

## **E. NEW BUSINESS**

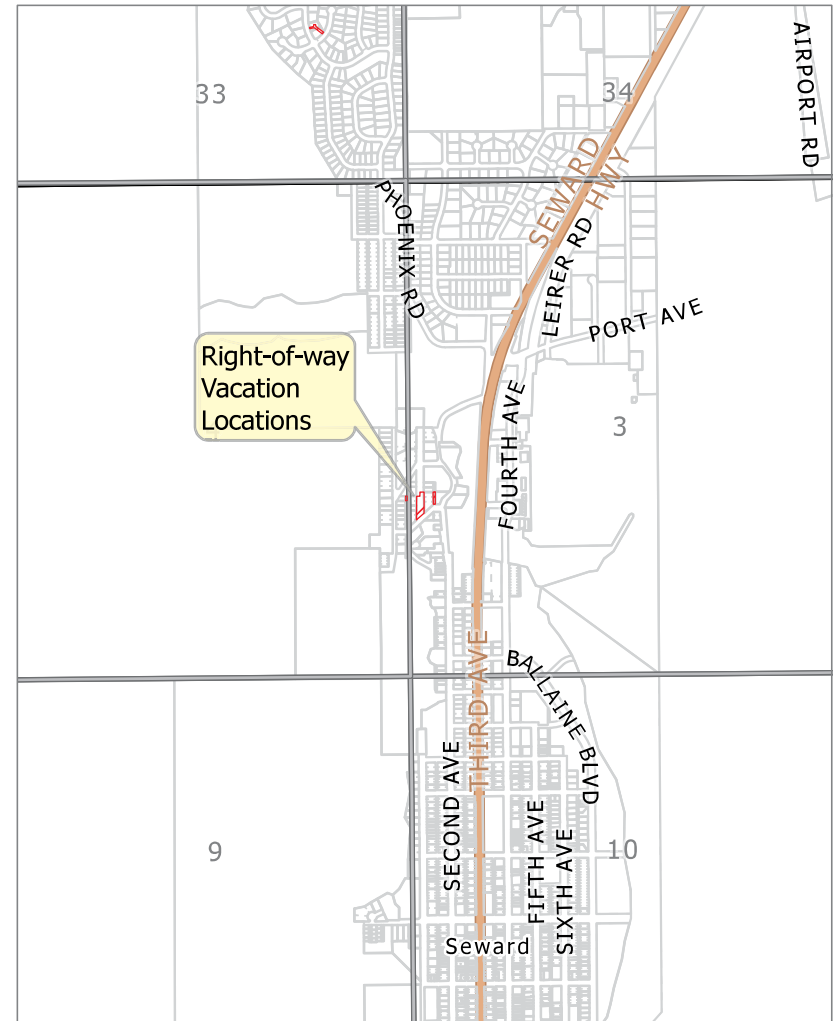
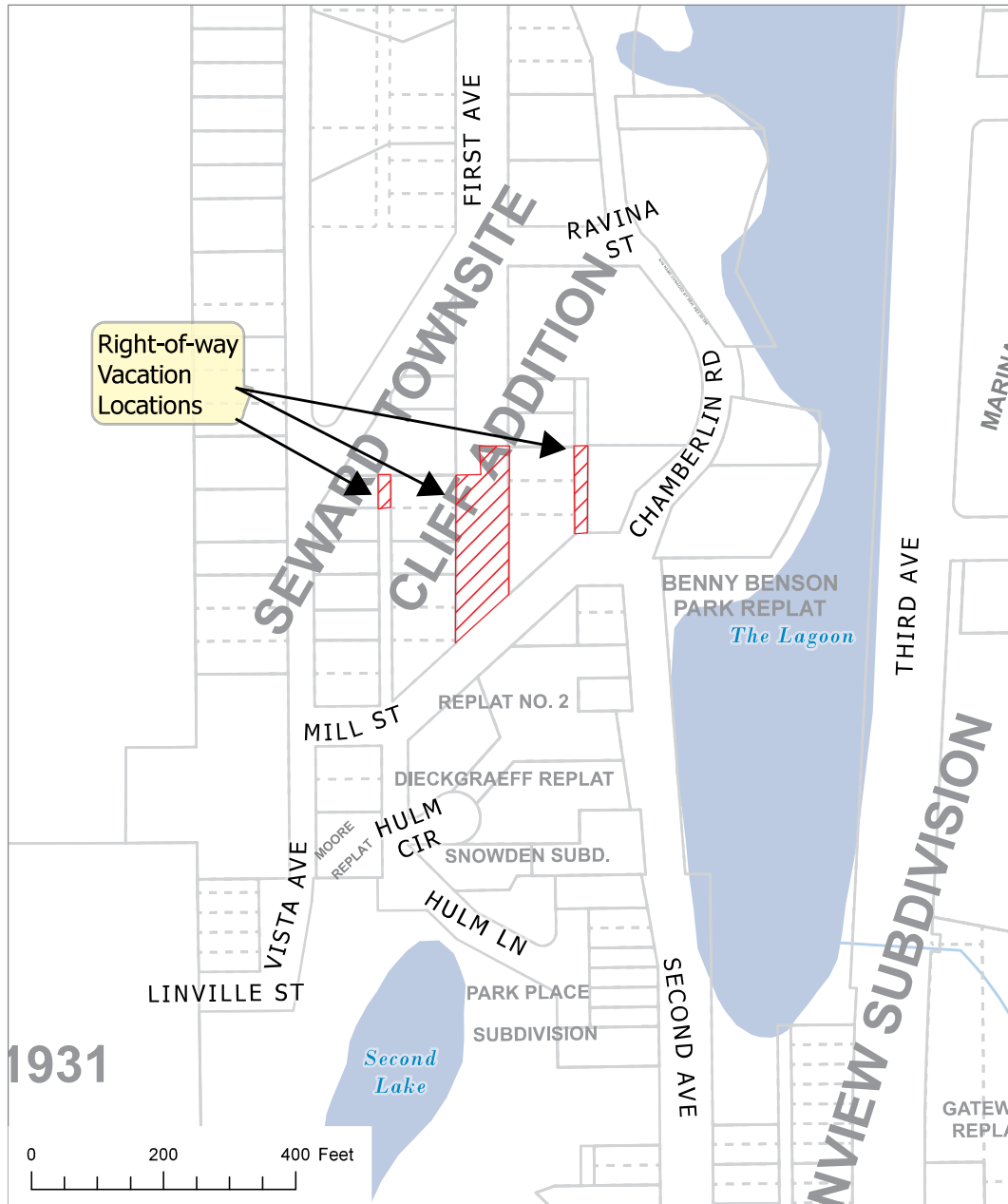
### **3. Right-Of-Way Vacation; KPB 2025-094V**

**AK Lands / Walker, Davis**

**Request: vacates the alley right-of-way between Lots 1 and 12, 13 & 14 of Block 9, the alley ROW between Lot 6 & Lot 12 of Block 6 and the First Avenue ROW north of Mill Street between Lots 12, 13 & 14 of Block 9 and Lots 2, 3, 4, 5 & 6 of Block 6, all of Cliff Addition to Seward Townsite, Plat SW No. 3**

**City of Seward**

**(Staff Person: Platting Manager Vince Piagentini)**



KPB File 2025-94V  
T 1S R 1W Sec 3 & 4  
Seward

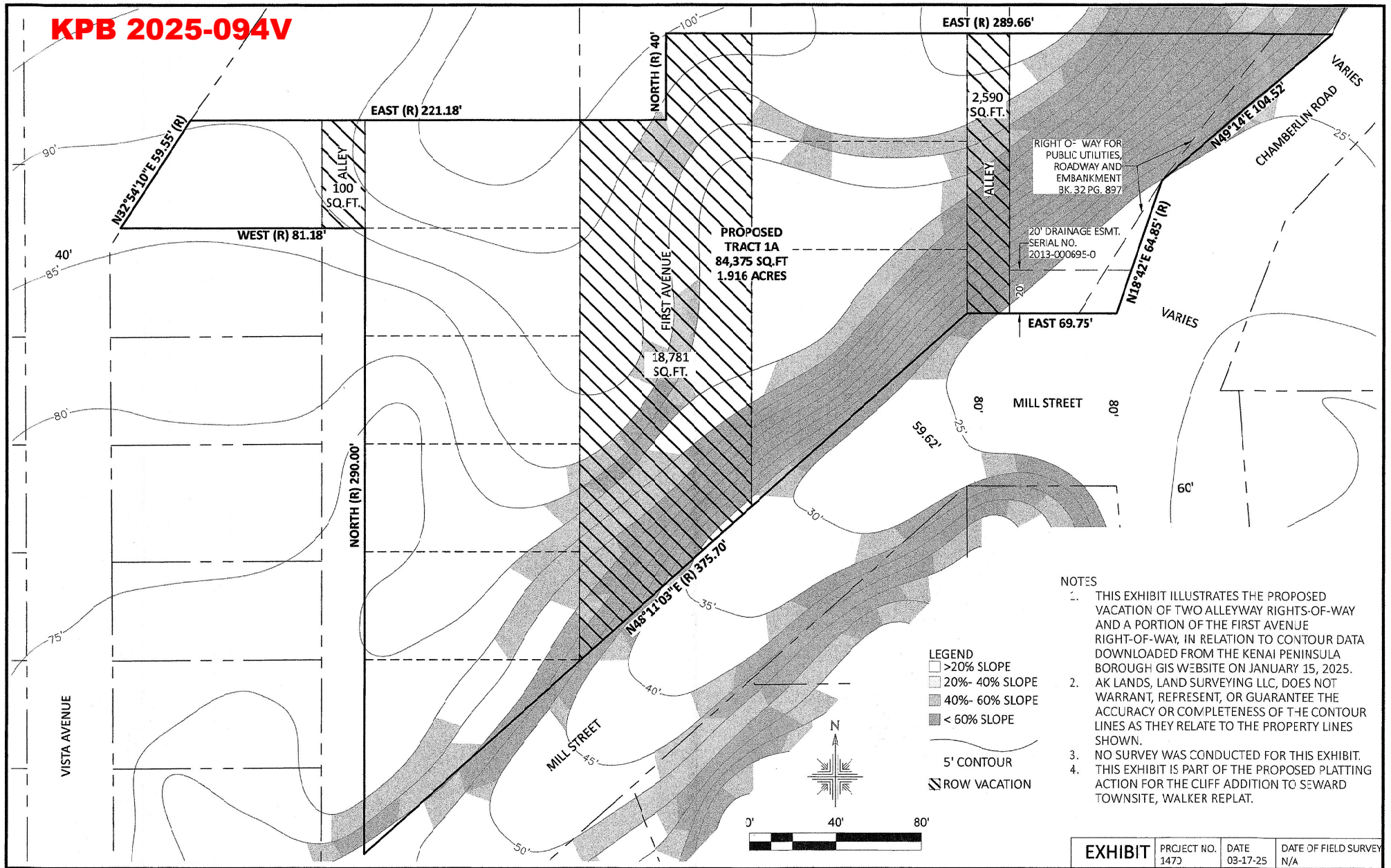




The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



**KPB 2025-094V**



# CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER: LOTS 1-6, & 12 BLOCK 6 & LOTS 1, 12-14, BLOCK 9

ERIC JOHN WALKER  
2600 N AURORA LN.  
PALMER, AK 99645

AUTHORIZED OFFICIAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_ PRINTED NAME \_\_\_\_\_

## NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC FOR A-ASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

## CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER: LOTS 1-3, 5-6, BLOCK 6 & LOTS 1, 12-14, BLOCK 9

GREGG GEORGE WALKER  
P.O. BOX 4381  
HOUSTON, TEXAS 77210

AUTHORIZED OFFICIAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_ PRINTED NAME \_\_\_\_\_

## NOTARY'S ACKNOWLEDGMENT

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NOTARY PUBLIC FOR A-ASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

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I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER: LOTS 1-3, 5-6, BLOCK 6 & LOTS 1, 12-14, BLOCK 9

KATHLEEN MARIE STUBBLEFIELD DAVIS  
2600 N AURORA LN.  
PALMER, ALASKA 99645

AUTHORIZED OFFICIAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_ PRINTED NAME \_\_\_\_\_

## NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC FOR A-ASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

## 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 PLAN INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAN IDENTIFIED AS FOLLOWS:

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

AUTHORIZED OFFICIAL SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_ PRINTED NAME \_\_\_\_\_

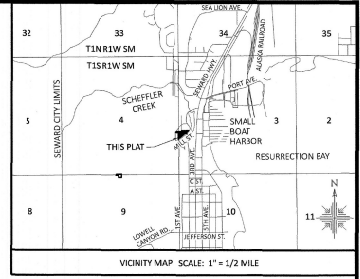
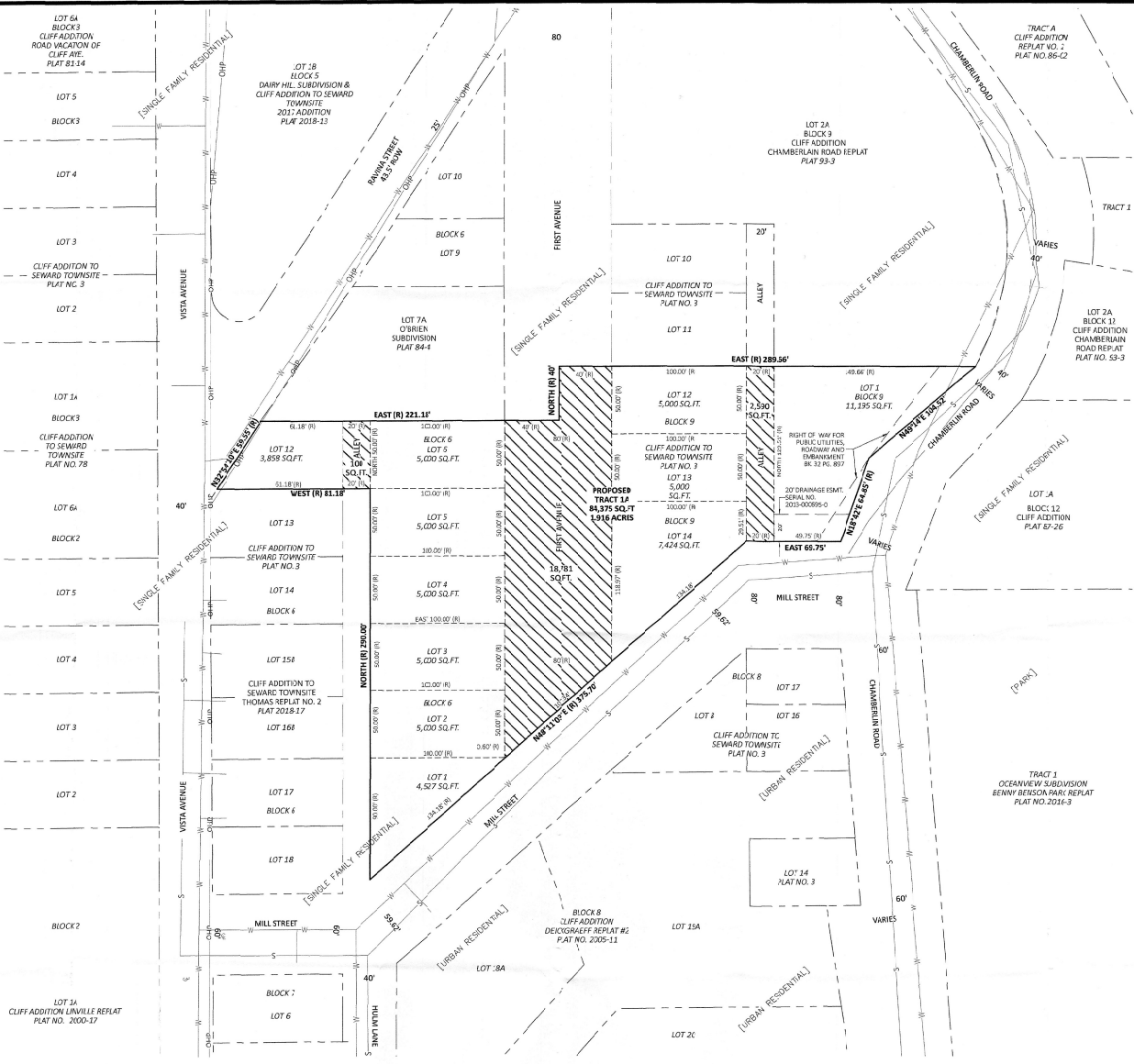
## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETINGS OF DECEMBER 11, 2023.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL SIGNATURE \_\_\_\_\_

**KPB 2025-094**



- NOTES:**
1. THIS IS A PROPOSED PLATTING ACTION. NO BOUNDARY SURVEY HAS BEEN PERFORMED. THE BOUNDARY IS RECORDED PER PLAT NO. 3.
  2. NO EASEMENTS VACATED THIS PLAT.
  3. ZONING INFORMATION, WATER LINES, AND SEWER LINES ARE BASED ON THE CITY OF SEWARD'S INTERACTIVE MAP AND ARE APPROXIMATE.
  4. OTHER UNDERGROUND UTILITIES, NOT SHOWN HEREON, MAY EXIST ON THE SUBJECT PARCELS.
  5. THERE ARE OTHER SITE FEATURES ON LOT 10 THAT IS NOT SHOWN HEREON.

**SURVEYOR'S CERTIFICATE**

I, STACY M. WESSEL, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

**PRELIMINARY PLAT**

Stacy M. Wessel  
No. 10757  
Professional Land Surveyor

Flat of:

**CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT**

CREATING TRACT 1A CONTAINING 1.935 ACRES

A SUBDIVISION OF:  
LOTS 1-4, AND 12, BLOCK 6 AND LOTS 1, AND 12-14, BLOCK 9  
CLIFF ADDITION TO SEWARD TOWNSITE PLAT NO. 3

WITH ALLEYWAY RIGHTS OF WAY AND FIRST AVENUE RIGHT OF WAY VACATIONS

CITY OF SEWARD  
SEWARD RECORDING DISTRICT  
KENAI PENINSULA BOROUGH

LOCATED WITHIN: SE 1/4 OF SECTION 4 AND THE SW 1/4 OF SECTION 3,  
T35, R3W, S3M, AK.

OWNER:  
LOTS 1-3, 5-6, BLOCK 6  
GREGG GEORGE WALKER  
P.O. BOX 4381  
HOUSTON, TEXAS 77210

OWNER:  
LOTS 1-4, 12, BLOCK 6  
LOTS 1, 12-14, BLOCK 9  
ERIC JOHN WALKER  
2600 N AURORA LN.  
PALMER, AK 99645

**AKLANDS**  
Land Surveying LLC  
PO Box 110485  
Anchorage, AK 99511  
aklands@aklands.com  
http://aklands.com  
(907) 744-LAND

Date: 03/17/2025 Scale: 1" = 40' Date of Survey: N/A Sheet: 1 of 1  
Drawn: SMW Plotted: 1470 Field Book: N/A KPB No. 1/A

AGENDA ITEM E.      NEW BUSINESS

**ITEM #3 - RIGHT OF WAY VACATION**

**Vacates the alley located between Lots 6 and 12, Block 6; the west half of First Ave adjacent to Lots 2-6 Block 6 north of Mill St and the east half of First Ave adjacent to Lots 12 – 14 Block 9 north of Mill St and the alley located between Lot 1 and 12 – 14 Block 9 all in Cliff Addition to Seward Townsite Plat S-3**

<b>KPB File No.</b>	2025-094
<b>Planning Commission Meeting:</b>	July 14, 2025
<b>Applicant / Owner:</b>	Gregg George Walker, Eric John Walker (aka Eric J. Walker), and Kathleen Marie Stubblefield Davis of Palmer, Alaska
<b>Surveyor:</b>	Stacy Wessel / AK Lands Land Surveying LLC
<b>General Location:</b>	West of the Seward Lagoon, City of Seward
<b>Legal Description:</b>	First Avenue and two separate Alleyways, Lots 1, 2, 3, 4, 5, 6, and 12, Block 6, and Lots 1, 12, 13, and 14, Block 9, Original Townsite of Seward Cliff Addition, Alaska Plat S-3, Township 1 South, Range 1 West, Section 4, Seward Meridian

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**STAFF REPORT**

**Specific Request / Purpose as stated in the petition:**

Proposed vacation of a 100-square-foot portion of an alley to the west, a 18,781-square-foot portion of First Avenue right-of-way and a 2,590-square-foot portion of an alley to the east.

**Notification:** The public hearing notice was published in the July 4<sup>th</sup>, 2025 issue of the Peninsula Clarion and the July 3<sup>rd</sup>, 2025 issue of the Homer News as part of the Commission's tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Seward

Post Office of Seward

Forty-one certified mailings were sent to owners of property within 300 feet of the proposed vacation. Twenty-Six receipts had been returned when the staff report was prepared.

Fifteen public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game  
State of Alaska DNR  
State of Alaska DOT  
State of Alaska DNR Forestry  
City of Seward  
Emergency Services of Seward  
Bear Creek Emergency Services  
Kenai Peninsula Borough Office Seward

Alaska Communication Systems (ACS)  
ENSTAR Natural Gas  
General Communications Inc, (GCI)  
Homer Electric Association (HEA)  
Chugach Electric  
Seward Utilities  
TelAlaska

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

Mill Street provides access to the proposed rights-of-way to be vacated. Mill Street is maintained by the City of Seward varying from 60-feet to 80-feet in width. It connects to Chamberlin Road to the east and Vista Avenue to the west.



The proposed lot will have access to Mill Street, Ravina Street and Chamberlin Road. First Ave from the north is not developed at this time.

The existing block is compliant with KPB code; however, it is irregular in shape consisting of Vista Avenue to the west, Mill Street to the south, Chamberlin Road to the east and Ravina Street to the north. The vacation of the proposed dedications will not affect the block length.

The plat to complete the vacation will not be proposing any dedication, only the vacation and combining of the lots to create one large lot.

No section line easements affect the subject area.

A right-of-entry permit was granted to the City of Seward for a portion of Lot 1, adjacent to Chamberlin Road per Book 34, Page 897, Seward Recording District. As part of the agreement, the City agreed to support vacation of the alley right-of-way between Lots 1 and 12-14, Block 9 and the First Avenue right-of-way between Lots 12-14, Block 9 and Lots 2-6, Block 6, Plat S-3, in the event of a replat being submitted. It should be noted the agreement mentions granting area to City at time of replating of alley, but no mention by the City was made in their staff report. **Staff recommends** the surveyor verify with the City of Seward if this part of the agreement needs to be fulfilled by granting said area to the City of Seward.

KPB Roads Dept. comments	Out of Jurisdiction: Yes  Roads Director: Uhlin, Dil Comments: City of Seward's jurisdiction
SOA DOT comments	No Comment

**Site Investigation:**

The majority of the alleyway to the east and First Avenue is very steep with some grades over 60% according to the Contours layer on the KPB GIS Imagery. The access point at Mill St to the south of the alley on the west is steep with grades over 40%. The contours have been shown as shaded on the submitted sketch. **Staff recommends** the contours may be removed on the final plat finalizing the vacation with only the top and toe of slopes being labeled and depicted.

No wetlands affect the proposed vacations.

The City of Seward has identified the south edge of the property adjacent to Mill Street to be located within the Seward Mapped Flood Data Area. **Staff recommends** the proper City and Regulation note be placed on the plat finalizing the vacation.

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
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**Staff Analysis:**

In 1916, the land was surveyed and platted as Cliff Addition to Seward Townsite, plat S-3. This plat dedicated the rights-of-way being proposed to be vacated.

The proposed vacations are currently undeveloped and are not being used.

Once vacated, the rights-of-ways are proposed to be combined with the adjacent lots to create one large lot. The new lot will have access by Mill Street, Ravina Street and Chamberlin Road. The vacation will be finalized by the preliminary plat Cliff Addition to Seward Townsite Walker Replat and is being reviewed at the Plat Committee meeting of July 14, 2025 for preliminary approval.

The surrounding parcels will continue to have existing legal access by Vista Avenue, Mill Street and Chamberlin Road.

Seward Townsite - Cliff Addition Chamberlain Road Replat (SW 93-3) vacated the adjacent north portion of the eastern alleyway. O'Brien Subdivision (SW 84-4) vacated the adjacent north portion of the western alleyway.

The City of Seward Planning and Zoning Commission reviewed and unanimously approved the preliminary plat and associated rights-of-way vacations during their April 8, 2025 meeting. A copy of the meeting minutes and packet are available in the staff packet.

On April 28, 2025, Seward City Council passed and approved Resolution 2025-040 recommending approval of the preliminary plat and associated rights-of-way vacations, Cliff Addition to Seward Townsite Walker Replat. A copy of the city packet, meeting minutes, and resolution are available in the staff packet.

City of Seward's Resolution 2025-040 states the proposed Tract will have access to city water, sewer, and electricity and no city subdivision agreement is required.

Per the City's Staff Packet and Resolution, a driveway for Lot 1, Block 6, is encroaching into the platted right-of-way of First Avenue. The City does not have plans to develop the right-of-way due to steep terrain and recommended to the owner to vacate the right-of-way. Vacating the right-of-way and combining the adjacent lots into one large lot will eliminate the driveway encroachment and provide the owners better access to their property and future development.

The original plat did not grant any utility easements along or abutting the proposed portions of the requested rights-of-way vacations. The plat finalizing the vacation shall grant a 10-foot utility easement adjoining all rights-of-way per KPB 20.30.060. **Staff recommends** this easement be depicted on the plat and associated plat notes to be added.

There is a drainage easement granted to the City of Seward affecting Lot 1, Block 9, as recorded in serial number 2013-000695-0. This easement is depicted on the right-of-way vacation sketch with reference to the document number provided. **Staff recommends** the surveyor include all dimensions of the drainage easement on the final plat as provided within the document.

**20.65.050 – Action on vacation application**

D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:

1. The right-of-way or public easement to be vacated is being used;

**Surveyors' comments:** The rights-of-way to be vacated are not being used and are unlikely to be developed for public traffic due to severe slopes.

**Staff comments:** The proposed vacations are currently undeveloped.

2. A road is impossible or impractical to construct, and alternative access has been provided;  
**Surveyors' comments:** Road construction on 20%-60%+ grades is impossible or unreasonably hazardous; therefore, alternative access has been proposed through private easements.  
**Staff comments:** The new lot will have access by Mill Street and Chamberlin Road.
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;  
**Surveyors' comments:** The steep topography limits further road network expansion. Combining parcels into one makes them more suitable for single-family use.  
**Staff comments:** The proposed Tract will have access to city water, sewer, and electricity and no city agreement is required.
4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;  
**Surveyors' comments:** No public resources (lakes, rivers, etc.) exist here, so vacating these unused rights-of-way does **not** affect public access.  
**Staff comments:**
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;  
**Surveyors' comments:** Prospects of interconnection with adjacent parcels are impractical due to intense slopes. Other property owners in this area may similarly vacate First Ave. and reconfigure, if needed.  
**Staff comments:** Seward Townsite- Cliff Addition Chamberlain Road Replat (SW 93-3) vacated the adjacent north portion of the eastern alleyway. O'Brien Subdivision (SW 84-4) vacated the adjacent north portion of the western alleyway.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;  
**Surveyors' comments:** The proposed lot has access off of Vista Avenue and Ravina Street.  
**Staff comments:** The new lot will have access by Mill Street, Ravina Street and Chamberlin Road.
7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.  
**Surveyors' comments:** This is vacant land. There are no existing utilities. Water, sewer, and electric can be served off of Vista Avenue and Ravina Street.  
**Staff comments:** City of Seward's Resolution 2025-040 states the proposed Tract will have access to city water, sewer, and electricity and no city agreement is required.
8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.  
**Surveyors' comments:** Retaining these steep, undeveloped corridors creates undue maintenance burdens and does not support safe or feasible public use.  
**Staff comments:** A driveway for Lot 1, Block 6, is encroaching into the platted right-of-way of First Avenue. Vacating the right-of-way and combining the adjacent lots into one large lot will eliminate the driveway encroachment and provide the owners better access to their property and future development.

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The Seward City Council must hear the vacation within thirty days of the Planning Commission decision.

If approved, Cliff Addition to Seward Townsite Walker Replat will finalize the proposed right of way vacations. The Plat Committee is scheduled to review the plat on July 14, 2025.

**KPB department / agency review:**

Addressing	<p>Reviewer: Pace, Rhealyn  Affected Addresses:  1312 VISTA AVE, 1305 FIRST AVE, 1303 FIRST AVE, 104 MILL ST, 112 MILL ST, 1303 CHAMBERLIN RD</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names:</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments:  CITY OF SEWARD WILL ADVISE ON ADDRESSING</p>
Code Compliance	<p>Reviewer: Ogren, Eric  Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan  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>

**Utility provider review:**

HEA	Located outside HEA's Service Area. No Comments.
ENSTAR	No comment or recommendations
ACS	
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	



CITY OF SEWARD EMS	No Concerns
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**STAFF RECOMMENDATIONS**  
**CORRECTIONS / EDITS**

*Add corrections to be made to drawing as noted*

- Drawing should include the labeling of adjacent lots shown
  - ROW Width should be noted
  - Easement note in Lot 1 block 9 needs to have the BK # corrected to 34
- 

**RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, subject to:

1. Consent by Seward City Council.
  2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code including a submittal to and approval by the Plat Committee.
  3. Grant utility easements requested by the Seward City Council and utility providers.
  4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.65.050(I)).
- 

**KPB 20.65.050 – Action on vacation application**

- H. A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.
- I. Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.
- J. A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation 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.
- K. An appeal of the planning commission, city council or assembly vacation action under this chapter 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*
  - o *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*
  - o *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.*

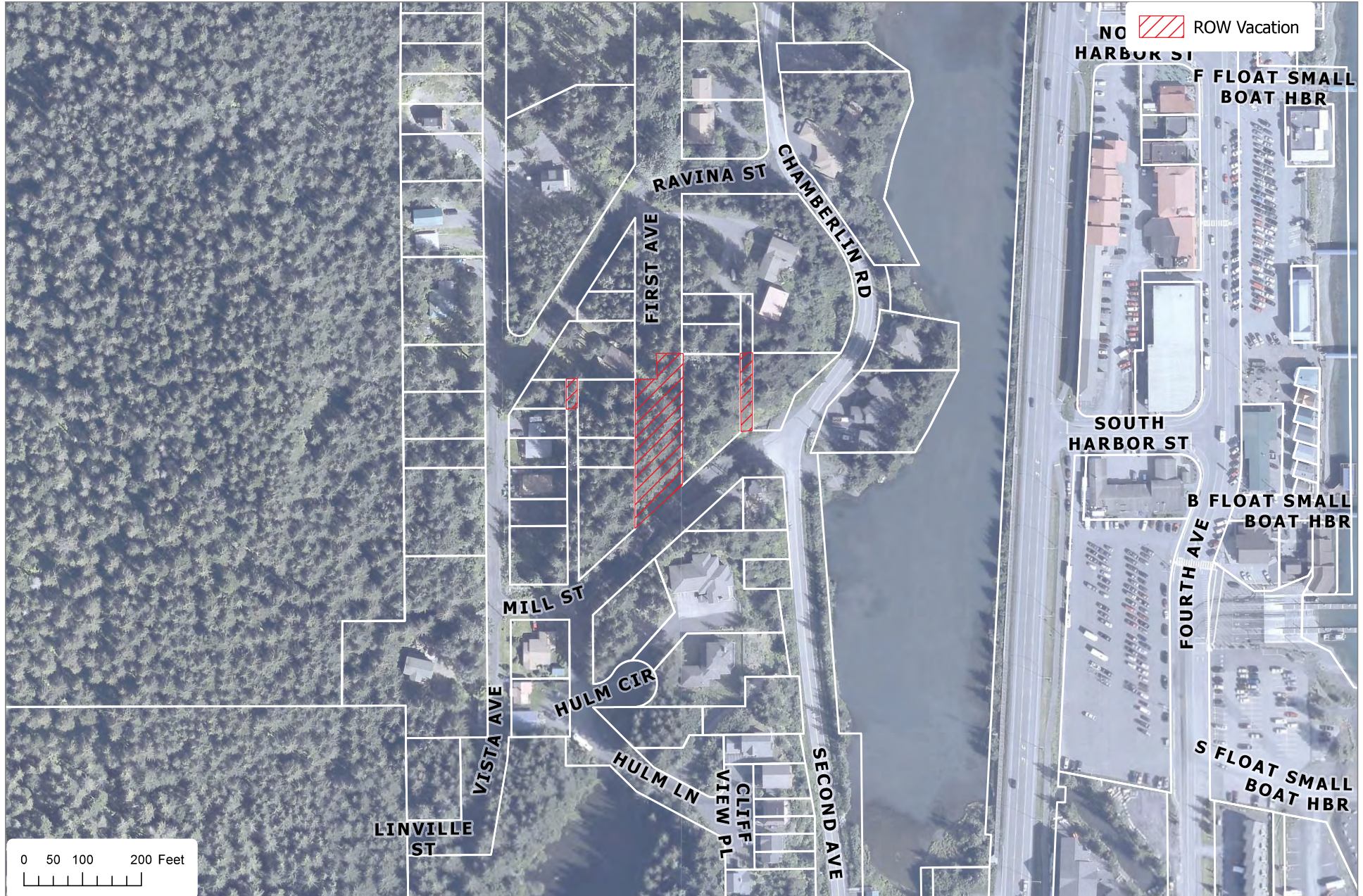
*Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough*

- *Focus Area: Transportation*
  - o *Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
    - *Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
    - *Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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**END OF STAFF REPORT**



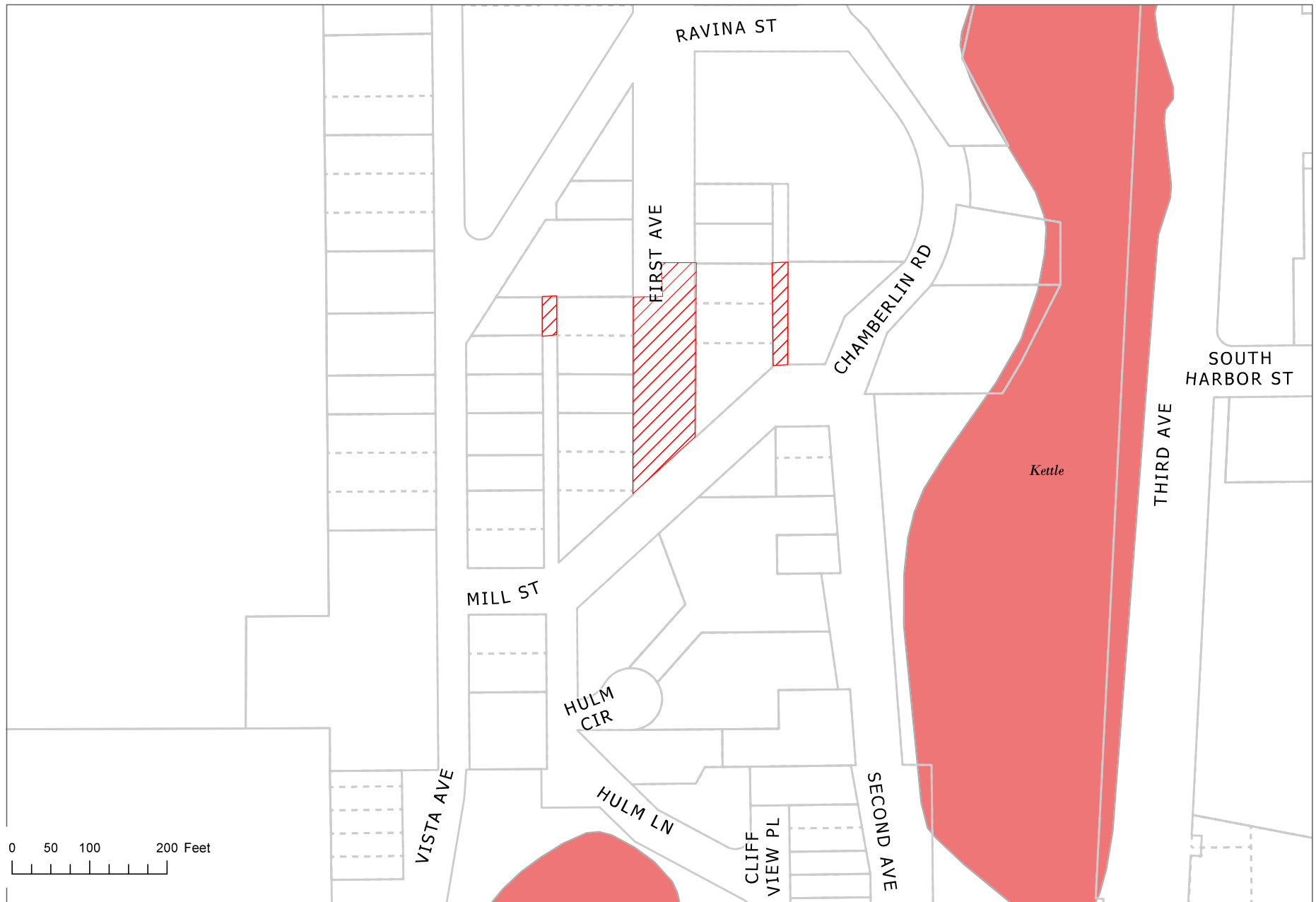


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





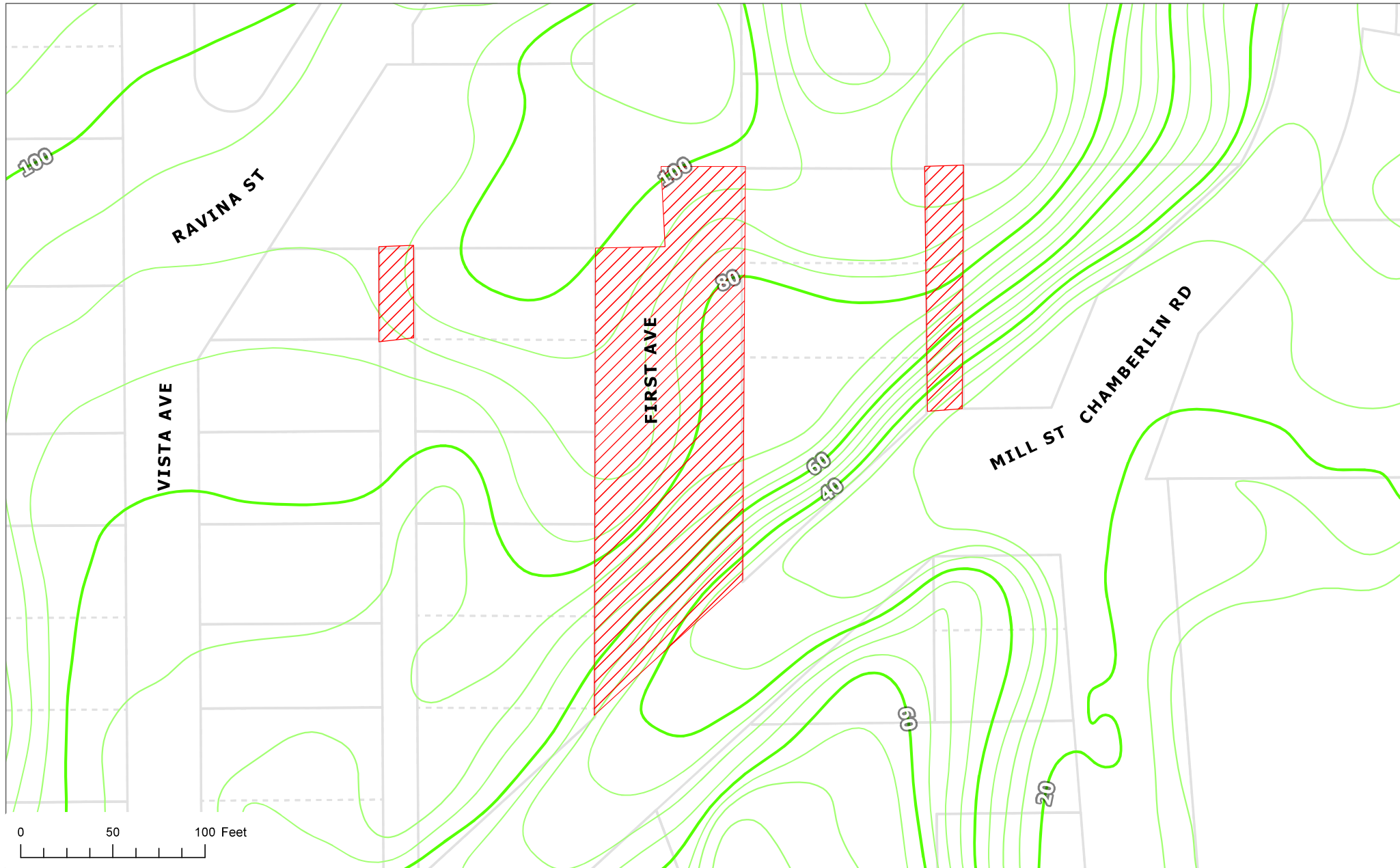
Wetlands



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.



Aerial with 5-foot Contours



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.

Survey No. 1117  
PLAT OF

# CLIFF ADDITION TO SEWARD TOWNSITE

T. 1 S. R. 1 W., Seward Meridian  
ALASKA

Scale: 1 inch = 100 feet  
Survey commenced July 28, Completed Sept. 27, 1915.  
Area Subdivided, 25.15 Acres.

## LEGEND:

Block corners are five posts 3X3X30 inches, but corners 8X8X30 inches, from post reference monuments 1 inch diameter 14 inches long, sunk 1 foot beneath surface of the ground are located at intersection of center lines of streets and indicated thus

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE

Washington, D.C., May 22, 1916  
I hereby certify that this plat of CLIFF ADDITION TO SEWARD TOWNSITE in T. 1 S., R. 1 W., Seward Meridian, Alaska, as surveyed and under instructions dated May 15, 1915, by A. Frank Warner and V. H. Wheeler, U.S. Surveyors, in accordance with the provisions of the act of March 12, 1914 (38 Stat. 305) is strictly conformable to the field notes of the survey thereof on file in this office which have been examined and approved.

Approved May 22, 1916

William C. Edes  
Chief of Alaska Engineering Commission

Division of Alaska  
Third Division  
Ketchikan Recording District } ss  
This Plat was filed at the request of J. Christensen, Manager of Land and Industrial Department, Alaska Engineering Commission at 2 o'clock P.M. April 22, 1916 as of Dec. 3, 1916.  
Wm. H. Holmstrom  
U.S. Commissioner and Co.  
Official Recorder

CLIFF ADDITION  
TO SEWARD TOWNSITE  
TOWNSHIP 1 SOUTH  
RANGE 1 WEST PLAT NO. 3  
#32



3000 MS

*Planning & Zoning Commission*

*Meeting Packet*



**Regular Meeting**

*Tuesday, April 8, 2025*

*Council Chambers, City Hall*

*7:00 p.m.*



1963 1965 2005



The City of Seward, Alaska

## PLANNING & ZONING COMMISSION

### MEETING AGENDA



City Council Chambers, 410 Adams Street

*Please silence all cell phones and devices during the meeting*

Chair Carol Griswold  
Vice Chair Brenan Hornseth  
Commissioner Nathaniel  
Charbonneau  
Commissioner Vanessa Verhey  
Commissioner Clare Sullivan

Commissioner Rhonda Hubbard  
Commissioner June Pemberton

Community Development Director  
Daniel Meuninck  
City Planner Courtney Bringhurst  
Executive Assistant Clara Brown  
City Clerk Kris Peck

**April 8, 2025 at 7:00 p.m.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. PUBLIC COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING *(Those who have signed in will be given the first opportunity to speak. Time is limited to 3 minutes per speaker and 36 minutes total time for this agenda item.)*
5. APPROVAL OF AGENDA AND CONSENT AGENDA *(Approval of Consent Agenda passes all routine items listed under Item 6. Consent Agenda items are not considered separately unless a commissioner requests. No second or vote is needed. In the event of such a request, the item is returned to the Regular Agenda. Marked with \*.)*
6. CONSENT AGENDA
  - A. Minutes of Preceding Meeting
    - 1)\* Approve March 4, 2025 Planning & Zoning Commission Meeting Minutes.....5
7. SPECIAL ORDERS, PRESENTATIONS, AND REPORTS
  - A. Proclamations and Awards - None
  - B. City Administration Report
  - C. Other Reports and Announcements - None
  - D. Presentations *(Presentations are limited to ten minutes each, excluding Q&A, and are limited to two per meeting unless increased by the commission.)* - None
8. PUBLIC HEARINGS *(Chair shall ask if any commissioner needs to declare a conflict of interest at this time. Public hearing comments are limited to five (5) minutes per person. After all speakers have spoken, a person may speak for a second time for no more than one (1) minute.)*



A. Resolutions Requiring Public Hearing

- 1) Resolution 2025-013 of the Planning and Zoning Commission of the City of Seward, Alaska, Granting a Conditional Use Permit to Tirebrand LLC to operate an auto repair shop at 801 Third Avenue within an Auto Commercial (AC) zoning district.....10  
**\*This is a quasi-judicial hearing. Commissioners may not discuss any items pertaining to this Resolution with the applicant, other commissioners, or the public.**
- 2) Resolution 2025-014 of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council and Kenai Peninsula Borough approval of the preliminary plat of 204 Lowell Canyon Road and 206 Lowell Court, vacating the eastern portion of the Lowell Court right-of-way and vacating the southern 10' of the property located at 204 Lowell Canyon Road.....25
- 3) Resolution 2025-015 of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council and Kenai Peninsula approval of the preliminary plat of 1312 Vista Avenue, 1305 First Avenue, 1303 First Avenue, 104 Mill Street, 112 Mill Street, and 1303 Chamberlin Road, vacating a portion of First Avenue right-of-way and alleyway rights-of-way and combining the six lots and vacated rights-of-way into one tract of land.....47

9. UNFINISHED BUSINESS

A. Resolutions

- 1) Resolution 2025-009 of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council approval of the land use amendment to rezone the property located at 1604 Phoenix Road from a Two-Family (R2) zoning district to an Auto Commercial (AC) zoning district.....72  
**\*This is a quasi-legislative hearing. Commissioners may discuss items pertaining to this Resolution. This item was postponed at the March 4, 2025 meeting for the applicant and more commissioners to be present at the following scheduled meeting.**

10. NEW BUSINESS

A. Resolutions - None

B. Other New Business - None

11. INFORMATIONAL ITEMS AND REPORTS *(No action required.)*

A. Reminder of upcoming P&Z Meetings

- 1) **Canceled** work session on Tuesday, April 22<sup>nd</sup>, 2025 in lieu of Comprehensive Plan Town Hall meetings (see below).
- 2) Regular meeting on Tuesday, May 6<sup>th</sup>, 2025, at 7:00 pm in Council Chambers at City Hall.

B. Other Items

- 1) Comprehensive Town Hall workshops

- a. Tuesday, April 22<sup>nd</sup>, 2025 at 5:30pm at the K.M Rae Building
  - b. Wednesday, April 23<sup>rd</sup>, 2025 at 5:30pm at the Bear Creek Fire Station
  - c. Thursday, April 24<sup>th</sup>, 2025 at 5:30pm at the Seward High School library
12. FINAL PUBLIC COMMENTS *(There is no sign-in for this comment period. Time is limited to five (5) minutes per speaker.)*
13. ADMINISTRATION AND COMMISSION COMMENTS AND RESPONSES TO PUBLIC COMMENTS
14. EXECUTIVE SESSION - None
15. ADJOURNMENT

## Planning and Zoning Agenda Statement



Meeting Date: April 8, 2025

To: Planning and Zoning Commission

Through: Daniel Meuninck, Community Development Director

From: Applicant

Agenda Item: Resolution 2025-015, of the Planning and Zoning Commission of the City of Seward, Alaska, recommending Seward City Council and Kenai Peninsula Borough approval of the preliminary plat of 1312 Vista Avenue, 1305 First Avenue, 1303 First Avenue, 104 Mill Street, 112 Mill Street, and 1303 Chamberlin Road, vacating a portion of First Avenue right-of-way and alleyway rights-of-way and combining the six lots and vacated rights-of-way into one tract of land

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### Background and justification:

Attached for the Commission's review and recommendation to the Seward City Council and Kenai Peninsula Borough Planning Commission is a preliminary plat submitted by AK Lands, Land Surveying LLC on behalf of the City of Seward.

The proposed plat is subdividing Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat.

The property owners began cutting a driveway into Lot 1, Block 6 (104 Mill Street) in early 2024. Due to the steep terrain, the construction of the driveway encroached onto the platted right-of-way (ROW) of First Avenue. Even though this is an undeveloped ROW, the development of a private driveway is not permitted in a ROW. The city does not have plans to develop this ROW due to the steep terrain, and recommended that the property owners work with a surveyor to vacate the ROW.

Vacating the ROW and creating one single parcel of land will allow the owners to complete the development of their driveway, which will give them better access to their land to explore the best locations for a residential dwelling and the necessary utility connections.

On August 28, 1984, the property owner of Lot 1, Block 9, Cliff Addition signed an agreement granting the City of Seward a portion of Lot 1 adjacent to Chamberlin Road for the construction, maintenance, repair and expansion of public utilities, roadway and embankment. As part of this agreement, the City agreed to support vacation of the alley right-of-way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition in the future event of a replat being submitted for the above property.

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 sections 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.

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

Seward City Code §7.05.510(D) states that “The city manager may, at the direction of the City Council convey, quitclaim, release, cancel, or otherwise relinquish any real property easement, right-of-way, permit or license the city may have or hold for the purpose of installing, constructing or maintaining a public improvement or utility, whenever the interest is no longer used or useful for that purpose.”

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

**Subdivision Review:**

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

**Size:** Tract 1A will be 1.913 acres or 84,375 square feet.

**Utilities:** Tract 1A has access to city water, sewer, and electricity

**Existing Use:** Tract 1A is currently vacant.

**Access:** Tract 1A has access to Mill Street and the intersection of Ravina Street and Vista Avencue.

**Flood Zone:** The south edge of the property adjacent to Mill Street is located within the Seward Mapped Flood Data Area (SMFD). Development in this area is unlikely due to the very steep terrain, however, development within the SMFD may require additional permitting.

<b>Comprehensive and Strategic Plan Consistency Information</b>
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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
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 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 City Council and the Kenai Peninsula Borough Commission if they feel it has met the requirements in Seward City Code Title 15 and 16. [SCC 16.01.015 B]

**CITY OF SEWARD, ALASKA  
PLANNING AND ZONING COMMISSION  
RESOLUTION 2025-015**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SEWARD, ALASKA, RECOMMENDING SEWARD CITY COUNCIL AND KENAI PENINSULA BOROUGH APPROVAL OF THE ~~PRELIMINARY PLAT~~ OF 1312 VISTA AVENUE, 1305 FIRST AVENUE, 1303 FIRST AVENUE, 104 MILL STREET, 112 MILL STREET, AND 1303 CHAMBERLIN ROAD, VACATING A PORTION OF FIRST AVENUE RIGHT-OF-WAY AND ALLEYWAY RIGHTS-OF-WAY AND COMBINING THE SIX LOTS AND VACATED RIGHTS-OF-WAY INTO ONE TRACT OF LAND**

**WHEREAS**, AK Lands, Land Surveying LLC has submitted a preliminary plat on behalf of the City of Seward for review and recommendation to the Seward City Council and Kenai Peninsula Borough; and

**WHEREAS**, the proposed plat is a subdivision of Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat; and

**WHEREAS**, all of the Lots are currently vacant and zoned single-family residential (R1); and

**WHEREAS**, the property owners began construction of a driveway from Mill Street in 2024;

**WHEREAS**, due to the steep terrain, the driveway ended up encroaching substantially into the First Avenue right-of-way (ROW); and

**WHEREAS**, the First Avenue ROW in the Cliff Addition is undeveloped and the City of Seward does not have plans to develop it; and

**WHEREAS**, the Public Works Director and Community Development staff recommended that the property owner work with a surveyor to vacate the ROW; and

**WHEREAS**, vacating the ROW and creating one single parcel of land will allow the owners to complete the development of their driveway; and

**WHEREAS**, a completed driveway will give the owners better access to their land to explore the feasibility for residential dwellings and the necessary utility connections; and



**CITY OF SEWARD, ALASKA  
RESOLUTION 2025-015**

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**WHEREAS**, a portion of Lot 1, Block 9 was granted to the City of Seward in an agreement dated August, 28, 1984 for the construction, maintenance, repair and expansion of public utilities, roadway and embankment; and

**WHEREAS**, in consideration of this dedication of land for city use, the 1984 agreement stated that the City agrees to support vacation of the alley right-of-way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition in the future event of a replat of the above property; and

**WHEREAS**, the size of proposed Tract 1A 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, Tract 1A is not within a FEMA mapped flood zone; and

**WHEREAS**, the southern edge of Tract 1A is within the Seward Mapped Flood Data Area (SMFD); and

**WHEREAS**, development on the southern edge of Tract 1A is unlikely due to the steep terrain, however, development within the SMFD may require additional permitting; and

**WHEREAS**, Tract 1A has access to city water, sewer, and electricity; and

**WHEREAS**, Tract 1A has access to Mill Street and the intersection of Ravina Street and Vista Avenue; and

**WHEREAS**, a subdivision agreement will not be required with this plat; 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**, Seward City Code §7.05.510(D) states that “The city manager may, at the direction of the City Council convey, quitclaim, release, cancel, or otherwise relinquish any real property easement, right-of-way, permit or license the city may have or hold for the purpose of installing, constructing or maintaining a public improvement or utility, whenever the interest is no longer used or useful for that purpose”; and

**WHEREAS**, it is the Planning and Zoning Commission’s responsibility to act in an advisory capacity to the Seward City Council and the Kenai Peninsula Borough regarding subdivision plat proposals within the City of Seward.

**CITY OF SEWARD, ALASKA  
RESOLUTION 2025-015**

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

**Section 1.** The Commission hereby recommends that in accordance with Seward City Code Section 16.01.015 (B), the Seward City Council and Kenai Peninsula Borough approve the submittal of the preliminary plat of Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat

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

**PASSED AND APPROVED** by the Seward Planning and Zoning Commission this 8<sup>th</sup> day of April, 2025.

**THE CITY OF SEWARD, ALASKA**

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**Carol Griswold, Chair**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

---

Kris Peck  
City Clerk

(City Seal)





Context Map



## Preliminary Plat Application Property Map

RES 2025-015 - Vacating a portion of First Avenue ROW and alley to the east, and combining Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite

Location: 1312 Vista Ave, 1305 First Ave, 1303 First Ave, 104 Mill St, 112 Mill St, 1303 Chamberlin Rd

Parcel #: 14705016, 14705008, 14705007, 14705006, 14721001, 14721007







## Community Development/ Planning & Zoning

410 Adams Street, Seward, Alaska 99664 • (907) 224-4049 • (907) 224-4020  
or email: [planning@cityofseward.net](mailto:planning@cityofseward.net)

### PRELIMINARY PLAT SUBMITTAL FORM

☒ PRELIMINARY PLAT ☐ REVISED PRELIMINARY PLAT (no fee required)

☐ PHASED PRELIMINARY PLAT ☐ PRELIMINARY PLAT FOR PRIVATE STREETS / GATED SUBDIVISION

All requirements of Seward Code Title 16 apply and must be met.

**SUBDIVISION PLAT NAME:** must not include business names, contact staff for assistance if needed.

CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT

#### PROPERTY INFORMATION:

legal description	LOTS 1-6, AND 12, BLOCK 6 AND LOTS 1, AND 12-14, BLOCK 9 CLIFF ADDITION TO SEWARD TOWNSITE PLAT NO. 3	
Section, Township, Range	SE1/4 OF SEC. 4 AND THE SW1/4 OF SEC 3, T1S, R1W	
General area description	West of Seward Lagoon	
City	Seward	Total Acreage 1.916 acres

#### SURVEYOR

Company: AK Lands Land Surveying	Contact Person: Stacy Wessel
Mailing Address: PO Box 110485	City, State, Zip Anchorage, AK 99511
Phone: (907) 744-LAND	e-mail: <a href="mailto:stacy@aklands.com">stacy@aklands.com</a>

#### PROPOSED WASTEWATER AND WATER SUPPLY

WASTEWATER ☒ on site ☒ City

WATER ☒ on site ☒ City

#### SUBMITTAL REQUIREMENTS

**A preliminary plat application will be scheduled for the next available Planning and Zoning meeting after a complete application has been received.**

- ☒ Electronic file of Plat and
- ☒ Preliminary plat ~~NON-REFUNDABLE~~ submittal fee \$200.00-
- ☒ Certificate to plat for ALL parcels included in the subdivision
- ☒ Documentation showing proof of signatory authority (partnerships, corporations, estates, trusts, etc.)
- ☐ Public Notice Sign(s) Posted on property - *City staff will contact you to pick up sign*

**EXCEPTIONS REQUESTED TO PLATTING CODE:** A letter, to be presented to the Planning and Zoning commission, with substantial evidence justifying the requested exception and fully stating the grounds for the exception request, and the facts relied upon, **MUST** be attached to this submittal.

1. 2. 3.

KPB Code 20.130.120

**APPLICANT: SIGNATURES OF ALL LEGAL PROPERTY OWNERS ARE REQUIRED.** Additional signature sheets can be attached. When signing on behalf of another individual, estate, corporation, LLC, partnership, etc., documentation is required to show authority of the individual(s) signing. Contact KPB staff for clarification if needed.

**OWNER(s)**

Name (printed): Stacy Wessel	Signature:
Phone: (907) 744-LAND	e-mail: <a href="mailto:stacy@aklands.com">stacy@aklands.com</a>

Name (printed):	Signature:
Phone:	e-mail:

Name (printed):	Signature:
Phone:	e-mail:

FOR OFFICE USE ONLY

RECEIVED BY \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

Receipt # \_\_\_\_\_

The preliminary plat shall be drawn to scale of sufficient size to be clearly legible and shall clearly show the following:

1.	Within the title block:	Not applicable to my plat.	The required information has been shown/noted.
a.	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;		✓
b.	Legal description, location, date, and total area in acres of the proposed subdivision; and		✓
c.	Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;		✓
2.	North point;		✓
3.	The location, width and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;		✓
4.	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;		✓
5.	All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;		✓
6.	The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;		✓
7.	Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;		✓
8.	Approximate locations of areas subject to inundation, flooding, or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;	✓	
9.	Approximate locations of areas subject to tidal inundation and the mean high water line;	✓	
10.	Block and lot numbering approximate dimensions and total numbers of proposed lots;		✓
11.	The approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto		✓
12.	Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;		✓
13.	Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;		✓
14.	Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval	✓	

Subdivision Name: \_\_\_\_\_ Date \_\_\_\_\_



PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
http://aklands.com

January 16, 2025

City of Seward and  
Kenai Peninsula Borough

Subject: CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT – Letter of Authorization

To whom it may concern,

We, <sup>kd</sup> GREGG GEORGE WALKER & KATHLEEN MARIE STUBBLEFIELD DAVIS, are the owners, or authorized agents of LOTS 1-3, 5-6, BLOCK 6 and LOTS 1,12-14, BLOCK, Cliff Addition to Seward Townsite Plat no. 3 and authorize AK Lands, Land Surveying LLC to represent us before the City of Seward and Kenai Peninsula Borough for all requests related to the platting action, right of way vacation, and its related activities.

KATHLEEN MARIE DAVIS

Name

Kathleen Marie Davis

Signature

1-20-2025

Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

January 16, 2025

City of Seward and  
Kenai Peninsula Borough

Subject: CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT – Letter of Authorization

To whom it may concern,

I, ERIC JOHN WALKER, is the owner, or authorized agent of LOTS 1-6, 12 BLOCK 6 and LOTS 1,12-14, BLOCK 9, Cliff Addition to Seward Townsite Plat no. 3 and authorize AK Lands, Land Surveying LLC to represent us before the City of Seward and Kenai Peninsula Borough for all requests related to the platting action, right of way vacation, and its related activities.

ERIC J WALKER

Name

EJ Walker

Signature

JAN 29, 2025

Date





PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
http://aklands.com

January 16, 2025

City of Seward and

Kenai Peninsula Borough

Subject: CLIFF ADDITION TO SEWARD TOWNSITE

WALKER REPLAT – Letter of Authorization

To whom it may concern,

We, GREGG GEORGE WALKER & KATHLEEN MARIE STUBBLEFIELD DAVIS, are the owners, or authorized agents of LOTS 1-3, 5-6, BLOCK 6 and LOTS 1,12-14, BLOCK, Cliff Addition to Seward Townsite Plat no. 3 and authorize AK Lands, Land Surveying LLC to represent us before the City of Seward and Kenai Peninsula Borough for all requests related to the platting action, right of way vacation, and its related activities.

Gregg George Walker  
Name

Gregg George Walker  
Signature  
1-18-2025  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER: LOTS 1-6, & 12 BLOCK 6 & LOTS 1,12-14, BLOCK 9

ERIC JOHN WALKER  
2600 N AURORA LN  
PALMER, AK 99645

AUTHORIZED OFFICIAL SIGNATURE

DATE

TITLE

PRINTED NAME

### NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFOREME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

### CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER: LOTS 1-3, 5-6, BLOCK 6 & LOTS 1,12-14, BLOCK 9

GREGOR GEORGE WALKER  
P.O. BOX 4381  
HOUSTON, TEXAS 77210

AUTHORIZED OFFICIAL SIGNATURE

DATE

TITLE

PRINTED NAME

### NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFOREME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

### CERTIFICATE OF OWNERSHIP AND DEDICATION

I HEREBY CERTIFY THAT THE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ON BEHALF OF THE CITY OF SEWARD HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

OWNER: LOTS 1-3, 5-6, BLOCK 6 & LOTS 1,12-14, BLOCK 9

KATHLEEN MARIE STUBBLEFIELD DAVIS  
2600 N AURORA LN  
PALMER, ALASKA 99645

AUTHORIZED OFFICIAL SIGNATURE

DATE

TITLE

PRINTED NAME

### NOTARY'S ACKNOWLEDGMENT

FOR: \_\_\_\_\_  
ACKNOWLEDGED BEFOREME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: \_\_\_\_\_

### 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 PLAN INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAN IDENTIFIED AS FOLLOWS:

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

AUTHORIZED OFFICIAL SIGNATURE

DATE

TITLE

PRINTED NAME

### PLAT APPROVAL

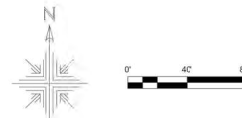
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF DECEMBER 11, 2023.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL SIGNATURE

### LEGEND

OHP  
OVERHEAD POWER LINE (GIS)  
SEWER LINE (GIS)  
WATER LINE (GIS)  
VACATE LOT LINES  
RIGHT OF WAY  
VACATION  
CITY OF SEWARD  
ZONING  
DESIGNATION



### NOTES:

1. THIS IS A PROPOSED PLATTING ACTION. NO BOUNDARY SURVEY HAS BEEN PERFORMED. THE BOUNDARY IS RECORDED PER PLAT NO. 3.
2. NO EASEMENTS VACATED THIS PLAT.
3. ZONING INFORMATION, WATER LINES, AND SEWER LINES ARE BASED ON THE CITY OF SEWARD GIS INTERACTIVE MAP AND ARE APPROXIMATE.
4. OTHER UNDERGROUND UTILITIES, NOT SHOWN HEREON, MAY EXIST ON THE SUBJECT PARCELS.
5. THERE ARE OTHER SITE FEATURES ON LOT 10 THAT IS NOT SHOWN HEREON.

### SURVEYOR'S CERTIFICATE

I, STACY M. WESSEL, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

**PRELIMINARY  
PLAT**



Flat of:	
<b>CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT</b>	
CREATING TRACT 1A CONTAINING 1.936 ACRES	
A SUBDIVISION OF: LOTS 1-4, AND 12, BLOCK 6 AND LOTS 1, AND 11-14, BLOCK 9 CLIFF ADDITION TO SEWARD TOWNSITE PLAT NO. 3	
WITH ALLEWAY RIGHTS OF WAY AND FIRST AVENUE RIGHT-OF-WAY VACATIONS	
CITY OF SEWARD SEWARD RECORDING DISTRICT KENAI PENINSULA BOROUGH	
LOCATED WITHIN: SE 1/4 OF SECTION 4 AND THE SW 1/4 OF SECTION 3, T15S, R10W, S18N, AK	
OWNER: LOTS 1-4, 5-6, BLOCK 6 LOTS 1,12-14, BLOCK 9 GREGOR GEORGE WALKER 2600 N AURORA LN PALMER, ALASKA 99645	OWNER: LOTS 1-4, 5-6, BLOCK 6 LOTS 1,12-14, BLOCK 9 ERIC JOHN WALKER 2600 N AURORA LN PALMER, AK 99645
<b>AKLANDS</b> — LAND SURVEYING — aklands@aklands.com http://aklands.com (907) 744-LAND	
Date: 03/17/2025 Drawn: SMW	Date of Survey: N/A Field Book: N/A
Scale: 1" = 40' PN: 1470	Sheet: 1 of 1 KPB No. N/A









PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

March 17, 2025

City of Seward  
Planning Commission  
410 Adams St.  
Seward, AK 99664

Subject: Cliff Addition to Seward Townsite-ROW Vacation

Dear Kenai Peninsula Borough and City of Seward,

On behalf of AK Lands and the Walker family, I am pleased to submit this request for a **replat** of multiple parcels located within the **Cliff Addition to the Seward Townsite, Plat No. 3**. Our goal is to consolidate several steep and largely inaccessible lots into one lot that meets single-family residential zoning requirements while addressing the challenges posed by the area's extreme topography.

---

#### Overview of Proposed Replat

The replat involves **two blocks**, and the vacation of **First Avenue right-of-way** and **2 alleyways** into one newly configured lot, specifically:

1. **Proposed Tract A-1-1.916 acres**
  - o Created by combining Lots 1-6, and 12, Block 6, plus the adjoining alleyway and a portion of First Avenue and combining Lots 12-14, and 1, Block 9, plus the remaining portion of First Avenue and the alleyway.

#### Supporting Materials

- **Three Preliminary Plats:**
  1. Without contours or slope shading (to clearly depict the subdivision boundaries)
  2. With topographic contours
  3. With both contours and hatched slope areas
- Additionally, an **exhibit** is provided as a close-up view of the proposed parcel, highlighting contours and slope hatch areas that exceed 20%, 40%, and even 60% in some places.
- **Easement Document** (Book 34, Page 897, dated August 24, 1984)  
In 1984, an easement was granted to the City for the expansion of public utilities, roadway, and embankment. Within this document, the City expressed support for vacating the alley right-of-way between Lots 1 and 12, 13, 14, Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, 14, Block 9 and Lots 2, 3, 4, 5, 6, Block 6. The current request aligns with that earlier intent by consolidating steep, underutilized corridors and providing more manageable access.

## Reason for Replat and Right-of-Way Vacations

### Steep Terrain and Inaccessibility

- **Lots 1, 2, and 3, Block 6:**  
Sarah Walker intends to build a single-family home on these lots, yet **access is currently impractical**. The slopes approach **30% to the north** (where First Avenue is platted) and **over 60% to the south** (where we are vacating), making a driveway virtually impossible. Alley access is also rendered unsafe by similarly steep grades.
- **Lots 12, 13, 14, and 1, Block 9:**  
These lots face comparable challenges, with slopes exceeding **60%**. Road connections from Mill Street or Chamberlain Road cannot be developed feasibly due to extreme terrain, which is in some places essentially a cliff.
- **Lots 6, 5, and 4, Block 6:**  
These lots also lack viable access from either First Avenue or existing alleys because of the high grades.

Because of this topography, maintaining platted but undeveloped roads and alleys is neither practical nor beneficial to the public. Currently, there are no existing utilities within the lots and vacated rights-of-ways. Sewer, water and electric utilities will be served from Vista Avenue and Ravina Street.

---

### Responses to Right-of-Way Vacation Criteria

1. **Current Use:** The rights-of-way to be vacated are not being used and are unlikely to be developed for public traffic due to severe slopes.
2. **Construction Impracticability:** Road construction on 20%–60%+ grades is impossible or unreasonably hazardous; therefore, alternative access has been proposed through private easements.
3. **Fully Developed Surrounding Area:** The steep topography limits further road network expansion. Combining parcels into one makes them more suitable for single-family use.
4. **Public Access to Valued Resources:** No public resources (lakes, rivers, etc.) exist here, so vacating these unused rights-of-way does **not** affect public access.
5. **Potential Interconnectivity:** Prospects of interconnection with adjacent parcels are impractical due to intense slopes. Other property owners in this area may similarly vacate First Ave. and reconfigure, if needed.
6. **Alternative Access:** The proposed lot has access off of Vista Avenue and Ravina St.
7. **Utility Requirements:** This is vacant land. There are no existing utilities. Water, sewer, and electric can be served off of Vista Avenue and Ravina St.
8. **No Other Public Need:** Retaining these steep, undeveloped corridors creates undue maintenance burdens and does not support safe or feasible public use.

---

### Conclusion and Request

Due to the extreme terrain, current parcel boundaries and rights-of-way are not conducive to practical development. By reconfiguring the lots into Proposed Tract A-1, we will ensure a suitable residential parcel that is safer to develop and access. We therefore respectfully request:

1. **Approval of the Replat:** Adoption of the attached preliminary plat configuration.
2. **Right-of-Way Vacations:** Allowance for vacation of unused, steep portions of alleys and First Avenue.

Thank you for considering our proposal. We look forward to working with the City of Seward and the Kenai Peninsula Borough to ensure a successful and responsible subdivision.

*Stacy Wessel*

AK Lands, Land Surveying by

Stacy Wessel, Professional Land Surveyor



This agreement is made this 24th day of August, 1984, by and between Gregg G. Walker, Executor for the estate of Mark C. Walker, hereinafter referred to as "Grantor", and the City of Seward, Alaska, a municipal corporation organized and existing under the laws of the State of Alaska, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, Grantor is the fee simple owner of certain real property described below which is located within the City of Seward, Alaska; and

WHEREAS, the City desires to construct improvements to the public road on grantor's property, and install public utilities in the roadway;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Grantor does hereby grant to the City a Right-of-Entry in the real property described below for the location, construction, maintenance, repair and expansion of public utilities, roadway and embankment.
2. The said Right-of-Entry shall exist in favor of City, its successors and assigns for so long as the City, its successors or assigns deem the presence of public utilities, roadway and embankment.
3. The said agreement shall and does hereby exist in the following described real property:

PARCEL 7A

Real property in the City of Seward, Alaska, being a portion of Lot 1, Block 9, Cliff Addition as described on Survey Plat #1117 recorded at the Seward Recording Office; more particularly described as follows:

Beginning at the Northeast corner of Lot 1 and also being on the South line of Lot 2, Block 9, Cliff Addition and West line of Government Road; thence along the North line of Lot 1 West 26.69 feet; thence leaving said North line South  $37^{\circ}33'26''$  West 86.12 feet to the angle point of the East line of Lot 1 and the West line of Government Road; thence leaving said East and West lines South  $31^{\circ}58'29''$  West 72.19 feet to the South line of Lot 1; thence along the South line of Lot 1 East 17.5 feet to the East line of Lot 1; thence leaving said South line along the East line of Lot 1, also being the West line of Government Road North  $18^{\circ}42'$  East 64.65 feet to the angle point of the East line of Lot 1 and North  $49^{\circ}14'$  East 104.55 feet to the North line of Lot 1 and the point of beginning; containing 1446.9 square feet.

4. City agrees to hold Grantor harmless from claims arising out of injuries to persons or property caused by City's defective utility fixtures, construction and repairs to roadway and embankment.

5. In consideration of the foregoing, the City agrees to support vacation of the alley Right-of-Way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue Right-of-Way North of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition at the time application for a replat of the above property is submitted to the Kenai Peninsula Planning Commission.

6. Grantor agrees to grant to the City title and all rights to the property described as Parcel 7A above at such time when the property is replatted by owner.

GRANTOR:

Gregg G. Walker  
 Gregg G. Walker, Executor for the  
 Estate of Mark C. Walker.

Ronald A. Gordini  
 CITY MANAGER

ATTEST:

Linda S. Simpson  
 CITY CLERK  
 (CITY SEAL)

STATE OF ALASKA )  
 THIRD JUDICIAL DISTRICT ) ss.  
 )

BEFORE ME, the undersigned Notary Public in and for the State of Alaska,  
 personally appeared GREGG WALKER, known to me and  
 to me known to be the Grantor herein named and who executed the foregoing  
 instrument and who acknowledged to me that he signed and sealed the  
 same freely and voluntarily for the uses and purposes therein mentioned.  
 WITNESS MY HAND AND SEAL this 24<sup>th</sup> day of August, 1984.

Robert R. Lewis  
 NOTARY PUBLIC in and for Alaska  
 My Commission Expires: 4-18-85

STATE OF ALASKA )  
 THIRD JUDICIAL DISTRICT ) ss.  
 )

BEFORE ME, the undersigned Notary Public in and for the State of Alaska,  
 personally appeared RONALD A. GORDINI, known to me and to me known to  
 be the City Manager of the City of Seward, Alaska, and who executed the foregoing  
 instrument and who acknowledged to me that he signed and  
 sealed the same freely and voluntarily for the uses and purposes therein mentioned.  
 WITNESS MY HAND AND SEAL this 28<sup>th</sup> day of August, 1984.

84-1569

1100

RECORDED FILED  
 SEWARD RECORDING  
 DISTRICT

Aug 28 8 25 AM '84

REQUESTED BY City of SewardADDRESS Box 167, Seward AK 99664

CHRISTY AUDETTE  
 NOTARY PUBLIC in and for Alaska  
 My Commission Expires: 4/21/87



PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

April 2, 2025

City of Seward  
Planning Commission  
410 Adams St.  
Seward, AK 99664

Subject: Cliff Addition to Seward Townsite-KPB exception Request

Dear Kenai Peninsula Borough and City of Seward Officials:

On behalf of AK Lands and the Walker family, I am pleased to submit this request for a replat of multiple parcels within the Cliff Addition to the Seward Townsite, Plat No. 3. Our goal is to consolidate several steep and largely inaccessible lots into a single lot that meets single-family residential zoning requirements while addressing the area's extreme topography.

In conjunction with this replat, we respectfully request an exception to Kenai Peninsula Borough (KPB) Code 20.30.120—which generally requires a 60-foot right-of-way (ROW) width for streets—due to the following unique conditions:

---

## 1. Overview of Proposed Replat

### 1. Proposed Tract A-1 (1.916 Acres)

- Combines Lots 1–6 and 12 of Block 6 (including the adjoining alleyway and part of First Avenue) with Lots 12–14 and 1 of Block 9 (including the remaining portion of First Avenue and an alleyway).
- Vacating First Avenue and two alleyways will create one consolidated parcel better suited for single-family residential use.

### 2. Request for Exception to ROW Widths

- **Vista Avenue:** 40–46.5 feet wide (Plats 2018-17, 2018-13)
- **Mill Street:** 59.62 feet wide (Plats 2002-21, 2005-11)
- **Ravina Street:** 43.5 feet wide (Plat 2018-3)
- **Chamberlain Road:** 59.7 feet wide plus an embankment/utility easement effectively exceeding 60 feet

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## 2. Responses to Required Criteria for Exception (KPB Code)

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

- **Extreme Topography:** Slopes range from 30% to over 60%, making standard road construction infeasible.
- **Minimal Traffic:** These segments do not serve high-traffic corridors.
- **Existing Infrastructure:** Roads such as Mill Street, Chamberlain Road, and Vista Avenue already provide utilities and drainage; requiring a few extra feet for ROW width offers little improvement.



**Criterion 2:** *"That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title."*

- **Preservation of Usable Lot:** Strictly enforcing a 60-foot ROW would force impractical dedication, preventing feasible construction on already steep parcels.
- **Previously Granted Exceptions:** Past plats (2002-21, 2005-11, 2018-17, 2018-3) have recognized similar challenges and provided exceptions ranging from 40 to 59.62 feet.

**Criterion 3:** *"That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated."*

- **Not a Main Thoroughfare:** Vista Avenue, Ravina Street, and other ROWs in question are low-traffic.
- **No Public Need for Additional ROW:** Fractional differences from 60 feet do not hinder public access or utility installation; existing infrastructure is sufficient.
- **Steep, Undeveloped Corridors:** Retaining unused steep ROWs creates maintenance liabilities without public benefit.

---

### 3. Conclusion

We believe the proposed replat and associated ROW exceptions serve both private and public interests. Extreme slopes, minimal traffic, and existing infrastructure, along with prior plat exceptions, confirm that strict 60-foot ROW compliance is unnecessary. Granting this request allows the property to be responsibly developed without compromising public safety or welfare.

Thank you for your time and consideration. Please contact me with any questions or if further information is needed.

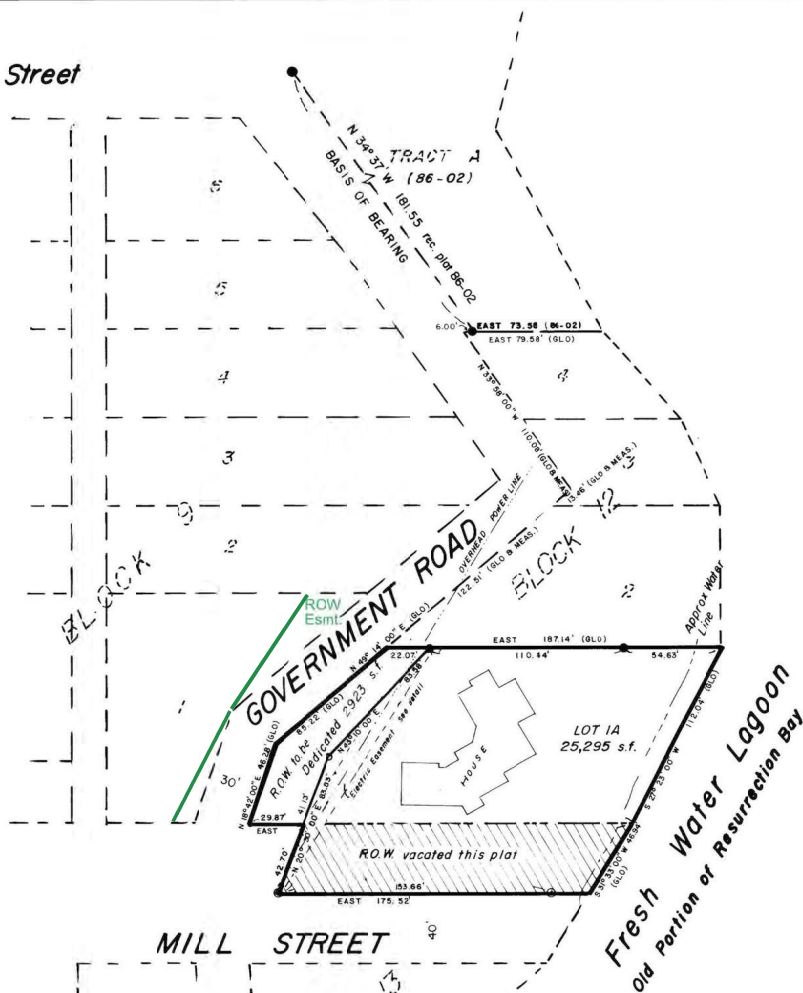
*Stacy Wessel*

AK Lands, Land Surveying by

Stacy Wessel, Professional Land Surveyor



Ravina Street



- Found rebar with 1 1/2" Alum. cap
- Set 5/8" x 30" rebar flush w/ ground
- \* Utility, Construction, and Slope Easement



# CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am ~~the~~ the owner of the property shown and described hereon and that I ~~we~~ hereby adopt this plan of subdivision, and dedicate all right-of-ways to public use, and grant all easements to the use shown.

*Karena Adler*  
KARENA ADLER Owner  
P.O. Box 1121  
SEWARD, AK 99664

## NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn before me this 5 day of June 1987, for KARENA ADLER.

My commission expires

*[Signature]*  
Notary public

87-26  
RECORDED 2008  
Seward  
Dec. 9 87  
4:16  
Aqua Fria Surveyors

## SURVEYOR'S CERTIFICATE

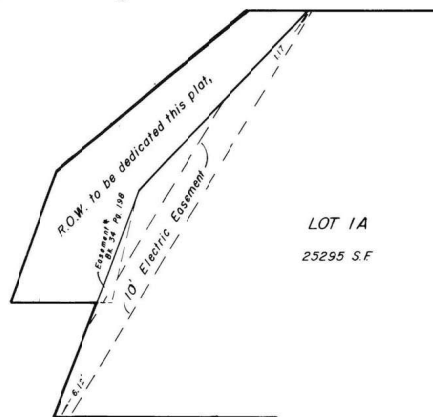
I, GERALD B. KURTZ, professional land surveyor do hereby certify that this plat is a true and correct representation of the lands actually surveyed and that the distances and bearings are shown correctly and that all 1d corners have been set and staked.



## PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of April 6, 1987.

Kenai Peninsula Borough by: *[Signature]*  
Authorized Official



DETAIL 1" = 30'

LOT 1A  
25295 S.F.

E3-42

VICINITY MAP 1" = 25000			
<p>PLAT OF  <b>SEWARD TOWNSITE, CLIFF ADDITION</b>  <b>LOT 1A BLOCK 12 REPLAT &amp; VACATION</b></p>			
<p>A REPLAT OF LOT 1, BLOCK 12, CLIFF ADDITION TO SEWARD TOWNSITE, UNITED STATES SURVEY No. 1117. Located within T.1S. R.1W. S.M. Containing 1 lot in 0.63 Ac. more or less. SEWARD RECORDING DISTRICT</p>			
<p><b>AGUA FRIA SURVEYORS</b>  9024 VANGUARD DRIVE  ANCHORAGE, AK. 99507 349-4688</p>			
Date Feb. 5, 1987	Scale 1" = 50'	W.O. 87-03	Fb. 37-01 Pg. 6
<p><b>K.P.B. File No. 87-030</b></p>			



# CITY OF SEWARD, ALASKA

## AFFIDAVIT OF MAILING

### PUBLIC HEARING NOTICE



Clara Brown, upon oath, deposes and states:

That she is employed in the Community Development Office of the City of Seward, Alaska; and that on March 20, 2025 she mailed a Notice of Public Hearing to the real property owners within a 300-foot periphery of **Cliff Addition to Seward Townsite, Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9; Located at 1312 Vista Ave, 1305 First Ave, 1303 First Ave, 104 Mill St, 112 Mill St, 1303 Chamberline Rd** as prescribed by Seward City Code 15.01.040/16.01.015.

Affirmed and signed this 20<sup>th</sup> day of March 2025.

Clara Brown

**AFFIDAVIT OF POSTING**  
**PUBLIC HEARING NOTICE**



I, Sara Walker, hereby certify that I have posted a Notice of Public Hearing, as prescribed by Seward City Code 15.01.040 for the property located at **Cliff Addition to Seward Townsite, Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9; Located at 1312 Vista Ave, 1305 First Ave, 1303 First Ave, 104 Mill St, 112 Mill St, 1303 Chamberline Rd**, the owners of which have petitioned for a Public Hearing to replat the above named property, vacating a portion of First Avenue ROW and alley to the east, and combining Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat.

The notice was posted on March 20, 2025, which is 19 days prior to the public hearing on this petition. I acknowledge this Notice must be posted in plain sight, maintained and displayed until all public hearings have been completed.

Affirmed and signed this 20 day of March, 2025.

Sara Walker

Signature

## CALL TO ORDER

The April 8, 2025, regular meeting of the Planning & Zoning Commission was called to order at 7:01 p.m. by Chair Carol Griswold.

## OPENING CEREMONY

Commissioner Rhonda Hubbard led the Pledge of Allegiance to the flag.

## ROLL CALL

There were present:

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

comprising a quorum of the Commission; and

Daniel Meuninck, Community Development Director  
Courtney Bringham, City Planner  
Clara Brown, Executive Assistant  
Jodi Kurtz, Deputy City Clerk

Excused – Verhey, Hornseth  
Absent – None  
Vacant – None

**CITIZEN COMMENTS ON ANY SUBJECT** – None

## APPROVAL OF AGENDA AND CONSENT AGENDA

**Motion (Charbonneau/Sullivan)**

**Approval of Agenda and Consent Agenda**

**Motion Passed**

**Unanimous**

The clerk read the following approved consent agenda items:

Approve March 4, 2025, Planning & Zoning Commission Meeting Minutes



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

### **Proclamations and Awards – None**

### **City Administration Report**

**Community Development Director Daniel Meuninck** reminded everyone of the upcoming Comprehensive Plan Town Hall Workshops. He said a third-party facilitator will guide the workshops, and the surveys will remain open until May 31st. He also announced that the Kenai Peninsula Borough's Safe Streets and Roads for All Safety Action Plan is open for public comment until April 30th. The Bureau of Land Management is also seeking input on revising the Iditarod National Historic Trail Management Plan. He added that the city is promoting e-notifications for more efficient communication on local projects and updates. Lastly, Meuninck shared some insights from his experience at the National Planning Conference in Denver. Seward had a theme of resiliency with geographical challenges and history of growth.

### **Other Reports and Announcements – None**

### **Presentations - None**

## **PUBLIC HEARINGS**

### **Resolutions Requiring Public Hearing**

**Resolution 2025-013**, of The Planning And Zoning Commission of the City of Seward, Alaska, Granting a Conditional Use Permit to Tirebrand LLC To Operate an Auto Repair Shop at 801 Third Avenue Within an Auto Commercial (AC) Zoning District

*This is a quasi-judicial hearing. Commissioners may not discuss any items pertaining to this Resolution with the applicant, other commissioners, or the public.*

**City Planner Courtney Bringhurst** explained that property at 801 Third Avenue has traditionally been an auto service business. It was purchased by Tirebrand LLC in 2023. The business initially offered tire and lube services which are allowed in the area. This year, Tirebrand added mechanical repairs to their services, which requires a CUP for auto repair business.

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

**Chad Higgins**, inside city limits, stated that he owned Tirebrand and bought property in an auto-commercial zone, expecting to run the Tirebrand automotive business without extra restrictions. He felt this CUP was unnecessary and should be removed. This process added costs and complications to his business. His business operates at a loss part of the year to provide a needed service in Seward, and he disagreed with this permit requirement.

Charbonneau wanted clarification on the lots north of the business which were used for parking cars. The business owner said the lots are owned by a business partner of Maverick LLC, but there was confusion about the exact ownership and usage.

*No one else appeared and the public hearing was closed.*

**Motion (Charbonneau/Hubbard)**

**Approve Resolution 2025-013**

P&Z discussed the conditional use permit (CUP) for the business operating as an auto repair shop. They also discussed the parking and the different property boundaries and where Tirebrand parks the cars. The commissioners suggest that a formal parking agreement could clarify the situation.

Griswold proposed an amendment to add a condition for this CUP that would state: the two adjacent parcels to the north, Parcels 14714015 and 14714006, are required to comply with SCC §15.10.215 Parking E.2. This amendment was discussed and then failed.

**Motion Passed**

**Unanimous**

**Resolution 2025-014**, of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council and Kenai Peninsula Borough approval of the preliminary plat of 204 Lowell Canyon Road and 206 Lowell Court, vacating the eastern portion of the Lowell Court right-of-way and vacating the southern 10' of the property located at 204 Lowell Canyon Road

**Motion (Charbonneau/Hubbard)**

**Approve Resolution 2025-014**

Bringhurst referenced the 2023 Municipal Lands Inventory and Management Plan, and how the commission recommended vacating the 50-foot right-of-way and the southern 10 feet of 204 Lowell Canyon Road. She explained how this would benefit residential development and the landowners.

*Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened. No one else appeared and the public hearing was closed.*

The commission discussed building a home or structure, easements and setbacks, and what was considered enough space for good-sized property. The goal was to make the land more useful and easier to sell. They discussed the right-of-way and how it will be split between the landowners.

Administration handed out a laydown from the AK Lands Surveying company for added clarification.

Resolution 2025-014 was amended to incorporate the AK Lands April 8, 2025 letter to replace the AK Lands October 18, 2024 letter in the packet backup materials.

**Motion as Amended Passed**

**Unanimous**



**Resolution 2025-015**, of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council and Kenai Peninsula Borough approval of the preliminary plat of 1312 Vista Avenue, 1305 First Avenue, 1303 First Avenue, 104 Mill Street, 112 Mill Street, and 1303 Chamberlin Road, vacating a portion of First Avenue right-of-way and alleyway rights-of-way and combining the six lots and vacated rights-of-way into one tract of land

**Motion (Charbonneau/Sullivan)**

**Approve Resolution 2025-015**

Bringhurst explained how the six lots are located west of the lagoon and are owned by three related people. She shared that the Community Development staff and Public Works Director made recommendations to create this preliminary plat to remove the right-of-way, which would give the owners full access to their property. She explained how it would help plan for utilities and future development.

**Land Surveyor Stacey Wessel** explained how vacating both rights-of-way was considered and how the city has already supported vacating the alley right-of-way. This would allow the property owners to develop the land for housing and utilities. She felt it was an important step in making the land usable.

*Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened. No one else appeared and the public hearing was closed.*

The commission discussed removing the alleyway and part of First Avenue to make it easier for property owners to develop their land and that it would help both landowners and the overall area design. Approving the plat would help with housing development which was a main goal in the comprehensive plan.

**Motion Passed**

**Unanimous**

## **UNFINISHED BUSINESS**

### **Resolutions**

**Resolution 2025-009**, of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council approval of the land use amendment to rezone the property located at 1604 Phoenix Road from a Two-Family (R2) zoning district to an Auto Commercial (AC) zoning district.

[This is a quasi-legislative hearing. Commissioners may discuss items pertaining to this Resolution. This item was postponed until the March 4, 2025 meeting so the applicant and more commissioners could be present.]

Bringhurst explained that Jacob Bridges owns 1604 Phoenix Road, a 0.27 acre property, and had requested a rezoning from two-family residential to auto-commercial. Since the property just west of 1604 Phoenix Road is already auto commercial, the rezoning would make the property



# *Seward City Council Agenda Packet*



*Photo by Kris Peck*

## *Monday, April 28, 2025*

City Council Chambers

Beginning at 7:00 p.m.

1963 1965 2005



The City of Seward, Alaska  
CITY COUNCIL MEETING AGENDA

City Council Chambers, 410 Adams Street



*Please silence all cell phones and devices during the meeting*

---

Mayor Sue McClure	Council Member Robert Barnwell	City Manager Kat Sorensen
Vice Mayor John Osenga	Council Member Julie Crites	Deputy City Manager Jason Bickling
Council Member Randy Wells	Council Member Casie Warner	City Clerk Kris Peck
Council Member Kevin Finch		City Attorney Sam Severin

---

**Monday, April 28, 2025 at 7:00 p.m.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. PROCLAMATIONS AND AWARDS
  - A. **Recognition of Service for HR Manager Tammy Nickell** .....5
  - B. **Recognition of Service for Police Chief Alan Nickell** .....6
  - C. **Recognition of Service for Sgt. Patrick Messmer** .....7
5. CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING *(Those who have signed in will be given the first opportunity to speak. Time is limited to 3 minutes per speaker and 36 minutes total time for this agenda item)*
6. APPROVAL OF AGENDA AND CONSENT AGENDA *(\*Approval of Consent Agenda passes all routine items listed. Consent Agenda items are not considered separately unless a council member requests an item be moved to New Business)*
  - A. Minutes of Preceding Meeting
    - 1) **\*Approval of the April 14, 2025 City Council Meeting Minutes** .....8
  - B. Introduction of Ordinances – None
  - C. Resolutions
    - 1) **\*Resolution 2025-038:** Requesting the State of Alaska Legislators Make a Meaningful Increase to the Base Student Allocation (BSA) for Public Schools.....17
    - 2) **\*Resolution 2025-039:** Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of 204 Lowell Canyon Road and 206 Lowell Court, Vacating the Eastern Portion of the Lowell Court Right-of-Way and Vacating the Southern 10' of the Property Located at 204 Lowell Canyon Road.....22

- 3) **\*Resolution 2025-040:** Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of 1312 Vista Avenue, 1305 First Avenue, 1303 First Avenue, 104 Mill Street, 112 Mill Street, and 1303 Chamberlin Road, Vacating a Portion of First Avenue Right-of-Way and Alleyway Rights-of-Way and Combining the Six Lots and Vacated Rights-of-Way into One Tract of Land .....45
  - 4) **\*Resolution 2025-041:** Authorizing the City Manager to Purchase Electric Utility Materials from Anixter and General Pacific for the Electric Department's Annual Material Restocking in the Amount of \$138,676.94 with a 10% Contingency on Each Order Not to Exceed \$152,544.63 Total .....69
  - 5) **\*Resolution 2025-042:** Authorizing the City Manager to Enter into a Contract with Ingersoll Enterprises for Custodial Services at the Harbormaster's Office and Restrooms in the Harbor Area, in the Amount of \$45,345 Annually for a Term of Three Years.....85
  - 6) **\*Resolution 2025-043:** Authorizing the City Manager to Enter into a Contract for Custodial Services with Ravenquest Housing & Maintenance for the Seward Community Library & Museum in the Amount of \$72,000 Annually for a Term of Two Years.....98
  - 7) **\*Resolution 2025-044:** Authorizing the City Manager to Accept the Proposal from KPFF Consulting Engineers to Provide Project Management for the Shore Power Project at the Port of Seward in the Amount of \$398,039 with a 5% Contingency with Funding Provided Entirely through the Environmental Protection Agency Grant ...111
- D. Other Items – None
7. IN-PERSON REPORTS AND PRESENTATIONS
- A. City Manager Report.....130
  - B. City Clerk Report – None
  - C. City Attorney Report – None
  - D. Other Reports and Announcements – None
  - E. Presentations – None
8. PUBLIC HEARINGS – None





## RESOLUTION 2025-040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA RECOMMENDING KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY PLAT OF 1312 VISTA AVENUE, 1305 FIRST AVENUE, 1303 FIRST AVENUE, 104 MILL STREET, 112 MILL STREET, AND 1303 CHAMBERLIN ROAD, VACATING A PORTION OF FIRST AVENUE RIGHT-OF-WAY AND ALLEYWAY RIGHTS-OF-WAY AND COMBINING THE SIX LOTS AND VACATED RIGHTS-OF-WAY INTO ONE TRACT OF LAND

### Documents:

- Agenda Statement
- Resolution 2025-040
- Attachments:
  - Application



## City Council Agenda Statement

**Meeting Date:** April 28, 2025

**To:** City Council

**Through:** Kat Sorensen, City Manager

**From:** Planning and Zoning Commission

**Subject:** Resolution 2025-040: Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of 1312 Vista Avenue, 1305 First Avenue, 1303 First Avenue, 104 Mill Street, 112 Mill Street, and 1303 Chamberlin Road, Vacating a Portion of First Avenue Right-of-Way and Alleyway Rights-of-Way and Combining the Six Lots and Vacated Rights-of-Way into One Tract of Land

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### Background and justification:

Attached for the Council's review and recommendation to the Kenai Peninsula Borough Planning Commission is a preliminary plat submitted by AK Lands, Land Surveying LLC on behalf of the City of Seward.

The proposed plat is subdividing Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat.

The property owners began cutting a driveway into Lot 1, Block 6 (104 Mill Street) in early 2024. Due to the steep terrain, the construction of the driveway encroached onto the platted right-of-way (ROW) of First Avenue. Even though this is an undeveloped ROW, the development of a private driveway is not permitted in a ROW. The city does not have plans to develop this ROW due to the steep terrain, and recommended that the property owners work with a surveyor to vacate the ROW.

Vacating the ROW and creating one single parcel of land will allow the owners to complete the development of their driveway, which will give them better access to their land to explore the best locations for a residential dwelling and the necessary utility connections.

On August 28, 1984, the property owner of Lot 1, Block 9, Cliff Addition signed an agreement granting the City of Seward a portion of Lot 1 adjacent to Chamberlin Road for the construction, maintenance, repair and expansion of public utilities, roadway and embankment. As part of this agreement, the City agreed to support vacation of the alley right-of-way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition in the future event of a replat being submitted for the above property.

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 sections 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.

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

On April 8, 2025, the Seward Planning and Zoning Commission reviewed this preliminary plat and recommended the City Council and Kenai Peninsula Borough approval through Resolution 2025-015.

Seward City Code §7.05.510(D) states that “The city manager may, at the direction of the City Council convey, quitclaim, release, cancel, or otherwise relinquish any real property easement, right-of-way, permit or license the city may have or hold for the purpose of installing, constructing or maintaining a public improvement or utility, whenever the interest is no longer used or useful for that purpose.”

In accordance with City and Borough requirements, the Seward City Council must review and comment on a preliminary plat of city-owned land before submittal to the Borough for approval.

#### **Subdivision Review:**

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

**Size:** Tract 1A will be 1.913 acres or 84,375 square feet.

**Utilities:** Tract 1A has access to city water, sewer, and electricity

**Existing Use:** *Tract 1A is currently vacant.*

**Access:** Tract 1A has access to Mill Street and the intersection of Ravina Street and Vista Avenue.

**Flood Zone:** The south edge of the property adjacent to Mill Street is located within the Seward Mapped Flood Data Area (SMFD). Development in this area is unlikely due to the very steep terrain, however, development within the SMFD may require additional permitting.

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

This legislation is consistent with (citation listed):

Comprehensive Plan: Vol 1, Chapter 2.2.11

- “Promote infill development by encouraging and promoting construction on vacant sites in areas of the city which are already established.”



Strategic Plan: N/A

Other: \_\_\_\_\_

**Certification of Funds**Total amount of funds listed in this legislation: \$ 0

This legislation (✓):

- |                                     |                                     |          |
|-------------------------------------|-------------------------------------|----------|
| <input type="checkbox"/>            | Creates revenue in the amount of:   | \$ _____ |
| <input type="checkbox"/>            | Creates expenditure in amount of:   | \$ _____ |
| <input type="checkbox"/>            | Creates a savings in the amount of: | \$ _____ |
| <input checked="" type="checkbox"/> | Has no fiscal impact                |          |

Funds are (✓):

- |                          |                |                     |
|--------------------------|----------------|---------------------|
| <input type="checkbox"/> | Budgeted       | Line item(s): _____ |
| <input type="checkbox"/> | Not budgeted   | _____               |
| <input type="checkbox"/> | Not applicable |                     |

**Fund Balance Information**

Affected Fund (✓):

- |                          |             |                          |         |                          |          |                          |            |
|--------------------------|-------------|--------------------------|---------|--------------------------|----------|--------------------------|------------|
| <input type="checkbox"/> | General     | <input type="checkbox"/> | SMIC    | <input type="checkbox"/> | Electric | <input type="checkbox"/> | Wastewater |
| <input type="checkbox"/> | Boat Harbor | <input type="checkbox"/> | Parking | <input type="checkbox"/> | Water    | <input type="checkbox"/> | Healthcare |
| <input type="checkbox"/> | Motor Pool  | <input type="checkbox"/> | Other   | _____                    |          |                          |            |

*Note: amounts are unaudited*

Available Fund Balance

\$ \_\_\_\_\_

Finance Director Signature: \_\_\_\_\_

**Attorney Review**

- |                                     |                |                           |
|-------------------------------------|----------------|---------------------------|
| <input checked="" type="checkbox"/> | Yes            | Attorney Signature: _____ |
| <input type="checkbox"/>            | Not applicable | Comments: _____           |
|                                     |                | _____                     |
|                                     |                | _____                     |

**Administration Recommendation**

- |                                     |                  |
|-------------------------------------|------------------|
| <input checked="" type="checkbox"/> | Adopt Resolution |
| <input type="checkbox"/>            | Other: _____     |

**Sponsored by:** Planning and Zoning Commission  
**Public Hearing:** April 28, 2025  
**Enacted:**

**CITY OF SEWARD, ALASKA  
RESOLUTION 2025-040**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, RECOMMENDING KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY PLAT OF 1312 VISTA AVENUE, 1305 FIRST AVENUE, 1303 FIRST AVENUE, 104 MILL STREET, 112 MILL STREET, AND 1303 CHAMBERLIN ROAD, VACATING A PORTION OF FIRST AVENUE RIGHT-OF-WAY AND ALLEYWAY RIGHTS-OF-WAY AND COMBINING THE SIX LOTS AND VACATED RIGHTS-OF-WAY INTO ONE TRACT OF LAND**

**WHEREAS,** AK Lands, Land Surveying LLC has submitted a preliminary plat on behalf of the City of Seward for review and recommendation to the Kenai Peninsula Borough; and

**WHEREAS,** the proposed plat is a subdivision of Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat; and

**WHEREAS,** all of the Lots are currently vacant and zoned single-family residential (R1); and

**WHEREAS,** the property owners began construction of a driveway from Mill Street in 2024; and

**WHEREAS,** due to the steep terrain, the driveway ended up encroaching substantially into the First Avenue right-of-way (ROW); and

**WHEREAS,** the First Avenue ROW in the Cliff Addition is undeveloped and the City of Seward does not have plans to develop it; and

**WHEREAS,** the Public Works Director and Community Development staff recommended that the property owner work with a surveyor to vacate the ROW; and

**WHEREAS,** vacating the ROW and creating one single parcel of land will allow the owners to complete the development of their driveway; and

**WHEREAS,** a completed driveway will give the owners better access to their land to explore the feasibility for residential dwellings and the necessary utility connections; and

**WHEREAS,** a portion of Lot 1, Block 9 was granted to the City of Seward in an agreement dated August 28, 1984, for the construction, maintenance, repair and expansion of public utilities, roadway and embankment; and

**CITY OF SEWARD, ALASKA  
RESOLUTION 2025-040**

---

**WHEREAS**, in consideration of this dedication of land for city use, the 1984 agreement stated that the City agrees to support vacation of the alley right-of-way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition in the future event of a replat of the above property; and

**WHEREAS**, the size of proposed Tract 1A 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, Tract 1A is not within a FEMA mapped flood zone; and

**WHEREAS**, the southern edge of Tract 1A is within the Seward Mapped Flood Data Area (SMFD); and

**WHEREAS**, development on the southern edge of Tract 1A is unlikely due to the steep terrain, however, development within the SMFD may require additional permitting; and

**WHEREAS**, Tract 1A has access to city water, sewer, and electricity; and

**WHEREAS**, Tract 1A has access to Mill Street and the intersection of Ravina Street and Vista Avenue; and

**WHEREAS**, a subdivision agreement will not be required with this plat; 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**, the Seward Planning and Zoning Commission reviewed this preliminary plat on April 8, 2025, and recommended the City Council and Kenai Peninsula Borough approval through Resolution 2025-015; and

**WHEREAS**, Seward City Code §7.05.510(D) requires City Council approval for the vacation of city-owned rights-of-way; and

**WHEREAS**, the Seward City Council must review and comment on a preliminary plat of city-owned land before submittal to the Borough for approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA**, that:

**Section 1.** The Council hereby recommends that, in accordance with Seward City Code Section 16.01.015, the Kenai Peninsula Borough approves the submittal of the preliminary plat of



**CITY OF SEWARD, ALASKA  
RESOLUTION 2025-040**

---

Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat.

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

**PASSED AND APPROVED** by the City Council of the City of Seward, Alaska, this 28<sup>th</sup> day of April 2025.

**THE CITY OF SEWARD, ALASKA**

---

**Sue McClure, Mayor**

AYES:

NOES:

ABSENT:

ABSTAIN:

**ATTEST:**

---

Kris Peck  
City Clerk

(City Seal)



Context Map



## Preliminary Plat Application Property Map

RES 2025-0XX - Vacating a portion of First Avenue ROW and alley to the east, and combining Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite

Location: 1312 Vista Ave, 1305 First Ave, 1303 First Ave, 104 Mill St, 112 Mill St, 1303 Chamberlin Rd

Parcel #: 14705016, 14705008, 14705007, 14705006, 14721001, 14721007





## Community Development/ Planning &amp; Zoning

410 Adams Street, Seward, Alaska 99664 • (907) 224-4049 • (907) 224-4020  
or email: [planning@cityofseward.net](mailto:planning@cityofseward.net)

**PRELIMINARY PLAT SUBMITTAL FORM**

☒ PRELIMINARY PLAT ☐ REVISED PRELIMINARY PLAT (no fee required)

☐ PHASED PRELIMINARY PLAT ☐ PRELIMINARY PLAT FOR PRIVATE STREETS / GATED SUBDIVISION

All requirements of Seward Code Title 16 apply and must be met.

**SUBDIVISION PLAT NAME:** must not include business names, contact staff for assistance if needed.

CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT

**PROPERTY INFORMATION:**

legal description	LOTS 1-6, AND 12, BLOCK 6 AND LOTS 1, AND 12-14, BLOCK 9 CLIFF ADDITION TO SEWARD TOWNSITE PLAT NO. 3	
Section, Township, Range	SE1/4 OF SEC. 4 AND THE SW1/4 OF SEC 3, T1S, R1W	
General area description	West of Seward Lagoon	
City	Seward	Total Acreage 1.916 acres

**SURVEYOR**

Company: AK Lands Land Surveying	Contact Person: Stacy Wessel
Mailing Address: PO Box 110485	City, State, Zip Anchorage, AK 99511
Phone: (907) 744-LAND	e-mail: <a href="mailto:stacy@aklands.com">stacy@aklands.com</a>

**PROPOSED WASTEWATER AND WATER SUPPLY**

WASTEWATER ☒ on site ☒ City

WATER ☒ on site ☒ City

**SUBMITTAL REQUIREMENTS**

**A preliminary plat application will be scheduled for the next available Planning and Zoning meeting after a complete application has been received.**

- ☒ Electronic file of Plat and  
☒ Preliminary plat **NON-REFUNDABLE** submittal fee \$200.00-  
☒ Certificate to plat for **ALL** parcels included in the subdivision  
☒ Documentation showing proof of signatory authority (partnerships, corporations, estates, trusts, etc.)  
☐ Public Notice Sign(s) Posted on property - *City staff will contact you to pick up sign*

**EXCEPTIONS REQUESTED TO PLATTING CODE:** A letter, to be presented to the Planning and Zoning commission, with substantial evidence justifying the requested exception and fully stating the grounds for the exception request, and the facts relied upon, **MUST** be attached to this submittal.

1. 2. 3.

KP Code 20.130.120

**APPLICANT: SIGNATURES OF ALL LEGAL PROPERTY OWNERS ARE REQUIRED.** Additional signature sheets can be attached. When signing on behalf of another individual, estate, corporation, LLC, partnership, etc., documentation is required to show authority of the individual(s) signing.

Contact KP staff for clarification if needed.

**OWNER(s)**

Name (printed): Stacy Wessel	Signature: <i>Stacy Wessel</i>
Phone: (907) 744-LAND	e-mail: <a href="mailto:stacy@aklands.com">stacy@aklands.com</a>

Name (printed):	Signature:
Phone:	e-mail:

Name (printed):	Signature:
Phone:	e-mail:

FOR OFFICE USE ONLY

RECEIVED BY \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

Receipt # \_\_\_\_\_



The preliminary plat shall be drawn to scale of sufficient size to be clearly legible and shall clearly show the following:

1.	Within the title block:	Not applicable to my plat.	The required information has been shown/noted.
a.	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;		✓
b.	Legal description, location, date, and total area in acres of the proposed subdivision; and		✓
c.	Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;		✓
2.	North point;		✓
3.	The location, width and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;		✓
4.	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;		✓
5.	All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;		✓
6.	The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;		✓
7.	Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;		✓
8.	Approximate locations of areas subject to inundation, flooding, or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;	✓	
9.	Approximate locations of areas subject to tidal inundation and the mean high water line;	✓	
10.	Block and lot numbering approximate dimensions and total numbers of proposed lots;		✓
11.	The approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto		✓
12.	Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;		✓
13.	Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;		✓
14.	Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval	✓	

Subdivision Name: \_\_\_\_\_ Date \_\_\_\_\_



Resolution 2025-040  
PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

January 16, 2025

City of Seward and  
Kenai Peninsula Borough

Subject: CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT – Letter of Authorization

To whom it may concern,

We, <sup>kd</sup> GREGG GEORGE WALKER & KATHLEEN MARIE STUBBLEFIELD DAVIS, are the owners, or authorized agents of LOTS 1-3, 5-6, BLOCK 6 and LOTS 1,12-14, BLOCK, Cliff Addition to Seward Townsite Plat no. 3 and authorize AK Lands, Land Surveying LLC to represent us before the City of Seward and Kenai Peninsula Borough for all requests related to the platting action, right of way vacation, and its related activities.

KATHLEEN MARIE DAVIS

Name

Kathleen Marie Davis

Signature

1-20-2025

Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

January 16, 2025

City of Seward and  
Kenai Peninsula Borough

Subject: CLIFF ADDITION TO SEWARD TOWNSITE WALKER REPLAT – Letter of Authorization

To whom it may concern,

I, ERIC JOHN WALKER, is the owner, or authorized agent of LOTS 1-6, 12 BLOCK 6 and LOTS 1,12-14, BLOCK 9, Cliff Addition to Seward Townsite Plat no. 3 and authorize AK Lands, Land Surveying LLC to represent us before the City of Seward and Kenai Peninsula Borough for all requests related to the platting action, right of way vacation, and its related activities.

ERIC J WALKER

Name

EJ Walker

Signature

JAN 29, 2025

Date





PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
http://aklands.com

January 16, 2025

City of Seward and

Kenai Peninsula Borough

Subject: CLIFF ADDITION TO SEWARD TOWNSITE

WALKER REPLAT – Letter of Authorization

To whom it may concern,

We, GREGG GEORGE WALKER & KATHLEEN MARIE STUBBLEFIELD DAVIS, are the owners, or authorized agents of LOTS 1-3, 5-6, BLOCK 6 and LOTS 1,12-14, BLOCK, Cliff Addition to Seward Townsite Plat no. 3 and authorize AK Lands, Land Surveying LLC to represent us before the City of Seward and Kenai Peninsula Borough for all requests related to the platting action, right of way vacation, and its related activities.

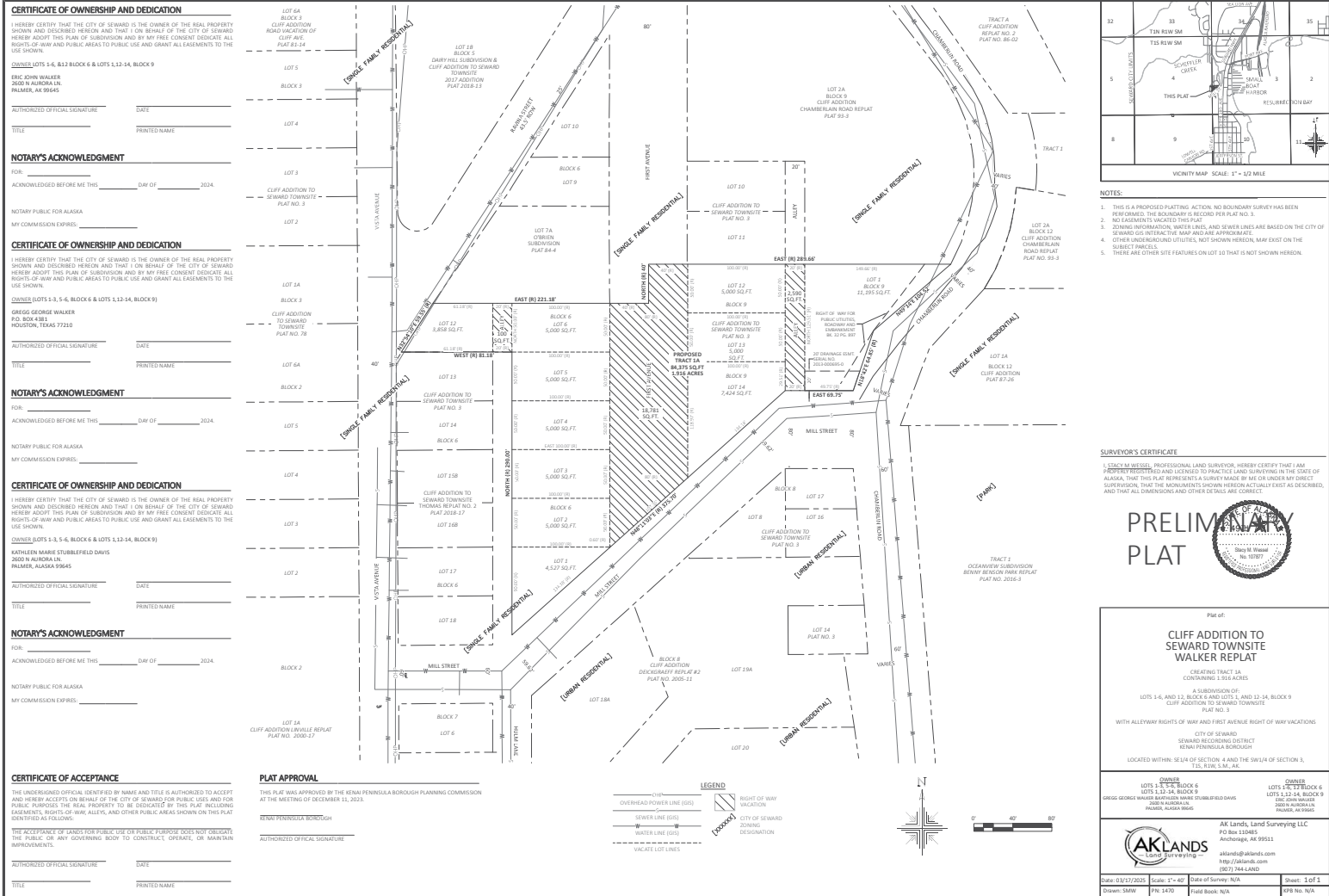
Gregg George Walker  
Name

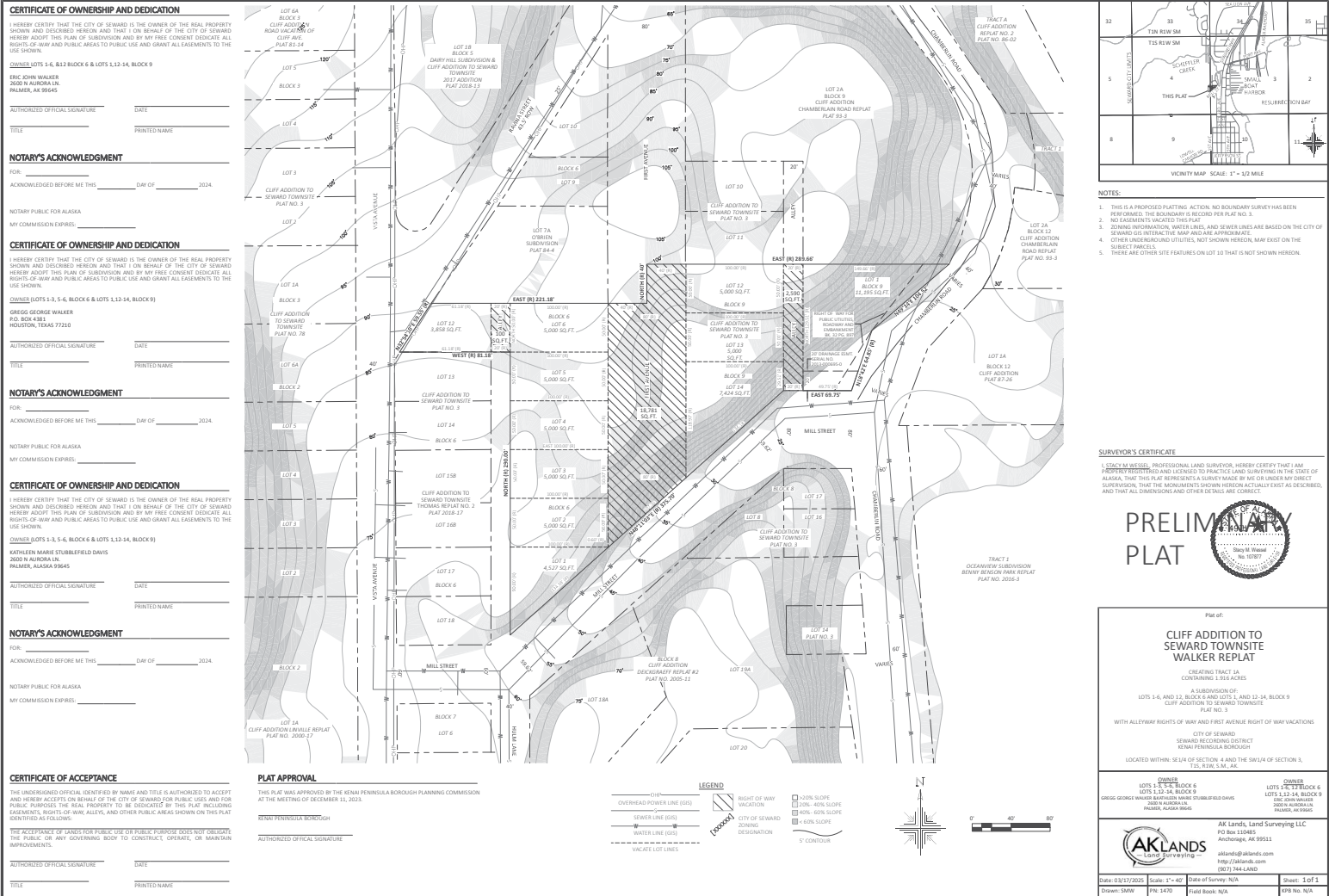
Gregg George Walker  
Signature  
1-18-2025  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date









PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

March 17, 2025

City of Seward  
Planning Commission  
410 Adams St.  
Seward, AK 99664

Subject: Cliff Addition to Seward Townsite-ROW Vacation

Dear Kenai Peninsula Borough and City of Seward,

On behalf of AK Lands and the Walker family, I am pleased to submit this request for a **replat** of multiple parcels located within the **Cliff Addition to the Seward Townsite, Plat No. 3**. Our goal is to consolidate several steep and largely inaccessible lots into one lot that meets single-family residential zoning requirements while addressing the challenges posed by the area's extreme topography.

---

#### Overview of Proposed Replat

The replat involves **two blocks**, and the vacation of **First Avenue right-of-way** and **2 alleyways** into one newly configured lot, specifically:

1. **Proposed Tract A-1-1.916 acres**
  - o Created by **combining Lots 1-6, and 12, Block 6**, plus the adjoining **alleyway** and a **portion of First Avenue** and **combining Lots 12-14, and 1, Block 9**, plus the **remaining portion of First Avenue** and the **alleyway**.

#### Supporting Materials

- **Three Preliminary Plats:**
  1. Without contours or slope shading (to clearly depict the subdivision boundaries)
  2. With topographic contours
  3. With both contours and hatched slope areas
- Additionally, an **exhibit** is provided as a close-up view of the proposed parcel, highlighting contours and slope hatch areas that exceed 20%, 40%, and even 60% in some places.
- **Easement Document** (Book 34, Page 897, dated August 24, 1984)

In 1984, an easement was granted to the City for the expansion of public utilities, roadway, and embankment. Within this document, the City expressed support for vacating the alley right-of-way between Lots 1 and 12, 13, 14, Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, 14, Block 9 and Lots 2, 3, 4, 5, 6, Block 6. The current request aligns with that earlier intent by consolidating steep, underutilized corridors and providing more manageable access.

## Reason for Replat and Right-of-Way Vacations

### Steep Terrain and Inaccessibility

- **Lots 1, 2, and 3, Block 6:**  
Sarah Walker intends to build a single-family home on these lots, yet **access is currently impractical**. The slopes approach **30% to the north** (where First Avenue is platted) and **over 60% to the south** (where we are vacating), making a driveway virtually impossible. Alley access is also rendered unsafe by similarly steep grades.
- **Lots 12, 13, 14, and 1, Block 9:**  
These lots face comparable challenges, with slopes exceeding **60%**. Road connections from Mill Street or Chamberlain Road cannot be developed feasibly due to extreme terrain, which is in some places essentially a cliff.
- **Lots 6, 5, and 4, Block 6:**  
These lots also lack viable access from either First Avenue or existing alleys because of the high grades.

Because of this topography, maintaining platted but undeveloped roads and alleys is neither practical nor beneficial to the public. Currently, there are no existing utilities within the lots and vacated rights-of-ways. Sewer, water and electric utilities will be served from Vista Avenue and Ravina Street.

---

### Responses to Right-of-Way Vacation Criteria

1. **Current Use:** The rights-of-way to be vacated are not being used and are unlikely to be developed for public traffic due to severe slopes.
2. **Construction Impracticability:** Road construction on 20%–60%+ grades is impossible or unreasonably hazardous; therefore, alternative access has been proposed through private easements.
3. **Fully Developed Surrounding Area:** The steep topography limits further road network expansion. Combining parcels into one makes them more suitable for single-family use.
4. **Public Access to Valued Resources:** No public resources (lakes, rivers, etc.) exist here, so vacating these unused rights-of-way does **not** affect public access.
5. **Potential Interconnectivity:** Prospects of interconnection with adjacent parcels are impractical due to intense slopes. Other property owners in this area may similarly vacate First Ave. and reconfigure, if needed.
6. **Alternative Access:** The proposed lot has access off of Vista Avenue and Ravina St.
7. **Utility Requirements:** This is vacant land. There are no existing utilities. Water, sewer, and electric can be served off of Vista Avenue and Ravina St.
8. **No Other Public Need:** Retaining these steep, undeveloped corridors creates undue maintenance burdens and does not support safe or feasible public use.

---

### Conclusion and Request

Due to the extreme terrain, current parcel boundaries and rights-of-way are not conducive to practical development. By reconfiguring the lots into Proposed Tract A-1, we will ensure a suitable residential parcel that is safer to develop and access. We therefore respectfully request:

1. **Approval of the Replat:** Adoption of the attached preliminary plat configuration.
2. **Right-of-Way Vacations:** Allowance for vacation of unused, steep portions of alleys and First Avenue.

Thank you for considering our proposal. We look forward to working with the City of Seward and the Kenai Peninsula Borough to ensure a successful and responsible subdivision.

*Stacy Wessel*

AK Lands, Land Surveying by

Stacy Wessel, Professional Land Surveyor



This agreement is made this 24<sup>th</sup> day of August, 1984, by and between Gregg G. Walker, Executor for the estate of Mark C. Walker, hereinafter referred to as "Grantor", and the City of Seward, Alaska, a municipal corporation organized and existing under the laws of the State of Alaska, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, Grantor is the fee simple owner of certain real property described below which is located within the City of Seward, Alaska; and

WHEREAS, the City desires to construct improvements to the public road on grantor's property, and install public utilities in the roadway;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Grantor does hereby grant to the City a Right-of-Entry in the real property described below for the location, construction, maintenance, repair and expansion of public utilities, roadway and embankment.
2. The said Right-of-Entry shall exist in favor of City, its successors and assigns for so long as the City, its successors or assigns deem the presence of public utilities, roadway and embankment.
3. The said agreement shall and does hereby exist in the following described real property:

PARCEL 7A

Real property in the City of Seward, Alaska, being a portion of Lot 1, Block 9, Cliff Addition as described on Survey Plat #1117 recorded at the Seward Recording Office; more particularly described as follows:

Beginning at the Northeast corner of Lot 1 and also being on the South line of Lot 2, Block 9, Cliff Addition and West line of Government Road; thence along the North line of Lot 1 West 26.69 feet; thence leaving said North line South  $37^{\circ}33'26''$  West 86.12 feet to the angle point of the East line of Lot 1 and the West line of Government Road; thence leaving said East and West lines South  $31^{\circ}58'29''$  West 72.19 feet to the South line of Lot 1; thence along the South line of Lot 1 East 17.5 feet to the East line of Lot 1; thence leaving said South line along the East line of Lot 1, also being the West line of Government Road North  $18^{\circ}42'$  East 64.65 feet to the angle point of the East line of Lot 1 and North  $49^{\circ}14'$  East 104.55 feet to the North line of Lot 1 and the point of beginning; containing 1446.9 square feet.

4. City agrees to hold Grantor harmless from claims arising out of injuries to persons or property caused by City's defective utility fixtures, construction and repairs to roadway and embankment.

5. In consideration of the foregoing, the City agrees to support vacation of the alley Right-of-Way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue Right-of-Way North of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition at the time application for a replat of the above property is submitted to the Kenai Peninsula Planning Commission.

6. Grantor agrees to grant to the City title and all rights to the property described as Parcel 7A above at such time when the property is replatted by owner.

GRANTOR:

Gregg G. Walker  
 Gregg G. Walker, Executor for the  
 Estate of Mark C. Walker.

Ronald A. Gargini  
 CITY MANAGER

ATTEST:

John S. Simpson  
 CITY CLERK  
 (CITY SEAL)

STATE OF ALASKA )  
 THIRD JUDICIAL DISTRICT ) ss.  
 )

BEFORE ME, the undersigned Notary Public in and for the State of Alaska,  
 personally appeared Gregg Walker, known to me and  
 to me known to be the Grantor herein named and who executed the foregoing  
 instrument and who acknowledged to me that he signed and sealed the  
 same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS MY HAND AND SEAL this 24<sup>th</sup> day of August, 1984.

Robert R. Lewis  
 NOTARY PUBLIC in and for Alaska  
 My Commission Expires: 4-18-85

STATE OF ALASKA )  
 THIRD JUDICIAL DISTRICT ) ss.  
 )

BEFORE ME, the undersigned Notary Public in and for the State of Alaska,  
 personally appeared RONALD A. GARGINI, known to me and to me known to  
 be the City Manager of the City of Seward, Alaska, and who executed the foregoing  
 instrument and who acknowledged to me that he signed and  
 sealed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS MY HAND AND SEAL this 28<sup>th</sup> day of AUGUST, 1984.

84-1569

11<sup>00</sup>

RECORDED FILED  
 SEWARD RECORDING  
 DISTRICT

Aug 28 8 25 AM '84

REQUESTED BY City of SewardADDRESS Box 167, Seward AK 99664

CHRISTY AUDETTE  
 NOTARY PUBLIC in and for Alaska  
 My Commission Expires: 4/21/87



PO Box 110485  
 Anchorage, AK 99515  
 (907) 744-LAND  
 aklands@aklands.com  
 http://aklands.com

April 2, 2025

City of Seward  
 Planning Commission  
 410 Adams St.  
 Seward, AK 99664

Subject: Cliff Addition to Seward Townsite-KPB exception Request

**Dear Kenai Peninsula Borough and City of Seward Officials:**

On behalf of AK Lands and the Walker family, I am pleased to submit this request for a replat of multiple parcels within the Cliff Addition to the Seward Townsite, Plat No. 3. Our goal is to consolidate several steep and largely inaccessible lots into a single lot that meets single-family residential zoning requirements while addressing the area's extreme topography.

In conjunction with this replat, we respectfully request an exception to Kenai Peninsula Borough (KPB) Code 20.30.120—which generally requires a 60-foot right-of-way (ROW) width for streets—due to the following unique conditions:

---

## 1. Overview of Proposed Replat

### 1. Proposed Tract A-1 (1.916 Acres)

- Combines Lots 1–6 and 12 of Block 6 (including the adjoining alleyway and part of First Avenue) with Lots 12–14 and 1 of Block 9 (including the remaining portion of First Avenue and an alleyway).
- Vacating First Avenue and two alleyways will create one consolidated parcel better suited for single-family residential use.

### 2. Request for Exception to ROW Widths

- **Vista Avenue:** 40–46.5 feet wide (Plats 2018-17, 2018-13)
- **Mill Street:** 59.62 feet wide (Plats 2002-21, 2005-11)
- **Ravina Street:** 43.5 feet wide (Plat 2018-3)
- **Chamberlain Road:** 59.7 feet wide plus an embankment/utility easement effectively exceeding 60 feet

---

## 2. Responses to Required Criteria for Exception (KPB Code)

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

- **Extreme Topography:** Slopes range from 30% to over 60%, making standard road construction infeasible.
- **Minimal Traffic:** These segments do not serve high-traffic corridors.
- **Existing Infrastructure:** Roads such as Mill Street, Chamberlain Road, and Vista Avenue already provide utilities and drainage; requiring a few extra feet for ROW width offers little improvement.



**Criterion 2:** *"That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title."*

- **Preservation of Usable Lot:** Strictly enforcing a 60-foot ROW would force impractical dedication, preventing feasible construction on already steep parcels.
- **Previously Granted Exceptions:** Past plats (2002-21, 2005-11, 2018-17, 2018-3) have recognized similar challenges and provided exceptions ranging from 40 to 59.62 feet.

**Criterion 3:** *"That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated."*

- **Not a Main Thoroughfare:** Vista Avenue, Ravina Street, and other ROWs in question are low-traffic.
- **No Public Need for Additional ROW:** Fractional differences from 60 feet do not hinder public access or utility installation; existing infrastructure is sufficient.
- **Steep, Undeveloped Corridors:** Retaining unused steep ROWs creates maintenance liabilities without public benefit.

---

### 3. Conclusion

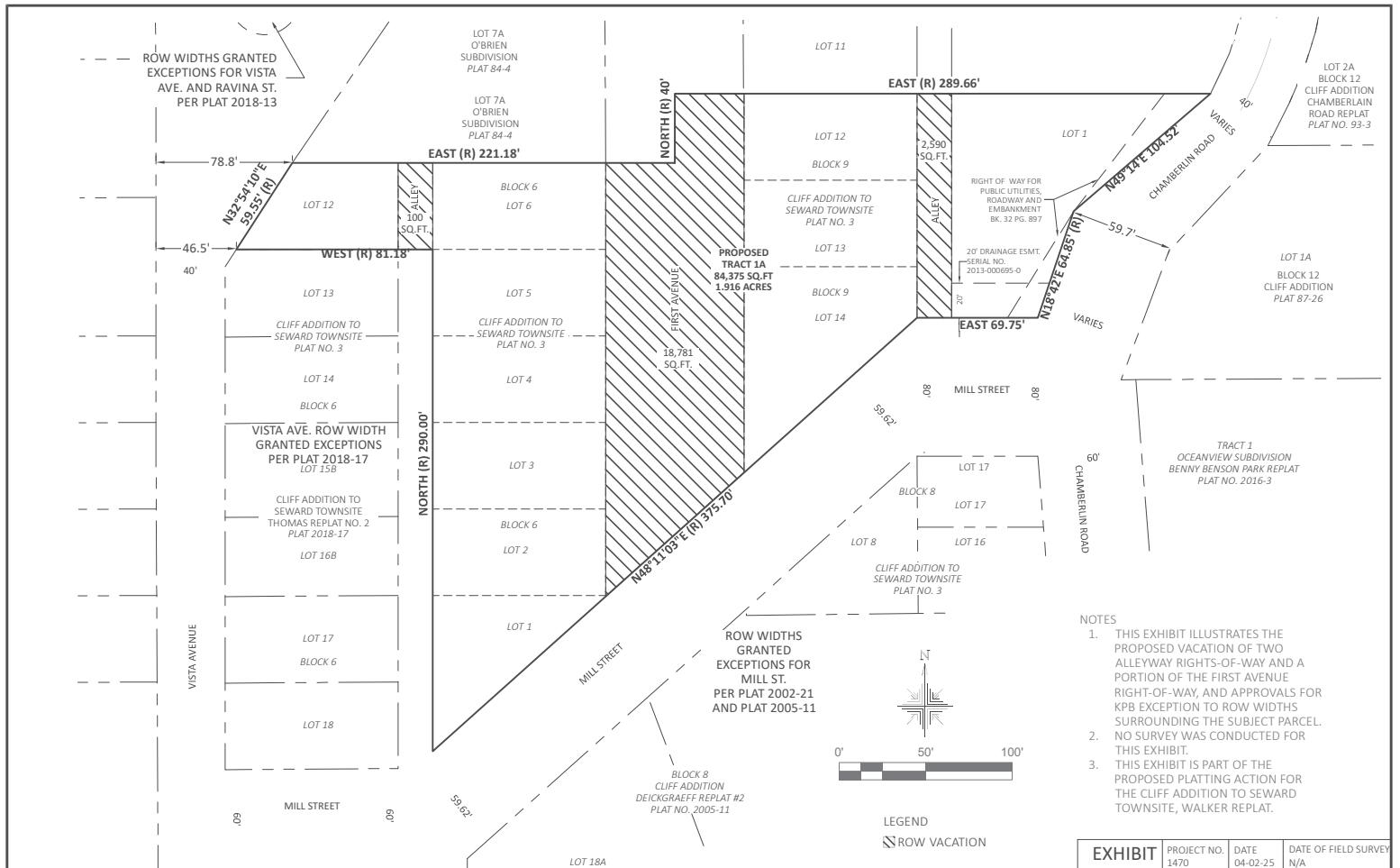
We believe the proposed replat and associated ROW exceptions serve both private and public interests. Extreme slopes, minimal traffic, and existing infrastructure, along with prior plat exceptions, confirm that strict 60-foot ROW compliance is unnecessary. Granting this request allows the property to be responsibly developed without compromising public safety or welfare.

Thank you for your time and consideration. Please contact me with any questions or if further information is needed.

*Stacy Wessel*

AK Lands, Land Surveying by

Stacy Wessel, Professional Land Surveyor



**Surveyor's Certificate**  
 I, GERALD B. KURTZ, professional land surveyor do hereby certify that this plat is a true and correct representation of the lands actually surveyed and that the distances are shown correctly and that all lot corners have been set and marked.

**PLAT APPROVAL**  
 This plat was approved by the Keweenaw Peninsula Borough Planning Commission at the meeting of April 16, 1997.  
 Keweenaw Peninsula Borough by: *[Signature]*  
 Authorized Official

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 I, hereby certify that I am owner of the water in the property shown and described herein and that I am hereby dedicating this plat of subdivision, and dedicate all right-of-way to public use, and grant all easements to the use shown.

*[Signature]*  
 KARENA ADLER Owner  
 P.O. Box 1121  
 SEWARD, AK 99664

**NOTARY'S ACKNOWLEDGMENT**  
 Subscribed and sworn before me this 5 day of June, 1997, for KARENA ADLER.

*[Signature]*  
 Notary public  
 My commission expires

**87-26**  
 RECORDED  
 SEWARD  
 Dec 9 1997  
 Keweenaw Peninsula Borough  
 Aquia Fria Surveyors

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 Authorized Official

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 P.O. Box 1121  
 SEWARD, AK 99664

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*[Signature]*  
 Notary public  
 My commission expires

**87-26**  
 RECORDED  
 SEWARD  
 Dec 9 1997  
 Keweenaw Peninsula Borough  
 Aquia Fria Surveyors



## **CALL TO ORDER**

The April 28, 2025, regular meeting of the Seward City Council was called to order at 7:00 p.m. by Mayor Sue McClure.

## **OPENING CEREMONY**

Police Chief Louis Tiner led the Pledge of Allegiance to the flag.

## **ROLL CALL**

There were present:

Sue McClure, presiding, and  
John Osenga  
Randy Wells  
Kevin Finch  
~~Robert Barnwell~~  
Julie Crites  
Cassie Warner

comprising a quorum of the Council; and

Kat Sorensen, City Manager  
Jason Bickling, Deputy City Manager  
Kris Peck, City Clerk  
Jodi Kurtz, Deputy City Clerk

Excused – Barnwell  
Absent – None

## **PROCLAMATIONS AND AWARDS**

Recognition of Service for HR Manager Tammy Nickell was read by Mayor McClure.

Recognition of Service for Police Chief Alan Nickell was read by Mayor McClure.

Recognition of Service for Sgt. Patrick Messmer was read by Vice Mayor Osenga.

**CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING** – None

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

### **Motion (Osenga/Wells)**

### **Approval of Agenda and Consent Agenda**

Finch requested Resolution 2025-039 be removed from the consent agenda.

### **Motion as Amended Passed**

### **Unanimous**

The clerk read the following approved consent agenda items:

### **Approval of the April 14, 2025, City Council Meeting Minutes**

**Resolution 2025-038:** Requesting the State of Alaska Legislators Make a Meaningful Increase to the Base Student Allocation (BSA) for Public Schools

**Resolution 2025-040:** Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of 1312 Vista Avenue, 1305 First Avenue, 1303 First Avenue, 104 Mill Street, 112 Mill Street, and 1303 Chamberlin Road, Vacating a Portion of First Avenue Right-of-Way and Alleyway Rights-of-Way and Combining the Six Lots and Vacated Rights-of-Way into One Tract of Land

**Resolution 2025-041:** Authorizing the City Manager to Purchase Electric Utility Materials from Anixter and General Pacific for the Electric Department's Annual Material Restocking in the Amount of \$138,676.94 with a 10% Contingency on Each Order Not to Exceed \$152,544.63 Total

**Resolution 2025-042:** Authorizing the City Manager to Enter into a Contract with Ingersoll Enterprises for Custodial Services at the Harbormaster's Office and Restrooms in the Harbor Area, in the Amount of \$45,345 Annually for a Term of Three Years

**Resolution 2025-043:** Authorizing the City Manager to Enter into a Contract for Custodial Services with Ravenquest Housing & Maintenance for the Seward Community Library & Museum in the Amount of \$72,000 Annually for a Term of Two Years

**Resolution 2025-044:** Authorizing the City Manager to Accept the Proposal from KPFF Consulting Engineers to Provide Project Management for the Shore Power Project at the Port of Seward in the Amount of \$398,039 with a 5% Contingency with Funding Provided Entirely through the Environmental Protection Agency Grant

## **IN-PERSON REPORTS AND PRESENTATIONS**

### **City Manager Report**

**City Manager Kat Sorensen** said that city staff had recently attended training on effective communication and emotional intelligence. In addition to the training, Sorensen noted it had been a whirlwind week with lots of events including the Chugachmiut open house and the US Coast Guard *Mustang* decommissioning ceremony. In between all the events and training, the city conducted interviews for the Chief of Police and she introduced Louis Tiner to council.

**Deputy City Manager Jason Bickling** updated council on the Jesee Lee Home site. There would be more core samples required. There will be a work session in the near future for council input on the site.

**Electric Operations Supervisor Taylor Crocker** updated council on the recent power outage that was caused by falling trees during a windstorm. This was a continual hazard because the trees kept blowing down in the Kenai Lake area. The city was back on backup generators in 40 minutes.

Sorensen added that it was one of the windiest, scariest drives back from Anchorage that day.

**City Clerk Report** - None

**City Attorney Report** - None

**Other Reports and Announcements**- None

**Presentations** - None

**PUBLIC HEARINGS** - None

**UNFINISHED BUSINESS**

**Ordinances for Enactment**

**Ordinance 2025-007:** Amending Seward City Code §15.10.140 Definition of an Efficiency Apartment; §15.10.226 Land Uses Allowed Table, Adding Attached and Detached Accessory Dwelling Units; and Updating §15.10.215 Parking for Accessory Dwelling Units

[This item had a public hearing on April 14, 2025, and was postponed]

**Motion (already on the floor)**

**Approve Ordinance 2025-007**

Sorensen explained the two laydowns provided by Community Development that were labeled as Substitute Ordinance 2025-007 Version 1 and Substitute Ordinance 2025-007 Version 2.

McClure motioned to amend Ordinance 2025-007 by adopting the changes in Substitute Ordinance 2025-007 Version 2. This amendment passed.

**Main Motion as Amended Passed**

**Unanimous**



## NEW BUSINESS

### Resolutions

**Resolution 2025-037:** Authorizing the City Manager to Create the Full-Time Position of Utility Billing Specialist in the Electric Department to Provide Services Currently Outsourced to the Util-Assist Contractor

**Motion (Osenga/Wells)**

**Approve Resolution 2025-037**

Crocker explained how the city was outsourcing billing services to Util-Assist in Canada and how customers had to call a 1-800 number for billing questions. He would rather see this money spent towards hiring a local to fill this position. This newly hired billing specialist could also provide backup support to the front desk staff at the Electric Department.

Wells recalled being on council in 2023 when the billing services was outsourced to Util-Assist. He said it was mainly done out of desperation because the job posting was vacant for such a long time. He wondering what the current odds were of being able to fill this position.

Sorensen said she was confident the city would be able to fill the position this time around due to the wage increase.

Crocker added with a smile that people also knew how great the Electric Department was now.

**Motion Passed**

**Unanimous**

**Resolution 2025-039:** Recommending Kenai Peninsula Borough Approval of the Preliminary Plat of 204 Lowell Canyon Road and 206 Lowell Court, Vacating the Eastern Portion of the Lowell Court Right-of-Way and Vacating the Southern 10' of the Property Located at 204 Lowell Canyon Road

**Motion (Osenga/Wells)**

**Approve Resolution 2025-039**

**City Planner Courtney Bringhurst** stated this was a recommendation in the 2023 Muni Lands Plan. She summarized from the agenda statement in the packet.

Finch declared a potential conflict of interest due to being one of the affected property owners. McClure ruled a conflict of interest did exist and she excused Finch from discussion and voting.

**Motion Passed**

**Yes: Osenga, Warner, Wells, Crites, McClure**

**No: None**

**Abstain: Finch**

## **Other New Business**

### **Initiate by Council a Special Improvement District for Forest Acres Afognak Subdivision [City Administration]**

Bickling described the Special Improvement District by petition that had been done twice already and failed. He said per code for council to initiate an improvement district there needed to be an official motion made by council. This would save time compared to the property owners doing another petition.

**Motion (McClure/Osenga)**

**Initiate by Council a Special Improvement  
District for Forest Acres Afognak  
Subdivision**

**Motion Passed**

**Unanimous**

## **INFORMATIONAL ITEMS AND REPORTS**

### **Other Items**

Timely Receipt of Annual Financial Disclosure Forms [City Clerk]

Upcoming City Council Meetings - City Council Meeting Monday, May 12, 2025, at 7:00 p.m.

**CITIZEN COMMENTS** – None

## **COUNCIL AND ADMINISTRATION COMMENTS & RESPONSE TO CITIZEN COMMENTS**

**Bickling** said he had already been working on the Special Improvement District and just needed this official go ahead.

**Sorensen** thanked all the retirees tonight for their service. This weekend she will be heading to Washington, D.C. with Vice Mayor Osenga, and they had lots of good meetings lined up.

**Crites** congratulated the retirees and said welcome to Police Chief Tiner.

**Warner** echoed the previous comments from Crites.

**Finch** thanked the US Coast Guard *Mustang* for years of service to Seward. He congratulated the retirees and welcomed Police Chief Tiner.

**Wells** said he also drove on the Seward Highway during that windstorm and saw the electric crews on site working to restore the power. He was impressed with their scary job and was grateful for their work. He attended the town hall meeting at bear creek and gave a shout out to comm dev. The presentations were incredible and community participation. The first cruise ship has come and

gone and it was a great couple days for local businesses. It was very busy and he was looking forward to a busy summer season.

**Osenga** echoed previous comments and thanked the retirees and wished them the best in future endeavors. He appreciated the *Mustang* for the years of service in Seward. Lastly, he extended a warm welcome to Police Chief Tiner.

**McClure** echoed previous comments and congratulated the retirees and welcomed Police Chief Tiner. She attended several events lately such as: the decommissioning of the *Mustang*, the Chugachmiut open house, and the Comprehensive Plan town hall meetings. She noted the town halls were very well run, and May 3, 2025 was last chance for comments on the surveys. McClure was already looking ahead to the Solstice Cemetery Tour in June, and she has a great lineup planned out for the tour.

## ADJOURNMENT

The meeting was adjourned at 7:46 p.m.

---

Kris Peck  
City Clerk

(City Seal)

---

Sue McClure  
Mayor



**CITY OF SEWARD, ALASKA  
RESOLUTION 2025-040**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, RECOMMENDING KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY PLAT OF 1312 VISTA AVENUE, 1305 FIRST AVENUE, 1303 FIRST AVENUE, 104 MILL STREET, 112 MILL STREET, AND 1303 CHAMBERLIN ROAD, VACATING A PORTION OF FIRST AVENUE RIGHT-OF-WAY AND ALLEYWAY RIGHTS-OF-WAY AND COMBINING THE SIX LOTS AND VACATED RIGHTS-OF-WAY INTO ONE TRACT OF LAND**

**WHEREAS**, AK Lands, Land Surveying LLC has submitted a preliminary plat on behalf of the City of Seward for review and recommendation to the Kenai Peninsula Borough; and

**WHEREAS**, the proposed plat is a subdivision of Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat; and

**WHEREAS**, all of the Lots are currently vacant and zoned single-family residential (R1); and

**WHEREAS**, the property owners began construction of a driveway from Mill Street in 2024; and

**WHEREAS**, due to the steep terrain, the driveway ended up encroaching substantially into the First Avenue right-of-way (ROW); and

**WHEREAS**, the First Avenue ROW in the Cliff Addition is undeveloped and the City of Seward does not have plans to develop it; and

**WHEREAS**, the Public Works Director and Community Development staff recommended that the property owner work with a surveyor to vacate the ROW; and

**WHEREAS**, vacating the ROW and creating one single parcel of land will allow the owners to complete the development of their driveway; and

**WHEREAS**, a completed driveway will give the owners better access to their land to explore the feasibility for residential dwellings and the necessary utility connections; and

**WHEREAS**, a portion of Lot 1, Block 9 was granted to the City of Seward in an agreement dated August 28, 1984, for the construction, maintenance, repair and expansion of public utilities, roadway and embankment; and

**WHEREAS**, in consideration of this dedication of land for city use, the 1984 agreement stated that the City agrees to support vacation of the alley right-of-way between Lots 1 and 12, 13,

**CITY OF SEWARD, ALASKA**  
**RESOLUTION 2025-040**  
**Page 2 of 3**

---

and 14 of Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition in the future event of a replat of the above property; and

**WHEREAS**, the size of proposed Tract 1A 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, Tract 1A is not within a FEMA mapped flood zone; and

**WHEREAS**, the southern edge of Tract 1A is within the Seward Mapped Flood Data Area (SMFD); and

**WHEREAS**, development on the southern edge of Tract 1A is unlikely due to the steep terrain, however, development within the SMFD may require additional permitting; and

**WHEREAS**, Tract 1A has access to city water, sewer, and electricity; and

**WHEREAS**, Tract 1A has access to Mill Street and the intersection of Ravina Street and Vista Avenue; and

**WHEREAS**, a subdivision agreement will not be required with this plat; 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**, the Seward Planning and Zoning Commission reviewed this preliminary plat on April 8, 2025, and recommended the City Council and Kenai Peninsula Borough approval through Resolution 2025-015; and

**WHEREAS**, Seward City Code §7.05.510(D) requires City Council approval for the vacation of city-owned rights-of-way; and

**WHEREAS**, the Seward City Council must review and comment on a preliminary plat of city-owned land before submittal to the Borough for approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA**, that:

**Section 1.** The Council hereby recommends that, in accordance with Seward City Code Section 16.01.015, the Kenai Peninsula Borough approves the submittal of the preliminary plat of Lots 1-6 & 12, Block 6 and Lots 1 & 12-14, Block 9, Cliff Addition to Seward Townsite with

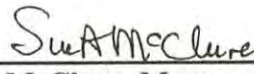
**CITY OF SEWARD, ALASKA**  
**RESOLUTION 2025-040**  
**Page 3 of 3**

alleyway rights-of-way and First Avenue right-of-way vacations, creating Tract 1A, Cliff Addition to Seward Townsite, Walker Replat.

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

**PASSED AND APPROVED** by the City Council of the City of Seward, Alaska, this 28<sup>th</sup> day of April 2025.

**THE CITY OF SEWARD, ALASKA**

  
\_\_\_\_\_  
Sue McClure, Mayor

AYES: Osenga, Finch, Crites, Warner, Wells, McClure  
NOES: None  
ABSENT: Barnwell  
ABSTAIN: None

**ATTEST:**

  
\_\_\_\_\_  
Kris Peck  
City Clerk

(City Seal)







PO Box 110485  
Anchorage, AK 99515  
(907) 744-LAND  
aklands@aklands.com  
<http://aklands.com>

March 17, 2025

City of Seward  
Planning Commission  
410 Adams St.  
Seward, AK 99664

Subject: Cliff Addition to Seward Townsite-ROW Vacation

Dear Kenai Peninsula Borough and City of Seward,

On behalf of AK Lands and the Walker family, I am pleased to submit this request for a **replat** of multiple parcels located within the **Cliff Addition to the Seward Townsite, Plat No. 3**. Our goal is to consolidate several steep and largely inaccessible lots into one lot that meets single-family residential zoning requirements while addressing the challenges posed by the area's extreme topography.

---

#### Overview of Proposed Replat

The replat involves **two blocks, and the vacation of First Avenue right-of-way and 2 alleyways into one newly configured lot**, specifically:

1. **Proposed Tract A-1-1.916 acres**
  - Created by **combining Lots 1-6, and 12, Block 6**, plus the adjoining alleyway and a portion of **First Avenue** and **combining Lots 12-14, and 1, Block 9**, plus the remaining portion of **First Avenue** and the alleyway.

#### Supporting Materials

- **Three Preliminary Plats:**
  1. Without contours or slope shading (to clearly depict the subdivision boundaries)
  2. With topographic contours
  3. With both contours and hatched slope areas
- Additionally, an **exhibit** is provided as a close-up view of the proposed parcel, highlighting contours and slope hatch areas that exceed 20%, 40%, and even 60% in some places.
- **Easement Document (Book 34, Page 897, dated August 24, 1984)**

In 1984, an easement was granted to the City for the expansion of public utilities, roadway, and embankment. Within this document, the City expressed support for vacating the alley right-of-way between Lots 1 and 12, 13, 14, Block 9 and the First Avenue right-of-way north of Mill Street between Lots 12, 13, 14, Block 9 and Lots 2, 3, 4, 5, 6, Block 6. The current request aligns with that earlier intent by consolidating steep, underutilized corridors and providing more manageable access.

## Reason for Replat and Right-of-Way Vacations

### Steep Terrain and Inaccessibility

- **Lots 1, 2, and 3, Block 6:**  
Sarah Walker intends to build a single-family home on these lots, yet access is **currently impractical**. The slopes approach **30% to the north** (where First Avenue is platted) and **over 60% to the south** (where we are vacating), making a driveway virtually impossible. Alley access is also rendered unsafe by similarly steep grades.
- **Lots 12, 13, 14, and 1, Block 9:**  
These lots face comparable challenges, with slopes exceeding **60%**. Road connections from Mill Street or Chamberlain Road cannot be developed feasibly due to extreme terrain, which is in some places essentially a cliff.
- **Lots 6, 5, and 4, Block 6:**  
These lots also lack viable access from either First Avenue or existing alleys because of the high grades.

Because of this topography, maintaining platted but undeveloped roads and alleys is neither practical nor beneficial to the public. Currently, there are no existing utilities within the lots and vacated rights-of-ways. Sewer, water and electric utilities will be served from Vista Avenue and Ravina Street.

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### Responses to Right-of-Way Vacation Criteria

1. **Current Use:** The rights-of-way to be vacated are not being used and are unlikely to be developed for public traffic due to severe slopes.
2. **Construction Impracticability:** Road construction on 20%–60%+ grades is impossible or unreasonably hazardous; therefore, alternative access has been proposed through private easements.
3. **Fully Developed Surrounding Area:** The steep topography limits further road network expansion. Combining parcels into one makes them more suitable for single-family use.
4. **Public Access to Valued Resources:** No public resources (lakes, rivers, etc.) exist here, so vacating these unused rights-of-way does **not** affect public access.
5. **Potential Interconnectivity:** Prospects of interconnection with adjacent parcels are impractical due to intense slopes. Other property owners in this area may similarly vacate First Ave. and reconfigure, if needed.
6. **Alternative Access:** The proposed lot has access off of Vista Avenue and Ravina St.
7. **Utility Requirements:** This is vacant land. There are no existing utilities. Water, sewer, and electric can be served off of Vista Avenue and Ravina St.
8. **No Other Public Need:** Retaining these steep, undeveloped corridors creates undue maintenance burdens and does not support safe or feasible public use.

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### Conclusion and Request

Due to the extreme terrain, current parcel boundaries and rights-of-way are not conducive to practical development. By reconfiguring the lots into Proposed Tract A-1, we will ensure a suitable residential parcel that is safer to develop and access. We therefore respectfully request:

1. **Approval of the Replat:** Adoption of the attached preliminary plat configuration.
2. **Right-of-Way Vacations:** Allowance for vacation of unused, steep portions of alleys and First Avenue.

Thank you for considering our proposal. We look forward to working with the City of Seward and the Kenai Peninsula Borough to ensure a successful and responsible subdivision.

*Stacy Wessel*

AK Lands, Land Surveying by

Stacy Wessel , Professional Land Surveyor



This agreement is made this 24th day of August, 1984, by and between Gregg G. Walker, Executor for the estate of Mark C. Walker, hereinafter referred to as "Grantor", and the City of Seward, Alaska, a municipal corporation organized and existing under the laws of the State of Alaska, hereinafter referred to as "City".

WITNESSETH:

WHEREAS, Grantor is the fee simple owner of certain real property described below which is located within the City of Seward, Alaska; and

WHEREAS, the City desires to construct improvements to the public road on grantor's property, and install public utilities in the roadway;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Grantor does hereby grant to the City a Right-of-Entry in the real property described below for the location, construction, maintenance, repair and expansion of public utilities, roadway and embankment.
2. The said Right-of-Entry shall exist in favor of City, its successors and assigns for so long as the City, its successors or assigns deem the presence of public utilities, roadway and embankment.
3. The said agreement shall and does hereby exist in the following described real property:

PARCEL 7A

Real property in the City of Seward, Alaska, being a portion of Lot 1, Block 9, Cliff Addition as described on Survey Plat #1117 recorded at the Seward Recording Office; more particularly described as follows:

Beginning at the Northeast corner of Lot 1 and also being on the South line of Lot 2, Block 9, Cliff Addition and West line of Government Road; thence along the North line of Lot 1 West 26.69 feet; thence leaving said North line South 37°33'26" West 86.12 feet to the angle point of the East line of Lot 1 and the West line of Government Road; thence leaving said East and West lines South 31°58'29" West 72.19 feet to the South line of Lot 1; thence along the South line of Lot 1 East 17.5 feet to the East line of Lot 1; thence leaving said South line along the East line of Lot 1, also being the West line of Government Road North 18°42' East 64.65 feet to the angle point of the East line of Lot 1 and North 49°14' East 104.55 feet to the North line of Lot 1 and the point of beginning; containing 1446.9 square feet.

4. City agrees to hold Grantor harmless from claims arising out of injuries to persons or property caused by City's defective utility fixtures, construction and repairs to roadway and embankment.

5. In consideration of the foregoing, the City agrees to support vacation of the alley Right-of-Way between Lots 1 and 12, 13, and 14 of Block 9 and the First Avenue Right-of-Way North of Mill Street between Lots 12, 13, and 14 of Block 9 and Lots 2, 3, 4, 5, and 6 of Block 6, Cliff Addition at the time application for a replat of the above property is submitted to the Kenai Peninsula Planning Commission.

6. Grantor agrees to grant to the City title and all rights to the property described as Parcel 7A above at such time when the property is replatted by owner.

GRANTOR:

Gregg G. WalkerGregg G. Walker, Executor for the  
Estate of Mark C. Walker.Ronald A. Hargis  
CITY MANAGER

ATTEST:

Shirley S. Hargis  
CITY CLERK  
(CITY SEAL)STATE OF ALASKA )  
THIRD JUDICIAL DISTRICT ) ss.

BEFORE ME, the undersigned Notary Public in and for the State of Alaska,  
personally appeared Gregg Walker, known to me and  
to me known to be the Grantor herein named and who executed the foregoing  
instrument and who acknowledged to me that he signed and sealed the  
same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS MY HAND AND SEAL this 24<sup>th</sup> day of August, 1984.Robert R. Lipp  
NOTARY PUBLIC in and for Alaska  
My Commission Expires: 4-18-85STATE OF ALASKA )  
THIRD JUDICIAL DISTRICT ) ss.

BEFORE ME, the undersigned Notary Public in and for the State of Alaska,  
personally appeared RONALD A. HARGIS, known to me and to me known to  
be the City Manager of the City of Seward, Alaska, and who executed the foregoing  
instrument and who acknowledged to me that he signed and  
sealed the same freely and voluntarily for the uses and purposes therein mentioned.

WITNESS MY HAND AND SEAL this 30<sup>th</sup> day of AUGUST, 1984.

84-1569

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RECORDED FILED  
SEWARD RECORDING  
DISTRICT

AUG 28 8 25 AM '84

REQUESTED BY City of SewardADDRESS Box 167, Seward AK 99664CHRISTY AUDETTE  
NOTARY PUBLIC in and for Alaska  
My Commission Expires: 4/21/87