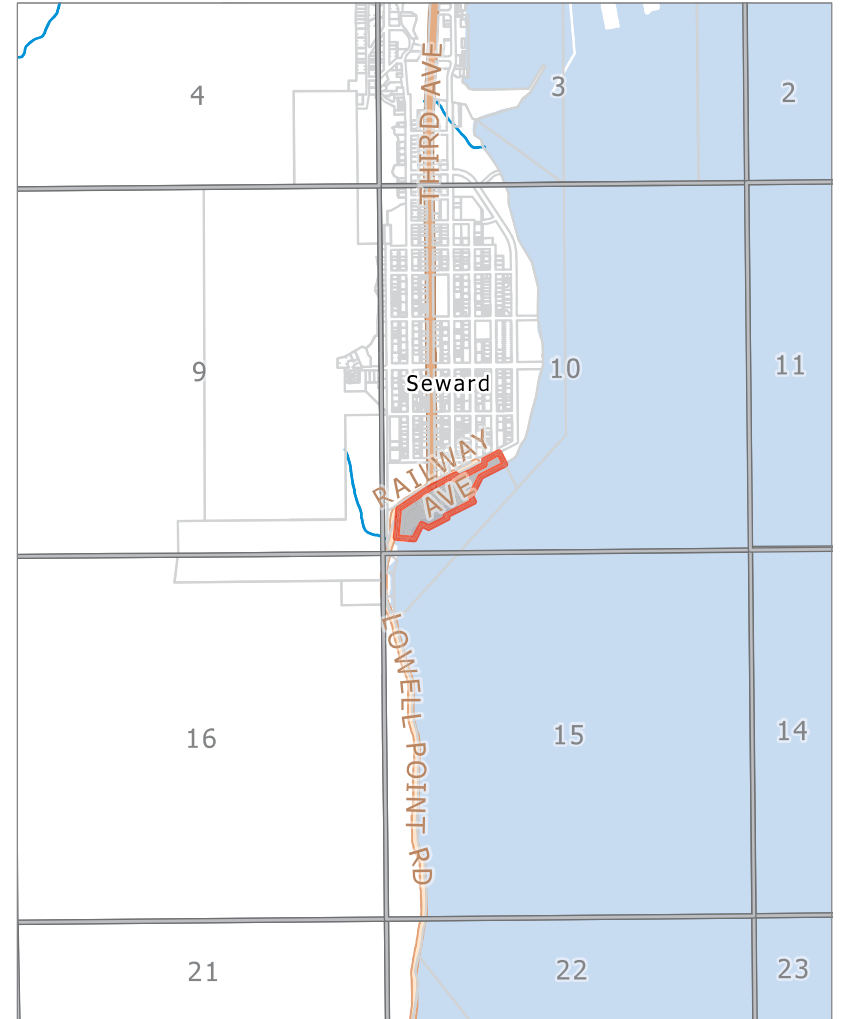
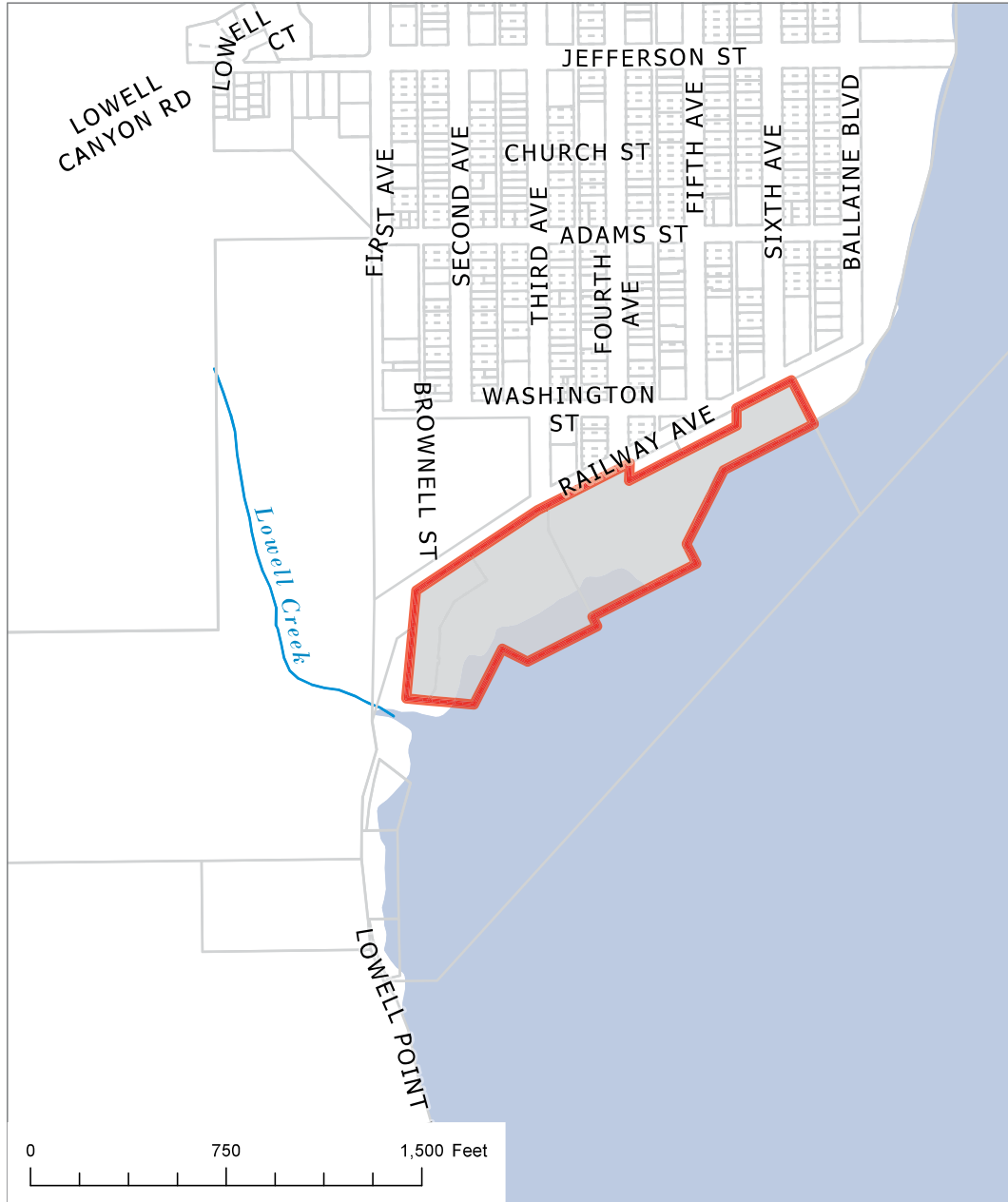


## **E. NEW BUSINESS**

- 7. Waterfront Tracts Resubdivision; KPB File 2023-104  
Stantec Consulting Services, Inc. / City of Seward  
Location: Railway Avenue & Lowell Point Road  
City of Seward**

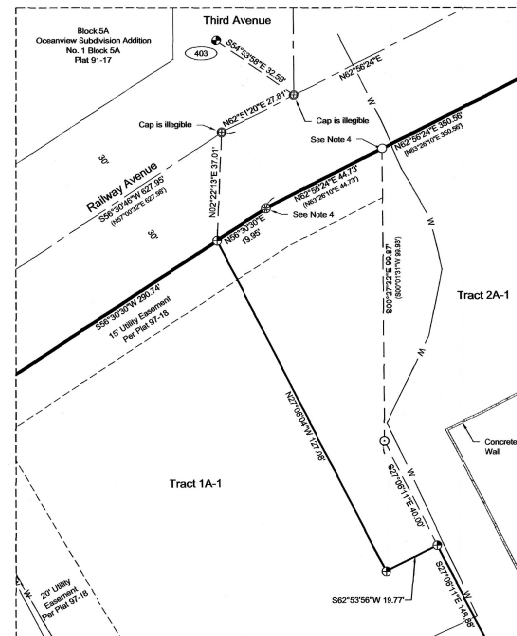
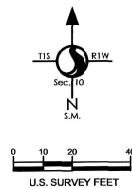
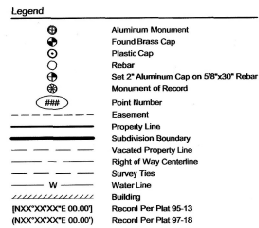
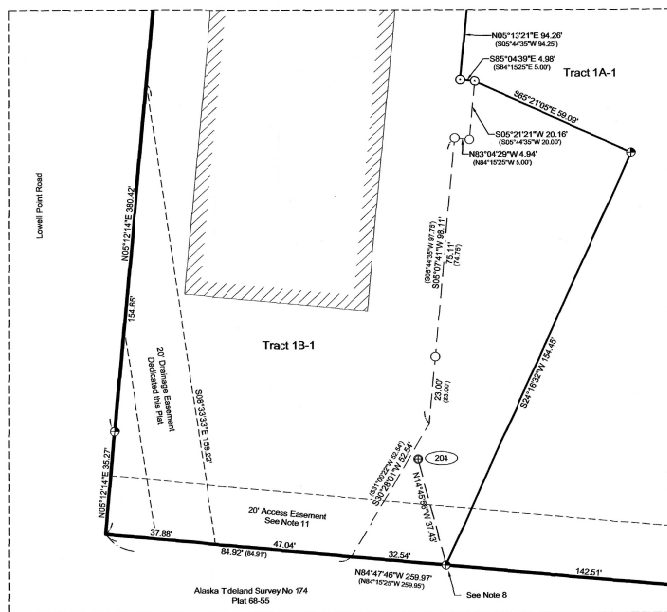


KPB File 2023-104  
T 01S R 01W SEC 10  
Seward



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.





Typical Cap Sketch



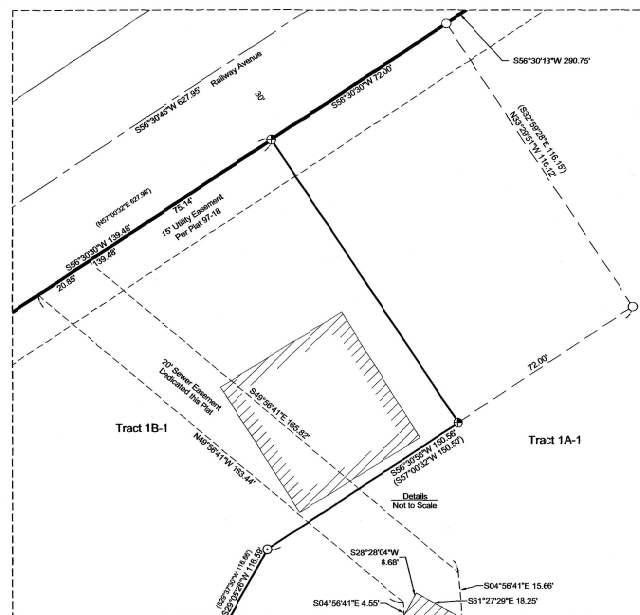
Set 2" Aluminum Cap  
On 5/8" x 30" Rebar  
0.1" Below Ground



Preliminary Plat Notes

- Plat 95-13 Waterfront Tracts and Plat 97-18 Waterfront Tracts Mariculture Addition indicates a 5/8" Rebar was set here as a Witness Corner. No monuments have been found. If neither are found during monumentation a single new witness corner will be set.
- This position falls in the concrete sidewalk in front of the Sea Life Center and no monument was set at this position. Plat 95-30 Waterfront Tracts 1988 Replat indicates a PK nail was set in the sidewalk. Concrete scarring was found on the initial trip, and magnetic locator ring under scar. Requesting a waiver to KPB Code 28.60.200 Section D.
- Plat 95-13 Waterfront Tracts indicates corner was not set due to position falling in concrete. During fieldwork a Yellow Plastic Cap stamped "Cline LS 7569" was found. There is no record of this point being set so it was not held for this survey.
- Not all record monuments were found during preliminary fieldwork. If, in the midst of monumentation, and additional record monument is found, it will be observed and held for the final plat.
- Preliminary plans indicate that this building will be demolished to make room for future improvements.
- All Plats and documents referenced are recorded in the Seward Recording District.
- Proposed new lot boundaries, between tracts 1A-1 and 1B-1, are based on loose extents as defined in Document 2022-000004-6.
- During monumentation, it will be determined if these positions can be monumented, or if witness corners will be necessary.
- This plat is subject to all restrictions, reservations, and covenants governing the Waterfront Tracts, Plat 95-13, and Waterfront Tracts Mariculture Addition, Plat 97-18.
- Lots within this subdivision may be located within a designated flood hazards area; if such is the case, development must comply with Title 21 Chapter 05 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction. Per Plat 97-18.
- 20' Access Easement, dedicated this plat, for maintenance of the storm drain outfall by the City of Seward.

Detail D  
Preliminary Lease 2  
1" = 20"



WATERFRONT TRACTS  
RESUBDIVISION

Creating Tracts 1A-1, 1B-1 and 2A-1  
Containing 114.51 Acres  
A Subdivision of:  
WATERFRONT TRACTS MARICULTURE ADDITION, TRACTS 1A  
AND 18 PLAT 97-18 &  
WATERFRONT TRACTS, TRACT 2A  
PLAT 95-13

WITHIN SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SEWARD MERIDIAN, ALASKA  
SEWARD RECORDING DISTRICT



STANTEC CONSULTING  
SERVICES INC.  
475 Riverstone Way, Unit 3  
Fairbanks, Alaska 99709  
Phone: (907) 343-5100  
C.V. #120584

OWNERS:

CITY OF SEWARD  
PO Box 167  
Seward, Alaska 99664  
Phone: (907) 224-3331

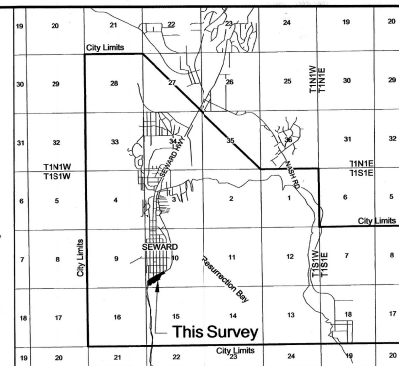
PROJECT NO.: 2073016950 KPB FILE NO.: ###-###-###  
DATE OF FIELD SURVEY: November 2022 & May 2023 DATE: 09/27/2023  
DRAWN: SAP SCALE: /varies  
CHECKED: JPB SHEET: 2 OF 2

KPB 2023-104



3. Plot 95-13 Waterford Tracts and Plot 97-18 Waterford Tracts: Manicureau Addition indicates a 6'x16' Rebar was set where he was a Witness Corner. No monuments have been found. If neither are found, monumentation will be required.
4. This position falls in the concrete sidewalk in front of the Sog Line Center and no monument was set at this position. Plot 95-30 Waterford Tracts 1998 Replat indicates a PK nail was set in the sidewalk. Concrete scarring was found on the initial trip, and magnetic location rang under sidewalk a water to NPSD code 20-000 Section D.
5. Plot 95-15 Waterford Tracts indicates corner was not set due to pollution being found in concrete. During fieldwork a Yellow Pine Plastic cap stamped "CLINE SURV 7569" was found. There is no record of the point being set so I was held for this survey.
6. Not all record monuments were found during preliminary fieldwork. If, in the midst of monumentation, and additional record monument is found, it will be observed and held for the final plat.
7. Preliminary plans indicate that this building will be demolished to make room for future improvements.
8. All Plats and documents referenced are recorded in the Seaward Recording District.
9. Proposed new lot boundaries, between tracts 14-1 and 1-11, are based on lease easements as shown on the 2000-2001 Seaward District Plat.

8. During monument it will be determined if these positions can be monumented, or if witness corners will be necessary.
9. This plot is subject to all restrictions, reservations, and covenants governing the Waterford tract, Plat 95-13, and Waterford Tracts Manufacture Addition, Plat 97-18.
10. Lots within this subdivision may be located within a designated flood hazard area; if such is the case, development must comply with Title 21 Chapter 08 of the Kansas Peninsula Flood Hazard Ordinance. A survey is to determine the elevation of the property may be required prior to construction. See Plat 97-18
11. Plat 95-16 Waterford Tracts and Plat 214-24 Second Original Townsite Waterford Park Register indicate a 50' R/W was set where as a Witness Corner. No monuments have been found. If neither are found during monumentation, a single new witness corner will be set.
12. Found a 2-1/2" Brass Cap on 2" Iron Pipe in monument case, 2-1" below ground. Found 508' R/W from producing flow case adjacent to Cap with Plastic cap 2-1" below ground. Found 508' R/W from producing flow case adjacent to Cap with Plastic cap 2-1" below ground. Found 508' R/W from producing flow case adjacent to Cap with Plastic cap 2-1" below ground. Found 508' R/W from producing flow case adjacent to Cap with Plastic cap 2-1" below ground.



**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
(I) (We) hereby certify that (I am)(we are) the owner(s) of the real property shown and described hereon and that (I) (we) hereby adopt this plan of subdivision and by (my) (our) free consent dedicate all rights-of-way and public areas to public use and grant all easements to the use shown, (if a special use easement being accepted by city include description and city name).

OWNER(S)  
City of Seward  
410 Adams Street City Hall Building  
Seward, Alaska 99664

Authorized Official Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_ Printed Name \_\_\_\_\_

NOTARY'S ACKNOWLEDGEMENT

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Notary Public for Alaska My Commission Expires

**CERTIFICATE OF ACCEPTANCE**

The undersigned official identified by name and title is authorized to accept and hereby accepts on behalf of \_\_\_\_\_ 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 or 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.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Name and title of authorized official)

City of Seawater

Creating Tract: 1A-1, 1B-1 and 2A-1  
Containing ±14.51 Acres  
A Subdivision of:  
WATERFRONT TRACTS MARICULTURE ADDITION, TRACTS 1A  
AND 1B PLAT 97-18 &  
WATERFRONT TRACTS, TRACT 2A  
PLAT 95-13

WITHIN SECTION 10, TOWNSHIP 1 SOUTH, RANGE 1 West SEWARD MERIDIAN, ALASKA  
SEWARD RECORDING DISTRICT



STANTEC CONSULTING  
SERVICES INC.  
475 Riverstone Way, Unit 3  
Fairbanks, Alaska 99709  
Phone: (907) 343-5100  
C.A. #126386

CITY OF SEWARD  
PO Box 167  
Seward, Alaska 99664  
Phone: (907) 224-3331

PROJECT NO.: 2073016950	KPB FILE NO.: 000000-0000
DATE OF FIELD SURVEY: November 2022 & May 2023	DATE: 09/27/2023
DRAWN: SAP	SCALE: 1" = 80'
CHECKED: JPB	SHEET 1 OF 2

AGENDA ITEM E. NEW BUSINESS

**ITEM #7 - PRELIMINARY PLAT  
WATERFRONT TRACTS RESUBDIVISION**

<b>KPB File No.</b>	2023-104
<b>Plat Committee Meeting:</b>	November 13, 2023
<b>Applicant / Owner:</b>	City of Seward of Seward, Alaska
<b>Surveyor:</b>	John Brady / Stantec Consulting Services Inc
<b>General Location:</b>	City of Seward

<b>Parent Parcel No.:</b>	149-200-12, 15, and 16
<b>Legal Description:</b>	T 1S R 1W SEC 10 Seward Meridian SW 0950013 Waterfront Tracts Tract 2A  T 1S R 1W SEC 10 Seward Meridian SW 0970018 Waterfront Tracts Mariculture Addition Tract 1A and 1B
<b>Assessing Use:</b>	Municipal and Commercial
<b>Zoning:</b>	Central Business and Institutional
<b>Water / Wastewater</b>	City
<b>Exception Request</b>	20.60.200(D)

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**STAFF REPORT**

**Specific Request / Scope of Subdivision:** Per City of Seward Resolution 2023-107: Whereas, the preliminary plat is proposing minor property boundary changes between three properties to correctly delineate the land that each organization is using.

**Location and Legal Access (existing and proposed):** The proposed subdivision is located along Railway Avenue and Lowell Point Road within the city limits of Seward. Proposed tract 1B-1 will continue to have access via Lowell Point Road and Railway Avenue. Lowell Point Road is of varying widths and is city maintained. Proposed Tracts 1A-1 and 2A-1 will continue to have access via Railway Avenue. Railway Avenue is a 60-foot-wide city-maintained right-of-way.

There will be a small portion of existing Tract 1B in the northwest corner of the subdivision being dedicated for right-of-way purposes. This dedication is shown in detail A in a larger view. **Staff recommends:** linework around the dedication be changed to show that it is included as part of the subdivision coming from Tract 1B.

The block is closed and compliant for this area.

KPB Roads Dept. comments	Out of Jurisdiction: Yes  Roads Director: Griebel, Scott Comments: City of Seward. No RSA Comments
SOA DOT comments	No comment

**Site Investigation:** There are several improvements located on the current parcels. As stated in the City Resolution 2023-107 the boundary adjustments are to encompass each lessees' items within the tracts they are utilizing. No encroachments will result with the new line locations.

Resurrection Bay is located to the south and per 20.25.070(I) the approximate locations of area subject to tidal inundation and the mean high-water line be shown. **Staff recommends:** *this information be listed on the final submittal and the corresponding note be added as shown under 20.60.110(B).*

The City of Seward manages their own Floodplain area and plat note ten should be updated accordingly.

There are gradual slopes along the southern portions of Tracts 1A-1 and 2A-1 and is currently shown as Rip Rap within the legend. **Staff recommends:** *improvements or depictions not directly related to platting items be removed from the final submittal as to not clutter the face of the plat.*

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

**Staff Analysis** This area has been subject to several platting actions, but was originally aliquot description lands and the area where the Seward Wharf was located. Waterfront Tracts, SW 95-13, created several lots and finalized a public right-of-way vacation of an access road known as Fourth Avenue Dock and Dock Access Road. This can be seen on parent plat SW 95-13 with the hatching. This plat created the current configuration of Tract 2A.

Waterfront Tracts Mariculture Addition, SW 97-18, subdivided Tract 1 to create 1A and 1B giving the current design.

The City of Seward Planning and Zoning Commission heard and recommended approval at their regularly scheduled meeting on September 25, 2023 by adopting Resolution 2023-107.

A soils report will not be required per the city resolution. **Staff recommends:** *the correct wastewater note be added to comply with KPB 20.40 and staff will still require an installation agreement or documentation that one is not required.*

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** Several utility easements have been granted in the parent plats. All appear to be accounted for and shown correctly. Per the city resolution no additional utility easements are needed or were requested.

The Certificate to Plat did not reflect any recorded utility easements.



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 comment
ENSTAR	
ACS	No comment
GCI	
SEWARD ELECTRIC	
CHUGACH ELECTRIC	No comment
TELALASKA	

**KPB department / agency review:**

Addressing	<p>Reviewer: Leavitt, Rhealyn</p> <p>Affected Addresses: 101 RAILWAY AVE, 201 RAILWAY AVE, 213 RAILWAY AVE, 301 RAILWAY AVE, 409 RAILWAY AVE</p> <p>Existing Street Names are Correct: No</p> <p>List of Correct Street Names: LOWELL POINT RD, RAILWAY AVE</p> <p>Existing Street Name Corrections Needed:</p> <p>All New Street Names are Approved: No</p> <p>List of Approved Street Names:</p> <p>List of Street Names Denied:</p> <p>Comments: CITY OF SEWARD WILL ADVISE ON ADDRESSING</p>
Code Compliance	<p>Reviewer: Ogren, Eric</p> <p>Comments: No comments</p>
Planner	<p>Reviewer: Raidmae, Ryan</p> <p>There are not any Local Option Zoning District issues with this proposed plat.</p> <p>Material Site Comments:</p>

	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**

- Add KPB File no 2023-104.
- Please correct the entity information and code references within plat note 10. KPB is not the Floodplain authority within the City of Seward.
- On page 1, the measure bearing on the north line near Tract 1B-1 does not match the other bearings along the line at the seconds position.
- The 350.0# in Tract 2A-1 is different between pages.

**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 the legal description. Add SW1/4 to the legal description.
- 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:** Please add width labels for Railway Avenue on the northeast end for clarity. Add width labels for Washington Street, Lowell Point Road, and Ballaine Boulevard.
- 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:** Reduce the shown area as to better identify the subdivision. If any part of the Chugach Forest is shown please provide a label. Add north arrow to map
- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions, or limitations of reservations that could affect the subdivision;
- Staff recommendation:**
- Identify former lot lines on the drawing and details.
  - Right-of-way for dedication is part of subdivision and should be included in dark linework.

- 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 proposed 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:** *Several lot and block designations are missing for parcels to the north. Please review and correct all mislabeled parcels.*
- I. Approximate locations of areas subject to tidal inundation and the mean high water line;  
**Staff recommendation:** *Please depict on the final submittal with proper plat notes.*

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#### **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.*

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#### **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:* *Please provide the correct wastewater note.*  
**Staff recommendation:** *comply with 20.40.*

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#### **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 one is not required will be required to be sent to staff.*
- 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.*



- *The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.*
- *All development must comply with the municipal zoning requirements.*
- *On plat note two, remove the last sentence.*
- *At the end of plat note five add (see Detail B).*

20.60.190. Certificates, statements, and signatures required.

**Staff recommendation:** *comply with 20.60.190.*

- Update the Certificate of Ownership and Dedication to as follows:  
I HEREBY CERTIFY THAT HE CITY OF SEWARD IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED AND THAT ON BEHALF OF THE CITY OF SEWARD I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.
- Add City of Seward to Certificate of Acceptance
- Add to the Certificate of Acceptance some form of description of the right-of-way to be dedicated. It is suggested to check with City of Seward for guidance to define.
- Add to the Plat Approval the meeting date of November 13, 2023.

### **EXCEPTIONS REQUESTED:**

#### **A. KPB 20.60.200(D) - Survey and monumentation**

Surveyor's Discussion: In discussion with Platting Officers, in the fall of 2022, it was discussed to obtain an exception to 20.60.200D for the southeast corner of Lot 2A Waterfront Tracts 1998 Replat 98-30, also being one of several northern corners of the Tract 2A being subdivided into Tract 2A-1. This location falls within the concrete courtyard of the very publicly visible entrance to the Alaska Sealife Center. Through preliminary field work it was discovered that the mag nail referenced in Plat 98-30 no longer exists, and the concrete shows the scaring it was, likely, there at one point in time. A metal detector did produce a signal over the mag nail scar, indicating that there is, likely, a monument under the concrete, supposedly a 5/8" rebar set as part of Plat 95-13 Waterfront Tracts. A concrete saw and jack hammer would be needed to recover this monument severely damaging the aesthetics of the courtyard, and restoration costs would be significant.

As this corner location is not to be changed through the course of this replat, we request an exception be granted to 20.60.200D.

1. Last monument referenced is destroyed and gone.
2. Research with a metal detector indicates the original 5/8" rebar is still there.
3. To retrieve rebar under courtyard concrete would be intrusive and costly.
4. Digging up the corner could affect the aesthetics of the courtyard.
5. This corner is not to be changed through the course of this replat.

#### **Staff Discussion:**

#### **20.60.200. - Survey and monumentation.**

A. All subdivisions shall be surveyed except subdivisions which only eliminate existing property lines.

B. The subdivision of sections into aliquot parts and restoration of lost corners shall be performed in accordance with the current U.S. Bureau of Land Management Manual of Surveying Instructions unless the historical survey record indicates otherwise. Reference to the BLM manual used shall be noted on the plat. All section subdivision details executed as part of the subdivision work shall be monumented and shown on the plat. When a center ¼ corner must be determined it shall be set. A minimum survey accuracy of 1:5000 is required. Monuments shall be set in a professional manner.

C. All corners and monuments found and set shall be shown and described on the plat with the following information: date set, type of monument, and surveyor, as well as any other information marked on the corner or monument. Standard or recurring information may be shown in the monument description in the legend.

D. All monuments of record essential to the subdivision must be found. If any monument is missing or is found disturbed or destroyed, it shall be remonumented or reference monumented as appropriate.

**Findings:**

6. This platting action is to adjust lot lines so lessees are using the new property lot boundaries.
7. This corner does not affect the location of the new lines for visualization.
8. Witness points at offset on the lines can be set to identify the corner location, causing no damage and doing the same purpose.

**Staff reviewed the exception request and recommends granting approval.**

Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;  
**Findings 3-5 appear to support this standard.**
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;  
**Findings 3,4 appear to support this standard.**
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.  
**Findings 3-7 appear to support this standard.**

**Staff recommendation:** place notes on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

---

**RECOMMENDATION:**

**SUBJECT TO EXCEPTION(S) GRANTED, 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**



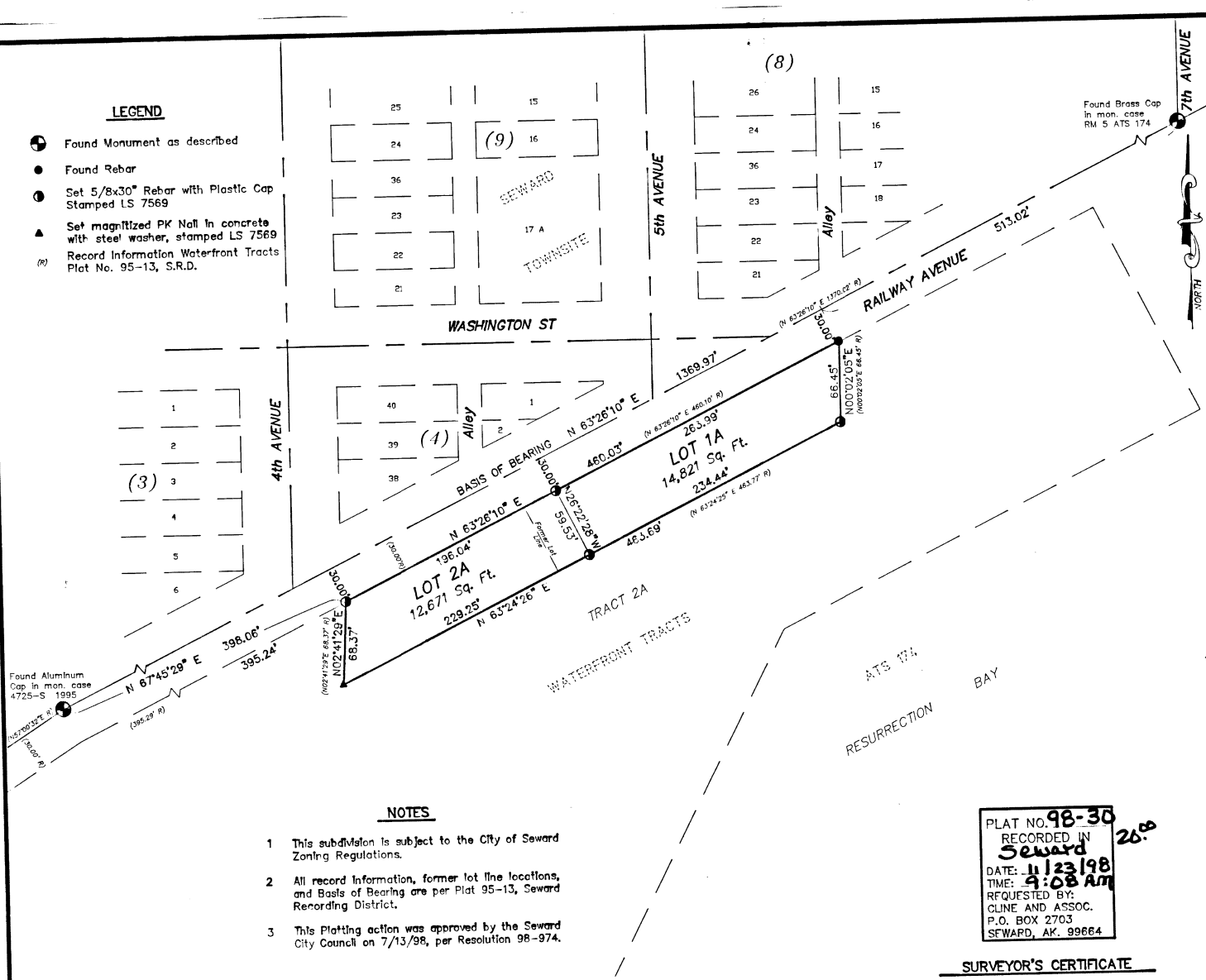


The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



# LEGEND

- Found Monument as described
- Found Rebar
- Set 5/8x30" Rebar with Plastic Cap Stamped LS 7569
- ▲ Set magnitized PK Nail in concrete with steel washer, stamped LS 7569
- (R) Record Information Waterfront Tracts Plat No. 95-13, S.R.D.



## NOTES

- 1 This subdivision is subject to the City of Seward Zoning Regulations.
- 2 All record information, former lot line locations, and Basis of Bearing are per Plat 95-13, Seward Recording District.
- 3 This Platting action was approved by the Seward City Council on 7/13/98, per Resolution 98-974.

## 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.

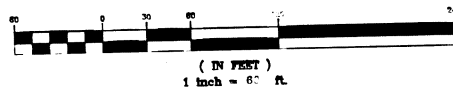
Date Nov 19, 1998

Mark But  
Borough Official

## WASTEWATER DISPOSAL

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

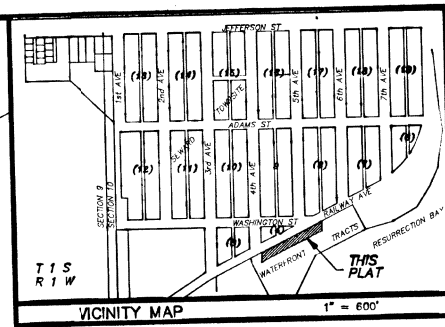
## GRAPHIC SCALE



## 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, and 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.

11-13 98  
DATE



## 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 by our free consent.

W. Scott Jarke  
W. Scott Jarke, City Manager  
City of Seward  
P.O. BOX 187  
Seward, AK. 99664



## NOTARY'S ACKNOWLEDGEMENT

FOR William Scott Jarke  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 13th  
DAY OF November, 19 98

Yvette G. Welsh 7/22/02  
NOTARY FOR ALASKA MY COMMISSION EXPIRES

## LESSEE CERTIFICATE

I hereby certify that we are the lessee of Lot 1A as shown hereon, and that we hereby approve this subdivision.

Michael E. Brown  
Michael E. Brown, President  
Chugach Alaska Corp.  
560 E. 34th Ave. Suite 200  
Anchorage, AK 99503



## NOTARY'S ACKNOWLEDGEMENT

FOR Michael E. Brown  
SUBSCRIBED AND SWORN TO BEFORE ME THIS 13th  
DAY OF November, 19 98

Yvette G. Welsh 7/22/02  
NOTARY FOR ALASKA MY COMMISSION EXPIRES

## WATERFRONT TRACTS 1998 REPLAT

A RESUBDIVISION OF:  
LOTS 1 AND 2  
WATERFRONT TRACTS  
LOCATED WITHIN THE SW 1/4 OF SECTION 10  
TOWNSHIP 1 SOUTH RANGE 1 WEST  
SEWARD MERIDIAN, ALASKA  
CITY OF SEWARD  
SEWARD RECORDING DISTRICT

## CLINE AND ASSOCIATES LAND SURVEYORS

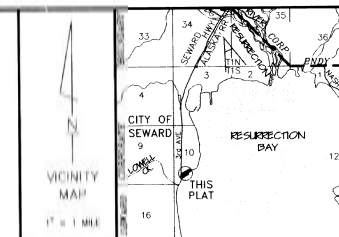
416 4th AVENUE PO BOX 2703 SEWARD, AK 99664  
(907) 224-7324 FAX (907) 224-8088

DATE: 11-13-98	SCALE: 1" = 60'
DRAWN: WNC	F.D. BK.: 98-09
DRAWING NO.: 98-0898	K.P.B. FILE #: 98-272

# NOTES:

- 1) The recorder of the original unsplit parcels outside of the Subdivision boundary reverts to the unsplit parcels of A.T.S. 174.
- 2) Development of these lots are subject to the City of Seward's zoning regulations.
- 3) Basis of Bearing obtained from A.T.S. 174, Plat No. 40 S.W. 100, between RMA and RMB.
- 4) Former lot lines shown are from City of Seward's Waterfront Tracts (see parcels dated 1 September, 1989).
- 5) "WASTEWATER DISPOSAL": The Alaska Department of Environmental Conservation has reviewed plans for this subdivision's wastewater disposal, and approves the address for plotting.

Signature: *[Signature]* Environmental Eng. 4-25-95  
Date



## CERTIFICATE of OWNERSHIP and DEDICATION

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

For *[Signature]* Deputy Mayor 4-27-95  
Date  
City of Seward  
P.O. Box 107  
Seward, AK 99664

## NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 27th DAY of April  
1995 FOR The City of Seward

*[Signature]*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 12/31/96



## LESSEE CERTIFICATE

I HEREBY CERTIFY THAT WE ARE THE LESSEES OF TRACT 1 SHOWN AND THAT WE HEREBY APPROVE THIS SUBDIVISION.

*[Signature]* 4/26/95  
Date  
Marta L. Carter, Director  
Statewide Office of Land Management  
University of Alaska  
3800 University Lake Drive, Suite 103  
Anchorage, AK 99508

## NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 26th DAY of April  
1995 FOR Blanche R. Piteen

*[Signature]*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 1/24/98

KPB FILE No. 95-003

## Waterfront Tracts

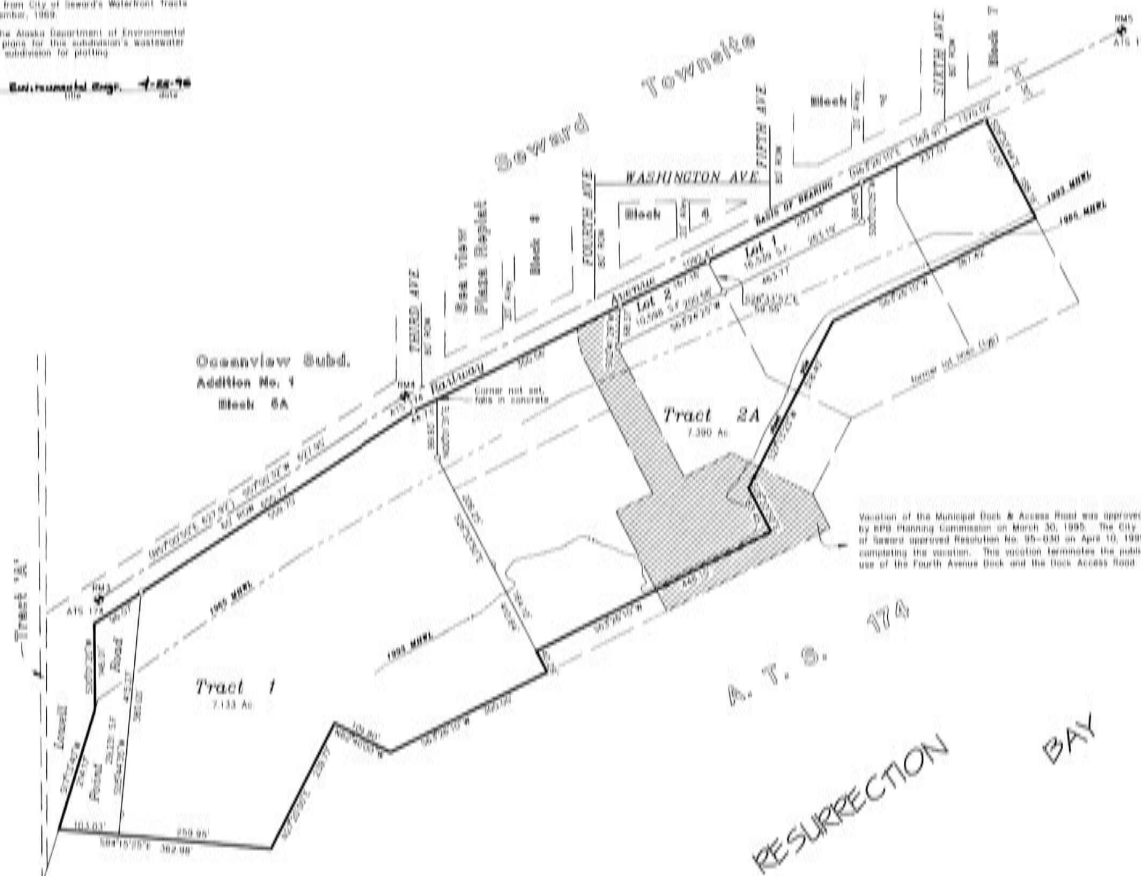
Located within the SW1/4 of Section 10, T1S, R1W, S.M., City of Seward, Seward Recording District, Kenai Peninsula Borough, Alaska

Containing 15.825 Acres

INTEGRITY SURVEYS  
605 SWIRE DRIVE KENAI, ALASKA 99611  
SURVEYORS 283-9047 PLANNERS

JOB NO. 94133	DRAWN: CB
SURVEYED: 18 April, 1995	SCALE: 1" = 100'
FIELD BK: 95-2, pgs. 5/-58	DISK: \D1\Waterfront

95-13  
RECORDED  
DATE: 4/26/95  
TIME: 11:58 AM  
REQUESTED BY:  
INTEGRITY SURVEYS  
605 SWIRE DRIVE  
KENAI, ALASKA 99611



## CERTIFICATE OF SURVEYOR

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

LS 9183 27 APR 95  
Registration No. DATE  
*[Signature]*  
REGISTERED LAND SURVEYOR



## PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 01-09-95

KENAI PENINSULA BOROUGH  
*[Signature]*  
AUTHORIZED OFFICIAL

# NOTES

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

Lots within this subdivision may be located within a designated flood hazard area. If such is the case, development must comply with Title 21, Chapter 05 of the Kenai Peninsula Borough Code of Ordinances. A survey to determine the elevation of the property may be required prior to construction.

LINE	BEARING	DISTANCE
1	S 89° 28' 10" E	44.73
2	S 89° 28' 10" E	20.00
3	S 89° 28' 10" E	20.00
4	S 89° 28' 10" E	20.00
5	S 89° 28' 10" E	20.00
6	S 89° 28' 10" E	20.00
7	S 89° 28' 10" E	20.00
8	S 89° 28' 10" E	20.00



**PLAT APPROVAL**  
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of March 23, 1997  
KENAI PENINSULA BOROUGH  
By: [Signature]  
Authorized Official



WASTEWATER DISPOSAL: Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.  
Signature: [Signature] Registration No. 65-6181 Date 9-16-97

97-18  
RECORDED 80  
MADE BY: 11/4  
BY: 11/5  
RECORDED BY: 11/5

**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
I hereby certify that we are the owners of the real property shown and described herein and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.  
[Signature]  
Ken Gertzel, City Manager  
City of Seward PO Box 167 Seward, AK 99664

**NOTARY'S ACKNOWLEDGEMENT**  
Subscribed and sworn before me this 22nd day of September, 1997.  
For Ken Gertzel  
[Signature]  
Notary Public for Alaska  
My Commission Expires 3/16/00

**LESSEE CERTIFICATE**  
I hereby certify that we are the Lessees of Tract 1 as shown and that we hereby approve this subdivision.  
[Signature]  
Martin Epstein, Director  
Statewide Office of Land Management  
University of Alaska  
ARNO University Lake Drive, Suite 103  
Anchorage, AK 99500

**NOTARY'S ACKNOWLEDGEMENT**  
Subscribed and sworn before me this 30th day of September, 1997.  
For Martin Epstein  
[Signature]  
Notary Public for Alaska  
My Commission Expires 10-11-00

NOTARY PUBLIC  
CAROLYN PIRNAT  
NOTARY PUBLIC

**WATERFRONT TRACTS**  
Mariculture Addition

A Resubdivision of Tract 1 - Waterfront Tracts  
Located within the SW 1/4 Sec. 10, T1S, RW, SM, AK  
and the City of Seward.

WHITFORD SURVEYING  
PO BOX 4032 - SOLDOTNA, AK 99669  
(907) 260-9092

SURVEYED: 1/18 SCALE: 1" = 60'  
DRAWN BY: 1/18 DWG. FILE: WATER2.GCD



**CITY OF SEWARD, ALASKA  
RESOLUTION 2023-107**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD,  
ALASKA, RECOMMENDING THE KENAI PENINSULA BOROUGH  
APPROVAL OF THE PRELIMINARY REPLAT OF WATERFRONT  
TRACTS MARICULTURE ADDITION, TRACTS 1A & 1B AND  
WATERFRONT TRACTS, TRACT 2A; LOCATED AT 201, 101, AND 301  
RAILWAY AVE; CREATING WATERFRONT TRACTS  
RESUBDIVISION, TRACTS 1A-1, 1B-1, AND 2A-1**

**WHEREAS**, Stantec Consulting Services Inc. has submitted a preliminary plat on behalf of the City of Seward and Chugach Regional Resources Commission (CRRC), University of Alaska Fairbanks (UAF), and the Seward Association for the Advancement of Marine Science dba Alaska SeaLife Center (SAAMS dba ASLC) for review by the City Council and recommendation to the Kenai Peninsula Borough; and

**WHEREAS**, the three tracts are owned by the City of Seward, and leased by the three above stated entities; and

**WHEREAS**, the preliminary plat is proposing minor property boundary changes between the three properties to correctly delineate the land that each organization is using; and

**WHEREAS**, necessary utility and access easements are being established in this preliminary plat; and

**WHEREAS**, on December 12, 2023 the City Council approved Resolution 2022-122 which authorized the City Manager to enter into and execute the purchase and sale agreement and related documents, of which this preliminary plat is included, with CRRC for the sale of 1.52 acres located at 101 Railway Avenue; and

**WHEREAS**, existing Tracts 1A and 1B are zoned Institutional and 5.57 acres and 1.57 acres respectively; and

**WHEREAS**, existing Tract 2A is zoned Central Business and 7.39 acres; and

**WHEREAS**, the proposed plat will create Waterfront Tracts Resubdivision, Tracts 1A-1, 1B-1, and 2A-1; and

**WHEREAS**, proposed Tract 1A-1 will be 5.51 acres and continued to be leased by UAF; and

**WHEREAS**, proposed Tract 1B-1 will be 1.51 acres and sold to CRRC; and

**WHEREAS**, proposed Tract 2A-1 will be 7.49 acres and continued to be leased by SAAMS dba ASLC; and

**CITY OF SEWARD, ALASKA  
RESOLUTION 2023-107**

**WHEREAS**, portions of Tract 1A-1 and 2A-1 are located within a flood zone; and

**WHEREAS**, City water, sewer, electric, and roads are available to all three parcels; and

**WHEREAS**, all conditions required by Seward City Code §16.01.015(C, D, E), 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**, City Code §16.01.015(B) states that no preliminary plat of city-owned property may be approved by the Kenai Peninsula Borough planning commission without prior consent of the City Council.

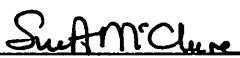
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA that:**

**Section 1.** The Council hereby recommends that, in accordance with Seward City Code Section 16.01.015 (B), the Kenai Peninsula Borough approve the submittal of the preliminary plat of Waterfront Tracts Mariculture Addition, Tracts 1A & 1B and Waterfront Tracts, Tract 2A; Located at 201, 101, and 301 Railway Ave; Creating Waterfront Tracts Resubdivision, Tracts 1A-1, 1B-1, and 2A-1.

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


**PASSED AND APPROVED** by the City Council of the City of Seward, Alaska, this 25<sup>th</sup> day of September, 2023.

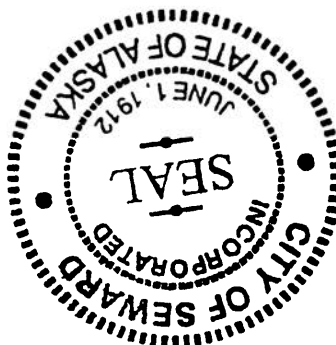
**THE CITY OF SEWARD, ALASKA**

  
\_\_\_\_\_  
Sue McClure, Mayor

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

**ATTEST:**

  
\_\_\_\_\_  
Kris Peck  
City Clerk



**CITY OF SEWARD, ALASKA  
PLANNING AND ZONING COMMISSION  
RESOLUTION 2023-017**

**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 WATERFRONT TRACTS MARICULTURE ADDITION, TRACTS 1A AND 1B & WATERFRONT TRACTS, TRACT 2A; LOCATED AT 101, 201, AND 301 RAILWAY AVE; CREATING WATERFRONT TRACTS RESUBDIVISION, TRACTS 1A-1, 1B-1, AND 2A-1**

**WHEREAS**, Stantec Consulting Services Inc. has submitted a preliminary plat on behalf of the City of Seward and Chugach Regional Resources Commission (CRRC), University of Alaska Fairbanks (UAF), and the Seward Association for the Advancement of Marine Science dba Alaska SeaLife Center for review and recommendation to the City Council and Kenai Peninsula Borough; and

**WHEREAS**, the three tracts are owned by the City of Seward, and leased by the three above stated entities; and

**WHEREAS**, the preliminary plat is proposing minor property boundary changes between the three properties to correctly delineate the land that each organization is using; and

**WHEREAS**, CRRC has approached the City of Seward with a request to purchase the parcel they are leasing, which is Waterfront Tracts Mariculture Addition, Tract 1B; and

**WHEREAS**, Tracts 1A and 1B are zoned Institutional and 5.57 acres and 1.57 acres respectively; and

**WHEREAS**, Tract 2A is zoned Central Business and 7.39 acres; and

**WHEREAS**, the proposed plat will create Waterfront Tracts Resubdivision, Tracts 1A-1, 1B-1, and 2A-1; and

**WHEREAS**, proposed Tract 1A-1 will be 5.51 acres; and

**WHEREAS**, proposed Tract 1B-1 will be 1.51 acres; and

**WHEREAS**, proposed Tract 2A-1 will be 7.49 acres; and

**WHEREAS**, portions of Tract 1A-1 and 2A-1 are located within a flood zone; and

**WHEREAS**, City water, sewer, electric, and roads are available to all three parcels; and



**CITY OF SEWARD, ALASKA  
RESOLUTION 2023-017**

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**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 Seward City Council and the Kenai Peninsula Borough regarding subdivision plat proposals within the City of Seward.

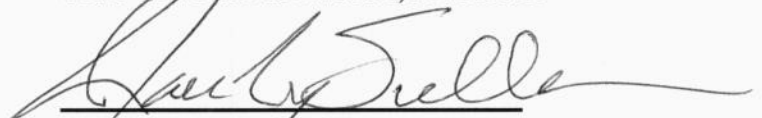
**NOW, THEREFORE, BE IT RESOLVED** by the Seward Planning and Zoning Commission, that:

**Section 1.** The Commission hereby recommends that, in accordance with Seward City Code Section 16.01.015 (B), the Seward City Council and Kenai Peninsula Borough approve the submittal of the preliminary plat of Waterfront Tracts Mariculture Addition, Tracts 1A and 1B & Waterfront Tracts, Tract 2A; Located at 101, 201, and 301 Railway Ave; Creating Waterfront Tracts Resubdivision, Tracts 1A-1, 1B-1, and 2A-1.

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


**PASSED AND APPROVED** by the Seward Planning and Zoning Commission this 5<sup>th</sup> day of September, 2023.

**THE CITY OF SEWARD, ALASKA**

  
Clare Sullivan, Chair

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

**ATTEST:**

  
Kris Peck  
City Clerk

(City Seal)

