

**PLANNING COMMISSION REGULAR MEETING  
JUNE 9, 2015 AT 6:45 PM  
LIBRARY MEETING ROOM  
MINUTES**

**1. CALL TO ORDER**

Chairman *John Greenwood* called the Planning Commission Regular Meeting to order at 6:45 PM on June 9, 2015 in the Library Meeting Room.

**2. ROLL CALL**

Present for roll call were Chairman *John Greenwood* and Commissioners *Tom Bailer, Tom McGann, John Baenen, Allen Roemhildt*, and *Mark Frohnapfel*. *Scott Pegau* was present via teleconference.

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

8 people were in the audience.

**3. APPROVAL OF AGENDA**

M/Bailer S/McGann to approve the agenda.

Upon voice vote, motion passed 7-0.

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

**4. APPROVAL OF CONSENT CALENDAR**

- a. Minutes of May 19, 2015 Public Hearing
- b. Minutes of May 19, 2015 Regular Meeting
- c. Minutes of May 27, 2015 Public Hearing
- d. Minutes of May 27, 2015 Special Meeting

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

Upon voice vote, motion passed 7-0.

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

**5. DISCLOSURES OF CONFLICTS OF INTEREST**

**6. CORRESPONDENCE**

- a. State of Alaska DNR Public Notice

*McGann* wondered if the City had taken a stance on the public notice. He can't imagine seeing an exploratory well off of Softuk Bar. *S. Greenwood* said that she has not heard of a response from anyone at the City. *McGann* said that he thinks they as a city should voice opposition to it. He requested that the correspondence be placed on the City Council's next agenda.

*J. Greenwood* acknowledged the additional correspondence from *Penelope Oswald*.

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

- a. Audience Comments regarding agenda items

**Mary Anne Bishop**, 700 4<sup>th</sup> Street, President of the Prince William Sound Audubon Society, spoke to represent Audubon to reiterate what she spoke about three years ago to the Planning Commission. She came three years ago to urge the commission to begin a public process that would lead to a comprehensive waterfront plan. She said that tonight they are considering a proposal for the breakwater fill and once again they are engaging in a piece-by-piece approach. Audubon would like to see a waterfront plan where recreation, wildlife habitat, viewsheds, wildlife and fisheries values, and aesthetic values are taken into account. She asked that the commission consider stepping back from any decision on the breakwater fill area to undertake a public process for Cordova's waterfront before they start rezoning or redefining areas around the harbor.

**George Daskalos**, with the Salty Steer, wanted to comment on the email received under correspondence. He said that if they were granted the property it would be a year-round establishment. They would have jobs year-round between the restaurant and the hotel. Year-round jobs and growth of the town is shrinking. If they are able to do what they want to do it would be an establishment for the community.

## 8. PLANNER'S REPORT

**S. Greenwood** said that she wanted to make sure that everyone saw the attached spreadsheet on which actions were quasi-judicial versus legislative. She said if there were any ideas on training for the commission, staff would like them. **Bailer** said he appreciated the spreadsheet and suggested that when actions come up in future packets to note whether they are quasi-judicial or legislative.

## 9. NEW/MISCELLANEOUS BUSINESS

### a. Review of Proposal for Breakwater Fill Lot

M/Bailer S/Baenen to recommend City Council approve the proposal from George and Carrie Daskalos for the Breakwater Fill Lot.

**Bailer** said that he thinks it is a good start, and that if somebody is going to invest \$3.5 million into property it is enticing. **Pegau** asked if the aid to navigation would have to be moved to fit under the overhang. **Daskalos** said that right now it does not. **Pegau** said he is not sure that the proposal is what they want to have for such a high-profile lot. He's not sure that it is better than moving the Mariner's Memorial over to the lot and creating a park and parking lot to relieve the parking problem. He said it was good to know that it isn't seasonal, but if you are coming in from the sea you are going to see a box so he did not rate it high for aesthetic value. **Baenen** said he thinks that the architectural details are not there because they don't have full plans yet. He said it will bring more business into Cordova with the Cordova Center. There are not enough beds in town and the price is right on the investment. He thinks it would be good for Cordova. **Daskalos** said that anything built there would be fully engineered. **Frohnappfel** said that he thinks it is an ingenious use of the lot. He said there was a shortage of places for people to eat and stay. **Roemhildt** said he had a concern that directly adjacent to the property is a dock where business is being conducted throughout the hours of the night. He is in favor of a hotel and restaurant in town, but this is only the first proposal that they received. **McGann** agreed and thinks they should extend the public notice period to see if they can get other proposals. His main reason for not recommending the proposal to council is that it is just one proposal on the most valuable lot in town. **J. Greenwood** asked about the easement in the proposal. **Daskalos** said that the easement was a seating area and public access. They are not trying to block it off from the community. **Bailer** said he would have never thought to put the building on the lot like that. He supports the proposal and kicking it up to City Council. He would like to see the plan have a little more public input. Maybe there is something he is missing or maybe the majority of the community doesn't want to see development, but he likes it. **Frohnappfel** verified that the lease would generate \$30,000 a year. **McGann** agreed that there needs to be more public input. He has heard a lot of input from people wanting the City to keep the property. People have even suggested moving the Harbormaster's office there like every other harbor. **Roemhildt** verified that whether their motion passes or fails it will go to council. **Frohnappfel** said he agrees with the idea that Cordova is open for business. He said the lot has already been sold once; at what point do they stop business because they are waiting for a better deal? Based on the

proposal that he sees, he supports it. *Baenen* said that there is already a shortage of rooms in town and he supports the proposal. *J. Greenwood* said his only regret was not having more proposals, but you can't force people to give proposals. *Bailer* said that there are not a lot of \$3.5 million projects walking through the door. *Pegau* said that the issue with public comments is that it was rushed through the door in a big hurry. As soon as the Science Center dropped their request, they were putting it on the street and they couldn't even get a ruling on the zoning for it. He would be a lot more comfortable if they had looked for public process in this before they picked a single proposal. *Daskalos* said he is trying to put out a project with a lot of money. They have spent well over \$100,000 just to get here to show the community how serious they were. They tell everyone who comes to their establishment that they are trying to purchase the property and that it isn't just a lease. He doesn't want to be the one on the block trying to put up a lot of money and then have the City try to get a better deal when nobody is anteing up right now. *Roemhildt* said that it's not that they are overlooking his big investment in the City, it's just that there are lots of uses for the land and it is a big decision. *Daskalos* said he just doesn't want to be the one to put a proposal so that someone can bid better. There was so much time for people to get proposals in and show what they wanted to do. They want to be here and whether this happens or not they are still going to be in Cordova for the next two or three years permanently. *Bailer* said that he knows what *Daskalos* means to be putting money into a project. As far as the idea for the park, the property was on the sale block for a couple of years and nobody was telling them not to develop it and make it into a park. Everyone was on board with the Science Center and it would have been a nice investment in the community, but the Science Center decided to pursue other options.

Upon roll call vote, motion passed 4-3.

Yea: Greenwood, Bailer, Baenen, Frohnapfel

Nay: McGann, Pegau, Roemhildt

**b. Resolution 15-09 – Reducing Ground Snow Load Requirement**

**A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to amend Subsection 16.15.2305(d) of the Cordova Municipal Code in order to reduce the ground snow load requirement from 150 pounds per square foot to 100 pounds per square foot**

M/McGann S/Bailer to approve Resolution 15-09.

*McGann* said that he was one of the ones that voted in favor of it before and he changed his mind. It is overkill. It increases the costs dramatically, not just for materials but engineering. He thinks they should stick with the IBC recommendation of 100 pounds. *Roemhildt* said that he was in favor of the resolution. *Pegau* referred to the maximum snow height on page 66 and wanted the commission to realize every time you've exceeded 36 inches, you have come close to exceeding the 100 pound snow limit. He also wanted them to keep in mind that was for sea level. He said that every house at 200 feet is going to exceed that 100 pound snow load about every five years. He knows that they talked about mitigating it by shoveling, but it is a safety issue. They should engineer at a level that is not to be exceeded by at least the 25 year average. *Baenen* said that he is in favor based on the sheer cost of construction. During Snowpocalypse, there was no failures of actual 100 pound snow load houses. *Bailer* said he is in favor of the resolution. *Frohnapfel* verified that if a building was substantially damaged or destroyed it would have to be built back to whatever the existing code is. *J. Greenwood* is also in favor of the resolution and referred to page 70 of the engineer's report with the safety factors that are engineered into a building.

Upon roll call vote, motion passed 6-1.

Yea: Greenwood, Bailer, McGann, Baenen, Roemhildt, Frohnapfel

Nay: Pegau

**10. UNFINISHED BUSINESS**

**a. Resolution 15-06 – Code Change for Waterfront Commercial Park District**

**A resolution of the Planning Commission of the City of Cordova, Alaska recommending to the City Council of the City of Cordova, Alaska to amend Cordova Municipal Code Chapter 18.39 to change the requirements in the Waterfront Commercial Park District and to amend Chapter 18.08 to change and add definitions to Title 18**

M/Bailer S/Baenen to approve Resolution 15-06

*S. Greenwood* said that this is back with grade plane and building height as defined in the IBC and so the commission had more time to consider the nonconforming issue. *McGann* said that most of the commercial building areas are flat, so it doesn't really come into play. He doesn't think that changing the height definition would make anything nonconforming. As far as the yards go, the mistake seems to have been made in the past. He doesn't have too much heartburn with making buildings nonconforming, but he said he would yield to the rest of the commission. There was consensus from the commission to not change the yard requirements in order to avoid making nonconforming buildings. *S. Greenwood* said that the new grade plane definition and the existing grade definition are similar, however the definitions for building height are different. The new definition would be the average height, so that technically a building can be taller and will not create nonconforming buildings. *McGann* suggested that the commission keep the existing definition. There was consensus to not change the existing definition for building height.

Upon roll call vote, motion passed 7-0.

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

**b. Discussion on Resolution 15-07**

*S. Greenwood* explained that the resolution was brought to City Council and that Council Member *Josh Hallquist* asked the commission to justify why City Council should spend the money to update the codes. *McGann* said that back in April, *S. Greenwood* estimated it would take about five hours per chapter and that is just for her part. *McGann* said that his big issue with codes was Title 16 as they are not in compliance with state law. It is a mess and needs to be gone through. *Roemhildt* said it was hard to get a loan for a house if it is not up to code. *Bailer* said that there are other communities that have these codes that are up to date. They have done code edits before by looking up others' codes and copying it, which eliminates using lawyers. *McGann* said that *S. Greenwood* gave them local amendments from other municipalities in the past and she could do so again. He said that they could cut-and-paste a lot of it. *S. Greenwood* said it's not just going out and doing that; it takes a lot of research. She has brought amendments to the IBC and IRC to the commission multiple times and it is overwhelming. *McGann* said that he feels comfortable with the building codes, but they also have the plumbing, mechanical, and fire codes. *Bailer* said that there is not a lot of expendable money. *McGann* said he hasn't been on the commission very long, but they have been chewing on it the whole time and they have to get it done. *Bailer* said it might take *McGann* presenting their case and it is going to be a hard sell. *Frohnappfel* said that it needs to be done. The City has the staff to take some of this on and they need to have something to enforce. It is up to the commission to give those who are enforcing the right guidelines. *McGann* said that he thinks the 2009 IBC and IRC should be adopted. *S. Greenwood* said that the money is for a code update only. They just spend a lot of staff time on Chapter 18.39 and that was just one chapter. The money that they are requesting does not include 500 commission meetings to go over each section of code. *Baenen* said that he does not want to do that. *McGann* told the commission to look at the code online. He gave some examples of how dated Title 16 was. The commission discussed how a building inspector would factor into the adoption of codes. *S. Greenwood* said that the code update would just be fixing up the code and making it current along with adopting the necessary codes. *Pegau* said he keeps wondering how they could do it for less, but that he thinks it is already underbid as it is. *Frohnappfel* said that another reason for the update would be the amount of hours the commission and staff has already put into proposed changes. *Baenen* said additional reasons are that it hasn't been updated in over 30 years and the codes need to be updated so that when the building inspector begins it is already done. *S. Greenwood* said that it wasn't just building codes, its subdivisions too. There is no process for a short plat. It is difficult to pull out what you need to require for some plats.

## 11. PENDING CALENDAR

*Frohn Apfel* said that a good training topic would be grandfathering and repercussions of changing codes. He asked what the repercussions would be for adopting new codes.

*Pegau* suggested they do training on variances.

## 12. AUDIENCE PARTICIPATION

## 13. COMMISSION COMMENTS

*Pegau* thanked the commission for their patience with him on the phone.

*McGann* thought it was a good meeting. He finds it ironic that they have a steakhouse on the corner of a seaport.

*Roemhildt* thanked *S. Greenwood* for her hard work.

*Frohn Apfel* said when he goes to a restaurant he doesn't want seafood; he wants steak. He can catch his own seafood.


*Bailer* said that at the last council meeting they set the mill rate. They dropped it a little less than half a percent, even though the assessments went up 5%.

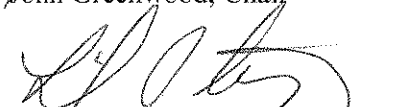
*Baenen* said he made it and is still awake.

## 14. ADJOURNMENT

M/Bailer S/McGann to adjourn the Regular Meeting at 7:28 PM.  
With no objection, the meeting was adjourned.

Approved:

  
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John Greenwood, Chair

  
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Leif Stavig, Assistant Planner

