

Kenai Peninsula Borough Planning Commission

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

January 25, 2022

7:30 P.M.

UNAPPROVED MINUTES

CALL TO ORDER

Chair Martin attended the meeting via Zoom, was concerned with connection issues, and requested that Vice Chair Ruffner chair the meeting. Vice Chair Ruffner agreed.

Vice Chair Ruffner called the meeting to order at 7:30 p.m.

ROLL CALL

Commissioners Present

Syverine Bentz, District 9 – South Peninsula
Jeremy Brantley, District 5 – Sterling/Funny River
Diane Fikes, City of Kenai
Pamela Gillham, District 1 – Kalifornsky
Blair Martin, District 2 – Kenai
Virginia Morgan, District 6 – East Peninsula
Robert Ruffner, District 7 - Central
Franco Venuti, City of Homer

With 8 members of an 8-member seated commission in attendance, a quorum was present.

Staff Present

Melanie Aeschliman, Planning Director
Sean Kelley, Borough Attorney
Walker Steinhage, Deputy Borough Attorney
Samantha Lopez, KRC Manager
Eric Ogren, Code Compliance
Ann Shirnberg, Planning Administrative Assistant

HEARINGS

1. Conditional Land Use Permit Modification Application
Applicant: Cook Inlet Region, Inc.
Parcel ID # 065-081-18
Sterling Area

Mr. Kelley gave a brief synopsis of the matter and noted that the commission elected at the January 10, 2022 meeting to not reopen the record or public comment on this matter.

Vice Chair Ruffner asked if there were any preliminary issues that need to be discussed related to this matter. Hearing no preliminary matters raised, he then brought the matter back to the commission for a motion.

MOTION: Commissioner Brantley moved, seconded by Commissioner Fikes to go into adjudicative session at the close of the next hearing and requested that Borough Attorney Sen Kelley and Planning Administrative Assistant Ann Shirnberg join the commission for the session.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	8	Absent	0	Vacant	6
Yes	Bentz, Brantley, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				

Vice Chair Ruffner informed those attending the meeting that a written decision in the form of a resolution will be subject to a public vote of the body at the planning commission’s next regular meeting, scheduled for February 14, 2022.

- 2. Conditional Land Use Permit Application
 Applicant: Beachcomber, LLC
 Parcel ID # 169-010-67
 Anchor Point Area

Mr. Kelley gave a brief synopsis of the matter and noted that the commission elected at the January 10, 2022 meeting to not reopen the record or public comment on this matter.

Vice Chair Ruffner noted that there were two preliminary matters to discuss.

Vice Chair Ruffner noted for the record that an objection had been received questioning the commission’s ability to go into adjudicative session for the purpose of reaching a decision in a quasi-judicial matter. He then noted the commission understands that they are in fact allowed to go into adjudicative session despite the objection.

Vice Chair Ruffner asked Commissioner Gillham if she had an opportunity to fully review the record in this matter and if after the review does she feels confident that she has sufficient information and understanding of the cast to vote on the matter. Commissioner Gillham replied that she did.

Commissioner Brantley requested to be recused from this matter due to a potential conflict of interest. Vice Chair Ruffner excused Commission Brantley from this matter.

Hearing no other preliminary matters raised, Vice Chair Ruffner brought the matter back to the commission for a motion.

MOTION: Commissioner Morgan moved, seconded by Commissioner Fikes to go into adjudicative session at the close of the hearing and after deliberating the CIRI matter and requested that Borough Attorney Sean Kelley and Planning Administrative Assistant Ann Shirnberg join the commission for the session.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes	7	Recused	1	Vacant	6
Yes	Bentz, Fikes, Gillham, Martin, Morgan, Ruffner, Venuti				
Recused	Brantley				

Vice Chair Ruffner informed those members of the public in attendance that the written decision in the form of a resolution will be subject to a public vote of the body at the planning commission’s next regular meeting scheduled for February 14, 2022. He then excused the public from the meeting.

The commission went into adjudicative session at 7:45 PM.

ADJOURNMENT 10:48 PM

Ann E. Shirnberg
 Administrative Assistant