

**PLANNING COMMISSION REGULAR MEETING
OCTOBER 11, 2016 AT 6:45 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Chair *Tom Bailer* called the Planning Commission Regular Meeting to order at 6:45 PM on October 11, 2016 in Cordova Center Community Rooms A & B.

2. ROLL CALL

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

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

0 people were in the audience.

3. APPROVAL OF AGENDA

M/McGann S/Pegau to approve the agenda.

Upon voice vote, motion passed 6-0.

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

Absent: *Kocan*

4. APPROVAL OF CONSENT CALENDAR

a. Minutes of August 9, 2016 Regular Meeting

b. Record unexcused absences for Tom Bailer and Heath Kocan from the August 9, 2016 Regular Meeting

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

Greenwood said they needed to change *Kocan's* absence to excused. The commission concurred.

Upon voice vote, motion passed 6-0.

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

Absent: *Kocan*

5. DISCLOSURES OF CONFLICTS OF INTEREST

6. CORRESPONDENCE

a. State of Alaska DOT Public Notice

b. Email from John Harvill

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

a. Guest Speakers

b. Audience comments regarding agenda items

8. PLANNER'S REPORT

Roemhildt asked if there were any letters of interest for the Planning Commission. *Greenwood* said that there were none. If *Roemhildt* wanted to stay on the commission for another three-year term, he needed to submit a new letter.

9. NEW/MISCELLANEOUS BUSINESS

a. Conditional Use Permit for Travel Trailer

M/McGann S/Pegau to approve the request by Keith Kroll for a Conditional Use Permit to allow a travel trailer to be placed on Lot 9, Block 1, Alpine Properties Subdivision Phase 1 with the special conditions contained in the staff report.

McGann agreed with the Planning Department that the conditions had been met.

Upon voice vote, motion passed 6-0.

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

Absent: *Kocan*

b. Resolution 16-04

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/Roemhildt S/Pegau to approve Resolution 16-04.

Each commissioner read their individual rankings of projects and the following order was calculated:

1. Comprehensive Plan Update - \$75,000
2. Design streets and sidewalks on Railroad Avenue from Nicholoff to Council - \$25,000-\$35,000
3. Design parking and walkway on north side of Harbor - \$285,000
4. Addressing contract
5. Design streets and sidewalks on Second Street from Council to Adams - \$70,000-\$100,000
6. Design streets and sidewalks on Adams Avenue from Second to Fifth - \$25,000-\$35,000
7. Code Updates - \$25,000
8. Water/Sewer Infrastructure – as needed
9. Mt. Eccles HVAC - \$60,000
10. High School gym floor - \$260,000
11. Shipyard expansion (public process) - \$15,000
12. Survey city roads and property - \$40,000
13. Street repair and improvements/paving - \$2,000,000

Bailer said he doesn't see why the school projects are on the list. *Baenen* said he thought it should. *Bailer* said it was a budget issue and not a commission issue. *Baenen* said it was in code that they are supposed to look at all the projects. *Frohnapfel* said capital projects that don't have to do with planning shouldn't be on their list. The school projects should be in the Public Works budget. *Greenwood* said that last year the commission requested capital projects from Public Works, so staff did that again this year. The commission can do whatever they want; it is their list.

McGann said it was encouraging that the comprehensive plan was at the top of the list. He was concerned that the price was too low. *Bailer* asked what the cost is paying for. *Greenwood* said that she could provide examples of comprehensive plans. *Stavig* said they would probably go out for proposals, so they wouldn't know exactly what the cost would be. *Greenwood* said that a comprehensive plan needs to be done all at once as it is a comprehensive look at a town. *Frohnapfel* said he doesn't think that the funding is out there. The commission needs to know how to support the staff.

Bailer said that this came up in the City Manager interviews and that all three candidates were hesitant to hire consultants. He spoke with **Alan Lanning**, the incoming City Manager, and he had been through the process and **Lanning** had asked why you would hire a consultant to tell the people who live here what to do. **Bailer** is very optimistic that the comprehensive plan will move forward with **Lanning**. **Pegau** said it was critical that it was a comprehensive process and that you have to ensure that there is public input so that there is buy-in.

McGann suggested that they include sidewalks from Railroad to Main Street on Council. The commission concurred.

McGann asked the commission how much into the harbor they should go to expand the parking and include a sidewalk. **Bailer** said he didn't include it on his list because it wasn't a realistic project. **Baenen** said that the project was for the design only. He said that this was how you got things done; you come up with a design and you can get the money. **Pegau** said he favors the smaller footprint that allows for sidewalk. **McGann** said that is the most congested area of town in the summer and it is unsafe. It is incumbent upon the commission to fix it. The commission agreed to make the distance 25 feet.

McGann said he didn't see the addressing as a priority. **Frohnappfel** asked why it had to be a contract. **Greenwood** said that a decision needs to be made on whether they are doing E911 or not. If the end goal is E911 then that needs to be incorporated with the addressing. **Pegau** said that having it on their list sets it as a priority, no matter how it is accomplished. **McGann** said that people know where people live. **Baenen** asked what the issue was with addressing. **Stavig** said there are errors in some areas and that not everyone has addresses. **Frohnappfel** said they could start by requiring people to have their existing address numbers up. **Bailer** said that **Lanning** had been through this and that he actually hired someone to do the addressing and comprehensive plan in one city.

Pegau suggested that they remove the last five projects. The commission concurred with removing the last three and the two school projects were removed by consensus with disagreement from **Baenen**. **Roemhildt** said he wanted to advocate for the health and welfare of the Elementary School and that the HVAC system is important for him.

Concerning the Code Change project, **Bailer** asked what the lawyer would do since the commission had already gone through Titles 16, 17, and 18. **Greenwood** said it was to make sure it was legal. She said the commission never finished the code changes they started. She said that the commission never decided anything on adopting the building codes and the parts on mobile homes and trailers is a disaster. **Stavig** said they are in fact moving forward with code changes as they have the chapter on nonconforming in front of them tonight. **Bailer** said he wants to get it done; he just doesn't want to have to pay. **McGann** said he read Title 18 for his own enjoyment, and it is terribly written; there is no uniformity between chapters. They can do as much as they want, but it is not going to go anywhere without legal review. **Bailer** said that is where he disagrees; they are a home-rule city and not everything has to go through legal review, in fact City Council is looking at replacing their legal team.

M/McGann S/Baenen to amend Resolution 16-04 as discussed during the meeting.

Yea: **Bailer, McGann, Pegau, Baenen, Roemhildt, Frohnappfel**

Absent: **Kocan**

Upon voice vote, resolution passed 6-0.

Yea: **Bailer, McGann, Pegau, Baenen, Roemhildt, Frohnappfel**

Absent: **Kocan**

c. Resolution 16-05

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to remove definitions from Chapter 18.08, to repeal and reenact Chapter 18.52, and to amend the title of Section 18.80.040 of the Cordova Municipal Code in order to update and define nonconforming lots, structures, and uses, to allow for the expansion and alteration

of nonconforming structures, and to increase the amount of time a nonconforming use can cease before it is considered discontinued

M/McGann S/Pegau to approve Resolution 16-05.

Pegau said his questions in the past were about maintenance and non-structural elements. In looking at other codes they are not much different than the proposed code. **Bailer** provided copies of the Mat-Su Borough code on nonconforming to the commission. He likes the way it is written and he thinks it explains things better. They wouldn't have to run it through legal as it had already been done by Mat-Su. **Greenwood** said that the proposed code had also ran through legal.

Bailer verified that the code change would allow building on nonconforming lots. He won't support the resolution because he disagrees with building on lots less than 4,000 square feet. **McGann** said that any future building still has to conform to code. What they are looking at is current nonconforming structures that were legal when they were built. He is okay with that. **Greenwood** said that if you build on a nonconforming lot you would have to meet setbacks.

Frohnappfel said that it comes down to enforcement. There are many nonconforming structures in the community. He is missing why they are updating the code. **Greenwood** said that the reason they are updating the code is because they have had multiple building permits from people who own nonconforming houses and want to expand in a way that does not increase the nonconformity. **Stavig** said to remember that the big thing that came up with the commission was the Waterfront Commercial Park District. They wanted to change the zoning requirements, but they chose not to because it would have made all of the legally constructed buildings nonconforming. **Bailer** said that was different because it was legal nonconforming. **Stavig** said that all nonconforming was legal. **Greenwood** said if it is not nonconforming it is illegal.

Greenwood said that they hear over and over that housing is an issue and medium-income houses are difficult to find. The nonconforming houses are the types of houses they are seeing. One side of the house might be only three feet from one side lot line, but the other side may have 15 feet and the family wants to add a bedroom. If the house burns down they have to build it back to code. **Pegau** said that the resolution allows for maintenance of nonconforming structures. If there is 50 percent destruction it has to be rebuilt to meet code.

Bailer said he thought 90 days that a nonconforming use could be discontinued was too short. **Pegau** said that the proposed code expanded it to two years. **McGann** said the point was that some uses are seasonal and two years allows a seasonal business to miss one season.

Upon voice vote, resolution passed 5-1.

Yea: McGann, Pegau, Baenen, Roemhildt, Frohnappfel

Nay: Bailer

Absent: Kocan

10. PENDING CALENDAR

Greenwood said that there was a public meeting about Nirvana Park and the spit tomorrow at 4:30 PM.

Bailer suggested the commission tackle the building codes again.

Frohnappfel asked how they could move forward with enforcing addressing. **Bailer** said that it would get addressed by City Council and with the new City Manager.

Greenwood said that if anyone was interested in the Planning Commissioner's training, staff needed to know by the end of the week.

11. AUDIENCE PARTICIPATION

12. COMMISSION COMMENTS

Pegau said that the Cordova Center was kind of a bad name because that is also the name of the drug rehab facility in Anchorage. The meeting space at the Cordova Center has not been the limiting factor for holding meetings, it was having enough bedrooms and catering.


Frohnappfel said he received notice of the ferry system seeking public comment. They have the fast ferry tied up out of state. It's a big deal and it is their chance to voice their opinion.

Bailer thanked staff for the attendance sheet; the commission is doing very good for the year. He always tries to look at it this time of year when terms were expiring. He listened to the last meeting and heard some of the commission discussing something other than the motion on the table. He said the recordings are a great way to catch up on the meetings.

13. ADJOURNMENT

M/Pegau S/McGann to adjourn the Regular Meeting at 8:44 PM.
With no objection, the meeting was adjourned.

Approved:



Tom McGann, Vice Chair



Leif Stavig, Assistant Planner

