

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
COUNCIL CHAMBERS
November 21, 2013
7:00 P.M.**

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 October 17, 2013

Public Hearing Action Items:

6. Conditional Use Permit to allow for a Mixed Use Structure with a total of three (3) residential units in a General Commercial Zoning District on Lot 4 of Block 10, USS 1992, located at 88 Broadway. (*Owner/ Applicant: Quy Van Nguyen; Property ID: 03-07-427*)
7. Conditional Use Permit to allow for a Mixed Use Structure with a total of one (1) residential unit in a General Commercial Zoning District on Lots 8, 9, and 11 of Block 1, USS 1992, located at 28 N. 2nd Street. (*Owner/ Applicant: John Honan, Alexandria House, Inc; Property IDs: 03-07-217, 03-07-219, 03-07-215*)

Regular Meeting:

8. Receipt of Planning Determination dated October 14, 2013 regarding the Preliminary Plat of Hillside Subdivision Utility Improvement Guarantee Refund.

Worksession: *No items.*

9. OTHER BUSINESS

10. ADJOURNMENT

Chair Help Sheet

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 Steps:

1. Open the Public Hearing.
2. Chair calls for potential Ex Parte Communications and potential Conflicts of Interest from Commissioners.
3. Staff Presentation.
4. Ask if Commissioners have any questions of staff.
5. Applicant Presentation.
6. Ask if Commissioners have any questions for the applicant.
7. Public Testimony. (Ask person to state name for the record.)
8. Ask if Commissioners have any questions of the public.
9. Close the Public Hearing.
10. Open the Commission discussion by calling for a motion to approve Resolution 2013-xx.
11. Call for a second to the motion.
12. Commission discussion.
13. Close the Commission discussion.
14. Vote.

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION MINUTES
Thursday, October 17, 2013
CITY COUNCIL CHAMBERS, CITY HALL
7:00 P.M.**

- 1. CALL TO ORDER:** Chair Chris Bobbitt called the meeting to order at 7:02 P.M.

Staff Present:

Erin Reinders, AICP, Planning Director
Anthony Grande, Planning Administrator

Roll Call:

Commissioners present:

Chris Bobbitt
Steven Gregory
Doanh Tran
Vicki Williams

- 2. REVISIONS TO THE AGENDA:** *None*

- 3. APPEARANCE REQUESTS:** *None*

- 4. ANNOUNCEMENTS:** Staff announced that October is Planning Month, thanked the Commission for their service, and invited everyone to Story time at the Unalaska Public Library. Staff will read planning related stories and do crafts with the kids of the PCR's After School Program throughout the month.

The Community Planning Assistance Team from APA has finally been formed for our project. City Staff and APA are now working on a specific date in spring when they can visit.

- 5. MINUTES:** Steven Gregory moved to approve the minutes from the September 19, 2013 meeting. There was a second. Chair Bobbitt called for a discussion or comments on the minutes. There being no comments, Chair Bobbitt called for a vote and the motion to approve the minutes was unanimous (4-0). The minutes for the September 19, 2013 meeting were adopted.

PUBLIC HEARING ACTION ITEMS:

- 6. Conditional Use Permit allowing for a total of 5 residential units in a General Commercial Zoning District on Lot 7, Shaishnikoff Subdivision, Addition C, Plat Number 97-01, located at 376 Steward Road. (Owner/ Applicant: Jimmer and Alyssa McDonald Family Trust; Property ID: 06-04-320)**

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.

Anthony Grande explained that the Commission is looking at two separate applications for the same development and would start by describing the development plan. He would then

discuss each application and the related code requirements. The Commission would then vote on the items separately, in accordance with the advertised agenda.

The current site has an existing welding shop with one employee housing unit. The housing unit in the welding shop was allowed through a conditional use permit. The property also has a 3 ½ foot setback which was granted as non-conforming structure of record. As it stands both the use and the setbacks of the building were legally met. The proposed plan is to convert the structure to four housing units and about 340 square feet of dry storage space. The green structure shown in the attachment in the packet is a proposed welding shop with an employee housing unit.

The conditional use permit request is for the five (5) residential units total consisting of a 4-plex and one employee housing unit at the welding shop, in a General Commercial District which is not allowed by right. As mentioned earlier they already have a permit for one residential unit, resulting in an actual increase of four (4) residential units.

Staff has attached three conditions for approval which will help the application meet the tests of code. The conditions included a site plan identifying parking spaces, requiring that buildings meet the State Fire Marshalls approval and lastly, that the condition stated in the 1998 Resolution which approved the employee housing unit remain the same. However, the applicant has just submitted a site plan with parking plan during this meeting and may help to address one of these conditions.

Chair Bobbitt asked if the Commissioners have any questions for Staff. Mr. Gregory noticed that the parking lot seems to be “landlocked” and asked if these are practical parking spots. Erin Reinders explained that this is the first time they have seen the revised site plan and will study the site plan further. Staff recommends that the current wording of the condition remain in the Resolution as they work with the applicant to come up with a parking plan to ensure functional parking spots. Mr. Gregory asked if the required parking spaces are 18 as shown in the site plan. Mr. Grande explained that both structures combined will need 12 parking spaces, nine (9) parking spaces for the 4-plex including the dry storage space and three (3) parking spaces for the welding shop.

Chair Bobbitt asked the Commissioners if they have any more questions for Staff. There being none, Chair Bobbitt asked the applicant to make a presentation. Ms. Alyssa McDonald informed the Commission that the proposed parking plan drawn was intended to show that there was adequate room for parking. She said she will work with Staff to come up with an appropriate parking plan. Ms. McDonald and her husband intend to go into property management and help fulfill the community’s need for more affordable and safe housing. Regarding the encroachment issue, she stated that she was not aware that the connex was on a right-of-way but she said that it will be removed, as noted on the site plan.

Chair Bobbitt asked the Commissioners if they have any further questions for Ms. McDonald. Ms. Tran had no questions but took the opportunity to thank Ms. McDonald for coming up with the plan to generate more housing for the community. Mr. Gregory also said that he felt assured that the McDonalds will be managing and staying in the property and has a long-range plan for housing in the community.

There being no further questions and no public present wishing to speak, Chair Bobbitt closed the Public Hearing and called for a motion to approve Resolutions 2013-19. Ms. Tran moved to approve Resolution 2013-19. There was a second.

Chair Bobbitt asked if there were any questions or comments from the Commissioners. Mr. Gregory asked the Staff if they received any comments from the adjacent landowners. Staff said that they did receive comments from two landowners from the same subdivision who are in favor of the development.

Chair Bobbitt asked if there were any further discussions. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (4-0). The motion carried and Resolutions 2013-19 was adopted.

7. A 12-Foot Variance allowing for 3-foot side yard setback adjacent to a Right of Way on Lot 7, Shaishnikoff Subdivision, Addition C, Plat Number 97-01, located at 376 Steward Road. (Owner/ Applicant: Jimmer and Alyssa McDonald Family Trust; Property ID: 06-04-320)

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

In light of new evidence, Staff suggested a change in the title of the Resolution 2013-20 as well as some of the specifics of it. Mr. Grande explained that they have initially calculated the setback needed by using GIS, so the Resolution stated a 3-foot side yard setback. However, with the addition of the arctic entry the setback is now as show in the drawing just submitted by the applicant that it has been reduced to 9 ⁵/₈ inches. Chair Bobbit clarified the title to be ***“A 15-foot variance allowing for a 9 ⁵/₈ inches side yard setback adjacent to a right-of-way”***.

Staff explained that this is an existing building and they can continue using it as it is without a variance but the resolution is to address the renovation of the building into a 4-plex. The 15-foot setback is required when a building is facing a right-of-way, which is the case here; however, in this particular situation right-of-way is not actually a street but is used as storage for building materials. Staff pointed out that the southern tip of the applicant’s property is being used as a street. If the Planning Commission chooses to amend the resolution to grant a variance and allow for a to 9 ⁵/₈ inch setback, staff suggested that the current condition of approval related to the trailer that is encroaching on the right-of-way be amended based on the recent site plan submitted and read, ***“The side yard established by this variance applies to every portion of the building including those accessories defined in §8.12.170(B), which include but are not limited to steps, terraces, platforms, porches, eaves, cornices, or roof overhangs. No such aspect of the building may extend any closer than 9-5/8 inches from the front lot line.”***

Mr. Gregory inquired who the landowners of properties above Ms. McDonald’s property. Ms. McDonald asked the Chair if she can address the question and answered that they are Rufina Shaishnikoff, John Moller and Greg Moyer.

Chair Bobbitt asked if the Commissioners have any questions for Staff. Hearing none, Chair Bobbitt allowed Ms. McDonald to present anything related to the variance request. The applicant had nothing to add and there being no public present wishing to speak, Chair Bobbit

asked the Commissioners if they have any further questions for Ms. McDonald. There being none, Chair Bobbitt closed the Public Hearing and called for a motion to approve Resolution 2013-20 as amended. Mr. Gregory moved to approve Resolution 2013-20 as amended. There was a second.

Chair Bobbitt asked if there were any questions or comments from the Commissioners. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (4-0). The motion carried and Resolutions 2013-20 was adopted as amended.

REGULAR MEETING:

8. Receipt of Platting Authority Resolution 2013-18, a resolution approving the Preliminary Plat of Tiglax Subdivision, Tract A, a subdivision of a Portion of Amended USS 58, located at 271 Biorka Drive (Bldg #616). (Owner/Applicant: Ounalashka Corporation; Property ID: 04-03-600)

Staff explained that this is for informational purposes only.

9. OTHER BUSINESS: *None*

10. ADJOURNMENT: Chair Bobbitt adjourned the meeting at 7:30 P.M.

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 De Castro and Erin Reinders, Planning Department

CONDITIONAL USE PERMIT APPLICATION

QUY VAN NGUYEN

**City of Unalaska, Alaska
Planning Commission/Platting Board
Staff Report**

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A MIXED USE STRUCTURE WITH A TOTAL OF THREE RESIDENTIAL UNITS ON LOT 4, BLOCK 10, USS 1992, ALEUTIAN ISLANDS RECORDING DISTRICT, LOCATED AT 88 W BROADWAY AVE

Project Information	
Land Owner	Quy Van Nguyen
Applicant	Quy Van Nguyen
Location	88 W Broadway Ave (corner of Fourth Street)
Property Identification	03-07-427
Application Type	Conditional Use Permit
Project Description	New construction of mixed use building on a lot with existing mixed use building. Residential second and third floor units require conditional use permit, the commercial use of the first floor is allowed in this zoning district by right.
Zoning	General Commercial
Exhibits	Draft Resolution 2013-21, Conditional Use Permit Application and Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2013-21 with associated conditions

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.
- Goal #9 of the Unalaska Housing Plan is to ensure that zoning and all regulatory and permit processes support the redevelopment of in-fill lots and new subdivisions for new housing development.
- Goal #4 of the Unalaska Housing Plan is to preserve and improve the condition and stability of existing housing throughout the city.
- The Unalaska Comprehensive Plan 2020 identifies a value in the economic development section of its community action agenda that includes the following:
 - Ensure the provision of adequate land area for the development of businesses and industries to strengthen and further diversify the local economy, supported by the primary action of making more land available for businesses and industries.

CODE REQUIREMENTS

- According to UCO §8.12.070, 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 §8.12.070, the General Commercial district allows residential dwelling units as a conditional use.
- UCO §8.12.200(C) states that at a public hearing, the Planning Commission is to determine that the conditional use meets the following three tests and may apply site or development conditions, pursuant to UCO §8.12.200(D)(2), in order to ensure that the three tests are met.
 - Further the goals and objectives of the Comprehensive Development Plan; and
 - 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.

BACKGROUND

1. Currently the property in question contains a building that is approved for the use of 1,815 square feet of commercial space and multiple residential units. The structure was built prior to the current zoning code, and is a nonconforming use of record.
2. The development plan calls for construction of a new mixed use building, resulting in three total residential units and 3,443 square feet of commercial space.
3. Although not clearly identified in the proposed site plan, the residential component of the existing structure will not be occupied after the construction of the new structure. Staff has confirmed this with the applicant and has added this to the conditions of approval for the conditional use permit.
4. The plan requires 15 parking spaces and one additional handicap space, which is adequately met by the parking indicated on the site plan.
5. The result of this project will be a replacement of old residential units with higher quality, larger units, which is a primary goal of the Unalaska Housing Plan. In addition, it will provide a significant amount of high quality commercial space, which is consistent with the Unalaska Comprehensive Plan.

FINDINGS

The purpose of the conditional use permit is to allow for a specific use to be examined on a case-by-case basis with consideration to the uniqueness of the situation and public testimony. The Planning Commission is to approve the request when it finds that the three-part test is satisfied. Staff finds that all three tests are met as follows.

1. The proposed development associated with this conditional use application furthers the objectives of the Comprehensive Plan by improving the housing stock of the city with increased residential space and higher quality units. Also, it increases the amount of commercial space available in the city.
2. The proposed development associated with this conditional use application is compatible with the surrounding land uses and neighborhood character, as many structures in the downtown area are of a similar nature with a mix of commercial and residential components.
3. In order to ensure that the proposed development associated with this conditional use application will not have any substantial negative impact on the community, two conditions of approval have been added to the resolution. One is related the State Fire Marshall's approval review and approval for this mixed use structure, in addition to the City's Building Permit. The second condition states that the residential component of the existing building will not be occupied until related parking plans and conditional use permits are submitted and approved. This is to ensure that the lot does not contain used space that is not accounted for in the parking 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 the conditional use request with the associated conditions of approval identified in Resolution 2013-21.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-21**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A MIXED USE
STRUCTURE WITH A TOTAL OF THREE RESIDENTIAL UNITS ON LOT 4, BLOCK 10, USS 1992,
ALEUTIAN ISLANDS RECORDING DISTRICT, LOCATED AT 88 W BROADWAY AVE**

WHEREAS, UCO §8.12.200 sets forth the procedures for taking action on a conditional use application; and

WHEREAS, the applicant, Quy Van Nguyen, is currently the owner of the property at Lot 4, Block 10, USS 1992 (03-07-427); and

WHEREAS, the subject property is zoned General Commercial; and

WHEREAS, the applicant has proposed to construct a new mixed use building with commercial space and three residential units to replace residential component of the existing mixed use building on the lot; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the request; and

WHEREAS, the creation of additional housing and commercial space is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

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

WHEREAS, the City of Unalaska Planning Commission held a public hearing on November 21, 2013 to consider this request and to hear testimony of the public, and

WHEREAS, the Planning Commission reviewed the application and finds that this conditional use request for five residential units satisfies the three part test set forth in UCO §8.12.200(C):

1. Furthers the goals and objectives of the Comprehensive 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.

THEREFORE BE IT RESOLVED, that the Planning Commission approves the conditional use for three residential units on Lot 4, Block 10 of USS 1992 at 88 W Broadway Ave with the following conditions of approval:

1. All conditions of the City of Unalaska Building Permit, including State Fire Marshall approval for a Mixed Use Structure, shall be addressed prior construction. Details of what is submitted to and approved by the State Fire Marshall shall be provided to the Department of Public Works as part of the Building Permit application.
2. The residential component of the existing building will be vacated at the time of occupancy of the proposed structure. This portion of the existing building may only be utilized after parking plan is submitted and approved by the Director of Planning showing adequacy for the proposed use and associated conditional use permit is granted if this proposed use is residential.

This resolution approves the conditional use only as it applies to the specific site plan submitted with the application, shown in Attachment A, and becomes effective if there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.200(E).

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2013, BY THE PLANNING
COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Chris Bobbitt, Chair

Erin Reinders, AICP, Secretary

[illegible]

UNALASKA MIX-USE BUILDING
58 WEST BROADWAY AVENUE, UNALASKA AK 99685
PARTDEKL 03-07-427 (LOT 4 BLOCK 155 1992)

SITE D | AN |

APPLICATION FOR VARIANCE/CONDITIONAL USE
CITY OF UNALASKA, ALASKA

received
10/29/13

DATE: 10-29-13

FEE: \$50 paid

PERMIT NO.: _____

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title Sections 8.12.200 UCO (Conditional Use) and 8.12.210 UCO (Variance).

Property Owner: QUY VAN NGUYEN

Property Owner Address: 88 Broadway UNALASKA

Street Address of Property: 88 Broadway UNALASKA

Applicant's Name: QUY VAN NGUYEN

Mailing Address: P.O. Box 921154

Contact Name: BJ Cross OR QUY NGUYEN

Home Phone: 359-5757 in 2004 Work Phone: 581-5757

Request for : _____ Variance ☒ Conditional Use

Type of Request: ☒ Residential _____ Commercial

Current Zone Designation: General Commercial

LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 3-7-427

Lot: 4 Block: 10 Tract: _____

Subdivision: USS 1992 USS: 1992

Section(s): _____ Township: _____ Range: _____

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

Mixed Use Building - three residential units

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 8.12.200(A)(2) and Section 8.12.210(B)(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.

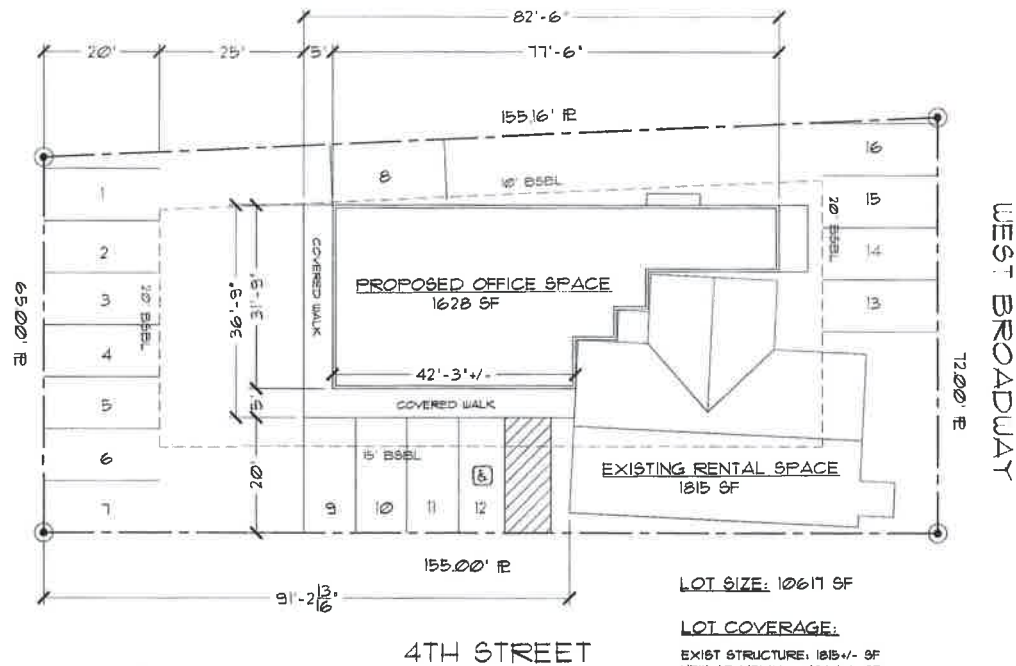
ANY MATERIALS YOU WISH THE PLANNING COMMISSION TO REVIEW DURING THE SCHEDULED PUBLIC HEARING MUST BE PROVIDED TO THE DEPARTMENT OF PLANNING ***ONE WEEK*** PRIOR TO THE PUBLIC HEARING DATE

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 non-refundable and is to cover costs associated with the processing of this application and that it does not assure approval of the request.


Signature

Date 10-29-13



PROPOSED ADDITION:
(3) RESIDENTIAL UNITS ABOVE
RENTAL OFFICES BELOW

PARKING:
9'X20' PARKING STALLS
1 HANDI CAP PARKING REQ'D
RESIDENTIAL: 2 STALLS / UNIT
OFFICE 3443 SF TOTAL: 1 PER 400 SF (9 REQ'D)

4TH STREET



LOT SIZE: 10617 SF

LOT COVERAGE:

EXIST STRUCTURE: 1815 +/- SF
NEW ADDITION: 1664 +/- SF
NEW COV WALK: 375 +/- SF
TOTAL LOT COV: 4014 SF + 38.4%
(MAX ALLOWED: 60%)

MAX BLDG HT: 50'

SITE PLAN

UNALASKA MIX-USE BUILDING

88 WEST BROADWAY AVENUE, UNALASKA AK 99685

PARDREL 00-07-427 (LOT 4 BLOCK US5 1992)

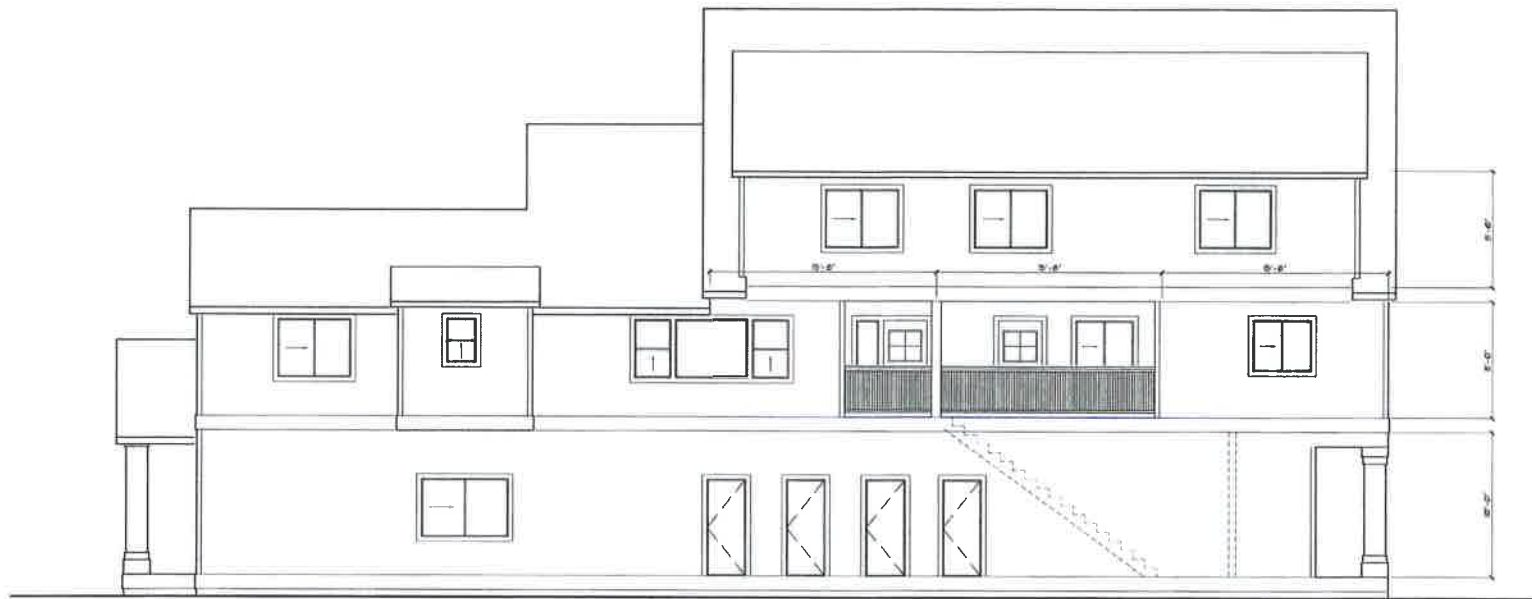
AMERICAN HOME PLANNERS

RESIDENTIAL DESIGN AND DRAFTING SERVICE

1015 Long Avenue, Suite 100, Anchorage, Alaska 99501
Tel: (907) 561-1111 Fax: (907) 561-1112

NOT TO SCALE
THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION OR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF AMERICAN HOME PLANNERS. THE DESIGNER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN. THE DESIGNER'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEE AND COSTS OF REASONABLE ATTORNEY'S FEES AND COURT COSTS. THE DESIGNER'S LIABILITY IS LIMITED TO THE PROFESSIONAL FEE AND COSTS OF REASONABLE ATTORNEY'S FEES AND COURT COSTS.

00-30-13



REAR ELEVATION
(NORTH WEST ELEVATION)



FRONT ELEVATION

NO. 10274 / CONTRACTOR, ALICE J. JENSEN
CONTRACTOR, 1000 BROADWAY AVENUE, SUITE 100
ANCHORAGE, ALASKA 99501
PHONE: (907) 561-1111
FAX: (907) 561-1112
WWW.AJCONTRACTOR.COM

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PHONE: (907) 561-1111
FAX: (907) 561-1112
WWW.AHPLANNERS.COM

UNALASKA MIX-USE BUILDING

88 WEST BROADWAY AVENUE, UNALASKA AK 99665

PARDON: 03-07-427 (LOT 4 BLOCK 135 1962)

03-30-13



RIGHT ELEVATION
 14'-0"
 (WEST BROADWAY ELEVATION)
 (NORTH EAST ELEVATION)

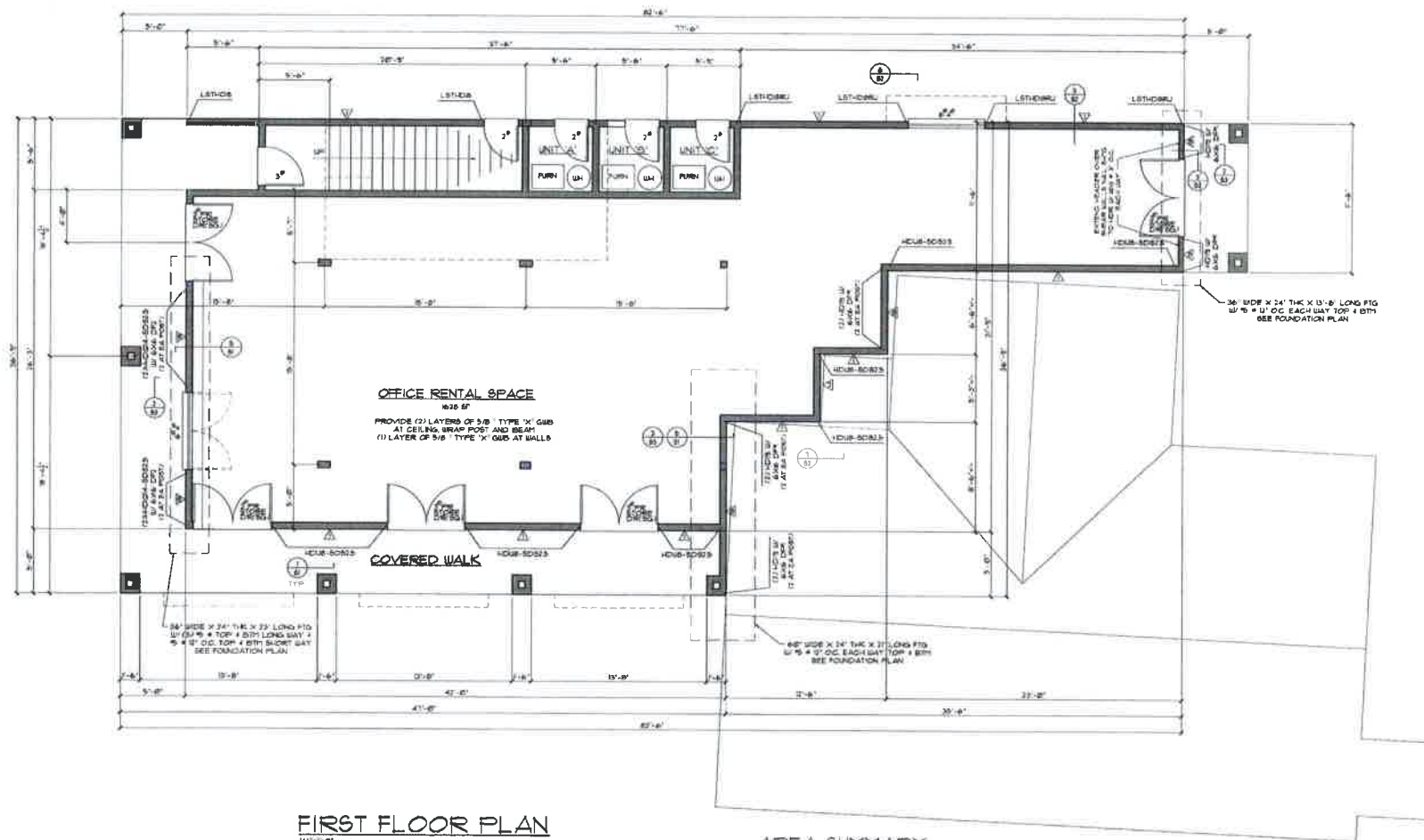


LEFT ELEVATION
 14'-0"
 (SOUTH WEST ELEVATION)

THE BUILDING CONTRACTOR MUST
 OBTAIN ALL NECESSARY PERMITS
 FROM THE LOCAL BUILDING DEPARTMENT
 AND THE LOCAL HEALTH DEPARTMENT
 BEFORE ANY CONSTRUCTION BEGINS.
 THE CONTRACTOR MUST ALSO OBTAIN
 ALL NECESSARY INSURANCE COVERAGE
 BEFORE ANY CONSTRUCTION BEGINS.
 THE CONTRACTOR MUST ALSO OBTAIN
 ALL NECESSARY FINANCIAL ASSISTANCE
 BEFORE ANY CONSTRUCTION BEGINS.
 THE CONTRACTOR MUST ALSO OBTAIN
 ALL NECESSARY LEGAL ASSISTANCE
 BEFORE ANY CONSTRUCTION BEGINS.

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UNALASKA MIX-USE BUILDING
 101 WEST BROADWAY AVENUE, UNALASKA, AK 99608
 PARCELS: 01-07-427 (LOT 4 BLOCK 155 1970)



FIRST FLOOR PLAN
1/4" = 1' 0"

AREA SUMMARY

FIRST FLOOR RENTAL:	1628 SF
FIRST FLOOR COVERED WALK/STAIRS/STORAGE:	628 SF
SECOND FLOOR LANDING / ENTRY:	162 SF
RESIDENTIAL UNIT A:	1094 SF
SECOND FLOOR: 586 SF	
THIRD FLOOR: 508 SF	
RESIDENTIAL UNIT B:	935 SF
SECOND FLOOR: 468 SF	

UNALASKA MIX-USE BUILDING

88 WEST BROADWAY AVENUE, UNALASKA AK 99605

PARCELS 03-07-027 (LOT 4 BLOCK USS 1992)

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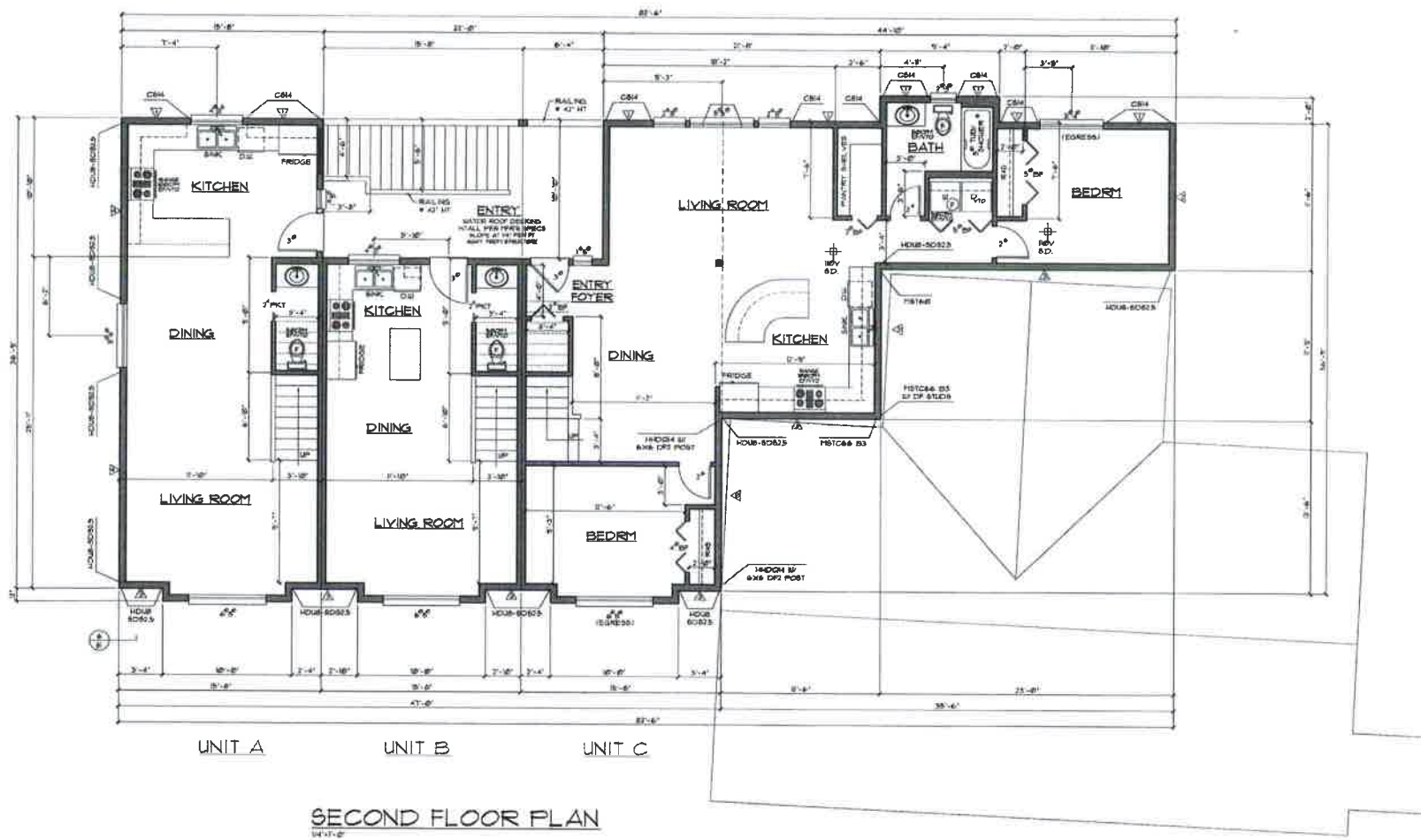
ARCHITECTURAL DESIGN AND DRAFTING SERVICE

Custom Plans, Block Plans, Remodels & Additions

PHOTOGRAPHY: TERRY L. HARRIS, TERRY L. HARRIS PHOTOGRAPHY, 1000 W. 10TH AVENUE, SUITE 100, ANCHORAGE, AK 99501

DATE: 09/20/2007 11:00 AM

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UNALASKA MIX-USE BUILDING

58 WEST BROADWAY AVENUE, UNALASKA, AK 99685

PAPER: 04-07-07 (LOT 4 BLOCK 135) 1992

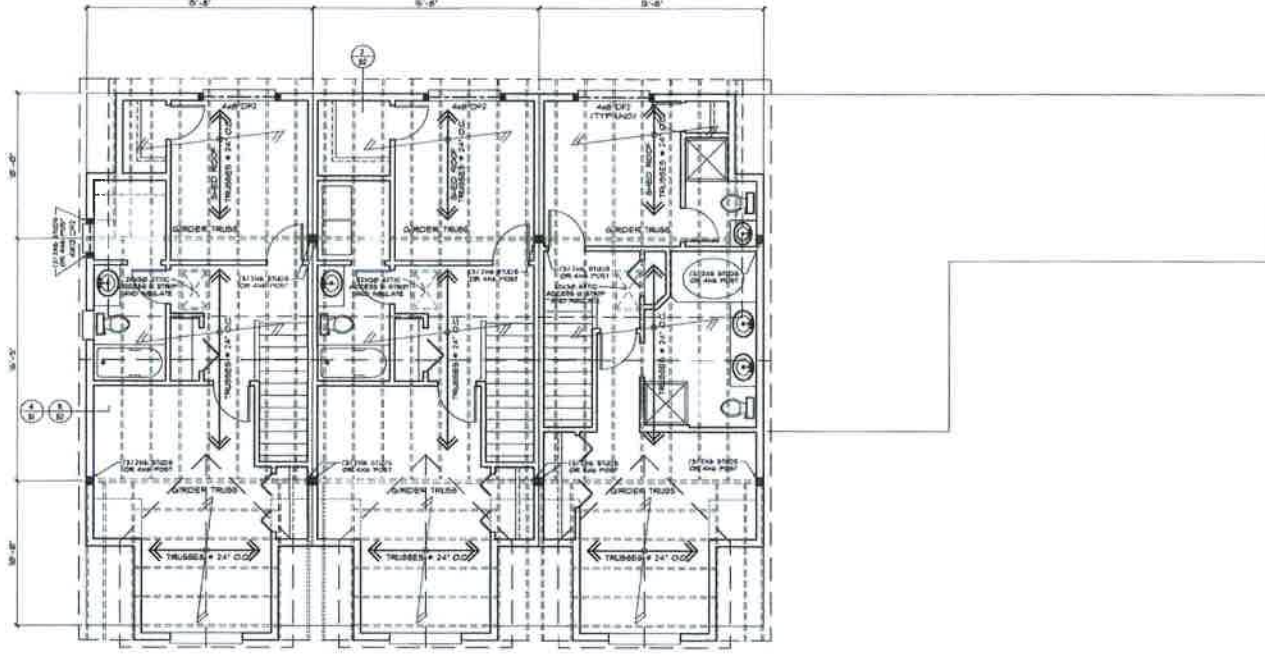
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ARCHITECTURE AND INTERIOR DESIGN

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THIRD FLOOR ROOF FRAMING
W-11-01

UNALASKA MIX-USE BUILDING

181 WEST BROADWAY AVENUE, UNALASKA, AK 99685

PARCEL 10-01-01 (LOT 4 BLOCK 100) 1992

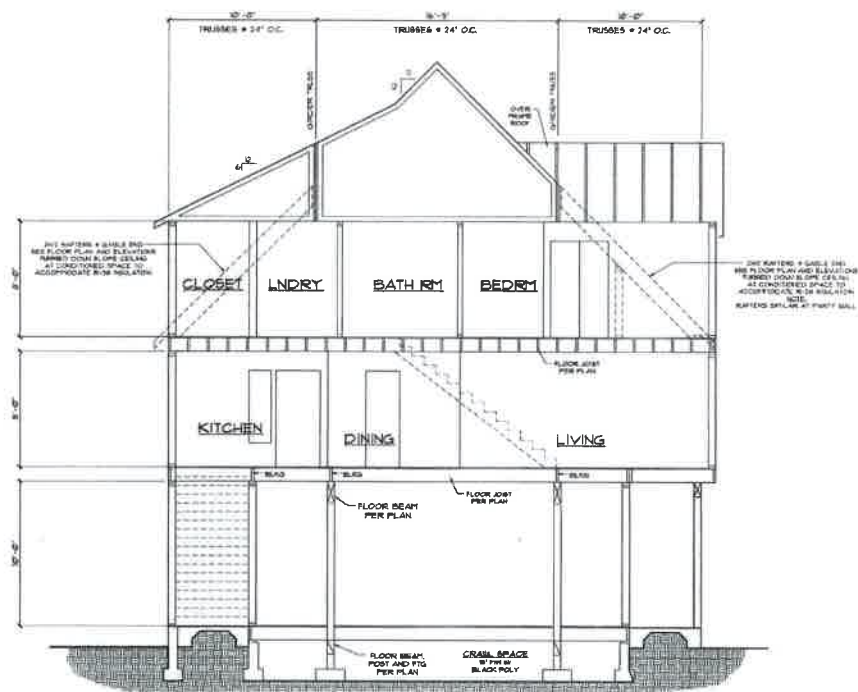
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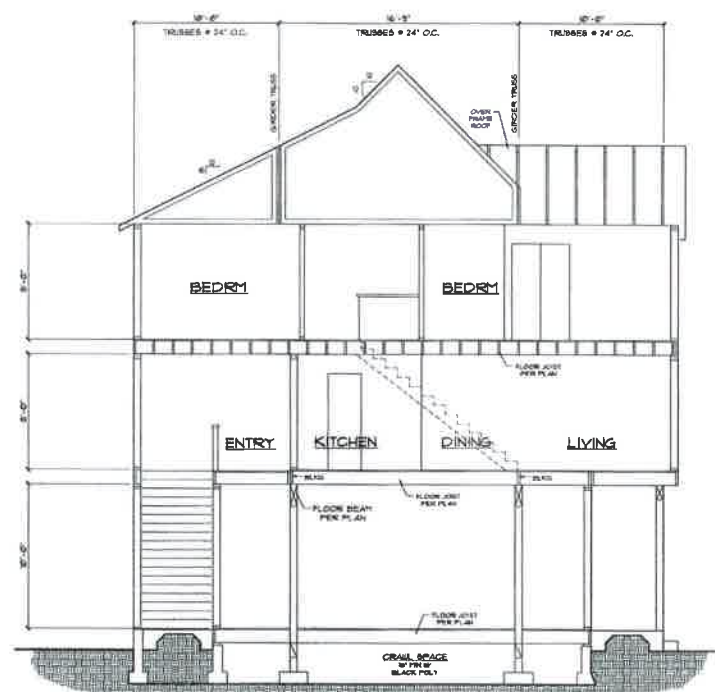
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SECTION THRU UNIT B
1/4"=1'-0"

UNALASKA MIX-USE BUILDING

88 WEST BROADWAY AVENUE, UNALASKA AK 99665

PARCELS 05-07-027 (LOT 4 BLOCK 103 1992)

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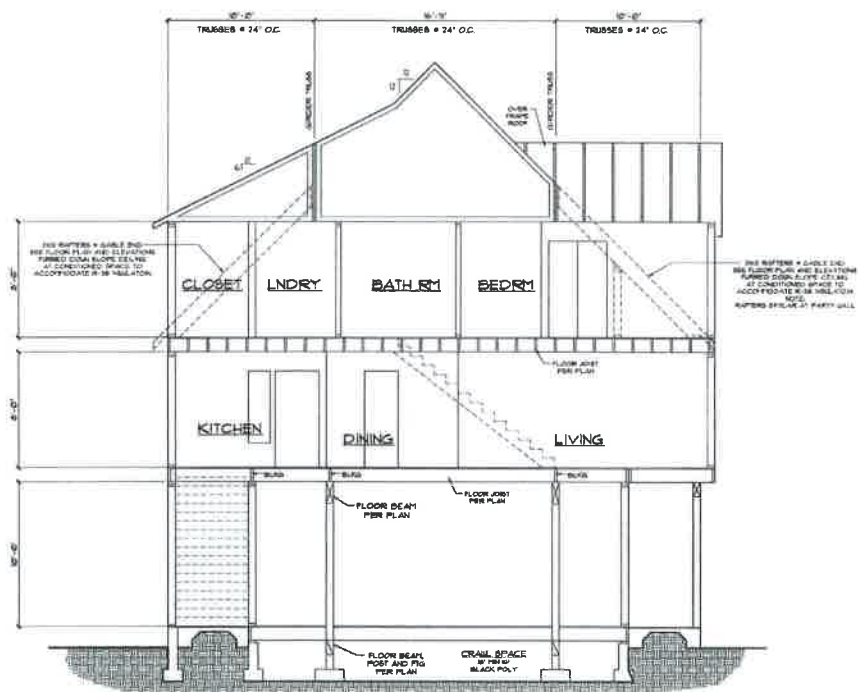
1001 E. 10th Avenue, Suite 101, Anchorage, Alaska 99503

Phone: (907) 561-1111

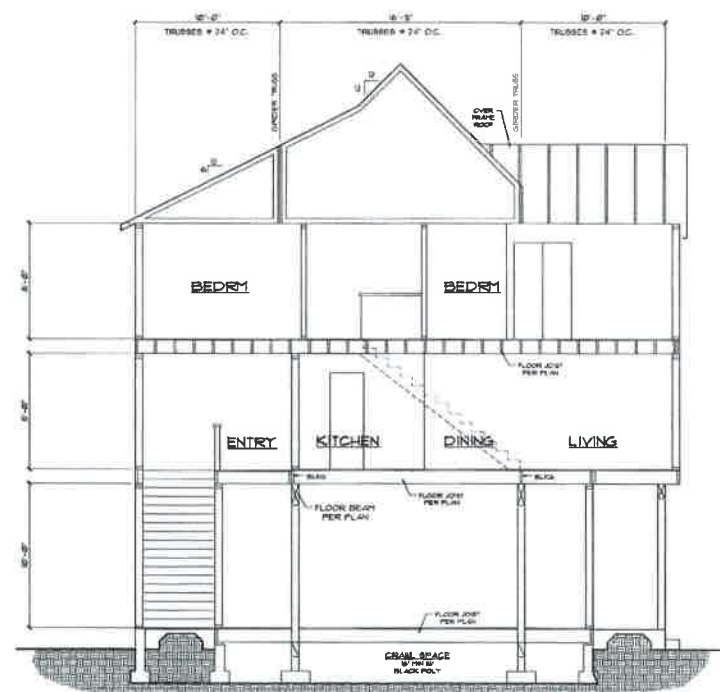
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SECTION THRU UNIT A
1/4"=1'-0"



SECTION THRU UNIT B
1/4"=1'-0"

UNALASKA MIX-USE BUILDING

88 WEST BROADWAY AVENUE, UNALASKA AK 99685

PARCELS 00-07-427 (LOT 4 BLOCK URS 1992)

AMERICAN HOME PLANNERS

Custom Plans, Stock Plans, Remodels & Additions

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UNALASKA MIX-USE BUILDING
86 WEST BROADWAY AVENUE, UNALASKA AK 99685
FARDIEL 09-07-427 (LOT 4 BLOCK USS 1992)

JCR JOB NO.
7120

SHEARWALL SCHEDULE (CDX)

SHEATHING	EDGE NAILING	FIELD NAILING	SILL PLATE & FND	BOTTOM/TOP PLATE CONN.
1/2" CDX ONE FACE	8d @ 6" O/C	8d @ 12" O/C	1/2" A.B. @ 48" O/C W/ 2x SILL PLATE	LTP4 @ 20" O/C W/ 2x BOTTOM PLATE
1/2" CDX ONE FACE	8d @ 4" O/C	8d @ 12" O/C	1/2" A.B. @ 36" O/C W/ 2x SILL PLATE	LTP4 @ 14" O/C W/ 2x BOTTOM PLATE
3/8" CDX ONE FACE	10d @ 4" O/C	10d @ 12" O/C	1/2" A.B. @ 30" O/C W/ 3x SILL PLATE	LTP4 @ 12" O/C W/ 2x BOTTOM PLATE
3/8" CDX ONE FACE	10d @ 3" O/C	10d @ 12" O/C	1/2" A.B. @ 24" O/C W/ 3x SILL PLATE	LTP4 @ 9" O/C W/ 3x BOTTOM PLATE
3/8" CDX ONE FACE	10d @ 2" O/C	10d @ 12" O/C	1/2" A.B. @ 20" O/C W/ 3x SILL PLATE	LTP4 @ 7" O/C W/ 3x BOTTOM PLATE
1/2" CDX EACH FACE	10d @ 4" O/C EACH FACE	10d @ 12" O/C EACH FACE	1/2" A.B. @ 30" O/C W/ 3x SILL PLATE	LTP4 @ 6" O/C W/ 3x BOTTOM PLATE
1/2" CDX EACH FACE	10d @ 2" O/C EACH FACE	10d @ 12" O/C EACH FACE	1/2" A.B. @ 10" O/C W/ 3x SILL PLATE	LTP4 @ 3" O/C W/ 3x BOTTOM PLATE

VALL NOTES

1. JOIST, BLOCKING, TOP AND BOTTOM PLATES SHALL BE HEM-FIR NO. 2 UNLESS OTHERWISE ON PLANS. ALL SHEATHING EDGES MUST BE BACKED WITH 2x OR WIDER (SEE NOTE #3).

2. HING MAY BE INSTALLED EITHER HORIZONTALLY OR VERTICALLY. ALL SHEARWALL C MUST EXTEND TO THE OUTSIDE EDGE OF ALL HOLDOWN POSTS AND CORNERS, THE INSIDE EDGE OF FRAMING AROUND OPENINGS.

3. SHEATHING NAILING IS SHEARWALL #3 AND GREATER. ALL FRAMING MEMBERS 1" EDGE NAILING FROM ABUTTING PANELS SHALL NOT BE LESS THAN A SINGLE NOMINAL MEMBER. ADDITIONALLY, WHERE SHEARWALLS ARE SHEATHED ON BOTH LL STUDS AND PLATES RECEIVING EDGE NAILING FROM BOTH FACES MUST BE A 1-INCH NOMINAL MEMBER OR PANEL JOINTS MUST BE STAGGERED. IN EACH OF CASES, 3x STUDS ARE REQUIRED UNLESS SPECIFICALLY NOTED OTHERWISE ON THE (THE ENGINEER, FOR SHEARWALLS #3 AND #4, A 2x SILL PLATE MAY BE USED WES THE NUMBER OF ANCHOR BOLTS REQUIRED BY THE SHEARWALL SCHEDULE 1) AND ARE EVENLY SPACED (SEE 2003 IBC SECTION 2305.3.10).

4. R.WALL NAILING CRITERIA IS BASED ON TABLE 2306.4.1 OF THE INTERNATIONAL CODE (FOR CDX) OR REPORT NER-124 (FOR OSB). VALUES ARE BASED ON NO. 2 FRAMING WITH COMMON NAILS.

5. WNS AND OTHER CONNECTIONS MAY BE REQUIRED AT THE ENDS OF MANY L.S. SIZES AND LOCATIONS OF THESE CONNECTORS ARE INDICATED ON THE REFER TO THE APPROPRIATE DETAILS AND/OR HOLDOWN SCHEDULE FOR 4L INFORMATION REGARDING ANCHOR BOLTS, EMBEDMENT LENGTH, ETC. WHERE (2) USED AS A HOLDOWN POST, SHEARWALL EDGE NAILING MUST BE STAGGERED INTO 4BER OF THE POST.

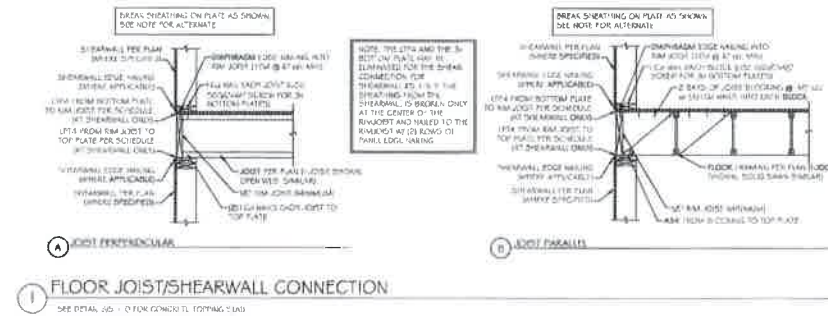
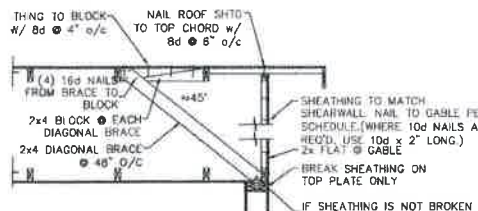
6. R. BOLTS MUST BE EMBEDDED A MINIMUM OF 7" INTO CONCRETE OR GROUTED 1) SHALL BE PLACED TO PROVIDE A MINIMUM OF 2" COVER. PROVIDE 3" COVER CRETE CAST AGAINST SOIL.

7. ANCHOR BOLTS SHALL BE ASTM A307 OR BETTER. HILTI KWK BOLTS/SIMPSON BOLTS OF THE SAME DIAMETER AS SHOWN IN THE SHEARWALL SCHEDULE MAY BE TED FOR ANCHOR BOLTS INTO EXISTING CONCRETE. BOLTS SHALL BE EMBEDDED A OF 5" INTO EXISTING CONCRETE.

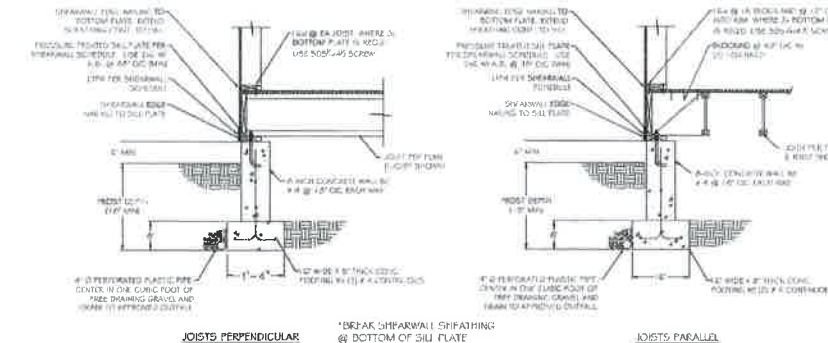
8. NLS AND CONNECTORS IN CONTACT WITH PRESSURE TREATED WOOD (EXCEPT FOR REATED WOOD) MUST BE HOT DIPPED GALVANIZED OR STAINLESS STEEL TO RESIST N.

9. 10d NAILS ARE SPACED AT 3" ON CENTER OR LESS, NAILS MUST BE STAGGERED.

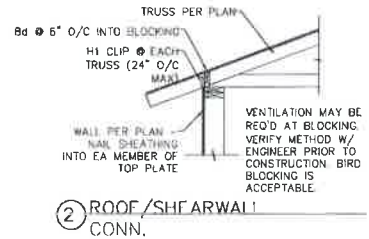
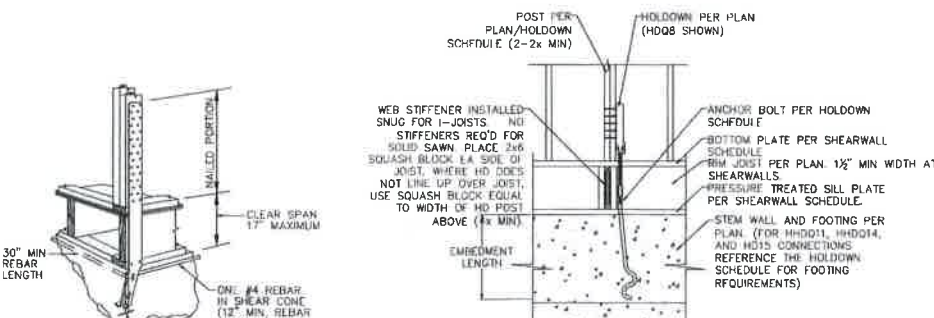
10. OF EQUAL OR GREATER THICKNESS MAY BE SUBSTITUTED FOR CDX SPECIFIED IN LL SCHEDULE.



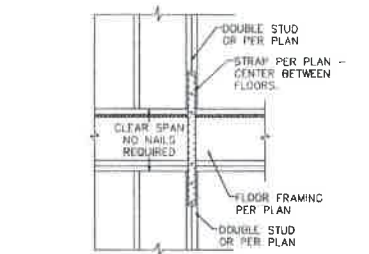
1 FLOOR JOIST/SHEARWALL CONNECTION
SEE DETAIL 201-10 FOR CONNECTION TO FOOTING (10d)



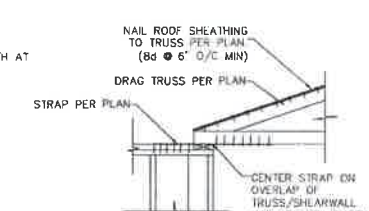
3 EXT. WALL/FOUNDATION CONNECTION APPLICABLE FOR ALL SHEARWALLS
SEE DETAIL 201-10



2 ROOF/SHEARWALL CONNECTION



4 FLOOR TO FLOOR STRAP

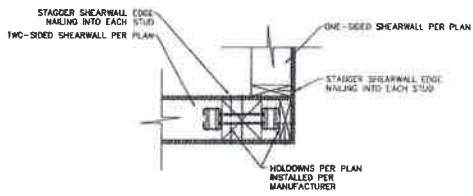


JOHN C. RABY & ASSOC. INC
13306 W. Wiggan Road, Spokane WA 99224
PHONE: (509) 844-2668 / (509) 244-6475
www.johnraby-assoc.com
Email: johnraby@hughes.net

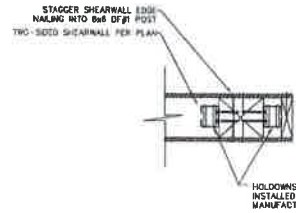
UNALASKA MIXED-USE BUILDING
88 WEST BROADWAY AVE
UNALASKA, AK 99685

Drawn By: CCC
Checked By: JCR
Date: 08-26-13

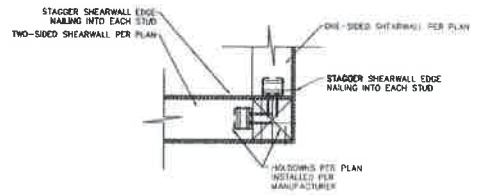
JCR JOB NO
7120



① DOUBLE HOLDOWNS @ SHEARWALL CORNER
(TWO SIDED MEETS ONE SIDED)
SCALE: 1/8"=1'-0"



② DOUBLE HOLDOWNS @ SHEARWALL END
SCALE: 1/8"=1'-0"



③ DOUBLE HOLDOWNS @ SHEARWALL CORNER
(TWO SIDED MEETS ONE SIDED)
SCALE: 1/8"=1'-0"



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UNALASKA MIXED-USE BUILDING
88 WEST BROADWAY AVE
UNALASKA, AK 99685

Drawn By: CCC
Checked By: JCR
Date: 08-20-13

JCR JOB NO.
7120

88 W Broadway Avenue



59 ft



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Addresses within 300 Feet from Property

ARCTIC CHIROPRACTIC

1150 S. COLONY WAY #226
PALMER, AK 99645

VALDEZ PETROLEUM TERMINAL

3900 C. Street # 802
Anchorage, AK 99503

ESTATE OF PAUL TUTIAKOFF

Unknown
Unalaska, AK 99685

SCOTT LACKNER

P.O. Box 921112
Dutch Harbor, AK 99692

BILL RECEIPT, DFW 4-3 ALASKA

1 Corelogic Drive
Westlake, TX 76262

HAL LEWIS

P.O. Box 920571
Dutch Harbor, AK 99692

TIMOTHY LEKANOFF

P.O. Box 133
UNALASKA, AK 99685

PETER & SOPHIE GALAKTIANOFF

P.O. Box 1
Unalaska, AK 99685

KEN & DEBRA ZUEGER

P.O. Box 866
Unalaska, AK 99685

CITY OF UNALASKA

P.O. Box 610
Unalaska, AK 99685

HEIRS OF JOHN BERESKIN

P.O. Box 114
Unalaska, AK 99685

ALICE MOLLER

P.O. Box 135
Unalaska, AK 99685

KIM & QUY NGUYEN

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DUTCH HARBOR, AK 99692

PIAMA OLEYER

P.O. Box 90309
Anchorage, AK 99509

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Unalaska, AK 99685

SOPHIE SHEREBERNIKOFF

P.O. Box 125
Unalaska, AK 99685

ST. CHRISTOPHER BY THE SEA

P.O. Box 405
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PO Box 10211, SV-24
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ALYESKA SEAFOODS INC.

2101 4th Avenue Suite 1700
Seattle, WA 98121

Estate of Paul Tutiakoff
c/o Mike Marlowe
PO Box 110841
Anchorage, AK 99501

CONDITIONAL USE PERMIT APPLICATION

ALEXANDRIA HOUSE

**City of Unalaska, Alaska
Planning Commission/Platting Board
Staff Report**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A MIXED
USE STRUCTURE WITH A TOTAL OF ONE RESIDENTIAL UNIT ON LOTS 8, 9, AND 11,
BLOCK 1, USS 1992, ALEUTIAN ISLANDS RECORDING DISTRICT, LOCATED AT 28 N
SECOND STREET**

Project Information	
Land Owner	Alexandria House Inc.
Applicant	John Honan
Location	28 N Second Street (Corner of Second and Bayview)
Property Identification	03-07-215/03-07-217/03-07-219
Application Type	Conditional Use Permit
Project Description	The existing structure is currently unoccupied on the property in question. A conditional use permit is required to allow for the second floor to be used for residential purposes. The commercial use proposed for the first floor is allowed in this zoning district by right.
Zoning	General Commercial
Exhibits	Draft Resolution 2013-22, Conditional Use Permit Application and Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2013-22 with associated condition of approval

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. Goal #9 of the Unalaska Housing Plan is to ensure that zoning and all regulatory and permit processes support the redevelopment of in-fill lots and new subdivisions for new housing development.
3. Goal #4 of the Unalaska Housing Plan is to preserve and improve the condition and stability of existing housing throughout the city.
4. The Unalaska Comprehensive Plan 2020 identifies a value in the economic development section of its community action agenda that includes the following:
 - Ensure the provision of adequate land area for the development of businesses and industries to strengthen and further diversify the local economy, supported by the primary action of making more land available for businesses and industries.

CODE REQUIREMENTS

1. According to UCO §8.12.070, 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.
2. According to UCO §8.12.070, the General Commercial district allows residential dwelling units as a conditional use.
3. UCO §8.12.200(C) states that at a public hearing, the Planning Commission is to determine that the conditional use meets the following three tests and may apply site or development conditions, pursuant to UCO §8.12.200(D)(2), in order to ensure that the three tests are met.
 1. Furthers the goals and objectives of the Comprehensive Development Plan; and

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.

BACKGROUND

1. The structure which occupies these lots was the Elbow Room bar and then Latitudes Bar. On March 31, 2009, the property was conveyed by statutory warranty deed from Two Einsteins LLC (dba Latitudes) to Alexandria House, an Alaskan non-profit corporation. The property was sold to Jack Sternhagen on September 24, 2010 via quitclaim deed. Most recently, the property has been transferred back to Alexandria House via Quick Claim Deed.
2. On September 2, 2009, Alexandria House was denied a Conditional Use for interim emergency housing by the Planning Commission. The staff report finds that such a use was not compatible with the existing and planned land uses (Test 2), although the proposed use was found to be in keeping with the Comprehensive Plan (Test 1) and would not have a permanent negative impact substantially greater than anticipated from permitted development within the district (Test 3). Minutes from that meeting indicate that “a total of twenty-one (21) members of the public testified at the public hearing on the Conditional Use request from John Honan for Alexandria House: nine (9) in support and twelve (12) against the request. In addition, Suzi Golodoff delivered a petition against the Conditional Use with the following thirty-two (32) signatures, twenty-seven (27) of whom did not testify at the public hearing.”
3. On November 17, 2011, Jack Sternhagen was denied a conditional use permit allowing for one residential unit in the existing commercial structure. Although staff recommended approval, after considering public testimony and reviewing the situation, the Planning Commission stated that they did not have enough information to assure them that Test 2 and Test 3 had been fully satisfied. The minutes from this meeting indicate that Mr. Sternhagen was unable to attend and provide answers to Commissioner questions. Minutes also indicate that four (4) members of the public spoke at the public hearing, one (1) of whom was against, two (2) asked for clarification but did not clearly indicate their position, and one (1) spoke in favor.
4. In December 15, 2011 the Planning Commission reconsidered Mr. Sternhagen’s application because additional information was submitted that helped to clarify the original request. After hearing public testimony of two (one speaking in favor and one asking for a clarification) and discussing the matter, the Planning Commission voted in support of the conditional use permit that allowed for one residential unit upstairs and a commercial use downstairs, finding that it met all tests of code.
5. On November 8, 2012 the Planning Commission again considered the same request, which served as a form of extension of the original approval. The permit approved in 2011 was about to expire because construction had not yet begun, the applicant noting financial reasons. No member of the public spoke at the public hearing, and the Commission granted approval with minimal discussion. The property was approved for a conditional use permit for one residential unit, but it was never used, as it has remained vacant since then.
6. Once again, the expiration date of this conditional use approval is nearing because construction has not yet begun. The existing building is on all three lots and remains unused. The design makes it feasible to use the first floor as commercial space with the second floor as residential unit.
7. Since ownership has now transferred from Jack Sternhagen back to Alexandria House, it is that entity who is requesting a new conditional use permit, again serving as a sort of extension of the previous conditional use. This new applicant intends to replicate the previously approved conditional use permits and put the building to use with commercial and residential uses.
8. The commercial uses are allowed by right, without a conditional use permit, with the General Commercial zoning.
9. The surrounding area is residential in character with several mixed use buildings in keeping with the plan proposed as a part of this permit request.
10. The City’s Development Review Team has reviewed the application and, although not directly related to the Conditional Use Permit, encourages the applicant to consider relocating the main entrance, currently directly on Second Street, to a safer location as the development plans are finalized.

11. In response to the public notice posted and mailed to surrounding property owners, one member of the public has voiced concern about the request at the time this memo was drafted. The concern is centered the potential for the building to be used in more like what was originally proposed back in 2009. In response to this concern, staff has included a review of past actions associated with requested conditional use permits on this site in the staff report. Additionally, meeting minutes from the following meetings have been included in the meeting packet: September 2, 2009; November 17, 2011; December 15, 2011; and November 8, 2012.

FINDINGS

The purpose of the conditional use permit is to allow for a specific use to be examined on a case-by-case basis with consideration to the uniqueness of the situation and public testimony. The Planning Commission is to approve the request when it finds that the three-part test is satisfied. Staff finds that all three tests are met as follows.

1. The proposed development associated with this conditional use application furthers the objectives of the Comprehensive Plan by increasing the supply of housing and commercial space in the city.
2. The proposed development associated with this conditional use application is compatible with the surrounding land uses and neighborhood character, as most of the downtown area has similar mixed use buildings and other compatible residential structures.
3. In order to ensure that the proposed development associated with this conditional use application will not have any substantial negative impact on the community, the applicant is reminded that State Fire Marshall approval of this mixed use structure and building permit from City Department of Public Works shall be obtained prior to construction. This has been added as a condition of approval in Resolution 2013-22.

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 the conditional use request with the associated condition of approval identified in Resolution 2013-22.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2013-22**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR A MIXED USE
STRUCTURE WITH A TOTAL OF ONE RESIDENTIAL UNIT ON LOTS 8, 9, AND 11, BLOCK 1, USS
1992, ALEUTIAN ISLANDS RECORDING DISTRICT, LOCATED AT 28 N SECOND STREET**

WHEREAS, UCO §8.12.200 sets forth the procedures for the taking action on a conditional use application; and

WHEREAS, Alexandria House, Inc. is the owner of Lots, 8, 9, and 11, Block 1, USS 1992 (03-07-215/03-07-217/03-07-219) and has authorized John Honan to make application on its behalf; and

WHEREAS, the subject property is zoned General Commercial; and

WHEREAS, the applicant has proposed to begin using the existing structure for one residential unit above first floor commercial space; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities and Public Safety have reviewed the request; and

WHEREAS, the creation of additional housing is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

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

WHEREAS, the City of Unalaska Planning Commission held a public hearing on November 21, 2013 to consider this request and to hear testimony of the public, and

WHEREAS, the Planning Commission reviewed the application and finds that this conditional use request for five residential units satisfies the three part test set forth in UCO §8.12.200(C):

1. Furthers the goals and objectives of the Comprehensive 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.

THEREFORE BE IT RESOLVED, that the Planning Commission approves the conditional use for one residential unit on Lots 8, 9, and 11, Block 1, USS 1992 at 28 N Second Street with the following conditions of approval:

1. All conditions of the City of Unalaska Building Permit, including State Fire Marshall approval for a Mixed Use Structure, shall be addressed prior construction. Details of what is submitted to and approved by the State Fire Marshall shall be provided to the Department of Public Works as part of the Building Permit application.

This resolution approves the conditional use only as it applies to the specific site plan submitted with the application, shown in Attachment A, and becomes effective if there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.200(E).

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2013, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Chris Bobbitt, Chair

Erin Reinders, AICP, Secretary

Attachment A

Attachment to Resolution 2013-22

CODE STUDY

ADDRESS:
28 N. 2ND STREET
UNALASKA

TOTAL LOT SIZE:
(COMBINED THE THREE LOTS) 6405 SF

ZONING: GENERAL COMMERCIAL DISTRICT

SETBACKS: 20' FRONT YARD (2ND STREET)
10' REAR YARD
10' SIDE YARD

EXISTING USE RESIDENTIAL
BUSINESS

MAX. ALLOWABLE LOT COVERAGE 60 % OR 3,843 SF

ACTUAL BUILDABLE AREA 2,404 SF
EXISTING BUILDING 1,575 SF

MAX. ALLOWABLE HEIGHT OF STRUCTURE 50 FEET

PARKING

BUILDING CODE ANALYSIS:
PER IBC 2009

302 USE AND OCCUPANCY CLASSIFICATION:

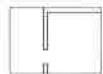
MIXED USE OCCUPANCY GROUP B AND GROUP R-3

B BAR 1000 SF
R3 RESIDENCE 1000SF

503.1 GENERAL BUILDABLE HEIGHTS AND AREA LIMITS:

BASED ON B TYPE V-B CONSTRUCTION
ALLOWABLE 2 STORY AND 9000 SF
BASED ON R3 3 STORIES AND UNLIMITED

legend



allowable area to build



existing structures



alexandria house

mayer satter-smith
1104 w 7th avenue
anchorage, ak 99501
907 277 7878 fax 277 7859

revisions

code study

08 15 2013

1 site plan
not to scale



A 0.1

APPLICATION FOR VARIANCE/CONDITIONAL USE
CITY OF UNALASKA, ALASKA

DATE: 10/29/13

FEE: 50.00

PERMIT NO.: _____

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title Sections 8.12.200 UCO (Conditional Use) and 8.12.210 UCO (Variance).

Property Owner: Alexandria House Inc

Property Owner Address: 28 N 2nd, P.O. Box 920071 Dutch Harbor AK 99692

Street Address of Property: 28 N 2nd St, Unalaska, AK 99685

Applicant's Name: John Honan

Mailing Address: P.O. Box 29, Unalaska, AK 99685

Contact Name: John Honan

Home Phone: 907-359-2675 Work Phone: Same

Request for : ☐ Variance ☒ Conditional Use

Type of Request: ☐ Residential ☐ Commercial

Current Zone Designation: commercial

LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 03-07-217, 03-07-219, 03-07-215

Lot: 8, 9, 11 Block: 1 Tract: _____

Subdivision: _____ USS: 1992

Section(s): _____ Township: _____ Range: _____

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

Previous owner Jack Sternhagen was approved for Residential single family conditional use. Jack quit claimed property deed to Alexandria House. Alexandria House will comply with conditional use.


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 8.12.200(A)(2) and Section 8.12.210(B)(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 SCHEDULED 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 non-refundable and is to cover costs associated with the processing of this application and that it does not assure approval of the request.


Signature

Date 10 / 30 / 13

CITY OF UNALASKA, ALASKA

"ATTACHMENT A"

AUTHORIZATION TO MAKE APPLICATION BY AGENT

I/WE Alexandria House Inc ARE THE OWNERS OF
(LEGAL DESCRIPTION OF PROPERTY)

LOT 8, 9, 11 BLOCK 1 SUBDIVISION _____

TRACT _____ USS 1992

SECTION(S) _____ TOWNSHIP _____ RANGE _____

LOCATED WITHIN THE CITY OF UNALASKA AND DO HEREBY AUTHORIZE

John HONAN (APPLICANT
NAME) TO MAKE APPLICATION AS MY/OUR AGENT FOR:

(MARK APPROPRIATE ☐ WITH AN "X")

<input checked="" type="checkbox"/>	CONDITIONAL USE	<input type="checkbox"/>	PLAT
<input type="checkbox"/>	VARIANCE	<input type="checkbox"/>	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.

John Honan
(SIGNED)

John Honan
(NAME)

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

Estkarlen B. Pilande
NOTARY PUBLIC IN AND FOR Alaska

(SEAL)

MY COMMISSION EXPIRES: April 01, 2016



CODE STUDY

ADDRESS:
28 N. 2ND STREET
UNALASKA

TOTAL LOT SIZE:
(COMBINED THE THREE LOTS) 6405 SF

ZONING: GENERAL COMMERCIAL DISTRICT

SETBACKS: 20' FRONT YARD (2ND STREET)
10' REAR YARD
10' SIDE YARD

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BUSINESS

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ACTUAL BUILDABLE AREA 2,404 SF
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legend



allowable area to build



existing structures



alexandria house

mayer satter-smith
1104 w 7th avenue
anchorage, ak 99501
907 277 7878 fax 277 7859

revisions

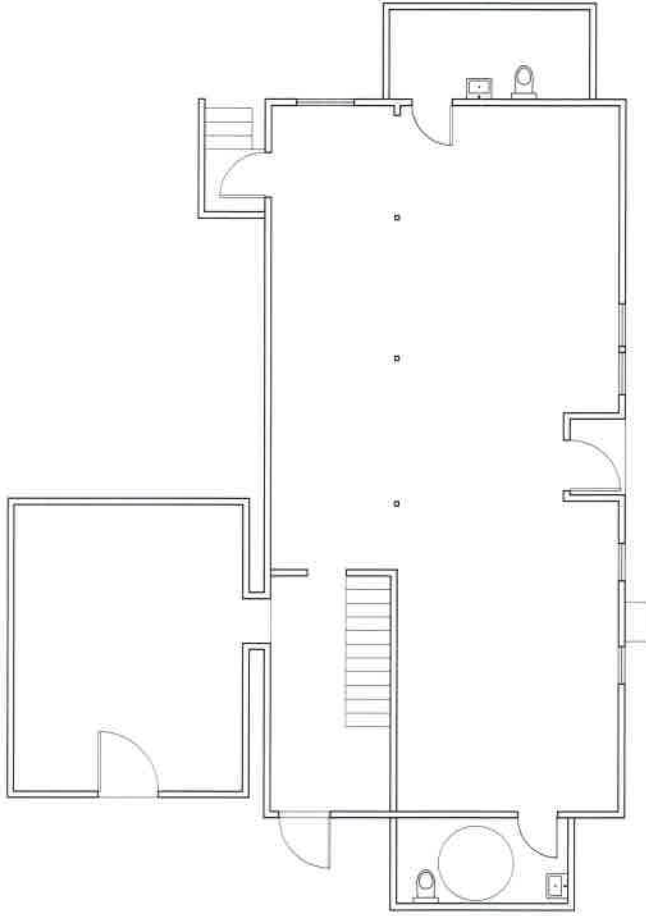
code study

08 15 2013

1 site plan
not to scale



A 0.1



alexandria house

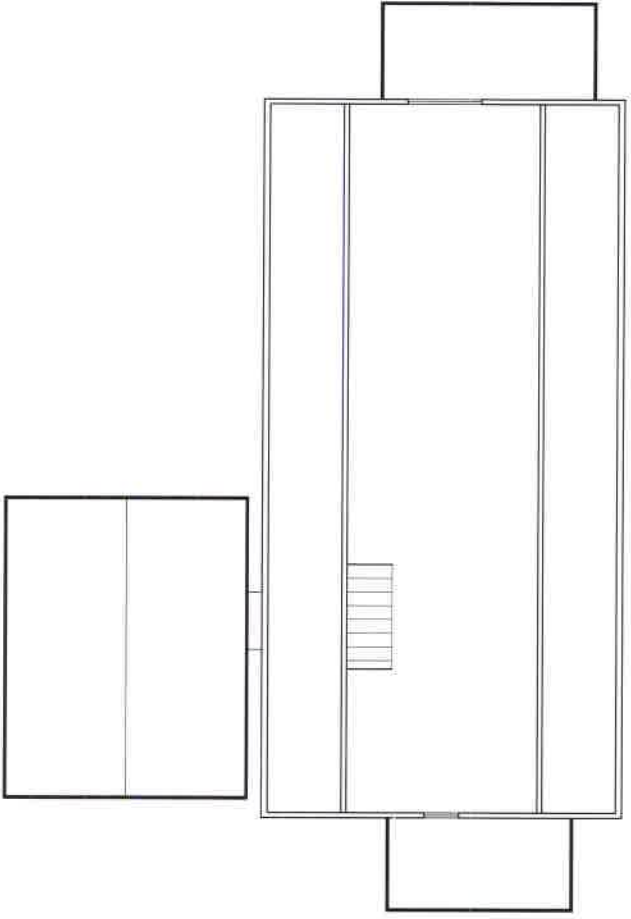
revisions

second floor plan - as build

08 15 2013

1 second floor plan $\frac{1}{8"} = 1'-0"$

A 1.2



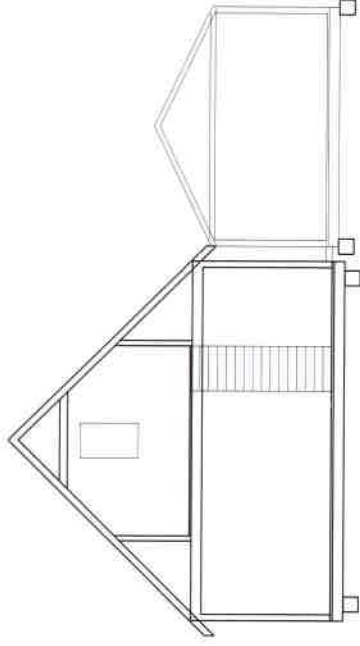
alexandria house

revisions

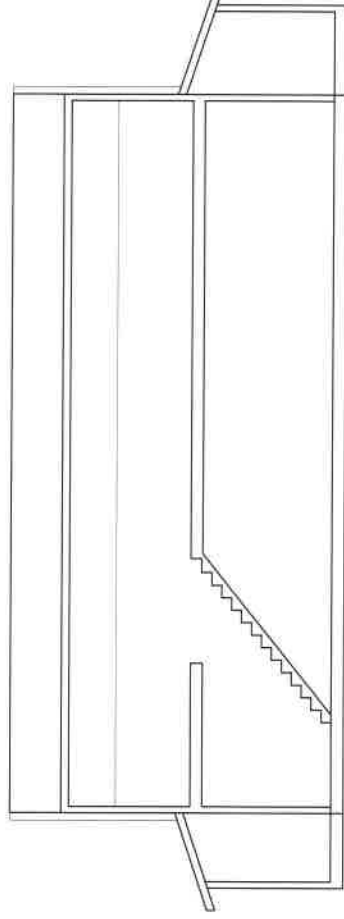
sections - as build

08 15 2013

A 2.1



2 section
1/8" = 1'-0"



1 section
1/8" = 1'-0"

alexandria house

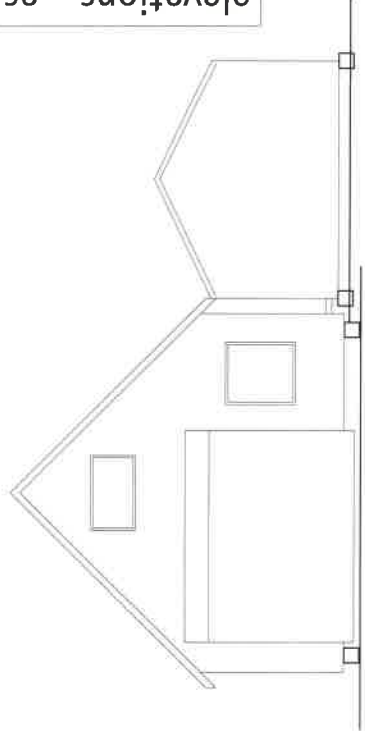
revisions

elevations - as build

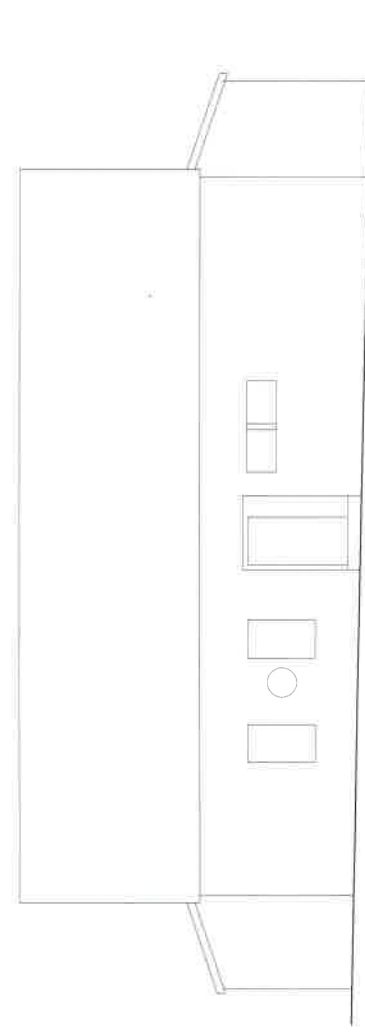
06 15 2013

A 3.1

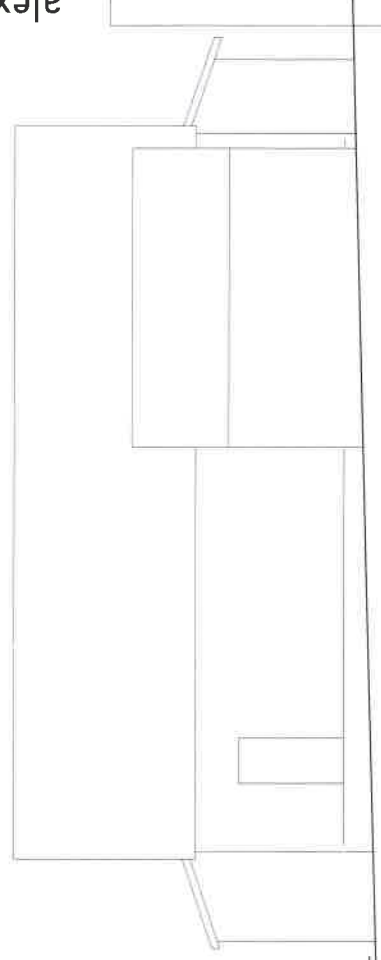
1 north-east elevation
 $\frac{1}{8}'' = 1'-0''$



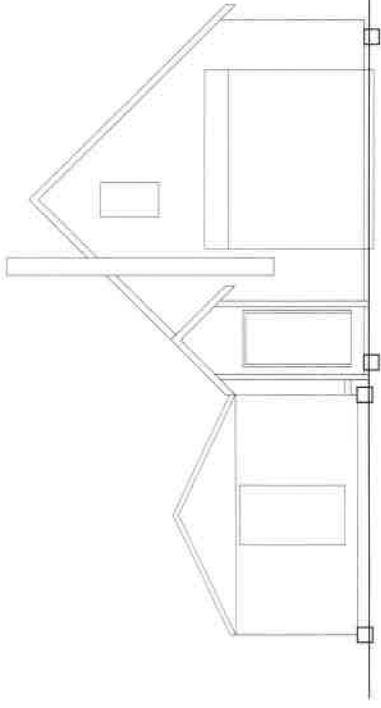
2 south-east elevation
 $\frac{1}{8}'' = 1'-0''$



3 south-west elevation
 $\frac{1}{8}'' = 1'-0''$



4 north-west elevation
 $\frac{1}{8}'' = 1'-0''$



28 N 2nd Street



39 ft



The City of Unalaska uses the most current and complete data available. However, GIS data and product accuracy may vary. GIS data and products may be developed from sources of differing accuracy, accurate only at certain scales, based on modeling or interpretation, incomplete while being created or revised, etc. The City of Unalaska reserves the right to correct, update, modify, or replace, GIS products without notification. The City of Unalaska cannot assure the accuracy, completeness, reliability, or suitability of this information for any particular purpose. Using GIS data for purposes other than those for which they were created may yield inaccurate or misleading results. The recipient may neither assert any proprietary rights to this information nor represent it to anyone as other than City Government-produced information. The City of Unalaska shall not be liable for any activity involving this information with respect to lost profits, lost savings or any other consequential damages.

Powered by
VANTAGEPOINTS

Addresses within 300' from Property

LARRY SHAISHNIKOFF

P.O. Box 45
Unalaska, AK 99685

HELEN LEKANOFF

P.O. Box 374
Unalaska, AK 99685

BAYVIEW ASSOCIATES

2442 NW Market Street # 50
Seattle, WA 98107

BENJAMIN GOLODOFF

P.O. Box 11
Unalaska, AK 99685

RUFINA SHAISHNIKOFF

P.O. Box 23
Unalaska, AK 99685

ALEXANDRIA HOUSE INC

PO Box 920071
DUTCH HARBOR, AK 99692

ALEXANDRIA HOUSE INC

PO Box 920071
DUTCH HARBOR, AK 99692

ALEXANDRIA HOUSE INC.

PO Box 920071
DUTCH HARBOR, AK 99692

BERESKIN ESTATE

P.O. Box 114
Unalaska, AK 99685

TED & DEBBIE

P.O. Box 4
Unalaska, AK 99685

WALTER DYAKANOFF

P.O. Box 135
Unalaska, AK 99685

ESTATE OF TUTIAKOFF PAUL

P.O. Box 110841
Anchorage, AK 99501

WILFRED & NINA BERESKIN

P.O. Box 39
Unalaska, AK 99685

OUNALASHKA CORPORATION

P.O. Box 149
Unalaska, AK 99685

ANDREW MURPHY

P.O. Box 920785
Dutch Harbor, AK 99692

CHIEF ALEXEI COURTHOUSE

P.O. Box 920524
Dutch Harbor, AK 99692

ALASKA REALTY TAX SERVICE

PO Box 92227
Anchorage, AK 99509-2227

GOLODOFF ET AL

P.O. Box 1
Unalaska, AK 99685

OUNALASHKA CORPORATION

P.O. Box 149
Unalaska, AK 99685

RANDALL WHITE; DENISE

P.O. Box 135
Unalaska, AK 99685

BILL RECEIPT, DFW 4-3 ALASKA

1 Corelogic Drive
Westlake, TX 76262

BILL & DIANE SHAISHNIKOFF

P.O. Box 196
Unalaska, AK 99685

NICK LEKANOFF SR.

P.O. Box 133
Unalaska, AK 99685

CITY OF UNALASKA

P.O. Box 610
Unalaska, AK 99685

KAROLY GASPAR

PO Box 921275
Dutch Harbor, AK 99692

ALONSO CAMPOS

2166 Salamanca Street
Navarre, FL 32566

DALE DORSEY

410 NE 10th Ct.
Newport, OR 97365

THE GERALD SPINELLI

P.O. Box 921161
Dutch Harbor, AK 99692

CITY OF UNALASKA

P.O. Box 610
Unalaska, AK 99685

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION
MINUTES
September 2, 2009
CITY COUNCIL CHAMBERS, CITY HALL
7:00 P.M.**

Call to Order: Chair Chris Bobbitt called the meeting to order at 7:05 P.M.

Staff Present: John Fulton, Acting Planning Director
Rosie Glorso, Planning Technician

Additions to Agenda: None.

Roll Call:

Commissioners present:

Chris Bobbitt
Vicki Williams
Steven Gregory
Veda Webb

Commissioners absent:

Zoya Johnson (excused)

Appearance Requests: None.

Minutes: Chair Bobbitt called for a motion to approve the minutes from the August 20, 2009 meeting. Mr. Gregory so moved and Ms. Webb seconded. Hearing no objections, Chair Chris Bobbitt declared the minutes of August 20, 2009 approved by unanimous consensus.

Public Testimony: None.

Planning Commission/Platting Board Public Hearings

New:

A. Planning Commission public hearing to review the Conditional Use request from John Honan for the nonprofit organization Alexandria House for interim emergency housing at 28 North 2nd Street, lots 8, 9, and 11 of Block 1, United States Survey 1992, which is in the General Commercial zoning district and is located in the downtown area.

Chair Bobbitt opened the public hearing and called for a ten minute recess at 7:05PM to review the new material submitted just prior to the meeting for the Commissioners. The meeting was reconvened at 7:11PM. Chair Bobbitt asked if any Commissioners had any ex parte communications to declare. All Commissioners stated that they had been asked numerous questions about the Conditional Use and that they had heard rumors about it for the past six months, but that they had not made a decision yet and were coming to the public hearing with an open mind. Commissioner Williams stated that she would not be voting in this matter because she owns property next to the lots in question and had ex parte contact.

Chair Bobbitt called for the staff presentation. During staff presentation, staff stated that the request failed to meet all three tests of code. Hearing no questions from the Commissioners, Chair Bobbitt called for presentation from the applicant. Mr. John Honan presented his request on behalf of Alexandria House for interim emergency housing. Chair Bobbitt called for public testimony, and the following individuals testified either for or against the applicant's request:

Individual	For or Against
Susan Honan	For
Juliann Tucker	For
David Smith	For
Joan Honan	For
Dennis Kyle	For
Matt Morrison	For
Suzi Golodoff	Against
AB Rankin	Against
Brian Stockman	Against
Sheila Taranto	For
Coe Whittern	For
Patty Gregory	Against
Denise Rankin	Against
Sarah Brewer	Against
Katherine McGlashan	Against
Genee Shaishnikoff	Against
Joe Henning	For
Lori Gregory	Against
Frank Kelty	Against
Walter Tellman	Against
Janice Krukoff	Against

A total of twenty-one (21) members of the public testified at the public hearing on the Conditional Use request from John Honan for Alexandria House: nine (9) in support and twelve (12) against the request. In addition, Suzi Golodoff delivered a petition against the Conditional Use with the following thirty-two (32) signatures, twenty-seven (27) of whom did not testify at the public hearing:

1. Suzi Golodoff
2. Abi Woodbridge
3. Candace Brown
4. Harold Bereskin
5. Nellie Bereskin
6. Wilfred Bereskin
7. AB Rankin
8. Wagner Lekanoff
9. Katherine Dirks
10. Boris Galaktianoff

11. Katherine Grimnes
12. Denise Rankin
13. Lauren Adams
14. Jeff Hancock
15. Jeff Dickrell
16. Walter Tellman
17. Brenda Tellman
18. Sergie Krukoff
19. George Krukoff
20. Alice Shaishnikoff
21. Maria Turnpaugh
22. Genee Shaishnikoff
23. John Bereskin
24. Anna Jean Bereskin
25. Al Dalrymple
26. June McGlashan
27. Cora Holmes
28. Neon Mercurieff
29. Marie Shleibe
30. Scott Lackner
31. Janice Krukoff
32. Princeton Krukoff

After all members of the public finished their testimony, Chair Bobbitt called for a rebuttal by the applicant and the final questions from the Commission. Mr. Honan responded and thanked all the members of the public for their testimony. Chair Bobbitt closed the public hearing and called for a motion to open Commission discussion.

Motion: Mr. Gregory moved to approve Resolution 2009-11, Ms. Webb seconded.

Discussion: Commissioner Williams stated that she was against the request and stated that she wanted that part of town to remain the same, "like it was for our ancestors and elders". Commissioner Williams stated that "with all the changes in town, the least you can do is leave the native community alone." Chair Bobbitt stated that Commissioner Williams should have given her testimony during the public testimony portion of the public hearing. Commissioner Gregory stated that he would be voting against the conditional use. Commissioner Webb stated that she would also vote against the conditional use. Hearing no further Commission discussion, Chair Bobbitt called for a roll call vote.

Webb: Nay Williams: Abstain Bobbitt: Nay Gregory: Nay
Resolution 2009-11 failed (0-3, 1 abstaining). Chair Bobbitt called for a ten minute recess at 8:45PM.

B. Planning Commission public hearing to review the Conditional Use request from Juliann Tucker to site a mobile home on Lot 3, ARC Subdivision Addition No. 1, Plat 2000-04, in the Single-Family/Duplex Residential zoning district and is addressed on Hawley Lane in the Valley.

Chair Bobbitt reconvened at 8:55PM and opened the public hearing. No Commissioners declared ex parte communications. Staff presented the Conditional Use request and stated that the City Engineer, Tyler Zimmerman, was in the audience to answer any

questions regarding building code standards. Chair Bobbitt then called for presentation from the applicant. Ms. Juliann Tucker presented her request to site a mobile home on her lot, which she stated was a "module" and not a "mobile home". Chair Bobbitt called for public testimony, and the following individuals offered public testimony:

1. Richard McConnell – in support of the applicant
2. Tyler Zimmerman, City Engineer – against the application because the trailer does not meet the definition of a modular unit and is not built to residential standards.
3. Joe Henning – in support of the applicant
4. Matt Morrison – in support of the applicant

Motion: Mr. Gregory moved to amend Resolution 2009-12 to include the condition of approval that proof must be provided from the manufacturer that the unit was built to State of Alaska residential standards. Ms. Williams seconded. Chair Bobbitt asked for a motion on the amended resolution. Ms. Williams so moved and Mr. Gregory seconded.

Discussion: The Commissioners discussed amending the resolution to require proof from the manufacturer that the unit was built to State of Alaska residential standards.

Chair Bobbitt called for a vote by roll call.

Vote: Gregory: Aye Webb: Aye Bobbitt: Aye Williams: Aye

Amended Resolution 2009-12 Passed. (4-0)

Work Session: None.

Regular Meeting:

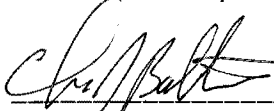
Old Business: None.

New Business: None.

Meeting Review: Staff stated that there are no upcoming action items, other than a visit by consultants HyettPalma for community visioning on the 27th and 28th of September.

Adjournment. Chair Bobbitt adjourned the meeting at 9:51 P.M.

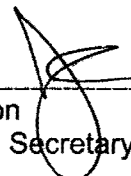
PASSED AND APPROVED THIS 17 DAY OF December 2009 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.



Chris Bobbitt
Chair

12/17/09

Date



John Fulton
Recording Secretary

12-17-09

Date

Prepared by Rosie Glorso, Planning Technician

CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION AND PLATTING BOARD
MINUTES
Thursday, November 17, 2011
CITY COUNCIL CHAMBERS, CITY HALL
7:00 P.M.

Call to Order: Chair Chris Bobbitt called the meeting to order at 7:04 P.M.

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

Roll Call:

Commissioners present:

Chris Bobbitt
John Laskowski
Steven Gregory

Commissioners absent:

Vicki Williams (excused)
Chris Spengler (excused)

Public Present: Ms. Abi Woodbridge; Ms. Kathy Grimnes; Mrs. Brenda Tellman; Mrs. Suzi Golodoff; Mr. Tyler Zimmerman, P.E.; Mr. John Fulton.

Additions to Agenda: None.

Appearance Requests: None.

Minutes: Mr. Laskowski moved to approve the minutes from the October 27, 2011 meeting. There was a second. The minutes passed by unanimous consensus (3-0).

Public Input: None.

Planning Commission/Platting Board Public Hearings, New:

A. Public Hearing to review the after-the-fact Conditional Use request from Mr. Jack Sternhagen to allow one (1) residential dwelling unit within the existing commercial structure located on Lots 8, 9, and 11 of Block 1, USS 1992, Unalaska Townsite.

Chair Bobbitt opened the public hearing. Chair Bobbitt called for any ex parte contact or conflicts of interest to be disclosed. Hearing no declarations of ex parte contact or conflicts of interest, Chair Bobbitt called for staff presentation on this issue.

Staff explained that the applicant was not present because he was unable to attend the public hearing because he had to work. Staff stated that the property had changed hands several times over the past 5 years and that Planning had been notified that Mr. Sternhagen was renting the property as a residence in violation of zoning ordinances. Mr. Sternhagen was served in person and by certified mail that if he did not cease the offending use or seek a Conditional Use permit, that formal abatement proceedings would be brought against him. Mr. Sternhagen asked for an extension and was given until December 15, 2011 to remove his residential tenants if the Conditional Use was not granted.

Staff stated that Mr. Sternhagen had not provided any floor plans or specified the size of the residence, and that one complaint had been received by an adjacent landowner. Staff provided the following information from the staff report:

Section 8.12.200(C) *Findings*. The Planning Commission may only approve an application for a conditional use by finding that the request meets the three tests of code for approval:

1. *Findings. At public hearing, the Planning Commission shall determine if any application for a conditional use:*

(1) *Furtherers the goals and objectives of the Comprehensive Development Plan;*

Housing was identified as a critical component of the Comprehensive Plan. Many community members and employers identified the need for more housing during the Community Visioning process for the Comprehensive Plan. As a result, the Housing Strategy portion of the Comprehensive Plan calls for the goal of ensuring an adequate supply of rental housing in the community. Additionally, support for a diverse economy is dependent upon a diversity of housing choices. Staff finds that the application meets the test of code set forth in (1) listed above.

(2) *Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district; and*

In order for a conditional use to be granted by the Planning Commission, the proposed use must be compatible with existing and planned land uses in the surrounding neighborhood. The majority of the Downtown neighborhood is residential with limited commercial or retail uses. Because the request for allowing one residential unit in an existing commercial structure will be compatible with the surrounding neighborhood, staff finds that the application meets the test of code set forth in (2) above.

(3) *Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district.;*

The last test of code for a Conditional Use is whether the use will "not have a permanent negative impact substantially greater than anticipated from permitted development within the district." 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 water body." In this zoning district, residential housing units may be permitted as a Conditional Use only. The surrounding district is zoned Single Family / Duplex Residential, which is intended "to stabilize and protect the one- and two-family dwelling residential character of the district and to promote and encourage a safe and suitable environment for family life". Staff finds that the use of a commercially zoned building with an apartment inside will not have a permanent negative impact substantially greater than anticipated from permitted development within the General Commercial zoning district. Staff finds that the application meets the test of code set forth in (3) above.

Lastly, per §8.12.200(D)(2), if the use is approved the Planning Commission can apply additional conditions of approval.

In rendering its decision, the Planning Commission may apply specific site or development conditions as additional safeguards or controls to ensure compatibility with surrounding land use and protection of the public. Such approval will be specifically tied to the site plan submitted with the written application, unless otherwise modified and noted by the Planning Commission.

Staff recommends that the Commission require plan review by the State Fire Marshal as a condition of approval to protect life safety and welfare of the building occupants and the surrounding neighbors, as well as any building permits that may be required.

Chair Bobbitt called for questions from the Commissioners. Chair Bobbitt asked staff if the City could encourage Mr. Sternhagen to replat the lot and merge all three lots into one. Staff replied that the suggestion had been made, but since the lot and structure were nonconforming of record that the landowner had the right to continue use per UCO 8.12.180. Mr. Gregory asked what types of uses were allowed in the General Commercial zoning district and if residential uses were typically granted by Conditional Use. Staff replied that the General Commercial zoning district was designed to support the business sector for uses like retail sales, professional offices, etc., but that residential uses had been permitted by Conditional Use at times. Mr. Laskowski asked about sanitation and plumbing in the building. Staff replied that no inspection of the facilities had been made, but that Mr. Sternhagen's tenant had applied for commercial utilities in the structure which theoretically includes access to the community wastewater system. Hearing no further questions, Chair Bobbitt stated that since the applicant was not present, he would call for public testimony.

Mrs. Suzi Golodoff addressed the Commission. She stated that she was a longtime resident of the community and that she had also delivered a letter to the Commission, which was before them. Mrs. Golodoff stated that she was unsure what Mr. Sternhagen is asking for in his Conditional Use request, such as how many people would live in the structure and how the City would monitor his compliance. Mrs. Golodoff stated that she had lived next to the Elbow Room bar for many years and was very happy to finally have some peace and quiet since it had closed, and that she does not want to see her neighborhood attract transients. She would rather see a situation like what happened with the Nicky's Place bookstore, where the applicants rezoned a residential lot to commercial to allow the bookstore, and then when the bookstore closed it was downzoned back to residential. She told the Commission that she was not sure which way to go on Mr. Sternhagen's application, but that there was so little information to go on that she felt it should be denied.

Ms. Abi Woodbridge addressed the Commission. She requested a clarification of terms used and wanted to know exactly what the applicant is requesting. Staff explained that Mr. Sternhagen wanted to keep the lower part of the commercial structure to use as a business, and install an apartment upstairs. Ms. Woodbridge asked how many people would be living there and if the City would be able to regulate it. She asked staff for clarification and staff replied that no more than five unrelated people could live there. Staff stated that the Definitions section of Title 8 defines a "Family" means, "an individual or two or more persons related by blood, marriage, legal adoption, or guardianship, living together in a dwelling unit; or a group of not more than five persons who need not be related by blood, marriage, legal adoption, or guardianship living together in a dwelling unit." Ms. Woodbridge asked staff how it would be enforced. Staff replied that if complaints were received, the complaint would be examined and if necessary, formal abatement proceedings would be brought against the landowner.

Ms. Kathy Grimnes addressed the Commission. She stated that she is a partial owner of the Native Allotment lot next door to the Elbow Room. She stated that she had to get a demolition permit to tear down an old building on her lot and that she had to provide a lot of documentation for the City. She asked the Commission why Mr. Sternhagen's proposal was being considered since he did not have a building permit. Chair Bobbitt replied that additional conditions of approval could be added and that the Conditional Use permit would be contingent on Mr. Sternhagen getting a building permit.

Mr. Tyler Zimmerman addressed the Commission. He stated that he agrees with the staff report and the suggested conditions of approval. He stated that more housing is needed and that all commercial structures within the City are required to provide stamped, engineered drawings and to receive Fire Marshal approval.

Chair Bobbitt called for Commission questions. Hearing no further questions, Chair Bobbitt closed the public hearing and asked for a motion to approve Resolution 2011-13.

Motion: Mr. Laskowski moved to approve Resolution 2011-13. The motion was seconded.

Discussion: The Commissioners discussed whether the application met the tests of code. There was discussion about whether the Commission could make an informed decision about life safety and fire separation since no plans were provided. There were concerns about the mix of potential allowable uses within the structure, since the types of proposed businesses that would be operating in the lower level of the structure were unknown. The Commissioners asked about the building codes and life safety. Staff replied that commercial buildings are required to have stamped engineered plans and State Fire Marshal review, and that the Fire Marshal would probably require certain types of safety measures, like sprinklers or fire walls, if there were going to be a mix of uses in the same building. The Commission voiced concern that they did not agree with the staff report and that the application met the tests of code (2) and (3). It was pointed out that the applicant's tenants had been advertising beds for rent which may be a draw for transients. The Commissioners discussed that they felt uncomfortable approving a Conditional Use that may attract a transient population, which would not be in line with existing and planned land uses in the Downtown neighborhood. The Commissioners explained that granting a permanent Conditional Use Permit for a residential unit with the limited information provided by the applicant may open the door to attract transients and therefore have a substantially negative impact on the surrounding neighborhood; thereby failing the last test of code. The Commissioners stated that not enough information had been provided by the applicant and therefore they would not be voting in favor of the Resolution.

Vote on Resolution 2011-13: Chair Bobbitt called for a roll call vote on Resolution 2011-13. The vote was as follows:

Gregory: Nay Laskowski: Nay Bobbitt: Nay
The motion failed, 0-3.

Chair Bobbitt called for a ten minute recess at 8:06 P.M.

Regular Meeting

Unfinished Business: None.

New Business: Ms. Reinders stated that it is GIS Month and Ms. Glorso stated that November 18th is GIS Day.

Work Session: Suggested Revisions to Title 8: Planning and Land Use Development. Ms. Reinders presented the suggested revisions and asked for comments and feedback from the Commission. She asked the Commission to please note the timeline:

November 17th: Introduction to Planning Commission

December 1st: Review with Planning Commission

Review by City Attorney

January 19th: Resolution by Planning Commission

January 24th: First Reading at City Council

February 14th: Second and Final Reading at City Council

The following sections of code were discussed:

§ 8.04.060 OFFICERS, RULES, AND MEETINGS

- Change the normal meeting time of first and last Thursday to first and third. This is what has actually been occurring.
- Reference to tape recordings is being deleted, because we no longer use tape, but digital recordings.

The Commission was supportive of the suggested revisions.

§ 8.04.080 THE COMPREHENSIVE PLAN

- Clarify that the comprehensive plan will be adopted by city Council by ordinance, rather than simply ratified.

The Commission was supportive of the suggested revisions.

§ 8.06.020 DEFINITIONS

- Correct errors in referencing.
- Revise the definitions of Tower and Tower Height to include other tower types.
- Add a new definition for Relative Positional Accuracy related to accepted surveying practices.
- Due to additional definitions, all definitions will need to be renumbered.

The Commission requested additional information and investigation regarding towers, but was supportive of the suggested revisions.

§ 8.08.020 GENERAL PROVISIONS

- Develop plat naming requirements for a more logical and consistent plat and subdivision identification system. Requirements are based on the Street Naming policies already in code as well as generally accepted platting and subdivision practices. Along with the providing new guidance on the name themselves, also included will be a procedure to how revisions to plats will be handled. Staff is still developing this process and is open to suggestions.

The Commission was supportive of the suggested revisions.

§ 8.08.070 PLATTING PROCEDURES

- Add an expiration date for Preliminary Plat approvals which allows for the Platting Authority to grant extensions if needed and if one would be in the public interest.
- Update Final Plat procedures to reverence acceptable Relative Positional Accuracy and add more specific requirements regarding proof of closure which apply now due to ever-evolving technologies in the field of surveying.
- For similar reasons and also due to our community's location, change final plat monumentation requirements to be more flexible and reference the City coordinate system rather than Alaska State Plane.
- Require an updated Title Search no more than 30 days prior to final plat approval in order to better ensure the legality of said plat. Due to this additional requirement, items listed under 6 of this section may need to be rearranged.

The Commission and the public had suggestions for improving revisions related to new surveying technologies and were supportive of the suggested revisions.

§ 8.08.100 SUBDIVISION IMPROVEMENTS

- Specify that a 10 foot Public Utility and Drainage Easement shall be provided along the entire perimeter (front, back and all sides) of any newly created lot. This provides for clear and predictable standards for all property owners wishing to subdivision and allows for more orderly development in the future.

The Commission understood the need for this revision and was supportive of it.

§ 8.12.040 SINGLE-FAMILY/DUPLEX DISTRICT; § 8.12.050 MODERATE-DENSITY RESIDENTIAL DISTRICT; and § 8.12.060 HIGH-DENSITY RESIDENTIAL DISTRICT

- Increase the side yard set back requirements for side yards facing right of way from 15 to 20 feet in order to address visibility concerns at intersections.

The Commission understood the need for this revision and was supportive of it.

§ 8.12.170 GENERAL PROVISIONS

- Clarify that building height requirements do not apply to antennae as well as numerous other objects already listed in code that are not used for human occupancy, such as chimneys, spires, towers, and flagpoles.
- Clarify that maximum area of a building allowed to be devoted to a home occupation.

The Commission requested more information related to height requirements but were supportive of the suggested revisions.

Staff and the Commission discussed the potential to reduce the minimum lot size and to reduce the minimum lot width requirement.

The newly adopted Comprehensive Plan includes a goal to amend the zoning code to provide more flexibility in redevelopment in-fill lots and new subdivision for new housing development. Specifically the action identified in the Housing Plan is as follows:

Amend Title 8: Planning and Land use development by reducing 1) The minimum lot sizes for both a detached single family home and duplex from 10,000 and 12,500 square feet respectively to 6,000 square feet and 2) the minimum lot width at the front lot line from 70 feet to 60 feet to better accommodate irregular shaped parcels.

The plan also notes that:

This reduced lot size should be conditional on an approved site plan that includes off-street parking and provisions for snow removal.

These revisions, or similar revisions, would impact the following sections of code, at minimum:

- § 8.08.090 SUBDIVISION DESIGN STANDARDS;
- § 8.12.040 SINGLE-FAMILY/DUPLEX DISTRICT;
- § 8.12.050 MODERATE-DENSITY RESIDENTIAL DISTRICT; and
- § 8.12.060 HIGH-DENSITY RESIDENTIAL DISTRICT

To consider how this might impact the community, staff has performed a cursory study in readily accessible data within our GIS system. There are roughly 200 parcels zoned Single Family/Duplex Residential, 28 parcels zoned Moderate Density Residential, and 58 parcels zoned High Density Residential that are greater than 12,000 square feet. Staff provided a map indicating locations of parcels that are greater than 12,000 square feet and could, therefore, be

considered for subdivision if 6,000 square foot lots for duplexes or single family would be permitted and if certain circumstances were met.

Given our community's natural topography, however, natural slopes of a site will need to be considered in a potential reduction in lot size. If steeper the slope the more difficult the development would become in terms of meeting setback, addressing stormwater drainage and runoff, limiting erosion problems, providing snow removal, developing an safe driveway slope, providing accessible parking areas, and allowing for the of routing utilities.

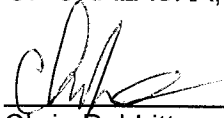
Staff provided a map with contour lines to the map indicating residential parcel greater than 12,000 square feet. Even without a formal slope analysis, it is apparent that many areas are simply not suitable for small lots considering to the challenges listed above. Staff is considering allowing for the potential of reduced lot sizes in areas with a natural slope of 5% or less and welcomes your input and suggestions.

Staff also showed a map showing slope and developable areas for discussion purposes. The Commission supported a more flexible approach to these revisions such as approvals might include additional exhibits from an applicant during the preliminary plat and/or building permit process.


Meeting Review: The next regularly-scheduled meetings will be held on December 1, 2011. Notices will be mailed to all post office box holders about the Title 8 discussion.

Adjournment. Chair Bobbitt adjourned the meeting at 9:05 P.M.

PASSED AND APPROVED THIS 1st DAY OF December 2011 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.


Chris Bobbitt
Chair

12/1/11
Date


Erin Reinders, AICP
Recording Secretary

12/1/11
Date

Prepared by Rosie Glorso, Planning Administrator

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION AND PLATTING BOARD
MINUTES
Thursday, December 15, 2011
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
John Fulton, Assistant City Manager

Roll Call:

Commissioners present:

Chris Bobbitt
Chris Spengler
Vicki Williams
Steven Gregory
John Laskowski

Public Present: Mr. Jack Sternhagen; Mr. Steven Whitt; Ms. Yvonne Gregory; Mr. Jim Paulin; Mr. Hal Lewis; Ms. Michelle Brown

Additions to Agenda: None.

Appearance Requests: None.

Minutes: Ms. Williams motioned to approve the minutes from the December 1, 2011 meeting. There was a second. Chair Bobbitt called for a vote by consensus on the minutes and the motion passed by unanimous consensus (5-0).

Public Input: None.

Planning Commission Public Hearings, New:

- A. A reconsideration of a revised Conditional Use request from Jack Sternhagen to allow for one (1) residential dwelling unit within the existing structure at 28 North Second Street on Lots 8, 9, and 11 of Block 1, USS 1992, Unalaska Townsite, in the Downtown neighborhood, which is currently zoned General Commercial.**

Chair Bobbitt opened the public hearing. Chair Bobbitt called for any ex parte contact or conflicts of interest to be disclosed. Hearing no declarations of ex parte contact or conflicts of interest, Chair Bobbitt called for staff presentation on this issue.

Staff presented the application and explained that since Mr. Sternhagen's application had been denied at the November 17, 2011 Planning Commission meeting, ordinarily he would be prevented from reapplying for a period of twelve (12) months. However, the applicant submitted additional information and he has been approved to reapply by the Director of Planning per UCO 8.12.200(H).

Staff explained that Mr. Sternhagen was notified that the tenants must be removed by December 15, 2011 and that the applicant had complied. The tenants will not be able to reoccupy the building unless the Conditional Use is granted and the applicant compiles with the terms of the Conditional Use. Staff stated that even though the applicant did not

wish to make changes to the structure, for life safety purposes and to comply with local building code regulations, the following conditions of approval were being recommended to the Planning Commission as shown on Resolution 2011-14:

1. The dwelling unit must be brought to code and the appropriate building permits must be received from the City of Unalaska Department of Public Works.
2. The applicant must receive approval from the State Fire Marshal for the residential dwelling unit.

Staff reviewed the tests of code and found that the request met all the tests of code and recommended approval with the aforementioned conditions. The specific tests of code were also discussed in detail at the November 17, 2011 Planning Commission public hearing.

Public Testimony: Chair Bobbitt called for testimony from members of the public.

Ms. Michelle Brown asked the Commission why members of the public were being required to seek Conditional Use Permits in order to operate a business from their home. Staff stated that the property in question is zoned General Commercial and that housing is not permitted outright in that zoning district. Staff stated that residents are allowed to operate Home Occupations with a City business license per the General Provisions section of 8.12.170, which outlines permitted Home Occupations in residential zoning districts. Ms. Brown stated that she was in support of the application.

Mr. Hal Lewis stated that he was in support of the application.

Chair Bobbitt called for Commission questions. Hearing no further questions, Chair Bobbitt closed the public hearing and asked for a motion to approve Resolution 2011-14.

Motion: Mr. Laskowski moved to approve Resolution 2011-14. The motion was seconded.

Discussion: The Commissioners discussed whether the application met the tests of code. Mr. Gregory stated that he was bothered by the application's after-the-fact status. He stated that he does not think that using commercial properties is a valid way to address the current housing shortage, and that if the community decides that putting work/live units in commercial properties is a valid way to address the housing problem, that code should be changed to reflect that. He stated that he did not want to set a precedent for de facto mixed-use zoning unless there was a change in code or the Comprehensive Plan to support it. Chair Bobbitt responded that Mr. Sternhagen's application would not set the precedent although several Conditional Uses for residential dwellings in commercial properties had already been granted by the Commission, each application is reviewed separately. Mr. Gregory stated that he would support the application.

Mr. Spengler asked if there is a time limit to the Conditional Use. Staff responded that the Condition Use will run with the land, but that it will expire if the approved residential use lapses for twelve (12) months or longer.

Mr. Gregory asked if the applicants are starting a new business at 28 North Second Street. Staff responded that additional conditions are being proposed to ensure safety.

Mr. Spengler asked if the City Engineer would inspect the property. Staff responded that although the City does not have a building inspector, that commercial properties are held to a higher standard for life safety. The applicants will have to submit stamped, engineered drawings to the Public Works Department and the State Fire Marshal for

plans review. Then the building will be inspected by the State Fire Marshal, the State Electrical Inspector, etc. as each of the officials make their routine visits to Unalaska.

Mr. Gregory asked staff if it is a common practice to have residential/commercial mixed-use zoning in other communities. Ms. Reinders replied that yes, live-work units and zoning to permit them is common in other communities.

Vote on Resolution 2011-14: Chair Bobbitt called for a roll call vote on Resolution 2011-14. The vote was as follows:

Bobbitt: Yes Laskowski: Yes Spengler: Yes Gregory: Yes Williams: Yes
The motion carried, 5-0.

Meeting Review: The next regularly-scheduled meetings will be held on January 19, 2012. The proposed changes to Title 8 have been transmitted to the City Attorney for review and it is anticipated that the revised changes will be discussed at the January 19, 2012 meeting.

Adjournment. Chair Bobbitt adjourned the meeting at 7:37 P.M.


PASSED AND APPROVED THIS 19th DAY OF January 2012 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.



Chris Bobbitt
Chair

2/21/12

Date



Erin Reinders, AICP
Recording Secretary

2/21/12

Date

Prepared by Rosie Glorso, Planning Administrator

**CITY OF UNALASKA
UNALASKA, ALASKA
PLANNING COMMISSION MINUTES
Thursday, November 8, 2012
CITY COUNCIL CHAMBERS, CITY HALL
5:30 P.M.**

Call to Order: Chair Chris Bobbitt called the meeting to order at 5:30 P.M.

Staff Present: Erin Reinders, AICP, Planning Director

Public Present: Mr. Jack Sternhagen

Roll Call:

Commissioners present:

Chris Bobbitt, Chair

Chris Spengler

Vicki Williams

Commissioners excused:

Steven Gregory

John Laskowski

Additions to the Agenda: None

Appearance Requests: None

Minutes: Ms. Williams motioned to approve the minutes from the September 20, 2012. There was a second. Chair Bobbitt called for a vote by consensus on the minutes and the motion passed by unanimous consensus (3-0). The minutes from 9/20/2012 were adopted.

Ms. Williams motioned to approve the minutes of the October 18, 2012 meetings. There was a second. Chair Bobbitt called for a vote by consensus on the minutes and the motion passed by unanimous consensus (3-0). The minutes from 10/18/2012 were adopted.

Planning Commission Public Hearings:

- A. Application for the Conditional Use request from Mr. Jack Sternhagen to allow one (1) residential dwelling unit in the existing commercial structure located on Lots 8, 9, and 11 of Block 1, USS 1992, Unalaska Townsite, Unalaska, Alaska.**

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

Staff Presentation: Ms. Reinders stated that Mr. Sternhagen's Conditional Use request was virtually an extension of a conditional use permit approved last year allowing for a residential use in a commercially zoned building. Ms. Reinders stated that Mr. Sternhagen had been informed that the permit was about to expire since construction had not begun, so he had reapplied for the Conditional Use.

Applicant Testimony: Mr. Sternhagen noted that the plans remained the same as from his last application in December 2011. Chair Bobbitt asked about the possibility to replat to combine the lots. Mr. Sternhagen stated that Planning Administrator Rosie Glorso had suggested that he

consider replatting the lots into one lot and he was open to a replat in the future. Chair Bobbitt asked if there were any questions from the Commission. Mr. Spengler asked Jack Sternhagen is trying to rent the place until he gets the funds to develop the property. Mr. Sternhagen stated that he is not going to rent the place until it is up to code and the plan is still to develop the place to meet the requirements of a General Commercial zone.

Chair Bobbitt asked if there were any other questions from the Public or the Commissioners. Hearing none, Chair Bobbitt called for a vote by consensus on Resolution 2012-15.

Motion: Ms. Williams moved to approve Resolution 2012-15. There was a second.

Vote: The vote was unanimous (3-0). The motion carried.

B. A Resolution to the City of Unalaska City Council recommending the consideration to purchase Tract A-1, Creekside Estates Subdivision, Amundson Addition No. 2, Plat 98-2, Aleutian Islands Recording District.

Staff Presentation: Ms. Reinders stated that the City had been approached by a property owner, Mr. John Zirlott, who was interested in selling approximately 6 acres to the City for use as a park and explained that this was quite consistent with the Comprehensive Plan. Ms. Reinders explained that the PCR Committee would also consider this item and that the City Council would have the final say.

Chair Bobbitt asked if there were any questions from the Commission. Mr. Spengler asked if the adjacent lot owners have been informed of the application, if there had been anyone who opposed it, and if a notice was sent out to adjacent lot owners. Ms. Reinders stated that a site visit did indicate that people use this area much like an open space park-like area already. Ms. Reinders stated that item was included in the Public Notice for the meeting posted around town, but no individual letters were mailed. Ms. Reinders stated that if this Resolution is approved and goes to City Council, it will be posted in the City Council Public Notice and that meeting will provide for an opportunity for public input as well.

Chair Bobbitt requested that notices be sent to adjacent property owners prior to consideration by City Council. Ms. Reinders stated that that could be done.

There being no other questions from the Commissioners, Chair Bobbitt called for a vote by consensus on Resolution 2012-16.

Motion: Mr. Spengler moved to approve Resolution 2012-16. There was a second.

Vote: The vote was unanimous (3-0). The motion carried.

C. Planning Determination for Proposed Hillside Estates Subdivision. A Preliminary Plat for Hillside Estates Subdivision, to subdivide Tract B, Blueberry Hill Subdivision Addition No. 2, Plat 96-9, and create four (4) lots along East Broadway Avenue and one (1) remainder tract.

Staff Presentation: Ms. Reinders submitted for the record the planning determination that the expiration date of the Preliminary Plat of Hillside Estates Subdivision is July 2, 2013.

Adjournment. Chair Bobbitt adjourned the meeting at 5:45 P.M.

PASSED AND APPROVED THIS 17th DAY OF January 2013 BY THE CITY OF
UNALASKA, ALASKA PLANNING COMMISSION.



Chris Bobbitt
Chair

1/17/13

Date



Erin Reinders, AICP
Recording Secretary

1/17/13

Date


Prepared by Rosie Glorso and Veronica De Castro, Planning Department

PLANNING DETERMINATION
HILLSIDE SUBDIVISION UTILITY IMPROVEMENT

CITY OF UNALASKA

DEPARTMENT OF PLANNING
P.O. BOX 610
UNALASKA, ALASKA 99685-0610
(907) 581-3100 • FAX (907) 581-4181



To: Coe and Phyllis Whittern
City of Unalaska Planning Commission
Department of Finance
From: Erin Reinders, Planning Director 
Date: October 14, 2013
Re: Planning Determination: Preliminary Plat of Hillside Estates Subdivision

The approval of Hillside Subdivision had the condition of approval to show the existing water stubouts to Lots 1-4. If the water stubouts have not yet been provided to each lot, the developer was to provide them in accordance with UCO 8.08.100(B)(3)(a). Section 8.8.100 (E) of Unalaska Municipal Code of Ordinances also allows for an option to guarantee required improvements rather than having them installed at the time of actually recording the plat.

To address the condition of approval the applicant acted in accordance with Section 8.8.100 (E). The proposed location of the water stubouts were indicated as such on the final plat and note 6 was added stating that: "Required water improvements indicated on Lots 1, 2 and 4 have been guaranteed with a certified check equaling the amount of the cost of construction of such improvements in accordance with UCO Section 8.8.100 (E)." On April 8, 2013, a certified check in the amount of \$13,358.86 was provided to guarantee the required improvements associated with Hillside Subdivision. This amount was based on Joe Henning's estimate plus quotes from the City of Unalaska, less any deposits already provided.

This check was cashed by the City of Unalaska, with the understanding that it was to be refunded to Coe and Phyllis Whittern upon a Planning Determination being made that the improvements were installed. The Planning Department has received a letter dated October 8, 2013 from the Whitterns stating that the work has been completed and requesting the associated refund.

Therefore, I am making this Planning Determination that the improvements have been installed and the guarantee may be refunded to Coe and Phyllis Whittern.