



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

December 10, 2025 – 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 November 12, 2025

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

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

E. CONSIDERATION OF PLATS

F. PUBLIC HEARINGS

1. **Resolution PZ2025-33** - Recommending the Approval of a Conditional Use Permit to Operate a Bed & Breakfast on the Parcel Described as Lot 4, Block 1, Highlands Subdivision, Located at 5105 Silver Salmon Drive, Within the Rural Residential (RR) Zoning District.
2. **Resolution PZ2025-34** - Recommending the Approval of a Conditional Use Permit to Operate an Automotive Repair Business on the Parcel Described as Lot 23, Block 3, Redoubt Terrace Subdivision, Located at 1606 Salmo Circle, Within the Suburban Residential (RS) Zoning District.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. **Action/Approval** - Recommending Approval of Proposed Ordinance to City Council Regarding Sunsetting the Harbor Commission
2. **Discussion/Approval** – Establishing Work Session Schedule for January and February 2026

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: January 14, 2026

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

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

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

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

https://us02web.zoom.us/meeting/register/b-VJ82_6S1yqvkg0TQ8kMw

**KENAI PLANNING & ZONING COMMISSION – REGULAR MEETING
NOVEMBER 12, 2025 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
VICE CHAIR EARSLEY, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on November 12, 2025, in City Hall Council Chambers, Kenai, AK. Vice Chair Earsley called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

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

2. Roll Call

There were present:

Sonja Earsley, Vice Chair
Glenese Pettey
Stacie Krause

Gwen Woodard
Jeanne Keaton
Diane Fikes

A quorum was present.

Absent:

None

Also in attendance were:

Kevin Buettner, Planning Director
Jessica See, Planning Administrative Assistant
Sovala Kisenia, City Council Liaison

3. Agenda and Consent Agenda Approval

MOTION:

Commissioner Woodard **MOVED** to approve the agenda and consent agenda. Commissioner Krause **SECONDED** the motion.

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

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

Vice Chair Earsley opened the floor for public comment on consent agenda items.

There being no one wishing to comment, 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 22, 2025.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS - None.

F. PUBLIC HEARINGS

1. **Resolution PZ2025-30** - Recommending the Approval of a Conditional Use Permit for the Operation of a Small Automotive Sales Business at 4586 Kenai Spur Highway, Davidson Homestead Tract A, in the Rural Residential Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-30. Commissioner Krause **SECONDED** the motion.

Director Buettner read into the record the staff report as included in the packet and attached to Resolution PZ2025-30.

Vice Chair Earsley opened the floor for public comment.

Laurin Lee-Ensey (applicant), provided the Commission with a packet of information related to her business, noting that all permits were in place, including a surety bond; the conditional use permit request pertained to approximately seven-percent of the parcel; the business would be a limited, by appointment only operation; this would improve an overgrown corner of her lot, improving safety and visibility; the use would be small-scale, quiet and compatible with the residential character of the area; the application met all requirements, complied with regulations, and this would be a well maintained business on her property.

Commissioner Fikes thanked the applicant for the thorough presentation, noting she was excited to hear that lighting would be added the corner addressing visibility concerns.

Dan Verkuilen addressed the Commission with concerns related to clutter and potential decrease in the value of the neighborhood.

Ms. Lee-Ensley clarified that access was immediately off of Strawberry road, not the Spur Highway; there would be a maximum of ten vehicles; the current plan is to rotate five to ten cars regularly; and it would be organized and not cluttered.

Mr. Verkuilen stated he did not oppose entrepreneurs; and his concerns were related to the value of homes in the area.

Sherry Inness addressed the Commission in opposition, noting the neighborhood is zone residential; this would change the rural character of the neighborhood; this would set a precedent for future commercial development; and she felt the business was not compatible with the residential zoning of the area.

There was discussion regarding neighboring properties that were not within City limits which could be developed commercially; and the conditional use process.

Connie Taplin addressed the commission requesting clarification of the conditional use permit could be transferred if the property were sold.

Clarification was provided that the matter would come back before the commission and if there were no changes to the use, yes it could be transferred.

Diane Taplin addressed the Commission in opposition, noting she was unaware of the corner being unsafe or of accidents happening there; there are other businesses on Strawberry road, those are outside of City limits; and that she supported the testimony of Ms. Inness.

Ms. Lee-Ensey provided additional testimony, noting she respected the opinions shared; emphasized her personal investment in the property and community; a conditional use permit is not permanent; and she had spoken with neighbors who did support this.

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

Clarification was provided that any properties within 300-feet were mailed notices of public hearing; the public hearing noticed was published in the Peninsula Clarion; and published on the City website.

Commissioner Keaton spoke in support of the conditional use permit, noting the property went through the application process and has met the required criteria.

Commissioner Woodard spoke in support, noting the applicant met the required criteria; it was conditional and not permanent; the location was not within the subdivisions; and it was not uncommon to have business just outside of a subdivision.

VOTE:

YEA: Askin, Keaton, Pettey, Krause, Fikes, Woodard, Earsley

NAY: None

ABSENT: None

MOTION PASSED.

Vice Chair Earsley noted the 15-day appeal period.

G. UNFINISHED BUSINESS - None.

H. NEW BUSINESS

1. **Discussion** - Direction from Kenai City Council to Review and Make Recommendations to Update Kenai Municipal Code 14.10 – *Subdivision Regulations*.

Director Buettner provided an overview of the memo as provided in the packet, noting the Administration has identified housing as a high priority; and the City has been approached by large- and small-scale developers.

There was discussion regarding removing explicit standards from code and instead referring to policies that are adopted by Council; the goal is to have clear communicable standards to provide to developers.

Support for this process was expressed by the Commission.

I. REPORTS

1. Planning Director

Planning Director Buettner – No report.

2. Commission Chair - No report.

3. Kenai Peninsula Borough Planning

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

4. City Council Liaison

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

J. **ADDITIONAL PUBLIC COMMENTS** - None.

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: December 10, 2025

L. **COMMISSION COMMENTS AND QUESTIONS**

Commission Members stated appreciation for public participation and welcomed Commissioner Askin.

M. **PENDING ITEMS** - None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** - None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at approximately 8:21 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of November 12, 2025.

Logan Parks
Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Jessica See, Planning Technician
DATE: November 14, 2025
SUBJECT: Resolution PZ2025-33 – Conditional Use Permit – Lodge and Guide Service

Request The applicant is requesting to operate a Bed & Breakfast at the existing single-family dwelling.

Staff Recommendation Adopt Resolution PZ2025-33 approving a Conditional Use Permit to operate a Bed & Breakfast in a single-family dwelling.

Applicant: Booth's Properties, LLC – Keri Hiler
Legal Description: Lot 4, Block 1, Highlands Subdivision
Property Address: 5105 Silver Salmon Drive
KPB Parcel No.: 04917004
Lot Size: 20,038 square feet (.46-Acres)
Zoning: Rural Residential (RR)
Current Use: Single Family Dwelling
Land Use Plan: Central Mixed Used (CMU)

SUMMARY

The applicant is requesting to operate a Bed & Breakfast out of the single-family residence. Per the Land Use Table, a CUP is required to operate a Bed & Breakfast out of a single family dwelling within a Rural Residential Zone.

ANALYSIS

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

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

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

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

The proposed use would not violate the residential character of the neighborhood as it would continue to function and serve as the family home. Furthermore, the proposed use is not anticipated to generate heavy traffic as the use is limited to the single-family dwelling with 2 bedrooms, and there is adequate parking available. Staff finds that the proposed use meets the intent of the RR zoning district.

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

Findings: The proposed use will not impair the value of adjoining properties negatively as the lot has been improved upon to create an aesthetic and authentic Alaskan feel. The new development has increased the value of the property itself as well as for adjoining lots.

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

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Central Mixed Used (CMU) land use classification. The LDR Land Use Classification is defined in the Comprehensive Plan:

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

The surrounding properties are a mixture of residential and vacant lots. The proposed use would be compatible with the existing uses and the natural landscaping keeps the lot itself private. Additionally, the applicant states the impact on the area will be minimal giving they have no intent to remove vegetation or heavily modify the natural aesthetics of the property.

The proposed use of a Bed & Breakfast is consistent and in harmony with several goals in the 2016 Comprehensive Plan, specifically Goals 1, 2, 3 and 8 listed below.

RELEVANT GOALS

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

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

Objective Q-4

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

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

Objective ED-9

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

Goal 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.

Goal 8 – Environmental Resources: Protect and enhance the natural resources and environment of the community.

Objective ER-2

Development plans should include provisions to avoid or minimize impacts on environmental resources such as the dunes, bluffs and wetlands.

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

Findings: City water and sewer is not in the vicinity of the subject property but onsite water and wastewater treatment and disposal systems are in place. The applicants are required to be in compliant with wastewater disposal requirements of Kenai Peninsula Borough Chapter 20.40 and regulatory requirements of the Alaska Department of Environmental Conservation. The lot has a graveled driveway with adequate parking on site and Silver Salmon is a graveled City-Maintained road.

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

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

There is a natural buffer zone around the properties, and they intend to maintain and enhance those zones for a feeling of privacy and seclusion.

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

Findings: Staff finds that allowing a Bed & Breakfast in the existing single-family dwelling would not cause any adverse impacts on the surrounding properties. Staff finds that additional specific conditions are not deemed necessary to fulfill the above-mentioned conditions.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. City staff submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the conditional use permit request.

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

STAFF RECOMMENDATION

Staff finds that the proposed Conditional Use Permit for a Lodge and Guide Service in the existing single-family dwelling on the property described as Lot 4, Block 1 of the Highlands 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 hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2025-07 approving the Conditional Use Permit, subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

ATTACHMENTS

Aerial Map
Application
Site Plan



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-33**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR A BED & BREAKFAST IN A SINGLE-FAMILY DWELLING.

APPLICANT: Booth's Properties – Keri Hiler

PROPERTY ADDRESS: 5105 Silver Salmon Drive

LEGAL DESCRIPTION: Lot 4, Block 1, Highlands Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04917004

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on January 30, 2025; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on February 26, 2025, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

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

(A) Preserve the rural, open quality of the environment;

(B) Prevent health hazards in areas not served by public water and sewer.

(2) To prohibit uses which would:

(A) Violate the residential character of the environment;

(B) Generate heavy traffic in predominantly residential areas.

The proposed use would not violate the residential character of the neighborhood as it would function/remain as a single-family dwelling in addition to the operation of the proposed business. Furthermore, the proposed use is not anticipated to generate heavy traffic as the use is limited to the single-family dwelling, and there is adequate parking available. Staff finds that the proposed use meets the intent of the RR zoning district.

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

Findings: The proposed use will not impair the value of adjoining properties and the lot itself has been improved upon. Staff finds the proposed use would not negatively impair the economic and noneconomic value of adjacent properties and neighborhood.

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

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Low Density Residential (LDR) land use classification. The LDR Land Use Classification is defined in the Comprehensive Plan:

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

The surrounding properties are a mix of vacant lots and residential dwellings. The proposed use would be compatible with the existing uses. Additionally, the applicant states the impact on the area will be minimal giving they have no intent to remove vegetation or heavily modify the natural aesthetics of the property.

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

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

Objective Q-4

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

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

Objective ED-9

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

Goal 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 issues.

Goal 8 – Environmental Resources: Protect and enhance the natural resources and environment of the community.

Objective ER-2

Development plans should include provisions to avoid or minimize impacts on environmental resources such as the dunes, bluffs and wetlands.

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

Findings: City water and sewer is not in the vicinity of the subject property but onsite water and wastewater treatment and disposal systems are in place. The applicants are required to be in compliant with wastewater disposal requirements of Kenai Peninsula Borough Chapter 20.40 and regulatory requirements of the Alaska Department of Environmental Conservation. Silver Salmon is a gravel, City-Maintained road and lot itself has a gravel driveway with adequate parking.

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

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

There is a natural buffer zone around the properties, and they intend to maintain and enhance those zones for a feeling of privacy and seclusion.

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

Findings: Staff finds that allowing a Bed & Breakfast in the existing single-family dwelling would not cause any adverse impacts on the surrounding properties. Staff finds that additional specific conditions are not deemed necessary to fulfill the above-mentioned conditions.

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

Section 1. That a conditional use permit is granted to operate a Bed & Breakfast in the existing single-family dwelling on the property described as Lot 4, Block 1 of the Highlands Subdivision, located at 5105 Silver Salmon Drive.

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

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 10TH DAY OF DECEMBER, 2025

Sonja Earsley, Chairperson

ATTEST:

Logan Parks, Deputy City Clerk



04917004



Bed and Breakfast Conditional Use Permit Application

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

PROPERTY OWNER

Name:	Keri Hiler				
Mailing Address:	PO Box 3935				
City:	Soldotna	State:	Alaska	Zip Code:	99669
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04917004
Physical Address:	5105 Silver Salmon Drive Kenai Alaska 99611
Legal Description:	Lot 4 Blk 1 Highlands Subd
Zoning:	Rural Residential
Acres:	.4

CONDITIONAL USE DESCRIPTION

(include site plan/floor plan with square footages)

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

How is this property currently being used?	Private Residence
--	-------------------

Describe details of the bed and breakfast conditional use (attach additional sheets if necessary). Include the number of beds:

2 bedroom

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

Consistent with Regular Neighborhood -
One Bldg -

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

Raw Land surrounding the property and we have improved the property overall

Use of surrounding property - north: Vacant Land

Use of surrounding property - south: Vacant Land

Use of surrounding property - east: Vacant Land

Use of surrounding property - west: Vacant Land

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

Are public services and facilities on the property adequate to serve the proposed conditional use? Include considerations of off-street parking for the owner and all guests in your response.

Sufficient Parking available *on site*

Explain how the conditional use will not be harmful to public safety, health, or welfare:

N/A *No*

Leaving existing Trees

Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors?

None

Will the establishment be owner-occupied? ☒ YES

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

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

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

Has the City Fire Marshal inspected the property for Fire Code compliance? ☐ YES

Signature:

Keri Hiler

Print Name:

Keri Hiler

Title/Business:

Member, Booths Properties, LLC

For City Use Only

Date Application Fee Received:

PZ Resolution Number:

KPB NOTE: See PC Resolution 83-6



VICINITY MAP

SCALE 1" = 100'

LEGEND AND NOTES

- Found USALD brass cap monument.
- Found official survey brass cap, 610-S
- Set brass cap monument.

All bearings refer to the G.L.C. datum of 1900 W for the West boundary of Section 8.

- 10' Utility or drainage easements.
- Building set back line.



CERTIFICATE OF LAND SURVEYOR.

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT THIS PLAN REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN THEREON ACCURATELY EXIST AS LOCATED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

DATE April 18, 1967 Stanley S. McLean
REGISTERED LAND SURVEYOR

CERTIFICATE OF OWNERSHIP AND DEDICATION.

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF SAID PROPERTY, AND ADOPT THIS PLAN WITH OUR FREE CONSENT, AND DEDICATE ALL STREETS AND EASEMENTS SHOWN TO PUBLIC USE.

DATE April 18, 1967 Morris Courson Patricia Courson
OWNER

K-1542A



HIGHLANDS SUBDIVISION

MORRIS AND PATRICA COURSON (owners)

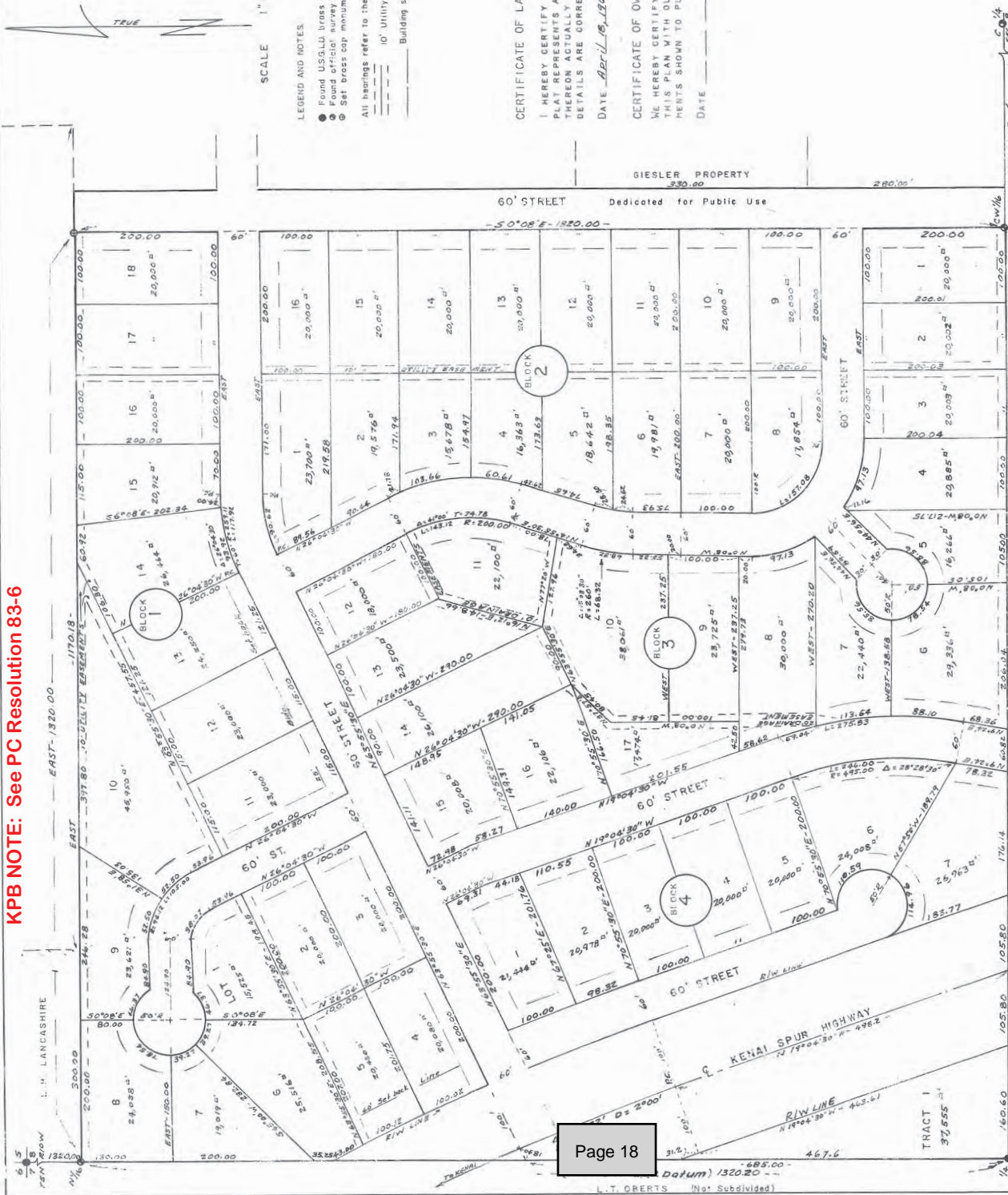
P.O. Box 250, Soldotna, Alaska.

LEGAL DESCRIPTION

SW 1/4 NW 1/4 SECTION 8, T 5 N, R 10 W, S. M., AND IN KENAI, ALASKA, CONTAINING 40 ACRES.

SURVEYED AND PREPARED BY: STANLEY S. MCLEAN

DATE OF SURVEY: Nov 3, 1966.
Exterior boundaries completed
Interior " " Aug 25, 1967.



NOTARY'S ACKNOWLEDGMENT.

Subscribed and sworn to before me this 11 day of June, 1967.
Stanley S. McLean
Notary Public for Alaska

My commission expires, 9-13-69

This is to certify that the within plot was duly submitted to and approved by the Council of Kenai City, Alaska, by resolution numbered 19 duly authenticated as passed this 19 day of April, 1967.

James S. Wilder
Chairman
CITY CLERK

James S. Wilder
Chairman
CITY CLERK

Highlands Sub.
K-1542-A



SCALE 1" = 100'

LEGEND AND NOTES

- Found USGLD brass cap monument.
- Found official survey brass cap, 610-2.
- Set brass cap monument.

All bearings refer to the G.C. datum at HORNED W for the West boundary of Section 8.

10' Utility of drainage easements.

Building set back line.



CERTIFICATE OF LAND SURVEYOR.

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME, AND THAT THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS LOCATED, AND THAT ALL DIMENSIONAL AND OTHER DETAILS ARE CORRECT.

DATE April 18, 1967

Stanley S. McLane

REGISTERED LAND SURVEYOR

CERTIFICATE OF OWNERSHIP AND DEDICATION.

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF SAID PROPERTY, AND ADOPT THIS PLAN WITH OUR FREE CONSENT, AND DEDICATE ALL STREETS AND EASEMENTS SHOWN TO PUBLIC USE.

DATE March 20, 1967

OWNER

Morris and Patricia Cursen

K-1542

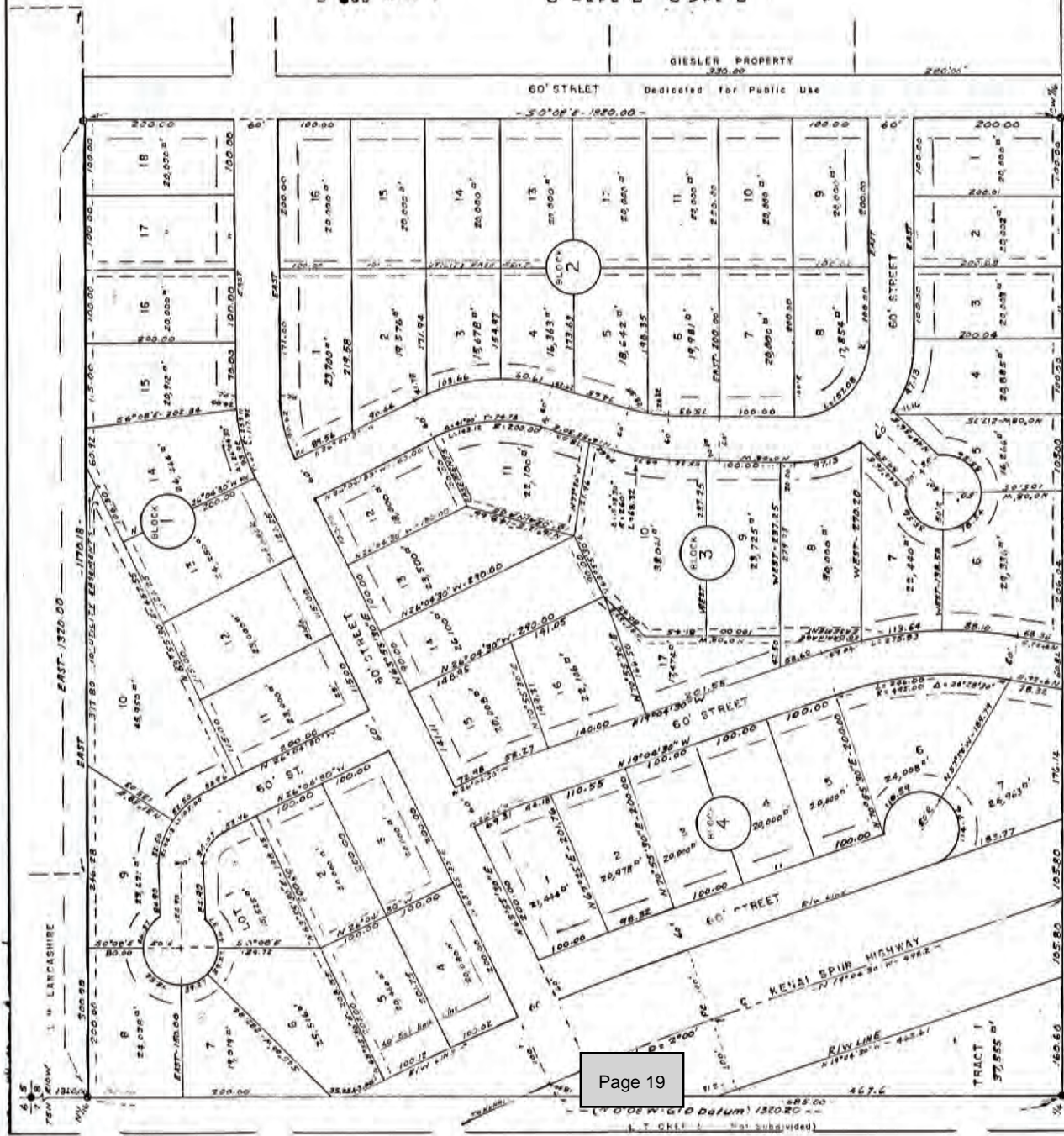


HIGHLANDS SUBDIVISION

MORRIS AND PATRICIA CURSEN (OWNERS)
P.O. Box 250, Seldovia, Alaska

LEGAL DESCRIPTION
SW 1/4 NW 1/4 SECTION 8, T. 5 N., R. 10 W., S. 1 AND IN
KENAI, ALASKA, CONTAINING 40 ACRES.

SURVEYED AND PREPARED BY: STANLEY S. McLane
DATE OF SURVEY: Exterior boundaries completed Nov 3, 1966;
Interior Aug 25, 1967.



NOTARY'S ACKNOWLEDGMENT.
Subscribed and sworn before me this 11 day of Dec., 1967
Frances Thibodeau
Notary Public for Alaska.
My commission expires 9-13-69

Kenai City Planning Commission
Received - 4-18-67
Approved - 4-18-67
Chairman

This is to certify that the within plat was duly submitted to and approved by the Council of Kenai City, Alaska, by resolution number 11-19, authorized on 4-18-67.

James H. Kye, City Clerk

James H. Kye, City Clerk

James H. Kye, City Clerk

James H. Kye, City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-34**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT TO DEVELOP AND OPERATE A SMALL AUTOMOTIVE REPAIR BUSINESS AT 1606 SALMO CIRCLE IN THE SUBURBAN RESIDENTIAL (RS) ZONING DISTRICT.

APPLICANT: TDC Garage LLC – Troy Consiel

PROPERTY ADDRESS: 1606 Salmo Circle

LEGAL DESCRIPTION: Redoubt Terrace Subdivision, Lot 23, Block 3

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04713013

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on October 22, 2025; and,

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

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on December 10, 2025, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

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

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

The proposed automotive repair business would not necessarily violate the character of the neighborhood as it would provide a practical amenity to residents and will remain a small business operated out of sight, inside a closed garage located on premises.

Staff finds that the proposed use, as presented by the applicant, would not violate the intent of the RS zoning district.

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

Findings: The proposed automotive repair business will not impair the economic and noneconomic value of the adjacent properties and neighborhood as, per the applicant, it is designed to minimize disruption via an appointment only system. There will be minimal signage and all work will be conducted inside the current garage out of sight from the public.

The Applicant plans to prioritize professionalism, tidiness, and community respect. The lot has adequate parking on site ensuring no vehicles will be parked along the street and the appointment system prevents any noticeable increase to traffic volume in the area. Staff finds the proposed use would not impair the economic and noneconomic value of adjacent properties and neighborhood.

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

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

Suburban Residential is intended for single-family and multi-family residential uses that are urban or suburban in character. The area will typically be developed at a higher density; lots are typically smaller; and, public water and sewer services are required or planned. Some developments may be required to construct streets to a paved standard and larger subdivisions may be required to provide sidewalks and public areas. Parks and open space land uses may be considered appropriate.

The surrounding uses consist of single-family residences. All lots to the North, East, South, and West are zoned as Suburban residential.

As stated by the applicant in the application, the proposed use of the property is consistent and in harmony with Economic Development goals in the 2016 Comprehensive Plan.

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

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

Objective ED-1

Promote projects that create workforce development opportunities.

Objective ED-2

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

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

Findings: The property already has established facilities on site to include City water and septic servicing the primary structure, electricity, and access to a paved, City-maintained, road.

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

Findings: There is adequate off-road parking, and an established garage connected to the primary structure, for the proposed use to minimize the impact to the surrounding area, and all waste and hazardous materials will be properly, securely, stored and disposed of. It is not anticipated that the conditional use will be harmful to the public safety, health or welfare.

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

Findings: Applicant states that all work will be limited to daytime hours to not disrupt the morning and evening routine of the neighborhood. The garage door will remain closed when possible to limit noise and keep work out of sight from the neighborhood and vehicles will be parked on the lot itself as to not block, disrupt, or impair traffic flow on the street. The business, being appointment-based per the applicant, will not generate significant traffic, limiting the impact of the conditional use on the property.

Staff finds that allowing a small automotive repair business does not cause any adverse impacts on the surrounding properties, if operated as described by the applicant.

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

Section 1. That a conditional use permit is granted to operate a small automotive repair business at 1606 Salmo Circle, on the property described as Redoubt Terrace Subdivision, Lot 23, Block 3 in the Suburban Residential (RS) Zoning District.

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

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. All work be limited to daylight hours, with the garage door closed to the maximum extent possible.

4. Business to be limited to appointment-only operation to manage the amount of traffic into the neighborhood.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 10th DAY OF DECEMBER, 2025

ATTEST:

SONJA EARSLEY, VICE CHAIR

LOGAN PARKS, DEPUTY CITY CLERK



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Kevin Buettner, Planning Director
FROM: Jessica See, Planning Technician
DATE: December 1, 2025
SUBJECT: Resolution PZ2025-34 – Conditional Use Permit – Automotive Repair

Request The applicant is requesting to operate a small automotive repair business from the single-family home.

Staff Recommendation Adopt Resolution PZ2025-34 approving a Conditional Use Permit to operate an automotive repair business at 1606 Salmo Circle, in the Suburban Residential (RS) Zoning District.

Applicant: TDC Garage – Troy Consiel
Legal Description: Redoubt Terrace Subdivision, Lot 23, Block 3
Property Address: 1606 Salmo Circle
KPB Parcel No.: 04713013
Lot Size: 10,890 square feet (.25 acre)
Zoning: Suburban Residential (RS)
Current Use: Residential
Land Use Plan: Suburban Residential (RS)

SUMMARY

The Applicant is requesting to operate a small automotive repair business, by appointment only, out of the garage attached to the single-family residence, located at 1606 Salmo Circle. A Conditional Use Permit (CUP) is required to operate an automotive sales business in the Suburban Residential (RS) Zoning District.

ANALYSIS

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

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

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

The proposed automotive repair business would not necessarily violate the character of the neighborhood as it would provide a practical amenity to residents and will remain a small business operated out of sight in the garage located on the premises.

Staff finds that the proposed use, as presented by the applicant, would not violate the intent of the RS zoning district.

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

Findings: The proposed automotive repair business will not impair the economic and noneconomic value of the adjacent properties and neighborhood as, per the applicant, it is designed to minimize disruption via an appointment only. There will be minimal signage and all work will be conducted inside the current garage out of sight from the public.

The Applicant plans to prioritize professionalism, tidiness, and community respect. The lot has adequate parking on site ensuring no vehicles will be parked along the street and the appointment system prevents any noticeable increase to traffic volume in the area. Staff finds the proposed use would not impair the economic and noneconomic value of adjacent properties and neighborhood.

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

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

Suburban Residential is intended for single-family and multi-family residential uses that are urban or suburban in character. The area will typically be developed at a higher density; lots are typically smaller; and, public water and sewer services are required or planned. Some developments may be required to construct streets to a paved standard and larger subdivisions may be required to provide sidewalks and public areas. Parks and open space land uses may be considered appropriate.

The surrounding uses consist of single-family residences. All lots to the North, East, South, and West are zoned as Suburban residential.

As stated by the applicant in the application, the proposed use of the property is consistent and in harmony with Economic Development goals in the 2016 Comprehensive Plan.

RELEVANT GOALS

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

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

Objective ED-1

Promote projects that create workforce development opportunities.

Objective ED-2

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

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

Findings: The property already has established facilities on site to include City water and septic servicing the primary structure, electricity, and access to a paved, City-maintained, road.

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

Findings: There is adequate off-road parking, and an established garage connected to the primary structure, for the proposed use to minimize the impact to the surrounding area, and all waste and hazardous materials will be properly, securely, stored and disposed of. It is not anticipated that the conditional use will be harmful to the public safety, health or welfare.

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

Findings: Applicant states that all work will be limited to daytime hours to not disrupt the morning and evening routine of the neighborhood. The garage door will remain closed when possible to limit noise and keep work out of sight from the neighborhood and vehicles will be parked on the lot itself as to not block, disrupt, or impair traffic flow on the street. The business being appointment-based per the applicant, will not generate significant traffic, limiting the impact of the condition use on the property.

Staff finds that allowing a small automotive repair business does not cause any adverse impacts on the surrounding properties, if operated as described by the applicant.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. City staff submitted an Affidavit of Posting verifying a sign was placed on the parcel with information on the public hearing for the conditional use permit request.

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

STAFF RECOMMENDATION

Staff finds that the proposed Conditional Use Permit to develop and operate a small automotive repair business at 1606 Salmo Circle, on the property described as Redoubt Terrace Subdivision, Lot 23, Block 3 meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (e)(1) through (e)(6) of Kenai Municipal Code 14.20.150, and hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2025-30 approving the Conditional Use Permit, subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. All work be limited to daylight hours, with the garage door closed to the maximum extent possible.
4. Business to be limited to appointment-only operation to manage the amount of traffic into the neighborhood.

ATTACHMENTS

Aerial Map
Application
Site Plan
Redoubt Terrace Subdivision plat



04713013

SALMO CLIP

FATHOM DR



Conditional Use Permit Application

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

PROPERTY OWNER

Name:	Troy Consiel				
Mailing Address:	Po Box 3365				
City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	[REDACTED]				
Email:	[REDACTED]				

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

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

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04713013
Physical Address:	1606 Salmo circle
Legal Description:	
Zoning:	Suburban Residential
Acres:	.25

CONDITIONAL USE DESCRIPTION

(include site plan/floor plan with square footages)

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

How is this property currently being used?	Residential - Single family
Conditional Use Requested for (attach additional sheets if necessary):	


operate a small, home based mechanic shop from attached garage single bay. would be used for light mechanical, maintenance and diagnostics

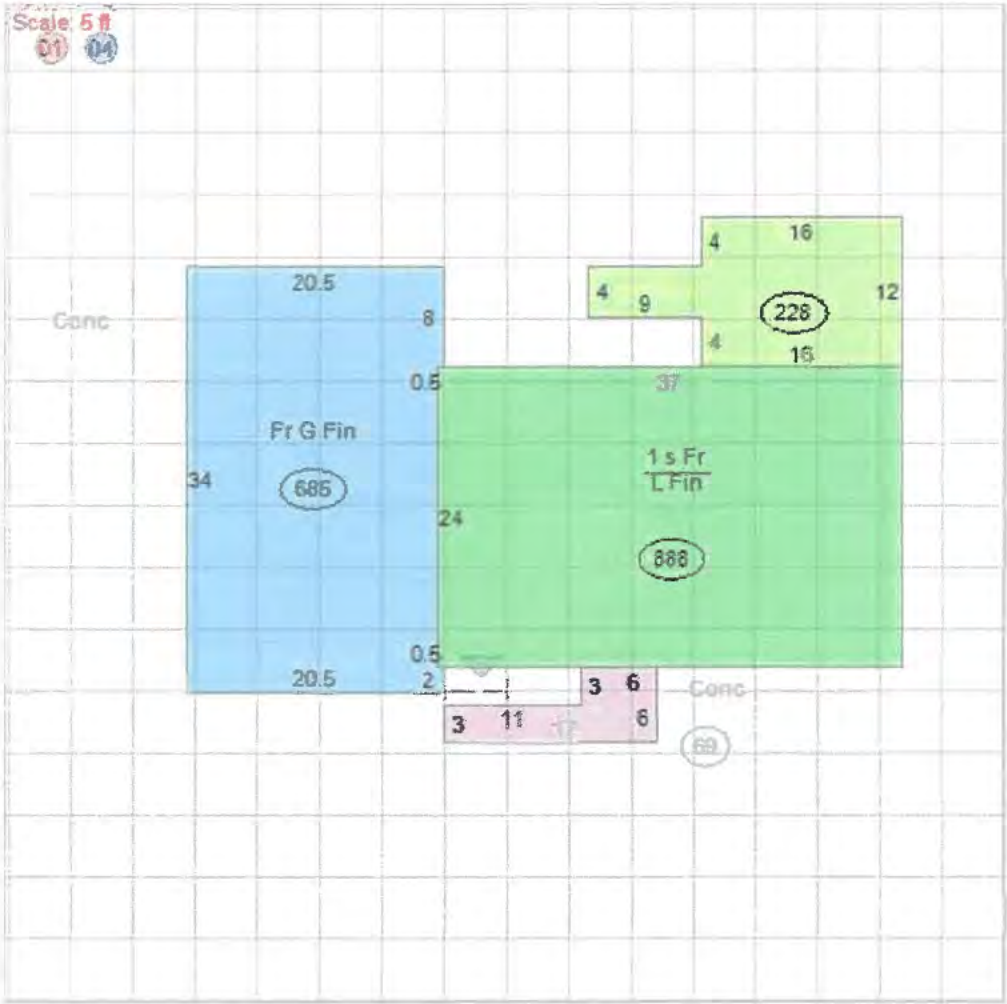
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:

By appt only, 2-3 per day - adequate parking (owns 1604 as well) work will be indoors during daytime "business hours"
Adequate storage - no parts & extras outside.

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

work will be done inside garage to minimize noise, customers will make appointment to reduce traffic. waste oil will be stored and disposed of properly. property will be kept clean and neat. these will help keep property value and neighborhood quality

Use of surrounding property - north:	residential home		
Use of surrounding property - south:	main road salmo circle, homes		
Use of surrounding property - east:	my empty lot		
Use of surrounding property - west:	residential home		
Explain how the conditional use is in harmony with the City's Comprehensive Plan:			
small business is community oriented, supports local economy,			
Are public services and facilities on the property adequate to serve the proposed conditional use?			
Yes, property has city water, sewer, electricity, heating, internet and drive way to accommodate limited customers			
Explain how the conditional use will not be harmful to public safety, health, or welfare:			
mechanical work will be performed inside garage, all fluids will be collected stored and disposed of properly.			
Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors?			
work will be limited to daytime hours, garage door will remain closed when possible to limit noise, vehicles will be on property not to block traffic on street			
AUTHORITY TO APPLY FOR CONDITIONAL USE: I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.			
Signature:			Date: 11.19.25
Print Name:	Troy Cousiel	Title/Business:	
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	





Kenai Peninsula Borough



Hi Troy

Registration EBR0004200

Summary

Category code	Master Type Code	Status
Registration	Business Registration	
Application	Application date	
EBR0004200	Nov 18, 2025	

Details

Click to expand



Section 1. Entity Type

Entity Type
LIMITED LIABILITY COMPANY

Section 2a. Business Information

Business Name	Date Opened On the Peninsula
TDC GARAGE LLC	10/18/2025 8:00:00 AM
Additional DBA/Name Used	Business Email Address
TDC GARAGE	tdcgarageak@gmail.com
Business Phone	Ext.
9076900230	
Business Fax	NAICS Code
	811111 - GENERAL AUTOMOTIVE REPAIR
Briefly Describe Business Conducted:	Method of Reporting Sales Tax
automotive repair	
Is this a seasonal business?	Start Month
False	

End Month

State of Alaska
Department of Commerce, Community, and Economic Development
Corporations, Business, and Professional Licensing

Certificate of Organization

The undersigned, as Commissioner of Commerce, Community, and Economic Development of the State of Alaska, hereby certifies that a duly signed and verified filing pursuant to the provisions of Alaska Statutes has been received in this office and has been found to conform to law.

ACCORDINGLY, the undersigned, as Commissioner of Commerce, Community, and Economic Development, and by virtue of the authority vested in me by law, hereby issues this certificate to

TDC GARAGE, LLC



IN TESTIMONY WHEREOF, I execute the certificate and affix the Great Seal of the State of Alaska effective **November 13, 2025**.

A handwritten signature in black ink, appearing to read "Julie Sande", followed by a long horizontal line.

Julie Sande
Commissioner

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing

PO Box 110806, Juneau, AK 99811-0806

This is to certify that the owner

TDC GARAGE, LLC

is licensed by the department to do business as

TDC GARAGE

PO BOX 3365, Kenai, AK 99611

for the period

November 15, 2025 to December 31, 2026
for the following line(s) of business:

81 - Other Services (except Public Administration)



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

Date of this notice: 11-18-2025

Employer Identification Number:
41-2655448

Form: SS-4

Number of this notice: CP 575 G

TDC GARAGE LLC
TDC GARAGE
% Troy Consiel SOLE MBR
po box 3365
Kenai, AK 99611

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 41-2655448. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Taxpayers request an EIN for their business. Some taxpayers receive CP575 notices when another person has stolen their identity and are opening a business using their information. If you did **not** apply for this EIN, please contact us at the phone number or address listed on the top of this notice.

When filing tax documents, making payments, or replying to any related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear-off stub and return it to us.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- Refer to this EIN on your tax-related correspondence and documents.
- Provide future officers of your organization with a copy of this notice.

Your name control associated with this EIN is TDCG. You will need to provide this information along with your EIN, if you file your returns electronically.

Safeguard your EIN by referring to Publication 4557, *Safeguarding Taxpayer Data: A Guide for Your Business*.

You can get any of the forms or publications mentioned in this letter by visiting our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions about your EIN, you can contact us at the phone number or address listed at the top of this notice. If you write, please tear off the stub at the bottom of this notice and include it with your letter.

Thank you for your cooperation.

Keep this part for your records.

CP 575 G (Rev. 7-2007)

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 G
9999999999

Your Telephone Number Best Time to Call
() -

DATE OF THIS NOTICE: 11-18-2025
EMPLOYER IDENTIFICATION NUMBER: 41-2655448
FORM: SS-4 NOBOD

INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

TDC GARAGE LLC
TDC GARAGE
% Troy Consiel SOLE MBR
po box 3365
Kenai, AK 99611

Radius of Curve, Feet	Chord to Tangent Angle, Degrees	Chord, Feet	Offset, Feet	Length of Arc, Feet	Area of Sector, Sq. Ft.	Area of Triangle, Sq. Ft.	Area of Segment, Sq. Ft.
10	18.00	19.94	0.04	3.14	157.08	3.14	153.94
20	9.00	39.89	0.09	6.28	314.16	6.28	307.88
30	6.00	59.84	0.14	9.42	471.24	9.42	461.82
40	4.50	79.79	0.19	12.57	628.32	12.57	615.75
50	3.60	99.74	0.24	15.71	785.40	15.71	769.69
60	3.00	119.69	0.29	18.85	942.48	18.85	923.63
70	2.57	139.64	0.34	21.99	1099.56	21.99	1077.57
80	2.25	159.59	0.39	25.13	1256.64	25.13	1231.51
90	2.00	179.54	0.44	28.27	1413.72	28.27	1385.45
100	1.80	199.49	0.49	31.42	1570.80	31.42	1539.38
120	1.50	239.44	0.59	37.70	1927.92	37.70	1890.22
140	1.29	279.39	0.69	43.98	2285.04	43.98	2241.06
160	1.13	319.34	0.79	50.26	2642.16	50.26	2591.90
180	1.00	359.29	0.89	56.54	2999.28	56.54	2942.74
200	0.90	399.24	0.99	62.83	3356.40	62.83	3293.57
250	0.72	479.19	1.24	78.54	4285.68	78.54	4207.14
300	0.60	559.14	1.49	94.25	5214.96	94.25	5120.71
350	0.51	639.09	1.74	109.96	6144.24	109.96	6034.28
400	0.45	719.04	1.99	125.66	7073.52	125.66	6947.86
450	0.40	798.99	2.24	141.37	8002.80	141.37	7861.43
500	0.36	878.94	2.49	157.08	8932.08	157.08	8775.00
600	0.30	1038.89	2.99	188.50	11385.36	188.50	11196.86
700	0.26	1198.84	3.49	219.92	13838.64	219.92	13678.72
800	0.23	1358.79	3.99	251.34	16291.92	251.34	16160.58
900	0.20	1518.74	4.49	282.76	18745.20	282.76	18642.44
1000	0.18	1678.69	4.99	314.18	21198.48	314.18	20924.30
1200	0.15	1998.64	5.99	377.00	25991.76	377.00	25614.76
1400	0.13	2318.59	6.99	439.82	30785.04	439.82	30305.22
1600	0.11	2638.54	7.99	502.64	35578.32	502.64	35095.68
1800	0.10	2958.49	8.99	565.46	40371.60	565.46	39886.14
2000	0.09	3278.44	9.99	628.28	45164.88	628.28	44676.60
2500	0.07	4198.39	12.49	785.40	56958.16	785.40	56172.76
3000	0.06	5118.34	14.99	942.52	68751.44	942.52	67668.92
3500	0.05	6038.29	17.49	1099.64	80544.72	1099.64	79165.08
4000	0.04	6958.24	19.99	1256.76	92338.00	1256.76	91061.24
4500	0.04	7878.19	22.49	1413.88	104131.28	1413.88	102557.40
5000	0.03	8798.14	24.99	1571.00	115924.56	1571.00	114053.56
6000	0.03	10698.09	29.99	1885.00	141457.84	1885.00	139562.84
7000	0.02	12598.04	34.99	2199.00	166991.12	2199.00	164892.12
8000	0.02	14497.99	39.99	2513.00	192524.40	2513.00	190301.40
9000	0.02	16397.94	44.99	2827.00	218057.68	2827.00	215710.68
10000	0.02	18297.89	49.99	3141.00	243590.96	3141.00	240619.96

Radius of Curve, Feet	Chord to Tangent Angle, Degrees	Chord, Feet	Offset, Feet	Length of Arc, Feet	Area of Sector, Sq. Ft.	Area of Triangle, Sq. Ft.	Area of Segment, Sq. Ft.
10	18.00	19.94	0.04	3.14	157.08	3.14	153.94
20	9.00	39.89	0.09	6.28	314.16	6.28	307.88
30	6.00	59.84	0.14	9.42	471.24	9.42	461.82
40	4.50	79.79	0.19	12.57	628.32	12.57	615.75
50	3.60	99.74	0.24	15.71	785.40	15.71	769.69
60	3.00	119.69	0.29	18.85	942.48	18.85	923.63
70	2.57	139.64	0.34	21.99	1099.56	21.99	1077.57
80	2.25	159.59	0.39	25.13	1256.64	25.13	1231.51
90	2.00	179.54	0.44	28.27	1413.72	28.27	1385.45
100	1.80	199.49	0.49	31.42	1570.80	31.42	1539.38
120	1.50	239.44	0.59	37.70	1927.92	37.70	1890.22
140	1.29	279.39	0.69	43.98	2285.04	43.98	2241.06
160	1.13	319.34	0.79	50.26	2642.16	50.26	2591.90
180	1.00	359.29	0.89	56.54	2999.28	56.54	2942.74
200	0.90	399.24	0.99	62.83	3356.40	62.83	3293.57
250	0.72	479.19	1.24	78.54	4285.68	78.54	4207.14
300	0.60	559.14	1.49	94.25	5214.96	94.25	5120.71
350	0.51	639.09	1.74	109.96	6144.24	109.96	6034.28
400	0.45	719.04	1.99	125.66	7073.52	125.66	6947.86
450	0.40	798.99	2.24	141.37	8002.80	141.37	7861.43
500	0.36	878.94	2.49	157.08	8932.08	157.08	8775.00
600	0.30	1038.89	2.99	188.50	11385.36	188.50	11196.86
700	0.26	1198.84	3.49	219.92	13838.64	219.92	13678.72
800	0.23	1358.79	3.99	251.34	16291.92	251.34	16160.58
900	0.20	1518.74	4.49	282.76	18745.20	282.76	18642.44
1000	0.18	1678.69	4.99	314.18	21198.48	314.18	20924.30
1200	0.15	1998.64	5.99	377.00	25991.76	377.00	25614.76
1400	0.13	2318.59	6.99	439.82	30785.04	439.82	30305.22
1600	0.11	2638.54	7.99	502.64	35578.32	502.64	35095.68
1800	0.10	2958.49	8.99	565.46	40371.60	565.46	39886.14
2000	0.09	3278.44	9.99	628.28	45164.88	628.28	44676.60
2500	0.07	4198.39	12.49	785.40	56958.16	785.40	56172.76
3000	0.06	5118.34	14.99	942.52	68751.44	942.52	67668.92
3500	0.05	6038.29	17.49	1099.64	80544.72	1099.64	79165.08
4000	0.04	6958.24	19.99	1256.76	92338.00	1256.76	91061.24
4500	0.04	7878.19	22.49	1413.88	104131.28	1413.88	102557.40
5000	0.03	8798.14	24.99	1571.00	115924.56	1571.00	114053.56
6000	0.03	10698.09	29.99	1885.00	141457.84	1885.00	139562.84
7000	0.02	12598.04	34.99	2199.00	166991.12	2199.00	164892.12
8000	0.02	14497.99	39.99	2513.00	192524.40	2513.00	190301.40
9000	0.02	16397.94	44.99	2827.00	218057.68	2827.00	215710.68
10000	0.02	18297.89	49.99	3141.00	243590.96	3141.00	240619.96

Radius of Curve, Feet	Chord to Tangent Angle, Degrees	Chord, Feet	Offset, Feet	Length of Arc, Feet	Area of Sector, Sq. Ft.	Area of Triangle, Sq. Ft.	Area of Segment, Sq. Ft.
10	18.00	19.94	0.04	3.14	157.08	3.14	153.94
20	9.00	39.89	0.09	6.28	314.16	6.28	307.88
30	6.00	59.84	0.14	9.42	471.24	9.42	461.82
40	4.50	79.79	0.19	12.57	628.32	12.57	615.75
50	3.60	99.74	0.24	15.71	785.40	15.71	769.69
60	3.00	119.69	0.29	18.85	942.48	18.85	923.63
70	2.57	139.64	0.34	21.99	1099.56	21.99	1077.57
80	2.25	159.59	0.39	25.13	1256.64	25.13	1231.51
90	2.00	179.54	0.44	28.27	1413.72	28.27	1385.45
100	1.80	199.49	0.49	31.42	1570.80	31.42	1539.38
120	1.50	239.44	0.59	37.70	1927.92	37.70	1890.22
140	1.29	279.39	0.69	43.98	2285.04	43.98	2241.06
160	1.13	319.34	0.79	50.26	2642.16	50.26	2591.90
180	1.00	359.29	0.89	56.54	2999.28	56.54	2942.74
200	0.90	399.24	0.99	62.83	3356.40	62.83	3293.57
250	0.72	479.19	1.24	78.54	4285.68	78.54	4207.14
300	0.60	559.14	1.49	94.25	5214.96	94.25	5120.71
350	0.51	639.09	1.74	109.96	6144.24	109.96	6034.28
400	0.45	719.04	1.99	125.66	7073.52	125.66	6947.86
450	0.40	798.99	2.24	141.37	8002.80	141.37	7861.43
500	0.36	878.94	2.49	157.08	8932.08	157.08	8775.00
600	0.30	1038.89	2.99	188.50	11385.36	188.50	11196.86
700	0.26	1198.84	3.49	219.92	13838.64	219.92	13678.72
800	0.23	1358.79	3.99	251.34	16291.92	251.34	16160.58
900	0.20	1518.74	4.49	282.76	18745.20	282.76	18642.44
1000	0.18	1678.69	4.99	314.18	21198.48	314.18	20924.30
1200	0.15	1998.64	5.99	377.00	25991.76	377.00	25614.76
1400	0.13	2318.59	6.99	439.82	30785.04	439.82	30305.22
1600	0.11	2638.54	7.99	502.64	35578.32	502.64	35095.68
1800	0.10	2958.49	8.99	565.46	40371.60	565.46	39886.14
2000	0.09	3278.44	9.99	628.28	45164.88	628.28	44676.60
2500	0.07	4198.39	12.49	785.40	56958.16	785.40	56172.76
3000	0.06	5118.34	14.99	942.52	68751.44	942.52	67668.92
3500	0.05	6038.29	17.49	1099.64	80544.72	1099.64	79165.08
4000	0.04	6958.24	19.99	1256.76	92338.00	1256.76	91061.24
4500	0.04	7878.19	22.49	1413.88	104131.28	1413.88	102557.40
5000	0.03	8798.14	24.99	1571.00	115924.56	1571.00	114053.56
6000	0.03	10698.09	29.99	1885.00	141457.84	1885.00	139562.84
7000	0.02	12598.04	34.99	2199.00	166991.12	2199.00	164892.12
8000	0.02	14497.99	39.99	2513.00	192524.40	2513.00	190301.40
9000	0.02	16397.94	44.99	2827.00	218057.68	2827.00	215710.68
10000	0.02	18297.89	49.99	3141.00	243590.96	3141.00	240619.96

Radius of Curve, Feet	Chord to Tangent Angle, Degrees	Chord, Feet	Offset, Feet	Length of Arc, Feet	Area of Sector, Sq. Ft.	Area of Triangle, Sq. Ft.	Area of Segment, Sq. Ft.
10	18.00	19.94	0.04	3.14	157.08	3.14	153.94
20	9.00	39.89	0.09	6.28	314.16	6.28	307.88
30	6.00	59.84	0.14	9.42	471.24	9.42	461.82
40	4.50	79.79	0.19	12.57	628.32	12.57	615.75
50	3.60	99.74	0.24	15.71	785.40	15.71	769.69
60	3.00	119.69	0.29	18.85	942.48	18.85	923.63
70	2.57	139.64	0.34	21.99	1099.56	21.99	1077.57
80	2.25	159.59	0.39	25.13	1256.64	25.13	1231.51
90	2.00	179.54	0.44	28.27	1413.72	28.27	1385.45
100	1.80	199.49	0.49	31.42	1570.80	31.42	1539.38
120	1.50	239.44	0.59	37.70	1927.92	37.70	1890.22
140	1.29	279.39	0.69	43.98	2285.04	43.98	2241.06
160	1.13	319.34	0.79	50.26	2642.16	50.26	2591.90
180	1.00	359.29	0.89	56.54	2999.28	56.54	2942.74
200	0.90	399.24	0.99	62.83	3356.40	62.83	3293.57
250	0.72	479.19	1.24	78.54	4270.64	78.54	4192.10
300	0.60	559.14	1.49	94.25	5184.88	94.25	5090.63
350	0.51	639.09	1.74	109.96	6099.12	109.96	5989.16
400	0.45	719.04	1.99	125.66	7013.36	125.66	6887.70
450	0.40	798.99	2.24	141.37	7927.60	141.37	7786.23
500	0.36	878.94	2.49	157.08	8841.84	157.08	8684.76
600	0.30	1038.89	2.99	188.50	11308.08	188.50	11119.58
700	0.26	1198.84	3.49	219.91	13774.32	219.91	13554.41
800	0.23	1358.79	3.99	251.33	16240.56	251.33	15989.23
900	0.20	1518.74	4.49	282.74	18706.80	282.74	18424.06
1000	0.18	1678.69	4.99	314.16	21173.04	314.16	20858.88
1200	0.15	1998.59	5.99	377.00	25449.28	377.00	25072.28
1400	0.13	2318.49	6.99	439.82	29725.52	439.82	29285.70
1600	0.11	2638.39	7.99	502.65	33999.76	502.65	33497.11
1800	0.10	2958.29	8.99	565.48	38274.00	565.48	37708.52
2000	0.09	3278.19	9.99	628.32	42548.24	628.32	41919.92
2500	0.07	4198.09	12.49	785.40	53824.48	785.40	53039.08
3000	0.06	5117.99	14.99	942.48	65100.72	942.48	64158.24
3500	0.05	6037.89	17.49	1099.56	76376.96	1099.56	75277.40
4000	0.04	6957.79	19.99	1256.64	87653.20	1256.64	86396.56
4500	0.04	7877.69	22.49	1413.72	98929.44	1413.72	97515.72
5000	0.03	8797.59	24.99	1570.80	110205.68	1570.80	108634.88
6000	0.03	10637.49	29.99	1885.00	135481.92	1885.00	133596.92
7000	0.02	12477.39	34.99	2199.11	160758.16	2199.11	158558.96
8000	0.02	14317.29	39.99	2513.33	186034.40	2513.33	183520.00
9000	0.02	16157.19	44.99	2827.44	211310.64	2827.44	208481.04
10000	0.02	17997.09	49.99	3141.59	236586.88	3141.59	233442.08
12000	0.01	21596.99	59.99	3770.70	284113.12	3770.70	280342.42
14000	0.01	25196.89	69.99	4398.82	331639.36	4398.82	327242.54
16000	0.01	28796.79	79.99	5026.94	379165.60	5026.94	374142.66
18000	0.01	32396.69	89.99	5655.06	426691.84	5655.06	421042.78
20000	0.01	35996.59	99.99	6283.18	474218.08	6283.18	467942.90
25000	0.01	46196.49	124.99	7854.00	590544.32	7854.00	582690.32
30000	0.01	56396.39	149.99	9424.82	706870.56	9424.82	697437.74
35000	0.01	66596.29	174.99	10995.64	823196.80	10995.64	812185.16
40000	0.01	76796.19	199.99	12566.46	939523.04	12566.46	926932.58
45000	0.01	86996.09	224.99	14137.28	1055849.28	14137.28	1041679.00
50000	0.01	97195.99	249.99	15708.10	1172175.52	15708.10	1156425.42
60000	0.01	117195.79	299.99	18850.00	1414421.76	18850.00	1395571.76
70000	0.01	137195.59	349.99	21991.91	1656668.00	21991.91	1634718.09
80000	0.01	157195.39	399.99	25133.82	1898914.24	25133.82	1873864.42
90000	0.01	177195.19	449.99	28275.73	2141160.48	28275.73	2113010.75
100000	0.01	197194.99	499.99	31417.64	2383406.72	31417.64	2352157.08
120000	0.01	237194.79	599.99	37708.50	2858652.96	37708.50	2820944.46
140000	0.01	277194.59	699.99	4398.82	3333899.20	4398.82	3289731.38
160000	0.01	317194.39	799.99	5026.94	3809145.44	5026.94	3758518.50
180000	0.01	357194.19	899.99	5655.06	4284391.68	5655.06	4227305.62
200000	0.01	397193.99	999.99	6283.18	4759637.92	6283.18	4696092.74
250000	0.01	497193.79	1249.99	7854.00	5922894.16	7854.00	5844340.16
300000	0.01	597193.59	1499.99	9424.82	7086150.40	9424.82	6992587.58
350000	0.01	697193.39	1749.99	10995.64	8249406.64	10995.64	8139835.00
400000	0.01	797193.19	1999.99	12566.46	9412662.88	12566.46	9287082.42
450000	0.01	897192.99	2249.99	14137.28	10575919.12	14137.28	10434329.84
500000	0.01	997192.79	2499.99	15708.10	11739175.36	15708.10	11581577.26
600000	0.01	1197192.59	2999.99	18850.00	14161631.60	18850.00	13973081.60
700000	0.01	1397192.39	3499.99	21991.91	16584087.84	21991.91	16364585.94
800000	0.01	1597192.19	3999.99	25133.82	19006544.08	25133.82	18756090.26
900000	0.01	1797191.99	4499.99	28275.73	21428999.32	28275.73	21147594.58
1000000	0.01	1997191.79	4999.99	31417.64	23851455.56	31417.64	23539098.90
1200000	0.01	2397191.59	5999.99	37708.50	28603911.80	37708.50	28226593.30
1400000	0.01	2797191.39	6999.99	4398.82	33356368.04	4398.82	32891669.22
1600000	0.01	3197191.19	7999.99	5026.94	38108824.28	5026.94	37556745.14
1800000	0.01	3597190.99	8999.99	5655.06	42861280.52	5655.06	42221821.06
2000000	0.01	3997190.79	9999.99	6283.18	47613736.76	6283.18	46886896.58
2500000	0.01	4997190.59	12499.99	7854.00	59246293.00	7854.00	58461399.00
3000000	0.01	5997190.39	14999.99	9424.82	70878849.24	9424.82	69935901.42
3500000	0.01	6997190.19	17499.99	10995.64	82511405.48	10995.64	81410403.84
4000000	0.01	7997189.99	19999.99	12566.46	94143961.72	12566.46	92884906.26
4500000	0.01	8997189.79	22499.99	14137.28	105776517.96	14137.28	104359408.68
5000000	0.01	9997189.59	24999.99	15708.10	117409074.20	15708.10	115833911.10
6000000	0.01	11997189.39	29999.99	18850.00	141633630.44	18850.00	139748413.44
7000000	0.01	13997189.19	34999.99	21991.91	165858186.68	21991.91	163662915.78
8000000	0.01	15997188.99	39999.99	25133.82	190082742.92	25133.82	187577418.10
9000000	0.01	17997188.79	44999.99	28275.73	214307299.16	28275.73	211491920.42
10000000	0.01	19997188.59	49999.99	31417.64	238531855.40	31417.64	235406422.74
12000000	0.01	23997188.39	59999.99	37708.50	286056411.64	37708.50	282281425.14
14000000	0.01	27997188.19	69999.99	4398.82	333580967.88	4398.82	328916427.06
16000000	0.01	31997187.99	79999.99	5026.94	381105524.12	5026.94	375551428.98
18000000	0.01	35997187.79	89999.99	5655.06	428630080.36	5655.06	422186430.30
20000000	0.01	39997187.59	99999.99	6283.18	476154636.60	6283.18	468821431.42
25000000	0.01	49997187.39	124999.99	7854.00	592480192.84	7854.00	584566433.84
30000000	0.01	59997187.19	149999.99	9424.82	708805749.08	9424.82	699311435.26
35000000	0.01	69997186.99	174999.99	10995.64	825131305.32	10995.64	814056436.68
40000000	0.01	79997186.79	199999.99	12566.46	941456861.56	12566.46	928801438.10
45000000	0.01	89997186.59	224999.99	14137.28	1057782417.80	14137.28	1043546439.52
50000000	0.01	99997186.39	249999.99	15708.10	1174107974.04	15708.10	1158291440.94
60000000	0.01	119997186.19	299999.99	18850.00	1416353530.28	18850.00	1397436442.28
70000000	0.01	139997185.99	349999.99	21991.91	1658599086.52	21991.91	1636581443.60
80000000	0.01	159997185.79	399999.99	25133.82	1900844642.76	25133.82	1875726444.94
90000000	0.01	179997185.59	449999.99	28275.73	2143090199.00	28275.73	2114871446.26
100000000	0.01	199997185.39	499999.99	31417.64	2385335755.24	31417.64	2354016447.60
120000000	0.01	239997185.19	599999.99	37708.50	2860581311.48	37708.50	2822766449.00
140000000	0.01	279997184.99	699999.99	4398.82	3335826867.72	4398.82	3289016450.42
160000000	0.01	319997184.79	799999.99	5026.94	3811072423.96	5026.94	3755266451.84
180000000	0.01	359997184.59	899999.99	5655.06	4286317980.20	5655.06	4221516453.14
200000000	0.01	399997184.39	999999.99	6283.18	4761563536.44	6283.18	4687766454.26
250000000	0.01	499997184.19	1249999.99	7854.00	5924819092.68	7854.00	5845216455.68
300000000	0.01	599997183.99	1499999.99	9424.82	7088074648.92	9424.82	6992666457.10
350000000	0.01	699997183.79	1749999.99	10995.64	8251330205.16	10995.64	8140116458.52
400000000	0.01	799997183.59	1999999.99	12566.46	9414585761.40	12566.46	9287566459.94
450000000	0.01	899997183.39	2249999.99	14137.28	1057784132.64	14137.28	10435016461.36
500000000	0.01	999997183.19	2499999.99	15708.10	1174109688.88	15708.10	11582466462.78
600000000	0.01	1199997182.99	2999999.99	18850.00	1416355245.12	18850.00	13974916464.12
700000000	0.01	1399997182.79	3499999.99	21991.91	1658600801.36	21991.91	16367366465.46
800000000	0.01	1599997182.59	3999999.99				



KENAI

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

MEMORANDUM

TO: Vice Chair Earsley and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: December 1, 2025

SUBJECT: **Action/Approval – Recommending Approval of Proposed Ordinance to City Council Regarding Sunsetting the Harbor Commission**

On November 10, 2025 the Harbor Commission met in a work session for the purpose of discussing the Commission Role, Future Status and Possible Sunset. Commission discussion during the work session included the following:

- Over the last two-and-a-half years there was nothing required of the commission; the commission had been trying to create agenda items.
- Numerous meetings cancelled due to lack of a quorum or lack of agenda items.
- Difficulty keeping commissioners.
- Now that the Bluff Stabilization project was complete, there were no foreseeable future project for the commission.
- Activities of the commission overlapped and duplicated activities of other commissions. During the regular meeting, immediately following the work session the Harbor Commission unanimously approved a motion recommending the City Council sunset the Harbor Commission

On November 19, 2025, City Council approved a motion to direct Administration to draft the necessary legislation to sunset the Commission to be brought forth at a Special Meeting of the Harbor Commission. In summary, the attached Ordinance would:

- Amend Kenai Municipal Code 1.90.010 – General Standards
 - Remove reference to the Harbor Commission
- Repeal KMC 1.95.040 – Harbor Commission
 - Removes the Harbor Commission from code
- Repeal KMC 11.20 – Leasing of Tidelands
- Amends KMC 14.05.010 – Duties and Powers
 - Transfers most Harbor Commission duties and powers to Planning & Zoning Commission

- Enacts KMC 22.10 – Leasing of Tidelands
 - Moves repealed language from KMC 11.20 (above) to Title 22 – City-Owned Lands
 - Adds additional provisions for leasing all tidelands, to include shore fisheries
 - Brings review all city-owned land leases under Planning & Zoning Commission
- Amends Council Policy 20.020 to reflect the sunseting of the Harbor Commission





**CITY OF KENAI
ORDINANCE NO. XXXX-2025**

AN ORDINANCE Sunsetting the Harbor Commission, Amending Kenai Municipal Code 1.90.010 - General Standards for Standing Advisory Commissions, Repealing Kenai Municipal Code 1.95.040 - Harbor Commission, Repealing Kenai Municipal Code 11.20 - Leasing of Tidelands, Amending Kenai Municipal Code 14.05.010- Duties and Powers, Enacting Kenai Municipal Code 22.10 - Leasing of Tidelands, and Amending Council Policy 20.020 to Reflect the Sunsetting of the Harbor Commission

WHEREAS, the Harbor Commission was originally established as a Port Commission in 1975; and,

WHEREAS, the Harbor Commission has held an instrumental role in planning and developing the City's tideland leases, including recommending changes to Kenai Municipal Code, requiring an amendment; and,

WHEREAS, within the last several years due to a lack of agenda items or lack of quorum, the Harbor Commission has cancelled numerous meetings and with the completion of the City's Bluff Erosion Project and few other known Harbor activities in the future it is reasonable to expect the Harbor Commission will have few other agenda items moving forward in the near future; and,

WHEREAS, on November 10, 2025 the Harbor Commission met in a work session and a regular meeting for the purpose of discussing its role, future status and possible sunset of the Commission; and,

WHEREAS, during the regular meeting on November 10, 2025 the Harbor Commission Members unanimously approved a motion to recommend the City Council sunset the Commission; and,

WHEREAS, the City Council during their November 19, 2025 meeting approved a motion directing the Administration to bring forward the legislation necessary to sunset the Commission; and,

WHEREAS, the Harbor Commission during their December 8, 2025 Special Meeting recommended the City Council enact this Ordinance; and,

WHEREAS, the Planning and Zoning Commission during their December 10, 2025 Meeting recommended the City Council enact this Ordinance; and,

WHEREAS, while the Harbor Commission can always be brought back if needed, this Ordinance shifts its prior duties and obligations to other sections of code including the duties of the Planning Commission

WHEREAS, Kenai Municipal Code 1.90.010-Creation provides that the Council may create or dissolve standing advisory commissions and it is in the best interest of the City to enact this ordinance.

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

Section 1. Amendment of Section 1.90.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 1.90.010 - General Standards for Advisory Commissions, Creation, paragraph (a) is hereby amended as follows:

1.90.010 Creation.

(a) Standing advisory commissions of the City may be created or dissolved by an ordinance of the City Council. The following standing advisory commissions have been created by the Council:

- (1) Airport Commission, as established in KMC 1.95.010;
- (2) Beautification Commission, as established in KMC 1.95.020;
- (3) Council on Aging Commission, as established in KMC 1.95.030;

[(4)] HARBOR COMMISSION, AS ESTABLISHED IN KMC 1.95.040;]

[(5)] (4) Parks and Recreation Commission, as established in KMC 1.95.050.

Section 2. Repeal of Section 1.95.040 of Kenai Municipal Code: That Kenai Municipal Code, Section 1.95.040 - Standard Advisory Commissions, Harbor Commission, is hereby repealed as follows:

[1.95.040 HARBOR COMMISSION.

(A) PURPOSE. THE PURPOSE OF THE HARBOR COMMISSION IS TO ADVISE THE COUNCIL AND ADMINISTRATION ON ISSUES INVOLVING CITY HARBOR FACILITIES AND TIDAL OR SUBMERGED LANDS OWNED BY THE CITY.

(B) DUTIES AND POWERS. THE HARBOR COMMISSION WILL:

(1) REVIEW AND PROVIDE RECOMMENDATIONS ON ANY MASTER PLANS FOR THE DEVELOPMENT OF HARBOR OR PORT FACILITIES FOR THE CITY. THIS MAY INCLUDE:

(I) DEVELOPMENT OF THE TYPE, LOCATION, AND SEQUENCE OF ALL PUBLIC HARBOR FACILITIES; AND

(II) THE RELOCATION, REMOVAL, EXTENSION, OR CHANGE OF USE OF EXISTING HARBOR FACILITIES;

(2) ACT IN AN ADVISORY CAPACITY TO THE COUNCIL AND ADMINISTRATION REGARDING MATTERS RELATED TO CITY HARBOR FACILITIES, TIDE OR SUBMERGED LANDS. MAKE RECOMMENDATIONS TO THE COUNCIL AND ADMINISTRATION RELATIVE TO THE CARE, CONTROL, AND DEVELOPMENT OF TIDE AND SUBMERGED LANDS; AND

(3) SUBMIT ANNUALLY TO THE CITY MANAGER AND COUNCIL, NOT LESS THAN NINETY (90) DAYS PRIOR TO THE BEGINNING OF THE BUDGET YEAR, A LIST OF THE RECOMMENDED CAPITAL IMPROVEMENTS WHICH, IN THE OPINION OF THE COMMISSION, ARE NECESSARY OR DESIRABLE TO BE CONSTRUCTED DURING THE FORTHCOMING FIVE (5) YEAR PERIOD. SUCH LIST WILL BE ARRANGED IN ORDER OF PREFERENCE, WITH RECOMMENDATIONS AS TO WHICH PROJECTS ARE RECOMMENDED FOR CONSTRUCTION IN WHICH YEAR; AND

(4) REVIEW ALL CITY LEASES OF CITY-OWNED TIDE AND SUBMERGED LANDS AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL AND ADMINISTRATION; AND

(5) PROVIDE INFORMATION AND RECOMMENDATIONS AS REQUESTED BY THE CITY COUNCIL AND ADMINISTRATION; AND

(6) ADVISE AND PROVIDE RECOMMENDATIONS TO THE ADMINISTRATION AS REQUESTED ON THE QUALIFICATIONS FOR A HARBOR MASTER.

(C) QUALIFICATIONS AND MEMBERSHIP. MEMBERS OF THE HARBOR COMMISSION WILL CONFORM TO THE REQUIREMENTS OF KMC CHAPTER 1.90, EXCEPT THE COMMISSION MAY AT THE DISCRETION OF THE COUNCIL HAVE UP TO TWO (2) NONRESIDENT MEMBERS.]

Section 3. Repeal of Section 11.20 of Kenai Municipal Code: That Kenai Municipal Code, Chapter 11.20 – Leasing of Tidelands, is hereby repealed as follows:

[CHAPTER 11.20 – LEASING OF TIDELANDS

11.20.020 - LANDS AVAILABLE FOR LEASING.

ALL CLASSIFIED TIDE AND CONTIGUOUS SUBMERGED LANDS WITHIN THE LIMITS OF THE CITY TO WHICH THE CITY HOLDS TITLE MAY BE LEASED FOR SURFACE USE ONLY, AND UNDER THE CONDITION THAT SAID LEASE IS SUBJECT AND INFERIOR TO PREFERENCE RIGHT CLAIMS AND SUBJECT TO THE RIGHTS OF EXISTING SET NET HOLDERS WITHIN THE CITY LIMITS.

11.20.650 – TIDELANDS CLAIMS.

THE CITY SHALL LEASE THE LAND SUBJECT TO ANY PREFERENCE RIGHTS CLAIMS MADE PURSUANT TO THE PROVISIONS OF ALASKA STATUTES 38.05.820 OR ORDINANCE 455-78, DATED SEPTEMBER 5, 1979, OF THE CITY OF KENAI, ADOPTED PURSUANT THERETO, AND THE LESSEE HOLDS LESSOR HARMLESS FOR ANY DAMAGES, LEGAL EXPENSES, OR COMPENSATION NECESSITATED BY THE RESOLUTION OR SATISFACTION OF SAID TERMS OF SAID CLAIMS, IF ANY.

11.20.660 – SUBJECTION TO HARBOR ORDINANCE.

ALL LEASES ARE SUBJECT TO THE TERMS, CONDITIONS, AND REGULATIONS IMPOSED BY TITLE 11, HARBOR AND HARBOR FACILITIES, OF THE 1979 KENAI CODE OF ORDINANCES AS AMENDED OF WHICH THIS SECTION IS PART.

11.20.680 – PROVISIONS REGULATING PUBLIC USE PURPOSE.

THE CITY COUNCIL REALIZES THAT ONLY A LIMITED AREA OF TIDELANDS BORDERING NAVIGABLE WATERS IS AVAILABLE WITHIN THE CITY OF KENAI AND WHICH IS OWNED BY THE CITY OF KENAI. IT WOULD BE IN THE PUBLIC INTEREST TO INSURE THAT THESE LANDS DO NOT PASS OUT OF COMMUNITY CONTROL AT LEAST TO THE EXTENT THAT THE PUBLIC WOULD NOT BE DEPRIVED OF HARBOR SERVICES AT REASONABLE RATES IN THE FUTURE. THEREFORE, AREAS OF CITY-OWNED TIDELANDS WHICH ARE DEVELOPABLE FOR THE BONA FIDE PUBLIC PURPOSES AS ENUMERATED BELOW SHALL BE LEASED ONLY WITH THE FOLLOWING COVENANTS DEFINED TO INSURE PUBLIC USE AND ACCESS AT REASONABLE RATES.

11.20.690 – PROVISION TO BE INCLUDED IN PUBLIC USE LEASE.

KMC 11.20.700 SHALL BE INCLUDED IN LEASES WHERE HARBOR FACILITIES ARE CONSTRUCTED TO BE UTILIZED ALL OR IN PART FOR BONA FIDE PUBLIC USES.

11.20.700 – PUBLIC USE: DEFINED.

(A) PUBLIC USE SHALL MEAN A USE LIMITED IN PART OR IN WHOLE TO THE FOLLOWING:

(1) IN GENERAL, THE LESSEE MAY USE THE DEMISED PREMISES OR PART THEREOF FOR ANY OF THE FOLLOWING PURPOSES ONLY:

- (I) PUBLIC DOCK FACILITIES.
- (II) MARITIME COMMERCE.
- (III) TRANSPORTATION.
- (IV) FISHING.
- (V) BOAT HARBOR.
- (VI) PORT AND WATERFRONT DEVELOPMENT PURPOSES.

(B) BEFORE LESSEE MAY CONDUCT ANY ACTIVITIES WHICH FALL UNDER THESE GENERAL CRITERIA, BUT ARE NOT SPECIFICALLY MENTIONED ABOVE, LESSEE MUST OBTAIN WRITTEN CONSENT OF THE CITY.

11.20.710 – CONTROLLED ACCESS.

LESSEE, FOR ITS OWN PROTECTION, MAY CONSTRUCT OR INSTALL FENCES, GATES, OR OTHER TYPES OF BARRIERS TO RESTRICT ACCESS TO PORTIONS OF THE DEMISED PREMISES THAT ARE NOT DESIGNATED FOR A PUBLIC USE AND MAY PROVIDE REASONABLE CONTROLS FOR ACCESS TO PUBLIC USE AREAS TO ALLOW FOR SECURITY FOR SUCH AREAS WHILE INSURING REASONABLE PUBLIC ACCESS. REASONABLE PUBLIC ACCESS INCLUDES ACCOMMODATIONS MADE FOR FISHING OPERATIONS DURING FISHING SEASON. ANY CONTROLLED ACCESS MEASURES SHALL BE INDICATED ON THE LESSEE'S DEVELOPMENT PLAN.

11.20.720 – USE CHARGES.

LESSEE SHALL MAKE REASONABLE AND NONDISCRIMINATORY CHARGES TO THE PUBLIC FOR USE OF ANY OF ITS FACILITIES.

11.20.780 – PENALTIES.

(A) IT IS UNLAWFUL FOR ANY PERSON TO VIOLATE ANY OF THE PROVISIONS OF THIS CHAPTER AND UPON CONVICTION THEREOF SHALL BE FINED AS PROVIDED FOR VIOLATIONS IN KMC 13.05.010. EACH DAY SUCH VIOLATION IS COMMITTED OR PERMITTED TO CONTINUE SHALL CONSTITUTE A SEPARATE OFFENSE AND SHALL BE PUNISHABLE AS SUCH HEREUNDER.

(B) IN ADDITION TO OR AS AN ALTERNATIVE TO THE ABOVE PENALTY PROVISION, THE CITY MAY IMPOSE A CIVIL PENALTY IN AN AMOUNT AS PROVIDED BY KMC 13.05.010 PER DAY FOR THE VIOLATION OF ANY PROVISION OF THIS CHAPTER AND SEEK INJUNCTIVE RELIEF FOR ANY INFRACTION THEREOF FOR WHICH THE OFFENDING PARTY WILL BE CHARGED FOR REASONABLE ATTORNEY'S FEES AND COSTS INCURRED BY THE CITY AS AWARDED BY THE COURT.

(C) NOTHING IN THIS SECTION SHALL BE DEEMED TO RESTRICT THE CITY'S EXERCISE OF ANY OF ITS RIGHTS PURSUANT TO THE LEASE AGREEMENT.

11.20.790 – TIDELANDS LEASES FOR SHORE FISHERIES.

NOTWITHSTANDING OTHER PROVISIONS OF THE CITY'S CODE OF ORDINANCES, THE ANNUAL MINIMUM RENTAL RATE FOR TIDELAND LEASES USED PRIMARILY FOR SHORE FISHERIES SHALL BE AN ANNUAL FEE AS SET FORTH IN THE CITY'S SCHEDULE OF FEES ADOPTED BY THE CITY COUNCIL. HOWEVER, SHOULD THE STATE OF ALASKA SET AN ANNUAL LEASE RATE HIGHER THAN THAT ESTABLISHED BY THE CITY FOR SIMILAR TIDELAND LEASES FOR SHORE FISHERIES ON LAND OWNED BY THE STATE, THE CITY MAY AMEND THE ANNUAL RENTAL TO A RATE EQUAL TO THAT CHARGED BY THE STATE OF ALASKA.

Section 4. Amendment of Section 14.05.010 of Kenai Municipal Code: That Kenai Municipal Code, Section 14.05.010 – Planning and Zoning Commission, Duties and Powers, is hereby amended as follows:

14.05.010 Duties and Powers.

(a) The Commission shall be required to perform the following duties:

(1) Review and act upon requests for variance permits, conditional use permits, planned unit residential development permits, and other matters requiring consideration under the Kenai Zoning Code.

(2) Interpret the provisions of the Kenai Zoning Code and make determinations when requested by the Administrative Official.

(3) Review the City of Kenai Comprehensive Plan on an annual basis and conduct a minimum of one (1) public hearing. Said recommendations shall be forwarded to the Council for consideration.

(4) Promote public interest and understanding of comprehensive planning, platting, zoning, land management, and other issues relating to community planning and development.

(5) Proposed plans for the rehabilitation or redevelopment of any area or district within the City.

(6) Perform historic preservation reviews and duties as set forth in KMC [14.20.105](#).

(7) Review and provide recommendations on any master plans for the development of harbor or port facilities for the City. This may include:

(i) Development of the type, location, and sequence of all public harbor facilities; and

(ii) The relocation, removal, extension, or change of use of existing harbor facilities;

(8) Submit annually to the City Manager and Council, not less than ninety (90) days prior to the beginning of the budget year, a list of the recommended capital improvements which, in the opinion of the Commission, are necessary or desirable to be constructed during the forthcoming five (5) year period. Such list will be arranged in order of preference, with recommendations as to which projects are recommended for construction in which year

(b) The Commission shall act in an advisory capacity to the Kenai City Council regarding the following matters:

(1) Kenai Zoning Code and Official City of Kenai Zoning Map amendments.

(2) City and airport land lease or sale petitions.

(3) Capital Improvements Programming. The Commission shall submit annually to the Council a list of recommended capital improvements which, in the opinion of the Commission, are necessary and desirable to be constructed during the forthcoming three (3) year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year.

(4) Related to City Harbor facilities, tide or submerged lands. Make recommendations to the Council and Administration relative to the care, control, and development of tide and submerged lands

(c) The Commission shall act in an advisory capacity to the Kenai Peninsula Borough Planning Commission regarding the following matters:

(1) Subdivision plat proposals.

(2) Right-of-way and easement vacation petitions.

(3) City of Kenai Comprehensive Plan amendments.

(d) Members of the Planning and Zoning Commission shall be compensated at the rate of one hundred dollars (\$100.00) per month.

Section 5. Enactment of Chapter 22.10 of Kenai Municipal Code: That Kenai Municipal Code, Section 22.10 – Leasing of Tidelands is hereby enacted as follows:

Chapter 22.10 Leasing of Tidelands

22.10.005 - Definitions.

When used in this chapter, the following terms will have the meaning given below:

“Amendment” means a formal change to a lease of lands other than a lease extension or renewal.

“Annual rent” means an amount paid to the City annually according to the terms of the lease and Kenai Municipal Code.

“Assignment” means the transfer of all interest in a lease from one (1) person or entity to another.

“City” means the City of Kenai, its elected officials, officers, employees or agents.

“Existing lease” means a lease with at least one (1) year of term remaining.

“Expiring lease” means a lease with less than one (1) year of term remaining.

“Lease renewal” means a new lease of property currently under an existing or expiring lease to an existing lessee or a purchaser.

22.10.010 – Authority and Intent.

The provisions of this chapter apply to the leasing of City-owned tidelands, including tidelands used for shore fisheries as specified in KMC 22.10.021 below. The provisions of this chapter will not alter or amend the terms or rights granted under leases existing prior to the effective date of the ordinance codified in this chapter.

22.10.015 - Lands Available for Leasing.

All classified tide and contiguous submerged lands within the limits of the City to which the City holds title may be leased for surface use only, and under the condition that said lease is subject and inferior to preference right claims and subject to the rights of existing set net holders within the City limits.

22.10.020 – Tidelands Claims.

The City will lease the land subject to any preference rights claims made pursuant to the provisions of Alaska Statutes 38.05.820 or Ordinance 455-78, dated September 5, 1979, of the City of Kenai, adopted pursuant thereto, and the lessee holds lessor harmless for any damages, legal expenses, or compensation necessitated by the resolution or satisfaction of said terms of said claims, if any.

22.10.021 – Tidelands Leases for Shore Fisheries.

(a) The annual minimum rental rate for tideland leases used primarily for shore fisheries will be an annual fee as set forth in the City’s schedule of fees adopted by the City Council. However, should the State of Alaska set an annual lease rate higher than that established by the City for similar tideland leases for shore fisheries on land owned by the State, the City may amend the annual rental to a rate equal to that charged by the State of Alaska.

(b) The maximum term of a lease for tidelands used for shore fisheries may not to exceed ten (10) years, in accordance with Alaska Statute 38.05.24.

(c) Kenai Municipal Code Sections 22.10.021 through 22.10.045 and 22.10.071 apply to shore fisheries, in addition to other tideland leases.

(d) Rent will be paid annually in advance. The City of Kenai's fiscal year beginning July 1st and ending June 30th.

(e) The lease applicant will execute and return the appropriate lease agreement with the City of Kenai within forty-five (45) days of mailing the agreement to the applicant. The lease agreement will be prepared in accordance with the requirements of this title. Failure to execute and return the lease agreement within the specified period will result in the forfeiture of all leasing rights.

(f) A Lessee under an existing lease will, upon expiration or the termination by mutual agreement of said Lease, be allowed a preference right to re-Lease those lands previously leased by them if all other sections of the Kenai Municipal Code are complied with. Re-Leasing will not necessarily be under the same terms and conditions as the prior lease. When the lease is offered to the preference right holder, they will exercise their right within thirty (30) calendar days after said lease is offered by the City. Failure to do so will result in forfeiture and cancellation of the preference right. No preference right will inure to a Lessee whose lease has been terminated by cause.

22.10.025 – Qualifications of Lease Applicants or Bidders.

An applicant or bidder for a lease is qualified if the applicant or bidder:

(a) Is an individual at least eighteen (18) years of age; or

(b) Is a legal entity which is authorized to conduct business under the laws of Alaska; or

(c) Is acting as an agent for another meeting the requirements of subsection (a) or (b) of this section and has qualified by filing with the City a proper power of attorney or a letter of authorization creating such agency.

22.10.030 – Initial Lease Application

All applications for lease of lands must be submitted to the City Manager or designee on an application form provided by the City. Applications will be dated on receipt and must include payment of the nonrefundable application fee as set forth in the City's schedule of fees approved by the City Council.

22.10.035 – Lease Application Review

(a) Applications will be reviewed by City staff for application completeness and conformance with City ordinances.

(b) Based on the initial review, if the City Manager determines the application is complete, the application will be referred to the Planning and Zoning Commission for review and comment, together with the City Manager's recommendation for approval or rejection.

(c) Notice of complete applications for new leases, renewals or extensions will be published by the City and posted on the property. The notice must contain the name of the applicant, a brief

description of the land, and the date upon which any competing applications must be submitted (thirty (30) days from the date of publication).

(d) The recommendations of the City Manager and the Planning and Zoning Commission will be provided to the City Council. The City Council shall determine whether the lease, renewal, amendment or extension is consistent with the intent of this chapter and in the best interest of the City. The decision whether or not to lease land or authorize a lease extension, renewal, amendment or assignment rests in the sole discretion of the City Council.

(e) If the applicant is in default of any charges, fees, rents, taxes, or other sums due and payable to the City or the applicant is in default of a requirement of any lease or contract with the City a lease will not be entered into until the deficiencies are remedied.

22.10.040 – Application for Lease Amendment, Assignment, or Renewal

Applications for amendment, assignment, extension or renewal will be processed in accordance with the lease application review provisions of this chapter. Only applications that change the use of the tidelands will be referred to the Planning and Zoning Commission. All others are not subject to review by the Planning & Zoning Commission. The City has no obligation to amend, assign, renew or extend a lease and may decline to do so upon making specific findings as to why a lease amendment, assignment, renewal, or extension is not in the best interest of the City.

22.10.045 – Competing Land Applications

If another application for a new lease or a renewal is received for the same property within thirty (30) days from the notice of application publication date by a different applicant, City staff will process the application and forward the application, the City Manager's recommendation and Planning and Zoning Commission recommendations to the City Council for approval of the application anticipated to best serve the interest of the City. The City Council may approve one (1) of the applications, reject all the applications or direct the City Manager to award a lease of the property by sealed bid. An applicant for a renewal may withdraw an application for a renewal or extension at any time prior to a decision by the City Council whether or not to approve such a renewal.

22.10.050 – Length of Lease Term

(a) The length of term for an initial lease will be based on the amount of investment the applicant proposes to make in the construction of new permanent improvements on the premises as provided in the application. The City Council may offer a shorter lease term, if the City Council makes specific findings that a shorter lease term is in the best interest of the City.

(b) The maximum term of a lease for all tideland leases not associated with shore fisheries, will be determined according to the following term table and cannot exceed forty-five (45) years:

<u>APPLICANT'S INVESTMENT/VALUE</u>	<u>MAXIMUM TERM OF YEARS</u>
<u>\$7,500</u>	<u>5</u>
<u>15,000</u>	<u>6</u>

<u>APPLICANT'S INVESTMENT/VALUE</u>	<u>MAXIMUM TERM OF YEARS</u>
<u>22,500</u>	<u>7</u>
<u>30,000</u>	<u>8</u>
<u>37,500</u>	<u>9</u>
<u>45,000</u>	<u>10</u>
<u>52,500</u>	<u>11</u>
<u>60,000</u>	<u>12</u>
<u>67,500</u>	<u>13</u>
<u>75,000</u>	<u>14</u>
<u>82,500</u>	<u>15</u>
<u>90,000</u>	<u>16</u>
<u>97,500</u>	<u>17</u>
<u>105,000</u>	<u>18</u>
<u>112,500</u>	<u>19</u>
<u>120,000</u>	<u>20</u>
<u>127,500</u>	<u>21</u>
<u>135,000</u>	<u>22</u>
<u>142,500</u>	<u>23</u>

<u>APPLICANT'S INVESTMENT/VALUE</u>	<u>MAXIMUM TERM OF YEARS</u>
<u>150,000</u>	<u>24</u>
<u>157,500</u>	<u>25</u>
<u>165,000</u>	<u>26</u>
<u>172,500</u>	<u>27</u>
<u>180,000</u>	<u>28</u>
<u>187,500</u>	<u>29</u>
<u>195,000</u>	<u>30</u>
<u>202,500</u>	<u>31</u>
<u>210,000</u>	<u>32</u>
<u>217,500</u>	<u>33</u>
<u>225,000</u>	<u>34</u>
<u>232,500</u>	<u>35</u>
<u>240,000</u>	<u>36</u>
<u>247,500</u>	<u>37</u>
<u>255,000</u>	<u>38</u>
<u>262,500</u>	<u>39</u>
<u>270,000</u>	<u>40</u>

<u>APPLICANT'S INVESTMENT/VALUE</u>	<u>MAXIMUM TERM OF YEARS</u>
<u>277,500</u>	<u>41</u>
<u>285,000</u>	<u>42</u>
<u>292,500</u>	<u>43</u>
<u>300,000</u>	<u>44</u>
<u>307,500</u>	<u>45</u>

(c) Lease Extension. The length of term for a lease extension will be determined based on the remaining term of the initial lease and the estimated cost of new investment the applicant proposes to make in the construction of new permanent improvements on the premises according to the term table and provided no extension will extend a lease term past forty-five (45) years.

(d) Lease Renewal for an Existing Lease. A renewal for an existing lease requires the construction of new permanent improvements, and the length of term for a lease renewal for an existing lease will be determined as follows:

(1) Based on the remaining term of the initial lease according to the term table and the estimated cost of new investment the applicant proposes to make in the construction of new permanent improvements on the premises according to the term table; or

(2) Pursuant to a transaction between the current lessee and a new buyer and prospective lessee and based on the purchase price of existing real property improvements on the premises, as certified by the current lessee and the proposed purchaser in the bill of sale or purchase agreement, to be executed at closing of the transaction and the estimated cost of new investment in the construction of new permanent improvements on the premises according to the term table.

(3) The term for renewal of an existing lease cannot exceed forty-five (45) years.

(e) Lease Renewal for an Expiring Lease. The length of term for a lease renewal of an expiring lease will be determined as follows:

(1) The purchase price of existing real property improvements on the premises, as certified by the current lessee and the proposed purchaser in the bill of sale or purchase agreement, to be executed at closing of the transaction and the estimated cost of any new investment in the construction of new permanent improvements on the premises according to the term table; or

(2) A professional estimate of the remaining useful life of the real property improvements on the premises, paid for by the applicant, and the estimated cost of any new investment in the construction of new permanent improvements on the premises according to the term table; or

(3) A fair market value appraisal of the existing real property improvements on the premises, paid for by the applicant, and the estimated cost of any new investment in the

construction of new permanent improvements on the premises according to the term table.

(4) The term for renewal of an existing lease cannot exceed forty-five (45) years.

(f) If the initial lease, term extension, or lease renewal granted to the applicant requires construction of new permanent improvements, the lease or term extension will be subject to the following conditions:

(1) The lessee to complete the proposed permanent improvements within three (3) years except in special circumstances that require a longer period of time and which must be approved by the City Council in the initial lease or unless additional time is approved after the lease is executed as provided in subsection (f)(5) of this section.

(2) The lessee to provide a performance bond, deposit, personal guarantee, or other security if the City Council determines security is necessary or prudent to ensure the applicant's completion of the permanent improvements required in the lease, renewal, or extension. The City Council will determine the form and amount of the security according to the best interest of the City, after a recommendation by the City Manager considering the nature and scope of the proposed improvements and the financial responsibility of the applicant.

(3) At no expense to the City, the lessee must obtain and keep in force, during the term of the lease, insurance of the type and limits required by the City for the activities on the premises.

(4) Within thirty (30) days after completion of the permanent improvements, the lessee will submit to the City written documentation that the improvements have been completed as required. The City Manager will make a report to the City Council of completion as soon as reasonably practical.

(5) If the lessee shows good cause and evidence of progress towards completion of the proposed improvements, including but not limited to building permits, invoices for site-specific building materials, or third party contracts for construction, as well as updated financial information as required in KMC 22.05.025(b)(4) and the City Council determines the action is in the best interest of the City, the City Council may grant an extension of the time initially not to exceed twelve (12) months to complete permanent improvements by resolution that is sufficient to allow for the completion of the permanent improvements or for submission of documentation that the permanent improvements have been completed. A final twelve (12) month extension may be granted by separate resolution of Council if the lessee meets the same criteria for the first twelve (12) month extension and provides a performance bond, deposit, personal guarantee or other security interest sufficient to satisfy the Council that the improvements will be completed and Council determines the final extension is in the best interest of the City.

(6) If, within the time required, the applicant fails to complete the required permanent improvements, the City will:

(i) If the application is for a new lease or lease renewal, execute the forfeiture of the performance bond, deposit, personal guarantee, or other security posted by the applicant under subsection (f)(2) of this section to the extent necessary to reimburse the City for all costs and damages, including administrative and legal costs, arising from the applicant's failure to complete the required improvements, and/or initiate cancellation of the lease or reduce the term of the lease to a period consistent with the portion of the improvements substantially completed in a timely manner according to the best interest of the City.

(ii) If the application is for a lease extension, the City will terminate the amendment extending the term of the lease or reduce the term of the extension at the City's sole discretion.

22.10.051 – Principles and Policy of Lease Rates

(a) Annual rent will be computed by multiplying the fair market value of the land by a lease rate percentage of eight percent (8%) for each parcel; and

(b) The City will determine the fair market value of the land requested to be leased based on an appraisal conducted for the City by an independent real estate appraiser certified under Alaska State statutes and ordered by the City for the purpose of determining annual rent. The appraisal will be paid for by the applicant, and the cost of the appraisal will be credited or refunded to the lessee once development is completed as required by the lease. The fair market value of the land will be adjusted annually based on the rate of inflation determined by the Consumer Price Index (CPI) to determine annual rent; and

(c) The City will conduct a land market analysis of City-owned land under lease once every ten (10) years to determine whether a market adjustment in either fair market value of land or lease rate percentage is justified; and

(d) If the City determines from the market analysis that a market adjustment to the lease rate percentage is in the best interest of the City, the new lease percentage must be approved by an ordinance and utilized to compute annual rents for the next fiscal year; and

(e) If the market analysis or extraordinary circumstances determine a fair market value adjustment is in the best interest of the City, the City will retain the services of an independent real estate appraiser certified under Alaska State statutes to determine the fair market value of all leased land and will use these values to compute annual rents for the next fiscal year; and

(f) The City will adjust the annual rent of a lease by giving the lessee written notice at least thirty (30) days prior to application of a new annual rent determination; and

(g) If a lessee disagrees with the proposed change in the fair market value of land or lease rate percent (excluding CPI determinations, which cannot be appealed) and cannot informally resolve the issue with the City, the lessee must:

(1) Provide notice of appeal in writing within ninety (90) days of notification supported by the written appraisal of a qualified real estate appraiser, selected and paid for by lessee (the "second appraiser"); and

(2) The City and the lessee will meet to attempt to resolve the differences between the first appraiser and the second appraiser concerning the fair market value of the land or lease rate percent; and

(3) If the City and lessee cannot agree upon the fair market value or lease rate percent then they will direct the first appraiser and the second appraiser to mutually select a third qualified real estate appraiser, paid for jointly by the parties (the "third appraiser"); and

(4) Within thirty (30) days after the third appraiser has been appointed, the third appraiser will decide which of the two (2) respective appraisals from the first appraiser and the second appraiser most closely reflects the fair market value of the land or lease rate percent; and

(5) The fair market value of the land or lease rate percent will irrefutably be presumed to be the value(s) contained in such appraisal selected by the third appraiser, and the rent will be redetermined based on such value(s); and

(6) Rent will continue to be paid at the then-applicable rate until any such new rental rate is established, and lessee and the City will promptly pay or refund, as the case may be, any variance in the rent, without interest accruing to the extent to be paid/refunded.

22.10.055 – Provisions Regulating Public Use Purpose.

The City Council realizes that only a limited area of tidelands bordering navigable waters is available within the City of Kenai and which is owned by the City of Kenai. It would be in the public interest to ensure that these lands do not pass out of community control at least to the extent that the public would not be deprived of harbor services at reasonable rates in the future. Therefore, areas of City-Owned tidelands which are developable for the bona fide public purposes as enumerated below will be leased only with the following covenants defined to ensure public use and access at reasonable rates.

22.10.060 – Provision to Be Included in Public Use Lease.

KMC 22.10.065 will be included in leases where harbor facilities are constructed to be utilized all or in part for bona fide public uses.

22.10.065 – Public Use: Defined.

(a) Public use will mean a use limited in part or in whole to the following:

(1) In general, the lessee may use the demised premises or part thereof for any of the following purposes only:

(i) Public dock facilities.

(ii) Maritime commerce.

(iii) Transportation.

(iv) Fishing.

(v) Boat harbor.

(vi) Port and waterfront development purposes.

(b) Before lessee may conduct any activities which fall under these general criteria, but are not specifically mentioned above, lessee must obtain written consent of the City.

22.10.066 – Ownership of Improvements

(a) Permanent improvements on the premises, excluding site development materials, constructed, placed, or purchased by the lessee remain the lessee's property as long as a lease for the premises remains in effect with the lessee, including renewals, any period of extension approved by the City pursuant to the provisions of this chapter, or any period of holdover.

(b) Unless otherwise provided in a land lease, at the expiration, cancellation, or termination of a lease that is extended or followed by a successive lease, the departing lessee may do one (1) or more of the following:

(1) Remove lessee-owned permanent improvements from the premises, remediate any contamination for which the lessee is responsible, and restore the premises to a clean and neat physical condition acceptable to the City within ninety (90) days after the expiration, cancellation, or termination date of the lease; or

(2) Sell lessee-owned permanent improvements to the succeeding lessee, remove all personal property, remediate any contamination for which the lessee is responsible, and leave the premises in a clean and neat physical condition acceptable to the City within sixty (60) days after notice from the City that the City has approved an application for a lease of the premises by another person or such longer period specified in the notice, but in no event more than one hundred eighty (180) days after the expiration, termination, or cancellation date of the lease.

(c) If the lessee does not timely remove or sell the lessee-owned permanent improvements on a premises in accordance with the requirements of this section, any remaining permanent improvements and any remaining personal property of the departing lessee will be considered permanently abandoned. The City may sell, lease, demolish, dispose of, remove, or retain the abandoned property for use as the City determines is in the best interest of the City. The lessee will, within thirty (30) days after being billed by the City, reimburse the City for any costs reasonably incurred by the City, including legal and administrative costs, to demolish, remove, dispose, clear title to, or sell the abandoned property and to remediate any contamination and restore the premises.

(d) Site development materials that a lessee places on a premises become part of the City-owned real property and property of the City upon placement. The lessee:

(1) Must maintain the site development work and site development materials throughout the term of the lease or successive lease, including any extensions and periods of holdover; and

(2) May not remove the site development materials unless the City approves in writing.

22.10.070 – Lease Execution & Utilization.

The lease applicant will execute and return the appropriate lease agreement with the City of Kenai within thirty (30) days of mailing the agreement to the applicant. The lease agreement will be prepared in accordance with the requirements of this title. Failure to execute and return the lease agreement within the specified period will result in the forfeiture of all leasing rights.

Leased lands will be utilized for purposes within the scope of the application, the terms of the lease and in conformity with the ordinances of the City, and in substantial conformity with the Comprehensive Plan. Utilization or development for other than the allowed uses will constitute a material breach of the lease and subject the lease to cancellation at any time. Failure to substantially complete the development plan for the land will constitute grounds for cancellation.

22.10.071 – Form of Lease.

When leasing land under this chapter, the City Manager will use a standard lease form that:

(1) Provides a reasonable basis for the lessee's use of the premises;

(2) Complies with the intent of this chapter;

(3) Provides for the best interest of the City;

(4) Is approved as to form by the City Attorney; and

(5) Is adopted by resolution of the City Council.

22.10.072 – Lease Payments.

(a) Upon execution of the lease, the land becomes taxable to the extent of the lessee's leasehold interest and lessee will pay all real property taxes levied upon such leasehold interest in these lands, and will pay any special assessments and taxes.

(b) Rent will be paid annually in advance unless the lessee submits a written request to the City to pay on a quarterly or monthly basis. The payments will be prorated to conform to the City of Kenai's fiscal year beginning July 1st and ending June 30th.

(c) Lessee will be responsible for all sales taxes due on payments under the lease.

22.10.073 – Special Use Permits

The City Council may authorize the City Manager to grant special use permits for the temporary use of real property owned by the City for a period not to exceed one (1) year, without appraisal of the value of the property or public auction, for any purpose compatible with the zoning of the land, and on such terms and for such rentals as the Council will determine.

22.10.075 – Controlled Access.

Lessee, for its own protection, may construct or install fences, gates, or other types of barriers to restrict access to portions of the demised premises that are not designated for a public use and may provide reasonable controls for access to public use areas to allow for security for such areas while ensuring reasonable public access. Reasonable public access includes accommodations made for fishing operations during fishing season. Any controlled access measures will be indicated on the lessee's development plan.

22.10.080 – Use Charges.

Lessee will make reasonable and nondiscriminatory charges to the public for use of any of its facilities.

22.10.085 – Penalties.

(a) It is unlawful for any person to violate any of the provisions of this chapter and upon conviction thereof will be fined as provided for violations in KMC 13.05.010. Each day such violation is committed or permitted to continue will constitute a separate offense and will be punishable as such hereunder.

(b) In addition to or as an alternative to the above penalty provision, the City may impose a civil penalty in an amount as provided by KMC 13.05.010 per day for the violation of any provision of this chapter and seek injunctive relief for any infraction thereof for which the offending party will be charged for reasonable attorney's fees and costs incurred by the City as awarded by the court.

(c) Nothing in this section will be deemed to restrict the City's exercise of any of its rights pursuant to the lease agreement.

Section 6. That City Council Policy No. 20.020 - Standing Commissions and other Advisory Body Procedures as amended and attached is hereby adopted.

Section 7. 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 8. 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 7TH DAY OF JANUARY, 2026.

Henry H. Knackstedt, Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Introduced:	Month DD, 2025
Enacted:	Month DD, 2026
Effective:	Month DD, 2026

MEMORANDUM

TO: Mayor Knackstedt and Council Members

FROM: Shellie Saner, City Clerk

DATE: November 12, 2025

SUBJECT: **Action/Approval** - Directing the Administration to Bring Forward the Legislation Necessary to Sunset the City of Kenai Harbor Commission.

On November 10, 2025 the Harbor Commission met in a work session for the purpose of discussing the Commission Role, Future Status and Possible Sunset.

Commission discussion during the work session included the following:

- Over the last two-and-a-half years there was nothing required of the commission; the commission had been trying to create agenda items.
- Numerous meetings cancelled due to lack of a quorum or lack of agenda items.
- Difficulty keeping commissioners.
- Now that the Bluff Stabilization project was complete, there were no foreseeable future project for the commission.
- Activities of the commission overlapped and duplicated activities of other commissions.

During the regular meeting, immediately following the work session the Harbor Commission unanimously approved a motion recommending the City Council sunset the Harbor Commission.

If the Council approves a motion directing the Administration to draft the necessary legislation, the draft legislation will be presented to the Harbor Commission at a Special Meeting for recommendation to Council, and brought forward to Council for final action.

APPROVED BY COUNCIL

Date: 11/19/25

MEMORANDUM

TO: Vice Chair Earsley and Planning & Zoning Commission Members

FROM: Kevin Buettner, Planning Director

DATE: December 4, 2025

SUBJECT: **Action/Approval** – Establishing Work Session Schedule for January and February 2026

The meeting calendar for the Planning & Zoning Commission include the following future dates through February 28, 2026:

- January 14, 2026
- January 28, 2026
- February 11, 2026
- February 25, 2025

Kenai City Council has referred tent camping within the City as a topic of discussion for the Planning & Zoning Commission. The Commission is also actively considering updates to the Conditional Use Permit process. These discussions will necessitate work sessions and/or public hearings into calendar year 2026 to complete these tasks.

STAFF RECOMMENDATION

- Staff recommends scheduling a Work Session before the January 14, 2026 meeting. The January 14th Work Session would continue the discussion on tent camping.
- Staff recommends scheduling a Work Session before the January 28, 2026 meeting or the February 11th meeting. This Work Session would either be to continue the discussion on tent camping, or to restart the discussion on Conditional Use Permits (depending on progress at January 14th meeting).



November 17, 2025 – 7:30 PM

Action Agenda

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

Jeremy Brantley, Chair
Sterling/Funny River
Term Expires 2027

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

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

Diane Fikes
City of Kenai
Term Expires 2025

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2025

Karina England
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

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

ZOOM MEETING DETAILS

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

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

Zoom Meeting ID: 907 714 2200

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

- *2 Planning Commission Resolution**
 - a. PC Resolution 2025-30
- *3. Administrative Approvals**
 - a. Friday Replat; KPB File 2025-034
 - b. Liebenthal Subdivision 2024 Addition; KPB File 2024-086
 - c. Lookout Valley Subdivision; KPB File 2025-056
 - d. River Acres Subdivision Blu River Addition; KPB File 2025-067
 - e. Snowland Estates 2025; KPB File 2025-019
- *4. Final Approvals**
 - a. Bailey Estates Karpik Rice Replat; KPB File 2025-001
 - b. Cape Resurrection Subdivision Sanefur Seavey Replat; KPB File 2024-113
- *7. Minutes**
 - a. October 27, 2025 Planning Commission Meeting Minutes

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

D. UNFINISHED BUSINESS – None

E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters - *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

Staff person responsible for all items is Platting Manager Vince Piagentini

1. Building Setback Encroachment Permit (PC Resolution 2025-31); KPB File 2025-161

Swan Surveying / Nienhuis

Request: Permits a portion of a build to remain within the building setback on Tract A3A Harvey Subdivision No. 2, Plat KN 82-47

Sterling Area

[Motion to adopt Planning Commission Resolution 2025-31 granting a building setback encroachment permit passed by unanimous vote \(9-Yes\)](#)

2. Utility Easement Vacation; KPB File 2025-128V

Peninsula Surveying / Matthews, Schollenbert, Wells

Request: Vacates a 10' wide utility easement along the eastern lot line of Lot 1A & associated 10' wide utility easement along the west lot line of Lot 1B, Bouwens Subdivision #3

Happy Valley Area

[Motion to grant the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, passed by unanimous vote \(9-Yes\)](#)

3. Utility Easement Vacation (PC Resolution 2025-29); KPB File 2025-156V

Edge Surveying & Design / Barrickman

Request: Vacates a portion of the 10' wide utility easement adjacent to Skeeter Street granted by Sterling Heights Scooter's Replat, Plat KN 93-87

Sterling Area

[Motion to adopt Planning Commission Resolution 2025-29, granting the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, passed by unanimous vote \(9-Yes\)](#)

Public Hearing: Legislative Matters - None

F. PLAT COMMITTEE REPORT – The plat committee will review 7 plats.

G. OTHER

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

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held ***Monday, December 8, 2025*** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

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

e-mail address: planning@kpb.us

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

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

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

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



Kenai City Council - Regular Meeting

November 19, 2025 — 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. **GLENESE PETTEY APPOINTED.** COUNCIL APPOINTMENT

1. Selection of Appointee with the Continuation of Interviews if Needed. [*Clerk's Note: Council May Convene into Executive Session to Discuss this Agenda Item which May be a Subject that Tends to Prejudice the Reputation and Character of the Candidate for the Vacant City Council Seat. (AS 44.62.310(C)(2))*]
2. Appointee Oath of Office

F. PUBLIC HEARINGS

1. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3492-2025** - Increasing Estimated Revenues and Appropriations in the General Fund - Streets Department for Replacement of Damaged Guard Rail on Beaver Loop Road. (Administration)
2. **ENACTED UNANIMOUSLY AS AMENDED. Ordinance No. 3493-2025** - Increasing Estimated Revenues and Appropriations in the General Fund - Buildings Department for Replacement of the Cooling System in the City's Data Center. (Administration)
3. **ENACTED UNANIMOUSLY. Ordinance No. 3494-2025** - Amending the Official Zoning Map by Rezoning Seven Lots and One Tract to Urban Residential and Two Tracts to Suburban Residential Along Redoubt Avenue, from 4th Street to Floatplane Road. (Administration)

4. **ENACTED UNANIMOUSLY. Ordinance No. 3495-2025** - Authorizing the Reallocation of Capital Project Funds, an Increase to Estimated Revenue and Expenditures, and Approving the Sole-Source Purchase of Two Patient Power Load Systems for Ambulances. (Administration)

G. MINUTES

1. *Regular Meeting of November 5, 2025. (City Clerk)

H. UNFINISHED BUSINESS

I. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Purchase Orders and Purchase Order Amendments Requiring Council Approval in Accordance with KMC 7.15.020. (Administration)
3. ***Action/Approval** - Amending Special Use Permit for Weaver Brothers, Inc. for Truck Trailer Storage. (Administration)
4. **APPROVED UNANIMOUSLY. Action/Approval** - Directing the Administration to Bring Forward the Legislation Necessary to Sunset the City of Kenai Harbor Commission. (City Clerk)
5. **SCHEDULED FOR 12/17/2025 AT 5:00 P. M. Discussion/Action** - Scheduling a Work Session to Discuss Challenger Center. (Administration)

J. COMMISSION REPORTS

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

K. REPORT OF THE MAYOR

L. ADMINISTRATION REPORTS

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

M. ADDITIONAL PUBLIC COMMENTS

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

N. EXECUTIVE SESSION

O. PENDING ITEMS

P. ADJOURNMENT

Q. 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/sNSNAbsnTk6P8efaLT8Mdg>



Kenai City Council - Regular Meeting

December 03, 2025 — 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

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

Action Agenda

A. CALL TO ORDER

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

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

B. SCHEDULED ADMINISTRATIVE REPORTS

1. Bluff Stabilization Project Completion Update, Ronny McPherson, P.E., HDR Alaska Inc.

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

1. Brandi Bell, Kenaitze Indian Tribe Transportation Manager

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

E. PUBLIC HEARINGS

1. **ADOPTED UNANIMOUSLY. Resolution No. 2025-67** - Authorizing the Purchase of Property Interests from the Kenai Native Association for the Wildwood Drive Rehabilitation Project and Determining that the Public Interest will not be Served by an Appraisal. (Administration)
2. **ADOPTED UNANIMOUSLY. Resolution No. 2025-68** - Adopting an Alternative Allocation Method for the Fiscal Year 2026 Shared Fisheries Business Tax Program and Certifying that This Allocation Method Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in Fisheries Management Area 14: Cook Inlet Area. (Administration)
3. **ADOPTED UNANIMOUSLY. Resolution No. 2025-69** - Authorizing a Contract Award for the City Of Kenai Architectural Services Project. (Administration)

F. MINUTES

1. *Regular Meeting of November 19, 2025. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Special Use Permit to American Red Cross for Office Space and Parking at the Alaska Regional Fire Training Facility. (Administration)
3. ***Action/Approval** - Special Use Permit to Echo Lake Meats, LLC for a Vending Machine in the Airport Terminal Building. (Administration)
4. ***Action/Approval** - Special Use Permit to Aleutian Airways for Warm Storage. (Administration)
5. ***Action/Approval** - Special Use Permit to Schillings Alaska, Inc. for Snow Storage. (Administration)
6. ***Action/Approval** - Special Use Permit to Alaska Sure Seal, Inc. for Snow Storage. (Administration)
7. ***Ordinance No. 3496-2025** - Increasing Estimated Revenues and Appropriations in the General Fund to Provide Supplemental Funding for Utilities and Building Maintenance Costs in Excess of Budgeted Amounts for the Challenger Learning Center. (Administration)
8. ***SCHEDULED FOR 1/28/2026 AT 5:00 P. M. Discussion/Action*** - Scheduling a Joint Work Session with the Kenaitze Indian Tribe. (Knackstedt)
9. ***SCHEDULED FOR 1/7/2026 AT 4:00 P. M. Discussion/Action*** - Scheduling a Budget Goals and Capital Improvement Plan Work Session. (Administration)

I. COMMISSION REPORTS

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

J. REPORT OF THE MAYOR

1. **Mayor Proclamation** - In Recognition of Kenai Central High School Girls Varsity Volleyball Team at the Alaska Division 3A State Girls Champions for the Year 2025.
2. **Mayoral Proclamation** - In recognition of the Kenai Central High School Marching Band at the Bands of America Grand National Championships.

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/vQYOVbySQpGLmhllhjcGjg>