

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

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

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

Public Present: Debbie Hanson-Zueger
Tom Bell

Roll Call:

Commissioners present:

Chris Bobbitt, Chair
Chris Spengler
Steven Gregory
Vicki Williams

Commissioners excused:

John Laskowski

Additions to the Agenda: None

Appearance Requests: None

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

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

Planning Commission Public Hearings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Applicant Testimony:

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

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

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

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

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

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

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

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

Public Testimony:

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

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

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

Commission Discussion:

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

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

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

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

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

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

VOTE ON AMENDED RESOLUTION 2013-03:

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

Planning Commission Public Hearings:

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

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

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

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

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

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

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

Work Session:

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED THIS 16th DAY OF May 2013 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.



Chris Bobbitt
Chair

5/16/13

Date



Erin Reinders, AICP
Recording Secretary

5/16/13

Date

Prepared by Veronica Decastro, Planning Administrative Assistant