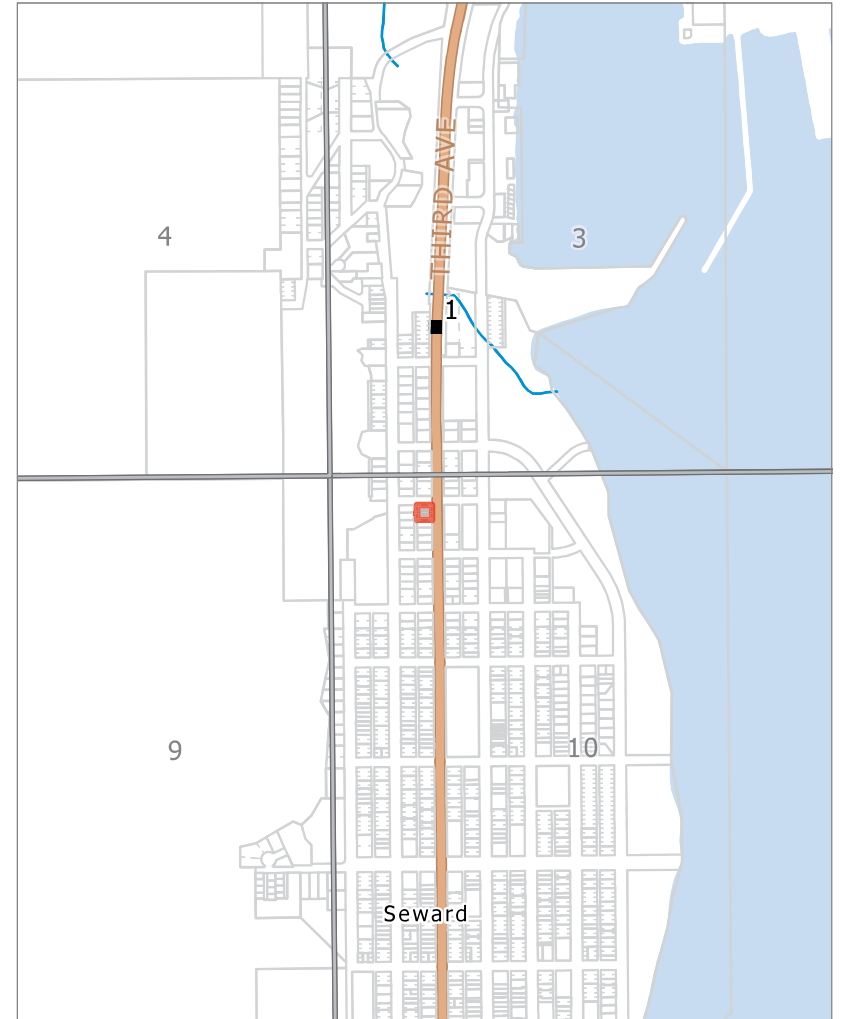
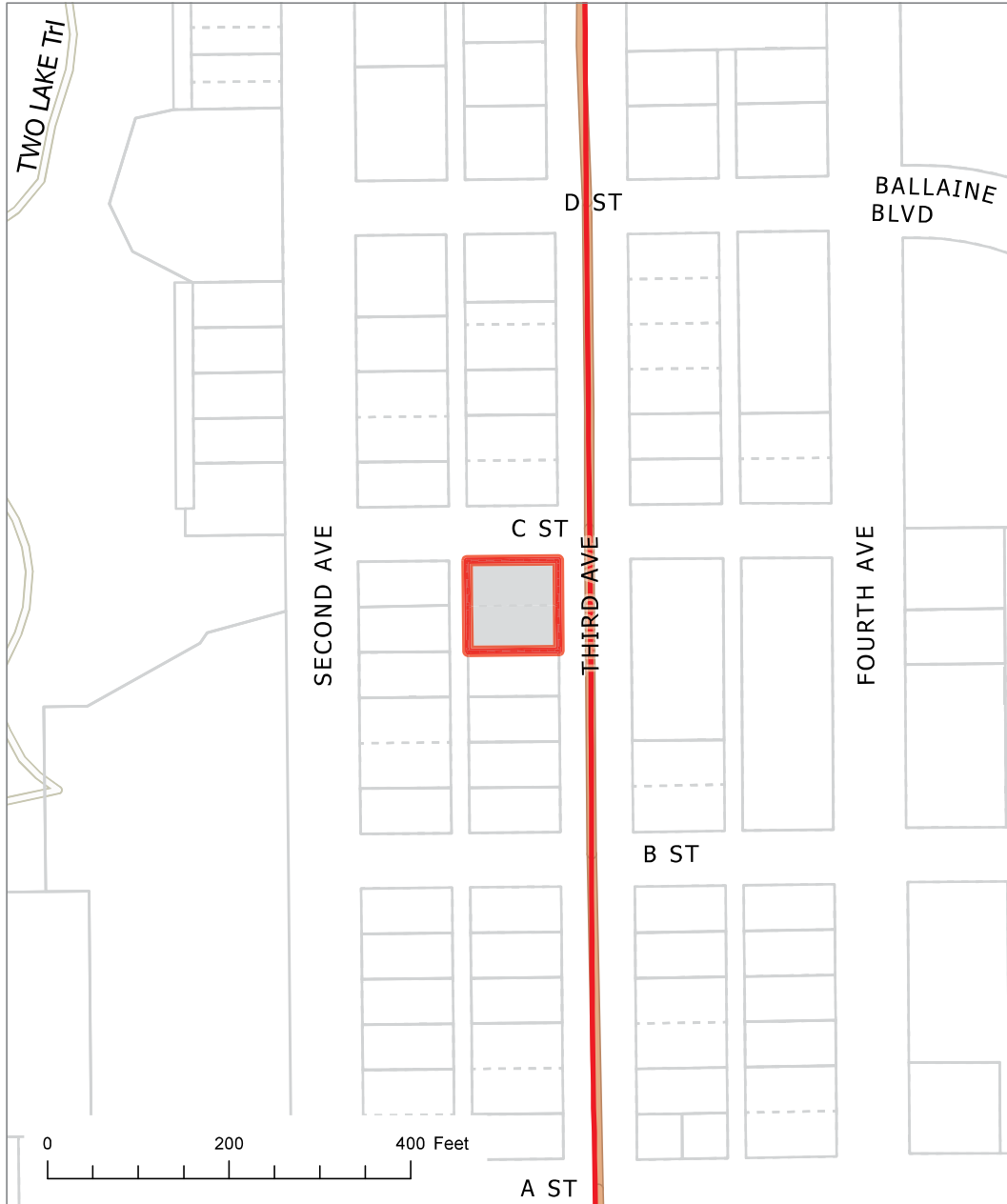
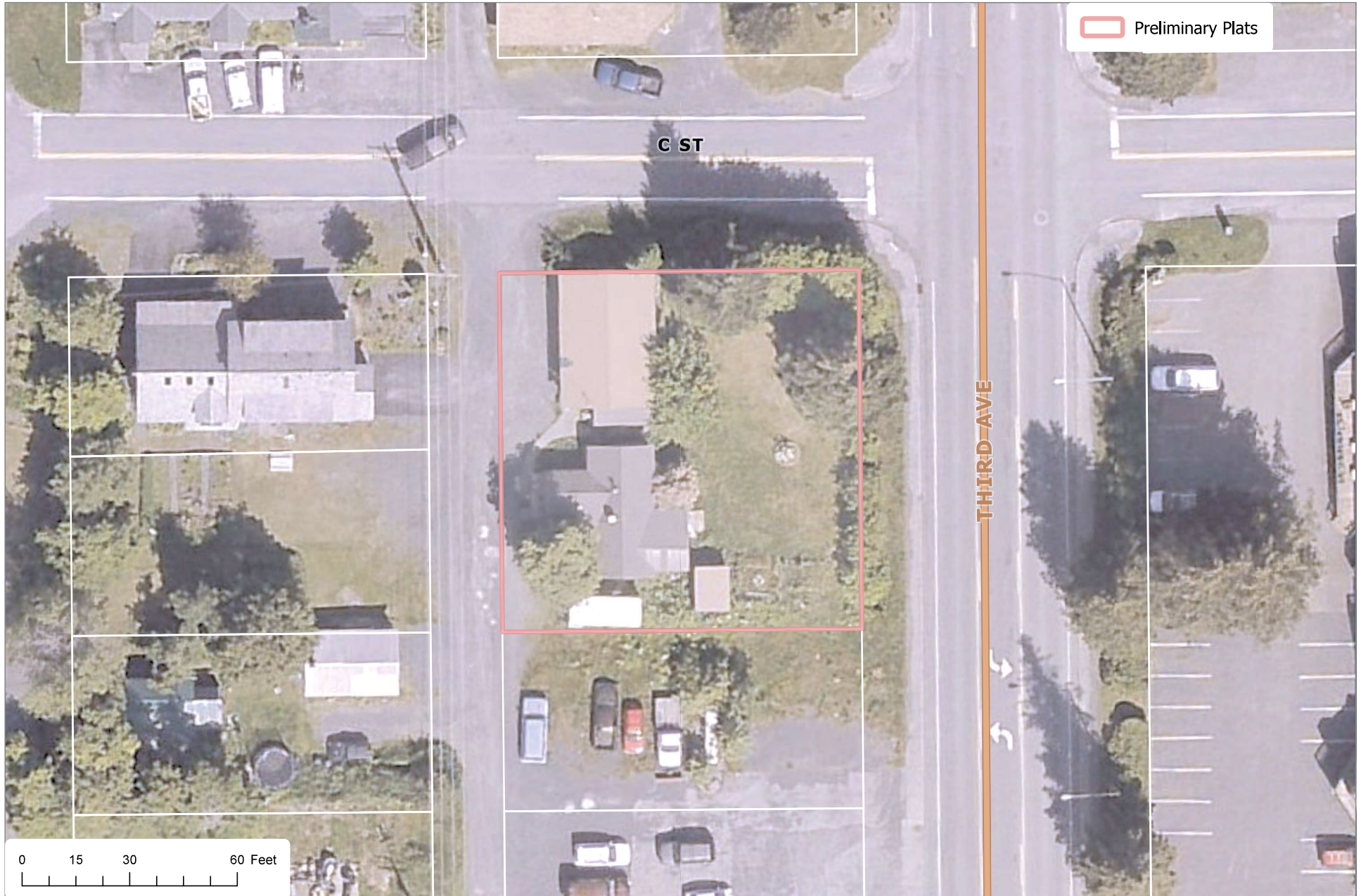


E. NEW BUSINESS

- 1. Federal Addition to Seward Saltwater Safari Replat;
KPB File 2022-184
Lang & Associates Inc.
Saltwater Safari Properties LLC
Location: C Street & Third Avenue
City of Seward**



KPB File # 2022-184
S10 T01S R01W
Seward



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

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (we), hereby certify that I (we) 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

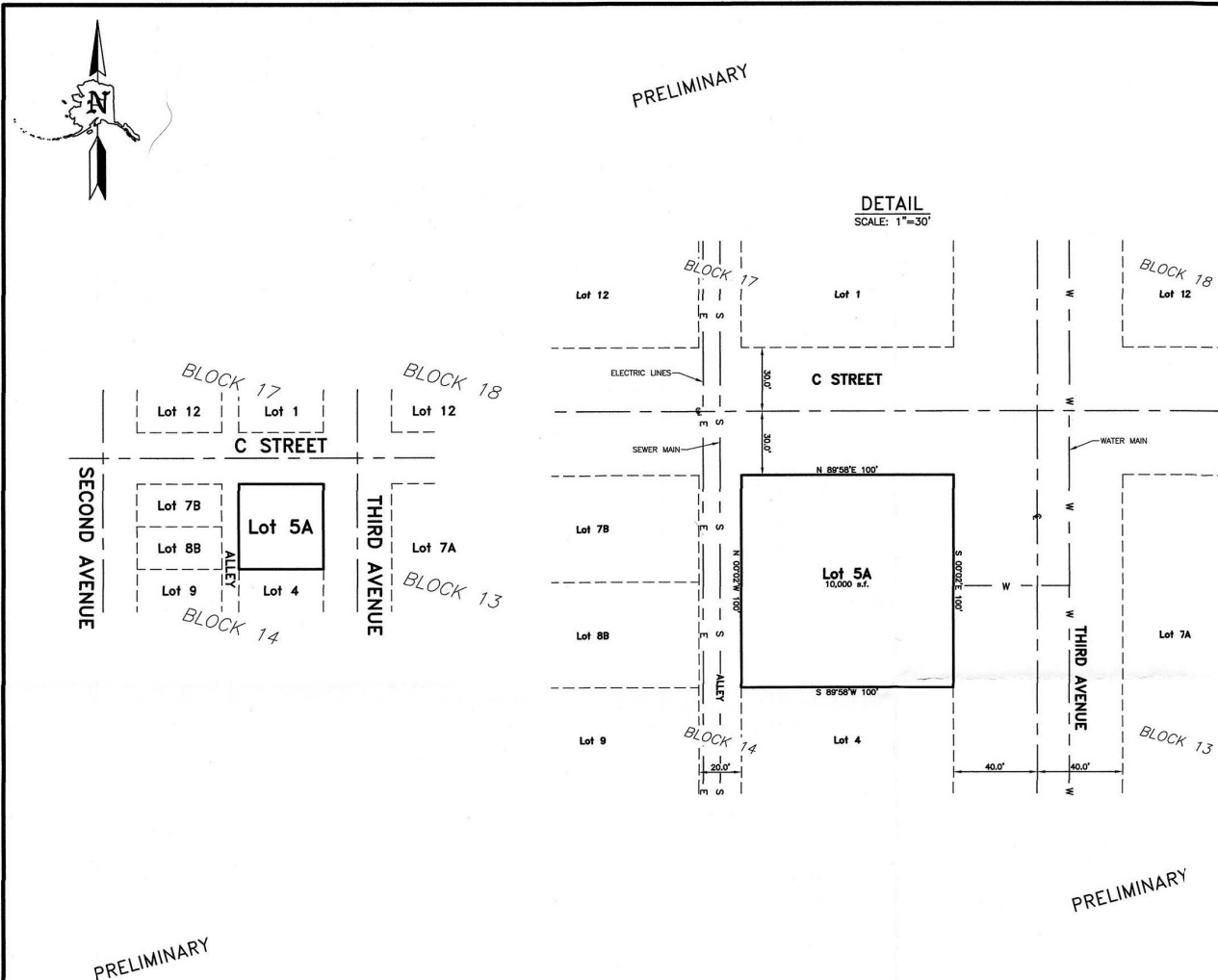
ROBERT CANDOPOULES, MEMBER
SALTWATER SAFARI PROPERTIES LLC
P.O. Box 1689
Seward, AK 99664

Notary Acknowledgement

for _____ Subscribed and

sworn to before me this _____ day _____

Notary Public for the State of Alaska My Commission Expires _____



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 _____



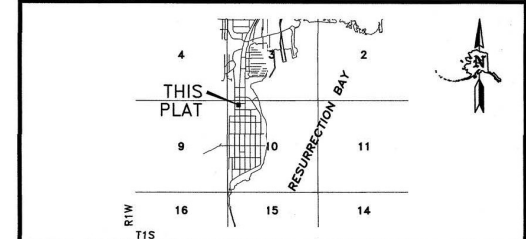
WASTEWATER DISPOSAL

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

NOTES

- 1) The purpose of this plat is to vacate the interior lot line of Lots 5 and 6, Block 14, Federal Addition to Seward (Plat No. 4).
- 2) This parcel is subject to the City of Seward zoning and land use regulations.

Vicinity Map Scale: 1" = 1 Mile



**PLAT OF
FEDERAL ADDITION TO SEWARD
SALTWATER SAFARI REPLAT**

Lot 5A, Block 14 - CONTAINING 0.230 Acres
A RESUBDIVISION OF Lots 5 & 6, Block 14

FEDERAL ADDITION TO SEWARD (Plat No. 4)
LOCATED WITHIN THE N.W. 1/4, SECTION 10, T1S, R1W,
SEWARD MERIDIAN, ALASKA
KENAI PENINSULA BOROUGH

SEWARD RECORDING DISTRICT

Lang & Associates, Inc.

Professional Land Surveyors
11500 Daryl Avenue
Anchorage, Alaska 99515-3049
(907) 522-6478
ken@langsurvey.com
jonathan@langsurvey.com
State of Alaska AECC963

Owner

SALTWATER SAFARI
PROPERTIES LLC
P.O. Box 1689
Seward, AK 99664

GRID: N/A SCALE: 1" = 30' DATE: OCTOBER 2022
DRAWN: JCL SHEET 1 OF 1 PROJECT #: 22-667

JOB FILE: L22667pp.dwg

AGENDA ITEM E. NEW BUSINESS

ITEM 1 - FEDERAL ADDITION TO SEWARD SALTWATER SAFARI REPLAT

KPB File No.	2022-184
Plat Committee Meeting:	January 23, 2023
Applicant / Owner:	Saltwater Safari Properties, LLC of Seward, Alaska
Surveyor:	Ken Lang / Lang & Associates, inc.
General Location:	C Street, Third Avenue, City of Seward

Parent Parcel No.:	147-140-05
Legal Description:	Lot 5 and Lot 6 Block 14, Federal Addition to Seward, SW 4
Assessing Use:	Residential
Zoning:	Auto-Commercial (AC)
Water / Wastewater	City

STAFF REPORT

Specific Request / Scope of Subdivision: The proposed plat combine two lots into one lot that will be 10,000 square feet in size (.23 acres).

Location and Legal Access (existing and proposed): The proposed subdivision is located on the corner of C Street and Third Avenue in the City of Seward. Third Avenue is also known as part of the Seward Highway and is maintained by the State of Alaska. The subdivision is near mile .75 of the Seward Highway. Third Avenue/Seward Highway has an 80 foot wide dedication adjacent to the subdivision. The subdivision is on the corner of Third Avenue and C Street. C Street is a Seward managed right-of-way that is constructed and has a 60 foot wide dedication. Along the western boundary of the subdivision is a 20 foot wide alley.

The alley appears to be the current access to the lots within the subdivision. Any other access will require approval from State of Alaska DOT or City of Seward depending on the access desired.

Not using the alley for defining the block, the block is short of the code allowed block lengths. C Street, Second Avenue, B Street, and Third Avenue define the closed block. The distance between Second Avenue and Third Avenue is approximately 300 feet. The distance between C Street and B Street is approximately 350 feet.

KPB Code 20.30.170 states a block should be no less than 330 feet and along state maintained road no less than 800 feet. This plat is only proposing to combine two lots and has right-of-way along three sides. ***Staff recommends the plat committee concur that an exception is not required as there is no option to increase the block length with this platting action.***

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Painter, Jed Comments: No comments
SOA DOT comments	The ROW for Third Avenue/Seward Highway appears to be shown correctly.

Site Investigation: There are no low wet areas within the subdivision boundary. The terrain is relatively flat. The property is within Floodplain Zone X, which is minimal flood risk and is non-regulatory. No additional plat notes or depictions are required.

The property contains multiple structures and per the City of Seward Agenda Statement it is a single family dwelling and a garage. The owner of the property has received a Conditional Use Permit from the City of Seward to construct a 9-plex with crew housing. Per the City of Seward Code, only single-family residence can be constructed across platted lot lines. This replat will allow for the construction of the approved building to be within parent Lots 5 and 6.

Some of the structures appear very close to the property lines. **Staff recommends building locations be verified to determine if any encroachments exist.**

KPB River Center review	<p>A. Floodplain Reviewer: Carver, Nancy Floodplain Status: Not within flood hazard area 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	

Staff Analysis The proposed plat is a replat to combine two lots that were part of the Federal Addition to Seward, Plat SW No. 4. The survey was performed in 1915 and approved in 1916.

The KPB Assessing records currently show the lots as one parcel. This was a former practice for some of the smaller lots in the borough to only provide one tax bill. In many cases this assisted when structures were built straddling the lot lines. While shown as one parcel they are legal two lots and this platting process will officially combine them into one lot.

Water and sewer are available to the lot. A soils report will be not be required. An installation agreement will need to be provided by the City of Seward or documentation that one is not required.

Per KPB 20.60.200(A), a survey must be performed except when the only purpose is to eliminate existing property lines. It is not disclosed if a field survey will be performed. If a field survey is not performed all record data must be provided and any computed distances that differ from record should be shown. This includes ties to GLO/BLM monuments. **Staff recommends if a field survey is not performed, provide all record data versus computed and add a plat note "A field survey was not performed in accordance with KPB 20.60.200(A). All information presented is from record data as cited."**

While a survey may not be required there are concerns regarding structures being close to lot lines. **Staff recommends the locations of structures be verified to make sure no encroachments exist.**

The preliminary plat has a small depiction with a detail with utilities shown. **Staff recommends the smaller depiction is not required and unless being used to grant an easement, the utility information may be removed from the final.**

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 preliminary plat is within the City of Seward. The City of Seward Planning and Zoning Commission held a hearing on the plat at their November 8, 2022 meeting. The City of Seward Planning and Zoning Commission adopted their Resolution 2022-028 to recommend approval to the Kenai Peninsula Borough Planning Commission.

Utility Easements There are no platted easements to carry over. The Certificate to Plat did not indicate any recorded easements for the property.

Per KPB Code 20.30.0609(D), the front ten feet adjoining rights-of-way shall be designated as a utility easement. The plat does not indicate the intent to grant the easement and an exception was not requested. Per the same portion of code, if within the boundaries of an incorporated city, the width and location of utility easements may be determined by the city and affected utility providers. The information presented by the City of Seward Planning and Zoning Commission did not discuss the utility easements or a desire to reduce the code minimum of 10 feet. **Staff recommends the plat grant the minimum 10 foot utility easements unless documentation is provided that the City of Seward wishes to reduce the amount or locations and all utility providers in the area agree to the changes.**

If utility easements are being granted by this plat, the location of structures will need to be determined if they are within the easements. If so, they will predate the creation of the easements and will require to be shown on the plat and additional plat notes to be added.

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's service area. No comments
ENSTAR	No comments or recommendations
ACS	ACS has no plants in Seward area. No objections
GCI	Approved as shown
SEWARD ELECTRIC	
CHUGACH ELECTRIC	No comments. Not located in our service area.
TELALASKA	

KPB department / agency review:

Addressing	Reviewer: Haws, Derek Affected Addresses: 809 THIRD AVE Existing Street Names are Correct: Yes List of Correct Street Names: C ST SECOND AVE THIRD AVE 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 addresses.
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Planner	Reviewer: Raidmae, Ryan

	<p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments: There are not any material site issues with this proposed plat. 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**

Legend will be needed.

Monumentation should be shown whether set, found, or record.

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 "City of Seward" to where it is located.

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 7B and 8B to the west and Lot 7A to the east have been replatted and their most recent plat information should be shown. This can be the name of the subdivision, the plat recording number, or a combination of both. Any lots that are from the same parent plat as the lots being replatted do not need a label.

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

Staff recommendation: A block label within the lot will be required to carry over the block designation.

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: City water and sewer available. Soils report will not be required. As the lots will be connecting to an existing system and on site will note be available, the plat note should be updated to "Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation."

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 or documentation that one is not required will need to be submitted.

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 Seward Planning and Zoning Commission Conditional Use Permit No. 2022-004 recorded June 13, 2022 as Serial Number 2022-000583-0, Seward Recording District.
- The front 10 feet adjoining rights-of-way are designated utility easements as 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.

Additional notes may be required in regards to any possible encroachments and/or utility easements.

20.60.190. Certificates, statements, and signatures required.

Staff recommendation: The current Notary Acknowledgment is a combination of acknowledgement and jurat. Either change to a Notary Jurat or remove "sworn" form the acknowledgment. The Certificate of ownership will require rewording. "I, hereby certify that Saltwater Safari Properties, LLC is the owner of the real property shown and described hereon and that I, on behalf of Saltwater Safari Properties, LLC, hereby adopt this plan of subdivision and by my free consent dedicate all rights-of-way and public areas to public use and grant all easements to the use shown." Additional documentation will be required to verify who is allowed to sign on behalf of the LLC and if additional member signatures will be required. If so the certificate of ownership should be changed to plural pronouns. 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



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

Plat of FEDERAL ADDITION

TO
SEWARD
T1S R1W Seward Meridian
ALASKA

Scale: 1 inch = 100 feet

Survey commenced July 22, 1915 completed August 12, 1915

Total area 66.55 acres

Survey No. 1116

DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE

I hereby certify that this plat of Federal Addition to Seward in T1S, R1W, Seward Meridian, Alaska, as surveyed under instructions dated July 16, 1915 by J. Frank Warner and V.H. Wilhelm, U.S. Surveyors in accordance with the provisions of the act of March 12, 1914 (38 Stats.) is strictly conformable to the field notes of the survey thereof on file in this office which have been examined and approved.

Washington, D.C.

Approved May 22, 1916.

Thelious C. Edes
Chief of Alaska Engineering Commission

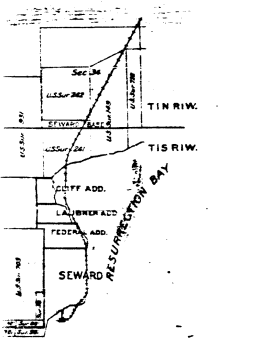
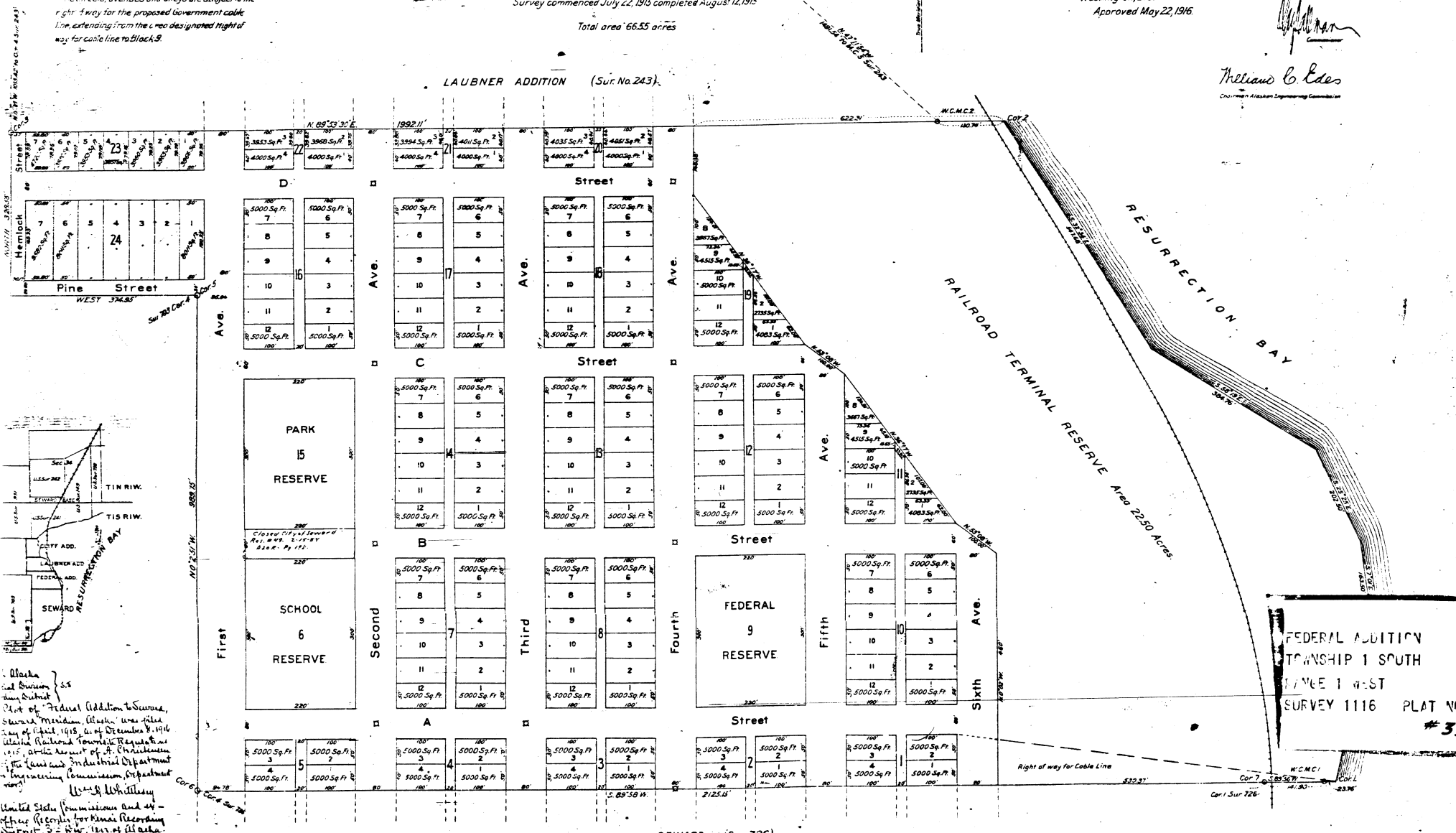
LEGEND

Block corners are for posts 3x3x30 inches.
Lot corners are for posts 1 1/2 x 1 1/2 x 30 inches.
Solid iron bits 2 inch diameter, 8 inches long sunk 2 feet below the ground are located at the intersection of center lines of streets and indicated thus: □

Note:

The streets, avenues and alleys are subject to the right of way for the proposed Government cable line, extending from the line designated Right of way for cable line to Block 9.

LAUBNER ADDITION (Sur. No. 243)



Alaska
Federal Addition to Seward
Seward Meridian, Alaska
July 16, 1915
J. Frank Warner and V.H. Wilhelm
U.S. Surveyors

FEDERAL ADDITION
TOWNSHIP 1 SOUTH
RANGE 1 WEST
SURVEY 1116 PLAT NO. 4
#31

SEWARD (Sur. 726)

EL-11

Charbonneau stated that the proposed rezone does not support the Comprehensive Plan, and that the lot could have been used for potential homes. He agreed with Griswold that the area where the lot was located was steep and possibly not a good area for housing development. He stated that the area would be better for boat storage in case of possible flooding.

Verhey stated that the zoning map showed the lots on the north side of the proposed rezone as resource management so the rezone would not necessarily be a spot zone.

Motion Passed

Unanimous

Resolution 2022-027, A Resolution of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending City Council Amend Portions of Seward City Code, 15.25 Floodplain Management, Adopting Recommended Language and Regulations from the Federal Emergency Management Agency (FEMA).

Motion to Approve (Charbonneau/Monaco)

Approve Resolution 2022-027

Bringhurst stated that the portion of code relating to floodplain development has not been updated since 2016. The Commission's joint work session held on October 17, 2022 with the Seward Bear Creek Flood Service Area reviewed the model ordinance sent by FEMA. After that work session, Bringhurst reached out to the City's FEMA representative to clarify a few points on the model ordinance. The FEMA representative has not responded yet so she recommended a postponement on Resolution 2022-027.

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 Postpone (Charbonneau/Ulman)

Postpone Resolution 2022-027 until FEMA representative responds to questions.

Motion Passed

Unanimous

UNFINISHED BUSINESS – None

NEW BUSINESS

Resolutions

Resolution 2022-028, A Resolution of the Planning and Zoning Commission of the City of Seward, Alaska, Recommending Kenai Peninsula Borough Approval of the Preliminary Replat of Lots 5 & 6, Block 14, Original Townsite of Seward, Federal Addition, Vacating the Interior Lot Line and Creating One Lot to be known as, Lot 5A, Block 14, Original Townsite of Seward, Federal Addition, Saltwater Safari Replat.

Motion to Approve (Charbonneau/Monaco)

Approve Resolution 2022-028

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

Motion Passed

Unanimous

Other New Business Items

Set topic for November 15, 2022 work session.

Bickling stated that a lot of these topics have come up throughout the year and gave a quick review of each topic.

The commission discussed the priorities and asked staff to pick a topic. Charbonneau mentioned he would like to see the Fourth of July Beach/Spring Creek campground parking addressed this winter.

Discuss cancelling the December 20, 2022 work session.

Charbonneau mentioned he would be here all December. Monaco stated she would be here as well.

Bickling stated he would reach out to the other commissioners to see their availability for the work session.

Discuss adjusting January meeting dates.

Bickling suggested moving the January meeting dates back a week since the January 3, 2023 meeting was so close to a holiday.

INFORMATIONAL ITEMS AND REPORTS

Reminder: November 15, 2022 regular Planning and Zoning Work Session at 6:00 p.m. in the Council Chambers, City Hall.

Reminder: December 6, 2022 regular meeting at 7:00 p.m.

CITIZEN COMMENTS

Carol Griswold, inside city limits, stated that she was pleased with some of the commissioners' findings with Resolution 2022-025 where the rezone would be a better fit to resource management as the elevation of that lot was lower. However, she was unhappy with the preliminary replats as the replats should contain more information. She stated that the commissioners should request for utility easements to be placed on the preliminary replats in order to plan for the future.

Planning and Zoning Agenda Statement



Meeting Date: November 8, 2022

To: Planning and Zoning Commission

Through: Jason Bickling, Community Development Director

From: Courtney Bringhurst, Planner

Agenda Item: Resolution 2022-028: Recommending Kenai Peninsula Borough Approval of the Preliminary Replat of Lots 5 & 6, Block 14, Original Townsite of Seward, Federal Addition, Vacating the Interior Lot Line and Creating One Lot to be known as, Lot 5A, Block 14, Original Townsite of Seward, Federal Addition, Saltwater Safari Replat

Background and justification:

Attached for the Commission's review and recommendation to the Kenai Peninsula Borough Planning Commission is a preliminary replat submitted by Saltwater Safari Properties LLC. This platting action will create a single lot by vacating the interior lot line of Lots 5 & 6, Block 14, Original Townsite of Seward, Federal Addition.

This parcel is located at 809 Third Ave. A vacant single-family dwelling and garage are currently located on the property. Saltwater Safari Properties LLC has received a Conditional Use Permit to construct a 9-Plex with crew housing on this property.

Seward City Code 12.01.030 states that "No building, except a single-family residence, may be constructed across platted property lines." This requires Saltwater Safari Properties LLC to remove the interior lot line in order to construct the 9-Plex with crew housing.

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 Auto-Commercial (AC).

Size: The lot is 10,000 square feet (Required: Minimum of 9,000 s.f.)

Utilities: The lots currently have access to water, sewer, and electric.

Existing Use: There is currently a vacant single-family dwelling and garage located on the property.

Access: Primary access to the lot will be from Third Ave and C Street.

Flood Zone: According to the Kenai Peninsula Borough Floodplain map, the lot is not within a Flood Zone.

Comprehensive and Strategic Plan Consistency Information

This legislation is consistent with (citation listed):

Comprehensive Plan: Vol 1, Chapter 2.2.11 – “Promote infill development by encouraging and promoting construction on vacant sites in areas of the City which are already established.”
 Vol 1, Chapter 3.2.1 – “Promote residential and commercial development within the City of Seward and its vicinity in accordance with community values.”
 Vol 1, Chapter 3.3.1 – “Encourage development of new housing in Seward.”

Strategic Plan: Promote Residential and Commercial Development Inside the City (Page 9-10)
 • Encourage construction of residential and seasonal housing at all market levels
 Promote in-fill development by encouraging and promoting construction on vacant sites in already established areas of the City. (Page 10)

Staff Comments

Department	Comments	No Comment	N/A
Building Department		X	
Fire Department		X	
Public Works Department		X	
Harbor Department		X	
Police Department		X	
Electric Department		X	
Telecommunications		X	

Public Comment

Seward City Code 16.01.015(f) states that “a plat submitted to create a single parcel through the vacation of interior lot lines shall be exempt from subsection (c), public posting, (d), proof of posting and (e), notification of property owners.”

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 2022-028, recommending Kenai Peninsula Borough Approval of the Preliminary Replat of Lots 5 & 6, Block 14, Original Townsite of Seward, Federal Addition, Vacating the Interior Lot Line and Creating One Lot to be known as, Lot 5A, Block 14, Original Townsite of Seward, Federal Addition, Saltwater Safari Replat

Sponsored by: Applicant

**CITY OF SEWARD, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION 2022-028**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF
THE CITY OF SEWARD, ALASKA RECOMMENDING KENAI
PENINSULA BOROUGH APPROVAL OF THE PRELIMINARY REPLAT
OF LOTS 5 & 6, BLOCK 14, ORIGINAL TOWNSITE OF SEWARD,
FEDERAL ADDITION, VACATING THE INTERIOR LOT LINE AND
CREATING ONE LOT TO BE KNOWN AS, LOT 5A, BLOCK 14,
ORIGINAL TOWNSITE OF SEWARD, FEDERAL ADDITION,
SALTWATER SAFARI REPLAT**

WHEREAS, Saltwater Safari Properties LLC has submitted a preliminary replat to the City of Seward for review and recommendation to the Kenai Peninsula Borough; and

WHEREAS, the physical location of this platting action is 809 Third Ave; and

WHEREAS, this replat will vacate the interior lot line, creating one lot to be known as Lot 5A, Block 14, Original Townsite of Seward, Federal Addition, Saltwater Safari Replat; and

WHEREAS, the parcel is zoned Auto-Commercial (AC); and

WHEREAS, Seward City Code 12.01.030 states that “No building, except a single-family residence, may be constructed across platted property lines”; and

WHEREAS, Saltwater Safari Properties LLC has received a Conditional Use Permit to construct a 9-Plex with crew housing on Lots 5 & 6; and

WHEREAS, the interior lot line between Lots 5 & 6 must be removed through a replat of the property before construction may begin; and

WHEREAS, the proposed Lot 5A will be 10,000 square feet, which meets the required minimum buildable lot size of 9,000 square feet; and

WHEREAS, the lot width meets the required minimum of 30’; and

WHEREAS, the lot currently has access to a platted public right-of-way as well as all public utilities; and

WHEREAS, Seward City Code §16.01.015(f), states that “a plat submitted to create a single parcel through the vacation of interior lot lines shall be exempt from subsection (c), public posting, (d), proof of posting and (e), notification of neighboring property owners”; and

WHEREAS, it is the Planning and Zoning Commission’s responsibility to act in an

advisory capacity to 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 Kenai Peninsula Borough approve the submittal of the replat of Lots 5 & 6, Block 14, Original Townsite of Seward, Federal Addition, vacating the interior lot line and creating one lot to be known as, Lot 5A, Block 14, Original Townsite of Seward, Federal Addition, Saltwater Safari Replat.

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

PASSED AND APPROVED by the Seward Planning and Zoning Commission this 8th day of November, 2022.

THE CITY OF SEWARD, ALASKA

Vanessa Verhey, Vice Chair

AYES: Charbonneau, Ulman, Monaco, Verhey

NOES:

ABSENT: Hornseth, Staggs, Sullivan

ABSTAIN:

VACANT:

ATTEST:

Brenda Ballou, MMC
City Clerk

(City Seal)