

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
MAY 8, 2024 – 7:00 P.M.  
KENAI CITY COUNCIL CHAMBERS  
210 FIDALGO AVE., KENAI, AK 99611  
CHAIR JOE HALSTEAD, PRESIDING**

**MINUTES**

**A. CALL TO ORDER**

A Regular Meeting of the Kenai Planning & Zoning Commission was held on May 8, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:03 p.m.

**1. Pledge of Allegiance**

Chair Halstead led those assembled in the Pledge of Allegiance.

**2. Roll Call**

There were present:

Joe Halstead, Chair  
Glenese Pettey  
Jeff Twait  
Gwen Woodard

John Coston, Vice Chair  
Sonja Barbaza  
Diane Fikes (*electronic participation; joined 7:15 p.m.*)

A quorum was present.

Also in attendance were:

Linda Mitchell, Planning Director  
Alex Douthit, City Council Liaison  
Shellie Saner, City Clerk  
Meghan Thibodeau, Deputy City Clerk

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

**MOTION:**

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

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

Chair Halstead 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 March 13, 2024**

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 No. PZ2024-08** - Granting a Conditional Use Permit to Two (2) Six-Unit Apartment Buildings on the Property Located at 2150 Redoubt Avenue within the Rural Residential (RR) Zoning District.

**MOTION:**

Commissioner Twait **MOVED** to approve Resolution PZ2024-08. Vice Chair Coston **SECONDED** the motion.

Planning Director Mitchell presented the staff report as provided in the packet, and explained that the applicant has requested a conditional use permit (CUP) for two six-unit apartment buildings for senior housing. It was noted that both buildings would be under the same CUP, but the project would be phased with one building this year and another building the following year. The criteria for CUPs were reviewed; it was noted the application met the criteria 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. Phase 1 will consist one (1) six-unit apartment building with on-site improvements, such as the perimeter/interior landscaping adjacent to the constructed building and paving the fire apparatus access road and driveway. Phase 2 will consist of a second identical or similar 6-unit apartment building within the next two (2) years.
3. Provide a recreation area for the residents, such as a community garden or outdoor patio area in either the northwest or northeast corners of the property, subject to setback requirements.
4. A biennial fire inspection must be completed by the City of Kenai Fire Marshal.
5. The applicant will meet with City staff for on-site inspections when requested.

Applicant Dana Gregoire clarified that this development is another two phases of senior housing with identical layouts to others built on Redoubt Avenue; the land was donated by the City for this purpose.

Chair Halstead opened the floor for public hearing; there being no one wishing to be heard, the public hearing period was closed.

Vice Chair Coston spoke in support, noting that he looked forward to seeing the development of affordable housing.

Gregoire provided information on the status of waiting lists for senior housing and low-income family units, hearing and mobility impairment accessibility, rental rates and funding.

Chair Halstead spoke in support.

**VOTE:**

YEA: Twait, Woodard, Barbaza, Pettey, Coston, Halstead

NAY: None

**MOTION PASSED WITHOUT OBJECTION.**

*[Clerk's note: Commissioner Fikes abstained from discussion and voting on Resolution PZ2024-08 pursuant to KMC 14.05.025(e)]*

Chair Halstead noted the 15-day appeal period.

2. **Resolution PZ2024-09** - Granting an Encroachment Permit for a Residential Detached Accessory Structure to Encroach into the Required (West) Side Yard Setback on the Property Located at 3018 Bree Avenue within the Rural Residential (RR) Zoning District.

**MOTION:**

Vice Chair Coston **MOVED** to approve Resolution PZ2024-09. Commissioner Twait **SECONDED** the motion.

Planning Director Mitchell presented the staff report as provided in the packet, and explained that the applicant has requested an encroachment permit for a one-story detached accessory structure which would encroach 8.25 feet into the required 15-foot side yard setback, or 6.75 feet away from the property line. The criteria for encroachment permits were reviewed; it was noted the application met the criteria and City staff recommends approval subject to the following conditions:

1. An as-built survey by a registered professional land surveyor must be submitted to the Building Official prior to the issuance of the Certificate of Occupancy.
2. Prior to the building permit issuance, Lots 34 and 35 of Shoreline Heights 2014 Addition Phase 1 must be consolidated or merged.

Applicant Ryan Bolton noted that he had estimated the encroachment distance using the Kenai Peninsula Borough parcel viewer map but it may be as close as two or three feet from the property line, and that he was currently in the process of merging the two properties.

Chair Halstead opened the floor for public hearing; there being no one wishing to be heard, the public hearing period was closed.

Clarification was provided that the easement had been removed in the original plat; that setback requirements are based on zoning and density; and that the applicant's proposed location for the structure was chosen because it is the most optimal spot on the property where it would be farther from the neighbor's house, easier for vehicular access and closer to the applicant's residence.

The applicant requested an increase in the encroachment to 12 feet into the setback and three feet from the west property line, to allow for possible discrepancy in the original estimated distance.

**MOTION TO AMEND:**

Commissioner Twait **MOVED** to amend Resolution PZ2024-09 by increasing the encroachment distance to three feet from the property line. Commissioner Pettey **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested on the motion to amend.

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

Chair Halstead stated that he was not in support of the increased encroachment distance, although he noted that the neighboring property owner had not spoken in opposition. Commissioner Twait stated support but encouraged the applicant to minimize the encroachment as much as possible.

**VOTE:**

YEA: Pettey, Coston, Twait, Woodard, Barbaza

NAY: Halstead

**MOTION PASSED.**

*[Clerk's note: Commissioner Fikes abstained from discussion and voting on Resolution PZ2024-08 pursuant to KMC 14.05.025(e)]*

Chair Halstead noted the 15-day appeal period.

**G. UNFINISHED BUSINESS – None.**

**H. NEW BUSINESS**

1. **\*Action/Approval** – Requesting an Excused Absence for the March 13, 2024 Regular Meeting – Pettey

Approved by the consent agenda.

2. **\*Action/Approval** – Recommending Approval of a Lease of Airport Reserve Land for the Property Described as Lot 9A, Block 5, General Aviation Apron Subdivision No. 5.

Approved by the consent agenda.

3. **\*Action/Approval** – Recommending Approval of a Lease of Airport Reserve Land for the Property Described as Lot 5A, Block 1, FBO Subdivision 2018 Replat.

Approved by the consent agenda.

4. **Discussion/Recommendation** - Recommendation to Council on Enactment of Ordinance No. 3416-2024 - An Ordinance Repealing, Reenacting and Renaming Kenai Municipal Code Chapter 1.90 - Standard Procedures For Boards, Commissions and Committees, Enacting Chapter 1.95 - Standing Advisory Commissions, Repealing Chapters 11.10 - Harbor Commission, Chapter 19.05 Parks And Recreation Commission, Chapter 21.20 Airport Commission, Enacting Section 14.05.050 - Planning and Zoning Commission - Qualifications and Membership, and Approving Amendments to the Council on Aging Commission's By-Laws to Organize Streamline, and Improve the Efficiency of the City's Standing Commissions.

#### **MOTION:**

Vice Chair Coston **MOVED** to recommend Council enactment of Ordinance No. 3416-2024. Commissioner Twait **SECONDED** the motion.

City Clerk Saner summarized the report as provided in the packet, noting that the proposed new code had substantial structural changes.

**UNANIMOUS CONSENT** was requested.

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

#### **I. REPORTS**

1. Planning Director – Planning Director Mitchell reported on the following:
  - Attended Comprehensive Safety Action Plan public workshop at Kenai River Center; City is partnering with the Borough to get community feedback on areas where traffic safety can be improved.
  - Storefront and Streetscape Improvement Program application period is open until May 17, 2024.
  - Hoping to go live with new code enforcement software in June.
  - City Council Budget Work session took place on May 4, 2024; reviewed FY2025 changes to the Planning & Zoning budget.
2. Commission Chair – No report.
3. Kenai Peninsula Borough Planning – Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission.
4. City Council Liaison – Council Member Douthit reported on recent actions of the City Council.

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

#### **K. NEXT MEETING ATTENDANCE NOTIFICATION**

1. Next Meeting: May 22, 2024

Vice Chair Coston noted he would be attending remotely for the May 22, June 12, and June 26 scheduled meetings.

**L. COMMISSION COMMENTS AND QUESTIONS**

Vice Chair Coston and Commissioner Twait thanked Joe Halstead for serving as Chair.

**M. PENDING ITEMS – None.**

**N. ADJOURNMENT**

**O. INFORMATIONAL ITEMS – None.**

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 8:12 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of May 8, 2024.

  
\_\_\_\_\_  
Meghan Thibodeau  
Deputy City Clerk