

**Chair**

Tom McGann

**Commissioners**

Scott Pegau

John Baenen

Allen Roemhildt

Nancy Bird

Chris Bolin

Trae Lohse

**Interim City Planner**

Leif Stavig

**PLANNING COMMISSION REGULAR MEETING  
DECEMBER 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, Chris Bolin, and Trae Lohse

**3. APPROVAL OF AGENDA (voice vote)**

**4. APPROVAL OF CONSENT CALENDAR (voice vote)**

- a. Minutes of September 27, 2018 Special Meeting .....Page 2
- b. Record excused absences for Scott Pegau and Allen Roemhildt from the November 13, 2018 Regular Meeting

**5. DISCLOSURES OF CONFLICTS OF INTEREST**

**6. CORRESPONDENCE**

**7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

- a. Guest Speakers
- b. Audience comments regarding agenda items (3 minutes per speaker)

**8. PLANNER'S REPORT .....Page 5**

**9. NEW/MISCELLANEOUS BUSINESS**

- a. Final Plat Approval for Cabin Lake SLUP Lot.....Page 7
- b. Resolution 18-09 – Make COHO Lots ‘Available’.....Page 13  
A resolution of the Planning Commission of the City of Cordova, Alaska recommending to the City Council of the City of Cordova, Alaska that Lots 3 & 4, Block 6, Original Townsite be updated to ‘Available; and added to the 2018 Land Disposal Maps
- c. Disposal of COHO (Lots 3 & 4, Block 6, Original Townsite).....Page 17

**10. PENDING CALENDAR**

- a. December 2018 Calendar .....Page 20
- b. January 2019 Calendar .....Page 21

**11. AUDIENCE PARTICIPATION**

**12. COMMISSION COMMENTS**

**13. ADJOURNMENT**

PLANNING COMMISSION SPECIAL MEETING  
SEPTEMBER 27, 2018 AT 6:45 PM  
CORDOVA CENTER COMMUNITY ROOM B  
MINUTES

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Special Meeting to order at 6:45 PM on September 27, 2018 in Cordova Center Community Room B.

2. ROLL CALL

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

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

4 people were in the audience.

3. APPROVAL OF AGENDA

M/Roemhildt S/Bird to approve the agenda.

Upon voice vote, motion passed 6-0.

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

4. DISCLOSURES OF CONFLICTS OF INTEREST

**Pegau** said that he had a potential conflict of interest as **Angela Butler** is the chair for the Prince William Sound Science Center which is his employer. He said it would be highly unusual for **A. Butler** to be able to influence his job. The commission concurred that there was no conflict.

**Baenen** said that he had a potential conflict of interest. **A. Butler** had contacted him after the Planning Department made her stop building. He looked to see if there was any way they could continue construction without a variance. He was not the one building the deck and stairs and he told **A. Butler** she would need a variance. **Pegau** said that he was comfortable that **Baenen** disclosed the communication sufficiently enough that they understand what happened. The commission concurred that there was no conflict.

5. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

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

6. NEW/MISCELLANEOUS BUSINESS

- a. Variance Request – Brian Butler

M/Roemhildt S/Bird to grant the variance requested by Brian Butler and to adopt and incorporate the findings within the staff report.

**McGann** advised the commission to address each of the four conditions. **Roemhildt** said that with the first condition, he knows that the lot is on a hillside, so it is not possible for the applicant to move the house further back. **Bird** said that the as-built showed a deck and stairs on the south side of the house. **A. Butler** said that those stairs were destroyed. **Bird** said she agreed with the findings presented by staff. **Pegau** said that the exceptional physical circumstances apply to all properties, and all properties are having the same issue. The

older construction that puts the house close to the roadway is a common issue on that street. He said that it met the intent of the condition. **Bolin** said he agreed with **Bird**, and that it appeared there could be an alternative on the south side of the house. **McGann** said he thought the city did a great job advertising that building permits are required. If the applicant had applied for a building permit, they wouldn't be in the position they are in. He thought the drawing was marginal at best and he would not have considered it a complete application. He agreed with the staff findings for the first condition. **Baenen** said he agreed with **Roemhildt** and **Pegau** and felt that the condition had been met.

**Greenwood** made a correction to the staff findings by adding a "no" so that the last sentence of the second condition read: "There are no practical difficulties..." **Greenwood** said that the original stairs provided access into the house in the past. She said that the proposed deck was not essential to access and creates additional sprawl into the right of way. **Roemhildt** said that the proposed stair configuration made more sense for safety than the original stairs. **Bird** verified that the deck extends out into the right of way. She said that the right of way encroachment might create parking issues and impact future use of the road. She suggested the deck end at the property line or the stairs be decreased so that there is less of an encroachment. **Bird** said that the variance only applies to the property, not the right of way. **Greenwood** said that there would be a separate permit the applicants would have to get for the portion of the structure in the right of way. **Bird** agreed with the staff findings for condition two. **Pegau** said that he sees a reason for a deck to extend out from the arctic entry. **Pegau** said that the condition had been met. **Bolin** said it had not been met. **McGann** said that he agreed there should be a landing at the top of the stairs, but that the stairs and deck could be reconfigured to stay in the original footprint. **Baenen** said the condition had been met.

**Roemhildt** said with the third condition, it appeared that the area of right of way wasn't being used by the city. **Greenwood** said that they have to look at the entire street. Building to the lot line takes away space that could be used for parking or snow removal. The area is already congested and would become more congested. When variances are granted, they can become a precedent. **Roemhildt** said the condition had been met. **Bird** said she believes the logic of **Greenwood** and understands that the road could become narrower. **Bird** said that she thought the condition was partially met. **Pegau** said that they keep talking about the stairs, but the deck is what the variance is for. **Greenwood** said that the stairs come from the deck. **Pegau** said that anything in the right of way impacts the neighbors. He said the condition was not met. **Bolin** and **McGann** agreed. **McGann** said that he would change the staff findings so it read: "Granting the variance would result in prejudice to other properties in the neighborhood because they are subject to the same requirements to not aggravate their nonconforming situation. To aggravate is to make their nonconforming situation worse." In the second paragraph, he wanted to change the second sentence to read: "Granting the variance for a deck would increase the encroachment into the right of way." **Baenen** said that the condition was met.

For the fourth condition, **Roemhildt** said that a big reason for the comprehensive plan was quality of life. The stairs and deck increase the property value and quality of life. **Bird** said that she does not find the condition met. **Pegau** and **Bolin** said the condition had been met. **McGann** said he agreed with the staff findings. **Baenen** said that the variance would enhance the neighborhood and the condition was met.

**Roemhildt** said that the right of way permit was up to staff. **Pegau** said he hates pushing things up against the road. He finds this variance much less egregious than other variances that have been granted. He is worried about consistency. He can't support the variance with the issues of the road. **McGann** pointed out that their votes on the issues have been consistent. **Baenen** said that Third Street was an exception and the variance was very small. **Bird** said that the difference from other variances was that it includes grandfathered encroachment on the right of way. She said she had changed her mind and found that all conditions had been met. She said that she thought the right of way permit may end up changing the applicant's plans.

M/Bird S/Pegau to amend the motion to delete "and incorporate the findings within the staff report" and insert "findings as discussed by the majority of the commission."

Upon roll call vote, amendment passed 4-2.

Yea: Pegau, Baenen, Roemhildt, Bird

Nay: McGann, Bolin

M/Pegau S/Bolin to recess for 5 minutes.  
With no objection, the hearing was recessed.

Upon roll call vote, main motion passed 4-2.  
Yea: Pegau (by abstention), Baenen, Roemhildt, Bird  
Nay: McGann, Bolin

**b. Comprehensive Plan Update Discussion**

*Roemhildt* said it like a great start to the process. *Bird* told the audience to participate in the Comprehensive Plan if they were unhappy with the way things were. She said the proposed schedule looked reasonable. *Pegau* said that it was focused a lot on the core working group and he was concerned that there wasn't enough public outreach. *Stavig* said that the extensive outreach wasn't enumerated in the schedule as it was yet to be determined. *Stavig* said that the core group is a committee appointed by council and all of their meetings are open to the public. *Pegau* said that there was agreement that the process was supposed to be a very public process.

**7. AUDIENCE PARTICIPATION**

**8. COMMISSION COMMENTS**

*Roemhildt* said he respected everyone's opinions and candor.

*Bird* said she appreciated everyone's candor and appreciated that everyone stayed to do the hard work. She thought the variance was difficult. She thanked staff.

*Pegau* said he was wondering about his value to the commission. He was having a harder time evaluating an individual application with his six years of experience on the commission. They have made some people remove parts of their building, but they have allowed lots of other variances.

*Bolin* said the variance was tough. He verified that if people are selected for a committee, they are not required to be on it. He said he put in a letter to renew his commission seat. He has learned a lot from the commission and looks forward to learning more.

*McGann* said that *Pegau's* participation is valued. He regretted how the variance turned out as it sets a precedent for exactly the issues *Pegau* described. The city has a code and they can't let their personal opinion get in the way.

**9. ADJOURNMENT**

M/Pegau S/Bolin to adjourn the Special Meeting at 7:31 PM.  
With no objection, the meeting was adjourned.

Approved:

\_\_\_\_\_  
Tom McGann, Chair

\_\_\_\_\_  
Leif Stavig, Interim City Planner

# Planner's Report

**To:** Planning Commission  
**From:** Planning Staff  
**Date:** 12/6/18  
**Re:** Recent Activities and Updates

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- Lots of public questions about zoning, ownership, land disposal, and other planning related issues; fall/winter is busy season.
- Power Creek Residential Lot Request for Proposals is being advertised. Proposals are due 12/28.
- Several land disposals occurring: Arvidson purchasing lot with Lease with Option to Purchase, Science Center land purchase, and CEC land purchase still has to be approved by ordinance.
- Borough Feasibility Study is finishing up. The report should be available to the public shortly. There is a presentation during the day on 12/13 in Whittier that will be live-streamed locally and open to the public.
- Staff is preparing, formatting, compiling entire 2019 budget document.
- Chris Bolin is attending the Planning Commissioner training in January in Anchorage.
- Three building permits issued in November.
- Update on Comprehensive Plan to be provided at meeting.
- Attendance sheet for 2018 attached.

	1/9/2018	2/13/2018	2/13/2018	2/28/2018	2/28/2018	3/13/2018	3/13/2018	4/10/2018	5/8/2018	6/12/2018	7/10/2018	8/14/2018	9/11/2018	9/11/2018	9/27/2018	9/27/2018	10/9/2018	11/13/2018
	Regular	Hearing	Regular	Hearing	Special	Hearing	Regular	Regular	Regular	Regular	Regular	Regular	Hearing	Regular	Hearing	Special	Regular	Regular
Tom McGann	Present	Present	Present	Present	Present	Present	Present	C A N C E L L E D	Present	C A N C E L L E D	Present	Present	Present	Present	Present	Present	C A N C E L L E D	Present
Scott Pegau	Present	Present	Present	Present	Present	Present	Present		Absent		Present	Present	Present	Present	Present	Present		Excused
John Baenen	Present	Present	Present	Present	Present	Present	Present		Excused		Present	Present	Absent*	Excused	Present	Present		Present
Allen Roemhildt	Excused	Present	Present	Present	Present	Excused*	Excused		Present		Present	Present	Absent*	Excused	Present	Present		Present
Nancy Bird	Present	Present	Present	Present	Present	Present	Present		Present		Present	Excused	Present	Present	Present	Present		Excused
Chris Bolin	Present	Present	Present	Present	Present	Present	Present		Present		Present	Present	Present	Present	Present	Present		Present
Lee Holter	Present	Present	Present	Absent*	Absent*	Excused*	Excused		Present		N/A	N/A	N/A	N/A	N/A	N/A		N/A
Trae Lohse	N/A	N/A	N/A	N/A	N/A	N/A	N/A		N/A		N/A	N/A	N/A	N/A	N/A	N/A		Present
* Not a Regular Meeting Absence																		



## **AGENDA ITEM # 9a**

### **Planning Commission Meeting Date: 12/11/18**

#### **PLANNING COMMISSION COMMUNICATION FORM**

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**FROM:** Planning Staff

**DATE:** 12/5/18

**ITEM:** Final Plat Approval for Cabin Lake SLUP Lot

**NEXT STEP:** Motion

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☐ INFORMATION  
☒ MOTION  
☐ RESOLUTION

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#### **I. REQUEST OR ISSUE:**

Requested Actions: Final Plat Approval  
Applicant: Eyak Corporation  
Owner: Eyak Corporation  
Address: Cabin Lake  
Zoning: Unrestricted  
Attachments: Location Map  
Application  
Final Plat

#### **II. RECOMMENDED ACTION / NEXT STEP:**

Staff recommend that the commission recommend to City Council that the request for final plat approval be approved.

“I move to recommend to City Council to approve the final plat request for Cabin Lake SLUP Lot.”

**III. FISCAL IMPACTS:**

N/A

**IV. BACKGROUND INFORMATION:**

This plat is creating a SLUP Lot in the Cabin Lake area. The Eyak Corporation has a number of SLUP Lots in the nearby vicinity.

**V. LEGAL ISSUES:**

No legal review required.

**VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

N/A

**VII. SUMMARY AND ALTERNATIVES:**

Staff findings:

1. The proposed plat conforms to the Comprehensive Plan and City Code.
2. There are no known physical conditions present which may be hazardous to the future inhabitants of these tracts.

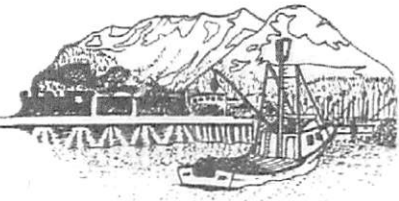


Location Map





# CITY OF CORDOVA



## SUBDIVISION APPLICATION

City of Cordova, Alaska

INSTRUCTIONS	PERMIT TYPE	FEE
Print or type requested information. Incomplete applications will be returned to the applicant and will delay processing of the request. Applications must be received by the Planning Department 21 days prior to the next Planning Commission Regular Meeting, which is scheduled the second Tuesday of each month, if Planning Commission approval is required.	<input type="checkbox"/> Preliminary Plat	\$200 + \$50 per lot
	<input checked="" type="checkbox"/> Final Plat	\$100 + \$25 per lot
	<input type="checkbox"/> Administrative Plat*	\$100
	<input type="checkbox"/> Admin. Dissolving Lot Lines*	\$0 + Recording Fees
*These plats do not require Planning Commission approval.		

APPLICANT INFORMATION	
Name:	The Eyak Corporation
Mailing Address:	PO Box 340
City/State/Zip:	Cordova, AK 99574
Phone Number:	(907) 424-7161
Email Address:	abutler@eyakcorp.com

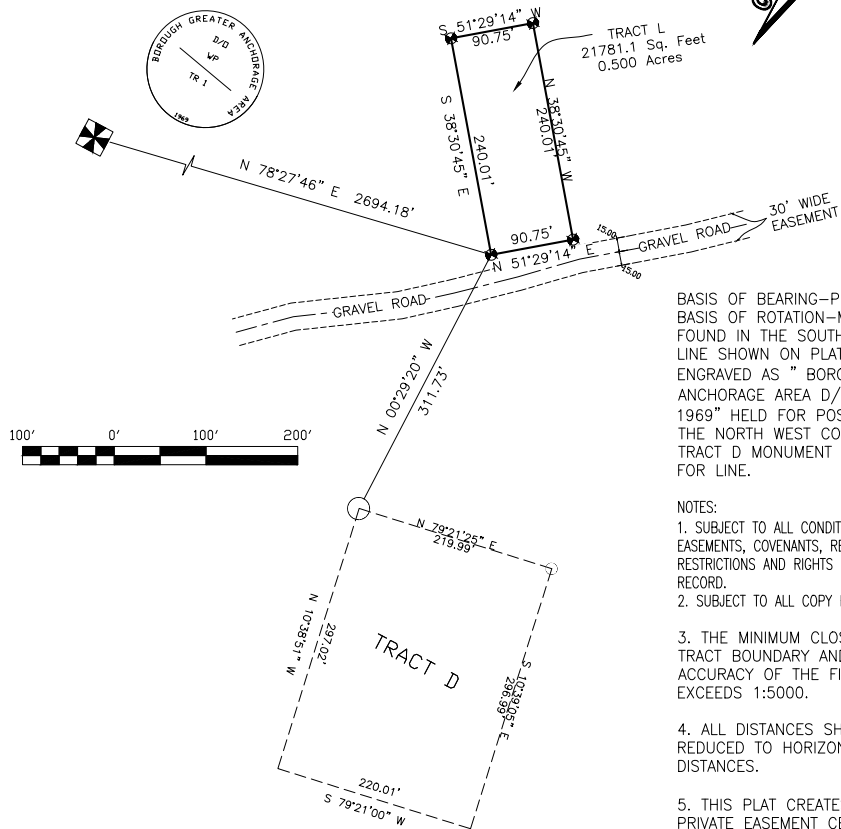
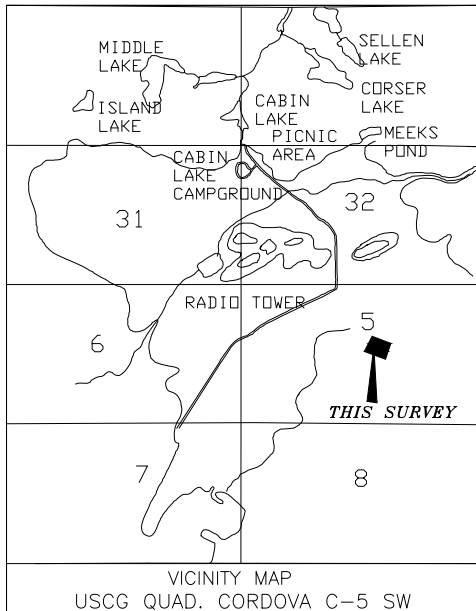
OWNER INFORMATION	
Name:	The Eyak Corporation
Mailing Address:	PO Box 340
City/State/Zip:	Cordova, AK 99574
Phone Number:	(907) 424-7161
Email Address:	abutler@eyakcorp.com
Only complete this section if owner is different from applicant.	

PROPERTY INFORMATION	
Address:	The Eyak Corp lands Cabin Lake area
Legal Description:	Sec. 5+6 T.16, R. 1 W Copper River Meridian
Tax Lot No.:	
Zone District:	Unrestricted
Planning Department can assist if unknown.	

SURVEYOR INFORMATION	
Company Name:	St. Denny Surveying, Inc
Mailing Address:	PO Box 388
City/State/Zip:	Kodiak, AK
Phone Number:	(907) 481-3500
Email Address:	stdenny@gsi.net
Cordova Business License #:	1272

ADDITIONAL INSTRUCTIONS
Please send an electronic copy of the proposed plat to <a href="mailto:planning2@cityofcordova.net">planning2@cityofcordova.net</a> . Plats must comply with the Cordova Municipal Code, particularly Title 17 - Subdivisions. The Planning Department will review all plats and may request changes. In the case of certain subdivisions, such as major subdivisions, additional information will be required.

APPLICANT CERTIFICATION
<p><i>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.</i></p> <p>Applicant Signature: <u>Angela Butler</u> Date: <u>9/28/18</u></p> <p>Print Name: <u>Angela Butler</u></p>



BASIS OF BEARING-PLAT 2001-04  
BASIS OF ROTATION-MONUMENT  
FOUND IN THE SOUTHWESTERLY  
LINE SHOWN ON PLAT 2001-04  
ENGRAVED AS " BOROUGH GREATER  
ANCHORAGE AREA D/O, WP, TR 1  
1969" HELD FOR POSITION AND  
THE NORTH WEST CORNER OF  
TRACT D MONUMENT FOUND HELD  
FOR LINE.

- NOTES:
1. SUBJECT TO ALL CONDITIONS, SERVITUDE'S, EASEMENTS, COVENANTS, RESERVATION, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.
  2. SUBJECT TO ALL COPY RIGHT LAWS.
  3. THE MINIMUM CLOSURE OF THE TRACT BOUNDARY AND THE MINIMUM ACCURACY OF THE FIELD SURVEY EXCEEDS 1:5000.
  4. ALL DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES.

5. THIS PLAT CREATES A 30' FOOT PRIVATE EASEMENT CENTERED ON THE EXISTING ROAD AS SHOWN HEREON. THESE EASEMENTS ARE TO PROVIDE ACCESS ACROSS EYAK CORPORATION LANDS FOR THE THE SLUP LOT . THE EASEMENTS ARE TO START AS NEEDED FROM EXISTING 17b EASEMENTS ALONG CABIN LAKE AND SHERIDAN GLACIER ROAD.

### CERTIFICATE OF OWNERSHIP AND DEDICATION

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN HEREON. I HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING SUCH EASEMENTS FOR PUBLIC UTILITIES, ROADWAYS AND ALLEYS AS DEDICATED FOR PUBLIC USE.

\_\_\_\_\_, DATE \_\_\_\_\_  
ANGELA BUTLER SECRETARY  
EYAK CORPORATION  
P.O. BOX 340  
CORDOVA, ALASKA 99574

### NOTARY ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

ANGELA BUTLER SECRETARY  
EYAK CORPORATION  
P.O. BOX 340  
CORDOVA, ALASKA 99574

MY COMMISSION EXPIRES \_\_\_\_\_

### TAX CERTIFICATE

I HEREBY CERTIFY THAT ACCORDING TO THE RECORDS OF THE CITY OF CORDOVA ALL TAXES ASSESSED AND DUE AGAINST SAID LAND AND IN FAVOR OF THE CITY OF CORDOVA ARE PAID IN FULL.

DATED AT CORDOVA, ALASKA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015  
CITY OF CORDOVA

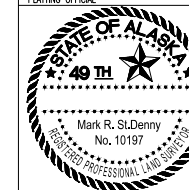
### PLAT APPROVAL

THIS PLAT CONFORMS TO THE CITY OF CORDOVA PLANNING AND ZONING COMMISSION AND IS HEREBY ACCEPTED AS THE OFFICIAL PLAT, SUBJECT TO ANY AND ALL CONDITIONS AND REQUIREMENTS OF ORDINANCE AND LAW PERTAINING THERE TO.

\_\_\_\_\_, DATE \_\_\_\_\_  
CITY MANAGER

\_\_\_\_\_, DATE \_\_\_\_\_  
CHAIRMAN, PLANNING & ZONING COMMISSION

\_\_\_\_\_, DATE \_\_\_\_\_  
PLATTING OFFICIAL



SURVEYOR'S CERTIFICATE  
I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA, THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE INSTRUMENTS AND APPROPRIATIONS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.  
DATE: \_\_\_\_\_ REGISTRATION NO. \_\_\_\_\_  
MARK R. STDENNY REGISTERED LAND SURVEYOR

### LEGEND:

- FOUND 3-1/4" BRASS CAP.
- FOUND 2" ALUMINUM CAP.
- SET YELLOW PLASTIC CAP ON 5/8" REBAR, 30" LONG.

### REFERENCES:

1. PLAT 2001-04 RECORDED IN THE CORDOVA RECORDING DISTRICT.

### WATER DISPOSAL:

NO WASTEWATER SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM ARE LOCATED, CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC). CONSTRUCTION PLANS MUST BE SUBMITTED AND APPROVED BY (ADEC) PRIOR TO CONSTRUCTION OF ANY PORTION OF SEWAGE DISPOSAL SYSTEM ADDITIONAL SOILS INFORMATION MAY BE NECESSARY. PERMITS FROM OTHER AGENCIES MAY ALSO BE REQUIRED.

### PREPARED FOR:

SUSAN WOOLEY  
Cordova, Alaska 99574

CORDOVA			
APPROVED	DATE 9-25-2018	DRAWN M.S.T.D.	CORDOVA RECORDING DISTRICT
SCALE 1" = 100'	SHEET 1 of 1	PROJECT NO.	
ST.DENNY SURVEYING, INC. P.O. BOX 388, KODIAK, ALASKA (907) 481-3500			



## **AGENDA ITEM # 9b**

### **Planning Commission Meeting Date: 12/11/18**

#### **PLANNING COMMISSION COMMUNICATION FORM**

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**FROM:** Planning Staff

**DATE:** 12/5/18

**ITEM:** Resolution 18-09 – Make COHO Lots ‘Available’

**NEXT STEP:** Resolution

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☐ INFORMATION  
☐ MOTION  
☒ RESOLUTION

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#### **I. REQUEST OR ISSUE:**

Requested Action: Pass Resolution  
Legal Description: Lots 3 & 4, Block 6, Original Townsite  
Lot Area: Each lot area = 2,500 SF; Total Area = 5,000 SF  
Parcel Number: 02-173-503, 02-173-504  
Zoning: Central Business District  
Location Map: Attachment A

#### **II. RECOMMENDED ACTION / NEXT STEP:**

Staff recommend that the Planning Commission make a recommendation to City Council to make Lots 3 & 4 ‘Available’ by approving the resolution.

“I move to approve Resolution 18-09.”

### III. **FISCAL IMPACTS:**

Maintaining the existing COHO building is costly. Fiscal impacts also include the potential purchase price of the property.

### IV. **BACKGROUND INFORMATION:**

This property was recently acquired by the city by foreclosure and so was not on the 2018 Land Disposal Maps. City Council has expressed a desire to dispose of this property and in order to do so the property must be 'Available.'

The 2018 Land Disposal Maps are available online:

<http://www.cityofcordova.net/images//eforms/planning/2018%20Land%20Disposal%20Maps.pdf>

Map designations on 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.

**Not Available** – These parcels include substandard lots, snow dumps, property with improvements/buildings on them, or other lots used or occupied by the city. The city manager will accept letters of interest from an interested party who requests the property designation be changed to 'Available,' however the existing city use of the property will be examined and carefully weighed against the letter of interest.

**Tidelands** – All requests to purchase tidelands will be reviewed by the Planning Commission as they are received. The Planning Commission will make a recommendation on disposing of the tidelands to City Council.

**Leased** – These are lots currently leased to a business or government entity by the city and are not available during the lease term. There are leases that are short term and renew every two years and others are long term leases with substantial improvements on the property. At the end of the lease term the property becomes available for disposal.

### V. **LEGAL ISSUES:**

No legal review required.

### VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:**

N/A

### VII. **SUMMARY AND ALTERNATIVES:**

The commission could recommend the City Council make the property 'Not Available' or could choose to take no action.



Location Map



**CITY OF CORDOVA, ALASKA  
PLANNING COMMISSION  
RESOLUTION 18-09**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORDOVA,  
ALASKA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CORDOVA,  
ALASKA THAT LOTS 3 & 4, BLOCK 6, ORIGINAL TOWNSITE BE UPDATED TO  
‘AVAILABLE’ AND ADDED TO THE 2018 LAND DISPOSAL MAPS**

**WHEREAS**, the City of Cordova’s City Manager and City Planner are directed by Cordova Municipal Code Section 5.22.040(B): *The city manager shall refer a letter of interest from a qualified interested party to the city planner. If the city planner finds that the real property is available for lease or purchase, the city planner shall schedule the letter of interest for review by the planning commission;* and

**WHEREAS**, the City of Cordova’s Planning Commission has determined that updating the 2018 Land Disposal Maps at this time to make Lots 3 & 4, Block 6, Original Townsite ‘Available’ is important to maintain consistency with land disposal process; and

**WHEREAS**, the City of Cordova’s Planning Commission has determined that Lots 3 & 4, Block 6, Original Townsite should be designated as ‘Available’ on the 2018 Land Disposal Maps in order to consider disposal; and

**WHEREAS**, having updated maps will benefit the citizens of Cordova by providing maps for public review.

**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 that Lots 3 & 4, Block 6, Original Townsite be updated to ‘Available’ and added to the 2018 Land Disposal Maps.

**PASSED AND APPROVED THIS 11<sup>TH</sup> DAY OF DECEMBER, 2018**

\_\_\_\_\_  
Tom McGann, Chair

ATTEST:

\_\_\_\_\_  
Leif Stavig, Interim City Planner





## AGENDA ITEM # 9c

### Planning Commission Meeting Date: 12/11/18

#### PLANNING COMMISSION COMMUNICATION FORM

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**FROM:** Planning Staff

**DATE:** 12/5/18

**ITEM:** Disposal of COHO (Lots 3 & 4, Block 6, Original Townsite)

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

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☐ INFORMATION  
☒ MOTION  
☐ RESOLUTION

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#### I. REQUEST OR ISSUE:

This action item is contingent on the Planning Commission passing Resolution 18-09 with the area designated as 'Available' and if this has not occurred then no action should be taken. Any action on this item is still pending City Council concurrence on designating this area 'Available.'

Requested Action:	Recommendation to City Council on Disposal and Disposal Method
Legal Description:	Lots 3 & 4, Block 6, Original Townsite
Lot Area:	Each lot area = 2,500 SF; Total Area = 5,000 SF
Parcel Number:	02-173-503, 02-173-504
Zoning:	Central Business District
Location Map:	Attachment A

## **II. RECOMMENDED ACTION / NEXT STEP:**

Staff suggest the following motion:

“I move to recommend to City Council to dispose of Lots 3 & 4, Block 6, Original Townsite 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 xxxxx 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:**

Maintaining the existing COHO building is costly. Fiscal impacts also include the potential purchase price of the property.

## **IV. BACKGROUND INFORMATION:**

This property was recently acquired by the city by foreclosure. City Council has expressed a desire to dispose of this property as-is. The purchaser will be required to demolish the building.

### **Applicable Code:**

#### 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.*

## **V. LEGAL ISSUES:**

Legal review of disposal documents will be required. There are state statutes concerning tax foreclosed property that will have to be addressed as well.

## **VI. CONFLICTS OR ENVIRONMENTAL ISSUES:**

N/A

## **VII. SUMMARY AND ALTERNATIVES:**

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

Location Map



# 2018 DECEMBER

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
25	26	27	28	29	30	01
02	03	04	05 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	06	07	08
09	10	11 6:30 PM - Planning Commission Public Hearing (Cordova Center Rooms A & B) 6:45 PM - Planning Commission Regular Meeting (Cordova Center Rooms A & B)	12 7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	13 10:00 AM - PWS Borough Advisory Committee Work Session (Cordova Center Rooms A & B)	14	15
16	17	18	19 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	20	21	22
23	24	25 City Closed - Christmas	26	27 6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	28	29
30	31	01	02	03	04	05

# 2019 JANUARY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	31	01 City Closed - New Year's Day	02 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	03	04	05
06	07	08 6:30 PM - Planning Commission Public Hearing (Cordova Center Rooms A & B) 6:45 PM - Planning Commission Regular Meeting (Cordova Center Rooms A & B)	09 7:00 PM - Harbor Commission Regular Meeting (Cordova Center Room B) 7:00 PM - School Board Regular Meeting (High School Library)	10	11	12
13	14	15	16 7:00 PM - City Council Regular Meeting (Cordova Center Rooms A & B)	17	18	19
20	21 City Closed - MLK Day	22	23	24	25	26
27	28	29 6:00 PM - Parks and Recreation Commission Regular Meeting (Cordova Center Rooms A & B)	30	31 6:00 PM - CCMC Board Regular Meeting (CCMC Conference Room)	01	02
03	04	05	06	07	08	09