

Kenai Peninsula Borough

Planning Department

MEMORANDUM

TO: Blair Martin, Planning Commission Chair
Kenai Peninsula Borough Planning Commissioners

THRU: Melanie Aeschliman, Planning Director *MA*
Samantha Lopez, River Center Manager *SL*

FROM: Eric D. Ogren, Code Compliance Officer *EO*

DATE: December 7, 2021

RE: Additional Information for Remand of PC Resolution #2021-26

-
- On December 6, 2021, Appellant Eric Rosenberg and Applicant Cook Inlet Region, Inc. ("CIRI") filed a joint motion and stipulation to remand this matter to the Kenai Peninsula Borough Planning Commission.
 - The Borough does not oppose the motion.
 - The parties have requested a remand in response to a September 2, 2021 superior court decision in *Hans Bilben v. Kenai Peninsula Borough, Planning Commission*
 - Planning Commission Resolution 2021-26 is remanded to the Commission to review whether CIRI's CLUP modification application meets the standards of KPB 21.29.040 in addition to including the mandatory conditions set forth in KPB 21.29.050.
 - The Commission may, but is not required to, open the record for additional input from parties or the public. The Commission is, however, encouraged to add information to the record identifying the landowners within the notification radius.
 - The staff recommends the Commission schedule a hearing on this matter at the next scheduled hearing date January 10, 2022
 - Possible optional hearing dates:
 - January 24, 2022 – PC meeting date

- February 14, 2022- PC meeting date
- February 28, 2022- PC meeting date
- Alternative Date January 11, 2022
- Alternative Date January 25, 2022
- A date of Planning Commission's choosing

End of report