

**PLANNING COMMISSION REGULAR MEETING
FEBRUARY 14, 2017 AT 6:30 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Vice Chair *Tom McGann* called the Planning Commission Regular Meeting to order at 6:30 PM on February 14, 2017 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Vice Chair *Tom McGann* and Commissioners *Scott Pegau, Allen Roemhildt, Mark Frohnapfel*, and *Nancy Bird*. *John Baenen* and *Heath Kocan* were absent.

Also present was City Planner *Samantha Greenwood* and Assistant Planner *Leif Stavig*.

1 person was in the audience.

3. APPROVAL OF AGENDA

M/Pegau S/Bird to approve the agenda.

Upon voice vote, motion passed 5-0.

Yea: *McGann, Pegau, Roemhildt, Frohnapfel, Bird*

Absent: *Baenen, Kocan*

4. APPROVAL OF CONSENT CALENDAR

- a. **Minutes of January 10, 2017 Public Hearing**
- b. **Minutes of January 10, 2017 Regular Meeting**

M/Frohnapfel S/Roemhildt to approve the consent calendar.

Stavig said that he forgot to add “record excused absence for *Nancy Bird* from January 10, 2017 Regular Meeting.” There was no objection to the addition to the consent calendar.

Upon voice vote, motion passed 5-0.

Yea: *McGann, Pegau, Roemhildt, Frohnapfel, Bird*

Absent: *Baenen, Kocan*

5. DISCLOSURES OF CONFLICTS OF INTEREST

6. CORRESPONDENCE

- a. **State DOT Public Notice**

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

- a. **Guest Speakers**
- b. **Audience comments regarding agenda items**

Bret Bradford, 402 Railroad Row, spoke in opposition of agenda item 9a. The lots in question are up against a cliff. The lots up above them are original townsite lots with buildings built around 1910, before there was any zoning or lot lines. There is a natural windbreak created by trees along the lots. Several years ago, a property owner located three lots south of his went to the city to purchase the top portion of a similar lot. Development of the lots could degrade existing property values and there could be issues with pollutants coming up over the hill. He urged the commission to recommend not disposing the lots and he said if they wanted to dispose of the top of the lots, he would be interested in purchasing the portion behind his house.

8. PLANNER'S REPORT

Greenwood said the Great Land Trust donation was still being negotiated. She explained that City Council had originally planned to put the Power Creek parcel out for proposals, but they changed their mind. She said that the water department would be testing the ferry's drinking water. She said they had been preparing write-ups in case there is any federal infrastructure money. **Roemhildt** verified that the nonconforming code was effective.

9. NEW/MISCELLANEOUS BUSINESS

a. Disposal of Lot 8 and 9, Block 1, Odiak Park Subdivision

M/Bird S/Roemhildt to recommend to City Council to dispose of Lot 8 and 9, Block 1, Odiak Park Subdivision as requested in the letter of interest from Eagle Contraction as outlined in Cordova Municipal Code 5.22.060B by negotiating an agreement with Eagle Contracting to lease or purchase the property.

Bird said she had wondered about the same questions raised by **Bradford**. **Bird** said it sounded like the lot lines would have to be addressed. **Greenwood** said that a title search would clear it up and costs would have to be negotiated. **Roemhildt** said that in the past they have not sold nearby land because of the greenbelt issue. He said that disturbing the ground may affect the foundations of the houses. **Pegau** said that the property was a steep cliff and he doesn't see how it could be developed and meet setbacks without a lot of rockwork.

Frohnapfel said he wanted to refer it back to staff to resolve the property line issue. He said it was not up to the commission to determine whether or not someone could use the property; it was whether or not the property is for sale. **Greenwood** said that the city does not have the funds to resolve the issue and that typically the title search would be a part of the disposal process. Staff did not know the issue existed until they received a letter of interest. In a typical land sale these sorts of title issues are sorted out during closing. **Stavig** said that there is a substantial amount of land the city shows as available that the city doesn't even have title to yet. **Greenwood** pointed out that this was similar to the Section Line easement they discovered on the Power Creek property; all of these issues get sorted out during the disposal process, so that the costs for sorting the issues out can be a part of the negotiations.

McGann said that you can't do something on your property that adversely affects the neighbor's property. He said that just because it is available does not obligate the commission to dispose of it. **Bird** said that all of the properties along the hill were shown as available and that maybe they should look at making all of the lots not available.

M/Bird S/Roemhildt to amend the motion to recommend to City Council to dispose of portions of Lot 8 and 9, Block 1, Odiak Park Subdivision as outlined in Cordova Municipal Code 5.22.060 by requesting sealed proposals to lease or purchase the property.

Upon voice vote, amendment passed 5-0.

Yea: **McGann, Pegau, Roemhildt, Frohnapfel, Bird**

Absent: **Baenen, Kocan**

Upon voice vote, main motion passed 3-2.

Yea: **McGann, Baenen, Roemhildt**

Nay: **Pegau, Frohnapfel**

Absent: **Baenen, Kocan**

b. International Residential Code Discussion

Greenwood asked the commission if they should even adopt an International Residential Code (IRC). She wanted it to be clear that just because they may adopt the Alaska Housing Finance Corporation (AHFC) IRC does not mean they are following their rules for inspections. If the city adopts the code there will be no enforcement. When people sign building permits, they are saying that they will abide by all applicable codes. **Pegau** said he wants to have permits and some kind of code; he isn't sure that it needs to be the 2012 IRC. **Roemhildt** said that a builder should build a home to a standard that they can sell it or that's on them. He doesn't see enforcing codes as a city responsibility. **Frohnapfel** said he was a proponent of building codes and building inspections, and he thinks it is good for new construction. **Bird** said with the nature of Cordova not having inspectors available and no enforcement she wants to encourage people to build to codes, but not adopt the codes. Unless people are wealthy enough to not get financing, they are already going to have to meet the AHFC codes.

Greenwood said there were a couple AHFC amendments that she would be looking into to. They don't have to abide by their codes and amendments; they can do what they want. **McGann** said he was very much in favor of adopting the code; in fact it was the reason he got on the commission. The current code is terrible and refers to things that have no relevance today. All new construction should be inspected. At least when people come in for a permit they have an incentive to do it right. It would also give contractors guidance. As a city, they should be establishing standards. **Frohnapfel** said that he agreed; not only does it protect the contractor, but it also protects the homebuyer. The commission concurred that they were in agreement to move forward with adopting the 2012 IRC with amendments. **McGann** said he didn't think they needed to see other city's amendments to the IRC as the AHFC was a good framework for them to work off of.

c. Chair Election

Roemhildt moved to refer 9c and 9d back to staff. Motion died for lack of a second.

Bird asked **McGann** and **Pegau** if they were still willing to serve and why they wanted to be chair. **McGann** said it was a pleasure to serve. **Pegau** said he was willing, but he looks at his travel schedule and the building codes and he thought it may be better for **McGann** to be chair.

Roemhildt nominated **McGann** for Chair.

McGann called for a roll call vote.

Upon roll call vote, **McGann** was elected Chair 5-0.

Yea: **McGann, Pegau, Roemhildt, Frohnapfel, Bird**

Absent: **Baenen, Kocan**

d. Vice Chair Election

Bird nominated **Pegau** for Vice Chair.

McGann called for a roll call vote.

Upon roll call vote, **Pegau** was elected Vice Chair 5-0.

Yea: **McGann, Pegau, Roemhildt, Frohnappel, Bird**

Absent: **Baenen, Kocan**

10. PENDING CALENDAR

11. AUDIENCE PARTICIPATION

Bradford thanked the commission for digging into agenda item 9a. He said they seem like a high-functioning, cooperative board. Making all of the lots not available would have saved a lot of people's headaches and city time and money.

12. COMMISSION COMMENTS

Pegau said when he got on the commission they were talking about Titles 16, 17, and 18. He has always been hoping to finish the conversation and hopefully get those off the list.

Frohnappel said it was time for him to bring up addressing. **Pegau** said that is why Lakeveiw Drive is being changed.

McGann agreed with **Pegau** and said that a lot of time had been spent in the past on these portions of the city code.

13. ADJOURNMENT


M/Pegau S/Frohnappel to adjourn the Regular Meeting at 7:50 PM.

With no objection, the meeting was adjourned.

Approved:



Tom McGann, Chair



Leif Stavig, Assistant Planner