

**Minutes of Planning & Zoning Commission**  
**Held on February 13, 2025**

**1. CALL TO ORDER: 5:30 PM**

**2. ROLL CALL:**

**PRESENT:** Gary Watkins, Jillian Privett, Apryl Hutchinson, Kathleen St. Clair

**ABSENT:** Terri Henson

**STAFF:** Kate Thomas, JR Meek

**3. AMENDMENTS TO THE AGENDA:**

**Staff requests to remove Item E.**

**Motion to remove.**

**M / S Watkins/St. Clair**

**4. CONFLICTS OF INTEREST: NO**

**5. APPROVAL OF MINUTES: None**

Meeting Minutes from December and February will be provided at the March 12<sup>th</sup>, 2025 meeting for review and approval – Gary Watkins will be absent, Privett will be flying in on that morning, Henson may potentially Zoom during the meeting, Hutchinson and St. Clair will be present.

**6. DIRECTORS REPORT:** Staff provided brief update on Addressing Project highlighting that a professional service agreement is in place with DATAMARK Technologies. Project will begin with an assessment of current conditions, followed by plan development, then implementation. There will be considerable public engagement throughout the process.

**7. CORRESPONDENCE:** A letter from Carol Rushmore opposing the Villarma Land Sale and recommending a Public Auction was read into the record. Commissioner Henson provided written comments in email correspondence. See the attachment to the minutes.

**8. PERSONS TO BE HEARD: None.**

**9. NEW BUSINESS**

**9a.** Final Plat review of the Rooney Replat, a replat of Lot B of McCloskey/Rooney Replat (Plat No. 2015-4) creating Lots B1 – B6, Zoned Rural Residential 1, requested and owned by Thomas and Mary Rooney

**M/S: Watkins/St Clair**

**Move to approve final plat for the Rooney Replat, creating Lots B1-B6 from Lot B of the McCloskey/Rooney Replat, contingent upon confirmation of the recording of the Easement Maintenance and Use Agreement and receipt of copies of the approved State driveway permits.**

**Staff provided additional context for the commissioners.**

***Polled Vote. All in Favor***

**9b** Request from Brian Schwartz to lease (rent) a portion of Borough-owned property identified as Lot 1A, Block 2A (APN 02-011-201) of the Wrangell Townsite, according to Plat No. 89-5, zoned Waterfront Development

**M/S: Hutchinson/Watkins**

**Move to recommend to the Borough Assembly approval to lease a portion of Lot 1A, Block 2A as requested by Brian Schwartz for the placement and operation of a Mobile Food Truck with the following conditions:**

- 1. *Approval of a modified Land Use Agreement between the Borough and Samson Tug & Barge; and,***
- 2. *Lease/land use agreement is established on a short-term basis not to exceed 12 months, with an option to renew at the Borough's discretion; and,***
- 3. *Connections to water, sewer and power are at the expense of the owner; and,***
- 4. *Terms of the lease include provisions addressing the following:***
  - a. *A comprehensive plan for managing consumer waste, including trash receptacles, recycling options, and regular removal schedules.***
  - b. *Measures to ensure pedestrian safety, including designated walkways, signage, and traffic flow management.***
  - c. *Strategies to manage vehicular traffic, including designated parking areas, loading zones, and clear access to and from the site.***

Staff provided oral report. Staff highlighted that there is a lease on the property with Samon Tug & Barge, and the Borough has a use agreement in place to utilize a portion of the leased area for public restrooms. The land use agreement with Samson will need to be reviewed and approved by Samson leadership in order for Mr. Schwartz's request to be approved by the Borough Assembly. Property is zoned Waterfront Development. Parking and pedestrian traffic are primary concerns with the added use in the area.

Hutchinson asked clarifying questions about what will happen if others are interested in doing something similar. Apryl highlighted that in the future, there may be more mobile food trucks w/ similar proposition. Staff are proposing a short term lease so that the conditions can be re-evaluated at the end of the season. Staff have discussed this with the applicant. Hutchinson asked a question about parking, Kate stated that close monitoring of the space is recommended for this action.

Brian Schwartz clarified that he approached other owners and stated that they expressed verbal support of his venture. Schwartz stated that the trailer is 24' x 8' long and would not block pedestrian traffic, and that they intend to have directly people to the public restrooms. He also highlighted that he would be hooked into water, making it easier to maintain the area around the trailer.

Watkins requested that there be an amendment to the motion modifying condition number 3 of item 9B.

**M/S: Watkins/ St. Clair**

**Amendment: Move to amend the motion by striking the word "owner" from number 3 and replacing it with "applicant".**

Commissioners discussed their concerns around congestion and parking in the immediate area, especially on cruise ship days. Staff stated that the conditions would be monitored and adapted

to ensure public safety. Applicant is aware of these concerns and will work cooperatively with the Borough.

**Amended motion: Poll vote. All in favor.**

**Original motion: Poll vote. All in favor.**

**9c** Request from Mason Villarma to purchase Borough-owned real property identified as Lot 4 (APN 02-031-206) and Lot 5 (APN 02-031-208), Block 49 of the Wrangell Townsite, according to Plat No. 39-31, zoned Light Industrial

***M/S: Saint Clair/Watkins***

**Move to recommend to the Borough Assembly approval of the sale of Lot 4 and Lot 5 of Block 49 as requested with the following conditions:**

- 1. Property shall be sold with the clear understanding that there are no current plans to improve or extend the roadway in this area along its road frontage; and,***
- 2. All future road and utility development considerations are shared with the applicant; and,***
- 3. Applicant shall submit a site plan to include approximate location of buildings and utility layout to ensure compatibility with public infrastructure; and,***
- 4. Any sale agreement should include a clear contingency outlying the Borough's potential future requirement (or lack thereof) for road improvements and utility installation.***

Staff provided oral report. Staff highlighted that there are no immediate plans to develop the Wrangell Avenue Right of Way, nor are there plans to extend municipal utilities to the lot. Utilities will have to be accessed via Pine and Etolin Street. As private development continues in the area, the Borough needs to consider how that may impact future development. Staff highlighted that these lots are zoned Light Industrial, with surround residential areas. Thomas suggested a cautious approach to the sale given the implications to municipal utilities and the right of way.

Extensive discussion on the layout of the lot and multiple access points to enter the lot. Commissioners inquired about access from another right of way, however the lots would not have legal access and therefore would require a access easement byway of the lots on to the north which are not owned by the applicant.

The Applicant, Mason Villarma suggested that the Borough should consider vacating the Wrangell Avenue right – of way all together. Villarma stated that his goal is to build a shop on each parcel for light industrial and personal use. Villarma stated that he does not agree with the comments provided by Rushmore and Henson's correspondence. He highlighted that the Borough has stalled land sales in the past, often taking considerable time to plan, develop and surplus land at an efficient rate for private development, citing 5<sup>th</sup> and 6<sup>th</sup> Avenue. He expressed that he wanted to be treated in the same fashion that other applicants had in the past citing Tlingit and Haida, and Frank Warfel property sales. Villarma stated that if the Commission or Assembly no longer wish to see individual applications for Borough property, it should be considered to remove the provision in the municipal code entirely.

Discussion continued regarding the value of selling the land, versus the drawbacks based on the conditions of the area. Staff stated that while well planned and developed property should go out for public auction as a standard, there are provisions in the municipal code under title 16 that allow for individual land sales brought forward by the public. Each application should be reviewed against the comprehensive plan and the interest of the Borough and public. Watkins shared his experience purchasing land in the area stating that municipal water and sewer were not immediately available, and that the purchaser was responsible for the cost of extending the utilities to the property line so that they could tie into the infrastructure.

Privett spoke to the concept of public auction. Staff stated that while public auction is a productive and equitable option, there are provisions for individual public request to purchase property. Staff stated that the Borough Clerk publishes those provisions in her report to the Assembly almost monthly. The Assembly emphasizes the opportunity to the public during those meetings as well. Privett stated that she does not feel it is fair, to require land to go for public auction, when a member of the public does the work and follows the appropriate procedures to purchase land.

Watkins asked if there is a requirement for construction or development within a certain timeframe. Staff stated there are no covenants or conditions of sale that require development of the land. Staff highlighted that the code does provide for the Borough to require construction timeframes as a condition of sale, but that has not been commonly applied for public auction sales or individual land sales. Staff suggested that this might be more appropriate for larger developments on commercial or industrial land, rather than residential.

***M/S: Watkins/ Hutchinson***

**Move to amend the motion to = include a condition that states that all utilities installation expenses are paid for by the applicant/purchaser.**

***Amended Motion: Polled Vote. All in Favor.***

***Original Motion: Polled Vote. All in Favor.***

**9d** (PH) Conditional Use Permit Application request to operate a cottage industry business for a micro-bakery and pickup location on Lot G-2A (APN 03-003-429) of the Ryan Miller Subdivision, zoned Rural Residential according to Plat No. 03-11, owned by Jennifer Miller, requested by Calleigh Miller

***Public Hearing Opened***

***No public comment.***

***Public Hearing Closed X***

***M/S: Watkins/Hutchinson***

**Move to approve the Conditional Use Permit application submitted by Calleigh Miller for a micro bakery pickup location at 2.25 Zimovia Highway (APN 03-003-429) subject to the findings of fact and following conditions:**

- 1. Two off-street parking places must be provided; and,***
- 2. The business operation shall be limited to the sale and pickup of pre-ordered baked goods. On-site baking or food preparation is prohibited from within the structure.***

**3. The pickup location shall utilize a non-permanent structure in the driveway, easily removable if necessary.**

**4. Customer pickups shall be scheduled and managed to minimize any potential traffic or parking impacts along the highway.**

**5. The hours of operation for customer pickups shall be limited to 8:00AM- 10:00PM.**

**6. The applicant shall comply with all applicable health and safety regulations related to food sales.**

Staff provided oral report. Staff reported that Butch Schmidt (neighbor) visited the planning office to express his support of Miller's application.

Watkins asked if the permit was to construct and place the shed or to operate the business. Staff clarified that the conditional use permit is not needed for the shed itself, however it is needed to operate the business from the home within this district.

***Polled Vote. All in Favor***

~~9e — (pulled from the Agenda) Request from William Tonsgard of Tideline Construction, LLC. to purchase Borough-owned real property and tidelands identified as; APN 03-011-15, Lot 7, of the USS 3534 Subdivision according to Plat No. 29-20; and, APN 03-011-100, Survey USS 3000; and, a portion of APN 03-011-150, Lot 6, of the USS 3534 Subdivision according to Plat No. 29-20; and, a portion of APN 03-010-216, Lot 10, of the USS 3534 Subdivision, according to Plat No. 29-20; and, a portion of APN 03-011-200, of the ATS 1249 Subdivision, according to Plat No. 83-13~~

9f Discussion of Prospective Zoning of Borough Entitlement Lands

Staff provided an oral report highlighting the summary of the memo from the Borough Manager and the Planning Commission. Further information was provided on the partnership between the Borough and the Mental Health Trust Land Office, citing the Memorandum of Understanding that was recently approved. Staff shared that the partnership is helping to catalyze the transfer of ownership and complete authority from the state to the Borough on all Borough approved Entitlement Lands. Staff shared the Borough strategy of partnering with the state to make economic use of entitlement land areas, further stating that Mental Health Trust understands Timber economics and valuing lands for timber harvesting. Thomas stated that the Borough does not know the full value of timber within each area and therefore wants to continue this partnership to work in sync with Mental Health Trust who own land within the Borough with intentions of timber harvesting and subdividing their parcels for residential land development.

Hutchinson inquired about whether the work of the Commission through years past will be considered in the decision to rezone. Hutchinson stated that the Commission had gone through hours of deliberation, public engagement and decision-making to identify the prospective uses that are detailed in the packet. Staff stated that the work would be considered and valued. For this process those recommended uses also identify areas where the Commission identify prospective timber activity.

Privett asked if we submitted the information for the Tribe's input on the development. Staff stated that initial discussions have taken place between the Borough and the State, but notice has not yet been provided to other parties. Thomas stated that the initiative has been shared at the

Assembly level with information published in the newspaper, which provides the public with general knowledge of the concept, however direct notices have not been provided at this point in the process. Thomas stated that Public Notices will be mailed to neighboring communities once a zoning ordinance is brought forward to Commission and Borough Assembly. Privett requested that the Borough share information about rezoning entitlement lands with the tribe

Privett started the discussion and suggested designating all areas Timber Management initially, and then refining it once they have a better understanding of the cost to cruise the area and proceed with harvesting if appropriate.

Staff and Commissioners reviewed each area, discussing the terrain, accessibility, previously identified uses and perceived timber value. Staff stated that because the Borough is not an expert in Timber it can't accurately state what the value is and needs to proceed with a survey to ascertain that value. Staff stated that the Commission should focus on what areas they are comfortable zoning, such as Timber Management, and allow the experts to assess the overall value. Further stating that the Borough would be strategic about its selection and process to ensure a return on investment. It stated that the group should clearly identify those areas they want to deem Timber Management and exclude areas where they would like to see land preserved for other uses.

Watkins and Privette discussed Mill Creek, suggesting that it might be a good thing for the recreation site. Thomas stated that the previously identified uses imply that there are habitat concerns and cultural sites in the immediate area. Thomas went on to say that the Comprehensive Plan recommends logging activity be conducted outside of the immediate viewshed of town. Commissioners inquired about the next steps in the process. Thomas explained that she would draft a summary of the commission's intent to recommend specific areas for Timber Management. The report will provide a written review of past efforts from the Commission, summary of current discussion, overview of each area's prospective use, and whether the Commission recommends Timber Management as the initial zone and if a subsequent zone would be recommended following Timber harvesting or if the area would be retained for Timber Management to continue harvest activity. Following the February 25<sup>th</sup> work session of the Assembly, and the March 3-5<sup>th</sup> interagency meeting, a draft ordinance would be brought back to the Commission for review and approval before progressing to the Assembly. Through the zoning process there will be ample public notice including direct mailings to residents in remote areas proximate to the prospective new zoning district.

Hutchinson brought forward the concept of offering up fewer areas for timber management to assess the overall success and outcome of the initiative by area, before rezoning all areas for Timber Management. Thomas explained that it would likely be in the Borough's best interest to value the land concurrently because mobilization and surveys are so costly.

Watkins used Thom's Place as an example where the Commission would recommend selective logging with considerations placed on the cultural value and critical habitat areas that were previously identified. Staff reviewed the list of recommendations based on the discussion to ensure that everyone understands what will be detailed in the report.

- The Commission recommends the following areas be considered for Timber Management; Wrangell Island West, Wrangell East, Earl West Cove, Sunny Bay, Zarembo Island.
- The Commission recommends a cautious approach to Thom's Place based on proximity to neighboring community, along with the critical habitat areas and cultural sites. The Commission request selective logging be considered in this area.

- The Commission recommends preserving Olive Cove, Crittende Creek, and Mill Creek based on the residential proximity, cultural sites, viewshed and recreation use.

**10. UNFINISHED BUSINESS:** None.

**11. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS:**

Next Meeting will be held on March 12<sup>th</sup>, 2025 – Gary Watkins will be absent, Privett will be flying in on that morning, Henson may potentially Zoom during the meeting, Hutchinson and St. Clair will be present. If a quorum cannot be met at the March 12<sup>th</sup> meeting, March 27 has been identified as an alternative option.

**12. ADJOURNMENT: 7:33 PM**

ATTEST: \_\_\_\_\_  
J.R. Meek, Secretary

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Jillian Privett, Vice Chair