# <u>Chair</u>

Tom McGann

#### Commissioners

Scott Pegau John Baenen Allen Roemhildt Nancy Bird Chris Bolin

# City Planner

Samantha Greenwood

# Assistant Planner

Leif Stavig

# PLANNING COMMISSION REGULAR MEETING SEPTEMBER 11, 2018 AT 6:45 PM CORDOVA CENTER COMMUNITY ROOMS A & B

# **AGENDA**

1. CALL TO ORDER

2. ROLL CALL

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

3. APPROVAL OF AGENDA (voice vote)

4.	Al	PPROVAL OF CONSENT CALENDAR (voice vote)	
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5.	Dl	ISCLOSURES OF CONFLICTS OF INTEREST	
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	a.	Resolution 18-06 – Conditional Use Permit for Manufactured Home Parks	Page 10
		A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the	
		City Council of the City of Cordova, Alaska to amend and move Cordova Municipal Code	
		Sections 16.80.010 through 16.80.100 into Chapter 18.60 Conditional Use Permits in order to	
		update and clarify the code for Manufactured Home Parks	
10	NI	EW/MISCELLANEOUS BUSINESS	
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# PLANNING COMMISSION REGULAR MEETING AUGUST 14, 2018 AT 6:30 PM CORDOVA CENTER COMMUNITY ROOMS A & B MINUTES

#### 1. CALL TO ORDER

Chair *Tom McGann* called the Planning Commission Regular Meeting to order at 6:30 PM on August 14, 2018 in Cordova Center Community Rooms A & B.

#### 2. ROLL CALL

Present for roll call were Chair *Tom McGann* and Commissioners, *Scott Pegau*, *John Baenen*, *Allen Roemhildt*, and *Chris Bolin*. *Nancy Bird* was absent.

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

Zero people were in the audience.

#### 3. APPROVAL OF AGENDA

M/Pegau S/Baenen to approve the agenda with the title for agenda item 10b to read "Conditional Use Permits for Manufactured Home Parks."

Upon voice vote, motion passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

# 4. APPROVAL OF CONSENT CALENDAR

- a. Minutes of July 10, 2018 Public Hearing
- b. Minutes of July 10, 2018 Regular Meeting

M/Pegau S/Baenen to approve the consent calendar.

Upon voice vote, motion passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

# 5. DISCLOSURES OF CONFLICTS OF INTEREST

# 6. CORRESPONDENCE

# 7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

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

# 8. PLANNER'S REPORT

**Greenwood** said the comprehensive plan contract approval was on City Council's agenda on the next day. She said that **Leo Americus** paid the liquidated damages on the lots that he purchased from the city. **Dan Nichols** and **Camtu Ho** were the last two Performance Deeds of Trust. **Greenwood** said that the city had written an RFP for a consultant to prepare a BUILD grant application for a rebuild of the south harbor. She said she had been working on an Emergency Action Plan for Meals Dam as it is a state requirement that they update the plan periodically.

*Stavig* said that some citizens in Girdwood have been looking into the feasibility of joining a future Prince William Sound borough. They are asking the city to contribute \$25,000 towards an economic feasibility study.

#### 9. UNFINISHED BUSINESS

# a. Resolution 18-05 – Trailers Outside Trailer Camps

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to amend and move Cordova Municipal Code Section 16.90.080 – Violations designated into Chapter 18.40 – General Use Regulations in order to update and clarify the code for automobile trailers staying outside of a trailer camp

M/Baenen S/Bolin to approve Resolution 18-05.

**Greenwood** said that staff added a permit time frame of 60 days and they moved the section towards the end of the chapter. **Roemhildt** agreed that the location of the code made sense. **Pegau** said that the code appeared to be very different than what they had referred at the last meeting. **McGann** said that 16.90.010 through 16.90.070 on pages 11 and 12 were already acted on at the last meeting as Resolution 18-04, which passed.

**Pegau** said he thought the proposed code belonged under Title 6 for licenses. He thought that the title was the natural part of the code to go to for all licenses. **Pegau** clarified that he was speaking about automobile trailer camp licenses. **Greenwood** said that it was currently a Conditional Use Permit and would not be administratively handled by anyone outside of the Planning Department, so it made sense for it to be in the title for zoning, not Title 6, which was dealt with primarily by the Finance Department. **Stavig** clarified that at the last meeting they referred Resolution 18-05, concerning trailers outside of trailer camps, not trailer camp licensing, back to staff to find a better location in code because it was in between 'height of building' and 'distance between buildings' in the General Use Regulations.

**Greenwood** said that they would add a fee for the permit in the fee schedule. **Greenwood** explained that the Conditional Use Permit allowing property owners to stay in trailers while they constructed a residence still existed.

Upon voice vote, resolution passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

# 10. NEW/MISCELLANEOUS BUSINESS

# a. Baja Taco Site Plan Review

M/Pegau S/Baenen to recommend to City Council to approve the Site Plan Review requested by Nathan and Andra Doll to construct an addition to the existing structure on Lot 11-A1, Block 2, South Fill Development Park.

**Stavig** said that the code allowed decks and stairs within the setback. **Pegau** said that he had no issues with the application and he was able to find everything he was looking for. **Roemhildt** said he did not have any findings against the application. **Roemhildt** verified with **Nathan Doll** that that the total seating was increasing to 85 rather than 60, which was the number used in the staff memo. **Stavig** agreed and said that with the additional seating they still provide enough parking spaces.

Upon voice vote, motion passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

#### b. Resolution 18-06 - Conditional Use Permits for Manufactured Home Parks

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to amend and move Cordova Municipal Code Sections 16.80.010 through 16.80.100 into Chapter 18.60 Conditional Use Permits in order to update and clarify the code for Mobile Home Parks

M/Roemhildt S/Bolin to approve Resolution 18-06.

*Greenwood* said that she wanted to get it on the table; she expects it to be referred. Currently the code allows a mobile home park in any zone district as a conditional use permit. Without the conditional use permit process, the only option for a new mobile home park is a rezone.

Greenwood said that in 1976, mobile homes were required to meet HUD standards and have a HUD plate. She said that these are sometimes difficult to find, and that maybe some sort of inspection would be better. Baenen said that anything from before 1976 probably couldn't even be moved. He thought that an inspection was sufficient. Roemhildt said that having a conditional use permit process allows the commission to make conditions to ensure safety. Baenen verified that the existing mobile home parks were there prior to them becoming zoned in the Planned Mobile Home District. Pegau said that the Mt. Eccles Estates subdivision was built as a mobile home park but is zoned Medium Density Residential.

**Greenwood** said that the only difference between a mobile home and a manufactured home is the HUD plate. **Pegau** said that people can buy manufactured homes that meet codes for stick-built houses. **Greenwood** said that those are modular homes. **Stavig** said that manufactured homes have to meet federal standards, modular homes have to meet local standards, so modular homes are treated no differently than regular buildings.

**McGann** said he would like to see the code require inspections and consistently use 'manufactured homes' versus 'mobile homes.' **Pegau** said he was reluctant to put everything under conditional use permits, as he doesn't think it is always the best location. He said he was concerned that they were creating dueling codes with this section and the R-MH Planned Mobile Home District. **Stavig** said they could resolve this by specifying that the conditional use permit was for manufactured homes outside of that district.

M/Roemhildt S/Pegau to refer back to staff.

Upon voice vote, motion passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

# c. Resolution 18-07 – Capital Improvement List

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending a capital improvement list to the City Council of the City of Cordova, Alaska

M/Pegau S/Baenen to approve Resolution 18-07.

**Pegau** said he didn't think they needed to have as large of a list. He didn't think the code updates were a capital improvement. He thought they should pick two of the shovel-ready projects. **Baenen** said that the comprehensive plan could be removed since it will be addressed at the next City Council meeting. He thought that the Second Street Project should extend to Lake Avenue. The shovel-ready projects were important for getting grants. **Bolin** agreed, but said he wasn't sure how sidewalks would fit with the existing parking.

**McGann** said that his top priorities in order were the north side of the harbor, Railroad Avenue, addressing, and Second Street. **Pegau** said that of the shovel-ready projects, he ranked Second Street lowest since there were at least sidewalks along most of it. **Roemhildt** suggested the sidewalks on Second Street extend all the way to the highway on the east side of the street.

*Stavig* verified that there was consensus on removing the comprehensive plan and the code updates and having the list in the order of addressing, north harbor, Second Street from Council to the highway, and Railroad Avenue.

M/Pegau S/Bolin to amend Resolution 18-07 as discussed.

Upon voice vote, motion to amend 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

Upon voice vote, amended resolution passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Bird

# 11. PENDING CALENDAR

**Roemhildt** said he would be gone at the next meeting. **Stavig** said that they were still down one commissioner and the November seats were coming up.

**Greenwood** said that she looked back at Ocean Beauty's site plan review from several years back. They were required to provide four parking spaces on their lot, and she believes there is room on the lot for the four parking spaces. **Pegau** said he remembered requiring them to remove a fence, which they did, but he thought they were blocking access.

# 12. AUDIENCE PARTICIPATION

#### 13. COMMISSION COMMENTS

**Pegau** said it was important to look at the code in a comprehensive manner. It is helpful to have the existing code provided with the memo so they can be sure that they are aware of what they are removing and adding.

**Bolin** said he was glad to talk about capital improvement projects and the problem areas in town.

Roemhildt thanked everyone for their input.

**McGann** verified with **Greenwood** that Chapter 16.75 was being erased from the code. He said he had problems understanding everything they had done with Title 16 so far. **Greenwood** said she was planning on bringing the entire ordinance back to the commission so they can see how Titles 16 and 18 are changing.

# 14. ADJOURNMENT

M/Pegau S/Baenen to adjourn the Regular Meeting at 8:01 PM. With no objection, the meeting was adjourned.

Approved:
Tom McGann, Chair
Leif Stavig, Assistant Planner

# **Leif Stavig**

From: Shelly Kocan <shelly@acupuncturecordova.com>

Sent: Wednesday, August 29, 2018 12:57 PM

**To:** Leif Stavig

**Subject:** In Support of Kale'n Thyme

To Whom It May Concern,

I'm in support of the approval of the conditional use permit for Kale'n Thyme. It would be fantastic for the community of Cordova to have access to fresh, healthy, locally grown leafy green produce. This looks like a low impact business model to the neighborhood and would be a great new business for the owners.

I would encourage you to work with the business owner to find a way to move this business forward.

Sincerely, Shelly Kocan Licensed Acupuncturist Local Business Owner

August 29th, 2018

Sandra Van Dyck P.O. Box 473 Cordova, AK 99574 907.424.5165

Dear Members of the Planning Commission,

I am writing this letter of support for the hydroponic grow operation Kristy Andrew has proposed to place on her property on Chase Ave. My husband I are landowners on Chase Avenue and I think it would be a fine addition to "Old Town." I can't image how it would affect anyone negatively who lives in this area.

I am happy to support a business who endeavors to provide Cordovans with fresh locally grown herbs and vegetables! I feel strongly that as a community we should support those who can enable us to be less dependent on outside food sources. This is a big step forward to that end. Aside from enhancing our tables, I can envision many real life learning opportunities for the youth of Cordova. Who knows where this can lead?

Thanks for	r considering	my opinior	n. Let's a	et Growina!
		J - 1		J

Sincerely,

Sandra Van Dyck

# **Leif Stavig**

From: Jerry Blackler <docblack@ctcak.net>
Sent: Friday, August 31, 2018 3:55 PM

To: Leif Stavig
Subject: Public Hearing

**Importance:** High

Good Afternoon,

Jerry & I would like to submit this email in support of the Conditional Use Permit that is being requested by Kale'n Thyme LLC.

Our only concern would be the potential foot traffic past our residence but that could easily be diminished with a fence <u>if</u> the need arises.

Vicki & Jerry Blackler 921 Center Drive Cordova



Virus-free. www.avast.com

# Planner's Report

**To:** Planning Commission

From: Planning Staff

**Date:** 9/5/18

**Re:** Recent Activities and Updates

- One building permit issued since the last meeting.
- Adams Avenue drainage work and sidewalks are wrapping up
- Lots of public questions about zoning, ownership, land disposal and other concerns.
- PWSCC lease passed City Council and has been signed
- State Hazard Mitigation Plan projects only fund shovel ready projects; talking with Denali Commission about possible engineering money.
- Comprehensive plan contract awarded to Agnew Beck; negotiating contract and will present to commission who will be involved throughout process
- PND was awarded the contract to prepare the BUILD grant for the harbor; negotiating the contract
- Working with ADOT, Copper River Watershed Project and Parks and Rec on ROW and land swap and recreational access for Hippy Cove area in conjunction with the culvert replacement.
- Carl Jensen has completed the garage on Lot 20, Block 23 Original Townsite.
- Created several maps for different members of the public.
- Borough Formation City Council approved \$25k for borough feasibility study. Kick-off meeting on Sept. 20<sup>th</sup>.
- Shepard Point geotechnical work is mostly completed, CEC geotechnical work has not begun due to weather answered questions about property ownership.
- Provided information to public about nonconforming/encroaching house on ROW
- Assisted title company with research on USS 828 for land disposal
- Provided information to land owner on corrected plat and how it affects their property
- Working on pulling all of Chapter 16 code in ordinance will present to planning commission for review.
- City Council directed City Manager to directly negotiate with CEC on land purchase
- City Council extended Dan Nichols performance deed of trust until December 1, 2018.
- Baja Taco Site Plan Review passed City Council
- Planning Commission CIP list was included in City Council packet



# AGENDA ITEM # 9a Planning Commission Meeting Date: 9/11/18

# PLANNING COMMISSION COMMUNICATION FORM

FROM:	Planning Staff
DATE:	9/5/18
ITEM:	Resolution 18-06 – Conditional Use Permit for Manufactured Home Parks
NEXT STEP:	Review Proposed Code Change
	INFORMATION MOTION RESOLUTION

# I. REQUEST OR ISSUE:

Requested Actions: Review and provide input on code changes. Pass resolution.

The last remaining chapter of Title 16 is 16.80 Mobile Home Parks. This is a draft to move this chapter to Chapter 18.60 Conditional Use Permits. The proposed code change would require an applicant for a manufactured home park outside of the R-MH Planned Mobile Home District to complete a Conditional Use Permit (CUP) application with additional information required. The application will be publicly noticed and have a public hearing prior to it being reviewed and approved (or not) by the Planning Commission.

Currently, Title 18 contains Chapter 18.26 R-MH Planned Mobile Home District, which defines criteria for mobile home parks with this zoning designation. Chapter 16.80 Mobile Home Parks includes sections on obtaining a license and requires a conditional use permit for a mobile home park to be developed in any other district. Adding a section in the current CUP chapter that incorporates the language from 16.80

provides the possibility of a manufactured home park in other districts, similar to the current code. There are differences in the spacing and with other requirements between the two chapters which this edit will help to clean up.

If a section for a CUP for manufactured home park is not added and a person wants to develop a manufactured home park outside of the Planned Mobile Home District, a rezone would be required. Currently there is no vacant land zoned Planned Mobile Home District. This could cause some legal challenges with perceived spot zoning. This scenario may make smaller parks of 2 to 3 mobile homes, which could provide affordable housing, limited due to the process. The proposed code is an amendment to the CUP chapter.

8/14/2018 – At the Planning Commission Regular Meeting the item was referred to staff to address:

- 1. Clean up mobile home and manufactured language throughout.
- 2. Clarify that the CUP was only required outside of the Planned Mobile Home District.
- 3. Add a section requiring that any manufactured or mobile home that cannot provide a HUD plate will provide an inspection by either a contractor or home inspector for habitation and defining how that would work- Added definition for habitable and requirement for inspection if HUD plate not available Added 3 and 4 at end of proposed code to address HUD plates.

Items for the commission to review and discuss at the meeting:

- 1. The site plan requirements for the CUP are from chapters 16.80, 18.26 and from 18.42. Are additional requirements needed?
- 2. Any other thoughts, ideas, or comments?

If the commission is aggregable to the presented code change and passes the resolution, an ordinance will be drafted and the additions to the CUP code will presented to City Council.

# II. RECOMMENDED ACTION / NEXT STEP:

"I move to approve Resolution 18-06."

# III. FISCAL IMPACTS:

None currently.

# IV. BACKGROUND INFORMATION:

Chapter 16.80 Mobile Home Parks currently has a requirement for Conditional Use Permits (CUP) among other licensing requirements. Moving the process to the CUP chapter clarifies the process.

# V. LEGAL ISSUES:

Legal review will occur prior to an ordinance being presented to City Council.

VI. <u>CONFLICTS OR ENVIRONMENTAL ISSUES:</u>

N/A

VII. <u>SUMMARY AND ALTERNATIVES:</u>

N/A

# Attachment A – Proposed Code

# 18.60.065 - Conditional Use Permit for Manufactured Home Parks

Definitions.

For the purposes of this section, the following terms shall be defined as follows:

"Habitable" means a structure that is a clean, sanitary, and structurally safe premises that is not in substantial disrepair, which provides facilities such as, but not limited to, protection from the weather, running water, sanitary facilities, heating, and electricity.

"HUD Plate" means the tag located on the back-right corner of the outside of the home the "tongue" of the home or corner of the frame. The same information should also be found on the data plate in the master bedroom closet or in the cabinets under the kitchen sink.

"Manufactured Home" means a factory-built dwelling that is built after 1976 to the HUD Title 6 construction standards, has a HUD plate, and is on a permanent chassis to ensure transportability.

"Manufactured Home Park" means any lot or parcel under single ownership which has been planned and improved for the placement of two or more manufactured homes.

"Mobile Home" means any factory-built dwelling built prior to the 1976 HUD code requirements on a permanent chassis to ensure transportability.

The planning commission may grant a conditional use permit to allow a manufactured home park of the R-MH Planned Mobile Home District, provided that a site plan for the manufactured home park complies with the following:

- 1. Site plan drawn to scale showing the following:
  - a. Date, north arrow, and scale.
  - b. External boundaries of the park, including a 15-foot setback from property lines. This setback cannot be used as a road.
  - c. The dimensions of all lot and property lines showing the relationship of the subject property to abutting properties.
  - d. Location, size, and use of all buildings on the property.
  - e. A grading plan of the area demonstrating the proposed method of storm drainage.
  - f. A minimum of 10% of the total park shall be open space for recreational purposes. This can include the 15-foot setback.
  - g. Size and location of all manufactured home spaces manufactured homes shall not be closer than 10 feet side to side or end to end.
  - h. Two off-street parking spots for each manufactured home.
  - i. Numbers for all spaces.
  - j. Roadways shall be 25 feet wide between rows of manufactured homes.
  - k. Roadways and spaces shall be well marked and lighted at night.
  - 1. Traffic pattern throughout park.
  - m. Sewer and water line tie-ins to each space.
  - n. All manufactured parks will have a manger that lives on site.

- 2. An approved site plan shall regulate the development on the site unless modified in the same manner as the plans were originally approved; provided, however, that incidental or minor variations of the approved site plan shall not invalidate prior site plan approval; provided, that the variations have first been revised and written approval received for the variations from the public works, planning director, and city manager.
- 3. All manufactured homes shall have a HUD plate, title or some proof of being constructed prior to 1976 when HUD regulations became effective prior to the manufactured home being placed in the park.
- 4. In place of a HUD plate, an inspection will be required from a licensed contractor, home inspector, or similar professional approved by City Manager- do we need this? stating that the manufactured home is habitable as defined in this chapter.

# Attachment B – Existing Code

# **Chapter 16.80 - MOBILE HOME PARKS**

#### 16.80.010 - Definitions.

For the purposes of this chapter, the following terms shall be defined as follows:

- A. "Lean to" means a portable, demountable, or permanent room enclosure adjoining a mobile home and used for human occupancy, storage or entryway.
- B. "Mobile home" means a detached residential dwelling unit designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, location on jacks, or other temporary or permanent foundation, connection to utilities, and the like.
  - 1. "Single-wide mobile home" means a transportable single-family dwelling which may be towed on its own running gear, and which may be temporarily or permanently affixed to real estate, used for nontransient residential purposes and constructed with the same or similar electrical, plumbing, and sanitary facilities as immobile housing.
  - 2. "Double-wide mobile home" means two portable units designed and built to be towed on their own separate chassis and permanently combined on-site to form a single immobile dwelling unit.
- C. "Mobile home park" means a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.
- D. "Habitable room" means a room or enclosed floor space arranged for living, eating, food preparation, or sleeping purposes that does not include bathrooms, toilet compartments, laundries, pantries, artic entries, foyers, hallways, and other accessory floor space.
- E. "Rafted roof" means any freestanding roof or shade structure, installed or erected above a mobile home or any portion thereof.
- F. "Trailer" means a mobile home.
- G. "Building board" means the building board created pursuant to Section 16.10.010.

# 16.80.020 - License—Required—Term—Transferability.

It is unlawful for any person, persons, firm or corporation to establish, operate, manage or maintain or begin the operation of any mobile home park within the city without first having obtained an annual license therefor from the city building inspector authorizing the operation of such mobile home park. A mobile home park license shall cover the period from January 1st to December 31st. Such annual license shall not be transferable.

# 16.80.030 - License—Applications fees—Site plan.

Each application for a mobile home park license shall be submitted to the city building inspector on a form provided by the city and containing such information as is requested on the form, and shall be accompanied by (1) a nonrefundable fee of thirty-five dollars or three dollars per space in the mobile home park, whichever is greater, and (2) a plan drawn to scale showing the external boundaries of the park, the size and locations of all mobile home spaces, buildings and structures, sewer lines and their connections, electric lines and their connections, water lines and their connections, power poles and meter locations. All water and sewer lines must also have complete engineered drawings. All electrical services supplying mobile homes shall be maintained in a serviceable condition and conform to the provisions of the National Electrical Code under which they were installed. Any electrical services that are replaced or newly installed shall conform to the edition of the National Electrical Code in effect at the time of

replacement or installation. Each mobile home space shall be given a number on the plan.

#### 16.80.040 - License—Denial—Fees—Revocation—Reinstatement.

- A. The city building inspector may deny a license for good cause. Denial of a license may be appealed to the building board.
- B. The city council may revoke a license issued under this chapter or Chapter 18.60 upon a determination of the city building inspector that a violation or violations of this chapter have occurred in connection with the licensee's mobile home park and such violations have not been cured within thirty days after the licensee receives notice thereof, including the payment of fines for such violations. Revocation of a license shall not be appealable, but a revoked license may be reinstated in accordance with subsection C of this section. Upon revocation, in addition to any other remedy or penalty provided by this chapter, the city may seek injunctive relief to restrain the operation, management or maintenance of the mobile home park in violation of this chapter. Upon application for injunctive relief and a finding that a person, persons, firm or corporation is operating, managing, or maintaining a mobile home park in violation of this chapter, the superior court shall grant injunctive relief to restrain the violation or violations.
- C. The city building inspector may reinstate a license revoked under subsection B upon receiving (1) a written request for reinstatement, (2) satisfactory evidence that the violation or violations upon which the license revocation was based have been cured, and the licensee and the mobile home park are otherwise in full compliance with the provisions of this chapter, and (3) full payment of any outstanding and unpaid fines, and payment of a reinstatement fee. A reinstated license shall expire on the license's original expiration date. Denial of a request for reinstatement of a revoked license may be appealed to the building board.

# 16.80.045 - License—Renewals.

The city building inspector may renew a license issued under this chapter, or a renewal thereof, for an additional one-year period upon the expiration of such license or renewal period upon (1) receiving a written request for renewal from the licensee not less than thirty days prior to the expiration of the license or renewal period, accompanied by payment of a nonrefundable renewal fee of thirty-five dollars or three dollars per space in the mobile home park, whichever is greater, and (2) determining that the mobile home park is being operated, managed and maintained in full compliance with the provisions of this chapter, and that there are no outstanding and unpaid fines or fees. A decision not to renew a license or renewal may be appealed to the building board.

# 16.80.050 - Conditional use permit.

Mobile home parks may be permitted in any zoning district as a conditional use. Conditional use permits must be obtained as required in Chapter 18.60 of this code.

# 16.80.055 - Inspections—Changed conditions.

- A. Mobile home parks may be inspected by the city building inspector or his designee periodically for compliance with this chapter.
- B. Changes in the boundaries or design of, or the addition of a mobile home or homes to, a mobile home park shall not be performed without the licensee first submitting to and having approved by the city building inspector or his designee a revised site plan specifying the changes or additions. The city building inspector or his designee shall approve or disapprove any proposed changes or additions within thirty days of receiving the revised site plan. A decision not to approve of a change or addition may be appealed to the building board.

# 16.80.060 - Specifications.

- A. The management of every mobile home park shall maintain in good repair and appearance all sanitary facilities, utilities, and appliances which are owned and operated by the park owners. Supervision and equipment sufficient to prevent littering of the premises with rubbish, garbage, or other refuse shall be provided and maintained at all times.
- B. Each mobile home park shall provide not less than one thousand nine hundred fifty square feet of space (sixty-five feet by thirty feet minimum) for each mobile home space. Except as specified in Section 16.80.060(M), there shall be a five-foot setback from all exterior park boundaries or property lines. Any portion of the mobile home (excluding the tongue), lean-to or rafted roof shall not be located closer than ten feet side-to-side, ten feet end-to- side, or ten feet end-to-end horizontally from any other trailer, lean-to or rafted roof unless the exposed composite walls and roofs of both structures are without openings and constructed of materials that will provide a one-hour fire rating or the structures are separated by a one-hour fire-rated barrier. At no time shall the distance be less than six feet. The distance shall be measured wall-to-wall; eaves shall not extend into the setback more than sixteen inches.
- C. Mobile home parks shall establish and maintain a fire apparatus access roadway not less than twenty feet wide and an unobstructed vertical clearance of not less than fifteen feet between rows of mobile homes that are not situated end-to-end. Roadways shall be well maintained in summer and winter, and shall remain free and clear of all obstacles including parked vehicles at all times. Roadways and mobile home spaces shall be well marked in daylight and well lighted at night so that space numbers and addresses can be easily read from the road, and walking along road and pathways is not hazardous.
- D. Mobile home parks shall be well drained and free from insect breeding places. Fires in parks shall be made only in stoves or other equipment provided for that purpose, and open, unattended fire shall not be permitted.
- E. An adequate supply of safe water for drinking and domestic purposes shall be provided. The water supply shall be easily obtainable from a pipe distribution system. Individual water distribution pipes shall be conveniently located on each mobile home space. Effective with the passage of the ordinance codified in this chapter the following shall also apply:
  - 1. Individual water shutoff valves shall be provided and conveniently located on each mobile home space in all new installations;
  - 2. Private water systems must be DEC approved; and
  - 3. The water system must be connected to the public water system when the public water system is within one hundred fifty feet of the exterior property on any side of the mobile trailer park.
- F. All mobile homes shall be connected to a private or public sewer system and all sewage shall be disposed of through same. Effective with the passage of the ordinance codified in this chapter the following shall also apply:
  - 1. Where the public sewer system is within one hundred fifty feet of the exterior property line on any side of the mobile home park, the park shall be connected to the public sewer system and all sewage shall be disposed of through same; and
  - 2. Private sewer systems must be DEC approved.
- G. Wastewater from sinks, showers, toilets, and other plumbing fixtures in the mobile home park shall not be deposited on the surface of the ground and all fixtures shall be connected to the private or public sewer system in an approved manner.
- H. The park manager shall provide or require that park residents provide garbage containers with close-fitting covers in convenient locations and ample numbers. The containers shall not be permitted to become foul smelling, unsightly, or breeding places for flies. All garbage, trash, and rubbish shall be disposed of in such manner as is provided by ordinances of the city.

- I. Each mobile home space shall have an individual electrical hookup installed by a registered electrician and inspected by the city building inspector before a mobile home is connected to the hookup. No mobile home shall be connected to the electric system of the mobile home park if the building inspector finds the hookup to be hazardous. In the event a mobile home is removed and replaced with another, the replacement mobile home shall not be connected to an existing hookup until it is reinspected by the city building inspector.
- J. Mobile home parks shall have adequate fire protection. No mobile home shall be more than five hundred feet from the nearest fire hydrant and hydrant spacing shall not exceed eight hundred feet between hydrants. In closely built areas these requirements may be tightened if that is determined to be necessary by the fire chief to ensure the public safety.
- K. Mobile home parks shall provide adequate snow dumps or otherwise provide for the adequate disposal of snow.
- L. Each mobile home, except any located in temporary spaces as provided in Section 16.80.065, placed in a mobile home subsequent to the passage of the ordinance codified in this chapter must be certified as a manufactured mobile home.
- M. All mobile homes placed in a mobile home park subsequent to the passage of the ordinance codified in this chapter shall be required to maintain a minimum setback of twenty feet from any part of the mobile home and/or lean-to from any lake, stream waters or wetlands. Any additional requirements of the Cordova coastal management plan shall also apply.
- N. A site development permit must be issued by the city prior to the placement or replacement of any mobile home.

# 16.80.065 - Temporary placement of travel trailers.

Travel trailers that are not classified as manufactured mobile homes as defined in Section 16.80.010 (B) may be temporarily placed in a mobile home park between April 1st and October 31st. All specifications as given in Section 16.80.060 shall apply.

# 16.80.070 - Supervision.

Each mobile home park, while occupied, shall be under the supervision and control of a responsible attendant or caretaker who shall be responsible, together with the licensee, for full compliance with the provisions of this chapter.

# 16.80.080 - Accessory structures.

Lean-tos and rafted roofs must be designed to meet the minimum wind and snow loads. Lean-tos, rafted roofs and outbuildings may be constructed only after obtaining a building permit from the city building inspector, and then only in accordance with the city's construction rules relating to temporary structures.

- A. Lean-tos. Every habitable room in a lean-to shall have access to at least one exterior opening suitable for exiting directly to the outside without passing through the trailer. Where a lean-to encloses two doors of a trailer or an emergency exit window, an additional exterior door shall be installed. This exterior door shall not be less than twenty-eight inches in width and six feet two inches in height. All lean-tos shall be of finished construction and if sealed, sheetrock or other fire resistant material shall be used.
- B. Rafted Roofs. A rafted roof may exceed the height and extend over the mobile home to which it is attached provided that the roof free-spans the mobile home over which it is constructed.
- C. Outbuildings. Any building not directly attached to the mobile home is considered an "outbuilding." There shall be a setback of five feet from the exterior property line for all outbuildings. Outbuildings constructed entirely of materials that do not support combustion shall not be placed closer than five feet to a mobile home and/or lean-to. Outbuildings constructed of

combustible materials shall not be placed closer than ten feet to a mobile home and/or lean-to.

# 16.80.090 - Certain violations designated.

A. Failure to operate, manage or maintain a mobile home park in accordance with this chapter or in compliance with provisions, terms, conditions, and specifications of an application or site plan approved, or a license issued, under this chapter shall be a violation of this chapter.

# 16.80.100 - Fine—Liability for violations.

- A. There shall be a fine of one hundred dollars per day for each violation of this chapter after notice thereof.
- B. The mobile home park owner shall be liable, individually and jointly with any other responsible person or entity, for any violation of this chapter associated with the owner's mobile home park, whether such violation occurs on or off the mobile home park premises, and for payment of the fines for such violation or violations. For the purposes of this chapter, "other responsible person or entity" includes, without limitation, a park manager, caretaker, attendant, supervisor, mobile home owner, mobile home renter, or park resident, whether residing within or outside the authorized park boundaries, who the city building inspector determines was responsible for or substantially contributed to a violation of this chapter.

# CITY OF CORDOVA, ALASKA PLANNING COMMISSION RESOLUTION 18-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORDOVA, ALASKA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA TO AMEND AND MOVE CORDOVA MUNICIPAL CODE SECTIONS 16.80.010 THROUGH 16.80.100 INTO CHAPTER 18.60 CONDITIONAL USE PERMITS IN ORDER TO UPDATE AND CLARIFY THE CODE FOR MANUFACTURED HOME PARKS

WHEREAS, the Planning Commission has determined that Chapter 16.80 entitled "MOBILE HOME PARKS" is difficult to interpret, has some outdated language, and is not located in a logical part of the City Code; and

**WHEREAS,** the Planning Commission has determined that the proposed changes to the Cordova Municipal Code are in accordance with the purpose of Title 18 and the Comprehensive Plan; and

WHEREAS, the Planning Commission recommend to City Council to accept the proposed amendments and approve the ordinance.

**NOW, THEREFORE BE IT RESOLVED THAT** the Planning Commission of the City of Cordova, Alaska hereby recommend to the City Council of the City of Cordova, Alaska to amend and move Cordova Municipal Code Sections 16.80.010 through 16.80.100 into Chapter 18.60 Conditional Use Permits in order to update and clarify the code for manufactured home parks.

# PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF SEPTEMBER 2018

ATTEST:	Tom McGann, Chair
	Samantha Greenwood, City Planner



# AGENDA ITEM # 10a Planning Commission Meeting Date: 9/11/18

# PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

**DATE:** 9/5/18

ITEM: Conditional Use Permit to Add Two 40' x 9.5' Commercial Farming Containers

on Lot 4A-2, Block 2, Odiak Park Subdivision

**NEXT STEP:** Review Conditional Use Permit Application

\_\_\_\_ INFORMATION
X MOTION

RESOLUTION

# I. REQUEST OR ISSUE:

Requested Actions: Conditional Use Permit for two 40' x 9.5' commercial farming containers

Applicant: Kale'n Thyme LLC

Legal Description: Lot 4A-2, Block 2, Odiak Park Subdivision

Parcel Number: 02-072-800-1

Zoning: Medium Density Residential District

Attachments: Chapter 18.24 - R MEDIUM DENSITY RESIDENCE DISTRICT

Location Map Application

# II. RECOMMENDED ACTION / NEXT STEP:

"I move to approve the conditional use permit request to add two 40' x 9.5' commercial farming

containers as described in the application submitted by Kale'n Thyme LLC for Lot 4A-2, Block 2, Odiak Park Subdivision 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:

Farming and selling fresh produce will provide sales tax and additional property taxes.

# IV. BACKGROUND INFORMATION:

# Cordova Municipal Code

Chapter 18.60 – Conditional Use Permits.

# 18.60.010 - Purpose

It is recognized that there are some uses and associated structures which may be compatible with designated principal uses in specific zoning districts provided certain conditions are met. The conditional use permit procedure is intended to allow flexibility in the consideration of the proposed use on surrounding property if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district. The conditional use permit process provides the opportunity to apply conditions of controls and safeguards to ensure that the proposed use will be compatible with the surroundings.

#### 18.60.030 - Conditional uses.

The city planning and zoning commission may grant the following uses by conditional use permit in any district unless otherwise specified. Uses not listed may be permitted in any district subject to the requirements of this chapter and if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district.

I. Commercial greenhouses or tree nurseries

The following conditional use standards have been met:

1. The use is consistent with the purpose of this chapter and is compatible with the zoning district and the comprehensive plan.

This condition is met. The lot will remain primarily residential. Section 18.60 (I) allows the planning commission to consider a commercial greenhouse in any district, commercial greenhouses are not expressly prohibited in the Medium Density Residential District and are a permitted use in the Low Density Residential District. This area is surrounded by the Business District and Low Density Residential District, both of which would allow this use to occur. The business is limited to two containers and the structures and nature of the business allow it to be relocated or removed easily. The business hours are limited, onsite parking is available, and business transactions will be done quickly.

The comprehensive plan identifies "systematically promote economic development and diversification" as a strategy for economic development. This is a business that provides an opportunity for an entrepreneur to try out a new business idea that currently does not exist in Cordova.

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

This condition is met. The lot will remain primarily residential in character. The containers and the selling of produce are easily removed from the lot. The business hours will be limited so as not to interfere with the nearby residences. The permit is limited to two containers controlling the size of the operation. This neighborhood is located across the street from an area zoned Business District, so neighbors experience a minimal level of business currently. The placement of the commercial farming container will not permanently or substantially injure the lawful uses by neighboring properties.

3. Public services and facilities are adequate to serve the proposed use.

This condition is met. The additional water usage (5 gallons a day) as described by the manufacturer and trash that will be produced will be less than an average household. Demand for public services will not be substantial greater than the anticipated from permitted development.

4. The proposed 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 be an increase in vehicular traffic during business hours, although this increase in traffic is limited to the weekends and would not compete with most week day traffic. The existing residential and the neighboring business district traffic is similar to the potential traffic generated by the proposed use. This proposed use will not have a permanent negative impact on pedestrian or vehicular circulation substantially greater than that anticipated from permitted development.

5. The proposed use will not adversely affect to the public's safety, health, or general welfare.

This condition is met. The containers are engineered to meet snow and wind load. Applicant will complete a fire and life safety plan review prior to issuance of a building permit. Public safety vehicles will have adequate access. The public's health, safety, and general welfare will not be adversely affected by the placement of the commercial farming containers.

# **Special Conditions:**

1. The Planning Department must be in receipt of an approved Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.

# VI. LEGAL ISSUES:

None currently.

# VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

# VIII. 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.

Kale'n Thyme LLC PO Box 364 Cordova, AK 99574



#### Commissioners.

Thank you for the opportunity to present you with information about Kale'n Thyme and the benefits we can bring to the community of Cordova, Alaska.

# What is Kale'n Thyme?

The sole mission of Kale'n Thyme is to provide the community of Cordova, Alaska with year-round, locally-grown, fresh leafy greens and herbs. As you are aware, access to fresh produce is limited, especially during the winter months. Our operation would run continuously to provide a source of nutrition to our community. The variety of produce grown will depend heavily on the needs of the community, as well as specific growing factors. Each of the two 40' farming containers has the growing capacity of approximately 1.8 acres.

# Site Preparation

The property located at 800 Chase Avenue has all the resources necessary to run the farm. We are requesting a conditional use permit to allow us to run the farm on this property which will enhance the security of the operation, as well as keep food costs lower for the community, versus needing to rent a lot elsewhere.

A trench for electricity and water will need to be dug to provide the farm with these utilities. Minor grading of the property and the setting of beams will need to occur to ensure the farming container is at the appropriate incline. Therefore, the property will be minimally impacted.

#### Resources Needed and Environmental Impact

Each container farm uses approximately 125 kWh of electricity and 5 gallons of water per day. Internet will also be utilized for safety and surveillance of the operation. All waste water contains only natural, non-toxic elements. Waste water will be disposed of either onto the ground directly beneath each container, or transported to the city sewer system during adverse weather conditions. Other waste materials would include plant matter, as well as growing supplies or materials which are at the end of their useful life. Our packaging, when necessary, will be biodegradable and/or reusable.

# Neighborhood and Community Impact

We have recently reached out to each of our neighbors within close proximity. A letter to each of them explained our plans, and provided contact information in case they have any questions or concerns. So far, the response has been overwhelmingly positive. The community has seen this as a need for quite a long time, and we have the opportunity to finally make it a reality.

This Conditional Use Permit is the first step in our plan to become operational within 6-12 months. Without this permit, our business plan, including consumer pricing, will need to change dramatically. We are also requesting an additional 6 months from the currently permitted timeline, to place the first container.

Thank you for your time. Feel free to contact me if you have any questions.

Kristy Andrew Owner/Farmer

Sincerely



# CONDITIONAL USE PERMIT APPLICATION

City of Cordova, Alaska

INSTRUCTIONS	PERMIT TYPE	FEE
Print or type requested information. Incomplete applications will be	Conditional Use Permit	\$250
returned to the applicant and will delay processing of the request.		
Applications must be recieved by the Planning Department 21 days		
prior to the next Planning Commission Regular Meeting, which is		
scheduled the second Tuesday of each month.		

APPLICANT INFORMATION	
Name:	Kristy Andrew
Mailing Address:	PO Box 364
City/State/Zip:	Cordova, AK 99574
Phone Number:	503.975.4423
Email Address:	kalenthyme@gmail.com

OWNER INFORMATION		
Name:		
Mailing Address:		
City/State/Zip:		
Phone Number:		
Email Address:		
Only complete this section if owner is	different from applicant.	

	PROPERTY INFORMATION
Address:	800 Chase Avenue
Legal Description:	Lot 4A-2, Block 2, Odiak Park Subdivision
Tax Lot No.:	02-072-800-1
Zone District:	Medium Density Residential
Planning Department can assist if unknown.	

REQUEST DESCRIPTION
Please describe your requested conditional use in detail as well as the proposed time frame for the new use.
Please see attached cover letter.
You may add any additional documents which will help the Planning Commission better understand the request, such as a cover letter, drawings, maps, or photographs.
CONDITIONAL USE STANDARDS
The Planning Commission may only approve the conditional use if the commission finds that <u>ALL</u> of the following standards are met. You must include a statement and adequate evidence showing that each of the standards has been met. Use additional pages if needed.
The use is consistent with the purpose of this chapter (Chapter 18.60 - Conditional Use Permits) and is compatible with the zoning district and the comprehensive plan.
18.60.030 allows the commission to grant a conditional use permit in any district for the use of (I.) commercial greenhouses or tree nurseries. The primary use of the lot will remain residential, and since all farming structures are temporary, the lot can easily be returned to its pre-farm state. Additionally, low-density residential, which is similar in many ways to medium-density residential, allows for truck farms and home occupations.
The use will not permanently or substantially injure the lawful use of neighboring properties.
The Kale'n Thyme farm operates inside 40' shipping containers which can easily be moved to another location, should the need arise. The farm requires no permanent structures, and only minimal site preparation to begin operations. We will limit the use of signs on the property. At this time, we plan for our general business hours to be on weekends between 8am and 6pm, and also during the week by appointment. We will also install a temporary boundary between 800 Chase Avenue and the property to the east to block traffic from driving through the adjoining lot.
Public services and facilities are adequate to serve the proposed use.
This lot is fully accessible to all public services, including fire and police. Each container uses approximately 5 gallons of water per day, and will utilize the public sewer and garbage on a limited basis. Each of these services are already available on the lot.

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

There should be no substantial change from what is expected from typical residential and business traffic on Chase Avenue, so the impact should be quite low. Kale'n Thyme also plans to set limited business hours, primarily on weekends, to service our consumers and to limit any increases in weekday traffic.

The proposed use will not adversely affect the public's safety, health, or general welfare.

None of Kale'n Thyme's operations or products will adversely affect the public's health, safety, or welfare. In fact, we are setting out to do just the opposite, by providing locally-grown, fresh produce to the community. Our hydroponic system does not create any harmful waste and uses resources which are already available within the community. The farm will be accessible to public safety services, and the containers themselves are prefabricated and engineered to meet safety codes. Only limited personnel will have access to the containers on a regular basis. Additionally, the containers will be placed on the lot more than 10' from any other existing structure.

# OTHER CONDITIONAL USE REQUIREMENTS

Any application approved by the planning commmission shall be conditional upon the privilege granted being utilized within six (6) months after the effective date of approval.

Plot plan is required. The plot 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.

If applicant is not the owner of the subject lot, the owner's signed authorization granting applicant the authority to (a) apply for the conditional use permit and (b) bind the owner to the terms of the conditional use permit, if granted.

Some conditional uses (telecommunication tower, marijuana establishments, junkyards, and others) are subject to additional requirements in Chapter 18.60 of the Cordova Municipal Code.

# APPLICANT CERTIFICATION

By the signature attached hereto, I certify that I am the owner or duly authorized owner's agent and that the information provided within this application and accompanying documentation is correct. Furthermore, I hereby authorize the City and its representatives to enter the property associated with this application for purposes of conducting site inspections.

Date: 9/4/2018

**Applicant Signature:** 

Print Name: Kristy Andrew

Page 3 of 3

PLANNING COMMISSION REGULAR MEETING **SEPTEMBER 11, 2018** REV SHEET 1/1 CHASE AVENUE 59FT 800 CHASE AVENUE KALE'N THYME DWG NO WEIGHT 21.5FT CODE 4/6/2018 SCALE 1:300 **▲** 18FT 11FT 48.3FT SIZE **←** 24.3FT → 188.8FT 30.3FT 180FT  $\rightarrow$ 46.3FT Coy Andrew APPROVED CHECKED **40FT** DRAWN 14.5FT 15FT 9.5FT 69.4FT 29 of 61



# AGENDA ITEM # 10b Planning Commission Meeting Date: 9/11/18

# PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

**DATE:** 9/5/18

ITEM: Letter of Interest from Tania Harrison for Lot 1, USS 4606

**NEXT STEP:** Recommendation to City Council on Disposal and Disposal Method

\_\_\_\_ INFORMATION
\_X\_ MOTION
RESOLUTION

# I. REQUEST OR ISSUE:

Requested Actions: Recommendation to City Council on Disposal and Disposal Method

Applicant: Tania Harrison

Legal Description: Lot 1, USS 4606 (Attachment A)

Area: 22,651 square feet

Zoning: Low Density Residential

Attachments: Location Map

Letter of Interest

# II. RECOMMENDED ACTION / NEXT STEP:

Staff suggest the following motion:

"I move to recommend to City Council to dispose of Lot 1, USS 4606 as outlined in Cordova Municipal

Code 5.22.060 B by \*"

Choose one of the following to insert for the asterisk:

- 1. Negotiating an agreement with Tania Harrison to lease or purchase the property.
- 2. Requesting sealed proposals to lease or purchase the property.
- 3. Inviting sealed bids to lease or purchase the property.
- 4. Offering the property for lease or purchase at public auction.

# III. FISCAL IMPACTS:

Fiscal impacts include the potential purchase price of the property and future property tax.

# IV. BACKGROUND INFORMATION:

9/4/18 – Tania Harrison submitted a letter of interest (Attachment B) for Lot 1, USS 4606.

This lot is currently shown as 'Available' on the Land Disposal Maps. The following is the definition of the designation 'Available' from the 2018 Land Disposal Maps.

**Available** – Available to purchase, lease, or lease with an option to purchase. Any of these lots may have conditions or special criteria that must be met.

The lot is currently undeveloped and unused. It is located on Power Creek Road before Skater's Cabin. Two developed residential lots are located to the east of the property. The lot is subject to a section line easement as shown in Attachment C. The applicant will be responsible for negotiating access through Lot 6 (the skinny lot in front of Lot 1) from the state. The applicant will be required to install water service to the lot.

Two years ago, the city received a letter of interest for this lot. There was a substantial amount of discussion about the lot and the surrounding property, particularly whether the surrounding area could be subdivided and developed without Lot 1. See Attachment D for images of the lot with topographic lines and Attachment E for the Land Disposal Map showing the area that the city owns. See Attachment F for a detailed timeline of the discussions and actions from the Planning Commission and City Council.

# **Applicable Code:**

# 5.22.040 - Letter of interest to lease or purchase.

C. The planning commission shall review the letter of interest and recommend to the city council whether to offer the real property interest for disposal by one of the methods as described in Section 5.22.060(B).

# 5.22.060 - Methods of disposal.

- B. In approving a disposal of an interest in city real property, the city council shall select the method by which the city manager will conduct the disposal from among the following:
- 1. Negotiate an agreement with the party who submitted a letter of interest to lease or purchase the property;
- 2. *Invite sealed bids to lease or purchase the property;*
- 3. Offer the property for lease or purchase at public auction;
- 4. Request sealed proposals to lease or purchase the property.

# VI. <u>LEGAL ISSUES:</u>

Legal review of disposal documents would be required.

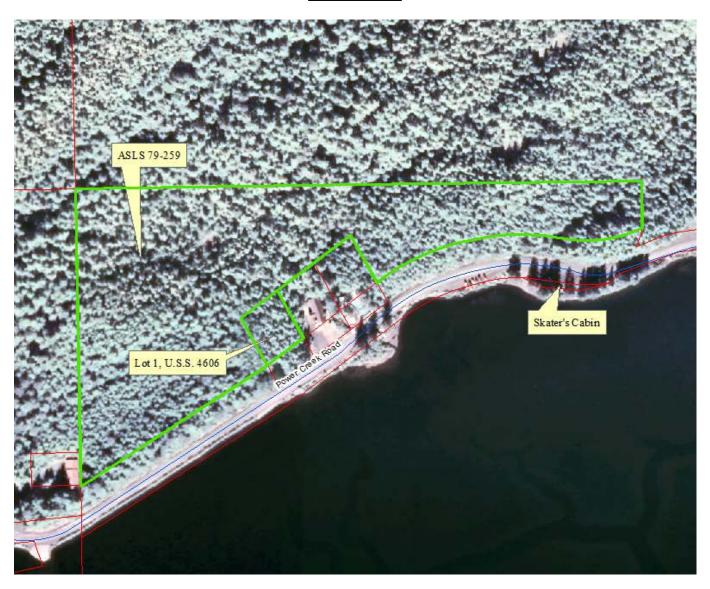
# VII. <u>CONFLICTS OR ENVIRONMENTAL ISSUES:</u>

N/A

# VIII. <u>SUMMARY AND ALTERNATIVES:</u>

The commission can choose to recommend the city retain the property.

# Attachment A



# Attachment B

Tania Harrison PO Box 931, Cordova, AK 99574 907-205-7802 taniaharrison90@gmail.com 08/31/2018

Alan Lanning City Manager of Cordova 601 1st St, Cordova, AK 99574 907-424-6200 citymanager@cityofcordova.net

Dear Mr. Alan Lanning,

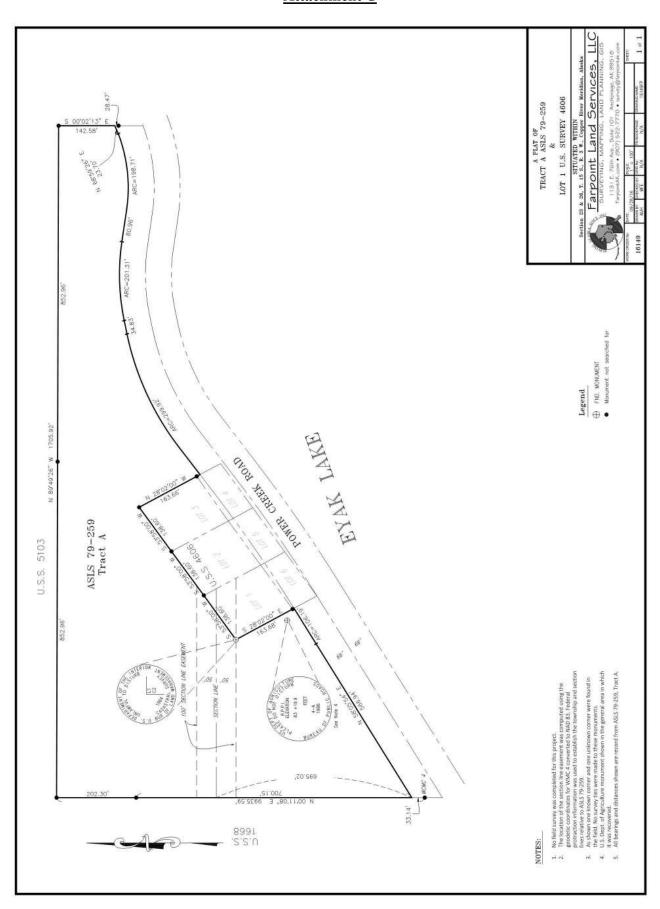
I, Tania Harrison of Cordova, AK, would like to submit a letter of interest for the purchase of Lot 1, USS 4606, on the Power Creek Road. Lot 1 would be the site of a single-family home for my personal, year-round residence.

I have been made aware of the history of this lot, yet I am puzzled by the prior city council's decision regarding its development. Why would Lot 1 be set aside for the possibility of a future road access when it is the only subdivided lot in the area and the surrounding terrain seems equally suitable for road development? Affordable land in Cordova is in short supply. Making city-owned lots available encourages young people (like myself) to remain year-round residents, raise our families in Cordova, and be contributing members of the community.

Sincerely,

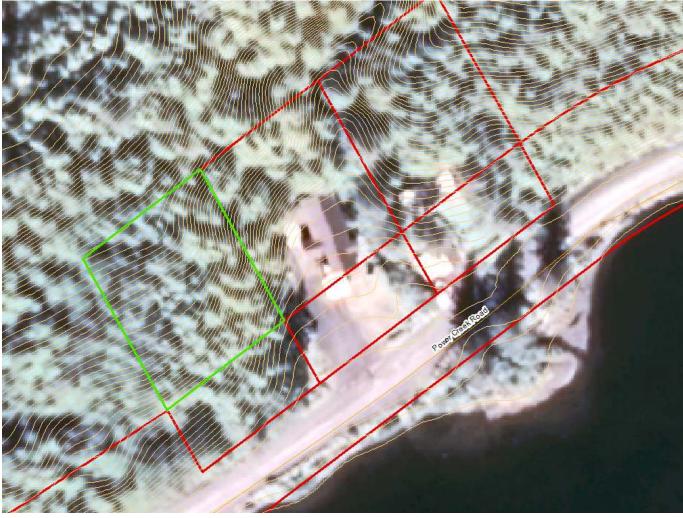
Tania Harrison

# **Attachment C**



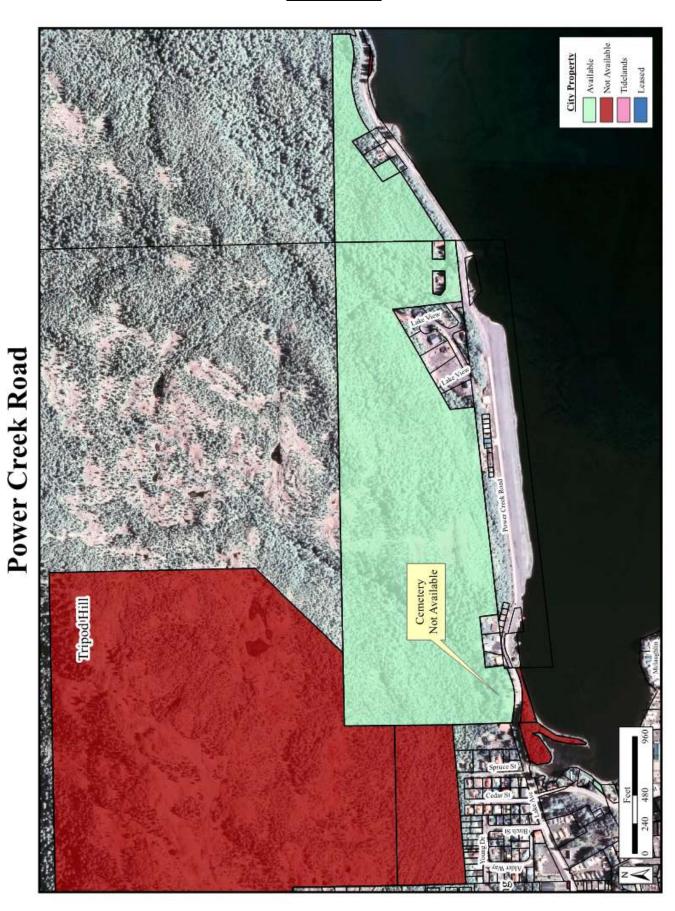
# **Attachment D**





Letter of Interest from Tania Harrison for Lot 1, USS 4606 Page 7 of  $\bf 12$ 

### **Attachment E**



Letter of Interest from Tania Harrison for Lot 1, USS 4606 Page  $\bf 8$  of  $\bf 12$ 

### Attachment F

5/5/16 – The city received a letter of interest from Adam Tschappat for Lot 1, USS 4606.

6/6/16 – From the Planning Commission Regular Meeting minutes:

M/McGann S/Pegau to recommend to City Council to dispose of Lot 1, U.S.S. 4606 by requesting sealed proposals to lease or purchase the property.

**McGann** said that the city had a large tract of land around the lot that is available. Looking at it, there are several access points to the large tract, and he does not think the lot is the only access point. If this encourages development on that side of the hill, he is in favor of it. **Frohnapfel** verified that this lot was the last lot that is subdivided and available. **Bailer** said he was familiar with the lot as he had put a proposal in for it years ago. He has walked it several times with **Don Sjostedt** and they had roads and six to eight lots figured out, but the access was right through this lot. His concern is land-locking the larger tract of land. His solution is to have the Public Works Director walk the property with a contractor. Even if access was through the lot, they could still sell it with an easement. **McGann** said he was okay with holding off on requesting sealed proposals, but he does believe there are multiple access points as it is a large parcel.

M/McGann S/Roemhildt to refer the motion back to staff.

Upon voice vote, motion to refer passed 7-0.

Yea: Bailer, McGann, Pegau, Baenen, Roemhildt, Frohnapfel, Kocan

Following this meeting, planning and public works staff walked the property with Don Sjostedt of Eagle Contracting to determine if part of the lot would be necessary for future road development. Attachment G shows a portion of the lot that may be advantageous for the city to retain by easement or other method for future road development through the property.

7/12/16 - From the Planning Commission Regular Meeting minutes:

M/Pegau S/McGann to recommend to City Council to dispose of Lot 1, U.S.S. 4606 by requesting sealed proposals to lease or purchase the property.

**Pegau** said that there had been discussion about potential road access through the lot. It's hard to see why that corner is any better than any other area. **Stavig** said that there are several access points off of Power Creek, but if you were to come from the lower right side of Lot 1, the easiest to develop road would go through the area identified in the packet. There is potential access all along Power Creek road, but in terms of developing a road with minimal excavation, that route may be the best. **McGann** said he is okay with the easement, but he doesn't think it really helps someone who wants to develop the larger area. **Bailer** said he is very familiar with the area and he thinks it is the best access. There is no place else that facilitates access to all of the surrounding area.

**Bailer** asked why the item is even considered quasi-judicial. **Stavig** said it comes down to the way the commission talks and approaches the issue. The commission and staff should be very conservative about what they consider quasi-judicial to avoid any errors. If the commission talks about the agenda item in a general way and does not consider the person who submitted a letter of interest, than it is probably okay. **Greenwood** said that their decision is affecting one person.

**Bailer** said the waterline, electricity, and road needs to be developed through the property so that someone could develop the rest of the subdivision later. **McGann** said if he was a subdivision developer, he would

put in the utilities to meet the needs of the subdivision. If someone adjacent to him were to develop another subdivision, that developer would need to put in the utilities to meet the needs of that subdivision. *Bailer* said the person who develops Lot 1 should put in road and utility access to the larger area so when someone wants to develop a subdivision, it is ready to go. *Greenwood* verified that what *Bailer* wanted was a condition in the request for proposals that the proposer develop a 25 foot wide road on the easement area. *Bailer* said someone could buy the lot and excavate the whole thing out and eliminate the access. *McGann* said that someone has an excavator in town currently excavating a goat trail; there are plenty of other possibilities for access to the upper land. *Frohnapfel* said he was concerned they were going to stop future development by disposing of Lot 1. He is interested in the city platting out a subdivision to sell the lots. *Greenwood* said she wasn't sure if he was talking about a subdivision plat or actually developing an entire subdivision on the ground. *McGann* said he is okay selling the lot and if the corner needs to get knocked off, he is okay with that too. *Frohnapfel* says he wants to be clear that he supports land development, but they can't sell one lot and block future development.

Upon roll call vote, motion passed 3-2.

Yea: McGann, Pegau, Kocan Nay: Bailer, Frohnapfel Absent: Baenen, Roemhildt

### 8/3/16 - From the City Council Regular Meeting minutes:

N. New & Miscellaneous Business

20. Council action on disposal method for City owned Lot 1, USS 4606 M/Beedle S/Joyce to direct the City Manager to dispose of Lot 1, USS 4606 by requesting sealed proposals to lease or purchase the property with the city retaining an easement for future road development. Beedle said he thinks it is great to see another home-site developed, he is glad to see the option with the easement to allow for future development behind this lot. Bailer said he is not in favor of selling this lot, even with the easement. He said he had commented at the Planning and Zoning meeting that he would prefer this go out to RFP in conjunction with the other lots as a suggested subdivision. He prefers a plan to develop the larger piece, not just carving out the prime home-site lot. Joyce and Hallquist agreed with Bailer's opinion. M/Bailer S/Joyce to refer to staff – and give direction. After input from the Planner, the motion to refer was withdrawn with agreement from the second. Greenwood said that a letter of interest was received regarding this specific lot. If Council wants to go out to RFP for a different plan, including more of the City owned land, then this should probably first be either approved or rejected. Bailer and Joyce (the maker of the motion and the second) concurred to withdraw the motion to refer. Mayor Koplin advised that Council was back to the main motion. Bailer said he does not support the motion.

Vote on the motion: 0 yeas, 7 nays. **Wiese-**no; Joyce- no; **Beedle-** no; **Hallquist-** no; **Allison-** no; **Burton-** no and Bailer- no. Motion failed.

**Mayor Koplin** stated for the record that staff has been given direction to go out to RFP for the larger lot, as was discussed.

### 2/1/17 – From the City Council Regular Meeting minutes:

13. Council direction regarding RFP for ASLS 79-259 and Lot 1 USS 4606 *M/Joyce S/Burton* to move forward with advertising the RFP.

Staff assisted Council in understanding the item. Staff has no budget this year for advertising such an RFP and was of the opinion that if a developer is interested in the lot, he can come in and start the process with a letter. No such person has expressed an interest as of yet. A smaller lot which is the access to this larger lot had been the subject of a letter of interest in 2016 and Council at that time directed staff to go out for RFP

for the smaller lot combined with this larger lot not just the smaller lot. Once Council understood, most were inclined to go with staff's opinion.

Vote on the motion: 0 yeas, 6 nays, 1 absent (Beedle). Motion failed.

### **Attachment G**





# AGENDA ITEM # 10c Planning Commission Meeting Date: 9/11/18

### PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

**DATE:** 9/5/2018

ITEM: Site Plan Review for Robert Brown DBA Saddle Point Machine L.L.C

**NEXT STEP:** Review Site Plan and Provide Recommendation to City Council

\_\_\_\_ INFORMATION
\_X\_ MOTION
RESOLUTION

### I. REQUEST OR ISSUE:

Requested Actions: Site Plan Review

Applicant: Robert Brown DBA Saddle Point Machine L.L.C

Address: Jim Poor Avenue

Legal Description: Lot 3, Block 5, North Fill Development Park

Parcel Number: 02-060-126

Zoning: Waterfront Industrial District

Lot Area: 16,862 sq. ft.

Rob Brown is building an 80' X 80' machine shop.

### II. RECOMMENDED ACTION / NEXT STEP:

"I move that the Planning Commission recommend to the City Council to approve the Site Plan Review

requested by Rob Brown DBA Saddle Point Machine L.L.C to construct 80' X 80' machine shop on Lot 3, Block 5, North Fill Development Park with the special conditions contained in the staff report."

### III. FISCAL IMPACTS:

Increase in jobs, sales tax and property tax.

### IV. BACKGROUND INFORMATION:

### **Applicable Code:**

### Chapter 18.33 - WATERFRONT INDUSTRIAL DISTRICT

18.33.020 - Permitted principal uses and structures.

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

- A. Marine sales:
- B. Open wet moorage;
- C. Covered wet moorage;
- D. Passenger staging facility;
- E. Haulout facilities;
- F. Marine construction, repair and dismantling;
- G. Cargo terminal;
- H. Cargo handling and marine-oriented staging area;
- I. Fish and seafood processing;
- J. Warehousing and wholesaling;
- K. Open storage for marine-related facilities;
- L. Fuel storage and sales

### Section 18.42.010 ZONING – SITE PLAN REVIEW – Purpose.

Whenever required by this code or the city council, a site plan review shall be completed by the planning commission with a recommendation to the city council. Prior to the issuance of a building permit, the city council must approve the site plan for the project.

### Section 18.42.030 ZONING – SITE PLAN REVIEW – Required Information.

The site plan to be submitted as required herein shall contain the following information. If any of the information requested herein is not applicable to a given project, the reasons for the non-applicability of the information requested shall be stated in the site plan:

- 1. Name, address and phone number of owner/developer;
- 2. Legal description of property;
- 3. A scale of not less than 1'' = 20';
- 4. Date, north point and scale;
- 5. The dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties;
- 6. The zoning and siting of all structures on the subject property and abutting properties;
- 7. The location of each proposed structure in the development area, the use or uses to be contained therein, the number of stories, gross building area, distances between structures and lot lines, setback lines and approximate location of vehicular entrances and loading points;
- 8. The location of all existing and proposed drives and parking areas with the number of parking and/or loading spaces provided and the location and right-of-way widths of all abutting streets;

- 9. Location and height of all walls, fences and screen plantings, including a general plan for the landscaping of the development and the method by which landscaping is to be accomplished and be maintained:
- 10. Types of surfacing, such as paving, turfing or gravel to be used at the various locations;
- 11. A grading plan of the area demonstrating the proposed method of storm drainage;
- 12. Size and location of proposed sewer and water lines and connections;
- 13. Front and side elevations of proposed structures;
- 14. Exterior finish and color.

All required information is provided in the applications and drawings.

### Chapter 18.48 ZONING – OFF-STREET PARKING, LOADING AND UNLOADING

Manufacturing Uses require "One space for every two employees, plus as required if retail or warehouse uses on premises."

The applicant has provided seven parking spaces. Two parking spots are required by City Code. Parking spaces meet the required width, depth, and maneuvering lanes.

An application for Fire and Life Safety has been submitted to the State of Alaska Fire Marshal.

### **Special Conditions:**

- 1. The Planning Department must be in receipt of an approved Plan Review from the State of Alaska Fire Marshal prior to issuance of a Building Permit.
- 2. The Planning Department must be in receipt of an approved Water/Sewer Connection Permit prior to issuance of a Building Permit.
- 3. Public Works will review and approve of the drainage plan prior to a building permit being issued.

### V. LEGAL ISSUES:

N/A

### VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

### VII. SUMMARY AND ALTERNATIVES:

The commission may add any special conditions.

### Attachment A - Location Map



Saddle Point Machine L.L.C. Robert Brown PO Box 782 Cordova, AK 99574

Lot 3, Block 5 North Fill Development Park Site Plan Application

To City of Cordova Planning Dept. / Honorable Commission Members;

In order to fulfill my lease / purchase agreement with The City of Cordova I am requesting this site plan review for new construction in the Waterfront Industrial District. Following your approval construction would begin after mid October. The site will be brought up to grade and surfaced with 3/4"minus crushed stone. The majority of the storm water will be directed to the existing city storm drain at the NE corner of the lot. There will be 7 parking spaces and a large side yard for snow storage. This will exceed the parking requirement for the projected 3 employees. The 6400 square foot structure is a single story wood framed metal clad building with 9-1/2" R-35 insulated walls being designed by SAJJ Architecture and Engineered by Oien Associates Inc. It will be sided in gray corrugated metal siding with metal roofing and trim. The finished floor elevation will be at or above the minimum floor elevations for the Waterfront District as outlined in city code. The plans are being reviewed by the state Fire Marshall and will comply with all state and local codes.

Construction Schedule:

10/15/18 - 05/01/19 Site work, stub out utilities, form and pour foundation.

05/01/19 - 08/01/19 Construct building shell

08/01/19 - 04/01/20 Finish building interior, install machine shop equipment.

Regards,

Robert Brown

# SITE PLAN REVIEW - ZONING APPLICATION CITY OF CORDOVA

### **INSTRUCTIONS**

Print or type requested information. Incomplete applications will be returned to the applicant and will delay the processing of your request. All applications must be filed with the Planning Department 21 days prior to the next Planning Commission meeting date.

	FEE	
	Site Plan Review	varies
	Residential	\$50
	Multi-Family	\$100
Х	Commercial	\$150
	Industrial	\$200

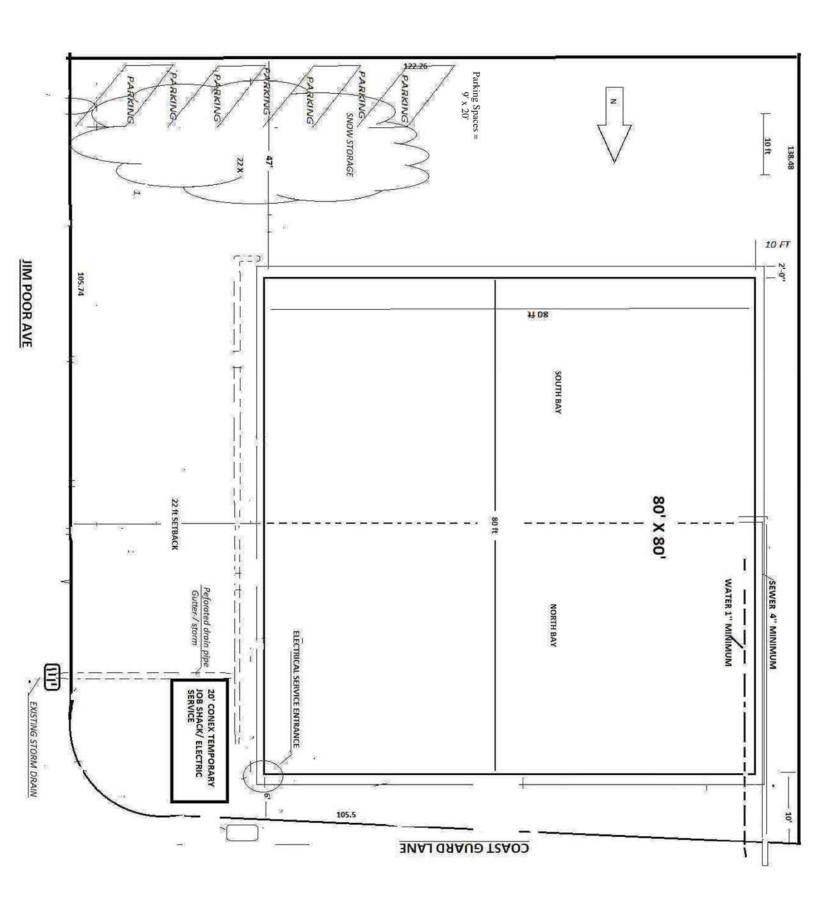
APPLICANT INFORMATION			
Name	ROBERT BROWN		
Address	PO BOX 782 CORDOVA 99574		
Telephone [home]	907-424-3943		
Business Name	SADDLE POINT MACHINE LLC		
Business Address	PO BOX 782 CORDOVA 99574		
Telephone [business]	907-429-3944		
Business FAX			
Project architect/engineer	Scott A. Jones, A.I.A. SAJJ Architecture, LLC		
Address of architect/engineer	6375 Kulis Drive Anchorage, AK 99502		
Telephone of architect/engineer	907-440-6606		

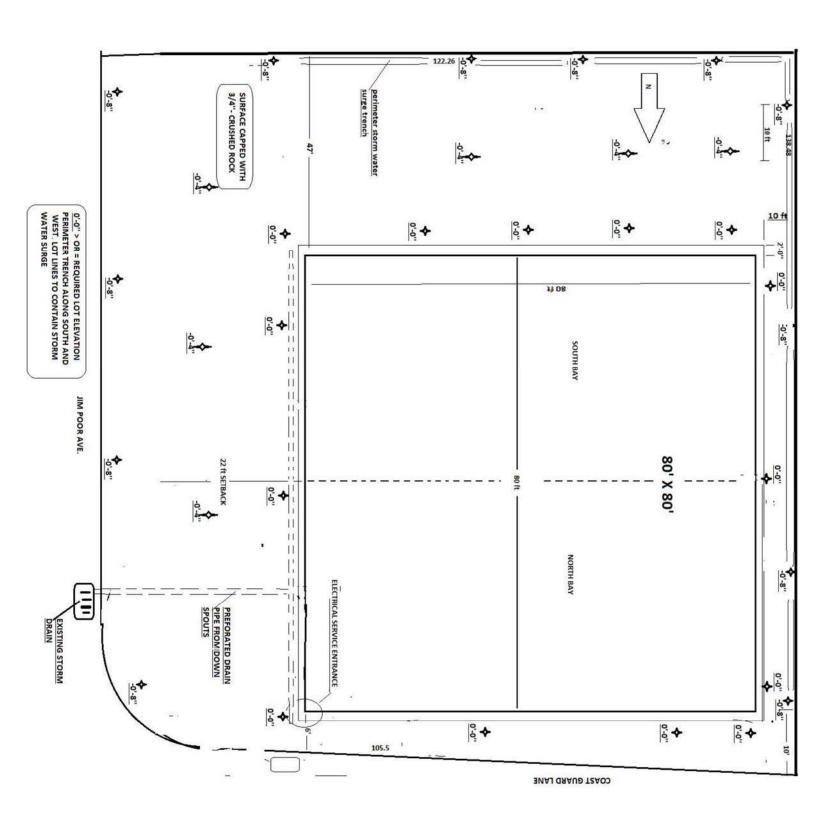
PROPERTY/PROJECT INFORMATION			
Address of subject property			
Parcel identification number	Lot 3, Block 5, North Fill Development Park		
Property owner [name/address]			
Current zoning	INDUSTRIAL		
Proposed use	INDUSTRIAL		
Construction start date			
WAA			

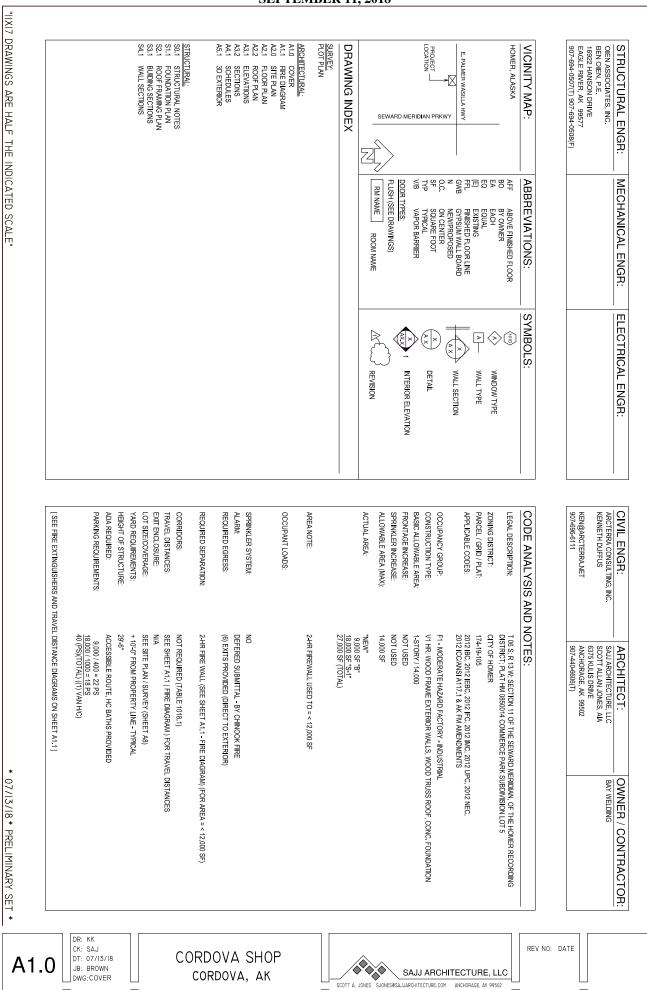
### **SITE PLAN REVIEW 18.42**

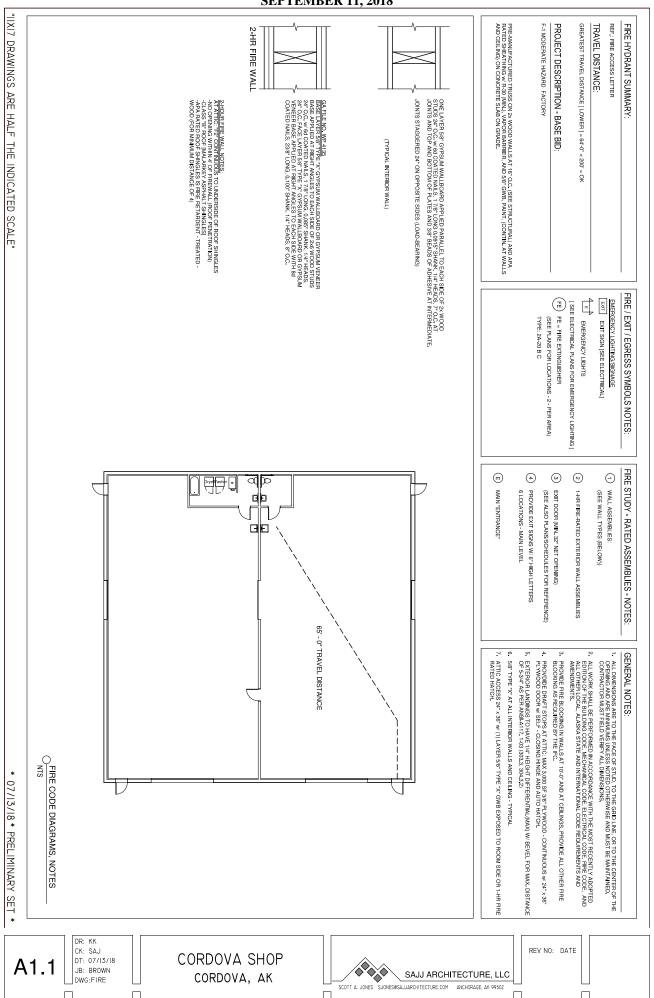
A zoning compliance permit for property within the City of Cordova <u>expires eighteen (18) months</u> <u>after the date it is issued.</u> Excavation is not considered construction.

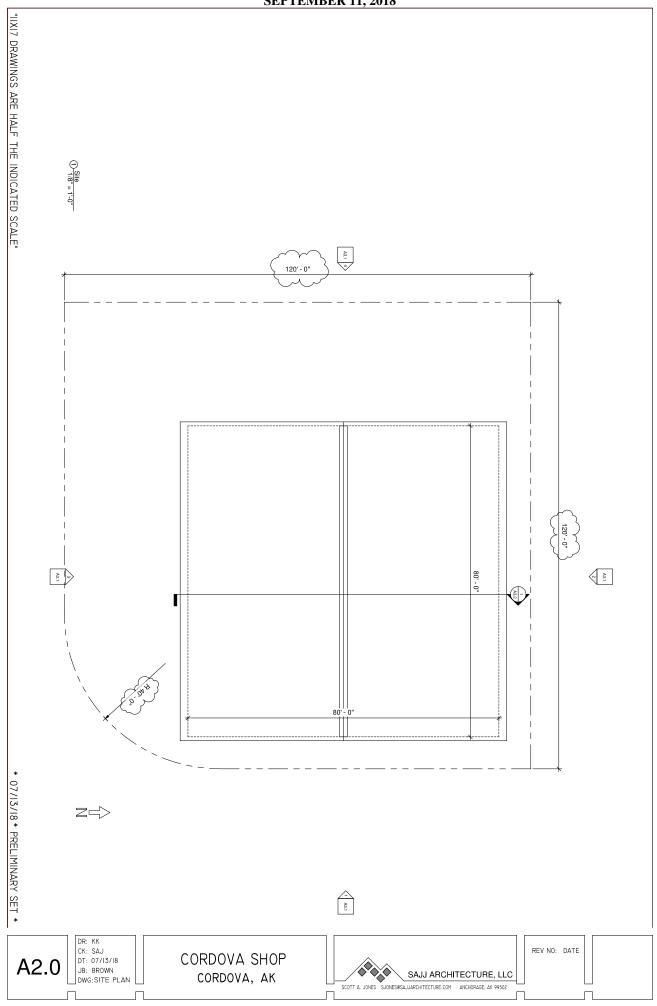
1. Please describe the proposed construction/alteration and intended use: <u>Machine Shop</u>
2. Please give dimensions and square footage of construction: 80' x 80' 6,400 square feet
3. Intended use: { }Single Family { }Duplex { }Multifamily { }Commercial/Industrial
{ }Home Occupation (describe) { }Mobile Building { }Change of use
4. No. of Living Units: 5. No. of Bedrooms:
6. Has a variance been granted? { }Yes { X}No 7. Is there a new: { }Garage? { }Carport? Is it attached to the residence? { }Yes { }No
8. Is there an apartment above the garage? { }Yes { X}No
9. Off-street parking: Existing Proposed
10. Required Setbacks: Front Left Side Right side Rear Height
11. Proposed Setbacks: Front 22 Left Side 48 Right side 6 Rear 10 Height 28
12. Sewage Disposal:
{ }Private marine outfall: { }Existing { }New Specify owner/location:
{ }Private on-site sewer: { }ADEC Certification Attached
NOTE: Property owners with a private system need an ADEC permit showing sewer system is operational before Permit
can be issued. Please contact ADEC at (907) 225-6200
13. Water supply: { }Cistern (show on site plan) { X}City
14. Is the construction occurring on a grandfathered structure (build prior to August 7,1967)? NO
15. Is there a building currently on the property? { }Yes { X}No
LEO AMEDICUS
16. Which licensed surveyor will be doing your foundation/as-built Survey? LEO AMERICUS
17. Is your driveway exit and adjoining roads shown on the site plan? { X}Yes { }No
Are you building a new driveway that exits onto a State road or highway? { }Yes { X}No
If YES, an ADOT Driveway Permit is required. (See bottom page 4)
18. Does this property contain drainages, creeks, wetlands, or other water features? { }Yes {X}No
Does your lot abut salt water?  { }Yes { X}No
Have you or will you be using fill to develop your lot? { X }Yes { }No
(If you answered YES to any of the above three questions, you may need to contact the U.S. Army Corps of Engineers or
other State agencies about additional permitting requirements Please see Planning staff for information.)
19. Is this permit for a tax-exempt use? { }Yes { X}No
19. Is this permit for a tax-exempt use? { }Yes { X}No
20. Has a Conditional Use Permit been issued? { }Yes { X}No 21. Is this permit for a mobile building? { }Yes { X}No
Year Model Serial No
22. Is your property within a Flood Plain or Coastal Zone? (see staff for interpretation)
Elevation Certificate/Flood Hazard form attached

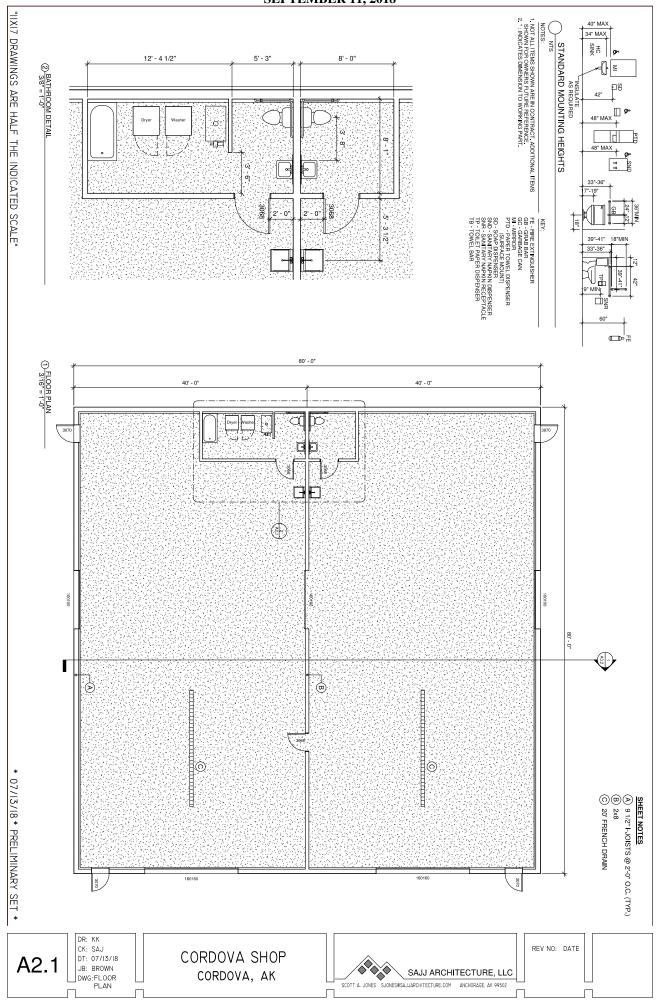


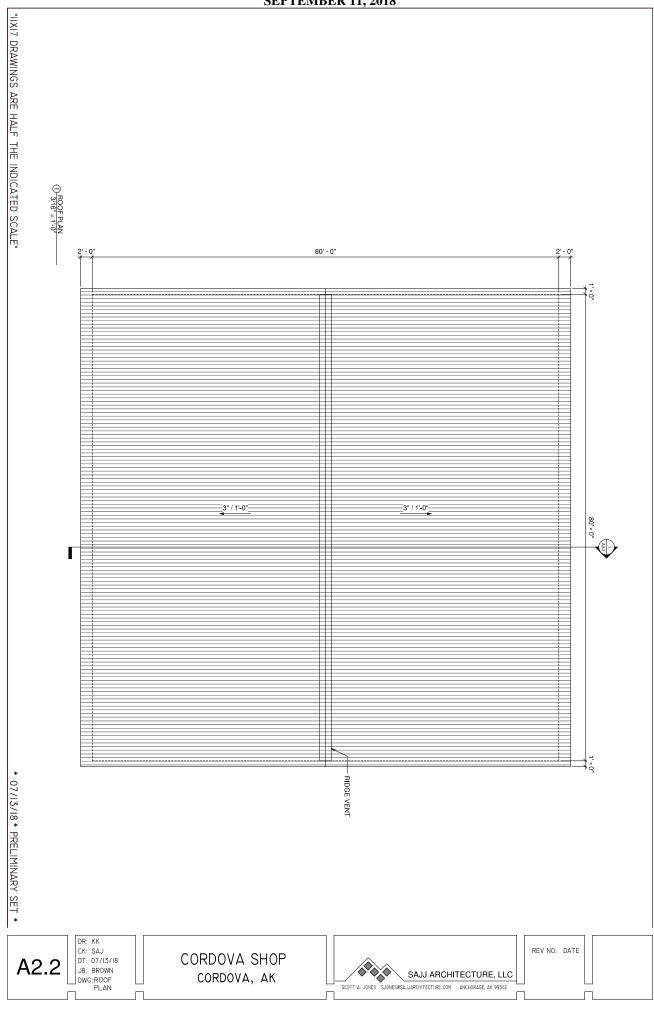


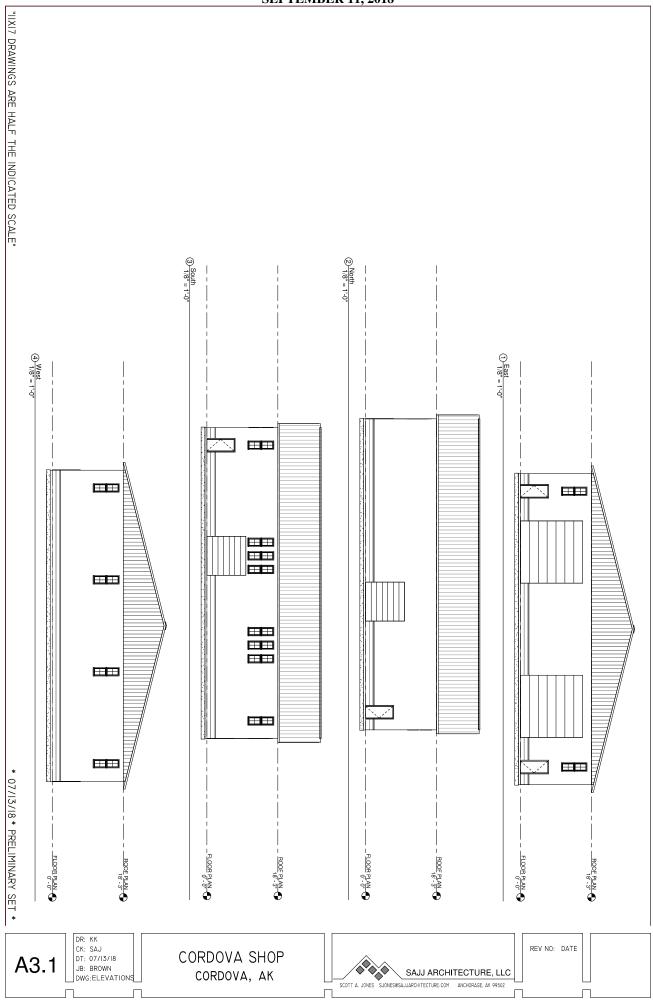


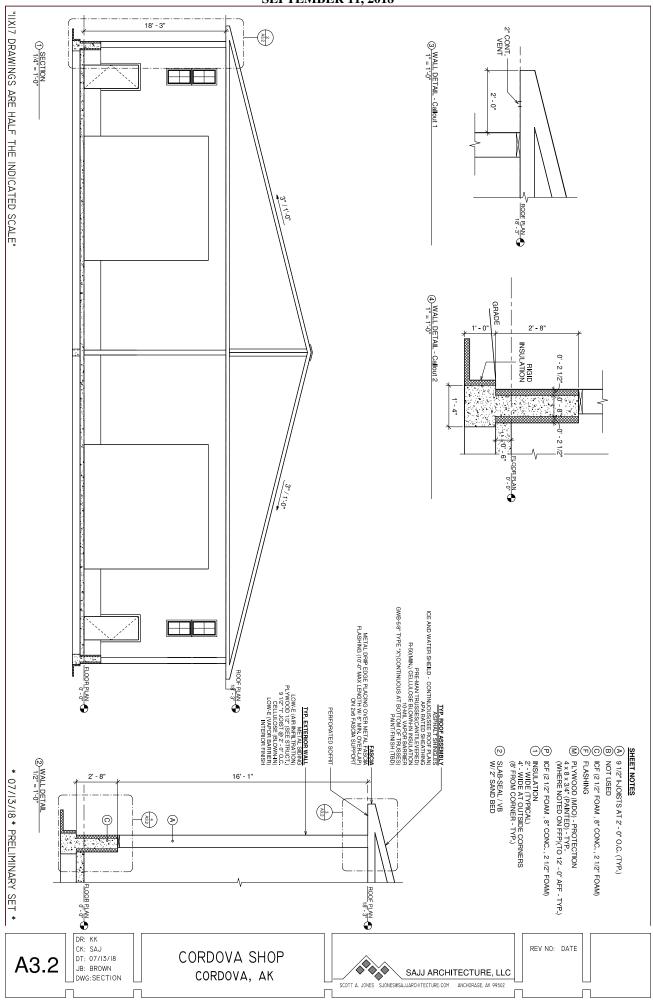


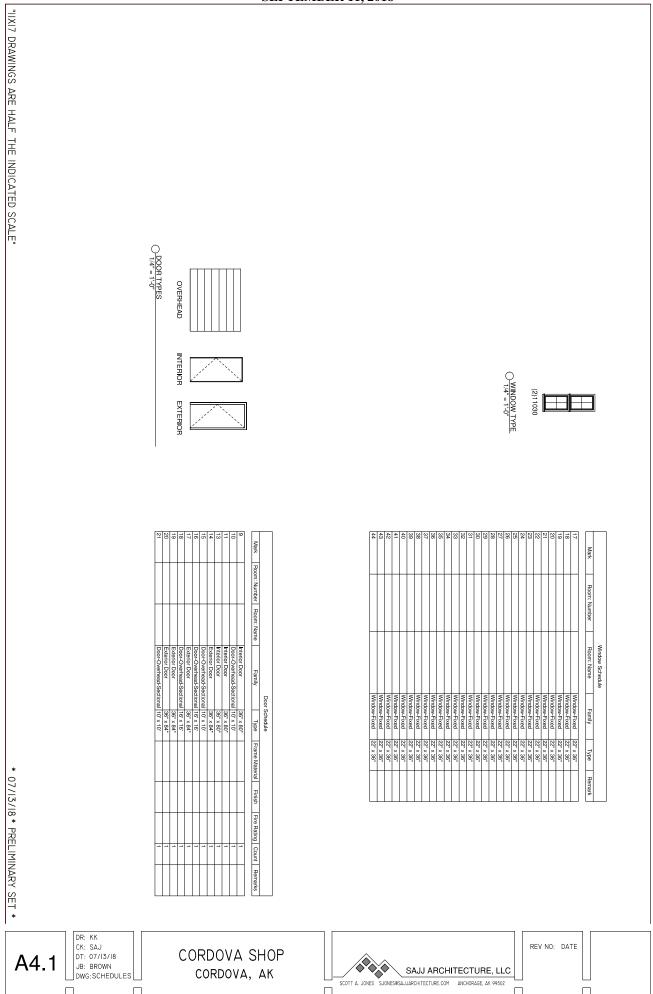


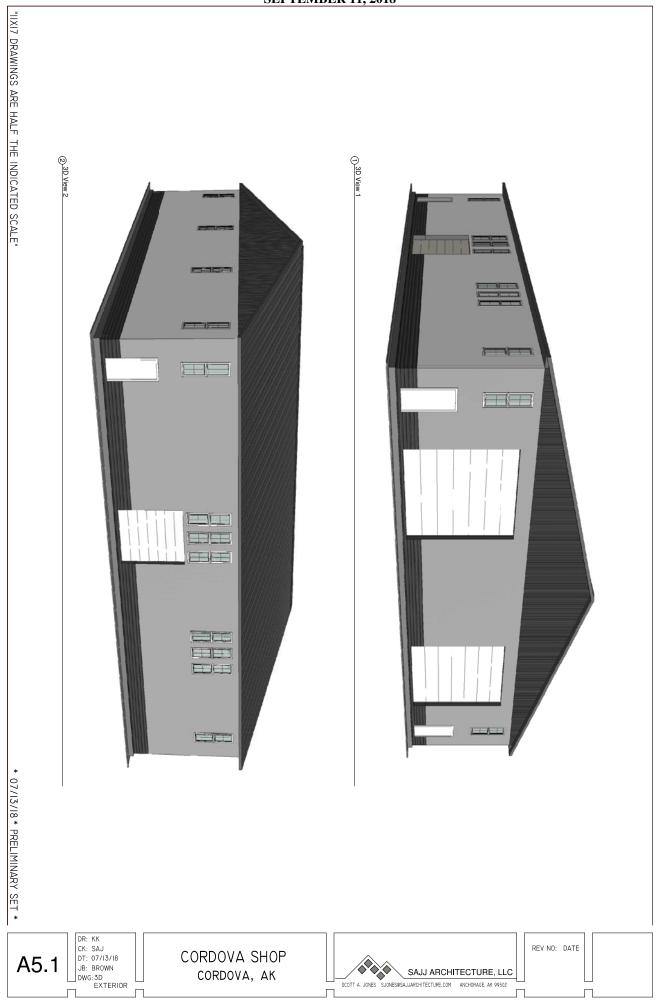












# 2018 SEPTEMBER

PLANNING COMMISSION REGULAR MEETING SEPTEMBER 11, 2018						
Saturday	01	08	15	22	29	90
Friday	31	07	14	21	78	05
Thursday	30	90	13	TBD - Borough Feasibility Study Kick-Off Meeting (Cordova Center Rooms A & B)	6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	04
Wednesday	29	7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	190 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	26	03
Tuesday	28	04	11 6:30 PM - Planning Commission Public Heaning (Cordova Center Rooms A & B) 6:45 PM - Planning Commission Regular Meeting (Cordova Center Rooms A & B)	18	55 6:00 PM - Parks and Recreation Commission Regular Meeting (Cordova Center Rooms A & B)	0.5
Monday	27	03 City Closed - Labor Day	10	17	24	01
Sunday	26	02	60	16	23	30

# 2018 OCTOBER

	PLANNING COMMISSION REGULAR MEETING SEPTEMBER 11, 2018					
Saturday	90	13	20	27	03	10
Friday	90	12	19	26	02	60
Thursday	04	111	18 City Closed - Alaska Day	55 6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	01	80
Wednesday	93 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	10 7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	17 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	24	31	0.2
Tuesday	0.2	6:30 PM - Planning Commission Regular Meeting (Cordova Center Rooms A & B)	16	23	30 6:00 PM - Parks and Recreation Commission Regular Meeting (Cordova Center Rooms A & B)	90
Monday	01	80	15	22	29	0.5
Sunday	30	07	14	21	28	04