

**KENAI PLANNING & ZONING COMMISSION  
REGULAR MEETING  
JUNE 12, 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 June 12, 2024, in City Hall Council Chambers, Kenai, AK. Chair Halstead called the meeting to order at approximately 7:00 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 Pettley  
Jeff Twait

John Coston, Vice Chair (*electronic participation; arrived 7:02 p.m.*)  
Gwen Woodard  
Diane Fikes

A quorum was present.

Absent:

Sonja Barbaza

Also in attendance were:

Linda Mitchell, Planning Director  
Brandon McElrea, Planning Technician  
Alex Douthit, City Council Liaison  
Meghan Thibodeau, Deputy City Clerk

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

**MOTION:**

Commissioner Twait **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 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 May 29, 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. PZ2024-13** – Granting a Conditional Use Permit for a Day Care Center, Recreation, and Youth Center on the Property Described as Tract A, City Park Subdivision No. 2, Located at 320 and 330 S. Spruce Street Within the Suburban Residential (RS) Zoning District.

**MOTION:**

Commissioner Twait **MOVED** to approve Resolution PZ2024-13. Commissioner Pettey **SECONDED** the motion.

Planning Technician McElrea presented a staff report with information provided in the packet, and explained that the applicant had requested a Conditional Use Permit (CUP) for a Day Care Center, Recreation, and Youth Center. It was noted that this CUP would expand the uses at the existing daycare and gymnasium facility, and allow for the development of a teen center, clubhouse and new parking area; future expansions will include a multi-use field and accessory structures. The criteria for CUPs were reviewed; it was noted that the application met the CUP 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.

Chair Halstead opened the floor for public hearing.

Ryan Tunseth, Boys and Girls Club board member, spoke in support and explained that the Boys and Girls Club's goal is to develop a large-scale childcare facility and that this has been possible with help from the City. He noted that he and Chris Parker with K+A Designstudios were available for questions.

In response to questions from the Commission, Parker provided clarification was provided on the phases of development. Director Mitchell explained that the City land donation of Tract A has a provision that it must be developed or the land will revert back to the City, and that the plat is in the final stages of being recorded; there was discussion on how the development provision would be affected by the parcel merger.

Tunseth noted that the Boys & Girls Club has been communicating with neighboring residential property owners and considering their input on how to develop the greenspace between their properties.

Shanette Wik, Executive Director, explained that the childcare facility would be for-profit; the hours of operation for childcare, and that food would be provided on-site.

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

Commissioner Pettey spoke in support, noting that it would be a great addition to the community.

**VOTE:**

YEA: Fikes, Twait, Halstead, Pettey, Woodard

NAY: None

ABSENT: Barbaza  
**MOTION PASSED WITHOUT OBJECTION.**

*[Clerk's note: Commissioner Coston abstained from discussion and voting on Resolution PZ2024-13 pursuant to KMC 14.05.025(e)]*

Chair Halstead noted the 15-day appeal period.

2. **Resolution PZ2024-14** - Granting a Conditional Use Permit for Cabin Rentals (i.e., Short-Term Rentals) on the Property Described as Lot 3, Block 1, of Scalf Subdivision, Located at 106 N. Tinker Lane Within the Suburban Residential (RS) Zoning District.

**MOTION:**

Commissioner Woodard **MOVED** to approve Resolution PZ2024-14. Commissioner Twait **SECONDED** the motion.

Director Mitchell presented a staff report with information provided in the packet, and explained that the applicant had requested a CUP for Cabin Rentals (i.e. short-term rentals) as needed and/or when necessary on an existing fourplex which the owner had previously been using for long-term rentals. It was noted that neighboring properties have been used as short-term rentals and the City had not received complaints about them. The criteria for CUPs were reviewed; it was noted that the application met the CUP criteria and City staff recommends approval subject to the following condition:

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.

Applicant Rebecca Ross explained that she has owned this property for many years and has been using it for long-term rentals to hospital staff; the hospital wants to continue but are interested in a short-term rental option.

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

Commissioner Twait, Commission Pettey and Chair Halstead expressed support for the local ownership and management.

There was discussion on whether quiet hours should be added as a condition to the CUP; Mitchell clarified that they were not included in order to stay consistent with the cabin rental property next door, and that revising older CUPs to include conditions for quiet hours would not be done without just cause such as unremedied code enforcement issues. Rebecca Ross clarified that her contracts would include 10:00 p.m. to 10:00 a.m. quiet time.

**MOTION TO AMEND:**

Commissioner Twait **MOVED** to amend Resolution PZ2024-14 by adding a condition stating that "Quiet hours are from 10:00 p.m. to 7:00 a.m." Commissioner Pettey **SECONDED** the motion.

Commissioner Fikes noted she would not support the amendment as quiet hours were already included in the rental contract, the use would be primarily residential and hours can be added in the future if issues arise. Commissioner Woodard and Chair Halstead noted their agreement with Commissioner Fikes.

**VOTE ON AMENDMENT:**

YEA: Twait

NAY: Fikes, Woodard, Pettey, Halstead

ABSENT: Barbaza

**MOTION FAILED.**

**VOTE ON MAIN MOTION:**

YEA: Pettey, Woodard, Halstead, Twait, Fikes

NAY: None

ABSENT: Barbaza

**MOTION PASSED WITHOUT OBJECTION.**

*[Clerk's note: Commissioner Coston abstained from discussion and voting on Resolution PZ2024-14 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 May 29, 2024 Regular Meeting – Halstead

Approved by the consent agenda.

2. **\*Action/Approval** – Requesting an Excused Absence for the May 29, 2024 Regular Meeting – Coston

Approved by the consent agenda.

3. **Discussion/Recommendation** – Proposal to Amend the Start Time for Planning and Zoning Commission Regular Meetings to 6:30 PM

Director Mitchell presented a staff report with information provided in the packet, and explained that this item had been requested by Commissioner Pettey at the previous meeting, and if the Commission voted to change the start time their recommendation would be forwarded to Council who may approve amending the policy.

Commissioners Woodard, Fikes, Coston, Twait and Halstead stated opposition to amending the start time; Commissioner Pettey spoke in support.

**MOTION:**

Commissioner Pettey **MOVED** to recommend amending the start time for Planning and Zoning Commission Regular Meetings to 6:30 PM. Commissioner Twait **SECONDED** the motion.

**VOTE:**

YEA: Pettey

NAY: Fikes, Twait, Halstead, Coston, Woodard

ABSENT: Barbaza

**MOTION FAILED.**

4. **Discussion/Recommendation** – Proposal to Reduce the Number of Meetings for Planning and Zoning Commission

Director Mitchell presented a staff report with information provided in the packet, and explained how the reduction of Planning & Zoning Commission meetings would ease the burden on staff; her recommendation would be to hold regular meetings once per month.

There was discussion on how the fourth Wednesday of the month often conflicts with holidays; that reducing the number of regular meetings instead of cancelling them as needed would reduce the cost of newspaper noticing; and that special meetings could be scheduled if the need arises.

The Commission discussed how the change would affect staff's workload and service to the public. It was noted that not all Commissioners were present at this meeting to vote on the change.

**MOTION:**

Commissioner Twait **MOVED** to postpone the recommendation to the July 24, 2024 Regular Meeting. Commissioner Woodard **SECONDED** the motion.

**UNANIMOUS CONSENT** was requested.  
There being no objection; **SO ORDERED**.

**I. REPORTS**

1. Planning Director – Planning Director Mitchell reported on the following:
  - Her last day with the City would be July 5<sup>th</sup>; spoke on her role as Planning Director.
  - Joint Work Session with the City Council on the Comprehensive Safety Action Plan/Safe Streets for All is scheduled for June 19<sup>th</sup>.
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: June 26, 2024

**L. COMMISSION COMMENTS AND QUESTIONS**

Commissioners Pettey and Fikes expressed appreciation for Director Mitchell.

**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 8:43 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of June 12, 2024.

  
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Meghan Thibodeau  
Deputy City Clerk