

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
SEPTEMBER 27, 2023 – 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 September 27, 2023, 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:

Jeff Twait, Chair  
Gary Greenberg  
Diane Fikes

Gwen Woodard  
Jim Glendening  
John Coston (*electronic participation*)

A quorum was present.

Absent:

Joe Halstead, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director  
Scott Bloom, City Attorney  
Meghan Thibodeau, Deputy City Clerk  
James Baisden, City Council Liaison

**3. Approval of Agenda and Consent Agenda**

**MOTION:**

Commissioner Greenberg **MOVED** to approve the agenda and consent agenda. Commissioner Woodard **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

**UNANIMOUS CONSENT** was requested.  
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.

**B. APPROVAL OF MINUTES**

**1. \*Regular Meeting of September 13, 2023**

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 PZ2023-18** – Granting a Modification to a Condition Listed in Resolution PZ2023-05 for a Conditional Use Permit to Expand the Assisted Living Facility on the Property Located at 701 N. Forest Drive (Parcel ID: 04321030) in the Suburban Residential (RS) Zoning District.

**MOTION:**

Commissioner Greenberg **MOVED** to approve Resolution PZ2023-18. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant is requesting to modify a condition listed in Resolution PZ2023-05 for the expansion of the assisted living facility, which would require the applicant to obtain a minimum 60-foot right-of-way (ROW) easement on the adjacent property for ingress and egress from/to Ponderosa Street. This acquisition has been challenging, and the applicant is seeking a reduction of the ROW easement width from 60 feet to 30 feet to ensure the construction for the expansion can move forward. Zoning and uses of surrounding lots were reviewed; staff recommended approval subject to the conditions in CUPs (Resolutions PZ12-22, PZ15-24, and PZ2023-05) and the following condition:

1. Obtain a minimum 30-foot in width right of way easement on the adjacent property for ingress and egress from/to Ponderosa Street.

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

Clarification was provided that the reduction in easement width would still provide adequate space for the applicant's needs in terms of emergency access and parking; that this access would be secondary to the primary access in the front; and that the applicant would be responsible for snow removal of the easement and not the City.

**MOTION TO AMEND:**

Commissioner Woodard **MOVED** to amend Resolution PZ2023-18 by revising section 1 to read: "That a modification to condition 3 listed in Resolution PZ2023-05 to obtain a 60-foot right-of-way easement is reduced to a 30-foot in width right-of-way easement is granted for a conditional use permit to expand the assisted living facility on the property described as Tract 36A of Killen Estates 2014 Replat, and located at 701 N. Forest Drive." Commissioner Glendening **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.

There being no objection; **SO ORDERED.**

**VOTE ON MAIN MOTION AS AMENDED:**

YEA: Glendening, Greenberg, Woodard, Fikes, Twait

NAY: None

ABSENT: Halstead

**MOTION PASSED WITHOUT OBJECTION.**

*[Clerk's note: Commissioner Coston abstained from discussion and voting on Resolution PZ2023-18 pursuant to KMC 14.05.025(e)]*

Chair Twait noted the 15-day appeal period.

**G. UNFINISHED BUSINESS** – None.

**H. NEW BUSINESS**

1. \***Action/Approval** - Transfer of Conditional Use Permits (Resolutions PZ12-22, PZ15-24, and PZ2023-05) for an Assisted Living Facility on a Property Described as Tract 36A, Killen Estates 2014 Replat, Located at 701 N. Forest Drive in the Suburban Residential (RS) Zoning District.

Approved by the consent agenda.

2. **Action/Recommendation** – Recommendations to Kenai City Council on Ordinance No. 3373-2023 – Amendment of KMC Section 14.20.330-Standards for Commercial Marijuana Establishments.

**MOTION:**

Commissioner Glendening **MOVED** to recommend City Council approval of Ordinance No. 3373-2023. Commissioner Woodard **SECONDED** the motion.

Clarification was provided that the City Council had referred Ordinance No. 3373-2023 to the Planning & Zoning Commission for their recommendations on any specific zoning-related considerations.

James Baisden spoke in support and explained his reasons for sponsoring the ordinance, and answered questions from the Commission.

Discussion ensued.

**VOTE:**

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

NAY: None

ABSENT: Halstead

**MOTION PASSED WITHOUT OBJECTION.**

**I. REPORTS**

1. City Council – Vice Mayor Baisden reported on the actions of the September 20, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the September 11, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - Attended American Planning Association (APA) conference with Commissioner Woodard and Administrative Assistant Beth McDonald.
  - Currently recruiting for a second part-time Planning assistant.
  - Intends to bring a draft ordinance amending code for waterfront rezoning before the Commission on November 8<sup>th</sup>.
  - Attending a State training for emergency management coordination and notification.
  - Met with the Borough and participating cities regarding an appropriation for grant funding for the Safe Streets for All program.
  - Next meeting will include a rezone of commercial area.

**J. ADDITIONAL PUBLIC COMMENT** – None.

**K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: October 11, 2023

Commissioner Woodard noted she would be absent.

**L. COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted he looks forward to the Commission, Committees and Council on Aging review.

Commissioner Woodard noted she enjoyed her time at the APA conference.

**M. PENDING ITEMS** – None.


**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS**

1. City of Kenai Commissions, Committees and Council on Aging Review

There being no further business before the Commission, the meeting was adjourned at 7:57 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of September 27, 2023.



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Meghan Thibodeau  
Deputy City Clerk