

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JULY 28, 2021 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVENUE, KENAI, ALASKA
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

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

1. Pledge of Allegiance

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

2. Roll Call

Commissioners present: J. Twait, R. Springer, J. Halstead, A. Douthit, D. Fikes, G. Woodard, G. Greenberg

Commissioners absent:

Staff/Council Liaison present: Planning Director R. Foster, Planning Assistant W. Anderson, Deputy City Clerk M. Thibodeau, Council Liaison J. Glendening

A quorum was present.

3. Agenda Approval

Chair Twait noted the following revisions to the agenda and packet:

- Add to item H.1. **Action/Approval** - Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.
- December 11, 2013 Planning & Zoning Packet
 - Letter from Scott Huff, Platting Manager, Kenai Peninsula Borough

MOTION:

Commissioner Halstead **MOVED** to approve the agenda with requested additions to the packet and Vice Chair Fikes **SECONDED** the motion. There were no objections; **SO ORDERED**.

4. Consent Agenda

MOTION:

Commissioner Douthit **MOVED** to approve the consent agenda and Vice Chair Fikes **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.

5. *Excused absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of July 14, 2021

The minutes were approved by the Consent Agenda.

C. SCHEDULED PUBLIC COMMENT – None.

D. UNSCHEDULED PUBLIC COMMENT – None.

E. CONSIDERATION OF PLATS

1. **Resolution PZ2021-30** - Preliminary Subdivision Plat of Black Gold Estates 2021 Replat, submitted by McLane Consulting, Inc., P. O. Box 468, Soldotna, AK 99669, on behalf of Alex Douthit, 1104 Leeward Drive, Kenai, AK 99611

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-30 and Commissioner Woodard **SECONDED** the motion.

Commissioner Douthit declared a conflict of interest, stating that he is the owner of the plat under consideration. Chair Twait ruled that Commissioner Douthit had a conflict and excused him from voting.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicant wants to vacate the sixty foot right-of-way along the Southerly boundary, and the size of the lot will be increased from approximately 3.1 acres to approximately 3.4 acres.

Approval of the plat was recommended, subject to the following conditions:

1. Further development of the property shall conform to all federal, State of Alaska, and local regulations.
2. The Kenai City Council must declare the sixty-foot right-of-way not needed for a public purpose and approve the vacation of the right-of-way as shown on the preliminary plat.
3. A note should be added to the plat stating that 'no private access to State maintained right of-ways permitted unless approved by the State of Alaska, Department of Transportation'.
4. Connection to City Water and Sewer pursuant to the provisions in KMC 17.010.010(a) and KMC 17.020.010(a).
5. Verification by the surveyor of the width of Wildwood Drive.

VOTE:

YEA: Halstead, Fikes, Greenberg, Woodard, Twait, Springer
NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution PZ2021-27** – Application for the rezoning of a tract of land described as the North 150 feet of Government Lot 34, Section 6, Township 5 North, Range 11 West, fronting the Kenai Spur Highway (KPB Parcel No. 04702011), from Suburban Residential (RS) to General Commercial (CG). The application was submitted by the majority property owner, Kenaitze Indian Tribe, 150 Willow Street, Kenai, Alaska 99611

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-27 and Commissioner Douthit **SECONDED** the motion.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicants want to rezone the property in question from suburban residential to general commercial. It was noted that the applicants own the property to the north which is already zoned as general commercial, and they have indicated plans for building two greenhouses for private use.

Chair Twait opened for public hearing.

John Williams thanked the Commission, and explained some of his past involvement with the property. He conveyed the Church's willingness to go along with the zoning change and welcomed the Kenaitze Native Association and Orthodox Church on the adjoining properties. He stated that there is a fence running between the church property and old trailer court property fence which is in disrepair, and asked that the new owners properly maintain the fence and bring up to good condition.

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

Clarification was provided that a landscape plan would not be a part of the rezoning process, although further development such as the proposed greenhouses could potentially trigger the need for a landscape site plan as part of a building permit. It was noted that the fence repair as requested during the public hearing could be considered a buffer within the landscape plan, which is required by code between neighboring districts. The need for a building permit and landscape plan depends on future development.

VOTE:

YEA: Greenberg, Woodard, Twait, Springer, Halstead, Douthit, Fikes
NAY:

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval** - Approving a Letter of Non-Objection to the Time Extension for the Finalization of the Plat of Kee's Tern Subdivision.

MOTION:

Vice Chair Fikes **MOVED** to approve the letter of non-objection to the time extension for the finalization of the plat of Kee's Tern Subdivision. Commissioner Woodard **SECONDED** the motion.

Planning Director Foster noted the maps in the packet and laydown which present the preliminary plat approved by the Planning & Zoning Commission in 2013 and the phase 1 finalization, and clarified that tracts B, C and D remain to be finalized with the Borough. It was explained that after the approval of the preliminary plat, the Kenai Peninsula Borough changed their code to allow for extensions of ten years. The requested extension to finalize the remaining phases of the preliminary plat would meet the ten-year maximum.

Clarification was provided that this would allow for an extension up to February 11, 2023, and the Commission discussed whether this date should be added into the letter.

Kathleen Martin, owner of Kee's Turn subdivision, stated that she had no objection to adding this date to the letter.

MOTION TO AMEND:

Vice Chair Fikes **MOVED** to amend the letter by adding that the date of extension goes until February 11, 2023. Commissioner Woodard **SECONDED** the motion.

VOTE ON AMENDMENT:

YEA: Springer, Halstead, Douthit, Fikes, Greenberg, Woodard, Twait
NAY:

MOTION PASSED UNANIMOUSLY.

VOTE ON MAIN MOTION:

YEA: Douthit, Fikes, Greenberg, Woodard, Twait, Springer, Halstead
NAY:

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening reported on the actions from the July 7, 2021 City Council meeting. Reported that there is an upcoming City Council work session on Kenai Waterfront Revitalization and Economic Development Incentives, and encouraged the Commission to attend.
2. **Borough Planning** – No report.
3. **City Administration** – Planning Director Foster reported on the following:
 - The City received a noise complaint for a Conditional Use Permit on Angler Drive;
 - There is an upcoming Board of Adjustment hearing on Friday, July 30, 2021 regarding a Planning & Zoning Commission decision to approve a Conditional Use Permit for the development of eight single family dwellings on 4th Avenue;
 - The next City Council meeting on August 4th will include the approval of the Special Use Permit for the Moosemeat John Cabin and two airport land purchases, previously recommended for approval by the Planning & Zoning Commission;
 - Upcoming Planning & Zoning Commission meeting on August 11, 2021 is anticipated to include a plat and an application for airport property development incentives.

K. ADDITIONAL PUBLIC COMMENT –

John Williams reminisced on his past involvement with the Commission, and expressed enthusiasm for possible development of properties along the waterfront and planned development by the Kenaitze Indian Tribe. He encouraged the commission to follow closely and work with the Kenaitze in order to create economic growth in the City.

L. INFORMATIONAL ITEMS

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. August 11, 2021

Commissioner Woodard noted that she may not be able to attend.

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Halstead appreciated the input from everyone, especially that from former Mayor John Williams.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:59 p.m.

Minutes prepared and submitted by:





Meghan Thibodeau
Deputy City Clerk