

AGENDA ITEM E. NEW BUSINESS

ITEM 11 - FBO SUBDIVISION NO. 10

KPB File No.	2021-037
Plat Committee Meeting:	June 14, 2021
Applicant / Owner:	City of Kenai 210 Fidalgo Ave. Ste. 200 Kenai, AK 99611
Surveyor:	Segesser Surveys
General Location:	City of Kenai / Airport

Parent Parcel No.:	043-360-43 and 043-180-44
Legal Description:	Unsubdivided lands within Section 32, T6N, R11W, SM
Assessing Use:	General Institutional
Zoning:	Airport Light Industrial
Water / Wastewater	City Water and Wastewater

STAFF REPORT

Staff Analysis

The preliminary plat for FBO Subdivision No. 10 was approved at the April 12, 2021 Plat Committee meeting. An exception to KPB 20.30.030 Proposed Street Layout and KPB 20.30.170 Block Length was granted during the meeting. The surveyor had also requested an exception to KPB 20.60.200 Survey and Monumentation/ Staff inadvertently left off the request and it was not realized until the final plat was submitted for review.

Staff is bringing the plat back to the plat committee to review the request to KPB 20.60.200 Survey and Monumentation.

EXCEPTIONS REQUESTED:

KPB 20.60.200 Survey and Monumentation

Surveyor's Discussion:

Staff Discussion: This platting action is to create two new parcels at the north end of N. Willow Street. The plat will extend the right of way dedication for N. Willow Street and provide a right of way dedication for Floatplane Road along the west boundary.

This survey will set survey markers at the property corners of Lot 5A and Lot 5B as well as the new right of way for N. Willow Street and Floatplane Road. All new property boundaries created by this platting action will be marked with this survey.

Nearly all of the adjoining land has been subdivided with field surveys completed to set survey markers at the boundary corners. The neighboring plats have been completed between 1978 to 2013.

Every parcel that fronts on Tract B (airport) is owned by the City of Kenai. Except for Lot 3A-1 KN 2007-145, Tract A KN 78-225, Tract B KN 84-198, and Tract A KN 2001-56, all lots that front Tract B are owned by the City of Kenai.

If denied, then this survey will be required to locate, and if missing reset, all property corners around the boundary of Tract B (airport) and Tract A (undeveloped green space).

Findings:

1. This platting action is to create two new parcels at the north end of N. Willow Street.
2. The plat will extend the right of way dedication for N. Willow Street and provide a right of way dedication for Floatplane Road along the west boundary.
3. This survey will set survey markers at the property corners of Lot 5A and Lot 5B as well as the new right of way for N. Willow Street and Floatplane Road.
4. All new property boundaries created by this platting action will be marked with this survey.
5. Nearly all of the adjoining land has been subdivided with field surveys completed to set survey markers at the boundary corners.
6. The neighboring plats have been completed between 1978 to 2013.
7. Every parcel that fronts on Tract B (airport) is owned by the City of Kenai.
8. Except for Lot 3A-1 KN 2007-145, Tract A KN 78-225, Tract B KN 84-198, and Tract A KN 2001-56, all lots that front Tract B are owned by the City of Kenai.
9. By locating and setting survey markers it perpetuates the boundary location and helps to avoid encroachment issues.

Staff reviewed the exception request and recommends granting approval.

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-8 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-8 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-8 appear to support this standard.

Staff recommendation: place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

RECOMMENDATION:

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO**
- **COMPLIANCE WITH THE RECOMMENDATIONS OF PLAT APPROVAL FROM THE APRIL 12, 2021 PLAT COMMITTEE MEETING, AND**

- COMPLIANCE WITH THE STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT

From: [Horton, George C \(DNR\)](#)
To: [Clements, Peggy](#)
Subject: <EXTERNAL-SENDER> KPB File 2021-037
Date: Monday, June 7, 2021 9:45:13 AM

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.

Hi Peggy,

If section-line easements exist along the north and west boundaries of proposed FBO Subdivision No. 10 - as is depicted on the prelim plat - a sle more than likely also exists along the east boundary as well.

Please have the surveyor verify this and, if applicable, the DNR, DML&W, Survey Section requests that it be depicted and labeled on the final plat.

Thank you,

George Horton, PLS, CFedS

Land Surveyor I

DNR, DML&W, Survey Section

550 W. 7th AVE; Suite 650

Anchorage, Alaska 99501

(907) 269-8610

<http://dnr.alaska.gov/mlw/survey/>

"It's a dangerous business going out of your door. You step into the Road, and if you don't keep your feet, there is no knowing where you might be swept off to." Bilbo Baggins