

**PLANNING COMMISSION REGULAR MEETING
TUESDAY NOVEMBER 14, 2023 AT 6:30 PM
CORDOVA CENTER COMMUNITY ROOMS A & B**

Chair

Tania Harrison

Vice Chair

Mark Hall

Commissioners

Tom McGann

Chris Bolin

Trae Lohse

Sarah Trumblee

Kris Ranney

City Planner

Kevin Johnson

AGENDA

1. CALL TO ORDER

2. ROLL CALL

Chair Tania Harrison, Commissioners Tom McGann, Chris Bolin, Trae Lohse, Mark Hall, Sarah Trumblee, and Kris Ranney

3. APPROVAL OF AGENDA

4. APPROVAL OF CONSENT CALENDAR

- a. Record unexcused absence for Chris Bolin from the October 10, 2023 regular meeting
- b. Minutes of the June 13, 2023 Public Hearing
- c. Minutes of the June 13, 2023 Regular Meeting

5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

6. CORRESPONDENCE

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

- a. Guest Speakers
- b. Audience comments regarding agenda items (3 minutes per speaker)

8. PLANNER'S REPORT.....Page 5

9. UNFINISHED BUSINESS

10. NEW BUSINESS

- a. Conditional Use Permit – Mixed Use / Multiple Dwellings Within Industrial Zone – Lot 2, Block 3, Cordova Industrial Park.....Page 6

11. AUDIENCE COMMENTS

12. COMMISSION COMMENTS

13. ADJOURNMENT

You may submit written public comments via email to planning@cityofcordova.net, mail comments to City of Cordova, PO Box 1210, Cordova, AK 99574, or delivered to City Hall directly. Written public comments must be received by 4:30 p.m. on the day of the meeting

**PLANNING COMMISSION PUBLIC HEARING
JUNE 13, 2023 AT 6:30 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Chair **Tania Harrison** called the Planning Commission Regular Meeting to order at 6:30 PM on June 13, 2023 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair **Tania Harrison** and Commissioners **Tom McGann, Mark Hall, Chris Bolin**

Sarah Trumblee, Trae Lohse, and Kris Ranney was absent.

3. PUBLIC HEARING

a. Conditional Use Permit & Variance – Telecommunication Tower – Alaska Tideland Survey 459

Cynthia Coughlin of Temptel and **Chris Mishmash** of Copper valley Wireless spoke in favor of the Conditional Use Permit and agree with staffs recommended conditions.

Luke Borer representing the adjacent property, ATS 103, has no objection to the application as long as staffs suggested condition to require that his property is covered by the insurance for the cell tower if it is to encroach into the setback.

Commissioner **McGann** motioned to recess the hearing until 6:44 pm as there are no other members of the public here to commit and that if someone shows up, they can reconvene. Bolin seconds. With no objections the Public Hearing is in recess.

The Public Hearing reconvened at 6:44 pm

4. ADJOURNMENT

With no further public comments and no objections, the Public Hearing was adjourned at 6:45 pm.

Approved:

Tania Harrison, Chair

Kevin Johnson, City Planner

**PLANNING COMMISSION REGULAR MEETING
JUNE 13, 2023 AT 6:30 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Chair *Tania Harrison* called the Planning Commission Regular Meeting to order at 6:30 PM on June 13, 2023 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair *Tania Harrison* and Commissioners *Tom McGann, Mark Hall, Chris Bolin*

Sarah Trumblee, Trae Lohse, and Kris Ranney was absent.

Staff present - City Planner *Kevin Johnson*.

3. APPROVAL OF AGENDA

M/Bolin S/McGann to approve the agenda

With no objection the motion was passed.

4. APPROVAL OF CONSENT CALENDAR

a. Record unexcused absence of Trae Lohse from the May 23, 2023 Special Meeting

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

Upon voice vote, motion passed 4-0.

Yea: *Harrison, McGann, Hall, Bolin,*

Absent: *Trumblee, Lohse, Ranney*

5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

None

6. CORRESPONDENCE

Johnson told the commission that nothing had been received.

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

a. Guest Speakers - None

b. Audience comments regarding agenda items - None

8. PLANNER'S REPORT

Johnson let the Commission know that the Parks Department will be putting out a RFP for a Parks Master Plan. No set date for this, but once the master plan process begins the Planning Commission will be asked to have one of its members sit on an advisory panel for the master plan process. More to come once a firm is chosen.

The Cordova Trail and Covered Spaces Project would like to put in a covered space with benches and other amenities at the Break Water Trail / Veterans Memorial. Staff is working with the Parks Department to determine how to move forward with this process and looking at doing a larger overall update to this area simultaneously. More information to come.

The cities Hazard Mitigation Plan will be updated in the coming year as we have secured funding for this update through State and Federal grants. NO specific start date for this update has been identified as we are dependent on the State's schedule for this, hopefully will begin late 2023 / early 2024.

Commissioner **Hall** asked if there was any update on Native Village of Eyak's (NVE) plans for their health clinic and its effect on the adjacent park space. **Johnson** explained that there has been no official request for any city land and that they are currently just doing subsurface investigation to determine if the site is suitable for the construction of a building. If they do move forward with a request for city land for this project it could potentially include a small portion of the east side of the park. Staff has been very upfront with NVE that if they do plan on requesting any of the park space, that they will need to include a plan for how they will enhance the remaining park space to offset the loss.

9. UNFINISHED BUSINESS

None

10. NEW BUSINESS

a. Conditional Use Permit & Variance – Telecommunication Tower – Alaska Tideland Survey 459

M/Hall S/Bolin move that the Planning Commission grant the Conditional Use Permit and Variance request by Copper Valley Telecom and to adopt and incorporate the findings and conditions of approval within the staff report

Hall believes the report thoroughly covers all the issues and agrees with the findings and suggested conditions.

Bolin also agrees with the findings and conditions and as both landowners have no issues he is happy to approve.

McGann and **Harrison** agreed.

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

Upon voice vote, motion passed 4-0.

Yea: **Harrison, McGann, Hall, Bolin,**

Absent: **Trumblee, Lohse, Ranney**

11. AUDIENCE PARTICIPATION

No Comments

12. COMMISSION COMMENTS

Hall thanked staff for their work on the public notice signs for the Land Disposal Map updates.

Bolin thanks staff for their work and also agreed that the new notice signs is a nice touch.

13. ADJOURNMENT

M/McGann S/Hall to adjourn the Regular Meeting.

With no objection, the meeting was adjourned.

Approved:

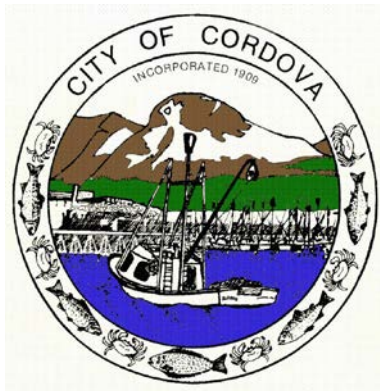
Tania Harrison, Chair

Kevin Johnson, City Planner

Planner's Report

To: Planning and Zoning Commission
From: Kevin Johnson, City planner
Date: 11/14/23
Re: Recent Activities and Updates

- Staff has worked with City Council at multiple work sessions to discuss development incentives related to property taxes. Current conversations have indicated the desire for a tiered system where the number / type of dwellings created correlates to a certain amount of property taxes exempted for a certain number of years. Council plans to continue this discussion in Q1 of 2024. Once greater clarity on council desires is obtained, staff will work with the Planning Commission on potential options. Ultimately the Planning Commission will forward a recommendation to the City Council for their consideration.
- Council Approved for RFP's to be issued for the Impound Lot, Breakwater Fill Lot, and Old Science Center Building at their September and October meetings. Issuance of these RFP's is on hold while staff waits for appraisal reports to help determine the fair market value asking price. Reports are expected any day and the RFP's will be issued once they are received.
- Alaska State DOT has identified the culvert connecting Odiak Pound and the slough as needing to be replaced. They have begun preparing construction plans for this project with a construction date slated potentially for late 2024 or 2025.
- Staff plans to begin the 2024 Land Disposal Map update discussion with the Planning Commission at the December meeting with he hopes of having any new updates to City Council for their first February meeting. Please take a moment to review the maps between now and our December meeting. Staff currently plans on suggesting we add a list of city leased properties with the lease end dates. This would provide the public with information on when these properties would become available next.
- PIDP 2023 awards have been announced, unfortunately Cordova was not chosen. Staff will begin working with the Harbor Commission on determining next steps for the 2024 application period.



AGENDA ITEM # 10a
Planning Commission Special Meeting Date: 11/14/23

PLANNING COMMISSION COMMUNICATION FORM

FROM: Kevin Johnson, City Planner

DATE: 11/14/23

ITEM: Conditional Use Permit – Mixed Use / Multiple Dwellings Within Industrial Zone
– Lot 2, Block 3, Cordova Industrial Park

NEXT STEP: Decide Whether to Grant Conditional Use Permit

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

Requested Actions: Grant of Conditional Use Permit for Multiple Dwellings Within Warehouse
Applicant: Cordova Telecom Cooperative
Parcel Number: 02-060-232
Legal Description: Lot 2, Block 3, Cordova Industrial Park
Zoning: Waterfront Industrial District
Lot Area: ~ 17,500 sq. ft.

The City of Cordova received an application requesting a Conditional Use Permit (CUP) to create between four and six dwellings on the second story of the existing warehouse located on the subject property.

II. RECOMMENDED ACTION / NEXT STEP:

A Commissioner should make the following motion followed by a second to open the item for discussion

“I move that the Planning Commission grant the Conditional Use Permit request submitted by Cordova Telecom Cooperative and to adopt and incorporate the findings and conditions or approval within the staff report.”

The CUP can be granted with or without special conditions or denied.

III. FISCAL IMPACTS:

Additional revenue would be generated from the collection of rental taxes, water & sewer fees, and refuse fees.

IV. BACKGROUND INFORMATION:

Cordova Telecom Cooperative (CTC) is seeking a CUP to allow for them to convert the top floor of an existing warehouse in the Waterfront Industrial District into four to six residential dwellings. The ground floor of the warehouse would remain as commercial / industrial space to support CTC’s business operations.

The zoning for the property, Waterfront Industrial District, allows for “Bunkhouses” and “Residential dwelling for watch person or caretaker” as accessory uses. The code does not clearly define what a bunkhouse or watch person dwelling consists in terms of layout and amenities. The code does not limit the number of dwellings or occupants related to bunk houses. For reference, across the street from the subject site Trident Seafood has 2 bunkhouse buildings with a total of 60 bedrooms housing around 150 people.

Bunkhouses typically consists of sleeping quarters and then common kitchen and bathroom accommodations. A watch persons quarters are typically built as a standard dwelling where all the necessary items such as bedroom, kitchen, and bathroom are within the individual unit.

The proposed plan shows that the second floor of the warehouse would be converted into four to six dwellings that are built in a typical apartment type fashion, with individual units that each contain their own sleeping and cooking areas, as well as their own bathrooms. Two parking spots per unit would be provided on the east side of the building providing direct access to Industry Way. This keeps pedestrians and residential traffic off of Jim Poor Avenue (formerly Seafood Lane) which is where the majority of the industrial activity in the area occurs.

The 2019 Cordova Comprehensive Plan supports this type of development in Section 3 – Housing Issues and Policies, Strategy 1 (e) where it states that the city should “Encourage and prioritize the development of permanent housing for seasonal workers, instead of temporary housing”. This proposed development could potentially be available for people that work in the industrial area, and with all the needed living amenities located within each unit it allows for a more stable long-term lifestyle.

The Planning Commission may want to consider imposing Conditions of Approval if they consider approving this proposal. Staff would suggest that the two following conditions be included with an approval:

1. With land area being a limited commodity for any use, any allowed residential use should be limited to no more than 50% of the area of the building and restricted to the second floor only. This

will preserve the ground floor space to remain available for industrial / commercial uses which the area is zoned for.

2. Parking and residential access should be limited to the east / Industry Way side of the lot to reduce user conflicts between residents and the industrial activity. With the majority of the industrial activity happening along the west side of the lot (most processors are located across the street from the east side of the lot), residential parking and pedestrian access should be required to be from the east side of the lot.

The Planning Commission may choose to include or remove these suggested conditions or impose different or additional conditions that they find appropriate.

Below you will find the CUP approval criteria in *italics* and staff's responses in normal font type.

Suggested Findings:

18.60.020 (B) – Conditional Use Permit Approval Criteria

1. *The use is consistent with the purpose of this chapter and is compatible with the zoning district and the comprehensive plan;*

This criterion is met.

The zoning district allows for bunkhouse or watch persons style dwellings as an accessory use. Watch persons quarters are built like a typical apartment but are limited to one per property, while bunkhouses do not have a limit on the occupancy. The proposed dwellings would be like the existing allowed dwelling types with the exception that unlike a bunkhouse each unit would have all the needed living amenities within each unit (sleeping, cooking, bathing) which is in line with a watch persons quarters.

The 2019 Cordova Comprehensive Plan supports this type of development in Section 3 – Housing Issues and Policies, Strategy 1 (e) where it states that the city should “Encourage and prioritize the development of permanent housing for seasonal workers, instead of temporary housing”. This proposed development could potentially be available for people that work in the industrial area, and with all the needed living amenities located within each unit it allows for a more stable long-term lifestyle.

2. *The use will not permanently or substantially injure the lawful use of neighboring properties;*

This criterion is met.

This proposed use is similar to the allowed accessory uses for the zoning district that includes dwellings.

3. *Public services and facilities are adequate to serve the proposed use;*

This criterion is met.

The public and utility services provided in the North Harbor are fully equipped to support large-scale

commercial and industrial operations, including water, sewage, garbage, power, and telecommunications. Residential housing and much larger bunkhouses are already fully supported by public and utility services in this area. Available public services and facilities are adequate to serve the proposed use.

- 4. The proposed use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development; and*

This criterion is met.

This area is already subject to high levels of residential pedestrian and vehicular traffic from the large number of existing bunkhouses and watch persons quarters. This is especially true during the fishing season when the bunkhouses are at maximum capacity. The addition of these long-term year-round housing's units would not negatively affect either the on or off-season traffic circulation. This would be especially true if vehicle and pedestrian access were limited to the east side of the lot as recommended in the conditions in section VIII below.

- 5. The proposed use will not adversely affect to the public's safety, health, or general welfare.*

This criterion has been met.

By meeting the above criterion and being consistent with the comprehensive plan the use does not adversely affect the public's safety, health, and general welfare.

V. LEGAL ISSUES:

The public or applicant may appeal the decision of the Planning Commission to the City Council.

VI. ENVIRONMENTAL ISSUES:

No environmental issues identified.

VII. SUMMARY AND ALTERNATIVES:

The applicant has requested that the Planning Commission grant a CUP to construct multiple dwellings into the second story of an existing warehouse within the Waterfront Industrial District.

The Planning Commission may approve the CUP with or without conditions or deny the CUP if they believe the approval criteria have not been met.

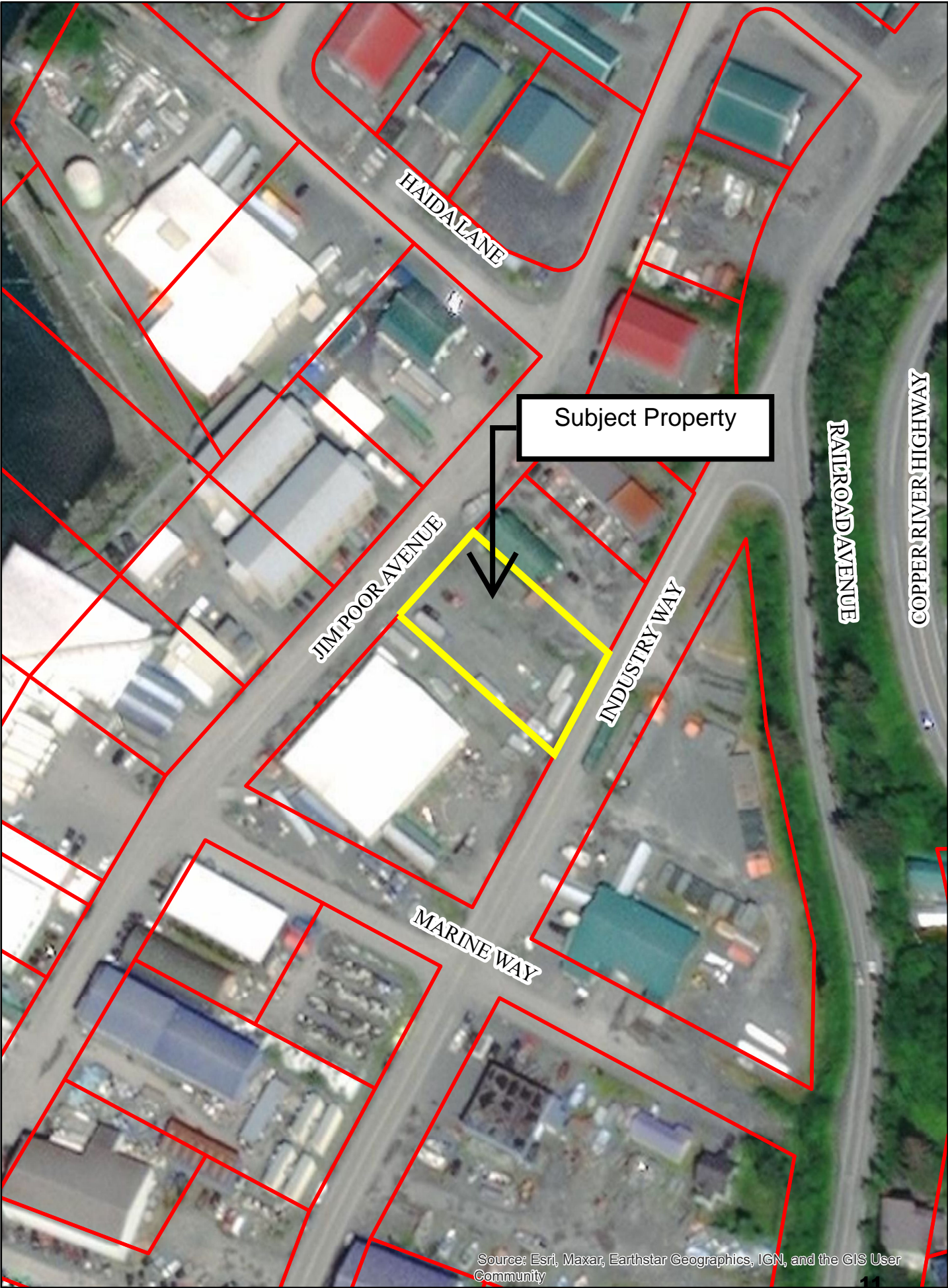
VIII. CONDITIONS OF APPROVAL:

Staff Recommends the following conditions of approval:

1. Residential use is limited to no more than 50% of the area of the building.
2. Residential access to the lot, both vehicular and pedestrian, shall be from Industry Way only.

IX. ATTACHMENTS:

- A. Location Map
- B. Conditional Use Permit Application
- C. Conceptual parking and floor plan
- D. Owner permission for applicant to apply for CUP



Subject Property

HAIDALANE

JIM POOR AVENUE

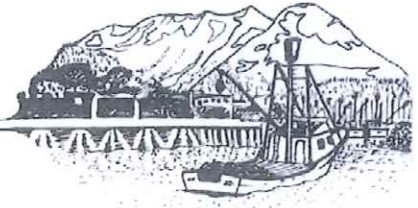
INDUSTRY WAY

MARINE WAY

RAILROAD AVENUE

COPPER RIVER HIGHWAY

CITY OF CORDOVA



CONDITIONAL USE PERMIT APPLICATION

City of Cordova, Alaska

INSTRUCTIONS	PERMIT TYPE	FEE
Print or type requested information. Incomplete applications will be returned to the applicant and will delay processing of the request. Applications must be received by the Planning Department 21 days prior to the next Planning Commission Regular Meeting, which is scheduled the second Tuesday of each month.	Conditional Use Permit	\$250

APPLICANT INFORMATION	
Name:	Cordova Telecom Cooperative
Mailing Address:	611 Second Street, P.O. Box 459
City/State/Zip:	Cordova, AK 99574
Phone Number:	907-424-2345
Email Address:	jeremiah@ctcak.coop

OWNER INFORMATION	
Name:	Nichols Living Trust, Jon Nichols
Mailing Address:	PO Box 235
City/State/Zip:	Cordova, AK 99574
Phone Number:	907-831-6166
Email Address:	foreverwildfisheries@gmail.com
Only complete this section if owner is different from applicant.	

PROPERTY INFORMATION	
Address:	205 Industrial Way, Cordova AK 99574
Legal Description:	Lot 2 Block 3 Subdivision CIP
Tax Lot No.:	02-060-232
Zone District:	Waterfront Industrial
Planning Department can assist if unknown.	

REQUEST DESCRIPTION

Please describe your requested conditional use in detail as well as the proposed time frame for the new use.

CTC would like to purchase the Nichols Living Trust warehouse at 205 Industrial Way to support our growing telecommunications business needs and invest locally in Cordova infrastructure. To make this financially feasible and support the community of Cordova's strategic needs we would like to convert the top floor of the warehouse into a multi-dwelling unit consisting of four (4) to six (6) long-term affordable quality apartment rentals.

The building lot has sufficient parking space on Industrial Way to support the residential parking needs, more than half of the building space will still be used for commercial purposes, and the new rental tax would offset any potential property tax changes.

CTC would like to move forward with a purchase agreement with the current owners pending approval of this conditional use permit. CTC would upgrade the warehouse in 2024 for immediate use and commence formal engineering for the residential units, with residential apartment construction starting in late 2024 or early 2025.

CTC is requesting approval for a conditional use permit to develop multi-dwelling units in the upstairs of the 205 Industrial Way warehouse.

You may add any additional documents which will help the Planning Commission better understand the request, such as a cover letter, drawings, maps, or photographs.

CONDITIONAL USE STANDARDS

The Planning Commission may only approve the conditional use if the commission finds that **ALL** of the following standards are met. You must include a statement and adequate evidence showing that each of the standards has been met. Use additional pages if needed.

The use is consistent with the purpose of this chapter (Chapter 18.60 - Conditional Use Permits) and is compatible with the zoning district and the comprehensive plan.

The waterfront industrial zoning district allows for accessory housing when the principal purpose of the building is used for commercial purposes. The current ordinance allows multi-dwelling units in this zone but states bunk houses vs apartments.

The project is consistent with the Cordova Comprehensive Plan which discusses the high cost of living and the need for affordable quality housing as the top two biggest challenges in Cordova.

This use aligns with Cordova's comprehensive plan Housing strategy #1, Land Use strategy #2, Economic Development strategy #4

The use will not permanently or substantially injure the lawful use of neighboring properties.

The proposed multi-dwelling unit on 205 Industrial Way would not permanently or substantially change the existing lot use or building footprint. We are not aware of any negative impacts to neighboring properties that this conditional use permit would create.

Public services and facilities are adequate to serve the proposed use.

The public and utility services provided in the North Harbor are fully equipped to support large-scale commercial operations, including water, sewage, garbage, power, and telecommunications. Residential housing and much larger bunkhouses are already fully supported by public and utility services in this area. Available public services and facilities are adequate to serve the proposed use.

The proposed use will not have a permanent negative impact on pedestrian and vehicular traffic circulation and safety substantially greater than that anticipated from permitted development.

The North Harbor and Industrial Way area has high pedestrian and vehicle traffic during the fishing season, including residential traffic and significant temporary housing. Allowing more long-term housing in this area will not negatively impact pedestrian or vehicular traffic circulation or safety.

The proposed use will not adversely affect the public's safety, health, or general welfare.

The proposed use for adding long-term apartments to an existing warehouse should only improve public safety, health, and general welfare by providing cost-efficient modern housing to the Cordova community. Given the above criteria are met and the conditional use aligns with the Cordova Comprehensive Plan, no adverse effects are recognized.

OTHER CONDITIONAL USE REQUIREMENTS

- Any application approved by the planning commission shall be conditional upon the privilege granted being utilized within six (6) months after the effective date of approval.
- Plot plan is required. The plot plan needs to be 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.
- 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.
- If applicant is not the owner of the subject lot, the owner’s signed authorization granting applicant the authority to (a) apply for the conditional use permit and (b) bind the owner to the terms of the conditional use permit, if granted.
- Some conditional uses (telecommunication tower, marijuana establishments, junkyards, and others) are subject to additional requirements in Chapter 18.60 of the Cordova Municipal Code.

APPLICANT CERTIFICATION

By the signature attached hereto, I certify that I am the owner or duly authorized owner's agent and that the information provided within this application and accompanying documentation is correct. Furthermore, I hereby authorize the City and its representatives to enter the property associated with this application for purposes of conducting site inspections.

Applicant Signature: _____



Date: 10-31-23

Print Name: _____

Jeremiah Beckett

205 Industrial Way Road

Google Earth view of the warehouse, building highlighted in yellow



Concept mockup to show potential residential parking and apartment units



Date: 10/25/23

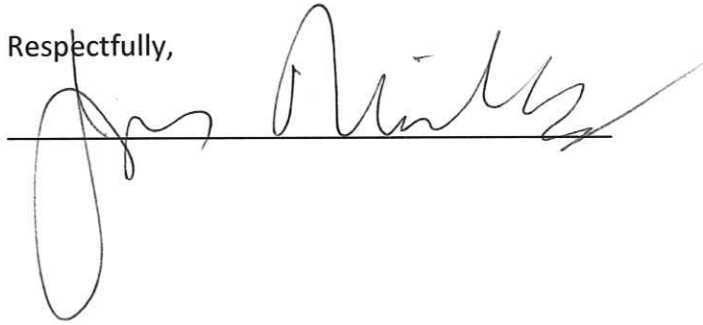
City of Cordova
Planning Commission

To Whom It May Concern;

The 'Nichols Living Trust' grants permission to Cordova Telecom Cooperative to apply for a Conditional Use Permit for the warehouse property located at 205 Industrial Way, Cordova Alaska which is tax lot number 02-060-232.

I, Jon Nichols, Secretary, am an authorized agent of the 'Nichols Living Trust' and have the authority to grant this permission for real property in Cordova, Alaska.

Respectfully,

A handwritten signature in black ink, appearing to read "Jon Nichols", is written over a horizontal line. The signature is stylized and includes a large loop on the left side.