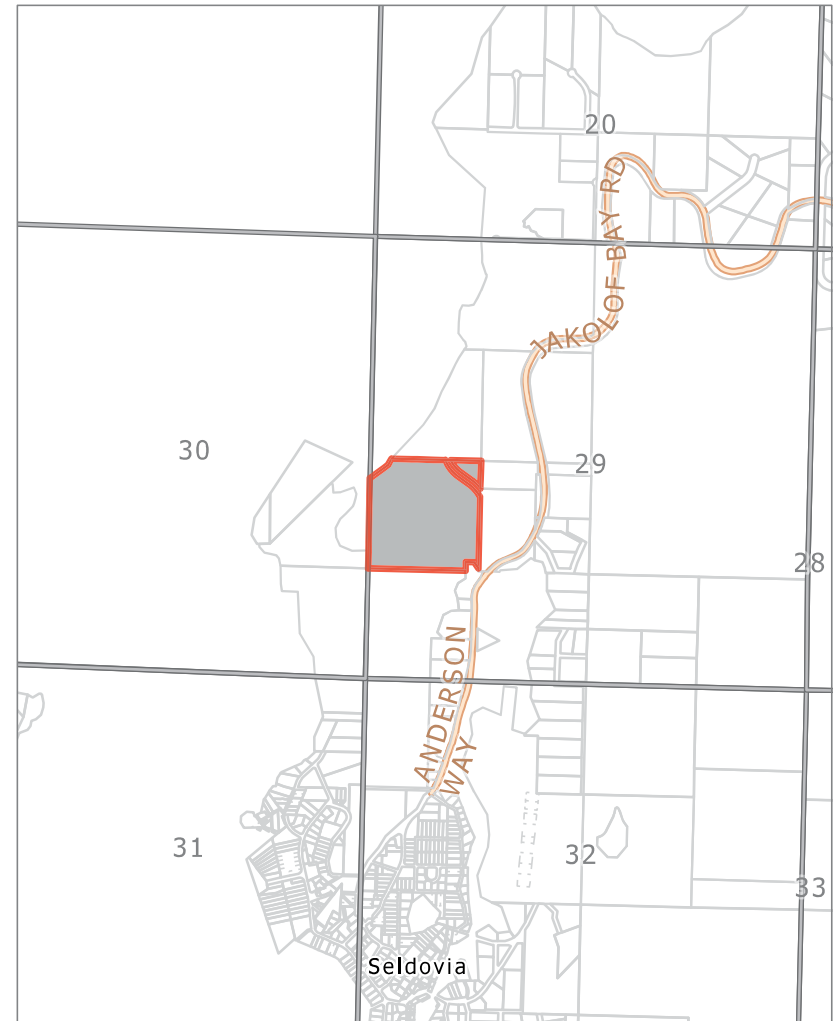
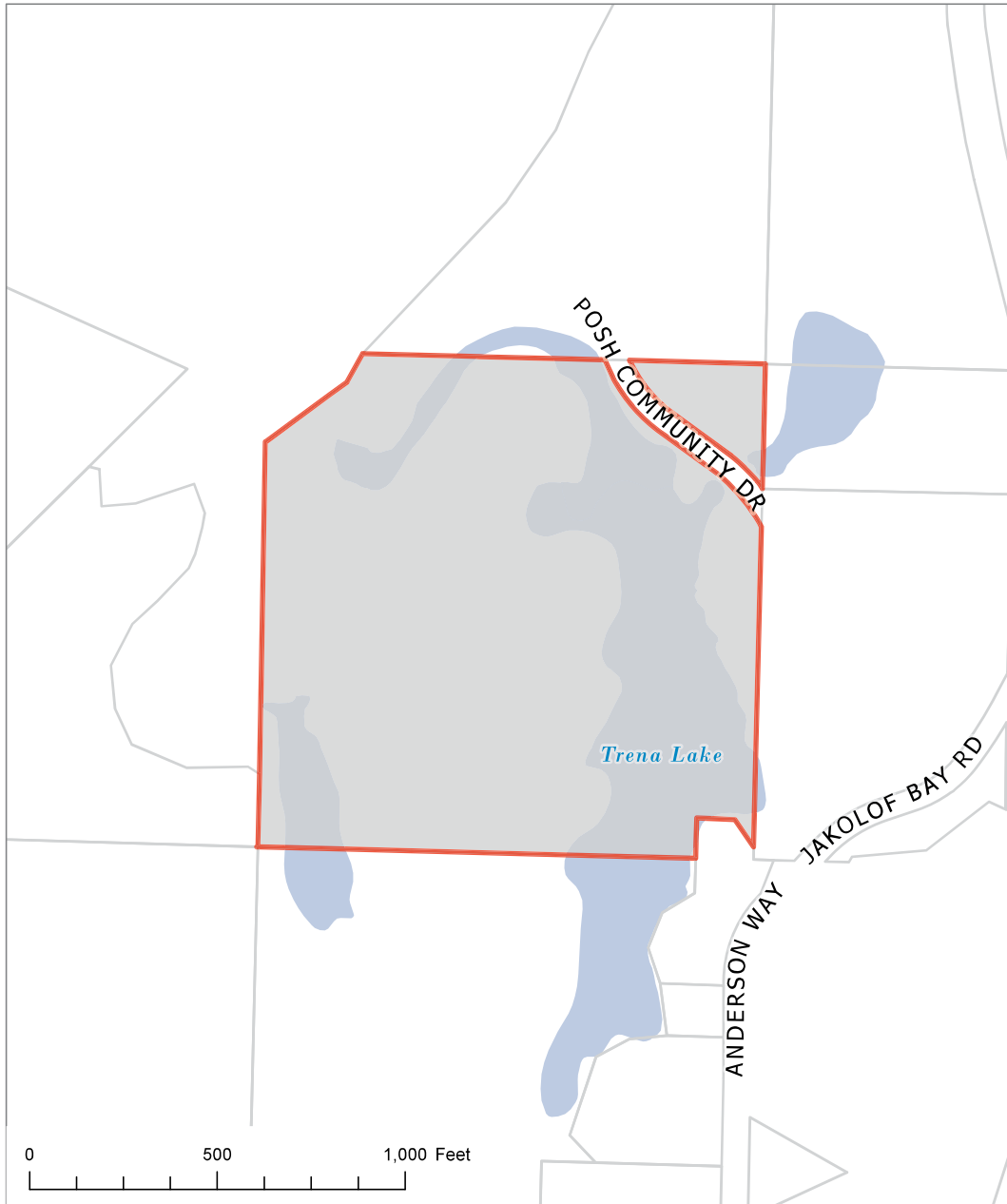


E. NEW BUSINESS

- 3. Frank Raby 1971 Addition Tract M 2024 Replat
KPB File 2024-090
Seabright Surveying / Rhyneer
Location: Posh Community Drive
Seldovia Area**



KPB File 2024-090
T 08S R 14W SEC 29
Seldovia

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 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.

NOTES

1. A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJACENT TO RIGHTS-OF-WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
4. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (RMP 14.06).
5. THE NATURAL MEANDERS OF MEAN HIGH WATER IS FOR AREA COMPUTATIONS ONLY. THE TRUE CORNERS BEING ON THE EXTENSION OF THE SIDELINES AND THE INTERSECTION WITH THE NATURAL MEANDERS.

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY IDENTIFIED BY THIS PLAT IDENTIFIED AS FOLLOWS: POSH COMMUNITY DRIVE, THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSES DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE

LINE #	LENGTH	BEARING
L1	106.50'	S07°00'24"E
L2	100.00'	S89°59'36"W
L3	104.52'	N34°09'13"W
L4	120.02'	S31°32'21"E
L5	89.01'	S58°58'41"E
L6	37.67'	S27°15'57"E
L7	11.68'	S27°15'57"E
L8	89.01'	S58°58'41"E
L9	22.20'	S31°32'21"E

CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	177.19'	375.00'	272°20'	S45°16'31"E	175.50'
C2	236.96'	395.00'	35°43'43"	S41°07'49"E	233.14'
C3	199.25'	325.00'	35°43'43"	S41°07'49"E	196.33'
C4	205.93'	432.00'	272°20'	S45°16'31"E	203.96'

WASTEWATER DISPOSAL

TRACT M-1, LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES. AN ENGINEER'S SUBDIVISION AND SONS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

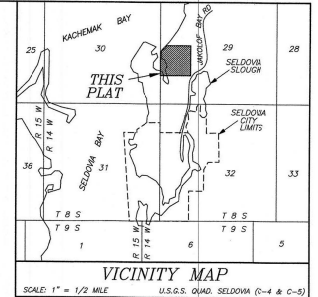
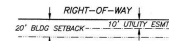
TRACT M-2, SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL SLOPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES. AN ENGINEER'S SUBDIVISION AND SONS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER LICENSE NO. DATE

LEGEND

- FND 5/8" REBAR
- FND 1" IRON PIPE
- FND 2.1" BC CAP ON 1" IP 2885-1970
- FND 2.1" BC MON 2885-1977
- FND 1.5" IRON ROD
- OVERHEAD POWERLINE
- UTILITY POLE

R/W TYPICAL DETAIL



CERTIFICATE OF OWNERSHIP

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

AMY C. RHYNEER
16555 POINT LENA POINT
JUNEAU, AK 99801

NOTARY'S ACKNOWLEDGMENT

FOR: AMY C. RHYNEER
ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2024

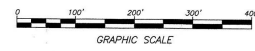
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL DATE
KENAI PENINSULA BOROUGH

KPB 2024-090



SELKOVA RECORDING DISTRICT KPB FILE NO. 2024-XXXX

**FRANK RABY 1971 ADDN.
TRACT M 2024 REPLAT**

A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION AMENDED (SL 72-60), LOCATED WITHIN SECTION 29, T. 8 S., R. 14 W., SEWARD MERIDIAN, SELKOVIA, ALASKA

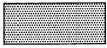
CONTAINING 38.758 AC

**SEABRIGHT SURVEY + DESIGN
KATHERINE A. KIRSIS, P.L.S.**
1044 EAST END ROAD, SUITE A
HOMEK, ALASKA 99603
(907) 239-1580

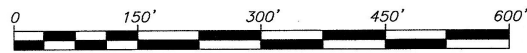
CLIENTS: AMY C. RHYNEER
16555 POINT LENA LOOP JUNEAU, AK 99801

DRAWN BY: KK CHKD BY: KK JOB #2024-24
DATE: 08/2024 SCALE: 1"=100' SHEET #1 OF 1

LEGEND

 APPROX. AREAS OF 20% SLOPE OR GREATER (THIS SURVEY)

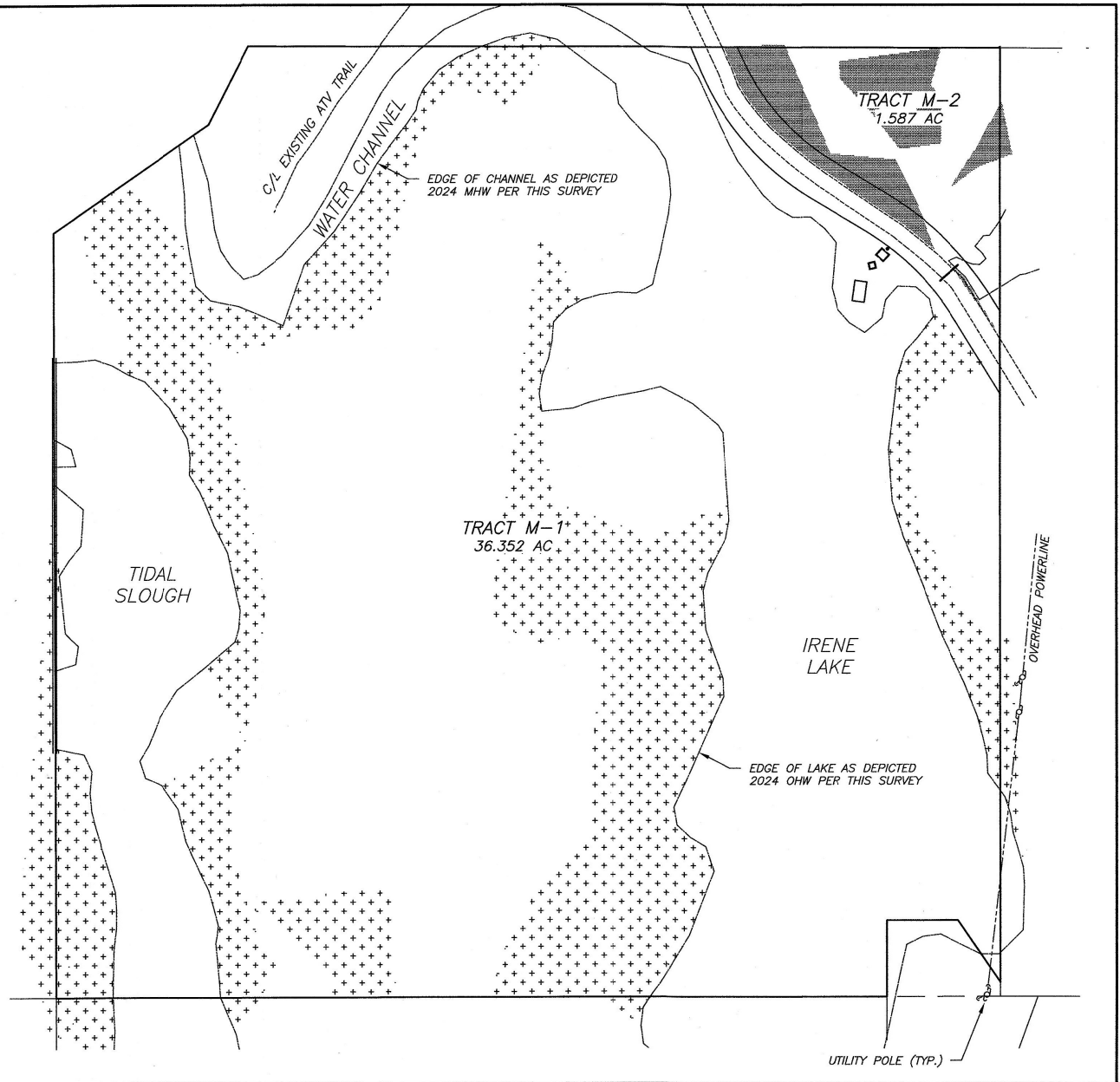
 APPROX. AREAS OF 20% SLOPE OR GREATER (USGS US TOPO 7.5 MINUTE MAP SELDOVIA B-5 NW, AK 2018)

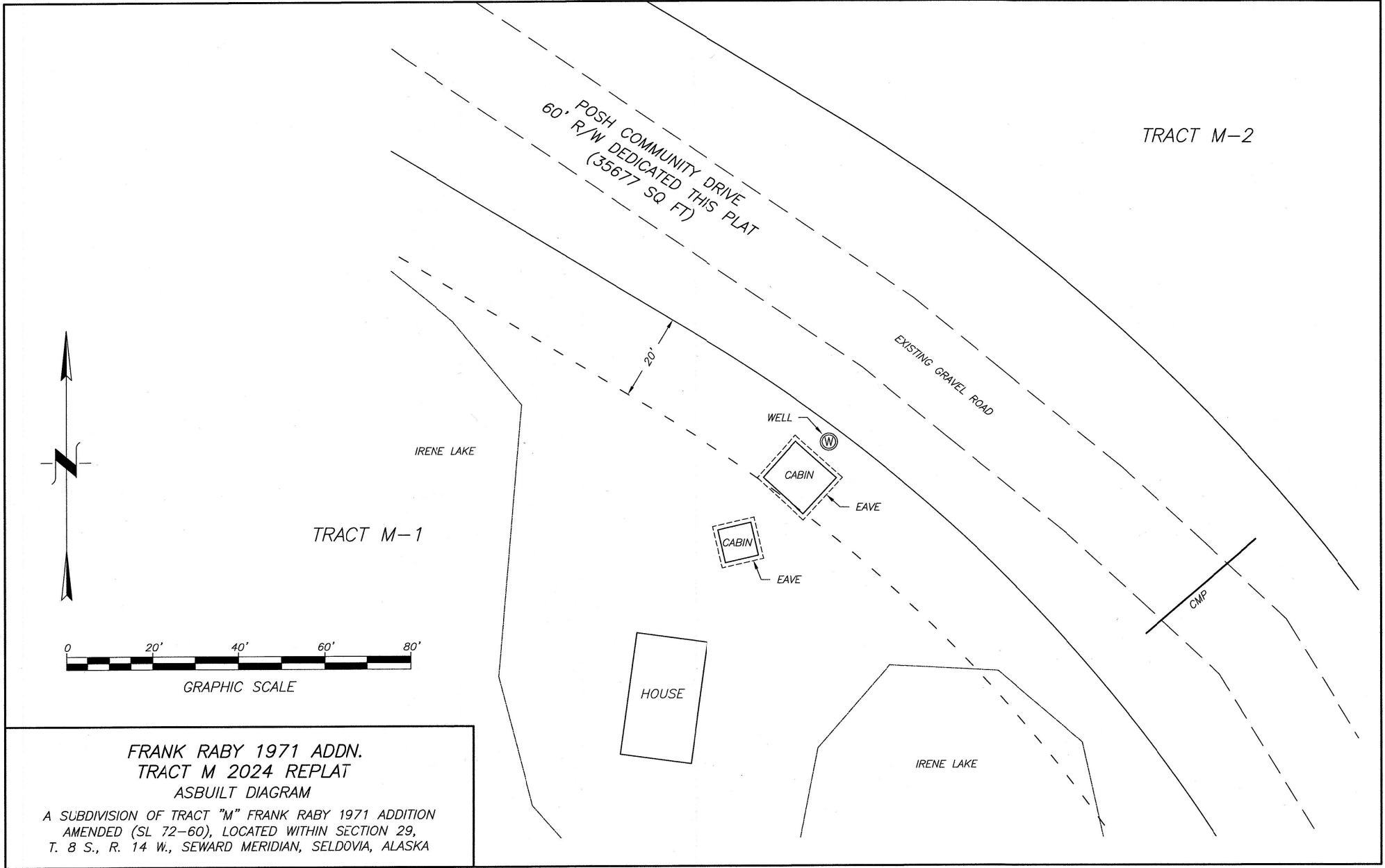


GRAPHIC SCALE

**FRANK RABY 1971 ADDN.
TRACT M 2024 REPLAT
STEEP SLOPES DIAGRAM**

A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION
AMENDED (SL 72-60), LOCATED WITHIN SECTION 29,
T. 8 S., R. 14 W., SEWARD MERIDIAN, SELDOVIA, ALASKA





**FRANK RABY 1971 ADDN.
TRACT M 2024 REPLAT
ASBUILT DIAGRAM**

A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION
AMENDED (SL 72-60), LOCATED WITHIN SECTION 29,
T. 8 S., R. 14 W., SEWARD MERIDIAN, SELDOVIA, ALASKA

**ITEM #3 - PRELIMINARY PLAT
FRANK RABY 1971 ADDITION TRACT M 2024 REPLAT**

KPB File No.	2024-090
Plat Committee Meeting:	September 9, 2024
Applicant / Owner:	Amy C. Rhyneer of Juneau, AK
Surveyor:	Katherine Kirsis / Seabright Survey & Design
General Location:	North of Seldovia

Parent Parcel No.:	191-180-01
Legal Description:	T 8S R 14W SEC 29 SEWARD MERIDIAN SL 0720060 FRANK RABY SUB 1971 ADDN AMD TRACT M
Assessing Use:	Residential
Zoning:	Unrestricted
Water / Wastewater	Onsite / Onsite
Exception Request	None Requested

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 38.758-acre parcel into two tracts: one of 1.587 acres and another of 36.352 acres, along with a 60-foot-wide dedication.

Location and Legal Access (existing and proposed):

The plat is located north of the City of Seldovia and can be accessed via Anderson Way to Posh Community Drive, which crosses the northeast corner of the plat. Both tracts will have direct access to Posh Community Drive.

The plat proposes dedicating Posh Community Drive as a 60-foot dedication to the Kenai Peninsula Borough. However, it will continue to be maintained by the City of Seldovia to provide access to Outside Beach to the north.

The plat is affected by a 33-foot section line on the west side, as shown, also being located on the west side of the section line.

Block length is not compliant. Staff recommends the Plat Committee concur and that an exception is not needed, as the plat is unable to provide relief due to the location of Trena Lake and the water channel near Posh Community Drive.

KPB Roads Dept. comments	Out of Jurisdiction: No Roads Director: Griebel, Scott Comments: No RSA comments or objections
SOA DOT comments	No comment

Site Investigation:

There are structures located on the plat, upon finalization, will be situated on Tract M-1. These structures are more clearly depicted on the As-built Diagram provided by the surveyor. The well and one of the cabins are located within the 10-foot utility easement, but they predate the creation of this easement. If these structures were to be moved or demolished, they would need to comply with current code and setback requirements.

A wooden boardwalk, used for the "Otterbahn Trail," is located along the west property line within the 33-foot section line easement. To accommodate the boardwalk and any trail crossing the property related to the "Otterbahn Trail," a 10-foot Pedestrian Easement should be added, along with a corresponding plat note.

The River Center review identified that the plat is located in a FEMA designated flood hazard area. Therefore, the flood hazard note from KPB 20.30.280(D) should be added to the drawing, including the relevant FEMA Flood Panels and Flood Zones listed below. The River Center flood determination map is included in the packet.

According to the River Center review, the plat is not located within a habitat protection district.

KPB River Center Review	<p>See attachments</p> <p>A. Floodplain Reviewer: Hindman, Julie Floodplain Status: IS in flood hazard area Comments: The property is subject to mapped floodplains. There are multiple V zones (velocity) and an A zone. The zones should be depicted and labeled. Code required plat notes must be added. The additional FIRM panel are listed within the determination attached. Flood Zone: A, V, C Map Panel: 020012-5045A In Floodway: False Floodway Panel:</p> <p>B. Habitat Protection Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p>
State of Alaska Fish and Game	

Staff Analysis

The original plat consisted of aliquot Lots 4 and 5 in Section 29, Lot 2 in Section 30, and Lot 2 in Section 32, all situated within Township 8 South, Range 14 West, Seward Meridian, Seldovia, Alaska. Frank Raby 1971 Addition, SL 71-104, initially platted these lots, creating Tracts “K” through “M”. Subsequently, the Frank Raby 1971 Addition Amended, SL 72-60, was filed to correct a typographical error. This platting action proposes to subdivide Tract M.

A soils report will be required and an engineer will sign the final plat for Tract M-2. Tract M-1 will not need a soils report as it is over 200,000 sq ft in size.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.10.100 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

The property is outside the city limits of Seldovia; however, it was requested to be reviewed by the City. Posh Community Drive, which crosses the property, is maintained by the City of Seldovia and provides access to Outside Beach to the north, also owned by the City of Seldovia.

On July 24, 2024 the plat was reviewed by the City of Seldovia Planning Commission. It was unanimously approved and recommended for submission to the Kenai Peninsula Borough for approval. The minutes from the City of Seldovia are included in the packet for review.

This plat is not within an advisory planning commission.

A wooden boardwalk, used for the “Otterbahn Trail,” is located along the west property line within the 33-foot section line easement. To accommodate the boardwalk and any trail crossing the property related to the “Otterbahn Trail,” a 10-foot Pedestrian Easement should be added, along with a corresponding plat note.

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

Utility Easements

The plat is proposing a 10-foot utility easement adjacent to the right-of-way as stated in plat note number 1. **Staff recommends** the surveyor depict this 10-foot utility easement on the drawings also.

The certificate to plat does not indicate any easements of record to be shown.

HEA has requested a 40-foot electrical easement be shown over the existing overhead power line in the southeast corner of the plat. The request is noted below and is included in the packet.

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

Utility Provider Review:

HEA	Provide a label or plat note stating, "The existing overhead powerline is the centerline of 40 ft wide electrical distribution line, including guys and anchors, granted this plat."
ENSTAR	No comments or recommendations
ACS	No response
GCI	Approved as shown

KPB Department / Agency Review:

Addressing	Reviewer: Leavitt, Rhealyn Affected Addresses: None Existing Street Names are Correct: No List of Correct Street Names: POSH COMMUNITY DR Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: No other comments
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. Conditional Land Use Permit CLUP Resolution Number: 2006-33 CLUP Approval Date: 6/26/2006 Material Site Comments: A CLUP owned by the State of Alaska and managed by the Aviation Division is directly to the Northeast of the parcel in question. PID: 191-121-09.
Assessing	Reviewer: Windsor, Heather Comments: No comment

STAFF RECOMMENDATIONS

CORRECTIONS / EDITS

Correct the owners address in the Certificate of Ownership
The outer lines of the plat need to be darkened to stand out from the interior lot lines.
Modify the KPB File number in the title block to show 2024-090

KPB 20.25.070 – Form and contents required

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

- 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 recommendation:
Verify the section line easement width to the west, parallel to this subdivision

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

- F. The location, width and name of existing and platted streets and public ways, railroad rights-of-way, easements, and travel ways existing and proposed, within the subdivision;
Staff recommendation:
Verify the name of the lake to whether it is Irene Lake or Trena Lake, both have been viewed on maps

- G. The status of adjacent lands within 100 feet of the proposed subdivision boundary or the land status across from any dedicated rights-of-way that adjoin the propose subdivision boundary, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Staff recommendation:
Add labels to the parcels to the north and northeast.

KPB 20.30 – Subdivision Design Requirements

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

20.30.280. Floodplain requirements.

- D. All subdivisions or replats within the Flood Insurance Rate Map (FIRM) area or SMFDA, as amended, as defined by KPB 21.06.030, shall contain the following note:

FLOOD HAZARD NOTICE:

Some or all of the property shown on this plat has been designated by FEMA or the Kenai Peninsula Borough Seward Mapped Flood Data Area as a flood hazard area district as of the date this plat is recorded with the district recorder's office. Prior to development, the Kenai Peninsula Borough floodplain administrator should be contacted for current information and regulations. Development must comply with Chapter 21.06 of the Kenai Peninsula Borough Code.

KPB 20.40 – Wastewater Disposal

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

20.40.010 Wastewater disposal.

Platting Staff Comments:

Staff recommendation: comply with 20.40.

KPB 20.60 – Final Plat

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

RECOMMENDATION:

STAFF RECOMMENDS:

- GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO STAFF RECOMMENDATIONS, AND
- COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND
- COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

NOTE: 20.25.120. - REVIEW AND APPEAL.

A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 15 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

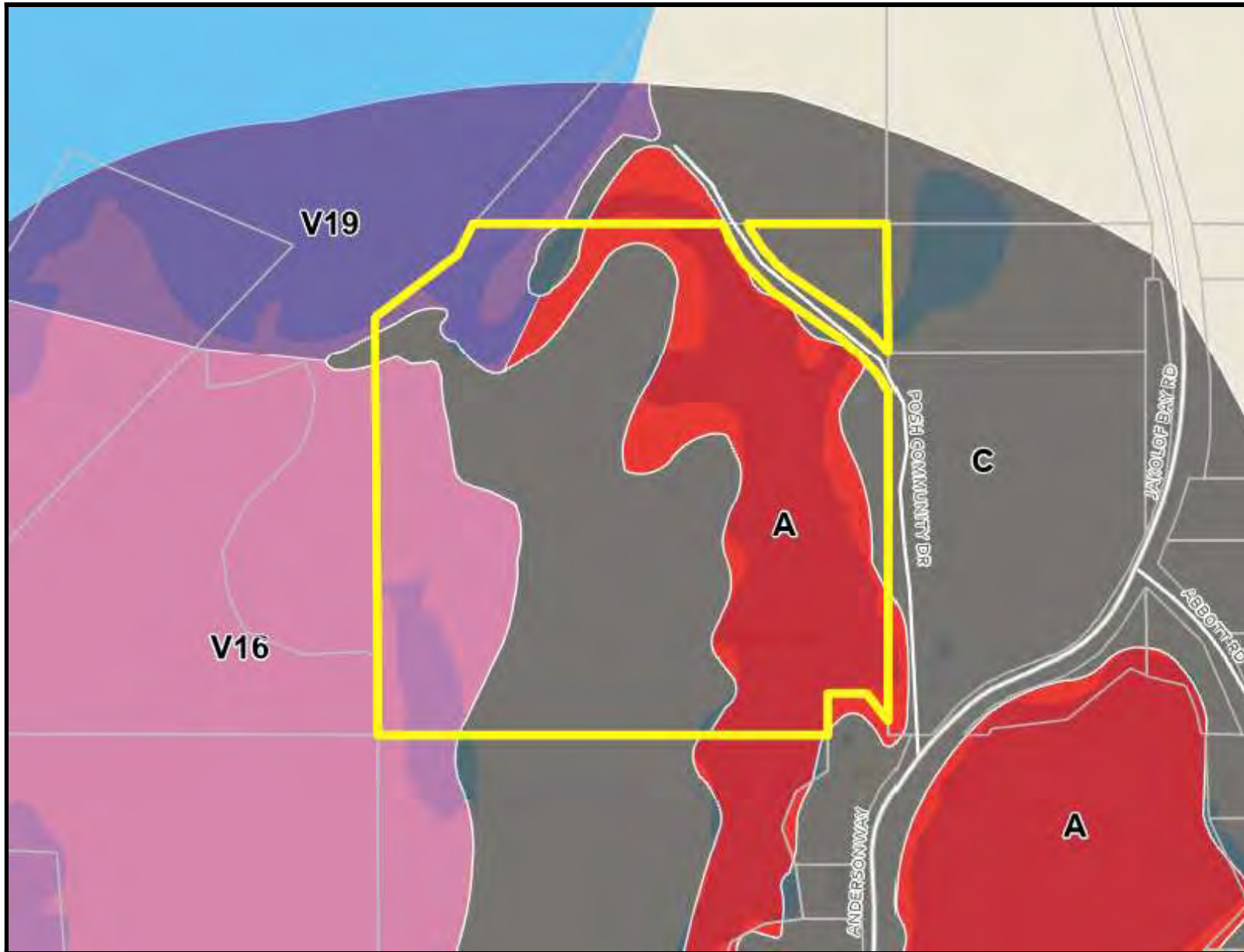
END OF STAFF REPORT



Aerial 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.



KPB Parcel ID(s):

19118001

Selected Parcel Boundary or Boundaries



Tax Parcels



Regulatory Floodplain

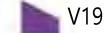
Floodplain



A



V16



V19

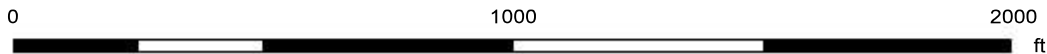


C

Community Flood Insurance Rate Map (FIRM) Panel(s):

0200125045A, 0200125065A, 0200125055A

For a detailed description of the mapped floodplain areas, please see the letter accompanying this map.



KENAI PENINSULA BOROUGH

MEETING OF THE PLANNING & ZONING COMMISSION - APRIL 10, 1972

7:30 P. M. - BOROUGH BUILDING - SOLDOTNA

AGENDA

1. Public Hearings:
 - a. Anchor Subdivision, South Addition (Vacation & Replat)
 - b. Carver Part 2 Subdivision (Final - Section Line Right of Way Vacation)
 - c. Davis Rezoning Request
 - d. Jesse Lee Heights Addition No. 1 (Swetmann Avenue Vacation)
2. Consideration of Submitted Plats:
 - a. Crossman Ridge Subdivision (Preliminary/Final)
 - b. Echo Acres Subdivision (Preliminary/Final)
 - c. Greenwood Heights Subdivision (Preliminary/Final)
 - d. Lewis Subdivisions No. 1 & 2 (Preliminary/Final)
 - e. Raby (Frank) 1971 Addition (Special Consideration)**
 - f. Svedlund, Nils O. (Replat)
3. Moss Exception Request
4. Bennett Exception Request
5. Planning Director's Report
6. Other Business
7. Approval of Minutes - March 6 & 20, 1972
8. Adjourn Meeting

A letter from the surveyor was read. The planning staff has reviewed the plat and recommends final approval subject to:

1. The Greer Tract included be given a tract letter;
2. Greer, Gillan & Finch all sign the plat;
3. Finch Street be dedicated as 50 feet; with Gillan dedicating the other 25'.
4. Temporary cul-de-sacs be provided for Hill, Bay and Finch Streets at their west terminus.

There was considerable discussion over where the additional 25' of road should come from.

Commissioner Peck moved, seconded by Commissioner Baldwin, to approve the plat subject to the staff's recommendations. Motion carried with Mrs. Dimmick dissenting.

D. LEWIS SUBDIVISIONS NO. 1 & 2 (PRELIMINARY/FINAL)

Mr. Best presented the staff report noting these subdivisions are located South of Daniel's Lake in North Kenai.

Note that these plats are a result of the subdivision enforcement program.

The planning staff has reviewed the plats and recommends final approval subject to 10 foot utility easement along the South boundary of Subdivision No. 2.

Commissioner Leirer moved, seconded by Commissioner Baldwin, to approve this subdivision plat subject to the staff's recommendations. Motion carried unanimously.

E. RABY (FRNAK) 1971 ADDITION (SPECIAL CONSIDERATION)

Mr. Best presented the staff report noting this subdivision is located North of the school property and adjacent the North City limits of Seldovia.

This plat was approved in November of 1971 and recorded in December of 1971; subsequently, a drafting error was discovered. The error has been corrected and according to the regulations the plat as corrected needs commission approval. The planning staff therefore recommends approval.

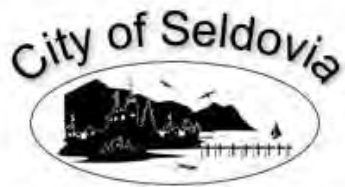
Commissioner Baldwin moved, seconded by Commissioner Leirer, to approve this plat as submitted. Motion carried unanimously.

F. SVEDLUND, NILS O. (REPLAT)

Mr. Best presented the staff report noting this replat is located in the City of Homer near the Great Lander Cafe and adjacent property.

This subdivision replat was approved by the Homer Advisory Planning Commission on April 5, 1972. The planning staff has reviewed the plat and recommends approval.

Commissioner Leirer moved, seconded by Commissioner Baldwin, to approve this plat as submitted. Motion carried unanimously.



www.cityofseldovia.com

CITY OF SELDOVIA

PO Box B, 245 Dock Street
Seldovia, Alaska 99663
Phone 907-234-7643

Special Planning Commission Meeting

Wednesday, July 24th, 2024

6:00PM

Hybrid Meeting

For more information-

Email cityclerk@cityofseldovia.com

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AGENDA
SELDOVIA PLANNING COMMISSION
WEDNESDAY, JULY 24, 2024, 6:00PM
SPECIAL MEETING-

In Person at Multipurpose Building, 260 Seldovia Street
or by Zoom Webinar:

<https://us02web.zoom.us/j/82080044206?pwd=c3UzNXlocGg3SmhER3VCMmxZeEJudz09>

or join by telephone by dialing: +1 346 248 7799 or +1 669 900 9128

Webinar ID: 820 8004 4206

Passcode: 884748

KROLL REIN SWEET FORSBERG BLANCHARD

- A. Call to order;
- B. Roll Call;
- C. Approval of the Agenda;
- D. Approval of Minutes: June 19th, 2024
- E. Public Comments Regarding Items Not on the Agenda;
- F. Public Hearings, Prior Notice;
 - 1. Application to Rezone Three Properties from Commercial Business (CB) District to Waterfront Commercial Residential (WCR) District.
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
- G. Consideration of Site Plans;
- H. Commission Business:
 - 1. Frank Raby 1971 Addn. Tract M 2024 Preliminary Replat
 - A. Presentation by Staff or Commission
 - B. Public Presentation or Hearing
 - C. Commission Discussion
 - D. Action/Disposition
- I. Staff Reports;
- J. Informational Items Not Requiring Action:
 - 1. The regular election for the City of Seldovia will be held October 1, 2024. The candidate filing period opens August 1, 2024 and closes August 15, 2024 at 4:30pm.
- K. Comments of the Public;
- L. Comments of the Commission;
- M. Next Meeting: Regular scheduled meeting, August 7, 2024
- N. Adjournment:

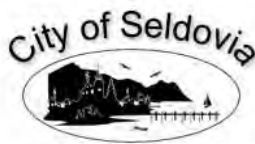
TO ATTEND THE MEETING VIRTUALLY:

- 1. As technology allows, this meeting will be available as a Zoom Webinar for individuals to attend virtually at the link provided on the agenda. **To provide public comments directly via Zoom Webinar sign up with the City Clerk's office by 3:00 p.m. the day of the meeting.** 907-234-7643 or cityclerk@cityofseldovia.com.
- 2. This meeting will also be Live-Streamed to the City of Seldovia YouTube Channel as technology allows. To find the meeting log onto YouTube and search for the City of Seldovia. *Public comments will not be able to made directly while watching the meeting live on YouTube and must be submitted in writing beforehand by 3:00pm the day of the meeting.*

TO SUBMIT PUBLIC COMMENT:

- 1. Public comment submissions received by 3:00 p.m. the day of the meeting will be provided to the City Council by the City Clerk. Submit your public comment specifying which discussion you would like to provide comment for by email to the cityclerk@cityofseldovia.com, in person to the Seldovia City Office at 245 Dock Street, or by mail to City of Seldovia, PO Box B, Seldovia, AK 99663.

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www.cityofseldovia.com

P.O. Box B Seldovia, Alaska 99663 Phone: (907) 234-7643, email: cityclerk@cityofseldovia.com

TO: Seldovia Planning Commission
 FROM: Liz Diament, City Clerk
 DATE: July 22, 2024
 SUBJECT: Application for Rezone of Three Properties from the Commercial Business (CB) District to Waterfront Commercial Residential (WCR) District

Application Background:

On May 11, 2024, three property owners submitted an initial application to rezone the listed three properties from the Commercial Business (CB) zoning district to Waterfront Commercial Residential (WCR) zoning district. The initial application was discussed at a Seldovia Planning Commission Special Meeting on June 19, 2024 and supplemental information was requested to complete the application for review. On June 21, 2024 supplemental information was provided by petitioner Jerry Stranik, including maps of the area and more detailed information to address the criteria for rezoning. The application was reviewed by staff and a Public Hearing was scheduled for July 24th, 2024 at 6pm. On July 1st public notice of the rezoning application was mailed out to property owners within 300 feet per Seldovia Municipal Code (SMC). Public notice was posted at the Seldovia Post Office, multipurpose Building, City Office and City website, as well as emailed to the Public Notifications List.

Legal Description of Properties Requested for Rezoning:

T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 2 BLK 13
T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 3 BLK 13
T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 4 BLK 13

Petitioners:

Gerald Stranik, Leslee Martin, William C. Lethin

Amendment Procedure:

Seldovia Municipal Code (SMC) Title 18 provides for a process to amend the Seldovia Zoning Code and Official Map. Under SMC 18.97 Amendment Procedures, amendments to the Zoning Code or Map may be initiated by the Seldovia City Council, by the Seldovia Planning Commission, by a submission of petition of the majority of property owners in the area to be amended, or by petition of 50 registered voters withing the City. *(This Petition is from all three property owners in the area to be amended)*

The zoning amendment request shall include the names and addresses of the applicant, the name of each record owner with the legal description and Borough tax parcel number of each lot that is the subject of the proposed amendment, a statement of justification, a map showing the lots comprising the area that is the subject of the proposed amendment, the present and proposed zoning, a nonrefundable fee as set forth in the Seldovia Fee Schedule adopted by the City Council, and any other pertinent information requested by the City.

A completed application, as described in this section, shall be submitted to the administrative official. The administrative official shall schedule a public hearing and make notification arrangements.

The City Planning Commission shall hold a public hearing in accordance with the procedures and provisions as provided in Chapter 18.96 and shall consider and determine:

1. The need and justification of the proposed amendment;
2. Whether the proposed amendment is in conformance with the Comprehensive Plan or will further the purposes of the Plan;
3. The effect of the proposed change on surrounding properties or the area; and
4. The amount of undeveloped land in the general area having the same district classification as that requested by the proposed amendment.
5. Will it be reasonable to implement and enforce;
6. Will it promote the present and future public health, safety, and welfare;
7. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

The Commission shall, upon public hearing, forward its written recommendation to the Seldovia City Council, along with an excerpt of the Commission minutes showing the consideration of the proposal, all public testimony on the proposal, and public records relating to the proposed amendment.

The Seldovia City Council in accordance with the provisions of the Seldovia Municipal Code, may or may not adopt the amendment as a City Ordinance. (18.97.010 Amendment Procedure)

Seldovia Zoning History:

Establishment of the Zoning Code of Ordinances

The Uniform Building Codes were adopted with Urban Renewal, (Ordinance 66-3) and later with (Ordinances 74, 25-28). The Seldovia Municipal Code was adopted in September 1962 with the incorporation of the City as a first-class city. A Zoning Code was included in the establishment of the Seldovia Municipal Code.

Records indicate that further zoning codes were established with Urban Renewal (Ordinance 66-2). Chapters included were as follows: 18.04 Planning Commission, 18.08 Design and Platting Requirements, 18.12 Board of Adjustment
18.16 Appeals Procedure

During that time, the established districts and zoning map appears to have been incorporated within the Kenai Peninsula Borough Code of Ordinances not Seldovia's Zoning Code and that KPB zoning code for Seldovia included the following districts: Residential, General (RG) Residential, Special Apartment (RSA), Waterfront Commercial Residential (WCR), Commercial (C), Marine Commercial (MC), Industrial, and Alaska State Housing Authority (ASHA)

Seldovia Zoning Regulations Powers- 1998

Through Resolution 98-10, the City of Seldovia requested the power to provide zoning regulations within city limits from the Kenai Peninsula Borough. KPB granted those powers through KPB Ordinance 98-50 and the City of Seldovia established the Seldovia Zoning Code through Ordinance 98-07.

Zoning Code of Ordinances Update 2005

The Seldovia Zoning Map went through a review and update in 2005 and was adopted by Ordinance 06-05. Review of both maps indicates that while most zones remained relatively the same the Commercial Marine District was expanded along the waterfront and across the street, and those areas were previously zoned as Industrial and Commercial Residential. Additionally, the residential district expanded between Vista and Winifred Avenue. The three parcels petitioning for rezoning were already in the Commercial Marine District.

Commercial Marine to Commercial Business and Long-Term Residential Rentals- 2020

In 2019-2020 the Commercial Marine District went through a zoning review and overhaul in an attempt to more accurately capture the changes in the district and better define residential dwelling units as incidental secondary uses. Ordinance 20-05 was adopted with those changes which also included an administrative permit for long-term residential rentals.

Comparison of CB District and WCR District:

The CB District and WCR District have differing purpose statements, permitted uses, setback requirements, building height requirements, parking, minimum lot size and open space requirements. The CB District requires a primary Commercial Use, while WCR District provides a choice for residential, commercial or mixed-use with no requirement to have a commercial purpose. CB District properties are considered Commercial for the purpose of Water/Sewer Rates while WCR properties can be billed at Residential or Commercial rates based on use. Please see the Comparison and Land Use Tables attached to compare the two zoning districts.

Staff Analysis of Requirements for Petition and Evaluation criteria for Zoning Planning Amendments listed in SMC.

The application and supplemental information submitted by the petitioners was reviewed by staff and considered complete.

1. The need and justification of the proposed amendment;

A justification was provided by petitioners that it meets the Desired Future Lands Uses on page 33 of the 2014 Comprehensive Plan.

2. Whether the proposed amendment is in conformance with the Comprehensive Plan or will further the purposes of the Plan;

The proposed amendment would align the 3 parcels with the Desired Slough District in the Future Preferred Land Uses within the 2014 Comprehensive Plan.

3. The effect of the proposed change on surrounding properties or the area; and

The effect of the zoning amendment on surrounding properties within the general area would be to change the nature of the area from commercial to mixed use, and or residential.

4. The amount of undeveloped land in the general area having the same district classification as that requested by the proposed amendment.

There is no undeveloped land in the area.

5. Will it be reasonable to implement and enforce;

Yes. It will require a code ordinance change and mapping updates. Current structures would need to be evaluated for open space requirements of WCR.

6. Will it promote the present and future public health, safety, and welfare;

The rezoning has no discernable impact on present and future public health, safety or welfare.

7. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

Rezoning would result in possible reduction of water/sewer revenue for the three properties listed. A reduction from Small Commercial Rate to Residential Rate for 3 parcels would have a fiscal impact of approximately \$1,000 annually at current water/sewer rates. (Small Commercial is \$188.43 +tax monthly, Residential Rate is \$94.84+tax).

Rezoning would remove the requirement to have a commercial purpose and would permit a primary residential use along the waterfront area.

A reduction or change in property tax revenue is not anticipated as a result of the change. Per KPB, property tax assessment is based on building use, not zoning districts. Residential buildings are assessed as residential and commercial buildings as commercial regardless of where they are located.

Public Comments Received:

Seven written public comments were received, one from a petitioner on the application and six from other property owners in the vicinity. Three neighboring property owners wrote in support of the rezoning and three submitted comments opposing the rezoning application. Comments are attached.

Proposed Timeline for Rezoning Process

- June 19, 2024 – Submittal of Initial Petition to Planning Commission, Supplemental Information was requested.
- June 21, 2024 – Supplemental Information, including proposed map and justifications submitted.
- July 1, 2024- Notice mailed to neighboring property owners
- July 24, 2024 - Public Hearing before Seldovia Planning Commission
- August 7, 2024 – Seldovia Planning Commission Regular Meeting
Seldovia Planning Commission discussion on recommending zoning change.
(If recommended, a draft ordinance will be approved and transmitted to City Council. If not recommended, a statement will be transmitted to the City Council.)
- August 26, 2024 – City Council Meeting
If recommended, Draft Ordinance introduced from Planning Commission. Scheduled for recommended public hearing at the following Council meeting.
- September 9, 2024 – City Council Meeting
Recommended Public hearing for Draft Ordinance and possible action by City Council

Staff Recommendation

Staff Recommends that the Commissioners consider the application complete and hold a Public Hearing to evaluate the Request for Rezoning.

Attachments:

Public Hearing Notice
Initial Application Submitted
Supplemental Application Information and Maps
Current Zoning Map
Written Public Comments Received as of 7/19/2024
Title 18 Zoning Code
Seldovia Comprehensive Plan pages 33 and 50.

Commercial Business District (CB) Waterfront Commercial District (WCR)
Comparison Chart

	<u>CB District</u>	<u>WCR District</u>
District Purpose	The CB District is established to provide an area for convenient, attractive and concentrated commercial development. Regulations applying to this zone are designed to encourage a compact group of business of the type which are mutually beneficial and located close enough together to encourage walk-in trade.	This district is designed to preserve and enhance the following characteristics of Seldovia: 1. Marine orientation of the community 2. Pedestrian orientation 3. Variety of compatible mixed use development 4. Scenic features due to the natural terrain and vegetation
Permitted Uses/Conditional Uses/Prohibited Uses	Primary Commercial Use Required Secondary Uses allowed with Primary Purpose. Long-Term Residential Rentals as Primary Commercial Use By Administrative Permit (10% of District) See Land Use Table for Use Comparison	No Commercial Primary Use Required. See Land Use Table for Comparison
Minimum Area and Lot Width	A. 5000 square feet B. Lot area shall be sufficient to meet the parking and setback standards.	A. No minimum lot area is established, but the actual lot area shall be sufficient to meet the parking, open space, natural area and setback standards of this chapter. B. Residential uses shall provide at least 1000 square feet of open space per dwelling unit. The open space may not be used for parking or permanent structures; however, 50 percent may be a covered patio or similar structure.
Open Space Requirements	N/A	25 percent of the land area involved shall be left with the natural vegetation and terrain existing prior to development.
Parking	A. Residential uses, same as required in the Residential District; B. Retail sales, one space per 200 square feet of gross usable floor area; C. Service business and offices, one space for each 300 square feet of gross usable floor area; D. Restaurants, bars and other entertainment establishments, one	Two off-street parking spaces are required for any dwelling unit, otherwise parking requirements are the same as the Commercial District. For residential use only, the parking spaces may be made of dirt, gravel, asphalt, concrete or wood and, if unenclosed, may be within the setback from an adjacent right-of-way. If the applicant adequately demonstrates that the use will be residential, or serve

	<p>parking space for each four seats based on maximum seating capacity;</p> <p>E. Transient housing, one parking space for each three rooms;</p> <p>F. In addition to the above requirements, one parking space for every four employees shall be provided;</p> <p>G. If the applicant adequately demonstrates that the use will serve customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission;</p>	<p>customers who are not dependent on motor vehicles to reach the business, the parking requirements may be reduced accordingly by the City Planning Commission.</p>
<p>Building Setback</p>	<p>A. Ten (10) feet from all rights-of-way if the right-of-way meets existing requirements;</p> <p>B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to ½ the required right-of-way width plus ten (10) feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;</p> <p>C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided.</p> <p>D. The setback for a deck or dock proposed along the shore of the Seldovia Small Boat Harbor (defined as any waterfront lot on Main St. between lots 19307917 and 19203059) shall be the mean high tide line. Any deck or dock proposed beyond the mean high tide shall be heard by the Planning and Zoning Commission under the conditional use permitting process</p>	<p>A. Five (5) feet from all rights-of-way if the right-of-way meets existing requirements;</p> <p>B. If the adjacent right-of-way is less than required by existing standards, the setback shall be equal to ½ the required right-of-way width plus 5 feet measured from the right-of-way centerline. Required right-of-way shall be that required by City plans or ordinance. If no City plan or ordinance exists, the right-of-way requirements of the Borough subdivision requirements shall apply;</p> <p>C. Six (6) feet from all property boundaries not bordering right-of-way, unless adequate fire-walls are provided and adequate access to the rear of the building is otherwise provided. (Ord. 00-08)</p>

Building Height	The maximum building height is twenty-eight (28) feet measured from the centerline of Main Street.	The maximum building height is twenty-eight (28) feet measured from where the final grade meets the average of the two highest foundation corners. Below grade walls shall not exceed ten (10) feet and shall not cause the vertical height of the structure to exceed twenty-eight (28) feet from where the final grade meets the average of the two highest foundation corners and not to exceed an overall height of thirty-eight (38) feet.
Signage	Combined signage serving the Commercial Business District shall not exceed 15% of wall surface area as viewed from any lot line.	Combined signage serving the Waterfront Commercial Residential District shall not exceed six square feet in area and shall be located so as not to impede visibility or traffic. C. Combined signage serving Conditional Uses shall not exceed 20 square feet in area and shall be located so as not to impede visibility or traffic.
Visibility at Intersections	A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection; B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area.	A. No vehicle shall be parked within thirty feet (30') of any existing municipality street intersection; B. To ensure that a vehicle's driver has good visibility at street intersections, on corner lots both public and privately owned, there shall not be a fence, wall, hedge, planting or structure, or other obstacle including vehicles that will impede visibility between a height of 2-1/3 feet and 8 feet and greater than one foot wide above the centerline grades of the intersecting streets unless parked in already approved and designated parking area.

Commercial Business District (CB) Waterfront Commercial District (WCR)

Land Use Table Comparison

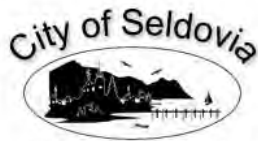
(All uses in the two districts are highlighted, Differences between are highlighted on the land use column)

Key: P- Permitted Use S - Secondary Use C - Conditional Use N- Not Permitted
ZONING DISTRICTS

LAND USES	RG	RSM	WCR	C	I	CB	CR	A	P
Residential Land Use Types									
Accessory Structure on an Unoccupied lot (without main building)	C	N	P	P	P	N	P	N	N
Accessory Use or Structure	P	P	P	P	P	P	P	C	P
Dwelling Unit, Attached Residential (apartment in a commercial building (limited to one unit))	N	N	P	P	P	S	P	N	N
Dwelling Unit, Attached multi-residential (apartment in a commercial building (two or more unit))	N	N	P	P	C	S	P	N	N
Dwelling Units, structures containing four or less units	P	C	P	C	C	N	P	N	N
Dwelling Units, structures containing five or more units	C	P	C	P	C	N	P	N	N
Mobile Homes	P	N	P	C	N	N	P	N	N
Mobile Home Parks	C	N	N	C	N	N	C	N	N
Commercial Land Use Types									
Dwelling unit- nightly rentals	P	N	P	C	C	S	P	N	N
Bed and Breakfasts	P	N	P	C	C	S	P	N	N
Business/Consumer Services (other than a home occupation)	N	P	P	P	P	P	P	N	N
Business/Personal Services (other than a home occupation)	N	P	P	P	P	P	P	N	N
Cabin Rentals	P	N	P	C	C	C	P	N	N
Commercial Recreation	N	N	P	P	P	P	P	N	N
Entertainment Uses	N	N	P	P	P	P	P	N	N
Garage, Commercial	N	N	P	P	P	C	P	P	N
Home Occupation	P	P	P	P	P	S	P	N	N
Hostels	C	N	P	C	C	C	P	N	N
Marijuana Cultivation Facility, manufacturing facilities, retail facilities, and testing facilities as defined by state law, SMC 18.78 and SMC Ord. 16-09	N	N	C	C	C	C	C	N	N
Motel/Hotel (five or more units considered motel/hotel)	C	P	P	P	N	P	P	N	N
Kennel, Commercial	C	N	C	C	C	N	C	N	N
Lodge (contains five or fewer units)	C	P	P	P	N	P	P	N	N

Offices	S	P	P	P	S	S	P	S	N
Restaurant	N	N	P	P	N	P	P	N	N
Retail Business (other than a home occupation)	N	N	P	P	P	P	P	N	N
Wholesale Business	N	N	P	P	P	P	P	N	N
Industrial Land Use Types									
Automotive Repair, Services, and Sales (Was Motor Vehicles before)	N	N	C	P	P	C	C	N	N
Equipment sales, repairs and service (Heavy equip, or machine)	N	N	N	P	P	N	P	N	N
Extraction of natural resources for sale not incidental to development of the area for a permitted use (surface or subsurface)	N	N	N	N	N	N	N	N	N
Gas Station	N	N	N	C	C	N	N	N	N
Junkyard	N	N	N	P	P	N	N	N	N
Lumberyard	N	N	N	P	P	N	C	N	N
Manufacturing/Fabricating/ Assembly	N	N	N	C	P	C	C	N	N
Marine equipment sales, service, repair, construction and storage	N	N	P	P	P	P	P	N	N
Mini-Storage Facility	N	N	C	P	P	N	P	N	N
Utility, public facility (Was Public utility plants)	C	N	P	P	P	N	P	P	P
Gas manufacturer/Storage (Was Public utility and approved fuel storage)	C	N	C	P	P	N	C	P	N
Seafood Processing	N	N	C	P	P	C	C	N	N
Storage Facility	N	N	P	P	P	N	P	P	N
Storage Yard	N	N	N	P	P	N	P	N	N
Freight storage and staging for transportation except for flammable, explosive or corrosive materials not for use on the site	N	N	P	P	P	N	P	P	N
Freight storage and staging for transportation of flammable, explosive or corrosive materials	N	N	N	N	C	N	N	N	N
Warehouse	N	N	N	P	P	N	N	N	N
Wholesale outlets	N	N	P	P	P	C	P	P	N
PUBLIC/INSTITUTIONAL/OTHER									
Airport Compatible Uses (instead of related)	C	C	P	P	P	C	P	P	N

Churches	C	C	P	P	C	C	P	C	N
Clinics	C	C	C	P	C	P	P	C	N
Fraternal Organizations	C	C	C	C	C	C	C	C	N
Parks and Recreation	C	C	P	P	P	C	P	C	P
Schools	C	C	C	C	C	C	C	C	C
Hospitals	C	C	C	C	C	C	C	C	N
Public buildings	C	C	P	P	P	P	P	P	P
Signage uses in excess of those specified in Section 18.36.080, Subsection A.	C	C	C	C	C	C	C	C	C
Keeping of Livestock may be permitted provided the provisions set forth are satisfied	C	C	C	C	C	C	C	C	N
Building of decks and docks within the Seldovia Small Boat Harbor (as defined by SMC 18.52.070 D) beyond the mean high tide may be permitted if provisions set forth are met	N	N	C	N	N	C	N	N	N
Any use which causes excessive noise, odors, effluent, smoke, dust, vibrations, electrical interference, bright of flashing light, or other non-objectionable conditions which would interfere with the quiet enjoyment of a residential neighborhood	N	N	N	C	C	N	N	N	N



www.cityofseldovia.com

P.O. Box B Seldovia, Alaska 99663 Phone: (907) 234-7643 email: cityclerk@cityofseldovia.com

PUBLIC NOTICE

July 1, 2024

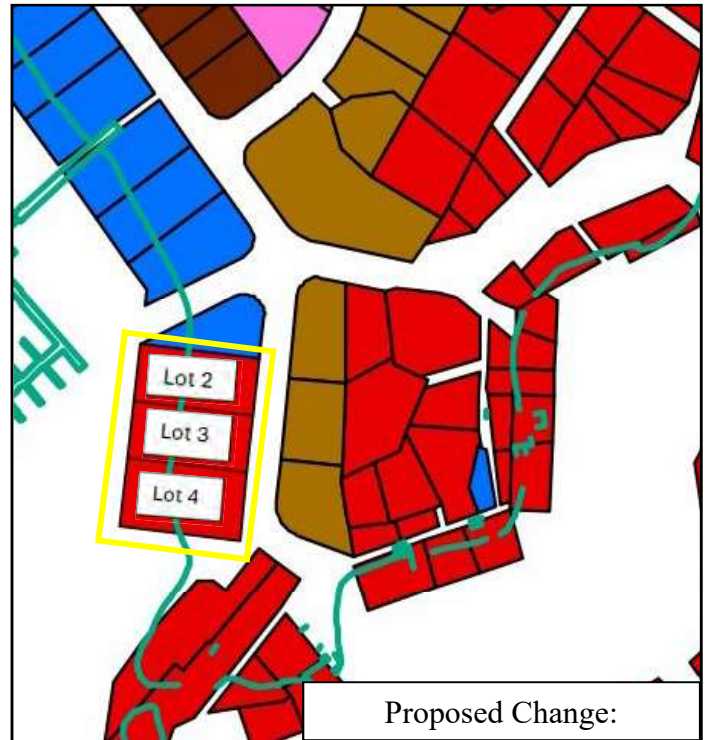
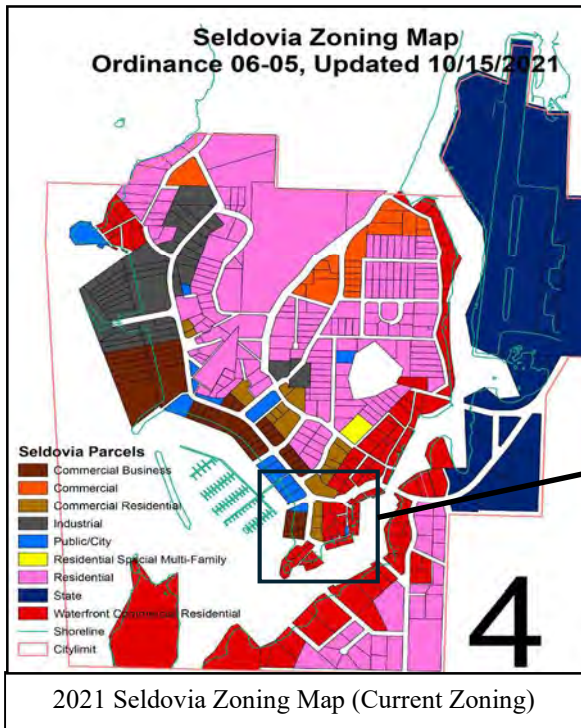
Notice is hereby given that an application has been received for an amendment to the Seldovia Zoning Code and Official Map, Seldovia Municipal Code, Section 18.97.

1. Location (s): T 8S R 14W SEC 32 Seward Meridian SL 0670030

WATERFRONT RESUB NO 1 LOT 2 BLK 13

WATERFRONT RESUB NO 1 LOT 3 BLK 13

WATERFRONT RESUB NO 1 LOT 4 BLK 13



1. Zoning Amendment Requested: Petitioners are requesting three properties be rezoned from the Commercial Business District to the Waterfront Commercial Residential District.

2. Petitioner(s):

Leslee Martin

PO Box 245

Seldovia, AK 99663

William C. Lethin

PO Box 264

Seldovia, AK 99663

Gerald M. Stranik

PO Box 173

Seldovia, AK 99663

The Seldovia Planning Commission will hold a public hearing at a special meeting,

Wednesday, July 24th, 2024.

The meeting will be held in the Council Chambers, Seldovia Multi-Purpose Building, 260 Seldovia St., Seldovia, AK, beginning at 6:00PM.

Posted 07/01/2024 www.cityofseldovia.com Seldovia City Office, Seldovia Post Office, and the Multi-Purposed Building

In accordance with the procedures and provisions as provided in Chapter 18.96, the City Planning Commission shall consider and determine:

1. The need and justification of the proposed amendment;
2. Whether the proposed amendment is in conformance with the Comprehensive Plan or will further the purposes of the Plan;
3. The effect of the proposed change on surrounding properties or the area; and
4. The amount of undeveloped land in the general area having the same district classification as that requested by the proposed amendment.
5. Will it be reasonable to implement and enforce;
6. Will it promote the present and future public health, safety, and welfare;
7. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

The Commission shall, upon public hearing, forward its written recommendation to the Seldovia City Council, along with an excerpt of the Commission minutes showing the consideration of the proposal, all public testimony on the proposal, and public records relating to the proposed amendment.

Written comments may be submitted to the attention of Liz Diament, Seldovia City Clerk's Office – PO Box B – Seldovia, Alaska 99663. You may also submit written comments by email to cityclerk@cityofseldovia.com. **Written comments should be received by the City office no later than Friday, July 19, 2024.**

Additional information, including the complete application packet, can be found at www.cityofseldovia.com. For questions and additional information, please contact Liz Diament at the Seldovia City office 907-234-7643 for additional information.

Liz Diament
City Clerk

City of Seldovia



www.cityofseldovia.com

P.O. Drawer B Seldovia, Alaska 99663 Phone: (907) 234-7643, Fax: (907) 234-7430 email: cityclerk@cityofseldovia.com

ZONING AMENDMENT
APPLICATION PETITION

(A map of the areas involved is required)

Name of Owner(s)/Petitioner(s): Lether, Martin, Stronik

Legal description of lot/lots covered by this application (use additional sheets if necessary): Waterfront Resub. No. 1, Lot 4, 3, 2, Blk 13

Request District Change: From Zone: Commercial Marine Waterfront
To Residential Commercial Marine Waterfront

Description of neighboring land use: See Comprehensive Plan for City

The need and justification of the proposed amendment: City Comprehensive Plan

Please provide written narrative explaining the following (use additional sheets if necessary):

1. How is the proposed change beneficial to the public interest? See City Comprehensive Plan

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern? Would it permit uses not compatible with adjacent land use? See City Comprehensive Plan

3. Are public facilities such as schools, utilities and streets adequate to support the proposed change? See City Comprehensive Plan

4. How does the proposed use not constitute spot zoning? See City Comprehensive Plan

Petitioners:

Signature: [Signature]
Name: Leslee J. Martin
Address: 173 Main
PO Box 245
Seldovia, AK 99663

Signature: [Signature]
Name: WILLIAM LETHIN
Address: 175 MAIN ST.
P.O. BOX 264
SELDOVIA, AK 99663

Owner of: NO. 1 Lot 3 Block 13

Owner of: NO. 1 LOT 4, BLK 13

Signature: [Signature]
Name: GERALD M. SPANIK
Address: 182 BAY ST BOX 173
SELDOVIA, AK 99663

Signature: _____
Name: _____
Address: _____

Owner of: NO. 1 LOT 2 BLK 13

Owner of: _____

.....
For City Office use only
Date Received: _____ P&Z Approval: _____
Receipt No: _____
Public Hearing: _____ Attest: _____

Dear Seldovia Council Members,

I have prepared some copies of the current Seldovia Comprehensive Plan in regard to Land use. Page 33 shows a map of the preferred land use scenario. Page 34, under goal 2 B, it refers to the Town Center (business district) as being between Airport Ave. and Iliamna St. I believe the 3 lots south of Airport Ave. were spot zoned by circumstance. No fault of anyone. If you were to look up the meaning of spot zoning, you will find that it is illegal when not done in accord with a comprehensive plan. It is my belief that the law would work in reverse to correct the 3 lots shown, to make them compatible with the surrounding lots. I believe the current plan does just that. The 3 lots are not contiguous with like zoning. In fact they are 635' from the closest waterfront business lot. It is not A thru street and very little parking. I also believe the lots could pose a detriment or nuisance to the neighborhood and to themselves if left in the current zoning. I believe the folks that put together this year long plan addressed this. I would hope each of you consider the goals of the Comprehensive plan and correct this matter. That would be amending the map to reflect these lot to be in the zoning they are surrounded by. Thanks for your consideration.

Walt Martin

Leslee Martin



City of Seldovia

Map Date: 12/14/21

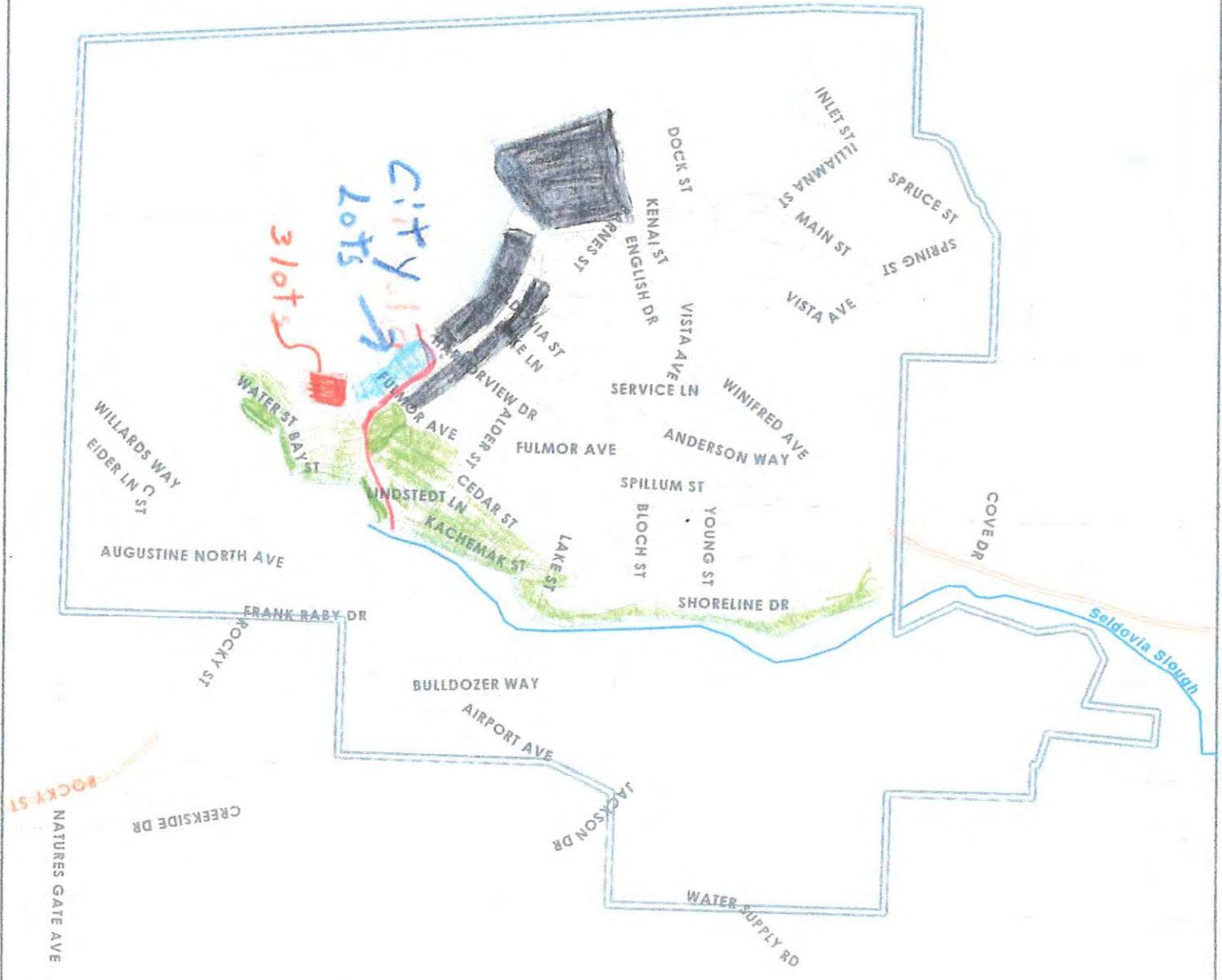
- Milepost
- Major Rd
- Highway
- ▭ Tax Parcels
- ▭ City Limits



0 255 510 Feet

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.

Seldovia Bay



Zoning Amendment Application Petition
(A map of the areas involved is required)
Additional information for previously submitted application

Name of Owners: Lethin, Martin, Stranik

Legal description of lot/lots by this application (use additional sheets if necessary):

- T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 2 BLK 13
Gerald Stranik
- T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 3 BLK 13
Leslee Martin
- T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 4 BLK 13
William C. Lethin

Request District Change:

From: Commercial Business District

To: Waterfront Commercial Residential District

Description of neighboring land use: Waterfront Commercial Residential – Mixed use development, recreational access, and semi-historic character.

The need and justification of proposed amendment. Incorporate into existing Waterfront Commercial Residential District in alignment with the 2014 Seldovia Comprehensive Plan Land Use Desired Future Conditions Concept described on p. 33 2013 – 2033 Preferred Land Use Scenario.

How is the proposed change beneficial to the public interest?

Aligns with the 2014 Seldovia Comprehensive Plan. Meets community desires to have an expanded Slough District.

How is the proposed change compatible with the surrounding zoning districts and established land use pattern?

The current zoning is Commercial Business District which allows mixed use, the properties on Main Street from Airport Road to the Waterfront Commercial District are residential in appearance and historic character consistent with the Waterfront Commercial Residential District.

Would it permit uses not compatible with adjacent land use. No, it would actually be more compatible with the adjacent land use as it would become the same as adjacent in the Waterfront Commercial Resident District. And the houses across the Main Street are currently zoned Commercial Residential.

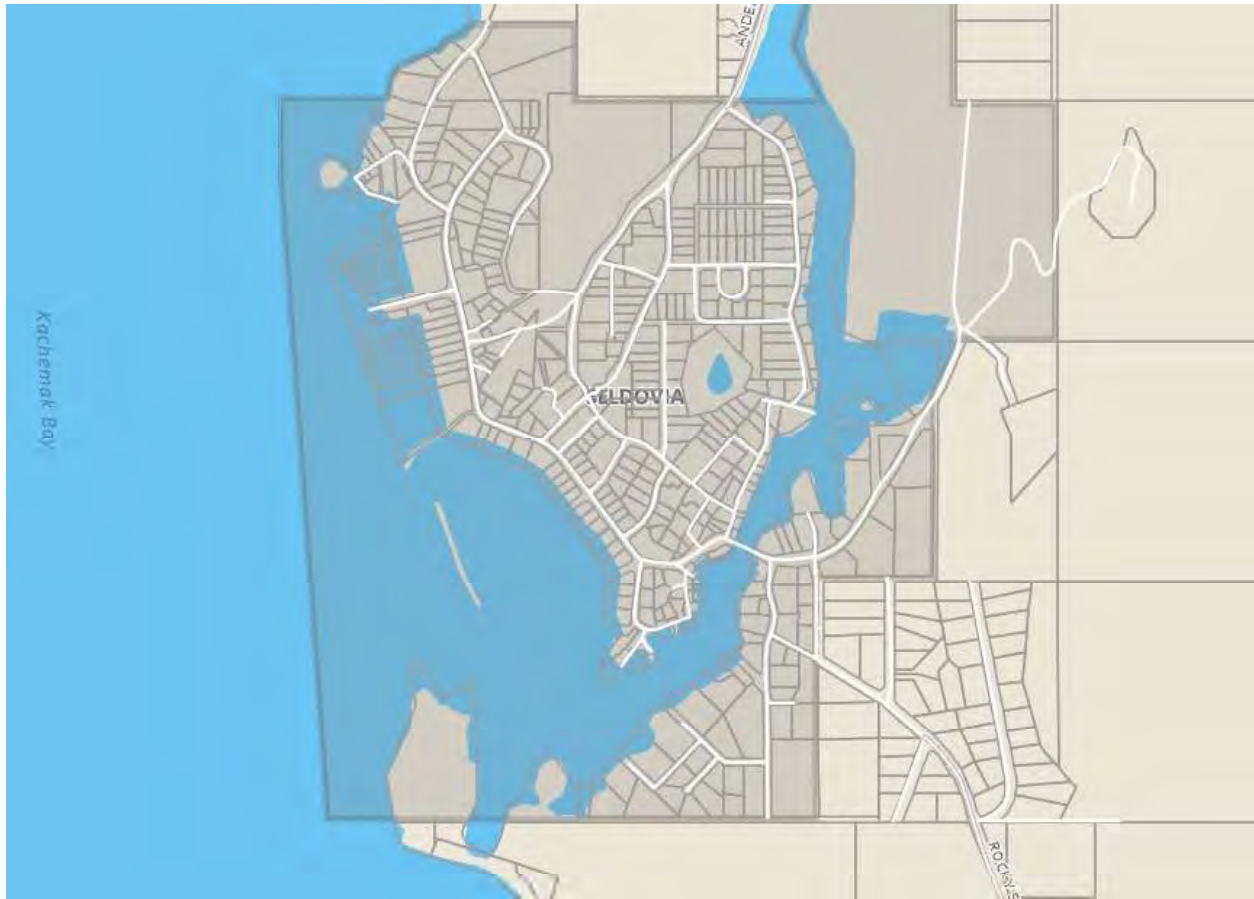
Are public facilities such as schools, utilities and streets to support the proposed change?

No. No material impact.

How does the proposed use not constitute spot zoning. It actually consolidates the Waterfront Commercial Residential District as drawn up 2013-2033 Preferred Land-Use Scenario.

Zoning Amendment Application Petition Additional Map

City of Seldovia Map



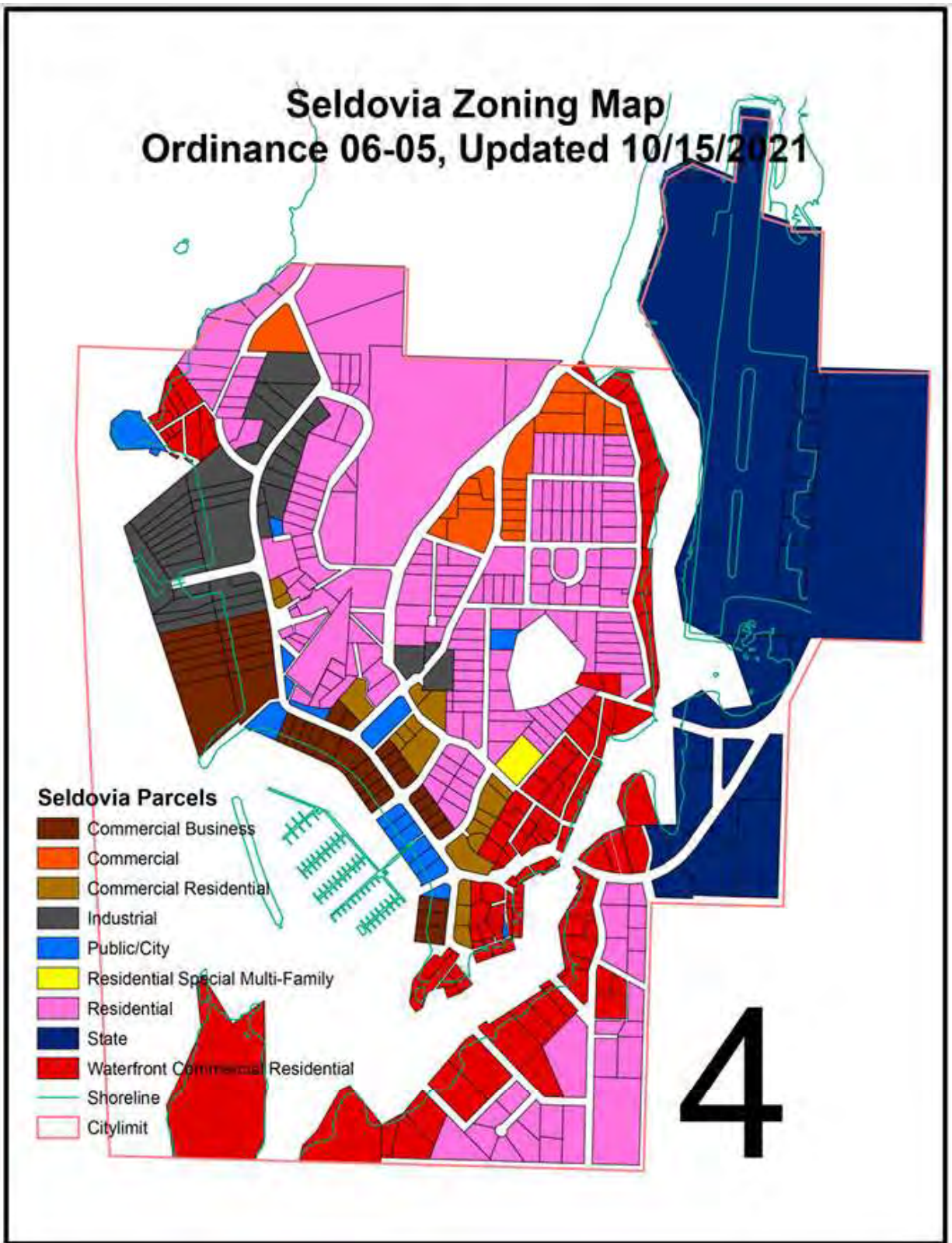
Zoning Amendment Application Petition Additional Map

Map of Rezoning Request Waterfront Resub No. 1, Lot 4, 3, 2 Block 13

- T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 2 BLK 13 Gerald Stranik
- T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 3 BLK 13 Leslee Martin
- T 8S R 14W SEC 32 Seward Meridian SL 0670030 WATERFRONT RESUB NO 1 LOT 4 BLK 13 William C. Lethin



Zoning Amendment Application Petition
Additional Map



LAND USE

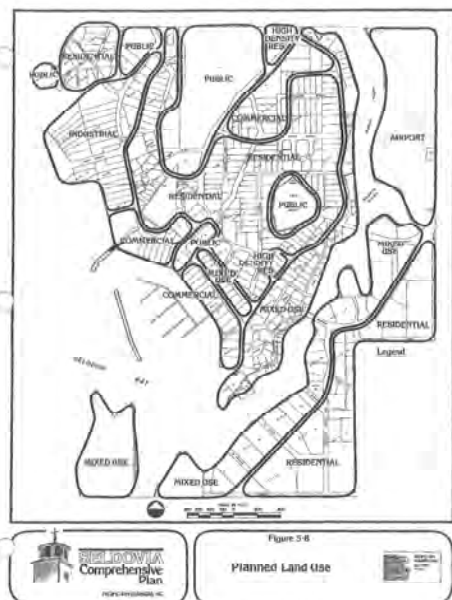
Desired Future Conditions Concept

The diagram below captures residents' **preferred future land-use scenario**, to include:

- ~ A vibrant **Town Center** with first floor retail and service businesses, and upper story residential.
- ~ A **Slough District** with mixed use development, recreational access, and a semi-historic character.
- ~ **Enterprise Zones** with value-added, light industrial, and other mixed economic and community uses.
- ~ **Residential Neighborhoods**, with compact living in town, and rural living in surrounding areas.



2013-2033 PREFERRED LAND-USE SCENARIO



After Urban Renewal, downtown Seldovia was an empty gravel pad. In 1980 residents envisioned downtown with a thriving commercial district (see diagram, left).

Today, 35 years later, only a handful of properties on Main Street have overcome the economic challenge of sustaining a viable, year-round business. At the same time, "waterfront commercial" properties are attractive for seasonal residences, despite Urban Renewal plat restrictions and local zoning ordinances that require commercial use. This makes downtown quiet, especially in the winter, and locks in building designs and land use patterns that detract from a thriving main street atmosphere. A number of residents expressed a desire for this comprehensive plan to resolve this issue.

The concept presented here is to create special tax incentives for the waterfront commercial district (such as a property or sales tax rebate) on the basis of meeting specific criteria: first floor levels host walk-in businesses that are open to the public; sales are generated at least ten months of the year; an annual sales tax threshold of \$1,000, etc. At the same time, upper story residential/accommodations are encouraged.

May 14, 2014



B. Resources & Timeline

Successful implementation over the long-run requires a realistic pace that matches human capacity and local resources. This section offers suggestions to help guide such efforts over a 20-year timeline.

As this planning effort began, the City of Seldovia was already working with partners and a volunteer base to implement some actions in this plan. Throughout this planning process, residents voiced appreciation for the City and advocates taking a proactive, positive approach. Yet there was also guarded concern that Seldovia not “take on too much” or consider radical changes.

Balancing these sentiments, Seldovia will benefit from a slow and steady approach to implementation. This includes respecting human and financial resource limitations, and the need to build buy-in and test the waters before moving headlong into any major course of action.

For its initial actions, the City needs to focus on building a track record for success by finishing projects that are already underway. A related strategy is to start with “low hanging fruit,” and win-win relationship building opportunities.

As implementation moves ahead, it is useful to hold open discussions about outcomes, lessons learned, and also to edit this plan. By encouraging transparency and reflection, Seldovia’s civic culture can become more adept at mid-course reality checks, and at responding constructively to changing circumstances.

Finally, wait to undertake more challenging efforts until working relationships with partners are solid, and there is at-large community agreement over the specific project’s scope, costs, and benefits.

Implementing this plan over 20 years will stretch the community. At the same time, residents voiced concern that inaction offers a harder road ahead. Without coordinated, strategic action, Seldovia is unlikely to be economically relevant, or to preserve its iconic character and quality of life. Seldovians expressed a willingness to take responsibility for their common future, honor the legacy of those who have done so much for the community, and to work to improve life for future generations to come.



Public Comment Received as of June 19, 2024

to: seldovia planning commission

from: walt sonen, resident P.O. box 107, seldovia

subject: rezoning applications from CB district to WCR district

17 july 2024

i would like to give my perspective and considerations on the proposal being put forward by the resident/owners of the three city lots just south of the city pavilion. these lots along with most of the lots facing the seldovia harbor became available for purchase at reasonable prices after urban renewal. however, ownership carried with it the obligation to operate a harbor related business. this was clearly stated and understood for good reasons, among which were to prevent these properties from becoming unrestricted private properties. over the years we have seen compliance to the business aspect of these conditions somewhat spotty and lax.

these three adjoining properties, while not contiguous with similar properties in the CB (commercial business) district, are every much a part of the district addressing the harbor. it is doubtful that their compliance to the commercial business aspect of the zoning code would negatively impact the other businesses in town. one might consider the opportunities and advantages offered by the casual traffic proceeding through this section of main street on its way to the boardwalk, certainly a considerable portion of our daily visitors.

while adjacent, these properties are clearly not along the slough. should they be re-zoned to WCR (waterfront commercial residential), they would become the only properties in that category not addressing the slough and which are built on the shot rock of the urban renewal project.

each one of these properties originally had at least a tenuous connection to the harbor as was required at the time. lot 2 was a shop/warehouse owned by fred elvsaa to support his two large commercial vessels. for a time it also had a game room and more recently an apartment at one end. lot 3 had a 1st floor shop in support of a commercial seiner owned by toggle int-hout who had his residence on the 2nd floor. the residence on lot 4 was constructed as a boathouse for a boat which was used commercially for halibut fishing by kris lethin for a few years, then later reconfigured as a residence.

time goes on and rules change, however i believe it is in the long term interests of the city to encourage vitality. this responsibility should not be compromised by the request of these applicants to relieve themselves of their obligations.

From: Cmichaelsage.ak@gmail.com
To: [Liz Diament](#)
Subject: Amendment for locations T 8S R 14W SEC 32 Seward Meridian SL 0670030
Date: Tuesday, July 9, 2024 11:05:41 AM

To whom it may concern.
We support the amendment to rezone the above mentioned properties.
Respectfully,
C. Michael and Catherine Sage also know as Golden Plover Trust
Sent from my iPad

To: Seldovia Planning Commission

From: Sachiko Scott, Resident

Subject: Zoning Amendment Requests for Seldovia Waterfront Resub No.1,
Lot 2,3,& 4

The 3 lots of which the owners request for zoning amendments sit on Seldovia harbor waterfront. The lots are zoned as "Commercial Business District" for the unique aspect of their location with a view of the harbor and beyond which could promote business. "Commercial Business District" zoning requires a business establishment on the premises.

The three owners, each & separately, acquired the property with an understanding of this obligation. The area has been zoned "commercial" for a long time. Previously, its zoning title was "Commercial Marine District". Now the owners are petitioning for the change of zoning from current "Commercial Business District" to "Waterfront Commercial Residential District". The latter does not require a business on the property, but one may have a business if he chooses to do so.

If these petitions come through, won't it be easier for the owners to sell their properties? On one of the properties, a larger, taller private home could be built.

Is that what we want? Private houses on the waterfront?

I'd like to talk about the business establishments along the Main Street in the area zoned as "Commercial Business District". Supporting these businesses allows us to enjoy the waterfront view, may it be the restaurant, the bar, or the inn. The hotel/restaurant may come back in full operation again.

The other businesses for groceries, good coffee, a spa, pet care, gifts, liquor, etc., meet locals' needs and are much appreciated. The transportation rental is a great success with visitors. They all contribute to the City's revenue.

The City zoning had a big role in this. And the property owners are complying and making it work.

I appreciate the effort put in, all the way around.

My thought on this "Zoning Amendment Requests" ----
the current zoning on the 3 lots should remain as is.

Sachiko Scott
P.O.Box 15, Seldovia
July 18, 2024

From: [collinsarchitect](#)
To: [Liz Diament](#)
Subject: Waterfront Zoning Amendment
Date: Thursday, July 11, 2024 1:57:06 PM

Liz,
Regarding the Public Notice for Waterfront Lots 2,3,&4, Cynthia and I have no issue with the proposed change. We are in favor of the amendment.
Thank you.

Jason & Cynthia Collins
164 Main St.

July 16, 2024

Planning and Zoning Commission:

RE: Rezoning amendment request by petitioners Lethin, Martin, Stranik lots 4,3,2.

I received notice of the application for zoning change as I live within 300 ft radius of the proposed change.

Let me state as a resident, tax payer and concerned citizen of the city I am not in favor of rezoning the above stated lots from current commercial business district to waterfront commercial residential district for the reasons below:

- Historically , (during and after Urban Renewal)the three lots (along with the waterfront) were dedicated to be part of the business district and were sold for the purpose of economic development in the harbor area of the commercial business district. These lots do not face the slough , but the harbor.
- They were sold for the purpose of being a business first and a residence second (if the criteria of operating a business was upheld.)
- To allow a rezoning takes away the business opportunity that currently exists for the economic future of Seldovia. Not only in economic development, but revenue stream as well, ie business revenue and commercial utility fees.
- To consider removing 3 business opportunities that exist within this area and loose the potential for economic advancement is contradictory to the current and future development of Seldovia.
- If rezoning is allowed the parcels when sold would be sold as WCR with no restrictions and a financial loss to the city. The implications of this are obvious - the lots would be strictly a residence on the harbor waterfront. This was not the intent of the original sales.
- I believe the three lots are consistent with the concept of business traffic opportunity. The Boardwalk is a tourist destination which at this time includes 2 operating business along the walk. This meets the strategy of the comprehensive plan of encouraging economic development.
- If we allow the change of zoning, you have lots that are freely open for residential development. I don't think this is in the best interest of Seldovia's future.

Does the application meet the criteria of:

1- Need and justification of amendment- **My opinion is there is no need or justification other than the property owners do not want to be obligated to be in compliance with the current ordinance. The City's requirements to be a business are minimal making it possible to explore various ideas.**

2-Proposed amendment is in conformance with Comprehensive plan or further purposes of the plan.- **Again my opinion, one of the many purposes of the Comprehensive plan is to encourage economic development, in this case far out weigh proposed amendment change.**

3-Effect of the proposed change on surrounding properties or area- **In my opinion changing zoning puts limitations to the potential use from the public.**

4-N/A

5-

6-Will it promote the present and future public health, safety and welfare-**Changing the zoning requirements will not change what exists currently.**

7-Is in best interest...- **In my opinion changing the zoning code is not in the best interests of the public - it limits an area for business potential that can be enjoyed by residents and visitors alike. The loss of public access by becoming WCR (business is optional) this limits public services, facilities. The land use pattern for the area (Boardwalk-tourism/business) if allowed to become residential as primary use, will be at a great loss to the community.**

In conclusion, I don't see this change being in the best interest of the community, but a release to the property owners from their commitment to build a business when they purchased the properties. Sadly, I don't foresee the lots if changed to WCR taking the opportunity to be a business based on the current resistance.

Thank you for the opportunity to give my input on this issue.

Vivian Rojas
195 Lookout Aly
PO Box 226
Seldovia, AK 99663

Watt Martin 194 bay st.

To City of Seldovia leaders,

In Response To The public notice
of July 1 2024.

Questions

1. The need + justification would be to protect the existing neighborhood from unwanted ~~commercial~~ commercial activities + to comply with Alaska Statute 29-40-040.
2. This change will comply with the Seldovia Comprehensive plan as per "map" page 33 of plan and will keep more aggressive commercial (Page 34) between Airport Ave. + Illiamna St. as stated in Comp Plan. (See Attached map)
3. Will have a more positive effect on the semi-Residential neighborhood.
4. none that is undeveloped.
5. Will be reasonable + easier to implement + enforce than if not changed.

6. These 3 lots are served by a dead end street and all Traffic has to make a ~~turn~~ u-turn Requiring backing up. This is a safety issue. Heavier Commercial ~~use~~ will only create more traffic.

7. Because they have been used as Residential since built it will have no effect of adverse change. The less aggressive use will help protect the integrity of the existing homes and the pavilion.

Thank you for your consideration

Neighbor in the
"slough district" since 2015
Walt Martin

LAND USE

Desired Future Conditions Concept

The diagram below captures residents' **preferred future land-use scenario**, to include:

- ~ A vibrant **Town Center** with first floor retail and service businesses, and upper story residential.
- ~ A **Slough District** with mixed use development, recreational access, and a semi-historic character.
- ~ **Enterprise Zones** with value-added, light industrial, and other mixed economic and community uses.
- ~ **Residential Neighborhoods**, with compact living in town, and rural living in surrounding areas.



I don't know my way
 around the town
 I don't know
 where the
 slough is



After Urban Renewal, downtown Seldovia was an empty gravel pad. In 1980 residents envisioned downtown with a thriving commercial district (see diagram, left).

Today, 35 years later, only a handful of properties on Main Street have overcome the economic challenge of sustaining a viable, year-round business. At the same time, "waterfront commercial" properties are attractive for seasonal residences, despite Urban Renewal plat restrictions and local zoning ordinances that require commercial use. This makes downtown quiet, especially in the winter, and locks in building designs and land use patterns that detract from a thriving main street atmosphere. A number of residents expressed a desire for this comprehensive plan to resolve this issue.

The concept presented here is to create special tax incentives for the waterfront commercial district (such as a property or sales tax rebate) on the basis of meeting specific criteria: first floor levels host walk-in businesses that are open to the public; sales are generated at least ten months of the year; an annual sales tax threshold of \$1,000, etc. At the same time, upper story residential/accommodations are encouraged.

May 5, 2014

Jeff was still
 alive



water front - remind us to be prepared to think what there is on water front - not just houses, etc.

LAND USE GOALS



Manage the land resource as a strategic asset.

The City has a small land base and a compact settlement pattern. To ensure it can meet or adapt to unforeseen future demands, a well-studied and publicly considered course is warranted before extinguishing rights, or committing to permanent uses of public assets.

Focus Areas:

- A. Revise zoning and development regulations to increase adaptability.
- B. Revise administrative policy to increase the public's role in reviewing and evaluating land use and development policy.
- C. Encourage multiple uses on individual parcels, particularly in the downtown core. ←
- D. Expand municipal services beyond existing municipal boundaries only as a condition of annexation.

Recommendations:

- A-2, A-3, A-4, A-5, A-8, A-9, A-10, A-11, A-12, A-13, A-14, A-15, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, S-4, S-6, S-7, S-10, S-11, C-1, C-2, C-3, C-4, C-5, C-6.



Develop and sustain an active town center.

Seldovia's small economy makes complying with commercial use requirements on all waterfront commercial properties a challenge. Residents appreciate this, but want a way to prevent part-time residential uses from displacing and precluding a vibrant business district.

Focus Areas:

- A. Manage City-owned waterfront property to the best strategic advantage.
- B. Retain a working waterfront nature, with industry and commercial uses along the water's edge between Airport Avenue and Iliamna Street. *Doesn't include me.*
- C. Permit some degree of waterfront residential use, but limit it to upper floors in commercial and industrial districts. *why? sp owners call - they would know best how to utilize their prop.*
- D. Emphasize retail, dining, public open space, and accommodation uses in the town center along Main Street, particularly between Fulmore Avenue and English Drive. *Best for stay + travel*

Recommendations:

- A-1, A-2, A-3, A-4, A-5, A-8, A-9, A-10, A-13, A-14, A-15, P-2, P-3, P-4, P-5, P-6, P-9, S-1, S-3, S-5, S-6, S-7, S-10, S-11, C-3, C-5, C-6.



Implement land use designations.

Seldovia residents dislike adversarial zoning disruptive to small town relationships. They expressed the desire for an administrative culture around zoning that offers up-front support and information to property owners and realtors, while rewarding compliance.

Focus Areas:

- A. Clarify land use and development standards, making them consistent with land use policy.
- B. Consistently enforce zoning requirements.
- C. Make the permitting process transparent.
- D. Solicit public input on City decisions related to land use and development.

Recommendations:

- A-9, A-13, A-14, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-9, S-2, S-10, C-5.



But not force if it's not sustainable
defiant - that's how helps no one.
not to me
doesn't sound practical

pg 4

From: [Leslee Martin](#)
To: [Liz Diament](#)
Subject: Re: Public Notice: Petition for rezoning
Date: Friday, July 19, 2024 10:47:53 AM
Attachments: [image003.png](#)

City of Seldovia Planning and Zoning Commission,

My comments concerning the 7 points the Planning and Zoning need to consider in accordance with chapter 18.96 are as follows:

1. Justification: It will protect the existing residential neighborhood from any future business that could compromise the residential aesthetics the area has now from harsher commercial enterprises that the existing zoning could allow. It complies, exactly, with the Comprehensive Plan adopted by the Seldovia Commission in 2014, and complies with State Statute (sec 29.40.040)
2. The proposed amendment is very much in conformance with the Comprehensive Plan. The map on page 33 clearly shows the lots in question fall within the Slough District and states on page 34 that all commercial properties should be between Airport Ave and Iliamna St.
3. The proposed changes would have no affect on surrounding properties.
4. There is no undeveloped land in the area of the 3 lots in question.
5. The proposed amendment would be easy and reasonable to implement and enforce. All that's needed, if approved, would be paperwork.
6. The proposed amendment would protect the integrity of the surrounding neighborhood since this part of Main street is not a through street. It would maintain the minimal traffic pattern and the congestion at the turn-a-round that's already there. It would also discourage any future commercial venture that could compromise the existing congestion at the turn-a-round.
7. The best interest of the public would not be adversely affected by the amendment. No environmental or transportation issues, no public service and facilities or land use patterns would be disrupted. Since this area has always been residential, this amendment would change nothing.

Thank you,
Leslee Martin, petitioner
173 Main St

From: Liz Diament <cityclerk@cityofseldovia.com>
Sent: Tuesday, July 2, 2024 9:55 PM
Subject: Public Notice: Petition for rezoning

Hello,

You have been included on this email because you are listed on the City of Seldovia's Public Notice and City Council Meeting Notification List.

Please see the attached public hearing notice for a petition to amend the Seldovia Zoning Code and Map. Petitioners are requesting three properties be rezoned from the Commercial Business District to the Waterfront Commercial Residential District.

The Seldovia Planning Commission will hold a public hearing at a special meeting, **Wednesday, July 24th, 2024**. The meeting will be held in the Council Chambers, Seldovia Multi-Purpose Building, 260 Seldovia St., Seldovia, AK, beginning at 6:00PM.

For additional information or to view the complete application please contact the Seldovia City Clerk's Office or visit <https://www.cityofseldovia.com>

Thank you,

Liz Diament

City Clerk
City of Seldovia
(907)234.7643 (office)
(907)234.7430 (fax)



Public Records Law Disclosure: This e-mail may be considered public record and be subject to public disclosure.
Confidentiality Notice: This e-mail may contain confidential or privileged information. It is intended only for the use of the recipient named above. If you believe you have received this message in error, please notify me immediately by reply email, delete the message from your computer, and destroy any paper copies.

NOTES

1. A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJACENT TO RIGHTS-OF-WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
4. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (KPB 14.06).

LEGEND

- ① FND 5/8" REBAR
- ② FND 1" IRON PIPE
- ③ FND 2.5" BC CAP ON 1" IP 2685-1970
- ④ FND 2.5" BC MON 2685-1977
- ⑤ FND 1.5" IRON ROD
- OVERHEAD POWERLINE
- UTILITY POLE

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED, OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY DEPICTED BY THIS PLAN IDENTIFIED AS FOLLOWS FROM COMMUNITY DRIVE 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 _____ DATE _____
KENAI PENINSULA BOROUGH

LINE TABLE		
LINE #	LENGTH	BEARING
L1	106.50'	S0°00'24"E
L2	100.00'	S89°59'36"W
L3	104.52'	N24°09'13"W
L4	120.02'	S31°33'21"E
L5	89.01'	S38°59'41"E
L6	37.67'	S23°15'37"E
L7	11.68'	S23°15'37"E
L8	89.01'	S38°59'41"E
L9	22.20'	S31°33'21"E

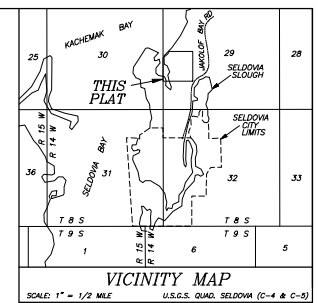
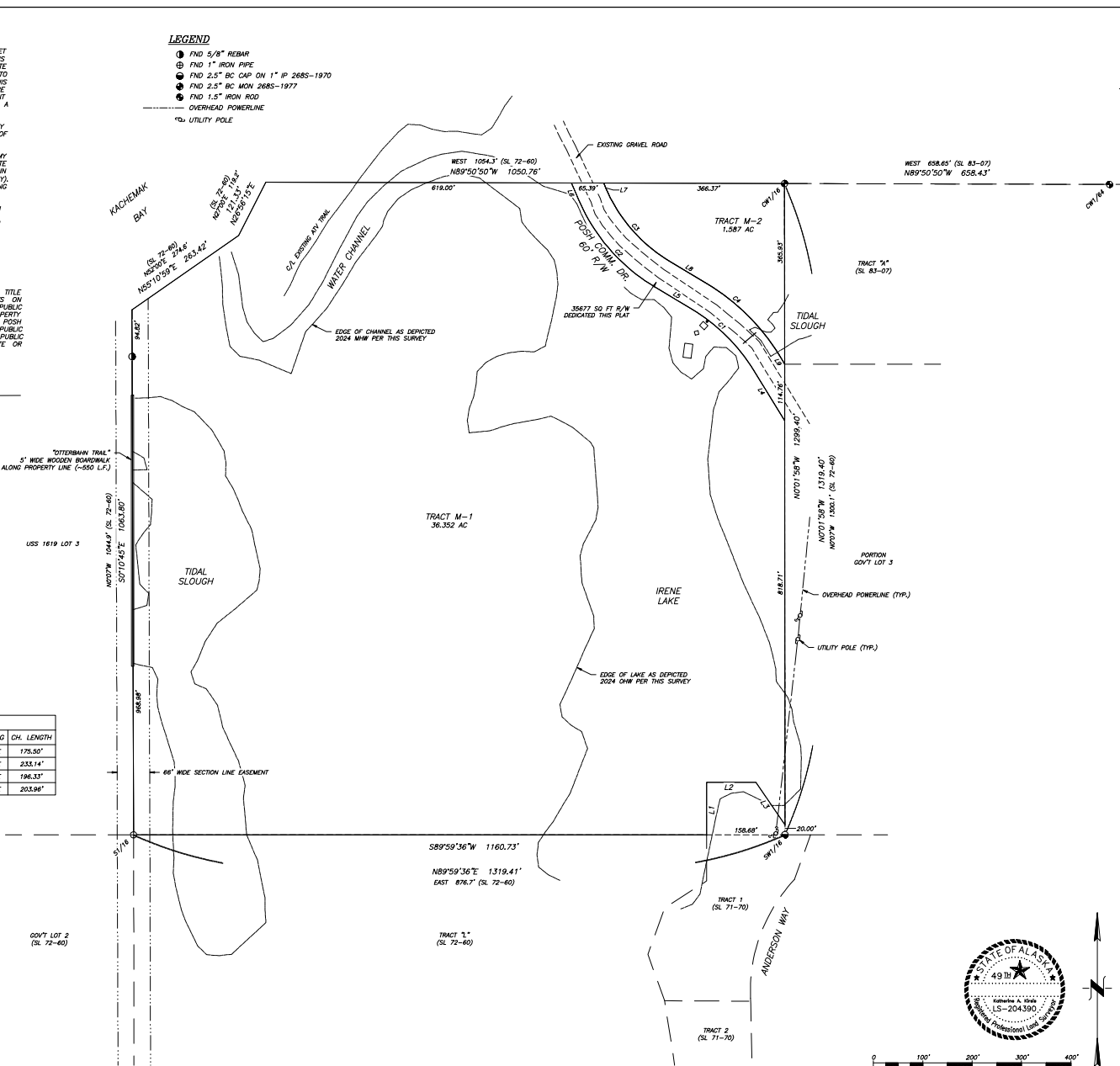
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	177.19'	370.00'	272°20'	S45°16'31"E	175.50'
C2	236.96'	380.00'	39°43'43"	S41°02'49"E	233.14'
C3	199.55'	320.00'	39°43'43"	S41°02'49"E	196.33'
C4	205.93'	430.00'	272°20'	S45°16'31"E	203.96'

WASTEWATER DISPOSAL

TRACT M-1: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

TRACT M-2: 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, AN ENGINEER'S SUBDIVISION AND SOILS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER _____ LICENSE NO. _____ DATE _____



CERTIFICATE OF OWNERSHIP

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

AMY C. RHYNEER
16955 POINT LENA POINT
JUNEAU, AK 99801

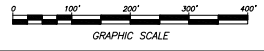
NOTARY'S ACKNOWLEDGMENT

FOR: AMY C. RHYNEER
ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2024
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL DATE _____
KENAI PENINSULA BOROUGH



SELDOVIA RECORDING DISTRICT KPB FILE NO. 2024-XXXX

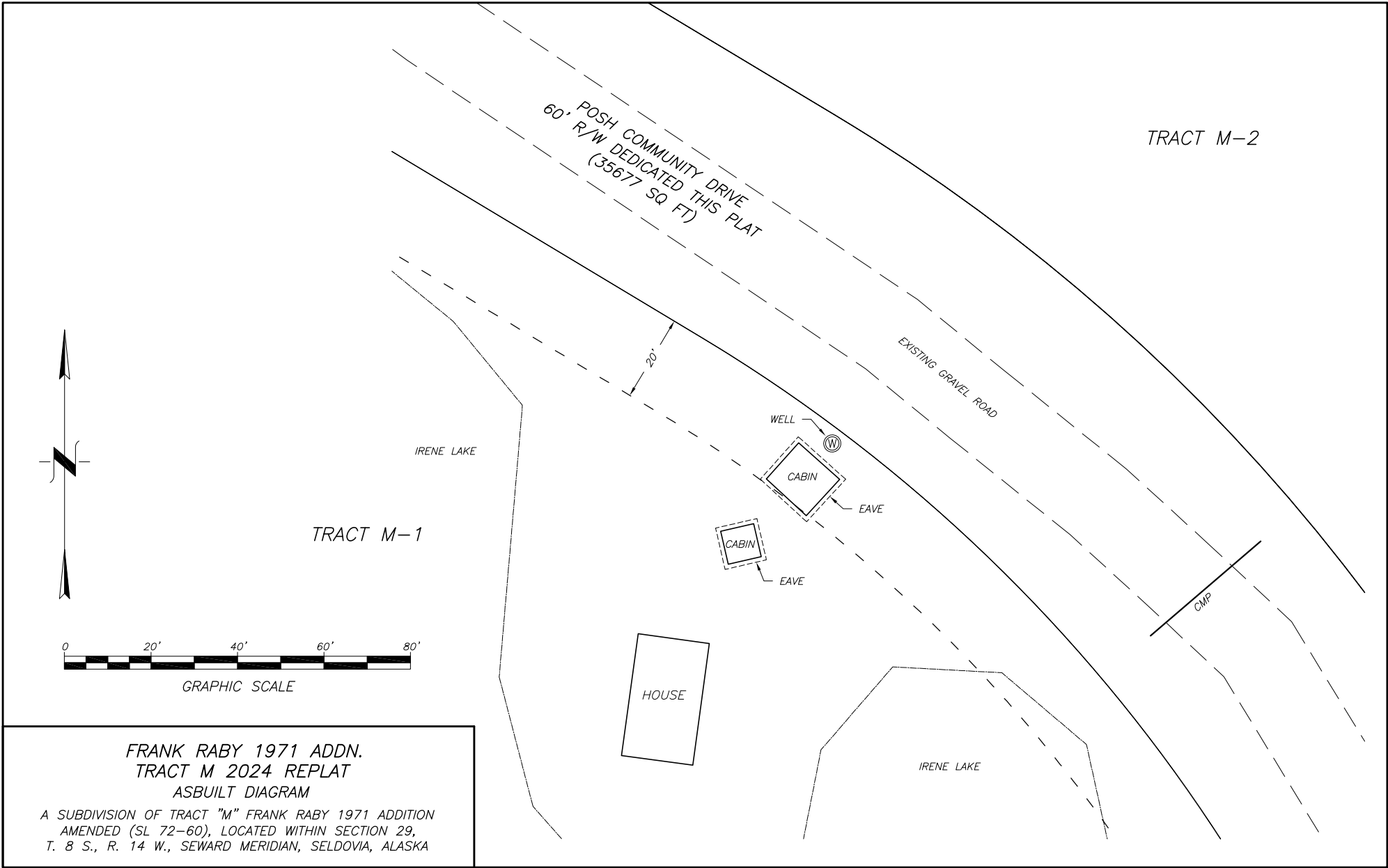
FRANK RABY 1971 ADDN.
TRACT M 2024 REPLAT

A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION
AMENDED (SL 72-60), LOCATED WITHIN
SECTION 29, T. 9 S., R. 14 W.,
SEWARD MERIDIAN, SELDOVIA, ALASKA
CONTAINING 38.758 AC

SEABRIGHT SURVEY + DESIGN
KATHERINE A. KIRSIS, P.L.S.
1044 EAST END ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1580

CLIENTS: AMY C. RHYNEER
16955 POINT LENA LOOP JUNEAU, AK 99801

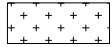
DRAWN BY: KK	CHKD BY: KK	JOB #2024-24
DATE: 07/2024	SCALE: 1"=100'	SHEET #1 OF 1



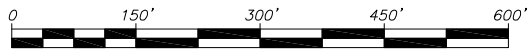
LEGEND



APPROX. AREAS OF 20% SLOPE OR GREATER
(THIS SURVEY)



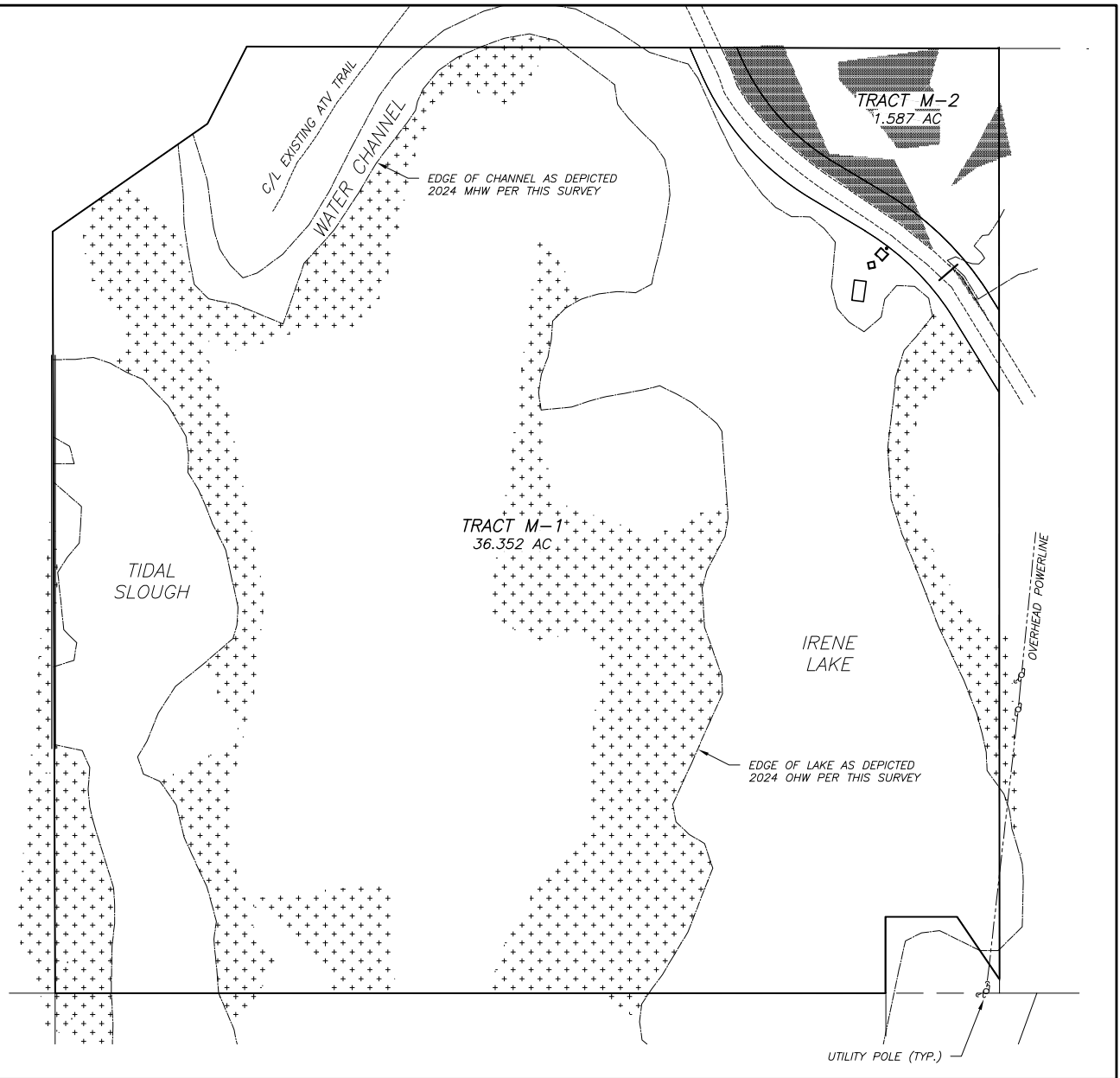
APPROX. AREAS OF 20% SLOPE OR GREATER
(USGS US TOPO 7.5 MINUTE MAP SELDOVIA
B-5 NW, AK 2018)



GRAPHIC SCALE

**FRANK RABY 1971 ADDN.
TRACT M 2024 REPLAT
STEEP SLOPES DIAGRAM**

A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION
AMENDED (SL 72-60), LOCATED WITHIN SECTION 29,
T. 8 S., R. 14 W., SEWARD MERIDIAN, SELDOVIA, ALASKA



**Seldovia Planning Commission
Special Meeting
Laydown
July 24th, 2024**

Minutes from June 19, 2024..... pg 3
Staff Report on preliminary replat submittal..... pg 5

NOTES

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**MINUTES
SELDOVIA PLANNING COMMISSION
WEDNESDAY, JUNE 19, 2024, 6:00PM
SPECIAL MEETING-**

REIN SWEET FORSBERG KROLL

- A. Call to order; CHAIR SWEET CALLED THE MEETING TO ORDER AT 6:02PM
- B. Roll Call; Present were REIN, SWEET and KROLL
- C. Approval of the Agenda;

REIN/FORSBERG MOVED TO APPROVE THE AGENDA
ROLL CALL VOTE/ REIN- Y, SWEET-Y, KROLL-Y
MOTION PASSED 3 YES, 1 Absent

- D. Approval of Minutes: May 1st, 2024

KROLL/REIN MOVED TO APPROVE THE AGENDA
ROLL CALL VOTE/ REIN- Y, SWEET-Y, KROLL-Y
MOTION PASSED 3 YES, 1 Absent

- E. Public Comments Regarding Items Not on the Agenda; None
- F. Public Hearings, Prior Notice; None
- G. Consideration of Site Plans; None
- H. Commission Business:

1. Request to Update the Seldovia Zoning Map to reflect the Seldovia 2014 Comprehensive Plan

A. Presentation by Staff or Commission

Clerk Diament presented the application as submitted to the City and supporting information previously submitted by Mr. Martin. CHAIR SWEET spoke to the process of amending the City Zoning Map and whether the application submitted was complete. CHAIR SWEET provided a map that she had put together illustrating the area to be rezoned. considering receipt of an application for rezoning submitted by the three petitioners to the City.

B. Public Presentation or Hearing

Jerry Stranik, applicant, spoke to his application for rezoning.

Kris Lethin, applicant, spoke to the completeness of the rezoning application.

C. Commission Discussion

There was discussion, including the rezoning applicants, on additional information needed to formally receive the application packet as complete. Applicants agreed to add the map provided by CHAIR SWEET to their application and the application would be corrected to request a zoning change from the Commercial Business District to Waterfront Commercial Residential District. Further detailed information addressing the specific evaluation criteria was requested from the applicants.

D. Action/Disposition

REIN/KROLL MOVE THAT THE COMMISSION WILL SCHEDULE A PUBLIC HEARING WHEN WE GET THE COMPLETED APPLICATION.

ROLL CALL/ REIN Y, SWEET-Y, KROLL-Y

MOTION PASSED 3 Yes, 1 Absent

2. Commercial Business District- Review and Action on Recommendations

A. Presentation by Staff or Commission

Presented The process For Going Through the Worksheets Provide. If accepted staff will note and the changes will be incorporated into the draft ordinance.

REIN/KROLL MOVED TO SUSPEND THE RULES AND INCLUDE ECOLA COLLIER, MEMBER OF THE SUBCOMMITTEE IN THE DISCUSSION.

ROLL CALL/ REIN Y, SWEET-Y, KROLL-Y

MOTION PASSED 3 Yes, 1 Absent

B. Public Presentation or Hearing

C. Commission Discussion

There was discussion on the worksheets provided in the packet and recommendations were noted to be included in the Draft Ordinance for review.

D. Action/Disposition

None

REIN/KROLL MOVED TO POSTPONE H3 AND H4 MEETING TO THE AUGUST 7TH REGULAR MEETING

ROLL CALL/ REIN-Y, SWEET-Y, KROLL-Y

MOTION PASSED 3 Yes, 1 Absent

3. Ordinance 24-04 Adverse Topographical Impacts: Update and Discussion

**** Postponed to the August 7th Regular Meeting****

- A. Presentation by Staff or Commission
- B. Public Presentation or Hearing
- C. Commission Discussion
- D. Action/Disposition

4. Parks and Recreation

**** Postponed to the August 7th Regular Meeting****

- A. Presentation by Staff or Commission
- B. Public Presentation or Hearing
- C. Commission Discussion
- D. Action/Disposition

I. Staff Reports:

- 1. Written Staff Review of 2014 Comprehensive Plan Implementation Goals was provided.

J. Informational Items Not Requiring Action:

- 1. The July 3rd Regularly scheduled meeting of the Seldovia Planning Commission will not be held.

K. Comments of the Public: None

L. Comments of the Commission: None

M. Next Meeting: Regular scheduled meeting, August 7, 2024

N. Adjournment:

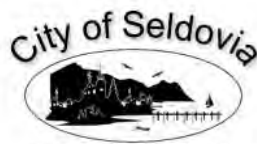
REIN/KROLL MOVED TO ADJOURN AT 8:21PM.

NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of the Seldovia Planning Commission Special Meeting of June 19th, 2024

Liz Diamant, City Clerk

Approved by Council _____



www.cityofseldovia.com

P.O. Box B Seldovia, Alaska 99663 Phone: (907) 234-7643, email: cityclerk@cityofseldovia.com

TO: Seldovia Planning Commission
 FROM: Liz Diament, City Clerk
 DATE: July 24, 2024
 SUBJECT: Staff Report 25-02 Preliminary Plat Review- Frank Raby 1971 Addition Tract M 2024 Replat

KPB PARCEL ID#: 19118001

LEGAL DESCRIPTION:

T 8S R 14W SEC 29 SEWARD MERIDIAN SL 0720060
FRANK RABY SUB 1971 ADDN AMD TRACT M

SURVEYOR/ENGINEER:

Seabright Survey & Design, Kathereine A. Kirsis, P.L.S.

PETITIONER:

Amy C. Rhyneer
19955 Point Lena Loop Rd
Juneau AK 99801

REQUEST: The purpose of the replat is to legally separate the two areas that are physically separated by Posh Community Drive and dedicate Posh Community Drive as a 60 ft ROW, originally depicted as Rd. to Outside Beach in PLAT 72-60, Seldovia Recording District. The 38.758 acre parcel is proposed to be divided into Tract M-1, a 36.352 acre parcel southwest of Posh Community Drive and Tract M-2, a 1.587 Acre parcel northeast of Posh Community Drive.

Per Seldovia Municipal Code (SMC) 18.04.030 the Seldovia Planning Commission is advisory to the City Council as well as the Borough. The Kenai Peninsula Borough retains platting and replat authority. Comments of the Seldovia Planning Commission will be included by the Petitioner with their submission to the Kenai Peninsula Borough Planning Department.

The requested replat is outside of Seldovia city limits. However, the City of Seldovia owns adjacent public land (Outside Beach) that is accessed through the Posh Community Drive Right-of-Way (ROW) and currently maintains the ROW from Jakolof Bay Rd to Outside Beach through a permanent easement on the adjacent private property recorded in 2006.

FINDINGS OF FACT

1. The City of Seldovia owns an adjacent property and currently maintains the Posh Community Drive ROW.
2. Posh Community Drive is an existing road, as noted in the 1972 plat 72-60, used to access City owned public land.
3. Dividing Tract M into M-1 and M-2, which will both have frontage on Posh Community Drive, and dedicating the ROW preserves access to City owned public land.

4. The preliminary as-built lists existing structures within the 20 ft setback from the ROW and 10 ft utility easement.
5. There are no objections from City staff or departments.
6. There were no objections from the public submitted.

Conclusion:

Staff recommends that the Commission make a motion of approval or non-objection, and attach relevant findings, for this replat to be submitted to the Kenai Peninsula Borough.

Attachments

Aerial Imagery
Preliminary Replat
Preliminary As-Built
Preliminary Steep Slopes
Plat 72-60, Seldovia Recording District

KPB Parcel Viewer Imagery of Parcel 19118001



NOTES

1. A SETBACK OF 20' IS REQUIRED FROM ALL STREET RIGHT-OF-WAYS UNLESS A LESSER STANDARD IS APPROVED BY RESOLUTION OF THE APPROPRIATE PLANNING COMMISSION. THE FRONT 10' ADJACENT TO RIGHTS-OF-WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
4. ROADS MUST MEET THE DESIGN AND CONSTRUCTION STANDARDS ESTABLISHED BY THE BOROUGH IN ORDER TO BE CONSIDERED FOR CERTIFICATION AND INCLUSION IN THE ROAD MAINTENANCE PROGRAM (KPB 14.06).

LEGEND

- ① FND 5/8" REBAR
- ② FND 1" IRON PIPE
- ③ FND 2.5" BC CAP ON 1" IP 2685-1970
- ④ FND 2.5" BC MON 2685-1977
- ⑤ FND 1.5" IRON ROD
- OVERHEAD POWERLINE
- UTILITY POLE

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED, OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE KENAI PENINSULA BOROUGH FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY DEPICTED BY THIS PLAN IDENTIFIED AS FOLLOWS FROM COMMUNITY DRIVE 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 _____ DATE _____
KENAI PENINSULA BOROUGH

LINE TABLE		
LINE #	LENGTH	BEARING
L1	106.50'	S0°00'24"E
L2	100.00'	S89°59'36"W
L3	104.52'	N24°09'13"W
L4	120.02'	S31°33'21"E
L5	89.01'	S38°59'41"E
L6	37.63'	S23°15'37"E
L7	11.68'	S23°15'37"E
L8	89.01'	S38°59'41"E
L9	22.20'	S31°33'21"E

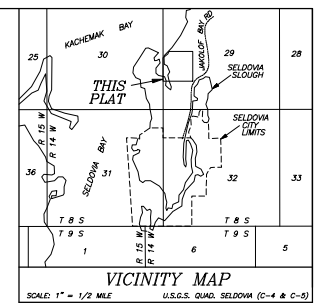
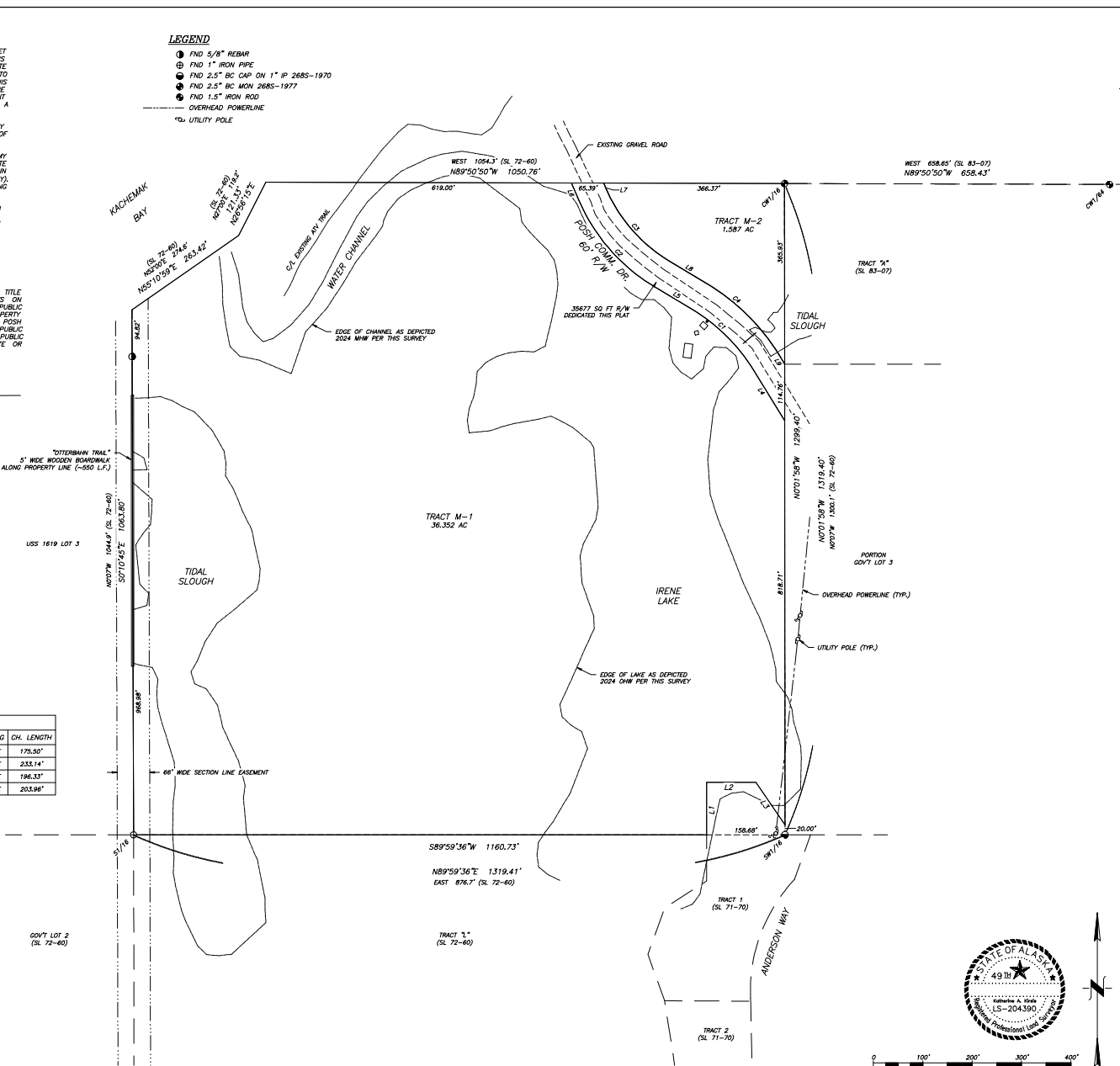
CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	177.19'	370.00'	272°20'	S45°16'31"E	175.50'
C2	236.96'	380.00'	39°43'43"	S41°02'49"E	233.14'
C3	199.55'	320.00'	39°43'43"	S41°02'49"E	196.33'
C4	205.93'	430.00'	272°20'	S45°16'31"E	203.96'

WASTEWATER DISPOSAL

TRACT M-1: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

TRACT M-2: 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, AN ENGINEER'S SUBDIVISION AND SOILS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER _____ LICENSE NO. _____ DATE _____



CERTIFICATE OF OWNERSHIP

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

AMY C. RHYNEER
16955 POINT LENA POINT
JUNEAU, AK 99801

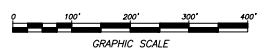
NOTARY'S ACKNOWLEDGMENT

FOR: AMY C. RHYNEER
ACKNOWLEDGED BEFORE ME THIS
DAY OF _____, 2024
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL DATE _____
KENAI PENINSULA BOROUGH



SELDOVIA RECORDING DISTRICT KPB FILE NO. 2024-XXXX

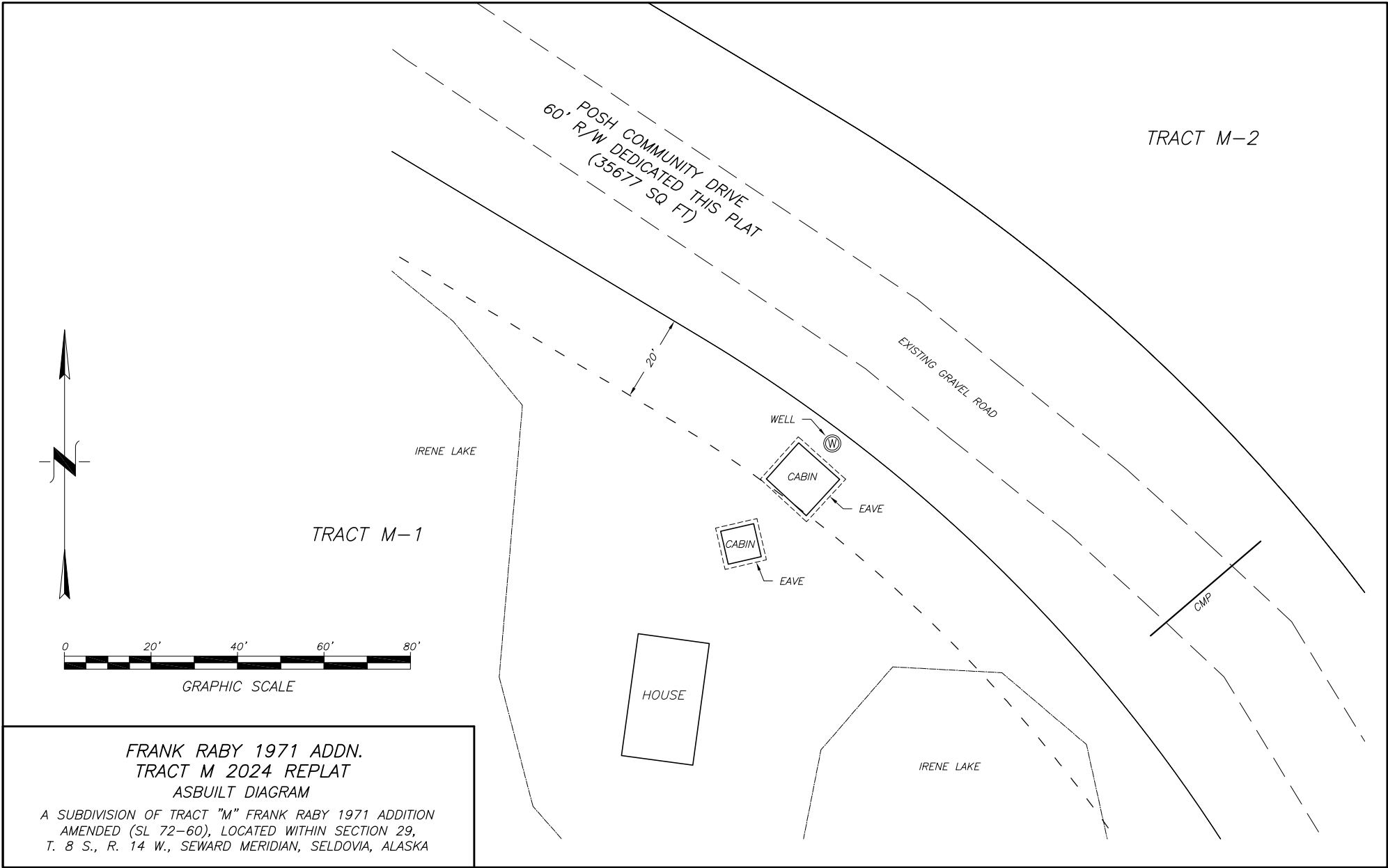
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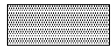
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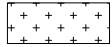
DRAWN BY: KK	CHKD BY: KK	JOB #2024-24
DATE: 07/2024	SCALE: 1"=100'	SHEET #1 OF 1



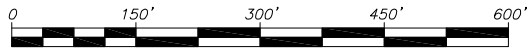
LEGEND



APPROX. AREAS OF 20% SLOPE OR GREATER
(THIS SURVEY)



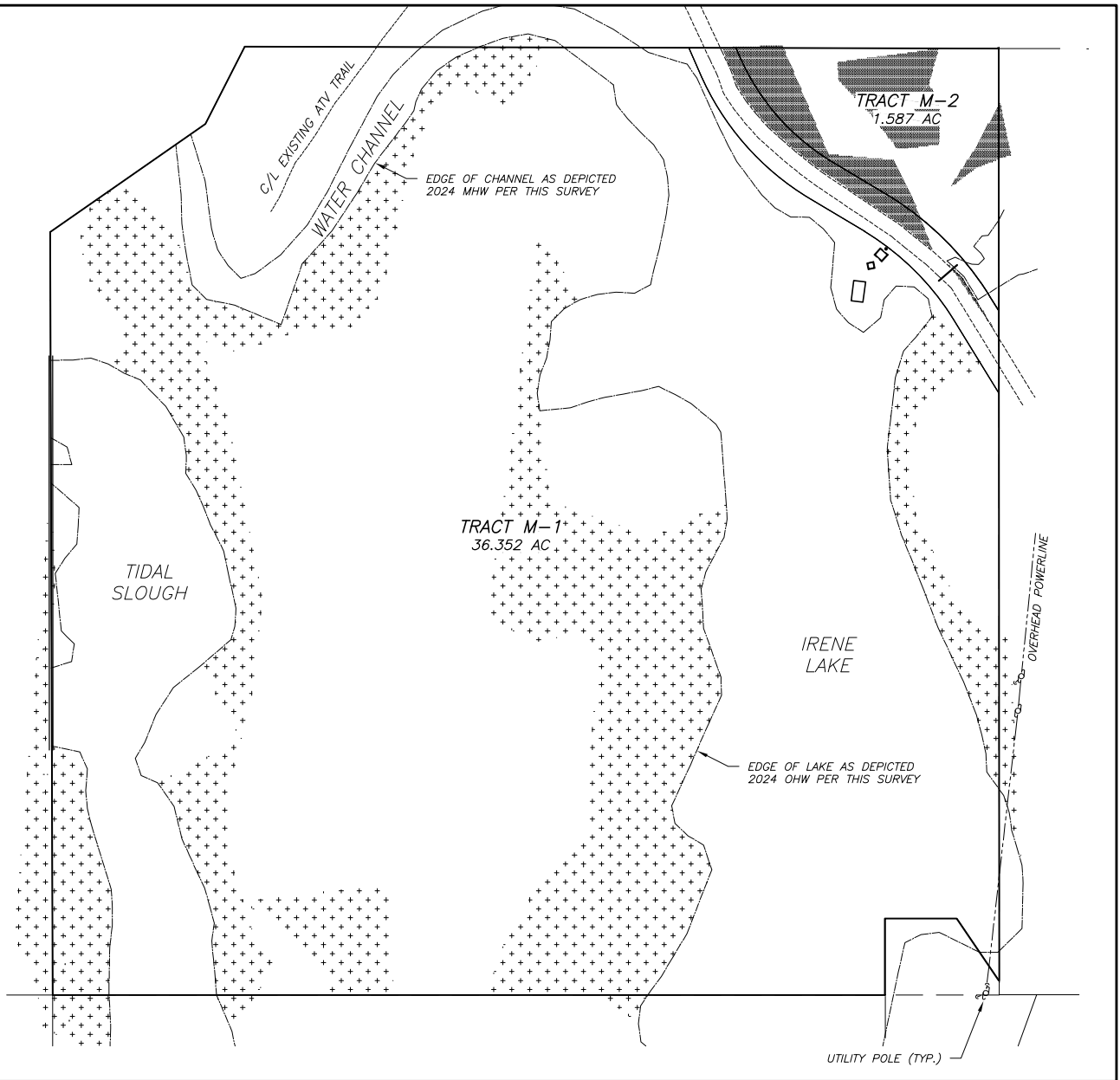
APPROX. AREAS OF 20% SLOPE OR GREATER
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B-5 NW, AK 2018)



GRAPHIC SCALE

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TRACT M 2024 REPLAT
STEEP SLOPES DIAGRAM**

A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION
AMENDED (SL 72-60), LOCATED WITHIN SECTION 29,
T. 8 S., R. 14 W., SEWARD MERIDIAN, SELDOVIA, ALASKA



MINUTES- DRAFT
SELDOVIA PLANNING COMMISSION
WEDNESDAY, JULY 24, 2024, 6:00PM
SPECIAL MEETING-

In Person at Multipurpose Building, 260 Seldovia Street
or by Zoom Webinar:

KROLL REIN SWEET FORSBERG BLANCHARD

- A. Call to order; CHAIR SWEET called the meeting to order at 6:08PM
- B. Roll Call;
Present were KROLL, REIN, SWEET and BLANCHARD
FORSBERG was absent.
- C. Approval of the Agenda;
REIN/BLANCHARD MOVED TO APPROVE THE AGENDA
ROLL CALL VOTE/ KROLL-Y, REIN-Y, SWEET-Y, BLANCHARD-Y
MOTION PASSED 4 Yes, 1 Absent
- D. Approval of Minutes: June 19th, 2024
REIN/ KROLL MOVED TO APPROVE THE MINUTES
ROLL CALL VOTE/ KROLL-Y, REIN-Y, SWEET-Y, BLANCHARD-Y
MOTION PASSED 4 Yes, 1 Absent
- E. Public Comments Regarding Items Not on the Agenda; None
- F. Public Hearings, Prior Notice;
 - 1. Application to Rezone Three Properties from Commercial Business (CB) District to Waterfront Commercial Residential (WCR) District.
 - A. Presentation by Staff or Commission
Clerk Diament presented the initial application for rezoning, the additional information submitted by the applicants to complete the application, which included maps, and the written public comment submitted. A copy of the public notice and a staff report was included in the packet.
 - B. Public Presentation or Hearing
Vivian Rojas, resident, spoke in opposition to the rezoning application and read her written public comment onto the record.
Kathleen Gruber, resident, spoke in opposition to the rezoning application.
Walt Sonen, resident, read his written public comment opposing the rezoning application onto the record.
Jerry Stranik, applicant, spoke in support of the rezoning application.
 - C. Commission Discussion
There was discussion on the meetings from the Commercial Business District Subcommittee, the history and appearance of the properties requesting rezone, the preferred land use plan in the 2014 Comprehensive Plan, and public interest in the expansion of the historic boardwalk along the harbor waterfront.
 - D. Action/Disposition

REIN/BLANCHARD MOVED THAT THE COMMISSION PROVIDE A RECOMMENDATION TO THE CITY CONCIL THAT THE REZONING REQUEST BE GRANTED.

**REIN MOVED TO AMEND THE MOTION ADDING TO ASK STAFF TO DETERMINE
IF IT'S APPROPRIATE TO ADD A REQUIREMENT FOR A BOARDWALK EASEMENT AS

PART OF THE REZONING

ROLL CALL/ KROLL-N, REIN-Y, SWEET Y, BLANCHARD -Y
MOTION TO AMEND PASSED 3 Yes, 1 No

** BACK TO MAIN MOTION AS AMENDED.

THE COMMISSION PROVIDE A RECOMMENDATION TO THE CITY CONCIL THAT THE REZONING REQUEST BE GRANTED AND ASK STAFF TO DETERMINE IF ITS APPROPRIATE TO ADD A REQUIREMENT FOR A BOARDWALK EASEMENT AS PART OF THE REZONING

CHAIR SWEET restated the main motion as amended and called for discussion.

ROLL CALL VOTE/ KROLL-Y, REIN-Y, SWEET-Y, BLANCHARD -Y
MOTION PASSED 4 Yes, 1 Absent.

REIN/KROLL MOVED TO ATTACH THE STAFF REPORT, ALL ACCOMPANYING DOCUMENTS, SUBMITTED TESTIMONY, AND THE FOLLOWING FINDINGS:

**FINDINGS

1. A justification was provided by petitioners that it meets the Desired Future Lands Uses on page 33 of the 2014 Comprehensive Plan.
2. The proposed amendment would align the 3 parcels with the Desired Slough District in the Future Preferred Land Uses within the 2014 Comprehensive Plan.
3. The effect of the zoning amendment on surrounding properties within the general area would be to align the zoning with the current use of the properties.
4. There is no undeveloped land in the area.
5. It will be reasonable to implement; the amendment requires a code ordinance change and mapping updates. Current structures would need to be evaluated for open space requirements of WCR.
6. The zoning amendment has no discernable impact on present and future public health, safety or welfare.
7. The public hearing provided an array of opinions, both pro and con, on what was in the best interest of the public.

ROLL CALL VOTE/ KROLL-Y, REIN-Y, SWEET-Y, BLANCHARD -Y,
MOTION PASSED 4 Yes, 1 Absent

G. Consideration of Site Plans; None

H. Commission Business:

1. Frank Raby 1971 Addn. Tract M 2024 Preliminary Replat

A. Presentation by Staff or Commission

CLERK DIAMENT presented the submitted preliminary replat, a staff report with findings, and was available for questions.

B. Public Presentation or Hearing

CHAIR SWEET called for comments from the public. None were heard.

C. Commission Discussion

There was discussion on the plat dedicating a portion of the public use easement known as Posh Community Drive and maintained by the City of Seldovia as a 60ft ROW to the Kenai Peninsula Borough

D. Action/Disposition

REIN/BLANCHARD MOVED IN NON-OBJECTION TO THE REPLAT AND TO ATTACH AND SUBMIT THE STAFF REPORT WITH RELEVANT FINDINGS TO THE KENAI PENINSULA BOROUGH.

ROLL CALL VOTE/ KROLL-Y, REIN-Y, SWEET-Y, BLANCHARD-Y
MOTION PASSED 4 Yes, 1 Absent

I. Staff Reports: None

J. Informational Items Not Requiring Action:

1. The regular election for the City of Seldovia will be held October 1, 2024. The candidate filing period opens August 1, 2024 and closes August 15, 2024 at 4:30pm.

K. Comments of the Public: None

L. Comments of the Commission:

REIN and BLANCHARD thanked CHAIR SWEET for a good meeting.

M. Next Meeting: Regular scheduled meeting, August 7, 2024

N. Adjournment:

BLANCHARD/REIN MOVED TO ADJOURN AT 8:09PM
NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of the Seldovia Planning Commission meeting of July 24th, 2024.

Liz Diament, City Clerk

Approved by Commission _____

NOTES

1. A setback of 20' is required from all street right-of-ways unless a lesser standard is approved by resolution of the appropriate planning commission. The front lot adjacent to rights-of-way is a utility easement. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use said easement.
2. All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
3. Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state, and federal permits.
4. Roads must meet the design and construction standards established by the Borough in order to be considered for certification and inclusion in the Road Maintenance Program (RMP 14.06).
5. The natural meanders of mean high water is for area computations only. The true corners being on the extension of the sidelines and the intersection with the natural meanders.

CERTIFICATE OF ACCEPTANCE

The undersigned official, identified by name and title is authorized to accept and hereby accepts on behalf of the Kenai Peninsula Borough for public uses and for public purposes the real property depicted by this plat identified as follows: Fish Community. 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: _____ DATE: _____
KENAI PENINSULA BOROUGH

LINE #	LENGTH	BEARING
L1	106.50'	S0°00'24"E
L2	100.00'	S89°59'36"W
L3	104.53'	N34°09'13"W
L4	120.02'	S31°33'21"E
L5	89.01'	S58°59'41"E
L6	37.67'	S23°15'07"E
L7	11.80'	S23°15'07"E
L8	89.01'	S58°59'41"E
L9	22.20'	S31°33'21"E

CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	177.19'	3762.00'	272°20'00"	S48°16'31"E	178.50'
C2	236.86'	386.00'	35°43'43"	S41°07'49"E	233.14'
C3	189.55'	226.00'	35°43'43"	S41°07'49"E	186.33'
C4	205.93'	436.00'	272°20'00"	S45°16'31"E	203.86'

WASTEWATER DISPOSAL

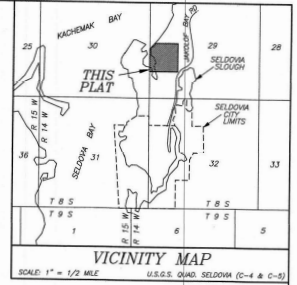
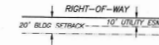
TRACT M-1: LOTS WHICH ARE AT LEAST 200,000 SQUARE FEET IN SIZE MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISCHARGE. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
TRACT M-2: SOIL CONDITIONS, WATER TABLE LEVELS, AND SOIL TYPES IN THIS SUBDIVISION HAVE BEEN FOUND SUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISCHARGE. SYSTEMS SERVING SINGLE-FAMILY OR DUPLEX RESIDENCES. AN ENGINEER'S SUBDIVISION AND SOILS REPORT IS AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ANY OTHER TYPE OF ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST BE DESIGNED BY A QUALIFIED ENGINEER, REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

ENGINEER: _____ LICENSE NO.: _____ DATE: _____

LEGEND

- FND 3/8" REDBAR
- FND 1" IRON PIPE
- FND 2.5" BC CAP ON 1" IP 2085-1970
- FND 2.5" BC MON 2085-1977
- FND 1.5" IRON NUT
- OVERHEAD POWERLINE
- UTILITY POLE

R/W TYPICAL DETAIL



CERTIFICATE OF OWNERSHIP

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

AMY C. RYNEER
16955 POINT LENA POINT
JUNEAU, AK 99801

NOTARY'S ACKNOWLEDGMENT

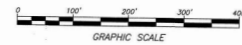
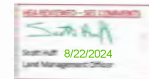
FOR AMY C. RYNEER
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

PLAT APPROVAL

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

BY: _____ DATE: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

Provide a label or placards stating: This existing overhead powerline is the centerline of 40 ft. wide electrical distribution line. Including poles and junctions, granted this plat.



KPB 2024-090

SELKOVA RECORDING DISTRICT KPB FILE NO. 2024-XXX

**FRANK RABY 1971 ADDN.
TRACT M 2024 REPLAT**
A SUBDIVISION OF TRACT "M" FRANK RABY 1971 ADDITION AMENDED (SL 72-60), LOCATED WITHIN SECTION 29, T. 8 S., R. 14 W., SEWARD MERRIDAN, SELKOWA, ALASKA
CONTAINING 38.758 AC

SEABRIGHT SURVEY + DESIGN
KATHERINE A. KIRSIS, P.L.S.
1044 EAST END ROAD, SUITE A
HOMER, ALASKA 99603
(907) 259-1580

CLIENTS: AMY C. RYNEER 16955 POINT LENA LOOP JUNEAU, AK 99801
DRAWN BY: KK CHKD BY: KK JOB #2024-24
DATE: 06/2024 SCALE: 1"=100' SHEET #1 OF 1