



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

September 23, 2026 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Agenda

A. CALL TO ORDER

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of August 26, 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

1. **Resolution PZ2026-30** - Recommending that Preliminary Plat Micah Subdivision Parks Replat be Approved.
2. **Resolution PZ2026-31** - Recommending that Preliminary Plat Enders Subdivision 2027 Replat be Approved.

F. PUBLIC HEARINGS

1. **Resolution PZ2026-28** - Granting the Application for a Variance Permit to Build into the Ten-Foot (10') Setback Along the North Side of Parcel 04510014 Located at 503 Candlelight Drive.
2. **Resolution PZ2026-29** - Granting a Conditional Use Permit for the Operation of a Non-Commercial Recreational Vehicle Park and Campground at 1518 Tundra Rose Lane.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Home Occupation Permit For a Home-Based Food Business Specializing in Baked Goods and Confections That Will Be Prepared, Packaged, and Stored Inside the Family Residence at 207 Linwood Lane.
2. **Discussion** - Federal Energy Regulatory Commission Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions to Intervene, and Competing Application.
3. **Action/Approval** - Request for Inclusion of Comprehensive Plan Project into FY2028-2032 of Kenai Capital Improvement Plan
4. **Action/Approval** - Rescheduling End of Year Meeting

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: October 14, 2026

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

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

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

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

<https://us02web.zoom.us/join/register/N7vNrZXcSOiLz7Gk1GkTJA>

**KENAI PLANNING & ZONING COMMISSION – REGULAR MEETING
AUGUST 26, 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 August 26, 2026, in City Hall Council Chambers, Kenai, AK. Chair Keaton called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Keaton led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeanne Keaton, Chair
Gwen Woodard
Stacie Krause

Alex Douthit, Vice Chair
Marty Askin
Diane Fikes

A quorum was present.

Absent:

Sonja Earsley

Also in attendance were:

Kevin Buettner, Planning Director
Victoria Askin, 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 G.3 **Public Comment**

Add to item G.4 **Public Comment**

Add to item G.7 **Public Comment**

MOTION:

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

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

Chair Keaton opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

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

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

B. APPROVAL OF MINUTES

1. *Regular Meeting of August 12, 2026.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS - None.

F. PUBLIC HEARINGS - None.

G. UNFINISHED BUSINESS

1. **Resolution PZ2026-20** - Recommending Approval of a Rezone of Parcels 04923002, 04923003, and 04923004, with the Physical Addresses of 5940 & 5968 Kenai Spur Highway and 220 N. Fern Street, From Limited Commercial to Rural Residential.

MOTION:

Vice Chair Douthit **MOVED** to approve Resolution PZ2026-20. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-20; and noted that the applicant had withdrawn the request to rezone.

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

MOTION:

Vice Chair Douthit **MOVED** to postpone Resolution PZ2026-20 indefinitely. Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to postpone indefinitely.

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

2. **Resolution PZ2026-21** - Granting a Conditional Use Permit for the Operation of a Six (6) Space Recreational Vehicle Park on parcel 04331037.

MOTION:

Vice Chair Douthit **MOVED** to approve Resolution PZ2026-21. Commissioner Askin **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-21.

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

Clarification was provided that the written comment in support submitted by a neighboring property owner was omitted from the packet in error; the landscaping and screening requirements for the property; and no on-site recreation vehicle wastewater disposal was proposed or permitted.

There was discussion regarding the nature of the existing use; the length of time operating with the existing use; the absence of known complaints or oppositions; and the Lodge's involvement in the community.

UNANIMOUS CONSENT was requested.

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

Chair Keaton noted the 15-day appeal period.

3. Resolution PZ2026-22 - Granting a Conditional Use Permit for Surface Extraction of Natural Resources on KPB Parcel 04901069.

MOTION:

Vice Chair Douthit **MOVED** to approve Resolution PZ2026-22. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-22.

Chair Keaton opened the floor for public comments.

Curt Wilcox, neighboring property owner, spoke in opposition to the Resolution, noting concerns regarding compliance with the existing Conditional Use Permit and City requirements; excavation within buffer areas and below the water table; noise mitigation; potential impacts to adjacent property and water resources, including an anadromous stream originating on his property; and he requested continued compliance with the requirements of the existing Conditional Use Permit.

Clarification was provided regarding City Code requirements governing excavation below the water table.

Nick Staller, Area Manager for Quality Asphalt Paving (QAP), spoke in support of the Resolution, outlining the proposed operations; site access and hours of operation; excavation below the water table and site reclamation; truck traffic and school bus activity; the use of white-noise backup alarms, and the anticipated excavation depths.

Gina DeBardelaben, Civil Engineer with McLane Consulting, spoke in support of the Resolution, outlining the firm's involvement with the permit application; prior site investigations; excavation below the water table; potential ground water impacts; proposed buffer areas; and operating hours, including potential nighttime operations.

There being no one else wishing to be heard, the public comment period was closed.

MOTION TO AMEND:

Vice Chair Douthit **MOVED** to amend Resolution PZ2026-22 as follows:

Section 2, insert a new 8th condition to read, "The permittee must install multi-frequency (white noise) back-up alarms on all equipment and vehicles that have existing state or federal back-up alarm requirements."

Commissioner Askin **SECONDED** the motion.

VOTE ON MOTION TO AMEND:

YEA: Woodard, Keaton, Douthit, Fikes, Krause, Askin

NAY: None

ABSENT: Earsley

MOTION TO AMEND PASSED.

There was discussion regarding proposed limitations on nighttime operations and establishing standard operating hours of 7:00 a.m. to 7:00 p.m. Clarification was provided regarding the process for approving nighttime operations, notice requirements for permit modifications, applicability of the proposed restrictions to Lot 2, and potential impacts to project scheduling.

MOTION TO AMEND:

Commissioner Fikes **MOVED** to amend PZ2026-22 as follows:

Section 2, condition 4 to read, "The applicant will limit noise disturbance and not use compression release brakes (Jake brakes). Applicant will adhere to proposed hours of operation, 7AM to 7PM, with the allowance of outside hours being utilized [ON AN AS-NEEDED, PROJECT SPECIFIC BASIS AND NOT ONGOING] no greater than seven consecutive days without notification to City Administration."

Vice Chair Douthit **SECONDED** the motion.

VOTE ON MOTION TO AMEND:

YEA: Keaton, Askin, Douthit, Fikes, Krause, Woodard

NAY: None

ABSENT: Earsley

MOTION TO AMEND PASSED.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Douthit, Keaton, Askin, Krause, Fikes, Woodard

NAY: None

ABSENT: Earsley

MOTION PASSED AS AMENDED.

4. Resolution PZ2026-23 - Granting a Conditional Use Permit for Surface Extraction of Natural Resources on KPB Parcel 04901070.

MOTION:

Vice Chair Douthit **MOVED** to approve Resolution PZ2026-23. Commissioner Askin **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-23.

Chair Keaton opened the floor for public comments.

Curt Wilcox, neighboring property owner spoke in opposition to the Resolution, noting his previous testimony on Resolution PZ2026-22 also applied to this Resolution; and clarified the intent of his request for white-noise backup alarms was for application to all QAP operations and parcels in the Beaver Loop area.

Nick Staller, Area Manager for Quality Asphalt Paving (QAP), spoke in support of the Resolution clarifying the proposed gravel extraction would support the company's projects.

Gina DeBardelaben, Civil Engineer at McLane Consulting provided clarification regarding the material report and associated graphics; test hole data; material composition and depths; sieve analysis; suitability of materials for construction use; and stated that testing was performed at the City's request as part of the evaluation of property marketability.

There being no one else wishing to be heard, the public comment period was closed.

MOTION TO AMEND:

Vice Chair Douthit **MOVED** to amend Resolution PZ2026-23 as follows:

Section 2, insert a new 8th condition to read, "The permittee must install multi-frequency (white noise) back-up alarms on all equipment and vehicles that have existing state or federal back-up alarm requirements."

Section 2, condition 4 to read, "The applicant will limit noise disturbance and not use compression release brakes (Jake brakes). Applicant will adhere to proposed hours of operation, 7AM to 7PM, with the allowance of outside hours being utilized [ON AN AS-NEEDED, PROJECT SPECIFIC BASIS AND NOT ONGOING] no greater than seven consecutive days without notification to City Administration."

Commissioner Askin **SECONDED** the motion.

VOTE ON MOTION TO AMEND:

YEA: Askin, Douthit, Fikes, Krause, Woodard, Keaton

NAY: None

ABSENT: Earsley

MOTION TO AMEND PASSED.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Krause, Fikes, Woodard, Douthit, Keaton, Askin

NAY: None

ABSENT: Earsley

MOTION PASSED AS AMENDED.

5. Resolution PZ2026-24 - Granting a Variance Permit for Surface Extraction of Natural Resources on KPB Parcel 04901069 within the Setback.

MOTION:

Commissioner Krause **MOVED** to approve Resolution PZ2026-24. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-24.

Chair Keaton opened the floor for public comments.

Curt Wilcox, neighboring property owner spoke in opposition to the Resolution, stating his previous testimony provided on Resolutions PZ2026-22 and PZ2026-23 also applied to this Resolution.

Nick Staller, Area Manager for Quality Asphalt Paving, spoke in support of the Resolution noting the reduced setback would allow for greater gravel extraction from the property.

Staff provided clarification regarding setback requirements, utility easements, shared line between adjoining material sites and site access.

There was discussion regarding the surrounding land uses and the appropriateness of the reduced setbacks given the location of the property.

There being no one else wishing to be heard, the public comment period was closed.

VOTE:

YEA: Keaton, Askin, Krause, Fikes, Woodard, Douthit

NAY: None

ABSENT: Earsley

MOTION PASSED AS AMENDED.

6. Resolution PZ2026-25 - Granting a Variance Permit for Surface Extraction of Natural Resources on KPB Parcel 04901070 within the Setback.

MOTION:

Commissioner Douthit **MOVED** to approve Resolution PZ2026-25. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-25.

Chair Keaton opened the floor for public comments.

Nick Staller, Area Manager for Quality Asphalt Paving spoke in support of the Resolution, noting the surrounding properties and the intent to maximize available material resources.

Gina DeBardelaben, Civil Engineer at McLane Consulting provided clarification regarding adjacent property ownership, the size and use of an adjoining access area, and the status as an access point rather than a dedicated roadway.

There was discussion regarding the reduced setbacks in relation to surrounding land uses and the limited potential impacts on residential developments.

Curt Wilcox, neighboring property owner, noted concerns with use of his property for access; the proposed setback; and maintaining future access to the property.

Staff provided clarification regarding the right-of-way, property boundaries, and the distance between the proposed excavation setback and potential future roadway.

There being no one else wishing to be heard, the public comment period was closed.

VOTE:

YEA: Krause, Fikes, Woodard, Douthit, Keaton, Askin

NAY: None

ABSENT: Earsley

MOTION PASSED.

7. Resolution PZ2026-26 - Granting a Variance Permit for Surface Extraction of Natural Resources on KPB Parcel 04911029 within the Setback.

MOTION:

Vice Chair Douthit **MOVED** to approve Resolution PZ2026-26. Commissioner Askin **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-26.

Chair Keaton opened the floor for public comments.

Curt Wilcox, neighboring property owner noted concerns regarding the proposed setback; potential groundwater contamination; excavation within an area identified as containing peat; and questioned if baseline and ongoing water quality testing should be conducted for nearby properties.

Nick Staller, Area Manager for Quality Asphalt Paving, spoke in support of the Resolution clarifying that the setback would be maintained along Beaver Loop with a reduced 50-foot setback proposed along the boundary adjacent to the Kenai Peninsula Borough property to accommodate potential material extraction.

Gina DeBardelaben, Civil Engineer at McLane Consulting provided clarification regarding the 50-foot setback; the borough property setback requirements; material testing; and the quality of gravel available withing the proposed reduced setback area.

There was discussion regarding the proposed setback; future public access; the required 150-foot setback from nearby residence; and clarification was provided that the section line easement would remain unaffected as the variance applied only to the identified setback area.

Staff clarified that the variance did not modify the existing Conditional Use Permit; stated contact would be made with the property owner and an on-site inspection to address compliance with existing noise-mitigation requirements would be performed; and provided an overview of the process for investigating potential Conditional Use Permit violations and complaints.

Mr. Wilcox, in response to Commission questions, presented an audio recording of the noise from existing operations.

Mr. Staller indicated there would be discussions regarding the use of white-noise backup alarms on existing equipment with the company.

In response to additional questions, Mr. Wilcox provided further testimony and presented a recording of
There being no one else wishing to be heard, the public comment period was closed.

VOTE:

YEA: Fikes, Woodard, Douthit, Keaton, Askin, Krause

NAY: None

ABSENT: Earsley

MOTION PASSED.

H. NEW BUSINESS - None.

I. REPORTS

1. Planning Director - No report.

2. Commission Chair

Chair Keaton reported on the following:

- Referenced the Kenai Peninsula Economic Development District Housing Assessment Report and emphasized the need for continued residential planning, including opportunities for middle housing and future residential growth.

3. Kenai Peninsula Borough Planning

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

4. City Council Liaison

Vice Mayor Askin reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENTS - None.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: September 9, 2026

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Krause thanked the City Council for their support with the Kenai Central High School Pool.

Vice Chair Douthit noted support for the Kenai Peninsula Borough's efforts to return vacant land to productive use and encourage residential development.

Chair Keaton noted the importance of addressing housing availability and affordability throughout the community and Borough, with support noted for continued efforts to encourage housing development.

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 10:00 p.m.

I certify the above represents accurate minutes of the Kenai Planning & Zoning Commission meeting of August 26, 2026.

Logan Parks, Deputy City Clerk

DRAFT



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-30**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT ENDERS SUBDIVISION 2027 REPLAT ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESSES: 1605 Rainbow Drive & 108 Glacier Street
1511 Lawton Drive, 103 & 105 Glacier Street

LEGAL DESCRIPTIONS: Lot 156B, Micah Subdivision, Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian; and
Lots 1, 2, & 3, Parks Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian

KPB PARCEL NUMBERS: 04522072 & 04522016
04522022, 04522023, 04522024

WHEREAS, a preliminary plat has been submitted from Jason Schollenberg, PLS on behalf of the property owners for a replat of Lot 156B, Micah Subdivision, Lots 1, 2, & 3, Parks Subdivision, and Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian, and vacating approximately 560.6 feet of the 30-foot-wide Glacier Street right-of-way (ROW) to create two (2) parcels; and,

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

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

WHEREAS, the proposed lots will have access from Latwon Drive (a maintained paved City road) and Rainbow Drive, an unmaintained gravel City road; and,

WHEREAS, City water and wastewater are available along Lawton Drive for proposed Lot 1A and existing private water and wastewater systems have been installed on-site and are subject to the regulatory requirements of the State of Alaska Department of Environmental Conservation (ADEC) for proposed Lot 155A; and,

WHEREAS, an easement for utilities is dedicated adjacent to the right-of-way along the northern and eastern boundaries of proposed Lot 155A, and along the southern boundary of proposed Lot 1A; and,

WHEREAS, an installation agreement is required or the plat must contain a covenant that all of the lots in this subdivision be subject to assessment for any of the improvements required herein when installed at a future time by the City; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 Subdivision Design Standards, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites, with the existing on-site private water and wastewater system subject to the regulatory requirements of the State of Alaska, Department of Environmental Conservation (ADEC), and City water and wastewater subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.10.080 Minimum improvement required, the preliminary plat is a replat of a tract containing newly dedicated rights-of-way for the western half of Misty Haven Lane and the southern half of Rainbow Drive (see preliminary plat, attached to this report). Therefore, an installation agreement or completed road development will be required for the development of pioneer roads, as defined in the City of Kenai Street Design Standards manual.
 - a. The applicant has requested an exception to this requirement pursuant to KMC 14.10.090. This request requires approval by Kenai City Council. Should Kenai City Council not approve the requested exception, the property owner will be required to either enter into an installation agreement or install the required sections of Rainbow Drive and Misty Haven Lane prior to the final plat.
 - b. Staff finds that Rainbow Drive and Misty Haven Lane are both essential to the future development of the unimproved lots to the north of the preliminary plat. For this reason, staff recommends requiring the installation of the portions these rights-of-way or, if approval of the exception is recommended to Kenai City Council, pursuant to KMC 14.10.080(g)(1) the plat contain a covenant that all of the lots in this subdivision be subject to assessment for any of the improvements required herein when installed at a future time by the City.
3. Pursuant to KMC 14.24.010 Minimum lot area requirements, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet (≈ 0.47 acre), with proposed lot sizes of 3.210 and 1.075 acres.
4. Pursuant to KMC 14.24.020 General Requirements, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That preliminary plat Micah Subdivision Parks Replat, for a replat of Lot 156B, Micah Subdivision, Lots 1, 2, & 3, Parks Subdivision, and Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian, be approved without the exception, subject to the following conditions:

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

2. The Kenai City Council must declare the approximately 560.6 feet of the 30-foot-wide Glacier Street right-of-way not needed for a public purpose and approve the vacation of the rights-of-way as shown on the preliminary plat.
3. Install the Rainbow Drive and Misty Haven Lane rights-of-way or enter into an installation agreement prior to the final plat or, the Planning and Zoning Commission report to Kenai City Council that reasons for an exception have been found as outlined in KMC 14.10.090 – Variations and Exceptions, and add a covenant to the plat that all of the lots in this subdivision be subject to assessment for any of the improvements required herein when installed at a future time by the City, pursuant to KMC 14.10.080(g)(1).
4. Add Plat Note: Flood Hazard Notice: Some or all of the property shown on this plat has been designated by FEMA as a flood hazard area district as of the date this plat is recorded within the District Records Office. Prior to development, the City of Kenai Floodplain Administrator should be contacted for current information and regulations. Development must comply with Chapter 14.30 of the Kenai Municipal Code. See FEMA FIRM panel 02122C-0145F for information on Floodplain Zone X-U.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 23RD DAY OF SEPTEMBER, 2026.

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Brandon McElrea, Land Management Analyst
DATE: September 15, 2026
SUBJECT: Resolution No. PZ2026-30 – Preliminary Plat – Micah Subdivision Parks Replat

Request The applicant is proposing a preliminary plat to replat Lot 156B, Micah Subdivision, Lots 1, 2, & 3, Parks Subdivision, and Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian

Staff Recommendation Adopt Resolution No. PZ2026-30 recommending approval of Preliminary Plat – Micah Subdivision Parks Replat, creating two (2) lots, one (1) of 3.21 acres and one (1) of 1.075 acres.

Applicant: Jason Schollenberg, PLS
10535 Katrina Blvd.
Ninilchik, AK 99639

Property Owners: Lacey & Zachary Rininger
Robert J. Arnold Living Trust

Legal Descriptions: Lot 156B, Micah Subdivision, Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian and
Lots 1, 2, & 3, Parks Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian

Property Addresses: 1605 Rainbow Drive & 108 Glacier Street
1511 Lawton Drive, 103 & 105 Glacier Street

KPB Parcel Nos.: 04522072 & 04522016
04522022, 04522023, 04522024

Zoning District: Rural Residential (RR)

Land Use Plan: Low Density Residential (SR)

Surrounding Uses: Improved and Vacant Rural Residential

SUMMARY

A preliminary plat has been submitted from Jason Schollenberg, PLS on behalf of the property owners for a replat of Lot 156B, Micah Subdivision, Lots 1, 2, & 3, Parks Subdivision, and Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian, and vacating approximately 560.6 feet of the 30-foot-wide Glacier Street right-of-way (ROW) to create two (2) parcels.

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

Pursuant to KMC 14.10.090 *Variations and Exceptions*, the applicant has requested an exception to KMC 14.10.080 *Minimum Improvements Required*, to not install portions of the Rainbow Drive and Misty Haven Lane rights-of-way dedicated in this plat.

ANALYSIS

The proposed replat meets the minimum lot size requirement of 20,000 square feet (≈ 0.47 acre) for the Rural Residential (RR) zoning district. The size of proposed lot 155A is approximately 139,828 square feet (3.210 acres). The size of proposed lot 1A is approximately 46,827 square feet (1.075 acres).

City water and wastewater are not available in the area of proposed Lot 155A; however, private water and wastewater have been installed on-site and are subject to the regulatory requirements of the State of Alaska Department of Environmental Conservation (ADEC). City water and wastewater are available along the southern boundary of proposed Lot 1A, adjacent to Lawton Drive and are subject to the regulatory requirements of the City of Kenai Public Works Department.

Direct access to proposed Lot 1A is provided via Lawton Drive, a maintained paved City road. Direct access to proposed lot 155A is provided via Rainbow Drive, an unmaintained gravel City road. The portions of ROW along Rainbow Drive and Misty Haven Lane to be dedicated to this plat were granted by BLM Land Patent 50-65-0236, dated October 12, 1964, and are continuations of these unimproved rights-of-way. The approximately 560.6-foot by 30-foot Glacier Street ROW was granted to the City of Kenai at the Micah Subdivision of Government Lot 156 and the Parks Subdivision of Government Lot 177, and do not reflect a Patented ROW (see attachments; Patents 50-65-0239 & 50-67-0347)). The Kenai City Council must declare the Glacier Street ROW not needed for a public purpose and approve the vacation of this right-of-way as shown on the preliminary plat.

The applicant has asked for an exception to the minimum improvement requirements affecting proposed Lot 155A, requesting to not install those portions of Rainbow Drive and Misty Haven Lane fronting proposed Lot 155A, pursuant to KMC 14.10.090 *Variations and Exceptions*, which states: *"Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties, substantial hardship or injustice, the City Council, after report by the Planning Commission, may vary or modify such requirements so that the subdivider may develop his property in a reasonable manner, but so that at the same time, the public welfare and interests of the City and surrounding areas are protected and the general intent and spirit of these regulations preserved"*. Please see applicant submitted "Exhibit A".

The City of Kenai Public Works Department has reviewed the preliminary plat and is amenable to abandoning the Glacier Street ROW. Existing Rainbow Drive and Misty Haven Lane are both unmaintained City ROW and possess portions of what now would be considered Pioneer Roads in the Street Design Standards Manual, but there has been no verification of the quality or construction of these roads. Rainbow Drive is accessed from a City maintained portion of Highbush Lane and City maintenance responsibilities end at this intersection with Rainbow Drive. For Rainbow Drive to be maintained, it would need to be constructed to a minimum of Residential standards. It is standard requirements for property owners dedicating new ROW to be required to design and construct roads through the new ROW dedicated. Development of City roads does provide for future access and development of lots.

Pursuant to KMC 14.10.080(g)(1), if approval of the requested exception recommended to Kenai City Council, the plat *“must contain a covenant that all of the lots in any subdivision, as defined in this chapter, will be subject to assessment for any of the improvements required herein when installed at a future time by the City”*.

The Fire Marshal and Building Official have reviewed the preliminary replat and have no comments.

During the field survey of the subject lots, it was discovered that the existing improvements encroach on the building setback and utility easement, thus making the current improvement a non-conforming structure. The building file has been flagged, and no construction or modification will be allowed, that will increase the non-conformity of this structure.

Staff finds that the preliminary plat for a replat of Lot 156B, Micah Subdivision, Lots 1, 2, & 3, Parks Subdivision, and Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for subdivision, subject to the listed conditions, provides utility/access easements, provides satisfactory and desirable building sites, with the existing on-site private water and wastewater system subject to the regulatory requirements of the State of Alaska, Department of Environmental Conservation (ADEC), and City water and wastewater subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a replat of a tract containing newly dedicated rights-of-way for the western half of Misty Haven Lane and the southern half of Rainbow Drive (see preliminary plat, attached to this report). Therefore, an installation agreement or completed road development will be required for the development of pioneer roads, as defined in the City of Kenai Street Design Standards manual.
 - a. The applicant has requested an exception to this requirement pursuant to KMC 14.10.090. This request requires approval by Kenai City Council. Should Kenai City Council not approve the requested exception, the property owner will be required to either enter into an installation agreement or install the required sections of Rainbow Drive and Misty Haven Lane prior to the final plat.
 - b. Staff finds that Rainbow Drive and Misty Haven Lane are both essential to the future development of the unimproved lots to the north of the preliminary plat. For this reason, staff recommends requiring the installation of the portions these rights-of-way or, if approval of the exception is recommended to Kenai City Council,

pursuant to KMC 14.10.080(g)(1) the plat contain a covenant that all of the lots in this subdivision be subject to assessment for any of the improvements required herein when installed at a future time by the City.

3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet ($\approx$ 0.47 acre), with proposed lot sizes of 3.210 and 1.075 acres.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Micah Subdivision Parks Replat meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table*. Staff finds the replat is possible to complete under the current Kenai Municipal Code provisions.

Staff also asks the Planning & Zoning Commission to review the requested exception from the applicant to determine if there is any *real difficulties, substantial hardship or injustice* as outlined in KMC 14.10.090 – *Variations and Exceptions*. If a real difficulty, substantial hardship, or injustice is found by the Planning & Zoning Commission, staff recommends adding an additional finding to the resolution and sending the modified resolution, along with a copy of this public hearing packet to the Kenai City Council for their review and deliberation. Subject to any potential decision made on the requested exception by Kenai City Council (if a finding is made and referred by this Commission).

Staff hereby recommends that the Planning and Zoning Commission recommend approval of Resolution No. PZ2026-30 for a replat of Lot 156B, Micah Subdivision, Lots 1, 2, & 3, Parks Subdivision, and Government Lot 155, Township 6 North, Range 11 West, Section 34, Seward Meridian, to the Kenai Peninsula Borough, without the exception subject to the following conditions:

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the approximately 560.6 feet of the 30-foot-wide Glacier Street right-of-way not needed for a public purpose and approve the vacation of the rights-of-way as shown on the preliminary plat.
3. Install the Rainbow Drive and Misty Haven Lane rights-of-way or enter into an installation agreement prior to the final plat or, the Planning and Zoning Commission report to Kenai City Council that reasons for an exception have been found as outlined in KMC 14.10.090 – *Variations and Exceptions*., and add a covenant that all of the lots in this subdivision be subject to assessment for any of the improvements required herein when installed at a future time by the City, pursuant to KMC 14.10.080(g)(1).

4. Add Plat Note: Flood Hazard Notice: Some or all of the property shown on this plat has been designated by FEMA as a flood hazard area district as of the date this plat is recorded within the District Records Office. Prior to development, the City of Kenai Floodplain Administrator should be contacted for current information and regulations. Development must comply with Chapter 14.30 of the Kenai Municipal Code. See FEMA FIRM panel 02122C-0145F for information on Floodplain Zone X-U.

ATTACHMENTS

Aerial Map
Application
Preliminary Plat, Micah Subdivision Parks Replat
BLM Land Patent 50-65-0236
Plat, Micah Subdivision
BLM Land Patent 50-65-0239
BLM Land Patent 50-67-0347
Plat, Parks Subdivision
Exhibit A





Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

Name:	JASON SCHOLLENBERG, PLS						
Mailing Address:	10535 KATRINA BLVD	City:	NINILCHIK	State:	AK	Zip Code:	99639
Phone Number(s):	[REDACTED]						
Email:	[REDACTED]						

PROPERTY OWNER

Name:	LACEY & ZACHARY RININGER						
Mailing Address:	511 ASH AVE.	City:	KENAI	State:	AK	Zip Code:	99611
Phone Number(s):	[REDACTED]						
Email:	[REDACTED]						

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #:	04522016, 04522072		
Current City Zoning:	RURAL RESIDENTIAL		
Use:	☒ Residential ☐ Recreational ☐ Commercial ☐ Other:		
Water:	☒ On Site ☐ City ☐ Community		
Sewer:	☒ On Site ☐ City ☐ Community		

PLAT INFORMATION

Preliminary Plat Name:	MICAH SUBDIVISION PARKS REPLAT		
Revised Preliminary Plat Name:			
Vacation of Public Right-of-Way:	☒ Yes ☐ No		
Street Name (if vacating ROW):	PORTION OF GLACIER ST		

Exceptions Required and Requested:

See "Exhibit A"

Comments:

REQUIRED ATTACHMENTS

☒ Certificate to Plat	☒ (2) 11" x 17" Plats and/or PDF
---	--

SIGNATURE

Signature:	<i>Jason Schollenberg</i>	Date:	8/7/2026
Print Name:	Jason Schollenberg	Title/Business:	Peninsula Surveying



Preliminary Plat Submittal Form

City of Kona
Planning and Zoning Department
210 Hialeah Avenue
Kona, AK 99012
Phone: 383-8200
planning@kona-city.gov
www.kona-cityplanning

APPLICANT INFORMATION

Name: JASON SCHOLLENBERG, PLS
Mailing Address: 10535 KATRINA BLVD City: NINILCHIK State: AK Zip Code: 99639
Phone Number(s): [REDACTED]
Email: [REDACTED]

PROPERTY OWNER

Name: ROBERT J. ARNOLD LIVING TRUST
Mailing Address: PO BOX 2329 City: SOLDOTNA State: AK Zip Code: 99669
Phone Number(s): [REDACTED]
Email: [REDACTED]

Kenai Peninsula Borough Parcel #: 04522023, 04522022, 04522024

Current City Zoning: RURAL RESIDENTIAL

Use: ☒ Residential ☐ Recreational ☐ Commercial
☐ Other:

Water: ☒ On Site ☐ City ☐ Community

Sewer: ☒ On Site ☐ City ☐ Community

PLAT INFORMATION

Preliminary Plat Name: MICAH SUBDIVISION PARKS REPLAT

Revised Preliminary Plat Name:

Vacation of Public Right-of-Way: ☒ Yes ☐ No

Street Name (if vacating ROW): PORTION OF GLACIER ST

Exceptions Required and Requested:

See "Exhibit A"

Comments:

☒ Certificate to Plat

☒ (2) 11" x 17" Plats and/or PDF

Signature:

Robert J. Arnold

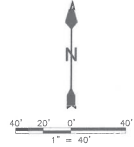
Date:

8/6/26

Print Name:

Robert J. Arnold

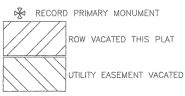
Title/Business:



NOTES

1. THIS SUBDIVISION IS SUBJECT TO CITY OF KENAI ZONING REGULATIONS. PER KPB 20.30.250 THE BUILDING SETBACK OF RECORD HAS BEEN REMOVED. ALL DEVELOPMENT MUST COMPLY WITH THE MUNICIPAL ZONING REQUIREMENTS.
2. NO PRIVATE ACCESS TO CITY MAINTAINED ROW'S PERMITTED UNLESS APPROVED BY THE CITY OF KENAI.
3. THE FRONT 15' ADJACENT TO RIGHTS-OF-WAYS IS A UTILITY EASEMENT.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. ACCEPTANCE OF THIS PLAT BY THE BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
7. SUBJECT TO RIGHT-OF-WAY NOT EXCEEDING 33 FEET IN WIDTH, FOR ROADWAY AND PUBLIC UTILITIES PURPOSES, TO BE LOCATED ALONG THE NORTH AND EAST BOUNDARIES OF SAID LAND PER BOOK 30 PAGE 168 AND THE NORTH AND WEST BOUNDARIES OF SAID LAND PER BOOK 30 PAGE 169.
8. SUBJECT TO THE RIGHTS TO THE PUBLIC IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING WITHIN THE LIMITS OF ROADS, STREETS AND HIGHWAYS.
9. FLOOD HAZARD NOTICE: SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT HAS BEEN DESIGNATED BY FEMA AS A FLOOD HAZARD AREA DISTRICT AS OF THE DATE THIS PLAT IS RECORDED WITH THE DISTRICT RECORDER'S OFFICE. PRIOR TO DEVELOPMENT, THE CITY OF KENAI FLOODPLAIN ADMINISTRATOR SHOULD BE CONTACTED FOR CURRENT INFORMATION AND REGULATIONS. DEVELOPMENT MUST COMPLY WITH CHAPTER 14.30 OF THE KENAI MUNICIPAL CODE. SEE FEMA FIRM PANEL 02122C-0145F FOR INFORMATION ON FLOODPLAIN ZONES X-U.
10. KPB GIS DATA SHOWS THERE IS NO ANADROMOUS WATERS.

LEGEND



WASTEWATER DISPOSAL

SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL, ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES. AN ENGINEER'S SUBDIVISION AND SOILS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER LICENSE # DATE

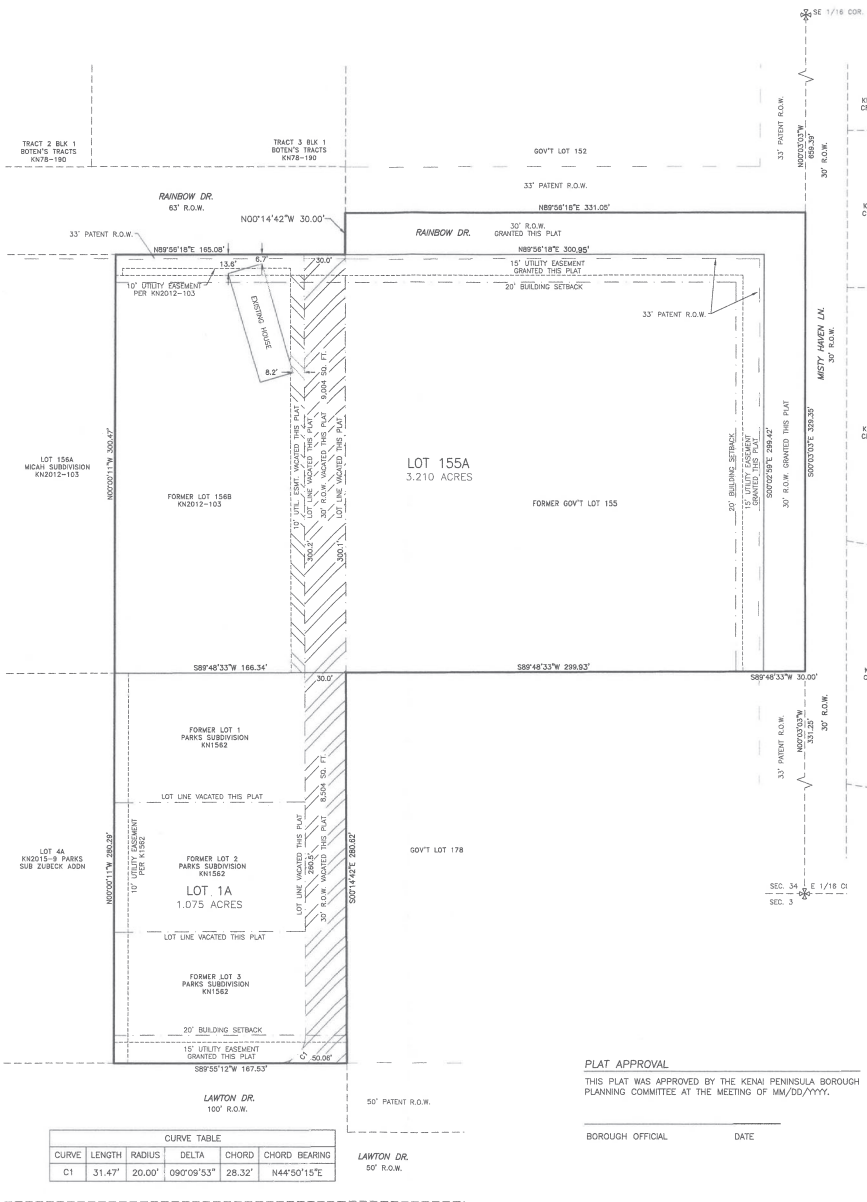
CERTIFICATE OF ACCEPTANCE

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

RAINBOW DR., RIGHT-OF-WAY
MISTY HAVEN LN., RIGHT-OF-WAY

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

AUTHORIZED OFFICIAL: TERRY EUBANK, CITY MANAGER, CITY OF KENAI DATE:

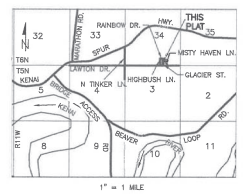


CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	31.47'	20.00'	090°09'53"	28.32'	N44°50'15"E

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMITTEE AT THE MEETING OF MM/DD/YYYY.

BOROUGH OFFICIAL DATE



CERTIFICATE OF OWNERSHIP AND DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

LACEY RININGER, OWNER LOT 155 & 156B
511 ASH AVE.
KENAI, AK 99611

ZACHARY RININGER, OWNER LOT 155 & 156B
511 ASH AVE.
KENAI, AK 99611

NOTARY ACKNOWLEDGMENT

FOR: LACEY RININGER
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR: _____

MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

FOR: ZACHARY RININGER
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR: _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE ROBERT J. ARNOLD LIVING TRUST IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT ON BEHALF OF THE ROBERT J. ARNOLD LIVING TRUST, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

TRUSTEE: LOTS 1-3
P.O. BOX 2329
SOLDOTNA, AK 99669

NOTARY ACKNOWLEDGMENT

FOR: SIGNATORY
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2026
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR: _____

MY COMMISSION EXPIRES: _____

KPB FILE NUMBER: 2026-000

PENINSULA SURVEYING, LLC 10535 KATIKHA BOULEVARD, NINECHIK, AK 99639 (907)506-7065	
PLAT OF MICAH SUBDIVISION PARKS REPLAT	
A SUBDIVISION OF LOT 156B, MICAH SUBDIVISION, KN2012-103 & GOVERNMENT LOT 155 & LOTS 1-3, PARKS SUBDIVISION, K1562 LOCATED WITHIN SW1/4 SE1/4 SEC. 34, TEN, R11W, S.M., CITY OF KENAI, KENAI RECORDING DISTRICT, KENAI PENINSULA BOROUGH, ALASKA CONTAINING 4.719 ACRES	
OWNERS: LACEY RININGER 511 ASH AVE. KENAI, AK 99611	ZACHARY RININGER 511 ASH AVE. KENAI, AK 99611
ROBERT J. ARNOLD LIVING TRUST P.O. BOX 2329 SOLDOTNA, AK 99669	
SCALE: 1" = 40'	DATE: AUGUST 6, 2026
DRAWN: BLT	CHECKED: JLS
SHEET: 1 OF 1	

Anchorage 052438

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, a certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the Act of Congress of June 1, 1938 (52 Stat. 609), as amended by the Act of July 14, 1945 (59 Stat. 467), and the acts supplemental thereto, the claim of Robert M. Adams, Junior,

has been established and that the requirements of law pertaining to the claim have been met, for the following described land:

Seward Meridian, Alaska.

T. 6 N., R. 11 W.,

Sec. 34, Lot 155.

The area described contains 2.50 acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management: Dependent Resurvey officially filed September 15, 1954:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, DOES HEREBY GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and (2) the reservation of a right-of-way for ditches or canals constructed by the authority of the United States, in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. Sec. 945). There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with Section 1 of the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. Sec. 305).

Excepting and reserving, also, to the United States all oil, gas and other mineral deposits in the land so patented, together with the right to prospect for, mine and remove the same according to the provisions of said Act of June 1, 1938.

This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the north and east boundaries of said land.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Anchorage, Alaska the
TWELFTH day of OCTOBER in the year of our
Lord one thousand nine hundred and SIXTY-FOUR and of the
Independence of the United States the one hundred and EIGHTY-
NINTH.

[SEAL]

B

Page 23

Raymond A. Robinson
Alaska State Director

Patent Number 50-65-0236

Anchorage 052489

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, a certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the Act of Congress of June 1, 1938 (52 Stat. 609), as amended by the Act of July 14, 1945 (59 Stat. 467), and the acts supplemental thereto, the claim of Eleanor G. Adams

has been established and that the requirements of law pertaining to the claim have been met, for the following described land:

Seward Meridian, Alaska.

T. 6 N., R. 11 W.,

Sec. 34, Lot 156.

The area described contains 2.50 acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management: Dependent Resurvey officially filed September 15, 1964:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, DOES HEREBY GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and (2) the reservation of a right-of-way for ditches or canals constructed by the authority of the United States, in accordance with the Act of August 30, 1890 (26 Stat. 391; 43 U.S.C. Sec. 945). There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with Section 1 of the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. Sec. 305).

Excepting and reserving, also, to the United States all oil, gas and other mineral deposits in the land so patented, together with the right to prospect for, mine and remove the same according to the provisions of said Act of June 1, 1938.

This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the north and west boundaries of said land.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in Anchorage, Alaska the TWELFTH day of OCTOBER in the year of our Lord one thousand nine hundred and SIXTY-FOUR and of the Independence of the United States the one hundred and EIGHTY-NINTH.

By

Page 25

Raymond P. Robinson
Alaska State Director

50-65-0239
Patent Number

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, a certificate of the Land Office at Anchorage, Alaska, is now deposited in the Bureau of Land Management, whereby it appears that pursuant to the Act of Congress of June 1, 1938 (52 Stat. 609), as amended by the Act of July 14, 1945 (59 Stat. 467), and the acts supplemental thereto, the claim of Geneva W. Parks

has been established and that the requirements of law pertaining to the claim have been met, for the following described land:

Seward Meridian, Alaska.

T.6 N., R.11 W.,
Sec. 34, Lot 177.

The area described contains 2.50 acres, according to the official plat of the survey of the said land, on file in the Bureau of Land Management:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, DOES HEREBY GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to (1) any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and (2) the reservation of a right-of-way for ditches or canals constructed by the authority of the United States, in accordance with the Act of August 30, 1890 (26 Stat. 891; 48 U.S.C. Sec. 945). There is also reserved to the United States a right-of-way for the construction of railroads, telegraph and telephone lines, in accordance with Section 1 of the Act of March 12, 1914 (38 Stat. 305; 48 U.S.C. Sec. 305).

Excepting and reserving, also, to the United States all oil, gas and other mineral deposits, in the land so patented, together with the right to prospect for, mine and remove the same according to the provisions of said Act of June 1, 1938.

This patent is subject to a right-of-way not exceeding 33 feet in width, for roadway and public utilities purposes, to be located along the west boundary and 50 feet in width along the south boundary of said land.

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in Anchorage, Alaska the
ELEVENTH day of JANUARY in the year of our
Lord one thousand nine hundred and SIXTY-SEVEN and of the
Independence of the United States the one hundred and NINETY-
FIRST.

By



Manager, Anchorage Land Office

Patent Number 50-67-0347



**MICAH SUBDIVISION PARKS REPLAT
EXCEPTION REQUEST “EXHIBIT A”**

Exception Requested: Install Rainbow Drive and Misty Haven Lane

Comments:

- As proposed, this plat will vacate Glacier Street, and consolidate some of the lots along Glacier Street.
- This platting action is being pursued by the landowners so that they can have better use of their property.
- This is a residential area and the owners have no plans to develop the property other than to build their home.
- Requiring the landowners to install Rainbow Drive and Misty Haven Lane will create substantial hardship and a significant cost.
- There is existing access on constructed roads to all of the surrounding lots. Constructing Rainbow Drive and Misty Haven Lane would provide limited additional public development while requiring significant clearing, earthwork, and drainage improvements.
- There are currently significant tree buffers along both Rainbow drive and Misty Haven Lane in the exact location the road improvements would be required. The tree buffers provide privacy between many of the lots along these rights of way.



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-31**

A RESOLUTION RECOMMENDING THAT PRELIMINARY PLAT ENDERS SUBDIVISION 2027 REPLAT ATTACHED HERETO BE **APPROVED**.

PROPERTY ADDRESSES: 307 & 309 Highbush Lane

LEGAL DESCRIPTIONS: Lot 1 and Lot 2, Enders Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian

KPB PARCEL NUMBERS: 0452162 & 0452163

WHEREAS, the City of Kenai received a preliminary plat from Jason Schollenberg, PLS, on behalf of property owner Gregory A. Enders, for a replat of Lot 1 and Lot 2, Enders Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian; and,

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

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

WHEREAS, the proposed lots will have access from Highbush Lane (a maintained paved City road); and,

WHEREAS, City water and wastewater are available along Highbush Lane; and,

WHEREAS, an easement for utilities is dedicated adjacent to the right-of-way along the eastern boundary, and along the northern boundary and a portion of the western boundary of the proposed lot; and,

WHEREAS, an installation agreement is not required; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 Subdivision Design Standards, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides satisfactory and desirable building sites, and the on-site water and sewer systems will be subject to the regulatory requirements of the Public Works Department; and,

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat exists prior to this plat. The right-of-way is a continuation of an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 Minimum lot area requirements, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet (≈ 0.47 acre), with a proposed lot size of 1.522 acres.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

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

Section 1. That preliminary plat Enders Subdivision 2027 Replat, for a replat of Lot 1 and Lot 2, Enders Subdivision, Township 5 North, Range 11 West, Section 1, Seward Meridian, be approved, subject to the following conditions:

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

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 23RD DAY OF SEPTEMBER, 2026.

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Brandon McElrea, Land Management Analyst
DATE: September 4, 2026
SUBJECT: Resolution No. PZ2026-31 – Preliminary Plat – Enders Subdivision 2027 Replat

Request The applicant is proposing a preliminary plat to replat Lot 1 and Lot 2, Enders Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian

Staff Recommendation Adopt Resolution No. PZ2026-31 recommending approval of Preliminary Plat – Enders Subdivision 2027 Replat, creating one (1) lot of 1.522 acres.

Applicant: Jason Scholenberg, PLS
10535 Katrina Boulevard
Ninilchik, AK 99639

Property Owner: Gregory A. Enders

Legal Description: Lot 1 and Lot 2, Enders Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian

Property Addresses: 307 & 309 Highbush Lane

KPB Parcel Nos.: 04521062 & 04521063

Zoning District: Rural Residential (RR)

Land Use Plan: Suburban Residential (SR)

Surrounding Uses: Rural Residential

SUMMARY

A preliminary plat has been submitted from Jason Schollenberg, PLS on behalf of the property owner for a replat of Lot 1 and Lot 2, Enders Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian, to create one (1) parcel.

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

ANALYSIS

The proposed replat meets the minimum lot size requirement of 20,000 square feet (≈ 0.47 acre) for the Rural Residential (RR) zoning district. The size of the proposed lot is approximately 66,298 square feet (1.522 acres).

City water and wastewater are available along the eastern boundary of proposed Lot 1A, adjacent to Highbush Lane and are subject to the regulatory requirements of the City of Kenai Public Works Department.

Direct access to the proposed lots is provided via Highbush Lane, a maintained paved City road. If approved, proposed Lot 1A will retain the 309 Highbush Lane address. The City of Kenai Public Works Department, Fire Marshal, and Building Official have reviewed the preliminary plat and have no comments. Therefore, staff finds that an installation agreement is not required for the preliminary plat.

Kenai Peninsula Borough River Center Manager Samantha Lopez commented with a recommendation to remove the graphic depiction of the Habitat Protection District. This recommendation has been passed along to the applicant.

Staff finds that the preliminary plat for a replat of Lot 1 and Lot 2, Enders Subdivision, Township 6 North, Range 11 West, Section 34, Seward Meridian meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides a satisfactory and desirable building site, and the accessible water and wastewater systems are subject to the regulatory requirements of the City of Kenai Public Works Department.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the right-of-way within the proposed preliminary plat exists prior to this plat. The right-of-way is a continuation of an existing street and is determined acceptable access. Therefore, an installation agreement is not required.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet (≈ 0.47 acre), with a proposed lot size of 1.522 acres.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

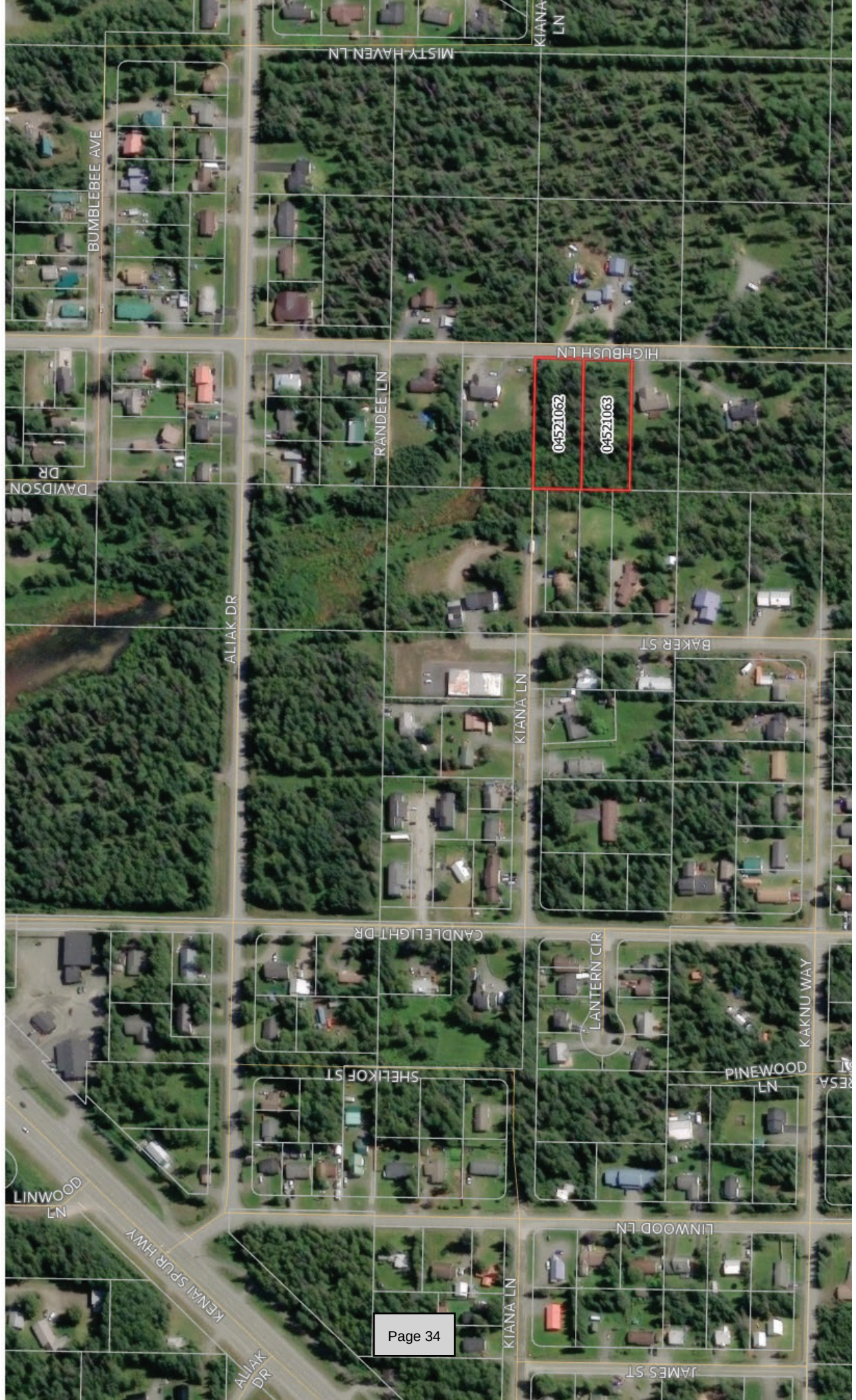
Staff finds that the proposed preliminary plat for Enders Subdivision 2027 Replat meets the general standards of Kenai Municipal Code (KMC), Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommend approval of Resolution No. PZ2026-31 for a replat of Lot 1 and Lot 2, Enders Subdivision, Township 5 North, Range 11 West, Section 1, Seward Meridian, to the Kenai Peninsula Borough, subject to the following conditions:

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

ATTACHMENTS

Aerial Map
Application
Preliminary Plat, Enders Subdivision 2027 Replat

Aerial Map





Preliminary Plat Submittal Form

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

APPLICANT (SURVEYOR)

Name: JASON SCHOLLENBERG, PLS
Mailing Address: 10535 KATRINA BLVD City: NINILCHIK State: AK Zip Code: 99639
Phone Number(s): [REDACTED]
Email: [REDACTED]

PROPERTY OWNER

Name: GREGORY A. ENDERS
Mailing Address: 4729 KENT ST. City: ANCHORAGE State: AK Zip Code: 99503
Phone Number(s): [REDACTED]
Email: [REDACTED]

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel #: 04521062 & 04521063
Current City Zoning: RURAL RESIDENTIAL
Use: ☒ Residential ☐ Recreational ☐ Commercial
☐ Other:
Water: ☐ On Site ☒ City ☐ Community
Sewer: ☐ On Site ☒ City ☐ Community

PLAT INFORMATION

Preliminary Plat Name: ENDERS SUBDIVISION 2027 REPLAT
Revised Preliminary Plat Name:
Vacation of Public Right-of-Way: ☒ Yes ☐ No
Street Name (if vacating ROW):

Exceptions Required and Requested:

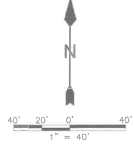
Comments:

REQUIRED ATTACHMENTS

☒ Certificate to Plat ☒ (2) 11" x 17" Plats and/or PDF

SIGNATURE

Signature: Gregory A Enders Date: 9/3/26
Print Name: Gregory A Enders Title: Owner



NOTES

1. THIS SUBDIVISION IS SUBJECT TO CITY OF KENAI ZONING REGULATIONS. PER KPB 20.30.250 THE BUILDING SETBACK OF RECORD HAS BEEN REMOVED. ALL DEVELOPMENT MUST COMPLY WITH THE MUNICIPAL ZONING REQUIREMENTS.
2. NO PRIVATE ACCESS TO CITY MAINTAINED ROW'S PERMITTED UNLESS APPROVED BY THE CITY OF KENAI.
3. THE FRONT 15' ADJACENT TO RIGHTS-OF-WAYS IS A UTILITY EASEMENT.
4. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. ACCEPTANCE OF THIS PLAT BY THE BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
7. SOME OR ALL OF THE PROPERTY SHOWN ON THIS PLAT MAY HAVE AREAS SUBJECT TO INUNDATIONS. PER FEMA FIRM PANEL 02012-2035A, THE FLOOD RISK IS CURRENTLY UNKNOWN. FLOODING POTENTIAL SHOULD BE CONSIDERED WITH DEVELOPMENT. CONTACT THE KENAI PENINSULA BOROUGH FLOODPLAIN ADMINISTRATOR FOR ADDITIONAL INFORMATION.
8. ANADROMOUS WATERS HABITAT PROTECTION DISTRICT NOTE: PORTIONS OF THIS SUBDIVISION ARE WITHIN THE KENAI PENINSULA BOROUGH ANADROMOUS WATERS HABITAT PROTECTION DISTRICT. SEE KPB CHAPTER 21.18, AS MAY BE AMENDED, FOR RESTRICTIONS THAT AFFECT DEVELOPMENT IN THIS SUBDIVISION. WIDTH OF THE HABITAT PROTECTION DISTRICT SHALL BE IN ACCORDANCE WITH KPB 21.18.040.
9. BOUNDARY DATA IS PER KN2005-102 (R1), NO FIELD SURVEY THIS PLAT

LEGEND

- RECORD PRIMARY MONUMENT
- RECORD 5/8" REBAR
- COMPUTED DATA PER KN2005-102
- RIVERINE WETLANDS PER THE KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING

WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL, THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

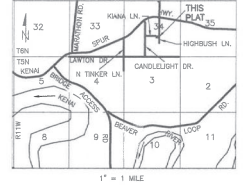
THIS LOT IS SERVED BY CITY OF KENAI WATER AND SEWER.

CS 1/16 COR.
RECORD 3" BRASS CAP
BY LS152, 1989 (N89°57'13"W 331.11' R1)

(N89°56'52"W 301.25' R1)

(N89°57'13"W 683.32' C R1)

SE 1/16 COR.
RECORD 3/8" BLU
BRASS CAP, 1953



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

GREGORY A. ENDERS
4728 KENT ST
ANCHORAGE, AK 99503

NOTARY ACKNOWLEDGMENT

FOR: GREGORY A. ENDERS
ACKNOWLEDGED BEFORE ME THIS ____ DAY OF ____, 2027

NOTARY PUBLIC FOR: _____
MY COMMISSION EXPIRES: _____

PLAT APPROVAL

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

BOROUGH OFFICIAL _____ DATE _____

KPB FILE NUMBER: 2026-000

PENINSULA SURVEYING, LLC (0535 KATRINA BOULEVARD, NINILCHIK, AK 99639 (907) 856-7065	
PLAT OF ENDERS SUBDIVISION 2027 REPLAT	
A SUBDIVISION OF LOTS 1 & 2, ENDERS SUBDIVISION, KN2005-102 LOCATED WITHIN NW1/4 SE1/4 SEC. 34, T6N, R11W, S.M., KENAI RECORDING DISTRICT, CITY OF KENAI, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA CONTAINING 1.522 ACRES	
OWNERS: GREGORY A. ENDERS 4728 KENT ST ANCHORAGE, AK 99503	
SCALE: 1" = 40'	DATE: SEPTEMBER 2, 2026
DRAWN: BLT	CHECKED: JLS SHEET: 1 OF 1



Stewart Title of the Kenai Peninsula, Inc.

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

CERTIFICATE TO PLAT

Peninsula Surveying
10535 Katrina Blvd
Ninilchik, AK 99639
Attention: Jason Schollenberg

File Number: 26908
Premium: \$300.00
Tax:

Gentlemen:

This is a certificate as of August 25, 2026 at 8:00 A.M. for a plat out of the following property:

Lots One (1) and Two (2), ENDERS SUBDIVISION, according to Plat No. 2005-102, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

Gregory A. Enders

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

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **RESERVATIONS AND EXCEPTIONS** as contained in Mineral Patent from the United States of America to the State of Alaska
Dated: August 30, 1982
Recorded: September 27, 1982
Volume/Page: 194/764

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

3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH
4. **ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: CITY OF KENAI
5. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2005-102.
6. **EFFECT** of the notes on said Plat No. 2005-102.

Stewart Title of the Kenai Peninsula, Inc.

By



Authorized Countersignature

Mary Frengle
Authorized Signator



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-28**

A RESOLUTION **GRANTING** THE APPLICATION FOR A VARIANCE PERMIT TO BUILD INTO THE 10-FOOT SETBACK ALONG THE NORTH SIDE OF PARCEL 04510014.

APPLICANT: Jesse Updike

PROPERTY OWNER: Jesse Updike

PROPERTY ADDRESS: 503 Candlelight Way

LEGAL DESCRIPTION: Lot 3, Yragui Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04510014

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.180(b) was submitted to the City on August 28, 2026; and,

WHEREAS, the applicant has demonstrated that the prerequisites of a Variance Permit have been met pursuant to Kenai Municipal Code 14.20.180(b); and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on September 23, 2026, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds the criteria are met as set forth in KMC 14.20.180(c):

1. *Special conditions or circumstances are present which are peculiar to the land or structures involved which are not applicable to other lands or structures in the same land use or zoning district.*

Findings: The subject property's existing residence, driveway access, and overall site layout limit the practical locations available for a detached shop. The requested location will minimize the impact of the existing improvements while allowing construction of a reasonably sized accessory building that complements the residential use of the property.

2. *The special conditions or circumstances have not been caused by actions of the applicant, and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.*

Findings: The request is based off the property's existing configuration and site constraints rather than financial considerations. The variance is necessary to allow reasonable use of the property while accommodating the existing residence, access, and available building area.

3. *The granting of the variance shall not authorize a use that is not a permitted principal use in the zoning district in which the property is located.*

Findings: The current structures on site are compliant with existing zoning code, and the proposed building would remain compliant in all ways except regarding the side yard setback. The granting of the permit would allow for the upgraded split-level structure to be constructed in place of the current existing single story accessory structure that only requires a five-foot (5') setback. The footprint of the lot would not be changing in any way as the current structure being replaced is in the same location with a five-foot (5') setback.

4. *The granting of a variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure.*

Findings: The requested five-foot (5') setback variance is the minimum amount necessary to construct the proposed structure in the most practical location while maintaining the functionality of the property as it stands and preserving as much of the setback as possible.

5. *The granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district.*

Findings: The request for the variance is based solely on the current physical characteristics and layout of the parcel and is not based on the existence of nearby nonconforming structures or land uses. The current greenhouse and accessory structure are compliant as only a five-foot (5') setback is required for a single-story structure. The proposed design, as shown on the attached site plan, shows the front of the structure is twelve-foot (12') tall, conducive of a single story, while the rear of the structure increases to a height of seventeen-foot (17'), which zoning code would consider a split-level structure. The applicant is requesting relief to allow reasonable use of the property while remaining consistent with the current footprint and intent of the zoning regulations.

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

Section 1. That the request for a variance permit to build into the 10' setback along the north side of the property known as Lot 3, Yragui Subdivision, located at 503 Candlelight Way, be approved.

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

1. Applicant must comply with all federal, State of Alaska, and local regulations.
2. Applicant must obtain applicable permits and file all required Landscaping & Site Plans prior to beginning construction.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 23TH DAY OF SEPTEMBER, 2026.

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Kevin Buettner, Planning Director
THROUGH: Jessica See, Planning Technician
DATE: September 3, 2026
SUBJECT: Resolution No. PZ2026-28 - Variance Permit – Side Yard Setback

Request The applicant is requesting for a variance permit to build five feet (5') into the ten-foot (10') setback on the north side yard property line.

Staff Recommendation Adopt Resolution No. PZ2026-28 approving a variance permit to build five feet (5') into the ten-foot (10') north side yard property line.

Applicant: Jesse Updike
Property Owner: Jesse Updike
Legal Descriptions: Lot 3, Yragui Subdivision
Property Addresses: 503 Candlelight Drive
KPB Parcel Nos.: 04510014
Lot Sizes: .53 Acre (Approximately, 20,387 sq ft)
Zoning: Suburban Residential
Current Land Use: Suburban Residential
Land Use Plan: Suburban Residential

SUMMARY

The applicant is requesting a variance permit to build 5 into the side yard setback along the north property line. The subject property is zoned Suburban Residential, and the structure being built is consistent with the definition of a split-level structure, which requires a ten-foot (10') setback. The proposed building is a 24-foot by 32-foot detached shop that will serve the existing single-family residence and provide enclosed storage and a workspace and will replace the existing greenhouse and shed that currently occupies the space.

ANALYSIS

Pursuant to KMC 14.20.180(a), the intent of a variance permit is to provide relief to the development requirements of KMC Chapter 14.20 when the literal enforcement would deprive a property owner of the reasonable use of his/her real property.

Prior to granting a variance permit, the Commission shall find that all of the conditions have been met as set forth in KMC 14.20.180(c) [Variance Permit] *Review Criteria*.

Criteria 1: Special conditions or circumstances are present which are peculiar to the land or structures involved which are not applicable to other lands or structures in the same land use or zoning district.

Findings: As stated by the applicant, the property's existing residence, driveway access, and overall site layout limit the practical locations available for a detached shop. The requested location will minimize the impact of existing improvements while allowing construction of a reasonably sized accessory building that complements the residential use of the property.

Criteria 2: The special conditions or circumstances have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary hardship or inconvenience.

Findings: The applicant based the request off the property's existing configuration and site constraints rather than financial considerations. The variance is necessary to allow reasonable use of the property while accommodating the existing residence, access, and available building area.

Criteria 3: The granting of the variance shall not authorize a use that is not a permitted principal use in the zoning district in which the property is located.

Findings: The current structures on site are following zoning code, and the proposed building would remain compliant in all ways except regarding the side yard setback. The granting of the permit would simply allow for the upgraded split-level structure to be constructed in place of the current existing single story accessory structure that only requires a five-foot (5') setback. The footprint of the lot would not be changing in any way as the current structure being replaced is in the same location with a five-foot (5') setback.

Criteria 4: The granting of a variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure.

Findings: The requested five-foot (5') setback variance is the minimum amount necessary to construct the proposed structure in the most practical location while maintaining the functionality of the property as it stands and preserving as much of the setback as possible.

Criteria 5: The granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district.

Findings: The applicant states that the request for the variance is based solely on the current physical characteristics and layout of the parcel and is not based on the existence of any nearby nonconforming structures or land uses. The current greenhouse and accessory

structure are compliant as only a five-foot (5') setback is required for a smaller single-story structure. The proposed design, as shown on the attached site plan, shows the front of the structure is twelve-foot (12') tall, conducive of a single story, while the rear of the structure increases to a height of seventeen-foot (17'), which zoning code would consider a split-level structure. The applicant is requesting relief to allow reasonable use of the property while remaining consistent with the current footprint and intent of the zoning regulations.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280 notices of the public hearing for the variance permit 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* on September 11, 2026. The property owner submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the variance permit request.

No public comment has been received at the time of this report and there are no stated objections to the variance permit.

STAFF RECOMMENDATION

Staff finds that the proposed variance request meets the criteria for issuance of a Variance Permit as set forth in Kenai Municipal Code Section 14.20.180(c), and hereby recommends that the Planning and Zoning Commission approve the variance permit, subject to the following conditions:

1. Applicant must comply with all federal, State of Alaska, and local regulations.
2. Applicant must obtain applicable permits and file all required Landscaping & Site Plans prior to beginning construction.

ATTACHMENTS

Aerial Map
Application
Site Plan



Variance 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:	Jesse Updike				
Mailing Address:	PO Box 167				
City:	Kenai	State:	Alaska	Zip Code:	99611
Phone Number(s):					
Email:					

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04510014
Physical Address:	503 Candlelight Dr
Legal Description:	T 6N R 11W SEC 34 SEWARD MERIDIAN KN 2003064 YRAGUI SUB LOT 3
Zoning:	Residential
Acres:	0.53

VARIANCE DESCRIPTION

(include site plan with square footages and elevations of all existing/proposed buildings)
(use additional pages if necessary to answer questions)

A variance permit is the relaxation of the development requirements to provide relief when the literal enforcement would deprive a property owner of the reasonable use of their real property. The requirements for a variance permit in City Code must be met for a variance to be granted.

How is this property currently being used?	Single-family residential property
Use of surrounding property - north:	Commercial
Use of surrounding property - south:	Residential
Use of surrounding property - east:	Vacant
Use of surrounding property - west:	Residential

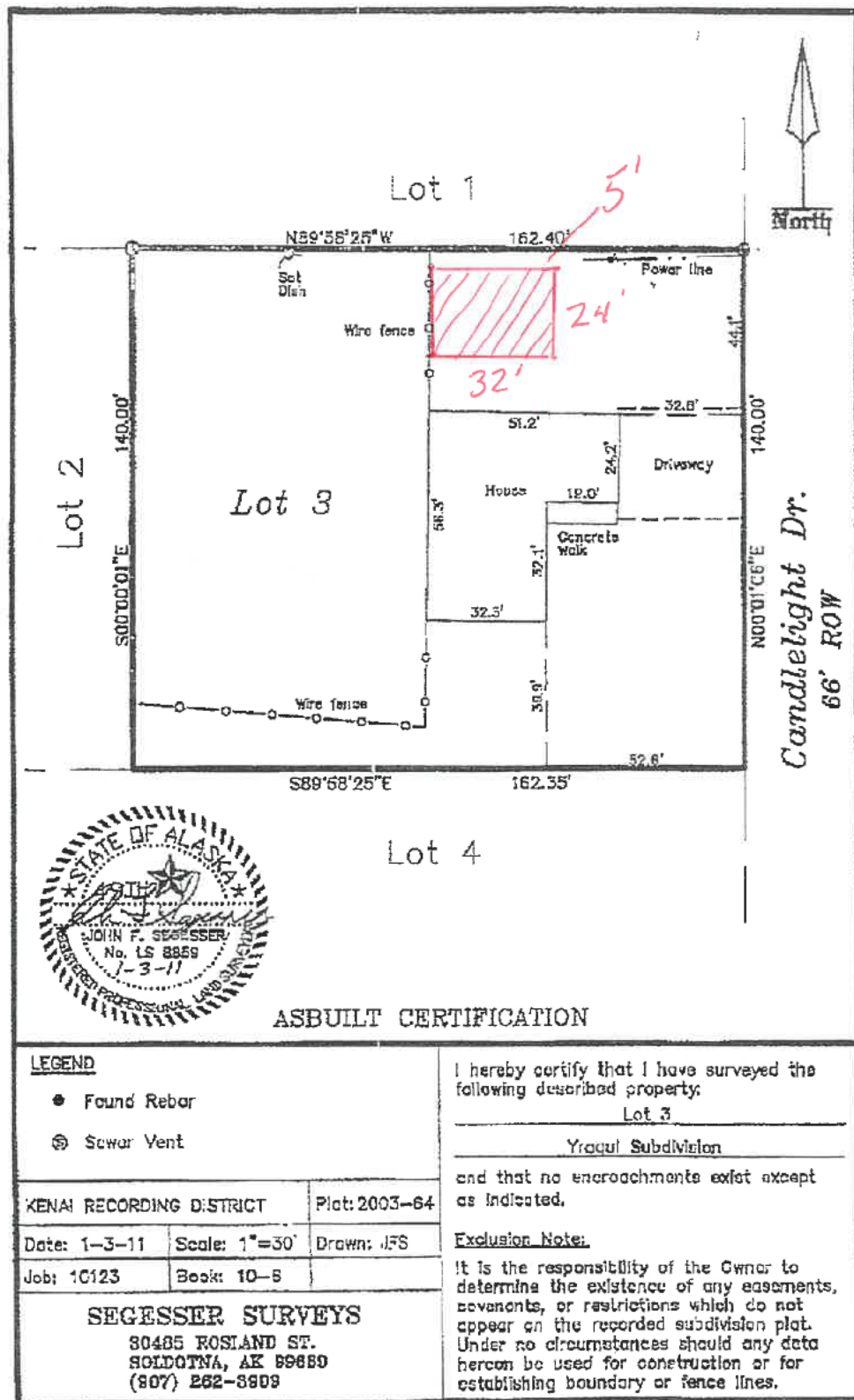
Variance Requested for (attach additional sheets if necessary):

The applicant requests a 5-foot variance from the required north property line setback to allow construction of a 24-foot x 32-foot (768 square foot) detached accessory shop. The proposed shop will serve the existing single-family residence and provide enclosed storage and workspace. A site plan showing the location of the proposed structure, existing residence, property lines, and setbacks will accompany this application.

Explain the special conditions or circumstances present which are peculiar to the land or structure involved which are not applicable to other land or structures in the same land use or zoning district:			
The property's existing residence, driveway access, and overall site layout limit the practical locations available for a detached shop. The requested location minimizes impacts to existing improvements while allowing construction of a reasonably sized accessory building that complements the residential use of the property.			
Explain the special conditions or circumstances present that have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary (monetary) hardship or inconvenience:			
The request is based on the property's existing configuration and site constraints rather than financial considerations. The variance is necessary to allow reasonable use of the property while accommodating the existing residence, access, and available building area.			
Explain how this variance will not authorize a use that is not a permitted principal use in the zoning district in which the property is located:			
The proposed detached shop is an accessory structure serving the existing single-family residence, which is a permitted residential use. Approval of this variance would modify only the required setback and would not authorize any additional or non-permitted land use.			
Explain how the variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure:			
The requested 5-foot setback variance is the minimum amount necessary to construct the proposed 24-foot x 32-foot detached shop in a practical location while maintaining the functionality of the property and preserving as much of the required setback as possible.			
Explain how the granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district:			
This request is based solely on the physical characteristics and layout of this property and is not based on the existence of any nearby nonconforming structures or land uses. The applicant seeks relief only to allow reasonable use of the property while remaining consistent with the intent of the zoning regulations.			
AUTHORITY TO APPLY FOR A VARIANCE: 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 variance 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 variance. 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: 8-28-2026	
Print Name: Jesse Updike		Title/Business:	
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	



North
↑



NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 72 and 18 AAC 80.
- 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation and Public Facilities.
- 3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- 4) The Kenai Peninsula Borough Planning Commission approved the vacation of a 3' portion of Candlelight Drive ROW easement at the meeting of January 13, 2003.
- 5) A 10' (10) foot wide utility easement is colored along the underground telephone cable shown approximately herein.
- 6) Kenai Spur Highway ROW determined from centerline monuments shown herein and from ADOPTED Right of Way Map Project F-022-169 and Commissioners' Ordinance Dated Book 0566 Page 497 KRD.

WASTEWATER DISPOSAL

Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.

M. Scott McLane L.S. 4928 AK Date 8/11/03

LEGEND

- Found Monument as described
- Found 5/8" rebar
- Set 5/8" x 24" rebar with 2" alum. cap
- R/W VACATED

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the real property shown and described hereon and we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way and public areas to public use and grant all easements to the use shown.

Mary Jeanne Yragui
Mary Jeanne Yragui
Jeanne

NOTARY'S ACKNOWLEDGMENT

FOR: David N. Yragui and Mary Jeanne Yragui

Subscribed and sworn before me this

11th day of August, 2003

My commission expires 10/31/05

William J. Korman
Notary Public for the State of Alaska

OFFICIAL REAL ESTATE
KIMBERLY COLESON
NOTARY PUBLIC
MY COM. EXPIRES 12/31/05

Kenai, Alaska 99811

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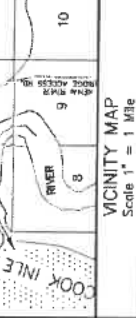
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LINE	LENGTH	BEARING
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L5	3.00	S89°58'54"E



VICINITY MAP
Scale 1" = 1 Mile

THIS SUBD

Kenai River

Cook Inlet

Kenai City Limits

Kenai Spur Highway

Kenai River

Cook Inlet

Kenai City Limits

Kenai Spur Highway

Kenai River

Cook Inlet

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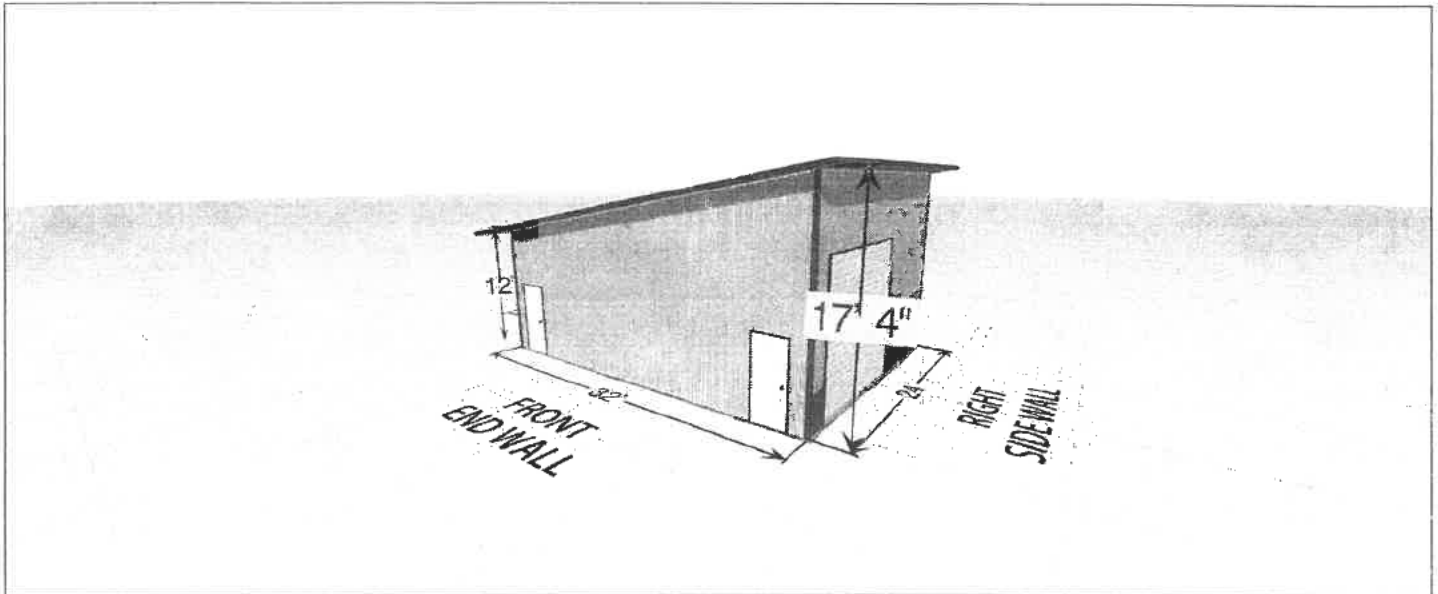
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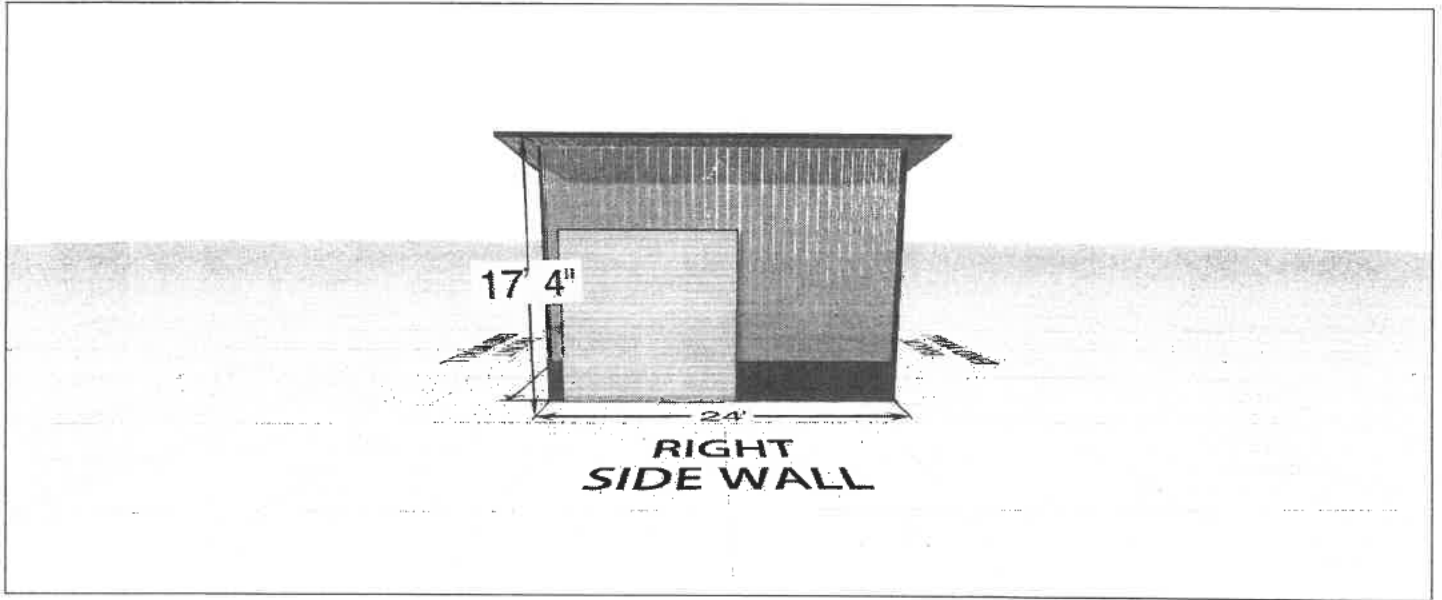
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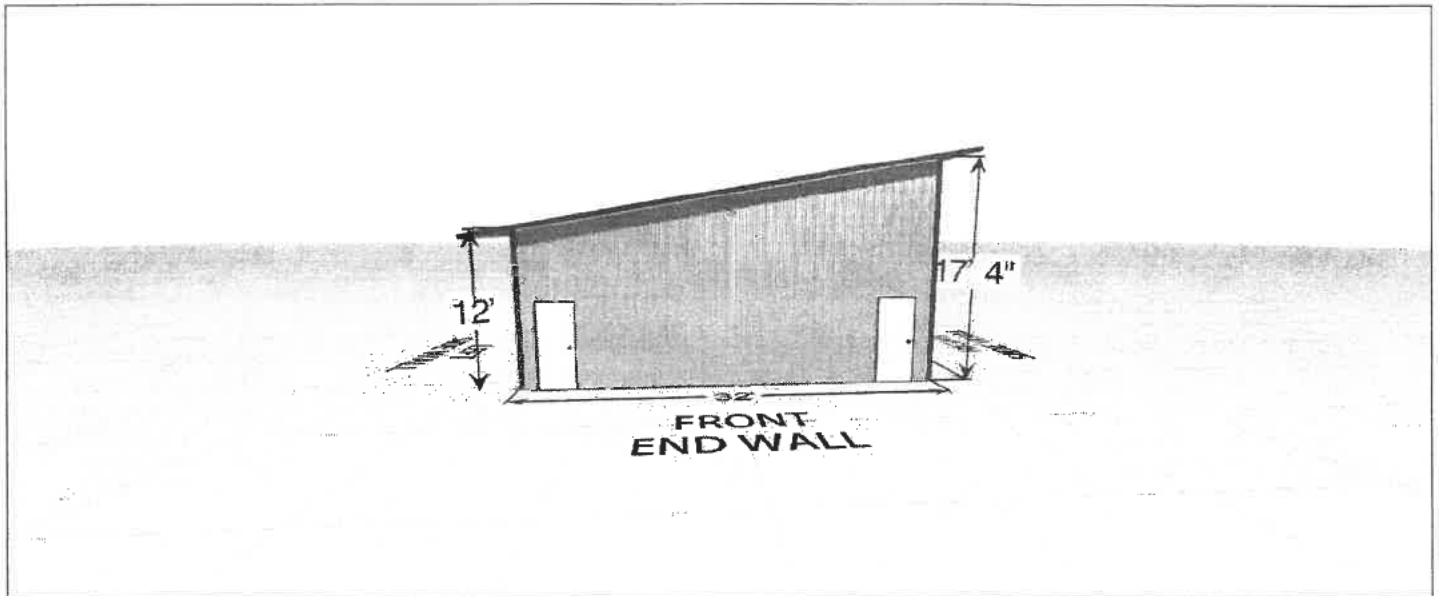
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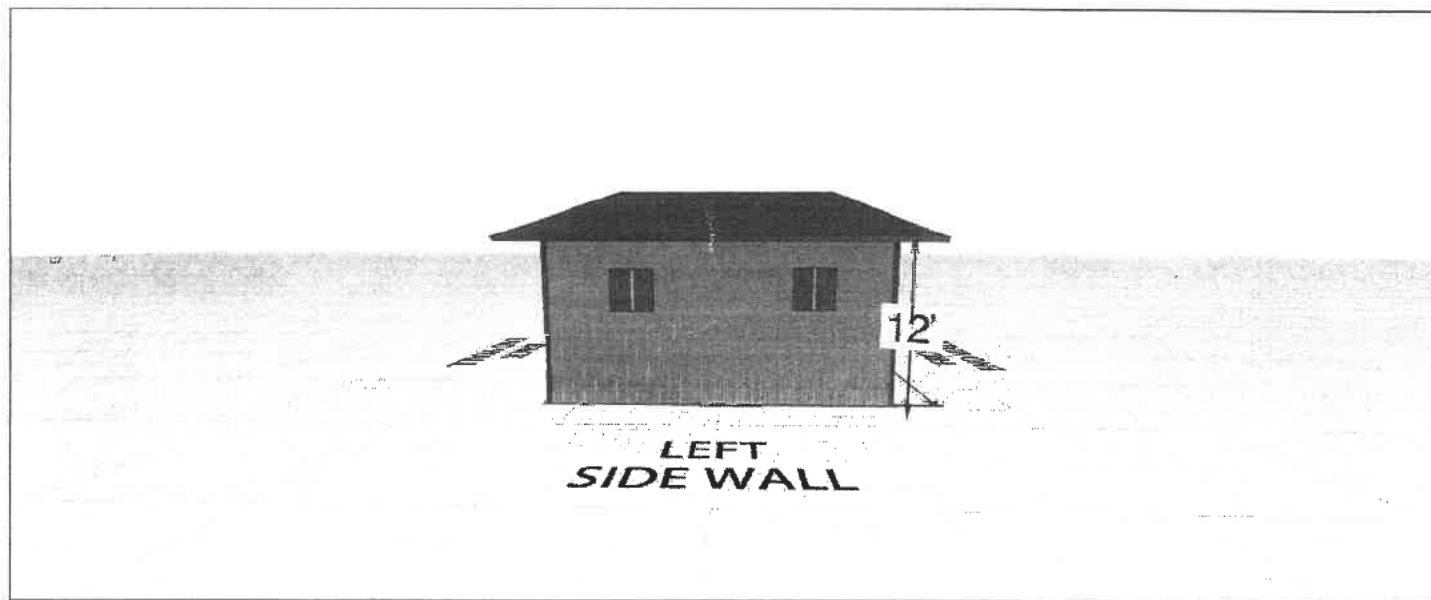
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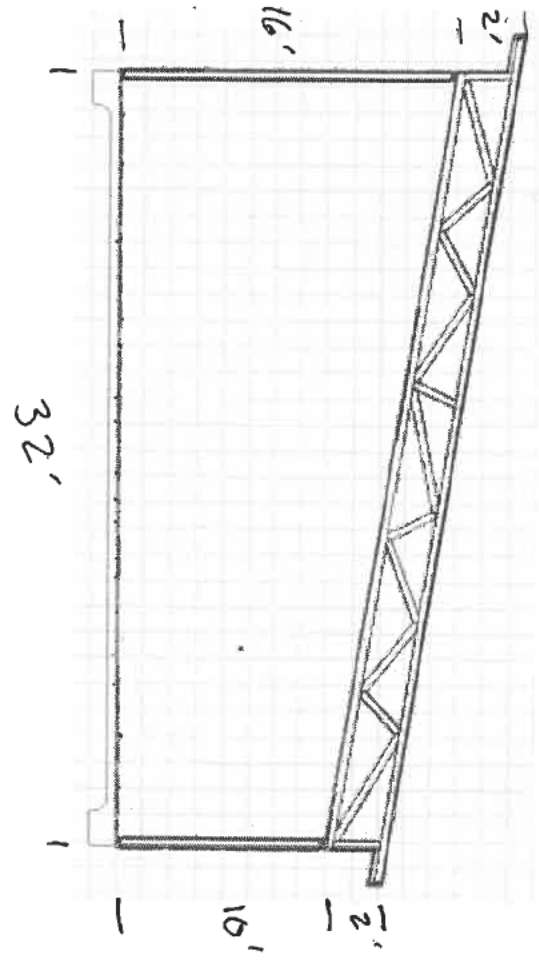
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KENAI SPUR HWY

04510014

CANDLELIGHT DR

ALIAK DR

SHELDON ST



Variance 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:	Jesse Updike				
Mailing Address:	PO Box 167				
City:	Kenai	State:	Alaska	Zip Code:	99611
Phone Number(s):					
Email:					

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04510014
Physical Address:	503 Candlelight Dr
Legal Description:	T 6N R 11W SEC 34 SEWARD MERIDIAN KN 2003064 YRAGUI SUB LOT 3
Zoning:	Residential
Acres:	0.53

VARIANCE DESCRIPTION

(include site plan with square footages and elevations of all existing/proposed buildings)
(use additional pages if necessary to answer questions)

A variance permit is the relaxation of the development requirements to provide relief when the literal enforcement would deprive a property owner of the reasonable use of their real property. The requirements for a variance permit in City Code must be met for a variance to be granted.

How is this property currently being used?	Single-family residential property
Use of surrounding property - north:	Commercial
Use of surrounding property - south:	Residential
Use of surrounding property - east:	Vacant
Use of surrounding property - west:	Residential

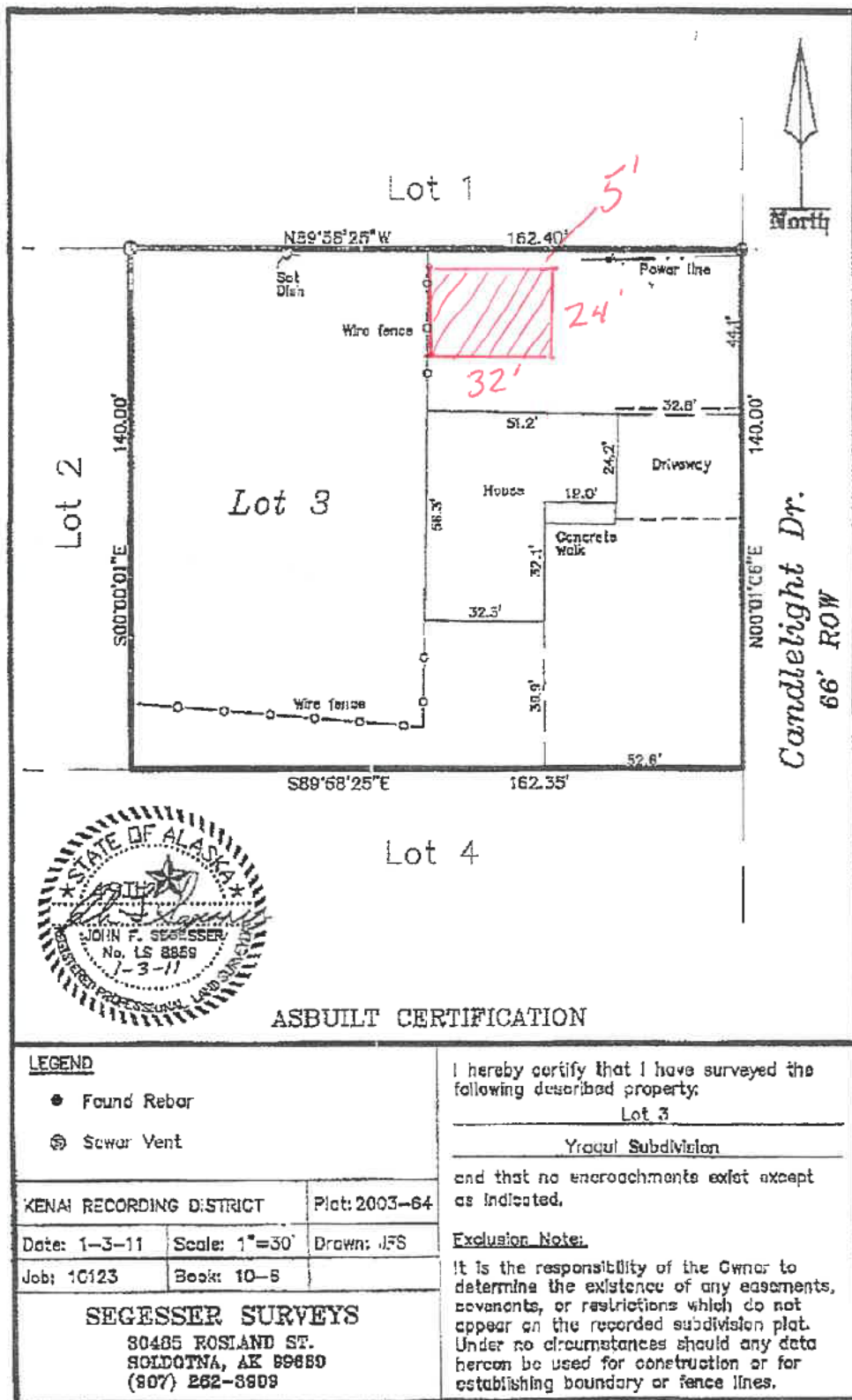
Variance Requested for (attach additional sheets if necessary):

The applicant requests a 5-foot variance from the required north property line setback to allow construction of a 24-foot x 32-foot (768 square foot) detached accessory shop. The proposed shop will serve the existing single-family residence and provide enclosed storage and workspace. A site plan showing the location of the proposed structure, existing residence, property lines, and setbacks will accompany this application.

Explain the special conditions or circumstances present which are peculiar to the land or structure involved which are not applicable to other land or structures in the same land use or zoning district:			
The property's existing residence, driveway access, and overall site layout limit the practical locations available for a detached shop. The requested location minimizes impacts to existing improvements while allowing construction of a reasonably sized accessory building that complements the residential use of the property.			
Explain the special conditions or circumstances present that have not been caused by actions of the applicant and such conditions and circumstances do not merely constitute pecuniary (monetary) hardship or inconvenience:			
The request is based on the property's existing configuration and site constraints rather than financial considerations. The variance is necessary to allow reasonable use of the property while accommodating the existing residence, access, and available building area.			
Explain how this variance will not authorize a use that is not a permitted principal use in the zoning district in which the property is located:			
The proposed detached shop is an accessory structure serving the existing single-family residence, which is a permitted residential use. Approval of this variance would modify only the required setback and would not authorize any additional or non-permitted land use.			
Explain how the variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure:			
The requested 5-foot setback variance is the minimum amount necessary to construct the proposed 24-foot x 32-foot detached shop in a practical location while maintaining the functionality of the property and preserving as much of the required setback as possible.			
Explain how the granting of a variance shall not be based upon other nonconforming land uses or structures within the same land use or zoning district:			
This request is based solely on the physical characteristics and layout of this property and is not based on the existence of any nearby nonconforming structures or land uses. The applicant seeks relief only to allow reasonable use of the property while remaining consistent with the intent of the zoning regulations.			
AUTHORITY TO APPLY FOR A VARIANCE: 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 variance 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 variance. 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: 8-28-2026	
Print Name: Jesse Updike		Title/Business:	
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	



North
↑



NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 72 and 18 AAC 80.
- 2) No direct access to state maintained ROWS permitted unless approved by State of Alaska Department of Transportation and Public Facilities.
- 3) No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- 4) The Kenai Peninsula Borough Planning Commission approved the vacation of a 3' portion of Candlelight Drive ROW easement at the meeting of January 13, 2003.
- 5) A 10' (10) foot wide utility easement is colored along the underground telephone cable shown approximately herein.
- 6) Kenai Spur Highway ROW determined from centerline monuments shown herein and from ADOPTED Right of Way Map Project F-022-169 and Commissioners' Ordinance Dated Book 0566 Page 487 KRD.

WASTEWATER DISPOSAL

Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.

M. Scott McLane L.S. 4928 AK Date 8/11/03

LEGEND

- Found Monument as described
- Found 5/8" rebar
- Set 5/8" x 24" rebar with 2" alum. cap
- R/W VACATED

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the real property shown and described hereon and we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way and public areas to public use and grant all easements to the use shown.

Mary Jeanne Yragui
Mary Jeanne Yragui
Jeanne

NOTARY'S ACKNOWLEDGMENT

FOR: David N. Yragui and Mary Jeanne Yragui

Subscribed and sworn before me this

11th day of August, 2003

My commission expires 10/31/05

William J. Korman
Notary Public for the State of Alaska



YRAGUI SUBDIVISION

A Resubdivision of Gov't Lots 42, 51, 61 & Vacation of 3' Candlelight Drive R/W

DAVID YRAGUI
8847 KENAI SPUR HWY.
KENAI, AK. 99811

LOCATION

3.778 AC. THAT PORTION GOVT LOTS 42 AND 51 LYING SOUTH OF THE KENAI SPUR HIGHWAY RIGHT OF WAY AND GOVT LOT 61 SECTION 34, TEN, RTW, S.M., AK WITHIN THE CITY OF KENAI AND THE KENAI PENINSULA BOROUGH.

Sheet 1" = 60'	DATE: JUNE 03	BOOK NO. 028 06	DRAWN BY: LSC
P.O. BOX 458 KENAI, AK 99811			
		PROPERTY NO. 028017	
			SPR FILE NO. 9005-156

PLAT APPROVAL

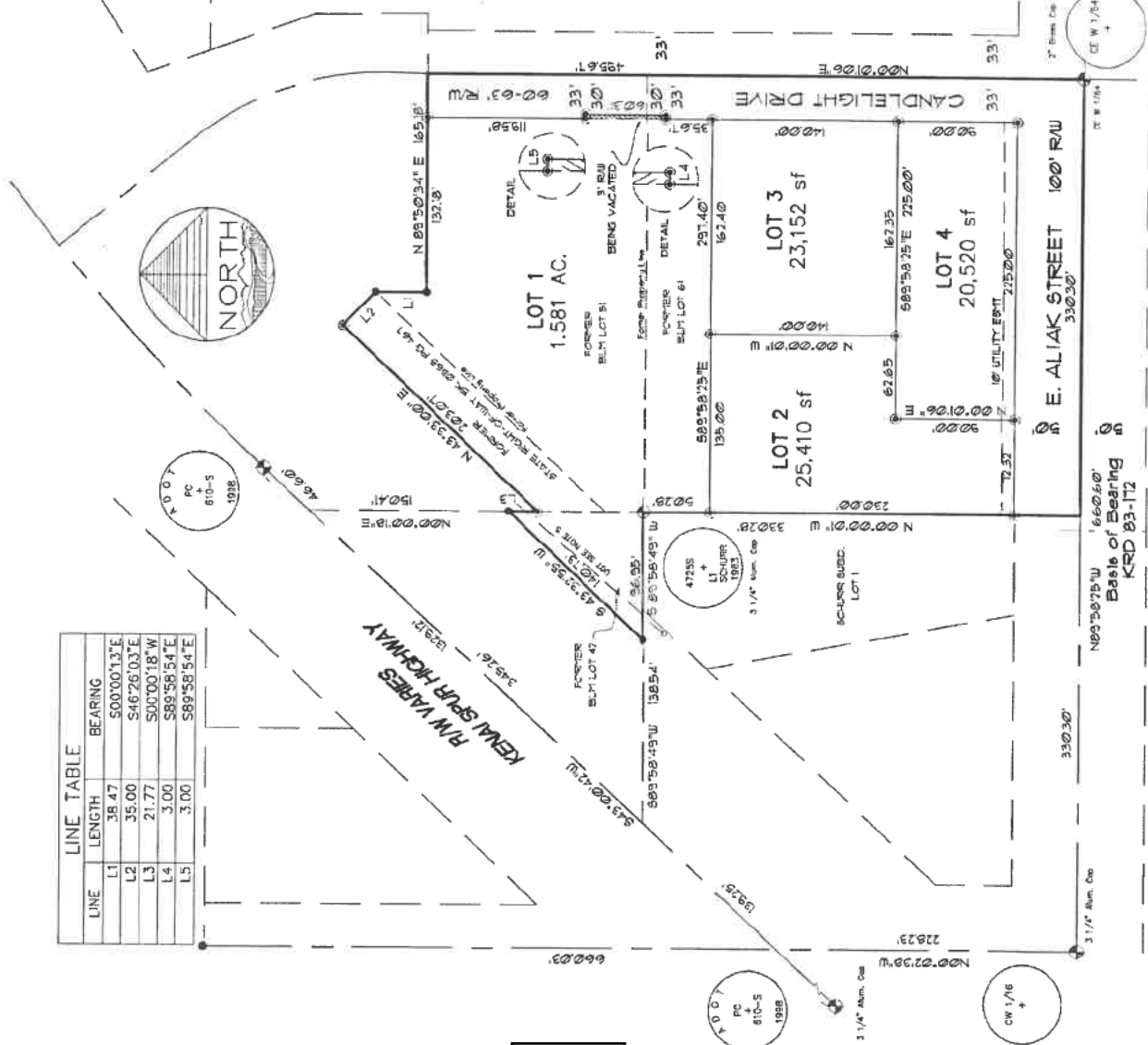
This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of

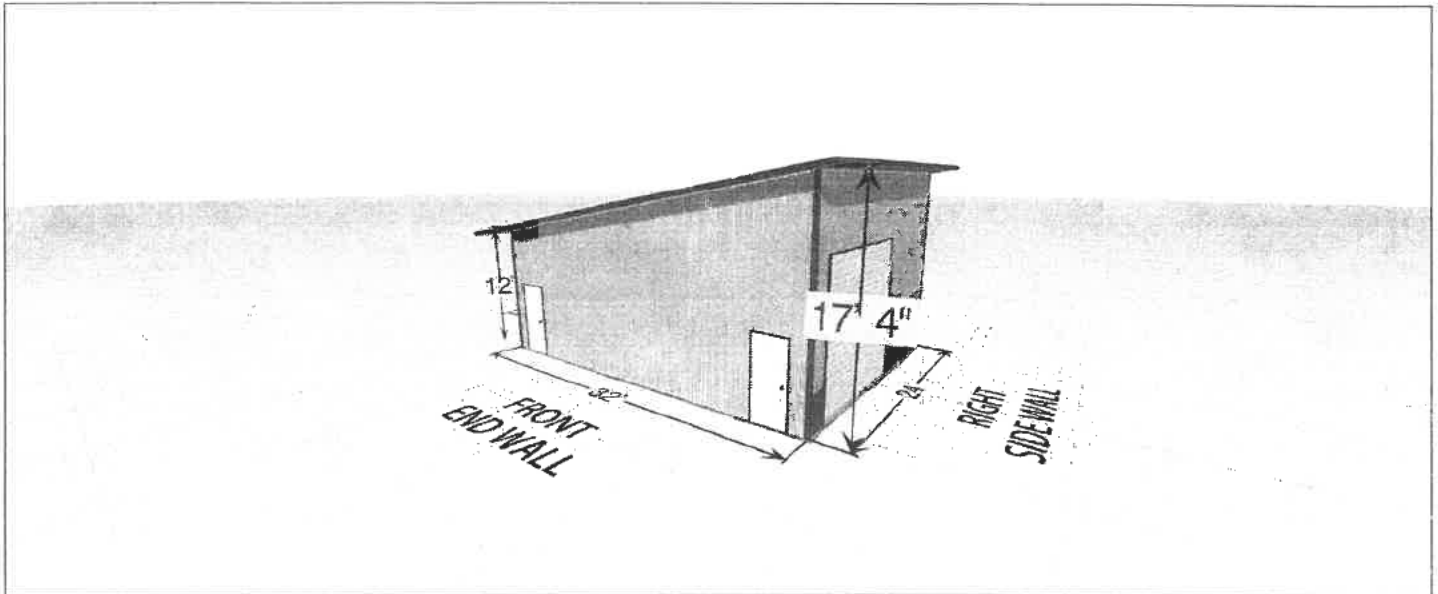
August 12, 2002.

KENAI PENINSULA BOROUGH by

Maureen
Authorized Official

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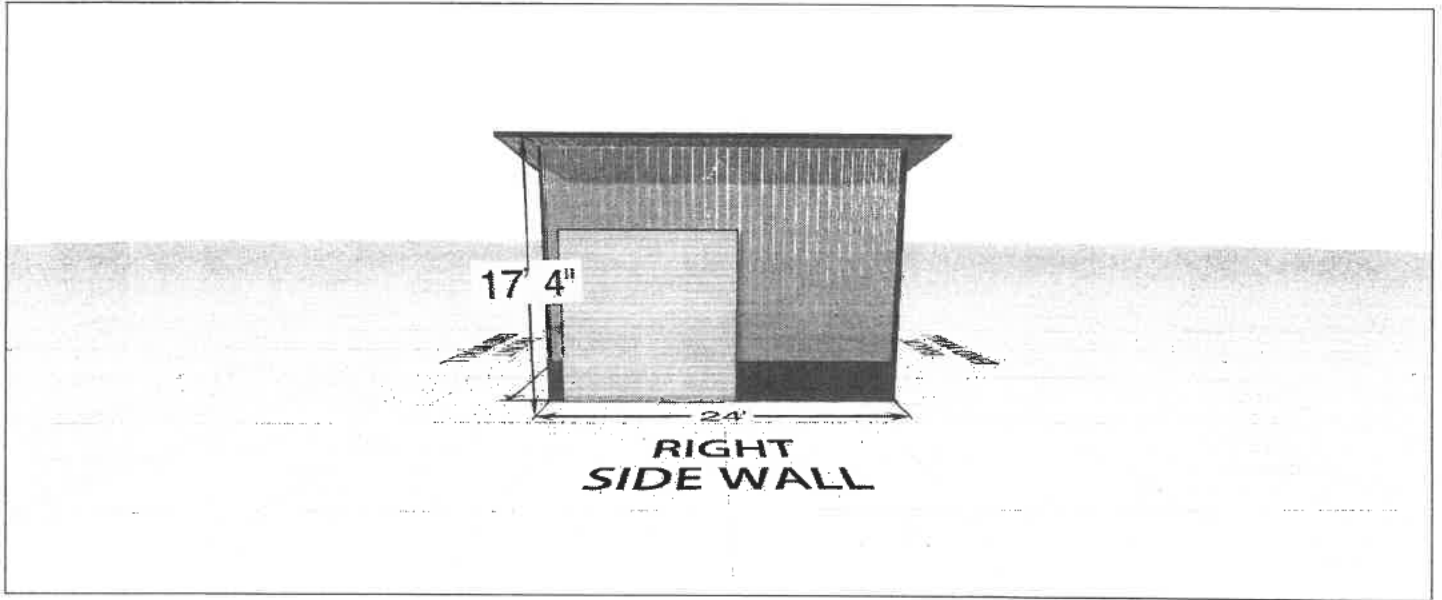
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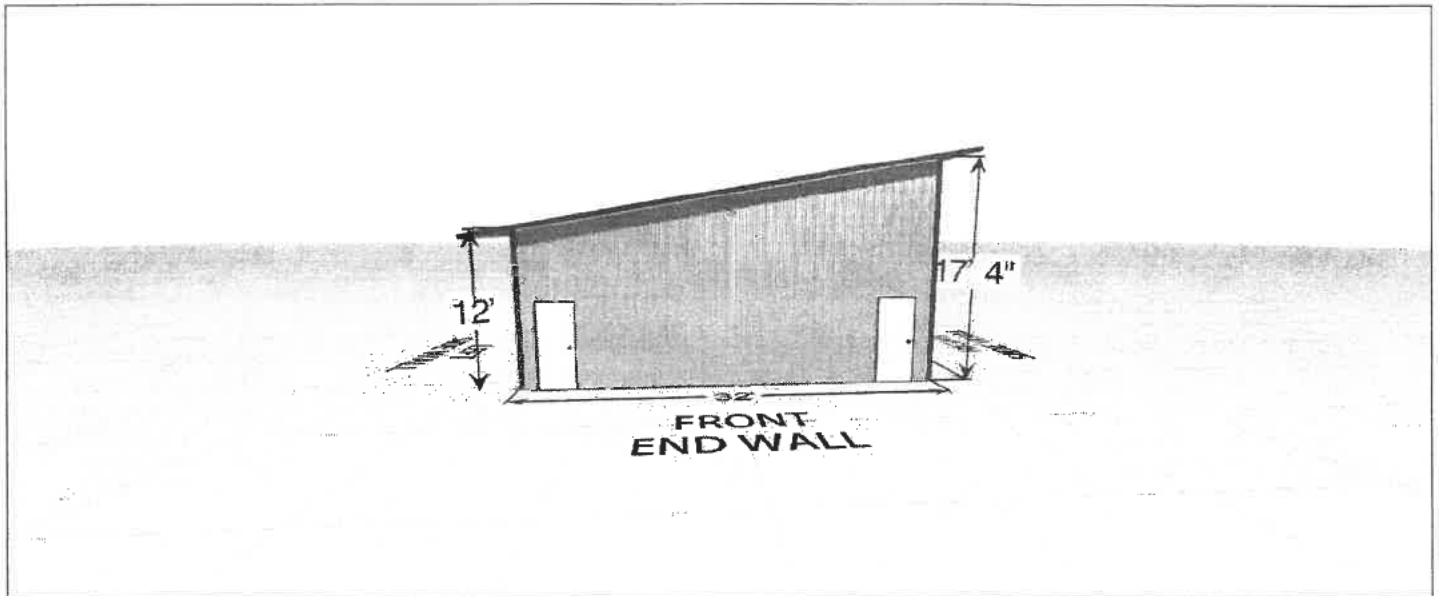
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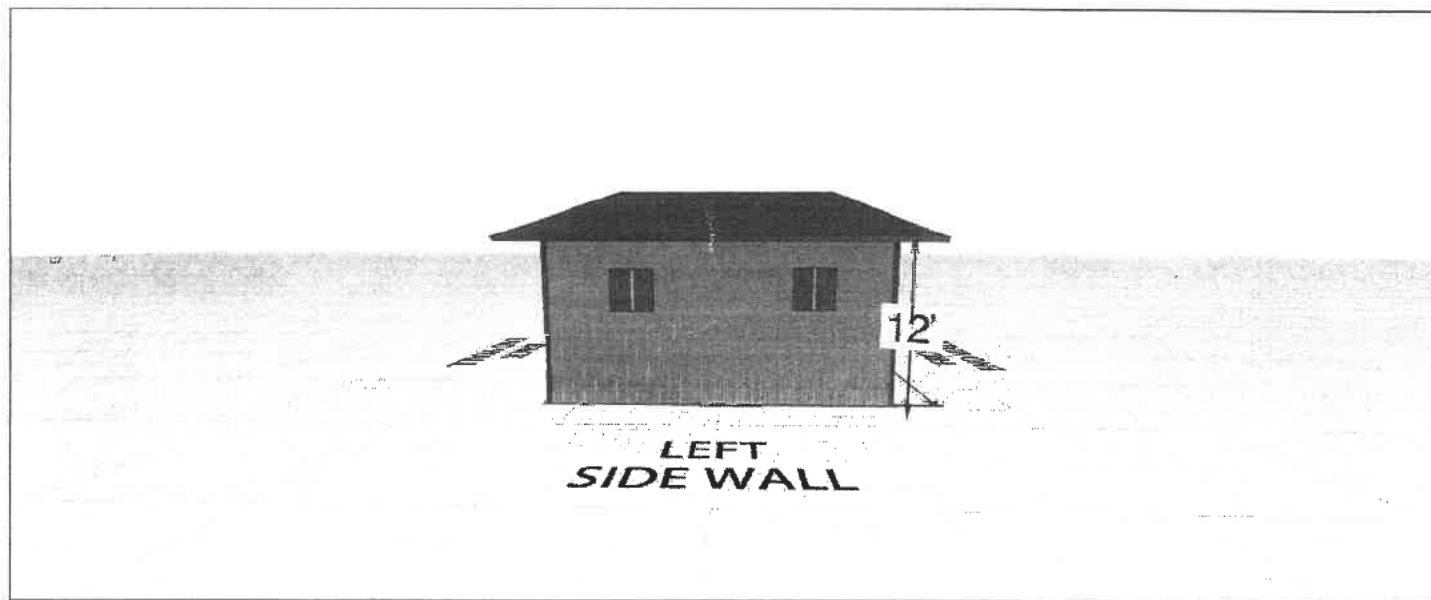
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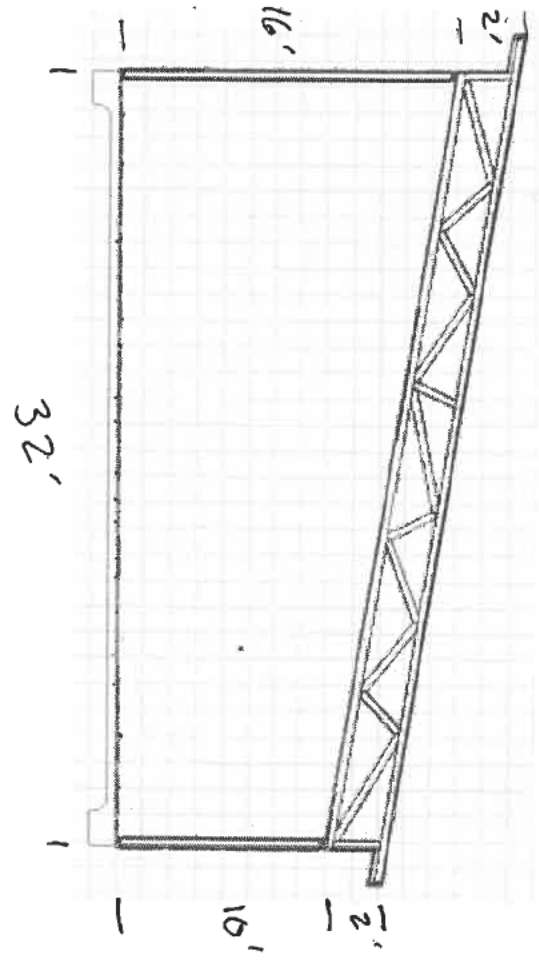
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**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-29**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR THE OPERATION OF A NON-COMMERCIAL RECREATIONAL VEHICLE PARK AND CAMPGROUND.

APPLICANT: Nicole & David Smith

PROPERTY ADDRESS: 1518 Tundra Rose

LEGAL DESCRIPTION: Block 1, Lot 5, Wild Rose Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04912038

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on August 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 July 29, 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 RR Zone is intended to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:*

(1) To separate residential structures to an extent which will:

- a. Preserve the rural, open quality of the environment,*
- b. Prevent health hazards in areas not served by public water and sewer*

(2) To prohibit uses which would:

- a. Violate the residential character of the environment;*
- b. Generate heavy traffic in predominantly residential areas*

The property has riverfront access and will be used only by the applicant and their family, in a temporary seasonal capacity, which is allowable by conditional use in this location. The applicant does not intend to use this property outside of their immediate and extended family and does not forecast large increases in traffic.

Staff finds that the proposed use is not consistent with the purpose of this chapter and the purposes and intent of the zoning district due to a lack of similar development in the

surrounding area. The current development in the surrounding neighborhood is primarily single-family dwellings. The development of an RV park/campground would bring additional traffic into the neighborhood. The proposed use would therefore not be congruent with the residential character of the environment because it would be generating heavier volumes of traffic from the parcel comparatively when all RV or tent sites are used. Using the Institute of Traffic Engineering's Trip Generation Manual, a single-family dwelling on average generates five round trips per day. This is based on a family of four where both adults are employed and two children are in school. Using this model and extrapolating this to each allowable site on the parcel (assuming five sites total), this would create 25 round trips per day from this parcel, which is more than double the number of trips generated along Tundra Rose Lane as currently developed (20/day).

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 neighborhoods within a quarter mile of this parcel are mixed between long-term residents and short-term rentals. Some of the properties in the area cater to seasonal residents and guests, but those are generally located in single-family dwelling units. A number of parcels to the north consist of surface extraction pits, to the east is a City-owned park that is a popular fishing destination, and to the west are private residences. Access to Cunningham Park is not directly accessible from Tundra Rose Lane. Motorists must access the park from Beaver Loop Road, while pedestrians or bicyclists can use a multipurpose trail adjacent to Beaver Loop Road. A mobile home park is located about a half mile to the east and lodges exist along Angler Dr, over a mile to the east of the subject parcel, but predominantly the neighborhood is low density, single-family residential.

Staff finds the economic and noneconomic value of adjoining property or neighborhood would not be significantly impaired by granting the Conditional Use Permit. Though the current development in the surrounding neighborhood is primarily single-family dwellings, the existing gravel pits already introduce a land use that could affect economic and noneconomic values.

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 Low Density Residential (LDR) land use classification. The LDR classification as stated in the Comprehensive Plan:

Low Density Residential, because of location or poor site conditions, is intended for large-lot single-family low-density residential development. The area will typically be constructed to rural street standards, and sidewalks will not be typically included in the subdivision design. Rural Residential becomes LDR to avoid confusion with zoning category.

In Imagine Kenai 2030 Comprehensive Plan, Chapter 6, "Goals, Objectives, and Implementation", a goal/objective is met from the proposed use.

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

Objective LU-2

Promote the infill of existing, improved subdivision lots.

Staff finds the proposed use is not in harmony with the Comprehensive Plan as the recreational vehicle park and campground will not be comparable to the current low-density single-family dwellings in the surrounding area. Cunningham Park, which is City

owned and maintained, is for day use only, with no overnight camping authorized. Introduction of a recreational vehicle park and campground is not aligned with the Low-Density Residential land use which calls for large lot, single-family residential development, which is the predominant use in the area.

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

Findings: As stated by the applicant a plan has been established with Homer Electric to bring power to the lot. Recreational vehicles will be primarily used on the lot until water and septic can be installed. Recreational vehicles are self-sustaining with potable water and septic containment. Once the well and septic can be installed on site – small cabins may be erected on-site to be connected to those services to adequately address sanitation concerns. Any time tent camping may occur, a portable outhouse will be brought in for the timeframe that tents are present. Routine trash service will be secured any time the family is residing. Tundra Rose is accessed via the City-maintained Beaver Loop Road and there is a snow storage plan in place for the potential of winter use cabins down the road.

Staff finds that the proposed sanitation plans will adequately serve the proposed use and have incorporated these plans into the conditions of the permit.

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

Findings: The applicant states that the conditional use will be solely for outdoor recreation. They will have clearly defined policies in place that will not permit any activities that would be harmful to public safety, health, or welfare. Recreational vehicles and any portable outhouse accommodations will be kept a safe distance from the river and will have routine septic pumping and maintenance during the duration of any use. Staff finds that the sanitation facilities outline in Criteria 4, combined with reasonable use of the land as a campground/RV park would not be harmful to public safety, health, or welfare.

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

Findings: Conditional Use Permits are subject to the following standards per KMC 14.20.245:

Recreational vehicle parks are not to become a nuisance to surrounding properties. Recreation vehicle parks shall control dust, shield lighting from other properties, prohibit loud noises, and maintain a clean and orderly appearance free from refuse.

The applicant states the intention to keep as much of the natural vegetation as possible that borders the lot to help minimize any noise and disruption during site development. Gravel will be brought on site to help eliminate dust and has submitted a list of rules and regulations that will be put in place to help maintain a respectful atmosphere among neighbors and themselves.

Staff recommends submission of a detailed landscape/site plan to be submitted prior to any construction or land clearing to ensure all landscaping requirements are met and follow the Kenai Peninsula Borough Habitat Protection District standards for development near anadromous waterbodies.

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 for the operation of a non-commercial recreational vehicle park and campground on the property described as Lot 5, Block 1, Wild Rose Subdivision.

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. Applicable building permits will be obtained prior to the construction of any permanent structures erected on-site.
3. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
4. If there is an expansion or change of use for the above-described property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5).
5. Pursuant to 13.10.060(c) sanitary facilities will be provided by the property owner who allows camping on their property and will be adequate for the number of people camping and be within reasonable distance. KMC 13.10.060(d) states a recreational vehicle, motorhome, or camper, with adequate self-contained sanitary facilities will be considered to have adequate sanitary facilities.
6. Property will maintain a clean and orderly appearance free from refuse.
7. Permit holder will submit a yearly report between October 1st and December 31st to the Planning & Zoning Department that includes a summary of the on-site activity.
8. The property will be limited to a total of five sites for recreational vehicles and/or tent camping.
9. Approval of a detailed landscape/site plan must be obtained prior to any construction or land clearing.
10. To meet the definition of non-commercial, there shall be no paying guests.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 23RD DAY OF SEPTEMBER 2026

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Jessica See, Planning Technician
DATE: September 4, 2026
SUBJECT: Resolution PZ2026-29 – Conditional Use Permit – Non-Commercial Recreational Vehicle Park & Campground

Request The Applicant is Requesting a Conditional Use Permit to Operate a Non-Commercial Recreational Vehicle Park and Campground

Staff Recommendation Fail to Approve Resolution PZ2026-29 for a Conditional Use Permit for the Operation of a Non-Commercial Recreational Vehicle Park and Campground.

Property Owner: Cowan John Daniel MD LTD Defined Ben
Applicant: Nicole & David Smith
Legal Description: Block 1, Lot 5, Wild Rose Subdivision
Property Address: 1518 Tundra Rose Lane
KPB Parcel No.: 04912038
Lot Size: 1.16 Acre (Approximately 50,530 sq. ft.)
Zoning: Rural Residential (RR)
Current Use: Vacant
Land Use Plan: Low Density Residential (LDR)

SUMMARY

The applicant is in the process of purchasing the property, contingent on the approval of a Conditional Use Permit to operate a family recreational vehicle park and campground on the 1.16-acre lot. The applicant plans to utilize the property seasonally to temporarily house family during the summer season. Pursuant to the Land Use Table in KMC 14.22.010 a Conditional Use Permit (CUP) is required to operate a recreational vehicle park or campground in the Rural Residential (RR) Zone.

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 RR Zone is intended to provide for low density residential development in outlying and rural areas in a form which creates a stable and attractive residential environment. The specific intent in establishing this zone is:*

- (1) To separate residential structures to an extent which will:*
 - a. Preserve the rural, open quality of the environment,*
 - b. Prevent health hazards in areas not served by public water and sewer*
- (2) To prohibit uses which would:*
 - a. Violate the residential character of the environment;*
 - b. Generate heavy traffic in predominantly residential areas*

The property has riverfront access and will be used only by the applicant and their family, in a temporary seasonal capacity, which is allowable by conditional use in this location. The applicant does not intend to use this property outside of their immediate and extended family and does not forecast large increases in traffic.

Staff finds that the proposed use is not consistent with the purpose of this chapter and the purposes and intent of the zoning district due to a lack of similar development in the surrounding area. The current development in the surrounding neighborhood is primarily single-family dwellings. The development of an RV park/campground would bring additional traffic into the neighborhood. The proposed use would therefore not be congruent with the residential character of the environment because it would be generating heavier volumes of traffic from the parcel comparatively when all RV or tent sites are used. Using the Institute of Traffic Engineering's Trip Generation Manual, a single-family dwelling on average generates five round trips per day. This is based on a family of four where both adults are employed and two children are in school. Using this model and extrapolating this to each allowable site on the parcel (assuming five sites total), this would create 25 round trips per day from this parcel, which is more than double the number of trips generated along Tundra Rose Lane as currently developed (20/day).

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

Finding: The neighborhoods within a quarter mile of this parcel are mixed between long-term residents and short-term rentals. Some of the properties in the area cater to seasonal residents and guests, but those are generally located in single-family dwelling units. A number of parcels to the north consist of surface extraction pits, to the east is a City-owned park that is a popular fishing destination, and to the west are private residences. Access to Cunningham Park is not directly accessible from Tundra Rose Lane. Motorists must access the park from Beaver Loop Road, while pedestrians or bicyclists can use a multipurpose trail adjacent to Beaver Loop Road. A mobile home park is located about a half mile to the east and lodges exist along Angler Dr, over a mile to the east of the subject parcel, but predominantly the neighborhood is low density, single-family residential.

Staff finds the economic and noneconomic value of adjoining property or neighborhood would not be significantly impaired by granting the Conditional Use Permit. Though the current

development in the surrounding neighborhood is primarily single-family dwellings, the existing gravel pits already introduce a land use that could affect economic and noneconomic values.

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 Low Density Residential (LDR) land use classification. The LDR classification as stated in the Comprehensive Plan:

Low Density Residential, because of location or poor site conditions, is intended for large-lot single-family low-density residential development. The area will typically be constructed to rural street standards, and sidewalks will not be typically included in the subdivision design. Rural Residential becomes LDR to avoid confusion with zoning category.

RELEVANT GOALS

Goal 3 – Develop land use strategies to implement a forward-looking approach to community growth and development

Objective LU-2

Promote the infill of existing, improved subdivision lots

Staff finds the proposed use is not in harmony with the Comprehensive Plan as the recreational vehicle park and campground will not be comparable to the current low-density single-family dwellings in the surrounding area. Cunningham Park, which is City owned and maintained, is for day use only, with no overnight camping authorized. Introduction of a recreational vehicle park and campground is not aligned with the Low-Density Residential land use which calls for large lot, single-family residential development, which is the predominant use in the area.

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

Findings: As stated by the applicant a plan has been established with Homer Electric to bring power to the lot. Recreational vehicles will be primarily used on the lot until water and septic can be installed. Recreational vehicles are self-sustaining with potable water and septic containment. Once the well and septic can be installed on site – small cabins may be erected on-site to be connected to those services to adequately address sanitation concerns. Any time tent camping may occur, a portable outhouse will be brought in for the timeframe that tents are present. Routine trash service will be secured any time the family is residing. Tundra Rose is accessed via the City-maintained Beaver Loop Road and there is a snow storage plan in place for the potential of winter use cabins down the road.

Staff finds that the proposed sanitation plans will adequately serve the proposed use and have incorporated these plans into the conditions of the permit.

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

Findings: The applicant states that the conditional use will be solely for outdoor recreation. They will have clearly defined policies in place that will not permit any activities that would be harmful to public safety, health, or welfare. Recreational vehicles and any portable outhouse accommodations will be kept a safe distance from the river and will have routine septic pumping and maintenance during the duration of any use.

Staff finds that the sanitation facilities outline in Criteria 4, combined with reasonable use of the land as a campground/RV park would not be harmful to public safety, health, or welfare.

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

Findings: Conditional Use Permits are subject to the following standards per KMC 14.20.245: Recreational vehicle parks are not to become a nuisance to surrounding properties. Recreation vehicle parks shall control dust, shield lighting from other properties, prohibit loud noises, and maintain a clean and orderly appearance free from refuse.

The applicant states the intention to keep as much of the natural vegetation as possible that borders the lot to help minimize any noise and disruption during site development. Gravel will be brought on site to help eliminate dust and has submitted a list of rules and regulations that will be put in place to help maintain a respectful atmosphere among neighbors and themselves.

Staff recommends submission of a detailed landscape/site plan to be submitted prior to any construction or land clearing to ensure all landscaping requirements are met and follow the Kenai Peninsula Borough Habitat Protection District standards for development near anadromous waterbodies.

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 comment has been received at the time of this report and is included in this packet.

STAFF RECOMMENDATION

Staff finds that the proposed Conditional Use Permit for the use of a non-commercial recreational vehicle park and campground on the property described as Lot 5, Block 1, Wild Rose Subdivision, does not meet all 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 fail to approve Resolution PZ2026-29 for the Conditional Use Permit. If the Commission does adopt the resolution, staff propose 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. Applicable building permits will be obtained prior to the construction of any permanent structures erected on-site.
3. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
4. If there is an expansion or change of use for the above-described property, a new

Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5).

5. Pursuant to 13.10.060(c) sanitary facilities will be provided by the property owner who allows camping on their property and will be adequate for the number of people camping and be within reasonable distance. KMC 13.10.060(d) states a recreational vehicle, motorhome, or camper, with adequate self-contained sanitary facilities will be considered to have adequate sanitary facilities.
6. Property will maintain a clean and orderly appearance free from refuse.
7. Permit holder will submit a yearly report between October 1st and December 31st to the Planning & Zoning Department that includes a summary of the on-site activity.
8. The property will be limited to a total of five sites for recreational vehicles and/or tent camping.
9. Approval of a detailed landscape/site plan must be obtained prior to any construction or land clearing.
10. To meet the definition of non-commercial, there shall be no paying guests.

ATTACHMENTS

Aerial Map
Application
Site Plan



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:	Cowan John Daniel MD LTD Defined Ben
Mailing Address:	491 Lake Erie Lane
City:	[REDACTED]
Phone Number(s):	[REDACTED]
Email:	[REDACTED]

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:	Nicole & David Smith
Mailing Address:	[REDACTED]
City:	[REDACTED]
Phone Number(s):	[REDACTED]
Email:	[REDACTED]

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04912038
Physical Address:	1518 Tundra Rose Lane Kenai, AK 99611
Legal Description:	T 5N R 11W SEC 10 Seward Meridian 0750113 Wild Rose Sub B1 L5
Zoning:	RR
Acres:	1.1600

CONDITIONAL USE DESCRIPTION

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

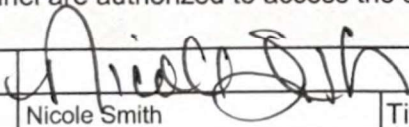
How is this property currently being used?	Vacant Land
Conditional Use Requested for (attach additional sheets if necessary):	
Private RV, Cabins and Camping	

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

The zoning district of this property and most of the surrounding area is RR (Rural Residential) which allows for a wide variety of activities that will benefit the community as a whole. Per the Kenai Comprehensive Plan, recreational activity is a significant portion of the Kenai economy and should be nurtured and supported.

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

The proposed conditional use of this property is the same use as surrounding properties. There is a park with recreational use and river access bordering L6 to the east. And L4 to the west is clearly used for outdoor recreation with an approved stairway to the river and boat mooring. L3 is approved as short term rental.

Use of surrounding property - north:	Beaver Loop Road-Across the street is a gravel pit		
Use of surrounding property - south:	River		
Use of surrounding property - east:	L6 is vacant land with city park with fishing access next to it		
Use of surrounding property - west:	L4 is residential, L3 short term rental		
Explain how the conditional use is in harmony with the City's Comprehensive Plan:			
Please see attachment #1			
Are public services and facilities on the property adequate to serve the proposed conditional use?			
An application for Homer Electric power is prepared and will be submitted by October 1st. We have been informed power is in the area and can be easily brought to the property. The use of RV's will be the primary use on the property until the well and septic can be installed. The RVs are self sustaining with their own water storage and septic containment. Once the well and septic can be installed plans may be put into place for small cabins to be connected to those services. Trash services will be brought in on site as well. In the event any tent camping occurs, outhouses will be brought in for the timeframe they are present.			
Explain how the conditional use will not be harmful to public safety, health, or welfare:			
The conditional use will be solely for outdoor recreation. No activities will be permitted that would be harmful to public safety, health or welfare.			
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?			
We intend to keep as much of the natural vegetation as possible bordering the lots on either side of us to minimize noise and any disruption during site development. Rules for guests will be put in place to provide for an enjoyable experience for anyone on our property as well as our neighbors. Please see attachment #2 for proposed property rules & regulations.			
AUTHORITY TO APPLY FOR CONDITIONAL USE: I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.			
Signature:			Date: 8/28/2026
Print Name:	Nicole Smith	Title/Business:	
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	

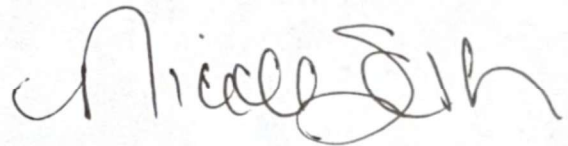
Conditional Use Permit for 1518 Tundra Rose Lane (Cont.)

Attachment #1

Explain how the conditional use is in harmony with the City's Comprehensive Plan:

The proposed conditional use is in harmony with Kenai Comprehensive Plan by meeting the following goals:

- Goal 1 (Q9) Encourages Healthy Lifestyles by encouraging outdoor activities
- Goal 2 (ED9) Marketing Kenai as a destination for recreational Activities
- Goal 6 (PR4) Support projects that provide additional quality outdoor recreation.

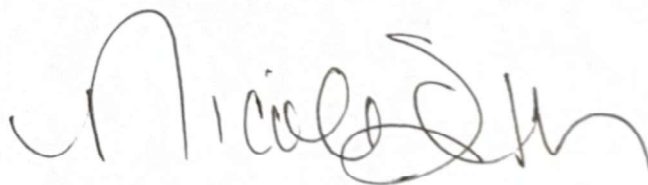
A handwritten signature in black ink, appearing to read "Nicole Smith". The signature is fluid and cursive, with the first name "Nicole" written in a larger, more prominent script than the last name "Smith".

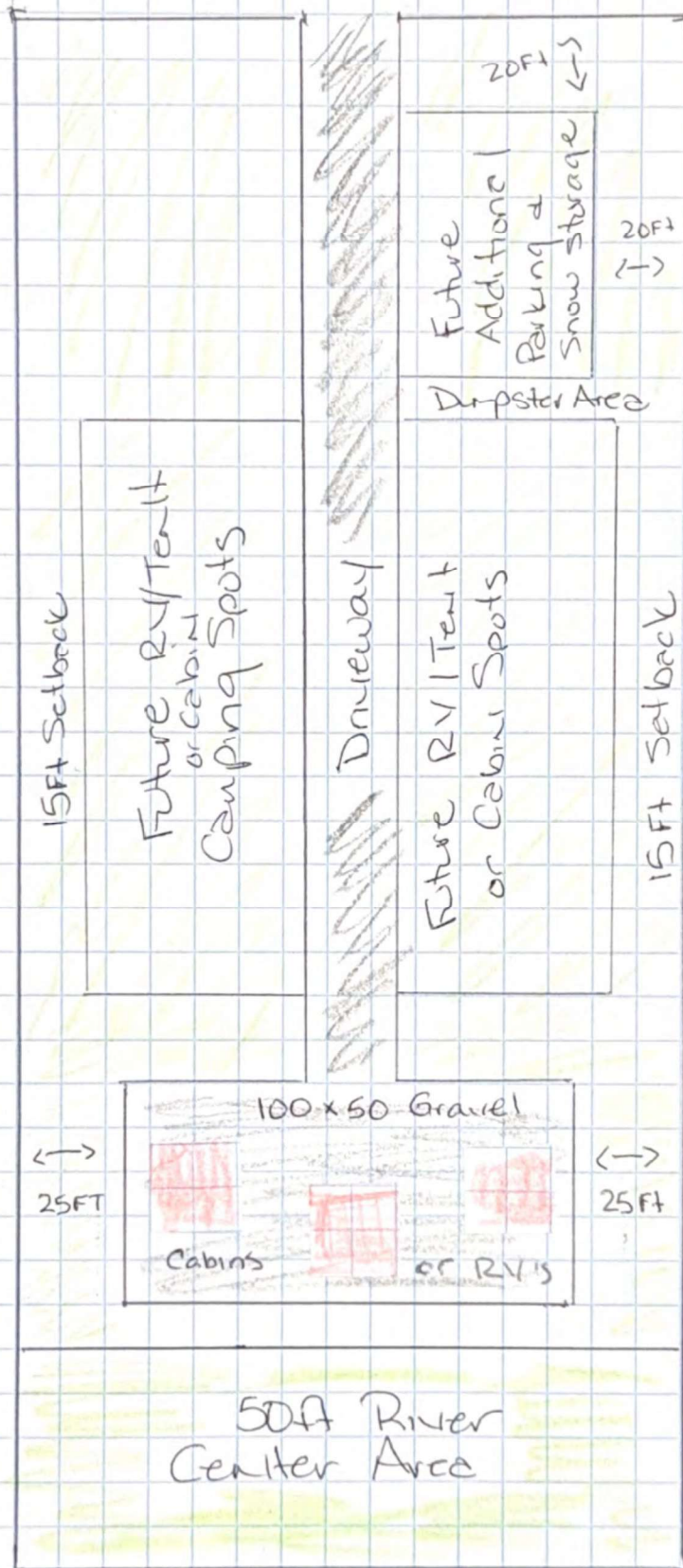
Conditional Use Permit for 1518 Tundra Rose Lane (Cont.)

Attachment #2

Proposed Rules and Regulations for Family, friends and guests

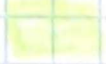
1. Quiet hours from 10pm-8am
2. All pets must be on a leash or secured in fencing
3. Pet waste must be disposed of properly.
4. All trash will be place in proper receptacles.
5. Campfires must be in designated pits
6. No smoking of any kind on property, including cigarettes, vaping & marijuana.
7. No illicit drug use of any kind

A handwritten signature in black ink, appearing to read "Nicole Smith", is written across the middle of the page.



□ = 10x10

 Gravel

 Natural Vegetation

Nicola J. H.



Legend

Transportation

Mileposts



Roads

-  Private Road
-  Proposed
-  State Highway
-  Town Low/Seasonal
-  Town Major
-  Collector
-  Town Medium
-  Volume-Maintained
-  Town Medium
-  Volume-
-  Unmaintained
-  Trail

Parcels and PLSS

Tax Parcels



0 150 300
ft

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

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



KENAI

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

HOME OCCUPATION PERMIT

NOTICE OF DECISION

Permit Use: Home Based Food Business

Project Address: 207 Linwood Lane

Legal Description: Lot 1, Jackson Property

Parcel No.: 04515118

Lot Size: 1.02 Acre

Zoning: Suburban Residential

Administrative Official's Decision

Approved

Decision Date: September 23, 2026

Appeal Deadline: October 8, 2026

SCOPE OF WORK

Home-based food business specializing in baked goods and confections that will be prepared, packaged, and stored inside the residence. There will be no on-site dining, outdoor storage, or employees outside of permit allowance.

CONDITIONS OF APPROVAL

Based on the application and review of the criteria for a landscaping/site plan, the application meets the intent of home occupation requirements and performance criteria. **The plan is APPROVED as submitted with the following conditions of approval, consistent with Kenai Municipal Code:**

1. Development of the property will conform to all federal, State of Alaska, and local regulations.
2. No more than one (1) person outside the family may be employed in the home occupation.
3. No more than thirty percent (30%) of the gross floor area of all buildings on the lot shall be used for the home occupation.
4. The home occupation must occur entirely within a fully enclosed principal structure or accessory building.

5. A fire inspection will be conducted every 2 years and reported to the City Planning & Zoning Department.
6. Permit holder will submit a yearly report between October 1st and December 31st to the Planning & Zoning Department that includes a summary of the on-site activity
7. Any changes to the approved permit must be reviewed and approved by Planning & Zoning Department.

This decision may be appealed to the Board of Adjustment by filing an appeal with the City Clerk's Office within 15 days of the date of this decision. Appeal forms are available online at <https://www.kenai.city/board-adjustment/page/appeal-board-adjustment-application-and-information>. A completed appeal form must be submitted by 5:00 p.m. on the last day of the appeal period.

APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI,
ALASKA, THIS 23RD DAY OF SEPTEMBER 2026.

JEANNE KEATON, CHAIR





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
DATE: September 15, 2026
SUBJECT: Home Occupation Permit

Request

The applicant is requesting a Home Occupation Permit to operate a home-based food business out of the primary residence

Staff Recommendation

Approve the Home Occupation Permit for operation of a home-based food business out of the primary residence

Applicant: Krista and Christopher Jewell
Property Owner: Christopher Jewell
Property Address: 207 Linwood Lane
KPB Parcel No.: 04515118
Lot Size: 1.02
Zoning: Suburban Residential

SUMMARY

The applicant is requesting a Home Occupation Permit for the operation of a home-based business where baked goods and confections are prepared, packaged, and stored inside the family residence. Orders will be prepared on a small scale for individual customers. There will be no dining on-site, no outdoor storage, and no employees outside of the household.

ANALYSIS

Pursuant to KMC 14.20.230(a), the intent of a home occupation permit is to allow home occupations that are compatible with the other permitted uses and with the residential character of a neighborhood, and that are clearly secondary or incidental to the residential use of the main building. Prior to granting the home occupation permit, the Commission will determine that the identified criteria as outlined in KMC 14.20.230(d) *Development Requirements* are met.

Criteria 1: Not more than one (1) person outside the family may be employed in the home occupation.

Findings: As stated by the applicant, there will be no employees outside of the household. Staff finds that the request is compliant with criteria 1.

Criteria 2: No more than 30% of the gross floor area of all buildings on the lot shall be used for the home occupation.

Findings: As stated by the applicant the proposed use will not exceed more than 30% of the gross floor area of all buildings on the lot to be used for the home occupation. Staff finds that the request is compliant with criteria 2.

Criteria 3: The home occupation shall be carried on wholly within the principal building, or other buildings, which are accessory thereto. Any building used for a home occupation shall be wholly enclosed.

Findings: As stated by the applicant, the business will be conducted entirely inside the residence, utilizing the existing kitchen and designated storage and packaging area. Staff finds that the request is compliant with criteria 3.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.230(e)(4) notice of the consideration was published in the *Peninsula Clarion* at least two (2) days prior to the meeting. No comment was received at the time of this report.

STAFF RECOMMENDATION:

Staff finds that the proposed request for the operation a home-based food business where baked goods and confections are prepared, packaged, and stored inside the residence located at 207 Linwood Lane meets the criteria for issuance of a Home Occupation Permit as set forth KMC 14.20.230 and hereby recommends that the Planning & Zoning Commission approve the permit subject to the following conditions:

1. Development of the property will conform to all federal, State of Alaska, and local regulations.
2. No more than one (1) person outside the family may be employed in the home occupation.
3. No more than thirty percent (30%) of the gross floor area of all buildings on the lot shall be used for the home occupation.
4. The home occupation must occur entirely within a fully enclosed principal structure or accessory building.
5. A fire inspection will be conducted every 2 years and reported to the City Planning & Zoning Department.
6. Permit holder will submit a yearly report between October 1st and December 31st to the Planning & Zoning Department that includes a summary of the on-site activity
7. Any changes to the approved permit must be reviewed and approved by Planning & Zoning Department.





Home Occupation 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: Krista Jewell and christopher Jewell
Mailing Address: [REDACTED]
City: [REDACTED]
Phone Number(s): [REDACTED]
Email: [REDACTED]

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID): 04515118
Physical Address: 207 Linwood Lane Kenai AK 99611
Legal Description: T 6N R 11W SEC 34 Seward Meridian KN 0800094 Jackson Property Lot 1
Zoning: RS - Suburban Residential

HOME OCCUPATION DESCRIPTION

(include State Business License and KPB Tax Compliance if applicable for this application)

Home occupation use (attach additional sheets if necessary):

Jewell's Sweet Spot is a home-based cottage food business where baked goods and confections are prepared, packaged, and stored inside the residence. Orders are prepared on a small scale for individual customers. There will be no customers dining in, no outdoor storage, and no employees outside of the household.

Home occupations are accessory uses conducted so the average neighbor would not be aware of its existence. Describe how the home occupation is compatible with other permitted uses and with the residential character of the neighborhood:

The business will be conducted entirely inside the residence and will not change the residential appearance of the property. There will be no excessive noise, traffic, outdoor storage, or other disturbance to the neighboring properties. The business will use the existing kitchen and designated storage/packaging area.

Will you place a sign on the property for your home occupation?
(allowed with an approved sign permit)

☐ YES ☒ NO

* Trash run to dump by p10

HOME OCCUPATION DEVELOPMENT REQUIREMENTS
(include site plan/floor plan with square footage with this application)

Will no more than one person outside of the family be employed for the home occupation? ☒ YES

Will no more than 30% of the gross floor area of all buildings on the lot be used for the home occupation? ☒ YES

Will the home occupation take place in a wholly enclosed principal building or other building accessory to the principal building on the property? ☒ YES

AUTHORITY TO APPLY FOR HOME OCCUPATION PERMIT: 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 home occupation permit in conformance with Title 14 of the Kenai Municipal Code. I understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff 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: K. Jewell Date: 9/8/26

Print Name: Krista Jewell Title/Business: owner - Jewell's Sweet Spot

For City Use Only

Fire Inspection Status:

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

Krista Lea Jewell

is licensed by the department to do business as

Jewell's Sweet Spot

for the period

August 26, 2026 to December 31, 2026
for the following line(s) of business:

31-33 - Manufacturing



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



Registration EBR0004814

Summary

Registration	Business Registration	Completed
EBR0004814	Aug 26, 2026	

Details

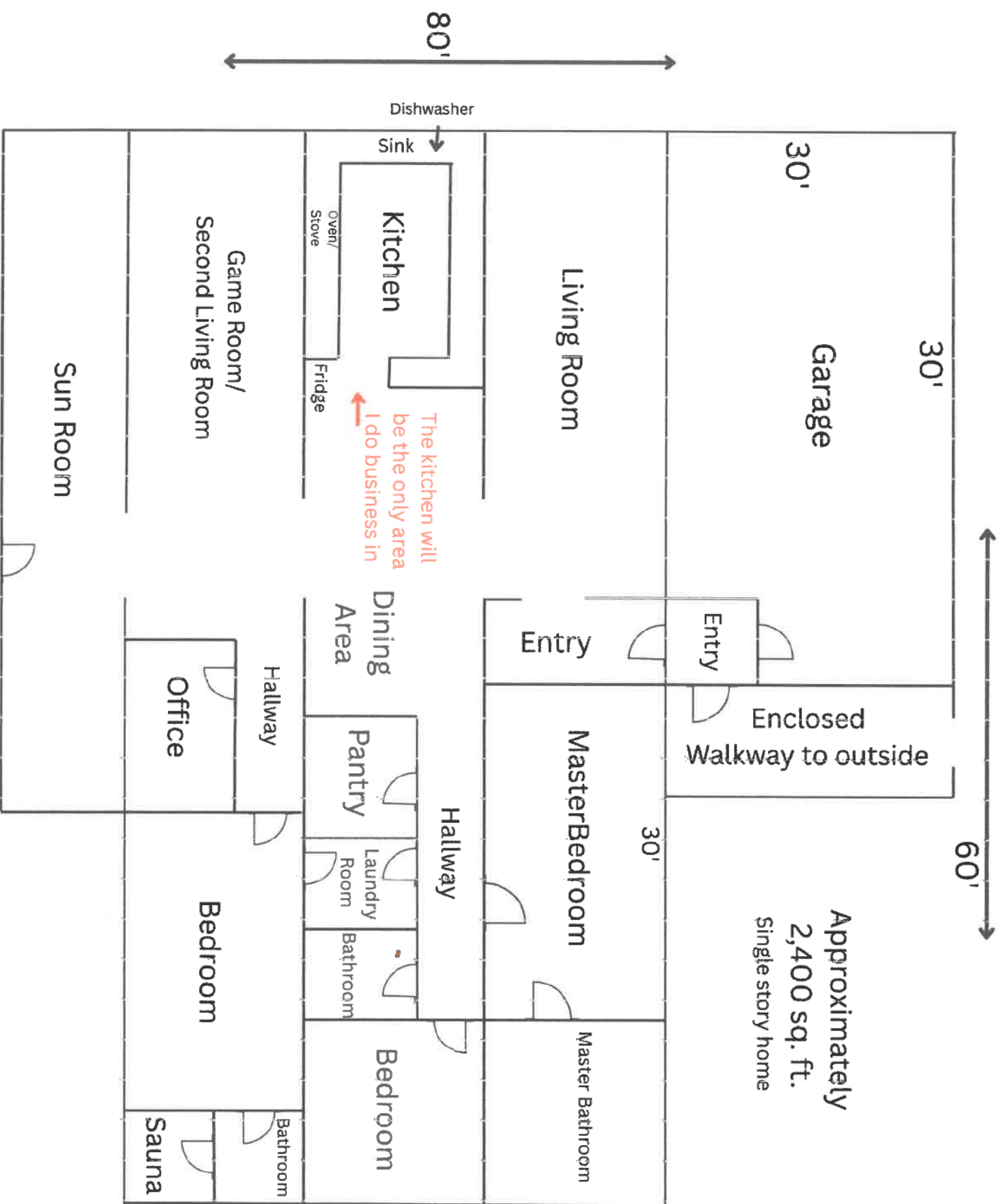
Click to expand



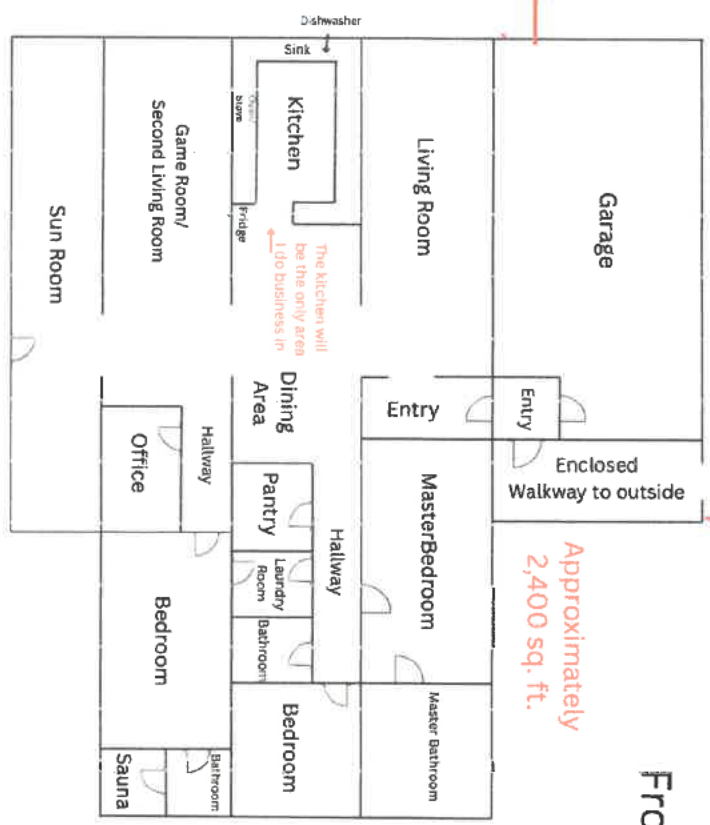
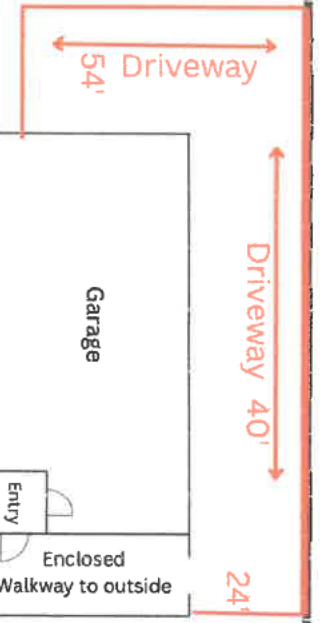
Section 1. Entity Type

SOLE PROPRIETORSHIP

Section 2a. Business Information

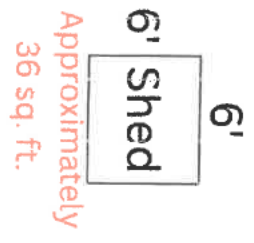
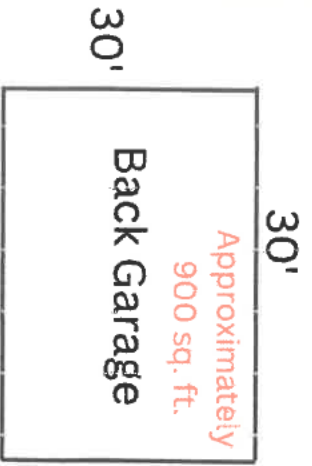


Lot size:
1.0200 Acres



Patio

Back Yard





Kaknu Way

210 Linwood Ln

1200 Kaknu Way

1206 Kaknu Way

1104 Kaknu Way

04515118

212 Linwood Ln

207 Linwood Ln

210 Linwood Ln

208 Linwood Ln

Teresa St

207 Cottage Cir

205 Cottage Cir

206 Cottage Cir

206 Silversmith Ln

205 Linwood Ln

206 Linwood Ln

Silversmith Ln

203 Cottage Cir

204 Cottage Cir

203 Linwood Ln

204 Linwood Ln

1107 Colenia Dr

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MEMORANDUM

TO: Chair Keaton and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: September 16, 2026

SUBJECT: Data Centers

The attached filing was sent to the City, due to the proximity to a proposed data center in Cook Inlet. This filing was shared by the City Manager to City Council. We have received a public comment, which is also attached. Currently, there is no action requested to be taken by the Commission, but staff wanted to keep the Commission informed on the issue, especially due to the submission of public comments.

The City Administration will continue to keep the Commission and Council informed, if there are any further updates.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

DeepGreen Cook Inlet SPV, LLC

Project No. 15423-000

NOTICE OF PRELIMINARY PERMIT APPLICATION ACCEPTED FOR FILING
AND SOLICITING COMMENTS, MOTIONS TO INTERVENE, AND COMPETING
APPLICATIONS

(September 1, 2026)

On February 11, 2026, as supplemented on June 26, 2026, DeepGreen Cook Inlet SPV, LLC filed an application for a preliminary permit, pursuant to section 4(f) of the Federal Power Act (FPA), proposing to study the feasibility of the DeepGreen Cook Inlet Subsea-Compute & Infrastructure Hub Project (DeepGreen Project or project) to be located in the Upper Cook Inlet, East Foreland Corridor, Kenai Peninsula Borough, Alaska. The sole purpose of a preliminary permit, if issued, is to grant the permit holder priority to file a license application during the permit term. A preliminary permit does not authorize the permit holder to perform any land-disturbing activities or otherwise enter upon lands or waters owned by others without the owners' express permission.

The proposed project would consist of the following: (1) approximately 330–350 marine hydrokinetic turbines utilizing a proprietary universal docking cradle system; (2) 66 modular subsea-compute hives (data center pods) integrated within the turbine array to utilize direct-coupled power and passive subsea cooling; (3) an approximately 3.5-mile long, 115 kV hybrid power/fiber-optic armored subsea cable; (4) a subsea cable landing site within the Nikiski Industrial Corridor, positioned between the Agrium Kenai Nitrogen Operations and the Kenai Liquefied Natural Gas Plant; and (5) appurtenant facilities. The estimated annual generation of the DeepGreen Project would be 100 megawatts, which would primarily be utilized to power the subsea data center. Spare electricity could be diverted to the grid via an interconnect with the Alaska Railbelt Grid at a dedicated terrestrial substation.

Applicant Contact: Louis Wolfson, Managing Member, DeepGreen Cook Inlet SPV, LLC 100 Crescent Road, Needham, MA 02494; phone: (617)-799-32326.

FERC Contact: Christopher Brosman; phone: (202) 502-8573. Email: Christopher.Brosman@ferc.gov.

Deadline for filing comments, motions to intervene, competing applications (without notices of intent), or notices of intent to file competing applications: **by 5:00**

p.m. Eastern Time on November 2, 2026.¹ Competing applications and notices of intent must meet the requirements of 18 C.F.R. § 4.36.

The Commission strongly encourages electronic filing. Please file comments, motions to intervene, notices of intent, and competing applications using the Commission's eFiling system at <https://ferconline.ferc.gov/eFiling.aspx>. Commenters can submit brief comments up to 10,000 characters, without prior registration, using the eComment system at <https://ferconline.ferc.gov/QuickComment.aspx>. For assistance, please contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Debbie-Anne A. Reese, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. The first page of any filing should include docket number **P-15423-000**.

For public inquiries and assistance with making filings such as interventions, comments, or requests for rehearing, contact the Office of Public Participation at (202) 502-6595 or OPP@ferc.gov.

More information about this project, including a copy of the application, can be viewed on the Commission's website (<http://www.ferc.gov>) using the "eLibrary" link. Enter the docket number, excluding the last three digits (P-15423), in the docket number field to access the document. For assistance, contact FERC Online Support.

(Authority: 18 CFR 2.1)

Carlos D. Clay,
Deputy Secretary.

¹ The Commission's Rules of Practice and Procedure provide that if a filing deadline falls on a Saturday, Sunday, holiday, or other day when the Commission is closed for business, the filing deadline does not end until the close of business on the next business day. 18 C.F.R. § 385.2007(a)(2) (2025). Because the 60-day filing deadline falls on a Saturday (i.e., October 31, 2026), the filing deadline is extended until 5:00 p.m. Eastern Time on November 2, 2026.

From: [Planning Department](#)
To: [Kevin Buettner](#)
Subject: FW: p and z final copy
Date: Thursday, September 10, 2026 9:22:38 AM

From: Curt Wilcox <curtwilcox@gmail.com>
Sent: Wednesday, September 9, 2026 2:25 PM
To: Planning Department <planning@kenai.city>
Subject: Fwd: p and z final copy

Caution: This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

Begin forwarded message:

From: laura sievert <laurasievert@hotmail.com>
Date: September 9, 2026 at 1:28:20 PM AKDT
To: Curt Wilcox <curtwilcox@gmail.com>
Subject: p and z final copy

To the City of Kenai Planning and Zoning Commission:

I oppose the proposed Deep Green data center that is being considered for Cook Inlet near Nikiski.

Local government needs to address several significant concerns before permitting this project, especially considering that there appear to be to be very few, if any, advantages to the people who live here.

I realize that the Planning and Zoning Commission may not be the place for a philosophical discussion about A.I. However, I don't think that the council should reflexively believe that A.I. is always a good thing, and that the more data centers we have the

better off we will be as humans. I hope you are informed about the increasing risks of A.I. escaping human control, with unknown and possibly catastrophic consequences.

Other more local downsides include:

1. Raising the water temperature of Cook Inlet affecting all life in the inlet. Also, data centers are noisy and will disrupt marine life and feeding grounds
2. Where will this data center get its power?
3. The unknown consequences of construction in a seismically active area.
4. Last but not least, what about the designation of the Inlet as critical habitat for belugas (and habitat for other species).

I haven't seen any mention of how the people of the city of Kenai will benefit. And it's certain that the ecosystem of Cook Inlet will not benefit in any way.

Please oppose construction of data centers in Cook Inlet. The risks are too great and the advantages are insignificant to us as human beings living here.

Laura Sievert, Kenai

MEMORANDUM

TO: Chair Keaton and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: September 16, 2026

SUBJECT: **Action/Approval – Requested Inclusion of Comprehensive Plan Project into FY2028-2032 City of Kenai Capital Improvement Plan**

The current City of Kenai Comprehensive Plan, *Imagine Kenai 2030*, was adopted ten years ago, having been adopted in July 2016. Development in the City in the intervening decade has largely followed the recommendations of this plan, though exceptions have been made as additional ancillary planning projects have been completed, such as the Working Waterfront Assessment. Currently, the Airport Master Plan is almost complete, and the Parks & Recreation Master Plan was adopted this past summer. The new planning efforts will have recommendations that are not currently reflected in the Comprehensive Plan, as requirements for state and federal funding have changed.

I have reached out to similarly sized municipalities and talked with various planning consultants to determine a range of values for costs. These costs ranged from \$200,000 to \$650,000. The upper range included additional scoped tasks, such as zoning code updates. Historically, the Kenai Peninsula Borough has assisted the City with some funding to develop a new plan. These conversations are ongoing and any updates will be shared with the Commission.

STAFF RECOMMENDATION

Staff recommends requesting \$275,000 for a Comprehensive Plan update in the FY2028-2032 City of Kenai Capital Improvement Plan.

MEMORANDUM

TO: Chair Keaton and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: September 16, 2026

SUBJECT: Action/Approval – Rescheduling End of Year Meeting

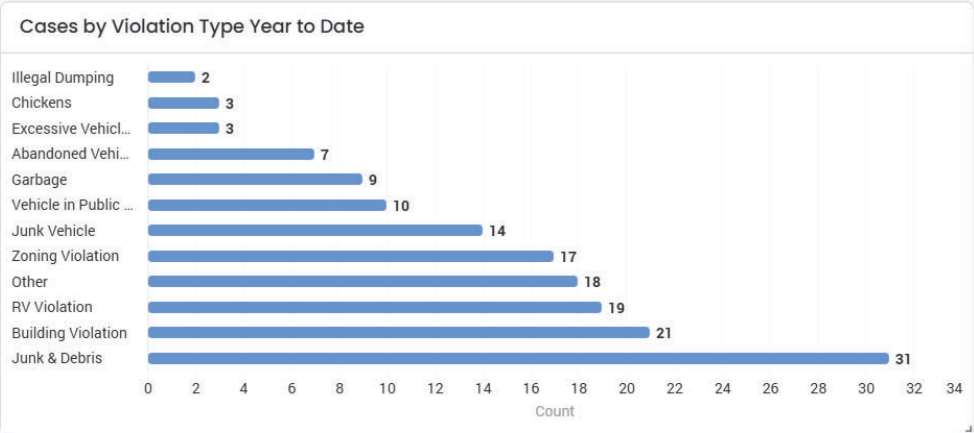
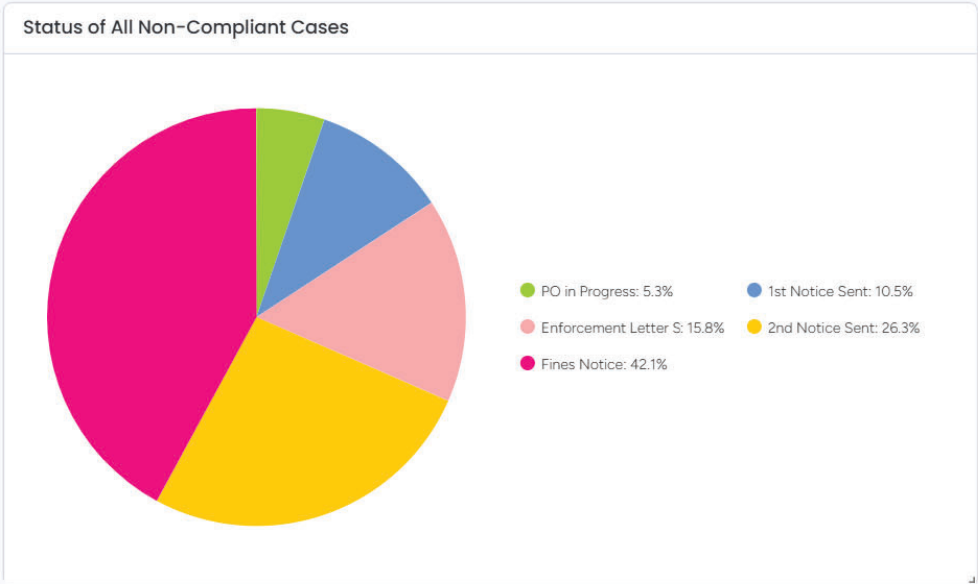
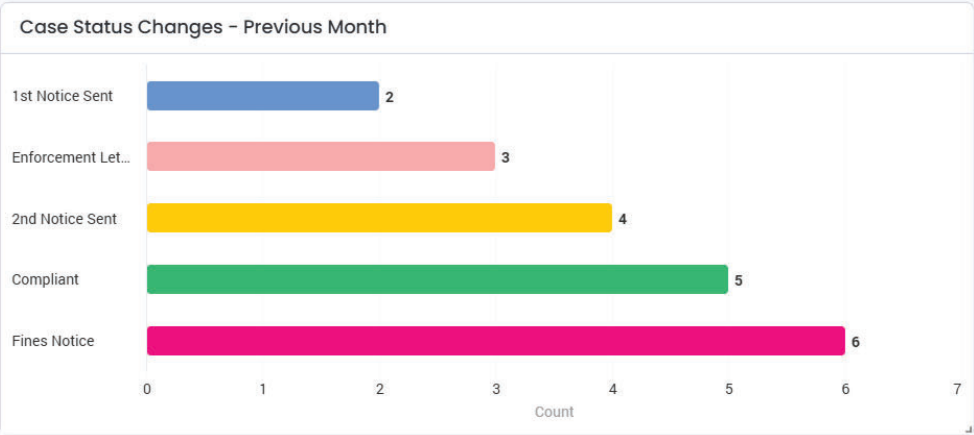
The meeting calendar for the Planning & Zoning Commission includes the following future dates in December:

- December 9
- December 23

The meeting on December 9th is immediately after the Alaska Planning Conference and during the Alaska Municipal League annual meeting, which may reduce staff availability. December 23 is immediately before the Christmas holiday, and it is anticipated that both staff and Commissioners may be on vacation or traveling.

STAFF RECOMMENDATION

Staff recommends rescheduling the December meeting to December 15th, which is a Tuesday. This would position the December meeting approximately one month from the rescheduled November meeting and keep us within any timelines for plat reviews, which are time sensitive by code.





September 14, 2026 – 7:30 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 2029

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2028

Diane Fikes
City of Kenai
Term Expires 2028

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2027

Vacant
City of Seward
Term Expires 2029

Jeffrey Epperheimer
Nikiski District
Term Expires 2029

Dawson Slaughter
South Peninsula District
Term Expires 2028

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

ZOOM MEETING DETAILS

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

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

Zoom Meeting ID: 907 714 2200

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

*3. Administrative Approvals

- a. Barnett Lot 1 2025 Resubdivision; KPB File 2025-140
- b. Benjamin Bardarson Subdivision 2025 Replat; KPB File 2025-037
- c. Carikens 2026 Replat; KPB File 2025-139
- d. Cooper Subdivision 2023 Replat; KPB File 2023-082
- e. Green Acres Hill Addition; KPB File 2026-019
- f. Kenai Meadows Addition No. 2; KPB File 2025-094
- g. Kinrod 2025 Replat; KPB File 2025-131
- h. Lucason Subdivision 2025 Replat; KPB File 2025-016
- i. Mid River Estates Subdivision 2026 Addition; KPB File 2026-014
- j. Poolside Estates 2026 Addition; KPB File 2026-016
- k. Timberline Rush Patch Replat; KPB File 2025-162
- l. Tutl'uh Subdivision 2026 Replat; KPB file 2025-116

*4. Final Approvals

- a. Quartz Creek Sub Outfitter Way Replat Amended Tract B1; KPB File 2025-046V
- b. Seacliff Subdivision Unit 2 Brannon Replat; KPB File 2026-040

*6. Excused Absences

- a. Jeremy Brantley, Sterling/Funny River District
- b. Vacant, City of Seward

*7. Minutes

- a. August 24, 2026 Planning Commission Meeting Minutes

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

D. UNFINISHED BUSINESS

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. Conditional Use Permit; Planning Commission Resolution 2026-39

Applicant: Spessard

Request: For an addition to a cabin structure on a small lot in River Quest Subdivision within the HPD of the Kenai River

Parcel ID 05503352 / Address: 45627 Davison Avenue

River Quest Subdivision

Motion to adopt Planning Commission Resolution 2026-39 granting a conditional use permit pursuant to KPB 21.18 passed by unanimous vote (6-Yes, 2- Absent)

2. Building Setback Encroachment Permit; KPB File 2026-096

Planning Commission Resolution 2026-42

McLane Consulting Group / David M Jensen & Denise Havlik-Jensen Trust

Request: Permits an existing garage to remain 5.4' into the building setback on Lot 60 Block 1 Moose Range Meadow South Addition 1, Plat KN 84-248

Funny River Area

Motion to adopt Planning Commission Resolution 2026-42 granting a building setback encroachment permit passed by unanimous vote (7-Yes, 1 Absent)

3. Building Setback Encroachment Permit; KPB File 2026-097

Planning Commission Resolution 2026-41

Seabright Survey & Design / Walker

Request: Permits an existing shed to remain 11.6' into the building setback Lot 11 Block 3 Birch Side Acres Subdivision Unit 3, Plat HM 73-1019

Kachemak Area

Motion to adopt Planning Commission Resolution 2026-41 granting a building setback encroachment permit passed by unanimous vote (6-Yes, 2-Absent)

4. Building Setback Encroachment Permit; KPB File 2026-098

Planning Commission Resolution 2026-40

Seabright Survey & Design / Walker

Request: Permits an existing garage to remain .3' into the building setback on Lot 11 Block 3 Birch Side Acres Subdivision Unit 3, Plat HM 73-1019

Kachemak Area

Motion to adopt Planning Commission Resolution 2026-40 granting a building setback encroachment permit passed by unanimous vote (6-Yes, 2-Absent)

Public Hearing: Legislative Matters

5. Right-of-way Vacation; KPB File 2026-092V

No Surveyor /Vesely

Request: Vacate Keyros Avenue as granted by Pettifoggers Place Subdivision

Keyros Addition, Plat KN 2005-16

Cohoe Area

**Motion to grant the vacation as recommended by staff passed by unanimous vote
(6-Yes, 2-Absent)**

6. Planning Commission Resolution 2026-43: A resolution approving and adopting bylaws for the Kenai Peninsula Borough Planning Commission

Motion to adopt Planning Commission Resolution 2026-43 passedd by unanimous vote (7-Yes)

F. PLAT COMMITTEE REPORT – The plat committee will review 8 plats.

G. OTHER

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

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, September 28, 2026** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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

e-mail address: planning@kpb.us

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

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

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

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.



September 14, 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 2029

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2028

Diane Fikes
City of Kenai
Term Expires 2028

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2027

Vacant
City of Seward
Term Expires 2026

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Nikiski District
Term Expires 2029

Dawson Slaughter
South Peninsula District
Term Expires 2028

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ZOOM MEETING DETAILS

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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 AGENDA:

- *1. Agenda**
- *2. Excused Absences - None**
- *3. Minutes**
 - a. August 24, 2026 Plat Committee Meeting Minutes
- *4. Grouped Plats**
 - E1. View Land Subd Endsley Addition; KPB 2026-032R1
 - E3. Hostetter 2026 Replat; KPB 2026-090
 - E4. Tucker Smith Subd Add No. 3; KPB 2026-091
 - E9. Lofty Estates Unit 9 2026 Replat; KPB 2026-099

Motion to approve the consent & regular agendas 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. View Land Subdivision Endsley Addition; KPB File 2026-032R1

Vector Surveying LLC Magnitude & Direction
Gregory C & Dona H Endsley Revocable Trust
Location: Wilbur Avenue & Suellen Street
Sterling Area

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

2. Outlook Subdivision North Fork Micro AG Addition; KPB File 2026-062

Peninsula Surveying / Inglis
Location: Big Davis St., Alex Shadell St., Tillygirl Ave., Louis Huber Ave. & North Fork Rd.
Anchor Point Area

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

Motion to grant the exception request to KPB 20.30.170 – Block Length Requirements, passed by unanimous vote (4-Yes)

3. Hostetter 2026 Replat; KPB File 2026-090

McLane Consulting Group / Bauer, Archuleta
Location: Sterling Highway & Fleetwood Avenue
Ninilchik Area

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

4. Tucker Smith Subdivision Addition No. 3; KPB File 2026-091

McLane Consulting Group / Norris
Location: Corkey Moore Street & Enterprise Avenue
Funny River Area

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

5. Soldotna Junction Subdivision Addition No. 24; KPB File 2024-136

McLane Consulting Group
Poppin Family Revocable Community Property Trust / Jack C. Farnsworth Residuary Trust
Location: N. Soldotna Ave., Foothill Rd., Devin Dr., MP 94 Sterling Hwy., Cohoe St.
City of Soldotna

Motion to grant the exception request to KPB 20.30.020 – Reserved Strip Prohibition, passed by unanimous vote (4-Yes)

6. Robertson Subdivision Tract 2 Newby 2026 Replat; KPB File 2025-138

Seabright Survey & Design / Newby Revocable Trust
Location: Shelton Avenue E., Durst Street & Brookie Road
Diamond Ridge Area

Motion to grant the exception request to KPB 20.30.190(A) – Lot Dimensions, passed by unanimous vote (4-Yes)

7. Mountain Brook Heights Hopkins 2026 Replat; KPB File 2026-038

Seabright Survey & Design / Hopkins, Hedgecoth
Location: Mountain Brook Road & Rocky Street
Seldovia Area

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

Motion to grant the exception request to KPB 20.30.100(B) – Cul-de-sacs, passed by unanimous vote (4-Yes)

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

8. Watson Ridge Simpson Heights; KPB File 2026-095

Seabright Survey & Design / Simpson
Location: East Hill Road
City of Homer

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

9. Lofly Estates Unit 9 2026 Replat; KPB File 2026-099

Seabright Survey & Design / Schwiesow
Location: Diamond Ridge Road
Diamond Ridge Area

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 September 28, 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

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

September 02, 2026 — 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **ENACTED AS AMENDED Ordinance No. 3542-2026** - Providing for the Submission to the Qualified Voters of the City of Kenai, at the Regular Election to be Held on November 3, 2026, the Question of Enacting Kenai Municipal Code, Section 7.05.031- Residential Property Tax Exemption, to Establish a Residential Property Tax Exemption in the Amount of \$75,000. (Knackstedt, Kisenia)
2. **ENACTED UNANIMOUSLY Ordinance No. 3543-2026** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant From the Federal Aviation Administration and Awarding a Contract for the Airport Perimeter and Security Fence Project. (Administration) [KMC 1.15.070(d)]
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)
 3. Motion for Enactment (Requires Five Affirmative Votes)
3. **POSTPONED INDEFINITELY Resolution No. 2026-59** - Authorizing a Contract Award for the Sixth Street Construction Project. (Administration)
4. **ADOPTED BY SUBSTITUTE UNANIMOUSLY Resolution No. 2026-60** - Authorizing a Contract Award for the Strategic Plan Consulting Services. (Administration)

F. MINUTES

1. *Regular Meeting of August 19, 2026. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Ordinance No. 3544-2026** - Amending Kenai Municipal Code Chapter 1.56 Kenai Municipal Library Department, Removing the Library Regulations from the Appendices of Kenai Municipal Code, and Amending the City of Kenai Schedule of Rates, Changes, and Fees for Housekeeping Purposes and to Align the Library with Other City Departments. (Administration)

I. COMMISSION REPORTS

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

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

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

L. ADDITIONAL PUBLIC COMMENTS

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

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

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

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

https://us02web.zoom.us/meeting/register/XWrAv1D-SFKif0I_p3JsPw



Kenai City Council - Regular Meeting

September 16, 2026 — 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

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

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B. SCHEDULED ADMINISTRATIVE REPORTS

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

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

E. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY Ordinance No. 3544-2026** - Amending Kenai Municipal Code Chapter 1.56 Kenai Municipal Library Department, Removing the Library Regulations from the Appendices of Kenai Municipal Code, and Amending the City of Kenai Schedule of Rates, Changes, and Fees for Housekeeping Purposes and to Align the Library with Other City Departments. (Administration)
2. **ENACTED UNANIMOUSLY Ordinance No. 3545-2026** - Increasing Estimated Revenues and Appropriations in the General and Senior Center Improvement Capital Project Funds to Provide Supplemental Funding for the Senior Center Canopy Roof Replacement Project. (Administration)
 1. Motion for Introduction
 2. Motion for Second Reading (Requires a Unanimous Vote)
 3. Motion for Enactment (Requires Five Affirmative Votes)
3. **ADOPTED UNANIMOUSLY Resolution No. 2026-61** - Authorizing Purchase of Two Police Interceptors Using the City's Fleet Replacement Fund and the State of Alaska Equipment Fleet Contract. (Administration)
4. **ADOPTED UNANIMOUSLY Resolution No. 2026-62** - Authorizing a Contract Award for SCADA Design and Installation Services. (Administration)

F. MINUTES

1. *Regular Meeting of September 2, 2026. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
3. ***Action/Approval** - Non-Objection to the Acceptance and Appropriation of a Donation from the Derek Kaufman Fund in the Amount of \$1,000 in Accordance with KMC 7.25.030. (Administration)
4. ***Action/Approval** - Non-Objection to the Acceptance and Appropriation of the Fiscal Year 2027 Public Library Assistance Grant in the Amount of \$7,000 in Accordance with KMC 7.25.030 (Administration)
5. ***Action/Approval** - Confirmation of Mayoral Nomination of Joshua Bolling as Student Representative to City Council and Caroline Karpik as Student Representative to the Council on Aging Commission.
6. **Discussion** - Council Employee Review Consultant. (Grieme)
7. **HEARING SCHEDULED FOR OCTOBER 21, 2026 AT 2:00PM Discussion** - Scheduling a Board of Adjustment Appeal Hearing. (City Clerk)
8. **SPECIAL MEETING SCHEDULED FOR SEPTEMBER 30, 2026 AT 4:30PM Action/Approval** - Scheduling a Special Meeting of the City Council. (Administration)

I. COMMISSION REPORTS

1. Council on Aging Commission
2. Airport Commission
3. Parks and Recreation Commission
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5. Beautification Commission

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

1. City Manager
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L. ADDITIONAL PUBLIC COMMENTS

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
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M. EXECUTIVE SESSION

N. PENDING ITEMS

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