

Planning Commission  
REGULAR MEETING  
CITY HALL CONFERENCE ROOM  
TUESDAY, MAY 8, 2012  
MINUTES

In those matters coming before the Cordova Planning Commission at 6:00 p.m.; Tuesday, May 8, 2012, in the City Hall Conference Room, 602 Railroad Road Cordova, Alaska, are as follows:

- A. **Call to order –**
- B. **Roll Call** Present for roll call were Chairman Tom Bailer, John Greenwood, Roy Srb, Greg LoForte, Tom McGann and Scott Pegau.  
Also present were City Planner Samantha Greenwood and Assistant Planner Faith Wheeler-Jeppson. There were 7 people in the audience.
- C. **Approval of Agenda**  
M/Greenwood S/Srb  
Upon voice vote, motion passed, 6-0
- D. **Approval of Consent Calendar**  
Minutes from the April 3, 2012 Worksession  
Minutes from the April 10, 2012 Regular Meeting  
  
M/Srb S/McGann  
Upon voice vote, motion passed, 6-0
- E. **Record Absences**
- F. **Disclosure of Conflict of Interest**  
None
- G. **Correspondence**  
None
- H. **Communication by and Petitions from Visitors**  
1. **Guest Speakers**  
None  
2. **Audience comments regarding items in the agenda**  
RJ Kopchak ~ I would love to address a little bit the discussion around the Harbor Service District. It would be great if I could do it at the time it was on the Agenda, but I could do it now if you'd like.  
Bailer ~ If you want to wait for our discussion that would be fine with me.  
Kristen Carpenter ~ I was going to speak on the same thing but I can wait also.  
MaryAnn Bishop ~ I'd like to speak on it too.  
3. **Chairpersons and Representatives of Boards and Commissions**  
None
- I. **Planners Report**  
Samantha Greenwood ~ I was just going to throw out there too, that if anybody is going to City Council you'll hear this we're going to put out a proposal for the Hammersmith/Chapek lot issue which will come back to you guys at some point if Council supports the idea for an Exception. Also the Cordova Kitchen did terminate their lease I'm going to tell Council that and put it on the June 12<sup>th</sup> meeting for Planning and Zoning to talk about the Land Disposal part of it because now that lot will be available.  
Bailer ~ I guess on that lot it would be that it was utilized heavily for a Snow Dump this year. And then for the Hammersmith, maybe you could just give a brief rundown, I don't think anybody was on the Commission back when this started.  
Samantha Greenwood ~ So in the Heney Trailer Court there is a trailer that is completely on City property and one that has a small corner that is on City property and it's been an issue since 2000. There have been multiple attempts to resolve it and between mostly Faith chatting with everybody we've got a solution that everybody is happy with. So we're going to try to lease that property to Ms. Hammersmith for the life of the trailers. So it sounds like we have something that we can all agree on and hopefully get it resolved as easy as we can.  
Greenwood ~ Was it the life of the trailer or ownership?  
Faith Wheeler-Jeppson ~ The life of the trailer.

**J. New Business**  
**None**

**K. OLD BUSINESS**

**1. Snow Load**

Steve "Hoots" Witsoe ~ Okay, Snow Loads area what's used to determine how much load they can hold and what the roof needs to be built for. The Code book has a table and Cordova is at 100 pounds per square foot, the interesting thing about that is Yakutat is at 150 psf, Valdez is at 160 psf and Whittier is at 300 pounds per square foot. So the purpose of what I was doing was use extreme value statistical analysis to determine what our snow load really is. So, what I did is I went through weather data and we don't have great weather data, but we do have 26 years from CEC's Orca Power Plant and then we have a bunch of data from the Airport. Originally I had more information from the Power Plant and the Power Plant typically represents the town better than the Airport. Keep in mind that we get much more snow at higher elevations than we do at sea level.

**I came up with two recommendations:**

**140 pounds per square foot at Sea level and at 100 vertical feet you would add another 20 pounds. (40% density)**

**150 pounds per square foot at Sea level and at 100 vertical feet you would add another 20 pounds. (50% density)**

Commission had a lengthy discussion and explanations on the snow load data provided by Hoots.

**Bailer** ~ Thank you so much for all your hard work on this.

**Bailer** ~ Tom how about you, you're doing a lot of building, what do you think?

**McGann** ~ I think we should increase it, I was looking at it from a cost standpoint in residential. A cut roof, basically just adding more rafters, even if you had to double the amount of rafter it would only increase the dry in package by 3.6%. I looked at trusses and if you had to double the trusses it would only increase the total dry in package by 4.6%. So I don't think that it's becoming cost prohibitive to do this stuff.

**Bailer** ~ Yeah I would agree.

**Samantha Greenwood** ~ And I talked with a metal guy I don't know if you saw it in the Planners Report, but he is in Wasilla but has built buildings here. He did say that he thought that the labor would not substantially increase, but that there would be an increase of about 25%. Most of that would be weight and shipping.

**Srb** ~ With the idea in mind that some of these properties are being sold as seasonal and nobody is going to be there to babysit them it might behoove us to bump things up and try to better protect investments.

**Samantha Greenwood** ~ Okay, so I threw in that resolution in case you guys wanted to move forward like that, it's not something that we have to do.

**After a lengthy discussion and explanation on the snow load data provided by Hoots the Commission agreed that in their opinion the snow load for Cordova should be increased to 150 pounds per square foot.**

**M/Srb S/McGann** "I'd like to make a motion to make a change in the current snow load requirement of 100 pounds ground snow load to 150 pounds ground snow load to the City Council of the City of Cordova, Alaska.

**Bailer** ~ Scott did you hear the motion?

**Pegau** ~ Yes, I did hear the motion, the only comment I had was on the "whereas's" you might want to strike "Whereas, this year's snow load was not a record for City of Cordova." because you can't demonstrate it.

**Samantha Greenwood** ~ You're right.

**Upon voice vote, motion passed, 6-0**

**2. Discussion on Water Line responsibility**

**Jeff Bailey, 207 Council Ave** ~ I can listen to the discussion because it looks like you guys have already put a lot of work into this, I'm just one of the latest victims. I'd like to listen to the discussion because it looks like you guys are trying to fix this.

**Samantha Greenwood** ~ Okay, so this came here we hashed it out and we said that this is what we want to do. We wanted to recommend that the responsibility be divided at the property line everything that is on the side that the people live on is theirs and everything on the other side is City. Then we put that forward to Council just to make sure that we were all on the same page and they kicked it back to us to do some clarification with what we were doing with the Code before we send it to the lawyer. The lawyer will rewrite what we say and make it legally correct. Then it will come back and it will have to go through two meetings and public hearings through City Council. So, I put some things that we need to accomplish, maybe we could start at one and work our way through.

**Bailer** ~ Sure

**Samantha Greenwood** ~ So the first thing that we need to do is make sure that all definitions that will be used in the water/sewer responsibility code are clear and accurate and define terms that are not currently in code. We're keeping "Connection", "Connected service" and to "Service line" we're going to add "Storm drain". And on the second write-up (page 26) where Malvin added "Water tap only" we're going to take that off.

**Samantha Greenwood** ~ So does anybody have any heartburn over the definitions we have or that you want to add? We did also change "Tap" the definition will read "A procedure or means by which a flow of liquid from the City water or sewer main is accessed." Then on "Stub in" I had crossed out after we talked more about it I decided to leave it in and defined as "A pipe to the City Water or Sewer main that is required to provide service to the service line." "Curb Box" will now read as "Curb box is a cast iron pipe with a lid (5" in diameter) that is placed vertically into the ground that houses curb or valve stop." Curb or valve stop will now be referred to as a "Curb stop".  
In 14.04.070(E) "service line" will be crossed out and "connection" will be left in.  
On page 28 I added the concept for the lawyer to write.

**McGann** ~ I have a problem with the second sentence, I realize that we have a lot of old stuff going on. But there has got to be another way around that. I just don't think that it should be the responsibility of the homeowner to maintain a line that goes across someone else's property.

The Commission has a discussion on the City's Development Standards.

**RJ Kopchak** ~ If I can quickly interject that's my situation with Harry Curran and we've resolved it easily. I don't think that there is anything that you (the City) can do to resolve these grandfathered situations.

**Bailer** ~ Since these are recommendations that we're going to send to Council to look at them and decide whether to adopt or not correct?

**Samantha Greenwood** ~ No, at this point I think they're going to the lawyer.

**Bailer** ~ But the final end result will come from Council

**Samantha Greenwood** ~ Yes

**Jeff Bailey** ~ My situation, what I'm going through right now is that I reported a leak, water running into my basement. Because I reported the leak I am now responsible for the fishing expedition that will go on tomorrow to dig up the entire street to find out where it's leaking from. What I'm being told is that I'm still stuck with the old code, but I could go back after I've paid the bill and I can appeal it.

**McGann** ~ I'm sure the City is open minded enough that when they find that that they won't charge you, it's not your problem. If yours isn't leaking then you're not going to be charged.

**Srb** ~ Is that caveated that when you sign up for water or sewer that you grant access to the curb stops if they're on private property?

**The Commission had a discussion on who would be responsible for paying for the stop box and the curb box and whether it should be placed on City property or private property.**

**Bailer** ~ You (Moe) will be the one dealing with this, so what's your recommendation?

**Moe Zamarron** ~ The property line.

### 3. CMC Title 18 ~ Zoning Code

- **Harbor Service District**

**Bailer** ~ RJ has been patiently waiting here, if you would come to the table and address this and where do you stand on this?

**RJ Kopchak** ~ If I was to look at your list, you know in my mind I think you need to look at the Harbor so I would endorse you guys continuing on with this effort. Are the permitted uses adequate? Let me just go on and yes, with a codicil I'd like to refer to and I like the concept of taking a look at a lot of variety around the Harbor. Some of the best Harbors I have ever visited are multi-use. They have a wonderful, eclectic mix of services that surrounds the heart of every community that has a Harbor. And so as you guys go forth on this I want you to all think hard about the fact that I think that makes the most vibrant communities, mixing and matching and allowing small service areas to develop as well as larger services is really important. On lot sizes and coverage and such, I read somewhat as well on John Harvill's comments on the last Planning session and by the way great minutes, it made it really easy to follow your discussions. I really agree with a lot of what John Harvill submitted as it relates and you folks commented on it relating to setbacks and snow load. It's going to be always a real challenge here as to how we deal with snow off of buildings, I think that provisions can be made within that. And now I'd like as well if I could make a comment on a couple of things relating to your Worksession on April 3, 2012. Sam had mentioned an issue around the Economic Development Zone with no verbiage in Code; I think it might help if I could just give you a quick background on how that came about. I won't go into a lot of detail but everybody knows that the Science Center located in that area in 1989. We've been there for 23 years, every single project proposal for developing the Science Center starting in 1992 and 1994 has been co-developed with the City and in 1995 when we went through looking at various development options it became obvious that development opportunities for economic development for science and education were huge but the immediate capacity to grow the facility was somewhat challenged, we were just getting started. We went through a real process with Planning and Zoning, Harbor Commission and at that particular time Port and Commerce Development Authority Board which is no longer around but it was a very active group at that particular time and City Council. We went through a big planning effort relating to preserving economic development opportunity for research and education. There was a consensus that that was the spot, we've all seen it drawn out on the map. So each and every one of those Commissions passed a recommendation on to the Council that they draw a line around there and say this is going to be an economic development zone to take advantage of this long term opportunity to develop more year round employment. That's the genesis of that resolution. I would like to simply on behalf of the Science Center tonight assert that unless the City Council reverses its position on the resolution the language in the resolution should direct the Commissions and other folks involved in looking at planning in the community because it's the document that went

through the planning process that was added by the board. I understand that there's not a definition in Code, but certainly the use and intent is well defined in the history of the actions in the four groups that reviewed and thought that this was a good idea. So as you look through the creation of the Harbor Service District I would like you to honor the intent of that recommendation in 1995 because in my mind it offers the best opportunity for the long term economic viability of that particular economic sector in the community. The other part that I noticed in your minutes is that you guys are challenged with taking a look at the Economic Development component of your Master Plan and I think that relates directly to my observations here. So those are my comments and I endorse the process and we'd like to participate actively in a very strategically planned process that makes sure that all of the opportunities are discussed. Thank you so much for the chance to comment.

**Mike Mahoney** ~ I have nothing to add, I'm just here as a Board Member of the Science Center to kind of show support for RJ and also for the Science Center and learn about what's going on here.

**Lindsey Butters** ~ I'm just here representing Harborside Pizza, to listen to your discussion and be aware.

**Kristen Carpenter** ~ I just wanted to put a plug for a comprehensive look at the Waterfront. We've talked in the past about wanting to do some comprehensive waterfront planning and I think if you're going to be considering what happens in the Harbor this would be a really good time. I know that what this particular question deals with is things like setback, parking and things like that, but RJ made a pretty good segue because if we're talking about waterfront that currently does allow for multiple uses and maybe more in the future this is a really good time to plan for that stuff and build it in to what we're doing here. Yes it's very much a working Harbor and I don't see that changing any time soon, but at the same time tourism is growing and I think we've all been to places where the waterfront is accessible and it's easy to walk around town and we've talked about how do we incorporate some of those pathway and walking routes along the waterfront into what we do in town. While I know this is very specific, I wanted to put in a plug for incorporating some more comprehensive waterfront development thinking into the process. I'd like to also advocate for low impact development, what can we do to manage storm water? Where are the appropriate spot in the landscape to do that? I do see people wanting more diversity on the South Fill and there's the area on the northwest side of the harbor, it would be great to allow for more pop up restaurants, more temporary stuff because summer time is when we need those kinds of things and how do we factor those things into the landscape. And if the Watershed Project can help with that or I can just keep coming to meeting making a plug. Thanks

**Mary Anne Bishop** ~ Good evening, my name is Mary Anne Bishop, I live at 900 Fourth Street and I am representing the Prince William Sounds Audubon Society, the local organization of which I am President. On behalf of the Audubon I am here tonight to urge Planning and Zoning to begin a public process that will lead to a Comprehensive Waterfront Plan. I have been reading the minutes from the past several meetings. I realize that you are looking at the code piece by piece, for example Waterfront Industrial; Historic Waterfront; Waterfront Commercial and tonight the Harbor. Prince William Sound Audubon Society's concern is the piece by piece approach. Audubon would like to see a waterfront plan where recreation, wildlife habitat, wildlife and fisheries values, viewsheds including the Harbor and other aesthetics values are taken into account. These are all community assets and for many people are the reason why they choose to live in Cordova. Waterfront planning has been advocated for several years by the Prince William Sound Audubon Society as well as the Copper River Watershed Project and the Prince William Sound Keeper. We previously requested that Council direct Planning and Zoning to hold a series of public workshops to discuss how Cordova should use its remaining waterfront lands. More than two years later, the workshops still have not happened. So I am here tonight to ask you to consider stepping back and planning for the waterfront before you start zoning or defining areas around the harbor. Thank you very much.

**Bailer** ~ So for the record you (Mary Anne Bishop) are against the formation of the Harbor Service District as it stands?

**Mary Anne Bishop** ~ As it stands at this point, yeah I think it's putting the cart before the horse. I think it's not the right time, no I think take a step back and look at the whole waterfront then start defining areas.

**Bailer** ~ Okay thank you.

**Jeff Bailey** ~ I just want to say thank you for your time I know you guys put a lot of time onto doing what you do and I really appreciate it. I did it once many years ago and I hope it's more than a thankless job that it sometimes may be, but I'd rather sit and listen to you guys work through stuff than Council any day I'll tell you that.

**Bailer** ~ Thank you

**Bailer** ~ Okay let's go around the table, Scott I'm going to throw this to you first. Do you want the Harbor District?

**Pegau** ~ You know I do think that we should be looking at the Harbor Service District and we'll need to go through the different aspects. I realize at this time that we're just defining the District and not the actual boundaries; I'm assuming that we'll talk about actual boundaries at a later date.

**McGann** ~ Yeah, in general I like the notion. But I would like to read the City Council's Resolution, I've never read it.

**RJ Kopchak** read City Council Resolution 2-95-13. A copy of that Resolution has been placed in the permanent file and can be made available upon request.

**Bailer** ~ The Special Economic Development Zone are you (RJ Kopchak) having heartache if this is changed from that to the Harbor Service District?

**RJ Kopchak** ~ The Special Economic Development Zone in my mind is an overlay zone that preserves that parcel for that purpose, any other zoning can happen but that parcel was designated specifically by a map and by resolution for that purpose.

**LoForte** ~ I have a question, being on the Harbor Commission we're going to throw out the question of filling in the other area which would be encompassed in the Harbor District in the way I read it I didn't see anything that would be derogatory to the Science Center if it moved to the new location of the fill in this district.

**RJ Kopchak** ~ I'm not here to represent any location for any facility.

**LoForte** ~ My understanding from what you're saying is this area that you're in right now is designated special ground from your resolution, so if you moved that changes everything.

**RJ Kopchak** ~ All of our development proposals that have been submitted over the past 15 years have been consistent with this proposal, all I can say is that that's the current status. We stand by willing to work on any comprehensive land use plan for that area.

**Bailer** ~ I guess what I'm saying is that the uses are not inconsistent with the new Harbor Service District.

**RJ Kopchak** ~ No, the uses are not inconsistent for what you're proposing. We just want to make sure that as you plan, you honor this resolution unless the resolution directs us differently. We want to work with you on a development plan that honors everybody's needs as much as possible. Thank you guys

**McGann** ~ Both Kristen and Mary Anne mentioned that they would like us to get public input on this and I think it's a good idea.

**Bailer** ~ I think that's the process that we're working right now. I think Sam wanted to know if we even wanted to proceed down this avenue because if we left it as it is then there is no reason to have public input. But if we're going to make this change and I think that's what we're deciding right now is the parameters of that change. And then we'll go out and get public input.

**The Commission was in agreement that they want to move forward with the Harbor Service District.**

**The Commission has a lengthy discussion on the permitted principal uses and structures and agreed to remove 18.39.020(F) Fueling piers and place that item under Conditional Uses.**

**The Commission was in agreement that the permitted uses as amended are adequate for the Harbor Service District.**

**The Commission agreed to remove 18.39.030(B) and amend it to read "Processing of seafood where no more than two thousand square feet of gross floor space of structure is used for processing." under Permitted accessory uses and structures and place that item under Conditional Uses.**

**The Commission agreed to amend the language under 18.39.040(B) to now read "Fish processing facility two thousand square feet of gross floor space of structure is used for processing."**

- **Un-zoned areas and large parcels**

**Samantha Greenwood** ~ Okay, I just threw this out there because we were talking about that whole hillside above Main Street, out Power Creek, the large lot above Louie Alber and we talked about how we would want to zone these. As I've been looking through Code I've seen a lot of places that do this they call it "Undeveloped Land Pending Future Classification District", kind of like how we talked about where we have this huge parcel and we don't want to confine it necessarily to High Density let's just say. We could just zone it this and if it's an available piece of property then somebody comes forward with a proposal.

**Bailer** ~ And since the City owns it currently are we talking about all City property there?

**Samantha Greenwood** ~ Yeah

**LoForte** ~ So you just want a designation for City owned property that is un-zoned right now?

**Samantha Greenwood** ~ And I guess some of that would be State as well, but that would never come forward for us to purchase.

**LoForte** ~ Okay, which one did you pick?

**Samantha Greenwood** ~ Undeveloped Land Pending Future Classification District.

## **L. MISCELLANEOUS BUSINESS**

### **1. Proposed Road Addressing, Naming and Signing Policy**

**M/Srb S/McGann**

**Samantha Greenwood** ~ Did you guys read it?

**Srb** ~ Yes

**McGann** ~ How many duplications or unnamed roads do we have?

**Faith Wheeler-Jeppson** ~ There are a couple that are duplications there is Lake View Drive and Lakeview Drive, you have Orca Street, Orca Road and Orca Avenue. And there are a few more of them.

**Bailer** ~ This is one of those things that you get the big map out there and say these are the streets that are affected put it up at the Library or somewhere and let people bring their suggestions.

**Srb** ~ That was one of the interesting components of this, one of the avenues of approach was that the residents within that area if they can come into concurrence bring it forward.

**Bailer** ~ There may be someone who has done a lot for the community that we didn't know about and they want to name a street after them. I'm good with that let them do it, we shouldn't do it.

**LoForte** ~ The only question I had and maybe RJ or you guys can answer it, legally does this have any ramifications with the mortgage on the property or anything like that?

**RJ Kopchak** ~ No, you're by property description and lot numbers.

**Faith Wheeler-Jeppson** ~ Right, your documentation is done by your legal address not your physical address.

**Bailer** ~ Okay so we're good with that.

**Samantha Greenwood** ~ Okay so what's going to happen is we'll send it to Council and then it's going to start getting implemented.

**Bailer** ~ My suggestion is just map it and say these are the streets that we need to address then hang it up and let the people help, I'm sure once the word gets out.

**Samantha Greenwood** ~ Faith's phone is going to be ringing off the hook.

**M. PENDING CALENDAR**

**Greenwood** ~ What about a time change since summer is here, I'm thinking 6:30pm starting June and go through September.

**N. AUDIENCE PARTICIPATION**

**RJ Kopchak** ~ I have just one thing I request that you put on your Pending Agenda, we have got to get control of this communities right-of-ways. I have one neighbor who has a vehicle that hasn't moved in 7 months, the whole winter and whose firewood is stacked 5 feet in the right-of-way totally pinching my neighbor. Also making it impossible for your brilliant crews, because they did a great job all winter long, but they had to fight the fact that we don't control out right-of-ways. I listened to the radio every morning all winter long when they say Valdez says if your car is on the City street posted for parking, it will be towed, you better move it. Please, please, please get us there, we used to be there. 15 years ago I got tickets and towed in my neighborhood and I want to be ticketed and towed again. We would have had a better town this winter and it would have been easier if folks would have been towed or ticketed. Thank you all, I want to work with this group on any project. This is a really good and hardworking group; thanks for letting me join in.

**O. COMMISSION COMMENTS**

**Srb** ~ Excellent meeting

**LoForte** ~ Good meeting

**McGann** ~ (inaudible)

**Greenwood** ~ Nothing

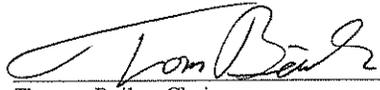
**Pegau** ~ Thanks for the meeting

**Bailer** ~ None

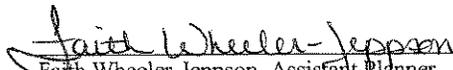
**P. ADJOURNMENT**

**M/Srb S/Greenwood**

**Motion to adjourn at 9:05 pm**

  
\_\_\_\_\_  
Thomas Bailer, Chairman

6/22/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Faith Wheeler-Jeppson, Assistant Planner

6/19/2012  
\_\_\_\_\_  
Date