

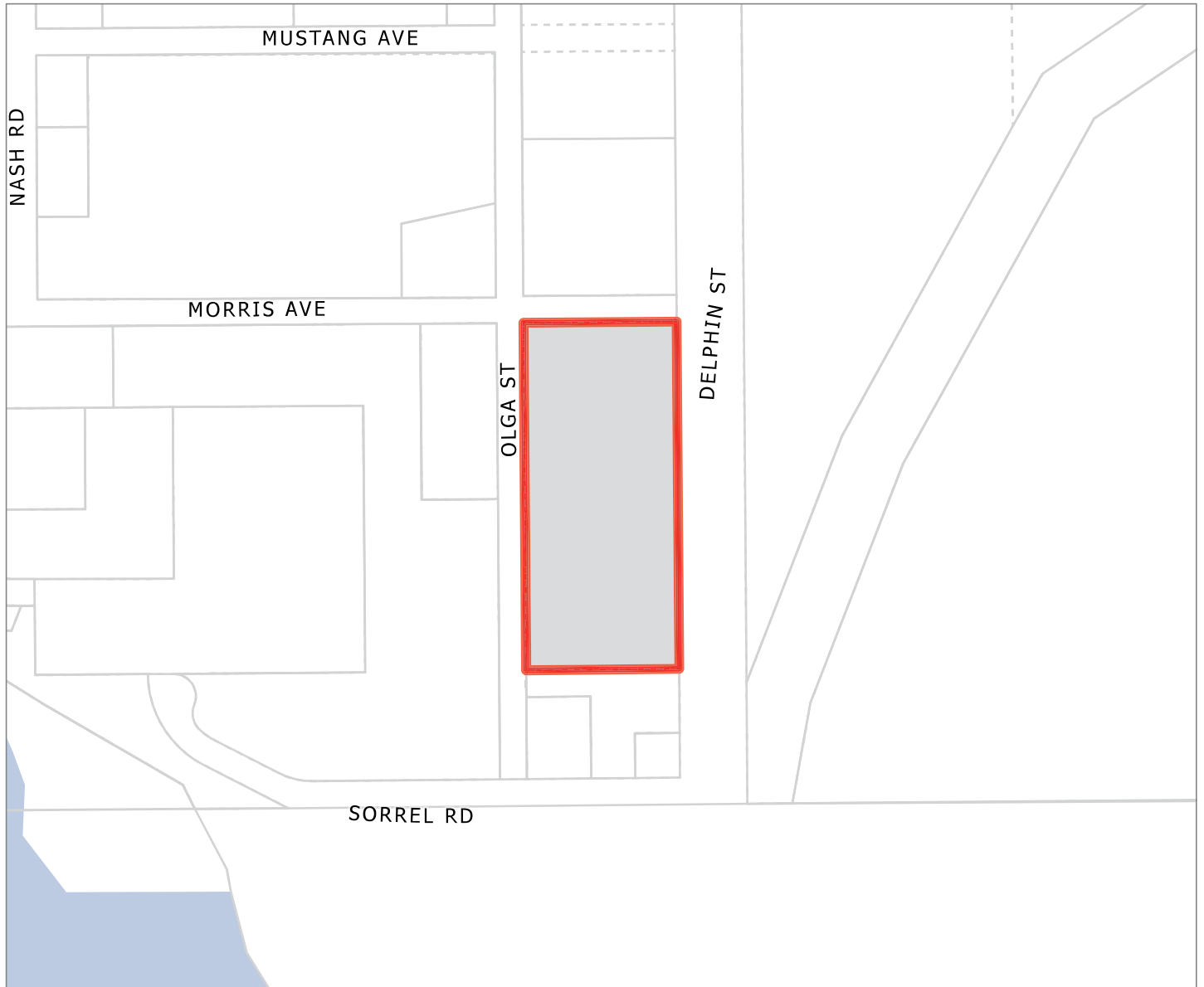
E. NEW BUSINESS

- 2. Fourth of July Creek Subdivision Seward Marine Industrial Center
Duchess Replat; KPB File 2023-045
Lang & Associates Inc. / City of Seward
Location: Delphine Street, Olga Street & Morris Avenue
City of Seward**



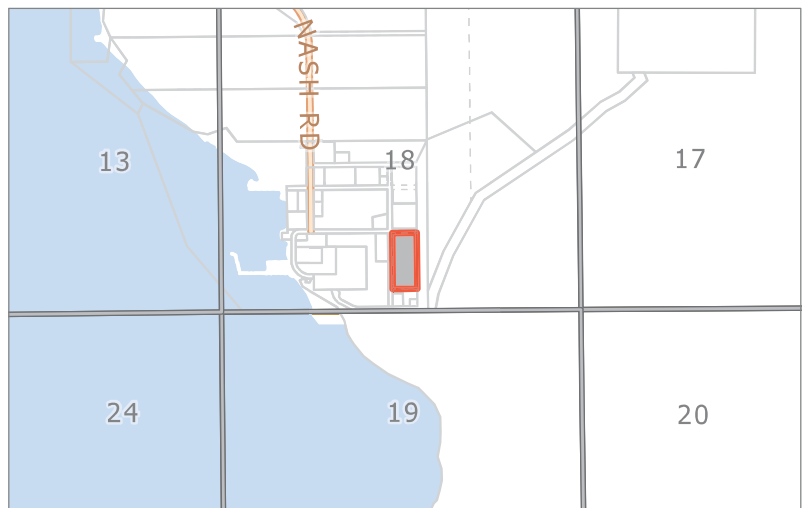
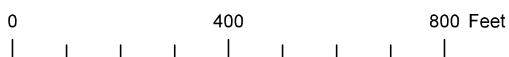
Kenai Peninsula Borough Planning Department

Vicinity Map



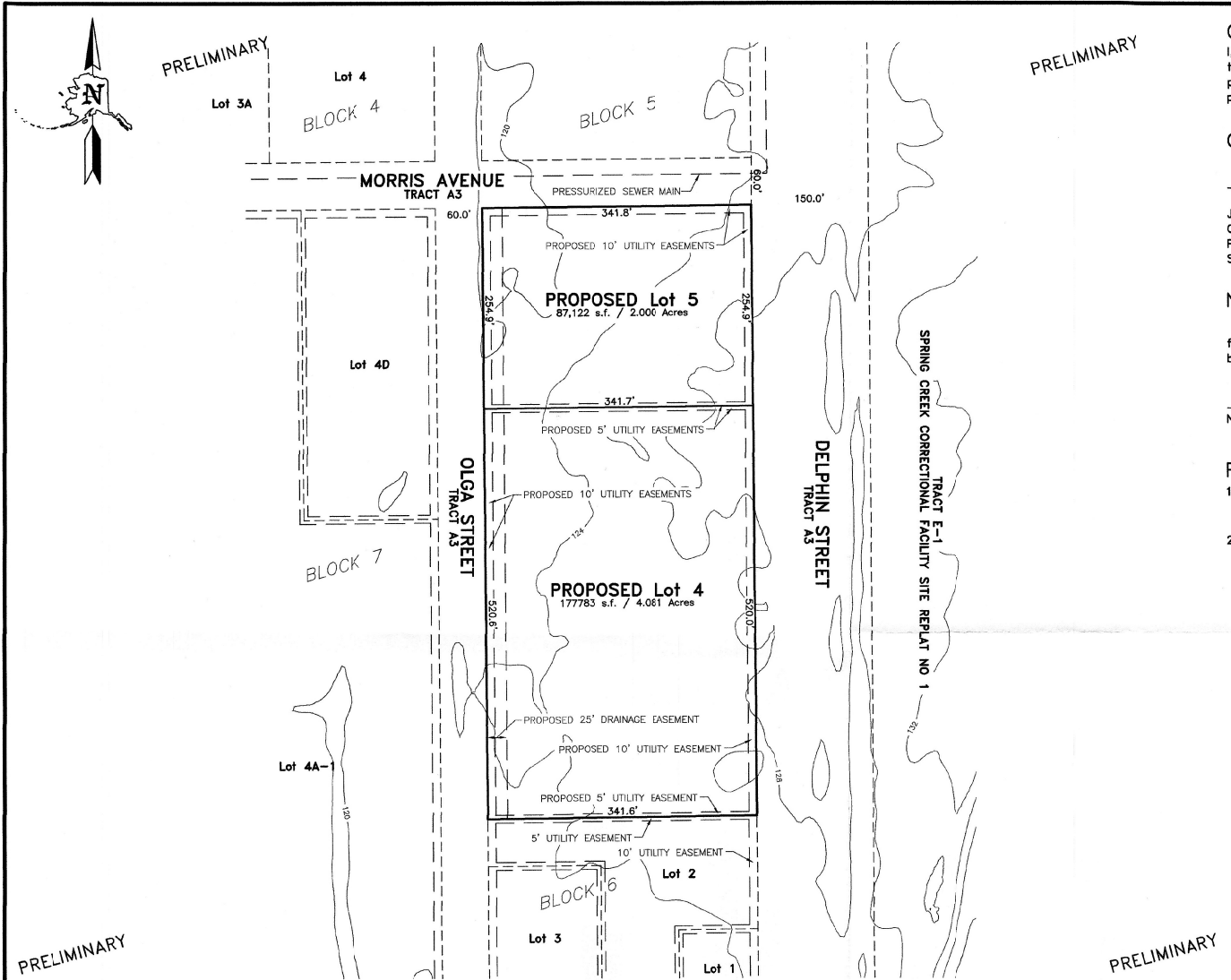
KPB File 2023-045
 T 01S R 01E SEC 18
 Seward

4/21/2023





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.



CERTIFICATE OF OWNERSHIP AND DEDICATION
 I, on behalf of the City of Seward, 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-ways and public areas to public use and grant all easements to the use shown.

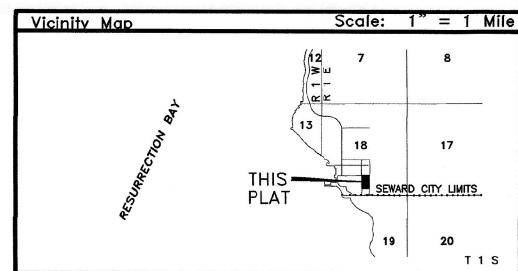
Owner

 JANEITE BOWER, CITY MANAGER
 CITY OF SEWARD
 P.O. BOX 167
 SEWARD, ALASKA 99664

Notary Acknowledgement
 for _____ Subscribed
 before me this _____ day _____

 Notary Public for the State of Alaska My Commission Expires _____

- PLATS**
- 1) FOURTH OF JULY CREEK SUBDIVISION, SEWARD MARINE INDUSTRIAL CENTER (Plat No. 97-27), CREATING Lot 1, BLOCK 6 AND THE UNSUBDIVIDED REMAINDER OF BLOCK 6.
 - 2) FOURTH OF JULY CREEK SUBDIVISION, SEWARD MARINE INDUSTRIAL CENTER, ADDITION NUMBER ONE (Plat No. 2001-2), CREATING Lots 2 & 3, BLOCK 6 AND THE UNSUBDIVIDED REMAINDER OF BLOCK 6.



PLAT OF
FOURTH OF JULY CREEK SUBDIVISION
SEWARD MARINE INDUSTRIAL CENTER
DUCHESS REPLAT
 - CONTAINING 6.082 Acres
 A SUBDIVISION OF THE UNSUBDIVIDED REMAINDER OF Block 6
 FOURTH OF JULY CREEK SUBDIVISION, SEWARD MARINE INDUSTRIAL CENTER,
 ADDITION NUMBER ONE (Plat No. 2001-2)
 LOCATED WITHIN THE S.E. 1/4, SECTION 18, T1S, R1E, SEWARD MERIDIAN, ALASKA
 KENAI PENINSULA BOROUGH
 SEWARD RECORDING DISTRICT

Lang & Associates, inc.
 Professional Land Surveyors
 11500 Daryl Avenue
 Anchorage, Alaska 99515-3049
 (907) 522-6476
 ken@langsurvey.com
 jonathan@langsurvey.com
 travis@langsurvey.com
 State of Alaska AECC963

Owner
 CITY OF SEWARD
 P.O. BOX 167
 SEWARD, ALASKA
 99664

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

PLAT APPROVAL
 Plat approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
 Borough Official _____



- NOTES**
- 1) PROPOSED EASEMENTS HAVE BEEN REQUESTED BY THE SEWARD HARBOR MASTER.
 - 2) THE SEWER MAIN IS PRESSURIZED AND NOT AVAILABLE FOR USE.

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

KPB 2023-045

| | | |
|---------------------------|------------------|---------------------|
| GRID: N/A | SCALE: 1" = 100' | DATE: 14 APRIL 2023 |
| DRAWN: JCL | SHEET 1 OF 1 | PROJECT #: 23-015 |
| JOB FILE: L23015pp_TW.dwg | | |

AGENDA ITEM E. NEW BUSINESS

ITEM #2 - Fourth of July Creek Subdivision Seward Marine Industrial Center Duchess Replat

| | |
|--------------------------------|--|
| KPB File No. | 2023-045 |
| Plat Committee Meeting: | May 22, 2023 |
| Applicant / Owner: | City of Seward of Seward, AK |
| Surveyor: | Kenneth G. Lang / Lang & Associates Inc. |
| General Location: | Morris Avenue, Olga Street, and Delphin Street in City of Seward |

| | |
|---------------------------|--|
| Parent Parcel No.: | 145-340-44 |
| Legal Description: | Unsubdivided remainder of Block 6, Fourth of July Creek Subdivision Seward Marine Industrial Center Addition Number One, SW 2001-2 |
| Assessing Use: | Commercial / Residential |
| Zoning: | Industrial Zoning District |
| Water / Wastewater | City |

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide a 6.082 acre parcel into two lots ranging in size from 2.000 to 4.081 acres. There will be no dedications with this subdivision.

Location and Legal Access (existing and proposed): The proposed plat is located on the eastern side of Resurrection Bay at the end of Nash Road. Nash Road intersects at Morris Ave which then intersects at Olga Street. The preliminary plat is an industrial area that is owned by the City of Seward and used as lease property. Due to the nature of the property’s use, dedicated roads do not provide access to the lots. A tract has been created that provides 60 foot wide private access, this is Tract A4. All lots on the subdivision front on a portion of the tract. Tract A4 is defined with street names, with Morris Ave on the north and Olga Street on the west. Delphin Street on the East is the only dedicated right of way at 150 feet, near the subdivision. Morris Ave and Delphin Street are undeveloped while Olga Street is developed.

Proposed Lot 4 has access from Olga Street and Delphin Street. Proposed Lot 5 will have access from Olga Street, Morris Ave and Delphin Street.

No new dedication is being proposed with this subdivision.

Using Tract A4, the private service road tract, the block is compliant. The block is defined by the Tract A4 with the following names Sorrel Road, Olga Street, Morris Avenue and dedication Delphin Street.

KPB Code 20.30.050 – Legal access, requires that the lots have legal access. **Staff recommends the plat committee concur that Tract A4 provides legal access to the property and fulfills the requirements of 20.30.050.**

| | |
|--------------------------|--|
| KPB Roads Dept. comments | Out of Jurisdiction: Yes Roads Director: Griebel, Scott Comments: No comments |
| SOA DOT comments | No comment |

Site Investigation: The property is relatively flat with no steep contours. There are no low wet areas within the boundary of the subdivision.

The subdivision is within Floodplain Zone D, undetermined flood risk, which is not regulated. **Staff recommends the flood notes from parent plats be carried over unless the City of Seward requests changes, additional, or removal of the notes.**

| | |
|--------------------------------------|---|
| <p>KPB River Center review</p> | <p>A. Floodplain</p> <p>Reviewer: Hindman, Julie Floodplain Status: Within City of Seward Comments: No comments</p> <p>B. Habitat Protection</p> <p>Reviewer: Aldridge, Morgan Habitat Protection District Status: Is NOT within HPD Comments: No comments</p> <p>C. State Parks</p> <p>Reviewer: VACANT Comments:</p> |
| <p>State of Alaska Fish and Game</p> | <p>No objections</p> |

Staff Analysis This is a preliminary plat for property that has been surveyed multiple times. The City of Seward through the years has been platting and replating the lots to meet the needs of the City and the lessees. The allowance of using the tract for access allows them to control the people accessing a very heavy industrial area.

The City of Seward Planning and Zoning Commission met on April 4th, 2023, and approved Resolution 2023-006 recommending Seward City Council and Kenai Peninsula Borough approval of the Preliminary Plat of Fourth of July Creek Subdivision, Seward Marine Industrial Center (SMIC), Duchess Replat.

The Seward City Council will hear the preliminary plat at their May 22, 2023 meeting. Approval is subject to the council adopting Resolution 2023-006 at that meeting.

The City of Seward Fire Department reviewed and supplied no comment.

A soils report will not be required. Per the City of Seward Resolution, city services are within acceptable proximity. An installation agreement or documentation that one is not required will need to be provided.

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

Utility Easements Utility easements were granted in Fourth of July Creek Subdivision Seward Marine Industrial Center SW 97-27 and need to be carried forward to this plat. **Staff recommends** Carry forward and label utility easements from SW 97-27 correctly. Identify adjacent easement sources.

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 | No within HEA service area |
| ENSTAR | No comments or recommendations. |
| ACS | No objections |
| GCI | Approved as shown |
| SEWARD ELECTRIC | |
| CHUGACH ELECTRIC | Chugach as no comments. The plat for review are not located in our service area. |
| TELALASKA | |

KPB department / agency review:

| | |
|-----------------|--|
| Addressing | <p>Reviewer: Robinson, Celina Affected Addresses: 110 OLGA ST</p> <p>Existing Street Names are Correct: Yes</p> <p>List of Correct Street Names: MORRIS AVE, OLGA ST, DELPHIN ST</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: 110 OLGA ST WILL NEED REVIEWED BY THE CITY OF SEWARD ADDRESSING AUTHORITY</p> |
| Code Compliance | <p>Reviewer: Ogren, Eric Comments: No comments</p> |
| Planner | <p>Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required</p> |
| Assessing | <p>Reviewer: Windsor, Heather Comments: No comment</p> |

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

STAFF RECOMMENDATIONS
CORRECTIONS / EDITS

Add KPB File 2023-045 to drawing

KPB 20.25.070 – Form and contents required

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

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

Staff recommendation: Add the City of Seward.

- 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: Delphin Street is not included in Tract Plat, relabel as right of way. On the tracts, relabel to Tract A4 and identify the source.

- 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: Lot 1 Block 5 to the north is missing the lot label. Please update. The block to the west is has been submitted to the Borough for replatting, it is suggested before finalizing the plat that the status of those parcels be checked.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Staff recommendation: Add block six label to both proposed lots.

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.

- 20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts. Building setbacks as depicted, or noted, on recorded plats shall not be carried forward on a new subdivision plat located within a municipal zoning district. Provide a plat note stating, “Per KPB 20.30.250 the building setback of record has been removed. All development must comply with the municipal zoning requirements.”
Staff recommendation: A plat note that this falls under City of Seward zoning must be added to the plat.

- 20.30.270. Different standards in cities. Where cities have enacted by ordinance different subdivision design standards than those set forth in this chapter, the planning commission shall apply the city standards in lieu of those set forth in this chapter. Any appeal of a city design standard is subject to KPB 21.01.020(E).
Staff recommendation: The City of Seward does not meet the specified requirements for the application and consideration of different standards.

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: City services are within acceptable proximity.

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.*

20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Staff recommendation: *An installation agreement will need to be provided or documentation that one is not required.*

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled. All non-radial lines shall be labeled. If monumented lines were not surveyed during this platting action, show the computed data per the record plat information.

B. The natural meanders of ordinary high water (or mean high water line as applicable) is for area computations only, the true corners being on the extension of the sidelines and the intersection with the natural meanders.

C. Any discrepancy between the survey and the record description, and the source of all information used in making the survey shall be indicated. When an inconsistency is found including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

Staff recommendation: *comply with 20.60.110. Add bearings to all lines. Side lines need overall distances shown.*

20.60.180. Plat notes.

B. Revision of, or not carrying forward, an existing plat note from the parent plat will adhere to KPB 20.50.010. Separate advertising of the plat note removal is not required, Notification of the requested change will be sent by regular mail to all owners within the subdivision (parent plat and subsequent replats) as shown on the borough tax rolls. Upon approval by the planning commission, the revision or removal of the record plat note shall be finalized by recording a planning commission resolution or subdivision plat.

Staff recommendation: *Place the following notes on the plat.*

- *Development of these lots are subject to the City of Seward's zoning regulations.*
- *Lots within this subdivision may be located within a designated flood hazard area; if such is the case, development must comply with Title 15 of the City of Seward's Charter and Code of Laws. A survey to determine the elevation of the property may be required prior to construction.*
- *Tract A4 is a service road access easement restricted to lessees, City, and other authorized personnel.*

- *No permanent structure shall be constructed or placed within a utility easement, which would interfere with the ability of a utility to use the easement.*

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *The Notary's acknowledgement is a combination of acknowledgement and jurat. This must be revised to a jurat or comply with acknowledgement wording as shown in KPB Code 20.60.190. Update the Certificate of Acceptance for the City of Seward and listing that they are accepting utility easements and comply with 20.60.190.*

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 View



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



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

LEGEND

- Found Monument as described
- Found Rebar and Aluminum Cap Stamped: LS 5152 1994
- Found Rebar and Plastic Cap Stamped: S&S 3167-S
- Set 5/8x30" Rebar with Plastic Cap, Stamped: LS7569
- Measured this Survey
- Record Information Plat 97-27 Seward Recording District

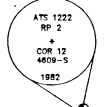
NOTES

- 1 This Subdivision is subject to the City of Seward Zoning Regulations.
- 2 The front 10' along Right of Ways and 5' each side of interior lot lines is reserved as a Utility Easement. No permanent structure shall be constructed or placed within a Utility Easement which would interfere with the ability of a utility to use the easement.
- 3 Lots within this subdivision may be located within a designated flood hazard area. Development must comply with Chapter 21 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.
- 4 Tract A, also shown hereon as Morris Ave and Olga Street is a service road access easement limited to lessees, City and other authorized personnel, per Plat 97-27 S.R.D.

WASTEWATER DISPOSAL

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

Found 2 3/4" Aluminum Cap on 2 1/2" Steel Pipe



LESSEE CERTIFICATE

I hereby certify that we are the lessee of Lot 2 as shown hereon, and that we hereby approve this subdivision.

William M. Holzheimer
 William M. Holzheimer
 Glacier Communications, Inc./KPFN Radio
 P.O. Box 230004
 Anchorage, Ak. 99523

NOTARY'S ACKNOWLEDGEMENT

FOR William M. Holzheimer
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 15
 DAY OF January, 2001

Carol Ecklund 12/12/01
 NOTARY FOR ALASKA MY COMMISSION EXPIRES



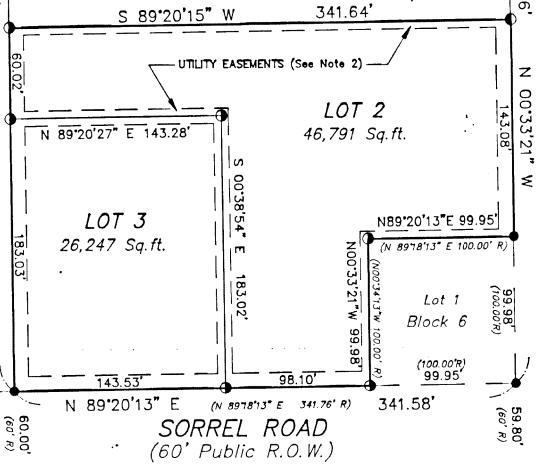
2001-2
 REC'D DIST 2001
 Date 1/29 2001
 Time 9:40 A.M.
 Requested By Clive
 Address

BLOCK 5

TRACT A
 MORRIS AVENUE
 (60' Private R.O.W.)

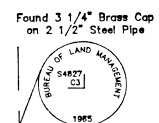
UNSUBDIVIDED REMAINDER BLOCK 6
 6.082 Acres

TRACT A
 OLGA STREET
 (60' Private R.O.W.)



SORREL ROAD
 (60' Public R.O.W.)

N 89°18'13" E (1008.80') 1008.69'
 BASIS OF BEARING PLAT 97-27 S.R.D.

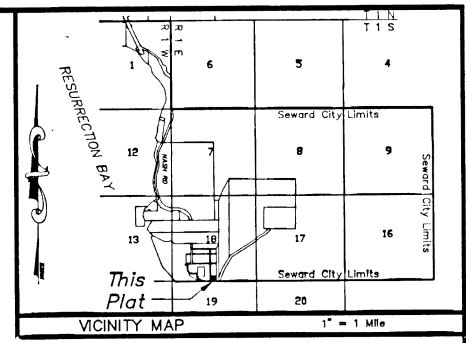


Found 3 1/4" Brass Cap on 2 1/2" Steel Pipe

N 00°33'46" W 466.02'

Tract E Fourth of July Creek Tracts

DELPHIN STREET
 (150' Public R.O.W.)



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

W. Scott Janke
 W. Scott Janke, City Manager
 City of Seward
 P.O. Box 167
 Seward, AK. 99664

NOTARY'S ACKNOWLEDGEMENT

FOR W.S. Janke
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 12
 DAY OF January, 2001

Carol Ecklund 12/12/01
 NOTARY FOR ALASKA MY COMMISSION EXPIRES



PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission in accordance with Section 20.04.070 Kenai Peninsula Borough Subdivision Regulations.

Date January 25, 2001

James Burt
 Borough Official

SURVEYOR'S CERTIFICATE

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

Jan 12, 2001
 DATE



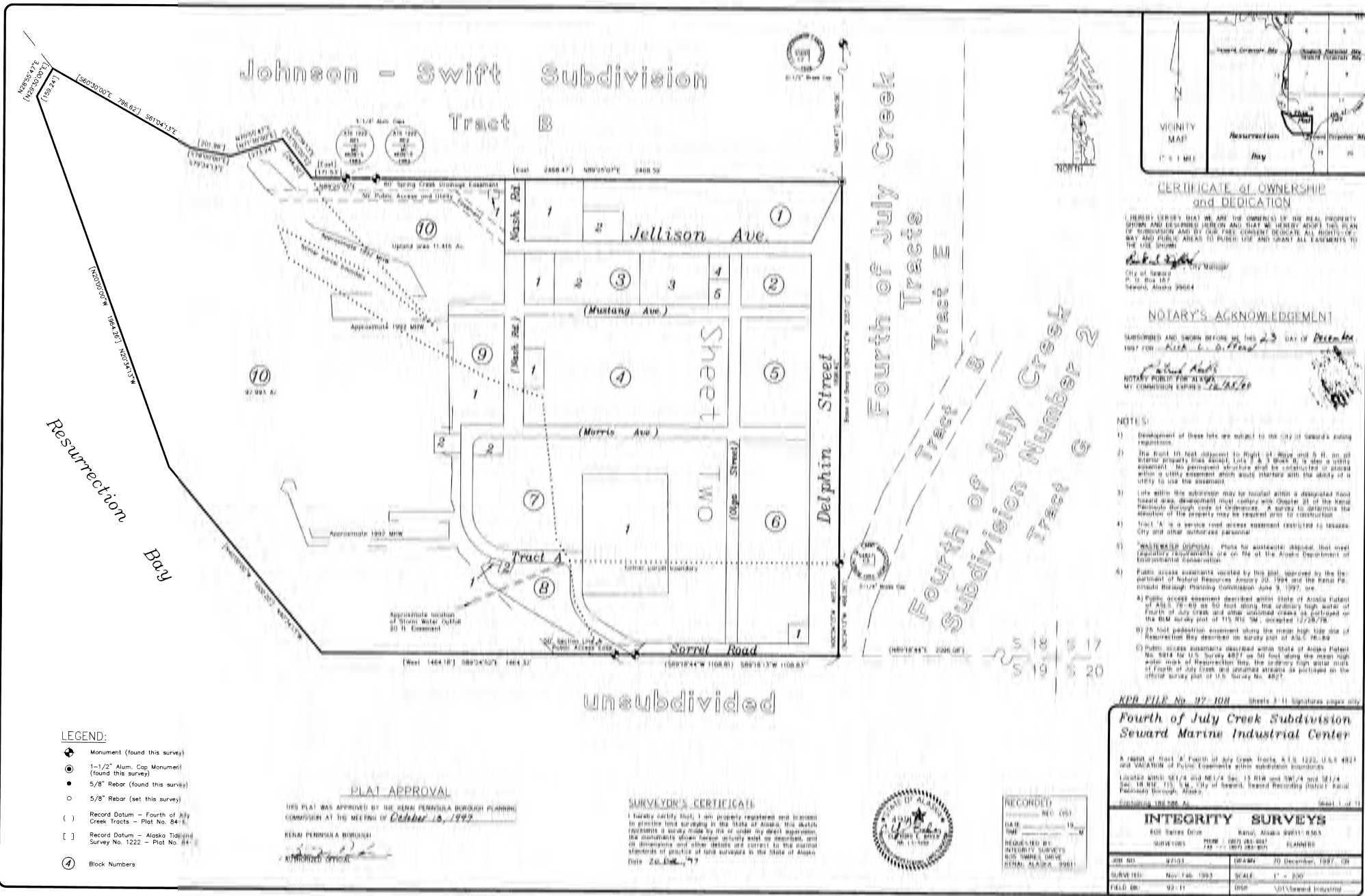
**FOURTH OF JULY CREEK SUBDIVISION
 SEWARD MARINE INDUSTRIAL CENTER
 ADDITION NUMBER ONE**

A SUBDIVISION OF:
 A PORTION OF BLOCK 6, FOURTH OF JULY CREEK SUBD.
 SEWARD MARINE INDUSTRIAL CENTER
 LOCATED WITHIN THE SW 1/4 AND THE SE 1/4 SECTION 18
 TOWNSHIP 1 SOUTH RANGE 1 EAST
 CITY OF SEWARD
 SEWARD RECORDING DISTRICT

**CLINE AND ASSOCIATES
 LAND SURVEYORS**

416 4th AVENUE PO BOX 2703 SEWARD, AK 99664
 (907) 224-7324 FAX (907) 224-6088

| | |
|----------------------------------|----------------------|
| DATE: 01-12-01 | SCALE: 1" = 60' |
| DRAWN: WNC | DRAWING NO.: 98-080C |
| K.P.B. FILE #: 99-208 & 2000-016 | |



unsubdivided

LEGEND:

- Monument (found this survey)
- 1-1/2" Alum. Cap. Monument (found this survey)
- 5/8" Rebar (found this survey)
- 5/8" Rebar (set this survey)
- () Record Datum - Fourth of July Creek Tracts - Plot No. 84
- [] Record Datum - Alaska Tidal Survey No. 1222 - Plot No. 14
- ① Block Numbers

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE SEWARD PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF October 15, 1993

SEWARD PENINSULA BOROUGH
 AUTHORIZED OFFICIAL

SURVEYOR'S CERTIFICATE

I hereby certify that I am a duly registered and licensed land surveyor in the State of Alaska. The accuracy of survey made by me or under my direct supervision, the instruments shown herein, and all dimensions and other details are correct to the natural standards of practice of land surveyors in the State of Alaska.
 Date 20 Dec 1997



RECORDED
 REC 093
 DATE 19 97
 TIME 10 57 AM
 REQUESTED BY:
 RICH SMITH, OWNER
 SEWARD, ALASKA, 99581

KPB FILE No. 97-108 Sheets 3-11 Signatures copy only

Fourth of July Creek Subdivision Seward Marine Industrial Center

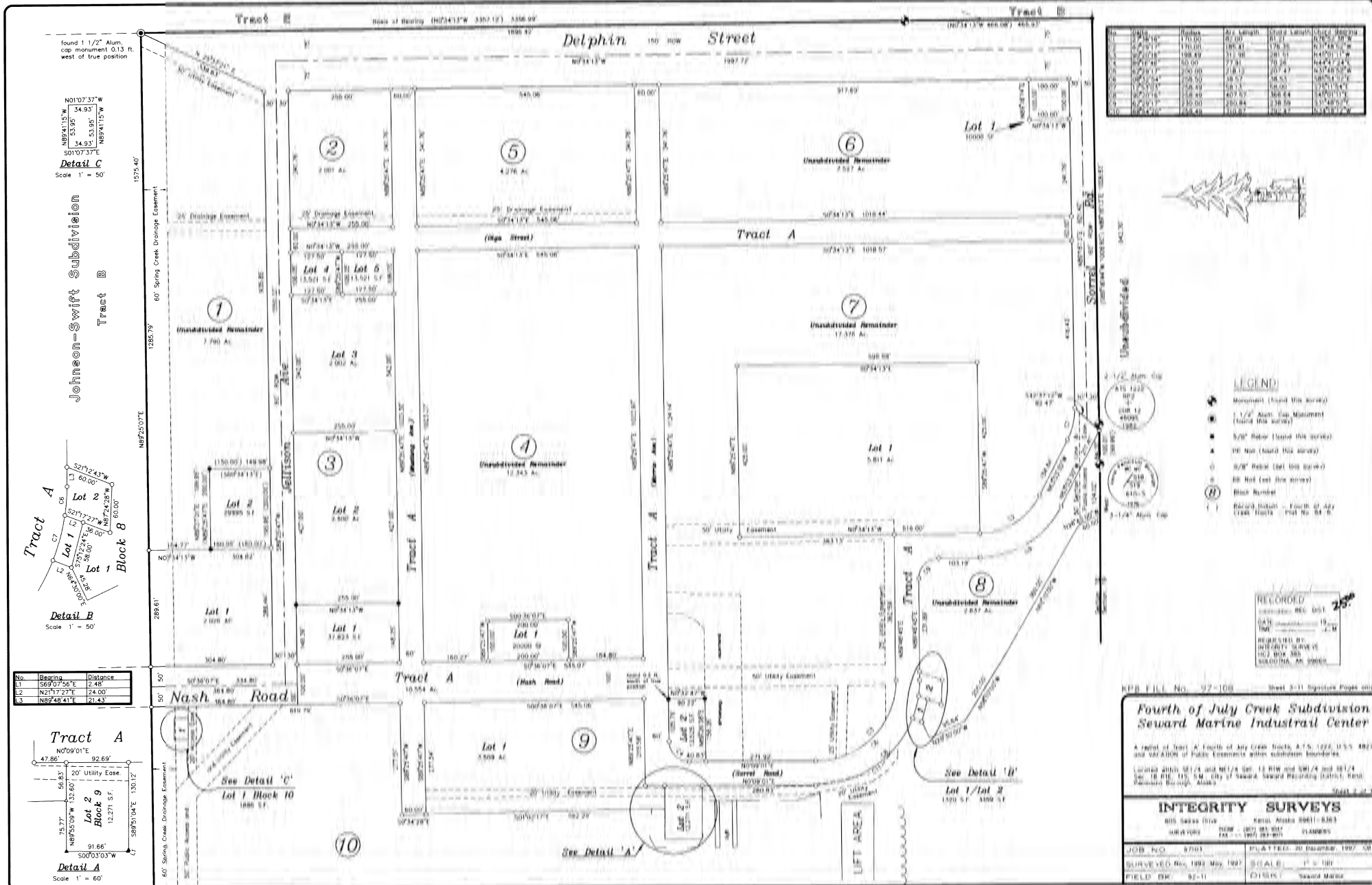
A PART of tract 'A' Fourth of July Creek Tracts, A.S. 1222, U.S.S. 4827 and VARIATION of Public Easements within subdivision boundaries.

LOCATED WITH BE1/4 and NE1/4 Sec. 13 RW and SW1/4 and SE1/4 Sec. 18 BE 13, 14, 15, S.W. City of Seward, Seward Recording District, Rural Municipality Borough, Alaska.

INTEGRITY SURVEYS

| | | | |
|-----------|----------------|-------|-----------------------|
| JOB NO. | 42103 | DATE | 20 December, 1997 |
| SURVEYED | Nov. Feb. 1993 | SCALE | 1" = 200' |
| FIELD DR. | 92-11 | DRWG. | SDT/Seward Industrial |

Seward 97-27



| No. | Bearing | Distance | Area | Length | Width | Area |
|-----|-------------|----------|------|--------|-------|------|
| 1 | N89°07'56"E | 2.48 | | | | |
| 2 | N27°17'27"E | 24.00 | | | | |
| 3 | N89°48'41"E | 21.43 | | | | |



- LEGEND**
- Monument (found this survey)
 - 1/2" Alum. Cap. Monument (found this survey)
 - 3/8" Rebar (found this survey)
 - PE Nail (found this survey)
 - 5/8" Rebar (set this survey)
 - PE Nail (set this survey)
 - Black Number
 - Black Number - Fourth of July Creek Tracts - Plat No. 84-B

RECORDED
 Registration No. 101
 DATE 10-15-14
 TIME 1:24
 REGISTERED BY:
 INTEGRITY SURVEYS
 615 W. 30th St.
 SUDBURY, ON N0B1K

W.P.S. FILE No. 97-108 Sheet 3-11 Signature Page only

**Fourth of July Creek Subdivision
 Seward Marine Industrial Center**

A relief of Tract A Fourth of July Creek Tracts, A-15, 1222, 1155, 4817 and VARIATION of Public Easements within subdivision boundaries.

Located 2005, 81/4 and 81/4 Sec. 13, R1W and 5W/24 and 81/4 Sec. 18, R1E, 115, 5M, City of Seward, Seward Recording District, Rural, Seward Borough, Nebraska

INTEGRITY SURVEYS
 615 W. 30th St. SUDBURY, ON N0B1K-8383
 416-593-7000 FAX: 416-593-9005

| | | |
|------------------------------|------------------------|---------------------|
| JOB NO. 9703 | DATE 30 December, 1997 | SCALE 1" = 100' |
| SURVEYED May, 1994 May, 1997 | FIELD DR. 97-11 | DRAWN Seward Marine |

CALL TO ORDER

The April 4, 2023 regular meeting of the Seward Planning & Zoning Commission was called to order at 7:00 p.m. by Chair Clare Sullivan.

OPENING CEREMONY

Commissioner Nathaniel Charbonneau led the Pledge of Allegiance to the flag.

ROLL CALL

There were present:
Clare Sullivan presiding, and
Vanessa Verhey
Victoria Monaco
Troy Staggs

Nathaniel Charbonneau
Brenan Hornseth
Sean Ulman

Comprising a quorum of the Commission; and

Jason Bickling, Community Development Director
Selena Soto, Planning Technician
Kris Peck, Acting City Clerk

Excused – None

Absent – None

Vacant – None

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

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion (Charbonneau/Verhey)

Approval of Agenda and Consent Agenda

Motion Passed

Unanimous

The clerk read the following approved consent agenda items:

Approval of the February 7, 2023 Planning & Zoning Meeting Minutes.

SPECIAL ORDERS, PRESENTATIONS AND REPORTS

Proclamations and Awards – None

City Administration Report

Community Development Director Jason Bickling said it was good to see a full house of Planning & Zoning Commissioners. Bickling noted that City Planner Courtney Bringhurst was attending a planning conference in Philadelphia. Bickling wanted to address the process of short-term rentals that were mainly open during the summer. There were two categories of compliance: Level 1 compliance pertained to the necessary paperwork such as the city business license and bed tax. Level 2 compliance pertained to actual misuse of the property. Bickling wanted to help P&Z understand the administrative side of the compliance process. It was stated in city code for Community Development to notify P&Z about any compliance issues.

Other Reports and Announcements – None

Presentations – None

PUBLIC HEARINGS

Resolutions Requiring Public Hearing

Resolution 2023-006, Recommending City Council And Kenai Peninsula Borough Approval Of The Preliminary Replat Of Fourth Of July Creek Subdivision, Seward Marine Industrial Center (SMIC), Unsubdivided Remainder Of Block 6, Physical Location 110 Olga Street, Creating Two Lots; Lots 4 & 5, Block 6, Fourth Of July Creek Subdivision SMIC, Duchess Replat.

Motion (Charbonneau/Staggs)

Approve Resolution 2023-006

Bickling recited the information in the agenda statement, reviewed the conditions being proposed, and recommended approval.

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

Charbonneau said the resolution felt pretty straight forward and the fire hydrant installation issue had been addressed.

Motion Passed

Unanimous

Resolution 2023-007, Recommending The City Council Update The Municipal Lands Inventory And Management Plan To Include Recommendations To Increase Day Use Parking At The Spring Creek Campground, Request An Easement To Maintain Beach Access To The North Of The Campground, And Plat The Area Into One Parcel And Rezone To Park.

Motion (Hornseth/Staggs)

Approve Resolution 2023-007

Bickling recited the information in the agenda statement, reviewed the conditions being proposed, and recommended approval.

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

Charbonneau noted that Ms. Griswold's citizen comments and input were helpful in drafting Resolution 2023-007.

Motion Passed

Unanimous

Resolution 2023-008, Recommending The City Council Update The Municipal Lands Inventory And Management Plan To Include Recommendations To Improve And Designate Parking And Access At The Fourth Of July Beach And Plat The Area Into One Parcel And Rezone To Park.

Motion (Charbonneau/Staggs)

Approve Resolution 2023-008

Bickling recited the information in the agenda statement, reviewed the conditions being proposed, and recommended approval.

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

Charbonneau noted that Ms. Griswold's citizen comments and input were helpful in drafting Resolution 2023-008.

Motion Passed

Unanimous

Resolution 2023-009, A Resolution Of The Planning And Zoning Commission Of The City Of Seward, Alaska, Granting A Conditional Use Permit To John Wisel, To Construct A Mixed-Use Commercial Building With More Than Two Apartments At 213 Fifth Ave, Original Townsite Of Seward, South 10 Feet Of Lot 13 & The North 25 Feet Of Lot 14, Block 9; Within A Central Business (CB) Zoning District.

Motion (Staggs/Monaco)

Approve Resolution 2023-009

Bickling recited the information in the agenda statement, reviewed the conditions being proposed, and recommended approval.

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

John Wisel, outside city limits, said that Covid-19 put a halt to his previous CUP back in 2020. Currently, Wisel was up and running and ready to take on more construction. Wisel already had a few applicants interested in this mixed-use commercial building and he was looking forward to starting this project.

No one else appeared and the public hearing was closed.

Charbonneau said the CUP lined out all the issues and the parking looked acceptable. Charbonneau typically liked to see an enclosure covering the trash cans, but in this case, the trash cans would be located in the alley and out of street view.

Sullivan asked if this CUP was identical to the one issued in 2020. Wisel confirmed it was exactly the same.

Verhey was concerned that there was already a lot of empty office space around town. Wisel said he had been approached by businesses like acupuncture, chiropractic, and retail. The office space being new and modern would be a draw.

Sullivan noted that tearing down the existing building would be a huge improvement for the area.

Resolution 2023-010, A Resolution Of The Planning And Zoning Commission Of The City Of Seward, Alaska, Granting A Conditional Use Permit To Colaska Inc. Dba QAP To Extract Gravel From Portions Of The Resurrection River Located On Seward Meridian SW NE ¼ SW ¼ And Seward Meridian SW West 330 Feet Of NW ¼ Lying Within Seward City Limits And Seward Meridian SW Portion NW ¼ SE ¼ Lying Within Seward City Limits Excluding West 330 Feet; Within A Resource Management (RM) Zoning District.

Motion (Charbonneau/Monaco)

Approve Resolution 2023-010

Bickling recited the information in the agenda statement, reviewed the conditions being proposed, and recommended approval.

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

Jerry Fogg, inside the city, noted that Resurrection River was designated as a salmon bearing body of water. Fogg asked how P&Z could grant permission for QAP to drive machinery in the river when locals were not even allowed to drive an ATV in the river. Bickling responded that both Fish & Game and the Kenai River Center had approved of a small window of time for QAP to work in the river.

No one else appeared and the public hearing was closed.

Charbonneau felt the resolution was pretty straight forward and ready for approval.

Sullivan noted that all the other required permitting looked to be in order and this resolution looked to be in good shape.

Motion Passed

Unanimous

UNFINISHED BUSINESS – None

NEW BUSINESS

Resolutions – None

Other New Business Items

Nominate and elect a Chair.

Charbonneau nominated Clair Sullivan as chair. There were no other nominations.

Motion (Charbonneau/Verhey)

Elect Clare Sullivan as Chair with a term to expire February, 2024.

Motion Passed

Unanimous

Nominate and elect a Vice Chair.

Charbonneau nominated Vanessa Verhey as Vice Chair. There were no other nominations.

Motion (Charbonneau/Sullivan)

Elect Vanessa Verhey as Vice Chair with a term to expire February, 2024.

Motion Passed

Unanimous

Discuss Topics For April 18, 2023 Work Session. Title 15 Updates, Long-Term Rental, Lot Frontages, Bunkhouses/Dormitories And Awning Discussion Introduction.

Sullivan confirmed the topics were the same as provided in the agenda.

INFORMATIONAL ITEMS AND REPORTS

Reminder: Tuesday, April 18, 2023 Planning and Zoning Work Session at 6:00pm in the Council Chambers, City Hall.

*Reminder: Tuesday, May 9, 2023 regular meeting at 7:00 pm in the Council Chambers, City Hall. *Rescheduled from May 2nd due to the elections being held on that day.*

CITIZEN COMMENTS – None

COMMISSION AND ADMINISTRATION COMMENTS AND RESPONSES TO CITIZEN COMMENTS

Verhey said it was great to have everyone at the meeting.

Charbonneau thanked the public who came to the meetings. He also thanked Community Development and P&Z for their work.

Hornseth thanked Sullivan for serving as Chair and Verhey for serving as Vice Chair.

Ulman thanked administration for all their hard work.

Sullivan thanked all the commissioners for attending the meeting and noted how their actions helped the real world make progress.

ADJOURNMENT

The meeting was adjourned at 7:42 p.m.

Kris Peck
Acting City Clerk

Clare Sullivan
Chair

(City Seal)

DRAFT

Sponsored by: Applicant
Public Hearing: April 4, 2023

**CITY OF SEWARD, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION 2023-006**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF SEWARD, ALASKA, RECOMMENDING CITY COUNCIL AND KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY REPLAT OF FOURTH OF JULY CREEK SUBDIVISION, SEWARD MARINE INDUSTRIAL CENTER (SMIC), UNSUBDIVIDED REMAINDER OF BLOCK 6, PHYSICAL LOCATION 110 OLGA STREET, CREATING TWO LOTS; LOTS 4 & 5, BLOCK 6, FOURTH OF JULY CREEK SUBDIVISION SMIC, DUCHESS REPLAT

WHEREAS, the City of Seward, per the request of Duchess LLC, has submitted a preliminary replat to the City of Seward for review and recommendation to the City Council and the Kenai Peninsula Borough; and

WHEREAS, this replat creates two new parcels, Lots 4 & 5, Block 6 on the property known as 110 Olga Street; and

WHEREAS, Duchess LLC is interested in leasing proposed Lot 5 from the City of Seward to store boats; and

WHEREAS, the parcels are zoned Industrial (I); and

WHEREAS, the parcels currently have access to municipal road, electric, and sewer on the north end, but not water; and

WHEREAS, International Fire Code requires a fire hydrant to be installed if a building is constructed within a distance greater than 500 feet from an existing fire hydrant; and

WHEREAS, Lot 5 is the only parcel that will be currently leased, and Duchess LLC has been informed of these requirements; and

WHEREAS, the City of Seward has plans to extend the water and sewer lines to these parcels and install fire hydrants as development demands; and

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

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

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

Section 1. The Commission hereby recommends that, in accordance with Seward City Code Section 16.01.015 (B), the City Council and Kenai Peninsula Borough approve the submittal of the Replat of Fourth of July Creek Subdivision, Seward Marine Industrial Center (SMIC), Unsubdivided Remainder of Block 6, Creating Two Lots, Lots 4 & 5, Block 6, Fourth of July Creek Subdivision SMIC, Duchess Replat.

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

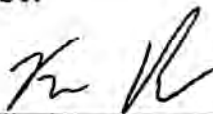
PASSED AND APPROVED by the Seward Planning and Zoning Commission this 4th day of April, 2023.

THE CITY OF SEWARD, ALASKA


Clare Sullivan, Chair

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

ATTEST:



Brenda Ballou, MMC
City Clerk

Kris Peck
Acting city clerk

(City Seal)



Planning and Zoning Agenda Statement



Meeting Date: March 7, 2023

To: Planning and Zoning Commission

Through: Jason Bickling, Community Development Director

From: Courtney Bringham, Planner

Agenda Item: Resolution 2023-006: Recommending City Council and Kenai Peninsula Borough Approval of the Preliminary Replat of Fourth of July Creek Subdivision, Seward Marine Industrial Center (SMIC), Unsubdivided Remainder of Block 6, Physical Location 110 Olga Street, Creating Two Lots, Lots 4 & 5, Block 6, Fourth of July Creek Subdivision SMIC, Duchess Replat

Background and justification:

Attached for the Commission's review and recommendation to the City Council and the Kenai Peninsula Borough Planning Commission is a preliminary replat submitted by the City of Seward per the request of Duchess LLC. This platting action creates two new parcels, Lot 4 & 5, Block 6, Fourth of July Creek Subdivision SMIC, Duchess Replat, by subdividing Fourth of July Creek Subdivision, SMIC, Unsubdivided Remainder of Block 6, also known as 110 Olga Street Seward, Alaska in the Seward Marine Industrial Center.

Duchess LLC requested this platting action to establish a parcel, Lot 5, which they would lease for boat storage from the City of Seward.

Roads and electric are currently accessible to the proposed parcels, and sewer is available on the north end where the proposed parcel for lease is located. However, water is not available. International Fire Code requires a fire hydrant to be installed if a building is constructed within a distance greater than 500 feet from an existing fire hydrant. The applicant and future lessee have been informed of this requirement. The City has plans to extend the water and sewer lines to all of the parcels in SMIC that do not currently have access, as development and use demands.

According to Seward City Code 16.01.015, property owners within 300 feet of the requested platting action were notified, and the property was posted with public notice signage.

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

Subdivision Review:

Zoning: The property is zoned Industrial (I).

Size: Lot 4 is 4.081 acres and Lot 5 is 2 acres

Utilities: These Lots currently have access to City roads and electric. Lot 5 has access to sewer. The sewer will be extended to Lot 4 as development demands. Water lines and a fire hydrant will be required if a building is ever built on either parcel.

Existing Use: These lots are currently vacant.

Access: Lot 4 and 5 are both accessed from Olga Street. Access could be developed from Morris Street or Delphin Street, but is not currently established.

Flood Zone: The lots are within a Flood Zone D. The Zone D designation is used for areas where there are possible but undetermined flood hazards.

Comprehensive and Strategic Plan Consistency Information

This legislation is consistent with (citation listed):

Comprehensive Plan: *Vol 1 Ch 2.2.11* - The Comprehensive Plan encourages completing the development of SMIC as a revenue source with year-round employment opportunities.

Vol 1 Ch 3.5.1.2 - Support the SMIC Development Plan to include new market trends and modern technologies for ship repair and construction, shipping of natural resource products, boat storage, and other compatible industries, soliciting support from Alaska Industrial Development and Export Authority (AIDEA) and the US Economic Development Administration (EDA).

Strategic Plan: "Expand development in the Seward Marine Industrial Center" (page 7).

Staff Comments

| Department | Comments | No Comment | N/A |
|-------------------------|---|------------|-----|
| Building Department | | X | |
| Fire Department | A fire hydrant will need to be installed if a building is constructed on either parcel. | | |
| Public Works Department | | X | |
| Harbor Department | | X | |
| Police Department | | X | |
| Electric Department | | X | |
| Telecommunications | | X | |

Public Comment

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

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

Recommendation

Commission approve Resolution 2023-006, recommending City Council and Kenai Peninsula Borough Approval of the Preliminary Replat of Fourth of July Creek Subdivision, Seward Marine Industrial Center (SMIC), Unsubdivided Remainder of Block 6, Physical Location 110 Olga Street, Creating Two Lots, Lots 4 & 5, Block 6, Fourth of July Creek Subdivision SMIC, Duchess Replat