

**MAY 27, 2026
 PLANNING & ZONING COMMISSION MEETING
 ADDITIONAL MATERIAL/REVISIONS**

REQUESTED ADDITIONS TO THE PACKET

<u>ACTION</u>	<u>ITEM</u>	<u>REQUESTED BY</u>	<u>PAGE</u>
Add Item F.2	Resolution PZ 2026-11	Planning Director	1-4
Add Item F.3	Resolution PZ 2026-12	Planning Director	5-7
Add Item F.3	Public Comment	Planning Director	8
Add Item F.4	Resolution PZ 2026-13	Planning Director	9-11
Add Item F.4	Public Comment	Planning Director	12
Add Item F.6	Resolution PZ 2026-15	Planning Director	13-14
Add Item F.7	Resolution PZ 2026-16	Planning Director	15-17
Add Item F.7	Rezone Memo	Planning Director	18



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-11**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR A CABIN RENTAL OF A FUTURE SINGLE-FAMILY DWELLING.

APPLICANT: Bowfin Properties, LLC – Ken Corbett

PROPERTY ADDRESS: 1510 Tundra Rose Lane

LEGAL DESCRIPTION: Lot 3, Block 1, Wild Rose Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04912036

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 30, 2026; and,

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

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

WHEREAS, the Planning and Zoning Commission finds:

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

Findings: *The 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.*
2. The proposed use would not necessarily violate the residential character of the neighborhood as it would function/remain as a single-family dwelling and be seasonally used as a short-term rental. Furthermore, the proposed use is not anticipated to generate heavy traffic as the use is limited to the future single-family dwelling, there is adequate parking available, the number of anticipated users will be limited, and the dwelling will be owner occupied seasonally. The existing density would remain unchanged since there is

no intention of adding additional dwelling units. Staff finds that the proposed use meets the intent of the RR zoning district.

3. *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 is similar to other properties in the greater Beaver Loop area, where there are many cabin rentals and lodges in operation. The applicant intends to construct a single-family dwelling on the subject parcel this summer (the summer of 2026). The applicant states that there will be a limit to the number of users, traffic will be seasonal, and that the dwelling will be occupied by the applicant for half of the year. Staff finds the proposed use, similar to the nearby properties, would not have an adverse impact on the neighborhood and adjoining properties. Staff finds the proposed use would not impair the economic and noneconomic value of adjacent properties and neighborhood.

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

Findings: The Land Use Plan in the City of Kenai Comprehensive Plan, identifies the subject property with the Low-Density Residential Land Use Classification. The Low-Density Residential Classification is intended for:

Low Density Residential because of location or poor site conditions is intended for large-lot single-family low-density residential development. The area will typically be developed with individual on-site water supply and wastewater disposal systems. Streets will typically be constructed to rural street standards (i.e., gravel) and sidewalks will not be typically included in the subdivision design. Rural Residential becomes Low Density Residential to avoid confusion with zoning category.

The surrounding uses are a mix of residential, commercial, and recreational uses. The proposed use would be compatible with the existing uses and would not require any buffer between surrounding uses since most lots are one acre or larger. Additionally, the applicant states the impact on the area will be minimal giving they have no intent to remove more vegetation than that required to build, nor heavily modify the natural aesthetics of the property.

As stated by the applicant, the proposed use of a Cabin Rental is consistent and in harmony with several goals in the 2016 Comprehensive Plan, specifically Goals 1, 2, and 3 listed below. 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-1: Ensure that Kenai is a community where people and property are safe.

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.

Objective LU-2: Promote the infill of existing, improved subdivision lots.

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

5. *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 will be installed. The applicants are required to be in compliance with wastewater disposal and regulatory requirements of the Alaska Department of Environmental Conservation. Tundra Rose Lane is an unpaved, unmaintained road.

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

Findings: The applicants have stated that the property will have a strict no-party, no smoking, no drug use policy to mitigate any potential risks to persons or property. The property owners live nearby and will be readily available during guest stays to ensure compliancy. All required safety protocols, such as the upkeep of smoke alarms and CO detectors, will be followed and fire inspections will be performed bi-annually. Trash will be disposed of weekly by property owners and adequate trash receptacles will remain on-site. Staff finds no reason that the proposed use would be harmful to the public safety, health, or welfare.

7. *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: There is adequate parking and buffer for the proposed use to minimize the impact to the surrounding area. Staff finds the proposed use falls in line with other property uses in the area, and will be indistinguishable from surrounding uses. It is not anticipated that the continued use will be harmful to the public safety, health or welfare.

As noted by the applicant, the proposed use will not be harmful and the impact on the neighbors would be minimal. 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

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 cabin rental in the existing single-family dwelling on a property described as Lot 3, Block 1, Wild Rose Subdivision, located at 1510 Tundra Rose Lane.

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

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Pursuant to Kenai Municipal Code 14.20.150(f) the applicant shall submit an annual report, including a summary of the on-site activity, to the City of Kenai, due no later than December 31 of each year.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 27TH DAY OF MAY, 2026

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-12**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR AN ANIMAL BOARDING FACILITY.

APPLICANT: Mike and Diana Higgs

PROPERTY ADDRESS: 2925 Pirate Lane

LEGAL DESCRIPTION: Lot 16, Block 2, VIP Park Estates Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04936036

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on April 30, 2026; and,

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

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

WHEREAS, the Planning and Zoning Commission finds:

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

Findings: *The 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 will allow residents living in a single-family home to be able to have multiple dogs. Traffic flow is not anticipated to be affected negatively by the proposed use as there will be no “commercial” traffic and there is adequate off-road 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 is not expected to have any negative impact on the value of the neighborhood as the owners will be maintaining the condition of the home and are compliant with Title 3 of Kenai Municipal Code.

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

Findings: The Land Use Plan in the City of Kenai Comprehensive Plan, identifies the subject property with the Low-Density Residential Land Use Classification. The Low-Density Residential Classification is intended for:

[locations that may have] poor site conditions are intended for large-lot single-family low-density residential development. The area will typically be developed with individual on-site water supply and wastewater disposal systems. Streets will typically be constructed to rural street standards (i.e., gravel) and sidewalks will not be typically included in the subdivision design.

The surrounding lots consist of a mix of established residential homes. The proposed use is in harmony with the current use of the neighborhood as well as the planned use.

As stated by the applicant, the proposed use of a Cabin Rental is consistent and in harmony with several goals in the Comprehensive Plan, specifically Goal 1 listed below.

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-1 - Ensure that Kenai is a community where people and property are safe.

Objective Q-2 – Protect and rejuvenate the livability of existing neighborhoods.

Objective Q-4 – Promote the siting and design of land uses that are in harmony and scale with surrounding areas

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. Pirate Lane is a paved and City-maintained road.

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

Findings: The applicants have a current license through the City's Animal Control department. This license is an annual license and all kennel facilities are inspected prior to license issuance or renewal.

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

Findings: No additional findings.

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 animal boarding facility in the existing property described as Lot 16, Block 2, VIP Park Estates Subdivision, located at 2925 Pirate Lane.

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

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Pursuant to Kenai Municipal Code 14.20.150(f) the applicant shall submit an annual report, including a summary of the on-site activity, to the City of Kenai, due no later than December 31 of each year.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 27TH DAY OF MAY, 2026

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk

From: [Steamway Restoration](#)
To: [Planning Department](#)
Subject: Kennel Facility objection
Date: Tuesday, May 26, 2026 10:56:28 AM

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

Dear Planning & Zoning Department,

I am a concerned property owner in close proximity to the proposed kennel facility at 2925 Pirate Lane. I own 2 of the 4-plexes directly across the street. I strongly object to the approval of any special use permit, variance, or zoning change required to operate this business at this location.

The neighborhood is designed for quiet, residential living. A commercial kennel operation is completely inconsistent with the established character of our community and will negatively impact our neighborhood in the following ways:

1. **Noise Nuisance:** A commercial facility containing multiple dogs will cause significant, constant barking and howling.
2. **Odor and Hygiene:** The concentration of dog feces and urine will create substantial sanitation and odor issues.
3. **Increased Traffic and Safety:** Commercial operations bring increased traffic, noise, and strangers into a residential area, compromising the privacy and safety of our streets.
4. **Property Value Depreciation:** The establishment of a noisy, high-traffic commercial business in a residential block will undoubtedly cause a reduction in our property values.

Allowing this kennel to open creates a "nonconforming use" of the property and sets a dangerous precedent for our community. I respectfully request that the board deny this request in its entirety.

Thank-you,
Jason Bucho

Steamway Restoration

Fire, Flood & Mold Restoration & Duct Cleaning est. 2018

Bucho Building

General Contracting est. 2000



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-13**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR AN ANIMAL BOARDING FACILITY.

APPLICANT: Dustin Vasicek

PROPERTY ADDRESS: 2520 VIP Drive

LEGAL DESCRIPTION: Lot 1A, Block 1, VIP Park Estates Vasicek Replat

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04940080

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on May 3, 2026; and,

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

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

WHEREAS, the Planning and Zoning Commission finds:

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

Findings: *The 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 will allow residents living in a single-family home to be able to have multiple dogs. Traffic flow is not anticipated to be affected negatively by the proposed use as there will be no "commercial" traffic and there is adequate off-road 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 is not expected to have any negative impact on the value of the neighborhood as the owners will be maintaining the condition of the home and are compliant with Title 3 of Kenai Municipal Code.

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

Findings: The Land Use Plan in the City of Kenai Comprehensive Plan, identifies the subject property with the Low-Density Residential Land Use Classification. The Low-Density Residential Classification is intended for:

[locations that may have] poor site conditions are intended for large-lot single-family low-density residential development. The area will typically be developed with individual on-site water supply and wastewater disposal systems. Streets will typically be constructed to rural street standards (i.e., gravel) and sidewalks will not be typically included in the subdivision design.

The surrounding lots consist of a mix of established residential homes. The proposed use is in harmony with the current use of the neighborhood as well as the planned use.

As stated by the applicant, the proposed use of a Cabin Rental is consistent and in harmony with several goals in the Comprehensive Plan, specifically Goal 1 listed below.

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-1 - Ensure that Kenai is a community where people and property are safe.

Objective Q-2 – Protect and rejuvenate the livability of existing neighborhoods.

Objective Q-4 – Promote the siting and design of land uses that are in harmony and scale with surrounding areas

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. Pirate Lane is a paved and City-maintained road.

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

Findings: The applicants have a current license through the City's Animal Control department. This license is an annual license and all kennel facilities are inspected prior to license issuance or renewal.

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

Findings: No additional findings.

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 animal boarding facility in the existing property described as Lot 1A, Block 1, VIP Park Estates Vasicek Replat, located at 2520 VIP 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. Pursuant to Kenai Municipal Code 14.20.150(f) the applicant shall submit an annual report, including a summary of the on-site activity, to the City of Kenai, due no later than December 31 of each year.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 27TH DAY OF MAY, 2026

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk

From: [Holly Lawrence](#)
To: [Planning Department](#)
Subject: conditional permit 2520 VIP Lane
Date: Monday, May 25, 2026 3:37:01 PM

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I would like to comment on the proposed conditional permit for 2520 VIP Lane -parcel 04940080. My name is Holly Lawrence. I own 2535 VIP Dr. It is a four-plex building. While recently visiting I heard a lot of dog barking. After talking to my tenants they informed me that they keep their windows closed most of the time on that side of the building because of the excessive barking from multiple dogs. I felt bad and did not realize what a disturbance it had been for them. Having a kennel so close to my yard is disruptive for the people who live there. There were 4 dogs visible at the time I was visiting. One of my tenants said at times there are more. I would request limitations on the number of dogs that can be housed in a neighborhood kennel business.

Respectfully,

Holly Lawrence



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2026-15**

A RESOLUTION **GRANTING** A VARIANCE PERMIT TO EXCAVATE 50 FEET IN THE SETBACK ON THE WEST PROPERTY LINE FOR THE PROPERTY LOCATED AT 2817 BEAVER LOOP ROAD.

APPLICANTS: Colaska Inc., dba QAP

PROPERTY ADDRESS: 2817 Beaver Loop Road

LEGAL DESCRIPTION: Tract 1, Tundra Rose Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04911029

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code (KMC) 14.20.185(c) was submitted to the City on May 4, 2026; and,

WHEREAS, the applicant has demonstrated that the prerequisites of a variance permit have been met pursuant to KMC 14.20.180(b); and,

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

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

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

Findings: The property line on the western edge of the parcel is adjacent to an undeveloped Kenai Peninsula Borough owned parcel, which is also a section line easement. There is one residence to the south and other gravel extraction sites active or planned around all other sides.

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

Findings: Staff finds the requested variance is not intended to redress a pecuniary hardship or inconvenience by the applicant.

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

Findings: Surface and subsurface extraction of natural resources is a conditional use only and limited to certain zoning districts. This parcel is currently under a Conditional Use Permit and a Variance permit is not the correct method to amend that permit.

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

Findings: The granting of the variance will allow for consistent use of adjoining properties that support reduced buffers.

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

Findings: Buffer space from other properties will still be maintained.

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

Section 1. That the request for a variance permit is granted reduced setbacks not to be less than 50', on the parcel located at 2817 Beaver Loop Road and described as Tract 1, Tundra Rose Subdivision.

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

1. Applicant(s) must comply with all federal, State of Alaska, and local regulations.
2. A new site plan must be submitted and approved by the Planning Director.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 27TH DAY OF MAY, 2026.

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION PZ2026-16**

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

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

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

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

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

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

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

WHEREAS, the metes and bounds description of the portion of KPB 04501057 is as follows: Commencing at the center $\frac{1}{4}$ corner of Section 33, Township 6 North, Range 11 West, Seward Meridian as shown on Plat K-1447, Kenai Recording District, thence S0°05'00"E 660 feet to point No. 1, the TRUE POINT OF BEGINNING; thence S89°55'00"W 410 feet to point No. 2; thence

N0°05'00"W 1,980 feet to point No. 3; thence N89°55'00"E 410 Feet to point No. 4; thence S0°05'00"E 1,980 feet more or less to point No. 1, the TRUE POINT OF BEGINNING, containing approximately 18.636 acres.

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

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

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

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

WHEREAS, at their regularly scheduled meeting held on February 25, 2026, the City of Kenai Planning and Zoning Commission recommended approval of the rezone, but recommended the property to be rezoned to Rural Residential 1 (RR1) instead of Suburban Residential as proposed by Administration; and,

WHEREAS, at their regularly scheduled meeting held on March 18, 2026, the City Council referred Ordinance 3510-2026 to the Planning & Zoning Commission; and,

WHEREAS, at their regularly scheduled meeting held on April 1, 2026, the City Council referred Ordinance 3510-2026 Substitute to the Planning & Zoning Commission; and,

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

WHEREAS, the Planning and Zoning Commission finds:

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

4. The proposed rezone to RR would align with the current low to medium density residential character of the adjoining neighborhood.

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

Section 1. That Kenai City Council approve the rezone request for a portion of the property located at 10060 Kenai Spur Highway from Conservation (C) to Rural Residential (RR) zoning district.

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

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 27TH DAY OF MAY, 2026.

Jeanne Keaton, Chair

ATTEST:

Logan Parks, Deputy City Clerk



KENAI

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MEMORANDUM

TO: Chair Keaton and Planning & Zoning Commissioners
FROM: Kevin Buettner, Planning Director
DATE: May 21, 2026
SUBJECT: **PZ2026-16 – Reason for New Public Hearing**

On April 29, 2026, the Planning & Zoning Commission held a public hearing on Resolution PZ2026-08 regarding a potential rezone of a portion of Kenai Peninsula Borough Parcel 04501057 from Conservation to Suburban Residential. During the course of this hearing the Administrative Liaison, Planning Director Buettner provided language for a motion to adjourn into adjudicative session. This action was in error, and led to an Open Meetings law infraction.

When hearing PZ2026-08, the Planning & Zoning Commission was acting in an advisory capacity, as the resolution was to provide a recommendation to Kenai City Council. Adjudicative sessions are only allowed when the Commission is acting in a quasi-judicial capacity. The Commission acts in this capacity when deciding on a Conditional Use Permit, for example.

To cure this infraction, the Commission must hold a public hearing and allow for any and all deliberations to be within the public view. Any action taken on this new resolution will be provided to the City Council for their consideration.

Thank you for your consideration.