

**KENAI PLANNING & ZONING COMMISSION –
REGULAR MEETING
DECEMBER 14, 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 December 14, 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, J. Halstead, G. Greenberg, J. Glendening, J. Coston

Commissioners absent: D. Fikes

Staff/Council Liaison present: Planning Director L. Mitchell, Vice Mayor J. Baisden, 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 F.1

Resolution PZ2022-26

- Amendment Memo
- Public Comment

Add to item J.3

City Administration Report

- Updated November Code Enforcement Report

MOTION:

Commissioner Halstead **MOVED** to approve the agenda with requested revisions. Commissioner Woodard **SECONDED** the motion. There being no objection; **SO ORDERED.**

4. Election of Chair and Vice Chair

MOTION:

Commissioner Greenberg **MOVED** to appoint Jeff Twait as Planning & Zoning Commission Chair for 2023. Commissioner Halstead **SECONDED** the motion. There being no objection; **SO ORDERED.**

MOTION:

Commissioner Woodard **MOVED** to appoint Joe Halstead as Planning & Zoning Commission Vice Chair for the remainder of 2022 and 2023. Commissioner Glendening **SECONDED** the motion. There being no objection; **SO ORDERED**.

5. Consent Agenda

MOTION:

Vice Chair 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.

6. *Excused Absences – D. Fikes

B. APPROVAL OF MINUTES

1. *Regular Meeting of October 12, 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 PZ2022-26** – A request by Jeff Bettis for a Conditional Use Permit for a towing storage yard on the property described as Lot 4, Block 5, Cook Inlet Industrial Air Park, located at 310 Airport Way in the Central Mixed Use (CMU) Zone.

MOTION:

Vice Chair Halstead **MOVED** to adopt Resolution PZ2022-26. Commissioner Glendening **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant wishes to obtain a conditional use permit (CUP) for a towing storage yard. Clarification was provided that the lot is currently vacant and had previously been used as a towing storage yard, and that the applicant would also be obtaining a Special Use Permit in order to operate the business on City-owned property. 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. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.
3. No open storage shall be located closer than twenty-five feet (25') to the adjoining right-of-way of any collector street or main thoroughfare. Any open storage in front or side yard visible from a collector street shall be enclosed with an eight-foot (8') high commercial grade fence.
4. No auto repair/service or dismantling shall occur on-site.

5. The applicant shall maintain the tow yard in an orderly manner at all times and clear of debris and junk.
6. The on-street curb parking shall not be used for vehicle storage, queuing of cars for storage, tow truck parking, or customer parking.
7. At least one sign shall be located at the main entrance to the site and contain the name of business and phone number. All signs shall conform to the City's sign regulations for the designated zone.

Applicant Jeff Bettis discussed the high demand for towing services in the area.

In response to questions from the Commission, Bettis discussed and provided clarification on how the perimeter fence blocks the view of vehicles from the road, potential safety hazards, the restriction on allowable space for electric vehicles as proposed in the recommended condition, organization of vehicles, and relocation of vehicles.

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

Vice Chair Halstead disclosed that he had prior interactions with Mr. Bettis, but that he had no financial stake in this matter and could remain impartial. Chair Twait ruled there was no conflict.

There was discussion of the space restrictions for electric vehicles as proposed in the recommended condition presented in the laydown, and whether that could be in issue in the future if electric vehicles become more common.

MOTION TO AMEND:

Commissioner Woodard **MOVED** to amend Resolution PZ2022-26 by adding condition 8: Electrical vehicles (EVs) shall be stored at least 50 feet from property lines. Commissioner Coston **SECONDED** the motion. There being no objection; **SO ORDERED**.

VOTE ON AMENDMENT:

YEA: Twait, Halstead, Woodard, Greenberg, Coston, Glendening

NAY: None.

MOTION PASSED UNANIMOUSLY.

It was noted that this would be an appropriate use for the lot as there is demand for towing service and the lot had been used for this before.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Woodard, Greenberg, Coston, Glendening, Twait, Halstead

NAY: None.

MOTION PASSED UNANIMOUSLY.

Chair Twait noted the fifteen-day appeal period.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS** – None.

I. **PENDING ITEMS** – None.

J. **REPORTS**

1. City Council – Vice Mayor Baisden introduced himself to the Commission and reported on the Council's progress hiring a new City Manager, noting that the contract will be finalized soon.
2. Kenai Peninsula Borough Planning – None.
3. City Administration – Planning Director Mitchell reported on the following:
 - Code Enforcement Report as provided in the packet and laydown will be provided to the Commission regularly.
 - Encouraged commissioners to review the Comprehensive Plan, as there will be a work session in the new year to prepare for the annual review.
 - Advised the commissioners to consider P&Z Department goals for the upcoming budget.
 - Notices were sent to Conditional Use Permit owners to submit their annual report, with a deadline of December 31st. CUPs which are not in compliance will be reported to the Commission.
 - Public hearing notification postcard has been updated to include map.

K. ADDITIONAL PUBLIC COMMENTS – None.

L. INFORMATION ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting Date: December 28, 2022

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Glendening noted it is a pleasure to be on the Commission, and that a review of the Comprehensive Plan is needed.

Commissioner Coston noted that he is still learning the rules of order, and that he comes from a regulatory background and can be a resource for other commissioners.

Commissioner Woodard wished everyone a Merry Christmas.

Vice Chair Halstead noted that it is good to see new faces and is looking forward to continuing to work with the Commission.

Commissioner Greenberg thanked Commissioner Woodard for cookies and wished everyone Happy Holidays, and noted he is looking forward to reviewing the Comprehensive Plan.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:52 p.m.

Minutes prepared and submitted by:



Meghan Thibodeau
Deputy City Clerk