Kodiak Island Borough
Community Development Department
710 Mill Bay Rd. Rm 205
Kodiak AK 99615
Ph. (907) 486 - 9362 Fax (907) 486 - 9396
http://www.kodiakak.us

Print Form | Submit by Email

PROP_ID 16496

Conditional Use Permit Application KIBC 17.200

16-001

The following information is to be supplied by the Applicant:

Property Owner / Applicant: City of Kodiak

Mailing Address: 2410 Mill Bay Road

Phone Number: 907-486-8065

Other Contact email, etc.: gmelvin@city.kodiak.ak.us

Legal Description: Subdv: Portions of U.S. Survey 2261(Near Island quarry site) Block: Lot:

Street Address: South end of Near Island along Dog Bay Road

Present Use of Property: Undeveloped land zoned Conservation

Proposed Use of Property: Expanded rock quarry area to provide future level pad along existing Dog Bay Road for City of Kodiak harbor support facilities and Ship Yard, and Travel Lift (see Attachment A)

(Note: Use additional sheets, if needed, to provide a complete description of the proposed request.) Site Plan. A detailed site plan showing the proposed location of all buildings & structures on the site, access points, drainage, vehicular & pedestrian circulation patterns, parking areas, & the specific location of the use or uses to be made of the development ***SHALL*** be submitted with the application, together with other information as may be required to comply with the ***standards*** for a conditional use listed in this chapter & in other pertinent sections of this chapter. Respond to each of the following standards as they apply to your request.

A. That the conditional use will preserve the value, spirit, character & integrity of the surrounding area; Approval of the CUP will increase the value of the property and preserve the spirit and integrity of the adjacent City owned harbor, which is a key economic component of the community. All of the adjacent property is City owned. Near Island forms the bulk of the City's municipal entitlement lands deeded by the State to the City to provide economic development opportunities.

B. That the conditional use fulfills all other requirements of this chapter pertaining to the conditional use in question; The CUP will provide expanded uplands that can be used for setting vessels, constructing maintenance shops, and providing related vessel services. The expanded upland promotes economic vitality benefiting the public, while fulfilling the requirements of the CUP regulations.

C. That granting the conditional use permit will not be harmful to the public health, safety, convenience & comfort; The quarry activity/area is controlled and monitored for safety and is not harmful to the public health and does not have adverse effects on convenience and comfort. Specifically, the quarry is being developed to provide upland support area for the harbor. Other adjacent land is owned by the City and is undeveloped. The City is willing to rezone the area upon completion of the quarry operations.

D. That sufficient setbacks, lot area, buffers or other safeguards are being provided to meet the conditions listed in subsections A through C of this section; The subject area adjoins an un-developed City property which is a natural buffer for the quarry area. During the continued development of the quarry, which was previously reviewed and permitted by the Kodiak Island Borough, a boundary fence will be constructed to provide safety for trail users on adjacent City property.

E. If the permit is for a public use or structure, the commission must find that the proposed use or structure is located in a manner which will maximize public benefits; The proposed use provides economic benefit to the citizens of Kodiak through royalties paid to the City for extraction of rock. In addition, the area provides land needed to support the ship lift facility and the local and transient fishing fleets. The support area for the lift will maximize the public benefit of the lift and the harbor and the economic activity associated with it.

Applicant Certification: ***I hereby certify as the property owner / authorized agent that this application for P & Z Commission review is true and complete to the best of my knowledge, and that it is submitted in accordance with the requirements of the applicable Kodiak Island Borough Code, which includes a detailed site plan for the conditional use request and may include optional supporting documentation as indicated below.***

Additional Narrative / History :	YES	Photographs :	YES
As-built Survey :	YES	Maps :	YES

List Other: Additional Narrative and Attachment B, Conditional Use Zone Overlay (metes and bounds included).

Date: 06/25/2015 Signature: [signature]

CDD Staff Certification

Site Plan Submitted ? YES Current Zoning: C-CONSERVATION

Date: 6/30/2015 CDD Staff: [signature]

Payment Verification Fee Payable in Cashier's Office Room # 104 - Main floor of Borough Building ☒ $250.00

#51444 PAID
JUL 01 2015
KODIAK ISLAND BOROUGH
FINANCE DEPARTMENT

PAYMENT DATE
07/01/2015

COLLECTION STATION
CASHIER

RECEIVED FROM
CITY OF KODIAK

DESCRIPTION
CONDITIONAL USE PERMIT

Kodiak Island Borough
710 Mill Bay Rd.
Kodiak, AK 99615

BATCH NO.
2016-00000001

RECEIPT NO.
2016-00000001

CASHIER
Teresa Medina

PAYMENT CODE	RECEIPT DESCRIPTION	TRANSACTION AMOUNT
Conditional Use	Conditional Use Permit CONDITIONAL USE PERMIT	$250.00

Payments:

Type	Detail	Amount
Check	514414	$250.00

Total Amount: **$250.00**

CITY OF KODIAK
2410 Mill Bay Road, Kodiak, AK 99615
Engineering Dept.
(907) 486-8065 Fax: (907) 486-8066

June 25, 2015

Kodiak Island Borough Planning and Zoning Commission
Kodiak Island Borough
710 Mill Bay Road
Kodiak, AK 99615

Subject: Conditional Use Permit Application for an Unsubdivided Portion of U.S. Survey 2261 (Near Island)

Dear Commission Members:

The City of Kodiak is requesting that a portion of the City owned property on Near Island currently zoned C - Conservation be granted a conditional use permit. The area is adjacent to St. Herman Harbor. Quarrying in the area has been on-going for many years from support for the development of the permanent breakwater up to the present to create usable land adjacent to the harbor for harbor support buildings and activities. The subject portion of property is depicted on the attached map Exhibit A.

On January 15, 2009 the Kodiak City Council approved rock quarry permits that provided for future expansion of the boat yard upland lay-down area. The result of the planned expansion increased the allowable quarry area to the north and east of the previously permitted area established in 2001. The expanded quarry area has resulted in an encroachment into adjacent City property that is currently zoned C - Conservation. The 2009 City Council approved quarry expansion was inadvertently not submitted to the Kodiak Island Borough for review. Now that this oversight has been recognized the City wants to correct it. At the time the quarry expansion was approved by the City Council the Kodiak Island Borough was reviewing another land use application by the City of Kodiak for activities on Near Island. The importance of the creation of usable land to support the harbor was recognized at that time and is still important today.

The following provides supplemental information to the Conditional Use Permit Application.

Past Zoning on Near Island:

The zoning boundaries separating the industrial and conservation uses on Near Island were originally defined in the adopted 1987 Near Island Comprehensive Development Plan. General zoning boundaries were defined and shown in the plan. The plan specified that definite zoning district boundaries were to be established at the time a final plat(s) was filed subject to the specific intent stated in the plan.

In 2001 a rezoning request was made by the City to clarify the industrial zoning district boundaries in preparation for additional quarrying to create usable land to support the harbor and the new travel lift. A screening review, as required by Borough code was also completed. The rezoning was needed and justified to permit rock extraction to create sufficient upland area in support of St. Herman Harbor. The rezoning request was reviewed and recommended for approval by the Kodiak Island Borough Planning and Zoning Commission and on July 19, 2001 Ordinance 2001-18 was adopted by the Kodiak Island Borough Assembly.

Current and past use of the property:

The City property adjacent to St. Herman Harbor that is zoned I - Industrial is currently used for the marine travel lift and lay-up area for boat maintenance and repair as well as vehicle parking. Adjoining the boat yard is the rock quarry currently being developed by two quarry operators.

In 2008 there were three operators in the quarry area. All three had nearly depleted their rock sources and expressed interest in expanding the quarry area. The City Harbor Department also identified a need for additional lay down area for potential buildings and boat yard support facilities. In response to both needs City staff proposed a boat yard expansion project which would accommodate the needs of both. In early 2009 the City Council reviewed the proposed expansion project and authorized three new borrow permits allowing the use of an expanded area. Based on rock removal from 2009 to the present it is anticipated the quarry will continue to operate for five to seven more years in order to complete the rock removal as approved by the City Council.

The area adjacent to the quarry area, including the south end trail is zoned C - Conservation and is used by the public primarily for hiking, nature walks, wildlife viewing, and dog walking. A portion of the existing trails have been impacted by recent quarry expansion activities. The quarry expansion project began in 2009 and it has taken several years for the quarry to advance to the outer designed limits which is why the impact is now being noticed.

Public complaints and planned solutions:

Recent public complaints regarding impact to the south end trails have been brought to the City's attention. The complaints have focused on quarry construction impacting the trails, removal of trees and blasting of rock.

In response to the complaints, City staff has met on site with members of the public and walked the affected area to show the designed quarry limits and let them know what the final site is intended to look like.

Once the outer boundary of the quarry is established and the top bench of the quarry is constructed, a permanent safety fence will be installed. The overburden material outside the fence will be graded to allow for a walking path along the fence providing an excellent overlook and view of the harbor and town.

Tree removal is allowed in the currently zoned Conservation district but has been a focused issue with members of the public. Recent timbering activity taking place within the Council approved quarry area, as well as natural blow-down, has sparked public complaint. There has been significant blow-down along the north-east quarry boundary beyond the designed quarry limits. The quarry operator has removed most of the trees in the affected area; however it is likely that there will be continued blow-down until the quarry activity is completed. The City intends to develop a plan moving forward to address reforestation and public use in the area as it relates to the future quarry completion.

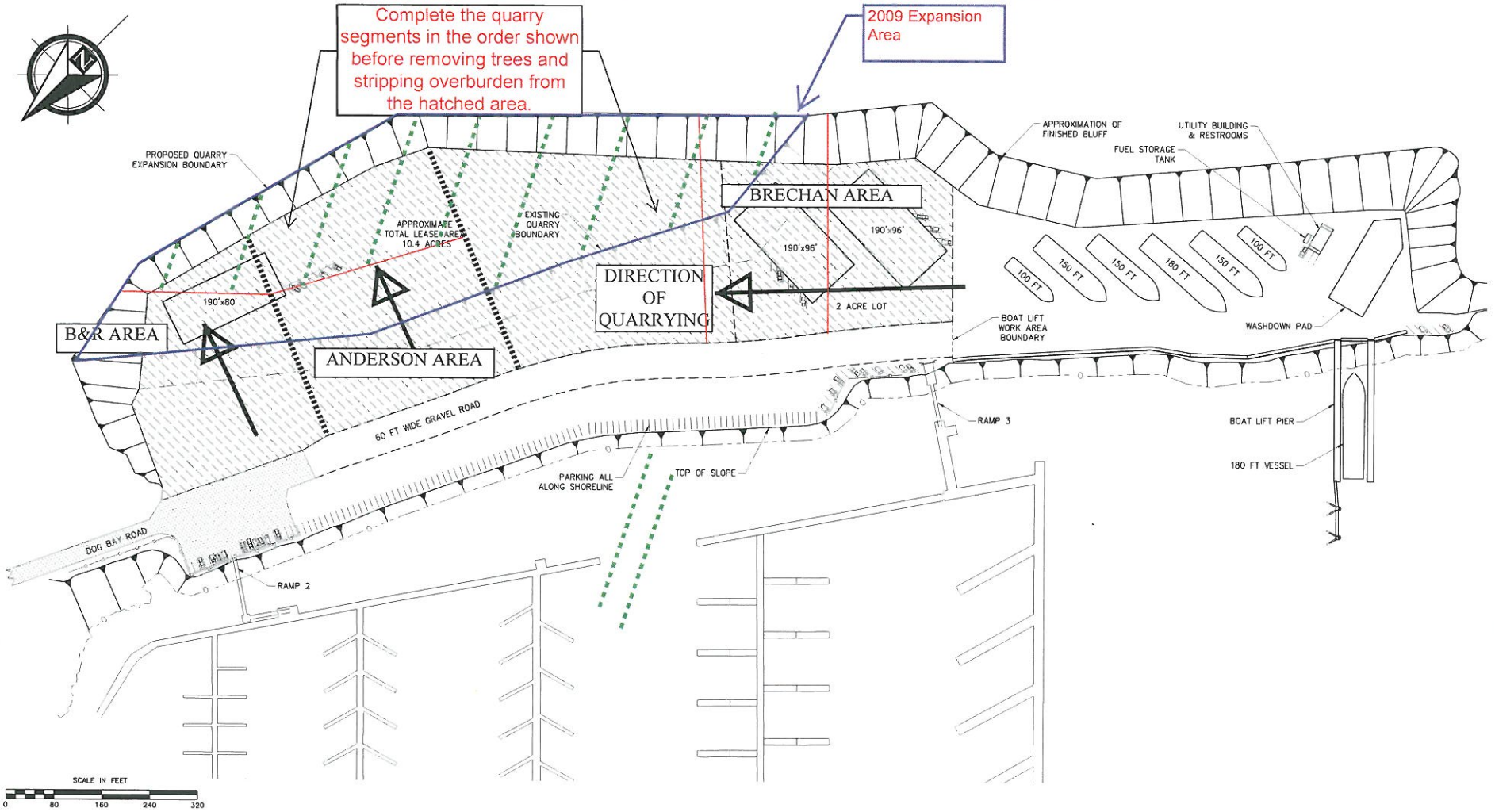
Sincerely,

Glenn Melvin, P.E.
City Engineer
City of Kodiak

cc: Aimée Kniaziowski, City Manager
Engineering: City Land Development PN 15-08/4002

NEAR ISLAND BOAT YARD EXPANSION PROJECT

Attachment A



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

FOR REVIEW

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REV	DATE	DESCRIPTION

DATE: _____

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

P N D ENGINEERS, INC.

PROJECT: **ST. HERMAN BOAT LIFT FACILITY**

SUBJECT: NEAR ISLAND BOAT YARD EXPANSION PROJECT

DESIGNED BY:	MLB	DATE:	10/24/08
CHECKED BY:	KWB	PROJECT NO:	061078

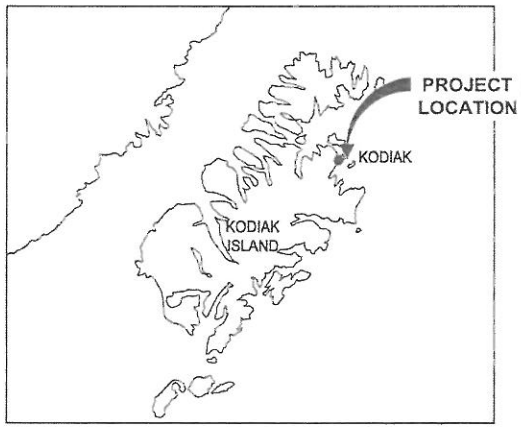
SHEET NO: 1 OF 1

J:\2006\061078 St Herman Harbor Boat Lift\Drawings\Working\Quarry Expansion Conceptual Uplands Layout.dwg, 10/29/2008 7:41:14 AM, ROGER, 1:2

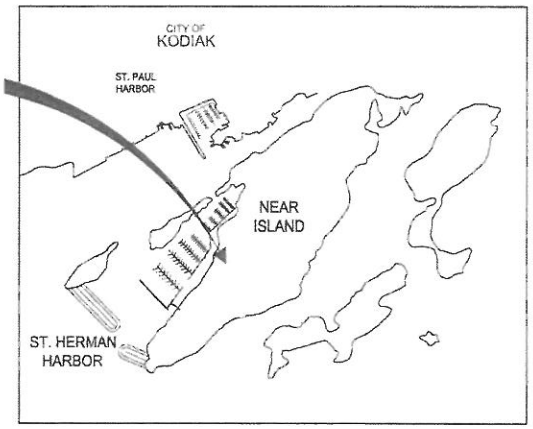
ST. HERMAN HARBOR QUARRY EXPANSION

KODIAK, ALASKA FEBRUARY 2010

STATE OF ALASKA



KODIAK ISLAND



ST. HERMAN HARBOR VICINITY

SHEET INDEX

TITLE SHEET & INDEX	1
SUMMARY & PROJECT CONTROL	2
SECTIONS AND DETAILS	3
QUARRY EXPANSION LAYOUT (1 OF 2)	4
QUARRY EXPANSION LAYOUT (2 OF 2)	5
GRADING PLAN (1 OF 2)	6
GRADING PLAN (2 OF 2)	7

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REV	DATE	DESCRIPTION

DATE:

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

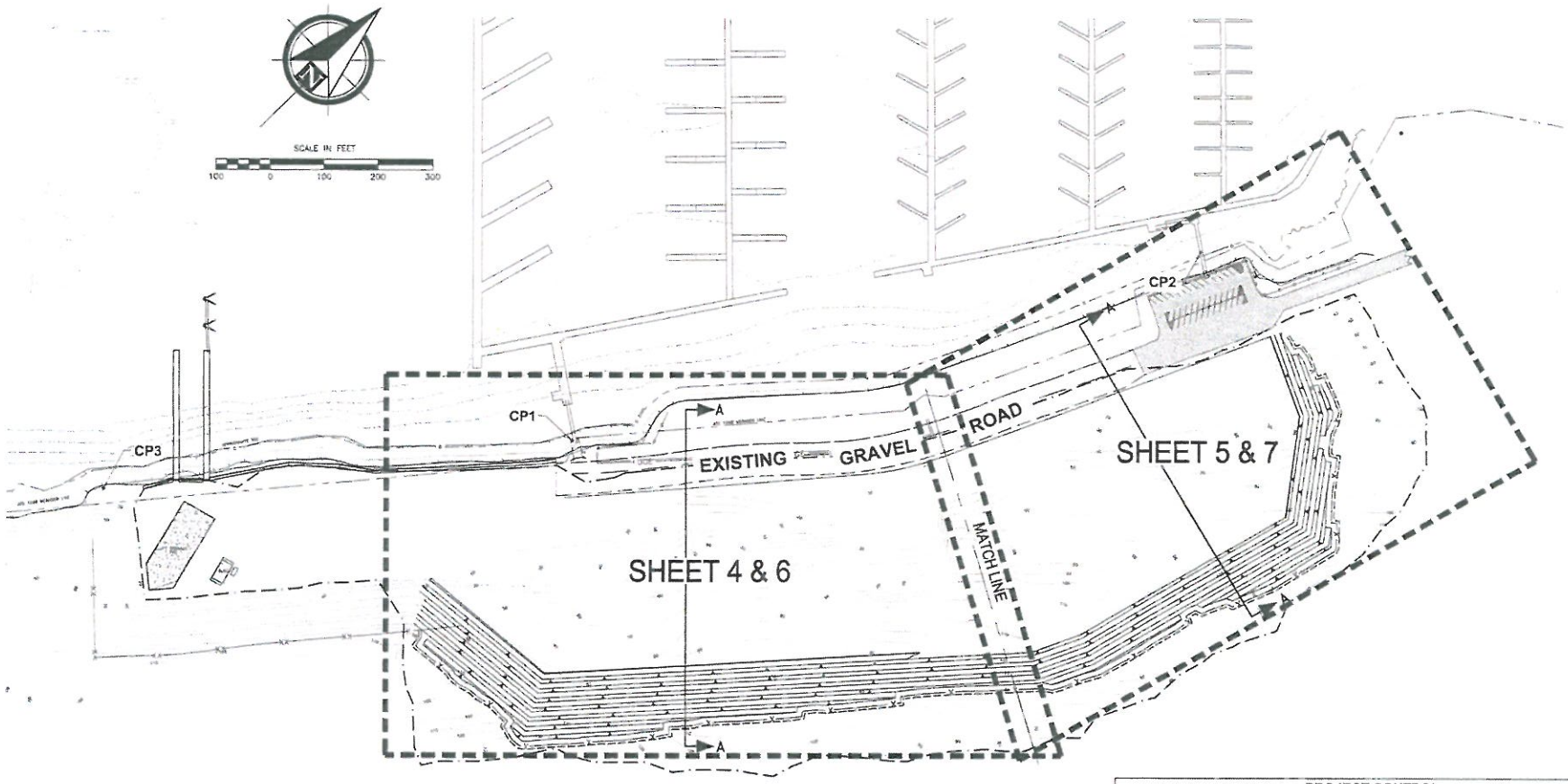
P N D ENGINEERS, INC.

PROJECT: KODIAK ST HERMAN HARBOR QUARRY EXPANSION

TITLE: TITLE SHEET AND INDEX

DESIGNED BY:	DC	DATE:	2/09/10
CHECKED BY:	RS	PROJECT NO:	091114

SHEET NO: 1 OF 7



PROJECT CONTROL				
POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP1	1382897.332	1950302.766	16.83	SET NAIL & SHINER
CP2	1383963.989	1950873.474	23.96	SET NAIL & SHINER
CP3	1382222.667	1949758.384	16.08	SET REBAR W/ YPC

NOTES:

1. CONTOURS DEVELOPED FROM SURVEY PREFORMED APRIL 11-20, 2006 AND NOVEMBER 3-6, 2009 BY PND ENGINEERS, INC.
2. VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW = 0.00')
3. THE ELEVATION FOR THE C.O.E. CONTROL MONUMENT "SYLVA", IS 21.62' MLLW (SEE NOTE 1). FOR LOCATION AND DESCRIPTION REFER TO THE CORPS OF ENGINEERS JUNE 2002 CONDITION SURVEY OF THE ST. HERMAN'S HARBOR. A TIE WAS MADE TO SEVERAL BENCH MARKS WITHIN THE AREA INCLUDING "HARBOR MASTER" LOCATED AT THE BASE OF THE FLAG POLE NEAR THE HARBOR MASTER BUILDING. THE ELEVATION FOR "HARBOR MASTER" BASED ON THIS DATA IS 20.18'.
4. BATHYMETRY SHOWN ON THIS DRAWING WAS TAKEN FROM THE C.O.E. JUNE 2002 CONDITION SURVEY. NO ATTEMPT WAS MADE BY PND SURVEYORS TO VERIFY THE C.O.E. DATA. EXPANSION OF THE UPLANDS AFTER THE 2002 CONDITION SURVEY REQUIRED MODIFYING THE BATHYMETRY IN ORDER TO BEST FIT THE EXISTING CONDITIONS.

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REV	DATE	DESCRIPTION

STATE OF ALASKA 49TH — Kenton W. Brun CE-9606 — REGISTERED PROFESSIONAL ENGINEER

DATE: 2/9/10

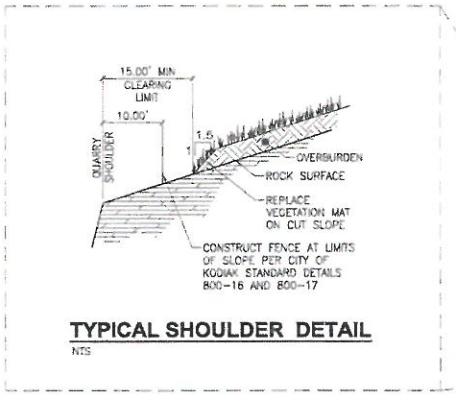
1506 West 36th Avenue
Anchorage, Alaska 99503
Phone: 907.561.1011
Fax: 907.563.4220
www.pndengineers.com

PND ENGINEERS, INC.

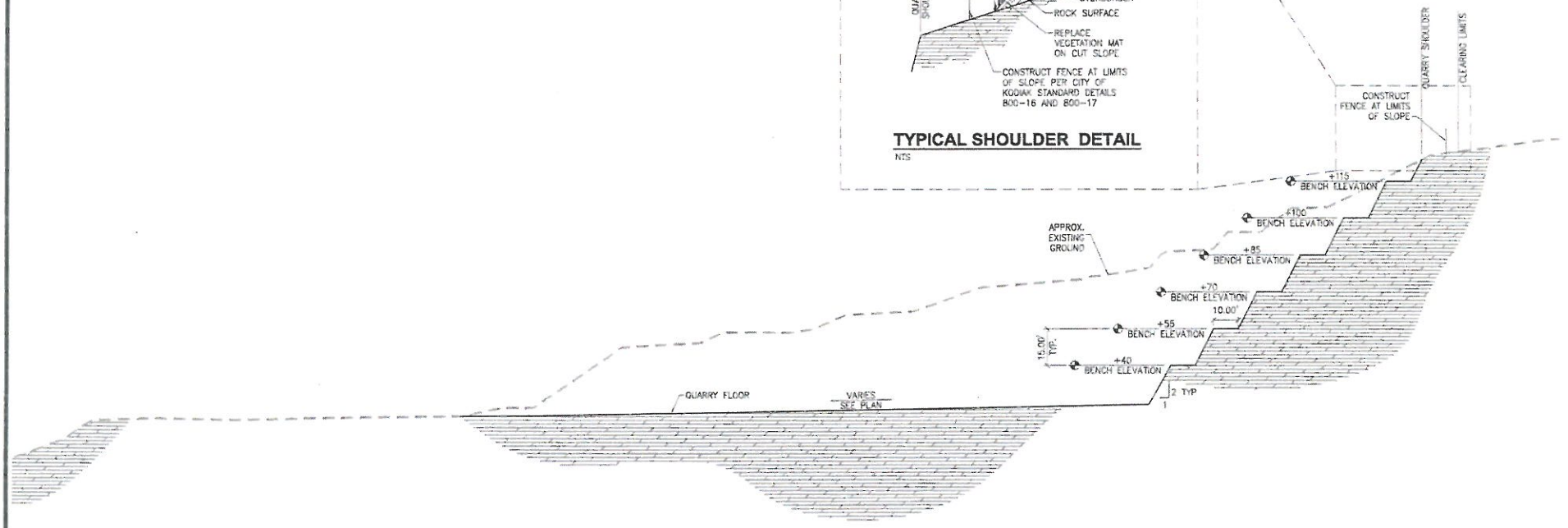
PROJECT: KODIAK ST HERMAN HARBOR QUARRY EXPANSION

TITLE: SUMMARY AND PROJECT CONTROL

DESIGNED BY:	JCJ	DATE:	2/08/10	SHEET NO. 2 OF 7
CHECKED BY:	KB	PROJECT NO:	091114	



TYPICAL SHOULDER DETAIL
NTS



QUARRY SECTION A-A
NTS

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REV	DATE	DESCRIPTION

STATE OF ALASKA
49 TH
Kenton W Neal
CE-9605
REGISTERED PROFESSIONAL ENGINEER
DATE: 2/9/10

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

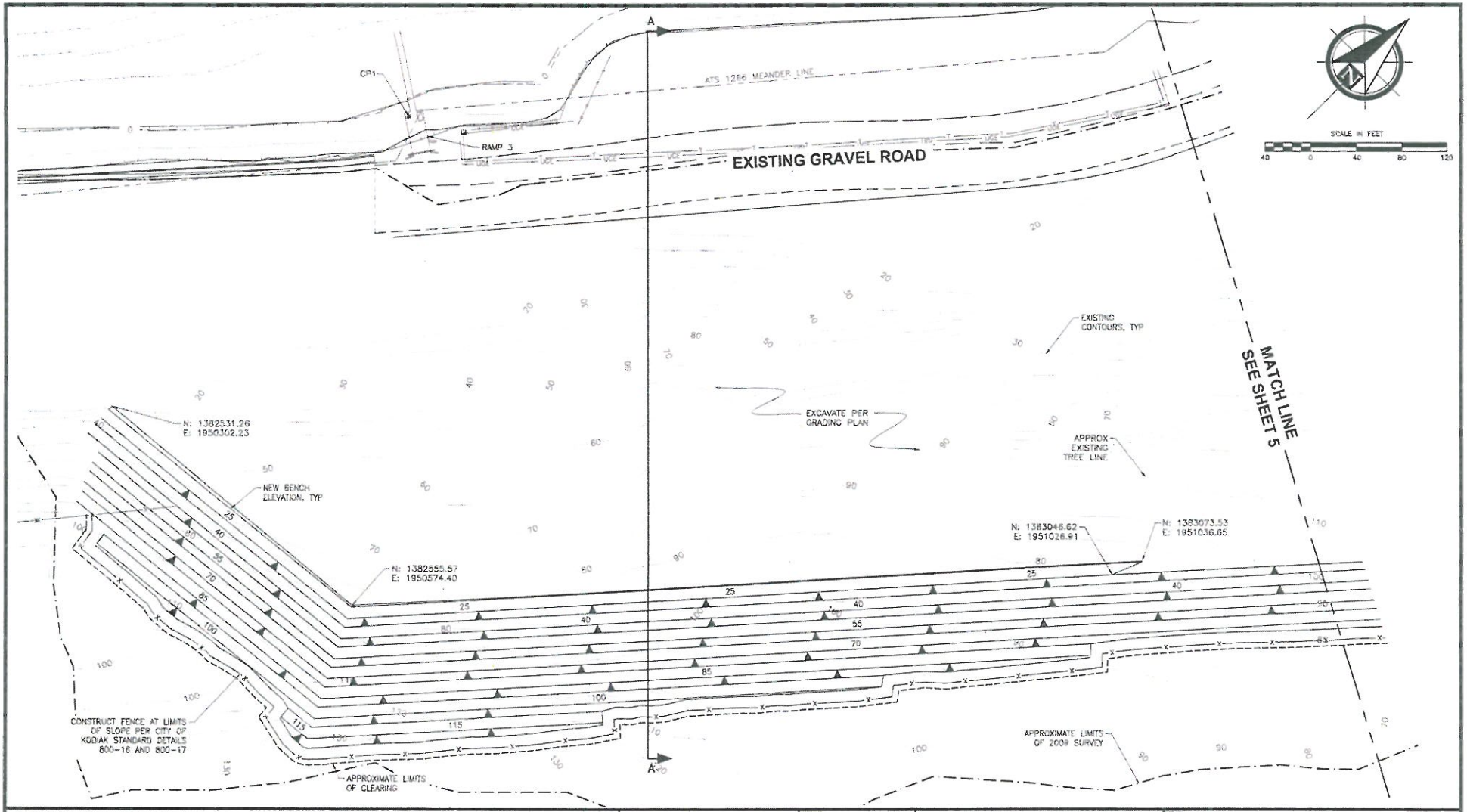
P N D
ENGINEERS, INC.

PROJECT: **KODIAK ST HERMAN HARBOR QUARRY EXPANSION**

TITLE: SECTIONS AND DETAILS

DESIGNED BY:	JC	DATE:	2/09/10
CHECKED BY:	KB	PROJECT NO:	081114

SHEET NO. 3 OF 7



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REV	DATE	DESCRIPTION

STATE OF ALASKA 49TH — Kenton W. Braun — CIVIL — REGISTERED PROFESSIONAL ENGINEER

DATE: 2/9/10

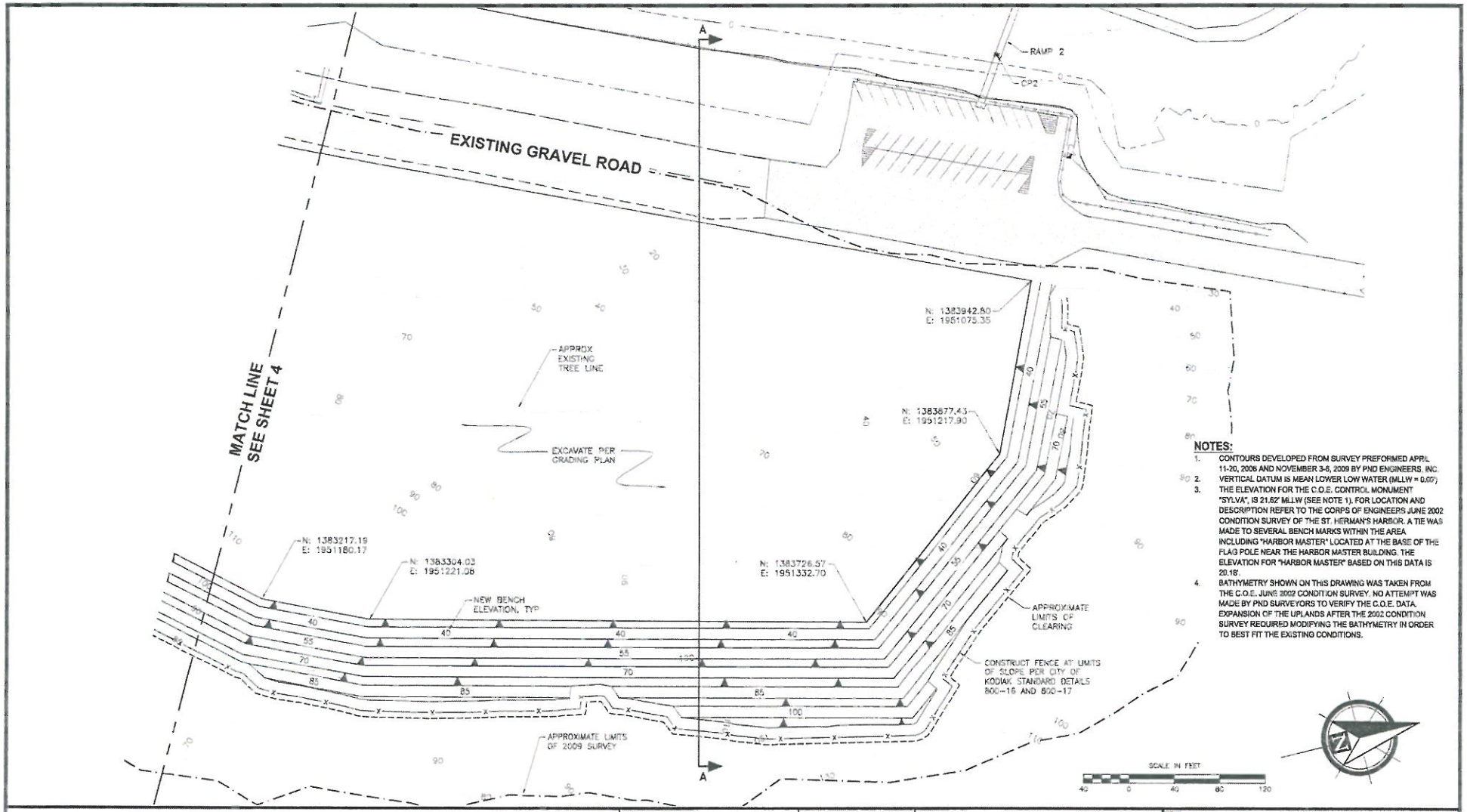
1506 West 36th Avenue
Anchorage, Alaska 99503
Phone: 907.561.1011
Fax: 907.563.4220
www.pndengineers.com

P N D ENGINEERS, INC.

KODIAK ST HERMAN HARBOR QUARRY EXPANSION

QUARRY PLAN AND LAYOUT

DESIGNED BY:	ZC	DATE:	2/09/10	SHEET NO.
CHECKED BY:	KW	PROJECT NO.	091114	4 OF 7



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REV	DATE	DESCRIPTION

STATE OF ALASKA 49TH
Andrew W. Bond
CE-9969
REGISTERED PROFESSIONAL ENGINEER
DATE: 2/9/10

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Anchorage, Alaska 99503
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Fax: 907.563.4220
www.pndengineers.com

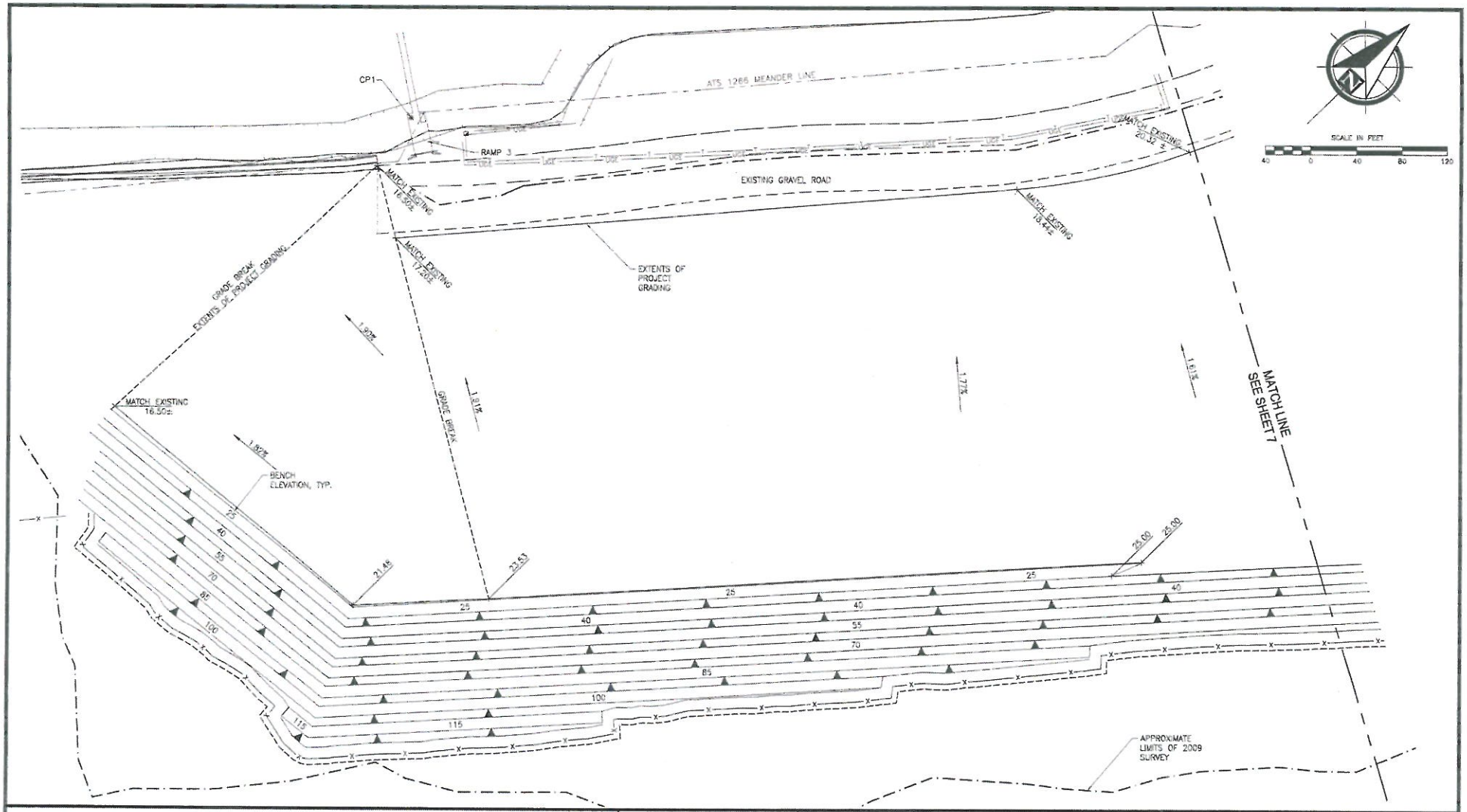
PND ENGINEERS, INC.

KODIAK ST HERMAN HARBOR QUARRY EXPANSION

QUARRY PLAN AND LAYOUT

DESIGNED BY:	ZC	DATE:	2/09/10
CHECKED BY:	KD	PROJECT NO:	091114

SHT. NO. 5 OF 7



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REV	DATE	DESCRIPTION

STATE OF ALASKA 49 TH — Kenton R. Bean CE 9808 — REGISTERED PROFESSIONAL ENGINEER

DATE: 2/9/10

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

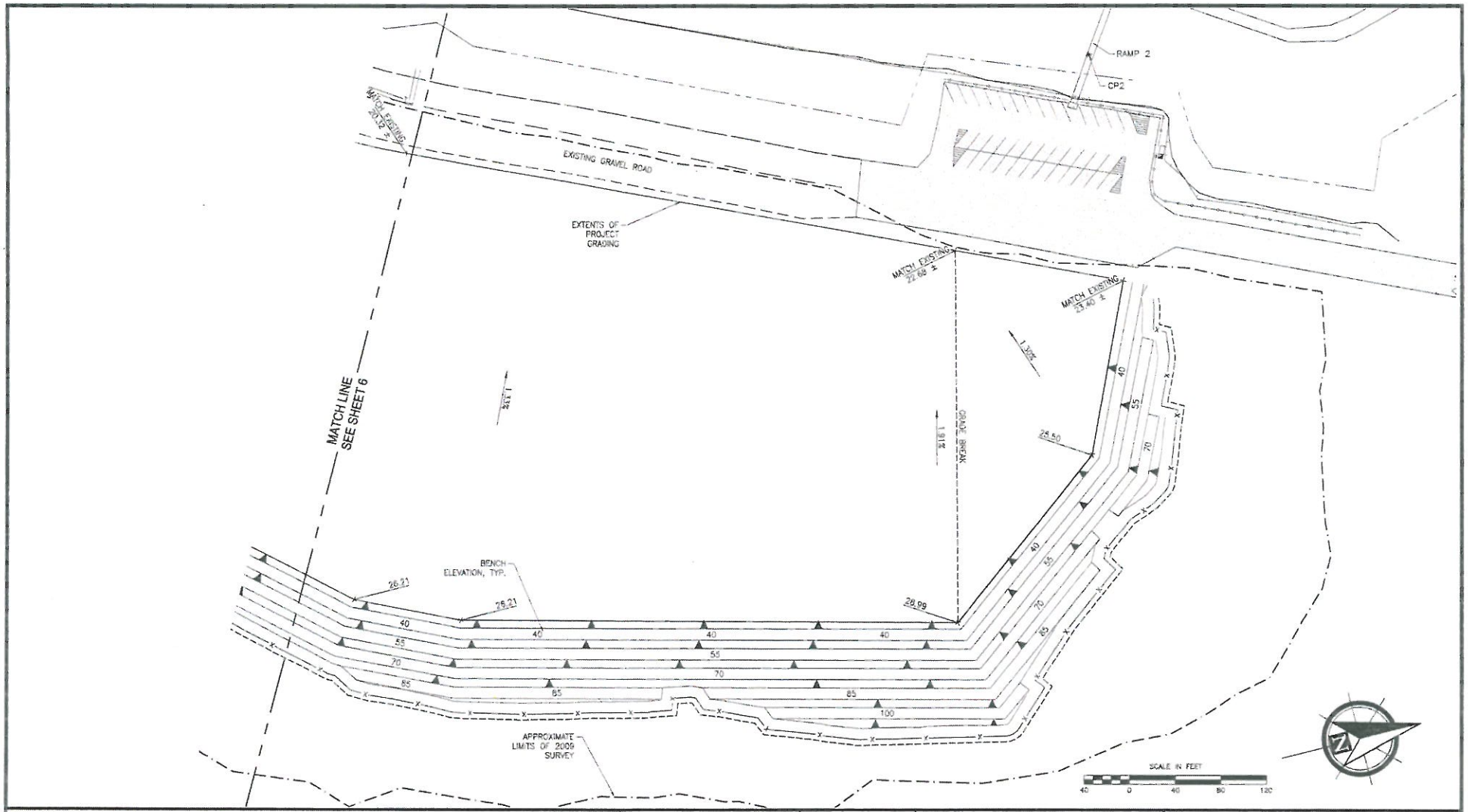
P N D ENGINEERS, INC.

KODIAK ST HERMAN HARBOR QUARRY EXPANSION

FINISH GRADING PLAN

DESIGNED BY:	JC	DATE:	2/09/10
CHECKED BY:	KB	PROJECT NO:	091114

SHEET NO. 6 OF 7



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REV	DATE	DESCRIPTION

STATE OF ALASKA
49TH
Kenton R. Brain
CE-9691
REGISTERED PROFESSIONAL ENGINEER
DATE: 2/9/10

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

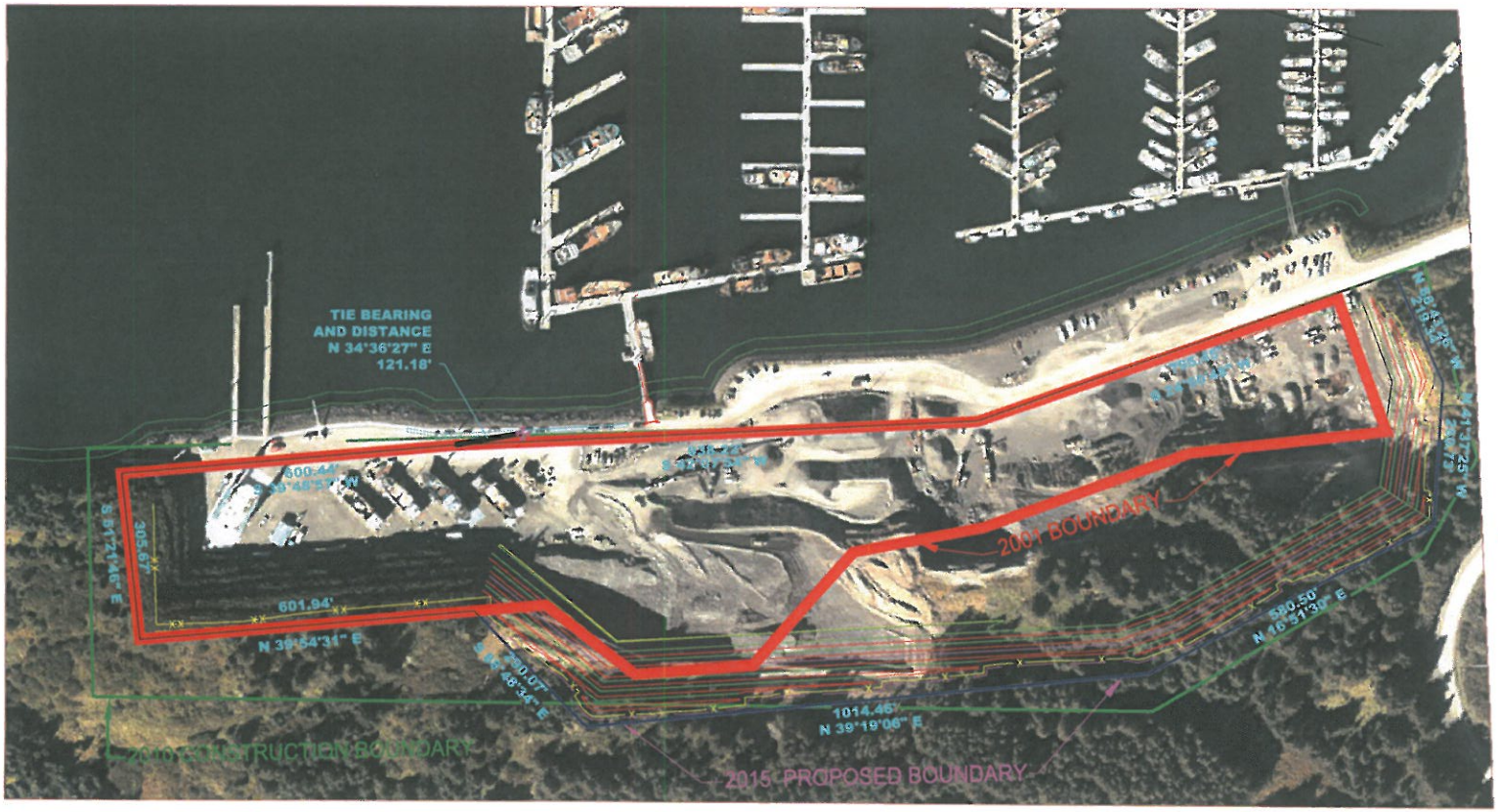
P N D
ENGINEERS, INC.

PROJECT: KODIAK ST HERMAN HARBOR QUARRY EXPANSION

TITLE: FINISH GRADING PLAN

DESIGNED BY:	JC	DATE:	2/08/10
CHECKED BY:	KB	PROJECT NO:	081114

SHEET NO. 7 OF 7



MAGNETIC DECLINATION 15° 36' EAST
JUNE 8, 2015
NOAA MAGNETIC DECLINATION CALCULATOR

✠ =BRASS CAP MONUMENT AS SHOWN ON SHEET 2 OF 7 2012 REVISED "KODIAK ST. HERMAN HARBOR QUARRY EXPANSION" PLAN SET.

BASIS OF BEARING 2010
"KODIAK ST. HERMAN HARBOR QUARRY EXPANSION PLANS"

SCALE
0 100' 200' 300' 400' 500 FT.
1"= 100' U.S. SURVEY FEET

NOTE:
PHOTO OVERLAY SHOWN HEREON DATED 2010.

PLAT APPROVAL

KODIAK ISLAND PLANNING AND ZONING COMMISSION

RECEIVED _____

APPROVED _____

CHAIRMAN _____ DATE _____

THIS IS TO CERTIFY THAT WITHIN PLAT IS DULY APPROVED IN ACCORDANCE WITH THE KODIAK ISLAND BOROUGH CODE THIS _____ DAY OF _____ 2014

BOROUGH MANAGER _____

BOROUGH CLERK _____ DATE _____

COMMUNITY DEVELOPMENT DIRECTOR _____ DATE _____

STATE OF ALASKA
49 TH.
Mark R. St.Denny
No. 10197

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 AND THAT THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE: _____ REGISTRATION NO. _____

MARK R. ST.DENNY REGISTERED LAND SURVEYOR

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF MINING, LAND AND WATER AND THAT THE STATE OF ALASKA IS THE OWNER OF ADLS NO.2011-13, AS SHOWN HEREON. I HEREBY APPROVE THIS SURVEY AND PLAT FOR THE STATE OF ALASKA, AND DEDICATE FOR PUBLIC OF PRIVATE USE AS NOTE, ALL EASEMENTS, PUBLIC UTILITY AREAS, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATED _____

DIRECTOR, DIVISION OF MINING, LAND AND WATER

PRINT NAME

NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 20___

BY _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

ST. DENNY SURVEYING INC.
P.O. BOX 946, KODIAK, ALASKA 99615
(907) 481-3696

CITY OF KODIAK
PROPOSED REVISED ZONING BOUNDARY FOR NEAR ISLAND QUARRY
CITY OF KODIAK
DEPARTMENT OF PUBLIC WORKS
KODIAK, ALASKA

KODIAK RECORDING DISTRICT

DRAWN BY: MSTD
DATE: 6-09-15
SCALE 1" = 100' | SHEET 1 OF 1 | PROJECT No. 15-0520428