

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JANUARY 12, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

Chair Twait called the meeting to order at 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of the Allegiance.

2. Roll Call

Commissioners present: J. Twait, A. Douthit, G. Woodard, A. Douthit, J. Halstead, R. Springer, G. Greenberg

Commissioners absent: D. Fikes

Staff/Council Liaison present: Planning Director R. Foster, City Manager P. Ostrander, Deputy City Clerk M. Thibodeau, Council Member J. Glendening

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda and Commissioner Greenberg **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Election of Chair and Vice-Chair

Chair Twait encouraged any commissioners to consider the Chair or Vice-Chair position if they were interested.

Because not all members of the commission were present, it was decided to hold the election of Chair and Vice-Chair at their next regular meeting.

5. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda and Commissioner Woodard **SECONDED** the motion. There were no objections; **SO ORDERED**.

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

6. *Excused absences – None

B. APPROVAL OF MINUTES

1. *Regular Meeting of December 8, 2021

Approved by the consent agenda.

2. *Regular Meeting of December 22, 2021

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution PZ2022-01** - Application for a Conditional Use Permit for Cabin Rentals for the property described as North 70 ft of South 140 ft of Government Lot 166, located at 104 N Tinker Lane, Kenai, Alaska 99611. The application was submitted by Bill Elmore, P.O. Box 1531, Kenai, Alaska 99611.

MOTION:

Commissioner Halstead **MOVED** to approve Resolution No. PZ2022-01 and Commissioner Douthit **SECONDED** the motion.

Dale Elmore provided a background on the property, noting that it was the estate of his wife's father and was previously the Brown Bear Gun Shop. He explained that he wants to make the property a vacation rental, while maintaining the log cabin as a historical structure and tribute to his father-in-law, and wants it to be a destination for people who come to Kenai.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicant wishes to obtain a conditional use permit for cabin rentals. The criteria for conditional use permits was reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. Prior to starting operations, a landscape/site plan must be reviewed and approved by the Planning Director.

3. Prior to beginning construction of any new structures, a building permit must be issued by the Building Official for the City of Kenai. Any renovations must check in with the Building Official regarding any required building permits.
4. Standards for commercial marijuana establishments per KMC14.20.330 must be maintained.
5. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
6. The applicant will meet with City staff for on-site inspections when requested.
7. If there is a change of use for the above described property a new Conditional Use Permit must be obtained, pursuant to 14.20.150(I)(5).
8. Pursuant to KMC 14.20.150(I)(2), this permit shall expire automatically upon termination or interruption of the use for a period of at least one year.
9. Failure to provide documentation to the City for meeting these conditions shall be grounds for the suspension or revocation of the conditional use permit.

Chair Twait opened for public hearing.

Mosaddeque Reza expressed concern about traffic, noting there was no speed limit sign on that road. He asked if there will be any on-site management to ensure there will be no trash left out, if there is the possibility of it turning into a hotel, and if there will be increased presence of police officers.

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

In response to commissioner questions, Dale Elmore clarified that he had no plans to build additional cabins on this property; that the building would have two beds and two baths; that there would not be on-site management but there is a plan for management, cleaning and trash; and that he resides locally.

It was noted that this will be a great opportunity to use a vacant property with a good business plan that keeps the neighborhood in mind, and appreciation was expressed for the owner's intent of maintaining the building as a historic property.

MOTION TO AMEND:

Commissioner Douthit **MOVED** to amend Resolution PZ2022-01 to add a condition of quiet hours of 10pm-6am. Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Springer, Halstead, Woodard, Douthit, Greenberg, Twait

NAY:

VOTE ON MAIN MOTION AS AMENDED:

YEA: Halstead, Woodard, Douthit, Greenberg, Twait, Springer

NAY:

MOTION PASSED UNANIMOUSLY.

Chair Twait noted the fifteen-day appeal period.

The Commission encouraged Mr. Reza to contact the City of Kenai Streets Department if he wants to pursue installation of a new speed limit sign.

G. NEW BUSINESS – None.

H. UNFINISHED BUSINESS

1. **Resolution PZ2021-39** - Recommending the Council of the City of Kenai Approve and Adopt the City of Kenai Land Management Plan. *[Clerk's Note: At the December 22nd Meeting, this Resolution was Postponed to this Meeting; a Motion to Enact is On the Floor.]*

Chair Twait opened for public hearing; there being no one wishing to be heard, the public hearing was closed.

Director Foster noting additional information provided by Administration that addresses the intent of the Land Management Plan (LMP), examples of motions, and a requested amendment with housekeeping changes. City Manager Ostrander provided further clarification on the implementation plan that will follow Council's approval of the final LMP, and the status of other commissions' resolutions recommending the LMP.

MOTION:

Commissioner Douthit **MOVED** to postpone Resolution No. PZ2021-39 until January 26, 2022 and Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE: There were no objections; **SO ORDERED.**

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Vice Mayor Glendening noted he is pleased with the involvement of the commission, and reviewed the actions of the January 5, 2022 City Council meeting.
2. **Borough Planning** – No report.
3. **City Administration** – Planning Director Foster reported on the following:
 - Noted the letter in the Informational Items and explained how the code violation had been remedied;
 - Noted KMC Chapter 12.10 Nuisances in General in the Informational Items that was requested;
 - Provided information regarding marijuana tax as requested;
 - The next Planning & Zoning Commission regular meeting will include two plats, the continuation of LMP discussion, and the election of Chair and Vice Chair.

K. ADDITIONAL PUBLIC COMMENT

Mosaddeque Reza provided further information on the street signs near his property.

L. INFORMATIONAL ITEMS

1. Code Violation Remedy Letter - 1005 Angler
2. KMC Chapter 12.10 Nuisances in General

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. January 26, 2022

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Woodard noted that she was thankful to be re-appointed for another term.

Commissioner Halstead noted that he appreciates having Chair Twait and Vice Chair Fikes.

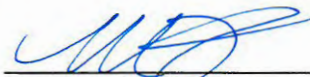
Commissioner Greenberg welcomed City Clerk Saner.

Chair Twait thanked City Manager Ostrander for attending the meeting.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:59 p.m.

Minutes prepared and submitted by:



Meghan Thibodeau
Deputy City Clerk

