

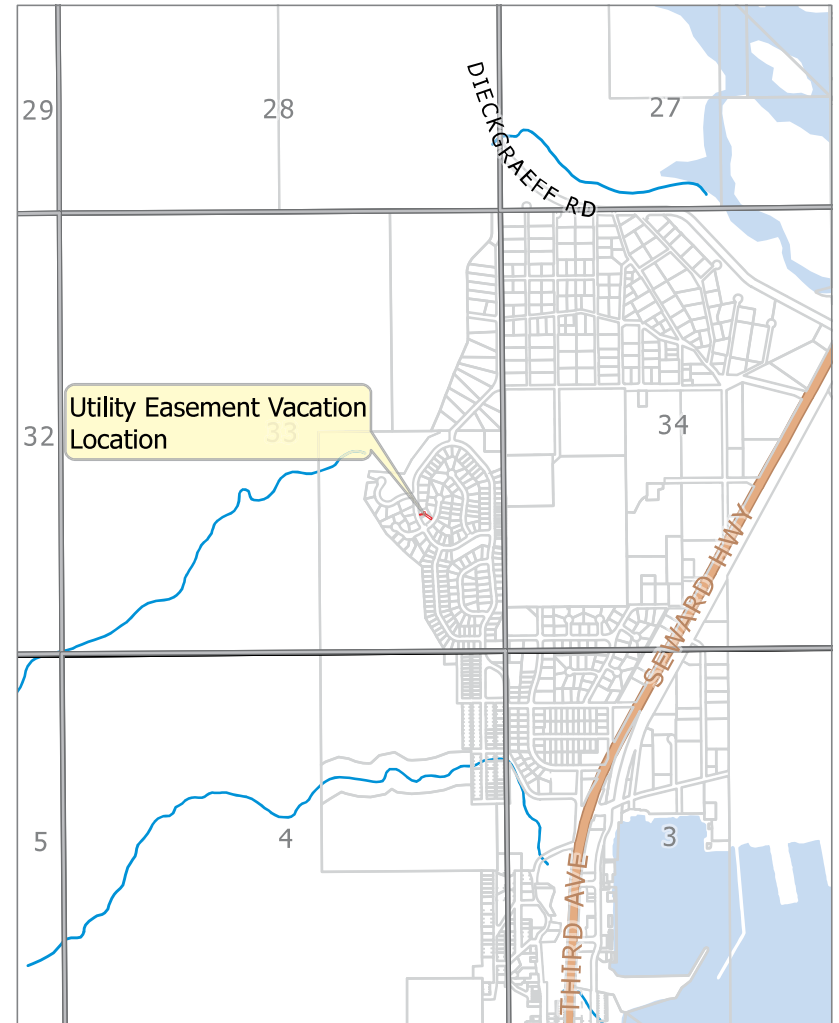
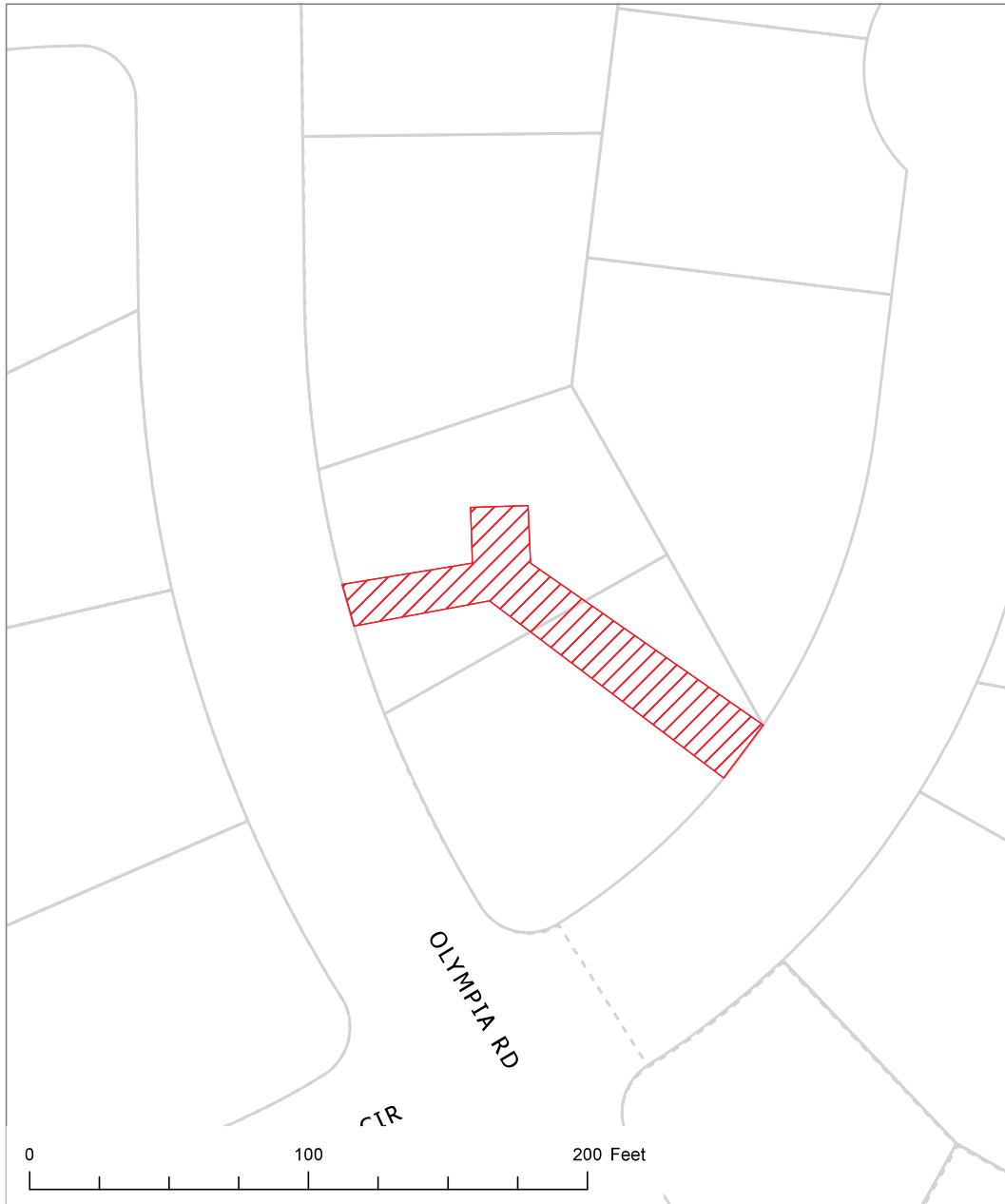
E. NEW BUSINESS

1. Utility Easement Vacation; KPB File 2023-014V

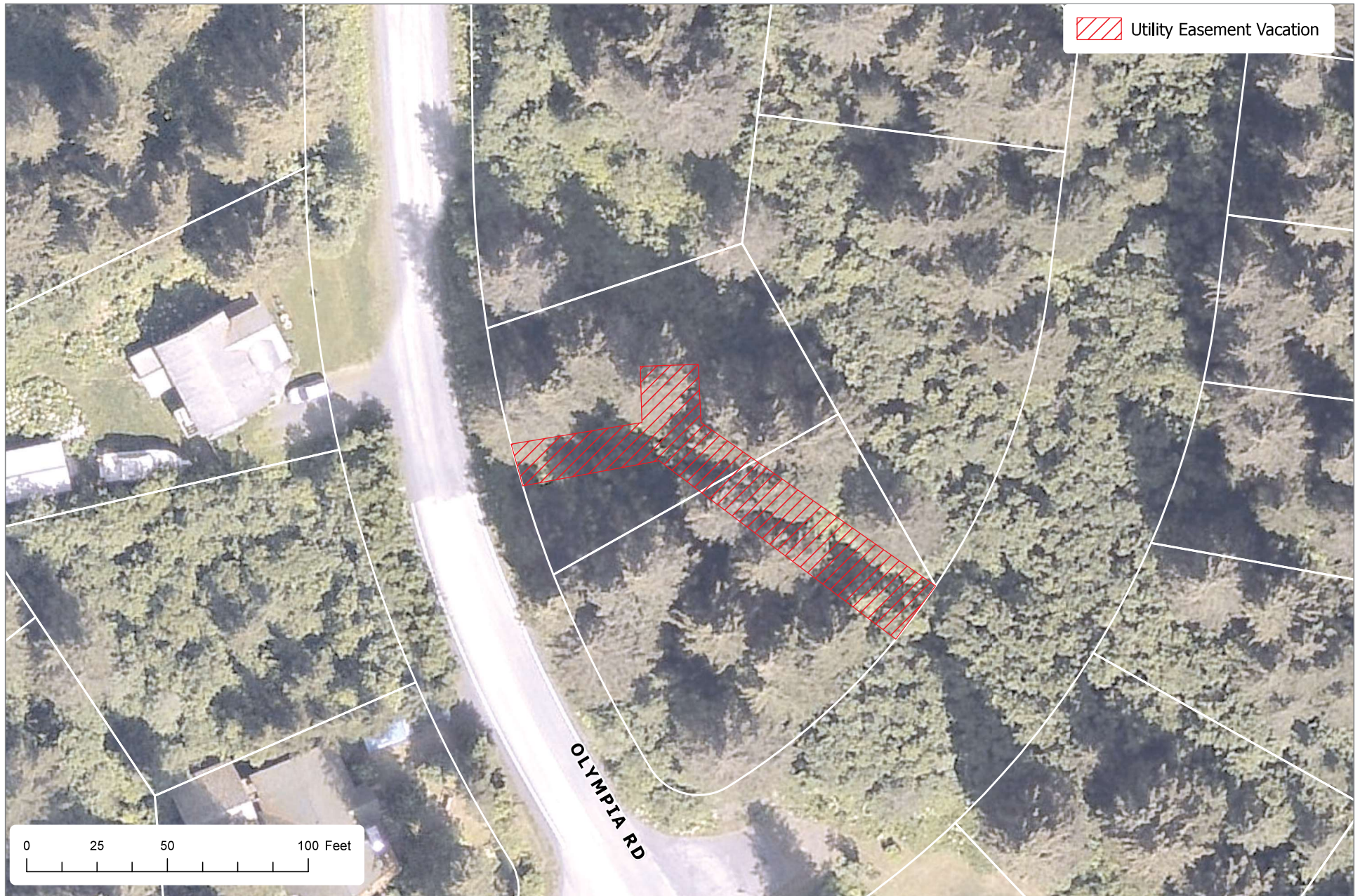
Segesser Surveys / Hilltop Properties, LLC

Request: Vacates the approximate 8525 square foot utility easement on Lots 19 & 20, Block 6, Gateway Subdivision Hilltop Addition Plat SW 2024-002.

City of Seward



KPB File 2023-014V
T 01N R 01W SEC 33
Seward



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.

LEGEND:

- 2 1/2" BRASS. CAP MON. GLO 1911 FOUND
- 3 1/4" ALUM. CAP MONUMENT 610-S 1975 FOUND
- IRON PIPE FOUND
- RECORD DATUM PLAT SW 2013-16



NOTES:

- Basis of bearing taken from Gateway Subdivision Addition No. 2 Tracts C4, C5, C6, and C7, Plat 2013-16, Seward Recording District.
- This plat is subject to City of Seward planning and zoning regulations.
- No structures are permitted within the panhandle portion of the flag lot.
- FLOOD HAZARD NOTICE:** Some or all of the property shown on this plat has been designated by FEMA as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough Floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code. See FEMA FIRM panel 020012-45390.
- Exceptions to KPB 20.30.190(A), Lot dimensions and KPB 20.30.200(A), Minimum lot size, were granted by the Plat Committee at the meeting of April 10, 2023.
- Subject to utility easements as depicted. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- WASTEWATER DISPOSAL:** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.

CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL, IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF SEWARD FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: OLYMPIA ROAD, ATTI CIRCLE, RENARD CIRCLE, AND THE 15 FOOT PEDESTRIAN EASEMENT DEDICATIONS.

THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL: *[Signature]* DATE: 2/6/24
CITY OF SEWARD

CURVE/TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
(C1)	17.38.00	270.00	83.10	41.86	82.77	N31°55'36"W
(C2)	17.40.59	270.00	83.33	42.00	83.00	N31°57'21"W
(C3)	101°34'19"	240.00	423.67	291.72	370.83	N88°36'54"E
(C4)	101°38'23"	240.00	423.65	291.86	370.75	N88°37'57"E
(C5)	38°11'38"	232.96	159.56	82.87	156.62	S19°05'15"W
(C6)	38°03'46"	240.00	159.44	82.75	156.52	S19°01'43"W
(C7)	311°4'32"	418.02	227.98	116.80	224.16	N15°33'32"W
(C8)	313°30'30"	413.31	227.17	116.80	224.32	N16°45'00"W
(C9)	89°02'28"	20.00	31.49	20.00	31.44	S76°17'01"E
(C10)	90°00'00"	20.00	31.42	20.00	28.28	S76°30'00"E
(C11)	112°41'14"	307.49	61.20	30.70	61.10	S52°47'27"W
(C12)	112°41'14"	307.49	61.20	30.70	61.10	S52°47'27"W
(C13)	24°31'28"	221.88	94.97	48.22	94.25	S70°48'18"W
(C14)	24°31'28"	221.88	94.97	48.22	94.25	S70°48'18"W
(C15)	89°58'58"	20.00	31.41	20.00	28.28	S76°30'00"E
(C16)	89°58'58"	20.00	31.41	20.00	28.28	S76°30'00"E
(C17)	89°58'58"	20.00	31.41	20.00	28.28	S76°30'00"E
(C18)	89°58'58"	20.00	31.41	20.00	28.28	S76°30'00"E
(C19)	89°58'58"	20.00	31.41	20.00	28.28	S76°30'00"E
(C20)	312°30'30"	207.29	113.78	58.35	112.34	S74°18'10"W
(C21)	314°00'00"	222.22	113.98	58.46	112.53	S74°15'02"W
(C22)	89°18'42"	20.00	31.38	19.76	28.11	S45°05'43"W
(C23)	89°18'42"	20.00	31.38	19.76	28.11	S45°05'43"W
(C24)	141°1'27"	530.00	131.27	64.97	130.83	S07°28'19"W
(C25)	141°3'02"	530.00	131.51	65.11	131.18	S07°06'31"W

LINE	BLOCK	DISTANCE
(L1)	S32°00'10"E	60.00
(L2)	S32°00'10"E	60.00
(L3)	S44°43'49"E	90.56
(L4)	S44°48'37"E	90.62
(L5)	S55°40'25"E	111.89
(L6)	N86°36'44"W	40.46
(L7)	N86°41'48"W	40.53
(L8)	S58°32'35"W	60.00
(L9)	S58°30'00"W	60.00
(L10)	N89°54'45"E	60.00
(L11)	N89°54'45"E	60.00
(L12)	S50°00'00"E	120.00
(L13)	S81°24'42"E	149.52
(L14)	S81°14'58"E	149.52

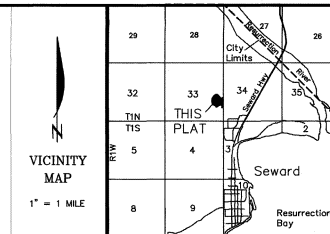


SURVEYOR'S CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the monuments shown hereon actually exist as described, and all dimensions and other details are correct.

Date: 11-14-23

Seward Recording District, PL 2024-2



CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT HILLTOP PROPERTIES, LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, AND ON BEHALF OF HILLTOP PROPERTIES, LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

COLE PETERSEN
HILLTOP PROPERTIES LLC
P.O. BOX 825
SEWARD, ALASKA 99664

NOTARY'S ACKNOWLEDGEMENT

FOR Cole Petersen
ACKNOWLEDGED BEFORE ME THIS 6 DAY OF February, 2024

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES with office



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF APRIL 10, 2023.

KENAI PENINSULA BOROUGH
[Signature] 2/6/2024
AUTHORIZED OFFICIAL

KPB FILE No. 2023-014

Gateway Subdivision Hilltop Addition

A resubdivision of Tract C4 Gateway Subdivision Addition No. 2 Tracts C4, C5, C6, and C7, Plat 2013-16, Seward Recording District.

Located within the SE/4 Section 33, T1N, R1W, S4M, City of Seward, Kenai Peninsula Borough, Alaska.

Containing 21.301 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99669 (907) 262-3909	Owner Hilltop Properties LLC P.O. Box 825 Seward, Alaska 99664
JOB NO. 22234	DRAWN: 9-7-23
SURVEYED: Nov., 2022	SCALE: 1"=100'
FIELD BOOK: 22-6	SHEET: 1 of 2

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	17.3800	270.00	33.33	42.00	83.00	N31°57'21"W
C2	101°04'18"	240.00	43.63	291.88	370.75	N88°37'57"E
C3	38°11'48"	240.00	159.44	82.79	158.32	S19°01'53"W
C4	31°30'30"	415.00	227.38	116.90	224.33	N15°45'00"W
C5	90°22'28"	200.00	31.49	20.07	28.34	S74°01'00"E
C6	90°22'28"	200.00	31.49	20.07	28.34	S74°01'00"E
C7	11°21'31"	307.49	31.20	30.70	61.90	S59°27'27"W
C8	11°21'31"	307.49	31.20	30.70	61.90	S59°27'27"W
C9	22°41'58"	231.88	14.97	48.25	54.25	S70°48'18"W
C10	22°41'58"	231.88	14.97	48.25	54.25	S70°48'18"W
C11	89°58'58"	200.00	31.41	20.00	28.26	S74°01'00"W
C12	89°58'58"	200.00	31.39	20.42	28.26	S74°01'00"W
C13	89°58'58"	200.00	31.42	20.00	28.26	S74°01'00"W
C14	31°26'38"	207.29	11.76	36.40	112.34	S74°18'10"W
C15	31°26'38"	207.29	11.76	36.40	112.34	S74°18'10"W
C16	89°58'58"	200.00	31.18	19.76	28.11	S45°05'43"W
C17	90°00'00"	200.00	31.42	20.00	28.26	S74°01'00"W
C18	141°3'02"	530.00	131.51	131.07	S07°06'31"W	
C19	101°04'18"	240.00	159.44	82.79	158.32	N31°57'21"W
C20	72°11'41"	270.00	33.72	41.79	83.00	S37°01'00"E
C21	72°11'41"	270.00	33.72	41.79	83.00	S37°01'00"E
C22	25°13'44"	240.00	159.29	82.75	158.00	S74°01'00"E
C23	25°13'44"	240.00	159.29	82.75	158.00	S74°01'00"E
C24	25°13'44"	240.00	159.29	82.75	158.00	S74°01'00"E
C25	25°13'44"	240.00	159.29	82.75	158.00	S74°01'00"E
C26	25°13'44"	240.00	159.29	82.75	158.00	S74°01'00"E
C27	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C28	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C29	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C30	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C31	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C32	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C33	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C34	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C35	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C36	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C37	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C38	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C39	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C40	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C41	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C42	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C43	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C44	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C45	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C46	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C47	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C48	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C49	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C50	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C51	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C52	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C53	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C54	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C55	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C56	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C57	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C58	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C59	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C60	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C61	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C62	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C63	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C64	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C65	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C66	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C67	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C68	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C69	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C70	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C71	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C72	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E
C73	85°17'27"	238.30	17.10	18.38	37.95	N14°41'41"E

3 1/4" ALUM. CAP MONUMENT 610-S-1975 FOUND
 LEGEND: 3 1/4" ALUM. CAP MONUMENT 610-S-1975 FOUND
 5/8" REBAR w/ PLASTIC CAP L57839 FOUND
 5/8" REBAR w/ PLASTIC CAP L58859 SET
 RECORD DATUM PLOT SW 2013-16

KPB FILE NO. 2023-104

**Gateway Subdivision
Hilltop Addition**

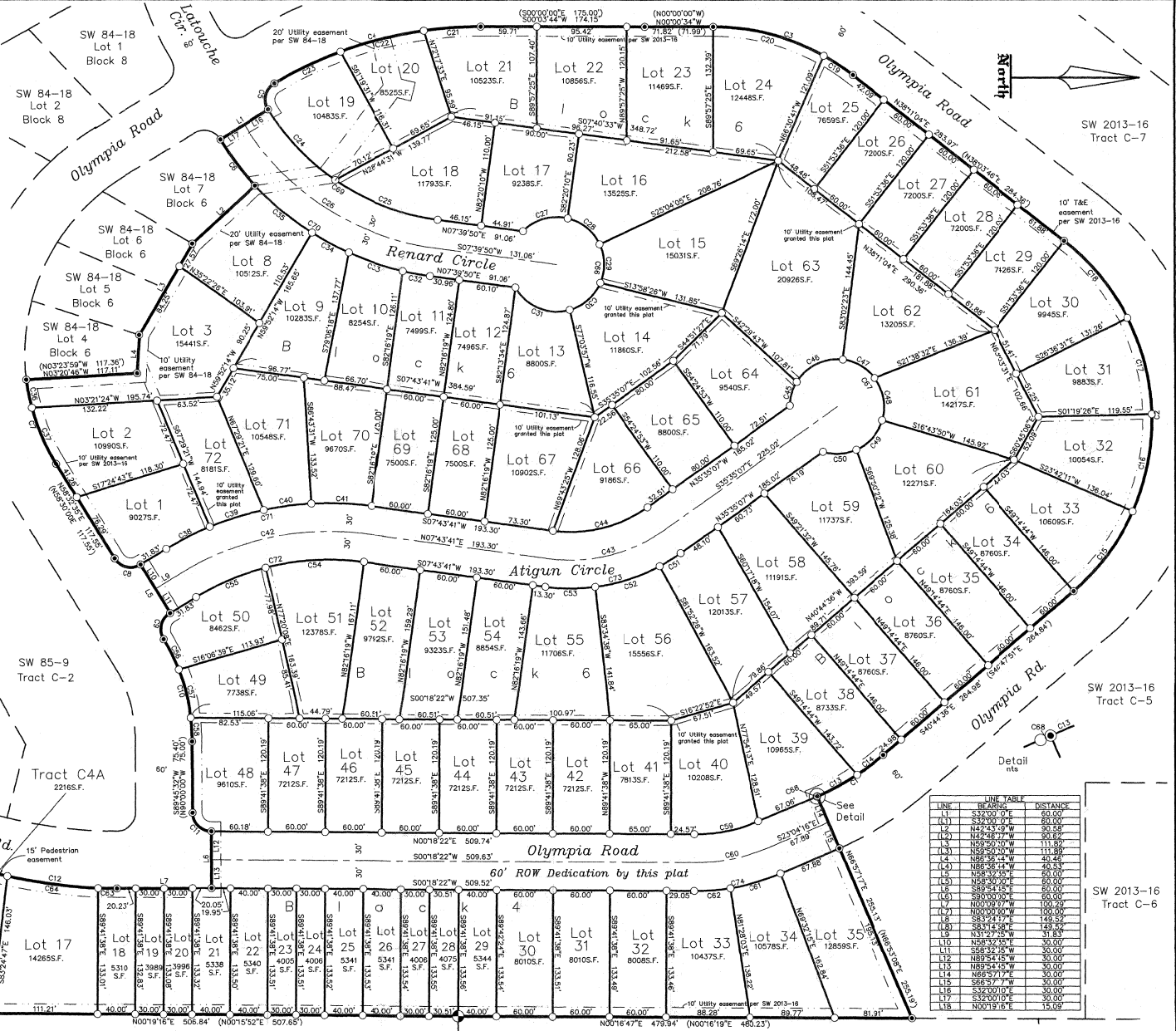
A redivision of Tract C4 Gateway Subdivision Addition No. 2
Tracts C4, C5, C6, and C7, Plot 2013-6, Seward Record
District.

Located within the SE1/4 Section 32, T1N, R1W, S.M.,
City of Seward, Kenai Peninsula Borough, Alaska.

Containing 21.301 Ac.

Surveyor Segesser Surveys 30485 Rosland St. Soldotna, AK 99686 (907) 262-3909	Owner Hilltop Properties LLC P.O. Box 825 Seward, Alaska 99684
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JOB NO. 22234 DRAWN: 12-22-23
SURVEYED: Nov. 2022 SCALE: 1"=50'
FIELD BOOK: 22-6 SHEET: 2 of 2



LINE	BEARING	DISTANCE
(1)	S22°00'00"E	50.00
(2)	S32°00'00"E	60.00
(3)	N22°00'00"E	60.00
(4)	N32°00'00"E	60.00
(5)	N42°00'00"E	60.00
(6)	N52°00'00"E	60.00
(7)	N62°00'00"E	60.00
(8)	N72°00'00"E	60.00
(9)	N82°00'00"E	60.00
(10)	N92°00'00"E	60.00
(11)	S02°00'00"E	60.00
(12)	S12°00'00"E	60.00
(13)	S22°00'00"E	60.00
(14)	S32°00'00"E	60.00
(15)	S42°00'00"E	60.00
(16)	S52°00'00"E	60.00
(17)	S62°00'00"E	60.00
(18)	S72°00'00"E	60.00
(19)	S82°00'00"E	60.00
(20)	S92°00'00"E	60.00
(21)	N02°00'00"E	60.00
(22)	N12°00'00"E	60.00
(23)	N22°00'00"E	60.00
(24)	N32°00'00"E	60.00
(25)	N42°00'00"E	60.00
(26)	N52°00'00"E	60.00
(27)	N62°00'00"E	60.00
(28)	N72°00'00"E	60.00
(29)	N82°00'00"E	60.00
(30)	N92°00'00"E	60.00

CHORD	DELTA ANGLE	PERIMETER	AREA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	174.26°	245.00	83.33	45.00	83.00	N131°27'11" W
C2	101.04°	245.00	83.33	45.00	83.00	N88°52'49" W
C3	261.11°	245.00	83.33	45.00	83.00	N101°07'11" E
C4	301.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C5	174.26°	245.00	83.33	45.00	83.00	N88°52'49" E
C6	101.04°	245.00	83.33	45.00	83.00	N101°07'11" W
C7	261.11°	245.00	83.33	45.00	83.00	N131°27'11" W
C8	301.11°	245.00	83.33	45.00	83.00	N88°52'49" W
C9	174.26°	245.00	83.33	45.00	83.00	N101°07'11" E
C10	101.04°	245.00	83.33	45.00	83.00	N131°27'11" E
C11	261.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C12	301.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C13	174.26°	245.00	83.33	45.00	83.00	N131°27'11" E
C14	101.04°	245.00	83.33	45.00	83.00	N88°52'49" E
C15	261.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C16	301.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C17	174.26°	245.00	83.33	45.00	83.00	N88°52'49" E
C18	101.04°	245.00	83.33	45.00	83.00	N101°07'11" W
C19	261.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C20	301.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C21	174.26°	245.00	83.33	45.00	83.00	N101°07'11" E
C22	101.04°	245.00	83.33	45.00	83.00	N131°27'11" E
C23	261.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C24	301.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C25	174.26°	245.00	83.33	45.00	83.00	N131°27'11" E
C26	101.04°	245.00	83.33	45.00	83.00	N88°52'49" E
C27	261.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C28	301.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C29	174.26°	245.00	83.33	45.00	83.00	N88°52'49" E
C30	101.04°	245.00	83.33	45.00	83.00	N101°07'11" W
C31	261.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C32	301.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C33	174.26°	245.00	83.33	45.00	83.00	N101°07'11" E
C34	101.04°	245.00	83.33	45.00	83.00	N131°27'11" E
C35	261.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C36	301.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C37	174.26°	245.00	83.33	45.00	83.00	N131°27'11" E
C38	101.04°	245.00	83.33	45.00	83.00	N88°52'49" E
C39	261.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C40	301.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C41	174.26°	245.00	83.33	45.00	83.00	N88°52'49" E
C42	101.04°	245.00	83.33	45.00	83.00	N101°07'11" W
C43	261.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C44	301.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C45	174.26°	245.00	83.33	45.00	83.00	N101°07'11" E
C46	101.04°	245.00	83.33	45.00	83.00	N131°27'11" E
C47	261.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C48	301.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C49	174.26°	245.00	83.33	45.00	83.00	N131°27'11" E
C50	101.04°	245.00	83.33	45.00	83.00	N88°52'49" E
C51	261.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C52	301.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C53	174.26°	245.00	83.33	45.00	83.00	N88°52'49" E
C54	101.04°	245.00	83.33	45.00	83.00	N101°07'11" W
C55	261.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C56	301.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C57	174.26°	245.00	83.33	45.00	83.00	N101°07'11" E
C58	101.04°	245.00	83.33	45.00	83.00	N131°27'11" E
C59	261.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C60	301.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C61	174.26°	245.00	83.33	45.00	83.00	N131°27'11" E
C62	101.04°	245.00	83.33	45.00	83.00	N88°52'49" E
C63	261.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C64	301.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C65	174.26°	245.00	83.33	45.00	83.00	N88°52'49" E
C66	101.04°	245.00	83.33	45.00	83.00	N101°07'11" W
C67	261.11°	245.00	83.33	45.00	83.00	N131°27'11" E
C68	301.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C69	174.26°	245.00	83.33	45.00	83.00	N101°07'11" E
C70	101.04°	245.00	83.33	45.00	83.00	N131°27'11" E
C71	261.11°	245.00	83.33	45.00	83.00	N88°52'49" E
C72	301.11°	245.00	83.33	45.00	83.00	N101°07'11" W
C73	174.26°	245.00	83.33	45.00	83.00	N131°27'11" E
C74	101.04°	245.00	83.33	45.00	83.00	N88°52'49" E

3 1/4" ALUM. CAP MONUMENT 610-S 1975 FOUND
LEGEND: ● 5/8" REBAR w/PLASTIC CAP LS7839 FOUND
 ○ 5/8" REBAR w/PLASTIC CAP LS8859 SET
 () RECORD DATUM PLAT SW 2013-16

KPB FILE NO. 2023-014

Gateway Subdivision Hilltop Addition

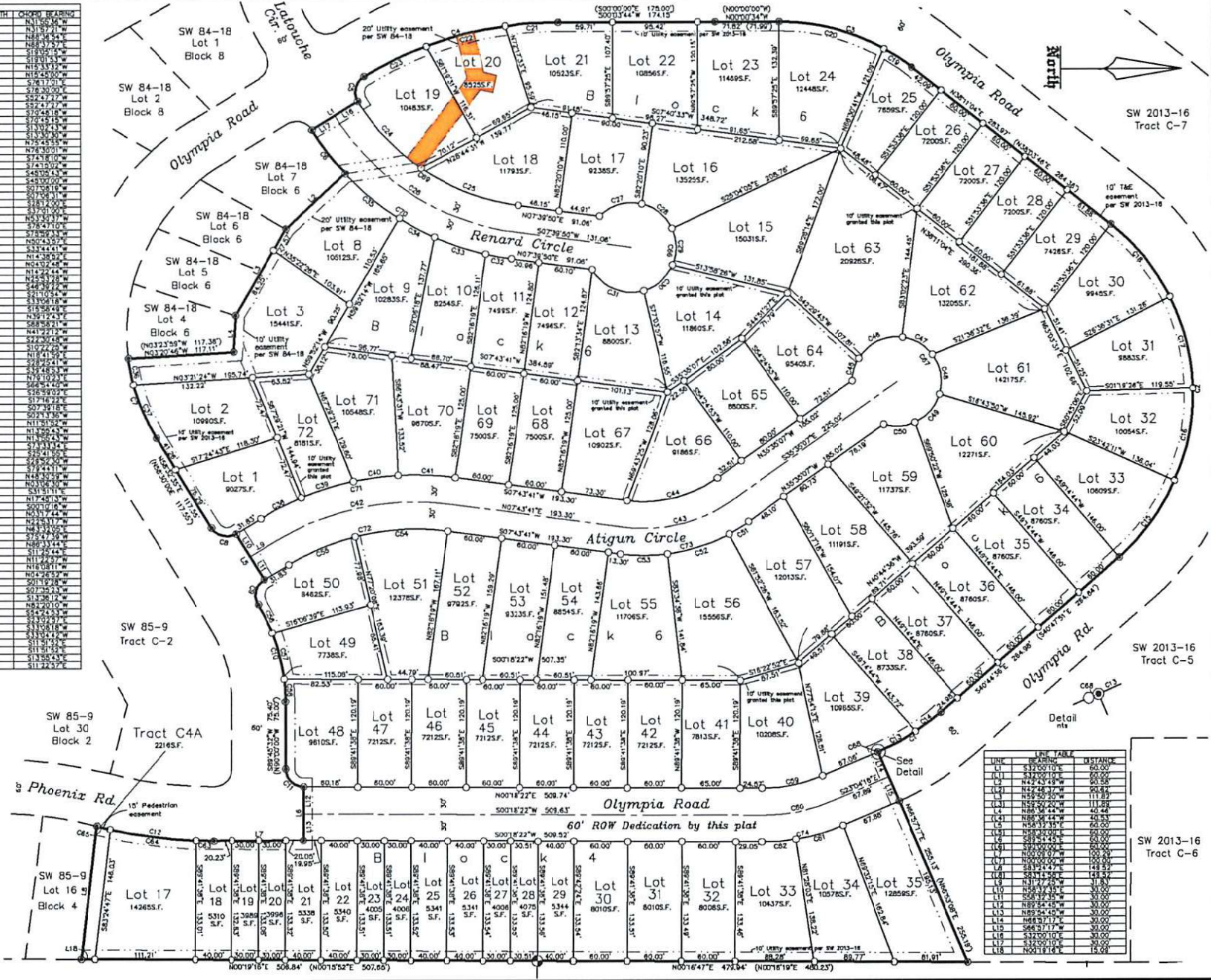
A resubdivision of Tract C4 Gateway Subdivision Addition No. 2, Tracts C4, C5, C6, and C7, Plat 2013-16, Seward Recording District.

Located within the SEC 14 Section 33, T1N, R1W, S.M., City of Seward, Kenai Peninsula Borough, Alaska.

Containing 21.301 Ac.

Surveyor	Owner
Segesser Surveys 30485 Rosland St. Soldotna, AK 99689 (907) 262-3908	Hilltop Properties LLC P.O. Box 830 Seward, Alaska 99664

JOB NO. 22234	DRAWN 12-22-23
SURVEYED Nov., 2022	SCALE: 1"=50'
FIELD BOOK: 22-6	SHEET: 2 of 2



LINE	TABLE	DISTANCE
1	51200.10	60.00
2	44242.19	60.00
3	44242.19	60.00
4	44242.19	60.00
5	44242.19	60.00
6	44242.19	60.00
7	44242.19	60.00
8	44242.19	60.00
9	44242.19	60.00
10	44242.19	60.00
11	44242.19	60.00
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57	44242.19	60.00
58	44242.19	60.00
59	44242.19	60.00
60	44242.19	60.00
61	44242.19	60.00
62	44242.19	60.00
63	44242.19	60.00

KPB 2023-014V

AGENDA ITEM E. NEW BUSINESS

ITEM #1 - UTILITY EASEMENT ALTERATION

Vacates the approximate 8,525 square foot utility easement granted per SW 84-18, beginning from the southeast corner of lot 19 intersecting diagonally northwest through lot 20, ending at the western lot line of lot 20, block 6, in Gateway Subdivision Hilltop Addition Plat SW 2024-002 Seward Recording District

KPB File No.	2023-014V
Planning Committee Meeting:	July 22, 2024
Applicant / Owner:	Joseph C. Tougas & Cole Petersen – Hilltop Properties, LLC
Surveyor:	John Segesser – Segesser Surveys, Inc.
General Location:	Phoenix Road, Olympia Road, City of Seward, Alaska

STAFF REPORT

Specific Request / Purpose as stated in the petition:

This application is to vacate the utility easement through Lots 19 and 20 Block 6 in Gateway Subdivision Hilltop Addition, Plat 2024-2 SRD. The location of the easement prevents the development of the lots and alternate easements have been provided.

Notification: Notice of vacation mailings were sent by regular mail to 42 owners of property within 600 feet. Notice of the proposed vacation was emailed to 6 agencies and interested parties.

The public notice was posted on the Planning Department's bulletin board at the KPB Administration Building.

Staff Analysis:

The petition is to vacate a 20' wide utility easement running across the northern third of the recently created Lot 19, Block 6, and across the southern half of the recently created Lot 20, Block 6, Gateway Subdivision Hilltop Addition, SW 2024-002.

Current and future utilities shall utilize the 10' utility easement established by SW 84-18 and carried forward to Gateway Subdivision Hilltop Addition SW 2024-002, located on the front 10 feet adjacent to the Olympia Road right-of-way.

Utility reviews were all acceptable of the vacation as no utilities are located within the easement to be vacated. There were no comments that the easement was to be used in the future either.

Utility provider review:

HEA	
ENSTAR	no comments or recommendations.
ACS	
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

Findings:

1. The current use of the affected properties is development by the same owner that has created the subdivision that generated Lot 19 and Lot 20, Block 6, KPB 2024-014, and the location of the easement prevents development of the lots as part of the subdivision.
2. The utility easement is not necessary to provide utilities to the newly created Lot 19 or Lot 20, Block 6.
3. ENSTAR provided written non-objection to the proposed vacation while GCI and TelAlaska provided no comment.
4. The City of Seward provided written non-objection to the proposed vacation stating that the 10' easements along the back lot lines granted by Gateway Subdivision Hilltop Addition, SW 2024-002, is sufficient.
5. Gateway Subdivision, Plat SW 84-18, granted a 20' wide utility easement in the southwesterly corner of Tract C on an irregular line for approximately 266.76'.
6. Gateway Subdivision Addition No. 1, SW 85-9, carried forward the 20' easement with no changes to the location.
7. SW 2013-16 carried forward the 20' utility easement from SW 85-9.
8. No surrounding properties will be denied utilities.

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Make the following corrections:

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends **APPROVAL** of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by the KPB Planning Commission and utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months, compliant with the requirements of Chapter 20 of KPB Code or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
 - iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

- E. **A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement 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. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**
- F. **An appeal of the planning commission decision under this section 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*
 - *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*
 - *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.*

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2024-9
SEWARD RECORDING DISTRICT**

Vacates the approximate 8,525 square foot utility easement granted per SW 84-18, beginning from the southeast corner of lot 19, intersecting diagonally, northwest, through lot 20, ending at the western lot line of lot 20, block 6, in Gateway Subdivision Hilltop Addition, Plat SW 2024-002, Seward Recording District, granted by Gateway Subdivision, Plat 84-18 (SW 2024002); within S33, T01N, R01W, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2023-014V

WHEREAS, a request has been received from HILLTOP PROPERTIES LLC of Seward, AK that Vacates the approximate 8,525 square foot utility easement granted per SW 84-18, beginning from the southeast corner of lot 19, intersecting diagonally, northwest, through lot 20, ending at the western lot line of lot 20, block 6, in Gateway Subdivision Hilltop Addition, Plat SW 2024-002, Seward Recording District granted by Gateway Subdivision, Plat 84-18 (SW 2024002); and

WHEREAS, affected utility companies have provided written non-objection to the proposed vacation; and

WHEREAS, the Kenai Peninsula Borough Roads Department provided written non-objection to the proposed vacation; and

WHEREAS, the easement is not in use by the utility companies; and

WHEREAS, no surrounding properties will be denied utilities; and

WHEREAS, on July 22, 2024, the Kenai Peninsula Borough Planning Commission addressed all concerns about the proposed vacation; and

WHEREAS, the Planning Commission has found that vacating the utility easement will not be detrimental to the public interest; and

WHEREAS, 20.70.140 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish vacations by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the above described Vacates the approximate 8,525 square foot utility easement granted per SW 84-18, beginning from the southeast corner of lot 19, intersecting diagonally, northwest, through lot 20, ending at the western lot line of lot 20, block 6, in Gateway Subdivision Hilltop Addition, Plat SW 2024-002, Seward Recording District are hereby vacated.

Section 2. That an as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the locations of the portions of the utility easements being vacated be attached to, and made a part of this resolution, becoming page 2 of 2.

Section 3. That this resolution is eligible for recording upon being signed by the Planning Commission chairperson and will be deemed void if not recorded within 90 days of adoption.

Section 4. That this Resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fee.

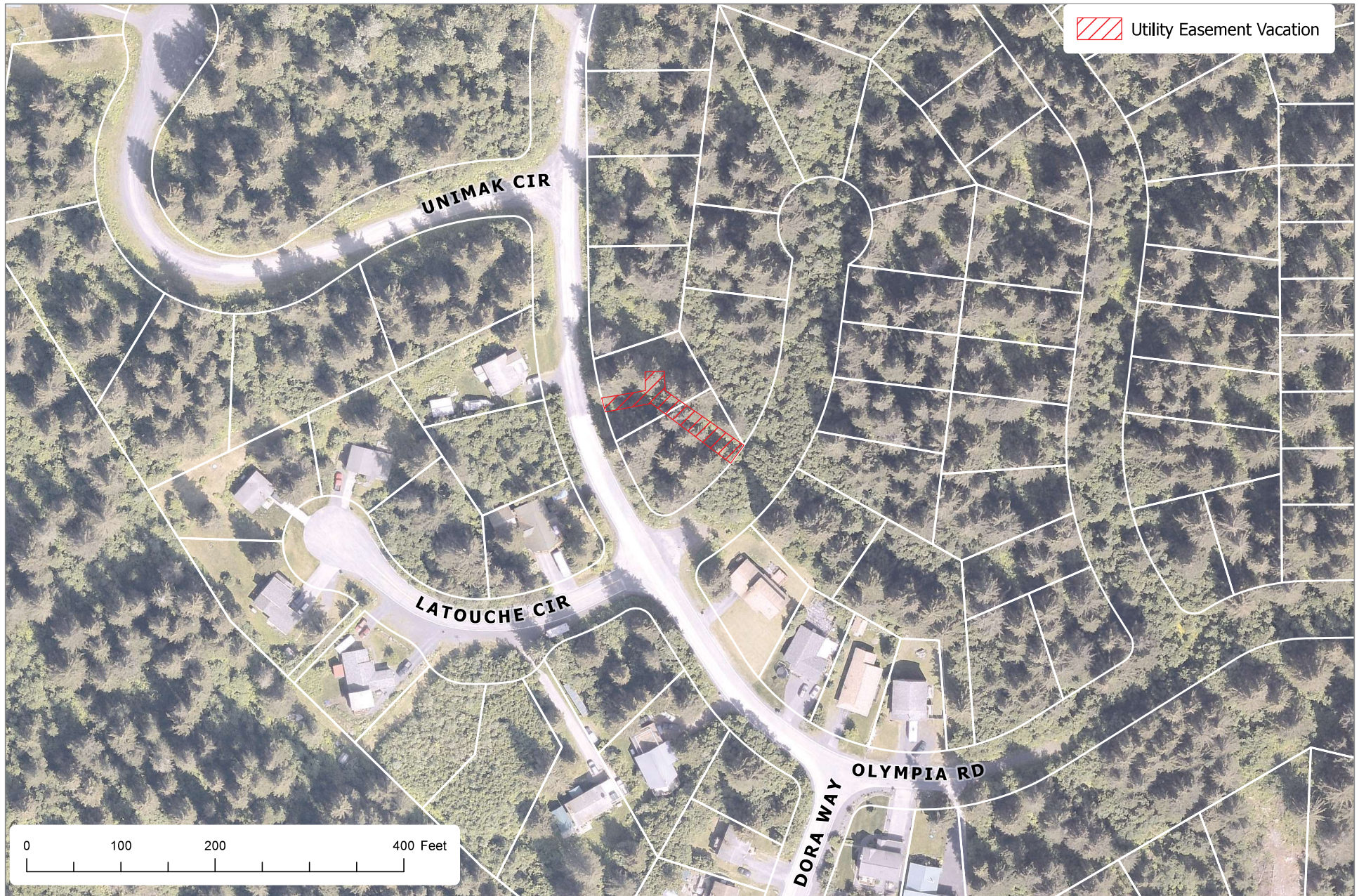
ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS ____ DAY OF _____, 2024.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shimerberg,
Administrative Assistant

Return to:
Kenai Peninsula Borough Planning Department
144 N. Binkley Street
Soldotna, Alaska 99669



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.

CURVE DATA

NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING	TANGENT
1	107°02'31"	230.00	54.92	54.71	S 27°54'16" W	32.88
2	120°00'20"	20.00	41.89	34.64	S 30°00'45" E	34.65
3	79°49'44"	20.00	35.47	28.58	S 87°54'21" W	15.58
4	15°49'13"	180.00	40.70	40.54	N 82°05'24" W	25.01
5	15°54'56"	180.00	50.00	49.84	N 82°05'20" W	29.18
6	8°06'37"	180.00	57.00	56.76	N 85°01'42" W	28.74
7	8°10'34"	180.00	57.08	56.81	N 84°51'37" E	28.77
8	8°09'33"	180.00	57.05	56.81	N 84°51'04" W	28.77
9	16°15'32"	180.00	52.32	51.94	N 11°20'36" W	20.24
10	68°21'13"	180.00	139.11	131.45	N 55°48'20" W	70.36
11	20°32'46"	180.00	43.23	42.80	N 15°19'20" W	21.75
12	88°16'02"	150.00	27.68	26.64	N 6°51'30" W	142.26
13	07°28'13"	180.00	23.67	23.45	S 10°41'12" W	11.78
14	22°13'40"	180.00	59.83	59.39	N 5°32'08" E	35.36
15	17°30'25"	180.00	55.00	54.79	N 30°24'10" E	27.72
16	15°52'37"	180.00	49.77	49.62	N 50°04'41" E	23.05
17	34°28'42"	120.00	72.34	71.06	N 4°10'28" E	37.20
18	28°50'13"	120.00	59.51	59.29	N 85°41'23" W	30.58
19	63°02'55"	150.00	105.06	104.86	N 28°28'32" E	52.01
20	09°10'25"	180.00	10.00	10.00	N 61°30'29" E	5.00
21	21°46'18"	180.00	68.50	68.09	N 76°05'08" E	34.67
22	64°57'03"	20.00	39.40	28.87	N 42°38'46" E	18.26
23	90°00'00"	20.00	31.42	28.28	S 50°00'45" E	9.00
24	24°59'17"	20.00	32.94	31.52	N 72°29'38" E	25.55
25	24°59'17"	150.00	65.42	64.90	N 72°29'38" E	33.28
26	14°10'46"	250.00	105.43	103.30	N 07°19'38" E	60.44
27	14°13'02"	470.00	116.63	116.33	S 07°06'31" W	56.81
28	04°19'31"	470.00	107.31	106.70	S 08°46'27" E	18.37
29	07°17'14"	470.00	59.78	59.74	S 08°06'25" W	29.93
30	07°19'10"	470.00	61.25	61.31	N 07°30'02" E	30.87
31	14°13'02"	530.00	131.51	131.18	N 07°06'31" E	66.10
32	15°15'45"	530.00	137.81	137.45	N 07°06'31" E	68.70
33	14°13'02"	500.00	124.07	123.75	N 07°06'31" E	62.36
34	90°00'00"	20.00	31.42	28.28	S 48°00'00" W	9.00
35	31°30'00"	17.29	30.84	29.36	S 74°16'00" W	58.46
36	31°30'00"	627.29	113.86	112.53	S 74°16'00" W	114.54
37	31°30'00"	177.29	97.47	96.25	S 74°16'00" W	58.46
38	88°16'02"	20.00	31.42	28.28	N 76°30'00" W	20.00
39	90°00'00"	20.00	31.42	28.28	S 13°30'00" W	20.00
40	23°05'00"	29.18	117.90	116.45	S 70°05'30" E	58.61
41	24°30'55"	221.88	94.24	94.21	N 70°40'27" E	48.30
42	11°54'15"	307.66	61.20	61.12	S 30°47'42" W	30.70
43	90°00'00"	20.00	31.42	28.28	S 76°30'00" E	20.00
44	31°30'00"	413.22	227.82	226.53	S 40°40'42" E	116.54
45	90°00'00"	20.00	31.42	28.28	N 42°00'00" E	20.00
46	33°00'00"	360.00	207.34	204.49	N 76°30'00" E	126.54
47	04°00'00"	27.88	286.50	184.32	S 44°00'00" E	483.00
48	19°44'47"	50.00	109.88	99.17	N 62°23'30" E	363.54
49	87°02'45"	170.00	9.93	9.93	S 7°40'19" W	4.97
50	27°02'51"	170.00	68.73	68.26	S 40°55'36" W	34.84
51	27°02'51"	170.00	102.33	102.33	S 28°19'00" W	5.17
52	8°19'25"	205.00	29.78	29.75	S 25°49'48" W	14.82
53	27°14'54"	205.00	70.53	70.53	S 11°12'36" W	34.65
54	10°13'34"	145.00	30.89	26.85	S 00°16'04" W	15.49
55	24°22'37"	145.00	61.69	61.23	S 17°48'09" W	31.37
56	34°00'17"	175.00	106.91	105.36	N 40°28'22" E	60.18
57	30°20'11"	150.00	78.55	77.65	N 79°00'32" W	40.32
58	19°25'54"	205.00	19.43	19.43	N 2°17'46" W	9.72

TRACT B

TRACT A

TRACT C-1

LEGEND:

- Brass Cap Monument
- Aluminum Cap Monument
- Iron Pipe

NOTES:

- All easements shown are 10 ft. utility easements unless otherwise noted.
- 5/8" x 30" rebar to be set at all lot corners unless otherwise noted.
- All street meterline S.I.'s, P.C.'s and P.T.'s will be monumented with a 1 1/2" Al Cap monument on rebar.
- No building construction to occur until sewer and water is available to lots.
- Boundary of Tract C-1 is Record and Measured Per Plat 84-18 Seward Recording Office, Recorded 12-5-84.

CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with RSAC 22.065 and is approved, subject to any noted restrictions.

Signature: *[Signature]* Title: *[Title]* Date: *16 April 85*

CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the property shown and described hereon and that we hereby adopt this plan of subdivision and dedicate all right of ways and public areas to public use and grant all easements to the use shown.

OWNERS

CITY OF SEWARD
Seward, Alaska
GATEWAY VENTURES INC. AGENT
Kenneth Jay Lythgoe, President
6250 1st Street
Anchorage, Alaska 99502

NOTARY ACKNOWLEDGMENT

Subscribed and sworn to before me this 11th day of April, 1985.
Personally Appeared: *Kenneth Jay Lythgoe*
My Commission Expires: *04-23-87*

DEED OF TRUST BENEFICIARY

ALASKA MUTUAL BANK
601 West 3rd Ave.
Anchorage, Alaska
By: *[Signature]* Title: *S.O.P.*

NOTARY ACKNOWLEDGMENT

Subscribed and sworn to before me this 11th day of April, 1985.
Personally Appeared: *Kenneth Jay Lythgoe*
My Commission Expires: *04-23-87*

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of *June 25, 1984*
KENAI PENINSULA BOROUGH
By: *[Signature]*

SURVEYOR'S CERTIFICATE

The seal and signature of the surveyor on the plat certifies that he is properly registered and licensed to practice land surveying in the State of Alaska, that the plat represents a survey made by him or under his direct supervision, and that the monuments shown thereon actually exist as described, and that all dimensions and other details are correct to the best of his knowledge.

Signature: *[Signature]* Title: *Surveyor* Date: *4/15/85*

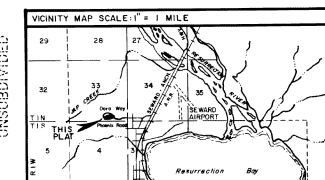
CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with RSAC 22.065 and is approved, subject to any noted restrictions.

Signature: *[Signature]* Title: *[Title]* Date: *16 April 85*

85-9

RECORDED - FILED 000
SEWARD REC. DIST.
DATE: 5/15/85
BY: *[Signature]*
COUNTY: SEWARD
STATE: ALASKA



PLAY OF

GATEWAY SUBDIVISION ADD. No. 1
LOTS 30 thru 45, BLOCK 2, LOTS 1 thru 13, BLOCK 3,
LOTS 1 thru 16, BLOCK 4, TRACTS C-1, C-2 & C-3
LOCATED IN
SE 1/4, Section 35, T.11N, R.11W, S.1M, Alaska
CONTAINING 49.82 ACRES MORE OR LESS

BESSE, EPPS & POTTS
2220 East 86th Ave.
Anchorage, Alaska 99507

Grid Scale: 1" = 100' Date: 1/25/85
Drawn: W.L.H. File No.: 6161 Dwg. No.: 84-164

KPB FILE No. 85-145

UNSUBDIVIDED
S 00°09'14"W - 2535.64'

NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING	TANGENT	NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING	TANGENT	NO.	DELTA	RADIUS	LENGTH	CHORD	BEARING	TANGENT
1	90°00'53"	20.00	31.42	28.29	N 49°00'31"W	20.00	43	53°00'49"	50.00	46.36	44.72	N 68°23'35"W	385.34	64	17°00'33"	20.00	36.32	36.18	S 21°16'09"E	18.50
2	08°59'00"	180.00	17.23	17.32	S 87°16'29"E	18.62	44	18°44'47"	50.00	189.36	99.17	N 62°23'35"W	483.30	65	17°00'33"	20.00	36.32	35.99	S 28°29'31"E	18.04
3	17°30'26"	180.00	50.00	54.79	S 75°46'45"E	27.72	45	18°00'00"	50.00	289.80	184.32	S 44°00'00"W	483.30	66	49°58'19"	20.00	90.00	87.91	S 68°31'47"E	47.24
4	08°59'00"	180.00	50.00	54.79	S 75°46'45"E	27.72	46	3°00'00"	50.00	307.54	204.49	N 73°30'00"W	266.64	67	89°59'00"	20.00	31.41	28.28	N 44°59'28"E	20.00
5	08°59'00"	180.00	50.00	54.79	S 75°46'45"E	27.72	47	90°00'00"	20.00	31.42	28.28	N 49°00'00"W	20.00	68	19°49'00"	20.00	36.47	36.34	N 08°04'52"E	27.87
6	17°30'26"	180.00	50.00	54.79	S 75°46'45"E	27.72	48	31°30'00"	50.00	113.22	107.18	S 24°33'35"W	116.54	69	16°10'23"	20.00	36.32	36.41	S 21°54'16"W	32.68
7	12°43'57"	180.00	40.00	39.92	N 28°34'29"W	20.08	49	90°00'00"	20.00	31.42	28.28	S 76°30'00"W	20.00	70	29°59'32"	170.00	88.99	87.96	N 14°59'42"E	45.54
8	17°30'26"	180.00	50.00	54.79	S 75°46'45"E	27.72	50	11°30'00"	50.00	61.62	61.10	S 62°41'53"W	40.70	71	29°59'32"	200.00	104.89	103.50	N 14°59'42"E	53.56
9	01°46'55"	180.00	5.00	5.00	N 07°00'28"W	2.80	51	90°00'00"	20.00	31.42	28.28	S 13°50'00"W	20.00	72	60°04'52"	180.00	187.26	180.17	N 59°58'41"E	86.73
10	01°46'55"	180.00	5.00	5.00	N 07°00'28"W	2.80	52	07°30'00"	50.00	89.69	81.62	S 88°19'13"W	14.62	73	24°53'30"	150.00	70.40	69.76	N 10°00'40"E	35.86
11	04°20'18"	180.00	13.73	13.73	S 18°01'31"W	8.87	53	18°35'54"	221.88	72.00	71.69	S 68°50'48"E	34.27	74	23°15'35"	150.00	60.89	60.68	N 08°54'52"E	30.87
12	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	54	16°53'54"	221.88	72.00	71.69	S 68°50'48"E	34.27	75	61°42'40"	251.88	127.33	125.69	S 84°01'20"W	122.06
13	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	55	21°41'30"	221.88	84.00	83.50	S 66°08'20"E	42.51	76	38°17'00"	251.88	127.33	125.69	N 50°58'40"W	87.44
14	12°11'47"	281.88	81.47	81.18	S 51°54'30"E	41.02	56	16°53'54"	221.88	72.00	71.69	S 68°50'48"E	34.27	77	29°59'32"	200.00	104.89	103.50	N 14°59'42"E	53.56
15	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	57	23°03'00"	281.88	117.50	116.65	S 70°26'30"W	59.61	78	51°30'00"	443.22	243.67	240.61	N 15°45'00"W	125.00
16	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	58	09°00'00"	281.88	45.00	44.95	N 83°53'47"W	22.55	79	33°00'00"	330.00	150.07	147.46	S 75°00'00"W	97.75
17	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	59	09°00'00"	281.88	45.00	44.95	N 83°53'47"W	22.55	80	18°00'00"	123.87	541.63	243.22	N 44°00'00"W	637.34
18	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	60	09°00'00"	281.88	45.00	44.95	N 83°53'47"W	22.55	81	13°53'40"	50.00	11.89	11.87	S 11°16'56"E	6.97
19	16°53'33"	281.88	81.47	81.18	S 51°54'30"E	41.02	61	14°19'28"	180.00	30.00	29.92	S 13°02'58"W	15.08	82	24°42'53"	50.00	21.57	21.40	S 07°51'23"W	10.95
20	02°22'59"	340.00	16.14	16.14	N 86°28'53"E	5.43	62	08°00'00"	20.00	19.71	18.70	N 01°15'00"E	9.38							
21	02°22'59"	340.00	16.14	16.14	N 86°28'53"E	5.43	63	09°32'57"	120.00	20.00	19.98	N 07°49'23"W	10.02							
22	06°40'15"	210.00	25.00	24.98	S 87°07'36"E	12.51														
23	46°17'42"	50.00	40.40	39.31	S 61°01'15"E	21.37														
24	10°58'54"	50.00	9.58	9.57	S 53°25'59"E	4.81														
25	30°46'09"	50.00	31.26	30.76	S 44°01'06"E	16.49														
26	16°14'10"	180.00	80.01	80.84	N 64°58'30"E	35.68														
27	74°00'00"	150.00	138.73	180.64	N 67°00'00"E	113.03														
28	09°11'01"	180.00	10.00	10.00	N 44°00'00"E	5.00														
29	43°02'53"	50.00	86.95	86.12	N 64°00'47"W	19.36														
30	88°11'04"	50.00	76.95	69.58	N 41°30'35"W	48.44														
31	74°00'00"	50.00	68.60	67.27	S 41°44'00"W	17.87														
32	62°00'00"	50.00	54.10	51.50	N 68°00'00"W	30.04														
33	17°00'00"	50.00	14.83	14.78	S 28°00'00"E	7.47														
34	74°00'00"	120.00	14.38	14.44	S 57°00'00"E	90.45														
35	23°00'00"	250.00	10.00	10.00	N 67°00'00"E	11.71														
36	90°00'00"	20.00	31.42	28.28	N 13°50'00"W	20.00														
37	08°41'30"	473.22	87.30	87.08	S 17°31'45"E	43.73														
38	10°33'30"	473.22	87.30	87.08	N 00°00'00"W	35.08														
39	10°33'30"	473.22	87.30	87.08	N 00°00'00"W	35.08														
40	90°00'00"	20.00	31.42	28.28	N 44°00'00"W	20.00														
41	35°00'00"	300.00	172.79	171.41	S 75°00'00"W	171.87														
42	15°00'00"	151.99	424.36	302.12	N 44°00'00"W	791.67														

TRACT A

TRACT B

TRACT A

TRACT C

LEGEND

- Brass Cap Monument
- Aluminum Cap Monument
- Iron Pipe

NOTES

- This plat vacates all of the right-of-way, lot lines and dedicated utility easements within S 351 Terminal Addition Section 35, T.1N, R.1W, City of Seward.
- All easements shown are 10 ft. utility easements unless otherwise noted.
- 5/8" x 30" rebar to be set at all lot corners unless otherwise noted.
- All street centerlines S.1's, P.C.'s and P.T.'s will be monumented with a 1/2" Al Cap monument on rebar.
- No building construction to occur until sewer and water is available to lots.

REVISION

THIS PLAT WAS REVISED TO MAKE TECHNICAL CORRECTION AS DESCRIBED IN RECORDED AFFIDAVIT DATED _____ BOOK _____ PAGE _____

CERTIFICATE OF OWNERSHIP

We hereby certify that we are the owners of the property shown and described herein and that we hereby adopt this plan of subdivision, and dedicate all right-of-ways and public areas to public use and grant all easements to the use shown.

OWNERS

Ronald A. Garini
City Manager
as approved by Seward City Council
P.O. Box 107, Seward, Alaska 99664

Ronald A. Garini
Date 8-8-84

NOTARY ACKNOWLEDGMENT

Subscribed and sworn to before me personally appeared *Ronald A. Garini* this 8th day of August 1984.
4-21-87
My Commission Expires _____ Notary Public

CERTIFICATE OF APPROVAL BY THE ALASKA

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
This subdivision has been reviewed in accordance with 18AACP.940 and is approved subject to any noted restrictions.
Ruth Lawrence 8/30/84
SIGNATURE TITLE DATE

PLAT APPROVAL

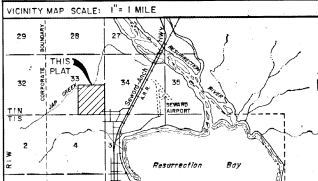
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of August 25, 1984
KENAI PENINSULA BOROUGH

SURVEYOR'S CERTIFICATE

The seal and signature of the surveyor on the plat certifies that he is properly registered and licensed to practice land surveying in the State of Alaska, that the plat represents a survey made by him or under his direct supervision, and that the monuments shown thereon actually exist as described, and that all dimensions and other details are correct to the best of his knowledge.
Andrew F. ... 8/1/84
Registered Professional Land Surveyor Date



'AMENDED'



PLAT OF
GATEWAY SUBDIVISION
Lots 1 thru 25, Block 1, Lots 1 thru 21, Block 2,
Lots 4 thru 7, Block 6, Lots 1 thru 13, Block 8 & Tracts A, B & C
LOCATED IN
SE 1/4, Section 35, T.1N, R.1W, S. 5 M., Alaska
CONTAINING 24.51 ACRES MORE OR LESS

BESSE, EPPS & POTTS
2220 East 88th Ave.
Anchorage, Alaska 99507

Grid Scale 1" = 100' Date 6/5/84
Drawn C.R. File No. WD No. 6161 Prep No. 84-142
Book 84-18 Page 1-9, Book 84-19 Page All, Book 84-21 Page 1-7

Main Motion Passed

Unanimous

Resolution 2023-001, Recommending Kenai Peninsula Borough Approval of the Preliminary Replat of Gateway Subdivision, Addition No. 2, Tracts C4, C5, C6 & C7, Tract C-4; Located at 2104 Olympia Road; Creating.

Motion to Approve (Charbonneau/Monaco)

Approve Resolution 2023-001

Bringhurst stated on November 28, 2022 council had approved Hilltop Properties for the Developer Reimbursement Program via Resolution 2022-116. There would be approximately \$4 million spent to install water, sewer, and electric infrastructure, as well as roads and paving for this 87-home, 21.3-acre subdivision. Bringhurst said all conditions of Seward City Code 16.01.015 were met and Community Development recommended approval.

Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened.

Carol Griswold, inside the city, supported the development of new housing, but she was concerned with the high density of this proposed development; there would be traffic congestion and noise. Eighty-seven lots was a huge subdivision; only 55 were dedicated to single family homes, 22 for two family homes, and seven for multi-family homes. She thought development should focus on single family homes. She predicted issues with parking, traffic, pedestrian safety, and congestion. She estimated that once all the homes were occupied, there would be an additional 132 to 366 vehicles traveling through the area, plus bicycles and pedestrians. Griswold noted there would be a pedestrian pathway on the south portion which connected to the cross-country trail; for students walking to the elementary, middle, and high schools, she wondered if the pedestrian path would be lighted.

Joe Tougas, inside the city, grew up in this neighborhood and had fond memories. He wanted to address the housing shortage in Seward and wanted to build affordable housing. The development plans included a walking path for students to access, but it wasn't fully developed in the plan because he needed to research the impact of turning the path into a right-of-way.

Carol Griswold, inside the city, thought this development would be great for single families; she was only concerned about the density of housing.

No one else appeared and the public hearing was closed.

Hornseth wondered where the rights-of-way might be planned to alleviate potential traffic congestion. Tougas said the options were limited. Staggs wondered if Sea Lion Avenue could connect into Phoenix Drive, although bringing more traffic by the schools would not be a great solution.

Charbonneau was pleased there would be 60-foot roads in this development. There would be congestion because Dora Way was already not wide enough; unfortunately, that couldn't be

changed. He was happy that the majority of the lots would be single family, and thought it was important to provide some variety of housing options because not everyone could afford to purchase a home. He thought the plan looked good.

Monaco thought a lot of students would use the pedestrian path and walk to school, which may alleviate some of the school vehicle traffic.

Sullivan said this 22-acre development would result in a housing boon that would help immensely.

Hornseth wondered if sidewalks could be considered, given the anticipated increase in pedestrian traffic. Bickling said a 60 foot right of way would be adequate to accommodate a sidewalk.

Motion Passed

Unanimous

Resolution 2023-002, Recommending City Council Approval Of The Land Use Amendment To Rezone Proposed Gateway Subdivision, Hilltop Addition Lots 32-48, Block 6 & Lots 31-35, Block 4 From Single-Family Residential (R1) Zoning District To Two-Family Residential (R2) Zoning District And To Rezone Proposed Lots 17-30, Block 4, From Single-Family Residential (R1) Zoning District To Multi-Family (R3) Zoning District.

Motion to Approve (Charbonneau/Hornseth) Approve Resolution 2023-002

Bringhurst said this rezone would allow the housing development to have two family and multi-family homes; adjacent to the south it was zoned for multi-family. She said Community Development had reviewed and analyzed the square footage requirements and it was appropriate; she recommended approval.

Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened.

Carol Griswold, inside the city, said recommending amendments to the Land Use Plan warranted thorough discussion and evaluation; rezones should not be approved without consideration of the facts. She said the following items should be considered: 1) were the rezones supported by the comprehensive land use plan and future land use maps? 2) Were the lots sizes adequate? 3) were there special characteristics present on site to justify zoning it differently? 4) what were the benefits and detriments to the landowners, neighbors, and community? Would any of them be harmed if the rezone was denied? and, 5) was there broad community support for the rezoning? Griswold said she opposed rezoning from R1 to R2 and R3.

Joe Tougas, inside the city, said in the development plan, the proposed R3 portion abutted an existing R3 lot. The townhomes would be single family homes put into a townhome setting. The proposed R2 portion was designed to be transition between R3 and R1. The result would be a variety of homes, from single family to two family, to single family townhomes.

No one else appeared and the public hearing was closed.

Charbonneau liked to see R1, but was pleased to see a variety of homes being proposed because that would provide accessible housing for people in different stages of life.

In response to Staggs, Bringhurst said a multi-family dwelling in R3 would require a conditional use permit before construction could begin; the commission, at that time, would have the opportunity to review more detailed site plans, including trash, parking, and landscaping considerations.

Motion Passed

Unanimous

Resolution 2023-003, Recommending Kenai Peninsula Borough Approval Of The Preliminary Replat Of Jesse Lee Heights Subdivision, Lot 6 & 7, Block 1, Located At 206 & 208 Great Bear Circle; Moving The Interior Lot Line Further To The East To Resolve A Shed Encroachment Issue; Creating Jesse Lee Heights Great Bear Addition, Lots 6A & 7A, Block 1.

Motion to Approve (Charbonneau/Staggs)

Approve Resolution 2023-003

Bringhurst said this replat would adjust an interior lot line, but would not create a new parcel of land; this replat was the result of an encroachment issue of a shed on Lot 6. Lot 6 would be increased by 1,893 square feet and would be renamed Lot 6A Block 1, and Lot 7 would be decreased by that square footage and would not be renamed. Community Development recommended approval.

Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened.

Jackie Wilde, inside the city, was the owner of 206 Great Bear Circle. She thought this replat was fairly straightforward.

No one else appeared and the public hearing was closed.

Charbonneau said it appeared that both property owners were in favor and this action would not affect any other properties.

Motion Passed

Unanimous

UNFINISHED BUSINESS – None

NEW BUSINESS

Resolutions – None

Other New Business Items

**CITY OF SEWARD, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION 2023-001**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SEWARD, ALASKA RECOMMENDING KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY REPLAT OF GATEWAY SUBDIVISION, ADDITION NO. 2, TRACTS C4, C5, C6 & C7, TRACT C-4; LOCATED AT 2104 OLYMPIA ROAD; CREATING GATEWAY SUBDIVISION, HILLTOP ADDITION, LOTS 1-3 & 8-72, BLOCK 6 AND LOTS 17-35, BLOCK 4.

WHEREAS, Hilltop Properties LLC has submitted a preliminary replat to the City of Seward for review and recommendation to the Kenai Peninsula Borough; and

WHEREAS, on November 28th, 2022, the City Council passed Resolution 2022-116 authorizing the City Manager to approve the Developer Reimbursement application for the Hilltop Properties improvement district which authorizing an expenditure in the amount of \$3,993,000 for water, sewer, and electrical improvements, roads, paving, and appropriating funds for the proposed subdivision to be located on Tract C-4; and

WHEREAS, the Tract C-4 is 21.3 acres and is zoned Single-family Residential (R1); and

WHEREAS, this replat will subdivide Tract C-4, creating 87 new Lots; and

WHEREAS, proposed Lots 18-29, Block 4 are being subdivided for Townhouses and exceed the minimum lot width requirement of 12 feet; and

WHEREAS, only six (6) contiguous townhouses can be built in a row, and the townhouse lots are broken up into sections of four (4) contiguous townhouses, Lots 18-21, Lots 22-25, and Lots 26-29; and

WHEREAS, the remaining lots meet the minimum lot size requirement of 6,000 square feet; and

WHEREAS, the proposed subdivision is not located within a flood zone; and

WHEREAS, a subdivision agreement has been required to satisfy Seward City Code §16.01.010 – “Required public improvements”; and

WHEREAS, all conditions required by Seward City Code §16.01.015, Conditions to plat approval, were met; the property owners within 300 feet of the requested replat were notified of the proposed subdivision, and the property was posted with public notice signage; and

WHEREAS, it is the Planning and Zoning Commission's responsibility to act in an advisory capacity to the Kenai Peninsula Borough regarding subdivision plat proposals.

NOW, THEREFORE, BE IT RESOLVED by the Seward Planning and Zoning Commission that:

Section 1. The applicant is required to enter into a subdivision agreement with the City to meet the requirements of Seward City Code 16.05.010.

Section 2. The Commission hereby recommends that, in accordance with Seward City Code Section 16.01.015 (B), the Kenai Peninsula Borough approve the submittal of the Replat of Gateway Subdivision, Addition No. 2, Tracts C4, C5, C6 & C7, Tract C-4; Located at 2104 Olympia Road; Creating Gateway Subdivision, Hilltop Addition, Lots 1-3 & 8-72, Block 6 and Lots 17-35, Block 4.

Section 3. This resolution shall take effect immediately upon its adoption.

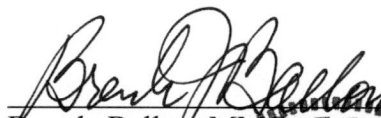
PASSED AND APPROVED by the Seward Planning and Zoning Commission this 10th day of January, 2023.

THE CITY OF SEWARD, ALASKA

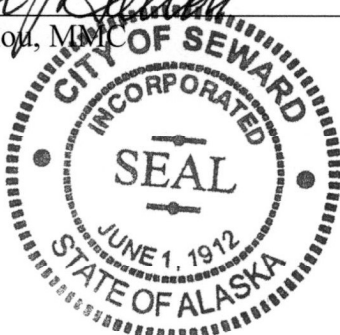

Clare Sullivan, Chair

AYES: Monaco, Staggs, Charbonneau, Hornseth, Sullivan
NOES: None
ABSENT: Verhey, Ulman
ABSTAIN: None
VACANT: None

ATTEST:


Brenda Ballou, MMC
City Clerk

(City Seal)



Planning and Zoning Agenda Statement



Meeting Date: January 10, 2023

To: Planning and Zoning Commission

Through: Jason Bickling, Community Development Director

From: Courtney Bringhurst, Planner

Agenda Item: Resolution 2023-001: Recommending Kenai Peninsula Borough Approval of the Preliminary Replat of Gateway Subdivision, Addition No. 2, Tracts C4, C5, C6 & C7, Tract C-4; Located at 2104 Olympia Road; Creating Gateway Subdivision, Hilltop Addition, Lots 1-3 & 8-72, Block 6 and Lots 17-35, Block 4.

Background and justification:

Attached for the Commission's review and recommendation to the Kenai Peninsula Borough Planning Commission is a preliminary replat submitted by Hilltop Properties LLC. This platting action will create Gateway Subdivision, Hilltop Addition, Lots 1-3 & 8-72, Block 6 and Lots 17-35, Block 4, by subdividing Gateway Subdivision, Addition No. 2, Tracts C4, C5, C6 & C7, Tract C-4, also known as 2104 Olympia Road.

On November 28, 2022 the Seward City Council approved Resolution 2022-116 authorizing the City Manager to approve the Developer Reimbursement application for the Hilltop Properties improvement district which authorized an expenditure in the amount of \$3,993,000 for water, sewer, and electrical improvements, roads, paving, and appropriating funds for the proposed subdivision to be located on Tract C-4

The proposed subdivision will create 87 new lots. Hilltop Properties LLC will be responsible to connect each of these lots to City water, sewer, electric, and roads. Exact specifications for the implementations of these public improvements will be detailed in a subdivision agreement between Hilltop Properties LLC and the City of Seward.

Lots 18-29, Block 4 are being subdivided for Townhouses. Seward City Code 15.10.235(f) states that the minimum lot width for an individual townhouse is 12 feet. Lots 18-29 have a width greater than 12 feet. Seward City Code 15.10.235(d) states that not more than six contiguous townhouses shall be built in a row with the same or approximately the same front line. Lots 18-29 are broken up into groups of four (4) lots with two larger lots on each end to provide appropriate setback spacing between contiguous townhouses. All other requirements of Seward City Code 15.10.235 will be met before a building permit is issued.

The remaining lots in the proposed subdivision meet the minimum lot size requirement of 6,000 square feet.

All conditions required by Seward City Code §16.01.015, Conditions to plat approval, were met. The property owners within 300 feet of the requested replat were notified of the proposed subdivision, and the property was posted with public notice signage

In accordance with Borough requirements, the City must review and comment on a plat before

submittal to the Borough for approval.

Subdivision Review:

Zoning: The property is zoned Single-Family Residential (R1).

Size: Tract C-4 is 21.3 acres. The proposed replat would create 87 new parcels ranging in lot size from 3,993 s.f. to 20,951 s.f. The lots smaller than 6,000 square feet are to be used for townhouses.

Utilities: The applicant will be responsible for connecting the subdivision to City water, sewer, electric, and roads. A subdivision agreement will be made between the applicant and the City to ensure that the public improvements are installed appropriately.

Existing Use: The parcel is currently vacant land.

Access: The proposed subdivision will be accessed primarily from Phoenix Road and Olympia Road. Three new 60' rights-of-way will be built with this subdivision. Two cul-de-sacs that have access onto Olympia Road, and an extension of Phoenix Road that will connect to the corner of Olympia Road and Afognak Ave.

Flood Zone: According to the Kenai Peninsula Borough Floodplain map, the lots are not within a Flood Zone.

Comprehensive and Strategic Plan Consistency Information

This legislation is consistent with (citation listed):

Comprehensive Plan: Vol 1, Chapter 3.2.1 – "Promote residential and commercial development within the City of Seward and its vicinity in accordance with community values."
Vol 1, Chapter 3.3.1 – "Encourage development of new housing in Seward."
Vol 1, Chapter 3.3.1.2 – "Create incentives to provide land for housing development within the City of Seward."
Vol 1, Chapter 3.7.1.3 – "Continue to upgrade and expand utilities to meet existing needs and encourage future development"

Strategic Plan: Promote Residential and Commercial Development Inside the City (Page 9-10)

- Encourage construction of residential and seasonal housing at all market levels
- Develop infrastructure and utility expansion for currently undeveloped residential and commercial property
- Reduce utility costs

Staff Comments

Department	Comments	No Comment	N/A
Building Department		X	
Fire Department		X	
Public Works Department		X	

Harbor Department		X	
Police Department		X	
Electric Department		X	
Telecommunications		X	

Public Comment

Property owners within three hundred (300) feet of the proposed platting action were notified of this public hearing. Public notice signs were posted on the property and all other public hearing requirements of Seward City Code §15.01.040 were complied with.

At the time of this publication the Community Development Department has received public inquiries. If any correspondence is received after publication of this agenda statement, it will be submitted to the Commissioners for their review.

Recommendation

Commission approve Resolution 2023-001, recommending City Council and Kenai Peninsula Borough Approval of the Preliminary Replat of Gateway Subdivision, Addition No. 2, Tracts C4, C5, C6 & C7, Tract C-4; Located at Olympia Road; Creating Gateway Subdivision, Hilltop Addition, Lots 1-3 & 8-72, Block 6 and Lots 17-35, Block 4.



ENSTAR Natural Gas Company, LLC
Engineering Department, Right of Way Section
401 E. International Airport Road
P. O. Box 190288
Anchorage, Alaska 99519-0288
(907) 277-5551
FAX (907) 334-7798

March 12, 2024

Kenai Peninsula Borough, Platting Division
144 North Binkley Street
Soldotna, Ak 99669

To whom it may concern:

ENSTAR Natural Gas Company has reviewed the following easement vacation and preliminary plat and has no comments or recommendations.

- **Gateway Subdivision Hilltop Addition
(Lot 19 & 20 Utility Easement Vacation)**
- **Serenity Subdivision 2024 Replat
(Resubdivision Lot 1 & 2 Serenity Subdivision)**

If you have any questions, please feel free to contact me at (907) 714-7521 or by email at Skylar.furlong@enstarnaturalgas.com.

Sincerely,

Skylar Furlong

Skylar Furlong
Environmental Permitting & Compliance Specialist
ENSTAR Natural Gas Company, LLC

seggy@ptialaska.net

From: seggy@ptialaska.net
Sent: Wednesday, March 6, 2024 2:08 PM
To: 'row@enstarnaturalgas.com'; 'pburett@cityofseward.net'; 'OSP Design Group';
'roads@kpb.us'; 'chofllich@tealaska.com'
Subject: Easement vacation
Attachments: Gateway Subd. Hilltop Addn.pg2.pdf

Please review the highlighted easement vacation and send your comments to me. Thank you.

John F. Segesser
Segesser Surveys Inc
907-262-3909 Office
907-252-3421 Cell

seggy@ptialaska.net

From: Griebel, Scott <SGriebel@kpb.us>
Sent: Tuesday, March 12, 2024 8:48 AM
To: 'seggy@ptialaska.net'
Subject: FW: <EXTERNAL-SENDER>Easement vacation
Attachments: Gateway Subd. Hilltop Addn.pg2.pdf

RSA Plat Comments:

Gateway Subdivision Hilltop Addition. – Within the City of Seward and outside of KPB RSA authority- No RSA Comments

Scott Griebel, KPB RSA Director

From: Agosti, Elaine <eagosti@kpb.us>
Sent: Monday, March 11, 2024 10:04 AM
To: Griebel, Scott <SGriebel@kpb.us>
Subject: FW: <EXTERNAL-SENDER>Easement vacation

From: Road Service Area
Sent: Monday, March 11, 2024 8:17 AM
To: Kinnie, Kevin <KKinnie@kpb.us>
Subject: FW: <EXTERNAL-SENDER>Easement vacation

Another one...

From: seggy@ptialaska.net <seggy@ptialaska.net>
Sent: Wednesday, March 6, 2024 2:08 PM
To: row@enstarnaturalgas.com; pburett@cityofseward.net; 'OSP Design Group' <ospdesign@gci.com>; Road Service Area <Roads@kpb.us>; choflch@tealaska.com
Subject: <EXTERNAL-SENDER>Easement vacation

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.

Please review the highlighted easement vacation and send your comments to me. Thank you.

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