

**KODIAK CITY COUNCIL**

**WORK SESSION AGENDA**

**Tuesday, March 17, 2015  
Borough Conference Room  
Borough Building (Room 121)  
7:30 p.m.**

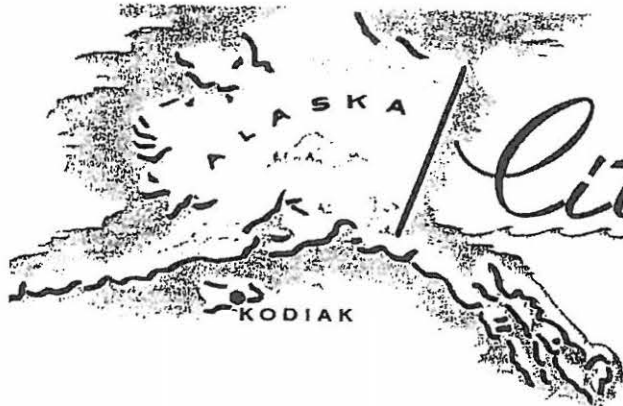
*Work sessions are informal meetings of the City Council where Councilmembers review the upcoming regular meeting agenda packet and seek or receive information from staff. Although additional items not listed on the work session agenda are sometimes discussed when introduced by the Mayor, Council, or staff, no formal action is taken at work sessions and items that require formal Council action are placed on a regular Council meeting agenda. Public comments at work sessions are NOT considered part of the official record. Public comments intended for the "official record" should be made at a regular City Council meeting.*

**Discussion Items**

- 1. Public Comments (limited to 3 minutes)
- 2. Update on Right-of-Way Vacation on Thorsheim.....1
- 3. Update on Brechan Pit on Near Island.....8
- 4. March 19, 2015, Agenda Packet Review

**To Be Scheduled**

- 1. Local Marijuana Legislation



# City of Kodiak

BOX 685 KODIAK, ALASKA

December 5, 1967

Mr. & Mrs. Lloyd Cannon  
P.O. Box 585  
Kodiak, Alaska

Dear Mr. & Mrs. Cannon:

Approximately eighteen months ago, the City of Kodiak constructed a road connecting Thorsheim Avenue with Hillcrest. In so doing, the City did partially encroach on property owned by you.

It is my understanding, from previous discussions with you, that the above noted encroachment does not presently interfere with your planned use of the property. It is my further understanding that you are not requesting the City of Kodiak to immediately remove said encroachment, but you do wish it to be acknowledged by the City.

This letter is therefore intended to acknowledge receipt of your protest concerning said encroachment, and advise you that this encroachment will be removed when directed so to do by you.

I wish to call to your attention two encroachments noted by our staff on city owned property. One involves your furnace room for your apartment building, which encroaches on Hillcrest Avenue. The second encroachment is the sidewalk in front of the apartments, which extends slightly into Thorsheim Avenue, owned by the City.

At this writing, these encroachments are not interfering with traffic or street maintenance, however we do wish to be on record as having called them to your attention.

Very truly yours,

CITY OF KODIAK

*Perry R. Stockton*  
Perry R. Stockton  
City Manager



# Kodiak Island Borough

## Community Development Department

710 Mill Bay Road

Kodiak, Alaska 99615

Phone (907) 486-9363 Fax (907) 486-9396

[www.kodiakak.us](http://www.kodiakak.us)

February 19, 2015

Anchor Apartments, LLC  
2410 Mill Bay Road  
Kodiak, AK 99615

Re: Case S15-013. Request preliminary approval of the replat of Sub Lots 26, 27, and 28 of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite, vacating portions of road rights-of-way and creating Lot 28A of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite (KIBC 16.40 and 16.60).

Dear Sir:

The Kodiak Island Borough Planning and Zoning Commission at their meeting on February 18, 2015 granted preliminary approval to the request referenced above subject to the following conditions, as well as the requirements of Chapter 16.50 [Final Plat] of the Borough Code:

### CONDITIONS OF APPROVAL

1. The Final Plat shall comply with the requirements of Chapter 16.50 (Final Plat) of the Borough Code and shall depict the technical corrections listed in the staff report entered into the record for Case No. S15-013.

The Planning and Zoning Commission adopted the following finding of fact in support of their decision:

### FINDINGS OF FACT

1. This plat meets all standards of Chapter 16.40 (Preliminary Plat) of the Borough Code.
2. This plat meets all requirements of Title 17 of the Borough Code.
3. This plat provides a vacation and replat of land that is consistent with the adopted Borough plans and development trends for this area.

The approval of this preliminary plat shall be effective for twenty-four (24) months from the date of approval, notwithstanding the provisions of any subsequent change in the subdivision ordinance, zoning ordinance or zoning districts. After this time, the preliminary plat shall become null and void unless an extension of time is granted, at the

request of the subdivider, by the commission prior to the expiration of the preliminary plat. A time extension will only be granted if a re-evaluation of the preliminary plat indicates that conditions are substantially the same as when the preliminary plat was originally approved. Approval of this plat by the Kodiak Island Borough Planning and Zoning Commission does not necessarily mean that development of the property complies with State and federal regulations, which may also be applicable.

According to KIBC 16.90.030

An appeal of the commission's decision may be initiated by; 1) the applicant, or 2) any person who was sent a written notice or submitted timely written comments or gave oral testimony at the public hearing before the Commission, by filing a written notice of appeal with the Borough Clerk within ten (10) working days of the date of the Commission's decision. The notice of appeal must state the specific grounds for the appeal and the relief sought by the appellant, and is accompanied by the appropriate appeal fee. Therefore, the Commission's decision will not be final and effective until ten (10) working days following the decision.

If you have any questions about the action of the Commission or the final plat process, please feel free to contact the Community Development Department at 486-9363.

Sincerely,



Robert H. Pederson, AICP  
Director, Community Development Department

Cc: Nova Javier, Borough Clerk  
Planning and Zoning Commission  
Mark Kozak, City of Kodiak

Kodiak Island Borough  
**Planning and Zoning Commission**  
**Minutes**

February 18, 2015

6:30 p.m. in the Assembly Chambers

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**CALL TO ORDER**

COMMISSIONER ARNDT called to order the February 18, 2015 regular meeting of the Planning and Zoning Commission at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

COMMISSIONER ARNDT led the pledge of allegiance.

**ROLL CALL**

Requested to be excused are Pat Olsen.

Commissioners present were Jay Baldwin, Alan Schmitt, Kathy Drabek, Maria Painter, and Scott Arndt. Excused was Pat Olsen.

A quorum was established.

Community Development Department staff present was Director Pederson, Jack Maker, and Sheila Smith

COMMISSIONER BALDWIN **MOVED** to excuse Pat Olsen.

***VOICE VOTE ON MOTION CARRIED UNANIMOUSLY***

**APPROVAL OF AGENDA**

COMMISSIONER SCHMITT **MOVED** to approve the February 18, 2015 Planning & Zoning Commission agenda.

***VOICE VOTE ON MOTION CARRIED UNANIMOUSLY***

**PUBLIC HEARINGS**

Local phone number: 486-3231. Toll Free phone number: 855-492-9202. Limited to 3 minutes per speaker.

**C) Case S15-013. Request a preliminary approval of the replat of Sub Lots 26, 27, and 28 of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite, vacating portions of road rights-of-way and creating Lot 28A of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite (KIBC 16.40 and 16.60). The applicant is the Anchor Apartments LLC/City of Kodiak. The location is 311 Thorsheim Street, and the zoning is B-Business.**

Maker stated this request was initiated by the City of Kodiak to replat East Hillcrest Street right-of-way to correspond to long standing existing conditions. A portion of East Hillcrest Street is constructed on B-Business zoned property owned by Anchor Apartments, LLC. Anchor Apartments has agreed to dedicate the affected portion as right-of-way. In exchange, the City has agreed to vacate undeveloped portions of East Hillcrest Street and Thorsheim Street rights-of-way and incorporate them into the remainder of the Anchor Apartments property to create Sub Lot 28A. This lot meets the lot design and improvement requirements of KIBC 16.40.040 Forty-six public hearing notices were mailed on December 31, 2014. No public hearing notices were returned. Staff recommends approval subject to one condition of approval.

COMMISSIONER SCHMITT **MOVED** to grant preliminary approval of the replat of Sub Lots 26, 27, and 28 of the Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite, vacating portions of road rights-of-way and creating Lot 28A of the Thorsheim Subdivision of Lot 18, Block 16, Kodiak

Townsite (KIBC 16.40 and 16.60), subject to one (1) condition of approval and to adopt the findings in the staff report entered into the record for this case as "Findings of Fact" for case S15-013.

Close regular meeting & open public hearing:

Mark Kozak, agent, spoke in support of this request.

Close public hearing & open regular meeting:

Discussion

### **CONDITIONS OF APPROVAL**

1. The Final Plat shall comply with the requirements of Chapter 16.50 (Final Plat) of the Borough Code and shall depict the technical corrections listed in the staff report entered into the record for Case No. S15-013.

### **FINDINGS OF FACT**

1. This plat meets all standards of Chapter 16.40 (Preliminary Plat) of the Borough Code.
2. This plat meets all requirements of Title 17 of the Borough Code.
3. This plat provides a vacation and replat of land that is consistent with the adopted Borough plans and development trends for this area.

***ROLL CALL VOTE ON MOTION CARRIED UNANIMOUSLY***

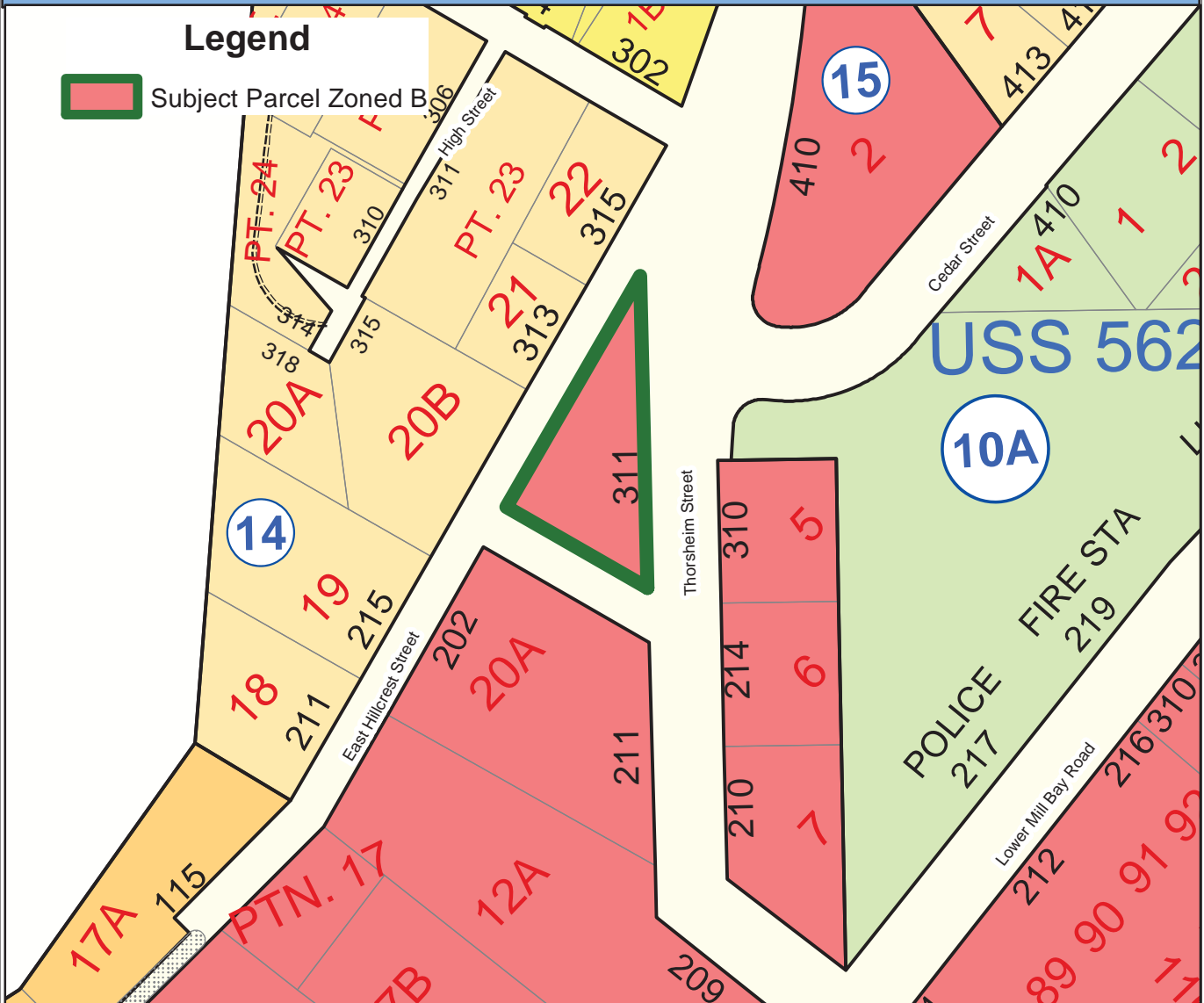


# KIB Location & Zoning Map



**Location and Zoning**  
Case No. S15-013  
Applicant: Anchor Apartments LLC  
and City of Kodiak  
Agent: Mark Kozak, City Public Works Director

Request: Preliminary approval of the replat of Sub Lots 26, 27, and 28 of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite, vacating portions of road rights-of-way and creating Lot 28A of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite (KIBC 16.40 and 16.60).



## Legend

Subject Parcel Zoned B

## Zoning Legend

<span style="background-color: #d9ead3; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Public Use Lands	<span style="background-color: #d9ead3; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Rural Residential 1	<span style="background-color: #fff2cc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Multi Family Residential	<span style="background-color: #e1e0e0; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Light Industrial
<span style="background-color: #d9ead3; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Watershed	<span style="background-color: #d9ead3; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Rural Residential 2	<span style="background-color: #f4cccc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Business	<span style="background-color: #f4cccc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Rural Neighborhood Commercial
<span style="background-color: #fff2cc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Conservation	<span style="background-color: #fff2cc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Single Family Residential	<span style="background-color: #f4cccc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Retail Business	<span style="background-color: #f4cccc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Urban Neighborhood Commercial
<span style="background-color: #d9ead3; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Rural Residential	<span style="background-color: #fff2cc; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Two Family Residential	<span style="background-color: #e1e0e0; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Industrial	<span style="background-color: #d9ead3; border: 1px solid #ccc; display: inline-block; width: 20px; height: 10px;"></span> Natural Use

Kodiak Island Borough GIS  
<http://www.kodiakak.us/gis> (907) 486-9337

**Community Development Department**  
This map is provided for informational purposes  
only and is not intended for any legal representations.

==== Access Roads  
 Unconstructed Right of Ways

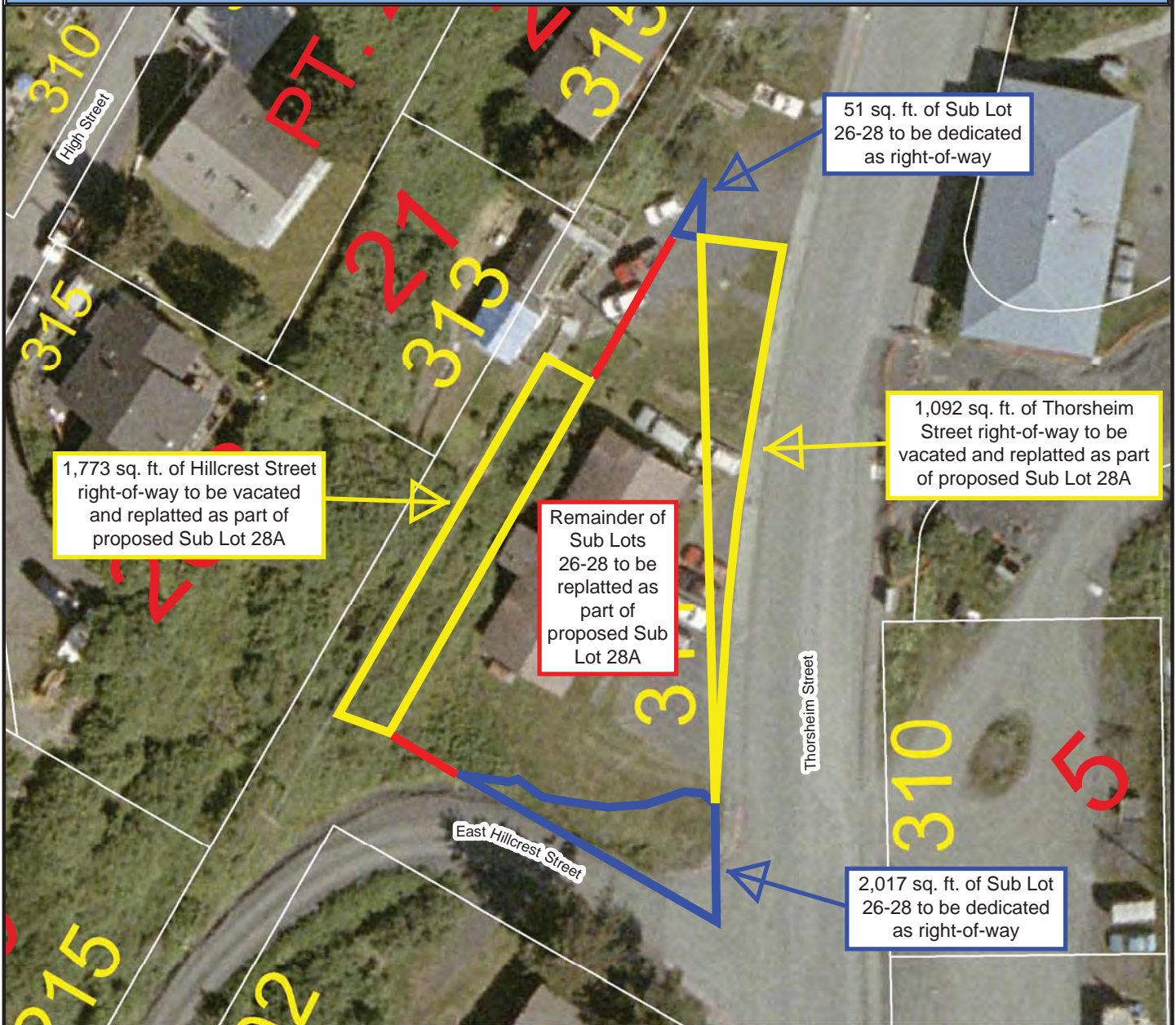


# KIB Image Overlay Map

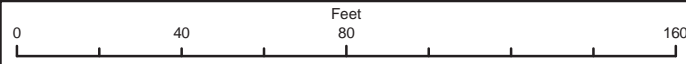


Image Overlay  
Case No. S15-013  
Applicant: Anchor Apartments LLC  
and City of Kodiak  
Agent: Mark Kozak, City Public Works Director

Request: Preliminary approval of the replat of Sub Lots 26, 27, and 28 of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite, vacating portions of road rights-of-way and creating Lot 28A of Thorsheim Subdivision of Lot 18, Block 16, Kodiak Townsite (KIBC 16.40 and 16.60).



## Image Overlay



## Legend

See Individual Comments



Kodiak Island Borough GIS

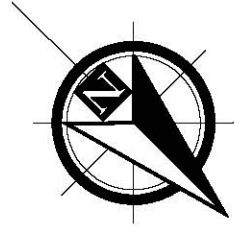
<http://www.kodiakak.us/gis> (907) 486-9337

Community Development Department

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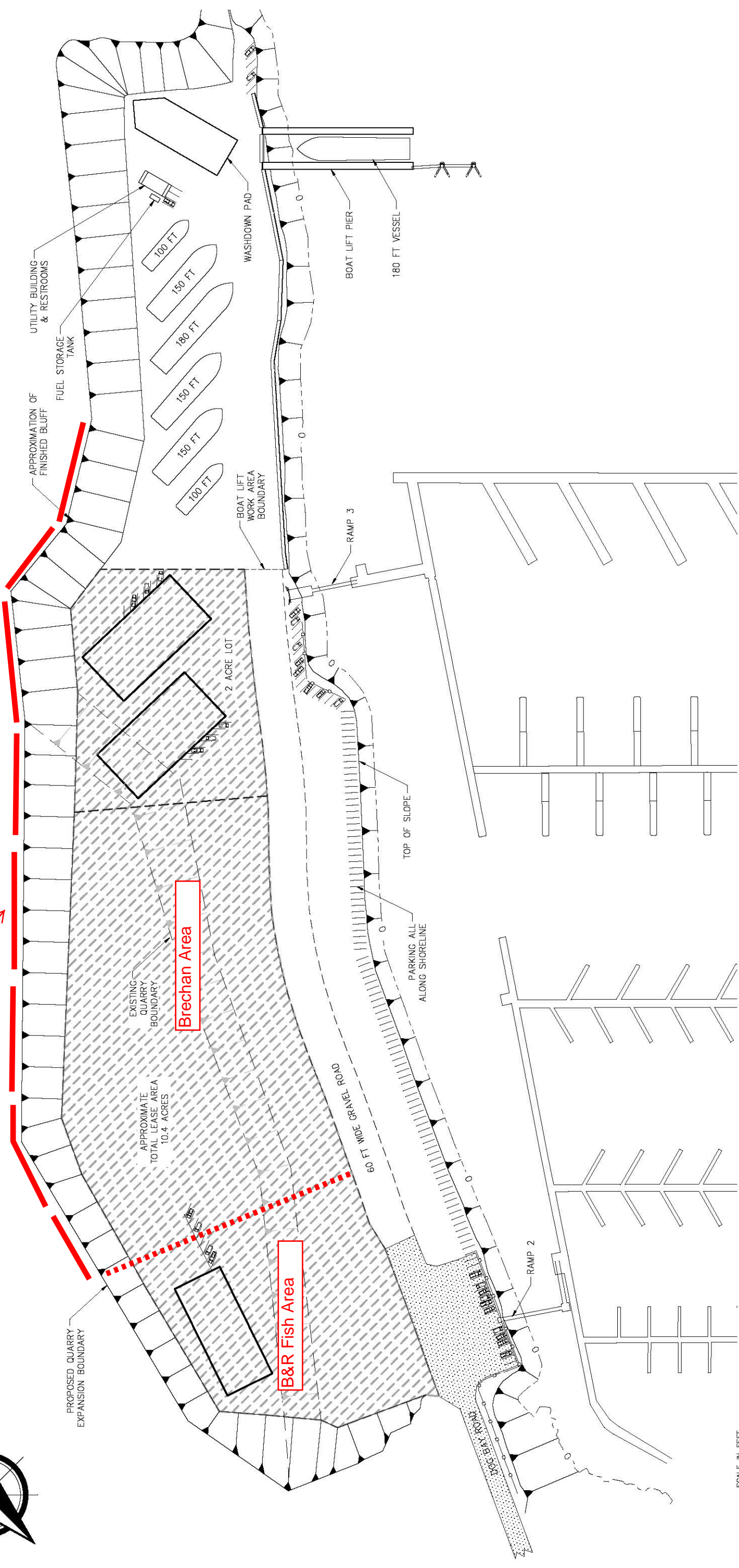


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New Fence at top of Quarry

Breakwater Quarry Permit Areas



**CITY OF KODIAK**  
 2410 MILL BAY RD  
 KODIAK, ALASKA 99615  
 PHONE: (907) 486-8065  
 FAX: (907) 486-8066

**FOR REVIEW**

PND Engineers, Inc. (PND) is not responsible for safety programs, methods or procedures of operation, or the construction of the design shown on these drawings. Where specifications are general or not called out, the specifications shall conform to standards of industry. Drawings are for use on this project only and are not intended for reuse without written approval from PND. Drawings are also not to be used in any manner that would constitute a detriment directly or indirectly to PND.

REV	DATE	DESCRIPTION

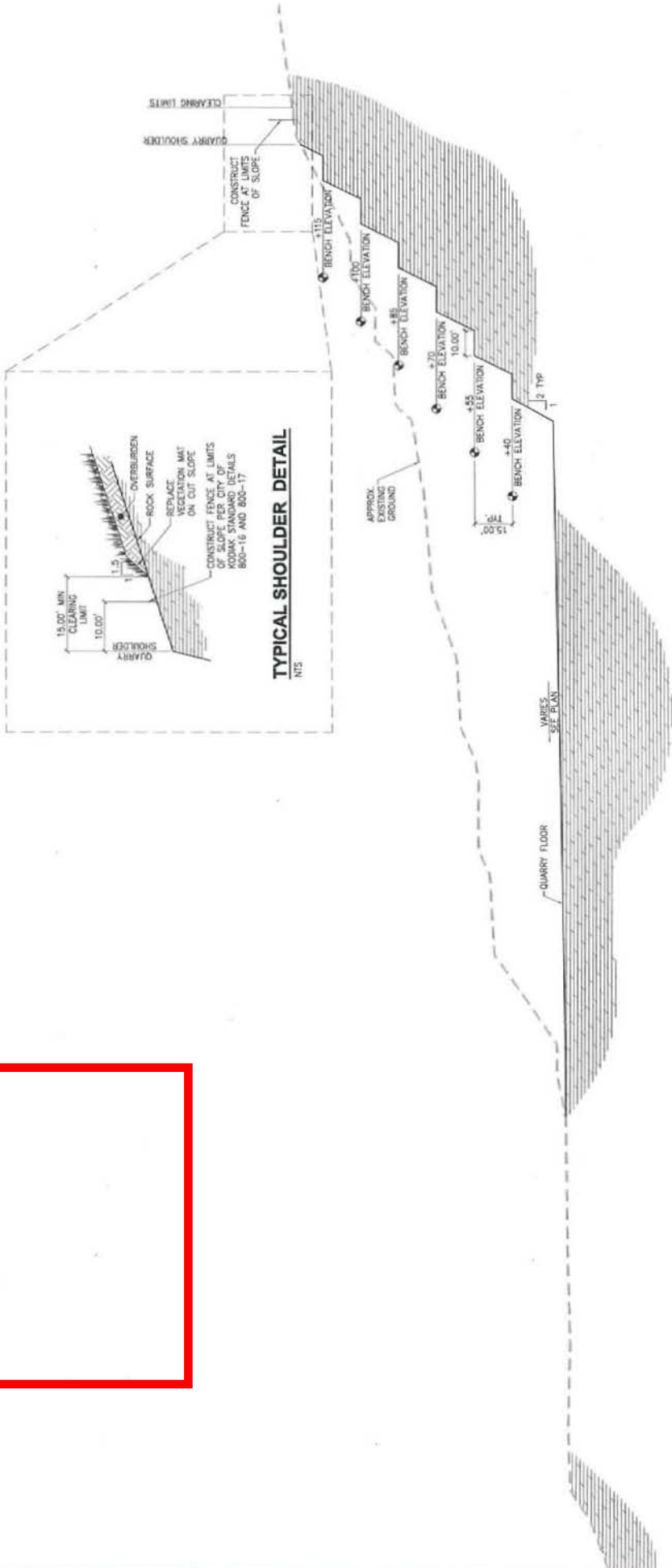
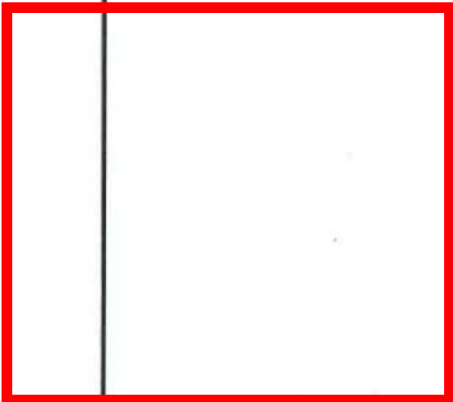
DATE: \_\_\_\_\_

1506 West 36th Avenue  
 Anchorage, Alaska 99503  
 Phone: 907.561.1011  
 Fax: 907.563.4220  
 www.pndengineers.com



**ST. HERMAN**  
**BOAT LIFT FACILITY**  
 NEAR ISLAND BOAT YARD  
 EXPANSION PROJECT

DESIGNED BY:	MLB	DATE:	10/24/08
CHECKED BY:	KWB	PROJECT NO.:	051078
			SHEET NO. <b>1</b>
			OF <b>1</b>



**QUARRY SECTION A-A**  
N15

REV	DATE	DESCRIPTION



1506 West 56th Avenue  
Anchorage, Alaska 99503  
Phone: 907-561-1011  
Fax: 907-561-4201  
www.pndengineering.com



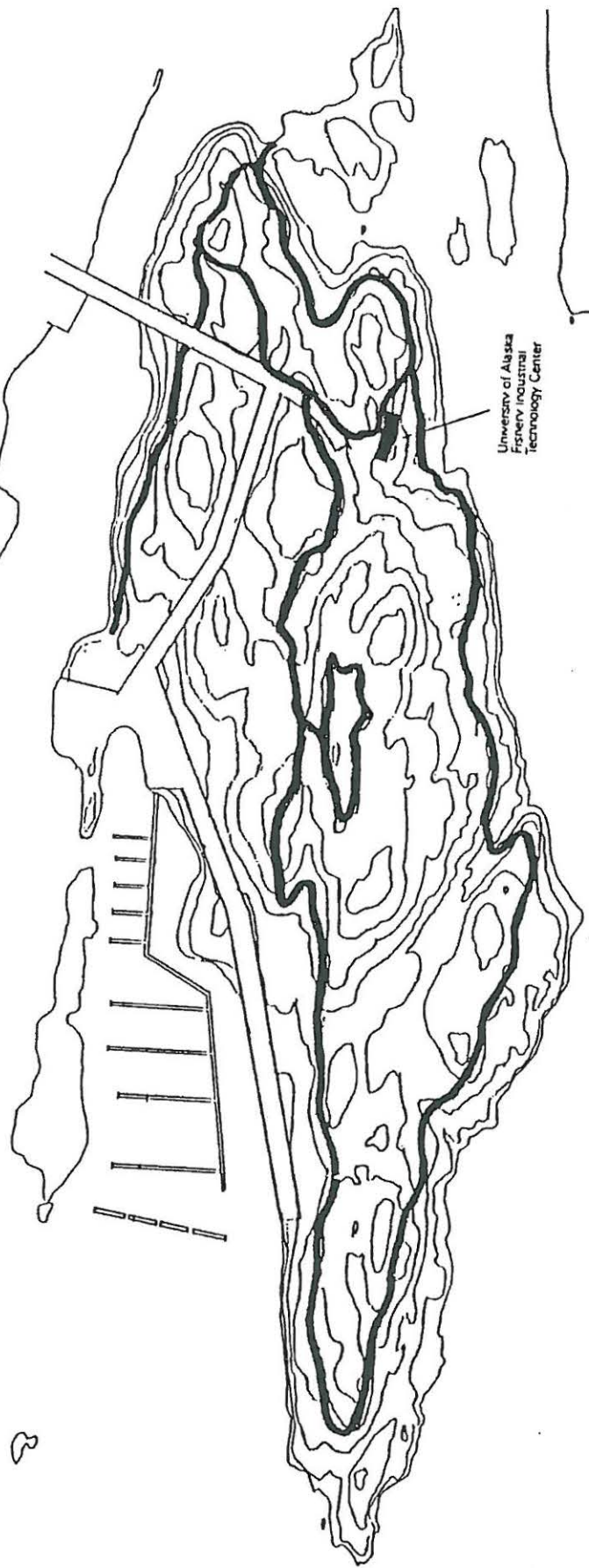
**KODIAK ST HERMAN HARBOR  
QUARRY EXPANSION**

**SECTIONS AND DETAILS**

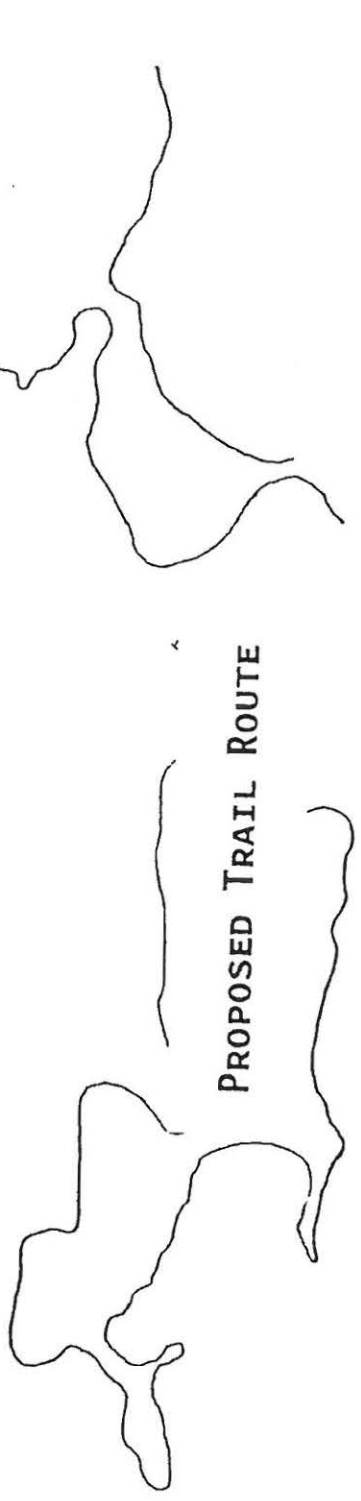
DESIGNED BY:	SC	DATE:	2/9/10
DRAWN BY:	MS	PROJECT NO.:	031114
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			3 OF 7



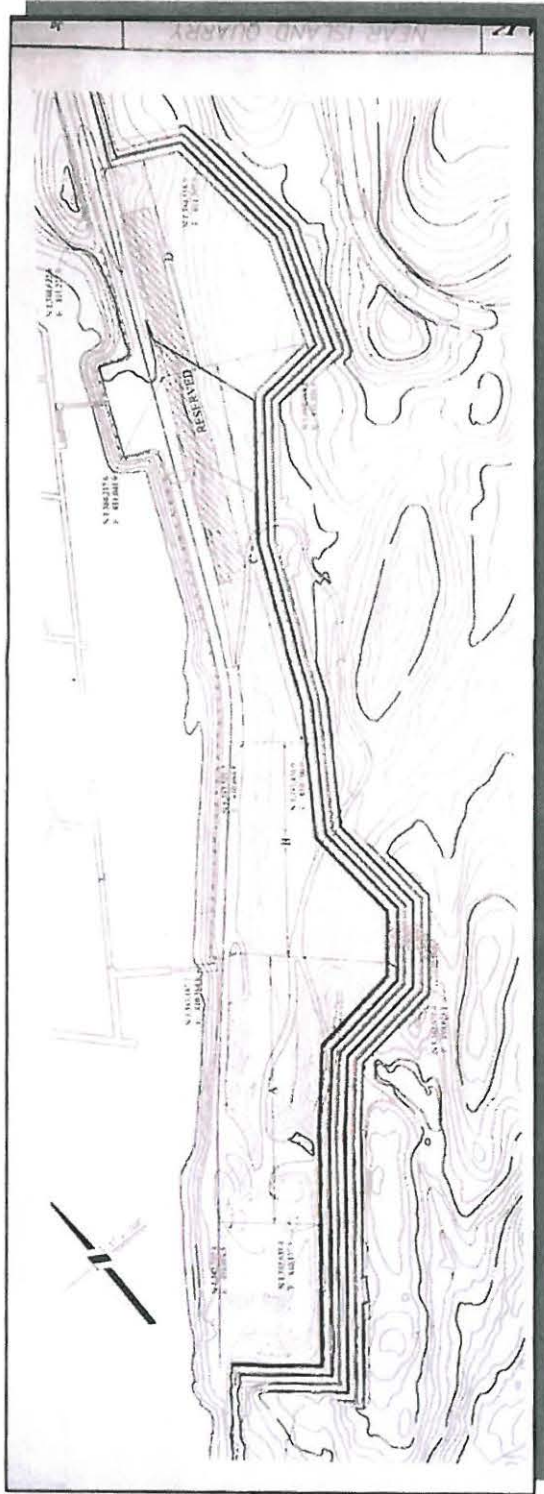
NEAL ISLAND TCAIL COMMITTEE  
PRESENTED TO COUNCIL WFS  
01/09/1990



University of Alaska  
Fishery Industrial  
Technology Center



PROPOSED TRAIL ROUTE



## St. Herman Harbor Development and Support Services

Near Island's future development was the second major area examined by the members of the design team. They initially looked at plans for new facilities adjacent to St. Herman Harbor, where most of the larger boats in Kodiak's fishing fleet now tie up.

They developed a sketch that showed a new drive-on floating dock for the NOAA research vessel slated to be home-ported in Kodiak, and sufficient staging and storage areas to support it. They also drew in a 300-ton travel lift for raising large boats out of the water for repair, and a staging area.

Finally, they looked at the remaining flat area that is being developed under the current quarrying contract. When this was drawn at the same scale as downtown, it became apparent that there will be sufficient space to duplicate all of the marine support services now located along Shelikof Street. They recommended that the last phase of the proposed quarrying contract in the area closest to town not be carried out, as additional flat land is not required in the foreseeable future and this area would buffer housing overlooking the harbor.



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