

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
OCTOBER 25, 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 October 25, 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  
Gwen Woodard  
John Coston

Joe Halstead, Vice Chair  
Jim Glendening  
Diane Fikes

A quorum was present.

Absent:

Gary Greenberg

Also in attendance were:

Linda Mitchell, Planning Director  
Meghan Thibodeau, Deputy City Clerk

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

**MOTION:**

Vice Chair Halstead **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 27, 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 PZ2023-19** - Recommending Approval to Rezone the Properties Located at 103 Birch Street and 1202, 1204, and 1206 First Avenue From General Commercial (CG) to Suburban Residential (RS) Zoning District.

Clarification was provided that due to discrepancies found by staff in the future land use map, the resolution was not included in the packet and no action would be taken at this meeting. However, because the item was advertised as a public hearing at this meeting, any members of the public who wanted to speak on the issue had the opportunity to do so.

Chair Twait opened the floor for public testimony.

Nancy Wiles spoke in support, noting that the area has always been residential and she had previously advocated to have the zoning changed to mixed use, and had canvassed the neighborhood with a petition.

Keith Shaffer spoke in support, noting he would not enjoy having a commercial business right across from his property. He stated that he would like to see the lot at 103 Birch Street to be rezoned to residential.

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

2. **Resolution PZ2023-20** - Granting an Encroachment Permit for a Multi-Tenant Commercial Building to Encroach into the Required (East) Side Yard Setback on the Property Located at 735 Baleen Avenue in the Limited Commercial (LC) Zoning District.

**MOTION:**

Vice Chair Halstead **MOVED** to approve Resolution PZ2023-20. Commissioner Woodard **SECONDED** the motion.

Planning Director Mitchell presented her staff report with information provided in the packet explaining that the applicant is requesting an encroachment permit to accommodate a boiler room for a multi-tenant commercial building. Uses of surrounding areas and criteria for encroachment permits were reviewed; it was noted the application met the criteria and City staff recommends approving an encroachment permit to allow the multi-tenant commercial building to encroach into the required 15-foot (east) side yard setback by 3 feet 1 inch.

Chair Twait opened the floor for public comment.

Billy Anderson explained that he lives north of the property, and did not support the prior rezone of this area from residential to limited commercial. He described issues he has experienced during the construction of this building.

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

Clarification was provided that access is off of Baleen Avenue and not Kalifornsky Beach Road which would require additional approval from the State, and that Baleen Avenue is a City-maintained road. There was discussion on how the measurement of 3 feet and 1 inch was reached, the building inspection process, and restrictions on building size.

Chair Twait re-opened the floor for public comment.

Richard Burton expressed concern about the potential for increase in traffic along Baleen Avenue, noting that the road will need improvement.

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

There was discussion on possibly increasing the encroachment amount, whether the boiler room was already constructed, and how the access issue could be addressed by recommending that Baleen Avenue be added to the City's Capital Improvement Plan. It was noted that the applicant owns the property to the east, and if the commission does not approve the easement the property owner can do a lot line adjustment and meet the setback.

**MOTION TO AMEND:**

Commissioner Glendening **MOVED** to amend Resolution PZ2023-20 by adding a condition to require an as-built certification to be provided prior to issuance of a certificate of occupancy. Vice Chair Halstead **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to amend.  
There being no objection; **SO ORDERED**.

**VOTE ON MAIN MOTION AS AMENDED:**

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

NAY: None

ABSENT: Greenberg

**MOTION PASSED WITHOUT OBJECTION.**

Chair Twait noted the 15-day appeal period.

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

1. **\*Action/Approval** - Requesting an Excused Absence for the September 27, 2023 Regular Meeting – Halstead.

Approved by the consent agenda.

2. **\*Action/Approval** – Add a Condition to the Preliminary Plat – Strawberry Hill Estates 2023 Addition (Resolution PZ2023-15).

Approved by the consent agenda.

**I. REPORTS**

1. City Council – None.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the October 9, 2023 Kenai Peninsula Borough Planning Commission Meeting.
3. City Administration – Planning Director Mitchell reported on the following:
  - A second part-time Planning administrative assistant has been hired.
  - The Kenai Peninsula Borough will be updating its GIS maps to a new platform.
  - The State Recorder's Office in Kenai has been permanently closed.
  - The Clerk's Office will be sending out a survey as part of the upcoming Commission & Committee review.
  - The Capital Improvement Plan is being circulated to commissions and committees for review; will not go to Planning & Zoning as there are no related projects.
  - Attended a FEMA training on disaster warning coordination.

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

K. **NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: November 8, 2023

Commissioner Halstead noted he may be absent.

L. **COMMISSION COMMENTS AND QUESTIONS**

Commissioner Glendening noted that there had been a good discussion.

M. **PENDING ITEMS** – None.

N. **ADJOURNMENT**

O. **INFORMATIONAL ITEMS** – None.

There being no further business before the Commission, the meeting was adjourned at 8:19 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of October 25, 2023.



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Meghan Thibodeau  
Deputy City Clerk