



Kenai Planning & Zoning Commission - Regular Meeting

February 12, 2025 - 7:00 PM

Council Chambers, City Hall, 210 Fidalgo Avenue,
Kenai, AK 99611

Telephonic/Virtual Information on Page 2

<http://www.kenai.city>

Agenda

A. **CALL TO ORDER**

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

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 January 22, 2025

C. **SCHEDULED PUBLIC COMMENT** (*Public comment limited to ten (10) minutes per speaker*)

1. **Aspen Creek Construction** – Doug Clegg, Owner

D. **UNSCHEDULED PUBLIC COMMENT** (*Public comment limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

E. **CONSIDERATION OF PLATS**

F. **PUBLIC HEARINGS**

1. **Resolution PZ2025-04** - Granting a Conditional Use Permit for Off Street Parking on the Property Described as Tract 1, Frontage Road Subdivision, Located at Approximately Mile 11.4 Kenai Spur Highway, Within the Central Mixed Use (CMU) Zoning District.

G. **UNFINISHED BUSINESS**

H. **NEW BUSINESS**

1. ***Action/Approval** – Requesting Excused Absences for the January 22, 2025 Regular Meeting – Woodard

I. REPORTS

1. Planning Director
2. Commission Chair
3. Kenai Peninsula Borough Planning
4. City Council Liaison

J. ADDITIONAL PUBLIC COMMENT *(Public comment limited to five (5) minutes per speaker)*

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: February 26, 2025

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

1. **April 16, 2025, 5 PM:** Joint Work Session with City Council - Safe Streets for All Draft Plan to be held in Council Chambers

The agenda and supporting documents are posted on the City's website at www.kenai.city. Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.

COMMISSIONERS, PLEASE CONTACT US IF YOU WILL NOT BE ABLE TO ATTEND THE MEETING

Registration is required to join the meeting remotely through Zoom. Please use the link below to register:

https://us02web.zoom.us/meeting/register/ct5pi_NMTpGwPS7JZn-VHA

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
JANUARY 22, 2025 – 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 January 22, 2025, 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 Pettey
Stacie Krause

Jeff Twait, Vice Chair
Sonja Earsley
Diane Fikes

A quorum was present.

Absent:

Gwen Woodard

Also in attendance were:

Kevin Buettner, Planning Director
Deborah Sounart, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

MOTION:

Vice Chair Twait **MOVED** to approve the agenda and consent agenda. Commissioner Fikes **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 January 8, 2025

Approved by the consent agenda.

C. **SCHEDULED PUBLIC COMMENTS** - None.

D. **UNSCHEDULED PUBLIC COMMENTS** - None.

E. **CONSIDERATION OF PLATS**

1. **Resolution PZ2025-02** - Recommending Approval of Preliminary Plat – The Lake at Kenai 2025 Addition for a Replat of Tract A, The Lake at Kenai 2016 Addition – Phase 1 in the Rural Residential (RR) Zoning District.

MOTION:

Vice Chair Twait **MOVED** to approve Resolution PZ2025-02. Commissioner Fikes **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-02, and explained the purpose of the plat was to create nine residential lots and dedicate the rights-of-way for 60-foot wide Peace of Mind Circle, and 102-foot wide Anglers Cove Court. It was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2025-02.

VOTE:

YEA: Fikes, Twait, Earsley, Pettey, Krause, Halstead

NAY: None

ABSENT: Woodard

MOTION PASSED WITHOUT OBJECTION.

2. **Resolution PZ2025-03** - Recommending Approval of Preliminary Plat – Beaver Loop Acres No. 3 Subdivision for a Subdivision of SW1/4 Nw1/4 & SW1/4 & S1/2 SE1/4 & NE1/4 SE1/4, Section 3, Township 5 North, Range 11 West, Seward Meridian in the Rural Residential (RR) Zoning District.

MOTION:

Commissioner Earsley **MOVED** to approve Resolution PZ2025-03. Vice Chair Twait **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-03, and explained the purpose of the plat was a subdivision that will create five parcels. It was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2025-03.

MOTION:

Vice Chair Twait **MOVED** to correct the title on the agenda to PZ2025-03. Commissioner Earsley **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to correct the title.
There being no objection; **SO ORDERED.**

VOTE:

YEA: Krause, Earsley, Pettey, Fikes, Halstead, Twait

NAY: None

ABSENT: Woodard

MOTION PASSED WITHOUT OBJECTION.

F. **PUBLIC HEARINGS** – None.

G. **UNFINISHED BUSINESS** – None.

H. **NEW BUSINESS**

1. ***Action/Approval** – Requesting Excused Absences for the January 8, 2025 Regular Meeting – Halstead, Earsley, and Krause

Approved by the consent agenda.

2. **Action/Approval** – Approving the Transfer of a Conditional Use Permit PZ2021-42 for the use of a Hotel (Short Term Recreational Rentals) on the property described as Lot 1, Block 2, Anglers Acres Sub Addn. No. 1, Part 2, located at 1230 Angler Drive within the Rural Residential Zoning District.

MOTION:

Vice Chair Twait **MOVED** to approve the Transfer of a Conditional Use Permit PZ2021-42. Commissioner Fikes **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet, and explained that the use will remain the same and only the owner will change for the site. It was noted that staff's recommendation is approval subject to the conditions set forth in the previously approved CUPs.

Clarification was provided that no code violations or complaints had been reported on this property.

VOTE:

YEA: Earsley, Pettey, Krause, Halstead, Fikes, Twait

NAY: None

ABSENT: Woodard

MOTION PASSED WITHOUT OBJECTION.

3. **Action/Approval** – Approving a time extension for the finalization of Windhaven Estates Phase 4 Preliminary Plat.

MOTION:

Vice Chair Twait **MOVED** to approve a time extension for the finalization of Windhaven Estates Phase 4 Preliminary Plat. Commissioner Fikes **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet, and explained that the Kenai Peninsula Borough Platting Authority has asked for the Commission's recommendation to approve the time extension for a second time.

Discussion followed on status of road development and reasons for delay.

VOTE:

YEA: Twait, Earsley, Fikes, Halstead, Krause, Pettey

NAY: None

ABSENT: Woodard

MOTION PASSED WITHOUT OBJECTION.

I. **REPORTS**

1. Planning Director – Planning Director Buettner reported on the following:
 - Conditional Use Permits provided in the packet under Informational Items had been requested during the previous meeting.

- Planning and Zoning Department is reviewing Title 14 for administrative changes and sections in need of update; rewrites will be brought to the Commission for their recommendation.
 - Kenai Municipal Airport Master Plan update is ongoing.
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 Sounart reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENT – None.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: February 12, 2025

Vice Chair Twait noted he will be absent; Commissioner Krause will be attending remotely.

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Pettey thanked Administration for providing the Aspen Creek CUPs in the packet.

Commissioner Fikes thanked Administration for providing the Aspen Creek CUPs, and inquired about the new restaurant that will be in the Airport.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS

1. **Conditional Use Permits** - 701 N. Forest Drive, Aspen Creek
2. **Airport Master Plan Public Meeting** – February 4, 2025, 5:30 PM in Council Chambers at City Hall

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 7:32 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of January 8, 2025.

Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-04**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT TO ALLOW THE USE OF ON-STREET PARKING SPACES ALONG FRONTAGE ROAD TO MEET THE MINIMUM OFF-STREET PARKING REQUIREMENTS FOR THE BOW BAR.

APPLICANT: Kelsey Meyer

PROPERTY OWNER: D & E Investments

PROPERTY ADDRESS: 502 Main Street

LEGAL DESCRIPTION: Lot 1, Block 4, Original Townsite of Kenai Rainbow Addition Amended

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04706442

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on January 15, 2025; and,

WHEREAS, the applicant has demonstrated that the prerequisites of a Conditional Use Permit have been met pursuant to Kenai Municipal Code 14.20.150; and,

WHEREAS, the City of Kenai Planning and Zoning Commission conducted a duly advertised public hearing on February 12, 2025, following requirements outlined in Kenai Municipal Code 14.20.280 for public hearings and notifications.

WHEREAS, the Planning and Zoning Commission finds:

1. *KMC 14.20.150(d)(1) The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district;*

Findings: The proposed use is consistent with the purpose of the Kenai Zoning Code, specifically, KMC 14.20.250 Off-Street Parking and Loading Requirements. Under the provision of KMC 14.20.250, it states certain conditions must be met in order to allow the use of public parking lot to be counted towards the minimum off-street parking requirement, which is analyzed in detailed under Criteria 6. The following table shows the required parking for a drinking establishment.

INSTITUTIONS, PUBLIC USES/COMMERCIAL	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Restaurants, cafés, delicatessen, eating and drinking establishments, clubs, nightclubs and lodges, etc.	One (1) per each two hundred (200) square feet of gross floor area or one (1) per four (4) seats, whichever is greater.

The proposed use would not violate the character of the neighborhood as it has functioned as a public parking area for over fifty (50) years. Furthermore, the proposed use is not anticipated to generate additional traffic. The existing density would remain unchanged. Staff finds that the proposed use meets the intent of the zoning district.

2. *KMC 14.20.150(d)(2) The economic and noneconomic value of the adjoining property and neighborhood will not be significantly impaired;*

Findings: The economic and noneconomic value of adjacent properties would not be significantly impacted by the granting of this CUP. The surrounding properties consist of a mix of commercial uses, each with abundant parking for their own use and would not be significantly impacted by the proposed use.

Staff finds the proposed use aligns with the intended use of the public parking area and would not significantly impair the economic and noneconomic value of adjoining properties. The proposed utilization of sixteen (16) parking spaces leaves forty-seven (47) spaces remaining for neighboring use.

3. *KMC 14.20.150(d)(3) The proposed use is in harmony with the Comprehensive Plan;*

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Mixed Use (MU) land use classification. The MU Land Use Classification is defined in the Comprehensive Plan:

Mixed use is intended for a compatible mix of residential, retail, service, office, public, institutional and recreational uses. Uses are co-located in an integrated way that supports sustainable forms of transport such as public transport, walking and biking, and increases neighborhood amenities. Compatibility issues are addressed through careful site layout and building design.

The surrounding uses are primarily improved commercial in all directions, including retail, dining, professional offices, the Kenai Visitors Center and American Legion Post 20. The ability to share parking between neighboring properties is in harmony with the City's Comprehensive Plan, and the intent of the Mixed Use classification.

In *Imagine Kenai 2030 Comprehensive Plan*, Chapter 6, "Goals, Objectives, and Implementation", several goals and objectives are met from the proposed expansion.

Goal 1 – Quality of Life is to promote and encourage quality of life in Kenai.

Objective Q-4

Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Objective q-14

Continue to foster a compact, intensive mix of private and public uses in the downtown core area.

4. *KMC 14.20.150(d)(4) Public services and facilities are adequate to serve the proposed use;*

Findings: City water and sewer run beneath most of Frontage Road, a City-maintained road. The on-street parking spaces are existing and are maintained by the City. Staff finds there are adequate public services and facilities to serve the proposed use.

5. *KMC 14.150(d)(5) The proposed use will not be harmful to the public safety, health or welfare;*

Findings: The on-street parking spaces have been used by surrounding businesses for over fifty (50) years. Staff finds the use of the on-street parking spaces would not adversely impact the public safety, health or welfare.

6. *KMC 14.150(d)(6) Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions should be met by the applicant. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.*

Findings: No additional or specific conditions are deemed necessary to fulfill the above-mentioned criteria.

In addition to the above criteria for a CUP, specific conditions are outlined in KMC Section 14.20.250(b)(6) *Exception to this Section [off-street parking] -Public Parking Lots* that must be met prior to the issuance of a CUP use of a public parking lot.

Condition A: The public parking lot exists within reasonable distance of the use, or plans for the public parking lot are sufficiently advanced to give reasonable assurance that the lot will be in use within one (1) year of the time of issuance of the conditional use permit.

Findings: At least 16 on-street parking spaces are within ±300 feet of the subject property. Staff finds that is within reasonable distance of the use, and is consistent with the corresponding Code Section, which states the use of public parking lots to meet the off-street parking requirements should be within 300 feet of existing or planned public lots.

Condition B: The owner and/or occupant of the use in question shall sign a covenant agreeing to join an assessment district to pay for the public parking lot.

Findings: Staff consulted with the City Attorney and this provision applies to the construction of new public parking lots. Therefore, this provision is not applicable as the on-street parking is existing.

Condition C: The public parking lot has or will have sufficient capacity to accommodate the use in question plus other parking needs of existing and potential uses within a reasonable distance of the lot. The Commission shall use the off-street parking requirement as cited above to estimate the parking spaces needed within a reasonable distance of the lot.

Findings: There are 63 on-street parking spaces along this section of Frontage Road, of which 16 are being requested in this CUP. Staff finds that the remaining 47 on-street parking spaces along Frontage Road can accommodate other parking needs of existing and potential uses within a reasonable distance to the lot.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

Section 1. That the conditional use permit is granted to allow the use of on-street parking spaces along Frontage Road to meet the minimum off-street parking requirements on a property described as Lot 1, Block 4, Original Townsite of Kenai Rainbow Addition, located at 502 Main Street in the Central Commercial (CC) Zoning District.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 12TH DAY OF FEBRUARY, 2025.

JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
FROM: Kevin Buettner, Planning Director
THROUGH: Brandon McElrea, Planning Technician
DATE: February 3, 2025
SUBJECT: Resolution No. PZ2025-04 – Conditional Use Permit – Allow the Use of On-Street Parking Spaces to Meet Off-Street Parking Requirements

Request The applicant is requesting to use the on-street parking spaces along Frontage Road to count towards the off-street parking requirements.

Staff Recommendation Adopt Resolution No. PZ2025-04 approving a Conditional Use Permit for the use of on-street parking spaces along Frontage Road to meet the minimum off-street parking requirements for the Bow Bar.

Applicants: Kelsey Meyer and Jed Brown
Property Owners: D & E Investments, Inc.
Legal Description: Lot 1, Block 4, Original Townsite of Kenai Rainbow Addition Amended
Property Address: 502 Main Street
KPB Parcel No.: 04706442
Lot Size: Approximately 5,417 Square Feet
Zoning: Central Commercial (CC)
Current Use: Commercial – Bow Bar
Land Use Plan: Mixed Use

SUMMARY

The applicants have requested a Conditional Use Permit (CUP) to authorize the use of on-street parking spaces to meet the minimum off-street parking requirements. Due to the size of the subject property and building placement, there is inadequate area to provide the minimum required parking spaces. The applicant is interested in purchasing the subject property and contacted the City inquiring about permitting requirements. In reviewing the parcel file staff found that the subject parcel is unable to meet the minimum parking requirements of sixteen (16) parking spaces. The building residing on the subject parcel is approximately 3,287 square feet and is currently a drinking establishment (The Bow Bar). Pursuant to KMC 14.20.250(b)(8), drinking establishments are required to provide *one off-street parking space per two hundred (200) square feet of gross floor area or one (1) per four (4) seats, whichever is greater*. The applicant indicated that there are 60 seats in the establishment, which would require fifteen (15) parking spaces, therefore the gross floor area calculation of sixteen (16) parking spaces applies.

Pursuant to Kenai Municipal Code (KMC) 14.20.250(b)(6) *Exception to this Section [off-street parking] – Public Parking Lots, “...when a use is located within three hundred feet (300’) of an existing or planned public lot, the off-street parking requirements of this chapter may be met if under the procedures specified in this chapter, the Commission issues a conditional use permit...”*

ANALYSIS

Pursuant to KMC 14.20.150(a), the intent of a conditional use permit is to allow some uses that may be compatible with the designated principal uses in specific zoning districts provided certain conditions are met. Prior to granting a conditional use permit, the Commission shall determine that the identified criteria as outlined in KMC 14.20.150(e) *Conditional Use Permits Review Criteria* are met.

Criteria 1: The use is consistent with the purpose of this chapter and the purposes and intent of the zoning district.

Findings: The proposed use is consistent with the purpose of the Kenai Zoning Code, specifically, KMC 14.20.250 *Off-Street Parking and Loading Requirements*. Under the provision of KMC 14.20.250, it states certain conditions must be met in order to allow the use of public parking lot to be counted towards the minimum off-street parking requirement, which is analyzed in detailed under Criteria 6. The following table shows the required parking for a drinking establishment.

INSTITUTIONS, PUBLIC USES/COMMERCIAL	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Restaurants, cafés, delicatessen, eating and <u>drinking establishments</u> , clubs, nightclubs and lodges, etc.	<u>One (1) per each two hundred (200) square feet of gross floor area</u> or one (1) per four (4) seats, whichever is greater.

The proposed use would not violate the character of the neighborhood as it has functioned as a public parking area for over fifty (50) years. Furthermore, the proposed use is not anticipated to generate additional traffic. The existing density would remain unchanged. Staff finds that the proposed use meets the intent of the zoning district.

Criteria 2: The economic and noneconomic value of the adjoining property and neighborhood will not be significantly impaired.

Findings: The economic and noneconomic value of adjacent properties would not be significantly impacted by the granting of this CUP. The surrounding properties consist of a mix of commercial uses, each with abundant parking for their own use and would not be significantly impacted by the proposed use.

Staff finds the proposed use aligns with the intended use of the public parking area and would not significantly impair the economic and noneconomic value of adjoining properties. The proposed utilization of sixteen (16) parking spaces leaves forty-seven (47) spaces remaining for neighboring use.

Criteria 3: The proposed use is in harmony with the Comprehensive Plan.

Findings: The Land Use Plan, from the 2016 Comprehensive Plan, identifies the subject property with the Mixed Use classification. The MU Land Use Classification is defined in the Comprehensive Plan:

Mixed Use is intended for a compatible mix of residential, retail, service, office, public, institutional and recreational uses. Uses are co-located in an integrated way that supports sustainable forms of transport such as public transport, walking and biking, and increases neighborhood amenities. Compatibility issues are addressed through careful site layout and building design.

The surrounding uses are primarily improved commercial in all directions, including retail, dining, professional offices, the Kenai Visitors Center and American Legion Post 20. The ability to share parking between neighboring properties is in harmony with the City's Comprehensive Plan, and the intent of the Mixed Use classification.

RELEVANT GOALS

In *Imagine Kenai 2030 Comprehensive Plan*, Chapter 6, "Goals, Objectives, and Implementation", several goals and objectives are met from the proposed use.

Goal 1 – Quality of Life is to promote and encourage quality of life in Kenai.

Objective Q-4

Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Objective Q-14

Continue to foster a compact, intensive mix of private and public uses in the downtown core area.

Criteria 4: Public services and facilities are adequate to serve the proposed use.

Findings: City water and sewer run beneath most of Frontage Road, a City-maintained road. The on-street parking spaces are existing and are maintained by the City. Staff finds there are adequate public services and facilities to serve the proposed use.

Criteria 5: The proposed use will not be harmful to the public safety, health or welfare.

Findings: The on-street parking spaces have been used by surrounding businesses for over fifty (50) years. Staff finds the use of the on-street parking spaces would not adversely impact the public safety, health or welfare.

Criteria 6: Any and all specific conditions deemed necessary by the Commission to fulfill the above-mentioned conditions. These may include, but are not limited to, measures relative to access, screening, site development, building design, operation of the use and other similar aspects related to the proposed use.

Findings: No additional or specific conditions are deemed necessary to fulfill the above-mentioned criteria.

In addition to the above criteria for a CUP, specific conditions are outlined in KMC Section 14.20.250(b)(6) *Exception to this Section [off-street parking] -Public Parking Lots* that must be met prior to the issuance of a CUP use of a public parking lot.

Condition A: The public parking lot exists within reasonable distance of the use, or plans for the public parking lot are sufficiently advanced to give reasonable assurance that the lot will be in use within one (1) year of the time of issuance of the conditional use permit.

Findings: At least 16 on-street parking spaces are within ±300 feet of the subject property. Staff finds that is within reasonable distance of the use, and is consistent with the corresponding Code Section, which states the use of public parking lots to meet the off-street parking requirements should be within 300 feet of existing or planned public lots.

Condition B: The owner and/or occupant of the use in question shall sign a covenant agreeing to join an assessment district to pay for the public parking lot.

Findings: Staff consulted with the City Attorney and this provision applies to the construction of new public parking lots. Therefore, this provision is not applicable as the on-street parking is existing.

Condition C: The public parking lot has or will have sufficient capacity to accommodate the use in question plus other parking needs of existing and potential uses within a reasonable distance of the lot. The Commission shall use the off-street parking requirement as cited above to estimate the parking spaces needed within a reasonable distance of the lot.

Findings: There are 63 on-street parking spaces along this section of Frontage Road, of which 16 are being requested in this CUP. Staff finds that the remaining 47 on-street parking spaces along Frontage Road can accommodate other parking needs of existing and potential uses within a reasonable distance to the lot.

PUBLIC NOTICE

Pursuant to Kenai Municipal Code 14.20.280(c) notices of the public hearing for the conditional use were mailed to property owners within a three hundred-foot (300') periphery of the subject property. City staff published notice of the public hearing in the *Peninsula Clarion*. The applicant submitted an Affidavit of Posting verifying signage was placed on the parcel with information on the public hearing for the conditional use permit request.

As of the writing of this report, no public comments have been received.

STAFF RECOMMENDATION

Staff finds that the proposed Conditional Use Permit for on-street parking to meet off-street parking requirements meets the criteria for issuance of a Conditional Use Permit as set forth in subsections (e)(1) through (e)(6) of Kenai Municipal Code 14.20.150 and Subsection (b)(6) of KMC 14.20.250, and hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2025-04 approving the Conditional Use Permit, subject to the following conditions:

ATTACHMENTS

Aerial Map
Application

Requested Area

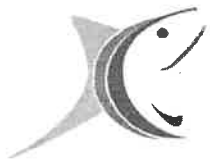
FRONTAGE RD

MAIN ST

Subject Parcel

WILLOWDALE





Conditional Use Permit Application

City of Kenai
Planning and Zoning Department
210 Fidalgo Avenue
Kenai, AK 99611
(907) 283-8200
planning@kenai.city
www.kenai.city/planning

PROPERTY OWNER

Name:	City Of Kenai				
Mailing Address:	210 Fidalgo Ave #200				
City:	Kenai	State:	AK	Zip Code:	99611
Phone Number(s):	907-283-7535				
Email:					

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:	Kelsey Meyer & Jed Brown / Bow Bar				
Mailing Address:	40150 Iliamna Loop				
City:	Soldotna	State:	AK	Zip Code:	99669
Phone Number(s):	907-420-7858				
Email:	K.vaeahn711@gmail.com				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04706129 → 04706129
Physical Address:	N/A
Legal Description:	TRACT 1, Frontage Road Sub, According to Plat 81-52
Zoning:	Central Mixed Use
Acres:	1.17

CONDITIONAL USE DESCRIPTION

(include site plan/floor plan with square footages)

(include State Business License and KPB Tax Compliance if applicable)

How is this property currently being used?	Public Parking
Conditional Use Requested for (attach additional sheets if necessary):	Parking

Bow Bar parking Along frontage Road.

Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:

We are submitting this permit to use the area for parking. The space is currently utilized for parking & has been serving this purpose for several years. Approval of this permit aligns with KMC, Subsections 14.20.250(3) & (6), ensuring compliance while addressing the parking needs of the establishment.

Explain how the value of adjoining property and neighborhood will not be significantly impaired by the conditional use:

The space has been utilized as additional parking for neighboring businesses for many years, and our intent is to continue using it for its current purpose.

Use of surrounding property - north:	PARKING		
Use of surrounding property - south:	South		
Use of surrounding property - east:	Commercial		
Use of surrounding property - west:	Commercial		
Explain how the conditional use is in harmony with the City's Comprehensive Plan:			
Goal 1 - Q4 = granting this permit with provide harmony in surrounding businesses by finding a solution to this parking issue Q12 - our goal is to fix up the exterior of the bar to help anicer look brought to the historic district. Q14 - mixing private & public parking areas			
Are public services and facilities on the property adequate to serve the proposed conditional use?			
yes. (there are no public facilities on lot)			
Explain how the conditional use will not be harmful to public safety, health, or welfare:			
As stated in other questions, we are requesting to use the property for what its currently used as. no changes, so no public safety, health, welfare risks.			
Are there any measures with access, screening, site development, building design, or business operation that will lessen potential impacts of the conditional use to neighbors?			
no.			
AUTHORITY TO APPLY FOR CONDITIONAL USE: I hereby certify that (I am) (I have been authorized to act for) owner of the property described above and that I petition for a conditional use permit in conformance with Title 14 of the Kenai Municipal Code. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use. I also understand that assigned hearing dates are tentative and may have to be postponed by Planning Department staff of the Planning and Zoning Commission for administrative reasons. I understand that a site visit may be required to process this application. City of Kenai personnel are authorized to access the above-referenced property for the purpose of processing this application.			
Signature:	Kelsey Meyer		Date: 1/9/25
Print Name:	Kelsey Meyer	Title/Business:	the Bow Bar
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	

PAID JAN 15 2025
\$250 CLK # 103



Overland Avenue

Main Street

Basis of Bearing [N03°31'W 204 10] 204 13'

Lot 2

Book 1 Page 36 KRD

Shared
dumpster with
Lot 2

N86°29'00"E

Snow
storage

1-story building

Lot 1

5417 SF

Snow
storage

N86°22'07"E

..... former lot line

N85°08'16"E 63 94' gas 2.6 5
easement

Lot line is the
outside building wall

Lot 3

Lot 2

7516 SF

Lot & building access

Lot dimensions

Building dimensions / snow storage

Lot outline

Building outline

5' Utility Easement

Highland Avenue

Lot 1



6940
PI
1990

2" Alum Cap

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PL
COMMISS THE MEETING OF August 11, 1997



January 27, 2025 – 6:30 PM

Action Agenda

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through

Jeremy Brantley, Chair
Sterling/Funny River
Term Expires 2024

Pamela Gillham, Vice Chair
Kalifornsky / Kaslof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Paul Whitney
City of Soldotna
Term Expires 2027

Franco Venuti
City of Homer
Term Expires 2025

Vacant
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible.

ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>

Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247

Zoom Meeting ID: 907 714 2200

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

(Action items listed with an asterisk (*) are considered to be routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

- *1. Agenda**
- *2. Member Excused Absences - None**
- *3. Minutes**
 - a. January 13, 2025 Plat Committee Meeting Minutes
- *4. Grouped Plats**
 - E2. Sterling Meadows Subdivision Reutov Addition; KPB File 2024-143
 - E3. TJ Seggy's Subdivision Frisk Addition; KPB File 2024-142

Motion to approve the consent and regular agenda passed by unanimous vote (6-Yes)

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

Public Hearing: Quasi-Judicial Matters *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

1. St. Theresa Subdivision Merkes Addition; KPB File 2025-003
Johnson Surveying / Ande, LLC
Location: Steadman Street & Hall Road
Sterling Area

Motion to grant preliminary approval to St. Theresa Subdivision Merkes Addition, passed by unanimous vote (6-Yes)

Motion to have the final plat come by for review by the plat committee passed by unanimous vote (6-Yes)

Motion to grant the exception request to KPB 20.30.190 – Lot Dimensions, failed by unanimous vote (6-No)

2. Sterling Meadows Subdivision Reutov Addition; KPB File 2024-143
Segesser Surveys / WTR Investments
Location: Whale of a Tail Avenue
Sterling Area

Motion to grant preliminary approval to Sterling Meadows Subdivision Reutov Addition, passed by unanimous vote (6-Yes)

3. TJ Seggy's Subdivision Frisk Addition; KPB File 2024-142
Segesser Surveys / Frisk
Location: Sterling Highway & Foolsgold Street
Kalifornsky Area

Motion to grant preliminary approval to TJ Seggy's Subdivision Frist Addition, passed by unanimous vote (6-Yes)

F. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 MINUTES PER SPEAKER)

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLAT COMMITTEE MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, February 10, 2025** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **5:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215 / Toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees.



January 27, 2025 – 7:30 PM

Action Agenda

Betty J. Glick Assembly Chambers
George A. Navarre Kenai Peninsula
Borough Administration Building and Through

Jeremy Brantley, Chair
Sterling/Funny River
Term Expires 2024

Pamela Gillham, Vice Chair
Kalifornsky / Kaslof District
Term Expires 2026

Virginia Morgan
Cooper Landing / Hope
Eastern Peninsula District
Term Expires 2025

Diane Fikes
City of Kenai
Term Expires 2025

Paul Whitney
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City of Seward
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Jeffrey Epperheimer
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Dawson Slaughter
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ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>

Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247

Zoom Meeting ID: 907 714 2200

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA AND CONSENT AGENDA

(Action items listed with an asterisk (*) are considered to be routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.)

ACTION ITEMS CURRENTLY ON CONSENT AGENDA:

- *1. Time Extension Request - None**
- *2. Planning Commission Resolutions – None**
- *3. Plats Granted Administrative Approval - None**
- *4. Plats Granted Final Approval - None**
- *5. Plat Amendment Request – None**
- *6. Commissioner Excused Absences**
 - a. Jeffrey Epperheimer, Nikiski District
- *7. Minutes**
 - a. January 13, 2025 Planning Commission Meeting Minutes

Motion to pass the consent and regular agendas pass by unanimous vote (7-Yes, 1-Absent)

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

Public Hearing: Legislative Matters

1. Ordinance 2024-19-24: Authorizing the acquisition of 80 acres of real property located in Seward, appropriating \$1,200,000.00 from the Land Trust Investment Fund and \$50,000.00 from the Land Trust Fund for the purchase, and authorizing the mayor to enter into a memorandum of agreement with the State of Alaska Mental Health Trust Authority for the completion of a road access feasibility study.

Motion to forward to the Assembly a recommendation to adopt Ordinance 2024-19-24, passed by unanimous vote (7-Yes, 1-Absent)

2. Ordinance 2025-02: Authorizing the disposal of real property located in Kenai necessary to resolve title matters related to the erroneous recording of a 1977 tax foreclosure deed.

Motion to forward to the Assembly a recommendation to adopt Ordinance 2025-02, passed by unanimous vote (7-Yes, 1-Absent)

3. Ordinance 2025-03: Amending KPB Chapter 21.20 relating to hearing and appeals to a hearing officer.

MOTION: Move to forward to the Assembly a recommendation to adopt Ordinance 2025-03, passed by unanimous vote (7-Yes, 1-Absent)

Public Hearing: Quasi-Judicial Matters - None *(Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application)*

F. PLAT COMMITTEE REPORT – The plat committee will review 3 plats

G. OTHER

H. PRESENTATIONS/PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA (3 MINUTES PER SPEAKER)

I. DIRECTOR’S COMMENTS

J. COMMISSIONER COMMENTS

K. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Planning Commission meeting will be held **Monday, February 10, 2025** in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at **7:30 p.m.**

CONTACT INFORMATION

KENAI PENINSULA BOROUGH PLANNING DEPARTMENT

Phone: 907-714-2215 / Toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees.

Vacations of rights-of-way, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly. Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.



Kenai City Council - Regular Meeting

February 05, 2025 — 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

****Telephonic/Virtual Information on Page 3****

Action Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council 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. SCHEDULED ADMINISTRATIVE REPORTS

1. Annual Review of City of Kenai Permanent Funds, 2024 Financial Performance, Financial Projections and Recommended 2025 Asset Allocations for the City's Permanent Funds, Brandy Niclai and Bill Lierman, from Alaska Permanent Capital Management.

C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

1. Kenai Chamber of Commerce and Visitor Center Annual Report, Samantha Springer, Executive Director.

D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

E. PUBLIC HEARINGS

1. **ENACTED WITHOUT OBJECTION. Ordinance No. 3448-2025** - Amending Kenai Municipal Code Section 14.22.010 - Land Use Table, to Allow Airports as a Principal Permitted Use in the Airport Light Industrial Zone. (Administration)
2. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-08** - Designating the Investment and Allocation Plan for the City's Permanent Funds and Establishing Appropriate Benchmarks to Measure Performance for Calendar Year 2025. (Administration)
3. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-09** - Authorizing a Contract Award for the 2025 Parks and Recreation Master Plan. (Administration)
4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-10** - Authorizing the Use of the Fleet Replacement Fund for the Purchase of One Ford F-150 Responder Vehicle Utilizing the State of Alaska Equipment Fleet Contract and Municipality of Anchorage Contract. (Administration)

5. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-11** - Authorizing the Use of the Water and Sewer Fund for the Purchase of Two Ford Trucks Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
6. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-12** - Authorizing the Use of the Fleet Replacement Fund for the Purchase of Two Ford Transit Vans Utilizing the State of Alaska Equipment Fleet Contract. (Administration)
7. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-13** - Redirecting Public Safety Capital Project Funds to Complete the Emergency Services Facility Assessment. (Administration)
8. **ADOPTED WITHOUT OBJECTION. Resolution No. 2025-14** - Authorizing a Contract for the 2025 Emergency Services Facility Programming and Assessment. (Administration)

F. MINUTES

1. *Regular Meeting of January 15, 2025. (City Clerk)

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Non-Objection to Renewal of a Package Store Liquor License for Carr-Gottstein Foods Co. DBA Oaken Keg #1808 - License No. 3218. (City Clerk)
3. ***Action/Approval** - Non-Objection to Renewal of a Package Store Liquor License for Three Bears Alaska, Inc. DBA Three Bears - License No. 4118. (City Clerk)
4. ***Ordinance No. 3449-2025** - Increasing Estimated Revenues and Appropriations in the General Fund – Police Department and Accepting Grants from the United States Department of Justice and Alaska Municipal League Joint Insurance Association for the Purchase of Ballistic Vests. (Administration)
5. ***Ordinance No. 3450-2025** - Amending Sections of Kenai Municipal Code Title 23 - Personnel Regulations, Sections 23.05.070 - Definitions, 23.25.080 - Promotion, 23.30.030 - Probationary Period for Employees in the Classified Service, and 23.55.020 - Compensation Structure by Grade for Employees in the Classified Service, to Ensure a Consistent Approach to Pay Adjustments for City Employees. (Administration)
6. **APPROVED WITHOUT OBJECTION. Action/Approval** - Airport Commission 2025 Work Plan. (City Clerk)
7. **SCHEDULED FOR 4/16/2025 AT 5:00 P.M. Discussion** - Scheduling a Joint Work Session with the Planning & Zoning Commission for the Presentation of the Draft SS4A Comprehensive Safety Action Plan. (Administration)
8. **Discussion** - City of Kenai Arbitration Panel - Membership Terms. (City Clerk)

I. COMMISSION REPORTS

1. Council on Aging Commission
2. Airport Commission
 - Airport Commission 2024 Annual Report

3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Commission

J. REPORT OF THE MAYOR

K. ADMINISTRATION REPORTS

1. City Manager
2. City Attorney
3. City Clerk

L. ADDITIONAL PUBLIC COMMENTS

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

M. EXECUTIVE SESSION

N. PENDING ITEMS

O. ADJOURNMENT

P. INFORMATION ITEMS

The agenda and supporting documents are posted on the City's website at www.kenai.city. Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.

Registration is required to join the meeting remotely through Zoom. Please use the following link to register:

<https://us02web.zoom.us/meeting/register/Chz3lw5ATqSCnihFBt0XAg>