

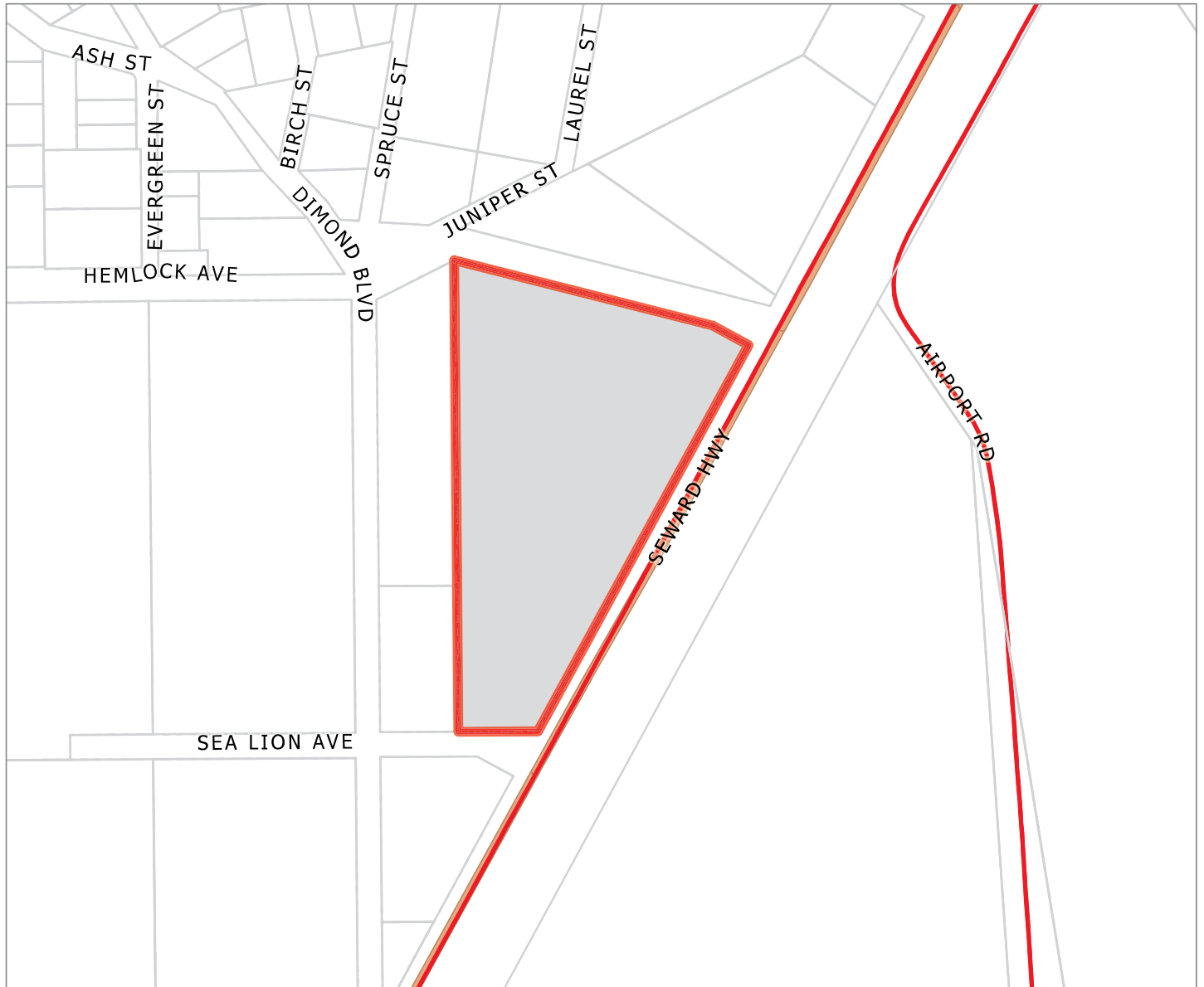
E. NEW BUSINESS

- 3. Fort Raymond Subdivision No. 1 Hemlock Addition
KPB File 2022-177
R&M Consultants, Inc / City of Seward
Location: Hemlock Ave., Sea Lion Ave. & Seward Hwy.
City of Seward**



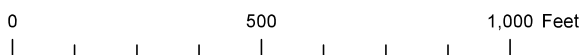
Kenai Peninsula Borough Planning Department

Vicinity Map

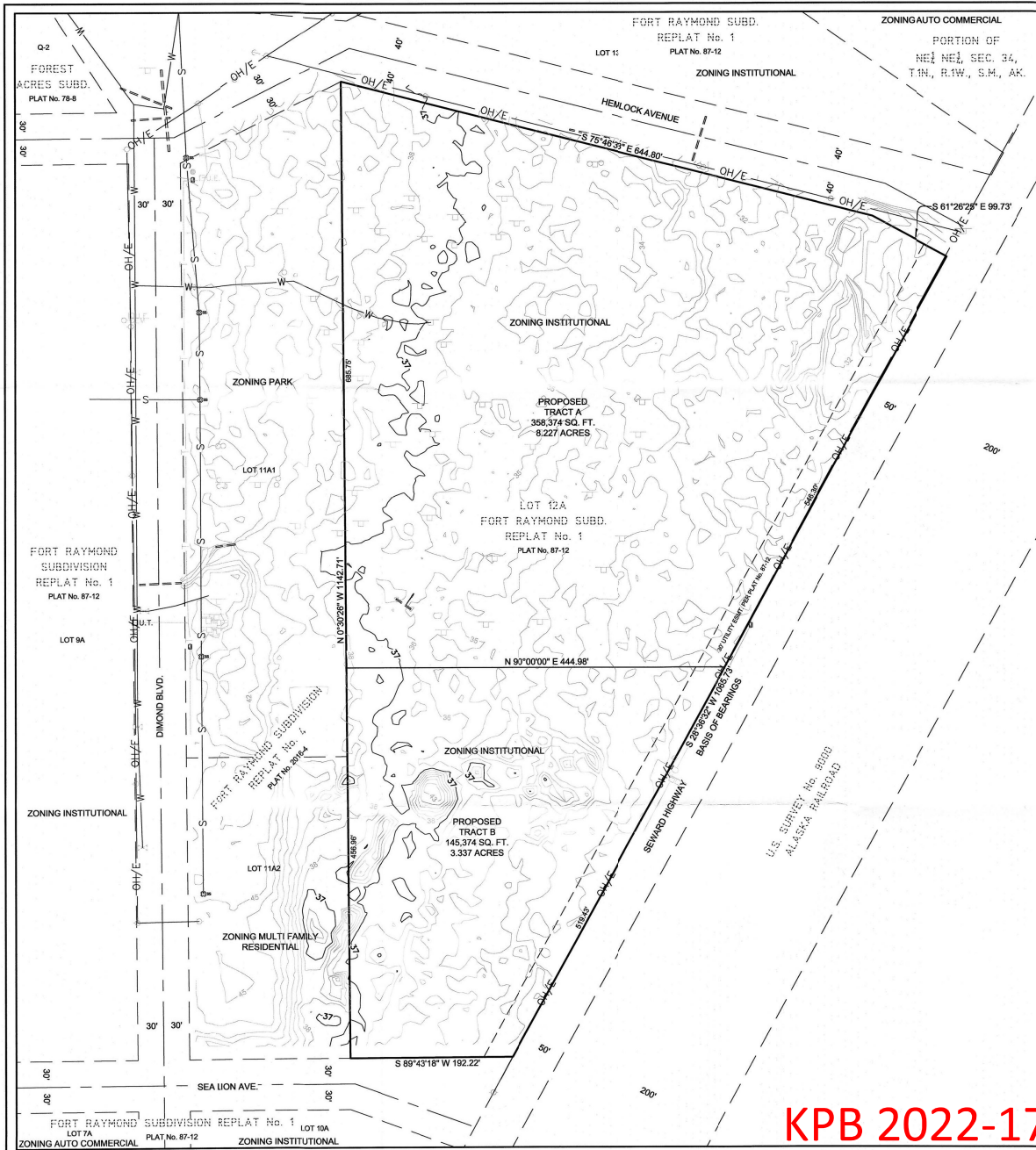


KPB File 2022-177
T 01N R 01W SEC 34
Seward

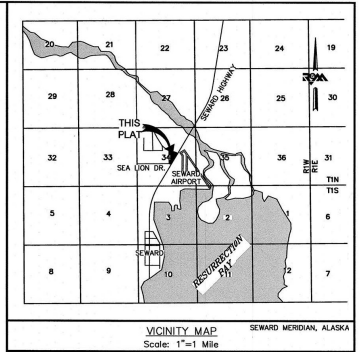
12/14/2022







- NOTES**
- LOT 12A, FORT RAYMOND SUBDIVISION (PLAT No. 87-12) IS CURRENTLY ZONED INSTITUTIONAL. A RE-ZONE OF PROPOSED HEMLOCK SUBDIVISION WAS PERFORMED THROUGH THE CITY OF SEWARD CHANGING PROPOSED TRACT B TO THE PARKS ZONING DISTRICT. THE RE-ZONE WAS APPROVED THROUGH RESOLUTION No.
 - PORTIONS OF THIS SUBDIVISION FALL WITHIN THE AE ZONE FLOODPLAIN WITH A BASE FLOOD ELEVATION OF 37 FEET PER THE FLOOD INSURANCE RATE MAP (FIRM) LISTED IN PANEL 4543 OF 5045, MAP NUMBER 0122C4543E, REVISED OCTOBER 20, 2016.
 - THE CONTOUR INTERVAL SHOWN IS ONE FOOT BASED ON TIES TO THE NAVD88 VERTICAL DATUM AND A GROUND SURVEY PERFORMED BY R&M CONSULTANTS BETWEEN MAY 16, 2022 AND MAY 21, 2022.



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

PRINTED NAME/TITLE
 CITY OF SEWARD
 OWNER, TRACTS A & B, HEMLOCK SUBDIVISION
 410 ADAMS STREET
 SEWARD, ALASKA 99664

SIGNATURE/DATE

NOTARY ACKNOWLEDGMENT

SUBSCRIBED AND SWORN BEFORE ME THIS ____ DAY OF ____, 2022.

NOTARY PUBLIC MY COMMISSION EXPIRES

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF AUGUST XX, 2022.

KENAI PENINSULA BOROUGH

AUTHORIZED OFFICIAL

CERTIFICATE OF ACCEPTANCE

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

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

PRINTED NAME/TITLE
 CITY OF SEWARD

SIGNATURE/DATE

PROPOSED PLAT OF HEMLOCK SUBDIVISION TRACTS A AND B

AN 11.564 ACRE SUBDIVISION OF LOT 12A (PLAT No. 87-12), FORT RAYMOND SUBDIVISION, REPLAT No. 1.

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

LOCATED WITHIN THE SE 1/4, SECTION 34, TOWNSHIP 1 NORTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA

KENAI RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA

9101 Vanguard Drive, Anchorage, Alaska, 99507
 PH (907) 522-1707 FAX (907) 522-3403
 www.rmconsult.com

AECC 111

DRAWN: DCH SCALE: 1"=60' KPB FILE No. 2022-XXXXX
 CHECKED: BM PROJECT: 2734.26 DATE: 12/07/2022 SHEET: 1 OF 1

KPB 2022-177

DAVID C. HALE, L.S. 10395 DATE

AGENDA ITEM E. NEW BUSINESS

ITEM 3 – FORT RAYMOND SUBDIVISION NO. 1 HEMLOCK REPLAT

KPB File No.	2022-177
Plat Committee Meeting:	January 9, 2023
Applicant / Owner:	City of Seward, Seward, Alaska
Surveyor:	David Hale, R&M Consultants, Inc.
General Location:	Hemlock Avenue, Sea Lion Avenue, Seward Highway, City of Seward

Parent Parcel No.:	145-026-02
Legal Description:	Lot 12A, Fort Raymond Subdivision Replat No. 1, Plat SW 87-12
Assessing Use:	Residential
Zoning:	Institutional
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat will subdivide an 11.57 acre parcel into two tracts that will be 8.227 and 3.337 acres.

Location and Legal Access (existing and proposed): The proposed plat is located near mile 2.5 of state maintained Seward Highway. Hemlock Avenue abuts along the northern boundary and Sea Lion Avenue is located along the southern boundary. Both rights-of-way are 60 feet wide and are constructed and maintained by the City of Seward. Hemlock Avenue continues to the west and provides access to other rights-of-way and developments. Sea Lion Avenue dedications continue to the west but not the entire length of the constructed right-of-way. A public access easement provides access to City of Seward facilities and the remainder is on borough property to access schools.

Both proposed lots will front along the Seward Highway. Proposed Tract A has constructed access from Hemlock Avenue that can continue to provide access. Proposed Tract b has existing access from Sea Lion Avenue that will continue to provide access. Any desired access from the Seward Highway will require approval and permitting from Alaska Department of Transportation. ***Staff recommends a plat note indicating access from state rights-of-way require approval should be added.***

The Seward Highway, Hemlock Avenue, Dimond Boulevard, and Sea Lion Avenue define the block. The block is closed and compliant.

Proposed Tract A is currently used as a campground and proposed Tract B contains the bike park. KPB Code 20.30.180 notes that blocks longer than 600 feet may require pedestrian ways to provide circulation or access to schools, playgrounds, shopping center, transportation, or other community facilities if deemed necessary. The property is within the City of Seward and owned by the City of Seward. ***Staff recommends the plat committee agree that the KPB will not require minimum 8 feet wide pedestrian ways but the City of Seward may request this provision as the owner.***

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

Site Investigation: There are no low wet areas present with the subdivision. Terrain is relatively flat with no steep slopes present except for those intentionally created within the bike park.

The parent lot contains a campground on the northern portion and a bike park on the southern area. There does not appear to be any encroachment issues present.

The property is within the Floodplain Zone AE. This zone has a 1% annual chance of flooding. The plat currently has a note regarding the floodplain and include the map number. The majority of the property also falls within the Seward Mapped Flood Data Area. **Staff recommends the existing plat note remain and an additional plat note be added to the plat regarding the Seward Mapped Flood Data Area.**

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

Staff Analysis The property was originally part of a State of Alaska Boundary Location Survey of U.S. Survey No. 149 and 242 and created Lot 2 of Tract B. This was recorded in 1963 with the serial number 63-594. Lot 2 was replatted by Fort Raymond Subdivision, SW 86-10. That plat created Lot 12 and dedicated Hemlock Avenue and Cottonwood Avenue, which is now Sea Lion Avenue. Lot 12 was platted into its current configuration of Lot 12A by Fort Raymond Subdivision Replat No. 1, SW 87-12. This proposal will now split Lot 12A into two Tracts.

Per the information provided by the surveyor with the application, sewer and water is present along Dimond Boulevard. A soils report will not be required as connection to city services is available. An installation agreement or documentation that one is not required will need to be submitted.

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

The proposed preliminary plat is within the City of Seward. The City of Seward Planning and Zoning Commission heard the plat at their October 11, 2022 meeting. A recommendation to approve the preliminary plat was given by majority vote of 5 to 1. The City of Seward Planning and Zoning Commission Resolution 2022-021 was adopted and did not contain any requests or items to address. The City of Seward does intend to rezone portions of the property once subdivided. Kenai Peninsula Borough staff does not take city zoning requirements or intentions into the review or recommendation of a platting item unless a zoning requirement conflicts with the platting action and the city notes the conflict. **Staff recommends the zoning labels be removed from that final as zoning can change and add a plat note that it is subject to city zoning.**

Utility Easements Fort Raymond Subdivision, SW 86-10, granted a 30 foot utility easement along the Seward Highway. There is no other depiction or notes affecting the subject property shown on that plat. Fort Raymond Subdivision Replat No. 1, SW 87-12, carried over the easement along the Seward Highway. That plat also vacated a portion of Cottonwood Avenue, renamed to Sea Lion Avenue, to relocate the right-of-way 30 feet to the south. A 30 foot utility easement was placed in the vacated areas along Lots 8A and 9A of SW 87-12. It does not appear that a utility easement was granted along the southern boundary of Lot 12A. **Staff recommends the label for the 30 foot utility easement along the Seward Highway be updated to Plat 86-10.**

There are no recorded easement per the Certificate to Plat.

KPB Code 20.30.060(D) requires the front ten feet adjoin rights-of-way be designated as utility easements. This is within the City of Seward and they, along with utility providers, can determine if additional widths, locations, or reductions of width are needed. **Staff recommends** a 10 foot utility easement be depicted along Hemlock Avenue and Sea Lion Avenue with required plat notes being added. If it is determined during the field survey permanent improvements are encroaching into the easement, depictions of the improvements should be added with notes regarding them predating the easement.

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

Utility provider review:

HEA	Not within HEA service area. No comments at this time.
ENSTAR	No comments or recommendations
ACS	
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	Not located within our service area.
TELALASKA	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 911 HEMLOCK AVE Existing Street Names are Correct: Yes List of Correct Street Names: HEMLOCK AVE SEWARD HWY SEA LION AVE DIMOND BLVD Existing Street Name Corrections Needed: All New Street Names are Approved: No List of Approved Street Names: List of Street Names Denied: Comments: The city of Seward will advise on affected address.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat. Material Site Comments:

	There are not any material site issues with this proposed plat. Review Not Required
Assessing	Reviewer: Windsor, Heather Comments: No comment

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

STAFF RECOMMENDATIONS **CORRECTIONS / EDITS**

Provide a legend on the final plat.

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:

- *This plat was submitted as Hemlock Subdivision. The parent plat's name shall be the primary. Staff is currently calling this Fort Raymond Subdivision No. 1 Hemlock Addition. If the owners wish to provide a different name they may as long as the parent plat name is the primary. Please contact staff for name approval prior to submitting the final.*
- *The current title block states Tract A and B which this plat is creating but they are in the same font style and immediately after the title name. This could be interpreted as part of the subdivision name. Staff suggests if that information is wanted it be placed in a different font and states "Creating Tracts A and B".*
- *Update the location to E1/2*
- *Include "City of Seward" within the location information.*
- *Update the recording district to "Seward"*

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: *The boundary for the City of Seward and Chugach National Forest should be added with labels.*

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:

- *The depiction needs to be extended to the north of the northwest corner of the subdivision boundary.*
- *The lot labeled as a portion of aliquot land and be labeled as "Unsubdivided"*
- *Lot 13 to the north was created from Fort Raymond Subdivision Plat SW 86-10 and the label should be updated.*

- The subdivision name for Q-2 to the west is incomplete.
- Lot 7A located to the southwest was replatted by SW 2022-12 and should be updated.
- Adjust the subdivision label and plat number to the south as it only applies to Lot 10A
- Zoning labels should be removed
- Add a "widths varies" within the Highway dedication along with the DOT project information that information was taken.
- Add an additional Hemlock Avenue label for the depiction west of Dimond Boulevard.

L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff recommendation: Remove drainage structures shown on drawing.

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.

20.30.270. 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: Soils report is not required as city services are available.

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.

20.60.040. Dedication of public use lands. Any land shown on a plat as a street, public park or other public area must be dedicated on the final plat to a tax exempt governmental entity. If the governmental entity is not the Kenai Peninsula Borough, the governmental entity shall be required to execute an acceptance of the dedication on the plat.

Staff recommendation: Unless dedications or additional easements are required, the Certificate of Acceptance in place may be removed.

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: Installation agreement will be required or documentation that one is not required

20.60.110. Dimensional data required.

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 measured and recorded distances on final with reference plat.*

20.60.180. Plat notes.

A. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

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.*

- *"No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."*
- *Subject to terms, reservations, conditions and provisions contained in the Quitclaim Deed from the State of Alaska located within Book 31D Page 5 with release of condition in deed located in Book 27 Page 75, waiver reversionary interest/release in deed located in Book 87 Page 863 and release of public purpose and conditions within Serial No. 2004-00620-0, all documents within the Seward Recording District.*
- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *Subject to City of Seward Zoning. Contact the City of Seward prior to development for any restrictions.*
- *The front ten feet adjacent to dedicated rights-of-way is a utility easement granted by this plat.*
- *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.*
- **FLOOD HAZARD NOTICE:**
Some or all of the property shown on this plat has been designated by 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.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: *If using a Notary's Acknowledgement is must comply as it is currently a combination of acknowledgment and jurat. May be changed to Jurat if desired. As the City of Seward is the only owner of the property, remove "Owner, Tracts A & B, Hemlock Subdivision". If it is desired to list the property it should be of the parent lot as Tracts A & B do not exist until recorded. Comply with 20.60.190.*

20.60.200. Survey and monumentation.

F. Bearings and distances between the nearest subdivision property lines and official GLO or BLM monuments shall be accurately described and delineated on the plat and the basis of bearings shall be indicated.

Staff recommendation: *comply with 20.60.200*

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.

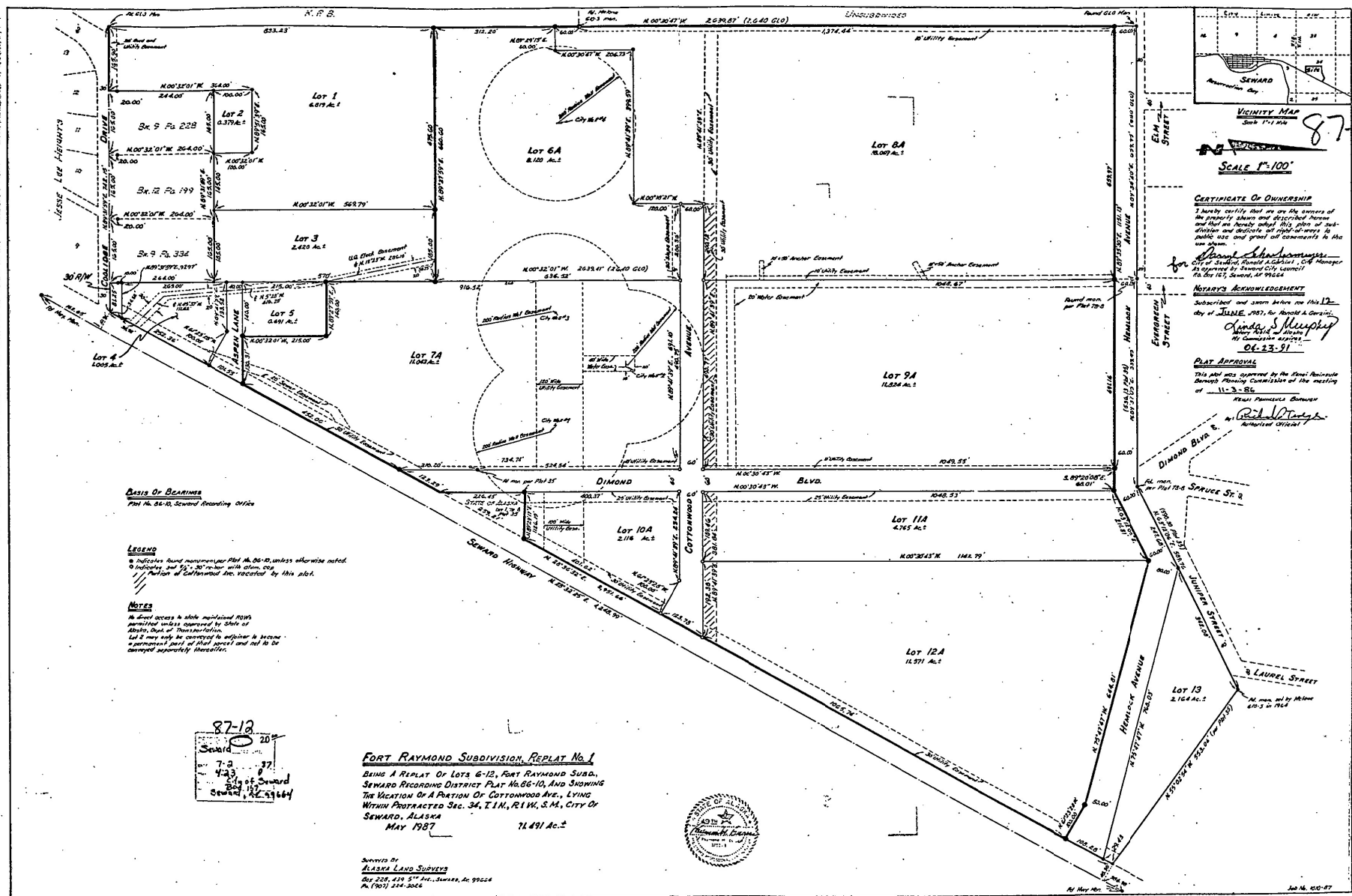
A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.

END OF STAFF REPORT



Aerial View





PRELIMINARY PLAT APPLICATION

R&M CONSULTANTS, INC

TO:	Mr. Vince Piagentini, Platting Manager, Kenai Peninsula Borough
FROM:	Dave Hale, PLS, Land Surveyor, R&M Consultants Inc. on behalf of the City of Seward
SUBJECT:	Preliminary Plat Application Narrative for Hemlock Subdivision Tracts A & B
ACTION:	Subdivision of Lot 12A (Plat No. 87-12), Fort Raymond Subdivision, Replat No. 1.
DATE:	November 21, 2022

Overview of Proposed Action:

On behalf of the City of Seward, R&M Consultants, Inc. has prepared the following application for the proposed plat of Hemlock Subdivision Tracts A and B. This action is an 11.564-acre subdivision of Lot 12A, Fort Raymond Subdivision, Replat No. 1, according to Kenai Recording District Plat No. 87-12. See Figure 1. Vicinity Map, and Attachments 1 and 2.

The City of Seward owns Lot 12A, located south of Hemlock Avenue and west of the Seward Hwy at 911 Hemlock Ave, and is currently using the parcel for Forest Acres Park. The lot is currently being used for a campground on the northerly portion of the parcel, and a bike park on the southerly portion. The city would like to create two tracts, separated at the northern extents of the bike park (see Figure 2). Proposed Tract A would encompass the campground, and proposed Tract B would include the extents of the Seward Community Bike Park.

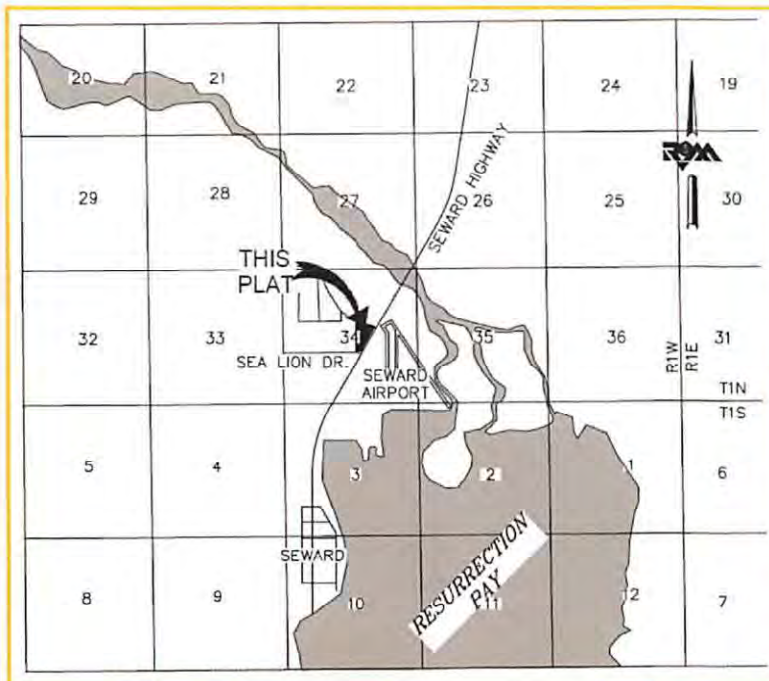


Figure 1. Hemlock Subdivision Tracts A & B Vicinity Map

Parcel ID: 14502602

Site Address: 911 Hemlock Ave, Seward

Size: 11.564 acres

Uses: The parcel is currently used as a bicycle park and for a municipal-run campground. Proposed Tract A will be an 8-acre parcel containing the campground, and Proposed Tract B will be a 3-acre parcel that remains a bike park. Adjacent land uses west of the proposed subdivision include a park, a multifamily develop owned by Kenai Peninsula Housing Initiatives, Inc., Seward Resort and Seward Elementary. Land uses to the north include private residential dwelling and several B&Bs and vacant land.





Figure 2. Lot 12A Fort Raymond Subdivision highlighted, with general proposed subdivision into Tracts A & B shown in dashed line (see Attachment 2 Proposed Plat for detail)

Zoning: City of Seward zoning for Lot 12A is current Institutional. A rezoning request was submitted concurrently to the Seward Planning Commission and City Council with this replat to rezone proposed Tract B from Institutional District to Parks District. Proposed Tract A will remain Institutional zoning. Adjacent zoning districts includes Multifamily Residential and Park to the west, Institutional to the south, and Auto Commercial, Institutional and Single Family Residential to the north. City Council approved Ordinance 2022-015 to rezone Tract B to Parks District, contingent on this replat, on November 28, 2022.

Access: Primary access to proposed Tract A will be via Hemlock Drive, an existing 80-foot right-of-way, and the primary access for proposed Tract B will be from Sea Lion Ave, a 60-foot right-of-way to the south.



Utilities: Overhead electric conductors are adjacent to Lot 12A to the west, north and east. Water and sewer mains run north-south along Dimond Blvd and Spruce St but are not existing on site (see Figure 3). Water and wastewater will be extended onsite when future subdivision and development plans are determined. Utility company GCI approved of an earlier subdivision proposed for Lot 12A which included a residential neighborhood, and their approval is being carried forward in this current request for subdivision (see attachment 9).

Flood Zone: Lot 12A Fort Raymond Subdivision, Replat No. 1 is partly within a mapped Special Flood Hazard Area 'AE', which is an area of inundation by the 1-percent-annual-chance flood. The parcel is also partly within the 1986 and 1995 Seward Mapped Floodplain Areas (see Attachment 3. Floodway Map).

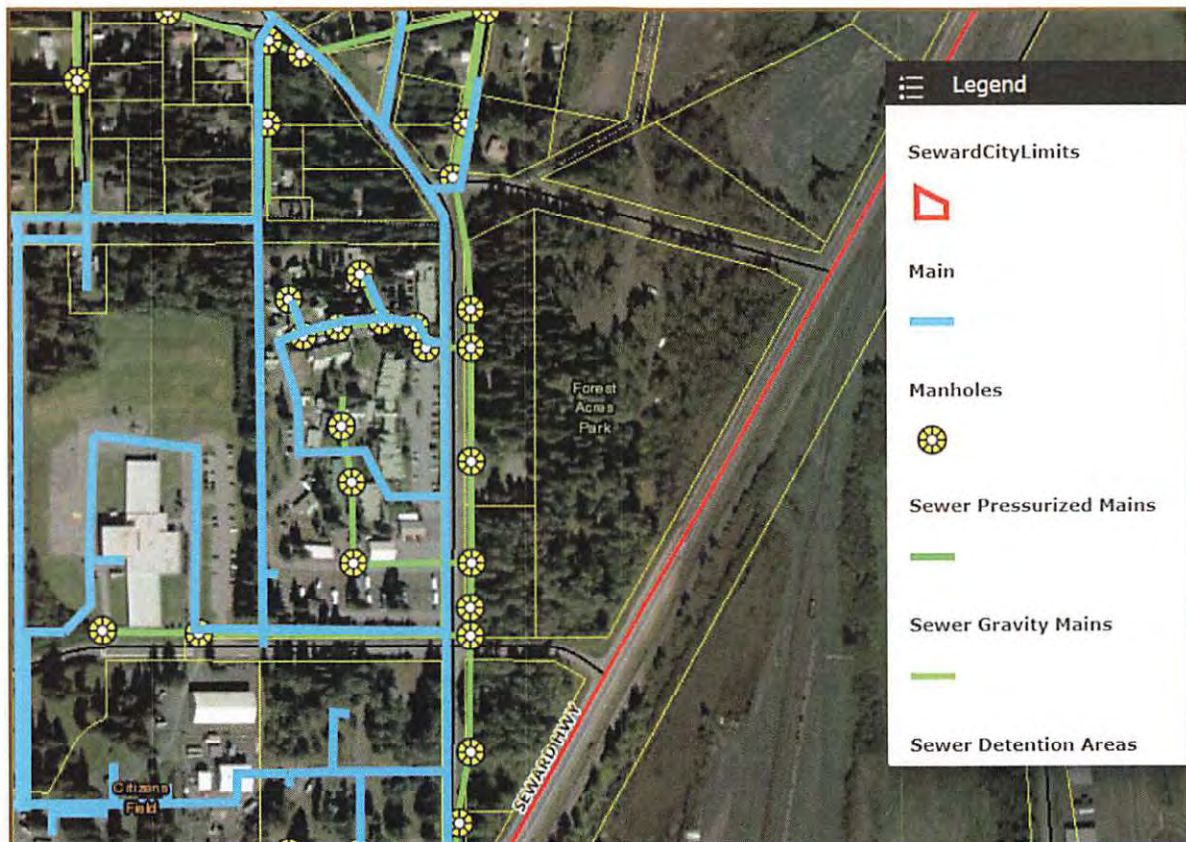


Figure 3. Existing Water and Sewer Infrastructure adjacent to proposed subdivision (source: City of Seward GIS)

Compliance with City of Seward Adopted Plans:

The City of Seward Municipal Lands Management Plan (2014) identifies Lot 12A of Fort Raymond Subdivision, Replat No. 1 as Forest Acres Campground. The Plan recommends continuing to use the parcel as a public park and to sell with a sound development plan. This proposed subdivision and concurrent rezone of proposed Tract B helps implement the plan for Lot 12A by separating the lot into two tracts to ensure the bike park continues as a public park (Tract B) and provide flexibility for the city to sell Tract A if a community-supported development plan is presented.



Compliance with City of Seward Title 16.01.015 Conditions to Plat Approval:

No new rights-of-way will be dedicated or required for this platting action. Both tracts will have existing access from constructed roadways. No new utilities are required for this platting action.

City Approvals & Status:

Seward City Council authorized R&M Consultants for the rezone and replat of the Forest Acres Campground and Bike Park (Lot 12A, Fort Raymond Subdivision, Replat No. 1 (Plat No. 87-12)) through Resolution 2022-097 on September 12th, 2022. See Attachment 4.

The Planning & Zoning Commission passed and approved Resolution 2022-021 on October 11, 2022, recommending City Council and the Kenai Peninsula Borough approval of the preliminary replat of the Fort Raymond Subdivision, Replat No. 1, Lot 12A, creating Hemlock Subdivision Tracts A and B. See Attachment 5. Minutes from the October 11th, 2022, Planning & Zoning Commission hearing are provided as Attachment 6.

Seward City Council passed and approved Resolution 2022-115 on November 28th, 2022, recommending Kenai Peninsula Borough approval of the preliminary replat (see Attachment 7); Council also approved Ordinance 2022-015 to amend the land use plan to rezone proposed Tract B from Institutional zoning district to Parks zoning district. All posting and noticing requirements of the City of Seward were adhered to during the local review process.

Compliance with Kenai Peninsula Borough Title 20.25.070:

The submitted preliminary plat shows the applicable required information. See Form checklist on second page of this application packet, and the preliminary plat of Hemlock Subdivision Tracts A & B.

Compliance with Kenai Peninsula Borough Title 20.25.080:

- A. **Proposed means of supplying water:** Existing city water mains run north-south along Dimond Blvd and Spruce St but are not existing on site. Following future subdivision and development plans, city water will be extended onsite.
- B. **Proposed means of wastewater disposal:** Existing city sewer mains run north-south along Dimond Blvd and Spruce St but are not existing on site. Following future subdivision and development plans, city wastewater will be extended onsite.
- C. **Proposed subdivision phases:** Not Applicable
- D. **Name, address, and signature of the subdivider:** Provided on the application page.
- E. **Certificate to plat current to not more than 28 business days:** An updated certificate to plat will be submitted with the final plat per KPB 20.60.190(A)(2).

Summary of Request:

The City of Seward requests the Kenai Peninsula Borough Approval of the Preliminary Plat of Lot 12A, Fort Raymond Subdivision Replat No. 1, creating Tract A and B.

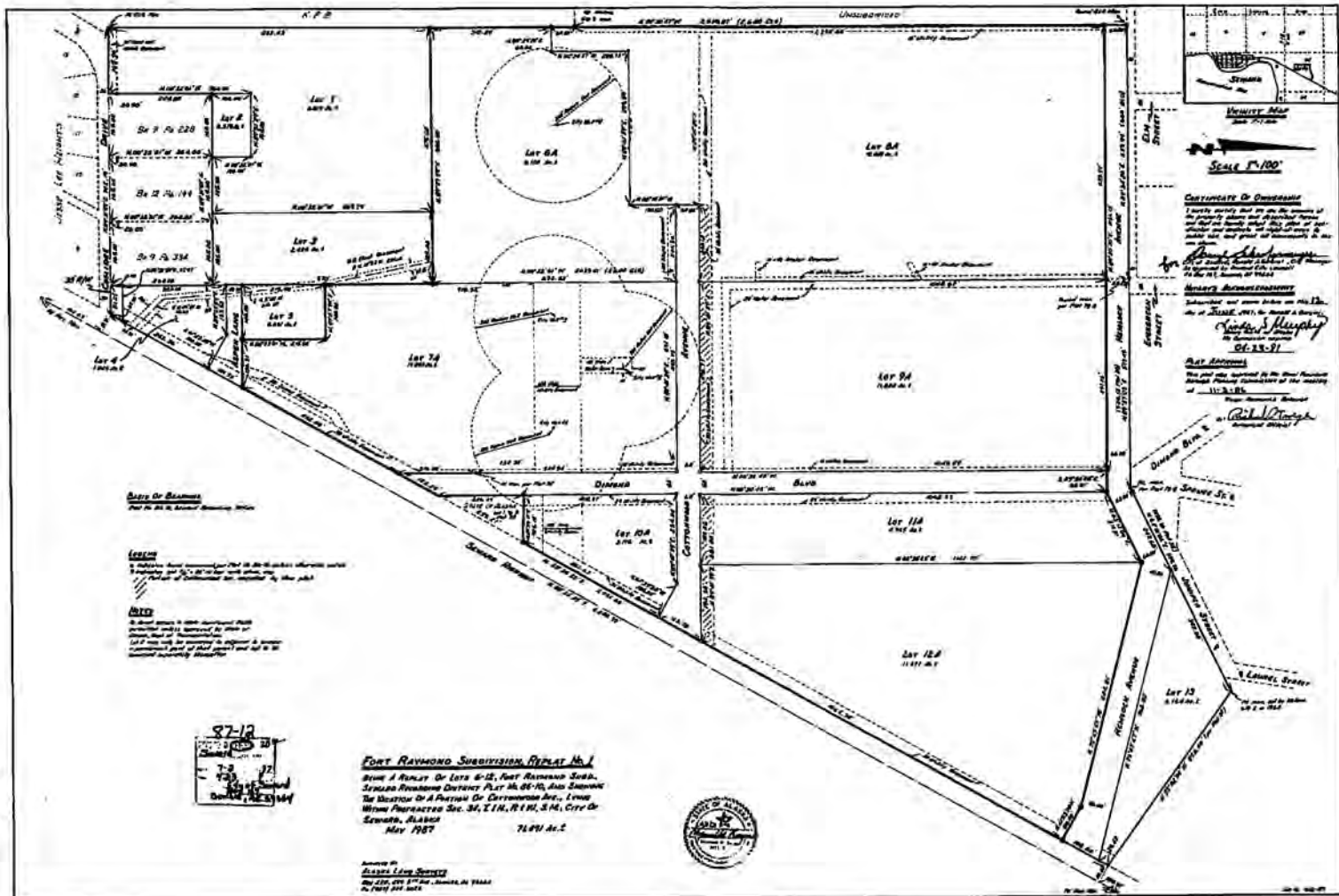


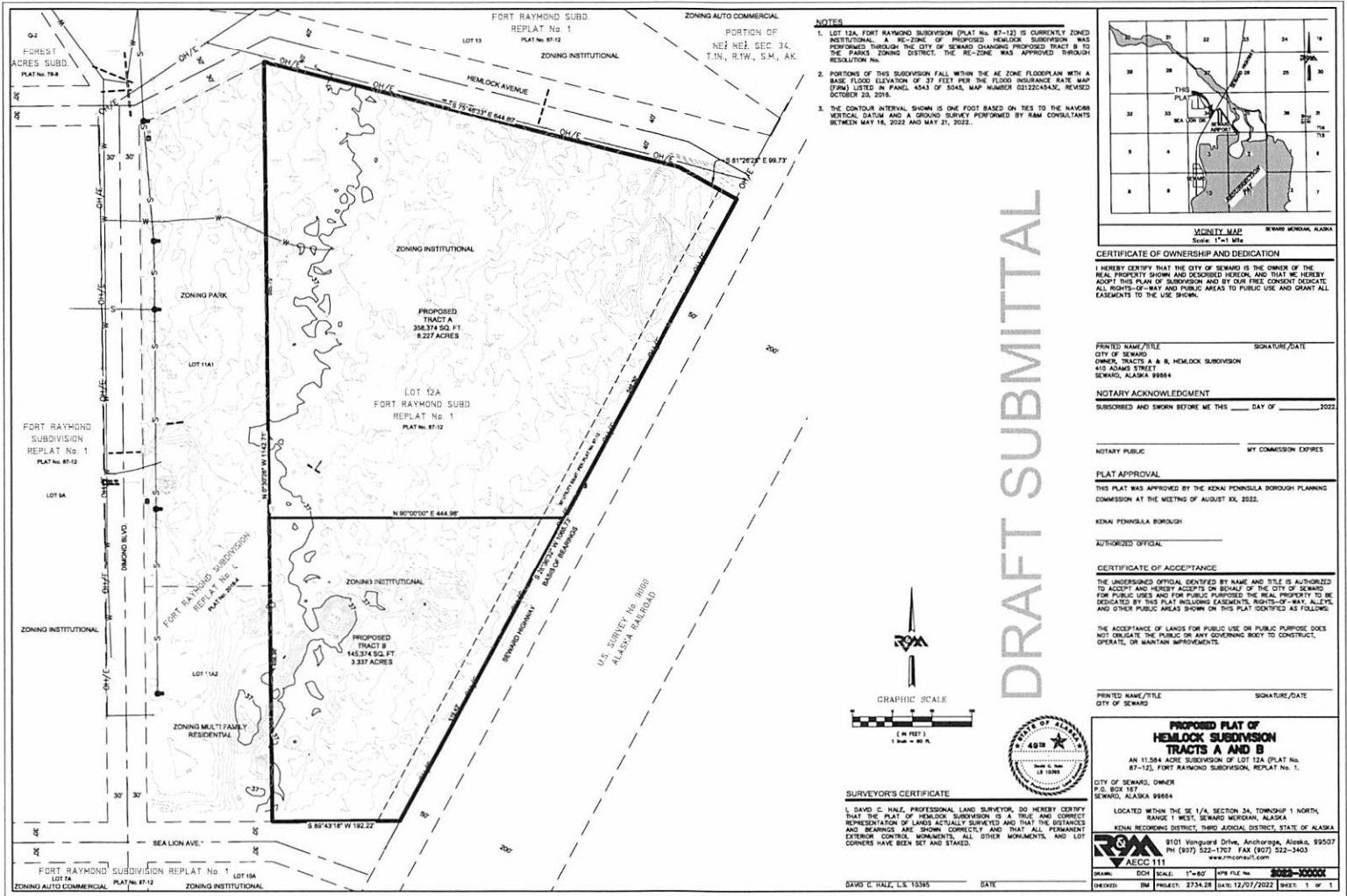
ATTACHMENTS:

1. 87-12 Fort Raymond Subdivision, Replat No. 1
2. Proposed Plat of Hemlock Subdivision, Tracts A & B
3. Floodway Map for area of Preliminary Plat
4. City Council Resolution 2022-097: *Replat Authorization*
5. Planning & Zoning Resolution 2022-021: *Replat Approval*
6. Planning & Zoning Commission Meeting Minutes from October 11th, 2022
7. City Council Resolution 2022-115: *Replat Approval*
8. Certification to Plat
9. Utility Company GCI Approval of *prior* Preliminary Plan of Hemlock Subdivision Tract A and Lots 1 through 40



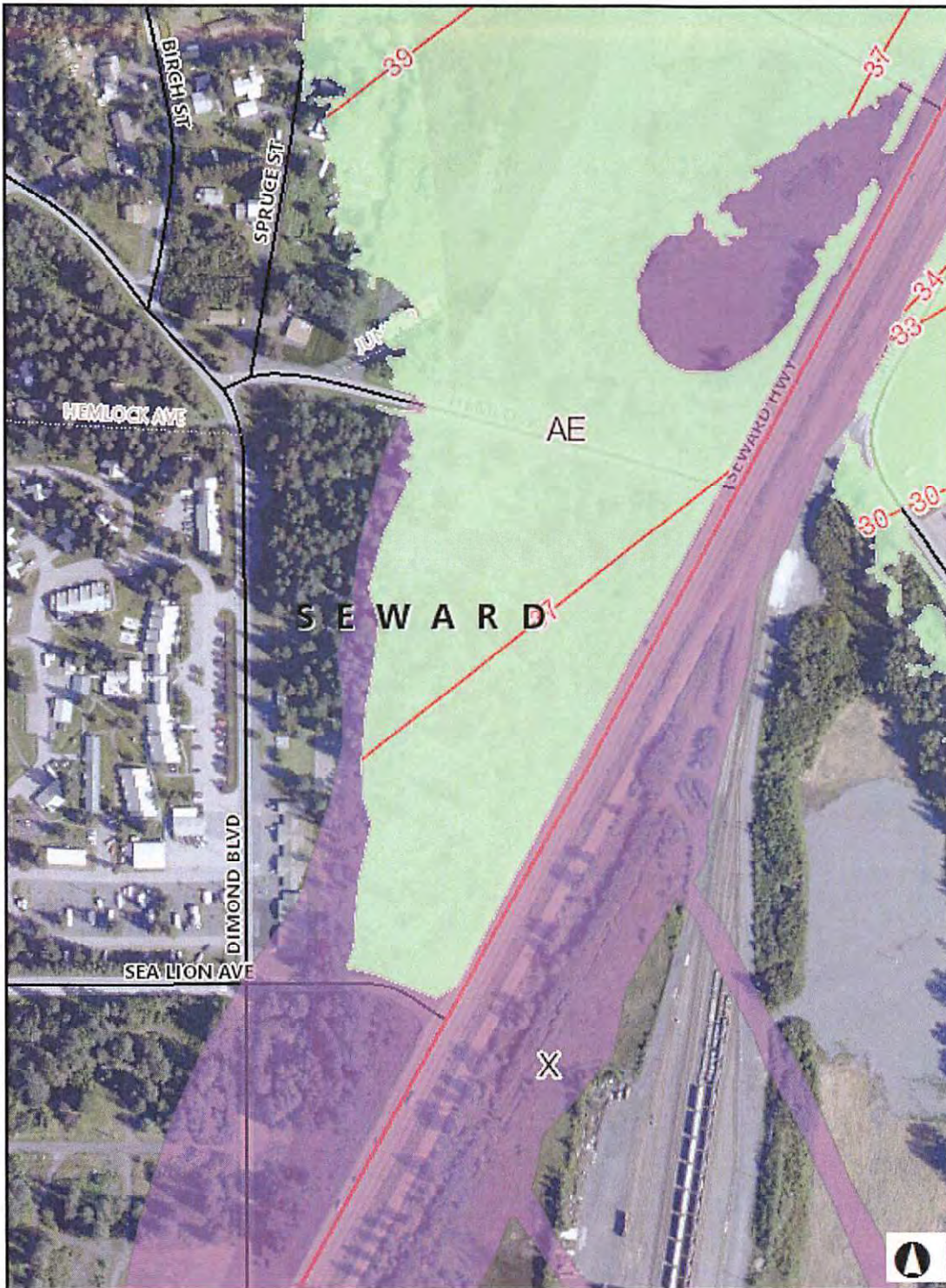
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Floodway Map for area of Preliminary Plat Hemlock Subdivision Tracts A & B



Legend

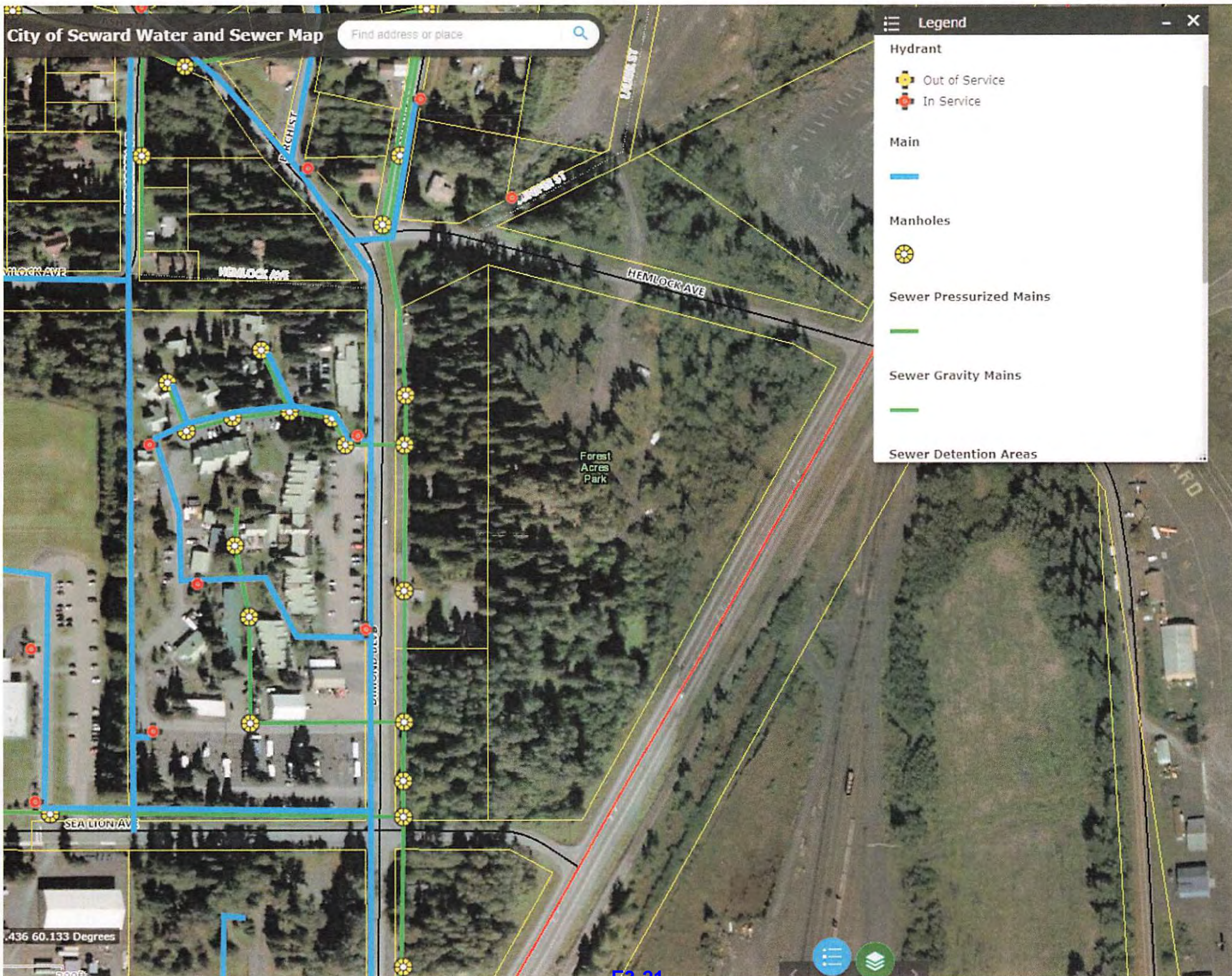
- 2021 Control
- SBCFSA Boundary
- City Limits
- Mileposts
- Base Flood Elevation (BFE)
- ▨ Floodway
- Special Flood Hazard Areas
 - A
 - AE
 - AH
 - AO
 - VE
 - X
- 2006 SEWARD FLOODING
- 1995 SEWARD FLOODING
- 1986 SEWARD FLOODING
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed

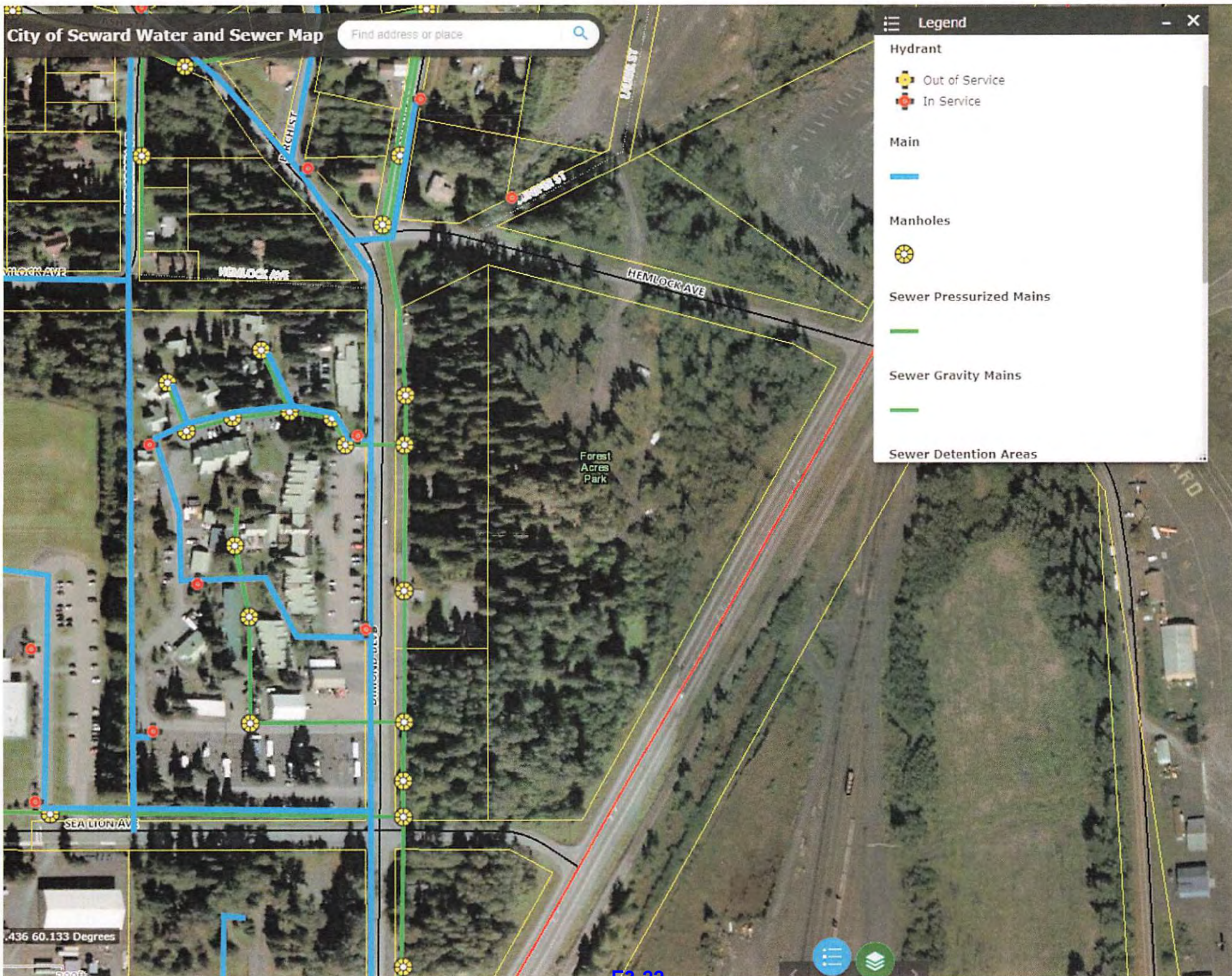
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. It is not to be used for navigation.

Notes

Proposed Hemlock Subdivision Tracts A & B is located north of Sea Lion Ave, east of Dimond Blvd, west of the Seward Hwy, and south of Hemlock Dr.

DATE PRINTED: 11/17/2022





CALL TO ORDER

The October 11, 2022 regular meeting of the Seward Planning & Zoning Commission was called to order at 7:00 p.m. by Chair Clare Sullivan.

OPENING CEREMONY

The commission 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

Courtney Bringham, City Planner

Brenda Ballou, City Clerk

Excused – Monaco

Absent – None

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

Carol Griswold, inside city limits, thought the draft Municipal Plan was a vast improvement over the 2014 plan; she hoped the commission consider incorporating some of her suggestions in the next iteration. She believed the Forest Acres Campground should remain a campground and not be sold.

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion (Charbonneau/Staggs)

Approval of Agenda and Consent Agenda

Motion Passed

Unanimous

The clerk read the following approved consent agenda items:

Approval of the August 2, 2022 Regular Meeting Minutes.

SPECIAL ORDERS, PRESENTATIONS AND REPORTS

Proclamations and Awards – None

City Administration Report. Community Development Director Jason Bickling stated the department had been busy preparing for tonight's meeting. He announced that on October 17, 2022 the commission would have a joint work session with the Seward Bear Creek Flood Service Area Board (SBCFSAB) at the Seward Community Library. He said the November 1, 2022 P&Z meeting would be rescheduled to November 8, 2022 and would also be held at the Seward Community Library.

Other Reports and Announcements – None

Presentations – None

PUBLIC HEARINGS

Resolutions Requiring Public Hearing

Resolution 2022-019, Recommending Kenai Peninsula Borough Approval Of The Preliminary Replat Of Gateway Subdivision, Amended Tract B; Located At 2109 Unimak Circle; Creating Gateway Subdivision 2022 Lindquist Addition, Lots 14-18, Block 8.

Motion to Approve (Charbonneau/Verhey) Approve Resolution 2022-019

City Planner Courtney Bringhurst 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.

Thomas Lindquist, outside the city, supported this resolution.

Carol Griswold, inside city limits, requested the parcel widths and frontages in the resolution be corrected to say 60 feet.

No one else appeared and the public hearing was closed.

Motion to Amend (Charbonneau/Verhey) **Amend Resolution 2022-019 in the 5th Whereas by striking the words "30'-60' and" and "respectively" so that it reads, "...the parcels widths and frontages meet the required minimum of 60'."**

Motion to Amend Passed **Unanimous**

Main Motion Passed **Unanimous**

Resolution 2022-020, Granting A Conditional Use Permit To Zimmerman Investments LLC To Construct A Tri-Plex On Lot 42, Block 2, Gateway Subdivision Addition No. 1; Located At 2007 Dunham Drive; Within A Multi-Family (R3) Zoning District.

Motion to Approve (Charbonneau/Staggs)

Approve Resolution 2022-020

Bringhurst 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.

Motion to Amend (Charbonneau/Verhey)

Amend Resolution 2022-020 to require a three-wall structure with a roof to house the bear-proof trash receptacles rather than a dumpster.

Motion to Amend Passed

Unanimous

Motion Passed

Unanimous

Resolution 2022-021, Recommending City Council And Kenai Peninsula Borough Approval Of The Preliminary Replat Of Fort Raymond Subdivision, Replat No. 1, Lot 12A; Located At 911 Hemlock Ave; Creating Hemlock Subdivision, Tracts A And B.

Motion to Approve (Charbonneau/Verhey)

Approve Resolution 2022-021

Bringhurst 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.

Carol Griswold, inside the city, said the preliminary plat needed to be corrected because it contained conflicting flood information wherein there were references indicating the property was not in a flood zone and other references indicating it was in a flood zone. As well, there were adjacent properties that had not included in the plat but which should be represented for accuracy. Griswold said the documentation was incomplete in other areas, as well.

Peggy Ventura, outside the city, had recently watched a documentary that gave her an appreciation about how important parks were to communities. She asked that this property be retained as a park so that visitors and locals alike could enjoy it year round. She said there were other places in town to develop housing, and if this area was destroyed it would never be regained. Ventura shared moments of observing wildlife and nature in this area.

Dave Hale, outside the city, represented R&M Consultants. He said replatting the property would not change the current use of the property; instead, the replat would allow the city to rezone the bike park as a park, which was what the community wanted.

No one else appeared and the public hearing was closed.

Staggs believed that retaining the property in its current form without replatting it would protect it the best. Unless there was the intention to develop this portion, he didn't see the point of replatting this property. He wished to keep the properties together and rezone them to park.

Charbonneau believed the bike park needed to be zoned as a park, and he thought the bike park portion needed to be separated from the campground property. He thought it made sense to separate the property into two parcels.

Motion Passed

**Yes: Verhey, Hornseth, Ulman,
Charbonneau, Sullivan
No: Staggs**

Resolution 2022-022, Recommending City Council Approval Of The Land Use Amendment To Rezone Proposed Tract B, Hemlock Subdivision; From An Institutional (INS) Zoning District To Park (P) Zoning District.

Motion to Approve (Verhey/Charbonneau)

Approve Resolution 2022-022

Bringhurst 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.

The commission suspended the rules to speak with Dave Hale from R&M Consultants.

Sullivan wished to clarify the impact of this resolution and the previous resolution.

R&M Consultant Dave Hale stated if this resolution was approved, it would rezone the southern tract, the bike park, to park; the northern tract, the campground, would remain institutional.

The commission went back on the rules.

Motion Passed

Unanimous

Resolution 2022-023, Recommending City Council Amend Portions Of Seward City Code; 15.10.140(B)(49) Definitions, Lodging; 15.10.226(B) Land Uses Allowed, Modifying And Including Additional Regulations Relating To Lodging, Short-Term Rentals; And 15.10.226 Land Uses Allowed Table.

Motion to Approve (Charbonneau/Staggs)

Approve Resolution 2022-023

Bringhurst recited the information in the agenda statement, reviewed the conditions being proposed, and recommended approval. Bringhurst called attention to the laydown provided which provided an alternate draft ordinance than what was included in the packet.

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

Carol Griswold, inside the city, supported the substitute ordinance, but requested that the definition for "Bed and Breakfast" be deleted because it was redundant to short term rental, that the commission modify the definition of "Short Term Rental", and that the Life Safety requirements be updated to align with Fire Department recommendations. In addition, she requested that the number of bedrooms be limited to three rather than five in principally residential zones.

No one else appeared and the public hearing was closed.

Motion to Amend (Charbonneau/Staggs)

Amend Resolution 2022-023 by adopting the substitute ordinance provided as a laydown.

Motion to Amend Passed

Unanimous

Motion to Amend (Charbonneau/Staggs)

Amend Resolution 2022-023 under SCC 15.10.226 (b) (6) by striking "five" and replacing it with "three".

Main Motion Passed

Unanimous

UNFINISHED BUSINESS – None

NEW BUSINESS

Resolutions

Resolution 2022-015, Recommending City Council Adoption Of The Municipal Lands Inventory And Management Plan – 2022 Update.

Motion to Approve (Verhey/Charbonneau)

Approve Resolution 2022-015

Bickling thanked the public for all their input, and appreciated all the work the commission had done on this document. He commended Planning Technician Selena Soto for the work she did on the mapping.

Bringhurst announced that the resolution number would be changed from 2022-015 to 2022-024 because the original resolution number was assigned some time ago when the resolution was expected to go before the commission; however, due to unforeseen delays, the resolution was coming tonight for the first time so Bringhurst wished to align the number to bring it current.

Sullivan stated this was a living document.

Motion Passed

Unanimous

INFORMATIONAL ITEMS AND REPORTS

Reminder: October 17, 2022 joint work session with the Seward Bear Creek Flood Service Area Board at 6:00 p.m. at the Seward Community Library.

Reminder: November 1, 2022 regular meeting at 7:00 p.m.

Bickling stated the November 1, 2022 meeting was rescheduled to November 8, 2022 and would be held at the Seward Community Library.

CITIZEN COMMENTS

Carol Griswold, inside the city, suggested the commission reconsider the Resolution 2022-021 for the bike park because the preliminary plat was simply not accurate. She also wished the definitions would be cleaned up in the lodging section of city code. Griswold appreciated the amendments to reduce the number of bedrooms from five to three. She suggested the language for a new owner being eligible to apply for a permit was currently misleading because it suggested the new owner was automatically eligible, not just eligible to apply.

Tim McDonald, inside the city, asked the commission to consider the boundaries of the city; his property straddled inside and outside city limits. He asked the commission to consider taking a position on annexing land outside city limits; he believed annexation would ultimately prove to be more beneficial to the annexed citizens. McDonald said the city was currently pressing him hard on various issues related to his property, he didn't think it was fair, and he believed there might be more people in that boat than just himself. He also thought that residents outside city limits should have a chance to cast their vote for city issues. He thought there was not enough land to develop housing inside the city.

COMMISSION AND ADMINISTRATION COMMENTS AND RESPONSES TO CITIZEN COMMENTS

Charbonneau thanked the Community Development Department for all their work. He thought they did a wonderful job.

Sullivan echoed those sentiments and thanked the staff for all their hard work.

ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

Brenda Ballou, MMC
City Clerk

(City Seal)

Clare Sullivan
Chair

**CITY OF SEWARD, ALASKA
RESOLUTION 2022-115**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, RECOMMENDING KENAI PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY REPLAT OF FORT RAYMOND SUBDIVISION, REPLAT NO. 1, LOT 12A; LOCATED AT 911 HEMLOCK AVE; CREATING HEMLOCK SUBDIVISION, TRACTS A AND B

WHEREAS, on September 12, 2022, the City Council passed Resolution 2022-097 authorizing the City Manager to execute a task order with R&M Consultants, Inc. to replat and rezone Lot 12A, Fort Raymond Subdivision, Replat No 1. also known as 911 Hemlock Ave; and

WHEREAS, October 11, 2022, the Seward Planning and Zoning Commission passed Resolution 2022-021, recommending City Council and Kenai Peninsula Borough approval of the preliminary replat of Fort Raymond Subdivision, Replat No. 1, Lot 12A; and

WHEREAS, this replat will separate the Forest Acres campground from the Seward Community Bike Park by creating Hemlock Subdivision, Tracts A and B; and

WHEREAS, the current Lot 12A is 11.57 acres; and

WHEREAS, proposed Tract A will be 8.227 acres and continue to host the Forest Acres campground; and

WHEREAS, proposed Tract B will be 3.337 acres and continue to host the Seward Community Bike Park; and

WHEREAS, the parcels are currently zoned Institutional (INS); and

WHEREAS, administration has determined that a subdivision agreement is not required as the intended use for each proposed Tract will not change; and

WHEREAS, if at some time in the future Tract A is sold with a sound development plan, a subdivision agreement will be required to satisfy Seward City Code §16.01.010.

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

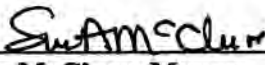
Section 1. The Seward City Council hereby recommends Kenai Peninsula Borough approval of the Preliminary Replat of Fort Raymond Subdivision, Replat No. 1, Lot 12A; Located at 911 Hemlock Ave; Creating Hemlock Subdivision, Tracts A and B.

**CITY OF SEWARD, ALASKA
RESOLUTION 2022-115**

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

PASSED AND APPROVED by the City Council of the City of Seward, Alaska, this 28th day of November, 2022.

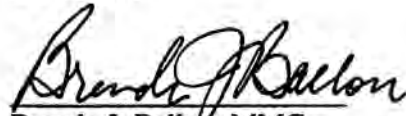
THE CITY OF SEWARD, ALASKA



Sue McClure, Mayor

AYES: Calhoon, Wells, Barnwell, Finch, DeMoss, McClure
NOES: None
ABSENT: Osenga
ABSTAIN: None

ATTEST:



Brenda J. Ballou, MMC
City Clerk



**CITY OF SEWARD, ALASKA
RESOLUTION 2022-097**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA, AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER 2734.26 WITH R&M CONSULTANTS FOR THE REZONE AND REPLAT OF THE FOREST ACRES CAMPGROUND AND BIKE PARK (LOT 12A, FORT RAYMOND SUBDIVISION, REPLAT NO. 1 (PLAT NO. 87-12), PHYSICAL ADDRESS 911 HEMLOCK AVE.) IN THE AMOUNT NOT TO EXCEED \$33,985 AND APPROPRIATING FUNDS

WHEREAS, the City of Seward owns the Fort Raymond Property at 911 Hemlock Avenue, which consists of the Forest Acres Campground and the Seward Bike Park; and

WHEREAS, re-platting the parcel into two smaller parcels, and re-zoning the Seward Bike Park from Institutional (INS) to Parks (P) is the forthcoming recommendation from the Planning and Zoning Commission in the Municipal Lands Inventory and Use Plan; and

WHEREAS, the replat and rezone of this property is the next step to make best use of this property for the community.

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

Section 1. The City Manager is authorized to execute the task order 2734.26 with R&M Consultants for the replat of the Forest Acres Campground and Bike Park (Lot 12A, Fort Raymond Subdivision, Replat No. 1 (Plat No. 87-12), physical address 911 Hemlock Ave.)

Section 2. Funding in the amount of \$33,985.00 is hereby appropriated from General Fund Unassigned Fund Balance account no. 01000-0000-3400 to Community Development Contracted Services account no. 01000-1122-7009 within the 2022 operating budget.

Section 3. This resolution shall take effect immediately upon adoption.

PASSED AND APPROVED by the City Council of the City of Seward, Alaska, this 12th day of September, 2022.

THE CITY OF SEWARD, ALASKA


Christy Terry, Mayor

**CITY OF SEWARD, ALASKA
RESOLUTION 2022-097**

AYES: McClure, Osenga, Calhoon, DeMoss, Terry
NOES: Casagrande
ABSENT: Wells
ABSTAIN: None

ATTEST:



Brenda J. Ballou/MMC
City Clerk

(City Seal)



**CITY OF SEWARD, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION 2022-021**

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 FORT RAYMOND SUBDIVISION, REPLAT NO. 1, LOT 12A; LOCATED AT 911 HEMLOCK AVE; CREATING HEMLOCK SUBDIVISION, TRACTS A AND B.

WHEREAS, R&M Consultants, Inc, on behalf of the City of Seward has submitted a preliminary replat to the City of Seward for review and recommendation to the City Council and Kenai Peninsula Borough; and

WHEREAS, on September 12, 2022, the City Council passed Resolution 2022-097 authorizing the City Manager to execute a task order with R&M Consultants to replat and rezone Lot 12A, Fort Raymond Subdivision, Replat No 1. also known as 911 Hemlock Ave; and

WHEREAS, this replat will separate the Seward Community Bike Park from Forest Acres campground by creating Hemlock Subdivision, Tracts A and B; and

WHEREAS, the current City property is 11.57 acres; and

WHEREAS, proposed Tract A will be 8.227 acres and continue to host the Forest Acres campground; and

WHEREAS, proposed Tract B will be 3.337 acres and continue to host the Seward Community Bike Park; and

WHEREAS, the parcels are currently zoned Institutional (INS); and

WHEREAS, administration has determined that a subdivision agreement is not required as the intended use for each proposed Tract will not change; and

WHEREAS, if at some time in the future Tract A is sold with a sound development plan, a subdivision agreement will be required to satisfy Seward City Code §16.01.010; 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.

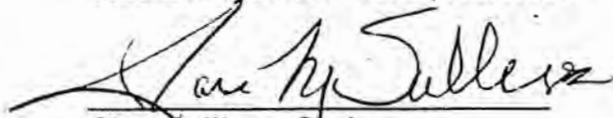
NOW, THEREFORE, BE IT RESOLVED by the Seward Planning and Zoning Commission that:

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 Fort Raymond Subdivision, Replat No. 1, Lot 12A; Located at 911 Hemlock Ave; Creating Hemlock Subdivision, Tracts A and B.

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

PASSED AND APPROVED by the Seward Planning and Zoning Commission this 11th day of October, 2022.

THE CITY OF SEWARD, ALASKA


Clare Sullivan, Chair

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

ATTEST:


Brenda Ballou, MMC
City Clerk

(City)

