



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Tuesday, May 26, 2026

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

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

To join the meeting from a computer, visit the Zoom meeting link above. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the meeting ID, and your participant number. To attend the Zoom meeting by telephone, use the Zoom toll free phone numbers listed above.

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

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

If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.

1. Time Extension Request - None
2. Planning Commission Resolutions - None
3. Plats Granted Administrative Approval

[KPB-7735](#) May 26, 2026 Administrative Approvals Report

Attachments: [C3. Admin Approvals Report](#)

4. Plats Granted Final Approval (KPB 20.10.040)

[KPB-7736](#) May 26, 2026 Final Approvals Report

Attachments: [C4. Final Approvals Report](#)

5. Plat Amendment Request - None
6. Commissioner Excused Absences - None
7. Minutes

[KPB-7737](#) May 11, 2026 Planning Commission Meeting Minutes

Attachments: [C7. 051126 PC Minutes](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-7738](#) Right-Of-Way Vacation; KPB File 2026-035V - POSTPONED
Johnson Surveying / Blumentritt
Request: Vacates a 20' wide by approximately 626' long right-of-way &
the associated utility easements along Knackstedt Street
Location: Lot 1, Block 1, College Estates Subdivision, Pl KN 75-109
Kalifornsky Area

Attachments: [E1. ROWV Knackstedt Street Desk Packet](#)
 [PHN_ROWV_College Estates Sub 2026 Addn](#)

2. [KPB-7739](#) Right-Of-Way Vacation; KPB File 2026-043
No Surveyor / Johnson, Leslie
Request: Vacates the approximately 50' wide by 573' long Mayo St
right-of-way granted per KN 88-86
Location: Lot 1, Mayo River Subdivision Plat KN 88-86, also abutting
Govt Lots 23 & 24
Funny River Area

Attachments: [E2. ROWV Mayo Street Packet](#)
 [PHN_ROWV_Mayo River Sub](#)

3. [KPB-7740](#) Right-Of-Way Vacation; KPB File 2026-039
McLane Consulting Group / Tanner Crab, LLC
Request: Vacates a portion of the Maximilian Court cul-de-sac granted
per SW 2009-6
Location: Lot 13, Clan Maxwell Estates Avalon Heights Addition #5,
SW 2021-008
Bear Creek Area

Attachments: [E3. ROWV Maximillian Court Packet](#)
 [PHN_ROWV_Clan Maxwell Estates Avalon Heights Addn #5](#)

4. [KPB-7741](#) Street Naming Resolution 2026-02
Renaming Dedra Avenue to Debra Avenue
Location: Dedra Avenue dedicated per Platt Subdivision No. 2, Plat
HM 80-4
Anchor Point Area

Attachments: [E4. SN RES 2026-02 Packet](#)
 [PHN_SN_RES_2026-02](#)

- 5. [KPB-7742](#) Ordinance 2026-23: Authorizing the conveyance of the Nikolaevsk School property to Alaska Homestead Education, Inc. in support of community K-12 education.

Attachments: [E5. ORD 2026-23 Niko School Disposal Packet](#)

- 6. [KPB-7743](#) Conditional Use Permit; Planning Commission Resolution 2026-30
 Applicant: KPB Roads Department
 Request: Replace two undersized culverts within the 50’ HPD of an unnamed stream
 Parcel ID: 18505409, 18505406 & 18505408
 Ninilchik Area

Attachments: [E6. CUP KPB Culvert Packet](#)
[PHN_CUP KPB Culverts](#)

- 7. [KPB-7744](#) Conditional Use Permit; Planning Commission Resolution 2026-31
 Applicant: Alaska State Parks
 Request: Installation of a fence within the 50’ HPD of the Kasilof River
 Parcel ID: 13332039
 Kasilof Area

Attachments: [E7. CUP AK State Parks Packet](#)
[PHN_CUP DNR Fence](#)

F. PLAT COMMITTEE REPORT - Plat Committee will review 4 plats

G. OTHER

H. PUBLIC COMMENT/PRESENTATION

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

**MISCELLANEOUS INFORMATIONAL ITEMS
 NO ACTION REQUIRED**

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held Monday, June 8, 2026 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: planning@kpb.us

website: <https://www.kpb.us/departments/planning/planning-overview>

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 right-of-ways, 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.

C. CONSENT AGENDA

***3. Administrative Approvals**



ADMINISTRATIVE APPROVAL

Subdivision: Erlwein Subdivision No 4 Birch Forest Addition
KPB File 2025-047
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on April 28, 2025. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Thursday, May 7, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 7th day of May 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office

Notary Public
Sandra K. Simons
State of Alaska
My Commission Expires With Office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Fields Brown Subdivision
KPB File 2025-113
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on November 17, 2025. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, May 6, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 6th day of May 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office

Notary Public
Sandra K. Simons
State of Alaska
My Commission Expires With Office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

C. CONSENT AGENDA

- *4. Final Approvals**



FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Big Eddy Subdivision Swarner 2026 Replat
KPB File 2026-008
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, May 6, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 6th day of May 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office

Notary Public
Sandra K. Simons
State of Alaska
My Commission Expires With Office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Kings Castle Acres Subdivision Ducharme Addition
KPB File 2025-170
Seward Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, May 6, 2026.

Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 6th day of May 2026 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office

Notary Public
Sandra K. Simons
State of Alaska
My Commission Expires With Office

The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

C. CONSENT AGENDA

- *7. 05-11-26 PC Meeting Minutes**

Kenai Peninsula Borough Planning Commission

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

**MAY 11, 2026
7:30 P.M.
UNAPPROVED MINUTES**

AGENDA ITEM A. CALL TO ORDER

Commissioner Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Sterling / Funny River
Pamela Gillham, Kalifornsky/Kasilof District
Jeffrey Epperheimer, Nikiski District
Dawson Slaughter, Southern Peninsula District
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District
Diane Fikes, City of Kenai
Paul Whitney, City of Soldotna
Franco Venuti, City of Homer

With 8 members present, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Wayne Cary, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Aaron Hughes, Land Management Officer
Morgan Aldridge, Planner
Elizabeth Wilder, LMD Administrative Assistant
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDA

- *1. Time Extension Request**
 - a. McGahan-Shilling Tracts 2022 Addition; KPB File 2022-031

- *3. Administrative/Final Approvals**
 - a. Apache Acres Part Nine; KPB File 2024-123

- *4 Final Approvals**
 - a. Kivi Shores Subdivision Addition No. 1 Kurka Replat; KPB File 2025-172
 - b. Lake Hills subdivision Part 3 Samora Replat; KPB File 2025-154

- *6. Excused Absences**
 - a. Vacant, City of Seward

- *7. Minutes**
 - a. April 27, 2026 Planning Commission Meeting Minutes

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Gillham to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

| | |
|---------|---|
| Yes - 8 | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti |
|---------|---|

AGENDA ITEM E. NEW BUSINESS

ITEM #1 - RIGHT OF WAY VACATION

VACATE AN APPROXIMATE 60' BY 155.68' PORTION OF THE 60' UNNAMED ROW LOCATED ALONG THE SOUTHEASTERN BOUNDARY OF 11-A, BLOCK 8, BLACK GOLD ESTATES 2025 REPLAT, PLAT KN 2025-70

| | |
|-------------------------------------|--|
| KPB File No. | 2026-034V |
| Planning Commission Meeting: | May 11, 2026 |
| Applicant / Owner: | Alexander Douthit AKA Alex Douthit |
| Surveyor: | Andrew Hamilton / McLane Consulting, Inc. |
| General Location: | Off Wildwood Drive, City of Kenai |
| Legal Description: | Unnamed Street, Black Gold Estates Subdivision, Amended Plat KN 1399, Kenai Recording District, T06N, R12W SEC 25, S.M. Adjacent to Lots 11 & 12 Block 8 |

Commissioner Brantley requested to be recused from this matter as he has potential financial interest in the vacation. He requested Vice Chair Gillham reside over this matter.

Staff report given by Platting Manager Vince Piagentini.

Commissioner Gillham opened the item for public comment.

- Alex Douthit, Petitioner: Mr. Douthit spoke in support of approving this vacation.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

Commissioner Fikes requested to be recused from this matter as she voted on the vacation as a member of the City of Kenai Planning & Zoning Commission.

MOTION: Commissioner Whitney moved, seconded by Commissioner Epperheimer granting the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, adopting and incorporating by reference the staff report, staff recommendations and subject to the four conditions as set forth in the staff report.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

| | |
|-------------|--|
| Yes - 6 | Epperheimer, Gillham, Morgan, Slaughter, Venuti, Whitney |
| Recused - 2 | Brantley, Fikes |

**ITEM #2 – ORDINANCE 2026-22
AUTHORIZING A COMMUNICATIONS SITE LEASE AGREEMENT WITH
VERTICAL BRIDGE S3 ASSETS, LLC IN KENAI**

Staff report given by Land Management Officer Aaron Hughes

Commissioner Brantley opened the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Slaughter moved, seconded by Commissioner Fikes to forward to the Assembly a recommendation to adopt Ordinance 2026-22 Authorizing a communications site lease agreement with Vertical Bridge S3 Assets, LLC in Kenai

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

| | |
|---------|---|
| Yes - 8 | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti |
|---------|---|

**ITEM #3 – CONDITIONAL USE PERMIT
REMOVAL OF TWO CULVERTS & REPLACING THEM WITH A 50’ X 14’ BRIDGE WITHIN THE HPD
OF TYONEK CREEK**

| | |
|---------------------------------------|---------------------------|
| Planning Commission Resolution | 2026-27 |
| Planning Commission Meeting: | May 11, 2026 |
| Applicant / Owner: | Tyonek Native Corporation |
| Parcel ID | 21115043 |
| General Location: | Tyonek Area |

Staff report given by Planner Morgan Aldridge.

Commissioner Brantley opened the item for public comment.

- Irene Turtetes, HDR: Ms. Turtetes was the engineer on this project and made herself available for questions.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Fikes to adopt Planning Commission Resolution 2026-27, granting a conditional use permit pursuant to KPB 21.18 for the construction of a bridge within the 50’ Habitat Protection District of Tyonek Creek.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

| | |
|---------|---|
| Yes - 8 | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti |
|---------|---|

**ITEM #4 – CONDITIONAL USE PERMIT
INSTALLATION OF A BOAT LAUNCH & DOCK IN THE HPD OF DANIELS LAKE**

| | |
|---------------------------------------|---------------|
| Planning Commission Resolution | 2026-24 |
| Planning Commission Meeting: | May 11, 2026 |
| Applicant / Owner: | Donald Boston |
| Parcel ID: | 01322068 |
| General Location: | Nikiski Area |

Staff report given by Planner Morgan Aldridge.

Commissioner Brantley opened the item for public comment.

- James O’Neill: Mr. O’Neill is a neighboring landowner and spoke in opposition to this permit. He stated there is already a private boat launch available for use and does not believe this one should be permitted.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Epperheimer moved, seconded by Commissioner Whitney to adopt Planning Commission Resolution 2026-24, granting a conditional use permit pursuant to KPB 21.18 for the construction of a boat launch & floating dock within the 50’ Habitat Protection District of Daniels Lake.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

| | |
|---------|---|
| Yes - 8 | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti |
|---------|---|

**ITEM #5 – CONDITIONAL USE PERMIT
CONSTRUCTION OF A FENCE WITHIN TH 50’ HPD OF THE KENAI RIVER & SOLDOTNA CREEK**

| | |
|---------------------------------------|--|
| Planning Commission Resolution | 2026-28 |
| Planning Commission Meeting: | May 11, 2026 |
| Owner: | Alaska Department of Natural Resources |
| Applicant: | Kenai Watershed Forum |
| Parcel ID: | 06030012 |
| General Location: | City of Soldotna |

Staff report given by Planner Morgan Aldridge.

Commissioner Brantley opened the item for public comment.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Whitney moved, seconded by Commissioner Fikes to adopt Planning Commission Resolution 2026-28, granting a conditional use permit pursuant to KPB 21.18 for the construction of a fence within the 50’ Habitat Protection District of the Kenai River & Soldotna Creek

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

| | |
|---------|---|
| Yes - 8 | Brantley, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti |
|---------|---|

AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Brantley asked if there was anyone who wished to comment on anything that was not on the agenda. There was no one who wished to comment.

AGENDA ITEM K. ADJOURNMENT

Commissioner X moved to adjourn the meeting at X P.M.

Ann E. Shirnberg
Administrative Assistant

DESK PACKET

(MATERIALS SUBMITTED AFTER 05/14/26)

E. NEW BUSINESS POSTPONED

1. Right-Of-Way Vacation; KPB File 2026-035V

Johnson Surveying / Blumentritt

Request: Vacates a 20' wide by approximately 626' long right-ofway
& the associated utility easements along Knackstedt Street

Location: Lot 1, Block 1, College Estates Subdivision, PI KN 75-109
Kalifornsky Area

AGENDA ITEM E. NEW BUSINESS

ITEM #1 - RIGHT OF WAY VACATION

VACATE THE WESTERN APPROXIMATELY 20 FEET OF THE 50-FOOT KNACKSTEDT STREET RIGHT-OF-WAY PARALLEL WITH AND ADJACENT TO LOT 1, BLOCK 1, COLLEGE ESTATES SUBDIVISION, PLAT KN 75-109, AND THE ASSOCIATED 5-FOOT CLEARING EASEMENT LOCATED ON THE EASTERN BOUNDARY OF LOT 1, BLOCK 1, COLLEGE ESTATES SUBDIVISION, PLAT KN 75-109

| | |
|-------------------------------------|--|
| KPB File No. | 2026-035V |
| Planning Commission Meeting: | May 26, 2026 |
| Applicant / Owner: | Tammi L. and Brent D. Blumentritt of Soldotna, AK |
| Surveyor: | Jerry Johnson; Johnson Surveying |
| General Location: | Off E. Poppy Lane, Kalifornsky Area |
| Legal Description: | Knackstedt Street T 5N R 11W SEC 25 Seward Meridian KN 0750109 COLLEGE ESTATES SUB LOT 1 BLK 1 |

STAFF REPORT

The surveyor and petitioner has postponed the item from the Planning Commission meeting of May 26, 2026. They wish to provide more information with the next submittal which will be soon as they have it prepared.

If there is anyone wishing to speak on the item, they may do so, but will be no decision made.

END OF STAFF REPORT



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 4/28/2026 to vacate a public right-of-way in the Kalifornsky area. Area under consideration is described as follows:

Request / Affected Property: Vacates a 20' wide by approximately 626' long right-of-way and the associated utility easements along Knackstedt St

KPB File No. 2026-035V.

Petitioner(s) / Land Owner(s): Brent D and Tammi L Blumentritt of Soldotna, AK.

Purpose as stated in petition: Original plat dedicated 50'. Required dedication should have only been 30'. Adjacent property will be required to dedicate matching 30' for any platting action. ROW dedication narrows to 30' just to the north of this property. There is a cabin and porches constructed in the ROW that will be resolved by this vacation.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Tuesday, May 26, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

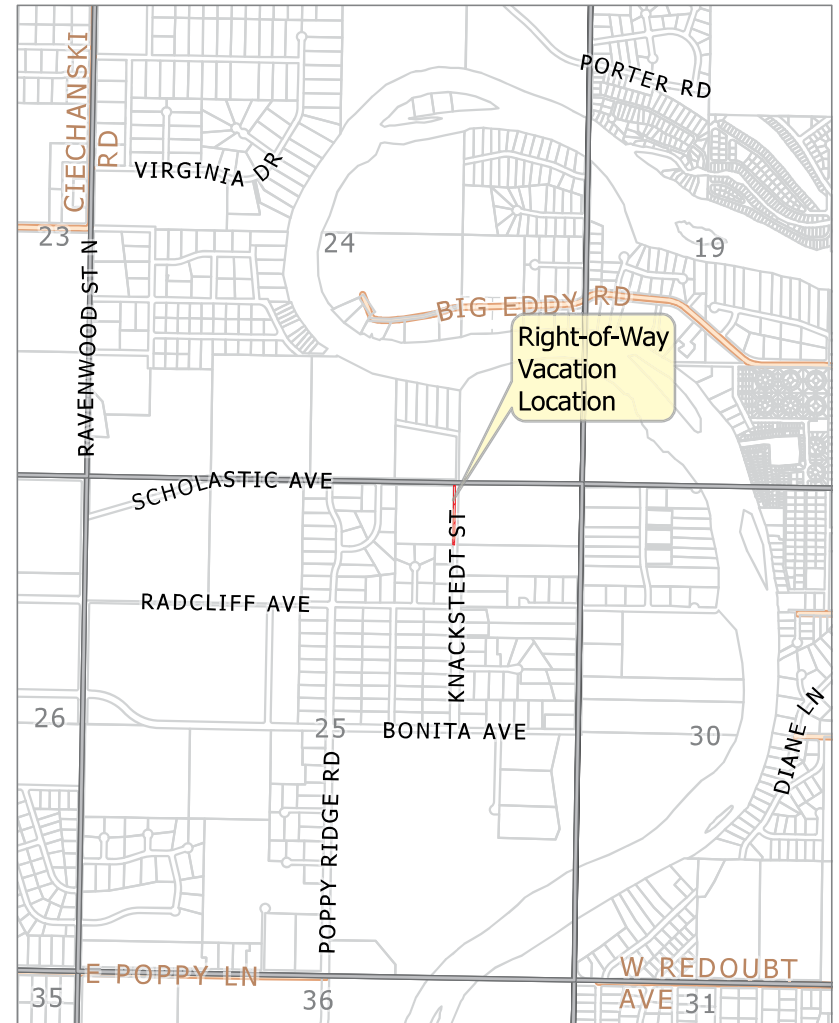
Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, May 22, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

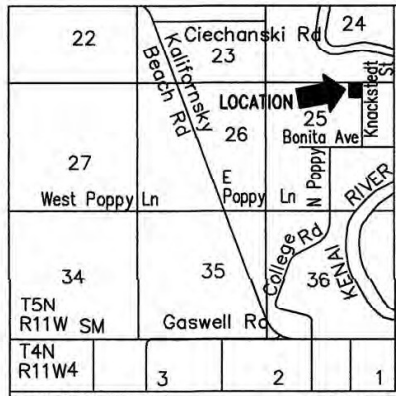
For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email planning@kpb.us.

Mailed 5/4/2026



KPB File 2026-035V
T05N R11W SEC25
Kalifornsky

The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



VICINITY 1" = 1 mile MAP

College Estates Subdivision 2026 Addition Preliminary Plat

A Subdivision of Lot 1 College Estates Subd., KR D 75-109
Including a partial vacation of Knackstedt St. ROW & associated utility easement.
Located in the NE1/4 Section 25, T5N R11W, SM, Alaska.
Kenai Recording District Kenai Peninsula Borough

Prepared for

Brent & Tammy Blumentritt
35903 Knackstedt St.
Soldotna, AK 99669

Prepared by

Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568
(907) 262-5772

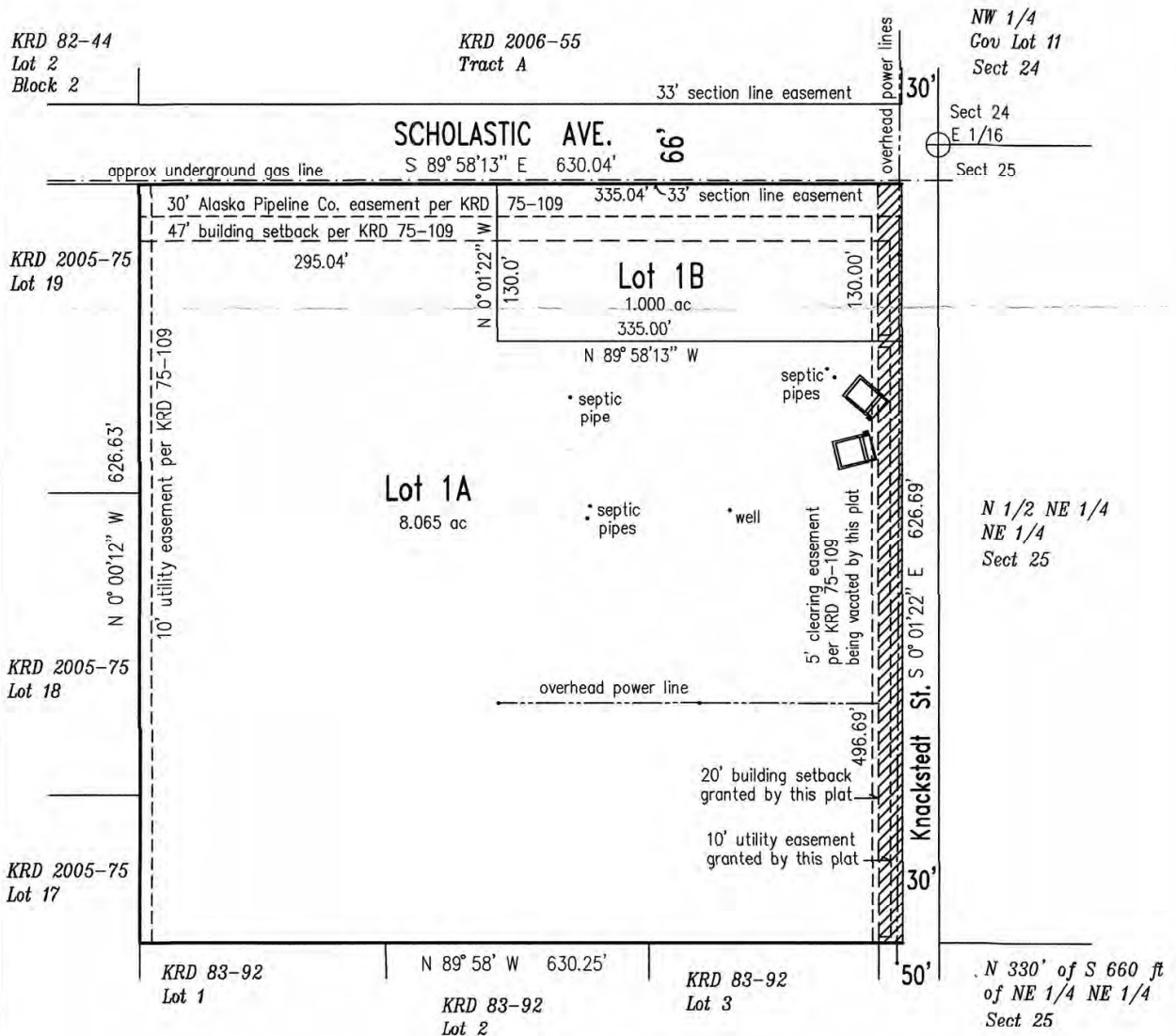
SCALE 1" = 100' AREA = 9.065 acres

3 April, 2026

NOTE : Topography is flat. There are no wet areas on the property.



- indicates ROW proposed for vacation



KPB 2026-035V

E. NEW BUSINESS

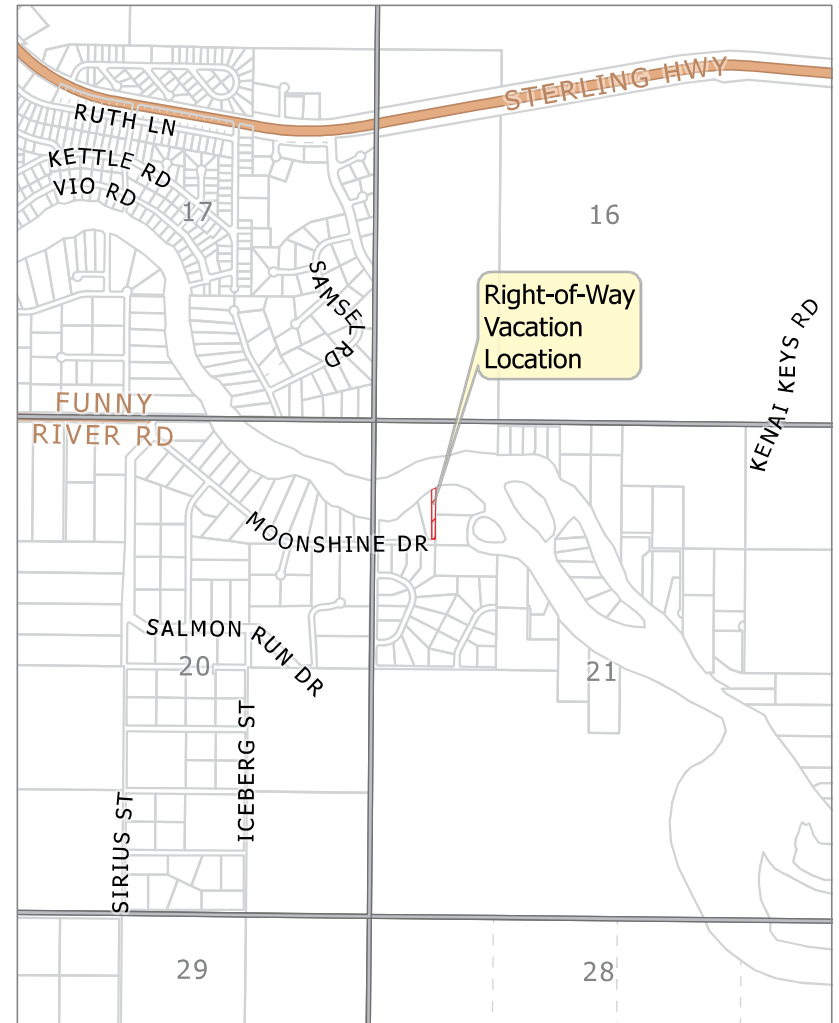
2. Right-Of-Way Vacation; KPB File 2026-043

No Surveyor / Johnson, Leslie

Request: Vacates the approximately 50' wide by 573' long Mayo St right-of-way granted per KN 88-86

Location: Lot 1, Mayo River Subdivision Plat KN 88-86, also abutting Govt Lots 23 & 24

Funny River Area



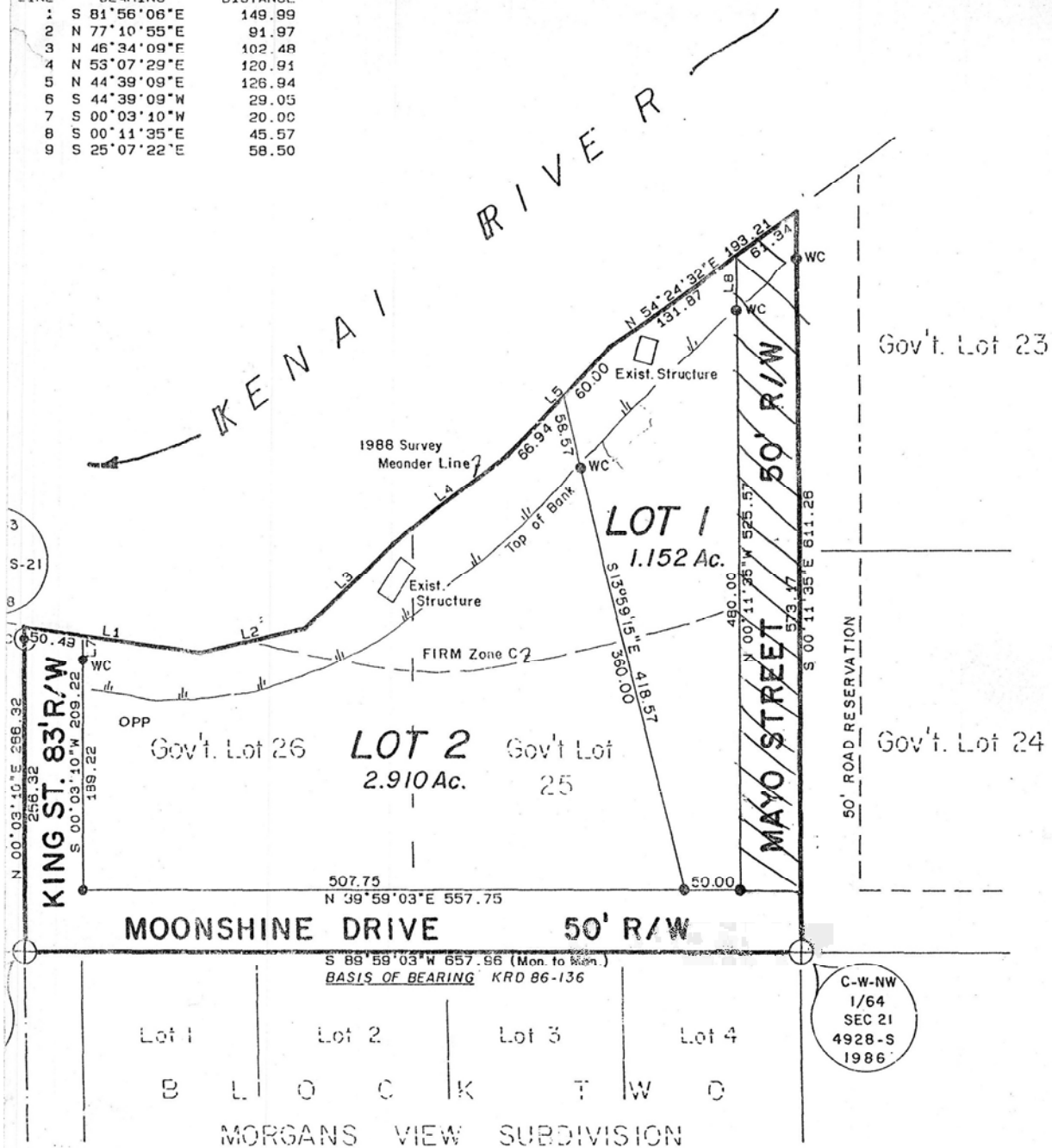
KPB File 2026-043V
T05N R08W SEC21
Funny River

The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| 1 | S 81°56'06"E | 149.99 |
| 2 | N 77°10'55"E | 91.97 |
| 3 | N 46°34'09"E | 102.48 |
| 4 | N 53°07'29"E | 120.91 |
| 5 | N 44°39'09"E | 126.94 |
| 6 | S 44°39'09"W | 29.05 |
| 7 | S 00°03'10"W | 20.00 |
| 8 | S 00°11'35"E | 45.57 |
| 9 | S 25°07'22"E | 58.50 |



**CERTIFICATE OF APPROVAL
DEPARTMENT OF ENVIRONMENT**

This subdivision has been reviewed 18AAC72.085 and is approved, subject

[Signature]
Signature

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right-of-ways to public use and grant all easements to the use shown.

PLAT APPROVED

This plat was
PENINSULA BOARD
at the meeting

November 21,
KENAI PENINSULA



AGENDA ITEM E. NEW BUSINESS

ITEM #2 - RIGHT OF WAY VACATION

VACATE THE 50-FOOT DEDICATION OF MAYO STREET RIGHT-OF-WAY AS DEDICATED BY MAYO RIVER SUBDIVISION, PLAT KN 88-86, LYING NORTH OF THE PROJECTION OF THE SOUTH LINE OF SAID LOT 1, TO THE EAST OF THE PLAT AND MAYO STREET

| | |
|-------------------------------------|--|
| KPB File No. | 2026-043V |
| Planning Commission Meeting: | May 26, 2026 |
| Applicant / Owner: | Gary and Deanna Leslie of Soldotna, AK Mark E. Johnson of Sterling, AK |
| Surveyor: | None |
| General Location: | Funny River Road, Funny River APC |
| Legal Description: | Mayo Street T 5N R 8W SEC 21 Seward Meridian KN 0880086 MAYO RIVER SUB LOT 1 |

STAFF REPORT

Specific Request / Purpose as stated in the petition:

The petitioner requests vacation of the entire 50-foot-wide Mayo Street right-of-way.

Notification: The public hearing notice was published in the May 22, 2026 issue of the Peninsula Clarion and the May 21, 2026 issue of the Homer News as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Nine certified mailings were sent to owners of property within 300 feet of the proposed vacation. Zero receipts had been returned when the staff report was prepared.

Fifteen public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
State of Alaska DNR Forestry
Funny River Advisory Planning Commission
Central Emergency Services of
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed):

Legal access is provided by Mayo Street and Moonshine Drive. The Kenai River also provides access from the north.

Moonshine Drive is a borough-maintained right-of-way that terminates at Mayo Street to the east and connects to state-maintained Funny River Road near milepost 17.

Mayo River Subdivision (KN 88-86) dedicated 50 feet to Mayo Street. The right-of-way is currently undeveloped and adjacent to three parcels and the Kenai River.

A 50-foot road reservation patent easement lies within the Mayo Street dedication. An additional 50-foot patent easement lies directly east and adjacent to Mayo Street. There are also patent easements under Moonshine Dr from Zachary St to Mayo St and continuing east to the river. This petition does not vacate any portion of the patent easements, and currently the Borough does not have codes of ordinances in place to vacate patent easements. **Staff recommends** the easement be depicted and referenced on the preliminary plat.

The two parcels abutting the east side of Mayo Street (Government lots 23 and 24) are owned by the same individual who also signed the petition to vacate Mayo St. If Mayo Street is vacated, Government Lot 23 will retain legal access via the Kenai River and the patent easement. Lot 23 currently uses a drive crossing Lot 24 from Moonshine Dr for access. All other parcels will continue to access Moonshine Drive and patent easements. Government Lot 28 to the south of Government Lot 24 also uses the patent easement for access from Moonshine Dr onto the lot.

Zackery Street, an 83-foot right-of-way located approximately 557.75 feet to the west, is mostly undeveloped. Public imagery shows a portion of a drive from Lot 15, Block 1, (KN 76-173), located in the north section, and a constructed stairway at the northern end providing access to the river.

No section line easements affect the subject area. No new dedications are proposed. All the lots in the area are originally Government Lots and subject to patent easements along various edges as shown by most roads.

The block is compliant in length and is defined by the Kenai River to the north, Mayo Street and the Kenai River to the east, Moonshine Drive to the south, and Zackery Street to the west. The proposed vacation will increase the block length along the south boundary to approximately 1,030 feet, which remains compliant with code (maximum 1,320 feet).

The Roads Department has concern about the vacation as noted below. As indicated above, vacating Mayo street will not affect access for any of the adjacent three lots.

| | |
|--------------------------|---|
| KPB Roads Dept. comments | <p>Out of Jurisdiction: No</p> <p>Roads Director: Uhlin, Dil</p> <p>Comments: Vacating this ROW will landlock Parcel 06614003. The lot to the south is owned by the same owner at this time, but if the owners ever decide to sell the lots individually, they will have difficulties because of the landlocked lot. This ROW also provides access to the river. This vacation application does not provide "equal or superior access" to the river. The RSA does not recommend approving vacation</p> |
| SOA DOT comments | |

Site Investigation:

Public imagery indicates the right-of-way petitioned for vacation is undeveloped and does not appear to be used for pedestrian or vehicular access.

There are two structures that appear to be located within the right-of-way area and/or within the 20-foot building setback. **Staff recommends**

- Verification of the objects as permanent structure as defined by KPB 20.90.010 Permanent Structures. If sound to be a permanent structure.
- If the vacation is approved: No action is required.
- If the vacation is denied: The applicant must coordinate with KPB Roads Department to remove the structure from the right-of-way. After compliance is confirmed, a building setback permit will be required for any structure remaining within the 20-foot building setback of Mayo St.

The Kenai River abuts the northern boundary and is subject to floodway. The proposed vacation area is located within three flood zones: AE, X-Shaded, and X-Unshaded. **Staff recommends** the preliminary plat depict and label

all flood zones and floodway boundaries, and include required Flood Hazard and Floodway Notices referencing the flood zones and FIRM map panels.

The northern end of Mayo Street slopes approximately 57% down toward the river. The applicant provided photographs of the riverbank included in the staff packet.

| | |
|--------------------------------|--|
| <p>KPB River Center review</p> | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: No comments</p> <p>Flood Zone: AE, X (shaded), X (unshaded), Floodway Map Panel: 02122C-0390F In Floodway: True Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: portions of this plat are within the KPB 21.18 jurisdiction and River Center should be consulted prior to any work being done within 50 feet of the water</p> |
|--------------------------------|--|

Staff Analysis:

Mayo River Subdivision (KN 88-86), recorded in 1988, subdivided the Government Lot 25 and 26 of Section 21, Township 5 North, Range 8 West, Seward Meridian, into two lots and dedicated adjacent rights-of-way, including Mayo Street.

If the vacation is approved, a plat is required to finalize the vacation plat. No preliminary plat has been submitted at this time. Vacation approvals are valid for one year and must be finalized and recorded within that time frame.

The parent plat (KN 88-86) granted:

- A 10-foot utility easement extending to 20 feet within 5 feet of the side lot lines along all rights-of-way.
- A 20-foot utility easement centered on the common lot line between Lots 1 and 2 (10 feet on each side).
- A 20-foot building setback along all rights-of-way.

Staff recommends if the applicant wishes to vacate any utility easement as noted, a separate utility easement alteration petition is required to be submitted.

20.65.050 – Action on vacation application

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;
Applicant comments: In the past as well as at present, this right-of-way has not been used for foot or vehicle traffic and is still in its natural state.

Staff comments: Mayo Street is currently undeveloped and provides access to three parcels and the Kenai River. Public imagery indicates the right-of-way does not appear to be used for pedestrian or vehicular access.

2. A road is impossible or impractical to construct, and alternative access has been provided;
Applicant comments: Even though it gives access to the Kenai River, it is a very unsuitable access for the following reasons:
- A) Where the right-of-way meets the river, it is about a 60-foot steep drop.
 - B) The bank in this area continues straight into the water with no edge to stand on.
 - C) The flow of the water in this area of the river is fast and not safe for boat tie-up.
 - D) If it were excavated to gain access to the river, it would require massive soil removal and bank erosion.
 - E) At the present time, less than 1/4 mile down river (west), there is access by another right and there is also access less than 1/4 mile up river plus a State Parks Campground directly across the river (Bings Landing).

Staff comments: A 50-foot road reservation patent easement lies within the Mayo Street dedication. An additional 50-foot patent easement lies directly east of Mayo Street and extends east of Moonshine Drive. Zackery Street, an 83-foot right-of-way located approximately 557.75 feet to the west, is mostly undeveloped. Public imagery shows a portion of a drive from Lot 15, Block 1, (KN 76-173), located in the north section, and a constructed stairway at the northern end providing access to the river.

3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Applicant comments: All utilities (HEA, Enstar, and ACS) are in place. There is no possibility of further subdividing on either side of the right-of-way. Government Lots 23 and 24 have been placed in a conservation plan which restricts development by the Kachemak Heritage Land Trust.

Staff comments:

The parent plat (KN 88-86) granted:

- A 10-foot utility easement extending to 20 feet within 5 feet of the side lot lines along all rights-of-way.
- A 20-foot utility easement centered on the common lot line between Lots 1 and 2 (10 feet on each side).

4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

Applicant comments: At the present time, less than 1/4-mile down river (west), there is access by another right and there is also access less than 1/4 mile up river plus a State Parks Campground directly across the river (Bings Landing).

Staff comments: A 50-foot road reservation patent easement lies within the Mayo Street dedication. An additional 50-foot patent easement lies directly east of Mayo Street and extends east of Moonshine Drive. Zackery Street, an 83-foot right-of-way located approximately 558 feet to the west, is mostly undeveloped. Public imagery shows a portion of a drive from Lot 15, Block 1, (KN 76-173), located in the north section, and a constructed stairway at the northern end providing access to the river.

5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

Applicant comments: There is no possibility of further subdividing on either side of the right-of-way. Government Lots 23 and 24 have been placed in a conservation plan which restricts development by the Kachemak Heritage Land Trust.

Staff comments: The two parcels abutting the east side of Mayo Street (Government lots 23 and 24) are owned by the same individual. If Mayo Street is vacated, Government Lot 23 will retain legal access via the Kenai River and the patent easement. All other parcels will continue to access Moonshine Drive.

6. Other public access, other than general road use, exist or are feasible for the right-of-way;

Applicant comments:

Staff comments: A 50-foot road reservation patent easement lies within the Mayo Street dedication. An additional 50-foot patent easement lies directly east of Mayo Street and extends east of Moonshine Drive.

7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

Applicant comments: All utilities (HEA, Enstar, and ACS) are in place.

Staff comments: The parent plat (KN 88-86) granted:

- A 10-foot utility easement extending to 20 feet within 5 feet of the side lot lines along all rights-of-way.
- A 20-foot utility easement centered on the common lot line between Lots 1 and 2 (10 feet on each side).

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

Applicant comments: During the flood of 1995, it was apparent that the bank in this area is subject to flood damage because in several areas of the bank, it caved away and this area does fall in the flood hazards area. This area of the river is also known to have several identified archeological sites. This vacation would also fall in line with the Kenai River Habitat Enhancement plan if the Borough and State are serious about protecting the river in future years. Brown bears travel through this area to the river.

Staff comments: A structure appears to be located within the right-of-way area and within the 20-foot building setback

A KPBC Planning Commission decision denying a vacation application is final. A KPBC Planning Commission decision to approve the vacation application is subject to consent or veto by the KPBC Assembly, or City Council if located within City boundaries. The KPBC Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled June 16, 2026 meeting.

KPBC department / agency review:

| | |
|------------|--|
| Addressing | <p>Reviewer: Pace, Rhealyn</p> <p>Affected Addresses: 31876 Moonshine Dr, 36810 Mayo St, 31864 Moonshine Dr.</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: Moonshine Dr, Mayo St</p> <p>Existing Street Name Corrections Needed:</p> |
|------------|--|

| | |
|------------------------------|---|
| | <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: If approved 36810 Mayo St will be deleted and 31864 Moonshine Dr will be reassigned to structure.</p> |
| Code Compliance | Vacant |
| LOZMS Planner | <p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p> |
| Assessing | <p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p> |
| Advisory Planning Commission | |

Utility provider review:

| | |
|--------|---------------------------|
| HEA | No objection or comments. |
| ENSTAR | |
| ACS | |
| GCI | |

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends **APPROVAL** as petitioned, subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant utility easements requested by utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

KPB 20.65.050 – Action on vacation application

H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the

vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.

- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. 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.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

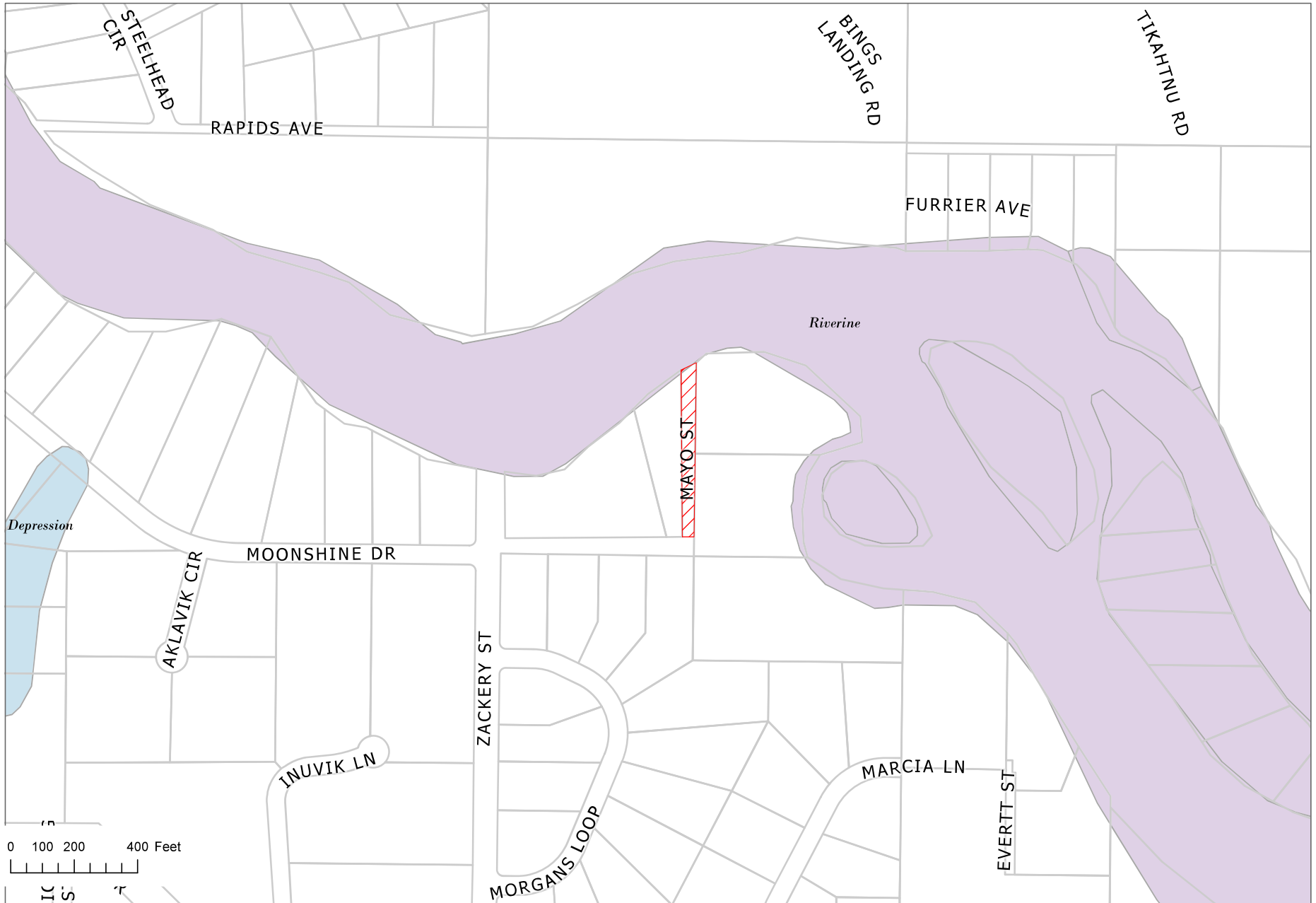
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

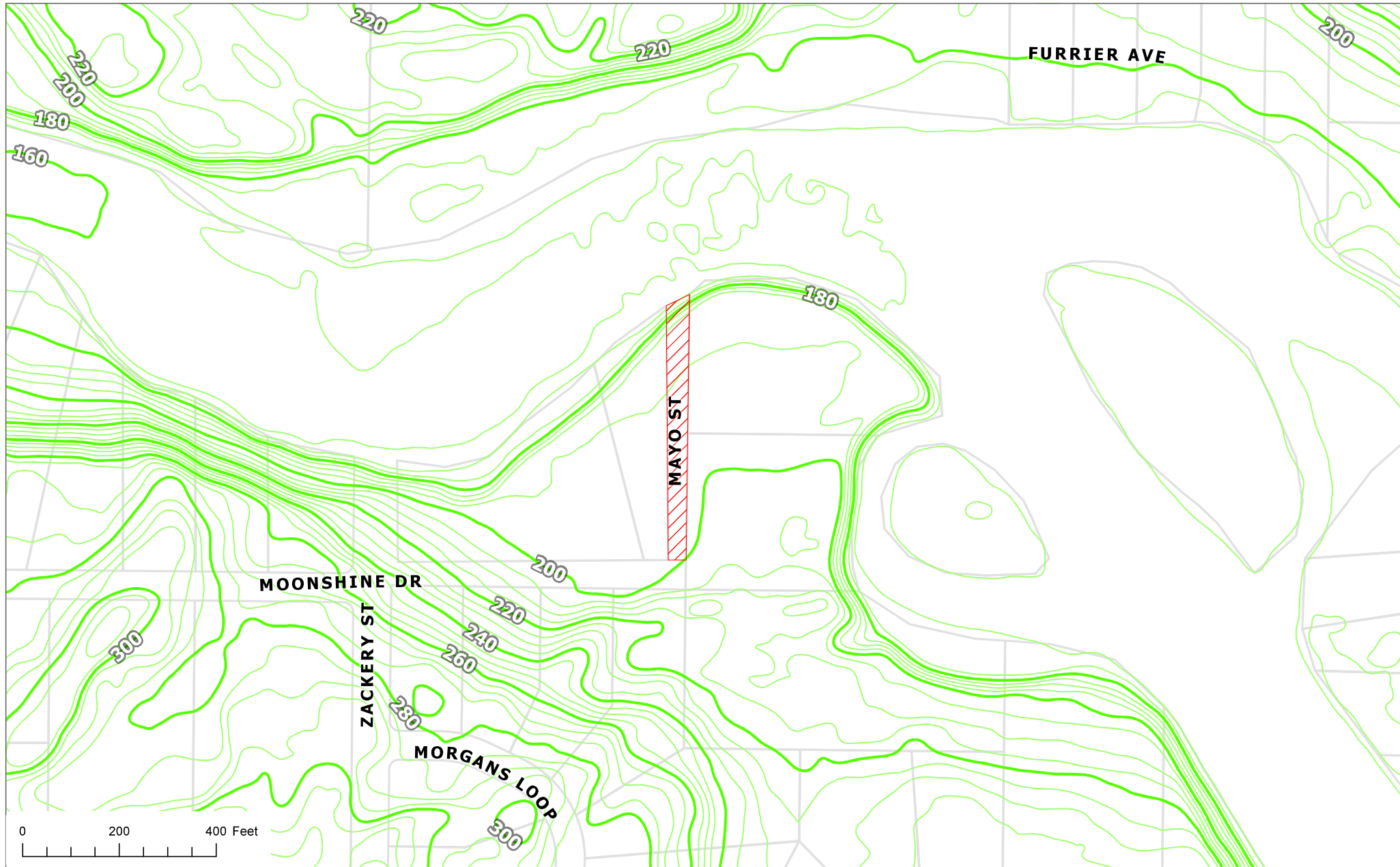
END OF STAFF REPORT



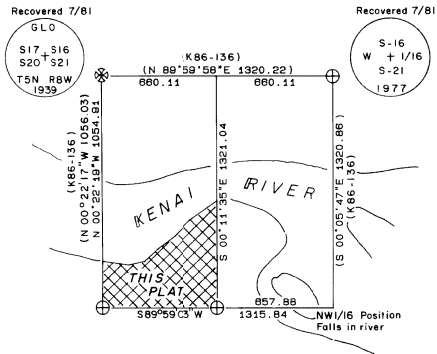
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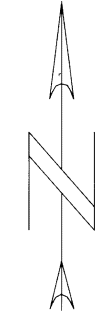
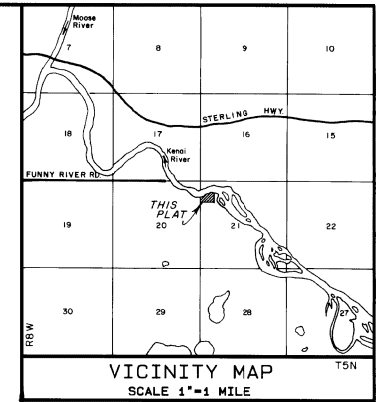
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| LINE | BEARING | DISTANCE |
|------|----------------|----------|
| 1 | S 81°58'06\"/> | |

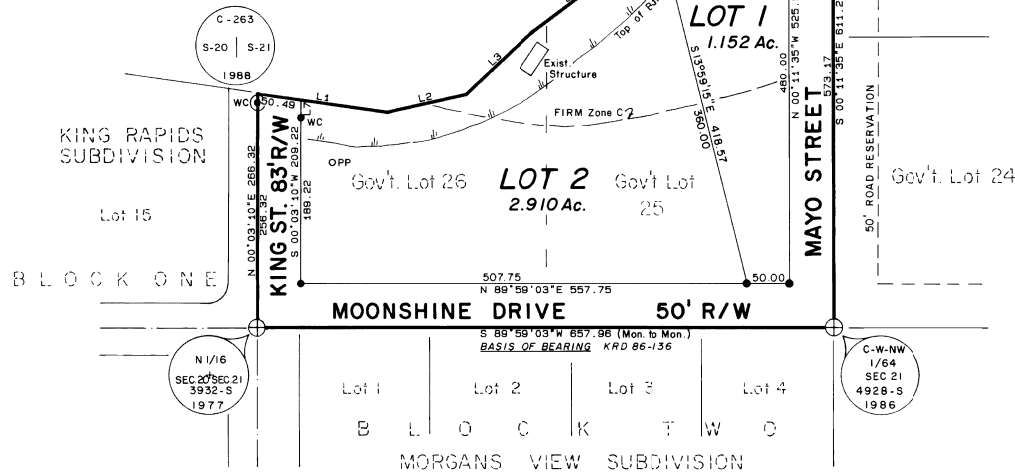


LEGEND

- ⊕ Found official survey monument
- Set 1/2" x 24" rebar with plastic cap C263
- () Record data
- ⊙ Set 5/8" x 30" rebar with 2" Al Cap

NOTES

- 1) Water supply and sewage disposal systems shall be permitted only in conformance with applicable requirements of 18 AAC 70, 18 AAC 72, and 18 AAC 80.
- 2) BUILDING SETBACK - A building setback of 20 ft. is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate Planning Commission.
- 3) The Ordinary High Water Line of the Kenai River forms the boundary of all riverfront lots. The Approximate 1988 O.H.W.L. shown is for survey computations only.
- 4) Lots within this subdivision may be located within a designated flood hazards area; if such is the case, development must comply with Title 21, Chapter 05 of the Kenai Peninsula Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
- 5) The front 10' of the building setback is also a utility easement along with the entire setback within 5' of the side lot lines. Additionally, there is a 10' utility easement on each side of the lot line common to Lots 1 and 2.



88-96
 RECORDED FILED 20
 Kenai REC. DIST.
 12/30 88
 3:22 P
 mclane

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 18AAC72.085 and is approved, subject to any noted restrictions.

Signature: *James H. Baker* Title: *FEE* Date: *12/1/88*

MAYO RIVER SUBDIVISION
 A RESUBDIVISION OF GOVERNMENT LOTS 25 & 26

Pat Mayo, owner
 1718 Talkeetna Street
 Anchorage, AK 99508

LOCATION
 5.685 ACRES M/L LOCATED IN THE SW1/4 NW1/4 SEC. 21, T5N, R8W, S.M., AK. AND THE KENAI PENINSULA BOROUGH IN THE KENAI RECORDING DISTRICT.

Surveyed by: **McLANE and ASSOCIATES, INC.**
 Soldotna, AK 99888

| | | |
|-------------------------------------|---------------------------------|---------------------------|
| DATE OF SURVEY 8-88 | SCALE 1" = 100' | SHEET 1 of 1 |
| DRAWN BY hp-mb,mt CHECKED BY msm | BK.No. 88-10 JOB No. 88-2030 | K.P.B. FILE No. 88-109 |

NOTARY'S ACKNOWLEDGEMENT

FOR: *Patricia T. Mayo*
 Subscribed and sworn before me this
 13 day of *December*, 1988.
 My commission expires *8-15-90*
Henry W. Mayo
 Notary Public for the State of Alaska

CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right-of-ways to public use and grant all easements to the use shown.

Patricia T. Mayo
 Patricia T. Mayo

PLAT APPROVAL

This plat was approved by the KENAI PENINSULA BOROUGH PLANNING COMMISSION at the meeting of
 November 21, 1988
 KENAI PENINSULA BOROUGH
 By *Richard Stange*
 Authorized Official

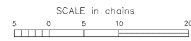
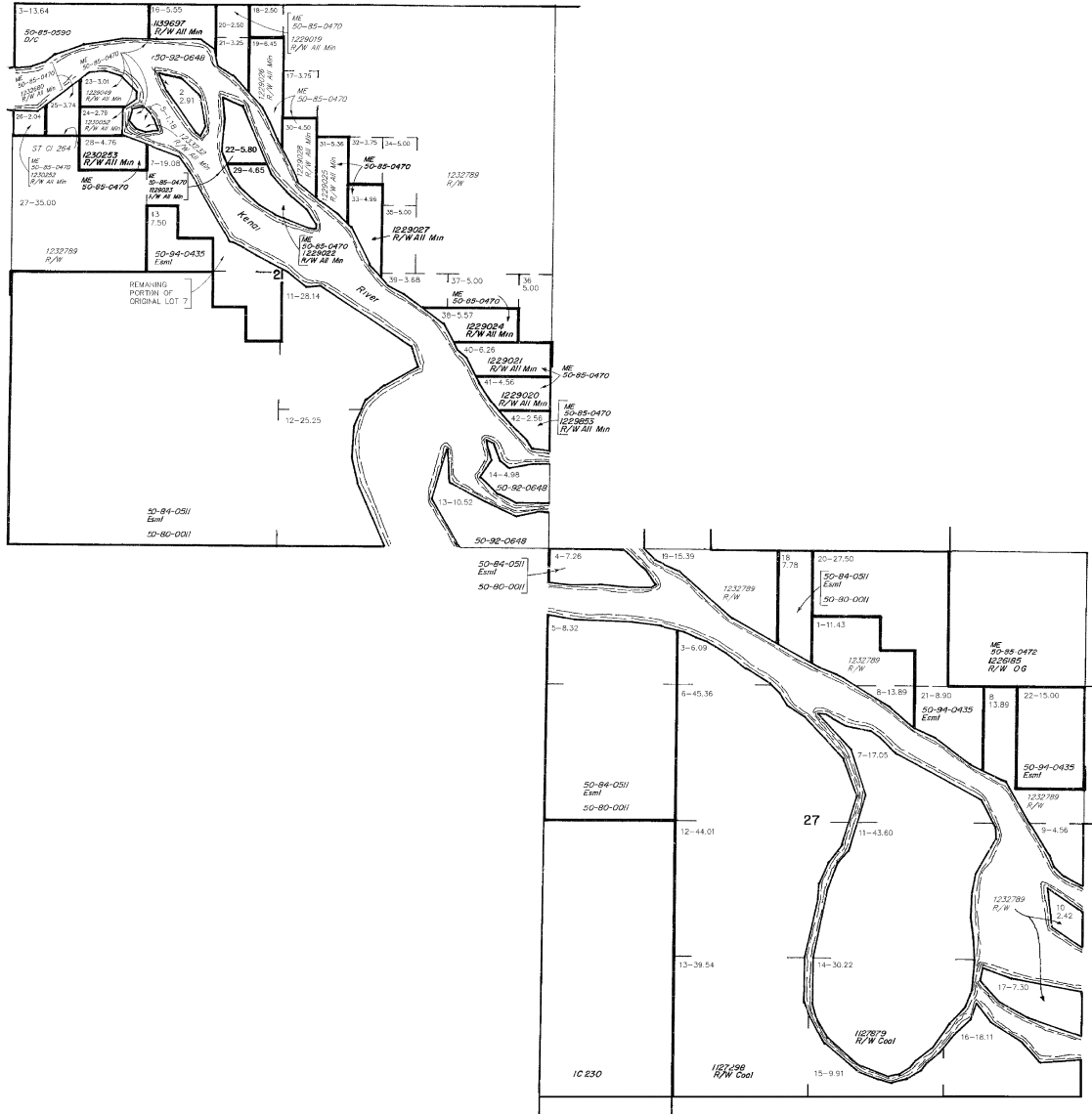
SURVEYED TOWNSHIP 5 NORTH, RANGE 8 WEST OF THE SEWARD MERIDIAN, ALASKA

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

**MTP
SUPPL SECS 21 & 27**

NO 3
FOR ORDERS EFFECTING DISPOSAL OR USE OF UN-IDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

A058731 SS Reserved Min Estate Only



WARNING: This plot is the Bureau's Record of Title, and should be used only as a graphic display of the township survey data. Records herein do not reflect title changes which may have been effected by latent movements of rivers or other bodies of water. Refer to the existing surveys for official survey information.

| | | |
|------------|--|---------|
| CURRENT TO | | NO 3 |
| 5-9-2007 | | Sew Mer |
| | | T 5 N |
| | | R 8 W |

KPB Pictometry



KPB Pictometry





KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 5/1/2026 to vacate a public right-of-way in the Funny River area. Area under consideration is described as follows:

Request / Affected Property: Vacates the approximately 50' wide by 573' long Mayo St right-of-way granted per KN 88-86

KPB File No. 2026-043V.

Petitioner(s) / Land Owner(s): Mark Johnson, Gary and Deanna Leslie of Sterling, AK.

Purpose as stated in petition: In the past as well as at present this rightaway has not been used for foot or vehicle traffic and is still in its natural state. Were the rightaway meets the river it is about a 60ft. Steep drop. All utilities Hea, Enstar and ACS are in place at both properties. So no need for utility easement. At the present time less than 1/4 miles down river there is access by another right and there is also access less than 1/4 miles up river plus a State Parks Campground directly across the river (Bing's Landing). This vacation would also fall in line with the Kenai River Habitat Enhancement Plan if the borough and state is serious about protecting the river in future years..

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Tuesday, May 26, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

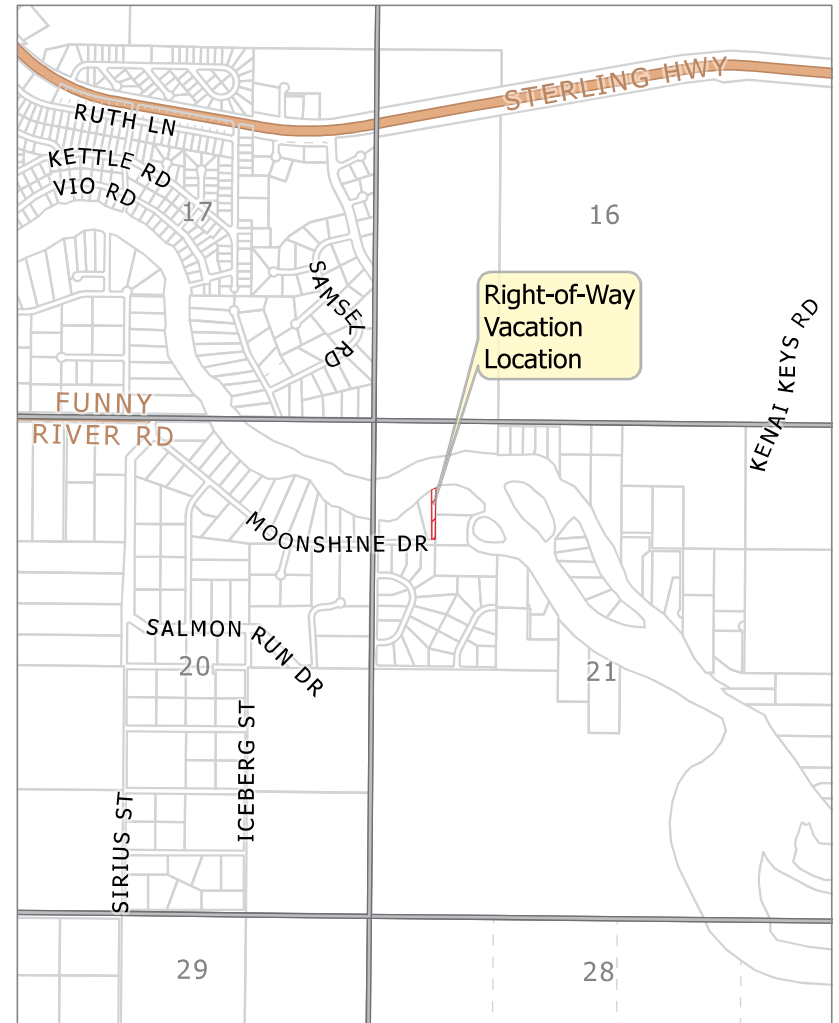
Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, May 22, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

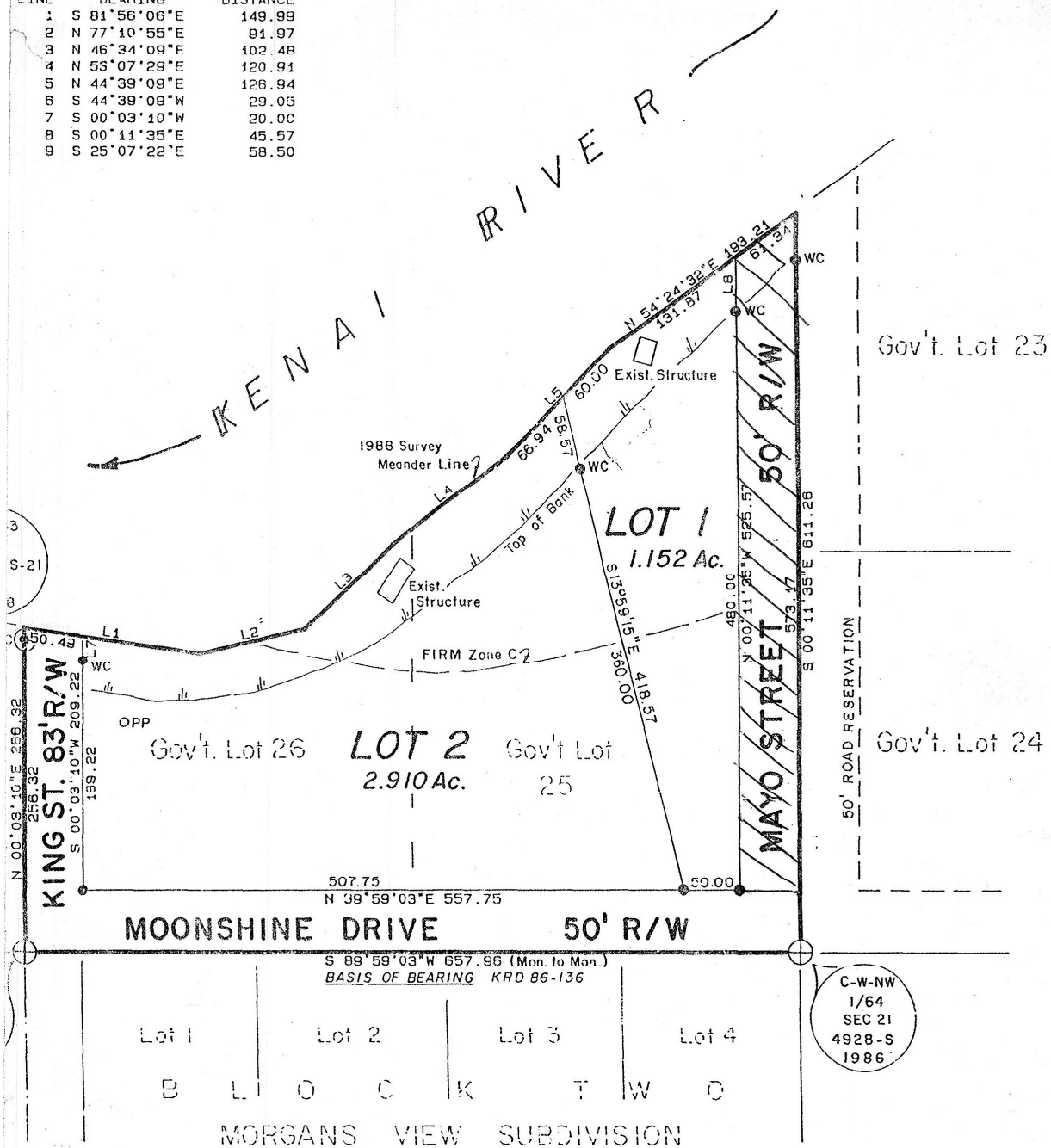
For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email planning@kpb.us.

Mailed 5/4/2026



KPB File 2026-043V
T05N R08W SEC21
Funny River

| LINE | BEARING | DISTANCE |
|------|--------------|----------|
| 1 | S 81°56'06"E | 149.99 |
| 2 | N 77°10'55"E | 91.97 |
| 3 | N 46°34'09"E | 102.48 |
| 4 | N 53°07'29"E | 120.91 |
| 5 | N 44°39'09"E | 126.94 |
| 6 | S 44°39'09"W | 29.05 |
| 7 | S 00°03'10"W | 20.00 |
| 8 | S 00°11'35"E | 45.57 |
| 9 | S 25°07'22"E | 58.50 |



C-W-NW
1/64
SEC 21
4928-S
1986

**CERTIFICATE OF APPROVAL
DEPARTMENT OF ENVIRONMENT**

This subdivision has been reviewed
18AAC72.085 and is approved, subject

[Signature]
Signature

CERTIFICATE OF OWNERSHIP AND DEDICATION

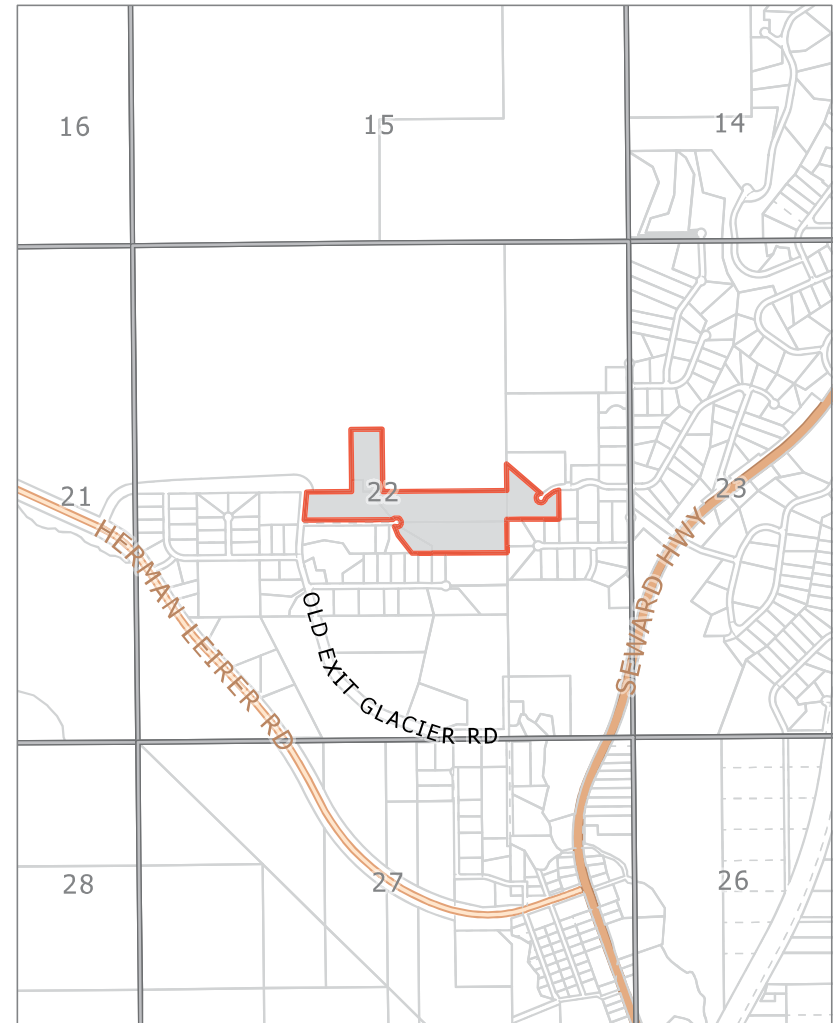
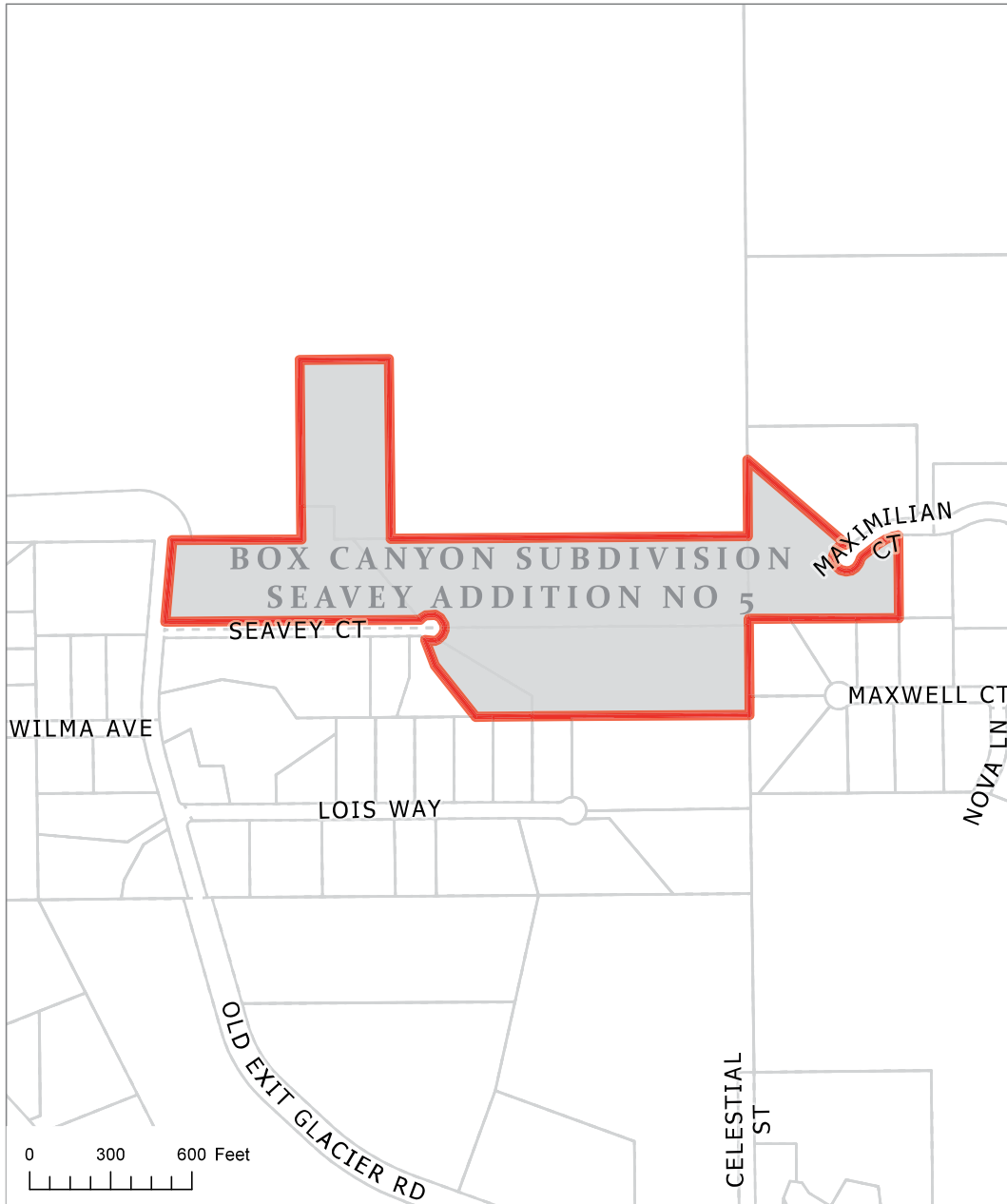
We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right of-ways to public use and grant all easements to the use shown.

PLAT APPROVAL

This plat was
PENINSULA BOARD
at the meeting

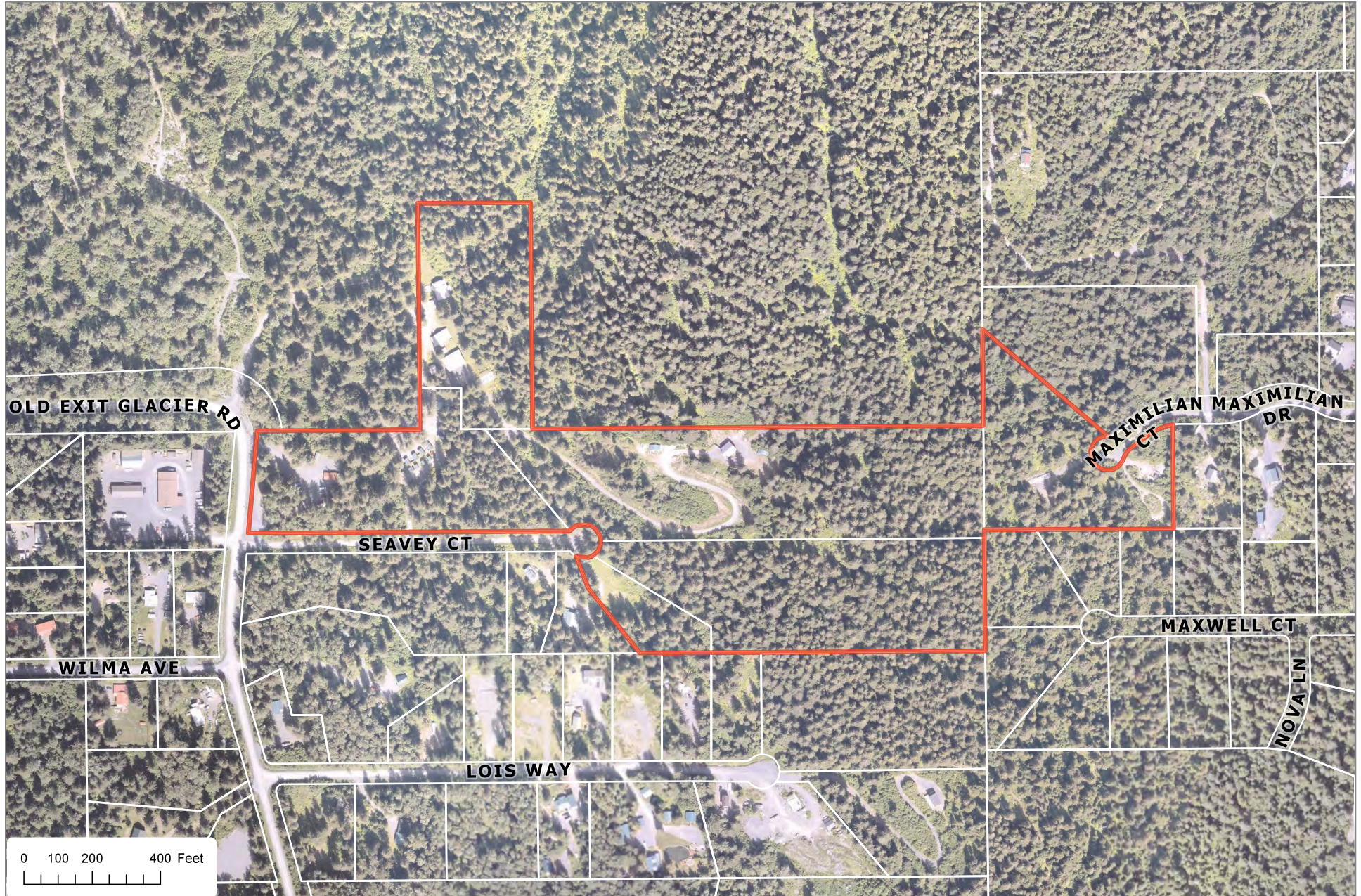
E. NEW BUSINESS

3. **Right-Of-Way Vacation; KPB File 2026-039**
McLane Consulting Group / Tanner Crab, LLC
Request: Vacates a portion of the Maximilian Ct cul-de-sac
granted per SW 2009-6
Location: Lot 13, Clan Maxwell Estates Avalon Heights Addn #5,
SW 2021-8
Bear Creek Area



KPB File 2026-039
T01N R01W SEC22
Bear Creek

The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

CERTIFICATE OF OWNERSHIP AND DEDICATION: LOTS 1 & 2B

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

DANIEL B. SEAVEY
PO BOX 2906
SEWARD, AK 99664

NOTARY'S ACKNOWLEDGEMENT

FOR: DANIEL B. SEAVEY
ACKNOWLEDGED BEFORE ME THIS
____ DAY OF _____ 2026
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE
STATE OF ALASKA

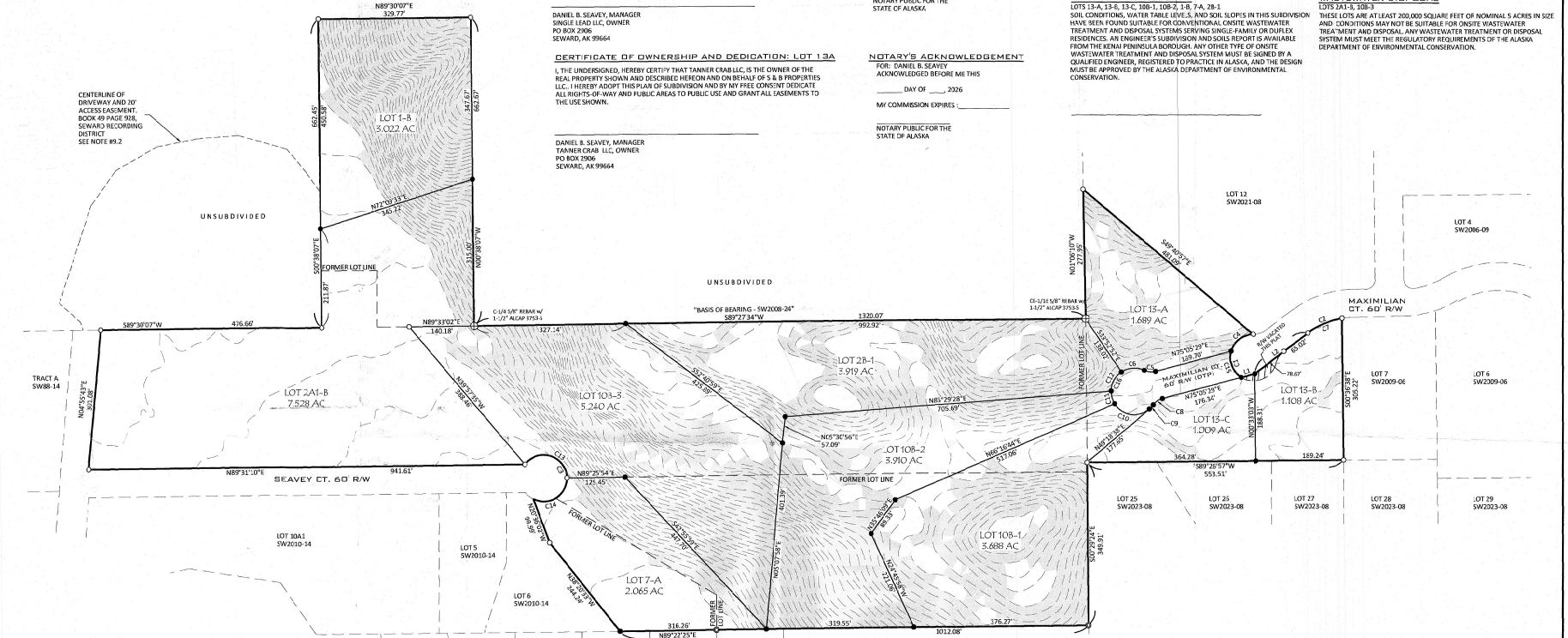
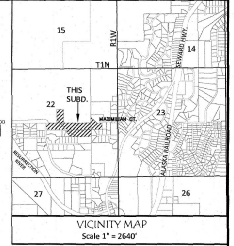
CERTIFICATE OF OWNERSHIP AND DEDICATION: LOTS 7 & 10B

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

JANINE A. SEAVEY
PO BOX 735
SEWARD, AK 99672

NOTARY'S ACKNOWLEDGEMENT

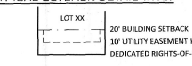
FOR: JANINE A. SEAVEY
ACKNOWLEDGED BEFORE ME THIS
____ DAY OF _____ 2026
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC FOR THE
STATE OF ALASKA



| CURVE TABLE | | | | | | |
|-------------|------------|--------|--------|---------|-----------------|--------------|
| CURVE # | DELTA | RADIUS | LENGTH | TANGENT | CHORD BEARING | CHORD LENGTH |
| C1 | 84°37'23" | 50.87 | 129.53 | 136.84 | S 15° 30' 30" W | 95.96 |
| C2 | 17°15'12" | 120.36 | 80.84 | 43.11 | N 82° 20' 40" E | 79.81 |
| C3 | 266°27'42" | 50.87 | 227.27 | 59.27 | N 13° 22' 45" W | 16.40 |
| C4 | 17°02'56" | 50.87 | 63.75 | 37.04 | S 53° 37' 34" W | 58.52 |
| C5 | 50°01'06" | 50.87 | 24.51 | 12.73 | N 84° 38' 30" W | 24.01 |
| C6 | 89°15'27" | 50.87 | 53.73 | 28.40 | S 85° 40' 04" W | 49.87 |
| C7 | 17°15'12" | 120.36 | 80.84 | 43.11 | S 69° 25' 40" E | 79.81 |
| C8 | 42°07'08" | 50.87 | 24.51 | 12.73 | N 53° 14' 07" E | 24.01 |
| C9 | 14°07'56" | 50.87 | 12.87 | 6.39 | N 42° 14' 40" E | 12.30 |
| C10 | 38°18'40" | 50.87 | 86.08 | 56.16 | S 61° 22' 02" E | 75.84 |
| C11 | 33°04'07" | 50.87 | 28.81 | 14.82 | S 13° 32' 22" E | 28.81 |
| C12 | 15°09'10" | 50.87 | 48.11 | 26.31 | S 28° 12' 13" W | 46.29 |
| C13 | 14°15'17" | 50.87 | 12.57 | 6.64 | N 37° 51' 17" W | 12.57 |
| C14 | 11°27'03" | 50.87 | 150.25 | 81.47 | N 34° 10' 13" E | 85.29 |
| C15 | 74°13'52" | 50.87 | 64.73 | 37.81 | S 21° 01' 17" E | 60.34 |
| C16 | 166°14'18" | 50.87 | 227.10 | 59.34 | N 14° 42' 49" W | 76.47 |

| LINE TABLE | | |
|------------|---------------|----------|
| LINE # | BEARING | DISTANCE |
| 1 | N 70°20'21" E | 80.27 |
| 2 | N 57°52'10" E | 143.89 |

TYPICAL SETBACK DETAIL (INT.)



LEGEND

- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
- ⊙ FOUND 5/8" REBAR UNLESS NOTED
- SET 5/8" x 30" REBAR w/ 1" BLUE PLASTIC CAP 15-21-2009
- ⊕ DTP DEDICATED THIS PLAT

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. BUILDING SET BACK: A BUILDING SET BACK OF 20 FT. IS REQUIRED FROM ALL STREET RIGHTS-OF-WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. SEE TYPICAL DETAIL.
4. THE "FRONT 10 FEET" OF THE 20 FOOT SETBACK AND THE ENTIRE SETBACK WITHIN 5 FEET OF THE SIDE LOT LINES IS ALSO A UTILITY EASEMENT. SEE TYPICAL DETAIL.
5. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR DEDICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM.
6. NO BUILDINGS OR WASTEWATER DISPOSAL ALLOWED WITHIN PANHANDLE PORTION OF LOTS 10B-1 & 10B-2.
7. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
8. ACCEPTANCE OF THIS PLAT BY THE NORTH PENINSULA BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
9. THIS PLAT MAY BE SUBJECT TO THE FOLLOWING:
 - 9.1. A RIGHT-OF-WAY UTILITY EASEMENT GRANTED TO THE CITY OF SEWARD OCTOBER 22, 1987, BOOK 49 PAGE 129, SRD, LOCATION NOT DEPICTED.
 - 9.2. AN ACCESS EASEMENT GRANTED TO DANIEL B. SEAVEY AND SHIRLEY C. SEAVEY JANUARY 26, 1988, BOOK 49 PAGE 926, SRD, SHOWN HEREON.
 - 9.3. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS RECORDED JULY 28, 2006, DOCUMENT NO. 2006-001092-0, SRD.
 - 9.4. COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS RECORDED SEPTEMBER 14, 2015, DOCUMENT NO. 2015-000911-0, SRD.
 10. THE KENAI PENINSULA BOROUGH WILL NOT ENFORCE PRIVATE COVENANTS, EASEMENTS OR DEED RESTRICTIONS PER KP.B 20.66.17(0).

WASTEWATER DISPOSAL

LOTS 13-A, 13-B, 13-C, 10B-1, 10B-2, 10B-7, 7-A, 28-1
SOIL CONDITIONS, WATER TABLE LEVELS AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE FAMILY OR DUPLEX RESIDENCES. AN ENGINEER'S SUBDIVISION AND SOILS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE SHOWN BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

Plat #
Rev. Date _____
Date _____
Drawn _____



KCAN CANYON SUBDIVISION
SEAVEY ADDITION (N-13, 5)
A SUBDIVISION OF LOT 13 CANON MANVELL ESTATES AVALON HEIGHTS ADDITION #5 (K20201-8), LOT 10B BOX CANYON SUBDIVISION SEAVEY ADDITION NO. 2 (K20009-23), BOX CANYON SUBDIVISION SEAVEY ADDITION NO. 3 (K2020-14), LOT 28 BOX CANYON SUBDIVISION SEAVEY ADDITION (K20008-24), LOTS 1 & 2A1 BOX CANYON SUBDIVISION SEAVEY ADDITION NO. 4 (K20015-4)

OWNER:
TANNER CRAB, LLC (LOT 13A)
821 N. ST. SUITE 102, ANCHORAGE, AK 99501

DANIEL B. SEAVEY (LOT 2B & LOT 1)
PO BOX 2906, SEWARD, AK 99664

JANINE A. SEAVEY (LOT 10B & LOT 7)
PO BOX 735, STERLING, AK 99672

SINGLE LEAD, LLC (LOT 2A1)
PO BOX 735, STERLING, AK 99672

Prepared by: TRISTIN SURVIVING MAPPING
P.O. BOX 4818
SITKA, ALASKA 99586
PHONE: (907) 251-4818
FAX: (907) 285-3236
WWW.MAPPINGALASKA.COM

KPB File No. 2026-KXX
Project No. 252034
Scale: 1" = 100'
Date: DEC 2025
BOOK: 25-07
Drawn by: AHH

ITEM #3 - RIGHT OF WAY VACATION

VACATE THE SOUTHERN PORTION OF THE EXISTING MAXIMILIAN COURT CUL-DE-SAC BULB IN LOT 13, CLAN MAXWELL ESTATES AVALON HEIGHTS ADDITION # 2, PLAT SW 2009-6, LOCATED SOUTH OF A LINE PROJECTION SOUTHWESTERLY 78.67 FEET OF THE TANGENT LINE FOR THE RETURN CURVE FROM THE CUL-DE-SAC BULB HEADED NORTHEASTERLY, THENCE ANGLE RIGHT FROM LINE GOING SOUTHWESTERLY STILL UNTIL INTERSECTING CUL-DE-SAC BULB AND END OF LINE

| | |
|-------------------------------------|---|
| KPB File No. | 2026-039V |
| Planning Commission Meeting: | May 26, 2026 |
| Applicant / Owner: | Tanner Crab, LLC of Anchorage, AK |
| Surveyor: | Andrew Hamilton; McLane Consulting, Inc. |
| General Location: | Bear Creek Area, north of Seward city limits |
| Legal Description: | Maximilian Court T 01N R 01W SEC 22 Seward Meridian SW 2021008 CLAN MAXWELL ESTATES AVALON HEIGHTS ADDITION NO. 5 LOT 13 |

STAFF REPORT

Specific Request / Purpose as stated in the petition:

The petitioner requests approval to vacate the southern portion of the existing Maximilian Court cul-de-sac, including all associated utility easements.

Notification: The public hearing notice was published in the May 22, 2026 issue of the Peninsula Clarion and the May 21, 2026 issue of the Homer News as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Fifteen certified mailings were sent to owners of property within 300 feet of the proposed vacation. Zero receipts had been returned when the staff report was prepared.

Nineteen public hearing notices were emailed to agencies and interested parties as shown below;

- | | |
|--|-------------------------------------|
| State of Alaska Dept. of Fish and Game | Seward Bear Creek Fire Service Area |
| State of Alaska DNR | Alaska Communication Systems (ACS) |
| State of Alaska DOT | ENSTAR Natural Gas |
| State of Alaska DNR Forestry | General Communications Inc, (GCI) |
| Emergency Services of Bear Creek | Homer Electric Association (HEA) |
| Seward Kenai Peninsula Borough Office | Chugach Electric |
| | Tel Alaska/Fast Wyre |

Legal Access (existing and proposed):

Legal access is provided by Maximilian Court, a platted 60-foot-wide right-of-way. Maximilian Court terminates in a cul-de-sac to the west and connects to Maximilian Drive to the east. Both rights-of-way partially constructed. Maximilian Drive provides access to Big Bear Street, which connects to Blying Sound Drive to the northeast, and then to South Fork Lane to the south. Big Bear Street, Blying Sound Drive, and South Fork Lane are all borough-maintained rights-of-way. South Fork Lane provides access to the Seward Highway between milepost 4 and 5.

The petition requests vacation of the southern portion of the Maximilian Court cul-de-sac bulb, as depicted by hatched markings on the plat. The associated plat proposes to extend the cul-de-sac westward by approximately

220 feet. The length of the cul-de-sac will be approximately 1200 feet from Big Bear Cir and the platting action did request exception to the cul-de-sac length.

Maximilian Court currently provides legal access to the subject parcel, Lot 13, Plat SW 2021-8. The proposed extension will provide legal access to five parcels, all of which are included in the associated plat action.

No section line easements exist within the subject area.

Block length in the vicinity is irregular and non-compliant due to multiple cul-de-sacs, large acreage parcels, and steep terrain. The proposed right-of-way dedication extending Maximilian Court although still not compliant will help improve block length compliance.

| | |
|--------------------------|--|
| KPB Roads Dept. comments | Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: The extension of Maximilian Ct still shows a solid line on the former cul-de-sac. That should be removed prior to recording. This plat will land lock lot 1-B. |
| SOA DOT comments | |

Site Investigation:

Available public imagery and KPB Assessing records indicate that the affected lot is vacant. The portion of Maximilian Court proposed for vacation appears to be used as a drive, onto proposed Lot 13-B. The extension of the Maximilian Ct is following another existing drive that will lie under the extension when done.

The submitted preliminary plat includes contours and shaded areas identified as slopes exceeding 20%, as shown on the drawing.

According to the KWF Wetlands Assessment layer, no low wet areas affect the subject property.

The subject area lies within FEMA Flood Zone X, a non-regulatory flood zone with minimal flood hazard. **Staff recommends** that the preliminary plat follow the recommendations of the River Center review and apply the notes as necessary.

| | |
|-------------------------|--|
| KPB River Center review | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: The subdivision is within a non-regulatory flood zone designated as an area with minimal flood hazard. Plat note should be included, no depictions required.</p> <p>Flood Zone: X Zone Map Panel: 02122C-4541D In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> |
|-------------------------|--|

Staff Analysis:

Maximilian Court was originally dedicated in 2009 with the recording of Clan Maxwell Estates Avalon Heights Addition #2 (SW 2009-6). Several subsequent subdivisions have occurred, most recently, Clan Maxwell Estates Avalon Addition #5 (KN 2021-8). The portion of Maximilian Court proposed for vacation abuts Lot 13 (KN 2021-8).

The parent plat (SW 2009-6) granted a 10-foot utility easement along Maximilian Court. The subsequent plat (SW 2015-15) carried this easement forward and expanded it to 20 feet within 5 feet of the side lot lines.

The 10-foot utility easement adjacent to the portion of Maximilian Court proposed for vacation is also requested to be vacated with the petition. **Staff recommends** that the associated final plat clearly depict and label the easement proposed for vacation.

The associated plat, Box Canyon Subdivision Seavey Addition No. 5, will finalize the right-of-way vacation, including the vacation of the associated utility easements. The plat proposes to dedicate additional right-of-way to Maximilian Court, extending the cul-de-sac. A 10-foot utility easement will be granted along the newly dedicated portion of the right-of-way. This plat is scheduled for review by the Plat Committee on May 26, 2026.

20.65.050 – Action on vacation application

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

Applicant comments:

Staff comments: The portion of Maximilian Court proposed for vacation appears to be used as a drive, following the same alignment as the proposed right-of-way dedication shown on the associated plat.

2. A road is impossible or impractical to construct, and alternative access has been provided;

Applicant comments: The proposed plat, Box Canyon Subdivision Seavey Addition No. 5, extends Maximilian Court and provides an additional cul-de-sac at the terminus of the new right-of-way. The proposed right-of-way extension will be built to borough standards to enter the road maintenance program.

Staff comments:

3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

Applicant comments: In an area where flat land is scarce, returning this small portion of land back to proposed Lots 13-C and 13-B increases the usability and value of those lots without harming/reducing the functionality of the right-of-way.

Staff comments: The associated plat, Box Canyon Subdivision Seavey Addition No. 5, proposes to dedicate additional right-of-way to Maximilian Court, extending the cul-de-sac. A 10-foot utility easement will be granted along the newly dedicated portion of the right-of-way. Maximilian Court currently provides legal access to the subject parcel, Lot 13, Plat SW 2021-8. The proposed extension will provide legal access to four parcels, all of which are included in the associated plat action.

- The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;

Applicant comments:

Staff comments:

- The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

Applicant comments: The proposed plat, Box Canyon Subdivision Seavey Addition No. 5, extends Maximilian Court and provides an additional cul-de-sac at the terminus of the new right-of-way. The proposed right-of-way extension will be built to borough standards to enter the road maintenance program.

Staff comments:

- Other public access, other than general road use, exist or are feasible for the right-of-way;

Applicant comments:

Staff comments:

- All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.

Applicant comments:

Staff comments: A 10-foot utility easement will be granted along the newly dedicated portion of the right-of-way.

- Any other factors that are relevant to the vacation application or the area proposed to be vacated.

Applicant comments:

Staff comments:

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled June 16, 2026 meeting.

If approved, Box Canyon Subdivision Seavey Addition No. 5 will finalize the proposed right-of-way vacation. The Plat Committee is scheduled to review the plat on May 26, 2026.

KPB department / agency review:

| | |
|------------|--|
| Addressing | <p>Reviewer: Pace, Rhealyn Affected Addresses: 12830 Old Exit Glacier Rd, 12820 Old Exit Glacier Rd, 31525 Seavey Ct, 31530 Seavey Ct,</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: Old Exit Glacier Rd, Seavey Ct, Maximilian Ct.</p> |
|------------|--|

| | |
|-----------------|---|
| | <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: No other comments</p> |
| Code Compliance | Vacant |
| LOZMS Planner | <p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p> |
| Assessing | <p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p> |

Utility provider review:

| | |
|------------------|--|
| HEA | No comments or concerns at this time. The ROW vacation is not within HEA's service area. |
| ENSTAR | |
| ACS | |
| GCI | |
| SEWARD ELECTRIC | |
| CHUGACH ELECTRIC | No comment. The property is located outside of the Chugach Service area. |
| TELALASKA | |

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
3. Grant utility easements requested by utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).

KPB 20.65.050 – Action on vacation application

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. 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.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

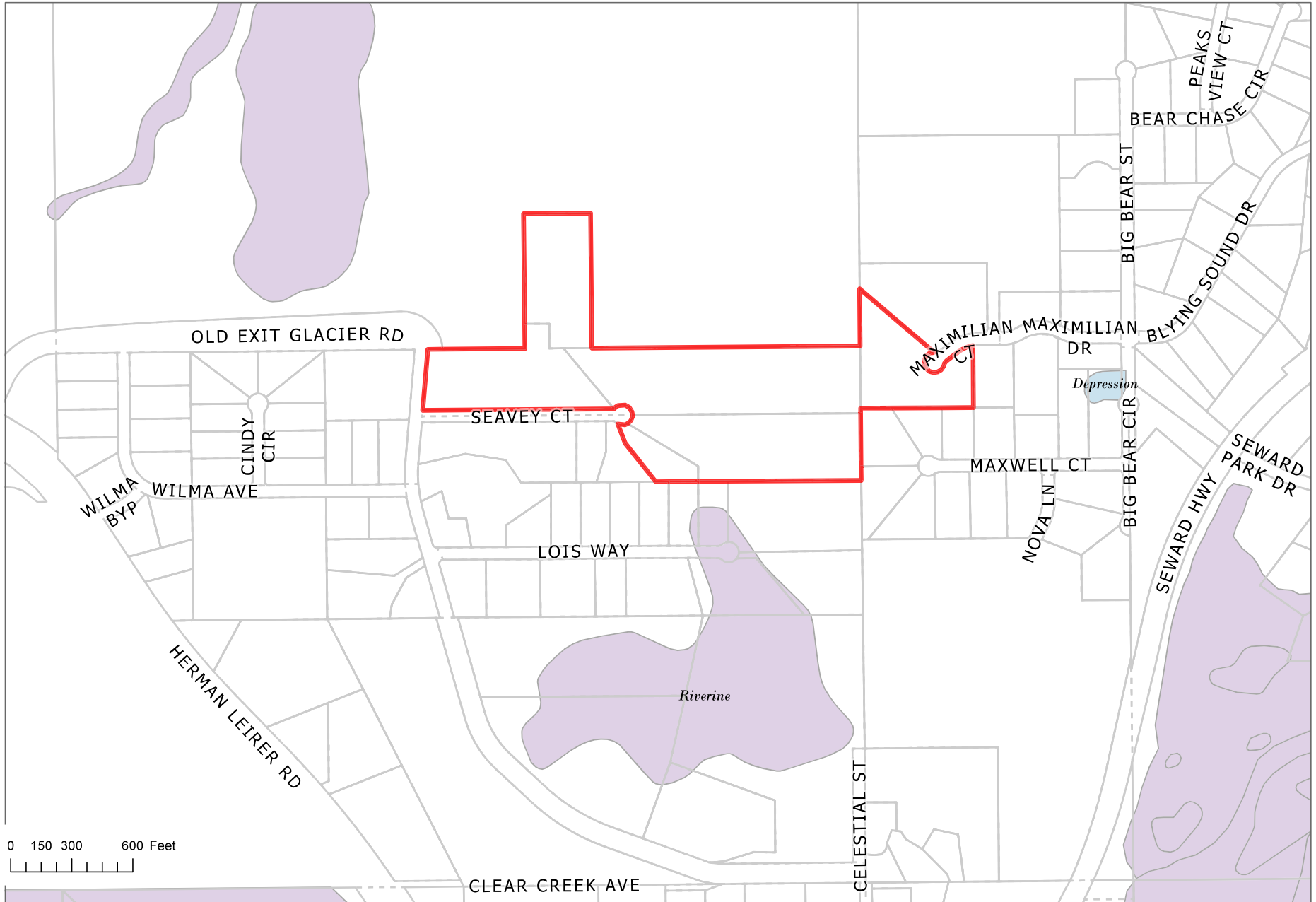
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

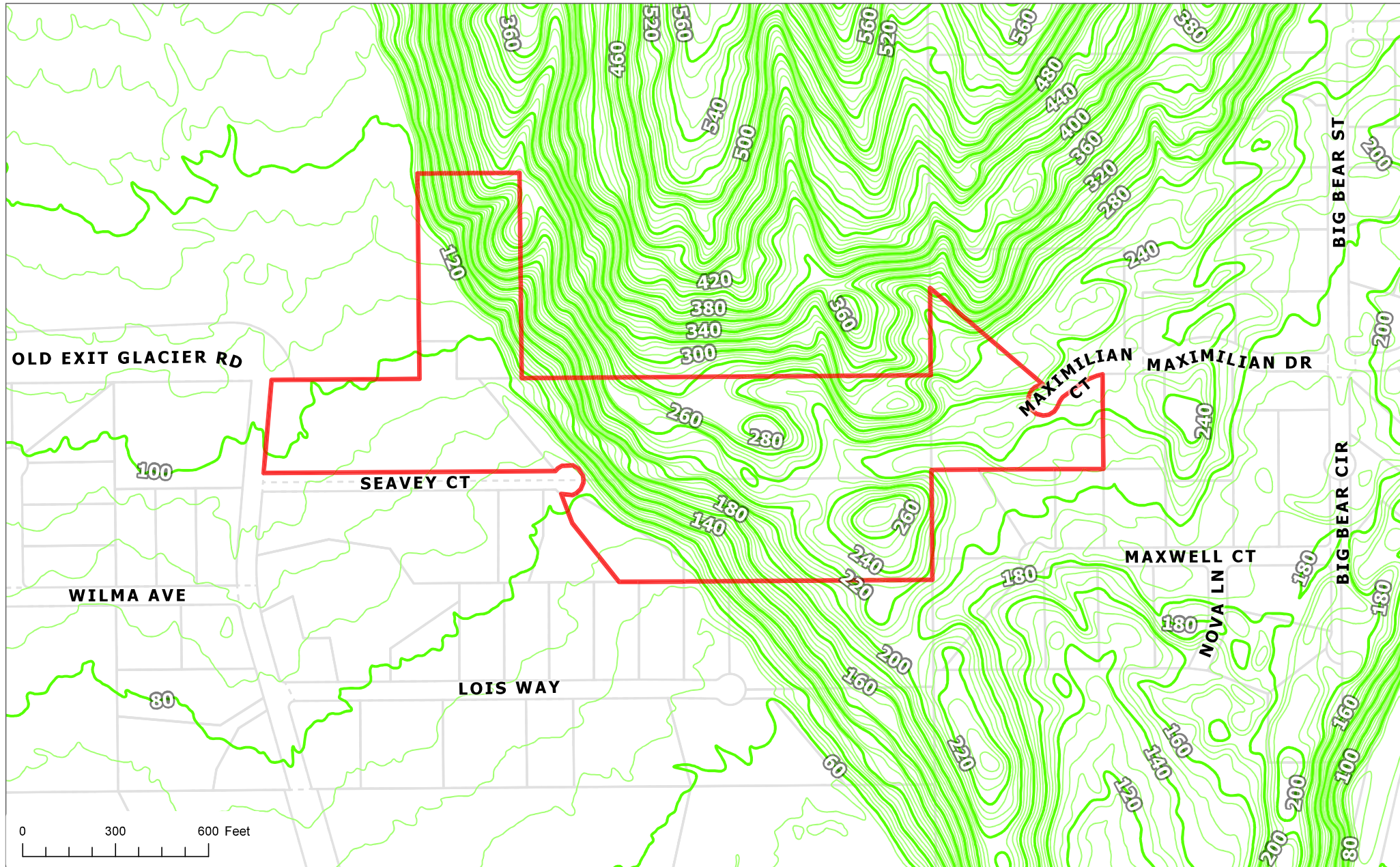
END OF STAFF REPORT



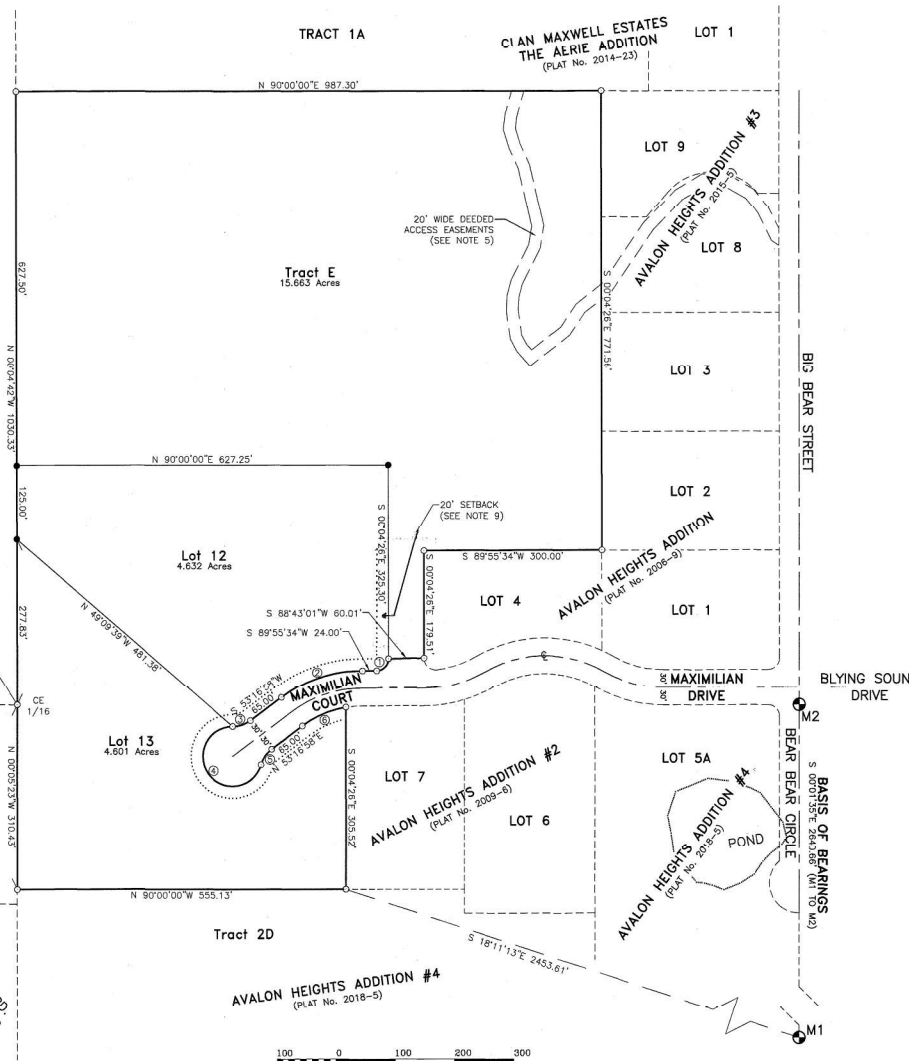
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



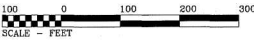
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



UNSUBDIVIDED

BOX CANYON SUBD. SEVEY ADDN. (PLAT No. 2008-24)

BOX CANYON SUBD. SEVEY ADDN. No. 2 (PLAT No. 2008-25)



SURVEYOR'S CERTIFICATE
I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska. This plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.



| Curve | Radius | Tangent | Length | Delta | Chord | Chord Bear. | NTC |
|-------|---------|---------|---------|------------|---------|---------------|-----|
| 1 | 20.00' | 20.02' | 31.44' | 90°03'41" | 28.30' | S 44°43'45" W | NTC |
| 2 | 234.00' | 35.14' | 143.70' | 36°18'24" | 144.60' | S 71°39'16" W | |
| 3 | 50.00' | 16.67' | 32.18' | 36°52'12" | 31.62' | S 71°43'04" W | |
| 4 | 50.00' | -66.67' | 22.143' | 253°44'23" | 80.00' | S 36°43'02" E | |
| 5 | 50.00' | 16.67' | 32.18' | 36°52'12" | 31.62' | N 34°50'52" E | |
| 6 | 170.00' | 41.07' | 80.59' | 27°09'43" | 79.84' | N 66°51'50" E | |

LEGEND

- MONUMENT RECOVERED
- TYPICAL CAP - FOUND
- TYPICAL CAP - SET
- C COMPUTED FROM PLAT 2018-5
- H HELD
- NTC NON-TANGENT CURVE
- 20' BUILDING SETBACK (PER KPB 20.30.240) (SEE NOTE 2)

M1



M2



TYPICAL CAP



NOTES

- 1) Proposed land uses are recreational, residential, agricultural and commercial.
- 2) Building Setback - A setback of 20 feet is required from all street rights-of-way unless a linear abatement is approved by resolution of the appropriate Planning Commission (KPB 20.20.230).
- 3) The front 10 feet adjoining rights of way and 20 feet within 5 feet of the side lot lines is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 4) All bearings and distances around the boundary are record per Plat 2018-5.
- 5) Easement reserved in a deed recorded June 3, 2004 as Serial No. 2004-000998-0 and also granted in an instrument recorded June 3, 2004 as Serial No. 2004-001000-0 in the Seward Recording District.
- 6) Protective covenants were recorded in the Seward Recording District on July 26, 2006 as document 2006-001092-0.
- 7) No structures are permitted within the panhandle portion of the flag lot.
- 8) The Kenai Peninsula Borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.080.
- 9) Per KPB 20.30.190(B) the flag portion of the tract is subject to a 20 foot building setback.

WASTEWATER DISPOSAL: Lots which are at least 200,000 square feet or nominal five acres in size may not be suitable for on-site wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation. (KPB 20.40.030)

PLAT APPROVAL

Plat approved by the Kenai Peninsula Borough Planning Commission at the meeting of April 27, 2021

9/3/21

Borough Official

2021-8
Plat #
Seward
Rec Dist
9/6 2021
Date
Time 1:22 PM

CERTIFICATE OF OWNERSHIP AND DEDICATION
We hereby certify that we are the trustees of the real property shown and described hereon and that we hereby adopt this plan of subdivision and on behalf of Avalon Heights Land Trust dedicate all rights-of-ways and public areas to public use and grant all easements to the use shown.

Owner
Maxwell D. Cutler
MAXWELL D. CUTLER, TRUSTEE
AVALON HEIGHTS LAND TRUST
1019 W. 72nd AVENUE
Anchorage, Alaska 99518

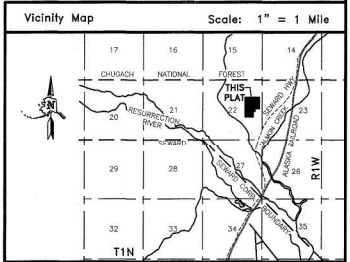


Notary Acknowledgement
for Maxwell D. Cutler Acknowledged
before me this 9 day of August 2021
Travis Wilson 3/5/2022
Notary Public for the State of Alaska My Commission Expires

Owner
Julie R. Pace
JULIE R. PACE, TRUSTEE
AVALON HEIGHTS LAND TRUST
1019 W. 72nd AVENUE
Anchorage, Alaska 99518



Notary Acknowledgement
FOR Julie R. Pace Acknowledged
before me this 6 day of August 2021
Travis Wilson 3/5/2022
Notary Public for the State of Alaska My commission expires



PLAT OF
CLAN MAXWELL ESTATES
AVALON HEIGHTS ADDITION #5
Containing Lots 12 & 13 and Tract E
CONTAINING 24.898 Acres
A SUBDIVISION OF Tract 2C OF CLAN MAXWELL ESTATES, AVALON HEIGHTS ADDITION #4 (PLAT No. 2018-5) AND LOCATED WITHIN THE E 1/2, SECTION 22, T1N, R1W, SEWARD MERIDIAN, ALASKA KENAI PENINSULA BOROUGH SEWARD RECORDING DISTRICT

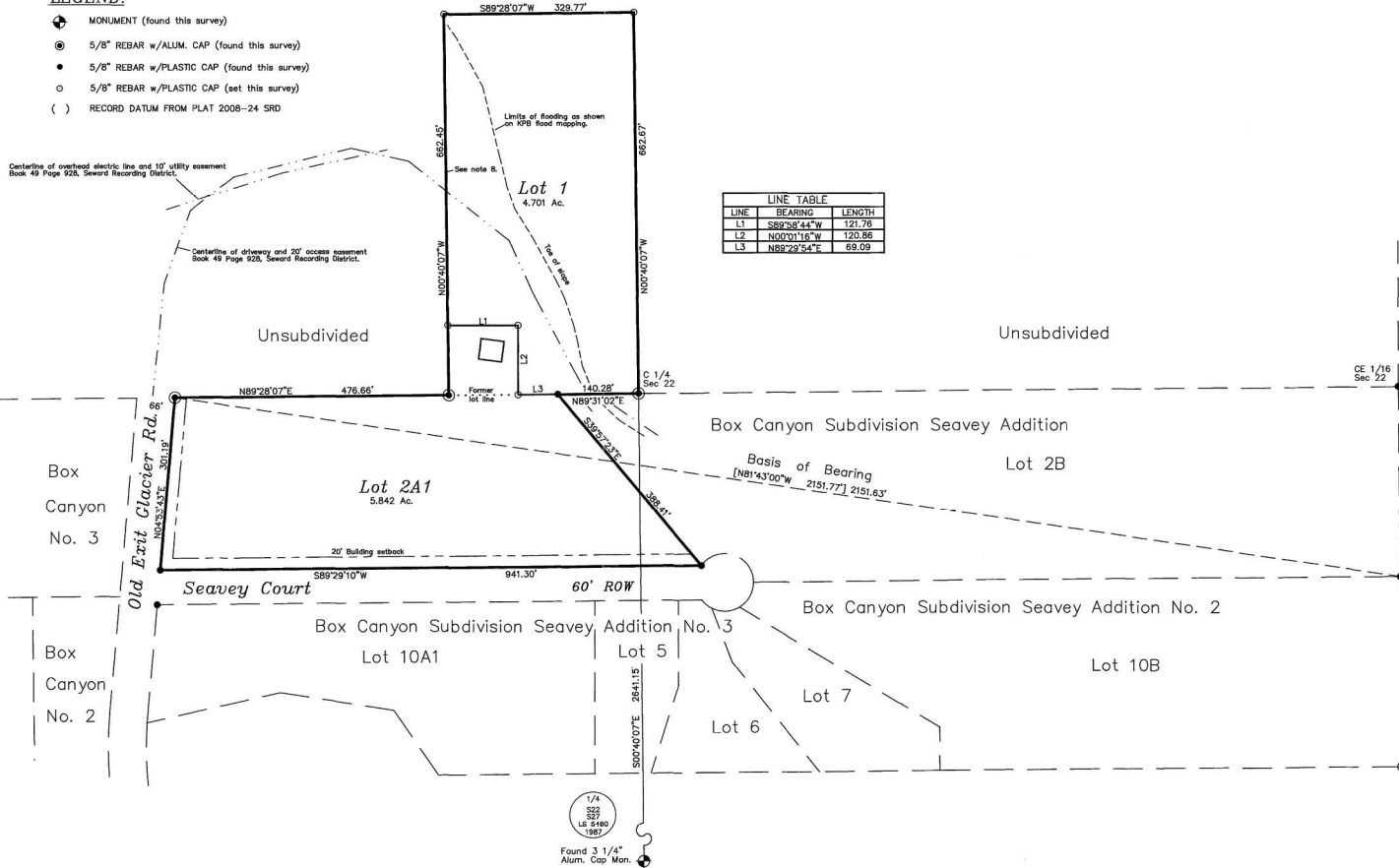
Prepared by:
Lang & Associates, Inc. 11500 Daryl Avenue
Anchorage, Alaska 99515
Registered Land Surveyors (907) 522-6476
(907) 522-4825 Fax

OWNER:
JULIE R. PACE & MAXWELL D. CUTLER, TRUSTEES
AVALON HEIGHTS LAND TRUST
1019 W. 72nd AVENUE, Anchorage, Alaska 99518

GRID: N/A SCALE: 1" = 100' DATE: JULY 2021
DRAWN: JCL SHEET 1 OF 1 PROJECT # 20-061
JOB FILE: L20061fpl.ord/.dwg CASE NO.: KPB 2020-027

LEGEND:

- ⊕ MONUMENT (found this survey)
- 5/8" REBAR w/ALUM. CAP (found this survey)
- 5/8" REBAR w/PLASTIC CAP (found this survey)
- 5/8" REBAR w/PLASTIC CAP (set this survey)
- () RECORD DATUM FROM PLAT 2008-24 SRD



| LINE | BEARING | LENGTH |
|------|--------------|--------|
| L1 | S89°28'44\"W | 121.76 |
| L2 | N00°01'16\"W | 120.86 |
| L3 | N89°28'54\"E | 69.09 |



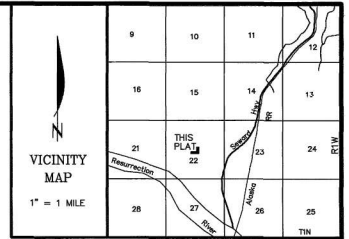
SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska. This plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 12-12-14

NOTES:

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- 6) A 20 foot access easement and 10 foot utility easement in favor of Lot 1 are recorded in Book 49 Page 928, Seward Recording District.
- 7) This subdivision lies entirely within FIRM Zone D according to FIRM panel #02122C-45410, effective date September 27, 2013 and within the Seward Mapped Flood Data Area.
- 8) An exception to KPB 20.01.200 Survey/monumentation was conditionally granted by the Plat Committee at the meeting of October 13, 2014. Set corners shown hereon are approximate corners until the northern half of Section 22 is further subdivided. There is a 50 foot setback on the west boundary of Lot 1.
- 9) Exceptions to KPB 20.30.170, block length, and KPB 20.30.210, access to street, were granted by the Plat Committee at the meeting of October 13, 2014.
- 10) Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district as of the date this plat is filed with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to construction.
- 11) Front 15 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 12) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



CERTIFICATE of OWNERSHIP and DEDICATION

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

David B. Seavey *Shirley C. Seavey*
 DANIEL B. SEAVEY SHIRLEY C. SEAVEY
 P.O. BOX 923 SEWARD, AK 99664

NOTARY'S ACKNOWLEDGMENT

FOR David B. Seavey
 ACKNOWLEDGED BEFORE ME THIS 12th DAY OF April, 2015

David B. Seavey
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 2-26-19

NOTARY'S ACKNOWLEDGMENT

FOR Shirley C. Seavey
 ACKNOWLEDGED BEFORE ME THIS 12th DAY OF April, 2015

Shirley C. Seavey
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 2-26-19

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 13, 2014.

KENAI PENINSULA BOROUGH
Max J. Frost
 AUTHORIZED OFFICIAL

KPB FILE No. 2014-136

Box Canyon Subdivision Seavey Addition No. 4

A resubdivision of Lot 2A Box Canyon Subdivision Seavey Addition, Plat 2008-24, Seward Recording District and the E1/2 SE1/4 SE1/4 NW1/4 Section 22, T1N, R1W, Seward Meridian.

Located within the NW1/4 SE1/4, NE1/4 SW1/4, & SE1/4 NW1/4 Section 22, T1N, R1W, S.M., Kenai Peninsula Borough, Alaska. Containing 10.543 Ac.

SEGESSER SURVEYS
 30485 Rosland St.
 Soldotna, AK 99669

| | |
|----------------------|-----------------|
| JOB NO. 14083 | DRAWN: 11-11-14 |
| SURVEYED: July, 2014 | SCALE: 1"= 100' |
| FIELD BOOK: 14-2 | SHEET: 1 of 1 |

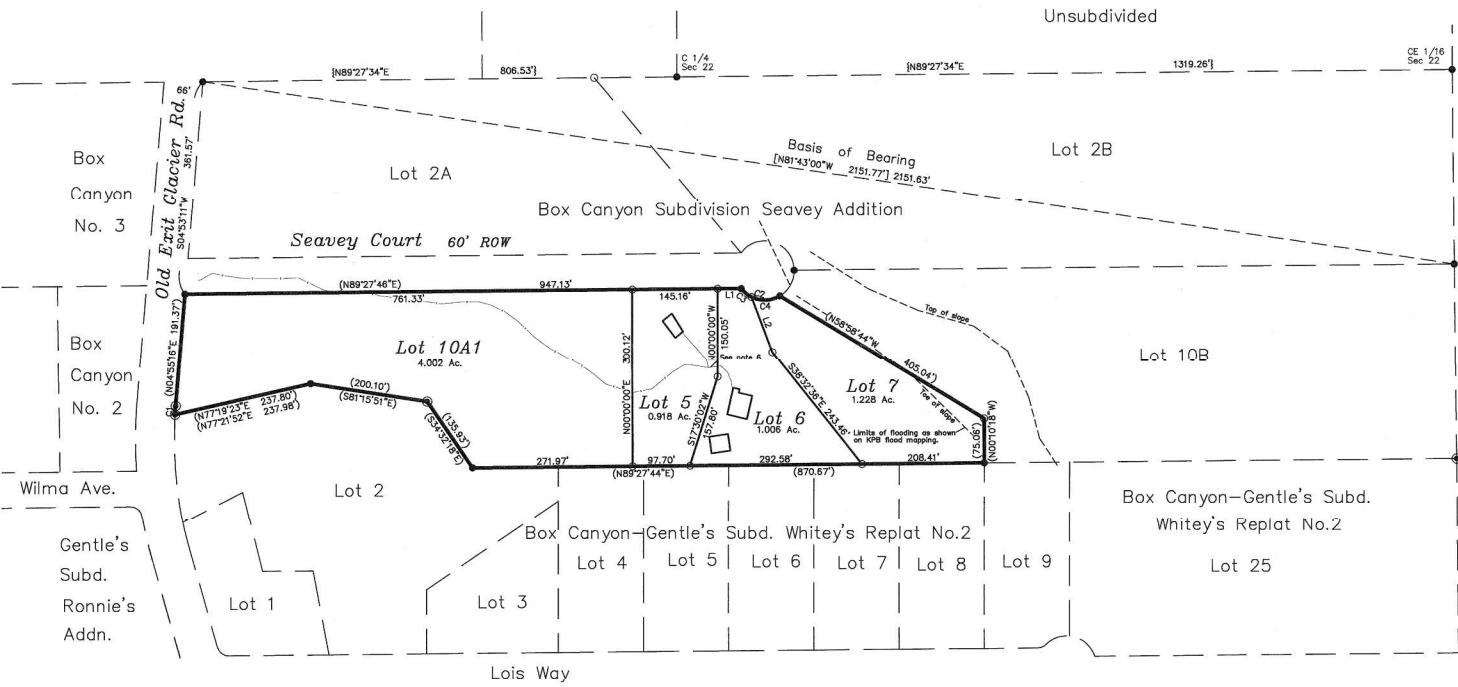
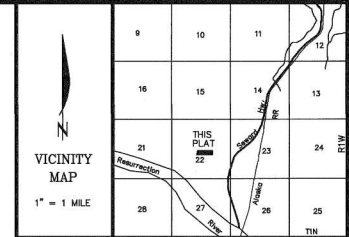
2015-6
 Plat #
 Rec Dist
 S-11-2015
 Date
 Time 1:43 PM

LEGEND:

- 5/8" REBAR w/ALUM. CAP OF RECORD
- 3/8" REBAR w/ALUM. CAP (found this survey)
- 5/8" REBAR w/ PLASTIC CAP (set this survey)
- [] RECORD DATUM FROM PLAT 84-10, SRD.
- { } RECORD DATUM FROM PLAT 2008-24, SRD.
- () RECORD DATUM FROM PLAT 2000-23, SRD.

| LINE TABLE | | |
|------------|-------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N89°27'46"E | 40.64 |
| L2 | S20°48'05"E | 100.00 |

| CURVE TABLE | | | | | | |
|-------------|-----------|--------|--------|---------|-------|---------------|
| CURVE | DELTA | RADIUS | LENGTH | TANGENT | CHORD | CHORD BEARING |
| C1 | 113.08° | 673.92 | 14.73 | 7.36 | 14.73 | S04°17'32"W |
| C2 | 83°41'37" | 50.00 | 73.04 | 44.78 | 66.71 | S79°15'14"E |
| C3 | 26°54'17" | 50.00 | 22.61 | 11.50 | 22.41 | S50°21'34"E |
| C4 | 57°47'19" | 50.00 | 50.43 | 27.60 | 48.32 | N87°47'38"E |



CERTIFICATE of OWNERSHIP and DEDICATION

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

Janine A. Seavey
 JANINE A. SEAVEY
 P.O. BOX 735
 STERLING, AK 99672

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 28 DAY of December, 2010 FOR *Janine A. Seavey*



Karen Fuller
 NOTARY PUBLIC FOR ALASKA
 MY COMMISSION EXPIRES 7-25-2012

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 26, 2009.

KENAI PENINSULA BOROUGH
Maya Bost
 AUTHORIZED OFFICIAL

NOTES:

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- 6) Underground primary electric line is the centerline of a 20 foot wide utility easement. Underground service lines are the centerline of a 10 foot wide utility easement.
- 7) Development within this subdivision may be subject to the Administrative and/or enforceable policies of the KPB Coastal Zone Management Program.
- 8) This subdivision lies entirely within FIRM Zone C according to FIRM panel 6020012-3250A, effective date May 15, 2001.
- 9) Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district as of the date this plat is filed with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to reconstruction.
- 10) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 11) WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer, registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

M. Burman 3380-E 2520-10
 Engineer License No. date

2010-14
 RECORDED
 Seward REC. DIST.
 DATE: 12-29-2010
 TIME: 2:50 PM
 REQUESTED BY:
 SEGESSER SURVEYS
 30485 ROSLAND ST.
 SOLDOTNA, AK 99669

KPB FILE No. 2010-158

Box Canyon Subdivision Seavey Addition No. 3

A subdivision of Lot 10A Box Canyon Subdivision Seavey Addition No. 2, Plat 2009-23, Seward Recording District.

Located within the NE1/4 SW1/4 & NW1/4 SE1/4, Section 22, T1N, R1W, S4M., Kenai Peninsula Borough, Alaska.
 Containing 7.153 Ac.

SEGESSER SURVEYS
 30485 Rosland St.
 Soldotna, AK 99609

| | |
|----------------------|------------------|
| JOB NO. 10084 | DRAWN: 12-23-10 |
| SURVEYED: Nov., 2010 | SCALE: 1" = 100' |
| FIELD BOOK: 10-6 | SHEET: 1 of 1 |



SURVEYOR'S CERTIFICATE

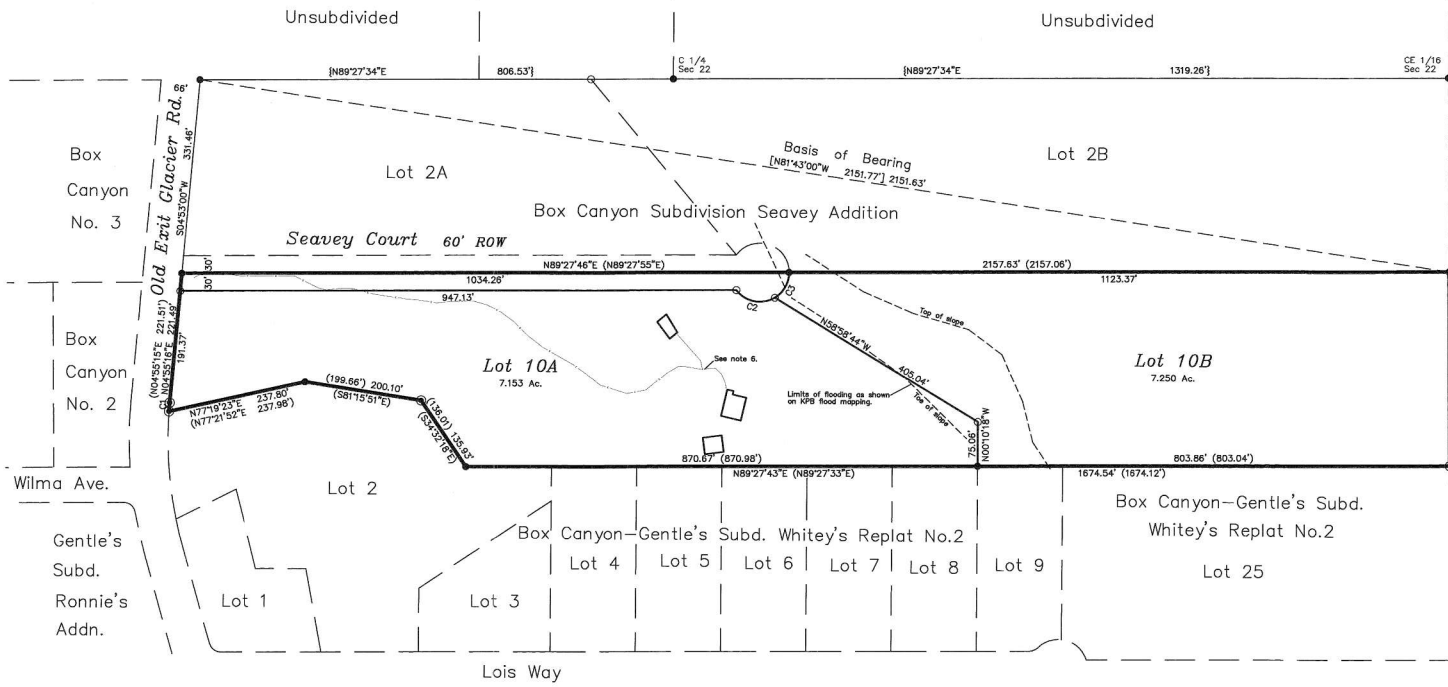
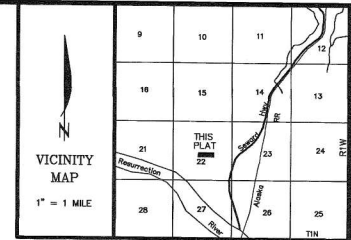
I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown herein actually exist as described, and all dimensions and other details are correct.

Date 12-23-10

LEGEND:

- ⊙ 5/8" REBAR w/ALUM. CAP OF RECORD
- 5/8" REBAR w/ALUM. CAP (found this survey)
- 5/8" REBAR w/ PLASTIC CAP (set this survey)
- [] RECORD DATUM FROM PLAT 84-10, SRD.
- { } RECORD DATUM FROM PLAT 2008-24, SRD.
- () RECORD DATUM FROM PLAT 2007-8, SRD.

| CURVE TABLE | | | | | | |
|-------------|-----------|--------|--------|---------|-------|---------------|
| CURVE | DELTA | RADIUS | LENGTH | TANGENT | CHORD | CHORD BEARING |
| C1 | 1°15'08" | 673.92 | 14.73 | 7.36 | 14.73 | S041°17'30"W |
| C2 | 8°24'37" | 50.00 | 73.04 | 44.78 | 66.71 | S78°15'14"E |
| C3 | 58°28'12" | 50.00 | 51.87 | 28.54 | 49.57 | N28°10'52"E |



CERTIFICATE of OWNERSHIP and DEDICATION

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

Janine A. Seavey
 JANINE A. SEAVEY
 P.O. BOX 735
 STERLING, AK 99672

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 28th DAY OF December, 2009
 FOR *Janine A. Seavey*

Patricia Hartley
 STATE OF ALASKA
 PATRICIA HARTLEY
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 3-7-13

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF OCTOBER 28, 2009.

KENAI PENINSULA BOROUGH

Maya Albert
 AUTHORIZED OFFICIAL

NOTES:

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.
- 6) Underground primary electric line is the centerline of a 20 foot wide utility easement. Underground service lines are the centerline of a 10 foot wide utility easement.
- 7) Development within this subdivision may be subject to the Administrative and/or enforceable policies of the KPB Coastal Zone Management Program.
- 8) This subdivision lies entirely within FIRM Zone C according to FIRM panel #202012-3255A, effective date May 19, 1981.
- 9) Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough as a flood hazard area district as of the date this plat is filed with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.05 of the Kenai Peninsula Borough Code of Ordinances. A survey may be required to determine the elevation of the property prior to construction.
- 10) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 11) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for onsite wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 12-10-09

2009 23

RECORDED
 SEWARD REC. DIST.
 DATE: Dec 20 2009
 TIME: 10:59 AM
 REQUESTED BY:
 SEGESSER SURVEYS
 30485 ROSLAND ST.
 SOLDOTNA, AK 99669

KPB FILE No. 2009-166

Box Canyon Subdivision Seavey Addition No. 2

A resubdivision of Lot 10 Box Canyon Subdivision Gentle's Whites Replat No. 2, Plat 2007-8, Seward Recording District.

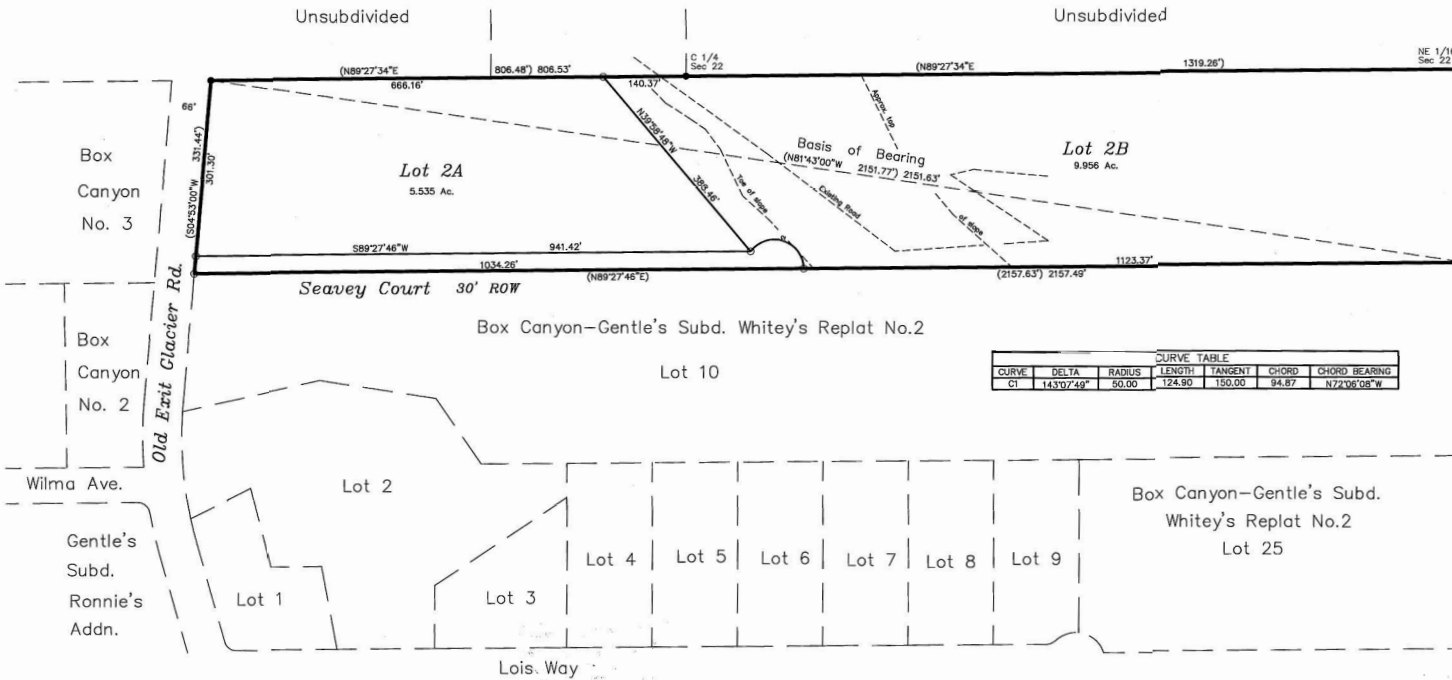
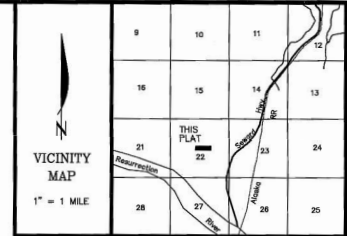
Located within the NE1/4 SW1/4 & NW1/4 SE1/4, Section 22, T1N, R1W, S1M, Kenai Peninsula Borough, Alaska. Containing 15.139 Ac.

SEGESSER SURVEYS
 30485 Rosland St.
 Soldotna, AK 99669

| | | | |
|-------------|------------|--------|-----------|
| JOB NO. | 09065 | DRAWN: | 12-09-09 |
| SURVEYED: | Dec., 2009 | SCALE: | 1" = 100' |
| FIELD BOOK: | 09-3 | SHEET: | 1 of 1 |

LEGEND:

- 5/8" REBAR w/ ALLUM. CAP (found this survey)
- 5/8" REBAR w/ PLASTIC CAP (set this survey)
- () RECORD DATUM



Clan Maxwell Estates
Tract 2

CERTIFICATE of OWNERSHIP and DEDICATION

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

Daniel B. Seavey
DANIEL B. SEAVEY
Shirley C. Seavey
SHIRLEY C. SEAVEY
P.O. BOX 923
SEWARD, AK 99664

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 17th DAY OF May, 2008
FOR Daniel B Seavey

Shirley C. Seavey
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8-25-2009

SHIRLEY C. SEAVEY
NOTARY PUBLIC
My Commission Expires August 25, 2009

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 17th DAY OF May, 2008
FOR Shirley C. Seavey

Shirley C. Seavey
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 8-25-2009

SHIRLEY C. SEAVEY
NOTARY PUBLIC
My Commission Expires August 25, 2009

NOTES:

- 1) Basis of bearing computed from Box Canyon Subdivision, Plat 84-10, Seward Recording District.
- 2) Building Setback-A setback of 20 feet is required from all street Rights-of-Way unless a lesser standard is approved by resolution by the appropriate Planning Commission.
- 3) All waste disposal systems shall comply with existing laws at the time of construction.
- 4) Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Borough road maintenance program.
- 5) Front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- 6) WASTEWATER DISPOSAL: These lots are at least 200,000 square feet or nominal 5 acres in size and conditions may not be suitable for on-site wastewater treatment and disposal. Any wastewater treatment or disposal system must meet the regulatory requirements of the Alaska Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

I hereby certify that: I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date 11-06-08

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 11 JUNE, 2007.

KENAI PENINSULA BOROUGH

Max J. Beest
AUTHORIZED OFFICIAL

2008-24

RECORDED
SEWARD REC. DIST.
DATE Nov 6 2008
TIME: 2:16 P.M.

KPB FILE No. 2007-156

Box Canyon Subdivision Seavey Addition

A resubdivision of Lot 2 Box Canyon Subdivision, Plat 84-10, Seward Recording District.

Located within the NE1/4 SW1/4 & NW1/4 SE1/4, Section 22, T1N, R1W, S.M., Kenai Peninsula Borough, Alaska.

Containing 16,226 Ac.

SEGESSER SURVEYS
30485 Rosland St.
Soldotna, AK 99609

| | |
|---------------------|------------------|
| JOB NO. 06134 | DRAWN: 12-10-07 |
| SURVEYED: May, 2007 | SCALE: 1" = 100' |
| FIELD BOOK: 07-1 | SHEET: 1 of 1 |



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 5/3/2026 to vacate a public right-of-way in the Bear Creek area. Area under consideration is described as follows:

Request / Affected Property: Vacates a portion of the Maximilian Ct cul-de-sac granted per SW 2009-6

KPB File No. 2026-039V.

Petitioner(s) / Land Owner(s): Daniel B and Janine A Seavey and Single Lead LLC and Tanner Crab LLC of Seward, AK.

Purpose as stated in petition: The proposed Plat Box Canyon Subdivision Seavey Addition #5 extends Maximilian Court and provides an additional cul-de-sac at the terminus of the new right of way. The proposed right of way extension will be built to borough standards to enter the road maintenance program. In an area where flat land is scarce returning this small portion of land back to proposed lots 13-C and 13-B increases the usability and value of those lots without harming/reducing the functionality of the right of way..

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Tuesday, May 26, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, May 22, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

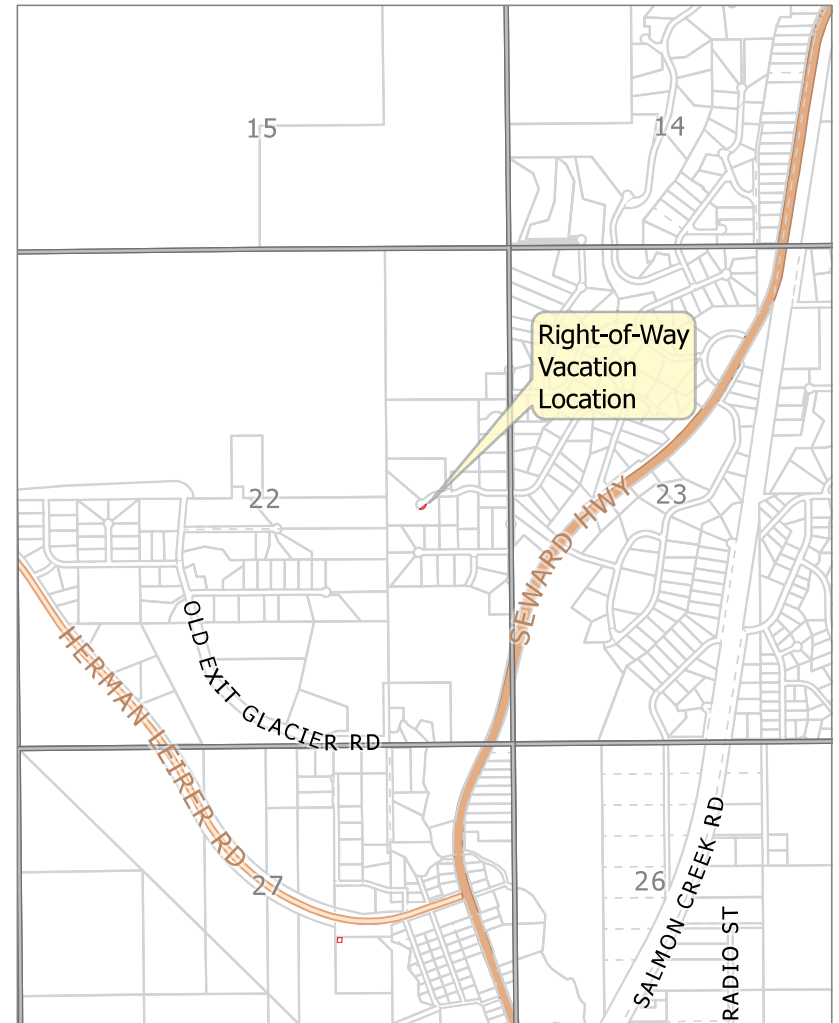
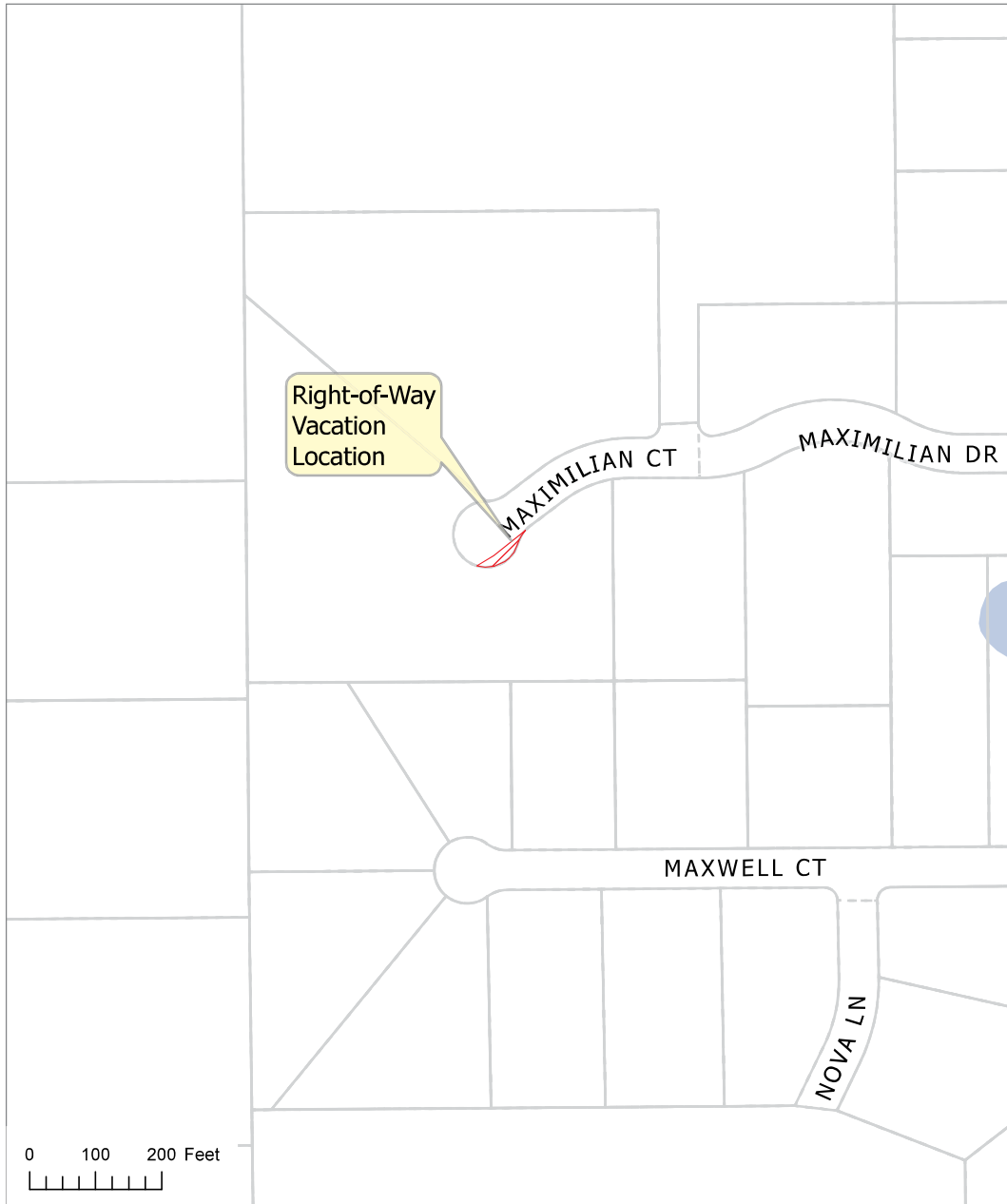
If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available

the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email planning@kpb.us.

Mailed 5/4/2026



KPB File 2026-039V
T01N R01W SEC22
Bear Creek

E. NEW BUSINESS

- 4. Street Naming Resolution 2026-02
Renaming Dedra Avenue to Debra Avenue
Location: Dedra Avenue dedicated per Platt Subdivision
No. 2, Plat HM 80-4
Anchor Point Area**

AGENDA ITEM E NEW BUSINESS

3. Rename Dedra Ave per plat HM 80-4 Platt Sub No. 2; Section 30, T04S, R14W; Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community; ESN 401.

STAFF REPORT

PC MEETING: May 26, 2026

Applicant: Don Woods

Existing right-of-way names: Dedra Ave

Name proposed by petitioner: Debra Ave

Reason for Change: Petition from property owner

Background:

| | |
|--------------|------------------|
| Name | Dedra Ave |
| ESN | 401 |
| Community | Anchor Point |
| YR Named | 1980 |
| Constructed | Yes |
| Total Lots | 5 |
| Residential | 5 |
| Commercial | 0 |
| E911 Address | 4 |
| Mailing | 0 |
| Decision | Rename |

Review and Comments:

Notice was sent by regular mail to the property owners of the affected parcels adjoining road, as listed on the KPB tax roll.

No further comment from the property owner was received by the writing of this staff report.

The road name request was emailed to the Kenai Peninsula Borough Road Service Area (RSA) and Western Emergency Services for review. RSA provided a non-objection statement.

Staff Discussion:

A petition was received from a property owner on Dedra Ave requesting a street name change, due to external mapping companies incorrectly displaying the road as Debra Ave. The petition was signed by three of the five property owners fronting the street.



Dedra Ave originally dedicated in 1980 by Platt Subdivision Part 2, is a borough-maintained road that provided access to 5 lots.

Staff reviewed the suggested name and finds no conflict. The name Debra Drive is in use within the Kalifornsky area, but that is not the same or adjacent ESN.

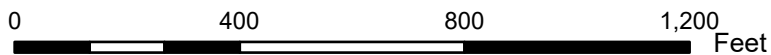
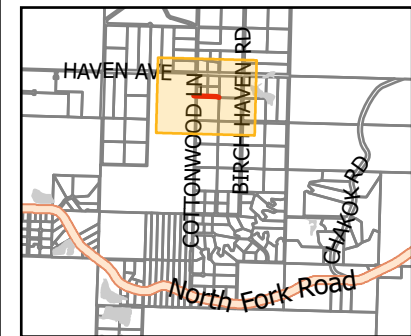
STAFF RECOMMENDATION: Rename Dedra Ave to **DEBRA AVE** by adoption of Resolution SN 2026-02.

END OF STAFF REPORT



-  Street to Rename
-  TaxParcels

T04S-R14W SEC 30
Anchor Point ESN 401



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



TRACT 23

TRACT 22

TRACT 21

TRACT 20

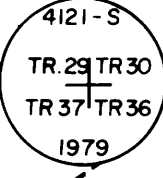
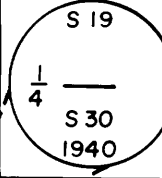
TRACT 19

BIRCH HAVEN ESTATES

TRACT 29

TRACT 28

TRACT 30



BASIS OF BEARINGS (74-2193)
N 89° 57' E 1320.00'

Found Brass Cap Monument

S 89° 57' 00" W 660.07'

Set Brass Cap Monument

West Nordvik Ave.

50' Section Line Easement

1/4 Cor.

N 00° 14' 02" W 660.41'
330.20'
330.21'
330.21'
Caffanwood Lane

300.03'

330.04'

50'

50'

50'

50'

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50'

CERTIFICATE OF OWNERSHIP and DEDICATION

I hereby certify that I am the owner of property shown and described hereon, that I adopt this plan of subdivision and hereby dedicate all streets to the public use and grant all easements to the use shown.

John W. Platt
John W. Platt
Alaska Associated Realty
4467 Business Park Boulevard
Anchorage, Alaska 99503

NOTARY ACKNOWLEDGEMENT

Subscribed and sworn before me this 6 day of December 1979.

8-10-82
My Commission Expires
Barbara A. Longwell
Notary Public

DEED OF TRUST BENEFICIARY

Kenai Lumber Company
Kenai Lumber Company

NOTARY ACKNOWLEDGEMENT

Subscribed and sworn before me this 20 day of Dec 1979.

11-1-79
My Commission Expires
Paul Studabaker
Notary Public

UNSUBDIVIDED

LEGEND

- Brass Cap Monument, Set
- ⊙ Brass Cap Monument, Found
- 5/8" x 30" Iron Rod, Set
- 5/8" x 24" Iron Rod, Found

Note: All wastewater disposal systems shall meet requirements of existing laws at time of construction.

Note: Building setback--A setback of 20 feet is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate Planning Commission.

SURVEYOR'S CERTIFICATE

I, *Paul Studabaker*, professional land surveyor do hereby certify that the plat of *Platt Subdivision No. 2* is a true and correct representation of lands actually surveyed and that the distances and bearings are shown correctly and that all permanent exterior control monuments, all other monuments, and lot corners have been set and staked, or if final completion is assured by subdivision agreement, they will be set as specified in said subdivision agreement. Lot corners to be set by *Survey 1, 1979*. Monuments to be set by *Survey 1, 1979*.



PLAT APPROVAL

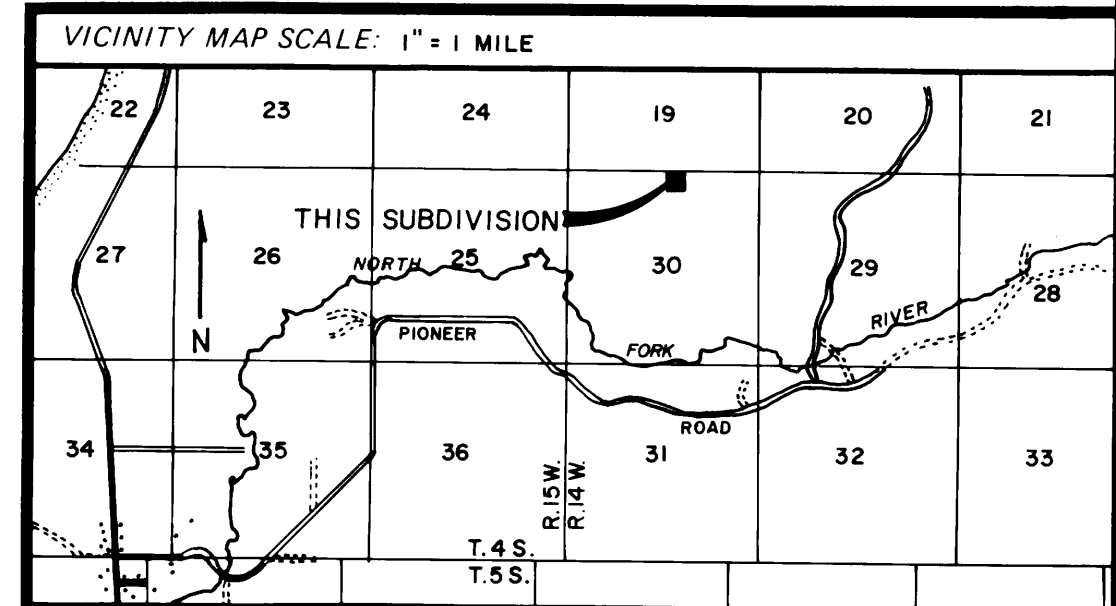
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of *November 26, 1979*.

KENAI PENINSULA BOROUGH
By: *Charles Waring*
Authorized Official

80-4

RECORDED - FILED 10-
Homer REC. DIST.

DATE 1-9-1980
TIME 8:44 AM
APPROVED BY *R.P. Borroughs*
ADDRESS *Seldovia*



PLATT SUBDIVISION NO. 2

Containing Approx. 10 Acres

A subdivision of Tract 37, Birch Haven Estates
Located within NW 1/4 NW 1/4 NE 1/4, Sec. 30, T.4S., R.14W., S.M., ALASKA

Bench Mark Inc.

SURVEYING-MAPPING-PLANNING

1403 Valarian Anchorage, Alaska

| | | | | |
|---------------|-----------------|--------------|------|------|
| Grid | Scale 1" = 200' | Date 10/1/79 | Book | Page |
| Drawn P. Bell | File No. | W O No. | | |

KENAI PENINSULA BOROUGH
PLANNING COMMISSION RESOLUTION

RESOLUTION SN 2026-02

RENAMING CERTAIN PUBLIC RIGHTS-OF-WAY WITHIN SECTION 30, T04S, R14W; SEWARD
MERIDIAN; WITHIN EMERGENCY SERVICE NUMBER (ESN) 401

WHEREAS, a petition was received to change the name of Dedra Ave to Debra Ave; and

WHEREAS, renaming of roads shall be in accordance with section 14.10.050; and

WHEREAS, on May 26, 2026 public hearings were held by the Kenai Peninsula Borough Planning Commission to address all concerns about the proposed street name changes; and

WHEREAS, Chapter 14.10 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish street name changes by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the right-of-way listed below is renamed as follows:

| DESCRIPTION | FROM | TO | BASE MAP |
|--|--------------|--------------|----------|
| a. Dedra Avenue dedicated per plat HM 80-4 Platt Sub No. 2, in Section 30, T04S, R14W; Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community; ESN 401. | Dedra Avenue | Debra Avenue | AR-28 |

Section 2. That according to Kenai Peninsula Borough Code of Ordinance 14.10.030, the official street name map, 1:500 scale series base maps, AR-28; is hereby amended to reflect these changes.

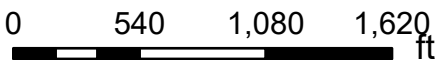
Section 3. That the map showing the location of the renamed rights-of-way be attached to, and made a permanent part of this resolution.

Section 4. That this Resolution takes effect immediately upon adoption.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH THIS 26th DAY OF MAY, 2026.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST: _____
Ann Shirnberg,
Administrative Assistant



T06S R14W Section 30 ESN 401 Anchor Point



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

PETITION TO NAME / RENAME A STREET

Kenai Peninsula Borough Planning Department
ATTENTION: E911 Addressing Officer
144 North Binkley Street Soldotna, AK 99669-7520 (907) 714-2200

Petitioner's Name: (Please Print) Don Woods

Mailing Address: Po Box 929 Anchor Point AK 99554

E-mail Address: dandevalaska316@gmail.com

Telephone: 208 899 1229

Current Street Name: Debra Ave

Proposed Street Name: Debra Ave

Location of Current Street: Township: _____ Range: _____ Section: _____
Subdivision: _____

| | | |
|--|---|-----------------------------|
| The Right-of-Way is: (Please Check) | Public | Private |
| Is the Right-of-Way in use? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is the road constructed? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Is there a street sign along the Right-of-Way? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Reason for Requested Change: To match GPS Debra Ave

List Three (3) Choices for a new Street Name, in order of preference.

1. Debra ave
2. _____
3. _____

New Name Suggestions must not be on the Road Inventory List which can be found at:
https://www.kpb.us/images/KPB/PLN/911/Road_Inventory.pdf

New Street Names must be checked, and approved by the E911 Addressing Officer by email addressing@kpb.us; fax 714-2378; or phone 714-2200.

To be considered complete, the application must be accompanied by the following items:

- 1. Petition signed by property owners (see instructions).
- 2. A map showing the road to be named and surrounding property.
- 3. The filing and sign fees are established by KPB Planning Commission Resolutions 96-22 and 85-3, as follows:

(A) For name changes or naming of public street dedications other than those named during the subdivision process:

Check Applicable Boxes

| | | | |
|-----|--|-------|-------------------------------------|
| (1) | Street Naming Petition and Hearing Advertising Fee | \$300 | <input checked="" type="checkbox"/> |
| (2) | Installation of each new Borough Service Area Sign, Post, etc. (per sign) | \$150 | <input checked="" type="checkbox"/> |
| (3) | Replacement of existing Borough Service Area Sign, due to change where no post is needed. (per sign) | \$ 80 | <input type="checkbox"/> |

The minimum fee shall be either a combination of 1 and 2 OR 1 and 3 above; however, all signs that need to be changed and / or maintained by a Borough Service Area must be paid for upon completion of the project.

(B) For Private Road Naming:

| | | | |
|-----|--|--------|--------------------------|
| (1) | Street Naming Petition and Hearing Advertising Fee | \$300 | <input type="checkbox"/> |
| (2) | Installation of each new Borough Service Area sign, Post, etc. (per sign) | \$150 | <input type="checkbox"/> |
| (3) | Replacement of existing Borough Service Area Sign, due to change where no post is needed. (per sign) | \$ 80 | <input type="checkbox"/> |
| (4) | If no signs are required | No Fee | <input type="checkbox"/> |

TOTAL FEE SUBMITTED \$ 450.⁰⁰

Additionally, if the Right-of-Way was created by a document other than a recorded plat, a copy of that document must be submitted with this application.

NOTE: INCOMPLETE APPLICATIONS WILL BE RETURNED.

I, the undersigned, hereby affirm that all information made part of this application is true, correct and complete to the best of my knowledge.



 Signature

 4-27-20
 Date

PETITION FOR RENAMING A STREET

Existing Road Name: Dedra Ave
 Proposed Road Name: Debra Ave
 Name of Primary Petitioner: Don Woods

Identify the Owners of Land affected (include mortgage holders, contract holders and, if owned by a corporation or partnership, provide the needed authority to sign):

Name (print): Don Woods Phone: 208 899 1229
 Signature: Don Woods
 Mailing Address: Po Box 929 Anchor Point AK 99556
 Legal Description: Birch Haven Estates #2

Name (print): Kimberly A. Huffman Phone: 208-407-4113
 Signature: Kimberly A. Huffman
 Mailing Address: P.O. Box 933 Anchor Point AK 99556
 Legal Description: Birch Haven Estates 36

Name (print): Cris Cudaback Phone: _____
 Signature: Cris Cudaback
 Mailing Address: Po Box 232 Anchor Point AK 99556
 Legal Description: Platt Subdivision #2 Lot 4

Name (print): _____ Phone: _____
 Signature: _____
 Mailing Address: _____
 Legal Description: _____

Name (print): _____ Phone: _____
 Signature: _____
 Mailing Address: _____
 Legal Description: _____

Pace, Rhealyn

From: Uhlin, Dil
Sent: Monday, May 4, 2026 2:03 PM
To: Pace, Rhealyn
Cc: Painter, Jed; Fuller, Karen; Agosti, Elaine; Baxter, Tammaron; Conrad, Brian
Subject: RE: PC meeting May 26, 2026 Street Naming Res 2026-02

RSA has no object to the name change

Dil Uhlin

Roads Director

Roads Service Area

Office: (907) 262-4427

PUBLIC RECORDS LAW DISCLOSURE: This email and responses to this email may be considered a public record under the law.

From: Pace, Rhealyn <rpace@kpb.us>
Sent: Monday, May 4, 2026 12:59 PM
To: Marsh, Jon <JMarsh@kpb.us>; Uhlin, Dil <duhlin@kpb.us>
Subject: PC meeting May 26, 2026 Street Naming Res 2026-02

Hello,

Please see attached Public Hearing Notice for renaming Dedra Ave. This is an RSA maintained road in the Anchor Point area.

Please provide any comments by May 22, for the PC meeting scheduled May 26, 2026.

Thank you,

Rhealyn Pace

Addressing Officer

Office: (907) 714-2200



KENAI PENINSULA BOROUGH PLANNING COMMISSION
NOTICE OF PUBLIC HEARING TO RENAME ROAD

Public notice is hereby given that a petition was received to rename Dedra Avenue in the Anchor Point area. Area under consideration is described as follows:

Location: Dedra Avenue dedicated per plat HM 80-4 Platt Sub No. 2, in Section 30, T04S, R14W; Seward Meridian, Kenai Peninsula Borough, AK; in the Anchor Point Community; ESN 401.

Reason for Renaming: *Petition from property owners.*

Proposed Name: *Debra Ave*

The location of the proposed road naming is provided on the attached map. Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Tuesday, May 26, 2026**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska and remotely through zoom.

To attend the meeting using Zoom from a computer, visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, by calling toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at: <https://www.kpb.us/local-governance-and-permitting/borough-information/public-notice>

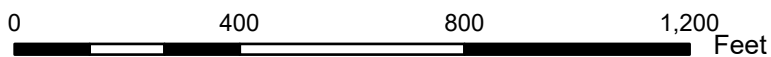
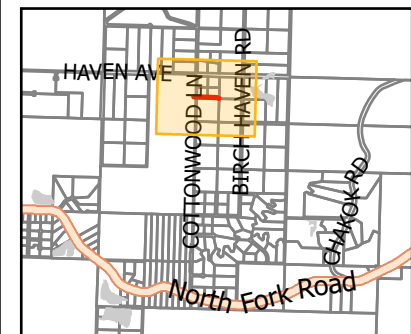
Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to addressing@kpb.us, or mailed to the attention of Addressing, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378.] All written comments or documents must be submitted by **1:00 PM, Friday, May 22, 2026**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

PLEASE NOTE: Upon adoption of a street name change resolution, no reapplication or petition concerning the name of the same street may be filed within one calendar year of the final adoption, except in the case where new evidence or circumstances exist that were not available, present or reasonably ascertainable when the original resolution was adopted (KPB 14.10.050)



- Street to Rename
- TaxParcels

T04S-R14W SEC 30
Anchor Point ESN 401



E. NEW BUSINESS

- 5. Ordinance 2026-23: Authorizing the conveyance of the Nikolaevsk School property to Alaska Homestead Education, Inc. in support of community K-12 education.**

Kenai Peninsula Borough

Planning Department – Land Management Division

MEMORANDUM

TO: Ryan Tunseth, Assembly President
Members, KPB Assembly

THRU: Peter A. Micciche, Mayor *PM*
Robert Ruffner, Planning Director *RR*

FROM: Aaron Hughes, Land Management Officer *AH*

DATE: May 7, 2026

RE: Ordinance 2026-23, Authorizing the Conveyance of the Nikolaevsk School Property to Alaska Homestead Education, Inc. in Support of Community K-12 Education (Mayor)

On July 6, 2025, the Kenai Peninsula Borough School District Board of Education voted to surplus the Nikolaevsk School property. On October 9, 2025, the Kenai Peninsula Borough School District (KPBSD) provided official notice the Nikolaevsk School property had been vacated, and the Land Management Division accepted management responsibility of the property on behalf of the Kenai Peninsula Borough (KPB).

The Planning Department was then approached by Alaska Homestead Education, Inc. (AHE) regarding the use and potential disposal of the property in support of a recently approved Charter School. Due to limited future use options of the built for purpose facility, and substantial ongoing management, maintenance, and other related holding costs of the property, a negotiated sale was proposed.

The ordinance will authorize the as-is, where-is, disposal of the Nikolaevsk School Property to the Alaska Homestead Education, Inc, for an amount other than fair market value in support of community K-12 education. The purchase agreement provides for a sale price of \$2,000,000 with seller financing at 6% interest to be collected over ten equal annual installment amounts of \$202,526.64. All installment payments will be deferred by KPB so long as the property is used for K-12 school purposes and a minimum of \$202,526.64 is contributed towards building maintenance and other building related operating costs. In the event the minimum required amount is not contributed annually, the remaining balance will be deposited with KPB for future use by AHE upon approval of the KPB Assembly.

To further protect KPB's interests during this 10 year period, the property may revert back to KPB, at its discretion, should the property not be used for K-12 education purposes. This arrangement takes into consideration the unique attributes, clouded title, and restricted conveyance related to the transaction. Alaska Homestead Education, Inc. anticipates occupying the property immediately upon closing in preparation for the 2026-2027 school year.

Your consideration is appreciated.

Introduced by: Mayor
Date: 05/19/26
Hearing: 06/02/26
Action:
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 2026-23**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF THE
NIKOLAEVSK SCHOOL PROPERTY TO ALASKA HOMESTEAD
EDUCATION, INC. IN SUPPORT OF COMMUNITY K-12 EDUCATION**

- WHEREAS,** this ordinance authorizes the as-is, where-is disposal of the former Kenai Peninsula Borough School District (KPBSD) Nikolaevsk School property to Alaska Homestead Education, Inc. (AHE) for Nikolaevsk K-12 Charter School purposes; and
- WHEREAS,** conveying the subject parcels to (AHE) will satisfy a community public charter school purpose, alleviate Kenai Peninsula Borough (KPB) from ongoing maintenance or holding costs associated with the property, and protect KPB's interests by providing that the property may revert back to KPB, at its discretion, should the property not be used for K-12 school purposes; and
- WHEREAS,** the purchase agreement provides for a sale price of \$2,000,000 with seller financing at 6% interest to be collected over ten equal annual installment amounts of \$202,526.64; and
- WHEREAS,** the installment payments will be deferred by KPB so long as the property is used for K-12 school purposes and a minimum of \$202,526.64 annually is contributed by AHE towards building maintenance and other building related operational costs; and
- WHEREAS,** in the event the minimum required amount is not contributed annually, the remaining balance will be deposited with KPB for future building maintenance use by AHE upon approval of the KPB Assembly; and
- WHEREAS,** should AHE fail to perform, all monies deposited with KPB by AHE will become the sole property of KPB; and
- WHEREAS,** this arrangement recognizes the unique attributes of the Nikolaevsk school property, that takes into consideration a cloud on title, the remote nature of the school property, the high holding costs and lack of alternative uses for the property, and the community request for a charter school space; and

WHEREAS, the KPB Planning Commission, at its regular meeting held on _____, 2026, recommended _____;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That this is a non-code ordinance.

SECTION 2. That the real property described below is owned by the KPB and has been identified by Alaska Homestead Education, Inc. as necessary for the Nikolaevsk Charter School:

Tracts 1 and 48, Nikolaevsk Village Subdivision, According to Plat 75-40, Homer Recording District, Third Judicial District, State of Alaska.

Tract 53a, Nikolaevsk Village Subdivision, No.1, According to Plat No. 78-40, Homer Recording District, Third Judicial District, State of Alaska.

SECTION 3. That the Assembly authorizes the sale of the KPB-owned parcels identified in Section 2 pursuant to KPB 17.10.100(I).

SECTION 4. That the Alaska Homestead Education, Inc. warrants and covenants that in the event the property is not used for K-12 school purposes for a period of One Hundred and Twenty (120) months, the Title to the Property may revert back to the Seller, at the Seller's sole discretion. This Covenant shall attach to the Property and bind all successors and or assigns, until released by the Seller.

SECTION 5. The Assembly makes an exception to KPB 17.10.110 (notice of disposition). This exception is based on the following findings of fact pursuant to KPB 17.10.230:

1. Special circumstances or conditions exist.
 - a. The purpose of KPB 17.10.110 advertising requirement is to notify the public of an opportunity to purchase or lease KPB land. Advertising this conveyance to the Alaska Homestead Education, Inc. will not serve a useful purpose, and would cause delays that may negatively impact the transaction.
 - b. Conveyance of the KPB parcels in this manner is authorized by KPB 17.10.100(I).
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this chapter.

- a. This exception to the notice requirement is not necessary to preserve a substantial property right, and the assembly hereby authorizes exception to that finding requirement. For this disposal, the notice requirement is impractical, and compliance is not in the best interests of the KPB due to the delay and unnecessary expense it would cause.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area.
- a. The proposed disposition is advertised by publication of the ordinance in newspapers of general circulation and on the borough's web page. Notice of the proposed disposition is also published by the Planning Commission agenda in newspapers of general circulation, and a public hearing is held at the Planning Commission level. Additional notice is not necessary to comply with the intent of KPB 17.10 or to protect the public welfare.

SECTION 6. That based on the foregoing and in support of the Nikolaevsk Charter School the Mayor is hereby authorized, pursuant to KPB 17.10.100(I) to convey, the school property described in Section 2 of this ordinance to Alaska Homestead Education, Inc. for \$2,000,000 payable in annual installments with 6% interest. The annual payment of \$202,526.64 will be deferred for each year the property is used for K-12 school purposes and forgiven at the conclusion of the 10th year of there being a school facility operating on the property. Alaska Homestead Education, Inc. is responsible for any and all related costs and recording fees. All other applicable terms and conditions of KPB 17.10 shall apply to this conveyance unless inconsistent with this ordinance.

SECTION 7. That Alaska Homestead Education, Inc. will have until 180 days to execute the purchase agreements and complete the transaction.

SECTION 8. That the Mayor is authorized to sign any documents necessary to effectuate this ordinance.

SECTION 9. That revenues generated from the sale shall be submitted to the KPB Finance Department and deposited into Land Management Account No. 250.00000.00000.36316.

SECTION 10. That if any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstance will not be affected.

SECTION 11. That this ordinance shall become effective immediately.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS * DAY
OF *, 2026.**

Ryan Tunseth, Assembly President

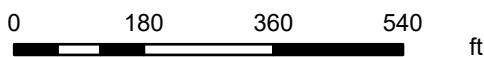
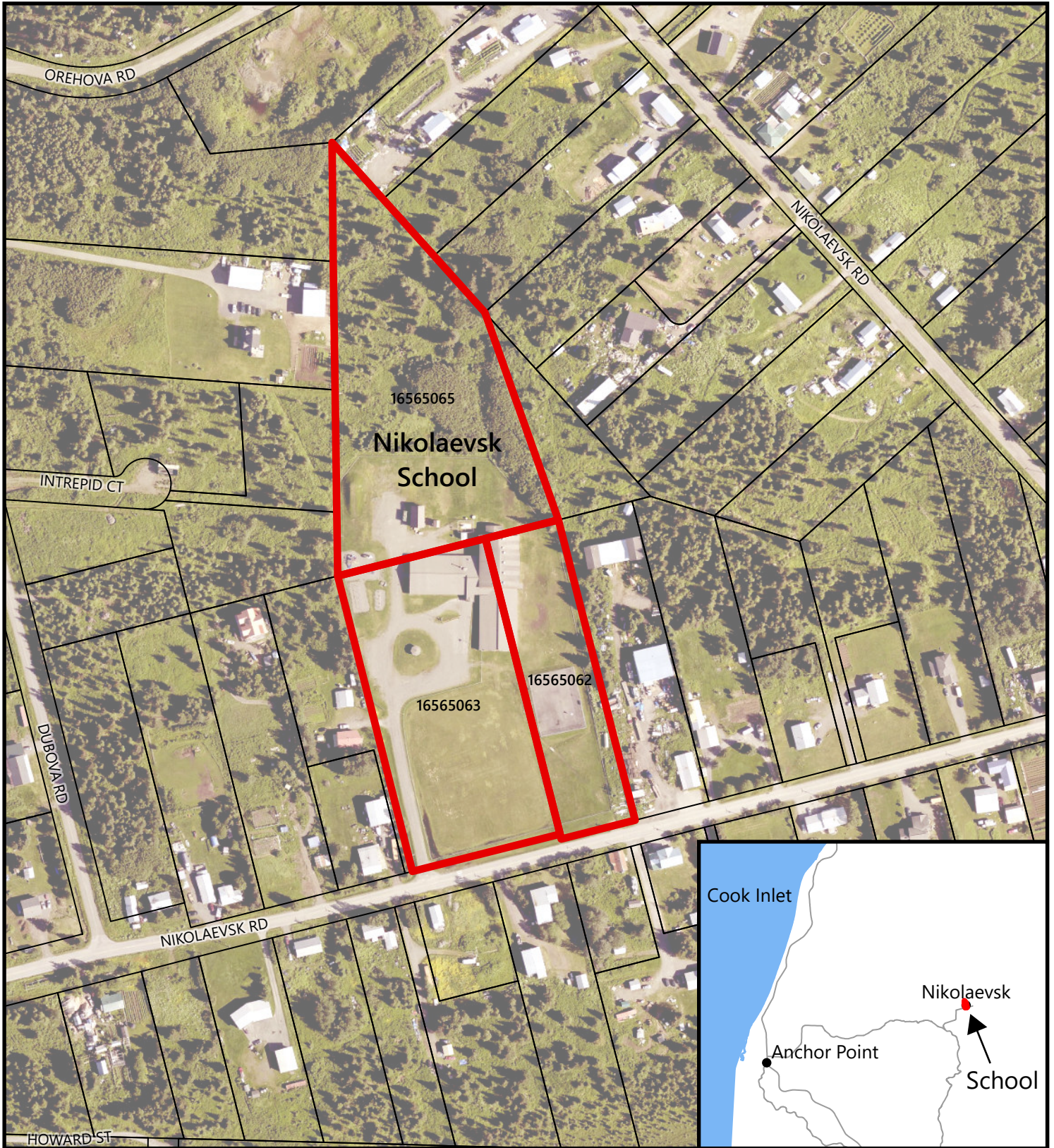
ATTEST:

Michele Turner, MMC, Borough Clerk

Yes:

No:

Absent:



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

LMD 25-43
 Parcel No.'s 16565062, 16565063, & 16565065

PURCHASE AGREEMENT

This Purchase Agreement (Agreement) is made by and between Kenai Peninsula Borough, an Alaska municipal corporation, as seller, whose address is 144 North Binkley Street, Soldotna, Alaska 99669 (KPB), (Seller) and the _____, an Alaska _____, as buyer, whose address is _____, _____, Alaska 99669 (Buyer) (together, the Parties).

WHEREAS, Sellers are the owners of that real property located in the Homer Recording District, Third Judicial District, State of Alaska, and more particularly described as follows:

TRACTS 1 AND 48, NIKOLAEVSK VILLAGE SUBDIVISION, ACCORDING TO PLAT 75-40, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

AND

TRACT 53A, NIKOLAEVSK VILLAGE SUBDIVISION, NO.1, ACCORDING TO PLAT NO. 78-40, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA.

SUBJECT TO: THE PROPERTY AND ITS IMPROVEMENTS BEING USED FOR THE PURPOSE OF A PRIMARY OR SECONDARY K-12 SCHOOL FACILITY. IN THE EVENT THIS CONDITION IS NOT MAINTAINED FOR A PERIOD OF ONE HUNDRED AND TWENTY (120) MONTHS, THE TITLE TO THE PROPERTY MAY REVERT BACK TO THE SELLER, AT THE SELLERS SOLE DISCRETION. THIS COVENANT SHALL ATTACH TO THE PROPERTY AND BIND ALL SUCCESSORS AND OR ASSIGNS, UNTIL RELEASED BY THE SELLER.

(PARCEL NO's. 16565062, 16565063, 16565065) (the Property); and

WHEREAS, KPB has offered to Sell, and Buyer is willing to purchase the Property as evidenced by this Agreement;

NOW THEREFORE, in consideration of the conditional promises herein contained, Seller hereby agrees to sell to Buyer, and Buyer hereby agrees to buy from Seller, the Property on the terms and conditions as set forth below:

1. PURCHASE PRICE

Kenai Peninsula Borough, Alaska

KPB / Niko _____ – Purchase Agreement

Page 1 of 6

The purchase price of the Property is TWO MILLION DOLLARS (\$2,000,000.00). The purchase price must be paid by Buyer pursuant to a Deed of Trust Note executed by the Buyer in favor of KPB and secured by a Deed of Trust on the Property, with interest at the rate of Six percent (6%) per annum, payable in Ten (10) equal annual installments. The sale of the Property and related terms of the sale are subject to approval by the KPB Assembly.

1.1 Balance of Purchase Price. The sum of **Two Million U.S. dollars and NO cents (\$2,000,000.00)**, representing the balance of the Purchase Price, shall be paid pursuant to a Deed of Trust Note executed by Buyer in favor of Seller and secured by a First Position Deed of Trust on the Property, with interest at the rate Six percent (6%) per annum, payable as follows:

The annual payment amount of Two Hundred and Two Thousand, Five Hundred and Twenty-Six dollars and Sixty-four cents (\$202,526.64) of the principal amount and incurred interest to be deferred by the Seller for each year the Buyer remains in full compliance with this Agreement, and the terms of the Deed of Trust Note, and Deed of Trust. There is no prepayment penalty. In the event of a default, all principal and deferred payments and interest shall become immediately due and payable.

1.2 Deferment Terms. In addition to any covenants, obligations, and requirements in the Deed of Trust Note and Deed of Trust, the Buyer's annual payment, including interest, under Section 1.2 of this Agreement will be deferred by the Seller for each year the Buyer is in compliance with, and satisfies, the following terms:

- 1.2.1 The property must be used for educational purposes as a primary or secondary school facility, provided that such primary use is maintained, the property may also be used for community purposes.
- 1.2.2 Buyer and or their assigns must continue to maintain the property and all improvements in as-is or better condition.
- 1.2.3 Buyer must provide a certificate of insurance with adequate insurance to cover the replacement value of the property and listing "Kenai Peninsula Borough" as an additional named insured for the principal amount of the note.
- 1.2.4 By or before June 30 of each year, Buyer must provide KPB with documentation of any repairs, maintenance, or capital projects related to the building structure and/or mechanical systems.
- 1.2.5 By or before June 30 of each year, Buyer must provide an annual reconciliation of revenue and expenditures. In the event cost expenditures for building maintenance, repairs, utilities, taxes, insurance and any other costs directly attributable to compliance with the terms of this Agreement are less than \$202,525.64, the difference in that amount must be deposited into an held and controlled by the Kenai Peninsula Borough on or before July 30th of the year in question. Interest accrued on the funds will be the property of KPB. Account funds must be used exclusively as reserves for building maintenance and only

released with the consent of KPB Administration and approved appropriation by the KPB Assembly. In the event of a default, all funds in the account automatically become the property of the KPB upon

1.3 Forgiveness Deferred Annual Payment. If the Buyer operates a primary or secondary school facility at the Property and otherwise complies with the terms of this Agreement, Deed of Trust Note, and Deed of Trust, at the conclusion of the 10th year of there being a school facility operating at the Property, subsequent to the execution and approval of this Agreement, the deferred annual payments and accrued interest will be forgiven in full and the Buyer shall owe no further obligation to KPB.

2. EXPIRATION OF OFFER

Buyer must sign and return this Agreement to KPB on or before _____, **2026, at 9:00am;** otherwise, this offer will terminate.

3. TITLE

Title shall be delivered at time of Closing by quitclaim deed which shall be issued to Buyer. Seller sells only its interest in the property, if any, AS-IS, WHERE-IS without warranty of any kind or nature whatsoever. Title shall also be subject to reservations, easements, rights-of-way, covenants, conditions and restrictions of record. Buyer warrants and covenants that at the time of closing there shall be no liens or judgments recorded against Buyer in the same recording district in which the property subject to this purchase agreement is situated. Seller will be provided, at the Buyer's expense, a lenders policy of title insurance in the amount of the loan considered in Section 1.1.

Buyer acknowledges a cloud on title currently exists against Tract 1. Seller is under no obligation to resolve the subject cloud prior to conveying title to the Buyer.

4. ESCROW AND CLOSING COSTS

Buyer shall pay all closing costs in connection with this Agreement, including without limitation all escrow fees, title insurance charges, recording fees and bank charges. All costs must be paid in full at the time of closing. Buyer will be required to obtain an ALTA Standard Owners Title Insurance policy, and ALTA Standard Lenders Policy of title insurance insuring the Seller for the amount referenced in Section 1.1. Property taxes for the current year, if any, will be prorated from the date of closing. Buyers are responsible for any realtor's commission, and legal fees. All costs will be paid in full at the time of closing.

5. CLOSING

Unless otherwise agreed to in writing, closing will occur on or before _____, **2026**, or as specifically agreed to by the Parties. At closing, Buyer will pay the balance of the purchase price. The Parties will execute all documents required to complete the Agreement and, if applicable, establish an escrow account.

6. POSSESSION

Possession will be delivered to Buyer at the time of recording unless otherwise agreed to in writing by the Parties.

7. KENAI PENINSULA BOROUGH ASSEMBLY APPROVAL

Sale of the Property by KPB is subject to authorization by the KPB Assembly. If the KPB Assembly fails to authorize the sale of the Property, this Agreement will terminate without penalty.

8. DISCLOSURES

Seller hereby agrees to provide written property disclosures including any and all information regarding known defects, deficiencies, legal matters, environmental issues or hazards that may be personally known by the Seller. If said written disclosures present a matter unsatisfactory to Buyer, Buyer may terminate this Agreement without penalty.

9. INSURANCE

Buyer shall maintain property insurance covering all buildings and improvements located on the property at full replacement value for the duration of the agreement. Proof of insurance will be delivered to KPB at the time of submission of the signed agreement and this policy must name KPB as additional insured. Failure to maintain required coverage constitutes a violation of the agreement.

10. CONTINGENT ON INSPECTION / REVIEW

Closing is contingent upon the satisfactory review and due diligence of the Buyer. The review and due diligence may be completed as necessary by Buyer, upon approval by KPB. The review will be completed on or before _____, 2026. All inspections and related due diligence required under this Section will be conducted solely at Buyer's expense.

11. HAZARDOUS MATERIAL

No covenant is being provided by the Seller pertaining to Hazardous Materials, Waste, or prior use of the property. Buyer agrees that no hazardous substances or wastes will be located on, nor stored on the Property. Nor will any such substance be owned, stored, used, or disposed of on the Property or any adjacent property by Buyer, their agents, employees, contractors, or invitees, while in their possession or control of the Property.

12. ENTIRE AGREEMENT

This Agreement and the documents referred to herein contain the entire agreement of the Parties with respect to the subject matter hereof. Any changes, additions or deletions hereto must be made in writing and signed by both KPB and Buyer or their respective successors in interest. Provisions of this Agreement, unless inapplicable on their face, will be covenants constituting terms and conditions of the sale, and will continue in full force and effect until the purchase

price is paid in full or this Agreement is earlier terminated.

13. BREACH REMEDY

Prior to closing of the sale, in the event that KPB or Buyer fail to make any payment required, or fail to submit or execute any and all documents and papers necessary for closing and transfer of title within the time period specified in this Agreement, the Buyer or KPB may terminate this Agreement.

14. MISCELLANEOUS

- A. Time. Time is of the essence in performance of this Agreement.
- B. Cancellation. This Agreement, while in good standing, may be canceled in whole or in part, at any time, upon mutual written agreement by Buyer and the KPB Mayor. This Agreement is subject to cancellation in whole or in part if improperly issued through error in procedure or with respect to material facts. KPB may cancel this Agreement without penalty in the event additional contracts required of this project are not secured.
- C. Notice. Any notice or demand which, under the terms of this Agreement or under any statute must be given or made by the Parties, must be in writing, and be given or made by registered or certified mail, addressed to the other Party at the address shown on the contract. However, either Party may designate in writing such other address to which such notice of demand may thereafter be so given, made or mailed. A notice given hereunder will be deemed received when deposited in a U.S. general or branch post office by the addressor.
- D. Interpretation. This Agreement will be deemed to have been jointly drafted by the Parties. It will be construed according to the fair intent of the language as a whole, not for or against either Party. The interpretation and enforcement of this Agreement will be governed by the laws of the State of Alaska. Any lawsuit brought arising from this Agreement must be filed in the superior court of the Third Judicial District, State of Alaska, located in the City of Kenai, Alaska. The titles of sections in this Agreement are not to be construed as limitations of definitions but are for identification purposes only.
- E. Condition of Property. Seller will deliver the Property in its as-is condition with no implied warranties as to condition of the property, improvements, or chain of title.
- F. Counterparts. This Agreement may be executed in counterpart, and may be executed by way of copy, facsimile or verified electronic signature in compliance with AS 09.80, and if so, each of which will be deemed an original but all of which together will constitute one and the same instrument

KENAI PENINSULA BOROUGH:

BUYERS:

Peter A. Micciche, Mayor (Date)

(Date)

(Date)

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Michele Turner, CMC
Borough Clerk

Wayne Cary
Deputy Borough Attorney (Date)

E. NEW BUSINESS

6. Conditional Use Permit

Planning Commission Resolution 2026-30

Applicant: KPB Roads Department

Request: Replace two undersized culverts within the 50' HPD of an unnamed stream

Parcel ID: 18505409, 18505406 & 18505408

Ninilchik Area

Multi-Agency Permit Application

Kenai Peninsula Borough

River Center

514 Funny River Road
Soldotna, Alaska 99669
KenaiRivCenter@kpb.us

Phone: (907) 714-2460
Fax: (907) 260-5992

Fees Received: \$ _____

Cash

Check # _____

CREDIT CARDS NOT ACCEPTED
FOR APPLN FEES

PROPERTY OWNER:

Name: Kenai Peninsula Borough/BLM
Mailing: 7140 East Poppy Lane
Soldotna, AK 99669
Phone: (907) 714-2260
Email: jnations@kpb.us

AGENT: (if applicable)

Name: Joseph Nations
Mailing: 47140 East Poppy Lane
Soldotna, AK 99669
Phone: (907) 714-2260
Email: jnations@kpb.us

PROJECT LOCATION:

KPB Parcel ID: 18505409, 18505406, 18505408, and KPB ROW
Physical Address: 58837 Oil Well Road
Subdivision: NA
Lot: _____ Block: _____ Addition/No.: _____

WATERBODY INFORMATION:

Waterbody: Unnamed Tributary
River Mile: _____
Riverbank: Left Right (looking downstream)

PERMIT FEES:

\$50 - Staff Permit **OR**

\$300 - Conditional Use or Floodway Analysis

PROJECT:

New Project **OR**

Extension/Amendment to **RC#** _____

Please select all activities that apply to your project:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bank Stabilization | <input checked="" type="checkbox"/> Fish & Wildlife Management | <input checked="" type="checkbox"/> Road Construction |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Floating Dock | <input checked="" type="checkbox"/> Structure (Accessory) |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Fuel Storage Green Infrastructure | <input type="checkbox"/> Structure (Residential) |
| <input type="checkbox"/> Coir Logs | <input type="checkbox"/> In-Stream Structures (Weir) | <input type="checkbox"/> Spruce Tree Revetment |
| <input type="checkbox"/> Culvert | <input type="checkbox"/> Oil & Gas | <input checked="" type="checkbox"/> Stream Crossing |
| <input type="checkbox"/> ELP Structures | <input checked="" type="checkbox"/> On-Site Utilities | <input type="checkbox"/> Utility Line/Easement |
| <input type="checkbox"/> Equipment Stream Crossing | <input type="checkbox"/> Prior-Existing Structure | <input checked="" type="checkbox"/> Veg Mat |
| <input checked="" type="checkbox"/> Excavation, Dredging, and/or Fill | <input checked="" type="checkbox"/> Revegetation | <input checked="" type="checkbox"/> Vegetation Removal |
| <input type="checkbox"/> Fence Installation | <input type="checkbox"/> Root Wads | <input checked="" type="checkbox"/> Water Withdrawal |
| | | <input type="checkbox"/> Other: _____ |

PROJECT DESCRIPTION: Provide a detailed description of your project, attach additional pages if necessary.

Replace existing 3' and 1.5' flood culvert at the Unnamed Tributary crossing at Oil Well Road with an 11' and 5' (flood) fish passage culverts according to US Fish and Wildlife fish passage culvert standards. Project will include stream bypass, temporary road shutdown (maximum 12 hours) and road reconstruction, along with stream realignment upstream to rectify existing ponding features and improve fish movement.

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? Yes No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light-Penetrating Structures \$ _____ Other Activities \$ _____
Habitat Restoration & Protection \$ _____ Green Infrastructure \$ _____

PROJECT QUESTIONS:

- 1. Start date: 6/1/2026 End date: 10/31/2026 Estimated Days of Construction: 45
- 2. Is any portion of the work already complete? If yes, please describe: _____ Yes No
- 3. Is your project located on land or waters of an Alaska State Park? Yes No
If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit

Ordinary High Water (OHW) and Mean High Water (MHW):

- 4. Is the project located within 50 feet of OHW or MHW a waterbody? Yes No
- 5. Does any portion of the project extend below the OHW or MHW of the waterbody? Yes No
- 6. Does any portion of the project cantilever or extend over the MHW of the waterbody? Yes No
- 7. Will anything be placed below OHW or MHW of the waterbody? Yes No

Regulatory Floodplains:

- 8. Is the property where the project is taking place near or within a regulatory floodplain? Yes No
 - a. Is this project within or adjacent to a regulatory floodway? Yes No
 - b. Is this project within or adjacent to a coastal high hazard zone? Yes No
 - c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ N/A

Excavation, Dredging, and Fill:

- 9. Will material be excavated or dredged from the site? Yes No
 - a. Type of material(s): Existing roadway soils and native soils below existing culverts
 - b. Area to be dredged below OHW or MHW:
 Length: 210 (ft) Width: 11 (ft) Depth: 4 (ft) Total Cubic Yards: 343
 - c. Area to be excavated above OHW or MHW:
 Length: 60 (ft) Width: 80 (ft) Depth: 7 (ft) Total Cubic Yards: 1,245
 - d. Location materials will be deposited: Culvert backfill or spread (adjacent parking areas along Oil Well Rd.)
- 10. Will any material (including soils, debris, and/or overburden) be used as fill? Yes No
 - a. Type of material(s): pit run gravels, graded gravels, D1 and topsoil/vegmat
 - b. Is this fill permanent or temporary? Permanent Temporary
 - c. Area to be filled above OHW or MHW:
 Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
 - d. Area to be filled below OHW or MHW:
 Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

Motorized Equipment:

- 11. Will you be using motorized equipment for this project? If yes, please list all equipment: Yes No
Excavator(s), loader, skid steer, end dumps
- a. Will you be crossing a stream or waterbody? Yes No
- b. How long will equipment be used below OHW or MHW? approximately 1 week

SIGNATURE & CERTIFICATION:

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

| | | | |
|--|-------------|--|-------------|
| Joseph Nations <small>Digitally signed by Joseph Nations DN: c=US, email=jnations@jeh.us, o=Genea Peninsula Borough, ou=Engineering & Contracting, cn=Joseph Nations Date: 2026.04.28 12:15:53 -0700</small> | 04/28/2026 | | Date |
| Owner Signature (required) | Date | Agent Signature (if applicable) | Date |

KENAI PENINSULA BOROUGH UNNAMED TRIBUTARY CULVERT REPLACEMENT

NINILCHIK, ALASKA

APRIL 2026



1 SITE VICINITY MAP
SCALE: 1" = 30 MILES



2 PROJECT LOCATION MAP
SCALE: 1" = 1,000'

CERTIFICATE OF ENGINEER

STATE OF --)
COUNTY OF --) SS:

I, JOE MCELROY HEREBY STATE TO THE BEST OF MY KNOWLEDGE AND UNDERSTANDING THAT THIS DESIGN AND ACCOMPANYING DRAWINGS HAVE BEEN PREPARED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH STANDARD AND GENERALLY ACCEPTED ENGINEERING PRACTICES AND PROCEDURES IN EFFECT AT THE TIME.

ISSUE FOR 60%
REVIEW



CALL US AT:
800-478-3121
or **811**
<https://www.811ak.com/>

| INDEX OF SHEETS | | |
|-----------------|--|------|
| SHEET NO. | TITLE | REV. |
| | PROJECT LOCATION AND INDEX OF SHEETS | B |
| 1 | EXPLANATION AND NOTES (1 OF 2) | B |
| 2 | EXPLANATION AND NOTES (2 OF 2) | B |
| 3 | EXISTING PLAN AND PROFILE | B |
| 4 | PROPOSED PLAN AND PROFILE | B |
| 5 | PROPOSED CULVERT AND STREAM CROSS-SECTIONS | B |
| 6 | ROAD PLAN AND PROFILE | B |
| 7 | DETAILS (1 OF 2) | B |
| 8 | DETAILS (2 OF 2) | B |

| | | | | |
|---|-----------------|-----------------|----------------------|---------------------|
| | | | | |
| DRAWN BY: BAJ | CHECKED BY: TRR | DATE: 4/10/2026 | SCALE: AS SHOWN | FILE: KENAI01_TITLE |
| <p style="font-size: small; margin: 0;">Tribhydro Laramie, Wyoming 82070 www.tribhydro.com (307)762-6244 (P) 307/762-7728</p> | | | | |
| PROJECT LOCATION AND INDEX OF SHEETS UNNAMED TRIB. CULVERT REPLACEMENT KENAI PENINSULA BOROUGH NINILCHIK, ALASKA | | | | |
| TITLE | | | | REV: B |
| | | | ISSUE FOR 60% REVIEW | BAJ TRR |
| | | | ISSUE FOR 30% REVIEW | BAJ TRR |
| | | REV. DATE | DESCRIPTION | BY CHKD |
| | | | REVISIONS | |

GENERAL NOTES

CONSTRUCTION:

- CONTRACTOR SHALL CONFIRM THE LOCATION OF ALL STRUCTURES, FACILITIES, AND UTILITIES PRIOR TO COMMENCING WORK AND EXCAVATION ACTIVITIES. CONTRACTOR SHALL EMPLOY MEASURES TO PROTECT AND PREVENT DAMAGE TO ALL EXISTING STRUCTURES, FACILITIES, AND UTILITIES.
- CONTRACTOR SHALL CALL 1-800-478-3121 OR 811 PRIOR TO INTRUSIVE ACTIVITIES TO LOCATE ON-SITE UTILITIES. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES AND MAY BE LIABLE FOR DAMAGE TO UTILITIES DURING CONSTRUCTION. THE ENGINEER AND OWNER DO NOT MAKE ANY REPRESENTATIONS AS TO EXISTENCE OR NON-EXISTENCE OF UTILITIES WITHIN THE PROJECT AREA.
- THE CONTRACTOR SHALL USE EXISTING ACCESS ROADS FOR EQUIPMENT, PERSONNEL, AND MATERIALS TRANSPORTATION. THE CONTRACTOR SHALL REPAIR ANY DAMAGE TO ACCESS ROADS AND IMPROVEMENTS CAUSED BY THE CONTRACTOR. IF ANY NEW ACCESS ROADS ARE REQUIRED TO COMPLETE THE WORK, THEY MUST BE APPROVED BY THE OWNER, AND SHALL BE RECLAIMED TO EXISTING CONDITIONS, AS NEEDED.
- CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL LOCAL, STATE, AND FEDERAL REGULATORY REQUIREMENTS APPLICABLE TO THE PROJECT (I.E CWA 404 PERMIT).
- ALL EQUIPMENT AND SUPPORT VEHICLES SHALL BE DECONTAMINATED PRIOR TO MOBILIZING TO THE SITE. EQUIPMENT AND SUPPORT VEHICLES SHALL BE FREE OF WEEDS, ORGANIC MATERIAL, AND DIRT.
- EQUIPMENT SHALL BE CLEANED OF EXTERNAL OIL, GREASE, DIRT, AND MUD, AND ALL LEAKS SHALL BE REPAIRED PRIOR TO ENTERING AREAS THAT DRAIN TO STREAMS OR WETLANDS.
- FUEL STORAGE AND REFUELING SHALL NOT OCCUR WITHIN 300 FEET OF STREAMS AND WETLANDS. FUEL SPILL CONTAINMENT AND CLEANUP MATERIALS SHALL BE PRESENT AND AVAILABLE ON-SITE.
- STANDARD SPECIFICATIONS FOR THIS PROJECT SHALL BE THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (2020 EDITION) WITH NOTED MODIFIED SECTIONS AND KENAI PENINSULA BOROUGH STANDARDS. THE UNITED STATES FISH AND WILDLIFE SERVICE, CULVERT DESIGN GUIDELINES FOR ECOLOGICAL FUNCTION WEBSITE WILL ALSO SERVE AS GUIDANCE. STANDARD SPECIFICATIONS SHALL BE FOLLOWED UNLESS MODIFIED HEREIN.
- CONTRACTOR SHALL MINIMIZE, TO THE MAXIMUM EXTENT POSSIBLE, IMPACTS TO THE ADJACENT TREES. CONSTRUCTION EQUIPMENT TRACKS AND PATHWAYS SHALL BE GRADED AND RECONTOURED AFTER CONSTRUCTION TO PREVENT EROSION.
- THE CONTRACTOR SHALL REVEGETATE ALL AREAS THAT HAVE BEEN DISTURBED WITHIN THE PROJECT AREA DURING CONSTRUCTION IF NOT IDENTIFIED FOR OTHER SURFACING OR REVEGETATION.
- AFTER CONSTRUCTION, THE ACCESS ROADS LEADING TO THE PROJECT AREA SHALL BE RESTORED TO AS GOOD OR BETTER CONDITION THAN BEFORE CONSTRUCTION.

SURVEYS:







- EXISTING GROUND SURFACE IS BASED ON SURVEY COMPLETED BY F.R. BELL AND ASSOCIATES IN JULY 2025. CHANGES IN THE EXISTING SURFACE SHALL BE INCIDENTAL TO CONSTRUCTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION SURVEY AND LAYOUT.
- COORDINATES ARE BASED ON NAD83 ALASKA STATE PLANE ZONE 4. VERTICAL DATUM IS IN NAVD88 USING GEOID 12B.
- BRING ANY ALIGNMENT CONFLICTS TO THE ENGINEER'S ATTENTION.

SAFETY:


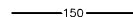










- THE CONTRACTOR IS RESPONSIBLE FOR THE HEALTH AND SAFETY OF ITS EMPLOYEES, INCLUDING BUT NOT LIMITED TO (1) BECOMING FAMILIAR WITH SITE CONDITIONS AND POTENTIAL HAZARDS, (2) PROVIDING APPROPRIATE SAFETY EQUIPMENT, AND (3) COMPLIANCE WITH ALL APPLICABLE HEALTH AND SAFETY REGULATIONS AND STANDARD INDUSTRY SAFETY.

EXPLANATION

EXISTING

-  TEMPORARY BENCHMARK
-  UNDERGROUND GAS MARKER
-  CULVERT
-  SURFACE CONTOURS (1-FOOT INTERVAL)
-  STREAM THALWEG
-  NATIVE MATERIAL

PROPOSED

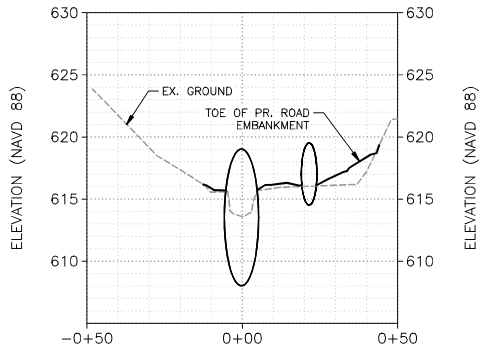
-  CULVERT
-  SURFACE CONTOURS (1-FOOT INTERVAL)
-  ROADWAY CENTERLINE
-  LOWER VERTICAL ADJUSTMENT POTENTIAL (VAP)
-  PROPOSED THALWEG
-  CULVERT SUBSTRATE
-  CHANNEL SUBSTRATE
-  FINE AGGREGATE
-  DRAINAGE ROCK
-  GRAVEL BEDDING
-  ROAD BASE
-  BACKFILL

ABBREVIATIONS

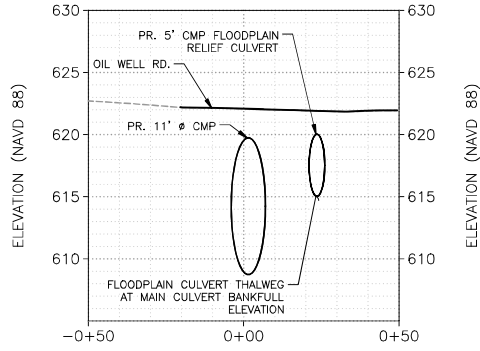
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|-------|--------------------------|-------|-------------------------------|
| Ø | DIAMETER | PR. | PROPOSED |
| BMP | BEST MANAGEMENT PRACTICE | RD. | ROAD |
| CMP | CORRUGATED METAL PIPE | REF. | REFERENCE |
| CP | CONTROL POINT | SHT. | SHEET |
| DEPT. | DEPARTMENT | STA. | STATION |
| DS. | DOWNSTREAM | TBD | TO BE DECIDED |
| ELEV. | ELEVATION | TRIB. | TRIBUTARY |
| EX. | EXISTING | TYP. | TYPICAL |
| FT. | FEET | US. | UPSTREAM |
| LF | LINEAR FEET | VAP | VERTICAL ADJUSTMENT POTENTIAL |
| MIN. | MINIMUM | | |

| | | | | | | | |
|---|--------------------------------|-------------------|-------------|----------------------|-----------|-------------|----------------------|
| | | | | | | | |
| DRAWN BY: BAJ | CHECKED BY: TRR | DATE: 4/10/2026 | SCALE: NONE | FILE: KENAI_UT_NOTES | REV. DATE | DESCRIPTION | REVISIONS |
| | | | | | A | 9/22/2025 | ISSUE FOR 30% REVIEW |
| | | | | | B | 4/10/2026 | ISSUE FOR 60% REVIEW |
| UNNAMED TRIB. CULVERT REPLACEMENT KENAI PENINSULA BOROUGH NINILCHIK, ALASKA | EXPLANATION AND NOTES (1 OF 2) | SHEET 1 | 1 OF 8 | REV: B | BAJ | TRR | BY CHKD |

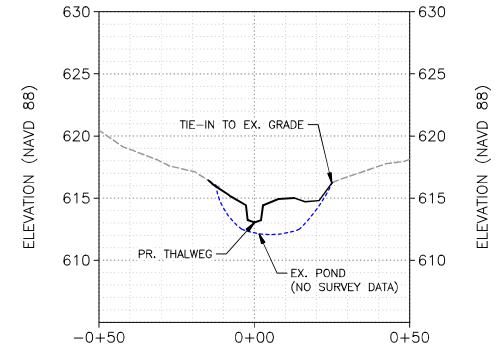
ISSUE FOR 60%
REVIEW



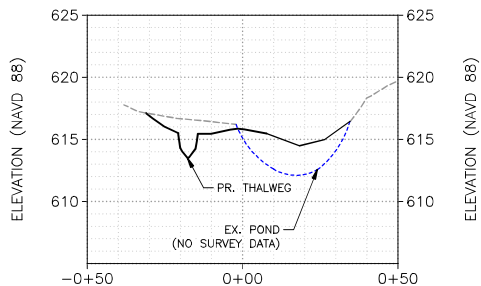
1 STA. 2+86.0 - UNNAMED TRIBUTARY DOWNSTREAM TIE-IN
SCALE H: 1" = 40' V: 1" = 10'



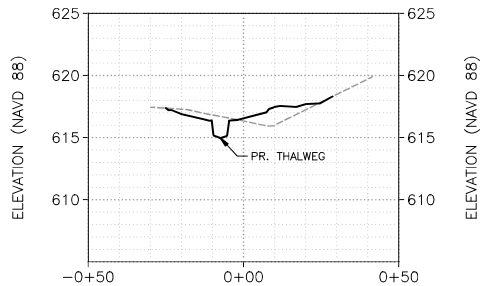
2 STA. 3+19.0 - UNNAMED TRIBUTARY AT OIL WELL RD.
SCALE H: 1" = 40' V: 1" = 10'



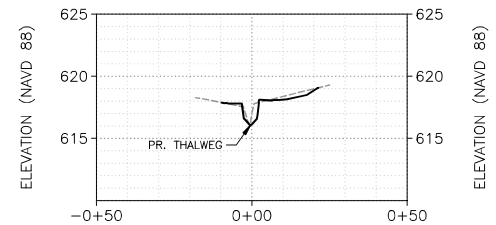
3 STA. 3+50.0 UPSTREAM CULVERT TIE-IN TO PR. CHANNEL
SCALE H: 1" = 40' V: 1" = 10'



4 STA. 3+95.5 - TYP. UNNAMED TRIBUTARY POOL
SCALE H: 1" = 40' V: 1" = 10'

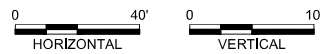


5 STA. 4+32.0 - TYP. UNNAMED TRIBUTARY RIFFLE
SCALE H: 1" = 40' V: 1" = 10'



6 STA. 4+89.83 - UPSTREAM TIE-IN TO EXISTING CHANNEL
SCALE H: 1" = 40' V: 1" = 10'

NOTE:
CROSS SECTIONS ARE LOOKING DOWNSTREAM



ISSUE FOR 60%
REVIEW

| | | | | | |
|--|-----------------|-----------------|-----------------|--------------------|--|
| | | | | | |
| DRAWN BY: BAJ | CHECKED BY: TRR | DATE: 4/10/2026 | SCALE: AS SHOWN | FILE: KENAI_UT_1.S | REV. DATE DESCRIPTION BY CHKD |
| | | | | | A 9/22/2025 ISSUE FOR 30% REVIEW BAJ TRR |
| | | | | | B 4/10/2026 ISSUE FOR 60% REVIEW BAJ TRR |
| Tribhydro 10000 Lakeside Drive Laramie, Wyoming 82070 www.tribhydro.com (307) 765-2424 (P) 307 765-7728 | | | | | REVISIONS |
| PROPOSED CULVERT AND STREAM CROSS-SECTIONS UNNAMED TRIB. CULVERT REPLACEMENT KENAI PENINSULA BOROUGH NINILCHIK, ALASKA | | | | | |
| SHEET | 5 | | | | BY |
| | 5 OF 8 | | | | TRR |
| REV. B | | | | | BAJ |

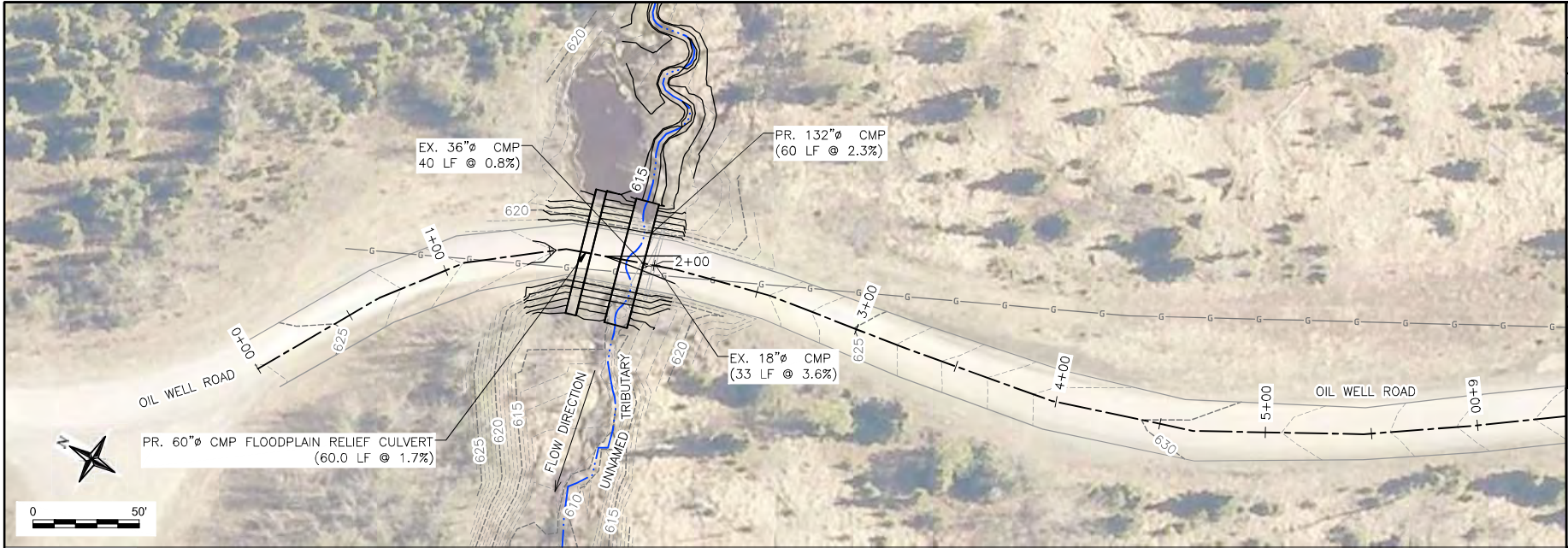
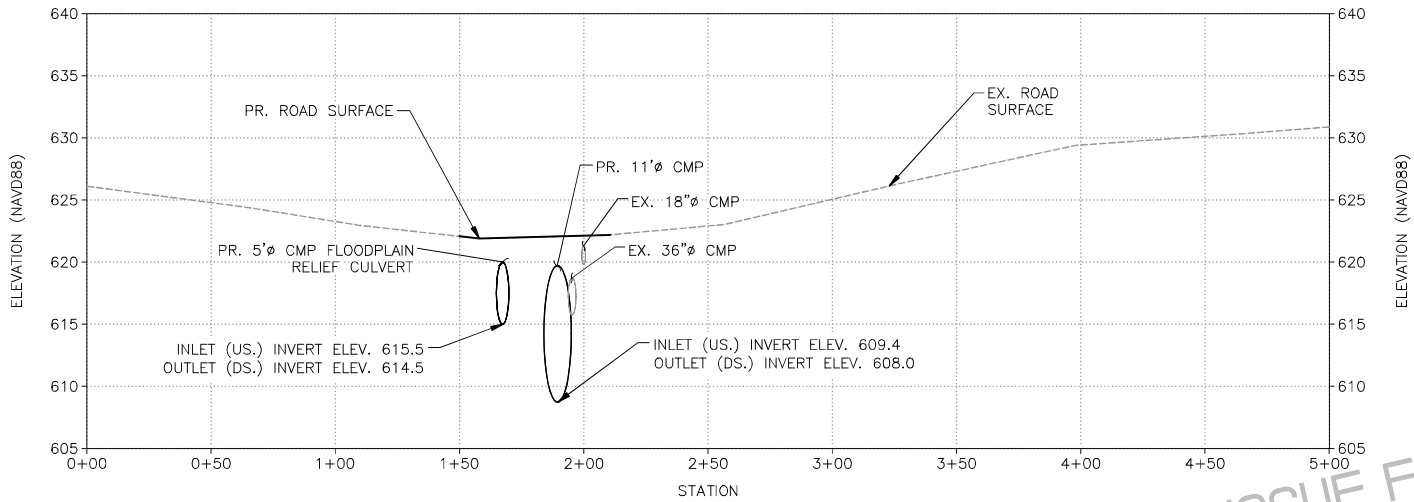


Image Cite: Eagleview Technologies, Inc (2023) Fixed Wing 6" GSD. Obtained from Kenai Peninsula Borough

1 PLAN VIEW
SCALE: 1" = 50'



2 PROFILE VIEW
SCALE: H: 1" = 50' V: 1" = 10'

| Tribhydro 10000 Lakeside Drive Laramie, Wyoming 82070 www.tribhydro.com (307) 762-6224 (P) 307 762 7728 | ROAD PLAN AND PROFILE UNNAMED TRIB. CULVERT REPLACEMENT KENAI PENINSULA BOROUGH NINILCHIK, ALASKA | SHEET 6 6 OF 8 REV: B | DRAWN BY: BAJ CHECKED BY: TRR DATE: 4/10/2026 SCALE: AS SHOWN FILE: kenai_unnamed_profile.dwg | <table border="1"> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>REVISIONS</th> </tr> <tr> <td>B</td> <td>4/10/2026</td> <td>ISSUE FOR 60% REVIEW</td> <td>BAJ TRR</td> </tr> <tr> <td>A</td> <td>3/22/2025</td> <td>ISSUE FOR 30% REVIEW</td> <td>BAJ TRR</td> </tr> <tr> <td></td> <td></td> <td></td> <td>BY CHKD</td> </tr> </table> | REV. | DATE | DESCRIPTION | REVISIONS | B | 4/10/2026 | ISSUE FOR 60% REVIEW | BAJ TRR | A | 3/22/2025 | ISSUE FOR 30% REVIEW | BAJ TRR | | | | BY CHKD |
|---|--|---------------------------------------|---|--|------|------|-------------|-----------|---|-----------|----------------------|---------|---|-----------|----------------------|---------|--|--|--|---------|
| REV. | DATE | DESCRIPTION | REVISIONS | | | | | | | | | | | | | | | | | |
| B | 4/10/2026 | ISSUE FOR 60% REVIEW | BAJ TRR | | | | | | | | | | | | | | | | | |
| A | 3/22/2025 | ISSUE FOR 30% REVIEW | BAJ TRR | | | | | | | | | | | | | | | | | |
| | | | BY CHKD | | | | | | | | | | | | | | | | | |

ISSUE FOR 60%
REVIEW



Culvert Replacement

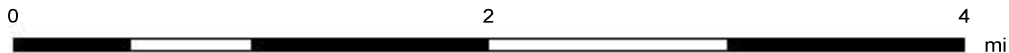
 **Project Area**

KPB Parcel(s):

18505408, 18505404, 18505405, 18505409,
18505406

Project Description:

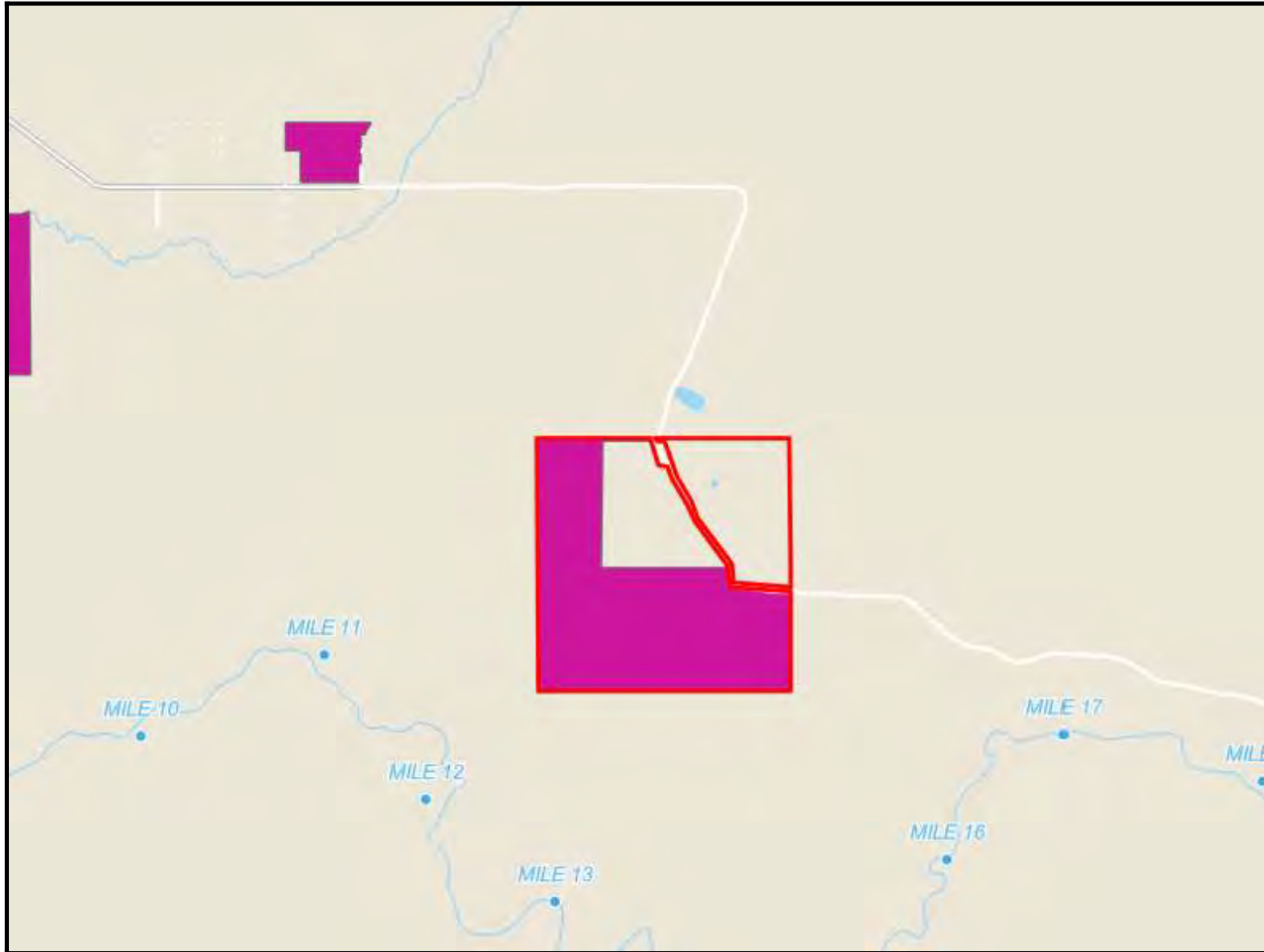
Vicinity: Ninilchik



Map created by Aldridge, Morgan
Wednesday, April 29, 2026



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Project Area

KPB Parcel(s):

18505408, 18505404, 18505405,
18505409, 18505406

Regulatory

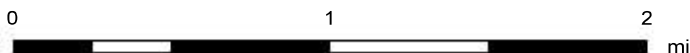
Material Sites

- Conditional Land Use Permit
- Counter Permit
- Prior Existing Use

Local Option Zones



Map created by Aldridge, Morga
Wednesday, April 29, 2026



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No.: 2026-30
Planning Commission Meeting: Tuesday, May 26, 2026
Applicant: Kenai Peninsula Borough – Roads Department
Mailing Address: 47140 East Poppy Lane
Soldotna, AK 99669
Legal Description: T 2S R 13W SEC 22 SM HM 0009469 US SURVEY 9469
LOT 3 & 4 WEST OF OIL FIELD ROAD & T 2S R 13W SEC
22 SEWARD MERIDIAN HM 0009469 US SURVEY 9469
LOT 4 EAST OF OIL FIELD ROAD
Physical Address: Oil Well Road
KPB Parcel Number: 18505409, 18505406, & 18505408

Project Description

Pursuant to KPB 21.18, a Conditional Use Permit is sought for the replacement of two undersized culverts within the 50-foot Habitat Protection District (HPD) of an un-named anadromous stream that crosses Oil Well Road in Ninilchik.

Background Information

The culverts involved in this project have been identified as being a barrier for fish passage for high priority salmon species. The culverts are on the US Fish & Wildlife Service replacement list as it does not meet Aquatic Organism Passage standards. The current culvert structure is degrading after years of stream impact and road usage.

Project Details within the 50-foot Habitat Protection District

1. Culvert Replacements:
 - a. Remove and replace Culvert A: Existing 36-inch by 40-foot culvert to be replaced by a 5-foot by 60-foot culvert
 - b. Remove and replace Culvert B: Existing 18" by 33.4-foot culvert to be replaced by an 11-foot by 60-foot culvert.
2. Fill Removal and Replacement:

- a. Removal of approximately 1,245 cubic yards of fill to include roadway soils and native soils below the existing culverts.
- b. Placement of approximately 343 cubic yards of materials to include: pit run, gravels, D1, topsoil, and vegetative mat.
3. Erosion and Sediment Control:
 - a. SWPPP plan is filed with ADEC and will be in place for the duration of the project.
 - b. Excavation stockpiles and equipment staging areas designed to minimize disturbance.
4. Diversion and Dewatering:
 - a. Pump intake to meet ADFG standards and will utilize screen.
 - b. Will follow Best Management Practices to ensure stream flow stays clean.
5. Toe Wood Bank Construction:
 - a. Minimize excavation and disturbance of bank.
 - b. Place 4 inches of topsoil and vegetative mat for vegetation regrowth.
6. Transplant and Revegetation:
 - a. Salvage materials located within grading limits if possible.
 - b. Vegetative mats should have 6-12 inches of rooting depth.
7. Culvert and Channel Substrate:
 - a. Will be a mix of coarse and fine aggregate, with a majority being coarse.

Attachments

Multi-Agency Application
Draft Resolution 2026-30

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses. Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2026-30.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2026-30

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF REPLACING CULVERTS WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE UNNAMED STREAM.

WHEREAS, Chapter KPB 21.18 provides for the approval of Conditional Use Permits for certain activities within the Habitat Protection District; and

WHEREAS, KPB 21.18.081 provides that a Conditional Use Permit is required for construction not meeting the standards of KPB 21.18.071; and

WHEREAS, KPB 21.18.091 provides for mitigation measures by the Planning Department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and

WHEREAS, public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in KPB 21.11.030; and

WHEREAS, public notice was posted as provided in KPB 1.08.180(B)(1)(3); and

WHEREAS, public testimony was received at the Tuesday, May 26, 2026 meeting of the Kenai Peninsula Borough Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

A Conditional Use Permit is sought for the replacement of two undersized culverts within the 50-foot Habitat Protection District (HPD) of an un-named anadromous stream that crosses Oil Well Road in Ninilchik.

Section 2. Findings of Fact Pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot Habitat Protection District as defined by KPB 21.18.040.

2. Pursuant to KPB 21.18.081(B)(5), construction of transportation and utility infrastructure may be approved as a conditional structure/use within the Habitat Protection District.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. Culvert Replacements:
 - a. Remove and replace Culvert A: Existing 36-inch by 40-foot culvert to be replaced by a 5-foot by 60-foot culvert
 - b. Remove and replace Culvert B: Existing 18" by 33.4-foot culvert to be replaced by an 11-foot by 60-foot culvert.
7. Fill Removal and Replacement:
 - a. Removal of approximately 1,245 cubic yards of fill to include roadway soils and native soils below the existing culverts.
 - b. Placement of approximately 343 cubic yards of materials to include: pit run, gravels, D1, topsoil, and vegetative mat.
8. Erosion and Sediment Control:
 - a. SWPPP plan is filed with ADEC and will be in place for the duration of the project.
 - b. Excavation stockpiles and equipment staging areas designed to minimize disturbance.
9. Diversion and Dewatering:
 - a. Pump intake to meet ADFG standards and will utilize screen.
 - b. Will follow Best Management Practices to ensure stream flow stays clean.
10. Toe Wood Bank Construction:
 - a. Minimize excavation and disturbance of bank.
 - b. Place 4 inches of topsoil and vegetative mat for vegetation regrowth.
11. Transplant and Revegetation:
 - a. Salvage materials located within grading limits if possible.
 - b. Vegetative mats should have 6-12 inches of rooting depth.
12. Culvert and Channel Substrate:
 - a. Will be a mix of coarse and fine aggregate, with a majority being coarse.
13. The culverts have been designed to meet USFWS fish passage criteria which will lead to an improvement in fish passage and fish habitat at this site, as supported by KPB 21.18.020(E).

14. The purpose of the proposed project is to extend the service life of the facility, increase transportation capacity and enhance overall safety of Oilwell Road, supported by KPB 21.18.010(G).
15. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
16. Pursuance to KPB 21.18.140, the proposed project meets the definition of water dependent.
17. The River Center found the application complete and scheduled a public hearing for Tuesday, May 26, 2026.
18. Agency review was distributed on May 6, 2026. No comments or objections have been received from resource agencies to date.
19. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on May 6, 2026. A total of 2 mailings were sent.
20. Pursuant to KPB 01.08.180(B)(1)(3), public notice was posted.
21. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Unnamed Stream.
2. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
3. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
4. Storage or use of fuel is prohibited within 50-feet of any open water.
5. The River Center shall be notified at least 3 days prior to the start of the project.
6. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
7. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
8. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date

and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).

9. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
10. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
11. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081(G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the Habitat Protection District, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1 - 3 and Findings 8 - 11 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Conditions 1 - 11 and Findings 2, 14 - 16 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Condition 1 - 3 and Findings 8, 10, 14, 15 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Condition 1 and Findings 6, 9 - 14, 16 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Conditions 10, 11 and Findings 13 and 21 appear to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2026.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



**KENAI PENINSULA BOROUGH RIVER CENTER
NOTICE OF PUBLIC HEARING**

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of an Unnamed anadromous stream. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located along the Kenai Peninsula Borough Road Right of Way, on Oil Well Road, Alaska, Parcel ID 18505409, 18505406, & 18505408. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

The applicant plans to replace two undersized culverts within the 50-foot HPD of the Unnamed stream.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

- When:** Tuesday, May 26, 2026 at 7:30 pm or as soon thereafter as business permits
- Where:** This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough Administration Building located at 144 North Binkley Street, Soldotna.
- Zoom:** Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
 1-888-788-0099 or 1-877-853-5247
 Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, May 22, 2026.**

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to:
KenaiRivCenter@kpb.us

For additional information, please contact Morgan Aldridge at MAldridge@kpb.us or 907-714-2465.

E. NEW BUSINESS

7. Conditional Use Permit

Planning Commission Resolution 2026-31

Applicant: Alaska State Parks

Request: Installation of a fence within the 50' HPD of the Kasilof River

Parcel ID: 13332039

Kasilof Area

Multi-Agency Permit Application

Kenai Peninsula Borough

River Center

514 Funny River Road
 Soldotna, Alaska 99669
 KenaiRivCenter@kpb.us

Phone: (907) 714-2460
 Fax: (907) 260-5992

| |
|---|
| Fees Received: \$ _____ <input type="checkbox"/> Cash <input type="checkbox"/> Check # _____ <p style="text-align: center; font-size: small;">CREDIT CARDS NOT ACCEPTED FOR APPLN FEES</p> |
|---|

PROPERTY OWNER:

Name: Alaska DNR
 Mailing: PO Box 1247
Soldotna, AK 99669
 Phone: 907-262-5581
 Email: aaron.cooper@alaska.gov

AGENT: (if applicable)

Name: _____
 Mailing: _____
 Phone: _____
 Email: _____

PROJECT LOCATION:

KPB Parcel ID: 13332039
 Physical Address: 26035 Williamson Ln
 Subdivision: COAL CREEK COUNTRY ESTATES
 Lot: 48 Block: _____ Addition/No.: _____

WATERBODY INFORMATION:

Waterbody: _____
 River Mile: _____
 Riverbank: Left Right (looking downstream)

PERMIT FEES:

- \$50 - Staff Permit **OR** \$300 - Conditional Use or Floodway Analysis
PROJECT: New Project **OR** Extension/Amendment to **RC#** _____

Please select all activities that apply to your project:

- | | | |
|---|---|---|
| <input type="checkbox"/> Bank Stabilization <input type="checkbox"/> Boat Launch <input type="checkbox"/> Bridge <input type="checkbox"/> Coir Logs <input type="checkbox"/> Culvert <input type="checkbox"/> ELP Structures <input type="checkbox"/> Equipment Stream Crossing <input type="checkbox"/> Excavation, Dredging, and/or Fill <input checked="" type="checkbox"/> Fence Installation | <input type="checkbox"/> Fish & Wildlife Management <input type="checkbox"/> Floating Dock <input type="checkbox"/> Fuel Storage Green Infrastructure <input type="checkbox"/> In-Stream Structures (Weir) <input type="checkbox"/> Oil & Gas <input type="checkbox"/> On-Site Utilities <input type="checkbox"/> Prior-Existing Structure <input type="checkbox"/> Revegetation <input type="checkbox"/> Root Wads | <input type="checkbox"/> Road Construction <input type="checkbox"/> Structure (Accessory) <input type="checkbox"/> Structure (Residential) <input type="checkbox"/> Spruce Tree Revetment <input type="checkbox"/> Stream Crossing <input type="checkbox"/> Utility Line/Easement <input type="checkbox"/> Veg Mat <input type="checkbox"/> Vegetation Removal <input type="checkbox"/> Water Withdrawal <input type="checkbox"/> Other: _____ |
|---|---|---|

PROJECT DESCRIPTION: *Provide a detailed description of your project, attach additional pages if necessary.*

Alaska State Parks would like to install a buck and rail style fence to line the new parking lot boundary to keep visitors from accessing the closed riparian habitat areas. It will also be constructed to keep foot traffic away from the active cable system boat landing zone for safety concerns

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? Yes No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light-Penetrating Structures \$ _____ Other Activities \$ _____
 Habitat Restoration & Protection \$ _____ Green Infrastructure \$ _____

PROJECT QUESTIONS:

1. Start date: June 1st End date: October 31st Estimated Days of Construction: 5
2. Is any portion of the work already complete? If yes, please describe: _____ Yes No

3. Is your project located on land or waters of an Alaska State Park? Yes No
If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit

Ordinary High Water (OHW) and Mean High Water (MHW):

4. Is the project located within 50 feet of OHW or MHW a waterbody? Yes No
5. Does any portion of the project extend below the OHW or MHW of the waterbody? Yes No
6. Does any portion of the project cantilever or extend over the MHW of the waterbody? Yes No
7. Will anything be placed below OHW or MHW of the waterbody? Yes No

Regulatory Floodplains:

8. Is the property where the project is taking place near or within a regulatory floodplain? Yes No
a. Is this project within or adjacent to a regulatory floodway? Yes No
b. Is this project within or adjacent to a coastal high hazard zone? Yes No
c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ _____

Excavation, Dredging, and Fill:


9. Will material be excavated or dredged from the site? Yes No
a. Type of material(s): _____
b. Area to be dredged below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
c. Area to be excavated above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
d. Location materials will be deposited: _____
10. Will any material (including soils, debris, and/or overburden) be used as fill? Yes No
a. Type of material(s): _____
b. Is this fill permanent or temporary? Permanent Temporary
c. Area to be filled above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
d. Area to be filled below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

Motorized Equipment:

11. Will you be using motorized equipment for this project? If yes, please list all equipment: Yes No
a. Will you be crossing a stream or waterbody? Yes No
b. How long will equipment be used below OHW or MHW? _____

SIGNATURE & CERTIFICATION:

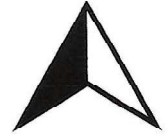
This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

 05/05/2026
Owner Signature (required) **Date** **Agent Signature (if applicable)** **Date**

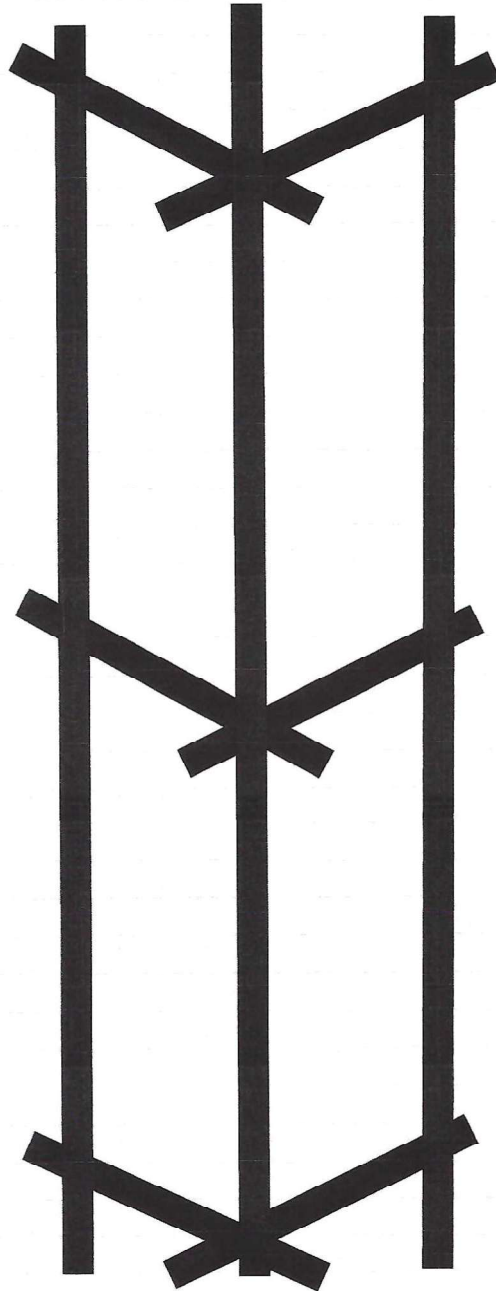
Project Drawings: Top View

Drawings do not have to be to scale, but must show the following:

- Property boundaries
- OHW or MHW line
- 50-foot Habitat Protection District
- Floodplain zone(s)
- Dimensions for all structures
- Length, width, height



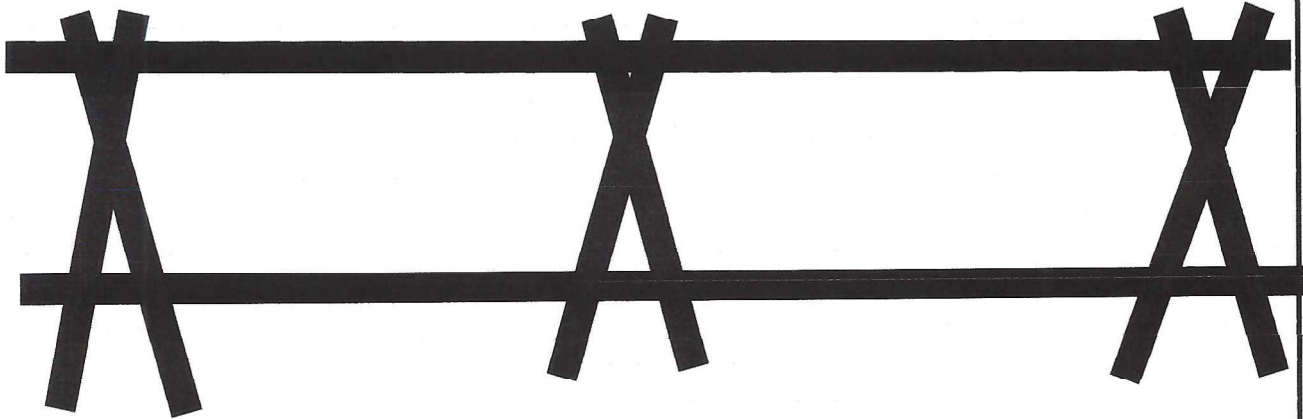
North

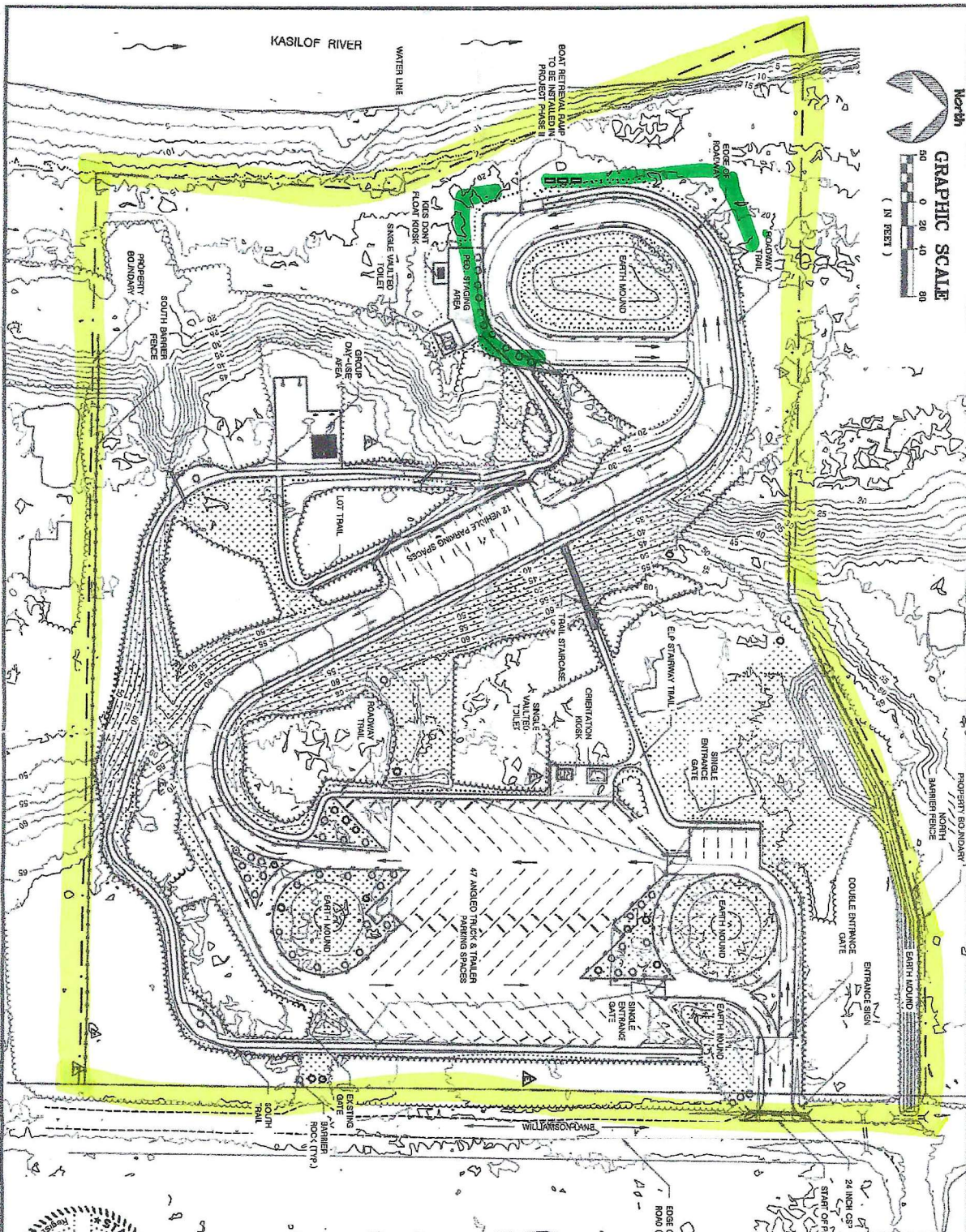


Project Drawings: Side View

Drawings do not have to be to scale, but **must** show the following:

- Property boundaries
- OHW or MHW line
- 50-foot Habitat Protection District
- Floodplain zone(s)
- Dimensions for all structures
 - Length, width, height





- Buck & Rail fence
- Property Line

9
 SHEET
 OF 36 SHEETS



STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES
PLANS DEVELOPED BY: DIVISION OF PARKS AND OUTDOOR RECREATION
550 W 7TH AVE. SUITE 1340, ANCHORAGE, AK 99501 - 907.269.8731

OLD KASILOF LANDING SRS:
 SITE DEVELOPMENT
 PROJECT No. 73032-1

SITE PLAN OVERVIEW



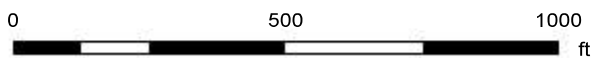
DNR fence

Project Area

KPB Parcel(s):
13332039

Project Description:

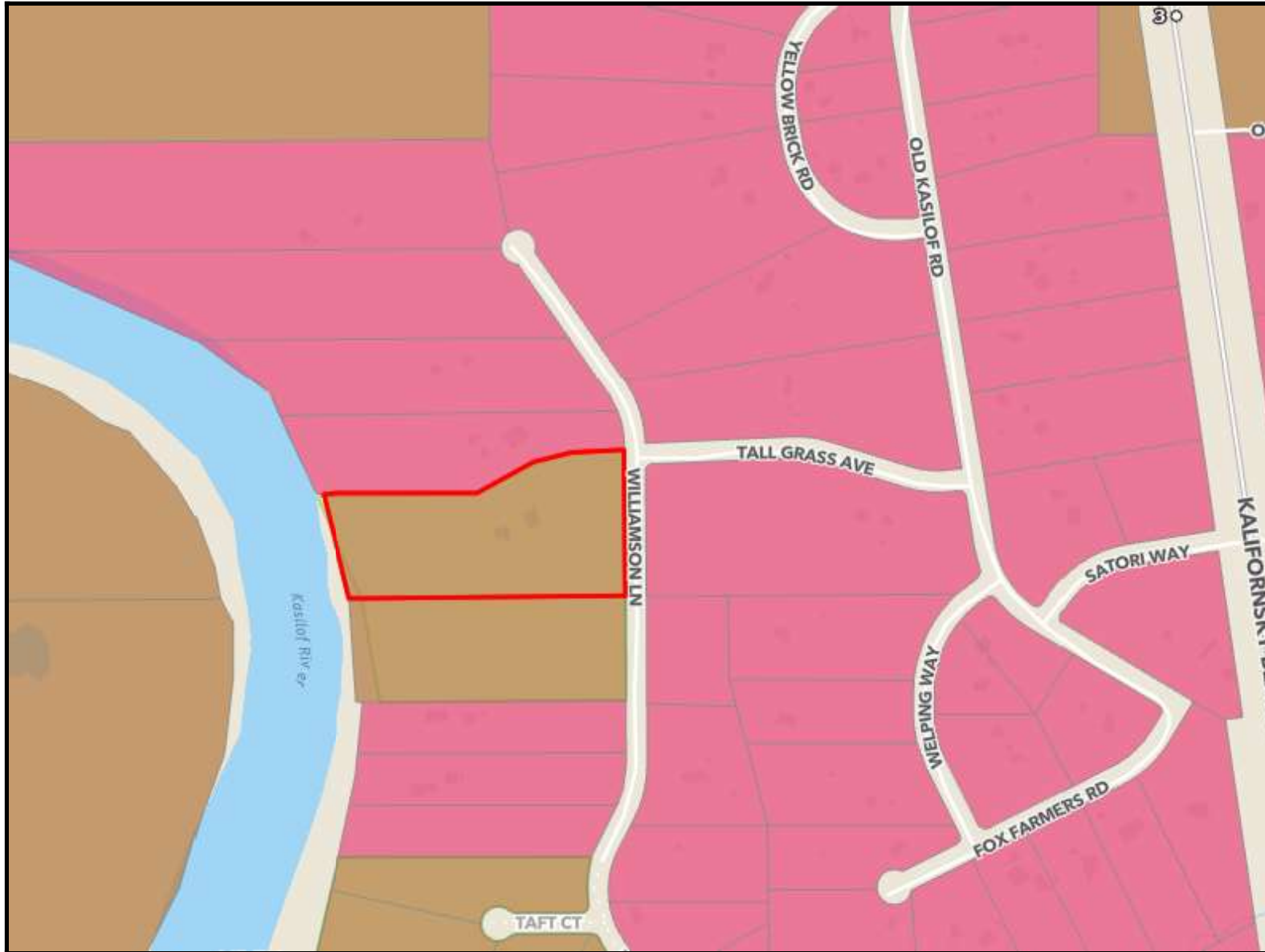
Vicinity: Kalifornsky



Map created by Aldridge, Morgan
Wednesday, May 13, 2026



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



Project Area

KPB Parcel(s):

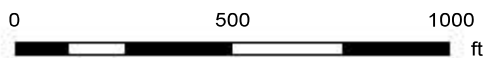
13332039

Parcel and PLSS

Parcel Ownership Type

- Borough
- Federal
- Native
- Native Allotment
- Municipal
- Private
- State

Map created by Aldridge, Morga
Wednesday, May 13, 2026



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No. 2026-31
Planning Commission Meeting: Tuesday, May 26, 2026
Applicant Alaska Department of Natural Resources - Parks and Recreation
Mailing Address PO Box 1247
Soldotna, AK 99669
Legal Description T 3N R 12W SEC 12 SM KN 0960083 COAL CREEK COUNTRY ESTATES TRUJILLO ADDN LOT 4B
Physical Address 26035 Williamson Ln
KPB Parcel Number 13332039

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of a fence within the 50-foot Habitat Protection District of the Kasilof River, as established in KPB 21.18.040.

Background Information

Alaska State Parks would like to install a fence to line the new parking lot boundary to keep visitors from accessing the closed riparian habitat areas, and away from the active cable system boat landing zone for safety concerns.

Project Details within the 50-foot Habitat Protection District

- Installation of a 250-foot buck-and-rail fence to direct foot traffic at public use area and to facilitate vegetation regrowth and safety.

Attachments

Multi-Agency Application
Draft Resolution 2026-31

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2026-31.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2026-31

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF A FENCE WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE KASILOF RIVER.

WHEREAS, Chapter KPB 21.18 provides for the approval of Conditional Use Permits for certain activities within the Habitat Protection District; and

WHEREAS, KPB 21.18.081 provides that a Conditional Use Permit is required for construction not meeting the standards of KPB 21.18.071; and

WHEREAS, KPB 21.18.091 provides for mitigation measures by the Planning Department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and

WHEREAS, public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in KPB 21.11.030; and

WHEREAS, public notice was posted as provided in KPB 1.08.180(B)(1)(3); and

WHEREAS, public testimony was received at the Tuesday, May 26, 2026 meeting of the Kenai Peninsula Borough Planning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

Installation of a 250-foot buck-and-rail fence to direct foot traffic at public use area and to facilitate vegetation regrowth and safety.

Section 2. Findings of Fact Pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot Habitat Protection District as defined by KPB 21.18.040.

2. Pursuant to KPB 21.18.081(B)(2), construction of a fence may be approved as a conditional structure/use within the Habitat Protection District.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. Foot traffic in this area needs to be controlled and directed to allow sensitive riparian areas to revegetate.
7. The fence will have large gaps that will allow for unobstructed flow of water during any high-water events.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Pursuant to KPB 21.18.140, the proposed project meets the definition of water dependent.
10. Pursuant to KPB 21.18.081(B)(2) the proposed fence meets the standard of being along public property and does not enclose the parcel, as to allow for free movement of wildlife.
11. The River Center found the application complete and scheduled a public hearing for Tuesday, May 26, 2026.
12. Agency review was distributed on 5/8/2026. No comments or objections have been received from resource agencies to date.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on 5/8/2026. A total of 8 mailings were sent.
14. Pursuant to KPB 1.08.180(B)(1)(3), public notice was posted.
15. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kasilof River.
2. The fence must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.

5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081(H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081(G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the Habitat Protection District, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3 and Finding 4 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Conditions 6, 11 and Findings 1-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Findings 5 and 8 appear to support this standard.**

4. The proposed use or structure is water-dependent; **Finding 9 appears to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Conditions 11, 12 and Finding 15 appears to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2026.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



**KENAI PENINSULA BOROUGH RIVER CENTER
NOTICE OF PUBLIC HEARING**

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Kasilof River. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located at 26035 Williamson Ln, Alaska, Parcel ID 13332039. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

Alaska State Parks plans to install a buck and rail style fence within the 50-foot HPD of the Kasilof River.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

- When:** Tuesday, May 26, 2026 at 7:30 pm or as soon thereafter as business permits
- Where:** This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough Administration Building located at 144 North Binkley Street, Soldotna.
- Zoom:** Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
1-888-788-0099 or 1-877-853-5247
Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, May 22, 2026.**

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to:
KenaiRivCenter@kpb.us

For additional information, please contact Morgan Aldridge at MAldridge@kpb.us or 907-714-2465.