1997.
4. That the transfer requires that the permit continue operation under conditions originally outlined.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI THAT THE CONDITIONAL USE PERMIT FOR HELEN & BRYAN LOWE FOR LODGING AND BOAT PARKING BE TRANSFERRED TO JACKIE JOHNSON.**

**PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, NOVEMBER 12, 1997.**

  
CHAIRPERSON

  
ATTEST: PLANNING SECRETARY

Transfer  
97-53

**CITY OF KENAI  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. PZ99-05  
CONDITIONAL USE PERMIT**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A REQUEST FOR A CONDITIONAL USE PERMIT TO:

Jackie L. Johnson, 1125 Angler Drive, Kenai, Alaska  
USE **CONDITIONAL USE PERMIT - CABIN RENTALS**  
LOCATED 1125 Angler Drive, Lot 8, Anglers Acres, Part 3 (KPB #04939032)

WHEREAS, the Commission finds:

1. That an application meeting the requirements of Section 14.20.150 has been submitted and received on: February 1, 1999
2. This request is on land zoned: RR--Rural Residential
3. That the applicant has demonstrated with plans and other documents that they can and will meet the following specific requirements and conditions in addition to existing requirements:
  - a.
  - b.
4. That a duly advertised public hearing as required by KMC 14.20.280 was conducted by the Commission on: February 24, 1999

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI THAT THE APPLICANT **HAS** DEMONSTRATED THAT THE PROPOSED CABIN RENTALS MEETS THE CONDITIONS REQUIRED FOR SAID OPERATION AND THEREFORE THE COMMISSION **DOES** AUTHORIZE THE ADMINISTRATIVE OFFICIAL TO ISSUE THE APPROPRIATE PERMIT.

**PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, FEBRUARY 24, 1999.**

  
\_\_\_\_\_  
**CHAIRPERSON**

  
\_\_\_\_\_  
**ATTEST:**





# KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

## MEMORANDUM

**TO:** Planning and Zoning Commission  
**FROM:** Kevin Buettner, Planning Director  
**THROUGH:** Jessica See, Planning Technician  
**DATE:** January 28, 2026  
**SUBJECT:** **Action/Approval - Transfer of Conditional Use Permit, PZ2017-33 for the use of a Retail Marijuana Store**

---

The Planning and Zoning Commission is being asked to grant a Conditional Use Permit for the use of an approximately 1,396 square-foot Retail Marijuana Store within an existing approximately 10,560 square-foot commercial building; consisting of a retail area, marijuana product storage area, and non-marijuana storage basement on the property described as Lot 1-C, Spur Subdivision No. 2, located at 10767 Kenai Spur Highway, Unit D within the Central Mixed Use (CMU) zoning district to Ryan Tunseth. The original resolution number is PZ2017-33.

On January 28, 2026, an Application for Transfer of the Conditional Use Permits (CUPs) was submitted by Transferee, Ryan Tunseth, in accordance with Kenai Municipal Code (KMC), as set forth below:

- KMC 14.20.150(l)(5) *A Conditional Use Permit is not transferable from one (1) parcel of land to another. Conditional Use Permits may be transferred from one (1) owner to another for the same use, but if there is a change in use on the property, a new permit must be obtained.*
- KMC 14.20.157(a) *No Conditional Use Permit issued hereunder shall be transferred until the proposed transferee has made application for transfer in writing filed with the administrative official, which application shall state that he intends to be bound by the plan and statements contained in the application of the permit holder or shall contain the amendments to the plan his proposed operation would mandate. The Commission shall approve the application for transfer and in so doing amend the site plan and statements if such amendments as are contained in the application for transfer would have been approved had they been contained in the original application.*

There will not be a change in use on the property. A copy of the State Business License is on file and included as a part of this application. The transferee is required to operate under the terms and conditions of the approved CUPs at the subject property.

## STAFF RECOMMENDATION

---

Staff hereby recommends approval of the Transfer of the Conditional Use Permit Resolution No. PZ2017-33 for a Marijuana Retail business on the property described as Lot 1-C, Spur Subdivision No. 2, located at 10767 Kenai Spur Highway, within the Central Mixed Used (CMU) zoning district, subject to the conditions as set forth in the approved CUPs.

## ATTACHMENTS

---

- A. Aerial Map
- B. Application
- C. Resolution No. PZ2017-33





## Transfer of Conditional Use Permit Application

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

### TRANSFEROR

Current CUP Holder (Transferor):		Cook Inlet Cannabis Co. DBA EAST RIP			
Mailing Address:	PO BOX 1922				
City:	KENAI	State:	AK	Zip Code:	99611
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

### TRANSFEEE

Proposed New CUP Holder (Transferee):		Straight Street Investments LLC - DBA East Rip			
Mailing Address:	PO BOX 485				
City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

### PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):		047-051-06			
Physical Address:	10767 Kenai Spur Highway Space D				
Legal Description:	Lot 1C Spur Subd. No 2 Sec 31 T5N R11W				
Zoning:	CMU - Central Mixed Use				
Current CUP Resolution #:	PZ 2017-33				
Allowed Use by Current CUP:	Retail Marijuana Store				

CERTIFICATION OF TRANSFEEE: I hereby certify that I am the property owner (transferee), or have been authorized to act on behalf of the property owner, and hereby apply for a Transfer of Conditional Use Permit. I agree to operate under the terms and conditions of the original Conditional Use Permit and application. I have submitted with this transfer application any amendments to the site plan or proposed amendments to operation. If amendments would prevent compliance with terms and conditions of the Conditional Use Permit to be transferred, a new Conditional Use Permit may be required. I understand site visits may be required to process this application for purpose of confirming compliance with conditional use permit conditions.

Signature:				Date:	01/28/26
Print Name:	Jacquelyn Skurkey	Title/Business:	Straight Street Investments LLC - DBA East Rip		

ACKNOWLEDGEMENT OF TRANSFEROR: I hereby acknowledge this application for a Transfer of Conditional Use Permit and consent to the transfer.

Signature:				Date:	01/28/26
Print Name:	Ryan Tunseth	Title/Business:	Cook Inlet Cannabis Co. DBA East Rip		

<b>For City Use Only</b>	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

STRAIGHT STREET INVESTMENTS LLC

is licensed by the department to do business as

**East Rip**

51350 Salty Circle, Kenai, AK 99611

for the period

September 24, 2025 to December 31, 2026  
for the following line(s) of business:

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

**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

STRAIGHT STREET INVESTMENTS LLC

is licensed by the department to do business as

**East Rip**

51350 Salty Circle, Kenai, AK 99611

**ENDORSEMENT: 2222649 - 1**

**Endorsement Type: *Tobacco Products, Electronic Smoking Products, or Products Containing Nicotine***

Effective September 24, 2025 through December 31, 2026

This business license has an endorsement for the physical address shown below:

10767 Kenai Spur Hwy, Suite D, Kenai, AK 99611



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



## *"Village with a Past, City with a Future"*

210 Fidalgo Avenue, Kenai, Alaska 99611-7794  
Telephone: 907-283-7535 / Fax: 907-283-3014  
www.kenai.city

### **CITY OF KENAI PLANNING AND ZONING COMMISSION RESOLUTION NO. PZ2017-33 CONDITIONAL USE PERMIT**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI **GRANTING** A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE AN APPROXIMATELY 1,396-SQUARE-FOOT RETAIL MARIJUANA STORE WITHIN AN EXISTING APPROXIMATELY 10,560-SQUARE-FOOT COMMERCIAL BUILDING; CONSISTING OF AN APPROXIMATELY 300-SQUARE-FOOT RETAIL AREA, MARIJUANA PRODUCT STORAGE AREA AND AN APPROXIMATELY 1,300-SQUARE-FOOT NON-MARIJUANA STORAGE BASEMENT.

APPLICANT: Ryan Tunseth

PROPERTY ADDRESS: 10767 Kenai Spur Highway, Unit D, Kenai, AK 99611

LEGAL DESCRIPTION: Lot 1-C, Spur Subdivision No. 2, Section 31, T5N, R11W

KENAI PENINSULA BOROUGH PARCEL NO: 047-051-06

**WHEREAS**, an application meeting the requirements of Section 14.20.150 has been submitted and received on September 27, 2017; and,

**WHEREAS**, the application affects land which is zoned as Central Mixed Use (CMU); and,

**WHEREAS**, a duly advertised public hearing as required by Kenai Municipal Code 14.20.153 was conducted by the Planning and Zoning Commission on November 8, 2017; and,

**WHEREAS**, the applicant has demonstrated with plans and other documents that the prerequisites of a Conditional Use Permit have been met; and,

**WHEREAS**, Kenai Municipal Code 14.20.150 details the intent and application process for conditional uses and specifies the review criteria that must be satisfied prior to issuing the permit, which are the following:

- (1) The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district.

The subject parcel is zoned Central Mixed Use (CMU), and is therefore subject to the Principal Permitted and Conditional land-uses as shown on KMC 14.22.010 - Land Use Table. Pursuant to Ordinance, 2870-2016 as approved by the Council of the City of Kenai

on January 20, 2016, which became effective on February 19, 2016, a Retail Marijuana Store may be established and operated under a Conditional Use Permit within the Central Mixed Use Zone.

The Central Mixed Use Zone, as outlined in KMC 14.20.125 is established to provide a centrally located area in the City for general retail shopping, personal and professional services, entertainment establishments, restaurants and related businesses. The district is also intended to accommodate a mixture of residential and commercial uses. The CMU Zone shall be designed to encourage pedestrian movement throughout the area. Building and other structures within the district should be compatible with one another and the surrounding area.

The subject commercial building was constructed in 1997 and contains four tenant spaces. The subject tenant spaces range in size from approximately 956 square feet to 1,496 square feet. Furthermore, the subject building contains a basement which is located beneath the proposed CME and the space next door located to the west. The existing commercial building contains a retail-clothing store, accounting and tax office and a dentist office. The subject commercial building also contains a separate 1-bedroom apartment space, which is located above the proposed CME.

As proposed, the Commercial Marijuana Establishment would consist of an approximately 1,396-square-foot Retail Marijuana Store located within a leased tenant space. The proposed Retail Marijuana Store would contain an approximately 300-square-foot retail area, a marijuana product storage area and an approximately 1,300-square-foot non-marijuana storage area located in the basement.

The Kenai Spur Highway is classified by the State of Alaska Department of Transportation and Public Facilities as a Major Collector. A collector is defined as "A road classification applicable to roads serving a mixture of local access and through traffic, for which the volume, average speed, and trip length of vehicles using the road are usually lower than for principal or minor arterials, but higher than for local roads." Furthermore, KMC 14.20.320 defines a Collector as "...a street located and designed for the primary purpose of carrying through traffic and of connecting major areas of the City".

Pursuant to the submitted site plan, primary access to the subject Commercial Marijuana Establishment (CME) would be from the Kenai Spur Highway or from Frontage Road. Designated parking would be located to the south of the proposed CME within the existing parking lot. The parking area would consist of 10 spaces there are striped and specific to the proposed CME.

Therefore, given the above discussion within the context of the proposed land-use project, it seems reasonable the proposed Commercial Marijuana Establishment would be consistent with the purpose of KMC 14.20.150 and the intent of the Central Mixed Use Zoning District given the compliance with staff recommended specific conditions of approval.

- (2) The value of the adjoining property and neighborhood will not be significantly impaired.

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 Statue 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 Central Mixed Use Zone with a Conditional Use Permit. In addition, pursuant to 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 the surrounding neighborhood.

Pursuant to the submitted application materials and a site visit by staff, the proposed CME would comply with the requirements contained within KMC 14.20.330. As reviewed by staff, the proposed CME would be contained within a fully enclosed secure indoor facility as required by KMC 14.20.330(d), thereby, helping to mitigate the potential impact to surrounding property owners. In addition, pursuant to KMC 14.20.330 (e) no CME's shall emit an odor that is detectable by the public from outside the CME. Pursuant to the submitted supplemental application materials, the applicant has indicated that they will implement an Odor Control Plan. The Odor Control Plan will consist of a clean air intake and HEPA filtration. Furthermore, the applicant has indicated that they will use mechanical ventilation, active carbon filtration and use of negative air pressure to further control odors. Furthermore, the applicant has indicated that marijuana products will be pre-packaged in sealed jar or blister packs to ensure that odors are minimized. The applicant has indicated in their Odor Control Plan that excess marijuana products would be stored in a separate restricted access room to ensure that higher potential odor area is segregated and filtered. Thus, according to the Odor Control Plan, the proposed CME would not generate any odors, which would be detectable by the public.

Concerning visual and auditory impacts of the proposed CME, pursuant to the KMC 14.20.330 the Retail Marijuana Store would be located within a fully enclosed secure commercial building. The subject tenant space contains two entrances, one, which is located on the east side of the space, and one, which is located on the south side of the space. The applicant has indicated that they will be using the entrance located on the south side of the space. Thus, access will be controlled through one door.

KMC Chapter 14.25 details the requirements of the submission and approval of a Landscape Site Plan. KMC 14.25.020 gives the requirements and in part, states that a Landscape Site Plan is required for all commercial development, which requires a change of use under KMC 14.20.250(a). The proposed project requires a change of use under KMC 14.20.250(a) – Off-street parking and loading requirements and therefore requires the submission of a Landscape Site Plan because the proposed use of the building is a change of use. A Landscape Site Plan will be required to be approved by the Planning Department prior to issuance of the Building Permit.

The Landscape Site Plan will need to demonstrate compliance with the off-street parking requirements in KMC 14.20.250(8) for a "Stores: Retail and wholesale of non-bulky items", which requires One (1) space for every 300 square feet of gross floor area. Therefore, five (5) off-street parking spaces will be required.

Pursuant to 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 an appropriate license for a Marijuana Establishment will have to be issued by the State of Alaska Marijuana Control Board. Staff therefore recommends that a condition be added to require that prior to operation of the CME, a copy of the approved appropriate license be furnished to the City of Kenai.

Therefore, provided that all conditions recommended by staff and the Planning and Zoning Commission are followed, staff believes that the value of the adjoining property and neighborhood will not be significantly impaired.

(3) The proposed use is in harmony with the Comprehensive Plan.

The subject parcel is defined in the 2030 Imagine Kenai Comprehensive Plan as Central Commercial (CC). The plan defines CC as *“Central Commercial is intended for retail, service, and office businesses at a more compact and denser scale; locations are accessible and convenient to both motorist and pedestrians. Central Commercial-type development is particularly desirable in the Townsite Historic District and adjacent core area...”*

Goal 3 – Land Use of the 2030 Imagine Kenai Comprehensive Plan seeks to discuss land use strategies to implement a forward-looking approach to community growth and development. Objective LU-1 states “Establish siting and design standards so that development is in harmony and scale with surrounding uses.” The applicants have indicated that they do not plan to enlarge the existing commercial building nor change its overall design. The proposed use would be open to the public between the hours of 9:00 AM and 11:00 PM on any day. The name of the applicants company is Cook Inlet Cannabis Company, doing business as East Rip. Therefore, the applicant has proposed to install two signs on the existing building. The subject commercial building contains an existing sign face, which is located above the space that the applicant proposes to lease.

The area is comprised of existing commercial development located along the Kenai Spur Highway and Frontage Road. Therefore as proposed, the development would be in harmony with the 2030 Imagine Kenai Comprehensive Plan.

(4) Public services and facilities are adequate to serve the proposed use.

City water and sewer serve the subject property. City of Kenai police and fire department resources are sufficient to serve the proposed use.

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

The proposed use is to establish and operate a Commercial Marijuana Establishment consisting of Retail Marijuana Store, located within an existing commercial building.

Pursuant to the submitted application, and KMC 14.20.330(e) the CME would not emit an odor that is detectable by the public. The CME would also require the approval and issuance of a Retail Marijuana Store license from the State of Alaska Marijuana Control Board. The license is subject to the provisions found in 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.

KMC 14.20.330(f) provides that no portion of a CME can be located within the following buffer distances:

- (1) *1,000 feet of any primary and secondary schools (K-12) and 500 feet of any vocational programs, post-secondary schools including but not limited to trade, technical, or vocational schools, colleges and universities, recreation or youth centers, correctional facilities, churches, and state licensed substance abuse treatment facilities providing substance abuse treatment; and,*
- (2) *Buffer distances shall be measured as the closest distance from the perimeter of a stand-alone commercial marijuana establishment structure to the outer boundaries of the school, recreation or youth center, or the main public entrance of a church, correctional facility, or a substance abuse treatment facility providing substance abuse treatment. If the commercial marijuana establishment occupies only a portion of a structure, buffer distances are measured as the closest distance from the perimeter of the closest interior wall segregating the commercial marijuana establishment from other uses, or available uses in the structure, or an exterior wall if closer, to the outer boundaries of the school, recreation or youth center, or the main public entrance of a church or correctional facility, a substance abuse treatment facility providing substance abuse treatment.*

With regards to buffer distances as discussed in KMC 14.20.330(f)(1), the proposed CME would not be located within 1,000 feet of any primary and secondary school (K-12) or within 500 feet of any vocational program, post-secondary school including but not limited to trade, technical, or vocational schools, college and 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. Therefore, the proposed CME meets the buffer requirements of KMC 14.20.330(f)(1).

Therefore, giving the above discussion and proposed conditions of approval, staff believes that they proposed Commercial Marijuana Establishment, would not have a harmful impact to the public safety, health or welfare; and,

**WHEREAS**, any and all specific conditions deemed necessary by the Planning and Zoning Commission to fulfill the conditions as set forth below shall 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, as follows:

1. Further development of the property shall conform to all federal regulations related to building codes and accessibility and all state and local regulations.
2. A building permit will be required for the construction of the Commercial Marijuana Establishment as shown on the submitted floor plan.
3. Prior to issuance of the Building Permit, the applicant shall submit a Landscape Site Plan for review and approval by Planning Administration. The Landscape Site Plan shall demonstrate compliance with Kenai Municipal Code Chapter 14.25 – Landscaping/Site Plan Regulations.

4. Prior to operation of the Retail Marijuana Store, 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 State of Alaska Marijuana Control Board.
5. A Sign Permit will be required for the construction of any proposed signage.
6. Pursuant to Kenai Municipal Code Section, 14.20.150(f) the applicant shall submit an Annual Report to the City of Kenai.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA THAT THE APPLICANT HAS DEMONSTRATED THAT THE OPERATION OF AN APPROXIMATELY 1,396-SQUARE-FOOT RETAIL MARIJUANA STORE WITHIN AN EXISTING APPROXIMATELY 10,560-SQUARE-FOOT COMMERCIAL BUILDING; CONSISTING OF AN APPROXIMATELY 300-SQUARE-FOOT RETAIL AREA, MARIJUANA PRODUCT STORAGE AREA AND AN APPROXIMATELY 1,300-SQUARE-FOOT NON-MARIJUANA STORAGE BASEMENT MEETS THE CONDITIONS REQUIRED FOR SAID OPERATION AND THEREFORE THE COMMISSION DOES AUTHORIZE THE ADMINISTRATIVE OFFICIAL TO ISSUE THE APPROPRIATE PERMIT.**

**PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 13<sup>th</sup> day of December, 2017.**

**AMENDED BY THE BOARD OF ADJUSTMENT OF THE CITY OF KENAI, this 8<sup>th</sup> day of March, 2018.**

ATTEST:

  
Brian S. Gabriel, Sr. Chairperson

  
Jamie Heinz, City Clerk







February 9, 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

- \*6. Commissioner Excused Absences**
  - a. Jeffrey Epperheimer, Nikiski District
- \*7. Minutes**
  - a. January 26, 2026 Planning Commission Meeting Minutes

**Motion to approve the consent & regular agendas passed by unanimous vote (7-Yes, 1-Absent, 1-Vacant).**

#### 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. Building Setback Encroachment Permit; KP File 2026-001; PC Resolution 2026-11

Segesser Surveys / Milliron  
Request: Permits a portion of the garage to remain within the 20' building setback on the western lot line along Northbridge Dr. on Lot 1 Block 5 Willow Brook North Addition, Plat KN 98-42  
Kalifornsky Area

**Motion to adopt Planning Commission Resolution 2026-11 granting a building setback encroachment permit passed by unanimous vote. (7-Yes, 1-Absent, 1-Vacant)**

**2. Utility Easement Vacation; KPB File 2026-004V**

McLane Consulting Group / Heintz

Request: Vacates the 10' utility easement along the northeastern boundary of Lot 10B and associated 10' utility easement along the southwestern boundary of Lot 8B, all within Block 2, Pavilion Subdivision Part 2, Plat KN 83-156

Ridgeway Area

Staff Responsible: Platting Manager Vince Piagentini

[Motion to grant the vacation as petitioned passed by unanimous vote \(7-Yes, 1-Absent, 1-Vacant\)](#)

**Public Hearing: Legislative Matters**

**3. ROW Vacation; KPB File 2026-005V**

McLane Consulting / Cowan

Request: Vacates a portion of the Bogie Court ROW & associated utility easement

Location: Lot 5-A, Replat of Lots 5 & 6 , Block 1 Golf Acres Subdivision, Plat KN 79-84

City of Soldotna

Staff Responsible: Platting Manager Vince Piagentini

[Motion to grant the vacation as petitioned passed by unanimous vote \(7-Yes, 1-Absent, 1-Vacant\)](#)

**4. ROW Vacation; KPB File 2026-006V**

McLane Consulting / Hall

Request: Vacates a portion of Narrow Road near the intersection with DeBusk Drive

Location: Lots 11-14 Immanuel Subdivision No. 2, Plat KN 2025-14

Nikiski Area

Staff Responsible: Platting Manager Vince Piagentini

[Motion to grant the vacation as petitioned passed by unanimous vote \(7-Yes, 1-Absent, 1-Vacant\)](#)

**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)*

**5. Conditional Land Use Permit; PC Resolution 2026-12**

Applicant: M&M Gravel

Legal Description: T07N R12W SEC 35 Seward Meridian KN E1/2 NE1/4 NW1/4

Parcel ID: 01516017

Nikiski Area

Staff Responsible: Planner Ryan Raidmae

[Motion to adopt Planning Commission Resolution 2026-12 granting approval of a conditional land use permit to operate a sand, gravel or materials site under Type I & II endorsements passed by unanimous vote \(7-Yes, 1-Absent, 1-Vacant\)](#)

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

**G. OTHER**

**H. PRESENTATIONS/PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE**

**I.**

**J. AGENDA** (3 MINUTES PER SPEAKER)

**K. DIRECTOR'S COMMENTS**

**L. COMMISSIONER COMMENTS**

**M. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS**

**NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held **Monday, February 23, 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](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.



February 9, 2026 – 6:30 PM

## Action Agenda

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

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

**Pamela Gillham, Vice Chair**  
Kalifornsky / Kasilof 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

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

#### 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. **Agenda**
- \*4. **Grouped Plats**  
E4. Pavilion Subdivision Part 2 Amended 2026 Replat

[Motion to approve the agenda and grouped plats passed by unanimous vote \(4-Yes\)](#)

#### 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. Timberline Rush Patch Replat; KPB File 2025-162

Mullikin Surveys / Rush, Patch  
Street Location: East End Road & Cannonball Circle  
Fritz Creek Area

[Motion to grant preliminary approval passed by unanimous vote \(4-Yes\)](#)

[Motion to grant the exception to KPB 20.30.120\(A\) – Minimum Right-of-Way Width, passed by unanimous vote \(4-Yes\)](#)

2. Wilderness Edge Subdivision; KPB File 2026-002  
Peninsula Surveying / Lucas, Hewitt-Lucas  
Street Location: Lake Road, Goodyear Avenue, Cummins Avenue & Moose Ridge Avenue  
Funny River Area / Funny River APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

Motion to grant the exception to KPB 20.30.170 – Block Length Requirements & 20.30.030(A) – Proposed Street Layout, passed by unanimous vote (4-Yes)

3. Enzler Subdivision 2026 Replat; KPB File 2026-003  
McLane Consulting Group / Norris  
Street Location: Big Eddy Road, Joplin Circle & Enzler Place  
Ridgeway Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

Motion to grant the exception to KPB 20.40.040 – Convectional Onsite Soils Absorption Systems, passed by unanimous vote (4-Yes)

4. Pavilion Subdivision Part 2 Amended 2026 Replat; KPB File 2026-004  
McLane Consulting Group / Heintz  
Street Location: Marlyss Circle  
Ridgeway Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

5. Immanuel Subdivision No. 3; KPB File 2026-006  
McLane Consulting Group / Hall  
Street Location: De Busk Dr, Lucky Ln, Holt-Lamplight Rd, Georgine Lake Rd, Shalom Ln & Narrow Rd  
Nikiski Area / Nikiski APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes)

**F. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA** (3 MINUTES PER SPEAKER)

**G. ADJOURNMENT**

**MISCELLANEOUS INFORMATIONAL ITEMS**

**NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING**

The next regularly scheduled Plat Committee meeting will be held **Monday, February 23, 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 **6:30 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.



## Kenai City Council - Regular Meeting

February 04, 2026 – 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

1. Annual Review of City of Kenai Permanent and Custody Funds, 2025 Financial Performance, Financial Projections and Recommend 2026 Asset Allocation for the City's Permanent and Custody Funds, Chief Executive Officer Bill Lierman and Chief Investment Officer Brandy Niclai, from Alaska Permanent Capital Management.

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

1. Kenai Chamber of Commerce and Visitor Center Annual Report, Samantha Springer, Executive Director.

#### 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. 3500-2026** - Sunsetting the Harbor Commission, Amending Kenai Municipal Code 1.90.010 - General Standards for Standing Advisory Commissions, Repealing Kenai Municipal Code 1.95.040 - Harbor Commission, Repealing Kenai Municipal Code 11.20 - Leasing of Tidelands, Amending Kenai Municipal Code 14.05.010 - Duties and Powers, Enacting Kenai Municipal Code 22.05.016 - Tidelands Available for Leasing, Enacting Kenai Municipal Code Chapter 22.10 - Tideland Leases for Shore Fisheries, and Amending Council Policy 20.020 to Reflect the Sunsetting of The Harbor Commission. (Administration)
2. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3501-2026** - Determining Four City-Owned Properties in the Beaver Loop Area are Not Needed for a Public Purpose and Authorizing Sale by Public Sealed Bid Auction. (Administration)

3. **ENACTED UNANIMOUSLY. Ordinance No. 3502-2026** - Authorizing the City Manager to Reimburse Annual Leave Used by Firefighter Garrick Martin for Attending a Paramedic Internship Program. (Administration)
4. **ENACTED UNANIMOUSLY. Ordinance No. 3503-2026** - Increasing Estimated Revenues and Appropriations in the Water & Sewer Capital Project Fund and Accepting a Loan from the State Revolving Fund Program for the Water Treatment Pumphouse Project. (Administration)
5. **ADOPTED UNANIMOUSLY. Resolution No. 2026-10** - Authorizing the Use of the Equipment Replacement Fund for the Purchase of a New Trackless MT7 with Snow Blower Attachment. (Administration)
6. **ADOPTED UNANIMOUSLY. Resolution No. 2026-11** - Designating the Investment and Allocation Plan for the City's Permanent Funds and Establishing Appropriate Benchmarks to Measure Performance for Calendar Year 2026. (Administration)

#### **F. MINUTES**

1. \*Regular Meeting of January 21, 2026. (City Clerk)

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

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

1. \***Action/Approval** - Bills to be Ratified. (Administration)
2. \***Ordinance No. 3504-2026** - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health, Division of Senior and Disabilities Services, for Nutrition, Transportation, and Support Services. (Administration)
3. **APPROVED UNANIMOUSLY. Action/Approval** - Confirmation of Mayoral Nomination for a Partial Term Appointment of Scott Bremer to the Airport Commission. (Knackstedt)
4. **WORK SESSION SCHEDULED FOR APRIL 1, 2026 AT 4PM. Discussion** - Scheduling a Work Session with Alaska Permanent Capital Management to Discuss Potential Amendments to Kenai Municipal Code Investment Options. (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**

1. New Gas Storage Facility within the City of Kenai. Pursuant to AS 44.62.310(c)(1) a Matter of which the Immediate Knowledge may have an Adverse Effect upon the Finance of the City and AS 44.62.310(c)(3) a Matter which by Law, Municipal Charter, or Ordinance are required to be Confidential. (Administration)

**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/meeting/register/Olf3n\\_PBTH-GazGogdvqug](https://us02web.zoom.us/meeting/register/Olf3n_PBTH-GazGogdvqug)



## Kenai City Council - Regular Meeting

February 18, 2026 – 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

1. Fiscal Year 2025 Audit Report, Principal Assurance Practice Leader Joy Merriner, BDO USA, LLP.

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

1. Project Homeless Connect 2026, LeeShore Center Executive Directory Cheri Smith

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

#### E. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3504-2026** - Accepting and Appropriating an Increase in the Title III Grant from the State of Alaska Department of Health, Division of Senior and Disabilities Services, for Nutrition, Transportation, and Support Services. (Administration)
2. **ADOPTED WITHOUT OBJECTION. Resolution No. 2026-12** - Authorizing the Use of the Fleet Replacement Fund for the Purchase of Two Ford Bronco SUVs Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2026-13** - Amending the City's Schedule of Rates, Charges, and Fees to Add a Metered Pressed Septage Effluent Rate. (Administration)

#### F. MINUTES

1. \*Regular Meeting of February 4, 2026. (City Clerk)

**G. UNFINISHED BUSINESS**

**H. NEW BUSINESS**

1. \***Action/Approval** - Bills to be Ratified. (Administration)
2. \***Action/Approval** - Confirmation of Mayoral Nomination for a Partial Term Appointment of Maeve Spiegler to the Parks & Recreation Commission. (Knackstedt)
3. \***Ordinance No. 3505-2026** - Increasing Estimated Revenues and Appropriations in the General Fund – Buildings Department Computer Software, for the Purchase of Permitting Software. (Administration)
4. **APPROVED WITHOUT OBJECTION. Action/Approval** - Peninsula Oilers Baseball Club Special Use Permit for use of the Challenger Learning Center to temporarily house players and staff of opposing teams for the 2026 Alaska Baseball League season. (Administration)
5. **APPROVED WITHOUT OBJECTION. Action/Approval** - Kenai Peninsula Economic Development District Strategic Asset Partner Designation (Pipeline to Pipeline Initiative). (Administration)
6. **Discussion/Action** - Request for Council Direction to Prepare Legislation to Determine a Portion of City Owned Land - Tract A, Woodland Subdivision Part 4 is No Longer Needed for a Public Purpose.

**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](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/meeting/register/Wz1RgLBpQkOwBVR75FRfcA>