

**FEBRUARY 26, 2025
PLANNING & ZONING COMMISSION MEETING
ADDITIONAL MATERIAL/REVISIONS**

REQUESTED ADDITIONS TO THE PACKET

<u>ACTION</u>	<u>ITEM</u>	<u>REQUESTED BY</u>
Add to Items F.3 & F.4	Resolutions PZ2025-06 & PZ2025-07 <ul style="list-style-type: none">• Public Comment	Planning Director

February 26, 2025

To: Planning and Zoning Commission, City of Kenai
From: Jim Richardson
Re: Conditional Use Permit Applications PZ2025-06 and PZ2025-07

Chair Joe Halstead and Commission Members:

I would like to provide you with my testimony on the two applications for conditional use permits listed above.

Background situation:

My family and I are 36 year owners and part-year residents at 1015 Angler Drive. During that time, we have seen many changes in the neighborhood. When we bought our property, many of the owners along Angler Drive were residents. There was only one conditional use permit approved at the time, for a property owner to operate a guide business, taking clients out of their property to fish on the Kenai. Clearly, a property owner could operate this type of business without causing problems to their neighbors. This is not what evolved over the years however.

The Commission members should in their considerations of these and other conditional use applications take into account the nature of the properties along Angler Drive. The lots are long and narrow, diminishing the buffer for noise and disturbances on one property from having a negative effect on adjacent (and further away) neighbors.

The City of Kenai has been deficient in monitoring and enforcing conditional use activities that have been approved, making the effects on neighbors worse than they could be.

My property, and my neighbors one lot upstream on Beaver Creek are the most prominent examples of the effects of these disturbances and their effects on our lives.

As you know, the current operator, who is not the owner or conditional use permit holder, at 1005 Angler Drive has for years caused excessive noise and has had a huge impact on the "quiet enjoyment" of the adjacent property owners for a considerable distance upstream and downstream. During the summer, they operate what is in effect an outdoor nightclub with up to 30 or even more individuals excessively drinking, shouting, singing with loud music (frequently amplified) in outdoor tents or in the open air (not contained with buildings). **None of these activities are covered in the conditional use permit for this property. We have brought this to the attention of the City of Kenai many times and there has been no action to bring the activities at this property in-line with what is contained in their permit. And other activities, that are not allowed in the zoning for this property are ignored.**

The adjacent property owners upstream and downstream have come to the Planning and Zoning Commission, several City Managers, the City of Kenai Police and the City Attorney, many times, seeking some management of the problem. All of these attempts have had little effect in resolving the problems.

I ask that you consider carefully the likely and potential effects of these two conditional use permit applications on the adjacent neighbors and the neighborhood.

Application PZ2025-06 in particular appears to be asking to bring in numerous structures for staff serving another location. These are "dry" cabins, presumably without water and sewer.

The number, density and traffic impacts of the activities are not identified, but given the very narrow structure of the lots, the noise, crowding and other disturbances is magnified.

The wetlands along this stretch of Angler Drive make septic systems problematic in the best of situations. It is not clear how the personal/bathroom facilities of these housing cabins will work, and what the effects on neighbors, water quality and other issues are undefined.

Commission members are probably familiar with the overall decline in Kenai River and Cook Inlet fisheries in general. ADF&G just closed all chinook salmon fisheries and the species has been proposed for protection under the endangered species act. And as you know, coho salmon have also declined to be the lowest levels in many, many years. Those two species were the target for almost all of the guided angler visits to the Kenai through since the sharp decline began more than 10 years ago.

Neither ADF&G nor any of the other fisheries agencies has any ideas in when, and if, the recent trends will reverse to allow recovery. So your decisions should be based on current conditions and likely economic viability given the current situations.

If you visit Beaver Creek during the summer, you will see very little activity at any of the existing businesses, because the public is well aware of the fisheries resource problems on the river.

Several of the business are up for sale and/or not operating.

As you know, that has changed, with many conditional use applications approved over the years. And as you know, the diminished fisheries on the Kenai River and elsewhere

Our problem has

Requested Actions:

Comments specific to PZ2025-06:

In the 'findings', you state that this zoning is intended to:

Separate residential structures to an extent which will:

(A) Preserve the rural, open quality of the environment;

(B) Prevent health hazards in areas not served by public water and sewer.

and,

2) To prohibit uses which would:

(A) Violate the residential character of the environment;

(B) Generate heavy traffic in predominantly residential areas.

I believe that this proposed level of activity is **not** consistent with these provisions. This is a small, narrow lot and adding not just business activities like a guide operation, but employee housing, will add density, traffic, noise and disturbances of an unacceptable level to the surrounding neighbors.

The applicant indicates that the impacts will be "minimal" but this is not realistic, given the increased density and use on this property. Their 30 year history of operations is at another location which does not translate to minimal impacts and disturbances at this location.

However, if the Planning and Zoning Commission believes they need to approve these applications, please place conditions on the approval for specific activities, specific limits of

development (i.e. how many "housing units" should be allowed without causing excessive noise, traffic, parking to neighbors, and

The Planning and Zoning Commission has typically left water and sewer issues to DEC, however they are not in the business of evaluating violations to water quality and do not have staff to investigate and enforce the state regulations. If P&Z does not consider these impacts on a small lot, there is nobody else to do so.

Finally, the Planning and Zoning Commission should recognize that given that this proposal is for staffing in support of a distant business, the City of Kenai will not gain any sales tax from any activity.

Comments for both PZ2025-06 and 07

The City of Kenai has limited properties with advantageous characteristics like Angler Drive. I believe it would be advantageous to the City of Kenai to manage the zoning along Angler Drive in a manner that would encourage residential development of year-round homes that will make a vibrant and attractive, coherent, neighborhood. The current direction has resulted in a rundown aggregation of mostly disused commercial operations that developed with little tie to either the neighborhood or the City of Kenai.

Look along other sections of the Kenai River, supporting stable, attractive residential development that lead to year-round residents and higher tax values to both the City of Kenai and to the Borough.

From a personal perspective, I can tell you that Angler Drive, as allowed to develop by the City of Kenai is not an attractive stable neighborhood. In our case, my wife and I hoped to retire to our property on Angler Drive and rebuild our retirement home on this property..

The unrestrained level of development and the continual noise and disturbances allowed by the City at 1005 and 1025 Angler Drive - that are not even permitted - prevented us from achieving our aspirations.

If you do allow these two permits, please stipulate limits (that will be enforced) for:

- the levels of traffic and parking
- the overall number (square footage) of buildings of all types allowed on the property
- a specific number of allowed persons to be living on the property
- a requirement for any dock on Beaver Creek to meet the guidelines in the Kenai River Management Plan (i.e. 80 square feet). You can't leave this to State Parks. They have neither the staff nor enforcement capability to monitor and enforce the rules.
- achievement of a plan for water and sewer treatments on this property. Again, noting that although ADEC is supposedly responsible for setting regulations, they do not do investigations nor enforcement of their regulations

Thank you for the opportunity to comment. We will watch your deliberations with interest.

Sincerely:

Jim Richardson
1015 Angler Drive Kenai and 1543 E 26th Avenue Anchorage