

Chairman
Tom Bailer

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

City Planner
Samantha Greenwood
Assistant Planner
Shannon Joekay

PLANNING COMMISSION REGULAR MEETING

JUNE 11, 2013 @ 6:45 PM
LIBRARY MEETING ROOM

AGENDA

1. CALL TO ORDER

2. ROLL CALL

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

3. APPROVAL OF REGULAR AGENDA (voice vote)

4. APPROVAL OF CONSENT CALENDAR

- a. Minutes of 5-14-2013 Planning Commission Regular Meeting(Pages 1-4)
- b. Minutes of 5-29-2013 Planning Commission Special Meeting(Pages 5-8)

5. DISCLOSURES OF CONFLICTS OF INTEREST

6. CORRESPONDENCE

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

- a. Guest Speakers – None
- b. Audience comments regarding agenda items (3 minutes per speaker)
- c. Chairpersons and Representatives of Boards and Commissions

8. PLANNERS REPORT.....(Page 9)

9. NEW/MISCELLANEOUS BUSINESS

- a. Conditional Use Permit Request by Sjostedt Family Trust for construction of.....(Pages 10-27)
3 'Zero-Lot Line' Duplexes (Voice Vote)
- b. Eyak Mountain Trail Easement (Voice Vote).....(Pages 28-41)

10. OLD BUSINESS

- a. Chapters 16, 17, 18 Updates.....(Pages 42-45)
- b. Safe Routes to School (Voice Vote).....(Page 46)
- c. Comp Plan.....(Pages 47-69)

11. PENDING CALENDAR

- a. June 2013 Calendar.....(Page 70)
- b. July 2013 Calendar.....(Page 71)

12. AUDIENCE PARTICIPATION

13. COMMISSION COMMENTS

14. ADJOURNMENT

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PLANNING COMMISSION REGULAR MEETING

MAY 29, 2013 @ 6:30 PM

NOTE LOCATION CHANGE

CITY HALL CONFERENCE ROOM

MINUTES

DRAFT

A. Call to order -

B. Roll Call Present for roll call were Chairman Tom Bailer, John Greenwood, Tom McGann, Scott Pegau, and Roy Srb. Absent were David Reggiani and John Baenen.

Also present were Planner Samantha Greenwood, Assistant Planner Shannon Joekay, Interim City Manager Donald Moore, Moe Zamarron Public Works Director, Bill Howard Streets Supervisor and Malvin Fajardo, Water Super Intendant.
There were 0 people in the audience.

C. Approval of Agenda

M/Greenwood S/Pegau

Upon voice vote, motion passed, 5-0

Yea: Bailer, Greenwood, McGann, Pegau, Srb

Nay: None

D. Disclosure of Conflicts of Interest

None

E. Communications by and Petitions from Visitors

None

F. New/Miscellaneous Business

1. Safe Routes to School Discussion

Samantha Greenwood ~ On the table is a preliminary drawing of Third Street with no encroachments. One of them shows elevations and the others don't. It has the road and the width of the right of way we have available. The sidewalks are currently designed at 8 feet. You can see it (right of way) gets narrower towards Lake Avenue on the east side. In general, it (right of way) is much bigger than it looks. If you look at Robbie Mattson's Lot #10, there is sidewalk curb on his property line and a wheel chair access ramp is designed there as well. That will have to get worked out. Definitely more room on the west side than the east side but there is pedestals & light poles right in the middle of everything. There are plans on the table for the sidewalks. They show a strip of green area between the sidewalks and the property lines.

Bailer ~ Bill (Howard) or Malvin (Fajardo), do either of you have an opinion about which side of the street is best for sidewalks? Someone brought up the point that they don't have a shut off.

Fajardo ~ They have a shut off, it's just not on their property. There shut off is on Adams Avenue. It is the Arvidsons. Pastor Barnes also has a service by his property. The only one without a valve box on his property is Joe Arvidson. That's how it is set up.

Samantha Greenwood ~ When Moe addressed that his thoughts were that it is cheaper to, at this point, to pick up a piece of sidewalk if needed and replace a leak and put a valve box on their property, when the time comes. The other thing someone wanted was a water main down the street but we aren't digging up the street so that would be a different project.

Bailer ~ The other issue was snow.

Howard ~ I wrote a letter a month or two ago. I've been thinking since then. It doesn't really matter which side it is on. We can do either side. If we pushed toward the east side, we would then have to scrape out each driveway, like the State does.

Bailer ~ The other issue was ice up that hill and on the sidewalks.

Howard ~ We would scrape the sidewalks and then follow with the sander on the sidewalks to sand them so people won't slip and fall. It would take just 10-15 more minutes to clean out the driveways on the east side.

Srb ~ The thing I've noticed with the sides of the street as far as utilities go is the location of the pedestals. They would have to be relocated. This is quite a mound of dirt coming off the Catholic Church. We would need to have a wall or gabion. The light pole at the bottom should be relocated so the snow plow doesn't need to leave a spot of snow where he'd have to go back for it.

Bailer ~ Well I guess what got us thinking of another route was how icy this area gets.

Howard ~ It does get icy but that's why we sand it all the time. If the sidewalk was there it gives the kids somewhere to walk instead of up the middle of the street. I know whichever way they do it, these people (east side) won't like it because they have boats and RVs parked in the middle of the right of way. They consider that their parking place. It'll either have a snow berm or a sidewalk there.

Samantha Greenwood ~ Did you guys get to read the engineer's response? He answered the questions that we had from the last meeting.

Bailer ~ Not yet. Also, a developer is thinking about developing the land across Lake Avenue.

Howard ~ We definitely want to keep that as a snow dump. (City owns a lot near the developer that Mr. Howard is referring too and the city is planning to keep it as a snow dump)

Bailer ~ Scott, any questions?

Pegau ~ My only question would be the alternate route that we discussed.

Greenwood ~ Looking at the profile of the sidewalk, is that something you can scrape with the grader?

Howard ~ Yea, with the grader you can.

Samantha Greenwood ~ Right now, it's drawn at 8 feet but 2 of that is curb and gutter. Does it matter if it got smaller? Will that make it harder?

Howard ~ No, you can hang your blade out however far you want.

Samantha Greenwood ~ That was one of the questions you guys had, why was it 8 feet?

Howard ~ The wider you can get it going up that hill will be better. If you look at the one going down Second Street it is too narrow. Two people can barely walk side by side when it's snowy and icy. It is probably 4 foot wide and just a little too narrow for a hillside in case someone slips.

Bailer ~ The other thing that got talked about was Fifth Street as an option.

Howard ~ That's where all the snow goes. If we made that into a street, we would have to bring all that snow, by 7:30 in the morning, down across from the grade school. That would probably take an operator an extra hour every time. All the snow from 3rd Street that way gets put over there (5th street snow dump). That would be our dilemma.

Bailer ~ So that would create a sizeable burden for the City.

Greenwood ~ How far do you normally go with your snow? Is that area accessible?

Howard ~ Well there are a few things we deal with. We have to keep the snow down low when we go around Maxwell's corner or else it creates a dam and his basement floods. We can't push it over the edge because we would tumble boulders down on Burton's Trailer Court. That's quite a hillside that goes back down to those trailers.

Samantha Greenwood ~ You'd almost have to have a barrier or some kind.

Howard ~ Also, we would have to plow all the way to the grade school cleaned by 7:30 in the morning.

McGann ~ Seeing this survey really helps. The notion of a covered walkway is great but it doesn't keep all the snow out. You'll still have to get in there and plow snow unless you have a tunnel.

Greenwood ~ Do we have as-builts? Is everyone on their lots?

Samantha Greenwood ~ Leo said "no encroachments". He would've drawn or said what was out there. He surveyed it out.

Pegau ~ The one issue with Third Street is the corner at the bottom, #10. The existing curb is actually on private property?

Samantha Greenwood ~ The engineer will have to address that. The preliminary drawings show that corner.

Greenwood ~ Are we claiming the entire right of way?

Samantha Greenwood ~ I am still not very clear of that with the engineer's drawings. We can get the engineer on the phone at the meeting.

Zamarron ~ They are going to follow the existing grade.

Greenwood ~ It appears the sidewalk won't be on the property line, according to the drawing. They will grade it.

Bailer ~ That'll help out the home owners. Sam, the discussion we are having is being tight on Lot 10, when across the street you have 20 feet of ROW, can we shift the road over to give us more space. We can take more of the right of way off 11 to give to 10.

Samantha Greenwood ~ We would have to redo the road.

Howard ~ Yes, we would have to grade and chip seal it.

2. North Fill Boat Ramp expansion discussion

Bailer ~ Other than saying I'm all for it, does anybody have anything to add?

Samantha Greenwood ~ If you look at the picture of the current boat ramp, we talked about going out at an angle, creating a whole new ramp. It will be big enough for all the landing crafts. Tony (Schinella), Moe and I talked about a whole new ramp for landing craft. When there weren't any landing crafts, regular boats can use it as well. It will be on the other side of the current ramp. It would be better for larger landing crafts. It would potentially need dredging if you wanted all tide access. Tony will talk about it at his next Harbor meeting and then we would try get them to give us a recommendation and we would make a recommendation to City Council to start planning and funding for preliminary design like the South Fill.

G. Audience Participation

None

H. Commission Comments

Bailer ~ Alright, I think the fact that 5th Street is a snow dump eliminates that area in my mind as an alternative route. Are you comfortable with the water (lack of water main) issue on 3rd Street?

Fajardo ~ The electrolysis is gone now. It's just a matter of time before it goes again.

Zamarron ~ It's a whole different process. We are working on the surface. There is some drainage at the bottom. To dig a 6 foot trench is a whole other project that needs to be planned for. It will be expensive. It should be in the capital improvement. The pavers will be in town next year doing Whitshed, it'll be the time to catch them. It'll be nice if it was paved. That would be a 2014 project, just like this project. If we can work it at the same time, we definitely will.

Samantha Greenwood ~ The conditional use application permit for Dave Sjostedt is in. That means no ex parte communications, it will be quasi-judicial. You can't talk about the project with him. Just a heads up-it will be on the June meeting. If you have any communications with him, just disclose it immediately.

I. Adjournment
M/McGann S/Greenwood
Motion to adjourn at 7:14 PM

Shannon Joekay, Assistant Planner Date

PLANNING COMMISSION REGULAR MEETING

MAY 14, 2013 @ 6:00 PM

NOTE TIME CHANGE

LIBRARY MEETING ROOM

MINUTES

DRAFT

A. Call to order -

B. Roll Call Present for roll call were Chairman Tom Bailer, David Reggiani, John Greenwood, Tom McGann, Scott Pegau, Roy Srb and John Baenen (at 6:05 PM).

Also present was Planner Samantha Greenwood.
There were 0 people in the audience.

C. Approval of Agenda

M/Reggiani S/Greenwood

Upon voice vote, motion passed, 6-0

Yea: Bailer, McGann, Srb, Pegau, Reggiani, Greenwood

Nay: None

D. Approval of Consent Calendar

Minutes of 4-8-13 Planning & Harbor Commissions Joint Work Session

Minutes of 4-9-13 Planning Commission Regular Meeting

M/Reggiani S/Srb

Upon voice vote, motion passed, 6-0

Yea: Bailer, McGann, Srb, Pegau, Reggiani, Greenwood

Nay: None

E. Record Absences

None

F. Disclosure of Conflict of Interest

None

G. Correspondence

H. Communication by and Petitions from Visitors

1. Guest Speakers

None

2. Audience comments regarding items in the agenda

3. Chairpersons and Representatives of Boards and Commissions

I. Planners Report

Samantha Greenwood ~ I went to the North Fill Ramp today and there were 5 boat using, waiting and launching. There's a port-a-potty down there. They're hoping to have the water in this week. They had a little sewer emergency they had to deal with elsewhere. The boat trailer area is sold out. Some of the long term storage by the maintenance area has been committed for winter storage as well. Copper River Seafood's did get a building permit and they passed Fire Life & Safety. They are legal and ready to roll. Trident appears to have replaced a rotten wall. I never did get to call them.

Pegau ~ I walked by it every day and it appeared there was more and more of the building missing and new stuff being built.

Samantha Greenwood ~ Ocean Beauty remodeled their bunkhouses and they're working with Fire Life & Safety to get that approved through them, but as far as we were concerned they didn't need a building permit-there were no structural changes. We need to set a time during the pending calendar for the Safe Routes to School discussion.

Srb ~ One question on the spots the Harbor rented out, is that just year by year?

Samantha Greenwood ~ I believe the boat trailer parking is season by season. That long term area by the maintenance area is long term, year round.

J. New Business

a. Final Plat of Lot 8, Vina Young Subdivision (voice vote)

M/Reggiani, S/Baenen

"I move to **approve** the final plat of Lot 8A and Lot 8B, Vina Young Subdivision."

Reggiani ~ It seems straight forward. I recognize the suggestion from the lawyer and from Sam with the addition in there. It looks good to me.

Samantha Greenwood ~ They did get their building permit to add the residential to the warehouse.

Srb ~ Is there a square footage requirement?

Samantha Greenwood ~ There is but it is very small. The thing to look at is the kitchen/bathroom use areas. They drew out basically a 1 bedroom apartment that they are putting into that area.

McGann ~ I am still concerned about the driveway being off their property and the 2.8 foot setback. There's room for different driveway options. Whether or not we should stipulate something regarding that...

Srb ~ Is the encroachment the cemetery?

Samantha Greenwood ~ Yes. I don't know if I would call it an encroachment, it's not a "building".

McGann ~ It's a non-useable driveway.

Bailer ~ They can access from the other side.

McGann ~ I'm in favor of approving the plat but maybe we should ask them to move the driveway. Cross of "drive" and I'd be happy.

Samantha Greenwood ~ We can do that.

Reggiani ~ What would be the point of crossing off "drive"?

McGann ~ They shouldn't be driving on that gravel drive.

Reggiani ~ If they wanted to use that would they come to the City and ask for an easement?

Samantha Greenwood ~ They could. That would probably be the only option I could think of. I don't think it would be encroachment since it's not a physical building.

Upon voice vote, motion passed, 7-0

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

Nay: None

b. Reconsideration of John Baenen's unexcused absence of 3-12-13 (voice vote)

Bailer ~ John, can you explain to all of us why you feel this should be excused?

Baenen ~ When I made my plans to go on vacation I wasn't yet, or even decided, that I would put my name in to be on the Planning & Zoning Commission. It also ended up that I left that night and was on the airplane so I would've had to change my whole vacation.

Bailer ~ You made your arrangements before?

Baenen ~ Yes.

Bailer ~ Ok, let's get a motion out.

M/McGann, S/Reggiani

"I move to **approve** the staff recommendation to change John Baenen's March 12, 2013 absence from "unexcused" to "excused"."

Bailer ~ Ok, so if you miss a meeting now when you go on vacation it'll be unexcused.

Baenen ~ I understand that.

Bailer ~ If it's work related it's excused. That's basically the line.

Samantha Greenwood ~ There's death in the family, medical, a few other things.

Bailer ~ So if you call in?

Samantha Greenwood ~ You're not absent.

Upon voice vote, motion passed, 6-0

Yea: Bailer, McGann, Srb, Pegau, Reggiani, Greenwood

Nay: None

Conflict: Baenen

K. Old Business

None

L. Pending Calendar

a. May 2013 Calendar

b. June 2013 Calendar

Samantha Greenwood ~ We need to talk about Safe Routes to School on 5th Street and the engineer got the questions answered and back. I'm hoping, with this delay, that we'll have something back from Leo. All the snow should be gone by then. I'm gone the week of the 19th.

McGann ~ Do the Safe Routes to School folks have any preference?

Samantha Greenwood ~ I don't know if they'll come or not. They're in the loop. The State guy (Alaska Safe Routes to School: Steve Soenksen) said if he was in town we could call him and the engineer as well. Moe will be there, Bill will come, Malvin...there's a water and sewer line. There's utilities. No one had a heart ache as long as we took it all into consideration. The other big thing is the snow dump at the top. It needs to have some consideration. The other thing is they would have to clear earlier since the kids would be using it. It's just a time factor thing but he said they'd work it out as best they could. The police chief had a few concerns.

Baenen ~ Maybe the grade could be brought out.

Bailer ~ Can we look at both areas?

Samantha Greenwood ~ Yes, we can do both sites: 3rd and 5th for the site visit.

Reggiani ~ List it as options.

Samantha Greenwood ~ We'll meet here (at the Library Conference Room) and then go to the site. Wednesday, May 29th at 6:30 PM. We will also put on the agenda a discussion about the landing craft, boat ramp improvements or potential sites. It's just a discussion to go over ideas and thoughts and see if anyone else has any ideas. It'll be a work session so no decisions.

Samantha Greenwood ~ Also one more thing, we're working through the process of a conditional use permit which is quasi-judicial for zero lot line duplexes (off Lake Avenue)

with Dave Sjostedt so no ex-parte communications. It's not officially applied for yet. I will send out an email when he gets all his paperwork in. I will mention it to him as well.
Srb ~ Maybe you can have all the utilities put their marks in (on Tuesday, May 28th) before our meeting.

N. Audience Participation
None

O. Commission Comments
McGann ~ I would like to suggest we bring up chapter 18 and chapter 16. There's stuff in waterfront industrial that have kind of been brought to light. Can we get those updated?
Bailer ~ Where are we on the comp plan?
Samantha Greenwood ~ We are still waiting on an idea of how much and make a plan of action.

P. Adjournment
M/Reggiani S/Greenwood
Motion to adjourn at 6:27 PM

Shannon Joekay, Assistant Planner Date

Planners Report

To: Planning Commission
From: Planning Department Staff
Date: 6/3/2013
Re: Recent Activities and updates

- Building Permits Issued: 2 issued Copper River Seafood construction of 2 bunkhouse and Herny and Linda Wall, alpine subdivision, single family home.
- Working on compiling final report for the South Fill Meetings to be presented to P&Z (July).
- Chapter 11 Harbor is on the June 5th P&Z for first reading
- Prince William Sound Community College proposed lease will be on second June for City Council.
- Ski Hill: City contract with Sheridan Alpine Association is near completion. Conference call with State, City and State on contract concerns. Developing electric protocol
- Local Hazards Mitigation Plan has been reviewed by the State and has been passed to FEMA. Waiting on FEMA review before approval from P&Z and City Council.
- Shannon is attending a Hazard Mitigation Grant application training put on by the State and the State also paid for all expenses associated with the training.
- Shannon attended ESRI ARCGIS training in Redlands, Ca.
- Working with Public works on ROW being encroach upon and used for Storage. Working in CIP and North Fill areas first.
- Edited and updated Chapter 19
- Attended EOM training for Resource Unit Leader which is under the Planning Section Chief, State of Alaska paid for all expenses incurred for training.

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 t3duplexes 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.


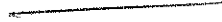
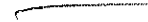
TYPE OF REQUEST	FEE
Conditional Use Permit	\$650

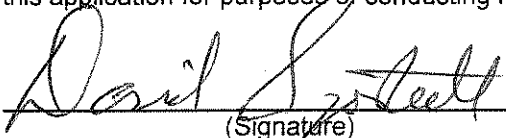
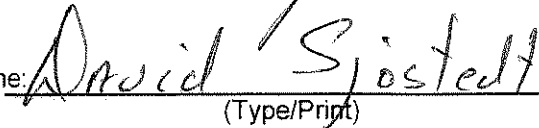
APPLICANT INFORMATION

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

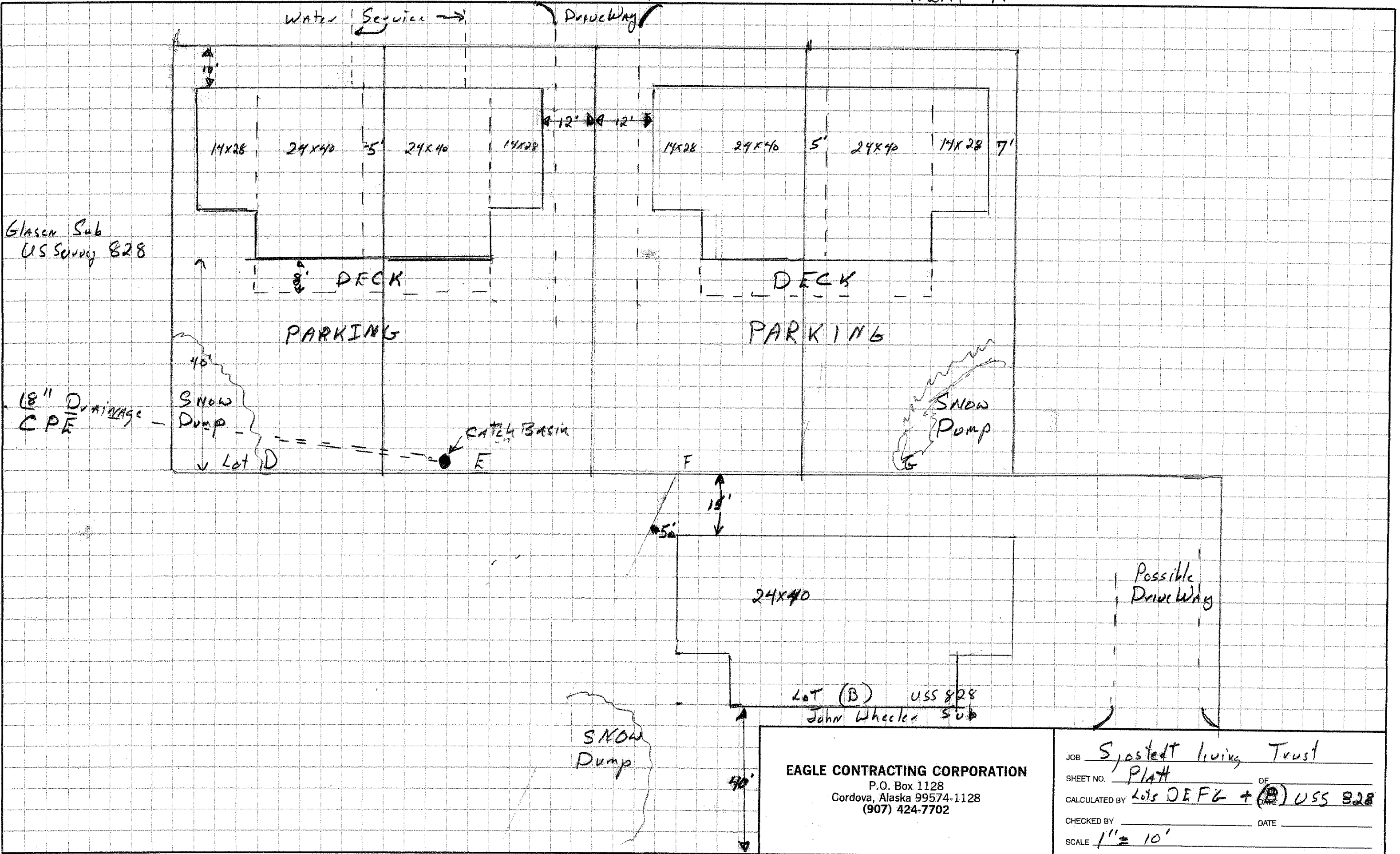
OTHER REQUIREMENTS

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.

Lake Ave

Attachment A



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

JOB Sjostedt Living Trust
SHEET NO. PLAT OF DATE
CALCULATED BY Lots DEFG + (B) USS 828
CHECKED BY _____ DATE _____
SCALE 1" = 10'



PL →



40'

Roof over
Deck

DECK

ROOF

WALL

PL →

10'

← Drive Way →

Lake
Ave

EAGLE CONTRACTING CORPORATION

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

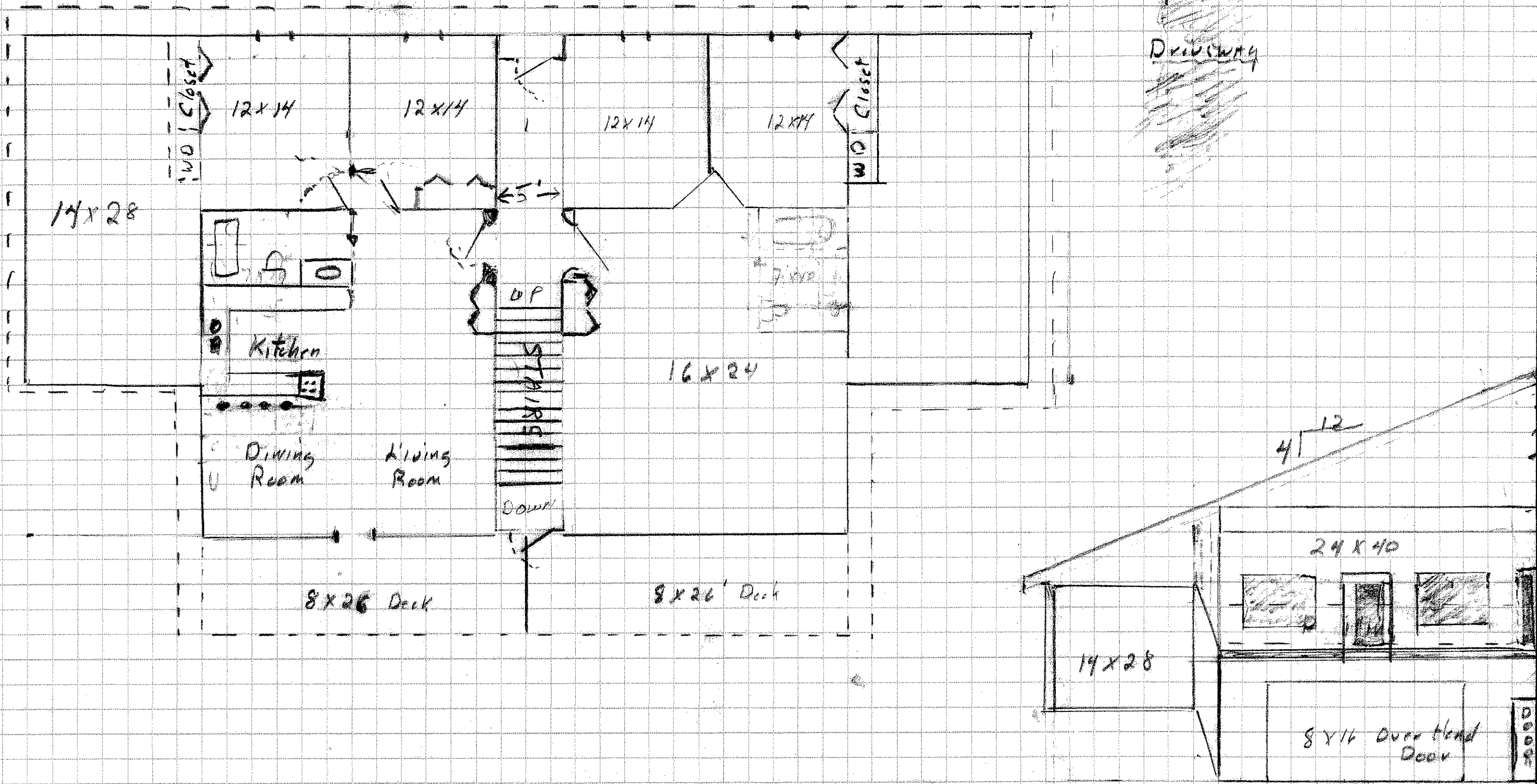
JOB _____

SHEET NO. _____ OF _____

CALCULATED BY _____ DATE _____

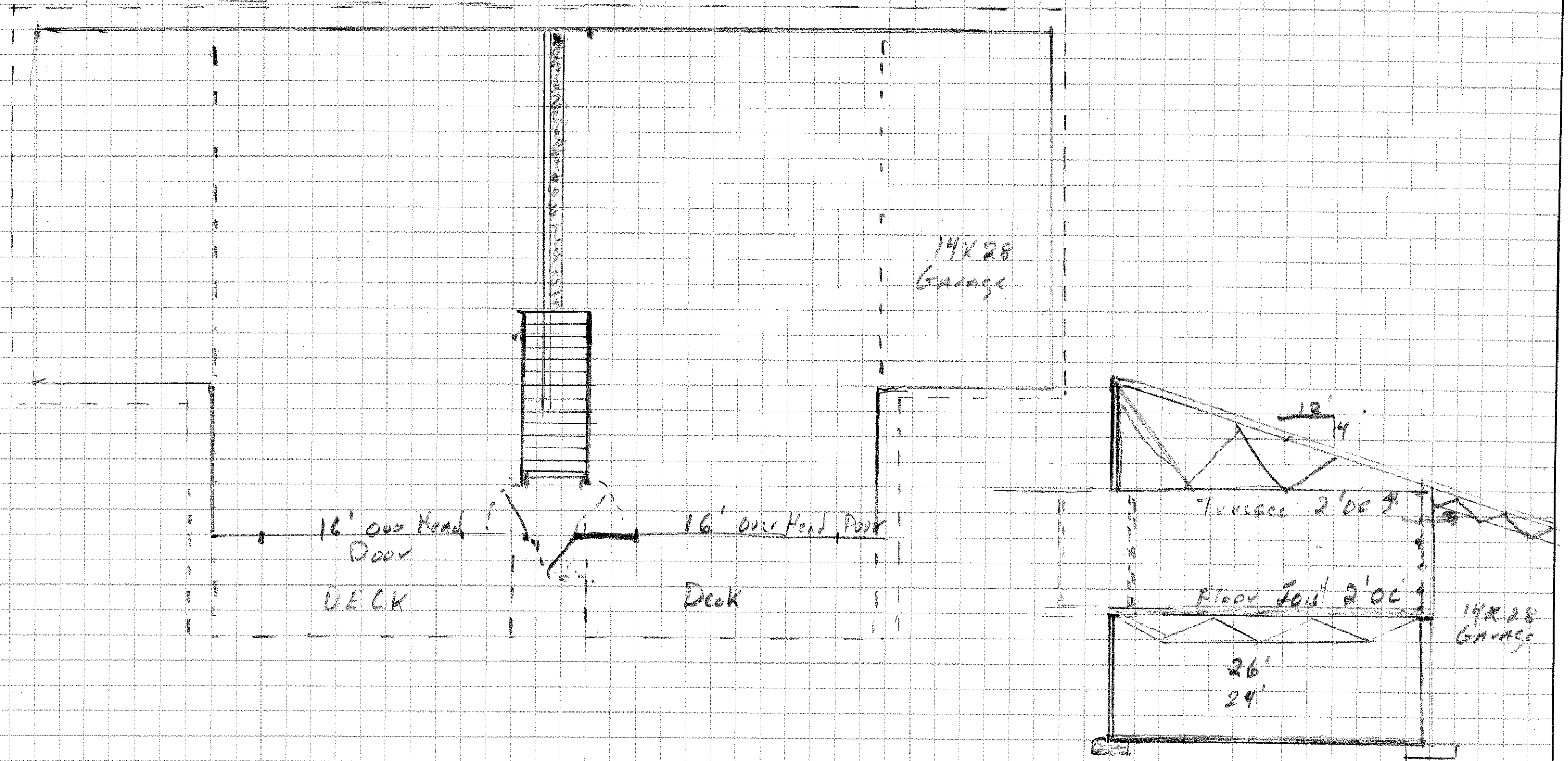
CHECKED BY _____ DATE _____

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 _____



EAGLE CONTRACTING CORPORATION

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

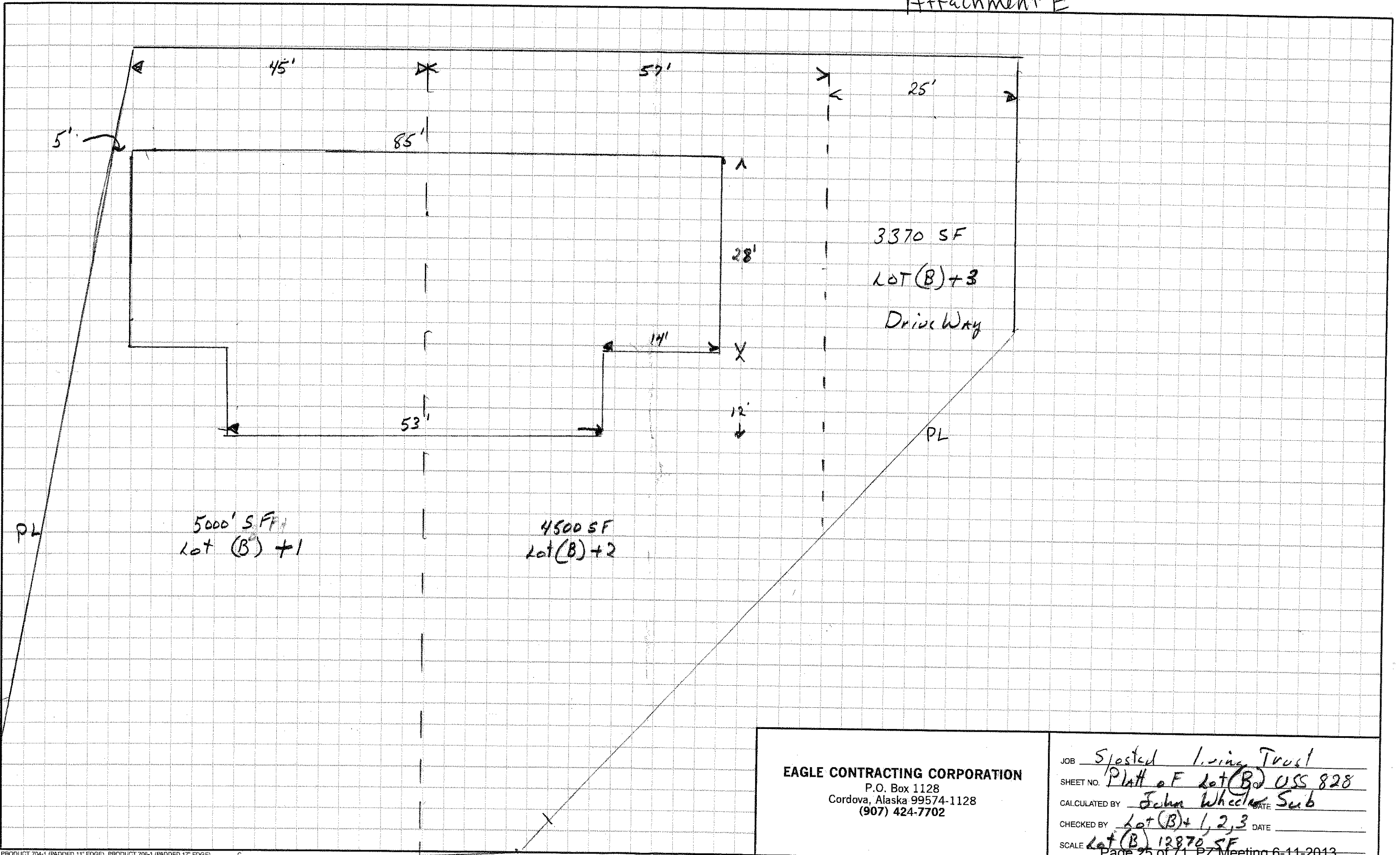
JOB Spartan Living Trust

SHEET NO. Daylite Basement

CALCULATED BY _____ DATE _____

CHECKED BY _____ DATE _____

SCALE _____



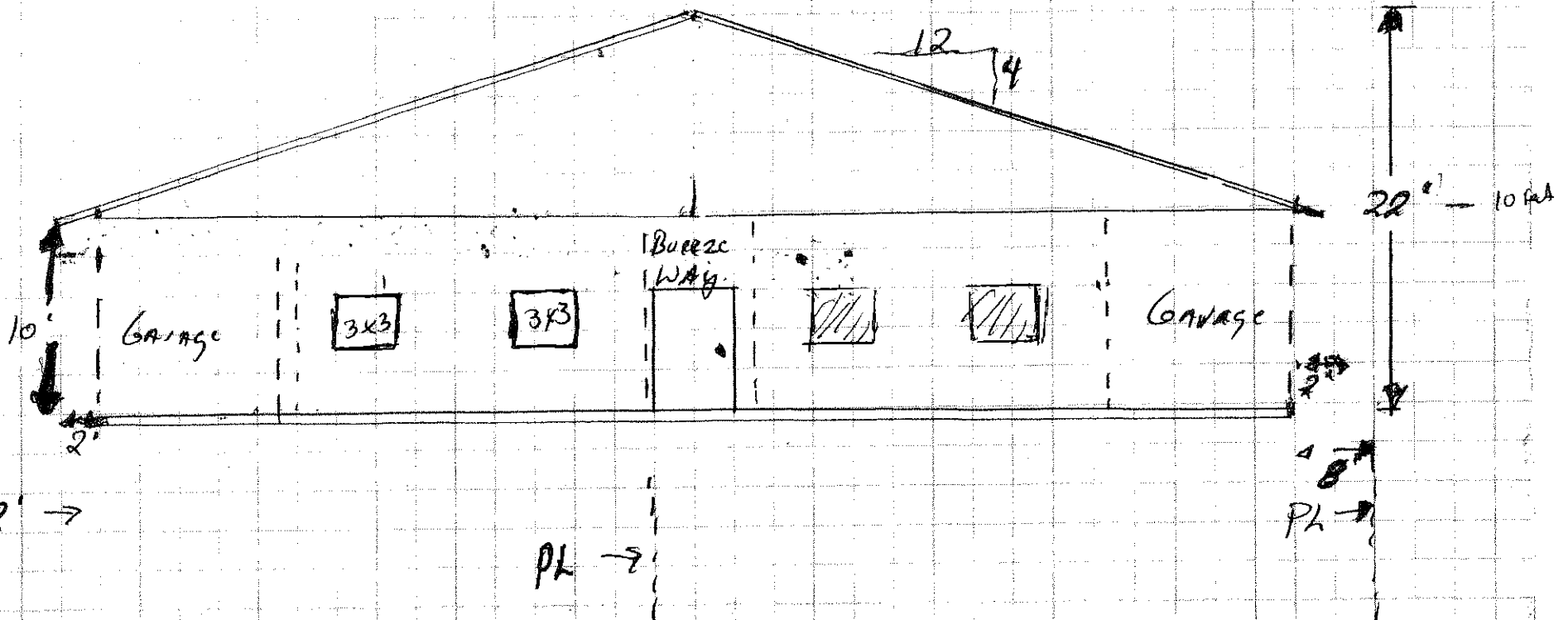
EAGLE CONTRACTING CORPORATION

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
 Page 25 of 71 PZ Meeting 6-11-2013

Lake

Attachment F



Spotted + Living Trust
Lots DE
Lots FG

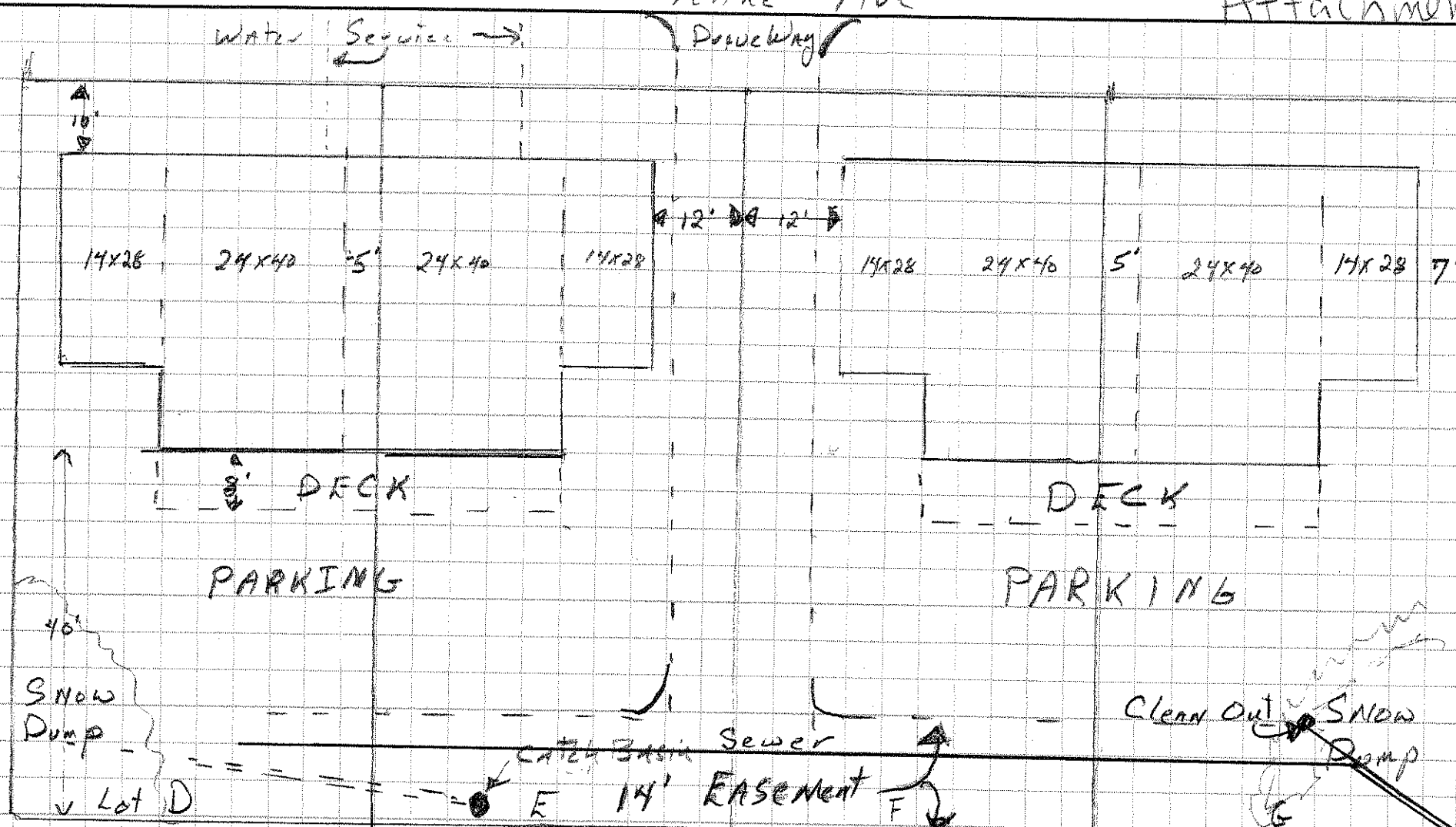
Lake Ave

Attachment G

Water Service →

Driveway

Glasco Sub
US Survey 828



18" DRAINAGE
CPE

SNOW
Dump

Lot D

CATCH BASIN

14' EASEMENT

Sewer

Clean Out
SNOW
Dump

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'
Page 27 of 71 PZ Meeting 6-11-2013

Memorandum

To: Planning Commission
Thru: Planning Department Staff
Date: June 2, 2013
Re: Eyak Mountain Easement to City

PART I. GENERAL INFORMATION:

Attached is a letter from the Copper River Watershed and a resolution from the Parks and Rec Committee explaining and supporting the City's accepting a conservation easement from Lindens Land Company. There is also an attachment from the Cities Attorney explaining a conservation easement, the liability associated with it and a recommended easement format. Susie Herschleb and Kirstin Carpenter will be present at the meeting to further expand on the Mount Eyak Trail and discuss maintenance and future plans for the trail.

I have created a resolution to recommending to City Council to accept the proposed Conservation Easement from Lindens Land Company which allows the public access and the City to be able to perform maintenance and construction as needed. The resolution also notes that the easement and an attached map will be recorded at the States Recorder Office/

The Trail Committee was formed in 2009 (see attached resolution) by City Council to advise the parks and recreation commission on the Development of new trails, enhancement of existing trails And the development of additional trail resources. The Eyak Mountain trail has support from the Trail Committee and Parks and Rec. In order to preserve the trail for the future and to promote an in town recreational opportunity both committees felt it necessary for the City of Cordova to accept the conservation easement from Linden's Land Company.

The Steps that have been completed and propose next steps are:

1. The Trails Committee presented their request to Parks and Rec Committee
2. Parks and Rec passed a resolution supporting the trail and the City accepting the conservation easement from Linden's Land Company (5/2013)
3. Parks and Rec Committee, Copper River Watershed Project and Trails Committee have developed a Trail maintenance plan
4. The Planning department has researched, discussed the prosed easement with City Manager and legal staff
5. The Information is being presenting to the Planning and Zoning Commission asking that they support and recommend to City Council to accept the conservation easement from Linden's Land Company

6. A Resolution of support from Parks and Rec and P&Z will be presented to City Council, asking City Council to accept the conservation easement and direct staff to complete the process.
7. The conservation easement and map will be recorded with the State of Alaska.

Part II Recommended Motion

“I move to accept and forward to City Council Resolution 13-04”

COPPER RIVER WATERSHED PROJECT

© *Voices for a wild salmon economy* ©



May 31, 2013

Chairman Bailer and Commission Members
Planning & Zoning Commission
City of Cordova
P.O. Box 1210
Cordova, AK 99574

Dear Chairman Bailer and Commission Members,

A small group of volunteers has been working to restore one of Cordova's oldest trails, the Eyak Mountain Trail, and we are hopeful that the City of Cordova will accept an easement for this trail from the current private landowner. I thought that the City of Cordova, as the underlying landowner, would be the most appropriate holder of the easement (as opposed to the State). The trail is noted on a map distributed to the public at the Cordova Museum as the Mt. Tripod Trail.

As shown on the attached survey map, the Eyak Mountain Trail runs east from Fifth Street along the hillside. Originally it led to Eyak Lake, but now there's a section that connects with the "Sven and Olie" trail on the Sheridan Alpine Association land leased from the State of Alaska.

We are working to discuss the feasibility of the City's accepting this easement with the appropriate City commissions and departments, and hope to bring this item to the Council for discussion later in June. The Parks & Recreation Commission has adopted a resolution of support for this project.

In the meantime, attached is the survey map so that you can familiarize yourselves with its route. Trail work is being funded by a grant from the Secure Rural Schools Title II timber receipts program, and the project was selected for funding by the PWS Resource Advisory Committee. Restoring the trail will consist of re-building two water crossings and brushing the trail route. Also, the beginning part of the trail will be re-routed to fall within the Browning Street right of way (rather than crossing the privately owned parcels of lots 12 and 13, Block 24 and lot 1, Block 35).

If and when we reach the point of Council support for this project, we'll have the easement for the part of the trail that crosses lots 1 – 11, Block 45 and lots 16 – 17,

P.O. Box 1560, Cordova, AK 99574

tel 907.424.3334

web www.copperriver.org

Board of Directors
Molly Mulvaney, President, Cordova
Gloria Stickwan, Vice Pres., Tazlina
Brad Reynolds, Secretary, Cordova

Joel Azure, Cordova
Audubon Bakewell IV, Gakona
Mike McQueen, Copper Center

Copper Basin, open seat
Maria Wessel, Cordova

Block 46, recorded with the State of Alaska. A draft easement document is attached for your reference.

Restoration work for the trail proposed for this summer includes:

- Re-aligning the trail route to move it off private property and into the Browning Avenue right of way; this work will involve brushing, removal of deadfall, and establishing a trail bed. This section is on City land.
- Restoring two water crossings on the State of Alaska lease land and adding “step and run” boardwalk sections in two muskeg sections. The State DNR requires that we keep the trail width to 6’ and that we not create any new bridge structures. We received approval from the Alaska Department of Natural Resources for this work: “The State of Alaska approves the work as described below on the state lease site described as ADL 57396 and leased to the City of Cordova” (e-mail communication, 6/5/13 from Sharon Tumacder, ADNDR).
- Installing a trailhead sign at the start of the trail just off 5th Street.
- Working with the Parks and Recreation Department to create a parking plan.

Dave Zastrow of the Cordova Ranger District broke maintenance types down into these categories:

- Basic annual maintenance: brushing and removing deadfall or “logging out”. Logging out would occur at the start of the season and brushing around mid-season. The Cordova Trails Committee will coordinate volunteer and City resources to address these seasonal maintenance needs.
- Semi-annual maintenance will be drainage ditch, water bar, culvert or other water diversion structure cleaning and minor maintenance.
- Deferred maintenance will involve replacing elements of a structure, structure reconstruction or trail tread reconstruction.

The Copper River Watershed Project, the Cordova Trails Committee and the Chugach National Forest’s Cordova Ranger District will coordinate to secure resources as needed for conducting semi-annual and deferred maintenance on this trail.

I have spoken with Paul Swartzbart of the Sheridan Alpine Association and he sees no conflict with the work the Association is doing on Mt. Eyak Ski Hill.

I’m happy to answer any questions about this volunteer-initiated project that will expand Cordova’s trail network. Thank you for your consideration.

Sincerely,



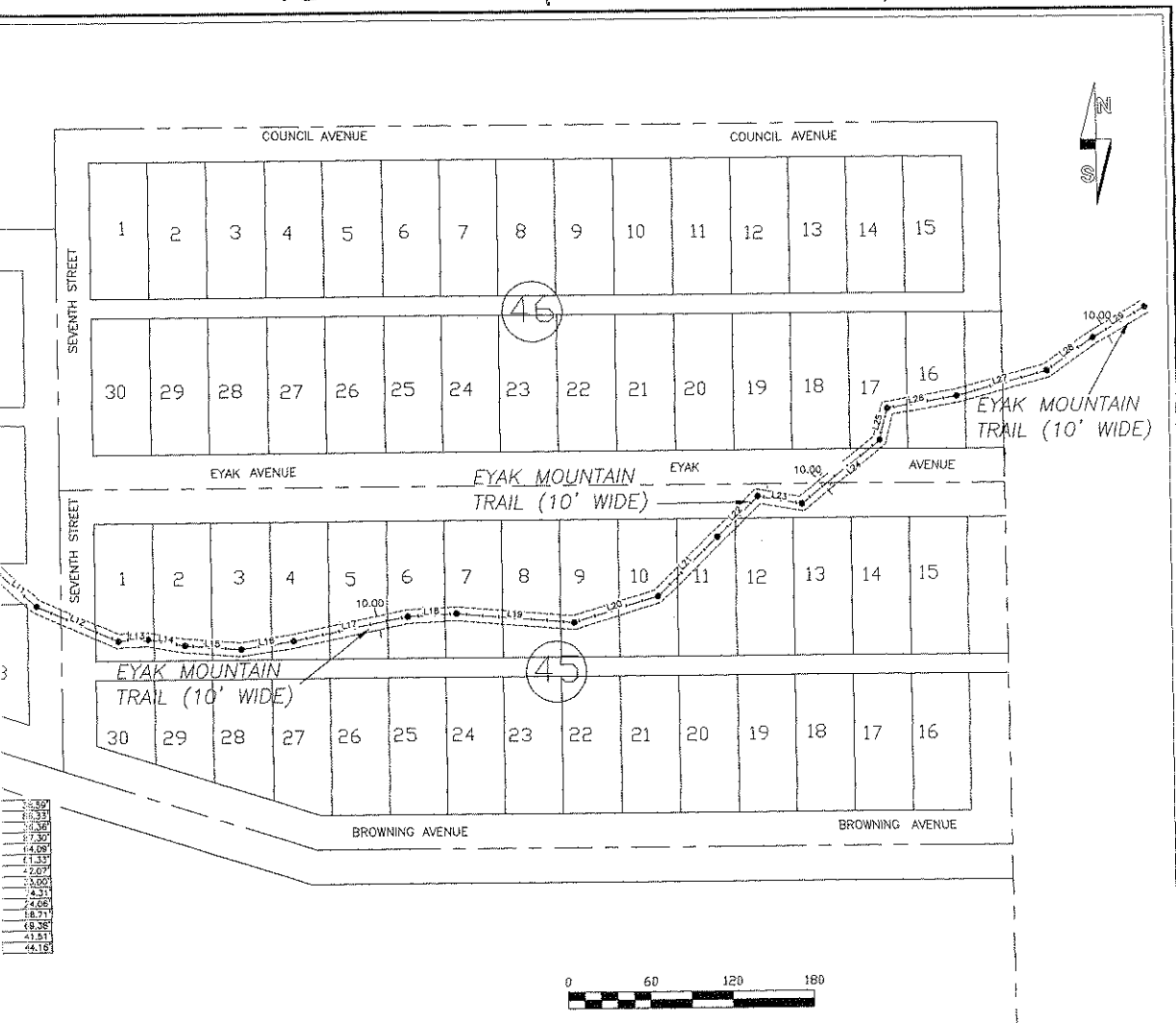
Kristin Carpenter
Executive Director


Attachments

Location of Conservation Easement Location on Linden's Land Company Property
Block 45 Lots 1 - 11 and Block 46 Lots 16 & 17.



Preliminary Easement Maps



 SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM PROPERLY REGISTERED AND
LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF
ALASKA. THAT THIS AS-BUILT REPRESENTS A SURVEY MADE BY
ME OR UNDER MY DIRECT SUPERVISION AND THAT THE
MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED
AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

DATE _____ REGISTRATION NO. _____

MARK R. ST. DENNY
REGISTERED LAND SURVEYOR

Legal Description:

EYAK MOUNTAIN TRAIL

CORDOVA PLAT 93-SRS ALASKA

DRAWN BY DATE PLAT NO. COUNTY RECORDING DISTRICT

MS7D 6-29-12 CORDOVA

SCALE SHEET PROJECT NO.

1"=60' 1 of 1 12-001J EYAK MOUNTAIN TRAIL

PREPARED FOR:

COOPER RIVER WATERSHED PROJECT

ST. DENNY SURVEYING INC.

P.O. BOX 368, KOTIKAK, ALASKA 98515 (907) 491-8500

MEMORANDUM

TO: SAM GREENWOOD

FROM: CORTNEY H. KITCHEN

RE: EASEMENT FOR THE EYAK MOUNTAIN TRAIL

CLIENT: CITY OF CORDOVA, ALASKA

FILE NO.: 401777.212

DATE: JUNE 5, 2013

You requested information regarding the proposed easement for the Eyak Mountain Trail. In short, by designating the easement as a conservation easement the City of Cordova ("City") may accept and approve the easement while also limiting its tort liability. Conservation easements can be devoted to public recreational use and offer tort immunity to the landowner as well as the easement holder, which, in this case, could be the City. Additionally accepting an easement does not trigger a requirement to issue a public notice and hearing on the matter.

Before accepting a conservation easement for the Eyak Mountain Trail, however, the City should clarify several details. For instance, the City should determine who will conduct and pay for trail construction and maintenance and if there are any deadlines associated with trail construction or maintenance. Once these details are determined, the City can make a more informed decision about accepting the proposed easement as well as create a tailored easement instrument.

1. Conservation Easements

A conservation easement is "a nonpossessory interest . . . in real property imposing limitations or affirmative obligations to . . . ensure its availability for agricultural, forest, *recreational*, or open space use."¹ Accordingly an easement devoted to public recreation can qualify as a conservation easement.² Creating a conservation easement does not require a special process. Rather conservation easements are created, conveyed, and terminated in the same manner as other

¹ AS 34.17.060(1) (emphasis added).

² See AS 34.17.100(b) (stating a public recreational use easement "may be a conservation easement under AS 34.17.010 - 34.17.060").

easements; a conservation easement is created by a signed and recorded document detailing the easement conveyance, location, use, and other terms.³ Unless the instrument creating the easement indicates a limited duration, conservation easements are presumed to be granted in perpetuity.⁴

Approving and accepting a conservation easement is not an action that by itself triggers a requirement for the City to issue public notice and provide a public hearing on the matter.⁵ Public notice and a hearing should, however, be offered if actions ancillary to the acceptance or approval trigger a public notice or hearing requirement.

2. Liability

Using a conservation easement for the Eyak Mountain Trail will limit both the landowner's and the City's liability associated with the conservation easement. State statute instructs that when a landowner conveys a conservation easement, encompassing 50 feet or less in width, to a municipality for recreational purposes, both the landowner's and municipality's tort liability are limited.⁶ When a conservation easement "provides public access for recreational purposes" neither the landowner nor the easement holder (in this case, the City) is liable in tort to those using the easement, "except for an act or omission that constitutes gross negligence or reckless or intentional misconduct."⁷ For this tort immunity to apply damage must "arise out of the person's use of the easement for recreational purposes" and the person must have had no compensation obligation for using the easement.⁸

The tort immunity granted to owners of unimproved land, which includes trails, is also extended to holders of a conservation easement.⁹ Similar to the above described immunity, landowners and the holders of conservation easements are not liable in tort, "except for an act or omission that constitutes gross negligence or reckless or intentional misconduct" if the damage results from a natural condition of the trail, which was used for recreation purposes and without obligation of compensation.¹⁰

³ AS 34.17.010(a).

⁴ AS 34.17.010(c).

⁵ See Cordova Municipal Code 5.14.020 (requiring public notice for sale of certain property).

⁶ AS 34.17.055(a), (b).

⁷ AS 34.17.055(a), (b).

⁸ AS 34.17.055(a)(1)-(2).

⁹ See AS 34.17.055(a) (indicating landowners conveying conservation easements are protected from certain tort liability for injuries or deaths occurring on unimproved land); AS 09.65.200 (detailing tort immunity for owners of unimproved land, which includes trails); AS 34.14.055(b) (extending landowner tort immunity to those holding a conservation easement).

¹⁰ AS 09.65.200.

In this situation, therefore, the City can limit its tort liability for the Eyak Mountain Trail by designating the proposed easement as a public recreation conservation easement, where users incur no charge for its use.¹¹

3. Concerns

Before executing any type of easement, the City should obtain more details regarding the maintenance of the easement itself and of the trail within the easement. A primary concern for the City should be who will perform, conduct, and pay for trail construction and maintenance associated with the proposed easement? Is there a timeframe by which the construction and maintenance must be completed? Does the City want another entity, such as the Copper River Watershed Project, to be responsible for trail construction and maintenance? If the City desires to have another entity assume construction and maintenance responsibility, a provision should be incorporated into the easement allowing for such an arrangement. Additionally the City should investigate whether the easement may trigger other issues. For instance, will the easement spark parking issues?

4. Conclusion

Designating the proposed easement as a conservation easement will allow the City to accept the easement while also limiting its tort liability. Before executing any easement, however, the City should obtain more details regarding the construction, maintenance, and timeframe obligations associated with the trail located within the proposed easement.

CHK/CMN

¹¹ The City and its officers may also be shielded from liability in certain circumstances under the doctrine of qualified immunity.

Cordova Recording District

After Recording, Return to:

City of Cordova
Attn: City Manager
602 Railroad Avenue
Cordova, Alaska 99574

GRANT OF CONSERVATION EASEMENT

LINDEN'S LAND COMPANY, INC., an Alaska corporation, whose business address is P.O. Box 1875, Cordova, Alaska, 99574 ("Grantor"), for good and valuable consideration, hereby grants to the CITY OF CORDOVA, an Alaska home-rule municipality, whose business address is 602 Railroad Avenue, Cordova, Alaska 99574 ("Grantee"), for the benefit of the public, a conservation easement, as that term is defined in AS 34.17.060(1).

1. **Easement.** Grantor grants to Grantee and its successors or assigns a ten-foot wide conservation easement ("Easement") located over and across the property, legally described as:

Lots 17 and 16, Block 46, and Lots 1 – 11, Block 45, Cordova Town Site, Cordova Recording District, Third Judicial District, State of Alaska ("Property").

The Easement shall run through the Property as detailed on Exhibit A. Generally the Easement will run from the southwest side of Lot 1, Block 45, to the northeast corner of Lot 11, Block 45, continuing through the south side of Lot 17, Block 46, to the west side of Lot 16, Block 46, and crossing the east side of Lot 16, Block 46, all in Cordova Town Site, which is located in Township 15 South, Range 3 West, Copper River Meridian, Third Judicial District, State of Alaska.

2. **Easement Use.** The Easement will be used exclusively for non-motorized, non-commercial, pedestrian, public recreational use. Specifically the Easement will be used for public pedestrian access, ingress, and regress to the Eyak Mountain Trail. The Grantor shall have the right to construct and maintain a hiking trail within the Easement, or have other entities, organizations, or people construct and maintain a hiking trail within the Easement.
3. **Consideration.** Grantee agrees to pay Grantor ten dollars (\$10) in exchange for the Easement.
4. **Term.** The Grantor grants the Easement to the Grantee in perpetuity. The Easement will run with the Property as an easement and encumbrance on the Property.

5. **Amendment.** The Easement may be amended or relocated only by a written agreement signed by both parties hereto, or their successors.
6. **Assignment.** Before the Grantee or its successor may assign the Easement, Grantor or Grantor's successor must provide written consent to the assignment. Consent will not be unreasonably withheld.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever.

IN WITNESS WHEREOF, Linden's Land Company, Inc., hereunto sets its hand and seal
this _____ day of _____, 2013.

GRANTOR:

By: Linden O'Toole

Its:

STATE OF ALASKA)

)ss.

THIRD JUDICIAL DISTRICT)

THIS IS TO CERTIFY that on the _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Linden O'Toole, to me known to be the individual described in and who executed the within and foregoing Grant of Conservation Easement, and he acknowledged to me that he signed the same as **Signatory's Title** of Linden's Land Company, Inc., in the name of and for and on behalf of the Company, freely and voluntarily and by authority of its Bylaws, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the
day and year first above written.

Notary Public in and for the State of Alaska
My commission expires: _____

Exhibit A
Diagram of Conservation Easement

[Attach map of easement location]

DRAFT

**CITY OF CORDOVA, ALASKA
RESOLUTION 11-09-65**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA,
ALASKA, AUTHORIZING CREATION OF A TRAILS COMMITTEE TO
ADVISE THE PARKS AND RECREATION COMMISSION ON THE
DEVELOPMENT OF NEW TRAILS, ENHANCEMENT OF EXISTING TRAILS
AND THE DEVELOPMENT OF ADDITIONAL TRAIL RESOURCES.**

WHEREAS, the current City of Cordova Parks and Recreation Department 10 year Master Plan expresses the need to appoint a Trails Committee; and

WHEREAS, the Cordova Parks and Recreation Commission wishes to develop additional trail resources to meet the growing demand from trail users; and

WHEREAS, the Cordova Tourism Plan adopted by the Cordova City Council in 2002 recommends "improve 'edge of town' attractions, including wildlife and bird viewing, glacier viewing and trails"; and

WHEREAS, the Trails Committee shall consist of 5 members and remain in force until such time Council deems the Committee is no longer needed.


NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Cordova, Alaska, hereby authorizes the creation of a Trails Committee to advise the Parks and Recreation Commission on the development of new trails, enhancement of existing trails and the development of additional trail resources.

PASSED AND APPROVED THIS 2ND DAY OF DECEMBER, 2009.




Timothy L. Joyce, Mayor

ATTEST:


Lila J. Koplin, CMC, City Clerk

**CITY OF CORDOVA, ALASKA
PLANNING AND ZONING COMMISSION
RESOLUTION 13-04**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CORDOVA, ALASKA, RECOMMENDING CITY COUNCIL ACCEPTANCE OF A 10 FOOT WIDE CONSERVATION EASEMENT FROM LINDEN'S LAND COMPANY, INC., ACROSS PORTIONS OF LOTS 16 AND 17, BLOCK 46, AND LOTS 1 – 11, BLOCK 45, CORDOVA TOWNSITE IN ORDER TO PROVIDE PUBLIC ACCESS TO THE EYAK MOUNTAIN TRAIL

WHEREAS, the Eyak Mountain Trail is a historical trail and provides an in-town recreational opportunity for citizens and tourists; and

WHEREAS, the Eyak Mountain Trail runs east from Fifth Street along the hillside and then connects with the "Sven and Ollie" trail on land leased by the Sheridan Alpine Association from the State of Alaska; and

WHEREAS, the conservation easement given from Linden's Land Company would provide for future and continuous access of the entire trail and allow the City to maintain, use and promote the entire trail for recreational use; and

WHEREAS, the Planning and Zoning Commission supports the work on this project of the Trails Committee and the Parks and Recreation Commission; and

WHEREAS, the Planning Department staff and the Planning and Zoning Commission recommend that the City Council accept and support the easement and direct the City Manager and staff to proceed with the legal documents and work necessary to complete the City acceptance of said conservation easement.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning and Zoning Commission of the City of Cordova, Alaska recommends City Council acceptance of a 10 foot wide conservation easement from Linden's Land Company, Inc., across portions of Lots 16 and 17, Block 46, and Lots 1 – 11, Block 45, Cordova Townsite in order to provide public access to the Eyak Mountain Trail.

PASSED AND APPROVED THIS 11th DAY OF JUNE, 2013

Tom Bailer, Chairman

ATTEST:

Samantha Greenwood, City Planner

Memorandum

To: Planning Commission

Thru: Planning Department Staff

Date: June 2, 2013

Re: City Code Chapters 16, 17 and 18 Progress Update

PART I. GENERAL INFORMATION:

The P&Z commission has commented, edited and reviewed Chapters 16, 17, and 18 during previous meetings. We have a good start on sections 17 and 18 while chapter 16 just needs some detail work. Here are individual updates on each chapter.

Chapter 16 Building Codes

This section of code has been reviewed and edited by P&Z for content. There will be a final version brought before P&Z with a resolution supporting the code update and recommending to City Council accept the code updates, prior to the code section going to City Council.

Since the last time P&Z reviewed this code the State had adopted IBC 2009, a discussion will need to occur at P&Z if the 2009 IRC should be adopted or if we want to stay with the 2006 IRC. We will follow the State's adaptation of 2009 IBC because we use the State Fire Marshal for State Compliance.

Until training is completed by the building inspector moving forward with an ordinance to pass Chapter 16 is on hold. At this time due to the large number of city projects, facilities work and continued needed input on the Cordova Center Construction issues the building inspector training has been postponed. The 2013 fee schedule included the contingency that the building permits fees would continue at the current rates until chapter 16 was passed, which would then enact higher fees for a building inspector. So at this time we cannot pass the updates to Chapter 16.

Chapter 17 Subdivision

This section of code is the next on the list to be worked through by the lawyers, if there are still funds available in code revision budget. The lawyers will have a budget update once Chapters 11 and 4 are through the process. I have a partial draft of this section completed, if funds are limited in the code revision line item I will explore paying for legal fees through planning budget. I believe that the amount of review from the lawyers will be limited due to the previous work and the code that is available on line for subdivisions. Otherwise 2014 budget will include a line item request for Chapter 14.

Chapter 18

This section of code is very complicated and requires a large amount of legal, public and city staff time. While P&Z and the planning staff have worked through most the current zones and provided many edits and suggestions, there is a lot of work left to be done by staff, lawyers and P&Z. Currently the plan is tackle Chapter 18 in FY 2014 with the majority of the codes having being re-written by that time. (See attached schedule)

2013

Title 10 Vehicles and Traffic - Done

Title 4 Personnel–Lawyer completed first draft-Currently Staff review

Title 8 Health and Safety - Done

Title 11 Port and Harbor Facilities - First Reading June 5th

Title 14 Public Services - Done

Title 16 Building Codes Holly - Hold-85% completed

Title 17 Subdivisions Holly Sam Working on

Title 19 Environment At P&Z 6/11/2013- hopefully to City Council by August

2014

Title 18 Zoning Holly and Sam (while we have done significant work on this, the process required for Commission involvement will likely result in completion early next year)

Title 5 Rev and Fin.

Title 6 Business taxes Licenses

Title 13 Streets, Sidewalks and public places

2015

Title 2 Elections Susan and Holly

Title 9 Public Peace, morals and welfare –Chief Bob

2016

Charter –needs to be done last

Title 1 General Provisions [needs be done last](#)

Title 3 Admin –[needs to be done last](#)

Memorandum

To: Planning Commission

Thru: Planning Department Staff

Date: June 5, 2013

Re: Safe Routes to School

BACKGROUND:

2/13/2013 - P&Z meeting public input and discussion by commission

4/09/2013 - P&Z meeting questions were developed for engineer, public input was heard, commissioner's discussion and staff asked to look at 5th street as an option

5/29/2013 Special Meeting to discuss 5th Street Option and review the survey of Third Street

At Planning and Zoning meeting on 5/29/2013 special meeting discussing the potential Safe Routes to School routes of 5th and 3rd. The 3rd street and 5th Street options were discussed and input was received from Bill Howard Streets foremen and Malvin Fajardo Water superintendent on both alternatives. Also presented at this meeting were the answers from the engineer, the 3rd street survey, and an email from the State grant administrator addressing questions about changing the grant.

The Planning and Zoning Commission has had 3 previous meetings, two of which all land owners on Third Street were notified of the meeting. All meetings have been advertised on the radio, city web page and the local scanner channel.

At the special meeting on 5/29/2013 there appeared to be concurrence that the 5th street option was not feasible due to snow removal cost, increased snow removal time, and the time involved to apply for a new grant.

Staff Recommendation

At this time the Planning Staff feels that there has been adequate public notice, alternatives reviewed, a survey complemented that shows adequate ROW and ample discussion of the project has occurred. Staff recommends that the City move forward with the 3rd street option as the current 35% drawings reflect. The project foremen and engineers can evaluate and determine if this East side of the street is the best option as they move forward with design. The Project Foremen and Public works director are aware of the possibility of moving the street and that the paving company may be in town next summer.

Recommended Motion

I move to direct staff to proceed with the Safe Routes To School Grant constructing sidewalks on East side of 3rd .

Memorandum

To: Planning Commission

Thru: Planning Department Staff

Date: June 2, 2013

Re: Comprehensive Plan (Comp Plan) Update

PART I. GENERAL INFORMATION:

Attached is a proposal from Agnew Beck outlining a proposed cost, time frame and scope of work for updating the City's current comp plan. Also attached is chapter 5 of the Alaska P&Z Commissioners handbook discussing what a comp plan is, the requirements of AS 29.40.030(a) for a comp plan and a general over view of a comp plan.



Chapter Five

The Comprehensive Plan

The Comprehensive Plan

The most common, and one of the most important, responsibilities authorized for a planning commission is preparing the comprehensive plan for the community.

Definition of a Comprehensive Plan

The comprehensive plan is a blueprint for guiding development in a community. It includes information on population dynamics and demographics, physical conditions, land use, the environment, transportation, public facilities, open space, and legal and fiscal aspects. The plan reflects the vision and direction of residents. The comprehensive plan's vision, goals, objectives, policies, and implementation strategies provide a framework for decision-making regarding land use, transportation, housing, public facilities, and economic development.

While the comprehensive plan deals with growth and development in general, it must not be vague or difficult to interpret. The success of the comprehensive plan depends on the community's commitment to planning and its acceptance of the plan as a valid expression of community attitudes, values, and agreed-upon direction. It helps ensure a degree of predictability about the future by guiding decisions and courses of action that are taken.

The Comprehensive Plan

- *Definition of a Comprehensive Plan*
- *Comprehensive Plan Preparation*
- *Elements of a Typical Comprehensive Plan*
- *When to Update or Rewrite the Comprehensive Plan*
- *Additional Comprehensive Planning Subjects*

The comprehensive plan, also referred to as the 'general plan', 'master plan', or 'land use plan', is meant to serve several purposes:

Fulfills Legal Obligations

Alaska communities must have an adopted comprehensive plan before they may adopt land use regulations such as zoning and subdivision ordinances. Increasingly, state and federal agencies require a plan as a condition of receiving grants.

Provides a Vision of the Future

The plan typically has a vision statement (about values, future, identity), long-range goals about the development (and conservation) of the community, and policies that guide day-to-day decision-making. The plan contains a map depicting intended land use by type, location and density and should identify land needed for important public facilities including landfills, ports, power plants, schools, and streets. The plan also links together physical development of the land with the social and economic development of the community.

Serves as a Decision-Making Tool

The plan is a guide for decision-making and growth. Elected officials and planning commissioners will use and rely on a thoughtfully prepared plan, particularly the policies, when they make decisions that shape the community's future.

Serves a Coordinating Function

The plan provides an opportunity to place under a single cover policies for a wide range of municipal activities including land use, utilities, recreation, and transportation. This coordinating function of the plan can reduce the potential for contradictory or competing policies from city departments.

A high-quality plan includes:

- A systematic and comprehensive collection and analysis of data
- Clear and comprehensive goals
- Specific, action-oriented policies for implementation
- Local official support
- Local community support
- Current and up-to-date data and policies

Comprehensive Plan Preparation

A community that undertakes planning establishes a degree of predictability and certainty over the patterns and costs of community growth. Growth, change, and the associated opportunities and problems provide both motivation and focus for comprehensive planning. Planning is a dynamic, ongoing process, but it is possible to organize it into a series of discrete or separate steps.

Plan to Plan

Allocate time, human resources, money, and energy to the effort. Do not assume these factors will manage themselves or can be dealt with as problems arise.

Structure and Schedule the Process

Determine the role the public will play, identify key stakeholders who need to be involved, decide how the plan will be developed (in-house or by a consultant), decide how the plan could be organized, and decide the role of the governing body and the commission in the process. Prepare a plan development schedule with key milestones so the project stays on track.

Identify Issues and Problems

Preparation for a community-based comprehensive plan requires identifying the reasons for undertaking the planning and establishing basic directions for the planning process. It is an effort that needs both technical analysis and citizen involvement.

Gather and Analyze Community Conditions

Describe and analyze the community's current physical, environmental, and social and economic characteristics. Can the infrastructure accommodate growth? Is the number of jobs growing? Are the creeks and wetlands healthy?

Identify the Community's Vision of the Future

A vision statement affirms the community's identity and directs the development of goals and policies in the plan.

Develop Plan Goals

Goals describe the major themes that characterize the community's direction and purpose, and the means of realizing them.

Identify and Evaluate Plan Options

The comprehensive plan process identifies several alternatives for future growth and development based on planning assumptions. These possible land use scenarios are tied to the vision, goals, and objectives.

Select a Planning Option

The next step in the planning process includes selection of a preferred planning alternative with maps and policies that give daily direction to the plan.

Implement the Plan

The final step in the planning process is the adoption of plan policies to implement the preferred option. Further implementation of the plan depends on land use regulations, capital improvement plans, and day to day decisions of the staff, commission, and elected officials.

Review and Monitor the Plan

Create a steering committee to look at the plan, make sure it is up-to-date and useful, and oversee it through a scheduled review and revision.

Change is inevitable and, over time, development will affect the places we live. The kind of development that takes place, however, can be managed and regulated. Planning can play an important role in improving life in the community, and in making the community a better place to live.

Based on "Plan Preparation Steps" PC Journal No. 39 Summer 2000

Elements of a Typical Comprehensive Plan

AS 29.40.030(a) describes a comprehensive plan as:

The comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the first- or second-class borough, and may include, but is not limited to, the following:

1. statements of policies, goals, and standards;
2. a land use plan;
3. a community facilities plan;
4. a transportation plan; and
5. recommendations for implementation of the comprehensive plan.

A Comprehensive Plan may generally include:

- Vision Statement
 - ◊ Health and emergency facilities
- General statement of goals and objectives
 - ◊ Park and recreational facilities
 - ◊ Commercial uses and facilities
 - ◊ Industrial and port facilities
- Background report (also called an Inventory):
 - ◊ Regional needs
 - ◊ Historic and cultural resources
 - ◊ Coastal and natural resources
 - ◊ Sensitive environmental areas
 - ◊ Population trends
 - ◊ Transportation facilities
 - ◊ Utilities and infrastructure
 - ◊ Housing resources and needs
 - ◊ Educational, cultural and historic facilities
 - ◊ Health and emergency facilities
- Analysis and cross-reference of data
 - ◊ Land Use Plan (especially the map)
- Community Facilities Plan (could also be the CIP)
 - ◊ Other plans such as parks and recreation, flood mitigation
- Principles, policies, and standards
 - ◊ Other plans and studies adopted as elements of the plan
- Strategies for improving the local economy

When to Update or Rewrite the Comprehensive Plan

AS 29.40.030(b) states that “ . . . The assembly shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary.” To determine if the plan should be updated, consider:

Adoption Date of the Comprehensive Plan.

Examine the plan every 2-5 years to determine if the data and other parts of the plan are still relevant.

Frequent amendments to the comprehensive plan and zoning ordinances.

If the plan is amended frequently or there are a substantial number of rezones, this may be a signal that a revision is needed.

Changes in internal policies and conditions.

For example, the city or borough has decided to dispose of municipal lands or buildings, or the city council embraces sustainability. This could create a need to update and revise the plan and ordinances.

Local policy.

Some communities update their plan on a periodic basis as a matter of policy.

Changes in external conditions.

The construction or extension of a major public facility such as water and sewer lines, a new highway, or development of a large project such as a mine are likely to have an impact on future development in the community. Big events signal the need to review the plan and related ordinances and update them as necessary.

Usefulness.

If the plan is out-of-date, is irrelevant, or is not being used, it should be updated.

Additional Comprehensive Planning Subjects

In addition to the typical elements defined by statute, the following planning subjects may also be included in the comprehensive plan. Inclusion of these planning subjects will add breadth and value to the comprehensive plan, assist with decision-making, and overall improve the quality of development in the community.

Transportation

Transportation is part of the essential infrastructure of a community. Along with water and wastewater, fire and police protection, schools, and recreational facilities, the transportation system is part of the foundation on which a community is built. Roads and streets, trails, pedestrian amenities, airports, ferry terminals, and ports, harbors and docks all comprise the transportation system. The location of transportation improvements is closely tied to land use and development, and is a crucial element of the community's social and economic well-being.

Transportation planning by the Alaska Department of Transportation and Public Facilities (AK DOT&PF) occurs in multiple ways. Fairbanks and Anchorage, as federal Metropolitan Planning Organizations (MPOs), are able to prepare their own long-range transportation plans which are binding on AK DOT&PF. All other areas of the state are planned either under the Statewide Long Range Transportation Plan (normally a policy and not a project-level plan), or more detailed area, corridor, or modal-specific plans.

Changes to federal transportation planning (and funding) will likely require more deliberate consistency between local comprehensive plans and state transportation plans. Future transportation plans appear likely to pay increasing attention to transit, walking, and bicycling.

Parks, Recreation, and Trails Plans

These are an expression of the community's objectives, needs, and priorities for the provision of leisure space, and recreation services and facilities. The plan should be long-range and comprehensive. It should describe alternatives, recommendations, and guidelines for public and private decisions related to the use and preservation of open space for recreation. The plan should detail community recreation needs (parks, trails, facilities) and translate them into specific sites to acquire or develop. It also details policies, practices, or criteria related to the design and management of these spaces and services. The community will review how a specific subdivision will impact those needs defined in the Parks, Recreation and Trails Plan. This is important because once land is developed; it almost never reverts to a pre-developed condition.

Open Space Plans

Open space meets the need (psychological and physical) for contrast and change from the indoor environment. Open space plans, often elements of a parks and recreation plan, can designate areas such as wetlands, berry-picking areas, creek and stream corridors, scenic or unique locations, floodplains and flood-prone locations, for retention in a natural or largely natural state. As with parks, once land is developed (i.e. with structures or roads), it almost never reverts to open space.

Housing Plans

Housing plans address infill, urban renewal, rehabilitation, and small business development. Housing is one of the most important elements in our lives and our communities – socially, physically, and economically. In Alaska, federal agencies, such as Housing and Urban Development (HUD) and the Department of Agriculture/Rural Development and the Federal Housing Authority (FHA), as well as Alaska Housing Finance Corporation and regional housing authorities, all influence the funding of affordable housing in communities. Location of new housing and the feasibility of rehabilitating older housing are the greatest determinant of where future infrastructure, such as water, sewer, and utilities, will go.

Local government has a direct impact on housing through its comprehensive plan and zoning and subdivision regulations. Land use regulations and permitting (including building permits) should protect the public interest without being excessive. The implications of housing decisions made by the governing body or the commission need to be considered from time-to-time, to make sure they don't affect the cost of housing unnecessarily, or allow housing to be developed haphazardly.

Economic Development Plans

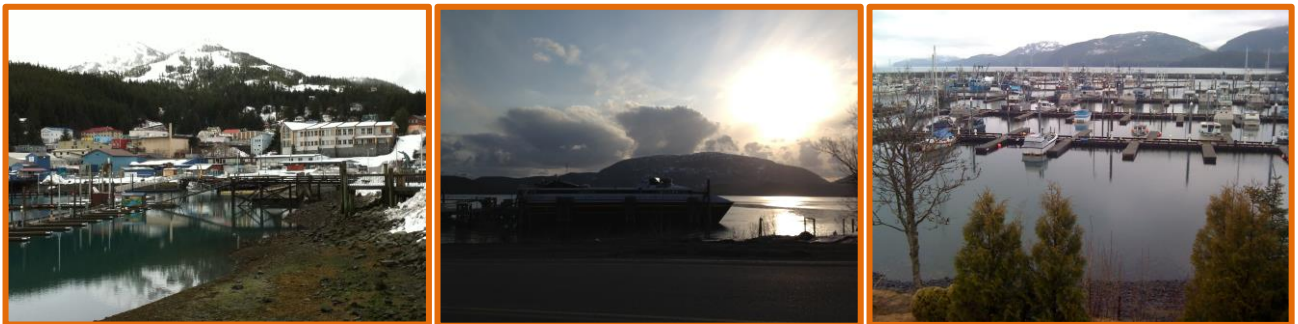
Economic development plans can be used to expand opportunity for commerce and industry (and hence jobs or job opportunities) in the community. Economic development is about retaining existing businesses and starting new businesses in the community, having an existing business expand into the community, or otherwise expanding the employment of the community. An economic development plan should identify resources, opportunities and policies that can promote employment. Mining, energy development or big infrastructure like a port, can also increase employment. Communities anticipating rapid growth should consider how they will fund and provide new public facilities and services.

Annexation

1. Annexation is the incorporation of land into a community. Often community planning goals for future growth and development include expansion of municipal corporate limits. Including a plan for annexation as a comprehensive plan subject requires the community do several things.
2. Identify the need for the annexation. Define what areas should be included in the annexation and what method should be used for annexation.
3. Determine the best boundaries for the annexation proposal. Review the boundary criteria in state statute and regulations.
4. Determine the fiscal impact of the annexation. What will be the financial implications for the community?
5. Ascertain the level of support for annexation. Keep the public informed of annexation plans and identify support and opposition for the petition.
6. Determine the appropriate method of annexation. There are five methods of annexation. Each requires approval by the Local Boundary Commission (LBC).
7. Decide whether to proceed. Reflect before committing the resources required to develop and process the annexation petition.

CORDOVA COMPREHENSIVE PLAN UPDATE

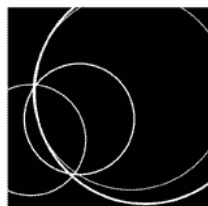
Proposal for Professional Services from Agnew::Beck Consulting, LLC



Submitted to:

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5.22.2013



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::BECK**

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I. SCOPE OF WORK

Approach

This section outlines our proposed scope of work to update the comprehensive plan for Cordova. Before presenting the specifics, below are a few general guiding principles based on our experience working on other comprehensive plans.

- Give the public a major role in shaping the plan. Take advantage of public knowledge and previous work; recognize that broad support is necessary for plan approval and implementation.
- Provide good information. Controversy often is resolved by replacing speculation with facts. Emphasize use of maps, photos and graphics. Help people to see their community with fresh eyes.
- Start fast and maintain a brisk pace. Plans often are too slow and measured at the beginning, and then rushed at the end. Aggressively identify specific issues early in the process to awaken public interest and give the plan focus. Develop goals and strategies early in the process, even if they are later revised, to generate public response and identify tough issues in time to develop workable solutions.
- Arrange for multi-day work sessions. We have learned that concentrated sessions can be very valuable, often more so than the same amount of work spread over several months.
- Be visionary and practical. Help people to think broadly and long term; at the same time, focus on plan implementation from the beginning of the process.

Key Issues

Below is a preliminary list of key issues and questions likely to be the focus of each section update based on the existing Comprehensive Plan and the firm's knowledge of Cordova and the Prince William Sound Region. We have consolidated the sections to emphasize the guidance of Alaska Statute 29, which mandates a Comprehensive Plan address policies and goals for land use, community facilities, and transportation. To this list we have added economic development as a core topic. Other subjects, e.g., energy or community wellness, will also be addressed but in less detail.

Section 1 – Economic Development

- What are Cordova's unique economic strengths; what market opportunities are most viable for expanding the local economy?
- How can the community strengthen and diversify its economy while maintaining local values?
- What actions can be taken to stabilize or reverse the slow steady decline in community population?
- What role if any can the City play in encouraging economic growth?
- How can Cordova better position itself as a regional hub, educating, training and supporting Cordova residents as well as surrounding communities?

Section 2 – Land Use and Environment

- What new land use policies may be needed to help the community meet goals for quality of life, for economic development, for environmental protection?
- What are the advantages and disadvantages of different locations and densities for future growth?

- How will land use decisions affect the cost of community services and facilities, such as energy, snow storage and removal, and transportation?
- Which combination of economic development, environmental protection, and recreation activities would be most suitable for Cordova's waterfront?

Section 3 – Public Services and Facilities

- What is the status of key community services and facilities: police, fire, water and sewer, parks and recreation, waste disposal, education? Is there a near and/or longer term need for significant changes, upgrades or investments in these programs?
- Are City revenues for key services keeping up with required costs?

Section 4 – Transportation

- Does the existing transportation system meet the needs of current and proposed land uses?
- Which road projects are underway and does the City have a set of objective criteria for prioritizing transportation projects?
- What roads, trails or other transportation solutions are needed to support the need for economic development, and for well-connected neighborhoods and an attractive community center?
- What waterfront infrastructure improvements (e.g. better, more boat ramps, expanded harbor, etc.) would help meet the community's fisheries and tourism-related business activities?

Section 5 – Other Subjects

We recommend adding a short additional section that addresses in less detail other topics that affect and support the economic and social well-being of Cordova residents. Examples include:

- **Energy**
 - How will Cordova negotiate the increasingly high costs of living in rural Alaska?
 - What types of energy efficiency measures and new renewable energy projects could alleviate the high cost of energy?
- **Education + Workforce Development**
 - What specific skills sets are needed and/or desired for Cordova's, the region's, Alaska's growing industries?
 - How are Cordova's educational institutions and related partners addressing those workforce needs? In other words, how is the community growing a future workforce?
- **Community Wellness**
 - What are Cordova's priority health issues and long-term goals?
 - What projects will help Cordova meet community wellness goals?

Tasks

TASK I. STARTUP + ONGOING PROJECT MANAGEMENT

- Hold initial conversations with City staff, representatives of City Departments, and the Planning Commission, to define project goals, leadership, schedule, roles of different community organizations.
- Set up a framework for community participation:

- Identify key people and organizations in the community and region,
- Set schedule for community workshops and completion of plan.
- c. Clarify roles of staff and consultant.
- d. Compile electronic versions of relevant plans, projects.
- e. Staff, working with consultant, prepares simple project webpage on the City website.
- f. Prepare and circulate for review an initial outline of the comprehensive plan.
- g. Continued project management throughout the planning process including regular check-ins with City Planning Staff.

STAFF TASKS – create project contacts list; organize initial teleconference with subset of key City leaders; compile relevant plans and projects; advise consultant on other tasks.

Task 1 deliverables: Clarified project goals, schedules, participants, and products.

TASK 2. BACKGROUND RESEARCH + PRELIMINARY PLAN FRAMEWORK

Working with City staff and the community, collect and summarize background information and key plan issues and prepare an initial framework of draft goals and strategies. This task will largely rely on information already compiled in recent City documents. Specific tasks will include:

- a. Work with Planning staff and the City Planning Commission to document the status of strategies and projects in the 2008 Comprehensive Plan, and other important plan-related City initiatives.
- b. Work with staff to describe the context for the preparation of the plan, including: social, economic and demographic patterns; history and culture; land use; fiscal issues and other topics relevant to decisions about the area's future. Results of this work will include:
 - Brief written summaries of key trends, with tables on topics like population and employment.
 - City-prepared maps of land ownership, physical opportunities and constraints for development, roads and trails, utilities, community facilities.
- c. Using the material above, prepare a plan background document that includes:
 - a short “state of the City report” – an overview of key facts on the community characteristics.
 - a summary of key planning issues, including community strengths, opportunities and challenges.
 - an initial draft framework of community goals, and strategies to reach these goals, focused on four core issues: economic development, land use and environment, transportation and public services/facilities. At a lesser level of detail, develop goals on other community issues including, energy, education and workforce development, and community wellness.

STAFF TASKS – Lead role on task 2a and the second portion of 2b; active assistance on other tasks.

Task 2 deliverables: Background summary document.

TASK 3. COMMUNITY INTERVIEWS + WORKSHOP

This task will be built around a three day trip to Cordova, which will start with individual and small group discussions, and culminate in a community public workshop.

Specific steps for this task include:

- a. Staff, working with the consultant, will make arrangements for interviews and informal focus groups, secure a time and place for the workshop, and develop and carry out necessary workshop publicity.
- b. Consultants travel to Cordova, and spend majority of the first two days of the visit conducting face to face interviews with individuals and small groups, to review and refine the background summary document from Task 2. Material from the evolving background document will then be used as a starting point for discussions at the workshop.
- c. Conduct community workshop. Activities include:
 - Review of background information: “State of the City” and community maps of facilities, infrastructure, environment, economy;
 - Review and refine critical comprehensive plan issues;
 - Review and refine community vision, goals;
 - Identify preliminary strategies to reach goals.
 - Identify preliminary priority projects.
- d. Staff compiles notes from Workshop.

STAFF TASKS – Staff has lead role on task 3a and 3d; staff provides active assistance on other two tasks.

Task 3 deliverables: Community Workshop and notes summarizing community input on plan components (e.g., background information, issues, goals, initial priority strategies).

TASK 4. PREPARE FULL DRAFT COMPREHENSIVE PLAN

This stage will integrate information from previous steps to produce a full draft of the community plan. Specific steps are outlined below:

- a. Consultant works with staff and other key community leaders, including one or more key members of the Planning and Zoning Commission to complete full public review draft of the Community Plan. The draft plan includes:
 - Include background information on trends and issues (from Task 2).
 - Vision, goals and priorities organized by primary subject: land use and environment, transportation and public facilities and services; with a shorter section on other topics: economic development, energy, education, and community wellness (from Task 3).
 - Overall community plan land use map.
 - Initial implementation strategies.
- b. Circulate draft plan for community review.

STAFF TASKS – Assist consultants on task 4a; lead on task 4b.

Task 4 deliverables: Draft Comprehensive Plan.

TASK 5. COMMUNITY REVIEW

- a. Develop guiding questions for staff plan review meetings (see below).
- b. Staff meets informally with community leadership organizations (e.g., Planning Commission, Chamber, Native Tribe and Corporation, Copper River Watershed Project) to record suggested revisions to the draft plan, with particular focus on timing and responsibilities for priority strategies and/or projects.
- c. Facilitate plan review session with Staff and Planning Commission to finalize goals, objectives, strategies and priority projects.

STAFF TASKS – Lead on task 5a and 5b; staff provides active assistance on task 5c.

Task 5 deliverables: Community Workshop and notes summarizing community input on draft plan.

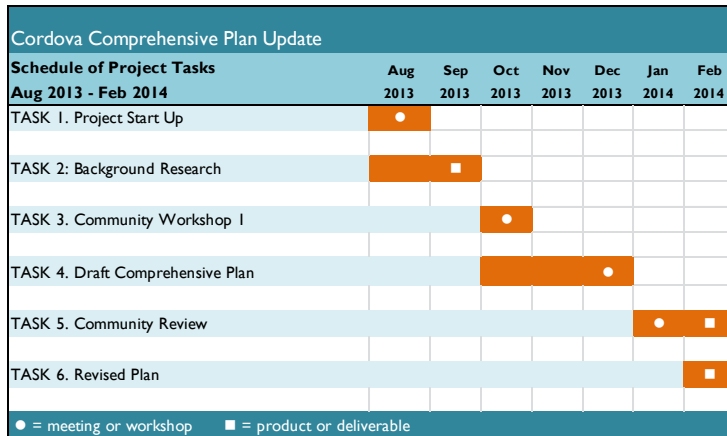
TASK 6. REVISED DRAFT PLAN

- a. Consultant, working with the staff, will make necessary revisions to the draft plan, and provide this revised version for staff to take through the approval process.

Task 6 deliverables: Revised Draft Comprehensive Plan

2. TIMELINE + BUDGET

Timeline



Budget

Cordova Comprehensive Plan Update		Timeline		Principal		Project Manager		Associate		Total
		hours	rate	hours	rate	hours	rate	hours	rate	
TASK 1. Start Up +Ongoing Project Management			\$150		\$115				\$90	
Review goals + requirements for Comprehensive Plan with project manager Set schedule for project; clarify tasks and scope. Identify stakeholders and public engagement plan and schedule.		Month 1								
		2	\$300	8	\$920	2	\$180			\$1,400
TASK 2. Background Research and Preliminary Plan Framework		Months 1-2								
Collect information on community and region, including demographic information and maps. Summarize context for plan, including status of previous plan and more recent planning projects. Develop initial plan framework: goals and strategies.		8	\$1,200	12	\$1,380	22	\$1,980			\$4,560
TASK 3. Community Interviews and Workshop I		Month 3								
Facilitate community workshop. Refine information on existing conditions in the community. Review and refine issues, goals and strategies.		28	\$4,200	30	\$3,450	4	\$360			\$8,010
TASK 4. Draft Comprehensive Plan		Months 3-5								
Complete full draft Comprehensive Plan, based on community input. Summarize current and projected conditions of the area. Draft comprehensive plan maps. Circulate draft plan.		4	\$600	8	\$920	12	\$1,080			\$2,600
TASK 5. Community Review		Months 6-7								
Facilitate plan review session with Planning Commission. Finalize goals, objectives, strategies and priority projects.		2	\$300	4	\$460	4	\$360			\$1,120
TASK 6. Revised Draft Plan		Months 7								
Revise plan according to community input. Include Priority Actions list with steps for implementation. Finalize files and materials for output to client.		2	\$300	16	\$1,840	16	\$1,440			\$3,580
Travel *										\$2,140
Expenses **										\$1,500
TOTAL		46	\$6,900	78	\$8,970	60	\$5,400			\$24,910

EXCLUSIONS + TERMS

* Travel - Two roundtrips from Anchorage for one multi-day community workshops.

** Expenses shown include costs for phone and related equipment and services required in the normal performance of the contract. Costs to prepare informational, advertising or meeting materials are included in this budget; however, costs for large volume printing, mailing or otherwise distributing these materials, or for paid advertising or other public notices, are not included in this budget and would be paid for directly by client, as needed. All final reports, drawings, maps, graphics, plans, and similar final documents prepared by Consultant in providing its services will become the property of the Client. The Client can use the aforementioned documents and products during this specific project or as part of subsequent related work in the future. The Consultant, who will contribute relevant work from past work to aid in this project, can use non-proprietary elements of work developed as part of this project in its subsequent work with other clients or in marketing the experience of Agnew::Beck.

This estimate is good for 90 days from the date of the estimate.

3. QUALIFICATIONS + EXPERIENCE

Firm Overview

Agnew::Beck is a multidisciplinary consulting firm based in Anchorage, Alaska. We are skilled in analysis, policy development, planning, public engagement, and project implementation. Since 2002, we have helped our clients strategically respond to challenges and opportunities to achieve their goals. Our team is committed to effective and efficient project management. We work to build healthy communities locally, regionally and statewide.

Our firm's areas of specialty include:

- Land Use and Urban Design
- Master Planning and Site Design
- Communications and Public Engagement
- Economic Development
- Tourism, Recreation and Open Space Planning
- Fundraising
- Graphic Design and Visual Communication

By combining creativity and vision with practical implementation, Agnew::Beck helps clients accomplish short-term objectives and set out a clear path for long-term success. We are committed, passionate, and practical partners, working together to identify and tackle the most important issues with smart, effective solutions. “Engage, Plan, Implement” is our approach to helping people, places and organizations get beyond ideas and issues, and make things happen.

Team Member Bios

Chris Beck, AICP (Principal-in-Charge) is a land use planner with more than 30 years of experience specializing in land use planning, tourism and recreation, regional economic development, site planning and public participation. He co-owns and manages Agnew::Beck. His work includes overseeing Agnew::Beck's capable staff and helping to manage a range of specific projects. Chris's overarching skill is the ability to forge shared goals and actions from diverse viewpoints, for example, finding the balance point between what a community wants and what it can afford, or between the desire to grow and the desire to protect what is special about a particular town or trail or bay. Chris has worked on a number of projects in Cordova and Prince William Sound, including the Cordova Tourism Plan. He has lead comprehensive planning efforts across the state including Big Lake, Palmer, Talkeetna, Bethel, and Dillingham, and tourism plans in Wrangell, Yakutat, McCarthy and Bristol Bay.

Shelly Wade, AICP (Managing Associate + Project Manager) uses her natural facilitation skills to develop strategic plans for better communities, sustainable economic practices and a healthier environment. A lifelong Alaskan, Shelly was raised in North Pole and enjoys managing planning projects in remote regions. Whether working with municipalities, tribal entities or development organizations, she teases out tangible actions and rallies around shared attainable goals. Shelly applies her experience as a well-traveled facilitator and energetic planner to help guide Alaskans to cultivate healthier communities, smart policies and goal-oriented networks. Shelly has also managed and worked on a number of projects in Cordova and Prince

William sound including, the recent effort to create a vision and planning alternative for the South Fill Commercial Area in Cordova (City of Cordova), the Chugach National Forest Plan Revision (U.S. Forest Service, Chugach National Forest), the Cordova All-Terrain Vehicle Management Plan (U.S. Forest Service, Chugach National Forest) , the Prince William Sound Comprehensive Economic Development Strategy (Prince William Sound Economic Development District). Shelly has also successfully managed other comprehensive planning projects around the state, including the award winning *2009 Big Lake Comprehensive Plan Update*. Shelly and her colleagues at Agnew::Beck, along with the Big Lake Community Council and the Mat-Su Borough Division of Planning, received an award from the Alaska Chapter of the American Planning Association for “Best Comprehensive Plan”.

Meghan Holtan (Planning Associate) makes projects happen. From organizing large youth circuses to improving bicycle infrastructure, she knows how to outline the steps to get the right people to the table to get the plan on the ground. After many years of running a small arts business, Meghan returned to school to earn a master’s degree in environment science with a concentration in environmental and community planning. She worked as a research assistant for the Honeywell community planning group to help members understand options for reuse of one of the most polluted landscapes in the country. She enjoys deploying GIS for research and community development; while in Syracuse she created the maps for the Syracuse Bike Plan. Since joining Agnew::Beck as a summer intern in 2010, Meghan conducted a commercial gap analysis, and inventoried and mapped existing recreation amenities for the Yakutat Sustainable Outdoor Recreation Action Plan. She is currently assisting with the Chugach Forest Plan Revision public and youth engagement process as well creating maps for the Aleknagik Comprehensive Plan Update. She has traveled extensively in Alaska working with youth from Camp Sivunniigvik outside of Noorvik to charter schools in Anchorage.

Relevant Projects

Agnew::Beck Consulting, LLC, has worked to create livable, vital communities all over Alaska, from remote rural villages to urban neighborhoods. We understand that Cordova is in a state of economic and social transition. Agnew::Beck specializes in crafting solutions that are sustainable at the community level, respect the unique qualities of particular places and find common ground between diverse viewpoints.

Outlined below are summaries of several representative Agnew::Beck community planning projects.

Big Lake Comprehensive Plan Update – Big Lake, AK: Matanuska Susitna Borough, 2007-2009

Awarded “Best Comprehensive Plan” by AK Chapter of the American Planning Association in November 2012

In 2007, The Matanuska-Susitna Borough teamed with Agnew::Beck to update Big Lake’s 1996 Comprehensive Plan. Big Lake’s residents, landowners and other stakeholders were well-represented in this highly participatory comprehensive planning process which included regular meetings of the Big Lake Planning Team, public workshops, and the creation of planning work groups for specific key issues that have emerged through the process. These work groups were created partly in response to the challenge of working with a 40-member Planning Team. Smaller work groups resulted in a more focused forum for creating practical, locally driven solutions to specific issues. The work groups not only shaped the Comprehensive Plan, but also ensure the successful implementation of the plan’s recommendations.

Agnew::Beck created a project webpage used by Big Lake community members to learn about the plan, upcoming meetings and to submit comments. The Planning Team also engaged area youth in planning for the future of their community. Agnew::Beck's desire to innovate, and tailor plans and products to communities, resulted in a few new methods of comprehensive planning. In order to help folks better understand and visualize the overall concept and concepts of the Comprehensive Plan, Agnew::Beck designed a user-friendly, graphically based "guidebook" to illustrate the issues, goals and processes of Comprehensive Plan. Another innovative step in the process included an "experts" session which matched a panel of local experts with the work groups to share local and professional knowledge about issues affecting Big Lake (lake shore restoration, fire prevention, fish and wildlife habitat and transportation projects).

Reference: Frankie Barker, Matanuska Susitna Borough Environmental Planner 907.746.7439

Team Members: Shelly Wade, Chris Beck

Hillside District Plan 2006-2010

The Hillside District Plan focused on land use and infrastructure strategies in an area with 20,000 residents in the southeastern quadrant of Anchorage. The central challenge of this project was to provide opportunities for continued growth in an area with significant physical constraints, and where residents and landowners are strongly inclined to maintain the area's traditional low density rural character. Trail and open space issues were a major focus. Agnew::Beck's role in this multi-year, multi-million dollar project was extensive. It included managing the land use component of the project and guiding the work of subcontractors in six topic areas to create an integrated set of policies on land use, open space and recreation, drainage, roads and trails, public water and sewer, and onsite wastewater. Agnew::Beck was also responsible for the plan's extensive public outreach and participation program, intended to gain the trust and support of residents in an area of Anchorage that tends to be suspicious of Municipal plans and projects. The final plan included strategies to reserve traditional trails, create new trailheads while satisfying grumpy neighbors, improve access to the adjacent Chugach State Park, and raise funds for trail construction and maintenance. Trail planning was integrated with a broader "built/green infrastructure" strategy, which combined the functions of open space corridors wherever possible to support trails as well as drainage, aquifer protection and habitat goals. This plan was unanimously adopted by the Anchorage Assembly in April 2010.

Reference: Tyler Robinson, formerly with the Municipality of Anchorage, now with Cook Inlet Housing 907.793.3000.

Team Member: Chris Beck

Aleknagik Comprehensive Plan

Agnew::Beck worked with Aleknagik residents to update their Comprehensive Strategic Development Plan. Meetings with the planning team surfaced village issues that became the foundation for the initial draft of the plan. The draft plan was available for community review and comment during the community workshops. The plan outlines the values of the community and enabled residents to agree on actions to guide local and regional governing organizations into the future. With the plan, the community gained greater control over its destiny and a stronger position from which to work with outside parties. The Comprehensive Plan aims to increase the odds that children can find decent work and continue to live in their home community so

Aleknagik can sustain cultural traditions, subsistence, history and culture, while improving community facilities and services and finding better ways to communicate and make community decisions.

Reference: Patty Heyano, Bristol Bay Native Association, 907.842.5257.

Team member: Chris Beck

Meadow Lakes Comprehensive Plan and Special Use District

Agnew::Beck worked with community of Meadow Lakes in the Matanuska-Susitna Borough in 2005 to develop the Meadow Lakes Comprehensive Plan, which was unanimously approved by the Matanuska-Susitna Borough Assembly that year. Through the comprehensive planning process, the community recommended creating a Special Use District (SpUD) to implement the vision outlined in the plan. Since then, the Borough has re-engaged Agnew::Beck to facilitate the public engagement process for developing a Meadow Lakes SpUD. Both projects featured a highly participatory process, with a planning team, multiple community workshops, and a project website to track progress and receive comments. The Meadow Lakes SpUD process included a stakeholders meeting in which all major public and private landowners in the area met to share their goals for development. That dialogue helped to shape regulations to support a range of community and individual land use goals.

Reference: Lauren Driscoll, 907.745.9855

Team members: Chris Beck, Shelly Wade

Palmer Comprehensive Plan

Driven by the continuing rapid growth of Palmer and surrounding areas, the community hired Agnew::Beck Consulting (with sub-consultants Land Design North, HDR Engineering and Northern Economics, Inc.) to update its 1999 Comprehensive Plan. Public participation was the key to the success of this planning process in the Matanuska-Susitna Borough. Through a series of public meetings and the use of a Plan Advisory Committee, people were able to establish broad goals for Palmer's future and then help define the right actions to reach these goals. Major challenges addressed by the plan included:

- Revitalizing the downtown, and creating a stronger economic center to the community
- Accommodating growth while maintaining rural lifestyle and an attractive community
- Creating a community-wide trail system
- Guiding commercial development along the Glenn Highway and Palmer Wasilla Highway
- Planning for annexation and community expansion, in particular, for the expansion of water, sewer, police, fire, drainage, and other fundamental community services

The successful response to these issues rested on the open, transparent process that kept the community engaged in the process, responded to specific concerns, and ensured that the final product was widely understood and supported. The Comprehensive Plan was adopted unanimously by the Palmer Planning and Zoning Commission and City Council.

Reference: Sara Jansen, Community Development Coordinator, City of Palmer, 907.761.1315

Team member: Chris Beck

Prince William Sound Area Projects

In addition to comprehensive planning, Agnew::Beck has facilitated community planning projects in and around Prince William Sound including:

- Cordova South Fill Commercial Area Land Use Alternatives Facilitation (Spring 2013, in progress) – City of Cordova
- Chugach National Forest Plan Revision (2013, in progress) – Chugach National Forest
- Cordova All-Terrain Vehicle Management Plan (2010-2012) – Chugach National Forest
- Prince William Sound Comprehensive Economic Development Strategy (2011) – Prince William Sound Economic Development District
- Cordova Tourism Plan (2000) – Chamber of Commerce, City of Cordova, Copper River Watershed Project
- Allison Creek Hydroelectric Project (2011) – Copper Valley Electric Association (CVEA)

June 2013						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5 City Council Regular Meeting Library Conference Room 730	6	7	8
9	10	11 P&Z Meeting Library Conference Room 6:30PM	12 Harbor Commission Meeting 7:00 PM City Hall	13	14	15
16	17	18	19 City Council Regular Meeting Library Conference Room 730	20	21	22
Father's Day						
23	24	25	26	27	28	29
30						

July 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3 City Council Regular Meeting Library Conference Room 730	4 Independence Day City Closed	5	6
7	8	9 P&Z Meeting Library Conference Room 6:30PM	10 Harbor Commission Meeting 7:00 PM City Hall	11	12	13
14	15	16	17 City Council Regular Meeting Library Conference Room 730	18	19	20
21	22	23	24	25	26	27
28	29	30	31			