

**KENAI PLANNING & ZONING COMMISSION –
REGULAR MEETING
AUGUST 10, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on August 10, 2022, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Commissioners present: J. Twait, G. Woodard, D. Fikes, V. Askin, G. Greenberg, J. Halstead

Commissioners absent: A. Douthit

Staff/Council Liaison present: Interim Planning Director M. Best, Interim Administrative Assistant W. Anderson, Vice Mayor J. Glendening, Deputy Clerk M. Thibodeau

A quorum was present.

3. Agenda Approval

Chair Twait noted the following revisions to the agenda and packet:

ACTION

ITEM

Add to item H.1

**Recommending Ordinance 3298-2022
Enacting Floodplain Management**

- Memorandum to Commission

MOTION:

Commissioner Askin **MOVED** to approve the agenda as revised. Commissioner Halstead **SECONDED** the motion. There being no objection; **SO ORDERED.**

4. Consent Agenda

MOTION:

Commissioner Halstead **MOVED** to approve the consent agenda. Commissioner Woodard **SECONDED** the motion. There being no objection; **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.

5. *Excused Absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of July 27, 2022

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS – None.

D. UNSCHEDULED PUBLIC COMMENTS – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS

1. **Resolution PZ2022-21** – Application for a Conditional Use Permit for an Elementary through High School in the Suburban Residential zone, on Tract A, Kenai Fellowship Church, located at 8333 Kenai Spur Highway, Kenai, Alaska 99611. The application was submitted by Kenai Fellowship, a Church of Christ, P.O. Box 538, Kenai, AK 99611

MOTION:

Commissioner Halstead **MOVED** to adopt Resolution No. PZ2022-21. Commissioner Askin **SECONDED** the motion.

Director Best presented his staff report with information provided in the packet explaining that the applicant wishes to obtain a conditional use permit (CUP) for an elementary through high school. It was noted the application met KMC criteria for CUPs 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. A fire inspection must be performed biennially by the City of Kenai Fire Marshal. The applicant must comply with any recommendations made by the Fire Marshal.
3. The Permittee must adhere to the maximum occupancy of the 49 occupants, including staff and students, in the elementary through high school area (basement).
4. The permittee must comply with the parking requirement for the premises as set forth KMC 14.20.250.
5. In the event that the Department of Environmental Conservation (DEC) requires upgrades to the exiting septic system, the applicant will upgrade the septic system.
6. Prior to issuance of the Conditional Use Permit, Permittee must install a water meter on the premises.
7. A yearly Conditional Use Permit report must be submitted to the City of Kenai prior to the 31st day of December of each year.
8. The applicant will meet with City staff for on-site inspections when requested.
9. 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).
10. 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.

Applicant Rick Baldwin noted that the CUP would allow Kenai Classical to have their school in this building, and that one of the teachers was also available to answer any questions.

Chair Twait opened for public hearing.

Bill Smith stated that he had no objection to the school but noted that he shared a property line. He asked about how big of a facility would be built, and if they would be clearcutting tract A; he noted that if there was going to be, he would like to see a greenbelt buffer between their properties.

Rick Baldwin clarified that they do not intend to have any construction nor clearcutting outside the premises, and the school would be held in the basement.

Bill Smith asked about whether the access could be off the highway or if the unnamed driveway on the property would be used; Rick Baldwin clarified that the unnamed driveway would be kept closed.

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

Clarification was provided that there is plenty of parking space to meet the requirements for school and auditorium use. It was noted that if the school intended to expand the facility it would require a modification of their CUP, and they would have to reapply through the Planning Department.

VOTE:

YEA: Askin, Woodard, Fikes, Greenberg, Halstead, Twait

NAY: None.

MOTION PASSED UNANIMOUSLY.

Chair Twait noted the fifteen-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval** – Recommending the Kenai City Council Enact Ordinance No. 3298-2022 Kenai Municipal Code Chapter 14.30 - Floodplain Management, within Title 14 - Planning and Zoning, to Regulate Land Use within the Flood Plain and Authorizing the City to Participate in the National Flood Insurance Program.

MOTION:

Commissioner Askin **MOVED** to recommend the Kenai City Council enact Substitute Ordinance No. 3298-2022. Commissioner Fikes **SECONDED** the motion.

Director Best noted that he had included a link to the current Kenai Peninsula Borough FEMA Risk Map Project in the laydown, and that it was an improvement from the previous mapping system. He explained that the main zones for the Commission to consider in the National Flood Insurance Program (NFIP) mapping are the AE zone, X zone and the floodway because those are located in City limits. The objectives of the program were reviewed, and it was noted it is a method to establish development; that one of the requirements is that development needs to stay out of the floodway; and that in other zones you may be able to build with a permit, but only in a way that doesn't affect the floodway. Best explained some of the benefits of the program to the City and residents living in flood zone areas, and how there will be a new development permitting process in the City which will likely come through the Building Inspector before being evaluated by the Planning Department.

Director Best demonstrated the 2022 digital flood insurance rate maps and reviewed the different flood plain zones in the City.

It was noted that the Commission had previously dealt with issues regarding construction in flood plain zones, and it would have been beneficial to have this process place at that time.

VOTE:

YEA: Fikes, Greenberg, Halstead, Twait, Askin, Woodard

NAY: None.

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. City Council – Vice Mayor Glendening reported on the actions of the August 3, 2022 City Council Meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the August 8, 2022 Kenai Peninsula Borough Planning Meeting.
3. City Administration – Planning Director Best reported on the following:
 - He performed a site inspection on the property of the CUP transferred at the last meeting; reported that there were no farm animals, and was in conformance with the CUP;
 - He does not yet know the new owner of the bowling alley property;
 - Thanked Willie Anderson for coming out of retirement and serving as interim Planning Assistant; expressed appreciation for her institutional knowledge and all the hard work she does for City.

K. ADDITIONAL PUBLIC COMMENTS – None.

L. INFORMATION ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. August 24, 2022

N. COMMISSION COMMENTS & QUESTIONS

Commission Greenberg noted that the old NFIP mapping was not as accurate; the new mapping was an improvement because it is easier to use, and does not put a burden on as many people in the flood plain zones.

Vice Mayor Glendening thanked Director Best for the mapping demonstration, noting that it answered many of his questions.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:50 p.m.

Minutes prepared and submitted by:



Meghan Thibodeau
Deputy City Clerk