



Planning Department

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Charlie Pierce
Borough Mayor

February 11, 2020

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE MEETING OF FEBRUARY 10, 2020

Re: Nils O. Svedlund Subdivision Nomar 2020 Addition Preliminary Plat
KPB File Number: 2020-005

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of February 20, 2020 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

AMENDMENT MOTION

An amendment motion to grant exception to KPB 20.30.150, streets-intersection requirements, passed by unanimous consent based on the following findings of fact.

Standard 1: That special circumstances or conditions affecting the property have been shown by application.

Findings

3. The Homer Advisory Planning Commission approved the preliminary plat with a 20' radius curve return on December 4, 2019.
4. Alaska DOT suggested fee dedication of the public use easements shown on the plat.
6. The subdivision is affected by a 10' public use easement adjoining E. Pioneer Avenue recorded in Book 61, Page 29, HRD, and a 20' radius curve return right of way easement adjoining the public use easement and Main Street recorded in 2018-001390-0 HRD.
7. The 10' public use easement and 20' radius curve return provide additional width to accommodate a safe, constructible intersection.
8. Per the surveyor, the 10' public use easement and 20' radius curve return easement contain a constructed six foot tall retaining wall, curb, and gutter.
9. Per aerial imagery, the intersection of Main Street and E. Pioneer Street is constructed.
10. Per the submittal, the edge of the constructed pavement of the intersection is contained within the 10' public use easement and the 20' radius curve return easement.
11. Alaska DOT acquired the 20' radius curve return easement in 2018 and could have obtained a full 50' radius curve return at that time if it was required.

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.

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

2. The preliminary plat proposes to dedicate a curve return with a radius of 20' at the intersection of Main Street and E. Pioneer Avenue.

3. The Homer Advisory Planning Commission approved the preliminary plat with a 20' radius curve return on December 4, 2019.
4. Alaska DOT suggested fee dedication of the public use easements shown on the plat.
6. The subdivision is affected by a 10' public use easement adjoining E. Pioneer Avenue recorded in Book 61, Page 29, HRD, and a 20' radius curve return right of way easement adjoining the public use easement and Main Street recorded in 2018-001390-0 HRD.
7. The 10' public use easement and 20' radius curve return provide additional width to accommodate a safe, constructible intersection.
8. Per the surveyor, the 10' public use easement and 20' radius curve return easement contain a constructed six foot tall retaining wall, curb, and gutter.
9. Per aerial imagery, the intersection of Main Street and E. Pioneer Street is constructed.
10. Per the submittal, the edge of the constructed pavement of the intersection is contained within the 10' public use easement and the 20' radius curve return easement.
11. Alaska DOT acquired the 20' radius curve return easement in 2018 and could have obtained a full 50' radius curve return at that time if it was required.

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 10 days of notification of the decision in accordance with KPB 2.40.080.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).