

**Chairman**

John Greenwood

**Commissioners**

Tom Bailer

Tom McGann

Scott Pegau

John Baenen

Allen Roemhildt

Mark Frohnapfel

**PLANNING COMMISSION SPECIAL MEETING**

**MARCH 31, 2015 AT 6:30 PM**

**LIBRARY MEETING ROOM**

**AGENDA**

**City Planner**

Samantha Greenwood

**Assistant Planner**

Leif Stavig

**1. CALL TO ORDER**

**2. ROLL CALL**

Chairman John Greenwood, Commissioners Tom Bailer, Tom McGann, Scott Pegau, John Baenen, Allen Roemhildt, and Mark Frohnapfel

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

**4. DISCLOSURES OF CONFLICTS OF INTEREST**

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

a. Audience comments regarding agenda items (3 minutes per speaker)

**6. NEW/MISCELLANEOUS BUSINESS**

a. Waterfront Commercial Park District Discussion ..... Page 2-20

**7. UNFINISHED BUSINESS**

a. Land Disposal of the Breakwater Fill Lot..... Page 21-27

**8. AUDIENCE PARTICIPATION**

**9. COMMISSION COMMENTS**

**10. ADJOURNMENT**

# Memorandum

**To:** Planning Commission  
**From:** Planning Staff  
**Date:** 3/26/15  
**Re:** Waterfront Commercial Park District Discussion

---

## **PART I – GENERAL INFORMATION**

At the meeting on 3/10/2015 the commissioners asked that Waterfront Commercial Park (WCP) District be put on the agenda for a March 31<sup>st</sup> meeting. The commission also asked that the previous editing and work done on this section of code be included. I have gone through the meetings and minutes and compiled the documents related to WCP and they are attached.

We had left off with the concept of combining the South Fill Subdivision, the Tidewater Development Park Subdivision, and the harbor as a new zoning district called Harbor Service District. There was concurrence from the commission to move forward with this concept in 2012. The memo from the 5/8/2012 meeting is attached, which includes the proposed code sections for the Harbor Service District. I added the edits from the May 8<sup>th</sup> meeting to the code sections; the underlined words are added text and strikethrough is deleted text. Text in red font is notes or explanations. The map at that time presented did not include the parking area with the restrooms and the lots zoned business on the north harbor side. These may want to be considered if this concept moves forward. Also attached are the minutes from all the meetings where the Harbor Service District was discussed. There was a lot of interest at that time to do a comprehensive planning review.

Also attached is the current city code for the WCP. At the March 18<sup>th</sup> City Council meeting staff was directed to have the City lawyer write an ordinance to repeal the following section of code within 18.39.090- Required off-street parking and loading:

~~*A. ——— Parking areas and drives shall be limited to fifty percent of the required front yards to provide for landscaping, pathways, or similar nonvehicular improvements.*~~

The Council also directed staff to create an ordinance which adds the following to Chapter 18.48:

*18.48.080-Commission reduction of parking spaces*

*The Planning Commission may reduce the required number of parking spaces if the Commission determines that an unreasonable amount parking spaces is required or that the required number of spaces does not meet the city's development goals or its land use needs.*

There will be a first reading of both ordinances at the April 1<sup>st</sup> City Council meeting.

The South Fill Subdivision and large tracts of land on New England Cannery Road are zoned WCP. The attached images depict all areas zoned WCP:



# Memorandum

To: **Planning and Zoning**  
From: **Staff**  
Date: **5/3/2012**  
Re: **Harbor Services**

## **PART I. BACKGROUND:**

It was requested at that I make a first attempt at the proposed Harbor Service District. I have done that and it is included in the packet. Here is what we need to accomplish

1. Do we want to move forward with the Harbor District? **This was a YES**  
**If so**
2. Are the permitted uses adequate?
3. What are the lot sizes, building coverage and lot coverage --Something to consider--concept of small shops around harbor; a variety of lot sizes to support different types of retail and business which could be seasonal or year around. **Lot Size 9000 sq feet**
4. What are the lot area, lot coverage and building coverage?

### **If Not**

1. What do we do with the area currently mapped Economic Development Zone? This zone is not defined in code
2. What are the lot area, lot coverage and building coverage for Waterfront Commercial?
3. What should the 24 hour temporary boat haul out by Baja Taco be zoned?
4. There is an industrial use in business; Is this a use we want to continue? Do we want it to be a CUP? Do we want to make that particular area part of the waterfront commercial park—maybe a better fit there and add a CUP for larger fish processing?

Definitions that may need to be added:

**Retail business** the selling of goods, wares, or merchandise directly to the ultimate consumer or persons without a resale license.

**Service business** any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises

**Centers** are buildings or groups that promotes culture, arts, education and research.

## **Chapter 18.XX – Harbor Services District**

### Sections:

18.39.010 - Purpose.

18.39.020 - Permitted principal uses and structures.

18.39.030 - Permitted accessory uses and structures.

18.39.040 - Conditional uses.

18.39.050 -. Lot Area

18.39.060 - Setbacks.

18.39.070 – Maximum Coverage

18.39.080 – Height, off street parking and other requirements.

18.39.090 – Signs

18.39.100 – Minimum finished floor elevations

18.39.110 - Site plan

### **18.39.010 - Purpose.**

The purpose of the Harbor Service District is provide a mix of commercial and business uses, that will promote or benefit the Harbor user either as a service, business or recreation

OR

Harbor Service district provides an area for water-dependent or water-related uses with particular emphasis on transportation, tourist, recreational, commercial or industrial

enterprises which derive major economic or social benefit from a harbor location.

**18.39.020 - Permitted principal uses and structures.**

The following are the permitted principal uses and structures in the harbor service district:

- A. Boat charter services;
- B. Retail and Service business Discussed **crossing off A&D since B covered these uses and eliminating the list or add some kind statement - may include but is not limited to**

Would include

**~~Commercial and sport fishing supplies and services;~~**

**~~Gift shops;~~**

**~~Laundromats and laundries~~**

- C. Docks and harbor facilities;
- D. Eating and drinking facilities;
- E. Fish and seafood markets;
- ~~F. Fueling piers;~~
- G. Hotels and Motels
- H. Research, educational and cultural centers
- J. Offices **and warehouse** associated with permitted principal uses
- K. Waterfront parks, access paths, and boardwalks
- L. Public service and municipal buildings

**18.39.030 - Permitted accessory uses and structures.**

The following are the permitted accessory uses and structures in the Harbor Service district:

- A. Accessory buildings;
- ~~B. Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing. The smoking of seafood is prohibited~~
- C. Watchman's quarters.

**18.39.040 - Conditional uses.**

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the Harbor Service District:



- A. Commercial Outside Storage
- B. Fish processing plant two thousand square feet of gross floor space of structure is used for processing ~~The smoking of seafood is prohibited~~

**18.39.050 Lot Area**

Commissioner come up with an idea

Lot Coverage

Building Area

**18.39.060 - Minimum lot requirements.**

The following are the minimum lot requirements in the Harbor Service District:

- A. Lot width, ninety feet
- B. Lot area, nine thousand square feet.

**18.39.070 - Minimum setback requirements.**

The following are the minimum setback requirements in the Harbor Service District

- A. Front Yard, 15 feet
- B. Side yard, five feet
- C. Rear yard, five feet.

*This area encompasses a variety of retail and business opportunities; in the past there has been talk of some small shops along the PWWSC side of the harbor possibly do we want to provide for that opportunity even on the southfill where a large lot could be subdivided so that compact smaller business could be established*

**18.39.080 - Maximum height of buildings and structures.**

The following are the maximum heights of buildings and structures in the Harbor Service District:

- A. Principal buildings and structures, 30 feet
- B. Accessory buildings and structures, 20 feet.

**18.39.090 - Required off-street parking and loading.**

Off-street parking shall comply with chapter 18.48 of this code unless otherwise permitted ~~under chapter 18.60 of this code.:-~~

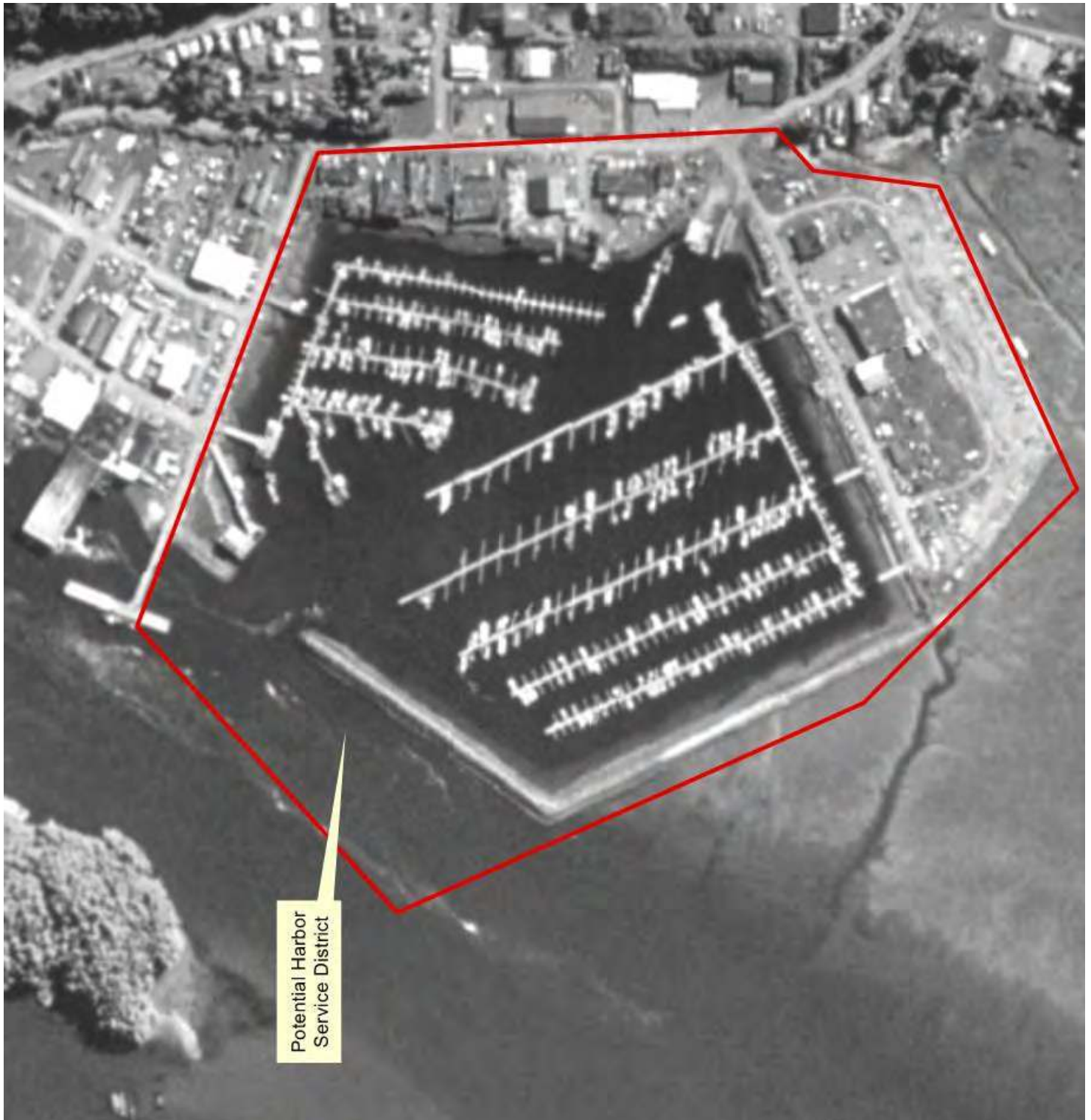
**18.39.100 - Signs.**

Signs may be allowed in the Harbor Service district subject to the supplementary International Building Code (ask Holy how to write this) and as set forth in Chapter 18.44 of this code.

**18.39.130 - Site plan**

A site plan review will be required and shall comply with chapter 18.42 of this code.





**Minutes from the 4/10/2012 P&Z meeting**

Waterfront Commercial Park

Samantha Greenwood - Okay, so what the first question is do we want a Harbor Service Zone or keep all of the areas as they are now?

McGann - We don't have an Economic develop Zone as such right?

Samantha Greenwood - Right

The Commission had a lengthy discussion on the requirements for the Waterfront Commercial Park

Pegau - Basically if we decide to go with what's on the map and that district then \we're scrapping 18.39 and we're going to write a new one that is for that entire district.

Samantha Greenwood ~Do you want me to make an attempt at it first?

Bailer - Make an attempt and put it on our next meeting agenda.

**Samantha Greenwood** - So we're going to go with the area that's delineated in the map.

**Minutes from 5/8/2012 P&Z meeting**

3. CMC Title 18 - Zoning Code

**• Harbor Service District**

**Bailer** - RJ has been patiently waiting here, if you would come to the able and address this and where do you stand on this?

**RJ** was to look at your list, you know in my mind I think you need to look at the Harbor so I would endorse you guys continuing on with this effort. Are the permitted uses adequate? Let me just go on and yes, with a codicil I'd like to refer to and I like the concept of taking a look at a lot of variety around the Harbor. Some of the best Harbors I have ever visited are multi-use. They have a wonderful, eclectic mix of services that surrounds the heart of every community that has a Harbor. And so as you guys go forth on this I want you to all think hard about the fact that I think that makes the most vibrant communities, mixing and matching and allowing small service areas to develop as well as larger services is really important. On lot sizes and coverage and such, I read somewhat as well on John Harvill's comments on the last Planning session and by the way great minutes, it made it really easy to follow your discussions. I really agree with a lot of what John Harvill submitted as it relates and you folks commented on it relating to setbacks and snow load. It's going to be always a real challenge here as to how we deal with snow off of buildings, I think that provisions can be made within that. And I'd like as well if I could make a comment on a couple of things relating to your Worksession on April 3, 2012. Sam had mentioned an issue around the Economic Development Zone with no verbiage in Code; I think it might help if I could just give you a quick background on how that came about. I won't go into a lot of detail but everybody knows that the Science Center located in that area in 1989. We've been there for 23 years, every single project proposal for developing the Science Center starting in 1992 and 1994 has been co-developed with the City and in 1995 when we went through looking at various development options it became obvious that development opportunities for economic development for science and education were huge but the immediate capacity to grow the facility was somewhat challenged, we were just getting started. We went through a real process with Planning and Zoning, Harbor Commission and at that particular time Port and Commerce Development Authority Board which is no longer around but it was a very active group at that particular time and City Council. We

went through a big planning effort relating to preserving economic development opportunity for research and education. There was a consensus that that was the spot, we've all seen it drawn out on the map. So each and every one of those Commissions passed a recommendation on to the Council that they draw a line around there and say this is going to be an economic development zone to take advantage of this long term opportunity to develop more year round employment. That's the genesis of that resolution. I would like to simply on behalf of the Science Center tonight assert that unless the City Council reverses its position on the resolution the language in the resolution should direct the Commissions and other folks involved in looking at planning in the community because it's the document that went through the planning process that was added by the board. I understand that there's not a definition in Code, but certainly the use and intent is well defined in the history of the actions in the four groups that reviewed and thought that this was a good idea. So as you look through the creation of the Harbor Service District J would like you to honor the intent of that recommendation in 1995 because in my mind it offers the best opportunity for the long term economic viability of that particular economic sector in the community. The other part that I noticed in your minutes is that you guys are challenged with taking a look at the Economic Development component of your Master Plan and I think that relates directly to my observations here. So those are my comments and I endorse the process and we'd like to participate actively in a very strategically planned process that makes sure that all of the opportunities are discussed. Thank you so much for the chance to comment. Mike Mahoney~ I have nothing to add, I'm just here as a Board Member of the Science Center to kind of show support for RJ and also for the Science Center and learn about what's going on here.

Lindsey Butters - I'm just here representing Harborside Pizza, to listen to your discussion and be aware.

Kristen Carpenter- I just wanted to put a plug for a comprehensive look at the Waterfront. We've talked in the past about wanting to do some comprehensive waterfront planning and I think if you're going to be considering what happens in the Harbor this would be a really good time. I know that what this particular question deals with is things like setback, parking and things like that, but RJ made a pretty good segue because if we're talking about waterfront that currently does allow for multiple uses and maybe more in the future this is a really good time to plan for that stuff and build it in to what we're doing here. Yes it's very much a working Harbor and I don't see that changing any time soon, but at the same time tourism is growing and I think we've all been to places where the waterfront is accessible and it's easy to walk around town and we've talked about how do we incorporate some of those pathway and walking routes along the waterfront into what we do in town. While I know this is very specific, I wanted to put in a plug for incorporating some more comprehensive waterfront development thinking into the process. I'd like to also advocate for low impact development, what can we do to manage storm water? Where are the appropriate spot in the landscape to do that? I do see people wanting more diversity on the South Fill and there's the area on the northwest side of the harbor, it would be great to allow for more pop up restaurants, more temporary stuff because summer time is when we need those kinds of things and how do we factor those things into the landscape. And if the Watershed Project can help with that or I can just keep coming to meeting making a plug.

Thanks

Mary Anne Bishop~ Good evening, my name is Mary Anne Bishop, I live at 900 Fourth Street and I am representing

the Prince William Sounds Audubon Society, the local organization of which I am President. On behalf of the Audubon I am here tonight to urge Planning and Zoning to begin a public process that will lead to a Comprehensive Waterfront Plan. I have been reading the minutes from the past several meetings. I realize that you are looking at the code piece by piece, for example Waterfront Industrial; Historic Waterfront; Waterfront Commercial and tonight the Harbor. Prince William Sound Audubon Society's concern is the piece by piece approach, Audubon would like to see a waterfront plan where recreation, wildlife habitat, wildlife and fisheries values, view sheds including the Harbor and other aesthetics values are taken into account. These are all community assets and for many people are the reason why they choose to live in Cordova. Waterfront planning has been advocated for several years by the Prince William Sound Audubon Society as well as the Copper River Watershed Project and the Prince William Sound Keeper. We previously requested that Council direct Planning and Zoning to hold a series of public workshops to discuss how Cordova should use its remaining waterfront lands. More than two years later, the workshops still have not happened. So I am here tonight to ask you to consider stepping back and planning for the waterfront before you start zoning or defining areas around the harbor. Thank you very much.

Bailer - So for the record you (Mary Anne Bishop) are against the formation of the Harbor Service District as it stands?

Mary Anne Bishop - As it stands at this point, yeah I think it's putting the cart before the horse. I think it's not the right time, no I think take a step back and look at the whole waterfront then start defining areas.

Bailer - Okay thank you.

Jeff Bailey~ I just want to say thank you for your time I know you guys put a lot of time onto doing what you do and I really appreciate it. I did it once many years ago and I hope it's more than a thankless job that it sometime may be, but I'd rather sit and listen to you guys work through stuff than Council any day I'll tell you that.

Bailer - Thank you

Bailer - Okay Jet's go around the table, Scott I'm going to throw this to you first. Do you want the Harbor District?

Pegau - You know I do think that we should be looking at the Harbor Service District and we'll need to go through the different aspects. I realize at this time that we're just defining the District and not the actual boundaries; I'm assuming that we'll talk about actual boundaries at a later date.

McGann - Yeah, in general I like the notion. But I would like to read the City Council's Resolution, I've never read it.

R.T Kopchak read City Council Resolution 2-95-13. A copy of that Resolution has been placed in the permanent file and can be made available upon request.

Bailer-The Special Economic Development Zone are you (RJ Kopchak) having heartache if this is changed from that to the Harbor Service District?

RJ Kopchak -The Special Economic Development Zone in my mind is an overlay zone that preserves that parcel for that purpose, any other zoning can happen but that parcel was designated specifically by a map and by resolution for that purpose.

LoForte - I have a question, being on the Harbor Commission we're going to throw out the question of filling in the other area which would be encompassed in the Harbor District in the way I read it I didn't see anything that would be derogatory to the Science Center if it moved to the new location of the fill in this district.

RJ Kopchak - I'm not here to represent any location for any facility.

LoForte - My understanding from what you're saying is this area that you're in right now is designated special ground from your resolution, so if you moved that changes everything.

RJ Kopchak - all of our development proposals that have been submitted over the past 15 years have been consistent

with this proposal, all I can say is that that's the current status. We stand by willing to work on any comprehensive land use plan for that area.

Bailer - I guess what I'm saying is that the uses are not inconsistent with the new Harbor Service District.

RJ Kopchak - No, the uses are not inconsistent for what you're proposing. We just want to make sure that as you plan,

you honor this resolution unless the resolution directs us differently. We want to work with you on a development plan that honors everybody's needs as much as possible. Thank you guys

McGann - Both Kristen and Mary Anne intentioned that they would like us to get public input on this and I think it's a good idea.

Bailer - I think that's the process that we're working right now. I think Sam wanted to know if we even wanted to proceed down this avenue because if we left it as it is then there is no reason to have public input. But if we're going to make this change and I think that's what we're deciding right now is the parameters of that change. And then we'll go out and get public input.

**The Commission was in agreement that they want to move forward with the Harbor Service District.**

The Commission has a lengthy discussion on the permitted principal uses and structures and agreed to remove

18.39.020(F) Fueling piers and place that item under Conditional Uses.

The Commission was in agreement that the permitted uses as amended are adequate for the Harbor Service District.

The Commission agreed to remove 18.39.030(B) and amend it to read "'Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing.'" under Permitted accessory uses and structures and place that item under Conditional Uses.

The Commission agreed to amend the language under 18.39.040(B) to now read ~'Fish processing facility two thousand square feet of gross floor space of structure is used for processing.'

PLANNING COMMISSION SPECIAL MEETING  
MARCH 31, 2015  
Planning Commission  
WORK SESSION  
CITY HALL CONFERENCE ROOM  
TUESDAY, APRIL 3rd, 2012  
MINUTES

**In those matters coming before the Cordova Planning Commission at 6:15 p.m.; Tuesday, April 3, 2012, in the City Hall Conference Room, 602 Railroad Avenue Cordova, Alaska, are as follows:**

**A. Call to order –**

- B. Roll Call** Present for roll call were Chairman Tom Bailer, John Greenwood, Greg LoForte, Roy Srb, Tom McGann and Scott Pegau.  
Also present was City Planner Samantha Greenwood.  
There were 2 people in the audience.

M/Bailer S/Greenwood to amend the Agenda to include Pending Calendar under C as subsection #1.  
Motion passed 6-0

**C. CORDOVA MUNICIPAL CODE TITLE 18 - ZONING.**

**Bailer ~** Before we get started, **John (Harvill)** is there something that you wish to discuss?

**John Harvill ~** I thought tonight was going to be a discussion on setbacks because of snow and snow problems. I've been doing quite a bit of work looking into this in the last month because of some problems that Camtu has been having with their neighbor. Remember when you change a setback a couple of feet particularly with narrow lots like these ones we have over here, it really creates a problem with where you can set the building, how you're going to get in and out with access and so forth. So when you do that, realize that this has been a horrible year for snow, but if you look back for the last ten years I barely has any snow on the ground between Brian (Rutzer) and my building. This year between Brian (Rutzer) and my building is flat, even with the top of his roof. So, it's an abnormal year so to increase setbacks in an Industrial area because of an abnormal year I think is really not a prudent way to go. There are other ways to solve the problem; one is roof pitch, if you lessen the pitch of the roofs so that there is more snow retention. There are also snow retention systems, clips that you put on the roof that keep the snow on the roof; that way you wouldn't have snow falling off the roof. And I think that would be a more prudent way of going instead of increasing setbacks. It might be noted that on the particular building that I'm talking about the Camtu's, the majority of that snow was blown snow. Thank you and I appreciate all of the work you guys are doing because here's another meeting and you're out here when you could be home with your family and I appreciate it very much, Thank you.

**Bailer ~** Hold on just a sec John (Harvill), just so you know we've been talking about this for a number of years, this year didn't really spawn this whole idea. And I think it's been more in the residential area that we've seen this happen where people go right up to five foot to the foundation and then build a three foot or four foot deck and then they're two foot from their (indistinct), and that's creating some problems.

CMC Title 18 ~ Zoning

**Pegau ~** So are we trying to figure out what these proposed Districts are going to look like?

**Samantha Greenwood ~** Nope

**Pegau ~** Okay because I thought what was written was the existing.

**Samantha Greenwood ~** What is printed is existing.

**Pegau ~** So right now we have the Business District and you want to change it to Commercial?

**Samantha Greenwood ~** Yes

**Samantha Greenwood ~** This is kind of like when we had the meeting and we combined all of the residential, well we moved right on through the entire Code. So that's the first question right up front, do ya'll want to go down a different road or do you want to do like we did with residential and just stick with what we have and work within those titles. One of the theories that we were looking at when we started this process is try to condense the Zoning Code, so instead of having 28 or however many there are we could condense it. But, you know whatever works.

**McGann ~** To me, it would be nice to know where they are going to be on the ground whether it makes sense to group things together. A lot actually depends on where they lay on the ground.

**Samantha Greenwood ~** Okay so the Waterfront Industrial and Industrial are basically the North Fill, the cannery areas. The Waterfront Historical (Waterfront Historic) is staying as is, it's Orca Cannery and Sylvia's (Cannery Row) area.

**McGann ~** So we don't have any Waterfront Commercial Park?

**Samantha Greenwood ~** That is the South Fill.

**Samantha Greenwood ~** So we have one issue, we'll have to deal with Trident. It shows on a Zoning Map that it's Economic Development Zone which has no verbiage in Code, so in a sense it doesn't really exist although there is a Resolution. It's kind of interesting. Then Business and Central Business they exist on the ground, I think the name change is just to pull apart Business from downtown because downtown is kind of a unique zoning as far as zero lot lines and no parking is required.

**McGann ~** I don't have any problem with consolidation, but as far as it's written they are a little different in the existing Code for Business and Central Business.

**Samantha Greenwood** ~ Parking is the only difference. Well, and zero lot line, there are some things with zero lot line that you can (indistinct).

**McGann** ~ There are zero lot lines in Central.

**Samantha Greenwood** ~ You're right.

**Pegau** ~ There is one odd one that only had twenty feet, there's one in here that's defined totally different than the rest of them as far as the layout and the whole section. So if you look at Waterfront Industrial, just the whole structure of that section is so different it took me a while to catch on. This one says setback instead of yards.

**Samantha Greenwood** ~ That is a newer section of Code and I think. Did I talk about having yards or setbacks? It went around and around. Do we want to use yards? Because remember our definition of a yard is a clear and open space. And an Industrial area typically there's a lot of 'stuff' around buildings you know; you don't really have a clear and open space. You have a lot of storage and a lot of parts and trucks, like the canneries they have tons of stuff all over. That's why that question is there.

**Srb** ~ Well, along with that though Sam, part of what I had on my noted that I wanted to bring out kind of speaks to what Mr. Harvill had brought up is that do we want to have a requirement that they have a space where they can get in there with a loader and get that stuff out. As far as calling it a yard or calling it some kind of designated purpose and whether they fill it up with something that's a code compliance issue. But, like with what's going on over here between those two neighbors only five feet apart on the side yards. To get a piece of equipment in, if you don't get along with your neighbor and you have to trespass on his property to get your snow out that creates a hardship there.

**LoForte** ~ My feeling is that when it comes to setbacks that we should go with the Fire Marshal's recommendations and we should only be concerned with a fire. If we take the position that we're going to monitor storing stuff around because winter is coming it's going to be like Germany in 1933. If we stick with the basics, with the Fire Marshal's requirement of five foot setbacks I think that would be a good way to go and not get into the particulars of being hall monitors for materials and stuff in this town.

**Pegau** ~ I thought even in residential that we were going to define it more as setbacks than yards. So it made sense to me in here that they all be defined as setbacks.

**Pegau** ~ The reason I ask is that if we're going toward structure and we answer questions we should probably answer questions in this format to make it easy to make that conversion.

**Samantha Greenwood** ~ And we can do like we did last time, last time we went over lot coverage, building coverage, setbacks and lot size and the next time we talked more about the permitted uses. Do you want to try to break it up that way?

**Pegau** ~ Works for me

**Bailer** ~ Yep

**Samantha Greenwood** ~ Alright so do you want to start with the Waterfront Industrial just because we kind of like that layout?

**Samantha Greenwood** ~ Okay something I really want to be conscious of is to make sure that we atleast address, talk about and decide if we want a lot size requirement in these areas, because some of these don't have a lot size requirement.

**After a lengthy discussion the Commission agreed to include wholesaling as an individual principal permitted use in the Waterfront Industrial District.**

**After a lengthy discussion the Commission agreed that in 18.33.040 (B) to separate by comma "Timber, Mining, Manufacturing;"**

**Commissioners had a lengthy discussion about which Industrial lots about a State Highway/Road.**

The Commission agreed in the Waterfront Industrial Zone to a twenty five foot setback in the front.

**Samantha Greenwood** ~ Do we have a lot size? Yes, this one is ten thousand. And do we want to do lot coverage or building coverage or both?

**McGann** ~ That's the whole thing if we want to specify lot coverage let's just say max lot coverage.

**Bailer** ~ The Industrial Zone there should be water/sewer and storm drains provided for that, now then comes the issue of the snow storage.

**McGann** ~ Well if you want to address that I think we should do that with building area.

**Bailer** ~ Do we even need to do that or do we simply say that with their Site Plan they are required to have a Snow Storage area? I think that's kind of the way we handle it now isn't it?

**McGann** ~ They have to demonstrate that they're not impacting the City or neighbors.

**Srb** ~ Right now it's just a burden to the tax payers.

**Bailer** ~ It's not a requirement in the Industrial areas to provide snow storage?

**Samantha Greenwood** ~ No

**Bailer** ~ Really?

**Samantha Greenwood** ~ You guys put a Special Condition on a couple of Industrial ones, they couldn't dump snow in the right-of-way. Not that they had to have a snow area.

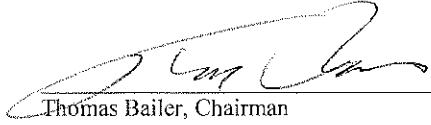
1. Pending Calendar

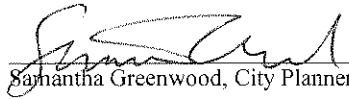


PLANNING COMMISSION SPECIAL MEETING  
MARCH 31, 2015

D. ADJOURNMENT

M/Greenwood S/Srb Motion to Adjourn at 9:00pm  
Upon Voice Vote, Motion Passed 6-0

 7-11-13  
\_\_\_\_\_  
Thomas Bailer, Chairman Date

 7/1/13  
\_\_\_\_\_  
Samantha Greenwood, City Planner Date

## Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

### Sections:

[18.39.010 - Purpose.](#)  
[18.39.020 - Permitted principal uses and structures.](#)  
[18.39.030 - Permitted accessory uses and structures.](#)  
[18.39.040 - Conditional uses.](#)  
[18.39.050 - Prohibited uses and structures.](#)  
[18.39.060 - Minimum lot requirements.](#)  
[18.39.070 - Minimum setback requirements.](#)  
[18.39.080 - Maximum height of buildings and structures.](#)  
[18.39.090 - Required off-street parking and loading.](#)  
[18.39.100 - Signs.](#)  
[18.39.110 - Drainage.](#)  
[18.39.120 - Minimum finished floor elevations.](#)  
[18.39.130 - Site plan and architectural review.](#)

### **18.39.010 - Purpose.**

The following statement of intent and use regulations shall apply in the WCP district: The waterfront commercial park district is intended to be applied to land with direct access or close proximity to navigable tidal waters within the city. Structures within the WCP district are to be constructed in such a manner as to be aesthetically consistent with, and reflect the community's marine—oriented lifestyle. Uses within the waterfront commercial park district are intended to be water-dependent or water-related, and primarily those uses that are particularly related to location, recreation or commercial enterprises that derive an economic or social benefit from a waterfront location.

(Ord. 612 (part), 1986).

### **18.39.020 - Permitted principal uses and structures.**

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

- A. Boat charter services;
- B. Commercial and sport fishing supplies and services;
- C. Docks and harbor facilities;
- D. Eating and drinking facilities;
- E. Fish and seafood markets;
- F. Fueling piers;
- G. Gift shops;
- H. Hotels;

CORDOVA MUNICIPAL CODE 1979  
Title 18 - ZONING  
Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

- I. Laundromats and laundries;
- J. Marine-related retail and wholesale stores;
- K. Offices associated with permitted principal uses;
- L. Recreational goods sales;
- M. Travel agencies;
- N. Visitor information center;
- O. Waterfront parks, access paths, and boardwalks.

(Ord. 612 (part), 1986).

**18.39.030 - Permitted accessory uses and structures.**

The following are the permitted accessory uses and structures in the WCP district:

- A. Accessory buildings;
- B. Parking in conjunction with permitted principal uses and conditional uses;
- C. Outside storage;
- D. Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing. The smoking of seafood is prohibited.
- E. Watchman's quarters.

(Ord. 612 (part), 1986).

(Ord. No. 1073, 7-7-2010)

**18.39.040 - Conditional uses.**

Subject to the requirements of the conditional use standards and procedures of this title, the following uses may be permitted in the WCP district:

- A. Outside storage.

(Ord. 612 (part), 1986).

**18.39.050 - Prohibited uses and structures.**

Any use or structure not of a character as indicated under permitted principal uses and structures or permitted under conditional uses is prohibited.

(Ord. 612 (part), 1986).

**18.39.060 - Minimum lot requirements.**

The following are the minimum lot requirements in the WCP district:

CORDOVA MUNICIPAL CODE 1979  
Title 18 - ZONING  
Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

- A. Lot width, ninety feet
- B. Lot area, nine thousand square feet.

(Ord. 802 § 1, 1998: Ord. 612 (part), 1986).

**18.39.070 - Minimum setback requirements.**

The following are the minimum setback requirements in the WCP district:

- A. Front yard, fifteen feet
- B. Side yard, five feet
- C. Rear yard, five feet.

(Ord. 802 § 2, 1998: Ord. 612 (part), 1986).

**18.39.080 - Maximum height of buildings and structures.**

The following are the maximum heights of buildings and structures in the WCP district:

- A. Principal buildings and structures, 30 feet
- B. Accessory buildings and structures, 20 feet.

(Ord. 623 § 1, 1987; Ord. 612 (part), 1986).

**18.39.090 - Required off-street parking and loading.**

The requirements for off-street parking and loading in the WCP district shall be as set forth in Chapter 18.48 of this code. In addition the following parking requirements shall apply to property in the WCP district:

~~A. Parking areas and drives shall be limited to fifty percent of the required front yards to provide for landscaping, pathways, or similar nonvehicular improvements.~~

B. Parking areas in required front yards shall be separated from property lines to provide for the delineation and limitation of access drives.

(Ord. 802 § 3, 1998: Ord. 612 (part), 1986).

**18.39.100 - Signs.**

Signs may be allowed in the WCP district subject to the supplementary district regulations, the Uniform Sign Code, and as set forth in Chapter 18.44 of this code.

(Ord. 612 (part), 1986).

**18.39.110 - Drainage.**

The developer wishing to develop land in the WCP district shall be required to submit a drainage plan. Such drainage plan shall address stormwater runoff from the unused portion of the lot, and roof runoff.

**PLANNING COMMISSION SPECIAL MEETING  
MARCH 31, 2015**

CORDOVA MUNICIPAL CODE 1979  
Title 18 - ZONING  
Chapter 18.39 - WATERFRONT COMMERCIAL PARK DISTRICT

(Ord. 612 (part), 1986).

**18.39.120 - Minimum finished floor elevations.**

In the WCP district, the minimum finished floor elevations as listed shall be adhered to:

South Fill Development Park	Feet
Block 1, Lot 2	24.00
3	24.00
5	24.00
6	24.25
7	25.00
8	25.50
10	25.75
Block 1, Lot 11	25.75
12	25.25
Block 2, Lot 2	25.00
Block 2, Lot 3	25.25
4	25.50
5	25.75
6	26.00
7	26.00
8	26.00
9	25.75
10	25.50

Note: Elevation datum based on the following: North Bolt fire hydrant at northwest corner of intersection of Nicholoff Way and Railroad Avenue: Elevation 29.84 feet above M.L.L.W.

(Ord. 612 (part), 1986).

**18.39.130 - Site plan and architectural review.**

The development plan of any proposed development in the WCP district shall be subject to review by the planning commission. The architectural plans shall, in addition to requirements of Sections 18.39.010 through 18.39.120, include the following:

- A. Exterior finish material;
- B. Color scheme.

Exterior siding finish of structures shall be wood, stucco, brick or approved metal building material. Color scheme of exterior siding and roof finish shall consist of earth tones.

(Ord. 612 (part), 1986).

# Memorandum

**To:** Planning Commission  
**From:** Planning Staff  
**Date:** 3/26/15  
**Re:** Land Disposal of the Breakwater Fill Lot

---

## **PART I – GENERAL INFORMATION**

Requested Actions: Recommendation to City Council on Disposal Method  
Legal Description: Portions of Lot 1 & 2, Block 7A, Tidewater Development Park and a portion of  
ATS 220; see location map  
Zoning: Unzoned  
Lot Area: See location map; as shown area is 60,329 sq. ft.  
Attachments: Location Map  
Summary of Planning Commission March 10<sup>th</sup> Regular Meeting  
Letter of Interest

## **PART II – BACKGROUND**

Prior to 3/4/2015 this lot had been tied up in a negotiation between the City and the Prince William Sound Science Center (PWSSC). Negotiations ended and the lot became available for disposal. During negotiations, the City Council determined that the amount to be disposed would include all of the fill and rip rap to the toe of the slope as shown in the attached location map. It was also determined that the platting of the lot would occur after the purchase.

**3/2/15** – The City received a letter of interest from George and Carrie Daskalos (see attached).

**3/10/15** – At the Planning Commission Regular Meeting, the commission had a discussion on a zoning change for the Breakwater Fill Lot. See the attached summary. There was concurrence from the commission that they would move forward with zoning the property Waterfront Commercial Park District at the next Regular Meeting.

The commission also had the disposal method for the Breakwater Fill Lot on the agenda. The following motion was made:

*M/McGann S/Pegau* to recommend to the City Council to dispose of Lot 2, Block 7A, Tidewater Development Park, commonly known as the “Breakwater Fill Lot” by requesting sealed proposals to lease or purchase the property with the special conditions contained in the staff report.

Upon voice vote, motion **failed** 2-4.

Yea: *Bailer, Frohnappfel*

Nay: *Greenwood, McGann, Pegau, Baenen*

Absent: *Roemhildt*

Later in the meeting, the following motion was made to reconsider the above motion:

*M/Bailer S/Baenen* to reconsider the vote on Lot 2, Block 7, Tidewater Development Park, commonly known as the “Breakwater Fill Lot.”

Upon voice vote, motion **failed** 3-3.  
Yea: **Bailer, Baenen, Frohnappfel**  
Nay: **Greenwood, McGann, Pegau**  
Absent: **Roemhildt**

3/18/15 – At the City Council Regular Meeting, Council Members Reggiani and Bailer requested that three action items be placed on the agenda concerning the Breakwater Fill Lot. Below is a summary of each action item with the outcome from the council meeting:

- **Action item – Designate as Available for Disposal – Lot 2, Block 7A, Tidewater Development Park (Breakwater Fill Lot)**

The motion to make the lot available was withdrawn due to the fact that the lot was already available.

- **Action item – Designate as Waterfront Commercial Park District Zone – Lot2, Block 7A, Tidewater Development Park (Breakwater Fill Lot)**

The motion was referred back to staff so it could go back to the Planning Commission with the council's recommendation not to zone the lot prior to disposal. Council also recommended that the RFP include the Waterfront Commercial Park District and the Waterfront Industrial District as potential zoning districts for the lot. The City's attorney verified that this is not considered spot zoning and the disposal process can move forward in this manner.

- **Action item – Disposal of City Real Property – Lot 2, Block 7A, Tidewater Development Park (Breakwater Fill Lot) by CMC 5.22.060(4) – Request sealed proposals to lease or purchase the property**

The motion was referred back to staff with the recommendation from City Council to the Planning Commission to recommend moving forward with proposals with the lot being unzoned.

In accordance with the Cordova Municipal Code, the Planning Commission will give a recommendation to City Council of how to dispose of the property.

### **PART III – APPLICABLE CRITERIA**

#### **5.22.040 DISPOSAL OF CITY REAL PROPERTY – Application to lease or purchase.**

*E. The planning commission shall review the application, and recommend to the city council whether the city should accept the application, offer the real property interest for disposal by one of the competitive procedures in Section 5.22.060, or decline to dispose of the real property interest.*

#### **5.22.060 DISPOSAL OF CITY REAL PROPERTY – Methods of disposal for fair market value.**

*A. In approving a disposal of an interest in city real property for fair market value, the council shall select the method by which the city manager will conduct the disposal from among the following:*

- 1. Negotiate an agreement with the person who applied 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.*



#### **PART IV – SPECIAL CONDITIONS**

1. Survey and replat of property will occur during disposal process.
2. Zoning the lot will be required in the sales contract and will occur within one year of the execution of the contract.
3. Harbor Commission will have input on proposals received .

#### **PART IV – STAFF RECOMMENDATION**

Staff recommend disposing the Breakwater Fill Lot as an unzoned lot by requesting sealed proposals to lease or purchase the property with the special conditions contained in the staff report.

#### **PART V – SUGGESTED MOTION**

“I move to recommend to City Council to dispose of the Breakwater Fill Lot *as an unzoned lot* by requesting sealed proposals to lease or purchase the property with the special conditions contained in the staff report.”

Location Map



**Summary of Planning Commission March 10<sup>th</sup> Regular Meeting**

**9. NEW/MISCELLANEOUS BUSINESS**

**c. Discussion on Zoning Change for Lot 2, Block 7A, Tidewater Development Park (Breakwater Fill Lot)**

*J. Greenwood* said that the lot is currently unzoned, and before it goes anywhere it should be zoned. *S. Greenwood* said that the reason she didn't have this as an action item is she wanted them to think about it and agree so that staff can bring this back at the next meeting with a resolution to make the change. *McGann* said that he thought that Waterfront Commercial Park is a good choice for the lot. *Pegau* said that Waterfront Commercial was his first choice, but that it is also abutting Waterfront Industrial and the one big difference between those zones is seafood processing. *Frohnappfel* said that with Waterfront Commercial there is an issue with height restrictions. *S. Greenwood* said that the uses are very different between the two districts.

*Frohnappfel* asked if the lot was 'Available.' *Bailer* said that it was 'Available' and someone was interested in it. *S. Greenwood* said that in the past when a lot has been leased or in direct negotiation the lot was 'Available' before the process and remains 'Available' after. *McGann* said that they should think about a criteria and priorities for that lot. *Bailer* asked if the next step in this process would be to forward a recommendation to Council to make this lot 'Available.' *S. Greenwood* clarified that the lot was currently 'Available.' What she is asking is that they change the zoning prior to it moving forward to Council. *Bailer* said that you might want to have Council weigh in on this. *McGann* clarified that they were giving a recommendation to Council for Waterfront Commercial. *J. Greenwood* said that Council doesn't have to agree, but that's what their recommendation will be.

*Bailer* said he doesn't know if the lot is big enough for a processor, but he would hate to eliminate that option. *S. Greenwood* said that for Waterfront Commercial, the processor cannot be larger than 2,000 square feet. *Pegau* said that the lot could take a much larger processor. *Bailer* said to move forward with Waterfront Commercial, if Council agrees then they are good, if not they can kick it back. *J. Greenwood* said he agreed; they are just giving a recommendation. He verified with the commission that there was concurrence on Waterfront Commercial and that it would come back at the next Regular Meeting to be formalized.

**d. Land Disposal of Lot 2, Block 7A, Tidewater Development Park (Breakwater Fill Lot)**

*M/McGann S/Pegau* to recommend to City Council to dispose of Lot 2, Block 7A, Tidewater Development Park, commonly known as the "Breakwater Fill Lot" by requesting sealed proposals to lease or purchase the property with the special conditions contained in the staff report.

*McGann* said he thinks they have the cart way ahead of the horse with this. *Pegau* concurred with *McGann* and said he thinks they should vote it down and wait until they see how it ends up zoned so they will know better how to dispose of it. *J. Greenwood* agreed and said they need to specify zoning first. He said that it just recently became 'Available' and they don't need to rush out and make it go away right away. *Bailer* said he would disagree since they were ready to sell it before it was zoned to the Science Center. He said if you've got someone looking to spend money he wouldn't mind hearing what they have to say and have it discussed. *S. Greenwood* pointed out that a special condition was that "once issues and concerns related to the zoning of the property have been addressed, the RFP will be released." *Bailer* said he would strike that. *S. Greenwood* asked what they would put in the RFP for the zone. *Bailer* said the same thing they've got in there now. He said to put it out there to see what they get and they can take up the zoning later. *S. Greenwood* said that then you would be zoning based on the use which is spot zoning. *Stavig* suggested they refer it back to staff until the zoning has been worked out.

*J. Greenwood* said that with the special conditions, nothing would happen until the commission and City Council figured out the zoning.

Upon voice vote, motion **failed** 2-4.

Yea: **Bailer, Frohnappfel**

Nay: **Greenwood, McGann, Pegau, Baenen**

Absent: **Roemhildt**

...

## 11. PENDING CALENDAR

*M/Bailer S/Baenen* to reconsider the vote on Lot 2, Block 7, Tidewater Development Park, commonly known as "Breakwater Fill Lot."

*Bailer* said he wasn't sure why it failed. The issue was to move it forward with the special conditions. If they approve it at least it goes to Council and they get to look at it.

*Pegau* called a point of order as a motion to reconsider has to come from someone who voted with the majority. *Bailer* said negative.

Upon voice vote, motion to reconsider **failed** 3-3.

Yea: **Bailer, Baenen, Frohnappfel**

Nay: **Greenwood, McGann, Pegau,**

Absent: **Roemhildt**

February 27, 2015

George and Carrie Daskalos  
10475 Rose Park Ave.  
Las Vegas, Nevada 89135  
(702) 686-5598

Via email: [citymanager@cityofcordova.net](mailto:citymanager@cityofcordova.net)

Via FedEx mail service

Randy Robertson  
City Manager  
City Council- Cordova, Alaska  
P.O. Box 1210  
Cordova, AK 99574

Dear Mr. Robertson and Council Members:

Please allow this letter to serve as our expression of a high level of interest in establishing a new restaurant/bar and approximately 15 room hotel in Cordova. We have had the pleasure of spending a significant amount of time in Cordova and establishing relationships and treasured friendships with numerous residents in Cordova. We firmly believe that we can fill a void which presently exists, by providing tasty fare in a restaurant/bar setting with an attached complex creating approximately 15 upscale hotel rooms to accommodate visitors to the city during the peak of the season. We believe this will be well received by the residents and visitors of Cordova.

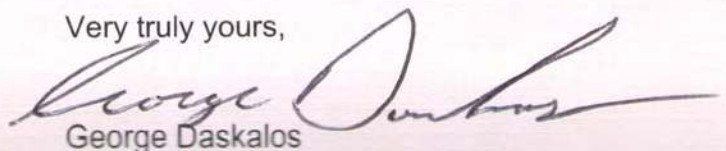
In furtherance of pursuing our business interests we have approached both existing restaurants in the community as well as seeking out sites to establish a newly constructed restaurant/bar and hotel. We have been somewhat discouraged in our quest, by virtue of both over valued restaurants on the market, as well as discussions held with city staff in the planning department, who advise that there are limited parcels of land available for development. Relatedly, we have learned that a new breakwater fill parcel located next to PWSSC may become available, notwithstanding the absence of a parcel map. If we are able to confirm that the parcel is not reserved for use by the PWSSC, then in such event we are interested in pursuing a potential purchase of the parcel from the city for development.

Although a new parcel has not yet been created for the fill lot, it is our understanding that the city is currently in the process of getting a plat completed for the same.

We respectfully request that a copy of this letter be provided to each council member, in advance of the next scheduled meeting on Wednesday, March 4, 2015.

We will anxiously await further directives from you in consideration of our above-mentioned proposal.

Very truly yours,



George Daskalos