

Chairman
Tom Bailer

Commissioners
David Reggiani
John Greenwood
Roy Srb
Tom McGann
Scott Pegau
John Baenen

City Planner

Samantha Greenwood

Assistant Planner

Shannon Joekay

PLANNING COMMISSION PUBLIC HEARING

June 11, 2013 @ 6:30 PM
LIBRARY MEETING ROOM

AGENDA

1. CALL TO ORDER

2. ROLL CALL

Chairman Tom Bailer, Commissioners David Reggiani, John Greenwood, Roy Srb, Tom McGann, Scott Pegau and John Baenen

3. PUBLIC HEARING TOPIC

- a. Conditional Use Permit Request by Sjostedt Family Trust for construction of
3 'Zero-Lot Line' Duplexes(Pages 1-18)

4. ADJOURNMENT

If you have a disability that makes it difficult to attend city-sponsored functions,
you may contact 424-6200 for assistance.

Full Planning Commission agendas and packets are available online at www.cityofcordova.net

Memorandum

To: Planning Commission
From: Planning Staff
Date: June 4, 2013, 2013
Re: Conditional Use Permit request for 0 Lot Line Duplexes (3 total)

PART I. GENERAL INFORMATION

File No: 02-373-187,189,191,193 and 02-373-095
Requested Action: Conditional Use Permit to build three (3) zero lot line duplexes
Applicants: Sjostedt Living Trust
Address: 304, 306, 308, 310 Lake Avenue and 303 Rail Road ROW
Legal description: USS 828 Lots D,E,F, G, and John Wheeler Subdibvisionm Lot B
Zoning: Lots D,E,F, G are zoned Medium density Residential and John Wheeler Subdivision Lot B is zoned Low Density Resdential

PART II. BACKGROUND

A request to build 3 duplexes on 5 lots has been received. The city code requires a Conditional Use permit to build a zero lot line townhouse. Our current city code does not have a definition of a townhouse or duplex but definitions for each were researched and reviewed and in some cases the words are used interchangeably, in the planner's dictionary a townhouse was defined as

Townhouse A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation. A single dwelling unit located or capable of being located on a separate lot.

Duplex A structure on a single lot containing two apartment units, each of which is totally separated from the other by an un-pierced wall extending from ground to roof or an un-pierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

The intention of the applicant is sell all the units on individual lots thus falling into the townhouse definition.

In order to better understand the project a summary for Lots D, E, F and G will be provide followed by Lot B in the Wheeler Subdivision.

Lots D, E, F and G

The applicant has proposed 2 townhouses on lots D, E, F and G that would be accessed from Lake Street (see attached location map). He is currently working with the State DOT Right Way division to obtain a driveway permit. He has also spoken with all the utilities about this application and plan (see attached). The building drawings are attached and labeled. Attachment A shows an over view of both lots. As you can see in this attachment there are easements provided to the outside lots for drive way access, which will also be used for sewer easements. The applicant has worked with Public works staff concerning the sewer; they have agreed that the sewer crossing property lines are a better alternative to a lift station as long as is an easement is provided. Public works prefers this alternative to lift station that would be required if the sewer main was to be accessed off of Lake Avenue. Public works would require a clean out on Lot D and a manhole on Lot F in order to access the entire sewer line. Attachment F shows the easements for the sewer through Lot B Wheeler Subdivision to the main on Rail Road ROW.

Lot B in the Wheeler Subdivision

Attachment E shows the placement of the proposed 0 lot line duplex on the Lot B of Wheeler subdivision. This duplex will have the same layout and design as the proposed duplexes on lots off of Lake Avenue. The two proposed lots can access utilities and be accessed from Rail Road ROW. This lot will have to be subdivided and a sewer easement delineated for the lots above. Also this attachment shows a potential driveway access point for the lots above, if a driveway permit cannot be received from the State of AK. The preferred alternative is to access the lots above from Lake Avenue. If duplexes are built and sold as individual units the minimum lots size for Low Density Residential can be met.

PART III. REVIEW CRITERIA

Applicable zoning regulations for this request are:

Chapter 18.60.010 (S) Conditional Use Permits
Chapter 18.20 Low Density Residential
Chapter 18.24 Medium Density

PART IV. SUGGESTED FINDINGS

Chapter 18.60.010 (S)

This section of code has a list of guidelines to be addressed when a 0-lot line townhouse applications is received. The guidelines have been addressed and are attached.

Chapter 18.24 Medium Density Residential and 18.20 Low Density Residential zones have the same requirements and are addressed below.

18.24.010 & 18.20.010 - Permitted uses

A. One-family, two-family and multiple-family dwellings

18.24.020 & 18.20.020 - Building height limit

The maximum building height in the R medium density district shall be three and one-half stories but shall not exceed forty-five feet.

18.24.030 & 18.20.030 - Lot area

B. The minimum lot area for dwellings in the R medium density district shall be:

1. for a one family dwelling, four thousand square feet per dwelling unit;
2. for a two-family and three-family dwelling, two thousand square feet per dwelling unit;

18.24.040 & 18.24.040 - Front yard.

There shall be a front yard in the R medium density district of not less than ten feet from curb line.

18.24.050 18.20.050 - Rear yard

There shall be a rear yard in the R medium density district of not less than twenty five percent of the depth of the lot but such yard need not exceed fifteen feet.

18.24.060 & 18.20.060 - Side yard.

A. There shall be a side yard in the R medium density district of not less than five feet. The minimum side yard on the street side of a corner shall be ten feet.

Lots D, E, F and G are 50 feet X 100 feet each duplex lot will exceed the minimum lot Requirements for the Medium Residential zone. Lot B Wheeler Subdivision is a single lot with 12,870 square feet and as shown in Attachment E could be subdivided into two lots of 5000 and 4500 square feet plus the 3370 square feet shown as the driveway & Sewer easement (7870 square feet) which would be designated as a driveway easement if needed but will remain a sewer easement regardless. These lots would meet the minimum lots requirements for Low Density Residential. All yard setbacks are met in for all lots in the drawings attached.

Additional Condition Use Permit Criteria

1. The requested conditional use permit is deemed essential or desirable to the public convenience or welfare.

The addition of housing in Cordova is generally considered a need for the city of Cordova, and would be desirable to the public welfare and convenience. Duplexes provide a denser housing unit where private property is limited.

2. The requested conditional use will not permanently or substantially injure the lawful use of neighboring uses.

The Conditional Use Permit is for a residential use in residential zones, it will not permanently or substantially injure the lawful use of the neighboring uses.

3. The requested conditional use is a conditional use expressly permitted by the zoning ordinance in which the conditional use is requested.

Uses cited in Section 18.60.010 are permitted in any zone district with a conditional use permit unless otherwise specified. Zero lot town houses are address in section 18.60.010 (S)

The Cordova Municipal Code requires the Planning Commission to consider the following When deciding whether to issue a Conditional Use Permit:

1) Whether the requested Conditional Use Permit is deemed essential or desirable to the public convenience or welfare;

The addition of housing in Cordova is generally considered a need for the city of Cordova, and would be desirable to the public welfare and convenience. Duplexes provide a denser housing unit where private property is limited.

2) Whether the requested conditional use is in harmony with the various elements or objectives of the Cordova Comprehensive Plan and the Zoning Code;

The request for the CUP is for residential use in residential zones thus is in harmony with the zoning code. The Comprehensive plan references a need for housing, especially rental or seasonal housing, and this request is for multiple townhouses which will supply additional housing.

3) Whether the requested Conditional Use is a conditional use expressly permitted by the Zoning Code in which the conditional use is requested.

Sections 18.20 and 18.24 Low and medium residential do not list conditional uses in the actual code section. This is specifically address in 18.60 Conditional Use (S).

PART V. STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve this requested conditional use permit to build 3 Townhouse units – 2 on lots D, E, F and G USS 828 and 1 unit on Lot B Wheeler Subdivision with the special conditions listed below.

PART VI. SUGGESTED SPECIAL CONDITIONS

1. Lots D, E, F and G USS 828 will be re-platted to show all sewer, and driveway easements upon completion of construction of townhouse.
2. Lot B Wheeler Subdivision will be re-platted if townhouse is built and will show all easements and new lots. If townhouse is not built, but Lot B is used to provide access and/or a sewer easement to lots D, E, F and G USS 828 a legal description of the easements including a drawing approved by the City Planner will be recorded at the States Recorder Office.

PART VII. SUGGESTED MOTION

“I move that the request by Sjostedt Living Trust to build 3 Zero lot line Townhouses – 2 on lots D, E, F and G USS 828 and 1 unit on Lot B Wheeler Subdivision be approved with the special conditions cited in the in this staff report written 6/4/2013. “

Chapter 18.60- CONDITIONAL USE PERMITS

Sections:

18.60.010 - Uses permitted by planning commission approval.

The city planning commission may, after proper notice and public hearing, permit the following exceptions in any district unless otherwise specified, where such uses are deemed essential or desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive city plan and the zoning ordinance. In approving the uses referred to in this chapter, the city planning commission shall have the authority to impose such conditions and safeguards as it deems necessary to protect the best interests of the surrounding property or neighborhood and the comprehensive city plan and zoning ordinance:

S. Townhouse and Zero Lot Line Developments. In the case of townhouse and zero lot line developments where one structure will contain two or more dwelling units, and the contemplated arrangement of the overall project makes the strict interpretation of this title impractical, the planning commission may, **after a public hearing, permit such development provided the following guidelines are followed:**

1. That the proposed dwelling group will constitute a residential environment of sustained desirability and stability, that it will be in harmony with the character of the surrounding neighborhood, and it will result in an intensity of land utilization no higher, and standard of open space at least as high, as permitted or specified in this chapter in the district in which the proposed dwelling is to be located,

These lots are zoned medium and low residential density residential where permitted uses include one-family, two family and multifamily units. The development of individually owned townhouse units promotes residential uses and there are other two family uses in the neighborhood.

2. That the tract of land on which the dwelling group is to be erected comprises a minimum of sixteen hundred square feet per dwelling unit for each dwelling unit within the proposed development,

Each lot does (will for lot B) exceed the requirement of 4000 square foot lot.

3. That the buildings are to be used only for residential purposes and the customary accessory uses, such as garages, storage spaces and recreational and community activities.

The intent of the duplexes are for residential use and are being built in a residential zoning district.

4. That these are provided, as part of the proposed development, adequate recreation areas to serve the needs of the anticipated population

The individual lots will be 5000 square feet and will provide yard space adequate for recreational purposes for the property owners.

5. That off-street parking be provided on the basis of two parking spaces for each dwelling unit within the development. This requirement may be fulfilled

by either two parking spaces adjacent to the dwelling unit or a parking area adequate to accommodate the total development parking requirement at a location conveniently located to all the dwelling units within the development,

There is adequate space to provide 2 spaces per dwelling unit on each lot. See Attachment A and E .

6. That the developer furnish the planning commission with two copies of the homeowners agreement which will cover such areas as property maintenance, dwelling unit maintenance and upkeep, etc. Only copy will be forwarded to the city attorney for his review and comments,

The intention of the builder is to sell the units individually; this development is not an apartment type or landlord set up.

7. That the development will not produce a volume of traffic in excess of the capacity, for which the access streets were designed,

This development will be adding 6 dwelling units to an area zoned medium and low density and will be accessed from Lake Street. Lake Street is a main traffic through fare and the impact from the additional dwellings should not overload the road.

9. That such dwelling group shall only be located on a district which permits residential use,

This development is in Residential Medium and low Density both of which permit 2 family dwellings.

10. That the developer agrees in writing to comply with any additional stipulations required by the planning commission prior to the issuance of a conditional use permit.

Attached

11. That the developer submits detailed construction plans to the planning commission prior to issuance of a building permit, A full set of building plans will be presented and included in the P&Z packet for approval.

See attachments A, B, C, D, E &F.

12. That the proposed group housing development will be consistent with the intent and purpose of this title to promote public health, safety and general welfare,

The development of 3 duplexes will be consistent with the medium and low density zoning and will provide additional safe housing for Cordova residents. Driveway access is large enough to accommodate emergency vehicles.

13. Upon submission of a request for a conditional use permit for townhouse development, the developer will submit a fee of five hundred fifty dollars to the city to help defray the cost of review, postage, maps, advertisements, etc., connected with the proposal. This fee will not be refundable if the request is withdrawn or denied. *Deposited*



Adams Ave

Second St

Third St

Fourth St

Lake Ave

D E F G

Lot B

Railroad Row



Chase Avenue

CONDITIONAL USE PERMIT APPLICATION

CITY OF CORDOVA

INSTRUCTIONS

Print or type requested information. Incomplete applications will be returned to the applicant and will delay the processing of your request. All applications must be filed with the Planning Department 21 days prior to the next Planning Commission meeting date.


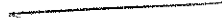
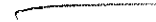
TYPE OF REQUEST	FEE
Conditional Use Permit	\$650

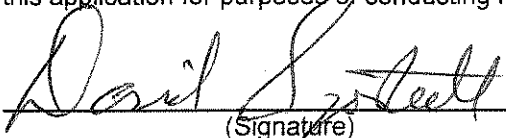
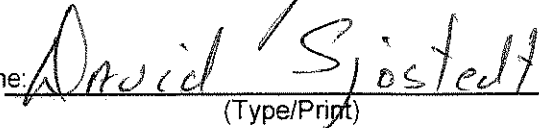
APPLICANT INFORMATION

Name	Sjostedt Living Trust
Address	PO Box 1028
Telephone [home]	907-424-5702
Business Name	—
Business Address	—
Telephone [business]	—
Business FAX	—
Project architect/engineer	Dave Sjostedt
Address of architect/engineer	Same as Above
Telephone of architect/engineer	—

PROPERTY/PROJECT INFORMATION

Address of subject property	Lots DEFL6 Glaser Sub
Parcel identification number	US Survey 828
Property owner [name/address]	Lot (B) Walter Wheeler Sub
Current zoning	URS 828
Proposed use	Residential
Construction start date	

CONDITIONAL USE PERMIT APPLICATION - Page 2	
Owner of property (if different than applicant). If multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheet if necessary.	
Real Estate Firm/Broker handling sale of property. Provide name and address. Note: <i>If you do not own the property, you must provide a copy of a Purchase Agreement or instrument acceptable to the city indicating the owner is fully aware of, and in agreement with, the requested action.</i>	
City Business License Permit Number (if applicable)	

APPLICANT CERTIFICATION	
<p>By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate. Furthermore, I (we) hereby authorize the City and its representatives to enter the property associated with this application for purposes of conducting necessary site inspections.</p>	
By:  (Signature)	By: _____ (Signature)
Name:  (Type/Print)	Name: _____ (Type/Print)
Date: <u>5-28-13</u>	Date: _____

CITY USE ONLY - PLEASE DO NOT WRITE IN THIS SECTION	
ITEM	ACTION
Date application received:	
Fee paid:	
Does application require a public hearing? Planning Commission: City Council:	
Staff review date/reviewer name:	
Planning Commission final action:	
City Council final action:	
Other:	

CONDITIONAL USE STANDARDS 18.60

The Planning and Zoning Commission may only approve the conditional use if the Commission finds that **ALL** of the following 3 standards are satisfied. Conditional uses are subject to strict review because of the potential they hold to harm neighboring properties.

1

Explain how the requested conditional use permit is reasonably necessary for the public's health, safety, and general welfare.

More Housing

2

Explain that the requested conditional use will not permanently or substantially injure the lawful use of neighboring properties.

Should Not Have Adverse Affect
on Adjacent Properties

3

Explain that the requested conditional use is a conditional use expressly permitted by the zoning ordinance in which it is requested.

Request to Build $\frac{1}{2}$ of the Structure
To Border on Property line Zero Lot Line

Explain how the proposed conditional use will not have a permanent negative impact on the items listed below substantially greater than that anticipated from permitted development:

1. Pedestrian and vehicular traffic circulation and safety.

Should only Slightly Increase Traffic
For Local Residents

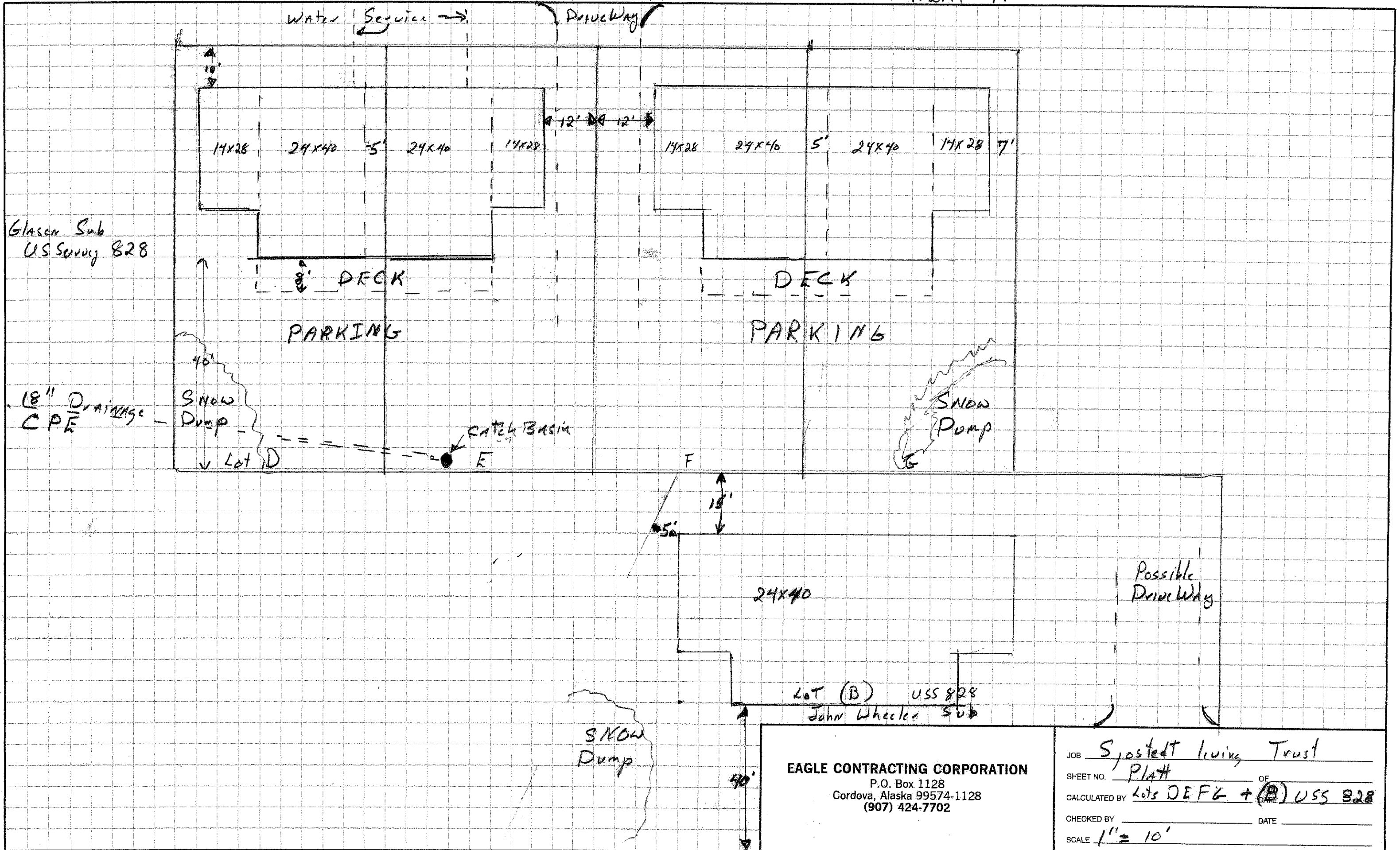
2. The demand for and availability of public services and facilities.

Should Be No Change

OTHER REQUIREMENTS

1. Any application approved by the planning commission shall be conditional upon the privilege granted being utilized within twelve (12) months after the effective date of approval.

2. Site and Building Plan: One copy of a site plan, drawn to scale, showing the location of all existing and proposed buildings or improvements, elevations of such buildings or alterations, and off-street parking areas.





PL →



40'

Roof over
Deck

DECK

ROOF

WALL

PL →

10'

← Drive Way →

LAKE
ADE

EAGLE CONTRACTING CORPORATION

P.O. Box 1128
Cordova, Alaska 99574-1128
(907) 424-7702

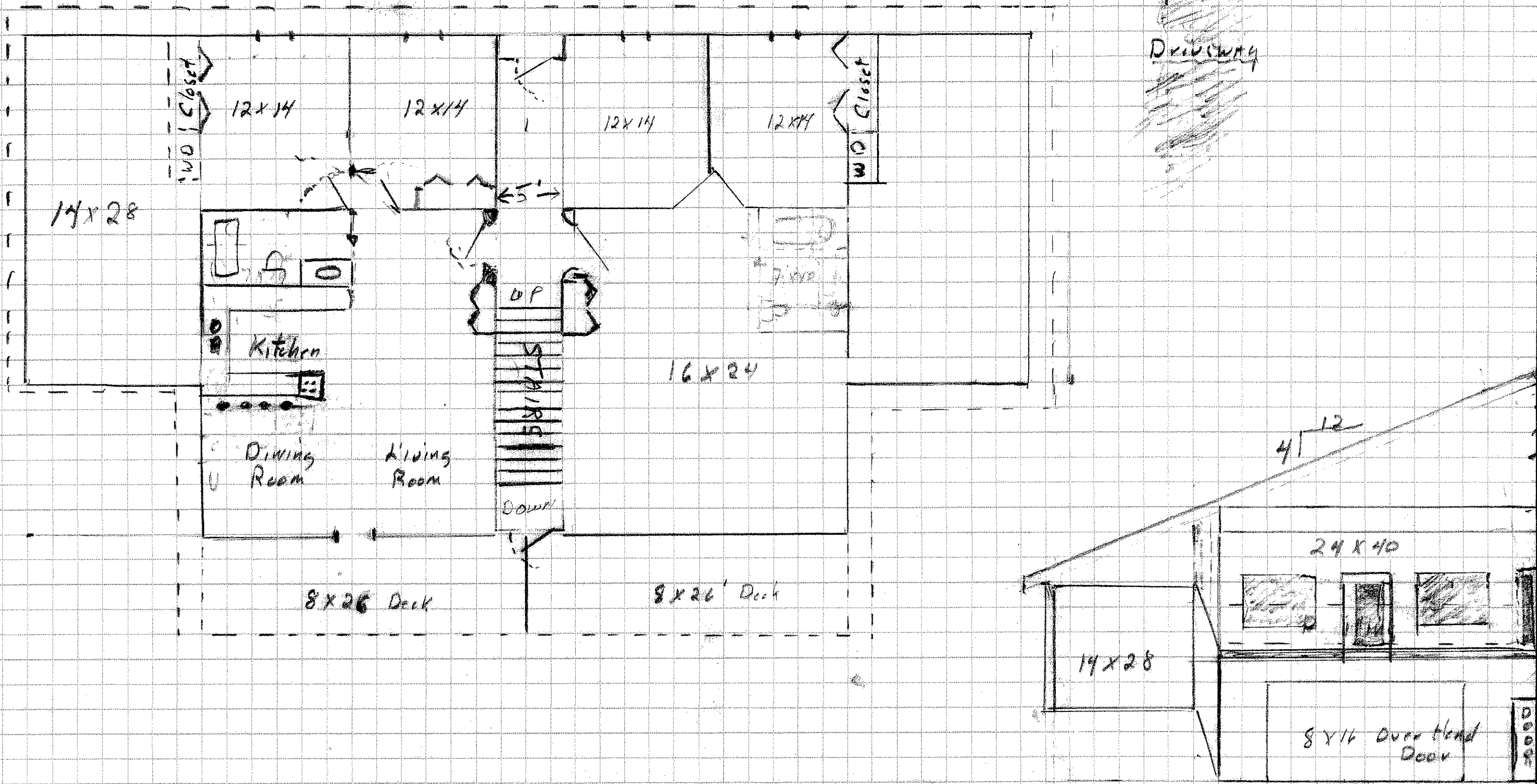
JOB _____

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

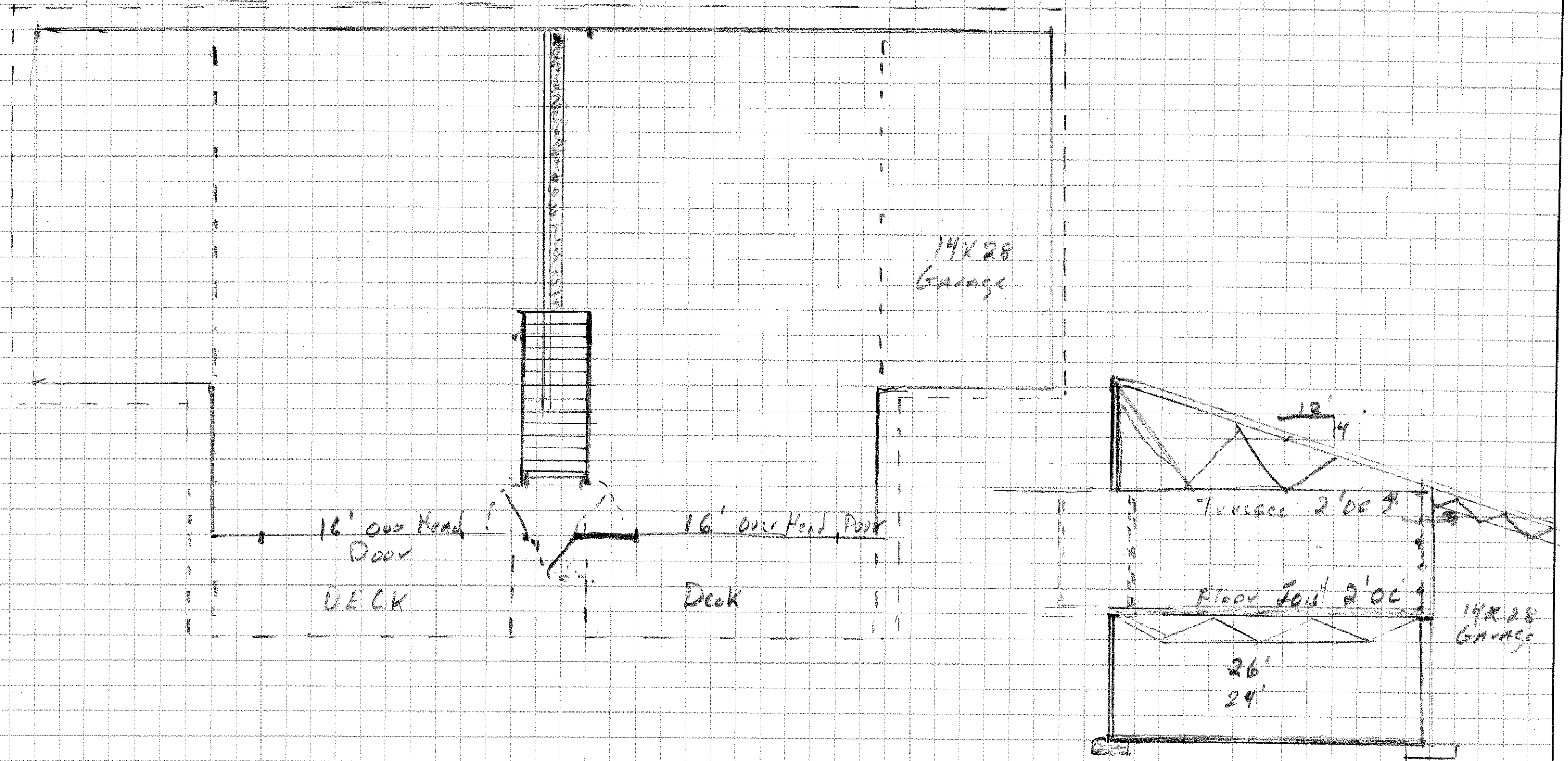
CHECKED BY _____ DATE _____

SCALE _____



EAGLE CONTRACTING CORPORATION
P.O. Box 1128
Cordova, Alaska 99574-1128
(907) 424-7702

JOB Spoisted Living Trust
SHEET NO. 1st Floor & Profile
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____



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P.O. Box 1128
Cordova, Alaska 99574-1128
(907) 424-7702

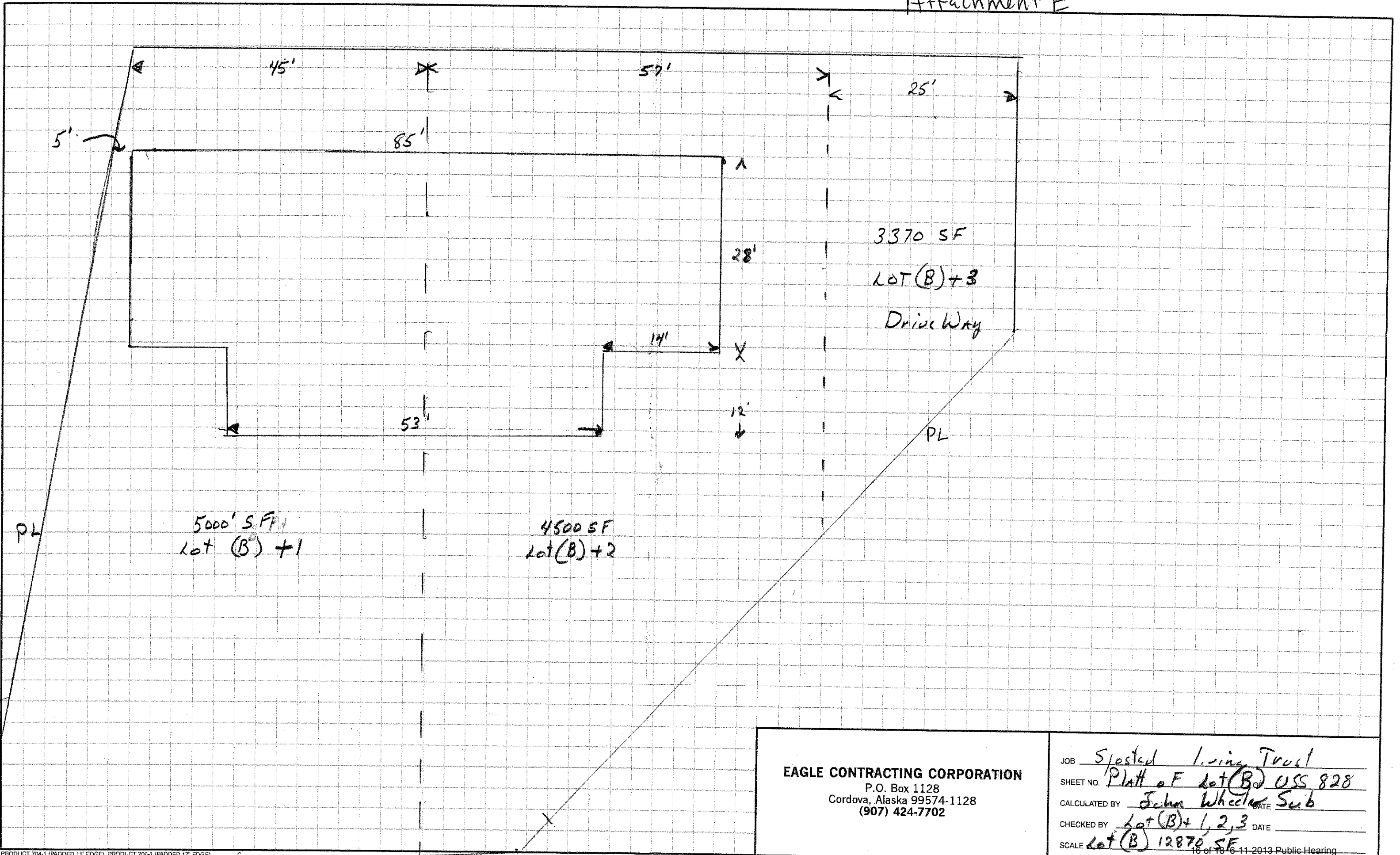
JOB Spartan Living Trust

SHEET NO. Daylite Basement

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

SCALE _____



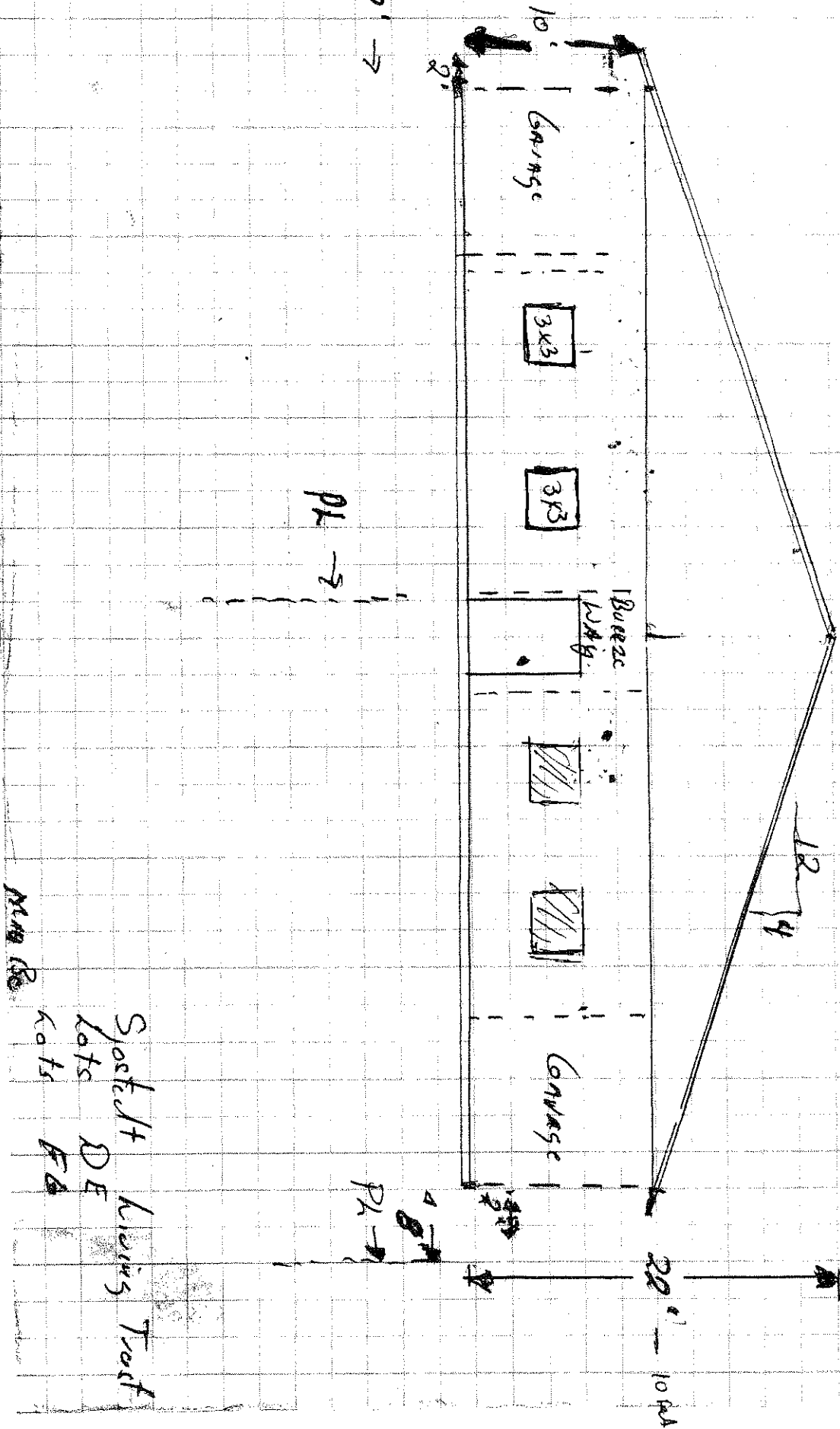
EAGLE CONTRACTING CORPORATION

P.O. Box 1128
Cordova, Alaska 99574-1128
(907) 424-7702

JOB Spotted Living Trust
 SHEET NO. Plat of Lot (B) USS 828
 CALCULATED BY John Wheeler DATE Sub
 CHECKED BY Lot (B)+1, 2, 3 DATE _____
 SCALE Lot (B) 12870 SF
 10 of 18 6-11-2013 Public Hearing

D. 1.4 + 1.4 (B) 1.4

Laice Attachment F



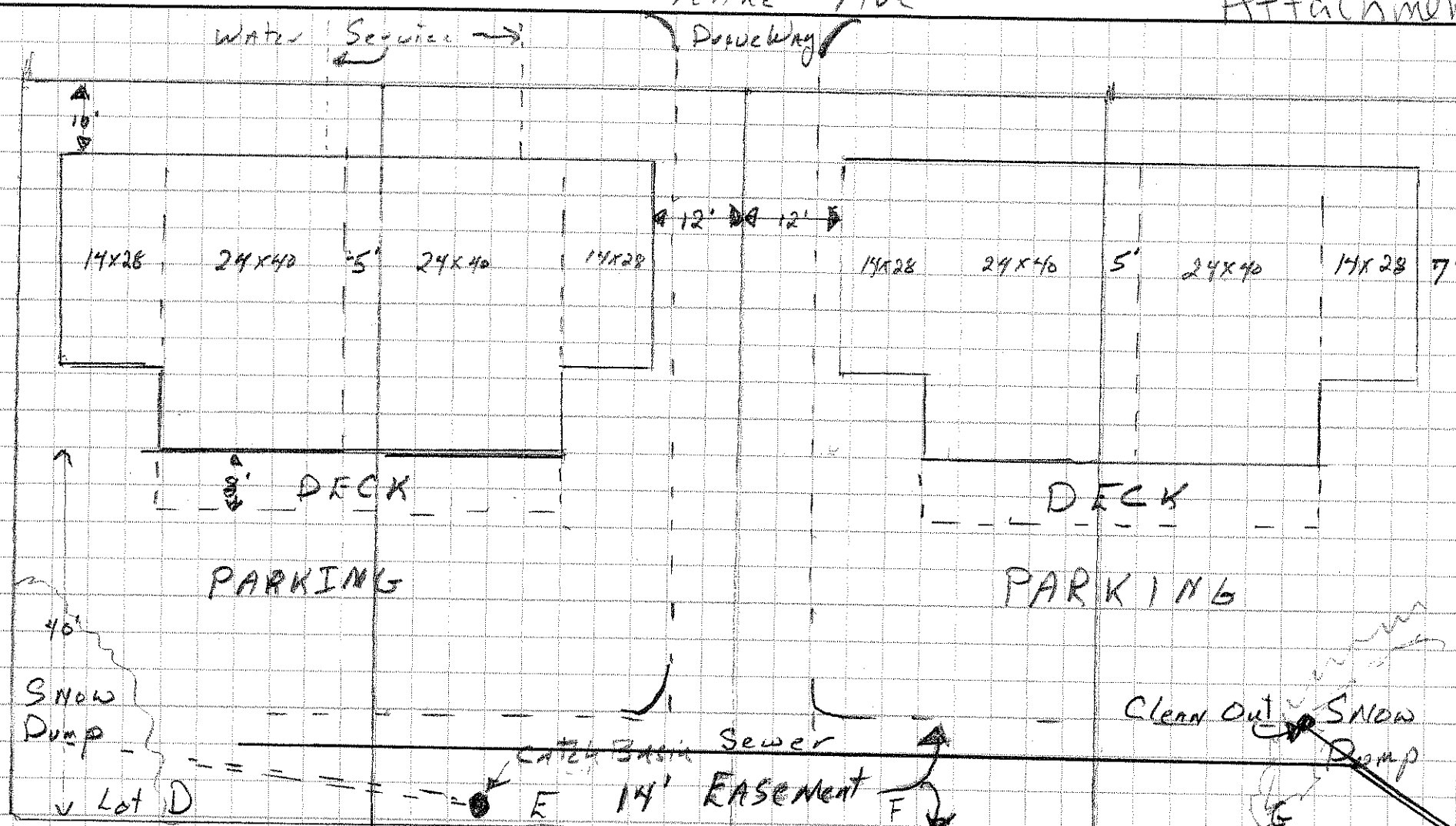
Lake Ave

Attachment G

Water Service →

Driveway

Glasgow Sub
US Survey 828



Clean Out
SNOW
Dump

Catch Basin
Sewer
14' EASEMENT

24x40

Lot (B) USS 828
John Wheeler Sub

Possible
Driveway

Railroad AVE

SNOW
Dump

EAGLE CONTRACTING CORPORATION
P.O. Box 1128
Cordova, Alaska 99574-1128
(907) 424-7702

JOB Systett Living Trust
SHEET NO. PLAT OF
CALCULATED BY Lots D E F G + (2) USS 828
CHECKED BY _____ DATE _____
SCALE 1" = 10'