

CITY OF KOTZEBUE
RESOLUTION NO. 26-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KOTZEBUE ACCEPTING AND APPROVING THE CITY OF KOTZEBUE PLANNING COMMISSION APPROVAL OF A VARIANCE REQUEST FROM THE MANIILAQ ASSOCIATION FOR THE WAIVER OF PERMIT FEES ON LOT 5B2-A, BLOCK 2, PLAT 2005-6 IN EXCHANGE FOR WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS VALUED AT ONE MILLION, FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000).

WHEREAS, the Maniilaq Association (“Maniilaq”) has obtained funding to construct a much needed 48-unit staff housing project and 45-unit patient housing project (“the Project”) in Kotzebue off Ted Stevens Way across from the City-owned Fairgrounds which will greatly improve the overall housing available in Kotzebue;

WHEREAS, Maniilaq has committed to pay for much needed improvements of the sewer main and Lift Station 9 which will serve the 45-unit patient housing complex at an estimated cost of \$1,500,000 for these much needed infrastructure improvements/upgrades and will alleviate sewer issues that have been experienced at House #651 (Dau);

WHEREAS, the Building Permit Fee for this 45-unit patient housing is calculated at \$732,000 pursuant to the fee schedule set out in Title 15 of the Kotzebue Municipal Code;

WHEREAS, the Planning Commission reviewed the Variance Request submitted by Maniilaq at its Regular Planning Commission Meeting (“RPCM”) on Thursday, April 9, 2026 and recommended approval of the Variance Request to the City Council. See, Planning Commissioned Resolution 26-05 and Exhibit A (the Maniilaq Variance Request of March 12, 2026) thereto at its April 9, 2026 Regular Planning Commission Meeting, a copy of which is attached hereto as Exhibit (“RPCM”) and incorporated by reference herein; and,

WHEREAS, the partnership with Maniilaq on this project is an example of how the City and Maniilaq working together can improve the health, safety and welfare of residents in the vicinity of Lift Station 10.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Kotzebue accepts and approves the City of Kotzebue Planning Commission approval of the Maniilaq Variance Request as stated herein.

PASSED AND APPROVED by a duly constituted quorum of the City Council of the City of Kotzebue, Alaska, this 16th day of April 2026.

CITY OF KOTZEBUE

Saima Chase
Mayor

ATTEST:

[SEAL]

Donald Jones, Jr.
City Clerk

Attachments:

- **Exhibit A:** Planning Commission Resolution 2026-05, April 9, 2026 [11 pages]

Exhibit A
Resolution 26-14
Manilaq Building Fee Waiver
April 16, 2026 RCCM



**KOTZEBUE PLANNING COMMISSION
RESOLUTION 26-05**

**A RESOLUTION OF THE KOTZEBUE PLANNING COMMISSION APPROVING A
VARIANCE REQUEST FROM THE MANIILAQ ASSOCIATION FOR THE WAIVER OF
PERMIT FEES ON LOT 5B2-A BLOCK 2 PLAT 2005-6**

- WHEREAS,** the Maniilaq Association has submitted a request for a variance from the requirements of the City of Kotzebue(COK) 2025 Fee schedule on Lot 5B2-A, Block 2 USS Plat 2005-6, located on the east side of Wolverine and 5th Avenue; and
- WHEREAS,** the proposed project involves the development and construction of a 45-patient housing complex for Maniilaq patient housing; and
- WHEREAS,** the Maniilaq Association has committed to improvements of the COK water and sewer infrastructure serving the property; and
- WHEREAS,** the COK has identified as priority capital improvements needs; the extension of COK Caribou Drive sewer main and improvements of Lift Station 10; and
- WHEREAS,** these improvements, estimated cost of \$1.5M will benefit COK water and sewer infrastructure and Kotzebue residents served by those lift stations
- WHEREAS,** the Kotzebue Planning Commission has reviewed the variance request and the associated documentation, and granting the variance will not adversely affect the health, safety, or welfare of the public.

NOW, THEREFORE, BE IT RESOLVED, by the Kotzebue Planning Commission that the variance request from the Maniilaq Association to waive the construction permit fees valued at \$732,000.00 on Lot 5B2-A, Block 2, USS Plat 2005-6, is hereby APPROVED, subject to the following conditions:

1. The applicant shall ensure that all other aspects of the project comply with applicable zoning and building code requirements.

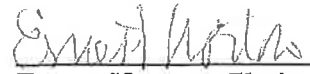
PASSED AND APPROVED by the Kotzebue Planning Commission this 9th day of April, 2026

Kotzebue Planning Commission
Resolution 26-05
April 9, 2026
Page 1 of 2

Exhibit "A" to Resolution 26-14 for RCCM April 16, 2026

KOTZEBUE PLANNING COMMISSION

Planning Commission



Ernest Norton, Chairman

ATTEST:



Fred Smith, City Planner

Attachments

Exhibit A- Maniilaq Association Variance Application

CITY OF KOTZEBUE APPLICATION FOR ZONING VARIANCE
[Sec. Kotzebue City Code Sections 17.40.010-130]

Name of Applicant: Manillaq Association

Applicant's Mailing Address: P.O. Box 256, Kotzebue, AK 99752

Applicant's E-Mail Address: Matthew.bergan@manillaq.org

Telephone: Home: n/a

Work: 9074423321

Cell: 9074121591

Legal Description of property for which variance is sought:

Lot 5B2-A Block 2 U.S. Survey Plat 2005-6

House Number TBD Street Name 5Th or Wolverine

This is a request for a Variance of Section 17.040.060 of the Zoning Code (Title 17) of the City of Kotzebue.

This Variance is for: Manillaq Association improvements to City water/sewer infrastructure (sewer main extension and LS10 Improvement) in lieu of a City of Kotzebue Building Permit fee.

(a) The existing situation is: The City sewer main line needs to be extended along Caribou Avenue to service the proposed Manillaq Patient Housing facility. Improvements are needed at LS10 to handle the additional sewage flows from the proposed Patient Housing.

(b) The granting of this petition would permit: Manillaq would have adequate project funds to construction the Caribou Avenue sewer main extension and LS10 improvements. The estimated cost to make these improvements is \$1.5M. Work is planned to begin in summer 2026 by NANA/Drake Construction and Cornerstone.

Before a variance may be granted, the Applicant must prove that each of the six conditions exists. Answer each of the conditions in detail using additional sheets if necessary.

(1) Explain how there are unusual physical features of the subject property that do not apply generally to other properties in the vicinity.
N/A

(2) Explain how the strict interpretation of this Chapter would deprive the Applicant of rights commonly enjoyed under this Chapter by other properties in the vicinity.

N/A

(3) Explain why the conditions described above were not caused by actions of the Applicant and that the variance is not sought for reasons of financial hardship or inconvenience.

N/A

(4) Explain how the variance will not be harmful to the health, safety, or welfare of the public.
Manillaq improvements to sewer mains and LS10 will improve the health, safety and welfare of residents in vicinity of LS10.

(5) Explain how the issuance of this variance will not permit a use of land or structure in a way that would be prohibited.

N/A

(6) Explain how the granting of the variance will be in harmony with objectives of the zoning ordinance and the Comprehensive Plan.

Pumping capacity and reliability concerns at LS10 have been identified by City public works staff. Sewer main extension will alleviate sewer issues that are experienced at House #651 (Dau).

Site Plan:

A site plan must accompany this Application. The drawing must be legible and accurate. Please indicate the following:

1. All set-back and lot dimensions
2. House number(s) of buildings on the lot
3. Other structures on the lot
4. Proposed/existing utility locations - water/sewer/electricity.
5. Dimensions (width/length/height) and area of all existing/proposed structures on lot
6. Dimensions (length) of all eaves of all existing/proposed structures on lot
7. Location (including height) of all existing/proposed fences on the property.
8. Easements and alleys (whether public or private) on or abutting the lot.
9. Label all streets bordering the property.
10. Proposed/existing parking.
11. Elevation of first floor from ground level for existing/proposed structure(s)
12. Vehicle and/or pedestrian access if multiple structures share a lot.
13. Any other information that you feel has a bearing on this Application.

[Note: The Planning Director may request additional information if necessary to properly review and process the application.]

If the site plan drawing is incomplete, this application will not be reviewed and/or processed.

If the zoning variance is approved, a final as-built-type site plan must be submitted to the Planning Director showing the approved variances to complete the variance process.

The City is relying upon the information provided by the Applicant. False, incorrect and/or incomplete information may result in the denial of a zoning variance application and/or subsequent revocation of any zoning variance approval issued based upon such false, incorrect and/or incomplete information.

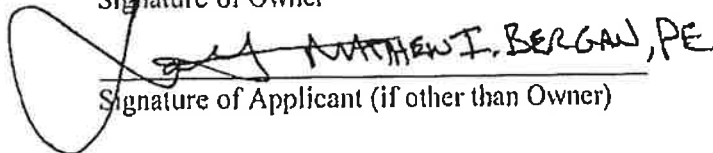
All variance requests are reviewed, processed, and approved based upon the Applicant's representation that he/she/they is/are legal owner(s) or the duly authorized representative(s) of the legal owner. The City makes no representation and assumes no responsibility for the actual state of the title to the premises/property.

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT I AM THE OWNER OR DULY AUTHORIZED LEGAL REPRESENTATIVE OF THE OWNER OF THE PROPERTY REPRESENTED IN THIS APPLICATION AND THAT THE INFORMATION INCLUDED HEREIN IS TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND AND AGREE THAT FALSE, INCORRECT AND/OR INCOMPLETE INFORMATION IS GROUNDS FOR DENYING THIS APPLICATION AND/OR REVOKING A VARIANCE PREVIOUSLY GRANTED BASED UPON SUCH FALSE, INCORRECT AND/OR INCOMPLETE INFORMATION. IF REVOCATION IS REQUIRED AND/OR A REVOCATION ACTION IS NECESSARY, I AGREE TO REMOVE AT MY OWN EXPENSE ANY AND ALL STRUCTURES/IMPROVEMENTS TO STRUCTURES BASED UPON SUCH FALSE, INCORRECT AND/OR INCOMPLETE INFORMATION AND TO PAY REASONABLE COSTS AND ATTORNEYS FEES THE CITY MAY INCUR IN ANY SUCH REVOCATION ACTION.

Manilaq Association, Inc.

Date: 3/12/26

Signature of Owner

 MATTHEW I. BERGAN, PE

Date: 3/12/26

Signature of Applicant (if other than Owner)

REVIEW OF ZONING VARIANCE APPLICATION
(For Official Use Only)

PLANNING DIRECTOR

Has the Application been filled out completely and correctly?
If required, has the State Fire Marshall Plan Review been completed?

yes
~~no~~ n/a

Flood Information

Has the property been identified as flood prone by FEMA (Yes or No)

no

Ground elevation of construction site after preparation: (above or below sea level)

sewer main
with

Elevation of first finished floor:

n/a

Depth of basement (below ground level):

n/a

Protective Measures

1. Has the Plan Review by Planning Director been completed?
2. Have all required set-backs been met?
3. Is there adequate parking available?
4. Does the property meet Flood Zone Elevation requirements?
5. Additional Comments:.....

yes
n/a
n/a
yes

Fred Smith
Signature - Planning Director

Date: 4-6-26

PUBLIC WORKS DIRECTOR

1. Has the Plan Review by Public Works Director been completed?
2. Is water/sewer available in the area?
3. Has a Water/Sewer Agreement been received?
4. Additional Comments:.....

yes
n/a
yes

[Signature]
Signature - Public Works Director

Date: 4-6-26

FIRE CHIEF

1. Has the Plan Review by the Fire Chief been completed?
2. Is there adequate access to the property for emergency vehicles?
3. If required, has the State Fire Marshal Plan Review been completed?
4. Additional Comments:.....

yes
n/a

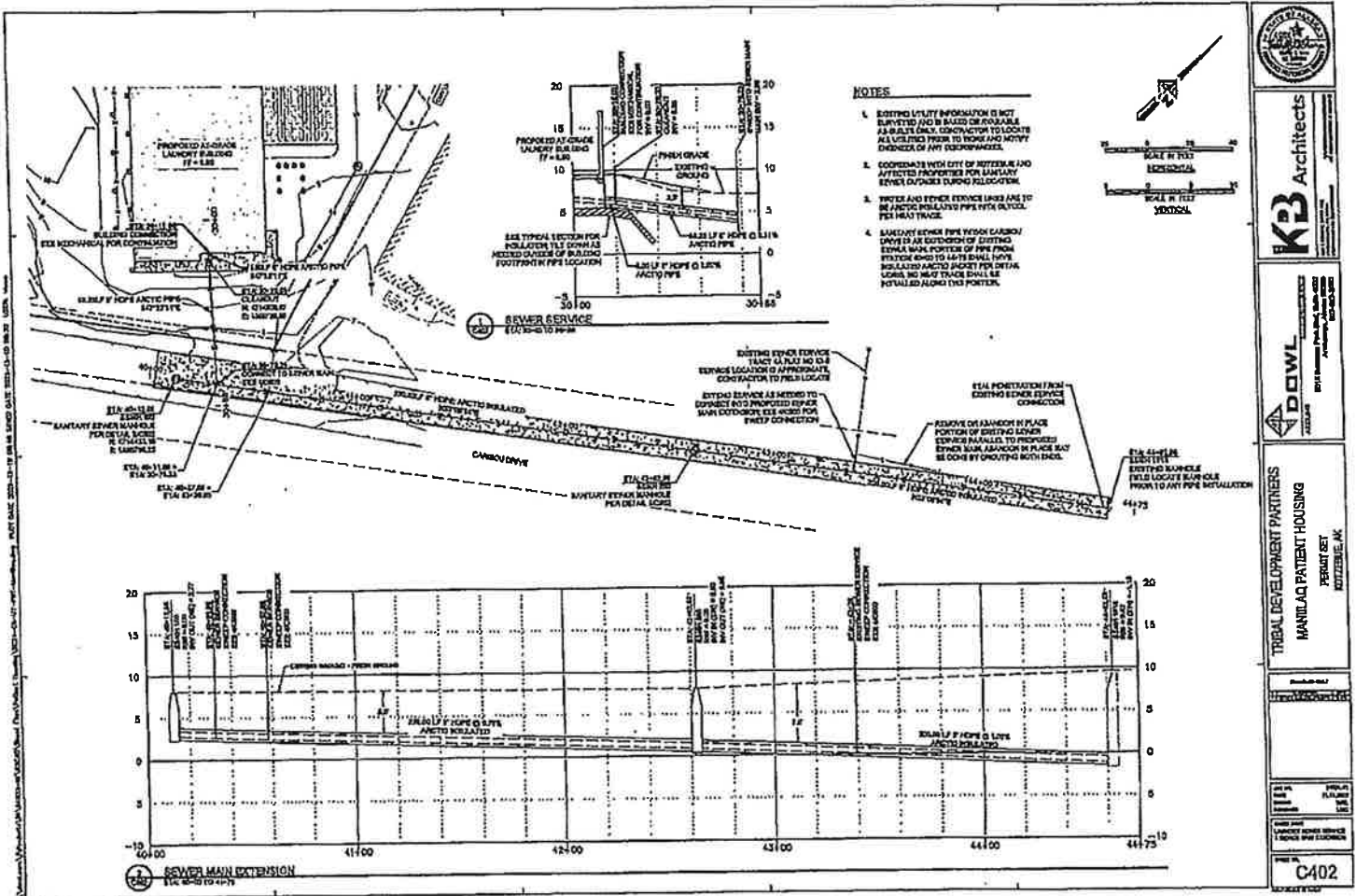
[Signature]
Signature - Fire Chief

Date: 4/6/2026

CITY MANAGER'S COMMENTS:

Ronald Johnson
Signature - City Manager

Date: 4/6/2026





MEMORANDUM

TO: Fred Smith, City Planner
City of Kotzebue
FROM: LaQuita Chmielowski, PE, LEED AP
DATE: January 5, 2025
SUBJECT: Maniilaq Patient Housing- Sewer Main Extension

DOWL, on behalf of Maniilaq Association, is submitting the following sewer main extension request to accommodate the Maniilaq Patient Housing project located on Lot 5B2-A, Block 2, Tract 9, USS 2645.

Currently, the only existing municipal sewer main adjacent to the project site (Lot 5B2-A, Block 2, Tract 9) is located within the Wolverine Drive right-of-way, north of the property (see C200). The sewer utility depth at the possible connection points is approximately 6-feet below the road surface, at an elevation of about 6.0 feet.

The proposed development will construct an elevated Patient Housing building on the north side of the site with an at-grade laundry facility located on the south side. The natural topography across the site results in an overall slope shedding from north to south, toward Caribou Drive. The finish floor elevation of the at-grade laundry facility is 9.5 feet and was determined based on accessible slopes on the site and drainage considerations. The design finish floor elevation resulted in the need for the sewer service connection to be at an elevation of about 5.9 feet.

Due to the service connection elevation at the laundry facility, it would not be possible to drain by gravity toward the north end of the site to allow for a connection to the sewer main in Wolverine Drive.

To allow for a gravity sewer service connection for the project, it is proposed to extend the sewer main in Caribou Drive. The proposed sewer main extension in Caribou Drive will branch off an existing sewer manhole at the intersection of Ptarmigan Way and Caribou Drive approximately 450-feet to the east.

The existing depth of the sewer main would allow for a new sewer main pipe to be constructed within the Caribou Drive right-of-way that would provide for a gravity drained sewer service line for the proposed Patient Housing development (see Sheet C200).

Attachments:
Letter of Authorization
Plat 2005-6
Design Drawings (C200 & C402)

Exhibit A to RPCM Resolution 26-05
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December 19, 2025

Fred Smith
City Planner
City of Kotzebue
602B Third Avenue
Kotzebue, AK 99752

Subject: *Letter of Authorization- Planning Actions*

Dear Mr. Smith,

Maniilaq Association owns Lot 5B2-A, Block 2, Tract 9 of USS 2645 and Lot 1A-4, Block 13, US Survey 2082 Friends Mission Reserve in Kotzebue, Alaska. As the representative of Maniilaq Association, I authorize DOWL to act on our behalf as petitioner in the submittal of planning actions for the above-mentioned parcels. If you have any questions, please contact me at your convenience.

Sincerely,

Matt B

Matthew I. Bergan, PE
Director of Capital Projects
Maniilaq Association
matthew.bergan@maniilaq.org
Cell 907-412-1591

Exhibit A to RPCM Resolution 26-05
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MANIILAQ ASSOCIATION | P.O. BOX 256 | KOTZEBUE, AK 99752 | 1.800.478.3312

Kotzebue Gikiqtagruk, Ambler Ivisaappaat, Buckland Nunatchiaq, Deering Ipnatchiaq, Klana Katyaak, Kivalina Kivaliniq,
Kobuk Laugviik, Noatak Nautaaq, Noorvik Nuurvik, Point Hope Tiklgaq, Selawik Akuligaq, Shungnak Isinnaq

Exhibit "A" to Resolution 26-14 for RCCM April 16, 2026