



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Dale Bagley, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Max Best, Planning Director *mb*

DATE: May 12, 2015

SUBJECT: Vacate a portion of Jobber Street, (formally Banta Street, 30 changed on August 9, 2010 on Resolution SN 2010-10), a 66-foot right-of-way easement. Vacate the 33-foot right-of-way easement along the west boundary of Government Lot 61 and the 33-foot right-of-way easement along the east boundary of Government Lots 59 and 60, and vacate any associated utility easements. A 10-foot wide utility easement is being granted, centered over the existing buried electric line with this plat. **AND** Vacate the 33-foot right-of-way easement along the west boundary of Government Lot 72 and the 33-foot right-of-way easement along the east boundary of Government Lots 73 and 74, and vacate any associated utility easements. All within S23, T6N R12W, SM, AK and within the KPB. File 2015-041. Petitioners: Luke Hanson, Robert T. Peterkin II, Robert T. and Bonnie Peterkin, Ralph Wellborn all of Kenai, AK. Location: On Thunder Road in Nikiski Area.

In accordance with AS 29.40.140, no vacation of a Borough right-of-way and/or easement may be made without the consent of the Borough Assembly.

During their regularly scheduled meeting of May 11, 2015 the Kenai Peninsula Borough Planning Commission granted approval of the proposed vacation by unanimous consent based on the following findings of fact. This petition is being sent to you for your consideration and action.

Findings:

1. Sufficient rights-of-way exist to serve surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the right-of-way proposed for vacation is not in use for access.
4. Per the submittal, the right-of-way proposed for vacation has not been constructed.
5. If the vacation of Jobber Street is approved, the block will still be in compliance with KPB 20.30.170.
6. Alternate public access is by Sandy Lane, Galankin Street, and Thunder Road.
7. Sandy Lane, Galankin Street, and Thunder Road provide the block with looped access back to the Kenai Spur Highway.
8. Sandy Lane, Galankin Street, and Thunder Road are maintained by the KPB Roads Department.
9. The Planning Commission approved vacating Jobber Street from Sandy Lane to the subject proposed vacation of Jobber Street on August 26, 2013.
10. KPB GIS mapping indicates Homer Electric Association may have facilities in or near Jobber Street that is proposed to be vacated.
11. All subdivision plats finalizing vacations are sent to utility companies for review and easement requirements. No comments were available when the staff report was prepared.

12. The surveyor advised staff by email that utility easements centered on existing facilities will be granted on the plat.

The Assembly has 30 days from May 11, 2015 in which to veto the decision of the Planning Commission. If the Commission receives no veto within the 30-day period, the decision of the Commission will stand.

Draft, unapproved minutes of the pertinent portion of the meeting and other related materials are attached.

cc: petitioners' w/minutes only