Chair

Tom McGann

Commissioners

Scott Pegau John Baenen Allen Roemhildt Nancy Bird Chris Bolin Lee Holter

City Planner

Samantha Greenwood

Assistant Planner

Leif Stavig

PLANNING COMMISSION SPECIAL MEETING FEBRUARY 28, 2018 AT 5:45 PM CORDOVA CENTER COMMUNITY ROOM B

AGENDA

- 1. CALL TO ORDER
- 2. ROLL CALL

Chair Tom McGann, Commissioners Scott Pegau, John Baenen, Allen Roemhildt, Nancy Bird, Chris Bolin, and Lee Holter

- 3. APPROVAL OF AGENDA (voice vote)
- 4. DISCLOSURES OF CONFLICTS OF INTEREST
- 5. COMMUNICATIONS BY AND PETITIONS FROM VISITORS
 - a. Guest Speakers
 - b. Audience comments regarding agenda items (3 minutes per speaker)
- 6. NEW/MISCELLANEOUS BUSINESS
- 7. AUDIENCE PARTICIPATION
- 8. COMMISSION COMMENTS
- 9. ADJOURNMENT



AGENDA ITEM # 6a Planning Commission Meeting Date: 2/28/18

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

DATE: 2/21/18

ITEM: Conditional Use Permit for 6,000 Square Feet of Fish Processing in Waterfront

Commercial Park District

NEXT STEP: Review Conditional Use Permit Application

____ INFORMATION
_X MOTION
RESOLUTION

I. REQUEST OR ISSUE:

Requested Actions: Conditional Use Permit for 6,000 square feet of fish processing

Applicant: Thai Vo & Camtu Ho dba Alaska Wild Seafoods Legal Description: Lot 6 and 7, Block 2, South Fill Development Park

Parcel Number: 02-473-140

Zoning: Waterfront Commercial Park District

Attachments: Memo from Port of Cordova

Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

Location Map Application

II. RECOMMENDED ACTION / NEXT STEP:

"I move to approve the conditional use permit request by Alaska Wild Seafoods for 6,000 square feet of fish processing space as described in the application submitted by Thai Vo & Camtu Ho d/b/a Alaska Wild Seafoods for Lot 6 and 7, Block 2, South Fill Development Park subject to the special conditions contained in the staff report and to adopt and incorporate the findings contained in the staff report."

III. FISCAL IMPACTS:

Fish processing space may generate additional jobs, fish tax, and property taxes.

IV. BACKGROUND INFORMATION:

10/8/13 - At the Planning Commission Regular Meeting this action occurred:

A Site plan for an addition to the existing building on lot 7 (Camtu's current store), which included 2,000 square feet of fish processing space was approved. At this time the fish processing did not require a conditional use permit. Code was changed in 6/15.

Cordova Municipal Code

Chapter 18.60 – Conditional Use Permits.

18.60.010 - Uses permitted by planning commission approval.

The city planning commission may, after proper notice and public hearing, permit the following exceptions in any district unless otherwise specified, where such uses are deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive city plan and the zoning ordinance. In approving the uses referred to in this chapter, the city planning commission shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood and the comprehensive city plan and zoning ordinance:

The following conditional use standards have been met:

1. The requested conditional use permit will not adversely affect the public's health, safety, and general welfare.

This condition is met. The additional square footage of fish processing will not affect the public's health, safety and general welfare. The fish processing will not occur in a public area, there is an outfall line in place to disperse offal, and the business has established safety and business practices to protect the public. The construction will be required to meet all state required fire codes and the applicant will have to obtain a Fire and Life Safety Plan Review through the State Fire Marshall.

2. The requested conditional use will not permanently or substantially injure the lawful use of neighboring properties.

This condition is met. The district has a variety of uses including fish processing which was changed

from a permitted use to a conditional use in 2015. The fish processing will be contained within a building and occur on two lots. Lawful uses by neighboring properties will not be impacted.

3. The requested conditional use is compatible with the zoning district in which it is requested.

This condition is met. The purpose of the zoning district states:

"The purpose of the Waterfront Commercial Park (WCP) district is to provide a mix of services, businesses and recreational activities to benefit the community. Uses within the WCP district are intended to be water-dependent or water-related, and primarily those uses that are particularly related to location, recreation or commercial enterprises that derive an economic or social benefit from a waterfront location."

Fish processing is water dependent and gains an economic benefit by having a waterfront location. Outfall lines and close proximity to the fishing fleet are essential to fish processing. It is unclear where the 2,000 square feet for fish processing delineation came from and there is nothing limiting the commission from approving a conditional use permit for more than 2,000 square feet.

The zoning district identifies fish processing as a conditional use. While it is not a permitted use, it is identified as an acceptable use in the district that needs to meet additional criteria. Currently, there is 2,000 square feet of fish processing occurring in the entire district.

This request, which is 4,000 square feet above the prescribed 2,000 square feet per lot in the Code, will increase the fish processing occurring in the immediate area and may appear to be of a more industrial rather than commercial character. While this increase in processing may not fall squarely in line with service and retail uses, it does comply with the mixed-use permitted under the Code. Additionally, the line between industrial use and commercial use is a blurred one as many uses have elements of both. By way of example, some existing retail uses in the district rely on freight trucking, which is associated with more industrial rather than commercial uses but can be categorized as both. The seafood processing at Alaska Wild Seafoods involves heading, gutting, and freezing the fish within a building that houses a large retail store. This is significantly different than the processing that occurs in the Waterfront Industrial District that can include canning, smoking, or processing offal for fish meal or oil.

4. The proposed conditional use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development.

This condition is met. There will likely be an increase in vehicular traffic due to the additional fish being processed, but the increase is not more substantial than anticipated from permitted development in the district. The district allows mixed uses ranging from retail, docks, harbors, and hotels. The amount of vehicular traffic generated from these uses and other permitted uses would likely be similar to or exceed traffic generated from the additional square footage being requested for fish processing.

5. The proposed conditional use will not have a permanent negative impact on the demand for and availability of public services and facilities substantially greater than that anticipated from permitted development.

This condition is met. The wide range of uses and potential number of uses that can be established in

this district allows for a large volume of anticipated demand for public services and facilities. There will be an increased demand for water with the additional fish processing. While it's possible that this may exceed most permitted uses, staff does not anticipate that the demand for water will have a negative impact of the availability of water for other users or that it will have a permanent negative impact on the availability of water or any other public service or facility. Similarly, vehicular traffic on roads will likely increase with additional processing but the conditional use requested would not increase traffic to such an extent that it would permanently negatively impact the use of the roads or lead to substantially greater use than that resulting from current or future permitted uses in the district.

Comprehensive Plan

Chapter 1 Economic Development

- A. FISHING AND FISH PROCESSING DEVELOPMENT STRATEGIES

 It is the intent of the City to stimulate growth and diversification in the local fishing and fish processing industries using the following strategies:
- Support efforts to diversify the salmon hatchery program.
- Support efforts to aggressively market Cordova fish products.
- Work towards development of sustainable, under-utilized fisheries.
- > Support on-shore processing
- Support on-shore fish offal processing
- > Support development of the local mariculture industry.
- > Increase incentives for fish processors by working to:
 - Lower power rates.
 - Promote new and value-added products.
 - Construct a deep-water port.
 - Provide for best and most efficient use of remaining waterfront land.
- Enhance the harbor and port facilities by:
 - Acquiring a new travel lift facility.
 - Building a deep-water port.
 - Maintaining the small boat harbor.

This conditional use permit meets some of these Economic Development goals from the Comprehensive Plan and does not contradict any of the specified goals in the Plan.

Special Conditions

1. Dissolve the lot line between Lots 6 and 7, Block 2, South Fill Development Park so that the building is on one lot and meets all required setbacks.

2. An agreement between Alaska Wild Seafoods and the Harbormaster will be completed as described in Attachment A.

V1. LEGAL ISSUES:

None currently.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

VII1. SUMMARY AND ALTERNATIVES:

The Planning Commission may grant or deny the Conditional Use Permit and add additional conditions if the commission determines such conditions are necessary.

Attachment A

Memorandum

To: Planning and Zoning

From: Port of Cordova

Date: 02/21/2018

Re: Alaska Wild Seafood's Conditional Use Permit Application

The Port of Cordova supports Alaska Wild Seafood's in their request for a conditional use permit to expand their seafood processing operation. We do not see any uplands conflicts with us if they expand.

The Port would caution them that their current usage agreement of the Port dock and crane facilities cannot support an increase in traffic and use. With the expected production volume increase also comes the possibility of increased congestion within the harbor. Alaska Wild Seafood's will need to provide a plan that will look at alternative ways, equipment or processes to receive the increase in product production.

Prior to 4/1/19 the Port of Cordova and Alaska Wild Seafood will have an agree upon and signed plan and usage agreement which will alleviate the impact of the increased production.

Tony Schinella, Harbormaster

Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

18.39.010 - Purpose.

The purpose of the Waterfront Commercial Park (WCP) district is to provide a mix of services, businesses and recreational activities to benefit the community. Uses within the WCP district are intended to be water-dependent or water-related, and primarily those uses that are particularly related to location, recreation or commercial enterprises that derive an economic or social benefit from a waterfront location.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.020 - Permitted principal uses and structures.

The following are the permitted principal uses and structures in the WCP district:

- A. Business services:
- B. Cultural centers;
- C. Docks and harbor facilities;
- D. Eating and drinking establishments;
- E. Hotels;
- F. Public service and municipal buildings;
- G. Retail services;
- H. Waterfront parks, access paths, and boardwalks.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.030 - Permitted accessory uses and structures.

The following are the permitted accessory uses and structures in the WCP district:

- A. Accessory buildings;
- B. Office buildings associated with permitted principal uses;
- C. Watchman's quarters

(Ord. No. 1134, § 1, 10-7-2015)

18.39.040 - Conditional uses.

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the WCP district:

- A. Commercial outside storage;
- B. Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing;
- C. Fueling pier.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.050 - Reserved.

18.39.060 - Minimum lot requirements.

The following are the minimum lot requirements in the WCP district:

A. Lot width: Ninety feet

B. Lot area: Nine thousand square feet.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.070 - Minimum yard requirements.

The following are the minimum yard requirements in the WCP district:

A. Front yard: Fifteen feet

B. Side yard: Five feet

C. Rear yard: Five feet.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.080 - Maximum height of buildings and structures.

The following are the maximum heights of buildings and structures in the WCP district:

A. Principal buildings and structures: Thirty feet

B. Accessory buildings and structures: Twenty feet.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.090 - Required off-street parking and loading.

The requirements for off-street parking and loading in the WCP district shall be as set forth in Chapter 18.48.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.100 - Signs.

Signs may be allowed in the WCP district subject to the Uniform Sign Code and as set forth in Chapter 18.44.

(Ord. No. 1134, § 1, 10-7-2015)

18.39.110 - Reserved.

18.39.120 - Reserved.

18.39.130 - Site plan review.

The development plan of any proposed development in the WCP district shall be subject to a site plan review conducted in accordance with Chapter 18.42.

(Ord. No. 1134, § 1, 10-7-2015)



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CITY_OF_CORDOVA



CONDITIONAL USE PERMIT APPLICATION

City of Cordova, Alaska

INSTRUCTIONS	PERMIT TYPE	FEE
Print or type requested information. Incomplete applications	☑ Conditional Use Permit	\$250
will be returned to the applicant and will delay issuance of		
the permit. Attach this application to the Building Permit		
Application.		

The Planning Commission may only approve the conditional use if the commission finds that ALL of the following standards are satisfied. Conditional uses are subject to strict review because of the potential they hold to harm neighboring properties.

Explain how the requested conditional use permit will not adversely affect the public's health, safety, and general welfare.

This Conditional Use will not affect the public health, safety or general welfare since the fish processing use already exists, the application only allows more square footage in a permitted zone. NOTE ADDITIONAL INFORMATION ON EXTRA SHEET.

Explain how the requested conditional use will not permanently or substantially injure the lawful use of neighboring properties.

The neighboring property will not be affected since a slough to the south, Harbor Loop Rd to the north, our own Camtu Market to the east, and a building we currently lease from Roemhildt to the west. NOTE ADDITIONAL INFORMATION ON EXTRA SHEETS.

Explain how the requested conditional use is compatable with the zoning district in which it is requested.

The current zoning allows 2,000sqft of fish processing, 4,000sqft on two lots, and we want to expand the total to 10,000sqft.

NOTE ADDITIONAL INFORMATION ON EXTRA SHEET.

Explain how the proposed conditional use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development.

The conditional use will not affect pedestrians or traffic since the use is already permitted in the area, and we are located near the end of the road.

NOTE ADDITIONAL INFORMAITON ON ADDITIONAL SHEETS.

Explain how the proposed conditional use will not have a permanent negative impact on the demand for and availability of public services and facilities substantially greater than that anticipated from permitted development.

The conditional use will have a positive impact on the local City with added jobs and fish tax. The current fish processing facility was built with future expansion in mind, so no additional electrical power, or city water service will be required, and our trash never exceeds the current one dumpster.

NOTE ADDITIONAL INFORMATION ON ADDITIONAL SHEETS.

Any application approved by the planning commmission shall be conditional upon the privilege granted being utilized within (12) months after the effective date of approval.

Site and Building Plan are required. The Site Plan needs to be drawn to scale, showing the location of all existing and proposed buildings or improvements, elevations of such buildings or alterations, and off-street parking areas.

The City Planning Commission shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood and the Comprehensive City Plan and zoning ordinance.

Some conditional uses (telecommunication tower, coastal management areas, junkyard) are subject to additional conditions in Chapter 18.60 of the Cordova Municipal Code.

By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate. Furthermore, I (we) hereby authorize the City and its representatives to enter the propery associated with this application for purposes of conducting necessary site inspections.

Applicant Signature: hamulu Date: 2-14-18

Print Name and Title: That I/4 - Owner

ALASKA WILD SEAFOODS CONDITIONAL USE APPLICATION ANSWERS

Explain how the requested conditional use permit will not adversely affect the public's health, safety, and general welfare.

The CUP will not affect the public health, safety or general welfare and subject to approval of the additional square footage on the two parcels (Lot 7 and Lot 6) will make the existing fish processing safer. By combining the two parcels the proposed two parcels will be of adequate size to increase the building size. This request for a CUP is for the fish processing only. Since fish processing is a permitted use in the South Fill area, by adding another parcel where fish processing is allowed, the CUP will not be a change in zone or permitted uses, but rather a change in the allowed building coverage of one city parcel from 2,000 sq. ft. to 2 combined city parcels to 8,000 sq.ft. This additional square footage of operation will allow employees not to be crowded together, and will provide more space both for head/gutting, grinding, and transportation of fish laden totes. Washdown/cleanup operations can be carried out simultaneously with the fish processing making the workplace a safer work environment. Boxing, packing in ice and loading trucks will be accomplished in an adjacent area. With the additional square footage requested, more workers can be accommodated in the work area. The additional square footage will allow more efficient work-flow, and will reduce the total overall hours of the fish processing operation. This will allow more rest time/off time for the employees, and reduce the dangerous circumstances caused by exhaustion of the workers (working excessively long hours with sharp knives, wet conditions, forklift trucks, etc.). Additional square footage will also allow a "break room" for the workers, for snacking, resting. etc.

Explain how the requested conditional use will not permanently or substantially injure the lawful use of neighboring properties.

The closest neighboring property to the east is the Camtu Service Center, a market and variety store. Since the fish processing operation is in an adjacent but separate non-connecting area, as in the past years, the customers shopping at the Camtu Service Center will not have any interaction with the fish processing operation. There is no smell associated with the fish processing since the end product - fish, (head/gut only - no cooking or other production) are iced and shipped immediately, and the work environment is kept scrupulously clean and washed in compliance with DEC regulations.

Several businesses adjacent may be improved by the increased pedestrian use and traffic to the area. Shoreside Pizza will be seen by more people. Viking Marine and Plumbline plumbing fittings store will benefit from the increased traffic; all three will enjoy the additional advertising generated by seeing them in the area.

Since the "new fish processing area" will be adjacent to the "old area" and incorporate the old area, there will be very little increase in vehicular traffic. The loading area will be a matter of several feet only different from the "old" loading area. However, Harbor Loop Road is plenty wide and able to accommodate any increase in traffic. Its size is adequate for loaded trucks, and semi-trucks utilize the road across the street from Camtu's to service the A-C

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Market's loading areas several times per night with no problem. Any additional truck traffic from the fish processing will be minimal, and not cause congestion. Camtu fish processing is not located in an area where the fishing boat traffic or launch ramp are being used by the fishermen. It is around a corner of the road, and behind the A-C grocery store and neighboring shops. More people using the south fill area will provide additional beneficial foot traffic to the other businesses.

Explain how the requested conditional use is compatible with the zoning district in which it is requested.

The purpose of the Waterfront Commercial Park (WCP) district is to provide a mix of services, businesses and recreational activities to benefit the community. Uses within the WCP district are intended to be water-dependent or water-related, and primarily those uses that are particularly related to location, recreation or commercial enterprises that derive an economic or social benefit from a waterfront location.

Under the City's zoning, Chapter 18.39, the City's current zoning allows 2,000 sq.ft. of fish processing. With two lots, the City's zoning (Lot 7 and Lot 6), would typically allow 4,000 sq.ft. coverage. However, with the lots combined, and new configuration of the buildings, the land size. use and coverage can easily support 8,000 sq.ft. of fish processing, a more efficient use of the land for buildings, loading, operations and parking.

This is a huge benefit to the City where land suitable for fish processing is virtually non-existent, yet in high demand. Camtu's fish processing will have a positive impact on the local City by providing added jobs and fish tax. The current fish processing facility was built with future expansion in mind, so no additional electrical power, or city water service will be required. There will be no additional impact on storm drains or sewer. The outfall location will remain unchanged. Camtu's trash never exceeds the current one dumpster. Any increase in fish processing will increase the city's tax base, and additional fish tax, but not use of city services. There will be no additional excessive traffic generated by the CUP.

Explain how the proposed conditional use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development.

Camtu's fish processing request is modest and blends in with the character of the existing neighborhood. Permitted development in the area is for fish processing, and Camtu's existing fish processing enjoys state of the art buildings and equipment, and already has provided city taxes which have been increasing for the past 15 years. The buildings are similar in size and shape to the other businesses in the area. The problem is only lack of expansion area for the added business she brings to the local fishermen, (and added fish tax the city receives). As mentioned above, there is no other additional land suitable for fish processing, so efficient use of the City's scarse land by combining the two lots to achieve more coverage will benefit both the city and the fishermen. The proposed use will not generate traffic beyond which might be expected for an allowed use in that location. The proposed use is already allowed under the city's zoning, it is the building coverage for fish processing only that needs the CUP for the benefit of the public welfare.

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Explain how the proposed conditional use will not have a permanent negative impact on the demand for and availability of public services and facilities substantially greater than that anticipated from permitted development.

In all the years of business in Cordova, Camtu has never needed fire, ambulance, or police services. Camtu and Thai have provided a safe environment for the workers, and it will be beneficial to the workers to have more spacious work areas used in the fish processing. Areas to take a break or rest, as well as more efficient work lines, can be planned into the state of the art new building. Additional safety procedures can be incorporated. With added insulation, and better work flow, the new buildings can allow for desirable use of the property, and conserve land use.

If Camtu Fish Processing is granted the CUP, Camtu and Thai expect to start construction as soon as the weather improves for pouring the foundation And have substantial completion by of the building before mid October 2018, and complete the interior and install new equipment during the 2018-2019 winter.

PLANNING COMMISSION SPECIAL MEETING



February 8, 2018

City of Cordova P.O. Box Cordova, AK 99574

Att: City of Cordova Planning Commission

RE: Expanded Fish Processing Facility

Dear Commissioners,

We received approval on Feb. 7th from the City Council satisfying our South Fill Lot No. 6 Deed Restriction, and are now applying to you for a Conditional Use Permit to expand our fish processing area, a permitted use for the parcel, and merge our two parcels, Lot 6 & Lot 7, into one parcel.

As a little background, several years ago we purchased South Fill Lot No. 7 to build a Market and Restaurant. We opened the Camtu Market first, and before we could get the restaurant operational, we were so swamped with customers in our market that we expanded the market into the entire building. The special facility requirements for a restaurant were installed in the Lot 7 Market, but never used. After completing our market, South Fill Lot 6, the lot next door come up for sale. We applied to purchase the property for a restaurant and hotel, so Camtu's mother and father, who ran a restaurant and hotel in Vietnam, would have year-round work in Cordova.

Shortly after purchasing Lot 6, Prime Select notified us they would no longer process our fish. To save our fish business, a few years ago we made an application to the Planning Department for a new building, attached to the Market on Lot 7, to do our fish processing. This new building encroached on the fire easement of lot 6, and we applied for and received City approval for an extended easement between Lot 7 and Lot 6.

Our original plan for a restaurant and hotel on Lot 6, were obviously a pipe dream. Since that time, Ambrosia, Killer Whale, and the planned jetty fill Salty Steer have closed because of lack of community support and business. It does not seem reasonable to build a business that is destined to fail. We feel our current fish processing attached expansion building as approved by the City Council will satisfy our deed requirements, allow us to expand the fishing process in a permitted area with only size, square feet restrictions, and to allow us to better serve the local fishermen and increase the City fish tax revenue.

Our ultimate goal is to acquire a minimum of 300 feet of water front property, so we can build a new \$2 to \$5 million complete state of the art fish processing facility. We have spent the past few years searching for a water front location in Cordova, and no workable sites exist. We understand the City is considering expanding the harbor, and this could establish additional water front properties. We wish our names placed on the waiting list as potential buyers of these new water front parcels.

Page 2 February 8, 2018 City of Cordova Planning Commission

In the meantime, we must expand our interim fish processing facility and request you approve our Conditional Use Application. This will allow us to hire more local Cordova resident employees, improve the demand for Copper River Salmon, and increase prices by 15-20% to Cordova fishermen. It will allow us be one of the largest H&G suppliers in Cordova providing increased fish tax for the City.

Our current plan is to build a new 5,000sqft. building, see Elevation and Plat Plan, and use an additional 1,000sqft of the existing building. Along with our current 2,000sqft of fish processing it will give us a total of 8,000sqft. This will allow us to double our fish processing over the next two years to better serve the local fisherman. This plan has some problems. First, the zoning in the South Fill area is restricted to 2,000sqft of fish processing per lot; with two lots we would be allowed 4,000sqft of fish processing. Second, with two parcels, we cannot join our current fish processing with the new building, so we need to join Lots 6 & 7 into one lot and request a expansion of fish processing use to a total of 8,000sqft for the new joined lot fish processor.

This Conditional use will not adversely affect our neighbors. To the south is a slough, to the north Harbor Loop Rd with parking on the other side, to the east is our own market and current fish processing, and to the west is a building we lease from Dave Roemhildt, so no direct impact.

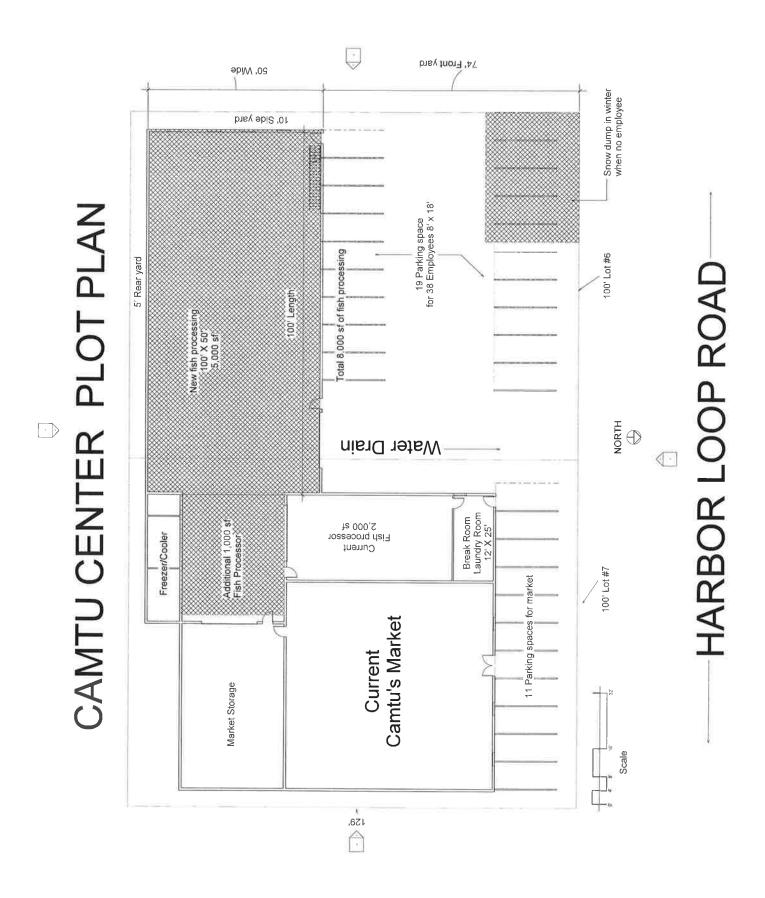
We request that the Planning Commission approve our application to expand our fish processing use to 8,000sqft and allow us to combine Lot 6 & 7 into one lot.

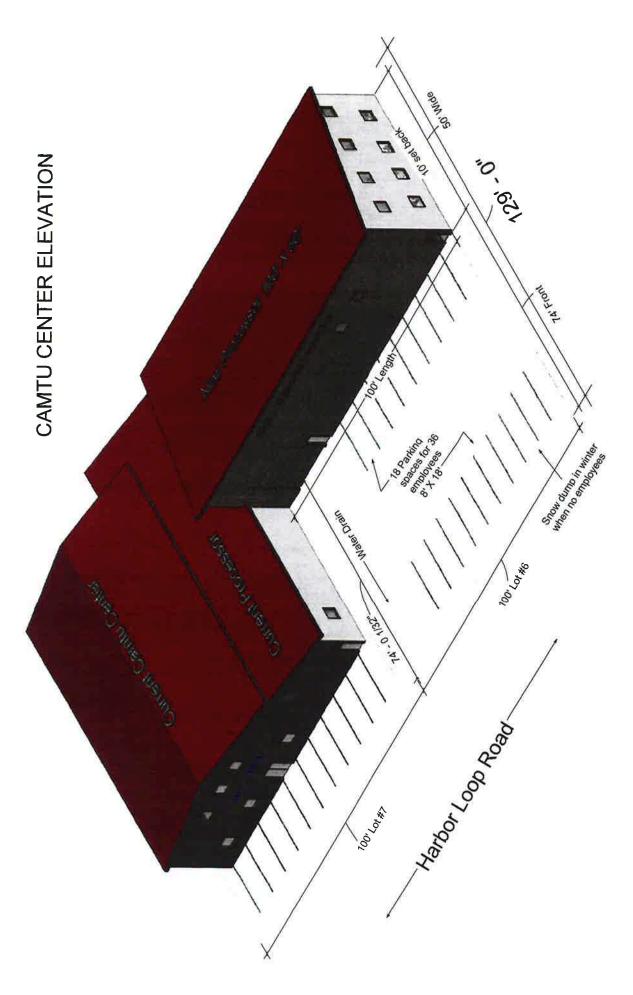
Thank you for your time and consideration in allowing us to make Cordova great again.

Manuelus

Sincerely

Camtu and Thai





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