

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 27, 2019 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

1. CALL TO ORDER

Commission Chair Twait called the meeting to order at 7:00 p.m.

- a. Pledge of Allegiance

Commission Chair Twait led those assembled in the Pledge of the Allegiance.

- b. Roll Call

Commissioners present: Chair J. Twait, Vice-Chair D. Fikes, R. Springer, G. Greenberg, T. McIntyre, J. Halstead, V. Askin

Commissioners absent:

Staff/Council Liaison present: City Planner E. Appleby, City Clerk J. Heinz, City Attorney S. Bloom, Planning Dept. Assistant W. Anderson, Council Liaison B. Molloy

A quorum was present.

- c. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda as presented and Commissioner Springer **SECONDED** the motion. There were no objections; **SO ORDERED**.

- d. Consent Agenda

MOTION:

Commissioner Askin **MOVED** to approve the consent agenda and Commissioner Halstead **SECONDED** the motion. There were no objections; **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.

e. *Excused absences – None.

2. ***APPROVAL OF MINUTES** – March 13, 2019

The minutes were approved by the Consent Agenda.

3. **SCHEDULED PUBLIC COMMENT** – (10 minutes) None scheduled.

4. **UNSCHEDULED PUBLIC COMMENT** – (3 minutes) None.

5. **CONSIDERATION OF PLATS**

- a. **Resolution PZ2019-09** – Original Preliminary Plat of Basin View Subdivision Pettey-Daniel Replat, submitted by Segesser Surveys, 30485 Rosland St., Soldotna, Alaska 99611, on behalf of the Jay and Glenese Pettey, 340 Thompson Place, Kenai, AK 99611, and Phillip Daniel, P.O. Box 1284, Kenai, AK 99611

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2019-09 and Commissioner Halstead **SECONDED** the motion.

Staff reviewed their report recommending approval of the Resolution, which was provided in the packet, noting a lot line would be vacated which would bring the septic on the same lot as the structure and also brought a potential encroachment into compliance.

Chair Twait opened the floor for public testimony. There being no one wishing to be heard, public comment was closed.

MOTION TO AMEND:

Commissioner Springer **MOVED** to amend to include staff recommendations and Commissioner Askin **SECONDED** the motion.

VOTE ON THE AMENDMENT:

YEA: Greenberg, McIntyre, Halstead, Springer, Fikes, Askin, Twait
NAY:

MOTION PASSED UNANIMOUSLY.

VOTE ON THE MOTION AS AMENDED:

YEA: Greenberg, McIntyre, Halstead, Springer, Fikes, Askin, Twait
NAY:

MOTION PASSED UNANIMOUSLY.

6. **PUBLIC HEARINGS**

- a. **Resolution PZ2019-11** – In Support of Ordinance 3056-2019 Amending KMC 14.22.010 – Land Use Table to Allow Business/Consumer Services and Taxidermy/Gunsmithing in Rural Residential 1 (RR-1) Zone by Conditional Use Permit and Removing the Location Restriction on Professional Offices Allowed by Conditional Use Permit within the Rural Residential 1 (RR-1) Zone

MOTION:

Commissioner Askin **MOVED** to approve Resolution No. PZ2019-11 recommending Kenai City Council enact Ordinance No. 3056-2019 amending Kenai Municipal Code 14.22.010 with staff recommendations and Commissioner Halstead **SECONDED** the motion.

Staff reviewed their report recommending approval of the Resolution, which was provided in the packet, noting the four occasions in the past year when people had been told they could not operate their business idea in their home or a home they wanted to purchase in the RR1 zone because the use wasn't allowed. Zoning, uses, and the Comprehensive Plan goals were also reviewed.

Commission Chair Twait opened the floor for public testimony.

Ron Carlson spoke in favor of the ordinance noting he had been doing gunsmithing as a hobby and wanted to see if he could be successful making it a business. He noted he hit a dead end when he discovered the use was not allowed in the zone where he lived. He added that his being able to use his shop, with no overhead, and not having to rent, would be beneficial.

Elizabeth Ward spoke in favor of the ordinance noting she had considered purchasing a home in the RR1 zone and wanted to be able to run a small scale counseling business from the home for approximately ten people at a time. She added she was unsure if she would purchase the house given the inability to operate the business from it.

Kristine Schmidt spoke against the ordinance for lack of notice to the neighborhood. She also noted the process followed in the past with involvement from residents of the zone, expressed concern for creeping commercialization, suggested a better public policy would be to have outreach and come to consensus, and expressed concern with the vague regulations with Conditional Use Permitting.

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

Clarification was provided regarding the noticing requirements, definitions of professional offices and clinics, and that parking requirements would follow existing City code.

There was discussion regarding allowing home occupations and not stand-alone businesses, conditional use permitting still providing control, and footnotes to the use table.

MOTION TO AMEND:

Commissioner Springer **MOVED** to amend by changing business consumer services to C with footnote 29 in RR1 zone and Commissioner Halstead **SECONDED** the motion.

Clarification was provided that this would restrict business and consumer services to properties abutting the Kenai Spur Highway only and protecting the residences.

VOTE ON THE AMENDMENT:

YEA: Twait, Springer, Greenberg, Halstead
NAY: Fikes, McIntyre, Askin

MOTION PASSED.

A notice not being provided to everyone living in an RR1 zone, the changes not honoring the spirit of the RR1 zone, other zones allowing the conditional uses, and not restricting economic development in the current climate were topics discussed.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Springer, Greenberg
NAY: Fikes, McIntyre, Askin, Twait, Halstead

MOTION FAILED.

7. **UNFINISHED BUSINESS** – None.

8. **NEW BUSINESS** – None.

9. **PENDING ITEMS** – None.

10. **REPORTS**

- a. **City Council** – Council Member Molloy reviewed the action agenda from the March 20 City Council Meeting noting the commission would be asked to review a marijuana endorsement for onsite consumption in the near future.
- b. **Borough Planning** – Vice-Chair Fikes reported the Borough Planning Commission met on March 25 and approved a Conditional Use Permit for a deck and stairs near an anadromous zone, considered parcels for a borough land sale, and heard testimony regarding resource extraction in Anchor Point which was a matter remanded back to the Commission; postponed for more public testimony.
- c. **Administration** – City Planner Appleby reported on the following:
 - Pointed out the Comprehensive Plan suggested making Kenai more friendly to businesses;
 - Administration was working on the FY2020 Budget;
 - The draft Alaska Liquefied Natural Gas Environmental Impact Statement was expected in June;
 - Was appointed to the Complete Count Committee for the 2020 Census;
 - Noted the project evaluation board for the Alaska Transportation Alternatives Program grants met and a decision was expected soon;
 - The Statewide Transportation Plan was open for public comment.

11. ADDITIONAL PUBLIC COMMENT

Kristine Schmidt suggested the Kenai Peninsula Borough and the City collaborate on mapping features on their websites.

12. INFORMATIONAL ITEMS

- a. March 2019 Planning and Zoning Department Report
- b. Bicycle/Pedestrian Planning Update

13. NEXT MEETING ATTENDANCE NOTIFICATION – April 10, 2019

Commissioner Askin noted she would be absent.

14. COMMISSION COMMENTS & QUESTIONS

Commissioner Askin thanked staff for the training and their work on projects.

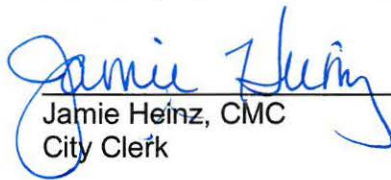
Commissioner McIntyre asked if the website could be demonstrated to the Commission.

Commissioner Halstead expressed appreciation for everyone's hard work and good discussion.

15. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 9:05 p.m.

Minutes prepared and submitted by:


Jamie Heinz, CMC
City Clerk

