

**Minutes of Planning & Zoning Commission
Held on August 10, 2023**

1. CALL TO ORDER: Call to order at: 5:31pm.

2. ROLL CALL

PRESENT: Chair Terri Henson, Jillian Privett, Kathy St. Clair

ABSENT: Vice Chair Don McConachie, Apryl Hutchinson – arrived during Section 5

STAFF PRESENT: Kate Thomas, Matt Henson

3. AMENDMENTS TO THE AGENDA: NONE

4. CONFLICTS OF INTEREST

Commissioner Privett states she has a conflict with item 8b. Chair Henson states that since the preliminary plat was previously approved (without Privett's vote) and the current item is for final review and there is no change from the preliminary plat and there would not be a quorum if she were to abstain, Privett shall vote on the item.

Kate Thomas reiterated that because there is no financial gain there is no conflict, as per a confirmation with the Borough Clerk.

5. APPROVAL OF MINUTES

- a. Approval of the July 20th, 2023, Planning and Zoning Commission Meeting Minutes.

Approved by viva voice vote. All in favor.

6. CORRESPONDENCE

- a. Citizen request to rezone property, submitted by Christian Ryll.

The secretary of commission read the letter into the record. Staff stated that due to time constraints, the contents of this letter were not able to be included in this agenda. Staff will be in communication with citizens regarding next steps.

7. PERSONS TO BE HEARD: NONE

8. NEW BUSINESS

- a. (PH) Conditional Use Permit application request for a temporary structure for personal use on a portion of Lot 3 and Lot 4, Shoemaker Bay, zoned Shoemaker Bay Development, Plat 99-8, requested by Bernard Massin.

Public Hearing Opened.

No public comment.

Public Hearing Closed.

M/S: JP/KS : Move to approve the findings of fact and the conditional use permit request for the construction of a temporary structure for personal use subject to the following conditions:

1. Construction shall not impede upon or obstruct the driving lane where it will impact harbor circulation.

2. Construction, maintenance, repair, and storage of vessels must occur indoors. WMC 20.49.040 (D and E).

TH: Asks if this is a tarp structure. Massin: Yes, this is like the structure on the adjacent lot. The purpose of the structure is to shelter belongings.

AH: Asks if there is a timeline on a more permanent structure? Massin states there is a rough timeline which is contingent on ability to build another structure.

Approved unanimously by polled vote.

- b. Final Plat review of the Privett Replat, a replat of a portion of Lot 3, Block 84, of USS 1119, Wrangell Townsite, Plat 65-87, creating Lot 3-BB and 3-CC, zoned Single-Family Residential, requested by William and Janell Privett.

Staff: No discussion

M/S: JP/KS Move to approve the final plat of the Privett Replat as presented.

Approved unanimously by polled vote.

- c. Final Plat review of the Sprehe-Neyman Replat, a replat of a portion of Lot 5, Block 20, of USS 1119, Wrangell Townsite, creating Lot 5A and 8A, zoned Multi-Family Residential, requested by Dorianne Sprehe.

M/S: JP/KS Move to approve the final plat of the Sprehe-Neyman Replat as presented.

Staff: No discussion

Approved unanimously by polled vote.

- d. Request from Wrangell Cooperative Association to purchase a portion of Borough Real Property/Tidelands identified as Lot 1, Plat 84-5, of the ATS 1209 Subdivision, zoned Open Space/Public.

M/S: JP/KS: Move to recommend approval of the Wrangell Cooperative Association, Earth Branch's request to purchase a portion of Borough property/tidelands Lot 1, Plat 84-5, of the ATS 1209 Subdivision, zoned Open Space/Public with the following conditions.

- 1. Parcel shall be surveyed and subdivided with necessary access and utility easements maintained and/or established in the replat;**
- 2. Borough shall provide input on property lines established in the replat;**
- 3. Contract zone shall be established under the zoning district which best aligns with greenhouse use;**
- 4. Borough maintains ownership of the south lot created by the subdivision;**
- 5. Tidelands lease shall be established until the proposed improvements are complete;**
- 6. Public use is maximized to the degree possible;**
- 7. All expenses associated with the sale of the property are the responsibility of the purchasing party.**

Kate Thomas provided a verbal report of findings of fact and written summary from the staff report. Staff highlighted the internal discussion regarding critical infrastructure and the need to maintain ownership of the southern portion of the parcel to control the utilities. The conditions of sale require that the Borough be involved in the survey and replat of the parcel to ensure utilities concerns are addressed. Staff also discussed the transmission tower permitted by Coast Alaska. Coast Alaska will be notified of the request to purchase land prior to any action of the Assembly. The port commission will review the request at its September meeting.

Terri Henson stated that she is concerned about selling land with infrastructure. She suggested that the greenhouse be allowed through statement of permission but not through sale or lease of land so that the Borough can maintain control over utility easement. TH stated that having an agreement rather than a sale would save the WCA money and time. TH inquired about a previous proposal to develop the land with a greenhouse and the reason why the proposal was not approved. Staff reported that the WCA was opposed to the development due to the proximity of burial grounds. Staff suggested the main difference between that scenario and the present issue, was that the WCA is proposing development, who expressed in their proposal that they would act as stewards and caretakers of the burial grounds. Staff noted that most of the graves are in the forested area and ownership of the parcel where the burial sites are located will not be acquired in this transaction.

Jillian Privett stated that the City has not developed the property or maintained it beyond the community garden use, and that the WCA ownership would allow for better upkeep and maintenance in that area and therefore would agree to recommend sale. Katherine St. Clair agreed with JP.

Alex Angerman of the WCA stated that they are pursuing ownership due to verbiage of grant. However, they may be open to discussing other options. WCA is seeking ownership for the greenhouse project but also hoping to regain ownership to the burial site. Though there hasn't been sufficient discussion on control of property. WCA does state that they do not want to lease from CBW. The WCA is aware of the easements and is not worried about being able to maintain access to easements. Also states that there are currently three access points to the towers. The greenhouse would be a four-season greenhouse that would be powered and connected to utilities. Wants to help the city avoid complications. Leasing the land could be discussed, however, considering the structure will be large and not easily taken down this would not be ideal. Also stated that the WCA is a landless tribe and that any additional land they can acquire would be a benefit to the tribe.

Apryl Hutchinson stated she agrees with the recommendation. Once the process zoning and development of property lines have been completed, the WCA will see what will need to be done to the land and future decisions will be in their court. AH stated that the location of the grave sites are overgrown and are occasionally restored. AH stated she wants everyone to be able to access the site to be a publicly utilized space and beautify the community and enhance history. Without imposing on the utilities.

Staff stated that any correspondence going before the assembly from the director will include elements of this discussion and the record of voting. Should the process continue to a survey, an appraisal, a subdivision and re-plat, the subdivision and re-plat will still have to come back to the commission for approval. WCA may decide to go a different direction if the process and/or expenses are not feasible.

Motion approved with Privett, St. Clair and Hutchinson voting yes, Henson voting no.

9. UNFINISHED BUSINESS: NONE

10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS: NONE

11. ADJOURNMENT

Next meeting is scheduled for September 14th at 5:30pm.

Adjourned at 6:11pm

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair