Kenai Planning & Zoning Commission - Special Meeting

November 17, 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 October 28, 2026

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

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

E. CONSIDERATION OF PLATS

F. PUBLIC HEARINGS

1. **Resolution No. 2026-39** - Granting a Conditional Use Permit for the Extraction of Natural Resources on Parcel 04901068.
2. **Resolution No. PZ2026-40** - Granting the Application for a Variance Permit to Build Into the Setbacks for Expanded Extraction of Natural Resources on Parcel 04901068.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **Resolution No. PZ2026-41** - Granting a Request for the Transfer of Conditional Use Permit PZ97-24 for a Coffee House / Restaurant.
2. **Action/Approval** - Recommending Kenai City Council Remove Public Purpose Deisgnation on Kenai Peninsula Borough Parcel Number 03906141 to Accommodate Disposal Recommendation in the City of Kenai Land Management Plan.

3. **Action/Approval –** Recommending Kenai City Council Adopt the 2026 City of Kenai Land Management Plan.

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: December 15, 2026

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

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

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

Registration is required to join the meeting remotely through Zoom. Please use the following link to register: https://us02web.zoom.us/meeting/register/86HoVqO0Qdi1-Yjpy5D5vQ

KENAI PLANNING & ZONING COMMISSION – REGULAR MEETING
OCTOBER 28, 2026 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR KEATON, PRESIDING

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on October 28, 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	Alex Douthit, Vice Chair
Sonja Earsley, Vice Chair	Gwen Woodard
Marty Askin	Diane Fikes

A quorum was present.

Absent:
Stacie Krause

Also in attendance were:
Kevin Buettner, Planning Director
Phil Daniel, City Council Liaison
Logan Parks, Deputy City Clerk

3. Agenda and Consent Agenda Approval

MOTION:
Vice Chair Douthit **MOVED** to approve the agenda and consent agenda. Commissioner Earsley **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 October 14, 2026.

C. SCHEDULED PUBLIC COMMENTS - None.

DRAFT

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2026-38** - Recommending that Preliminary Plat Plagge-Swan Subdivision Attached Hereto be Approved.

MOTION:
Commissioner Askin **MOVED** to approve Resolution PZ2026-38. Vice Chair Douthit **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-38.

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

Clarification was provided the purpose was to divide an irregularly shaped parcel located behind two existing lots; and no additional plans for future development had been provided by the applicant.

VOTE:
YEA: Earsley, Fikes, Woodard, Douthit, Keaton, Askin
NAY: None
ABSENT: Krause
MOTION PASSED.

F. PUBLIC HEARINGS

1. **Resolution PZ2026-37** - Granting a Conditional Use Permit for a Daycare in an Existing Commercial Building Located at 2880 Beaver Loop Road, on Parcel 04944007, in the Rural Residential Zone.

MOTION:
Commissioner Askin **MOVED** to approve Resolution PZ2026-37. Vice Chair Douthit **SECONDED** the motion.

Planning Director Buettner read the staff report as included in the packet and attached to Resolution PZ2026-37.

Chair Keaton opened the floor for public comment.

Amanda Wilcox, applicant, spoke in support of the Conditional Use Permit.

There was Commission discussion regarding the proposed daycare's age range; school attendance; transportation services; anticipated opening date; and the use of the facility.

The applicant noted the daycare would initially serve children with disabilities up to age seven; the daycare would provide supplemental care for children attending school on a partial-day schedule; transportation services had not yet been considered; the anticipated opening had been revised to January 2028, with grant funding supporting curriculum development, facility preparation, and state licensing and certification requirements though 2027; and confirmed the facility would be used primarily for daycare operations, with limited continued use of the garage for maintenance equipment.

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

MOTION:
Vice Chair Douthit **MOVED** to amend Resolution PZ2026-37 to include a condition allowing a one year extension for development in accordance with KMC 14.20.150(I)(3). Commissioner Woodard **SECONDED** the motion.

VOTE ON MOTION TO AMEND:

YEA: Keaton, Askin, Earsley, Krause, Fikes, Woodard, Douthit
NAY: None
ABSENT: Krause

MOTION TO AMEND PASSED.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Fikes, Woodard, Douthit, Keaton, Askin, Earsley
NAY: None
ABSENT: Krause

MAIN MOTION AS AMENDED PASSED.

Chair Keaton noted the 15-day appeal period.

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS - None.

I. REPORTS

1. Planning Director

Planning Director Buettner reported on the following:

- Update on the City's five-year strategic planning process encouraging Commissioners to provide input through the survey link distributed by email, and noted input was also being solicited from City Council, other commissions, the public through upcoming town hall meetings.

2. Commission Chair

Chair Keaton reported on the following:

- Noted appreciation for the City's continued efforts to support small businesses and reduce development barriers.
- Thanked the Commission for their preparation, participation, and dedication to the Commission.

3. Kenai Peninsula Borough Planning

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

4. City Council Liaison

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

J. ADDITIONAL PUBLIC COMMENTS - None.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: November 17, 2026

L. COMMISSION COMMENTS AND QUESTIONS

Commissioners encouraged the public to vote.

M. PENDING ITEMS - None.

N. ADJOURNMENT

DRAFT

O. INFORMATIONAL ITEMS - None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:38 p.m.

I certify the above represents accurate minutes of the Kenai Planning & Zoning Commission meeting of October 28, 2026.

_____
Logan Parks, Deputy City Clerk

DRAFT

CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-39

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR THE EXTRACTION OF NATURAL RESOURCES ON PARCEL 04901068.

APPLICANT: River Resources LLC

PROPERTY OWNER: City of Kenai

PROPERTY ADDRESS: No Physical Address

LEGAL DESCRIPTION: Lot 1, Beaver Loop Acres Addition No. 3 Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER**:** 04901068

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 and KMC 14.20.151 was submitted to the City on September 22, 2026; and,

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

WHEREAS, the applicant has demonstrated that the criterion of a Conditional Use Permit have been met pursuant to KMC 14.20.151 through KMC 14.20.158; and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on November 17, 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 14.20.154(a)(1) The application is in substantial compliance with the requirements of this chapter.*
    a. Findings: This application is in substantial compliance with the requirements of this chapter. The applicant has demonstrated the proposed use meets the requirements for boundaries, assuming the variance permit is granted, back slopes, public safety, and the need for gravel within the City and surrounding region.
2. *KMC 14.20.154(a)(2) The boundaries of the proposed excavation at its greatest dimensions, including backslopes, are at least two hundred feet (200') from any road or public right-of-way and at least one hundred fifty feet (150') from other surrounding property lines, except that adjoining permitted surface extraction of natural resources sites is not required to maintain the above one hundred fifty feet (150') excavation between sites.*
    a. Findings: The applicant has provided two versions of the boundaries for staff to review. The initial set delineates the 200-foot setback from all roads and public rights-of-way and a minimum of 150 feet from other surrounding property lines.

The applicant also shows alternatives, based on a variance for a full project at this location. Those boundaries depend upon the variance permit application submitted in conjunction with the conditional use permit being granted. If granted, there will be a fifty-foot (50') setback to public rights-of-way, fifty-foot (50') setback to adjacent property lines, and excavation in the water table. The excavation slopes will be one (1) vertical to one (1) horizontal, as shown on page C5 of the submitted site plan.

3. *KMC 14.20.154(a)(3) The buffer strips between the excavation site and roadways and property lines contain sufficient natural screening to obscure the entire excavation from sight of roadways and inhabited areas. If there is not sufficient natural screening, the site plan must provide for artificial screening;*

    a. Findings: The proposed extraction site is north of an adjacent gravel pit and is not visible from Beaver Loop Road, additionally, there is a tree line creating a natural barrier to the south of both pits. The site plan, provided by the applicant shows an existing tree line remaining along the periphery of the property during excavation. This tree line will provide sufficient natural screening of the property.

4. *KMC 14.20.154(a)(4) The surface extraction is outside of the one percent (1%) annual chance flood zone (one hundred (100) year floodplain), one-fifth percent (0.2%) annual chance flood zone (five hundred (500) year floodplain, and high-hazard coastal areas;*

    a. Findings: City staff has confirmed the subject parcel is outside of the regulatory flood plain and is outside of the one percent (1%) annual chance flood zone (one hundred (100) year floodplain), one-fifth percent (0.2%) annual chance flood zone (five hundred (500) year floodplain), and high hazard coastal areas. The current classification for the project location, as designated by FEMA's latest floodplain maps dated February 28, 2025, is X-U, which is "Undefined". The City of Kenai's Floodplain Administrator has reviewed the application and has no comments.

5. *KMC 14.20.155(a)(5) The site plan provides that back slopes be a minimum of a 2:1 slope, except for the contiguous working face;*

    a. Findings: Site plans submitted by the applicant show that reclamation will be a continuous process including sloping the sides of the excavation 2:1 or flatter along buffer zones and inactive work areas, a four-inch (4") minimum of topsoil mix, organic clearing debris, and seeding as necessary to contain erosion.

6. *KMC 14.20.154(a)(6) The site plan does not provide for excavation below the water table except where a reasonable method of drainage is available at the particular site or where the proposed future development plan provides for a lake on the site of the excavation;*

    a. Findings: Applicant states that it is anticipated that much of the gravel extraction will occur below the water table. The final configuration of the site will be similar to most gravel pits in the area with ponds forming in areas worked below the water table and haul routes adapting as the site is further developed. The final development plan envisions a lake on site and the reclamation of shorelines. This will include grass or other vegetation and constructing locations for houses or RV parking spots around the ponded area.

7. *KMC 14.20.154(a)(7) If the excavation is to be below the water table and the site is likely to endanger the public safety, the site plan shall provide for fencing of the work area;*

a. Findings: Applicant states that casual access is not anticipated as the proposed site is rural and surrounded by large tracts of wetlands to the north, and other material sites to the east, west, and south. The applicant plans to construct berms as ponds are created during operations to prevent vehicles, equipment, people, or animals from going into the water. Staff does not anticipate that the site will present any danger to public safety.

8. *KMC 14.20.154(a)(8) The proposed use of land after extraction is completed is feasible and realistic and is a use permitted in the zone in which the property is located;*

    a. Findings: The proposed extraction site will be operated on an as-needed basis until the site is exhausted; Applicant estimates this time frame to be twenty (20) years in total. With the majority of the gravel being located below the water table, the final development would be to reclaim the shorelines of the ponds, establish grass or other vegetation, and construct locations for houses or RV parking sites around the ponded areas. Site reclamation will include grading and re-contouring backslopes using overburden and topsoil to a condition that allows for re-establishment of natural vegetation and seeding. The parcel does not currently have any existing structures and there are no plans for any permanent structures to be added. Anything that is stored will be temporary and moveable. Staff finds this adequately addresses a feasible and realistic use of the land once extractions of natural resources on the site cease.

9. *KMC 14.20.154(a)(9) The extraction does not destroy the land for the purpose for which it is zoned;*

    a. Findings: City staff have discussed the importance of ensuring a clean water supply in the City and the applicant will take measures to monitor water levels and be mindful of what is allowed near water and sensitive areas of the landscape. Applicant notes equipment and construction debris will not be disposed of in surface water. The applicant also plans to seed slopes with plants suitable for Alaska conditions and will limit erosion and dust that could affect the landscape. As stated in the previous criteria, no permanent structures are planned to be erected which will leave the parcel vacant and ready for future development. An example of successful reclamation can be found in the Lake at Kenai subdivision east of this project along Beaver Loop Road.

10. *KMC 14.20.154(a)(10) The need for the particular natural resource within the City of Kenai outweighs any detrimental effects the operation may have on surrounding property owners;*

    a. Findings: The majority of the parcels surrounding the subject lot are also utilized as material extraction sites and there are no residential properties in the immediate area. The City, and residents of, will benefit from an additional local gravel source from this location.

11. *KMC 14.20.154(a)(11) The applicant is the owner of the subject property.*

    a. Findings: The proposed parcel was recently conditionally sold by the City of Kenai in the 2026 Land Sale Auction to River Resources LLC. The applicant is petitioning on behalf of the owner of the subject property to satisfy a condition of sale.

12. *KMC 14.20.154(a)(12) Clearing limits shall be delineated on the site plan as well as clearly visible on site and shall be inspected by the City Planner or designee prior to the application being deemed complete.*

a. Findings: The submitted site plan adequately and clearly shows the proposed clearing limits. Prior to application being deemed complete City Staff will meet with the applicant at the site to ensure that proposed clearing will align with those submitted on the site plan.

13. *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;*

a. Findings: The Rural Residential (RR) Zone land use classification is defined in KMC 14.20.080 as:

Low density residential development in an attractive residential environment, to prohibit uses which would violate the residential character of the environment or generate heavy traffic in a predominately residential area, and to separate residential structures in order to prevent health hazards and preserve the rural, open quality of the environment.

Surface extraction is a conditionally permitted use and can be consistent with the intent of the residential zone, especially when the reclaimed property is developed to allow for future residential uses. The proposed extraction is adjacent to existing permitted gravel pits and vacant lots. It would not change the character of the neighborhood. This use is consistent with the current development and once reclaimed, will mee the purpose and intent of the RR Zone.

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

a. Findings: Adjacent property to the north is undeveloped wetlands owned by the City of Kenai and Alaska DNR. Adjoining properties to the east and south are all material sites. Staff does not find that the value of adjoining properties or neighborhood will be significantly impaired as it aligns with the current uses of the immediate area, and existing haul routes off South Baker Street and Tract 6, Horseshoe End At River Bend Subdivision will meet up and follow existing routes.

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

a. Findings: The 2016 Imagine Kenai 2030 Comprehensive Plan classifies the subject property as “Parks, Recreation, & Open Space” defined as intended for:

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

The location of the pit minimizes the potential for conflict with neighbors as it fits with the pattern of land use along the north side of Beaver Loop Road. Therefore, staff finds the proposed use would be consistent with the intended purpose of the Comprehensive Plan.

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

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

Objective ED-1

Establish siting and design standards so that development is in harmony and scale with surrounding uses.

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

Objective LU-1

Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Objective LU-11

Where feasible, consolidate access to and between land uses via frontage roads or by shared driveways onto main streets/highways.

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

    a. Findings River Resources LLC members own and operate the 36.14-acre material site immediately south of the subject lot. This parcel will be utilized to access the proposed material site from Beaver Loop Road, as well as from South Baker Street. This does not increase the amount of potential conflict points along Beaver Loop Road and effectively consolidates the additional traffic flow to one shared access point. Additionally, the applicant will have sufficient sanitation facilities located on site. City Staff finds that the proposed services and facilities are adequate to serve the proposed use.

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

    a. Findings: Casual access to the property is not anticipated as it is surrounded by large parcels of similar use and is not situated near any amenities such as fishing, parks, or recreation. The applicant notes that adequate adjacent existing barriers and screening will be utilized. The extraction site will not be a safety concern or visual impairment. The applicant has shown plans for reclamation and will be mindful about materials stored near any water sources.

18. *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.*

    a. Findings: Conditions are listed in Section 2 of this Resolution.

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

Section 1. That the request for a conditional use permit for the surface extraction of natural resources on the property described as Lot 1, Beaver Loop Acres Addition No. 3 Subdivision, be approved.

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. The applicant will properly store fuel oil and hazardous materials away from wetlands or other sensitive areas of the landscape.
3. The applicant will not store fill materials, such as concrete and construction waste, in or near areas with an exposed water table.
4. The applicant will limit noise disturbance and not use compression release engine brakes (Jake brakes). The 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.
5. The applicant will meet with City staff for on-site inspections when requested.
6. If there is an expansion or change of use for the subject property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5).
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.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF NOVEMBER, 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 28, 2026

SUBJECT: Resolution PZ2026-39 – Conditional Use Permit – Extraction of Natural Resources

Request	The Applicant is Requesting a Conditional Use Permit for the Extraction of Natural Resources
Staff Recommendation	Adopt Resolution PZ2026-39 Granting a Conditional Use Permit for the Extraction of Natural Resources

Property Owner:	City of Kenai
Applicant:	River Resources LLC
Legal Description:	Lot 1, Beaver Loop Acres Addition No. 3 Subdivision
Property Address:	No Physical Address
KPB Parcel No.:	04901068
Lot Size:	28.63
Zoning:	Rural Residential
Current Use:	Vacant/Undeveloped
Land Use Plan:	Parks, Recreation, and Open Space

SUMMARY

The applicant has applied for a conditional use permit, and a variance permit for the construction and operation of a gravel pit, and extraction within the setback, for the proposed Surface Extraction of Natural Resources pursuant to KMC 14.20.151 – KMC 14.20.157.

The applicant is requesting that the CUP allow for excavation below the water table, stating it is a common practice in the area and there is active excavation below groundwater at adjacent material sites.

In conjunction with the conditional use permit, the applicant is requesting a variance to KMC 14.20.154(a)(2) regarding buffers to the public rights-of-way and property lines due to the use of adjacent properties as material sites. The variance requested is a 50-foot buffer to the north, east, west, and south. This variance will be heard later in this meeting as a separate resolution.

ANALYSIS

Criteria for the issuance of a conditional use permit for surface extraction of natural resources are outlined in KMC 14.20.154 – *Issuance of a Permit for Surface Extraction of Natural Resources*.

KMC 14.20.154(a)(1) ***The application is in substantial compliance with the requirements of this chapter.***

Criteria Met: This application is in substantial compliance with the requirements of this chapter. The applicant has demonstrated the proposed use meets the requirements for boundaries, assuming the variance permit is granted, back slopes, public safety, and the need for gravel within the City and surrounding region.

KMC 14.20.154(a)(2) ***The boundaries of the proposed excavation at its greatest dimensions, including backslopes, are at least two hundred feet (200') from any road or public right-of-way and at least one hundred fifty feet (150') from other surrounding property lines, except that adjoining permitted surface extraction of natural resources sites is not required to maintain the above one hundred fifty feet (150') excavation between sites.***

Criteria Met: The applicant has provided two versions of the boundaries for staff to review. The initial set delineates the 200-foot setback from all roads and public rights-of-way and a minimum of 150 feet from other surrounding property lines. The applicant also shows alternatives, based on a variance for a full project at this location. Those boundaries depend upon the variance permit application submitted in conjunction with the conditional use permit being granted. If granted, there will be a fifty-foot (50') setback to public rights-of-way, fifty-foot (50') setback to adjacent property lines, and excavation in the water table. The excavation slopes will be one (1) vertical to one (1) horizontal, as shown on page C5 of the submitted site plan.

KMC 14.20.154(a)(3) ***The buffer strips between the excavation site and roadways and property lines contain sufficient natural screening to obscure the entire excavation from sight of roadways and inhabited areas. If there is not sufficient natural screening, the site plan must provide for artificial screening;***

Criteria Met: The proposed extraction site is north of an adjacent gravel pit and is not visible from Beaver Loop Road, additionally, there is a tree line creating a natural barrier to the south of both pits. The site plan, provided by the applicant shows an existing tree line remaining along the periphery of the property during excavation. This tree line will provide sufficient natural screening of the property.

KMC 14.20.154(a)(4) ***The surface extraction is outside of the one percent (1%) annual chance flood zone (one hundred (100) year floodplain), one-fifth percent (0.2%) annual chance flood zone (five hundred (500) year floodplain, and high-hazard coastal areas;***

Criteria Met: City staff has confirmed the subject parcel is outside of the regulatory flood plain and is outside of the one percent (1%) annual chance flood zone (one hundred (100) year floodplain), one-fifth percent (0.2%) annual chance flood zone (five hundred (500) year floodplain), and high hazard coastal areas. The current classification for the project location, as designated by FEMA's latest floodplain maps dated February 28, 2025, is X-U, which is "Undefined". The City of Kenai's Floodplain Administrator has reviewed the application and has no comments.

KMC 14.20.155(a)(5) ***The site plan provides that back slopes be a minimum of a 2:1 slope, except for the contiguous working face;***

Criteria Met: Site plans submitted by the applicant show that reclamation will be a continuous process including sloping the sides of the excavation 2:1 or flatter along buffer zones and inactive work areas, a four-inch (4") minimum of topsoil mix, organic clearing debris, and seeding as necessary to contain erosion.

KMC 14.20.154(a)(6) ***The site plan does not provide for excavation below the water table except where a reasonable method of drainage is available at the particular site or where the proposed future development plan provides for a lake on the site of the excavation;***

Criteria Met: Applicant states that it is anticipated that much of the gravel extraction will occur below the water table. The final configuration of the site will be similar to most material sites in the area, with ponds forming in areas worked below the water table and haul routes adapting as the site is further developed. The final development plan envisions a lake on site and the reclamation of shorelines. This will include grass or other vegetation and constructing locations for houses or RV parking spots around the ponded area.

KMC 14.20.154(a)(7) ***If the excavation is to be below the water table and the site is likely to endanger the public safety, the site plan shall provide for fencing of the work area;***

Criteria Met: Applicant states that casual access is not anticipated as the proposed site is rural and surrounded by large tracts of wetlands to the north, and other material sites to the east and south. The applicant plans to construct berms as ponds are created during operations to prevent vehicles, equipment, people, or animals from going into the water. Staff does not anticipate that the site will present any danger to public safety.

KMC 14.20.154(a)(8) ***The proposed use of land after extraction is completed is feasible and realistic and is a use permitted in the zone in which the property is located;***

Criteria Met: The proposed extraction site will be operated on a continuing as-needed basis until the site is exhausted; Applicant estimates this time frame to be approximately twenty (20) years in total. With the majority of the gravel being located below the water table, the final development would be to reclaim the shorelines of the ponds, establish grass or other vegetation, and construct locations for houses or RV parking sites around the ponded areas. Site reclamation will include grading and re-contouring backslopes using overburden and topsoil to a condition that allows for re-establishment of natural vegetation and seeding. The parcel does not currently have any existing structures and there are no plans for any permanent structures to be added. Anything that is stored will be temporary and moveable. Staff finds this adequately addresses a feasible and realistic use of the land once extractions of natural resources on the site cease.

KMC 14.20.154(a)(9) ***The extraction does not destroy the land for the purpose for which it is zoned;***

Criteria Met: City staff have discussed the importance of ensuring a clean water supply in the City, and the applicant will take measures to monitor water levels and be mindful of what is allowed near water and sensitive areas of the landscape. Applicant notes equipment and construction debris will not be disposed of in surface water. The applicant also plans to seed slopes with plants suitable for Alaska conditions and will limit erosion and dust that could affect the landscape. As stated in the previous criteria, no permanent structures are planned to be erected which will leave the parcel vacant and ready for future development. An example of successful reclamation can be found in the Lake at Kenai subdivision east of this project along Beaver Loop Road.

KMC 14.20.154(a)(10) ***The need for the particular natural resource within the City of Kenai outweighs any detrimental effects the operation may have on surrounding property owners;***

Critieria Met: The majority of the parcels surrounding the subject lot are also utilized as material extraction sites and there are no residential properties in the immediate area. The City, and its residents, will benefit from the additional local gravel resources from this location.

KMC 14.20.154(a)(11) ***The applicant is the owner of the subject property.***

Criteria Met: The proposed parcel was recently conditionally sold by the City of Kenai in the 2026 Land Sale Auction to River Resources LLC. The applicant is petitioning on behalf of the owner of the subject property to satisfy a condition of sale.

KMC 14.20.154(a)(12) ***Clearing limits shall be delineated on the site plan as well as clearly visible on site and shall be inspected by the City Planner or designee prior to the application being deemed complete.***

Criteria Met: The submitted site plan adequately and clearly shows the proposed clearing limits. Prior to application being deemed complete City Staff will meet with the applicant at the site to ensure that proposed clearing will align with those submitted on the site plan.

REVIEW CRITERIA FOR CONDITIONAL USE PERMIT

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* are met.

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

Findings: The property is within the Rural Residential (RR) Zone. Pursuant to KMC 14.20.080, the intent of the zone is intended for:

> *Low density residential development in an attractive residential environment, to prohibit uses which would violate the residential character of the environment or generate heavy traffic in a predominately residential area, and to separate residential structures in order to prevent health hazards and preserve the rural, open quality of the environment.*

Surface extraction is a conditionally permitted use and can be consistent with the intent of the residential zone, especially when the reclaimed property is developed to allow for future residential uses. The proposed extraction is adjacent to existing permitted gravel pits and vacant lots. It would not change the character of the neighborhood. This use is consistent with the current development and once reclaimed, will mee the purpose and intent of the RR Zone.

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

Findings: Adjacent property to the north is undeveloped wetlands owned by the City of Kenai and Alaska DNR. Adjoining properties to the east and south are all material sites. Staff does not find that the value of adjoining properties or of the neighborhood will be significantly impaired as it aligns with the current uses of the immediate area, and existing haul routes off South Baker Street and Tract 6, Horseshoe End at River Bend Subdivision will meet up and follow existing routes.

Criteria 3: The proposed use is in harmony with the Comprehensive plan;

Findings: The 2016 Imagine Kenai 2030 Comprehensive Plan classifies the subject property as "Parks, Recreation, & Open Space" defined as intended for:

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

The location of the site minimizes the potential for conflict with neighbors as it fits with the pattern of land use along the north side of Beaver Loop Road. Therefore, staff finds the proposed use would be consistent with the intended purpose of the Comprehensive Plan.

RELEVENT GOALS

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

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

Objective ED-1
Promote projects that create workforce development opportunities

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

Objective LU-1
Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Objective LU-11
Where feasible, consolidate access to and between land uses via frontage roads or by shared driveways onto main streets/highways.

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

Findings: River Resources LLC members own and operate the 36.14-acre material site immediately south of the subject lot. This parcel will be utilized to access the proposed material

site from Beaver Loop Road, as well as from South Baker Street. This does not increase the amount of potential conflict points along Beaver Loop Road. Additionally, the applicant will have sufficient sanitation facilities located on site. City Staff finds that the proposed services and facilities are adequate to serve the proposed use.

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

Findings: Casual access to the property is not anticipated as it is surrounded by large parcels of similar use and is not situated near any amenities such as fishing, parks, or recreation. The applicant notes that adequate adjacent existing barriers and screening will be utilized. The extraction site will not be a safety concern or visual impairment. The applicant has shown plans for reclamation and will be mindful about materials stored near any water sources.

Criteria 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: Recommended conditions are stated at the end of the report.

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*. Pursuant to KMC 14.20.280(d) *Public Posting*, no sign was posted on the subject property as there are no improved streets adjacent to the subject property.

No public comment was received at the time of this report.

STAFF RECOMMENDATION

Staff finds that the proposed conditional use permit for the surface extraction of natural resources on the property described as Lot 1, Beaver Loop Acres Addition No. 3 Subdivision, meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (e)(1) through (e)(6) of Kenai Municipal Code 14.20.150 and subsections (a)(1) through (a)(12) of KMC 14.20.154, and hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2026-39 approving the Conditional Use Permit, subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.

2. The applicant will properly store fuel, oil, and hazardous materials away from wetlands or other sensitive areas of the landscape.

3. The applicant will not store fill materials, such as concrete and construction waste, in or near areas with an exposed water table.

4. The applicant will limit noise disturbance and not use compression release engine 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.

5. The applicant will meet with City staff for on-site inspections when requested.

6. If there is an expansion or change of use for the subject property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(I)(5).

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.

ATTACHMENTS

Aerial Map
Application & Business License
Site Plan

CONDITIONAL USE PERMIT APPLICATION FOR EXTRACTION OF NATURAL RESOURCE

KMC 14.20.150; KMC 14.20.151; & KMC 14.20-154-158

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

DOCUMENTATION REQUIRED

- O Conditional Use Permit Application for Extraction of Natural Resource
- O Site Plan pursuant to KMC 14.20.151(a) (*Refer to page 3 of application)*
- O $425 nonrefundable application fee (plus applicable sales tax)
- O Tax Compliance form completed by Kenai Peninsula Borough (if applicable)
- O Alaska State Business License (if applicable)

APPLICANT

Name:	River Resources LLC				
Mailing Address:	PO Box 303				
City:	Soldotna	State:	Alaska	Zip:	99669
Phone Number:	907-262-1609				

PETITIONER REPRESENTATIVE (IF APPLICABLE)

Name:	Kyle Foster				
Mailing Address:	PO Box 303				
City:	Soldotna	State	Alaska	Zip	99669
Phone Number:	907-262-1609				

PROPERTY INFORMATION

Property Tax ID:	04901068
Street Address:	none
Legal Description:	T5N R11W Section 3 S.M. Beaver Loop Acres Addn No. 3 Subd Lot 1

LAND USE

Describe current use of property covered by this application: Undeveloped & undisturbed

Use of Surrounding Properties

North:	Undeveloped
South:	Material site
East:	Undeveloped. Recent CUP for Extraction of Natural Resource.
West:	Undeveloped

CONDITIONAL USE REQUEST

*Please describe the project in detail, using additional sheets if necessary. Narratives **MUST** include items required in KMC 14.20.151(b) (refer to page 3 of application)*

Kindly see attached.

AUTHORITY TO APPLY FOR A CONDITIONAL USE PERMIT:

I hereby certify that I am, or am authorized to act for, the owner of the property described above, and that I petition for a Natural Resources Conditional Use Permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable, is used to cover the costs associated with processing this application, and that dates are tentative and may have to be postponed by City Staff or Commission Members. I understand that a site visit may be required and City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application, and if a Conditional Use Permit is approved, to ensure the operation is maintaining compliance.

Printed Name:	Signature:	Date:
Kyle Foster	Kyle Foster	9/22/26

**CONDITIONAL USE PERMIT APPLICATION FOR
EXTRACTION OF NATURAL RESOURCE PERMIT**

**Subject: T5N R11W Section 3 Seward Meridian
Beaver Loop Acres Addition No. 3 Subdivision Lot 1**

The proposed material site application is for KPB Parcel 04901068; legal description T5N R11W Section 3 Seward Meridian Beaver Loop Acres Addition No. 3 Subdivision Lot 1. The permit area totals 28.56.96 acres, as both parcel sizes are 28.63 acres. The proposed parcel was recently sold by the City of Kenai in the 2026 Land Sale Auction. They were marketed as "gravel parcels" with sale being finalized if a Conditional Use permit is gained.

Material site exhibits of the existing conditions and the proposed development area attached.

The proposed extraction site will be owned and operated by River Resources, LLC. It will utilize South Baker Street right-of-way to access Beaver Loop Road. It will also utilize the existing Beaver Loop Road access through the material site south of the proposed which is owned by Twin River Resources, LLC.

River Resources is requesting that the CUP allows for excavation below the water table. It is a common practice in the area and there is active excavation below groundwater at adjacent material sites.

Below is the requested narrative for the permit application.

1. The City of Kenai provided test hole data for the property during their public sale. Six test holes were excavated within the proposed extraction area to determine material type and groundwater elevation. Groundwater was encountered at 10-11' below existing ground at approximate elevation 40.0.

2. Estimated material quantities were calculated with buffers per KMC 14.20.154; 200' setback to public right of way, 150' setback to adjacent property lines, 0' setback to other material site property lines, and excavation in the water table. It is assumed that excavation slopes will be 1 vertical to 1 horizontal.

Parcel	Parcel Size (acres)	Peat/Overburden (CY)	Sand/gravel above groundwater (CY)	Sand/gravel to 20' (CY)
Lot 1	28.63	156,170	153,225	433,160

3. The proposed extraction site will be operated on a continuing as-needed basis until the site is exhausted; approximately 20 years total. These operations would increase in activity seasonally and when projects requiring materials were being constructed in the area. Specifically, processing operations for gravel and asphalt would not be continuous and the plants would be mobilized in and out as needed.

4. Proposed hours of operation are 7 am to 7 pm, typical of normal construction shifts. The site may be utilized for some projects that require work be performed at night, and this could require operations like asphalt production and gravel export be done outside of

dayshift hours. Work outside 7am to 7pm would be on as-need, project specific basis and not ongoing.

5. Casual access is not anticipated as the proposed CUP is rural and is surrounded by large tracts to the north and west and other material sites to the east and south. A variance permit for the buffer setbacks is being applied for. The proposed buffers meet the KPB 21.29 for Material Site Permits.

   River Resources plans to construct berms as ponds are created during operations to prevent vehicles, equipment, people, animals, from going into the water.

6. There is minimal to no natural screening on the property.

7. No artificial screening is proposed. The adjoining property to the north and west is a large tract of mostly wetlands owned by City of Kenai. The adjoining properties to the east and south are material sites.

8. Site operations will include excavating gravel materials for export as pit run fill, processing gravel to make base course, bedding, asphalt course, etc. Site would be utilized as equipment and material staging, stockpiling, and mobile processing plants. Material will be both excavated out of the bank and hauled off site, as well as extracted and stockpiled for later use or processing.

   Excavation will occur from the access point at the southeast corner of the properties moving westerly across the southern half and then east to west across the northern half, excavating gravel that is above the water table first. The next phase would be to extract the gravel below the water table.

9. Slopes will be laid back to buffers as required and final slopes stabilized and seeded. It is anticipated that much of the gravel extraction will occur below the water table. The final configuration of the site will be similar to most gravel pits in the area with ponds forming in areas worked below the water table and haul routes adapting as the site is further developed. Areas disturbed but not excavated below water will be graded and vegetated.

   Side slopes of the pond will be left at a maximum grade of 2 vertical to 1 horizontal. Stockpiled overburden may be utilized to reclaim and drew the slopes above groundwater and landscape the buffer areas.

10. Since the majority of the gravel is below the water table, the final development would be to reclaim the shorelines of the ponds, establish grass or other vegetation, and construct locations for houses or RV parking sites around the ponded areas. Site reclamation will include grading and re-contouring backslopes using overburden and topsoil to a condition that allows for re-establishment of natural vegetation and seeding.

11. The parcels have no existing structures. There are no plans for any permanent structures on the new parcels. Anything that is stored will be temporary and moveable.

12. Principal access point for trucks and equipment proposed CUP is the southeast corner of Lot 1 utilizing South Baker Street to Beaver Loop Road, as shown on the exhibits. An additional access will be to the Twin River Resources material site, immediately south.

Alaska Business License # **2193845**

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

River Resources LLC

is licensed by the department to do business as

River Resources

PO BOX 303, SOLDOTNA, AK 99669

for the period

November 24, 2025 to December 31, 2027
for the following line(s) of business:

21 - Mining, Quarrying, and Oil and Gas Extraction

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

INSTRUCTIONS

Section 14.20.151 of the Kenai Municipal Code outlines regulations to engage in the surface extraction of natural resources. To qualify for a Conditional Use Permit for Extraction of Natural Resources, you **must** complete the following criteria:

- **Submit a site plan, drawn to scale, containing:**
  - Graphic, and legal, description of the proposed area, including dimensions in feet and number of acres or square feet;
  - Existing topographical contours with not less than ten-foot (10') contour intervals;
  - Proposed finished topographical contours, when extraction is completed, with not less than ten-foot contour intervals;
  - Existing and proposed buildings and structures on the site;
  - Principal access points which will be used by trucks and equipment, including ingress and egress points and internal circulation, especially the haul road from the public road to the proposed site of the pit;
  - Indication of the existing landscape features, including cleared areas, wooded areas, streams, lakes, marsh areas, and so forth;
  - Location and nature of other operations, if any, which are proposed to take place on-site.

- **A narrative statement containing the following:**
  - Soil surveys with reference to the average year-round water table throughout the entire acreage. Piezometers may be used to determine an average water depth;
  - Estimated amount of material to be removed from the site over the entire period of operation;
  - Estimated length of time to complete the operation, or, if the pit is to be operated on continuing basis, a statement to that effect;
  - Proposed hours of operation;
  - Method of fencing or barricading the petition area to prevent casual access;
  - Amount and location of natural screening provided by trees and vegetation, if any, between the property lines and proposed site of the pit;
  - Plans, if any, to construct artificial screening;
  - Description of operations or processing which will take place on the site during and after the time material is extracted;
  - Plan or program for regarding and shaping the land for future use;
  - Method of backfilling and/or replacing topsoil;
  - Proposed future use of the land after resources are extracted, including a proposed development plan showing location of houses, parks, lakes, etc.;
  - Other information which may pertain to the particular site.

- **Proof that the applicant has obtained, or is eligible to obtain, the necessary licenses required by state or federal agencies.**

- **Proof that the applicant is the owner of the subject property.**

CONDITIONAL USE PERMIT PROCESS

- Submit application with required accompanying documentation to the Planning & Zoning Department. Submissions can be done electronically, by mail, or in person.

- City Staff will review the submitted documents, send out public notice of the request, and prepare a report of findings for the Planning & Zoning Commission. The review will verify the following:
  - The application is compliant with the requirements of KMC 14.20.151;
  - The boundaries of the proposed excavation at its greatest dimensions, including back slopes, are at least two hundred feet (200') from any road or public right-of-way and at least one hundred fifty feet (150') from other surrounding property lines, with the exception of those permitted for surface extraction of natural resources;
  - The buffer strips between the excavation site, roadways, and property lines contain sufficient natural screening to obscure the entire excavation from site of the roadways and inhabited areas. If there is not sufficient natural screening, the site plan must provide for artificial screening;
  - The site plan provides that back slopes will be a minimum of a 2:1 slope, except for the contiguous face;
  - The site plan does not provide for excavation below the water table except where a reasonable method of drainage is available at the particular site or where the proposed future development plan provides for a lake on the site of excavation;
  - If the excavation is to be below the water table and the site is likely to endanger the public safety, the site plan will provide for fencing of the work area;
  - The proposed use of land after extraction is completed is feasible, realistic, and a use permitted in the zone in which the property is located;
  - The extraction does not destroy the land for the purpose for which it is zoned;
  - The need for the particular natural resource within the City outweighs any detrimental effects the operation may have on surrounding property owners;
  - The applicant is the owner of the subject property.

- A public hearing will be held as required by KMC 14.20.280. To meet notice requirements, the Planning Department must receive your application **21 days prior** to the meeting when the public hearing is scheduled. Please be advised you will be required to attend the hearing. In-person attendance is preferred, but online attendance can be accommodated if requested.

- If the Commission determines that all requirements have been met, the Conditional Use Permit will be approved and the resolution signed putting it into effect.

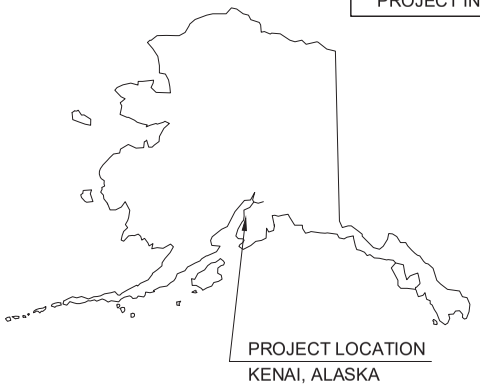
- All decisions made by the Commission are subject to a 15-day appeal period. Appeals must be filed in writing with the City Clerk. For more information, please contact the City Clerk's office at (907)283-8231 or cityclerk@kenai.city.

BEAVER LOOP ACRES ADDITION NO. 3 SUBDIVISION

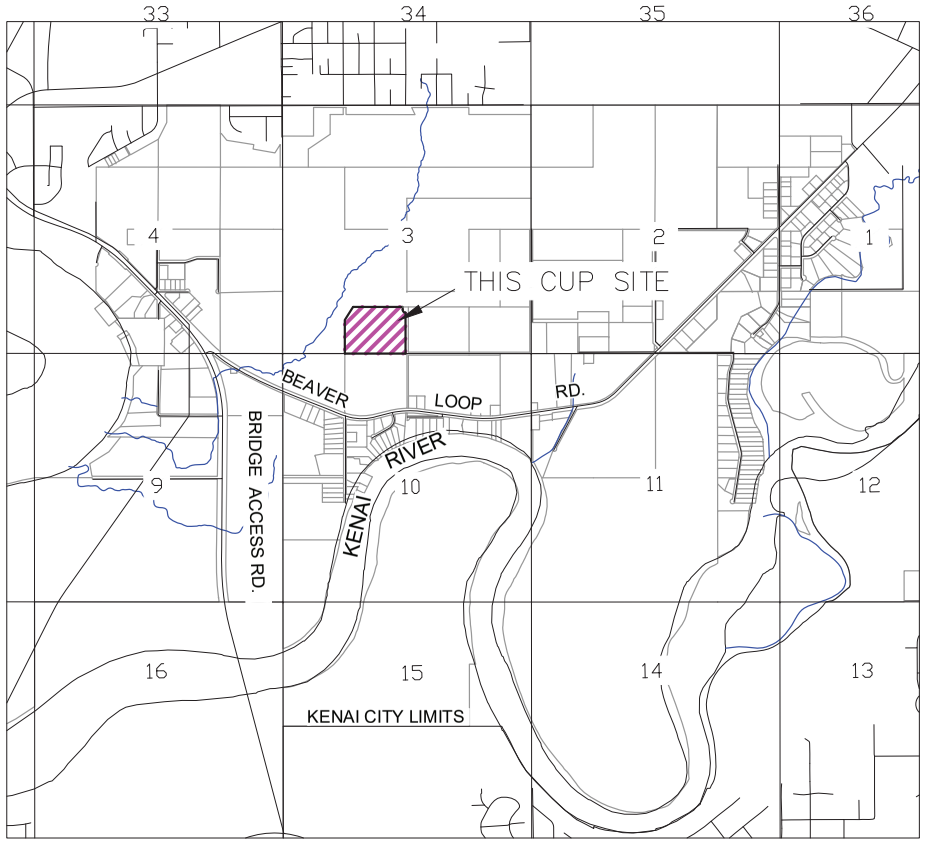
LOT 1

CONDITIONAL USE PERMIT

PROJECT INFO



OWNER:
RIVER RESOURCES LLC
PO BOX 303
SOLDOTNA, ALASKA 99669



NOTES

1. THIS APPLICATION IS FOR T5N R11W SECTION 3 SEWARD MERIDIAN KN 2025045 BEAVER LOOP ACRES ADDITION NO 3 SUBDIVISION LOT 1 (KPB PARCEL 04901068).
2. THE PROPOSED SITE IS WITHIN THE CITY OF KENAI AND WAS RECENTLY MARKETED AND SOLD BY THE CITY OF KENAI AS MATERIAL RESOURCE SITES.
3. THE SITE IS UNDEVELOPED, WITH TREED VEGETATION ALONG THE SOUTH BOUNDARY AND WETLANDS PROCEEDING NORTH.
4. THE KENAI WATERSHED WETLAND MAPPING IS SHOWN ON SHEETS C2 AND C3. THERE ARE NO OPEN WATERBODIES, RIPARIAN WETLANDS OR SURFACE WATERS WITHIN THE PROPOSED EXTRACTION AREA.
5. TEST HOLE WAS PROVIDED BY THE CITY OF KENAI. GROUNDWATER WAS FOUND AT APPROXIMATE ELEVATION 40.0'; 10.0' BELOW THE NATIVE GRADE.

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
C1	VICINITY MAP & LEGEND
C2	EXISTING CONDITIONS
C3	SITE DEVELOPMENT PLAN
C4	DETAILS & TYPICAL SECTIONS

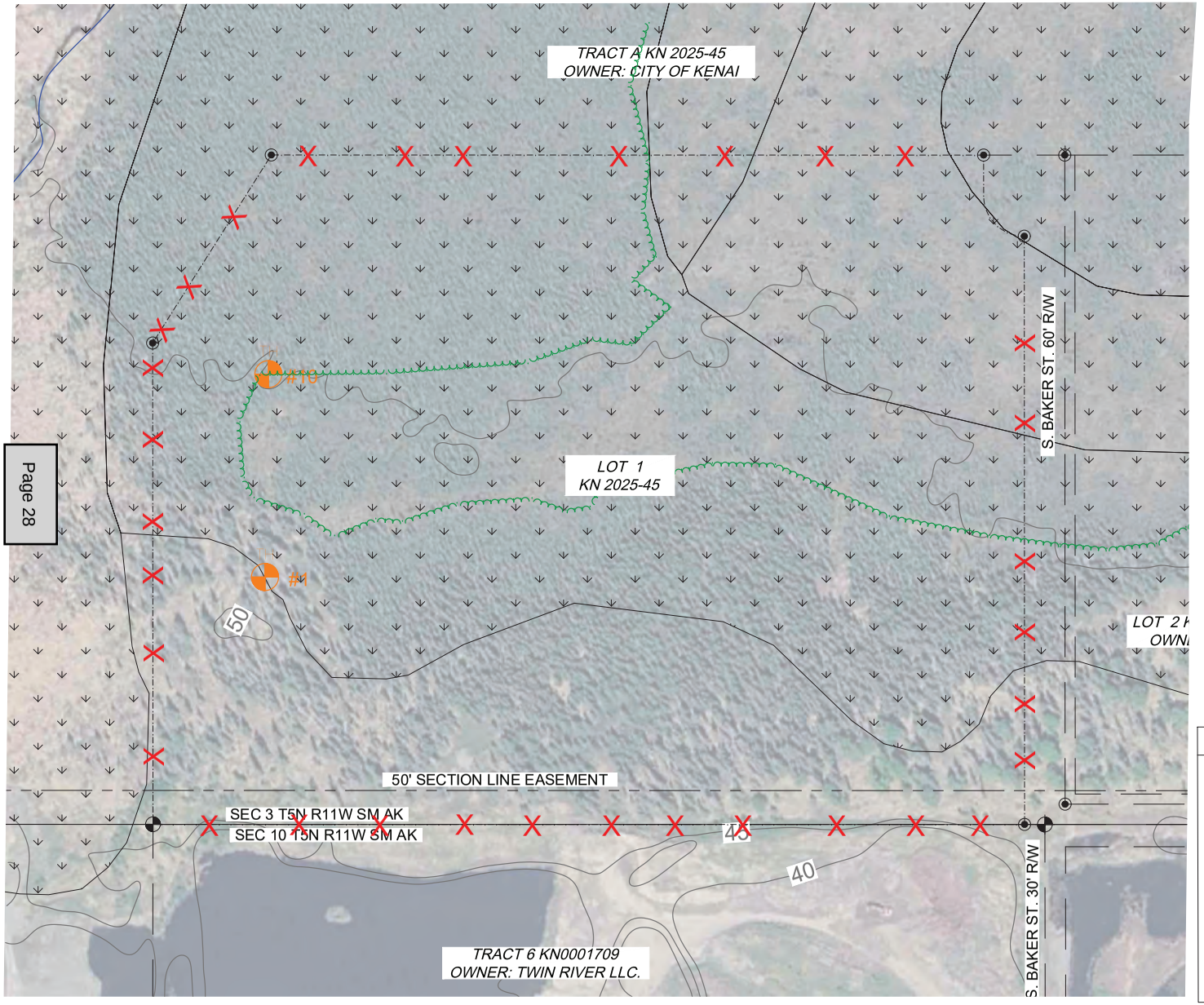
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1	9/21/2026	CUP APPLICATION ISSUE	GMD

RIVER RESOURCES LLC
LOT 1 BEAVER LOOP ACRES ADDN NO. 3 SUBD.
CONDITIONAL USE PERMIT

JOB NO. 284014
FIELD BOOK NO. 26-01
FIELD WORK DATE: MAY/APRIL 2026

McLANE Consulting Inc
ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK. 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

DRAWN BY: GMD
CHECKED BY: GMD
HORZ. SCALE: 1" = 2640'
VERT. SCALE: N/A
SHEET: C1



EXISTING SITE

NORTH

0 150 300
FEET

Page 28

EXISTING SITE LEGEND

- PRIMARY SURVEY MONUMENT
- SECONDARY SURVEY MONUMENT
- EXISTING GRAVEL SURFACE
- PROPERTY BOUNDARY
- 5' CONTOUR
- MAPPED WETLAND BOUNDARY
- WETLAND
- INTERVISIBLE FLAG / STAKE
- TREELINE

STATE OF ALASKA
GARY M. DERRICKSON
CE-11043
2 Sept 2026

REV	DATE	DESCRIPTION	BY
1	10/6/2026	REVISED SETBECK FROM SLE	GMD
1	9/21/2026	CUP APPLICATION ISSUE	GMD

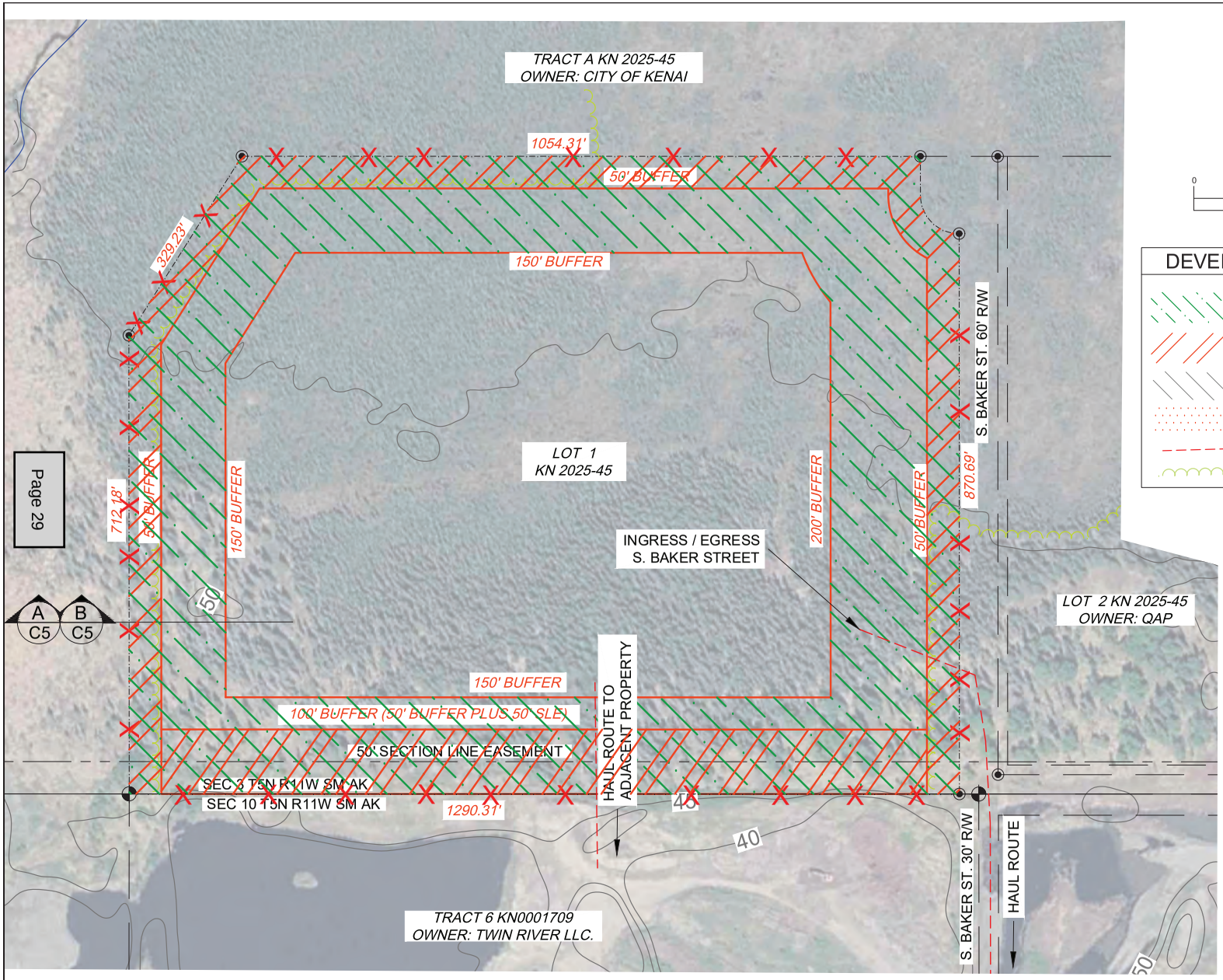
RIVER RESOURCES LLC
LOT 1 BEAVER LOOP ACRES ADDN NO. 3 SUBD.
CONDITIONAL USE PERMIT

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WWW.MCLANECG.COM

DRAWN BY:	GMD
CHECKED BY:	GMD
HORZ. SCALE:	1" = 150'
VERT. SCALE:	N/A
SHEET:	C2

DEVELOPMENT





DEVELOPMENT LEGEND

- BUFFER AREA PER CODE
- 50' BUFFER AREA (VARIANCE)
- EXCAVATION AREA
- PROCESS & STOCKPILE AREA
- HAUL ROUTE
- TREELINE

REV	DATE	DESCRIPTION	BY
1	10/6/2026	REVISED SETBECK FROM SLE	GMD
1	9/21/2026	CUP APPLICATION ISSUE	GMD

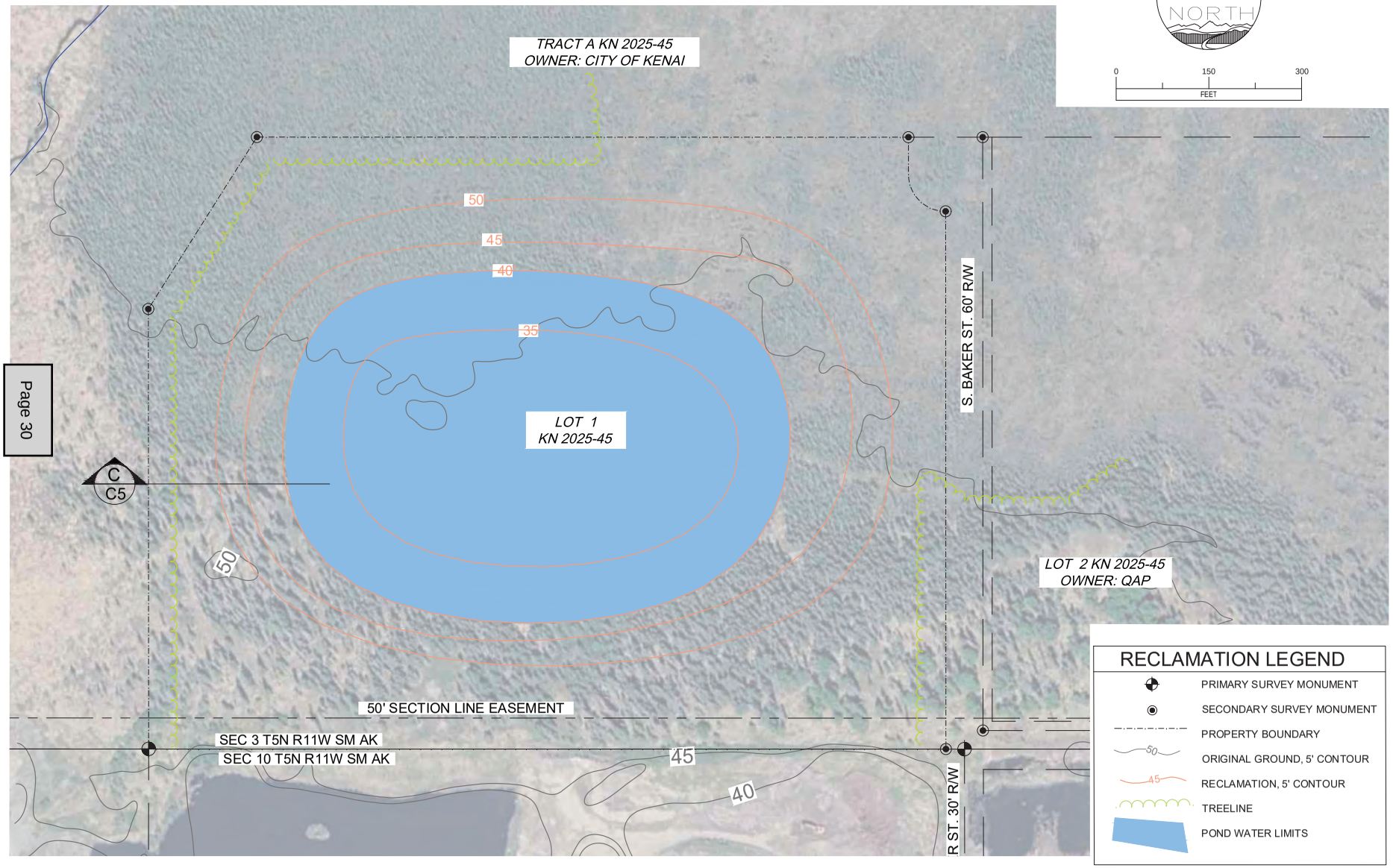
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CONDITIONAL USE PERMIT

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WWW.MCLANECG.COM

DRAWN BY: GMD
CHECKED BY: GMD
HORZ. SCALE: 1" = 150'
VERT. SCALE: N/A
SHEET: C3

RECLAMATION



NORTH

0 150 300
FEET

RECLAMATION LEGEND

- PRIMARY SURVEY MONUMENT
- SECONDARY SURVEY MONUMENT
- PROPERTY BOUNDARY
- 50 ORIGINAL GROUND, 5' CONTOUR
- 45 RECLAMATION, 5' CONTOUR
- TREELINE
- POND WATER LIMITS

Page 30

STATE OF ALASKA
THE GLEN DEBENEDICTIS
CE - 11043
21 Sept 2026

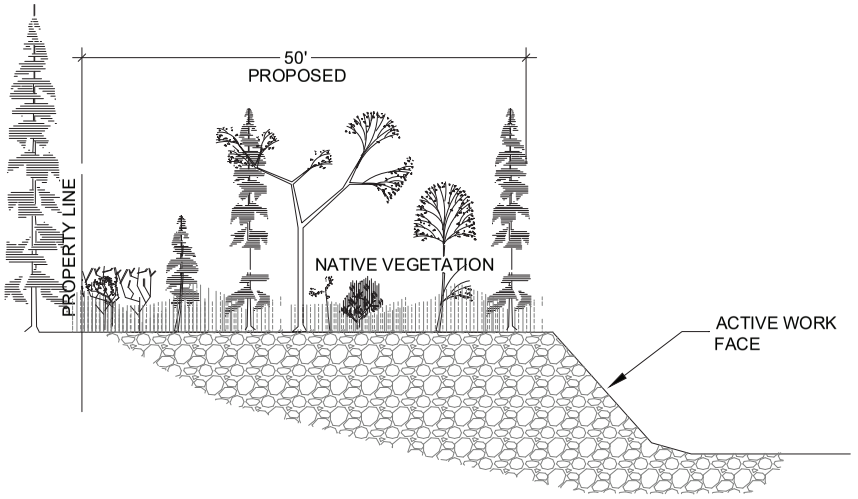
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1	9/21/2026	CUP APPLICATION ISSUE	GMD

RIVER RESOURCES LLC
LOT 1 BEAVER LOOP ACRES ADDN NO. 3 SUBD.
CONDITIONAL USE PERMIT

FIELD WORK DATE: MAY/APRIL 2026 | FIELD BOOK NO. 26-01 | JOB NO. 284014

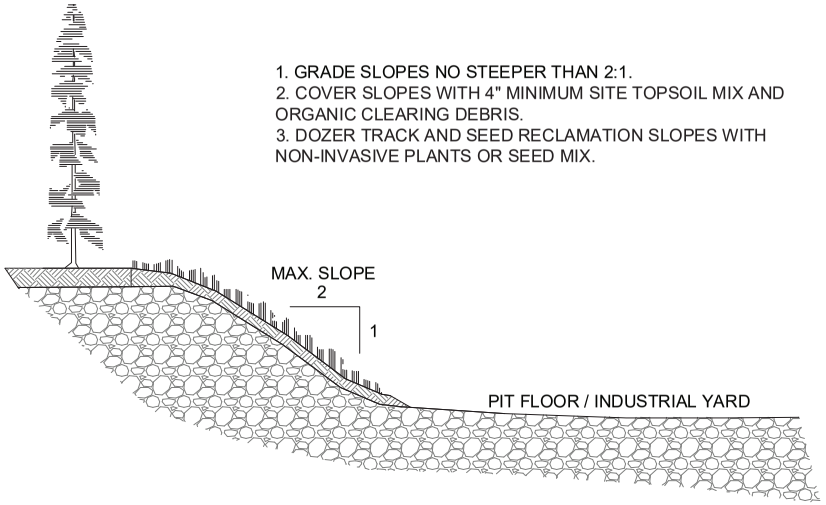
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WWW.MCLANECG.COM

DRAWN BY: GMD
CHECKED BY: GMD
HORZ. SCALE: 1" = 150'
VERT. SCALE: N/A
SHEET: C4



A C5 VEGETATION BUFFER

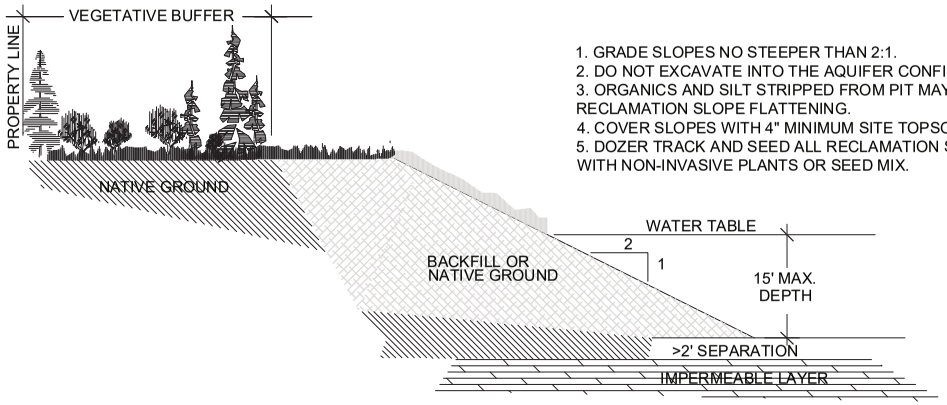
NOT TO SCALE



1. GRADE SLOPES NO STEEPER THAN 2:1.
2. COVER SLOPES WITH 4" MINIMUM SITE TOPSOIL MIX AND ORGANIC CLEARING DEBRIS.
3. DOZER TRACK AND SEED RECLAMATION SLOPES WITH NON-INVASIVE PLANTS OR SEED MIX.

B C5 RECLAMATION SLOPE - ABOVE GROUNDWATER

NOT TO SCALE



1. GRADE SLOPES NO STEEPER THAN 2:1.
2. DO NOT EXCAVATE INTO THE AQUIFER CONFINING LAYER.
3. ORGANICS AND SILT STRIPPED FROM PIT MAY BE STOCKPILED AND USED FOR RECLAMATION SLOPE FLATTENING.
4. COVER SLOPES WITH 4" MINIMUM SITE TOPSOIL MIX AND ORGANIC CLEARING DEBRIS.
5. DOZER TRACK AND SEED ALL RECLAMATION SLOPES ABOVE GROUNDWATER LEVEL WITH NON-INVASIVE PLANTS OR SEED MIX.

C C5 VEGETATION BUFFER

NOT TO SCALE

STATE OF ALASKA
G.M. DeSmedt
CE - 11043
21 Sept 2026

REV	DATE	DESCRIPTION	BY
1	10/6/2026	REVISED SETBACK FROM SLE	GMD
1	9/21/2026	CUP APPLICATION ISSUE	GMD

RIVER RESOURCES LLC
LOT 1 BEAVER LOOP ACRES ADDN NO. 3 SUBD.
CONDITIONAL USE PERMIT

JOB NO. 284014
FIELD BOOK NO. 26-01
FIELD WORK DATE: MAY/APRIL 2026

McLANE Consulting Inc
ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK. 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

DRAWN BY: GMD
CHECKED BY: GMD
HORZ. SCALE: 1" = 150'
VERT. SCALE: N/A
SHEET: C5

KENAI

CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-40

A RESOLUTION **GRANTING** THE APPLICATION FOR A VARIANCE PERMIT TO BUILD INTO THE SETBACKS FOR EXPANDED SURFACE EXTRACTION OF NATURAL RESOURCES ON PARCEL 04901068.

APPLICANT: River Resources LLC

PROPERTY OWNER: City of Kenai

PROPERTY ADDRESSES: No Physical Address

LEGAL DESCRIPTIONS: Lot 1, Beaver Loop Acres Addition Number 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04901068

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.180(c) was submitted to the City on September 22, 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 November 17, 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 variance permit is being requested to best utilize the resources of the current area. The properties adjacent to the east and south are currently permitted material sites and the property to the north and west are undeveloped wetlands owned by the City of Kenai and Alaska DNR.

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 proposed request is consistent with that of adjoining properties. There are no special conditions or circumstances caused by actions of the applicant and the request does not merely constitute a pecuniary hardship or inconvenience.

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 proposed use is conditionally allowed within the current zoning district subject to obtaining a CUP. The applicant is in the application process of obtaining the CUP in conjunction with the variance request and the use is appropriate given the surrounding existing material extraction sites adjacent to the subject lot. The variance request does not alter the principal use of the area.

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 proposed buffer of fifty feet (50') along the north, east, and west boundaries and one hundred-foot (100') buffer along the southern boundary would still allow for an adequate divide between sites while allowing for a better utilization of land space. As stated by the applicant, the granting of the variance request is anticipated to expand the usable material site area from 14.65 acres to 22.43 acres, an increase of 53%.

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 requested variance is not based on other non-conforming land uses or structures within the same land use or zoning district and will not alter the principal use of the property that is approved with the granting of the CUP.

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 setbacks for the expanded surface extraction of natural resources of the property known as Lot 1, Beaver Loop Acres Addition Number 3, 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 all 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 17TH DAY OF NOVEMBER, 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 28, 2026

SUBJECT: Resolution No. PZ2026-40 - Variance Permit – Setback

Request	The applicant is requesting a variance permit for setback requirements for the surface extraction of natural resources
Staff Recommendation	Adopt Resolution No. PZ2026-40 Granting a Variance Permit for the Surface Extraction of Natural Resources

Property Owner:	City of Kenai
Applicant:	River Resources LLC
Legal Description:	Lot 1 Beaver Loop Acres Addition Number 3
Property Address:	No Physical Address
KPB Parcel No.:	04901068
Lot Sizes:	28.63 Acres
Zoning:	Rural Residential
Current Land Use:	Vacant / Undeveloped
Land Use Plan:	Parks, Recreation, & Open Space

SUMMARY

The applicant is proposing a one hundred-foot (100') excavation into the one hundred fifty-foot (150') setback to the north and west, and one hundred fifty feet (150') into the two-hundred-foot setback to the east and south property lines, adjacent to rights-of-way. This would leave a fifty-foot (50') setback on the north, east, and west boundaries, and a one hundred-foot (100') setback along the southern boundary.

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 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: The variance permit is being requested to best utilize the resources of the current area. The properties adjacent to the east and south are currently permitted material sites and the property to the north and west are undeveloped wetlands owned by the City of Kenai and Alaska DNR.

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 proposed request is consistent with that of adjoining properties. There are no special conditions or circumstances caused by actions of the applicant and the request does not merely constitute a pecuniary hardship or inconvenience.

***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 proposed use is conditionally allowed within the current zoning district subject to obtaining a CUP. The applicant is in the application process of obtaining the CUP in conjunction with the variance request and the use is appropriate given the surrounding existing material extraction sites adjacent to the subject lot. The variance request does not alter the principal use of the area.

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 proposed buffer of fifty feet (50') along the north, east, and west boundaries and one hundred-foot (100') buffer along the southern boundary would still allow for an adequate divide between sites while allowing for a better utilization of land space. As stated by the applicant, the granting of the variance request is anticipated to expand the usable material site area from 14.65 acres to 22.43 acres, an increase of 53%.

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 requested variance is not based on other non-conforming land uses or structures within the same land use or zoning district and will not alter the principal use of the property that is approved with the granting of the CUP.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the variance permit 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* on November 6, 2026. Pursuant to KMC 14.20.280(d), no sign was posted on the subject property as there are no improved streets adjacent to the subject property.

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

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:	River Resources LLC				
Mailing Address:	PO Box 303				
City:	Soldotna	State:	Alaska	Zip Code:	99669
Phone Number(s):	[redacted]				
Email:	[redacted]				

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)					
Name:	Kyle Foster				
Mailing Address:	PO Box 303				
City:	Soldotna	State:	Alaska	Zip Code:	
Phone Number(s):	[redacted]				
Email:	[redacted]				

PROPERTY INFORMATION	
Kenai Peninsula Borough Parcel # (Property Tax ID):	04901068
Physical Address:	none
Legal Description:	T5N R11W S3 S.M. Beaver Loop Acres Addn No 3 Subd Lot 1
Zoning:	Rural residential
Acres:	28.63

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?	Undeveloped. Applied for CUP material extraction
Use of surrounding property - north:	Undeveloped, COK owned
Use of surrounding property - south:	Material site, owned by Twin River Resources LLC
Use of surrounding property - east:	Material site, owned by Colaska
Use of surrounding property - west:	Undeveloped. COK owned

Variance Requested for (attach additional sheets if necessary):

Propose 50' excavation setback to East North and West property lines and a 0' setback to South property line. No artificial screening.

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:
South and east adjacent properties are permitted material sites. The north property and east is undeveloped and owned by COK. The Baker Street ROW is not constructed and only access properties that are proposed for material sites.
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:
Consistent use of adjoining properties support reduced buffers.
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:
Variance request does not alter principal use of property.
Explain how the variance shall be the minimum variance that will provide for the reasonable use of the land and/or structure:
The proposed buffers still allow for buffer space from property lines owned by others and from right-of-ways.
Explain how the granting of a variance shall not be based upon other noncoforming land uses or structures within the same land use or zoning district:
Variance request does not alter principal use of property.

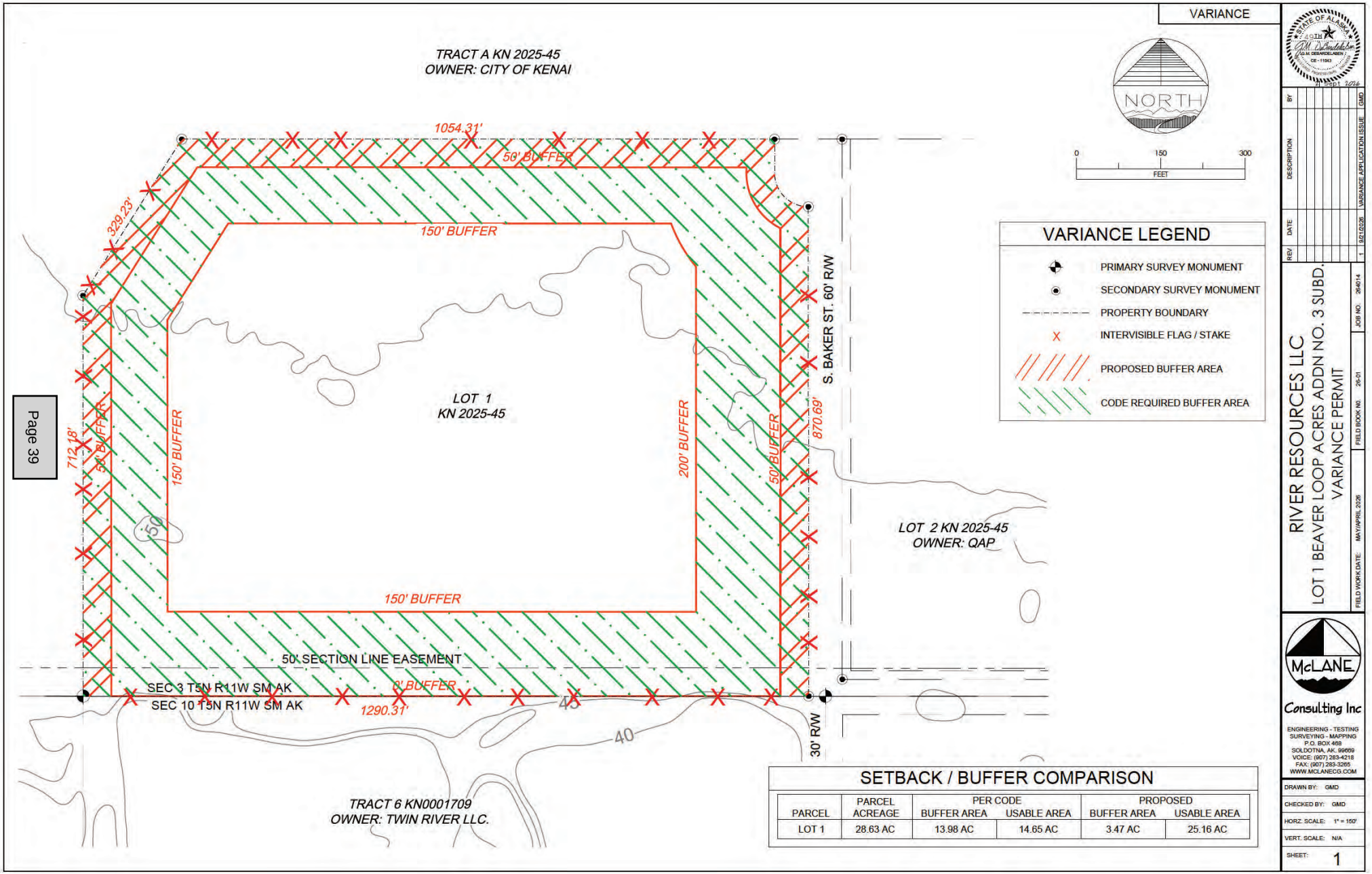
AUTHORITY TO APPLY FOR A VARIANCE:
I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a variance permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable 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:	Kyle Foster			Date:	9/22/26
Print Name:	Kyle Foster	Title/Business:	River Resources LLC		

For City Use Only

Date Application Fee Received:
PZ Resolution Number:

VARIANCE



VARIANCE LEGEND

- PRIMARY SURVEY MONUMENT
- SECONDARY SURVEY MONUMENT
- PROPERTY BOUNDARY
- INTERVISIBLE FLAG / STAKE
- PROPOSED BUFFER AREA
- CODE REQUIRED BUFFER AREA

SETBACK / BUFFER COMPARISON

PARCEL	PARCEL ACREAGE	PER CODE BUFFER AREA	PER CODE USABLE AREA	PROPOSED BUFFER AREA	PROPOSED USABLE AREA
LOT 1	28.63 AC	13.98 AC	14.65 AC	3.47 AC	25.16 AC

STATE OF ALASKA
GARY M. DERKEVORKIAN
CE - 11943
21 Sept 2026

REV	DATE	DESCRIPTION	BY
1	9/21/2026	VARIANCE APPLICATION ISSUE	GMD

RIVER RESOURCES LLC
LOT 1 BEAVER LOOP ACRES ADDN NO. 3 SUBD.
VARIANCE PERMIT

FIELD WORK DATE: MAY/APRIL 2026
FIELD BOOK NO. 26-01
JOB NO. 26401

McLANE Consulting Inc
ENGINEERING - TESTING
SURVEYING - MAPPING
P.O. BOX 468
SOLDOTNA, AK. 99669
VOICE: (907) 283-4218
FAX: (907) 283-3265
WWW.MCLANECG.COM

DRAWN BY: GMD
CHECKED BY: GMD
HORZ. SCALE: 1" = 150'
VERT. SCALE: N/A
SHEET: 1

CITY OF KENAI
RESOLUTION NO. 2026-41
TRANSFER OF CONDITIONAL USE PERMIT PZ97-24

A RESOLUTION **GRANTING** A REQUEST FOR THE TRANSFER OF CONDITIONAL USE PERMIT PZ97-24 FOR A COFFEE HOUSE / RESTAURANT.

Property Owner:	Stephen M. Pyfer
Applicant:	Brian Yager
Legal Description:	Lot 39A, Dolchok Subdivision
Property Address:	602 Petersen Way
KPB Parcel No.:	04704015
Zoning:	Townsite Historic
Current Use:	Restaurant / Coffee Shop

WHEREAS, a complete application for a transfer of a condition use permit that met the requirements of Kenai Municipal Code 14.20.157 was submitted to the City on October 23, 2026; and,

WHEREAS, The Planning and Zoning Commission granted a Conditional Use Permit (PZ 97-24) to Mary Ann Alfano on June 25, 1997, for a coffee house; and,

WHEREAS, the business has been open since 1997, and has changed ownership numerous times as evidenced by the Transfers of Conditional Use Permit PZ97-24, as set forth below:

- On September 8, 2004, Conditional Use Permit PZ97-24 was transferred to Rebecca Lambourne and Stanley Coleman by Resolution PZ04-38;
- On December 10, 2008, Conditional Use Permit PZ97-24 was transferred to Diane E. Hooper by Resolution PZ08-61; and
- On December 11, 2013, Conditional Use Permit PZ97-24 was transferred to Shilo Miller, by Resolution PZ13-38; and
- On June 8, 2016, Conditional Use Permit PZ97-24 was transferred to Mary S. Darling; and,
- On October 11, 2017, Conditional Use Permit PZ97-24 was transferred to the Transferor, Stephen M. Pyfer; and,

WHEREAS, the applicant is continuing the use of the property as stated in Conditional Use Permit PZ 97-24; and,

WHEREAS, the Administration recognizes that the Land Use Table no longer specifically defines a “Coffee House” and instead uses the term “Restaurant”, and recommends the title of the Conditional Use Permit be amended during this transfer to accurately reflect the Land Use Table used as of the date of this transfer.

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

Section 1. That the request to transfer of Conditional Use Permit PZ97-24 on the property described as Lot 39A, Dolchok Subdivision, located at 602 Petersen Way, be approved.

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. If there is an expansion or change of use for the subject property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5).
3. 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.
4. In accordance with an amendment to the original Conditional Use Permit, no operations may take place from 6:00 PM on Saturdays to 12:00 PM on Sundays.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 17TH DAY OF NOVEMBER, 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: November 12, 2026

SUBJECT: Resolution PZ2026-41 – Transfer of Conditional Use Permit PZ97-24

Request	The Applicant is Requesting to Transfer of Conditional Use Permit PZ97-24 for a Coffeeshop / Restaurant
Staff Recommendation	Adopt Resolution PZ2026-41 Granting a Transfer of Conditional Use Permit PZ97-24 for a Coffeeshop / Restaurant

Property Owner:	Stephen M. Pyfer
Applicant:	Brian Yager
Legal Description:	Lot 39A, Dolchok Subd
Property Address:	602 Petersen Way
KPB Parcel No.:	04704015
Zoning:	Townsite Historic
Current Use:	Restaurant / Coffee Shop

SUMMARY

The Planning and Zoning Commission granted a Conditional Use Permit (PZ 97-24) to Mary Ann Alfano on June 25, 1997, for a coffee house. The business has been open since 1997, and has changed ownership numerous times as evidenced by the Transfers of Conditional Use Permit PZ97-24, as set forth below:

- On September 8, 2004, Conditional Use Permit PZ97-24 was transferred to Rebecca Lambourne and Stanley Coleman by Resolution PZ04-38;
- On December 10, 2008, Conditional Use Permit PZ97-24 was transferred to Diane E. Hooper by Resolution PZ08-61; and
- On December 11, 2013, Conditional Use Permit PZ97-24 was transferred to Shilo Miller, by Resolution PZ13-38; and
- On June 8, 2016, Conditional Use Permit PZ97-24 was transferred to Mary S. Darling; and,
- On October 11, 2017, Conditional Use Permit PZ97-24 was transferred to the Transferor, Stephen M. Pyfer.

On October 23, 2026, an Application for Transfer of Conditional Use Permit was submitted by Transferee, Brian Yager, pursuant to Kenai Municipal Code as set forth below:

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

Brian Yager, Transferee, has indicated that he agrees to operate under the terms and conditions of the original Conditional Use Permit PZ97-24.

The designation of the use is being updated from “coffee house” to “restaurant” to reflect current zoning and land use terminology. This administrative change does not constitute a change in the approved use of the property or alter the terms and conditions of the original Conditional Use Permit PZ97-24.

STAFF RECOMMENDATION

Staff hereby recommend approval of the Transfer of Conditional Use Permit PZ97-24, subject to the following additional 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. If there is an expansion or change of use for the subject property, a new Conditional Use Permit must be obtained, as stated in KMC 14.20.150(l)(5).
3. 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.
4. In accordance with an amendment to the original Conditional Use Permit, no operations may take place from 6:00 PM on Saturdays to 12:00 PM on Sundays.

ATTACHMENTS

Aerial Map
Application
PZ97-24

viewKPB | Aerial Map



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

11/12/2026 2:27:22 PM

Transfer of Conditional Use Permit Application

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

TRANSFEROR					
Current CUP Holder (Transferor):	Stephen M. Pyfer				
Mailing Address:	602 Petersen Way				
City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	[redacted]				
Email:					

TRANSFEREE					
Proposed New CUP Holder (Transferee):	Brian Yager				
Mailing Address:	PO Box 539				
City:	Kasilof	State:	AK	Zip Code:	99610
Phone Number(s):	[redacted]				
Email:					

PROPERTY INFORMATION	
Kenai Peninsula Borough Parcel # (Propery Tax ID):	04704015
Physical Address:	602 Petersen Way
Legal Description:	Lot 39-A, Dolchok Sub, T5N, R11W, Secrtion 6, Seward Meridian
Zoning:	Townsite Historic
Current CUP Resolution #:	PZ2017-32
Allowed Use by Current CUP:	Coffee House -> Restaurant

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

Signature:	[signature]			Date:	10/23/26
Print Name:	BRIAN YAGER	Title/Business:	OWNER		

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

Signature:	[signature]			Date:	10/23/26
Print Name:	STEPHEN PYFER	Title/Business:	OWNER		

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

"Village with a Past, City with a Future"

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

CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ17-32
TRANSFER OF CONDITIONAL USE PERMIT PZ97-24

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

NAME: Stephen M. Pyfer

USE: Coffee House

LOCATED: Lot 39A, Dolchok Subd. – 602 Peterson Way

KENAI PENINSULA BOROUGH PARCEL NO: 04704015

WHEREAS, the Commission finds:

1. That an application meeting the requirements of Sections 14.20.150(i)(5) and 14.20.158 has been submitted to the City of Kenai on September 19, 2017;

2. This request is on land zoned as TSH – Townsite Historic District;

3. That the applicant has demonstrated with plans and other documents that they can and will meet the following specific requirements and conditions in addition to existing requirements:

    a. Applicant must comply with all Federal, State and local regulations.

    b. Applicant shall file an annual report for the Conditional Use Permit as set forth in Kenai Municipal Code 14.20.150(f).

    c. If there is a change of use for the above described property, a new Conditional Use Permit must be obtained, pursuant to KMC 14.20.150(i)(5).

NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI THAT THE CONDITIONAL USE PERMIT FOR SHILO MILLER FOR A COFFEE HOUSE BE TRANSFERRED TO STEPHEN M. PYFER.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, this 11th day of October, 2017.

CHAIRPERSON: _____ ATTEST: _____
Jeff Twait Jamie Heinz, City Clerk

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

MEMORANDUM

TO: Chair Keaton and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: October 26, 2026

SUBJECT: **Action/Approval – Removing Public Purpose Designation on Kenai Peninsula Borough Parcel Number 03906141 to Accommodate Disposal Recommendation in the City of Kenai Land Management Plan**

City Administration is undertaking an update to the City of Kenai Land Management Inventory and Recommendations, also known as the Land Management Plan. This update is intended to give the Administration and members of the public an accurate inventory and status of all City-owned lands.

The subject parcel (03906141) was given a retention status of “Dispose” while retaining a public purpose designation which was explained in the comments section of the table corresponding to each map. Kenai Peninsula Borough parcel 03906141, known as Carl F. Ahlstrom Park, located between Iliamna Road and Spur Drive was given a public purpose designation by Ordinance 2057-2004.

A public purpose designation is not compatible with a “Dispose” designation, as the methods for land leases or sales is outlined in Kenai Municipal Code 22.05 – Disposition of City Lands. Administration requests the removal of the public purpose designation on this parcel. Parcel 03906141 was set aside with a Parks and Recreation designation. The new Parks and Recreation Master Plan, adopted in June 2026, did not include a recommendation for a park in the area. Another parcel, 03913202, between the Mommsens and Kenai Meadows subdivisions has been identified as a potential park site that is more centrally located among residential subdivisions along the Redoubt Avenue corridor.

Removal of the public purpose designation would present an opportunity for this 2.32-acre lot to serve as a catalyst for reconfiguring and subdividing the existing lots of the Carl F. Ahlstrom subdivision into a more cohesive and marketable format, thereby encouraging residential development, improving land utilization, and expanding opportunities for future housing.

Does the Commission recommend Kenai City Council enact this Ordinance?

Thank you for your consideration.

Sponsored by: Administration

CITY OF KENAI
ORDINANCE NO. XXXX-2026

AN ORDINANCE REMOVING THE PUBLIC PURPOSE DESIGNATION FROM KENAI PENINSULA BOROUGH PARCEL NUMBER 03906141, KNOWN AS CARL F. AHLSTROM PARK, CONSISTENT WITH THE CITY OF KENAI LAND MANAGEMENT PLAN.

WHEREAS, the City of Kenai acquired Kenai Peninsula Borough Parcel Number 03906141, a 2.32-acre parcel located between Iliamna Road and Spur Drive, through tax and special assessment foreclosure; and,

WHEREAS, Ordinance 2057-2004 retained the parcel for the public purpose of parks and recreation; and,

WHEREAS, on June 15, 2022, the City Council adopted Resolution 2022-51, approving the City of Kenai Land Management Inventory and Recommendations (Land Management Plan), which recommended disposal of the parcel; and,

WHEREAS, in 2026 the City adopted its first Parks and Recreation Master Plan, which did not recommend developing a park in the Carl F. Ahlstrom Subdivision; and,

WHEREAS, the parcel is zoned Suburban Residential, and its disposal could facilitate reconfiguration and subdivision of surrounding lots to support residential development and additional housing; and,

WHEREAS, Kenai Municipal Code 22.05.110(b) provides for the City Council to determine by ordinance land previously dedicated to a public purpose is no longer needed for that purpose; and,

WHEREAS, the Parks & Recreation Commission held a public hearing on November 5, 2026, and recommended the City Council _____ this Ordinance; and,

WHEREAS, the Planning & Zoning Commission held a public hearing on November 17, 2026, and recommended the City Council _____ this Ordinance; and,

WHEREAS, the Council finds that the parcel is no longer needed for a public purpose and that removing its public purpose designation is consistent with the Land Management Plan and in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That Kenai Peninsula Borough parcel 03906141, known as Carl F. Ahlstrom Park, located between Iliamna Road and Spur Drive, is no longer needed for a public purpose. The public purpose designation established by Ordinance 2057-2004 is hereby removed from the parcel.

Section 2. That the City Manager is authorized to update the Land Management Plan and associated land inventory records to reflect the determination in Section 1.

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in

which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect 30 days after enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18TH DAY OF NOVEMBER, 2026.

_____
Henry H. Knackstedt, Mayor

ATTEST:

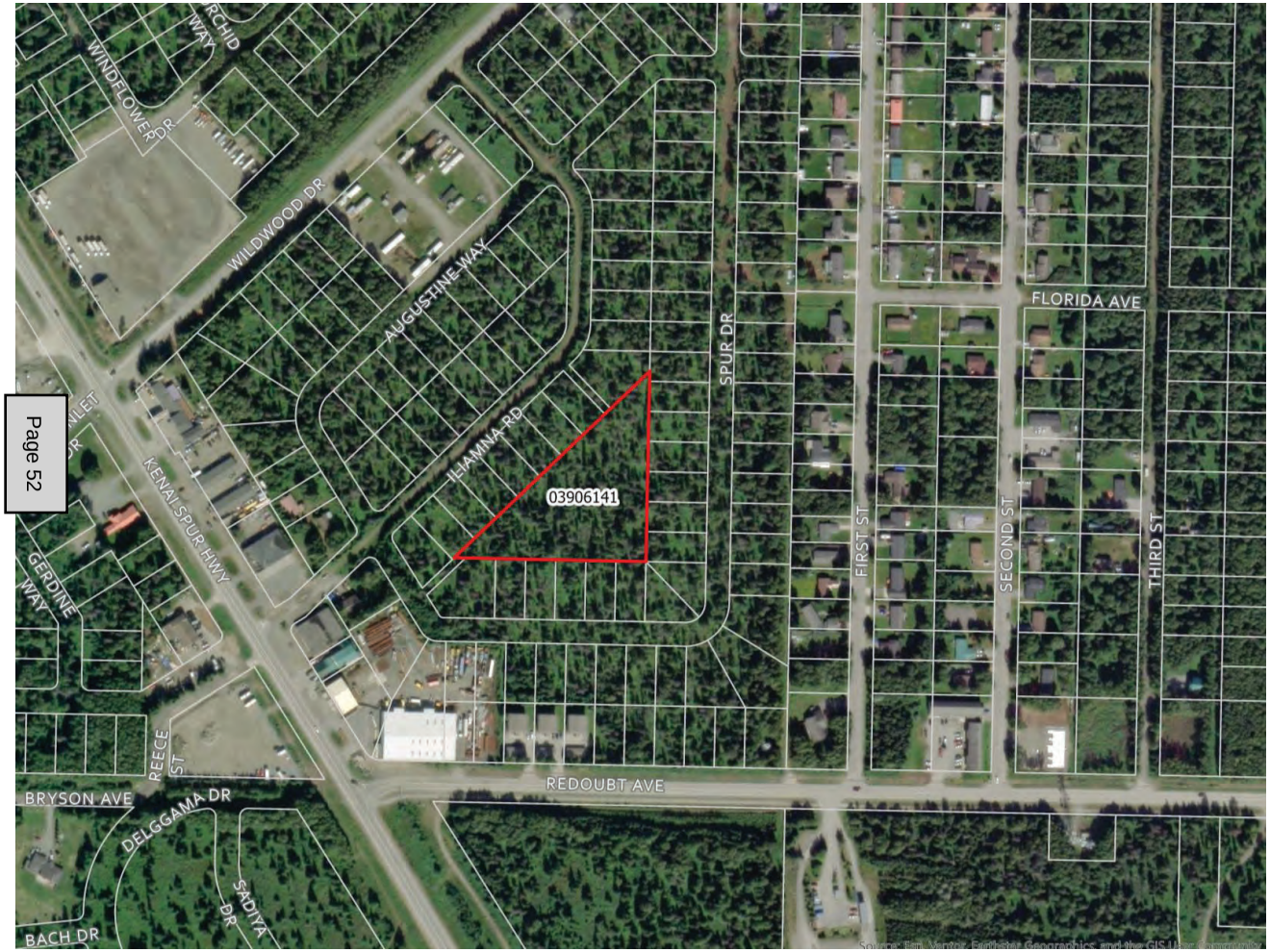
_____
Michelle M. Saner, MMC, City Clerk

Introduced:	November 04, 2026
Enacted:	November 18, 2026
Effective:	December 17, 2026



PLANNING & ZONING

REMOVAL OF PUBLIC PURPOSE DESIGNATION – PARCEL 03906141



CURRENT PARCEL

KENAI PENINSULA BOROUGH
PARCEL VIEWER



PROXIMITY OF PARCELS

RECOMMENDATIONS

- Remove Public Purpose Designation on Parcel 03906141 to allow for potential future replats within Carl F. Ahlstrom Subdivision to encourage development.
- Parcel 09313202 is owned by the City and was originally to be used as a Community Well but is now served by Water/Wastewater mains.
- Parcel could be developed as a park in the future and would be more centrally located along Redoubt Avenue corridor.



Questions?

Kevin Buettner, AICP, LEED AP, CNU-A

Planning Director, City of Kenai

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

MEMORANDUM

TO: Chair Keaton and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: October 26, 2026

SUBJECT: **Action/Approval – Adoption of the 2026 City of Kenai Land Management Plan**

In June 2026, Administration undertook the task of updating the City of Kenai Land Management Inventory and Recommendations (Land Management Plan). A few land auctions/sales and updated data from the Kenai Peninsula rendered the current Land Management Plan inaccurate. Furthermore, several recommendations in the Land Management Plan had not been implemented, with some completed only recently in 2026. Administration believes it is in the best interest of the City to have an accurate representation of all municipally owned lands.

The proposed changes largely fall into three categories:

- Updated Definitions / Structure
- Updated Maps
- Updated Tables / Narrative for each subdivision

These updates will be broken out below for each section of the Land Management Plan. To streamline this process, the sections will be grouped by the Executive Summary, Introductory Information, and then by Map Number as laid out in the current plan from 2022. In all cases, adjustments to the narrative in each section (and related to all maps) were made to reflect the changes on the maps and within the tables.

Executive Summary: Updated to reflect the current number of parcels from 369 to 376. Removed the background to the 2022 Land Management Plan and replaced text with an acknowledgement to the efforts of staff, commissioners, and Council members that led to the adoption of the 2022 plan.

Introduction and Background Information: Updated the number of parcels to reflect the current total and adjusted the percentages of lots classified as Airport Lands or General Fund Lands. Elaborated on the definitions for General Fund and Airport Fund. Changed “Retention Status” to “Recommendations”. Administration determined that the “Recommendation” title and associated new definitions would allow potential developers to determine whether a parcel is available for lease, and whether an option to purchase after development is possible. It also

notes which lands are currently under lease or being held for a public purpose, imposed by City Council. The total number of maps also was reduced from 46 to 44.

Map 1: Removed Maps 34 & 46 due to land sales in December 2024.

Map 2: Removed Quick Table, changed Retention Status to Recommendation and updated Comments to reflect leases through 2036.

Map 3: Removed Quick Table, changed Retention Status to Recommendation and added one parcel. The previous parcel in the 2022 plan had two lots within the parcel, which are now separated.

Map 4: Removed Quick Table, changed Retention Status to Recommendation and added the unnamed 60’ right-of-way north of Wildwood Drive.

Map 5: Removed Quick Table, changed Retention Status to Recommendation and removed three parcels sold at auction in December 2024.

Map 6: Removed Quick Table, changed Retention Status to Recommendation and removed three parcels sold at auction in December 2024. Added comments concerning the land conditionally donated to Habitat for Humanity through 2028.

Map 7: Removed Quick Table, changed Retention Status to Recommendation and updated map to reflect land donations, Sixth Street right-of-way movement to the east, updated zoning, and showed the latest subdivision.

Map 8: Removed Quick Table, changed Retention Status to Recommendation and recommended a portion in the northeast corner of parcel 04301038 be subdivided and auctioned off for future residential development along Evergreen St. Removed one parcel sold at auction in December 2024.

Map 9: Removed Quick Table, changed Retention Status to Recommendation and added comments to a majority of the parcels reflecting a first right of refusal in place. Recommended parcels 04301029 and 04301101 be merged in any upcoming subdivision, as both pertain to the future erosion of the bluff and are held for a public use for this reason.

Map 10: Removed Quick Table, changed Retention Status to Recommendation. Removed one parcel sold at auction in December 2024.

Map 11: Removed Quick Table, changed Retention Status to Recommendation.

Map 12: Removed Quick Table, changed Retention Status to Recommendation and updated Comments to reflect the Fourth & Forest Pocket Park name that was designated during creation of Parks & Recreation Master Plan.

Map 13: Removed Quick Table, changed Retention Status to Recommendation.

Map 14: Removed Quick Table, changed Retention Status to Recommendation, and removed one parcel that was subdivided and merged with another parcel to the north.

Map 15: Removed Quick Table, changed Retention Status to Recommendation and added the parcel containing Fourth Avenue Park.

Map 16: Removed Quick Table, changed Retention Status to Recommendation, added a parcel subdivided and showing the dedication of right-of-way for North Willow St. Updated map shows result of subdivisions undertaken by lessees within the last four years (2022-2026).

Map 17: Removed Quick Table, changed Retention Status to Recommendation.

Map 18: Removed Quick Table, changed Retention Status to Recommendation.

Map 19: Removed Quick Table, changed Retention Status to Recommendation. Updated map to reflect new parcels created as the Kenai Peninsula Borough separates individual lots into separate parcels.

Map 20: Removed Quick Table, changed Retention Status to Recommendation and added parcels acquired for Bluff Stabilization Project, including tidelands.

Map 21: Removed Quick Table, changed Retention Status to Recommendation.

Map 22: Removed Quick Table, changed Retention Status to Recommendation, and updated map to reflect recent subdivisions by lessees.

Map 23: Removed Quick Table, changed Retention Status to Recommendation and updated maps to reflect land sale and new parcels created as the Kenai Peninsula Borough separates individual lots into separate parcels.

Map 24: Removed Quick Table, changed Retention Status to Recommendation.

Map 25: Removed Quick Table, changed Retention Status to Recommendation.

Map 26: Removed Quick Table, changed Retention Status to Recommendation.

Map 27: Removed Quick Table, changed Retention Status to Recommendation, and updated map to reflect land sale in 2025.

Map 28: Removed Quick Table, changed Retention Status to Recommendation.

Map 29: Removed Quick Table, changed Retention Status to Recommendation.

Map 30: Removed Quick Table, changed Retention Status to Recommendation, and updated map to reflect land subdivided and donated to Triumvirate Theater.

Map 31: Removed Quick Table, changed Retention Status to Recommendation.

Map 32: Removed Quick Table, changed Retention Status to Recommendation.

Map 33: Removed Quick Table, changed Retention Status to Recommendation, and updated map to reflect land sale in December 2024.

Map 34: Removed Map, tables, and narrative. Property in Doyle Subdivision sold at auction in December 2024.

Map 35: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 34 in the new plan.

Map 36: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 35 in the new plan.

Map 37: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 36 in the new plan.

Map 38: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 37 in the new plan.

Map 39: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 38 in the new plan. Updated map to reflect subdivision by City for lots to be auctioned off for use as gravel pits.

Map 40: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 39 in the new plan.

Map 41: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 40 in the new plan.

Map 42: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 41 in the new plan.

Map 43: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 42 in the new plan.

Map 44: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 43 in the new plan.

Map 45: Removed Quick Table, changed Retention Status to Recommendation. Now labeled as Map 44 in the new plan.

Map 46: Removed Map, tables, and narrative. Property in Salty Dog Heights Subdivision (Sterling) sold at auction in December 2024.

Does the Commission recommend Kenai City Council pass this Resolution?

Thank you for your consideration.

Sponsored by: Administration

CITY OF KENAI
RESOLUTION NO. 2026-XX

A RESOLUTION ADOPTING THE 2026 CITY OF KENAI LAND MANAGEMENT PLAN.

WHEREAS, the City of Kenai Imagine Kenai 2030 Comprehensive Plan includes economic development and land use goals and objectives to develop a land inventory and land use strategies to implement a forward-looking approach; and,

WHEREAS, Resolution 2022-51 was passed on June 15, 2022, adopting the City's first Land Management Plan; and,

WHEREAS, since adoption of the current Land Management Plan in June 2022, the City has subdivided, leased, donated, and sold City-owned parcels; and,

WHEREAS, City lands have been subdivided or adjusted by the Kenai Peninsula Borough (KPB) during data integrity reviews that have altered the KPB parcel numbers; and,

WHEREAS, the City owns 376 subdivided parcels, including wetlands, tidelands, land surrounding the Kenai Municipal Airport, and lands suitable for a variety of residential, commercial, industrial, recreational, and conservation purposes; and,

WHEREAS, the 2026 update of the City of Kenai Land Management Plan reflects all available parcel data through October 31, 2026; and,

WHEREAS, the Parks & Recreation Commission held a public hearing on November 5, 2026, and recommended the City Council _____ this Resolution; and,

WHEREAS, the Airport Commission held a public hearing on November 12, 2026, and recommended the City Council _____ this Resolution; and,

WHEREAS, the Planning & Zoning Commission held a public hearing on November 17, 2026, and recommended the City Council _____ this Resolution; and,

WHEREAS, it is in the best interest of the City to have a current and accurate inventory of all City-owned land.

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

Section 1. That the attached 2026 update of the City of Kenai Land Management Plan is hereby adopted.

Section 2. That City Administration will update the plan to reflect current disposition status, legal descriptions, and other data needed to accurately reflect the land holdings of the City.

Section 3. That this Resolution takes effect 30 days after passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 18TH DAY OF NOVEMBER, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Kenai City Council - Regular Meeting

November 04, 2026 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

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. ***ADOPTED UNANIMOUSLY*** **Resolution 2026-69** - Establishing the 2027 City Council Regular Meeting Schedule. (Clerk)

F. MINUTES

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

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Renewal of the Memorandum of Understanding between the 3rd Operations Support Squadron and the City of Kenai. (Administration)
3. ***Action/Approval** - Special Use Permit to TOTE Maritime Alaska, LLC for Truck Trailer Storage. (Administration)
4. ***Action/Approval** - Council Confirmation of Mayoral Nomination of Janet Nelson Dormady to the Council on Aging Commission. (Mayor)

5. ***Ordinance No. 3549-2026** - Removing the Public Purpose Designation on Kenai Peninsula Borough Parcel Number 03906141 to Accommodate Disposal Recommendations in the City of Kenai Land Management Plan. (Administration)

6. ***APPROVED UNANIMOUSLY*** **Action/Approval** - Providing Comments to the State of Alaska, Department of Natural Resources Regarding Their Preliminary Written Findings for the Kenai Loop Gas Field Natural Gas Storage Lease. (Legal)

7. ***SCHEDULED FOR DECEMBER 16, 2026 AT 5:00 P.M.*** **Action/Approval** - Scheduling a City Council Work Session to Discuss the City's First Five-Year Strategic Plan. (Administration)

8. ***SCHEDULED FOR NOVEMBER 30, 2026 AT 5:30 P.M.*** **Action/Approval** - Appeal of the Planning and Zoning Commissions Decision to Grant a Conditional Use Permit for a Cabin Rental of a Single-Family Dwelling on Parcel 04326047 Located at 502 Ash Avenue, Kenai, AK. (City Clerk)

9. ***SCHEDULED FOR DECEMBER 1, 2026 AT 5:30 P.M.*** **Action/Approval** - Appeal of the Planning and Zoning Commissions Decision to Grant a Conditional Use Permit for a Cabin Rental of a Single-Family Dwelling on Parcel 04328011 Located at 1123 Walnut Avenue, Kenai, AK. (City Clerk)

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

1. **Mayoral Proclamation** - Declaring October 2026 as "Domestic Violence Awareness Month".

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/4t3Axx8FQiaG7kPVJUziMg