

**CITY OF UNALASKA, ALASKA
PLANNING COMMISSION & PLATTING BOARD
HISTORIC PRESERVATION COMMISSION
AGENDA/PUBLIC NOTICE
CITY HALL COUNCIL CHAMBERS
FEBRUARY 26, 2015
7:00 P.M.**

PLANNING COMMISSION & PLATTING BOARD

1. CALL TO ORDER AND ROLL CALL
2. REVISIONS TO THE AGENDA
3. APPEARANCE REQUESTS
4. ANNOUNCEMENTS
5. MINUTES:
 - Planning Commission & Platting Board, January 15, 2015

PUBLIC HEARING ACTION ITEMS

6. **RESOLUTION 2015-04:** A RESOLUTION APPROVING A VARIANCE FOR A REAR YARD REDUCTION FROM 10 FEET TO ZERO FEET TO ALLOW FOR A COLD STORAGE BUILDING TO CROSS THE LOT LINE BETWEEN LOT 2, EAST POINT RD RAP/RVP, P-2003-05, AND ATS 1073, P-79-05, LOCATED AT 583 EAST POINT ROAD
7. **RESOLUTION 2015-05:** A RESOLUTION APPROVING A VARIANCE FOR A PARKING REDUCTION FROM 30 SPACES TO 17 SPACES TO ALLOW FOR A COLD STORAGE BUILDING ON LOT 2, EAST POINT RD RAP/RVP, P-2003-05, AND ATS 1073, P-79-05, LOCATED AT 583 EAST POINT ROAD
8. **RESOLUTION 2015-06:** A RESOLUTION APPROVING PRELIMINARY PLAT OF UNALASKA TIDELAND SURVEY (UTS) 105, A REPLAT OF ALASKA TIDELAND SURVEY 1445, P-94-11, ALEUTIAN ISLANDS RECORDING DISTRICT
9. **RESOLUTION 2015-07:** A RESOLUTION APPROVING A VARIANCE FOR A WAIVER OF RIGHT-OF-WAY ACCESS REQUIREMENT TO ACCOMMODATE A SUBDIVISION OF LOT 2, BAKER SUBDIVISION, LOCATED AT 285 RAVEN WAY

REGULAR MEETING

10. Receipt of Platting Authority approval of Resolution 2015-01 for the Hester Subdivision, a resubdivision of Lot 9, Eagle View Subdivision, located at 12 Eagle Crest Court. (no Commission action required)
11. Receipt of Platting Authority approval of Resolution 2015-02 for the 12-month extension of the approval of the DeMeo Subdivision, a resubdivision of Lot 2A, Huling Subdivision, located at 140 Steward Road. (no Commission action required)

WORKSESSION

No Items

OTHER BUSINESS

12. Selection of a chair and vice-chair.

13. ADJOURNMENT

HISTORIC PRESERVATION COMMISSION

1. CALL TO ORDER AND ROLL CALL
2. MINUTES:
 - Historic Preservation Commission, January 15, 2015

BUSINESS ITEMS

3. **RESOLUTION 2015-02:** A RESOLUTION OF THE UNALASKA HISTORIC PRESERVATION COMMISSION IN SUPPORT OF AN APPLICATION FOR A HISTORIC PRESERVATION FUND GRANT TO UPDATE UNALASKA'S INVENTORY OF HISTORIC SITES AND RESOURCES
4. ADJOURNMENT

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.

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 2014-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, JANUARY 15, 2015
CITY COUNCIL CHAMBERS, CITY HALL
7:00 P.M.**

- 1. CALL TO ORDER:** Chair Steven Gregory called the meeting to order at 7:00 PM.

Roll Call:

Commissioners present:

Steven Gregory
Doanh Tran
Vicki Williams
James Santana

Commissioners absent:

Jessica Earnshaw

Staff Present:

Erin Reinders, Planning Director
Anthony Grande, Planning Administrator

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

- 3. APPEARANCE REQUESTS:** *None*

- 4. ANNOUNCEMENTS:** *None*

- 5. MINUTES:** *Planning Commission & Platting Board, December 18, 2014.* Chair Gregory called for a motion to approve the minutes from the December 18, 2014 meeting. Doanh Tran made a motion, James Santana seconded the motion. Chair Gregory asked if there were any further discussions on the minutes. There being no comments, Chair Gregory called for a vote, which was unanimous (4-0). The minutes for the December 18, 2014 meeting were adopted.

PUBLIC HEARING ACTION ITEMS: *None*

REGULAR MEETING:

- 6. Receipt of Platting Authority approval of Resolution 2014-25 for the Parkside Estates Subdivision Revision 1, a resubdivision of Lot 1 Parkside Estates.**

Anthony Grande presented one subdivision that had recently been approved in the Planning Department on December 18, 2014. Parkside Estates Subdivision Revision 1 was an abbreviated plat that fell under the guidelines that allow for small subdivisions to be approved in the Planning Department and reported at a later date to the commission. No action was required.

7. Adoption and submittal of Planning Commission/Platting Board Annual Report for 2014 to City Council.

Erin Reinders provided an overview of Planning Commission/Platting Board Annual Report. The report reviews accomplishments of the past year and identified goals for the coming year. In 2014, the Planning Commission/Platting Board met ten times, approved eight plats, granted three variances, recommended two zone amendments to City Council, recommended several changes to City Code, and reviewed the 2014 Land Inventory. One of the most important goals is to completing a Land Use Plan, which will be incorporated into the Comprehensive Plan.

Staff recommended approval of Resolution 2015-03. Once this report is adopted by the Planning Commission it is scheduled to be presented to City Council on February 10, 2015.

Chair Gregory asked the commissioners if they had any questions or comments on the report. Not hearing any questions or comments, Chair Gregory asked for a motion to approve Resolution 2015-03, adopting the Planning Commission/Platting Board Annual Report for 2014. Vicki Williams made a motion, Doanh Tran seconded the motion. Chair Gregory asked if there was any further discussion on the report. There being no further discussion, Chair Gregory called for a vote, which was unanimous (4-0).

WORK SESSION:

8. Staff presentation of *Unalaska Infill Development Analysis*.

Erin Reinders began by noting that this infill development analysis is a direct result of a recommendation from the City's Housing Plan about putting together a study that would highlight developable lots. Ms. Reinders noted that Anthony Grande has put a great deal of time into producing this analysis and thanked him for his hard work.

Anthony Grande gave further details on the Unalaska Infill Development Analysis. Mr. Grande mentioned that this report is a follow up of the Land Use Inventory presented in October 2014 and focuses more closely on the vacant lot category. This analysis covers, in detail, 117 properties that were listed as vacant land in the Land Use Inventory. The main question Staff focused on was, "does this vacant land translate into potential future development?" Mr. Grande explained the concept of infill in regards to land development. Infill refers to developing properties and filling in in existing neighborhoods where there might be one or two vacant lots surrounded by previously developed lots. This would be different than expanding road service to a completely undeveloped area.

The main areas of focus in this analysis of the 117 properties were: topography, utilities, zoning, ownership, lot size, and access issues. The topographical information was gathered by completing a "windshield" survey of the lots where Staff drove around and inspected each lot. The majority of the rest of the information was collected from various City records. The maximum housing development potential was based strictly on zoning for each lot. There may be some cases where the topography won't likely allow for additional units. Approximately three quarters of the lots are zoned for residential use, the rest being industrial and commercial. The majority of the vacant lots have the three City utilities already available in the right-of-way. In this report, each vacant lot has its own page with all the City's findings and an aerial or actual photo.

The Comprehensive Plan mentions infill as a possible strategy and calls for a report of this type to be produced. This analysis shows that there is potential for infill development in Unalaska. Finalizing this document accomplishes one of the goals in the Comp Plan. Mr. Grande wanted to clarify that this is just a broad overview for informational purposes and in no way is an endorsement for a certain lot as developable. If someone wanted to develop the lot they might need to seek professional services for a more in depth analysis.

Chair Gregory asked for any questions or comments from the commissioners. Commissioner Tran praised the amount of work that went into putting the document together and thought it was a great starting point for people, like herself, that don't own property or a house. Commissioner Santana was happy to see that there were possibilities for future development. Chair Gregory praised Staff's work on the document. Chair Gregory brought up the only question, asking why some lots had access comments and others were blank. Staff answered that they only made comments if there was a perceived obstacle or concern. If a field was left blank it was due to there being no issues present.

At this point Chair Gregory opened the floor to public comment. Jeff Hancock was concerned about the term "infill" and its implications. He asked Staff how many of the lots in the Infill Development Analysis were City owned. Staff estimated around five lots. One of the lots happens to be next door to Mr. Hancock who wanted it known that he has concerns about future development of the lot. Currently, there are mostly single family residences surrounding the lot and he was interested in seeing the area remain that way with more green space and less crowding. Mr. Hancock would like to see adjacent property owners notified if lots go up for sale or if there is a possibility of development.

Chair Gregory hoped to alleviate some of Mr. Hancock's concerns by letting him know that when the Planning Commission rezoned some of the lots on Lower Haystack from Single Family to Multi Family he let it be known that he didn't want to see the Multi Family zoning creep up the mid and upper areas of Haystack.

A second member of the public, Suzi Golodoff, appreciates the efforts the City is making to find additional area for housing but hopes that the main focus isn't on infill development. As time goes on, more areas are becoming crowded which changes the character of the town. She would prefer to see more land open up for development.

Chair Gregory thanked Ms. Golodoff for her comments. Chair Gregory stated that it isn't the Planning Commission's job to encourage or discourage development, but rather to make sure development proceeds responsibly and according to code and the Comprehensive Plan. Chair Gregory encourages all members of the public to participate in the next Comprehensive Plan since that is what guides the City and Planning Commissioners in their decision making. Since housing was the number one concern in the current Comprehensive Plan, much of the City's focus is on remedying that problem.

Erin Reinders stated that there are many housing conversations happening in the City, and that this Infill Analysis is just one of many things being talked about. Ms. Reinders echoed Chair Gregory's comment for more public participation in the development of the Land Use Plan or the Comprehensive Plan as a whole. Staff will make it known when that process will start.

Commissioner Tran asked if the work camps were left out of the Infill Analysis due to there currently being activity taking place on them, or if they were somehow accounted for? Anthony Grande explained that since this analysis was just a snapshot in time that if a property is in flux by the time the analysis was complete things would have already changed. This analysis was based on the Land Use Inventory. If a property is excluded that means at the time the Land Use Inventory took place it was not designated as a vacant lot. Also, some lots are so big that even though part of the lot looks vacant, the other part is developed.

OTHER BUSINESS: *None*

9. ADJOURNMENT: Chair Gregory adjourned the meeting at 7:42 PM.

PASSED AND APPROVED THIS _____ DAY OF _____ 2015 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.

Doanh Tran
Acting Chair

Date

Erin Reinders
Recording Secretary

Date

Prepared by Kelly Tompkins and Erin Reinders, Planning Department

Item 6:

COASTAL TRANSPORTATION

SETBACK VARIANCE

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

A RESOLUTION APPROVING A VARIANCE FOR A REAR YARD REDUCTION FROM 10 FEET TO ZERO FEET TO ALLOW FOR A COLD STORAGE BUILDING TO CROSS THE LOT LINE BETWEEN LOT 2, EAST POINT RD RAP/RVP, P-2003-05, AND ATS 1073, P-79-05, LOCATED AT 583 EAST POINT ROAD

Project Information	
Land Owner	Strong Holdings, LLC (upland) and City of Unalaska (tideland)
Applicant	Tim Shaffer, Coastal Transportation, Inc.
Location	583 East Point Road
Property Identification	04-04-150; 04-04-160
Application Type	Variance for Development
Project Description	New 28,000 square foot cold storage facility
Zoning	Marine-Dependent/Industrial and Developable Tidelands
Exhibits	Draft Resolution 2015-04, Variance Application and Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2015-04

PLAN GUIDANCE

1. 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 §8.12.090, there is a 10-foot minimum rear yard requirement for the upland property, zoned Marine-Dependent/Industrial. According to UCO §8.12.140, the tideland property involved in this application has no front yard requirement because it is not within 10 feet of a right-of-way.
2. UCO §8.12.210 outlines the variance request process including the following:
 - The Planning Commission, after public hearings, may vary or modify requirements of this chapter where strict application would cause an undue or unnecessary hardship.
 - Variances will be dimensional in nature and may be limited to requirements governing yards, lot dimensions and coverage, heights, and parking areas.
 - In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity, and to otherwise achieve the purpose of this chapter.
 - The Planning Commission approves an application for a variance by finding:
 - (1) *Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;*
 - (2) *That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;*

- (3) That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and*
- (4) That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.*

BACKGROUND AND ANALYSIS

1. Coastal Transportation, Inc. (CTI) is proposing to construct a 28,000 square foot cold storage building at the site of their current dock facility on East Point Road.
2. Strong Holdings, LLC owns the upland property and leases the tideland property from the City. CTI uses both properties for its business operations. The tideland property is currently mostly dock space.
3. Although CTI has control over enough property for a large cold storage building, the size and shape of the lots makes it impossible to do without crossing a legal lot line. The CTI proposal for a 28,000 square foot cold storage building is designed to adhere to the front and side setbacks, but to cross the rear lot line, extending approximately 55 feet into the adjacent tideland property.
4. Building across the lot line is seen as a setback violation, as there is a minimum 10-foot rear yard setback requirement for the upland lot. The tideland lot has no front setback requirement. The proposal to build across the lot line would create a zero-setback at the rear of the upland lot, which is necessitates the variance.
5. The variance is necessary to allow CTI to fully utilize their property because the lot line between upland and tideland doesn't reflect the totality of usable property on the site. The variance will not cause any negative impacts on the surrounding area or conflict with the goals of the Comprehensive Plan.
6. Due to City policy, the tideland property is likely to always be leased to the upland owner, preserving the present-day scenario of one entity controlling both properties. Therefore, it is not likely that any property conflicts could arise as a result of this project.
7. This variance would not approve the development project, but simply the variance from the rear setback requirement. Before this proposed building is constructed, a building permit will need to be approved by the City, which will be reviewed by all necessary departments, including Planning, for compliance with City code.

FINDINGS

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

1. Staff finds that the granting of this variance is necessary because of the unique relationship between the property lines and usable space and because of the narrow shape of the upland property. The first test has been met.
2. Staff finds that the granting of this variance preserves the property right of the applicant because the amount of property under the control of the applicant would be expected to support a facility such as the one proposed here. The second test has been met.
3. Staff finds that the granting of this variance will not have detrimental impact on the property or the surrounding properties now or into the future. The third test has been met.
4. Staff finds that the granting of this variance does not conflict with the goals of the Comprehensive Plan; rather, it supports the need for increased land availability for business and industry. The fourth test has been met.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends approval of this variance request identified in Resolution 2015-04.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2015-04**

A RESOLUTION APPROVING A VARIANCE FOR A REAR YARD REDUCTION FROM 10 FEET TO ZERO FEET TO ALLOW FOR A COLD STORAGE BUILDING TO CROSS THE LOT LINE BETWEEN LOT 2, EAST POINT RD RAP/RVP, P-2003-05, AND ATS 1073, P-79-05, LOCATED AT 583 EAST POINT ROAD

WHEREAS, UCO §8.12.210 sets forth the procedures and requirement for variances for development projects; and

WHEREAS, the applicant, Tim Shaffer, a representative of Coastal Transportation, has been authorized to submit a variance application by the owner, Strong Holdings, LLC, of Lot 2, East Point RAP/RVP, P-2003-05, and Strong Holdings, LLC leases ATS 1073, P-79-05 from the City of Unalaska, Aleutian Islands Recording District (04-04-150; 04-04-160); and

WHEREAS, the subject property is zoned Marine-Dependent/Industrial (upland) and Developable Tidelands (tideland); and

WHEREAS, the rear yard requirement prevent the effective use of the property for its current use, as the applicant uses both properties for the purpose of one development; and

WHEREAS, the applicant has submitted a variance request to allow for a cold storage building to be built across the lot line, not adhering to the yard requirements; 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 usable commercial/industrial land is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

WHEREAS, the Planning Commission/Platting Board conducted a public hearing on February 26, 2015 in order to consider the testimony of the public; and

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

WHEREAS, the Planning Commission finds the Variance to be in accordance with the following tests of code:

- Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;
- That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;

- That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.

NOW THEREFORE BE IT RESOLVED, that in accordance with UCO §8.12.210, the Planning Commission grants a variance for a rear yard reduction from 10 feet to zero feet to allow for a cold storage building on Lot 2, East Point Rd RAP/RVP, P-2003-05, and ATS 1073, P-79-05, located at 583 East Point Road.

This resolution approves the variance from the zoning code 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 §8.12.210(F).

PASSED AND APPROVED THIS _____ DAY OF _____, 2015, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Doanh Tran
Acting Chair

Erin Reinders
Recording Secretary

DUTCH HARBOR - COLD STORAGE FACILITY





February 2, 2015

Department of Planning,

Coastal Transportation (CTI) has signed a build contract with BKR to erect a 28,000 square foot cold storage facility on their Eastpoint property. Construction, subject to permitting, will commence spring of 2015 with completion being late summer. In order to do this CTI requires a variance from the boundary line set back rule. The building will be located on both CTI Lot 2 and ATS 1073 (see enclosed drawing), hence the need for the variance.

CTI also is requesting a reduction in the number of parking spaces required by current code. Given the size of the building, 28,000ft², 28 spaces are required. CTI request the number be lowered to 17 (see enclosed drawing). The reason is due to the narrowness of the property. Parking spaces on the seaward side of Eastpoint road negatively impact cargo operations. By locating the parking to the east of CTI's white bunkhouse, vehicles are out harm's way. There will be no change to the traffic volumes with the new building.

Thank you for your consideration.

Regards,

Tim Shaffer
Project Manager



PLANNING REQUEST APPLICATION FORM
CITY OF UNALASKA, ALASKA

received
2/10/15 12:03

Department of Planning
PO Box 610
Unalaska, Alaska 99685-0610
Phone: (907) 581 3100 FAX (907) 581 4181
Email: planning@ci.unalaska.ak.us
Website: www.ci.unalaska.ak.us

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title 8: Planning and Land Use Development, UCO.

APPLICATION FOR: ☒ VARIANCE ☐ ZONE AMENDMENT ☐ CONDITIONAL USE ☐ PLAT

Brief Description of Request: (attach additional information to communicate request)

Proposed building will be on the boundary line between CTI Lot 2 and ATS 1073.

Current Zone Designation: _____ Proposed Zone Designation(s) (if applicable): _____

Current Land Use(s): _____ Proposed Land Use(s) (if changing): _____

Property Owner: Coastal Transportation, Inc

Property Owner Address: 4025 13th Ave W Seattle, Wa 98119

Street Address of Property: 583 Eastpoint Rd Unalaska 99692

Applicant's Name: Tim Shaffer

Mailing Address: 11757 Sunrise Dr Bainbridge Is. Wa 98110

Email: tshaffer52@msn.com Day Time Phone: 2068502123 Message Phone: 2068426703

FOR OFFICE USE ONLY		DATE	
Preliminary Plat Copies		Attachment A	
Applicant Letter		Site Plan	
Application Fee		Title Search/Certificate-to-Plat	

PROPERTY LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 04-04-150 Lot: 2 Block: _____ Tract: _____

Subdivision: eastpoint USS: _____

Section(s): 3 Township: 73 Range: 118 west

PROPOSED FUTURE DESIGNATION OF PROPERTY: (For Plat Application Only)

Platting Procedures and Requirements are described in detail in Chapter 8.08: Platting and Subdivision. A certificate to plat as proof of ownership shall accompany the submittal of a plat.

SUBDIVISION _____

Block(s) _____ **Lot (s)** _____ **Tract (s)** _____ **USS** _____

Containing: _____ **Acre(s)** _____ **Lot(s)** _____ **Tract(s)** _____

SURVEYOR INFORMATION

Surveyor Name : _____

Firm Name : _____

Address : _____

Contact Details : Email _____ Phone Number _____

Registered in Alaska: Yes ☐ No ☐

REQUIRED SUPPLEMENTAL INFORMATION (For Variance, Zone Amendment and Conditional Use Application Only).

Subdivision Variance (8.08.110)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

- Is needed due to special circumstances or conditions affecting the proposed subdivision such that strict application of the provisions of this chapter would clearly be impractical or undesirable to the general public or that strict application would be unreasonable or cause undue hardship to the applicant requesting the variance.
- Will not be detrimental to the public welfare or injurious to other property in the area in which the proposed subdivision is located;
- Will be in accord with the intent and purpose of this chapter and of the Comprehensive Plan of the city.

Zone Amendment (8.12.190)

Applicant is encouraged to submit supporting documentation to demonstrate how the requested Zone Amendment is reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan.

Conditional Use (8.12.200)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Conditional Use:

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

Zoning Variance (8.12.210)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

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

***SITE PLAN (TO SCALE):** Please show all existing and proposed structures, access, dimensions, utilities and parking as appropriate.

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), Section 8.12.210(B)(2) UCO, and Section 8.12.190 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.

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 planning action 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, to the best of my knowledge, belief, and professional ability, that this application meets them. I understand that payment of the review 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

***Please fill out and submit Authorization to Make Application by Agent form if acting as Owner's Agent**



**AUTHORIZATION TO MAKE APPLICATION BY AGENT
CITY OF UNALASKA, ALASKA**

Department of Planning
PO Box 610
Unalaska, Alaska 99685-0610
PHONE (907) 581 3100 FAX (907) 581 4181
Email: planning@ci.unalaska.ak.us
Website: www.ci.unalaska.ak.us

I/WE STRONG HOLDINGS LLC ARE THE OWNERS OF

(LEGAL DESCRIPTION OF PROPERTY)

LOT 2 BLOCK _____ SUBDIVISION EAST POINT (P81-7)
TRACT _____ USS _____
SECTION(S) _____ TOWNSHIP _____ RANGE _____

LOCATED WITHIN THE CITY OF UNALASKA AND DO HEREBY AUTHORIZE (APPLICANT NAME) TIM SHAFFER

FOR _____ TO MAKE APPLICATION AS MY/OUR AGENT

(CHECK THE APPROPRIATE BOX)

<input type="checkbox"/>	CONDITIONAL USE	<input type="checkbox"/>	PLAT
<input checked="" type="checkbox"/>	VARIANCE	<input type="checkbox"/>	ZONE AMENDMENT
<input type="checkbox"/>	PUD	<input type="checkbox"/>	TIDELAND LEASE

AND ACKNOWLEDGE THAT (I AM / WE ARE) AS FULLY BOUND BY THE TERMS OUTLINED IN TITLE 7 AND 8 UCO AND RELATED POLICIES AND REGULATIONS FOR THE ACTION APPLIED FOR AS THOUGH I/WE HAD MADE APPLICATION FOR SUCH ACTION MYSELF/OURSELVES.

ELLIOT P. STRONG

NAME _____
SIGNATURE 

NAME _____
SIGNATURE _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 2 DAY OF FEBRUARY
20 15



TITSHING YIP 

NOTARY PUBLIC IN AND FOR WASHINGTON

MY COMMISSION EXPIRES: MAY 11TH 2015

PROFESSOR IN CONNECTION & CITE PL. 58

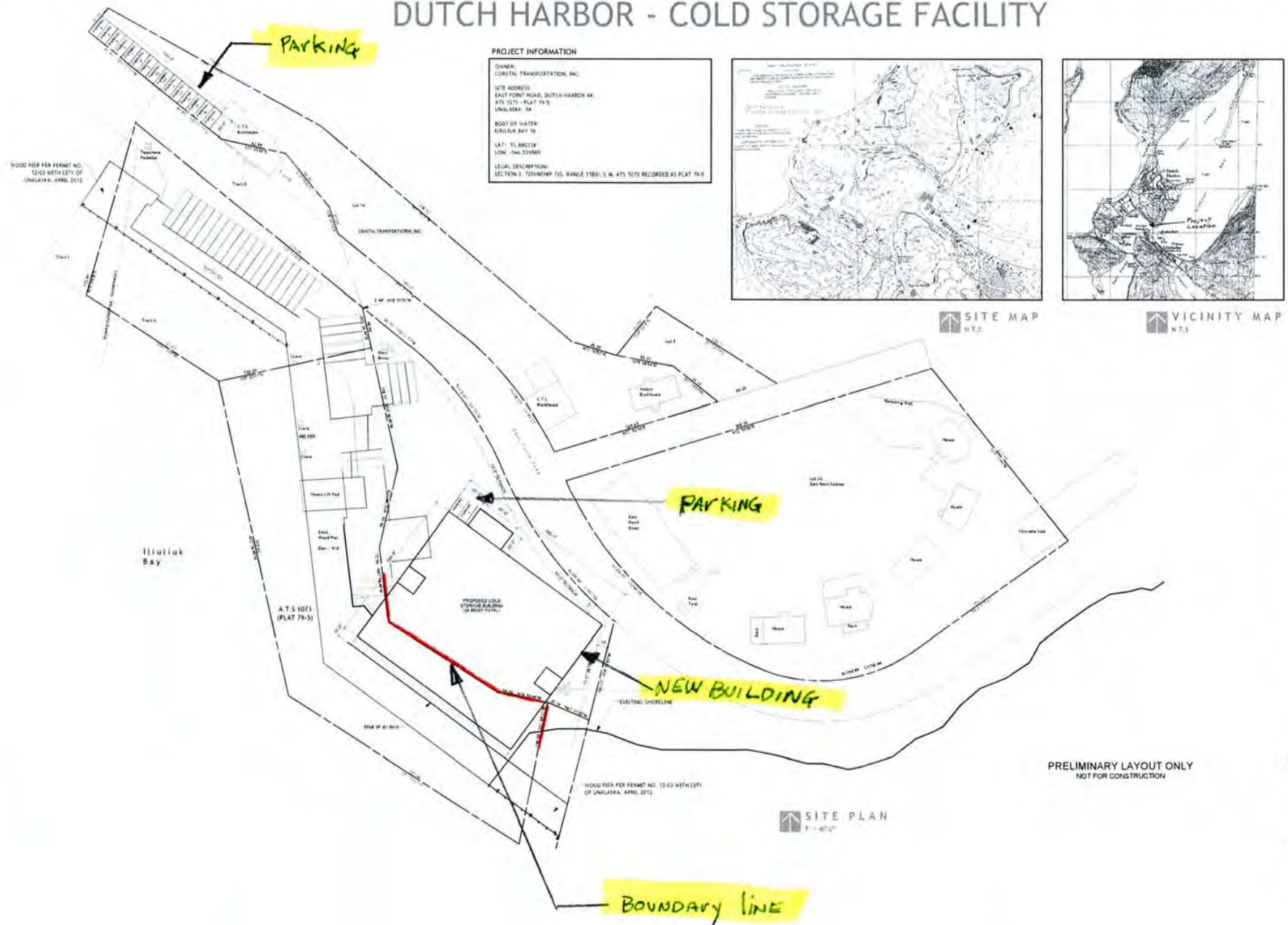
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COASTAL TRANSPORTATION

DATE: 1/22/15
FV BRONS

A1



583 East Point Rd.



242 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.

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Item 7:

COASTAL TRANSPORTATION

PARKING VARIANCE

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

A RESOLUTION APPROVING A VARIANCE FOR A PARKING REDUCTION FROM 30 SPACES TO 17 SPACES TO ALLOW FOR A COLD STORAGE BUILDING ON LOT 2, EAST POINT RD RAP/RVP, P-2003-05, AND ATS 1073, P-79-05, LOCATED AT 583 EAST POINT ROAD

Project Information	
Land Owner	Strong Holdings, LLC (upland) and City of Unalaska (tideland)
Applicant	Tim Shaffer, Coastal Transportation, Inc.
Location	583 East Point Road
Property Identification	04-04-150; 04-04-160
Application Type	Variance for Development
Project Description	New 28,000 square foot cold storage facility, in addition to existing 960 square foot office building
Zoning	Marine-Dependent/Industrial and Developable Tidelands
Exhibits	Draft Resolution 2015-05, Variance Application and Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2015-05

PLAN GUIDANCE

1. 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 §8.12.170(L)(6)(i), a 28,000 SF storage building requires 28 parking spaces, and a 960 SF office building requires 2 parking spaces. This property requires 30 parking spaces.
2. UCO §8.12.210 outlines the variance request process including the following:
 - The Planning Commission, after public hearings, may vary or modify requirements of this chapter where strict application would cause an undue or unnecessary hardship.
 - Variances will be dimensional in nature and may be limited to requirements governing yards, lot dimensions and coverage, heights, and parking areas.
 - In granting a variance, the Planning Commission may attach conditions which it finds necessary to protect the best interests of the surrounding property or vicinity, and to otherwise achieve the purpose of this chapter.
 - The Planning Commission approves an application for a variance by finding:
 - (1) *Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;*
 - (2) *That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;*

- (3) That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and*
- (4) That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.*

BACKGROUND AND ANALYSIS

1. Coastal Transportation, Inc. (CTI) is proposing to construct a 28,000 square foot cold storage building at the site of their current dock facility on East Point Road, which also contains an existing 960 square foot office building.
2. Strong Holdings, LLC owns the upland property and leases the tideland property from the City. CTI uses both properties for its business operations. The tideland property is currently mostly dock space.
3. Because of the limited land area between the roadway and the waterfront, it is not feasible to provide the required number of parking spaces. The location and orientation of the building is most efficient at the waterfront, as shown in the plan.
4. Due to the shape of the property, most of the land is directly adjacent to the right-of-way, which is not ideal for parking because of street traffic and truck access to the property. The shape of this property doesn't allow a parking area to be dedicated, which is safe because of the location of the right-of-way. The applicant has recognized this and located an area across the street, under its ownership, which is more suitable for safe parking. This will provide 17 total spaces, which is 13 short of the required 30. This request is for that variance in the parking requirement.
5. The CTI business operation does not anticipate needing 30 parking spaces because it is a marine-dependent operation. Most of the people at the location arrive by cargo or fishing vessel. According to CTI, only seven local employees work at any one time.
6. This variance would not approve the development project, but simply the variance from the parking requirement. Before this proposed building is constructed, a building permit will need to be approved by the City, which will be reviewed by all necessary departments, including Planning, for compliance with City code.

FINDINGS

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

1. Staff finds that the granting of this variance is necessary because of the unique shape of the property that doesn't allow much land appropriate for parking. The first test has been met.
2. Staff finds that the granting of this variance is necessary to preserve the right of the applicant to have a reasonably sized development for the amount of land under its control. The second test has been met.
3. Staff finds that the granting of this variance will not have a negative impact on this property or other surrounding properties. The third test has been met.
4. Staff finds that the granting of this variance does not conflict with the goals of the Comprehensive Plan; rather, it supports the goal of creating more land for business and industry. The fourth test is met.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends approval of this variance request identified in Resolution 2015-05.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2015-05**

A RESOLUTION APPROVING A VARIANCE FOR A PARKING REDUCTION FROM 30 SPACES TO 17 SPACES TO ALLOW FOR A COLD STORAGE BUILDING ON LOT 2, EAST POINT RD RAP/RVP, P-2003-05, AND ATS 1073, P-79-05, LOCATED AT 583 EAST POINT ROAD

WHEREAS, UCO §8.12.210 sets forth the procedures and requirement for variances for development projects; and

WHEREAS, the applicant, Tim Shaffer, a representative of Coastal Transportation, has been authorized to submit a variance application by the owner, Strong Holdings, LLC, of Lot 2, East Point RAP/RVP, P-2003-05, and Strong Holdings, LLC leases ATS 1073, P-79-05 from the City of Unalaska, Aleutian Islands Recording District (04-04-150; 04-04-160); and

WHEREAS, the subject property is zoned Marine-Dependent/Industrial (upland) and Developable Tidelands (tideland); and

WHEREAS, the parking requirement of 30 spaces (for a 28,000 SF cold storage building and 960 SF office building) prevents the effective use of the property because of the size and shape of the property and the orientation of the waterfront; and

WHEREAS, the applicant has submitted a variance request to allow for only 17 parking spaces to be provided for the proposed cold storage building; 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 usable commercial/industrial land is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

WHEREAS, the Planning Commission/Platting Board conducted a public hearing on February 26, 2015 in order to consider the testimony of the public; and

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

WHEREAS, the Planning Commission finds the Variance to be in accordance with the following tests of code:

- Special conditions that require the variance are not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant has no control. An argument of “financial hardship” when defined as causing a developer to spend more than he is willing to in order to conform, is not an over-riding factor in the granting of a variance;
- That the variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by other landowners in the same zoning district;

- That the granting of the variance will not materially affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- That the variance will not be materially detrimental to the intent of this chapter, or to properties in the same zoning district in which the property is located, or otherwise conflict with the objectives of the Comprehensive Plan and the variance requested is the minimum variance which would alleviate the hardship.

NOW THEREFORE BE IT RESOLVED, that in accordance with UCO §8.12.210, the Planning Commission grants a variance for a parking requirement reduction from 30 spaces to 17 spaces to allow for a cold storage building on Lot 2, East Point Rd RAP/RVP, P-2003-05, and ATS 1073, P-79-05, located at 583 East Point Road.

This resolution approves the variance from the zoning code 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 §8.12.210(F).

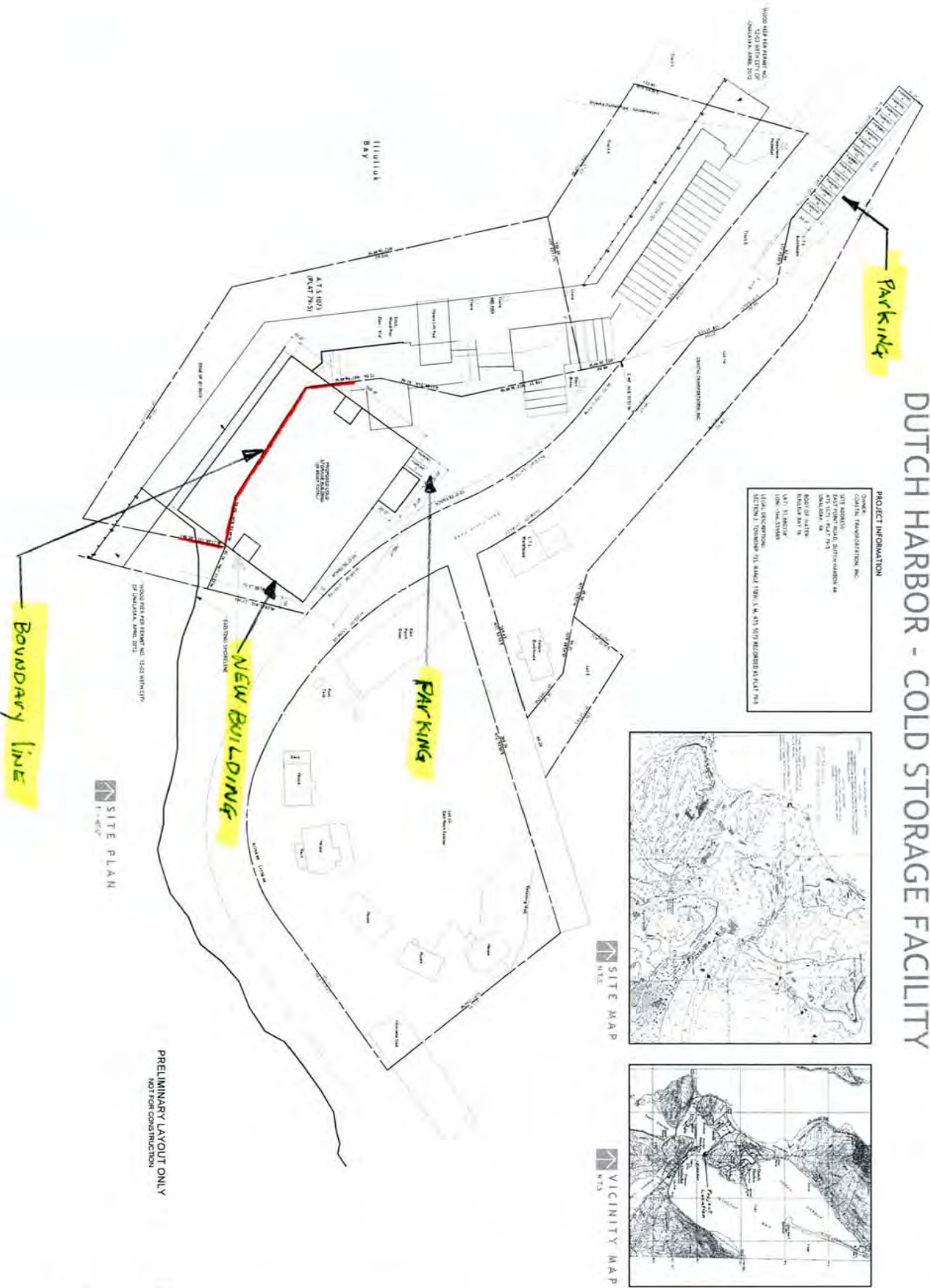
PASSED AND APPROVED THIS _____ DAY OF _____, 2015, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Doanh Tran
Acting Chair

Erin Reinders
Recording Secretary

COASTAL TRANSPORTATION

DUTCH HARBOR - COLD STORAGE FACILITY





February 2, 2015

Department of Planning,

Coastal Transportation (CTI) has signed a build contract with BKR to erect a 28,000 square foot cold storage facility on their Eastpoint property. Construction, subject to permitting, will commence spring of 2015 with completion being late summer. In order to do this CTI requires a variance from the boundary line set back rule. The building will be located on both CTI Lot 2 and ATS 1073 (see enclosed drawing), hence the need for the variance.

CTI also is requesting a reduction in the number of parking spaces required by current code. Given the size of the building, 28,000ft², 28 spaces are required. CTI request the number be lowered to 17 (see enclosed drawing). The reason is due to the narrowness of the property. Parking spaces on the seaward side of Eastpoint road negatively impact cargo operations. By locating the parking to the east of CTI's white bunkhouse, vehicles are out harm's way. There will be no change to the traffic volumes with the new building.

Thank you for your consideration.

Regards,

Tim Shaffer
Project Manager



PLANNING REQUEST APPLICATION FORM
CITY OF UNALASKA, ALASKA

received
2/10/15 12:03

Department of Planning
PO Box 610
Unalaska, Alaska 99685-0610
Phone: (907) 581 3100 FAX (907) 581 4181
Email: planning@ci.unalaska.ak.us
Website: www.ci.unalaska.ak.us

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title 8: Planning and Land Use Development, UCO.

APPLICATION FOR: ☒ VARIANCE ☐ ZONE AMENDMENT ☐ CONDITIONAL USE ☐ PLAT

Brief Description of Request: (attach additional information to communicate request)

Proposed building will be on the boundary line between CTI Lot 2 and ATS 1073.

Current Zone Designation: _____ Proposed Zone Designation(s) (if applicable): _____

Current Land Use(s): _____ Proposed Land Use(s) (if changing): _____

Property Owner: Coastal Transportation, Inc

Property Owner Address: 4025 13th Ave W Seattle, Wa 98119

Street Address of Property: 583 Eastpoint Rd Unalaska 99692

Applicant's Name: Tim Shaffer

Mailing Address: 11757 Sunrise Dr Bainbridge Is. Wa 98110

Email: tshaffer52@msn.com Day Time Phone: 2068502123 Message Phone: 2068426703

FOR OFFICE USE ONLY		DATE	
Preliminary Plat Copies		Attachment A	
Applicant Letter		Site Plan	
Application Fee		Title Search/Certificate-to-Plat	

PROPERTY LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 04-04-150 Lot: 2 Block: _____ Tract: _____

Subdivision: eastpoint USS: _____

Section(s): 3 Township: 73 Range: 118 west

PROPOSED FUTURE DESIGNATION OF PROPERTY: (For Plat Application Only)

Platting Procedures and Requirements are described in detail in Chapter 8.08: Platting and Subdivision. A certificate to plat as proof of ownership shall accompany the submittal of a plat.

SUBDIVISION _____

Block(s) _____ **Lot (s)** _____ **Tract (s)** _____ **USS** _____

Containing: _____ **Acre(s)** _____ **Lot(s)** _____ **Tract(s)** _____

SURVEYOR INFORMATION

Surveyor Name : _____

Firm Name : _____

Address : _____

Contact Details : Email _____ Phone Number _____

Registered in Alaska: Yes ☐ No ☐

REQUIRED SUPPLEMENTAL INFORMATION (For Variance, Zone Amendment and Conditional Use Application Only).

Subdivision Variance (8.08.110)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

- Is needed due to special circumstances or conditions affecting the proposed subdivision such that strict application of the provisions of this chapter would clearly be impractical or undesirable to the general public or that strict application would be unreasonable or cause undue hardship to the applicant requesting the variance.
- Will not be detrimental to the public welfare or injurious to other property in the area in which the proposed subdivision is located;
- Will be in accord with the intent and purpose of this chapter and of the Comprehensive Plan of the city.

Zone Amendment (8.12.190)

Applicant is encouraged to submit supporting documentation to demonstrate how the requested Zone Amendment is reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan.

Conditional Use (8.12.200)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Conditional Use:

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

Zoning Variance (8.12.210)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

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

***SITE PLAN (TO SCALE):** Please show all existing and proposed structures, access, dimensions, utilities and parking as appropriate.

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), Section 8.12.210(B)(2) UCO, and Section 8.12.190 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.

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 planning action 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, to the best of my knowledge, belief, and professional ability, that this application meets them. I understand that payment of the review 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

***Please fill out and submit Authorization to Make Application by Agent form if acting as Owner's Agent**



**AUTHORIZATION TO MAKE APPLICATION BY AGENT
CITY OF UNALASKA, ALASKA**

Department of Planning
PO Box 610
Unalaska, Alaska 99685-0610
PHONE (907) 581 3100 FAX (907) 581 4181
Email: planning@ci.unalaska.ak.us
Website: www.ci.unalaska.ak.us

I/WE STRONG HOLDINGS LLC ARE THE OWNERS OF

(LEGAL DESCRIPTION OF PROPERTY)

LOT 2 BLOCK _____ SUBDIVISION EAST POINT (P81-7)
TRACT _____ USS _____
SECTION(S) _____ TOWNSHIP _____ RANGE _____

LOCATED WITHIN THE CITY OF UNALASKA AND DO HEREBY AUTHORIZE (APPLICANT NAME) TIM SHAFFER

FOR _____ TO MAKE APPLICATION AS MY/OUR AGENT

(CHECK THE APPROPRIATE BOX)

☐
☒
☐

CONDITIONAL USE
VARIANCE
PUD

☐
☐
☐

PLAT
ZONE AMENDMENT
TIDELAND LEASE

AND ACKNOWLEDGE THAT (I AM / WE ARE) AS FULLY BOUND BY THE TERMS OUTLINED IN TITLE 7 AND 8 UCO AND RELATED POLICIES AND REGULATIONS FOR THE ACTION APPLIED FOR AS THOUGH I/WE HAD MADE APPLICATION FOR SUCH ACTION MYSELF/OURSELVES.

ELLIOT P. STRONG

NAME
[Signature]
SIGNATURE

NAME

SIGNATURE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 2 DAY OF FEBRUARY
20 15



TITSHING YIP [Signature]

NOTARY PUBLIC IN AND FOR WASHINGTON

MY COMMISSION EXPIRES: MAY 11TH 2015

PROFESSOR IN CONNECTION & CITE PL. 58

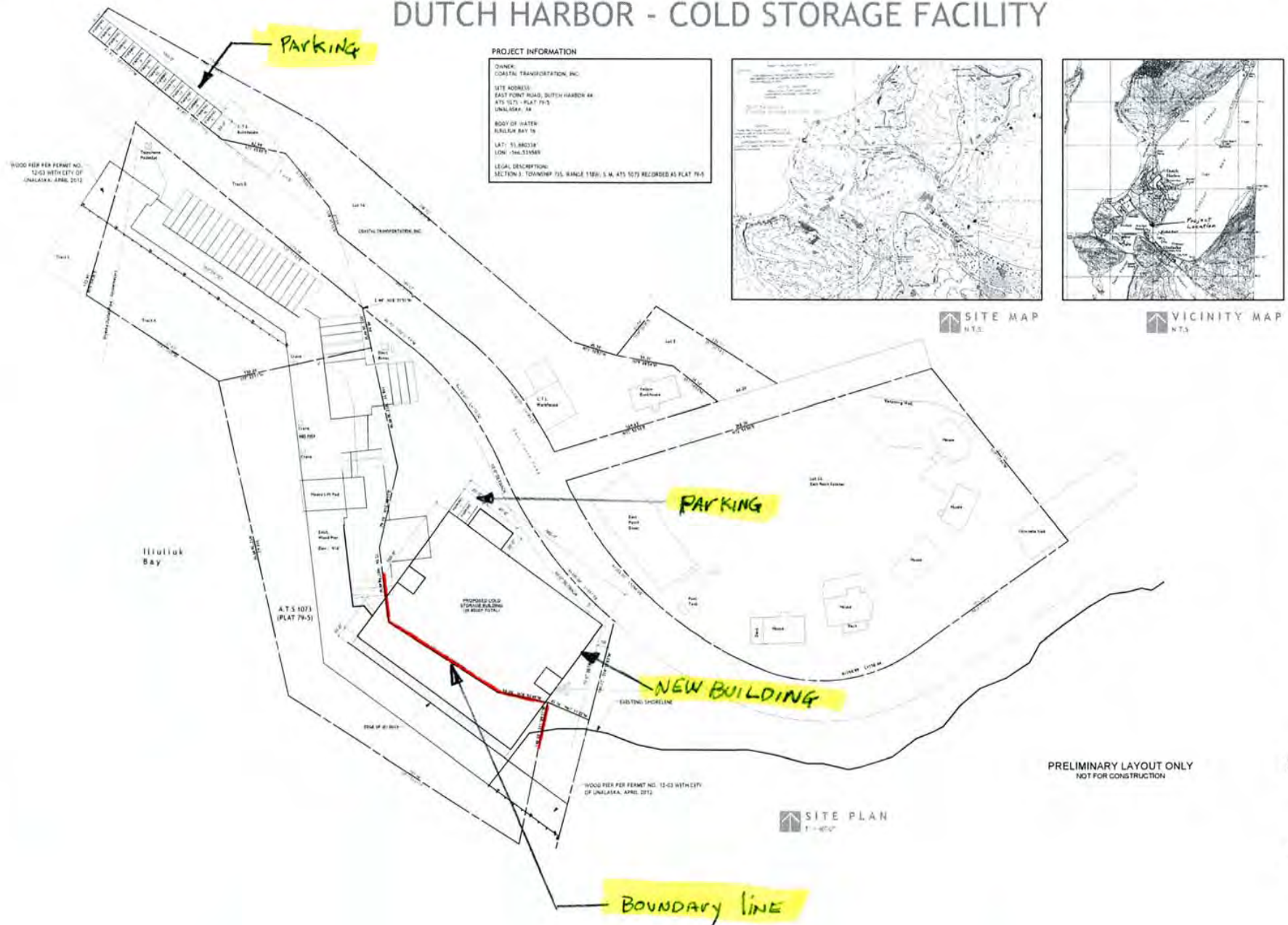
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COASTAL TRANSPORTATION

DATE: 1/22/15
FV BRONS

A1





Planning Commission

City of Unalaska

To whom it may concern,

Coastal Transportation, Inc. (CTI) requests a variance to the following municipal code for the site of the new commercial cold storage being constructed.

Section 8.12.170 of Unalaska Municipal Code outlines that freight terminals, warehouses, gear sheds and storage buildings are required to provide one parking space per 1,000 square feet of gross floor area. The proposed structure is 150 feet by 185 feet, resulting in a 28,000 square foot building and a parking requirement of 28 spaces. In addition to the proposed cold storage building, the CTI facility has the following business elements and parking requirements; 960 SF of office space (1 parking space per 400sf) 3 spaces.

Total number of parking spaces required for the facility is 31. CTI requests that a variance to this requirement be reduced to 17 parking spaces as detailed below, and per the drawing attached.

As a marine dependent facility, most of the people working at the dock arrive via cargo or fishing vessel. Maximum on site employees at any one time include one office personnel and six forklift operators. CTI is a 24 hour per day operation where parking is used intermittently throughout the day, and not maximized during any one point during the day.

Additionally:

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

Thank you for your consideration in this matter.

Tim Shaffer



Project Manager

583 East Point Rd.



242 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.

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Item 8:

UTS 105

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

**A RESOLUTION APPROVING PRELIMINARY PLAT OF UNALASKA TIDELAND SURVEY
(UTS) 105, A REPLAT OF ALASKA TIDELAND SURVEY 1445, P-94-11, ALEUTIAN
ISLANDS RECORDING DISTRICT**

Project Information	
Land Owner	City of Unalaska
Applicant	PND Engineers for Unisea, Inc.
Location	Expedition Island
Property Identification	04-08-143; 145; 147
Application Type	Preliminary Plat
Project Description	The purpose is to split Tracts A and B, each into two tracts. Two of these tracts (A-1 and B-1) are planned to be leased by Unisea from the City.
Zoning	Developable Tideland
Exhibits	Draft Resolution 2015-06, Preliminary Plat of UTS 105, Parent Plat 94-11, and Location Map
Staff Recommendation	Approval with Conditions as identified in Resolution 2015-06

BACKGROUND

Unisea, Inc. has applied to lease a portion of the City-owned tidelands at the end of Expedition Island on Amaknak Island. The area to be leased is a portion of Tracts A and B, ATS 1445. According to City policy, in order to lease a City tideland, the applicant must first subdivide the tideland to create the boundaries of the leased area. The purpose of the plat proposed here (UTS105) is for Unisea to draw the portion of the tideland they are requesting to lease. If this plat is approved, Unisea would be able to proceed with its request to lease Tracts A-1 and B-1 from the City. That lease would need to be approved by City Council. Unisea is the upland owner and has significant investments in the upland area directly adjacent to the tideland area. As the upland owner, Unisea has the first right to lease the tideland property.

A sketch of the development plans are included on the plat but are not being approved by this plat. Permits will need to be obtained in the initial phase of development, including Army Corps of Engineers permits. Additionally, building permits will need to be obtained from the Department of Public Works. No construction will be permitted by the City until documentation is provided to verify that these permits have been issued, which will be noted in the lease agreement.

City Council has already determined that it is in the interest of the community to allow development on these tidelands by zoning them "Developable Tidelands" and will ultimately make the determination of whether to approve the lease. Nothing of that nature is up for consideration at this hearing of the Planning Commission. The Planning Commission is reviewing this plat strictly for its adherence to subdivision requirements given in UCO Chapter 8.08. This preliminary plat has been found by City Staff to conform to these requirements and standards. All revisions required for this plat to adhere to the standards have been included as conditions of approval in draft Resolution 2015-06.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision), the City of Unalaska Department of Planning, in concert with the Development Review Team, recommends approval of the preliminary plat of UTS 105, with associated conditions outlined in draft Resolution 2015-06.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2015-06**

**A RESOLUTION APPROVING PRELIMINARY PLAT OF UNALASKA TIDELAND SURVEY
(UTS) 105, A REPLAT OF ALASKA TIDELAND SURVEY 1445, P-94-11, ALEUTIAN
ISLANDS RECORDING DISTRICT**

WHEREAS, Title 8 UCO §8.08.060 sets forth the procedures for the subdivision and platting of tideland and provides that the Planning Commission shall act as the Platting Authority; and

WHEREAS, the owner of Alaska Tidelands Survey 1445 (04-08-143; 145; 147) is the City of Unalaska; and

WHEREAS, the applicant for a tidelands lease, Unisea Inc., with the permission of the landowner, desires to subdivide the aforementioned property for the purpose of creating new tidelands lease areas in accordance with City Manager Regulations identified in Title 7 UCO §7.12.010; and

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

WHEREAS, the City of Unalaska Planning Commission held a public hearing on February 26, 2015 to consider this platting action and to hear testimony of the public and City Staff;

WHEREAS, notices were posted and mailed in accordance with Title 8, UCO §8.08.020(F); and

NOW THEREFORE BE IT RESOLVED, the Platting Board approves the preliminary plat of Unalaska Tideland Survey 105 with the following conditions of approval in accordance with the standards outlined in Unalaska Code of Ordinances Chapter 8.08 (Platting and Subdivision):

1. A sentence shall be added to Note 12 stating “This plat does not imply approval or endorsement of the proposed development by the City of Unalaska.”
2. A closure report shall be submitted.
3. Electronic versions of the final plat details formats allowing for incorporation into the City’s CADD and GIS programs shall be provided to the Department of Planning at the time of mylar submittal.

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

**PASSED AND APPROVED THIS _____ DAY OF _____ 2015, BY THE PLATTING
BOARD OF THE CITY OF UNALASKA, ALASKA.**

Doanh Tran
Acting Chair

Erin Reinders
Secretary



PLANNING REQUEST APPLICATION FORM

CITY OF UNALASKA, ALASKA

Department of Planning
PO Box 610
Unalaska, Alaska 99685-0610
Phone: (907) 581 3100 FAX (907) 581 4181
Email: planning@ci.unalaska.ak.us
Website: www.ci.unalaska.ak.us

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title 8: Planning and Land Use Development, UCO.

APPLICATION FOR: ☐ VARIANCE ☐ CONDITIONAL USE
☐ ZONE AMENDMENT ☒ PLAT

Brief Description of Request: (attach additional information to communicate request)

Subdivide ATS 1445 into UTS 105, Tracts A-1, A-2, B-1, B-2 and C

Current Zone Designation: Developable Tidelands Proposed Zone Designation(s) (if applicable): _____

Current Land Use(s): _____ Proposed Land Use(s) (if changing): _____

Property Owner: Unisea

Property Owner Address: P.O. Box 920008 Dutch Harbor, AK 99692

Street Address of Property: _____

Applicant's Name: PND Engineers, Inc.

Mailing Address: 1506 West 36th Ave. Anchorage, AK 99503

Email: mtaylor@pndengineers.com Day Time Phone: (907) 561-1011 Message Phone: (907) 632-2122

FOR OFFICE USE ONLY		DATE	
Preliminary Plat Copies		Attachment A	
Applicant Letter		Site Plan	
Application Fee		Title Search/Certificate-to-Plat	

PROPERTY LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 04-08-143 Lot : _____ Block: _____ Tract: _____
Subdivision: ATS 1445 USS: _____
Section(s): 10 Township: 73 South Range: 118 West

PROPOSED FUTURE DESIGNATION OF PROPERTY: (For Plat Application Only)

Platting Procedures and Requirements are described in detail in Chapter 8.08: Platting and Subdivision. A certificate to plat as proof of ownership shall accompany the submittal of a plat.

SUBDIVISION UTS 105
Block(s) _____ Lot (s) _____ Tract (s) A-1,A-2,B-1,B-2&C USS _____

Containing: _____ Acre(s) _____ Lot(s) _____ Tract(s) _____

SURVEYOR INFORMATION

Surveyor Name : Maynard L. Taylor
Firm Name : PND Engineers, Inc.
Address : 1506 West 36th Ave. Anchorage, AK 99503
Contact Details : Email mtaylor@pndengineers.com Phone Number (907) 561-1011
Registered in Alaska: Yes ☒ No ☐

REQUIRED SUPPLEMENTAL INFORMATION (For Variance, Zone Amendment and Conditional Use Application Only).

Subdivision Variance (8.08.110)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

- Is needed due to special circumstances or conditions affecting the proposed subdivision such that strict application of the provisions of this chapter would clearly be impractical or undesirable to the general public or that strict application would be unreasonable or cause undue hardship to the applicant requesting the variance.
- Will not be detrimental to the public welfare or injurious to other property in the area in which the proposed subdivision is located;
- Will be in accord with the intent and purpose of this chapter and of the Comprehensive Plan of the city.

Zone Amendment (8.12.190)

Applicant is encouraged to submit supporting documentation to demonstrate how the requested Zone Amendment is reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan.

Conditional Use (8.12.200)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Conditional Use:

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

Zoning Variance (8.12.210)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

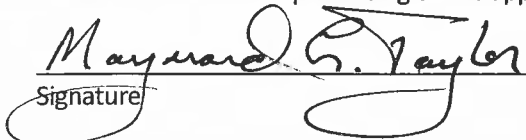
- Need is not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant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

***SITE PLAN (TO SCALE):** Please show all existing and proposed structures, access, dimensions, utilities and parking as appropriate.

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), Section 8.12.210(B)(2) UCO, and Section 8.12.190 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.

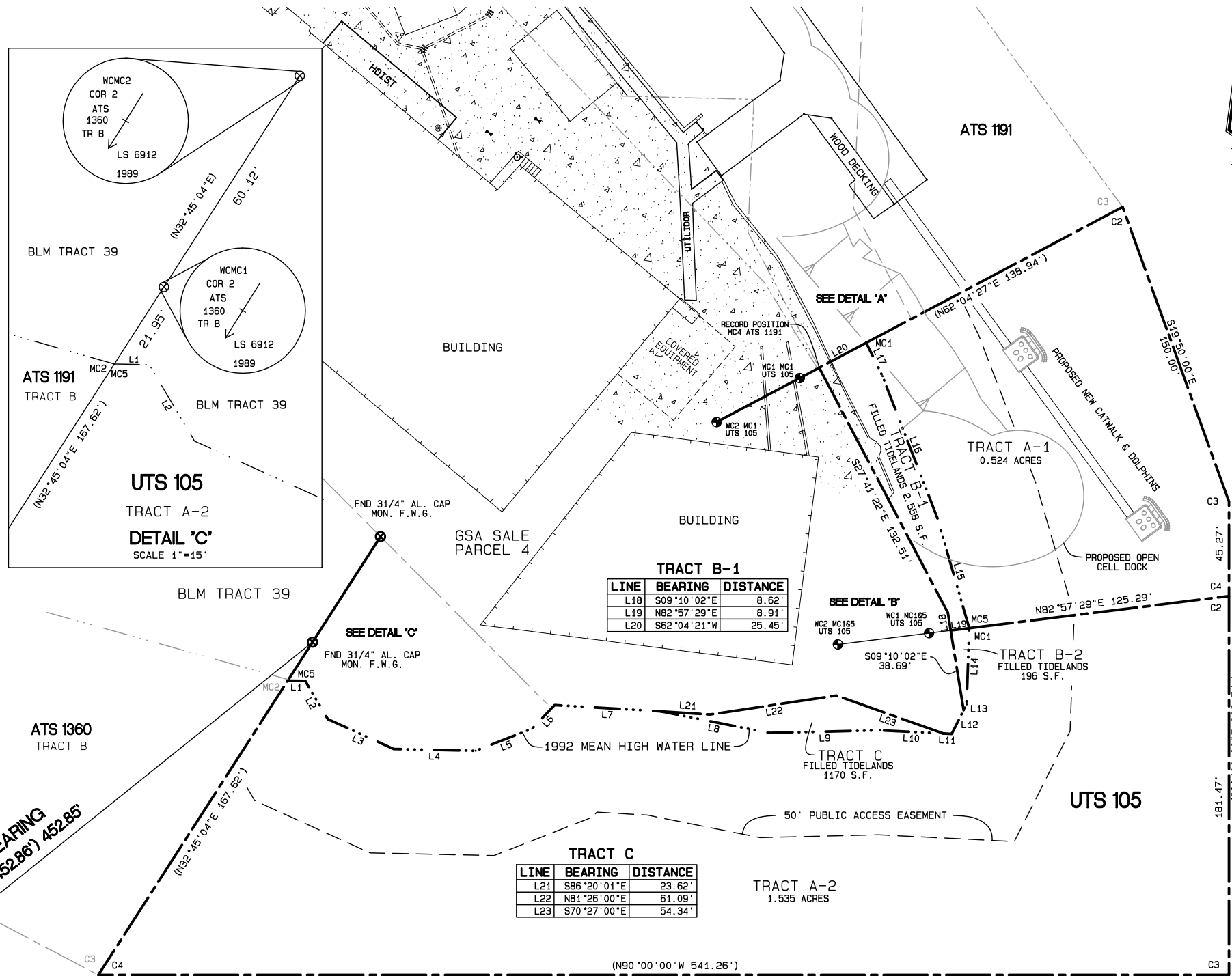
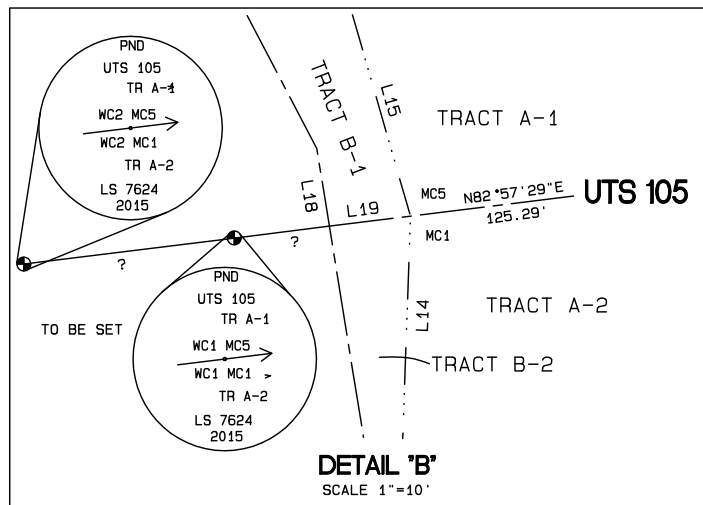
CERTIFICATION:

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 planning action 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, to the best of my knowledge, belief, and professional ability, that this application meets them. I understand that payment of the review 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

1/30/2015
Date

***Please fill out and submit Authorization to Make Application by Agent form if acting as Owner's Agent**



LINE	BEARING	DISTANCE
L18	S09°10'02"E	8.62'
L19	N82°57'29"E	8.91'
L20	S62°04'21"W	25.45'

LINE	BEARING	DISTANCE
L21	S86°20'01"E	23.62'
L22	N81°26'00"E	61.09'
L23	S70°27'00"E	54.34'

1992 MHW LINE		
LINE	BEARING	DISTANCE
L1	S89°01'01"E	8.36'
L2	S30°39'12"E	21.26'
L3	S65°36'46"E	34.61'
L4	S88°44'40"E	39.19'
L5	N68°37'12"E	29.20'
L6	N43°24'16"E	15.50'
L7	S86°35'44"E	51.03'
L8	S78°42'13"E	52.83'
L9	N88°37'41"E	53.08'
L10	S87°08'04"E	30.35'
L11	S87°08'04"E	3.98'
L12	N26°44'42"E	12.71'
L13	N26°44'42"E	3.11'
L14	N10°59'44"E	36.53'
L15	N16°04'47"W	54.70'
L16	N21°07'56"W	73.04'
L17	N26°03'51"W	17.79'

NOTES:

- 1) ALL RECORD INFORMATION SHOWN IS FROM THE PLAT OF ALASKA TIDELAND SURVEY No. 1445 RECORDED AS PLAT No. 94-11 IN THE ALEUTIAN ISLAND RECORDING DISTRICT.
- 2) BASIS OF BEARING FOR THIS SURVEY IS S 51°13'34" W AND IS BASED ON THE FOUND MONUMENTS FOR WCMC1 C2 TR B ATS 1360 AND WCMC1 COR2 TR C ATS 1395 AS SHOWN ON THE RECORDED PLAT OF ATS 1445 FILED IN THE ALEUTIAN ISLAND RECORDING DISTRICT AS PLAT No. 94-11.
- 3) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW = 0.00')
- 4) BASIS OF VERTICAL DATUM FOR THIS SURVEY IS FROM THE N.O.A. A. BENCH MARK "No. 20 1974" ELEVATION 15.50' MLLW (SEE NOTE 3). THE BENCH MARK IS SET VERTICALLY IN THE EASTERN CORNER OF THE ALYESKA BUNK HOUSE. FOR ADDITIONAL INFORMATION REFER TO THE PUBLISHED BENCH MARK SHEET FOR STATION 9462620 UNALASKA.
- 5) NO LOCATION OF THE UNDERGROUND UTILITIES WAS PERFORMED FOR THIS PLAT.
- 6) AS OF THE DATE OF SURVEY, ALL PUBLIC UTILITIES ARE PRESUMED TO BE LOCATED WITHIN THE RIGHT-OF-WAY OR HAVE DEDICATED EASEMENTS PROVIDED AND THE RIGHT-OF-WAYS ENCOMPASS THE TRAVELWAYS.
- 7) NO ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION APPROVAL REQUIRED FOR THIS PLAT ACTION.
- 8) DEVELOPERS MAY NOT ALTER EXISTING NATURAL DRAINAGE WITHOUT PROVIDING ALTERNATIVES AND/OR DRAINAGE EASEMENT.
- 9) FIELD SURVEY PERFORMED SEPTEMBER 30 - OCTOBER 1, 2014 & xxxxxxxx, 2015.
- 10) ALL EASEMENTS FROM A FIXED POINT TO NAVIGABLE OR PUBLIC WATERS EXTEND TO THE WATER LINE, EXTENDING OR SHORTENING AS THE WATER ADVANCES OR RECEDES.
- 11) UTS 105, TRACTS A-1 AND A-2 ARE ZONED DEVELOPABLE TIDELANDS.
- 12) DEVELOPMENT REPRESENTED ON THE PLAT IS PROPOSED BY A TIDELAND LEASE APPLICANT AND IS NOT A CITY OF UNALASKA PROJECT.

CERTIFICATE OF OWNERSHIP AND DEDICATION

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

CHRIS HLADICK, CITY MANAGER
CITY OF UNALASKA
P.O. BOX 610
UNALASKA, AK 99685

DATE _____

NOTARY ACKNOWLEDGMENT FOR CITY OF UNALASKA

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____
2015.

NOTARY PUBLIC

MY COMMISSION EXPIRES

TAX CERTIFICATE

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

TAX OFFICIAL, CITY OF UNALASKA

DATE _____

CITY APPROVAL

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

CITY CLERK

DATE _____

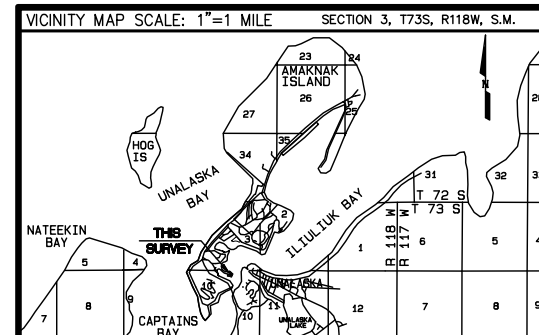
CHAIR OF THE PLATTING BOARD

DATE _____

PRELIMINARY

LEGEND

- ⊕ FOUND MONUMENT
⊕ SET 3 1/4" ALUMINUM MONUMENT
() RECORD INFORMATION ATS 1445 P# 94-11



PLAT OF
UNALASKA TIDELAND SURVEY 105
TRACTS A-1, A-2, B-1, B-2 AND C
A REPLAT OF ALASKA TIDELAND SURVEY No. 1445
PLAT No. 94-11 ALEUTIAN ISLANDS RECORDING DISTRICT
LOCATED WITHIN
SECTION 10, T 73 S, R 118 W, SEWARD MERIDIAN
ALEUTIAN ISLANDS RECORDING DISTRICT
CONTAINING 2.15 ACRES MORE OR LESS



**1506 West 38th Avenue
Anchorage, Alaska 99503
Phone: 907.561.1011
Fax: 907.563.4220**

Grid N/A	Scale 1" = 30'	Date 1/27/15	Bk DH 2014-2
Drawn MT	File No. 2014-15	W.O. No.	PN&D 141112
Checked by: RI & MT		SHEET 1 OF 1	

SURVEYORS CERTIFICATE

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

DATE _____ REGISTRATION NO. LS 7624

REGISTERED LAND SURVEYOR

LINE NO.	DISTANCE	BEARING
L1	9.36'	S89°01'01"E
L2	21.26'	S30°39'12"E
L3	34.61'	S65°38'46"E
L4	39.19'	S88°44'40"E
L5	29.20'	N69°37'12"E
L6	15.50'	N43°24'16"E
L7	51.03'	S85°35'44"E
L8	52.63'	S78°42'13"E
L9	53.08'	N88°37'41"E
L10	30.35'	S87°08'04"E
L11	3.98'	S87°08'04"E
L12	12.71'	N26°44'42"E
L13	3.11'	N26°44'42"E
L14	36.53'	N01°09'44"E
L15	54.70'	N16°04'49"W
L16	73.04'	N21°07'56"W
L17	17.79'	N05°03'01"W
L18	47.31'	N09°10'02"W
L19	130.51'	N27°41'22"W
L20	54.34'	N70°27'00"W
L21	61.09'	S81°26'00"W
L22	23.62'	N85°20'01"W

ATS 1220
P-84-2

ATS 1395
TRACT C
P-92-11

LEGEND

- ⊛ BLM MONUMENT RECOVERED
- ⊙ SET 3 1/4" BRASS CAP IN CONCRETE SLAB
- ⊕ RECOVERED PRIMARY MONUMENT
- () RECORD INFORMATION ATS 1360 PLAT 92-18
- SURVEYED
- - - UNSURVEYED

NOTES:

- THIS SURVEY WAS ACCOMPLISHED IN ACCORDANCE WITH A.S. 30.05.060 AND 30.02.1440.
- ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS AND DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
- THE ACCURACY OF THIS SURVEY IS GREATER THAN 1:5000.
- MEAN HIGH TIDE WAS DETERMINED FROM USCGS TIDAL BENCH NO. 15 ON OCTOBER 15, 1992 FROM DATA SUPPLIED BY NOAA.
- ALL EASEMENTS FROM A FIXED POINT TO NAVIGABLE OR PUBLIC WATERS EXTEND TO THE WATER LINE, EXTENDING OR SHORTENING AS THE WATER ADVANCES OR RECESSES, EASEMENTS CREATED OR SECTION LINE EASEMENTS IDENTIFIED FOR THIS ACCESS CANNOT BE VACATED EXCEPT BY THE COMMISSIONER, DNR, STATE OF ALASKA.

SURVEYOR'S CERTIFICATE

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

REGISTRATION NO. LS-5144
DATE 3/27/94



NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 3 DAY OF March, 1994 FOR Richard Mark.

Notary Public for Alaska
MY COMMISSION EXPIRES 4-12-95

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 3 DAY OF March, 1994 FOR Special Assistant.

Notary Public for Alaska
MY COMMISSION EXPIRES 4-12-95

CITY APPROVAL

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

City Clerk
DATE 3/3/94

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WASTEWATER DISPOSAL: APPROVAL OF THIS SUBDIVISION IS BASED ON THE REPRESENTATION THAT NO WASTEWATER WILL BE GENERATED OR DISPOSED OF ON ANY LOT. CONDITIONS MIGHT NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. ANY ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

SUBJECT TO ANY NOTED RESTRICTIONS, THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION APPROVES THIS SUBDIVISION FOR PLATTING.

TIDAL INFORMATION

SOURCE: NOAA PUBLICATION DATED 1/19/70 "TIDAL BENCH MARKS" STATION NO. 5465-0500

MEAN LOWER LOW WATER AT UNALASKA, UNALASKA ISLAND IS BASED ON FOUR YEARS OF RECORDS, 1956 TO 1962, REDUCED TO MEAN VALUES. ELEVATIONS OF OTHER TIDE PLACES REFERRED TO THIS DATUM ARE AS FOLLOWS:

HIGHEST TIDE OBSERVED (1/27/60)	6.0
MEAN HIGHER HIGH WATER	3.70
MEAN HIGH WATER	2.0
MEAN TIDE LEVEL	2.30
MEAN LOW WATER	1.20
MEAN LOWER LOW WATER	0.00

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF LAND, AND THAT THE STATE OF ALASKA IS OWNER OF AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OR PRIVATE USE AS NOTED, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

Director
DATE MARCH 16, 1994

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 16TH DAY OF MARCH, 1994 FOR Richard A. McPherson.

Notary Public for Alaska
MY COMMISSION EXPIRES 12-10-96

APPLICANT CERTIFICATE

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE CITY OF UNALASKA IS THE APPLICANT AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT.

Adm. No. 21213 AND 220502
Mark Earnest
UNALASKA CITY MANAGER
UNALASKA, ALASKA 99560

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS 3 DAY OF March, 1994 FOR Mark Earnest.

Notary Public for Alaska
MY COMMISSION EXPIRES 9-12-95

TAX CERTIFICATE

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

City of Unalaska
DATE 3/3/94

ALEUTIAN ISLANDS RECORDING DISTRICT

SCALE
0 50 100 200 FEET
0 50 100 200 METERS

1 METER = 3.280833 U.S. SURVEY FEET 1 U.S. ACRE = 0.4047 HECTARE

DATE OF SURVEY 10/15/92
RESUBMITTING 10/21/92
ENDING 10/21/92

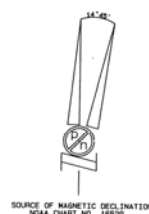
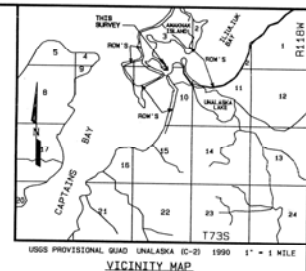
STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND
ANCHORAGE, ALASKA

ALASKA TIDELANDS
SURVEY NO. 1445

WITHIN PROTRACTED SECTION 10,
T.73S., R.118W., SEWARD MERIDIAN, AK.
CONTAINING 2.15 ACRES

DRAWN BY: [Signature]
1/28 2/93
CHECKED BY: FILE NO. [Signature]
DATE 3-16-94

SCALE: 1" = 50' TPI
ATS 1445



DETAIL "A"
SCALE 1" = 20'

CONCRETE RETAINING WALLS
(MEASUREMENTS TAKEN FROM
BASE OF WALL)

SET 3 1/4" BRASS CAP
IN CONCRETE SLAB

SET 3 1/4" BRASS CAP
IN CONCRETE SLAB

WAREHOUSE

OCCUPIED TIDELANDS
ATS 1191
P-81-16

TRACT B
0.06 ACRES
FILLED TIDELANDS SUBJECT TO
50' PUBLIC ACCESS EASEMENT

TRACT C
0.03 ACRES
FILLED TIDELANDS SUBJECT TO
50' PUBLIC ACCESS EASEMENT

UPLAND OWNER:
CITY OF UNALASKA

TRACT A
2.06 ACRES
ATS 1445

HARBOR

ILLIULIUK

DATE: MARCH 16, 1994
PROJECT: ATS 1445
TITLE: UNALASKA TIDAL PLAT

ATS 1445, Tract A



308 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

Item 9:

ECHEVARRIA

VARIANCE REQUEST

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

**A RESOLUTION APPROVING A VARIANCE FOR A WAIVER OF RIGHT-OF-WAY
ACCESS REQUIREMENT TO ACCOMODATE A SUBDIVISION OF LOT 2, BAKER
SUBDIVISION, LOCATED AT 285 RAVEN WAY**

Project Information	
Land Owner	Joey Echevarria
Applicant	Joey Echevarria
Location	285 Raven Way
Property Identification	04-09-228
Application Type	Variance for Plat
Project Description	Lot Split without direct street access
Zoning	Single-Family/Duplex Residential
Exhibits	Draft Resolution 2015-07, Variance Application, Supplemental Materials, and location map
Staff Recommendation	Denial Variance – Disapproval of Resolution 2015-07

PLAN GUIDANCE

1. Housing was identified as a community need in the 2009 Community Visions for the Future: Unalaska 2010-2020 visioning document as part of the Comprehensive Planning process.
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.

CODE REQUIREMENTS

1. UCO §8.08.020(A) outlines the purpose of the Platting and Subdivision chapter of code, and includes the following:
 - The purpose of this chapter is to promote and improve the health, safety, and general welfare of the citizens of the city.
 - This chapter is designed to encourage the orderly development and use of land; to prevent overcrowding; to prevent congestion on streets and highways; to provide adequate light and air; and to protect the public from fire, disease, and other dangers.
 - This chapter is designed to achieve the greatest economy to the city and its citizens while protecting the public interests involved in the subdivision of land within the city.
2. UCO §8.08.090(D) outlines the **Subdivision Design Standards** for lots and includes the following:
 - *Access.* Every lot shall front or abut on a publically dedicated street.
3. UCO §8.08.110 outlines the variance request and process including the following:
 - The Board may grant a variance from the provisions of this chapter on a finding that undue hardship may result from strict compliance with specific provisions or requirements of this chapter. The Board shall only grant variances that it deems necessary because of an undue hardship or that it finds desirable from the standpoint of public interest. In making its findings, as required below, the Board shall take into account the nature of the proposed use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effects of the proposed subdivision upon conditions in the vicinity. No variance shall be granted unless the Board finds that:
 - *There are such special circumstances or conditions affecting the proposed subdivision such that strict application of the provisions of this chapter would clearly be impractical or undesirable to the general public or that strict application would be unreasonable or cause undue hardship to the applicant requesting the variance. In such cases, the subdivider shall first state his/her*

reasons in writing for a variance from the specific provision or requirement involved and submit the statement to the Board;

- *The granting of a specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the proposed subdivision is located;*
- *Such variance will be in accord with the intent and purpose of this chapter and of the Comprehensive Plan of the city; and*
- *The Board shall note its findings and the specific reasons for its action on the request for a variance, and shall also record its action in the form of a resolution.*

BACKGROUND AND ANALYSIS

1. The applicant owns a property, which does not meet the City's current subdivision design standards because it does not abut or front a publically dedicated street. The property is currently accessed by a 20-foot wide access easement through two other properties.
2. The applicant desires to subdivide one lot that does not currently conform to City standards and create two lots that do not conform to the standards.
3. This lot was created by a subdivision in 2005 and was approved by the City at that time, however, Planning Department has not recently recommended approval of any variance or plat allowing for any lot to be created that doesn't have direct access to the right-of-way.
4. Without this variance, the applicant is still allowed to build another house on the property, as the zoning allows for 2 total units on each lot. Since the terrain and existing development only makes it reasonable to build one additional house at that location, this variance would not increase the amount of housing available in the community.
5. Any variance for waiving the access requirement is problematic, and this one is no exception. Platting or subdividing a property is permanent and affects future owners many years from now. Access easements often hinge on cooperation between neighbors to peacefully share a piece of land. It is common for disputes to arise; in fact, according to the Department of Public Safety, the access easement in this proposal has been the subject of multiple civil disputes in the past five years. Expanding that access easement to include another lot, whose access is dependent on that easement, only makes the problem worse, negatively impacting the welfare of the surrounding properties and current and future property owners of the new split lots.
6. The Department of Public Safety has advised that granting an access easement as the sole access to a property is detrimental to fire and life safety, as it poses a threat to emergency vehicle access. This is related to the fact that an access easement is not easily enforceable by the City and disputes that arise can cause obstructions, which may jeopardize adequate emergency access. Included in this packet is a letter from the Fire Chief, stating the concerns.
7. All lots must have adequate access; however, property owners may elect to use access easements to share some of the costs of building separate driveways, but City Staff does not support creating a situation where a property owner is **forever dependent** on an access easement.

FINDINGS

The purpose of a variance from platting and subdivision requirements is to grant relief to an applicant when a requirement causes an undue or unnecessary hardship or when such a relief from requirements is desirable from the standpoint of the public interest. In order to be granted, a variance request must meet the three tests of code identified in UCO §8.08.110(A) listed above.

1. Staff finds that the granting of this variance is not in the public's interest and does not alleviate a hardship on the applicant, as it provides no additional housing or other benefit to the community and does not relieve the applicant of a hardship, rather it creates a larger burden. Therefore, staff finds that the first test has **not** been met.
2. Staff finds that the granting of this variance is detrimental to the public welfare, as it enhances the problem of properties dependent on access easements, which poses issues with property disputes and emergency access. Therefore, staff finds that the second test has **not** been met.

3. Although granting this variance might help to create an additional opportunity for privately owned residential development, staff finds that the granting of this variance is not consistent with the Comprehensive Plan or UCO Title 8, as it would create disorderly and unsafe residential development. Therefore, staff finds that the third test has **not** been met.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends **denial** of this variance and **disapproval** of Resolution 2015-07.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2015-07**

**A RESOLUTION APPROVING A VARIANCE FOR A WAIVER OF RIGHT-OF-WAY
ACCESS REQUIREMENT TO ACCOMMODATE A SUBDIVISION OF LOT 2, BAKER
SUBDIVISION, LOCATED AT 285 RAVEN WAY**

WHEREAS, UCO §8.08.110 sets forth the procedures and requirement for variances for subdivisions; and

WHEREAS, Joey Echevarria is the recorded owner of Lot 2, Baker Subdivision, P-2005-18, Aleutian Islands Recording District (04-09-228); and

WHEREAS, the subject property is zoned Single-Family/Duplex Residential; and

WHEREAS, the requirement to provide direct right-of-way access hinders the development of the property, as it is already lacking right-of-way access but large enough to subdivide; and

WHEREAS, the applicant, Joey Echevarria, has submitted a variance request to allow for a waiver of this requirement in order to accommodate a future platting action; and

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

WHEREAS, the creation of additional land for privately owned residential development is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

WHEREAS, the Planning Commission/Platting Board conducted a public hearing on February 26, 2015 in order to consider the testimony of the public, during which the Commission heard compelling testimony in favor of the variance; and

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

WHEREAS, the Planning Commission finds the Variance to be in accordance with the following tests of code:

1. There are special circumstances or conditions affecting the proposed subdivision such that strict application of the provisions of this chapter would clearly be impractical or undesirable to the general public or that strict application would be unreasonable or cause undue hardship to the applicant requesting the variance.
2. The granting of a specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the proposed subdivision is located.
3. Such variance will be in accord with the intent and purpose of this chapter and of the Comprehensive Plan of the city; and

NOW THEREFORE BE IT RESOLVED, that in accordance with UCO §8.08.110, the Planning Commission grants a variance for a waiver of the right-of-way access requirement to accommodate a subdivision of Lot 2, Baker Subdivision, at 285 Raven Way.

This resolution approves the variance from the zoning code 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 §8.12.210(F).

PASSED AND APPROVED THIS _____ DAY OF _____, 2015, BY THE
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Doanh Tran
Acting Chair

Erin Reinders, AICP
Secretary

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

JOEY H. EGKEVARRIA
C/O. BOX 820352
DULUTH, MISSOURI, MO 64602

TRICIA A. COREVARRIA

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____
FOR _____

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____
FOR _____

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

DATE _____

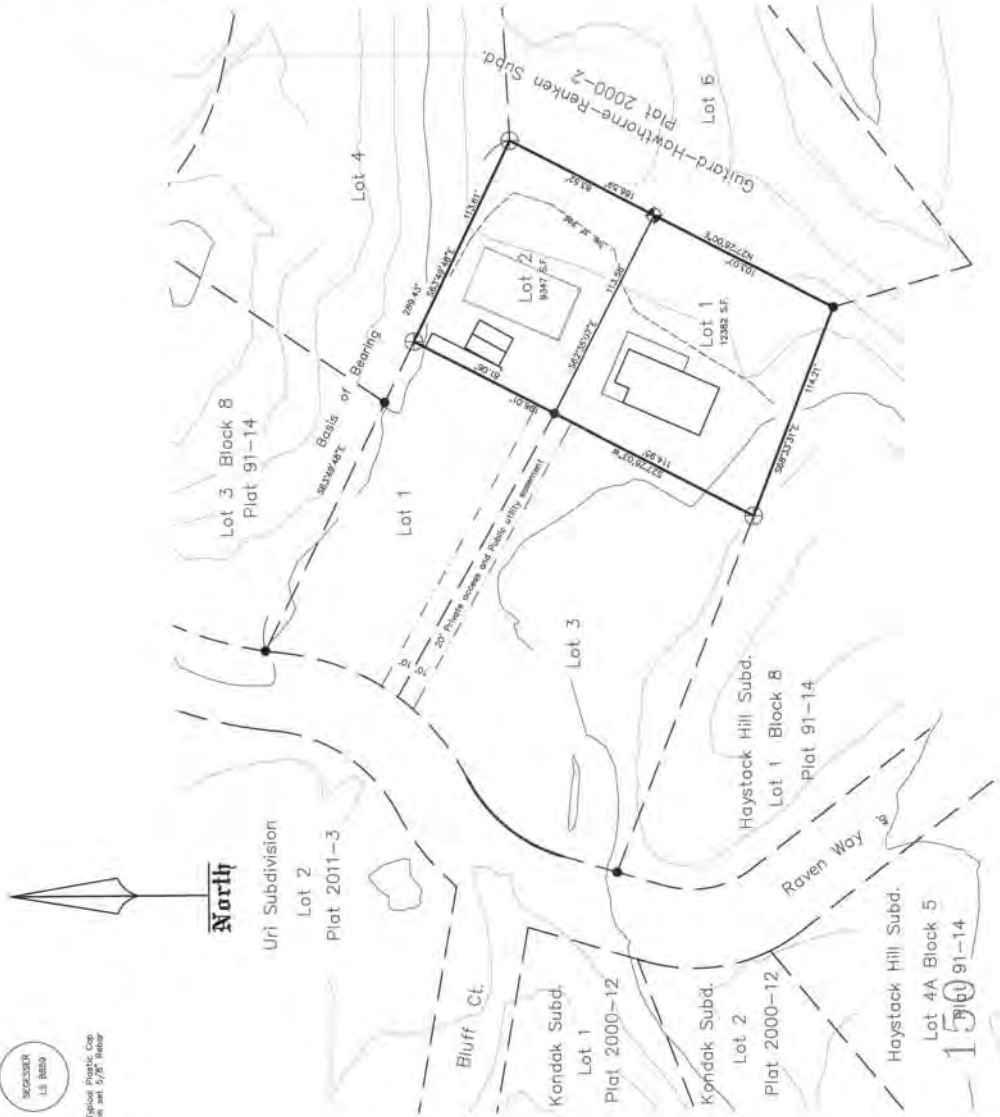
TAX OFFICIAL, CITY OF UNALASKA _____

A subdivision of Lot 2 Bolar Subdivision
 First 2005-18, Kauai Island Recording District.

Located within protected Section 11, T33S, R16W, S.W. 1/4, Aloha
 subdivision, 21720, S.A. P.

30485 Rosland St.
Soldotna AK 99569

JOB NO.	1202	DRAWN	11-26-12
SURVEYED	OCT., 2012	SCALE	1"=30'
FIELD BOOK	12-2	SHEET	1 of 1



I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THE DRAWING REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA. I FURTHER CERTIFY THAT ALL KNOWN PUBLIC UTILITIES WITHIN THE SURVEYED AREA ARE LOCATED WITHIN PUBLIC RIGHTS-OF-WAY. THAT THE SURVEYED PROPERTY REPRESENTED BY THIS PLAN

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____
FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

DESCRIPTION	RECONSTRUCTION NO.
RECONSTRUCTION 1 (MAY 1995)	

DATE _____

CITY APPROVAL

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

CITY OF LOS ANGELES

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Journal compilation © 2004 Blackwell Publishing Ltd

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____
FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____
FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

DESCRIPTION	RECONSTRUCTION NO.
RECONSTRUCTION 1 (MAY 1995)	

received
12/08/14 5:00



PLANNING REQUEST APPLICATION FORM

CITY OF UNALASKA, ALASKA

Department of Planning
PO Box 610
Unalaska, Alaska 99685-0610
Phone: (907) 581 3100 FAX (907) 581 4181
Email: planning@ci.unalaska.ak.us
Website: www.ci.unalaska.ak.us

The undersigned hereby applies to the City of Unalaska for approval of the following as per Title 8: Planning and Land Use Development, UCO.

APPLICATION FOR: ☒ VARIANCE ☐ ZONE AMENDMENT ☐ CONDITIONAL USE ☐ PLAT

Brief Description of Request: (attach additional information to communicate request)

Flag lot - lot width reduction

Current Zone Designation: _____ Proposed Zone Designation(s) (if applicable): _____

Current Land Use(s): Home Proposed Land Use(s) (if changing): _____

Property Owner: JOEY Echevarria

Property Owner Address: 285 Ravenway Baker Sub Lot #2

Street Address of Property: _____

Applicant's Name: JOEY Echevarria

Mailing Address: PO 920362 Dutch Harbor AK 99692

Email: _____ Day Time Phone: 354-3581 Message Phone: 391-6666

FOR OFFICE USE ONLY		DATE	
Preliminary Plat Copies		Attachment A	
Applicant Letter		Site Plan	
Application Fee		Title Search/Certificate-to-Plat	

PROPERTY LEGAL DESCRIPTION: (Fill in applicable blanks)

Tax Lot ID No.: 04-09-228 Lot: 2 Block: 8 Tract: _____
Subdivision: Baker USS: _____
Section(s): 11 Township: T730 Range: R118W

PROPOSED FUTURE DESIGNATION OF PROPERTY: (For Plat Application Only)

Platting Procedures and Requirements are described in detail in Chapter 8.08: Platting and Subdivision. A certificate to plat as proof of ownership shall accompany the submittal of a plat.

SUBDIVISION Baker Sub
Block(s) _____ Lot (s) _____ Tract (s) _____ USS _____

Containing: _____ Acre(s) _____ Lot(s) _____ Tract(s) _____

SURVEYOR INFORMATION

Surveyor Name: John Segesser
Firm Name: Segesser Surveys
Address: 30485 Rosalind St Soldotna AK 99669
Contact Details: Email seggy@ptiabaska.net Phone Number 907-262-3909
Registered in Alaska: Yes ☒ No ☐

REQUIRED SUPPLEMENTAL INFORMATION (For Variance, Zone Amendment and Conditional Use Application Only).

Subdivision Variance (8.08.110)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

- Is needed due to special circumstances or conditions affecting the proposed subdivision such that strict application of the provisions of this chapter would clearly be impractical or undesirable to the general public or that strict application would be unreasonable or cause undue hardship to the applicant requesting the variance.
- Will not be detrimental to the public welfare or injurious to other property in the area in which the proposed subdivision is located;
- Will be in accord with the intent and purpose of this chapter and of the Comprehensive Plan of the city.

Zone Amendment (8.12.190)

Applicant is encouraged to submit supporting documentation to demonstrate how the requested Zone Amendment is reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan.

Conditional Use (8.12.200)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Conditional Use:

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

Zoning Variance (8.12.210)

Applicant is encouraged to submit supporting documentation and a site plan to demonstrate how the requested Variance:

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

***SITE PLAN (TO SCALE):** Please show all existing and proposed structures, access, dimensions, utilities and parking as appropriate.

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), Section 8.12.210(B)(2) UCO, and Section 8.12.190 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.

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 planning action 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, to the best of my knowledge, belief, and professional ability, that this application meets them. I understand that payment of the review 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

***Please fill out and submit Authorization to Make Application by Agent form if acting as Owner's Agent**



**AUTHORIZATION TO MAKE APPLICATION BY AGENT
CITY OF UNALASKA, ALASKA**

Department of Planning

PO Box 610

Unalaska, Alaska 99685-0610

PHONE (907) 581 3100 FAX (907) 581 4181

Email: planning@ci.unalaska.ak.us

Website: www.ci.unalaska.ak.us

I/WE JOEY Echevarria ARE THE OWNERS OF

(LEGAL DESCRIPTION OF PROPERTY)

LOT 2 BLOCK 8 SUBDIVISION _____

TRACT _____ USS _____

SECTION(S) _____ TOWNSHIP T73S RANGE R118W

LOCATED WITHIN THE CITY OF UNALASKA AND DO HEREBY AUTHORIZE (APPLICANT NAME) _____

_____ TO MAKE APPLICATION AS MY/OUR AGENT
FOR :

(CHECK THE APPROPRIATE BOX)

☐

CONDITIONAL USE

☒

VARIANCE

☐

PUD

☐

PLAT

☐

ZONE AMENDMENT

☐

TIDELAND LEASE

AND ACKNOWLEDGE THAT (I AM / WE ARE) AS FULLY BOUND BY THE TERMS OUTLINED IN TITLE 7 AND 8 UCO AND RELATED POLICIES AND REGULATIONS FOR THE ACTION APPLIED FOR AS THOUGH I/WE HAD MADE APPLICATION FOR SUCH ACTION MYSELF/OURSELVES.

NAME

SIGNATURE

NAME

SIGNATURE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____
20 _____

NOTARY PUBLIC IN AND FOR _____

(SEAL)

MY COMMISSION EXPIRES: _____

Joey Echevarria
P.O. Box 920362
Dutch Harbor, AK 99692

December 3, 2014

Anthony Grande
City of Unalaska
Planning Administrator
P.O. Box 610
Unalaska, AK 99685

Dear Mr. Grande

This letter accompanies my application for variance and I request that you please share this letter with the Planning Commission prior to my appearance. As you are aware I am requesting a variance from Unalaska Municipal Code Chapter 8.08.090(D)(4), wherein the code stipulates that every lot shall front or abut on a publicly dedicated street. I respectfully request a variance from this requirement for the following reasons:

1. **There is precedence.** Prior to purchasing the subject property I asked the Planning Department whether I would be able to subdivide the property and provide access via an easement from Ravens way. I was informed that I could subdivide the property with the requested access and the plat was subsequently approved by the Planning Commission. I contend splitting the lots to create another building site would not further compromise public safety or sound planning principles, as the existing access has been working very well.
2. **The additional lot would provide much needed residential housing.** As you are aware, because of topography and land ownership in Unalaska, few viable options remain for constructing new residential housing, while the demand for such housing is high. The proposed building site is flat, with easy access to utilities and construction would be very manageable without further compromising Unalaska's beautiful hills.
3. **New construction would create additional tax base for Unalaska.**
4. **Denying the variance request would not allow me to realize a fair return on my investment.** As noted above, I purchased the property after consulting with the Planning Department, and, as noted above, the initial subdivision was approved with the access easement. Therefore, I feel it was reasonable for me to assume that I would be able to further subdivide the property if all other pertinent subdivision requirements were met and that I would be able to sell or develop the newly created lot to realize a reasonable return on my investment in purchasing and developing the lot. Not approving the subdivision would deny me that opportunity.

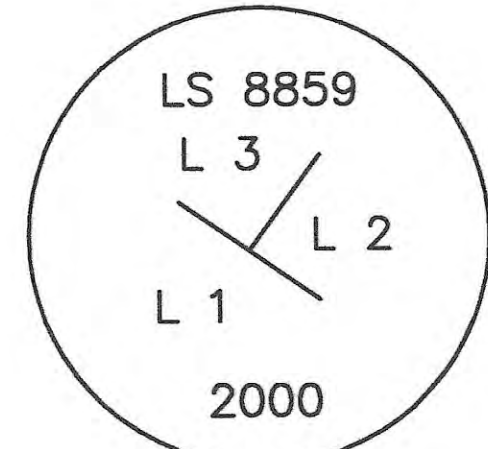
For the reasons noted above, I respectfully request a variance from the minimum frontage requirement outlined in Unalaska Municipal Code Chapter 8.08.090(D)(4). If you have any questions, please feel free to contact me at (907) 359-3581. Thank you for your time and consideration.

Sincerely,

Joey Echevarria

LEGEND

- = REBAR FOUND
- = REBAR W/ PLASTIC CAP SET
- ⊕ = PRIMARY MONUMENT FOUND
- ⊗ = PRIMARY MONUMENTS SET
- () RECORD DATUM P-91-14, A.I.R.D.



Typical 2 1/2" Alum. cap monument set



Typical Plastic Cap on set 5/8" Rebar

North

Uri Subdivision

Lot 2
Plat 2011-3

Lot 3 Block 8
Plat 91-14

Lot 1

Lot 4

Bluff Ct.

Kondak Subd.

Lot 1
Plat 2000-12

Lot 3

Kondak Subd.

Lot 2
Plat 2000-12

Haystack Hill Subd.

Lot 1 Block 8
Plat 91-14

Raven Way

Haystack Hill Subd.

Lot 4A Block 5
Plat 91-14

Basis of Bearing

20' Private access and Public utility easement

Lot 2
9347 S.F.

Lot 1
12382 S.F.

Guitard-Hawthorne-Renken Subd.
Plat 2000-2

Lot 6

CITY APPROVAL

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

CITY CLERK

CHAIR OF THE PLATING BOARD

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF FOR

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF FOR

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

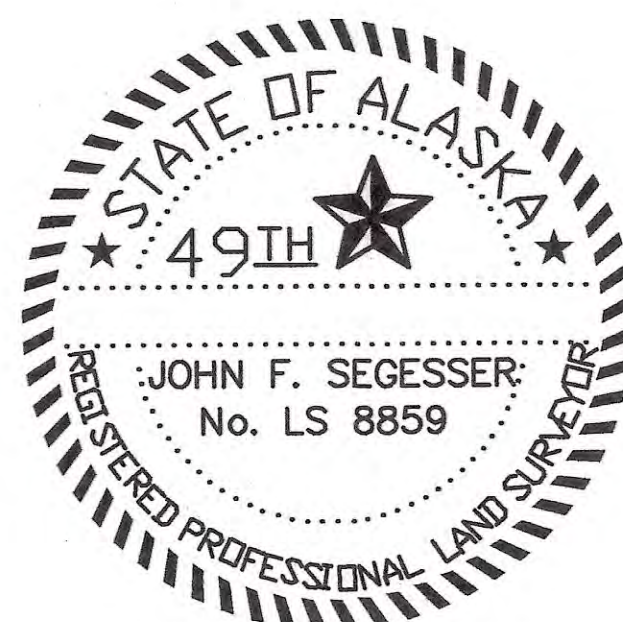
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS DRAWING REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA. I FURTHER CERTIFY THAT ALL KNOWN PUBLIC UTILITIES WITHIN THE PLATTED AREA ARE LOCATED WITHIN PUBLIC RIGHTS-OF-WAY OR WITHIN UTILITY EASEMENTS DEDICATED BY THIS PLAT.

REGISTERED LAND SURVEYOR

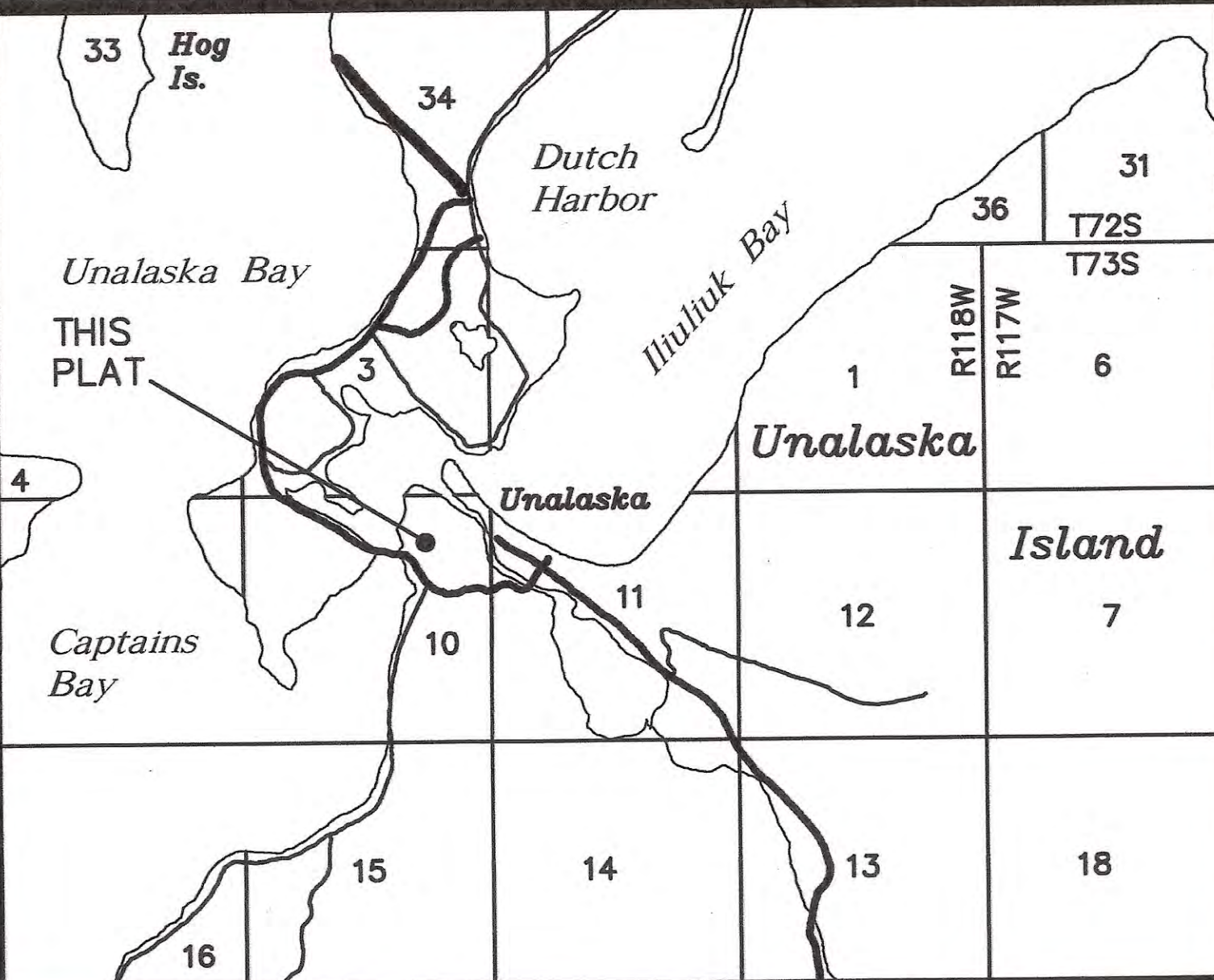
REGISTRATION NO.

DATE



VICINITY MAP

1" = 1 MILE



CERTIFICATE of OWNERSHIP and DEDICATION

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

JOEY H. ECHEVARRIA
O.O. BOX 920362
DUTCH HARBOR, AK 99692

TRICIA A. ECHEVARRIA

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF FOR

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS DAY OF FOR

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES

TAX CERTIFICATE

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

TAX OFFICIAL, CITY OF UNALASKA

DATE

Echevarria Subdivision

A resubdivision of Lot 2 Baker Subdivision
Plat 2005-18, Aleutian Islands Recording District.

Located within protracted Section 11, T73S, R118W, S.M., Alaska
Containing 21729 Sq. Ft.

SEGESSER SURVEYS

30485 Rosland St.
Soldotna, AK 99669

JOB NO.	12092	DRAWN:	11-28-12
SURVEYED:	Oct., 2012	SCALE:	1"=30'
FIELD BK:	12-2	SHEET:	1 of 1



UNALASKA DEPARTMENT OF PUBLIC SAFETY

Division of Fire and EMS

Service - Pride - Integrity - Commitment – Excellence

<http://www.ci.unalaska.ak.us/>

PO Box 370 Unalaska, Alaska 99685

Phone (907) 581-1233 – Fax (907) 581-5024

Acting Fire Chief

e-mail: zschasteen@ci.unalaska.ak.us



Memorandum

To: Anthony Grande, Planning Administrator

From: Zac Schasteen, Acting Fire Chief 

Date: December 30, 2014

Re: Echevarria Variance & Proposed Plat

Mr. Grande, I have some fire and life safety concerns over the proposed plat and variance for the proposed Echevarria subdivision. It's my understanding that one rental property is located at 285 Raven Way and is accessed through a roughly 165' access easement, not road or right of way access. This alone is concerning from a Fire and life safety perspective since maintenance and access to this property and its easement is reliant on one of the property owners. With another potential structure at the site this only increases my concern.

Should there be a civil conflict relating to the property, as there has been in the past, and access is denied or a physical barrier is erected this would seriously jeopardize our ability to meet our statutory obligation for providing fire suppression and life safety services to said properties. Additionally this could compromise the safety of our first responders in addition to the nearby property owners.

With a road or right of way the City is obligated to maintain access and subsequently can take both immediate and preemptive action to relieve any obstruction, this is obviously not the case with an access easement. In fact the only remedy that is available to Unalaska Fire & EMS to access the property and relieve or destroy any obstruction would be during an emergency which by that time it's already too late.

Concerns:

1. No right of way access to proposed subdivision.
2. No regulatory ability over access easement to ensure access is maintained.
3. Multiple civil property disputes relating to said access easement and related properties dating back to 2010.

285 Raven Way



132 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

Item 10:

RECEIPT OF HESTER SUBDIVISION

**City of Unalaska, Alaska
Platting Authority
Resolution 2015-01**

**A RESOLUTION APPROVING PRELIMINARY PLAT OF HESTER SUBDIVISION, A
RESUBDIVISION OF LOT 9 EAGLE VIEW SUBDIVISION, P-81-08, ALEUTIAN ISLANDS
RECORDING DISTRICT, LOCATED AT 12 EAGLE CREST COURT**

WHEREAS, UCO § 8.08.040 sets forth the conditions and procedures for abbreviated platting of land and provides that the Planning Director shall act as the Platting Authority; and

WHEREAS, Rodnie and Mechele Hester are the recorded owners of Lot 9 Eagle View Subdivision, P-81-08, with Tax ID of 06-05-510 in Unalaska; and

WHEREAS, the owner and applicant desires to resubdivide the existing lot into two lots and has submitted a preliminary plat to do so; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities, and Public Safety staff has reviewed the proposed plat; and

WHEREAS, notices were posted and mailed in accordance with Title 8, UCO §8.08.020(F); and


WHEREAS, the City of Unalaska Planning Department held a public hearing on January 15, 2015 to consider this platting action and to hear testimony of the public; and

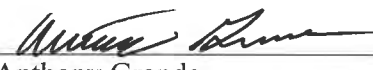
NOW THEREFORE BE IT RESOLVED, the Platting Authority approves the preliminary plat of the Hester Subdivision with the following conditions of approval in accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.08 (Platting and Subdivision):

1. Surveyor shall indicate the setback lines on the plat consistent with the current zoning.
2. Surveyor shall add a note stating "Lots 9A and 9B are zoned Single-Family Duplex Residential at the time of this platting action. For both lots, the minimum front and rear setback is 15 feet, the minimum side yard setback is 10 feet, the maximum coverage is 40%, and the maximum height of structures is 35 feet."
3. Utility service lines shall be installed for both lots prior to approval of the final plat, and their locations shall be shown on the final plat. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement, and any city utilities required on private land to serve this subdivision will have a dedicated easement shown on the final plat.
4. A closure report shall be submitted prior to the approval of the final plat.
5. Electronic versions of the final plat details in formats allowing for incorporation into the City's CADD and GIS programs shall be provided to the Department of Planning at the time of mylar submittal.

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

**APPROVED AND ADOPTED THIS 15th DAY OF January, 2015, BY THE
PLATTING AUTHORITY OF THE CITY OF UNALASKA, ALASKA.**


Erin Reinders, AICP, Planning Director
Platting Authority


Anthony Grande
Secretary

Item 11:

RECEIPT OF 12 MONTH EXTENSION

FOR

DEMEO SUBDIVISION

**City of Unalaska, Alaska
Platting Authority
Resolution 2015-02**

**A RESOLUTION APPROVING A 12-MONTH EXTENSION OF THE APPROVAL OF
PRELIMINARY PLAT OF DEMEO SUBDIVISION, A RESUBDIVISION OF LOT 2A
HULING SUBDIVISION, P-91-13, ALEUTIAN ISLANDS RECORDING DISTRICT,
LOCATED AT 140 STEWARD ROAD**

WHEREAS, UCO § 8.08.040 sets forth the conditions and procedures for abbreviated platting of land and provides that the Planning Director shall act as the Platting Authority; and

WHEREAS, Robert DeMeo is the recorded owner of Lot 2A, Huling Subdivision (06-05-535) addressed as 140 Steward Road; and

WHEREAS, the owner and applicant desires to split the lot into two lots in preparation for future development and has submitted the proposed preliminary plat to do so; and

WHEREAS, the City of Unalaska Departments of Planning, Public Works, Public Utilities, and Public Safety staff has reviewed the proposed plat; and

WHEREAS, the City of Unalaska Planning Department held a public hearing on January 16, 2014 to consider this platting action and to hear testimony of the public and approved the Preliminary Plat with Resolution 2014-01; and

WHEREAS, in accordance with Title 8 UCO Section 8.08.070(A)(4)(d), approval of a preliminary plat shall be for a period of 12 months, and the Platting Authority may grant an extension of the plat approval upon finding that it is in the public interest to do so; and

WHEREAS, the applicant has submitted a written request to extend the preliminary plat approval for a period of 12-month, and the Platting Authority has found that the extension is in the public interest


WHEREAS, notices were posted and mailed in accordance with Title 8, UCO §8.08.020(F); and

NOW THEREFORE BE IT RESOLVED, the Platting Authority approves a 12-month extension of the approval of the preliminary plat of DeMeo Subdivision, retaining the conditions outlined in Resolution 2014-01.

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

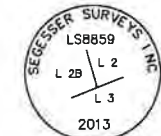
**APPROVED AND ADOPTED THIS 15th DAY OF January, 2015, BY
THE PLATTING AUTHORITY OF THE CITY OF UNALASKA, ALASKA.**


Erin Reinders, AICP, Planning Director
Platting Authority


Anthony Grande
Secretary

LEGEND

- = REBAR FOUND
- = REBAR W/ PLASTIC CAP SET THIS SURVEY
- ⊕ = PRIMARY MONUMENT SET THIS SURVEY
- S— = SEWER LINE
- W— = WATER LINE
- UE— = UNDERGROUND ELECTRIC
- UT— = UNDERGROUND TELEPHONE/TELEVISION



TYPICAL MONUMENT SET



TYPICAL PLASTIC CAP

North

NOTES:

- The Basis of bearing for this survey is N20°33'05"W and is based on the West property line of Lot 2A as shown on the plat of Huling Subdivision Plat No. 91-13, and filed in the Aleutian Islands Recording District.
- As of the date of survey, all public utilities are within the Right of Ways or have dedicated easements provided and the Right of Ways encompass the travelways.
- No Alaska Department of Environmental Conservation approval is required for this plat.
- Developers may not alter existing natural drainage without providing alternatives and/or drainage easements, if necessary.
- A Declaration of Covenants and Restrictions which affects this subdivision is recorded in Book 27 Page 593, A.I.R.D.
- Lots 1 and 2 are zoned Single Family Duplex Residential at the time of this platting action. For lots between 8,000 and 10,000 square feet, the setback for a yard fronting any street is 15 feet, side yard is 10 feet, and rear yard is 15 feet. Maximum lot coverage is 40% and maximum height of structure is 35 feet.

CITY APPROVAL

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

CITY CLERK

CHAIR OF THE PLATTING BOARD

ACCEPTANCE OF DEDICATION

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

MAYOR

CITY CLERK

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS DRAWING REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT TO THE NORMAL STANDARDS OF PRACTICE OF LAND SURVEYORS IN THE STATE OF ALASKA. I FURTHER CERTIFY THAT ALL KNOWN PUBLIC UTILITIES WITHIN THE PLATTED AREA ARE LOCATED WITHIN PUBLIC RIGHTS-OF-WAY OR WITHIN UTILITY EASEMENTS DEDICATED BY THIS PLAT.

REGISTERED LAND SURVEYOR

REGISTRATION NO.

DATE



Generals Hill Subd.
Plat 90-1
Lot 1C

Huling Subd.
Plat 91-13
Lot 2B

Lot 1A

Lot 2A

Lot 3A

Lot 3

Generals Hill Subd.

Plat 85-5

CERTIFICATE of OWNERSHIP
and DEDICATION

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE ALL RIGHTS-OF-WAYS AND PUBLIC AREAS TO THE PUBLIC, AND EASEMENTS TO THE USE SHOWN.

ROBERT L. DEMEO
P.O. BOX
DUTCH HARBOR, AK 99682

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

TAX CERTIFICATE

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

TAX OFFICIAL, CITY OF UNALASKA

DATE

DeMEO Subdivision

A resubdivision of Lot 2A Huling Subdivision,
Plat 91-13, Aleutian Islands Recording District.

Located within protracted Section 14, T73S, R18W, S.M.,
City of Unalaska, Alaska.

Containing 17129 s.f.

SEGESSER SURVEYS
30485 Rosland St.
Soldotna, AK 99669

JOB NO.	13056	DRAWN:	12-12-13
SURVEYED:	Dec., 2013	SCALE:	1"=20'
FIELD BK:	13-2	SHEET:	1 of 1