

**Minutes of Planning & Zoning Commission
Held on March 14, 2024**

1. CALL TO ORDER: Call to order at 5:30 PM.

2. ROLL CALL

PRESENT: Kathy St Clair, Gary Watkins, Jillian Privett, ~~Apryl Hutchinson~~

ABSENT: Terri Henson, Apryl Hutchinson

STAFF: Kate Thomas, Matt Henson

3. AMENDMENTS TO THE AGENDA

Staff asked to have item 8(b) removed from the agenda due to a delay from the surveyor.

M/S KS/GW move to amend the agenda to remove item 8(b) from the agenda.

Approved by polled vote.

4. CONFLICTS OF INTEREST: NONE.

5. APPROVAL OF MINUTES

- a. Regular Meeting Minutes from January 11th, 2024
- b. Special Meeting Minutes from January 25th, 2024
- c. Regular Meeting Minutes from February 15th, 2024

All items approved by polled vote.

6. CORRESPONDENCE

Director Thomas provided staff report.

7. PERSONS TO BE HEARD: NONE.

8. NEW BUSINESS

- a. (PH) Conditional Use Permit Application request to operate a small-scale, home-based business on Lot 2A and 3A, Block 23, of the Wrangell Townsite, zoned Multi-Family Residential, owned and requested by John and Artha DeRuyter

Public Hearing Opened

JD stated that they are working on transition current building to residence. Would like to operate business out of the same space. Will be a seasonal business.

Public Hearing Closed

M/S KS/GW move to approve the findings of fact and the conditional use permit request submitted by John and Artha DeRuyter for a home occupation allowing the primary residence to serve as a seasonal floral shop, under the following conditions:

- 1. Two off-street parking places must be provided; and,*
- 2. Business must be conducted during semi-normal business hours (e.g. 8:00AM-8:00PM)*

Staff provided administrative report. Thomas stated that there is an additional fee for after-the-fact. Watkins asked if neighbors have been informed: YES.

Approved by polled vote.

- ~~b. Final plat review of the Pavlina-Villarma Replat, a replat of a portion of Lots 12 and 13, Block 12, within the Wrangell Townsite, according to USS1119 and a portion of Lot 14, Block 12 within Wrangell Townsite according to Plat 86-5 creating Lots 12A and 13A, zoned Single Family Residential, owned and requested by Dennis Pavlina and Carmen Villarma~~
- c. Request from Mr. Wayne Johnson to purchase Borough-owned real property identified as Lot A, Block 54, of the W.M.C replat subdivision, zoned Open-Space Public according to Plat 2018-6

M/S: GW/KS move to recommend Borough Assembly to approve the sale of the Wrangell Medical Center (old hospital) identified as Lot A, Block 54, of the W.M.C replat subdivision, zoned Open-Space Public according to Plat 2018-6.

Staff provided administrative report.

Approved by polled vote.

- d. Request from Mr. Jon Campbell to lease Borough-owned tidelands identified as Lot 5, Block 7A, of the Wrangell Townsite, zoned Waterfront Development

M/S: KS/GW move to recommend approval of a request from Mr. Jon Campbell to lease Borough-owned tidelands identified as Lot 5, Block 7A, of the Wrangell Townsite, zoned Waterfront Development with the following conditions:

- 1. If the property is affected by any marine service center, port, and/or harbor developments the lease shall effectively be terminated; and,***
- 2. The lease for Lot 5, Block 7A terms shall not exceed five (5) years; and,***
- 3. Either party shall have the right to terminate this lease upon providing written notice of the intent to terminate sixty (60) days before the date of termination.***

Staff provided an administrative report.

St. Clair asked with the present motion, if Mr. Campbell can stay the whole term of the proposed lease. Yes, he would be able to stay. Do the property owners above the tidelands currently maintain a preference for future sales? In the case of future sales, uplands property owners receive preference in tideland sales. Watkins asked how Mr. Campbell arrived in his current location 40 years ago. Mr. Campbell stated that he thought he was on private land. Watkins also asked if Mr. Campbell had paid any rent during his stay. Mr. Campbell stated he hadn't. Mr. Campbell stated that it was suggested that he ask for a 21-year lease. Thomas stated that the motion put forth is an interim solution to Mr. Campbell staying in his current location for a

reasonable time and protecting future borough infrastructure development. Watkins asked Mr. Campbell if he was ok with the terms set forth. Mr. Campbell said he would explore options once he knows the procedure. Privett commented on the upland's ownership issue. Privett stated that she would like to see an agreement with the property owners on the uplands to legally access the float house. Privett stated she agrees with Watkins about the difficulty of the terms. Thomas provided clarification on the process of how this item will proceed after this body. St. Clair asked what would happen if the lease does not get approved. Thomas stated that there may be a vacancy notice issued. Watkins referenced the current zoning for the property as Waterfront Development, further commenting on the Borough's plan for development. Watkins stated the future use of the borough project is likely a better use to the general public than just having a float house placed upon it.

Motion Fails by polled vote with commissioner St. Clair voting yes, and commissioners Watkins and Privett voting No.

- e. Request from Channel Construction to lease Borough-owned tidelands identified as Lot 7, of the USS 3534 subdivision, zoned Waterfront Development according to Plat 29-20; Lot USS3000, zoned Waterfront Development according to Plat 29-20; and a portion of Lot PSS, of the USS3534 subdivision, zoned Waterfront Development according to Plat 29-20

M/S: KS/GW move to recommend approval of Channel Construction's request to lease Borough-owned tidelands identified as Lot 7, of the USS 3534 subdivision, zoned Waterfront Development according to Plat 29-20; Lot USS3000, zoned Waterfront Development according to Plat 29-20; and a portion of Lot PSS, of the USS3534 subdivision, zoned Waterfront Development according to Plat 29-20 with the following conditions:

- 1. The lease does not interfere with planning activities of the PIDP grant program; and,***
- 2. The lease for Lot 7 of the USS3534 subdivision and Lot USS3000 has an initial five-year (5) term, providing the lessee with three (3) options to renew, with a maximum total term of twenty (20) years; and,***
- 3. The lease for Lot PSS has an initial one-year term, providing the lessee with an option to renew for an additional year; and,***
- 4. Provided either party shall have the right to terminate this lease upon providing written notice of the intent to terminate sixty (60) days before the date of termination.***

Staff provided an administrative report.

Watkins asked if the improvements to the property would be at the cost to the borough. Thomas stated that this is essentially a trade. Watkins commented and stated that he feels that the language stated in Channel's proposal seems costly to the borough.

Approved by polled vote.

9. UNFINISHED BUSINESS: NONE.

10.COMMISSIONERS' REPORTS AND ANNOUNCEMENTS: NONE.

11.ADJOURNMENT

Adjourned at 6:27 PM.

Next Regular Meeting is scheduled for April 11, 2024, at 5:30 PM.

ATTEST: _____
Matt Henson, Secretary

Terri Henson, Chair