

**CITY OF UNALASKA, ALASKA  
PLANNING COMMISSION & PLATTING BOARD  
REGULAR MEETING  
FRIDAY, SEPTEMBER 16, 2016, 6:00 P.M.  
UNALASKA CITY HALL COUNCIL CHAMBERS  
AGENDA**

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CALL TO ORDER

ROLL CALL

REVISIONS TO THE AGENDA

APPEARANCE REQUESTS

ANNOUNCEMENTS

MINUTES: Planning Commission & Platting Board, August 18, 2016

PUBLIC HEARING

1. **RESOLUTION 2016-12:** APPROVING A VARIANCE FOR A FRONT YARD REDUCTION FROM 20 FEET TO 12.3 FEET AND A SIDE YARD REDUCTION FROM 10 FEET TO 9 FEET TO ALLOW FOR AN EXISTING OFFICE TRAILER ON LOT 1A, BLOCK 4, PTARMIGAN SUBDIVISION, LOCATED AT 683 EAST BROADWAY AVENUE.
2. **RESOLUTION 2016-13:** APPROVING A CONDITIONAL USE PERMIT FOR A TESTING LABORATORY ON LOT 10, CAPE CHEERFUL SUBDIVISION, LOCATED AT 2639 AIRPORT BEACH ROAD

OLD BUSINESS

*No Items*

NEW BUSINESS

1. **RESOLUTION 2016-12:** APPROVING A VARIANCE FOR A FRONT YARD REDUCTION FROM 20 FEET TO 12.3 FEET AND A SIDE YARD REDUCTION FROM 10 FEET TO 9 FEET TO ALLOW FOR AN EXISTING OFFICE TRAILER ON LOT 1A, BLOCK 4, PTARMIGAN SUBDIVISION, LOCATED AT 683 EAST BROADWAY AVENUE.
2. **RESOLUTION 2016-13:** APPROVING A CONDITIONAL USE PERMIT FOR A TESTING LABORATORY ON LOT 10, CAPE CHEERFUL SUBDIVISION, LOCATED AT 2639 AIRPORT BEACH ROAD

WORKSESSION

*No Items*

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.

## **PROCEDURES FOR THE CHAIR**

### Approval of Minutes

The Chair states: "The minutes were included in the packet. Are there any corrections to the minutes?" [pause to wait for commissioners to object]. "Hearing none, if there are no objections, the minutes are approved as printed."

OR

If there are objects to the minutes, then...

1. Ask for a motion to approve the minutes as printed. And a second.
2. Facilitate Commission discussion.
3. Amendments will need a motion and a second.
4. When there is no more discussion, call for a vote on any amendments.
5. Continue discussion until there is none further, then call for a vote on the minutes as amended.

### Public Hearings

1. Open the public hearing.
2. Notify the public that they may raise their hand and speak from their seats.
3. Read the title of the first item.
4. Ask if any member of the public wishes to speak to the item. They may do so by raising their hand.
5. When discussion has ended, read the title of the second item.
6. Again ask for public discussion.
7. Continue until all items on the public hearing are complete.
8. NOTE: No commissioners or staff should give any input during the public hearing.

### Resolutions under new business or old business

1. Read the title of the first resolution.
2. Ask for declaration of ex parte communications and conflicts of interest from commissioners.
3. Any question of whether a conflict of interest exists will be settled by a majority vote of the Commission. Members with a conflict will be asked to sit in the audience during this discussion/vote.
4. Ask for staff presentation.
5. Ask for questions from Commissioners of staff.
6. Ask for a presentation from the applicant.
7. Ask for questions from Commissioners of the applicant.
8. Ask for a motion to approve the resolution. And a second.
9. Facilitate commission discussion.
10. If any members of the public have signed up to speak on the topic, they will be given a chance to speak. The chair must set a time limit (such as 2 minutes) to each public comment. Time limits can be objected by commissioners and subsequently put to a vote if necessary.
11. Following public testimony, continue commission discussion until there is nothing further.
12. NOTE: Each member of the public only gets one chance to speak, but anyone who signs up with staff before the commission votes shall be given their one chance to speak before the vote occurs.
13. Call for a vote.
14. Repeat for each resolution on the agenda.

**CITY OF UNALASKA, ALASKA  
PLANNING COMMISSION & PLATTING BOARD  
REGULAR MEETING  
THURSDAY, AUGUST 18, 2016, 6:00 P.M.  
UNALASKA CITY HALL COUNCIL CHAMBERS  
MINUTES**

**CALL TO ORDER:** Acting Chair Williams called the meeting to order at 6:03 PM. Acting Chair Williams turned the proceedings over to Director Anthony Grande, as Secretary of the Commission. Mr. Grande stated there was no quorum and resolved to reconvene in 10 minutes.

Acting Chair Williams called the meeting to order at 6:09pm and turns proceedings to Mr. Grande. Without objection, Mr. Grande stated that he would run through the agenda, as the Secretary of the Commission, in the absence of the Chair.

**ROLL CALL**

Physically Present

Doanh Tran  
Lottie Roll  
Vicki Williams

Unexcused

Jessica Earnshaw  
Billie Jo Gehring

Staff Present

Anthony Grande, Planning Director, Secretary of the Commission  
Thomas Roufos, Associate Planner

**REVISIONS TO THE AGENDA:** None

**APPEARANCE REQUESTS:** None

**ANNOUNCEMENTS:** Secretary Anthony Grande announced that there will be a commissioner training session on Saturday, September 17, 2016. It will be a most of the day activity, most likely 9am to 5 pm. The time and schedule is not yet worked out. There will be food and coffee. There is a person from the State that will be coming out to talk and do the training with the commissioners. She has worked with Planning Commissions in small communities in rural Alaska. Secretary Anthony Grande announced that he would like to move the Thursday, September 15, 2016 meeting to Friday, September 16, 2016 so that the person from the State can sit in on the meeting. There was no objection from the Commissioners.

Commissioner Roll announced that culture night is tonight (Polynesian) and tomorrow (Filipino) night and the next day is HOA.

Acting Chair Williams stated the funeral for Nina "Nellie" Bereskin will be tomorrow at 11am.

**MINUTES:** Mr. Grande asked if there were any objections to the minutes of the July 21, 2016 meeting of the Planning Commission & Platting Board. Hearing none, Mr. Grande declared the minutes approved without objection.

PUBLIC HEARING

1. **RESOLUTION 2016-08:** APPROVING PRELIMINARY PLAT OF COXCOMB SUBDIVISION ADDITION NO. 1, A REPLAT OF LOTS 1 AND 2, COXCOMB SUBDIVISION, AND A PORTION OF UNSUBDIVIDED GOV. LOT 4, SECTION 1, T73S, R118W, SM

Mr. Grande asked if any member of the public would like to testify. Hearing none, Mr. Grande closed public hearing for Resolution 2016-08.

#### OLD BUSINESS

*No Items*

#### NEW BUSINESS

1. **RESOLUTION 2016-08:** APPROVING PRELIMINARY PLAT OF COXCOMB SUBDIVISION ADDITION NO. 1, A REPLAT OF LOTS 1 AND 2, COXCOMB SUBDIVISION, AND A PORTION OF UNSUBDIVIDED GOV. LOT 4, SECTION 1, T73S, R118W, SM

Mr. Grande asked if there are any ex parte communications or conflicts of interest by commissioners. Hearing None, Mr. Grande called for staff presentation.

Associate Planner Thomas Roufos explained that this property is going to have its Right-Of-Way rerouted to be in accordance with an agreement with OC. This will bring the Right-Of-Way more in line with the existing traveled road way. Mr. Roufos explained that in 2002 the City and OC agreed to vacate the Right-Of-Way through the center of the dump. The new Right-Of-Way is outside of the dump. This is to bring paper documents to match the current Right-Of-Way. The Right-Of-Way through the dump has not been open to public due to danger. It will be open during business hours, but we will be vacating up to the edge of the road. We will be getting rid of a lot line for it to be in accordance with code 8.12 Zoning, no lot under 10,000 sqft. 808070A3D this will be met. The road will still be maintained as a roadway.

Thomas Roufos explained that it is the Planning Department's recommendation that the Commission approve this Resolution 2016-08.

Acting Chair Williams asked Thomas Roufos to read the last 'now where-as'

Thomas Roufos stated now therefore be it resolved the platting board approves the preliminary plat of Coxcomb Subdivision Addition 1 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 closure report shall be submitted. 2. Electronic versions of the final plat shall be provided to the Department of Planning at the time of mylar plat submittal, allowing for incorporation into the City's CADD and GIS programs.

Acting Chair Williams thanked Thomas Roufos for stating that.

Mr. Grande asked the Commissioners if they had any question for Staff. Thomas Roufos wanted to add to his report. He stated to the Commissioners that because this will be a vacation of a public Right-Of-Way that this will go to the City Council. Hearing no more, Mr. Grande asked if there is any further public testimony.

Hearing none, Mr. Grande asked for a motion to approve Resolution 2016-08. Commissioner Roll made a motion to approve Resolution 2016-08. Commissioner Tran seconded. Mr. Grande asked if there is any further Commissioners discussion, Hearing none. Noting that no member of the public had signed up to speak to this item, Mr. Grande called for a vote to approve the Resolution 2016-08. The vote was unanimous (3-0), and the Resolution 2016-08 was approved.

2. **REPORT OF PLANNING DETERMINATION:** DATED 7/12/2016 REDUCING THE FRONT YARD REQUIREMENT FROM 20 FEET TO 18 FEET AT 55 CHOATE LANDE (NO COMMISSIONER ACTION NEEDED)

Director Anthony Grande stated that all determinations made by the Planning Director need to be reported to the Commission according to code and all determinations are appealable to the Commission by effected parties. Code

allows the Director to give a variance of 10% or less. Without objecting, Secretary Anthony Grande moved to item number 3.

**3. RESOLUTION 2016-11: ESTABLISHING GOALS FOR THE PROCESS AND OUTCOME OF THE COMPREHENSIVE PLAN REWRITE PROJECT**

Director Anthony Grande stated that this resolution is related to establishing goals for the comprehensive plan project that was mentioned at the last meeting. He stated that we can add other goals or amendments if the Commissioners had any. Mr. Grande stated that at last month's meeting the Comprehensive Plan Rewrite project was talked about and received lots of positive feedback. We have been moving forward with the project and would like to have goals written out and clearly stated to help out later down the road.

Mr. Grande stated he would like Commissioner input and decide if they agree with the goals or if they should be amended. This project is going to take a year or more and the process will be a long one. He stated that having goals approved and written in stone to ensure that the project follows the goals into the future. He stated that he had three goals written for the process, and he reviewed them individually.

Mr. Grande stated that he also has three goals for the outcome, and he reviewed them individually.

Mr. Grande asked for a motion to approve. Acting Chair Williams motioned to approve Resolution 2016-11. Commissioner Tran seconded the motion.

Mr. Grande asked for Commissioner input starting with Acting Chair Williams.

Acting Chair Williams stated that she liked that he said that we want to write to people and want to get ahold of people in ways that are easy for elders and she also liked that we want to make this document and process easy to read and understand. She stated that is why people don't come to the meetings. She stated to get locals to come we need to write things in simple language.

Commissioner Tran stated that she thinks the resolution highlights the goals that were talked about in the last meeting. She also suggested the Planning Department keep documents of statements and comments from the public.

Mr. Grande replied that all the comments that are submitted to the Planning Department are valued and looked at. He stated that we should keep a log of the comments. He also stated that we can track the comments geographically with our GIS systems, the comments can be put in specific spots on the map and can be pulled up later and know where the comment was made on the map.

Commissioner Tran asked if it was public or not. Mr. Grande stated that our GIS information is not currently open to the public but could be in the future.

Mr. Grande asked if there is any further Commissioners discussion, Hearing none. Secretary Anthony Grande called for a vote to approve the Resolution 2016-11. The vote was unanimous (3-0), and the Resolution 2016-11 was approved.

**WORKSESSION**

*No Items*

**ADJOURNMENT:** Acting Chair Williams adjourned the meeting at 6:43 PM.

PASSED AND APPROVED THIS 16<sup>th</sup> DAY OF SEPTEMBER, 2016 BY THE CTY OF UNALASKA PLANNING COMMISSION.

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Jessica Earnshaw  
Commission Chair

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Date

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Anthony Grande, AICP  
Secretary of the Commission

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Date

Prepared by Morgyn McConnell and Anthony Grande, Planning Department

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

**A RESOLUTION APPROVING A VARIANCE FOR A FRONT YARD REDUCTION FROM 20 FEET TO 12.3 FEET AND A SIDE YARD REDUCTION FROM 10 FEET TO 9 FEET TO ALLOW FOR AN EXISTING OFFICE BUILDING ON LOT 1A, BLOCK 4, PTARMIGAN SUBDIVISION, LOCATED AT 683 EAST BROADWAY AVENUE.**

Project Information	
<b>Land Owner</b>	C & G LLC
<b>Applicant</b>	Glenn Olson
<b>Location</b>	683 East Broadway Avenue
<b>Property Identification</b>	06-02-480
<b>Application Type</b>	After The Fact Variance For Development
<b>Project Description</b>	Office space expansion project
<b>Zoning</b>	General Commercial
<b>Exhibits</b>	Draft Resolution 2016-12, Variance Application and Supplemental Materials, Location Map
<b>Staff Recommendation</b>	Approval of Resolution 2016-12 With Associated Conditions

**PLAN GUIDANCE**

- The Unalaska Comprehensive Plan 2020 identifies a vision for the future that includes the following:
  - The plan identifies that landowners should be supported in their effort to accommodate the growth of local businesses, the city should not stand in the way of such pursuits. "Owners of appropriate land area in Unalaska should be encouraged and supported in their efforts to provide such land to accommodate the development needs of local businesses and industries."
- The Unalaska Land Use Plan 2015 calls for an increase in Commercial Use on East Broadway Ave, and a 3% increase overall.

**CODE REQUIREMENTS**

- According to UCO §8.12.070(G), properties in the General Commercial district require a 20 foot front, and 10 foot side yard setback.
- 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:
    - 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;*



- (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. The property in question is at the intersection of East Broadway Ave and the town-ward side of Loop Road. The applicant owns the property.
2. The property in question is currently in use as a vehicle repair shop in keeping with its conditional use permit 96-32, stating that the vehicle repair shop condition is maintained by the land, and not per owner.
3. The owner is asking for a side lot variance of 1-foot, which would normally be permitted as a planning determination. The front lot is shortened to 12.3 feet in order to meet the topography of the lot.
4. The topography of the lot, shown in the supplemental material submitted by the applicant, demonstrates the difficulties presented by the terrain. In particular, to reasonably place the structures on the lot with the terrain, the orientation of the building will not coincide with the orientation of the lot lines, causing portions of the building to cross into the front and rear yards.
5. The existing construction crosses over into a water easement that extends into the property, but the construction does not cross the existing water line. There is a condition in the resolution to have the easement either vacated or a special dispensation from Public Utilities to exist on top of the easement.

### **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. *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*  
 Staff finds that the granting of this variance is necessary to relieve the applicant of hardship caused by the natural topography of the property. The first test is met.
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*  
 Staff finds that the granting of this variance is necessary to preserve a property right of the applicant substantially the same as other landowners in the same zoning district. The property is of sufficient size that the landowner can expect to be able to build the proposed structures, except for the topography issues. The second test is met.
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*  
 Staff finds that the granting of this variance will not have any negative impacts on the community or the surrounding properties. Condition #1 of approval confirms that there will be no interference or obstruction with the roadway. The third test is met. Condition #2 will ensure the conflicting easement is protected or otherwise removed as deemed acceptable by the DPU. Condition #3 prevents the structure from having a negative impact on the community in terms of fair utility billing. Condition #4 protects neighboring structures by acquiring Fire Marshal approval.

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*

Staff finds that the granting of this variance does not conflict with the goals of the Comprehensive Plan, but supports the goals related to increasing the amount of General Commercial land use in the community as laid out in the Land Use Plan of 2015, nor will it be detrimental to the Zoning Code (UCO Chapter 8.12). 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 with the associated conditions of approval identified in Resolution 2016-12.

**City of Unalaska, Alaska  
Planning Commission/Platting Board  
Resolution 2016-12**

**A RESOLUTION APPROVING A VARIANCE FOR A FRONT YARD REDUCTION FROM 20 FEET TO 12.3 FEET AND A SIDE YARD REDUCTION FROM 10 FEET TO 9 FEET TO ALLOW FOR AN EXISTING OFFICE BUILDING ON LOT 1A, BLOCK 4, PTARMIGAN SUBDIVISION, LOCATED AT 683 EAST BROADWAY AVENUE.**

**WHEREAS**, this is a variance requested after the fact; and

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

**WHEREAS**, the applicant, C & G LLC, is an organization owned and authorized by Glenn Olson, the owner of Lot 1A, Block 4, Ptarmigan Subdivision, P-91-14, Aleutian Islands Recording District (06-02-480); and

**WHEREAS**, the property is zoned General Commercial; and

**WHEREAS**, the setback requirements are 20 foot front, and 10 foot side yard setbacks; and

**WHEREAS**, the applicant has submitted a variance request to allow the required setbacks to be changed to 12.3 feet and 9 feet respectively; and

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

**WHEREAS**, the topography of the lot demonstrates the difficulties presented by the terrain; and

**WHEREAS**, the Planning Commission/Platting Board conducted a public hearing on September 16, 2016 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 12.3 foot front yard setback and 9 foot side yard setback variance to allow the existing office trailer setbacks on Lot 1A, Block 4, Ptarmigan Subdivision, P-91-14, located at 683 East Broadway Avenue with the following conditions of approval:

1. The applicant must continue to adhere to the stipulations of Conditional Use Permit 96-32.
2. The building is currently on top of an existing City utility easement, which is in violation of the easement terms. This variance approval does not grant an exception to the easement. This variance shall not be construed to imply that the building is, should, or could be exempt from the easement terms or that the City is willing to allow the easement to be amended. Prior to issuance of the variance, the easement conflicting with this development must be amended, such that the building will not be on top of the easement, or the development must be granted a special exception from Department of Public Utilities. Until such time that a written document – explaining the amended easement or exception thereof – is signed by the City and landowner, no variance permit or building permit will be issued.
3. Prior to issuance of the variance, the applicant must have an electric meter that meets the standards of the Department of Public Utilities for two units. The options are: 1) Two electric meters, one for each unit; or 2) One electric meter registered with the utility billing department as two units.
4. The applicant must show Fire Marshal approval for the structure.

NOTE: The Planning Commission does not have the authority to allow a landowner to build within an easement, and this Resolution does not authorize the structure to be maintained within an easement.

This resolution approves the conditional use only as it applies to the existing building and use, and becomes effective once the Planning Department issues the conditional use permit. Issuance of the conditional use permit is contingent upon 1) that there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.200(E); and 2) that all conditions listed above are satisfied by the applicant. Following its issuance, the applicant has the responsibility to maintain compliance with all conditions, and for any failure to abide by these conditions, the Planning Department may revoke the conditional use permit and enforce abatement proceedings on the property as a public nuisance, according to UCO §8.12.220(F), 8.12.220(H), and Chapter 11.12.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

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Jessica Earnshaw  
Planning Commission Chair

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Anthony Grande, AICP  
Recording 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](mailto:planning@ci.unalaska.ak.us)  
Website: [www.ci.unalaska.ak.us](http://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)

Set back variance.

Current Zone Designation: general commercial Proposed Zone Designation(s) (if applicable): \_\_\_\_\_

Current Land Use(s): maintenance lot Proposed Land Use(s) (if changing): adding office space

Property Owner: C + G LLC

Property Owner Address: 3610 Mere Cir. Anchorage, AK 99502

Street Address of Property: 683 East Broadway Ave

Applicant's Name: Glenn Olson

Mailing Address: P.O. Box 810 Unalaska, AK 99685

Email: Northernmechanical@gmail.com Day Time Phone: (907) 581-1512 Message Phone: \_\_\_\_\_

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.: 02-02-480 Lot: 1A Block: 4 Tract: \_\_\_\_\_

Subdivision: Ptarmigan Subdivision USS: \_\_\_\_\_

Section(s): \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

**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: John Regesser

Firm Name: Regesser Survey

Address: 30485 Rosland Ct. Soldotna Alaska 99669

Contact Details: Email reggy@ptialaska.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 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.

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### CERTIFICATION:

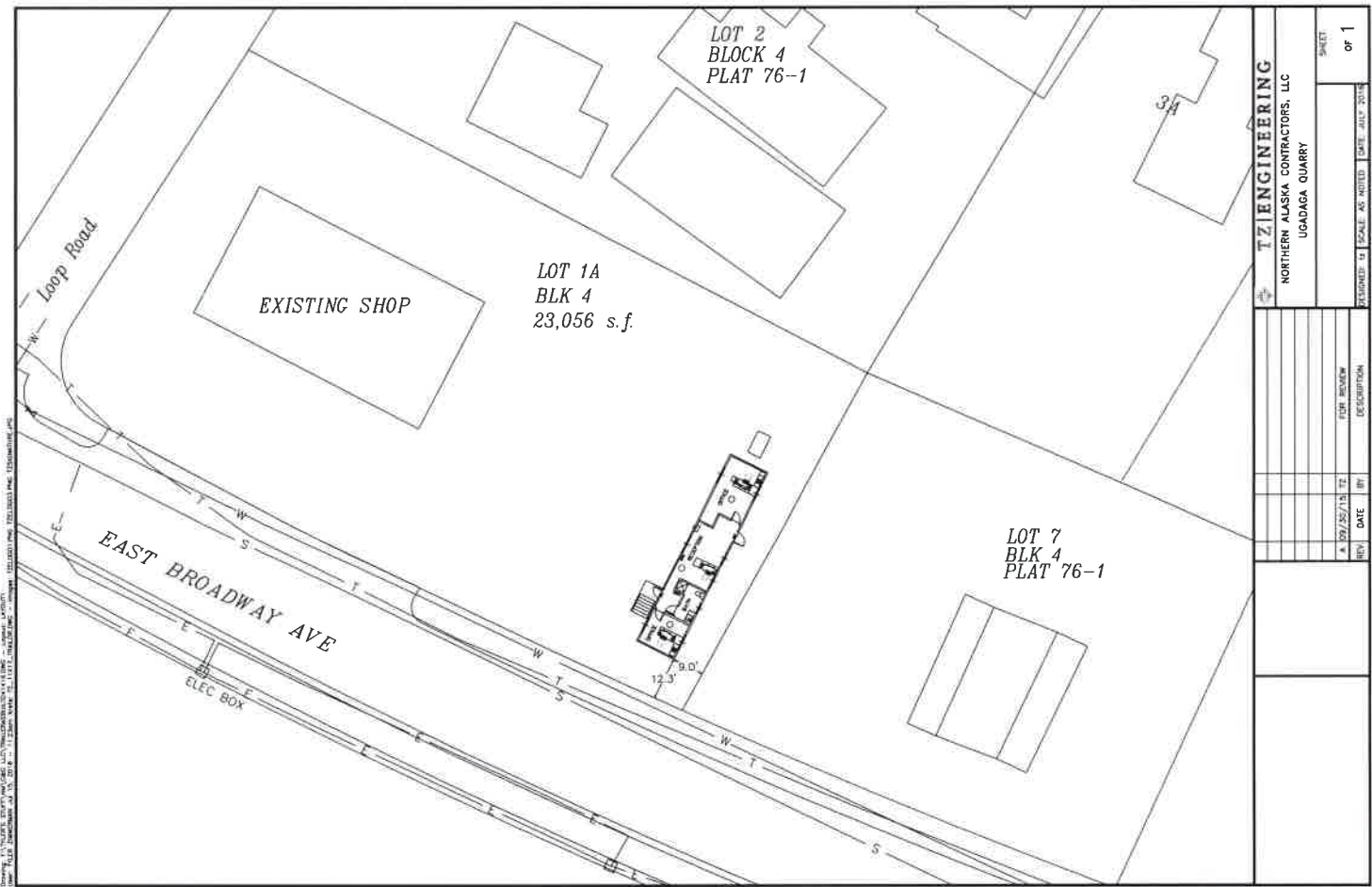
I hereby certify that (I Am) (I have been authorized to act for\*) the owner of the property described above and that I desire a planning action for this property in conformance with the Title 8, UCO and hereby dispose and say that all of the above statements are true. I am familiar with the code requirements 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**





TZI ENGINEERING  
 1000 W. 10TH AVENUE, SUITE 100  
 ANCHORAGE, ALASKA 99501  
 TEL: 283-1111 FAX: 283-1112  
 WWW.TZIENGINEERING.COM

<b>TZI ENGINEERING</b> NORTHERN ALASKA CONTRACTORS, LLC UGADAGA QUARRY		SHEET of 1	
REV	DATE	BY	DESCRIPTION
1	4/20/2015	TZ	FOR REVIEW
DESIGNED BY SCALE AS NOTED DATE 4/15/2015			



# C & G Location Map



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

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A TESTING  
LABORATORY ON LOT 10, CAPE CHEERFUL SUBDIVISION, LOCATED AT 2639  
AIRPORT BEACH ROAD**

Project Information	
<b>Land Owner</b>	Ounalashka Corporation
<b>Applicant</b>	David Gregory
<b>Location</b>	2639 Airport Beach Road
<b>Property Identification</b>	01-10-100
<b>Application Type</b>	Conditional Use Permit
<b>Project Description</b>	Dry and Wet Laboratory
<b>Zoning</b>	General Commercial
<b>Exhibits</b>	Draft Resolution 2016-13, Conditional Use Permit Application and Supplemental Materials, Location Map
<b>Staff Recommendation</b>	Approval of Resolution 2016-13 With Associated Conditions

**PLAN GUIDANCE**

1. The Unalaska Comprehensive Plan 2020 identifies a vision for the future that includes the following:
  - The plan identifies that landowners should be supported in their effort to accommodate the growth of local businesses, the city should not stand in the way of such pursuits. "Owners of appropriate land area in Unalaska should be encouraged and supported in their efforts to provide such land to accommodate the development needs of local businesses and industries."
2. The Unalaska Land Use Plan 2015 calls for an increase in Commercial Use on Airport Beach Road, and a 35% increase overall in the neighborhood.

**CODE REQUIREMENTS**

1. According to UCO §8.12.070(D)(17) states that research and testing laboratories may be permitted as conditional uses in this district upon approval of the Planning Commission.
2. UCO §8.12.200(C) states that at a public hearing, the Planning Commission is to determine that the conditional use meets the following three tests and may apply site or development conditions, pursuant to UCO §8.12.200(D)(2), in order to ensure that the three tests are met.
  1. Furthers the goals and objectives of the Comprehensive Development Plan; and
  2. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district; and
  3. Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district.

**BACKGROUND**

1. This particular property is an older WWII warehouse that has held several businesses, most recently a bowling alley. The property owners are intending to establish a fish testing laboratory, complete with wet and dry labs, fume hoods, and the necessary protective equipment for a fish testing lab.
2. The conditional use requested in this case is for the laboratory itself, a specifically named conditional use in Section 8.12.070 (D) of the Unalaska Code of Ordinances.

**FINDINGS**

The purpose of the conditional use permit is to allow for a specific use to be examined on a case-by-case basis with consideration to the uniqueness of the situation and public testimony. The Planning Commission is to

approve the request when it finds that the three-part test is satisfied. Staff finds that all three tests are met as follows.

*1. Furthers the goals and objectives of the Comprehensive Development Plan*

The conditional use furthers the objectives of the Comprehensive Plan by providing supporting the local fishing industry and enhancing the future sustainability of the fishing industry - and by extension our community - by providing data to the fisheries. The comprehensive plan states the city should support and encourage efforts to accommodate the development needs of local businesses and industries.

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

The conditional use is compatible with the surrounding land uses and neighborhood character, as the structure's exterior will not change with the renovation, and the general character of the neighborhood is decidedly commercial/industrial given its location in proximity to the Airport and other commercial businesses along Airport Beach Road.

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

The conditional use will not have a negative impact on the surrounding area because the impact of the use is minimal. The use will remain internal to the structure, which has operated in a commercial capacity for years. The initial condition exists to ensure that with future development of the building the lab will always be considered. Condition #2 exists to ensure that there will be sufficient parking for the structure, no matter the use. Condition #3 ensures that the Phase II residential buildout on the attached plan will not be built as part of this Conditional Use. Condition #4 will ensure that a service line backflow preventer of sufficient construction will protect the city water system in the event of a backflow, additionally recommending isolating the lab from the rest of the building. Condition #5 requires a Fire Marshal approval to protect the building and surrounding buildings in the event of fire.

**RECOMMENDATION**

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review team, recommends that the Planning Commission approve the conditional use request with the associated conditions of approval identified in Resolution 2016-13.

**City of Unalaska, Alaska  
Planning Commission/Platting Board  
Resolution 2016-13**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A TESTING  
LABORATORY ON LOT 10, CAPE CHEERFUL SUBDIVISION, LOCATED AT 2639  
AIRPORT BEACH ROAD**

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

**WHEREAS**, the applicant, Ounalashka Corporation, is the recorded owner of Lot 10, Cape Cheerful Subdivision, P-89-11, Aleutian Islands Recording District (01-10-100); and

**WHEREAS**, the property is zoned General Commercial; and

**WHEREAS**, UCO §8.12.070(D)(17) states that research and testing laboratories may be permitted as conditional uses in this district upon approval of the Planning Commission; and

**WHEREAS**, the applicant has submitted a conditional use permit application to allow for a fish testing wet and dry laboratory; and

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

**WHEREAS**, the encouragement, and support of the needs, of local businesses is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

**WHEREAS**, the City of Unalaska Planning Commission held a public hearing on September 16, 2016 to consider this request and to hear testimony of the public, and

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

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

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

**THEREFORE BE IT RESOLVED**, that the Planning Commission approves the conditional use permit for a testing lab on Lot 10, Cape Cheerful Subdivision, 2639 Airport Beach Road, with the following conditions of approval:

1. This approval only applies to the building as it is at the time of approval. Any alterations to the building that significantly change the appearance or modify the building footprint in any way shall void the conditional use permit. The landowner must obtain a new conditional use permit prior to any such alterations.

2. 7 parking spaces shall be maintained on the property for the duration of the use, in accordance with UCO §8.12.170(K).
3. This permit is only applicable to the portion of the site plan identifying Phase I of construction (the laboratory) and not Phase II (the residential units). This permit expressly does not apply to the residential portion of the plan in Attachment A.
4. An RP backflow preventer and double check of the appropriate design must be installed on the service line to protect the city's water supply. A backflow preventer between the lab and rest of the building is recommended but not required. Consult Title 10 or the City Water Department for more information.
5. Applicant must show proof of Fire Marshal approval.

This resolution approves the variance only as it applies to the site plan submitted and shown in Attachment A, and becomes effective once the Planning Department issues the variance permit. Issuance of the variance permit is contingent upon 1) that there are no appeals within ten (10) working days from the decision date, as outlined in UCO §8.12.200(E); and 2) that all conditions listed above are satisfied by the applicant. Following its issuance, the applicant has the responsibility to maintain compliance with all conditions, and for any failure to abide by these conditions, the Planning Department may revoke the variance permit and enforce abatement proceedings on the property as a public nuisance, according to UCO §8.12.220(F), 8.12.220(H), and Chapter 11.12.

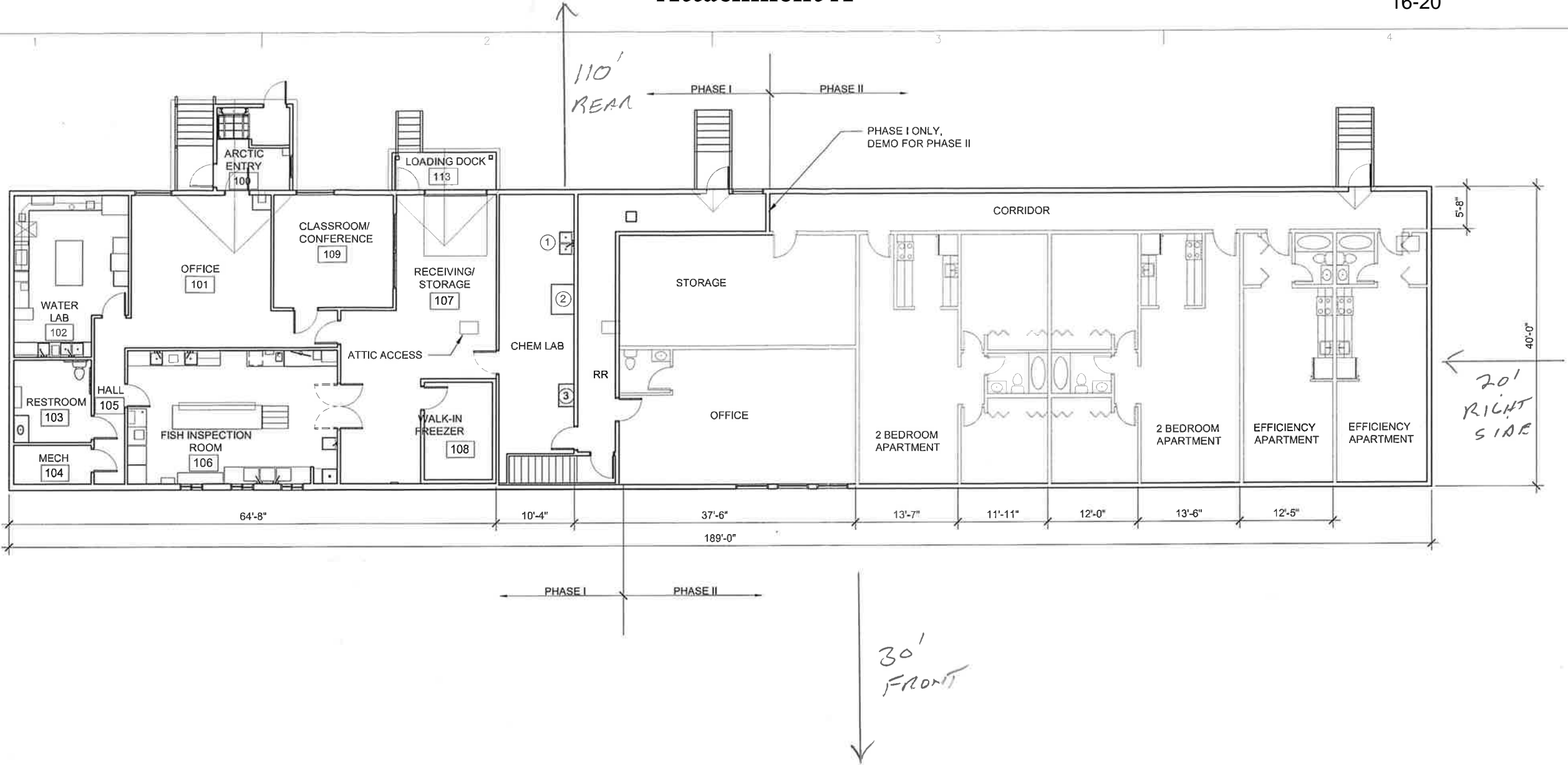
APPROVED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BY THE  
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

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Jessica Earnshaw  
Commission Chair

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Anthony Grande, AICP  
Secretary of the Commission



**C1** OVERALL BUILDING FLOOR PLAN - MAIN LEVEL CONCEPT DESIGN  
**A2.0** 1/8" = 1'-0" (22x34); 1/16" = 1'-0" (11x17)

- PROPOSED CHEM LAB EQUIPMENT AND FURNISHINGS LIST:
- 1. TWO HOLE SINK
  - 2. FUME HOOD-VENTED (48"Wx36"D)
  - 3. MUFFLE FURNACE-VENTED (36"Wx24"D)

NOTES:  
1. HALFTONE DENOTES WORK TO BE COMPLETED IN PHASE II CONSTRUCTION

NOT FOR CONSTRUCTION

PLOTTED 1/2 SCALE

SCALE: AS SHOWN

AutoCAD FILE: 100013416.dwg

PRELIMINARY

OUNALASHKA BUILDING  
OFFICE & HOUSING

PROJECT:  
OUNALASHKA CORPORATION  
P.O. BOX 149  
UNALASKA, AK 99685-0149

KLAUDER & COMPANY  
ARCHITECTS, INC.

606 Petersen Way  
Kenai, Alaska 99611  
Tel (907) 283-1919 : Fax (907) 283-0450  
klauder@alaska.net

DESIGN BY:  
PK  
DRAWN: BC, KG, EF  
CHECKED: PK  
JOB NO: 1626  
DATE: June 13, 2016  
REVISIONS:

CATEGORY: A  
SHEET: 2.0  
SHEET CONTENTS:  
OVERALL BUILDING  
FLOOR PLAN -  
MAIN LEVEL  
CONCEPT DESIGN



## 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](mailto:planning@ci.unalaska.ak.us)  
Website: [www.ci.unalaska.ak.us](http://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)

Current Zone Designation: GC Proposed Zone Designation(s) (if applicable): \_\_\_\_\_

Current Land Use(s): \_\_\_\_\_ Proposed Land Use(s) (if changing): \_\_\_\_\_

Property Owner: Unalaska Corporation

Property Owner Address: 400 Salmon Way

Street Address of Property: 2639 Airport Beach

Applicant's Name: Unalaska Corporation

Mailing Address: PO Box 149 - Unalaska

Email: gregory@unalaska.com Day Time Phone: 581 1296 Message Phone: \_\_\_\_\_

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



Description of Request.

This project involves remodeling the 2<sup>nd</sup> floor of the 443 Building located at 2639 Airport Beach Road.

The build-out will include Offices and two small Labs which we understand require a Conditional Use Permit.

There will no residential occupancy at this time.

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

Tax Lot ID No.: 0110100 Lot: 10 Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Subdivision: Cape Cheerful USS: \_\_\_\_\_

Section(s): \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

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**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)**

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**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

8-25-2016  
Date

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



# OC Location Map



427 ft



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