

**PLANNING COMMISSION REGULAR MEETING  
FEBRUARY 12, 2013 @ 6:30 PM  
LIBRARY MEETING ROOM  
MINUTES**

In those matters coming before the Cordova Planning Commission at 6:30 PM on Tuesday, February 12, 2013 in the Library Conference Room, 622 First Street, Cordova, Alaska are as follows:

**A. Call to order -**

**B. Roll Call** Present for roll call were Chairman Tom Bailer, John Greenwood, Greg LoForte, Tom McGann, Scott Pegau, John Baenen and David Reggiani (via teleconference at 6:28 pm).

Also present was Planner, Samantha Greenwood and Assistant Planner, Shannon Joekay. There were 9 people in the audience.

**C. Approval of Agenda**

**M/Greenwood S/Pegau**

**Upon voice vote, motion passed, 7-0**

**D. Approval of Consent Calendar**

Minutes from the December 11, 2012 Regular Meeting

Minutes from the January 8, 2013 Regular Meeting

**M/Pegau S/Greenwood**

**Upon voice vote, motion passed, 7-0**

**E. Record Absences**

None

**F. Disclosure of Conflict of Interest**

None

**G. Correspondence**

A letter in support of the Prince William Sound Science Center from CEC

**H. Communication by and Petitions from Visitors**

**1. Guest Speakers**

None

**2. Audience comments regarding items in the agenda**

**Steve Hoots Witsoe, Shelter Cove-Lot 4, USS 2764** ~ I am here to request an easement on Lot 3. There are 3 households at Lots 4, 5 and 6. The original lots were surveyed in 1948. Since then, a lot of stuff has happened (the '64 Earthquake), and the road was built out to Orca Cannery and originally our lots, the front of our lots were front tidelands. So the easement was pretty much water access, but since then, things have changed. We have an easement for Lot 4, Lot 5 and Lot 6 and we're looking to extend that easement to Lot 3. I am a co-owner of Lot 3, along with the people that own Lot 5 and Lot 6. We all recently bought Lot 3. I'd like to see that treated as a separate lot, just like it is. I would like to see that the easement goes the full length of that front lot just like we have on the other lots. I would also like to see that our easements are connected in the sense that this is supposed to be a residential area and I think that it best serves everyone's interest to have one access point for all those lots, instead of having a separate access for Lot 3. Especially since we own that

and are going to be wanting to travel back and forth. I think if Lot 3 ever went to another owner, with someone living out there, it would just make sense that we all access our lots from the same road. I know this meeting is mostly about the easement for that but I think it's also a great opportunity for us to discuss the plans for out there. We do have an easement but it's really subject to the tides and rains and we're looking to do some work on that road. Maybe there's something we can just come to an overall agreement with is where we're going to, what's the best place to put that easement from our front easement to that New England Cannery Road. My point is that I would like to see a full easement across the front of our property. I'd like to see it connected to our other easements so that we're all contained as one.

**Rob Mattson, 301 Lake Avenue** ~ I just want to make a few comments on the Safe Routes to School Sidewalk Project coming up the East side of Lake Avenue. There's 4 driveways on that side of the street and with the sidewalk being proposed where it is, it's going to create a lot more hassle for these kids, especially with the snowy type conditions when people will be backing out of their driveways. The west side of the street, to me, it seems like it would be a lot safer for our children. People are backing out, it gives you a lot more area to look through your rear view mirror, there's also a street light on that side of the street. There's also 4 drop drains in that area that, over the last 10-12 years, I actually worked with Mr. Squires and George Keeney. I'm finally getting drainage on that side of the street, to keep from getting 2 foot ruts down the middle of the road and I really think that putting that sidewalk on the west side would benefit our children a lot more. It would be a lot safer for them and also the proposed raised sidewalk across Lake Avenue-it would be a lot less drainage hassle. Just by living on that corner and watching the water flows, it would be a lot less hassle for the drip drain, would still take effect. Also, there are 2 drop drains on Lake Avenue, west of that and if they put it in on the east side than that strip drain won't take effect for the drainage coming off Lake Avenue. We're going to have a lot of flooding in that area which would also possibly flood my garage out. With that being said, I just wanted to express concern and hopefully you guys will take a look at the safest route for our children is actually going to be on the west side of the street rather than the east side.

**Tom Bailer** ~ Hey Rob, what's your title with the State?

**Rob Mattson** ~ I'm here on my personal behalf, not the State's.

**Tom Bailer** ~ Right, but you do work for the State? Are you going to stay for the meeting?

**Rob Mattson** ~ Probably.

**Tom Bailer** ~ Yea, if you wouldn't mind we may have some questions and concerns from the State aspect if you wouldn't mind answering. Thank you.

### **3. Chairpersons and Representatives of Boards and Commissions**

None

#### **I. Planners Report**

The zoning bulletins / building inspector will be distributed to McGann, Greenwood and Pegau electronically. LoForte, Bailer, Baenen and Reggiani will receive hard copies of them.

Baenen will receive the full copy of the Alaska Planning Commission handbook, while Reggiani requested the PDF version. All others will receive the updates.

The webpage will now show names, terms and a phone number for all members except LoForte. LoForte's will just show his name and his term.

Land Disposal maps will maybe be on the next meeting.

#### **J. New Business**

##### **a. Request for Access Easement on Tract A, ATS 900 (voice vote)**

**M/Greenwood S/LoForte**

"I move to approve the resolution 13-02 and the special conditions listed in this staff report."

**Samantha Greenwood** ~ Can I just make a couple comments?

**Bailer** ~ Yes please.

**Samantha Greenwood** ~ Since the packet came out, there have been a lot of questions about public vs. private easements. I sent a question to the lawyer to get the questions answered. The lawyer hasn't gotten back yet. There are still good things to talk about, where and how the easement will be located, future use of the area down there. It may have to come back to staff for the legal terminology.

**Reggiani** ~ What's the purpose of a public access easement on public land?

**Samantha Greenwood** ~ That is another question I have for the lawyer.

**Greenwood** ~ I am not sure it is in the City's best interest to do the proposal like that without further discussion. I think we can give them access to their property with a little less property from the City.

**Samantha Greenwood** ~ I did research ATS 900 and we cannot sell that property. It has a deed restriction from the State. We can lease it. There is the existing public access easement on ATS 1610, the gravel road.

**Bailer** ~ Parks and Rec may have some interest in this lot for future development?

**Samantha Greenwood** ~ I spoke with Parks and Rec. They are working on their 10 year Master Plan and are just wrapping up the Odiak Campground, this is their next piece of property to discuss.

**Bailer** ~ It would be smart to hear what they have to say. There are two ways we can go, we can give them smaller access or create an easement that would also give the City access to Tract A, if the City was going to create a park. We can all agree that we want to give them legal access that is functional but we just have to figure out how to do it. I would like to refer it back to Staff to look into it more and speak with Parks and Rec.

**Kirsti Jurika, resident of Flemming Spit** ~ This easement that gives us access to Lots 4, 5 and 6, comes up to Lot 3 but there is a pretty substantial creek that we are trying to re-establish. That actually doesn't give good access to Lot 3. Just wanted that as part of the planning.

**Reggiani** ~ Would also like Sam to look into the public access that is adjacent to the pond. Can you do research and find out if that access easement is specific to foot traffic?

**Bailer** ~ I think we need to make an overall plan for this area to see what's best for Lot 3 and the City. Parks and Rec need to sit down and bring their idea to us.

**McGann** ~ The existing approach to Lots 4, 5 and 6 is terrible. Whose responsibility is that?

**Samantha Greenwood** ~ We've been talking to Public Works to get a handle on that. It is City property and it is a City public access. So that's another question of legal responsibility: maintenance, development all those things when you turn it to a public easement.

**Bailer** ~ Make a motion to refer it back to staff?

**M/Greenwood S/McGann**

"I move to refer this back to staff."

**Upon voice vote, motion passed. 7-0**

**Yea: Bailer, McGann, LoForte, Pegau, Reggiani, Greenwood, Baenen**

**Nay: None**

#### **b. Safe Routes to School Sidewalk Project**

**Karen Swartzbart, Eccles Lagoon; Kathy Zamudio; Teresa Keel, Superintendent of Schools**

After a long discussion, issues needing to be addressed by the Planning Staff and the Engineers are:

- drainage issues
- which side of the street is best for kids and home owners (might have to do with the drainage)
- has this project area been surveyed

- should stop signs be installed on Adams to help kids cross the street (three way street)
- what is the designated driveway easement (15' vs. the entire length of a homeowner's lot)
- should Third Street be a one way street?

All members agree that it is a good idea.

**c. Letter of Interest to lease a portion of the Cordova Jr./Sr. High School (voice vote) M/Greenwood S/McGann**

"I move to recommend to City Council to dispose 1203 square feet of classroom and office space at the High School Building (USS 2637) by procedure #1."

**Pegau** ~ Is this a forgiveness issue?

**Samantha Greenwood** ~ No, a special use permit is in effect waiting for the longer term lease-5 year lease. This lease has to be approved by the City Manager and has to go to Council for approval.

**Teresa Keel** ~ The lease may change but will be amended accordingly.

Upon voice vote, motion passed, 7-0

Yea: Bailer, McGann, LoForte, Pegau, Reggiani, Greenwood, Baenen

Nay: None

**K. Old Business**

None

**L. Miscellaneous Business**

None

**M. Pending Calendar**

**N. Audience Participation**

None

**O. Commission Comments**

**Greenwood** ~ Would like to push the sidewalk through. It's good to get more projects going.

**Bailer** ~ Wants to keep updated with reports of (Safe Routes) project.

**LoForte** ~ Wanted to know the update on Samson's.

**Samantha Greenwood** ~ Moving forward on Samson's. They have the conduit down and are waiting for the move of the office and shop. The completion date is April 1<sup>st</sup> for the electrical. The boats and storage move may be ongoing.

**Pegau** ~ Would like to have an understanding of the existing driveway easements at Flemming Spit.

**Baenen** ~ Will not be able to make the March 12<sup>th</sup> meeting and cannot call in as he will be on the plane.

**P. Adjournment**

M/McGann S/Pegau

Motion to adjourn at 7:50 pm

 3/12/13

Shannon Joekay, Assistant Planner

Date