#### Chairman PLANNING COMMISSION REGULAR MEETING Tom Bailer **NOVEMBER 12, 2013 AT 6:45 PM** Commissioners David Reggiani LIBRARY MEETING ROOM John Greenwood Tom McGann **AGENDA** Scott Pegau John Baenen 1. CALL TO ORDER Roy Srb 2. ROLL CALL City Planner Samantha Greenwood Chairman Tom Bailer, Commissioners David Reggiani, John Greenwood, Tom McGann, Scott Pegau, John Baenen and Roy Srb Assistant Planner Shannon Joekav 3. APPROVAL OF REGULAR AGENDA (voice vote) 4. APPROVAL OF CONSENT CALENDAR c. Record Excused absences of Tom Bailer and John Greenwood for the October 8, 2013 Regular Meeting 5. DISCLOSURES OF CONFLICTS OF INTEREST 6. CORRESPONDENCE 7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS a. Guest Speakers: Kate Morse, Copper River Watershed re: Hospital Bioswale Update b. Audience comments regarding agenda items (3 minutes per speaker) c. Chairpersons and Representatives of Boards and Commissions 8. PLANNERS REPORT.... Page 7 9. NEW/MISCELLANEOUS BUSINESS a. Preliminary Plat of Whitshed Road Mile 3.8 SLUP Lot Subdivision: ....... Pages 8-10 A Subdivision of Eyak Corporation Lands within USS 5103 (voice vote b. Plat note modification for Lot 2, Block 7 North Fill Development Park...... Pages 11-20 c. Chapter 3.40 Discussion Pages 21-30

#### 10. OLD BUSINESS

a. None

## 11. PENDING CALENDAR

a. November 2013 Calendar	Page 31
b. December 2013 Calendar	Page 32

#### 12. AUDIENCE PARTICIPATION

#### 13. COMMISSION COMMENTS

#### 14. ADJOURNMENT

# PLANNING COMMISSION PUBLIC HEARING OCTOBER 8, 2013 @ 6:30 PM LIBRARY MEETING ROOM MINUTES

# **DRAFT**

#### 1. Call to order

Co-Chairman *David Reggiani* called the Planning Commission Public Hearing to order at 6:30 PM on October 8, 2013 in the Library Meeting Room.

#### 2. Roll Call

Present for roll call were Commissioners *David Reggiani, Tom McGann, Scott Pegau*, and *John Baenen*. Chairman *Tom Bailer* and Commissioners *John Greenwood* and *Roy Srb* were absent.

Also present was Planner, *Samantha Greenwood* and Assistant Planner, *Shannon Joekay*. There was 1 person in the audience.

#### 3. Public Hearing Topics

a. Preliminary Plat of Mile 5-Whitshed Road Eyak Corporation SLUP Lots

**Reggiani** asked if there was anyone who would like to address the Commission. **Matthew Anderson** asked if anyone from the Eyak Corporation had been invited to attend the meeting today. **Samantha Greenwood** stated that we have been working with **Angela Reilly** for this subdivision. **Shannon Joekay** stated that we sent out a notification letter to her with the meeting details. **Reggiani** asked if he would like to address the commission. **Matthew Anderson** said that he wanted to address the **Eyak Corporation**. He was confused about the agenda and was worried that it was his SLUP property. **Reggiani** suggested he look at the preliminary plat for the location. **Anderson** confirmed that it was Whitshed and not the Copper River Highway.

**M/McGann S/Baenen** moved to recess at 6:33 PM; with no objection, the meeting was recessed. **Reggiani** called the meeting back to order at 6:43 PM and asked if anyone would like to address the commission. No one stepped forward.

#### 4. Adjournment

**M/Srb S/McGann** moved to adjourn the Public Hearing at 6:43 PM; with no objection, the meeting was adjourned.

Approved:	
Shannon Joekay, Assistant Planner	

# PLANNING COMMISSION REGULAR MEETING OCTOBER 8, 2013 @ 6:45 PM LIBRARY MEETING ROOM MINUTES

# DRAFT

#### 1. Call to order

Co-Chairman *David Reggiani* called the Planning Commission Regular Meeting to order at 6:45 PM on October 8, 2013 in the Library Meeting Room.

#### 2. Roll Call

 Present for roll call were Commissioners David Reggiani, Tom McGann, Scott Pegau, Roy Srb and John Baenen. Chairman Tom Bailer and Commissioner John Greenwood were absent.

Also present were Planner, *Samantha Greenwood*, Assistant Planner, *Shannon Joekay*, City Manager, *Randy Robertson* and Public Works Director, *Moe Zamarron*.

There were 4 people in the audience.

## 3. Approval of Agenda

*M/Srb S/McGann* to approve the Regular Agenda.

Upon voice vote, motion passed, 5-0

Yea: Reggiani, McGann, Pegau, Srb, Baenen

Nay: None

Absent: Bailer, Greenwood

#### 4. Approval of Consent Calendar

a. Minutes of 9-10-13 Planning Commission Public Hearing

b. Minutes of 9-10-13 Planning Commission Regular Meeting

c. Record unexcused absence of Roy Srb for September 10, 2013 Regular Meeting

*M/McGann S/Srb* to approve the Consent Calendar

*Reggiani* stated he had changes to the minutes. *Shannon Joekay* said they would be corrected prior to publishing them online.

Upon voice vote, motion passed, 5-0

Yea: Reggiani, McGann, Pegau, Srb, Baenen

Nav: None

Absent: Bailer, Greenwood

#### 5. Disclosure of Conflict of Interest

None

## 6. Correspondence

None

#### 7. Communication by and Petitions from Visitors

#### 1. Guest Speakers

None

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

**Thai Vu** and **Camtu Ho**, 129 Harbor Loop Road, thanked the staff for doing a good job and let the commissioners know they were there to answer any questions they had.

# 3. Chairpersons and Representatives of Boards and Commissions None

#### 8. Planners Report

Samantha Greenwood stated she has spoken to Agnew::Beck about having Comprehensive Plan training, including State requirements. City Council would also be invited. She also stated that Baenen is going to Anchorage for the Planning Commissioner 101 training in November. Pegau said he will be out of the office 11/13-11/15 and would appreciate going to the training. He also asked if there was a variance granted for Trident building to zero lot line. Samantha Greenwood explained that in the industrial zone as long as Fire Life & Safety sign off on it, they can build to zero lot line so no variance was needed. McGann asked about the completed grant application for the Native Village of Eyak Sidewalk Grant.

Samantha Greenwood said that she helped complete the Transportation Grant through the Highway Department. There would be stairs coming up from the High School, to the Copper River Highway sidewalk, meeting up with the Railroad Avenue sidewalk and continuing that to stairs that would be installed at the Baja Taco boat maintenance area. It would probably involve some road alignment. Reggiani wanted to confirm it was a grant application and if it does get awarded some more information would come forward to the Planning Commission. Samantha Greenwood confirmed it still has engineering work that needs to be completed.

#### 9. New Business

a. Camtu Site Plan Review

*M/Srb S/Baenen* moved that the Planning Commission recommend to City Council to approve the Site Plan Camtu's Service Center for the construction of an enclosed building addition of 25 x 60 feet and a covered back loading dock that is  $25 \times 30$  feet on Lot 7 Block 2 South Fill Development Park.

*Srb* said it looked like a good addition to him and that nothing stood out as a problem. **McGann** said he supported approving this site plan and that it's great that an established business can expand, especially within their own lot which means that the City doesn't have to sell more land to accomplish the same thing. *Pegau* questioned the 150 pound snow load and stated that the section of code 18.39 applied to this building, not 18.33, as written. He said that the restrictions that needed to be met in that section are that no more than 50% of the front lot can be used for parking and there can't be more than 2000 feet applied for fish processing and he wanted to know what portion of the building will be dedicated to that. The third thing **Pegau** brought up was the drainage plan in the proposed driveway, which would make the snow dump inaccessible. He also brought up that the profile view was not in the packet so he was unsure how they are matching the plans to the existing building. Samantha Greenwood confirmed that 150 pounds is the correct snow load, 2000 square feet is their plan for fish processing. She passed out the side profile which was not included in the packet by mistake. She said she couldn't address the 50% for parking since she is not sure how realistic that is and that the Commission needs to discuss it. The drainage plan is shown on the drawing and the 20 foot access easement, to her understanding, provides adequate access to the snow dump. Baenen stated that if you look at other businesses in the South Fill Area such as NAPA, AC, Redden Net and Plumbline all their front lots are parking and he doesn't see a problem with it. He also questioned the easement and access to the property if their plans were to fall through on their new lot (adjacent to their existing lot). Samantha Greenwood addressed this concern by stating that the 20 foot easement (10 feet on each side of the lot line) would be a recorded easement that would follow the lots until it was superseded. *McGann* also brought up *Paul Trumblee's* email which states that fire code

requires a 20 feet access and *Samantha Greenwood* confirmed that the City doesn't require that since there are only 5 foot setbacks on the South Fill but that it is a bonus that it meets fire code as well to access the back of both properties.

<u>Upon voice vote, motion passed, 4-1</u> <u>Yea: Reggiani, McGann, Srb, Baenen</u>

Nay: Pegau

Absent: Bailer, Greenwood

Please note: After this discussion, Commissioner *Baenen* had to leave to return to work. *Reggiani* confirmed there was still a quorum so the meeting continued.

#### 10. Old Business

a. Preliminary Plat of Whitshed Road-5.1 Mile SLUP Lot Subdivision

*M/Srb S/McGann* moved to approve the Preliminary Plat request for Eyak Corporation, Whitshed Road-Mile 5 SLUP Lot Subdivision: A Subdivision of Eyak Corporation Lands within USS 5103, located in Sec. 1, T. 16 S., R. 4 W., C.R.M., Alaska.

*Srb* and *McGann* said they supported the motion.

<u>Upon voice vote, motion passed, 4-0</u> Yea: Reggiani, McGann, Pegau, Srb

Nay: None

Absent: Bailer, Greenwood, Baenen

b. Capital Improvement Projects for 2014

*M/McGann S/Srb* moved to approve resolution 13-10 a resolution of the City of Cordova's Planning and Zoning Commission recommending a capital improvement list for FY 2014 to the City of Cordova's City Council.

**McGann** said the Harbor maximum for a 60 foot extension into the Harbor maximum and we listed 75 feet. He also requested we omit the Sawmill Trail Extension since he doesn't feel there is consensus in the community after the South Fill meetings and #5 (LT2 Compliance) should be deleted as well since that if fully funded. Samantha Greenwood asked *Moe Zamarron* to speak about the Public Works ones since he has more information. She also clarified that *Tony Schinella* didn't want to go 75 feet and would prefer sheet pile as opposed to fill since that allows for boat access. The Commission agreed that they would change 75' of fill to 60' of fill. *Moe Zamarron* said he appreciated having his projects for his public works divisions on the CIP List. He spoke about all the public works projects on the list. He also explained that there is a possibility of the canneries not needing LT2 Compliance water for processing and supply. Srb asked if Moe planned on bringing extra pipeline infrastructure or re-dedicating. Moe stated he would be doing both. Srb had a couple questions for clarification on the CIP List since he was absent from the previous meeting: #6 based on the change from the Harbormaster, he wondered if that changed the dollar figure (for the North Fill parking extension). Samantha Greenwood stated that most of the cost is in the sheet pile, not the fill. *Srb* asked about the survey of city roads and property. Samantha Greenwood stated that was Pegau's idea which would help us identify the right of ways or City properties. *Pegau* said the idea was to start surveying roads so we don't have to question where private property is compared to City streets. It would be a continuous item until we get everything surveyed. Srb asked about establishing high water bench marks. Samantha Greenwood stated it would help people know where the established high water bench marks are so they could build above it since we are still waiting on updated FEMA maps. *Srb* also asked if the vacation of Adam's right of way item was for the complete right of way or partial. Samantha Greenwood stated it was for partial vacation. It also includes costs for surveying, water and sewer mains to be run on streets that need them and if the City wants to do any prep work. Reggiani stated that we need better description for the location on the resolution and also re-titling of #2 the paving:

street repair and improvements/paving. The Commission also prioritized the items on the resolution and removed #12 the Sawmill Extension.

<u>Upon voice vote, original motion passed, 4-0</u>

Yea: Reggiani, McGann, Pegau, Srb

Nay: None

Absent: Bailer, Greenwood, Baenen

#### c. South Fill Report

*M/Srb S/Pegau* moved to accept "A Summary of 3 Community Meetings for the South Fill Commercial Area" as a planning document and recommend this planning document to City Council.

**Reggiani** wanted to know what the motion meant. **Samantha Greenwood** stated that is what her question was. She was looking for some way to forward this report to City Council for their review. **McGann** said he thinks it is a good reflection of what happened at the meetings. He doesn't feel it is a planning document since they are just overviews.

**M/McGann S/Reggiani** moved to accept and forward "A Summary of 3 Community Meetings for the South Fill Commercial Area" to the City Council.

Upon voice vote, amended motion passed, 4-0

Yea: Reggiani, McGann, Pegau, Srb

Nay: None

Absent: Bailer, Greenwood, Baenen

Upon voice vote, original motion passed, 4-0

Yea: Reggiani, McGann, Pegau, Srb

Nay: None

Absent: Bailer, Greenwood, Baenen

#### 11. Pending Calendar

a. October 2013 Calendar

b. November 2013 Calendar

**Samantha Greenwood** asked about the number of meetings each month since some months have a lot of items. After a discussion, the commission decided that if there were more items on the agenda then they could handle in one meeting, they would recess and call a special meeting instead of scheduling two meetings each month.

#### 12. Audience Participation

*Sheryl Blake*, 6.5 mile, said that in order to sell property at 6.5 mile, they need at least an acre of land because of septic requirements. She also said that any flooding out there causes anything existing out there floods into the water and creates health hazards. She would really like to see City water and sewer out to 6.5 mile.

#### 13. Commission Comments

**Pegau** wanted to make sure that site plan reviews had a reasonable drainage plan. **Srb** said it was a good meeting. He also would like to see if there was another water source to expand to 6.5 mile. He also said this was his second to last meeting and he said he appreciates everyone on the commission and the staff as it has been a very enjoyable time. **Reggiani** asked about code revision and he would like an update. **Samantha Greenwood** said she has spent her \$25,000 that City Council gave for code projects. Chapter 19 which the

commission reviewed is still at the State Flood Plain Coordinator's office. Chapter 16 is still on hold until we get a building inspector; although, when the fee schedule comes up she is changing it so it doesn't include the increased fees since we still don't have a building inspector. Chapter 16 will have to be revisited since we are now 2009 IBC (International Building Code). She has been working on subdivisions, chapter 17, without lawyer input. The codes would probably be best in a work session. Chapter 18 would be best completed after the Comprehensive Plan, per the lawyer. Then code would be built according to the Comprehensive Plan. It would also need a huge amount of public input and the zoning map would have to go through the process as well. Chapter 3 would also be a good code to review since it is the Planning and Zoning Commission duties and responsibilities. *Reggiani* suggested that the codes be on the next agendas to get a good start on the revision prior to the new year.

<ol><li>14. Adjournme</li></ol>	nt
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<i>M/McGann S/Srb</i> moved	l to adjourn t	the Regular	Meeting at	7:59 PM; wit	h no objection	, the
meeting was adjourned.						

Approved:
Shannon Ioekav. Assistant Planner

# Planning Commission Regular Meeting

November 12th, 2013

# **Planning Department**

# Planners Report

To: Planning Commission
From: Planning Department Staff

Date: 10/1/13

Re: Recent Activities and updates

• The following permits were issued:

	0 1			
031-2013	Landaluce, Sabin	Foundation Only	\$400,000	Lot 15, Block 10 Original
				Townsite
032-2013	Kennedy, Vivian	Roof & Deck Extension	\$10,000	Tract 3, USS 1668
033-2013	Prince William	Window & Siding	\$12,000	Portion of Lot 2, Block 7A
	Sound Science	Replacement		Tidewater Development
	Center			Park
034-2013	Vu, Thai & Ho,	Foundation Only	\$190,000	Lot 7, Block 2 South Fill
	Camtu			Development Park

- Helped print out pictures for Bidarki and Police Department
- Attended Outlook Training
- Finished Lease Spreadsheet and worked with Barb to make sure all of them have been billed and paid correctly
- Created a layer for the Streets department which gives the lengths of each of the roads and what they are made of: asphalt, chip seal, gravel
- Worked with Fire Department to notify and request owner to clean up debris from control. Debris will be cleaned up in next two weeks.
- Assisted the Assessor with questions regarding leases and building permits
- Met with Copper River Seafoods regarding their pier update.
- Safe routes to school grant opportunities.---update
- Researching ROW on New England Cannery and owner of stuff along the ROW by Shipyard
- Organized and helped with Cleanup days
- Looking at options for under the boardwalk behind court house and for the ROW beside the pool
- Worked up assignment and assumption of lease for Ocean beauty who are working with PWSSC on continuing lease after close of sale.
- Chief, Public Works and planning has made an effort to identify and have non-moving cars, boats and other objects removed from ROW prior to snow removal
- Comprehensive plan training November 18<sup>th</sup> 6-9: dinner served at 530.
- Transportation Grant with NVE will be awarded next month.

# Memorandum

To: Planning Commission

Thru: Planning Department Staff

Date: November 4, 2013

Re: Preliminary Plat

## **PART I. GENERAL INFORMATION:**

File No.: Whitshed Road-Mile 3.8 SLUP Lot Subdivision within USS 5103

Requested Action: Preliminary Plat approval

Applicant: Eyak Corporation
Owner's Name: Eyak Corporation

Zoning: Unrestricted District (UR)

Applicable Regulations: Title 17, Subdivision Regulations

## PART II. BACKGROUND:

The proposed subdivision is to create 1 Tract which is 1.5 Acres.

### PART III. SUGGESTED FINDINGS:

- 1. The proposed subdivision conforms to the purposes and requirements of the Subdivision Ordinance; and the Comprehensive Plan Policies and serves the public use, health and safety
- 2. There are no known physical conditions present which may be hazardous to the future inhabitants with this Subdivision

# **PART IV. STAFF RECOMMENDATION:**

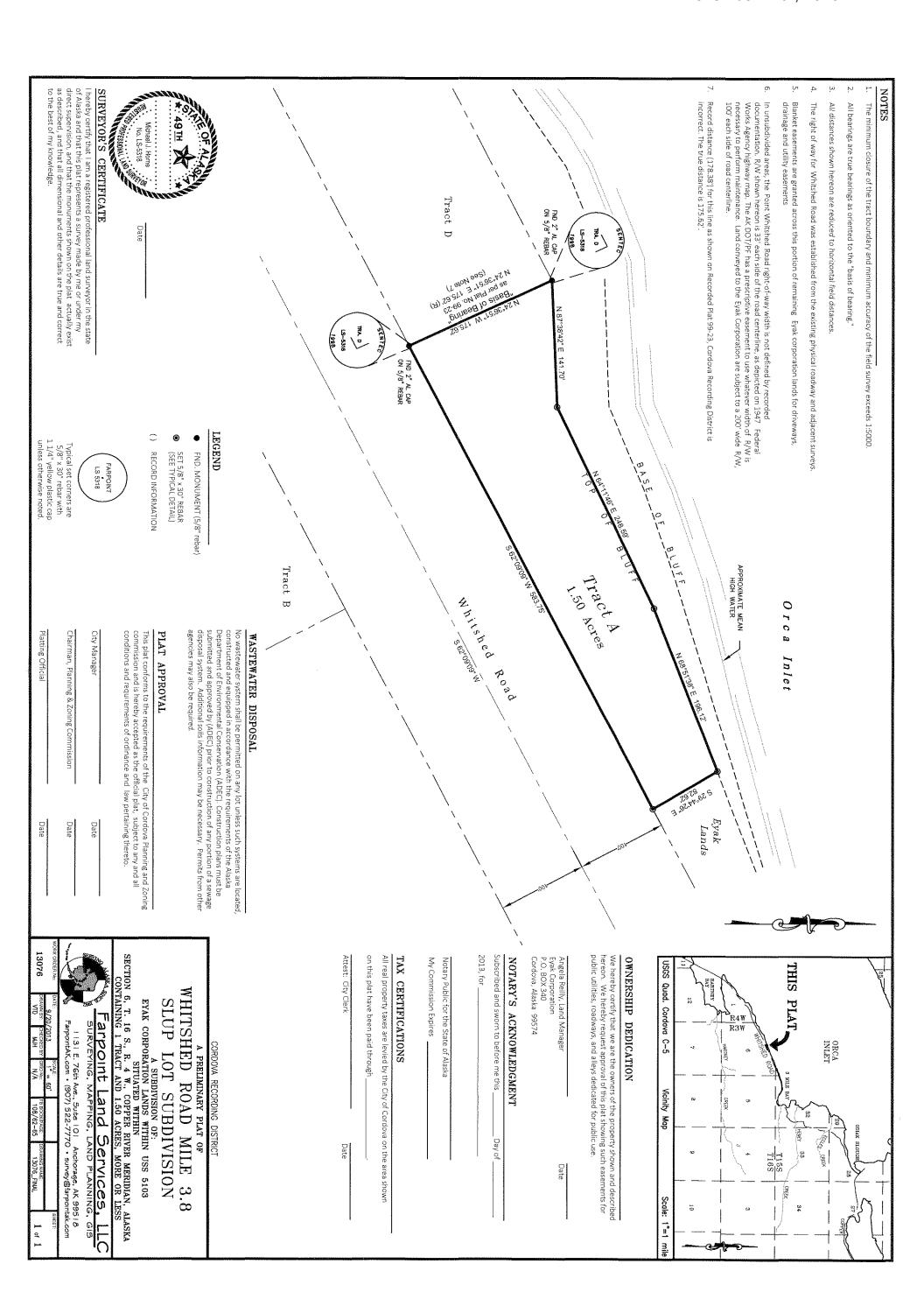
Staff recommends that the request for the Preliminary Plat approval for Eyak Corporation, Whitshed Road-Mile 3.8 SLUP Lot Subdivision: A Subdivision of Eyak Corporation Lands within USS 5103, be approved by the Planning Commission.

## PART V. RECOMMENDED MOTION:

"I move to approve the Preliminary Plat request for Eyak Corporation, Whitshed Road-Mile 3.8 SLUP Lot Subdivision: A Subdivision of Eyak Corporation Lands within USS 5103."



Location Map for Proposed at 3.8 Mile Whitshed Road



#### Memorandum

To: Planning Commission
Thru: Planning Department Staff

Date: November 1, 2013

Re: Plat note modification for lot 2 Block 7 North Fill Development Park

#### PART I. BACKGROUND:

A request has been made to modify a plat note that was recorded when the North Fill Development Park was platted in 1986. The plat note reads

"Access is not permitted along Railroad Avenue to Lots 1, 2, 3, Block 7 and Lots 1, 2,3,4,5, Block 8"

Lot 2 Block 7 is currently owned by the City of Cordova and is leased by the Mobile Grid. The Mobile Grid lease was reviewed by City Council in March of 2013 at time an agreement was made to go into an 18 month lease with mobile grid. Below is the general timeline that was reviewed by City Council when the renewal of the lease was discussed and reduced to 18 months from 24 months.

- Lease brought before council August 2014 for review; City Council makes available and puts out for proposal
- September/October Request for proposals out to public for 30 days.
- Lease expires October 20<sup>th</sup> 2014 goes into hold over clause until proposal period is complete
- November 2014 30 day proposal period ends, proposal goes to P&Z
- November/December 2014 City council reviews recommendation and proposals and awards lot
- If Mobile Grid is awarded purchase hold over continues until closing; if not time frame for clearing the lot will be determined

Mobile Grid is developing their building and lay out plans and would like a firm commitment on having access from both sides or not, prior to finalizing the plans. Having access from both sides currently plays a crucial role in Mobile Grid daily operations.

Other property owners have also asked the city to remove this plat note for their lots. Attached is a resolution from 2000 when Planning and Zoning and the City Council approved Mr. Kelly's request to remove Lot 3, Block 7 and Lots 1, 2, 3, Block 8 from the plat note. Minutes from both the P&Z meeting and the City council were limited with no recording of the meeting discussion.

I researched archived records but could not find why the plat note was added to the plat originally.

I also ask for review of the removal of Lot 2, Block 7 from the plat note from the police Department, the Fire Department and the Public Works department. Their responses are attached.

Currently the lot is accessed from both sides. Recently the ROW has been cleared and Public Works has identified it as a potential snow dump staging area or dump site. There is approximately 7000 square feet of area that could be used. Consideration will have to be taken for current utilities in the ROW. The ROW is shown in the location map. The ROW, not necessarily the road, does run in front of all the lots listed in the plat note.

## PART II. STAFF RECOMMENDATION:

The staff recommends that the Planning Commission review and discuss the snow dump potential of the ROW prior to considering the removal Lot 2, Block 7 North Fill Development Park from the current plat note.

### PART III. STAFF RECOMMENDATION:

"I move to recommend to city council to remove Lot 2, Block 7 North Fill Development Park from the plat note that is recorded on plat 86-6 North Fill Development Park."

# SUBDIVISION - ZONING APPLICATION CITY OF CORDOVA

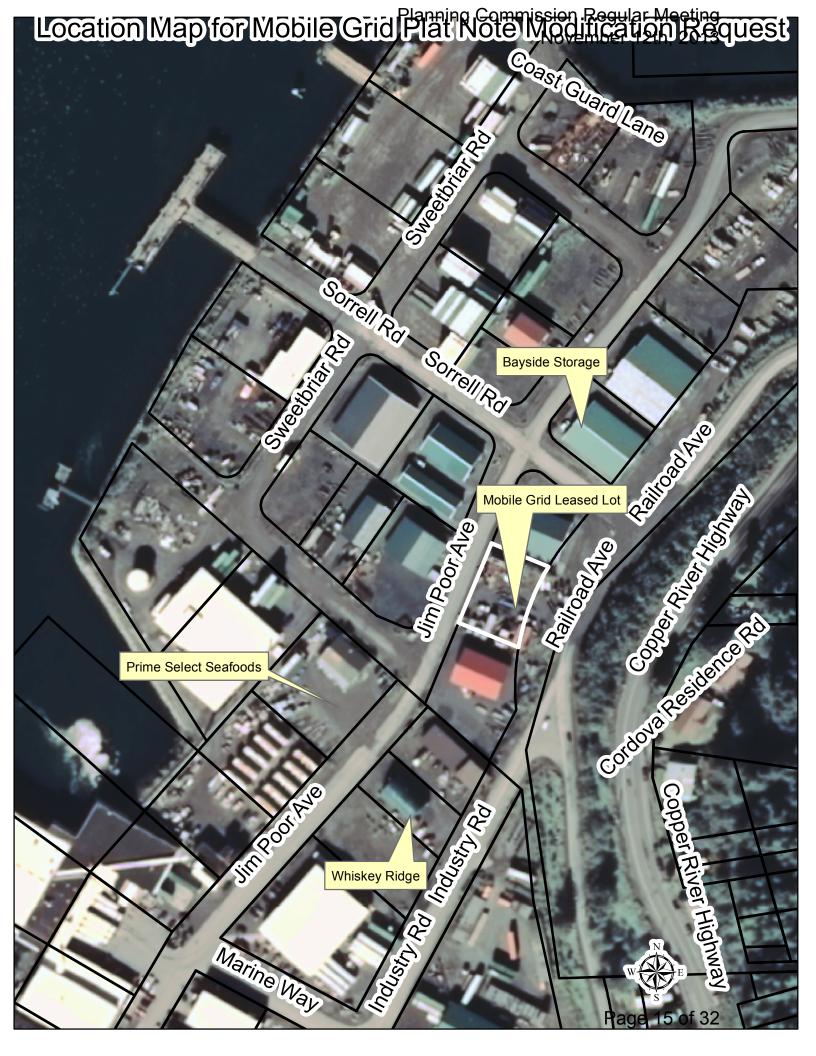
#### INSTRUCTIONS

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 REQUES	ST .	FEE
Subdivisions		varies
Preliminary Plat **plus \$20 per lot		\$150**
Final Plat	1/2 of P	relim Plat
Plat Amendment **plus \$15 per lot		\$75**

	APPLICANT INFORMATION	
Name	Richard and Osa Schultz	
Address	PO Box 1291 Cordova	
Telephone [home]	424-5269	
Business Name	Mobile Grid Trailers, Inc	
Business Address	Bayside Storage Unit A	
Telephone [business]	424-3146	
Business FAX		
Project architect/engineer		
Address of architect/engineer		
Telephone of architect/engineer		je
P	ROPERTY/PROJECT INFORMATION	
Address of subject property	North Fill Block 7 Lot 1	
Parcel identification number		
Property owner [name/address]	City of Cordova	
Current zoning	Water Front Industrial	
Proposed use	Current location of Mobile Grid Trailers	
Construction start date	NA	

# Project/Request Description Page: Please describe your request in complete detail. Feel free to additional pages and/or drawings, maps, photographs of the site, and other documentation that might be helpful to the Planning Commission as they make a decision on your request. Please describe your request. Add additional pages, drawings and required information. We have been leasing this property for 13 years for business use. Uses include storing and staging of boat trailers and various utility trailers, equipment storage and winter boat storage for customer's commercial vessels. During that time we have used both open property lines to access the lot which greatly improves its flexibility for our operations. Presently, there is a Plat Note on this property that specifies access via Railroad Ave on the East property line is not available. Its origin goes back to before the development of the North Fill area. Since that time Railroad has been more permanently located and graded at a level that transitions easily onto the lot we lease. We request that this Plat Note be removed to allow the use of this access. The only property that is directly affected by this change is a narrow strip of City ROW property.



Access restriction removed in 2000

from these lots by P&Z and City

From:

Paul Trumblee George Wintle; Sam Greenwood; Moe Zamarron To:

Hicks, Mike

RE: removal of plat note Subject: Friday, November 01, 2013 9:29:37 AM

Attachments:

Paul Trumblee.vcf image013.emz image015.png image017.png image018.png image019.emz image020.png image021.png image024.png

I don't for see any Fire or Life safety issues at this time.



#### **Paul Trumblee**

City of Cordova Fire Marshal

(907) 424-6117 Work (907) 253-6117 Mobile fire@cityofcordova.net P.O.Box 1210 99574-1210 United States

From: George Wintle

Sent: Friday, November 01, 2013 8:22 AM

To: Sam Greenwood; Paul Trumblee; Moe Zamarron

Subject: RE: removal of plat note

I don't see any problems with traffic safety. I'll get with you for more details to understand and see the mapping better.

#### George

From: Sam Greenwood

Sent: Thursday, October 31, 2013 4:31 PM To: Paul Trumblee; Moe Zamarron; George Wintle

Subject: removal of plat note

Hi All

I have a request from Mobil Grid to edit a plat note, the plat is from the North Fill Development Park. The plat note and a portion of the plat showing the lots is below. Mobile Grid who leases from the City would like this note removed because it is crucial to their business to be able to have a pull through lot. Their lease will expire in October of 2015, but they are considering asking to purchase the lot prior to that date. In order to move forward with the idea of purchasing they feel it's important that the plat note be legally removed so in the future it would not be an issue and so that they can design and develop their business based on a pull through lot.

At this time I am asking all of you if you have any concerns about the removal of lot 2 Block 7 from this plat note. Currently the lot is being accessed from railroad avenue. If you have any questions just stop up. Thanks Sam

#### NOTE

Access is not permitted along Railroad Avenue to Lots 1,2,3 Block 7 and Lots 1,2,3,4,5,

 From:
 Moe Zamarron

 To:
 Sam Greenwood

 Subject:
 RE: removal of plat note

Date: Wednesday, November 06, 2013 9:45:24 AM

ttachments: image001.emz image002.png

image002.png image004.png image005.emz image006.png image007.png image008.emz image010.png image011.png

Public Works Department would like to have a winter season to evaluate the use of the right of way along Railroad Avenue as a snow dump. It may be used for snow storage or just staging for removal later in the process but either way we request time to try it out. Recent land sales in the area have limited what is available for winter street maintenance and we would like to take a little time to think each change through.

Thank you, Moe Zamarron

#### Moe Zamarron

Director of Public Works City of Cordova PO Box 1210 Cordova, Alaska 99574

Ph: (907) 424-6231

Email: publicworks@cityof cordova.net

From: Sam Greenwood

Sent: Thursday, October 31, 2013 4:31 PM
To: Paul Trumblee; Moe Zamarron; George Wintle

Subject: removal of plat note

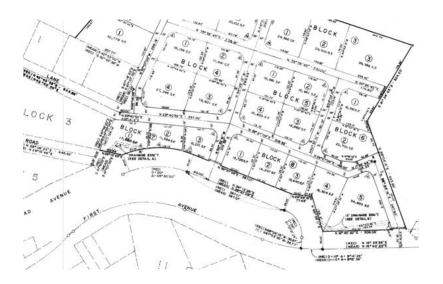
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At this time I am asking all of you if you have any concerns about the removal of lot 2 Block 7 from this plat note. Currently the lot is being accessed from railroad avenue. If you have any questions just stop up. Thanks Sam

#### NOTE

Access is not permitted along Railroad Avenue to Lots 1,2,3,8 Block 7 and Lots 1,2,3,4,5,8 Block 8.



Samantha Greenwood City Planner City of Cordova PO Box 1210 Fax 907-424-6000 Phone 907-424-6233 Planning Commission Regular Meeting

Cordova Reggio District 12th, 2013

AFTER RECORDING RETURN TO:

RECORD IN THE CORDOVA RECORDING DISTRICT.

City of Cordova

CITY OF CORDOVA P.O. BOX 1210 CORDOVA, AK 99574

CITY OF CORDOVA, ALASKA RESOLUTION 10-00-66 JAN 22 2001

RECEIVED

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA APPROVING AN AMENDMENT TO PLAT 86-6, NORTH FILL DEVELOPMENT PARK AND APPROVING THE SITE DEVELOPMENT PLAN SUBMITTED BY PAUL AND LINDA KELLY FOR LOT 3, BLOCK 7, NORTH FILL DEVELOPMENT PARK

WHEREAS, Paul and Linda Kelly submitted a request to amend Plat 86-6, North Fill Development Park by amending the plat note which reads "Access is not permitted along Railroad Avenue to Lots 1, 2, 3, Block 7 and Lots 1, 2, 3, 4, 5, Block 8 and a site development plan for Lot 3, Block 7 North Fill Development Park; and

WHEREAS, the Planning and Zoning Commission, at its meeting held on October 12, 2000 reviewed and found that an amendment to the plat is consistent with good land use and transportation policy, and will not endanger the public health, safety or welfare; and

**WHEREAS**, the Planning and Zoning Commission approved an amendment to the plat note on Plat 86-6, North Fill Development Park as follows:

"Access is not permitted along Railroad Avenue to Lots 1 & 2, Block 7 and Lots 3A, 4 & 5, Block 8; and

**WHEREAS**, the Planning and Zoning Commission approved the site development plan for Lot 3, Block 7, North Fill Development Park: and

WHEREAS, the Planning and Zoning Commission recommends that the City Council approve the amendment to the plat note on Plat 86-6, North Fill Development Park and the site development plan:

**NOW, THEREFORE BE IT RESOLVED THAT** the City Council of the City of Cordova, Alaska, hereby approved the amendment to the plat note on Plat 86-6, North Fill Development Park as follows:

"Access is not permitted along Railroad Avenue to Lots 1 & 2, Block 7 and Lots 3A, 4 & 5, Block 8"

PASSED AND APPROVED THIS 18TH DAY OF OCTOBER, 2000.

Ed Zeine, Mayor

000504

CORDOVA RECORDING DISTRICT Dixie D. Lambert, City Clerk

2000 NOV -b P 3: 32

REQUESTED BY COC

# Memorandum

To: Planning Commission

Thru: Planning Department Staff

Date: November 4, 2013

Re: Chapter 3.40 Planning Commission – Board of Adjustment

We have attached Chapter 3.40 Planning Commission – Board of Adjustment, duties and responsibilities. This is a discussion only item. As you may know, there are things in this section of Cordova Municipal Code that should be rewritten to make it applicable to this day in age. We will have a computer available for changes.

#### Chapter 3.40 PLANNING COMMISSION-BOARD OF ADJUSTMENT

#### Sections:

- 3.40.010 State law adopted by reference.
- 3.40.020 Planning commission created—Membership.
- 3.40.030 Planning commission—Chairman.
- 3.40.040 Planning commission—Ex officio members.
- 3.40.050 Planning commission—Members' terms of office.
- 3.40.055 Absences to terminate membership.
- 3.40.060 Planning commission—Vacancy filling.
- 3.40.070 Planning commission—Meetings.
- 3.40.080 Planning commission—Powers and duties—Designated.
- 3.40.090 Planning commission—Powers and duties—Zoning commission.
- 3.40.100 Board of adjustment.

# 3.40.010 State law adopted by reference.

The laws of the state dealing with city planning commissions, zoning commissions, and boards of adjustment, present and future, particularly AS 29.43.040, are incorporated into this chapter as if expressly included herein.

(Prior code § 15.101, as amended during 1979 codification).

## 3.40.020 Planning commission created—Membership.

A.

There is created a city planning commission consisting of seven members.

В.

Only residents of the city who qualify as municipal voters pursuant to <u>Section</u> <u>2.12.020</u> herein shall be entitled to serve on the planning commission. One of the members of the commission shall be designated by the council from its number. Each of the remaining six members shall be nominated by the mayor and confirmed by the council. Each term of membership shall be for three years, and terms of individual members shall be overlapping. Members shall serve without compensation.

(Ord. 961 § 1, 2004: Ord. 619 § 2, 1987: prior code § I5.102(a)).

## 3.40.030 Planning commission—Chairman.

A chairman of the commission shall be selected annually, and shall be elected from and by the appointive members.

(Prior code § 15.102(e)).

## 3.40.040 Planning commission—Ex officio members.

The mayor, city manager, city engineer and city building official shall be ex officio members of the commission, and shall have the privilege of the floor, but no right to vote.

(Prior code § 15.102(d)).

# 3.40.050 Planning commission—Members' terms of office.

Members of the commission shall be appointed for three years; provided, however, that in the first instance one-third thereof shall be appointed for three years, one-third for two years, and one-third for one year.

(Prior code § 15.102(b)).

## 3.40.055 Absences to terminate membership.

A.

If a commissioner is absent from more than one-half of all the regular meetings of the planning commission held within any period of four consecutive calendar months, without being excused from attending such meetings, the chair of the commission shall declare the commissioner's seat vacant, except that in the case of a commissioner appointed from the council, the chair of the commission shall report such commissioner's unexcused absences to the council. The commission shall determine whether any absence is excused.

B.

For purposes of this section, an absence will be considered excused if due to the following causes and shall require approval by the commission at the next regularly scheduled meeting:

1.

The illness or injury of the commission member or a family member;

2.

The death of a family member;

3.

An employment-related commitment;

4.

A commitment for city business; or

5.

Other good cause approved by the commission.

C.

Whenever possible, absences should be noticed to the commission chair prior to the meeting for purposes of securing a quorum at the meeting.

D.

A commissioner may participate in a commission meeting by teleconference.

(Ord. 962 § 2, 2004).

## 3.40.060 Planning commission—Vacancy filling.

Appointment to fill vacancies shall be for the unexpired term.

(Prior code § 15.102(c)).

## 3.40.070 Planning commission—Meetings.

The commission shall meet regularly at time and places set by the commission. Special meetings shall be held at the call of the chairman and at such other times as the commission may determine. All meetings of the commission shall be open to the public and the commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city clerk and shall be a public record.

(Prior code § 15.102(f)).

## 3.40.080 Planning commission—Powers and duties—Designated.

The commission shall be required to do the following:

A.

Develop, adopt, alter or revise, subject to approval by the city council, a master plan for the physical development of the city. Such master plan with accompanying maps, plats, charts, descriptive and explanatory matter, shall show the commission's recommendations for the development of the city territory, and may include among other things:

1.

Development of the type, location and sequence of all public improvements,

2.

The relocation, removal, extension or change of use of existing or future public ways, grounds, spaces, buildings, properties and utilities,

3.

The general extent and location of rehabilitation areas.

When a master plan for the city has been approved by the council, amendments, revisions and extensions thereof may be adopted by the council after consideration and report by the planning commission. All amendments, revisions or extensions shall correspond to major geographical divisions of the city or to functional divisions of the subject matter of the plan. When such master plan has

been approved by the city council, no amendments, revisions or extensions thereto shall be approved except upon the affirmative vote of four members of the city council;

B.

D.

E.

Exercise control over platting and subdivision of lots, blocks or lands within the city limits. All proposed plans, plats or replats of lots, blocks or lands within the city limits and all streets, alleys and other portions of the same intended to be dedicated to public or private use within the corporate limits shall first be submitted to the commission for its approval or rejection before such plans, plats or replats shall be entitled to record in the office of the district recorder for the Cordova Precinct. Unless the city council disapproves the action of the planning commission within twenty days, its decision shall be final. If the commission has approved any plan, plat or replat and city council has not within twenty days disapproved this action, the planning commission through its chairman shall endorse its approval on the plan, plat or replat and the owner thereof may then offer it for recording. In exercising the powers granted it by this section, the planning commission shall prepare and recommend for city council adoption regulations governing the subdivision of land within the city limits. Such regulations may provide for the harmonious development of the city and its environs, for the coordination of streets and other ways within the subdivided land with other existing or planned streets and ways or for conformance to the master plan or official map, for adequate open spaces, for spaces for traffic, utilities, recreation, light and air, and for the avoidance of congestion of population. Subdividing, for the purposes of this section, means and includes the division of any lot, tract or parcel of land into two or more lots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development. No lot, tract or parcel of land may be divided for any purpose whatsoever by means of metes or bounds, description or by any means other than platting or replatting as provided in <u>Title 17</u> of this code;

C.

Draft an official map of the city and recommend or disapprove proposed changes in such map;

Make and adopt plans for the clearance and rebuilding of slum districts and blighted areas within the city;

Submit annually to the city council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements which in the opinion of the commission are necessary or desirable to be

constructed during the forthcoming three-year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year;

F.

Promote public interest in and understanding of the master plan and of planning, zoning and slum clearance;

G.
Make and develop plans for the replanning, improving and redevelopment of any areas within the city:

H.
Make and develop plans for the replanning, reconstruction or redevelopment of any area or district within the city which may be destroyed in whole or in part or damaged by fire, earthquake or other disaster;

Make investigations regarding any matter related to city planning;

J.
Make and prepare reports, prints, plats and plans for approval by the city council;

Make or cause to be made surveys, maps and plans relating to the location and design of any public building, dock, beach, ski ground, statue, memorial, park, parkway, boulevard, street, alley or playground. For the purpose of implementing this subsection, all departments of the city considering any such improvement are required, and all public agencies not a part of the city are requested, to inform the commission of the proposed improvement and submit such pertinent information to the commission and within such time as will enable the commission to recommend to city council whether the proposed improvement is consistent with the general plan and established planning principles. No public improvement shall be authorized by city council until the recommendation of the planning commission has been received and reviewed by the city council.

(Prior code § 15.102(g)).

I.

K.

## 3.40.090 Planning commission—Powers and duties—Zoning commission.

A.

Planning Commission to be Zoning Commission. The planning commission is designated as the zoning commission and the terms, method of filling vacancies, ex officio members, selection of chairman, and meeting applicable to the planning commission shall also apply to the zoning commission. They shall be considered as

one and the same commission for the purposes of this chapter, and all actions may be taken and all records kept in the name of the planning commission.

B.

Powers and Duties. It shall be the duty of the planning commission, exercising the powers of zoning commission:

1.

To develop, adopt, alter or revise, subject to approval by the city council, a building code, plumbing code, electrical code, and other codes and regulations that may be required from time to time to regulate building construction;

2.

To develop, alter, adopt or revise, subject to approval by city council, a plan establishing fire zones within the city;

3.

To develop, adopt, alter or revise, subject to approval by city council, a comprehensive plan designed to lessen congestion in streets, to secure safety from fires, panic and other danger, to promote health and the general welfare, to provide adequate light and air, to prevent over-crowding of land to avoid undue concentration of population, to facilitate adequate provision for transportation, water, sewage, schools, parks and other public requirements. To accomplish the above objectives, the commission is hereby empowered to:

a.

Regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and use of buildings, structures and land for trade, industry, residence or other purposes,

b.

Condemn buildings which have become a fire or health hazard or public nuisance, and, after hearing on thirty days' notice to the owner or his agent, order or cause the removal or demolition; provided, the owner shall be given at least thirty days time after hearing within which to remove the objectionable building or buildings before the city may proceed to do so. The cost incurred by the city shall be chargeable to the property, first against the salvaged material, which may be sold at public auction, the balance of cost, if any, against the land, the same as taxes,

C.

Divide the municipality into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this code,

and within such districts to regulate and restrict the erection, construction, reconstruction, alterations, repair or use of buildings, structures or land,

d.

Provide for the manner in which regulations and restrictions and the boundaries of districts shall be determined, established and enforced, and from time to time amended, supplemented or changed. However, no such regulation, restriction or boundary shall become effective until after a public bearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard, as hereinafter provided. At least fifteen days' notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in such municipality. Such regulations. restrictions and boundaries may from time to time be amended, supplemented, changed, modified or repealed. In case, however, of a protest against such change, signed by the owners of twenty percent or more, either of the area of the lots included in such proposed change, or by the owners of twenty percent or more of the area of the lots immediately abutting either side of the territory included in such proposed change or separated therefrom only in an alley or street, such amendment shall not become effective except by the favorable vote of three-fourths of all the members of the council. The provisions relative to public hearings and official notice shall apply equally to all changes or amendments.

e.

Develop, adopt, alter, or revise, subject to approval by city council a coastal management element to the comprehensive plan for the community; said coastal management element shall be prepared in conformance with applicable state and federal law. To accomplish these objectives, the commission is empowered to:

i.

Prescribe and recommend an area to be designated the Cordova coastal zone into management districts of such number, shape, and area as may be deemed best suited to carry out the purposes hereof; and within each management district, to prescribe proper and improper water and land uses and activities and policies which shall apply,

ii.

Hear and decide upon those applications which involve uses or activities that are permissible only upon a showing of

certain specified conditions; said conditions being a part of the ordinance codified in this section. When such decisions are to be heard, they shall be conducted in a manner as that prescribed in Chapter 18.60

iii.

Provide for a manner in which the requirements of the coastal management program may be amended including revisions to the size and areal extent of the coastal zone and extent and classification of the management districts, and the determination of proper and improper uses and policies pertaining thereto; provided such modifications shall be subject to approval by the city council and the state of Alaska,

iv.

Hear and decide upon appeals pertaining to decisions by the planning director regarding the coastal management program. Such appeals shall be conducted in the manner set forth in Chapter 18.64

(Ord. 530 (part), 1981; prior code § 15.103).

## 3.40.100 Board of adjustment.

A.

City Council to be Board of Adjustment. The county shall constitute a board of adjustment under this chapter, with the mayor as ex officio chairman, and may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of this chapter and <a href="Title 17">Title 17</a> and 18 of this code and regulations adopted hereunder in harmony with their general purpose and intent and in accordance with general rules or specific rules herein contained. The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant thereto.

B.

Meetings. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine.

C.

Powers and Duties. The board of adjustment shall have the power:

1.

To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this chapter and Titles 17 and 18 of this code or of any ordinance adopted pursuant thereto;

2.

To hear and decide requests for exceptions to the terms of any ordinance or regulation upon which such board is required to pass;

3.

To authorize upon appeal in specific cases such variance from the terms of this article or of any ordinance adopted pursuant thereto as will not be contrary to the public interest, where, owning to special conditions a literal enforcement of the provisions of the ordinance would result in unnecessary hardships, and so that the spirit of the ordinance shall be observed and substantial justice done.

D.

#### General provisions.

1.

The council provides for appeals from any administrative officer to the board of adjustment and from the board of adjustment to the district court of the judicial division in which such municipality is located, in the manner prescribed by laws of the state, present and future. Such appeal shall be made by the applicant within fifteen days of the date of any order, requirement, decision or determination has been made by an administrative officer, by filing with the office from whom the appeal is taken and with the board of adjustment, a notice of appeal specifying the grounds thereof;

2.

The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or regulation, or to effect any variation or exception in the application of such ordinance or regulation.

(Prior code § 15.104).

24 25 26 27 28 Thanksgiving Day City Closed	17 18 20 20 21  Comprehensive Plan Training Mt. Eccles Commons 6:00-9:00 PM; dinner served at 5:30 PM  18 20 20 21  City Council Regular Meeting Library Conference Room 730	10 11 Veteran's Day City Closed Veteran's Day Ceremony Orca Inlet Ballfield 9:00 AM  12 P&Z Meeting P&Z Meeting Library Conference Room 6:30PM 6:30PM 6:30PM  13 Harbor Commission Meeting 7:00 PM City Hall	3 4 5 6 City Council Regular Meeting Library Conference Room 730		Sunday   Monday   Tuesday   Wednesday   Thursday	November 2013
28 Thanksgiving Day City Closed	ouncil Regular g Conference	City Hall	uncil Regular g Conference			nber2013
29 City Closed	22	15	<b>%</b>	-	Friday	
30	23	16	9	2	Saturday	

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31	24	17	10 P&Z Meeting Library Conference Room 6:30PM	3	Tuesday	Dec
	25 Christmas Day City Closed	18 City Council Regular Meeting Library Conference Room 730	11 Harbor Commission Meeting 7:00 PM City Hall	4 City Council Regular Meeting Library Conference Room 730	Wednesday	ecember 2013
	26	19	12	57	Thursday	013
	happy	20	13	6 Bidarki Bazaar Mt Eccles 6:00 PM – 10:00 PM	Friday	
	28 py holidays	21	14	7 Bidarki Bazaar Mt Eccles 10:00 AM – 5:00 PM	Saturday	