

Introduced by: Mayor, at request
of Planning Comm.
Date: June 17, 1980
Hearing: July 15, 1980
Vote: Unanimous
Action: Enacted

KENAI PENINSULA BOROUGH

ORDINANCE 80-41

REZONING PARCELS D AND E OF U. S. SURVEY NO. 149, CITY OF SEWARD, FROM ONE FAMILY RESIDENTIAL (R1) AND UNCLASSIFIED DISTRICTS TO COMMERCIAL (CL) DISTRICT.

WHEREAS, the owners of parcels D and E, U. S. Survey No. 149, City of Seward, have requested that these parcels of land be rezoned from One-Family Residential (R1) and Unclassified districts to Limited Commercial (CL) district; and

WHEREAS, the parcels in question involve approximately six (6) acres located along the Seward Highway right-of-way and lying south of Resurrection River; and

WHEREAS, the Seward Advisory Planning Commission and the Borough Planning Commission, after public hearing, unanimously recommended that the Assembly rezone the lands from One-Family Residential (R1) district and Unclassified district to Limited Commercial (CL) district;


NOW THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

Section 1. That parcels D and E, U.S. Survey No. 149, City of Seward, Section 34, T1N R1W, Seward Meridian, Alaska, are rezoned from One-Family Residential (R1) district and Unclassified district to Limited Commercial (CL) district.

Section 2. That the official zoning map of the Borough within the boundaries of the City of Seward shall be amended in accordance with the rezoning accomplished by this ordinance.

Section 3. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH
ON THIS 15th DAY OF July, 1980.


JoAnn Elson, Assembly President

ATTEST:


Borough Clerk



KENAI PENINSULA BOROUGH

BOX 850 • SOLDOTNA, ALASKA 99669
PHONE 262-4441

DON GILMAN
MAYOR

MEMORANDUM 80-127

DATE: June 11, 1980

TO: Honorable JoAnn Elson, President
Members of the Kenai Peninsula Borough Assembly

THROUGH: Don Gilman, Mayor

FROM: Philip Waring - Planning Department *PW*

SUBJECT: REZONING A PORTION OF U.S. SURVEY NO. 149 (Parcels D & E) FROM ONE-FAMILY RESIDENTIAL (R-1) AND UNCLASSIFIED TO LIMITED COMMERCIAL (CL) DISTRICT, WITHIN THE CITY OF SEWARD.

BACKGROUND:

Applicant: John F. Gillespie
Thomas W. Gillespie
Raymond A. Gillespie
Box 815
Seward, Ak. 99664

Legal Description: U.S. Survey No. 149, Parcels D & E, containing six (6) acres more or less T1N, R1W, of Sec. 34 - Seward, Alaska.

Zone Requested:

Southerly portion of Parcel E is One-Family Residential (R1); balance of Parcels D and E is unclassified. The requested zone for this area is Limited Commercial (CL) District.

ANALYSIS

Limited Commercial (CL) District, as defined in the Seward Urban District Zoning Code, identifies that the intent of the district is to "provide an area for convenience shopping facilities for surrounding neighborhood areas and for establishments offering accommodations, supplies, or services to motorists."

The Seward Land Use Plan establishes the following policy in regards to highway commercial uses:

"Expand limited (auto-oriented) commercial uses south to connect with the central business district, and within the present use area north of the lagoon." The land use plan map indicates that a majority of the western frontage along the Seward Highway

north of the lagoon is designated "auto-oriented commercial."

The Public Notice was printed in the Seward Phoenix Log on May 22 & 29, 1980.

SEWARD ADVISORY PLANNING & ZONING COMMISSION

The Seward Advisory Commission conducted a public hearing on the rezone petition on May 14, 1980. Petitioner John Gillespie testified that he wanted to amend the original rezone request to Limited Commercial (CL) instead of General Commercial (CG) upon consulting with the Kenai Peninsula Borough Planning Department and the City of Seward. No other public testimony was heard on this issue. The Commission unanimously approved the amended petition to rezone the specified location to Limited Commercial (CL) District.

KENAI PENINSULA BOROUGH PLANNING & ZONING COMMISSION

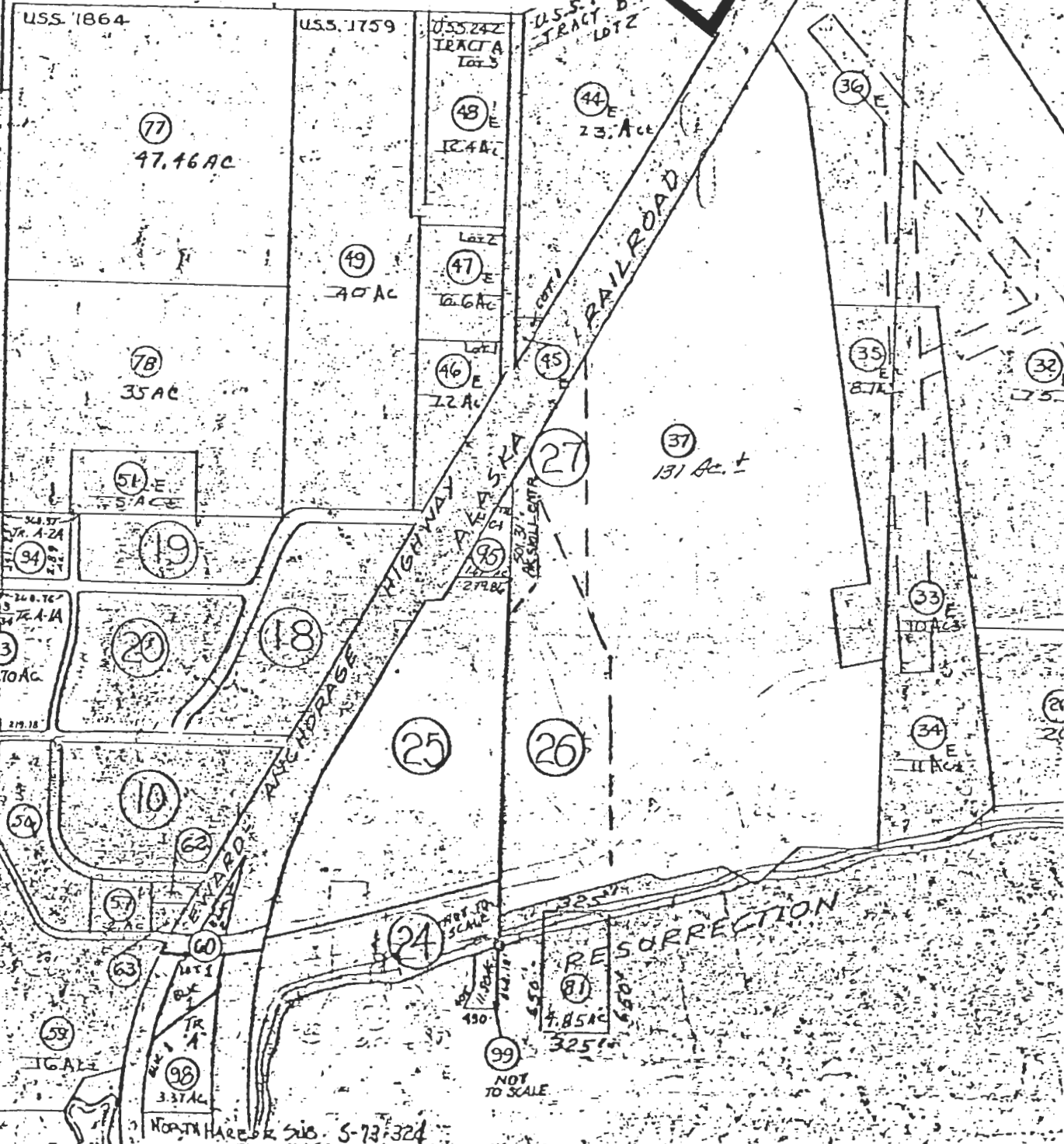
On June 2, 1980, the Planning Commission held their public hearing on the above referenced rezoning. No one from the public gave testimony and the Commission gave unanimous approval to rezone the area to a Limited Commercial District. (Minutes not available).

ATTACHEMENTS:

1. Ordinance 80- *41*
2. Two maps identifying Parcels

/r1

Proposed Area to be Rezoned -
Portion of U.S Survey NO. 149,
Sec. 34, T1N, R1W, City of Seward
From One Family Residential Dist.
(R1) to Limited Commercial (CL)
District.



MS. A-1A L A-2A
JESSE LEE HEIGHTS SUB. ADD. NO. 1
SENIORS 74-28

BK 147

BK 125

PORTION SEC. 2-3 T1S R1W F DMC

NORTH HARBOR SUB. S-73-324

NOT TO SCALE

RESURRECTION
7.85 AC
325'

24

26

25

18

20

93

19

51 E
5 AC

78
35 AC

49
40 AC

47 E
16.6 AC

48 E
12.4 AC

44 E
23 AC

27

37
131 AC ±

33 E
10 AC

34 E
11 AC

36 E

32

31

30

29

U.S.S. 722

U.S.S. 149
TRACT B
LOTZ

U.S.S. 242
TRACT A
LOTZ

U.S.S. 1759

U.S.S. 1864

1
25 AC

2
16 AC

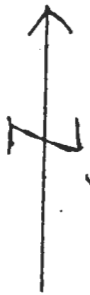
3

5

5

28

EXISTING ZONING



SW COR LOT 1
S 149
1964

LOT 1
SEC. 34
PAR. R/W
D 1984

ADL
NEC 1149
S 149 3772
1960

U.S. SURVEY No 149

U.S.

Unclassified

R-1: One Family Residential

ADL
POL
S 149
1960

Found ADL 3 1/2" brass cap bearing N 29° 03' 1" from brass cap set this survey.

PARCEL D
1.053 AC

PARCEL E
4.899 Acres

ALASKA RAILROAD

1.053
4.899

5.952

N 130° E - 582.74
(590.30 - A.L. 1960)

Found ADL 3 1/2" brass cap bearing S 75° 10' 30" E - 250 ft. from brass cap set this survey.

(TRACT B ADL., 1960)

Recorded recording office as Plat No. 35

PARCEL E
R/W
1984

SURVEY No. 149