

**CITY OF UNALASKA, ALASKA
PLANNING COMMISSION & PLATTING BOARD
REGULAR MEETING
THURSDAY, MARCH 18, 2021, 6:00 PM
AGENDA**

CALL TO ORDER

ROLL CALL

REVISIONS TO THE AGENDA

APPEARANCE REQUESTS

ANNOUNCEMENTS

MINUTES: Draft minutes from the meetings on February 18, 2020

PUBLIC HEARING

1. **RESOLUTION 2021-04:** A RESOLUTION APPROVING THE PRELIMINARY PLAT OF DARSNEY WARREN SUBDIVISION, A REPLAT OF LOTS 4A-1 AND 4B-1 OF AERIE SUBDIVISION, PLAT 89-01, AIRD
2. **RESOLUTION 2021-05:** A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A WATER BOOSTER PUMP ON A PARCEL ZONED SINGLE FAMILY DUPLEX AT LOT 4C, DARSNEY WARREN SUBDIVISION, PLAT _____
3. **RESOLUTION 2021-06:** A RESOLUTION APPROVING THE PRELIMINARY PLAT OF HENNING SUBDIVISION, A REPLAT OF LOT 14, BLOCK 8, HAYSTACK HILL SUBDIVISION, PLAT 91-14, AIRD
4. **RESOLUTION 2021-07:** A RESOLUTION APPROVING A VARIANCE TO THE REAR YARD SETBACK OF 15 FEET TO 10 FEET ON THE PROPOSED LOT 2 OF THE PROPOSED HENNING SUBDIVISION
5. **RESOLUTION 2021-08:** A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A TRIPLEX ON A PARCEL ZONED SINGLE FAMILY DUPLEX ON THE PROPOSED LOT 3 OF THE PROPOSED HENNING SUBDIVISION

OLD BUSINESS

No Items

NEW BUSINESS

1. **RESOLUTION 2021-04:** A RESOLUTION APPROVING THE PRELIMINARY PLAT OF DARSNEY WARREN SUBDIVISION, A REPLAT OF LOTS 4A-1 AND 4B-1 OF AERIE SUBDIVISION, PLAT 89-01, AIRD
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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.

Thomas Roufos

From: Anthony Grande
Sent: Thursday, April 27, 2017 3:44 PM
To: Thomas Roufos; Bil Homka; Morgyn McConnell
Subject: FW: AT&T TeleConference Reservationless Registration Confirmation - Host Copy (Folder ID: 184534940)

From: AT&T TeleConference Services [<mailto:teleconferences@att.com>]
Sent: Monday, May 02, 2016 3:26 PM
To: Anthony Grande
Subject: AT&T TeleConference Reservationless Registration Confirmation - Host Copy (Folder ID: 184534940)



TeleConference
Services

TeleConference Folder Id: 184534940

Registration Conference Name: RESERVATIONLESS SERVICE ACCOUNT 1

CHANGED

**RESERVATIONLESS AUDIO DIAL IN
Registration Confirmation**

Please review this information and contact TeleConference Services at (800)526-2655 if there are any changes.

ACCESS INFORMATION

----- Audio Conference -----

USA Toll-Free: 888-808-6929

USA Caller Paid/International Toll: 213-787-0529

ACCESS CODE: 6692621

HOST AND A

Conference Host

Phone Number

Conference Arranger

Phone Number

OPTIONAL

- ☐ Audio-Only Recording
- ☐ Change Host Password
- ☐ Host Dial Out
- ☐ Operator Dial Out
- ☐ Tones on Entry/Exit

SPECIAL NOTES

- * Should you need assistance during your conference, please press *# for a list of menu options and *0 to obtain Specialist assistance.
- * **Special Tip:** Always remember to set a date for a follow-up conference while all participants are on the call.

City of Unalaska
UNALASKA PLANNING COMMISSION

P. O. Box 610 • Unalaska, Alaska 99685
(907) 581-1251 • www.ci.unalaska.ak.us

Regular Meeting
Thursday, February 18, 2021
6:00 p.m.

Unalaska City Hall
Council Chambers
43 Raven Way

Commission Members
Ian Bagley
Vacant

Travis Swangel, Chairman

Commission Members
Vicki Williams
Helen Brown

MINUTES

-
1. Call to order. Commissioner Swangel called the Meeting of the Unalaska Planning Commission to order at 6:00 pm, on February 18, 2021, in the Unalaska City Hall council chambers.
 2. Roll call
Present:
Vicki Williams
Travis Swangel
Helen Brown
Ian Bagley

Absent
 3. Revisions to the Agenda – None.
 4. Appearance Requests – None.
 5. Announcements – Travis mentioned a new non -profit Avalanche awareness training. Swangel for Planning Commission Chair, motion passed by consensus 4/0. Brown for vice chair motion passed by consensus 4/0.
 6. Minutes – Williams made a motion to accept the minutes of the December 18th Planning Commission meeting. Bagley seconded the motion. Minutes were approved 4/0
 7. Public Hearing – Paula from APIA Head Start and Denise from Ounalashka present via teleconference.
 8. Old Business – None.
 9. New Business –
 1. **RESOLUTION 2021-01:** A RESOLUTION APPROVING THE PLANNING COMMISSION & PLATTING BOARD 2020 ANNUAL REPORT AND FILING THE SAME WITH THE UNALASKA CITY COUNCIL.

Williams makes a motion to pass 2021-01, Brown seconds, motion passes by consensus.

2. **RESOLUTION 2021-02:** A RESOLUTION IN APPRECIATION OF AND ACCEPTING THE RESIGNATION OF JASON GATES, WHO AS A MEMBER OF THE CITY OF UNALASKA PLANNING COMMISSION PROVIDED VALUABLE SERVICE TO THE CITY OF UNALASKA, AND DECLARING THE SEAT VACANT EFFECTIVE JANUARY 09, 2021.

Bagley makes a motion to pass 2021-02, Brown seconds, motion passes by consensus.

3. RESOLUTION 2021-03: A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO PLACE A HEAD START FACILITY ON A LOT ZONED HIGH-DENSITY RESIDENTIAL AT TRACT A-2, TIGLAX SUBDIVISION ADDITION NUMBER 1, PLAT _____, AIRD.

William's makes a motion to pass 2021-03, Brown seconds, motion passes by consensus

10. Work session –

1. Notification of platting action by Planning Director as Platting Authority. - Homka mentioned time delays due to the recording off and other professional service being off island reiterating the City of Unalaska not having control over time delays.

2. Draft CMMP Presentation. – The Planning Department explained new budgets and changes. Williams would like to revisit priority list, Swangel seconds.

1. Adjournment – Meeting adjourned at 6:53 pm.

Bil Homka
Planning Director

Date

Travis Swangel
Planning Commission Chairman

Date

Prepared by Jasmine Gonzalez, Administrative Assistant



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)

Requesting that the City of Unalaska grant the City of Unalaska a Conditional Use Permit so that the General Hill Booster Pump capital project can proceed through to the bid and construction phases of the project.

Current Zone Designation: Residential Single Family/Duplex Proposed Zone Designation(s) (if applicable): _____

Current Land Use(s): Residential Proposed Land Use(s) (if changing): Public Utility

Property Owner: City of Unalaska

Property Owner Address: 43 Raven Way Unalaska, AK 99685

Street Address of Property: Somewhere between 264 and 312 Eagle Drive

Applicant's Name: City of Unalaska, Department of Public Works, Marc Kielmeyer

Mailing Address: PO Box 610 Unalaska, AK 99685

Email: mkielmeyer@ci.unalaska.ak.us Day Time Phone: 907-581-1260 x8107 Message Phone: 907-581-1260 x8107

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.: ^{06-05-401/06-05-403} Lot : ^{4A-1/4B-1} Block: _____ Tract: _____

Subdivision: Aerie 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 : _____

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**

From: [Scott Darsney](#)
To: [Marc Kielmeyer](#)
Cc: [Thomas Roufos](#)
Subject: Re: City of Unalaska plat authorization
Date: Monday, March 8, 2021 3:06:27 PM
Attachments: [S. Darsney authorization to make application by agent attachment a ewr 2.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I scott Darsney agree to allow the city of Unslaska to begin the platting process
3/8/2021

On Mar 8, 2021, at 15:04, Marc Kielmeyer <mkielmeyer@ci.unalaska.ak.us> wrote:

Mr. Darsney,

Just following up on our earlier phone conversation. As we discussed, the City of Unalaska needs your authorization to begin the platting process for the property that was purchased for the Booster Station project. The attached document authorizes the City to proceed with getting a plat completed showing the land that the City of Unalaska purchased from you for the General Hill Booster Station project. The City is aware that you will be out of the country for a period of time before you will be able to get a notarized and signed form back to the City. In order to help expedite the process, if you can send a quick reply to this email, saying you authorize the City of Unalaska to proceed with the platting process, that would help us out a lot. This way the City can move forward and we can take care of the paperwork at a later date once you are back stateside.

Thank you,
Marc Kielmeyer

Marc Kielmeyer

Engineering Tech.
City of Unalaska
1035 E. Broadway Ave
P.O. Box 610
Unalaska, AK 99685

907-581-1260 ext 8107
907-359-7344
mkielmeyer@ci.unalaska.ak.us



**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 Robert Warren & Theresa Warren ARE THE OWNERS OF

(LEGAL DESCRIPTION OF PROPERTY)

LOT 4B-1 BLOCK _____ SUBDIVISION Aerie Subdivision, Plat 89-1
TRACT _____ USS _____
SECTION(S) _____ TOWNSHIP _____ RANGE _____

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

City of Unalaska

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.

Robert Warren

NAME

Robert Warren

SIGNATURE

Theresa Warren

NAME

Theresa Warren

SIGNATURE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 12 DAY OF March
20 21.

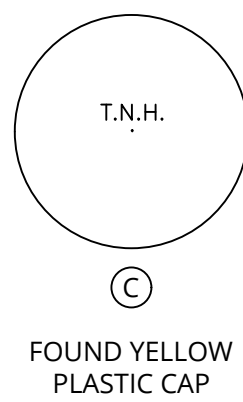
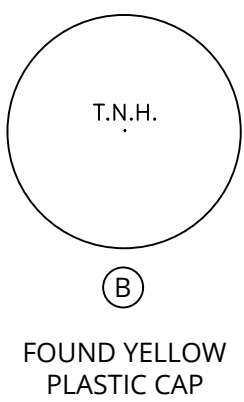
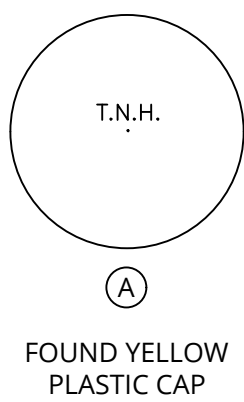


NOTARY PUBLIC IN AND FOR Alaska

MY COMMISSION EXPIRES: 10/10/22

LEGEND

- FOUND PRIMARY MONUMENT
- PROPERTY LINE
- - - - - PROPOSED SUBDIVISION
- - - - - ADJACENT PROPERTY LINES
- - - - - RIGHT-OF-WAY CENTER LINE
- - - - - EASEMENT
- ⚡ WATER VALVE



NOTES:

- THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:5000.
- ALL BEARINGS SHOWN ARE TRUE BEARINGS AS ORIENTED TO THE BASIS OF BEARINGS, AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.
- THE ZONING OF THIS SUBDIVISION IS SINGLE FAMILY/DUPLEX RESIDENTIAL.
- MONUMENTS WITH TNH YELLOW PLASTIC CAP (YPC) ON #5 REBAR ARE LOCATED AT EXISTING CORNERS OF LOTS 4A-1 AND 4B-1 UNLESS OTHERWISE SHOWN.

APPROVAL OF LENDER - ALASKA HOUSING FINANCE COMPANY

BY: _____ TITLE: _____

PRINTED NAME: _____

STATE OF ALASKA)

THIRD JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2021, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ KNOWN TO ME TO BE _____ OF NUVISION FEDERAL CREDIT UNION, AND KNOWN TO ME TO BE THE PERSON WHO SIGNED THE FOREGOING INSTRUMENT, ON BEHALF OF NUVISION FEDERAL CREDIT UNION AND THEY ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS A FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED PURSUANT TO ITS BYLAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL ON THIS DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC PUBLIC _____

MY COMMISSION EXPIRES _____

APPROVAL OF LENDER - CITIMORTGAGE

BY: _____ TITLE: _____

PRINTED NAME: _____

STATE OF ALASKA)

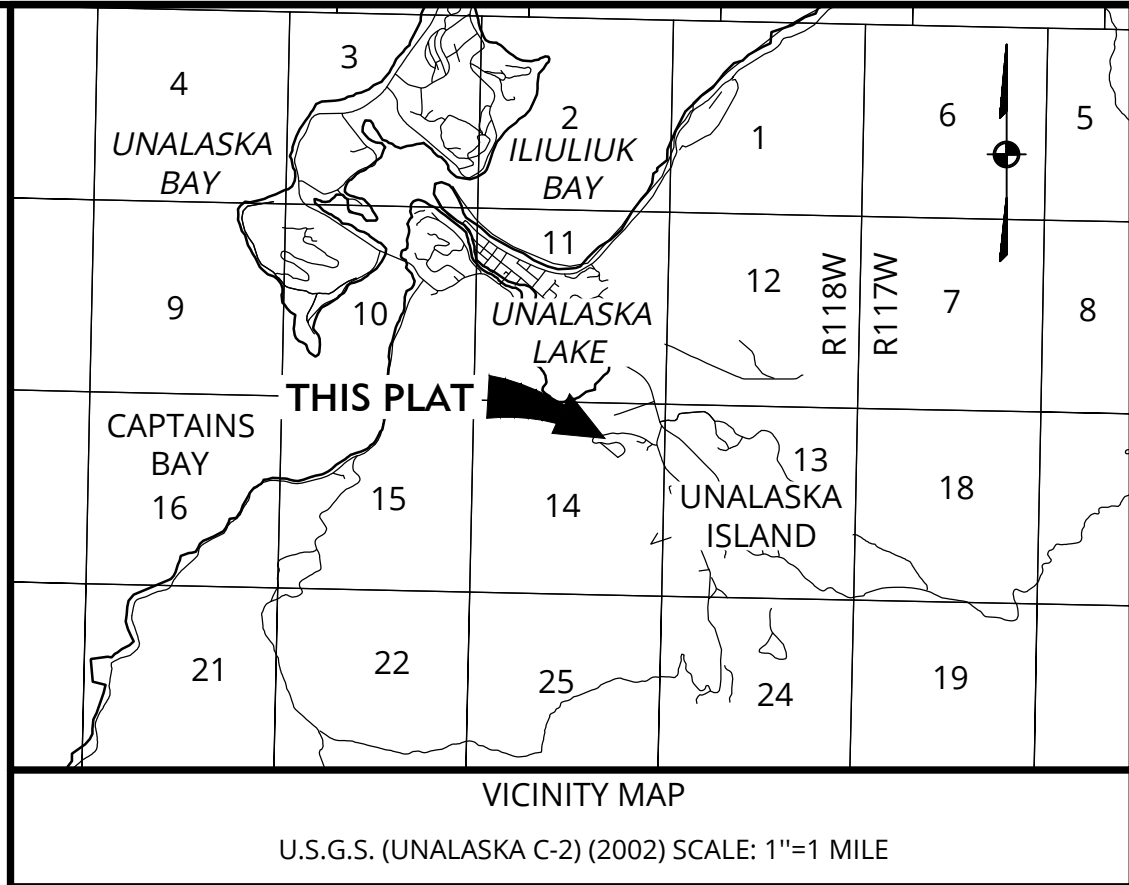
THIRD JUDICIAL DISTRICT) ss.

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2021, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ KNOWN TO ME TO BE _____ OF NUVISION FEDERAL CREDIT UNION, AND KNOWN TO ME TO BE THE PERSON WHO SIGNED THE FOREGOING INSTRUMENT, ON BEHALF OF NUVISION FEDERAL CREDIT UNION AND THEY ACKNOWLEDGED TO ME THAT THEY SIGNED AND SEALED THE SAME AS A FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED PURSUANT TO ITS BYLAWS OR A RESOLUTION OF ITS BOARD OF DIRECTORS.

WITNESS MY HAND AND OFFICIAL SEAL ON THIS DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

NOTARY PUBLIC PUBLIC _____

MY COMMISSION EXPIRES _____



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 _____ DATE: _____

CITY OF UNALASKA PRINTED NAME: _____

PLATTING COMMISSIONER _____ DATE: _____

CITY OF UNALASKA PRINTED NAME: _____

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

BY: _____

(PERSON APPEARING BEFORE NOTARY)

TITLE: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA
MY COMMISSION EXPIRES: _____

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

BY: _____

(PERSON APPEARING BEFORE NOTARY)

TITLE: _____

NOTARY PUBLIC FOR THE
STATE OF 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: _____

CITY OF UNALASKA PRINTED NAME: _____

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 GRANT ALL EASEMENTS TO THE USE SHOWN.

ROBERT S. WARREN AND THERESA ANN WARREN
P.O. BOX 920363 BIORKA DRIVE, #C4
DUTCH HARBOR, ALASKA, 99692

ROBERT S. WARREN (OWNER) _____ DATE: _____

THERESA ANN WARREN (OWNER) _____ DATE: _____

NOTARY'S ACKNOWLEDGMENT

FOR: ROBERT S. WARREN
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

NOTARY'S ACKNOWLEDGMENT

FOR: THERESA ANN WARREN
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

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 GRANT ALL EASEMENTS TO THE USE SHOWN.

SCOTT C. DARSNEY (OWNER) _____ DATE: _____

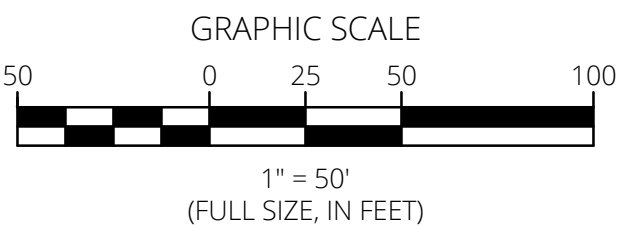
PO BOX 323
UNALASKA, AK, 99685

NOTARY'S ACKNOWLEDGMENT

FOR: SCOTT C. DARSNEY, OWNER
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____

PRELIMINARY



SURVEYOR'S CERTIFICATE

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

DATE _____

STEVEN CALLAGHAN LS-12034
REGISTERED LAND SURVEYOR
LCG LANTECH, INC. AECC668



Generals Hill Water Booster Pump Station (WA18A)

Project Description: This project consists of installing a water booster station on General Hill at approximately 100 feet of elevation. It will include underground plumbing, a small building, two pumps with controls, and plumbing to connect a fire engine.

Project Need: This project will increase water service pressure in the upper elevations of the hill. It will greatly reduce the potential for contamination of the water system due to backflow, and decrease the potential for customers to lose water service due to low pressure. Water pressure at the top of General Hill does not currently meet the minimum industry standard of 40 psi or a minimum sustainable pressure of 20 psi. Measured residual pressures range from 0 to 26 psi at the uppermost fire hydrant. This is not simply an inconvenience to the highest General Hill customers, but it is a health and safety issue for all water utility customers. These low water pressures create a high potential for contamination of the water system caused by backflow. This is of special concern during water main breaks and fires.

Development Plan & Status (Include Permit and Utility Requirements): This project will require a consultant for design and engineering to obtain Alaska Department of Environmental Conservation (ADEC) approval. A contractor will be needed for construction. Land purchase will also be required.

Cost & Financing Data: This project will be funded by the Water Proprietary fund. Costs are rough estimates, but staff will refine cost estimates prior to FY18 budget submittal.

FY20-24 CMMP

General Hill Booster Pump | WATER

Estimated Project & Purchase Timeline

Pre Design: FY 2018

Engineering/Design: FY 2019

Purchase/Construction: FY 2020



Cost Assumptions

Engineering, Design, Const Admin	45,000
Other Professional Services	25,000
Construction Services	500,000
Machinery & Equipment	250,000
Subtotal	820,000
Contingency (set at 30%)	246,000
TOTAL	1,066,000
Less Other Funding Sources (Grants, etc.)	-
Total Funding Request \$	1,066,000

Revenue Source	Appropriated Funds	Fiscal Year Funding Requests					
		FY20	FY21	FY22	FY23	FY24	Total
General Fund (DEPT)							-
1% Sales Tax							-
Grant							-
Proprietary Fund	221,600	844,400					1,066,000
TOTALS \$	221,600	844,400	-	-	-	-	1,066,000
Requested Funds:							

Generals Hill Water Booster Pump (WA18A)

- This project consists of installing a water booster station on General Hill at approximately 100 feet of elevation. It will include underground plumbing, a small building, two pumps with controls and a fire department connection to connect a fire engine to boost pressure to fire flows during an emergency
- Property to place the water booster station is critical path for this project and Planning is in process of acquiring a suitable location from the range of sites identified by DPW as suitable
- The land to be used for the booster station has to be situated within a range of elevations where the booster pumps can provide adequate domestic pressure and also where the fire engine can adequately boost fire pressure
- On June 28 2018, Planning sent a letter to affected property owners offering to purchase land to site the booster station
- Planning arranged assessments of 2 properties for acquisition of project and drafted purchase offer letters
- Exhibit A which is a map showing booster station layout in relation to property lines and dwellings is being prepared for inclusion in offer letters
- Regan Engineering is the design engineer and will perform design after property acquisition is complete
- LCG Lantech located property corner monuments and surveyed site to accurately identify proposed booster pump location
- Resolution 2020-42 on 7-14-20 authorizing the CM to execute land purchase
- A 4050 SF parcel purchased from each of 2 land owners
- Design proceeding based on secured location

Generals Hill Water Booster Pump Station (WA18A)

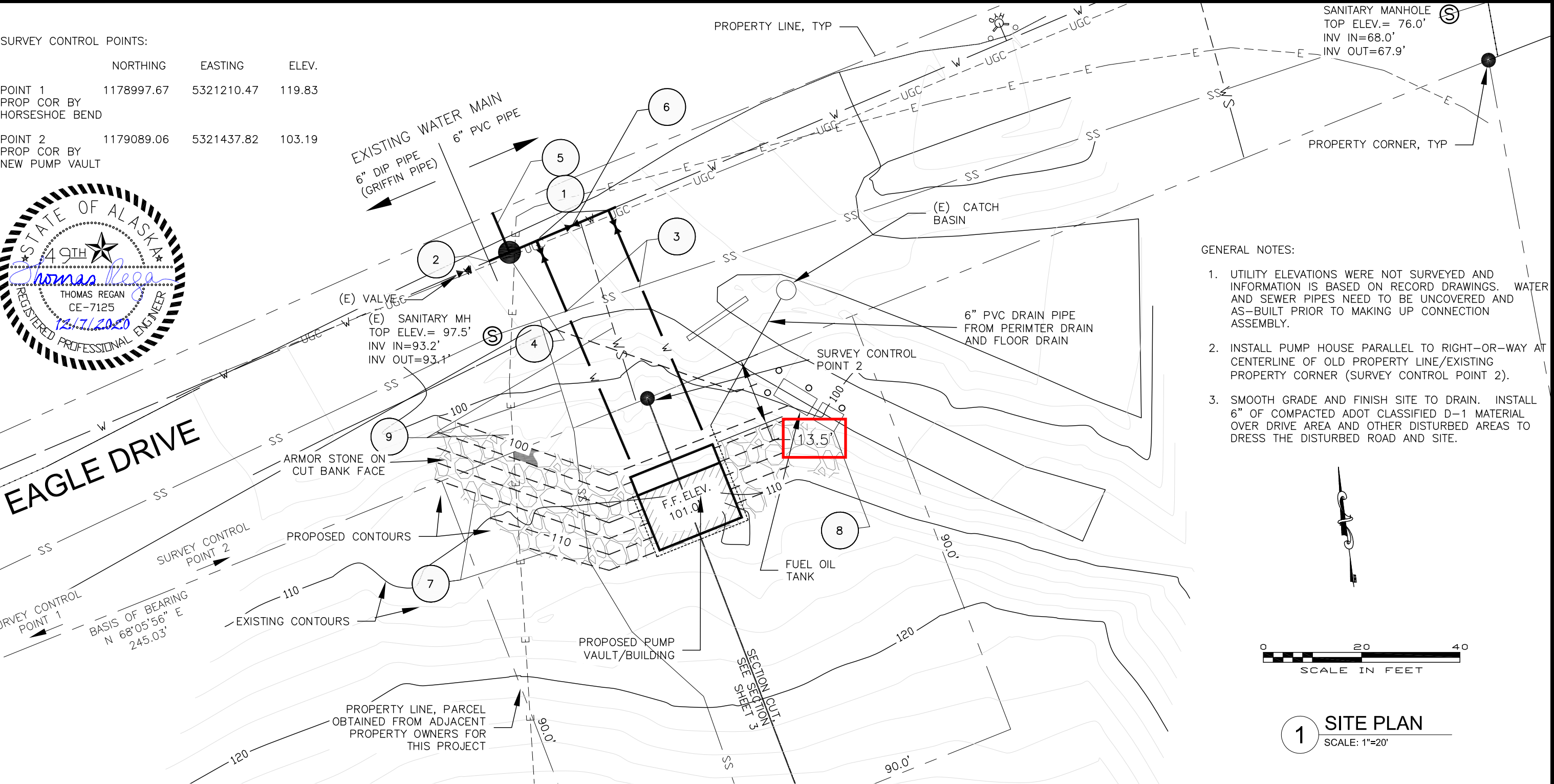
MUNIS PROJECT WA18A - GENERALS HILL WATER BOOSTER PUMP						
DESC	BUDGET	EXPENSED	ENCUMBERED	MUNIS AVAILABLE	PENDING ENCUMBRANCES	ACTUAL AVAILABLE
Engineering and Architectural	\$ 114,900	\$ 31,070	\$ 76,370	\$ 7,460	\$ -	\$ 7,460
Survey Services	\$ 7,500	\$ 2,392	\$ -	\$ 5,108	\$ -	\$ 5,108
Construction Services	\$ 470,000	\$ -	\$ -	\$ 470,000	\$ -	\$ 470,000
Telephone / Fax / TV	\$ 200	\$ 23	\$ -	\$ 177	\$ -	\$ 177
Permit Fees	\$ 2,400	\$ -	\$ -	\$ 2,400	\$ -	\$ 2,400
Contingency	\$ 246,000	\$ -	\$ -	\$ 246,000	\$ -	\$ 246,000
General Supplies	\$ 80,000	\$ 3,810	\$ -	\$ 76,190	\$ -	\$ 76,190
Land	\$ 145,000	\$ 25,900	\$ 40,365	\$ 78,735	\$ -	\$ 78,735
	\$ 1,066,000	\$ 63,195	\$ 116,735	\$ 886,070	\$ -	\$ 886,070

Generals Hill Water Booster Pump Station (WA18A)

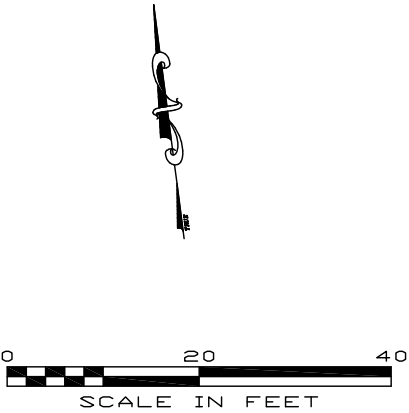


SURVEY CONTROL POINTS:

	NORTHING	EASTING	ELEV.
POINT 1 PROP COR BY HORSESHOE BEND	1178997.67	5321210.47	119.83
POINT 2 PROP COR BY NEW PUMP VAULT	1179089.06	5321437.82	103.19



- GENERAL NOTES:
- UTILITY ELEVATIONS WERE NOT SURVEYED AND INFORMATION IS BASED ON RECORD DRAWINGS. WATER AND SEWER PIPES NEED TO BE UNCOVERED AND AS-BUILT PRIOR TO MAKING UP CONNECTION ASSEMBLY.
 - INSTALL PUMP HOUSE PARALLEL TO RIGHT-OR-WAY AT CENTERLINE OF OLD PROPERTY LINE/EXISTING PROPERTY CORNER (SURVEY CONTROL POINT 2).
 - SMOOTH GRADE AND FINISH SITE TO DRAIN. INSTALL 6" OF COMPACTED ADOT CLASSIFIED D-1 MATERIAL OVER DRIVE AREA AND OTHER DISTURBED AREAS TO DRESS THE DISTURBED ROAD AND SITE.



1 SITE PLAN
SCALE: 1"=20'

- WORK NOTES:
- 1 CONNECT TO EXISTING 6" PVC PIPE. INSTALL TEE, VALVES AND FITTINGS AS DETAILED AND REQUIRED. SEE DETAIL 1 SHEET 11.

2 REPLACE 6" PVC PIPE WITH 6" DI PIPE TO ELIMINATE SHORT ISOLATED SEGMENT OF PVC AND PVC BETWEEN CONNECTION POINTS.

3 PROVIDE 18" OF VERTICAL CLEARANCE BETWEEN EXISTING 8" PVC SEWER LINE AND NEW 6" DIP WATER LATERALS TO NEW PUMP HOUSE.
- 4 INSTALL PRESSURE RELIEF VALVE MANHOLE. SEE DETAIL 2 SHEET 11.

5 INSTALL 6" DUCTILE IRON BLOW-OFF PIPE TO DAYLIGHT. SEE PROCESS VALVE SCHEDULE, NOTE DETAIL 2 SHEET 11.

6 INSTALL 6" GATE VALVE AND VALVE BOX. TYPICAL 3-PLACES. SEE DETAIL 3 SHEET 11.

7 INSTALL ARMOR STONE ON FACE OF CUT BANK
- 8 ELECTRICAL TRANSFORMER (BY CITY). INSTALL (4) BOLLARDS TO PROTECT FUEL OIL TANK AND ELECTRICAL TRANSFORMER. INSTALL CONDUIT(S) AND FUEL OIL LINE IN FLEX PIPE FROM TRANSFORMER/TANK TO BUILDING STRUCTURE.

9 REMOVE/RELOCATE WATER, SEWER AND ELECTRIC SERVICES AS REQUIRED TO ACCOMMODATE NEW WORK. ADD CLEANOUT TO SEWER SERVICE LINE. SEE DETAIL SHEET 12.

FOR BID
JAN 15, 2021

REGAN ENGINEERING, P.C.

PROJECT: City of Unalaska
GENERALS HILL BOOSTER PUMP PROJECT

TITLE: SITE PLAN

DESIGNED BY: TR DATE: 12/7/2020 SHEET NO: 3 OF 18

PROJECT NOS: DPW No. 09403, MUNIS No. WA18A

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

RESOLUTION 2021-04: A RESOLUTION APPROVING THE PRELIMINARY PLAT OF DARSNEY WARREN SUBDIVISION, A REPLAT OF LOTS 4A-1 AND 4B-1 OF AERIE SUBDIVISION, PLAT 89-01, AIRD

Basic Information	
Application Type	Preliminary Plat
Land Owner(s)	Scott Darsney, Robert & Theresa Warren, City of Unalaska
Applicant	City of Unalaska
Proposed Use	Water Utility Booster Pump
Exhibits	Draft Resolution 2021-04, Preliminary Plat Application, Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2021-04

Legal Information	
Tax Parcel ID	06-05-401 & 06-05-403
Address	Approximately 290 Eagle Drive, Unalaska, Alaska 99685
Legal Description	A proposed Replat Of Lots 4a-1 And 4b-1 Of Aerie Subdivision, Plat 89-01, AIRD
Land Use Subarea	Generals Hill

Area Description	
North	Eagle Drive, and cliff overlooking mostly undeveloped land with WWII warehouse
South	Residential
East	Residential
West	Residential

Current Site Description and Zoning Standards					
Zone	Single Family/Duplex (SFO) (UCO §8.12.040)				
Existing Use	Residential				
Permitted Uses	In the Single-Family/Duplex District, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses: Up to two single-family dwellings or a two-family dwelling, on a lot; Home occupations subject to the requirements of § 8.12.180(M); Day-care for five or less children; Noncommercial greenhouses, gardens, storage sheds; Outdoor storage of subsistence and noncommercial fishing gear, boats, nets, buoys, and related equipment; Noncommercial stables, barnyards, and corrals provided they shall be located not less than 25 feet from any public street or property line; Noncommercial agricultural buildings and activities; Public recreational areas, parks, playgrounds, hiking trails, and such buildings and structures as are related thereto				
Conditional Uses	Schools; Churches; Public and quasi-public buildings essential to the physical and economic welfare of the area, such as utility buildings and facilities , fire stations, electric substations, water treatment plants, telephone exchanges, and similar uses or public services; Public and quasi-public social and recreational facilities; Bed and breakfasts, lodging houses, and boarding houses; Day-care for more than five children				
	Existing	Required		Existing	Required
Lot Area	64,481 ft ²	>10,000 ft ²	Front Setback		20 ft
Lot Frontage	510 ft	>60 ft	Side Setbacks		15 ft
Coverage	6 %	<50 %	Rear Setback		20 ft
Building Height	N/A	<30 ft	Parking		6 spots
Corner Lot?	No		Nonconformance?	No	

Parcel History	
Planning Commission Resolution	N/A
City Council Ordinance	N/A

ADDITIONAL CODE REQUIREMENTS

N/A

PLAN GUIDANCE

1. Both the Economic Development and the Health and Well-being goals of the Comprehensive Plan stress the maintenance of the water system and the need for water across the community.
2. The Health and Wellbeing goal includes the General's Hill Booster Pump project specifically.

BACKGROUND

1. Generals Hill does not have sufficient water pressure to provide safe service to the residents at the top of the hill. At times the water pressure is non-existent.
2. This poses health risks, and safety risks, wherein the fire hydrants at the top of the hill do not have enough pressure to supply a fire truck.
3. This lot split into 3 lots is more than code allows for a simple administrative plat.
4. The lot could be smaller but utilities are not exempt from setback requirements.
5. The resulting lot is an 8,100 square foot lot designed to meet all setback requirements.

DETAILED FINDINGS

1. The requirements of the project and steep topography of the lot will require a 1.5-foot variance to the front lot line. This is within the tolerances deemed acceptable by code to allow the Planning Director to make small 10% adjustments.
2. If the plat and the associated conditional use permit are approved, a 1.5-foot planning determination will allow for the construction plan.

CONDITIONS

1. N/A

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 conditional use request identified in Resolution 2021-04.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2021-04**

**A RESOLUTION APPROVING THE PRELIMINARY PLAT OF DARSNEY WARREN
SUBDIVISION, A REPLAT OF LOTS 4A-1 AND 4B-1 OF AERIE SUBDIVISION, PLAT 89-01,
AIRD**

WHEREAS, UCO 8.08 sets forth the procedures and requirements for the subdivision and platting of land and provides that the Planning Commission/Platting Board shall act as the Platting Authority; and

WHEREAS, Scott Darsney is the owner of Lot 4A-1, Aerie Subdivision, Plat 89-1, Aleutian Islands Recording District (06-05-401); and

WHEREAS, Robert & Theresa Warren are the owners of Lot 4B-1, Aerie Subdivision, Plat 89-1, Aleutian Islands Recording District (06-05-403); and

WHEREAS, The City of Unalaska has purchased a portion of each of Lots 4A-1 and 4B-1 to create a third lot for a water utility booster pump; and

WHEREAS, the landowners have submitted a plat application to split the existing two lots into three lots; and

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

WHEREAS, the City of Unalaska Planning Commission held a public hearing on March 18, 2021 to consider this platting action and to hear testimony of the public;

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 Darsney Warren Subdivision with the following conditions of approval in accordance with the standards outlined in Unalaska Code of Ordinances Chapter 8.08 (Platting and Subdivision):

1. The name of the signer under City Approval must be changed from “Platting Commissioner” to “Chair of the Platting Board”.
2. The legend should be updated to match the drawn lines
3. The curve of Lot 2, along Aerie Drive shall show Chord Bearing, Tangent, and Delta Angle.
4. A closure report shall be submitted.
5. 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 CAD and GIS programs.

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 _____, 2021, BY THE PLATTING BOARD OF THE CITY OF UNALASKA, ALASKA.

Travis Swangel
Commission Chair

William Homka, AICP, Planning Director
Secretary of the Commission

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

RESOLUTION 2021-05: A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A WATER BOOSTER PUMP ON A PARCEL ZONED SINGLE FAMILY DUPLEX AT LOT 4C, DARSNEY WARREN SUBDIVISION, PLAT _____

Basic Information	
Application Type	Conditional Use Permit
Land Owner(s)	Scott Darsney, Robert & Theresa Warren, City of Unalaska
Applicant	City of Unalaska
Proposed Use	Water Utility Booster Pump
Exhibits	Draft Resolution 2021-05, Conditional Use Permit Application, Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2021-05

Legal Information	
Tax Parcel ID	Not assigned yet, between 06-05-401 & 06-05-403
Address	Approximately 290 Eagle Drive, Unalaska, Alaska 99685
Legal Description	A proposed Replat Of Lots 4a-1 And 4b-1 Of Aerie Subdivision, Plat 89-01, AIRD
Land Use Subarea	Generals Hill

Area Description	
North	Eagle Drive, and cliff overlooking mostly undeveloped land with WWII warehouse
South	Residential
East	Residential
West	Residential

Current Site Description and Zoning Standards					
Zone	Single Family/Duplex (SFO) (UCO §8.12.040)				
Existing Use	Residential				
Permitted Uses	In the Single-Family/Duplex District, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses: Up to two single-family dwellings or a two-family dwelling, on a lot; Home occupations subject to the requirements of § 8.12.180(M); Day-care for five or less children; Noncommercial greenhouses, gardens, storage sheds; Outdoor storage of subsistence and noncommercial fishing gear, boats, nets, buoys, and related equipment; Noncommercial stables, barnyards, and corrals provided they shall be located not less than 25 feet from any public street or property line; Noncommercial agricultural buildings and activities; Public recreational areas, parks, playgrounds, hiking trails, and such buildings and structures as are related thereto.				
Conditional Uses	Schools; Churches; Public and quasi-public buildings essential to the physical and economic welfare of the area, such as utility buildings and facilities , fire stations, electric substations, water treatment plants, telephone exchanges, and similar uses or public services; Public and quasi-public social and recreational facilities; Bed and breakfasts, lodging houses, and boarding houses; Day-care for more than five children.				
	Existing	Required		Existing	Required
Lot Area	8,100 ft ²	>10,000 ft ²	Front Setback		15 ft
Lot Frontage	180 ft	>60 ft	Side Setbacks		10 ft
Coverage	3.6 %	<50 %	Rear Setback		15 ft
Building Height	10 ft	<30 ft	Parking		2 spots
Corner Lot?	No		Nonconformance?	No	

Parcel History	
Planning Commission Resolution	N/A
City Council Ordinance	N/A

ADDITIONAL CODE REQUIREMENTS

N/A

PLAN GUIDANCE

1. Both the Economic Development and the Health and Wellbeing goals of the Comprehensive Plan stress the maintenance of the water system and the need for water across the community.
2. The Health and Wellbeing goal includes the General's Hill Booster Pump project specifically.

BACKGROUND

1. Generals Hill does not have sufficient water pressure to provide safe service to the residents at the top of the hill. At times the water pressure is non-existent.
2. This poses health risks, and safety risks, wherein the fire hydrants at the top of the hill do not have enough pressure to supply a fire truck.
3. The booster pump will be partially-buried in the hill side.
4. There is plenty of parking on the lot for the 1 service vehicle expected for the pump
5. The structure has an overhang that encroaches into the setback by 1.5 feet to protect operators from weather

DETAILED FINDINGS

1. The requirements of the project and steep topography of the lot will require a 1.5-foot variance to the front lot line. This is within the tolerances deemed acceptable by code to allow the Planning Director to make small 10% adjustments.
2. If this conditional use permit is approved, a 1.5-foot planning determination will allow for the construction plan.
3. Furthers the goals and objectives of the Comprehensive Plan:
 - The project is specifically called out as needed in the comprehensive plan, it is also supported by the goals of the Health and Wellness section as well as the Economic Development section.
4. Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district:
 - A simple water utility structure is largely innocuous and is in dire need to support the existing and planned land uses in the surrounding neighborhood. The structure will be partially buried, and will not create any excessive noise that would be heard outside the pumphouse.
5. Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district:
 - The structure has an overall positive impact that is substantially necessary to support any continued development within the district.

CONDITIONS

1. N/A

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 conditional use request identified in Resolution 2021-05.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2021-05**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A WATER BOOSTER
PUMP ON A PARCEL ZONED SINGLE FAMILY DUPLEX AT LOT 4C, DARSNEY WARREN
SUBDIVISION, PLAT _____**

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

WHEREAS, Scott Darsney is the owner of Lot 4A-1, Aerie Subdivision, Plat 89-1, Aleutian Islands Recording District (06-05-401); and

WHEREAS, Robert & Theresa Warren are the owners of Lot 4B-1, Aerie Subdivision, Plat 89-1, Aleutian Islands Recording District (06-05-403); and

WHEREAS, Scott Darsney, and Robert & Theresa Warren have each agreed to sell a portion of their lots to the City of Unalaska for a water utility booster pump; and

WHEREAS, the landowners have submitted a plat application to split the existing two lots into three lots; and

WHEREAS, the City of Unalaska has applied for a conditional use permit to place a water utility booster pump on the newly created lot; and

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

WHEREAS, UCO §8.12.040(D)(3) includes: utility buildings and facilities; 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 economic development and health and wellness of the community is desirable from the standpoint of public interest, as identified in the Unalaska Comprehensive Plan 2020; and

WHEREAS, the project to install a water booster pump on Generals Hill is identified in the Unalaska Comprehensive Plan 2020; and

WHEREAS, the City of Unalaska Planning Commission held a public hearing on March 18, 2021 to consider this platting action and to hear testimony of the public;

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 Water booster pump on Lot 3, Darsney Warren Subdivision, Plat _____, filed in the Aleutian Islands Recording District, addressed approximately at 290 Eagle Drive.

This resolution approves the conditional use only as it applies to the site plan submitted and shown in Attachment A, 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.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2021, BY THE PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Travis Swangel
Commission Chair

Bil Homka, AICP, Planning Director
Secretary of the Commission



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)

Current Zone Designation: Single Family Duplex Proposed Zone Designation(s) (if applicable): _____

Current Land Use(s): Single Family Duplex w/conditional use Proposed Land Use(s) (if changing): _____

Property Owner: Dutch Harbor Properties LLC.

Property Owner Address: P.O. Box 921404, Dutch Harbor, AK 99692

Street Address of Property: 189 Trapper Drive

Applicant's Name: Monica Henning

Mailing Address: P.O. Box 921404 Dutch Harbor AK 99692

Email: mmm-8k@hotmail.com Day Time Phone: _____ 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.: 91-14 Lot: 14 Block: 8 Tract: _____

Subdivision: Haystack Hill Sub. 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 Trey Nicholas Henning Subdivision

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

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

SURVEYOR INFORMATION

Surveyor Name: John F. Segesser

Firm Name: Segesser Surveys Inc

Address: 30485 Rosland St. Soldotna, AK 99669

Contact Details: Email seggy@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:

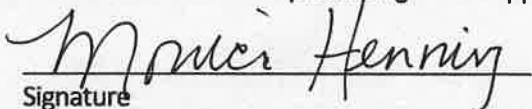
- Need is not caused by the person seeking the variance and that exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zoning district, and result from lot size, shape, topography, or other circumstances over which the applicant 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.

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

2.20.2021
Date

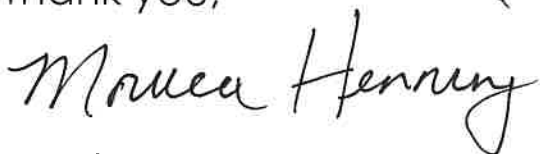
***Please fill out and submit Authorization to Make Application by Agent form if acting as Owner's Agent**

Planning Request for a Variance and Conditional Use

Attachment:

- 1.) I am requesting a Variance for the proposed Lot 2. The requirement is a 20' set back on the south side but I am requesting a 10' Setback on the south side so I can install 1' corrugated high density polypipe and catch basins to improve the drainage for Mike Hansen and my property. My proposed drainage will flow into the cities proposed drainage. Also, I will would use the variance to build the proposed small single family home away from the mountain and drainage.
- 2.) I am requesting a conditional use extension for the proposed Lot 3. Lot 3 currently has an existing triplex which has been approved in the past and the building is currently being utilized as a triplex.

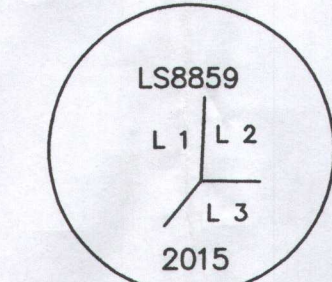
Thank you,

A handwritten signature in cursive script that reads "Monica Henning".

Monica Henning

LEGEND

- = REBAR FOUND
○ = REBAR W/ PLASTIC CAP SET THIS SURVEY
⊕ = PRIMARY MONUMENTS SET THIS SURVEY
☒ = UTILITY PEDESTALS
—s— = SEWER LINE
—w— = WATER LINE
—e— = UNDERGROUND ELECTRIC



TYPICAL MONUMENT SET



TYPICAL PLASTIC CAP

Lot 11A Block 5
P 91-14

Lot 10 Block 5
P 91-14

Lot 9 Block 5
P 91-14

Lot 8A-2
P 91-21

Lot 3 Block 8
P 91-14

Lot 4
P 2000-2

Lot 1
P 2000-2

Lot 2
P 2000-2

NOTES:

- The Basis of bearing for this survey is S37°28'36"W and is based on the SE property line of Lot 2, Block 6 as shown on the plat Jesse Lee Subdivision Plat No. 93-13, 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.
- Lot 2 is permissible due to Variance 2014-03 approved by Planning Commission Resolution 2014-24, issued December 9, 2014.
- The proposed buildings shown on Lots 1 and 2 have not been approved by the City of Unalaska, and this plat does not imply endorsement or approval of the proposed buildings.
- The existing building on Lot 3 operates as a triplex under Conditional Use Permit Resolution 2015-13 approved on May 14, 2015. Conditions of approval for such Conditional Use Permit shall apply to Lot 3, including the maintenance of 6 parking spaces.
- This subdivision is currently zoned Single-Family/ Duplex Residential. A maximum of 2 residential units are allowed for each lot. Front and rear yard requirements for Lots 1 and 2 are 15 feet. Front and rear yard requirements for Lot 3 are 20 feet. Side yard requirements are 10 feet for all lots. Maximum height of structures is 35 feet, and maximum lot coverage is 40%. The existing building does not meet the front yard requirements and is considered a nonconforming structure of record.

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

PLANNING DIRECTOR, PLATTING AUTHORITY

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 ____

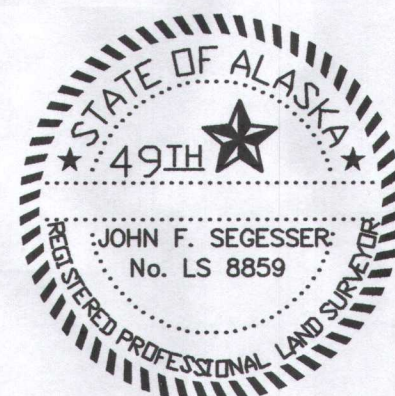
SURVEYOR'S CERTIFICATE

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.

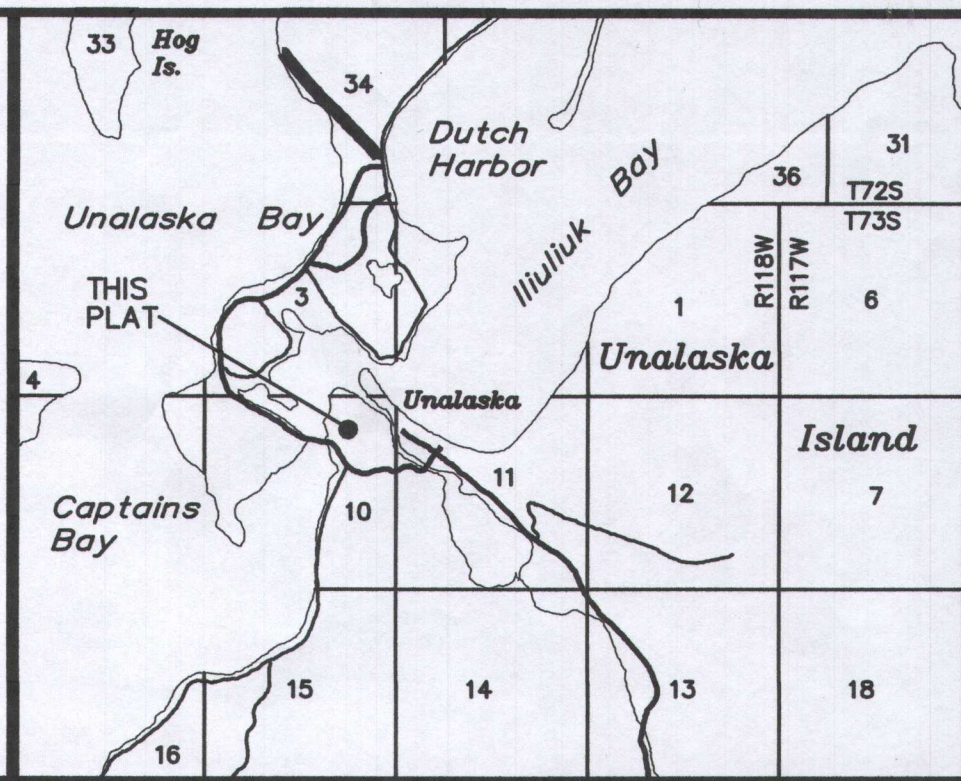
DATE



CURVETABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	148°51'52"	50.00'	129.91'	179.47'	96.33'	N19°00'50"E

VICINITY
MAP

1" = 1 MILE



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.

MONICA HENNING
P.O. BOX 921404
DUTCH HARBOR, ALASKA 99692

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

Henning Subdivision

A replat of Lot 14 Block 8, Haystack Hill
Subdivision, Plat 91-14 Aleutian Islands Rec. Dist.

Located within protracted Section 10, T73S, R118W, S.M.,
City of Unalaska, Alaska.

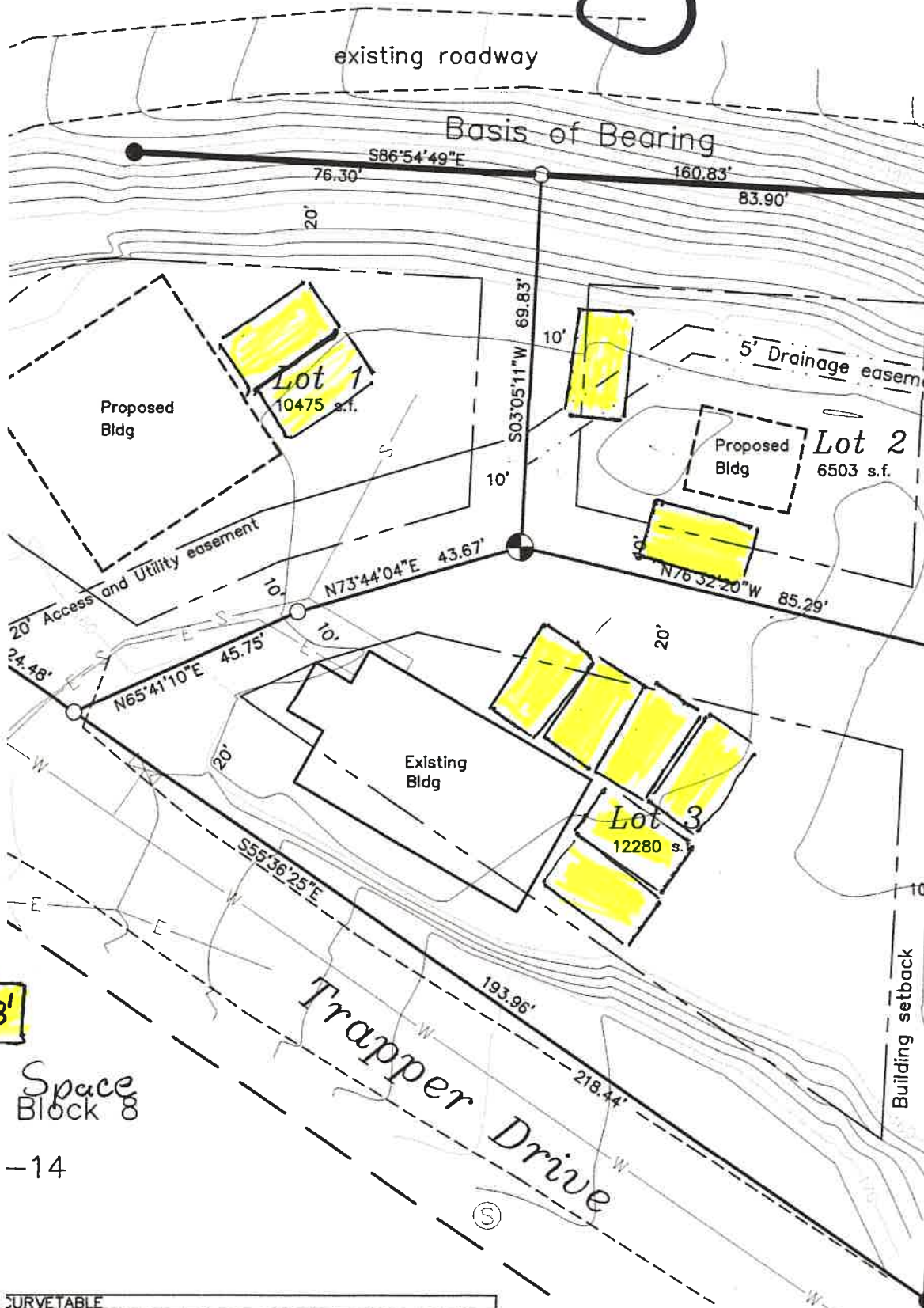
Containing 29258 s.f. 0.672 Ac.

SEGESSER SURVEYS

30485 Rosland St.
Soldotna, AK 99669

JOB NO.	20317	DRAWN:	1-24-21
SURVEYED:	June, 2009	SCALE:	1"=20'
FIELD BK:	08-5	SHEET:	1 of 1

Parking



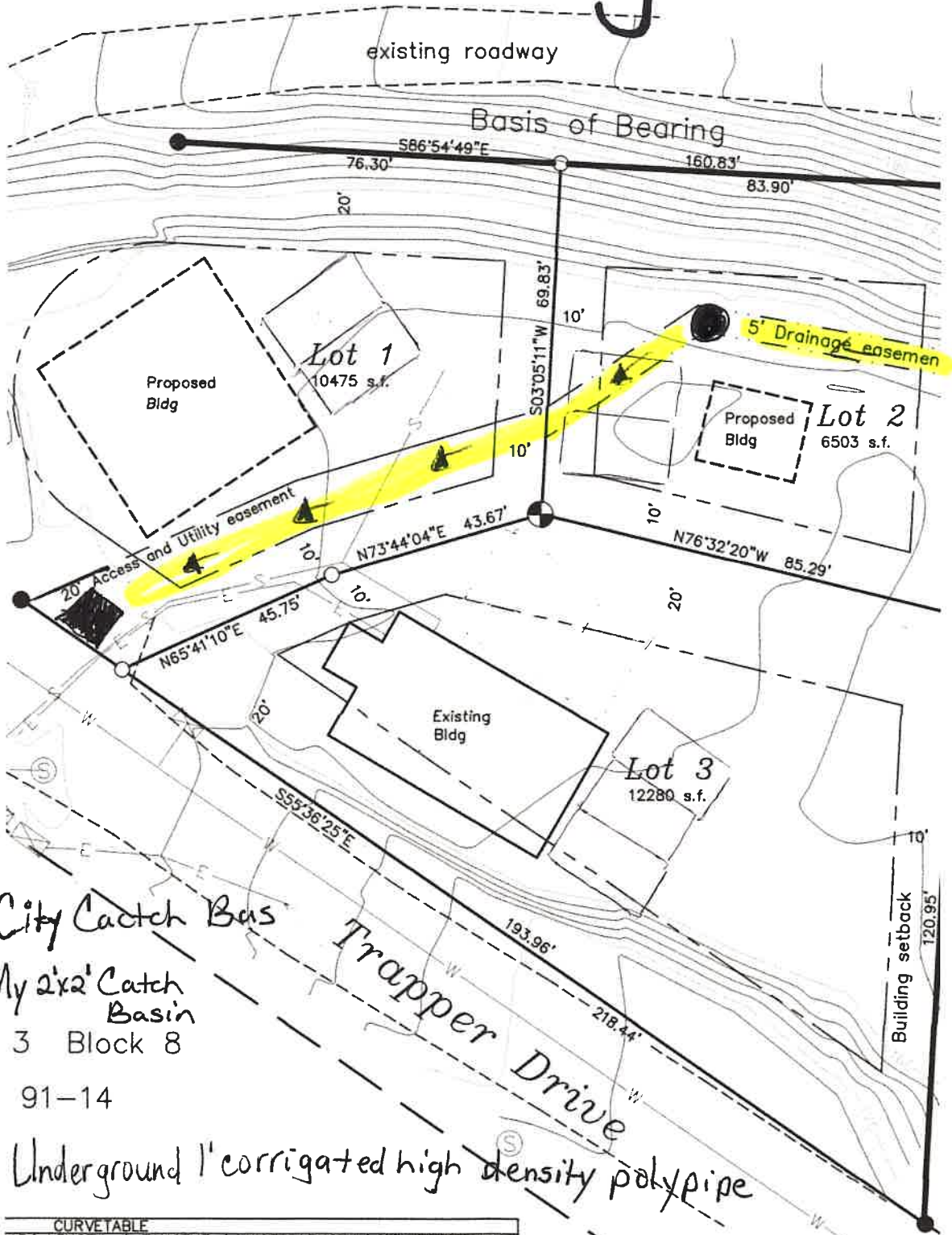
9'x18'

Parking Space Block 8

-14

SURVEY TABLE			
LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
91'	179.47'	96.33'	N19°00'50"E

Drainage



City Catch Bas



My 2'x2' Catch Basin

3 Block 8

91-14



Underground 1' corrugated high density poly pipe

CURVETABLE			
ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
129.91'	179.47'	96.33'	N19°00'50\"E



Lot 4

P 2000-2

From: [Thomas Regan](#)
To: mmm_8k@hotmail.com
Cc: [Tom Cohenour](#); [Bob Cummings](#); [Marc Kielmeyer](#)
Subject: Henning Subdivision Trapper Drive
Date: Tuesday, February 2, 2021 5:30:44 PM
Attachments: [image003.png](#)
[Henning Subd. \(Deffendall\).pdf](#)
[Trapper Dr. Drainage.pdf](#)
[Irwin Survey.pdf](#)

Monica, attached is the designed drainage plan. I am unsure of the construction schedule. It looks like there is a proposed catch basin ideally suited to collect drainage from your lots. My plan shows an easement parallel to Trapper Drive whereas your replat does not. I do not have the original plat but there is a note in the attached design survey saying that Note 4 of Plat 91-14 has a "possible utility easement". I am not sure what that means but other design plans up there, like the water system design, show this utility easement. The easement allows us to put a catch basin out of the travelled way on Trapper Drive so if it currently exists we want to maintain it so the catch basin can be off the road and in the lower area where it does some good. Segesser may be able to shed some light on whether or not there is an easement there or possibly the replat can add a 10'x10' utility easement for this manhole. It is within the required property line setback so it should not negatively impact your development. Let me know if you have any questions.

Thomas Regan, P.E.

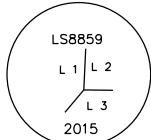


REGAN ENGINEERING, P.C.

P.O. Box 889 ~ Camas, WA 98607 ~ Tel. 360-903-5064

LEGEND

- = REBAR FOUND
- = REBAR W/ PLASTIC CAP SET THIS SURVEY
- ⊙ = PRIMARY MONUMENTS SET THIS SURVEY
- ⊠ = UTILITY PEDESTALS
- s — = SEWER LINE
- w — = WATER LINE
- e — = UNDERGROUND ELECTRIC



TYPICAL MONUMENT SET



TYPICAL PLASTIC CAP

NOTES:

- 1) The Basis of bearing for this survey is S37°28'36"W and is based on the SE property line of Lot 2, Block 6 as shown on the plat Jesse Lee Subdivision Plat No. 93-13, and filed in the Aleutian Islands Recording District.
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- 3) No Alaska Department of Environmental Conservation approval is required for this plat.
- 4) Developers may not alter existing natural drainage without providing alternatives and/or drainage easements, if necessary.
- 5) Lot 2 is permissible due to Variance 2014-03 approved by Planning Commission Resolution 2014-24, issued December 9, 2014.
- 6) The proposed buildings shown on Lots 1 and 2 have not been approved by the City of Unalaska, and this plat does not imply endorsement or approval of the proposed buildings.
- 7) The existing building on Lot 3 operates as a triplex under Conditional Use Permit Resolution 2015-13 approved on May 14, 2015. Conditions of approval for such Conditional Use Permit shall apply to Lot 3, including the maintenance of 6 parking spaces.
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CITY APPROVAL

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CITY CLERK

PLANNING DIRECTOR, PLATTING AUTHORITY

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 _____

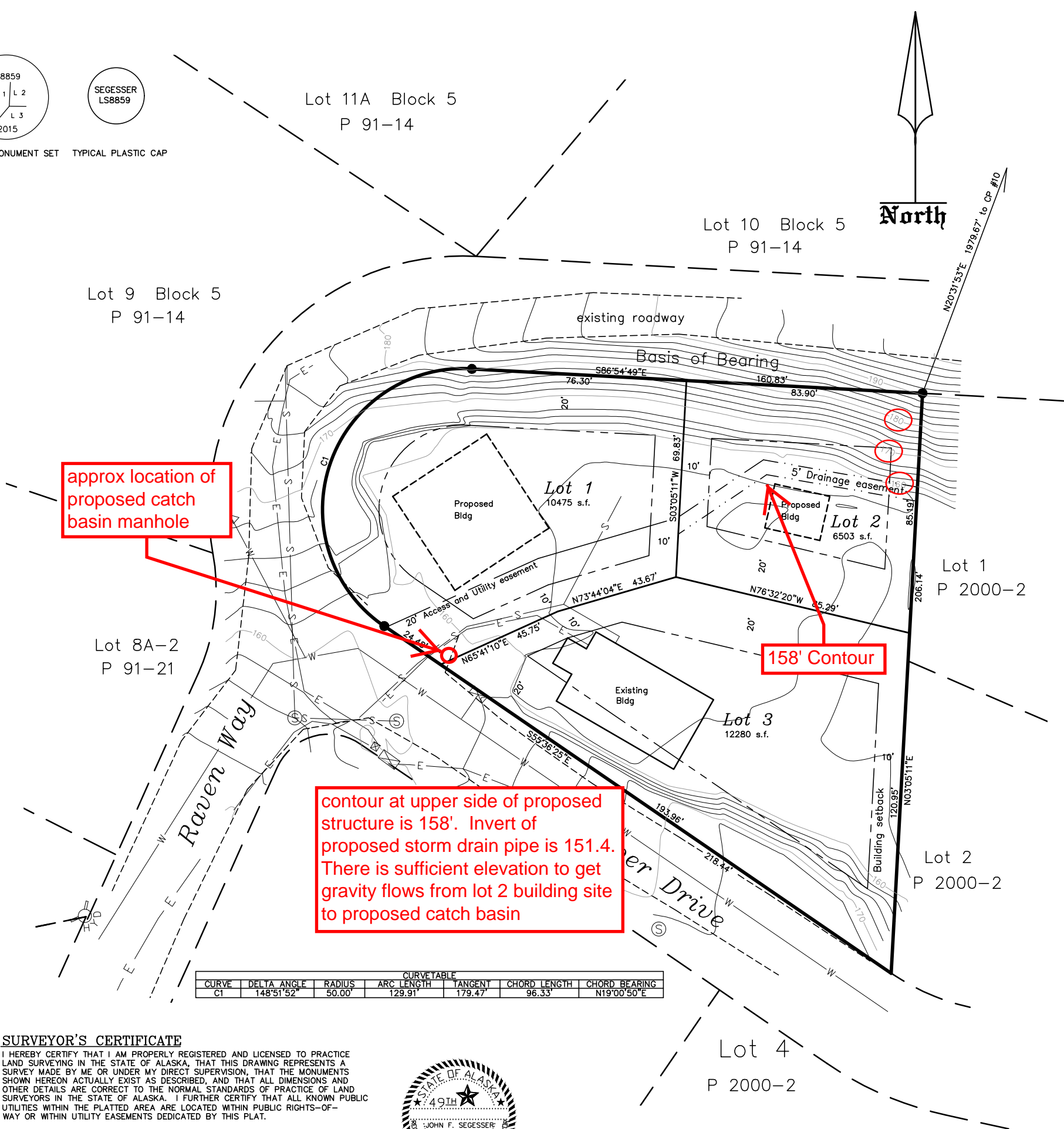
SURVEYOR'S CERTIFICATE

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.

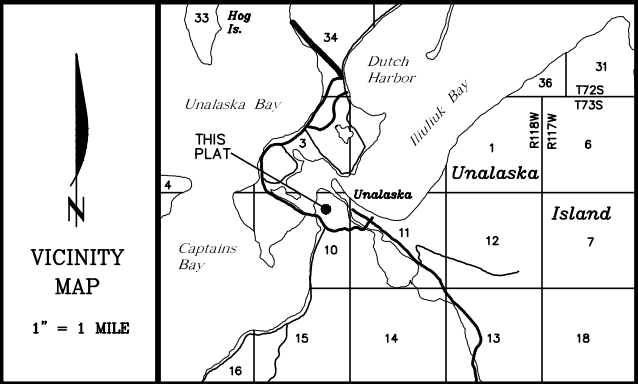
REGISTERED LAND SURVEYOR

REGISTRATION NO.

DATE



CURVE TABLE						
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	TANGENT	CHORD LENGTH	CHORD BEARING
C1	148°51'52"	50.00'	129.91'	179.47'	96.33'	N19°00'50"E



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.

ROGER DEFFENDALL
P.O. BOX 226
UNALASKA, ALASKA 99685

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

Henning Subdivision

A replat of Lot 14 Block 8, Haystack Hill
Subdivision, Plat 91-14 Aleutian Islands Rec. Dist.

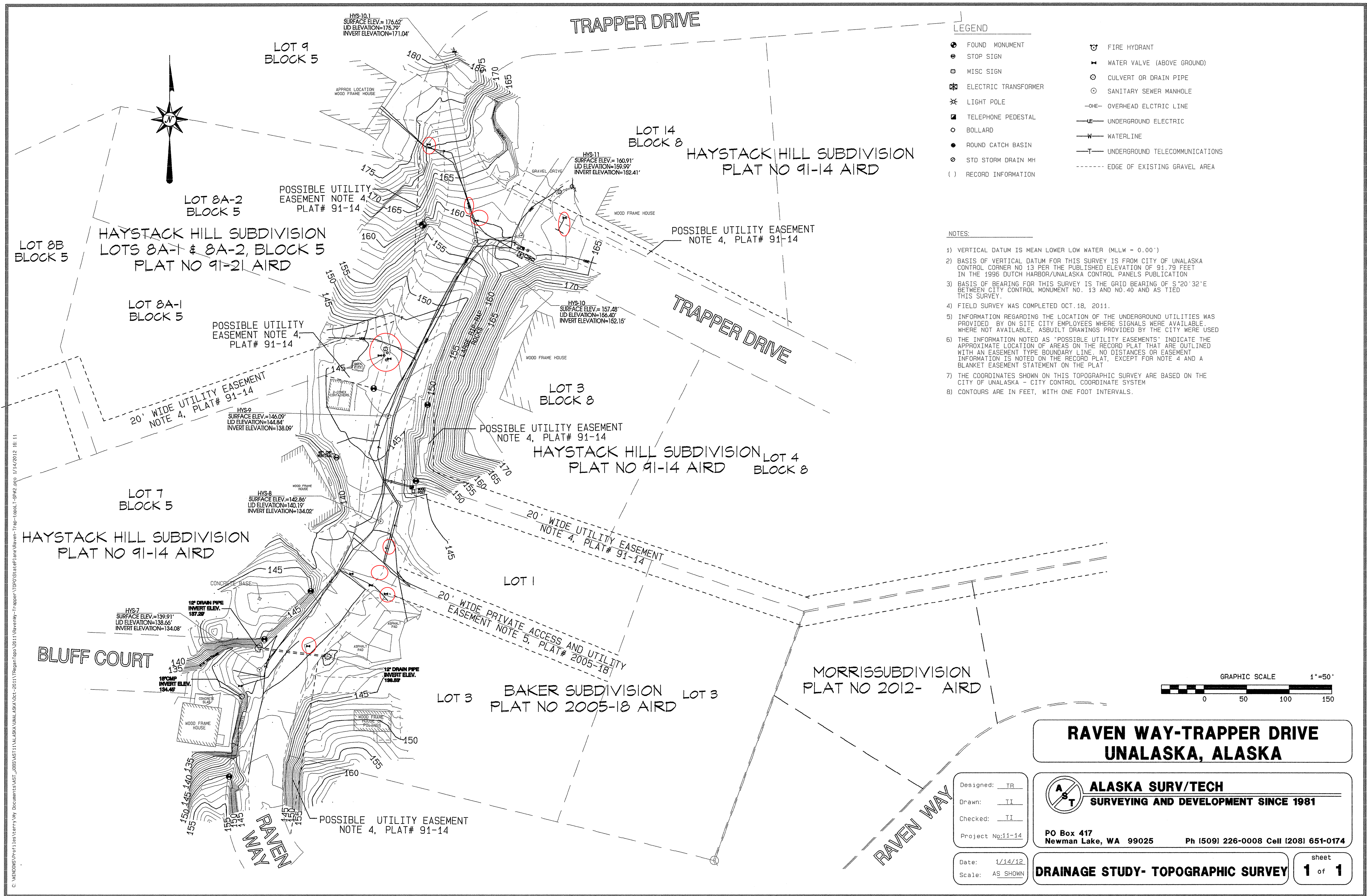
Located within protracted Section 10, T73S, R118W, S.M.,
City of Unalaska, Alaska.

Containing 29258 s.f. 0.672 Ac.

SEGESSER SURVEYS

30485 Rosland St.
Soldotna, AK 99669

JOB NO.	15024	DRAWN:	34-24-21
SURVEYED:	June, 2009	SCALE:	1"=20'
FIELD BK:	08-5	SHEET:	1 of 1

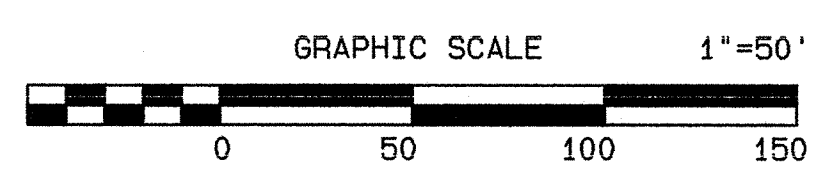


LEGEND

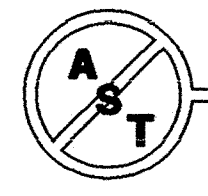
- | | |
|------------------------|------------------------------------|
| ● FOUND MONUMENT | ⊕ FIRE HYDRANT |
| ⊙ STOP SIGN | ⊕ WATER VALVE (ABOVE GROUND) |
| ⊠ MISC SIGN | ⊕ CULVERT OR DRAIN PIPE |
| ⊠ ELECTRIC TRANSFORMER | ⊕ SANITARY SEWER MANHOLE |
| ✱ LIGHT POLE | —OHE— OVERHEAD ELCTRIC LINE |
| ⊠ TELEPHONE PEDESTAL | —E— UNDERGROUND ELECTRIC |
| ⊙ BOLLARD | —W— WATERLINE |
| ● ROUND CATCH BASIN | —T— UNDERGROUND TELECOMMUNICATIONS |
| ⊙ STD STORM DRAIN MH | ----- EDGE OF EXISTING GRAVEL AREA |
| () RECORD INFORMATION | |

NOTES:

- 1) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW = 0.00')
- 2) BASIS OF VERTICAL DATUM FOR THIS SURVEY IS FROM CITY OF UNALASKA CONTROL CORNER NO 13 PER THE PUBLISHED ELEVATION OF 91.79 FEET IN THE 1996 DUTCH HARBOR/UNALASKA CONTROL PANELS PUBLICATION
- 3) BASIS OF BEARING FOR THIS SURVEY IS THE GRID BEARING OF S 20° 32' E BETWEEN CITY CONTROL MONUMENT NO. 13 AND NO. 40 AND AS TIED THIS SURVEY.
- 4) FIELD SURVEY WAS COMPLETED OCT. 18, 2011.
- 5) INFORMATION REGARDING THE LOCATION OF THE UNDERGROUND UTILITIES WAS PROVIDED BY ON SITE CITY EMPLOYEES WHERE SIGNALS WERE AVAILABLE WHERE NOT AVAILABLE, ASBUILT DRAWINGS PROVIDED BY THE CITY WERE USED
- 6) THE INFORMATION NOTED AS "POSSIBLE UTILITY EASEMENTS" INDICATE THE APPROXIMATE LOCATION OF AREAS ON THE RECORD PLAT THAT ARE OUTLINED WITH AN EASEMENT TYPE BOUNDARY LINE. NO DISTANCES OR EASEMENT INFORMATION IS NOTED ON THE RECORD PLAT, EXCEPT FOR NOTE 4 AND A BLANKET EASEMENT STATEMENT ON THE PLAT
- 7) THE COORDINATES SHOWN ON THIS TOPOGRAPHIC SURVEY ARE BASED ON THE CITY OF UNALASKA - CITY CONTROL COORDINATE SYSTEM
- 8) CONTOURS ARE IN FEET, WITH ONE FOOT INTERVALS.



**RAVEN WAY-TRAPPER DRIVE
UNALASKA, ALASKA**

**ALASKA SURV/TECH**
SURVEYING AND DEVELOPMENT SINCE 1981

PO Box 417
Newman Lake, WA 99025 Ph (509) 226-0008 Cell (208) 651-0174

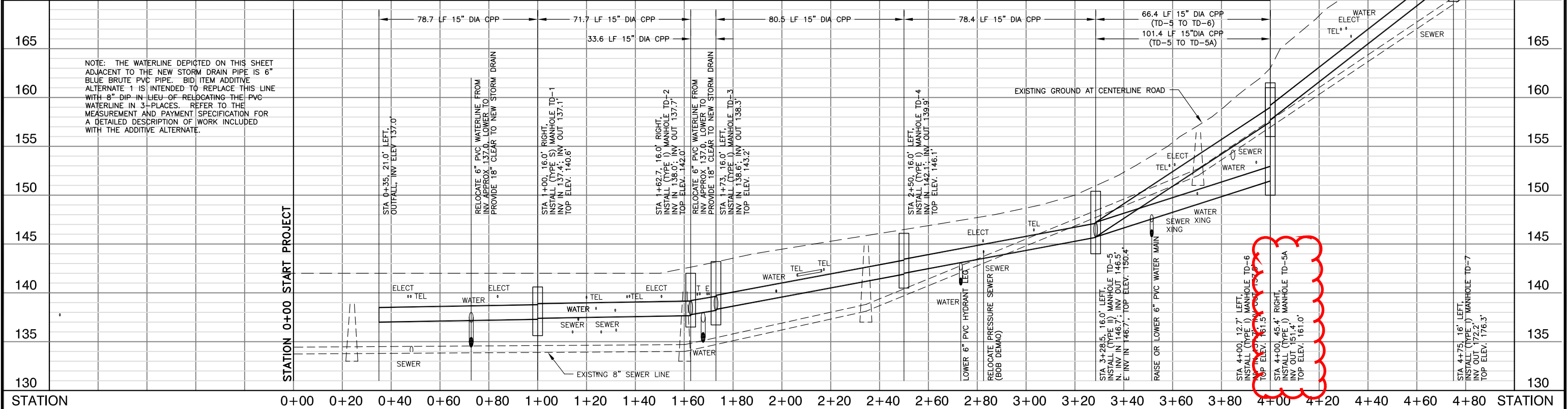
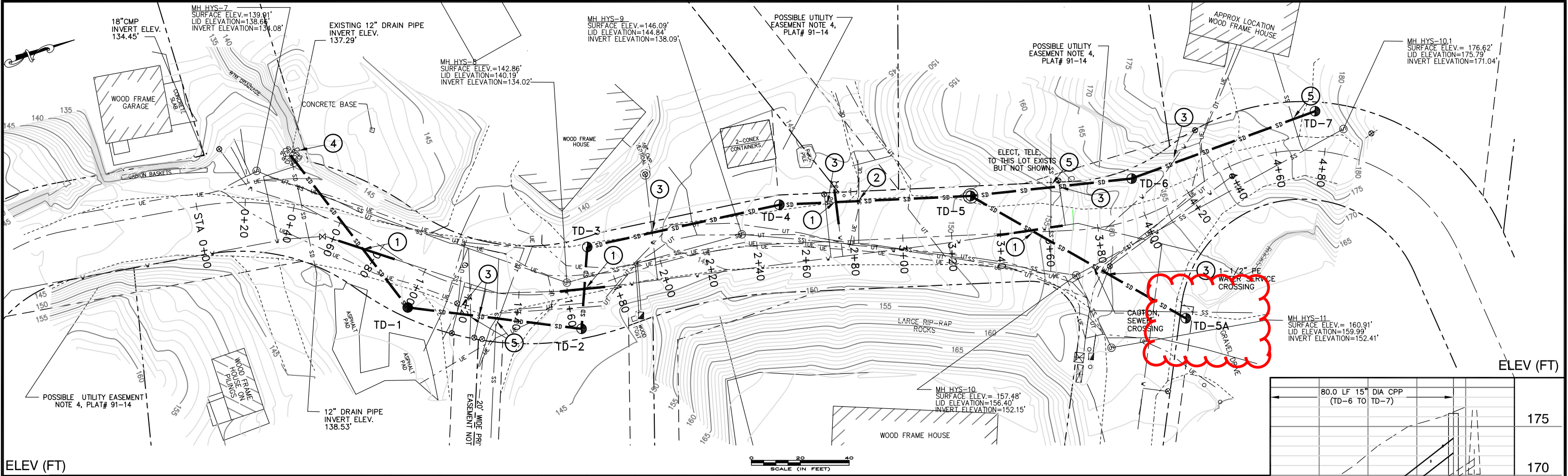
Designed: TR
Drawn: TI
Checked: TI
Project No: 11-14

Date: 1/14/12
Scale: AS SHOWN

DRAINAGE STUDY- TOPOGRAPHIC SURVEY

sheet
1 of 1

C:\WINDOWS\Prof1\Lee\Terry\My Documents\AST_008\AST11\ALASKA\UNALASKA\Oct-2011\Regan\Topo\2011\Haystack-Hill-Subdivision-Topo-1.dwg 1/14/2012 10:11



WORK NOTES:

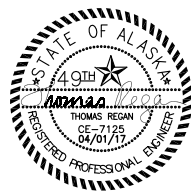
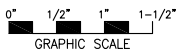
- 1 RAISE OR LOWER (BLUE BRUTE) WATERLINE TO MAINTAIN 18" CLEAR TO NEW STORM DRAIN PIPE. REFERENCE DETAIL 1 OR 3 SHEET D-17. RELOCATED WATER PIPE SHALL BE DIP WITH TRANSITION COUPLINGS AT CONNECTION POINTS.
- 2 RELOCATE PRESSURE SEWER PIPE TO CLEAR NEW DRAIN PIPE.
- 3 RELOCATE WATER SERVICE TO AVOID NEW STORM DRAIN PIPE.
- 4 INSTALL TYPE I RIP RAP AT DISCHARGE OF NEW PIPE. INSTALL FILTER FABRIC UNDERNEATH, KEY ROCK INTO GROUND 12"
- 5 RELOCATE SEWER SERVICE. SEE DETAIL 6 SHEET D-17.

GENERAL NOTES:

1. STATIONING IS ALONG THE CENTERLINE OF THE ROAD ROW WITH OFFSETS FROM CENTERLINE.

PROFILE SCALE
HORIZ: 1"=20'
VERT: 1"=5'

CONFORMED DRAWING 6/1/17



REGAN ENGINEERING, P.C.

CITY OF UNALASKA
2017 MISCELLANEOUS STORM DRAINAGE
IMPROVEMENTS

TRAPPER DRIVE
STORM DRAIN PLAN & PROFILE

DESIGNED BY: TR DATE: 04/01/17
CHECKED BY: TR DPW PROJ. NO: 11102, 10101

SHEET 36
TD-15 of 23

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that, John D. York whose address is P.O. Box 33, Unalaska, Alaska 99685 ("Grantor"), does hereby convey to the City of Unalaska, whose address is P.O. Box 89, Unalaska, Alaska 99685 ("Grantee"), its successors and assigns forever, an easement and a right of way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, erect, operate and maintain power lines and appurtenances through, across, over and under the following described lands, to wit:

A portion of Lot 14, Block 8, Haystack Hill Subdivision, Seward Meridian, P-91-21, Aleutian Islands Recording District, more specifically, a 10' wide parcel shown on Exhibit "A" and described as follows:

Commencing at the southwest corner of Lot 14, Block 8, at the southerly end point of an arc on the right-of-way of Trapper Drive, said arc having a length of 129.76 feet; thence northeasterly 5 feet more or less along the west end of an existing utility easement; thence S 55d36'25" E, 8.00 feet along the northeast side of the existing utility easement to the point of beginning; thence continuing along northeast side of the existing utility easement S 55d36'25" E, 16.10 feet; thence N 86d00' E, 25.00 feet; thence N 04d00' W, 10.00 feet; thence S 86d00' W, 37.62' feet to the point of beginning; 309 square feet, more or less.

and that only such rights in the land above described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, maintenance, repair and removal of said power line and appurtenances, reserving unto the property owners the right to use said property in any way and for any purpose not inconsistent with the rights hereby acquired; provided that the City shall have the right without prior institution of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purposes herein described, without incurring any legal obligation or liability therefore; provided that such work shall be accomplished in such a manner that the private improvements existing in said easement area shall not be disturbed or destroyed, or in the event that they are disturbed or destroyed, they shall be replaced in as good condition as they were immediately before the property was entered upon by the City; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundaries of said easement without written permission of the City, its successors or assigns.

This agreement shall be a covenant running with the land and shall be binding on the Grantor, his heirs, executors, administrators and assigns forever.

IN WITNESS WHEREOF, the Grantor hereunto sets his hand and seal this 27 day of May, 1993.

John D. York
John D. York

ACKNOWLEDGEMENT

STATE OF ALASKA)

) ss:

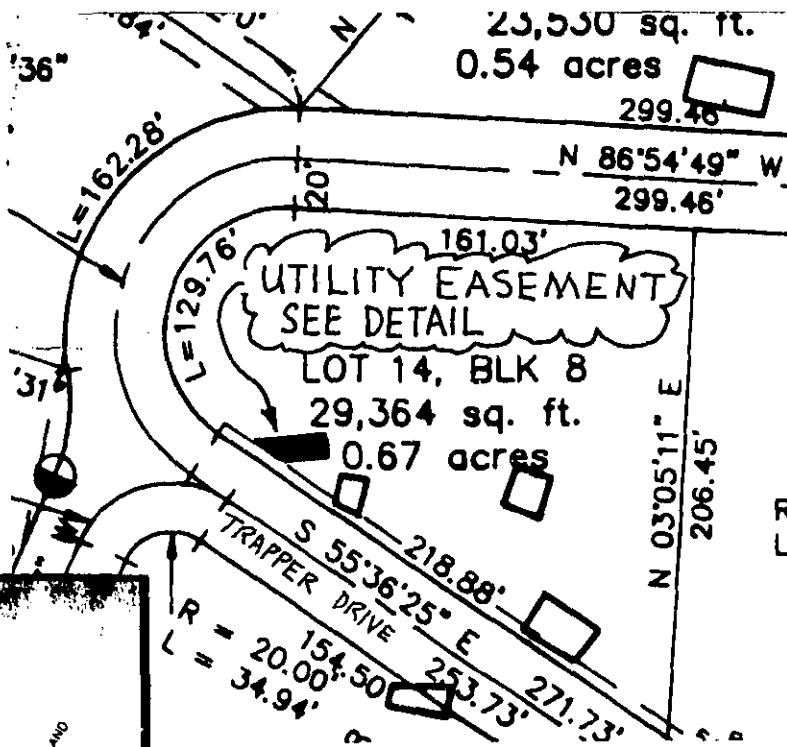
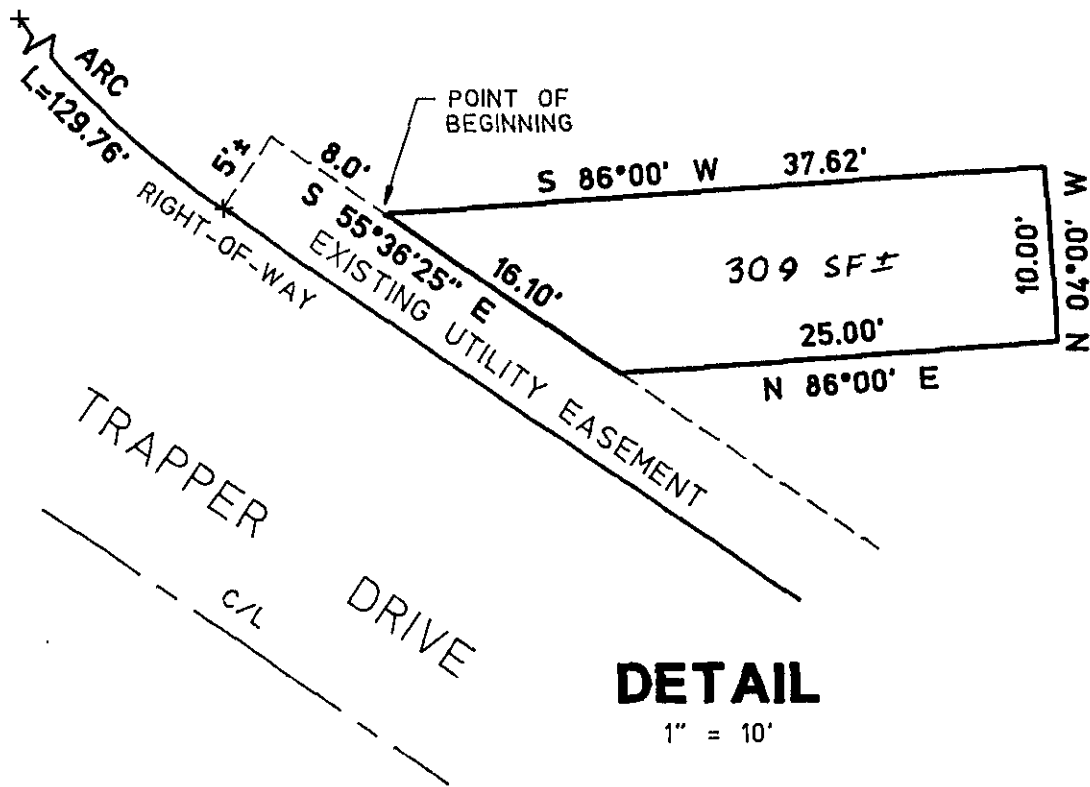
THIRD JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 27 day of May, 1993, by John D. York

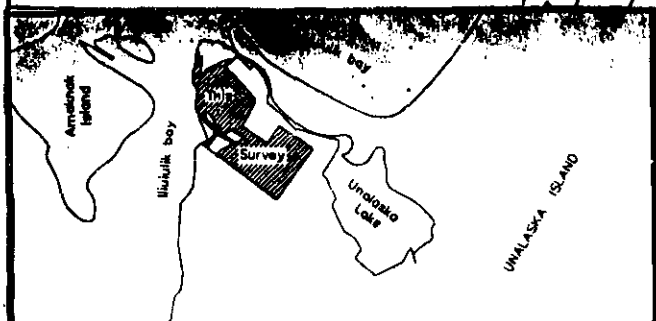
Rita Hawley
NOTARY PUBLIC in and for Alaska
My commission expires: 11/27/96

RETURN TO:

Roe Sturgulewski
Public Works Director
City of Unalaska
P.O. Box 89
Unalaska, AK 99685



RECORDED - FILED 18
Alutian Is. REC. DIST.
DATE 6-9 1993
TIME 2:15 P.M.
Requested by City of Unalakleet
Address _____



A PLAY OF
HAYSTACK HILL SUBDIVISION

**Lots 3 THRU 5, Block 1; a portion of Lot 5, Block 3;
Block 4; Lots 2 thru 5, Block 5 and Tract "B" of
USS 4988 & the Vacation of portions of First, Third &
Fourth Streets & Captain's Bay Road within, USS 4988.
Located Within Sec. 11, T 73 S, R 118 W, S.M., ALASKA
Containing 29 Lots, 2 Tracts, 91.69 Acres
ALEUTIAN RECORDING DISTRICT**

**TRYCK
NYMAN
& HAYES**
ENGINEERS/PLANNERS/SURVEYORS

NAME	JWG	SCALE	1" = 100' NTS
CHECKED	WFT	JOB NO.	7490.0
DATE	04/01/81	GRID	
FIELD BOOK		CASE NO.	
PREPARED FOR		SHEET	1 of 1
CITY OF UNALASKA			

EXHIBIT "A"

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

RESOLUTION 2021-06: A RESOLUTION APPROVING THE PRELIMINARY PLAT OF HENNING SUBDIVISION, A REPLAT OF LOT 14, BLOCK 8, HAYSTACK HILL SUBDIVISION, PLAT 91-14, AIRD

Basic Information	
Application Type	Preliminary Plat
Land Owner(s)	Dutch Harbor Properties, Owner, Monica Henning
Applicant	Monica Henning
Proposed Use	3 Properties, one including a triplex
Exhibits	Draft Resolution 2021-06, Preliminary Plat Application, Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2021-06

Legal Information	
Tax Parcel ID	04-09-211
Address	189 Trapper Drive, Unalaska, Alaska 99685
Legal Description	A proposed subdivision of Lot 14, Block 8, Haystack Hill Subdivision, Plat 91-14, AIRD
Land Use Subarea	Haystack Hill

Area Description	
North	Cliffside uphill to Raven Way, Undeveloped continuing up.
South	Trapper Drive, Single-Family/Duplex
East	Majority Single Family Housing, one duplex
West	Raven Way, Single Family Housing

Current Site Description and Zoning Standards					
Zone	Single Family/Duplex (SFO) (UCO §8.12.040)				
Existing Use	Residential				
Permitted Uses	In the Single-Family/Duplex District, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses: Up to two single-family dwellings or a two-family dwelling, on a lot; Home occupations subject to the requirements of § 8.12.180(M); Day-care for five or less children; Noncommercial greenhouses, gardens, storage sheds; Outdoor storage of subsistence and noncommercial fishing gear, boats, nets, buoys, and related equipment; Noncommercial stables, barnyards, and corrals provided they shall be located not less than 25 feet from any public street or property line; Noncommercial agricultural buildings and activities; Public recreational areas, parks, playgrounds, hiking trails, and such buildings and structures as are related thereto				
Conditional Uses	Schools; Churches; Public and quasi-public buildings essential to the physical and economic welfare of the area, such as utility buildings and facilities, fire stations, electric substations, water treatment plants, telephone exchanges, and similar uses or public services; Public and quasi-public social and recreational facilities; Bed and breakfasts, lodging houses, and boarding houses; Day-care for more than five children				
	Existing	Required		Existing	Required
Lot Area	29,258 ft ²	>10,000 ft ²	Front Setback		20 ft
Lot Frontage	24 ft	>60 ft	Side Setbacks		15 ft
Coverage	4 %	<50 %	Rear Setback		20 ft
Building Height	25 ft	<30 ft	Parking		6 spots
Corner Lot?	Yes		Nonconformance?	Permitted Triplex	

Parcel History	
Planning Commission Resolution	<p>Resolution 2014-03: Withdrawn resolution.</p> <p>Resolution 2014-24: A Resolution Approving a Variance for a Lot Width Reduction From 60 Feet To 20 Feet to Accommodate A Subdivision of Lot 14, Block 8, Haystack Hill Subdivision, Located At 201 Trapper Drive – Approved with conditions resulting in Variance 2014-03, expired.</p> <p>Resolution 2015-13: A Resolution Approving a Conditional Use Permit for Three Existing Residential Dwelling Units on Lot 14, Block 8, Haystack Hill Subdivision, Located At 189 Trapper Drive – Approved with conditions, expired before work was done.</p> <p>Resolution 2015-21: A Resolution Approving Preliminary Plat of Deffendall Subdivision, a Replat Of Lot 14, Block 8, Haystack Hill Subdivision, Located At 201 Trapper Drive – Approved, not completed, due to Res. 2015-13 not being completed. Substantially different design from this application.</p> <p>Resolution 2016-10: A Resolution Approving a Conditional Use Permit for Three Existing Residential Dwelling Units on Lot 14, Block 8, Haystack Hill Subdivision, Located At 189 Trapper Drive – Re-Approved after original approval expired</p>
City Council Ordinance	Resolution 99-18: A Resolution of the Unalaska City Council Confirming the Assessment Roll for the Upper Haystack Hill Sewer Assessment District - Approved

ADDITIONAL CODE REQUIREMENTS

1. § 8.08.070 PLATTING PROCEDURES

In General

2. § 8.12.040 SINGLE-FAMILY/DUPLEX DISTRICT (SFD).

(E) *Minimum lot size.*

- (1) 10,000 square feet for any combination of up to two dwelling units.
- (2) If additional requirements identified in § 8.08.070(A)(3)(d) are met, the minimum lot size for a single-family dwelling unit or a two-family dwelling unit/duplex may be less than 10,000 but shall be no smaller than 6,000 square feet.

3. § 8.08.070 PLATTING PROCEDURES.

(A)(3)(d)(23). If property is zoned Single-Family/Duplex, Moderate-Density Residential, or High Density Residential and if lots proposed are between 6,000 and 10,000 square feet, the following shall be included with the preliminary plat:

- (a) If determined by the Department of Public Works to be warranted due to the existing topography, a note shall be added to the plat that a minimum 9-foot by 20-foot approach shall be provided with a slope of 5% or less at the foot of the driveway. Anticipated locations of the approach shall be identified on the preliminary plat;
- (b) Parking areas shall be identified to indicate full compliance with § 8.12.170(K) Off-street parking requirements;
- (c) Drainage plan shall be provided if determined by the Department of Public Works to be necessary per § 8.08.100(B)(7) Drainage.

4. **§ 8.08.090 SUBDIVISION DESIGN STANDARDS.**

(D) Lots.

- (1) General.** The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (2) Dimensions.**
 - (a)** Lot dimensions shall conform to the requirements of Chapter 8.12, "Zoning," provided that no lot shall be less than 10,000 square feet in area. If requirements identified in § 8.08.070(A)(3)(d) have been addressed, residential lots less than 10,000 square feet but greater than 6,000 square feet may be permitted. See Chapter 8.12 for lot size requirements in different districts.
 - (b)** Lots shall be designed with a suitable proportion between width and depth. Long and narrow, or wide and shallow lots are undesirable. Normal depth shall not exceed 2 1/2 times width, or be less than 85 feet. Width of all lots shall not be less than 60 feet. See Chapter 8.12, "Zoning," for lot dimension requirements in different districts.
 - (c)** Lots laid out for commercial or industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of development.
 - (d)** No lots, tracts, or parcels shall be created or designed which would create any non-conforming setbacks as they relate to any physical improvements which are subject to setback, building separation, or other dimensional provisions

5. **§ 8.12.170 GENERAL PROVISIONS.**

- (B) Front yards** (See § 8.06.020(A), "Yard"). Where any specified front yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the front lot line than the distance indicated by the depth of the required front yard. Exceptions include:
 - (1)** Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a front yard a distance of not more than two feet and are specifically excluded from this definition; and
 - (2)** Eaves, cornices, and similar ornamentations may project over a front yard not more than two feet.
- (C) Side yards** (See § 8.06.020(A), "Yard"). Where any specified side yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the side lot line than the distance indicated by the width of the required side yard. Exceptions include:
 - (1)** Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a side yard a distance of not more than two feet and are specifically excluded from this definition; and
 - (2)** Eaves, cornices, and similar ornamentations may project over a side yard not more than two feet.

- (D) *Rear yards* (See § 8.06.020(A), “Yard”). Where any specified rear yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the rear lot line than the distance indicated by the depth of the required rear yard. Exceptions include:
- (1) Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a rear yard a distance of not more than two feet and are specifically excluded from this definition; and
 - (2) Eaves, cornices, and similar ornamentations may project over a rear yard not more than two feet.
- (E) *Irregular lot shapes*. Where irregular lot shapes prevent the direct determination of the area and yard requirements for a lot, the Director of Planning shall determine said area and yard requirements. Said determination shall be known as a “Planning Determination” and the Planning Commission will be advised of said determination at its next regular meeting (See § 8.12.220(A)(2)).
- (K) *Off-street parking requirements*. At the time a new structure is erected or a structure is enlarged, or the use of the existing structure is changed, off-street parking spaces shall be provided as set forth in this section, unless greater requirements are otherwise provided in connection with an existing use prior to the adoption date of this chapter. Each parking space shall be at least 180 square feet in area and have a width of nine feet and a depth of not less than 20 feet. In determining the gross area required for an off-street parking lot requiring a specific number of parking places including driveways and aisles, 250 square feet per parking space shall be used. Each use shall provide the following minimum off-street parking spaces discussed below.
- (2) *Location of parking*. Off-street parking shall be located as follows:
 - (a) Parking spaces serving single and multi-family dwelling units shall be located on the same lot as the building served;
 - (6) Other off-street parking requirements. Other off-street parking requirements are to be provided as follows:
 - (a) All residential dwellings. Two spaces per dwelling unit;

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. The Unalaska Comprehensive Plan 2020 – Housing Plan identifies several goals including:
 - a. Goal #9 of the Unalaska Housing Plan is to ensure that zoning and all regulatory and permit processes support the redevelopment of in-fill lots and new subdivisions for new housing development.
3. The 2015 Land Use Plan calls for an overall increase in Single Family/Duplex housing in the undeveloped lands of Haystack Hill. However, it acknowledges this lot as being already zoned for, and in use as Single Family. This was prior to the housing being identified as multi-family housing. The Land Use Plan specifically calls for no additional multi family housing to be built in the Haystack Hill subarea.

BACKGROUND

1. The applicant purchased the land in 2020.
2. The previous owner had attempted to subdivide the property. The two applications are different, and this application should not be viewed in relation to the prior application.
3. The applicant has indicated a desire to subdivide the property into three lots:
 - Proposed Lot 1 is 10,475 square feet, which is above the 10,000 square foot standard.
 - Proposed Lot 3 is 12,280 square feet, which is above the 10,000 square foot standard.
 - Proposed Lot 2 is 6,503 square feet, which is above the absolute minimum lot size of 6,000 square feet.
4. The Proposed Lot 2 is inaccessible from Raven Way due to topography, requires an access easement proposed across the Lot 1.
5. The applicant has indicated a desire to place a cabana on the proposed Lot 2.
6. The applicant has not provided a certificate to plat.
7. If approved, this resolution to change this lot nullifies all prior Conditional Use Permits and Variances.

DETAILED FINDINGS

- 1) The Planning Department has identified the deed indicating ownership, however, this does not constitute a proper title search and certificate to plat. This is noted in Condition 1, which may be removed when a certificate to plat is acquired.
- 2) *Proposed Lot 2:*
 - a) The Proposed Lot 2 is 6,503 square feet, just barely above the absolute minimum lot size of 6,000 square feet. While there is not enough square footage for each lot to be 10,000 square feet, the applicant has requested a variance to the setbacks for the smallest lot. The applicant is entirely in control of the size of each lot. No variance should be needed for the lot to be in compliance per UCO § 8.08.090(D)(2)(d), especially for a structure as small as a 16-by-20-foot cabana.
 - b) The topography of the lot does affect the size of useable space. The owner is in control of the lot sizes and can make the adjustment at the time of platting to avoid creating the need for a variance by taking some land from the proposed Lot 3.
- 3) The lot line between the Proposed Lot 1 and Proposed Lot 3 does not take into account the setbacks to the deck on the existing triplex, which omitted drawing the existing footprint correctly. Again, the applicant is in control of the lot sizes and designs, and therefore should take this into account in the next draft of the plat, per UCO § 8.08.090(D)(2)(d).
- 4) *Private Access and Utility Easement:*
 - a) A Private Access and Utilities Easement is required to reach the smallest of the lots. This private access easement needs to be labeled as a “Private Access and Utilities Easement”. It should be clear that the private access easement is solely for access and utilities, and parking in the easement is not allowed. Furthermore, the private access easement shall exist in perpetuity to serve all three lots. The City shall not be responsible for the maintenance of this easement, and shall be held harmless from civil disputes arising over use of the easement.
 - b) A preexisting Variance (2014-03) and Resolution (2014-24) is associated with the lot to reduce frontage from 60 feet to 20 feet. However, the replat was never completed, and the variance has expired. Furthermore, the intended design has changed, and therefore it is no longer valid if this plat is approved. A new variance will be required. The need for this variance is not the fault of the applicant, as the lot is substantially below grade of the adjacent roadway.

5) *Drainage Plan:*

- a) An incomplete drainage plan was submitted with the plat. Based on the contours, the catch basin is shown as far as 4 feet above the lowest point of the lot. A drainage plan showing an appropriate cross section shall be required, including fill material dimensions, layers, and composition.
 - b) The applicant mentions draining a neighbor's property on Lot 1, Plat 2000-2. Should the drainage plan include the neighbor, the drainage plan shall also show how the applicant's plan affects the neighbor's drainage. This plan shall also include a written statement of acceptance by the affected neighbor on Lot 1, Plat 2000-2.
- 6) A parking plan shows an appropriate amount of parking for each lot.
 - 7) Several easements are missing from the lot, as noted in Condition 2.
 - 8) Setbacks shown on the plat do not conform to zoning code.
 - 9) The Conditions noted below also cover some housekeeping items, such as the appropriate signature for the plat approval, noting the appropriate owner in the signature block, reiterating the proposed buildings are not approved this plat, etc.

CONDITIONS

1. A certificate to plat must be provided per UCO 8.08.070(A)(3)(b)
2. All utility lines serving this subdivision must be shown on the final plat, including relevant mainlines. All new and existing easements must be shown on the final plat, including those easements shown on plat 91-21 and document number 1993-000420 AIRD.
3. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement.
4. Proposed buildings must be removed for final plat, existing deck shall be shown on existing triplex.
5. Setback lines shown on the plat shall be adjusted to match the current zoning requirements upon consultation with the Department of Planning.
6. The applicant shall not proceed to the final plat until the existing triplex on Lot 3 is a legal nonconforming use, which may be accomplished by completing the conditions of approval of the Conditional Use Permit approved by Resolution 2021-08.
7. The name of the signer under City Approval must be changed from "Planning Director, Platting Authority" to "Chair of the Platting Board".
8. The proposed lot line between Lot 3 and Lot 1 must be moved in order to fit a 10-foot setback around the deck of the existing triplex on the proposed Lot 3
9. The Private Access Easement must include a note of the following: That no parking is to be allowed on the private access easement. The private access easement is to be shared across all separate lots, and is to exist in perpetuity. Disputes over the private access easement and any rights it may confer are solely a civil matter, the City is not responsible for the resolution of disputes arising from the access easement. The City will not maintain the private access easement.
10. The Drainage Easement needs to be moved to the lowest point on the property, or location identified in an engineered drainage plan that specifies fill composition, materials, dimensions, and layers, and cross section elevation for positive drainage.
11. The Drainage Plan must show impact on neighboring Lot 1 of plat 2000-2. The application statement indicates the neighboring Lot 1 of plat 2000-2 will also be drained through the 5-foot drainage easement.
12. The owner of the neighboring lot shall provide a written statement accepting the Drainage Plan if their lot is included and affected per application statement.
13. The 5-foot drainage easement shall be shown within the access easement.
14. Note number 5 is to be deleted. Variance 2014-03 was withdrawn by the applicant, and Lot 2 is not beholden to the expired and therefore void variance resolution 2014-24.

15. A closure report shall be submitted.
16. 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 CAD and GIS programs.

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 **return this project to the applicant to re-evaluate their request based on the above conditions and findings, and table the associated Resolutions 2021-07 and -08 until required if and when the plat is resubmitted.**

City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2021-06

**A RESOLUTION APPROVING THE PRELIMINARY PLAT OF HENNING SUBDIVISION, A
REPLAT OF LOT 14, BLOCK 8, HAYSTACK HILL SUBDIVISION, PLAT 91-14, AIRD**

WHEREAS, UCO 8.08 sets forth the procedures and requirements for the subdivision and platting of land and provides that the Planning Commission/Platting Board shall act as the Platting Authority; and

WHEREAS, Monica Henning is the owner of Dutch Harbor Properties, which is the owner of Lot 14, Block 8, Haystack Hill Subdivision, P-91-14, Aleutian Islands Recording District (04-09-211); and

WHEREAS, the landowner has submitted a plat application to split the existing lot into three lots; and

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

WHEREAS, the City of Unalaska Planning Commission held a public hearing on March 18, 2021 to consider this platting action and to hear testimony of the public;

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 Henning Subdivision 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 certificate to plat must be provided per UCO 8.08.070(A)(3)(b)
2. All utility lines serving this subdivision must be shown on the final plat, including relevant mainlines. All new and existing easements must be shown on the final plat, including those easements shown on plat 91-21 and document number 1993-000420 AIRD.
3. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement.
4. Proposed buildings must be removed for final plat, existing deck shall be shown on existing triplex.
5. Setback lines shown on the plat shall be adjusted to match the current zoning requirements upon consultation with the Department of Planning.
6. The applicant shall not proceed to the final plat until the existing triplex on Lot 3 is a legal nonconforming use, which may be accomplished by completing the conditions of approval of the Conditional Use Permit approved by Resolution 2021-08.
7. The name of the signer under City Approval must be changed from “Planning Director, Platting Authority” to “Chair of the Platting Board”.
8. The proposed lot line between Lot 3 and Lot 1 must be moved in order to fit a 10-foot setback around the deck of the existing triplex on the proposed Lot 3
9. The Private Access Easement must include a note of the following: That no parking is to be allowed on the private access easement. The private access easement is to be shared across all separate lots, and is to exist in perpetuity. Disputes over the private access easement and any rights it may confer are solely a civil matter, the City is not responsible for the resolution of disputes arising from the access easement. The City will not maintain the private access easement.
10. The Drainage Easement needs to be moved to the lowest point on the property, or location identified in an engineered drainage plan that specifies fill types and cross section elevation for positive drainage.

11. The Drainage Plan must show impact on neighboring Lot 1 of Plat 2000-2. The application statement indicates the neighboring Lot 1 of Plat 2000-2 will also be drained through the 5-foot drainage easement.
12. The owner of the neighboring Lot 1, Plat 2000-2 shall provide a written statement accepting the Drainage Plan if their lot is included and affected per application statement.
13. The 5-foot drainage easement shall be shown within the access easement.
14. Note number 5 is to be deleted. Variance 2014-03 was withdrawn by the applicant, and Lot 2 is not beholden to the expired and therefore void variance resolution 2014-24.
15. A closure report shall be submitted.
16. 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 CAD and GIS programs.

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 _____, 2021, BY THE PLATTING BOARD OF THE CITY OF UNALASKA, ALASKA.

Travis Swangel
Commission Chair

William Homka, AICP, Planning Director
Secretary of the Commission

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

RESOLUTION 2021-07: A RESOLUTION APPROVING A VARIANCE TO THE REAR YARD SETBACK OF 15 FEET TO 10 FEET ON THE PROPOSED LOT 2 OF THE PROPOSED HENNING SUBDIVISION

Basic Information	
Application Type	Variance
Land Owner(s)	Dutch Harbor Properties, Owner, Monica Henning
Applicant	Monica Henning
Proposed Use	Lot less than 10,000 sf
Exhibits	Draft Resolution 2021-07, Preliminary Plat Application, Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2021-07

Legal Information	
Tax Parcel ID	Parent Parcel: 04-09-211
Address	189 Trapper Drive, Unalaska, Alaska 99685
Legal Description	A proposed subdivision of Lot 14, Block 8, Haystack Hill Subdivision, Plat 91-14, AIRD
Land Use Subarea	Haystack Hill

Area Description	
North	Cliffside uphill to Raven Way, Undeveloped continuing up.
South	Triplex on Proposed Lot 3, Trapper Drive, Single-Family/Duplex
East	Majority Single Family Housing, one duplex
West	Proposed Lot 1, Raven Way, Single Family Housing

Current Site Description and Zoning Standards					
Zone	Single Family/Duplex (SFO) (UCO §8.12.040)				
Existing Use	Residential				
Permitted Uses	In the Single-Family/Duplex District, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses: Up to two single-family dwellings or a two-family dwelling, on a lot; Home occupations subject to the requirements of § 8.12.180(M); Day-care for five or less children; Noncommercial greenhouses, gardens, storage sheds; Outdoor storage of subsistence and noncommercial fishing gear, boats, nets, buoys, and related equipment; Noncommercial stables, barnyards, and corrals provided they shall be located not less than 25 feet from any public street or property line; Noncommercial agricultural buildings and activities; Public recreational areas, parks, playgrounds, hiking trails, and such buildings and structures as are related thereto				
Conditional Uses	Schools; Churches; Public and quasi-public buildings essential to the physical and economic welfare of the area, such as utility buildings and facilities, fire stations, electric substations, water treatment plants, telephone exchanges, and similar uses or public services; Public and quasi-public social and recreational facilities; Bed and breakfasts, lodging houses, and boarding houses; Day-care for more than five children				
	Existing	Required		Existing	Required
Lot Area	6,503 ft ²	>10,000 ft ²	Front Setback		15 ft
Lot Frontage	24 ft	>60 ft	Side Setbacks		10 ft
Coverage	0 %	<50 %	Rear Setback		15 ft
Building Height	0 ft	<30 ft	Parking		2 - 4 spots
Corner Lot?	No		Nonconformance?	None	

Parcel History	
Planning Commission Resolution	<p>Resolution 2014-03: Withdrawn resolution.</p> <p>Resolution 2014-24: A Resolution Approving a Variance for a Lot Width Reduction From 60 Feet To 20 Feet to Accommodate A Subdivision of Lot 14, Block 8, Haystack Hill Subdivision, Located At 201 Trapper Drive – Approved with conditions, expired.</p> <p>Resolution 2015-13: A Resolution Approving a Conditional Use Permit for Three Existing Residential Dwelling Units on Lot 14, Block 8, Haystack Hill Subdivision, Located At 189 Trapper Drive – Approved with conditions, expired before work was done.</p> <p>Resolution 2015-21: A Resolution Approving Preliminary Plat of Deffendall Subdivision, a Replat Of Lot 14, Block 8, Haystack Hill Subdivision, Located At 201 Trapper Drive – Approved, not completed, due to Res. 2015-13 not being completed. Substantially different design from this application.</p> <p>Resolution 2016-10: A Resolution Approving a Conditional Use Permit for Three Existing Residential Dwelling Units on Lot 14, Block 8, Haystack Hill Subdivision, Located At 189 Trapper Drive – Re-Approved after original approval expired</p>
City Council Ordinance	Resolution 99-18: A Resolution of the Unalaska City Council Confirming the Assessment Roll for the Upper Haystack Hill Sewer Assessment District - Approved

ADDITIONAL CODE REQUIREMENTS

1. § 8.12.040 SINGLE-FAMILY/DUPLEX DISTRICT (SFD).

(E) *Minimum lot size.*

- (1)** 10,000 square feet for any combination of up to two dwelling units.
- (2)** If additional requirements identified in § 8.08.070(A)(3)(d) are met, the minimum lot size for a single-family dwelling unit or a two-family dwelling unit/duplex may be less than 10,000 but shall be no smaller than 6,000 square feet.

2. § 8.12.210 VARIANCES.

(A) Authorization. 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. If a dimensional variance of ten percent or less of a standard set forth in this chapter is requested, the Director of Planning may grant such a variance if he finds that strict application of the chapter's standard may cause undue hardship. The Director of Planning shall report all such dimensional variances that he grants as a Planning Determination to the Planning Commission. If the Director of Planning denies a request for a dimensional variance of ten percent or less, that decision may be appealed pursuant to § 8.12.220(B).

(E) *Approval.* The Planning Commission may approve an application for a variance by finding, that the request conforms to AS 29.40.040 land use regulations, or any subsequent amendments thereto and:

- (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.

(J) *Time limit for a variance.* Each variance authorized under the provisions of this chapter which is not actually established or for which the actual construction commenced on the buildings or structures involved within one year from the date of the decision of the Planning Commission, will be null and void. In the event construction work is involved, it must actually commence within the stated period and must be diligently pursued to completion. Provided further, when any use or land, building, structure, or premises established by variance has been discontinued for a period of one year, it shall be unlawful to use said land or building or premises again for such use unless a subsequent variance is again authorized and issued therefore. Permits shall require new hearings with the Planning Commission.

3. **§ 8.08.070 PLATTING PROCEDURES.**

(A)(3)(d)(23). If property is zoned Single-Family/Duplex, Moderate-Density Residential, or High Density Residential and if lots proposed are between 6,000 and 10,000 square feet, the following shall be included with the preliminary plat:

- (a) If determined by the Department of Public Works to be warranted due to the existing topography, a note shall be added to the plat that a minimum 9-foot by 20-foot approach shall be provided with a slope of 5% or less at the foot of the driveway. Anticipated locations of the approach shall be identified on the preliminary plat;
- (b) Parking areas shall be identified to indicate full compliance with § 8.12.170(K) Off-street parking requirements;
- (c) Drainage plan shall be provided if determined by the Department of Public Works to be necessary per § 8.08.100(B)(7) Drainage.

4. **§ 8.08.090 SUBDIVISION DESIGN STANDARDS.**

(D) Lots.

(1) General. The size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

(2) Dimensions.

(a) Lot dimensions shall conform to the requirements of Chapter 8.12, "Zoning," provided that no lot shall be less than 10,000 square feet in area. If requirements identified in § 8.08.070(A)(3)(d) have been addressed, residential lots less than 10,000 square feet but greater than 6,000 square feet may be permitted. See Chapter 8.12 for lot size requirements in different districts.

(b) Lots shall be designed with a suitable proportion between width and depth. Long and narrow, or wide and shallow lots are undesirable. Normal depth shall not exceed 2 1/2 times width, or be less than 85 feet. Width of all lots shall not be less than 60 feet. See Chapter 8.12, "Zoning," for lot dimension requirements in different districts.

(d) No lots, tracts, or parcels shall be created or designed which would create any non-conforming setbacks as they relate to any physical improvements which are subject to setback, building separation, or other dimensional provisions

5. **§ 8.12.170 GENERAL PROVISIONS.**

(B) Front yards (See § 8.06.020(A), "Yard"). Where any specified front yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the front lot line than the distance indicated by the depth of the required front yard. Exceptions include:

(1) Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a front yard a distance of not more than two feet and are specifically excluded from this definition; and

(2) Eaves, cornices, and similar ornamentations may project over a front yard not more than two feet.

(C) Side yards (See § 8.06.020(A), "Yard"). Where any specified side yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the side lot line than the distance indicated by the width of the required side yard. Exceptions include:

(1) Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a side yard a distance of not more than two feet and are specifically excluded from this definition; and

(2) Eaves, cornices, and similar ornamentations may project over a side yard not more than two feet.

(D) Rear yards (See § 8.06.020(A), "Yard"). Where any specified rear yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the rear lot line than the distance indicated by the depth of the required rear yard. Exceptions include:

(1) Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a rear yard a distance of not more than two feet and are specifically excluded from this definition; and

(2) Eaves, cornices, and similar ornamentations may project over a rear yard not more than two feet.

- (E) *Irregular lot shapes.* Where irregular lot shapes prevent the direct determination of the area and yard requirements for a lot, the Director of Planning shall determine said area and yard requirements. Said determination shall be known as a “Planning Determination” and the Planning Commission will be advised of said determination at its next regular meeting (See § 8.12.220(A)(2)).
- (K) *Off-street parking requirements.* At the time a new structure is erected or a structure is enlarged, or the use of the existing structure is changed, off-street parking spaces shall be provided as set forth in this section, unless greater requirements are otherwise provided in connection with an existing use prior to the adoption date of this chapter. Each parking space shall be at least 180 square feet in area and have a width of nine feet and a depth of not less than 20 feet. In determining the gross area required for an off-street parking lot requiring a specific number of parking places including driveways and aisles, 250 square feet per parking space shall be used. Each use shall provide the following minimum off-street parking spaces discussed below.
- (2) *Location of parking.* Off-street parking shall be located as follows:
- (a) Parking spaces serving single and multi-family dwelling units shall be located on the same lot as the building served;
- (6) Other off-street parking requirements. Other off-street parking requirements are to be provided as follows:
- (a) All residential dwellings. Two spaces per dwelling unit;

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. The Unalaska Comprehensive Plan 2020 – Housing Plan identifies several goals including:
 - a. Goal #9 of the Unalaska Housing Plan is to ensure that zoning and all regulatory and permit processes support the redevelopment of in-fill lots and new subdivisions for new housing development.
3. The 2015 Land Use Plan calls for an overall increase in Single Family/Duplex housing in the undeveloped lands of Haystack Hill. However, it acknowledges this lot as being already zoned for, and in use as Single Family. This was prior to the housing being identified as multi-family housing. The Land Use Plan specifically calls for no additional multi family housing to be built in the Haystack Hill subarea.

BACKGROUND

1. The applicant purchased the land in 2020.
2. The previous owner had attempted to subdivide the property. The two applications are different, and this application should not be viewed in relation to the prior application.
3. The applicant has indicated a desire to subdivide the property into three lots:
 - Proposed Lot 1 is 10,475 square feet, which is above the 10,000 square foot standard.
 - Proposed Lot 3 is 12,280 square feet, which is above the 10,000 square foot standard.
 - Proposed Lot 2 is 6,503 square feet, which is above the absolute minimum lot size of 6,000 square feet.
4. The applicant has indicated a desire to place a cabana on the proposed Lot 2.
5. The applicant has requested a waiver for 5-feet of the 15-foot rear yard setback.

DETAILED FINDINGS

- 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:*
 - a) The hardship is primarily created by the landowner seeking to create a lot that is smaller than the standard 10,000 square foot minimum lot size
 - b) The applicant is entirely in control of the size of each lot, no variance should be needed for the lot to be in compliance with setbacks per UCO § 8.08.090(D)(2)(d). The Proposed Lot 2 is 6,503 square feet, just barely above the absolute minimum lot size of 6,000 square feet.
 - c) The topography of the lot does affect the size of useable space, but again, as the owner is in control of the lot sizes, the owner can make the adjustment at the time of platting to avoid a planned variance by taking some land from the proposed lot 3.
 - d) Staff finds that the application fails to meet this test of code.
- 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:*
 - a) There are no lots in the neighborhood that are smaller than 10,000 square feet. This lot would, by virtue of its built in minimized setbacks, surpass the rights of the landowners in the surrounding district.
 - b) The applicant is requesting this variance as part of a subdivision. The result would be a permanent variance that travels with the lot as it continues its life. Typically, variances are the result of restricted development because of extenuating external factors on a project by project basis. In this case, there is no associated building permit associated with the request. The timing of the request is inconsistent with the intent of the variance process.
 - c) Again, the lot is sized up to the applicant, and the creation of a sufficiently large lot would similarly preserve the rights of the property owner.
 - d) Staff finds that the application fails this test of code.
- 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:*
 - a) The proposed lot is not consistent with the overall neighborhood character of large lots with large single-family homes. Especially in light of the triplex on the adjacent proposed Lot 3. However, the stated intent to place a cabana on the lot is not in violation of the intent of the SFD code. A duplex on such a small lot would not meet the intent of the SFD zone due to the increased demand on the smaller lot, the additional required parking, and the need for the access easement. It is recommended that the lot be limited to a single unit. Similarly, a condition should clearly state that the lot is ineligible for a conditional use permit in the future for more than 2 units.
 - b) A parking plan was submitted with the plat; however, the plan only shows two spaces. The lot is not designed for more than a single-family structure, or else a parking plan for 4 spaces would be required. The shared access easement may result in contention in the future, as many have in the city in the past. This is unfortunately unavoidable, as the lot cannot be accessed from the adjacent roadway due to the topography of the lot. It should be clear that the easement is solely for access and utilities, and parking in the easement is not allowed. Furthermore, the easement shall exist in perpetuity to serve all three lots. The City shall not be responsible for the

maintenance of this easement, and shall be held harmless from civil disputes arising over use of the easement.

- c) An engineered drainage plan shall be required in order to provide proper drainage of the lot. This lot is often flooded being at the bottom of the overall bowl-shaped area of the parent parcel. The parent parcel is hemmed in by the topography of the hill and the roads surrounding the lot and as such is prone to flooding. An incomplete drainage plan was submitted with the plat. Based on the contours, the catch basin is shown as far as 4 feet above the lowest point of the lot. A drainage plan showing an appropriate cross section shall be required, including fill material dimensions, layers, and composition.
 - d) The applicant mentions draining a neighbor's property on Lot 1, Plat 2000-2. Should the drainage plan include the neighbor, the drainage plan shall also show how the applicant's plan affects the neighbor's drainage. This plan shall also include a written statement of acceptance by the affected neighbor on Lot 1, Plat 2000-2.
 - e) Staff finds that the application meets this test of code with conditions.
- 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.*
- a) As noted above, the variance requested is requested as part of a platting process. The subdivision design standards specifically require lots be designed to avoid variances.
 - b) The hardship is created by the landowner seeking to create a lot that is smaller than the standard 10,000 square foot minimum lot size. The lot could be created with more space by taking additional square footage from the proposed adjacent lots.
 - c) There is no current site plan for which the variance is needed. It is impossible to say that it is the minimum variance to alleviate future hardships.
 - d) The lot is supported by the goal of the comprehensive plan and housing plan to increase housing availability.
 - e) Staff find the application fails this test of code overall.

CONDITIONS

1. Applicant must adhere to utilities requirements. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement
2. The Drainage Easement needs to be moved to the lowest point on the property, or location identified in an engineered drainage plan that specifies fill types and cross section elevation for positive drainage.
3. The Drainage Plan must show impact on neighboring Lot 1 of Plat 2000-2. The application statement indicates the neighboring Lot 1 of Plat 2000-2 will also be drained through the 5-foot drainage easement.
4. The owner of the neighboring Lot 1, Plat 2000-2 shall provide a written statement accepting the Drainage Plan if their lot is included and affected per application statement.
5. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement
6. The Private Access Easement must include a note of the following: That no parking is to be allowed on the private access easement. The private access easement is to be shared across all separate lots, and is to exist in perpetuity. Disputes over the private access easement and any rights it may confer are solely a civil matter, the City is not responsible for the resolution of disputes arising from the access easement. The City will not maintain the private access easement.
7. Accessory buildings, including, but not limited to connexes of any size, shall require a building permit, and be assessed against the drainage plan for the plat.

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 deny the request for a variance.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2021-07**

**A RESOLUTION APPROVING A VARIANCE TO THE REAR YARD SETBACK OF 15 FEET
TO 10 FEET ON THE PROPOSED LOT 2 OF THE PROPOSED HENNING SUBDIVISION**

WHEREAS, this is a variance requested prior to construction; and

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

WHEREAS, Monica Henning is the owner of Dutch Harbor Properties, which is the owner of Lot 14, Block 8, Haystack Hill Subdivision, P-91-14, Aleutian Islands Recording District (04-09-211); and

WHEREAS, the landowner has submitted a plat application to split the existing lot into three lots; and

WHEREAS, the planned Lot 2 is zoned Single Family/Duplex, but less than 10,000 square feet, which limits structures to a rear yard setback of fifteen (15) feet; and

WHEREAS, the lot was subdivided with the aforementioned minimal lot size in mind; and

WHEREAS, the Applicant is requesting a permanent waiver to in the future place a structure ten (10) feet from the rear lot line; and

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

WHEREAS, the Planning Commission/Platting Board conducted a public hearing on March 18, 2021 in order to consider the testimony of the public; and

WHEREAS, notices were posted and mailed in accordance with Title 8, UCO §8.08.020(F); 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 waiver for a 5-foot variance to the 15-foot rear setback on Lot 2, Henning Subdivision Preliminary Plat, located at 189 Trapper Drive with the following conditions of approval:

1. Applicant must adhere to utilities requirements. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement
2. The Drainage Easement needs to be moved to the lowest point on the property, or location identified in an engineered drainage plan that specifies fill types and cross section elevation for positive drainage.
3. The Drainage Plan must show impact on neighboring Lot 1 of Plat 2000-2. The application statement indicates the neighboring Lot 1 of Plat 2000-2 will also be drained through the 5-foot drainage easement.
4. The owner of the neighboring Lot 1, Plat 2000-2 shall provide a written statement accepting the Drainage Plan if their lot is included and affected per application statement.
5. Utility service lines for any lot shall not cross through another lot without a dedicated utility easement
6. The Private Access Easement must include a note of the following: That no parking is to be allowed on the private access easement. The private access easement is to be shared across all separate lots, and is to exist in perpetuity. Disputes over the private access easement and any rights it may confer are solely a civil matter, the City is not responsible for the resolution of disputes arising from the access easement. The City will not maintain the private access easement.
7. Accessory buildings, including, but not limited to connexes of any size, shall require a building permit, and be assessed against the drainage plan for the plat.

This resolution approves the variance only as it applies to the site plat 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.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021, BY THE
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Travis Swangel
Planning Commission Chair

William Homka, AICP, Planning Director
Secretary of the Commission

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

RESOLUTION 2021-08: A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A TRIPLEX ON A PARCEL ZONED SINGLE FAMILY DUPLEX ON THE PROPOSED LOT 3 OF THE PROPOSED HENNING SUBDIVISION

Basic Information	
Application Type	Conditional Use Permit
Land Owner(s)	Dutch Harbor Properties, Owner, Monica Henning
Applicant	Monica Henning
Proposed Use	Triplex
Exhibits	Draft Resolution 2021-08, Preliminary Plat Application, Supplemental Materials, Location Map
Staff Recommendation	Approval of Resolution 2021-08

Legal Information	
Tax Parcel ID	Parent Parcel: 04-09-211
Address	189 Trapper Drive, Unalaska, Alaska 99685
Legal Description	A proposed subdivision of Lot 14, Block 8, Haystack Hill Subdivision, Plat 91-14, AIRD
Land Use Subarea	Haystack Hill

Area Description	
North	Proposed Lot 2, Cliffside uphill to Raven Way, Undeveloped continuing up.
South	Trapper Drive, Single-Family/Duplex
East	Majority Single Family Housing, one duplex
West	Proposed Lot 1, Raven Way, Single Family Housing

Current Site Description and Zoning Standards					
Zone	Single Family/Duplex (SFO) (UCO §8.12.040)				
Existing Use	Residential				
Permitted Uses	In the Single-Family/Duplex District, no building or structure or land shall be used and no building or structure shall be erected which is arranged, intended, or designated to be used for other than one or more of the following uses: Up to two single-family dwellings or a two-family dwelling, on a lot; Home occupations subject to the requirements of § 8.12.180(M); Day-care for five or less children; Noncommercial greenhouses, gardens, storage sheds; Outdoor storage of subsistence and noncommercial fishing gear, boats, nets, buoys, and related equipment; Noncommercial stables, barnyards, and corrals provided they shall be located not less than 25 feet from any public street or property line; Noncommercial agricultural buildings and activities; Public recreational areas, parks, playgrounds, hiking trails, and such buildings and structures as are related thereto				
Conditional Uses	Schools; Churches; Public and quasi-public buildings essential to the physical and economic welfare of the area, such as utility buildings and facilities, fire stations, electric substations, water treatment plants, telephone exchanges, and similar uses or public services; Public and quasi-public social and recreational facilities; Bed and breakfasts, lodging houses, and boarding houses; Day-care for more than five children				
	Existing	Required		Existing	Required
Lot Area	12,280 ft ²	>10,000 ft ²	Front Setback	9.5 ft	20 ft
Lot Frontage	24 ft	>60 ft	Side Setbacks	≈ 70 ft	10 ft
Coverage	17 %	<50 %	Rear Setback	≈ 85 ft	20 ft
Building Height	≈ 30 ft	<30 ft	Parking	6	6 spots
Corner Lot?	No		Nonconformance?	None	

Parcel History	
Planning Commission Resolution	<p>Resolution 2014-03: Withdrawn resolution.</p> <p>Resolution 2014-24: A Resolution Approving a Variance for a Lot Width Reduction From 60 Feet To 20 Feet to Accommodate A Subdivision of Lot 14, Block 8, Haystack Hill Subdivision, Located At 201 Trapper Drive – Approved with conditions, expired.</p> <p>Resolution 2015-13: A Resolution Approving a Conditional Use Permit for Three Existing Residential Dwelling Units on Lot 14, Block 8, Haystack Hill Subdivision, Located At 189 Trapper Drive – Approved with conditions, expired before work was done.</p> <p>Resolution 2015-21: A Resolution Approving Preliminary Plat of Deffendall Subdivision, a Replat Of Lot 14, Block 8, Haystack Hill Subdivision, Located At 201 Trapper Drive – Approved, not completed, due to Res. 2015-13 not being completed. Substantially different design from this application.</p> <p>Resolution 2016-10: A Resolution Approving a Conditional Use Permit for Three Existing Residential Dwelling Units on Lot 14, Block 8, Haystack Hill Subdivision, Located At 189 Trapper Drive – Re-Approved after original approval expired</p>
City Council Ordinance	Resolution 99-18: A Resolution of the Unalaska City Council Confirming the Assessment Roll for the Upper Haystack Hill Sewer Assessment District - Approved
Building Permit	<p>BP 92-47 – appears base structure is constructed</p> <p>BP 04-03 – addition to existing structure, unclear if single or duplex.</p>

ADDITIONAL CODE REQUIREMENTS

1. **§ 8.12.040 SINGLE-FAMILY/DUPLEX DISTRICT (SFD).**

(E) *Minimum lot size.*

- (1) 10,000 square feet for any combination of up to two dwelling units.
- (2) If additional requirements identified in § 8.08.070(A)(3)(d) are met, the minimum lot size for a single-family dwelling unit or a two-family dwelling unit/duplex may be less than 10,000 but shall be no smaller than 6,000 square feet.

2. **§ 8.12.200 Conditional Use Applications.**

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

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

3. **§ 8.12.170 GENERAL PROVISIONS.**

(B) *Front yards (See § 8.06.020(A), “Yard”).* Where any specified front yard is required, no building shall be hereafter erected or altered so that any portion thereof shall be nearer to the front lot line than the distance indicated by the depth of the required front yard. Exceptions include:

- (1) Steps, terraces, platforms, and porches having no roof covering and not being over 30 inches high may be built within a front yard a distance of not more than two feet and are specifically excluded from this definition; and
 - (2) Eaves, cornices, and similar ornamentations may project over a front yard not more than two feet.
- (K) *Off-street parking requirements.* At the time a new structure is erected or a structure is enlarged, or the use of the existing structure is changed, off-street parking spaces shall be provided as set forth in this section, unless greater requirements are otherwise provided in connection with an existing use prior to the adoption date of this chapter. Each parking space shall be at least 180 square feet in area and have a width of nine feet and a depth of not less than 20 feet. In determining the gross area required for an off-street parking lot requiring a specific number of parking places including driveways and aisles, 250 square feet per parking space shall be used. Each use shall provide the following minimum off-street parking spaces discussed below.
- (2) *Location of parking.* Off-street parking shall be located as follows:
 - (a) Parking spaces serving single and multi-family dwelling units shall be located on the same lot as the building served;
 - (6) Other off-street parking requirements. Other off-street parking requirements are to be provided as follows:
 - (a) All residential dwellings. Two spaces per dwelling unit;

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. The Unalaska Comprehensive Plan 2020 – Housing Plan identifies several goals including:
 - a. 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.
 - b. Goal #4 of the Unalaska Housing Plan is to preserve and improve the condition of existing housing in the community through code enforcement.
3. The 2015 Land Use Plan calls for an overall increase in Single Family/Duplex housing in the undeveloped lands of Haystack Hill. However, it acknowledges this lot as being already zoned for, and in use as Single Family. This was prior to the housing being identified as multi-family housing. The Land Use Plan specifically calls for no additional multi family housing to be built in the Haystack Hill subarea.

BACKGROUND

1. The triplex has existed in some form since approximately 2004, the first-floor footprint having existed as early as 1992.
2. The previous owner purchased the building in 2007, and stated on the record that the building had been operating as a triplex prior to his purchase of the lot.
3. The previous owner applied to retroactively bring the triplex into compliance with zoning code, and the triplex was permitted in 2015 with conditions (Resolution 2015-21).
4. The Resolution 2015-21 permit lapsed due to incomplete conditions. Once the triplex met its conditions in 2016, it was permitted again in Resolution 2016-10, with the same conditions as Resolution 2015-21.
5. The applicant purchased the land in 2020.

6. The applicant desires to continue to use the triplex.
7. If the plat is approved, the existing CUP expires and must be re-evaluated.
8. The conditional use requested in this case is for one additional dwelling unit above the maximum of two. The total number of units allowed would then be three, rather than two.
9. This request is a conditional use application to continue the existing use of the triplex. The applicant is proposing no changes to the property, but simply attempting to continue the lot's conformance with the zoning code by obtaining the necessary conditional use permit. If the Commission chose to deny the permit, the applicant would be compelled by the City to discontinue use of the one extra dwelling unit and remove one of the families from their home.
10. During the past fourteen or more years that this triplex has been in operation, there have been no complaints or major issues noted with congestion, noise, or parking. The appearance of the triplex doesn't differ from typical buildings expected in the Single-Family/Duplex Residential zone or from typical buildings in this particular neighborhood. It largely resembles a single-family home and only houses five occupants in the entire triplex.
11. The only change in conditions in this resolution is related to the Private Access Easement, which was not related to the Lot in the past.

DETAILED 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) *Furtheres the goals and objectives of the Comprehensive Development Plan:*
 - a) The conditional use furthers the objectives of the Comprehensive Plan by providing additional housing for the community in accordance with Goal #9 of the Housing Plan. Goal #4 encourages compliance with standards for quality of structures, which is furthered by Conditions #2 and #3, as they bring the building into compliance with City standards for a triplex.
 - b) Staff finds this test passed with conditions.
- 2) *Will be compatible with existing and planned land uses in the surrounding neighborhood and with the intent of its use district:*
 - a) The conditional use is compatible with the surrounding land uses and neighborhood character, as the structure resembles a single-family home and the intensity of the use is minimal enough not to conflict with the character of the surrounding area.
 - b) Condition #1 added to the draft resolution guarantees that the character of the structure will not change by requiring that the applicant obtain a new conditional use permit from the Planning Commission for any significant alterations to the building. The applicant is advised that this condition applies to all exterior fascia and accessories such as fuel tanks and stairs/decking.
 - c) The parking plan and the access easement will prevent disputes over parking space and requirements.
 - d) Staff finds this test passed with conditions.
- 3) *Will not have a permanent negative impact substantially greater than anticipated from permitted development within the district:*
 - a) The conditional use will not have a negative impact on the surrounding area because the impact of the use is minimal. The use has been in operation for at least fourteen years and has

caused no noticeable negative impacts beyond what is expected from a single-family home or duplex. Again, condition #1 added to the draft resolution will maintain the low impact of the use. Also, conditions #2 and #3 keeps the structure in compliance with City requirements for a triplex, which prevents the structure from having a negative impact on the community in terms of fair utility billing and maintaining water quality. Condition #4 prevents the use from having a negative impact by requiring adequate parking on the property.

- b) A parking plan was submitted with the plat; showing the required six spaces.
- c) The shared private access easement may result in contention in the future, as many have in the city in the past. The need for a private access easement is unfortunately unavoidable, as the lot cannot be accessed from the adjacent roadway due to the topography of the lot. It should be clear that the private access easement is solely for access and utilities. Parking in the easement is not allowed. Furthermore, the private access easement shall exist in perpetuity to serve all three lots. The City shall not be responsible for the maintenance of this easement, and shall be held harmless from civil disputes arising over use of the easement.
- d) Staff finds this test of passed with conditions.

CONDITIONS

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. Prior to issuance of the conditional use permit, the applicant must have an electric meter that meets the standards of the Department of Public Utilities for a triplex. The options are: 1) Three electric meters, one for each unit; or 2) One electric meter registered with the utility billing department as a triplex.
3. Prior to issuance of the conditional use permit, the applicant must install a backflow preventer, approved by the Department of Public Utilities, for the water service.
4. Six parking spaces shall be maintained on the property for the duration of the use, in accordance with UCO §8.12.170(L). If the property is subdivided while this conditional use is in effect, the new lot containing this structure shall have six parking spaces on it.
5. No parking is to be allowed on the Private Access and Utilities Easement. The private access easement is to be shared across all separate lots, and is to exist in perpetuity. Disputes over the private access easement and any rights it may confer are solely a civil matter, the City is not responsible for the resolution of disputes arising from the access easement. The City will not maintain the access easement.

RECOMMENDATION

In accordance with the standards outlined in Unalaska City Code of Ordinances Chapter 8.12 (Zoning), the City of Unalaska Department of Planning, in concert with the City's Developmental Review Team, recommends that the Planning Commission approve the conditional use request with the associated condition of approval identified in Resolution 2021-08.

**City of Unalaska, Alaska
Planning Commission/Platting Board
Resolution 2021-08**

**RESOLUTION 2021-08: A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
A TRIPLEX ON A PARCEL ZONED SINGLE FAMILY DUPLEX ON THE PROPOSED LOT 3
OF THE PROPOSED HENNING SUBDIVISION**

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

WHEREAS, Monica Henning is the owner of Dutch Harbor Properties, which is the owner of Lot 14, Block 8, Haystack Hill Subdivision, P-91-14, Aleutian Islands Recording District (04-09-211); and

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

WHEREAS, UCO §8.12.040(D)(7) states that all uses 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 total of three residential dwelling units on the property whereas the zoning allows for two total units by right; 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 land for housing 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 March 18, 2021 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 three residential dwelling units on Lot 14, Block 8, Haystack Hill Subdivision, at 189 Trapper Drive 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. Prior to issuance of the conditional use permit, the applicant must have an electric meter that meets the standards of the Department of Public Utilities for a triplex. The options are: 1) Three electric meters, one for each unit; or 2) One electric meter registered with the utility billing department as a triplex.
3. Prior to issuance of the conditional use permit, the applicant must install a backflow preventer, approved by the Department of Public Utilities, for the water service.
4. Six parking spaces shall be maintained on the property for the duration of the use, in accordance with UCO §8.12.170(L). If the property is subdivided while this conditional use is in effect, the new lot containing this structure shall have six parking spaces on it.
5. No parking is to be allowed on the Private Access and Utilities Easement. The private access easement is to be shared across all separate lots, and is to exist in perpetuity. Disputes over the private access easement and any rights it may confer are solely a civil matter, the City is not responsible for the resolution of disputes arising from the access easement. The City will not maintain the access 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.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2021, BY THE
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

Travis Swangel
Commission Chair

William Homka, AICP, Planning Director
Secretary of the Commission