

**MAY 11, 2022  
PLANNING & ZONING COMMISSION  
ADDITIONAL MATERIAL/REVISIONS**

**REQUESTED ADDITIONS TO THE PACKET:**

**ACTION**

**ITEM**

**REQUESTED BY**

Add to item F.1

**Resolution PZ2022-11**

- Public Comment

Planning Director

**From:** [Kristine Schmidt](#)  
**To:** [Ryan Foster](#)  
**Cc:** [Alex Douthit](#); [Diane Fikes - Planning & Zoning Commission \(dmfikes@yahoo.com\)](#); [Gary Greenberg \(ggreenberg@akmapco.com\)](#); [Gwen Woodard \(woodard.g@outlook.com\)](#); [Jeff Twait](#); [Joe Halstead \(joe@digitsak.com\)](#); [Teea Winger](#); [ectt@ptialaska.net](#)  
**Subject:** CUP Application - 502 Ash Avenue, Woodland Subdivision  
**Date:** Wednesday, May 11, 2022 11:04:17 AM

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**We request that the Planning and Zoning Commission vote no on the CUP for 502 Ash Avenue, Kenai, Alaska for the following reasons:**

**• Notices did not comply with Kenai Municipal Code**

-- sign not posted on subject property until Wednesday May 4, 2022 (6 days before meeting)  
-- supposed to be posted 10 days before the date of the meeting per KMC 14.20.280(d)

-- published on May 5, 2022, 6 days "prior to date of hearing" on Wednesday May 11, 2022 meeting -- supposed to be published 7 days "prior to date of hearing" per KMC 14.20.280(b)

**• Businesses in Woodland Subdivision are prohibited by the Covenants Conditions and Restrictions of Woodland Subdivision, in effect since 1967**

-- Subject property restricted to single family residential use per Woodland Subdivision covenants

-- The Planning Commission should not give a permit to violate subdivision covenants

-- City of Kenai Planning Department used to deny CUPs for businesses in residential subdivisions with restrictive covenants, at least through the 1980s

**• This business is not appropriate for this location, this commercial use is not consistent with the purposes and intent of the relevant zoning district**

-- This commercial use will be harmful to public safety. Small children in nearby houses dash into and play in Ash Avenue as it

-- Ash Avenue is one of the two busiest streets in Woodland Subdivision, one of the main routes for subdivision traffic to access N. Forest Drive, Fourth Avenue and Kenai Spur Highway

-- The house is located on a dangerous corner with lots of traffic

-- This commercial use will generate heavy traffic multiple times daily, there will be a large increase in business traffic in neighborhood

-- The back yard is small, because it is sloughing off into "Richka Creek" -- no place for children to play except for front yard

-- Increase in noise outside

- **Domino effect**

- There are no other large businesses in Woodland Subdivision

- This CUP would open the door for other large, inappropriate businesses in the neighborhood

**Thank you for your consideration.**

Kristine Schmidt and Bob Molloy

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