



**Kenai Planning & Zoning Commission -
Regular Meeting**

June 12, 2024 – 7:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

****Telephonic/Virtual Info on Page 2****

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 May 29, 2024

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

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 PZ2024-13** - Granting a Conditional Use Permit for a Day Care Center, Recreation, and Youth Center on the Properties Described as Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision, Located at 320 and 330 S. Spruce Street Within the Suburban Residential (RS) Zoning District.
2. **Resolution PZ2024-14** - Granting a Conditional Use Permit for Cabin Rentals (i.e., Short-Term Rentals) on the Property Described as Lot 3, Block 1, of Scalf Subdivision, Located at 106 N. Tinker Lane Within the Suburban Residential (RS) Zoning District.

G. UNFINISHED BUSINESS

H. NEW BUSINESS

1. ***Action/Approval** – Requesting an Excused Absence for the May 29, 2024 Regular Meeting – Halstead
2. ***Action/Approval** – Requesting an Excused Absence for the May 29, 2024 Regular Meeting – Coston
3. **Discussion/Recommendation** – Proposal to Amend the Start Time for Planning and Zoning Commission Regular Meetings to 6:30 PM
4. **Discussion/Recommendation** – Proposal to Reduce the Number of Meetings for Planning and Zoning Commission

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: June 26, 2024

L. COMMISSION COMMENTS AND QUESTIONS

M. PENDING ITEMS

N. ADJOURNMENT

O. INFORMATIONAL 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 link below to register:

https://us02web.zoom.us/meeting/register/tZcucu2rqzsrHNG_Kv8d_ox-OmY4An_DRYLP

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MAY 29, 2024 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR PRO TEM JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on May 29, 2024, in City Hall Council Chambers, Kenai, AK. Commissioner Twait called the meeting to order at approximately 7:00 p.m.

As no presiding officer was present, an election of Chair Pro Tem was requested.

MOTION:

Commissioner Pettey **NOMINATED** Commissioner Twait to be Chair Pro Tem for the meeting.

VOTE: There being no objection; **SO ORDERED.**

1. Pledge of Allegiance

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

2. Roll Call

There were present:

Jeff Twait
Glenese Pettey
Gwen Woodard

Diane Fikes
Sonja Barbaza

A quorum was present.

Absent:

Joe Halstead, Chair John Coston, Vice Chair

Also in attendance were:

Linda Mitchell, Planning Director
Alex Douthit, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

Chair Pro Tem Twait noted the following additions to the Packet:

- Add Item H. 1. **Action/Approval** - Resolution No. 2024-17
- Public Comments

MOTION:

Commissioner Woodard **MOVED** to approve the agenda and consent agenda with the requested revisions. Commissioner Pettey **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Pro Tem Twait opened the floor for public comment on consent agenda items.

Council Member Deborah Sounart explained that she sponsored Council Resolution No. 2024-17 after hearing feedback from constituents in the affected area.

There being no one else 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 May 8, 2024

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS

1. **Resolution No. PZ2024-10** – Recommending Approval on Preliminary Plat – Thompson Park 2024 Replat for a Replat of Lots 14, 15, 16, and 17, Block 5 of Thompson Park Subdivision within the Suburban Residential (RS) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2024-10. Commissioner Pettey **SECONDED** the motion.

Director Mitchell gave a staff report as provided in the packet, and explained that the replat would merge four lots into two lots. Staff's findings were reviewed, and it was noted that staff's recommendation is approval.

Clarification was provided that the merged parcels would have one address each.

VOTE:

YEA: Pettey, Barbaza, Woodard, Twait, Fikes

NAY: None

ABSENT: Halstead, Coston

MOTION PASSED WITHOUT OBJECTION.

2. **Resolution No. PZ2024-11** – Recommending Approval on Preliminary Plat – Shoreline Heights 2014 Addition Phase 1 Bowlin Replat to Replat Lots 34 and 35 of Shoreline Heights 2014 Addition Phase 1 within the Rural Residential (RR) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2024-11. Commissioner Barbaza **SECONDED** the motion.

Director Mitchell gave a staff report as provided in the packet, and explained that the replat would merge two lots into one lot. Staff's findings were reviewed, and it was noted that staff's recommendation is approval.

Jason Young noted he was the applicant representing the land owners, and that he was available for questions.

VOTE:

YEA: Fikes, Twait, Woodard, Barbaza, Pettey

NAY: None

ABSENT: Halstead, Coston

MOTION PASSED WITHOUT OBJECTION.

F. PUBLIC HEARINGS

1. **Resolution No. PZ2024-12** – Granting a Conditional Use Permit Amendment for a Retail Marijuana Store Within the Existing Marijuana Cultivation Facility (PZ2021-44) on the Property Described as Lot 1 of Yragui Subdivision, Located at 8847 Kenai Spur Highway within the General Commercial (CG) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2024-12. Commissioner Pettey **SECONDED** the motion.

Director Mitchell presented her staff report with information provided in the packet, and explained that the applicant had requested an amendment to their conditional use permit (CUP) for a marijuana cultivation facility to allow for a portion of the facility to be used as a retail marijuana store. The criteria for CUPs were reviewed; it was noted that the existing CUP had previously received one complaint, which was researched by staff and AMCO and determined to be unfounded. Mitchell explained that the application met the CUP criteria and City staff recommends approval subject to the following condition:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.

Nicholas Mann, applicant and current cultivation license holder, stated that he had not yet begun the AMCO application as he was waiting for CUP approval, and noted that he was open to questions.

In response to questions from the Commission, Mann clarified the hours and days of retail store operation; that he had changed his intent for the business to include retail after finding that standalone cultivation may not be profitable enough; that he had learned when applying for his cultivation facility license that the City's CUP process should be approved prior to AMCO's review process; AMCO security requirements; and that marijuana delivery was not currently legal. Director Mitchell explained the City's process for reviewing AMCO applications, and clarified that City code limits hours of retail operation, prohibits marijuana drive-through operations, and had recently been amended to expand noticing of marijuana establishments to a minimum of 30 neighboring property owners.

Chair Pro Tem Twait opened the floor for public hearing; there being no one wishing to be heard, the public hearing period was closed.

Clarification was provided that amending the CUP to include retail would not change parking requirements. Sign requirements and lighting were discussed, and it was noted that because this site may be challenging for signage and a variance may be needed in the future. Mitchell noted that she had received no feedback from neighboring properties.

VOTE:

YEA: Twait, Pettey, Fikes

NAY: Woodard, Barbaza

ABSENT: Halstead, Coston

MOTION PASSED.

Chair Pro Tem Twait noted the 15-day appeal period.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Action/Approval** – Resolution No. 2024-17 - Recommending Approval on the Street Renaming of Cook Inlet View Drive to Cook Inlet Drive.

Approved by the consent agenda.

2. **Action/Approval** – Approving the Transfer of a Conditional Use Permits PZ1989-06 for Guide Service, PZ1995-01 for Bed and Breakfast, and PZ2003-42 for Lodging on the Property Described as Lot 29, Block 1 of Anglers Acres Subdivision Part 2, Located at 1535 Angler Drive within the Rural Residential (RR) Zoning District.

MOTION:

Commissioner Fikes **MOVED** to approve the transfer of a Conditional Use Permits PZ1989-06, PZ1995-01 and PZ2003-42. Commissioner Woodard **SECONDED** the motion.

Director Mitchell presented her staff report with information provided in the packet; she reviewed the history of CUPs granted to the property and explained that the transfer would be within the family and would be operated in the same way as it had been since 2003.

Applicant Brittany Harding explained that she was the third generation within her family to operate this business, and noted that she was available for questions.

In response to questions from the Commission, Harding clarified plan for parking and traffic, and that occupants with RVs may be allowed on a case-by-case basis.

VOTE:

YEA: Barbaza, Pettey, Woodard, Fikes, Twait

NAY: None

ABSENT: Halstead, Coston

MOTION PASSED WITHOUT OBJECTION.

I. REPORTS

1. Planning Director – Planning Director Mitchell reported on the following:
 - Safe Streets for All Survey to close in 2 days.
 - New City Building Official starts June 3rd.
 - Several CUPs and plats are in process for upcoming meetings.
 - Reviewed KMC 14.05.025 Remote Electronic Participation at Planning and Zoning Commission Meetings, including what items a commissioner joining remotely can and cannot participate in and why.
 - Introduced Brandon McElrea, Planning Technician.
 - Storefront & Streetscape Improvement Grant period is closed, award letters to be issued within the week.
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 Douthit reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENT

Council Member Deborah Sounart commented on Resolution PZ2024-12, noting that there had been feedback and concerns about the applicant's original CUP request for a marijuana cultivation facility.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: June 12, 2024

It was noted that Vice Chair Coston has already notified the Commission he would be out of town.

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Fikes noted that she appreciated Council Member Sounart's testimony, but that she had voted in support despite personal concerns because she did not find adequate findings to oppose passage.

Commissioner Pettey requested that a discussion be added to the next meeting agenda to consider amending the start time of Planning & Zoning Meetings to 6:30 p.m.

M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS – None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 8:13 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of May 29, 2024.

Meghan Thibodeau
Deputy City Clerk



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-13**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR DAY CARE CENTER, RECREATION, AND YOUTH CENTER.

APPLICANT: Chris Parker, K+A Designstudios

PROPERTY ADDRESSES: 320 and 330 S. Spruce Street

LEGAL DESCRIPTIONS: Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBERS: 04701028 and 04701018

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on May 16, 2024; 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 June 12, 2024, 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 development is consistent with the purpose of the Kenai Zoning Code and Land Use Table. The land use table indicates a day care center and recreation are conditional uses in the Suburban Residential (RS) and Urban Residential (RU) zoning districts; therefore, the proposed development may operate subject to a CUP.

*The **RS Zone** is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:*

(1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;

(2) To prohibit uses which would:

(A) *Violate the residential character of the environment;*

(B) *Generate heavy traffic in predominantly residential areas.*

*The **RU Zone** is intended to provide for apartments and compatible uses in areas near centers of shopping, services, and employment where high-density residential development is desirable.*

The proposed development would increase and improve the recreational atmosphere of the surrounding neighborhood. It is adjacent to the Kenai Little League Fields and it is nearby the North Beach of the Kenai River, which has been in place since 1976 and 1965 respectively. Therefore, staff does not find that this proposed facility would bring an impactful increase of traffic to the area compared to the existing uses in the surrounding area.

The proposed development is located on a lot with split zoning, RS and UR Zones. The principal uses/structures are primarily located on the portion with the RS Zone; however, the subject area had been operated as an adolescent care facility under a CUP until the property was purchased by BGCKP. BGCKP seeks to operate a similar use and expand with compatible uses on the subject premises. The other portion of the lot is zoned RU, which would consist of the multi-use field and accessory structures/uses. The RU is intended for compatibles uses near high-density residential development but there's no medium or high-density residential development along South Spruce Street. The vacant lot to the south may be developed as a high-density residential and this proposed development would provide nearby amenities to its future residents/tenants. Staff finds the proposed development is consistent with the surrounding uses and the subject zoning districts.

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 surrounding neighborhood consists of a mix of institutional and recreational properties, with the exception of a single-family residence and a vacant lot. The applicant states that their operation will enhance the Little League Fields to the north, as well as benefit the other properties by the educational nature of their facility. Staff does not find that the proposed facility will negatively impact the surrounding properties as this is a compatible use with the existing corridor.

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 Institutional (ITL) and Mixed Use (MU) land use classifications. The ITL and MU Land Use Classifications are defined in the Comprehensive Plan:

Institutional is intended to provide an area in which government and tax-exempt institutions can offer social and cultural amenities to the citizens of the community. The primary use is public, non-profit, and quasi-public uses including government offices and facilities, schools, churches, and other community-service oriented facilities.

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. Use of buffers may be desirable.

The proposed development is situated on two (2) different land use classifications. The principal uses are primarily on the portion with the ITL Land Use, which is consistent with the designation. The other portion has the designation of MU, which the proposed multi-use field and other accessory structures/uses would also be consistent with the designation.

As stated by the applicant, the ability to re-purpose the existing properties for similar uses within the City is a vital component in helping both the City and businesses of this nature to thrive. Staff finds that the proposed development follows the vision of the Comprehensive Plan in revitalizing existing structures, as well as, enhancing the property for the benefit of the community.

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

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

Objective Q-4

Promote the siting and design standards of land uses that are in harmony and scale with surrounding uses.

Objective Q-7

Provide a variety of formal and informal educational programs.

Goal 2 – Economic Development is to provide economic development to support the fiscal health of Kenai.

Objective ED-9

Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

Goal 6 – Parks and Recreation ensures that Kenai has excellent parks and recreational facilities and opportunities.

Objective PR-3

Promote the public/private collaboration for acquisition, development, and maintenance of youth neighborhood parks, youth sports facilities, and recreational areas.

Objective PR-4

Support projects that provide additional quality outdoor and indoor recreation.

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

Findings: The subject properties are located along South Spruce Street and has access to City water, City sewer, natural gas, electricity, and telephones/cable services. South Spruce Street is a paved road, which is maintained by the City. Pursuant to KMC 14.20.250(b)(8) *Off-Street Parking Requirements*, required parking spaces are based on its uses. The submitted site plan provides a parking calculation table on Sheet A1.0 (Phase 3 – Clubhouse Site Plan) for required parking spaces and determined the proposed development requires a minimum of 106 parking spaces; however, the indicated number of fixed seats is identified as 222 seats but the floor plan indicates 192 fixed seats, which may reduce the number of required parking spaces to 98. The total number of provided parking spaces is 113 with five (5) parking spaces designated to be ADA parking spaces. The number of required parking spaces are subject to change based on the plans submitted with the building permit application. Staff finds the existing public services and facilities are adequate to serve the proposed development.

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

Findings: As stated by the applicant, the use of this subject properties will promote active, healthy lifestyles for children and families; furthermore, it provides educational activities and athletic programs, which elevate the health and welfare of its users and the community. Staff finds that public services are available to adequately serve the proposed development. As discuss in Criteria 4, the proposed development will provide sufficient parking available for users of the site. Access to the site will be from South Spruce Street which is a paved, City maintained road.

Staff finds that the proposed development will generate more traffic than the previous and current use; however, South Spruce Street serves as the only access to North Kenai Beach parking lot, which experiences a high volume of traffic during dipnet season and during peak recreational activities, the usage of the Kenai Little League Fields are increased as well. Staff finds the potential increase in traffic from the proposed development along South Spruce Street would not have adverse impacts to surrounding uses since existing uses are primarily institutional and an additional access provided off South Spruce Street would minimize any traffic congestions. Staff finds the proposed development will not be harmful to the public safety, health and 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: Staff finds that granting of a conditional use to operate a day care center, recreation, and youth center would not cause adverse impacts on the surrounding properties. The applicant states that impacts to the surrounding neighborhood were greatly considered and the use of landscaping buffers and screens were incorporated into the site plan and building design. Furthermore, the applicant states the design of the traffic flow in and out of the site has been developed to have minimal effects on the neighboring properties.

Staff finds that specific conditions are not deemed necessary to fulfill the above-mentioned conditions.

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

Section 1. That a conditional use permit is granted to operate a day care center, recreation, and youth center on the properties described as Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision, located at 320 and 330 S. Spruce Street.

Section 2. That the conditional use permit is subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 12th DAY OF JUNE, 2024.

JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Linda Mitchell, Planning Director
FROM: Brandon McElrea, Planning Technician
DATE: June 7, 2024
SUBJECT: Resolution PZ2024-13 – Conditional Use Permit – Day Care Center, Recreation, and Youth Center

Request The applicant is requesting to operate a child care center, gym, clubhouse, teen center, and supporting spaces for the Boys & Girls Club and construct the development in phases.

Staff Recommendation Adopt Resolution PZ2024-13 approving a Conditional Use Permit for a day care center, recreation, and youth center.

Applicant: Chris Parker, K+A Designstudios
Property Owner: Boys & Girls Club of the Kenai Peninsula
Legal Descriptions: Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision
Property Addresses: 320 and 330 S. Spruce Street
KPB Parcel Nos.: 04701028 and 04701018
Lot Sizes: 4.26 acres (Tract A, City Park Subdivision No. 2)
2.09 acres (Tract A, Park View Subdivision)
Zoning Districts: Suburban Residential (RS) and Urban Residential (RU)
Current Use: [Institutional] Office and Gymnasium
Land Use Plan: Institutional and Mixed Use

SUMMARY

Boys & Girls Club of the Kenai Peninsula (BGCKP) has requested to maintain a similar use, as the previous day care center and gymnasium and expand the uses to include a clubhouse, teen center, and supporting services on the subject premises. The proposed development will be

constructed in phases. The overall proposal would expand the existing day care center and gymnasium, a new building for the teen center and clubhouse with new parking lot to adequately served the expansion. Future expansions would include a multi-use field and accessory structures to support community programs.

Staff has included both parcels due to the approved preliminary plat (Resolutions PZ2023-17 and 2023-49) to merge the parcels and vacate the rights-of-way. In addition, the proposed development is shown on a site plan as one (1) lot.

ANALYSIS

Pursuant to Kenai Municipal Code (KMC) 14.20.150(a), the intent of a conditional use permit (CUP) 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 development is consistent with the purpose of the Kenai Zoning Code and Land Use Table. The land use table indicates a day care center and recreation are conditional uses in the Suburban Residential (RS) and Urban Residential (RU) zoning districts; therefore, the proposed development may operate subject to a CUP.

*The **RS Zone** is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:*

(1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;

(2) To prohibit uses which would:

(A) Violate the residential character of the environment;

(B) Generate heavy traffic in predominantly residential areas.

*The **RU Zone** is intended to provide for apartments and compatible uses in areas near centers of shopping, services, and employment where high-density residential development is desirable.*

The proposed development would increase and improve the recreational atmosphere of the surrounding neighborhood. It is adjacent to the Kenai Little League Fields and it is nearby the North Beach of the Kenai River, which has been in place since 1976 and 1965 respectively. Therefore, staff does not find that this proposed facility would bring an impactful increase of traffic to the area compared to the existing uses in the surrounding area.

The proposed development is located on a lot with split zoning, RS and UR Zones. The principal uses/structures are primarily located on the portion with the RS Zone; however,

the subject area had been operated as an adolescent care facility under a CUP until the property was purchased by BGCKP. BGCKP seeks to operate a similar use and expand with compatible uses on the subject premises. The other portion of the lot is zoned RU, which would consist of the multi-use field and accessory structures/uses. The RU is intended for compatible uses near high-density residential development but there's no medium or high-density residential development along South Spruce Street. The vacant lot to the south may be developed as a high-density residential and this proposed development would provide nearby amenities to its future residents/tenants. Staff finds the proposed development is consistent with the surrounding uses and the subject zoning districts.

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

Findings: The surrounding neighborhood consists of a mix of institutional and recreational properties, with the exception of a single-family residence and a vacant lot. The applicant states that their operation will enhance the Little League Fields to the north, as well as benefit the other properties by the educational nature of their facility. Staff does not find that the proposed facility will negatively impact the surrounding properties as this is a compatible use with the existing corridor.

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 Institutional (ITL) and Mixed Use (MU) land use classifications. The ITL and MU Land Use Classifications are defined in the Comprehensive Plan:

Institutional is intended to provide an area in which government and tax-exempt institutions can offer social and cultural amenities to the citizens of the community. The primary use is public, non-profit, and quasi-public uses including government offices and facilities, schools, churches, and other community-service oriented facilities.

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The proposed development is situated on two (2) different land use classifications. The principal uses are primarily on the portion with the ITL Land Use, which is consistent with the designation. The other portion has the designation of MU, which the proposed multi-use field and other accessory structures/uses would also be consistent with the designation.

As stated by the applicant, the ability to re-purpose the existing properties for similar uses within the City is a vital component in helping both the City and businesses of this nature to thrive. Staff finds that the proposed development follows the vision of the Comprehensive Plan in revitalizing existing structures, as well as, enhancing the property for the benefit of the community.

RELEVANT GOALS

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

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

Objective Q-4

Promote the siting and design standards of land uses that are in harmony and scale with surrounding uses.

Objective Q-7

Provide a variety of formal and informal educational programs.

Goal 2 – Economic Development is to provide economic development to support the fiscal health of Kenai.

Objective ED-9

Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

Goal 6 – Parks and Recreation ensures that Kenai has excellent parks and recreational facilities and opportunities.

Objective PR-3

Promote the public/private collaboration for acquisition, development, and maintenance of youth neighborhood parks, youth sports facilities, and recreational areas.

Objective PR-4

Support projects that provide additional quality outdoor and indoor recreation.

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

Findings: The subject properties are located along South Spruce Street and has access to City water, City sewer, natural gas, electricity, and telephones/cable services. South Spruce Street is a paved road, which is maintained by the City. Pursuant to KMC 14.20.250(b)(8) *Off-Street Parking Requirements*, required parking spaces are based on its uses. The submitted site plan provides a parking calculation table on Sheet A1.0 (Phase 3 – Clubhouse Site Plan) for required parking spaces and determined the proposed development requires a minimum of 106 parking spaces; however, the indicated number of fixed seats is identified as 222 seats but the floor plan indicates 192 fixed seats, which may reduce the number of required parking spaces to 98. The total number of provided parking spaces is 113 with five (5) parking spaces designated to be ADA parking spaces. The number of required parking spaces are subject to change based on the plans submitted with the building permit application. Staff finds the existing public services and facilities are adequate to serve the proposed development.

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

Findings: As stated by the applicant, the use of this subject properties will promote active, healthy lifestyles for children and families; furthermore, it provides educational activities and athletic programs, which elevate the health and welfare of its users and the community. Staff finds that public services are available to adequately serve the proposed development. As discussed in Criteria 4, the proposed development will provide sufficient parking available for users of the site. Access to the site will be from South Spruce Street which is a paved, City maintained road.

Staff finds that the proposed development will generate more traffic than the previous and current use; however, South Spruce Street serves as the only access to North Kenai Beach parking lot, which experiences a high volume of traffic during dipnet season and during peak recreational activities, the usage of the Kenai Little League Fields are increased as well. Staff finds the potential increase in traffic from the proposed development along South Spruce Street would not have adverse impacts to surrounding uses since existing uses are primarily institutional and an additional access provided off South Spruce Street would minimize any traffic congestions. Staff finds the proposed development will not be harmful to the public safety, health and 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: Staff finds that granting of a conditional use to operate a day care center, recreation, and youth center would not cause adverse impacts on the surrounding properties. The applicant states that impacts to the surrounding neighborhood were greatly considered and the use of landscaping buffers and screens were incorporated into the site plan and building design. Furthermore, the applicant states the design of the traffic flow in and out of the site has been developed to have minimal effects on the neighboring properties.

Staff finds that specific conditions are not deemed necessary to fulfill the above-mentioned conditions.

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 a sign was placed on the parcel with information on the public hearing for the conditional use permit request.

No public comments have been received.

STAFF RECOMMENDATION

Staff finds that the proposed Conditional Use Permit for operation of a day care center, recreation, and youth center on the properties described as Tract A, City Park Subdivision No. 2 and Tract A, Park View Subdivision, located at 320 and 330 S. Spruce Street 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 hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2024-13 approving the Conditional Use Permit, subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

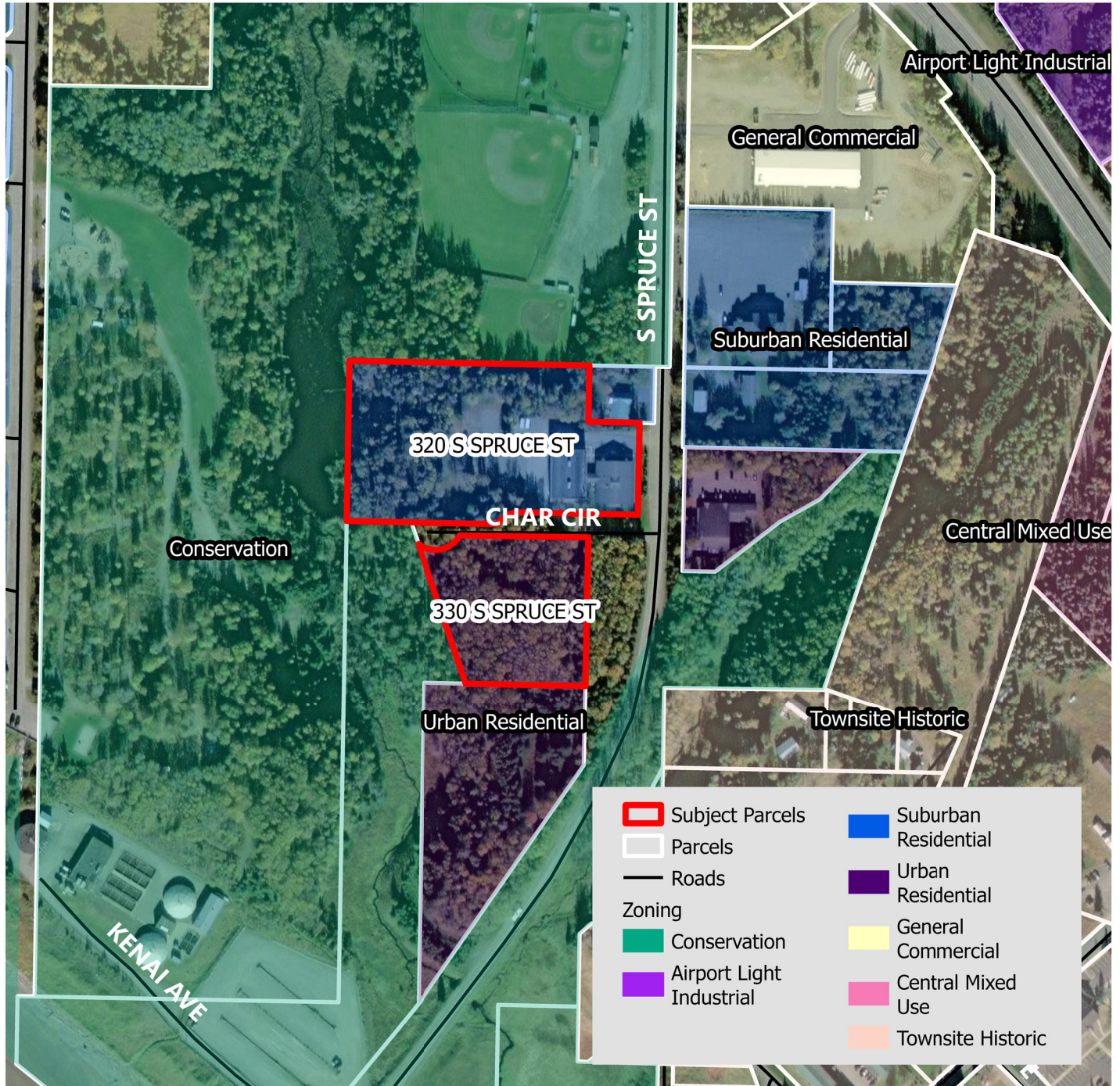
ATTACHMENTS

Aerial Map
Application
Plans

Preliminary Plat KPB 2023-145 for City Park Subdivision 2023 Replat (Resolution PZ2023-17)

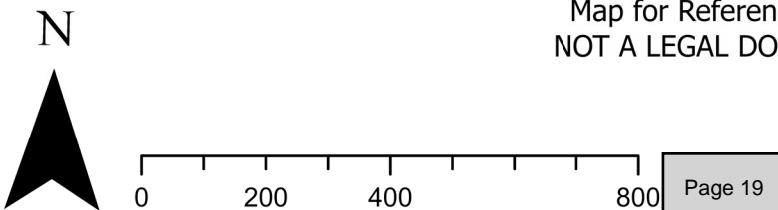


Resolution PZ2024-13
Conditional Use Permit - Day Care Center,
Recreation and Youth Center
320/330 S. Spruce Street
KPB Parcel IDs: 04701028 and 04701018



Date Printed: 06/07/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





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:	Boys & Girls Club of the Kenai Peninsula				
Mailing Address:	320 South Spruce Street				
City:	Kenai	State:	Alaska	Zip Code:	99611
Phone Number(s):	(907)283-2682				
Email:	arouswell@bgckp.com				

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name:	Chris Parker, K+A Designstudios				
Mailing Address:	35723 Spur Highway				
City:	Soldotna	State:	Alaska	Zip Code:	99669
Phone Number(s):	(907)260-4440				
Email:	cparker@ka-designstudios.com				

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID):	04701028
Physical Address:	320 South Spruce Street, Kenai
Legal Description:	T 05N R 11W Sec 6 Seward Meridian KN 2007146 City Park Sub No 2 Tract A
Zoning:	Suburban Residential (RS)
Acres:	4.26

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?	Currently Boys & Girls Club Main Office and Gym
Conditional Use Requested for (attach additional sheets if necessary):	

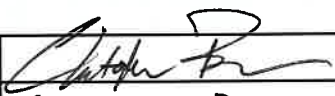
This conditional use requests the ability to maintain a similar use of the previously permitted, existing child-care facility within the suburban residential zone. This requested use will be a Boys & Girls Club child care center, gym, clubhouse, teen center and supporting spaces. We see these being a conditionally allowed use represented by the similar following uses: day-care, elementary school and high school. Please see the attached site plan showing the proposed site layout.

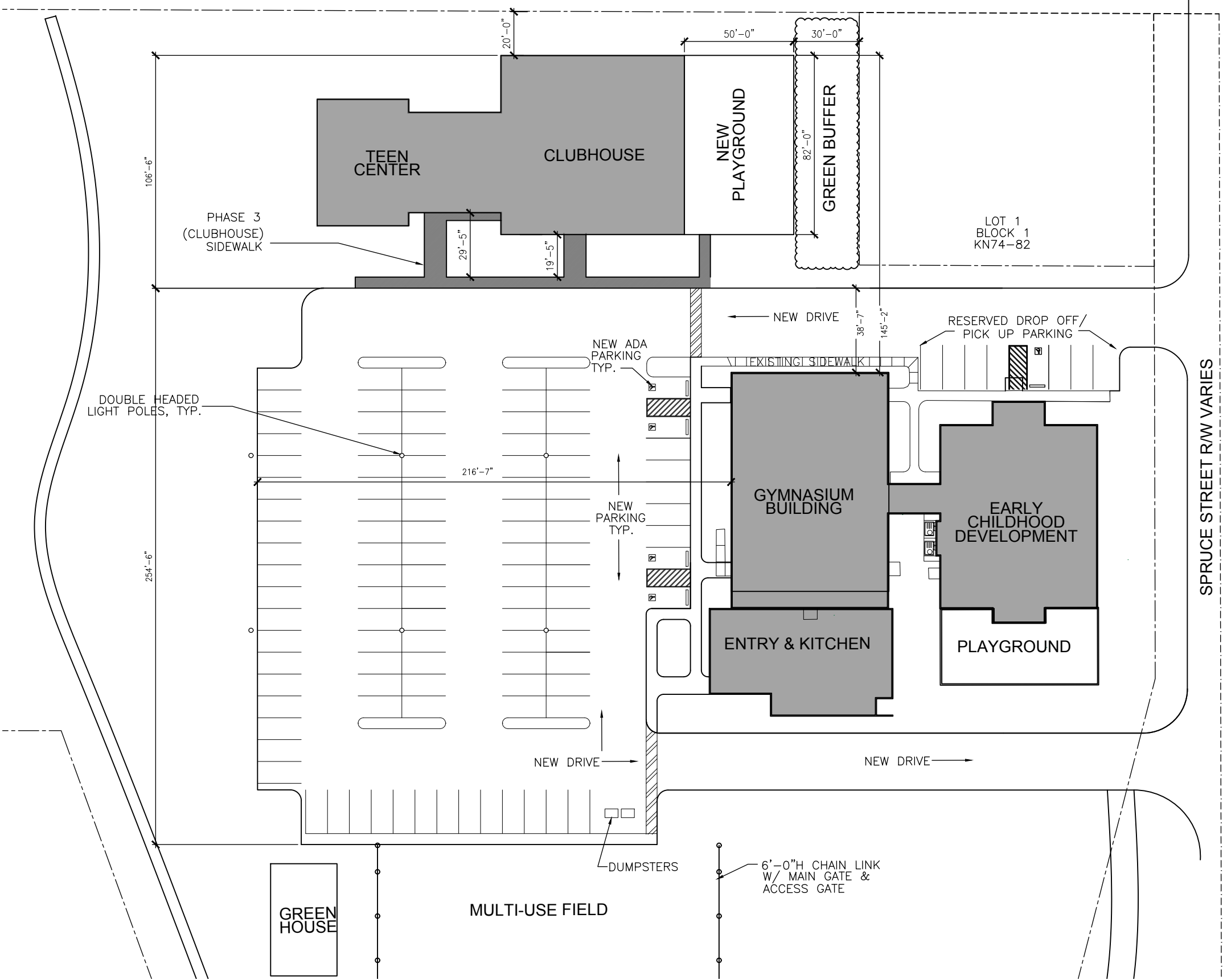
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:

The purposed use is located next to an existing baseball field complex, in a Conservation zone, where uses and users are similar in nature within the surrounding property. This conditional use is consistent with the purposes and intent of the zoning district and would be compatible with minimal impact to the surrounding areas.

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

The value of the adjoining properties won't be significantly impaired by this conditional use because of the value that this use will provide for the properties in the area. The sports complex to the North will be enhanced by the immediate proximity to similar uses and the properties to South and East will also benefit from the impacts of an educational use in their neighborhood.

Use of surrounding property - north:	Little League Baseball/Softball Fields		
Use of surrounding property - south:	Vacant Lot		
Use of surrounding property - east:	Residence and Crisis Assistance Business		
Use of surrounding property - west:	City Owned Property Containing a Municipal Park		
Explain how the conditional use is in harmony with the City's Comprehensive Plan:			
<p>The ability to re-purpose existing properties for similar uses within the City is a vital component in helping both the City and businesses of this nature thrive. This project looks to revitalize an existing gym and admin building, to develop and enhance the property for the use of the community. Allowing this conditional use will allow a valuable asset to grow and operate within the City of Kenai, which is in harmony with the City's comprehensive plan and will add to the economic growth of the City of Kenai.</p>			
Are public services and facilities on the property adequate to serve the proposed conditional use?			
<p>Yes, city sewer and water are present at the site along South Spruce St, which is paved and maintained by the City. There are adequate public services and facilities to serve the proposed use.</p>			
Explain how the conditional use will not be harmful to public safety, health, or welfare:			
<p>The use of this property will promote active, healthy lifestyles for children and families. It provides educational activities and athletic programs which elevate the health and welfare of it's users and the community.</p>			
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?			
<p>The impacts of this use to the surrounding neighbors has been greatly considered, and the use of landscaping buffers and screens have been incorporated into the site plan and building design. The design of the traffic flow in and out of the property has also been developed to have minimal effect on neighboring properties.</p>			
<p>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.</p>			
Signature:			Date: 5/15/2024
Print Name:	CHRISTOPHER PARKER	Title/Business:	ARCHITECT, KTA DESIGN STUDIOS
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	



PARKING	
PARKING CALCS.:	
GYM (ASSEMBLY W/ FIXED SEATING):	
1 SPACE PER 4 FIXED GYM SEATS	
222 SEATS/4 =	56
KITCHEN (BAKERIES, SIMILAR SERVICES):	
1 SPACE PER 500 KITCHEN SF. + 5 PATRON SPACES	
1,134 SF./500 = 2 + 5 =	7
CARE FACILITY (DAY NURSERY, KINDERGARTEN):	
1 SPACE PER 400 CHILD CARE SF. +	
1 RESERVED LOADING SPACE PER 800 SF.	
(5,393 SF./400) + (5,393 SF./800) =	20
SCHOOL (PRIVATE, DANCE STUDIO):	
1 SPACE PER 500 SCHOOL SF.	
11,255 SF./500 =	23
TOTAL REQUIRED NEW PARKING SPACES =	106
NEW PARKING SPACES PROVIDED=	113
REQUIRED NEW ADA PARKING SPACES =	5
EXISTING PARKING SPACES =	22

1

OVERALL SITE PLAN

GRAPHIC SCALE:

50'

25'

REF. N

W

E

S

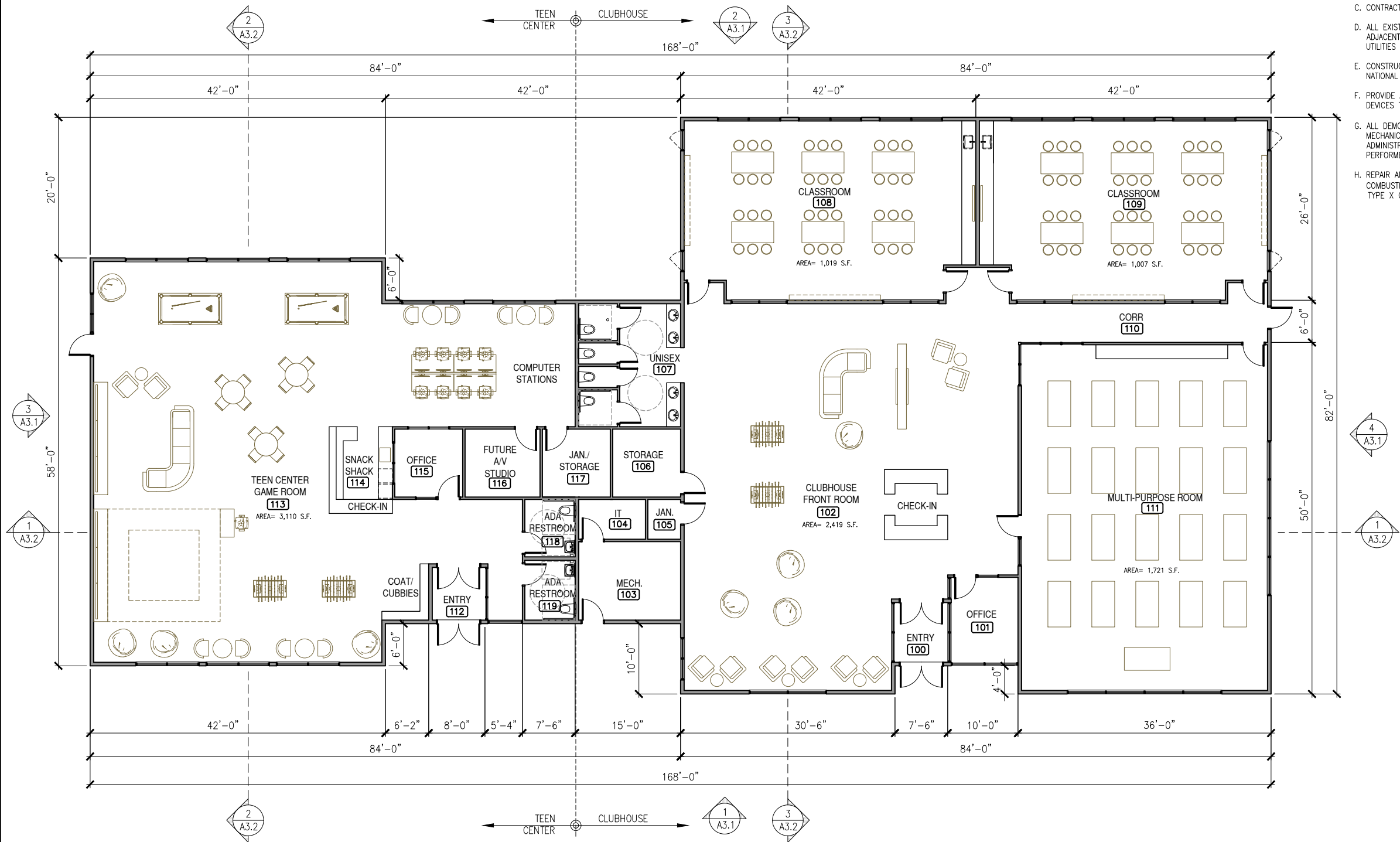
BOYS AND GIRLS CLUB
PHASE 3 - CLUBHOUSE
SCHEMATIC DESIGNS
320 SPRUCE RD.
KENAI, ALASKA

Revisions:	
Date: APRIL 11, 2024	
Drawn: MCM	
Checked: CMP	
Project: 2034	
File Name: 2034.DWG	
Sheet Title:	
OVERALL SITE PLAN	
Sheet:	
A1.0	
of	



GENERAL FLOOR PLAN NOTES

- A. CONTRACTOR SHALL FIELD VERIFY ALL EXISTING CONSTRUCTION RELATED CONDITIONS PRIOR TO STARTING NEW CONSTRUCTION. REPORT DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY CONSTRUCTION.
- B. THE OWNER WILL RETAIN ALL SALVAGE THAT IS OF VALUE AS DESIGNATED. THE OWNER WILL DIRECT THE CONTRACTOR AS TO THE LOCATION OF STORAGE AREAS. THE CONTRACTOR WILL BE RESPONSIBLE FOR REMOVING (AND LEGALLY DISPOSING) FROM THE BUILDING ALL CONSTRUCTION DEBRIS AND/OR ITEMS NOT RETAINED BY THE OWNER.
- C. CONTRACTOR TO MAINTAIN CLEAN WORK AREA THROUGHOUT PROJECT.
- D. ALL EXISTING SERVICES AND UTILITIES SHALL BE MAINTAINED TO ADJACENT AREAS THAT ARE IN OPERATION AND SERVICED BY THESE UTILITIES AND SERVICES.
- E. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE CITY, STATE, AND NATIONAL CODES AND ORDINANCES.
- F. PROVIDE ALL NECESSARY BARRICADES, SIGNAGE, FENCES, AND SIMILAR DEVICES TO PROTECT GENERAL PUBLIC AND WORKERS.
- G. ALL DEMO/NEW WORK SHALL BE PERFORMED BY A LICENSED ELECTRICAL, MECHANICAL, OR SPECIALTY CONTRACTOR WITH A VALID STATE OF ALASKA ADMINISTRATORS LICENSE WITHIN THEIR PROPER FIELD OF WORK BEING PERFORMED.
- H. REPAIR ANY DAMAGED OR MISSING GYPSUM WALL BOARD TO ENSURE ALL COMBUSTIBLE MATERIALS ARE COVERED WITH 5/8" TYPE X GWB AND FIRE-TAPPED. ALL PENETRATIONS SHALL BE CAULKED.



1 CLUBHOUSE FLOOR PLAN

GRAPHIC SCALE: 1" = 6'

CLUBHOUSE AREA: 7,565 SF
TEEN CENTER AREA: 3,690 SF
TOTAL AREA: 11,255 SF



Revisions:

Date: APRIL 11, 2024
Drawn: MCM
Checked: CMP
Project: 2034
File Name: 2034.DWG
Sheet Title:
FIRST FLOOR

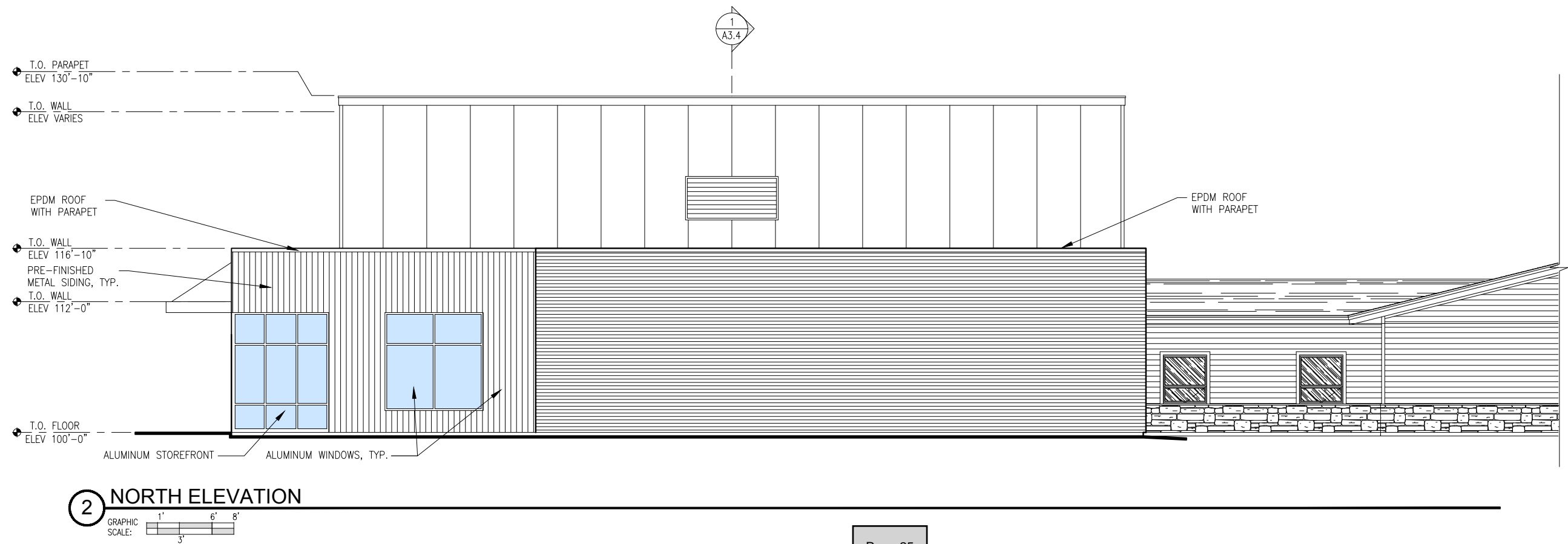
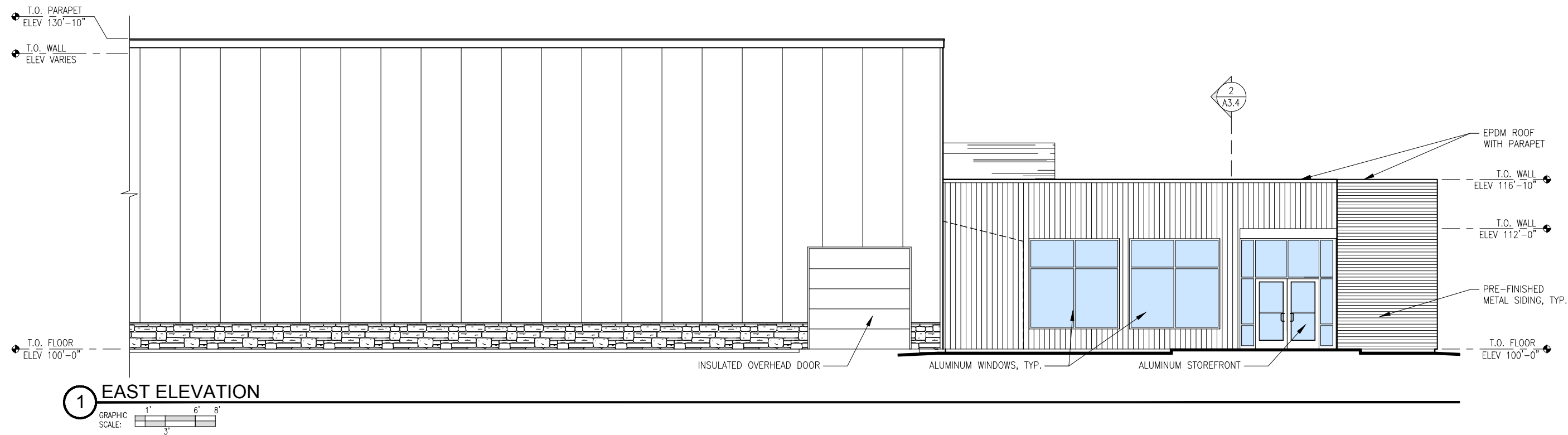
Sheet:

A1.1

of

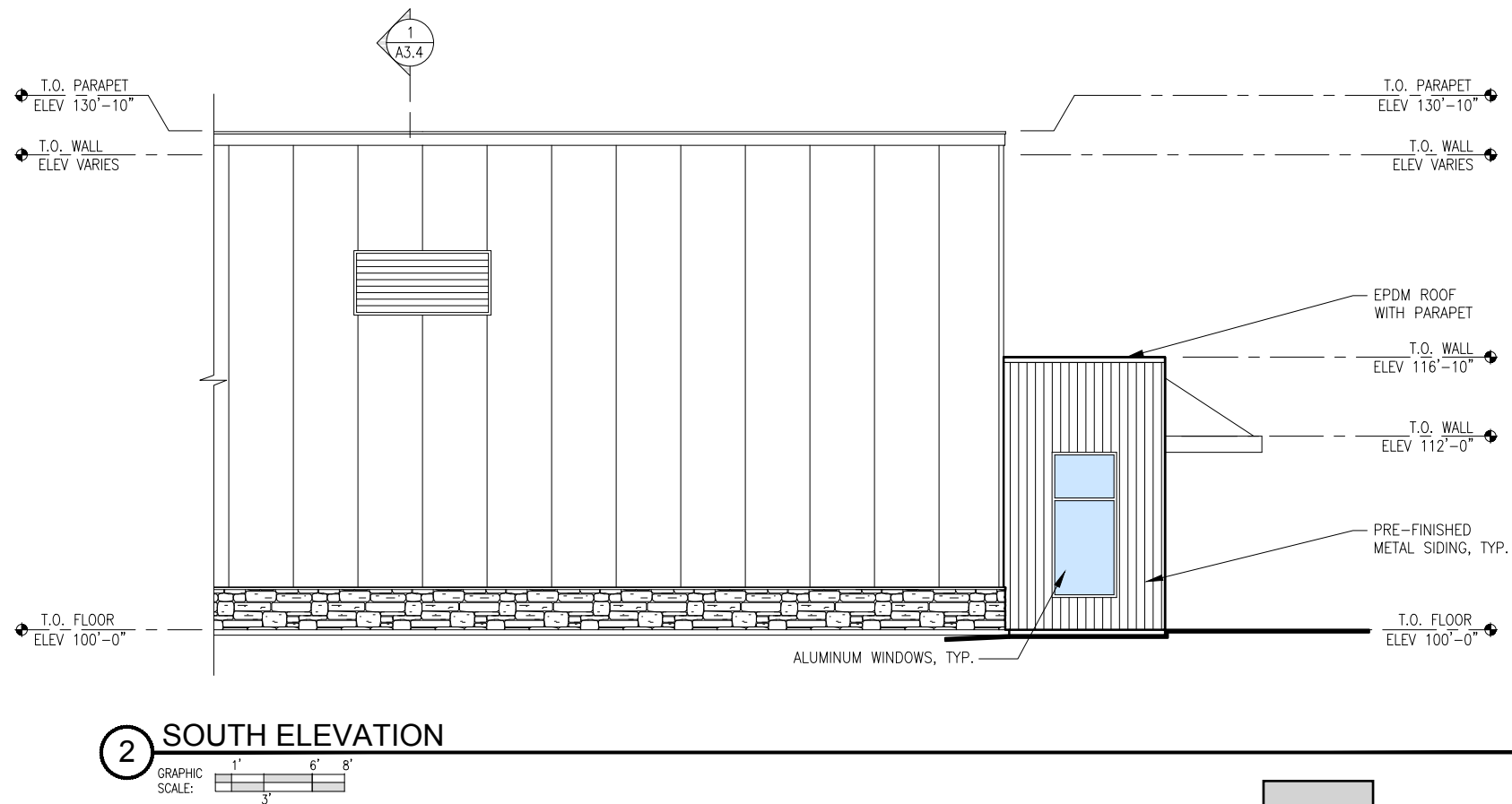
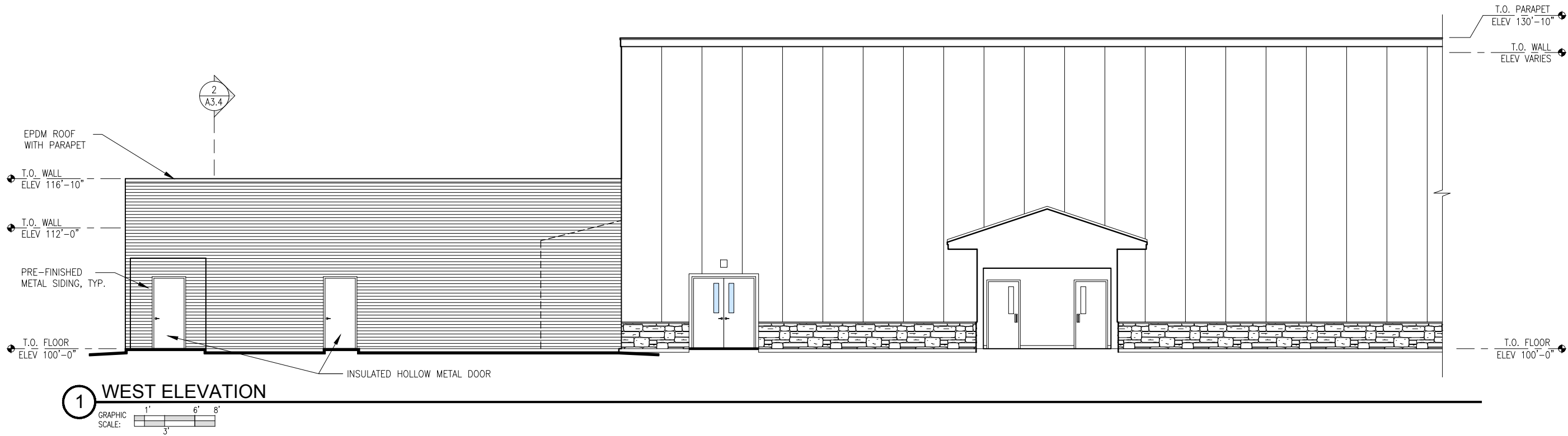
**BOYS AND GIRLS CLUB
GYM EXPANSION - PHASE 2
SCHEMATIC DESIGNS
320 SPRUCE RD.
KENAI, ALASKA**

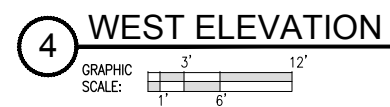
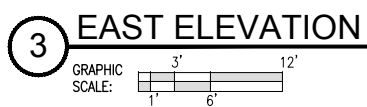
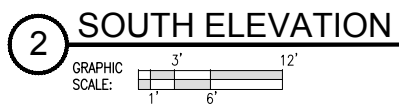
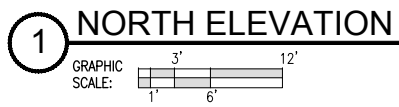
Revisions:	
Date:	APRIL 24, 2024
Drawn:	MCM
Checked:	CMP
Project:	2024
File Name:	2024.DWG
Sheet Title:	EXTERIOR ELEVATIONS
Sheet:	A3.1
	of



**BOYS AND GIRLS CLUB
GYM EXPANSION - PHASE 2**
SCHEMATIC DESIGNS
320 SPRUCE RD.
KENAI, ALASKA

Revisions:	
Date:	APRIL 24, 2024
Drawn:	MCM
Checked:	CMP
Project:	2024
File Name:	2024.DWG
Sheet Title:	
EXTERIOR ELEVATIONS	
Sheet:	
A3.2	
of	

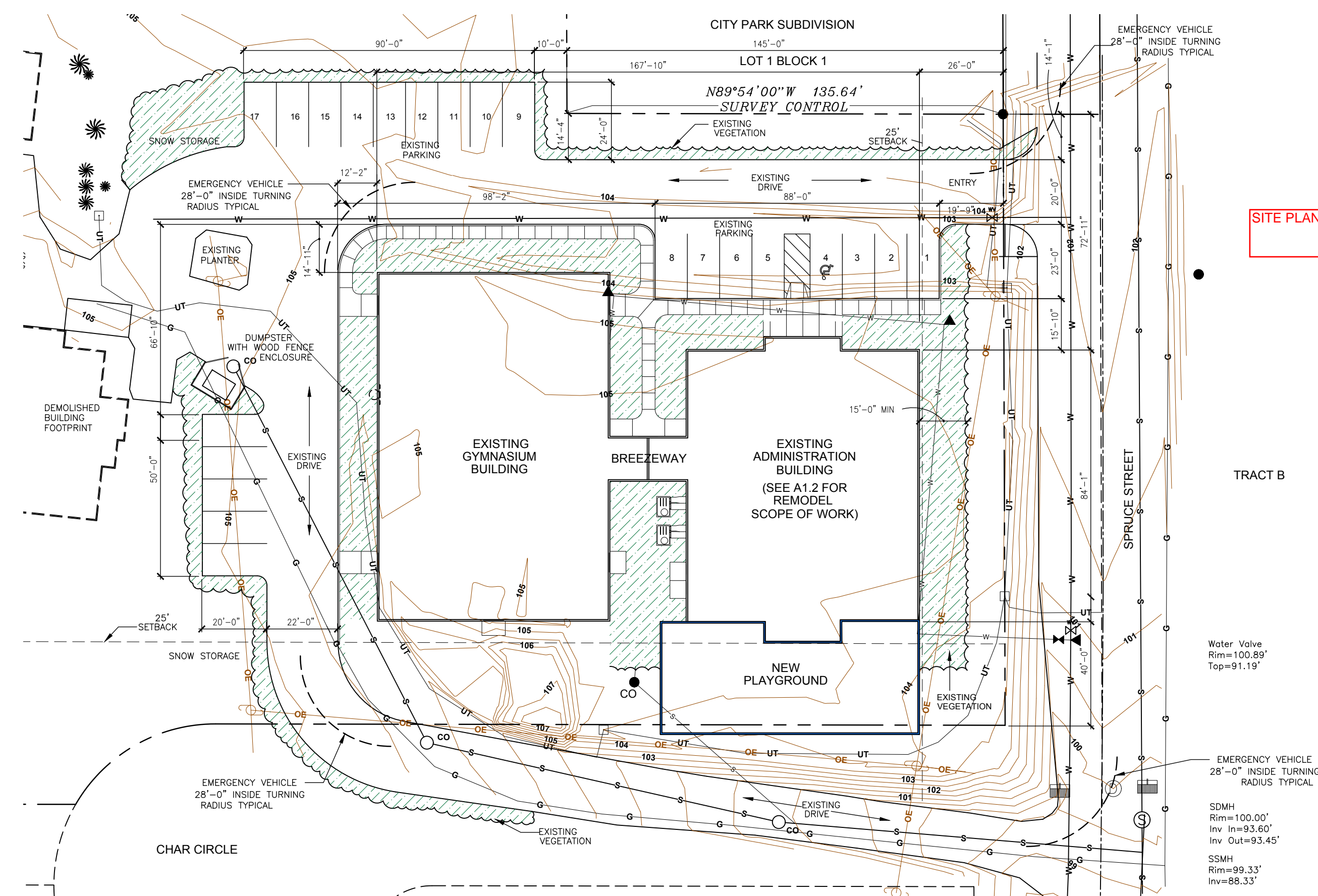




© COPYRIGHT K+A DESIGNSTUDIOS, PC.

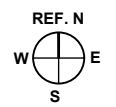
**BOYS AND GIRLS CLUB
CHILDCARE CENTER RENOVATION
CONSTRUCTION DOCUMENTS
320 SPRUCE RD.
KENAI, ALASKA**

Revisions:	
	REV. 3.18.24
Date: DEC. 22, 2023	
Drawn: MCM	
Checked: CMP	
Project: 2093.1	
File Name: 2093.1.DWG	
Sheet Title:	
NEW SITE PLAN	
Sheet:	
A1.1	
3 of 10	



SITE PLAN

1 NEW SITE PLAN
GRAPHIC SCALE: 0' 10' 30'
0' 5' 20'





**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2024-14**

A RESOLUTION **GRANTING** A CONDITIONAL USE PERMIT FOR CABIN RENTALS OF A FOUR-FAMILY DWELLING.

APPLICANT: Rebecca S. Ross

PROPERTY ADDRESS: 106 N. Tinker Lane

LEGAL DESCRIPTION: Lot 3, Block 1, Scalf Subdivision

KENAI PENINSULA BOROUGH PARCEL NUMBER: 04515201

WHEREAS, a complete application meeting the requirements of Kenai Municipal Code 14.20.150 was submitted to the City on May 16, 2024; 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 June 12, 2024, 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 and Land Use Table. The land use table indicates a cabin rental (i.e., short-term rental) is a conditional use; therefore, a conditional use permit may be granted for a cabin rental.

The RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:

(1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;

(2) To prohibit uses which would:

(A) Violate the residential character of the environment;

(B) Generate heavy traffic in predominantly residential areas.

The proposed use would not violate the residential character of the neighborhood as it would function as both long-term and short-term rentals. Furthermore, the proposed use is not anticipated to generate heavy traffic as the applicant intends to limit the number of adult guests, which would operate similar to the long-term rentals. The existing density would remain unchanged since there is no proposed alteration to increase the number of dwelling units. The proposed use is strictly limited to the fourplex. Staff finds that the proposed use meets the intent of the RS 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 proposed use is similar to the adjacent property to the south, located at 104 N. Tinker Lane. In early 2022, a CUP was granted for a cabin rental at 104 N. Tinker Lane (Resolution PZ2022-01) and the City has not received any zoning complaints on the cabin rental operation. Staff finds the proposed use, similar to the adjacent property, would not have an adverse impact on the neighborhood and adjoining properties. As noted in the application, the applicant intends to enhance and improve the property's curb appeal, thus, improving property values of the property and adjacent properties. Each unit has its own designated parking, utilities, and refuse. Staff finds the proposed use would not impair the economic and noneconomic value of adjacent properties and neighborhood.

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 Suburban Residential (SR) land use classification. The SR Land Use Classification is defined in the Comprehensive Plan:

Suburban Residential is intended for single-family and multi-family residential uses that are urban or suburban in character. The area will typically be developed at a higher density; lots are typically smaller; and, public water and sewer services are required or planned. Some developments may be required to construct streets to a paved standard and larger subdivisions may be required to provide sidewalks and public areas. Parks and open space land uses may be considered appropriate.

The surrounding uses are residential to the north, a cabin rental to the south, a residence to the east and Kenai Middle School to the west. Within the vicinity, there are nonresidential uses, such as the Kenai Central High School, Disc Golf Course, and Oiler's Ball Field. Staff finds that new buffers are not required as the subject property is adjacent to a portion of undeveloped right-of-way to the north, a vacant lot to the east, and a similar use to the south.

As stated by the applicant, the proposed use would attract more visitors to Kenai, increase social economy, provide jobs to locals, and add value to adjacent properties with improvements in "*creating a positive climate for private investment*" as identified in Goal 2, Objective ED-2 of the Comprehensive Plan. Furthermore, the applicant is requesting the CUP to have the option to rent out the dwelling units as needed and/or necessary. Staff finds that the proposed use is consistent with the SR Land Use since it envisions a

mixture of single-family and multi-family residential uses in an urban or suburban environment.

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-1: Establish siting and design standards so that development is in harmony and scale with surrounding uses.

Goal 2 – Economic Development is to provide economic development to support the fiscal health of Kenai.

Objective ED-2

Implement business-friendly regulations, taxation and incentives to create a stable, positive climate for private investments.

Objective ED-9: Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

Goal 3 – Land Use is to develop land use strategies to implement a forward-looking approach to community growth and development.

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

Findings: City water and sewer are available and adequate for the proposed use. Tinker Lane is a paved City-maintained road.

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

Findings: The subject property has adequate off-street parking and buffer for the proposed use to minimize the impact to the surrounding area. The applicant indicates that generated revenue will be used to enhance and improve the property. Furthermore, the applicant states they utilize outdoor cameras, professional cleaning services, and limit on the number of adult guests with close monitoring. Staff finds the proposed use with the proposed measures by the applicant will not be harmful to the public safety, health and 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: Staff finds that allowing short-term rentals of the existing fourplex would not cause any adverse impacts on the surrounding properties. The subject property has been operating the fourplex as a long-term rental for the past 25 years without any zoning

complaints or violations. Staff finds that specific conditions are not deemed necessary to fulfill the above-mentioned conditions.

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

Section 1. That a conditional use permit is granted to operate cabin rentals (i.e., short-term rentals) of the existing fourplex on a property described as Lot 3, Block 1, of Scalf Subdivision, located at 106 N. Tinker Lane.

Section 2. That the conditional use permit is subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA, THIS 12th DAY OF JUNE, 2024.

JOE HALSTEAD, CHAIRPERSON

ATTEST:

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission
THROUGH: Linda Mitchell, Planning Director
FROM: Beth McDonald, Planning Administrative Assistant
DATE: June 7, 2024
SUBJECT: Resolution PZ2024-14 – Conditional Use Permit – Cabin Rentals

Request The applicant is requesting to operate cabin rentals (i.e., short-term rentals) at the existing fourplex.

Staff Recommendation Adopt Resolution PZ2024-14 approving a Conditional Use Permit for cabin rentals of a four-family dwelling.

Applicant: Rebecca S. Ross
Legal Description: Lot 3, Block 1, Scalf Subdivision
Property Address: 106 N. Tinker Lane
KPB Parcel No.: 04515201
Lot Size: 14,658 square feet (0.34-acre)
Zoning: Suburban Residential (RS)
Current Use: Fourplex
Land Use Plan: Suburban Residential (SR)

SUMMARY

The applicant is requesting to operate cabin rentals (i.e., short-term rentals) as needed and/or when necessary for traveling nurses, ambulatory staff, and seasonal tourists at the existing fourplex. A Conditional Use Permit (CUP) would allow the existing fourplex to be used as cabin rentals.

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 and Land Use Table. The land use table indicates a cabin rental (i.e., short-term rental) is a conditional use; therefore, a conditional use permit may be granted for a cabin rental.

The RS Zone is intended to provide for medium density residential development in areas which will be provided with common utility systems. The specific intent in establishing this zone is:

(1) To separate residential structures to an extent which will allow for adequate light, air, and privacy;

(2) To prohibit uses which would:

(A) Violate the residential character of the environment;

(B) Generate heavy traffic in predominantly residential areas.

The proposed use would not violate the residential character of the neighborhood as it would function as both long-term and short-term rentals. Furthermore, the proposed use is not anticipated to generate heavy traffic as the applicant intends to limit the number of adult guests, which would operate similar to the long-term rentals. The existing density would remain unchanged since there is no proposed alteration to increase the number of dwelling units. The proposed use is strictly limited to the fourplex. Staff finds that the proposed use meets the intent of the RS zoning district.

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

Findings: The proposed use is similar to the adjacent property to the south, located at 104 N. Tinker Lane. In early 2022, a CUP was granted for a cabin rental at 104 N. Tinker Lane (Resolution PZ2022-01) and the City has not received any zoning complaints on the cabin rental operation. Staff finds the proposed use, similar to the adjacent property, would not have an adverse impact on the neighborhood and adjoining properties. As noted in the application, the applicant intends to enhance and improve the property's curb appeal, thus, improving property values of the property and adjacent properties. Each unit has its own designated parking, utilities, and refuse. Staff finds the proposed use would not impair the economic and noneconomic value of adjacent properties and neighborhood.

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 Suburban Residential (SR) land use classification. The SR Land Use Classification is defined in the Comprehensive Plan:

Suburban Residential is intended for single-family and multi-family residential uses that are urban or suburban in character. The area will typically be developed at a higher density; lots are typically smaller; and, public water and sewer services are required or planned. Some developments may be required to construct streets to a paved standard and larger subdivisions may be required to provide sidewalks and public areas. Parks and open space land uses may be considered appropriate.

The surrounding uses are residential to the north, a cabin rental to the south, a residence to the east and Kenai Middle School to the west. Within the vicinity, there are nonresidential uses, such as the Kenai Central High School, Disc Golf Course, and Oiler's Ball Field. Staff finds that new buffers are not required as the subject property is adjacent to a portion of undeveloped right-of-way to the north, a vacant lot to the east, and a similar use to the south.

As stated by the applicant, the proposed use would attract more visitors to Kenai, increase social economy, provide jobs to locals, and add value to adjacent properties with improvements in "*creating a positive climate for private investment*" as identified in Goal 2, Objective ED-2 of the Comprehensive Plan. Furthermore, the applicant is requesting the CUP to have the option to rent out the dwelling units as needed and/or necessary. Staff finds that the proposed use is consistent with the SR Land Use since it envisions a mixture of single-family and multi-family residential uses in an urban or suburban environment.

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-1

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

Goal 2 – Economic Development is to provide economic development to support the fiscal health of Kenai.

Objective ED-2

Implement business-friendly regulations, taxation and incentives to create a stable, positive climate for private investments.

Objective ED-9

Capitalize on the tourism industry by marketing Kenai as a destination for recreational activities, conventions, festivals, arts, cultural and other events.

Goal 3 – Land Use is to develop land use strategies to implement a forward-looking approach to community growth and development.

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

Findings: City water and sewer are available and adequate for the proposed use. Tinker Lane is a paved City-maintained road.

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

Findings: The subject property has adequate off-street parking and buffer for the proposed use to minimize the impact to the surrounding area. The applicant indicates that generated revenue will be used to enhance and improve the property. Furthermore, the applicant states they will utilize outdoor cameras, professional cleaning services, and limit on the number of adult guests with close monitoring. Staff finds the proposed use with the proposed measures by the applicant will not be harmful to the public safety, health and 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: Staff finds that allowing short-term rentals of the existing fourplex would not cause any adverse impacts on the surrounding properties. The subject property has been operating the fourplex as a long-term rental for the past 25 years without any zoning complaints or violations. Staff finds that specific conditions are not deemed necessary to fulfill the above-mentioned conditions.

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 a sign was placed on the parcel with information on the public hearing for the conditional use permit request.

No public comments have been received.

STAFF RECOMMENDATION

Staff finds that the proposed Conditional Use Permit for cabin rentals (i.e., short-term rentals) of the existing fourplex on the property described as Lot 3, Block 1, of Scalf Subdivision, located at 106 N. Tinker Lane 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 hereby recommends that the Planning and Zoning Commission adopt Resolution PZ2024-14 approving the Conditional Use Permit, subject to the following conditions:

1. Any development or use of the property shall comply with all applicable Federal, State of Alaska, and City regulations regardless of whether or not the requirements are listed as conditions for the approval of the Conditional Use Permit.

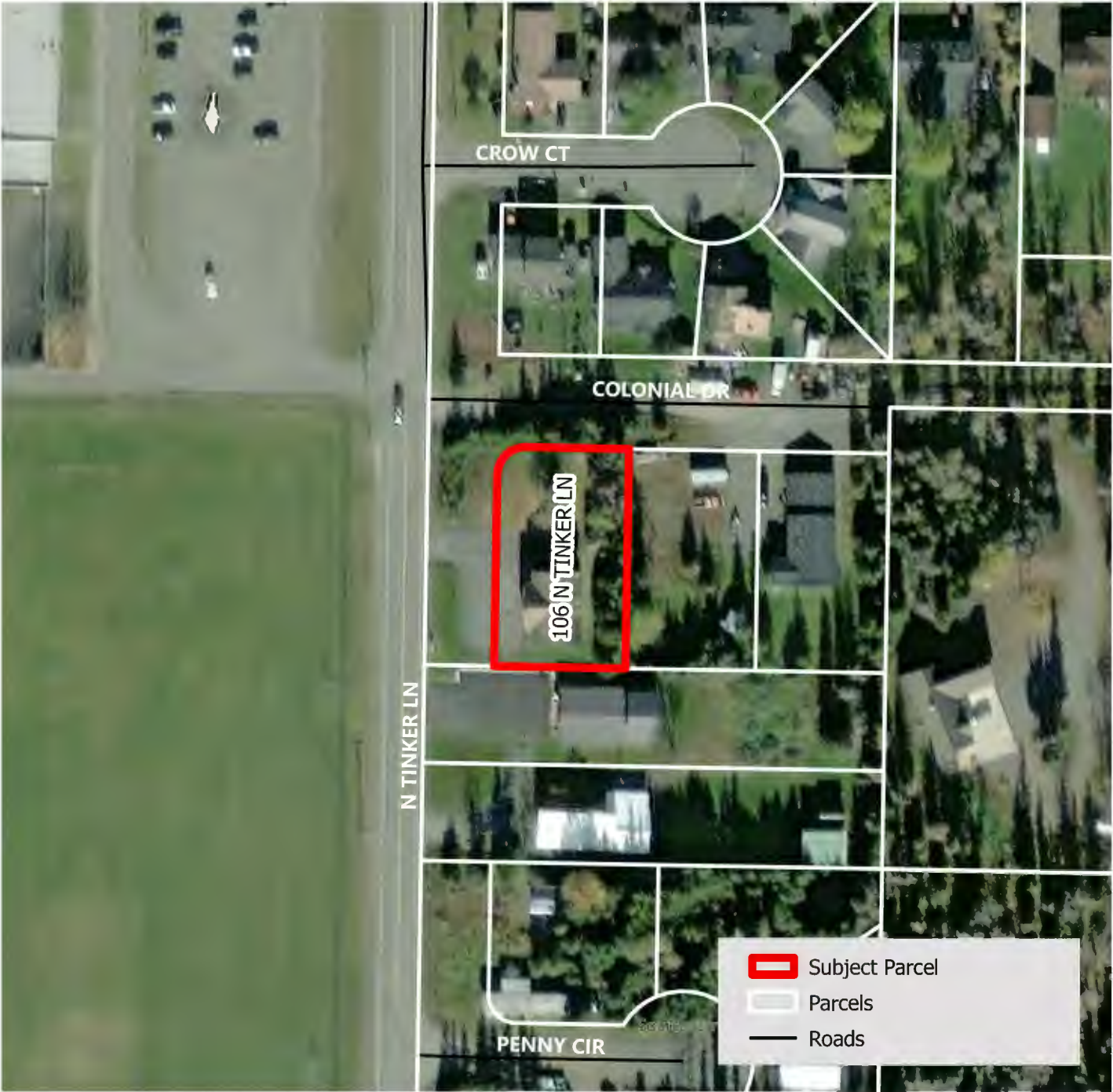
2. Upon request, the applicant or applicant's representative shall meet with City staff for an on-site inspection.

ATTACHMENTS

Aerial Map
Application
Site Plan

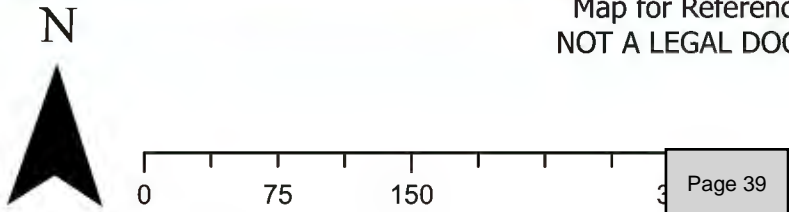


Resolution PZ2024-14
Conditional Use Permit - Cabin Rentals
106 N. Tinker Lane
KPB Parcel ID: 04515201



Date Printed: 06/07/2024

Map for Reference Only
NOT A LEGAL DOCUMENT





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: REBECCA S. ROSS
Mailing Address: 181 BLACKSTONE ST.
City: SOLDOTNA State: AK Zip Code: 99669
Phone Number(s): (907) 953-2654
Email: beringbeauty1@gmail.com

PETITIONER REPRESENTATIVE (LEAVE BLANK IF NONE)

Name: _____
Mailing Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number(s): _____
Email: _____

PROPERTY INFORMATION

Kenai Peninsula Borough Parcel # (Property Tax ID): _____
Physical Address: 106 N. TINKER LANE KENAI, AK 99611
Legal Description: T 6N R 11W 34 SENATZD MERIDIAN KN 0001703 SCALE SUBLOT 1
Zoning: BLU 2
Acres: _____

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? LONG TERM RENTALS

Conditional Use Requested for (attach additional sheets if necessary):

I WOULD LIKE THE OPTION TO RENT SHORT TERM AS NEEDED AND/OR WHEN NECESSARY. (TRAVELING NURSES, HOUSING FOR AMBULATORY STAFF ETC. AS WELL AS SEASONAL TOURISTS WHEN POSSIBLE.

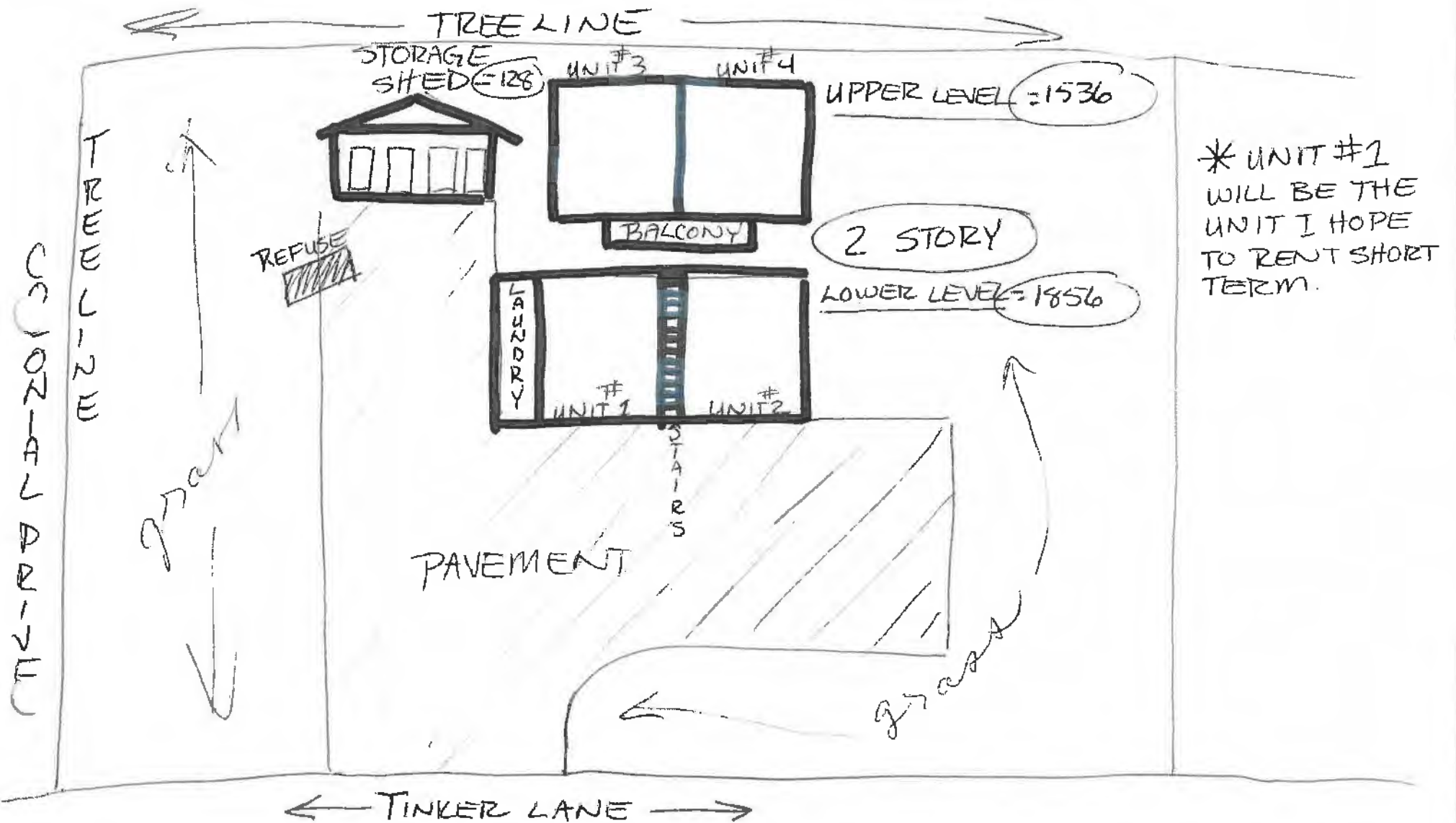
Explain how the conditional use is consistent with purposes and intent of the zoning district of the property:

ECONOMIC DEVELOPMENT, IMPROVEMENTS & SERVICES, QUALITY OF LIFE (BOOSTING VALUES W/IMPROVEMENTS)

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

IF ANYTHING, NEIGHBORING PROPERTIES WILL BENEFIT AS IMPROVEMENTS ARE MADE & CURB APPEAL IS HEIGHTENED. ZERO IMPAIRMENTS AS THE PROPERTY IS CONTAINED & DOES NOT SHARE PARKING, UTILITIES, REFUSE OR OTHERWISE.

Use of surrounding property - north:	ALLEYWAY - ZERO IMPAIRMENT		
Use of surrounding property - south:	CURRENT STR - ZERO IMPAIRMENT		
Use of surrounding property - east:	RESIDENCE - PRIVACY - SPRUCE TREE BARRIER ^{ZERO IMPAIRMENT}		
Use of surrounding property - west:	STREET - ZERO IMPAIRMENT		
Explain how the conditional use is in harmony with the City's Comprehensive Plan:			
ATTRACTS MORE VISITORS TO KENAI, INCREASING LOCAL ECONOMY, PROVIDING JOBS TO LOCALS & ADDING VALUE TO ADJACENT PROPERTIES W/ IMPROVEMENTS AS WELL AS "CREATING A POSITIVE CLIMATE FOR PRIVATE INVESTMENT"			
Are public services and facilities on the property adequate to serve the proposed conditional use?			
ABSOLUTELY - UNITS HAVE MAX OCCUPANCY OF 2 ADULTS AS THEY HAVE THE PAST 25 YEARS. (U) THIS PROPERTY IS ASSESSED TO ACCOMMODATE 4-6 FAMILIES SO @ 2 OCCUPANTS MAX PER UNIT IT IS WELL BEYOND ADEQUATE TO SERVE THE PROPOSED CONDITIONAL USE PERMIT.			
Explain how the conditional use will not be harmful to public safety, health, or welfare:			
OUTSIDE CAMERAS, PROFESSIONAL CLEANING SERVICES, LIMITS ON # OF ADULTS, CLOSELY MONITORED.			
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?			
PRIVATE DRIVEWAY - NOT SHARED, GUESTS WOULD BE VETTED & SCREENED. ALSO, THE INCOME GENERATED WILL BE USED TO ENHANCE & IMPROVE THE PROPERTY & ADJACENT PROPERTY VALUES			
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:	J. S. Ross		Date: 5/11/24
Print Name:	REBECCA S. ROSS	Title/Business:	TINKLEZ APARTMENTS
For City Use Only		Date Application Fee Received:	
		PZ Resolution Number:	



MEMORANDUM

TO: Planning and Zoning Commission

THROUGH: Linda Mitchell, Planning Director

FROM: Glenese Pettey, Commissioner

DATE: June 7, 2024

SUBJECT: **Discussion/Recommendation - Proposal to Amend the Start Time for Planning and Zoning Commission Regular Meetings to 6:30 PM**

At the Planning and Zoning (P&Z) Commission meeting of May 29, 2024, Commissioner Pettey requested an agenda item discussing a possible change to the P&Z Commission meeting time. The specific suggestion was for discussion of whether to change the P&Z Commission meeting start time from 7:00 PM to 6:30 PM.

The P&Z Commission conducts business according to City Council adopted “Policy – 20.020 *Commissions, Committees and Council on Aging Procedures*” (copy attached). This policy was last revised and adopted in April 19, 2023.

The policy includes the following stipulation regarding the regular meeting times of the P&Z Commission and the procedure for amending these rules:

Policy Subsection C.1. Regularly scheduled meeting times will be approved by Council.

As noted above, a change to the regular meeting times for P&Z Commission requires City Council’s approval.

Staff recommends your Commission discuss the subject and vote on the recommendation to Council for the proposed change to the meeting 6:30 PM start time or a different start time. If the vote fails, the start time will remain at 7:00 PM.

CITY COUNCIL – 20.020**COMMISSIONS, COMMITTEES AND COUNCIL ON AGING PROCEDURES**

Effective Date: March 5, 2014

Last Action Date:

April 19, 2023

See Also:

Approved by:

City Council

POLICY – 20.020 Commissions, Committees and Council on Aging Procedures**Purpose**

The purpose of this policy is to establish procedures, other than those provided in KMC 1.90, for Commissions, Committees and Council on Aging.

Scope

This policy applies to all advisory bodies appointed by the City Council. In addition to this policy the following Kenai Municipal Code (KMC) provisions are applicable:

Airport Commission is also regulated by KMC 21.20

Harbor Commission is also regulated by KMC 11.10

Parks and Recreation Commission is also regulated by KMC 19.05

Planning and Zoning Commission is also regulated by KMC 14.05.

Policy**A. Appointment and Reappointments**

1. An application for consideration of appointment or reappointment to a Commission, Committee or Council on Aging must be submitted to the City Clerk.
2. The Mayor nominates an applicant for appointment or reappointment and by motion, the City Council confirms.

B. Establishing Subcommittees

1. A subcommittee of a commission or committee may be established for a specific function upon approval of Council.

C. Meeting Schedules

1. Commission, Committee and Council on Aging meeting schedule is as follows:

Commission / Committee / Council on Aging	Meeting Schedule	Scheduled Meeting Days
Airport Commission	Monthly	Second Thursday of the month
Beautification	Meetings held January, April, May, September and October	Second Tuesday of the month
Council on Aging	Monthly	Second Thursday of the month
Harbor Commission	Meetings held February, March, April, May, June, August, September and November	First Monday after first Council meeting of the month
Library Commission (<i>Suspended as of 2015, Ordinance No. 2815-2015</i>)		

Parks & Recreation Commission	Monthly, except for July	First Thursday of the month
Planning & Zoning Commission	Twice monthly	Second & fourth Wednesday

2. All regular meetings will be held in the Kenai City Hall Council Chambers with the exception of the Council on Aging who shall meet at the Senior Center and the Airport Commission who shall meet in the Conference Room of the Kenai Municipal Airport terminal building, unless offsite arrangements are approved by the Clerk. Exceptions for subcommittee meetings may be made with the advance notice of the City Clerk.
3. Regularly scheduled meeting times will be approved by Council.
4. Commissions, Committees and Council on Aging may, with the City Clerk's approval and notification to Council and the City Manager, hold special meetings (for a specific purpose) on an as-needed basis.
5. Commissions, Committees and Council on Aging meetings may be cancelled or rescheduled by the City Clerk, with notification to Council and the City Manager, if cancellation or rescheduling is warranted, i.e. lack of agenda items, pre-knowledge of lack of a quorum, etc.
6. Any additional commissions or committees established will be set and incorporated into the meeting schedule by the City Council.

D. Minutes & Meeting Recordings

1. With exception of the Planning & Zoning Commission, taking notes and electronically recording meetings shall be the responsibility of department liaison to the specific meeting body. The Clerk's Office shall take notes and record the meeting for the Planning and Zoning Commission.
2. Action minutes will be produced by the Clerk's Office from the department liaisons notes and provided to the City Council as official records of the meetings. Summary minutes will be produced by the Clerk's Office for Planning and Zoning Commission items when the item is quasi-judicial.
3. Regularly scheduled meetings shall be electronically recorded and with the exception of Planning & Zoning Commission, shall be kept for two years.
4. Planning & Zoning Commission meeting recordings shall be kept for 6 years.

E. Work Sessions

1. Work sessions may not be held without the approval of the City Clerk unless they occur on the night of and at the time of a regularly scheduled advertised meeting. Notification of scheduled work session shall be provided to City Council and the City Manager. Work session may be requested by Council, the liaison or Chair of the body.
2. During work sessions, only items on the work session agenda may be discussed and no formal actions may be taken.
3. At a minimum, work sessions shall be posted on the Official City Bulletin Board in Kenai City Hall and on the city website at least five days prior to the meeting.

F. Basic Meeting Information

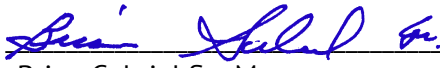
1. All meetings shall be open to the public.
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3. Meeting agendas shall be established by the Chair and the department liaison and shall be relevant to the authority of the board, commission or committee as designated within the bylaws or Kenai Municipal Code. Items requiring Committee, Commission or Council on Aging action under applicable municipal code prior to final action by the Council, as distinguished from advisory recommendations, will be referred to the respective body prior to any final Council action. The City Council, by motion, may refer any other item to be placed on an agenda seeking a recommendation from the respective Committee, Commission, or Council on Aging.
4. The department liaison shall submit items for the agenda and supporting documentation to the Clerk's Office one week prior to a meeting, no later than 2:00 p.m. The Clerk's Office will compile meeting material and distribute. The Planning & Zoning Commission is exempt from this requirement as the Planning Department advertises, compiles meeting material and distributes for its commission.
5. Rules of Order: Pursuant to KMC 1.15.120(b) and KMC 1.90.050(c), in all matters of parliamentary procedure, Robert's Rules of Order, as revised shall be applicable and govern all meetings, except as specified in KMC 1.15.060 (Motions), KMC 1.15.100 (Speaking), and KMC 1.15.110 (Voting).
6. Quorum: No meeting may proceed in the absence of a quorum, i.e. a quorum is more than one-half of the board/commission (quorum of the whole).
7. Motion: Pursuant to KMC 1.15.060(k), all motions require a second. A majority of votes is required to pass a motion.
8. Speaking: In a meeting, members should be recognized by the Chair before speaking.
9. When is it a Meeting: If any public business is discussed collectively by four or a majority of members of one body.
10. Representation of the body: Members of a City of Kenai Board, Commission, Committee or Council on Aging may only speak on behalf of the body when approved to do so by a majority vote of the body; at which time their basic responsibility is to carry out the body's directives identified within the approved motion.

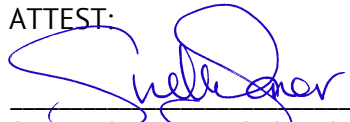
G. Council Participation

1. Any Council Member may attend a meeting or work session of any Commission, Committee or the Council on Aging; however, no more than three Council Members may attend any one meeting without additional public notice.
2. Only the Council Liaison to the respective, Commission, Committee or Council on Aging may speak on behalf of the Council to the relevant body if approved to do so by a majority vote of the City Council. Participation of the Liaison at Commission, Committee and Council on Aging meetings is limited to updating the body on the actions of the Council and reporting back to the Council the actions of the Commission, Committee or Council on Aging. The Liaison is a non-voting member and may not participate in the debate of an advisory body.
3. Participation by Council Members (acting as a Council Member) other than the Liaison should be limited to ONE Council Member who is a sponsor of a legislative item to be considered for recommendation from the advisory body. The sponsors participation should be limited to three-minute testimony and answering questions from the body. The sponsor of the legislation may not participate in debate of the advisory body. When speaking to the advisory body as the legislate sponsor the following additional rules apply:
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4. Exception: Council Members may fully participate in any joint work session or other meeting with a Commission, Committee, or the Council on Aging when it has been noticed that the City Council will be in attendance, or there has been a specific delegation of authority by the Council for a member(s) to represent the Council.


Brian Gabriel Sr., Mayor

ATTEST:


Shellie Sauer, MMC, City Clerk

Policy History: Action Approval on 08-04-2004; R2017-24; R2018-19; 2019-03; 2023-26

Note: Between 2004 and 2017 other amendments to the policy were made through the action approval process.

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Linda Mitchell, Planning Director

DATE: June 7, 2024

SUBJECT: Discussion/Action - Proposal to Reduce the Number of Meetings for Planning and Zoning Commission

As reported during a previous Planning and Zoning (P&Z) Commission meeting, after careful consideration of the staffing and workload of the P&Z Department, staff is proposing to reduce the number of meetings for your Commission. Currently, the P&Z Commission meetings are scheduled twice a month on the 2nd and 4th Wednesday. If the number of meetings is reduced, it must either be the 2nd or 4th Wednesday to avoid a schedule conflict with City Council meetings that are held on the 1st and 3rd Wednesday. The proposed change would have the P&Z Commission meeting held once a month on the 2nd Wednesday.

The P&Z Commission conducts business according to City Council adopted “Policy – 20.020 *Commissions, Committees and Council on Aging Procedures*” (copy attached). This policy was last revised and adopted in April 19, 2023.

The policy includes the following stipulation regarding the regular meeting schedule and days of the P&Z Commission.

Policy Subsection C.1. Commission, Committee and Council on Aging meet schedule is as follows:

<i>Commission</i>	<i>Meeting Schedule</i>	<i>Scheduled Meeting Days</i>
Planning & Zoning Commission	Twice monthly	Second & fourth Wednesday

An amendment to the subject policy to change the meeting schedule and days for P&Z Commission requires City Council’s approval.

Staff recommends your Commission discuss the subject and vote on the recommendation to Council to amend Policy Section C.1. on the meeting schedule for P&Z Commission to once a month on the 2nd Wednesday or a different weekday. If the vote fails, the meetings will continue to be held twice a month on the 2nd and 4th Wednesday.

Thank you for your consideration.

CITY COUNCIL – 20.020**COMMISSIONS, COMMITTEES AND COUNCIL ON AGING PROCEDURES**

Effective Date: March 5, 2014

Last Action Date:

April 19, 2023

See Also:

Approved by:

City Council

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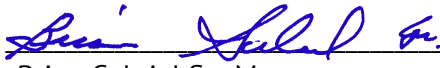
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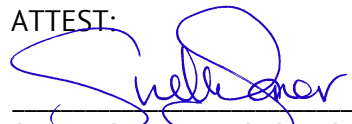
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Brian Gabriel Sr., Mayor

ATTEST:



Shellie Sauer, MMC, City Clerk

Policy History: Action Approval on 08-04-2004; R2017-24; R2018-19; 2019-03; 2023-26

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Plat Committee Agenda

ACTION

May 28, 2024 - 6:30 PM

Regular Meeting

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

Jeremy Brantley, Chair
Ridgeway / Sterling
Funny River District
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

Charlene Tauffest
City of Soldotna
Term Expires 2024

Franco Venuti
City of Homer
Term Expires 2025

Troy Staggs
City of Seward
Term Expires 2026

Jeffrey Epperheimer
Nikiski District
Term Expires 2026

Dawson Slaughter
South Peninsula District
Term Expires 2025

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

To join the meeting from a computer, visit the Zoom meeting link above. If you connect by computer and do not have speakers or a microphone, connect online and then select phone for audio. A box will come up with toll free numbers, the meeting ID, and your participant number. To attend the Zoom meeting by telephone, use the Zoom toll free phone numbers listed above.

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 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.)

*1. Agenda

*2. Member Excused Absences - None

*3. Minutes

a. April 22, 2024 Plat Committee Meeting

*4. Grouped Plats

- E1. Diamond View Estates 2024; KPB File 2024-040
- E2. Glacier View Subdivision No. 28; KPB File 2024-041
- E3. Nowag Tract Sigler Addition; KPB File 2024-043
- E4. Moose Range Meadows 2024 Addition; KPB File 2024-045
- E6. Nikiski North Subdivision Dyer Addition; KPB File 2024-034
- E8. Detling Homestead No. 3; KPB File 2024-047
- E10. OSK Subdivision No. 3; KPB File 2024-048
- E11. Reeder Lake Subdivision 2024 Addition; KPB File 2024-039

Motion to approve the consent and regular agenda passed by unanimous vote (4-Yes)

D. UNFINISHED BUSINESS - None

E. NEW BUSINESS

1. Diamond View Estates 2024; KPB File 2024-040
Geovera, LLC / Sookraj
Location: Diamond Ridge Road & Volcano View Court
Diamond Ridge Area / Kachemak Bay APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

2. Glacier View Subdivision No. 28; KPB File 2024-041
Peninsula Land Surveys / Miller
Location: Klondike Avenue
City of Homer

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

3. Nowag Tract Sigler Addition; KPB File 2024-043
Peninsula Surveying, LLC / Sigler
Location: East End Road
Fritz Creek Area / Kachemak Bay APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

4. Moose Range Meadows 2024 Addition; KPB File 2024-045
Edge Survey & Design, LLC / Frawner
Location: Keystone Drive
Sterling Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

5. Gruber Subdivision Ames Addition; KPB File 2024-046
Edge Survey & Design, LLC / Ames
Location: Stubblefield Drive
Kalifornsky Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

Motion to grant the exception request to KPB 20.30.170 - Block Length Requirements & KPB 20.30.030 - Street Layout Requirements, passed by unanimous vote.(4-Yes)

Motion to grant the exception request to KPB 20.30.190 - Lot Dimensions, passed by unanimous vote (4-Yes).

Motion to grant the exception request to KPB 20.40.010 - Soils Analysis Report for proposed Lot 1-B, passed by unanimous vote (4-Yes).

6. Nikiski North Subdivision Dyer Addition; KPB File 2024-034
Segesser Surveys / Dyer
Location: Hinson Avenue & Bohlin Street
Nikiski Area / Nikiski APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

7. Marvel Manor Subdivision Phase 6; KPB File 2024-035
Segesser Surveys / Stone, Hanson, Moline
Location: High Point Avenue off Robinson Loop Road
Sterling Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

8. Detling Homestead No. 3; KPB File 2024-047
Johnson Surveying / Gebhart
Location: Cohoe Loop Road, Denise Street, Detling Avenue & Marie Street
Cohoe Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

9. Clark Subdivision & Fritz Creek Acres Huyck 2024 Replat; KPB File 2024-036
Seabright Surveying / Dixon, Huyck
Location: Fritz Creek Valley Road
Fritz Creek Area / Kachemak Bay APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

Motion to grant the exception request to KPB 20.30.170 - Block Length Requirements passed by unanimous vote (4-Yes)

10. OSK Subdivision No. 3; KPB File 2024-048 **(Approved by Consent Agenda)**
McLane Consulting Group / Offshore Systems – Kenai
Location: Nikishka Beach Road & OSK Avenue
Nikiski Area / Nikiski APC

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

11. Reeder Lake Subdivision 2024 Addition; KPB File 2024-039 **(Approved by Consent Agenda)**
Johnson Surveying / Wiley
Location: Reeder Avenue
Cohoe Area

Motion to grant preliminary approval passed by unanimous vote (4-Yes).

F. OTHER (No Public Hearing)

G. ADJOURNMENT

MISCELLANEOUS INFORMATIONAL ITEMS

NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING

The next regularly scheduled Plat Committee meeting will be held **Monday, June 10, 2024** 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

Fax: 907-714-2378

e-mail address: planning@kpb.us

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



Planning Commission Agenda

ACTION

May 28, 2024 – 7:30 PM

Regular Meeting

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

Jeremy Brantley, Chair
Ridgeway / Sterling
Funny River District
Term Expires 2024

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

Virginia Morgan
Cooper Landing / Hope
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Diane Fikes
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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 Commission and will be approved by one motion. Public testimony will be taken. 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.)

*1. Time Extension Requests

- a. Morning Panorama Subdivision #2; KPB File 2022-058

*7. Minutes

- a. April 22, 2024 PC Meeting Minutes

Motion to approve the consent & regular agendas passed by unanimous vote (9-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. Utility Easement Vacation; KPB File 2023-112V
McLane Consulting / Roberts, Presley
Request: vacates an approximate 3000' utility easement granted by South Bend Bluff Estates KN 2002-42
Kalifornsky Area

Motion to adopt Planning Commission Resolution 2024-07 approving the vacation as petitioned passed by unanimous vote (9-Yes).

Public Hearing: Legislative Matters

2. Right-Of-Way Vacation; KPB File 2024-036V
Seabright Surveying / Huyck, Dixon
Request: vacates the northern 18,261' & southern 3121' portions of Fritz Creek Valley Drive and re-dedicates the right-of-way along the existing road.
Fritz Creek Area / Kachemak APC

Motion to grant the vacation as petitioned passed by unanimous vote (9-Yes).

3. Right-Of-Way Vacation; KPB File 2024-039V
Johnson Surveying / Wiley
Request: vacates the entire Circe Lane Right-of-Way
Cohoe Area

Motion to grant the vacation as petitioned passed by unanimous vote (9-Yes).

4. Street Naming Resolution 2024-03; Renaming a public right-of-way in the Funny River community from Salix Court to Bailey Court.

Motion to adopt Street Naming Resolution 2024-03, renaming a public right-of-way in the Funny River community, from Salix Court to Bailey Court passed by unanimous vote (9-Yes).

5. Street Naming Resolution 2024-04; Renaming a public right-of-way within the Funny River community from Rill way to Corky Way.

Motion to adopt Street Naming Resolution 2024-04, renaming a public right-of-way in the Funny River community, from Rill Way to Corky Way passed by unanimous vote (9-Yes).

F. PLAT COMMITTEE REPORT – The plat committee reviewed 11 plats

G. OTHER (No Public Hearing)

H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

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, June 10, 2024** 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

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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

June 05, 2024 — 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. Fiscal Year 2023 Audit Report, Joy Merriner, BDO USA, LLP.

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

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

E. PUBLIC HEARINGS

1. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3418-2024** - Adopting the Annual Budget, Salary Schedule and Employee Classification Plan for the Fiscal Year Commencing July 1, 2024 and Ending June 30, 2025 and Committing \$4,499,039 of General Fund, Fund Balance for Future Capital Improvements. (Administration)
2. **ENACTED AS AMENDED WITHOUT OBJECTION. Ordinance No. 3419-2024** - Amending Sections of Kenai Municipal Code Title 23 - Personnel Regulations, Sections 23.05.070 - Definitions, 23.25.070 - Acting Positions, 23.30.030 - Probationary Period for Employees in the Classified Service, 23.30.110 – Travel Expense, 23.40.040 - Terminal Leave, 23.55.020 - Compensation Structure by Grade for Employees in the Classified Service, 23.55.030 - Qualification Pay, and 23.55.080 - Longevity Pay for Employees in the Classified Service, to Ensure Appropriate Compensation and Benefits to City Employees Comparable to Other Places of Public Employment Improving Recruitment and Retention of Qualified Employees. (Administration)
3. **ENACTED WITHOUT OBJECTION. Ordinance No. 3420-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Municipal Roadway Improvements Capital Fund and Awarding a Construction Agreement and Corresponding Purchase Order for the 2024 Lilac Lane Roadway Improvement Project. (Administration)

4. **ADOPTED WITHOUT OBJECTION. Resolution No. 2024-19** - Fixing the Rate of Levy of Property Tax for the Fiscal Year Commencing July 1, 2024 and Ending June 30, 2025. (Administration)
5. **ADOPTED AS AMENDED WITHOUT OBJECTION. Resolution No. 2024-20** - Amending the Comprehensive Schedule of Rates, Charges, and Fees to Incorporate Changes Included in the FY2025 Budget to Include Adjusting Airport Fees, Water Fees, Sewer Fees, and Adjusting the Monthly Rental Rates at Vintage Pointe. (Administration)
6. **POSTPONED INDEFINITELY. Resolution No. 2024-21** - Authorizing a Budget Transfer in the Airfield Fund, Airport Department for Amounts in Excess of Budget. (Administration)
7. **ADOPTED. Resolution No. 2024-22** - Authorizing a Budget Transfer in the Airport Terminal Improvements Capital Fund, and Awarding a Construction Contract and Corresponding Purchase Order for the Airport Landscaping Project. (Administration)
8. **ADOPTED WITHOUT OBJECTION. Resolution No. 2024-23** - Authorizing the City Manager to Execute a Lease of Airport Reserve Lands Between the City of Kenai and D & M Land Company, Limited Liability Corporation for Lot 9A, Block 5, General Aviation Apron Subdivision No. 5. (Administration)
9. **ADOPTED WITHOUT OBJECTION. Resolution No. 2024-24** - Authorizing the City Manager to Execute a Lease of Airport Reserve Lands Between the City of Kenai and Schilling Rentals, Limited Liability Corporation for Lot 5A, Block 1, FBO Subdivision 2018 Replat. (Administration)

F. MINUTES

1. *Regular Meeting of May 15, 2024. (City Clerk)

G. UNFINISHED BUSINESS

1. **POSTPONED TO 06/19/24. Resolution No. 2024-17** - Renaming Cook Inlet View Drive to Cook Inlet Drive. (Sounart) *[On 05/15/24 this item was referred to the Planning and Zoning Commission for recommendation to Council and postponed to 06/05/24.]*

H. NEW BUSINESS

1. ***Action/Approval** - Bills to be Ratified. (Administration)
2. ***Action/Approval** - Special Use Permit to Crowley Fuels, LLC for Use of 35,000 Square Feet of Apron Space at the Kenai Municipal Airport for Aviation Fueling. (Administration)
3. ***Action/Approval** - Special Use Permit to Empire Airlines, Inc. for Use of 11,250 Square Feet of Apron Space at the Kenai Municipal Airport for Aircraft Parking. (Administration)
4. ***Action/Approval** - Special Use Permit to Everts Air Fuel, Inc. for Use of 30,000 Square Feet of Apron Space at the Kenai Municipal Airport Aircraft Parking. (Administration)
5. ***Action/Approval** - Fourth Amendment to Agreement for Janitorial Services with Reborn Again Janitorial Service at the Kenai Municipal Airport. (Administration)
6. ***Action/Approval** - Special Use Permit to Kenai Aviation Operations, LLC. for Use of 2,714 Square Feet of Apron Space at the Kenai Municipal Airport for Aircraft Parking. (Administration)
7. ***Action/Approval** - Special Use Permit to United Parcel Service Co., Inc. for Use of 4,000 Square Feet of Apron Space at the Kenai Municipal Airport for Aircraft Loading and Parking. (Administration)

8. ***Action/Approval** - Confirmation of Mayoral Nomination for a Partial Term Appointment of Joshua Belter to the Airport Commission. (Gabriel)
9. ***Action/Approval** - Confirmation of Mayoral Nomination for a Partial Term Appointment of Samantha Springer to the Beautification Committee. (Gabriel)
10. ***Ordinance No. 3421-2024** - Increasing Estimated Revenues and Appropriation in the Kenai City Airport Snow Removal Equipment, Visitor Center, and Public Safety Capital Project Funds to Transfer Residual Balance from Completed Projects Back to their Original Funding Sources. (Administration)
11. ***Ordinance No. 3422-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Public Safety Capital Project Fund for Cost in Excess of Projected Budgeted Amounts for Fire Department Flooring Replacement Phase 2. (Administration)
12. ***Ordinance No. 3423-2024** - Increasing Estimated Revenues and Appropriations in the General Fund and Personal Use Fishery Fund for Annual Transfer from Personal Use Fishery Fund to the General Fund for Non-Departmental Expenses. (Administration)
13. **APPROVED WITHOUT OBJECTION. Action/Approval** - Airport Commission 2024 Work Plan. (City Clerk)
14. **APPROVED WITHOUT OBJECTION. Action/Approval** - Beautification Committee 2024 Work Plan. (City Clerk)

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging
2. Airport Commission
3. Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Committee

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/tZMofuihqT0uHdQEPAQbyuLo65KcQNnOUgQZ>