

**PLANNING COMMISSION REGULAR MEETING  
JULY 14, 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 July 14, 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, Chris Bolin, Trae Lohse, and Mark Hall.*

Also present was City Planner *Leif Stavig.*

Three people from the public were in attendance.

**3. APPROVAL OF AGENDA**

M/Bird S/Bolin to approve the agenda.

Upon voice vote, motion passed 7-0.

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

**4. APPROVAL OF CONSENT CALENDAR**

**a. Minutes of January 14, 2020 Regular Meeting**

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

Upon voice vote, motion passed 7-0.

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

**5. DISCLOSURES OF CONFLICTS OF INTEREST AND EX PARTE COMMUNICATIONS**

**6. CORRESPONDENCE**

**a. Correspondence from Jerry & Vicki Blackler**

**7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

**a. Guest Speakers**

**b. Audience comments regarding agenda items**

*Craig Kuntz*, 404 Fourth Street, said he had submitted a letter of interest for the eastern half of a neighboring lot. The only way to access the lot is through his property. He is just looking for more area to play in.

## 8. PLANNER'S REPORT

*Stavig* said he was behind on minutes; his goal was to finish those by the next meeting. *Stavig* said as an update to his report on changing the code to require appraisals, he and other colleagues decided against changing code, but rather they will now have a policy that appraisals are required unless there is a very unique situation. *Stavig* explained that the Forest Service lease was from the 1960s and actually was due to expire this year, but they set up a hold-over agreement to give the city more time to negotiate and deal with COVID.

*Stavig* said if people want any maps of GIS data they currently have to go through him, however the information is public, and there are some hunting apps that have all of the city property tax information and ownership. He would prefer that the city have an official map that is more current. *Stavig* said that the number of building permits is average for other years. He has had a lot of traffic and there is still a lot going on in town despite the pandemic.

## 9. NEW/MISCELLANEOUS BUSINESS

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

M/Bolin S/Pegau 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.

*Stavig* said he had received questions about when the subdivision for the land would occur, and he has confirmed that the process is underway. Conditional use permits are basically the starting point for many people, so the subdivision will be occurring soon. *Stavig* said the language in the memo says, "small engine repair operations," to make it clear that the entire property will be used this way, not just the future building.

*Pegau* was curious about how the lot was accessed. *Stavig* said the lot to the west is owned by *Jerry Blackler* and there is a 50-foot easement that provides access from Whitshed Road. *Hall* said that there wasn't a road being dedicated, it was just an easement for access. *Bird* asked about the required timeframe for when conditional uses must commence after they are granted. *Stavig* said that there is a required time frame, but because the conditional use is for the entire lot, it doesn't necessitate the building be constructed for that use to occur.

M/Pegau S/Bird to amend the conditional use request to add a requirement that the owner of the property provide the signed authorization for the conditional use permit.

*McGann* said he just wanted to make sure this was a part of the application.

Upon voice vote, amendment passed 7-0.

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

Upon voice vote, motion passed 7-0.

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

### b. Variance Request – John Stack

M/Bolin S/Bird to grant the variance request by John Stack and to adopt and incorporate the findings within the staff report.

**Stavig** said that the building was nonconforming and there was no off-street parking. **Stavig** said that the variance was only needed for the covering over the deck. There are stairs that extend further into the setback, but those are required for legal access to the main floor of the building. The old stairs went straight out into the right of way, and the new stairs are designed to stay within the property. There is also an existing covering on the ground level door that is unenclosed and doesn't provide any additional space within the building.

**McGann** said the stairs should be considered part of the structure, so really the owner is constructing to the front property line. **Pegau** said that he wasn't sure from the drawings that the stairs would be entirely within the property. **Bird** said that her understanding was that the stairs would be inside the ground level covering so it would remain on **Stack's** property. She also noted that while there was no off-street parking, there was parking in the right of way that did not negatively interfere with the street. **Baenen** said he agreed with **Bird** and said there was ample parking in the right of way, but off the street. **Hall** said it was a nonconforming lot and structure and the owner was trying to use the existing building. **Hall** said he looks at the stairs sort of as a driveway instead of the structure as it is access to the structure.

**Pegau** said he did not agree with the staff findings for Condition 2, being aesthetic is not a practical difficulty or unnecessary hardship. He agrees with all of the other conditions. **McGann, Baenen, Bird, Bolin, Lohse, and Hall** agreed that all four conditions were met and agreed with the staff findings.

Upon voice vote, motion passed 6-1.

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

Nay: **Pegau**

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

*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*

M/Bolin S/Hall to approve Resolution 20-02.

**Lohse** was disconnected from the meeting at 7:38 PM.

**Stavig** said there was a stream in the far corner. If this was a large, developed subdivision there would be an easement required along the stream. Since this is already subdivided property, that is not a requirement. He said it had been listed as ‘Not Available’ because of the large drainage that goes through it. The western half has a culvert that goes underneath the road. **Stavig** said when he spoke to **Kuntz** prior to his letter, they discussed how it made sense to subdivide the property since the western half contains the drainage and is close to a different property owner's house.

**Pegau** said he was concerned about making a nonconforming lot. **Stavig** said that if the purchased portion was added to **Kuntz's** existing property, it would be one large lot. He noted that there is a 10-foot-wide parcel that was subdivided in an un-ideal way, and this purchase would help clean up

all of the property lines. **Pegau** said his concern was that they are setting it up so that one person can purchase versus putting the entire lot out to the public for purchase. **Stavig** said that Lot 3 would already be considered nonconforming as it was under 4,000 square feet, which is the minimum lot size. **McGann** said that if it is nonconforming than the neighboring property owners would be the only people who could purchase the property.

**Baenen** said the west half of the lot was basically a canyon and would be unusable for anyone. **Hall** said he liked the idea that it cleans up the mess with property lines. **McGann** agreed that the lot as a whole wasn't really sellable, so if the city can get revenue for a portion of it, he is in favor. **Pegau** said that he doesn't understand why they would subdivide it just because the interested person doesn't want the whole thing. **Pegau** made a motion to amend the resolution to make the whole lot 'Available,' but the motion was not seconded.

**Bird** said that by subdividing it they are protecting the landowner to the north by not selling land directly adjacent to their house which is close to the property line. She said it was likely more important for the city to retain ownership for drainage maintenance. **Baenen** said the actual drainage culvert may be on the lot and the city needs to retain the property.

Upon voice vote, motion passed 5-1.

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

Nay: **Pegau**

Absent: **Lohse**

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

M/**Bolin S/Bird** to recommend to City Council to dispose of the eastern half of the remainder of Lot 3, Block 17, Original Townsite as outlined in Cordova Municipal Code 5.22.060 B by negotiating an agreement with Craig Kuntz to lease or purchase the property.

**Pegau** asked if the other adjacent landowner had submitted a letter of interest, to which **Stavig** explained there was only a letter from **Kuntz**; there is no public notification process associated with land disposals as there is with variances or conditional use permits. **Pegau** said he would much rather see it go out for proposals.

M/**Bird S/Pegau** to amend the motion to request sealed proposals to lease or purchase the property.

**Bolin** said that anyone can approach the city for property and **Kuntz** has done the legwork to start the process. **Hall** said that **Kuntz** put in the request and no one else has shown interest. The majority of the land requested is on the south side of the stream, which serves as a natural division between the property owner to the north. **Hall** said the Planning Commission meeting was publicly noticed and so would the future City Council meeting. **Bird** said she wishes there was a way to make the process more public. **Pegau** said that they just made it 'Available,' so he prefers that it goes to proposals since there are two property owners.

Upon voice vote, motion to amend failed 2-4.

Yea: **Pegau, Bird**

Nay: **McGann, Baenen, Bolin, Hall**

Absent: **Lohse**

M/Bird S/Hall to amend the motion to add a special condition that the lot be added to the rest of his property and combined into one lot.

Upon voice vote, motion to amend passed 6-0.

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

Absent: Lohse

Upon voice vote, motion passed 5-1.

Yea: McGann, Baenen, Bird, Bolin, Hall

Nay: Pegau

Absent: Lohse

## 10. PENDING CALENDAR

## 11. AUDIENCE PARTICIPATION

**Kuntz** thanked the commission. He verified that if he were to purchase the lot, all of his property would become one lot.

## 12. COMMISSION COMMENTS

**Pegau** said it was good to get back into the meetings.

**Baenen** said it was a great meeting and he looks forward to sitting together some day.

**Bolin** said he was glad they were all able to be together, sort of.

**Hall** said he looked forward to doing the meeting in person versus over computer.

**Bird** said that the Cordova Historic Preservation Commission is having a meeting and there's a very interesting draft report from a historical consultant about how to do a historic building survey.

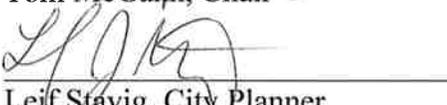
## 13. ADJOURNMENT

M/Bolin S/Hall to adjourn the Regular Meeting at 7:55 PM.

With no objection, the meeting was adjourned.

Approved:

  
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Tom McGann, Chair

  
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Leif Stavig, City Planner

