

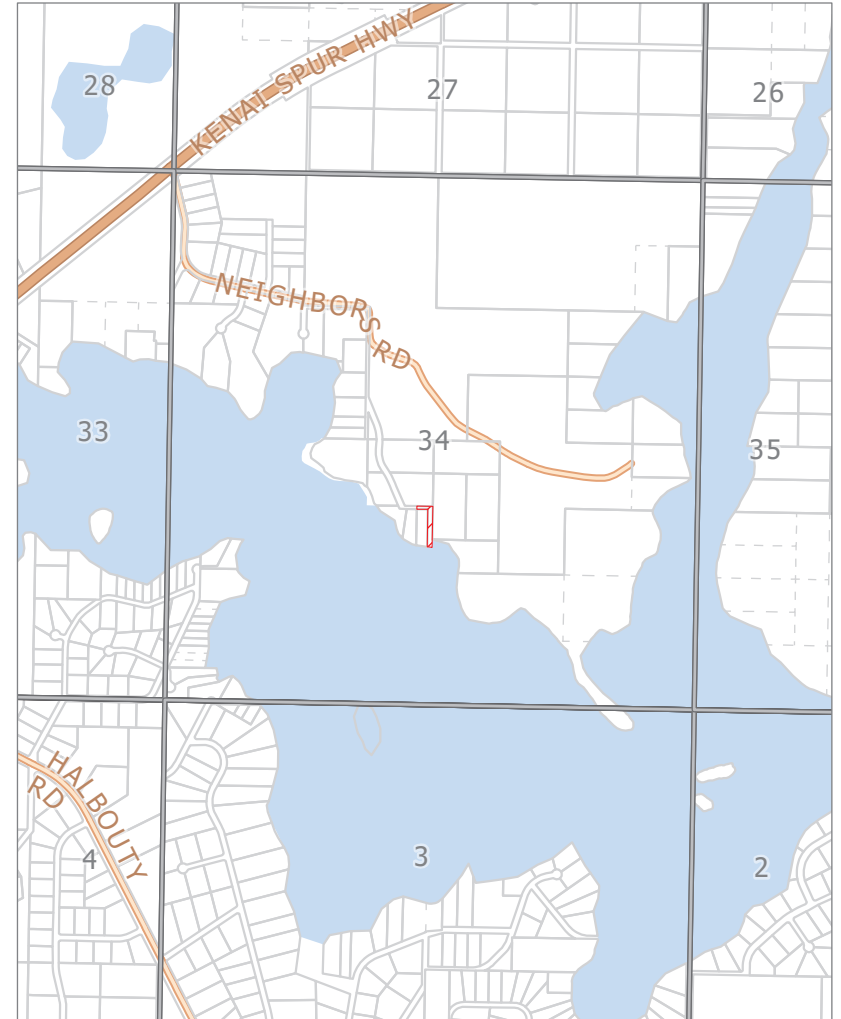
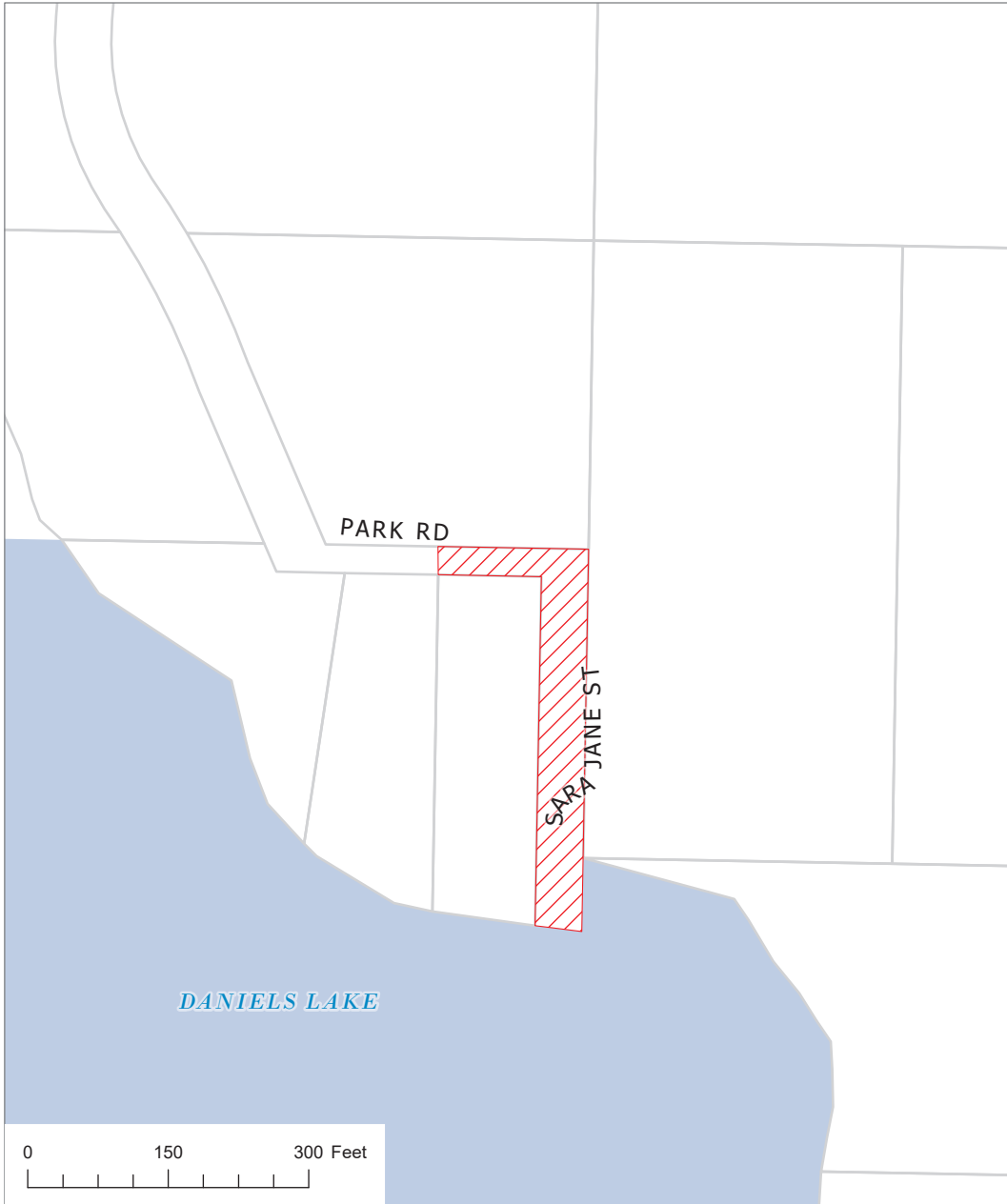
E. NEW BUSINESS

2. Right-Of-Way Vacation; KPB File 2023-114V

McLane Consulting / Triple-Knot Land & Livestock, Oliva

**Request: Vacates a 110' x 30' portion of Park Rd. and the entire
Sara Jane ROW of Rappe Park Subdivision, KN 1987-105**

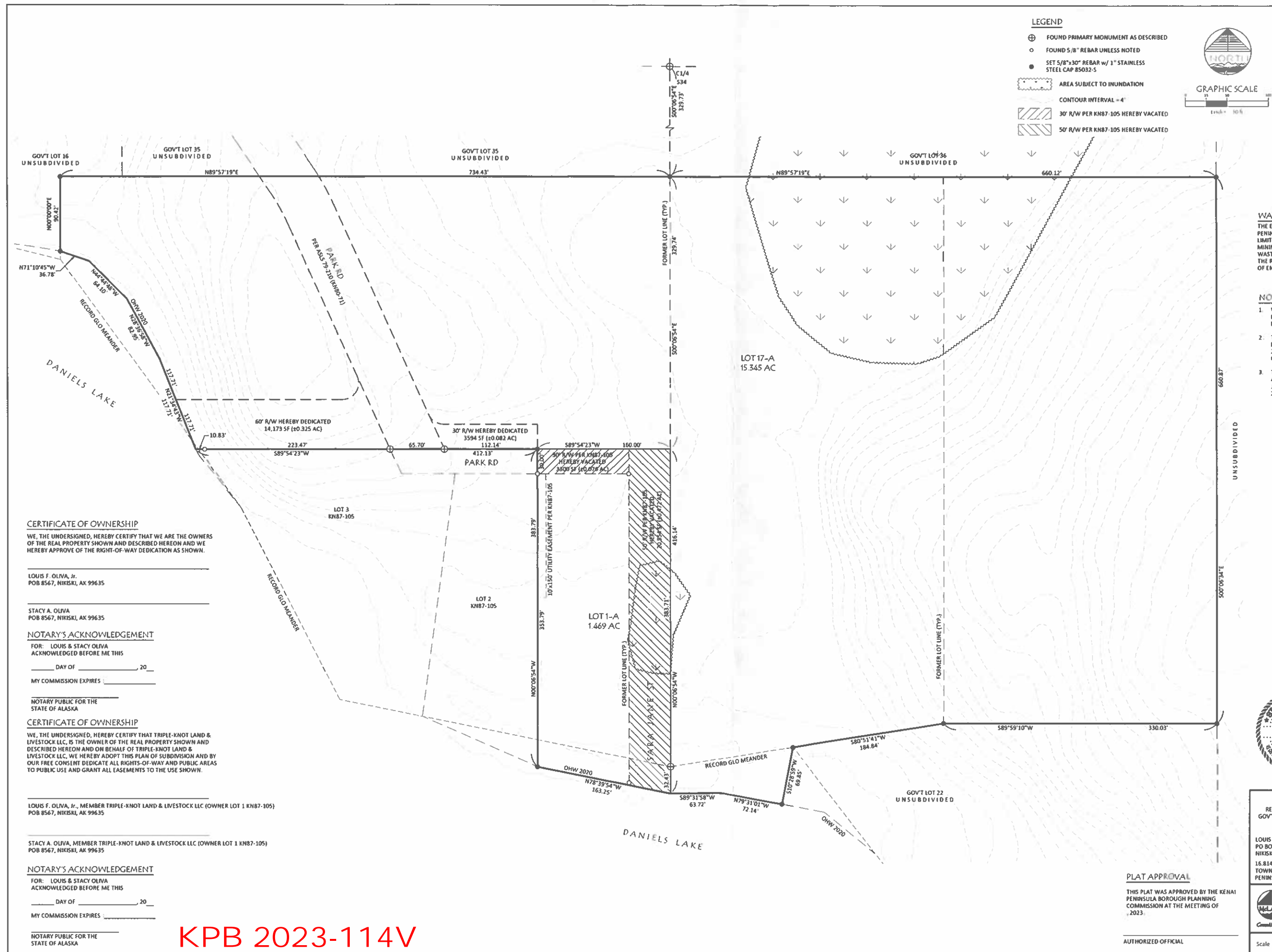
Nikiski Area / Nikiski APC



KPB File 2023-114V
T 08N R 11W SEC 34
Nikiski



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



16	COOK 15	INLET 14	13
21	22	23 KENAI SPUR HWY	24
28	SUNNY LAKE 27	26	25
33	DANIELS THIS PLAT 34 LAKE	35	36
VICINITY MAP Scale 1" = 1 Mile			

WASTEWATER DISPOSAL
THE EXISTING PARENT SUBDIVISION WAS APPROVED BY THE KENAI PENINSULA BOROUGH (JUNE 16, 1986) AND THIS SUBDIVISION IS LIMITED TO MOVING ONE OR MORE LOT LINES MAINTAINING A MINIMUM OF 20,000 SQUARE FEET OF CONTIGUOUS AREA. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. THE NATURAL MEANDERS OF THE ORDINARY HIGH WATER OF DANIELS LAKE FORM THE TRUE BOUNDS OF EACH PARCEL. THE 2020 MEANDER LINE SHOWN HEREON IS FOR SURVEY COMPUTATIONS ONLY.
3. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF A PORTION OF PARK ROAD AND SARAJANE STREET RIGHTS-OF-WAY (R/W) AT THE MEETING OF _____, 2023.

CERTIFICATE OF OWNERSHIP

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS
OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND WE
HEREBY APPROVE OF THE RIGHT-OF-WAY DEDICATION AS SHOWN.

LOUIS F. OLIVA, Jr.
POB 8567, NIKISKI, AX 99635

STACY A. OLIVA
POB 8567, NIKISKI, AX 99635

NOTARY'S ACKNOWLEDGEMENT

FOR: LOUIS & STACY OLIVA
ACKNOWLEDGED BEFORE ME THIS

DAY OF 30

MY COMMISSION EXPIRES:

NOTARY PUBLIC FOR THE
STATE OF ALASKA

CERTIFICATE OF OWNERSHIP

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT TRIPLE-KNOT LAND & LIVESTOCK LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF TRIPLE-KNOT LAND & LIVESTOCK LLC, WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

LOUIS F. OLIVA, Jr., MEMBER TRIPLE-KNOT LAND & LIVESTOCK LLC (OWNER LOT 1 KN87-105)
POB 8567, NIKISKI, AK 99635

STACY A. OLIVA, MEMBER TRIPLE-KNOT LAND & LIVESTOCK LLC (OWNER LOT 1 KN87-105)
POB 8567, NIKISKI, AK 99635

NOTARY'S ACKNOWLEDGEMENT

FOR: LOUIS & STACY OLIVA
ACKNOWLEDGED BEFORE ME THIS

DAY OF 30

MY COMMISSION EXPIRES :

NOTARY PUBLIC FOR THE
STATE OF ALASKA

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI
PENINSULA BOROUGH PLANNING
COMMISSION AT THE MEETING OF
2023.

AUTHORIZED OFFICIAL

Plat #
Rec Dist
Date _____ 20____
Time _____

RAPPE PARK OLIVA ADDITION
AT OF LOT 1 RAPPE PARK SUBDIVISION AMENDED KN87-105,
LOT 17 AND GOV'T LOT 19 OF SECTION 34, TOWNSHIP 8 NORTH,
RANGE 11 WEST, SEWARD MERIDIAN, ALASKA
AND ASSOCIATED R/W VACATION

LOUIS F. OLIVA, Jr.
PO BOX 8567
NIKISKI, AK 99635

STACY A. OLIVA
PO BOX 8567
NIKISKI, AK 99635

16.814 AC. M/L SITUATED IN THE SOUTH HALF (S1/2) OF SECTION 34, TOWNSHIP 8 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.



ENGINEERING • TESTING
SURVEYING • MAPPING
P.O. BOX 468
SOLDOTNA, AK 99660
VOICE (907) 283-4211
FAX (907) 283-3285
WWW.SACLANE.COM

KDB File No. 2022-00000

Project No. 192018

Scale 1" = 50'

Date : OCT 2023

Drawn by:

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - RIGHT OF WAY VACATION
RAPPE PARK SUBDIVISION VACATE PORTION OF PARK ROAD AND SARA JANE STREET**

KPB File No.	2023-114V
Planning Commission Meeting:	November 13, 2023
Applicant / Owner:	Louis and Stacy Oliva of Nikiski, Alaska
Surveyor:	James Hall / McLane Consulting Inc
General Location:	Park Road and Sara Jane Street, Nikiski, Nikiski APC
Parent Parcel No.:	013-410-37, 013-410-53, and 013-410-69
Legal Description:	Government Lot 17 of Section 34 Township 8N Range 11W

STAFF REPORT

Specific Request / Purpose as stated in the petition: A portion of Park Road (shown as Craig Drive on KN87-105) and all of Sara Jane Street (as Shown on KN87-105) is being vacated. Petitioner owns property on both sides of Sara Jane Street. The existing ROWs disrupt and limit owner's use and enjoyment of property. There are ponded wetlands on Sara Jane Street preventing lake access.

Notification: The public hearing notice was published in the November 8th issue of the Peninsula Clarion as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Nikiski

Post Office of Nikiski

Four certified mailings were sent to owners of property within 300 feet of the proposed vacation. Zero receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to six owners within 600 feet of the proposed vacation.

Sixteen public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game
State of Alaska DNR
State of Alaska DOT
State of Alaska DNR Forestry
Advisory Planning Commission
Emergency Services of Nikiski
Kenai Peninsula Borough Office

Kenai Peninsula Borough Land Management
Nikiski Community Council
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed): This parcel is located at approximately mile 30.5 along the Kenai Spur Highway at access point to Neighbors Road then to Parks Road. Neighbors Road and Parks Road are both Borough maintained. Parks Road maintenance ends at the turn to the east. Sara Jane Street is a 50-foot-wide right-of-way and currently not constructed. In addition to the proposed vacation, two dedications are proposed. A 30-foot-wide portion of Park Road is proposed north and east of the existing dedication. A 60-foot-wide dedication is also proposed to provide access to Daniels Lake west of Park Road. The provided drawing with the submittal does not have a proposed name for the west dedication. ***Staff recommends: when the preliminary plat is submitted a name be provided for review and approval by the KPB Addressing Officer.***

KPB Roads Dept. comments	<p>Out of Jurisdiction: No</p> <p>Roads Director: Griebel, Scott</p> <p>Comments: A bulb dedication at the end of Park Rd would be preferable to support contractor equipment turn-around. The alternative lake access dedication (for Sara Jane St) has very steep water approach grades.</p>
SOA DOT comments	No comments - Engineering

Site Investigation: There are some steep areas on the drawing to the west. **Staff recommends:** top and toe be shown on the subdivision plat when submitted.

The preliminary drawing does have an area labeled as “subject to inundation” within the portion of Sara Jane Street being vacated. Staff recommends: if the vacation is approved the depiction remain on the final plat submittal.

KPB River Center review	<p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: IS totally or partially within HPD Comments: i:0#.w kpb\maldrige</p> <p>C. State Parks Reviewer: VACANT Comments:</p>
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Staff Analysis: The Kenai Peninsula Borough Planning Commission heard a petition to vacate ROW Permit ADL 220394 north of the existing Park Road dedication on February 8, 2021. The ADL is a state-managed easement. The Planning Commission recommended approval, subject to providing a matching 30-foot right-of-way dedication for Park Road by subdivision plat. The Kenai Peninsula Borough Assembly reviewed that decision on March 2, 2021, and consented to the Planning Commission decision. The owner proceeded to work with the State of Alaska on the vacation of the ADL. A final decision was approved on June 14, 2022. Approval of the vacation was granted subject to the western portion of the ADL being dedicated prior to final approval. These right-of-way vacations and dedications are to fulfill the requirements outlined by the state to allow the approved vacation of the ADL to record.

The State of Alaska Fish and Game Division of Wildlife Conservation sent comments in which are included in the packet.

Nikiski Advisory Planning Commission minutes for the November 9, 2023 meeting were not available when the staff report was prepared (KPB 21.02.020). These will be provided with the desk packet if available.

20.65.050 – Action on vacation application

- D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;
Staff comments: *Both Sara Jane and Park Ave (Craig Dr) are undeveloped and no public use occurs*
2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: *there is an area of inundation in the vacation area. New dedication is proposed*
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;
Staff comments: *No*
4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;
Staff comments: *The proposed vacation of the undeveloped 50' width of Sara Jane ROW provides legal access to Daniels Lake, contains a low wet area. Equal or superior access will be provided via the new dedication because the new dedication to the lake does not contain low wet areas, and is 60' in width.*
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: *No*
6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: *No*
7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.
Staff comments: *HEA requested a 15' utility easement for an overhead electric line through the proposed dedication of Park Road and above the vacated area.*
8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.
Staff comments: *applicant owns all the land surrounding vacation area. A 30-foot-wide portion of Park Road is proposed north and east of the existing dedication, that will contain a turnaround bulb. A 60-foot-wide dedication is also proposed to provide access to Daniels Lake west of Park Road.*

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at its scheduled December 12, 2023, meeting.

If approved, Rappe Park Oliva Addition will finalize the proposed right-of-way vacations. The Planning Department has not received a preliminary submittal at the time of this staff report.

KPB department / agency review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: 52377 PARK RD, 52360 SARA JANE ST Existing Street Names are Correct: Yes
------------	--

	List of Correct Street Names: SARA JANE ST, PARK RD Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: 52360 SARA JANE ST WILL BE DELETED AND A NEW ADDRESS ASSIGNED.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat.
Assessing	Reviewer: Windsor, Heather Comments: No comment
State of Alaska Fish and Game	See comment in Packet

Utility provider review:

HEA	Locate and depict the overhead primary electric line. Provide a label or plat note stating, "The existing overhead powerline is the centerline of a 15-foot-wide electrical easement, including guys and anchors, granted this plat."
ENSTAR	
ACS	No objections
GCI	

RECOMMENDATION:

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by KPB Assembly.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Dedication of the 60' access to Daniels Lake and 30' Parks Road as shown.
4. A turnaround bulb east of existing Parks Road, in the new dedication area.
5. Grant of utility easements requested by the utility providers.
6. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).

KPB 20.65.050 – Action on vacation application

H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The

council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.

- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. 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.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

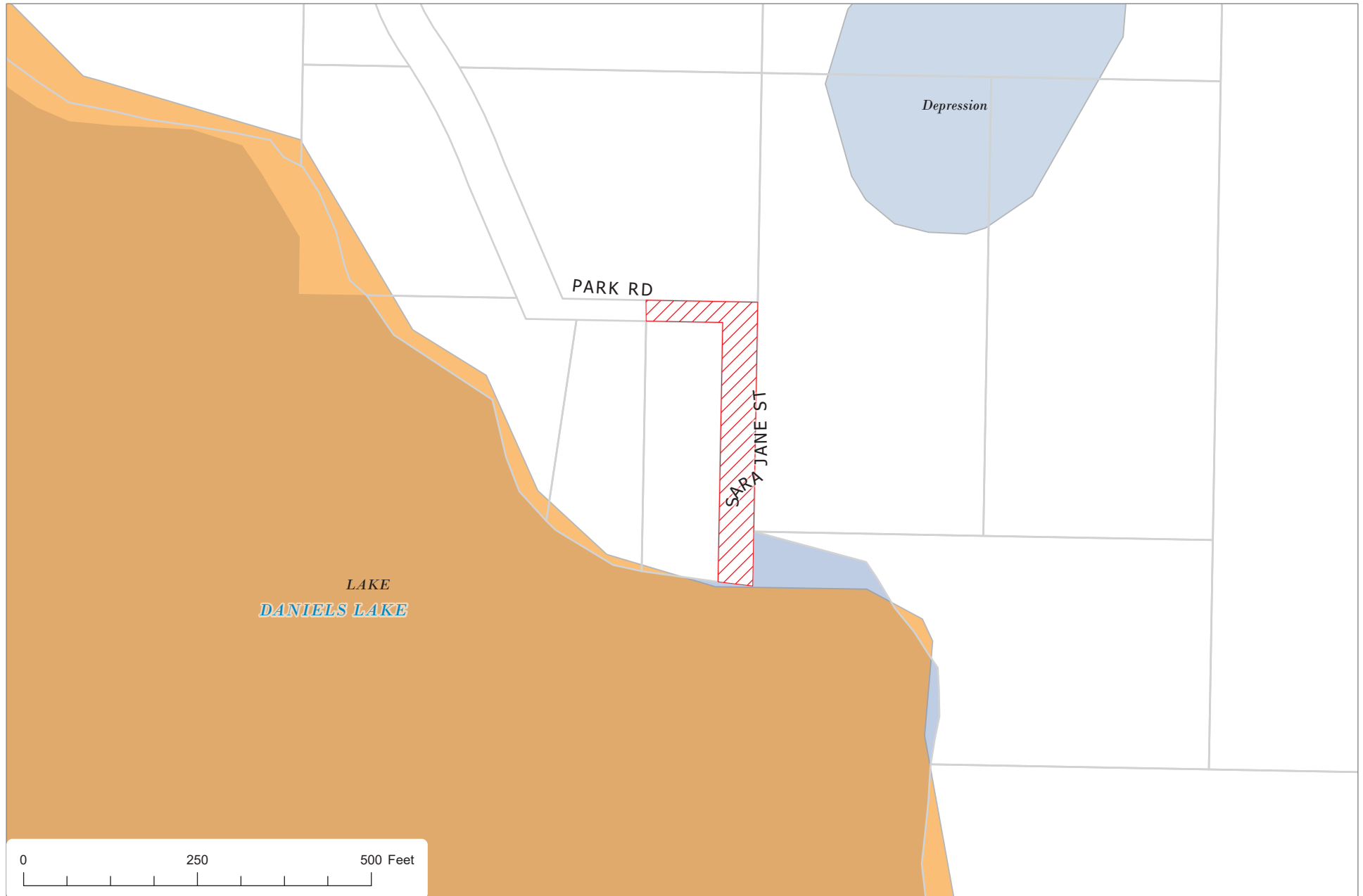
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *Focus Area: Transportation*
 - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
 - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
 - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

END OF STAFF REPORT



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



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GOV'T LOT 17 UNSUBDIVIDED

FD 3 1/4" ALUM. MON.

GOV'T LOT 17

UNSUBDIVIDED

FD 3 1/4" ALUM. MON.

(R/W PERMIT ADL 220394)

CRAIG DRIVE
(present name of existing road)

LOT 3
41339 S.F.
AREA

LOT 2
40525 S.F.
AREA

LOT 1
40310 S.F.
AREA

AREA FOR
SEWER INSTALLATION

AREA FOR
WELL INSTALLATION

Limits of
Swamp

PATENT DB. 31, P. 299 K.R.D.

PATENT DB. 27, P. 65 K.R.D.

SARA JANE STREET

(50' R/W)

BASIS OF BEARING ASLS 79-210 S 0° 06' 54" E 383.77'

(50' R/W)

GOV'T LOT 19

UNSUBDIVIDED

C
S | 34
C
1955
BLM

FD 3" BRASS CAP MON 87-49

87-105
RECORDED FILED 20-
Kenai REC. DIST.
DATE 8/27 1986
TIME 3:23 P.
Surveyed by Malone

86-219
FILED 20-
Kenai REC. DIST.
DATE 11/12 1986
TIME 1:36 P.
Surveyed by Malone



LEGEND

OFFICIAL SURVEY MONUMENT FOUND

5/8" REBAR SET

NOTES

1) THE ACTUAL SHORELINE OF DANIELS LAKE FORMS THE BOUNDARY OF LOTS. THE MEANDER LINES SHOWN (M.L.) ARE FOR THE PURPOSE OF COMPUTING LOT AREAS ONLY.

2) A MINIMUM BUILDING SETBACK OF 20 FEET IS REQUIRED FROM ALL STREET RIGHTS OF WAY UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION.

3) SOILS ON THESE LOTS MAY OR MAY NOT BE SUITABLE FOR CONVENTIONAL ON-SITE WASTE DISPOSAL SYSTEMS. NO PERSON MAY CONSTRUCT, INSTALL, MAINTAIN, OR OPERATE A PRESSURIZED WATER SYSTEM OR A WATER-BORNE WASTE DISPOSAL SYSTEM UNLESS APPROVAL OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION IS OBTAINED. IN ADDITION ALL SEWER SYSTEMS SHALL BE INSTALLED WITHIN THE DESIGNATED AREA SHOWN ON THIS PLAT.

4) NO PART OF THIS SUBDIVISION IS WITHIN A KNOWN FLOOD PLAIN.

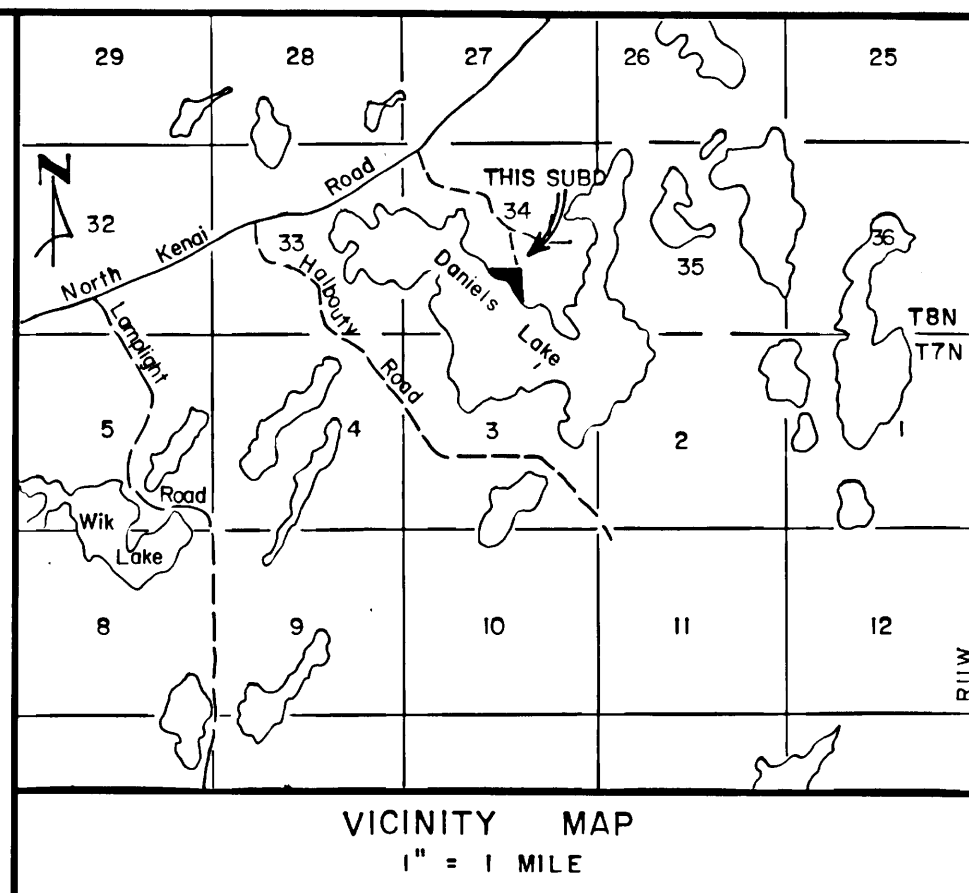
5) WATER WELLS AND SEPTIC SYSTEMS MAY ONLY BE INSTALLED IN THE AREAS DESIGNATED FOR SUCH INSTALLATION.

AMENDMENTS

1) THE DELINEATION OF THE WATER AND SEWER INSTALLATION AREAS HAS BEEN ADDED TO THIS PLAT.

THE ABOVE REVISION CONSTITUTES THE SOLE CHANGE MADE TO THE PLAT, ASIDE FROM THE NOTATION THEREON.

THE ABOVE REVISIONS DO NOT ALTER LOT AREAS AND DO NOT AFFECT OR INFLUENCE ANY CHANGE OF OWNERSHIP, DRAINAGE FEATURES, RIGHTS-OF-WAY OR ANY OTHER ITEM WHICH WOULD ADVERSELY AFFECT THIS OR ADJACENT PROPERTIES. WE THEREFORE ARE SUBMITTING THIS PLAT FOR REFILE AS CORRECTED.



CERTIFICATE OF OWNERSHIP AND DEDICATION

I certify that I am the representative for the estate of Leslie A. Rappe, which is the owner of the property shown and described hereon, and that, on behalf of the estate of Leslie A. Rappe, I hereby adopt this plan of subdivision and dedicate all rights-of-way to public use and grant all easements to the use shown on.

Craig Rappe

CRAIG RAPPE
BOX 112062
ANCHORAGE, ALASKA 99511

PERSONAL REPRESENTATIVE FOR THE ESTATE OF LESLIE A. RAPPE

NOTARY'S ACKNOWLEDGEMENT

For Craig E. Rappe

Subscribed to and sworn before me this 25th day of August, 1986.

My commission expires 5/14/89

Notary Public for Alaska

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

JUNE 16, 1986
Kenai Peninsula Borough

By Richard P. Torgerson
Authorized Official

AMENDED

RAPPE PARK SUBDIVISION

GOV'T LOT 18 IN THE NE 1/4 SW 1/4 SECTION 34
T8N R11W SEWARD MERIDIAN, ALASKA

CONTAINING 3.464 ACRES
KENAI RECORDING DISTRICT

FOR
CRAIG RAPPE
BOX 112062
ANCHORAGE, ALASKA 99511

PERSONAL
REPRESENTATIVE
FOR THE ESTATE
OF LESLIE A. RAPPE

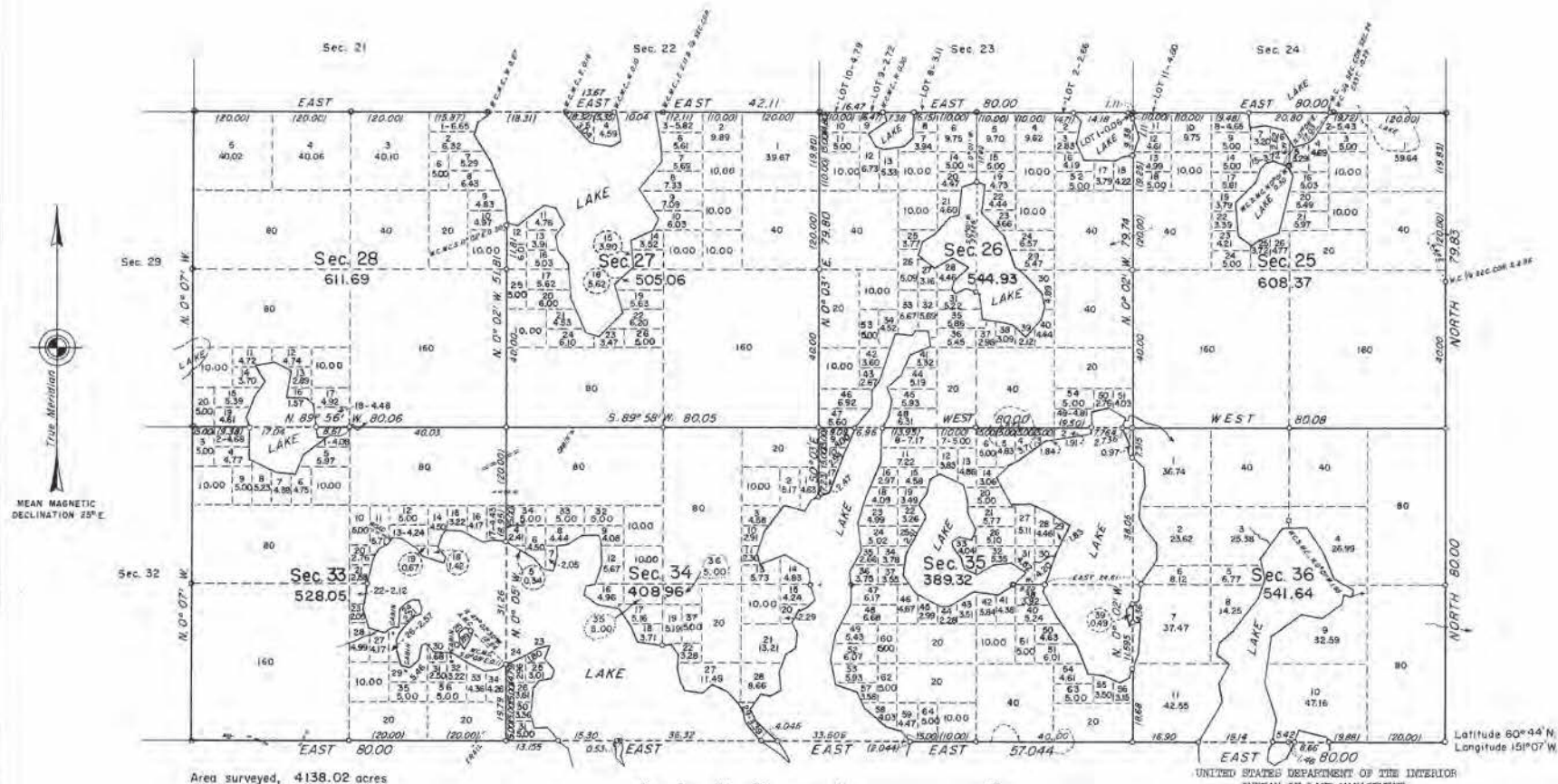
SCALE
1 inch = 50 feet

MALONE SURVEYING
BOX 566
KENAI, ALASKA 99611

JOB 86014 FB 86-08 DATE OF SURVEY 7/13/86
DRAWN BY dpw CHECKED hpm 7/15/86

K.P.B. FILE NO.
86-187

TOWNSHIP 8 NORTH, RANGE 11 WEST, OF THE SEWARD MERIDIAN, ALASKA



Prior adjoining surveys of this township are shown on the township plat approved June 26, 1923.

Portion of the south boundary of the township was surveyed by Robert Q. Pickering in 1955.

Dependent resurvey of the south boundary of secs. 23 and 24 and the completion survey of Township 8 North, Range 11 West, Seward Meridian, Alaska, was executed by Robert Q. Pickering July 28 to November 11, 1955 under special instructions for Group 66, Alaska, dated December 9, 1952.

• indicates brass capped iron post

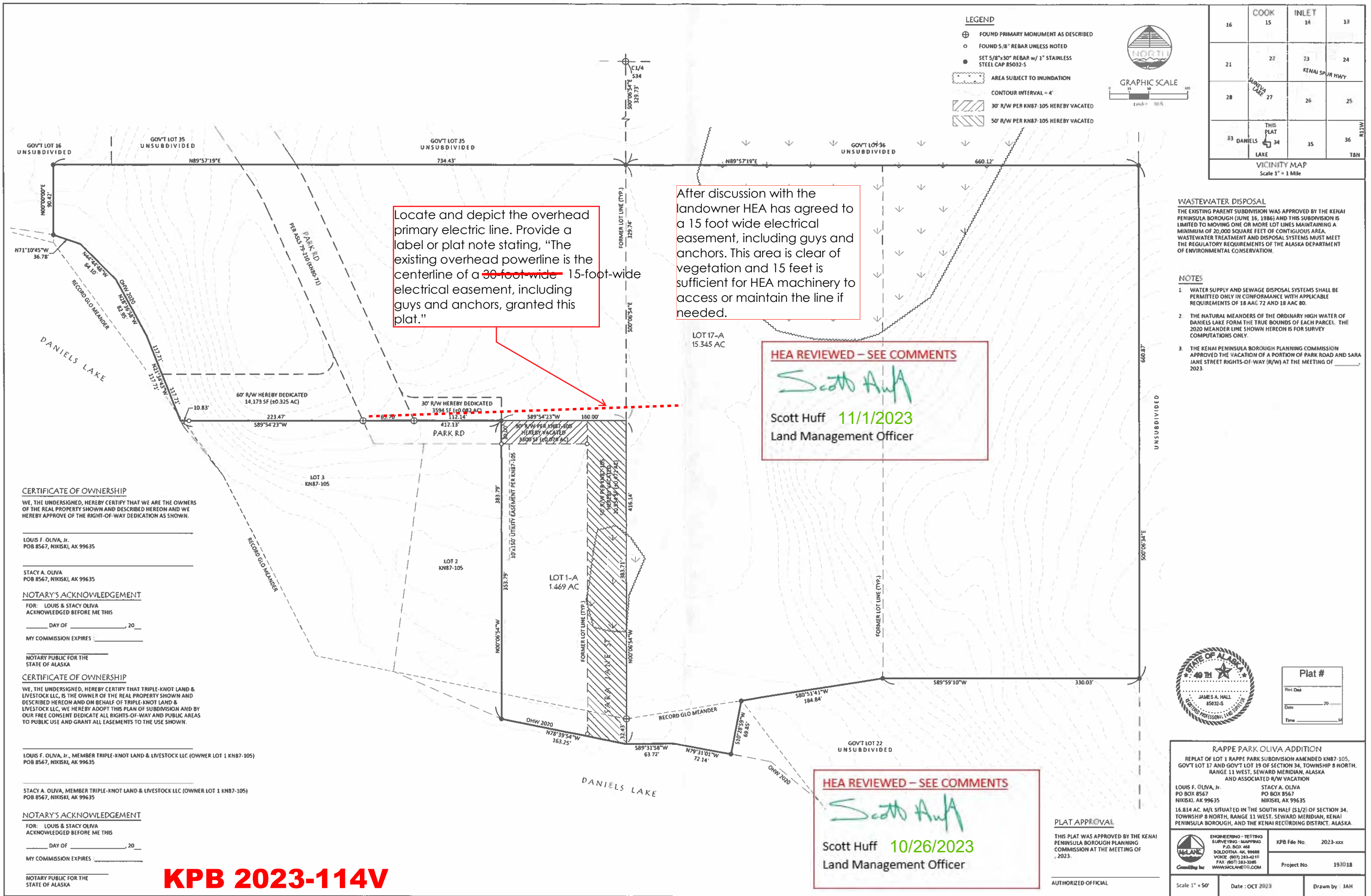
This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Earl S. Harrington

Cadastral Engineering Staff Officer

AP KENAI C3, C4, D3, D4
AS 1246



Locate and depict the overhead primary electric line. Provide a label or plat note stating, "The existing overhead powerline is the centerline of a ~~30-foot-wide~~ 15-foot-wide electrical easement, including guys and anchors, granted this plat."

After discussion with the landowner HEA has agreed to a 15 foot wide electrical easement, including guys and anchors. This area is clear of vegetation and 15 feet is sufficient for HEA machinery to access or maintain the line if needed.

HEA REVIEWED - SEE COMMENTS

Scott Huff 11/1/2023
Land Management Officer

HEA REVIEWED - SEE COMMENTS

Scott Huff 10/26/2023
Land Management Officer

WASTEWATER DISPOSAL
THE EXISTING PARENT SUBDIVISION WAS APPROVED BY THE KENAI PENINSULA BOROUGH (JUNE 16, 1986) AND THIS SUBDIVISION IS LIMITED TO MOVING ONE OR MORE LOT LINES MAINTAINING A MINIMUM OF 20,000 SQUARE FEET OF CONTIGUOUS AREA. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

- NOTES**
1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
 2. THE NATURAL MEANDERS OF THE ORDINARY HIGH WATER OF DANIELS LAKE FORM THE TRUE BOUNDS OF EACH PARCEL. THE 2020 MEANDER LINE SHOWN HEREON IS FOR SURVEY COMPUTATIONS ONLY.
 3. THE KENAI PENINSULA BOROUGH PLANNING COMMISSION APPROVED THE VACATION OF A PORTION OF PARK ROAD AND SARA JANE STREET RIGHTS-OF-WAY (R/W) AT THE MEETING OF 2023.



Plat #
Rec Date
Date
Time

RAPPE PARK OLIVA ADDITION
REPLAT OF LOT 1 RAPPE PARK SUBDIVISION AMENDED KN87-105, GOVT LOT 17 AND GOVT LOT 19 OF SECTION 34, TOWNSHIP 8 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, ALASKA AND ASSOCIATED R/W VACATION
LOUIS F. OLIVA, Jr. PO BOX 8567 NIKISKI, AK 99635
STACY A. OLIVA PO BOX 8567 NIKISKI, AK 99635
16.814 AC. M/L SITUATED IN THE SOUTH HALF (S1/2) OF SECTION 34, TOWNSHIP 8 NORTH, RANGE 11 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

ENGINEERING - TITTING SURVEYING - MAPPING
P.O. BOX 468 SOLDOTNA, AK 99688
VOICE: (907) 283-4218 FAX: (907) 283-3285
WWW.MCLANE.COM

KPB File No. 2023-xxx
Project No. 190018
Scale 1" = 50'
Date: OCT 2023
Drawn by: JAH

KPB 2023-114V

From: [Huff, Scott](#)
To: [Carpenter, Beverly](#)
Subject: <EXTERNAL-SENDER>updated plat review KPB 2023-114V
Date: Wednesday, November 1, 2023 8:44:39 AM
Attachments: [Plat Prelim KPB 2023-114V Reduced HEA reviewed 110123.pdf](#)

CAUTION: This email originated from outside of the KPB system. Please use caution when responding or providing information. Do not click on links or open attachments unless you recognize the sender, know the content is safe and were expecting the communication.

Beverly,

Attached is an update plat review for KPB 2023-114V. After discussion with the landowner a 15-foot-wide easement will be sufficient to allow HEA to access the power line with equipment. The land is generally flat, with no trees, and has an improved drive in this area.

Thanks,

SCOTT HUFF | Land Management Officer

Homer Electric Association, Inc.

280 Airport Way | Kenai, Alaska 99611

office 907.335.6209 | toll free 800.478.8551 | www.homerelectric.com

Your Member-Owned Electric Cooperative

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From: [Percy, Colton T \(DFG\)](#)
To: [Carpenter, Beverly](#)
Cc: [Piagentini, Vincent](#); [Smith, Tracy A \(DFG\)](#); [Gates, Jenny L \(DFG\)](#); [Demma, Nick J \(DFG\)](#); [Perschbacher, Jeffrey T \(DFG\)](#); [Cafferty-SOA, Kaitlynn](#); [Miller, Matthew G \(DFG\)](#); [Dye, Jason E \(DFG\)](#); [Carter, Marla M \(DFG\)](#); [Mulligan, Benjamin J \(DFG\)](#); [Lipka, Colton G \(DFG\)](#)
Subject: <EXTERNAL-SENDER>RE: ROW VACATION REVIEW FOR November 13, 2023 MEETING: ROW State Review Group, HEA, ACS, ENSTAR, GCI
Date: Thursday, November 2, 2023 3:50:51 PM
Attachments: [image001.png](#)

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Hi Beverly,

The Alaska Department of Fish and Game (ADF&G) has reviewed the preliminary plat KPB 2023-114V, Right Of Way (ROW) Vacation Plat within Rappe Park Subdivision Lot 1 and Government Lot 19 within Section 34, T8N, R11W, SM. The petitioners, Louis and Stacy Olivia, are requesting to vacate the following ROWs:

- The 50' wide public access easement along the east boundary of Lot 1 as reserved under federal patent # 1233765, known as Sara Jane Street
- The 30' wide ROW along a portion of Park Rd, including a portion of the south 30' of Government Lot 17 as dedicated by the State of Alaska in 1985 and recorded in 2018 under ADL 220394

The petitioners are proposing to dedicate an alternative public access easement along the south 60' of Government Lot 17 to provide public access to Daniels Lake.

ADF&G previously commented on KPB 2020-059V in June of 2020 and again on the revised plat in October of 2020. ADF&G originally objected to the ROW vacation as the alternate access did not provide adequate public access to Daniel's Lake.

We would like to reiterate our previous comments that ADF&G's main concern is to maintain safe and practical public access to Daniels Lake for anglers and other outdoor recreators. The above-described trail improvements do appear to provide reasonable access for pedestrians that will potentially be more appealing to the public than the current ROW through the petitioners developed property. However, the steep grade, even with the installed steps, will make the site subject to significant erosion without continued maintenance. Such erosion would impact water quality as well as decrease the usability of the site for access.

Therefore, if the KPB Planning Commission were to approve the proposed ROW Vacations and associated dedication of alternative public access, ADF&G would request that the petitioners identify an entity that could commit to long-term maintenance to ensure the site continues to provide adequate access to Daniels Lake.

Thank you for the opportunity to review and comment on this preliminary platting action. Please feel free to contact me regarding these comments. ADF&G requests notification of the Planning Commission's decision.

Colton Percy

Habitat Biologist

Access Defense Program

Alaska Department of Fish and Game

Division of Wildlife Conservation

333 Raspberry Rd

Anchorage, AK 99518

907-267-2118

From: Carpenter, Beverly <BCarpenter@kpb.us>

Sent: Thursday, October 26, 2023 9:56 AM

To: Biloon, Joselyn (DOT) <joselyn.biloon@alaska.gov>; Donohue, Joseph M (DNR) <joseph.donohue@alaska.gov>; Rinke, Hans J (DNR) <hans.rinke@alaska.gov>; Kastner, Lorraine S (DOT) <lorraine.kastner@alaska.gov>; Keiner, Robert (DOT) <bob.keiner@alaska.gov>; Marsengill, Dale <DMarsengill@HomerElectric.com>; 'Brown, Trevor' <Trevor.Brown@acsalaska.com>; ENSTAR ROW <row@enstarnaturalgas.com>; 'OSP Design Group' <ospdesign@gci.com>; Percy, Colton T (DFG) <colton.percy@alaska.gov>; Huff, Scott' <shuff@HomerElectric.com>

Cc: 'Zubeck, Brad' <BZubeck@HomerElectric.com>

Subject: ROW VACATION REVIEW FOR November 13, 2023 MEETING: ROW State Review Group, HEA, ACS, ENSTAR, GCI

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Hello,

Attached are the sketches to be reviewed for the **November 13, 2023** meeting.

- Rappe Park Subdivision Vacate Portion Park Road and Sara Jane Street KPB 2023-114V
- Jake Estates Vacate Portion Paulk Avenue KPB 2023-115V

Please provide comments by **November 1, 2023** to ensure the comments will be included in a right-of-way vacation staff report.

Right-of-way vacation comments will be accepted until 1:00p.m. Thursday before the meeting date.

Beverly Carpenter

Platting Technician

Planning Department

Ph: (907) 714-2200

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