

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
AUGUST 23, 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 August 23, 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
John Coston

Joe Halstead, Vice Chair
Jim Glendening
Gwen Woodard

A quorum was present.

Absent:

Diane Fikes

Also in attendance were:

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

3. Approval of Agenda and Consent Agenda

Chair Twait noted the following additions to the Packet:

ACTION

Add to Item H.1

ITEM

Discussion/Action - AMCO Adopted Marijuana Regulation Changes
• Recommendation Memo

MOTION:

Commissioner Woodard **MOVED** to approve the agenda and consent agenda with the requested additions. Commissioner Coston **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 July 26, 2023

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2023-16** – Recommending Approval for Preliminary Plat – Strawberry Hill Estates 2023 Addition for a Subdivision of a Parcel Located at 801 Devray Street (KPB Parcel No. 04951027) into 13 Lots and Deny the Requested Exceptions to the Subdivision Design Standards in the Rural Residential (RR) Zoning District.

MOTION:

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-16. Commissioner Greenberg **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet, and it was noted that the applicant is requesting two exceptions to the standards. Zoning and uses of surrounding lots were reviewed; staff recommended approval subject to the following conditions:

1. Recommend Kenai City Council to deny the requested exceptions to exceed the maximum block length of 1,400 linear feet and waive the rights-of-way dedication of Devray Street.
2. Recommend Kenai City Council to approve the exceptions from connecting to City water and sewer systems.
3. Revised Note 4 on the Preliminary Plat to “DEVELOPMENT MUST MEET THE CITY OF KENAI CHAPTER 14.20 ZONING CODE REQUIREMENTS”.

Chair Twait opened the floor for public comment.

Applicant David Bunts explained the requested exceptions and responded to questions from the Commission.

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

MOTION TO AMEND:

Vice Chair Halstead **MOVED** to amend the Resolution by changing the number to PZ2023-15. Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

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

MOTION TO AMEND:

Vice Chair Halstead **MOVED** to amend the Resolution PZ2023-15 by adding the following condition:

4. Recommend Kenai City Council to approve the exception from the road improvement construction of Devray Street and requiring the subdivider include a covenant on the recorded plat that if an improvement district is formed, the real property involved will be a part of the improvement district without further action by the then owner of the property in question.

Commissioner Greenberg **SECONDED** the motion.

VOTE ON AMENDMENT:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.

VOTE ON MAIN MOTION AS AMENDED:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. **Discussion/Action** – Alcohol and Marijuana Control Office (AMCO) Adopted Marijuana Regulation Changes

Planning Director Mitchell presented a brief summary of the information provided in the packet.

Ryan Tunseth, owner of East Rip and President of the Alaska Marijuana Industry Association, provided information about the State regulations and responded to questions from the Commission.

MOTION:

Commissioner Glendening **MOVED** to recommend that the City Council place a moratorium on allowing marijuana establishments to continue offering exterior walk-up and drive through window pick-up services, and that they refer the issue back to the Planning & Zoning Commission for further consideration. Vice Chair Halstead **SECONDED** the motion.

VOTE:

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

NAY: None

ABSENT: Fikes

MOTION PASSED WITHOUT OBJECTION.

I. **REPORTS**

1. City Council – Vice Mayor Baisden reported on the actions of the August 16, 2023 City Council meeting.
2. Kenai Peninsula Borough Planning – No report.
3. City Administration – Planning Director Mitchell reported on the following:
 - Max Best has been hired as a temporary planner to assist with the waterfront revitalization project rezoning; Mitchell explained next steps on the project including the public process and development of hybrid zoning design standards.
 - New administrative assistant started today; recruitment for 2nd part-time assistant is ongoing.
 - A conditional use permit for the Aspen Creek facility development that was previously approved by the Commission has been delayed due to a condition of the permit; the applicant will submit a CUP amendment request to modify a condition to reduce the width of the right-of-way easement.

- There has been an increase in code violation complaints.

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

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: September 13, 2023

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening inquired why a local business was denied a storefront improvement grant.

Vice Chair Halstead noted the good discussions, and thanked the Commission for asking the right questions.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 8:21 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of August 23, 2023.



Meghan Thibodeau
Deputy City Clerk