

**CITY OF UNALASKA  
UNALASKA, ALASKA  
PLANNING COMMISSION MINUTES  
Thursday, September 19, 2013  
CITY COUNCIL CHAMBERS, CITY HALL  
7:00 P.M.**

**1. Call to Order:**

Chair Chris Bobbitt called the meeting to order at 7:00 P.M. Chair Bobbitt requested for a moment of silence in honor of Planning Commissioner Peter Sturdivant who passed away last August 22, 2013.

**Staff Present:**

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

**Roll Call:**

*Commissioners present:*

Chris Bobbitt  
Steven Gregory  
Doanh Tran

*Commissioner absent:*

Vicki Williams

**2. Revisions to the Agenda: None**

**3. Appearance Requests: None**

**4. Minutes:**

Steven Gregory moved to approve the minutes from the August 8, 2013 meeting. There was a second. Chair Bobbitt called for a discussion or comments on the minutes. There being no comments, Chair Bobbitt called for a vote and the motion to approve the minutes was unanimous (3-0). The minutes for the August 8, 2013 meeting were adopted.

**5. Announcements: None**

**PUBLIC HEARING ACTION ITEMS:**

**6. Preliminary Plat of Unalaska Tideland Survey (UTS) 103, Tract A-1 and A-2, a 6.37 acre subdivision Tract A of UTS 103, Tracts A, B, C, and D, Plat Number 2013-13 located in Captains Bay.**

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 explained that OSI is going through the tidelands leasing process and as part of the process they are required to submit a Tidelands Subdivision Plat identifying the property that they are interested in leasing. Staff is recommending approval of Resolution 2013-14.

Chair Bobbitt asked if the Commissioners have any questions for Staff. There being none, Chair Bobbitt asked the applicant if he would like to make a presentation. The OSI representative, Jared Davis, said he has no presentation but was available to answer any questions that the Commissioners might have. Chair Bobbitt asked the Commissioners if they have any questions for Mr. Davis. Mr. Gregory asked if Mr. Davis is in agreement with the conditions of approval. Mr. Davis answered in the affirmative.

At this point Chair Bobbitt asked if there were any public testimony. Hearing none, Chair Bobbitt closed the Public Hearing and called for a motion to approve Resolutions 2013-14. Ms. Tran moved to approve Resolution 2013-14. There was a second.

Chair Bobbitt asked if there were any questions or comments from the Commissioners. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (3-0). The motion carried and Resolutions 2013-14 was adopted.

**7. Conditional Use Permit allowing for a Single Family Residential Unit in a General Commercial Zoning District on Lot 3, Block 4, USS 1992, in Unalaska Townsite located at 17 4th Street.**

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

Staff explained that the next two items in the Agenda are related to the same development request so both items will be discussed altogether. The property has been used the same way since the Zoning code was implemented in 1996. It is a mixed-use property, the structure is residential but it is also being used as a dispatch center for the property owner's taxicab business. The building is deteriorating and in need of repair and so the owner would like to build a new structure and eventually use it as a replacement to the old building in the property. Since this is a General Commercial District, this requires a Conditional Use Permit. Because it is General Commercial it also requires a 20-foot side and rear yard setbacks when it is adjacent to residentially zoned properties, therefore the need for a variance in order for him to build a residential unit in the property.

Staff is recommending approval of Resolution 2013-15, approving the Conditional Use Permit because it furthers the goals of the Comprehensive Plan by providing more housing and improving the condition of the property. The use of the property is compatible with the surrounding area as there are a number of General Commercial zones within the neighborhood. Staff believes no negative impact to the neighborhood. The only condition of approval is that the property owner obtains the required building permit and all other related requirements identified with the building permit process.

Chair Bobbitt asked if the Commissioners have any questions for Staff. The group agreed to discuss the resolution before moving on to another resolution from the same applicant. It was generally agreed that since there is no mixed-use zone in the city's code property owners have

to have a conditional use to run a business in a Residential district or a conditional use to build a dwelling unit in a General Commercial district. It was also discussed that the current zoning for the property is appropriate for the intended use and is compatible with the rest of the surrounding area.

Chair Bobbitt asked the applicant if he would like to do a presentation. Mr. Tim Moyer informed the Commission that the shed in the corner of his property that shows in the map near the property line has long been demolished. He planned for the location of the building with 10-foot setbacks as he was not aware that his current zoning calls for a 20-foot side and rear yard setbacks in these specific situations.

Chair Bobbitt asked the Commissioners if they have any questions for Mr. Moyer. Hearing none, Chair Bobbitt asked if there were any public testimony. Hearing none, Chair Bobbitt closed the Public Hearing and called for a motion to approve Resolutions 2013-15. Mr. Gregory made the motion to approve Resolution 2013-15. There was a second.

Chair Bobbitt asked if there were any questions or comments from the Commissioners. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (3-0). The motion carried and Resolutions 2013-15 was adopted.

**8. A 10-Foot Variance allowing for 10-foot side and rear yard setbacks on Lot 3, Block 4, USS 1992, in Unalaska Townsite located at 17 4<sup>th</sup> Street.**

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

Staff stated that the resolution is correlated with the previously discussed Resolution 2013-15 and the facts of the case are the same. Staff recommends approval of the resolution based on the same argument that it furthers the goals of the Comprehensive Plan and it has no negative impact on the surrounding area.

Chair Bobbitt asked if there were any questions from the Commissioners for Staff. Mr. Gregory raised the concern that the variance would run with the land and what would happen if in the future the property is sold and the house is remodeled into a shop. Staff explained that remodeling would require a building permit and that possible impact may be addressed during that process.

Chair Bobbitt asked if there were any questions for Mr. Moyer. Hearing none, Chair Bobbitt asked if anyone from the public would like to comment on the matter. Hearing none, Chair Bobbitt moved to close the Public Hearing and called for a motion to approve Resolutions 2013-16. Ms. Tran made the motion to approve Resolution 2013-16. There was a second.

Chair Bobbitt asked if there were any questions or comments from the Commissioners. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (3-0). The motion carried and Resolutions 2013-16 was adopted.

**9. A 7.5-Foot Variance allowing for a 2.5-foot front yard setback on Tract B1, Little South America Subdivision, Number 2, Plat 2010-10 located on Henry Swanson Drive.**

Chair Bobbitt opened the public hearing and called for any ex parte communication or conflict of interest to be disclosed. Ms. Doanh Tran stated that she has a conflict of interest and recused herself.

Chair Bobbitt informed the applicant that he has the option to wait for another Public Hearing in-front of a full Planning Commission Board or to go ahead with a short Board. The applicant signified that he would like the board to hear Sea Aleutian Seafoods' variance application.

Staff explained that the application was for a seafood packaging facility in a site with an existing foundation and a partial structure. They plan to expand the structure and this would require building on the existing foundation, which is short of the 10-foot minimum setbacks required by code. The applicant would need a variance to make use of the existing foundation and structure on the property. Although this structure and foundation is an existing nonconforming structure, its alteration would require a variance.

Staff recommends the approval of the Resolution 2013-17 because the application, with the conditions outlined in the resolution, meets the tests of code. Staff finds that the existing structure prevents the applicant from putting it into good use without a variance. Development of the existing structure and foundation is in accordance with the Comprehensive Plan's goal to have more developable land in Unalaska. Public Works' concern regarding snow shedding into the roadway as a result of the less-than-minimum setback can be mitigated by the conditions of approval of the resolution.

Chair Bobbitt asked if there were any questions from the Commissioners for Staff. Mr. Gregory asked if the nonconforming status of the foundation negates the need for a variance. Staff explained this is an expansion and a nonconforming status only applies as long as the structure is not changed or in this case expanded.

Chair Bobbitt asked the applicant if he would like to speak on this item. Ms. Tran, representing Sea Aleutian Seafoods, informed the Commission that the applicants, together with OC and Tyler Zimmerman, met with the different City Departments to make sure that the building would not be a safety concern. She asked Commission to support the resolution so they can start with the building before winter comes.

Chair Bobbitt asked if there were any more questions from the Commissioner. Chair Bobbitt asked if the applicant plan to extend beyond the structure's footprint and asked about the parking requirements. The applicant stated that they are going to build on the footprint of the existing foundation. The location of this foundation is not a result of the applicant's actions or activity. Regarding the parking plan, Mr. Zimmerman informed the Commission that the required eight parking spaces will likely be situated on the north end of the building.

Chair Bobbitt asked if anyone from the public would like to comment on this item. Hearing none, Chair Bobbitt closed the Public Hearing and made the motion to approve Resolution 2013-17. There was a second.

Chair Bobbitt asked if there were any questions or comments from the Commissioners. Hearing none, Chair Bobbitt called for a vote and the motion passed unanimously (2-0). The motion carried and Resolutions 2013-17 was adopted.

**REGULAR MEETING:** None

**OTHER BUSINESS:** None


**ADJOURNMENT:**

Chair Bobbitt adjourned the meeting at 7:36 P.M.

PASSED AND APPROVED THIS 18<sup>th</sup> DAY OF October 2013 BY THE CITY OF UNALASKA, ALASKA PLANNING COMMISSION.

  
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Chris Bobbitt  
Chair

10/18/13  
\_\_\_\_\_  
Date

  
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Erin Reinders, AICP  
Recording Secretary

10/18/13  
\_\_\_\_\_  
Date

Prepared by Veronica De Castro and Erin Reinders, Planning Department

