



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

M E M O R A N D U M

TO: Blain Gilman, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Max Best, Planning Director 

DATE: August 24, 2016

SUBJECT: Vacate the south 752 feet (approximately) of the 60-foot wide Fish Street right-of-way and the west 190 feet of the 60-foot wide Brush Way right-of-way as dedicated on Nikishka Subdivision No. 2, Plat KN-1400. The rights-of-way being vacated are partially constructed and located within the SW¼ NE¼ of Section 1, Township 7 North, Range 12 West, Seward Meridian, Alaska and within the Kenai Peninsula Borough; KPB File 2016-084.

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 August 22, 2016, 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

3. The vacation petition proposes to vacate and re-align Fish Street and vacate that portion of Brush Way outside the new alignment for Fish Street.
4. Homer Electric Association submitted a statement of reviewed/no comments.
5. Sufficient rights-of-way exist to serve the surrounding properties.
6. No surrounding properties will be denied access.
7. The amount of right-of-way proposed for vacation is approximately the same as the amount of alternative right-of-way proposed for the new re-alignment of Fish Street.
8. Per KPB GIS mapping, the property is not affected by low wet areas.
9. Per KPB GIS 4-foot contours, terrain within subject lots is basically flat.

The Assembly has 30 days from August 22, 2016 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