

## **E. NEW BUSINESS**

- 2. Seward Original Townsite Budd Replat; KPB File 2025-183**  
**Johnson Surveying / Budd, Spear-Budd**  
**Location: First Avenue**  
**City of Seward**

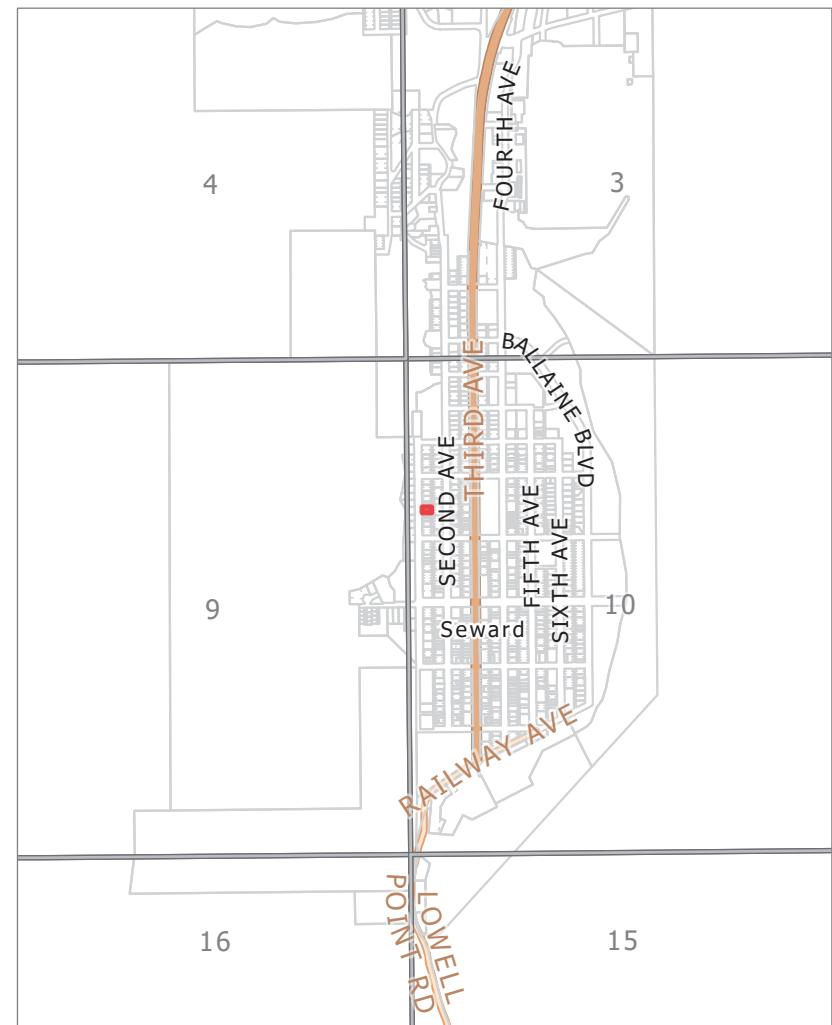


KENAI PENINSULA BOROUGH

# Planning

## Vicinity Map

12/22/2025



KPB File 2025-183  
T01S R01W SEC10  
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.



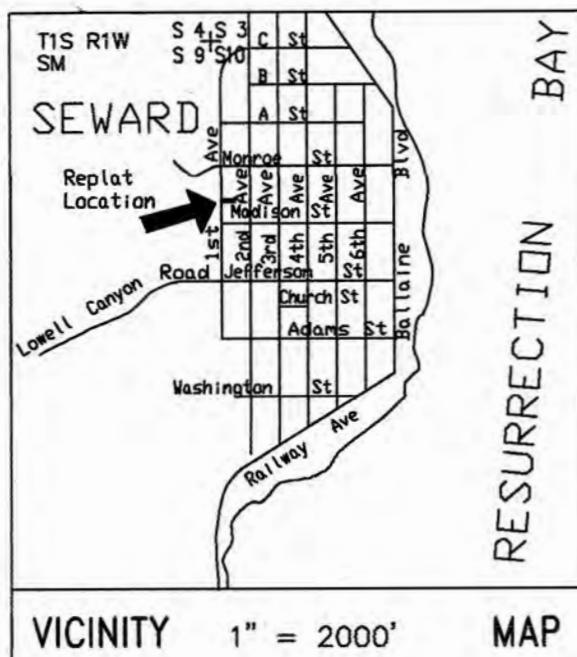
KENAI PENINSULA BOROUGH  
**Planning**

Aerial Map

KPB File 2025-183  
12/22/2025



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# Seward Original Townsite Budd Replat Preliminary Plat

A replat combining Lots 29 & 30 Block 27 Seward Original Townsite, SWD #1. Located in USS 726, Within the NW 1/4 Section 10, T1S R1W, Seward Meridian, City of Seward, Kenai Peninsula Borough, Alaska.  
Seward Recording District Kenai Peninsula Borough File

Prepared for

Eric Budd & Kay Spear-Budd  
2100 Hanning Bay Circle  
Anchorage, AK 99515

Prepared by

Johnson Surveying  
P.O. Box 27  
Clam Gulch, Ak 99568  
(907) 262-5772

SCALE 1" = 30' AREA = 6,000 sq ft 3 October, 2025

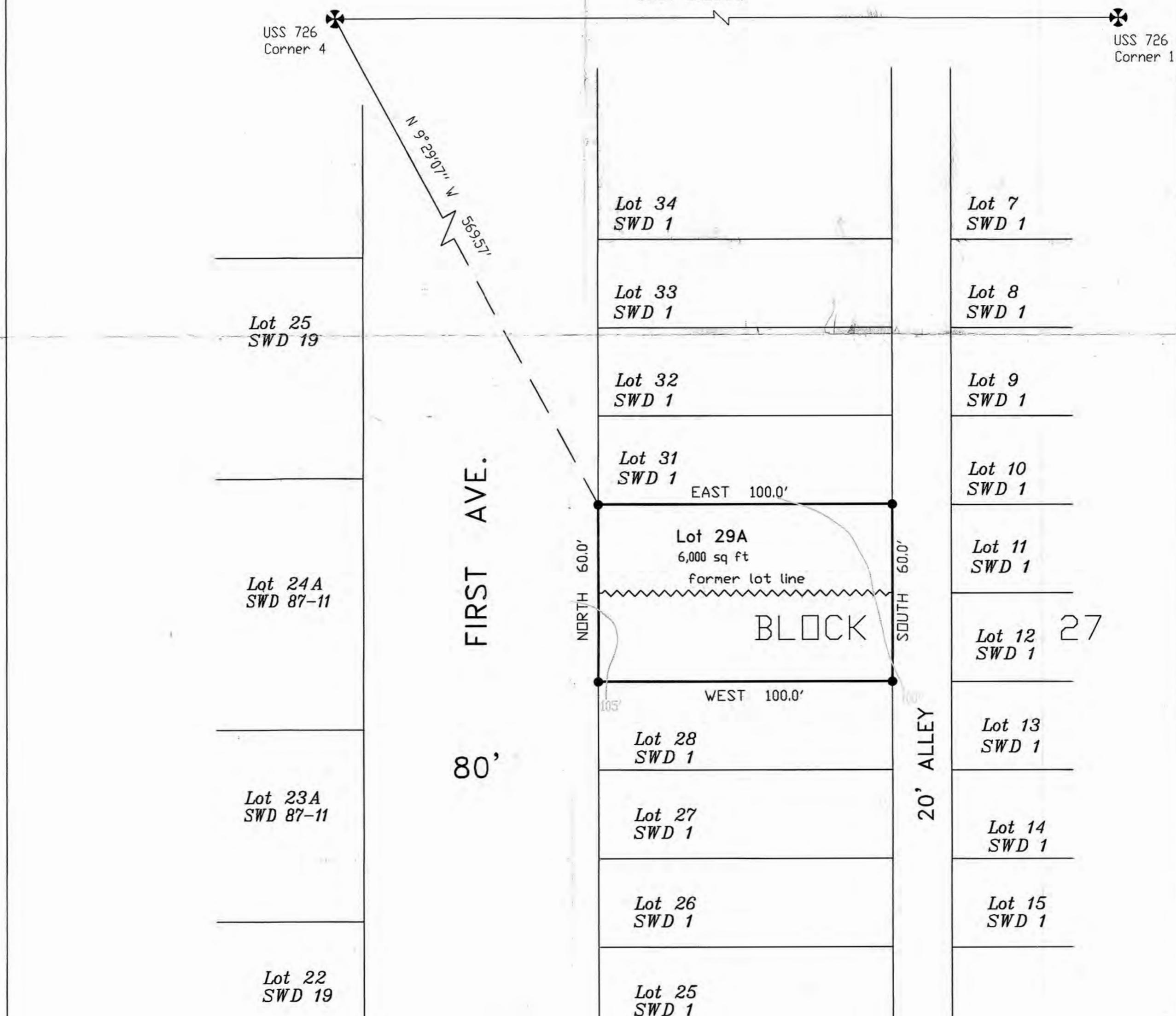
## LEGEND

— Stone Monument, Record USS 726  
 ● — Lot corner set in plat SWD#1, not described.  
 (C) — Calculated from record information, SWD#1.

NOTES:

1. This plat is subject to City of Seward Land Use and Zoning regulations.
2. 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.
3. Lot is served by City water & sewer.
4. This is a paper plat. A field survey was not performed in accordance with KPB 20.60.2. Monumentation shown is of record (SWD #1) and not recovered.
5. Contour interval 5'. There are no wet areas on the property.

BASE BEARING USGLD 1903  
EAST 2125.86'



## WASTEWATER DISPOSAL

20.40.070 Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation

AGENDA ITEM E. NEW BUSINESS

**ITEM #2 - PRELIMINARY PLAT  
SEWARD ORIGINAL TOWNSITE BUDD REPLAT**

<b>KPB File No.</b>	2025-183
<b>Plat Committee Meeting:</b>	January 26, 2026
<b>Applicant / Owner:</b>	Eric Budd and Kay Spear-Budd of Anchorage, Alaska
<b>Surveyor:</b>	Jerry Johnson, Johnson Surveying
<b>General Location:</b>	First Avenue, City of Seward

<b>Parent Parcel No.:</b>	148-050-03 and 148-050-23
<b>Legal Description:</b>	T 1S R 1W SEC 10 Seward Meridian SW 0000001 ORIGINAL TOWNSITE OF Seward LOTS 29 AND 30, BLK 27
<b>Assessing Use:</b>	Residential Vacant
<b>Zoning:</b>	City of Seward Zoning Single-Family Residential (R1)
<b>Water / Wastewater</b>	City Water / City Sewer
<b>Exception Request</b>	None Requested

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** The proposed plat will combine two lots of 3,000 square feet (0.069 acres) each into a single lot of 6,000 square feet (0.138 acres).

**Location and Legal Access (existing and proposed):**

The proposed plat is located off First Avenue within the City of Seward.

Legal access is provided from the west by First Avenue, an 80-foot city-maintained road. Multiple routes are from First Avenue to the north provide access to the Seward Highway, a state-maintained road.

The proposed lot will have access to First Avenue and to a 20-foot unnamed alley on the east, both dedicated by parent plat, Seward Original Townsite (SW-1). The City of Seward permits alleyways as a secondary means of access, not intended for general traffic.

No new right-of-way dedications or vacations are proposed with this platting action.

No section line easements affect the plat area.

Block length is defined by First Avenue to the west, A Street, Second Avenue and Monroe Street.

KPB Roads Dept. comments	Out of Jurisdiction: Yes  Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	No comments

**Site Investigation:**

No structures are depicted on the preliminary plat. A review of KPB GIS, KPB Assessing records, and the City of Seward staff report confirms that the property is vacant.

Available data indicates that no wetlands affect the proposed platting area.

Contours are shown on the preliminary plat at 5-foot intervals, with no grades exceeding 20%. **Staff recommends** removing contours from the final plat pursuant to KPB 20.60.010, and modifying plat note #5 accordingly.

Based on available information, the proposed plat is located within a non-regulatory Floodzone, Zone X, an area of minimal flood risk (FEMA map panel 02122C5005E).

**Staff notes** The City of Seward is considered an independent community by the National Flood Insurance Program (NFIP) and is not within the jurisdiction of the KPB Floodplain Management Program. Seward administers their own floodplain management programs under City Code 15.25 Floodplain Management.

**Staff recommends** adding the following note to the plat referencing the Floodzone and map panel. No depiction is required:

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. The developer is responsible for contacting the city to determine any restrictions prior to any development for areas within a Floodzone and/or Floodway.

KPB River Center review	A. Floodplain  Reviewer: Hindman, Julie Floodplain Status: Within City of Seward Comments: No comments  B. Habitat Protection  Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments
State of Alaska Fish and Game	No Response

#### **Staff Analysis**

Originally, land was surveyed as USS 726 for the Frank L. Ballaine Soldiers Addition Homestead Claim. A portion was later platted as the Original Townsite of Seward (SW-1) into forty blocks, creating Lots 29 and 30, Block 27. The proposed plat will vacate the common lot line between these lots, resulting in Lot 29A, Block 27.

Although the replat was not submitted as an abbreviated plat, it meets all requirements listed under 20.10.040 (A):  
1.The subdivision divides a single lot into not more than four lots or the subdivision moves, or eliminates, lot lines to create not more than four lots or tracts.  
2.The subdivision provides legal and physical access to a public highway or street for each lot created by the subdivision;  
3.The subdivision does not contain or require a dedication of a street, right-of-way or other area; and  
4.The subdivision does not require a vacation of a public dedication of land or a variance from a subdivision regulation.

Pursuant to KPB 20.60.200(A), a field survey will not be performed. Plat note #4 references the parent plat (SW-1) as the monumentation of record.

The proposed lot is 6,000 square feet, exceeding the City of Seward minimum lot size of 3,000 square feet as stated in City of Seward Resolution 2025-034.

City of Seward Resolution 2025-034 also states the proposed Lot has access to city water, sewer, and electricity and that a subdivision agreement will not be required.

A soils report will not be required and an engineer will not need to sign the plat, as the new lot is currently served by City water and sewer. The required wastewater disposal note per KPB 20.40.070 has been added to the plat.

The plat was approved during the December 2, 2025 City of Seward Planning and Zoning Commission by Resolution 2025-034. The subdivision is subject to the City of Seward Zoning and Subdivision Regulations as noted in plat note #1.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is not within an advisory planning commission.

#### **Utility Easements**

No utility easements are depicted or noted on the plat. No utility easements are on record per the Certificate to Plat or original survey. No easements were recommended by the City or Utility Companies. City of Seward Resolution 2025-034 states the proposed Lot has access to city electricity. Confirmation from the City Planner has been provided stating no additional utility easements are required on this plat.

The affected utility providers were emailed the subdivision plat public hearing notice as part of the routine notification process. **Staff recommends** to grant utility easements requested by the utility providers or work with the utility providers to obtain approval.

#### **Utility provider review:**

HEA	Not within HEA's service area. No comments or concerns at this time.
ENSTAR	No comments or recommendations
ACS	No objections.
GCI	Approved as shown
SEWARD ELECTRIC	No response
TELALASKA	No response

#### **KPB department / agency review:**

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 518 FIRST AVE, 516 FIRST AVE  Existing Street Names are Correct: Yes  List of Correct Street Names: FIRST AVE  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: CITY OF SEWARD WILL ADVISE ON ADDRESSES
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan

	<p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required</p>
Assessing	<p>Reviewer: Windsor, Heather Comments: No comment</p>

The subdivision plat has been reviewed and generally complies with the 2019 Kenai Peninsula Borough Comprehensive plan.

## **STAFF RECOMMENDATIONS**

### **CORRECTIONS / EDITS**

- Modify KPB File Number to 2025-183

### **KPB 20.25.070 – Form and contents required**

***Staff recommendation:*** *final plat submittals must comply with 20.25.070. Additional information, revisions, and/or corrections are required as noted below.*

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion. The parent plat's name shall be the primary name of the preliminary plat.
2. Legal description, location, date, and total area in acres of the proposed subdivision;
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor.

***Staff recommendation:***

- Convert total area to acreage
- Change prepared for to owners

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

***Staff recommendation:***

- Depict section lines
- Modify street names: *First Avenue, Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue*
- Depict and label Lowell Creek

### **KPB 20.30 – Subdivision Design Requirements**

***Staff recommendation:*** *final plat submittals must comply with 20.30. Additional information, revisions, and/or corrections are required as noted below.*

20.30.060. Easements-Requirements.

D. Unless a utility company requests additional easements, the front ten feet adjoining rights-of-way shall be designated as a utility easement, graphically or by note. Within the boundaries of an incorporated city, the width and location of utility easements will be determined by the city and affected utility providers.

20.30.080. Alleys. Alleys are prohibited unless allowed by city ordinance.

20.30.190. Lots-Dimensions.

A. The size and shape of lots shall provide usable sites appropriate for the locality in which the subdivision is located and in conformance with the requirements of any zoning ordinance effective for the area in which the proposed subdivision is located. Generally, lots shall be square or rectangular. Lots shall be at least 60 feet wide on the building setback line. The minimum depth shall be no less than 100 feet, and the average depth shall be no greater than three times the average width.

20.30.200. Lots-Minimum size.

Except in cities where zoning and subdivision regulations establish different minimums, lots must be designed to meet the following area requirements:

A. Lots shall contain at least 6,000 square feet if served by public wastewater disposal and water systems.

B. Lots shall contain at least 40,000 square feet if both the well and wastewater disposal are to be located on the lot unless it can be demonstrated to the satisfaction of the commission that a smaller lot size is adequate for the safe location and operation of an on-site well and wastewater disposal system.

C. Subdivisions designed to be served by public wastewater disposal and water systems but not yet served by such systems may be permitted to contain lots of less than 40,000 square feet if the following conditions are met:

1. The available area may be reduced to 20,000 square feet when public water or wastewater disposal system is available, complying with KPB 20.40;

2. A statement from an engineer affixed with his seal and signature attesting that the proposed lot design and associated building restrictions will assure adequate area is available to each building site for safe on-site well and wastewater disposal, including area for a replacement wastewater disposal system.

20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, "Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements."

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#### **KPB 20.40 – Wastewater Disposal**

**Staff recommendation:** *final plat submittals must comply with 20.40. Additional information, revisions, and/or corrections are required as noted below.*

20.40.070 Connection to an existing system.

WASTEWATER DISPOSAL: Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.

C. If all lots in the subdivision are served by a wastewater treatment and disposal system within a home rule or general law city, then signature by a licensed engineer or surveyor is not required.

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#### **KPB 20.60 – Final Plat**

**Staff recommendation:** *final plat submittals must comply with 20.60. Additional information, revisions, and/or corrections are required as noted below.*

Comply with 20.60.

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

20.60.200. Survey and monumentation.

A. All subdivisions shall be surveyed except subdivisions which only eliminate existing property lines.

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#### **RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:**

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO 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

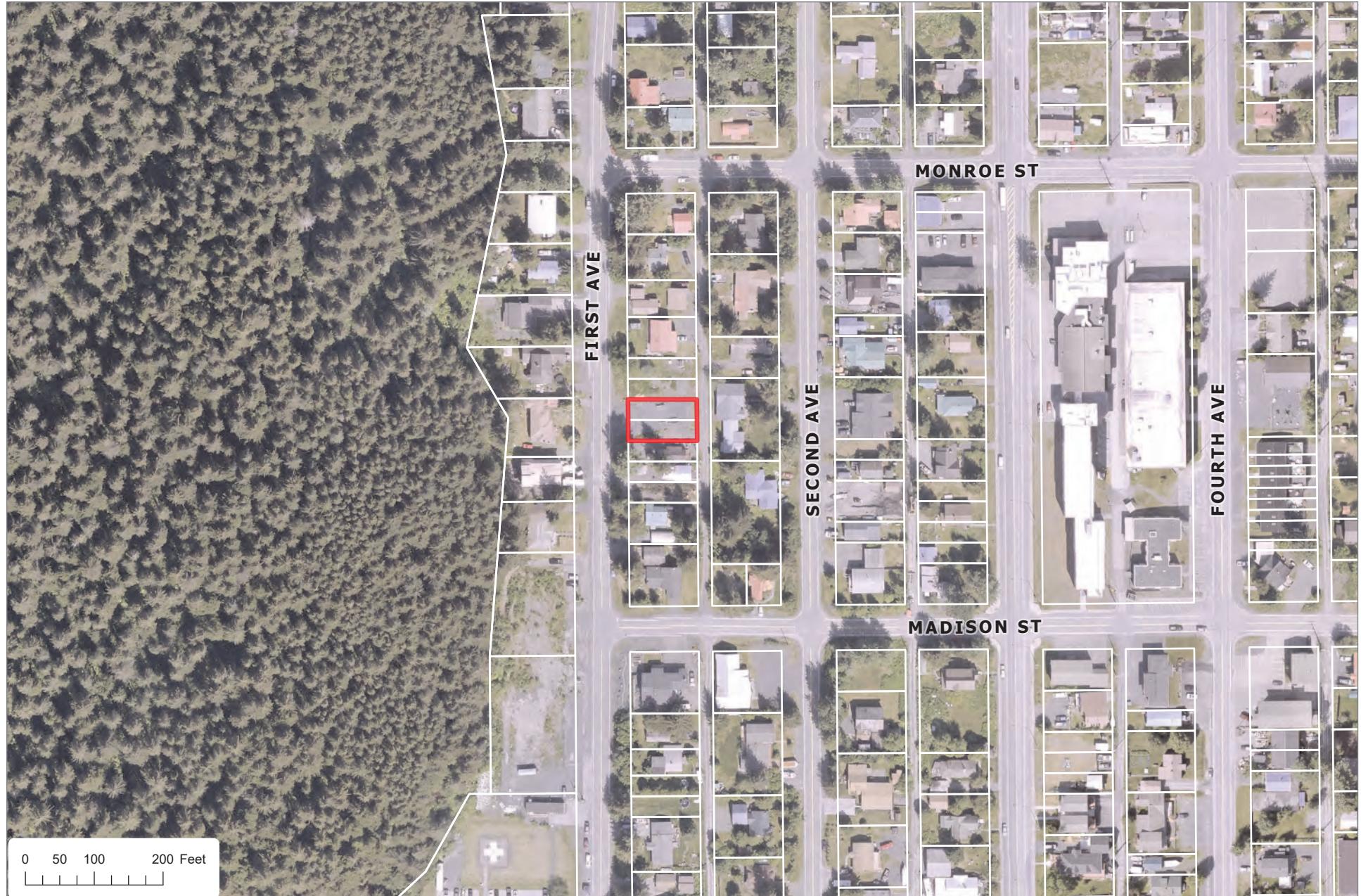


KENAI PENINSULA BOROUGH

## Planning

Aerial Map

KPB File 2025-183  
12/22/2025



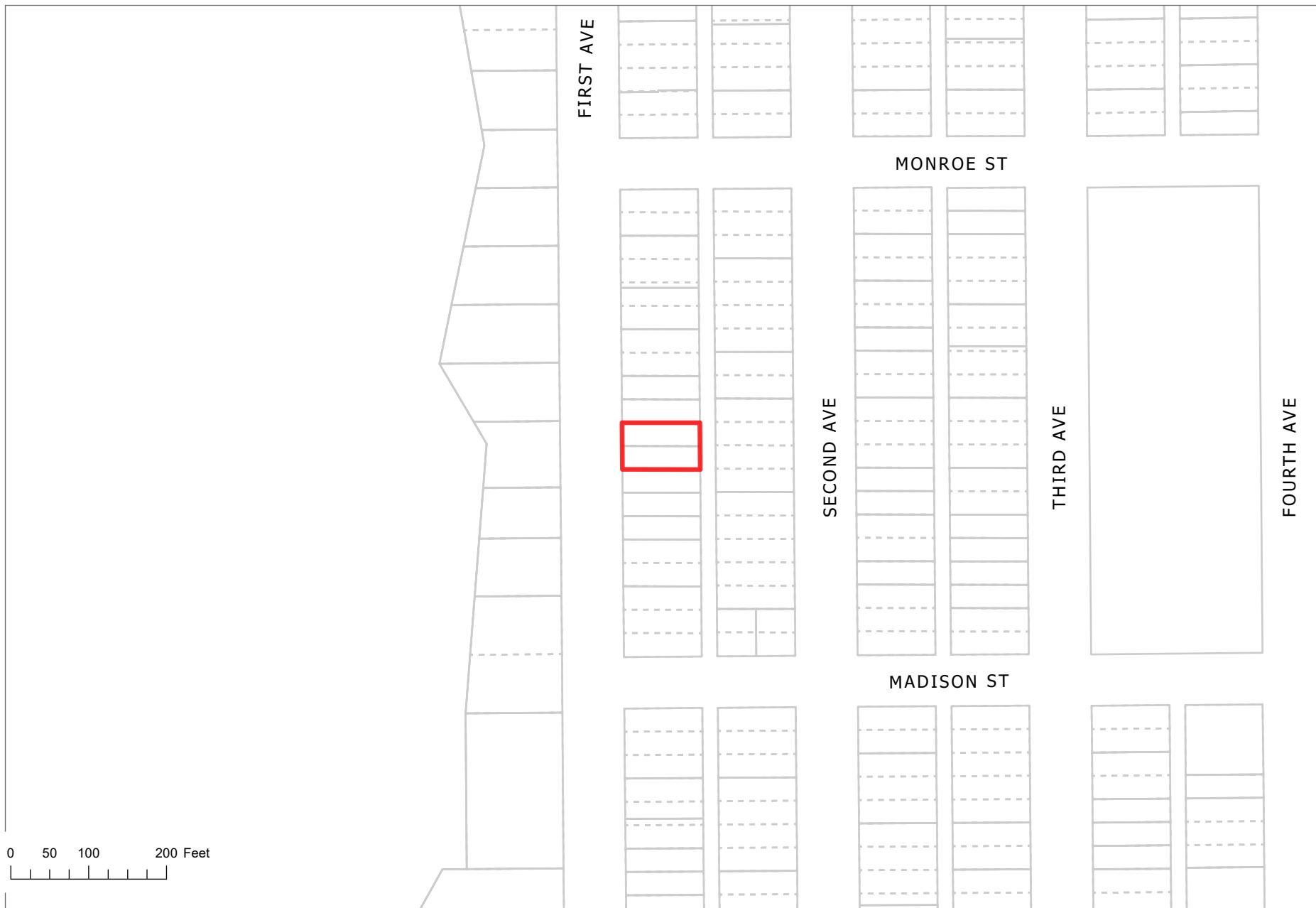
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KENAI PENINSULA BOROUGH  
**Planning**

Wetlands

KPB File 2025-183  
12/22/2025



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# SEWARD

## ALASKA

Scale 1 inch = 300 feet

C. M. Anderson  
Engineer



District of Alaska  
Cook Inlet District  
and Recording Office

The within instrument was filed for record  
at 1 o'clock P.M., June 7, 1905, and duly recorded  
in Book 2 of Deeds on page 4, 5th page of the  
records of said Office.

H. H. Hildreth  
District Recorder



### DESCRIPTION

This plot of "SEWARD" is located upon the Frank L. Bellaine  
Soldiers Addition Homestead entries known as survey N° 726 North  
and survey N° 726 South located on Resurrection Bay, Alaska.

The initial point of this plot is the south-east corner of Block  
N° Nine (9) which is 296 feet south, and 912 feet west of witness  
corner to corner N° 112 of said survey N° 726 South.

Regular lots are 39 x 130 feet, lots 14 and 21 of Block 84640  
are 1576 feet wide. Jefferson Street is 100 ft. wide. All other  
east and west streets are 66 feet wide. North and south  
avenues are 80 ft. wide, alleys are 20 ft. wide. Railway Avenue  
is 60 feet wide.

The angle point on the north-easterly line of Plot of Acre is at  
the west margin of Third Avenue, being 908 feet south of the south  
line of Adams Street. West 600 of lot 10, block 1 is 80 ft. in length.

Pt. for curve in Block 6 is 134.33 feet north of the south line of  
Adams Street and upon the east boundary of survey N° 726 South.

Radius for curve in Block 6 is 560.686 feet. Tract 11 is a  
strip 13.86 feet wide, east and west, extending from the North  
Boundary of survey N° 726 North to the south Boundary of survey  
N° 726 South.

The boundaries of all lots of plot, excepting the line made on the  
south part by Railway Avenue are cardinal points of the compass  
as ascertained and determined by the United States Deputy Sur-  
veyor in the survey of said homestead entry, and designated  
and shown by his monuments on the said boundary lines of plot.

The east line of lot 10, block 1, is 80 feet in length.

### DESCRIPTION

Know all men by these presents that the undersigned, Frank  
L. Bellaine, is the owner in fee simple of the tract of land above  
described and that the said Frank L. Bellaine has dedicated  
and donated and hereby does dedicate and donate to the  
Public the use of all the Avenues, Streets, and Alleys shown  
upon the map hereto annexed and described in the description  
herein annexed as public highways for passage and travel  
same by ordinary vehicles and foot passage, and to be subject to  
the right of Frank L. Bellaine his heirs and assigns to consume  
manure and excrete in, along, and through the length of any  
and all avenues, streets and alleys and any portion thereof, as  
railways, or electric traction, street railways, elevated railways,  
under-ground railways, elevated highways, elevated  
walks, high lines, and lights, as may be and hereafter  
made, and hydroelectric, and other power and transmission  
poles, wires, funiculars, cables, tubes, pipes, and manholes, to the  
full of right, rights and liberties lawfully possessed and reserved to  
said Frank L. Bellaine his heirs and assigns to the said public  
highways and the dedication of said tract of land to the public use  
whereas has been made.

In witness whereof the said Frank L. Bellaine has countersigned  
and his hand and affixed his seal.

Frank L. Bellaine

Signed and sealed as aforesaid

Robert J. Height

James A. Height

### ACKNOWLEDGMENT

State of Washington  
County of King

Be it remembered that on the 31<sup>st</sup> day of May, 1905, before  
the undersigned a Notary public and Notary Public, personally appeared Frank L. Bellaine to me known to be the person  
described in the instrument, and that he did then and there execute the foregoing instrument and that  
I, the undersigned Notary Public, then and there witnessed the execution of the same, and that he did then and there  
voluntarily for the uses and purposes therein mentioned.

James A. Height  
Notary Public and for the State of  
Washington, residing at Seattle

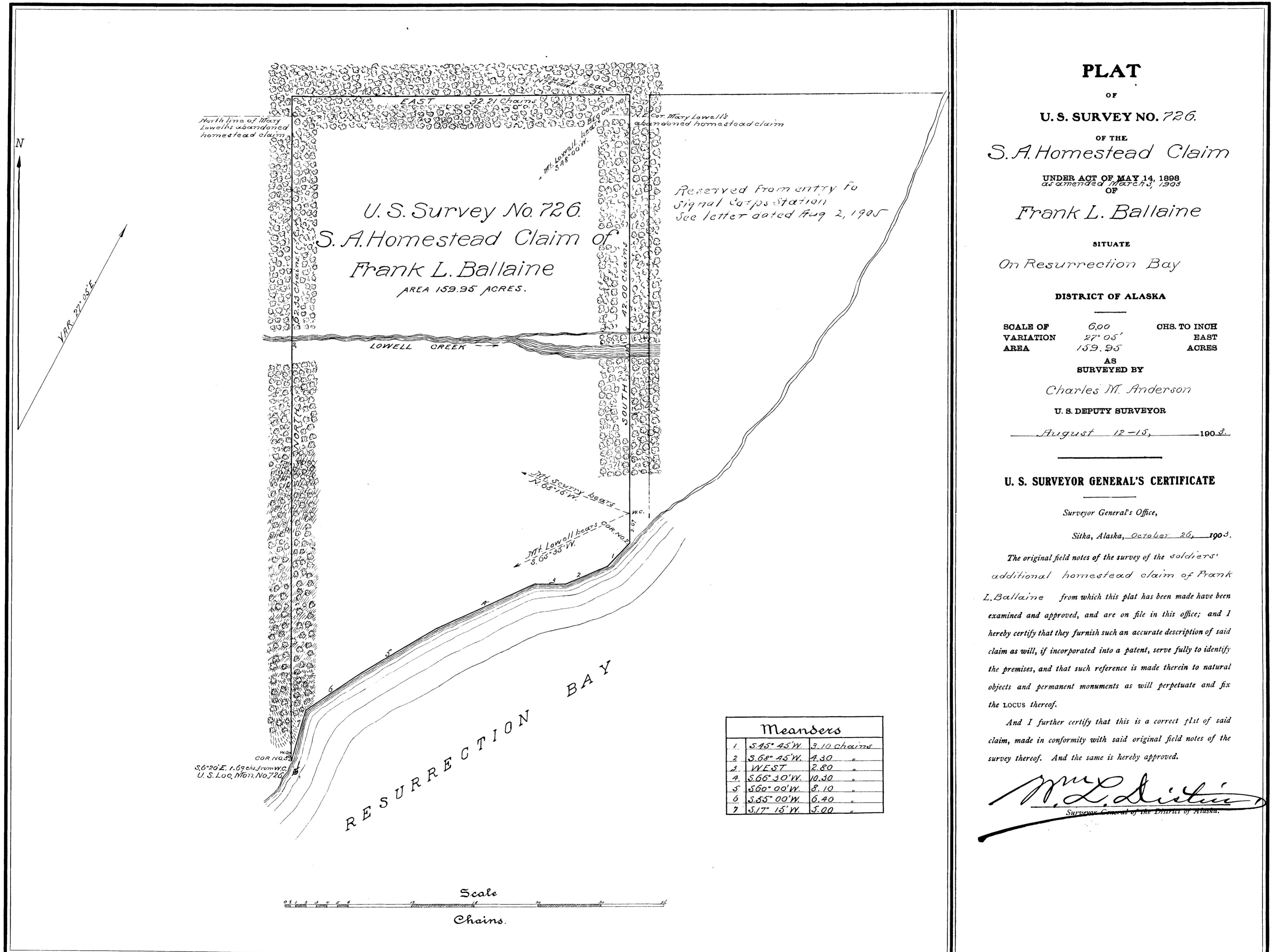


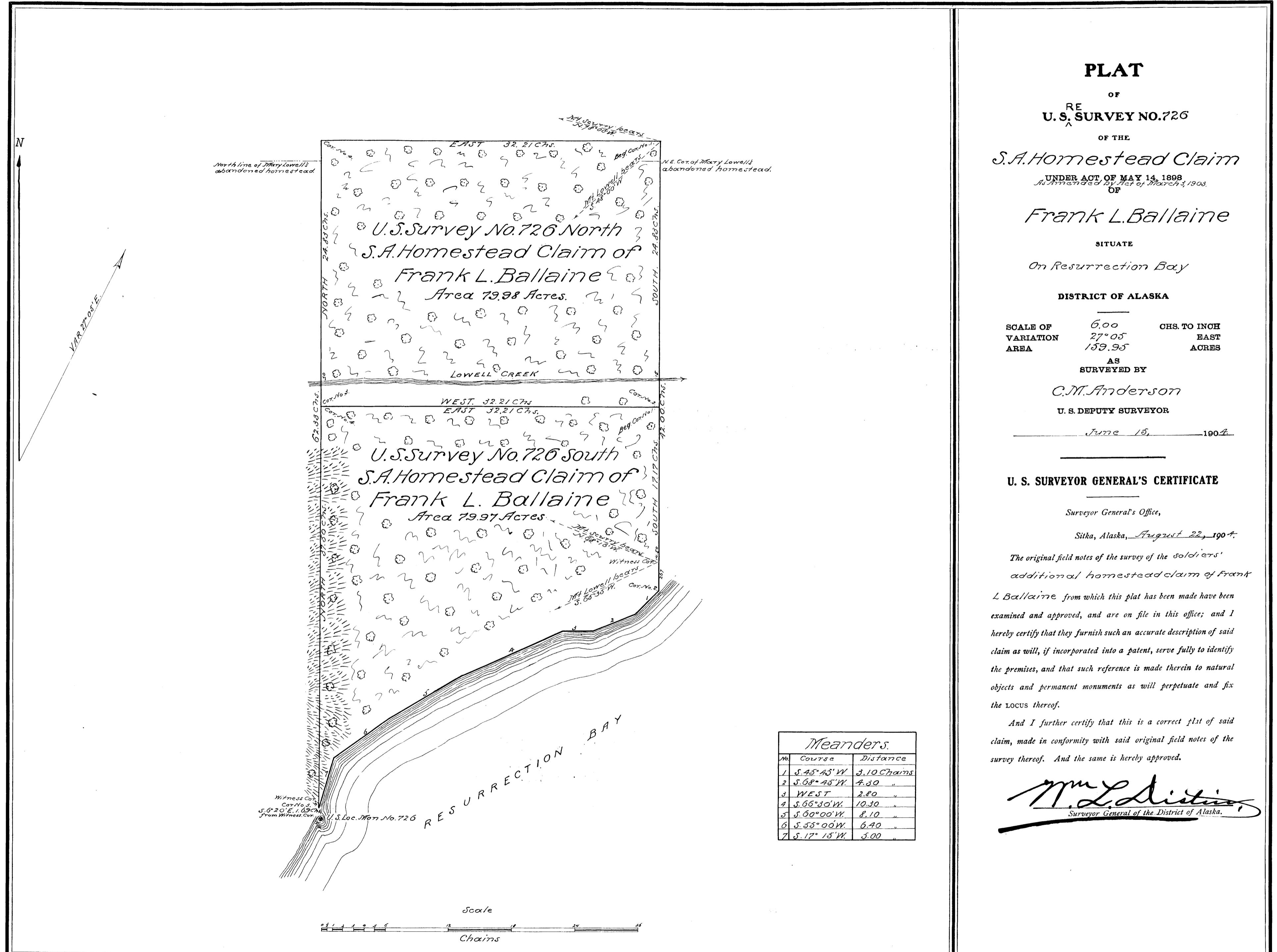
Subscribed  
Frank Thompson  
George Turner  
Frank L. Bellaine  
John E. Dalton

Record June 21, 1905









**Sponsored by:** Applicant

**CITY OF SEWARD, ALASKA  
PLANNING AND ZONING COMMISSION  
RESOLUTION 2025-034**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF SEWARD, ALASKA, RECOMMENDING KENAI  
PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY PLAT OF  
516 AND 518 FIRST AVENUE, VACATING THE INTERIOR LOT LINE  
AND CREATING ONE LOT TO BE KNOWN AS LOT 29A, BLOCK 27,  
SEWARD ORIGINAL TOWNSITE BUDD REPLAT**

**WHEREAS**, Eric Budd and Kay Spear-Budd have submitted a preliminary plat for review and recommendation to the Kenai Peninsula Borough Planning Commission; and

**WHEREAS**, the proposed plat vacates the interior lot line between Lots 29 and 30, Block 27, Original Townsite of Seward, and creates one lot, Lot 29A, Block 27, Seward Original Townsite, Budd Replat; and

**WHEREAS**, Lots 29 and 30 are currently vacant; and

**WHEREAS**, the owners plan to develop Lot 29A; and

**WHEREAS**, both lots are zoned single-family residential (R1); and

**WHEREAS**, the size of Lot 29A meets the required minimum lot size and lot width for the single-family residential zoning district; and

**WHEREAS**, according to the Kenai Peninsula Borough Floodplain map, Lot 29A is not within a Special Flood Hazard Area (SFHA); and

**WHEREAS**, Lot 29A has access to city water, sewer, and electricity; and

**WHEREAS**, Lot 29A has access to First Avenue; and

**WHEREAS**, a subdivision agreement will not be required with this plat; and

**WHEREAS**, Seward City Code §16.01.015(F) states that a plat submitted to create a single parcel through the vacation of interior lot lines shall be exempt from the public hearing and notification requirements; 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 within the City of Seward.

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

**CITY OF SEWARD, ALASKA**  
**RESOLUTION 2025-034**

**Section 1.** 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 preliminary plat of Lots 29 & 30, Block 27, Original Townsite of Seward, creating Lot 29A, Seward Original Townsite Budd Replat.

**Section 2.** This resolution shall take effect immediately upon adoption.

**PASSED AND APPROVED** by the Seward Planning and Zoning Commission this 2<sup>nd</sup> day of December, 2025.

**THE CITY OF SEWARD, ALASKA**

*Brenan Hornseth*

**Brenan Hornseth, Vice Chair**

AYES: Charbonneau, Verhey, Pemberton, Hubbard, Sullivan, Hornseth  
NOES: None  
ABSENT: None  
ABSTAIN: None  
VACANT: One

**ATTEST:**

*Kris Peck*

Kris Peck  
City Clerk

(City Seal)



## **CALL TO ORDER**

The Tuesday, December 2, 2025, Regular Meeting of the Planning & Zoning Commission was called to order at 7:00 p.m. by Vice Chair Brenan Hornseth.

## **PLEDGE OF ALLEGIANCE**

Commissioner Sullivan led the Pledge of Allegiance.

## **ROLL CALL**

There were present:

Brenan Hornseth, presiding, and  
Nathaniel Charbonneau  
Vanessa Verhey  
Rhonda Hubbard  
Clare Sullivan  
June Pemberton

comprising a quorum of the Commission; and

Daniel Meuninck, Community Development Director  
Courtney Bringhurst, City Planner  
Jamie Crocker, Executive Assistant  
Jodi Kurtz, Deputy City Clerk

Excused – None  
Absent – None  
Vacant – One

## **PUBLIC COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING - None**

### **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Motion (Sullivan/Hubbard)**

**Approval of Agenda and Consent Agenda**

**Motion Passed**

**Unanimous**

The clerk read the following approved consent agenda items:

**Approval of November 4, 2025, Planning & Zoning Commission Meeting Minutes**

**Resolution 2025-034**, of the Planning and Zoning Commission of the City of Seward, Alaska, recommending Kenai Peninsula Borough approval of the preliminary plat of 516 & 518 First Ave, vacating the interior lot line and creating one lot to be known as Lot 29A, Block 27, Seward Original Townsite Budd Replat

## **SPECIAL ORDERS, PRESENTATION, AND REPORTS**

### **Proclamations and Awards**

Recognizing Sean Ulman's service on the Planning and Zoning Commission

### **City Administration Report**

**Community Development Director Daniel Meuninck** hoped everyone had a good Thanksgiving and shared information about the door decorating contest at City Hall. He announced that Jamie Crocker has released the second Planning and Zoning Commission newsletter, noted there is a vacancy on the commission, and thanked Chair Griswold for her service. He explained that the commission could either select a new Chair in January 2026 or hold a special meeting in December.

**Other Reports and Announcements** – None

**Presentations** - None

## **PUBLIC HEARINGS**

### **Resolutions Requiring Public Hearing**

**Resolution 2025-035**, of the Planning and Zoning Commission of the City of Seward, Alaska, granting a conditional use permit to The Tufted Puffin LLC to operate a drive-thru window to sell retail cannabis products and non-cannabis food and beverage items from their business located at 408 Port Avenue within an Auto Commercial (AC) Zoning District

**Motion (Sullivan/Charbonneau)**

**Approve Resolution 2025-035**

**City Planner Courtney Bringhurst** explained regulatory and safety considerations for the proposed drive-thru, queuing space, traffic impacts, and site compatibility.

Meuninck noted the public's interest and explained everyone's role in this hearing. He stated the administration job was to stay neutral, help applicants, and provide the commission with the required information. He explained that the conditional use permit [CUP] is only for the drive-thru at a marijuana retail store, so the commission should focus on issues like traffic, safety, lighting, and site design. He reminded the commission that marijuana use and retail stores were already approved by the State of Alaska.

## Planning and Zoning Agenda Statement



Meeting Date: December 2, 2025

To: Planning and Zoning Commission

Through: Daniel Meuninck, Community Development Director

From: Applicant

Agenda Item: Resolution 2025-034, of the Planning and Zoning Commission of the City of Seward, Alaska, recommending Kenai Peninsula Borough approval of the preliminary plat of 516 and 518 First Ave, vacating the interior lot line and creating one lot to be known as Lot 29A, Block 27, Seward Original Townsite Budd Replat

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### Background and justification:

Attached for the Commission's review and recommendation to the Kenai Peninsula Borough Planning Commission is a preliminary plat submitted by Eric Budd and Kay Spear-Budd.

The proposed plat vacates the interior lot line between Lots 29 and 30, Block 27, Original Townsite of Seward, and creates one lot, Lot 29A, Block 27, Seward Original Townsite Budd Replat.

The applicants own Lots 29 and 30, which are currently vacant. The owners plan to build a new structure on Lot 29A, which will meet the development requirements for the single-family zoning district.

Seward City Code §16.01.015(A) states that "No preliminary or final plat for the subdivision or resubdivision of land located within the city limits shall be approved by the city unless all of the required improvements set forth in section 16.05.010 are provided for by the subdivider, owner, proprietor or developer in the manner described in section 16.05.015."

The proposed plat has access to developed rights-of-way and city water, sewer, and electricity. Thus, a subdivision agreement will not be required with this plat.

Seward City Code §16.01.015(F) states that a plat submitted to create a single parcel through the vacation of interior lot lines shall be exempt from the public hearing and notification requirements.

In accordance with City and Borough requirements, the Seward Planning and Zoning Commission must review and comment on a preliminary plat before submittal to the Borough for approval.

### Subdivision Review:

**Zoning:** The property is currently zoned single-family residential (R1).

**Size:** Lot 29A will be 6,000 square feet. The required minimum lot size is 3,000 square feet.

**Utilities:** Lot 29A has access to city water, sewer, and electricity

**Existing Use:** Both lots are vacant.

**Access:** Lot 29A has access to First Avenue.

**Flood Zone:** The property is not located within a Special Flood Hazard Area (SFHA).

#### **Comprehensive and Strategic Plan Consistency Information**

This legislation is consistent with (citation listed):

Comprehensive Plan:	Vol 1, Chapter 2.2.11
	<ul style="list-style-type: none"><li>• “Promote infill development by encouraging and promoting construction on vacant sites in areas of the city which are already established.”</li></ul>
Strategic Plan:	N/A

#### **Staff Comments**

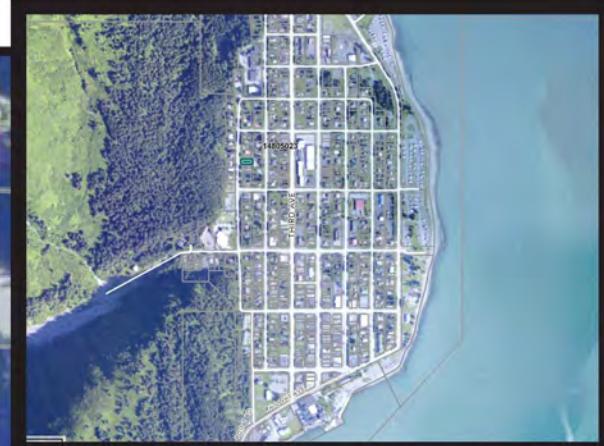
Department	Comments	No Comment	N/A
<b>Building Department</b>		X	
<b>Fire Department</b>		X	
<b>Public Works Department</b>		X	
<b>Harbor Department</b>		X	
<b>Police Department</b>		X	
<b>Electric Department</b>		X	
<b>Telecommunications</b>		X	

#### **Public Comment**

At the time of this publication the Community Development Department has received no public inquiries. If any correspondence is received after publication of this agenda statement, it will be submitted to the Commissioners for their review.

#### **Recommendation**

The Commission is required to provide a recommendation to the Kenai Peninsula Borough Planning Commission if they feel it has met the requirements in Seward City Code Title 15 and 16. [SCC 16.01.015 B]



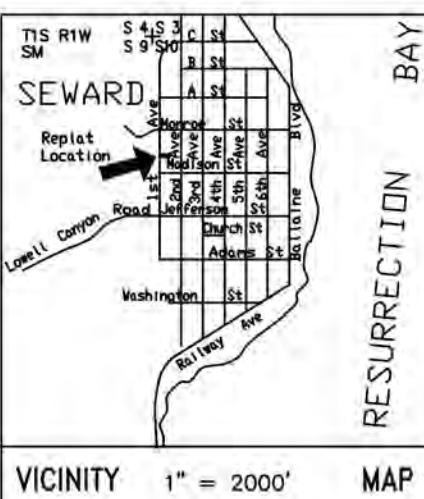
Context Map

## Preliminary Plat Application Property Map

RES 2025-034 - Vacating the interior lot line between 516 & 518 Fifth Avenue to create one lot to be known as Lot 29A, Block 27, Seward Original Townsite Budd Replat

Location: 516 & 518 Fifth Avenue  
Parcel #: 14805003 & 14805023





# Seward Original Townsite Budd Replat

Preliminary Plat

A replat combining Lots 29 & 30 Block 27 Seward Original Townsite, SWD #1. Located in USS 726, Within the NW 1/4 Section 10, T1S R1W, Seward Meridian, City of Seward, Kenai Peninsula Borough, Alaska. Seward Recording District Kenai Peninsula Borough File

## Prepared for

Eric Budd  
2100 Hanning Bay Circle  
Anchorage, AK 99515

## Prepared by

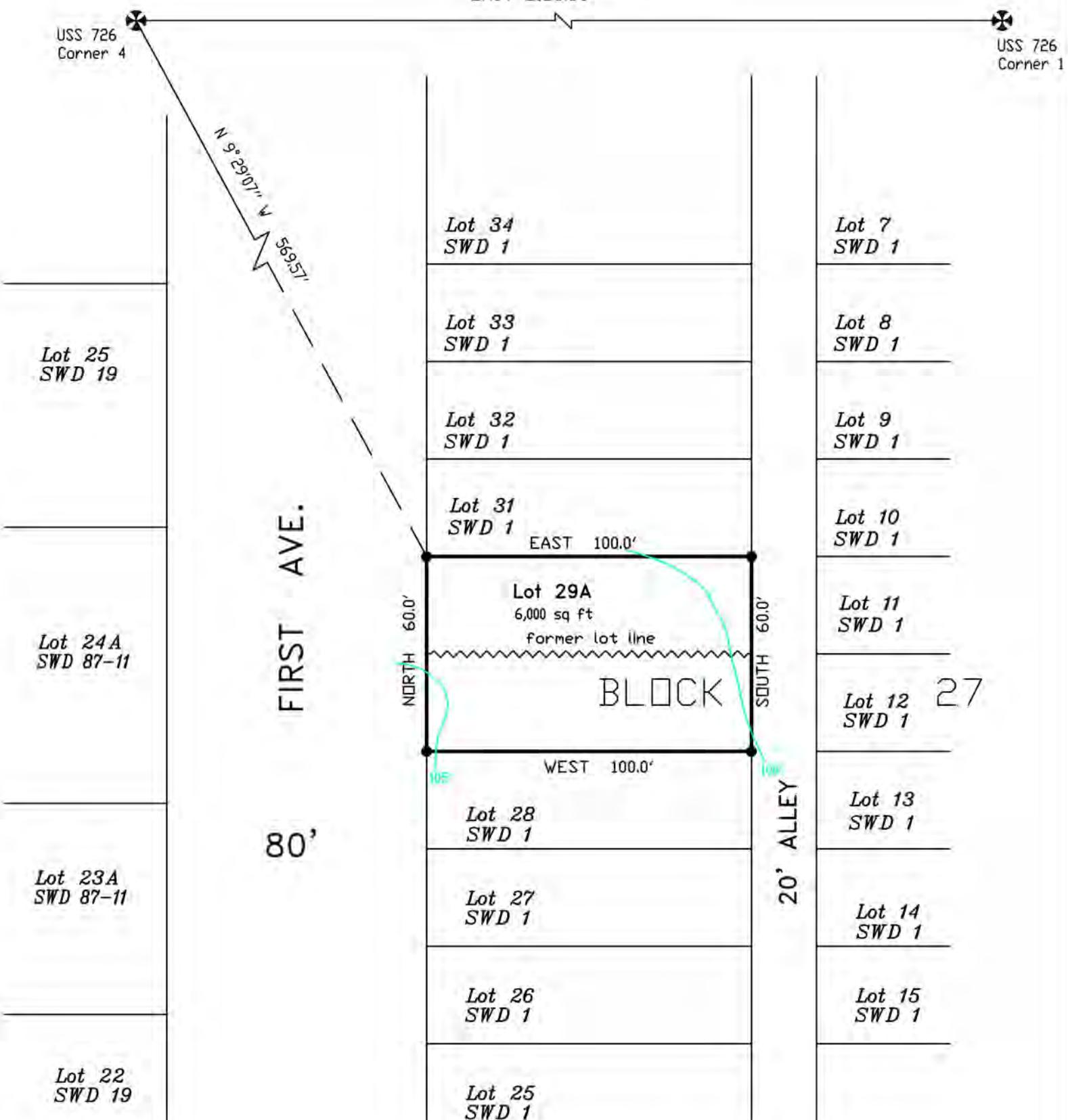
Johnson Surveying  
P.O. Box 27  
Clam Gulch, AK 99568  
(907) 262-5772

SCALE 1" = 30' AREA = 6,000 sq ft 3 October, 2025

## NOTES:

1. This replat is subject to City of Seward Land Use and Zoning regulations.
2. 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.
3. Lot is served by City water & sewer.
4. This is a paper plat. A field survey was not performed in accordance with KPB 20.60.200(A). Monumentation shown is of record (SWD #1) and not recovered.
5. Contour interval 5'. There are no wet areas on the property.

BASE BEARING USGLO 1903  
EAST 2125.86'



## WASTEWATER DISPOSAL

20.40.070  
Plans for wastewater disposal, that meet regulatory requirements  
are on file at the Department of Environmental Conservation