



Kenai Peninsula Borough

144 North Binkley Street
Soldotna, AK 99669

Meeting Agenda Planning Commission

Jeremy Brantley, Chair – Ridgeway/Funny River/Sterling District
Pamela Gillham – Kalifornsky/Kasilof District
Virginia Morgan, Parliamentarian – Cooper Landing/Hope/East Peninsula District
Dawson Slaughter – South Peninsula District
Jeffery Epperheimer - Nikiski District
Diane Fikes – City of Kenai
Franco Venuti – City of Homer
Paul Whitney – City of Soldotna
Karina England – City of Seward

Monday, July 14, 2025

7:30 PM

Betty J. Glick Assembly Chambers

Zoom Meeting ID: 907 714 2200

Remote participation will be available through Zoom, or other audio or video means, wherever technically feasible

ZOOM MEETING DETAILS

Zoom Meeting Link: <https://us06web.zoom.us/j/9077142200>

Zoom Toll Free Phone Numbers: 888-788-0099 or 877-853-5247

Zoom Meeting ID: 907 714 2200

The hearing procedure for the Planning Commission public hearings are as follows:

- 1) Staff will present a report on the item.
- 2) The Chair will ask for petitioner's presentation given by Petitioner(s) / Applicant (s) or their representative – 10 minutes
- 3) Public testimony on the issue. – 5 minutes per person
- 4) After testimony is completed, the Planning Commission may follow with questions. A person may only testify once on an issue unless questioned by the Planning Commission.
- 5) Staff may respond to any testimony given and the Commission may ask staff questions.
- 6) Rebuttal by the Petitioner(s) / Applicant(s) to rebut evidence or provide clarification but should not present new testimony or evidence.
- 7) The Chair closes the hearing and no further public comment will be heard.
- 8) The Chair entertains a motion and the Commission deliberates and makes a decision.

All those wishing to testify must wait for recognition by the Chair. Each person that testifies must write his or her name and mailing address on the sign-in sheet located by the microphone provided for public comment. They must begin by stating their name and address for the record at the microphone. All questions will be directed to the Chair. Testimony must be kept to the subject at hand and shall not deal with personalities. Decorum must be maintained at all times and all testifiers shall be treated with respect.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF CONSENT AND REGULAR AGENDA

All items marked with an asterisk () are consent agenda items. Consent agenda items are considered routine and non-controversial by the Planning Commission and will be approved by one motion. There will be no separate discussion of consent agenda items unless a Planning Commissioner so requests in which case the item will be removed from the consent agenda and considered in its normal sequence on the regular agenda.*

If you wish to comment on a consent agenda item or a regular agenda item other than a public hearing, please advise the recording secretary before the meeting begins, and she will inform the Chairman of your wish to comment.

1. Time Extension Request

[KPB-7052](#)

- a. Graham-Miller Subdivision No. 3; KPB File 2023-067
- b. Dairy Hill Subdivision Addition No. 1; KPB File 2023-057

Attachments:

[C1. Time Extension Requests](#)

2. Planning Commission Resolutions

3. Plats Granted Administrative Approval

[KPB-7053](#)

- a. Holland Park 2024 Replat; KPB File 2024-073
- b. Hubbard's View Subdivision 2024; KPB File 2024-129
- c. James 2022; KPB File 2022-161
- d. Whiskey Gulch Beach Subdivision; KPB File 20256-007

Attachments:

[C3. Admin Approvals](#)

4. Plats Granted Final Approval (KPB 20.10.040)

[KPB-7054](#)

- a. Timber Hills Subdivision Martinez Addition; KPB File 2025-025
- b. Lakeridge Subdivision 2025 Replat; KPB 2025-030
- c. Highlands Subdivision 2025 Replat; KPB File 2025-053
- d. Inlet Woods Subdivision 2025 Replat; KPB File 2025-024

Attachments:

[C4. Final Approvals](#)

5. Plat Amendment Request
6. Commissioner Excused Absences
7. Minutes

[KPB-7055](#) June 23, 2025 Planning Commission Meeting Minutes

Attachments: [C7. 062325 PC Minutes](#)

D. OLD BUSINESS - None

E. NEW BUSINESS

1. [KPB-7056](#) Plat Note Removal; KPB File 2025-084
Applicant: Grischuk
Request: Removal of plat note “All lots within this subdivision must be connected to public sewer facilities prior to development” on Forest Acres Subdivision Afognak Addition, Plat SW 2006-011
City of Seward
(Staff Person: Platting Manager Vince Piagentini)

Attachments: [E1. Forest Acres Sub Afognak Addn Packet](#)
[PHN Forest Acres Sub Afognak Addn](#)
2. [KPB-7057](#) Utility Easement Vacation; KPB File 2025-074V
Seabright Surveying / Tracy Belieu & Carla Lee Fabian Living Trust
Request: Vacates the 10-foot utility easement on the west & south boundary of Lot 4, Block 2, Paradise South Subdivision (HM 74-175).
Vacates the 10-foot utility easement on the east and south boundary of Lot 4, Paradise South Subdivision Addition No. 1, HM 74-2356
City of Homer
(Staff Person: Platting Manager Vince Piagentini)

Attachments: [E2. Paradise South Sub Addn 1 Packet](#)
[PHN_UKV Paradise South Belieu Fabian 2025 Replat](#)

3. [KPB-7058](#) 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)
- Attachments: [E3. Cliff Addn to Seward Townsite Packet](#)
[PHN ROWV Cliff Addn Seward Townsite Walker Replat](#)
4. [KPB-7059](#) Right-Of-Way Vacation; KPB File 2025-097V
McLane Consulting Group / Brown, Pannell
Request: Vacates approximately 22,515 sq. ft. pertaining to a 10' ROW & cul-de-sac per Lake View Terrace #3 Phase 2, Plat KN1988-45 & 30' ROW per Steadman Subdivision, Plat KN 75-45
Sterling Area
(Staff Person: Platting Manager Vince Piagentini)
- Attachments: [E4. Steadman Subdivision Packet](#)
[PHN ROWV Steadman Sub Jessica Addn 2025 Replat](#)
5. [KPB-7060](#) Right-Of-Way Vacation; KPB 2025-091V
Segesser Surveys / Kenai Peninsula Housing Initiative Inc.
Request: Vacates approximately 13,800 square feet of Sixth Street including associated utility easement adjacent to Lot 2 Kenai Meadows Plat KN 2017-17 and Lot 3, abutting Tract A1, Kenai Meadows Addition No. 1, Plat KN 2023-48
City of Kenai
(Staff Person: Platting Manager Vince Piagentini)
- Attachments: [E5. Kenai Meadows Addn No 1 Packet](#)
[PHN ROWV Kenai Meadows Addn No 2](#)

6. [KPB-7061](#) Conditional Use Permit; PC Resolution 2025-11
Applicant: City of Soldotna
Request: Install 80 linear feet of wooden fence parallel to the river
Location: 349 Centennial Park Road
City of Soldotna
(Staff Person: Planner Morgan Aldridge)
- Attachments: [E6. CUP City of Soldotna Packet](#)
[PHN_CUP COS](#)
7. [KPB-7062](#) Conditional Use Permit; PC Resolution 2025-10
Applicant: SnoMads
Request: Install a bridge across the Anchor River and an unnamed tributary to allow for ATV & Snowmachine crossing along the Watermelon Trail
Anchor Point Area
(Staff Person: Planner Morgan Aldridge)
- Attachments: [E7. CUP SnoMads Packet](#)
[PHN_CUP SnoMads](#)
8. [KPB-7063](#) Conditional Use Permit; PC Resolution 2025-12
Applicant: State of Alaska DOT
Request: To replace & upgrade a culvert along an unnamed anadromous stream that is a tributary to the Snow River, along the Seward Highway
Location: 22635 Seward Highway
Bear Creek Area
(Staff Person: Planner Morgan Aldridge)
- Attachments: [E8. CUP DOT Packet](#)
[PHN_CUP DOT](#)

F. PLAT COMMITTEE REPORT - Plat Committee will review 8 preliminary plats.

G. OTHER

H. PUBLIC COMMENT/PRESENTATION

(Items other than those appearing on the agenda or scheduled for public hearing. Limited to five minutes per speaker unless previous arrangements are made)

I. DIRECTOR'S COMMENTS

J. COMMISSIONER COMMENTS**K. ADJOURNMENT****MISCELLANEOUS INFORMATIONAL ITEMS****NO ACTION REQUIRED****NEXT REGULARLY SCHEDULED PLANNING COMMISSION MEETING**

The next regularly scheduled Planning Commission meeting will be held Monday, August 11, 2025 in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 North Binkley Street, Soldotna, Alaska at 7:30 p.m.

CONTACT INFORMATION**KENAI PENINSULA BOROUGH PLANNING DEPARTMENT**

Phone: 907-714-2215

Phone: toll free within the Borough 1-800-478-4441, extension 2215

e-mail address: planning@kpb.us

website: <http://www.kpb.us/planning-dept/planning-home>

A party of record may file an appeal of a decision of the Planning Commission in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances. An appeal must be filed with the Borough Clerk within 15 days of the notice of decision, using the proper forms, and be accompanied by the filing and records preparation fees. Vacations of right-of-ways, public areas, or public easements outside city limits cannot be made without the consent of the borough assembly.

Vacations within city limits cannot be made without the consent of the city council. The assembly or city council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received within the specified period, it shall be considered that consent was given.

A denial of a vacation is a final act for which the Kenai Peninsula Borough shall give no further consideration. Upon denial, 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.

C. CONSENT AGENDA

- *1. Time Extension Requests**
 - a. Graham-Miller Subdivision No. 3; KPB File 2023-067**
 - b. Dairy Hill Subdivision Addition No. 1; KPB File 2023-057**

***1. Time Extension Requests**

a. Graham-Miller Subdivision No. 3; KPB File 2023-067

A subdivision Tract A1 Graham-Miller Subd. #2, SWD 2013-12.
Located in the SE1/4 Section 28, T10N R2W, SM, Hope, Alaska.
Seward Recording District Kenai Peninsula Borough

Prepared by
Johnson Surveying
P.O. Box 27
Clam Gulch, Ak 99568

NOTES

1. A building setback of 20' from all street ROW's is required unless a lesser standard is approved by a resolution of the appropriate planning commission. The front 10' adjoining ROWs is also a utility easement, extending to 20' within 5' of side lot lines.
2. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement
3. Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
4. State of Alaska DNR claims a 100' ROW along Bear Creek Road per RST 621.
5. Topography of property is fairly level, some steeper areas are shown.

TURNAGAIN ARM

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HOPE

HOPE HIGHWAY

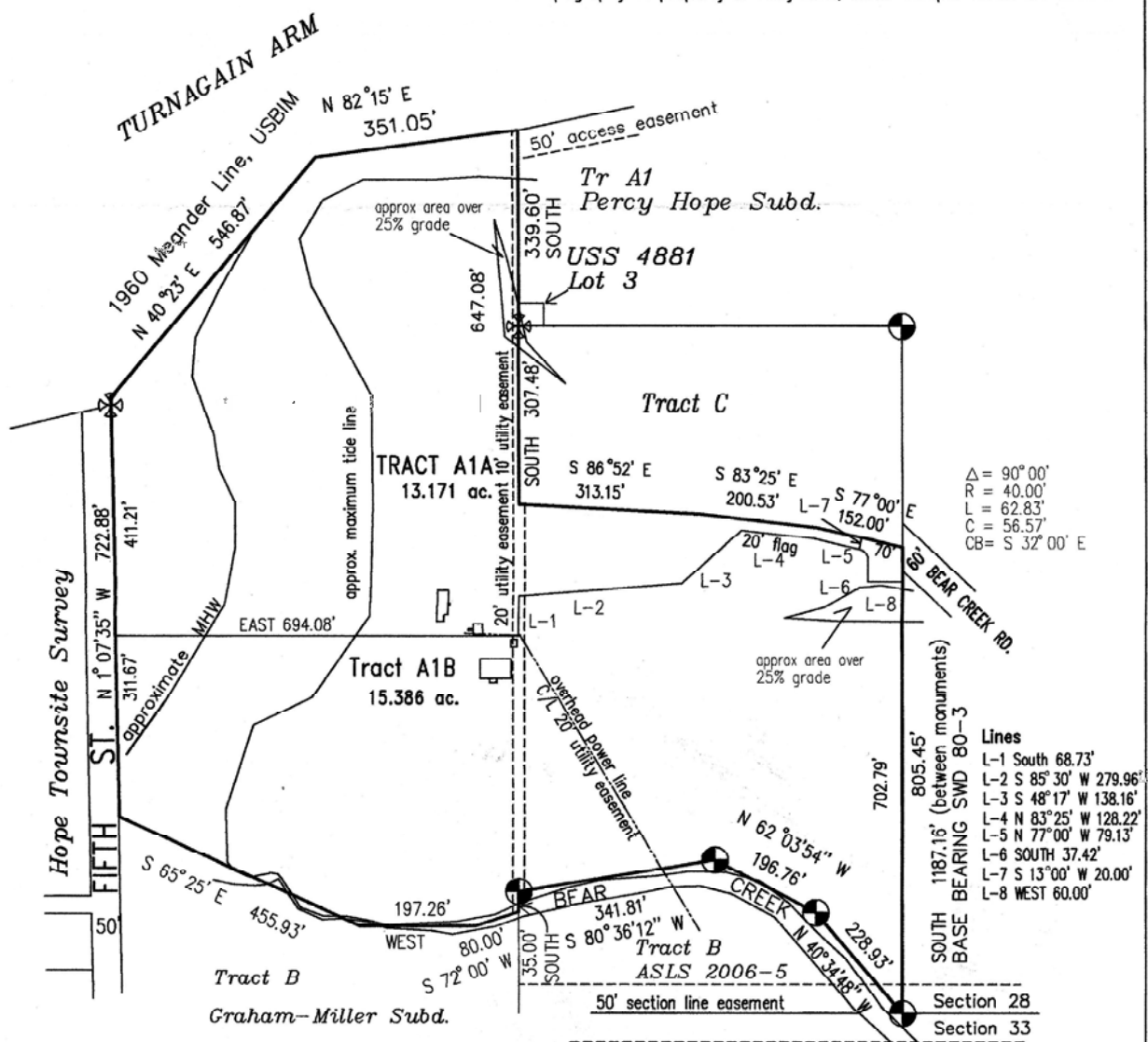
Resurrection Creek Rd

CHUGACH NAT. FOREST

CHUGACH NAT. FOREST

T10N
T9N R2W
SM

SUBD. LOCATION



KPB 2023-067

TIME EXTENSION REQUEST
GRAHAM-MILLER SUBDIVISION #3

KPB File No.	2023-067
Applicant / Owner:	Linda Graham Trust
Surveyor:	Jerry Johnson / Johnson Surveying
General Location:	Bear Creek Road / Hope

STAFF REPORT

PC Meeting: Administrative Approval

2023

On June 22, 2023, a complete preliminary plat application was submitted to the Planning Department. The Plat Committee reviewed and granted conditional approval for the preliminary plat for two years during their regularly scheduled meeting on July 17, 2023. A Notice of Decision was mailed to interested parties on July 18, 2023. On October 9, 2023, a paper final plat was submitted for review to the Planning Department. Staff reviewed the final plat and sent a review letter on December 6, 2023, requesting corrections and missing information on the plat. On December 13, 2023, a second paper final plat was submitted for review to the Planning Department.

2024

Staff reviewed the final plat that was submitted December 13, 2023, and sent a review letter on January 8, 2024, requesting corrections and missing information on the plat. On January 11, 2024, a third paper final plat was submitted for review to the Planning Department. Staff reviewed the final plat and sent a review letter on January 29, 2024, requesting corrections and missing information on the plat. On September 9, 2024, a fourth paper final plat was submitted for review to the Planning Department. Staff reviewed the final plat and sent a review email on October 31, 2024, requesting verification of acreage listed for the plat and a list of the final requirements before granting administrative approval and recording of the plat.

2025

On June 3, 2025, staff contacted the surveyor to notify them of the upcoming file expiration on July 17, 2025. The surveyor submitted a Time Extension request on June 5, 2025, stating "The owners seem to have been trying to revise the ROW dedication for the subdivision. I recently received a letter from the Hope Fire Chief proposing an alternate ROW configuration that was also addressed to the borough planning commission. Has the borough in fact received that letter and was any action taken or planned in response to the letter? The owners are still wanting to subdivide the property." As stated in the request.

Staff received a letter on April 25, 2025 from Travis Peterson, Chief Hope/Sunrise Emergency Services with concerns for the proposed cul-de-sac location and type, and with recommendations for an alternate location for the ROW configuration on already cleared KPB land which would provide access to all three parcels noted.

This time extension request is the first time extension request associated with this subdivision plat. Per KPB 20.25.110 only two 2-year time extension requests may be granted. This time extension request will extend the subdivision approval to July 17, 2027. If the plat is not recorded before July 17, 2027, or the second and final time extension is not requested, then the approval will expire and a new plat submittal will be required to complete the subdivision

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for two years to July 17, 2027, subject to the following:

1. Copy of plat with current utility reviews being submitted with the final plat.

2. Plat must comply with current Kenai Peninsula Borough Code.
3. Presentation of a cul-de-sac configuration sufficient to Travis Peterson, Chief Hope/Sunrise Emergency Services and written notification sent to Platting Staff from Travis Peterson.

NOTE: Per KPB 20.25.110(A), upon application by the subdivider prior to the two-year deadline for final plat submittal, a time extension for two years beyond the initial two-year period for submittal of the final plat may be granted by the planning director. A second and final two-year extension may be granted by the planning director when requested by the subdivider prior to expiration of the previous approval, allowing for a total approval time of six years. Expiration of time extensions will require the submission of, and action on, a new preliminary plat.

END OF STAFF REPORT



APPROVED



Robert Ruffner, Planning Director

6-8-2025

Date



RECEIVED

APR 25 2025

KPB PLANNING DEPT.

Hope Po Box 70 * Hope, Alaska 99605 * 971-241-5222 * hsemsfire@gmail.com

To: Kenai Peninsula Borough Plat Committee
144 N. Binkley Street, Soldotna, AK 99669

From: Travis Peterson, Chief Hope Sunrise Emergency Services
PO Box 70, Hope AK, 99605

Subject: Graham-Miller Subdivision #3
KPB File Number: 2023-067

The subject request is to subdivide the property of the two living children of Linda L. Graham.

Property :

The property size currently is 28.737 acres.

Tract A1A is approximately 13.171 acres.

Tract A1B is approximately 15.386 acres.

This property is currently in the trust of Linda L. Graham. The current trustees are Lora I. Airth and Kimberly A. Graham.

Good day KPB Plat Committee members,

KPB Planning Department, on July 17 of 2023, held a Platt Committee Meeting. The committee granted conditional approval of the subdivision of the aforementioned property. Currently, Bear Creek Road, which is not maintained by the Kenai Peninsula Borough, is the only road that gives access to the three properties: Tract A1A, A1B, and Tract C.

Since the preliminary plat was submitted on June 22, 2023, the property trustees have discussed that constructing a *Hammerhead or T-Type turnaround at the end of Bear Creek Road, although in alignment with KPB Code 20.30.1000(B), is not reasonable for this geographic area.

In making this determination, a conversation with the Hope Sunrise Emergency Services Fire Chief Travis Peterson highlighted some of the major logistical issues associated with it: deforestation and clearing of both Tract A1A/A1B property, it would then need to be leveled from approximately a 25% grade to a 5% grade. Construction in this spot would entail significant dirt work: boulders, rocks, gravel, and other supporting material(s).

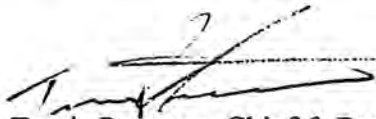
However, located on the KPB side, there is a section/area outside of the preliminary plat that would be appropriate. The area is approximately 50 feet by 50 feet (2,500 sq. ft), already cleared, unobstructed, and would cause no hindrance to road maintenance or emergency vehicle access. Additionally, approximately 800 feet from the main house and 835 feet from the A1B home, along with other established structures.

An alternative recommendation is that the requested turnaround section/area of preliminary plat L-8 be removed and shown to coincide with the already existing cleared section/area.

Lastly, I would like to reiterate that, as noted in the July 18, 2023, letter from the Planning Department, Bear Creek Road is not Borough-maintained and has no fire hydrants.

Thank you for your time.

Sincerely,



Travis Peterson, Chief & President of the BOD
Hope Sunrise Emergency Services
PO Box 70, Hope Alaska 99605
971-241-5641

Cc: Linda L. Graham Trust, Po Box 11, Hope, Alaska 99605

Cc: Johnson Surveying, Po Box 27, Clam Gulch, Alaska 99568

Enclosures: Definition & Applicable Code, Survey-Line Photos (4) (A1a-A6)

Definitions & Applicable Code

Subdivision of common property is the process of dividing a plot of land into individual allotments that share ownership of common areas, such as landscaping and driveways. Each allotment is given its own title and can be sold, rented, or bought independently of the other allotments.

“Common property subdivision fire department KPB equipment turn around to a designated space within a shared property area of a subdivision specifically designated for the fire department vehicles, to safely turn around and maneuver, when responding to an emergency, especially on streets with limited access or dead ends.”

When a fire chief evaluates a subdivision’s common property for “adequate fire equipment” and “turnaround space”, they are assessing whether the shared areas within the community have sufficient space for fire truck to maneuver safely and effectively in cases of an emergency, allowing them to reach any property within the subdivision without significant delays.

Hope Sunrise Emergency Services Fire Vehicle(s)

Water capacity fire truck 1:300 gallons

Water capacity fire truck 2:700 gallons

Two water sources have been located (if needed), one on Tract A1B is a small pond that has approximately 500 gallons of water. The second source is Bear Creek, also on Tract A1B plat. However, this still would require many lengths of 100ft hose(s) to supply an adequate water supply to refill vehicle tanks.

Kenai Peninsula Borough Code

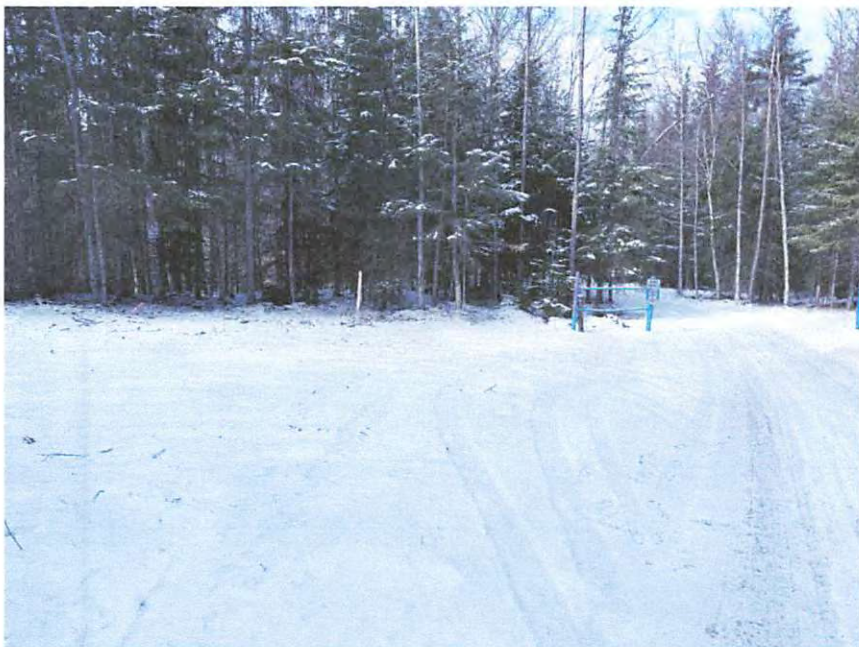
20.30.100 – Cul-de-sacs

B. Hammerhead, or T-type turnarounds, may be allowed on a case-by-case basis. Adequate turning radii, width, and depth must be provided for road maintenance and emergency vehicle access. Plans must be reviewed with a recommendation must be emergency service providers and the KPB Road Service Area Board, prior to submittal for planning commission review.

Survey-Line Photos (3, A1a-A6)



A1a Bear Creek Rd. East



A1b Existing Hammerhead/T-type Turnaround West



A2 Bear Creek Rd. East



A3 Bear Creek Rd East



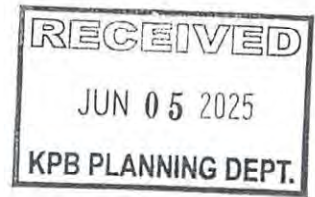
A4 L-5, L-6, L-8 South East



A5 L-8 South East



A6 L-8 Southwest



Kenai Peninsula Borough Planning Department
 144 North Binkley Street
 Soldotna, Alaska 99669
 Phone: (907) 714-2200
 Fax: (907) 714-2378

TIME EXTENSION REQUEST FORM

☒ Name of Subdivision: Graham-Miller Subdivision #3

☒ Location of Subdivision: Hope

☒ KPB Number: 2023-067

☒ Date of Planning Commission Approval(s)

7/17/23

☒ Reason for time extension request.

The owners seem to have been trying to revise the ROW dedication for the subdivision

I recently received a letter from the Hope Fire Chief proposing an alternate ROW configuration

that was also addressed to the borough planning commission. Has the borough in fact received

that letter and was any action taken or planned in response to the letter?

The owners are still wanting to subdivide the property.

Date: 3 June, 2025

Signature of Surveyor/Property Owner: *Gerard L Johnson*

***1. Time Extension Requests**

b. Dairy Hill Subdivision Addition No. 1; KPB File 2023-057

MEMORANDUM



TO: Kenai Peninsula Borough Planning Department

DATE: April 21, 2025

FROM: Courtney Bringhurst, Planner, City of Seward

SUBJECT: Dairy Hill Subdivision Addition No. 1
KPB File 2023-057

It is my understanding that a time extension request has been submitted to the Kenai Peninsula Borough for the Dairy Hill Subdivision Addition No. 1 preliminary plat, KPB File 2023-057. The Seward City code does not specify a time frame in which a preliminary plat must be approved by the Kenai Peninsula Borough after it has been approved by the Seward Planning and Zoning Commission. Nor does Seward City code require approval from the Planning and Zoning Commission if a time extension request is submitted to the Kenai Peninsula Borough.

City of Seward staff have been in communication with the property owner and surveyor of Dairy Hill Subdivision Addition No. 1, and are aware of the status of the plat and the reasons for the time extension. No major changes have been made to the plat since it was approved by the Seward Planning and Zoning Commission through Resolution 2023-011 on May 9, 2023. A subdivision agreement was required, and has been created and signed by both the property owner and the city.

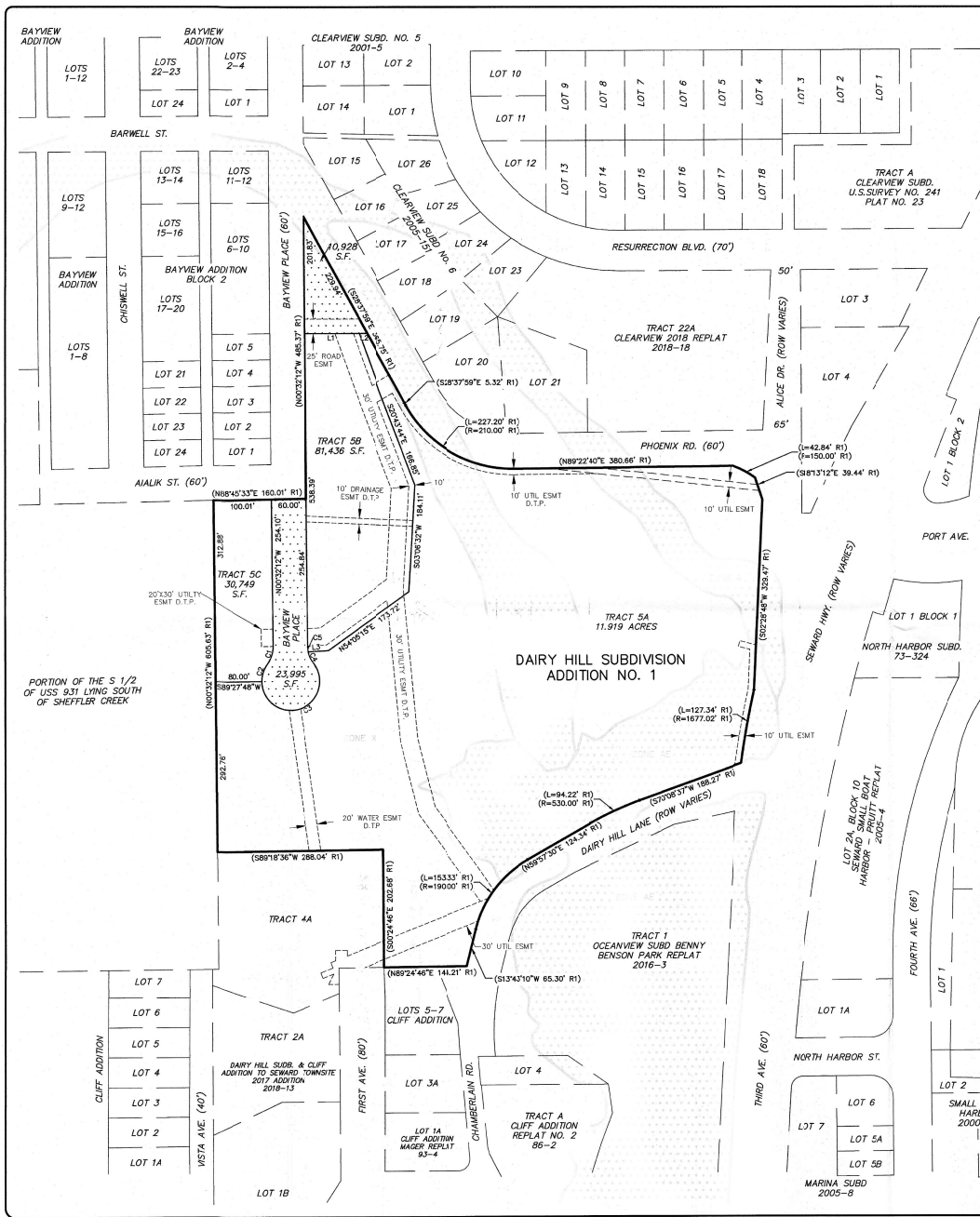
The City of Seward does not have any concerns with the time extension request, and approves of the Kenai Peninsula Borough granting a time extension for the Dairy Hill Subdivision Addition No. 1, KPB File 2023-057.

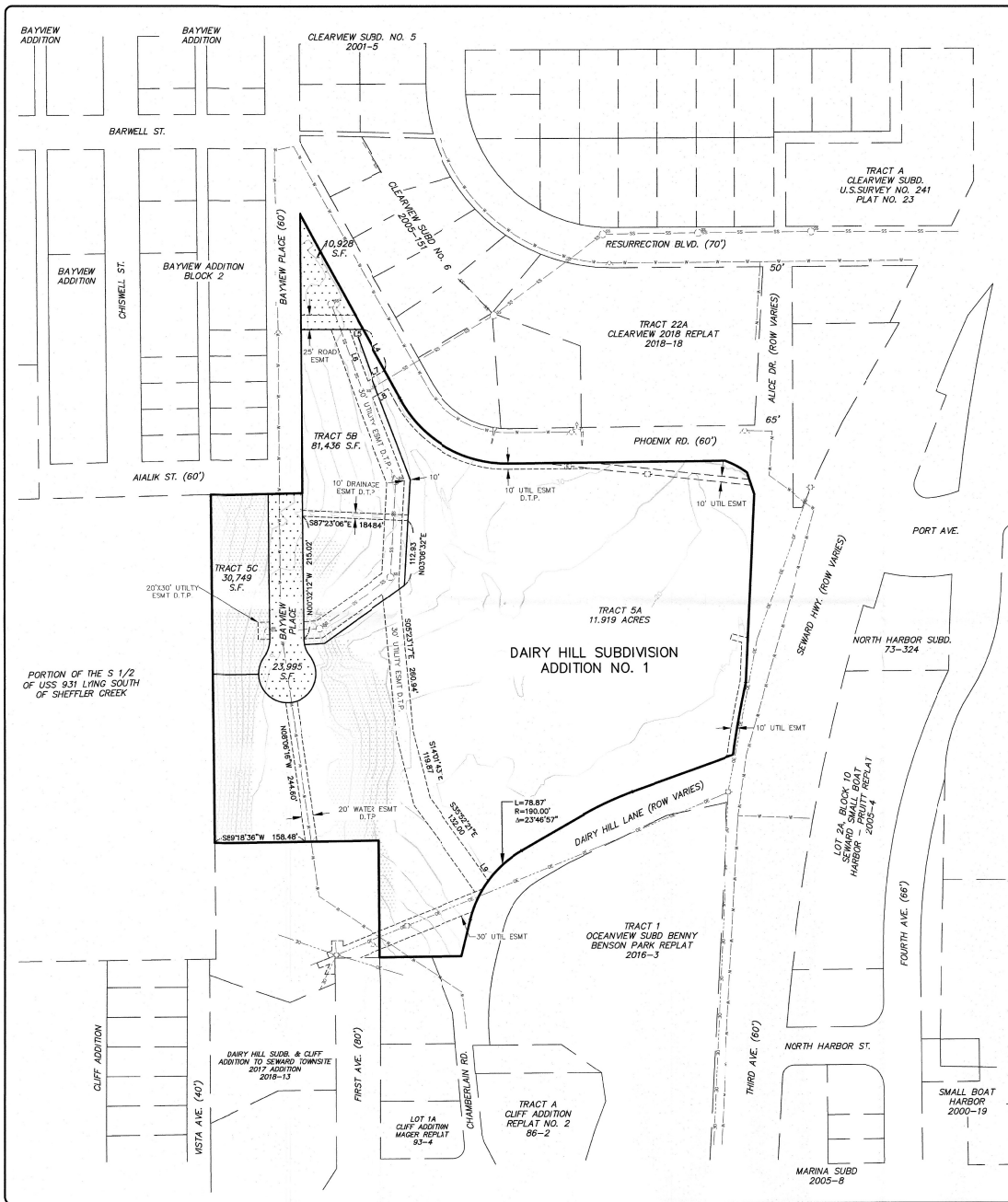
Thank you,

A handwritten signature in cursive script that reads "Courtney Bringhurst". The signature is written in black ink and is positioned above a horizontal line.

Courtney Bringhurst

City Planner
907-224-4020
cbringhurst@cityofseward.net





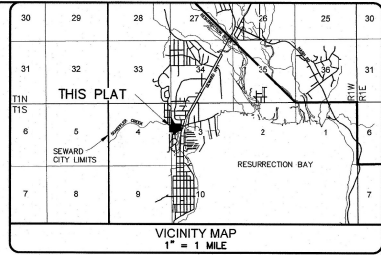
NOTES:

1. ACCORDING TO THE CERTIFICATE TO PLAT BY FIRST AMERICAN TITLE OF ALASKA, ORDER NO. 0227-3887860, THE TITLE OF THIS PROPERTY IS VESTED AS FOLLOWS: STEVEN C. LERER, GENERAL PARTNER AS TO 1% CAROL J. LAURE, LIMITED PARTNER AS TO 50% AND STEVEN C. LERER, LIMITED PARTNER AS TO 49% OF THE LERER FAMILY LIMITED PARTNERSHIP UNDER AGREEMENT DATED OCTOBER 6, 1997.
2. BASED ON VISUAL INSPECTION ONLY, PORTIONS OF THIS SUBDIVISION LIE WITHIN ZONE "A" AND ZONE "AE" PANEL NO. 5005E OF 504D, FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAPS. ALL OTHER AREAS OF THIS SUBDIVISION LIE WITHIN ZONE "X."
3. DEVELOPMENT WITHIN A DESIGNATED FLOOD HAZARD AREA MUST COMPLY WITH THE TITLE 15, CHAPTER 23, FLOOD PLAIN MANAGEMENT, OF THE SEWARD CITY CODE.
4. TELEPHONE AND ELECTRIC EASEMENT EXISTS IN BOOK 9, PAGE 352 AND IN BOOK 39, PAGE 168, S.R.D., NOT DEDICATED BY THIS PLAT.
5. RIGHT OF WAY EASEMENT FOR CHARLES AND LINDA COLLIER EXISTS IN BOOK 30, PAGE 986, S.R.D., NOT DEDICATED BY THIS PLAT.
6. RIGHT OF WAY EASEMENT FOR DAVID AND AGNES MILLER EXISTS IN BOOK 111, PAGE 962 S.R.D., NOT DEDICATED BY THIS PLAT.
7. DEVELOPMENT OF THIS TRACT IS SUBJECT TO THE PLANNING AND ZONING REGULATIONS OF THE CITY OF SEWARD.

LEGEND

- OVERHEAD ELECTRIC (APPROXIMATE LOCATION)
- UNDERGROUND SANITARY SEWER LOCATE
- UNDERGROUND WATER LOCATE (APPROXIMATE LOCATION)
- UTILITY EASEMENT
- PROPOSED ROW DEDICATION
- GROUND SLOPES EXCEEDING 20%
- MAJOR CONTOUR
- MINOR CONTOUR
- UTILITY POLE (APPROXIMATE LOCATION)
- FIRE HYDRANT (APPROXIMATE LOCATION)
- SANITARY SEWER MANHOLE
- TELEPHONE PEDESTAL
- ELECTRIC TRANSFORMER
- STREET LIGHT ON WOODEN POWER POLE

Line #	DIRECTION	LENGTH
L5	N90°00'00"W	24.04'
L6	S19°45'28"E	95.56'
L7	N59°12'39"E	35.87'
L8	N59°12'39"E	30.39'
L9	S34°42'27"E	45.64'



TIME EXTENSION REQUEST
DAIRY HILL SUBDIVISION ADDITION NO 1

KPB File No.	2023-057
Applicant / Owner:	Leirer Family Limited Partnership of Seward, Alaska
Surveyor:	Joshua Varney / Lounsbury & Associates Inc
General Location:	Phoenix Road, Bayview Place, Aialik Street, Third Avenue, Dairy Hill Lane, and Seward Highway

STAFF REPORT

PC Meeting: Administrative Approval

2023

On May 19, 2023, a complete preliminary plat application was submitted to the Planning Department. The Plat Committee reviewed and granted conditional approval for the preliminary plat for two years during their regularly scheduled meeting on June 12, 2023. A Notice of Decision was mailed to interested parties on June 14, 2023.

2025

On March 20, 2025 the surveyor emailed staff a Time Extension Request. Staff informed the surveyor that approval for the Time Extension Request was needed from the City of Seward before we could proceed. On April 10, 2025, a paper final plat was submitted for review to the Planning Department. This plat is next in line for staff review and once completed, a review letter will be sent out requesting any corrections and missing information needed on the plat. Also, on April 10, 2025 a copy of the staff report with notes from the surveyor was received, along with the City of Seward Standard Subdivision Agreement signed in March of 2025. On April 15, 2025, staff contacted the surveyor to notify them of the status of the plat submittal, that City approval was still needed, and the upcoming file expiration on June 12, 2025. On April 15, 2025 the surveyor emailed that he would obtain a time extension from the City of Seward. Staff received a memo from the City of Seward, dated April 21, 2025, which states that the City of Seward approves the Time Extension Request.

This time extension request is the first time extension request associated with this subdivision plat. Per KPB 20.25.110 only two 2-year time extension requests may be granted. This time extension request will extend the subdivision approval to June 12, 2027. If the plat is not recorded before June 12, 2027, or the second and final time extension is not requested, then the approval will expire and a new plat submittal will be required to complete the subdivision.

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for two years to June 12, 2027, subject to the following:

1. Copy of plat with current utility reviews being submitted with the final plat
2. Plat must comply with current Kenai Peninsula Borough Code.

NOTE: Per KPB 20.25.110(A), upon application by the subdivider prior to the two-year deadline for final plat submittal, a time extension for two years beyond the initial two-year period for submittal of the final plat may be granted by the planning director. A second and final two-year extension may be granted by the planning director when requested by the subdivider prior to expiration of the previous approval, allowing for a total approval time of six years. Expiration of time extensions will require the submission of, and action on, a new preliminary plat.

END OF STAFF REPORT



APPROVED

Robert Ruffner, Planning Director

6-8-2025

Date

MEMORANDUM



TO: Kenai Peninsula Borough Planning Department

DATE: April 21, 2025

FROM: Courtney Bringhurst, Planner, City of Seward

SUBJECT: Dairy Hill Subdivision Addition No. 1
KPB File 2023-057

It is my understanding that a time extension request has been submitted to the Kenai Peninsula Borough for the Dairy Hill Subdivision Addition No. 1 preliminary plat, KPB File 2023-057. The Seward City code does not specify a time frame in which a preliminary plat must be approved by the Kenai Peninsula Borough after it has been approved by the Seward Planning and Zoning Commission. Nor does Seward City code require approval from the Planning and Zoning Commission if a time extension request is submitted to the Kenai Peninsula Borough.

City of Seward staff have been in communication with the property owner and surveyor of Dairy Hill Subdivision Addition No. 1, and are aware of the status of the plat and the reasons for the time extension. No major changes have been made to the plat since it was approved by the Seward Planning and Zoning Commission through Resolution 2023-011 on May 9, 2023. A subdivision agreement was required, and has been created and signed by both the property owner and the city.

The City of Seward does not have any concerns with the time extension request, and approves of the Kenai Peninsula Borough granting a time extension for the Dairy Hill Subdivision Addition No. 1, KPB File 2023-057.

Thank you,

A handwritten signature in black ink that reads "Courtney Bringhurst". The signature is written in a cursive style and is positioned above a horizontal line.

Courtney Bringhurst

City Planner
907-224-4020
cbringhurst@cityofseward.net

Kenai Peninsula Borough Planning Department
144 North Binkley Street
Soldotna, Alaska 99669
Phone: (907) 714-2200
Fax: (907) 714-2378

TIME EXTENSION REQUEST FORM

☒ Name of Subdivision: Dairy Hill Subdivision Addition No. 1

☒ Location of Subdivision: City of Seward

☒ KPB Number: 2023-057

☒ Date of Planning Commission Approval(s)

6/12/2023

☒ Reason for time extension request.

We are submitting this time extension request to allow sufficient time to finalize the subdivision

agreement between the City of Seward and the property owner. The agreement is anticipated

to be complete in 2nd quarter of 2025 and the final plat will be delivered to the KPB shortly

thereafter. Pending KPB approval of the final plat, the subdivision will be monumented in

the summer of 2025 and project finalized in the fall of 2025.

Date: 3/20/2025

Signature of Surveyor/Property Owner: _____

C. CONSENT AGENDA

- *3. Plats Granted Administrative Approval**
 - a. Holland Park 2024 Replat; KPB File 2024-073**
 - b. Hubbard's View Subdivision 2024; KPB File 2024-129**
 - c. James 2022; KPB File 2022-161**
 - d. Whiskey Gulch Beach Subdivision; KPB File 20256-007**



ADMINISTRATIVE APPROVAL

Subdivision: Holland Park 2024 Replat
KPB File 2024-073
Kenai Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on July 22, 2024. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, July 2, 2025.

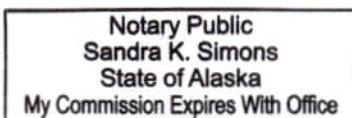
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 2nd day of July 2025 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Hubbards View Subdivision 2024
KPB File 2024-129
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on December 16, 2024. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Wednesday, July 2, 2025.

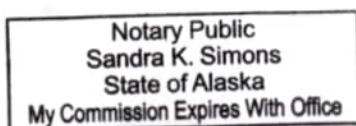
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 2nd day of July 2025 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: James 2022
KPB File 2022-161
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on November 14, 2022. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Friday, June 27, 2025.

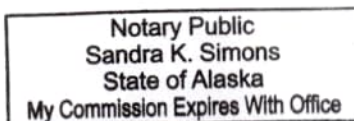
Robert Ruffner
Planning Director

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 27th day of June 2025 by Robert Ruffner.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



ADMINISTRATIVE APPROVAL

Subdivision: Whiskey Gulch Beach Subdivision
KPB File 2025-007
Homer Recording District

The Kenai Peninsula Borough Planning Commission conditionally approved the preliminary subdivision plat on February 10, 2025. Approval for the plat is valid for two years from the date of approval.

The final plat complied with conditions of preliminary approval and KPB Title 20 (Subdivisions); therefore, per KPB 20.60.220, administrative approval has been granted by the undersigned on Friday, June 27, 2025.

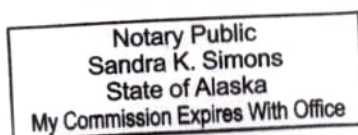

Robert Ruffner
Planning Director

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 27th day of June 2025 by Robert Ruffner.


Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

C. CONSENT AGENDA

***4. Plats Granted Final Approval**

- a. Timber Hills Subdivision Martinez Addition; KPB File 2025-025**
- b. Lakeridge Subdivision 2025 Replat; KPB 2025-030**
- c. Highlands Subdivision 2025 Replat; KPB File 2025-053**
- d. Inlet Woods Subdivision 2025 Replat; KPB File 2025-024**



FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Highlands Subdivision 2025 Replat
KPB File 2025-053
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, July 2, 2025.

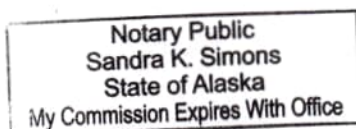
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 2nd day of July 2025 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Inlet Woods Subdivision 2025 Replat
KPB File 2025-024
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, July 2, 2025.

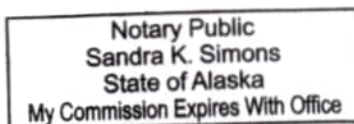
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 2nd day of July 2025 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Lakeridge Subdivision 2025 Replat
KPB File 2025-030
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Wednesday, July 2, 2025.

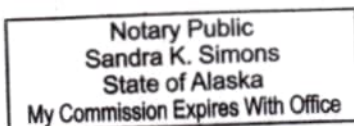
Vince Piagentini
Platting Manager

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 2nd day of July 2025 by
Vince Piagentini.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.



FINAL APPROVAL OF PLAT SUBMITTED UNDER 20.10.040

Subdivision: Timber Hills Subdivision Martinez Addition
KPB File 2025-025
Kenai Recording District

The Kenai Peninsula Borough Planning Department has reviewed the above referenced subdivision plat in accordance with 20.10.040 Borough Code of Ordinances. The final plat meets the conditions of the preliminary approval and complies with KPB Title 20; therefore, final approval has been granted by the undersigned on Friday, June 27, 2025.

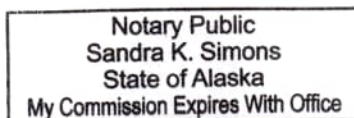
Robert Ruffner
Planning Director

State of Alaska
Kenai Peninsula Borough

Signed and sworn (or affirmed) in my presence this 27th day of June 2025 by
Robert Ruffner.

Notary Public for the State of Alaska

My commission expires: with office



The survey firm has been advised of additional requirements, if any, to be complied with prior to recording. After the original mylar has been signed by the KPB official, it must be filed with the appropriate district recorder within ten business days by the surveyor or the Planning Department.

C. CONSENT AGENDA

***7. Minutes**

a. June 23, 2025 Planning Commission Meeting Minutes

Kenai Peninsula Borough Planning Commission

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

**JUNE 23, 2025
7:30 P.M.
UNAPPROVED MINUTES**

AGENDA ITEM A. CALL TO ORDER

Commissioner Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, Sterling / Funny River
Jeffery Epperheimer, Nikiski District
Pamela Gillham, Kalifornsky/Kasilof District
Dawson Slaughter, Southern Peninsula District
Virginia Morgan, Cooper Landing/Hope/Eastern Peninsula District
Karina England, City of Seward
Diane Fikes, City of Kenai
Paul Whitney, City of Soldotna
Franco Venuti, City of Homer

With 9 members present, a quorum was present.

Staff Present

Aaron Hughes, Land Management Officer
Samantha Lopez, KRC Manager
Morgan Aldridge, Planner
Ann Shirnberg, Planning Administrative Assistant

AGENDA ITEM C. CONSENT & REGULAR AGENDA

***3. Plats Granted Administrative Approval**

- a. Charles & Barbara Scot Subdivision; KPB File 2022-118R1
- b. FBO Subdivision 2024 Addition; KPB File 2024-137
- c. Forest Hills Lookout Subdivision Watson Addition No. 2; KPB file 2024-101
- d. Moose Range Meadows South Addition 1 Jenkins Replat; KPB File 2024-140
- e. St. Theresa Subdivision Merkes Addition; KPB File 2025-003

***4. Plat Granted Final Approval**

- a. Kenai River Bridge Subdivision Amended Matiaco Addition; KPB File 2025-002

***7. Minutes**

- a. June 9, 2025 Planning Commission Meeting Minutes

Chair Brantley asked Ms. Shirnberg to read the consent agenda items into the record. He then asked if anyone wished to speak to any of the items on the consent agenda. Seeing and hearing no one wishing to comment, Chair Brantley brought it back to the commission for a motion.

MOTION: Commissioner Slaughter moved, seconded by Commissioner Gillham to approve the consent and regular agendas.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Whitney, Venuti
---------	--

AGENDA ITEM E. NEW BUSINESS

**ITEM #1 – CONDITIONAL USE PERMIT
ALASKA RAILROAD CORPORATION**

PC Resolution No.	2025-09
Plat Committee Meeting:	June 23, 2025
Applicant / Owner:	Alaska Railroad Corporation
Mailing Address	P.O. Box 107500; Anchorage, AK 99510
General Location:	East End Road, Homer
Legal Description:	60.500999°, -149.361352°; ARRC MP 30.44

Staff report give by Planner Morgan Aldridge

Chair Brantley opened the item for public comment.

Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the committee.

MOTION: Commissioner Morgan moved, seconded by Commissioner Slaughter to adopt Planning Commission Resolution 2025-09, granting a conditional use permit pursuant to KPB 21.18 for the construction of the Alaska Railroad Corporation proposed culvert replacement project at Rail MP 30.44, east of Moose Pass.

Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, England, Epperheimer, Fikes, Gillham, Morgan, Slaughter, Venuti, Whitney
---------	--

AGENDA ITEM H. PRESENTATIONS / PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

Chair Brantley asked if there was anyone who wished to comment on anything that was not on the agenda. There was no one who wished to comment.

AGENDA ITEM K. ADJOURNMENT

Commissioner Gillham moved to adjourn the meeting at 7:38 P.M.

Ann E. Shirnberg
Administrative Assistant

E. NEW BUSINESS

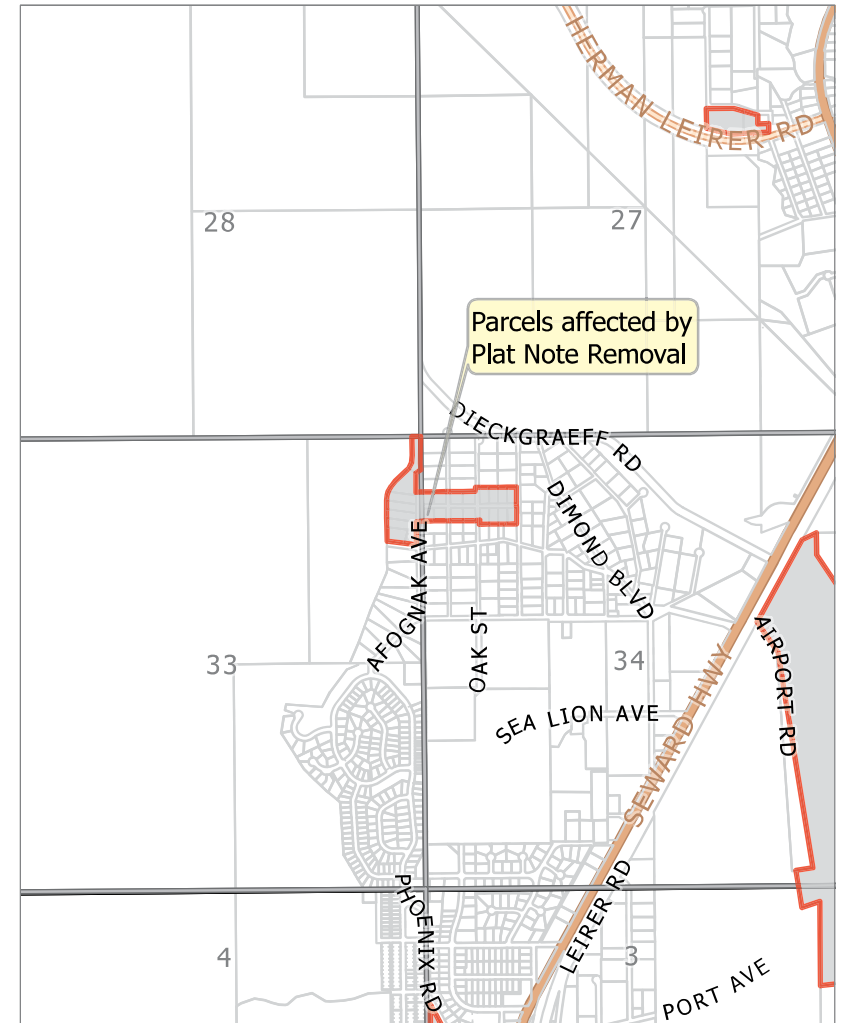
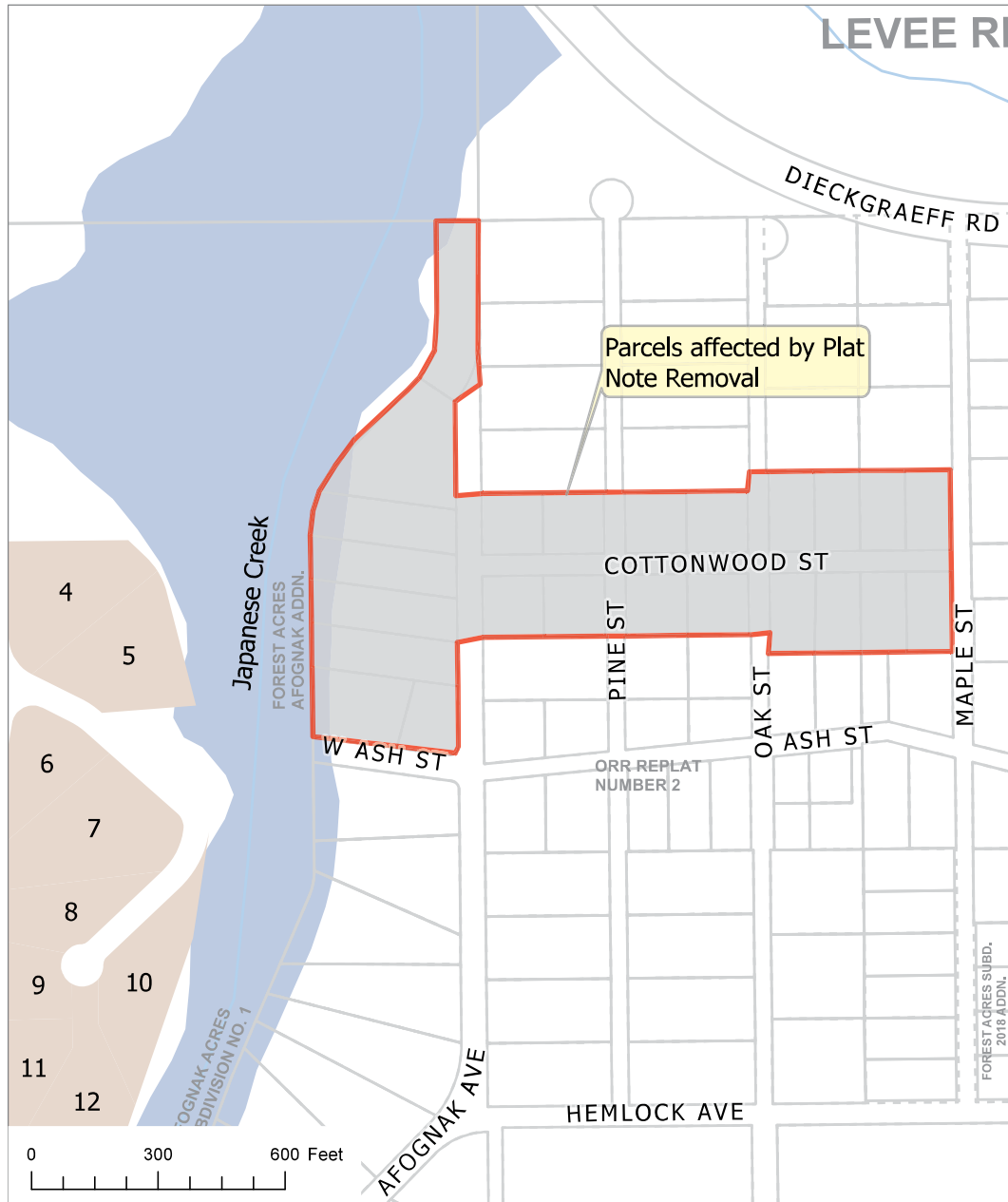
1. Plat Note Removal; KPB File 2025-084

Applicant: Grischuk

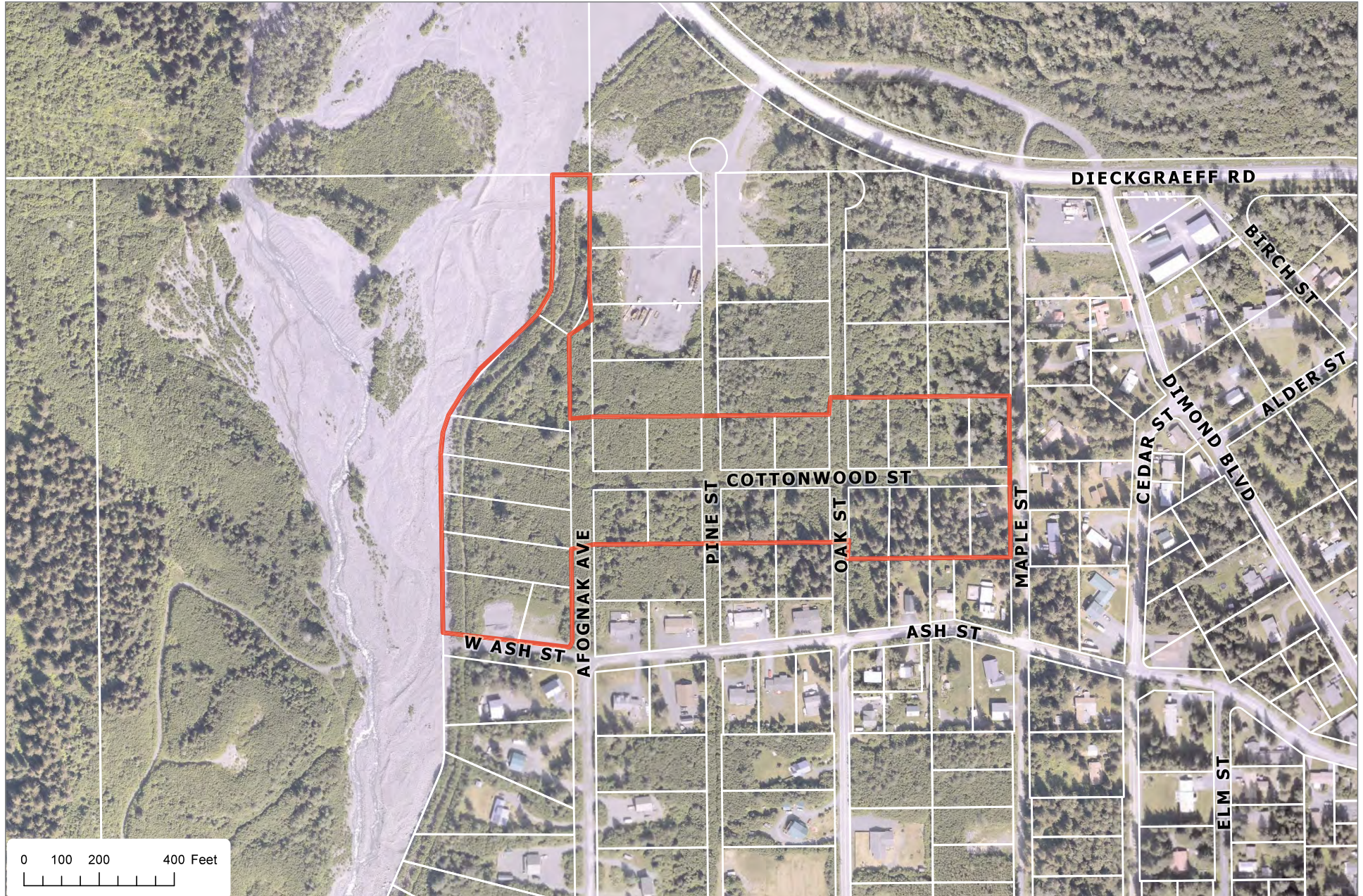
Request: Removal of plat note "All lots within this subdivision must be connected to public sewer facilities prior to development" on Forest Acres Subdivision Afognak Addition, Plat SW 2006-011

City of Seward

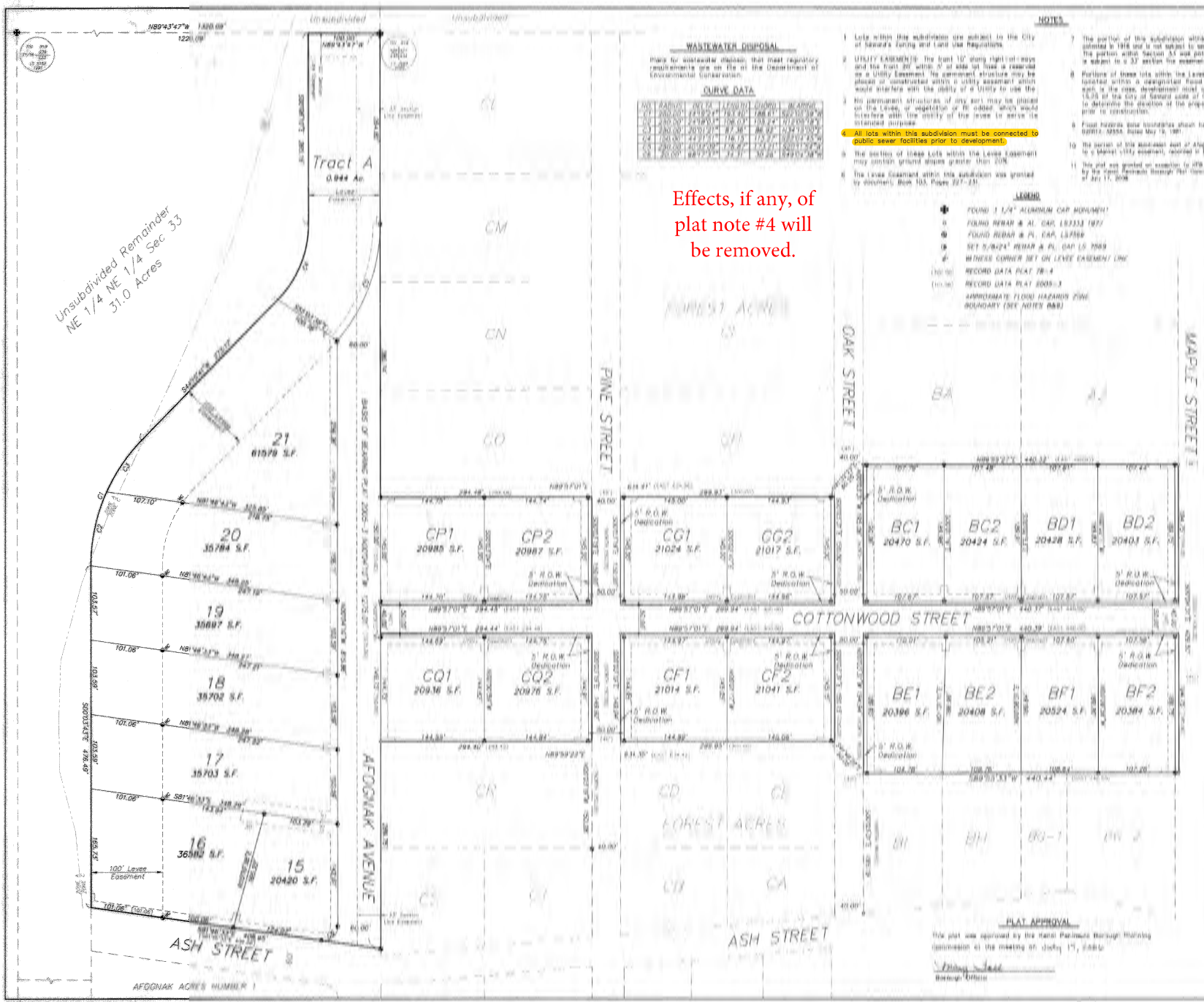
(Staff Person: Platting Manager Vince Piagentini)



KPB File 2025-084
T 1N R 1W Sec 33 & 34
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.

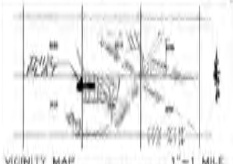


NOTES

1. Lots within this subdivision are subject to the City of Seward's zoning and land use regulations.
2. **UTILITY EASEMENTS:** The front 10' along right-of-way and the front 20' within 5' of side of lots is reserved as a Utility Easement. No permanent structure may be placed or constructed within a utility easement which would interfere with the ability of a utility to use the easement.
3. No permanent structures of any sort may be placed on the Levee, or vegetation or its related growth, which would interfere with the ability of the levee to serve its intended purpose.
4. **All lots within this subdivision must be connected to public sewer facilities prior to development.**
5. The portion of these lots within the Levee Easement may contain ground slopes greater than 20%.
6. The Levee Easement within this subdivision was granted by document, Book 103, Pages 227-231.
7. The portion of this subdivision within Section 34 was patented in 1916 and is not subject to zoning regulations. The portion within Section 33 was patented in 1910 and is subject to a 30' section line easement, as shown herein.
8. Portions of these lots within the Levee Easement may be located within a designated Flood Hazard Area. If such is the case, development must comply with Chapter 15.05 of the City of Seward code of Ordinance. A survey to determine the location of the property may be required prior to construction.
9. Flood Hazard Area boundaries shown herein are per FIRM 99001C, SWS, Issue May 19, 1997.
10. The portion of this subdivision east of Ashland Avenue is subject to a Mineral Utility Easement, recorded in Book 10, Page 214.
11. This plat was posted on exhibition to 099 3030160 for Tract A by the Seward Planning Board pursuant to the meeting of July 17, 2008.

LEGEND

- FOUND 1 1/4" ALUMINUM CAP MONUMENT
- FOUND REBAR & AL. CAP. 183333 1877
- FOUND REBAR & PL. CAP. 133588
- SET 5/8"x24" REBAR & PL. CAP. 15 2009
- WITNESS CORNER SET ON LEVEE EASEMENT LINE
- RECORD DATA PLAT 78-4
- RECORD DATA PLAT 8000-3
- APPROXIMATE FLOOD HAZARD ZONE BOUNDARY (SEE NOTES 6&8)



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the real property shown and described herein and that we hereby submit this plat of subdivision, and grant of easements and public right-of-way by our free consent.

OWNER: LOTS 15-21, BEING OF FOREST ACRES ADDITION, FOREST ACRES SUBDIVISION

STEVEN A. SCHAFER, CORPORATE SECRETARY
AFOGNAK CONSTRUCTION & EXCAVATING, INC.
P.O. BOX 410
SEWARD, ALASKA 99684

NOTARY'S ACKNOWLEDGMENT

FOR SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2008.

NOTARY FOR ALASKA MY COMMISSION EXPIRES _____



OWNER: NE 1/4 OF SECTION 33, T1N, 21W, S.4

STEVEN A. SCHAFER, CORPORATE SECRETARY
AFOGNAK CONSTRUCTION & EXCAVATING, INC.
P.O. BOX 410
SEWARD, ALASKA 99684

NOTARY'S ACKNOWLEDGMENT

FOR SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2008.

NOTARY FOR ALASKA MY COMMISSION EXPIRES _____



SURVEYOR'S CERTIFICATE

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

DATE _____



FOREST ACRES ADDITION

A SUBDIVISION OF:
FOREST ACRES SUBDIVISION, PLAT 17
A BOUNDARY SURVEY OF FOREST ACRES ADDITION, PLAT 78-4 AND A PORTION OF THE NE 1/4 OF THE NE 1/4 SECTION 33 AND THE NE 1/4 SECTION 34 TOWNSHIP 2 NORTH RANGE 1 WEST SEWARD MERIDIAN, ALASKA CITY OF SEWARD SEWARD RECORDING DISTRICT CONTAINING 18.214 ACRES

CLINE AND ASSOCIATES

LAND SURVEYORS
216 HIL AVE. S.E. SUITE 200 SEWARD NEBRASKA 68471
(402) 234-1124 FAX (402) 234-6006
DATE: 08/07/08 SCALE: 1"=80'
DRAWN: WJD P.D. NO. 05-11/08-03
DRAWING NO.: 00-86FP R.P.D. FILE # 2008-160

AGENDA ITEM E. SPECIAL CONSIDERATIONS

ITEM #1 - PLAT NOTE RESTRICTION REMOVAL

KPB File No.	2025-084
Planning Commission Meeting:	July 14, 2025
Applicant / Owner:	Jennifer Mariah Grischuk of Seward, Alaska
Surveyor:	None
General Location:	City of Seward
Legal Description:	Forest Acres Afognak Addition, Plat 2006-11, Seward Recording District, Section 33 and Section 34, Township 1 North, Range 1 West, Seward Meridian

STAFF REPORT

Specific Request / Purpose as stated in the petition: Requesting removal of plat note 4: “All lots within this subdivision must be connected to public sewer facility prior to development.” (from the plat Forest Acres Subdivision Afognak Addition SW2006-11)

Notification: The public hearing notice was published in the July 4, 2025 issue of the Peninsula Clarion and the July 3, 2025 issue of the Homer News as part of the Commission’s tentative agenda.

Notice of the proposed plat note removal was sent by regular mail to all owners within Forest Acres Afognak Addition.

Notice of the proposed plat note removal were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game	Alaska Communication Systems (ACS)
State of Alaska DNR	ENSTAR Natural Gas
State of Alaska DOT	General Communications Inc, (GCI)
State of Alaska DNR Forestry	Homer Electric Association (HEA)
City of Seward	Chugach Electric
Emergency Services of Seward.	Seward Utilities
Seward Kenai Peninsula Borough Office	TelAlaska
Seward Bear Creek Fire Service Area	

KPB department / agency review:

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Within City of Seward Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
KPB Roads Dept. comments	<p>Out of Jurisdiction: Yes</p> <p>Roads Director: Uhlin, Dil Comments: City of Seward's jurisdiction</p>

Addressing	<p>Reviewer: Pace, Rhealyn Affected Addresses: N/A</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: N/A</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: No other comments</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:

SOA DOT comments	
HEA	Outside HEA's service area. No comments at this time.
ENSTAR	No Comments or recommendations.
ACS	No Objections
GCI	Approved as Shown
City of Seward EMS	No Concerns
SEWARD ELECTRIC	
CHUGACH ELECTRIC	
TELALASKA	

Applicant's Discussion:

The City of Seward is initiating an improvement district to develop this subdivision. The city administration and city council are working to change city code to allow wells and septs since that is the most affordable option for development in this area.

Staff Discussion:

Forest Acres Afognak Addition was recorded on August 14, 2006 and included plat note number 4: All lots within this subdivision must be connected to public sewer facilities prior to development.

An improvement District for the Forest Afognak Subdivision was initiated by the Seward City Council on April 28, 2025. Per KPB 20.40.020 (B)(2) Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

During their June 9, 2025 meeting, The City of Seward City Council granted unanimous approval of Resolution 2025-052 in support of removing plat note 4 from Forest Acres Afognak Addition. The Resolution states the City Council has approved the installation of private septic systems and wells on the properties. Per the Resolution, the City Public Works department will work with each of the property owners to ensure proper installation of the septic systems. The Resolution also includes a statement that owners will be required to connect to City water and sewer if water and sewer lines are brought into the area at a future date.

Per KPB 20.60.180, if the Commission approves removal of the restrictive plat note, it will be accomplished by recording Planning Commission Resolution 2025-013.

Staff Findings:

1. Forest Acres Afognak Addition is within the City of Seward.
2. Forest Acres Afognak Addition is subject to the requirements of the zoning district.
3. Forest Acres Afognak Addition Plat Note Number 4 states: All lots within this subdivision must be connected to public sewer facilities prior to development.
4. Plat Note Number 4 was added as a Waste Water Disposal Note as required by KPB 20.40.070.
5. The City of Seward City Council initiated an improvement district for the Afognak Subdivision.
6. The City of Seward City Council granted approval of Resolution 2025-052.
7. Per Resolution 2025-052, the cost of providing sewer and water to the affected lots is burdensome to the homeowners and prevents development.
8. Resolution 2025-052 states the Seward City Council has approved the installation of private septic systems and wells on the properties.
9. Resolution 2025-052 includes a section stating the City Public Works Department will work with each property owner to ensure proper installation of the septic systems.
10. Per Resolution 2025-052, owners will be required to connect to City water and sewer if water and sewer lines are brought into the area at a future date.
11. Per KPB 20.40, Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add corrections to be made to drawing as noted

•

RECOMMENDATION:

Based on the above findings, staff recommends adoption of KPB PC Resolution 2025-13, granting approval of the removal of the specific plat note restriction as petitioned, subject to:

1. The recording of the resolution within 90 days of the adoption of the resolution by the Planning

Page 3 of 4

Commission, with the following requirements:

- i. The Planning Department is responsible for filing the Planning Commission resolution.
2. Per KPB 20.40, Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.

20.10.110.(H) 20.10.110.(H) A decision of the planning commission may be appealed to the hearing officer by a party of record, as defined by KPB 20.90, within 15 days of the date of notice of decision in accordance with KPB 21.20.250.

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2025-13
SEWARD RECORDING DISTRICT**

REMOVING PLAT NOTE #4 FROM FOREST ACRES SUBDIVISION AFOGNAK ADDITION (SW 2006-11) LOTS 15, 16, 17, 18, 19, 20, 21, BCI, BC2, BDI, BD2, BEI, BE2, BFI, BF2, CFI, CF2, CGI, CG2, CPI, CP2, CQI, AND CQ2: WITHIN SECTIONS 33 AND 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA, KENAI PENINSULA BOROUGH, CITY OF SEWARD; KPB FILE NO. 2025-084

WHEREAS, Forest Acres Subdivision Afognak Addition, SW 2006-11, is located in the City of Seward; and

WHEREAS, Forest Acres Subdivision Afognak Addition is subject to the requirements of the zoning district; and

WHEREAS, the City of Seward has identified a community need for more residential development and is actively taking steps to improve the availability of homes in the community; and

WHEREAS, Forest Acres Subdivision Afognak Addition, SW 2006-11, depicts an existing plat note stating "All lots within this subdivision must be connected to public sewer facilities prior to development"; and

WHEREAS, an improvement District for the Forest Afognak Subdivision was initiated by the Seward City Council on April 28, 2025; and

WHEREAS, during their June 9, 2025 meeting, The City of Seward City Council granted unanimous approval of Resolution 2025-052 in support of removing plat note 4 from Forest Acres Afognak Addition; and

WHEREAS, resolution 2025-052 states the City Council has approved the installation of private septic systems and wells on the properties; and

WHEREAS, resolution 2025-052 states the City Public Works department will work with each of the property owners to ensure proper installation of the septic systems; and

WHEREAS, resolution 2025-052 states that owners will be required to connect to City water and sewer if water and sewer lines are brought into the area at a future date; and

WHEREAS, KPB 20.40 states that Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation; and

WHEREAS, all owners within Forest Acres Subdivision Afognak Addition, SW 2006-11, were notified of the plat note removal request; and

WHEREAS, on July 14, 2025, the Kenai Peninsula Borough Planning Commission addressed all concerns about this action.

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

Section 1: That removal of Plat Note 4 from Forest Acres Subdivision Afognak Addition (SW 2006-11) is hereby granted.

Section 2: That this resolution is void if not recorded in the appropriate Recording District within 90 days of adoption.

Section 3: That this resolution becomes effective upon being properly recorded.

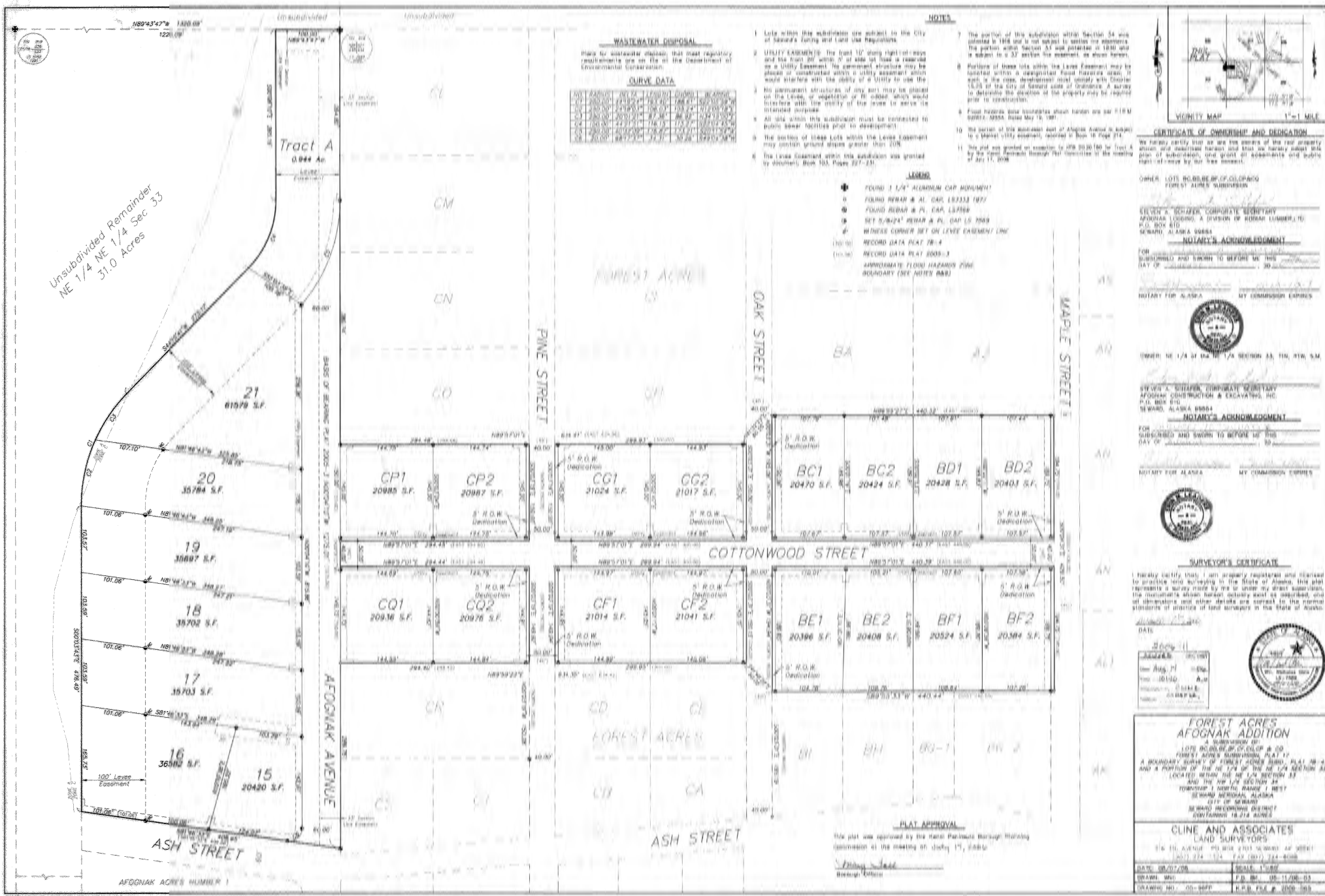
ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS _____ DAY OF _____, 2025.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg,
Administrative Assistant

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



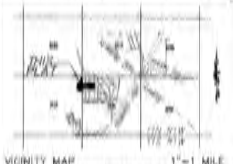
Unsubdivided Remainder
NE 1/4 NE 1/4 Sec 33
31.0 Acres

NOTES

1. Lots within this subdivision are subject to the City of Seward's zoning and land use regulations.
2. UTILITY EASEMENTS: The front 10' along right-of-way and the front 20' along 5' of side of lots is reserved as a Utility Easement. No permanent structure may be placed or constructed within a utility easement which would interfere with the ability of a utility to use the easement.
3. No permanent structures of any sort may be placed on the levee, or vegetation or its related which would interfere with the ability of the levee to serve its intended purpose.
4. An easement within this subdivision must be connected to public sewer facilities prior to development.
5. The portion of these lots within the Levee Easement may contain ground slopes greater than 20%.
6. The Levee Easement within this subdivision was granted by document, Book 103, Pages 227-231.
7. The portion of this subdivision within Section 34 was patented in 1916 and is not subject to zoning regulations. The portion within Section 33 was patented in 1910 and is subject to a 30' section line easement, as shown herein.
8. Portions of these lots within the Levee Easement may be located within a designated Flood Hazard Area. If such is the case, development must comply with Chapter 15.05 of the City of Seward code of Ordinance. A survey to determine the location of the property may be required prior to construction.
9. Flood Hazard Area boundaries shown herein are per FEMA 98001-0005, dated May 19, 1997.
10. The portion of this subdivision east of Ashland Avenue is subject to a Mineral Utility Easement, recorded in Book 10, Page 214.
11. This plat was printed on October 10, 2008 10:30 AM for Tract A by the Seward Planning Board Committee at the meeting of July 17, 2008.

LEGEND

- FOUND 1 1/4" ALUMINUM CAP MONUMENT
- FOUND REBAR & AL. CAP. 183333 1877
- FOUND REBAR & PL. CAP. 133366
- SET 5/8"x24" REBAR & PL. CAP. 15 2009
- WITNESS CORNER SET ON LEVEE EASEMENT LINE
- RECORD DATA PLAT 78-4
- RECORD DATA PLAT 8000-3
- APPROXIMATE FLOOD HAZARD ZONE BOUNDARY (SEE NOTES 6&8)



CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that we are the owners of the real property shown and described herein and that we hereby submit this plan of subdivision, and grant of easements and public right-of-way by our best consent.

OWNER: LOTS ROBBIE OF CLIFORD
FOREST ACRES SUBDIVISION
STEVEN A. CLINE, CORPORATE SECRETARY
AFOGNAK CONSTRUCTION & EXCAVATING, INC.
P.O. BOX 410
SEWARD, ALASKA 99684

NOTARY'S ACKNOWLEDGMENT

FOR SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2008.

NOTARY FOR ALASKA MY COMMISSION EXPIRES _____



OWNER: NE 1/4 OF SEC 10, 1/4 SECTION 33, T1N, R1W, S1M

STEVEN A. CLINE, CORPORATE SECRETARY
AFOGNAK CONSTRUCTION & EXCAVATING, INC.
P.O. BOX 410
SEWARD, ALASKA 99684

NOTARY'S ACKNOWLEDGMENT

FOR SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2008.

NOTARY FOR ALASKA MY COMMISSION EXPIRES _____



SURVEYOR'S CERTIFICATE

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

DATE: _____
SIGNATURE: _____
I am a: ☒ Surveyor ☐ Engineer
Lic. No.: 101150 Exp. 12/31/2010
RESIDENCE: Seward, Alaska
FEDERAL ID: 44-3474-1



FOREST ACRES ADDITION

A SUBDIVISION OF:
LOT 10, ROBBIE OF CLIFORD & CO.
FOREST ACRES SUBDIVISION, PLAT 17
A BOUNDARY SURVEY OF FOREST ACRES ADDITION, PLAT 78-4
AND A PORTION OF THE NE 1/4 OF THE NE 1/4 SECTION 33
LOCATED WITHIN THE NE 1/4 SECTION 33
AND THE NE 1/4 SECTION 34
TOWNSHIP 1 NORTH, RANGE 1 WEST
SEWARD MERIDIAN, ALASKA
CITY OF SEWARD
SEWARD RECORDING DISTRICT
CONTAINING 18.218 ACRES

CLINE AND ASSOCIATES

LAND SURVEYORS
216 11th Avenue, P.O. Box 2703, Seward, AK 99684
(907) 234-1124 Fax (907) 234-6006
DATE: 08/07/08 SCALE: 1"=80'
DRAWN: WJD P.D. NO. 08-11/08-03
DRAWING NO.: 00-866P R.P.D. FILE #: 2008-1065

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
Casie 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 Jesse 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.

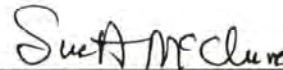
ADJOURNMENT

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



Kris Peck
City Clerk

(City Seal)



Sue McClure
Mayor

CALL TO ORDER

The June 9, 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
Kevin Finch
Randy Wells
Robert Barnwell
Julie Crites
Casie Warner

comprising a quorum of the Council; and

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

Excused – None
Absent – None

PROCLAMATIONS AND AWARDS

Flag Day Proclamation was read by Mayor McClure.

CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING

Russ White, inside city limits, spoke as a representative of the Seward Parks and Recreation Department. He summarized recent SPRD events, and announced upcoming events such as Summer Adventure Camp, Disco Skate Night, Youth Soccer, and Open Mic Bonfire. White also said there were new pickleball lines on the Forest Acres basketball court, and new summer hours for the rock-climbing wall.

Todd Mashlan, inside city limits, introduced himself to council as the applicant to be re-appointed on the Historic Preservation Commission. He emphasized the importance of preserving history and culture.

Robbie Williams, outside city limits, spoke of his 40-year experience as a builder. He informed council of Seward's rising building costs compared to the Lower 48. He addressed the current city code regarding building height and spoke in support of Seward having 4-story buildings with a parking garage on the first floor.

Amanda Sweeting, outside city limits, spoke as the Chamber of Commerce Executive Director. She encouraged people to sign up for the upcoming boat parade and float parade. Sweeting also explained some of the new changes to the Silver Salmon Derby this year.

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion (Osenga/Warner)

Approval of Agenda and Consent Agenda

McClure added the re-appointment of Todd Mashlan to the consent agenda.

Motion as Amended Passed

Unanimous

The clerk read the following approved consent agenda items:

Approval of the May 12, 2025 City Council Meeting Minutes

Resolution 2025-050: Authorizing the City Manager to Purchase an ESRI Small Utility Enterprise Subscription License for a 3-Year Term in an Amount Not to Exceed \$35,700

Resolution 2025-051: Authorizing the City Manager to Accept and Appropriate Community Assistance Program Funds in the Amount of \$106,166.21 for the Purpose of Capital Projects Related to Fire, Public Safety, and Road Maintenance

Resolution 2025-055: Authorizing the City Manager to Accept the Proposal by Electric Power Systems to Lead the Engineering for the EPA Clean Ports Grant Shore Power Project in the Amount of \$1,830,436 Fully Funded Through the Environmental Protection Agency Grant

Resolution 2025-056: Authorizing the City of Seward to Participate in the Alaska Public Risk Alliance

Resolution 2025-057: Authorizing the City Manager to Purchase a Maintenance Vehicle for the Parks and Recreation Department in the Amount of \$57,471 with a 10% Contingency

No grounds for protest to the renewal of the liquor license for Ray's Waterfront

Re-appoint Todd Mashlan to the Historic Preservation Commission for a 3-year term

IN-PERSON REPORTS AND PRESENTATIONS

City Manager Report

City Manager Kat Sorensen explained the new philosophy behind the agenda items that go on the consent agenda because they were already approved in the budget. On another topic, she reported that Secretary of the Interior Doug Burgum recently had a great visit to Seward. Sorensen also updated the council on the City Manager Newsletter status now that Kristin Wise had been hired as the Executive Assistant.

McClure noted the City Manager Report in the packet had a wide variety of photos and events. Sorensen elaborated on her trip to Washington D.C. as well as her experience in the Exit Glacier 10k Run.

City Clerk Report

City Clerk Kris Peck was pleased to report that he had obtained his Certified Municipal Clerk designation. He was thankful the City of Seward was so supportive of education and training for staff. Peck noted the report in the packet contained photos from some of the clerk conferences.

City Attorney Report

City Attorney Sam Severin said he had worked on obtaining a Certificate of Authorization from the FAA [Federal Aviation Administration] for the Seward Police Department to utilize drones.

City Attorney Kody George provided an update on the Railbelt Transmission Organization and presented a short slideshow that made the RTO easier for people to understand.

Presentations – None

PUBLIC HEARINGS

Ordinance 2025-009: An Ordinance of the City Council of the City of Seward, Alaska, Amending Seward City Code, Title 8, Chapter 8.30.015 Business License Required And 8.30.025 Application for a Business License [Sponsored by City Clerk]

Motion (Osenga/Barnwell)

Enact Ordinance 2025-009

Peck explained that the current city code required the application for a business license to include registration with the Kenai Peninsula Borough Sales Tax & Property Tax divisions. However, this requirement put the clerk's office staff in an awkward spot as the middleman between the applicant and the borough tax divisions. The constant email back-and-forth with the KPB to manually run these compliance checks created an undue burden on the clerk's office staff. Every other compliance check was done internally with city departments utilizing OpenGov software.

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

Motion Passed

Unanimous

Resolution 2025-048: Determining it to be in the Public Interest and Necessary to Proceed with the Proposed Improvement District for and Benefiting Lots 17, 18, 19, 20, 21, AX, AY, AZ, BA, BC1, BC2, BD1, BD2, BE1, BE2, BF1, BF2, CD, CE, CF1, CF2, CG1, CG2, CH, CI, CO, CP1, CP2, CQ1, CQ2, and CR of the Forest Acres Subdivision for an Estimated Amount of \$1,837,886

Motion (Osenga/Warner)

Approve Resolution 2025-048

Deputy City Manager Jason Bickling summarized the special improvement district and the provisions for wells and septic systems. There was another related resolution on tonight's agenda to remove a plat note. Bickling explained how he had collaborated with the city clerk to mail out the notice to all the property owners. This time around, the city went above and beyond the code requirements to invite better communication with the property owners. Instead of simply asking for written protests, a form was included in the mailer to let the owner approve or object as well as add written comments. Bickling summarized some of the feedback the city had received from the property owners. The total collection of feedback was presented tonight as a laydown.

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

James Carlberg, inside city limits, thanked Bickling for his years of effort on this project. Carlberg was supportive of the plan overall, but felt there were still a couple issues. Carlberg wanted more clarification on the interest rate of prime + 2%. He understood that rate was industry standard, but it still felt like a double tax in this situation. Carlberg's other concern was if the property owners would be required to abandon their well and septic systems and hook up to city utilities if they were to ever become available.

Trevor Kreznar, outside city limits, echoed previous comments. He asked about water and sewer utilities eventually being installed in specific zones or would the utilities be for the whole entire zone.

No one else appeared and the public hearing was closed.

Bickling addressed the prime + 2% interest rate and noted it had jumped in a very short amount of time. Sorensen added that it wasn't a double dipping taxation, but rather the money would go back into the Developer Reimbursement Fund.

Council and administration discussed legislative priorities, septic tanks collapsing, interest rates, DRP funds, and property tax.

Warner addressed the laydown from the fire chief regarding the lack of fire hydrants.

Fire Chief Clinton Crites expressed his concerns about the lack of fire hydrants in the area. There was no guarantee Bear Creek or Lowell Point would be available to help with water tanker trucks. He explained distance response and insurance premium rates. This district would negatively affect the entire city's rating for fire safety.

Council and administration discussed fire hydrants, insurance rating, water tanker trucks, and similar situations in Anchorage. Sorensen thanked the Fire Chief for expressing his concerns to make sure everyone was aware of these issues.

Motion Passed

Unanimous

Resolution 2025-058: Authorizing the City Manager to Enter into a New Lease with Mike and Norma McCormick for Lot 4 Block 2, Marina Subdivision, City of Seward, Alaska and Recorded as Plat No 89-10, in the Seward Recording District, Third Judicial District, State of Alaska

Motion (Osenga/Finch)

Approve Resolution 2025-058

Harbormaster Tony Sieminski explained this lease involved the Bay Barge Company which was located by the Northeast Boat Launch Ramp. He thanked the City Clerk for adding a photo to the agenda statement for reference. Sieminski noted the McCormicks had been in business there for 30 years and were in great standing with the city. The McCormicks added a valuable service to that area and Sieminski hoped to see the them continue to operate with this new lease.

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

Motion Passed

Unanimous

UNFINISHED BUSINESS - None

NEW BUSINESS

Resolutions

Resolution 2025-049: Authorizing the City Manager to Enter into a 5-Year Contract Agreement with Axon Enterprise, Inc for the Purchase of the Axon Virtual Reality Police Training Program and the Necessary Hardware not to Exceed the Amount of \$276,745.52 and Appropriating Funds

Motion (Osenga/Finch)

Approve Resolution 2025-049

Sorensen said this was the current Axon program in use by the Police Department and they were renewing the existing contract. Over the years, the price had increased and Sorensen wanted to note that an additional amount of \$29,000 was being appropriated.

Motion Passed

Unanimous

Resolution 2025-052: Recommending Kenai Peninsula Borough Approval to Remove Plat Note #4 from Lots 15, 16, 17, 18, 19, 20, 21, BC1, BC2, BD1, BD2, BE1, BE2, BF1, BF2, CF1, CF2, CG1, CG2, CP1, CP2, CQ1, and CQ2, Forest Acres Subdivision, Afognak Addition

Motion (Osenga/Warner)

Approve Resolution 2025-052

Bickling explained the Kenai Peninsula Borough requirement for a resolution to remove the plat notes. This requirement had been discussed with the KPB Planning Commission, and the separate resolution had been requested.

Barnwell asked why all the lots from the improvement district were not included in this resolution. Bickling explained that removing the plat notes applied to many of the properties, but not all.

Motion Passed

Unanimous

Resolution 2025-053: Authorizing the City Manager to Accept the Proposal from Kasteler Consulting Inc for Additional Investigation and Mitigation Work on the Jesse Lee Home Property in an Amount Not to Exceed \$65,043.42 and Appropriating Funds

Motion (Osenga/Barnwell)

Approve Resolution 2025-053

Bickling anticipated being in the clear after the last round of testing, however the Department of Environmental Conservation required more bore holes and more samples. The DEC was primarily looking for contaminated ground water.

Motion Passed

Unanimous

Resolution 2025-054: Authorizing the City Manager to Accept the Proposal with Alaska Remote Imaging to Conduct a GIS Data Update and Field Inspection Services for the City of Seward Electric Department in the Amount of \$226,442 and Appropriating Funds

Motion (Osenga/Finch)

Approve Resolution 2025-054

Electric Operations Supervisor Taylor Crocker explained the importance of maps for the Electric Department. The department had moved the CAD files into GIS, but the GIS map was not accurate. They wanted to hire ARI to do a full inspection and put all the poles in the correct spot and true up all the maps in one big push. This would also provide training for the Electric Department Field Engineer to make sure the map was accurate in the future. Crocker had reviewed the proposals that were received for this project. ARI was not the cheapest proposal, however they demonstrated the best understanding of the project.

Motion Passed

Unanimous

OTHER NEW BUSINESS

Establish a list of core Proclamations for 2025/2026

McClure noted the proclamations came from the mayor as an individual and not from council as a whole. She was putting this discussion out there to see what kind of proclamations people would like to see.

Peck said he had done a bit of research and other cities had an extensive list of guidelines in place for proclamations. Seward currently had no policy or guidelines in place for proclamations.

Finch spoke to the importance of proclamations being neutral on political issues. He spoke in support of adding D-Day to the list of proclamations.

Council discussed striking the right balance of proclamations without having too many or too few. McClure wanted to review this topic further and bring a revised list back to the council.

INFORMATIONAL ITEMS AND REPORTS

Upcoming City Council Meetings

City Council Meeting Monday, June 23, 2025 at 7:00 p.m.

CITIZEN COMMENTS – None

COUNCIL AND ADMINISTRATION COMMENTS & RESPONSE TO CITIZEN COMMENTS

Sorensen thanked Kody George and Brian Hickey for all their work on the RTO. She noted Jason Bickling contributed heavily to both the work session and meeting. Sorensen also introduced Kristin Wise as her new Executive Assistant.

Bickling thanked council for all their work on the agenda tonight. He thanked the City Clerk for his collaborations on the special improvement district, and thanked the city attorneys. It was very much a team effort.

Warner thanked everyone for all hard work on special improvement district and hoped the property owners would soon become homeowners. She was excited about the Jesse Lee Home property development.

Barnwell was excited about the special improvement district and thanked Jason Bickling and Randy Wells for their work on that project. He thanked the city attorneys for working on the RTO. Lastly, he spoke in favor of the mayor wielding the proclamation power.

Crites thanked administration for all their work. She thanked Kody George for the RTO explanation that made a very complex topic easier to understand. Crites noted the miraculous boulder rescue had made national news and she thanked the local first responders.

Finch was glad to see both the Jesse Lee Home property and the Afognak neighborhood moving forward. Finch said proclamations were important to help the public remember those who had died for this country so the rest of us can enjoy our rights and privileges. Seward would not be Seward if not for the military.

Osenga said the trip to Washington D.C. was great and Sorensen was fantastic about relaying information to everyone they met. He also praised lobbyist Sebastian O'Kelly for being awesome about all the legislative happenings in D.C.

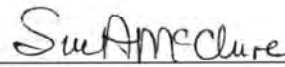
McClure was pleased that council was moving along in Afognak Subdivision. She invited everyone to the Solstice Cemetery Tour. She would be leading the tour and carrying on the tradition from Lee Poleske.

ADJOURNMENT

The meeting was adjourned at 8:37 p.m.



Kris Peck
City Clerk



Sue McClure
Mayor

(City Seal)



**CITY OF SEWARD, ALASKA
RESOLUTION 2025-052**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD,
ALASKA RECOMMENDING KENAI PENINSULA BOROUGH
APPROVAL OF THE REMOVAL OF PLAT NOTE #4 FOR LOTS 15, 16,
17, 18, 19, 20, 21, BC1, BC2, BD1, BD2, BE1, BE2, BF1, BF2, CF1, CF2, CG1,
CG2, CP1, CP2, CQ1, AND CQ2 OF THE FOREST ACRES SUBDIVISION
AFOGNAK ADDITION**

WHEREAS, the City of Seward has identified a community need for more residential development and is actively taking steps to improve the availability of homes in the community; and

WHEREAS, the development of the Forest Acres Subdivision Afognak Addition would help fulfill the community need for more residential housing; and

WHEREAS, under normal conditions, infrastructure improvements would be accounted for at the time of subdivision approval, per Seward City Code 16.01.015, 16.05.010, and 16.05.015; however, the properties subject to this Resolution were sold without the developer having entered into a subdivision agreement with the city or installing the required roads, water, sewer, and electric improvements; and

WHEREAS, the cost of providing such improvements is prohibitive for the property owners to bear on their own and has prevented development of these lots; and

WHEREAS, on April 28th City Council initiated an Improvement District for the Forest Acres Afognak Subdivision; and

WHEREAS, Seward City Code 14.20.025 allows the construction of on-site sewage disposal systems if “no public sewer is available within 200 feet of any property line or boundary upon which the structure to be serviced is located”; and

WHEREAS, the plat for the above-named lots has a restriction in plat note #4 requiring all lots within the Afognak Addition to connect to public sewer facilities prior to development; and

WHEREAS, Seward City Council has determined that it is financially burdensome to the property owners to require them to connect to existing public sewer facilities; and

WHEREAS, the City Council has approved the installation of private septic systems and wells on these properties; and

WHEREAS, the City Public Works department will work with each of the property owners to ensure proper installation of the septic systems; and

WHEREAS, property owners are required to connect to City water and sewer if water and

**CITY OF SEWARD, ALASKA
RESOLUTION 2025-052**

sewer lines are brought into the area at a future date.

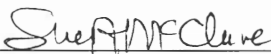
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA that:

Section 1. City Council recommends and approves the removal of the plat note restriction on lots 15, 16, 17, 18, 19, 20, 21, BC1, BC2, BD1, BD2, BE1, BE2, BF1, BF2, CF1, CF2, CG1, CG2, CP1, CP2, CQ1, and CQ2, which states, “4. All lots within this subdivision must be connected to public sewer facilities prior to development.”

Section 10. This resolution shall take effect upon adoption.

PASSED AND APPROVED by the City Council of the City of Seward, Alaska, this 9th day of June 2025.


THE CITY OF SEWARD, ALASKA



Sue McClure, Mayor

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

ATTEST:



Kris Peck
City Clerk

(City Seal)





**NOTICE OF PROPOSED ACTION BEFORE THE
KENAI PENINSULA BOROUGH PLANNING COMMISSION**

Notice is hereby given that the Kenai Peninsula Borough Planning Commission will hold a meeting on **Monday, July 14, 2025** at 7:30 p.m. to consider the removal of a plat note.

In accordance with Chapter 20 of the Borough Code of Ordinances, all owners of property within the subdivision must be notified of the proposed plat note removal. According to Borough records, you are an owner of property within the subdivision.

Action to be considered: A plat note removal request has been received for Forest Acres Subdivision Afognak Addition (Plat HM 2006-11). Changes are as follows:

- This platting action would remove Plat Note # 4 "All lots within this subdivision must be connected to public sewer facility prior to development"

Reasons for plat note removal: The City of Seward is initiating an improvement district to develop this subdivision. The city administration and city council are working to change code to allow wells and septic systems since that is the most affordable option for development in this area.

Request submitted by: Jennifer Grischuk

Location: Afognak Ave and Cottonwood Street in the Seward area

KPB File No: 2025-084

If the removal is approved by adoption of the Planning Commission, it will be accomplished by recording **Resolution 2025-13** and will become a part of the permanent public record. This resolution will note the Planning Commission's action and remove the restrictions.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 14, 2025** commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to

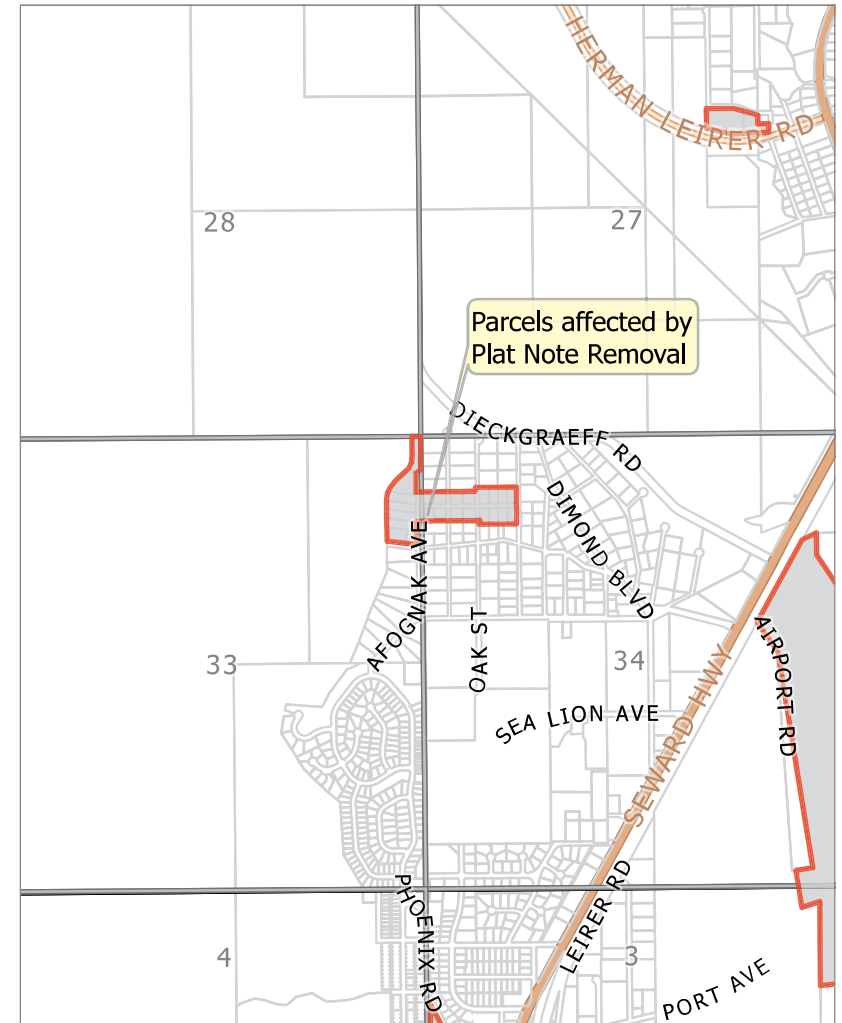
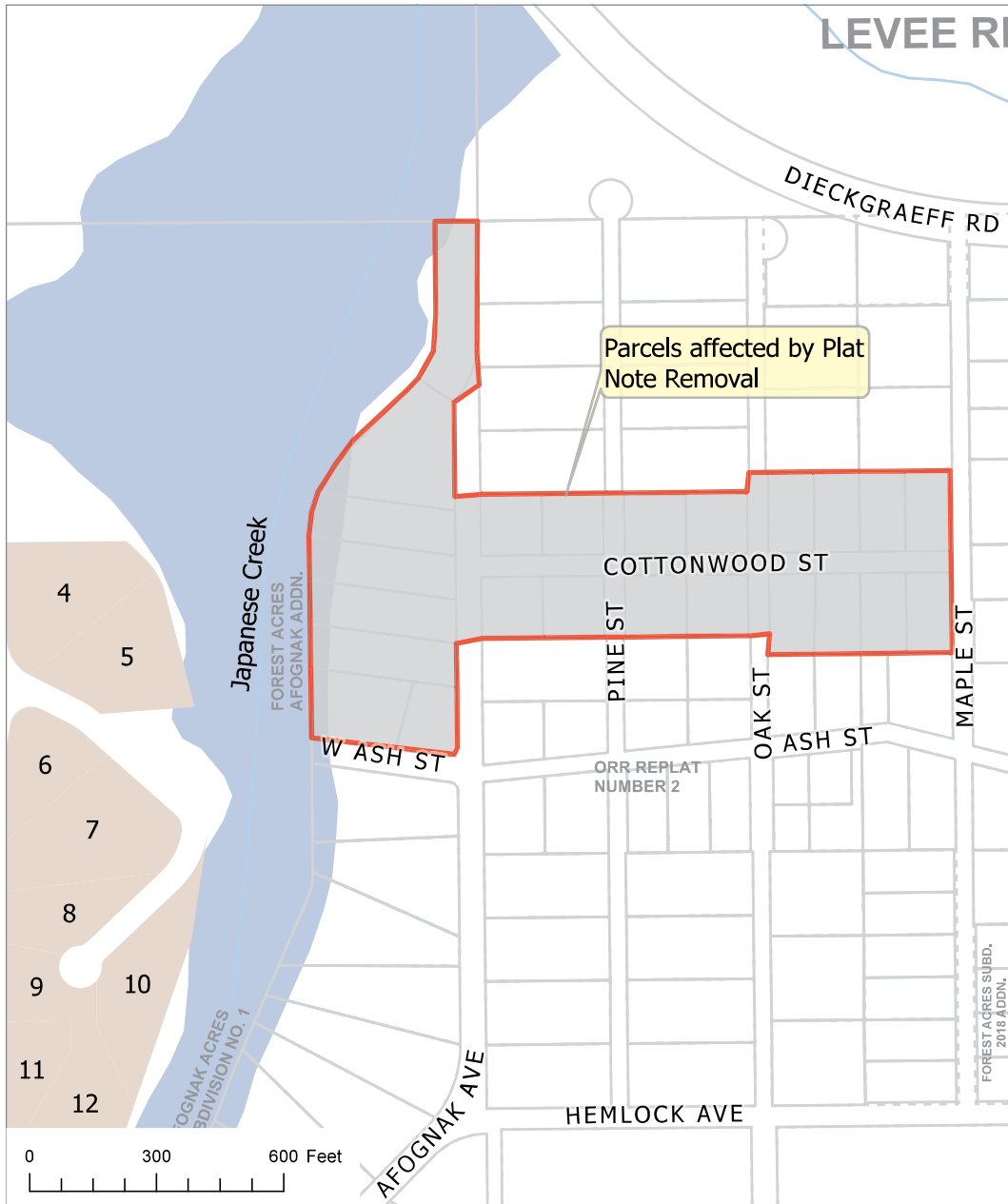
the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notice>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 11, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

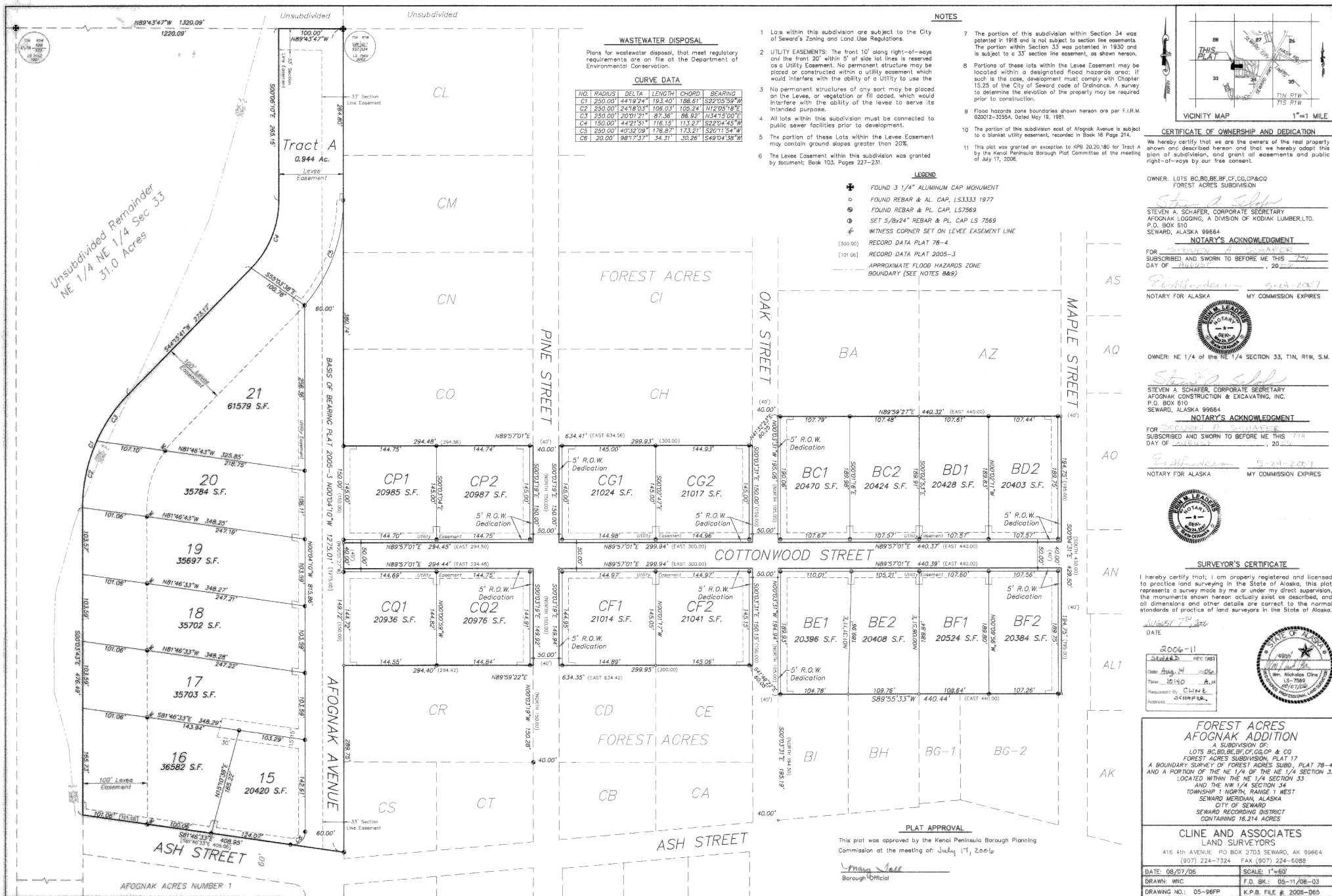
Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information, contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 Toll Free within the Kenai Peninsula Borough).

Mailed 6/25/2025



KPB File 2025-084
T 1N R 1W Sec 33 & 34
Seward



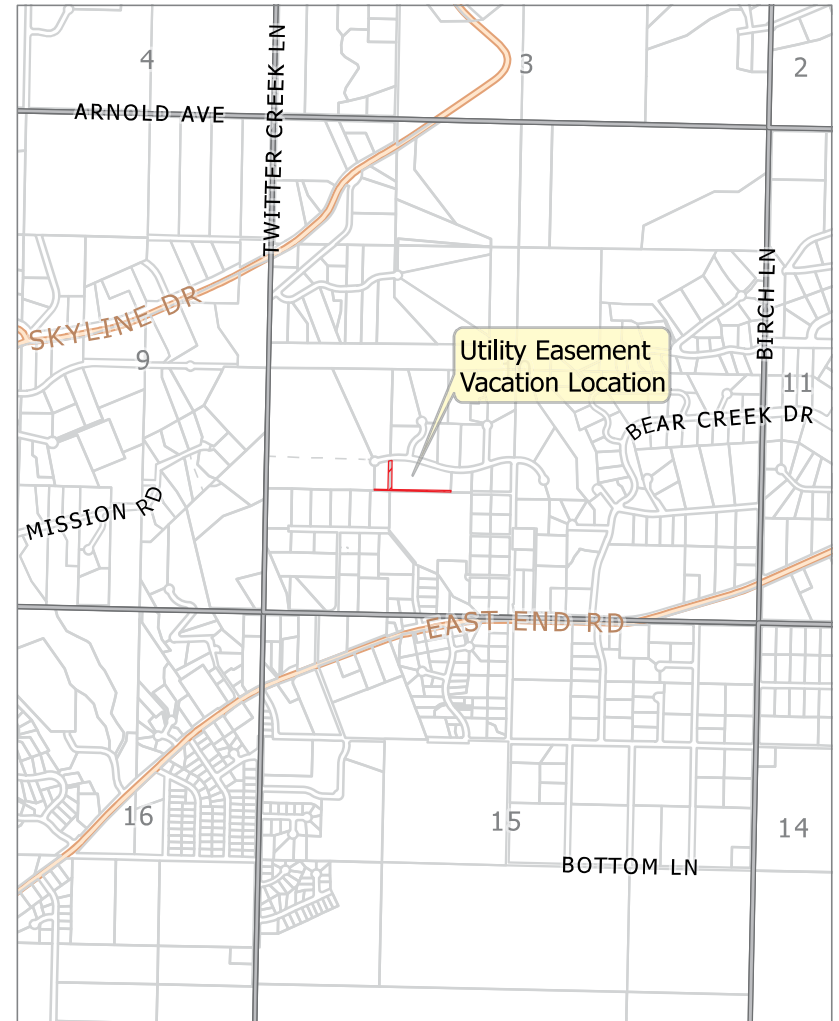
E. NEW BUSINESS

2. Utility Easement Vacation; KPB File 2025-074V

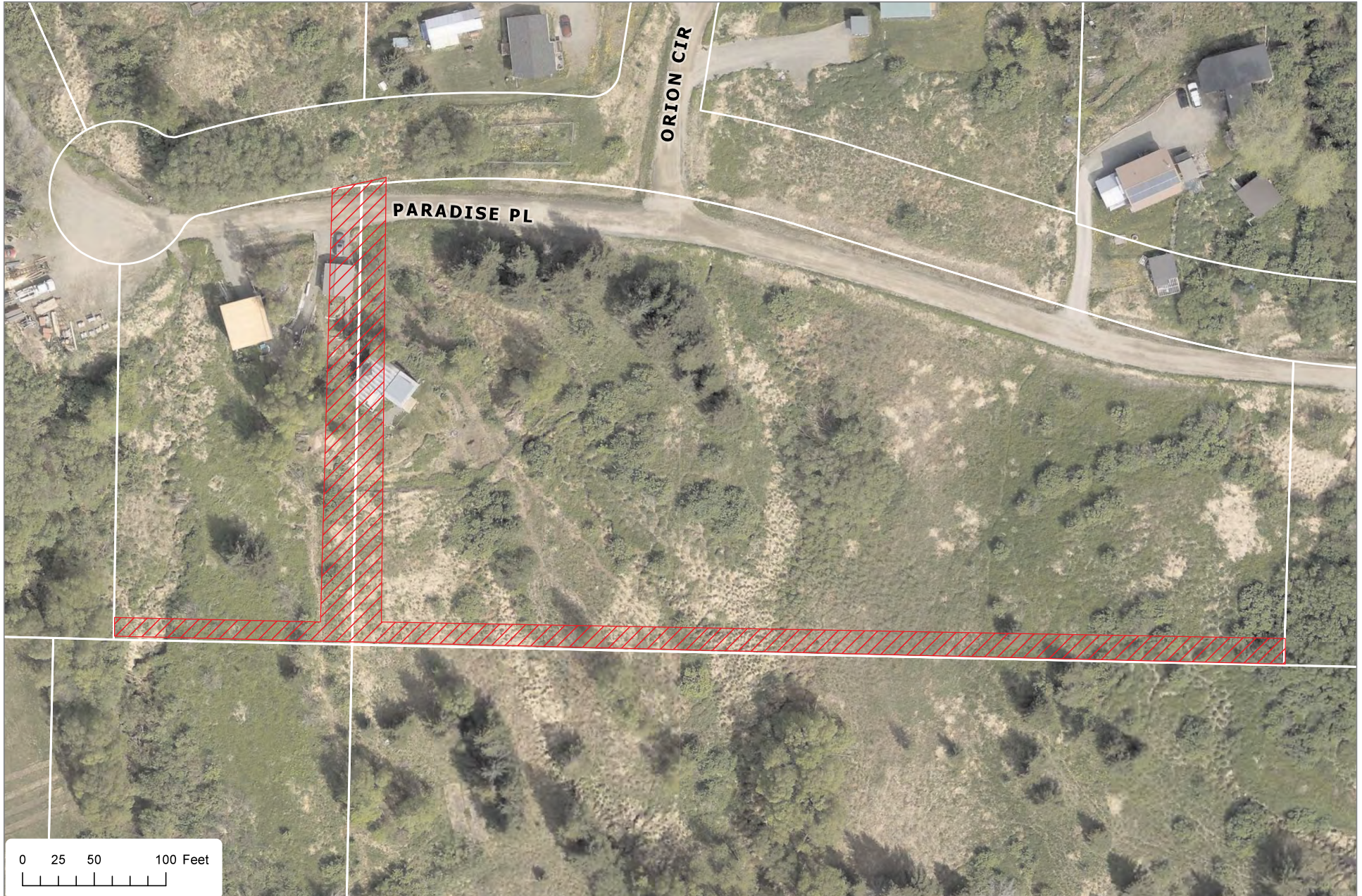
**Seabright Surveying / Tracy Belieu & Carla Lee Fabian Living Trust
Request: Vacates the 10-foot utility easement on the west & south
boundary of Lot 4, Block 2, Paradise South Subdivision (HM 74-
175). Vacates the 10-foot utility easement on the east and south
boundary of Lot 4, Paradise South Subdivision Addition No. 1, HM
74-2356**

City of Homer

(Staff Person: Platting Manager Vince Piagentini)



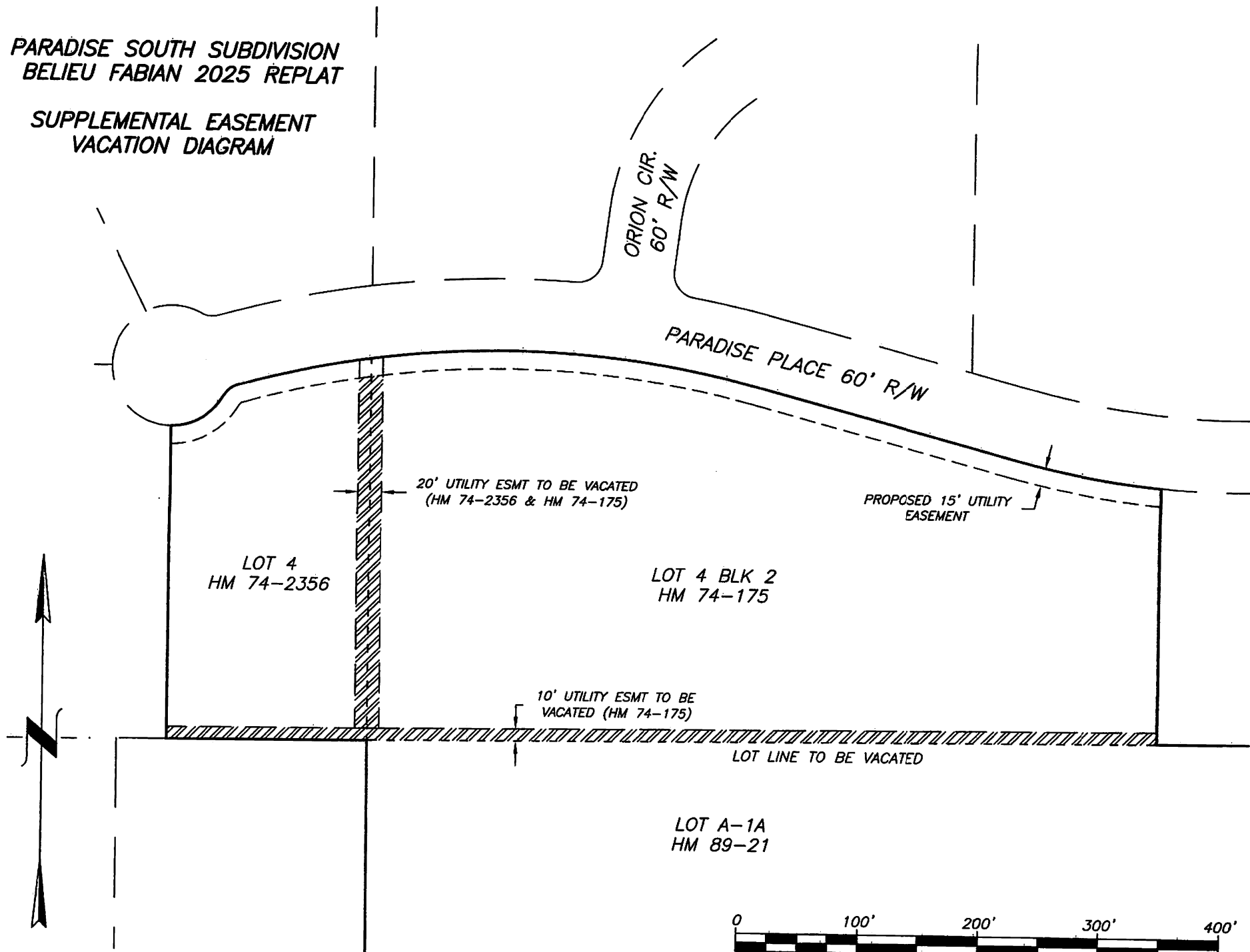
KPB File 2025-074V
T 6S R 13W Sec 10
Homer



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.

PARADISE SOUTH SUBDIVISION
BELIEU FABIAN 2025 REPLAT

SUPPLEMENTAL EASEMENT
VACATION DIAGRAM



KPB 2025-074V

E2-3

GRAPHIC SCALE

AGENDA ITEM E. NEW BUSINESS

ITEM #2 - UTILITY EASEMENT ALTERATION

Vacates the 10-foot utility easement adjacent to the east and south boundary of Lot 4, Paradise South Subdivision Addition No. 1, Plat HM 74-2356, and the 10-foot utility easement adjacent to the west and south of Lot 4, Block 2, Paradise South Subdivision, Plat HM 74-175.

KPB File No.	2025-074V
Planning Committee Meeting:	July 14, 2025
Applicant / Owner:	Tracy Allan Belieu and The Carla Lee Fabian Living Trust of Homer, Alaska
Surveyor:	Katie Kirsis / Seabright Survey & Design LLC
General Location:	Near Mile 2 East End Road, Homer, Alaska

STAFF REPORT

Specific Request / Purpose as stated in the petition:

This action proposes to vacate the excess utility easements that affect the property as depicted on Paradise South Subdivision Belieu Fabian 2025 Replat. The proposed vacation is part of a platting action that seeks to unify three parcels currently affected by a conservation easement held by Kachemak Heritage Land Trust.

Notification: Notice of vacation mailings were sent by regular mail to thirty-nine owners of property within 300 feet. Notice of the proposed vacation was emailed to seven agencies and interested parties.

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

Staff Analysis:

Paradise South Subdivision (HM 74-175) granted a 10-foot utility easement on the west and south boundary of Lot 4, Block 2. This easement is being petitioned to be vacated and is represented by a hatched area on the diagram.

Paradise South Subdivision Addition No. 1 (HM 74-2356) granted a 10-foot utility easement on the south, east, and north boundary of Lot 4. The diagram shows a hatched area of the south and east boundary easements petitioned to be vacated.

If approved, this utility easement vacation will be finalized by Paradise South Subdivision Belieu Fabian 2025 Replat. This plat was reviewed by the Plat Committee during the June 23, 2025 meeting and was granted conditional approval. A copy of the preliminary plat is available in the staff packet. Additional easements along the right-of-way of Paradise Place were granted by the parent plats and were noted with the review to be added.

A Conservation Easement held by Kachemak Heritage Land Trust (KHLT) affects the subject lots. KHLT provided a statement of non-objection to the plat that will be finalizing the vacation.

The City of Homer Planning Commission reviewed the plat that will finalize the vacation, Paradise South Subdivision Belieu Fabian 2025 Replat, and granted conditional approval during their January 2, 2025 meeting. On May 7, 2025, a memorandum for the proposed utility easement vacation was reviewed by the City of Homer Planning Commission on the consent agenda. The memorandum has been included in the staff packet. The recommendation from the city is that Note 1 be removed from the plat. Per KPB 20.60.150.B this note is a requirement of code and shall remain on the plat.

Utility provider review:

HEA	Approved subject to finalization of the plat, Paradise South Subdivision Belieu Fabian 2025 Replat
-----	--

ENSTAR	Approved as Shown
ACS	No Objections
GCI	No Comments or Objections
City of Homer Public Works	Approved subject to finalization of the plat, Paradise South Subdivision Belieu Fabian 2025 Replat

Applicant Findings:

1. ACS, ENSTAR, GCI, HEA, and City of Homer Public Works provided written non-objection to the proposed vacation.
2. No surrounding properties will be denied utilities.
3. Most of the easement area to be vacated runs adjacent to property lines that will be vacated through the platting action.
4. All adjacent parcels have access to utilities and will not be adversely impacted.
5. There will be a 15-foot utility easement adjacent to Paradise Place right-of-way granted to serve any future utility needs.
6. The vacation of these utility easements will eliminate unnecessary encumbrances on the subject land that is held in conservation.

Staff Findings:

7. Paradise South Subdivision Addition No. 1 (HM 74-2356) granted a 10-foot utility easement on the south, east, and north boundary of Lot 4.
8. Paradise South Subdivision (HM 74-175) granted a 10-foot utility easement on the west and south boundary of Lot 4, Block 2.
9. The City of Homer granted conditional approval of the preliminary plat finalizing the utility easement vacation.

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

RECOMMENDATION:

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

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

20.65.070 Alteration of platted utility easements

- E. A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.
- F. An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

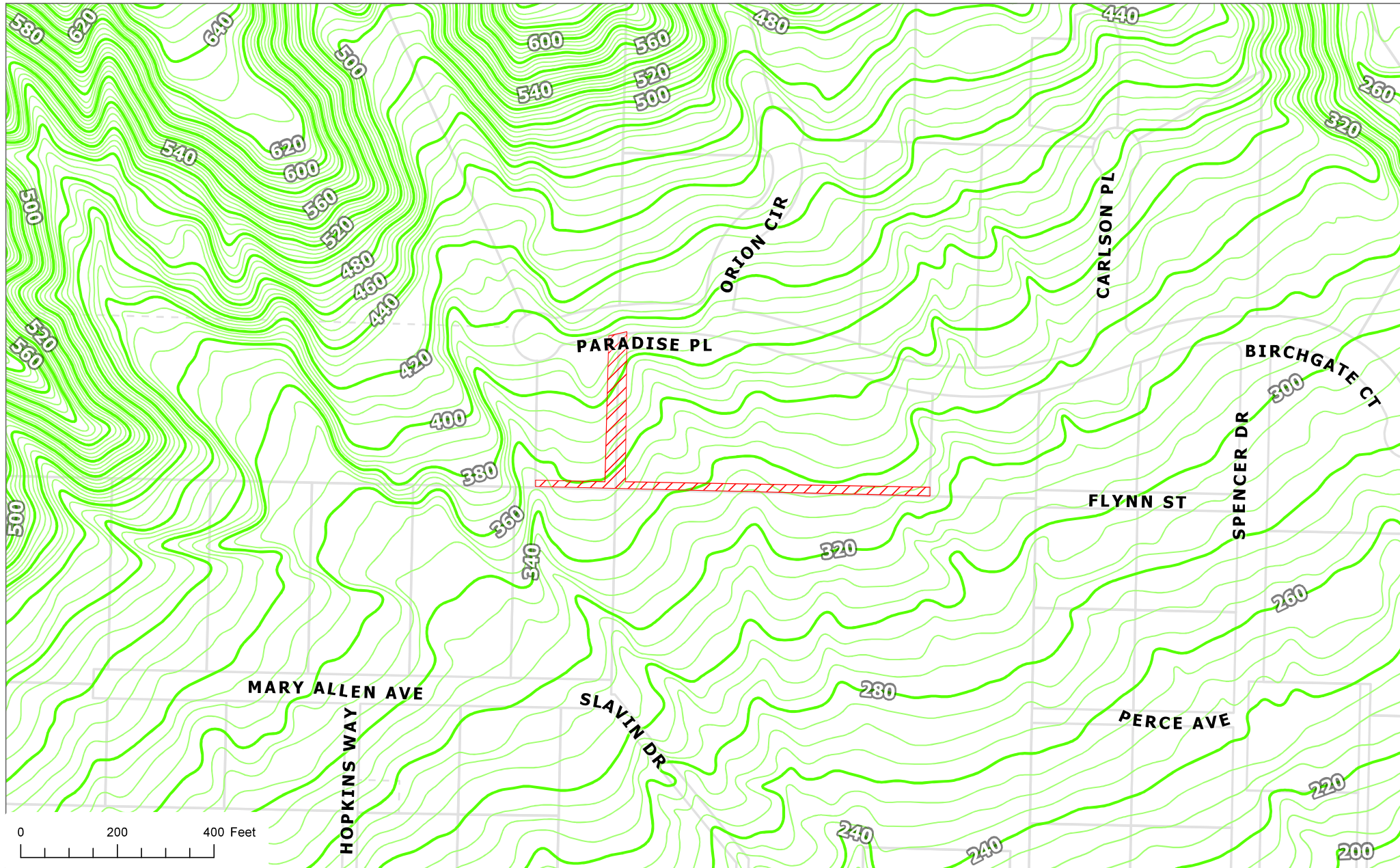
Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *Focus Area: Energy and Utilities*
 - 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.*

END OF STAFF REPORT



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NOTES

1. ALL R/W RETURNS ARE 20 FT. RADIUS UNLESS OTHERWISE NOTED
2. 3" x 3" R/W AND TACK SET AT ALL LOT CORNERS THIS SURVEY
3. ALL DIMENSIONS NOTED ON NEIGHBORLY SURVEY OF S 1/2 OF SECTION 10 WERE MEASURED WITH A HENKETT PNEUMATIC STATIONARY

CURVE DATA

CURVE NO. 1
 Angle 9°28'15"
 Radius 240.00
 Tangent 21.504
 Chord 122.284
 Length 122.192

PARADISE NORTH SUBD

LEGEND

- ✱ DENOTES ORIGINAL 1917 U.L.D. SECTION CORNER MONUMENT RECOVERED THIS SURVEY
- ✱ DENOTES ORIGINAL 1917 U.L.D. QUARTER CORNER MONUMENT RECOVERED THIS SURVEY
- ✱ DENOTES ROAD CAP MONUMENT RECOVERED THIS SURVEY
- ✱ DENOTES 10 FT. WIDE UTILITY EASEMENT
- ✱ DENOTES COMPUTED DISTANCE
- ✱ DENOTES 10' WIDE PEDESTAL EASEMENT FOR UNDERGROUND TELEPHONE AND ELECTRIC

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL EASEMENTS, EASEMENTS AND OTHER OPEN SPACES TO PUBLIC USE.

DATE 10-18-74

BY: *Robert J. Birch, R.L.S.* (Signature)

NOTARY PUBLIC, STATE OF ALASKA

NOTARY'S ACKNOWLEDGMENT

CERTIFICATE OF OWNERSHIP SUBSCRIBED AND SWORN TO BEFORE ME THIS 18 DAY OF September, 1974.

NOTARY IN AND FOR THE STATE OF ALASKA

My Commission Expires July 21, 1975

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAN REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT MONUMENTS ACTUALLY EXIST AS LOCATED AND THAT DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE 10/18/74

BY: *Robert J. Birch, R.L.S.* (Signature)

REGISTERED LAND SURVEYOR, STATE OF ALASKA

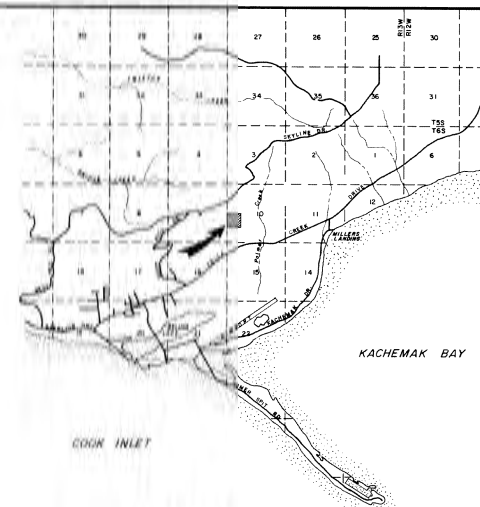
LOCAL PERMITTING BUREAU

I HEREBY CERTIFY THAT THIS SUBDIVISION PLAN HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE KENAI PENINSULA BOROUGH AND THAT SAID PLAN HAS BEEN APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION.

DATE July 24, 1974

BY: *Robert J. Birch, R.L.S.* (Signature)

BOROUGH ENGINEER



VICINITY MAP

SCALE: 1" = 1 MILE

SECTION LINE EASEMENT VARIATION CERTIFICATES

APPROVAL RECOMMENDATION

STATE DEPARTMENT OF HIGHWAYS

THE EASEMENT VARIATION AS SHOWN HEREON HAS BEEN REVIEWED BY THE ALASKA DEPARTMENT OF HIGHWAYS AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE STATE DEPARTMENT OF HIGHWAYS.

RECOMMENDED BY: *Robert J. Birch, R.L.S.* (Signature)

DATE 10/18/74

STATE DEPARTMENT OF LANDS

THE EASEMENT VARIATION AS SHOWN HEREON HAS BEEN REVIEWED BY THE STATE DEPARTMENT OF LANDS AND IS HEREBY RECOMMENDED FOR APPROVAL BY THE STATE DEPARTMENT OF LANDS.

RECOMMENDED BY: *Robert J. Birch, R.L.S.* (Signature)

DATE 10/18/74

FOR STATE OF ALASKA, BEING THE COMMISSIONER OF THE DEPARTMENT OF NATURAL RESOURCES AND THE COMMISSIONER OF THE DEPARTMENT OF LANDS, HAVE REVIEWED THIS PLAN AND DECLARED THAT THE STATE OF ALASKA HEREBY HAS RECEIVED ALL RIGHT AND TITLE TO ANY AND ALL CLAIMS OF ALL THE LANDS EXISTING AND PUBLIC HIGHWAYS RESERVED TO THE STATE OF ALASKA BY THE 10th ARTICLE OF THE CONSTITUTION OF THE STATE OF ALASKA.

APPROVAL

DATE 10/18/74

BY: *Robert J. Birch, R.L.S.* (Signature)

REGISTERED LAND SURVEYOR, STATE OF ALASKA

SUBJECT: DEPARTMENT OF NATURAL RESOURCES

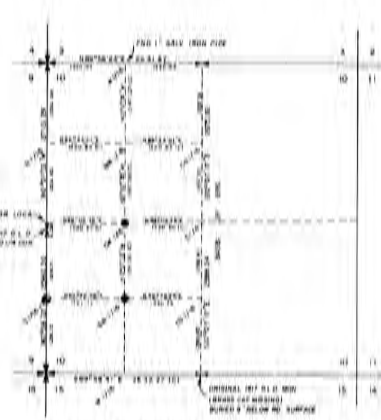
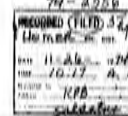


DIAGRAM SHOWING SUBDIVISION OF
 W 1/2, SECTION 10, T6S, R13W, S.M., AK.

(1" = 100')



PARADISE SOUTH SUBDIVISION
 ADDITION NO. 1
 SITUATED IN

NW 1/4 SW 1/4, SECTION 10, T6S, R13W, S.M.
 HOMER RECORDING DISTRICT, ALASKA

30.993 ACRES

PREPARED FOR: *Robert J. Birch, R.L.S.* (Signature)
 PREPARED BY: *Robert J. Birch, R.L.S.* (Signature)
 DATE: June 21, 1974

DRAWN BY: SUSAN LATTI

SCALE: 1" = 100'

CURVE NO.	ANGLE	RADIUS	TANGENCY	LENGTH	CHORD
NO. 1	34° 30' 00"	610.00	106.74	337.00	359.00
NO. 2	34° 30' 00"	605.00	119.70	419.40	406.70
NO. 3	16° 30' 00"	370.00	54.00	188.00	188.00

[illegible]

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED
HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT
AND DEDICATE ALL STREETS, EASEMENTS AND OTHER OPEN SPACES TO PUBLIC USE.

DATE 4/20/04 Richard M. Luba

NOTARY'S ACKNOWLEDGEMENT

CERTIFICATE OF OWNERSHIP SUBSCRIBED AND SWORN TO BEFORE ME THIS 26th DAY OF SEPTEMBER, 1974.

John W. Saddington _____ J. W. Saddington
Military and for the State of Alaska My Commission Expires _____

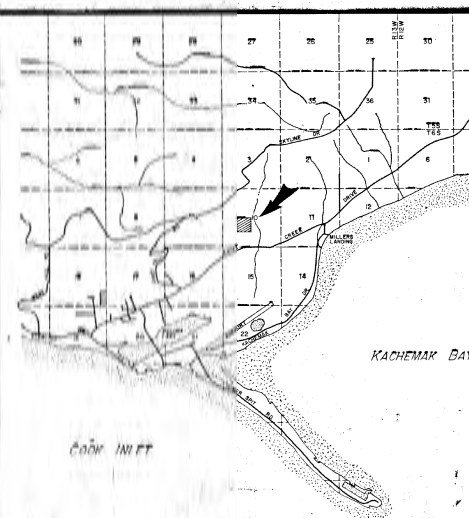
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT THIS PLAN REPRESENTS A SURVEY MADE UNDER MY DIRECT SUPERVISION AND THAT MONUMENTS ACTUALLY EXIST AS LOCATED AND THAT DIMENSIONS AND OTHER DETAILS ARE CORRECT.

KENAI PENINSULA BOROUGH

1 HEREBY CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE
REGULATIONS OF THE KENAI PENINSULA BOROUGH AND THAT SAID PLAT HAS BEEN APPROVED
BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION.

DATE August 29, 1988 Stanley F. Thomas



VICINITY MAP

VICINITY

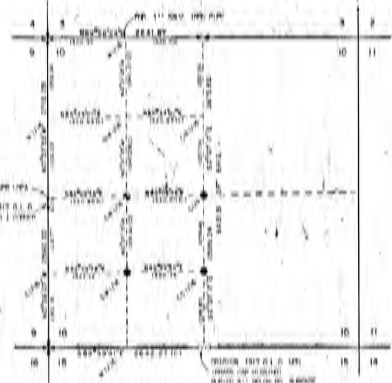


DIAGRAM SHOWING SUBDIVISION OF
W1/2, SECTION 10, T6S, R13W, S.M., AK.

1999

PARADISE SOUTH SUBDIVISION
SITUATED IN

NE 1/4 SW 1/4, SECTION 10, T6S, R13W, S.M.
HOMER RECORDING DISTRICT, ALASKA

30,270 ACRES

PREPARED FOR
SHEPHERD DEVELOPMENT CORP.
2050 DARTMOUTH DRIVE
ANCHORAGE, ALASKA

DATE
August 15, 1993

PREPARED BY
KEN BRANCH, R.L.S.
746 F STREET
ANCHORAGE, ALASKA

SCALE
1" = 100'

INDEXED
Serial File 74-175
RECORDED & FILED 22
HARRIS, W. W.
DATE 1-31-74
TIME 1:48 P.
EXAMINED BY Mrs. P. M.
Sgt. J. J.

LEGEND

- FND B.C. Mon 268-S 1970
- FND 3/4" I.P.

NOTES

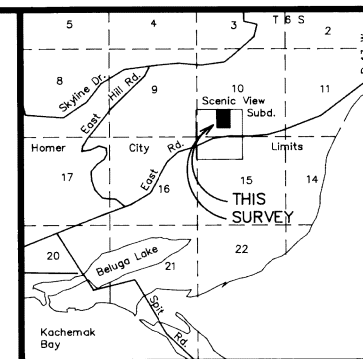
A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by a resolution of the appropriate planning commission.

Soils on this lot may or may not be suitable for conventional on-site waste disposal systems. No person may construct, install, maintain, or operate a pressurized water system or water-borne waste disposal system unless approval of the Alaska Department of Environmental Conservation is obtained.

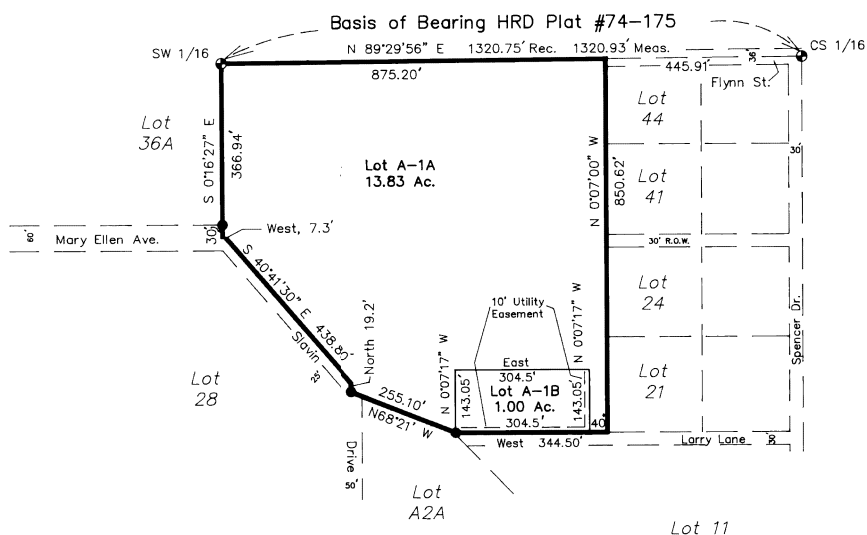
The drainage pattern within this survey involves only normal runoff water.

No structures permitted within panhandle portion of Lots A1-A through A1-B.

5/8"x 30" rebar set at all lot corners, except as noted.



VICINITY MAP 1" = 1 mile

Paradise South Subdivision**PLAT APPROVAL**

This plat was approved by the
Kenai Peninsula Planning
Commission at the meeting of

March 13, 1989

KENAI PENINSULA BOROUGH

By Richard W. Tyler
Authorized Official

SURVEYOR'S CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision, and the monuments shown hereon actually exist as described and that dimensions and other details are correct.

5/22/89
Date

Carlos Freeman
Carlos Freeman, L.S. 4129

**CERTIFICATE OF OWNERSHIP**

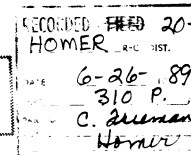
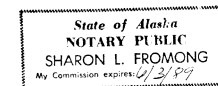
I hereby certify that I am the owner of the property shown and described hereon, and that I hereby adopt this plan of subdivision, and dedicate all rights-of-way to public use, and grant all easements to the use shown.

5/22/89 Richard W. Tyler
Date Richard W. Tyler
60775 Paradise Place
Homer, Alaska

NOTARY'S ACKNOWLEDGEMENT for Richard W. Tyler

Subscribed and sworn to before me
this 22nd day of May, 1989

Sharon L. Fromong
Notary for the State of Alaska
My commission expires 6/2/89

**SCENIC VIEW NO. TWO**

SUBDIVISION OF PARCEL A-1, TRACT A
SCENIC VIEW SUBDIVISION 1970 RE-PLAT
LOCATED IN SE 1/4, SW 1/4 SECTION 10
T 6 S, R 13 W, S.M.
HOMER RECORDING DISTRICT, ALASKA
CONTAINING 14.83 ACRES

by:
Carlos Freeman, S 4129
53045 McNeil Canyon Rd.
Homer, Alaska 99603

Date: April 15, 1989
Scale: 1" = 200'
K.P.B. File #89-013



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report 25-003

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
DATE: January 2, 2025
SUBJECT: Paradise South Subdivision Belieu Fabian 2025 Replat

Requested Action: Approval of a preliminary plat to vacate the lot lines between Paradise South Subdivision Lot 4 and Paradise South Subdivision Addition 1 Lot 04. This preliminary plat also vacates the lot line between Paradise South Subdivision Lot 4 and Scenic View Subdivision Number 2 Lot A-1A.

General Information:

Applicants:	Carla Lee Fabian Trustee Carla Lee Fabian Living Trust P.O. Box 2380 Homer, AK 99603	Tracy Allan Belieu P.O. Box 314 Homer, AK 99603	Seabright Survey & Design 1044 East End Rd, Suite A Homer, AK 99603
Location:	South of Paradise Place and Orion Circle		
Parcel ID:	17410013, 17410014 and 1741118		
Size of Existing Lot(s):	1.14 acres, 4.25 acres and 13.83 acres		
Size of Proposed Lots(s):	19.22 acres		
Zoning Designation:	Rural Residential District		
Existing Land Use:	Vacant and Residential		
Surrounding Land Use:	North: Residential South: Residential East: Vacant and Residential West: Vacant and Residential		
Comprehensive Plan:	Chapter 4 Goal 2 Objective C: Provide extra protection for areas with highest environmental value or development constraints.		
Wetland Status:	Riverine and Wetland/ Upland Complex.		
Flood Plain Status:	Not in a floodplain.		
BCWPD:	Not within the Bridge Creek Watershed Protection District.		
Utilities:	City water and sewer are not available at this time.		
Public Notice:	Notice was sent to 61 property owners of 55 parcels as shown on the KPB tax assessor rolls.		

Analysis: This subdivision is within the Rural Residential District. This plat vacates the lot line between Paradise South Subdivision Lot 4 and Paradise South Subdivision Addition 1 Lot 04. Vacates the lot line between Paradise South Subdivision Lot 4 and Scenic View Subdivision Number 2 Lot A-1A resulting in Lot A-1A-1 of 19.22 acres.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat meets this requirement. The plat notes a 15-foot utility easement.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets this requirement.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by HCC 11.04.120.

Staff Response: The plat meets these requirements.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
 - 1. Names 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;
 - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- C. 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;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political

boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

- E. 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 limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements. *No such areas are proposed.*

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location 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;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: City water main follows Slavin Drive up from the south and terminates at the South West corner of Lot A-2A HM 86-06. City sewer follows Paradise Place from the east and terminates at the North West corner of Lot 3 Blk 2 HM 74-175.

- L. 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;

Staff Response: The plat meets these requirements. No new roads are dedicated.

- M. 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;

Staff Response: The plat meets this requirement. Areas over 20 percent grade are indicated on the plat.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: Note 3 is not correct: the lot is not served by City Water and Sewer.

Staff Recommendation:

Planning Commission recommends approval of the preliminary plat with the following additional comments.

1. Correct or remove Note 3: the lot is not served by City Water and Sewer.
2. The location of the existing utilities need to be indicated: City water main follows Slavin Drive up from the south and terminates at the South West corner of Lot A-2A HM 86-06. City sewer follows Paradise Place from the east and terminates at the North West corner of Lot 3 Blk 2 HM 74-175.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map

CALL TO ORDER

Session 25-09, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:31 p.m. on May 7th, 2025 in the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, VENUTI, S. SMITH, CONLEY & STARK

ABSENT: COMMISSIONERS SCHNEIDER & H. SMITH (BOTH EXCUSED)

STAFF: CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

AGENDA APPROVAL

Chair S. Smith read the supplemental items into the record. He then requested a motion and second to approve the agenda as amended.

BARNWELL/CONLEY MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Jan Keiser, city resident, offered a correction to the April 16th, 2025 Regular Meeting minutes. Specifically, the fourth sentence of the third paragraph on page 6 of the minutes. She noted that for future clarification, the sentence should read "She continued, reasoning that the City needs to have projects that it's interested in listed in the Borough Safety Action Plan in order to submit them for funding."

RECONSIDERATION

CONSENT AGENDA

~~A. Revised Unapproved Regular Meeting Minutes of April 16, 2025~~

~~B. Revised Unapproved Special Meeting Minutes of April 29, 2025~~

C. Utility Easement Vacation Paradise South Belieu Fabian 2025 Replat, Memorandum 25-22

~~D. Jack Gist Subdivision No. 3 Phase 2 Extension Request, Memorandum 25-23~~

BARNWELL/CONLEY MOVED TO MOVE ITEM A UNDER THE CONSENT AGENDA TO NEW BUSINESS.

There was no discussion.



MEMORANDUM

Utility Easement Vacation- Paradise South Subdivision Belieu Fabian 2025 Replat

Item Type: Action Memorandum
Prepared For: Homer Advisory Planning Commission
Date: May 7, 2025
From: Ed Gross, Associate Planner
Through: Ryan Foster, City Planner

On January 2, 2025 the Homer Advisory Planning Commission carried a motion to vacate lot lines for the Paradise South Subdivision Belieu Fabian 2025 Replat. The utility easement vacation request is intended to accompany this preliminary platting action.

When the preliminary plat was originally submitted for review and recommendation, the proposed utility easement vacations were not included. Kachemak Heritage Land Trust holds a conservation easement over the subject parcels and has requested the vacation of the easements as represented by the submitted Supplemental Easement Vacation Diagram.

The surveyor, Seabright Survey + Design, has sent a Request for Information to local utility companies regarding any objection, or installed utilities located in the easement. The utility companies include, HEA, Enstar, GCI, ACS and the City of Homer Public Works Department. None of the utility companies, or the City of Homer were using the easement or objected to vacating the easement.

City of Homer Public Works suggested removing Note 1 regarding utility easements, from the plat and depicting a 15' Utility Easement fronting Paradise Place.

RECOMMENDATION:

Recommend approval of the Utility Easement Vacation as submitted with the following comment:

1. Remove Note 1 from the preliminary plat and depict a 15' Utility Easement fronting Paradise Place.

Attachments:

Paradise South Subdivision Belieu Fabian 2025 Replat Preliminary Plat

Paradise South Subdivision Belieu Fabian 2025 Replat Supplemental Easement Vacation Diagram

CALL TO ORDER

Session 25-09, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:31 p.m. on May 7th, 2025 in the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, VENUTI, S. SMITH, CONLEY & STARK

ABSENT: COMMISSIONERS SCHNEIDER & H. SMITH (BOTH EXCUSED)

STAFF: CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

AGENDA APPROVAL

Chair S. Smith read the supplemental items into the record. He then requested a motion and second to approve the agenda as amended.

BARNWELL/CONLEY MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

Jan Keiser, city resident, offered a correction to the April 16th, 2025 Regular Meeting minutes. Specifically, the fourth sentence of the third paragraph on page 6 of the minutes. She noted that for future clarification, the sentence should read "She continued, reasoning that the City needs to have projects that it's interested in listed in the Borough Safety Action Plan in order to submit them for funding."

RECONSIDERATION

CONSENT AGENDA

- A. Revised Unapproved Regular Meeting Minutes of April 16, 2025
- B. Revised Unapproved Special Meeting Minutes of April 29, 2025
- C. Utility Easement Vacation Paradise South Belieu Fabian 2025 Replat, Memorandum 25-22
- D. Jack Gist Subdivision No. 3 Phase 2 Extension Request, Memorandum 25-23

BARNWELL/CONLEY MOVED TO MOVE ITEM A UNDER THE CONSENT AGENDA TO NEW BUSINESS.

There was no discussion.



NOTICE OF PROPOSED UTILITY EASEMENT VACATION

Notice is hereby given that an application to vacate a utility easement in the City of Homer was received on 6/13/2025 by the Planning Department of the Kenai Peninsula Borough.

In accordance with Chapter 20 of the Borough Code of Ordinances, all owners of properties within a 300-foot radius must be notified of the proposed vacation. According to Borough records, you are an owner of property within that radius or you are an affected party.

Request / Affected Property: Vacates the 10-foot utility easement on the west and south boundary of Lot 4, Block 2, Paradise South Subdivision, Plat HM 74-175. Vacates the 10-foot utility easement on the east and south boundary of Lot 4, Paradise South Subdivision Addition No. 1, Plat HM 74-2356

KPB File No. 2025-074V

Petitioner(s)/ Land owner(s): Tracy Belieu and Carla Lee Fabian Living Trust of Homer, AK.

Purpose as stated in petition: This action proposes to vacate the excess utility easements that affect the property as depicted on Paradise South Belieu Fabian 2025 Replat. The proposed vacation is part of a platting action that seeks to unify three parcels currently affected by a conservation easement held by Kackemak Heritage Land Trust. Most of the easement area to be vacated runs adjacent to property lines that will be vacated through the platting action. We have reached out to the City of Homer and all utility companies for their input. Based on the comments received, there is no practical need for the easements in question. All adjacent parcels have access to utilities and will not be adversely impacted. There will be a 15' utility easement adjacent to Paradise Place right-of-way granted to serve any future utility needs. The vacation of these utility easements will eliminate unnecessary encumbrances on the subject land that is held in conservation..

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 14, 2025** commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in person at the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at

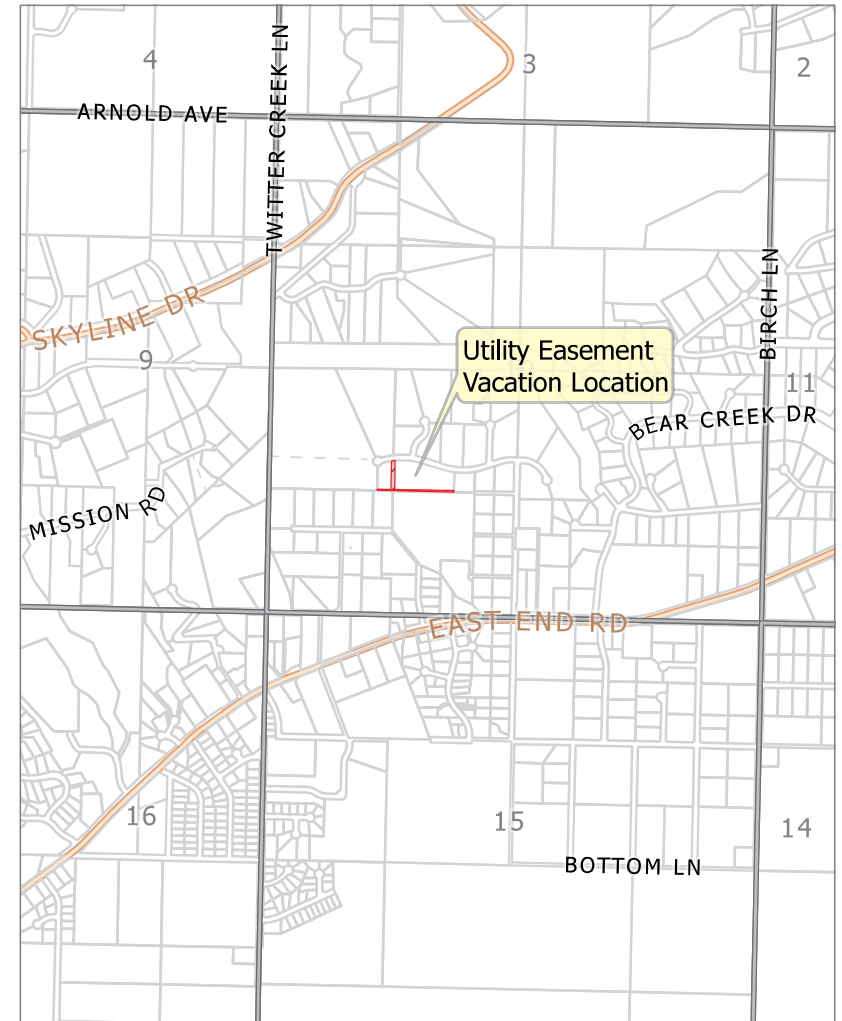
<https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notice>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 11, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information, contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 Toll Free within the Kenai Peninsula Borough).

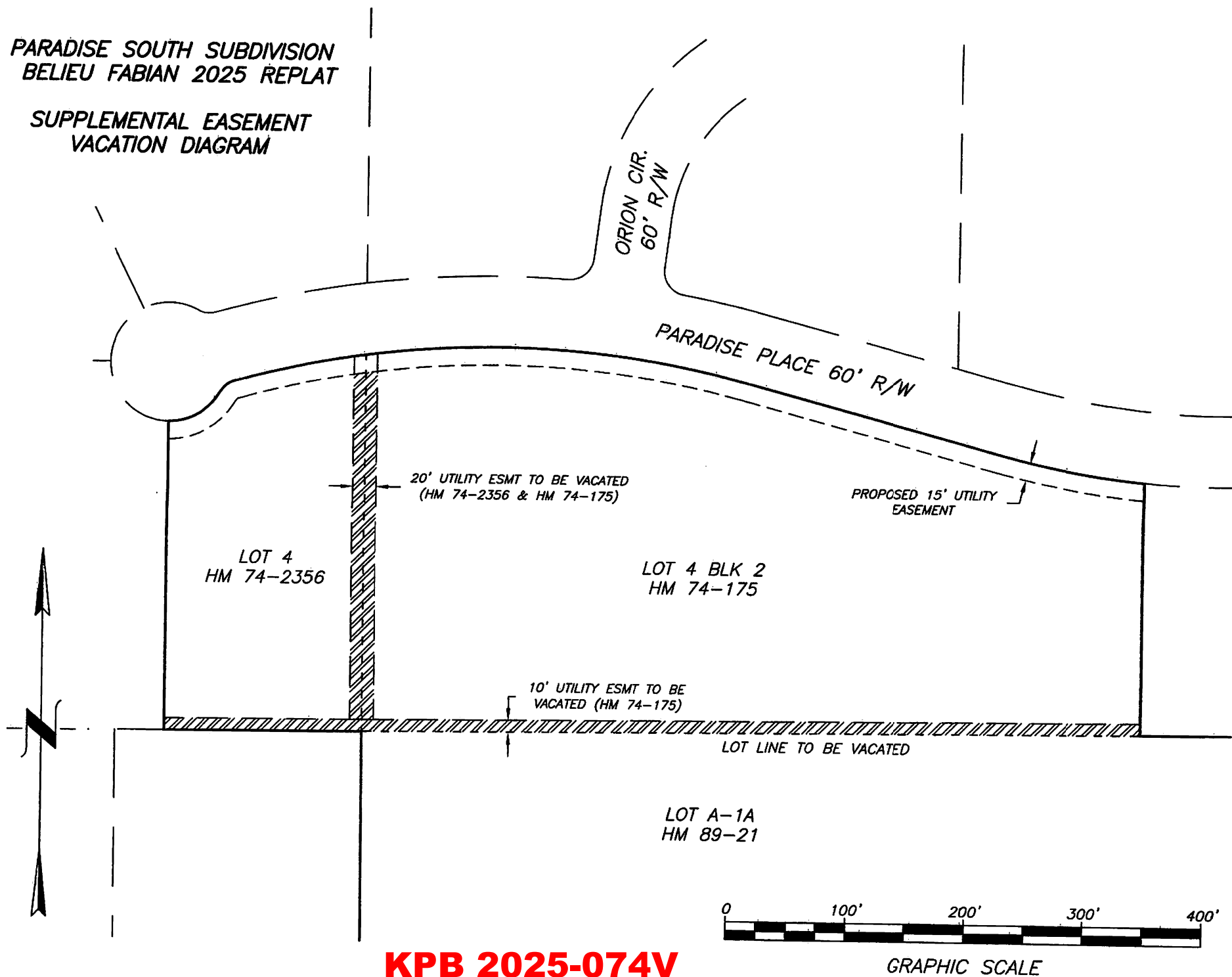
Mailed 6/24/2025



KPB File 2025-074V
T 6S R 13W Sec 10
Homer

PARADISE SOUTH SUBDIVISION
BELIEU FABIAN 2025 REPLAT

SUPPLEMENTAL EASEMENT
VACATION DIAGRAM



E. NEW BUSINESS

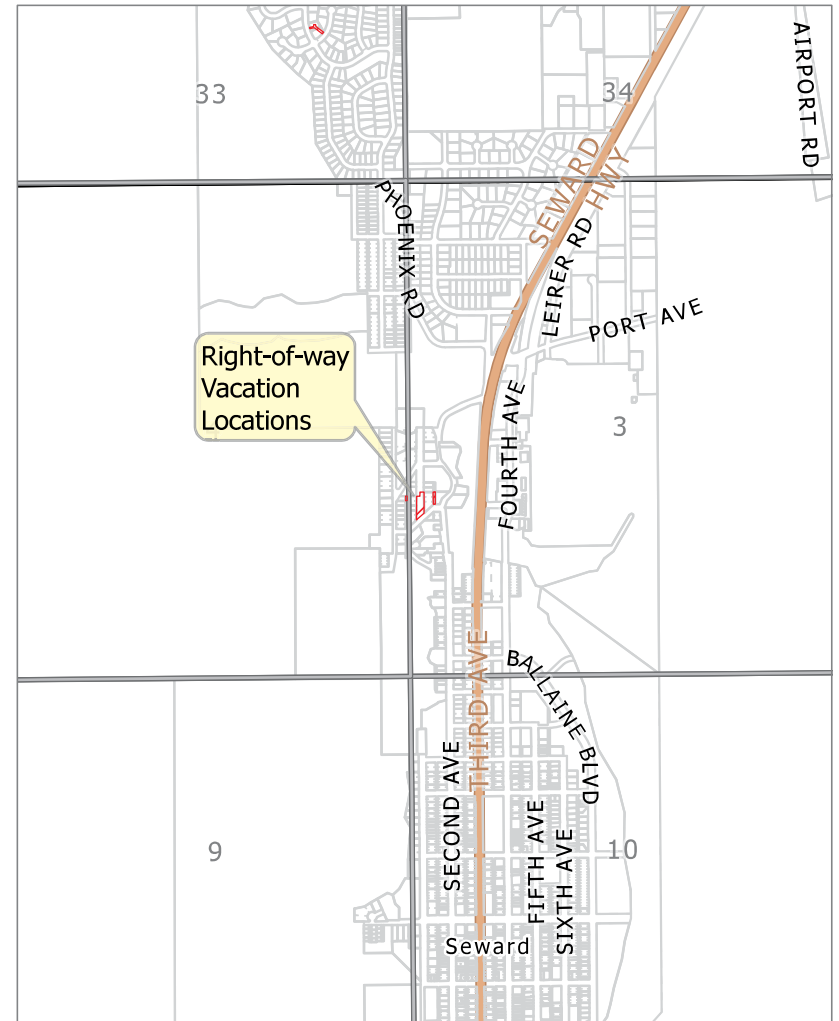
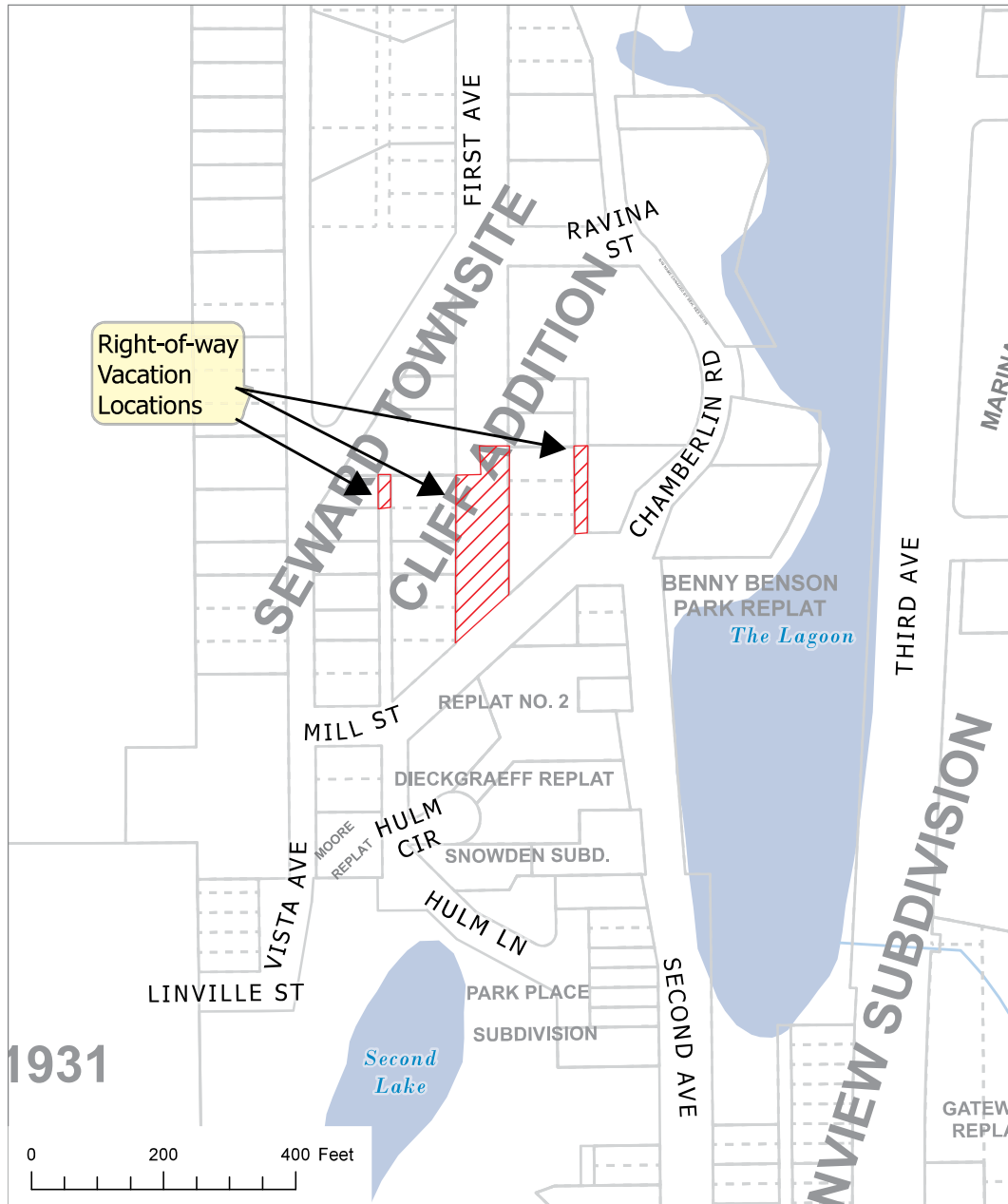
3. Right-Of-Way Vacation; KPB 2025-094V

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)

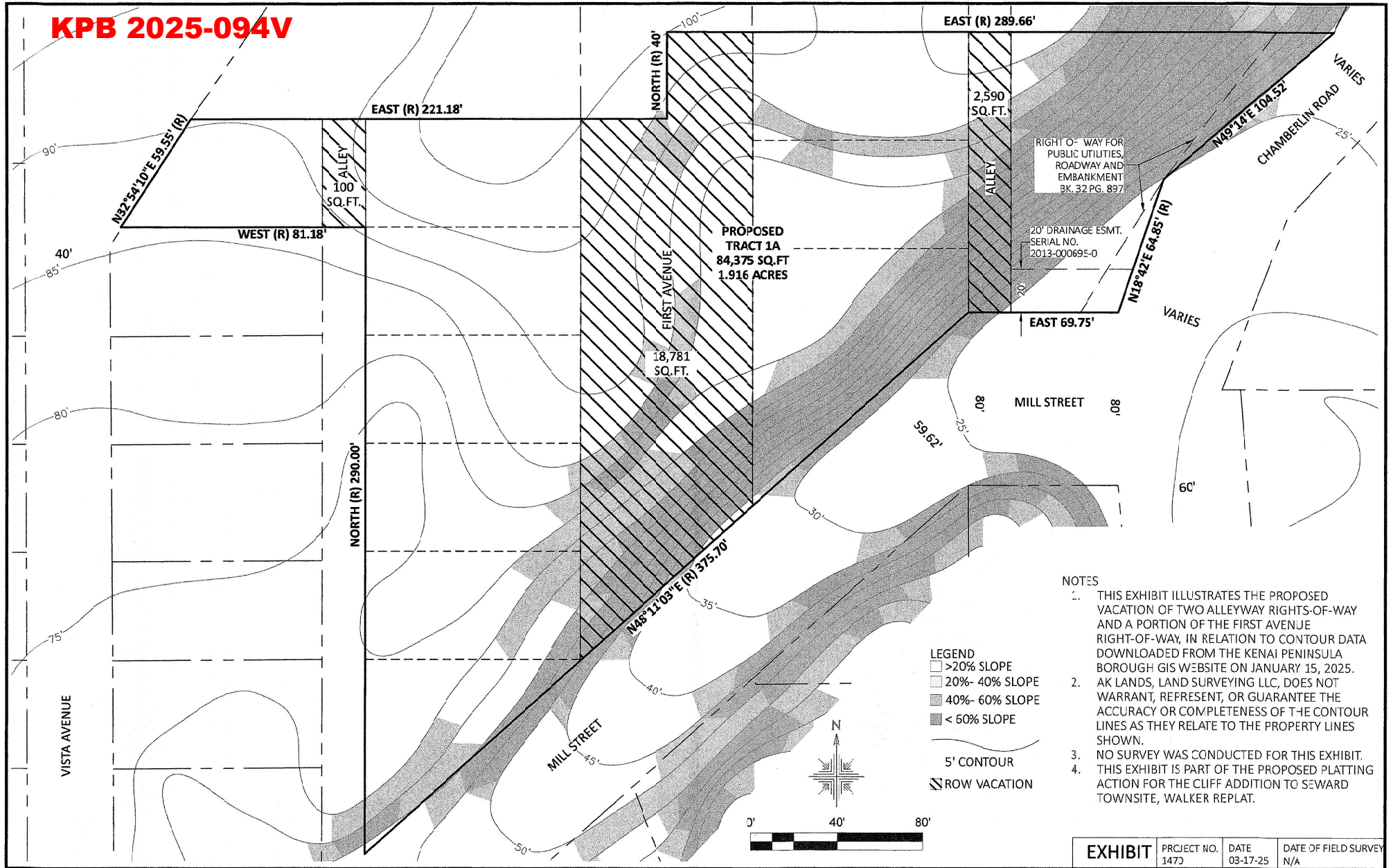


KPB File 2025-94V
T 1S R 1W Sec 3 & 4
Seward



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

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

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 _____

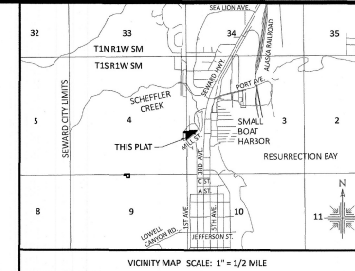
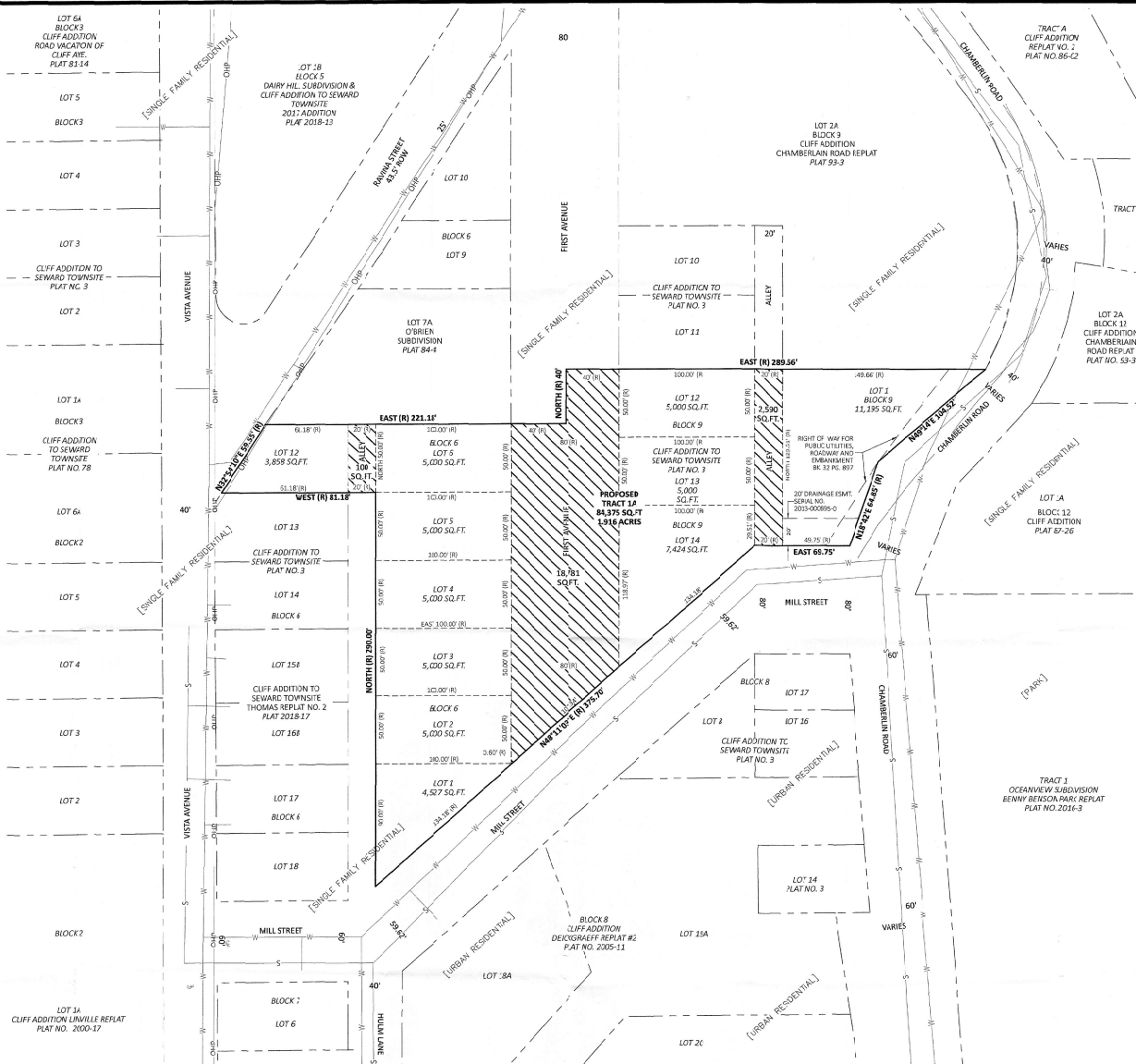
PLAT APPROVAL

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



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
PALMER, ALASKA 99645

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



AK Lands, 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 P/N: 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

KPB File No.	2025-094
Planning Commission Meeting:	July 14, 2025
Applicant / Owner:	Gregg George Walker, Eric John Walker (aka Eric J. Walker), and Kathleen Marie Stubblefield Davis of Palmer, Alaska
Surveyor:	Stacy Wessel / AK Lands Land Surveying LLC
General Location:	West of the Seward Lagoon, City of Seward
Legal Description:	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

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 4th, 2025 issue of the Peninsula Clarion and the July 3rd, 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.

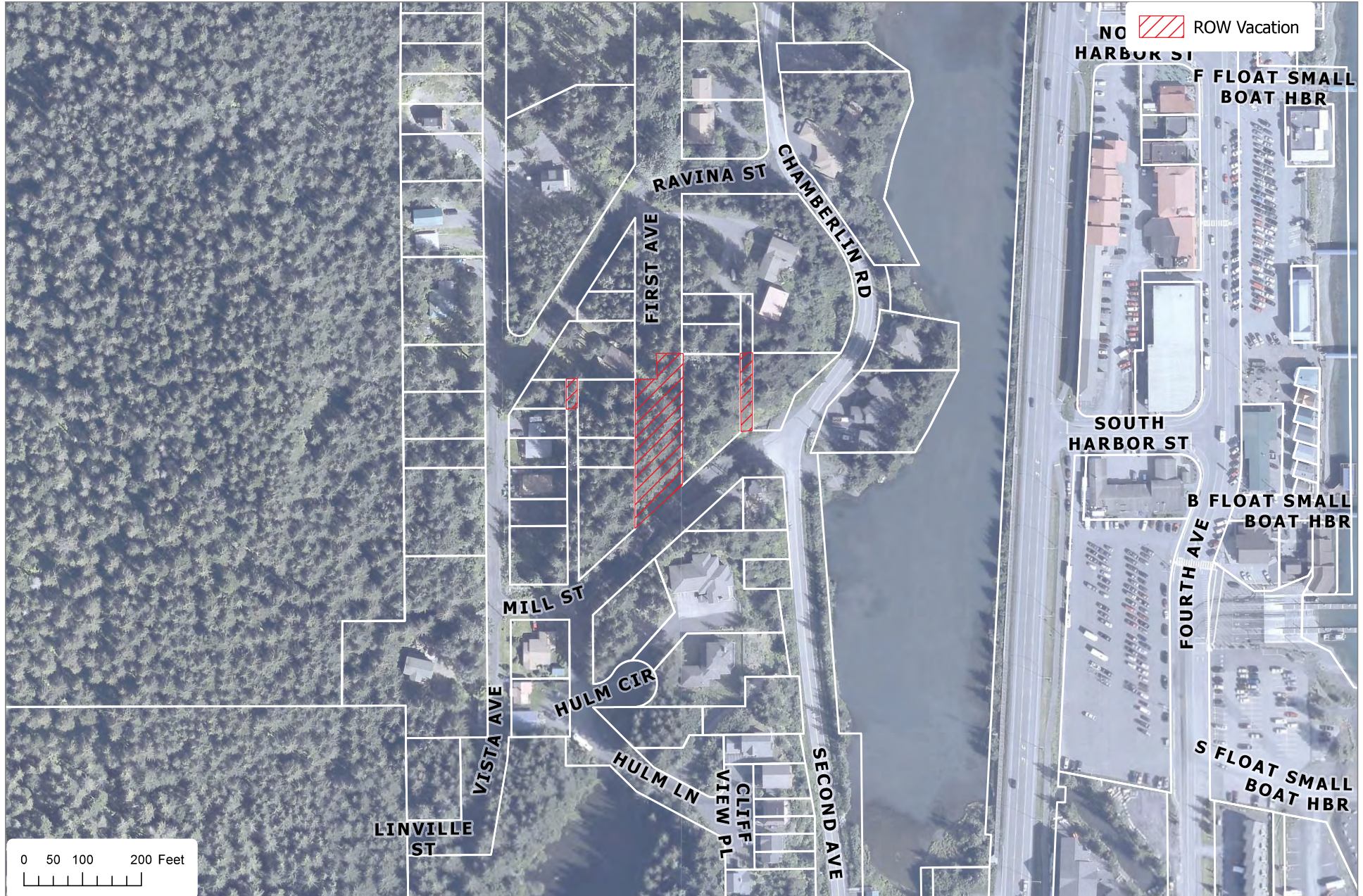
Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *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.*

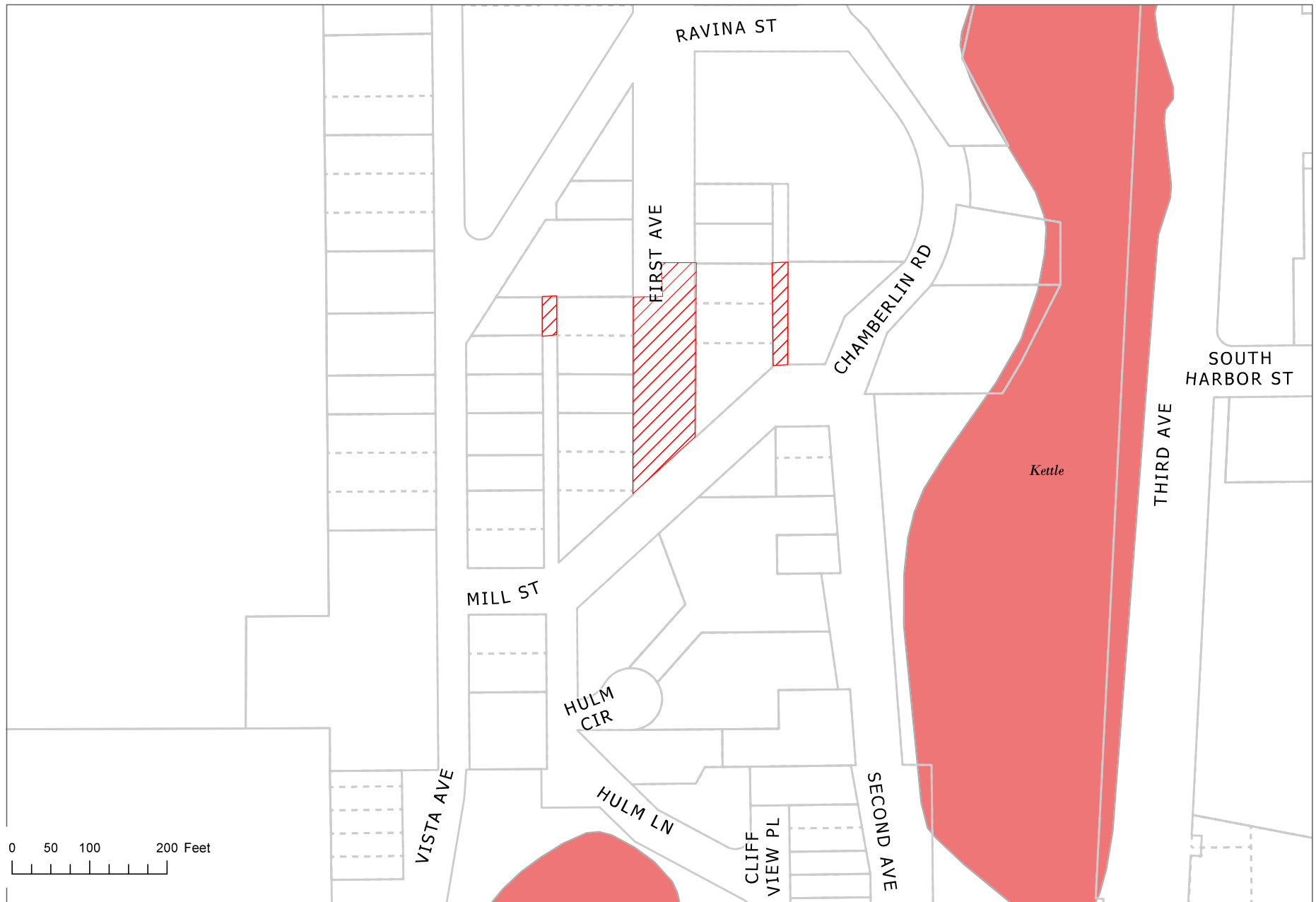
END OF STAFF REPORT



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.



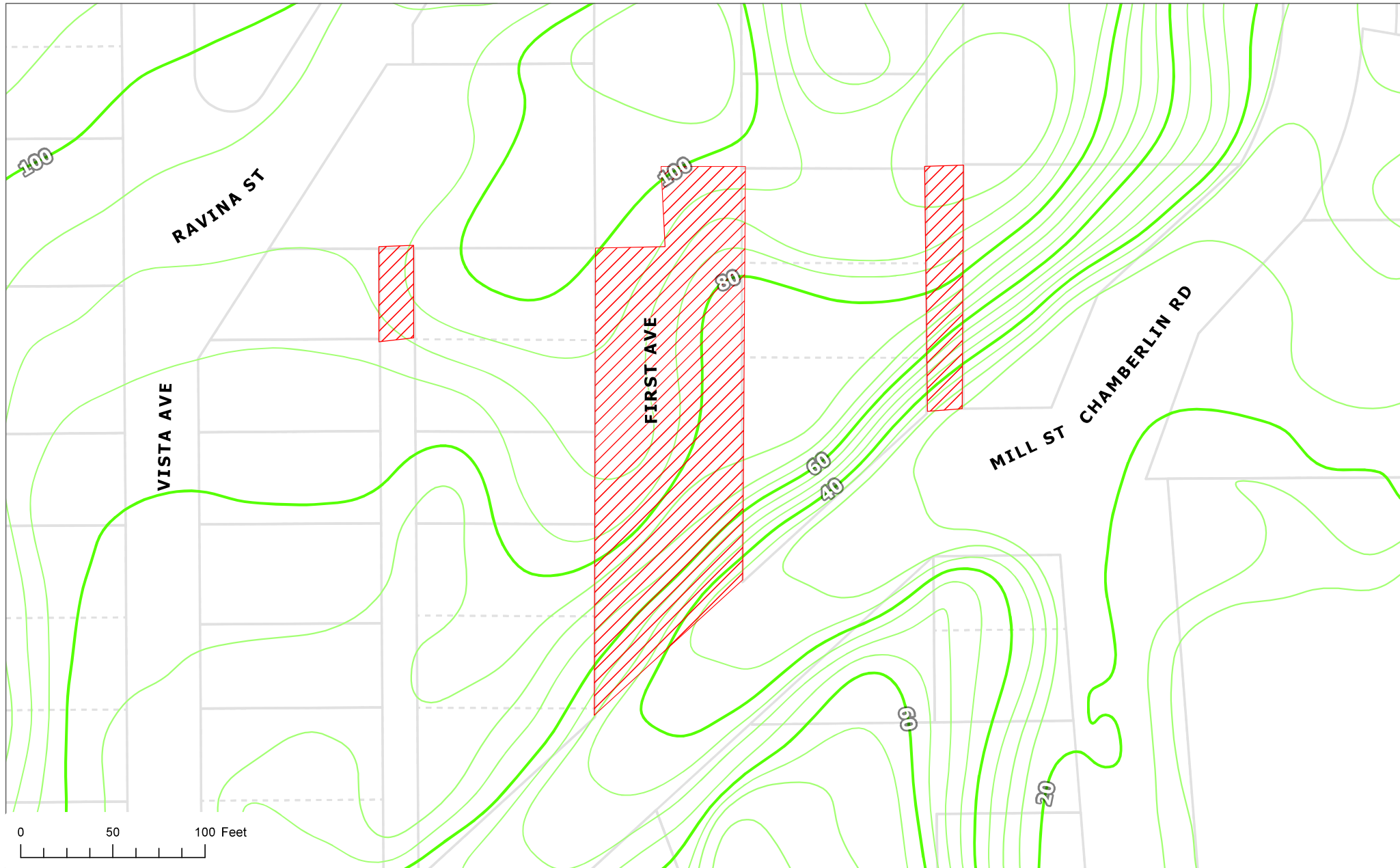
Wetlands



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 District
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 22nd, 2025 in lieu of Comprehensive Plan Town Hall meetings (see below).
- 2) Regular meeting on Tuesday, May 6th, 2025, at 7:00 pm in Council Chambers at City Hall.

B. Other Items

- 1) Comprehensive Town Hall workshops

- a. Tuesday, April 22nd, 2025 at 5:30pm at the K.M Rae Building
- b. Wednesday, April 23rd, 2025 at 5:30pm at the Bear Creek Fire Station
- c. Thursday, April 24th, 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

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.

Comprehensive and Strategic Plan Consistency Information

This legislation is consistent with (citation listed):

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

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**

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 8th day of April, 2025.

THE CITY OF SEWARD, ALASKA

Carol Griswold, Chair

AYES:
NOES:
ABSENT:
ABSTAIN:

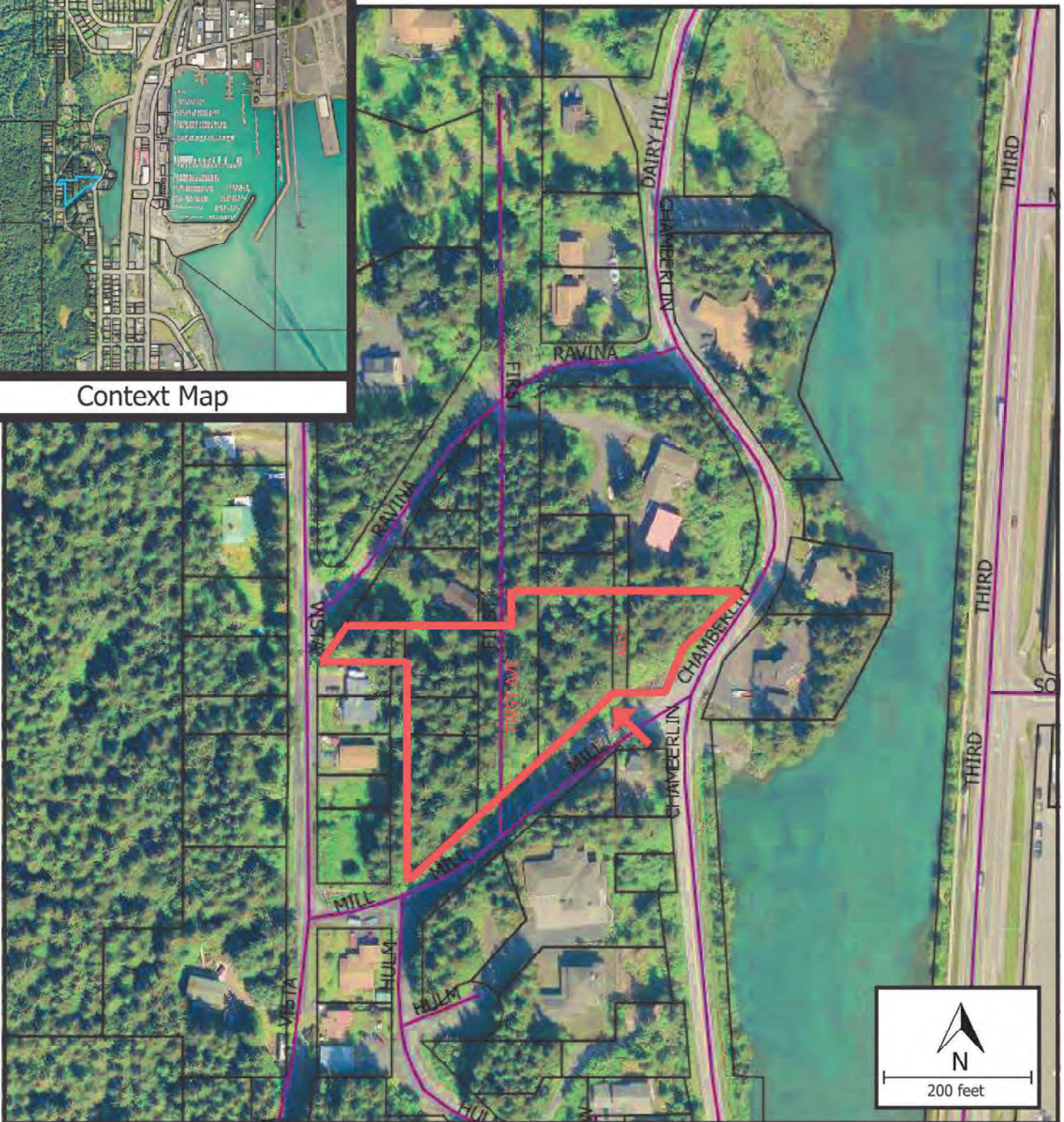
ATTEST:

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

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: stacy@aklands.com

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: stacy@aklands.com

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, ^{kd} 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

1 of 1



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

58

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, 8, 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)

GREGG 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.

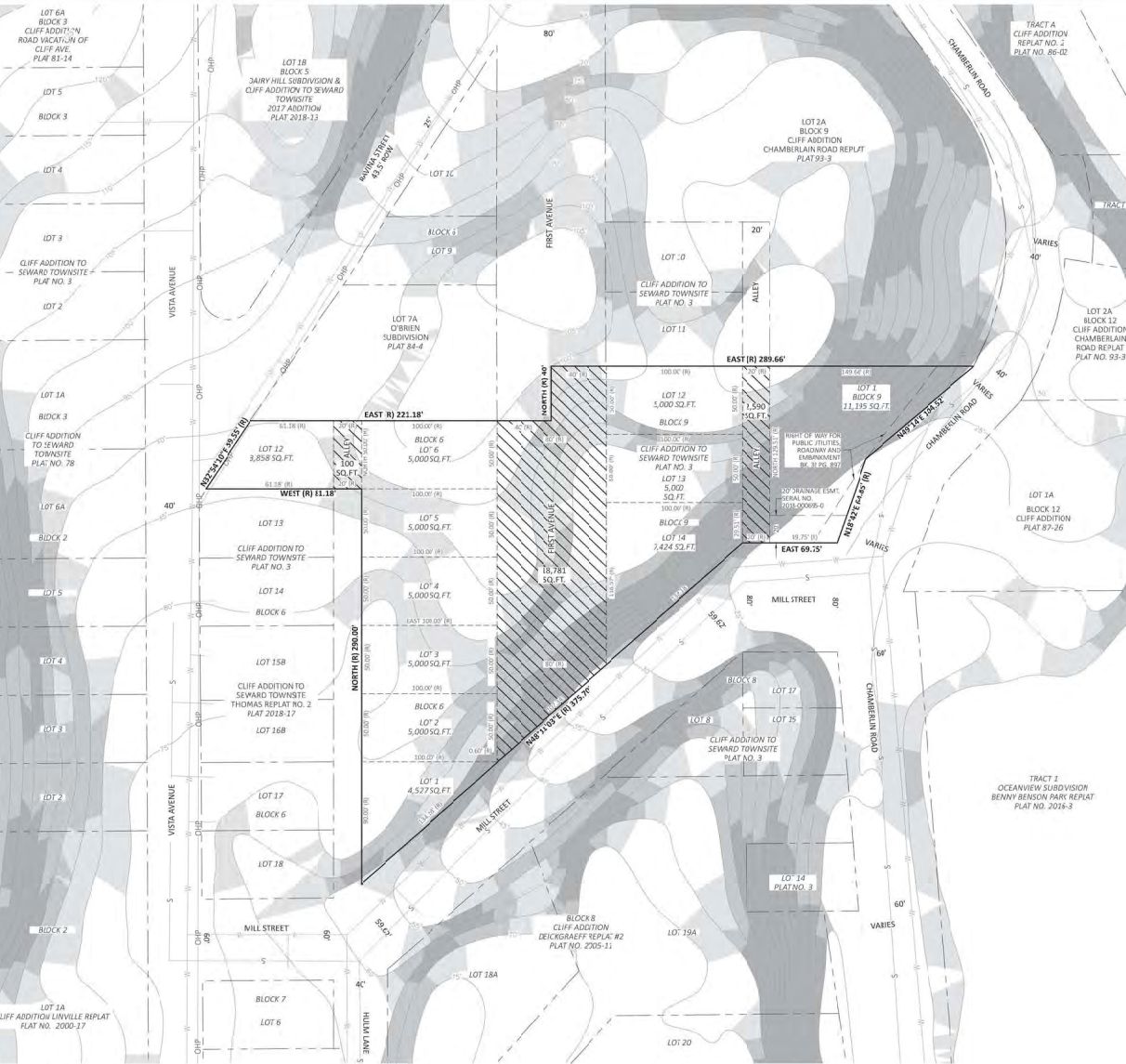
NOTARY PUBLIC FOR ALASKA _____
MY COMMISSION EXPIRES: _____

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 _____

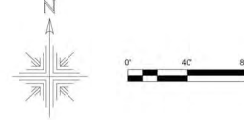
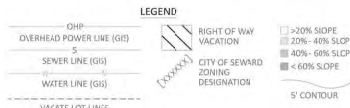


PLAT APPROVAL

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

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL SIGNATURE _____



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.



<p>Flat of:</p> <p>CLIFF ADDITION TO SEWARD TOWNSITE 'WALKER REPLAT'</p> <p>CREATING TRACT 1A CONTAINING 1.936 ACRES</p> <p>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</p> <p>WITH ALLEWAY RIGHTS OF WAY AND FIRST AVENUE RIGHT-OF-WAY VACATIONS</p> <p>CITY OF SEWARD SEWARD RECORDING DISTRICT KENAI PENINSULA BOROUGH</p> <p>LOCATED WITHIN: SE 1/4 OF SECTION 4 AND THE SW 1/4 OF SECTION 3, T11S, R1W, S1M, AK</p>		<p>OWNER: LOTS 1-4, 5-6, BLOCK 6 LOTS 1, 12-14, BLOCK 9 GREGG GEORGE WALKER KATHLEEN MARIE STUBBLEFIELD DAVIS 2600 N AURORA LN PALMER, ALASKA 99645</p>
<p>OWNER: LOTS 1-4, 5-6, BLOCK 6 LOTS 1, 12-14, BLOCK 9 GREGG GEORGE WALKER KATHLEEN MARIE STUBBLEFIELD DAVIS 2600 N AURORA LN PALMER, ALASKA 99645</p>	<p>OWNER: LOTS 1-4, 5-6, BLOCK 6 LOTS 1, 12-14, BLOCK 9 GREGG GEORGE WALKER KATHLEEN MARIE STUBBLEFIELD DAVIS 2600 N AURORA LN PALMER, ALASKA 99645</p>	
<p>AKLANDS - LAND SURVEYING -</p> <p>AK Lands, Land Surveying LLC PO Box 110485 Anchorage, AK 99511 alands@aklands.com http://aklands.com (907) 744-LAND</p>		
<p>Date: 03/17/2025 Drawn: SMW</p>	<p>Scale: 1" = 40' PN: 1470 Field Book: N/A</p>	
<p>Date of Survey: N/A</p>	<p>Sheet: 1 of 1 KPB No.: N/A</p>	



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 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 24th 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 28th day of AUGUST, 1984.

84-1569

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

RECORDED FILED
 SEWARD RECORDING
 DISTRICT

Aug 28 8 25 AM '84

REQUESTED BY City of SewardADDRESS Box 167, Seward AK 99664



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

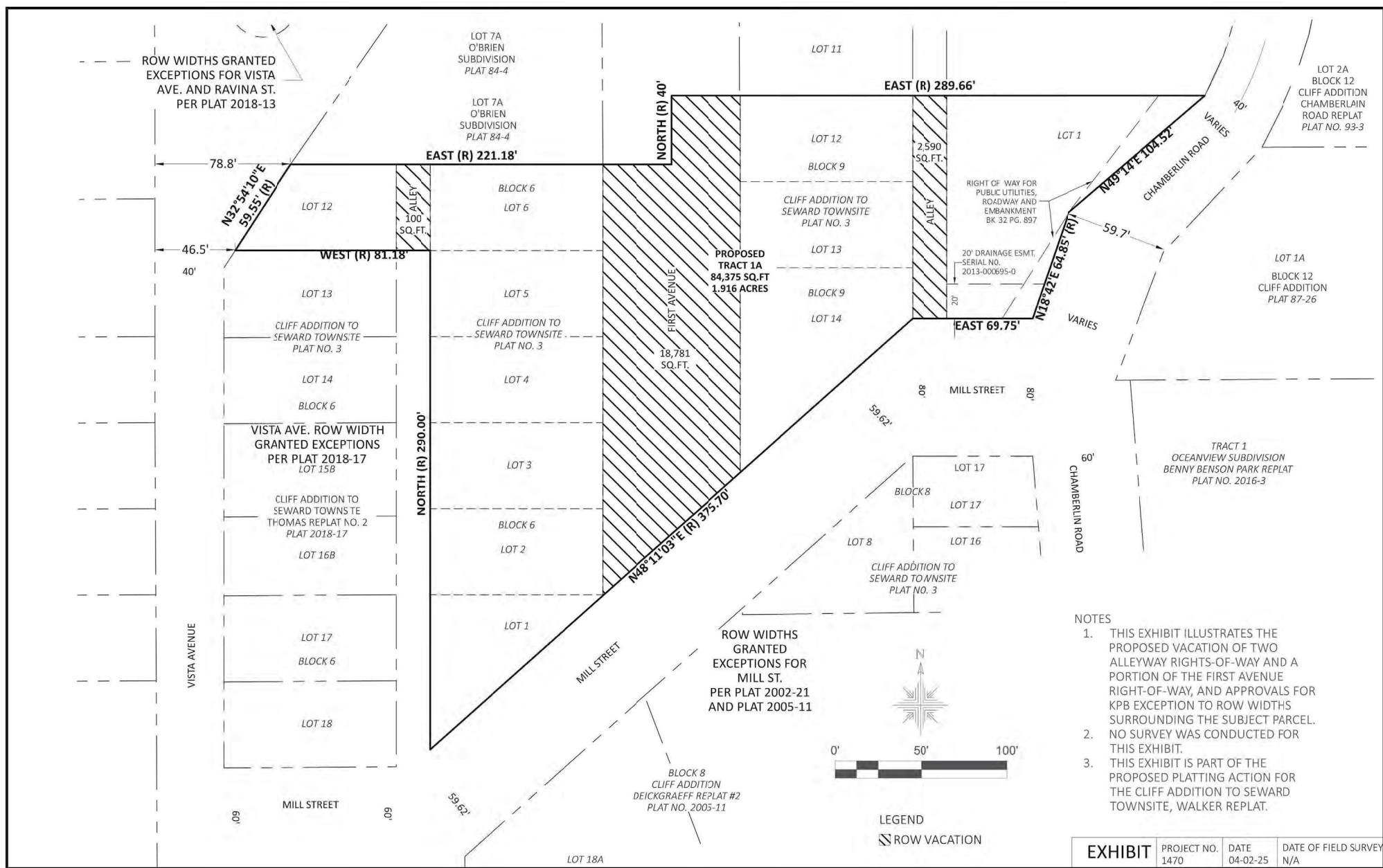
We believe the proposed replat and associated ROW exceptions serve both private and public interests. Extreme slopes, minimal traffic, and existing infrastructure, along with prior plat exceptions, confirm that strict 60-foot ROW compliance is unnecessary. Granting this request allows the property to 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.

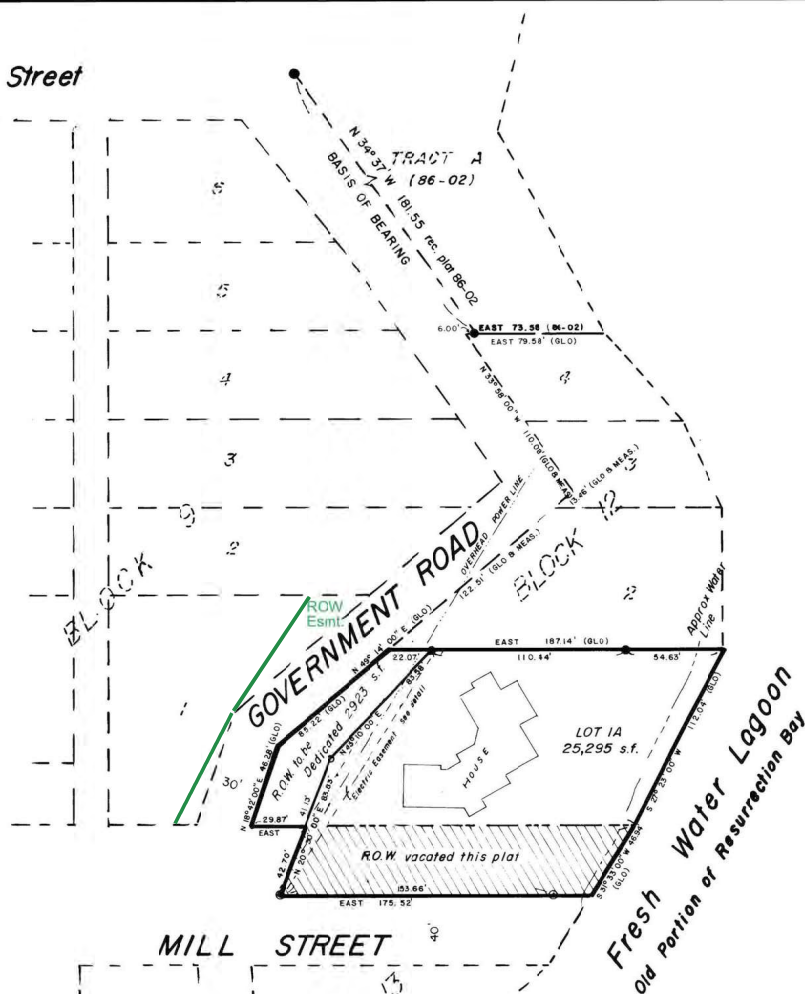
Stacy Wessel

AK Lands, Land Surveying by

Stacy Wessel, Professional Land Surveyor



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

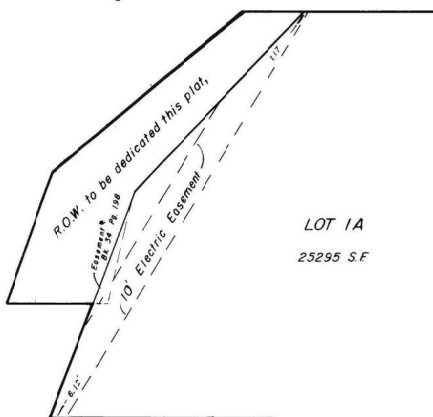
I, GERALD B. KURTZ, professional land surveyor do hereby certify that this plat is a true and correct representation of the lands actually surveyed and that the distances and bearings are shown correctly and that all 1d corners have been set and staked.



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



VICINITY MAP 1" = 25000			
PLAT OF SEWARD TOWNSITE, CLIFF ADDITION LOT 1A BLOCK 12 REPLAT & VACATION			
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.			
AGUA FRIA SURVEYORS 9024 VANGUARD DRIVE ANCHORAGE, AK. 99507 349-4688			
Date Feb. 5, 1987	Scale 1" = 50'	W.O. 87-03	Fb. 37-01 Pg. 6
K.P.B. File No. 87-030			

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 20th 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 Bringhurst, 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 Land45
- 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 Total69
- 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

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 FundsTotal 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 28th 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 & Zoning

410 Adams Street, Seward, Alaska 99664 • (907) 224-4049 • (907) 224-4020
or email: 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: stacy@aklands.com

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: <i>Stacy Wessel</i>
Phone: (907) 744-LAND	e-mail: stacy@aklands.com

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, ^{kd} 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.

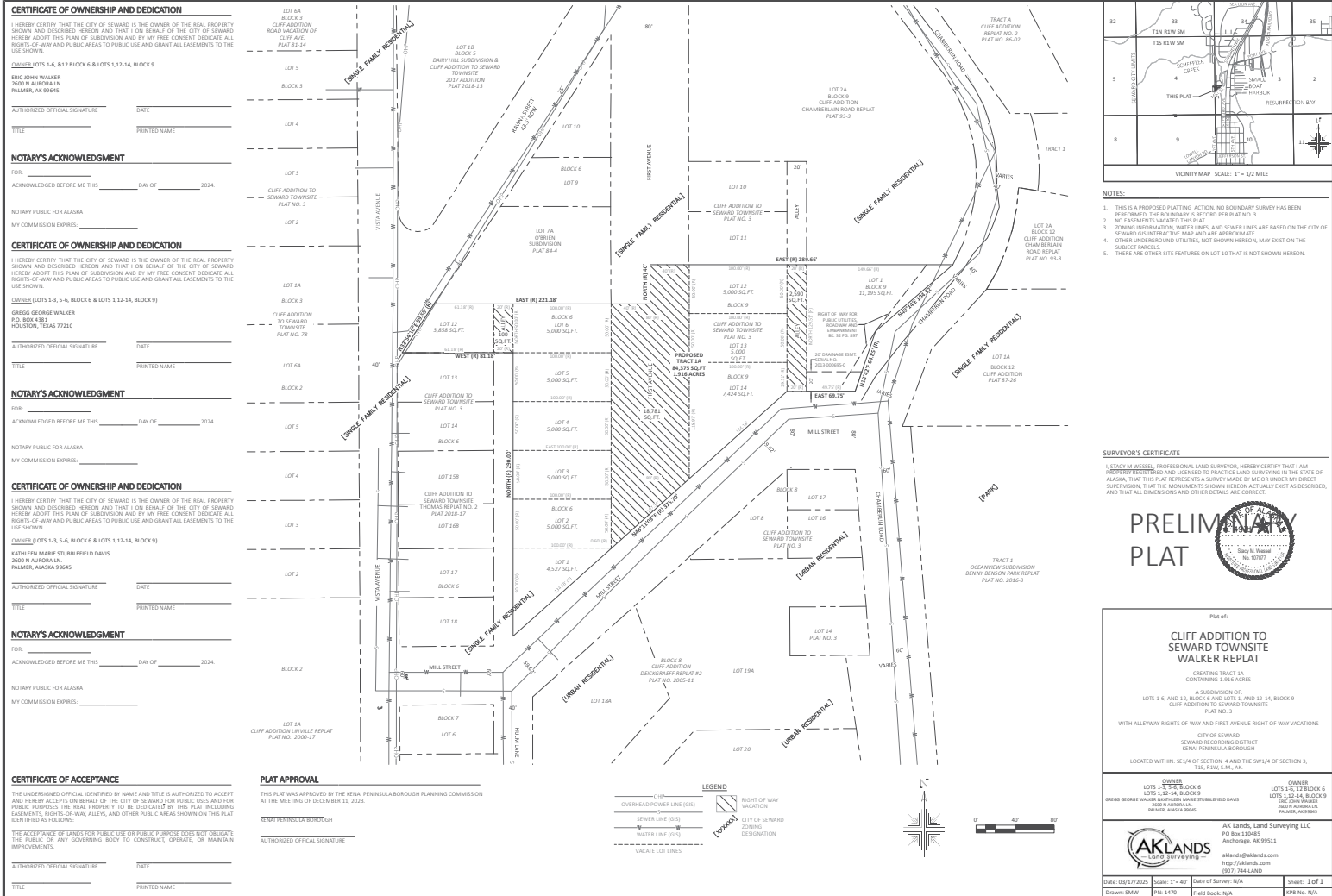
Gregg George Walker
Name

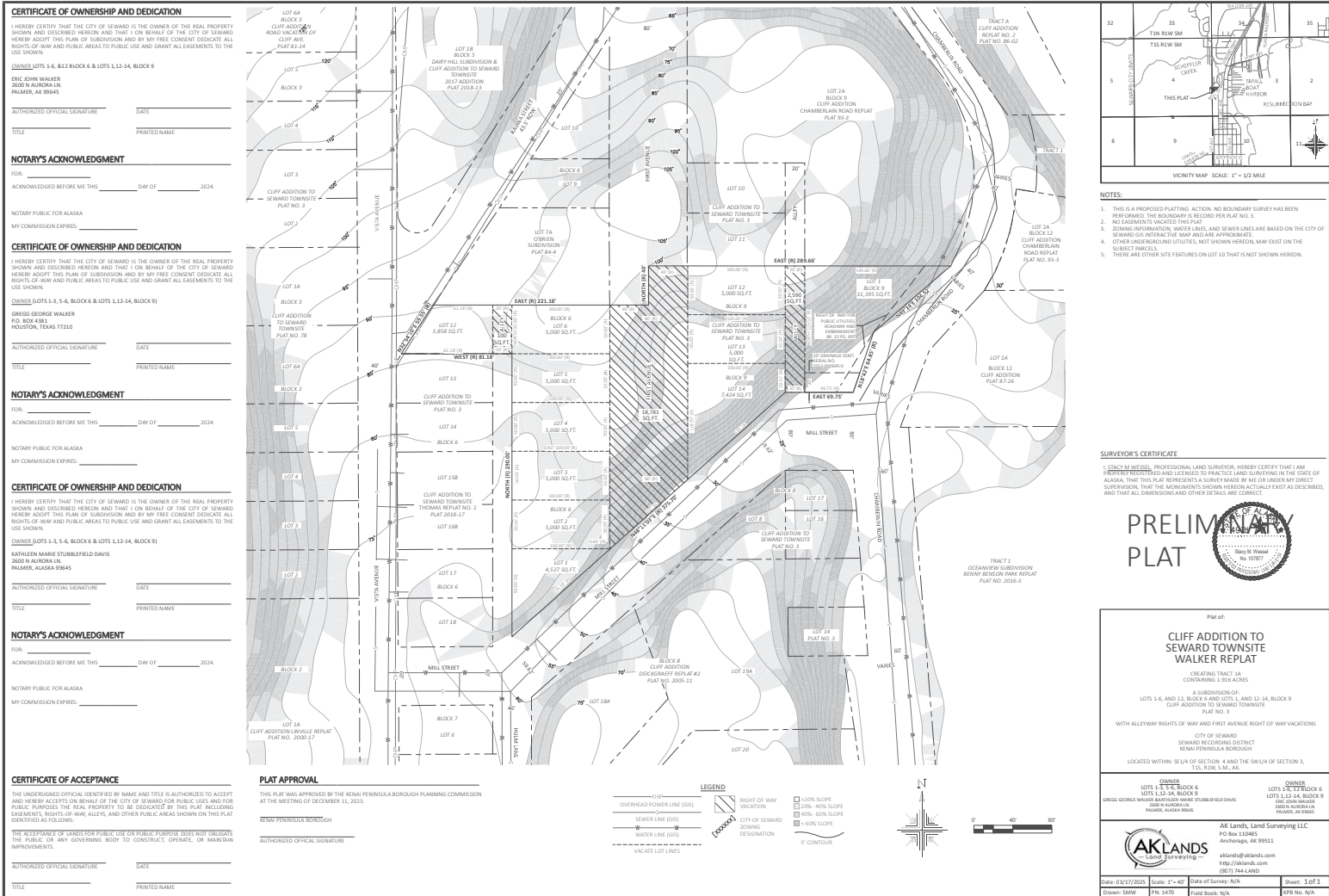
Gregg George Walker
Signature
1-18-2025
Date

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 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. Gargini
 CITY MANAGER

ATTEST:

Shirley 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 24th 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 28th 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
-

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

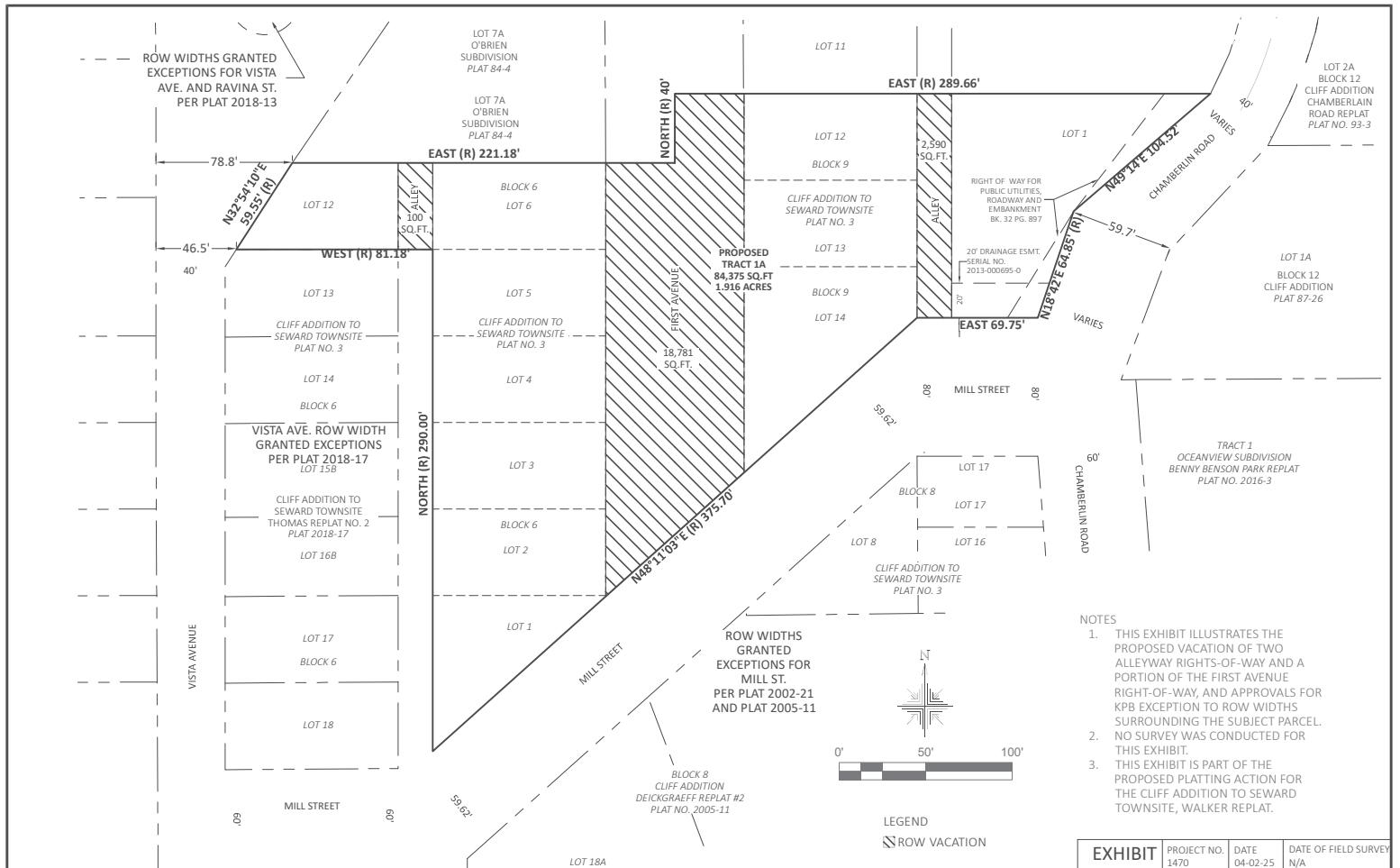
We believe the proposed replat and associated ROW exceptions serve both private and public interests. Extreme slopes, minimal traffic, and existing infrastructure, along with prior plat exceptions, confirm that strict 60-foot ROW compliance is unnecessary. Granting this request allows the property to 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



Legend:

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

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, Karena Adler, hereby certify that I am the owner of the property shown and described herein and that I am hereby dedicating this plan of subdivision, and dedicate all right-of-way to public use, and grant all easements to the use shown.

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.

My commission expires _____

[Signature]
Notary public

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 Kenai Peninsula Borough Planning Commission at the meeting of April 16, 1997.

Kenai Peninsula Borough by [Signature]
Authorized Official

DETAIL

LOT 1A
25,290 S.F.

ROW to be dedicated this plat.

ROW vacated this plat.

Fresh Water Lagoon
old Portion of Resurrection Bay

VICINITY MAP 1:25000

SEWARD TOWNSITE, CLIFF ADDITION

LOT 1A BLOCK 12 REPLAT & VACATION

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.

AGUA FRIA SURVEYORS
2024 VANGUARD DRIVE
ANCHORAGE, AK 99507 319-4688

Order File 0, 1997	Scale 1" = 50'	N.D. 87-103	Pg. 1
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KPB. File No. 87-030

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 Jesse 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 Bringham 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

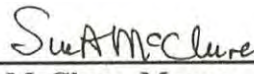
CITY OF SEWARD, ALASKA
RESOLUTION 2025-040
Page 3 of 3

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 28th 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.

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

ATTEST:

Shirley 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 24th 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 30th 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 99664CHRISTY AUDETTE
NOTARY PUBLIC in and for Alaska
My Commission Expires: 4/21/87



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/16/2025 to vacate a public right-of-way in the City of Seward. Area under consideration is described as follows:

Request / Affected Property: This vacates the alley right-of-way between Lots 1 and 12, 13 and 14 of Block 9, the alley right-of-way between Lot 6 and Lot 12 of Block 6, 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

KPB File No. 2025-094V

Petitioner(s) / Land Owner(s): Gregg George and Eric John Walker and Kathleen Marie Stubblefield Davis of Palmer, AK.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 14, 2025**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 11, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

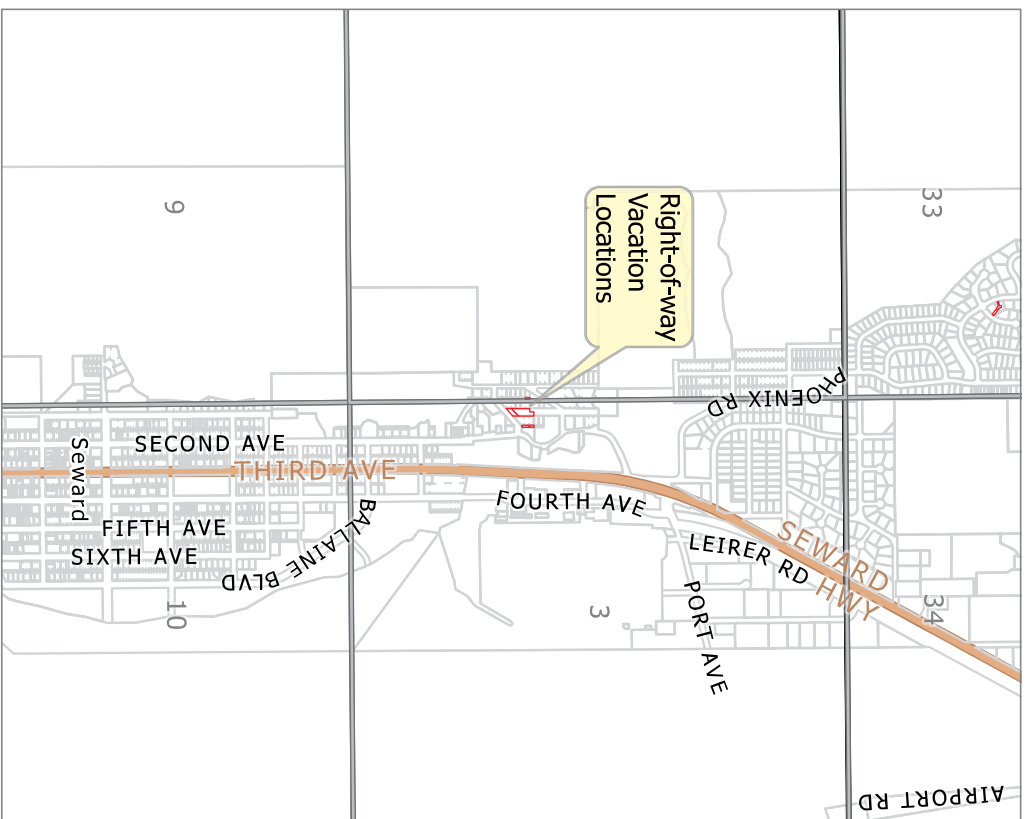
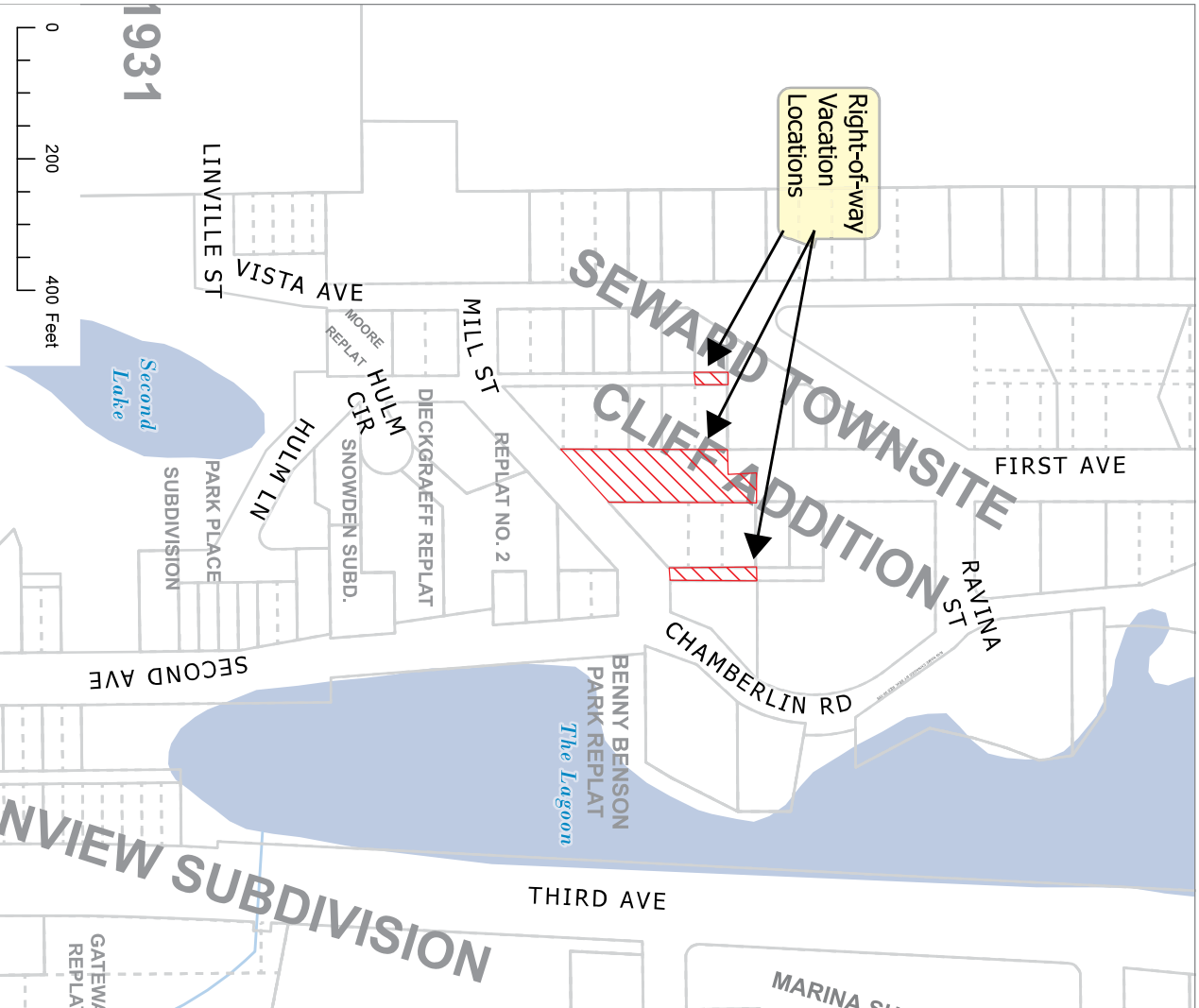
If the Planning Commission approves the vacation, the Seward City Council has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula

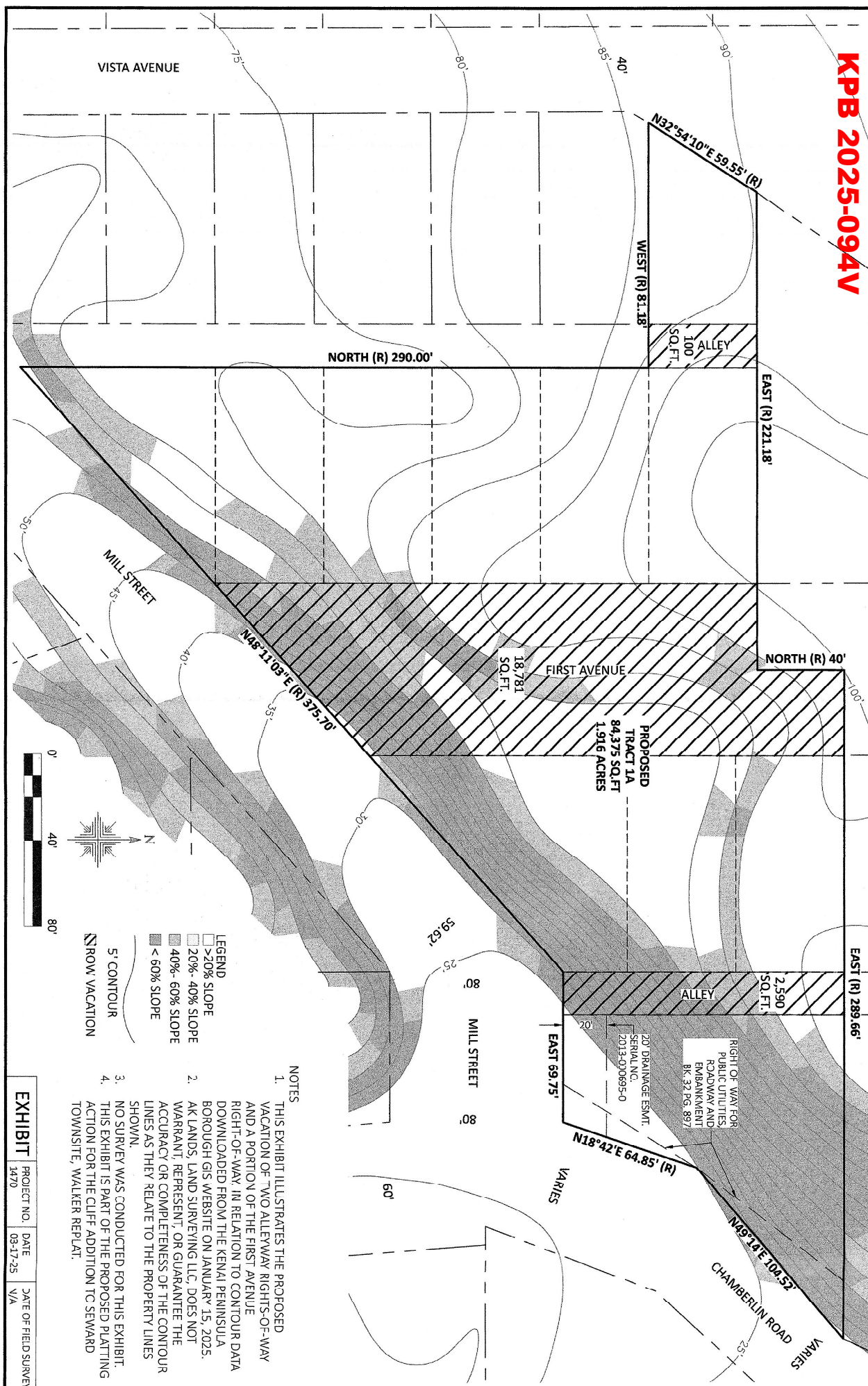
Borough) or email planning@kpb.us.

Mailed 6/23/2025



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

KPB 2025-094V



E. NEW BUSINESS

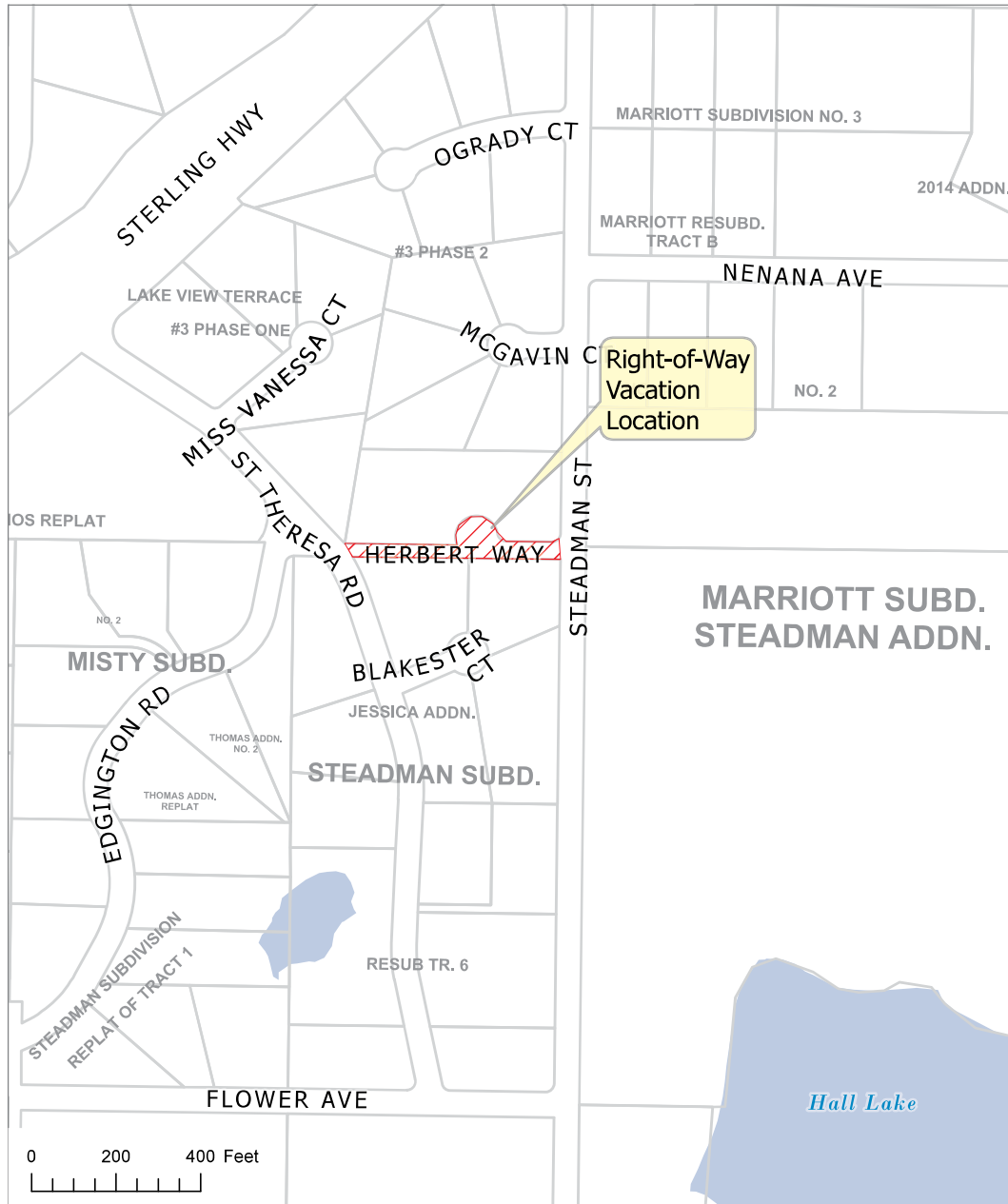
4. Right-Of-Way Vacation; KPB File 2025-097V

McLane Consulting Group / Brown, Pannell

Request: Vacates approximately 22,515 sq. ft. pertaining to a 10' ROW & cul-de-sac per Lake View Terrace #3 Phase 2, Plat KN1988-45 & 30' ROW per Steadman Subdivision, Plat KN 75-45

Sterling Area

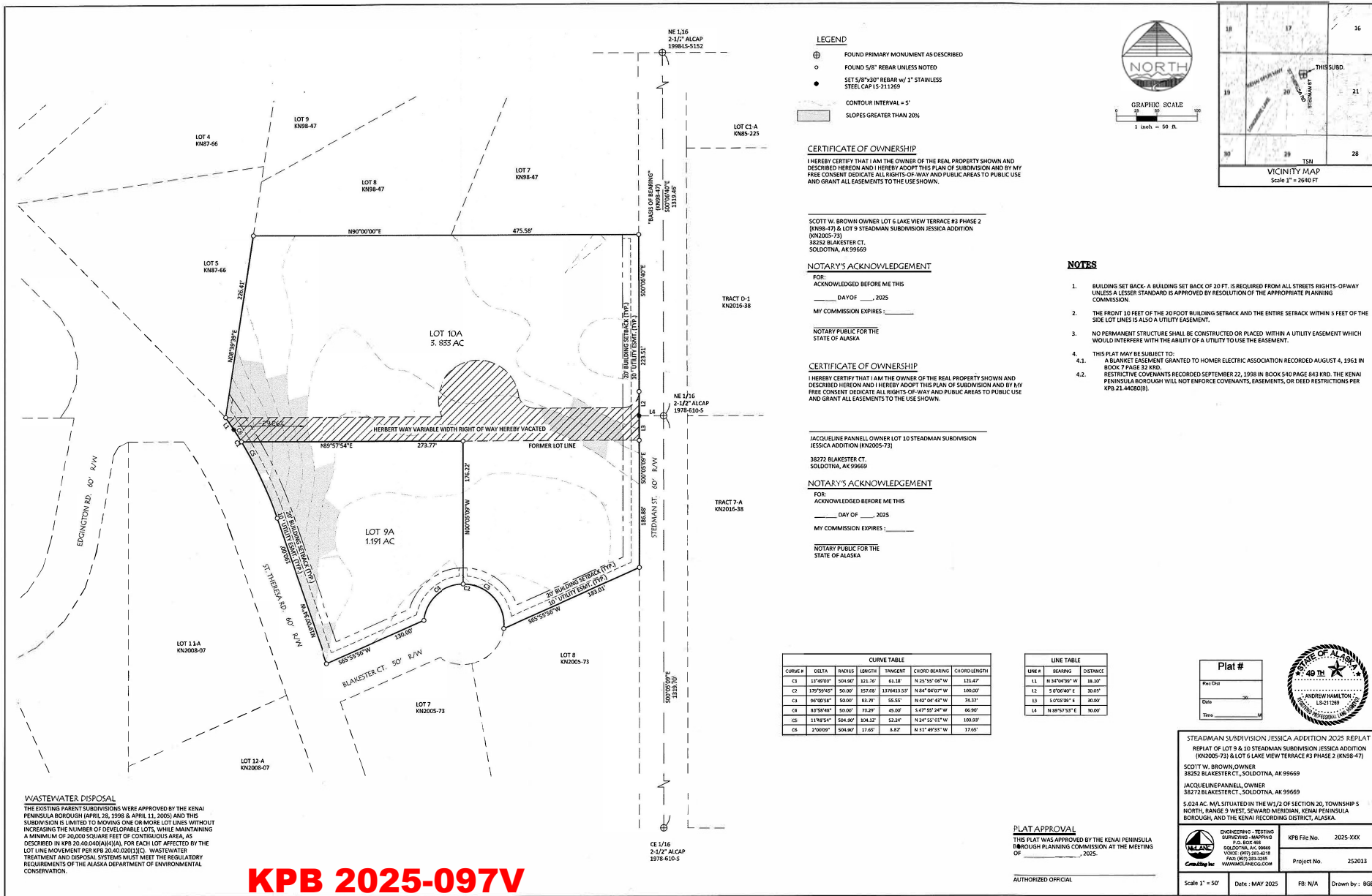
(Staff Person: Platting Manager Vince Piagentini)



KPB File 2025-097V
T 5N R 9W Sec 20
Sterling



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 2025-097V

AGENDA ITEM E. NEW BUSINESS

ITEM #4 - RIGHT OF WAY VACATION

Vacates the entire Herbert Way right-of-way and associated utility easements, located north of and adjacent to Lots 9 and 10, Steadman Subdivision Jessica Addition, Plat KN 2005-73; and south of and adjacent to Lot 6, Lake View Terrace #3 Phase 3, Plat KN 1998-47. Proposed vacation is approximately 22,515 square feet.

KPB File No.	2025-097V
Planning Commission Meeting:	July 14, 2025
Applicant / Owner:	Scott W. and Amy S. Brown and Jacqueline Pannell of Soldotna, Alaska
Surveyor:	Andrew Hamilton / McLane Consulting, Inc.
General Location:	Located in Sterling near milepost 88 Sterling Highway, off St. Theresa Road and Steadman Street
Legal Description:	Lot 6, Lake View Terrace # 3 Phase 2, Plat 98-47; and Lots 9 and 10, Steadman Subdivision Jessica Addition, Plat 2005-73, Kenai Recording District, Seward Meridian, Township 5 North, Range 9 West, Section 20

STAFF REPORT

Specific Request / Purpose as stated in the petition: To vacate the 10 foot right-of-way and cul-de-sac per Lake View Terrace #3, Phase 2 (KN 1998-47) and 30 foot right-of-way per Steadman Subdivision (KN 75-45).

Notification: The public hearing notice was published in the July 4, 2025 issue of the Peninsula Clarion and the July 3, 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 Soldotna

Post Office of Sterling

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

10 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
Central Emergency Services

Seward Bear Creek Fire Service Area
Alaska Communication Systems (ACS)
ENSTAR Natural Gas
General Communications Inc, (GCI)
Homer Electric Association (HEA)

Legal Access (existing and proposed):

The proposed right-of-way to be vacated is Herbert Way and is located between St. Theresa Road and Steadman Street.

St. Theresa Road is located near milepost 88 of the Sterling Highway, a state-maintained road, and connects to Herbert Way on the west side. Steadman Street intersects with Herbert Way from the east.

When the plat to complete the vacation is complete the lots will continue to have legal access by Blakester Court on the south and Steadman Street to the east. Blakester Court is a 50-foot constructed cul-de-sac which connects to St. Theresa Road to the west. St. Theresa road is a partially borough-maintained road, transitioning to a privately maintained road approximately 683 feet north of Blakester Court, at the point where it turn off to Edgington Rd. Steadman Street is a 60-foot partially borough-maintained road ending approximately 270 feet north of Herbert Way, then converting to a privately maintained road as it continues south.

No dedications are proposed by the plat finalizing the vacation.

No section line easements affect the subject area.

The block is defined by existing roads: Panoramic Drive to the north, Steadman Street to the east, Flower Ave to the south, St. Theresa Road to the west, and the Sterling Highway connecting the block to the northwest. Multiple cul-de-sacs are present in the area: Miss Vanessa Court to the northwest, O'Grady Court and McGavin Court to the north and Blakester Court to the south, complying with KPB 20.30.170 block length requirement. Vacating Herbert Way will not affect the block due to the existing cul-de-sacs.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Uhlin, Dil Comments: RSA has no objection at this time.
SOA DOT comments	
SOA DNR-DMLW	No Comments

Site Investigation:

According to the KPB GIS Contours layer, steep slopes appearing to exceed 20% exist to the east and west ends of Herbert Way. The contours have been shown on the preliminary plat with grades over 20% shaded.

No wetlands are present in the subject area per the KWF Wetlands Assessment.

The KPB River Center Reviewers confirmed the area is not within a Flood Hazard Area or Habitat Protection District. Therefore, no notes from KPB 20.30.280 will be needed.

KPB River Center review	<p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Not within flood hazard area Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
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Staff Analysis:

In 1975, Steadman Subdivision (KN 75-45) subdivided the southern portion of land and dedicated 30-feet to Harbin Avenue. Lake View Terrace # 3, Phase 2 (KN 98-47) subdivided the northern portion of land in 1998 and dedicated an additional 10-feet to Harbin Avenue on the east and a partial cul-de-sac bulb to the west. In 2017, the Planning Commission adopted a street naming resolution (SN 2017-02) to rename this portion of Harbin Avenue to Herbert Way.

The adjacent parcels will continue to have legal access by Blakester Court to the south and Steadman Street to the east.

Herbert Way is currently undeveloped and due to the steep terrain to the east and west, future construction of the road is not the most feasible. Steadman Street to the east and Blakester Court to the south provide the most feasible access to the affected parcels.

The Surveyor has stated that there is an agreement that once vacated, the right-of-way is proposed to be combined with Lot 9, Steadman Subdivision Jessica Addition (KN 2005-73) and Lot 6, Lake View Terrace #3 Phase 2 (KN 98-47). **Staff recommends** the agreement be provided with the plat submittal to finalize the vacation.

The vacation sketch submittal shows the proposed plat finalizing the vacation. The plat has not been submitted to the Planning Department. Once a complete application has been received and reviewed, it will be scheduled for review by the Plat Committee.

Steadman Subdivision (KN 75-45) granted a 5-foot clearing easement adjacent to Harbin Avenue on the south. Steadman Subdivision Jessica Addition (KN 2005-73) granted a 10-foot utility easement adjacent to all street rights-of-way and carried forward the previous 5-foot clearing easement.

Lake View Terrace #3 Phase 2 (KN 98-47) granted a 10-foot utility easement adjacent to Harbin Avenue on the north.

Staff reached out to the Surveyor and received confirmation that the associated utility easements are to be vacated with the right-of-way. **Staff recommends** the surveyor include this in the label depicting the vacation and in the legal description of the plat submittal.

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: Herbert Way has no driveways or roads built inside of the ROW. There are no known utilities in the existing Herbert Way ROW.
Staff comments: Herbert Way is currently undeveloped. KPB Roads Department, SOA DNR, HEA and GCI provided no objections to vacating the right-of-way.
 2. A road is impossible or impractical to construct, and alternative access has been provided;
Surveyors' comments: The terrain at the intersection of the existing Herbert Rd & St. Theresa rights-of-way has significant slope gradients (-29%) that present major challenges for standard road construction. Based on preliminary site analysis and contour data, portions of the right-of-way exceed typical slope tolerances for road development, creating safety, engineering, and cost feasibility concerns.
Staff comments: Steadman Street to the east and Blakester Court to the south provide the most feasible access to the affected parcels.
 3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

Surveyors' comments: Owner of Lot 6 Lake View Terrace #3 Phase 2 also owns Lot 9 Steadman Subdivision Jessica Addition. Herbert Way ROW bisects the two lots. The owner would like to consolidate the lots.

Staff comments: The parent plats granted utility easements adjacent to the rights-of-way which will be carried forward on the plat finalizing the vacation. Steadman Street to the east and Blakester Court to the south provide the most feasible access to the affected parcels.

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;

Staff comments: Herbert Way does not provide access to public lands.

5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;

Staff comments: Vacating Herbert Way will not affect the block due to the existing cul-de-sacs. Steadman Street to the east and Blakester Court to the south provide the most feasible access to the affected parcels.

6. Other public access, other than general road use, exist or are feasible for the right-of-way;

Staff comments:

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: There are no known utilities in the existing Herbert Way ROW.

Staff comments: HEA and GCI provided no objections to vacating the right-of-way.

8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.

Surveyors' comments: Owners have an agreement that the Herbert ROW vacated lands will be added to the parcels owned by Scott Brown. Owner of Lot 6 Lake View Terrace #3 Phase 2 also owns Lot 9 Steadman Subdivision Jessica Addition. Herbert Way ROW bisects the two lots. The owner would like to consolidate the lots.

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 KPB Assembly, must hear the vacation within thirty days of the Planning Commission decision.

The Assembly will hear the vacation at their scheduled August 5, 2025 meeting.

If approved, Steadman Subdivision Jessica Addition 2025 Replat will finalize the proposed right of way vacations. At this time, the plat has not been submitted.

KPB department / agency review:

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 38272 BLAKESTER CT, 38252 BLAKESTER CT, 36765 STEADMAN ST Existing Street Names are Correct: Yes List of Correct Street Names: BLAKESTER CT, ST THERESA RD, STEADMAN ST, HERBERT WAY Existing Street Name Corrections Needed:
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	<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: 36765 STEADMAN ST WILL BE DELETED</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat.</p>
Assessing	<p>Reviewer: Windsor, Heather</p> <p>Comments: No comment</p>

Utility provider review:

HEA	No Comments
ENSTAR	No comment or recommendations
ACS	
GCI	Approved as shown

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add corrections to be made to drawing as noted

- Add the associated utility easements to the depiction label of the vacation and to the legal description on the plat.
- Add all owners of record to the drawing for both parcels.

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 KPB Assembly.
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 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.*

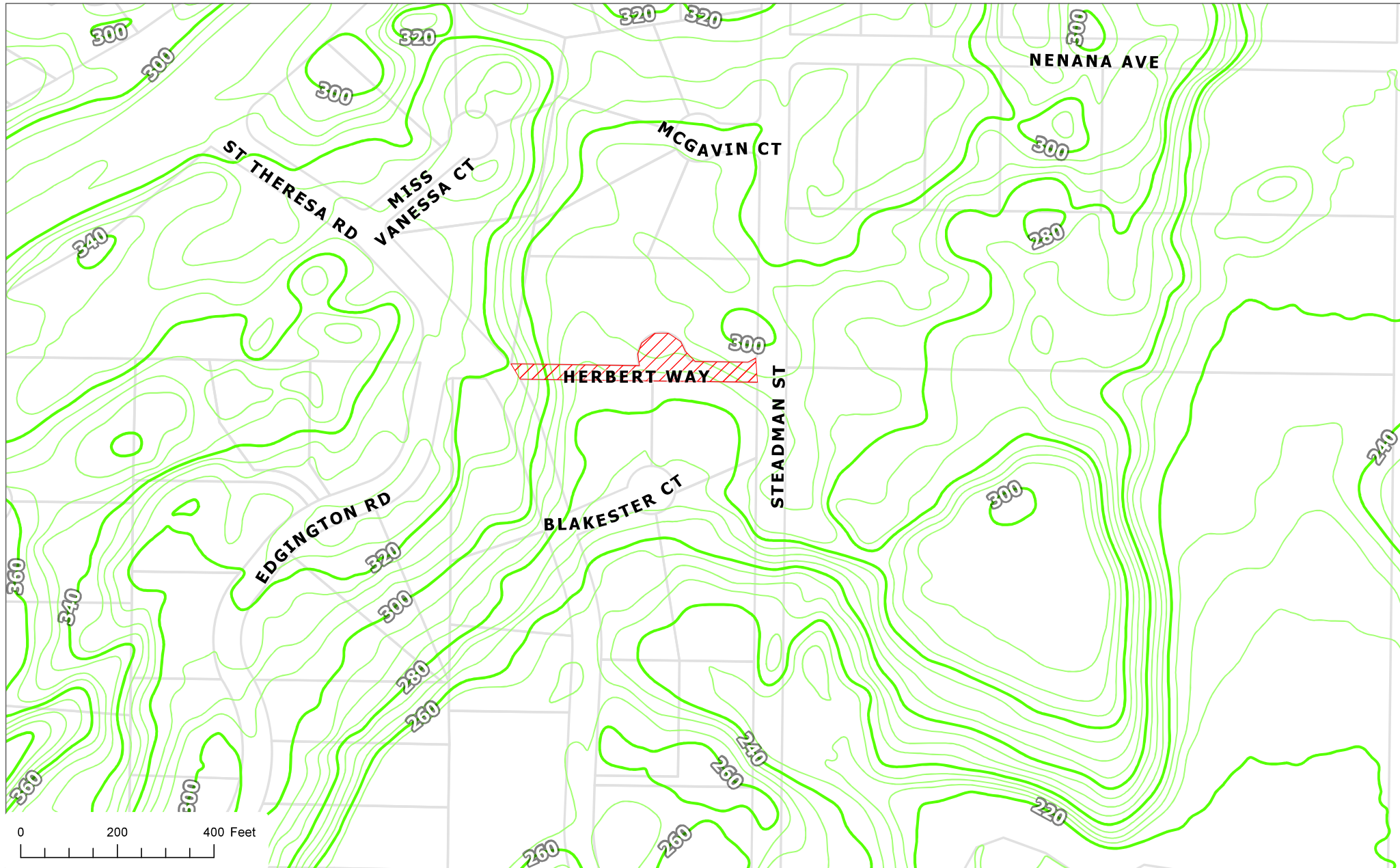
Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough

- *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.*

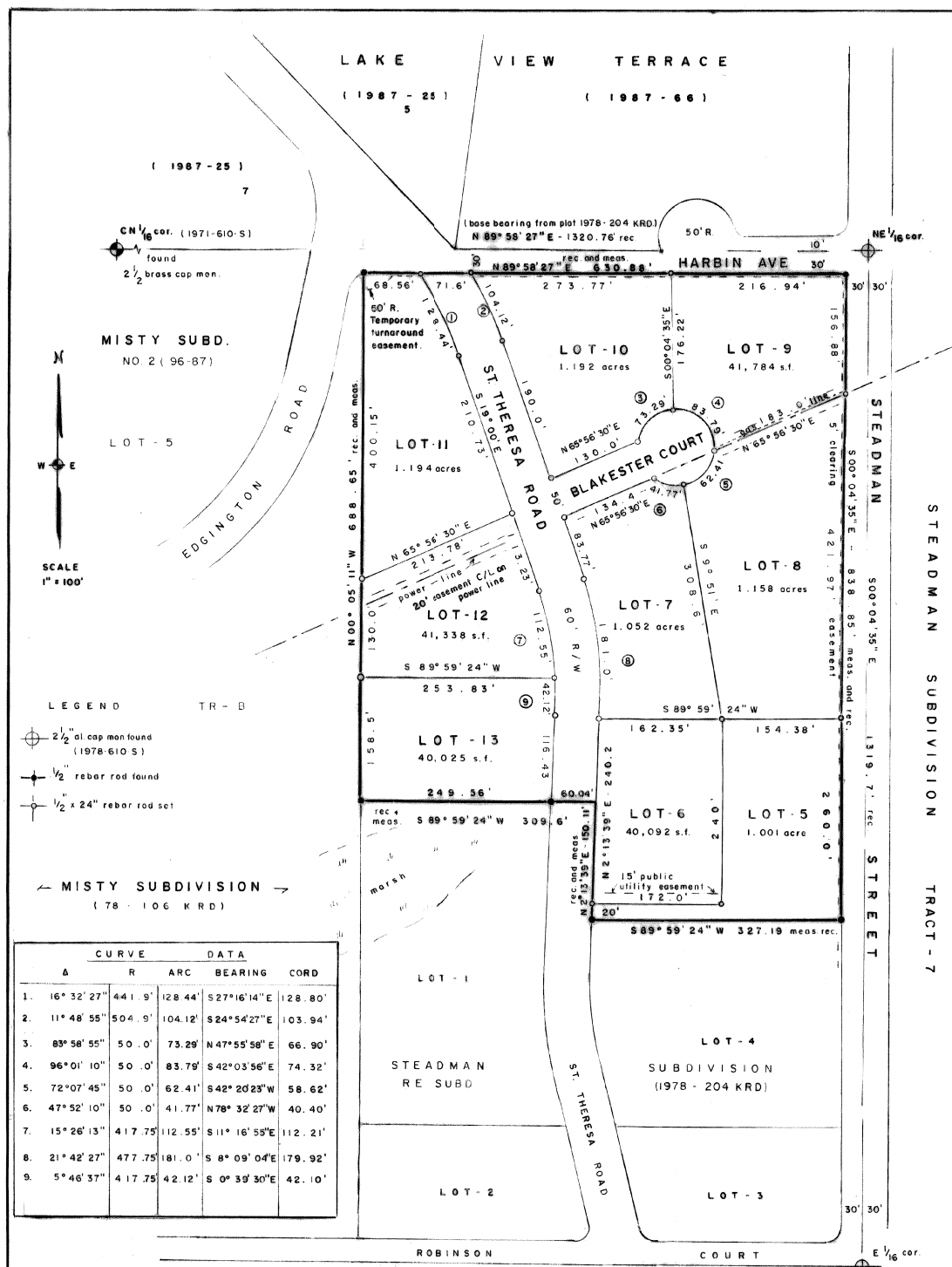
END OF STAFF REPORT



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.



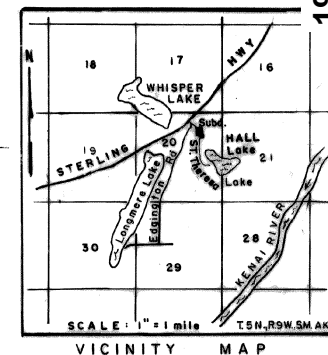
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



PLAT APPROVAL :


This subdivision plat was approved by the
Kenai Peninsula Borough Planning Commission
at the meeting of April 11, 2005

Kenai Peninsula Borough by Max J. Best
Authorized Official



CERTIFICATION OF OWNERSHIP AND DEDICATION

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


Darren R Jones

Becky Jones

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me
this 4 day of August 2005
for: Darren R. Jones
Becky Jones



Patricia Hartley
Notary Public for Alaska

My comission expires March 7, 2009

NOTES:

1. A building setback of 20ft. is required from all street right of ways unless a lesser standard is approved by resolution of the appropriate planning commission.
2. Roads must meet the design construction standards established by the Borough in order to be considered for certification and inclusion in the road maintenance program.
3. The existing power line is center line of an electrical distribution line easement.
 - No structures permitted in panhandle portion of lot 5.
4. The front 10 feet of the 20 foot building setback and the entire setback within 5 feet of the side lot lines is a utility easement. No permanent structure shall be constructed or placed within the utility easement which would interfere with the ability to use the easement.
5. Wastewater Disposal: Soil conditions, water table levels, and soil slopes in this subdivision have been found suitable for conventional onsite wastewater treatment and disposal systems serving single-family or duplex residences, and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of onsite wastewater treatment and disposal system must be designed by a professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

See J. J. J. J.
(signature of Engineer)

AA-696
License

9/30/2005
Date

2005-73
KENT REC DIST 20
Date 10-4 20 05
Time 3:30 P M
Requested By Eastham
Address _____



STEADMAN SUBDIVISION
JESSICA ADDITION

Comprised of 11.090 acres ; the unsubdivided
remainder of TRACT- 6
STEADMAN SUBDIVISION
plat no. 1975 - 45 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 20
T.5N., R.9W., Kenai Recording District, Alaska.

Owner: Darren Jones
P.O. Box 1346 Soldotna AK 99669

Surveyor: Terry T. Eastham 7629 S
P.O. Box 2891, Soldotna AK 99669

March 2005, Scale: 1" = 100', K.P.B. no. 2005-082

CURVE TABLE				
CURVE	DELTA	CHORD	CHORD BEARING	CHORD BEARING
1	184.98 S 71° 18' 00" E	50.00	188.80	191.18
2	81.29 S 71° 18' 00" E	25.00	88.40	88.40
3	81.29 S 71° 18' 00" E	25.00	88.40	88.40
4	81.29 S 71° 18' 00" E	25.00	88.40	88.40
5	81.29 S 71° 18' 00" E	25.00	88.40	88.40
6	81.29 S 71° 18' 00" E	25.00	88.40	88.40
7	81.29 S 71° 18' 00" E	25.00	88.40	88.40
8	81.29 S 71° 18' 00" E	25.00	88.40	88.40
9	81.29 S 71° 18' 00" E	25.00	88.40	88.40
10	81.29 S 71° 18' 00" E	25.00	88.40	88.40
11	81.29 S 71° 18' 00" E	25.00	88.40	88.40
12	81.29 S 71° 18' 00" E	25.00	88.40	88.40
13	81.29 S 71° 18' 00" E	25.00	88.40	88.40
14	81.29 S 71° 18' 00" E	25.00	88.40	88.40
15	81.29 S 71° 18' 00" E	25.00	88.40	88.40
16	81.29 S 71° 18' 00" E	25.00	88.40	88.40
17	81.29 S 71° 18' 00" E	25.00	88.40	88.40
18	81.29 S 71° 18' 00" E	25.00	88.40	88.40
19	81.29 S 71° 18' 00" E	25.00	88.40	88.40
20	81.29 S 71° 18' 00" E	25.00	88.40	88.40
21	81.29 S 71° 18' 00" E	25.00	88.40	88.40
22	81.29 S 71° 18' 00" E	25.00	88.40	88.40
23	81.29 S 71° 18' 00" E	25.00	88.40	88.40
24	81.29 S 71° 18' 00" E	25.00	88.40	88.40
25	81.29 S 71° 18' 00" E	25.00	88.40	88.40
26	81.29 S 71° 18' 00" E	25.00	88.40	88.40
27	81.29 S 71° 18' 00" E	25.00	88.40	88.40
28	81.29 S 71° 18' 00" E	25.00	88.40	88.40
29	81.29 S 71° 18' 00" E	25.00	88.40	88.40
30	81.29 S 71° 18' 00" E	25.00	88.40	88.40

CURVE TABLE		
CURVE	DELTA	CHORD
1	184.98 S 71° 18' 00" E	50.00
2	81.29 S 71° 18' 00" E	25.00
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9	81.29 S 71° 18' 00" E	25.00
10	81.29 S 71° 18' 00" E	25.00
11	81.29 S 71° 18' 00" E	25.00
12	81.29 S 71° 18' 00" E	25.00
13	81.29 S 71° 18' 00" E	25.00
14	81.29 S 71° 18' 00" E	25.00
15	81.29 S 71° 18' 00" E	25.00
16	81.29 S 71° 18' 00" E	25.00
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28	81.29 S 71° 18' 00" E	25.00
29	81.29 S 71° 18' 00" E	25.00
30	81.29 S 71° 18' 00" E	25.00

NOTES

- Proposed land uses are recreational, residential, institutional, and commercial.
- Setbacks: A setback of 20 feet is required from all street frontage unless otherwise noted or shown. Setbacks are approved by resolution of the appropriate Planning Commission.
- No point access to State maintained ROW is permitted unless approved by the State of Alaska Department of Transportation.

The first 10 ft of the building setback is also a utility easement. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

- WASTEWATER DISPOSAL: Soil conditions for Lots 11, 13, 17 and 18 within this subdivision have been found unsuitable for conventional wastewater treatment and disposal systems. Plans for a typical wastewater treatment and disposal system for use on lots in this subdivision are included in the Engineer's Submittal and Site Report and are available from Kenai Peninsula Borough. All alternate waste wastewater treatment and disposal systems must be designed by a professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

WASTEWATER DISPOSAL: Soil conditions, water table levels, and soil slopes for the remaining lots within this subdivision have been found suitable for conventional waste wastewater treatment and disposal systems serving single-family or duplex residences and meeting the regulatory requirements of the Kenai Peninsula Borough. Any other type of waste wastewater treatment and disposal system must be designed by a professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation.

RECORDING: This plat is subject to the following conditions: 1. The plat is subject to the recording conditions of the Alaska Department of Natural Resources. 2. The plat is subject to the recording conditions of the Alaska Department of Transportation.

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LEGEND

- Material (found)
- 2 3/4" Iron (Cap Monument) (set)
- 1 1/2" Al or 1/2" Iron (found)
- 16 5/8" properly corner
- 5/8" Brass (set this survey)
- Record Datum = Lake View Terrace - East Addition, Plot # 94-67 SRD
- Record Datum = Lake View Terrace #3, Phase One, Plot # 87-66 SRD
- Record Datum = Marston Subj. No. 2, Plot # 94-108 SRD



CERTIFICATE of OWNERSHIP and DEDICATION

I HEREBY CERTIFY THAT WE ARE THE OWNER(S) OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE THEREIN.

WE FURTHER CERTIFY THAT DEED(S) OF TRUST AFFECTING THIS PROPERTY DO NOT CONTAIN RESTRICTIONS WHICH WOULD PROHIBIT THIS REPLAT, OR REQUIRE SIGNATURE AND APPROVAL OF BENEFICIARY(IES).

Lake View Partnership
Paul Manley, Managing Partner
Anchorage, Alaska 99501

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 7th DAY OF AUGUST 1998 FOR LAKE VIEW PARTNERSHIP, PAUL MANLEY

JOHN H. SHURIGAR
NOTARY PUBLIC
STATE OF ALASKA
MY COMMISSION EXPIRES 1-2-2001

OFFICIAL SEAL
STATE OF ALASKA
JOHN H. SHURIGAR
NOTARY PUBLIC

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF April 28, 1998.

KENAI PENINSULA BOROUGH
[Signature]

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT: I am properly registered and licensed to practice land surveying in the State of Alaska, this plat represents a survey made by me or under my direct supervision, the measurements shown hereon actually exist as described, and all dimensions and other details are correct to the normal standards of practice of land surveyors in the State of Alaska.

Date: 11.18.98



LAKE VIEW TERRACE #3 Phase 2

RECORDING No. 97-057

LAKE VIEW TERRACE #3 Phase 2

Subdivided Within the NW 1/4 NE 1/4 Section 20, T29N, R10W, S1M, Rural Recording District, Kenai Peninsula Borough, Alaska.

Containing 10.831 Acres

INTEGRITY SURVEYS

808 Twines Drive Kenai, Alaska 99611-8363

REQUESTED BY: LAKE VIEW PARTNERSHIP

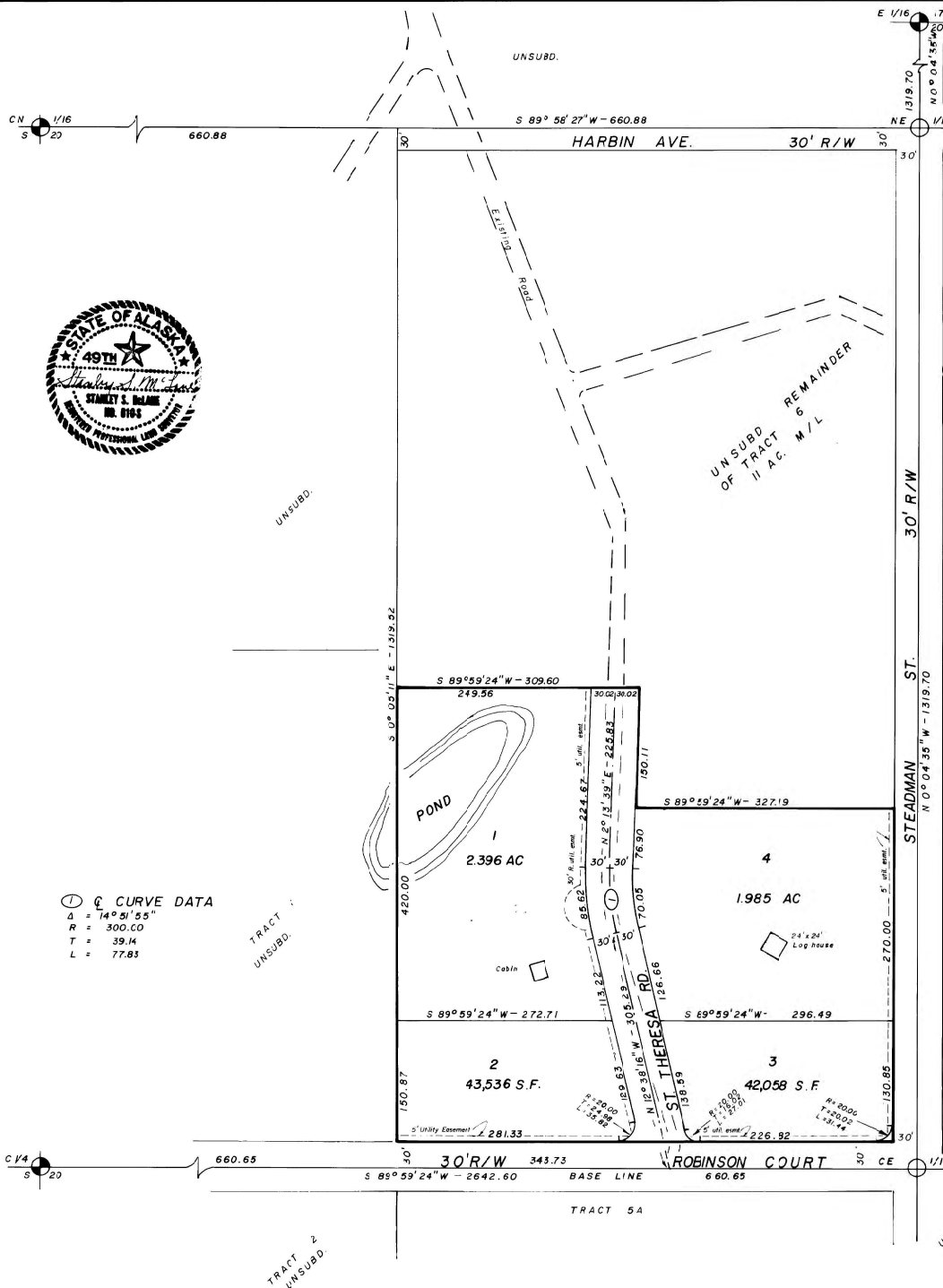
SURVEY (VRS) PHONE: (907) 283-9047 FAX: (907) 283-9071

DATE: 11-18-98

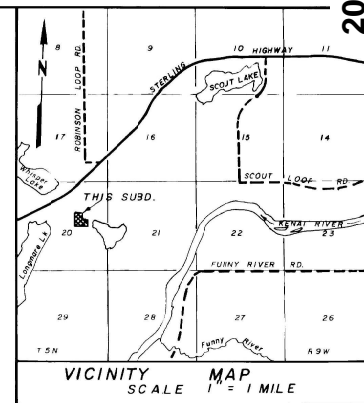
TIME: 1:30 PM

SCALE: 1" = 100'

DISK: D021\Lakeview



① CURVE DATA
 $\Delta = 140^\circ 51' 55''$
 $R = 300.00$
 $T = 39.14$
 $L = 77.63$



LEGEND AND NOTES

- Found G.L.O. brass cap monument
- Found official survey brass or Al. cap monument.
- Set 2 1/2" Al. cap monument. (610-S - 1978)
- Set 1/2" x 24" steel rebar at all lot corners

All bearings refer to the E-W center line of Section 20 as being S 89° 59' 24" W.

All lots are subject to a 20' minimum building set back along all dedicated rights of way.

All wastewater disposal systems shall comply with existing laws at time of construction.

PLAT APPROVAL

This plat having been approved by the Kenai Peninsula Borough Planning Commission as recorded in the official minutes of the meeting of August 21, 1978, is hereby acknowledged and accepted as the official plat, subject to any and all conditions and requirements of ordinances and law appertaining thereto.

KENAI PENINSULA BOROUGH
 By: Philip Wanning

CERTIFICATE OF OWNERSHIP AND DEDICATION

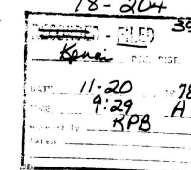
We hereby certify that we are the owners of said property and request the approval of this plat showing such easements for public utilities, roadways, and or streets dedicated by us for public use.

Kenneth R. Travnick
 Kenneth R. Travnick, owner, Box 1806 Soldotna AK 99669
Mary B. Travnick
 Mary B. Travnick, owner, Box 1806, Soldotna AK 99669

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn before me this 27th day of October, 1978
 My commission expires: 12-17-83

Leo J. Mark
 Notary Public for Booth
 County, South Dakota



RESUBD. OF TRACT 6 STEADMAN SUBDIVISION

Kenneth Travnick, owner
 Box 1806 Soldotna, AK. 99669

DESCRIPTION
 7.144 AC SITUATED IN THE E 1/2 SW1/4 NE1/4
 SEC 20 T5N, R9W S.M. AK AND THE
 KENAI PENINSULA BOROUGH, AK

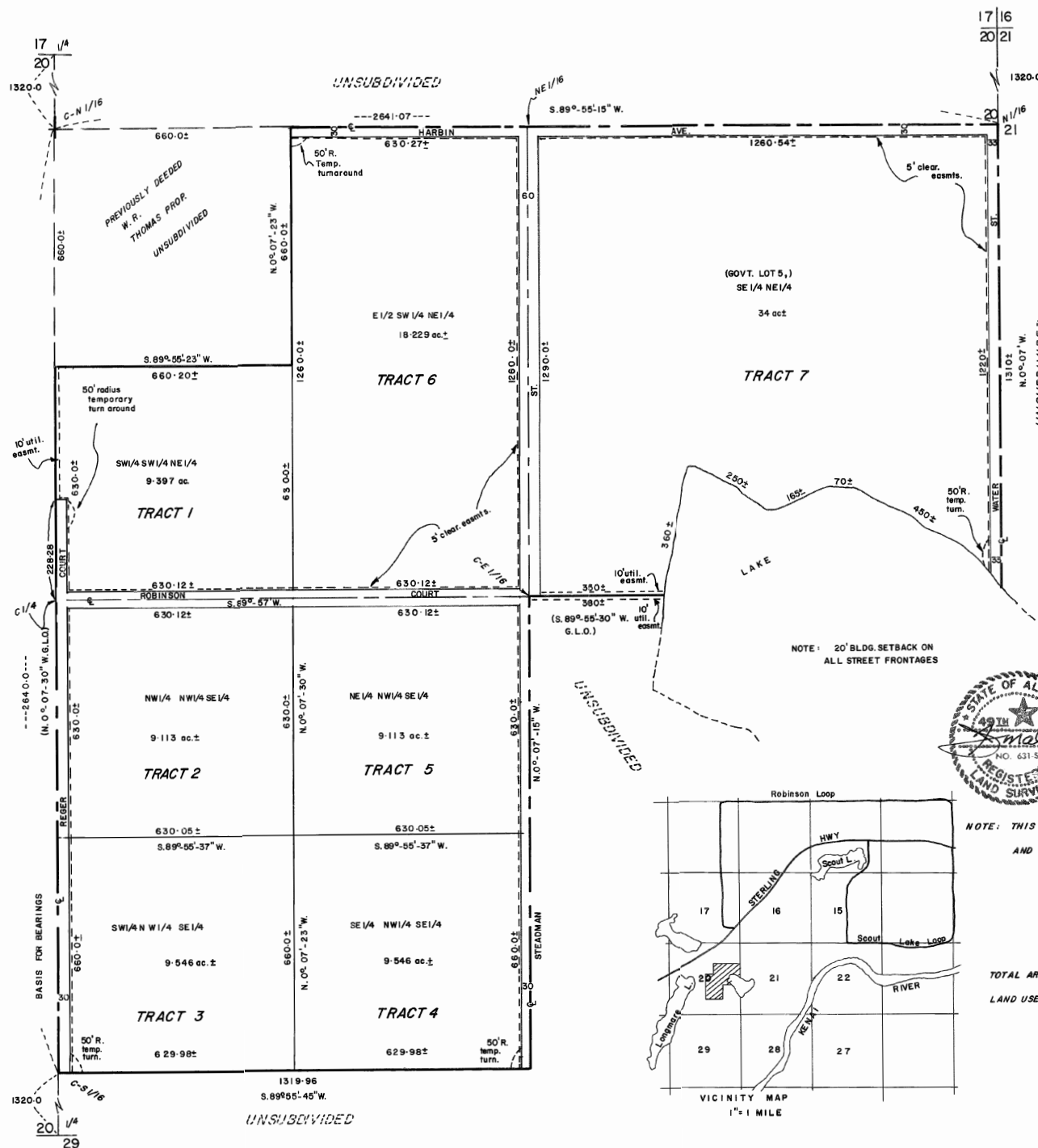
SURVEYED BY: McLane & Associates
 Soldotna, Ak.

DATE OF SURVEY Aug 3, 1978	SCALE 1" = 100'	BK. NO. 78 - 18
-------------------------------	--------------------	--------------------



1" = 200'

LONGMERE ESTATES SUB.



STEADMAN SUBDIVISION

A PORTION OF SW 1/4 NE 1/4, GOV'T. LOT 5,
& NW 1/4 SE 1/4, SEC. 20, T.5N, R.9W, S.M.

CERTIFICATE OF OWNERSHIP & DEDICATION:

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE
LAND SHOWN & DESCRIBED HEREON, THAT WE ADOPT THIS
PLAN OF SUBDIVISION WITH OUR FREE CONSENT, & DO
HEREBY DEDICATE TO PUBLIC USE & THE USE OF PUBLIC
UTILITIES THE STREETS & EASEMENTS SHOWN.

Harold V. Steadman *James J. Steadman*
OWNER OWNER

SWORN TO & SUBSCRIBED BEFORE ME, A NOTARY PUBLIC,

THIS 2nd DAY OF June, 1975

James J. Steadman
NOTARY

MY COMMISSION EXPIRES April 23, 1979

BOROUGH APPROVAL

PLAT APPROVED BY THE COMMISSION THIS 5th DAY
OF May, 1975

Charles Thompson
MAYOR

NOTE: THIS PLAT WAS PREPARED IN ACCORDANCE WITH SEC. 20-15-025 (2) KPBC,

AND NO FIELD SURVEY HAS BEEN PERFORMED BY ME.

4/30/75

F.J. Malone
F.J. MALONE, R.L.S.



TOTAL AREA: 98.944 ac. ± exclusive of roads
LAND USE: RESIDENTIAL

RECORDED - FILED
Kenai, ALASKA
DATE: 6-9-1975
TIME: 12:28 P.
Recorded by: R.R.B.
Address:

FOR
H.V. & N.I. STEADMAN,
% KENAI REALTY,
KENAI, ALASKA
MALONE SURVEYING
KENAI, ALASKA

882



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/24/2025 to vacate a public right-of-way in the Sterling area. Area under consideration is described as follows:

Request / Affected Property: Vacates approximately 22,515 sq. ft. pertaining to a 10' right-of-way and cul-de-sac per Lake View Terrace #3, Phase 2 (KN1988-45) & 30' right-of-way per Steadman Subdivision (KN75-45)

KPB File No. 2025-097V.

Petitioner(s) / Land Owner(s): Scott W. Brown and Jacqueline Pannell of Soldotna, AK.

Purpose as stated in petition: Owner of Lot 6 Lake View Terrace #3 Phase 2 also owns Lot 9 Steadman Subdivision Jessica Addition. Herbert Way ROW bisects the two lots. The owner would like to consolidate the two lots. Herbert Way has no driveways or roads built inside of the ROW. There are no known utilities in the existing Herbert Way ROW. The terrain at the intersection of the existing Herbert Rd & St. Theresa rights-of-way has significant slope gradients (-29%) that present major challenges for standard road construction. Based upon preliminary site analysis and contour data, portions of the right-of-way exceed typical slope tolerances for road development, creating safety, engineering, and cost feasibility concerns. Owners have an agreement that the Herbert ROW vacated lands will be added to the parcels owned by Scott Brown..

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 14, 2025**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 11, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

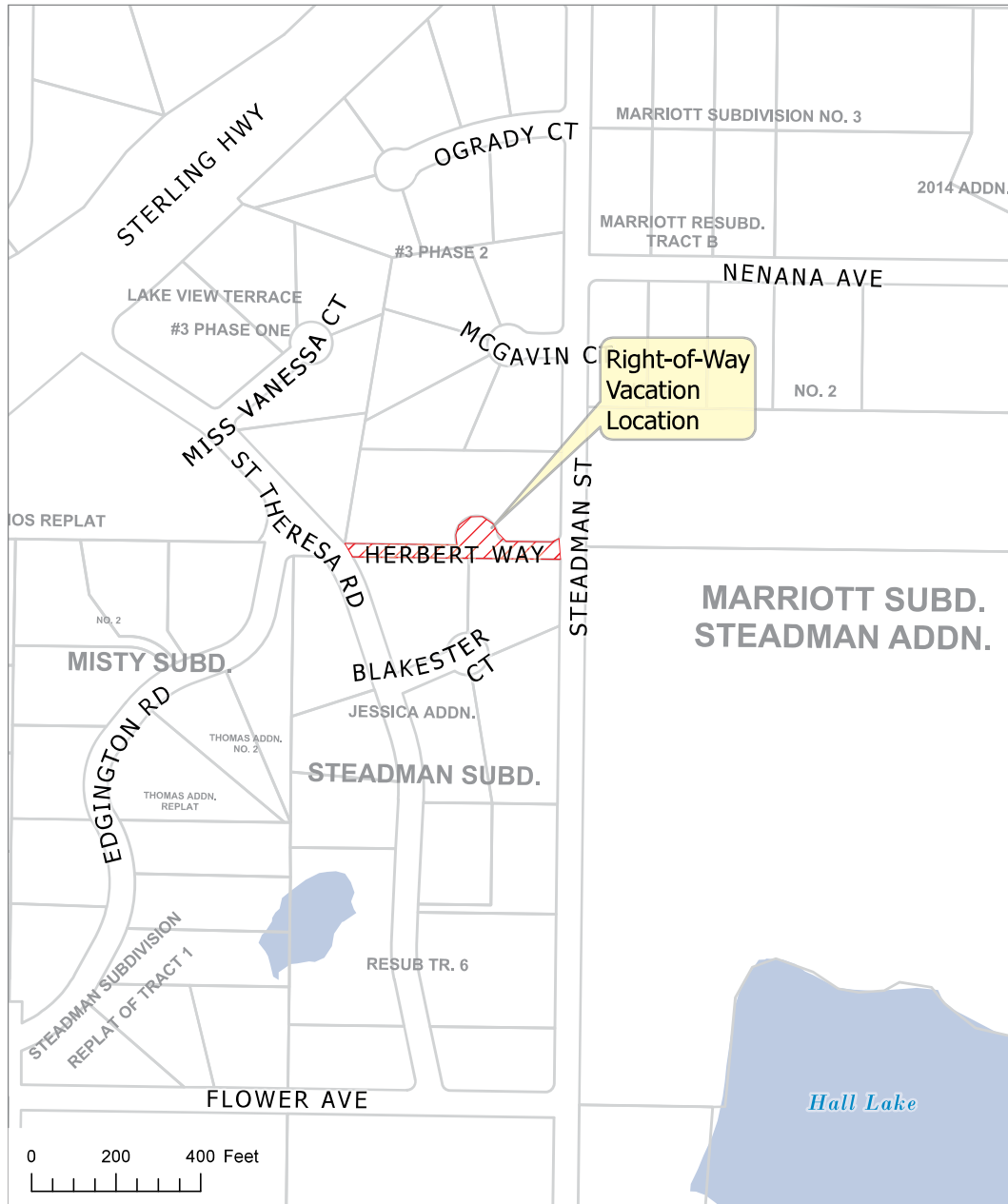
If the Planning Commission approves the vacation, the Borough Assembly has thirty days from that decision

in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

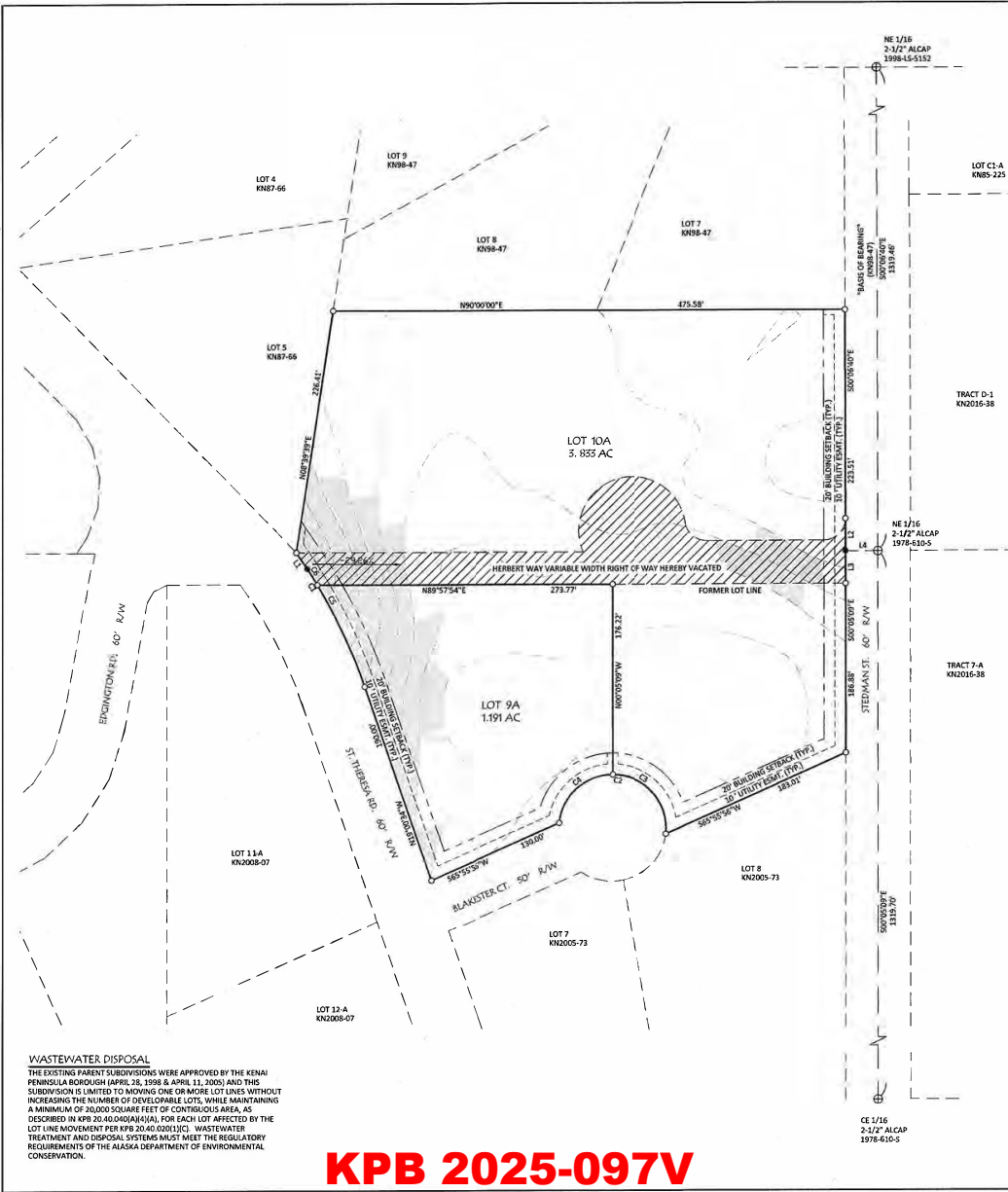
Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email planning@kpb.us.

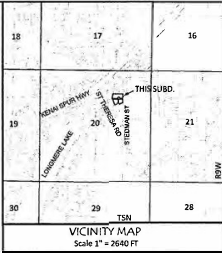
Mailed 6/25/2025



KPB File 2025-097V
T 5N R 9W Sec 20
Sterling



- LEGEND**
- ⊕ FOUND PRIMARY MONUMENT AS DESCRIBED
 - FOUND 5/8" REBAR UNLESS NOTED
 - SET 5/8"x30" REBAR w/ 1" STAINLESS STEEL CAP 15-211269
 - CONTOUR INTERVAL = 5'
 - SLOPES GREATER THAN 20%



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND I 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.

SCOTT W. BROWN OWNER LOT 6 LAKE VIEW TERRACE #3 PHASE 2 (KN2008-47) & LOT 9 STEADMAN SUBDIVISION JESSICA ADDITION (KN2005-73)
38252 BLAKESTER CT.
SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2025
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND I 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.

JACQUELINE PANNELL OWNER LOT 10 STEADMAN SUBDIVISION JESSICA ADDITION (KN2005-73)
38272 BLAKESTER CT.
SOLDOTNA, AK 99669

NOTARY'S ACKNOWLEDGEMENT

FOR:
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2025
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE STATE OF ALASKA

CURVE TABLE					
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING
C1	174°49'00"	504.00'	121.70'	61.38'	N 25°55'00"W
C2	179°59'45"	50.00'	157.68'	137.64(13.5)'	N 84°00'00"W
C3	96°50'14"	50.00'	63.29'	55.55'	N 42°04'43"W
C4	83°58'48"	50.00'	73.29'	65.00'	S 47°59'24"W
C5	174°58'54"	504.00'	121.70'	61.38'	N 25°55'00"W
C6	2°00'00"	504.00'	17.60'	8.52'	N 57°49'55"W

LINE TABLE		
LINE #	BEARING	DISTANCE
11	N 34°09'39"W	38.30'
12	S 0°00'00"E	30.00'
13	S 0°00'00"E	30.00'
14	N 89°57'53"E	30.00'

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____, 2025.

AUTHORIZED OFFICIAL _____

Plat #

For City _____

Date _____

Time _____



STEADMAN SUBDIVISION JESSICA ADDITION 2025 REPLAT
REPLAT OF LOT 9 & 10 STEADMAN SUBDIVISION JESSICA ADDITION (KN2005-73) & LOT 6 LAKE VIEW TERRACE #3 PHASE 2 (KN2008-47)
SCOTT W. BROWN, OWNER
38252 BLAKESTER CT., SOLDOTNA, AK 99669
JACQUELINE PANNELL, OWNER
38272 BLAKESTER CT., SOLDOTNA, AK 99669
5.024 AC. M/L SITUATED IN THE W1/2 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 9 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, AND THE KENAI RECORDING DISTRICT, ALASKA.

	ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 488 SOLDOTNA, AK 99669 VOICE: (907) 261-4618 FAX: (907) 261-2026 WWW.KALC-ALASKA.COM	KPB File No. 2025-XXX
	Project No. 250213	Scale 1" = 50'
Date: MAY 2025	FB: N/A	Drawn by: BGB

KPB 2025-097V

E. NEW BUSINESS

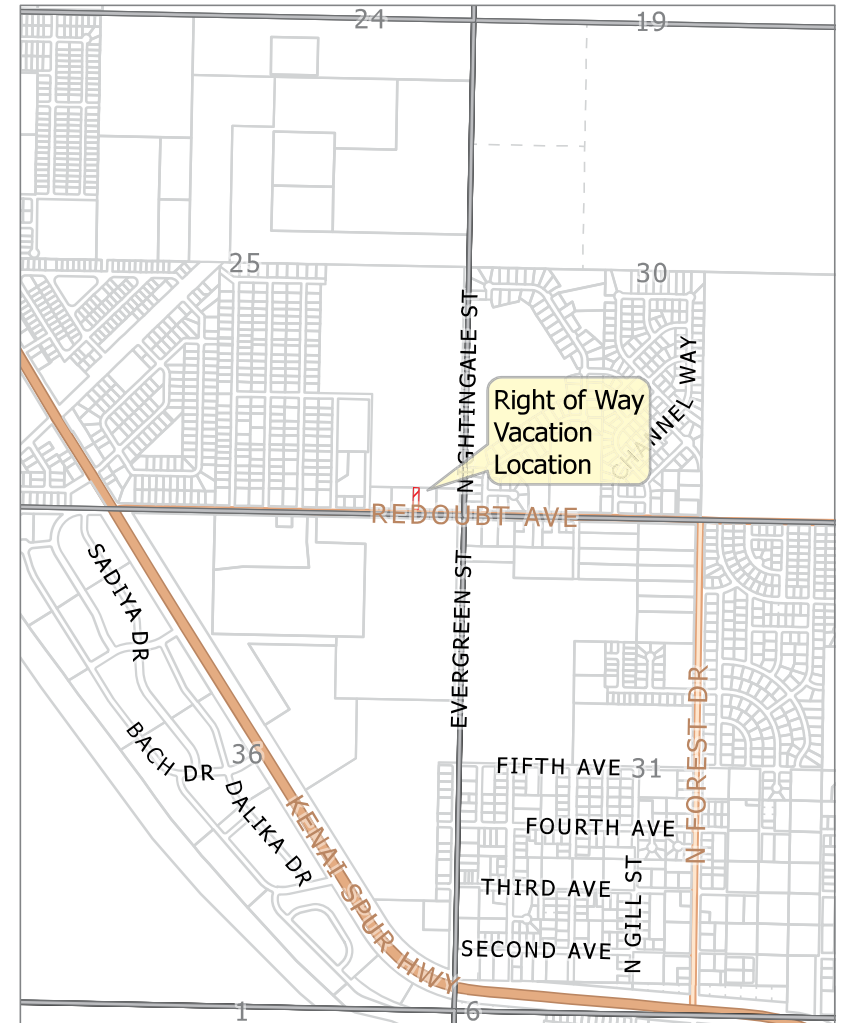
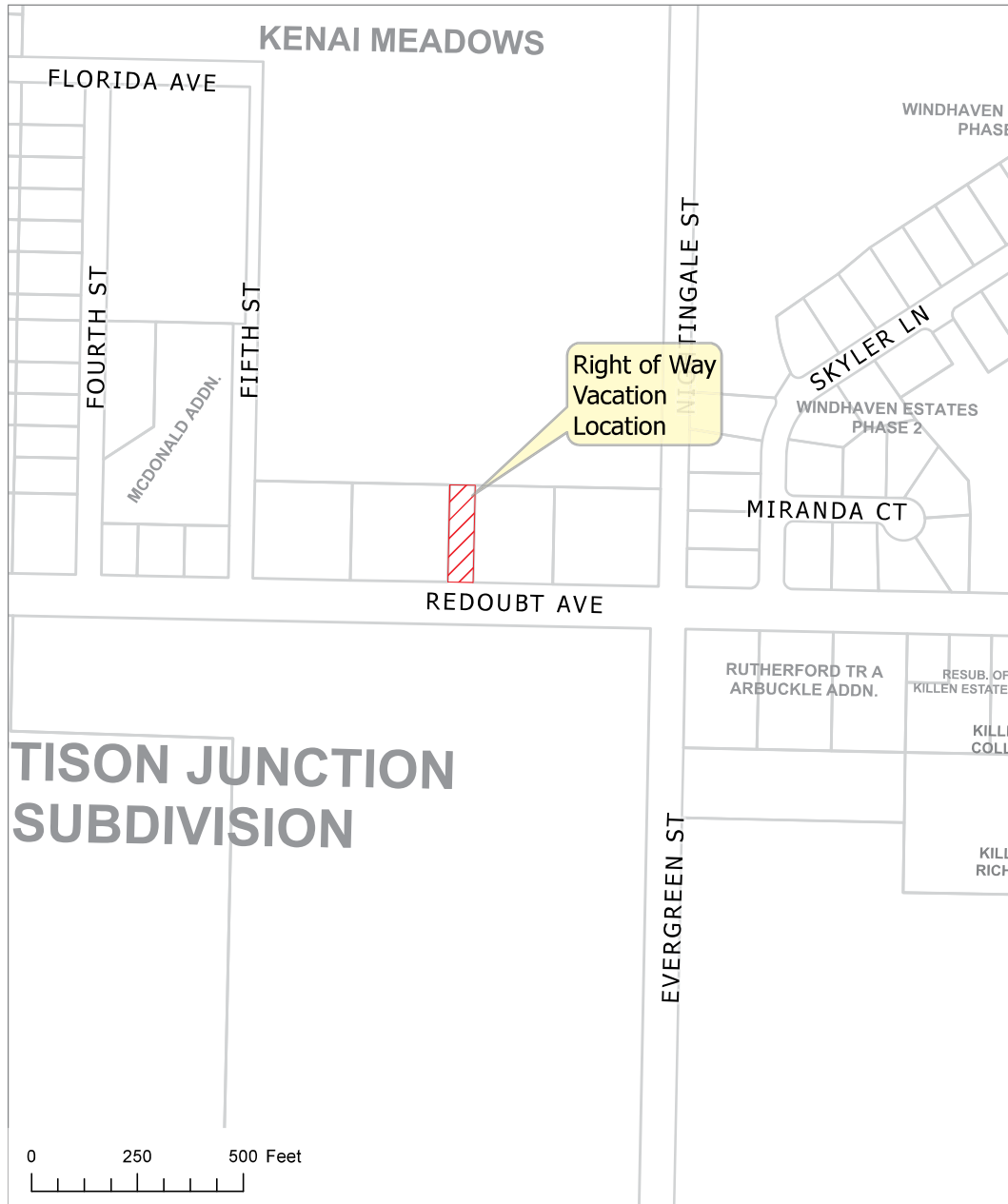
5. Right-Of-Way Vacation; KPB 2025-091V

Segesser Surveys / Kenai Peninsula Housing Initiative Inc.

Request: Vacates approximately 13,800 square feet of Sixth Street including associated utility easement adjacent to Lot 2 Kenai Meadows Plat KN 2017-17 and Lot 3, abutting Tract A1, Kenai Meadows Addition No. 1, Plat KN 2023-48

City of Kenai

(Staff Person: Platting Manager Vince Piagentini)



KPB File 2025-091V
T 6N R 12W Sec 25
Kenai



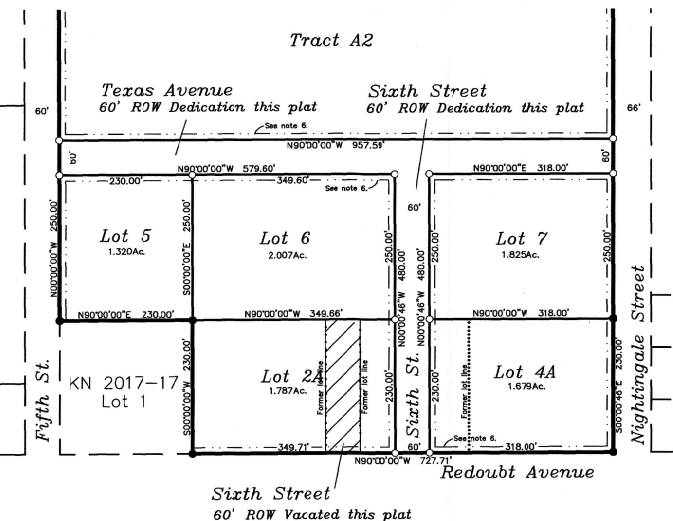
The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

LEGEND:

- 3 1/4" ALUM. CAP MON. LS #101 FOUND AS SHOWN
- 2 1/2" BRASS CAP MON. FOUND AS SHOWN
- 5/8" REBAR v/PLASTIC CAP LS#859 FOUND
- 5/8" REBAR v/PLASTIC CAP LS#859 SET
- () RECORD AND MEASURED DATUM PLAT 2017-17 KRD

NOTES:

- 1) Basis of bearing taken from Kenai Meadows, Plat 2017-17, Kenai Recording District.
- 2) This plat is subject to City of Kenai zoning regulations.
- 3) Further development of the property shall conform to all Federal, State, and local regulations.
- 4) The Plat Committee, at the meeting of May 23, 2022, carried over the exception granted to the parent plat, Exceptions to KPB 20.30.030, extension of California Avenue to Nightingale Street, Florida Avenue to Nightingale Street, and Fifth Street to California Avenue, and KPB 20.30.170, block length, were originally approved by the plat committee at the meeting of March 13, 2017.
- 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Misc Book 2 Page 34, Kenai Recording District.
- 6) The front 10 feet adjoining rights-of-way is granted by this plat as utility easements. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement. See Detail B.
- 7) A water and sewer easement in favor of the City of Kenai is recorded Book 73 Page 347, Kenai Recording District.
- 8) WASTEWATER DISPOSAL: Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.
- 9) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949; and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; Department of the Interior Order Number 2665, dated October 16, 1951; Amendment Number 1 thereto, dated July 11, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.



Detail A

KPB 2025-091V Scale: 1"=100'

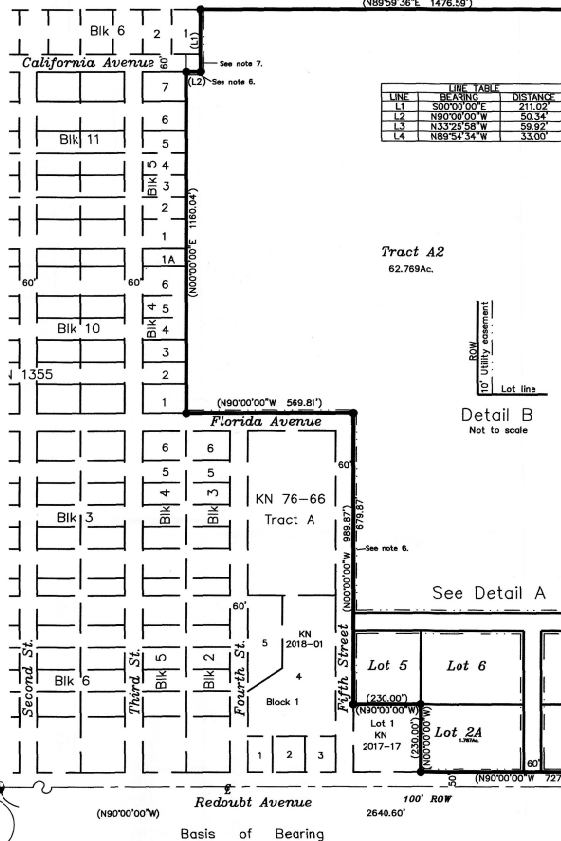


SURVEYOR'S CERTIFICATE

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

Date _____

KN 92-73 Tract 5



LINE	BEARING	DISTANCE
L1	S00°00'00"E	21.09'
L2	N90°00'00"W	50.34'
L3	N33°23'58"W	53.29'
L4	N89°51'34"W	33.00'

Tract A2
62.769Ac.

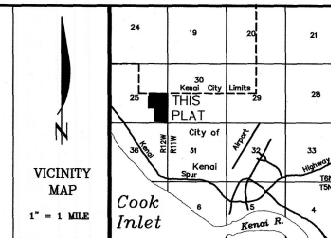
Detail B
Not to scale

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: TEXAS AVENUE AND SIXTH ST. DEDICATIONS. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

TERRY EUBANK, CITY MANAGER
CITY OF KENAI

DATE _____



CERTIFICATE OF OWNERSHIP and DEDICATION

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

TERRY EUBANK
CITY MANAGER
CITY OF KENAI
210 FIDALGO AVE.
KENAI, ALASKA 99611

CERTIFICATE OF OWNERSHIP and DEDICATION

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

DANA GREGORE
KENAI PENINSULA HOUSING INITIATIVES INC
P.O. BOX 1969
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE NO. _____

Kenai Meadows
Addition No. 2

A resubdivision of Tract A and Lots 3 and 4 Kenai Meadows Addition No. 1, Plat 2023-46, Kenai Recording District.

Located within the SE 1/4 Section 25, T8N, R12W, S4M, City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 72.712 Ac.

Surveyor	Owners	Kenai Peninsula
Seeger Surveys 30485 Resland St. Soldotna, AK 99669 (907) 262-3909	City of Kenai 210 Fidalgo Ave. Kenai, AK 99611	Housing Initiatives Inc P.O. Box 1969 Homer, AK 99603

JOB NO.	25055	DRAWN:	5-9-22
SURVEYED:		SCALE:	1"=200'
FIELD BOOK:		SHEET:	1 of 1

AGENDA ITEM E. NEW BUSINESS

ITEM #5 - RIGHT OF WAY VACATION

Vacates the entire 60-foot by 230-foot right-of-way dedication, Sixth Street, and associated utility easements located between Lot 2, Kenai Meadows, Plat KN 2017-17 and Lot 3, Kenai Meadows Addition No. 1, Plat 2023-48

KPB File No.	2025-091V
Planning Commission Meeting:	July 14, 2025
Applicant / Owner:	City of Kenai and Kenai Peninsula Housing Initiatives, Inc. of Homer, Alaska
Surveyor:	John Segesser / Segesser Surveys
General Location:	Redoubt Ave, Kenai
Legal Description:	Lot 2, Kenai Meadows, Plat KN 2017-17 and Lot 3, Kenai Meadows Addition No 1, Plat 2023-048, Kenai Recording District, Township 6 North, Range 12 West, Section 25, Seward Meridian

STAFF REPORT

Specific Request / Purpose as stated in the petition:

Reconfiguring the existing lots and moving Sixth Street to the East.

Notification: The public hearing notice was published in the July 4, 2025 issue of the Peninsula Clarion and the July 3, 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 Kenai

Post Office of Kenai

Ten certified mailings were sent to owners of property within 300 feet of the proposed vacation. Eight receipts had been returned when the staff report was prepared.

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

State of Alaska DNR
State of Alaska DOT
City of Kenai
Emergency Services of Kenai
Kenai Peninsula Borough Land Management

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

Legal Access (existing and proposed):

The proposed vacation is Sixth Street, a 60-foot dedication located between Lot 2, Kenai Meadows (KN 2017-17) and Lot 3, Kenai Meadows Addition No. 1 (KN 2023-48) running a length of 230 feet. Sixth Street is located west of Nightingale St. in Kenai, on the north side of Redoubt Avenue, a 100-foot dedicated right-of-way.

Sixth Street currently provides access to three lots. These lots are proposed to be reconfigured by the plat finalizing the vacation and will have legal access provided by the new right-of-way dedications.

The vacation of Sixth St will be finalized by the proposed plat, Kenai Meadows Addition No. 2 being reviewed at the Plat Committee at the July 14, 2025 meeting. The plat will reconfigure the previous right-of-way, Sixth Street, by relocating the dedication to the east. A new dedication is proposed on the north end of Sixth St, connecting Fifth Street to Nightingale Street, to be named Texas Ave having a 60' ride dedication. **Staff Recommends** the Surveyor

confirm and provide confirmation of the right-of-way name for the dedication. The plat states "Texas Avenue" and the COK Resolution states the name "State Avenue." as the name inside the City of Kenai.

Block length is not compliant with the proposed plat. The parent plat Kenai Meadows (KN 2017-17) was granted exceptions to KPB 20.30.030 Proposed Street Layout-Requirements for the extension of California Avenue to Nightingale Street, Florida Avenue to Nightingale Street, and Fifth Street to California Avenue. Currently there are non-developed roads located extending north into Tract A2 from the extension of Fifth St to the intersection with California Ave and then running west to the wet boundary of Tract A2 and the right-of-way of California Ave. An exception to KPB 20.30.170 Block Length was also granted to the parent plat. Kenai Meadows Addition No. 1 (KN 2023-48) carrying forward the previously granted exceptions. The dedication of Texas Avenue will provide relief to the block length on the south. **Staff recommends** the plat committee allow carrying forward the previously granted exceptions and plat notes from the parent plats with the reasonable expectation that future preliminary plats of Tract A2 shall comply with current code at the time of submittal and dedication of right-of-ways be done as needed and required.

KPB records indicate an 83-foot section line easement located to the south within Redoubt Avenue with 33 feet on the north side of the section line and 50 feet on the south of the section line. There is a 66-foot section line easement located to the east within Nightingale Street with 33-feet located on either side of the section line. **Staff recommends** the surveyor verify the easements and depict and label the section line easements on the final plat.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: City of Kenai's jurisdiction
SOA DOT comments	

Site Investigation:

According to the KWF Wetlands Assessment, there are no wetlands present on the subject property. The land is relatively flat with slight slopes located in the northern area. No slopes exceed 20% in grade. The improvements appear they will be located on proposed Lot 2A. There do not appear to be any encroachments.

Apartments are located on Lot 2(KN 2017-17) and Lot 3 (KN 2023-48) is vacant according to KPB Assessing Records. The improvements appear they will be located on proposed Lot 2A.

The City of Kenai is considered an independent community by the National Flood Insurance Program and is not within the jurisdiction of the KPB Floodplain Management Program. Kenai administers their own floodplain program. The proper plat note has been included as plat note number 2.

KPB River Center review	A. Floodplain Reviewer: Hindman, Julie Floodplain Status: Within City of Kenai 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:

Originally the land consisted of an aliquot portion of the SE1/4 of Section 25, Township 6 North, Range 12 West, Seward Meridian, Kenai, Alaska. Kenai Meadows (KN 2017-17) subdivided an approximated 78-acre unsubdivided remainder (KN 1355). Kenai Meadows Addition No.1, Plat KN 2023-48, platted more lots and dedicated the current right-of-way for Sixth Street.

The vacation of Sixth St will be finalized by the proposed plat, Kenai Meadows Addition No. 2. The plat will reconfigure the previous right-of-way, Sixth Street, by relocating the dedication to the east and reconfiguring lots 2, 3 and 4. A new dedication is proposed to the north, connecting Fifth Street to Nightingale Street. The plat is scheduled to be reviewed by the Plat Committee on July 14, 2025.

Sixth Street currently provides access to two lots and a tract. The lots are proposed to be reconfigured by the plat finalizing the vacation and will have legal access provided by the new right-of-way dedications.

The City of Kenai Planning and Zoning Commission reviewed the preliminary plat that will finalize the vacation, Kenai Meadows Addition No. 2, at their February 14, 2025 meeting. They adopted Resolution PZ 2025-19, recommending approval subject to conditions. A copy of the resolution and meeting minutes can be found in the staff packet. The City review and Resolution PZ2025-19 did not include Lot 2 Kenai Meadows KN2017-17, but the City is aware of the addition of this lot to the new submittal and will include it in the approval by City Council. The Kenai City Council must approve the vacation after the Kenai Peninsula Borough Planning Commission review in order for the vacation to be finalized by plat. **Staff recommends** the surveyor satisfy the conditions set by the City.

An easement with a non-defined location was granted to Homer Electric Association by Book 2, Page 34, KRD, and is denoted as plat number 5.

There is a water and sewer easement granted to the City of Kenai by Book 73, Page 347, KRD, located within the northwest corner of the subdivision. The easement has been depicted and is denoted as plat note number 7.

Kenai Meadows Addition No 1 (KN 2023-48) granted a 10-foot utility easement adjacent to all rights-of-way. **Staff recommends** the surveyor label the easements granted by the parent plat and label the new easements as dedicated by this plat.

An easement in the certificate to plat filed at 2017-005770-0 needs to be included on the drawing and notes.

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;
Staff comments: No, currently undeveloped per KPB GIS Imagery.
2. A road is impossible or impractical to construct, and alternative access has been provided;
Staff comments: No, but the road is being re-located to the east for better practicality.
3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;

Staff comments: The adjacent lots will have legal access and associated utility easements as proposed by the plat finalizing the vacation. The land to the north can be subdivided further in the future and provide additional dedications.

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;
Staff comments: The right-of-way does not provide access to public lands or areas with public interest.
5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;
Staff comments: The re-location of the road provides adequate connection to surrounding parcels.
6. Other public access, other than general road use, exist or are feasible for the right-of-way;
Staff comments: no
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.
Staff comments: The vacation has been sent to the utility companies for review and comments. Utility provides have existing lines in this area. The adjacent lots will have legal access and associated utility easements as proposed by the plat finalizing the vacation.
8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.
Staff comments: The City of Kenai Planning and Zoning Commission granted conditional approval by Adopting Resolution PZ 2025-19 during their May 14, 2025 meeting.

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 KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The City Council will hear the vacation at their scheduled 2025 meeting.

If approved, Kenai Meadows Addition No. 2, will finalize the proposed right of way vacations. The Plat Committee is scheduled to review the plat on July 14th.

KPB department / agency review:

Addressing	Reviewer: Pace, Rhealyn Affected Addresses: 2390 REDOUBT AVE, 2200 REDOUBT AVE, 2150 REDOUBT AVE Existing Street Names are Correct: No List of Correct Street Names: Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: CITY OF KENAI WILL ADVISE ON STREET NAMES AND ADDRESSES
Code Compliance	Reviewer: Ogren, Eric

	Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Assessing	Reviewer: Windsor, Heather Comments: No comments
Advisory Planning Commission	

Utility provider review:

HEA	Provide easement as noted in NW corner.
ENSTAR	No comment
ACS	No comment
GCI	No comment

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

- Label the associated 10' utility easement to be vacated on east.
- Include Lot 2, Kenai Meadows (KN 2017-17) in the legal description within the title block on the plat.
- There is an easement at 2017-005770-0 to be shown on the drawing and identified in the plat notes.

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 Kenai 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 Kenai 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.

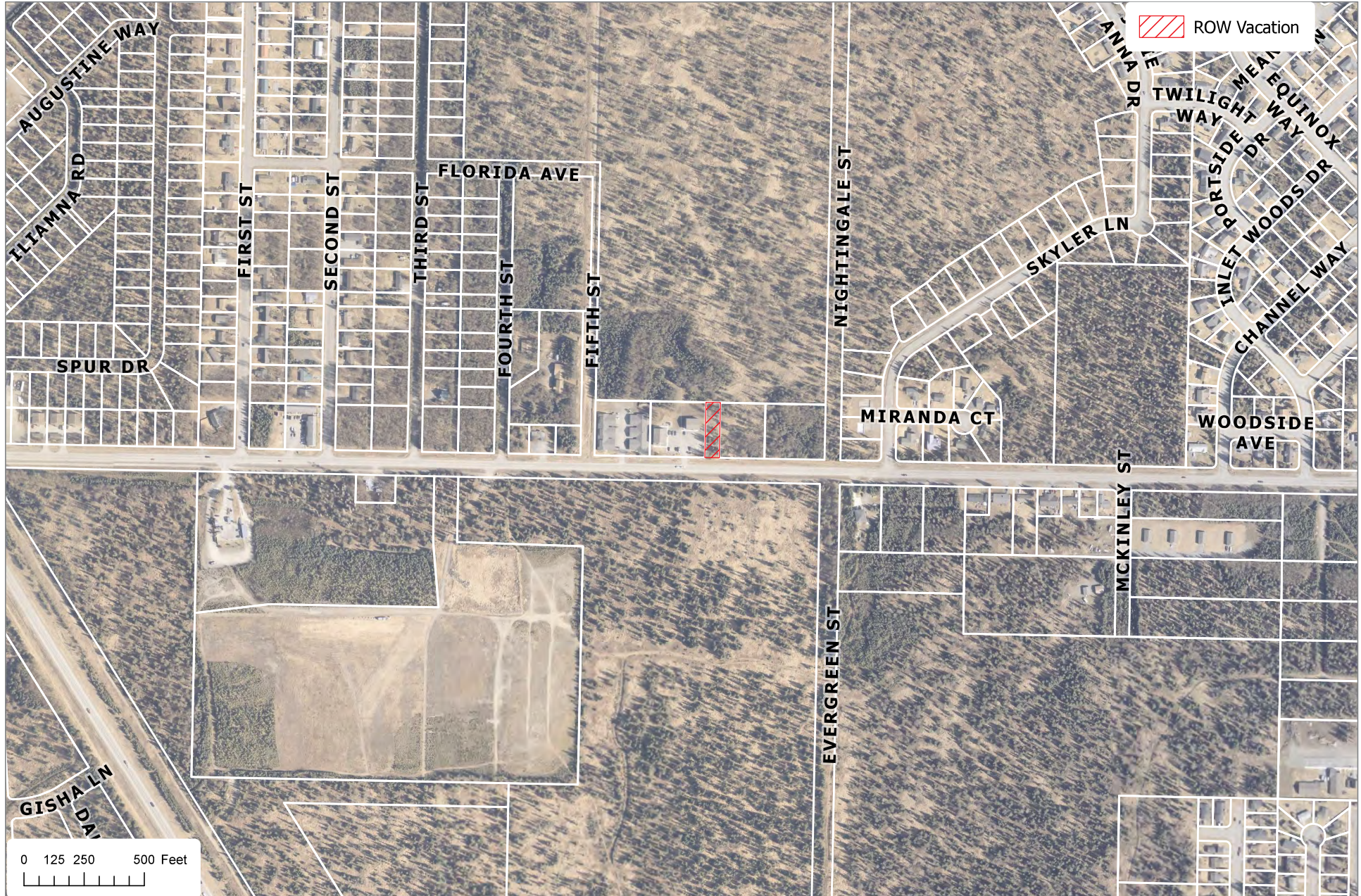
Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.

- *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.*

END OF STAFF REPORT

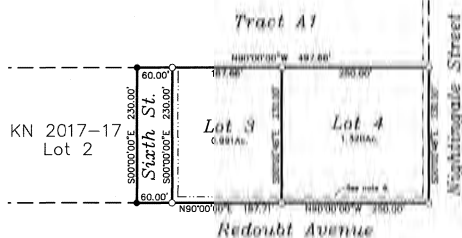


LEGEND:

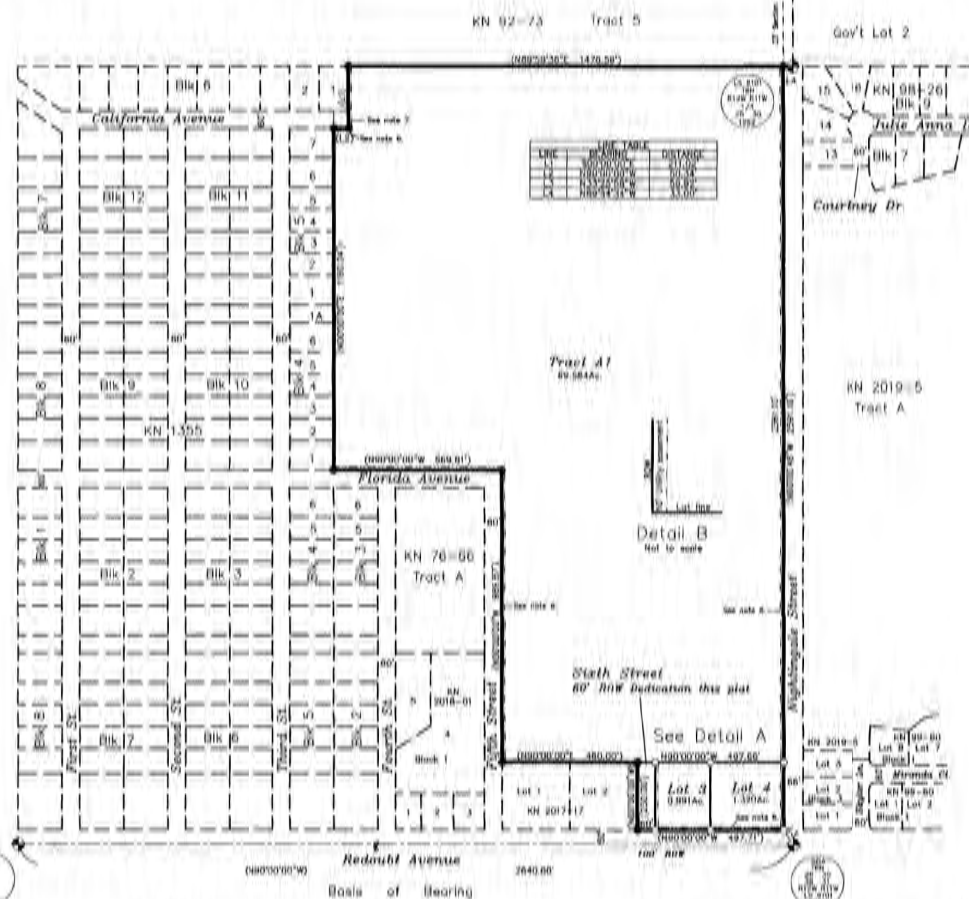
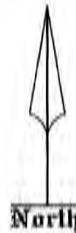
- 3 1/4" ALUM. CAP MON. L.S. BUSH FOUND AS SHOWN
- 2 1/2" BRASS CAP MON. FOUND AS SHOWN
- 5/8" REBAR W/PLASTIC CAP LUNDS FOUND
- 5/8" REBAR W/PLASTIC CAP LUNDS SET
- () RECORD AND MEASURED DATUM PLAT 2017-17 KNO

NOTES:

- 1) Basis of bearing taken from Kenai Meadows, Plat 2017-17, Kenai Recording District.
- 2) This plat is subject to City of Kenai zoning regulations.
- 3) Further development of the property shall conform to all Federal, State, and local regulations.
- 4) The Plat Committee, at the meeting of May 23, 2017, voted over the exception granted to the parent plat. Exceptions to KPS 30.30.030, extension of California Avenue to Nightingale Street, Fifth Avenue to Nightingale Street, and Fifth Street to California Avenue, and KPS 30.30.030, block length were originally approved by the plat committee at the meeting of March 15, 2017.
- 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Map Book 7 Page 34, Kenai Recording District.
- 6) The front 10 feet adjoining rights-of-way is granted by this plat as utility easements. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement. See Detail B.
- 7) A water and sewer easement in favor of the City of Kenai is recorded Book 73 Page 347, Kenai Recording District.
- 8) **WASTEWATER DISPOSAL:** Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.
- 9) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 401, dated August 10, 1949, and amended by Public Land Order No. 767, dated October 10, 1950, Public Land Order No. 1613, dated April 7, 1958, Department of the Interior Order Number 2665, dated October 16, 1951, Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 10, 1958, filed in the Federal Register.



Detail A
Scale: 1"=100'



SURVEYOR'S CERTIFICATE

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

Date: 5/13/2018

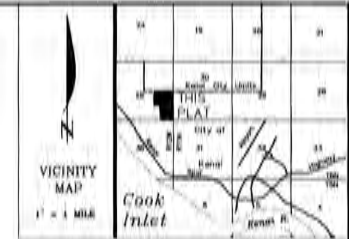
CERTIFICATE of ACCEPTANCE

WE, THE UNDERSIGNED, OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEEDS BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: SIXTH ST. DEDICATION.

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

STATE PUBLIC CITY MANAGER
CITY OF KENAI

DATE: 5/13/2018



CERTIFICATE of OWNERSHIP and DEDICATION

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

TERRY BURBANK
CITY MANAGER
CITY OF KENAI
210 FIDALGO AVE.
KENAI, ALASKA 99811

NOTARY'S ACKNOWLEDGEMENT

FOR: Terry Burbank
ACKNOWLEDGED BEFORE ME THIS 13 DAY OF July 2025
C. M. [Signature]
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 11/1/2025

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MAY 23, 2025.

KENAI PENINSULA BOROUGH

Authorizing Official

KPS FILE No. 2025-35

Kenai Meadows Addition No. 1

A subdivision of Tract A Kenai Meadows, Plat 2017-17, Kenai Recording District.

Located within the SE 1/4 Section 36, T6N, R12W, S4M, City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 22.212 AC.

Surveyor	Owner
Segesser Surveys 30485 Rosland BL. Baldwin, AK 99606 (907) 368-3000	City of Kenai 210 Fidalgo Avenue Kenai, Alaska 99811
JOB NO. 22001	DATE: 11-21-22
SURVEYED: Nov, 2016	SCALE: 1"=200'
FIELD BOOK: 16-2	SHEET: 1 of 1

LEGEND:

- 3 1/4" ALUM. CAP MON. (X 610) FOUND AS SHOWN
- 2 1/2" BRASS CAP MON. FOUND AS SHOWN
- 2" ALUM. CAP 49285 (883 FOUND)
- 1 1/2" ALUM. CAP LSS119 FOUND FOUND
- 1/2" REBAR FOUND
- 5/8" REBAR w/PLASTIC CAP (58859 SET)
- () RECORD DATUM PLAT 6-1968 KRD
- [] RECORD DATUM PLAT 69-69 KRD

NOTES:

- 1) Basis of bearing taken from Replat of McManis's Addition Sub 1 & 2 Plat K-1355, Kenai Recording District.
- 2) This plat is subject to City of Kenai zoning regulations.
- 3) Further development of the property shall conform to all Federal, State, and local regulations.
- 4) Exceptions to KPB 20.30.030, extension of California Avenue to Nightingale Street, Florida Avenue to Nightingale Street, and 7th Street to California Avenue, and KPB 20.30.170, Block length, were granted by the plat Committee at the meeting of March 13, 2017.
- 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Block 2, Page 34, Kenai Recording District.
- 6) No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of it to use the easement.
- 7) WASTEWATER DISPOSAL: Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.



SURVEYOR'S CERTIFICATE

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

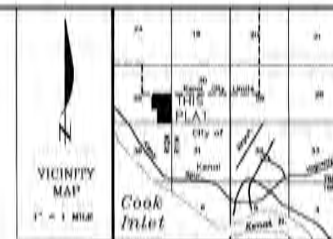
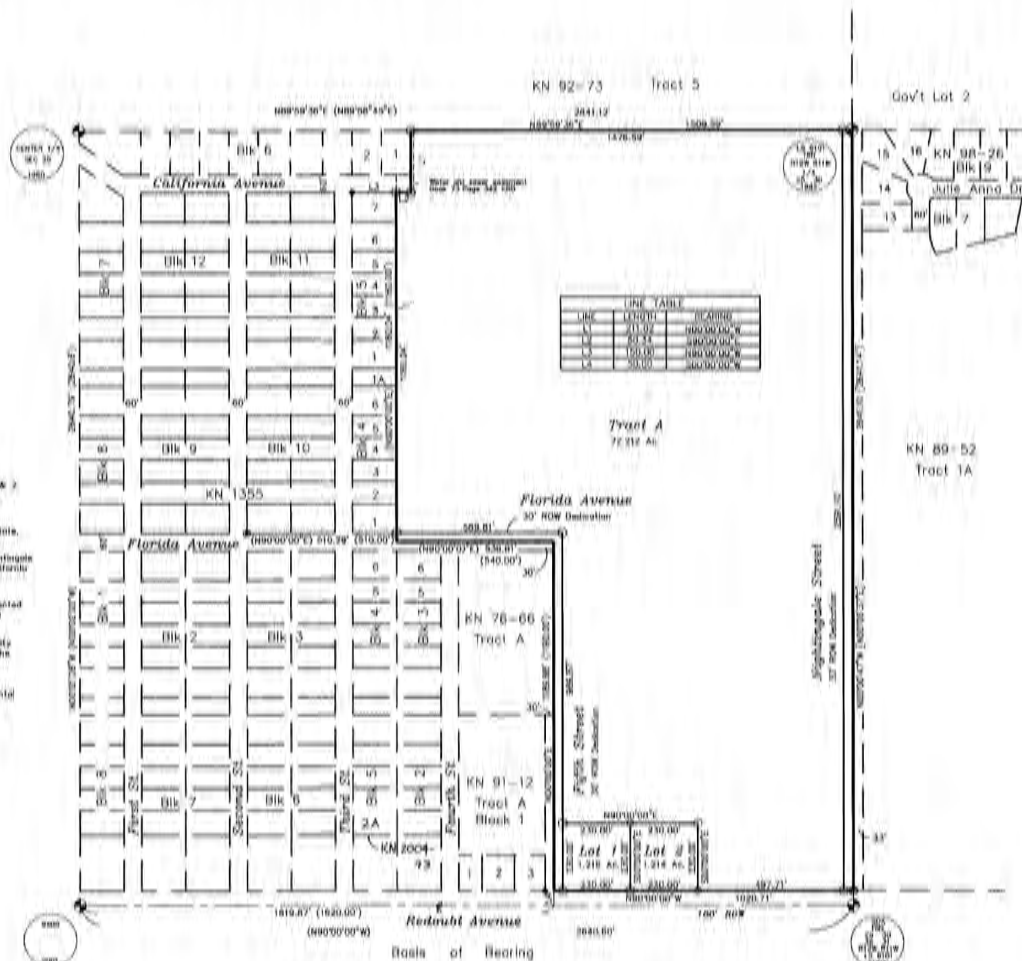
Date 4-14-17

CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE INDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FELLING, INDUSTRIAL ST, FLORIDA AVE, AND 7TH ST. INDICATIONS, THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

PER: MAYOR, CITY MANAGER
CITY OF KENAI

DATE 4/14/17



CERTIFICATE of OWNERSHIP and DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE CITY OF KENAI IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN, AND ON BEHALF OF THE CITY OF KENAI, I HEREBY ADAPT THIS PLAT, SUBDIVISION AND BY MY PRESENT DEDICATE ALL RIGHTS-OF-WAY AND GRANT ALL EASEMENTS TO THE USE SHOWN.

WITNESSETH
CITY MANAGER
CITY OF KENAI
110 TRAILER AVE
KENAI, ALASKA 99501

NOTARY'S ACKNOWLEDGMENT

FOR: PAUL DEANANDY
ACKNOWLEDGED BEFORE ME THIS 14 DAY of April 2017

YAKOV V. VILKIN
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES 07/01/2017



PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF MARCH 13, 2017.

KENAI PENINSULA BOROUGH

APPROVED OFFICIAL

KPB FILE No. 2017-081

Kenai Meadows

A subdivision of the SE1/4 Section 25, T6N, R12W, S4M, containing approximately 22.819 acres within Kenai Meadows' boundaries in a One and Two, according to Plat K-1386, Kenai Recording District.

Located within the SE1/4 Section 25, T6N, R12W, S4M, City of Kenai, Kenai Recording District: Rural Peninsula Borough, Alaska.

Containing 22.819 AC.

Surveyor	Date
Seeger Surveys 50485 Rosland St. Soldotna, AK 99689 (907) 368-8800	City of Kenai 310 Fidalgo Avenue Kenai, Alaska 99501
JOB NO: 16100	DRINK: 4-14-17
SURVEYED: Nov., 2016	SCALE: 1"=200'
FIELD BOOK: 16-2	SHEET: 1 of 1



Page 1 of 1

**KENAI PLANNING & ZONING COMMISSION
REGULAR MEETING
MAY 14, 2025 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on May 14, 2025, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Jeff Twait, Chair
Gwen Woodard
Stacie Krause

Jeanne Reveal
Sonja Earsley, Vice Chair
Diane Fikes

A quorum was present.

Absent:

Glenese Pettey

Also in attendance were:

Kevin Buettner, Planning Director
Deborah Sounart, City Council Liaison
Meghan Thibodeau, Deputy City Clerk

3. Approval of Agenda and Consent Agenda

Chair Twait noted the following additions to the Packet:

Add to Item E.1.

Resolution PZ2025-19

- Updated Page 1 of Staff Report

Add to Item F.1.

Resolution PZ2025-17

- Public Comment

MOTION:

Commissioner Woodard **MOVED** to approve the agenda and consent agenda. Vice Chair Earsley **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Chair Twait opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.
There being no objection; **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a Commission Member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. APPROVAL OF MINUTES

1. *Regular Meeting of April 23, 2025

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS - None.

E. CONSIDERATION OF PLATS

1. **Resolution No. PZ2025-19** – Recommending Approval of Preliminary Plat – Kenai Meadows Addition No. 2, a subdivision of Tract A and Lots 3 & 4, Kenai Meadows Addition No.1, in the Rural Residential (RR) Zoning District.

MOTION:

Commissioner Krause **MOVED** to approve Resolution PZ2025-19. Commissioner Woodard **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-19, and explained the purpose of the plat was to subdivide Tract A1, Kenai Meadows Addition No. 1 and replat Lots 3 & 4, Kenai Meadows Addition No. 1. It was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2025-19.

MOTION TO AMEND:

Commissioner Reveal **MOVED** to approve Resolution PZ2025-19 with the following changes:

1. Add a new second Whereas that reads: "WHEREAS, the City of Kenai, signed a Quitclaim Deed on May 13, 2025, conveying Lot 3, Kenai Meadows Addition No. 1, to Kenai Peninsula Housing Initiative, Inc.; and,"
2. In the following Whereas, remove the words [AND LOT 3].

Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

There being no objection; **SO ORDERED.**

Chair Twait opened the floor for public hearing; there being no one wishing to be heard, the public comment period was closed.

VOTE:

YEA: Krause, Reveal, Twait, Earsley, Fikes, Woodard

NAY: None

ABSENT: Pettey

MOTION PASSED WITHOUT OBJECTION.

F. PUBLIC HEARINGS

1. **Resolution No. PZ2025-17** – Granting a Conditional Use Permit to Develop and Operate an 82-Unit Indoor Heated Storage Facility on the Property Described as Lot 1 BLK 2 of Mommsens Sub Replat Addn No 1, Addn No 2, Located at 1001 Third Street, in the Urban Residential (RU) Zoning District.

MOTION:

Commissioner Woodard **MOVED** to approve Resolution PZ2025-17. Vice Chair Earsley **SECONDED** the motion.

Planning Director Buettner provided an overview of the staff report as included in the packet and attached to Resolution No. PZ2025-17; he noted that the application was for a Conditional Use Permit (CUP) to develop and operate an indoor heated mini-storage facility with approximately 82 units. Zoning and uses of surrounding properties were reviewed; it was noted that staff's recommendation is approval subject to the conditions specified within the staff report as attached to Resolution No. PZ2025-17.

Adam Tugan, applicant, noted that he was available for questions.

Chair Twait opened the floor for public hearing.

Michael Urciuoli, resident, spoke in opposition to the CUP. He expressed concerns that Third Street was not up to code and required maintenance prior to being used as an access for the proposed business; that homeless people may live in the units; and that this commercial facility does not belong in a residential area.

Gwen Urciuoli, resident, spoke in opposition to the CUP. She expressed concerns that this CUP would set a precedent for future commercial uses in the neighborhood; that it would have long-term zoning implications; that it would affect property values; that it would have bright lighting and security cameras; and that it could increase noise and crime in the neighborhood.

There being no one wishing to be heard, the public hearing period was closed.

In response to questions from the Commission, Mr. Tugan clarified that he also owns the adjacent lots which are intended for two fourplex buildings; that he intends to fence the entire property surrounding the proposed storage units; that there could be 24-hour access; that their current plans do not include water/sewer hookups; and that the site would be managed remotely, although these details had not been finalized.

Jeremie Bird, Mr. Tugan's business partner, further clarified that they intend to have 7:00 a.m. to 7:00 p.m. site access so there would not be 24-hour traffic; that they were not opposed to access on Redoubt Ave, and they will consider alternative lighting schematics to minimize disturbance to neighbors.

Concerns were expressed by the Commission regarding the condition and lack of maintenance on Third Street and whether Redoubt Ave may be a more appropriate access point; that large vehicle and trailer traffic would cause issues on Third Avenue; and that this commercial entity did not belong in the residential neighborhood.

Clarification was provided that the site access would be determined at the building permit stage when site and landscaping plans are finalized; that if the access point is on Third Street, the developer would be responsible for improving the street from Redoubt Avenue to the access point to meet City standards; that there would be one access point for entry and exit; that fire safety measures would be determined at a later date as part of the building review process; and that the City may pursue grant funding in the future to improve road conditions in this area.

MOTION TO AMEND:

Commissioner Woodard **MOVED** to amend Resolution PZ2025-17 to add a condition requiring a sight-obscuring fence along Third Street. Vice Chair Earsley **SECONDED** the motion.

Clarification was provided that there were provisions in code regarding standards for sight-obscuring fencing.

VOTE ON AMENDMENT:

YEA: Woodard, Earsley, Reveal, Krause, Fikes, Twait

NAY: None

ABSENT: Pettey

MOTION PASSED.

In response to questions from the Commission, Mr. Tugan and Mr. Bird provided details regarding the planned size and dimension of the proposed storage units; how the units would be accessed; and clarified that units would be self-servicing secured by gate access, fencing and cameras.

MOTION TO AMEND:

Vice Chair Earsley **MOVED** to amend Resolution PZ2025-17 to add a condition that site operational hours are restricted to 7:00 a.m. - 7:00 p.m. daily. Commissioner Woodard **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion to amend.

There being no objection; **SO ORDERED.**

Concern was expressed over approving a CUP prior to the structure being built; clarification was provided that there was precedent for this.

In response to questions from the Commission, Mr. Tugan clarified that no study had been done to assess public need for more heated storage unit rentals in the area; however, he had observed there was a significant market demand for it.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Reveal, Earsley, Twait

NAY: Fikes, Krause, Woodard

ABSENT: Pettey

MOTION FAILED.

Chair Twait noted the 15-day appeal period.

G. UNFINISHED BUSINESS

1. Discussion – Aspen Creek, 701 N. Forest Drive CUP

Director Buettner noted that he had not received any recent complaints; that it was now past the date when Aspen Creek had stated that construction would be complete, so he intended to visit the site and observe whether traffic had decreased.

H. NEW BUSINESS

1. *Action/Approval – Requesting Excused Absences for the April 23, 2025 Regular Meeting – Krause

Approved by the consent agenda.

I. REPORTS

1. Planning Director – Planning Director Buettner reported on the following:

- CUP work session prior to this meeting; noted that there would be future work sessions on this topic in the coming months.
- Beginning development on a citywide transportation plan; attended Walkability Action Institute in Anchorage.

2. Commission Chair – No report.
3. Kenai Peninsula Borough Planning – Commissioner Fikes reported on recent actions of the Kenai Peninsula Borough Planning Commission.
4. City Council Liaison – Council Member Sounart reported on recent actions of the City Council.

J. ADDITIONAL PUBLIC COMMENT

Michael Urciuoli thanked the Commission; noted that it was Third Street not Third Avenue; and discussed spruce trees and road maintenance on Third Street.

K. NEXT MEETING ATTENDANCE NOTIFICATION

1. Next Meeting: May 28, 2025

L. COMMISSION COMMENTS AND QUESTIONS

Commissioner Reveal noted that she attended the prior work session on CUPs.

Vice Chair Earsley noted that Parks & Recreation is having Planting Day event on May 31.

Commissioner Krause apologized for missing the prior work session.

Commissioner Fikes apologized for missing the prior work session; thanked public participants and the Commission for the good discussion and the public for their testimony.

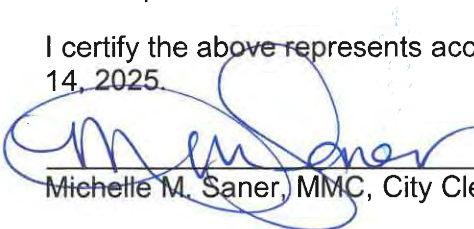
M. PENDING ITEMS – None.

N. ADJOURNMENT

O. INFORMATIONAL ITEMS – None.

There being no further business before the Planning & Zoning Commission, the meeting was adjourned at 8:14 p.m.

I certify the above represents accurate minutes of the Planning & Zoning Commission meeting of March 14, 2025.



Michelle M. Saner, MMC, City Clerk



SENT VIA ELECTRONIC MAIL

May 29, 2025

Segesser Surveys, Inc.
30485 Rosland St.
Soldotna, AK 99669
seggy@ptialaska.net

RE: Notice of Recommendation - Resolution PZ2025-19 – Preliminary Plat – Kenai Meadows Addition No. 2

Dear Segesser Surveys, Inc.:

On Wednesday, May 14, 2025, the City of Kenai Planning and Zoning Commission recommended approval of Resolution PZ2025-19 for Preliminary Plat Kenai Meadows Addition No. 2. An installation agreement is required. Enclosed is a copy of the resolution.

If you have any questions, please contact Planning & Zoning Department at 907-283-8237 or planning@kenai.city.

Sincerely,

A handwritten signature in blue ink, appearing to read "KB" followed by a horizontal line.

Kevin Buettner, AICP, LEED AP, CNU-A
Planning Director

Enclosure

cc: Beverly Carpenter, KPB Planning Department (bcarpenter@kpb.us)



**CITY OF KENAI
PLANNING AND ZONING COMMISSION
RESOLUTION NO. PZ2025-19**

A RESOLUTION RECOMMENDING THAT THE PRELIMINARY PLAT FOR KENAI MEADOWS ADDITION NO. 2, A SUBDIVISION OF TRACT A1 AND A REPLAT OF LOTS 3 & 4, KENAI MEADOWS ADDITION NO. 1, IN THE RURAL RESIDENTIAL ZONING DISTRICT ATTACHED HERETO BE **APPROVED**.

LEGAL DESCRIPTIONS: Tract A1, Kenai Meadows Addition No. 1
Lot 3, Kenai Meadows Addition No. 1
Lot 4, Kenai Meadows Addition No. 1

KPB PARCEL NUMBERS: 03901067, 03901068 and 03901069

WHEREAS, at the regularly scheduled City Council meeting on April 16, 2025, the City of Kenai conditionally donated approximately 5.2 acres of city-owned land to be subdivided from Tract A1, Kenai Meadows Addition No. 1; and,

WHEREAS, the City of Kenai, owner of Tract A1, Kenai Meadows Addition No. 1, is supportive of the proposed development presented by the Kenai Peninsula Housing Initiative, Inc.; and,

WHEREAS, the City of Kenai received a preliminary plat from Segesser Surveys, on behalf of Kenai Peninsula Housing Initiatives, Inc., for a subdivision of Tract A1, Kenai Meadows Addition No. 1 and a replat of Lots 3 & 4, Kenai Meadows Addition No. 1; and,

WHEREAS, the preliminary plat meets the minimum lot width and minimum lot depth requirements as outlined in Kenai Municipal Code (KMC) Section 14.10.070(d)(2); and,

WHEREAS, the existing street names are referenced correctly; and,

WHEREAS, Rights-of-Way Sixth Street and State Avenue are newly dedicated, therefore an installation agreement is required; and,

WHEREAS, the proposed lots have access from Redoubt Avenue (a City-maintained asphalt road) and the newly dedicated Sixth Street and State Avenue (currently undeveloped); and,

WHEREAS, City water and sewer lines are available to the lots; and,

WHEREAS, the Planning and Zoning Commission finds:

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides a satisfactory and desirable building site, and connection to the existing City of Kenai water and wastewater utility.

2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a subdivision of a 69.5-acre tract into a new, 62.79-acre tract and three new lots (Lots 5, 6, & 7) and a replat of two (2) lots within a subdivision containing newly dedicated rights-of-way and a vacation of an existing right of way and determined acceptable access, subject to the listed conditions. An installation agreement is required for the newly dedicated Sixth Street right-of-way.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the Rural Residential zoning district of 20,000 square feet.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

NOW, THEREFORE, BE IT RECOMMENDED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA:

Section 1. That preliminary plat Kenai Meadows Addition No. 2 for a subdivision of Tract A1, Kenai Meadows Addition No. 1 and a replat of Lots 3 & 4, Kenai Meadows Addition No. 1 be approved subject to the following conditions,

1. Further development of the property will conform to all federal, State of Alaska, and local regulations.
2. Prior to recording of the final plat, the developer will be required to enter into an installation agreement with the City of Kenai.
3. The Kenai City Council must declare the current sixty-foot right-of-way for Sixth Street not needed for a public purpose and approve the vacation of the right-of-way as shown on the preliminary plat.

Section 2. That the official name for the 60-foot dedicated right-of-way between Lots 3A and 4A be assigned as "Sixth Street", subject to Kenai City Council adopting a resolution for the naming of a street within City limits.

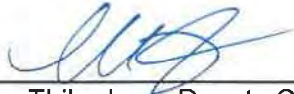
Section 3. That the official name for the 60-foot dedicated right-of-way north of the newly formed Lots 5, 6, & 7, be assigned as "State Avenue", subject to Kenai City Council adopting a resolution for the naming of a street within City limits.

PASSED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF KENAI, ALASKA,
THIS 14th DAY OF MAY, 2025.



JEFF TWAIT, CHAIRPERSON

ATTEST:

A handwritten signature in blue ink, appearing to read 'Meghan Thibodeau', is written over a horizontal line.

Meghan Thibodeau, Deputy City Clerk



STAFF REPORT

PLANNING & ZONING DEPARTMENT

TO: Planning and Zoning Commission

FROM: Kevin Buettner, Planning Director

DATE: May 9, 2025

SUBJECT: Resolution No. PZ2025-19 – Preliminary Plat – Kenai Meadows Addition No. 2, a Subdivision of Tract A1 and a Replat of Lots 3 & 4, Kenai Meadows Addition No. 1.

Request	The applicant is proposing a preliminary plat for a subdivision of Tract A1, Kenai Meadows Addition No. 1 and a replat of Lots 3 & 4, Kenai Meadows Addition No. 1.
Staff Recommendation	Adopt Resolution No. PZ2025-19 recommending approval of Preliminary Plat – Kenai Meadows Addition No.2 to subdivide Tract A1, Kenai Meadows Addition No. 1 and replat Lots 3 & 4, Kenai Meadows Addition No. 1.

Applicant: Segesser Surveys
30485 Rosland St.
Soldotna, AK 99669

Property Owners: Kenai Peninsula Housing Initiative & City of Kenai

Legal Descriptions: Tract A1, Kenai Meadows Addition No. 1
Lot 3, Kenai Meadows Addition No. 1
Lot 4, Kenai Meadows Addition No. 1

KPB Parcel Nos.: 03901067, 03901068 and 03901069

Zoning District: Rural Residential (RR)

Land Use Plan: Medium Density Residential (LDR)

Surrounding Uses: Vacant Residential

SUMMARY

The City received a preliminary plat from Segesser Surveys, on behalf of Kenai Peninsula Housing Initiatives, Inc., for a subdivision of Tract A1, Kenai Meadows Addition No. 1 and a replat of Lots 3 & 4, Kenai Meadows Addition No. 1.

Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* states preliminary plats or replats must first be submitted to the City for review and provide recommendation to the Kenai Peninsula Borough Planning Commission.

ANALYSIS

The proposed replat meets the preliminary plat requirements and development requirements for the Rural Residential (RR) zoning district. Access to the subject lots is via Redoubt Avenue, which is a City maintained asphalt road. City water and wastewater are available in this area and will developments on these lots will be required to establish a connection to the City of Kenai water and wastewater utility systems. The Public Works Director, Fire Marshal, and Building Official have reviewed the preliminary plat and have no comments.

At the regularly scheduled City Council meeting on April 16, 2025, the City of Kenai conditionally donated approximately 5.2 acres of city-owned land to be subdivided from Tract A1, Kenai Meadows Addition No. 1. The City of Kenai, owner of Tract A1, Kenai Meadows Addition No. 1, is supportive of the proposed development presented by the Kenai Peninsula Housing Initiative, Inc.

Staff finds that the preliminary plat meets the following Title 14 of Kenai Municipal Code (KMC) sections and aligns with the intent of the Kenai Zoning Code.

1. Pursuant to KMC 14.10.070 *Subdivision Design Standards*, the preliminary plat for replat, subject to the listed conditions, provides utilities/access easements, provides a satisfactory and desirable building site, and connection to the existing City of Kenai water and wastewater utility.
2. Pursuant to KMC 14.10.080 *Minimum improvement required*, the preliminary plat is a subdivision of a larger tract into smaller lots and a replat of two lots within a subdivision containing dedicated rights-of-way and determined acceptable access, subject to the listed conditions. An installation agreement is required, as the existing north-south right of way is being moved and extended and a new right of way is being dedicated along the northern boundary of the new lots.
3. Pursuant to KMC 14.24.010 *Minimum lot area requirements*, the preliminary plat meets City standards for minimum lot size in the RR zoning district of 20,000 square feet. Each lot is over one acre in size.
4. Pursuant to KMC 14.24.020 *General Requirements*, the preliminary plat meets City standards for minimum lot width/depth and access/utility easements. Compliance with the maximum lot coverage, maximum height, and setbacks will be reviewed during the building permit review.

STAFF RECOMMENDATION

Staff finds that the proposed preliminary plat for Kenai Meadows Addition No. 2 to subdivide Tract A1, Kenai Meadows Addition No. 1 and replat Lots 3 & 4, Kenai Meadows Addition No. 1, meets the general standards for Kenai Municipal Code (KMC) Chapter 14.10 *Subdivision Regulations* and Chapter 14.24 *Development Requirements Table* and hereby recommends that the Planning and Zoning Commission recommends approval of Resolution No. PZ2025-19 to subdivide Tract

A1, Kenai Meadows Addition No. 1 and replat Lots 3 & 4, Kenai Meadows Addition No. 1 to the Kenai Peninsula Borough, subject to the following conditions:

1. Further development of the property will conform to all Federal, State of Alaska, and local regulations.
2. Prior to recording of the final plat, the developer will be required to enter into an installation agreement with the City of Kenai.
3. The Kenai City Council must declare the current sixty-foot right-of-way for Sixth Street not needed for a public purpose and approve the vacation of the right-of-way as shown on the preliminary plat.
4. That the official name for the 60-foot dedicated right-of-way between Lots 3A and 4A be assigned as "Sixth Street", subject to Kenai City Council adopting a resolution for the naming of a street within City limits.
5. That the official name for the 60-foot dedicated right-of-way north of the newly formed Lots 5, 6, & 7, be assigned as "State Avenue", subject to Kenai City Council adopting a resolution for the naming of a street within City limits.

ATTACHMENTS

Aerial Map

Application

Preliminary Plat, Kenai Meadows Addition No. 2





Preliminary Plat Submittal Form

City of Kenai
Planning and Zoning Department
210 Fidalgo Avenue
Kenai, AK 99611
(907) 283-8200
planning@kenai.city
www.kenai.city/planning

APPLICANT (SURVEYOR)

Name: Segesser Surveys Inc
Mailing Address: [REDACTED] State: AK Zip Code: 99669
Phone Number(s): [REDACTED]
Email: [REDACTED]

PROPERTY OWNER

Name: City of Kenai, KPHI
Mailing Address: 210 Fidalgo City: Kenai State: AK Zip Code: 99611
Phone Number(s):
Email:

PROPERTY INFORMATION

Property Owner Name:
Current City Zoning:
Use: ☒ Residential ☐ Recreational ☐ Commercial
☐ Other:
Water: ☐ On Site ☒ City ☐ Community
Sewer: ☐ On Site ☒ City ☐ Community

PLAT INFORMATION

Preliminary Plat Name: Kenai Meadows Addition No. 2
Revised Preliminary Plat Name:
Vacation of Public Right-of-Way: ☒ Yes ☐ No
Street Name (if vacating ROW):

Exceptions Required and Requested:

Comments:

REQUIRED ATTACHMENTS

☒ Certificate to Plat ☒ (1) 24" x 36" Plat ☒ (2) 11" x 17" Plats

SIGNATURE

Signature: [Signature] Date: 5-1-25
Print Name: John Segesser Title/Business: Segesser Surveys Inc

Stewart Title of the Kenai Peninsula, Inc.

35681 Kenai Spur Hwy., Unit B
Soldotna, AK 99669
Tel: (907) 260-8031 Fax: (907) 260-8036

CERTIFICATE TO PLAT

Segesser Surveys, Inc.

File Number: 25377

Premium: \$300.00

Tax:

Attention: John Segesser

Gentlemen:

This is a certificate as of April 17, 2025 at 8:00 A.M. for a plat out of the following property:

Tract "A" One (A1) and Lots Three (3) and Four (4), KENAI MEADOWS ADDITION NO. 1, according to Plat No. 2023-48, Kenai Recording District, Third Judicial District, State of Alaska.

The Company certifies that record title is vested in

The City of Kenai, as to Tract A1 and Lot 3; and
Kenai Peninsula Housing Initiatives, Inc., as to Lot 4
an estate in fee simple, free from all liens, encumbrances, and objections except for as follows:

1. **RESERVATIONS** and exceptions as contained in U.S. Patent, and/or acts authorizing the issuance thereof.
2. **TAXES AND ASSESSMENTS**, if any due the taxing authority:
Taxing Authority: CITY OF KENAI
3. **TAXES AND ASSESSMENTS**, if any, due the taxing authority indicated:
Taxing Authority: KENAI PENINSULA BOROUGH
4. **RESERVATION OF EASEMENT** for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949 and amended by Public Land Order No. 757, dated October 10, 1959; Public Land Order No. 1613, dated April 7, 1958; and Department of the Interior Order No. 2665, dated October 16, 1951, Amendment No. 1 thereto, dated July 17, 1952 and Amendment No. 2 thereto, dated September 15, 1956, filed in the Federal Register.
5. **AN OIL AND GAS LEASE** affecting the above interest under the terms, covenants and conditions therein provided:
Lessor: Richard Mommsen, a single man
Lessee: Standard Oil Company of California
Recorded: April 12, 1958
Volume/Page: 8/79

FURTHER, no other examination of the excepted title to minerals has been made herein and no insurance nor responsibility therefore is implied or assumed.

6. **EASEMENT** for electric lines or system and/or telephone lines together with right to enter, maintain, repair and clear shrubbery:
Recorded: June 4, 1958
Volume/Page: Misc. 2/34
Granted To: Homer Electric Association, Inc.
Affects: General Easement, no definite location disclosed

7. **WATER AND SEWER EASEMENT** affecting the portion of said premises and for the purposes stated herein, and incidental purposes thereto:
In Favor Of: City of Kenai
Recorded: September 17, 1973
Volume/Page: 73/347
Affects: Portion of said land

8. **EASEMENTS, SET-BACKS AND DEDICATIONS** as delineated on Plat No. 2023-48.

9. **EFFECT** of the notes on said Plat No. 2023-48.

10. **SUBJECT TO A ROAD RESERVATION** of 33 feet along each side of the section line as created by 43 U.S.C. 932.

11. **RIGHTS OF REVERSION** retained by the City of Kenai, as contained in Quit Claim Deed:
Recorded: May 7, 2024
Volume/Page: 2024-003066-0
Affects Lot 4 only

Stewart Title of the Kenai Peninsula, Inc.

By



Authorized Countersignature

Mary Frengle
Authorized Signator

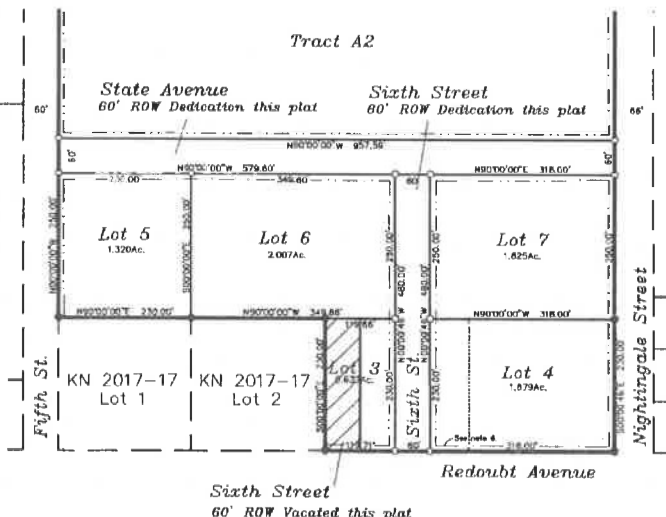
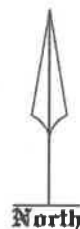
NOTE: We will update this certificate to comply with Kenai Peninsula Borough Ordinance 90-38 upon notification from surveyor.

LEGEND:

- ① 3 1/4" ALUM. CAP MON. L5 6101 FOUND AS SHOWN
- ② 2 1/2" BRASS CAP MON. FOUND AS SHOWN
- ③ 5/8" REBAR w/PLASTIC CAP L58858 FOUND
- ④ 5/8" REBAR w/PLASTIC CAP L58858 SET
- () RECORD AND MEASURED DATUM PLAT 2017-17 KRD

NOTES:

- 1) Bore of bearing taken from Kenel Meadows, Plat 2017-17, Kenel Recording District.
- 2) This plat is subject to City of Kenai zoning regulations.
- 3) Further development of the property shall conform to all Federal, State, and local regulations.
- 4) The Plat Committee, at the meeting of May 23, 2022, carried over the exception granted to the permit plat. Exception to KRD 20.30.030, extension of California Avenue to Nightingale Street, Florida Avenue to Nightingale Street, and Fifth Street to California Avenue, and KRD 20.30.170, block length, were originally approved by the plat committee at the meeting of March 15, 2017.
- 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Misc Book 2 Page 34, Kenel Recording District.
- 6) The front 10 feet adjoining rights-of-way is granted by this plat as utility easements. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement. See Detail B.
- 7) A water and sewer easement in favor of the City of Kenai is recorded Book 73 Page 347, Kenel Recording District.
- 8) **HAZARDOUS WASTE** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.
- 9) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as decreed by Public Land Order No. 601, dated August 10, 1948; and amended by Public Land Order No. 287, dated October 10, 1950; Public Land Order No. 1613, dated April 7, 1958; Department of the Interior Order Number 2675, dated October 18, 1961; Amendment Number 1 thereto, dated July 17, 1953 and Amendment Number 2 thereto, dated September 15, 1953, filed in the Federal Register.



Sixth Street
60' ROW Vacated this plat

Detail A

Scale: 1"=100'

SURVEYOR'S CERTIFICATE

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

Note _____



KN 92-73 Tract 5

LINE	BEARING	DISTANCE
1	S60°00'00"E	211.02'
2	N10°00'00"W	40.34'
3	N55°55'58"W	59.02'
4	N89°54'54"W	33.00'

Tract A2
82.769ac.

Detail B
Not to scale

See Detail A

See note 8

See note 8

See note 8

See note 8

See note 8

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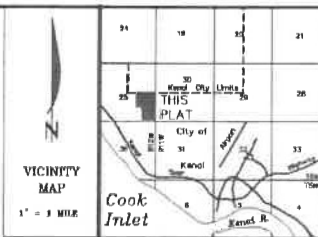
CERTIFICATE of ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: STATE AVENUE AND SIXTH ST. DEDICATIONS.

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

TERRY EUBANK, CITY MANAGER
CITY OF KENAI

DATE _____

**CERTIFICATE of OWNERSHIP and DEDICATION**

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

TERRY EUBANK
CITY MANAGER
CITY OF KENAI
210 PIdAGO AVE.
KENAI, ALASKA 99811

CERTIFICATE of OWNERSHIP and DEDICATION

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

DANA GREGG
KENAI PENINSULA HOUSING INITIATIVES INC.
P.O. BOX 1958
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

Kenai Meadows
Addition No. 2

A redivision of Tract A and Lots 3 and 4 Kenel Meadows Addition No. 1, Plat 2023-18, Kenel Recording District.

Located within the SE1/4 Section 25, T6N, R12W, S4E, City of Kenai, Kenel Recording District, Kenai Peninsula Borough, Alaska.

Containing 72.212 Ac.

Surveyor	Owner	Kenai Peninsula Housing Initiative Inc.
Segesser Surveys 30485 Rosland St. Soldotna, AK 99688 (907) 202-3919	City of Kenai 810 PIdAGO Ave. Kenai, AK 99811	P.O. Box 1000 Homer, AK 99603
JOB NO. 25055	DATE 4-28-23	
SURVEYED:	SCALE: 1"=200'	
FIELD BOOK:	SHEET: 1 of 1	



KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Public notice is hereby given that a petition was received on 6/13/2025 to vacate a public easement in the City of Kenai. Area under consideration is described as follows:

Request / Affected Property: Vacates approximately 13,800 square feet of Sixth Street including the associated utility easement adjacent to Kenai Meadows Lot 2 and Kenai Meadows Addition No 1 Lot 3 & abutting Tract A1

KPB File No. 2025-091V

Petitioner(s) / Land Owner(s): Kenai Peninsula Housing Initiatives Inc of Homer, AK.

Public hearing will be held by the Kenai Peninsula Borough Planning Commission on **Monday, July 14, 2025**, commencing at **7:30 p.m.**, or as soon thereafter as business permits. The meeting is being held in the Betty J. Glick Assembly Chambers of the Kenai Peninsula Borough George A. Navarre Administration Building, 144 N. Binkley Street, Soldotna, Alaska. This meeting will also be held via Zoom, or other audio or video conferencing means whenever technically feasible.

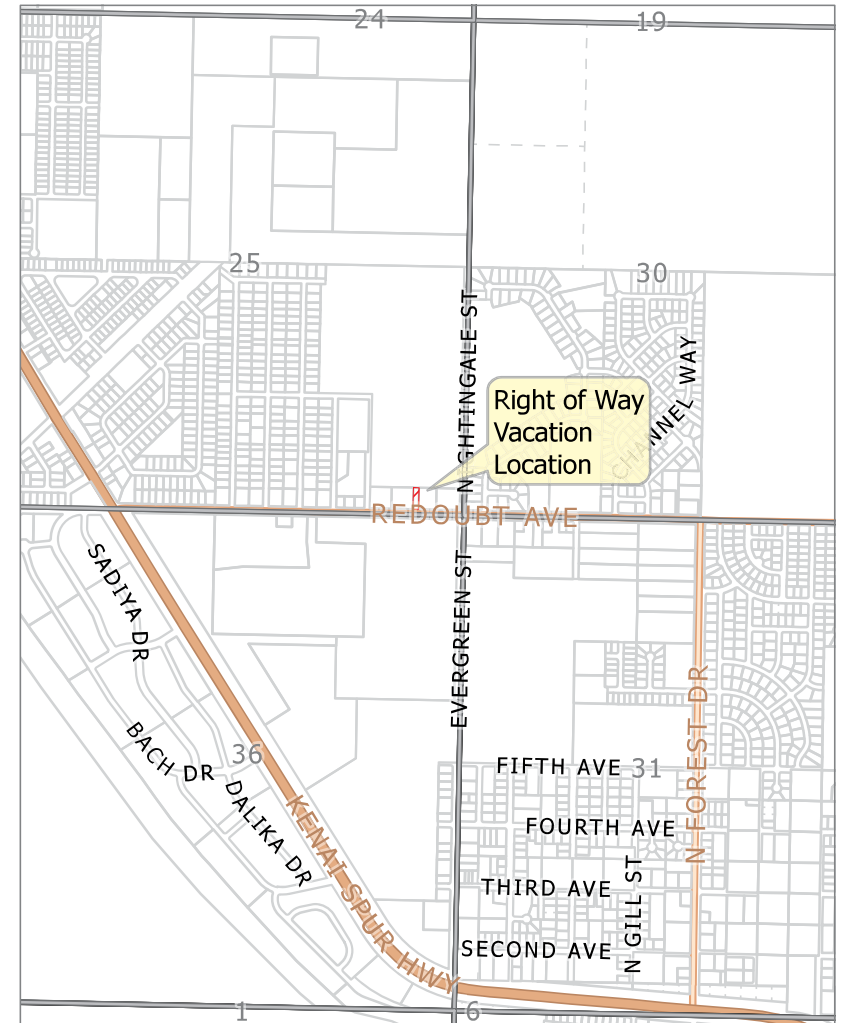
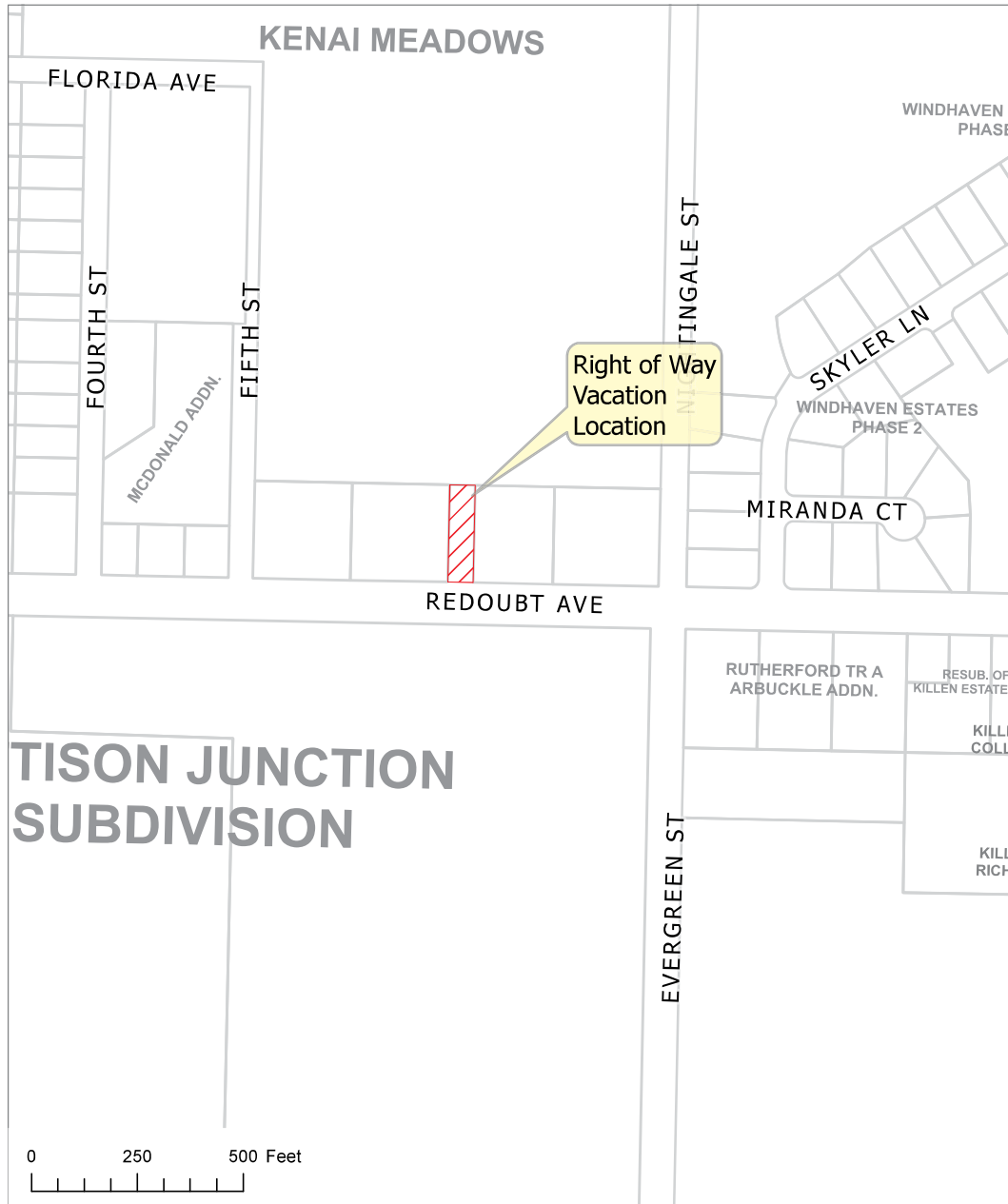
To attend the meeting using Zoom from a computer visit <https://us06web.zoom.us/j/9077142200>. You may also connect to Zoom by telephone, call toll free **1-888-788-0099** or **1-877-853-5247**. If calling in you will need the Meeting ID of 907 714 2200. Additional information about connecting to the meeting may be found at <https://www.kpb.us/local-governance-and-permitting/leadership-governance/planning-commission/planning-public-notices>.

Anyone wishing to testify may attend the meeting in person or through Zoom. Written testimony may be submitted by email to planning@kpb.us, or mailed to the attention of Beverly Carpenter, Kenai Peninsula Borough Planning Department, 144 N. Binkley Street, Soldotna, Alaska 99669. [Written comments may also be sent by Fax to 907-714-2378]. All written comments or documents must be submitted by **1:00 PM, Friday, July 11, 2025**. The deadline to submit written comments or documents does not impact the ability to provide verbal testimony at the public hearing.

If the Planning Commission approves the vacation, the Kenai City Council has thirty days from that decision in which they may veto the Planning Commission approval. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.

Additional information such as staff reports and comments are available online. This information is available the Monday prior to the meeting and found at <https://kpb.legistar.com/Calendar.aspx>. Use the search options to find the correct timeframe and committee.

For additional information contact Sandee Simons (ssimons@kpb.us) or Beverly Carpenter (BCarpenter@kpb.us), Planning Department, 714-2200 (1-800-478-4441 toll free within Kenai Peninsula Borough) or email planning@kpb.us.



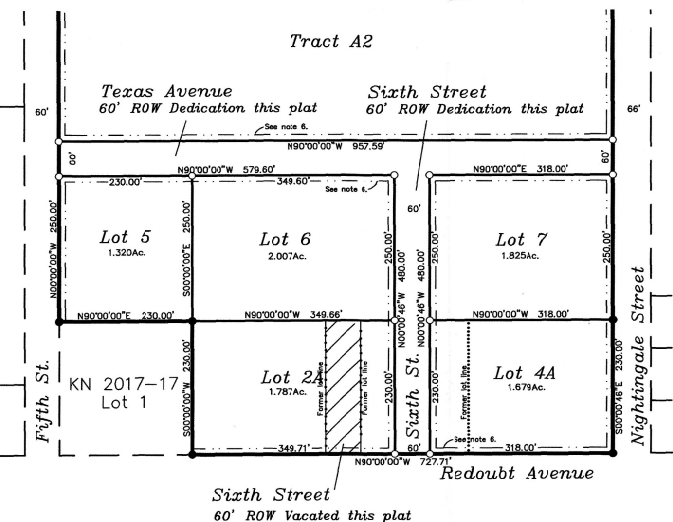
KPB File 2025-091V
T 6N R 12W Sec 25
Kenai

LEGEND:

- 3 1/4" ALUM. CAP MON. LS 6101 FOUND AS SHOWN
 2 1/2" BRASS CAP MON. FOUND AS SHOWN
 5/8" REBAR w/PLASTIC CAP LS8859 FOUND
 5/8" REBAR w/PLASTIC CAP LS8859 SET
 () RECORD AND MEASURED DATUM PLAT 2017-17 KRD

NOTES:

- 1) Basis of bearing taken from Kenai Meadows, Plat 2017-17, Kenai Recording District.
- 2) This plat is subject to City of Kenai zoning regulations.
- 3) Further development of the property shall conform to all Federal, State, and local regulations.
- 4) The Plat Committee, at the meeting of May 23, 2022, carried over the exception granted to the parent plat. Exceptions to KRB 20.10.030, resection of California Avenue to Nightingale Street, Florida Avenue to Nightingale Street, and Fifth Street to California Avenue, and KRB 20.30.170, block length, were originally approved by the plat committee at the meeting of March 13, 2017.
- 5) An easement for electric lines or system and/or telephone lines granted to Homer Electric Association is recorded in Misc Block 2 Page 34, Kenai Recording District.
- 6) The front 10 feet adjoining rights-of-way is granted by this plat as utility easements. No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement. See Detail B.
- 7) A water and sewer easement in favor of the City of Kenai is recorded Book 73 Page 347, Kenai Recording District.
- 8) **WASTEWATER DISPOSAL.** Plans for wastewater disposal, that meet regulatory requirements are on file at the Department of Environmental Conservation.
- 9) This property is subject to a reservation of easement for highway purposes, and any assignments or uses thereof for recreational, utility or other purposes, as disclosed by Public Land Order No. 601, dated August 10, 1949; and amended by Public Land Order No. 757, dated October 10, 1950; Public Land Order No. 1613, dated April 7, 1958; Department of the Interior Order Number 2665, dated October 16, 1951; Amendment Number 1 thereto, dated July 17, 1952 and Amendment Number 2 thereto, dated September 15, 1956, filed in the Federal Register.

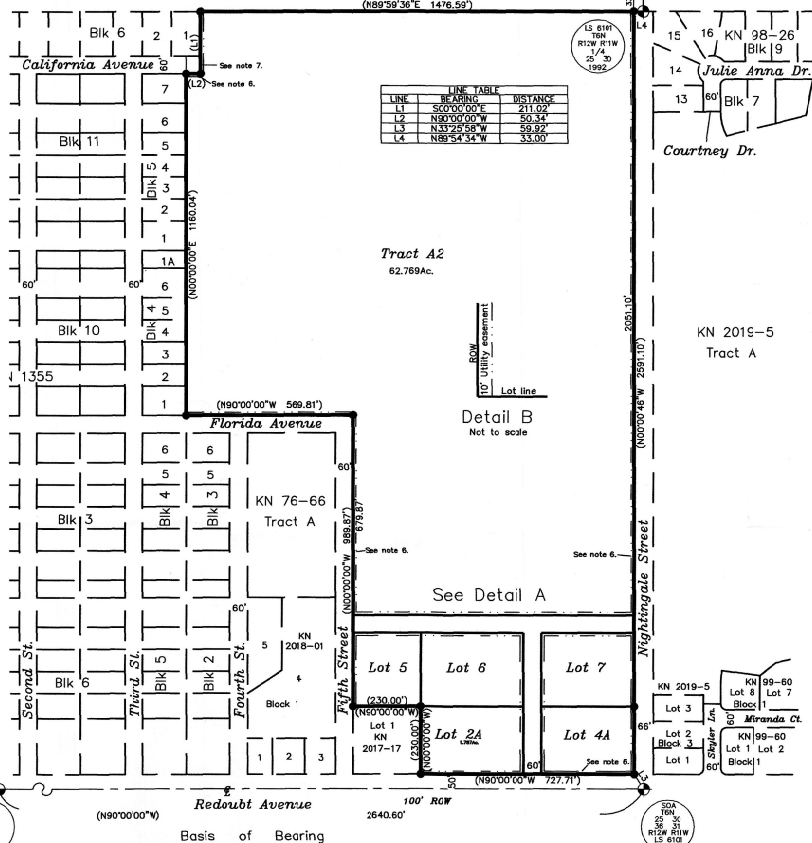
**SURVEYOR'S CERTIFICATE**

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

Date _____

KN 92-73 Tract 5

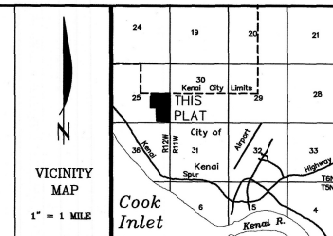
LINE	BEARING	DISTANCE
L1	S00°00'00"E	211.05'
L2	N90°00'00"W	50.34'
L3	N33°25'58"W	58.82'
L4	N85°54'34"W	33.00'

**CERTIFICATE of ACCEPTANCE**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF KENAI FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS: TEXAS AVENUE AND SIXTH ST. DEDICATIONS. THE ACCEPTANCE OF LANDS FOR PUBLIC USE ON PUBLIC PURPOSE DOES NOT DELGATE THE PUBLIC OR ANY OTHER GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

TERRY EUBANK, CITY MANAGER
CITY OF KENAI

DATE _____

**CERTIFICATE of OWNERSHIP and DEDICATION**

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

TERRY EUBANK
CITY MANAGER
CITY OF KENAI
210 FIDALGO AVE.
KENAI, ALASKA 99611

CERTIFICATE of OWNERSHIP and DEDICATION

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

DANA GREGOIRE
KENAI PENINSULA HOUSING INITIATIVES INC
P.O. BOX 1869
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

FOR _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 20____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL _____

KPB FILE No. _____

Kenai Meadows Addition No. 2

A resubdivision of Tract A and Lots 3 and 4 Kenai Meadows Addition No. 1, Plat 2023-48, Kenai Recording District.

Located within the SE1/4 Section 25, T6N, R12W, S4M., City of Kenai, Kenai Recording District, Kenai Peninsula Borough, Alaska.

Containing 72.212 Ac.

Surveyor	Owners
Seagress Surveys 30405 Rosland St. Soldotna, AK 99669 (907) 262-3909	Kenai Peninsula Housing Initiatives Inc City of Kenai 210 Fidalgo Ave. Kenai, AK 99611 Homer, AK 99603

JOB NO. 25055	DRAWN: 5-9-25
SURVEYED: _____	SCALE: 1"=200'
FIELD BOOK: _____	SHEET: 1 of 1

KPB 2025-091V Scale: 1"=100'

E. NEW BUSINESS

6. Conditional Use Permit; PC Resolution 2025-11

Applicant: City of Soldotna

Request: Install 80 linear feet of wooden fence parallel to the river

Location: 349 Centennial Park Road

City of Soldotna

(Staff Person: Planner Morgan Aldridge)

Multi-Agency Permit Application
Kenai Peninsula Borough
River Center

514 Funny River Road
Soldotna, Alaska 99669
KenaiRivCenter@kpb.us

Phone: (907) 714-2460
Fax: (907) 260-5992

Fees Received: \$ _____

☐ Cash

☐ Check # _____

CREDIT CARDS NOT ACCEPTED
FOR APPLN FEES

PROPERTY OWNER:

Name: City of Soldotna
Mailing: 538 Arena Ave
Soldotna, AK 99669
Phone: (907) 714-1210
Email: parks@soldotna.org (jhester@soldotna.org)

AGENT: (if applicable)

Name: _____
Mailing: _____
Phone: _____
Email: _____

PROJECT LOCATION:

KPB Parcel ID: 060-011-26
Physical Address: 349 Centennial Park Road
Subdivision: unsubdivided remainder
Lot: _____ Block: _____ Addition/No.: _____

WATERBODY INFORMATION:

Waterbody: Kenai River
River Mile: 20.25
Riverbank: ☒ Left ☐ Right (looking downstream)

PERMIT FEES:

☐ \$50 - Staff Permit **OR** ☒ \$300 - Conditional Use or Floodway Analysis

PROJECT:

☐ New Project **OR** ☐ Extension/Amendment to RC# _____

Please select all activities that apply to your project:

- | | | |
|--|--|--|
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Fish & Wildlife Management | <input type="checkbox"/> Road Construction |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Floating Dock | <input type="checkbox"/> Structure (Accessory) |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Fuel Storage Green Infrastructure | <input type="checkbox"/> Structure (Residential) |
| <input type="checkbox"/> Coir Logs | <input type="checkbox"/> In-Stream Structures (Weir) | <input type="checkbox"/> Spruce Tree Revetment |
| <input type="checkbox"/> Culvert | <input type="checkbox"/> Oil & Gas | <input type="checkbox"/> Stream Crossing |
| <input type="checkbox"/> ELP Structures | <input type="checkbox"/> On-Site Utilities | <input type="checkbox"/> Utility Line/Easement |
| <input type="checkbox"/> Equipment Stream Crossing | <input type="checkbox"/> Prior-Existing Structure | <input type="checkbox"/> Veg Mat |
| <input type="checkbox"/> Excavation, Dredging, and/or Fill | <input type="checkbox"/> Revegetation | <input type="checkbox"/> Vegetation Removal |
| <input checked="" type="checkbox"/> Fence Installation | <input type="checkbox"/> Root Wads | <input type="checkbox"/> Water Withdrawal |
| | | <input type="checkbox"/> Other: _____ |

PROJECT DESCRIPTION: Provide a detailed description of your project, attach additional pages if necessary.

Installation of 80 linear feet of wooden fencing along the gravel path south of the bank stabilization and restoration project. The fencing will include installation of 4 x 4 posts into the ground with treated lumber cross beams.

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? ☐ Yes ☒ No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light-Penetrating Structures \$ _____ Other Activities \$ _____
Habitat Restoration & Protection \$ _____ Green Infrastructure \$ _____

PROJECT QUESTIONS:

1. Start date: August 18, 2025 End date: September 30, 2025 Estimated Days of Construction: 7
2. Is any portion of the work already complete? If yes, please describe: ☐ Yes ☒ No

3. Is your project located on land or waters of an Alaska State Park? ☐ Yes ☒ No

If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit

Ordinary High Water (OHW) and Mean High Water (MHW):

4. Is the project located within 50 feet of OHW or MHW a waterbody? ☒ Yes ☐ No
5. Does any portion of the project extend below the OHW or MHW of the waterbody? ☐ Yes ☒ No
6. Does any portion of the project cantilever or extend over the MHW of the waterbody? ☐ Yes ☒ No
7. Will anything be placed below OHW or MHW of the waterbody? ☐ Yes ☒ No

Regulatory Floodplains:

8. Is the property where the project is taking place near or within a regulatory floodplain?
a. Is this project within or adjacent to a regulatory floodway? ☒ Yes ☐ No
b. Is this project within or adjacent to a coastal high hazard zone? ☒ Yes ☐ No
c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ _____

Excavation, Dredging, and Fill:

9. Will material be excavated or dredged from the site? ☐ Yes ☒ No
a. Type of material(s): treated lumber
b. Area to be dredged below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
c. Area to be excavated above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
d. Location materials will be deposited: outside of the 50 ft. habitat protection area
10. Will any material (including soils, debris, and/or overburden) be used as fill? ☐ Yes ☒ No
a. Type of material(s): _____
b. Is this fill permanent or temporary? ☐ Permanent ☐ Temporary
c. Area to be filled above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
d. Area to be filled below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

Motorized Equipment:

11. Will you be using motorized equipment for this project? If yes, please list all equipment: ☒ Yes ☐ No
auger for the bobcat if there is rock when placing the fence posts
a. Will you be crossing a stream or waterbody? ☐ Yes ☒ No
b. How long will equipment be used below OHW or MHW? _____

SIGNATURE & CERTIFICATION:

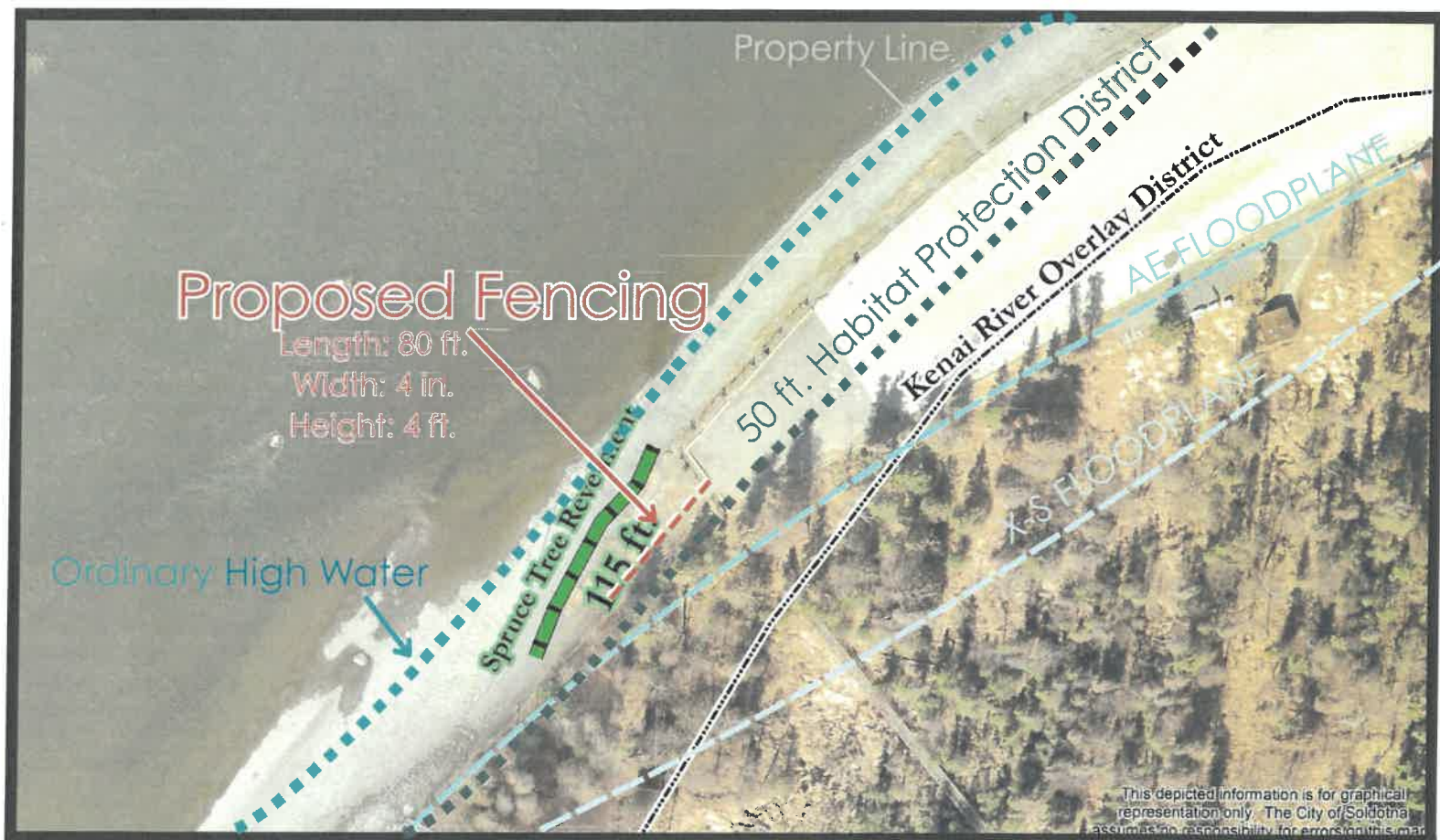
This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPBS 5.12 Real Property and Personal Property Taxes, KPBS 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

Owner Signature (required)

Date

Agent Signature (if applicable)

Date





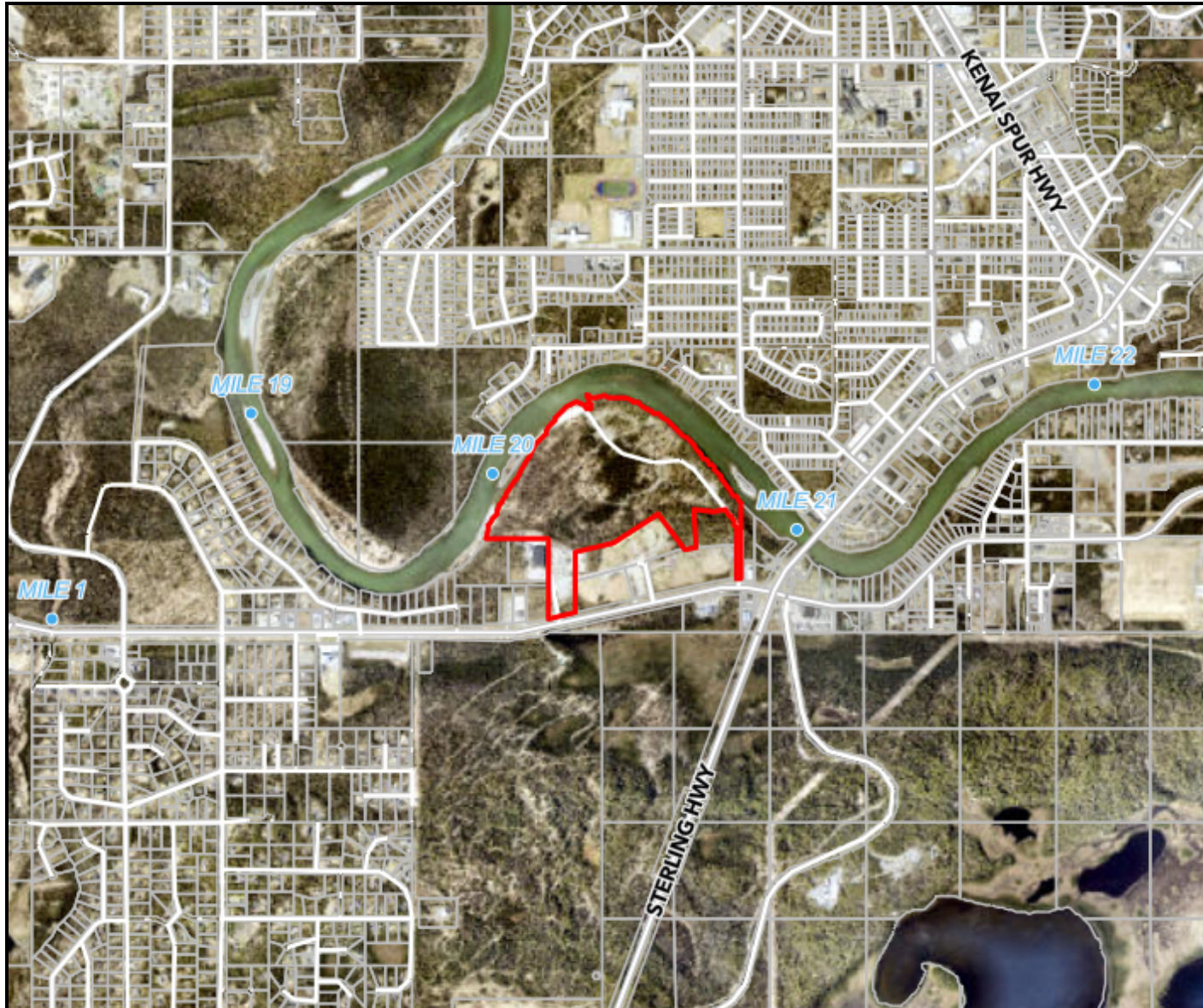
City of Soldotna Fence

 **Project Area**

KPB Parcel(s):

06001126

Project Description:



0 1 2
mi

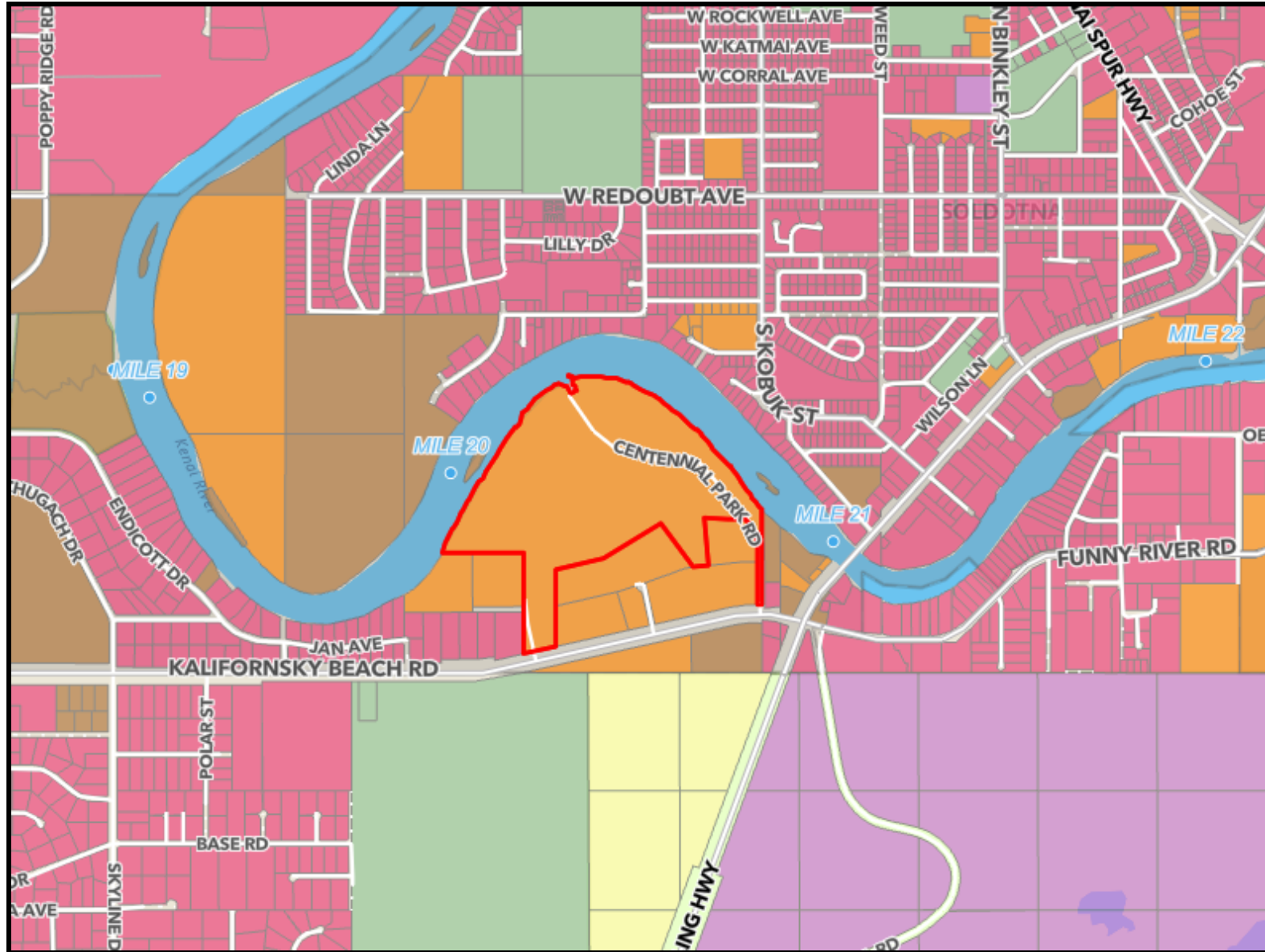
Vicinity: Soldotna



Map created by Aldridge, Morgan
Friday, June 20, 2025



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.










 **Project Area**

KPB Parcel(s):

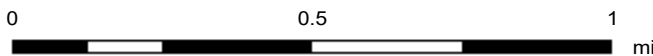
06001126

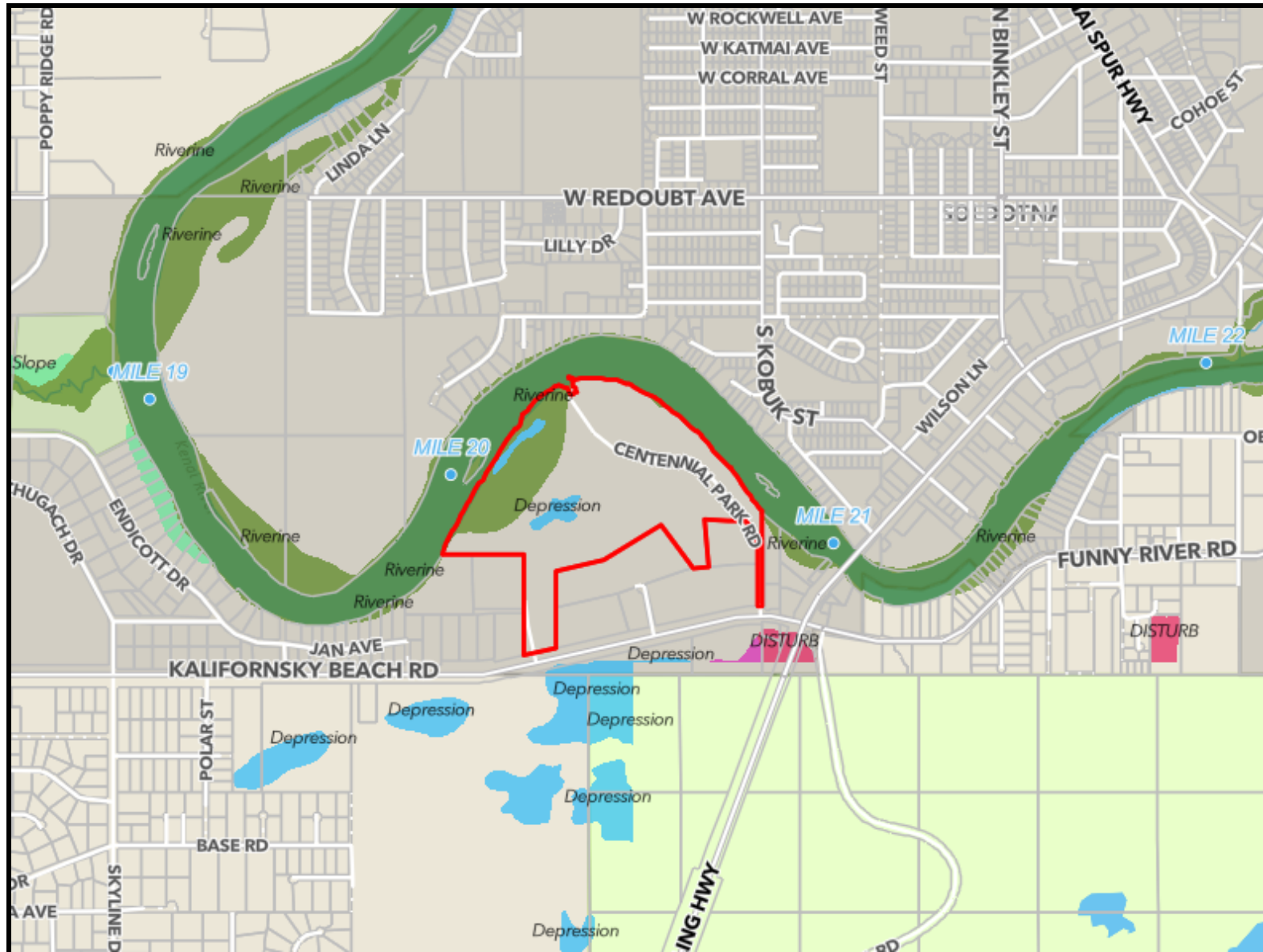
Parcel and PLSS

Parcel Ownership Type

-  Borough
-  Federal
-  Native
-  Native Allotment
-  Municipal
-  Private
-  State

Map created by Aldridge, Morga
Friday, June 20, 2025





Project Area

KPB Parcel(s):

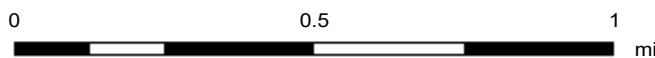
06001126

Landcover Features

KWF Wetlands Assessment

- Disturb
- Depression
- Discharge Slope
- Drainageway
- Floating Island
- Headwater Fen
- Kettle
- Lake
- Lakebed
- Late Snow Plateau
- Riverine
- Tidal
- Wetland / Upland Complex

Map created by Aldridge, Morga
Friday, June 20, 2025



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No.	2025-11
Planning Commission Meeting:	Monday, July 14, 2025
Applicant	City of Soldotna
Mailing Address	538 Arena Avenue Soldotna, AK 99669
Legal Description	T 5N R 10W SEC 31 SM KN GOVT LOTS 5 8 9 & NW1/4 SE1/4 & THAT PORTION OF THE S1/2 SE1/4 LYING NORTH OF KALIFORNSKY BEACH ROAD EXCLUDING THEREFROM SOLDOTNA CENTENNIAL SUB (KN87-87) & SOLDOTNA CENTENNIAL SUB ADDN NO 1 (KN88-35)
Physical Address	349 CENTENNIAL PARK RD
KPB Parcel Number	06001126

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of a fence within the 50-foot Habitat Protection District of the Kenai River, as established in KPB 21.18.040.

Background Information

Install 80 linear feet of wooden fencing along the gravel path south of the bank stabilization and restoration project. The fence will include 4 by 4 posts in the ground with treated lumber cross beams. Fence will be parallel to the river.

Project Details within the 50-foot Habitat Protection District

Install 80 linear feet of wooden fencing along the gravel path south of the bank stabilization and restoration project.

Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.

2. Pursuant to KPB 21.18.081(B)(2), construction of a fence may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. Pursuant to KPB 21.06.050, wooden plank fencing will not prevent or alter the flow of water during flood events.
7. Keeping foot traffic off the restoration project will assist the vegetation in establishing in the nearshore habitat area.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for Monday, July 14, 2025.
11. Agency review was distributed on July 2, 2025. No comments or objections have been received from resource agencies to date.
12. This project is scheduled to be reviewed at the City of Soldotna Planning Commission meeting on August 6, 2025.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on July 2, 2025. A total of 8 mailings were sent.
14. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
15. The applicant is currently in compliance with Borough permits and ordinances.

Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
2. The a fence must be designed and installed to meet KPB floodplain requirements.

3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1,3 and Finding 4 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other

applicable planning documents adopted by the borough; **Condition 11 and Findings 1-5 appear to support this standard.**

3. The development of the use or structure shall not physically damage the adjoining property; **Condition 3 and Finding 8 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 1 and 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements; **Conditions 11, 12 and Finding 15 appear to support this standard.**

Attachments

Multi-Agency Application
Draft Resolution 2025-11

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2025-11.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2025-11

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF A FENCE WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT OF THE KENAI RIVER.

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was posted as provided in Section 01.08.180 (B) (1) (3); and
- WHEREAS,** public testimony was received at the Monday, July 14, 2025 meeting of the Kenai Peninsula Borough Planning Commission;

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

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of a fence within the 50-foot Habitat Protection District of the Kenai River, as established in KPB 21.18.040.

Section 2. Findings of fact pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.

2. Pursuant to KPB 21.18.081(B)(2), construction of a fence may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. Pursuant to KPB 21.06.050, wooden plank fencing will not prevent or alter the flow of water during flood events.
7. Keeping foot traffic off the restoration project will assist the vegetation in establishing in the nearshore habitat area.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for Monday, July 14, 2025.
11. Agency review was distributed on July 2, 2025. No comments or objections have been received from resource agencies to date.
12. This project is scheduled to be reviewed at the City of Soldotna Planning Commission meeting on August 6, 2025.
13. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on July 2, 2025. A total of 8 mailings were sent.
14. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
15. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Kenai River.
2. The A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of a fence within the 50-foot Habitat Protection District of the Kenai River, as established in KPB 21.18.040. must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3 and Finding 4 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 1-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Condition 3 and Finding 8 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 1 and 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Conditions 11, 12 and Finding 15 appears to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2025.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



KENAI PENINSULA BOROUGH RIVER CENTER NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Kenai River. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located at 349 CENTENNIAL PARK RD, Alaska, Parcel ID 06001126. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

Install 80 linear feet of wooden fence parallel to the river and north of the bank stabilization and restoration project. The fence will include 4 by 4 posts in the ground with treated lumber cross beams and is within the 50-foot HPD of the Kenai River.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

When: Monday, July 14, 2025 at 7:30 pm or as soon thereafter as business permits
Where: This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough Administration Building located at 144 North Binkley Street, Soldotna.
Zoom: Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
1-888-788-0099 or 1-877-853-5247
Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, July 11, 2025.**

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to:
KenaiRivCenter@kpb.us

For additional information, please contact Morgan Aldridge at MAldridge@kpb.us or 907-714-2465.

E. NEW BUSINESS

7. Conditional Use Permit; PC Resolution 2025-10

Applicant: SnoMads

Request: Install a bridge across the Anchor River and an unnamed tributary to allow for ATV & Snowmachine crossing along the Watermelon Trail

Anchor Point Area

(Staff Person: Planner Morgan Aldridge)

Multi-Agency Permit Application
Kenai Peninsula Borough
River Center

514 Funny River Road
Soldotna, Alaska 99669
KenaiRivCenter@kpb.us

Phone: (907) 714-2460
Fax: (907) 260-5992

Fees Received: \$ _____

☐ Cash

☐ Check # _____

CREDIT CARDS NOT ACCEPTED
FOR APPLN FEES

PROPERTY OWNER:

Name: AK State DNR
Mailing: 550 W 7th Ave Suite 650
Anchorage, AK. 99501
Phone: 907-269-8503 (Cliff Larson)
Email: clifford.larson@alaska.gov

AGENT: (if applicable)

Name: Snomads inc., (CTMA for KPB)
Mailing: PO Box 3646
Homer, AK. 99603
Phone: 907-399-4700 (Shelly Erickson sec)
Email: snomads@gmail.com

PROJECT LOCATION:

KPB Parcel ID: 16523007
Physical Address: T 45 R 12W SEC 28
Subdivision: Seward Meridian HM ALL of Sec28
Lot: _____ Block: _____ Addition/No.: _____

WATERBODY INFORMATION:

Waterbody: Anchor River Bottom
River Mile: apx mile 24.5
Riverbank: ☒ Left ☒ Right (looking downstream)

PERMIT FEES:

☐ \$50 - Staff Permit **OR**

☒ \$300 - Conditional Use or Floodway Analysis

PROJECT:

☐ New Project **OR**

☐ Extension/Amendment to RC# _____

Please select all activities that apply to your project:

- | | | |
|--|--|--|
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Fish & Wildlife Management | <input type="checkbox"/> Road Construction |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Floating Dock | <input type="checkbox"/> Structure (Accessory) |
| <input checked="" type="checkbox"/> Bridge | <input type="checkbox"/> Fuel Storage Green Infrastructure | <input type="checkbox"/> Structure (Residential) |
| <input type="checkbox"/> Coir Logs | <input type="checkbox"/> In-Stream Structures (Weir) | <input type="checkbox"/> Spruce Tree Revetment |
| <input type="checkbox"/> Culvert | <input type="checkbox"/> Oil & Gas | <input type="checkbox"/> Stream Crossing |
| <input type="checkbox"/> ELP Structures | <input type="checkbox"/> On-Site Utilities | <input type="checkbox"/> Utility Line/Easement |
| <input type="checkbox"/> Equipment Stream Crossing | <input type="checkbox"/> Prior-Existing Structure | <input type="checkbox"/> Veg Mat |
| <input type="checkbox"/> Excavation, Dredging, and/or Fill | <input type="checkbox"/> Revegetation | <input type="checkbox"/> Vegetation Removal |
| <input type="checkbox"/> Fence Installation | <input type="checkbox"/> Root Wads | <input type="checkbox"/> Water Withdrawal |
| | | <input type="checkbox"/> Other: _____ |

PROJECT DESCRIPTION: Provide a detailed description of your project, attach additional pages if necessary.

Finishing the requirements for a permanent Easement of the Watermelon Trail for KPB, in putting in the required river crossing of a bridge. See attachments

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? ☐ Yes ☒ No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light-Penetrating Structures \$ _____ Other Activities \$ _____
Habitat Restoration & Protection \$ _____ Green Infrastructure \$ _____

PROJECT QUESTIONS:

1. Start date: July 2025 End date: July 2026 Estimated Days of Construction: 14
2. Is any portion of the work already complete? If yes, please describe: Bridge is preconstructed and will be assembled on set in place. Weather/dry ground/frozen ground dependent ☒ Yes ☐ No
3. Is your project located on land or waters of an Alaska State Park? ☐ Yes ☒ No

If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit

Ordinary High Water (OHW) and Mean High Water (MHW):

4. Is the project located within 50 feet of OHW or MHW a waterbody? ☒ Yes ☐ No
5. Does any portion of the project extend below the OHW or MHW of the waterbody? ☐ Yes ☒ No
6. Does any portion of the project cantilever or extend over the MHW of the waterbody? ☒ Yes ☐ No
7. Will anything be placed below OHW or MHW of the waterbody? ☐ Yes ☒ No

Regulatory Floodplains:

8. Is the property where the project is taking place near or within a regulatory floodplain? ☒ Yes ☐ No
- a. Is this project within or adjacent to a regulatory floodway? ☒ Yes ☐ No
- b. Is this project within or adjacent to a coastal high hazard zone? ☐ Yes ☒ No
- c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ apx 50K

Excavation, Dredging, and Fill:

9. Will material be excavated or dredged from the site? ☐ Yes ☒ No
- a. Type of material(s): _____
- b. Area to be dredged below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- c. Area to be excavated above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- d. Location materials will be deposited: _____
10. Will any material (including soils, debris, and/or overburden) be used as fill? ☐ Yes ☒ No
- a. Type of material(s): _____
- b. Is this fill permanent or temporary? ☐ Permanent ☐ Temporary
- c. Area to be filled above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____
- d. Area to be filled below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: _____

Motorized Equipment:

11. Will you be using motorized equipment for this project? If yes, please list all equipment: ☒ Yes ☐ No
excavator, 4 wheelers, bobcat skidster
- a. Will you be crossing a stream or waterbody? ☐ Yes ☒ No
- b. How long will equipment be used below OHW or MHW? never

SIGNATURE & CERTIFICATION:

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

Owner Signature (required)

Date

Agent Signature (if applicable)

Date



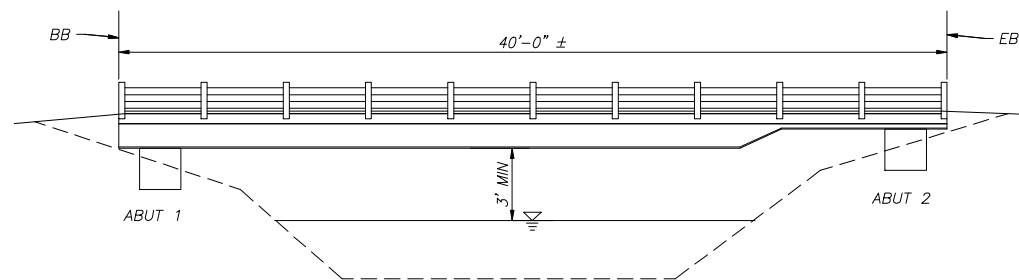
SNOMAD BRIDGES
BEAVER CREEK PEDESTRIAN/ATV/SNOWMACHINE BRIDGE
GENERAL PLAN

BISHOP ENGINEERING, LLC
PO BOX 2501, HOMER, ALASKA 99603
(907) 299-7603

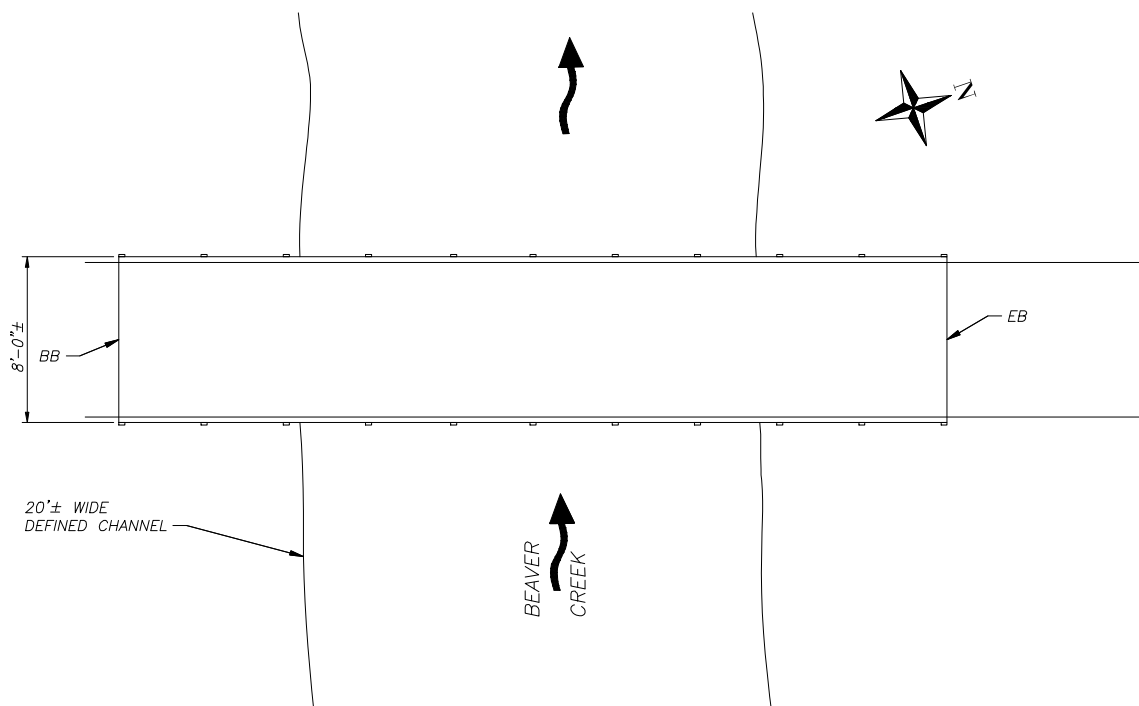
DATE: 5/27/2025
CHK'D: JSB
SCALE: AS NOTED
PROJ. NO.: 2025017

SHEET NO.:

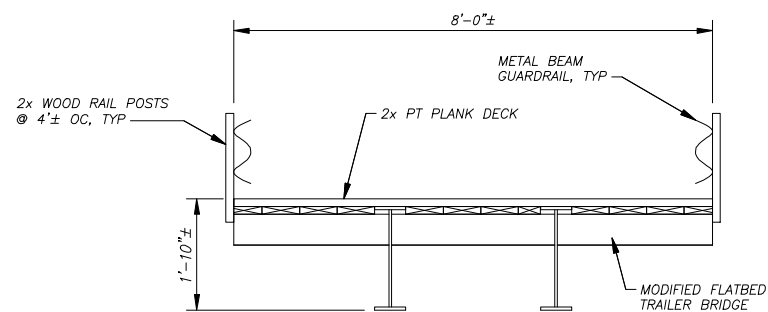
S1



ELEVATION
1" = 3'-0"



PLAN
1" = 3'



TYPICAL SECTION
1/2" = 1'-0"

PLAN AREA IMPACT FROM BRIDGE ABUTMENTS

IMPACT AREA PER ABUTMENT = 2 EACH x 2' x 4' = 16 SQFT
IMPACT AREA THIS BRIDGE = 2 EACH x 16 SQFT = 32 SQFT

NOTES:

1. BRIDGE LOAD RATED FOR FUTURE 8 TON VEHICLE, SEE GENERAL NOTES, ABBREVIATIONS AND SYMBOLS" SHEET.
2. BRIDGE PROFILE MAY BE LEVEL TO INCLINED UP TO 8% BETWEEN BB & EB.



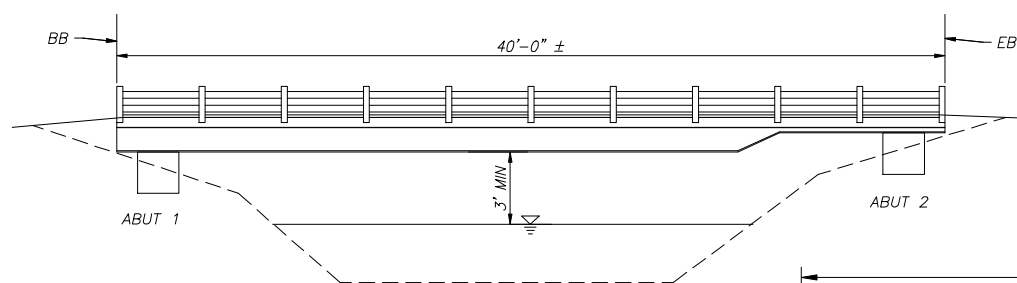
SNOMAD BRIDGES
ANCHOR RIVER & TRIBUTARY SKI TRAIL BRIDGE
GENERAL PLAN

BISHOP ENGINEERING, LLC
PO BOX 2501, HOMER, ALASKA 99603
(907) 239-7603

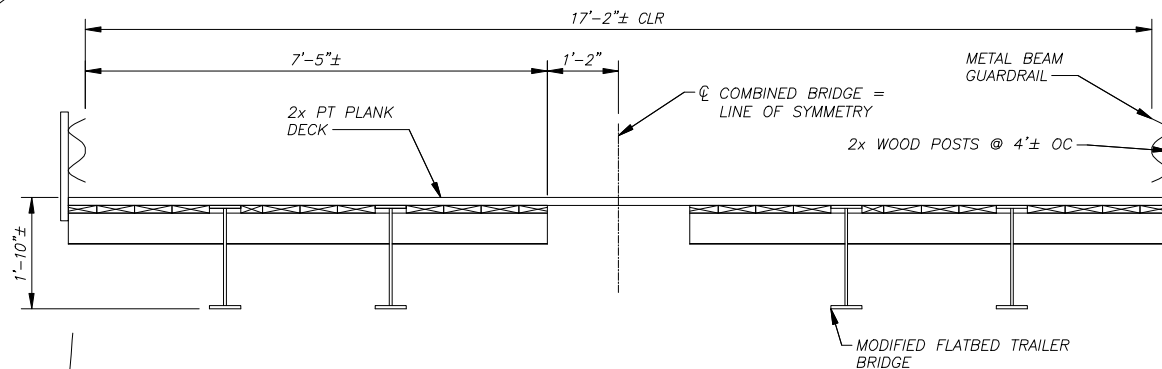
DATE: 5/27/2025
CHK'D: JSB
SCALE: AS NOTED
PROJ. NO.: 2025017

SHEET NO.:

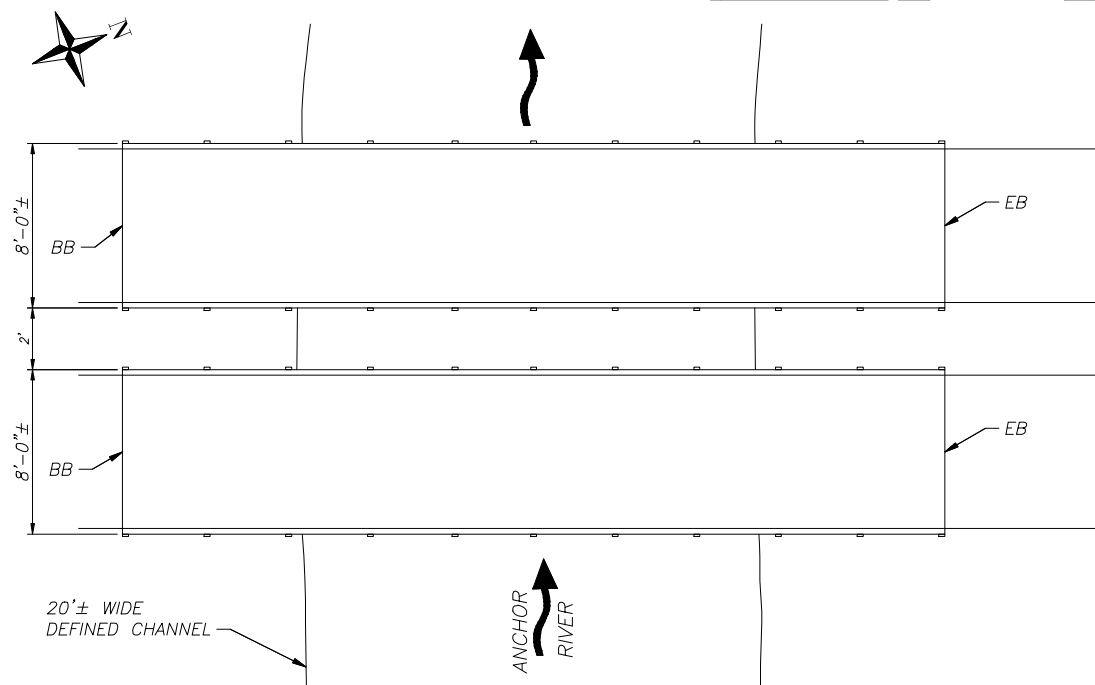
S1



ELEVATION
1" = 3'-0"



TYPICAL SECTION
1/2" = 1'-0"



PLAN
1" = 3'

PLAN AREA IMPACT FROM BRIDGE ABUTMENTS

IMPACT AREA PER ABUTMENT = 4 EACH x 2' x 4' = 32 SQFT
IMPACT AREA THIS BRIDGE = 2 EACH x 32 SQFT = 64 SQFT

NOTES:

- BRIDGE LOAD RATED FOR FUTURE 16 TON SNOW GROOMER VEHICLE, SEE GENERAL NOTES, ABBREVIATIONS AND SYMBOLS" SHEET.
- BRIDGE PROFILE MAY BE LEVEL TO INCLINED UP TO 8% BETWEEN BB & EB.

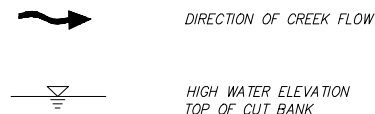
GENERAL NOTES

DESIGN:.....	AASHTO LRFD BRIDGE DESIGN SPECIFICATION, NINTH EDITION
LIVE LOAD:.....	18K SNOW GROOMER, 14' OVERALL WIDTH, 10' TRACK CONTACT LENGTH AND 3' TRACK WIDTH.
DEAD LOAD:.....	TIMBER = 36 PCF STEEL = 490 PCF CONCRETE = 150 PCF
SNOW LOAD	$P_g = 50$ PSF $P_s = 50$ PSF (NO ADJUSTMENT FOR GROUND LEVEL STRUCTURE)
STRUCTURAL STEEL:....	STRUCTURAL PLATE AND ROLLED SECTIONS – ASTM A36 ANCHOR RODS BONDED INTO BLOCKS – ASTM F1554 GR. 36, GALVANIZED STEEL MEMBER BOLTS – GALVANIZED ASTM A325 BOLT, NUTS, AND WASHERS, TORQUE TO 30 FT LBS DECK CARRIAGE BOLTS – GALVANIZED ASTM A307A GR. 2. INSTALL WASHERS AT HEAD AND NUT. DECK CLIPS – GALVANIZED CAST IRON GRADE 30
WOOD:.....	DECK PLANKS – PT DF NO. 2, FASTEN TOP SURFACE 2x PLANKS TO EXISTING TRAILER PLANKS WITH #14x3" STAINLESS STEEL SCREWS @ 12" OC, 2 MIN AT EACH PLANK END RAILING POSTS – PT DF NO. 2, FULLY SEAT IN STEEL RECIEVER
FOUNDATION	MINIMUM ALLOWABLE BEARING CAPACITY IS 1500 PSF. REMOVE UNSUITABLE ORGANIC MATERIAL UNDER BLOCK LOCATIONS EXTENDING 1' FROM BLOCK LIMITS. MAXIMUM REMOVAL DEPTH WITHOUT PRIOR CONSULTATION WITH THE ENGINEER SHALL BE 2 FEET. BACKFILL WITH 3-INCH MINUS PIT RUN MATERIAL, COMPACTED TO 95% RELATIVE DENSITY.
FOUNDATION BLOCKS	FOUNDATION BLOCKS SHALL CONSIST OF 2FTx2FTx4FT CONCRETE WORLD BLOCK UNITS. PLACE BLOCKS WITH TEXTURED SIDE FACING APPROACHES.

ABBREVIATIONS

AAD	ADHESIVE ANCHORAGE DEVICE
AB	ANCHOR BOLT
BB	BEGIN BRIDGE
BRG	BEARING
BTM	BOTTOM
CB	CARRIAGE BOLT
CLR	CLEAR
CONC	CONCRETE
CONST	CONSTRUCTION
CONT	CONTINUOUS
DF	DOUGLAS FIR
DIA	DIAMETER
ELEV	ELEVATION
EMBED	EMBEDMENT
FDGM	FREE DRAINING GRANULAR MATERIAL
FG	FINISHED GRADE
GALV	GALVANIZED
JT	JOINT
K	KIPS (1000 LBS)
MAX	MAXIMUM
MIN	MINIMUM
OC	ON CENTER
OG	ORIGINAL GRADE
OPT	OPTIONAL
PP	PIPE PILE
PT	PRESSURE TREATED
STGR	STAGGERED
SYM	SYMMETRICAL
T&B	TOP AND BOTTOM
TOT	TOTAL
TYP	TYPICAL
UON	UNLESS OTHERWISE NOTED

LEGEND



SPECIAL INSPECTIONS

- IF UNSUITABLE MATERIAL IS FOUND DEEPER THAN 2 FEET DURING REMOVA, THE CONTRACTOR SHALL CONSULT WITH THE ENGINEER OVER ADDIOTNAL OVEREXCAVATION OR OTHER REMEDY TO ENSURE ADEQAUTE SOIL BEARING CAPACITY IS OBTAINED.



SNOMAD BRIDGES

GENERAL NOTES, ABBREVIATIONS AND SYMBOLS

BISHOP ENGINEERING, LLC
PO BOX 2501, HOMER, ALASKA 99603
(907) 239-7609

0 1" 2"

DATE: 5/27/2025
CHK'D: JSB
SCALE: AS NOTED
PROJ. NO.: 2025017

SHEET NO.:

S2



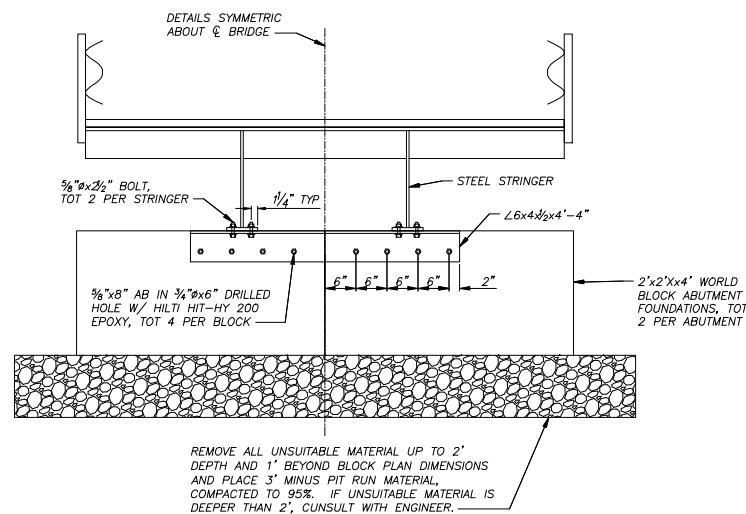
SNOMAD BRIDGES
ABUTMENT ELEVATIONS

BISHOP ENGINEERING, LLC
PO BOX 2501, HOMER, ALASKA 99603
(907) 239-7609

DATE: 5/27/2025
CHK'D: JSB
SCALE: AS NOTED
PROJ. NO.: 2025017

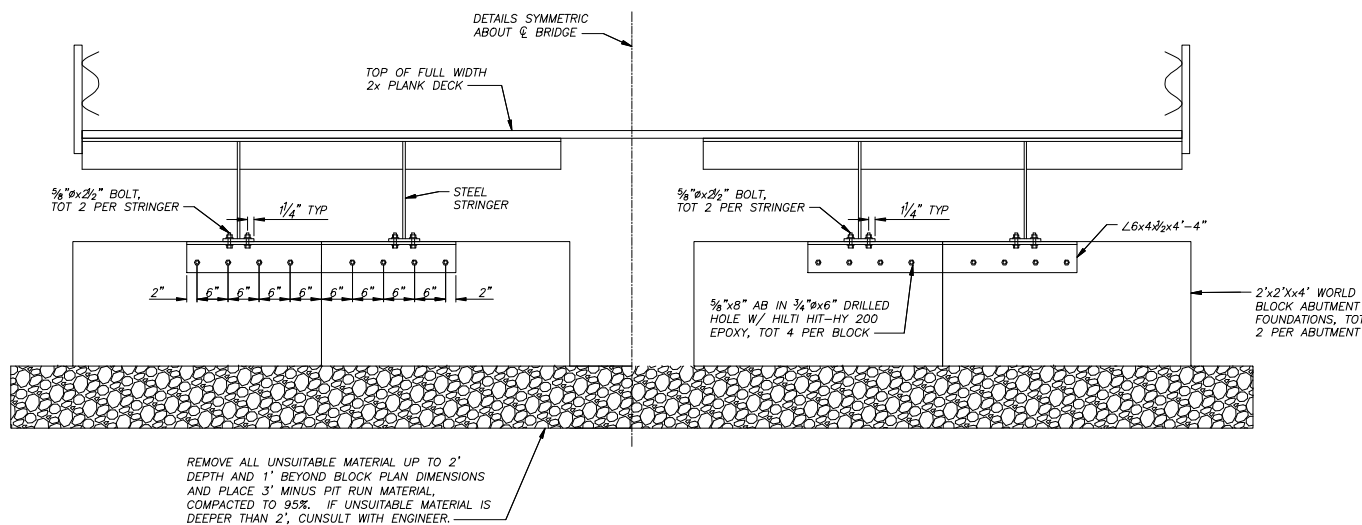
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S4



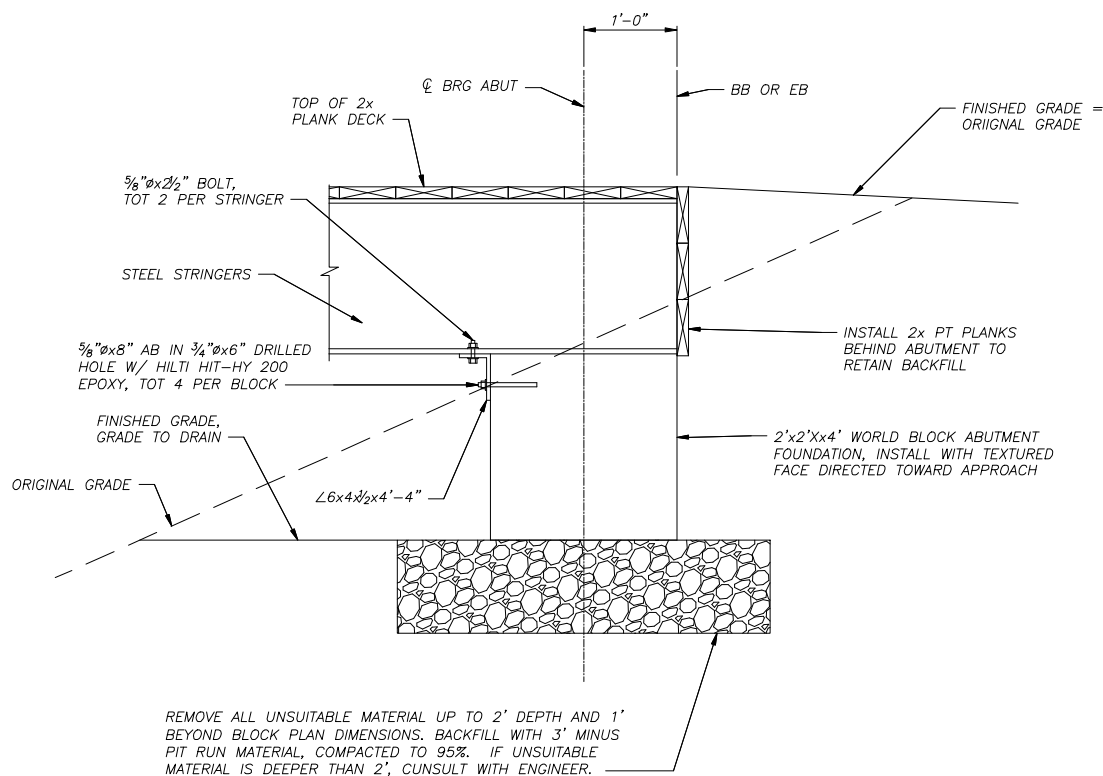
BEAVER CREEK ABUTMENT ELEVATION

1" = 1"



ANCHOR RIVER & TRIBUTARY ABUTMENT ELEVATION

1" = 1"



ABUTMENT SECTION
 $1 \frac{1}{2}" = 1'-0"$



SNOMAD BRIDGES
 ABUTMENT SECTION

BISHOP ENGINEERING, LLC
 PO BOX 2501, HOMER, ALASKA 99603
 (907) 239-7603

0 1' 2'

DATE: 5/27/2025
 CHK'D: JSB
 SCALE: AS NOTED
 PROJ. NO.: 2025017

SHEET NO.:

S5

CTMA 2101-01 Amendment 1, Apr 22
(Amends & Supersedes Original CTMA 2101-01 dated Apr 21)
TRAIL MANAGEMENT PLAN
FOR PUBLIC TRAILS ON BOROUGH LAND
Caribou Hills South (CHS) Trail System

TRAIL MANAGER:

SNOMADS, Inc.

PO Box 3646

Homer AK 99603

snomads@gmail.com

www.snomadsonline.org

SUMMARY OF PROPOSED ACTIVITIES (Check All That Apply)

SEASONS OF TRAIL MANAGEMENT

☐ Winter ☐ Summer ☒ Year Round

TRAIL WIDTH (Typical)

☐ Under 5 Feet

☐ 5-10 Feet

☒ 10-20 Feet

TRAIL MAINTENANCE ACTIVITIES

☒ Periodic Brushing/Clearing

☒ Grading

☒ Snow Grooming

☒ Erosion Controls

TRAIL IMPROVEMENTS

☒ Trailheads

☒ Parking Area

☒ Loading/Unloading Area

☒ Signs

☐ Sanitation (Trash/Outhouse)

☒ Picnic Area

☒ Shelters

☒ Culverts

☒ Bridges

☐ Stairs

☒ Gates & Bollards

☒ Hardening

☒ New Trails

TRAIL ADMINISTRATION

☒ Competitions/Sponsored Events

☒ Grants

☒ Signage

☒ Equipment Storage Facilities

TRAIL ACTIVITIES

Motorized:

☒ ATV

☒ Snow Machines

Non-Motorized:

☒ Dog Sleds

☒ Skiing

☒ Snowshoeing

☒ Skijoring

☒ Sledding

☒ Hiking

☒ Biking

☒ Walking/Running

☐ Biathlon

☒ Horses

☒ Pet Friendly

☒ Other:

Water Access

☐ Landing Area

Narrative description of the activities, operations, and scope:

Snomads Inc. works to guarantee Backcountry Access and protect existing Alaska recreational trails within the Kenai Peninsula Borough (KPB) Caribou Hills South (CHS) Trail System Area by establishing and maintaining legal public access for all, and for generations to come. Further, to responsibly develop and maintain and groom these trails to a sustainable level so that they can be used year round by the public. The Snomads Vision is to protect our CHS Trail System recreational trails with legally established easements and with permits/agreements acquired from all landowners. CHS Trail System groomed trails shall be uniformly marked, under one coordinated management authority, and, where appropriate, maintained by local clubs or organizations. Snomads has previously held LMD's 08-02 & 07-03, CTMA 2101-01 Trail Mgmt Agreements with the KPB.

History of the organization, membership size, accomplishments:

The origin of Snomads Inc. dates back to the mid 1980's when the organization was founded as the Homer Snow Roamers, a group of dedicated Winter Snowmachine enthusiasts. The Club was incorporated in March 1992, and the name was changed to Snomads 23 Feb 2002 and established as a Non-Profit 501(c4). Snomads has grown over the years and now has approximately 500 Members, comprised of individuals, families and businesses. Snomads has been active over the years to establish, rehabilitate and maintain CHS Area Trails, including the building of roads and parking lots to access those trails. We typically organize, host and support seasonal activities like: The Snomads Fun Run, Group Trail Rides, an area Search & Rescue, Children's Snowmachine Safety Events, as well as supporting other Outdoor Recreation Events on our Trail System like the Tustumena 200 Dog Sled Race and the Homer EPIC (bike, ski, run) Race. Snomads Inc. is an advocacy organization for Responsible Public Access to the Alaskan Backcountry, for all user groups, including Hunters and Fishermen. Snomads frequently cooperates with other local organizations like the Homer Soil & Water Conservation District (HSWCD), Homer Cycling Club, (HCC), Kachemak Ski Club (KSC, the Kachemak Nordic Ski Club (KNSC) on a number of area projects, where our interests and objectives align.

Summary of proposed activities:

Snomads intends to continue its operations with the KPB for the CHS Trail System by rehabilitating, maintaining, marking and grooming our trails, trailheads and parking lots for year round use. We have an aggressive trails management program and agenda in the coming years, raising funds with grants and private funding sources to secure trail permits and easements, construct trail reroutes around native lands, and harden our trails from a USDA Forest Service Tier 1 to a Tier 3 level. We accomplish our activities with a balance of both contracted services and volunteer work. Typical Sources of funding for our operations come from Snomads Gaming, KPB CAP Grants, RTP Grants, SnowTRAC Grooming Grants, Pittman-Robertson Grants, Other Grants, Membership Dues, Event Fundraising & Donations. Both Snomads & HSWCD operations and management of CHS Trails and Trailheads (Parking) are intended to be covered under this CTMA.

Means and methods for maintenance, erosion control, and trash pick-up:

All trail clearing and trail maintenance work that the Snomads undertake is performed to written standards. Work is supervised by a Snomads assigned Trails Committee Chairman, and task completion reports that are captured in the monthly Board of Director or Membership Meeting Minutes. Weather conditions largely dictate when trail maintenance tasks can be performed throughout the year. Trail clearing with heavy construction equipment will be employed only when the ground is firm enough to support the weight of the equipment used. This is typically in the Fall or Spring, when the ground is frozen, but also in the summer when there are dry periods that will support the weight of the equipment without significantly degrading subsurface soils and vegetation. Erosion Control Measures such as ditching and water dispersion are incorporated into Parking and Trail design and maintenance operations, and rehabilitation projects are undertaken where deemed necessary. Erosion Control effectiveness is gauged on a continual basis. Winter Snow Grooming operations will be undertaken when snow conditions permit and are performed to the standards detailed herein.

Snomads is careful to employ environmental best practices during maintenance operations, such as the use of spill containment berms under stored fuel and idle equipment. Trash is routinely cleared from Trailheads and Trails by Snomads Members, as part of ongoing and continuous operations. Detailed design and construction plans, as well as major rehabilitation of trail segments will be coordinated with KPB Land Management Division (LMD), and approved (in writing or via email) prior to the start of any major work. Normal brushing, clearing of vegetation and timber within established Trail Clearing Limits, as well as routine or “spot” maintenance to Trail Bed/Tread or drainage do not constitute major work, and permission will not be sought. However, Snomads will notify KPB LMD of any major spot maintenance conducted so that it can be tracked. Snomads will also immediately notify KPB LMD if any petroleum spills from heavy equipment operation used in trail maintenance/construction were to occur.

- Heavy Equipment to be employed in Parking Lot & Trail Construction/Maintenance:

Skid Steer, Mid-Sized Excavator, Small Bulldozer, Agriculture Tractor-up to 200 hp, Front End Loader, Forestry Mulcher, various heavy equipment attachments, Support Trailers and other all-terrain vehicles, up to 20 ton Snow Groomer

Snomads has published and adhere's to the following Multiuse Trail Clearing, Construction & Maintenance Standards:

Snomads Inc. - Caribou Hills South (CHS) Recreation Area
Multiuse Trail Clearing, Construction & Maintenance Standards

Snomads generally adheres to USDA-USFS standards, set forth in US Forest Service Handbook 2309.18: Trails Management Handbook, CHAPTER 20 – TRAIL DEVELOPMENT, 23.23 – Design Parameters for Four-Wheel Drive Vehicles Greater Than 50 Inches in Width. Pages, Pages 30 – 32, for Trail Class 3 ** Worst Case Std. for Public Multiuse Trail Traffic

Snomads Multiuse Trail Clearing, Construction & Rehabilitation Prescriptions in addition to USFS Trail Class 3 Standards for: Hunters, Hikers, Bikers, Horse Riders, Snowshoe'ers, Skiers, Dog Sledders & Off Road Recreational Vehicle users

1. **For Summer Only & Year Round CHS Multiuse Trails:** outside of ADF&G Critical Habitat Areas (CHA) shall be constructed and maintained to USFS Trail Class 3 Standards for Four-Wheel Drive Vehicles, which is generally incorporates all use cases.
 - a. DNR & ADF&G Vehicle weight and width restrictions apply on CHS Multiuse Trails within respective Special or General Use Permits, KPB Agreements & Easements on Public Lands.
 - b. USFS Trail Class 3, Trail Bed shall be constructed and maintained to a width of 96 inches, and support a hardened and crowned Trail Tread of no greater than 72 inches. Certain ADF&G CHA Special Area Permits restrict Trail Tread width to 60 inches. Trail Passing or Stopping Segments shall be incorporated at prudent intervals and are double the aforementioned widths with lengths not to exceed 30 feet each.
 - c. Trail Clearing Limits for generally flat Trail Segments are extended to 20 feet in height to accommodate higher speed Motorized Winter Traffic as a safety measure to ensure adequate Line of Sight. Uphill/Downhill Clearing Limits are extended to 35 feet in height.
 - d. Ground disturbances for erosion control measures may be required for proper trail drainage, outside the Trail Bed, and up to the limit of the Trail Corridor Width or Easement.
 - e. Trail Drainage: as per best construction practice in an environmentally friendly manner.
 - f. Limits for Trail Obstacles ($\leq 6''$), Protrusions ($\leq 3''$), and except where trail locations are already fixed, Radius ($\geq 15'$), Slope ($\leq 10^\circ$) and Slide Slope ($\leq 5^\circ$)
 - g. Winter Trails may track on existing Year Round Trails, but where they deviate and are Winter Only Trails, no Trail Bed or Tread may be constructed or maintained. The Winter Only 'Trail Clearing Width' is no greater than 24 feet and restricted to a height of no less than 12 inches above ground level, for the entire width of the trail (24 ft).

h. Wetland Trail Construction, Maintenance & Rehabilitation Standards: Case by Case Basis using the following primary references: Alaska State Parks Trail Management Handbook, May 2015; Wetland Trail Design & Construction, USDA, 2007 Edition; Managing Kenai Peninsula Wetlands, Homer Soil & Water Conservation District, Dec 2014.

Snomads will coordinate and consult with the following organizations and agencies for Trail Corridors that transit Wetlands within the CHS Trail System: the U.S. Army Corps of Engineers, U.S. Fish & Wildlife Service, State of Alaska Departments of Natural Resources (DMLW) and Fish & Game, HWSCD, and the KPB LMD.

i. Finish grade on Flat Terrain: 1 to 3 inches above surrounding ground level for drainage

2. CHS Multiuse Trail Clearing Limits and Trail Feature Widths:

Trail Corridor Width: 60 ft (or 66' where an easement of such a size exists)

Trail Clearing Width: 24 ft (restricted to 12" above the soil surface, outside of Trail Bed)

Vertical Trail Clearing Limit, Flat Terrain: up to 20 ft in height **motorized Winter Traffic

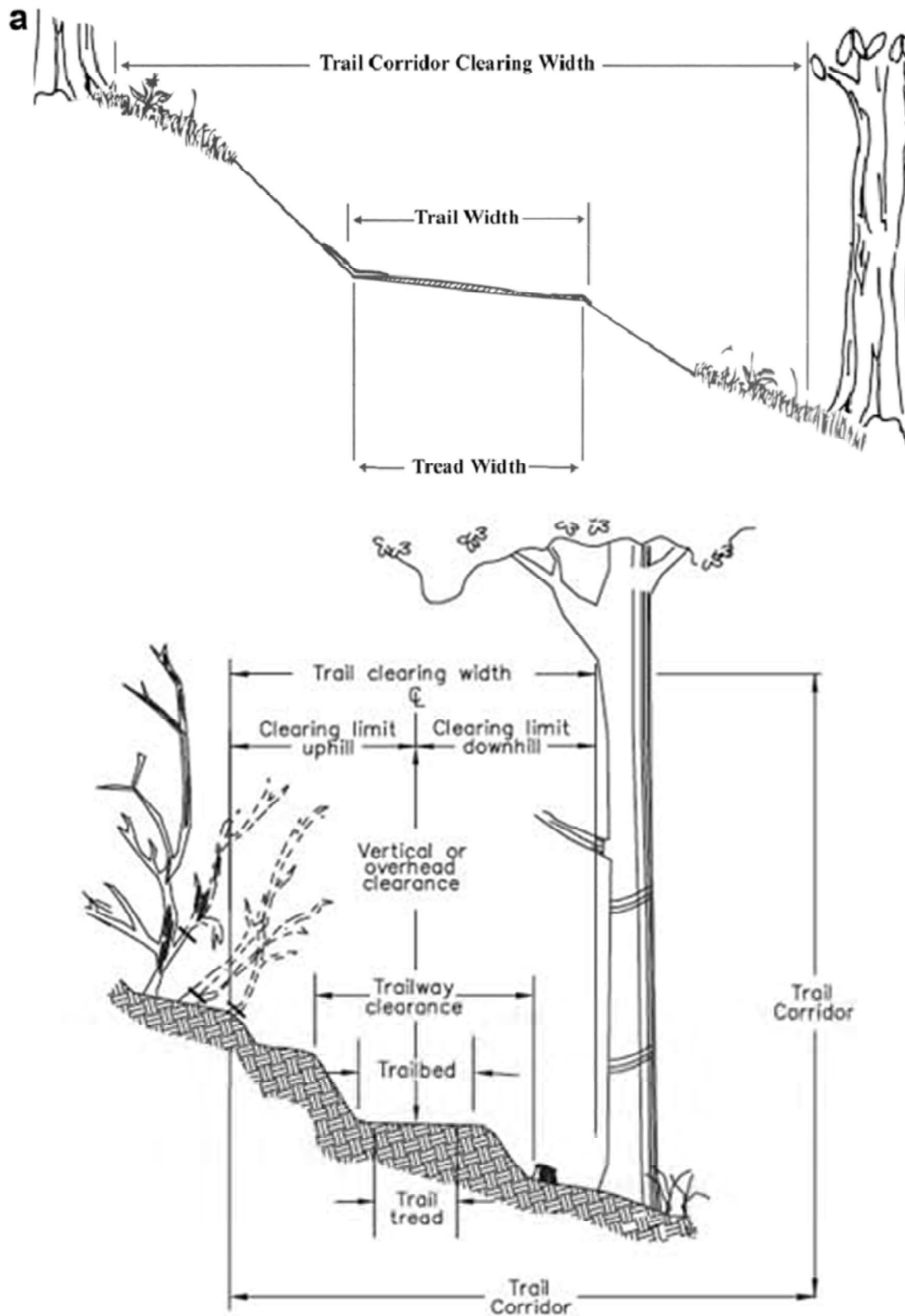
Vertical Trail Clearing Limit Uphill/Downhill: up to 35 ft in height **motorized Winter Traffic

Trail Tread Width: 6 ft (hardened Trail Surface, crowned and cleared to ground level), finish grade is desirable to be 1 to 3 inches above surrounding ground level for proper drainage

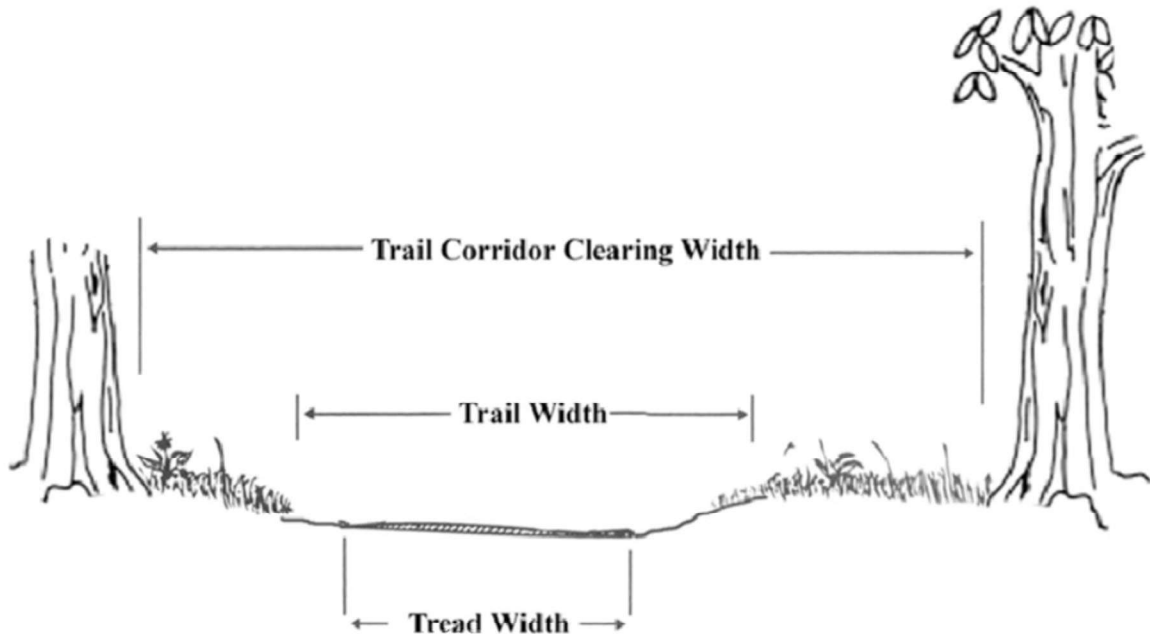
Trail Bed Width: generally 8 ft on grade, or slightly raised for proper drainage, cleared to ground level (except in areas where the Trail Bed needs to be raised above the surrounding terrain and a 3/1 ratio of taper width is required for persistent drainage or proper trail leveling)

Winter Snow Grooming Width: up to 18 ft, and may be groomed with as little as six inches of snow depth. ** Winter Only Trails are restricted to a Clearing Limit of no less than 12 inches above ground level, for the entire width of the Trail Clearing Width of 24 ft.

Illustrations:



b



Illustrations of Trail Corridor, Trail, and Trail Width for (a) Constructed Sidehill or Bench Trails (aligned close to the contour), and (b) Constructed Fall-Aligned or Generally Flat Terrain Trails (fall-aligned perpendicular to the contour).

Measures of performance, timeframes, ownership of improvements & reclamation:

Trail Markers, Trail Kiosks, Signage, bridges and any “moveable” objects or structures placed on KPB lands by Snomads Inc are the sole property of Snomads. Parking Lots, access drives and other “immoveable” improvements would remain upon termination of the Agreement for any reason. Reclamation of “moveable” objects or structures would be undertaken by Snomads if this agreement were to be terminated. Although none are present to date, Snomads reserves the right to place and maintain Public Outhouses and other permit structures (as detailed in individually KPB approved Detailed Project Plans) on KPB lands at Trailheads (Parking Lots) or along Trail Corridors.

Estimated value of proposed structures and facilities: Not applicable at this time

Any Short-Term and Long-Range Goals:

Snomads is in the planning process on several Grant Proposals for projects on KPB Lands. KPB acceptance of this amendment Authorizes & Approves Land Use for the following: (Para 1a-1c)

1. **Short-Term Goals:** Snomads Projects on KPB Lands either have, or will have, detailed Project Plans approved by the KPB LMD prior to construction.

- a. **Construction of a Reroute of the Watermelon Trail:** around Native (CIRI) Lands within 1 to 2 years (as funding permits). HSWCD has the lead on this project within the Anchor River/Fritz Creek Critical Habitat Area (ARFCCHA). The Watermelon Reroute traverses ADNR Parcels that are known to be 'KPB Select' parcels (16523008, 16523009). The reroute has been surveyed by Snomads is slated to begin construction of the reroute Summer 2022. Ref: KPB Resolution 2014-062
See attachment A - Watermelon Trail Survey

- b. **Watermelon Trail Public Outdoor Rec Parking Area Expansion (5.68 acres):** expansion to accommodate additional and diverse use. Snomads, as the responsible organization, and in cooperation with HSC, is slated to begin expansion construction of the Watermelon Trail Parking Lot located on **KPB Parcel ID's: 17113141, 17113106**. Its current size is **1.82 acres**, and with the previously specified expansion of the parking lot as detailed in the original CMTA 2101-01 Apr 21, will add **3.86 acres** to the West of the current parcel, for a total of **5.68 acres**. Snomads will share construction and management costs/responsibilities with HSC. Cooperation between Snomads and HSC is intended solve a capacity issue for both organizations, providing some 65 ea. single vehicle parking spaces, and 35 spaces for vehicles with trailers. Uses/Facilities Planned: Fee for Use Parking, Bathrooms, and Pavilion.
**On-Site Survey conducted by Snomads on 2 Apr 2022
See Attachment B: Initial Site Plan – Watermelon Trail Public ODR Parking Lot

- c. **East End Road Public Outdoor Rec Parking- Event-Ag Complex:** This project replaces the Snomads Private Jones Parking Lot on East End Rd with a larger East End Road Public Outdoor Recreation Parking and Event Complex on KPB (Borough Select **Parcel ID: 18515101**) that will accommodate expanded Motorized and Non-Motorized, Multiuse Outdoor Recreation users as well as Agriculture (Dual Use). This is intended to be revenue producing to help fund trail maintenance operations. This is intended to be a multiyear buildout (5+) starting in 2022.
**On-Site Survey conducted by Snomads on 2 Apr 2022
See Attachment C: Initial Site Plan – East End Rd Public ODR Parking Lot/Ag
 - i. **Parking/Event Area: 13.23 acres** (Potential Uses: Fee for Parking, Canteen, Bathrooms, Snomads Maintenance & Storage Facilities, Fuel Sales, Self-Storage (ORRV/other), Event Hosting, Cabin and Long Term Parking/Rental.
 - ii. **Parking/Ag & Trail Area 1: 48.95 acres** Parking/Event Area resides within Parking/Ag & Trail Area 1. Ag would be Timothy Hay production. North Side of East End Rd. Ag/Trail Area-1 hosts Events and Trails.

- iii. Ag & Trail Area 2: 34.94 acres, South side of East End Road. Ag would be Timothy Hay Production area leasing (to a local farmer). Snomads is cooperating with the HCC and Friends of Kachemak Bay State Park to host Cycling, Hiking Trails and other Outdoor Recreation activities on this parcel, as well as supporting Parking (in the Parking/Event Area listed above) as a lead in to access the Kachemak Bay State Park. Trails here are intended to be Non-Motorized, but Snomads reserves the right to expand use.
2. **Long Range Goals:** As per Agreements, Partnerships and Easements, Snomads seeks to inform KPB of its plans and intentions. KPB acceptance of this amendment does not Authorize and Approve Land Use for the following: (Para 2a, 2b)
- a. Construct, Install and Maintain some 28 ea. Standardized Trail Bridges (up to 4 ea. of which on KPB lands) within the CHS Trail System that will support a Trail Groomer and ORRV traffic for year round use. 'CHS Standardized Trail Bridges' is a Snomads Pilot Project in partnership with HSWCD & US Fish & Wildlife. Plans are still being developed but the first two pilot project bridges are planned to be installed on KPB lands (Dry Hole Trail, KPB Parcel ID: 18515046) over two separate branches near the headwaters of the Anchor River. Multiagency Permitting (including Army Corps of Engineers) will be required.
 - b. Apply for and obtain Easements for each and every Parking Lot and Trail in the CHS Trail System, with the KPB listed as the 'Grantee'. Currently, most of the CHS Trails merely have DNR issued ADL's. An ADL is a DNR file number for a temporary and revocable descriptive status of any piece or parcel of State Land. Snomads recognizes the importance of establishing a permanent legal status for trails in the form of permanent Easements, to ensure that access and the resource is available for generations to come. When we apply for Trail Use Permits or Easements, DNR requires the applicant to do the work, and pay the fees, and in the case of Easements, issues it to themselves as the 'Grantee', on behalf of the public. The current arrangement does not empower the local user groups. Local groups do all of the maintenance and management, without the legal authority to properly manage the resource. Snomads will continue to request that our in-process and future Easement Applications submitted to DNR have KPB LMD be listed as the Grantee. This can be total, or part, so that the KPB CTMA can be used for actively and timely management of the CHS Trail System. KPB is also a survivable Government Public Trust Entity.

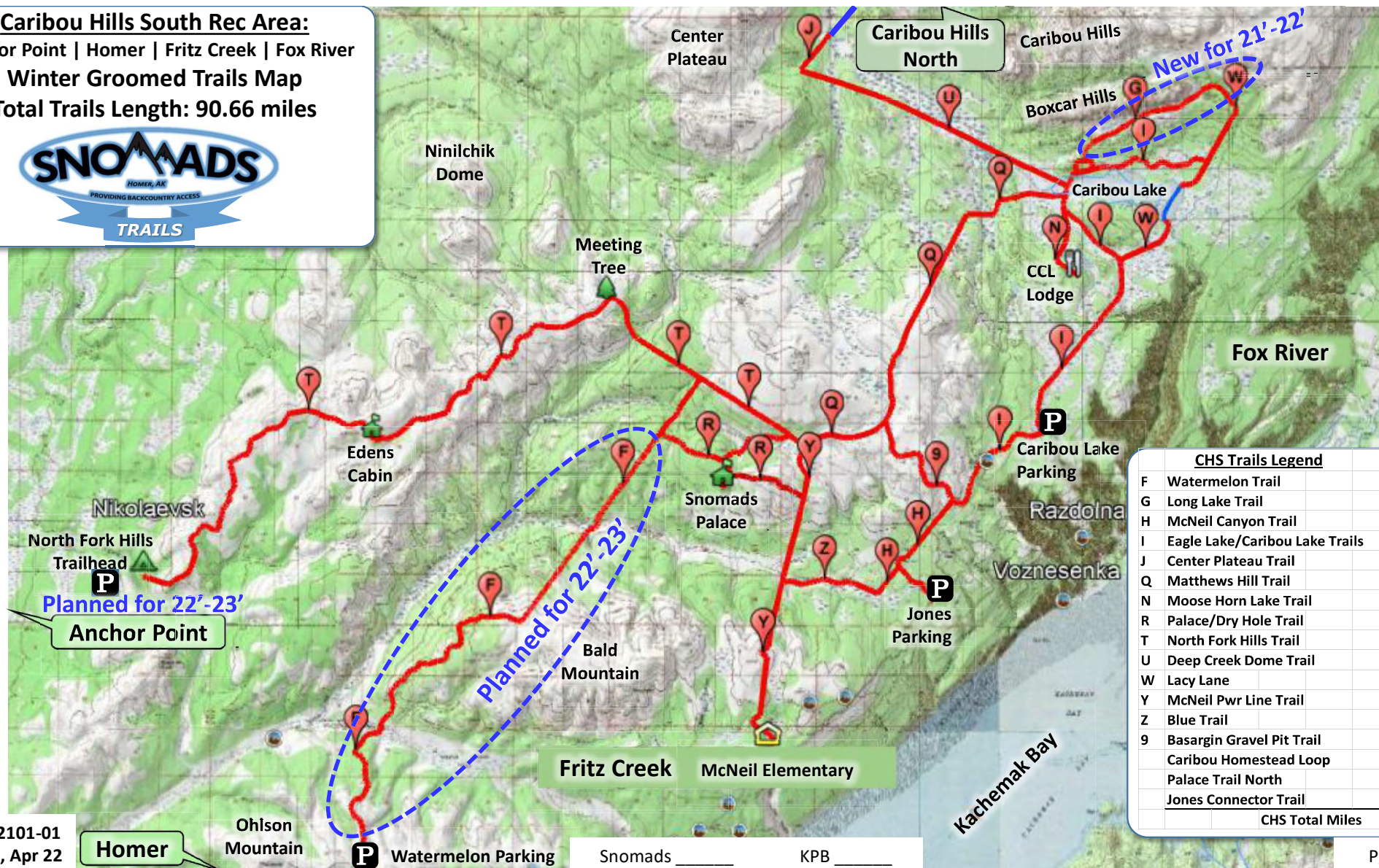
Conceptual Site Plan: See 'CHS Winter Groomed Trails Map' and 'CHS Trails Map-Land Ownership' depictions for Trails traversing KPB lands.

Caribou Hills South Rec Area:

Anchor Point | Homer | Fritz Creek | Fox River

Winter Groomed Trails Map

Total Trails Length: 90.66 miles



CHS Trails Legend		Miles
F	Watermelon Trail	14.17
G	Long Lake Trail	3.86
H	McNeil Canyon Trail	2.40
I	Eagle Lake/Caribou Lake Trails	12.16
J	Center Plateau Trail	0.95
Q	Matthews Hill Trail	9.30
N	Moose Horn Lake Trail	1.70
R	Palace/Dry Hole Trail	3.59
T	North Fork Hills Trail	19.13
U	Deep Creek Dome Trail	5.76
W	Lacy Lane	3.44
Y	McNeil Pwr Line Trail	5.80
Z	Blue Trail	1.99
9	Basargin Gravel Pit Trail	2.63
	Caribou Homestead Loop	0.70
	Palace Trail North	1.97
	Jones Connector Trail	1.11
CHS Total Miles		90.66

CTMA 2101-01
Amd-1, Apr 22

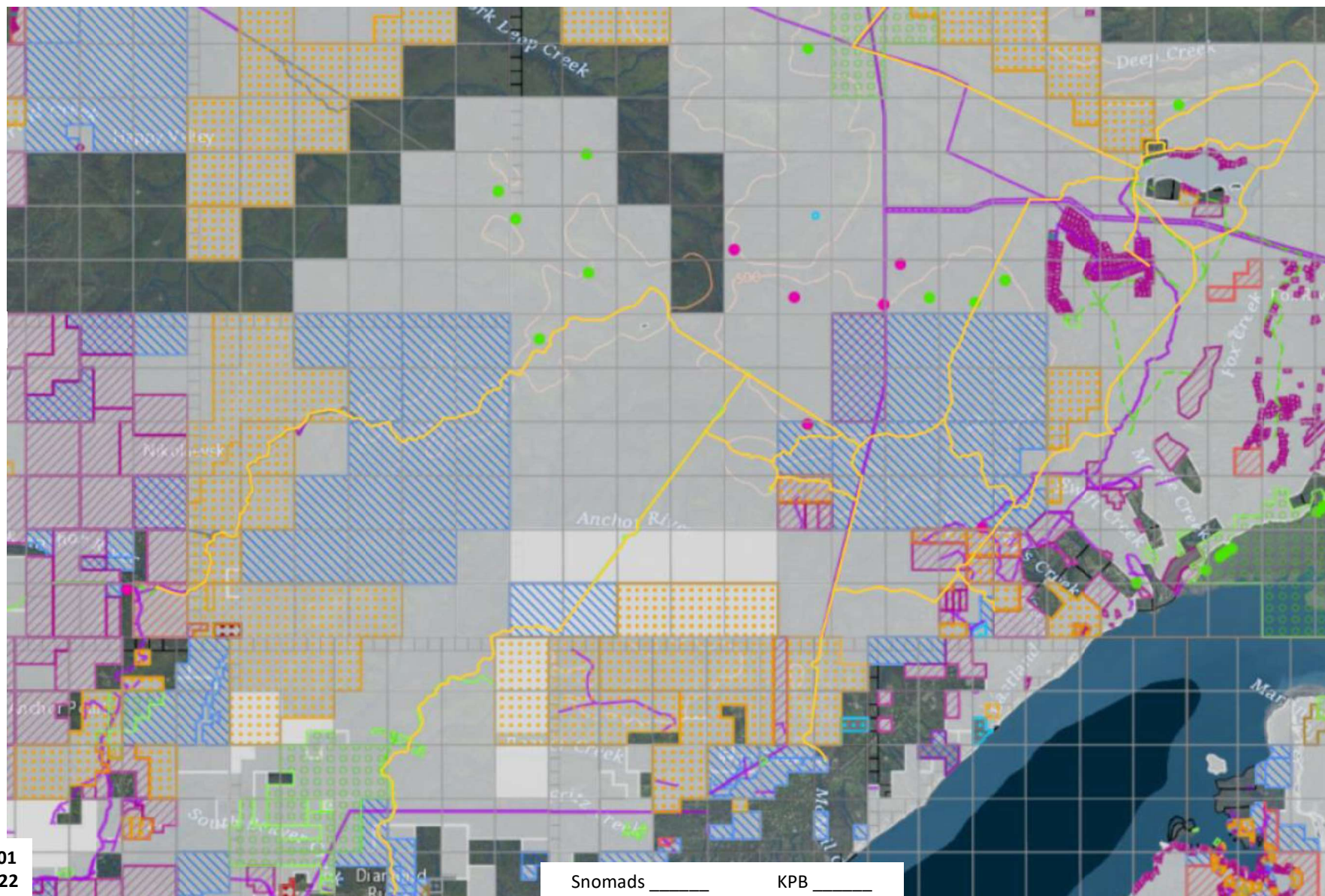
Pg. 10

CHS Trail Map
Land
Ownership

KPB Lands



CTMA 2101-01
Amd-1, Apr 22



Pg. 11

Location of trail improvements and buffers: As per Snomads Detailed Project Plans

Property lines, right-of-ways, easement, access: No known conflicts

Location of wetlands, water bodies, anadromous stream crossing and major topography: The CHS Trail System is replete with Wetlands, Lakes, Anadromous Stream Crossings. Snomads maintains a database of some 28 stream or significant water drainage crossing locations (in .kml format) that require either full bridging or Winter snow bridges. These are in various stages of maintenance or planned construction. Snomads continuously interacts with U.S. Fish and Wildlife and the Homer Soil & Water Conservation District and location Land Owners for ORRV trail traffic impact on these area that directs construction and maintenance operations.

Detailed Plans:

Snomads includes Site Surveys, Surveys for Record, Detailed Project Plans, Project Progress Reports, Annual Reports, Project Proposal and Proposed Amendments in its communication and interaction with the Borough. Detailed Project Plans, Project Status updates and Project completion reports will be forwarded to KPB in a timely manner.

Plans for specific improvement including architectural or engineering designs, when Applicable:

Snomads will contact KPB LMD for any improvements that are planned, and where applicable, will submit detailed project plans and amendment proposals to the CTMA and obtain requisite approval in the planning stages of projects.

Grant proposals, when applicable: Snomads will inform KPB LMD of all Grant Proposal plans or application that directly or indirectly impact KPB lands.

Trail Usage Restrictions:

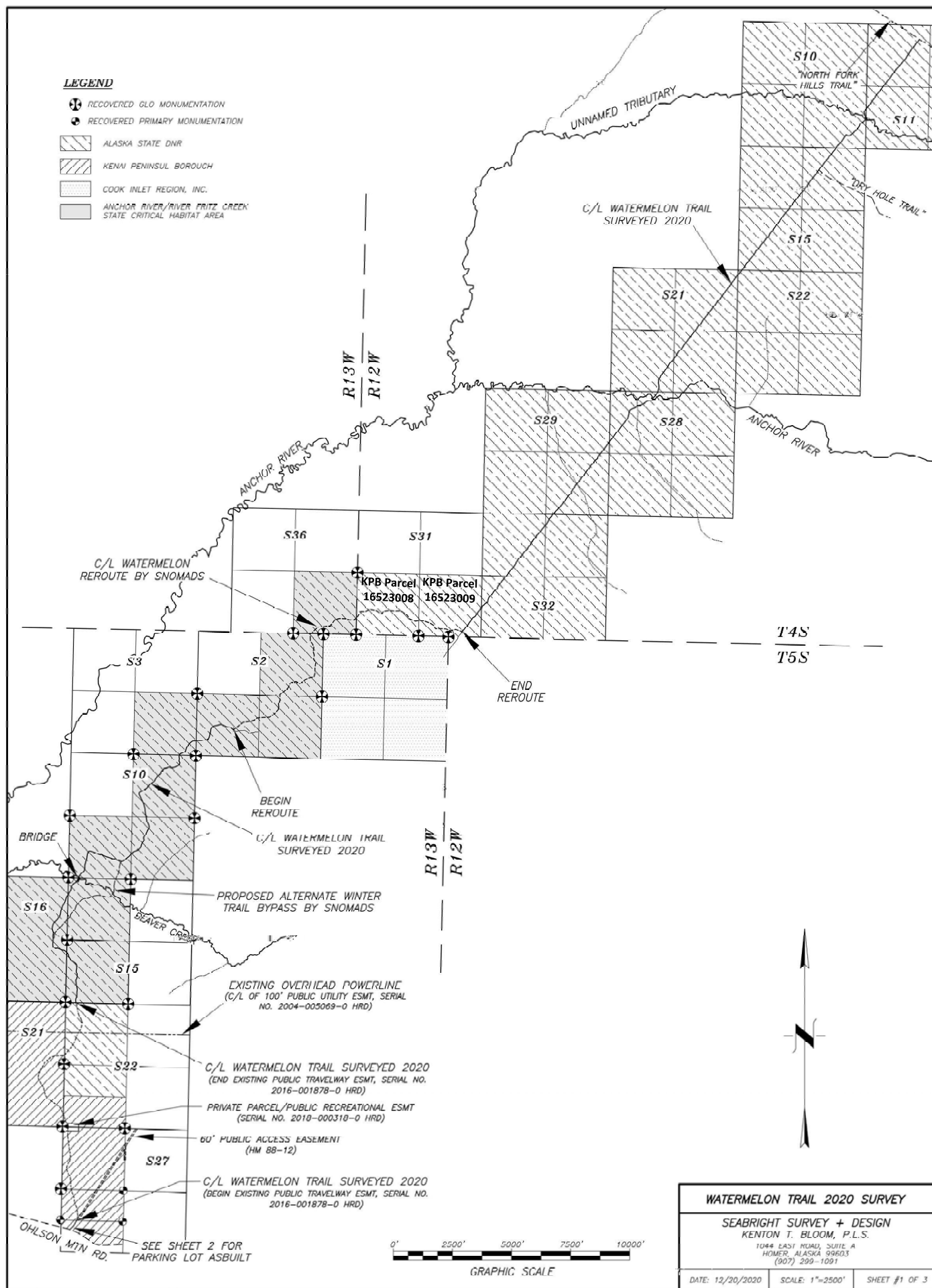
Wheeled ATV/UTV or any motorized Off Road Recreational Vehicle (ORRV) are authorized on Winter Groomed Snomads Managed CHS trails during the Winter Months, so long as they leave no greater than a 1' deep depression in the Trail. This is not only a safety measure to protect higher speed ORRV users, but also protects the significant investment in Trail Grooming the Snomads incurs every year. Wheeled Fat Tire bikes are permitted on CHS groomed Trails.

List of KPB Parking Lots & CHS Trail System Trails that traverse KPB Parcels:

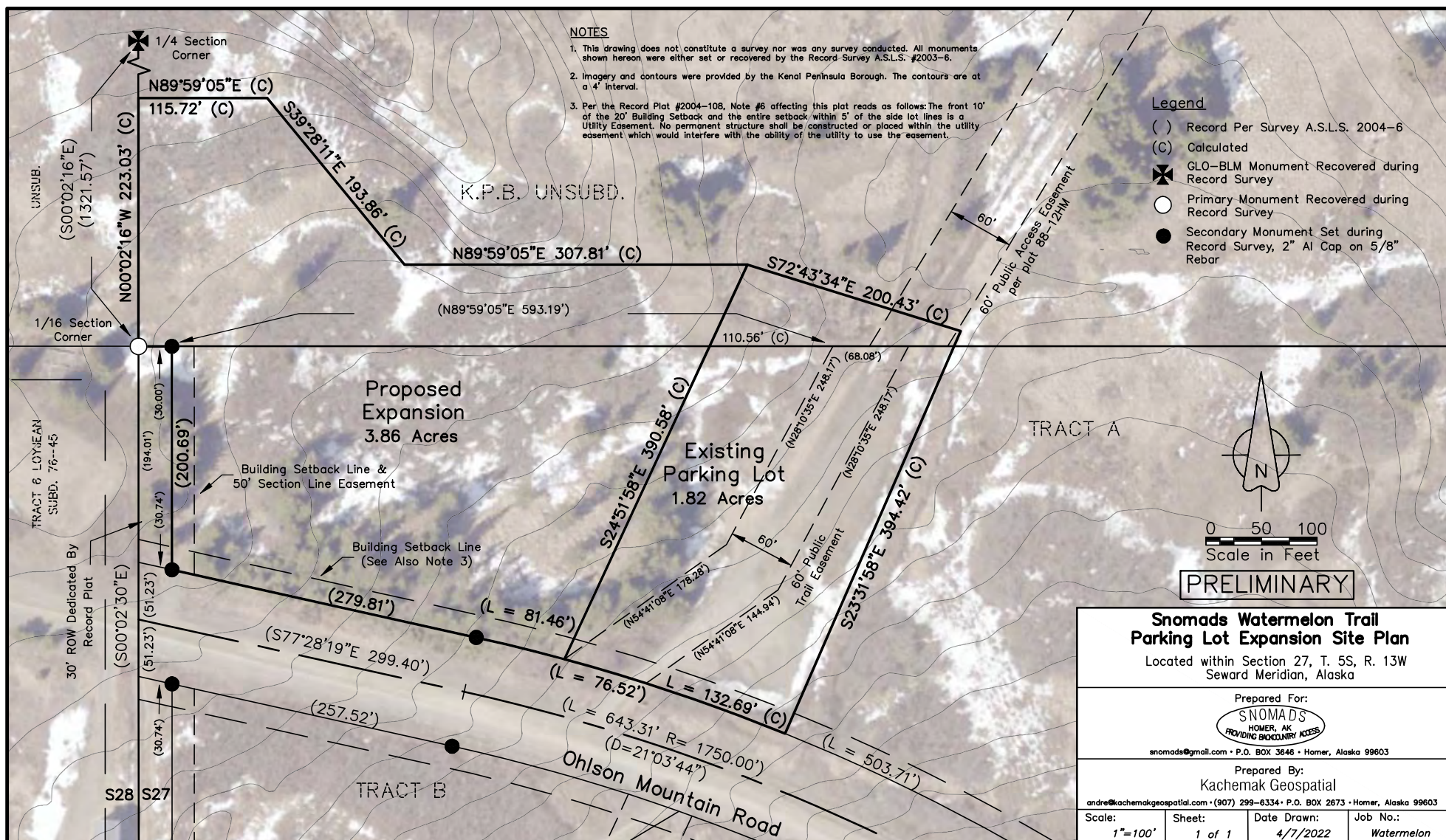
Note: Designation of 'Winter Groomed' may not denote that the entire trail is groomed, and all trails listed typically have some type of public user traffic 365 days per year. Snomads will maintain & provide KPB LMD updated .kml and .shp area boundary and trail line files for GIS Mapping Operations, upon request.

- a. **Watermelon ODR Parking Lot:** KBP Parcel ID's: 17113141, **17113106 (Amd-1)
- b. **Watermelon Trail/Ohlson Mtn Trail (Winter Groomed):** KBP Parcel ID's: 17113141, 17113106, 17113133, 17113102, 17110117, 17112015, 17109028, (& Borough Select Parcels: 16523008 & 16523009)
- c. **North Fork Hills Trail and **Deviations (Winter Groomed):** KBP Parcel ID's: **16521013, **16521006, **16512005, **16513003, 16513005, 16513007, 16505006, 16505007, 18515017, 18515046
- d. **Garcia Hill Trail:** KBP Parcel ID: 16513007 **Note: not cleared as of Arp 2022
- e. **McNeil Power Line Trail (Winter Groomed):** KBP Parcel ID's: 17231166 (added to LMD 08-02), 17205213, 18515046, 18515017
- f. **Dry Hole Trail (Winter Groomed):** KBP Parcel ID's: 18515046, 16515006
- g. **Blue Trail (Winter Groomed):** KBP Parcel ID's: 18515046, 18515017, 18515018
- h. **McNeil Canyon Trail (Winter Groomed):** 17201726, 18521055, 18521056
- i. **Matthews Hill/Gravel Pit Trail (Winter Groomed):** KBP Parcel ID's: 18521053, 18515046, 18515018
- j. **Hidden Hills Trail:** KBP Parcel ID's: 17104022, 17104018, 17137114, 1652002, 16513003, 16513007
- k. **Eagle Lake Trail (Winter Groomed):** KBP Parcel ID's: 18521050, 18521053
- l. **Moosehorn Lake Trail (Winter Groomed):** KBP Parcel ID: 18515018
- m. **Diamond Ridge Connector Trail:** KBP Parcel ID's: 17110201 17106038, 17110117 (added to LMD 08-02), **Note: Surveyed but, not cleared or constructed
- n. **Jones Connector Trail:** KBP Parcel ID: 18515101
- o. **East End Road Public ODR Parking Lot- Event-Ag Complex:** KBP Parcel ID: **18515101

Attachment A - Watermelon Trail Survey



Attachment B: Initial Site Plan – Watermelon Trail Public ODR Parking Lot

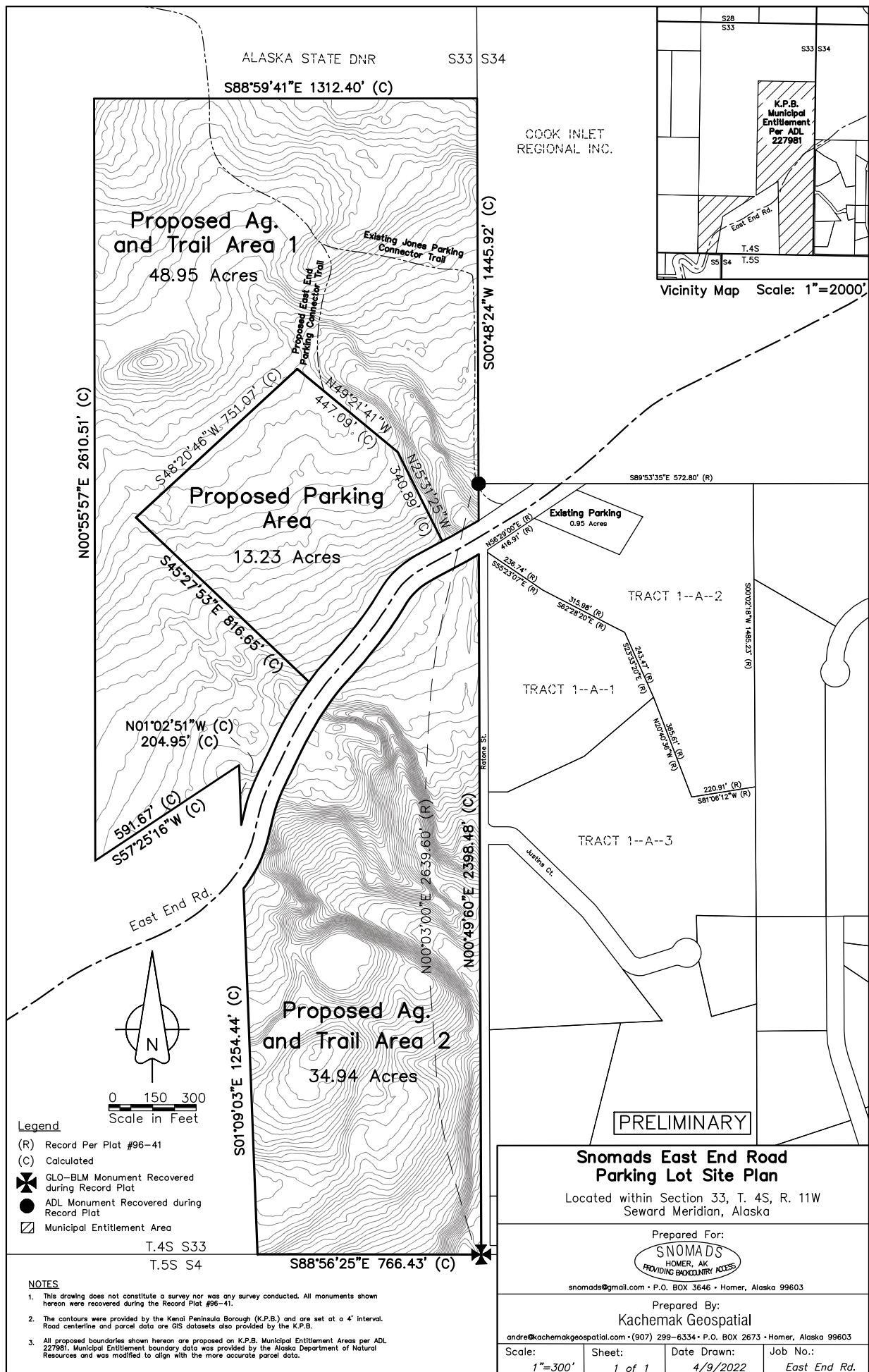


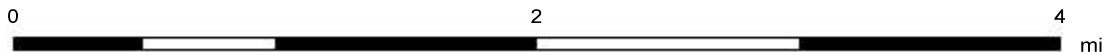
CTMA 2021-01 Amd-1, Apr 22

Snomads _____ KPB _____

pg. 15

Attachment C: Initial Site Plan – East End Rd Public ODR Parking Lot/Ag





SnoMads Bridge

 **Project Area**

KPB Parcel(s):

16523007

Project Description:

recreational use access bridge

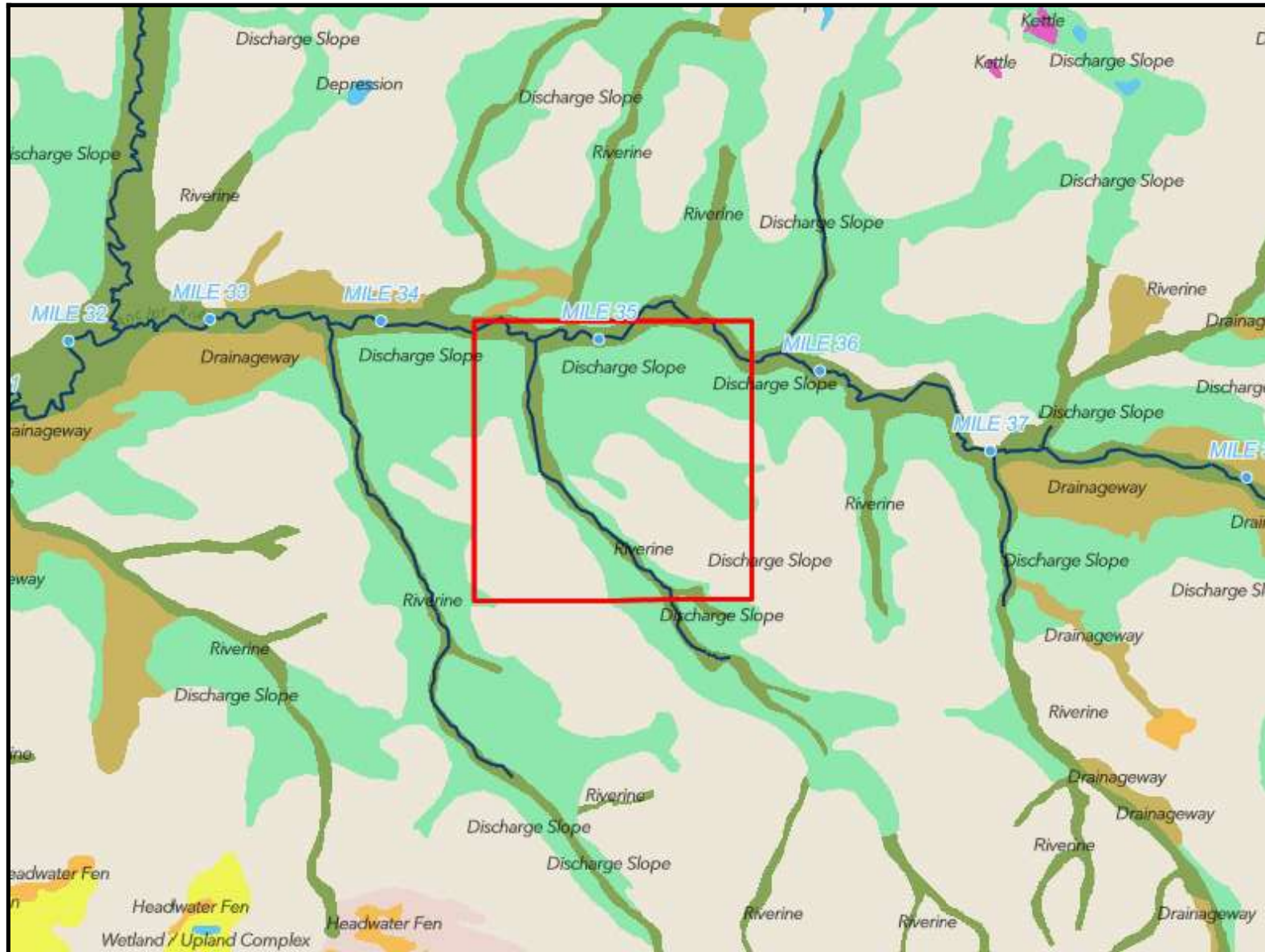
Vicinity: Remote



Map created by Aldridge, Morgan
Tuesday, June 17, 2025



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.



Project Area

KPB Parcel(s):

16523007

Regulatory

KPB 21.18 Anadromous Waters
KPB 21.18 Anadromous Lakes
and Areas

- Exempt
- Managed
- Unregulated
- n/a

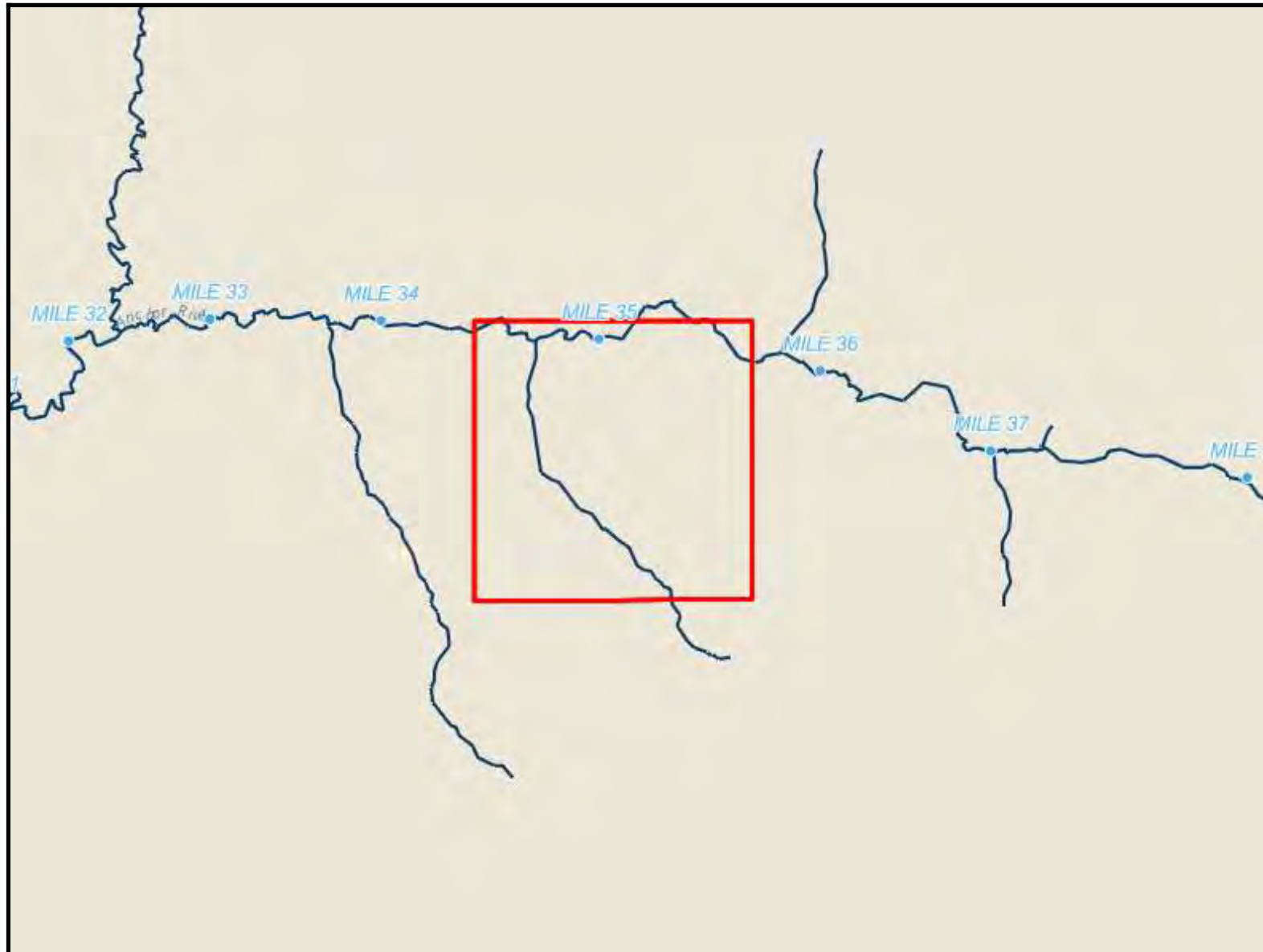
Landcover Features

KWF Wetlands Assessment

- Disturb
- Depression
- Discharge Slope
- Drainageway
- Floating Island
- Headwater Fen
- Kettle
- Lake
- Lakebed

Map created by Aldridge, Morga
Tuesday, June 17, 2025





 **Project Area**

KPB Parcel(s):

16523007

Regulatory

KPB 21.18 Anadromous Waters

KPB 21.18 Anadromous Lakes
and Areas

-  Exempt
-  Managed
-  Unregulated
-  n/a

Map created by Aldridge, Morga
Tuesday, June 17, 2025





**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No.	2025-10
Planning Commission Meeting:	Monday, July 14, 2025
Applicant	SnoMads
Mailing Address	PO Box 3646 Homer, AK 99603
Legal Description	T 4S R 12W SEC 28 SM HM ALL OF SEC 28
KPB Parcel Number	16523007

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of two bridges within the 50-foot Habitat Protection District of the waterbodies, as established in KPB 21.18.040.

Background Information

Per the Snomads trail agreement, this is a portion of the trails system that is being updated in accordance with their trail plan to include a 40 foot bridge across the Anchor River and an unnamed tributary.

Project Details within the 50-foot Habitat Protection District

On the Anchor River, the installation of a 40 foot bridge, construction of 2- eight foot wide sections with wooden plank tops, concrete abutments and up to 64 cubic yards of rock fill. On the unnamed tributary, the installation of a 40 foot bridge, construction of a single 8 foot wide section lined with wooden planks, concrete abutments and up to 32 cubic yards of rock fill.

Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of transportation infrastructure may be approved as a conditional use within the habitat protection district.

3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The bridges will allow for clear fish passage as they meet the ADF&G standards for fish passage.
7. The bridges will allow for recreational use along the trail while also keeping the streams clear of vehicle traffic.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for Monday, July 14, 2025.
11. Agency review was distributed on July 2, 2025. No comments or objections have been received from resource agencies to date.
12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on July 2, 2025. A total of 2 mailings were sent.
13. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
14. The applicant is currently in compliance with Borough permits and ordinances.

Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the waterbodies.
2. The two bridges must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.

6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3, 4-5 and Findings 1-2 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 2-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Condition 8 and Finding 8 appear to support this standard.**

4. The proposed use or structure is water-dependent; **Findings 1, 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements; **Conditions 10-11 and Finding 14 appear to support this standard.**

Attachments

Multi-Agency Application
Draft Resolution 2025-10

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2025-10.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2025-10

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR THE CONSTRUCTION OF BRIDGES ACROSS THE ANCHOR RIVER AND AN UNNAMED TRIBUTARY WITHIN THE 50-FOOT HABITAT PROTECTION DISTRICT.

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was posted as provided in Section 01.08.180 (B) (1) (3); and
- WHEREAS,** public testimony was received at the Monday, July 14, 2025 meeting of the Kenai Peninsula Borough Planning Commission;

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

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

On the Anchor River, the installation of a 40 foot bridge, construction of 2- eight foot wide sections with wooden plank tops, concrete abutments and up to 64 cubic yards of rock fill. On the unnamed tributary, the installation of a 40 foot bridge, construction of a single 8 foot wide section lined with wooden planks, concrete abutments and up to 32 cubic yards of rock fill.

Section 2. Findings of fact pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(5), construction of transportation infrastructure may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The bridges will allow for clear fish passage as they meet the ADF&G standard for fish passage.
7. The bridges will allow for recreational use along the trail while also keeping the streams clear of vehicular traffic.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:

"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for Monday, July 14, 2025.
11. Agency review was distributed on July 2, 2025. No comments or objections have been received from resource agencies to date.
12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on July 2, 2025. A total of 2 mailings were sent.
13. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
14. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the waterbodies.
2. The installation of the 40 foot bridges must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within one calendar year from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage

to riparian wetlands and riparian ecosystems; **Conditions 1, 3, 4-5 and Findings 1-2 appear to support this standard.**

2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 2-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Condition 8 and Finding 8 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 1 and 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Conditions 10-11 and Finding 14 appears to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2025.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



KENAI PENINSULA BOROUGH RIVER CENTER NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Anchor River (244-10-10010). This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located in Kachemak Bay, Alaska, Parcel ID 16523007. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

SnoMads is applying to install a bridge across the Anchor River and an unnamed tributary to allow for ATV and snowmachine crossing along the Watermelon Trail.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

When: Monday, July 14, 2025 at 7:30 pm or as soon thereafter as business permits
Where: This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough Administration Building located at 144 North Binkley Street, Soldotna.
Zoom: Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
1-888-788-0099 or 1-877-853-5247
Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, July 11, 2025.**

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road
Soldotna, Alaska 99669

Email comments to:
KenaiRivCenter@kpb.us

For additional information, please contact Morgan Aldridge at MAldridge@kpb.us or 907-714-2465.

E. NEW BUSINESS

8. Conditional Use Permit; PC Resolution 2025-12

Applicant: State of Alaska DOT

Request: To replace & upgrade a culvert along an unnamed anadromous stream that is a tributary to the Snow River, along the Seward Highway

Location: 22635 Seward Highway

Bear Creek Area

(Staff Person: Planner Morgan Aldridge)

Multi-Agency Permit Application

Kenai Peninsula Borough

River Center

514 Funny River Road
Soldotna, Alaska 99669
KenaiRivCenter@kpb.us

Phone: (907) 714-2460
Fax: (907) 260-5992

Fees Received: \$ _____

☐ Cash

☐ Check # _____

CREDIT CARDS NOT ACCEPTED
FOR APPLN FEES

PROPERTY OWNER:

Name: AK DOT&PF
Mailing: 4111 Aviation Avenue
Anchorage, AK, 99519
Phone: 907-269-0530
Email: maureen.orr@alaska.gov

AGENT: (if applicable)

Name: HDR Inc., Greg Hartman
Mailing: 583 E. 36th Ave. Suite 500,
Anchorage, AK, 99503-4169
Phone: _____
Email: greg.hartman@hdrinc.com

PROJECT LOCATION:

KPB Parcel ID: See Project Documentation
Physical Address: Seward Highway MP 14
Subdivision: _____
Lot: _____ Block: _____ Addition/No.: _____

WATERBODY INFORMATION:

Waterbody: Snow River
River Mile: 4.5 & 5.7
Riverbank: ☒ Left ☐ Right (looking downstream)

PERMIT FEES: ☐ \$50 - Staff Permit **OR**

☐ \$300 - Conditional Use or Floodway Analysis

PROJECT: ☐ New Project **OR**

☐ Extension/Amendment to **RC#** _____

Please select all activities that apply to your project:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bank Stabilization | <input checked="" type="checkbox"/> Fish & Wildlife Management | <input checked="" type="checkbox"/> Road Construction |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Floating Dock | <input type="checkbox"/> Structure (Accessory) |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Fuel Storage Green Infrastructure | <input type="checkbox"/> Structure (Residential) |
| <input type="checkbox"/> Coir Logs | <input type="checkbox"/> In-Stream Structures (Weir) | <input type="checkbox"/> Spruce Tree Revetment |
| <input checked="" type="checkbox"/> Culvert | <input type="checkbox"/> Oil & Gas | <input type="checkbox"/> Stream Crossing |
| <input type="checkbox"/> ELP Structures | <input type="checkbox"/> On-Site Utilities | <input type="checkbox"/> Utility Line/Easement |
| <input type="checkbox"/> Equipment Stream Crossing | <input type="checkbox"/> Prior-Existing Structure | <input type="checkbox"/> Veg Mat |
| <input checked="" type="checkbox"/> Excavation, Dredging, and/or Fill | <input type="checkbox"/> Revegetation | <input checked="" type="checkbox"/> Vegetation Removal |
| <input type="checkbox"/> Fence Installation | <input type="checkbox"/> Root Wads | <input type="checkbox"/> Water Withdrawal |
| | | <input type="checkbox"/> Other: _____ |

PROJECT DESCRIPTION: *Provide a detailed description of your project, attach additional pages if necessary.*

See attached project description.

COST-SHARE: Is this project funded by the ADFG-USFWS Cost-Share Program? ☐ Yes ☒ No

KPB TAX CREDIT PROGRAM: KPB provides a tax credit as partial reimbursement for new habitat protection and restoration projects within 150 feet of anadromous streams. If you would like to pre-qualify for this credit, please provide your estimated project cost(s) below. Do not include grants or other funding assistance:

Elevated Light-Penetrating Structures \$ _____ Other Activities \$ _____
Habitat Restoration & Protection \$ _____ Green Infrastructure \$ _____

PROJECT QUESTIONS:

1. Start date: April 2026 End date: October 2027 Estimated Days of Construction: 430; see project description for more
2. Is any portion of the work already complete? If yes, please describe: ☐ Yes ☒ No
3. Is your project located on land or waters of an Alaska State Park? ☐ Yes ☒ No
If yes, you must fill out an Alaska State Parks application at: dnr.alaska.gov/parks/permit

Ordinary High Water (OHW) and Mean High Water (MHW):

4. Is the project located within 50 feet of OHW or MHW a waterbody? ☒ Yes ☐ No
5. Does any portion of the project extend below the OHW or MHW of the waterbody? ☒ Yes ☐ No
6. Does any portion of the project cantilever or extend over the MHW of the waterbody? ☐ Yes ☒ No
7. Will anything be placed below OHW or MHW of the waterbody? ☒ Yes ☐ No

Regulatory Floodplains:

8. Is the property where the project is taking place near or within a regulatory floodplain? ☐ Yes ☒ No
- a. Is this project within or adjacent to a regulatory floodway? ☐ Yes ☒ No
- b. Is this project within or adjacent to a coastal high hazard zone? ☐ Yes ☒ No
- c. For new buildings and/or additions, list all project costs (labor, materials, etc.): \$ _____

Excavation, Dredging, and Fill:

9. Will material be excavated or dredged from the site? ☒ Yes ☐ No
- a. Type of material(s): Existing soil
- b. Area to be dredged below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: See attachment
- c. Area to be excavated above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: See attachment
- d. Location materials will be deposited: _____
10. Will any material (including soils, debris, and/or overburden) be used as fill? ☒ Yes ☐ No
- a. Type of material(s): See attachment
- b. Is this fill permanent or temporary? ☒ Permanent ☐ Temporary
- c. Area to be filled above OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: See attachment
- d. Area to be filled below OHW or MHW:
Length: _____ (ft) Width: _____ (ft) Depth: _____ (ft) Total Cubic Yards: See attachment

Motorized Equipment:

11. Will you be using motorized equipment for this project? If yes, please list all equipment: ☒ Yes ☐ No
Excavator, haul truck, grader, compactor, paver, roller, semitrailers, loaders
- a. Will you be crossing a stream or waterbody? ☐ Yes ☒ No
- b. How long will equipment be used below OHW or MHW? _____

SIGNATURE & CERTIFICATION:

This application is hereby made requesting permit(s) to authorize the work described in this application form. I certify the information in this application is complete and accurate to the best of my knowledge and that my site plans or drawings are attached. If applying for a tax credit, I certify that I have not begun construction of the project and that the project will be constructed to the standards in KPB 5.12 Real Property and Personal Property Taxes, KPB 5.14 Habitat Protection Tax Credit, and other applicable federal, state, and local regulations.

Maureen Orr Digitally signed by Maureen Orr
Date: 2025.06.20 12:25:32 -08'00'

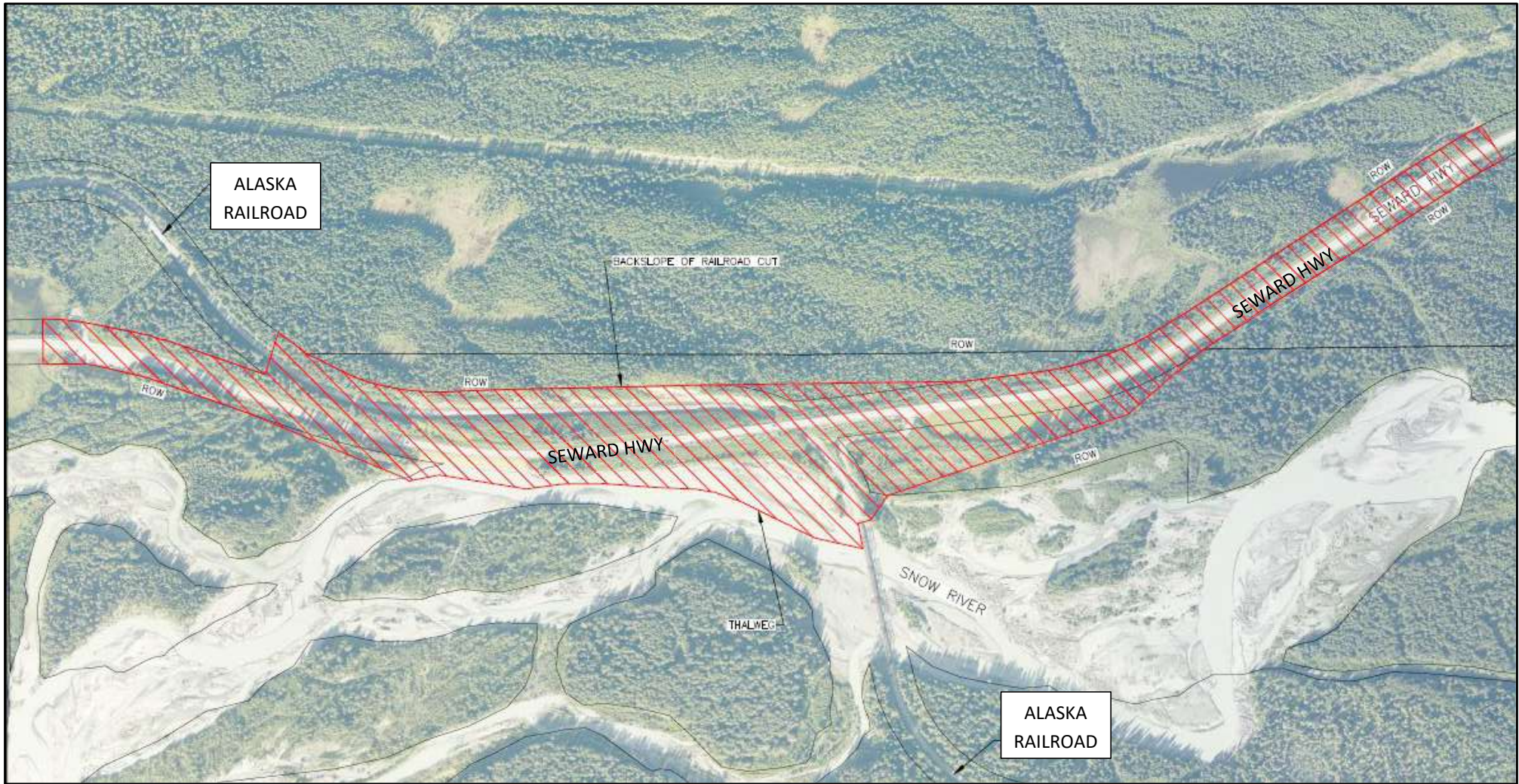
Owner Signature (required)

Date

Hughes, Christopher Digitally signed by Hughes, Christopher
DN: cn=Christopher Hughes, o=City of Anchorage, ou=City of Anchorage, email=Christopher.Hughes@cityofanchorage.ak.us, c=US

Agent Signature (if applicable)

Date



Project area



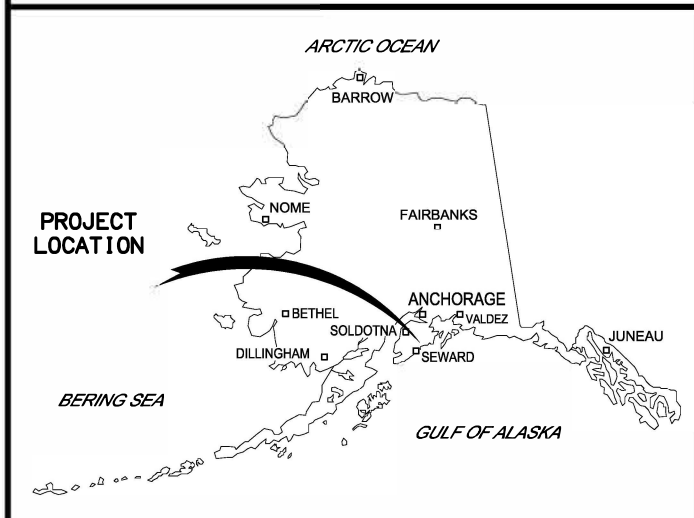
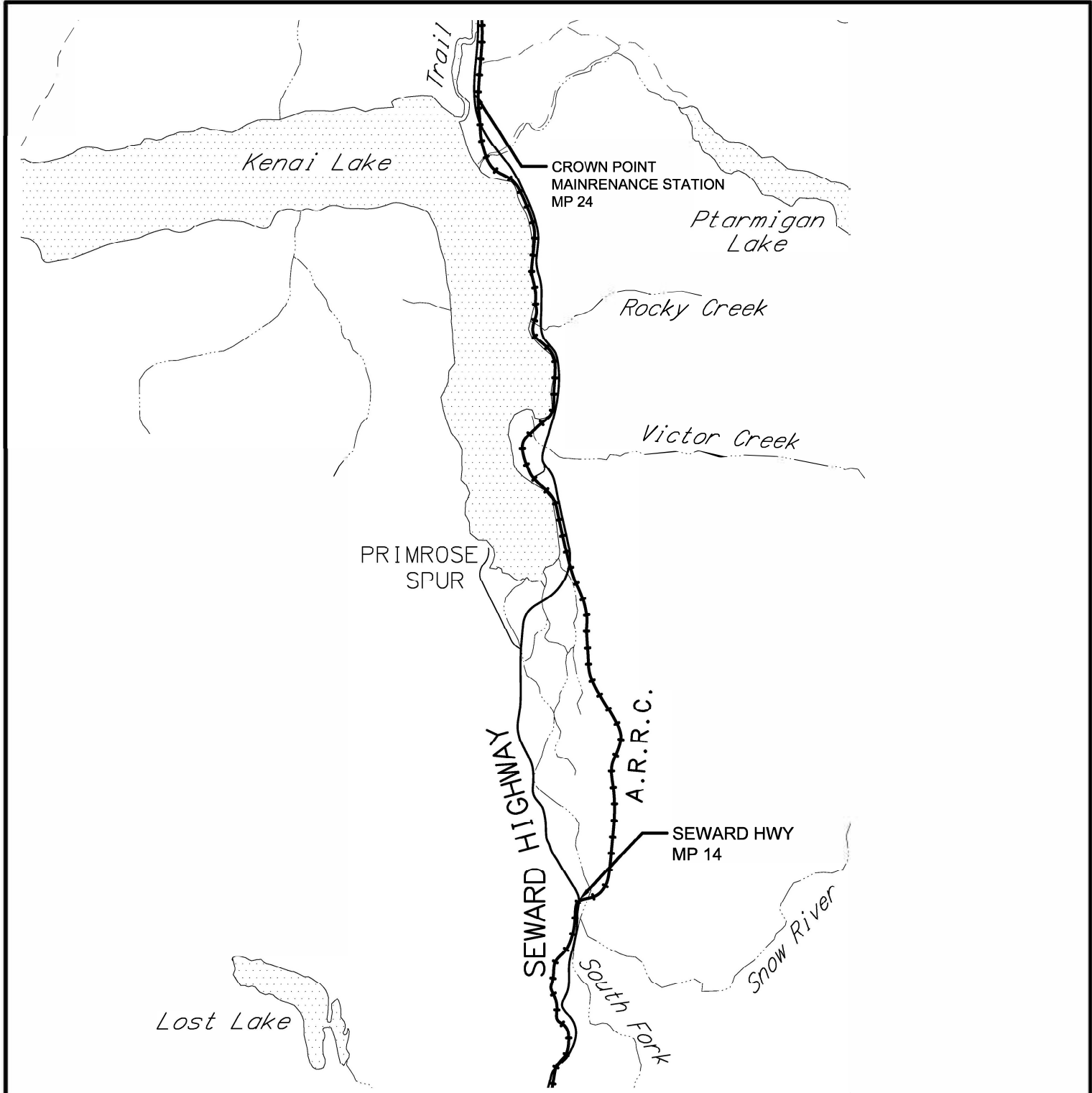
Parcel/ROW line



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION & PUBLIC
FACILITIES
PRELIMINARY DESIGN AND ENVIRONMENTAL

**Seward Highway MP 14 Railroad Crossing
Reconstruction**
PROJECT NO. 0311037 / CFHWY00947

**FIGURE 2
PROJECT AREA**



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

FIGURE 1
SEWARD HWY MP 14 RAILROAD CROSSING
RECONSTRUCTION
PROJECT NO. 0311037 / CFHWY00947

VICINITY AND LOCATION MAP



Project Description to Support the Kenai Peninsula Borough Multi- Agency Permit Application

Alaska Department of Transportation and Public Facilities

Seward Highway MP 14 Railroad Crossing Reconstruction
CFHWY00947

June 20, 2025



1. Introduction

The Alaska Department of Transportation and Public Facilities (DOT&PF) has assumed the responsibilities of the Federal Highway Administration under 23 U.S.C.327 and is proposing to reconstruct the separated-grade railroad crossing on the Seward Highway near Mile Post (MP) 14 (Project). The Project will accommodate a planned Alaska Railroad Corporation (ARRC) project that is proposing to raise the elevation of their nearby Snow River bridge, which will require an increase to the track elevation where it crosses underneath the Seward Highway. The project extent runs from Seward Highway MP 13.5 to MP 14.7 (Figures 1 and 2).

The Snow River (244-30-10010-2250) runs adjacent to the Seward Highway in this location. Every one to three years, the river experiences significant flooding caused by a glacial outburst, or Jokulhlaup, from the Snow Glacier above the Seward Highway. These flooding events threaten the railroad bridge just east of Seward Highway at MP 14. To mitigate this threat, ARRC is raising the bridge over the Snow River, resulting in the need to raise the highway overpass to allow for the railroad to pass at the Project location. This project description was written to support the Project's Kenai Peninsula Borough Multi-Agency Permit Application for replacing two culverts that convey water to Snow River.

1.1. Project Overview

The proposed reconstruction project is replacing two existing culverts beneath the Seward Highway to support road improvements. Construction would occur between April 2026 and October 2027. The total number of construction days will be approximately 430, depending on the Contractor's schedule. Daily work hours would be up to the Contractor's discretion.

The Project would replace the culvert listed in the Alaska Department of Fish and Game Anadromous Waters Catalogs, anadromous waters catalog stream (AWC stream; 244-30-10010-2250-3024; 60.29176389, -149.33910833) and an adjacent perennial stream non listed in the Alaska Department of Fish and Game Anadromous Waters Catalog (non-AWC stream; 60.28238889, -149.34275000). Both culvert locations are within Section 5M, Township T2N, Range R1E, Seward Meridian, USGS Quadrangle Seward B-7 SE.

The AWC stream is listed in the AWC for coho salmon (*Oncorhynchus kisutch*; presence and rearing). The AWC stream flows into Snow River approximately 0.21 miles downstream of the existing culvert. The non-AWC stream is conveyed directly into Snow River from its existing culvert. Snow River is listed in the AWC for coho salmon (spawning, rearing, and presence); sockeye salmon (*O. nerka*; spawning and presence), and Dolly Varden (*Salvelinus malma*; presence).

The 24-inch diameter culvert in the non-AWC stream would be replaced with a 36-inch diameter drainage culvert. The existing 7-foot diameter culvert in the AWC stream would be replaced with a 13-foot diameter steel fish passage culvert. The new culverts would be placed and constructed in the dry outside of their respective stream's OHW.

2. Existing Conditions

2.1. Non-AWC stream

The non-AWC stream flows beneath the Seward Highway in the existing 24-inch drainage culvert. The wetted width of the non-AWC stream is between 3 and 10 feet. The gradient of the stream within the culvert is 8.8 percent. The inlet to the existing culvert is mostly submerged or buried which causes ponding upstream of the culvert. The existing culvert outlet is perched approximately 3 feet above the Snow River channel and is armored with riprap. Observations from June 2024 identified minimal flow being conveyed through the culvert while water was seeping through the embankment under the pipe and daylighting in the Snow River Floodplain. Damage to the existing culvert's outlet is indicative of flooding from Snow River. A waterfall downstream of the culvert acts as a barrier to fish passage.

2.2. AWC Stream (244-30-10010-2250-3024)

The AWC stream flows through the existing 7-foot diameter drainage culvert beneath the Seward Highway. The width of the stream and its substrate size are unknown. A minor amount of substrate lines the inside of the culvert and appears to have been washed into the culvert. The outlet and inlet are placed on top of the streambed rather than partly buried like a stream simulation pipe; thus, flow is narrower inside the pipe than the natural channel. Although the pipe is in good condition and is large enough to convey the flow, the culvert is being replaced because it does not presently meet fish passage culvert design standards.

3. Proposed Design

There will be no in-water work included in the installation of either culvert. During construction of both culverts, the existing pipe would remain in use until the new pipe is ready for flow. A dam would be constructed at the upstream most point of each newly constructed stream reach to prevent the existing flow from entering the new reach until construction is completed. This location is identified as where the new reach meets the existing stream in Attachment A. The following motorized equipment would be used for the Project: excavator, haul truck, grader, compactor, paver, roller, semitrailer, and loader. Equipment would not cross any streams or waterbodies.

The installation of the new pipes will be accomplished using a half-width construction method. First, the roadway embankment will be lowered to accommodate one-way traffic on the upstream side of the roadway, while the downstream half of the proposed culvert would be installed. Then the downstream side of the roadway embankment will be temporarily constructed to accommodate traffic while the upstream half of the proposed culvert is installed.

If excavated material is usable, it may be used as fill for new culvert construction. If excavated material is not usable, Selected Material, Type C will be used for new culvert construction. Any excavated material not used as fill would be hauled offsite to a Contractor-furnished disposal site.

When the new culverts are installed the existing stream channel would be diverted in a way that minimizes sediment movement downstream of the site. The new stream segments would be washed with the minimum amount of water necessary to wash fines into the creek bed as determined by the Project engineer. This would be done until water flowing from the Project area runs clear. After the initial sediment pulse is removed, the dam separating the existing and new stream channel would be slowly removed to mitigate a large pulse of water being sent through the new channel. This would all be done from the bank. The old culvert would be replaced when all of the stream flow is successfully diverted through the new culvert. The old stream segment dewatered by the new flow diversion would be monitored for fish. An ADF&G Aquatic Resource Permit would be obtained for the Project that would allow fish to be moved from the dewatered area and placed in the nearest upstream pool. After the existing culverts are dry, they would be removed with a similar half-width method to keep a one-lane traffic flow operating at all times.

All construction would occur from stream banks. No tracked vehicles would cross the streams. No piles would be placed below OHW. Pumps would not be used for dewatering. Temporary silt fences would be used to mitigate runoff and sedimentation into nearby streams. Disturbed areas would be topped with 4 inches of weed-free soil and revegetated with a native mix. Banks would be recontoured to mimic existing conditions. Cross sections of each culvert are provided in Attachment A.

3.1. Non-Anadromous Perennial Stream

A 140-foot long, 36-inch diameter steel drainage culvert would replace the existing 24-inch drainage culvert at the perennial stream. The new drainage culvert would be placed beneath Seward Highway 15 feet south of the existing culvert (Attachment A, P4-1) and continue to convey water into Snow River. The alignment of the proposed culvert will be shifted perpendicular to the road to reduce the slope of the crossing from 8.8 percent to 3.0 percent. The culvert as designed meets DOT&PF design guidelines for drainage culverts along highways, as the 50-year storm event does not cause the headwater-to-diameter ratio of the culvert to go beyond 1.5.

Aprons and riprap collars will be placed at both the inlet and outlet of the culvert. The collars and upstream apron would be composed of Class II riprap. The upstream apron would extend 6 feet upstream from the culvert inlet. The outlet apron would consist of Class III riprap from the culvert outlet to the stream channel due to the steep slope necessary for the culvert outlet apron (2:1). From the toe of the bank, a 10-foot-long pad will be placed at the end of the apron on the channel bottom to prevent a scour hole from developing on the downstream end of the apron. The apron was designed to resist destabilization from glacial outburst events in Snow River. Excavation and fill quantities for the non-AWC stream culvert are provided in Table 1 and Table 2, respectively. Approximately 425.4 cy of material would be excavated above OHW for the non-AWC stream. Approximately 465.1 cy of material would be filled above OHW for the non-AWC stream, and 39.3 cy would be filled below OHW for the diversion dams. Lengths and widths of different excavation or fill materials may overlap. See Attachment A for details on excavation and fill locations.

Table 1 Non-AWC stream Excavation

Project Component	Location	Material	Length Excavated (ft)	Width Excavated (ft)	Depth Excavated (ft)	Total Excavated (cy)
Downstream Apron	Above OHW ^a	Native Material/Selected Material, Type C	19.8	9	3	16.3
Downstream Culvert Segment ^b	Above OHW	Varies ^b	Varies ^b	Varies ^b	Varies ^b	409.1
Total	Above OHW	N/A	N/A	N/A	N/A	425.4

Note: ft = feet; N/A = Not Applicable

^a Construction would be done in the dry. This area would be under OHW after flow is diverted to the new reach

^b Downstream approximately 25-feet of culvert and apron

^c Varies, see Project Drawings (Attachment A)

Table 2 Non-AWC stream Fill

Project Component	Location	Material	Length Filled (ft)	Width Filled (ft)	Depth Filled (ft)	Total Filled (cy)
Downstream Apron	Below OHW ^a	Class III Riprap (apron)	19.8	9	3	16.3
Downstream Culvert Segment ^a	Above OHW	Native Material/Selected Material, Type C	N/A	N/A	N/A	389.8
Downstream Culvert Segment ^a	Above OHW	Class III Riprap (apron)	31.9	9	3	27.6
Downstream Culvert Segment ^a	Above OHW	Class II Riprap (Collar)	12.9	9	1.5	5.2
Downstream Culvert Segment ^a	Above OHW	Structural Fill	20.4	Varies ^b	Varies ^b	18.5
36-inch Culvert	Above OHW	36-in Culvert	23.11	3	3	7.7
Diversion to Keep New Reach Dry	Below OHW	Supersack	30.0	2.9	3.5	11.3
Diversion to New Stream Reach	Below OHW	Native Excavated Material	30.0	3.0	3.5	11.7
Total	Above OHW	N/A	N/A	N/A	N/A	465.1
Total	Below OHW	N/A	N/A	N/A	N/A	39.3

Note: ft = feet; N/A = Not Applicable

^a Construction would be done in the dry. This area would be under OHW after flow is diverted to the new reach

^b Downstream approximately 25 feet of culvert and apron

^c Varies, see Project Drawings (Attachment A)

3.2. AWC Stream (244-30-10010-2250-3024)

A 140-foot long, 13-foot diameter steel fish passage culvert (Attachment A, P11-2) would replace the existing culvert at the AWC stream. This design meets the needs for fish passage design guidelines and is sized to be stable for the 100-year flood event. The proposed culvert would be situated 25 feet north of the existing crossing and remain in the same drainage as the existing stream. The slope of the culvert is 0.5 percent, which matches the stream slope near the culvert and the floodplain as a whole. The proposed culvert would be embedded 5.2 feet at the thalweg, with a channel formed inside the culvert that leads up to banks at the culvert edges, raising the embedment further to 7 feet. The embedment material inside the culvert would cover the streambed surface and extend two feet deep. The streambed mix would be composed of 30 percent Class I riprap, 30 percent D-1 base course, and 40 percent ditch lining. A second layer would begin 2 feet below the streambed surface and extend an additional 3.2 feet deep. This layer would be composed of ditch lining.

The proposed fish passage culvert will have riprap collars and aprons at both the inlet and outlet. The collars would be composed of Class II riprap and the aprons will consist of the streambed mix inside the culvert, as well as Class II riprap banks. Both aprons will match the channel geometry inside the culvert with the riprap banks bordering the channel on either side (Attachment A). The inlet apron will extend 13 feet upstream of the culvert inlet, and the outlet apron will extend 76.6 feet downstream of the culvert outlet. The outlet apron will tie into the existing stream channel downstream of the present culvert crossing. The proposed culvert was evaluated for resistance to buoyant forces in the fully inundated inlet condition and buoyancy was determined to not be an issue due to the weight of the infill. Excavation and fill quantities for the AWC stream are provided in Table 3 and Table 4, respectively. Approximately 4,350.6 cy of material would be excavated above OHW for the AWC stream. Approximately 4,399.1 cy of fill material would be used for the AWC Stream above OHW and 51.1 cy of fill below OHW. Lengths and widths of different excavation or fill materials may overlap. See Attachment A for details on excavation and fill locations. Due to the irregular dimensions of many of the quantities measured, the cross-sectional area (width*depth) has been reported for the shape, with specific width and depth measurements varying along the shape.

Table 3 AWC Stream Excavation

Project Component	Location	Material	Length Excavated (ft)	Width (ft)	Cross Section Area (ft ²)	Depth Excavated (ft)	Total Excavated (cy)
Upstream Apron	Above OHW ^a	Native Material/Selected Material, Type C	13.0	Varies ^b	33.4	Varies ^b	16.1
Culvert	Above OHW ^a	Native Material/Selected Material, Type C	140.0	Varies ^b	225.9	Varies ^b	1171.1

Downstream Apron	Above OHW ^a	Native Material/Selected Material, Type C	76.6	Varies ^b	51.88	Varies ^b	147.2
Culvert	Above OHW	Native Material/Selected Material, Type C	140.0	Varies ^b	581.7	Varies ^b	3,016.2
Total	Above OHW	N/A	N/A	N/A	N/A	N/A	4,350.6

Note: ft = feet; ft² = square feet; cy = cubic yards; N/A = Not Applicable

^a Construction would be done in the dry. This area would be under OHW after flow is diverted to the new reach

^b Varies, see Project Drawings (Attachment A)

Table 4 AWC Stream Fill

Project Component	Location	Material	Length Filled (ft)	Width (ft)	Cross Section Area (Width*Depth) (ft ²)	Depth Filled (ft)	Total Filled (cy)
Upstream Apron	Above OHW ^a	Streambed Material	13.0	Varies ^b	25.6	Varies ^b	12.3
Upstream Apron	Above OHW ^a	Class II Riprap	13.0	Varies ^b	3.0	1.52	4.4
Upstream Apron	Above OHW ^a	Topsoil and Seed	13.0	Varies ^b	22.4	Varies ^b	10.8
Upstream Collar	Above OHW ^a	Native Material/Selected Material, Type C	140.0	Varies ^b	N/A	Varies ^b	494.6
Upstream Collar	Above OHW ^a	Streambed Material	140.0	Varies ^b	35.5	Varies ^b	183.8
Upstream Collar	Above OHW ^a	Ditch Lining	140.0	Varies ^b	25.4	Varies ^b	131.7
Upstream Collar	Above OHW ^a	Structural Fill	140.0	Varies ^b	69.6	Varies ^b	361.0
Downstream Apron	Above OHW ^a	Streambed Material	76.6	Varies ^b	27.4	Varies ^b	77.7
Downstream Apron	Above OHW ^a	Class II Riprap	76.6	Varies ^b	3.0	3.0	51.1
Downstream Collar	Above OHW ^a	Class II Riprap	3.0	Varies ^b	26.3	Varies ^b	5.8
Upstream Apron	Above OHW	Streambed Material	76.6	Varies ^b	1.03	Varies ^b	5.8

Upstream Apron	Above OHW	Class II Riprap	76.6	Varies ^b	3.0	0.5	8.5
Upstream Apron	Above OHW	Topsoil and Seed	13.0	Varies ^b	16.4	Varies ^b	7.9
Upstream Collar	Above OHW	Class II Riprap	3.0	Varies ^b	61.9	Varies ^b	13.8
Culvert	Above OHW	Native Material/Selected Material, Type C	140.0	Varies ^b	581.7	Varies ^b	1,778.8
Culvert	Above OHW	Culvert	140.0	Varies ^b	13	13	876.3
Culvert	Above OHW	Structural Fill	140.0	Varies ^b	69.6	Varies ^b	361.0
Downstream Collar	Above OHW	Class II Riprap	3.0	Varies ^b	61.9	Varies ^b	13.8
Diversion to Keep New Reach Dry	Below OHW	Supersack	74.0	2.9	10.15	3.5	27.8
Diversion to New Stream Reach	Below OHW	Native Excavated Material	60.0	3.0	10.5	3.5	23.3
Total	Above OHW	N/A	N/A	N/A	N/A	N/A	4,399.1
Total	Below OHW	N/A	N/A	N/A	N/A	N/A	51.1

Note: ft = feet; ft² = square feet; cy = cubic yards; N/A = Not Applicable

^a Construction would be done in the dry. This area would be under OHW after flow is diverted to the new reach

^b Varies, see project drawings (Attachment A)

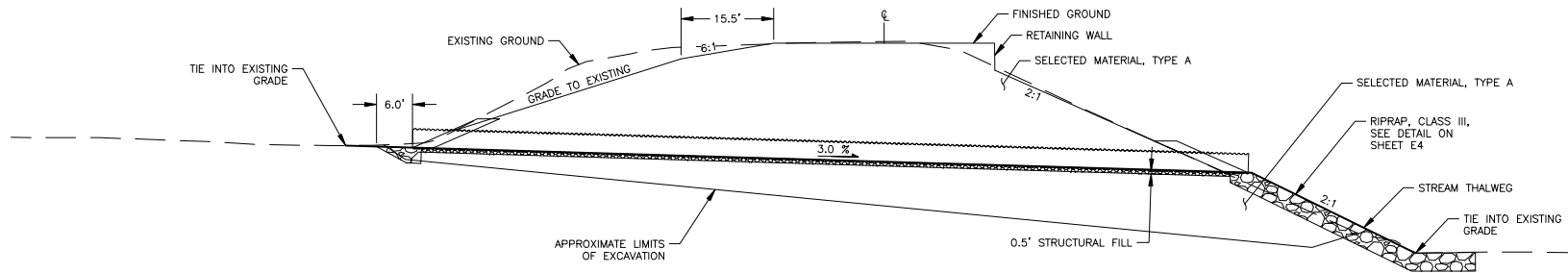
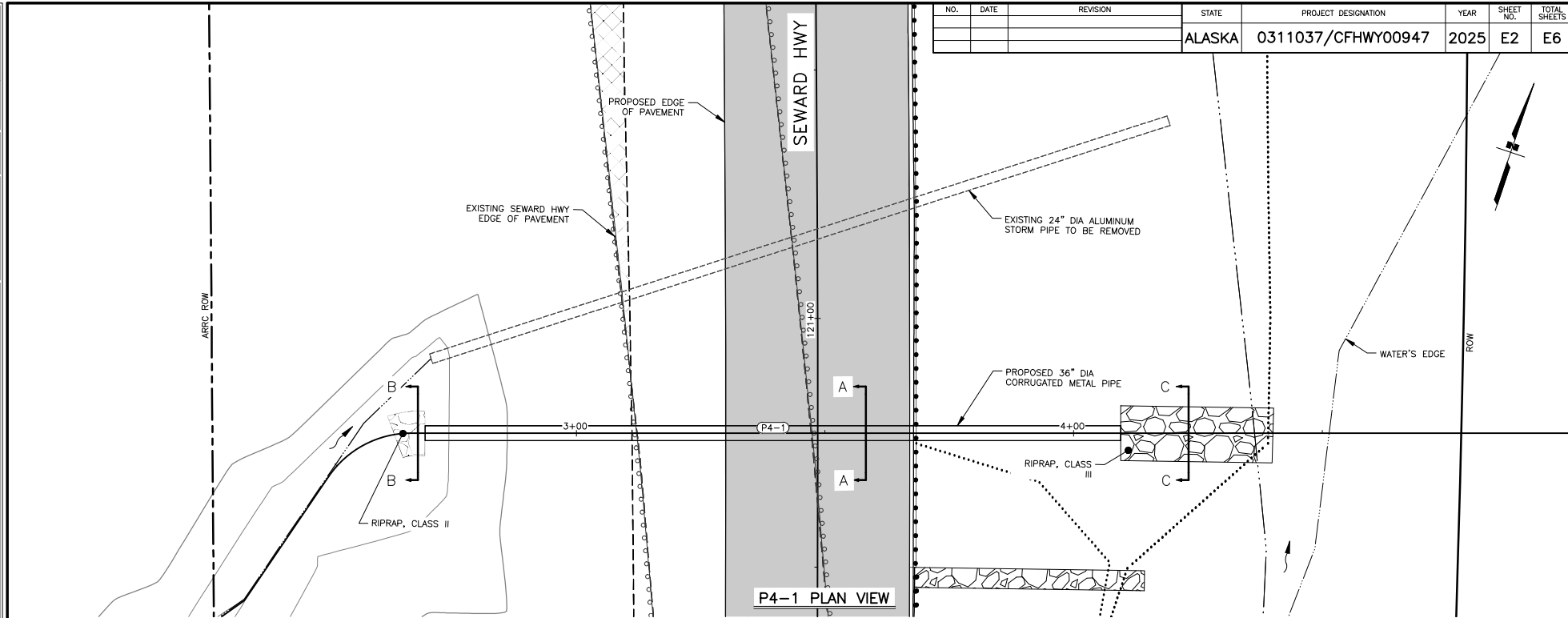
4. Mitigation Measures

DOT&PF would implement the following mitigation measures to mitigate or avoid impacts to nearby resources:

- The contractor shall wash equipment (including all tracked equipment, excavation equipment, and excavation hauling equipment) prior to mobilization to mitigate the potential for invasive species
- Fill materials shall be clean and free of contaminants and materials shall be obtained from noxious weed-free material sites.
- The contractor will prepare and submit a final stream diversion and dewatering plan to the project engineer for approval.
- Fish remaining onsite within any dewatered areas will be captured and relocated to the closest pool upstream of the construction area prior to completely dewatering the site.

An Aquatic Resource Permit will be acquired in accordance with ADF&G procedures prior to construction activities.

- Stream bottoms outside of culverts and aprons will consist of native, in-situ materials.
- High-pressure water will be sprayed on all culvert and apron infill material to thoroughly wash fines into the streambed and riprap prior to diverting the stream into the newly constructed channel
- Reshaped stream channels will have bank faces that are uneven, protrude into the channel, and will be rough in appearance.
- Staging areas and disposal of materials generated from excavations will not occur in mapped waters of the United States.
- Fueling will not occur within or adjacent to stream beds or wetlands.
- The contractor will follow applicable best management practices for the work being performed in accordance with the Alaska Pollution Discharge Elimination System Construction General Permit. The contractor will be required to prepare a project-specific Erosion and Sediment Control Plan and a Stormwater Pollution Prevention Plan (SWPPP) for IPEC approval prior to construction. The SWPPP will identify additional best management practices as needed.
- As part of the SWPPP, the contractor shall minimize erosion and sedimentation of all waterways by implementing control measures as areas are disturbed by construction.



PIPE SUMMARY

PIPE	SIZE (IN)	LENGTH (FT)	INLET STATION	INLET OFFSET	INLET INVERT ELEV. (FT)	OUTLET STATION	OUTLET OFFSET	OUTLET INVERT ELEV. (FT)	% GRADE	REMARKS
P4-1	36	139.94	120+76.93	78.99' LT	502.3	120+76.93	60.94' RT	498.1	3.00%	

NOTES

- FOLLOW MANUFACTURERS INSTALLATION SPECIFICATIONS IN ALL CULVERT INSTALLATIONS.
- MINIMIZE DISTURBANCE TO THE VEGETATIVE MAT AROUND CULVERT ENDS, BUT CLEAR AND GRADE AS NEEDED TO ENSURE PROPER DRAINAGE.
- FOR SECTION VIEW A-A, DETAILS, SEE SHEET E4.

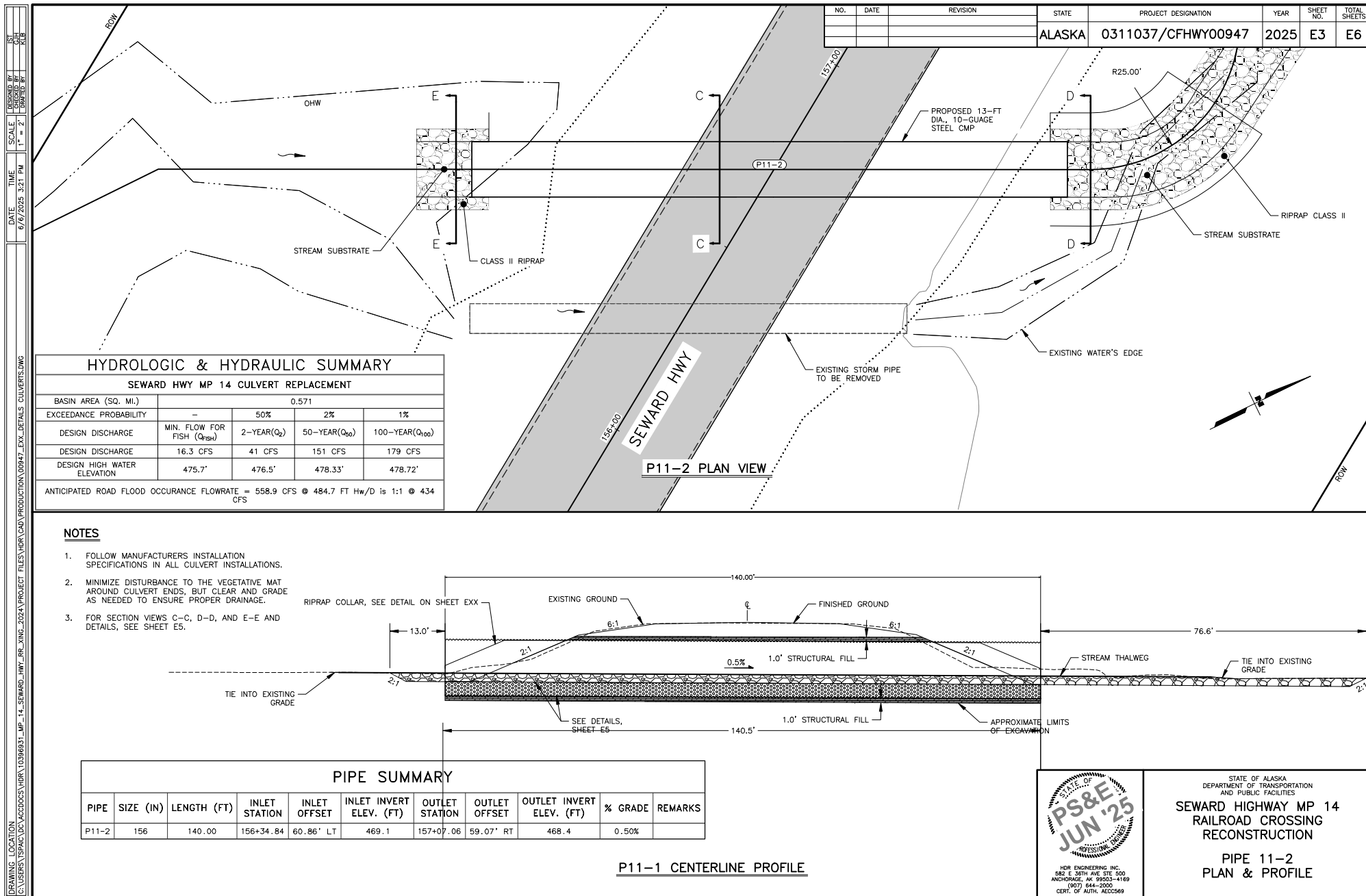


STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

**SEWARD HIGHWAY MP 14
RAILROAD CROSSING
RECONSTRUCTION**

PIPE 4-1 PLAN AND PROFILE

HOR ENGINEERING INC.
582 E 36TH AVE STE 500
ANCHORAGE, AK 99503-4169
(907) 644-2000
CERT. OF AUTH. AEC0569



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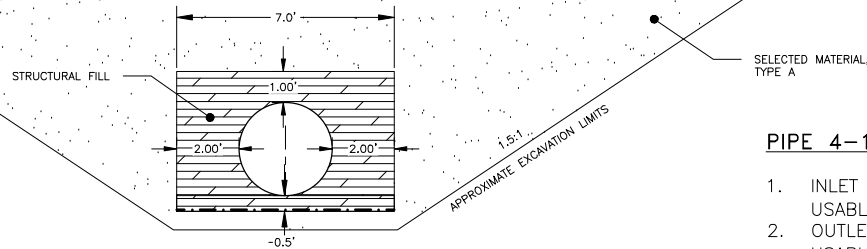
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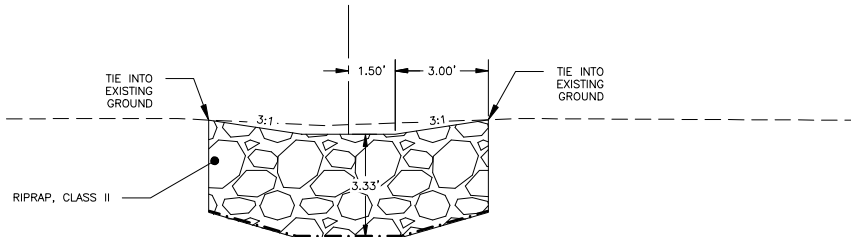
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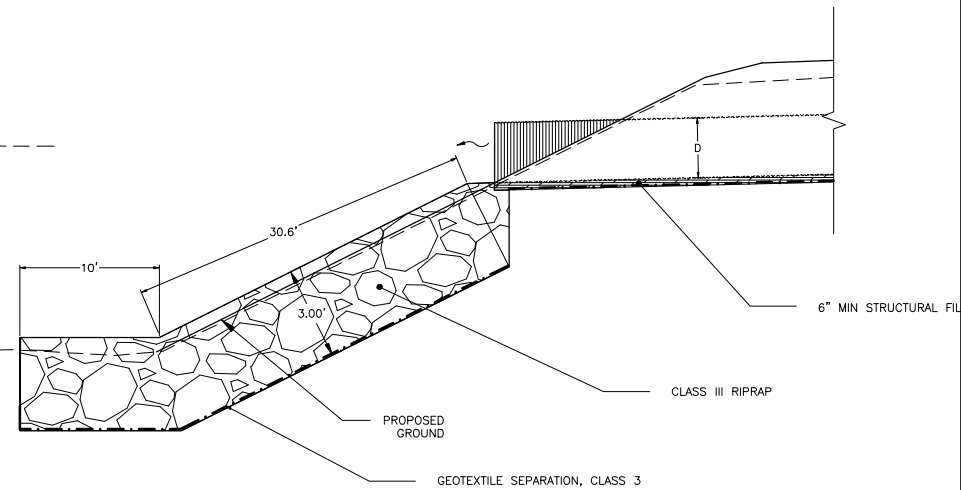
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PIPE 4-1 APRON NOTES:

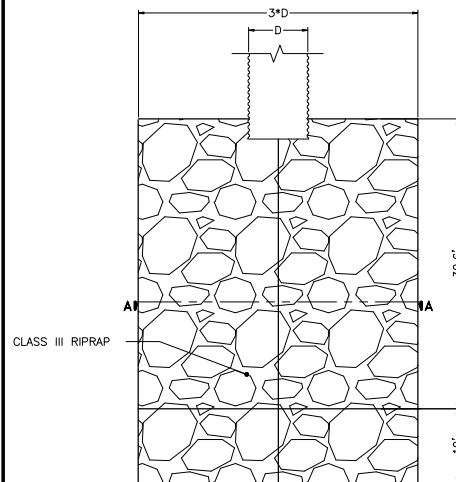
1. INLET APRON MATERIAL SHALL CONSIST OF RIPRAP CLASS II WITH ALL VOIDS FILLED WITH USABLE EXCAVATION (SEE DOT STANDARD SPECIFICATION 611-2.01).
2. OUTLET APRON MATERIAL SHALL CONSIST OF RIPRAP CLASS III WITH ALL VOIDS FILLED WITH USABLE EXCAVATION (SEE DOT STANDARD SPECIFICATION 611-2.01).



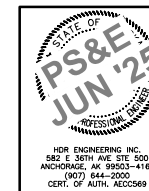
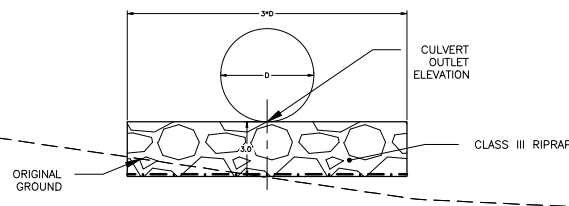
SECTION B-B PIPE 4-1 PROPOSED CULVERT INLET



PIPE 4-1 PROPOSED CULVERT OUTLET DOWN DRAIN DETAIL



SECTION B-B PIPE 4-1 PROPOSED CULVERT OUTLET PLAN AND PROFILE



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
**SEWARD HIGHWAY MP 14
RAILROAD CROSSING
RECONSTRUCTION**
**PIPE 4-1 CROSS-SECTION
DETAILS**

HBR ENGINEERING INC.
582 E 36TH AVE STE 500
ANCHORAGE, AK 99503-4169
(907) 644-2000
CERT. OF AUTH. AEC0569

DRAWING LOCATION
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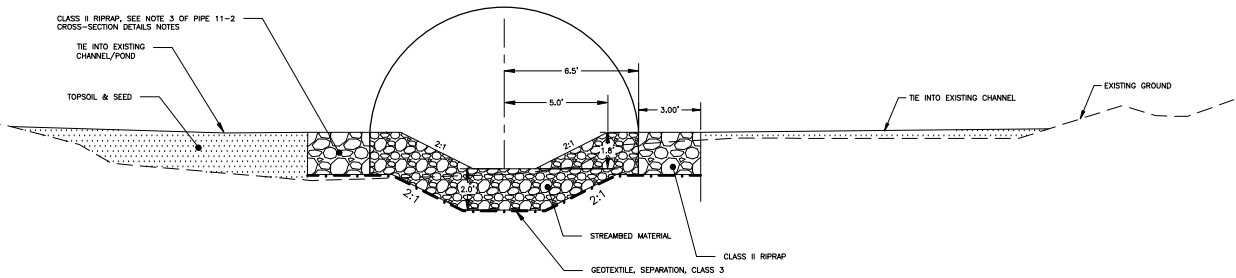
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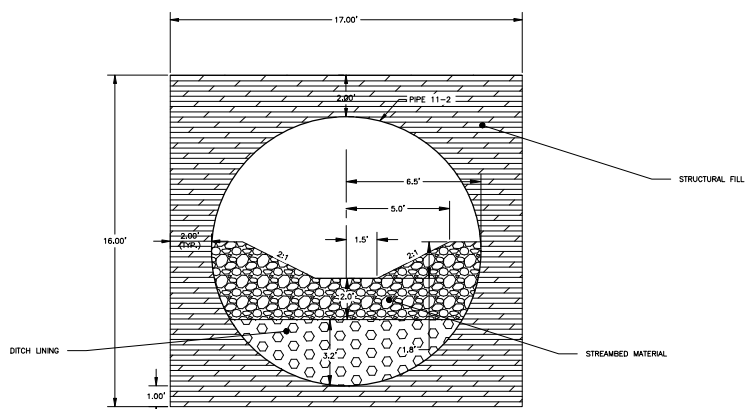
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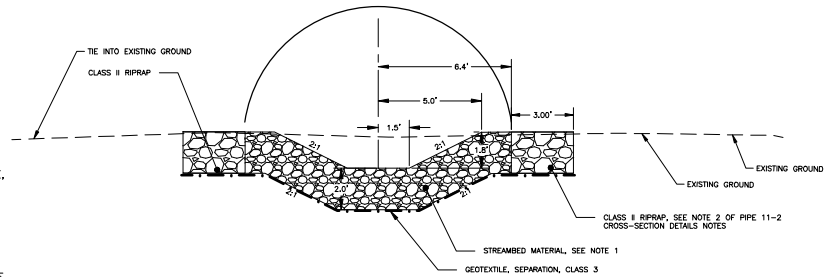
NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
			ALASKA	0311037/CFHWY00947	2025	E5	E6



SECTION E-E PIPE 11-2 PROPOSED CULVERT INLET



SECTION C-C PIPE 11-2 CULVERT DETAIL



SECTION D-D PIPE 11-2 PROPOSED CULVERT OUTLET

PIPE 11-2 CROSS-SECTION DETAILS NOTES:

1. STREAMBED MATERIAL SHALL CONSIST OF 30% RIPRAP CLASS I, 30% D-1 BASE COURSE, AND 40% DITCH LINING, WITH ALL VOIDS FILLED WITH USABLE EXCAVATION (SEE DOT STANDARD SPECIFICATIONS 610-2.01, 611-2.01, AND 703-2.03).
2. MIX STREAM SUBSTRATE COARSE AND FINE MATERIALS THOROUGHLY. MIX BEFORE PLACEMENT AND COMPACT IN LIFTS. SEE SPECIFICATIONS FOR ADDITIONAL PLACEMENT REQUIREMENTS.
3. APRON BANKS SHALL CONSIST OF RIPRAP CLASS II WITH ALL VOIDS FILLED WITH USABLE EXCAVATION (SEE DOT STANDARD SPECIFICATION 611-2.01).
4. CONSTRUCT CHANNEL LEAVING A NON-UNIFORM, ROUGH SURFACE. WASH FINE MATERIALS INTO COARSE MATERIALS UNTIL BED IS SEALED AND WATER POOLS ON SURFACE. ADDITIONAL SUB 2" FINES MAY BE REQUIRED DURING THIS PROCESS.
5. STREAM SHALL NOT BE RE-DIVERTED INTO CULVERT UNTIL ENGINEER HAS APPROVED THAT BED MATERIALS ARE SUFFICIENTLY SEALED.



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
**SEWARD HIGHWAY MP 14
RAILROAD CROSSING
RECONSTRUCTION**
**PIPE 11-2 CROSS-SECTION
DETAILS**

HDR ENGINEERING, INC.
582 E 36TH AVE STE 500
ANCHORAGE, AK 99503-4169
(907) 644-2000
CERT. OF AUTH. AEDC569

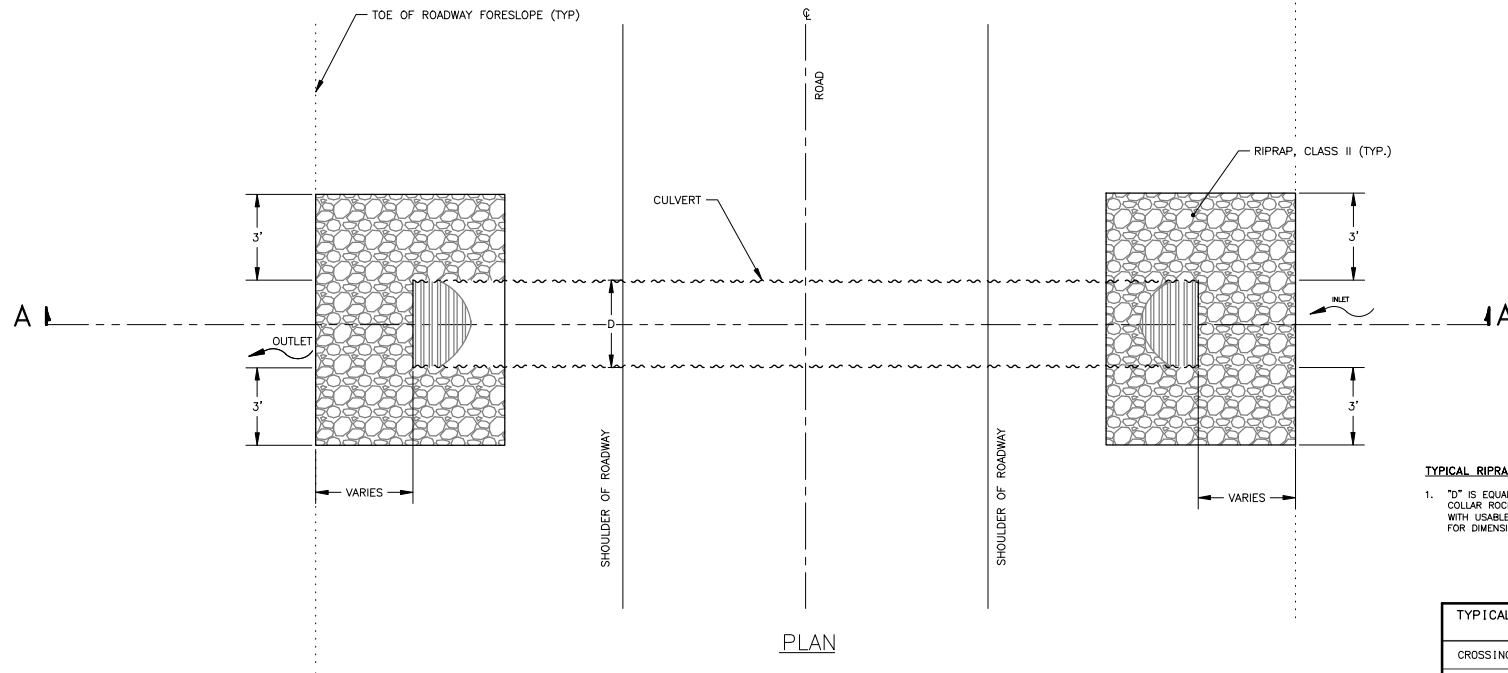
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DATE
6/6/2025 3:21 PM

SCALE
1" = 2'

DESIGNED BY
CHECKED BY
DATE

NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
			ALASKA	0311037/CFHWY00947	2025	E6	E6



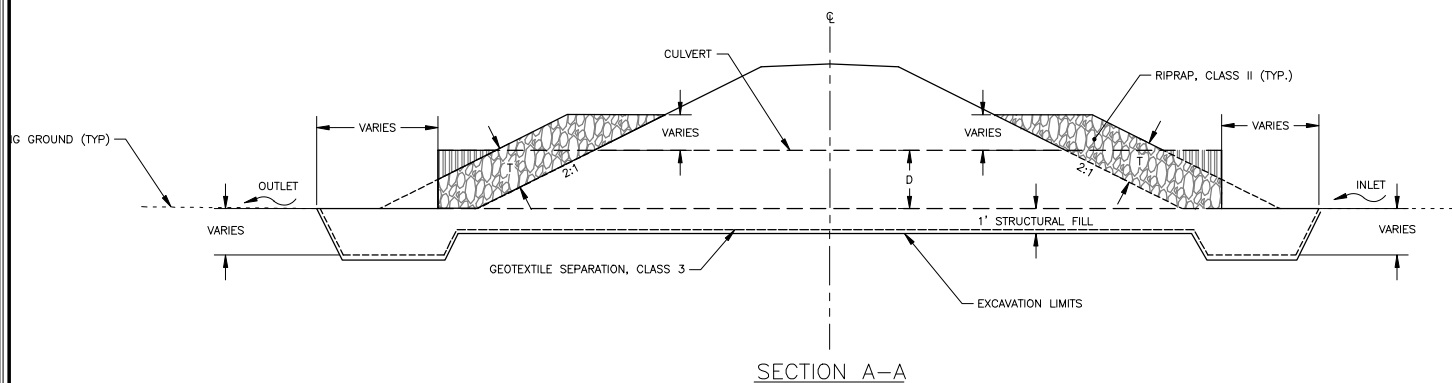
PLAN

TYPICAL RIPRAP COLLAR NOTES:

1. "D" IS EQUAL TO NOMINAL DIAMETER OF THE CULVERT. TYPICAL RIPRAP COLLAR ROCK SHALL CONSIST OF CLASS II RIPRAP WITH ALL VOIDS FILLED WITH USABLE EXCAVATION (SEE DOT STANDARD SPECIFICATIONS 611-2.01). FOR DIMENSIONS THAT VARY, SEE DETAIL B AND C ON THIS SHEET.

TYPICAL RIPRAP COLLAR TABLE

CROSSING	X	T
P4-1	2.0	3.0'
P11-2	2.0	3.0'

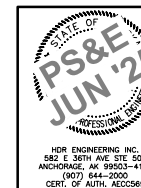


SECTION A-A



TYPICAL RIPRAP COLLAR

SCALE: NTS



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
**SEWARD HIGHWAY MP 14
RAILROAD CROSSING
RECONSTRUCTION**
TYPICAL RIPRAP COLLAR DETAILS

DRAWING LOCATION
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DATE
6/20/2025 10:39 AM

TIME

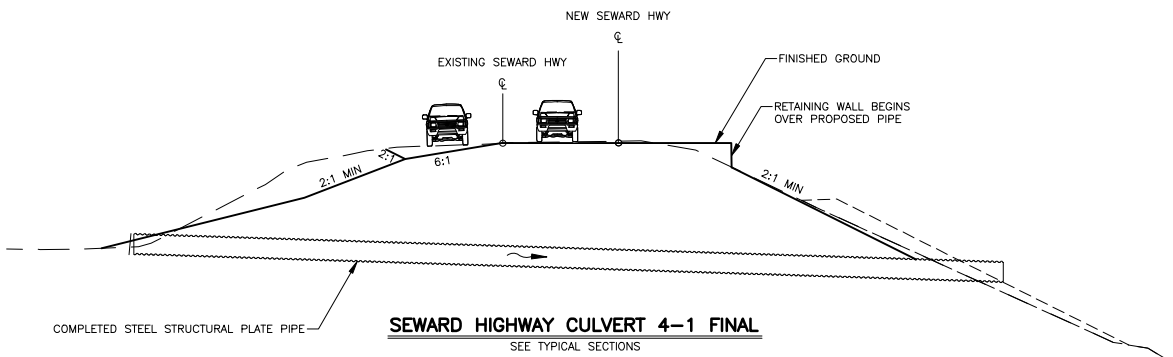
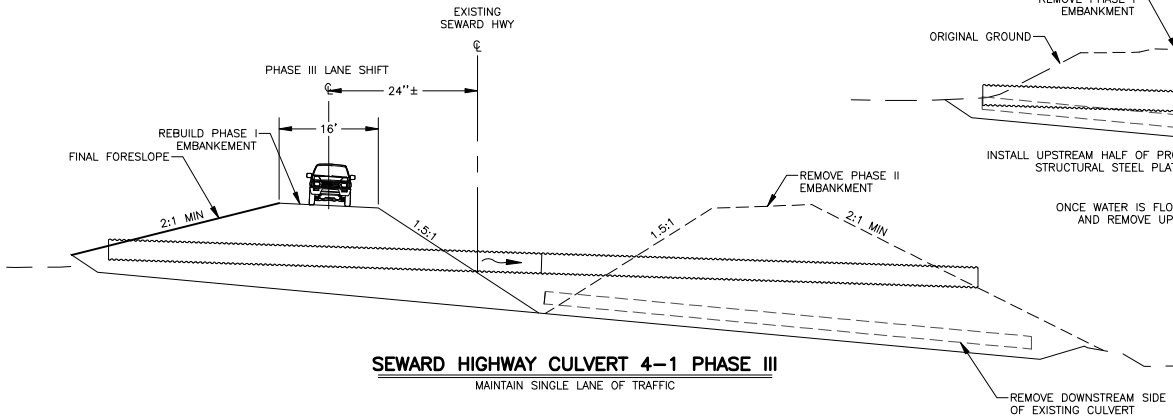
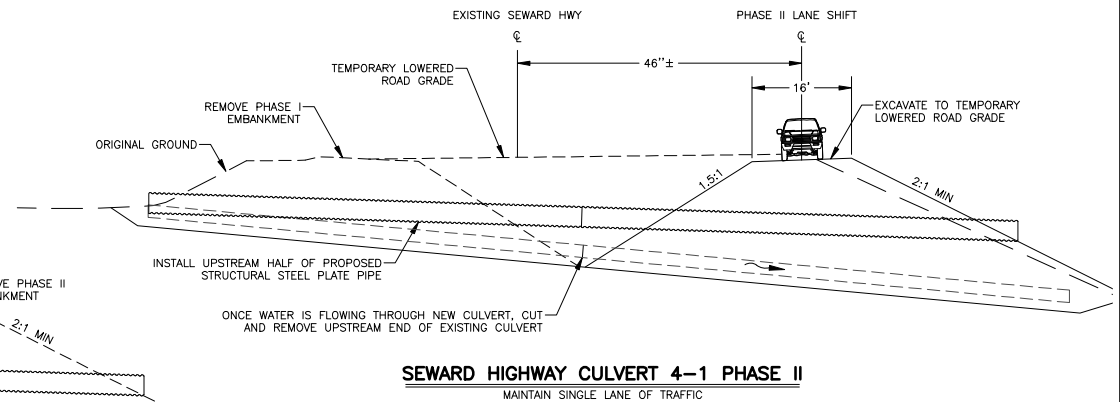
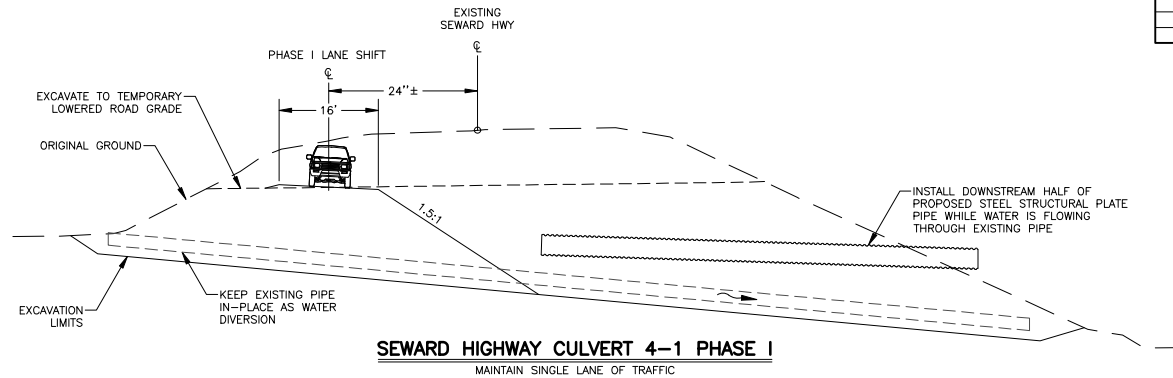
SCALE
1" = 1'

DESIGNED BY
CHECKED BY
DATE

NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
			ALASKA	0311037/CFHWY00947	2025	T5	T16

NOTES:

1. THESE TRAFFIC CONTROL DETAILS APPLY TO THE P4-1 CULVERT. THESE DETAILS ARE FOR ILLUSTRATIVE PURPOSES ONLY, AND ARE NOT A CONTRACT DOCUMENT.
2. DE-WATER WORK AREA PRIOR TO BEGINNING EXCAVATION.



STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES

**SEWARD HIGHWAY MP 14
RAILROAD CROSSING
RECONSTRUCTION**

**TRAFFIC CONTROL PLANS
PIPE 4-1**

DRAWING LOCATION
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DRAWING NO.
0047

SCALE
1" = 1'

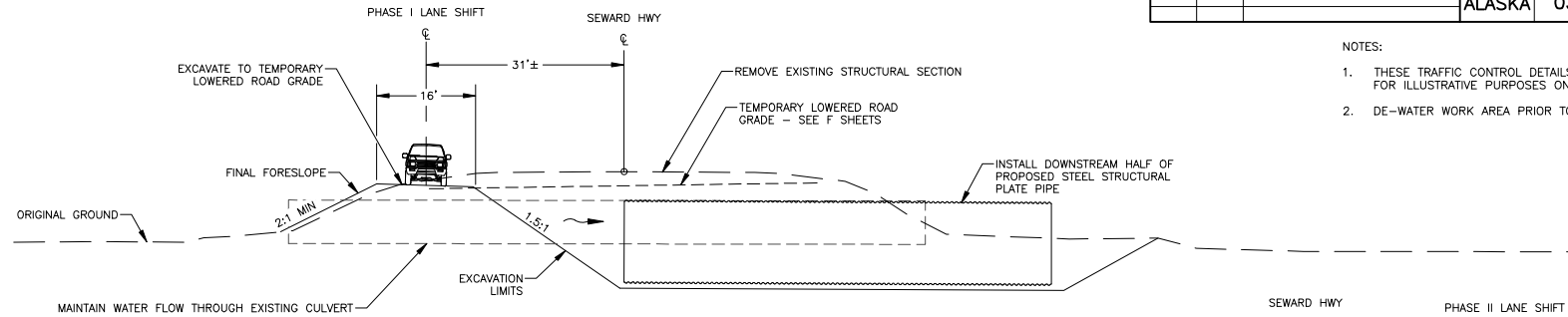
DATE
6/20/2025 10:39 AM

TIME
10:39 AM

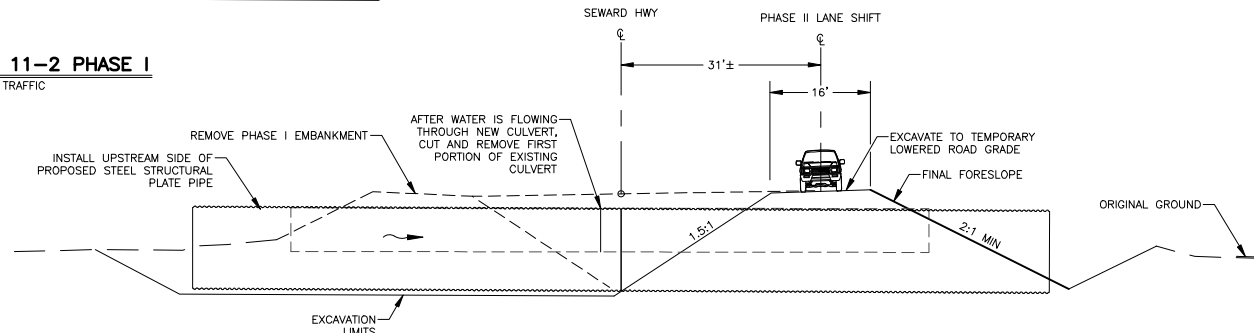
NO.	DATE	REVISION	STATE	PROJECT DESIGNATION	YEAR	SHEET NO.	TOTAL SHEETS
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NOTES:

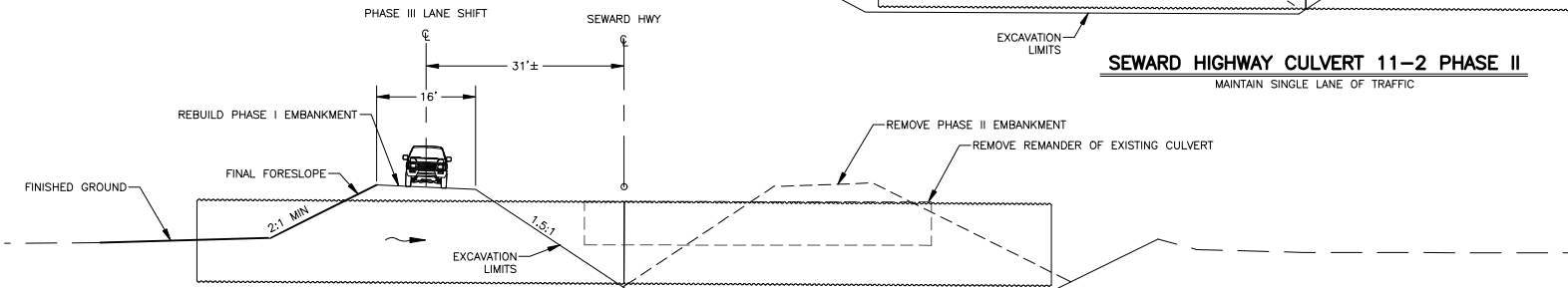
1. THESE TRAFFIC CONTROL DETAILS APPLY TO THE P11-2 CULVERT. THESE DETAILS ARE FOR ILLUSTRATIVE PURPOSES ONLY, AND ARE NOT A CONTRACT DOCUMENT.
2. DE-WATER WORK AREA PRIOR TO BEGINNING EXCAVATION.



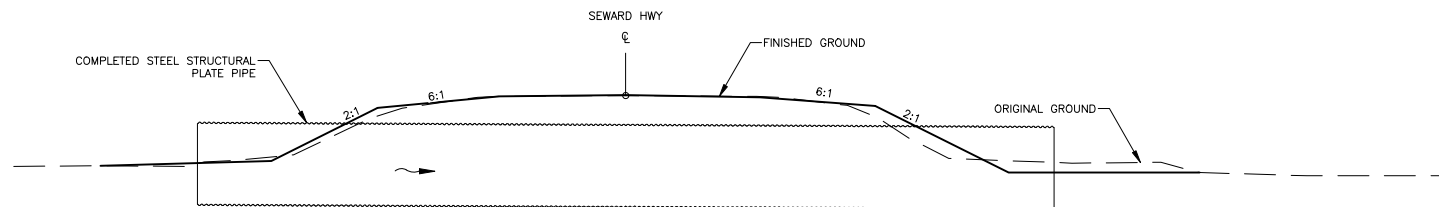
SEWARD HIGHWAY CULVERT 11-2 PHASE I
MAINTAIN SINGLE LANE OF TRAFFIC



SEWARD HIGHWAY CULVERT 11-2 PHASE II
MAINTAIN SINGLE LANE OF TRAFFIC



SEWARD HIGHWAY CULVERT 11-2 PHASE III
MAINTAIN SINGLE LANE OF TRAFFIC



SEWARD HIGHWAY CULVERT 11-2 FINAL
SEE TYPICAL SECTIONS IN PLANS

STATE OF ALASKA
DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES
**SEWARD HIGHWAY MP 14
RAILROAD CROSSING
RECONSTRUCTION**
TRAFFIC CONTROL PLANS
PIPE 11-2



ADOT culvert replacement

 **Project Area**

KPB Parcel(s):
12534009

Project Description:

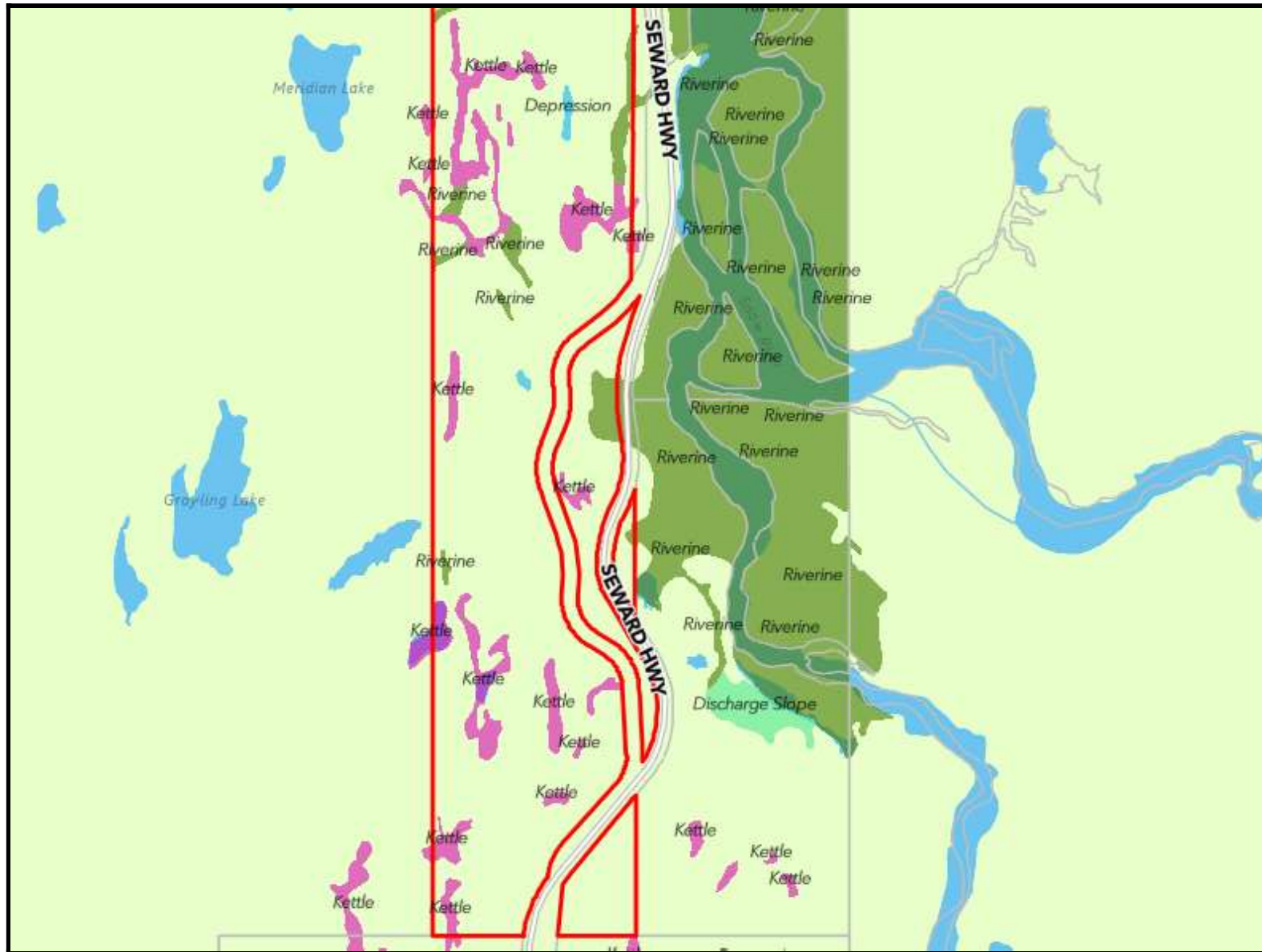
Vicinity: Bear Creek



Map created by Aldridge, Morgan
Monday, June 23, 2025



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.



Project Area

KPB Parcel(s):

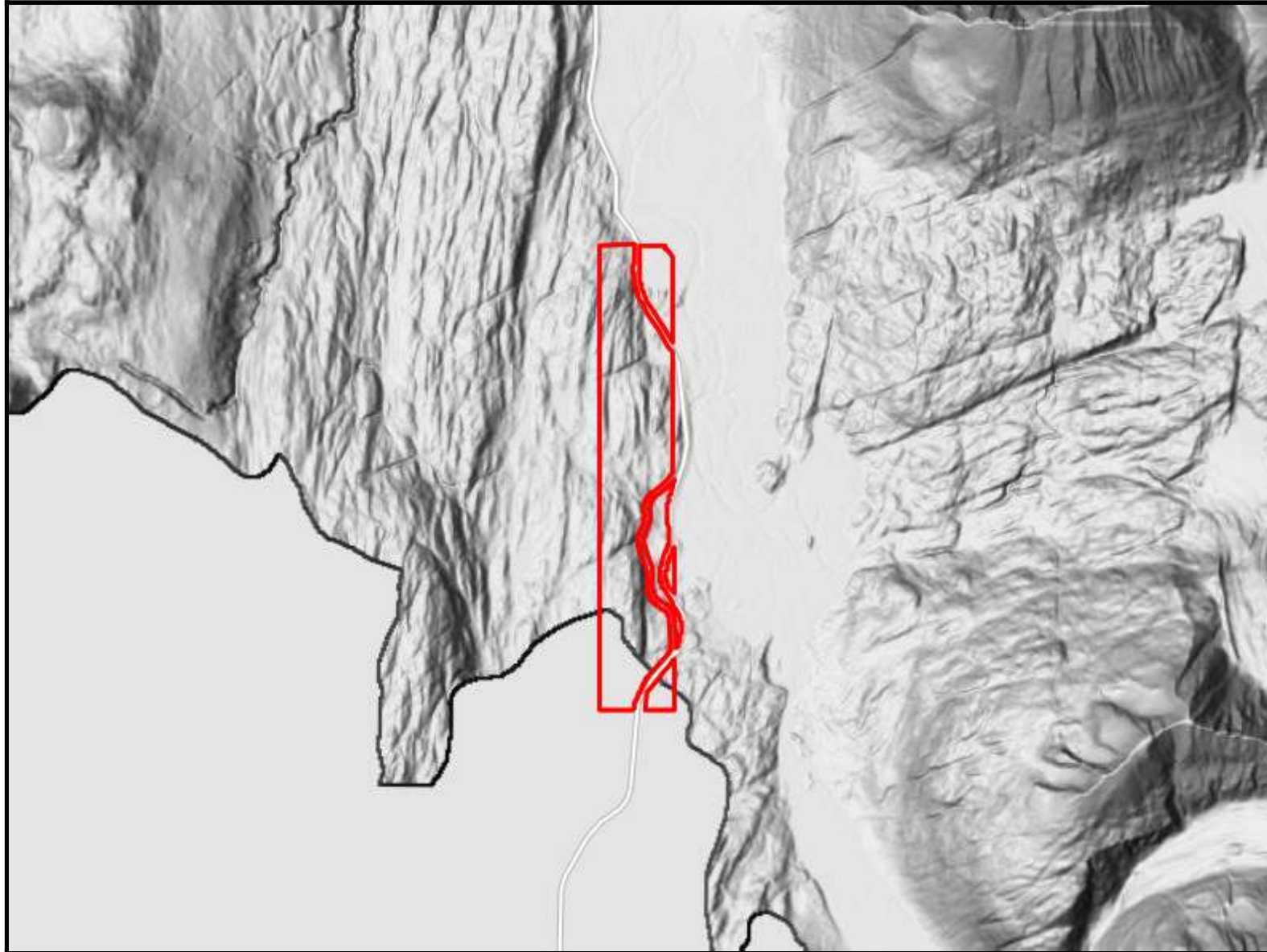
12534009

Landcover Features

KWF Wetlands Assessment

- Disturb
- Depression
- Discharge Slope
- Drainageway
- Floating Island
- Headwater Fen
- Kettle
- Lake
- Lakebed
- Late Snow Plateau
- Riverine
- Tidal
- Wetland / Upland Complex





 **Project Area**
KPB Parcel(s):
12534009



**Conditional Use Permit
Anadromous Waters Habitat Protection District
Staff Report**

PC Res No.	2025-12
Planning Commission Meeting:	Monday, July 14, 2025
Applicant	State of Alaska Department of Transportation and Public Facilities
Mailing Address	4111 Aviation Avenue Anchorage, AK 99519
Legal Description	T 2N R 1E SEC 6 SM SW W1/2 OF SEC 6 7 & 18
Physical Address	22635 SEWARD HWY
KPB Parcel Number	12534009

Project Description

A Conditional Use Permit is sought pursuant to KPB 21.18 for the construction of the separated-grade railroad crossing on the Seward Highway near Mile Post (MP) 14. The existing 7-foot diameter culvert on the AWC stream would be replaced with a 13-foot diameter steel fish passage culvert. The proposed fish passage culvert will have riprap collars and aprons at both the inlet and outlet, all within the 50-foot Habitat Protection District of the Unnamed Stream, as established in KPB 21.18.040.

Background Information

The proposed reconstruction project is to replace two culverts beneath the Seward Highway. One of the streams is regulated by the Kenai Peninsula Borough. This is part of the Alaska Railroad Corporation project to raise the elevation of the Snow River Bridge, which will require an increase to the track elevation where the railroad crosses underneath the Seward Highway at MP 13.5 to 14.7. This work will allow for the ARCC project to be completed to allow for the additional flooding from the Snow River due to glacial outbursts.

Project Details within the 50-foot Habitat Protection District

ADOT is planning to replace and upgrade a culvert across the Seward Highway along an unnamed anadromous stream. The culvert will be upsized from 7 foot to 13 foot and will include the placement of riprap and streambed mix at the inlet and outlet, approximately 4,399.1 cubic

yards of fill will be used above ordinary high water and approximately 51.1 cubic yards of fill below ordinary high water.

Findings of fact pursuant to KPB 21.18.081 Conditional Use Permit

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(2), construction of a culvert may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The larger culvert will allow for better fish passage and meet the ADFG standards.
7. The culvert will allow for additional water flow during flood events.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:
"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for Monday, July 14, 2025.
11. Agency review was distributed on July 2, 2025. No comments or objections have been received from resource agencies to date.
12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on July 2, 2025. A total of 3 mailings were sent.
13. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
14. The applicant is currently in compliance with Borough permits and ordinances.

Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Unnamed Stream.
2. The culvert must be designed and installed to meet KPB floodplain requirements.
3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within two calendar years from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

General Standards

Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3, 4-5 and Findings 1-2 appear to support this standard.**

2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other applicable planning documents adopted by the borough; **Condition 11 and Findings 2-5 appear to support this standard.**
3. The development of the use or structure shall not physically damage the adjoining property; **Condition 8 and Finding 8 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 1, 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements; **Conditions 10-11 and Finding 14 appear to support this standard.**

Attachments

Multi-Agency Application
Draft Resolution 2025-12

Recommendation

Based on the findings, staff finds that the proposed project meets the five general standards of KPB 21.18.081. The Planning Commission could consider additional permit conditions to mitigate for any habitat loss if it chooses.

Staff recommends the Planning Commission grant a Conditional Use Permit for the proposed project details subject to adopted conditions as set forth in 2025-12.

Note: An appeal of a decision of the Planning Commission may be filed to the Hearing Officer, in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.

END OF STAFF REPORT

KENAI PENINSULA BOROUGH PLANNING COMMISSION

RESOLUTION 2025-12

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT PURSUANT TO KPB 21.18 FOR
THE CONSTRUCTION OF A CULVERT WITHIN THE 50-FOOT HABITAT PROTECTION
DISTRICT OF THE UNNAMED STREAM 244-30-10010-2250-3024.**

- WHEREAS,** Chapter 21.18 provides for the approval of Conditional Use Permits for certain activities within the habitat protection district; and
- WHEREAS,** KPB 21.18.081 provides that a conditional use permit is required for construction not meeting the standards of KPB 21.18.071; and
- WHEREAS,** KPB 21.18.091 provides for mitigation measures by the planning department staff to address impacts to the Habitat Protection District from a proposed, ongoing, or completed project; and
- WHEREAS,** public notice was sent to all property owners within a 300-foot radius of the proposed activity as provided in Section 21.11.030; and
- WHEREAS,** public notice was posted as provided in Section 01.08.180 (B) (1) (3); and
- WHEREAS,** public testimony was received at the Monday, July 14, 2025 meeting of the Kenai Peninsula Borough Planning Commission;

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

That the Planning Commission makes the following findings of fact pursuant to KPB 21.18:

Section 1. Project Details Within the 50-foot Habitat Protection District

ADOT is planning to replace and upgrade a culvert across the Seward Highway along an unnamed anadromous stream. The culvert will be upsized from 7 foot to 13 foot and will include the placement of riprap and streambed mix at the inlet and outlet, approximately 4,399.1 cubic yards of fill will be used above ordinary high water and approximately 51.1 cubic yards of fill below ordinary high water.

Section 2. Findings of fact pursuant to KPB 21.18.081

1. Portions of this proposed project are within the 50-foot habitat protection district as defined by KPB 21.18.040.
2. Pursuant to KPB 21.18.081(B)(2), construction of a culvert may be approved as a conditional structure/use within the habitat protection district.
3. Pursuant to 21.18.081(D) General Standards, staff finds that the proposed project meets the five general standards.
4. Pursuant to KPB 21.18.020(A), this chapter was established to protect and preserve the stability of anadromous fish through controlling shoreline alterations and disturbances along anadromous waters and to preserve nearshore habitat.
5. Pursuant to KPB 21.18.20(B)(5), one purpose of this chapter was established to separate conflicting land uses.
6. The larger culvert will allow for better fish passage and meet the ADFG standards.
7. The culvert will allow for additional water flow during flood events.
8. Pursuant to KPB 21.06.081(D)(3), the proposed work will occur on the applicant's property and shall not have an adverse effect on adjoining properties.
9. Kenai Peninsula Borough Planning Commission Resolution 2015-35 defines water-dependent as:

"...a use or structure located on, in or adjacent to water areas because the use requires access to the waterbody. The definition is applicable to facilities or activities that must be located at or near the shoreline and within the 50-foot buffer. An activity is considered water dependent if it is dependent on the water as part of the intrinsic nature of its operation. Examples of water dependent facilities may include, but are not limited to, piers, boat ramps, and elevated walkways."
10. The River Center found the application complete and scheduled a public hearing for Monday, July 14, 2025.
11. Agency review was distributed on July 2, 2025. No comments or objections have been received from resource agencies to date.
12. Pursuant to KPB 21.11.030, public notice was mailed to all property owners within a radius of 300 feet of the project on July 2, 2025. A total of 3 mailings were sent.
13. Pursuant to KPB 01.08.180 (B) (1) (3), public notice was posted.
14. The applicant is currently in compliance with Borough permits and ordinances.

Section 3. Permit Conditions

1. Construction techniques and best management practices shall be utilized to ensure that land disturbing activities do not result in runoff or sedimentation to the Unnamed Stream.
2. The culvert must be designed and installed to meet KPB floodplain requirements.

3. The permittee shall minimize damage to all vegetation and shall revegetate all disturbed areas with native vegetation.
4. For each tree removed, two seedlings less than 5.5-feet tall of a species native to the region will be planted within the 50-foot HPD.
5. Storage or use of fuel is prohibited within 50-feet of any open water.
6. The River Center shall be notified at least 3 days prior to the start of the project.
7. If changes to the approved project described above are proposed prior to or during its siting, construction, or operation, the permittee is required to notify the River Center to determine if additional approval is required.
8. The permittee shall be held responsible for the actions of the contractors, agents, or others who perform work to accomplish the approved plan.
9. The construction or installation phase of this Conditional Use Permit must be completed within two calendar years from the date of the permit's issuance, or the Conditional Use Permit shall expire unless the Planning Commission finds that more time is necessary to effectuate the purposes of this chapter, in which case the commission may extend the deadline for a maximum of six years from the date of issuance. Prior to its expiration date and upon written request, the Planning Director may grant a Conditional Use Permit extension for 12 months (KPB 21.18.081 (H)).
10. In addition to the penalties provided by KPB 21.18.110, and pursuant to KPB 21.50, the permit may be revoked if the permittee fails to comply with the provisions of this chapter or the terms and conditions of a permit issued under this chapter. The Borough Clerk shall provide at least 15 day's written notice to the permittee of a revocation hearing before the hearing officer (KPB 21.18.082).
11. The permittee shall comply with the terms, conditions and requirements of the Kenai Peninsula Borough Code of Ordinances Chapter 21.18, and any regulations adopted pursuant to this chapter.
12. The permittee is responsible for abiding by all other federal, state, and local laws, regulations, and permitting requirements applicable to the project (KPB 21.18.081 (G)).

Section 4. Pursuant to 21.18.081(D) General Standards, the following standards shall be met before conditional use approval may be granted:

1. The use or structure will not cause significant erosion, sedimentation, damage within the habitat protection district, an increase in ground or surface water pollution, and damage to riparian wetlands and riparian ecosystems; **Conditions 1, 3, 4-5 and Findings 1-2 appear to support this standard.**
2. Granting of the conditional use shall be consistent with the purposes of this chapter, the borough comprehensive plan, other applicable chapters of the borough Code, and other

applicable planning documents adopted by the borough; **Condition 11 and Findings 2-5 appear to support this standard.**

3. The development of the use or structure shall not physically damage the adjoining property; **Condition 8 and Finding 8 appear to support this standard.**
4. The proposed use or structure is water-dependent; **Findings 1, 9 appear to support this standard.**
5. Applicant's or owner's compliance with other borough permits and ordinance requirements. **Conditions 10-11 and Finding 14 appears to support this standard.**

THIS CONDITIONAL USE PERMIT EFFECTIVE ON _____ DAY OF _____, 2025.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shirnberg
Administrative Assistant

Note: An appeal of a decision of the Planning Commission may be filed to the hearing officer, in accordance with the requirements of the KPB Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the Borough Clerk within 15 days of date of the notice of the decision using the proper forms and be accompanied by the filing and records preparation fee.



KENAI PENINSULA BOROUGH RIVER CENTER NOTICE OF PUBLIC HEARING

The Kenai Peninsula Borough received an application for a Conditional Use Permit under KPB 21.18.081 for a project within the 50-foot Habitat Protection District (HPD) of the Unnamed Stream. This project has been scheduled for a public hearing before the Kenai Peninsula Borough Planning Commission.

Why are you receiving this notice?

Per code, property owners within 300 feet of the proposed project must receive notice of the public hearing. This project is located at 22635 SEWARD HWY, Alaska, Parcel ID 12534009. Our records indicate that you are a property owner within 300 feet of that parcel.

Project Description:

Proposing to replace a culvert on the Seward Highway near Mile Post (MP) 14. The existing 7-foot diameter culvert would be replaced with a 13-foot diameter steel culvert. The proposed culvert will have riprap collars and aprons at both the inlet and outlet. The collars and banks would be composed of Class II riprap.

How can you look at the application?

The meeting packet will be posted the week prior to the meeting. Once it has been posted it can be viewed at <https://kpb.legistar.com/Calendar> or by scanning this QR code with your phone:



How do you attend the Planning Commission meeting?

When: Monday, July 14, 2025 at 7:30 pm or as soon thereafter as business permits
Where: This meeting will be held in the Betty J. Glick Chambers, George A. Navarre Borough Administration Building located at 144 North Binkley Street, Soldotna.
Zoom: Meeting ID 907 714 2200
<https://us06web.zoom.us/j/9077142200>
1-888-788-0099 or 1-877-853-5247
Or other audio or video conferencing means whenever technically feasible

How do I comment on the project?

You can provide verbal comment at the meeting (see information above). You may also submit written comments. **Written comments must be received by 1:00 pm Friday, July 11, 2025.**

Mail comments to:
Donald E. Gilman River Center
514 Funny River Road

Email comments to:
KenaiRivCenter@kpb.us

Soldotna, Alaska 99669

For additional information, please contact Morgan Aldridge at MAldridge@kpb.us or 907-714-2465.