

**PLANNING COMMISSION SPECIAL MEETING
NOVEMBER 20, 2017 AT 6:45 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Special Meeting to order at 6:45 PM on November 20, 2017 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, Nancy Bird,** and **Chris Bolin.** **Lee Holter** was absent.

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

6 people were in the audience.

3. APPROVAL OF AGENDA

M/Pegau S/Baenen to approve the agenda.

Upon voice vote, motion passed 6-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

4. DISCLOSURES OF CONFLICTS OF INTEREST

Pegau said that he had a conflict of interest on agenda items 6b and 6c. There was no objection.

5. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

a. Guest Speakers

b. Audience comments regarding agenda items

Angela Butler, 1006 Whitshed Road, said that she was the General Manager of Cordova Operations for the Eyak Corporation. She recommended approval of Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II. As chair of the board of the Prince William Sound Science Center, she recommended that the commission vote for the disposal of property for the Science Center to expand programming and operations.

Katrina Hoffman thanked the commission for reading her letter. The Science Center is part of a special program funded by Rasmussen and the Foraker Group that allow them to spend funds on pre-development. They have reached a stopping point until they know what site they would be developing. The lease for the building they use currently expires in 2021 and they have a substantial amount of fundraising to accomplish. It will have a positive benefit to the economy of Cordova. The Parks and Recreation Commission voted unanimously in favor of their interest in the site. They felt that between the city, the Science Center, and the Copper River Watershed Project, who is acquiring land in the area, they can come up with no net loss of recreational opportunities.

Mike Mahoney said that as a board member for the Science Center he wanted to recommend that the commission recommend direct negotiation with the Science Center. He thinks that is a great location for them to expand their facilities and that it would be great for Cordova.

RJ Kopchak thanked the commission for working on all that they do as volunteers. He was one of the founders of the Science Center and has been actively involved in its promotion and development for the last 28 years. The Science Center needs the capacity to grow and expand its facilities so it can actually create more jobs. Cordova has a healthy and robust fishery and they are going to be improving the harbor, but creating year-round jobs is always difficult. The Science Center does that, and if it is able to continue to expand, that means more winter jobs and families in town year-round. By locating the facility on ASLS 2001-5 they are able to develop a campus.

Thea Thomas, 112 South Second Street, was there on behalf of the Science Center as a new board member. She just learned about the project and it is very exciting. The location would give it the ability to grow.

Susie Herschleb said she wanted the commission to realize there is an issue with seasonal housing and RVs. They are losing business by turning away RVs. There isn't a lot of land available.

6. NEW/MISCELLANEOUS BUSINESS

a. Final Plat Approval for Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II

M/Bird S/Bolin to recommend to City Council to approve the final plat request for Tract A-3 and Lot 2, West Eyak Lake Tracts Subdivision Phase II.

Butler said that normally SLUP lots are 1.5 acres because each shareholder is given that amount, but through inheritance the applicant was given more.

Upon voice vote, motion passed 6-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

b. Resolution 17-03

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska that ASLS 2001-5 be updated to 'Available' on the 2017 Land Disposal Maps

M/Roemhildt S/Baenen to approve Resolution 17-03.

Roemhildt said that he made no findings against passing the resolution. **Baenen** said that he was in favor of the resolution and thought that there would be some opportunities for the city and Science Center to maintain some of the existing recreational opportunities. **Hoffman** said that the Copper River Watershed Project was acquiring four large tracts of land behind ASLS 2001-5. The Science Center and the Watershed Project have been thinking of various collaborative ideas for the area.

Hoffman said that the two major concerns with the Science Center being located in the area was the proximity to the fish cleaning station and the Parks and Rec facilities. They are currently adjacent to fish processing businesses and it has never been prohibitive to anyone's operations. The proximity to deep water gives them the potential for running seawater for research and a seawater heat pump.

Bolin said the location was great. He said that the burnpile might be a conflict for the area. He said there was also a city-owned quarry behind the burnpile. **McGann** verified that the city would still retain the quarry and there would be plenty of room to access and use it in the future if the disposal moved forward.

Upon voice vote, resolution passed 5-0.

Yea: McGann, Baenen, Roemhildt, Bird, Bolin

Absent: Holter

COI: Pegau

c. **Disposal of ASLS 2001-5**

M/Bird S/Baenen to recommend to City Council to dispose of ASLS 2001-5 as outlined in Cordova Municipal Code 5.22.060 B by negotiating an agreement with Prince William Sound Science Center to lease or purchase the property.

Bird said she thought it was important that they move this on. She hopes City Council will agree that time is of the essence so they can vacate the current building and build the new one. *Roemhildt* agreed that he wanted to minimize the loss of Parks and Recreation land and uses.

Upon voice vote, motion passed 5-0.

Yea: *McGann, Baenen, Roemhildt, Bird, Bolin*

Absent: *Holter*

COI: *Pegau*

d. **Resolution 17-04**

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to repeal and reenact Chapter 18.60 of the Cordova Municipal Code in order to update and clarify the conditional use process and create a conditional use process for marijuana establishments

M/Roemhildt S/Bolin to approve Resolution 17-04.

Roemhildt said the conditional use process for marijuana was important, especially since the city voters were in favor of legalization. *Greenwood* explained that the new, proposed code was so much of a change from the old code that it was too messy to create a redline version to show changes between the two.

Pegau said that the beginning of the existing code stated that conditional uses must be uses “deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive plan,” and that was not in the proposed code’s purpose. *Stavig* said the commission should avoid comparing the proposed and existing codes linearly. In the existing code, those are conditions for granting the permit, and in the proposed code under 18.60.020 B, they remain conditions. *Pegau* said he wanted the purpose to tie back to the zoning district and the comprehensive plan. *Stavig* said they would work with that intent and add it to the code.

On 18.60.030, *Roemhildt* asked if the off-street parking included RV parks. *Greenwood* said that it didn’t, but if someone wanted to put in an RV park they would go through a conditional use permit (CUP) process. *Pegau* said “tourist courts, auto courts, motor lodges, and trailer courts” was in the existing code’s list. *Greenwood* said they would add RV parks to the list, but it wasn’t necessary as someone could ask for a CUP for anything. *Pegau* was concerned that the code didn’t say that items not on the list could be permitted by CUP. *Greenwood* said that if it wasn’t clear, they should make it clear. *McGann* said they could amend the first sentence of the section to make it inclusive of other uses. *Pegau* asked if they were opening it up to strip clubs and adult stores. *Greenwood* said that those establishments could apply for a CUP under the existing code. *McGann* said that they would have to go through the whole application process which includes a public hearing and notification.

On 18.60.080, *Pegau* verified that the city would be adding an additional buffer of 1,000 feet from schools and wondered about the remaining buffers. *Greenwood* said that the state regulations add a 500 foot buffer from churches, prisons, etc. The state application for marijuana licenses are extremely complex and have many requirements, which is why there are fewer local requirements. There is also a City Council protest period. *Roemhildt* said that he didn’t see anything in the code that would cause a CUP to be revoked. *McGann* said that the city has other tools to go after businesses for back taxes, unpaid property tax, etc.

Pegau said he would like to use the list in Section 18.60.090A.2. on junkyards, and require that marijuana establishments have a buffer of 1,000 feet from each of those. *Stavig* verified with *Pegau* that his intent was

to be more restrictive than state code. **Greenwood** said that “other places of public gathering” is a very general statement. **Pegau** said he wanted to separate marijuana establishments from areas of public gathering. **Roemhildt** verified that marijuana was still not legal to use in public.

Baenen asked how other communities in Alaska were permitting marijuana establishments. **McGann** said that he was aware of a marijuana business that was protested in Fairbanks and he thought the city was going to have a CUP process. **Greenwood** said that it all depended on the community; some have a CUP process, some don’t have anything at all. She thought a CUP worked best for Cordova. The philosophical approach has been that marijuana is legalized, there is potential economic development, and that the state has very strict rules. **Stavig** said that the more conditions that are added to the CUP process, the more liable the city is for enforcement, rather than the state.

Bird said that the list under junkyard was there for the commission to just to consider the proximity, and she verified that **Pegau** wanted it to create a 1,000 foot buffer from the list for marijuana establishments. **Bird** said that she was concerned about the open-endedness of “places of public gathering.” She asked if the commission should vote on the increased buffer zone. **Greenwood** said that the commission should really consider what “places of public gathering” means before voting for it. **Baenen** said that if the restriction was good enough for a junkyard, it makes sense that it could be for marijuana establishments too. **Greenwood** said requiring a mandatory 1,000 foot buffer was completely different from just considering the proximity. She said that staff would bring maps to the next meeting.

M/Pegau S/Bolin to refer the resolution back to staff for the changes as discussed.

Upon voice vote, motion to refer passed 5-0.

Yea: McGann, Pegau, Baenen, Roemhildt, Bolin

Absent: Holter

7. AUDIENCE PARTICIPATION

8. COMMISSION COMMENTS

McGann said that he resigned from the Historic Preservation Commission. The code requires a Planning Commission representative to serve on the board. **Bird** had applied, but the City Clerk thought it would be best to make sure other members were aware of that vacancy. **Greenwood** added that there was also a vacancy on the commission.

Pegau apologized for not being more prepared.

Bolin thanked everyone for their time.

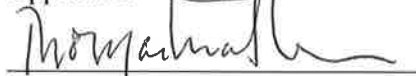
Baenen said he was glad to see **Pegau** and **McGann** back on the commission.

9. ADJOURNMENT

M/Pegau S/Baenen to adjourn the Special Meeting at 7:33 PM.

With no objection, the meeting was adjourned.

Approved:



Tom McGann, Chair



Leif Stavig, Assistant Planner