

# Principles of the Unalaska Planning Commission

1. The Position: In any community, the position of Planning Commissioner is a highly respected and honored one.
2. The Job: The job of Planning Commissioner is to serve the public, as representatives of the City Council and to the best of their ability, in ensuring sound planning and growth management in Unalaska. All decisions of the Planning Commission should be based on sound planning principles and practices, and not on the personal opinion of individual Planning Commissioners. Once the Planning Commission makes a recommendation to the City Council, the job of the Planning Commissioners and Planning Commission is over, in terms of that particular action.
3. Integrity: Planning Commissioners are appointed by City Council. The actions, behavior, and comportment of each Planning Commissioner reflect not only on that Planning Commissioner's integrity – but also on the integrity of the City Council and of the entire City government.
4. Collaboration: An individual Planning Commissioner is not a “lone wolf,” but is part of a collective body. As such, each Planning Commissioner is expected to act in a collaborative manner with his and her fellow Planning Commissioners.
5. Respect Each Other: While it is understandable to sometimes disagree with your fellow Planning Commissioners on issues brought before the body, and appropriate to publically vocalize that disagreement during Planning Commission meetings, a Planning Commissioner should always respect the opinion of their fellow Commissioners and treat each other with respect.
6. Majority Rules: It is important to remember that, at the end of the day, the majority rules. So, after each action is brought before the body, discussed, and voted upon, Planning Commissioners must accept and respect the rule of the majority – even if the ruling was counter to an individual Commissioner's position.
7. Respect Staff: A Planning Commissioner should respect the opinion of City Planning Staff, whether the Planning Commissioner agrees with staff or not. Planning Staff Members are professionals who are employed to serve not only the Planning Commission and general public, but the City Council.
8. The Las Vegas Rule: What comes before the Planning Commission must stay before the Planning Commission. This means there can be no outside negotiating with petitioners or with the public regarding applications brought before the Commission. And, all discussions – pro or con – concerning a petition before the Planning Commission, must take place solely within Planning Commission meetings.
9. Respect Applicants and Public: Each Planning Commissioner must always show professionalism and respect for applicants and the general public – regardless of the position held by that Planning Commissioner or by the Planning Commission.
10. Upholding the Principles: Any member of the Planning Commission who finds that he or she cannot uphold and abide by the above principles should resign from the Commission.

## **CONDUCTING A PUBLIC HEARING**

The following is the sequence of events that is followed by the City of Unalaska Planning Commission and Platting Board in conducting a Public Hearing before the body.

1. The Public Hearing is opened by the Chair of the Planning Commission/Platting Board who reads from the agenda.
2. Any Ex-Parte questions or Commission member involvement are raised. If a Commission member(s) is excused, this is the proper time.
3. Presentation by the staff. This is a short summary of the application, explanation of any maps, plats, exhibits, and code standards that might apply to the application. New written information not in the board packet is provided at this time.
4. Presentation by the applicant. The applicant bears the responsibility for making the case or argument before the Commission. This is the time for Board members to ask questions of the applicant. Attempts to “negotiate” with the applicant should be conducted at this step (Step 4), while the public hearing is still open.
5. Public Testimony. This includes those who are opposed to the application, and also the public in general.
6. Rebuttal by the applicant. Final questions of all parties by the Commission.
7. The Chair closes the Public Hearing and Commission deliberations begin. Once the hearing is closed, DO NOT REOPEN unless absolutely necessary. Questions of staff, the applicant, and the public are acceptable but uninitiated testimony is not. Attempts to “negotiate” with the applicant should be conducted at Step 4, not after the public hearing is closed.
8. Commission discusses or debates the application. A motion must be made, with a second, and then final discussion. If a motion falls, an amendment(s) could be made to further or facilitate Commission final action. After “final action” is taken, reconsideration is possible per 8.04.060(G).

**DON'T BEND THE RULES FOR ONE, UNLESS YOU CHANGE THE RULES FOR ALL.**

**CITY OF UNALASKA  
UNALASKA, ALASKA  
PLANNING COMMISSION & PLATTING BOARD  
AGENDA/PUBLIC NOTICE  
May 16, 2013  
CITY COUNCIL CHAMBERS, CITY HALL  
7:00 P.M.**

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The purpose of the meeting will be to consider matters brought to the attention of the Planning Commission & Platting Board and will include the following. The typical process for discussing an item is as follows:

1. Staff presentation,
2. Applicant presentation,
3. Public comments,
4. Motion/discussion/vote.

1. CALL TO ORDER
2. REVISIONS TO THE AGENDA
3. APPEARANCE REQUESTS
4. ANNOUNCEMENTS
5. MINUTES
  - Regular Meeting February 21, 2013

Public Hearing Action Items:

6. Preliminary Plat of Delta Western Subdivision, a 15.24 acre subdivision of Parcel 1-A and Tract B, Ptarmigan Flats, Subdivision, Plat Number 90-5 and Alaska Tideland Survey Number 1353, Plat Number 88-4, Aleutian Island Recording District. (*Owner/Applicant: Rick Miller, CEO, Ounalashka Corporation/FDOC, Inc; Property IDs:04-03-340, 04-03-345, and 01-10-180*)
7. Variance for a Parking Requirement Reduction from 40 parking spaces to 20 parking spaces for the proposed Delta Western Warehouse located at 1617 East Point Road, Tract B Ptarmigan Flats Subdivision, Plat Number 90-5, Aleutian Island Recording District. (*Owner: Rick Miller, CEO, Ounalashka Corporation/FDOC, Inc; Applicant: Tim Hurley, Operations Manager, Delta Western; Property IDs:04-03-340*)
8. Zoning Amendment to Rezone the property located at 271 Biorka Drove, the approximately 10 acre portion of USS 58 (Bldg #616), from General Commercial to High Density Residential. (*Owner/Applicant: Rick Miller, CEO, Ounalashka Corporation; Property IDs:04-03-600*)

Regular Meeting:

Worksession:

9. General Discussion on Title 8 Requirements :
  - a. Private access agreements for landlocked lots;
  - b. Minimum lot width requirement.
10. OTHER BUSINESS
11. ADJOURNMENT

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1. Staff presentation,
2. Applicant presentation,
3. Public comments,
4. Motion/discussion/vote.

1. CALL TO ORDER: State time for record.
2. ROLL CALL: Ask for roll call.
3. REVISIONS TO THE AGENDA: Ask staff.
4. APPEARANCE REQUESTS: Ask if anyone has requested to appear.
5. ANNOUNCEMENTS: Ask staff.
6. MINUTES
  - Regular Meeting February 21, 2013

**Approval of Minutes Steps:**

1. Open the Commission discussion by calling for a motion to approve.
2. Call for a second to the motion.
3. Commission discussion.
4. Close the Commission discussion.
5. Vote.

**Public Hearing Action Items:**

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**Public Hearing Action Item Steps:**

1. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
2. Staff Presentation.
3. Ask if Commissioners have any questions of staff.
4. Applicant Presentation.
5. Ask if Commissioners have any questions for the applicant.
6. Public Testimony. (Ask person to state name for the record.)
7. Ask if Commissioners have any questions of the public.
8. Close the Public Hearing.

9. Open the Commission discussion by calling for a motion to approve Resolution 2013-05 or 06 or 07 (see packet)
10. Call for a second to the motion.
11. Commission discussion.
12. Close the Commission discussion.
13. Vote on the Resolution.
14. Close the public hearing and call for a motion to move into a regular meeting.
15. Ask for a second.
16. Call for a vote by consensus (“all in favor of adjourning into a regular meeting, say aye”).

Regular Meeting: No items this month

Worksession: Ask staff to introduce.

10. General Discussion on Title 8 Requirements :
  - a. Private access agreements for landlocked lots;
  - b. Minimum lot width requirement.
11. OTHER BUSINESS: Ask Commissioners then staff.
12. ADJOURNMENT: State time for record

**CITY OF UNALASKA  
UNALASKA, ALASKA  
PLANNING COMMISSION MINUTES  
Thursday, February 21, 2013  
CITY COUNCIL CHAMBERS, CITY HALL  
7:00 P.M.**

**Call to Order:** Chair Chris Bobbitt called the meeting to order at 7:00 P.M.

**Staff Present:** Erin Reinders, AICP, Planning Director  
Rosie Glorso, Planning Administrator

**Public Present:** Debbie Hanson-Zueger  
Tom Bell

**Roll Call:**  
**Commissioners present:**

Chris Bobbitt, Chair  
Chris Spengler  
Steven Gregory  
Vicki Williams

**Commissioners excused:**  
John Laskowski

**Additions to the Agenda:** None

**Appearance Requests:** None

**Minutes:** Mr. Spengler motioned to approve the minutes from the January 17, 2013 meeting. There was a second. Chair Bobbitt asked if there were any questions about the minutes. Hearing none, Chair Bobbitt called for vote on the minutes and the motion passed by unanimous consensus (4-0). The minutes from the January 17, 2013 meeting were adopted.

**Announcements:** Ms. Reinders updated the Planning Commission on the change in time for the City Council Meeting scheduled on February 26, 2013 from 7PM to 6PM. The Planning Commission will be presenting the 2012 Annual Report and asked everyone to take note of the time change. Ms. Reinders also informed the Planning Commissioners that the deadline of submission for the Financial Disclosure Statements will be on March 1, 2013. She also announced that the Planning Department's application to the American Planning Association to participate in their Community Planning Assistance Team Program for outreach help with Land Use Planning was approved. Work out some schedule issues to get the ball rolling. Lastly, she announced that this is going to be Ms. Glorso's last Planning Commission Meeting as she is leaving for a new opportunity. Her last day will be on March 15, 2013.

**Planning Commission Public Hearings:**

- 1. Public Hearing to review the application for Conditional Use from Dr. Shawn Gehlsen of Arctic Chiropractic to allow (1) mobile home for employee housing at the back of the main structure at 372 Bayview Avenue, Lot 1, Block 3, USS 1992, in the Downtown neighborhood.**

Chair Bobbitt opened the public hearing and called for any ex parte communication or conflicts of interest to be disclosed. Hearing none, the Chair called for staff presentation.

**Staff Presentation:** Staff presented the background of the conditional use permit from Dr. Shawn Gehlsen for Arctic Chiropractic. Staff explained that the application is requesting permission to site one mobile home as an employee housing unit. The property currently has an existing structure with the first two floors being used for chiropractic treatment rooms. The top level is being used as a residence and was approved as a non-conforming use via Ordinance 99-21. Staff explained that the applicant has requested the employee housing so that the practice can add a physical therapist to their staff. Staff explained that mobile homes are not built for the Aleutian climate, but Dr. Gehlsen is planning to site a mobile home made in Washington that will have siding and roofing added that will withstand the climate. The mobile home will also be in conformance with building codes and zoning ordinances such as setback requirements. The property is currently zoned General Commercial and so the use of an employee housing unit is not permitted by right but could be permitted through a conditional use permit.

Staff explained that the lot currently has a container van where the mobile home is planned, so the container van will have to be removed. Staff has received verbal and written feedback from two neighbors as a result of the mail outs sent out to adjacent owners within 300 feet of the property. Staff explained that their analysis of the application shows that it meets the tests of code, and staff finds the application is a reasonable request. Although the mobile home will be sited above the utility service lines, costs associated with future repair of these lines will be the responsibility of the property owner.

Staff explained that a parking analysis was provided in the staff report and the parking plan that Dr. Gehlsen provided is more than adequate because it exceeds the 10 off-street parking and (1) handicap parking space required. Staff explained that the removal of the container van to site the mobile home will increase the residential character of the location and not impact the parking plan.

Per Title 8 UCO 8.12.200, the conditional use application must meet the tests of code before the permit can be granted as follows:

1. Furthers the goals and objectives of the Comprehensive Development Plan;
2. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district; and
3. Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district.

Staff stated that housing was identified as an important component in the Comprehensive Plan, which calls for the goal of ensuring adequate supply of rental housing in the community. Additionally, the Comprehensive Plan supports a diverse economy dependent upon a range of housing choices. Also, adding housing units will boost the local housing market by freeing up rentals for other Unalaskans who don't have access to employee provided housing. Therefore, Staff finds that the application meets the first test of code.

The second test of code is whether the proposed employee housing will be compatible with the existing and planned land uses in the neighborhood. The Downtown neighborhood is a mix of uses with a variety of residential types. The proposed Conditional Use will maintain the character of the neighborhood by providing housing. Additionally, the plans submitted by Dr.

Gehlsen show that the applicant is going to additional effort and expense by choosing a mobile home unit with a reinforced roof and siding appropriate for the Aleutian climate and aesthetics that look more like a single-family house instead of the typical mobile home look. Staff finds the request will be compatible with the surrounding neighborhood and meets the second test of code.

The last test of code is whether or not the Conditional Use will not have a permanent negative impact greater than expected from permitted development. The district is zoned as General Commercial and the purpose of that is to provide general retail sales, service, and repair activities as well as provide locations for professional offices, certain commercial industrial/lighter industrial and warehousing offices that are not dependent on direct access to a water body. In this zoning district, employee provided housing is permitted as a Conditional Use only. The surrounding area in the Downtown area contains varying concentrations of residential uses, some commercial uses. Other uses such as adult-oriented business are permitted outright in the General Commercial zoning district; however, Dr. Gehlsen utilizes the lot as a chiropractic clinic during regular business hours and is asking for one employee housing unit with this request. Staff finds that the Conditional Use application meets the third test of code.

Staff recommends the approval of Resolution 2013-03 with some conditions of approval:

1. Approval is based upon the site plan and details submitted with the Conditional Use request application.
2. The appropriate building permits must be received from the City of Unalaska Department of Public Works and the associated conditions shall be addressed, including building materials and setbacks.
3. The structure will be placed at the southeast of the lot while still meeting setbacks.

Staff explained that the Planning Department has received feedback from two property owners in the area and the primary concern from both adjacent landowners was that the structure sited on Dr. Gehlsen's lot is residential in nature. The details of the Conditional Use application that Dr. Gehlsen submitted show that the mobile home looks more like a residence and that reviewing that information has made at least one of the adjacent property owners more comfortable with Dr. Gehlsen's application. The other concern is that one adjacent property owner voiced concerns about the viewshed. Staff replied that the viewshed concerns, while not specifically regulated by code, could be alleviated by moving the mobile home further back from 3<sup>rd</sup> Street. Bobbitt asked if there were any questions from the Commissioners.

Mr. Gregory asked who the other landowner who made a comment about the Conditional Use application. Staff replied that Mr. Alvin Bereskin left a voicemail saying that he was not in favor of the request because he was concerned about siting a mobile home in the area. Mr. Gregory inquired if he was an adjacent landowner and staff replied that Mr. Bereskin lives within the neighborhood.

Ms. Williams inquired if the mobile home is only for one employee. Staff replied that the applicant will be presenting next and will be available for specific questions regarding his application.

Mr. Spengler asked about how the area had been platted. Staff replied that the Downtown area was platted by USS 1992, also known as "Unalaska Townsite", and that Blue Fox Alley was platted as a 15' right-of-way in that area, but as shown on the aerial the travelway does not exist in that area. Chair Bobbitt asked if the Commission could vacate that portion of Blue Fox Alley

and return the land to the adjacent property owners. Staff explained that there is a process of vacating a private right-of-way and that it would first go before the Planning Commission for approval . Then staff would take it to the City Council for approval and vacation of any right-of-way.

Chair Bobbitt asked if there were any more questions. Hearing none, he asked Dr. Gehlsen if he would like to present his application.

***Applicant Testimony:***

Dr. Gehlsen informed the Commission that the unit is for one employee. He stated that he has every intention to make it aesthetically pleasing and structurally suitable to the harsh climate here. He also mentioned he is going to remove the container van.

Chair Bobbitt asked if there were any questions from the Commissioners for Dr. Gehlsen.

Mr. Gregory asked what the total capacity of the current housing unit of the main structure. Dr. Gehlsen said there are five (5) employees housed there in total.

Mr. Spengler inquired which of the two models shown in the illustration Dr. Gehlsen intends to purchase and site on the lot. Dr. Gehlsen said that the 13'4" x 42' is one that would be more aesthetically pleasing but he will not include the porch just to keep everything within the small space.

Mr. Spengler inquired if Dr. Gehlsen is going to situate the mobile home on wheels and axle or on a foundation. Dr. Gehlsen said they were thinking of putting it on a foundation with skirting. Mr. Spengler further inquired about securing the unit and keeping it firmly in place. Dr. Gehlsen said that he doesn't know how the process works but will work with the contractor's recommendation to keep it firmly in place. Staff stated that anchoring requirements are dealt with in the building permit process.

Mr. Spengler inquired if Dr. Gehlsen is set on siting the mobile home the way it was laid out in his plans or move it further down 3<sup>rd</sup> Street as recommended. Dr. Gehlsen said that they are open to moving it so it would not obstruct the view of his neighbor.

Chair Bobbitt asked if the mobile home is going to affect the access to the parking spaces in the back. Dr. Gehlsen said that the parking that goes behind the lot has never been used and so far has not had any issue about it. Chair Bobbitt asked him if the mobile home will affect the placement of his dumpster and Dr. Gehlsen said hopefully it will not.

Chair Bobbitt asked if there were any further testimony from the public.

***Public Testimony:***

Ms. Debra Hanson - Zueger testified that she was initially upset of Dr. Gehlsen's plans but she is willing to support his plans and request the Planning Commission to consider the conditions she has outlined in her letter.

Chair Bobbitt asked if there were any other questions from the Commissioners. Hearing none, Chair Bobbitt closed the public hearing at this point and opens the Commission discussion by calling for a motion to approve Resolution 2013-03.

**MAIN MOTION:** Mr. Spengler moved to approve Resolution 2013-03 as presented with all the recommended conditions of approval. There was a second.

**Commission Discussion:**

Mr. Gregory asked what the Code says where trailers are allowed. Staff said they are permitted anywhere by Conditional Use. Depending on lot size, up to four trailers are permitted outright in High-Density residential zones. They are not allowed outright in Single-Family and Medium-Density zones but are permitted by Conditional Use. Mr. Gregory said when he heard about the application he was not really excited as he lives in the neighborhood and certainly didn't want to see trailers in the neighborhood. He is more like to support the Conditional Use as long as it meets the lot size requirements. And it seems in this case, it is within the requirement and he is leaning towards supporting it.

Ms. Williams asked how many more Conditional Use requests for trailers the Planning Commission will allow. Chair Bobbitt said that he had the opportunity to survey the housing situation and observed many modular and pre-fabricated homes coming to the community. He also stated in answer to Ms. Williams question that applications of this nature will be approved on a case to case basis and if each application meets the tests of code.

Chair Bobbitt asked Dr. Gehlsen if he wants to include the visuals in the preliminary approval or would he like to work that out with Ms. Zueger with regards to the mobile home siting. Chair Bobbitt asked that the resolution be amended to reflect the agreed siting which is where the storage unit is located or the extreme southeast of the lot while still meeting the setback requirements.

**AMENDMENT:** Mr. Gregory moved to amend Resolution 2013-03 to include the condition that the structure will be placed at the extreme south-east of the lot but still follow the setbacks required by code. .. There was a second.

**DISCUSSION ON AMENDMENT:** Chair Bobbitt asked if there were any discussions on the amendment to the resolution. Mr. Spengler inquired if the new location would sit on the utility lines. Ms. Reinders informed him that moving it would be a better because the mobile home will not be sitting on any secondary utility lines.

**VOTE ON AMENDMENT:** There being no further discussions on the amendment, Chair Bobbitt called for a vote by consensus on the amendment to the resolution. The vote was unanimous (4-0). The amendment carried.

**VOTE ON AMENDED RESOLUTION 2013-03:**

Chair Bobbitt then called for a vote on Amended Resolution 2013-03 by consensus. The vote was unanimous (4-0). The motion carried.

**Planning Commission Public Hearings:**

2. Public Hearing to review the Preliminary Plat of R.O.W. Acquisition Plat, Airport Beach Road/BLM Tract 38, a right-of-way vacation of a portion of Airport Beach Road P-96-15.

Chair Bobbitt opened the public hearing and called for any ex parte communication or conflicts of interest to be disclosed. Hearing none, the Chair called for staff presentation.

**Staff Presentation:** Staff presented the application and explained that the wastewater treatment plant (WWTP) will be expanding, but there is not enough space at the current location on BLM Tract 38 at the corner of Airport Beach Road and Gilman Road. However, City has been blasting rock to create more usable space on the lot, and the existing right-of-way for Airport Beach Road is wider than necessary. To get enough area to site the new WWTP, the City plans to vacate that unused portion of Airport Beach Road which is about 7,692 square feet. According to Title 7 UCO Section 7.08.020, a right-of-way vacation must be approved by the City Council by resolution. But first the area has to be replatted by the Planning Commission. Assuming Resolution 2013-04 is approved, it will be presented to the City Council on February 26, 2013. Once it has been approved by the City Council, the City's contractor can then start the survey and the replat BLM Tract 38 to incorporate the added square footage.

Chair Bobbitt asked the Commissioners if they have any questions for staff. Mr. Gregory inquired if what the right-of-way is like on the other side of Gilman Road and if it is as wide as on WWTP location. Staff answered that south of Gilman is at least 100 feet wide, which is still more than the 60 feet required by the State. Mr. Spengler asked if replatting that portion of Airport Beach Road will affect the future plan to build a pedestrian and bicycle path. Staff said that there would still be adequate right-of-way for such a project in the future.

There being no other questions from the Commissioners, Chair Bobbitt called for a vote on Resolution 2013-04.

**Motion:** Mr. Gregory moved to approve Resolution 2013-04. There was a second.

**Vote:** The vote was unanimous (4-0). The motion carried.

### **Work Session:**

#### **3. Introduction to the Capital and Major Management Plan FY2014 – FY2018**

**Presentation:** Ms. Reinders said that the CMMP is a process to manage capital projects, and this year the Planning Department will help lead and coordinate with other City departments. This session is more for informational purposes. She said that it would be a good idea to bring the CMMP to the Planning Commission since in the past year there were a couple capital and improvement projects that required the Planning Commission to make some fairly difficult decisions that were directly impacted by the CMMP. The CMMP documents for review by the Planning Commission are the current projects nominated by other City departments. The department that nominates a project will have to justify why these projects are needed and present budget information associated with the project. The Planning Department puts all of these nominations together and these go through a number of peer reviews by City staff. At this point the CMMP is being presented to the Planning Commission for comments, after which there will be a formal presentation to the City Council. It will then get updated if there are any changes that City Council has requested.

The first year in the budget is typically the Capital Budget and those projects are typically more detailed. There are about twenty (20) projects involved in the FY2014-FY2018 including projects that are funded from a General Fund and Enterprise Funds. The lists of projects are what the

Planning Commission would be most interested in. Those shown in bold letters are the newest projects that were included in this year's CMMP process. If it is not in bold, it has been updated from previous CMMP review. Commissioners can check with the Planning Department for more details about specific projects. Ms. Reinders pointed out some projects that might be interesting to the Commissioners and could impact some of the decisions they make, such as Captains Bay Road and Utility Improvements. Most of the projects are from previous years and some are federally or state mandated requirements.

Ms. Reinders said that the CMMP is a very long process and that they are about half-way through. She asked the Commissioners if they had any questions.

Ms. Williams asked about the Unalaska Library expansion because she believed that the library is under-utilized. Ms. Glorso said the Unalaska Library has a very high circulation rate and with further upgrades to the wireless internet service comes they anticipate more people using the library services. The CMMP nomination for the library exists because the facility was designed to be expanded and we are planning for the expansion before the facility reaches full capacity so the collection can continue with new materials. Future expansion will be towards the Senior Center.

Mr. Gregory wanted to know where Ballyhoo Road paving project will end and was informed that it will go as far as Kloosterboer. He also requested more information on the UMC Dock Replacement and Expansion. . He also inquired if the Miscellaneous Paving Projects include bridge approaches. Ms. Reinders said most of the paving projects are for the parking lots in City Hall, Library, School, etc. Ms. Reinders also clarified in answer to Mr. Gregory's question that the UMC Dock Replacement and Expansion does not include dredging but will be another project. Ms. Reinders said she get the details of the project for Mr. Gregory.

Chair Bobbitt asked if there were any other questions from the Commissioners. Mr. Gregory said in behalf of the Planning Commissioners he would like to thank Ms. Glorso for all the hard work she has done for the City making their jobs easier.

Adjournment: Chair Bobbitt adjourned the meeting at 8:17PM.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.

\_\_\_\_\_  
Chris Bobbitt  
Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Erin Reinders, AICP  
Recording Secretary

\_\_\_\_\_  
Date

Prepared by Veronica Decastro, Planning Administrative Assistant

# **Preliminary Plat of Delta Western Subdivision**

## PLANNING COMMISSION & PLATTING BOARD STAFF REPORT

Preliminary Plat of Delta Western Subdivision, a 15.24 acre subdivision of Parcel 1-A and Tract B, Ptarmigan Flats, Subdivision, Plat Number 90-5 and Alaska Tideland Survey Number 1353, Plat Number 88-4, Aleutian Island Recording District.

| Project Information            |   |
|--------------------------------|---|
| <b>Land Owner</b>              | Richard Miller, FDOC, Inc   |
| <b>Applicant</b>               | Tim Hurley, Delta Western   |
| <b>Location</b>                | Eastside of East Point Road, near the intersection with Delta Way   |
| <b>Property Identification</b> | Tract B/Lot 1: 04-03-340; Parcel 1-A/Lot 2: 04-03-345; ATS 1353: 01-10-180  |
| <b>Application Type</b>        | Preliminary Plat  |
| <b>Project Description</b>     | Reconfiguration of 3 lots on 15.24 acres as well as the dedication and vacation of three easements.   |
| <b>Zoning</b>                  | Lots 1 and 2 are zoned Marine Dependent/Industrial and ATS 1353 is zoned Developable Tideland.  |
| <b>Exhibits</b>                | Draft Resolution 2013-05, Preliminary Plat of Delta Western Subdivision, Parent Plat(s) 90-5 and 88-4, Related Easement Plat 2012-9, and Aerial imagery from GeoBlade |
| <b>Staff Recommendation</b>    | Approval with Conditions as identified in Resolution 2013-05  |

### **BACKGROUND**

The purpose of this plat is three fold:

1. To relocate a 10-foot Utility and Drainage Easement that was originally dedicated as part of Plat 2012-9, through which a number of easements were dedicated throughout Puffin and Ptarmigan Flats Subdivisions. The relocation is needed to accommodate Delta Western development.
2. To dedicate a new utility easement to be used for electrical improvements associated with the new Delta Western Warehouse.
3. To refine the property boundary, acreage, and public access easement location to accommodate fill and 2013 Meanders.

### **RECOMMENDATION**

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision), the City of Unalaska Department of Planning, in concert with the Development Review Team, have reviewed the preliminary plat and have identified the need for various edits, additions or deletions, and clarifications. These revisions are particularly related to the identification of easements, identifying the location of buildings, clarifying plat notes, and final plat requirements.

Staff recommends conditional approval of the preliminary plat for the Delta Western Subdivision, with conditions to be met before acceptance of the Preliminary Plat and/or submission of the Final Plat, as outlined on Resolution 2013-05.

**City of Unalaska**  
**Unalaska, Alaska**  
**Platting Board Resolution 2013-05**

A RESOLUTION APPROVING PRELIMINARY PLAT OF DELTA WESTERN SUBDIVISION,  
A 15.24 ACRE SUBDIVISION OF PARCEL 1-A AND TRACT B, PTARMIGAN FLATS,  
SUBDIVISION, PLAT NUMBER 90-5 AND ALASKA TIDELAND SURVEY NUMBER 1353,  
PLAT NUMBER 88-4, ALEUTIAN ISLAND RECORDING DISTRICT.

**WHEREAS**, Title 8 UCO Section 8.08.070 sets forth the procedures for the subdivision and platting and provides that the Planning Commission shall act as the Platting Authority; and

**WHEREAS**, FDOC, Inc is the owner of Parcel 1-A/Lot 2 (04-03-345), Tract B/Lot 1 (04-03-340) and ATD 1353 (01-10-180) and these properties are leased to Delta Western; and

**WHEREAS**, FDOC, Inc and Delta Western have submitted a platting application to reconfigure three lots and alter the location of three easements through dedication and vacation;

**WHEREAS**, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the proposed plat and have recommended revisions as described below; and

**WHEREAS**, notices of the public hearing were posted and mailed; and

**WHEREAS**, the City of Unalaska Planning Commission held a public hearing on May 16, 2013 to consider this platting action and to hear testimony of the public and City Staff, and

**NOW THEREFORE BE IT RESOLVED**, the Platting Authority approves the preliminary plat of the Delta Western Subdivision, with the following conditions of approval in accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision):

1. The "Easement Details" list shall be correctly identified as "Lot 1 Easement Details."
2. The second list currently identified as "Easement Details" shall be titled "Easement Legal Descriptions."
3. The 10-foot easement to be vacated with this platting action shall be identified as E5 and included in the "Lot 1 Easement Details" listing.
4. The 10-foot easement to be dedicated with this platting action shall be identified as E6 and included in both the "Lot 1 Easement Details" listing and the "Easement Legal Description" listing.
5. The easement identified as E4 shall be clearly marked as being dedicated with this platting action, consistent with the hatching in the Legend, and shall be revised to include a 20-foot by 20-foot square on the southernmost portion needed to accommodate a utility improvement.
6. All existing and permanent structures (i.e. buildings and docks) shall be shown on the plat and any temporary structures shall be removed from this plat. Building setbacks to the nearest property line shall be labeled.
7. The following note shall be added: "Structures existing at the time of certification of this plat are shown. Some of these structures may not conform to City of Unalaska Code of Ordinance, Title 8, regarding minimum setbacks from property lines. All structures shown are authorized nonconforming structures of record with regard to setback requirements."
8. Note 9 shall be corrected to read that both "Lot 1 and Lot 2 are zoned Marine Dependent/Industrial..."

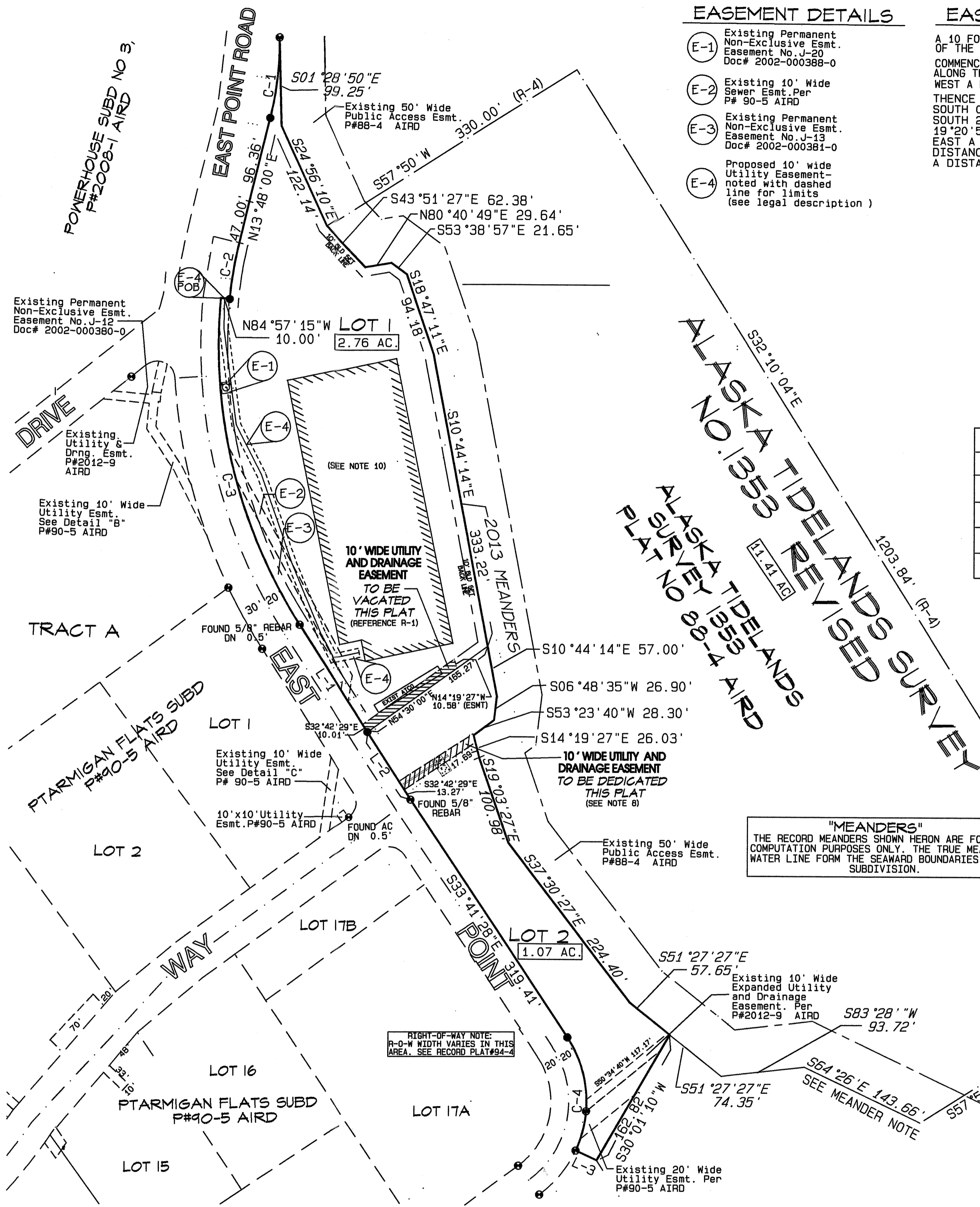
9. The following note shall be added: "All access easements from a fixed point to navigable or public waters extend to the waterline, extending or shortening as the water advances or recedes."
10. The following note shall be added: "Sewer service for Lot 2 will likely require crossing East Point Road and connecting near the intersection of Delta Way."
11. The owner of Lot 1 shall be correctly identified as FDOC in the Certificate of Ownership and Dedication.
12. Face details of the monuments shall be provided.
13. A tie shall be shown from one monument within the subdivision to one of the existing City control monuments with bearing and distance.
14. Surveyor shall set one new primary monument and provide coordinates in NAD 83 Alaska State Plane Zone 10, U.S. foot.
15. A closure report shall be submitted.

Upon the correction of the aforementioned deficiencies submit a corrected preliminary plat to the Department of Planning for review and concurrence before proceeding to final plat. This conditional plat approval becomes effective if there are no appeals within ten (10) working days after the Planning Commission action and shall remain in effect for one year.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2013, BY THE PLATTING BOARD OF THE CITY OF UNALASKA, ALASKA.

\_\_\_\_\_  
Chris Bobbitt  
Chair

\_\_\_\_\_  
Erin Reinders, AICP  
Secretary



### EASEMENT DETAILS

- (E-1) Existing Permanent Non-Exclusive Esmt. Easement No. J-20 Doc# 2002-000388-0
- (E-2) Existing 10' Wide Sewer Esmt. Per P# 90-5 AIRD
- (E-3) Existing Permanent Non-Exclusive Esmt. Easement No. J-13 Doc# 2002-000381-0
- (E-4) Proposed 10' wide Utility Easement noted with dashed line for limits (see legal description)

### EASEMENT DETAILS (E-4)

A 10 FOOT WIDE UTILITY EASEMENT, 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE AND AS DEPICTED HEREON. COMMENCING AT THE CORNER MONUMENT AT THE SOUTH END OF C-2 ALONG THE EAST SIDE OF EAST POINT ROAD, THENCE NORTH 84°57'15" WEST A DISTANCE OF 5.00' TO THE POINT OF BEGINNING THENCE SOUTH 00°45'17" WEST A DISTANCE OF 33.72 FEET; THENCE SOUTH 07°39'20" EAST A DISTANCE OF 108.87 FEET; THENCE SOUTH 26°58'35" EAST A DISTANCE OF 62.00 FEET; THENCE SOUTH 19°20'59" EAST A DISTANCE OF 105.96 FEET; THENCE SOUTH 22°42'49" EAST A DISTANCE OF 85.64 FEET; THENCE SOUTH 27°43'49" EAST A DISTANCE OF 29.11 FEET; THENCE NORTH 78°08'28" EAST A DISTANCE OF 29.50 FEET TO THE END OF SAID EASEMENT.

### LEGEND

- FOUND RECORD CORNERS/MONUMENTS
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP FOR CORNER
- N45°34'53"W 223.78' INDICATES A RECORD MEANDER VALUE
- ▨ NEW EASEMENT TO BE DEDICATED THIS PLAT
- ▨ EXISTING EASEMENT TO BE VACATED THIS PLAT
- EXISTING EASEMENT TO REMAIN
- NEW PROPOSED UTILITY AND DRAINAGE
- BUILDING SETBACK LINE
- TIDELAND SURVEY - SEAWARD BOUNDARY
- NEW OHW MEANDER

### TOPOGRAPHIC SURVEY LEGEND

- EXISTING STORM DRAINAGE PIPE
- ▨ EXISTING CONCRETE SLAB
- ▨ EXISTING TRAILER / OFFICE
- ⊕ EXISTING FIRE HYDRANT

## ILIULIUK BAY

| BOUNDARY CURVE TABLE |           |         |            |              |               |
|----------------------|-----------|---------|------------|--------------|---------------|
| CURVE NO.            | DELTA     | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
| C-1                  | 14°46'46" | 353.04' | 91.07'     | 90.81'       | S06°24'10"W   |
| C-2                  | 08°45'18" | 414.08' | 63.27'     | 63.21'       | S09°25'22"W   |
| C-3                  | 37°45'12" | 581.62' | 383.24'    | 376.35'      | S13°49'53"E   |
| C-4                  | 58°41'15" | 129.71' | 132.86'    | 127.13'      | S04°21'03"E   |

| BOUNDARY LINE TABLE |             |          |
|---------------------|-------------|----------|
| LINE NO.            | BEARING     | DISTANCE |
| L-1                 | S32°42'13"E | 141.57'  |
| L-2                 | S32°42'54"E | 90.00'   |
| L-3                 | S65°00'24"E | 25.90'   |

Owner: Lot 1  
FDOC Inc.  
PO Box 149  
Unalaska, AK 99685

Owner: Lot 2  
FDOC Inc.  
PO Box 149  
Unalaska, AK 99685

Owner: ATS 1353  
FDOC Inc.  
PO Box 149  
Unalaska, AK 99685

### PARCEL ACREAGE CHART

NEW ACREAGE  
DELTA WESTERN SUBDIVISION : LOT 1, 120, 159 SQ FEET, 2.76 ACRES  
LOT 2, 46, 464 SQ FEET, 1.07 ACRES  
ALASKA TIDELANDS SURVEY 1353-REV: 497, 157 SQ FEET, 11.41 ACRES

PREVIOUS ACREAGE  
PTARMIGAN FLATS SUBDIVISION : TRACT B, 101, 471 SQ FEET, 2.33 ACRES  
PARCEL 1-A, 43, 703 SQ FEET, 1.00 ACRES  
ALASKA TIDELANDS SURVEY 1353: 518, 619 SQ FEET, 11.91 ACRES

### NOTES:

- THE PURPOSE OF THIS REPLAT IS TO REMOVE THE 10 FOOT WIDE UTILITY AND DRAINAGE EASEMENT LOCATED ON THE LOT LINE BETWEEN LOT 1 (TRACT B) AND LOT 2 (PARCEL 1-A), AS PLATTED (P#2012-9-AIRD) AND TO ADD THE FILLED TIDELANDS TO THE AREA OF THE NEW LOT 1 WHILE ALSO REDUCING THE AREA OF THE TIDELANDS AND TO DEDICATE NEW ELECTRIC AND DRAINAGE EASEMENTS WHERE NEEDED
- FIELD SURVEY DATA WAS COLLECTED ON MAY 25, 2012 & APRIL 27, 2013
- ALL LOTS SHALL BE SERVED BY CITY OF UNALASKA WATER AND SEWER.
- THE BASIS OF BEARING FOR THIS SURVEY IS N47°34'49"W AND IS BASED ON THE FINAL PLAT OF PUFFIN SUBDIVISION AS SHOWN ON PLAT NO 94-1 AS FILED IN THE ALEUTIAN ISLANDS RECORDING DISTRICT.
- TOPOGRAPHIC INFORMATION IS SHOWN AS FIELD SURVEYED UTILITIES ARE SHOWN AS OBSERVED IN THE FIELD OR AS LOCATED BY CITY PUBLIC WORKS PERSONNEL.
- DEVELOPERS MAY NOT ALTER EXISTING DRAINAGE WITHOUT PROVIDING ALTERNATIVES AND/OR DRAINAGE EASEMENTS, IF NECESSARY.
- A NON RESTRICTIVE RIGHT OF ENTRY IS HEREBY GRANTED TO THE CITY OF UNALASKA FOR MAINTENANCE OF THE UTILITY EASEMENTS BEING DEDICATED THIS PLAT.
- 10 FOOT WIDE DRAINAGE EASEMENT TO ACCOMMODATE NEW 2012, DRAINAGE PIPE.
- THE NEWLY CREATED LOT 1 IS ZONED MARINE RELATED INDUSTRIAL WITH MINIMUM FRONT, SIDE AND REAR YARD SETBACK OF 10 FEET. ATS 1353 IS ZONED AS DEVELOPABLE TIDELAND WITH FRONT AND SIDE YARD SETBACK REQUIREMENTS OF 10 FEET. IN BOTH ZONING DISTRICTS, DOCKS, DECKING AND APPROACHES ARE EXEMPT FROM THESE SETBACK REQUIREMENTS.
- THE BUILDING UNDER CONSTRUCTION SHOWN IS POSITIONED PER CONTRACTOR SUPPLIED DATA DATED 4/28/13.

### RECORD DOCUMENTS

- (R-1) PLAT NO 2012-9 PUFFIN-PTARMIGAN FLATS SUBDIVISION-REPLAT FOR EASEMENTS-2012 RECORDED 8/27/2012, AIRD
- (R-2) PLAT NO 90-5 PTARMIGAN SUBDIVISION RECORDED 5/2/90 AIRD
- (R-3) PLAT NO 94-1 PUFFIN SUBDIVISION RECORDED 1/5/94 AIRD
- (R-4) PLAT NO 88-4, ALASKA TIDELANDS SURVEY NO 1353, RECORDED 2/9/88 AIRD

### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON EXIST AS DESCRIBED, AND THAT ALL OTHER DETAILS ARE CORRECT.

REGISTERED LAND SURVEYOR

REGISTRATION NO.

DATE

### CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE SURFACE ESTATE OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADVERTISE THIS PLAN OF SUBDIVISION AND DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO THE PUBLIC, AND EASEMENTS TO THE USE SHOWN.

OWNER: LOT 1

RICHARD A. MILLER  
CHIEF EXECUTIVE OFFICER  
UNALASKA CORPORATION  
PO BOX 149  
UNALASKA, ALASKA 99685-0149

NOTARY ACKNOWLEDGEMENT FOR: RICHARD A. MILLER

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF 2013.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES

OWNER: LOT 2

RICHARD A. MILLER  
FDOC INC.  
PO BOX 149  
UNALASKA, ALASKA 99685-0149

NOTARY ACKNOWLEDGEMENT FOR: RICHARD A. MILLER

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF 2013.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES

OWNER: ATS 1353-REVISED

RICHARD A. MILLER  
FDOC INC.  
PO BOX 149  
UNALASKA, ALASKA 99685-0149

NOTARY ACKNOWLEDGEMENT FOR: RICHARD A. MILLER

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF 2013.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES

### TAX CERTIFICATE

I HEREBY CERTIFY THAT NO TAX PAYMENT IS CURRENTLY DUE FOR THE PROPERTY SHOWN HEREON.

CITY CLERK, CITY OF UNALASKA

DATE

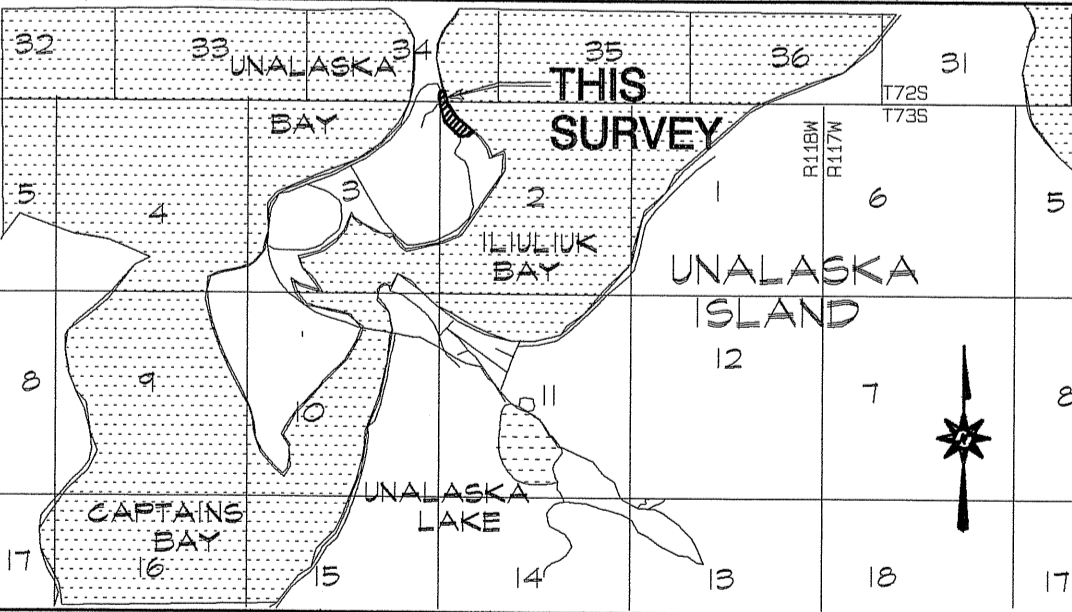
### PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE CITY OF UNALASKA, SAID PLAT HAS BEEN APPROVED BY THE CITY OF UNALASKA.

CITY CLERK, CITY OF UNALASKA

PLATTING AUTHORITY

### VICINITY MAP SCALE: 1"= 5280 FEET



## DELTA WESTERN SUBDIVISION

A SUBDIVISION OF PARCEL 1-A AND TRACT B, PTARMIGAN FLATS SUBDIVISION, PLAT NO. 90-5, AND ALASKA TIDELANDS SURVEY NO. 1353, PLAT NO. 88-4, AIRD

LOCATED WITHIN SECTION 3 & 34, TOWNSHIP 73 SOUTH, RANGE 118 WEST, SEWARD MERIDIAN, CITY OF UNALASKA, ALEUTIAN ISLAND RECORDING DISTRICT, ALASKA








CONTAINING: 15.24 ACRES

ALASKA SURV/TECH  
LAND SURVEYORS & DEVELOPERS  
7080x 417  
NEWMAN LAKE, WA 99025

Grid: UNALASKA Scale 1"= 80' Date 4/28/13 BKUNAK MISC Pg  
Drawn TI File No. 12-04 Proj. Delta W Sheet 1 of 1  
Revision # 2

# Delta Western Map



-  Signs
-  AddressPoints
-  Contours
-  CityLimit
-  Storage Tanks
-  Curbs
-  Sidewalks
-  BuildingFootPrints
-  Parcels



NOTE:  
THE CITY OF UNALASKA ASSUMES NO RESPONSIBILITY FOR ANY INFORMATION SHOWN ON THIS MAP. THE MAP WAS COMPILED USING AVAILABLE CITY RECORDS AND IS NOT MEANT TO BE SUBSTITUTED FOR A FIELD SURVEY. ALL ITEMS ON THE MAP ARE APPROXIMATE. ALL UTILITIES SHOWN SHOULD BE FIELD LOCATED PRIOR TO EXCAVATION.



350 ft

APPLICATION FOR PLAT APPROVAL  
CITY OF UNALASKA, ALASKA

THE UNDERSIGNED HEREBY APPLIES TO THE CITY OF UNALASKA PLANNING DEPARTMENT FOR APPROVAL TO PLAT LAND AS FOLLOWS AS PER SECTION 8.08 UCC:

TYPE OF ROW Acquisition \_\_\_\_\_ Preliminary X  
PLAT

Final \_\_\_\_\_ Abbreviated \_\_\_\_\_

PRESENT Subdivision PIARMIGAN FLATS-SUBDIVISION  
DESIGNATION  
OF PROPERTY Block(s) \_\_\_\_\_ Parcel  
Lot(s) 1-A Tract(s) TRACT B  
USS \_\_\_\_\_  
OR

Aliquot Part or Metes and Bounds Description \_\_\_\_\_

Located in the (aliquot part) \_\_\_\_\_ of

Section(s) 3 Township(s) 73S Range(s) 118W  
Meridian SEWARD

FUTURE Subdivision DELTA WESTERN SUBDIVISION  
DESIGNATION  
OF PROPERTY Block(s) \_\_\_\_\_ Lot(s) 1 Tract(s) \_\_\_\_\_

Containing 3.3 Acre(s) 1 Lot(s) \_\_\_\_\_ Tract(s) \_\_\_\_\_

SUPPLEMENTAL  
INFORMATION

1. The plat boundary includes all land under contiguous ownership unless separate legal descriptions exist as a matter of record.

X YES \_\_\_\_\_ NO

2. Property is currently proposed for City Water and Sewer hookup?

X YES \_\_\_\_\_ NO

4. Proposed land use Zoning designation:

MARINE DEPENDENT/INDUSTRIAL

**APPLICANT**

Name of Owner UNALASKA CORP.  
 Address Box 149 UNALASKA 99685  
 Contact RICK MILLER Phone 581-1276

**SURVEYOR**

Firm Name ALASKA SURV/TECH  
 Address P.O. Box 417, NEWMAN LAKE, WA 99025  
 Contact TERREY P. IRWIN PLS Phone 509-226-0008  
 Registered in Alaska X Yes 255144 No

**SUPPORTIVE DATA**

X 12 copies  
 \_\_\_\_\_ Soils Information (if applicable)  
 \_\_\_\_\_ Other Applications:  
     \_\_\_\_\_ Variance  
     \_\_\_\_\_ Vacactions of ROW  
         or Public area(s)  
 \_\_\_\_\_ Fee(s): \$ \_\_\_\_\_  
X Title Search/Certificate-to-Plat

**CERTIFICATION**

I HEREBY CERTIFY THAT (I AM) (I HAVE BEEN AUTHORIZED TO ACT FOR) THE OWNER OF THE PROPERTY DESCRIBED ABOVE AND THAT I DESIRE TO SUBDIVIDE THIS PROPERTY IN CONFORMANCE WITH THE CITY OF UNALASKA CODE TITLE 8, AND HEREBY DISPOSE AND SAY THAT ALL OF THE ABOVE STATEMENTS ARE TRUE. I AM FAMILIAR WITH THE TITLE 8 PRELIMINARY PLAT REQUIREMENTS AND CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL ABILITY, THAT THIS PLAT MEETS THEM. I UNDERSTAND THAT PAYMENT OF THE PLATTING FEE IS NON-REFUNDABLE AND IS TO COVER COSTS ASSOCIATED WITH THE PROCESSING OF THIS APPLICATION AND THAT IT DOES NOT ASSURE APPROVAL OF THE PLAT.

4/11/73  
 DATE

RICHARD A. MILLER  
 APPLICANT'S NAME

Richard A. Miller  
 APPLICANT'S SIGNATURE

# CURVE TABLE

| NO. | RADIUS | DELTA      | ARC    | TANGENT | CHORD  | BEARING        |
|-----|--------|------------|--------|---------|--------|----------------|
| 1   | 465.62 | 03°36'19"  | 29.30  | 14.65   | 29.29  | S 51°46'52"W * |
| 2   | 365.62 | 01°31'37"  | 392.62 | 217.64  | 374.03 | S 19°30'27"W * |
| 3   | 365.62 | 03°55'04"  | 25.00  | 12.50   | 25.00  | S 48°18'43"W * |
| 4   | 365.62 | 20°41'35"  | 132.05 | 66.75   | 131.33 | S 36°00'24"W * |
| 5   | 365.62 | 36°54'58"  | 235.57 | 122.04  | 231.52 | S 07°12'07"W * |
| 6   | 40.00  | 90°09'50"  | 62.95  | 40.11   | 56.85  | S 14°42'35"W * |
| 7   | 326.56 | 05°53'24"  | 33.57  | 16.80   | 33.56  | S 27°25'38"E * |
| 8   | 213.73 | 10°17'41"  | 40.52  | 20.26   | 40.45  | S 29°54'46"E * |
| 9   | 213.73 | 12°14'17"  | 45.65  | 22.81   | 45.56  | S 41°27'45"E * |
| 10  | 213.73 | 23°05'58"  | 86.17  | 43.68   | 85.59  | S 36°01'55"E * |
| 11  | 270.00 | 51°54'22"  | 244.60 | 131.41  | 236.32 | S 73°32'05"E   |
| 12  | 250.00 | 51°54'22"  | 226.48 | 121.68  | 218.82 | S 73°32'05"E   |
| 13  | 230.00 | 51°54'22"  | 208.36 | 111.95  | 201.31 | N 73°32'05"W   |
| 14  | 270.00 | 04°33'49"  | 21.50  | 10.76   | 21.50  | S 82°47'39"W   |
| 15  | 20.00  | 102°52'24" | 35.91  | 25.09   | 31.28  | S 33°38'21"W   |
| 16  | 250.00 | 16°25'35"  | 71.67  | 36.08   | 71.43  | N 88°43'32"E   |
| 17  | 230.00 | 47°03'54"  | 188.93 | 100.15  | 183.66 | S 75°57'18"E   |
| 18  | 250.00 | 30°38'19"  | 133.69 | 68.48   | 132.10 | S 67°44'30"E   |
| 19  | 20.00  | 60°05'19"  | 20.97  | 11.67   | 20.03  | S 47°50'30"E   |
| 20  | 270.00 | 21°51'00"  | 102.97 | 52.12   | 102.34 | S 63°20'51"E   |
| 21  | 230.00 | 52°25'24"  | 210.44 | 113.23  | 203.18 | S 78°38'03"E   |
| 22  | 250.00 | 68°02'48"  | 296.91 | 168.78  | 279.77 | S 86°26'45"E   |
| 23  | 270.00 | 62°06'19"  | 292.66 | 162.57  | 278.55 | S 83°28'31"E   |
| 24  | 20.00  | 66°56'51"  | 23.37  | 13.22   | 22.06  | S 81°03'15"E   |
| 25  | 20.00  | 122°44'04" | 42.84  | 36.63   | 35.11  | N 13°47'13"E   |
| 26  | 335.00 | 35°03'53"  | 206.02 | 105.83  | 201.83 | N 30°02'53"W   |
| 27  | 335.00 | 37°37'26"  | 219.96 | 114.12  | 216.05 | N 08°43'32"E   |
| 28  | 335.00 | 28°28'51"  | 165.25 | 84.87   | 164.55 | N 39°19'31"E   |
| 29  | 345.00 | 101°07'20" | 555.95 | 382.96  | 486.55 | N 02°58'51"E   |
| 30  | 295.00 | 101°07'20" | 520.85 | 358.64  | 455.66 | N 02°58'51"E   |
| 31  | 129.71 | 28°32'55"  | 64.63  | 33.00   | 63.86  | N 39°16'04"E   |
| 32  | 129.71 | 58°41'16"  | 132.86 | 72.92   | 127.13 | N 04°21'02"W   |
| 33  | 109.71 | 87°14'10"  | 167.04 | 104.54  | 151.37 | N 09°55'26"E   |
| 34  | 89.71  | 87°14'10"  | 136.59 | 85.49   | 123.78 | N 09°55'26"E   |
| 35  | 20.00  | 92°28'25"  | 32.29  | 20.89   | 28.89  | N 79°56'22"W   |
| 36  | 20.00  | 86°31'23"  | 30.20  | 18.82   | 27.41  | N 10°33'14"W   |
| 37  | 631.62 | 07°06'15"  | 78.32  | 39.21   | 78.27  | S 28°08'20"E   |
| 38  | 631.62 | 22°04'48"  | 244.32 | 123.74  | 242.80 | S 14°31'20"E   |
| 39  | 20.00  | 125°09'34" | 43.69  | 38.55   | 35.51  | S 66°01'14"E   |
| 40  | 601.62 | 37°45'12"  | 396.42 | 205.71  | 389.29 | S 13°49'51"E   |
| 41  | 581.62 | 37°45'12"  | 383.24 | 198.87  | 376.35 | S 13°49'51"E   |
| 42  | 414.08 | 08°45'15"  | 63.27  | 31.70   | 63.21  | S 09°25'22"W   |
| 43  | 444.08 | 08°45'15"  | 67.85  | 33.99   | 67.79  | S 09°25'22"W   |
| 44  | 353.04 | 14°46'54"  | 91.08  | 45.79   | 90.83  | S 06°24'22"W   |
| 45  | 353.04 | 29°33'47"  | 182.16 | 93.16   | 180.15 | S 00°59'05"E   |
| 46  | 761.28 | 06°35'08"  | 87.50  | 43.80   | 87.45  | S 50°31'21"W   |
| 47  | 736.28 | 19°47'30"  | 254.33 | 128.45  | 253.07 | S 43°55'10"W   |
| 48  | 711.28 | 07°35'33"  | 94.25  | 47.20   | 94.19  | S 50°01'09"W   |
| 49  | 711.28 | 12°11'57"  | 151.44 | 76.01   | 151.16 | S 40°07'24"W   |
| 50  | 761.28 | 13°12'22"  | 175.47 | 88.12   | 175.08 | S 40°37'36"W   |
| 51  | 522.76 | 17°39'29"  | 161.11 | 81.20   | 160.47 | S 42°51'10"W   |
| 52  | 547.76 | 23°46'36"  | 227.31 | 115.32  | 225.68 | S 45°54'43"W   |
| 53  | 572.76 | 20°52'55"  | 208.75 | 105.54  | 207.59 | S 44°27'53"W   |
| 54  | 20.00  | 72°42'11"  | 25.38  | 14.72   | 23.71  | S 18°33'15"W   |
| 55  | 20.00  | 102°24'39" | 35.75  | 24.88   | 31.18  | S 89°00'10"E   |
| 56  | 547.76 | 01°59'28"  | 19.04  | 9.52    | 19.04  | S 58°47'48"W   |
| 57  | 20.00  | 110°31'15" | 28.84  | 32.87   | 28.84  | N 73°09'28"W   |
| 58  | 50.00  | 45°34'23"  | 39.77  | 21.00   | 38.73  | N 04°59'21"E   |
| 59  | 50.00  | 80°29'17"  | 70.24  | 42.32   | 64.60  | N 12°28'06"W   |
| 60  | 50.00  | 75°23'06"  | 65.79  | 38.63   | 61.14  | S 89°35'42"W   |
| 61  | 50.00  | 76°28'17"  | 66.73  | 39.40   | 61.89  | S 13°40'00"W   |
| 62  | 50.00  | 38°48'05"  | 33.86  | 17.61   | 33.22  | S 43°58'11"E   |
| 63  | 50.00  | 45°34'23"  | 39.77  | 21.00   | 38.73  | S 40°35'02"E   |
| 64  | 20.00  | 77°35'21"  | 27.08  | 16.08   | 25.06  | S 20°59'50"W   |
| 65  | 270.00 | 03°36'49"  | 17.03  | 8.52    | 17.03  | S 76°04'46"E   |
| 66  | 601.62 | 08°29'11"  | 89.11  | 44.64   | 89.03  | S 00°46'09"W   |

\* SEE TABLE BELOW FOR RECORD DATA.

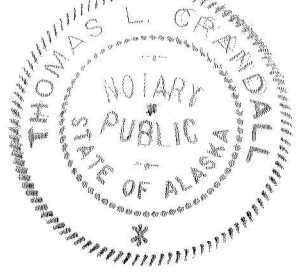
| NO. | RADIUS | DELTA     | ARC    | TANGENT | CHORD  | BEARING      |
|-----|--------|-----------|--------|---------|--------|--------------|
| 1   | 465.62 | 3°33'17"  | 28.89  | 14.45   | 28.88  | S 52°05'07"W |
| 2   | 365.62 | 61°31'35" | 392.62 | 217.64  | 374.02 | S 19°32'40"W |
| 6   | 40.00  | 90°00'00" | 62.83  | 40.00   | 56.57  | S 14°46'13"W |
| 7   | 326.56 | 5°53'24"  | 33.57  | 16.80   | 33.56  | S 27°17'04"W |
| 10  | 213.73 | 23°05'58" | 86.17  | 43.68   | 85.59  | S 35°53'21"E |

## NOTES

- TRACT E (PLAT NO. 83-8) IS HEREBY VACATED IN ITS ENTIRETY.
- OTHER EASEMENTS MAY EXIST WITHIN THIS SUBDIVISION. THE LAND OWNER SHOULD BE CONTACTED FOR VERIFICATION.
- THAT PORTION OF RIGHT-OF-WAY NOTED WITHIN CHEVRON SUBDIVISION (PLAT NO. 83-15) THAT PASSES THROUGH LOTS 17, 18 AND 19 IS HEREBY VACATED AS SHOWN.
- THE REALIGNMENT OF EAST POINT ROAD TO CONFORM TO THE PRESENT TRAVELLED WAY AND THE CREATION OF PARCEL 1-A IN PTARMIGAN FLATS SUBDIVISION HAVE RESULTED IN THE RECONFIGURATION OF PARCEL 1, CHEVRON SUBDIVISION (PLAT NO. 83-15), AS PARCEL 1-B, CHEVRON SUBDIVISION, WITH THE AREA AS SHOWN.
- LOTS SHALL BE SERVED BY A D.E.C.-APPROVED COMMUNITY WATER AND SEWER SYSTEM. ON-LOT SEWAGE DISPOSAL IS NOT ALLOWED.
- THE MEANDERS SHOWN HEREON ARE FOR AREA COMPUTATION PURPOSES ONLY. THE TRUE MEANDERS OF MEAN HIGH WATER FORM THE SEAWARD BOUNDARIES OF THE SUBDIVISION.

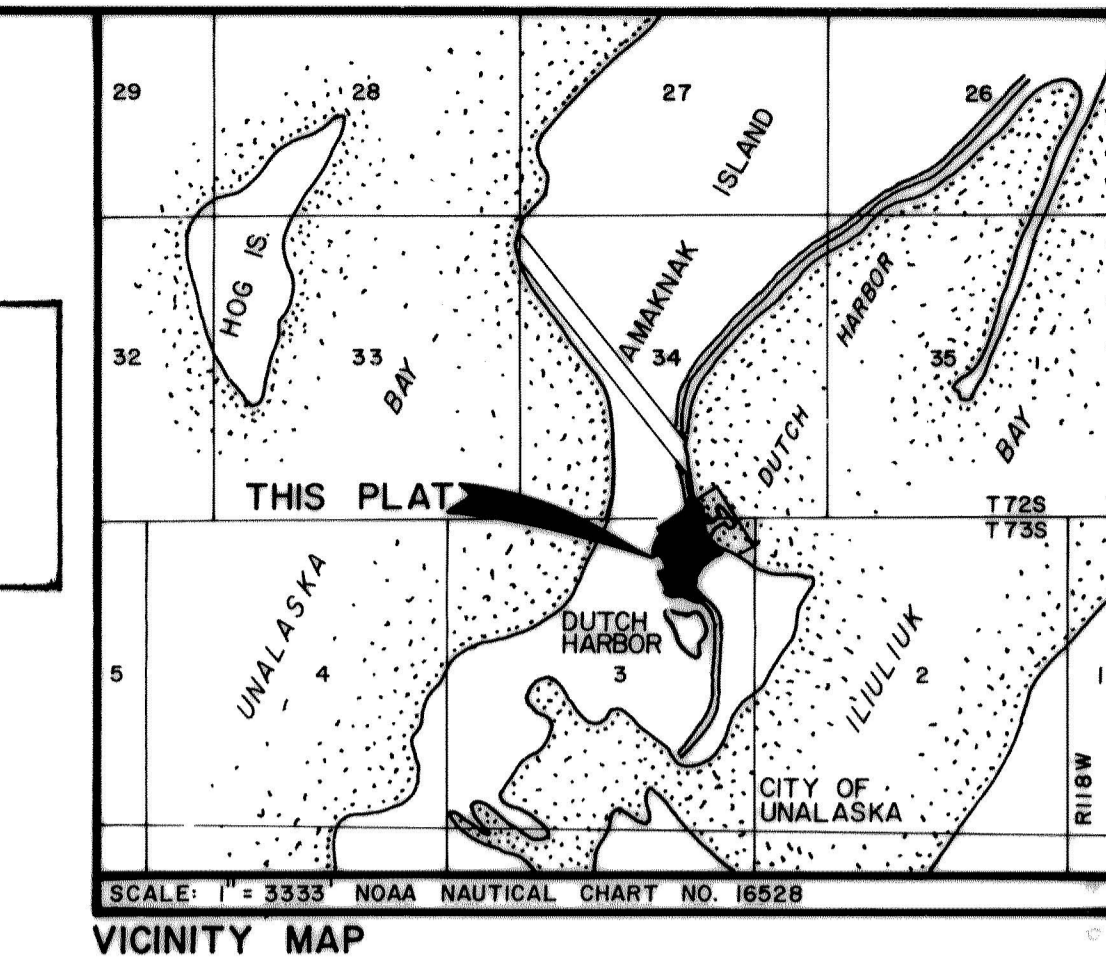
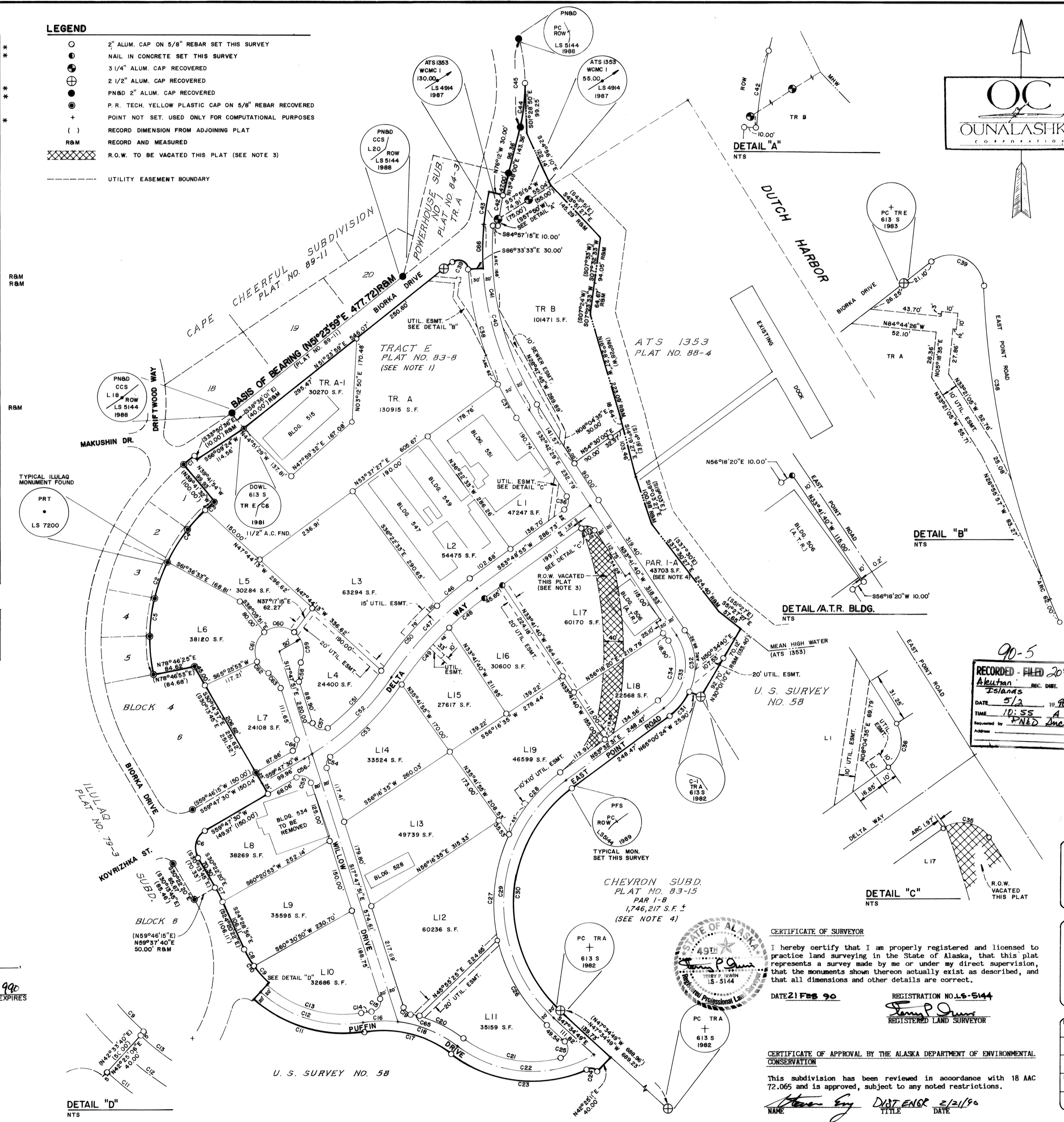
### NOTARY ACKNOWLEDGEMENT

Dennis M. Robinson  
SUBSCRIBED AND SWORN TO before me this 6 day of April, 1990.  
Notary Public  
July 24 1990  
MY COMMISSION EXPIRES



## LEGEND

- 2" ALUM. CAP ON 5/8" REBAR SET THIS SURVEY
- NAIL IN CONCRETE SET THIS SURVEY
- 3/4" ALUM. CAP RECOVERED
- 2 1/2" ALUM. CAP RECOVERED
- PN&D 2" ALUM. CAP RECOVERED
- P.R. TECH. YELLOW PLASTIC CAP ON 5/8" REBAR RECOVERED
- POINT NOT SET. USED ONLY FOR COMPUTATIONAL PURPOSES
- RECORD DIMENSION FROM ADJOINING PLAT
- RECORD AND MEASURED
- R.O.W. TO BE VACATED THIS PLAT (SEE NOTE 3)
- UTILITY EASEMENT BOUNDARY



### CERTIFICATE OF OWNERSHIP AND DEDICATION

We hereby certify that, subject to matters of record, we are the fee simple owners of the property described hereon. We hereby dedicate to the City of Unalaska all areas depicted for use as public utility easements and streets shown hereon.  
Katherine M. Grimmes, President  
Unalaska, Alaska 99685  
Dennis M. Robinson, President  
FDCC, INC.  
P.O. Box 149  
Unalaska, Alaska 99685  
Date: 4/6/90

### NOTARY ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO before me this 4th day of April, 1990.  
Irene A. Newton  
Notary Public  
My Commission Expires 9/7/92

### TAX CERTIFICATE

I hereby acknowledge that no tax payment is currently due for the property shown hereon.

Shirley Blaisdell  
City Clerk  
Date: 4/6/90

### CITY APPROVAL

I hereby certify that the subdivision plat shown hereon has been found to comply with the regulations of the City of Unalaska, said plat has been approved by the City of Unalaska, Alaska.

Shirley Blaisdell  
City Clerk  
Date: 4/6/90

4-9-90  
Date

RECORDED - FILED 2080  
Aleutian Islands  
DATE 5/2  
TIME 10:55 A.M.  
Recorded by PNE D Inc.  
Address

NOTARY ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO before me this 4th day of April, 1990.  
Notary Public  
My Commission Expires 10-25-90

NOTARY ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO before me this 23rd day of April, 1990.  
Notary Public  
My Commission Expires 10-23-90

NOTARY ACKNOWLEDGEMENT  
SUBSCRIBED AND SWORN TO before me this 23rd day of April, 1990.  
Notary Public  
My Commission Expires 10-23-90

Peratrovich, Nottingham & Drage, Inc.  
Engineering Consultants  
1506 West 36th Avenue ANCH. AK 99503

PLAT OF  
PTARMIGAN FLATS SUBDIVISION  
A RESUBDIVISION OF PARCEL 1, CHEVRON SUBDIVISION  
ACCORDING TO PLAT NO. 83-15  
LOCATED WITHIN  
SECTION 3, T73S, R18W, SECTION 34, T72S, R17W  
SEWARD MERIDIAN, ALASKA  
ALEUTIAN ISLAND RECORDING DISTRICT  
CONTAINING 24.36 ACRES MORE OR LESS

| DESIGNED     | T.P.I./M.M.      | SCALE          | 1" = 100' | PROJECT NO. | 89022          |
|--------------|------------------|----------------|-----------|-------------|----------------|
| DRAWN        | C. L. F.         | DATE           | 1/26/90   | GRID        | UNALASKA, AK.  |
| CHECKED      | T. P. I.         | FIELD BOOK     | 89022     | LOCATION    | AMAKNAK ISLAND |
| PREPARED FOR | OUNALASHKA CORP. | DATE OF SURVEY | 10/17/89  | SHEET       | 1 OF 1         |

### CERTIFICATE OF SURVEYOR

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

DATE: 21 Feb 90

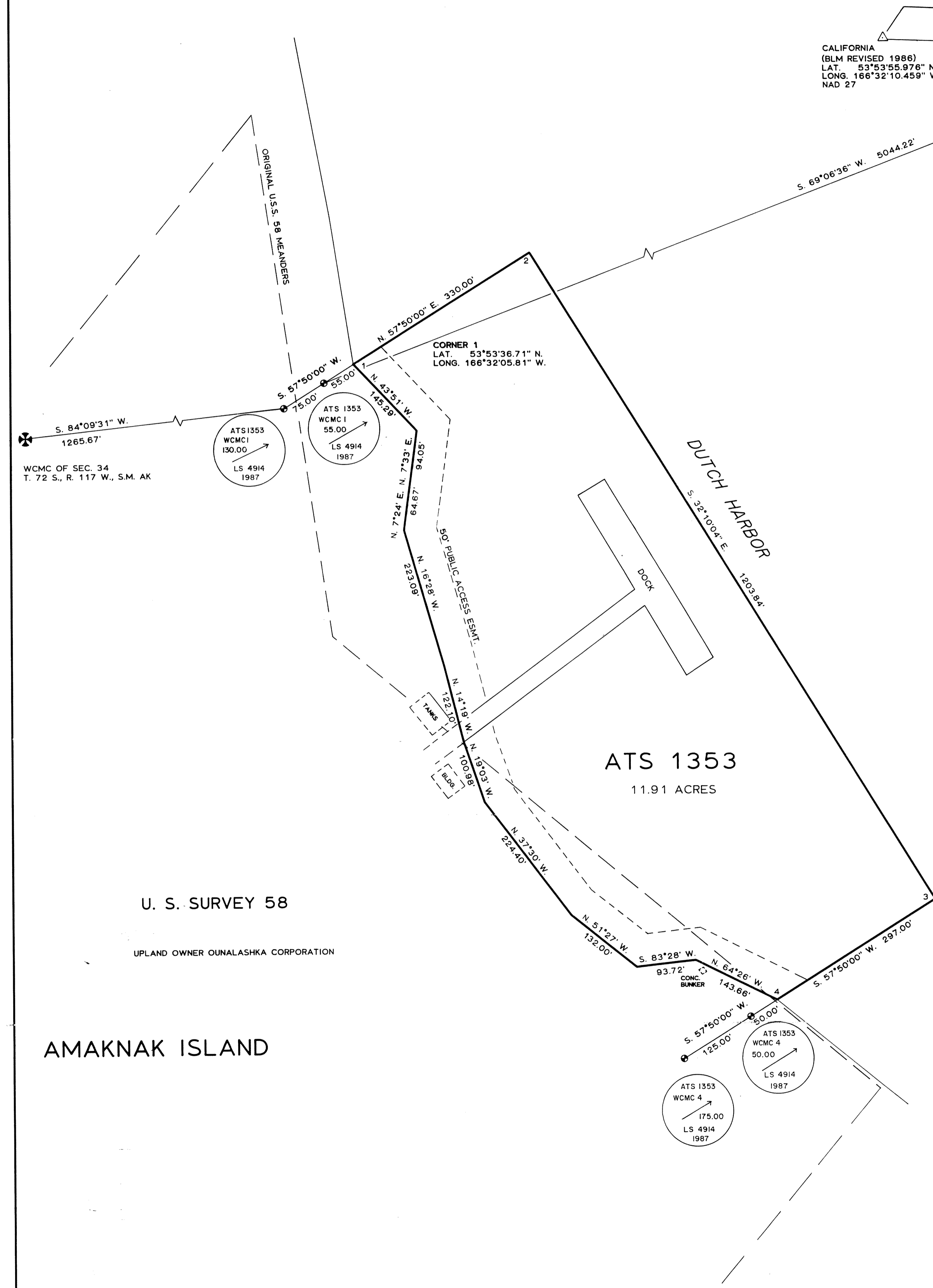
REGISTRATION NO. L-6-5144

James P. Quinn  
REGISTERED LAND SURVEYOR

### CERTIFICATE OF APPROVAL BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

This subdivision has been reviewed in accordance with 18 AAC 72.065 and is approved, subject to any noted restrictions.

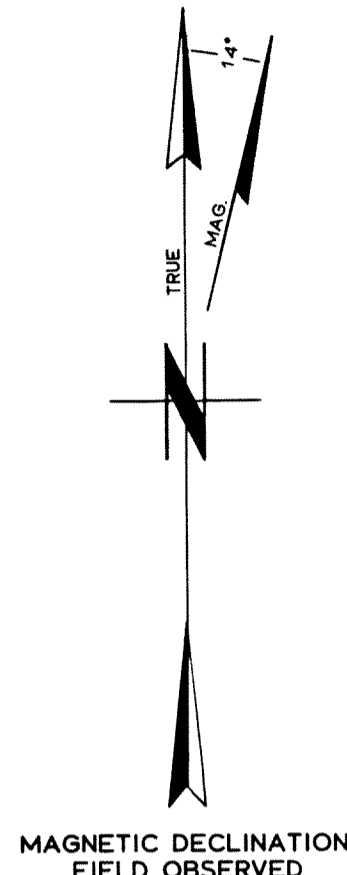
NAME: [Signature]  
TITLE: DIST ENGR  
DATE: 2/21/90



BASIS OF BEARING  
N. 87°51'31\" W.

CALIFORNIA  
(BLM REVISED 1986)  
LAT. 53°53'55.976\" N.  
LONG. 166°32'10.459\" W.  
NAD 27

BASIS OF COORDINATES  
SOUTHBASE 2  
(BLM REVISED 1986)  
LAT. 53°53'54.153\" N.  
LONG. 166°30'47.927\" W.  
NAD 27



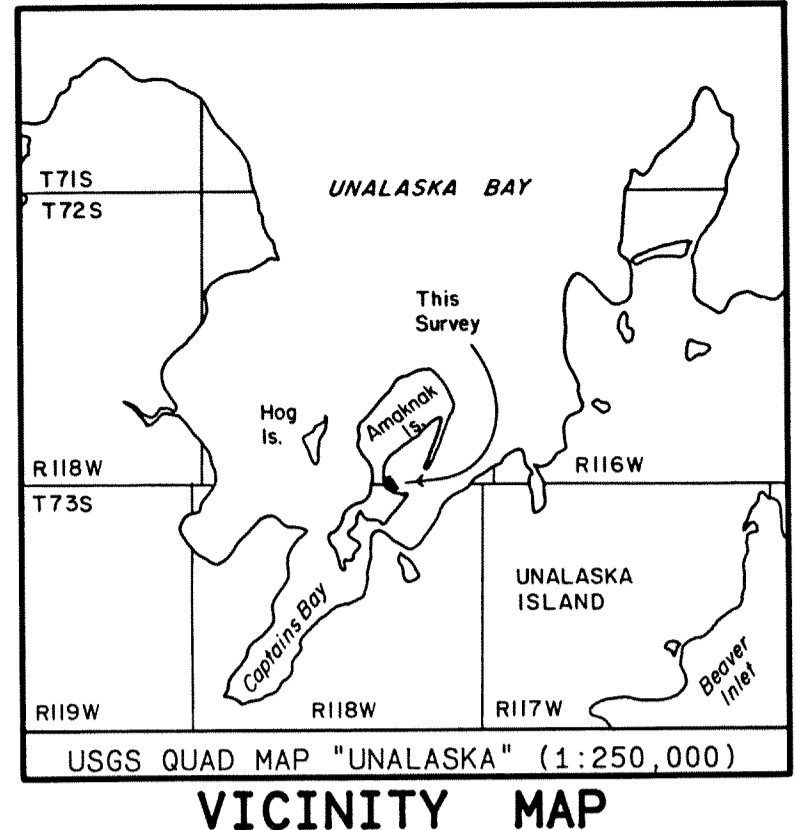
- NOTES
1. This survey was accomplished in accordance with GSI No. 1353, and Alaska Superior Court Case No. 3AN 77-918 Civ.
  2. All bearings shown are true bearings as oriented to the Basis of Bearing and distances shown are reduced to horizontal field distances.
  3. The accuracy of this survey is greater than 1:5,000.

- LEGEND
- △ USC & GS TRIANGULATION STATION (BLM REVISED 1986)
  - SET 2 1/2\" ALUM. POST WITH ALUM. CAP
  - ✕ BLM MONUMENT

88-4

RECORDED - FILED *NC*  
ALEUTIAN ISLANDS REC. DIST.

DATE 2-9 1988  
TIME 2:45 P.M.  
Reviewed by BSD/MKR  
Address



CERTIFICATE OF INTEREST AND DEDICATION

I the undersigned, hereby certify that I am the Director, Division of Land and Water Management, and am delegated manager of the State of Alaska's interest in ATS No. 1353, as shown hereon. I hereby approve this survey and plat for the State of Alaska, and dedicate for public or private use as noted, all easements, public utility areas, and rights-of-ways as shown and described hereon.

Dated 2/8/88 at Juneau, Alaska  
for Director,  
Division of Land & Water Management

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me  
This 8th of February, 1988

For Jerome A. Pape  
Romulo Morales  
Notary for the State of Alaska  
My commission expires 12-10-88

APPLICANT CERTIFICATE

(I) We, the undersigned hereby certify that (I am) we are the applicant(s) shown hereon. (I) we hereby approve this survey and plat.

ADL No. 1353 Katherine M. Grimms, President

NOTARY'S ACKNOWLEDGEMENT

Subscribed and sworn to before me  
This 26 of January, 1988

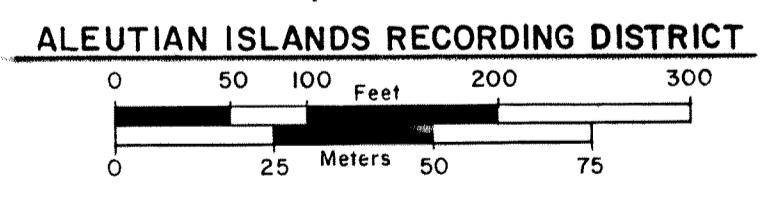
For Katherine M. Grimms, President,  
Ounalashka Corporation

Shirley E. Hall  
Notary for the State of Alaska  
My commission expires 7/4/90

SURVEYOR'S CERTIFICATE

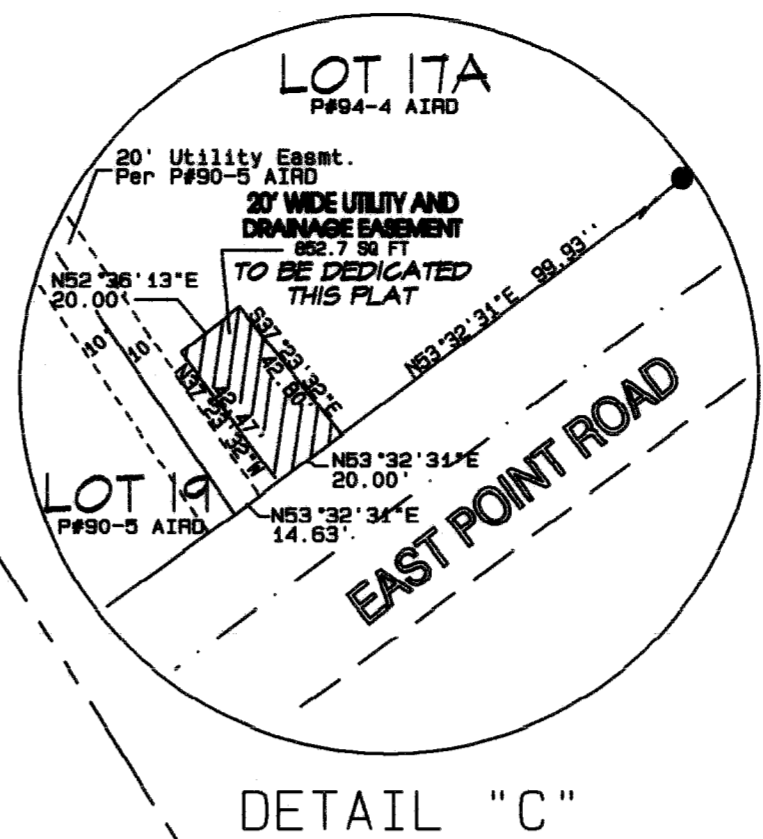
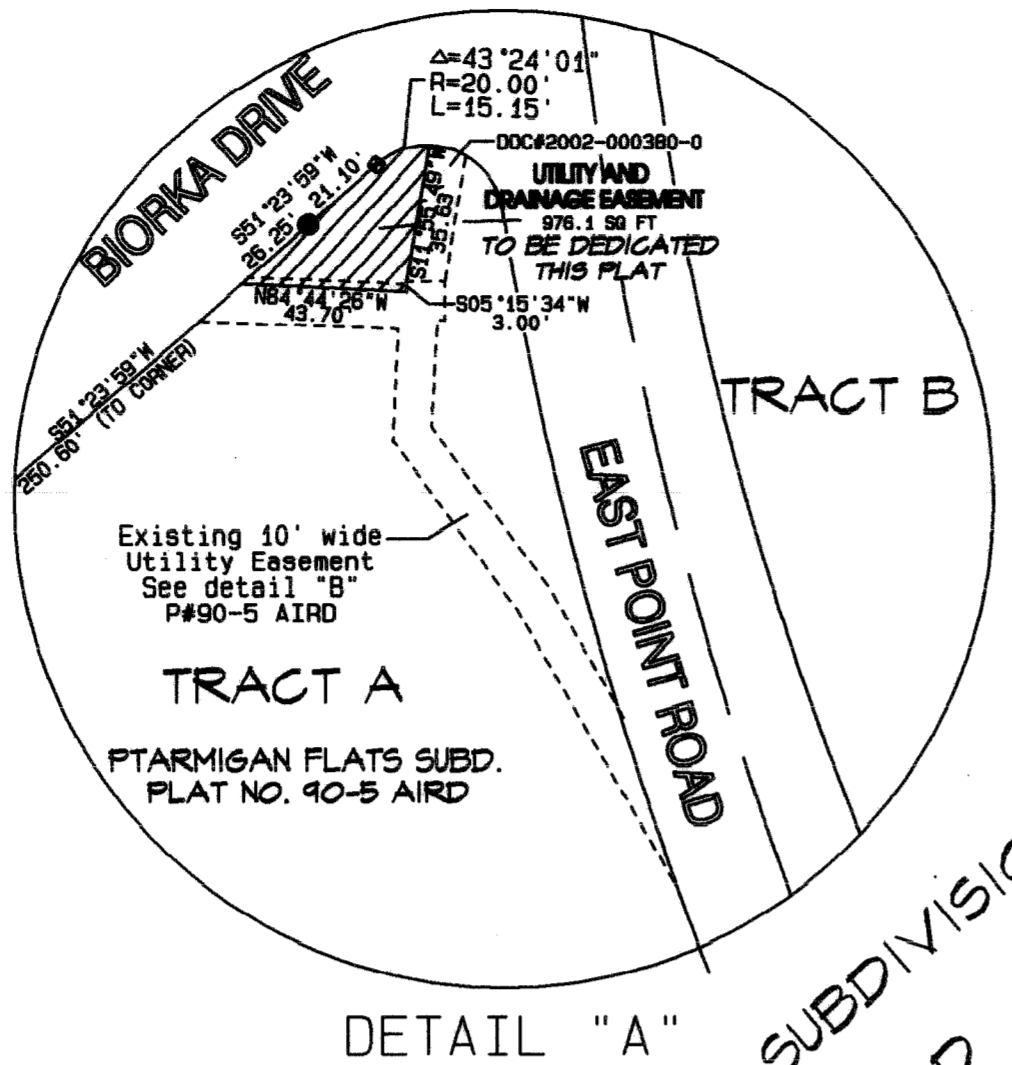
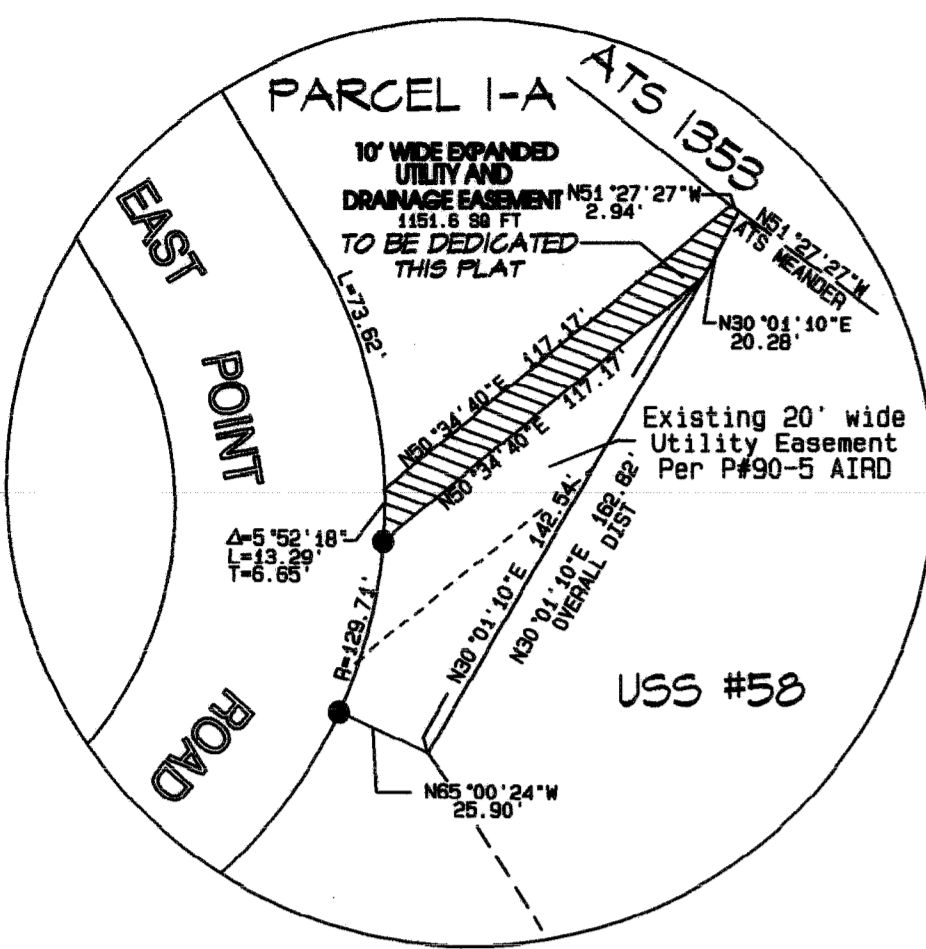
I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my direct supervision, that the monuments shown hereon actually exist as described, and that all dimensions and other details are correct.

Date 12/29/87 Registration number 813-S  
C. A. Hunkhal  
Registered Land Surveyor



1 Meter = 3.280833 U.S. survey ft. & 1 U.S. acre = 0.4047 hect.

|  |  |
|--|--|
| DATE OF SURVEY<br>Beginning SEPT. 1987<br>Ending SEPT. 1987  | NAME OF SURVEYOR<br><b>ITECH</b><br>INTERNATIONAL TECHNOLOGY LTD.<br>ANCHORAGE, ALASKA |
| STATE OF ALASKA<br>DEPARTMENT OF NATURAL RESOURCES<br>DIVISION OF LAND & WATER MANAGEMENT<br>ANCHORAGE, ALASKA   |  |
| <b>ALASKA TIDELAND SURVEY</b><br>No. 1353<br>LOCATED WITHIN PROTRACTED<br>SEC. 34, T.72S., R.117W., S.M., AK<br>SECS. 2 & 3, T.73S., R.118W., S.M., AK |  |
| DRAWN BY M.D.M.<br>DATE 10/9/87  | APPROVAL RECOMMENDED<br><u>Jerome A. Pape</u> 2/8/88<br>Chief Cadastral Surveyor Date  |
| SCALE 1\" = 100'   | CHECKED J.E.M. FILE NO. <u>ATS 1353</u>  |



| CURVE NO. | DELTA      | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
|-----------|------------|---------|------------|--------------|---------------|
| C-1       | 90°09'50"  | 40.00'  | 62.95'     | 56.65'       | S14°42'35"W   |
| C-2       | 36°54'58"  | 365.62' | 235.57'    | 231.52'      | S07°12'06"W   |
| C-3       | 20°41'35"  | 365.62' | 132.05'    | 131.33'      | S36°00'24"W   |
| C-4       | 03°55'04"  | 365.62' | 25.00'     | 25.00'       | S48°18'43"W   |
| C-5       | 03°36'19"  | 465.62' | 29.30'     | 29.29'       | S51°48'52"W   |
| C-6       | 125°09'34" | 20.00'  | 43.69'     | 35.51'       | S66°01'14"E   |
| C-7       | 08°29'11"  | 601.62' | 89.11'     | 89.03'       | S00°48'09"W   |
| C-8       | 08°45'46"  | 444.08' | 67.85'     | 67.79'       | S09°25'22"W   |
| C-9       | 14°46'54"  | 353.04' | 91.08'     | 90.83'       | S06°24'22"W   |
| C-10      | 28°32'55"  | 129.71' | 64.63'     | 63.96'       | N39°16'04"E   |

#### CURVE AND LINE INFORMATION

CURVE AND LINE INFORMATION NOTED IS FOR BOUNDARY ONLY - REFERENCE RECORD PLAT FOR INTERIOR LINE AND CURVE INFORMATION.

BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD PER THE REFERENCE PLAT FOR THAT SPECIFIC LINE, UNLESS NOTED OTHERWISE PER THE LEGEND.

**MATCH LINE NORTH**  
**MATCH LINE SOUTH**

#### LEGEND

- FOUND RECORD CORNERS/MONUMENTS
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP FOR CORNER
- (N45°34'53"W) INDICATES A MEASURED DISTANCE
- NEW EASEMENT TO BE VACATED/DEDICATED THIS PLAT
- M-1 MONUMENT NUMBER FOR DETAIL PURPOSES

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

*James P. Dem...*  
REGISTERED LAND SURVEYOR  
DATE July 27, 2012

LS-5144  
REGISTRATION NO.



#### ACCEPTANCE OF DEDICATION

THE CITY OF UNALASKA HEREBY ACCEPTS, FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY DEDICATED ON THIS PLAT INCLUDING, BUT NOT LIMITED TO THE REAL PROPERTY, RIGHT-OF-WAY AND EASEMENTS FOR PUBLIC UTILITIES, STREETS, ALLEYS, THOROUGHFARES, TRAILS, PARKS AND OTHER PUBLIC AREAS SHOWN HEREON.

*Elizabeth Masoni*  
MAYOR  
DATE 8/10/2012  
*Elizabeth Masoni*  
CITY CLERK, CITY OF UNALASKA  
DATE 8/10/2012



#### TAX CERTIFICATE

I HEREBY CERTIFY THAT NO TAX PAYMENT IS CURRENTLY DUE FOR THE PROPERTY SHOWN HEREON.

*Elizabeth Masoni*  
CITY CLERK, CITY OF UNALASKA  
DATE 8/10/2012

#### PLAT APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE CITY OF UNALASKA, SAID PLAT HAS BEEN APPROVED BY THE CITY OF UNALASKA.

*Elizabeth Masoni*  
CITY CLERK, CITY OF UNALASKA  
*Steve...*  
PLANNING DIRECTOR

Aleutian Islands Recording District Plat 2012-9

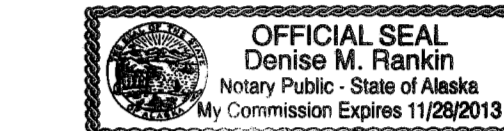
#### CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE SURFACE ESTATE OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO THE PUBLIC, AND EASEMENTS TO THE USE SHOWN.

OWNER *Richard A. Miller* DATE 8/10/12  
RICHARD A. MILLER  
CHIEF EXECUTIVE OFFICER  
UNALASKA CORPORATION  
PO BOX 149  
UNALASKA, ALASKA 99685-0149

NOTARY ACKNOWLEDGEMENT FOR: RICHARD A. MILLER  
SUBSCRIBED AND SWORN BEFORE ME THIS 10th DAY OF AUG 2012.  
FOR *Richard A. Miller*

*Denise M Rankin*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 11/28/2013



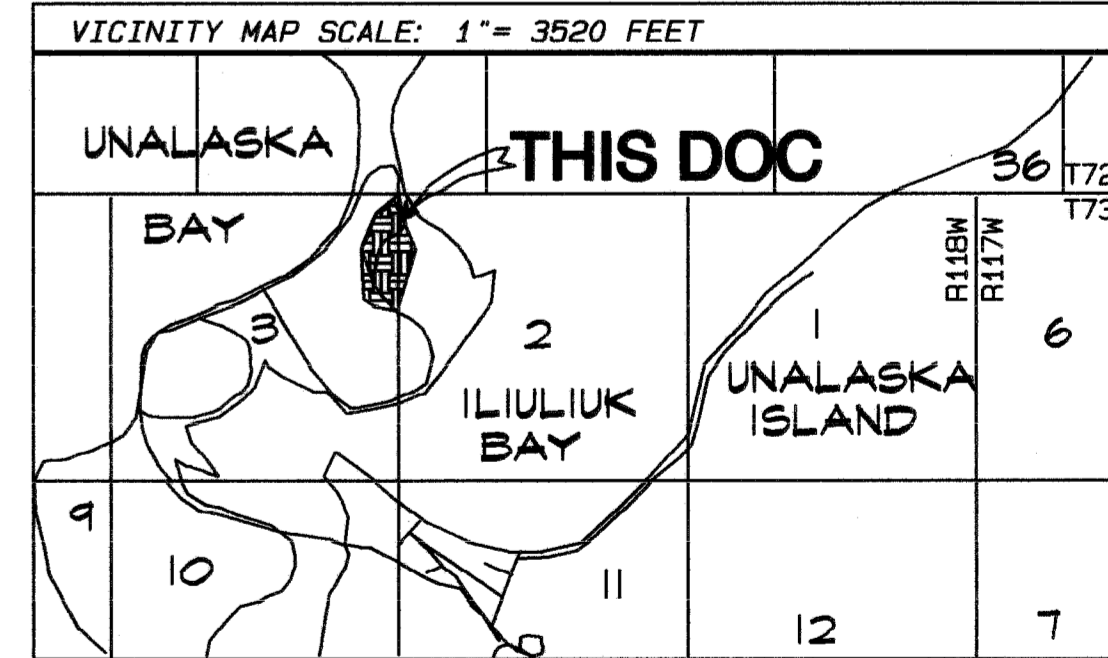
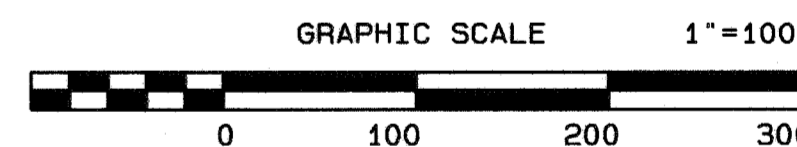
OWNER *Richard A. Miller* DATE 8/10/12  
RICHARD A. MILLER  
FOOC INC.  
PO BOX 149  
UNALASKA, ALASKA 99685-0149

NOTARY ACKNOWLEDGEMENT FOR: RICHARD A. MILLER  
SUBSCRIBED AND SWORN BEFORE ME THIS 10th DAY OF AUG 2012.  
FOR *Richard A. Miller*

*Denise M Rankin*  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES 11/28/2013

#### NOTES:

- THE PURPOSE OF THIS REPLAT IS TO VACATE NOTED EASEMENTS THAT ARE NOT BEING UTILIZED BY FACILITIES AND TO DEDICATE NEW EASEMENTS THAT WILL REPLACE UNUSED EASEMENTS, EASEMENTS LOCATED IMPROPERLY OR NEW EASEMENTS THAT ARE NEEDED TO COVER EXISTING UTILITIES.
- A FIELD SURVEY WAS PERFORMED TO RECOVER EXISTING CONTROLLING CORNERS AND MONUMENTS OF RECORD AND TO SET REPLACEMENT CORNERS WHERE NEEDED TO DEFINE NEW EASEMENTS AND EASEMENTS OF RECORD. DATE OF SURVEY: JUNE 1, 2012.
- LOCATION OF THIS EASEMENT WAS DETERMINED BY SCALING OFF OF ORIGINAL PLAT (P# 94-1 AIRD), AS NO TRUE DIMENSIONS WERE NOTED TO DETERMINE ACCURATE POSITION.
- ALL LOTS SHALL BE SERVED BY CITY OF UNALASKA WATER AND SEWER.
- A NON RESTRICTIVE RIGHT OF ENTRY IS HEREBY GRANTED TO THE CITY OF UNALASKA FOR MAINTENANCE OF THE UTILITY AND DRAINAGE EASEMENTS BEING DEDICATED THIS PLAT.
- THE BASIS OF BEARING FOR THIS SURVEY IS N47°34'48"W AND IS BASED ON THE FINAL PLAT OF PUFFIN SUBDIVISION AS SHOWN ON PLAT NO 94-1 AS FILED IN THE ALEUTIAN ISLANDS RECORDING DISTRICT.
- EASEMENTS, GREENBELTS, RIGHT-OF-WAYS AND PREVIOUSLY DEDICATED PUBLIC AREAS REMAIN IN EFFECT, PER THE RECORD PLATS NOTED. THE INTENT OF THIS PLAT IS TO DEPICT ALL EASEMENTS BEING DEDICATED OR VACATED AT THIS TIME, AS WELL AS ALL OTHER EASEMENTS AND ENCUMBRANCES OF RECORD WITHIN THESE RECORD PLATS, CREATED BY PLAT REFERENCE, OR AS RECORDED DOCUMENTS IN THE ALEUTIAN ISLAND RECORDING DISTRICT, ALASKA. ALL REFERENCED RECORD DOCUMENTS SHOULD BE REVIEWED FOR EXACT PURPOSE, SIZE AND LOCATION.
- PORTIONS OF THIS SUBDIVISION MAYBE SUBJECT TO PIPELINE EASEMENTS AS DEFINED IN ALASKA STATUTORY QUITCLAIM DEED, RECORDED IN BOOK 50, PAGE 380, AIRD.



#### PUFFIN-PTARMIGAN FLATS SUBDIVISION REPLAT FOR EASEMENTS-2012

AN AMENDMENT OF PTARMIGAN FLATS SUBDIVISION (P#90-5) LOT 17A & 17B PTARMIGAN FLATS SUBDIVISION (P# 94-4) AND PUFFIN SUBDIVISION P# 94-1

LOCATED WITHIN  
SECTIONS 2 & 3, TOWNSHIP 73 SOUTH, RANGE 118 WEST,  
SEWARD MERIDIAN, ALASKA  
ALEUTIAN ISLAND RECORDING DISTRICT  
CONTAINING 94.9 ACRES

**ALASKA SURV/TECH**  
LAND SURVEYORS & DEVELOPERS

NEWMAN LAKE, WA 99025  
Grid: UNALASKA Scale 1"= 100' Date 7/26/2012 Bk AST 10-09 Pg  
Drawn TFW File No. Proj. Sheet 1 of 2  
Proj. REV#4

MATCH LINE NORTH  
MATCH LINE SOUTH

MATCH LINE NORTH  
MATCH LINE SOUTH

US SURVEY NO 58

ILULAQ SUBDIVISION  
PLAT NO. 79-3 AIRD

CHEVRON SUBDIVISION  
P# 83-15 AIRD

DETAIL "E"

DETAIL "D"

| BOUNDARY LINE TABLE SHEET NO 2 |             |          |
|--------------------------------|-------------|----------|
| LINE NO.                       | BEARING     | DISTANCE |
| L-1                            | N45°38'29"W | 60.72'   |
| L-2                            | N16°28'29"W | 85.14'   |
| L-3                            | N78°04'29"W | 37.62'   |
| L-4                            | N51°25'29"W | 69.30'   |
| L-5                            | N64°23'29"W | 87.12'   |
| L-6                            | S80°07'31"W | 102.96'  |
| L-7                            | N45°12'21"W | 90.47' * |
| L-8                            | S12°25'53"W | 83.38'   |
| L-9                            | S35°38'33"E | 95.44'   |
| L-10                           | N48°46'33"W | 113.63'  |
| L-11                           | N35°41'46"E | 3.26'    |
| L-12                           | N11°33'31"E | 94.74'   |
| L-13                           | N67°03'29"W | 93.72'   |
| L-14                           | N34°07'29"W | 71.94'   |
| L-15                           | N84°14'29"W | 110.88'  |
| L-16                           | N25°08'29"W | 34.98'   |
| L-17                           | N07°27'31"E | 75.90'   |
| L-18                           | N46°01'29"W | 5.94'    |
| L-19                           | N30°22'20"W | 70.30'   |

\* SEE MEASURED REFERENCE

| BOUNDARY CURVE TABLE SHEET NO 2 |            |         |            |              |
|---------------------------------|------------|---------|------------|--------------|
| CURVE NO.                       | DELTA      | RADIUS  | ARC LENGTH | CHORD LENGTH |
| C-10                            | 28°32'55"  | 129.71' | 64.63'     | 63.96'       |
| C-11                            | 101°07'20" | 295.00' | 520.65'    | 455.66'      |
| C-12                            | 39°41'26"  | 166.49' | 115.33'    | 113.04'      |
| C-13                            | 73°48'20"  | 326.56' | 420.66'    | 392.17'      |
| * C-14                          | 40°37'59"  | 326.56' | 231.59'    | 226.77'      |
| C-15                            | 27°16'57"  | 326.56' | 155.50'    | 154.03'      |
| C-16                            | 05°53'24"  | 326.56' | 33.57'     | 33.56'       |

\* THE ORIGINAL PLAT OF PUFFIN SUBDIVISION HAS THE INCORRECT CURVE INFORMATION FOR CURVE NO 14 ABOVE. (C-1 RECORD) AND HAS BEEN CORRECTED TO MATCH FOUND CORNERS NOTED ABOVE.

ILULAQ LAKE  
P# 88-14 AIRD

CURVE AND LINE INFORMATION

CURVE AND LINE INFORMATION NOTED IS FOR BOUNDARY ONLY - REFERENCE RECORD PLAT FOR INTERIOR LINE AND CURVE INFORMATION.

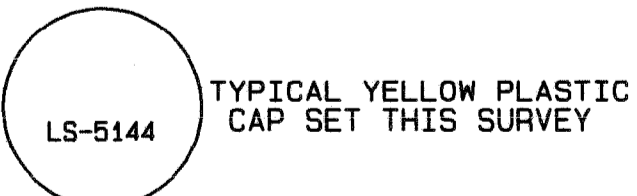
BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD PER THE REFERENCE PLAT FOR THAT SPECIFIC LINE, UNLESS NOTED OTHERWISE PER THE LEGEND.

LEGEND

- FOUND RECORD CORNERS/MONUMENTS
- SET 5/8" REBAR WITH YELLOW PLASTIC CAP FOR CORNER [N45°34'53"W] INDICATES A MEASURED DISTANCE
- NEW EASEMENT TO BE VACATED/DEDICATED THIS PLAT
- M-1 MONUMENT NUMBER FOR DETAIL PURPOSES

RECORD DOCUMENTS

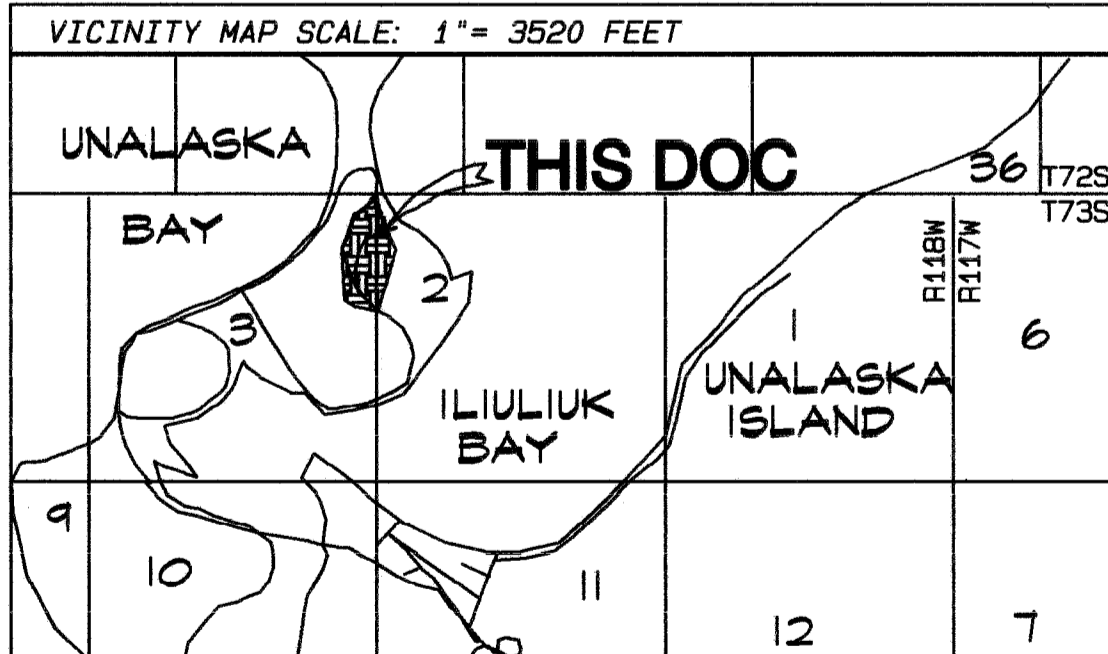
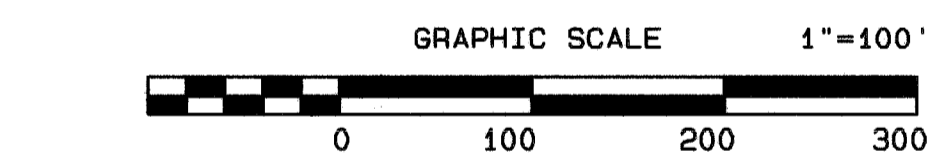
- (R-1) PLAT NO 90-5 PTARMIGAN FLATS SUBDIVISION RECORDED 5/2/90, AIRD
- (R-2) PLAT NO 94-1 PUFFIN SUBDIVISION RECORDED 1/5/94, AIRD
- (R-3) PLAT NO 94-4 LOT 17A& 17B PTARMIGAN FLATS SUBDIVISION RECORDED 2/1/94, AIRD
- (R-4) PLAT NO 80-4 ALASKA TIDELANDS SURVEY NO 1353, RECORDED 2/9/88, AIRD



NOTES:

- THE PURPOSE OF THIS REPLAT IS TO VACATE NOTED EASEMENTS THAT ARE NOT BEING UTILIZED BY FACILITIES AND TO DEDICATE NEW EASEMENTS THAT WILL REPLACE UNUSED EASEMENTS. EASEMENTS LOCATED IMPROPERLY OR NEW EASEMENTS THAT ARE NEEDED TO COVER EXISTING UTILITIES.
- A FIELD SURVEY WAS PERFORMED TO RECOVER EXISTING CONTROLLING CORNERS AND MONUMENTS OF RECORD AND TO SET REPLACEMENT CORNERS WHERE NEEDED TO DEFINE NEW EASEMENTS AND EASEMENTS OF RECORD. DATE OF SURVEY: JUNE 4, 2012.
- LOCATION OF THIS EASEMENT WAS DETERMINED BY SCALING OFF OF ORIGINAL PLAT (P# 94-1 AIRD). AS NO TRUE DIMENSIONS WERE NOTED TO DETERMINE ACCURATE POSITION.
- ALL LOTS SHALL BE SERVED BY CITY OF UNALASKA WATER AND SEWER.
- A NON RESTRICTIVE RIGHT OF ENTRY IS HEREBY GRANTED TO THE CITY OF UNALASKA FOR MAINTENANCE OF THE UTILITY AND DRAINAGE EASEMENTS BEING DEDICATED THIS PLAT.
- THE BASIS OF BEARING FOR THIS SURVEY IS N47°34'49"W AND IS BASED ON THE FINAL PLAT OF PUFFIN SUBDIVISION AS SHOWN ON PLAT NO 94-1 AS FILED IN THE ALEUTIAN ISLANDS RECORDING DISTRICT.
- EASEMENTS, GREENBELTS, RIGHT-OF-WAYS AND PREVIOUSLY DEDICATED PUBLIC AREAS REMAIN IN EFFECT, PER THE RECORD PLATS NOTED. THE INTENT OF THIS PLAT IS TO DEPICT ALL EASEMENTS BEING DEDICATED OR VACATED AT THIS TIME, AS WELL AS ALL OTHER EASEMENTS AND ENCUMBRANCES OF RECORD WITHIN THESE RECORD PLATS, CREATED BY PLAT REFERENCE, OR AS RECORDED DOCUMENTS IN THE ALEUTIAN ISLAND RECORDING DISTRICT, ALASKA. ALL REFERENCED RECORD DOCUMENTS SHOULD BE REVIEWED FOR EXACT PURPOSE, SIZE AND LOCATION.
- PORTIONS OF THIS SUBDIVISION MAYBE SUBJECT TO PIPELINE EASEMENTS AS DEFINED IN ALASKA STATUTORY QUITCLAIM DEED, RECORDED IN BOOK 50, PAGE 380, AIRD.

2012-9  
Plat #  
Aleutian Islands  
Rec Dist  
8/27 2012  
Date  
Time 2:28 P.M.



**PUFFIN-PTARMIGAN FLATS SUBDIVISION  
REPLAT FOR EASEMENTS-2012**  
AN AMENDMENT OF PTARMIGAN FLATS SUBDIVISION (P#90-5) LOT 17A & 17B PTARMIGAN FLATS SUBDIVISION (P# 94-4) AND PUFFIN SUBDIVISION P# 94-1  
LOCATED WITHIN  
SECTIONS 2 & 3, TOWNSHIP 73 SOUTH, RANGE 118 WEST, SEWARD MERIDIAN, ALASKA  
ALEUTIAN ISLAND RECORDING DISTRICT  
CONTAINING 34.9 ACRES

**ALASKA SURV/TECH**  
LAND SURVEYORS & DEVELOPERS  
NEWMAN LARG, MA 99025  
Grid: UNALASKA Scale 1"= 100 Date 7/26/2012 Bk AST 10-09 Pg  
Drawn TJP File No. Proj. Sheet 2 of 2  
Proj. REV#4

**Delta Western Inc. Variance for a Parking  
Requirement Reduction**

## PLANNING COMMISSION & PLATTING BOARD STAFF REPORT

Variance for a Parking Requirement Reduction from 40 parking spaces to 20 parking spaces for the proposed Delta Western Warehouse located at 1617 East Point Road, Tract B Ptarmigan Flats Subdivision, Plat Number 90-5, Aleutian Island Recording District.

| Project Information            |  |
|--------------------------------|--|
| <b>Land Owner/Applicant</b>    | Richard Miller, FDOC, Inc  |
| <b>Applicant</b>               | Tim Hurley, Delta Western  |
| <b>Location</b>                | 1617 East Point Road, along East Point Road near the intersection with Biorka Way  |
| <b>Property Identification</b> | Tract B/Lot 1: 04-03-340   |
| <b>Application Type</b>        | Variance Request   |
| <b>Project Description</b>     | Based on the size of this proposed warehouse, 40 parking spaces required. The applicant is requesting a variance to reduce the requirement to 20 parking spaces. |
| <b>Zoning</b>                  | Marine Dependent/Industrial  |
| <b>Exhibits</b>                | Draft Resolution 2013-06, Variance Application, Proposed Parking Plan, and Aerial imagery from GeoBlade  |
| <b>Staff Recommendation</b>    | Approval with conditions as described in Resolution 2013-06  |

### PLAN GUIDANCE

1. The Unalaska Comprehensive Plan 2020 identifies a goal to ensure a thriving and sustainable local economy. Related actions items include the following.
  - a. Make Land Available for Business and Industry: Owners of appropriate land area in Unalaska should be encouraged and supported in their efforts to provide such land to accommodate the development needs of local businesses and industries.
  - b. Broaden and Diversify the Local Economy: Every effort should be made to encourage and support the further diversification of Unalaska's economy. The private sector should be responsible for cultivating and satisfying demand for local goods and services, as has been the practice of the past, and for the overall promotion of tourism.

### CODE REQUIREMENTS

1. UCO Section 8.12.170 (L) outlines the *off-street parking requirements*. The applicable sections include the following:
  - a. At the time a new structure is erected or a structure is enlarged, or the use of the existing structure is changed, off-street parking spaces shall be provided as set forth in this section, unless greater requirements are otherwise provided in connection with an existing use prior to the adoption date of this chapter.
  - b. Each parking space shall be at least 180 square feet in area and have a width of nine feet and a depth of not less than 20 feet. In determining the gross area required for an off-street parking lot requiring a specific number of parking places including driveways and aisles, 250 square feet per parking space shall be used.
  - c. In the case of two or more uses on a lot, the total requirements for parking spaces shall be the sum of the requirements for the several uses computed separately.
  - d. General retail business and service establishments shall provide one space for each 200 square feet of gross floor space.
  - e. Bank or office shall provide one space for each 400 square feet of gross floor space.
  - f. Freight terminals, warehouses, gear sheds and storage buildings shall provide one parking space per 1,000 square feet of gross floor area.

- g. For all other uses not listed in code, an evaluation of the uses compared with parking requirements above will be made. Similar uses will require comparable parking requirements. The Department of Planning will perform this evaluation and establish the standards as a Planning Determination.
- 2. UCO Section 8.12.210 outlines the variance request and process including the following:
  - a. The Planning Commission, after public hearings, may vary or modify requirements of this chapter where strict application would cause an undue or unnecessary hardship.
  - b. Variances will be dimensional in nature and may be limited to requirements governing yards, lot dimensions and coverage, heights, and parking areas.
  - c. In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity, and to otherwise achieve the purpose of this chapter.
  - d. The Planning Commission approves an application for a variance by finding:
    - (1) *Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of "financial hardship" when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;*
    - (2) *That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;*
    - (3) *That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and*
    - (4) *That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.*

## **BACKGROUND AND ANALYSIS**

1. Delta Western has submitted a building permit application to the City of Unalaska proposing to construct a 40,000 square foot warehouse which involves filling in a portion of adjacent tideland. Based on the size and use of the building, Delta Western is required to provide 40 parking spaces.
2. Delta Western began construction of the new warehouse prior to receiving the building permit, and has since stopped construction and is now awaiting formal approval.
3. To meet the parking requirement, Delta Western was provided two primary options. One option would be to draft a parking plan supplementing the building permit application that identifies forty (40) 9-foot by 20-foot parking spaces in a functional and maneuverable way. Alternately, Delta Western could identify 10,000 contiguous square feet and identify that as a parking area. These options still remain as possible solutions.
4. Delta Western submitted two parking plans to meet this requirement by identifying forty (40) 9-foot by 20-foot parking spaces, however, both were problematic as spaces were not reasonable or functionally located (i.e. adjacent to warehouse doors or too close to the roadway and anticipated truck traffic related to this development).
5. Delta Western has now submitted a variance application and parking plan to address the intended use of the warehouse as well as the drainage, safety and functionality concerns. The variance request is to reduce the parking requirement from 40 to 20 parking spaces.
6. Delta Western explains in the variance application that this is not anticipated to be an intensely used operation, but will offer 5,000-square foot warehouse spaces to eight individuals or companies with each using the structure intermittently throughout the day. However, upon considering this potential,

staff believes that this may or may not result in the reduced need for parking and would then become dependent on the final user of the spaces.

7. Delta Western provides references to other uses such as retail or office in their variance application. It may be extrapolated that if a portion of the warehouse were to house an office that might equal 400 to 800 square feet for every one of the eight rental spots. Realistically, this would necessitate somewhere in the range of 16 - 32 parking spaces. However, the applicant has not indicated the size of the office areas and this would still not account for the remaining warehouse space. A variance would still be needed if the applicant wished to base parking requirements on the amount of office space only.
8. In efforts to accommodate this development, the Fire Chief has authorized a slight narrowing of the fire lane (18-feet instead of 20-feet) on the back corner of the building, and allowed the sprinkler connection to remain on the back side of the building instead of the front.
9. The Planning Commission/Platting Board is currently considering a plat for Delta Western Subdivision that will extend the property line for this site. This action will enable the new warehouse to meet setback requirements and not be located over property lines.

### **FINDINGS**

The purpose of a variance is to grant relief to an applicant when a requirement causes an undue or unnecessary hardship. In order to be granted, a variance request must meet the four tests of code identified in UCO Section 8.12.210(E) listed above.

1. Staff finds that, although the applicant has made effort to locate parking spaces in an operationally effective and safe way, the fact that the building size and placement was decided without regard to location of the required parking spaces is the responsibility of Delta Western and not a result of a uniqueness of the lot itself. Therefore, staff finds that the first test has not been met.
2. Staff finds that meeting this parking requirement does not impact the use of the property any more than other property within the zoning district. Parking requirements are clearly identified in code and applies to the development of all land uses. In this case, the parking requirement may be fulfilled if Delta Western located a parking area on the north side of the lot. Additionally, other reasonable accommodations have already been made for this site to allow for this current development. Therefore, staff finds that the second test has not been met.
3. Staff finds that allowing an inadequate number of parking spaces would lead to problems with building access as people choose to park wherever there is open space, resulting in access lanes that are too narrow for emergency vehicles. Therefore, staff finds that the third test has not been met.
4. Staff finds that granting this variance is consistent with the Comprehensive Plan, in that is supporting the development and expansion of industry, the granting of this variance does not help to meet the intent of the Zoning Ordinance's parking requirement for this use. Therefore, staff finds that the fourth test of code has not been met.

### **RECOMMENDATION**

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends disapproval of the parking variance request for the Delta Western Warehouse.

If the Planning Commission determines that the tests of code have been met, staff has identified conditions of approval to lessen the impact on the health, safety, and welfare of those in the surrounding area and to increase consistency with the intent of the Comprehensive Plan and the Zoning Ordinance. These conditions are included in Resolution 2013-06 and require a revision to the parking plan to account for signage for parking and the fire lane as well as notification if the use of the property changes.

**City of Unalaska  
Unalaska, Alaska  
Planning Commission Resolution 2013-06**

**A RESOLUTION APPROVING A VARIANCE FOR A PARKING REQUIREMENT  
REDUCTION FROM 40 PARKING SPACES TO 20 PARKING SPACES FOR THE  
PROPOSED DELTA WESTERN WAREHOUSE LOCATED AT 1617 EAST POINT ROAD,  
TRACT B, PTARMIGAN FLATS SUBDIVISION, PLAT NUMBER 90-5, ALEUTIAN  
ISLAND RECORDING DISTRICT.**

**WHEREAS**, Title 8 UCO Section 8.08.070 sets forth the procedures and requirement for variances; and

**WHEREAS**, FDOC, Inc is the owner Tract B/Lot 1 (04-03-340) and this property is leased to Delta Western; and

**WHEREAS**, the FDOC, Inc and Delta Western are in the process of revising Plat 90-5 and this property will be Lot 1 of Delta Western Subdivision; and

**WHEREAS**, Delta Western is building a warehouse that requires 40 parking spaces; and

**WHEREAS**, Delta Western, with the permission of the FCOC, Inc, submitted a variance request and parking plan to provide 20 parking spaces; and

**WHEREAS**, notices of the public hearing were posted and mailed; and

**WHEREAS**, the Planning Commission conducted a public hearing on May 16, 2013 in order to consider the testimony of the public; and

**WHEREAS**, the Planning Commission finds the Variance to be in accordance with the following tests of code, so long as the conditions identified in this resolution are addressed:

1. Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;
2. That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;
3. That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
4. That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.

**WHEREAS**, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the variance request and have recommended the revisions as described below if the Planning Commission found that the request met these tests of code; and

**NOW THEREFORE BE IT RESOLVED**, that in accordance with UCO Section 8.12.210, the Planning Commission grants a variance for a parking requirement reduction from 40 parking spaces to 20 parking spaces for the proposed Delta Western Warehouse located at 1617 East Point Road, Tract B Ptarmigan Flats Subdivision, Plat Number 90-5, Aleutian Island Recording District, with the following conditions of approval:

1. Signage shall be provided on site to identify these parking spaces. The locations and details of the signs shall be placed on the parking plan. Photographic evidence of the signs shall be provided to the Planning Department within 30 days of construction completion.
2. Signage shall be provided on site to identify the fire lane to the side and rear of the warehouse. The locations and details of the signs shall be placed on the parking plan. Photographic evidence of the signs shall be provided to the Planning Department within 30 days of construction completion.
3. Delta Western shall notify the Planning Department in writing within 30 days of a change in use of the warehouse so that a Planning Determination can be made to ensure that adequate parking is provided. This shall be added as a note on the parking plan
4. Parking plan shall be updated according to these conditions of approval for the variance and be provided to the Department of Public Works to supplement the building permit application.

This resolution becomes effective if there are no appeals within ten (10) working days from the decision date, as outlined in UCO Section 8.12.210(F).

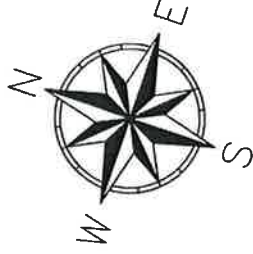
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

---

Chris Bobbitt  
Chair

---

Erin Reinders, AICP  
Recording Secretary



EAST POINT ROAD

POWERHOUSE  
SUBD. No. 2  
LOT 1

BIOPKA DRIVE

PTARMIGAN FLATS SUBD.  
(P20-5)  
TRACT B



**Delta Western, Inc.**  
ALASKA'S PETROLEUM DISTRIBUTOR

DELTA WESTERN INC./ GLACIER FISH COMPANY  
DUTCH HARBOR WAREHOUSE

SHEET  
P OF 5

|              |                 |                |
|--------------|-----------------|----------------|
| DESIGNED: tz | SCALE: AS NOTED | DATE: APR 2013 |
|--------------|-----------------|----------------|

DATE: 03/05/13

# Delta Western Map



-  Signs
-  AddressPoints
-  Contours
-  CityLimit
-  Storage Tanks
-  Curbs
-  Sidewalks
-  BuildingFootPrints
-  Parcels



NOTE:  
THE CITY OF UNALASKA ASSUMES NO RESPONSIBILITY FOR ANY INFORMATION SHOWN ON THIS MAP. THE MAP WAS COMPILED USING AVAILABLE CITY RECORDS AND IS NOT MEANT TO BE SUBSTITUTED FOR A FIELD SURVEY. ALL ITEMS ON THE MAP ARE APPROXIMATE. ALL UTILITIES SHOWN SHOULD BE FIELD LOCATED PRIOR TO EXCAVATION.



350 ft

APPLICATION FOR VARIANCE/CONDITIONAL USE  
CITY OF UNALASKA, ALASKA

DATE: 04/30/13 FEE:            PERMIT NO.           

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title Sections 8.12.190 UCO (Conditional Use) and 8.12.200 UCO (Variance)

(Note: if "property owner" and "applicant are not the same person an "Attachment A" needs to filled out)

Property Owner: FDOC

Property Owner Addr: PO BOX 149, Unalaska, AK 99685

Applicant's Name: Tim Hunter, Operations Manager, Delta Western

Mailing Address PO Box 920688, Dutch Harbor, AK 99692

Physicial Address 1617 E. Point Road, Unalaska, AK

Contact Name Tim Hunter

Contact Phone: 907-359-1291 Work Phone: 907-581-6771

Request for : ☒ Variance ☐ Conditional Use

Type of Request: ☐ Residential ☒ Other

Current Zone Designation: Marine Related Industrial

---

**LEGAL DESCRIPTION:** (Fill in applicable blanks)

Tax Lot 10 No.           

Lot. 1-A Block.            Tract Tract B

Subdivision: Ptarmigan Flats Subdivision **USS**           

Section(s) 3 Township 73S Range 118W

Brief Description of Request: (attach additional information if necessary)

Variance to reduce the number of required parking spaces for the proposed warehouse from 40 to 20. See attached letter for additional information.

---

**ATTACH SITE PLAN (TO SCALE):** Please show all existing and proposed structures,

access, dimensions and parking.

**PLEASE NOTE:** All applications must be received fifteen (15) days prior to the next regular meeting of the Planning Commission as per Section 8.12.190(A)(2) and Section 8.12.200(8)(2) UCO. The Department of Planning will provide an examination of the City of Unalaska Real Property Tax Roll indicating that the signature of the landowner on the application form is in fact the latest owner of record. The Department of Planning will mail a notice of the public hearing to all landowners of record within 300 feet of the proposed request as shown in the City of Unalaska Real-Property Tax Rolls.

**ANY MATERIALS YOU WISH THE PLANNING COMMISSION TO REVIEW DURING THE PUBLIC HEARING MUST BE PROVIDED TO THE DEPARTMENT OF PLANNING ONE WEEK PRIOR TO THE PUBLIC HEARING DATE.**

---

***CERTIFICATION:***

I hereby certify that (I Am) (I have been authorized to act for) the owner of the property described above and that I desire a (variance/conditional use) for this property in conformance with the Title 8, UCO and hereby dispose and say that all of the above statements are true. I am familiar with the code requirements and certify that to the best of my knowledge, belief and professional ability, that this application meets them. I understand that payment of the (variance/conditional use) fee is nonrefundable and is to cover costs associated with the processing of this application and that it does not assure approval of the request.

  
\_\_\_\_\_  
Signature

4-30-13  
\_\_\_\_\_  
Date

DATE RECEIVED \_\_\_\_\_



Delta Western, Inc. requests a variance to the following municipal code for the site of the new commercial rental lease warehouse being constructed.

Section 8.12.170 of Unalaska Municipal Code outlines that freight terminals, warehouses, gear sheds and storage buildings are required to provide one parking space per 1,000 square feet of gross floor area. The proposed structure is 125 feet by 325 feet, resulting in a 40,625 square foot building and a parking requirement of 40 spaces. Delta Western, Inc. requests that a variance to this requirement be reduced to 20 parking spaces as detailed below, and per the drawing attached.

As the warehouse will be leased in 5,000 square foot “bays”, to individuals or companies utilizing the storage space, it would be unlikely that activity would occur in more than a few of the rental “bays” at any given hour. Assuming a maximum activity level of 4 of the 8 “bays” would equate to a requirement for maximum of 20 parking spaces as opposed to 40 per the code. A more realistic view may be activity similar to the following required parking, where parking is used intermittently throughout the day, and not maximized for 24 hours per day.

Retail business and service establishments. One space for each 200 square feet of gross floor space.

Bank or office. One space for each 400 square feet of gross floor space .

Additionally:

1. The location of the warehouse, proximity to right of way, and the need to keep the frontage space clear for truck delivery access, reduces the size of adjacent parking area available.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;
3. The granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
4. The variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.

CITY OF UNALASKA, ALASKA

"ATTACHMENT A"

**AUTHORIZATION TO MAKE APPLICATION BY AGENT**

I/WE FDOC, Inc. ARE THE OWNERS OF  
(LEGAL DESCRIPTION OF PROPERTY)

LOT 1-A BLOCK \_\_\_\_\_ SUBDIVISION Ptarmigan Flats

TRACT B USS \_\_\_\_\_

SECTION(S) 3 TOWNSHIP 73S RANGE 118W

LOCATED WITHIN THE CITY OF UNALASKA AND DO HEREBY AUTHORIZE

Tim Hunter, Operations Manager, Delta Western (APPLICANT  
NAME) TO MAKE APPLICATION AS MY/OUR AGENT FOR:

(MARK APPROPRIATE ☐ WITH AN "X")

☐ CONDITIONAL USE  
☒ VARIANCE

☐ PLAT  
☐ ZONE AMENDMENT

AND ACKNOWLEDGE THAT I/WE AM/ARE AS FULLY BOUND BY THE TERMS OUTLINE IN  
TITLE 8, UCO FOR THE ACTION APPLIED FOR AS THOUGH I/WE HAD MADE APPLICATION FOR  
SUCH ACTION MYSELF/OURSELVES.

D. M. Rankin  
(SIGNED)

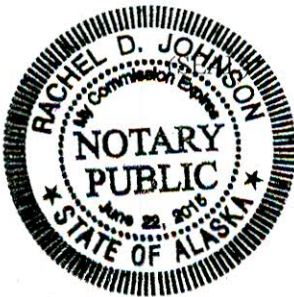
Denise M Rankin  
(NAME)

Property & Leasing Manager

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 30th DAY OF  
April 20 13

Rachel D. Johnson  
NOTARY PUBLIC IN AND FOR Alaska

MY COMMISSION EXPIRES: 06-22-2015



May 6, 2013

Dear Landowner:

This is to advise you that Delta Western, Inc., is requesting a Variance for Lot 1A, Tract B, Ptarmigan Flats Subdivision to allow a reduction of allowable parking spaces. The property is currently zoned Marine Dependent/Industrial and contains a warehouse addressed as 1617 East Point Road.

A public hearing regarding the request is scheduled for Thursday, May 16, 2013, in the City Council Chambers of City Hall, beginning at 7:00 p.m. Please address any comments or responses to the Department of Planning in writing by 5:00 p.m. on May 16, 2013 and/or testify at the public hearing.

You are receiving this letter because the Unalaska Code of Ordinances requires that we notify all property owners within 300 feet that a Variance application will be heard by the Planning Commission. Please note that there is an appeal process for the decision rendered by the Planning Commission that requires filing notice of appeal with the City Clerk within ten (10) working days after the date of the decision.

Sincerely,

Veronica De castro  
Planning Administrative Assistant

enc: Location Map  
Public Notice for 5/16/2013  
cc: File

**Ounalashka Corporation**  
**Zone Amendment Application**

## PLANNING COMMISSION & PLATTING BOARD STAFF REPORT

A RESOLUTION TO THE CITY OF UNALASKA CITY COUNCIL RECOMMENDING APPROVAL OF THE ZONING AMENDMENT TO REZONE THE PROPERTY LOCATED AT 271 BIORKA DRIVE, THE APPROXIMATELY 10 ACRE PORTION OF USS 58 (04-03-600), FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL

| Project Information         |   |
|-----------------------------|---|
| <b>Land Owner</b>           | Richard Miller, OC  |
| <b>Applicant</b>            | Richard Miller, OC  |
| <b>Location</b>             | 271 Biorka Drive  |
| <b>Application Type</b>     | Zone Amendment - Rezoning   |
| <b>Project Description</b>  | A request to rezone the property from General Commercial to High Density Residential to allow for housing development |
| <b>Zoning</b>               | Existing: General Commercial/Proposed: High Density Residential   |
| <b>Exhibits</b>             | Draft Resolution 2013-07, Rezoning Request Letter, and Aerial Imagery & Zoning Map from GeoBlade                      |
| <b>Staff Recommendation</b> | Approval of Resolution 2013-07 and Positive Recommendation to City Council  |

### PLAN GUIDANCE

- The Unalaska Comprehensive Plan 2020 identifies a vision for the future that includes the following:
  - More housing – and more affordable housing – would be created within the City limits. This is “the key to our future,” without which Unalaska will not be able to retain its current residents or accommodate additional residents. Therefore, over the next ten years it will be essential to make more land available for the development of quality, affordable housing.
- The Unalaska Comprehensive Plan 2020 – Housing Plan identifies several goals including:
  - Increase affordable home-ownership opportunities for current and future City residents.
  - Increase the supply of affordable rental housing.

### CODE REQUIREMENTS

- According to UCO Section 8.12.070 (A), the General Commercial District is intended to provide primarily for the general retail sales, service, and repair activities of the community. It is also to provide locations for professional offices, certain commercial/lighter industrial and warehousing offices, and structures that are not dependent on direct access to a waterbody.
- According to UCO Section 8.12.060 (A), the High-Density Residential District is intended to serve as a land use district for single-, two-, and multiple-family dwelling units. It is also intended that all development in this district be served with public sewer and water.
- UCO Section 8.12.190 outlines the zoning amendments process including the following:
  - Boundaries of zoning districts established by this chapter and as shown on the Zoning Map, text in this chapter may be amended, reclassified, or altered whenever required by public necessity and convenience and general welfare.
  - The Planning Commission shall hold at least one public hearing on the application. At the public hearing, the Planning Commission shall determine if any application for a zone change is reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan, and make recommendations to the City Council.

- Upon receipt of the recommendation, the City Council shall set the date for a public hearing. At that public hearing, the City Council may accept the recommendation of the Planning Commission, reject the recommendation of the Planning Commission, or approve a modification to the recommendation of the Planning Commission.

### **BACKGROUND**

1. OC has submitted an application to rezone property from General Commercial to High Density Residential.
2. This rezoning request is to allow for the conversion of OC's existing shop building to be turned into and 8 unit apartment buildings. Future plans involve the development of between six and eight 6-unit apartment buildings.
3. The Planning Commission recently approved a Conditional Use Permit for this same site to allow for 3 dwelling units. This rezoning would supersede that permit.
4. OC is encouraged to discuss development plans with the Department of Public Utilities so that utilities can be provided in the wisest and cost effective manner.

### **FINDINGS**

1. Although this property is adjacent to industrially zoned land, which is typically not the ideal area for housing, this property is also adjacent to a lake and is across the street from an established residentially zoned area, included Single Family/Duplex Residential and High Density Residential, as well as a well-used and loved park. Staff finds that the application for the zone change is reasonable, especially as it is a component of a large housing development plan of over 10 acres.
2. Staff finds that the request is in the public interest because it will help promote the availability of housing in Unalaska by creating more residential units. Providing apartments or other high-density housing will help meet the community need for housing as identified in the Community Visions for the Future: Unalaska 2010-2020, as well as the Unalaska Comprehensive Plan 2020 and accompanying Housing Strategy Plan.
3. Housing was identified as such an important community need in the Community Visions document that it was given its own subsection in the document and given special focus during the Comprehensive Planning process. Stakeholder interviews, community meetings, and focus groups in every sector of the community identified a need for more housing, including housing for sale as well as rental housing. "Make more land available for housing" was identified as a priority action as part of the Visioning process. Staff finds that rezoning this area to allow for housing development is in conformance with the Comprehensive Plan.

### **RECOMMENDATION**

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends that the Planning Commission approve Resolution 2013-07 with a positive recommendation to the City Council to support the rezoning of this portion of USS 58 from GC to HDR.

**City of Unalaska**  
**Unalaska, Alaska**  
**Platting Board Resolution 2013-07**

A RESOLUTION TO THE CITY OF UNALASKA CITY COUNCIL RECOMMENDING  
APPROVAL OF THE ZONING AMENDMENT TO REZONE THE PROPERTY LOCATED AT  
271 BIORKA DRIVE, THE APPROXIMATELY 10 ACRE PORTION OF USS 58 (04-03-600),  
FROM GENERAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL

**WHEREAS**, Title 8 UCO Section 8.12.190 sets forth the procedures for the amending the chapter or Zoning Map; and

**WHEREAS**, Ounalashka Corporation is the owner of this portion of USS 58 (04-03-600) addressed as 271 Biorka Drive and often called BLDG #616; and

**WHEREAS**, Ounalashka Corporation has submitted a Zoning Amendment application to rezone this property from General Commercial to High Density Residential to allow for residential development on this property;

**WHEREAS**, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the proposed zone amendment; and

**WHEREAS**, notices of the public hearing were posted and mailed; and

**WHEREAS**, the City of Unalaska Planning Commission held a public hearing on May 16, 2013 to consider this request and to hear testimony of the public, and

**WHEREAS**, the City of Unalaska Planning Commission finds the zone amendment request reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan.

**NOW THEREFORE BE IT RESOLVED** the Planning Commission recommends the City of Unalaska City Council approve the request for a zoning amendment this property; and

**BE IT FURTHER RESOLVED**, that the Secretary of the Planning Commission is requested to certify a copy of this Resolution and to file it with the City Clerk of the City of Unalaska, Alaska no later than fifteen (15) working days from the date shown below.







PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, BY THE  
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

\_\_\_\_\_  
Chris Bobbitt  
Chair

\_\_\_\_\_  
Erin Reinders, AICP  
Recording Secretary

# Ounalashka Zone Change



-  Signs
-  AddressPoints
-  Contours
-  CityLimit
-  Storage Tanks
-  Curbs
-  Sidewalks
-  BuildingFootPrints
-  Parcels

NOTE:  
THE CITY OF UNALASKA ASSUMES NO RESPONSIBILITY FOR ANY INFORMATION SHOWN ON THIS MAP. THE MAP WAS COMPILED USING AVAILABLE CITY RECORDS AND IS NOT MEANT TO BE SUBSTITUTED FOR A FIELD SURVEY. ALL ITEMS ON THE MAP ARE APPROXIMATE. ALL UTILITIES SHOWN SHOULD BE FIELD LOCATED PRIOR TO EXCAVATION.



339 ft



May 1, 2013

City of Unalaska  
Department of Planning  
Attn: Erin Reinders, Director  
P.O. Box 610  
Unalaska, Alaska 99685

Dear Director Reinders:

Attached for you please find our completed application for Re-Zone for USS 58. We would like to change the zoning classification from General Commercial to High Density Residential. This is the first step in our long range plan to construct new housing in Unalaska.

Phase One of this new housing project is to convert our shop building located at 271 Biorka Drive into an 8 unit apartment building with 4 each three bedroom apartments and 4 each one bedroom apartments. Getting the zoning reclassified to High Density Residential at this time will allow us to construct the 8 plex this summer and be ready for occupancy by October.

Phase Two of the project involves constructing from 6 – 8 new 6-plex apartment buildings on this same piece of property. When our plans for this development are complete we will be coming to the Planning Commission with a re-plat of USS 58 to account for this future development.

We are pleased to begin this new housing development and look forward to working with the City of Unalaska to bring it to fruition.

Thank you for your assistance. Please let me know if you desire further information or clarification regarding our rezone application.

Sincerely,

Denise Rankin, Property Manager  
Ounalaskha Corporation



May 6, 2013

Dear Landowner:

This is to advise you that Ounalashka Corporation is requesting a Zone Amendment from General Commercial to High-Density Residential for a portion of unsubdivided United States Survey (USS) No. 58. The property is located at 271 Biorka Drive.

A public hearing regarding the request is scheduled for Thursday, May 16, 2013, in the City Council Chambers of City Hall, beginning at 7:00 p.m. Please address any comments or responses to the Department of Planning in writing by 5:00 p.m. on May 16, 2013 and/or testify at the public hearing.

You are receiving this letter because the Unalaska Code of Ordinances requires that we notify all property owners within 300 feet that a Zone Amendment application will be heard by the Planning Commission. Please note that the Planning Commission's recommendation on this item will be forwarded to the City Council for their review and final determination.

Sincerely,

Veronica De castro  
Planning Administrative Assistant

enc: Location Map  
Public Notice for 5/16/2013  
cc: File

## **PLANNING COMMISSION & PLATTING BOARD STAFF REPORT**

### **Title 8 Requirements: Landlocked Lots, Minimum Lot Width, and Flag Lots**

#### **PLAN GUIDANCE**

1. The Unalaska Comprehensive Plan 2020 identifies a vision for the future that includes the following:
  - More housing – and more affordable housing – would be created within the City limits. This is “the key to our future,” without which Unalaska will not be able to retain its current residents or accommodate additional residents. Therefore, over the next ten-years it will be essential to make more land available for the development of quality, affordable housing.
2. The Unalaska Comprehensive Plan 2020 – Housing Plan identifies several goals including:
  - Increase affordable home-ownership opportunities for current and future City residents.
  - Increase the supply of affordable rental housing using local funds to leverage other resources.

#### **CODE REQUIREMENTS**

1. UCO Section 8.08.090 (B)(2)(d) Alleys should be used only in commercial areas for delivery and services. Alleys may be used in residential areas when approved by the Board. Alleys shall have a twenty-foot width with a travel surface of sixteen to twenty feet unless otherwise specified by the Platting Authority.
2. UCO Section 8.08.090 (D)(2)(b) Lots shall be designed with a suitable proportion between width and depth. Long and narrow, or wide and shallow lots are undesirable. Normal depth shall not exceed 2 1/2 times width, or be less than 85 feet. Width of all lots shall not be less than 60 feet. See [Chapter 8.12](#), “Zoning,” for lot dimension requirements in different districts.
3. UCO Section 8.08.090 (D)(2)(d) No lots, tracts, or parcels shall be created or designed which would create any non-conforming setbacks as they relate to any physical improvements which are subject to setback, building separation, or other dimensional provisions.
4. UCO Section 8.08.090 (D)(4) *Access*. Every lot shall front or abut on a publicly dedicated street.

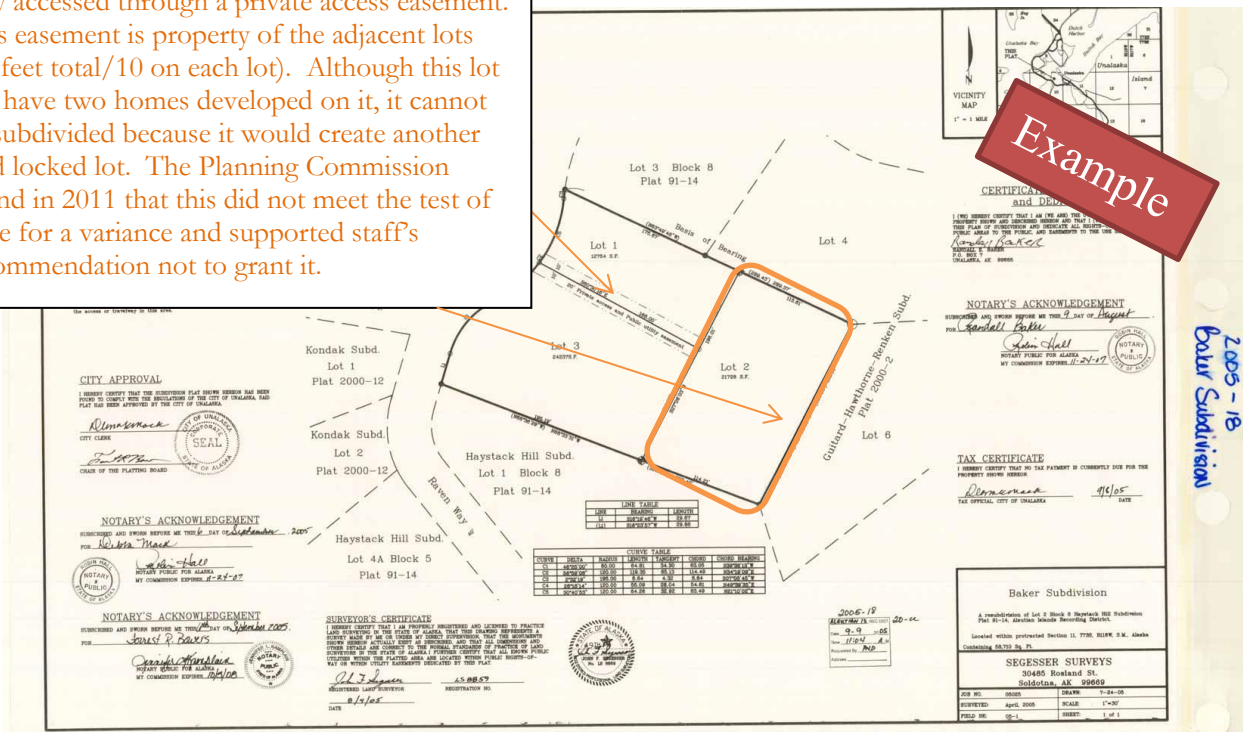
#### **DISCUSSION**

Title 8 was recently amended to reduce the lot width requirement from 70 feet to 60 in residentially zoned properties. This was a recommendation in the Comprehensive Plan in hopes to make subdividing a bit less restrictive for those wanting to create more housing lots. Minimum width requirements exist to ensure adequate access to the street and enough room to develop safely in accordance with development standards, including building setbacks and parking areas.

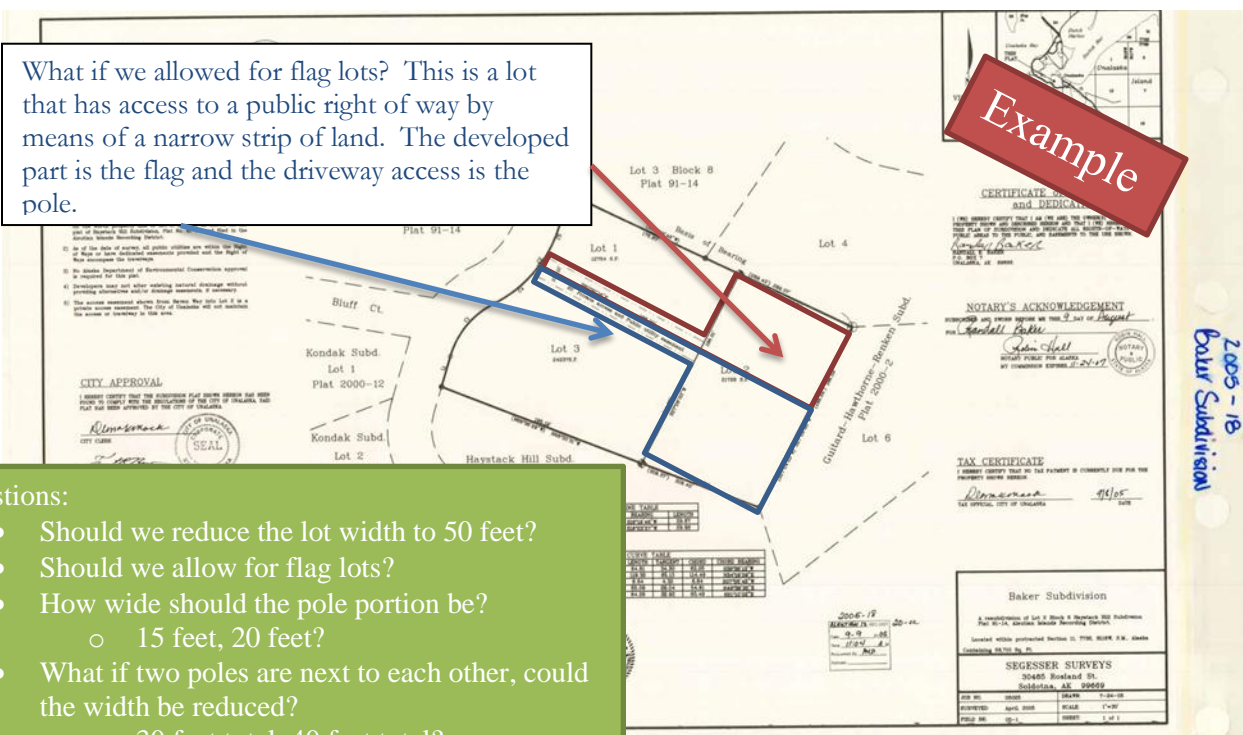
Having direct access to a publicly dedicated street is a safety issue as well as a practical one. Emergency vehicles and utilities need to be able to access the property itself and the occupants. In some cases, lots have been subdivided without direct access to a public street, in which case there is typically a private access easement granted between property owners and included on the plat. As we all know, however, property owners change and land uses can expand or evolve. This can result in property disputes and limited development opportunities (be they actual or perceived limits).

Multiple property owners have come to the Planning Department requesting a continued discussion regarding these items. One in particular would like to subdivide an already land locked lot to create an additional sellable lot. Others have discussed the possibility of reducing the minimum lot width to 50-feet. Staff would like to present a related idea for the Planning Commission to consider. More research will be necessary, but the goal at this time is to get some guidance on possible next steps.

Lot 2 technically has no street frontage, and is only accessed through a private access easement. This easement is property of the adjacent lots (20 feet total/10 on each lot). Although this lot can have two homes developed on it, it cannot be subdivided because it would create another land locked lot. The Planning Commission found in 2011 that this did not meet the test of code for a variance and supported staff's recommendation not to grant it.



What if we allowed for flag lots? This is a lot that has access to a public right of way by means of a narrow strip of land. The developed part is the flag and the driveway access is the pole.



#### Questions:

- Should we reduce the lot width to 50 feet?
- Should we allow for flag lots?
- How wide should the pole portion be?
  - 15 feet, 20 feet?
- What if two poles are next to each other, could the width be reduced?
  - 30 feet total, 40 feet total?
- Should lot depth be considered?
- Benefits?
  - Create more lots
  - Direct roadway access
- Challenges?
  - Utility separation
  - Emergency access