

**PLANNING COMMISSION REGULAR MEETING
JULY 14, 2020 AT 6:45 PM
ELECTRONIC – INFORMATION BELOW**

Chair

Tom McGann

Commissioners

Scott Pegau

John Baenen

Nancy Bird

Chris Bolin

Trae Lohse

Mark Hall

City Planner

Leif Stavig

AGENDA

1. CALL TO ORDER

2. ROLL CALL

Chair Tom McGann, Commissioners Scott Pegau, John Baenen, Nancy Bird, Chris Bolin, Trae Lohse, and Mark Hall

3. APPROVAL OF AGENDA

4. APPROVAL OF CONSENT CALENDAR

a. Minutes of January 14, 2020 Regular MeetingPage 2

5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

6. CORRESPONDENCE

a. Correspondence from Jerry & Vicki Blackler.....Page 6

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

a. Guest Speakers

b. Audience comments regarding agenda items (3 minutes per speaker)

8. PLANNER'S REPORTPage 7

9. NEW/MISCELLANEOUS BUSINESS

a. Conditional Use Permit for Small Engine Repair Operations on a Portion of Tract B-1 USS 833 ...Page 8

b. Variance Request – John StackPage 21

c. Resolution 20-02 – Make Eastern Half of Lot 3, Block 17, Original Townsite ‘Available’Page 31

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska that an approximately 1,750 square foot area corresponding with the eastern half of Lot 3, Block 17, Original Townsite be updated to ‘Available’ and added to the 2020 Land Disposal Maps

d. Letter of Interest from Craig Kuntz for the Eastern Half of Lot 3, Block 17, Original TownsitePage 43

10. PENDING CALENDAR

a. July 2020 CalendarPage 54

b. August 2020 CalendarPage 55

11. AUDIENCE COMMENTS

12. COMMISSION COMMENTS

13. ADJOURNMENT

To join the meeting from your computer, tablet, or smartphone, use the following link:

<https://global.gotomeeting.com/join/571383501>

You can also dial in using your phone.

United States (Toll Free): [1 877 568 4106](tel:18775684106)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 571-383-501

**PLANNING COMMISSION REGULAR MEETING
JANUARY 14, 2020 AT 6:30 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Regular Meeting to order at 6:30 PM on January 14, 2020 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair **Tom McGann** and Commissioners **Scott Pegau, John Baenen, Nancy Bird**, and **Mark Hall**. **Chris Bolin** and **Trae Lohse** were absent.

Also present was City Planner **Leif Stavig**.

Zero people were in the audience.

3. APPROVAL OF AGENDA

M/Pegau S/Bird to approve the agenda.

Upon voice vote, motion passed 5-0.

Yea: **McGann, Pegau, Baenen, Bird, Hall**

Absent: **Bolin, Lohse**

4. APPROVAL OF CONSENT CALENDAR

a. Minutes of November 12, 2019 Work Session

b. Minutes of November 12, 2019 Regular Meeting

M/Pegau S/Bird to approve the consent calendar.

Upon voice vote, motion passed 5-0.

Yea: **McGann, Pegau, Baenen, Bird, Hall**

Absent: **Bolin, Lohse**

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

8. PLANNER'S REPORT

Stavig said it has been busy with the new year. There has been interest from a new food truck on the Breakwater Fill Lot. **Pegau** said that there may be challenges with traffic flow with an additional food truck. **Stavig** said they were meeting with everyone to address traffic and any other issues. Food truck

culture is collaborative rather than competitive. **Bird** asked if there had been any complaints about the raise in building permits. **Stavig** said there hadn't been any yet. **Stavig** said the Comprehensive Plan was going to be available on www.cordovacompplan.com for at least another year.

9. NEW/MISCELLANEOUS BUSINESS

a. Resolution 20-01 – 2020 Land Disposal Maps

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending the City Council of the City of Cordova, Alaska adopt the 2020 Land Disposal Maps

M/Pegau S/Baenen to approve Resolution 20-01.

The commission went through each map and asked questions for clarification. **Hall** asked if a short-term lease would require subdividing. **Stavig** said it would not be required unless it was necessary.

On the 'Ocean Dock Subdivision' map, **Pegau** said that he wanted to make the area 'Available' in the shipyard 'Not Available.' **Hall** said he likes to see things 'Available.' **Bird** said she thought it should only be leased, but she does support making it 'Not Available' since there is still a process for someone to pursue if they are interested. **Pegau** verified that the Harbor currently uses the property. **Bird** said she wanted to get advice from the Harbor Commission. The Planning Commission concurred with **Bird**.

On the 'Old Town' map, **Hall** asked is there was ever any interest in the lots to the north. **Stavig** said there has been over the years, but the right of ways and topography are very challenging in the area.

On the 'Whitshed Road' map, **Pegau** said that he'd like some of the area covering the existing city infrastructure to be shown as 'Not Available.' **Baenen** said that because they know there would have to be a subdivision, there is no way they would sell a piece of property that would inhibit access or have city infrastructure on it. **Pegau** said if that was the case, they should make the rectangular area in the middle of the large parcel 'Available.' There was consensus from the commission to do so.

On the 'Odiak Park' map, **Pegau** asked why the two lots on the south side of Center Drive were 'Not Available.' **Stavig** said there were some drainages through there and he thought there may even be some deed restrictions on the property.

M/Bird S/Pegau to refer back to staff.

Upon voice vote, motion passed 5-0.

Yea: McGann, Pegau, Baenen, Bird, Hall

Absent: Bolin, Lohse

b. Discussion on Copper River Highway Study

Stavig said the study was presented to the community by the state in December. **McGann** said that the thought behind having this on the agenda was that they could discuss, and then **Stavig** could prepare a letter summarizing their thoughts. **Baenen** said he attended the meeting and the consensus was to move forward with getting funds to address the highway. It would cost way more to clean up

if the infrastructure fails versus maintaining it. There are also economic impacts to fisheries management and tourism. He is in favor of figuring out how to fix the existing highway.

McGann said without the bridge at 36 Mile, there isn't an easy way to get heavy equipment out further. They need to be putting more pressure on the state to get the federal DOT money locally. **Pegau** said that while he would like to be able to access further out the highway, but he cannot justify spending that much money. **Bird** said that she thought the beginning of the report was great, but she was disappointed to find a lack of dollar amounts for the different proposals. She remembers when the state fixed the Million Dollar Bridge 20 years ago, she heard the same reasoning about the cost of maintenance being less than the cost to demo. The state won't be able to fix fish passage culverts without a bridge at 36 Mile. **Baenen** said doing nothing is going to cost more money.

Hall said that he kept falling back on the liability of not fixing it and that it is cheaper to fix it now than to pay for it later. **McGann** said he thought there was a lot in the Comprehensive Plan about tourism, protecting the fisheries, safety, and more. **Bird** said she thought the state wanted feedback from the public on priorities. She thought fixing the culverts was important for fish and the Comprehensive Plan supports that; however, the 36 Mile bridge is how you fix the culverts. It also helps for tourism development, access, and protecting history. **Stavig** said there was a specific strategy in the Comprehensive Plan: "Advocate for restoring access to Child's Glacier and the Million Dollar Bridge." There were also many complementary goals and strategies mentioned in the plan.

Pegau said they will never win a fight with a river. To protect the fisheries, the state should just pull everything out. **Baenen** said that the broad public consensus behind the Comprehensive Plan shows that people support fixing the highway to the Million Dollar Bridge. **McGann** said that lobbying for money to fix the road will be hard, but lobbying for money to do it all up will be even harder. **Stavig** said that in the future, he will try to keep the Planning Commission informed about public comment opportunities. **Bird** said she would at least like to thank the team from the state for coming to town and giving them the opportunity to comment. **Stavig** said he got the impression that the driver behind this was a grant that the Native Village of Eyak applied for. **Stavig** said he would draft a letter for the chair to sign voicing the commission's appreciation for the state involving the community in a public planning process.

c. Chair Election

McGann opened nominations for the office of chair of the Planning Commission. **Bird** nominated **McGann**.

Upon voice vote, McGann was elected chair 5-0.

Yea: **McGann, Pegau, Baenen, Bird, Hall**

Absent: **Bolin, Lohse**

d. Vice Chair Election

McGann opened nominations for the office of vice chair of the Planning Commission. **Baenen** nominated **Bird**.

Upon voice vote, Bird was elected vice chair 5-0.

Yea: **McGann, Pegau, Baenen, Bird, Hall**

Absent: **Bolin, Lohse**

10. PENDING CALENDAR

Stavig said there would be no regular meeting in February as he would be at the Planning Conference in Anchorage. He will send out an availability poll for an upcoming Special Meeting.

11. AUDIENCE PARTICIPATION

12. COMMISSION COMMENTS

Pegau said he thought the discussion about the PEL Study was good and thought it was important for the city to provide feedback.

Hall said to be sure to reference the Comprehensive Plan in the letter to the state.

13. ADJOURNMENT

M/Pegau S/Baenen to adjourn the Regular Meeting at 7:41 PM.
With no objection, the meeting was adjourned.

Approved:

Tom McGann, Chair

Leif Stavig, City Planner

July 8, 2020

Re: Public Hearing Notice – Sheridan Joyce

Dear Leif,

Regarding Sheridan's request for a conditional use permit, we are in support of one being issued to him.

Sincerely,

Jerry & Vicki Blackler

Planner's Report

To: Planning Commission
From: Planning Staff
Date: 7/8/20
Re: Recent Activities and Updates

- Heavy traffic from public with misc. planning questions, i.e., subdivisions, permits, maps, zoning, property purchasing, etc.
- Once again working remote due to COVID-19 positive case at City Hall.
- Forest Service land disposal for dock coming up late summer/fall.
- Carl and Jane Jensen lease closing on property.
- Rob Brown lease verifying substantial completion requirements.
- Dan Nichols warehouse substantially complete.
- Preparing Ordinance for City Council requiring appraisal for all property disposals at fair market value.
- Preparing an online GIS property map available for public.
- Prepared packet for Planning Commission Regular Meeting.
- COVID-19 – Serving on Incident Management Team per job description; assisting with re-opening plan for City Hall.
- 14 building permits issued so far for 2020. Total for 2019: 29.



AGENDA ITEM # 9a
Planning Commission Meeting Date: 7/14/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

DATE: 7/8/20

ITEM: Conditional Use Permit for Small Engine Repair Operations on a Portion of Tract B-1 USS 833

NEXT STEP: Review Conditional Use Permit Application

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

Requested Actions: Conditional Use Permit for Small Engine Repair Operations
Applicant: Sheridan Joyce
Legal Description: A Portion of Tract B-1 USS 833
Zoning: Low Density Residential District
Attachments: Location Map
Location Map with Zoning
Application

II. RECOMMENDED ACTION / NEXT STEP:

“I move to approve the conditional use permit request by Sheridan Joyce for small engine repair operations on a Portion of Tract B-1 USS 833 as described in the application and to adopt and incorporate

the findings and special conditions contained in the staff report.”

Staff recommend the Planning Commission grant the Conditional Use Permit.

III. FISCAL IMPACTS:

Business development will generate sales and property tax.

IV. BACKGROUND INFORMATION:

Cordova Municipal Code

Chapter 18.20 - R LOW DENSITY RESIDENCE DISTRICT

18.20.010 - Permitted uses.

The following uses are permitted in the R low-density district:

- A. One-family, two-family and three-family dwellings;
- B. Boardinghouses;
- C. Truck gardening, the raising of bush and tree crops, flower gardening, and the use of greenhouses;
- D. Home occupations;
- E. Accessory buildings and uses not used or operated for gain and not including guest houses or accessory living quarters;
- F. Required off-street parking.

Chapter 18.60 – Conditional Use Permits.

18.60.010 - Purpose.

It is recognized that there are some uses and associated structures which may be compatible with designated principal uses in specific zoning districts provided certain conditions are met. The conditional use permit procedure is intended to allow flexibility in the consideration of the proposed use on surrounding property if the proposed use is in harmony with the various elements or objectives of the comprehensive city plan and the zoning district. The conditional use permit process provides the opportunity to apply conditions of controls and safeguards to ensure that the proposed use will be compatible with the surroundings.

Small engine repair operations including a shop are not a permitted use for the Low Density Residential District and must be permitted by Conditional Use Permit (CUP).

Conditional Use Standards

The following conditional use standards have been met:

1. *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.*

This condition is met. The use is consistent with the purpose of Chapter 18.60 in that it is a use which falls outside of what is expressly permitted in the zone district, but is compatible with the area. While

this area is zoned as Low Density Residential, none of it is developed as such and it lies adjacent to a large area zoned Business District.

The 2019 Comprehensive Plan has identified this area in the Future Land Use Map as “In-Town Mixed Use.” The intended land use for this area is described as “Areas that require further public engagement to determine best use, which could include residential, commercial or other developed uses.” The Conditional Use process is an appropriate public process that involves neighboring property owners.

One of the main goals under the Economic Development portion of the Comprehensive Plan is to “Support the growth of existing and new local businesses.” This is an existing business looking to expand.

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

This condition is met. This use will not impact the lawful use of neighboring properties. All of the surrounding property that is zoned Low Density Residential is currently undeveloped. All of the property owners within 300 feet of the property received notice of the CUP request and have the opportunity to voice concerns at the Public Hearing or provide correspondence. At the time of this memo, staff have received one piece of correspondence from a neighboring property owner in support of the Conditional Use Permit.

The property is adjacent to a mechanic shop and a refuse transfer station, all of which are similar in character. The area adjacent to this property is zoned in the Business District, which is a very liberal district allowing a broad range of uses.

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

This condition is met. The proposed use is not larger than other permitted uses in the zone district. Any utilities not available to the property could be extended to the property by the applicant. The proposed development would not put a significant strain on any public services.

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.*

This condition is met. This use is not more substantial than other permitted development. The property would not attract a significant amount of traffic that would result in a negative impact. The property is large enough that when applicant applies for a building permit for the shop, there should be ample space for required parking.

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

This condition is met. The applicant is required to obtain a Fire and Life Safety Plan Review from the State Fire Marshal prior to construction of a building.

Special Conditions:

Special Conditions may be added by the commission.

VI. LEGAL ISSUES:

None currently.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

VIII. SUMMARY AND ALTERNATIVES:

The Planning Commission may grant or deny the Conditional Use Permit and add or delete conditions.

Location Map

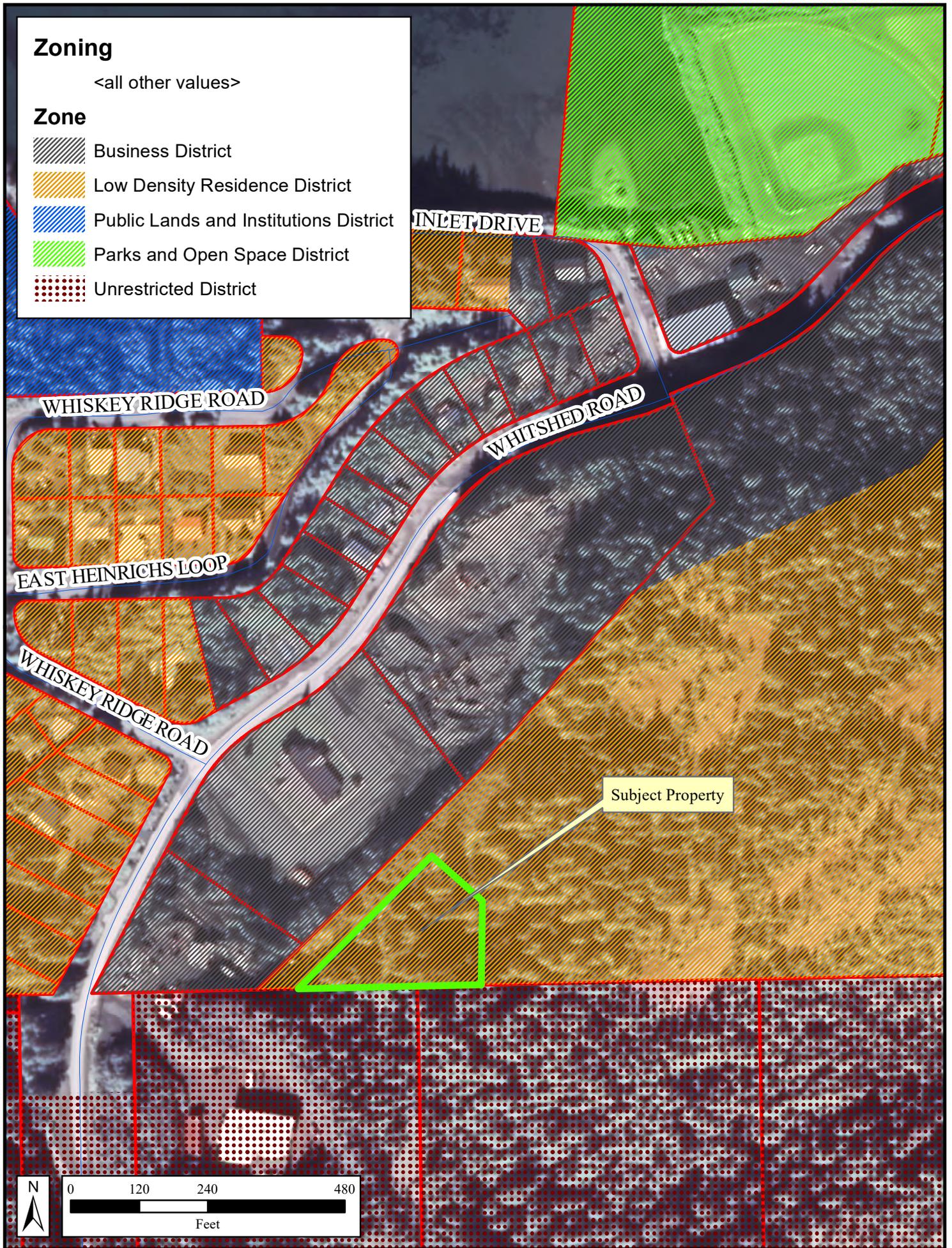


Zoning

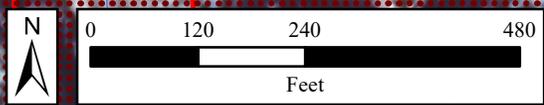
<all other values>

Zone

-  Business District
-  Low Density Residence District
-  Public Lands and Institutions District
-  Parks and Open Space District
-  Unrestricted District



Subject Property



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:	Sheridan Joyce
Mailing Address:	box 555
City/State/Zip:	Cordova AK 99574
Phone Number:	907 370 3382
Email Address:	sheridanjoyce@yahoo.com

OWNER INFORMATION

Name:	
Mailing Address:	
City/State/Zip:	
Phone Number:	
Email Address:	

Only complete this section if owner is different from applicant.

PROPERTY INFORMATION

Address:	Whitshed Road
Legal Description:	see attached
Tax Lot No.:	not established
Zone District:	LDR

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.

portions of this land will be used by Cordova Powersports LLC for its small engine repair operations. Expected start date is fall 2021 and will continue indefinitely

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.

Yes this would improve the conformity to the comprehensive plan and the property is surrounded by existing commercial operations.

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

This properties is neighbored by a commecial gravel pit, a church built on commercial land, a trash bailing facility and a deisel mechanical shop. Commercial use occouring on this property would not have any negative effects on surrounding property

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

Yes, a privately held easement connects this property to whitshed road where adequate utilities are available.

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.

It will not, typically less than 20 vehicles per day would need to access this property while operating.

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

It will not have any negative effect on the public's health safety or welfare.

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: 6/22/2020

Print Name: _____

Sheridan Joyce

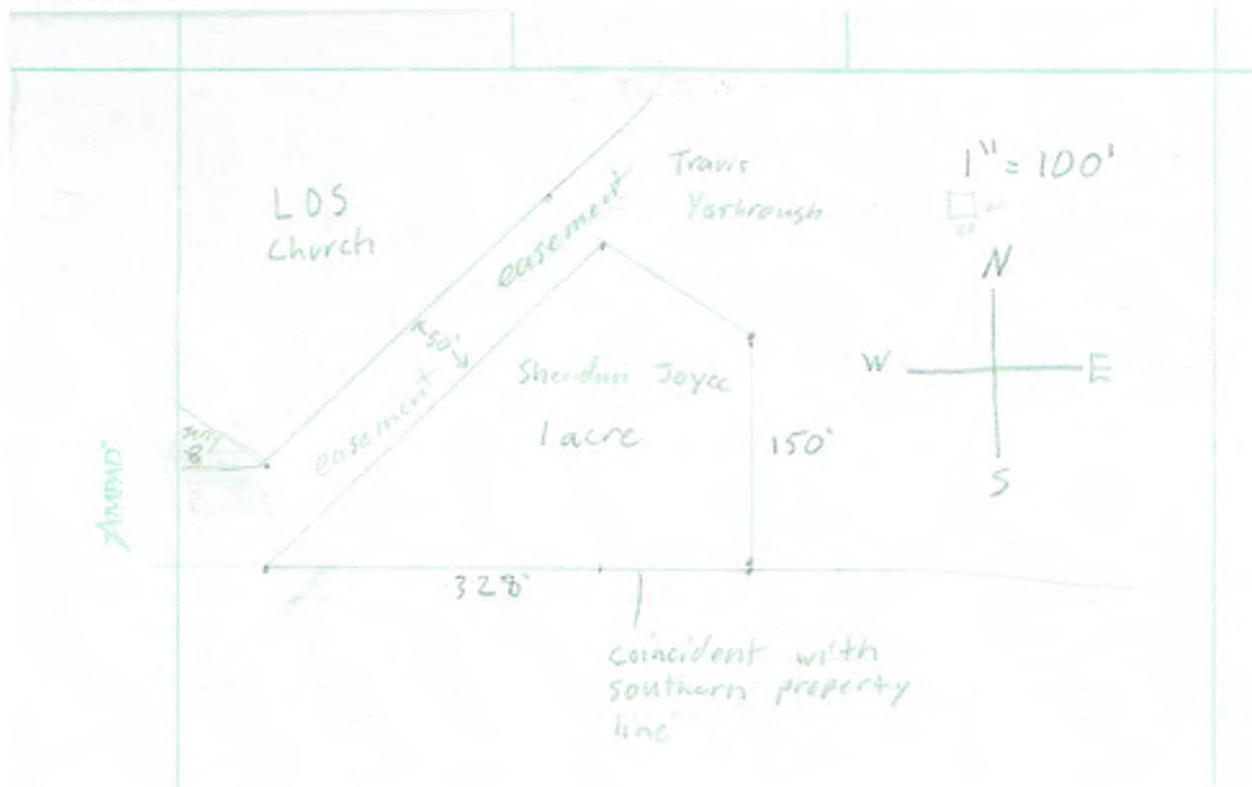
Legal description from purchase agreement

Both parties are in agreement that the one acre is in the south west corner of the property held by Travis L Yarbrough and the property dimensions will be approximately located and as described in the attached satellite images (attachment A,B,C). The dimensions of the one acre is described as follows. The southern property line is 328 feet coincident with the southern property line of the property held by Travis L Yarbrough. The western property line will be 320 feet parallel to the eastern property line of property owned by the LDS church but offset to the south east 50 feet to allow access to the remainder of land held by Travis L Yarbrough. The eastern property line projects in a north south orientation to 150 feet. See attachment D.

Attachment C



Attachment D



Plot plan



40x60 shop approximate location within property. Shown topographic lines are at 100' and 200', overall grade is gradual and would not need massive alterations to achieve intended use.



AGENDA ITEM # 9b
Planning Commission Meeting Date: 7/14/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff
DATE: 7/8/20
ITEM: Variance Request – John Stack
NEXT STEP: Decide Whether to Grant Variance

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

Requested Actions: Decide Whether to Grant Variance
Applicant: John Stack
Address: 311 Browning Ave.
Legal Description: East One-Half of Lot 17, Block 15, Original Townsite
Zoning: Low Density Residence District
Lot Area: 2,250 sq. ft.
Attachments: Location Map
Application with Drawings

John Stack is requesting a variance to construct a roof over an existing deck. If the variance is granted, John Stack would be able construct a roof over an existing deck up to three feet from the front property line.

II. RECOMMENDED ACTION / NEXT STEP:

“I move that the Planning Commission grant the variance request by John Stack and to adopt and incorporate the findings within the staff report.”

Staff recommend the Planning Commission grant the variance request.

III. FISCAL IMPACTS:

Increased property value and tax base.

IV. BACKGROUND INFORMATION:

Applicable Code:

18.20.040 - Front yard.

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

18.64.020 - Variances.

A. An application for a variance shall be filed in writing and verified by the owner of the property concerned.

1. The application shall contain the following data with respect to the property and the applicant:

- a. A legal description of the property involved,*
- b. Plot plans showing the location of all existing and proposed buildings or alterations, elevations of such buildings or alterations, and such other data as may be required,*
- c. Evidence of the ability and intention of the applicant to proceed in accordance with the plans within six months after the effective date of the variance;*

John Stack’s property used to consist of two separate houses. He is in the process of demolishing one of the houses and constructing an addition onto the existing nonconforming house. After reviewing his plans, staff determined that the portion of the roof structure over the nonconforming deck exceeded the front yard requirement and required a variance. All other planned improvements to the property conform to zoning requirements.

Suggested Findings:

- a. That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same land use district.*

This condition has been met. The Low Density Residential District encompasses a wide range of properties; however, this lot is exceptionally small with dimensions of 45’ x 50’. This is a residentially zoned lot that has had structures over 100 years old. The proposed roof structure allows the snow to continue shedding over the deck consistently with the rest of the structure. Requiring the deck to remain unroofed would not be aesthetically pleasing. Another exceptional condition to the lot is the existence of the nonconforming structure. Because the nonconforming structure does not meet the required setbacks, improving the structure or adding an addition is difficult. The property owner has proposed an addition which meets the required setbacks and utilizes an existing nonconforming deck and improves it by adding a roof.

- b. *That the strict application of the provisions of this title would result in practical difficulties or unnecessary hardship.*

This condition has been met. Adhering to the required front setback would require the applicant to leave this area uncovered even though the remainder of the nonconforming structure does not meet the front setback. It is an unnecessary hardship to require the applicant to not construct a roof over this area as a roof would look natural and consistent with the existing building.

- c. *That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.*

This condition has been met. This lot is one of three lots, all adjacent to one another, that are small and have nonconforming structures that do not meet the required setbacks. Granting the proposed variance would enhance the property and make the neighborhood a more desirable area. The entire project creates a larger side yard compared with what existed before and sheds the snow onto the property owner's property instead of neighboring property or on the right of way. The proposed variance would not be detrimental to the public health, safety, or welfare. While the variance allows the roof to be closer to the front property line, the actual road surface remains 20 feet away from the structure.

All of the property owners within 300 feet of the property received notice of the variance request and have the opportunity to voice concerns at the Public Hearing or provide correspondence. At the time of this memo, two neighboring property owners who received notification letters informed staff that they were in support of the variance.

- d. *That the granting of the variance will not be contrary to the objectives of the comprehensive plan.*

This condition has been met. The 2019 Comprehensive Plan identifies "limited stock of affordable housing" as a key issue of the plan. The proposed variance allows the property owner to complete an addition on a modest single-family house. The applicant is improving property that has been deteriorating for many years into an attractive, updated single-family residence.

V. LEGAL ISSUES:

N/A

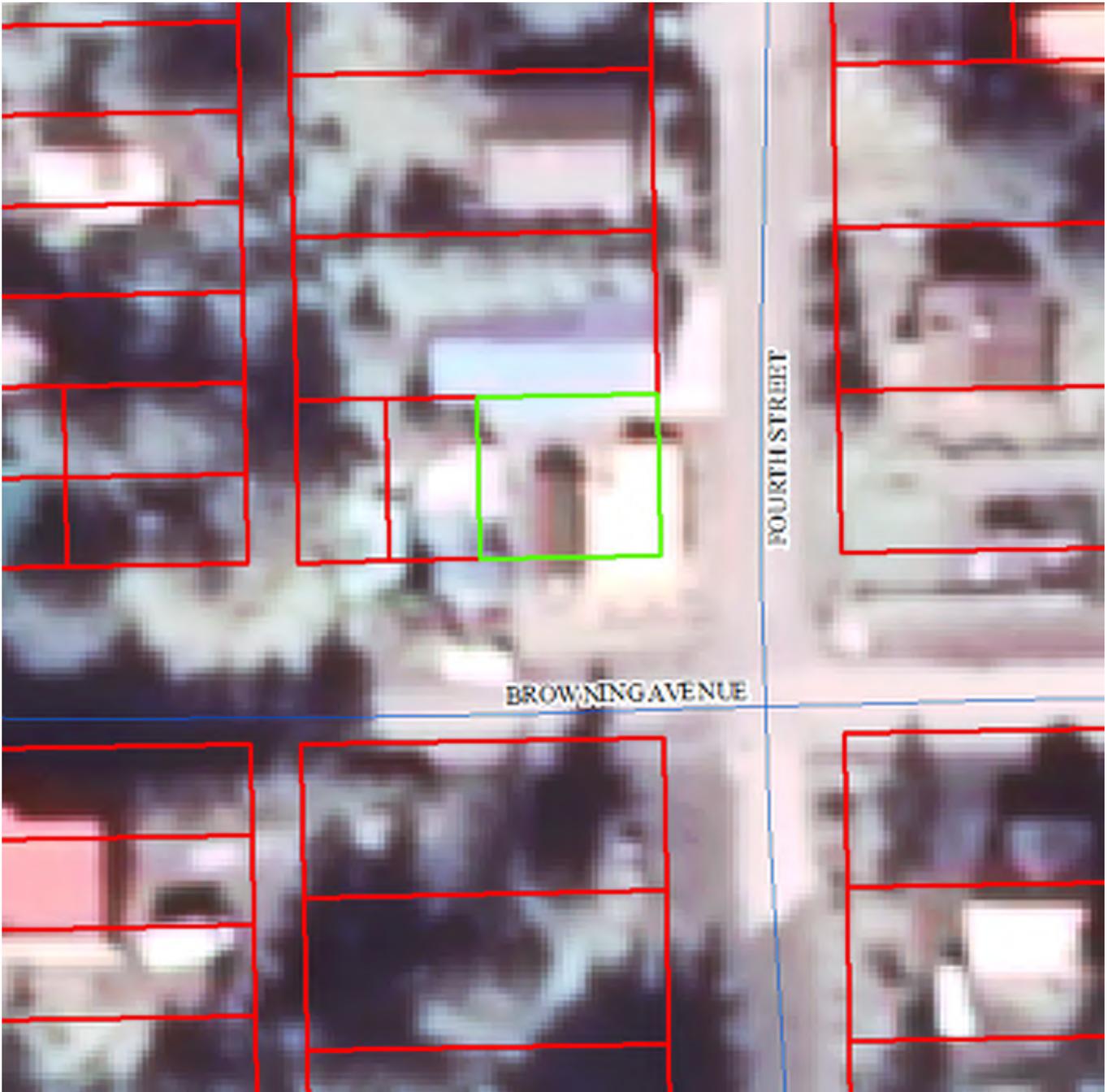
VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

VII. SUMMARY AND ALTERNATIVES:

The variance can be granted, denied, or special conditions may be added by the commission.

Location Map



CITY OF CORDOVA



VARIANCE 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.	<input checked="" type="checkbox"/> Variance	\$250

APPLICANT INFORMATION

Name:	John Stack
Mailing Address:	P.O. Box 1983
City/State/Zip:	Cordova, AK 99574
Phone Number:	907-253-7749
Email Address:	jastack3@gmail.com

OWNER INFORMATION

Name:	John Stack
Mailing Address:	P.O. Box 1983
City/State/Zip:	Cordova, AK 99574
Phone Number:	907-253-7749
Email Address:	jastack3@gmail.com

Only complete this section if owner is different from applicant.

PROPERTY INFORMATION

Address:	311 Browning Ave
Legal Description:	East one-half of Lot 17, Block 15
Tax Lot No.:	02-273-317
Zone District:	Low Density Residential

Planning Department can assist if unknown.

REQUEST DESCRIPTION

Please describe your request in detail and identify which provision(s) of the code you are seeking a variance from.

Request to add a roof covering to the existing front deck and main entry to the house. There are currently two small houses located on the property joined by a common wood deck which serves as the main entry to both houses. The deck is accessed by a flight of stairs from street level. Currently the stairs have been removed due to a state of dangerous disrepair. A new building permit to remove the smaller cabin to the west of the main house and construct a new 2-story addition attached to the west side of the main house which conforms to the required set-backs is contingent on this request for variance. Upon completion of the addition, the deck and stairs will be rebuilt. We are seeking a variance to incorporate the front deck into the gable roof plane from the existing main house to eliminate an existing snow shed problem which inhibits safe entry to the house in winter. This would cause the non-enclosed but covered deck to conflict with the required front yard setback of 10 feet, Title 18.20.040.

With this application you must also include:

1. Plot plans showing the location of all existing and proposed buildings or alterations and the elevations of such buildings or alterations.
2. Evidence of the ability and intention to proceed in accordance with the plans within six months after the effective date of the variance.

Planning Department staff recommend that you provide any additional documents which will help the Planning Commission better understand the request, such as a cover letter, drawings, maps, or photographs.

VARIANCE CONDITIONS

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

CONDITION 1: There are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same land use district.

The present configuration of two small houses located in close proximity on an exceptionally small lot only 2250 square feet, whereas residential lots are typically much larger, and a close proximity neighbor to the west causes a snow shed problem between the two buildings and neighbor to the west. Snow shed must be removed by hand since both of these areas are inaccessible by machinery. The removal of the smaller cabin to the west and the new attached addition will eliminate the snow shed problem between the two houses as well as the neighbor to the west by providing an oversized side yard. The snow shed problem will still exist on the existing front deck which serves as the main entrance to the house by way of stairs from street level. This variance will allow for the extension of the west front gable plane from the main house to extend to the west covering the deck, allowing for snow free entry to the house. Presently almost half of the existing deck is covered by the gable end eave of the smaller cabin. This variance would allow the whole deck to remain out of the snow shed from the main house.

CONDITION 2: The strict application of the provisions of this title would result in practical difficulties or unnecessary hardship.

The application of this title would continue a dangerous condition for the main entry to the house as snow will continue to shed from the main gable directly onto the deck which serves as the main entrance to the house. Allowing the front gable of the main house to continue over the deck would allow for snow to safely shed to the oversized west side yard. In addition, extending the roof over the deck would help join the new addition in an aesthetically pleasing way. Adhering to the setback requirements and leaving this area uncovered is not practical.

CONDITION 3: The granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

The granting of this variance will not cause foreseeable material damage or prejudice to neighboring properties or right of ways. The new conforming addition will create an oversized side yard to the west which will be able to hold snow shed safely without threat to the neighbor to the west. It will also serve to keep the right of way clear from snow. Historically, the snow shed was removed by hand and transferred to the right of way then moved to the snow dump across the street. Shedding snow to the west side yard will eliminate this build-up of snow in the right of way. Furthermore, The restoration and improvement to this worn property will positively influence the other properties in the vicinity by making the area more desirable and appealing.

CONDITION 4: The granting of the variance will not be contrary to the objectives of the comprehensive plan.

The houses in this part of our neighborhood were built on very small sub-standard lots creating snow shed, accessibility and safety problems. This variance would allow for this older substandard property to be upgraded increasing the safety and utility of the buildings. By granting this variance, a dilapidated older structure with inherent snow shed problems will be upgraded to a more user friendly and valuable property, providing more affordable safe housing for the city as well as helping out with neighborhood snow management.

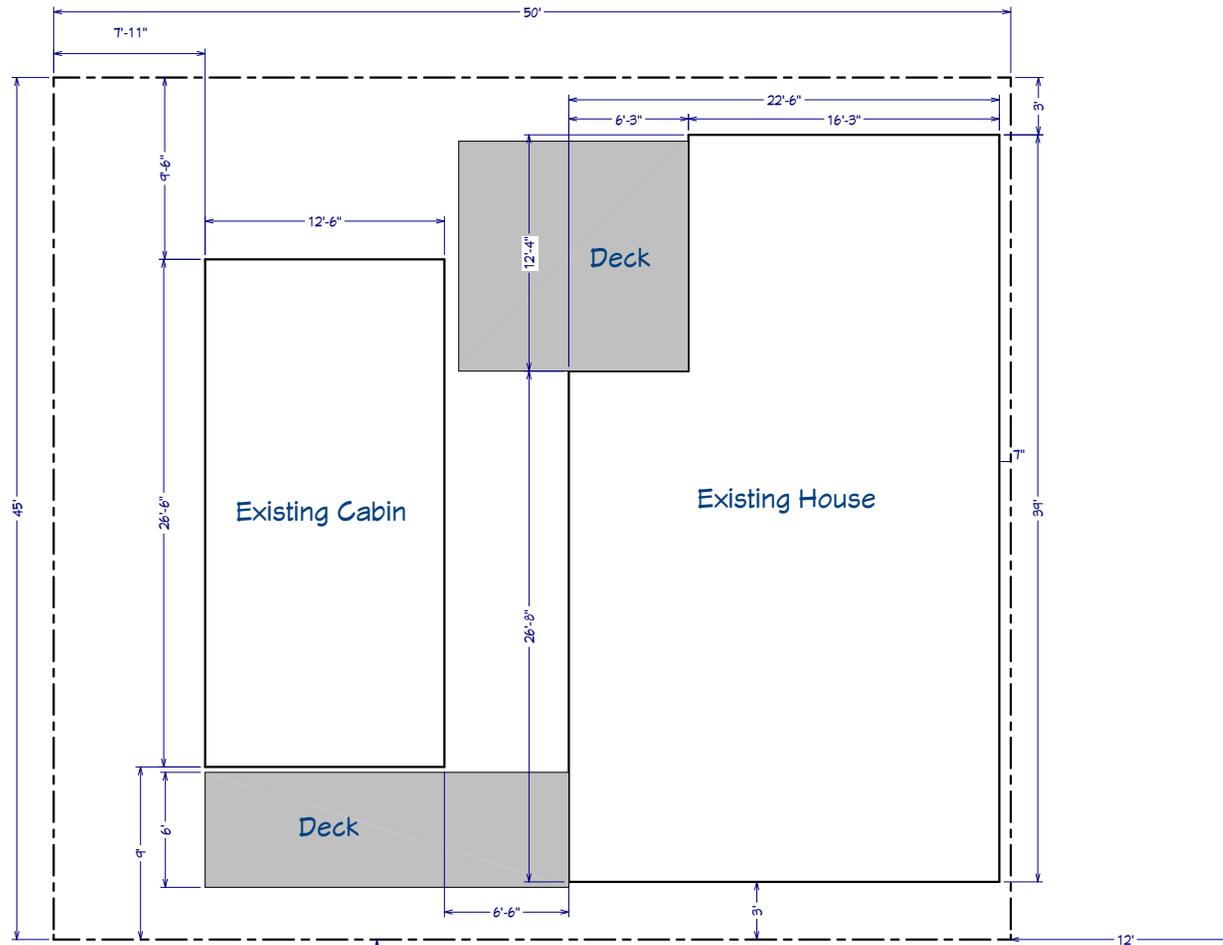
APPLICANT CERTIFICATION

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: June 29,2020

Print Name: John Stack



311 Browning Ave.
Cordova, AK 99574
June 7, 2020

Existing Plot Plan No Scale



Browning Avenue



4th Avenue

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NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Existing Plot Plan

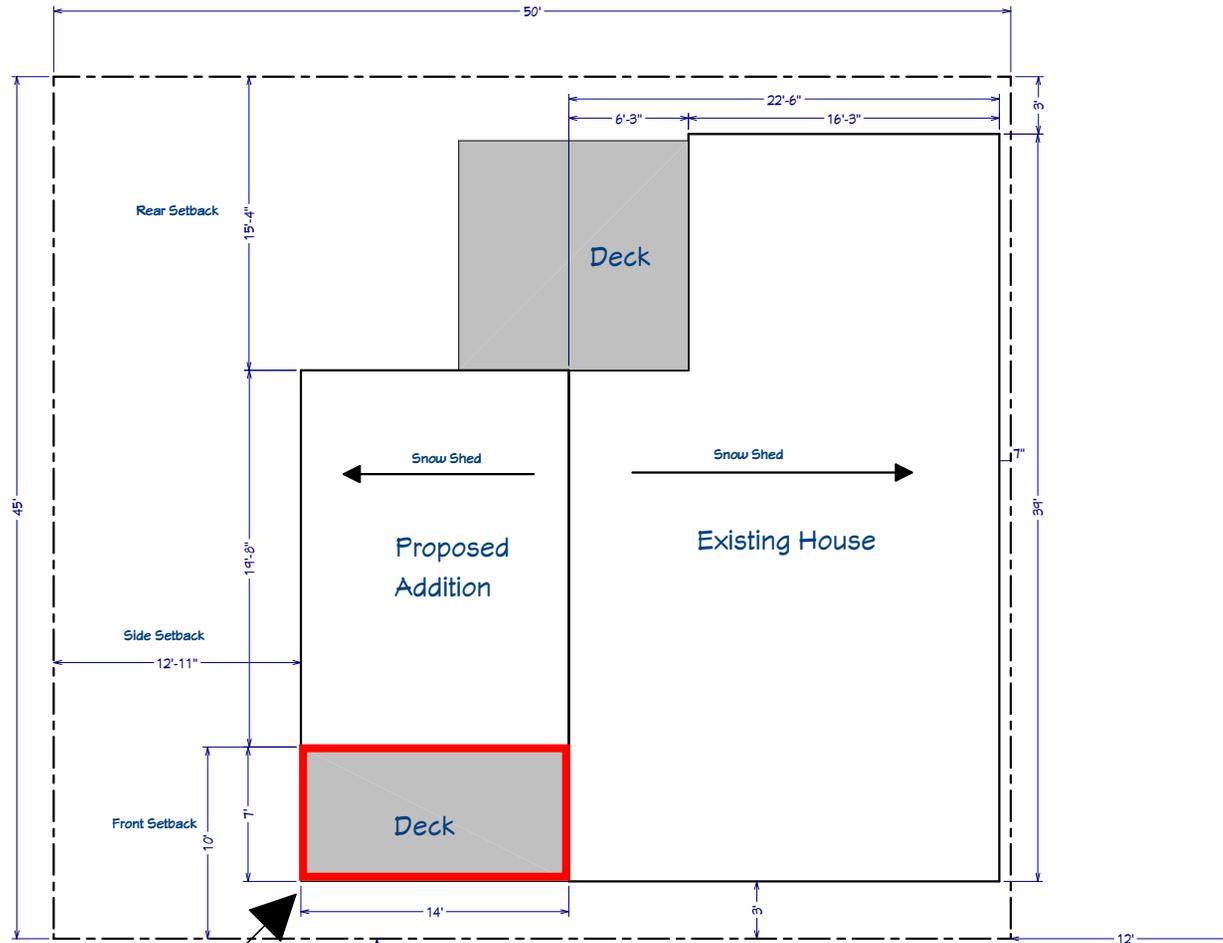
PROJECT DESCRIPTION:
311 Browning

DRAWINGS PROVIDED BY:
DESIGNER

DATE:
06-20-2020

SCALE:
No Scale

SHEET:
A-1



Subject Deck

311 Browning Ave.
Cordova, AK 99574
June 7, 2020

Proposed Plot Plan No Scale

4th Avenue

Browning Avenue

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Proposed Plot Plan

PROJECT DESCRIPTION:
311 Browning

DRAWINGS PROVIDED BY:
DESIGNER

DATE:
06-20-2020

SCALE:
No Scale

SHEET:
A-2

Subject Roof



Southwest Perspective

--

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
Southwest Perspective

PROJECT DESCRIPTION:
311 Browning

DRAWINGS PROVIDED BY:
DESIGNER

DATE:
06-20-2020

SCALE:
No Scale

SHEET:
A-5



AGENDA ITEM # 9c
Planning Commission Meeting Date: 7/14/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

DATE: 7/8/20

ITEM: Resolution 20-02 – Make Eastern Half of Lot 3, Block 17, Original Townsite ‘Available’

NEXT STEP: Pass Resolution

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

Requested Action: Pass Resolution
Legal Description: Eastern Half of Lot 3, Block 17, Original Townsite (unsurveyed)
Lot Area: Approximate Area = 1,750 SF
Zoning: Low Density Residential District
Location Map: Location Map
Letter of Interest from Craig Kuntz
Resolution 20-02

II. RECOMMENDED ACTION / NEXT STEP:

If the Planning Commission would like to make this property ‘Available’ they made do so by passing Resolution 20-02.

“I move to approve Resolution 20-02.”

III. FISCAL IMPACTS:

Fiscal impacts also include the potential purchase price of the property.

IV. BACKGROUND INFORMATION:

The letter of interest is from the property owner directly to the south of this lot and identifies the eastern half of the remainder of Lot 3, Block 17 which is approximately 1,750 square feet. Final square footage and precise dimensions would be determined by survey as a part of the disposal process and would be added to the existing property owned by the interested party.

This property is currently designated ‘Not Available’ on the 2020 Land Disposal Maps. There has been a lot of discussion over the years by the commission about how to change designations on the Land Disposal Maps. In past years, the commission tried to limit designation changes to the annual map update process; however, the current policy is that designations can change on a case-by-case basis; see the designation descriptions and update policy below.

Planning staff spoke with the Public Works Department to determine if there were any concerns with disposing of this property. Public Works staff indicated that there were no concerns with disposing of the property as it is approximately 50 feet from where the drainage goes under the street and there would be no need for the property for future utility needs.

The 2020 Land Disposal Maps are available online:

<https://www.cityofcordova.net/images//eforms/planning/2020%20Land%20Disposal%20Maps.pdf>

The following is the description of the map designations and update policy from the 2020 Land Disposal Maps:

Map Designations

Available – Available to purchase, lease, or lease with an option to purchase. Any of these lots may have conditions or special criteria that must be met.

Available - Requires Subdivision – These parcels are considered ‘Available.’ These are large parcels of land which would most likely be developed as a subdivision. The disposal process for these parcels is complex and could take a significant amount of time. Many require some or all of the following: city acquiring title to the land from the state, an extensive amount of surveying, or subdivision development agreements. Many of these parcels include city improvements that would not be disposed, such as access roads, water infrastructure, trails, cemeteries, etc.

Not Available – These parcels include substandard lots, snow dumps, property with improvements/buildings on them, or other lots used or occupied by the city. The city manager will accept letters of interest from an interested party who requests the property designation be changed to ‘Available,’ however the existing city use of the property will be examined and carefully weighed against the letter of interest.

Tidelands – All requests to purchase tidelands will be reviewed by the Planning Commission as they are received. The Planning Commission will make a recommendation on disposing of the tidelands to City Council.

Leased – These are parcels currently leased to a business or government entity by the city and are not available during the lease term. There are leases that are short term and renew every two years and others are long term leases with substantial improvements on the property. Some leased property has an option to purchase. When a lease term ends, the property immediately becomes ‘Available.’

Update Policy

Maps will be updated on an annual basis by the Planning Department staff, reviewed by the Planning Commission, and adopted by City Council. This update process begins each year with updated maps being presented to the Planning Commission in January, but the maps may be modified throughout the year on a case-by-case basis.

V. LEGAL ISSUES:

No legal review required.

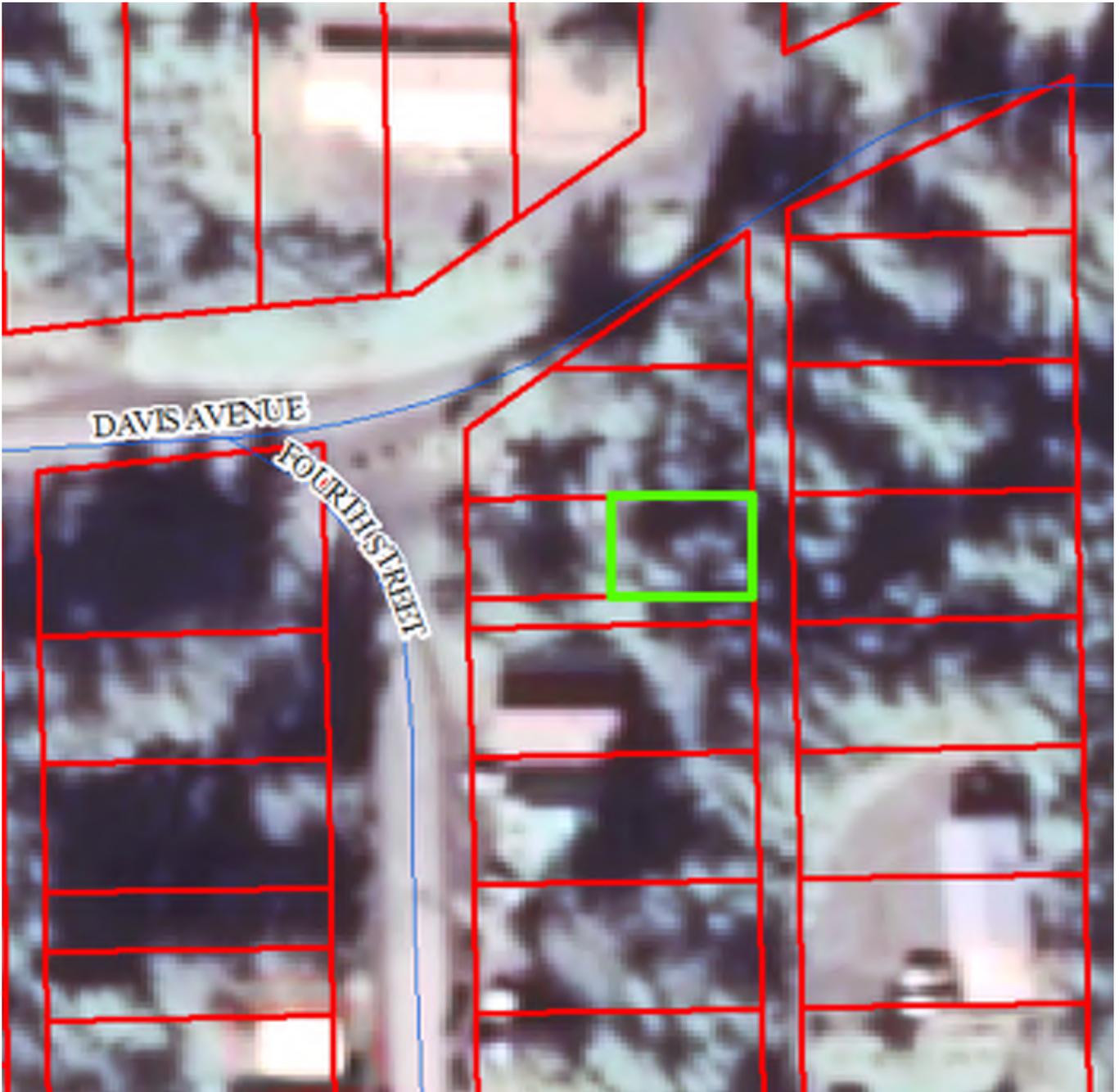
VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

VII. SUMMARY AND ALTERNATIVES:

The commission could take no action, which would result in the property remaining ‘Not Available.’

Location Map



TO:

City of Cordova Planning Department

FROM:

Craig and Angela Kuntz

Po Box 1262

Cordova, AK 99574

RE: Eastern half of lot 3 block 17

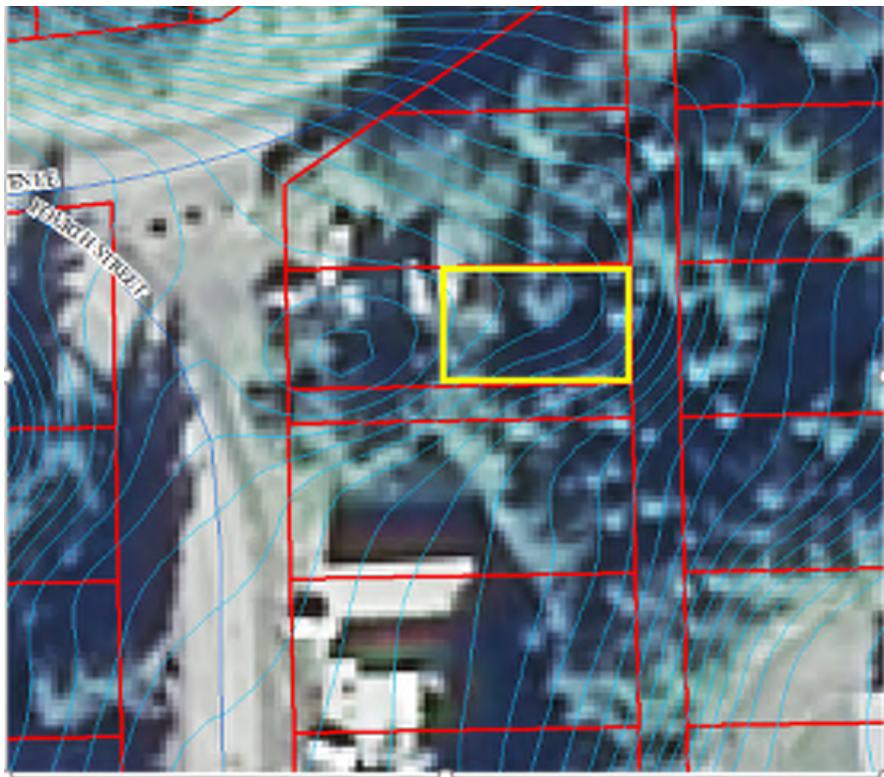
I would like to express interest in purchasing the eastern half of lot 3 block 17 shown below by the area within the red box marked with an X. The area is roughly 1750 square feet. The lot consists of thick brush, large trees, a stream that turns into white water rapids during monsoons, and some hilly terrain.

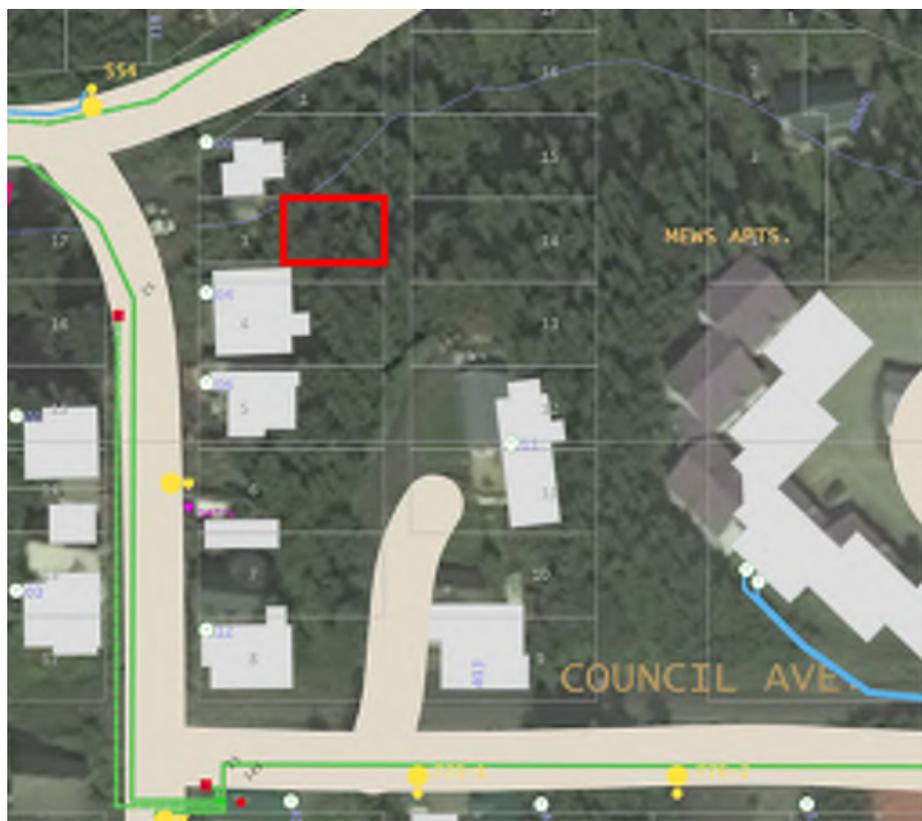
I own the adjacent southern 10x100 feet of lot 3 block 17 and all of lot 4 block 17. My intended use of this property is simply for a larger back yard area for my kids to play in. There is some great tree fort potential.

The western part of this lot that I am not interested in consists of steep banks that drop down into a drainage culvert that flows through a culvert under the road.

I would like to request that Planning and Zoning make this piece of land available for disposal and enter into direction negotiations with me for the purchase.

See attached pictures for reference.







Lot 3 Block 17 Looking Northeast



Lot 3 Block 17 Looking North towards Davis Ave.



Lot 3 Block 17 Looking Northwest



Lot 3 Block 17 Looking West towards 4th Street

**CITY OF CORDOVA, ALASKA
PLANNING COMMISSION
RESOLUTION 20-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORDOVA,
ALASKA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CORDOVA,
ALASKA THAT AN APPROXIMATELY 1,750 SQUARE FOOT AREA CORRESPONDING
WITH THE EASTERN HALF OF LOT 3, BLOCK 17, ORIGINAL TOWNSITE BE UPDATED
TO ‘AVAILABLE’ AND ADDED TO THE 2020 LAND DISPOSAL MAPS**

WHEREAS, the City of Cordova’s City Manager and City Planner are directed by Cordova Municipal Code Section 5.22.040(B): *The city manager shall refer a letter of interest from a qualified interested party to the city planner. If the city planner finds that the real property is available for lease or purchase, the city planner shall schedule the letter of interest for review by the planning commission;* and

WHEREAS, the City of Cordova’s Planning Commission has determined that updating the 2020 Land Disposal Maps at this time to make the eastern half of Lot 3, Block 17, Original Townsite ‘Available’ is important to maintain consistency with land disposal process; and

WHEREAS, the City of Cordova’s Planning Commission has determined that this property should be designated as ‘Available’ on the 2020 Land Disposal Maps in order to consider disposal; and

WHEREAS, having updated maps will benefit the citizens of Cordova by providing maps for public review.

NOW, THEREFORE BE IT RESOLVED THAT the Planning Commission of the City of Cordova, Alaska hereby recommend to the City Council of the City of Cordova, Alaska that an approximately 1,750 square foot area corresponding with the eastern half of Lot 3, Block 17, Original Townsite be updated to ‘Available’ and added to the 2020 Land Disposal Maps.

PASSED AND APPROVED THIS 14TH DAY OF JULY, 2020

Tom McGann, Chair

ATTEST:

Leif Stavig, City Planner



AGENDA ITEM # 9d
Planning Commission Meeting Date: 7/14/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff
DATE: 7/8/20
ITEM: Letter of Interest from Craig Kuntz for the Eastern Half of Lot 3, Block 17, Original Townsite
NEXT STEP: Recommendation to City Council on Disposal and Disposal Method

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

This action item is contingent on the Planning Commission passing Resolution 20-02 with the area designated as 'Available' and if this has not occurred then no action should be taken. Any action on this item is still pending City Council concurrence on designating this area 'Available.'

Requested Actions: Recommendation to City Council on Disposal and Disposal Method
Applicant: Craig Kuntz
Legal Description: Eastern Half of Lot 3, Block 17, Original Townsite (unsurveyed)
Lot Area: Approximate Area = 1,750 SF
Zoning: Low Density Residential District
Location Map: Location Map
Letter of Interest from Craig Kuntz

II. RECOMMENDED ACTION / NEXT STEP:

Staff suggest the following motion:

“I move to recommend to City Council to dispose of eastern half of the remainder of Lot 3, Block 17, Original Townsite as outlined in Cordova Municipal Code 5.22.060 B by *”

Choose one of the following to insert for the asterisk:

1. Negotiating an agreement with the Craig Kuntz to lease or purchase the property.
2. Requesting sealed proposals to lease or purchase the property.
3. Inviting sealed bids to lease or purchase the property.
4. Offering the property for lease or purchase at public auction.

III. FISCAL IMPACTS:

Fiscal impacts also include the potential purchase price of the property.

IV. BACKGROUND INFORMATION:

See memo for Resolution 20-02 for information on the property. This property is zoned in the Low Density Residential District, so the letter of interest does describe a use that is compatible with the district.

10/17/19 – Received a letter of interest from Sheridan Joyce for the property.

Applicable Code:

5.22.040 - Letter of interest to lease or purchase.

C. The planning commission shall review the letter of interest and recommend to the city council whether to offer the real property interest for disposal by one of the methods as described in Section 5.22.060(B).

5.22.060 - Methods of disposal.

B. In approving a disposal of an interest in city real property, the city council shall select the method by which the city manager will conduct the disposal from among the following:

- 1. Negotiate an agreement with the party who submitted a letter of interest to lease or purchase the property;*
- 2. Invite sealed bids to lease or purchase the property;*
- 3. Offer the property for lease or purchase at public auction;*
- 4. Request sealed proposals to lease or purchase the property.*

VI. LEGAL ISSUES:

Legal review of disposal documents is required.

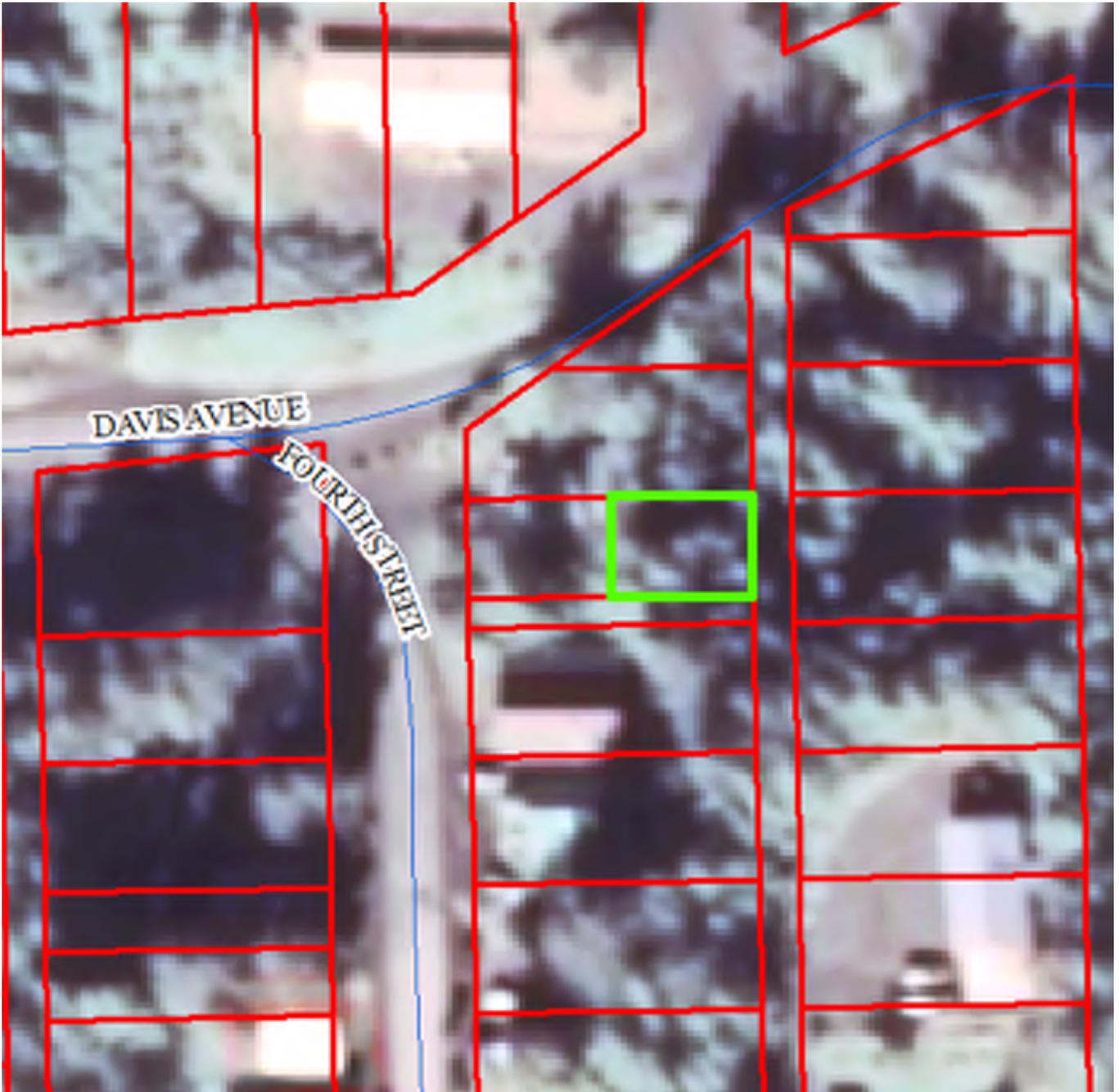
VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

VIII. SUMMARY AND ALTERNATIVES:

N/A

Location Map



TO:

City of Cordova Planning Department

FROM:

Craig and Angela Kuntz

Po Box 1262

Cordova, AK 99574

RE: Eastern half of lot 3 block 17

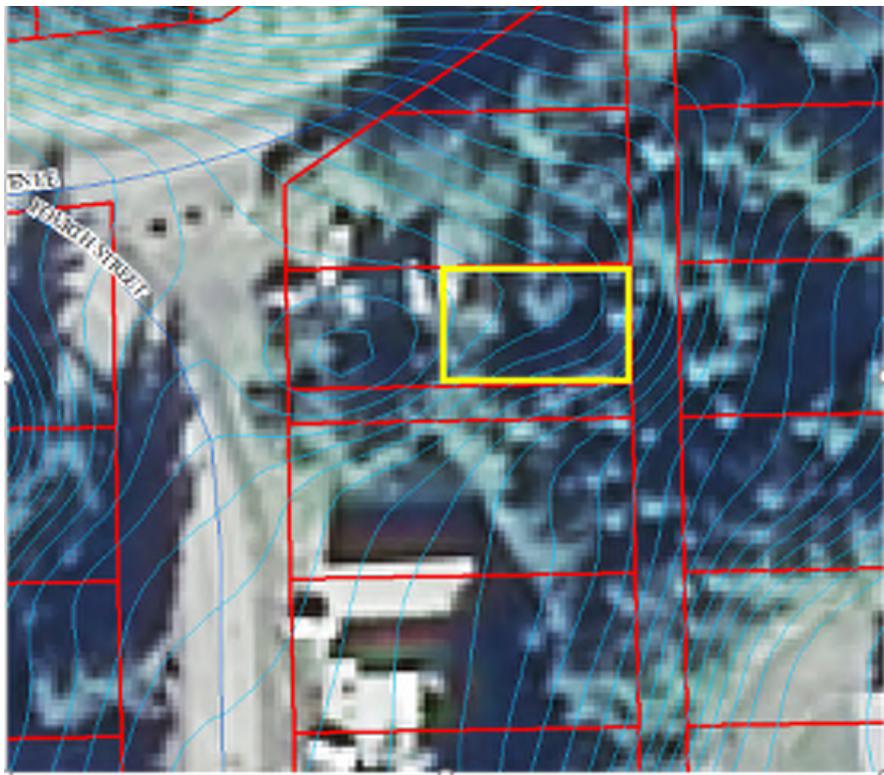
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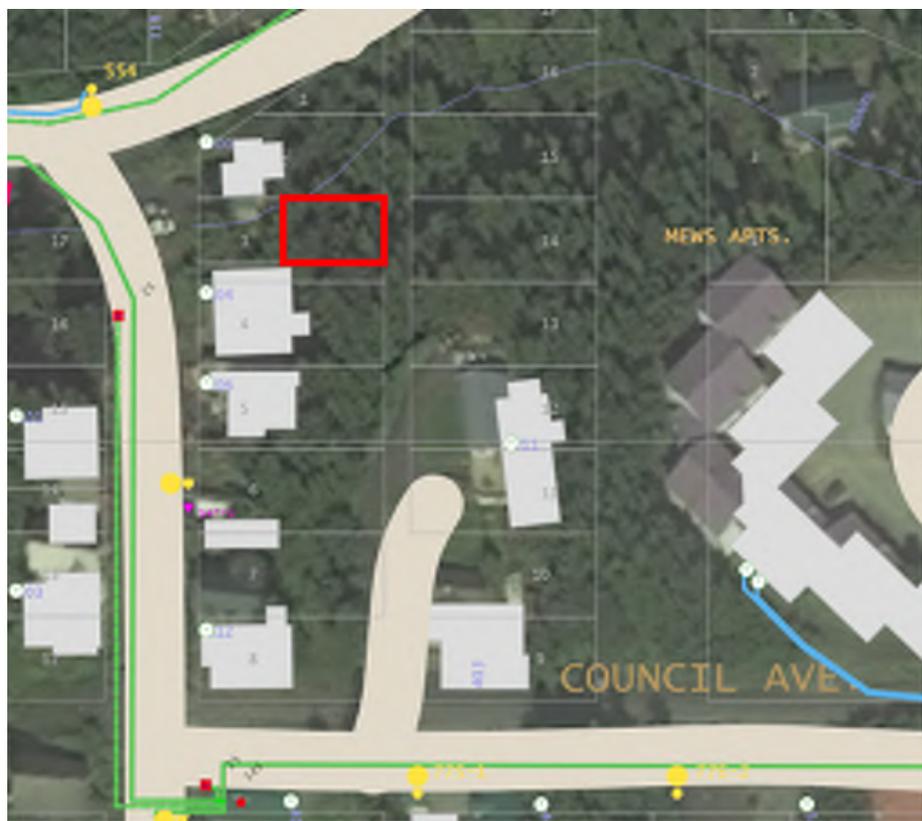
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The western part of this lot that I am not interested in consists of steep banks that drop down into a drainage culvert that flows through a culvert under the road.

I would like to request that Planning and Zoning make this piece of land available for disposal and enter into direction negotiations with me for the purchase.

See attached pictures for reference.







Lot 3 Block 17 Looking Northeast



Lot 3 Block 17 Looking North towards Davis Ave.



Lot 3 Block 17 Looking Northwest



Lot 3 Block 17 Looking West towards 4th Street

2020 JULY

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
28	29	30	01 7:00 PM - City Council Regular Meeting <i>(Cordova Center Rooms A & B)</i>	02	03 Holiday - Independence Day	04
05	06	07	08 7:00 PM - Harbor Commission Regular Meeting <i>(Cordova Center Room B)</i> 7:00 PM - School Board Regular Meeting <i>(High School Library)</i>	09	10	11
12	13	14 6:30 PM - Planning Commission Regular Meeting <i>(Electronic)</i>	15	16	17	18
19	20	21	22	23	24	25
26	27	28 6:00 PM - Parks and Recreation Commission Regular Meeting <i>(Cordova Center Rooms A & B)</i>	29	30 6:00 PM - CCMC Board Regular Meeting <i>(CCMC Conference Room)</i>	31	01
02	03	04	05	06	07	08

2020 AUGUST

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	01
02	03	04	05 7:00 PM - City Council Regular Meeting <i>(Cordova Center Rooms A & B)</i>	06	07	08
09	10	11 6:30 PM - Planning Commission Regular Meeting <i>(Electronic)</i>	12 7:00 PM - Harbor Commission Regular Meeting <i>(Cordova Center Room B)</i> 7:00 PM - School Board Regular Meeting <i>(High School Library)</i>	13	14	15
16	17	18	19 7:00 PM - City Council Regular Meeting <i>(Cordova Center Rooms A & B)</i>	20	21	22
23	24	25 6:00 PM - Parks and Recreation Commission Regular Meeting <i>(Cordova Center Rooms A & B)</i>	26	27 6:00 PM - CCMC Board Regular Meeting <i>(CCMC Conference Room)</i>	28	29
30	31	01	02	03	04	05