

Chair

Tom McGann

Commissioners

Scott Pegau

John Baenen

Nancy Bird

Chris Bolin

Trae Lohse

Mark Hall

City Planner

Leif Stavig

PLANNING COMMISSION REGULAR MEETING

OCTOBER 13, 2020 AT 6:30 PM

ELECTRONIC – INFORMATION BELOW

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. Record excused absence for Chris Bolin and Trae Lohse from the September 8, 2020 Regular Meeting
- b. Minutes of August 11, 2020 Public HearingPage 2
- c. Minutes of August 11, 2020 Regular Meeting.....Page 3
- d. Minutes of September 8, 2020 Public Hearing.....Page 6
- e. Minutes of September 8, 2020 Regular Meeting.....Page 7

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 REPORTPage 11

9. NEW/MISCELLANEOUS BUSINESS

- a. Final Plat Approval for Yarbrough Subdivision.....Page 12
- b. Certificate to Plat Requirement - Discussion.....Page 18
- c. Resolution 20-03 – Capital Improvement List.....Page 21
A resolution of the Planning Commission of the City of Cordova, Alaska, recommending a Capital Improvement List to the City Council

10. PENDING CALENDAR

- a. September 2020 CalendarPage 25
- b. October 2020 CalendarPage 26

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/834427181>

You can also dial in using your phone.

United States (Toll Free): 1 877 309 2073

United States: +1 (646) 749-3129

Access Code: 834-427-181

**PLANNING COMMISSION PUBLIC HEARING
AUGUST 11, 2020 AT 6:30 PM
ELECTRONIC
MINUTES**

1. CALL TO ORDER

Chair *Tom McGann* called the Planning Commission Public Hearing to order at 6:30 PM on August 11, 2020 held electronically and open to the public.

2. ROLL CALL

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

Also present was City Planner *Leif Stavig*.

One person from the public was in attendance.

3. PUBLIC HEARING

a. Conditional Use Permit for Single-Family Residence on Lot 4B, Block 1, OT

Linden O'Toole said that COVID was pushing her towards early retirement. She wanted to sell her building as a small house versus an office building. She has been living in the building as a primary residence for years. Financing for a house is much easier than a business.

M/Pegau S/Bird to recess until 6:44 PM.

With no objection, the hearing was recessed.

The Public Hearing came back to order at 6:44 PM.

4. ADJOURNMENT

M/Baenen S/Pegau to adjourn the Public Hearing at 6:44 PM.

With no objection, the meeting was adjourned.

Approved:

Tom McGann, Chair

Leif Stavig, City Planner

**PLANNING COMMISSION REGULAR MEETING
AUGUST 11, 2020 AT 6:45 PM
ELECTRONIC
MINUTES**

1. CALL TO ORDER

Chair *Tom McGann* called the Planning Commission Regular Meeting to order at 6:45 PM on August 11, 2020 held electronically and open to the public.

2. ROLL CALL

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

Also present was City Planner *Leif Stavig*.

One person from the public were in attendance.

3. APPROVAL OF AGENDA

M/Hall S/Bird to approve the agenda.

Upon voice vote, motion passed 6-0.

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

Absent: Bolin

4. APPROVAL OF CONSENT CALENDAR

- a. Record excused absence for Chris Bolin and Trae Lohse from the January 1, 2020 Regular Meeting
- b. Record excused absence for Trae Lohse from the March 10, 2020 Regular Meeting
- c. Record excused absence for Nancy Bird from the June 9, 2020 Regular Meeting
- d. Minutes of February 6, 2020 Public Hearing
- e. Minutes of February 6, 2020 Special Meeting
- f. Minutes of March 10, 2020 Public Hearing
- g. Minutes of March 10, 2020 Regular Meeting
- h. Minutes of June 9, 2020 Regular Meeting
- i. Minutes of July 14, 2020 Public Hearing
- j. Minutes of July 14, 2020 Regular Meeting

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

Upon voice vote, motion passed 6-0.

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

Absent: Bolin

5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS

Hall said that he was under contract with *Linden O'Toole* for his property and preferred to abstain. The commission concurred to let him abstain.

6. CORRESPONDENCE

- a. US Army Corps of Engineers Special Public Notice

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

- a. Guest Speakers
- b. Audience comments regarding agenda items

O'Toole thanked the commission for their work.

8. PLANNER'S REPORT

Stavig said he wanted to draw the commission's attention to land disposal successes. There is a fraught history with city land disposals; however, two recent leases had the option to purchase exercised: *Jane and Carl Jensen*, and *Rob Brown*. City Council put the *Craig Kuntz* letter of interest property out for proposals and *Kuntz* withdrew his interest. Next year, staff will look at making the fee for letters of interest non-reimbursable in order to cover at least some staff and volunteer time, which is not negligible.

Stavig said he is really hoping to get a GIS map available to other city staff and the public. The city clerk is looking to get some Robert's Rules training for City Council and the Planning Commission.

9. NEW/MISCELLANEOUS BUSINESS

- a. Conditional Use Permit for Single-Family Residence on Lot 4B, Block 1, Original Townsite

M/Bird S/Pegau to approve the conditional use permit request by Linden O'Toole for a single-family residence on Lot 4B, Block 1, Original Townsite as described in the application and to adopt and incorporate the findings and special conditions contained in the staff report.

Pegau said that the use was permitted, but it seemed like a variance due to the lack of yards. He agreed with the findings in the staff report. *Stavig* said that the process and request was unconventional. The way the planning department typically functions is members from the public come in and ask what the mechanism is to make something happen. In this case, staff determined the conditional use permit process made sense as the use is constrained by the setback requirements.

There was unanimous consent that the conditions had all been met.

Upon voice vote, motion passed 6-0.

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

Absent: *Bolin*

10. PENDING CALENDAR

11. AUDIENCE PARTICIPATION

O'Toole thanked the commission.

12. COMMISSION COMMENTS

McGann said that the conditional use permit fit in with the Comprehensive Plan by creating a residential opportunity and providing in-fill.

Pegau encouraged people to take the Robert's Rules training. He said the Comprehensive Plan on the webpage was not working.

13. ADJOURNMENT

M/Bird S/Pegau to adjourn the Regular Meeting at 8:05 PM.
With no objection, the meeting was adjourned.

Approved:

Tom McGann, Chair

Leif Stavig, City Planner

DRAFT

**PLANNING COMMISSION PUBLIC HEARING
SEPTEMBER 8, 2020 AT 6:30 PM
ELECTRONIC
MINUTES**

1. CALL TO ORDER

Chair **Tom McGann** called the Planning Commission Public Hearing to order at 6:30 PM on September 8, 2020 held electronically and open to the public.

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 from the public were in attendance.

3. PUBLIC HEARING

a. Final Plat Approval for Yarbrough Subdivision

M/Bird S/Hall to recess until 6:44 PM.

With no objection, the hearing was recessed.

The Public Hearing came back to order at 6:44 PM.

4. ADJOURNMENT

M/Pegau S/Bird to adjourn the Public Hearing at 6:44 PM.

With no objection, the meeting was adjourned.

Approved:

Tom McGann, Chair

Leif Stavig, City Planner

**PLANNING COMMISSION REGULAR MEETING
SEPTMEBER 8, 2020 AT 6:45 PM
ELECTRONIC
MINUTES**

1. CALL TO ORDER

Chair *Tom McGann* called the Planning Commission Regular Meeting to order at 6:45 PM on September 8, 2020 held electronically and open to the public.

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*.

Two people from the public were in attendance.

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. Record excused absence for Chris Bolin from the August 11, 2020 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

Katrina Hoffman, 301 South Second Street, speaking from the Science Center, she thought the topography of the parcel that the Cannery Row, Inc. put a letter of interest on had difficult topography. Mixed use makes sense for that area. She is in favor of seeing that area developed. As a citizen, she was on the Comprehensive Plan committee, she thought the mixed use development was consistent with the mixed use land category that existed there. She wanted to see the Planning Commission select direct negotiation.

Greg Meyer said that he started a construction business and was looking at property nearby and saw the property he wrote a letter of interest on. He owns rights to the rock in the area and sees a swap as a win-win. He mentioned an idea he had for a café, hostel, and retail as well as lots for housing. It would be easier to negotiate directly with the city manager. The city lease for the water tank is up in 16 years.

8. PLANNER'S REPORT

Stavig said that the Cordova Center is open, which doesn't really mean anything different for the Planning Department. He said if there was a strong desire for in-person meetings, they could look into that, but doing the meetings electronic is probably more equitable for everyone. He said that they had a surveyor look at the shipyard area for a new bathroom facility.

9. NEW/MISCELLANEOUS BUSINESS

a. Final Plat Approval for Yarbrough Subdivision

M/Pegau S/Bird to recommend to City Council to approve the final plat request for Yarbrough Subdivision.

Hall said that he had been working on several issues with **Stavig**. **Hall** explained several issues with other parcels subdivided out of the remainder lot, ownership, the access easement, labelling, and other items. **Stavig** said he and **Hall** had been discussing several issues with the plat, and he doesn't think any of them are substantive to the actual plat approval.

M/Pegau S/Bird to refer back to staff.
Upon voice vote, motion to refer passed 5-0.
Yea: McGann, Pegau, Baenen, Bird, Hall
Absent: Bolin, Lohse

b. Letter of Interest from Cannery Row, Inc. for ASLS 79-258

M/Pegau S/Hall to recommend to City Council to dispose of ASLS 79-258 as outlined in Cordova Municipal Code 5.22.060 B by negotiating an agreement with Cannery Row, Inc. to lease or purchase the property.

Pegau said this was one of the rare times where direct negotiation makes sense because of the land swap. The land swap may not be exactly for what is proposed and hopefully the city makes the decision that is best for the city in the long run. It is a good approach for dealing with the area and the water tank issue. **Hall** said it would save the city a lot in the long run.

Baenen said that the quarry was used to fill the north and south fills. There has been talk of expanding the harbor and he would like to know where the rock would come from. The city should make sure they still have an area that could be used as a future quarry that wouldn't require a lot investment to start. He agrees it is a great concept for a subdivision.

Bird said she agreed with **Pegau** about doing direct negotiation. **McGann** said that concerning the availability of rock, the city owns a significant amount of property along Orca Road that could be

developed into a pit. The development of a new quarry isn't a big issue. The cost of rebuilding a tank would be very expensive and there is no obligation in the lease that it gets renewed.

Pegau asked **Stavig** if the motion on the table limits the city to only disposing the entire lot and not being able to negotiate only a portion of the property. **Stavig** said that negotiations could end up just being for a portion of the whole property. He also verified that the land swap could end up being different than what was included in the letter of interest.

Stavig said that the water tank was important as there was a large water main coming from the Orca Treatment Plant, and that tank is critical to the overall water system, particularly for seafood processing. **Baenen** said that it is difficult and expensive to develop a new pit, particularly if it is a vertical face right off of a road. **Hall** said he understood **Baenen's** comments and he is correct, but the land disposal maps show it as 'Available.' The subdivision should provide access to adjoining city land.

McGann said the letter of interest was just the beginning of the process. Subdivisions and possible rezonings would come before the commission for their review as they came up. The Comprehensive Plan is the result of public input, and one thing that came up at every meeting was more land for residential or mixed-use. The letter of interest is in line with what the community wants.

Upon voice vote, motion passed 5-0.

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

Absent: **Bolin, Lohse**

c. Resolution 20-03 – Capital Improvement List

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending a Capital Improvement List to the City Council

M/**Pegau** S/**Bird** to approve Resolution 20-03.

Stavig said that the attachment following the memo was an additive alternate for the paving project from several years ago. Since there are already drawings it's a little easier to make it happen. The Crater Lake siphon project would help provide a more permanent solution to recent water shortages.

Pegau said that he would prefer some of the wording gets improved. **Bird** said she would like to put the two staff recommendations at the top of the list and also do some wordsmithing to make it cleaner. **Stavig** suggested they refer it back to staff so he can fix some of the wording throughout.

Pegau said he was concerned about having the Crater Lake siphon on the list at all with all of the concerns about the Crater Lake hydroelectric project. **Bird** suggested they get a little more information on this for their next meeting.

M/**Bird** S/**Hall** to refer back to staff.

Upon voice vote, motion to refer passed 5-0.

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

Absent: **Bolin, Lohse**

10. PENDING CALENDAR

Stavig said he would check with the clerk about when she would advertise vacancies on the commission. He also reminded the commission about the Robert's Rules training on September 30th.

11. AUDIENCE PARTICIPATION

12. COMMISSION COMMENTS

Bird thanked staff.

Hall thanked staff and volunteered to answer anyone's questions about platting.

13. ADJOURNMENT

M/Hall S/Pegau to adjourn the Regular Meeting at 8:00 PM.
With no objection, the meeting was adjourned.

Approved:

Tom McGann, Chair

Leif Stavig, City Planner

DRAFT

Planner's Report

To: Planning Commission
From: Planning Staff
Date: 10/6/20
Re: Recent Activities and Updates

- Medium traffic from public with misc. planning questions, i.e., subdivisions, permits, maps, zoning, property purchasing, etc.
- Craig Kuntz Letter of Interest – City Council made the property available and put the property out to RFP. Working on lining up an appraisal and title search.
- Assisting Public Works with several RFPs for COVID CARES funding.
- Reviewing three new plats, two are administrative plats, one will come to Planning Commission for approval.
- Preparing an online GIS property map available for other city employees and public; ongoing work towards this effort.
- Cannery Row, Inc. Letter of Interest – City Council referred it back to staff for more information.
- Attended Robert's Rules training for commission/council.
- 2021 Budget – Process has been started. Expect no changes to Planning Department or Planning Commission budgets; both are sufficiently funded for operations to continue at current levels.
- Three Planning Commissioner terms expiring: Tom McGann, Scott Pegau, Trae Lohse
- Prepared packet and completed minutes for Planning Commission Regular Meeting.
- 19 building permits issued so far for 2020. Total for 2019: 29.



AGENDA ITEM # 9a
Planning Commission Meeting Date: 10/13/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff
DATE: 10/7/20
ITEM: Final Plat Approval for Yarbrough Subdivision
NEXT STEP: Approve Motion

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

Requested Actions: Final Plat Approval
Applicant: Travis Yarbrough
Owner: Travis Yarbrough
Address: Mi. .8 Whitshed Road
Zoning: Low Density Residential
Attachments: Location Map
Application
Final Plat

II. RECOMMENDED ACTION / NEXT STEP:

Staff recommend that the commission recommend to City Council that the request for final plat approval be approved.

“I move to recommend to City Council to approve the final plat request for Yarbrough Subdivision.”

III. FISCAL IMPACTS:

N/A

IV. BACKGROUND INFORMATION:

This plat creates two new lots. The commission granted a Conditional Use Permit for small engine repair operations on the western lot.

All property owners within 300 feet of the subdivision have been informed of the subdivision and the public hearing. As of the date of this memo, staff have not received any comments.

Staff findings:

1. The proposed plat conforms to the Comprehensive Plan and City Code.
2. There are no known physical conditions present which may be hazardous to the future inhabitants of these tracts.

9/8/20 – At the Planning Commission Regular Meeting, the commission had this item on the agenda and referred it back to staff to make discussed corrections. See the unapproved minutes in this packet for a summary of the discussion.

Staff worked with the surveyor on clarifying the easement, adding a utility easement on the lots, depicting prior subdivisions of the remainder property, and various other drafting adjustments. The surveyor will add the book and page for the City of Cordova parcel prior to printing the final plat.

V. LEGAL ISSUES:

No legal review required.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

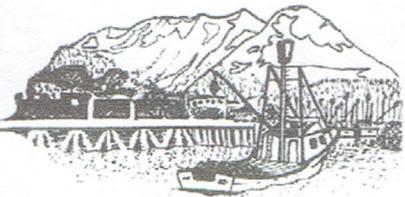
N/A

VII. SUMMARY AND ALTERNATIVES:

N/A



CITY OF CORDOVA



SUBDIVISION 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, if Planning Commission approval is required.	<input type="checkbox"/> Preliminary Plat	\$200 + \$50 per lot
	<input type="checkbox"/> Final Plat	\$100 + \$25 per lot
	<input type="checkbox"/> Administrative Plat*	\$100
	<input type="checkbox"/> Admin. Dissolving Lot Lines*	\$0 + Recording Fees
*These plats do not require Planning Commission approval.		

APPLICANT INFORMATION

Name:	Travis Lee Yarbrough
Mailing Address:	P.O. Box 804
City/State/Zip:	Cordova, AK 99574
Phone Number:	(907) 429-3594
Email Address:	

OWNER INFORMATION

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

Only complete this section if owner is different from applicant.

PROPERTY INFORMATION

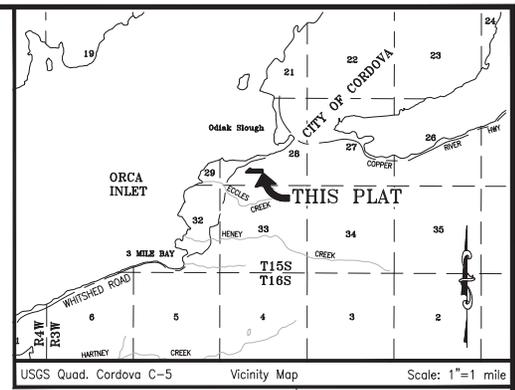
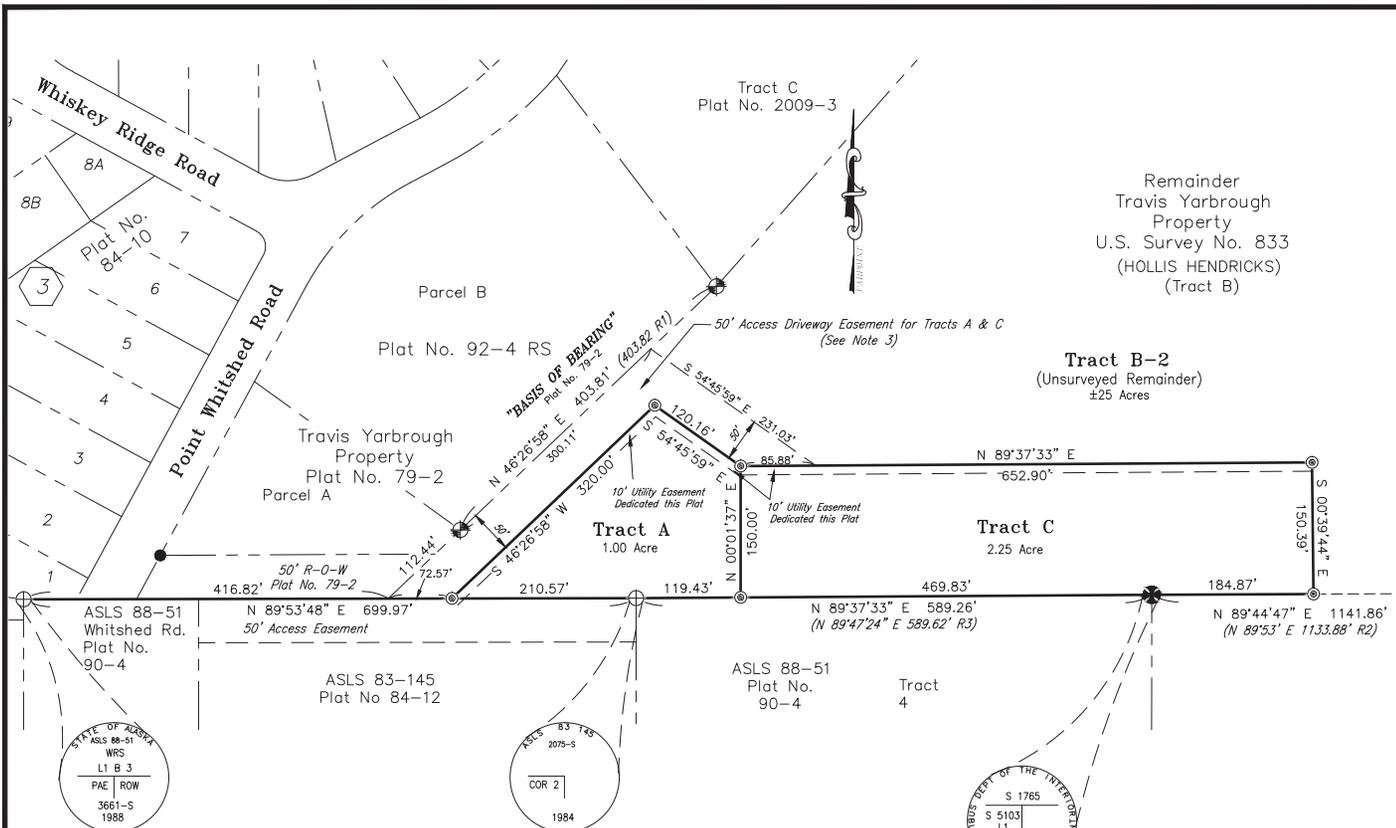
Address:	
Legal Description:	Remainder of Travis Yarbrough Property Tr B-1 USS 833
Tax Lot No.:	02-083-600
Zone District:	B-1

Planning Department can assist if unknown.

SURVEYOR INFORMATION	
Company Name:	Farpoint Land Services
Mailing Address:	1131 E. 76th Ave
City/State/Zip:	Anchorage, AK 99518
Phone Number:	(907) 250-0402
Email Address:	mike.horne@farpointak.com
Cordova Business License #:	7770

ADDITIONAL INSTRUCTIONS
Please send an electronic copy of the proposed plat to planning2@cityofcordova.net . Plats must comply with the Cordova Municipal Code, particularly Title 17 - Subdivisions. The Planning Department will review all plats and may request changes. In the case of certain subdivisions, such as major subdivisions, additional information will be required.

APPLICANT CERTIFICATION
<i>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.</i>
<p>Applicant Signature: <u>Travis L. Yarbrough</u> Date: <u>8-5-2020</u></p> <p>Print Name: <u>Travis L Yarbrough</u></p>



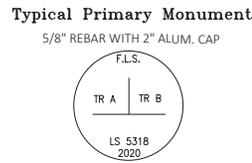
City of Cordova Parcel Book xx, Pg. xx

- NOTES**
- The error of closure of this survey does not exceed 1:5000.
 - Roads or driveways developed on this property are not maintained by the city. Roads must meet design and construction standards and must be accepted by and dedicated to the city in order for the city to be responsible for any maintenance.
 - 50' driveway easement recorded simultaneously with this plat.

- LEGEND**
- RECOVERED BLM BRASS CAP MONUMENT
 - RECOVERED BLM 2" PIPE MONUMENT (crn markings along the side)
 - RECOVERED COPPERELD MONUMENT
 - RECOVERED 3" ALUM. POST MONUMENT
 - RECOVERED 5/8" REBAR WITH 2" ALUM. CAP
 - SET 5/8" REBAR WITH 2" ALUM. CAP
 - (R1) RECORD PER PLAT NO. 79-2
 - (R2) RECORD PER U.S. SURVEY No. 5103
 - (R3) RECORD PER PLAT NO. 90-4

SURVEYOR'S CERTIFICATE

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



Remainder
Travis Yarbrough
Property
U.S. Survey No. 833
(HOLLIS HENDRICKS)
(Tract B)

Tract B-2
(Unsurveyed Remainder)
±25 Acres

Tract C
2.25 Acre

Tract 4

PLAT APPROVAL

This plat conforms to the requirements of the city of Cordova Planning and Zoning commission and is hereby accepted as the official plat, subject to any and all conditions and requirements of ordinance and law pertaining thereto.

City Manager _____ Date _____

Chairman, Planning & Zoning Commission _____ Date _____

Platting Official _____ Date _____

TAX CERTIFICATIONS

All real property taxes are levied by the City of Cordova on the area shown on this plat have been paid through _____.

Attest: City Clerk _____ Date _____

OWNERSHIP DEDICATION

I hereby certify that I am the owner of the property shown and described hereon. I hereby request approval of this plat showing such easements for public utilities, roadways, and alleys dedicated for public use.

Travis Lee Yarbrough _____ Date _____
P.O. BOX 804
Cordova, Alaska 99574

NOTARY'S ACKNOWLEDGMENT

Subscribed and sworn to before me this _____ Day of _____, 2020, for _____

Notary Public for the State of Alaska
My Commission Expires _____

CORDOVA RECORDING DISTRICT

FINAL PLAT OF

Yarbrough Subdivision

Creating Tract A, Tract C, and Tract B-2

A SUBDIVISION OF

Tract B-1 (Remainder) Plat No. 2009-3, C.R.D.

SITUATED WITHIN

Section 28, T. 15 S., R. 3 W., Copper River Meridian, Alaska
Containing 28 Acres More or Less

Farpoint Land Services, LLC
SURVEYING, MAPPING, LAND PLANNING, GIS

1131 E. 76th Ave., Suite 101 Anchorage, AK 99518
FarpointAK.com • (907) 522-7770 • survey@farpointak.com

WORK ORDER No:	DATE:	SCALE:	SHEET:
20075	10/05/2020	1" = 100'	
DRAWN BY:	CHECKED BY:	GRID No:	FB BOOK/PAGE:
JLA	MJH	N/A	144/16
DRAWING NAME:			
20075.dwg			1 of 1



AGENDA ITEM # 9b

Planning Commission Meeting Date: 10/13/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

DATE: 10/7/20

ITEM: Certificate to Plat Requirement - Discussion

NEXT STEP: Discuss for Future Action

INFORMATION
 MOTION
 RESOLUTION

I. REQUEST OR ISSUE:

Staff intends to add a requirement in the Cordova Municipal Code that all new plats must submit a Certificate to Plat prepared by a title company. Staff will prepare a resolution for the next Planning Commission meeting with the actual code language for the Planning Commission to recommend the change to City Council.

Certificates to Plat are prepared by title companies, and are used to verify ownership and to determine if there are any encumbrances on the property. They are very similar to a title search performed as a part real estate transaction. The following is a definition provided from a title company:

Certificate to Plat:

A title report used by customers in ascertaining the current status and condition of title, up to the specific date searched. It provides the same information as found in a commitment. It is not to be used as a basis for closing a real estate transaction, but is provided to show title evidence to a platting authority (city, borough, state, etc.) for purposes of subdividing or re-platting land.

Certificates to Plat assist the subdivider, surveyor, and city in determining that there are no issues with ownership of the property that could potentially result in a cloud on the title. Clouds in title can cause significant issues later on that can negatively impact future land transactions and/or financing. Certificates to Plat start at around \$300, and generally do not cost significantly more. With plat fees being very minimal in Cordova, staff do not find this to be an onerous requirement, and can help prevent mistakes that could be very costly in the future.

Commissioner Mark Hall found some samples of this requirement in various codes used in the state:

State Statutes

Sec. 40.15.310. Requirements for plat approval.

(a) Each plat must show on its face a certificate of ownership, with the names and addresses of each owner listed. Each owner of record shall sign the certificate, and the signatures shall be acknowledged.

State Administrative Code (Unorganized Borough)

11 AAC 53.620. Submittal

(a) Plats submitted to the department under AS 40.15.305 must include the following:

- (1) two full-size paper copies of the plat;
- (2) plat review fees required by 11 AAC 05.240;
- (3) a certificate to plat that
 - (A) is prepared by a title company;
 - (B) shows the names of the owners of record, and all encumbrances affecting the parent parcel; and
 - (C) is executed no more than 90 days before submittal;
- (4) supporting documents, including
 - (A) deeds or plats that created the parent parcel; and
 - (B) documentation of access to and easements within the parent parcel as required by 11 AAC 53.630 or other applicable law;
- (5) a lot summary for each parcel in the subdivision.

(b) The 45-day review period required by AS 40.15.305 (d) for plat approval begins when the department receives all items required by (a) of this section.

Kenai Peninsula Borough

20.60.190. - Certificates, statements, and signatures required.

A final plat submitted for review and approval shall bear the following certificates with signatures of appropriate parties signed with permanent black ink:

A. Certificate of ownership, dedication, and acknowledgement.

1. All parties having an interest of record in land being subdivided shall sign a certificate of ownership and dedication printed on the plat, affixed thereto, or by separate affidavit. If such title interest is vested in other than named individuals, including but not limited to corporations, partnerships, limited liability companies, trusts or homeowner's associations, the certificate shall be signed and acknowledged by an individual(s) under written authority granted by its board of directors or shown by official documentation appropriate to the entity. Documentation of such authority shall be submitted with the final plat.

2. A certificate to plat, current to not more than three business days prior to submittal of the final plat, issued by a title company authorized to issue title policies in the State of Alaska, shall be submitted with the final plat and shall be considered as prima facie evidence of all parties having an interest in the land being subdivided. A certificate to plat shall be valid for thirty days from date of issuance or update.

3. The certificate of ownership for a replat of multiple parcels owned by separate parties shall show to which original parcel the signatory attests.

4. Multiple or otherwise notarized affidavits or certificates of ownership and dedication may be substituted on separate 8½ × 11 inch sheets, each containing the title of the plat, surveyor's name and seal, and the date. The separate certificates shall be recorded simultaneously with the plat, each bearing appropriate references. A minimum of one signed certificate must be on the face of the plat.

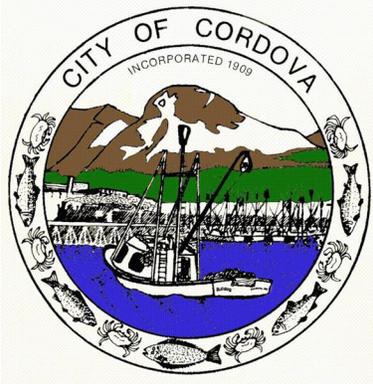
Matanuska-Susitna Borough

43.05.050 Owner Authorization.

(A) All platting entitlement applications must be made by the owner, or authorized agent of the owner, of the property subject to the entitlement. The authorization must be in writing, executed by the owner, and include the names, mailing addresses, and telephone numbers for both the owner and the authorizing agent.

(B) A certificate to plat or a preliminary commitment for title insurance prepared by a title company is to be submitted with an application for a vacation, abbreviated plat, preliminary plat, public use easement, waiver, or 40-acre exemption. The title report or preliminary commitment for title insurance must be current within 120 days of submittal of the application.

(C) The platting action will be unaffected if ownership changes during the platting process; provided, that an updated certificate to plat, or preliminary commitment for title insurance, is received by the platting division.



AGENDA ITEM # 9c

Planning Commission Meeting Date: 10/13/20

PLANNING COMMISSION COMMUNICATION FORM

FROM: Planning Staff

DATE: 10/7/20

ITEM: Resolution 20-03 – Capital Improvement List

NEXT STEP: Pass Resolution

INFORMATION

MOTION

RESOLUTION

I. REQUEST OR ISSUE:

The Planning Commission is required by the City Code to:

Submit annually to the city council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements which in the opinion of the commission are necessary or desirable to be constructed during the forthcoming three-year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year (CMC 3.40.080 E).

II. RECOMMENDED ACTION / NEXT STEP:

After making the motion to approve the resolution, the commission can discuss and make changes to the list. This list can be reviewed and discussed at more than one meeting if the commission desires. Ideally, the commission should amend the resolution once with the new, updated list.

“I move to approve Resolution 20-03.”

III. FISCAL IMPACTS:

The city will likely have limited capital expenditures for the 2021 budget.

IV. BACKGROUND INFORMATION:

Last year’s Capital Improvement List recommended to City Council by Resolution 19-08 was as follows:

1. Contract to Develop and Implement Addressing E-911 Compliant Database - \$75,000 in E-911 Fund
2. To create a Shovel Ready Project that provides for public safety, additional parking and ADA accessible sidewalks to be used in grant/loan applications. Design parking and walkway on north side of Harbor - \$122,013
 - Shovel-ready design
 - Walkway to meet ADA standards
 - To extend in harbor 25 feet
 - Includes contract services from engineer
 - Based on the cost from South Fill report with engineering at 15% of project cost
3. Code Updates to Title 17 and 18 with funding for attorney time - \$10,000 - \$25,000
4. To create Shovel Ready Projects that provide for public safety and ADA accessible sidewalks which to be used in grant/loan applications. Design streets and sidewalks on Railroad Avenue from Nicholoff to Council and Council from Railroad to First Street - \$25,000-\$35,000
 - Shovel-ready design
 - Includes ADA sidewalks and drainage
 - Nicholoff to Water currently has drawings, but need update
 - Water to Council needs drawings

9/8/20 – At the Planning Commission Regular Meeting, the commission discussed the list briefly and referred it back to staff for wordsmithing and more information on the Crater Lake siphon. See the unapproved minutes in this packet for a summary of the discussion.

The resolution has been updated to add more clarity and the two staff recommendations have been added to the top of the resolution as discussed. The following is a write-up prepared by Public Works staff to better explain the Crater Lake siphon project:

In 2019, the state and Cordova experienced drought conditions. Water demand exceeded three million gallons a day during August. Eyak Lake pumps were at full capacity, and the reservoir was eight feet below the spill way and dropping quickly. Murcheson and Orca were not supplying any water. Seining was still open, processing was occurring, and there was no rain in the forecast. The water department implemented a plan to get water flowing to the Orca Water Treatment Plant via a siphon from the lake. A helicopter was used to sling over 500 feet of HDPE pipe and gear to Crater Lake. The crew was able to heat weld two 270-foot syphon lines and get water flowing from Crater Lake to Crater Creek and eventually to the Orca catchment. By morning there was 400 GPM being processed by the Orca Water Treatment Plant.

In 2020, the city started one siphon in early July to supplement the water entering the Orca Water Treatment Plant. This allowed the city to conserve the water in Meals Reservoir and not have to run the Eyak Lake pumps during seine season. The pipe extends about 100 feet below the outlet of Crater lake and extends into Crater about 170 feet. The city will be seeking funding for engineering and construction of a permanent system for the HDPE pipe including anchoring and a valve to turn the flow on and off. This is a very small project compared to the proposed hydro project. Pinks salmon disaster funds could be available for the project. The city has spoken with Orca Adventure Lodge about the project and will continue to keep them updated about the project. As this point, the landowner supports the project.

V. LEGAL ISSUES:

N/A

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

N/A

**CITY OF CORDOVA, ALASKA
PLANNING COMMISSION
RESOLUTION 20-03**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CORDOVA, ALASKA,
RECOMMENDING A CAPITAL IMPROVEMENT LIST TO THE CITY COUNCIL**

WHEREAS, the City of Cordova’s Planning Commission is directed by Cordova Municipal Code 3.40.080(E) to *Submit annually to the City Council, not less than ninety days prior to the beginning of the budget year, a list of recommended capital improvements which in the opinion of the commission are necessary or desirable to be constructed during the forthcoming three-year period. Such list shall be arranged in order of preference, with recommendations as to which projects shall be constructed in which year;* and

WHEREAS, the City of Cordova’s Planning Commission has identified and prioritized a Capital Improvement List that will benefit the citizens of Cordova; and

WHEREAS, the City of Cordova’s Planning Commission has identified the following Capital Improvement List as being critical to the future wellbeing and economy of Cordova and the surrounding area:

- 1. Railroad Avenue – Nicholoff Intersection to Water Street Intersection - \$1,000,000**
 - Update and implement plan and profile drawings
 - Includes paving street, ADA sidewalks, and drainage improvements
- 2. Crater Lake Siphon - \$500,000**
 - Design and Construct
- 3. E-911 Addressing - \$75,000 in E-911 Fund**
 - Contract to develop and implement E-911 compliant database
- 4. Parking and Walkway Design on North Harbor - \$122,013**
 - Create shovel-ready project providing public safety, additional parking, and ADA accessible sidewalks to be used in grant/loan applications
 - Extends 25 feet into harbor
 - Includes contract services from engineer
 - Based on the cost from South Fill report with engineering at 15% of project cost
- 5. Update Code Titles 17 and 18 - \$10,000 - \$25,000**
 - Funding for attorney time
- 6. Design Railroad Avenue – Water Street Intersection to Council Intersection - \$25,000 - \$35,000**
 - Design shovel-ready project to include paving street, ADA sidewalks, and drainage improvements
- 7. Design Council Avenue – Railroad Intersection to First Street Intersection - \$25,000 - \$35,000**
 - Design shovel-ready project to include paving street, ADA sidewalks, and drainage improvements

NOW, THEREFORE BE IT RESOLVED THAT the Planning Commission of the City of Cordova, Alaska hereby recommend a capital improvement list to the City Council.

PASSED AND APPROVED THIS 13TH DAY OF OCTOBER, 2020

ATTEST:

Tom McGann, Chair

Leif Stavig, City Planner

2020 OCTOBER

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

2020 NOVEMBER

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