

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
OCTOBER 27, 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, D. Fikes, A. Douthit, G. Woodard, A. Douthit, J. Halstead, R. Springer

Commissioners absent: G. Greenberg

Staff/Council Liaison present: Planning Director R. Foster, City Manager O. Ostrander, 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 item L.2.

Informational Items

- CUP Code Violation Letter – 1005 Angler Drive

MOTION:

Commissioner Douthit **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 Commissioner Woodard **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 October 13, 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 No. PZ2021-37** - Recommending That Steven Oberts Subdivision No. 1 Attached Hereto Be Approved.

MOTION:

Commissioner Springer **MOVED** to approve Resolution No. PZ2021-37 and Vice Chair Fikes **SECONDED** the motion.

Planning Director Foster presented his staff report with information provided in packet explaining that the applicant wants to separate a parcel of approximately 45 acres, noting that the separation of low lands on property from some higher ground will create a more manageable parcel.

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.

Clarification was provided that the lots meet the minimum size for well and septic systems.

VOTE:

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

NAY:

MOTION PASSED UNANIMOUSLY.

F. PUBLIC HEARINGS

1. **Resolution No. PZ2021-39** - Recommending the Council of the City of Kenai Approve and Adopt the City of Kenai Land Management Plan.

MOTION:

Vice Chair Fikes **MOVED** to approve Resolution No. PZ2021-39 and Commissioner Springer **SECONDED** the motion.

Planning Director Foster gave a presentation on the draft Land Management Plan (LMP), including why it was created, the background and development of the LMP, the new City Lands Inventory and Database, the objectives of the LMP, how it categorizes lands by recommendation, and timeline for approval by commissions and Council. He provided a demonstration of the new GIS tool and explained how it interacts with the database, and how it can be used by the City and the public in the future.

Staff provided clarification that most parcels recommended to be retained have a narrative to explain that status, and that an implementation plan after the final LMP is approved will include changes suggested by commissions and Council such as subdivision and zoning changes.

It was discussed how disposal of land can become a contentious issue and the commission should consider the lands recommended for disposal in groups. It was noted that some public feedback had been received by the commission regarding disposal of certain lots.

Staff explained that Titles 21 and 22 determine how the City manages lands, and that a plan for development approved by Council is prerequisite for disposal. It was clarified that there are distinctions between commercial and residential development, and ultimately the determination for whether a development should be approved for disposal is at the City Council's discretion.

The need for more feedback from impacted residents was discussed. It was clarified that the zoning will not change when lands are sold, and any subsequent zoning changes would require the normal public hearing process with Council approval. Parcels automatically receive a dispose status when they are deemed not needed for a public purpose, and if they are sold there will also be a public process.

Clarification was provided that, regarding a development plan required for land sale, the timeframe for construction can vary and the buyer has different options to meet it. It was suggested that Council review how timeframes are set for residential developments, and it was noted that the Commission can recommend that Council revisit Title 22 and consider how residential properties can be treated differently.

The Kenai Cemetery was discussed, and it was noted that the expansion should be finalized in the summer of 2022. An adjacent parcel was discussed as a possible addition to the airport expansion, and it was noted that staff would look at this and return to the next Commission meeting with more information.

Clarification was provided that commissioners can send questions and concerns to the Planning Director to be submitted in the packet, and any public comment received will be added to the next meeting packet or laydown as well.

MOTION:

Commissioner Douthit **MOVED** to postpone Resolution No. PZ2021-39 until the November 10, 2021 and Commissioner Halstead **SECONDED** the motion.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval** - Recommendation for Resolution No. 2021-XX – Approving the Execution of a Lease to Integrated Account Management, Inc. on Lot 3, Block 3, Cook Inlet Industrial Air Park Subdivision.

MOTION:

Commissioner Douthit **MOVED** to recommend approval of Resolution No. 2021-XX – Approving the Execution of a Lease to Integrated Account Management, Inc. on Lot 3, Block 3, Cook Inlet Industrial Air Park Subdivision. Commissioner Woodard **SECONDED** the motion.

Planning Director Foster noted the draft Council resolution in the packet for a 45-year lease to Integrated Account Management, Inc. Their application is to continue their current use of the land for professional offices. Foster stated that this use is compatible with this zoning district and with the Comprehensive Plan, and staff's opinion is that it is a good fit. He noted that because this is airport property, the lease would go toward the airport fund.

Clarification was provided that the lessee has the opportunity to purchase the property, which they had discussed with staff but decided instead to renew their lease.

VOTE:

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

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. **City Council** – Council Member Glendening noted that the LMP discussions are off to a good start, and encouraged commissioners to take their time with consideration before approval. Reported on the actions from the October 20, 2021 City Council meeting.
2. **Borough Planning** – Vice Chair Fikes reported on the actions from the October 25, 2021 Borough Planning meeting.

3. **City Administration** – Planning Director Foster reported on the following:

- The next Planning & Zoning Commission meeting will include two Conditional Use Permit applications, and the continuation of LMP discussion.

K. ADDITIONAL PUBLIC COMMENT – None.

L. INFORMATIONAL ITEMS

1. Ordinance No. 3243-2021

Director Foster noted that Ordinance No. 3243-2021, which had been recommended for approval by the Planning & Zoning Commission, came into effect on October 15, 2021 and implements changes to the Conditional Use Permit (CUP) process which will affect the CUP applications presented for public hearing at the next commission meeting. He reviewed the changes, and highlighted the importance for the commission to provide specific findings.

He also noted the code violation extension letter provided in the laydown, and clarification was provided on the circumstances and timeframe for rectification. Further discussion clarified specifics of the permit and violation, and the City's means for determining violations and enforcing conditions. It was noted that the permit holder has options for correcting the violation and it is their responsibility to determine the best approach for resolution.

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. November 10, 2021

N. COMMISSION COMMENTS & QUESTIONS

Commissioner Woodard noted that she may not be in attendance at the next meeting.

Commissioner Douthit noted he is looking forward to the next meeting.

Commissioner Halstead expressed appreciation for the LMP presentation. He also noted that resolution of code violations is an important issue, and he appreciates Administration for providing clarification.

Commissioner Springer noted that he appreciated Director Foster's service.

Vice Chair Fikes thanked Director Foster and City Manager Ostrander, noting that approval of the LMP will take time and public participation and she is glad to see engagement of community members. She also noted she appreciates staff's approach towards code violations.

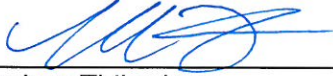
Council Member Glendening noted that he was heartened by the discussions on both the LMP and CUPs. He requested a review on Titles 21 and 22, noting the importance of findings and recommendations from the Planning Director.

Chair Twait encouraged commissioners to spread the word about the LMP to get more of the public informed and engaged.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 9:22 p.m.

Minutes prepared and submitted by:



Meghan Thibodeau
Deputy City Clerk

