



Thursday, August 08, 2024  
5:30 PM

Location: Borough Assembly Chambers  
City Hall

Planning and Zoning Commission  
5:30 PM

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. AMENDMENTS TO THE AGENDA**

**4. CONFLICTS OF INTEREST**

**5. APPROVAL OF MINUTES**

- a. Approval of the Regular Meeting Minutes from July 11th, 2024

**6. CORRESPONDENCE**

**7. PERSONS TO BE HEARD**

**8. NEW BUSINESS**

- a. (PH) Conditional Use Permit application request for the purposes of operating an Escape Room (Cottage Industry) within Lot 1 of the Evergreen Park Subdivision within Wrangell Townsite, according to Plat No. 68-75 of the Wrangell Recording District, zoned Single Family Residential, owned by Lucas and Lisa Messmer.
- b. Disposition (donation/gift) of Borough Property to the Wrangell Cooperative Association to develop a memorial at Alder Top Village subdivision identified as a portion of Tract A, of the Shoemaker Bay Subdivision, according to Plat No. 87-9.
- c. Request from Wrangell Cooperative Association to purchase Borough owned real property identified as a portion of Lot C of the Healthcare Subdivision, according to Plat No. 2010-4, zoned Open Space Public.
- d. Discussion Item: Direction from the Borough Assembly and Manager to create a new zoning designation in the Wrangell Municipal Code for multi-use activity and provide a recommendation to the Borough on how to rezone an area that current hosts commercial, restricted light industrial and single family residential within a tract of land; and, eliminate contract zone agreements either at expiration or by execution of a mixed-use rezoned; and, Review Chapter 20.72 Variances of the Wrangell Municipal Code and reconcile the differences with State statute; and, Provide a recommendation to improve the code such that variances may be used as a helpful tool for the Borough in the future.

**9. UNFINISHED BUSINESS**

**10. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS**

## 11. ADJOURNMENT

## Minutes of Planning & Zoning Commission

Held on July 11, 2024

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

2. **ROLL CALL:**

**PRESENT:** Gary Watkins, Jillian Privett, Chair Terri Henson, Apryl Hutchinson

**ABSENT:** Kathy St Clair

**STAFF:** Kate Thomas, Matt Henson

3. **AMENDMENTS TO THE AGENDA**

Director Thomas asked to have Item 9a removed from the agenda. The lots requested are in holding for wetland mitigation and therefore the borough is not permitted to sell the lots.

Removed by polled vote.

4. **CONFLICTS OF INTEREST:** NONE.

5. **APPROVAL OF MINUTES**

a. Approval of the regular meeting minutes from June 13th, 2024.

*M/S: GW/TH move to approve the regular meeting minutes from the Planning and Zoning regular meeting held on June 13th, 2024.*

*Approved unanimously by polled vote.*

6. **CORRESPONDENCE:** NONE.

7. **PERSONS TO BE HEARD:** NONE.

8. **NEW BUSINESS**

a. (PH) Conditional Use Permit application request for a proposed 150-foot self-support tower and unmanned ground equipment owned by the Central Council of the Tlingit & Haida Indian Tribes of Alaska within Tract C of the Meissner Subdivision according to Plat No. 97-10 of the Wrangell Recording District.

**Public Hearing Opened**

Asia, Project Manager of Tidal Network: Provided background on Tidal Network. Mentioned that all employees working for Tidal Network are local to Southeast Alaska.

**Public Hearing Closed**

*M/S: GW/TH move to approve the findings of fact and the conditional use permit request for a 150-foot self-support tower and unmanned ground equipment for the purpose of a cellular tower with the following conditions:*

*1. Fencing should be site obscuring facing residential properties; and,*

*2. Security lighting should be no higher than 15 feet from grade and angled down and side blocked to not impact adjacent residences; and,*

*3. All required setbacks for the Rural Residential 1 district must be met; and,*

**4. Generator will be for backup power supply only and muffled as much as possible.**

Director Thomas provided administrative report. She stated that this specific lot is a Flag Lot. She believes that Chuck Meissner sold this lot for this specific development. This is the first cell tower developed on property abutting other residential lots with livable dwellings.

Privett asked if the previous cell tower developments have come to fruition. Henson stated that she believes that Planning and Zoning approved that conditional use for a tower, although there was public concern regarding the hazards.

Watkins asked if this truly is a cell tower. Asia stated that this tower is primarily a broadband tower but would have spaced rented to other cell providers.

**Approved unanimously by polled vote.**

**9. UNFINISHED BUSINESS**

- ~~a. Request from Steve Thomassen to purchase Borough Real Property identified as Lot 2, Block 63A, Industrial Park Subdivision II, according to Plat No. 2000-9, zoned Holding.~~
- b. Request from Brett Woodbury to purchase Borough Real Property (8 lots) identified as Lot 5A, Block 61, Industrial Park Subdivision II, according to Plat No. 2001-7, zoned Industrial, and Lots 8, 7, 9, 10, 11, 12, and 13, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial.

**Tabled Motion:**

***M/S KS/AH move to recommend to the Borough Assembly approval of Mr. Brett Woodbury's request to purchase Borough Owned Real Property identified as:***

***Lot 5A, Block 61, Industrial Park Subdivision II, according to Plat No. 2001-7, zoned Industrial 5 Item a.***

***Lot 8, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***Lot 7, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***Lot 9, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***Lot 10, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***Lot 11, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***Lot 12, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***Lot 13, Block 66, Wrangell Industrial Park, according to Plat No. 92-9, zoned Industrial***

***The sale of the aforementioned lots shall have "Construction as condition of sale - Construction completion terms for industrial development" as per WMC 16.12.150. All terms of the Wrangell Municipal Code from Title 16 and Title 20 shall apply to development of the requested lots.***

Privett asked who the contract for the road was awarded to. Thomas stated that Ketchikan Redi-Mix was the winner. Privett acknowledged Mr. Woodbury's request and thanked him for his direct interest.

***Motion fails with all commissioners voting no.***

**10.COMMISSIONERS' REPORTS AND ANNOUNCEMENTS : NONE.**

**11.ADJOURNMENT:**

Adjourned at 5:50 PM

Next regular meeting scheduled for August 8th, 2024.

ATTEST: \_\_\_\_\_  
Matt Henson, Secretary

\_\_\_\_\_  
Terri Henson, Chair

**City and Borough of Wrangell, Alaska**  
**Planning and Zoning Commission**  
**Regular Meeting August 8th, 2024**  
**Staff Report**

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**Agenda Item:** New Business, Item 8A  
**From:** Kate Thomas, Economic Development Director

**Subject:** (PH) Conditional Use Permit Application request to operate a small-scale, home-based business on Lot 1 of the Evergreen Park Subdivision within the Wrangell Townsite, according to Plat No. 68-75, zoned Single Family Residential.

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**Review:** Lucas and Lisa Messmer are seeking approval for a conditional use permit to operate a home occupation, specifically an Escape Room. As per Definitions from Oxford Languages, an Escape Room is “a room in which people are locked in order to play a game requiring them to solve a series of puzzles within a certain amount of time to accomplish a goal, typically finding the key to unlock the room. ‘they will have to race against the clock and decipher clues to find their way out of the escape room’.”

“Home occupation” means a profession or use conducted entirely within a dwelling or premises by the residents with no other employees, when such use is incidental and secondary to the home for dwelling purposes, and where there is no change in the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than any permitted sign; and where such use does not manifest any characteristics which are essentially different than the use of the building for permitted purposes, such as increased traffic volumes, noise, vibration, glare, fumes, odors, or electrical interferences which create visual or audible interference in any radio or television receivers off the premises or cause fluctuations in line voltages off the premises.

“Cottage industry” means a small-scale home-based business, similar to a home occupation, allowing up to two employees, involving the on-site manufacture and/or sale of goods or services or the retailing, wholesaling, and renting of real or personal property provided such activities are permitted uses and are not, in the determination of the planning commission, detrimental to surrounding properties. A day sightseeing trip to a remote piece of property is considered a cottage industry.

**Review Criteria:**

[Chapter 20.08: Definitions](#)  
[Chapter 20.16: SF District Single Family Residential](#)  
[Chapter 20.52: Standards](#)  
[Chapter 20.68: Conditional Use Permits](#)

**Attachments:**

1. Aerial Map of Property, 2. Conditional Use Permit application.

**Findings of Fact:**

**Conditions of approval for conditional use applications include:**

1. Minimal impacts on adjacent neighbors from noise, traffic, appearance, yards, etc.:

Cottage industry businesses are allowed as a conditional use within the single-family zoning district if there are no changes from the characteristics of the primary use. There are no changes to the property or dwelling that stray from the characteristics of the primary use. An Escape Room could see increases in traffic to the neighborhood as clients of the business come and go from the property. However, the traffic should not have adverse effects on adjacent property owners or through traffic. Clients of Lucas and Lisa will visit the property during semi-normal business hours.

2. Provisions of sewer and water:

The property is connected to sewer and water.

3. Entrances and off-street parking available without safety issues:

Access to the property is from WebBer Street. Home Occupation and Cottage Industry businesses within the residential districts are required to have at least 1 off-street parking place in addition to those required for primary, residential use. The property has two off-street parking places. There are no immediate safety issues for the surrounding property.

**Recommendation:** Staff recommends approval of the conditional use permit for an Escape Room.

**Recommended Motion:** Move to approve the findings of fact and the conditional use permit request submitted by Lucas and Lisa Messmer for a cottage industry business allowing the primary residence to serve as an Escape Room, 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)

# CITY AND BOROUGH OF WRANGELL, ALASKA

Item a.



1 inch = 53.184229 feet

8 Date: 7/26/2024

Public Map



**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.  
PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**



# CITY & BOROUGH OF WRANGELL

## PLANNING DEPARTMENT

PO BOX 531 WRANGELL, AK, 99929 | +1 (907) 874-2381  
205 BRUEGER STREET WRANGELL, AK, 99929



### CONDITIONAL USE APPLICATION

**WMC 20.68.010 - 20.68.100**

**APPLICATION FEE: \$100.00 / AFTER THE FACT: \$300.00**  
**NON-REFUNDABLE - MUST BE PAID AT TIME OF FILING**

OFFICIAL USE ONLY	RECEIVED BY	DATE RECEIVED	PAYMENT	CHECK <input type="checkbox"/>
	<input type="text" value="Erin"/>	<input type="text" value="7-22-24"/>	CREDIT CARD <input type="checkbox"/>	CASH <input checked="" type="checkbox"/>

There are some uses which, because of their potential impact on neighboring properties or because of their public service nature, should receive commission review in each case. In this manner, detailed consideration can be given to factors affecting the suitability of the proposed location. These conditional uses are specified within Chapters 20.16 through 20.51 of the Wrangell Municipal Code.

The conditions of approval are as follows: A. When the appearance, traffic generated, noise, or other characteristics of the use would have an adverse affect upon neighboring properties, additional yards, site area, uncleared buffer strips, fences, hedges or other safeguards shall be provided by the conditional use in a manner which is sufficient to prevent any such adverse effect. B. Provisions for sewage disposal and water service shall be acceptable to all applicable health regulations. C. Exits and entrances and off-street parking for the conditional use shall be located to prevent traffic hazards or congestion on public streets. D. In addition to the conditions of subsections (A) through (C) of this section, schools, governmental and civic buildings and other public uses shall meet the following condition: The proposed location of the use and the size and character of the site shall facilitate maximum benefit and service to the public.

#### SECTION I.

APPLICANT'S FULL NAME	EMAIL ADDRESS	PHONE NUMBER
<input type="text" value="Lucas &amp; Lisa Messmer"/>	<input type="text" value="lymes@apamecyahed"/>	<input type="text" value="907 305-0555"/>

APPLICANT'S MAILING ADDRESS

APPLICANT'S PHYSICAL ADDRESS

LEGAL OWNER'S FULL NAME (IF DIFFERENT THAN APPLICANT)	PHONE NUMBER
<input type="text"/>	<input type="text"/>

LEGAL OWNER'S MAILING ADDRESS

#### SECTION II.

LEGAL DESCRIPTION	PARCEL ID NUMBER
LOT: <input type="text" value="1"/> BLOCK: <input type="text"/> SUBDIVISION: <input type="text" value="Evergreen Park"/>	<input type="text" value="02-021-208"/>

**CITY & BOROUGH OF WRANGELL**  
**CONDITIONAL USE APPLICATION**  
CONTINUED FROM PAGE 1

**SECTION III.**

**CURRENT ZONING OF PROPERTY**

[Empty box for current zoning of property]

**SECTION IV.**

**DESCRIBE THE REQUESTED USE FOR THE PROPERTY (I.E. SHORT TERM RENTAL, RADIO AND CELL TOWERS)**

Escape Room - bottom floor of house

**SECTION V.**

**CONSTRUCTION SCHEDULE**

Just Remodel downstairs

**BEGINNING DATE:** Sept. 2024 **END DATE:**

**SECTION VI. ACKNOWLEDGEMENTS**

*When necessary to determine compliance with existing conditions, the planning administrator shall request a specific and detailed plan. The plan shall show existing and proposed structures, driveways, parking areas, and roadways, existing and proposed grading. Additional information shall be furnished upon request of the planning administrator.*

*I understand that incomplete applications will not be accepted and that all fees must be paid prior to review of this application. If more than one owner or if more than one parcel is involved, attach all signatures on a separate piece of paper identifying which parcels are owned by which persons. Written authorization of the property owner must be submitted with this application if the applicant is other than the owner.*

**SIGNATURE OF APPLICANT**

[Handwritten signature]

**DATE**

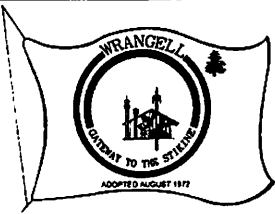
7.18.24

**SIGNATURE OF OWNER (IF DIFFERENT THAN APPLICANT)**

[Empty box for owner signature]

**DATE**

[Empty box for owner date]



**CITY AND BOROUGH OF WRANGELL**  
**PO BOX 531**  
**205 BRUEGER STREET**  
**WRANGELL, AK 99929**  
**PHONE: (907) 874-2381**

**RECEIPT # 48673**  
**7/22/2024**

Item a.

**Received From** You Escape Me  
Po Box 913  
Wrangell, AK 99929  
(907) 874-2022

<u>Lookup</u>	<u>Name</u>	<u>Payment Type</u>	<u>Check #</u>	<u>Amount Received</u>
5259	You Escape Me	Cash		100.00

**Description:**

Conditional Use Permit You Escape Me Room

Planning & Zoning Permit Revenue 100.00

# City and Borough of Wrangell, Alaska

## Planning and Zoning Commission

Regular Meeting August 8<sup>th</sup>, 2024

### Staff Report

**Agenda Item:** New Business, Item 8B

**From:** Kate Thomas, Economic Development Director

**Subject:** Disposition (donation/gift) of Borough Property to the Wrangell Cooperative Association to develop a memorial at Alder Top Village subdivision identified as a portion of Tract A, of the Shoemaker Bay Subdivision, according to Plat No. 87-9. (Following approval of the final plat the property will reflect the new legal description identified as Lots 1 and 10 within Block 1 of the Shoemaker Bay Subdivision II, according to Plat No. XXXX-XX)

#### Background:

With the support of the Commission, Assembly, and public, The City and Borough of Wrangell intends to give two parcels of land within a new subdivision to the Wrangell Cooperative Association (WCA), a Federally recognized tribe, to facilitate the construction of a cupola memorial honoring the Alaska Native people and acknowledging the historical injustices experienced at the Wrangell Institute Boarding School. This decision, reiterated by three separate leaders within the manager's office and supported by staff, reflects a commitment to reconciliation and community empowerment.

Located at the north end of the subdivision and adjacent to federal lands with existing trails and recreational amenities, the parcels offer an ideal setting for the memorial and accompanying green space. This development will not only serve as a powerful tribute to the Tlingit culture and other Alaskan Native groups who attended the boarding school but also enhance the overall appeal and educational value of the subdivision for both residents and visitors. Wrangell Cooperative Association (WCA) will build a Wrangell Institute Memorial at Alder Top Village Subdivision.

#### Review Criteria:

Title 16.12 - Disposition of Public Lands and Tidelands

Title 20.24 - Single Family Medium Density

#### Findings of Fact:

Title 16 of the Wrangell Municipal Code states that the provisions of this chapter shall constitute the formal procedure for the lease, sale, or other disposition of real property for interest in real property or tideland owned by the borough. **Nothing herein shall preclude the Assembly from waiving all of the provisions of this chapter, when in the judgment of the Assembly the public interest so requires, so as to dispose of public lands by lease, exchange, trade, sale, or other disposition of said public lands** when the value of said property, lease, or interest is \$1,000,000 or less (as determined by a qualified appraiser or the borough assessor) and is accomplished by resolution after public notice published 14 days prior to passage of the resolution. To ensure that the disposition of this property offers transparency to the public, staff have deployed the process as set forth by section WMC 16.12.040 Sale of Real Property or Tidelands.

At the request of the City and Borough of Wrangell, the Wrangell Cooperative Association submitted a land application to document the purpose and proposed use of the property. The application initiates the

review process for the disposal of any public lands as per the Wrangell Municipal Code (WMC 16.12). As per the application, “WCA will construct a memorial gazebo on-site, honoring all the tribal citizens who attended the school. The original cupola from the Wrangell Institute will be utilized, along with artwork from across Alaska to acknowledge the groups who attended the Wrangell Institute. Eventually, WCA would like to have a healing totem carved and dedicated to the Boarding School survivors and descendants. Survivors and descendants will be invited to participate in the creation of the totem.”

Based on the Planning Administrator’s interpretation of the code they consider this transaction to fall under the provisions of the Wrangell Municipal Code section 16.12.025 – Disposal of Public Lands for Public Use. While the land may be owned by the Wrangell Cooperative Association, the purpose and intent of the property includes public access. While the development of the residential subdivision is ongoing the subdivision is subject to be zoned “Single-Family Medium Density” (WMC 20.24). The single-family residential – medium density district (SFMD) is intended to include lands away from the core town area that are specifically for one- and two-family dwelling units but with larger required minimum land area. Public utility services are a requirement for this district. The district is primarily for residential development providing a larger area for yards and allowable accessory structures (WMC 20.24.010). There are four categories of accessory buildings and uses permitted within this district, which include parks, playgrounds, and greenspace. The purpose and intent of this land as described by WCA falls within the terms of WMC 20.24.030 - Accessory buildings and uses permitted.

Based on an opinion letter dated October 31, 2023, from the Borough’s Assessor, the value of these two parcels is \$2.50 sq. ft./ \$3.00 sq. ft. respectively which translates to \$43,175 (Lot 10) and \$51,321 (Lot 1), a total value of \$94,496. Attached is the Preliminary Plat which shows the parcel layout of the subdivision. Before the conveyance of the land can take place from the Borough to WCA, a final plat will need to be approved by the Planning and Zoning Commission and Borough Assembly to ensure that the property information and legal description are accurately reflected in the conveyance documents (Title and Deed).

The Planning Administrator with the support of the Borough Manager's office is recommending that the conveyance of the land take place at no expense to the Wrangell Cooperative Association. Typically, expenses incurred in the Borough’s land disposal program include the cost of an appraisal and survey. When land is disposed of through the initiation of an individual person or agency, those expenses are passed onto the interested party as a condition of the sale. In cases where the Borough has developed land or identified lands for public auction/sale, the Borough incurs those expenses. In this instance, the Borough has prepared to incur the costs of the survey and appraisal for the subdivision before the public auction. Therefore, it is assumed that the conveyance of land from the Borough to the Wrangell Cooperative Association does not amount to any additional financial burden than what is already expected from the development project.

**Attachments:**

- 1.) Land Application, 2.) Aerial Map of Properties, 3.) Preliminary Plat

**Recommendation:**

Staff recommends that the Planning and Zoning Commission approve a recommendation to the Borough Assembly to convey the requested land to the Wrangell Cooperative Association at no expense.

**Recommended Motion:**

Move to recommend to the Borough Assembly approval of the conveyance of land identified as Lots 1 and 10 within Block 1 of the Shoemaker Bay Subdivision II from the City and Borough of Wrangell to the Wrangell Cooperative Association (WCA) for the purpose of developing a memorial park within the Alder Top Village Subdivision following the final installation of the public utilities and subject to the approval of the final plat.



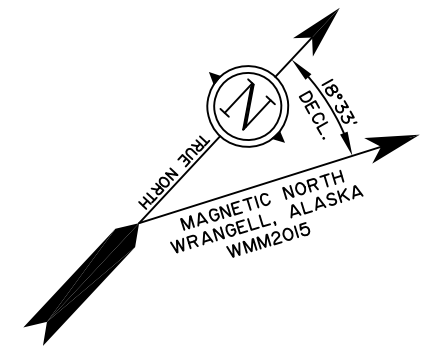
1 inch = 177.280764 feet  
 Date: 7/26/2024

Public Map



**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.  
 PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**

U.S.S. No. 3403

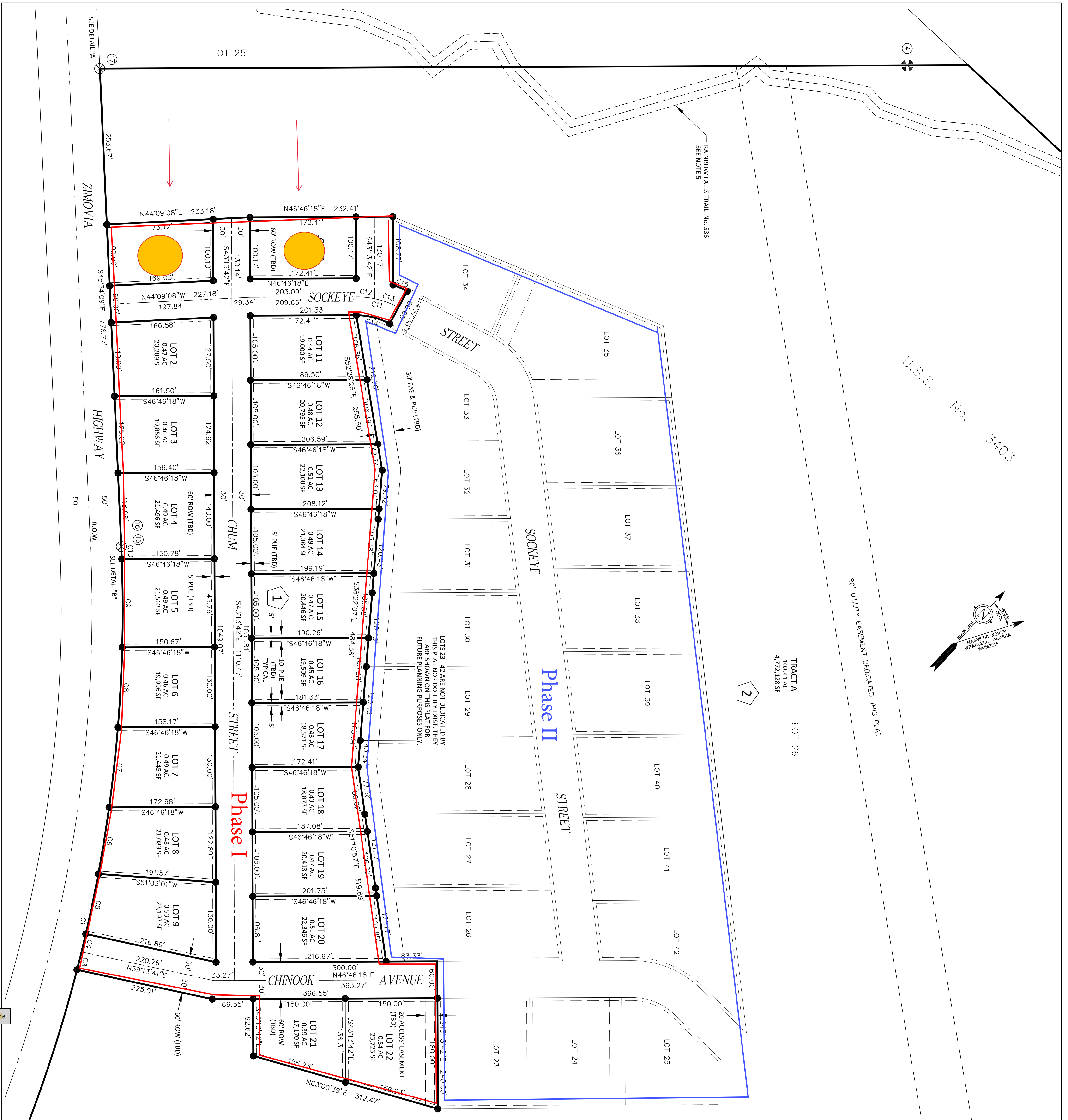


80' UTILITY EASEMENT DEDICATED THIS PLAT

TRACTA A  
108.41 AC  
4,772,128 SF

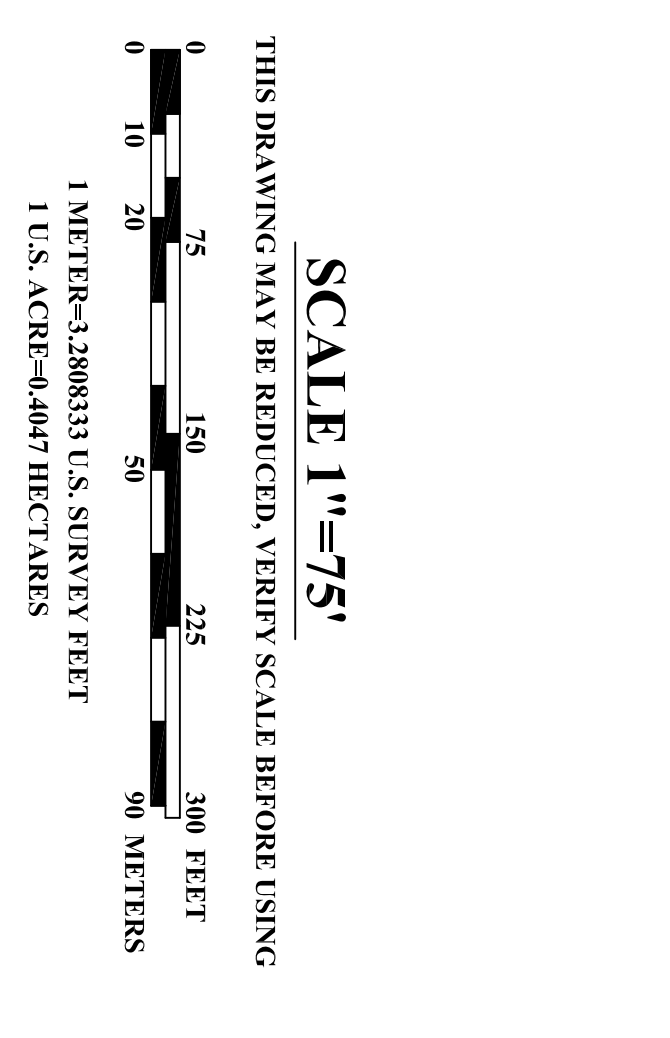
2

RAINBOW FALLS TRAIL, No. 536  
SEE NOTE 5



LEGEND	
	BLOCK NUMBER
	PRIMARY MONUMENT REMOVED THIS SURVEY
	FOUND BLM/GLO MONUMENT
	SECONDARY MONUMENT SET THIS SURVEY
	SECONDARY MONUMENT RECOVERED
	MONUMENT NUMBER
	SET PRIMARY MONUMENT THIS SURVEY
	FOUND PRIMARY MONUMENT
	UNSURVEYED
	SURVEYED
	ROW CENTERLINE
	OVERHEAD ELECTRICAL LINE
	RECORD PER U.S. No. 3709 (PLAT 65-250)
	RECORD PER SHOEMAKER BAY SUBD. (PLAT 87-9)
	RECORD PER U.S. No. 3403 (SUBD. OF LOT 4, U.S.S. No. 3403)
	RECORD PER TRUST LAND SURVEY No. 2018-10 (PLAT 2020-5)
	MEASURED DATA
	PUE PUBLIC ACCESS EASEMENT
	PUE PUBLIC UTILITY EASEMENT
	TO BE DEDICATED TO THE PUBLIC BY THIS PLAT

CURVE TABLE					
CURVE DELTA	RADIUS ARC CHORD	CH	BEARING		
C1	30°09'57"	2343.15	1233.65	N80°29'13"W	
C2	13°07'45"	2343.15	536.93	S21°58'08"E	
C3	0°44'02"	2343.15	30.02	S28°54'01"E	
C4	0°44'01"	2343.15	30.01	S29°38'03"E	
C5	2°26'16"	2343.15	99.70	S31°13'12"E	
C6	2°41'32"	2343.15	110.10	S33°47'06"E	
C7	3°11'59"	2343.15	130.84	S36°43'52"E	
C8	3°11'04"	2343.15	130.22	S39°55'23"E	
C9	3°30'57"	2343.15	143.76	S43°16'24"E	
C10	0°32'19"	2343.15	22.03	N45°18'02"W	
C11	28°35'47"	143.49	71.62	70.88	S61°04'11"W
C12	12°04'04"	143.49	30.22	30.17	S52°48'20"W
C13	16°31'43"	143.49	41.39	41.25	S67°06'14"W
C14	28°35'47"	113.49	56.64	56.06	S67°04'11"W
C15	8°21'49"	173.49	25.33	25.30	S71°11'11"W
C16	0°00'02"	5614.08	0.06	0.06	N45°34'09"W
C17	0°02'27"	2343.15	1.67	1.67	S45°32'58"E



**PRELIMINARY**

SHEET 2 OF 4

RS&M  
RANFANG BERG  
REGISTERED PROFESSIONAL SURVEYOR  
1100 W. 11TH AVENUE, SUITE 300  
TODDIGNON, AK 99001  
Phone: (907) 252-9917  
Fax: (907) 252-9411  
Mobile: (907) 306-4830

**SHOEMAKER BAY SUBDIVISION II**

A SUBDIVISION AND REPLAT OF  
LOT 26, OF U.S.S. No. 3403;  
BLOCKS 1 - 3, & TRACT A, OF SHOEMAKER BAY SUBDIVISION (PLAT 87-5);  
PUBLIC RIGHT-OF-WAY AND UTILITY EASEMENT VACATIONS  
AND  
CREATING  
LOTS 1 - 22 WITHIN BLOCK 1, AND TRACT A WITHIN BLOCK 2,  
SHOEMAKER BAY SUBDIVISION II  
CONTAINING 121.86 ACRES MORE OR LESS

LOCATED WITHIN  
SECTIONS 8 & 12, TOWNSHIP 63 SOUTH, RANGE 84 EAST  
COPPER RIVER MERIDIAN, ALASKA  
WHADELL RECORDING DISTRICT

SURVEYED BY: R&M  
DATE: JULY 2020  
DRAWN BY: MCH  
CHECKED: CGP  
DATE: AUGUST 2020  
R&M PROJECT NO.: 202725





# CITY & BOROUGH OF WRANGELL

OFFICE OF THE BOROUGH CLERK

PO BOX 531 WRANGELL, AK, 99929 | +1 (907) 874-2381  
205 BRUEGER STREET WRANGELL, AK, 99929



CITY & BOROUGH OF WRANGELL  
GATEWAY TO THE STIKINE

## PUBLIC LAND & TIDELANDS PURCHASE APPLICATION

WMC 16.12.010 - 16.12.180

APPLICATION FEE: \$250.00 NON- REFUNDABLE - MUST BE PAID AT TIME OF FILING

*no payment*

OFFICIAL USE ONLY	RECEIVED BY <input type="text" value="Shem"/>	DATE RECEIVED <input type="text" value="7/8/2024"/>	PAYMENT TYPE	CHECK <input checked="" type="checkbox"/>
			CREDIT CARD <input type="checkbox"/>	CASH <input type="checkbox"/>

Applications to purchase borough-owned real property or borough-owned tidelands shall be submitted to the borough clerk. The borough clerk shall submit the application to the planning and zoning commission and if borough-owned tidelands, to the port commission for comments in favor or against the sale.

After the report(s) have been received by the borough clerk from the planning and zoning commission or the port commission (if borough-owned tidelands), the borough clerk shall place the request for purchase on an upcoming regular borough assembly agenda, as a public hearing item, for the assembly to approve moving forward with the sale. All property owners within 300 feet shall be notified by mail regarding the public hearing.

### SECTION I.

APPLICANT'S FULL NAME <input type="text" value="Wrangell Cooperative Association"/>	EMAIL ADDRESS <input type="text" value="wcatrube@gmail.com"/>	PHONE NUMBER <input type="text" value="907-874-4304"/>
--	--	---

APPLICANT'S PHYSICAL ADDRESS

APPLICANT'S MAILING ADDRESS

### SECTION II.

REQUEST TO PURCHASE OR EXCHANGE ..... PURCHASE  EXCHANGE

REQUEST TO PURCHASE TIDELANDS OR REAL PROPERTY ..... TIDELANDS  REAL PROPERTY

PLEASE PROVIDE THE PARCEL ID NUMBER AS WELL AS EITHER THE PHYSICAL ADDRESS OR LEGAL DESCRIPTION OF THE PROPERTY.

PARCEL ID NUMBER <input type="text"/>	PHYSICAL ADDRESS <input type="text" value="Alder Top Subdivision"/>
--	--

LOT: 1 and 10	BLOCK:	SUBDIVISION:
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LEGAL ACCESS TO LOTS (STREET NAME)

CURRENT ZONING OF PROPERTY

LOT SIZE

**CITY & BOROUGH OF WRANGELL  
PUBLIC LAND & TIDELANDS PURCHASE APPLICATION  
CONTINUED FROM PAGE 1**

**SECTION III.**

**INCLUDE AND LIST ANY SUPPORTING DOCUMENTS (I.E. MAPS).**

[Empty box for supporting documents]

**STATE THE PURPOSE AND PROPOSED USE OF THE PROPERTY.**

Wrangell Cooperative Association (WCA) will build a Wrangell Institute Memorial at Aldertop Village. WCA will construct a memorial gazebo on site, honoring all the tribal citizens who attended the school. The original cupola from the Wrangell Institute will be utilized, along with artwork from across Alaska to acknowledge the groups who attended the Wrangell Institute. Eventually, WCA would like to have a healing totem carved dedicated to the Boarding School survivors and descendants. Survivors and descendants will be invited to participate in the creation of the totem.

**DESCRIBE THE IMPROVEMENTS THAT WILL BE ADDED TO THE PROPERTY.**

The property will be cleared and filled as appropriate for the Memorial Gazebo and totem.

**WHEN WILL THE PROPOSED CONSTRUCTION IMPROVEMENTS BEGIN AND WHEN WILL THEY BE COMPLETED?**

START DATE 2025

END DATE 2026

**WHAT IS THE ESTIMATED COST OF IMPROVEMENTS THAT WILL BE ADDED TO PROPERTY?**

COST: \$ 700,000

**DESCRIBE THE EFFECTS THAT THE PROPOSED USE WILL HAVE ON PUBLIC STREETS, PUBLIC FACILITIES, PUBLIC SERVICES, PUBLIC UTILITIES, TRAFFIC, AND PARKING. INCLUDE A PLAN FOR MITIGATING ADVERSE EFFECTS ON STREETS, PUBLIC FACILITIES, PUBLIC SERVICES, PUBLIC UTILITIES, TRAFFIC CONGESTION, AND PARKING, AND A PLAN FOR PAYING ALL ASSOCIATED COSTS.**

No ill effects are anticipated.

**CITY & BOROUGH OF WRANGELL**  
**PUBLIC LAND & TIDELANDS PURCHASE APPLICATION**  
CONTINUED FROM PAGE 2

**SECTION III. (CONT.)**

If the applicant wishes to purchase real property or tidelands for the purposes of economic development, the assembly may determine, in its sole discretion, that it is in the best interest of the Borough to dispose of the property, which has a value of \$1,000,000 or less, without requests for proposals or sealed bid procedures and at less than fair market value. In determining the best interests of the borough under the Wrangell Municipal Code, the assembly may consider any relevant factors, which may include:

- i. The desirability of the economic development project.
- ii. The actual or potential economic benefits to the borough, its economy and other businesses within the borough.
- iii. The contribution of the proponent to the economic development project in terms of money, labor, innovation, expertise, experience and otherwise.
- iv. The business needs of the proponent of the project in terms of integration into existing facilities and operations, stability in business planning, business commitments, and marketing.
- v. Actual or potential local employment due to the economic development project.
- vi. Actual and potential enhancement of tax and other revenues to the borough related to the project.
- vii. Existing and reasonably foreseeable land use patterns and ownership.

**SECTION IV. ACKNOWLEDGEMENT**

*I hereby affirm all the information submitted with this application is true and correct to the best of my knowledge. I understand that incomplete applications will not be accepted and that all fees must be paid prior to review of this application.*

**SIGNATURE OF APPLICANT**

Edward Rilatos

Digitally signed by Edward Rilatos  
Date: 2024.07.05 15:13:08 -08'00'

**DATE**

7/5/24

**City and Borough of Wrangell, Alaska**  
**Planning and Zoning Commission**  
**Regular Meeting August 8<sup>th</sup>, 2024**  
**Staff Report**

---

**Agenda Item:** New Business, Item 8C

**From:** Kate Thomas, Economic Development Director

**Subject:** Request from Wrangell Cooperative Association to purchase Borough owned real property identified as a portion of Lot C of the Healthcare Subdivision, according to Plat No. 2010-4, zoned Open Space Public. (Parcel No. 02-035-310)

---

**Background:** The Wrangell Cooperative Association (WCA) submitted an application requesting to purchase a portion of Lot C, owned by the City and Borough of Wrangell.

As per the application, the purpose of the property purchase is to have enough land for a campus. They could bring additional programs, funding and resources to the Wrangell Community, but do not have enough available land. WCA's vision is to build a large, multi-purpose WCA hall similar to the historic "ANB Hall" for programs and activities on the property adjacent to the WCA Office Building. The hall will have apartments upstairs to increase housing in the community, commercial kitchen, and space for Tlingit language programs, art classes, culture camps, educational opportunities with Earth Branch and Wrangell High School Students, and many other uses.

A multi-use facility will allow the WCA Cultural Center to be used for the original purpose of carving. Also on the property, WCA will host a community garden, recycling station, and a winding handicap accessible path through the campus surrounded by important medicinal and edible plants.

The Wrangell Cooperative Association stated in their application that a land assessment, NEPA (national environmental protection agency) archaeological survey and geotechnical will need to be completed prior to purchase. They anticipate this project to cost an estimated \$4,000,000. WCA anticipates that there will be no negative effects from the proposed use on the surrounding area. Access will be provided via a driveway between the WCA Administrative building and transportation warehouse. They anticipate reduced costs to the City and Borough of Wrangell sanitation program through their recycling program.

**Review Criteria:**

[Chapter 16.12 - Disposition of Public Lands and Tidelands](#)

[Chapter 20.32 - OS District - Open Space Public](#)

[Chapter 20.44 – C District – Commercial](#)

[Chapter 20.52 – Standards \(Drainage, section 20.52.150\)](#)

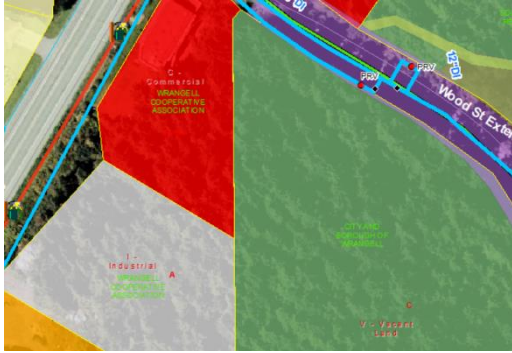
[Chapter 20.76 – Amendments](#)

[Chapter 20.77 – Contract Zoning](#)

**Findings of Fact:**

The Wrangell Cooperative Association owns two parcels of land immediately adjacent to Lot C, which they have requested to purchase a portion of for their own development as described above. As shown in Photo A1 below, Lot C is "vacant land" zoned Open Space Public. The adjoining properties are zoned Commercial (Lot A-1A) and Single Family Residential (Lot A) with a Contract Zone Agreement in place for restricted Light Industrial uses.

Photo - A1



The Commercial District is intended to provide for the continued use and expansion of Wrangell’s commercial center. This land will be regulated to concentrate commercial development and to prevent uses which would have any adverse effects upon nearby properties or would needlessly compete for designated commercial space.

The following are permitted uses in this district: Retail and wholesale businesses; Business and professional offices; Banks; Barbershops and beauty shops; laundries and other consumer services; Restaurants, cafes and bars; Theaters

and assembly halls; Clubs, lodges, fraternal organizations and union halls; Hotels and motels; Government and civic buildings; Second-story residential use; and Animal establishments other than establishments for livestock.

Lot A is zoned single family residential, however as per the contract agreement the Wrangell Cooperative Association is permitted to host restricted light industrial uses on the property, specifically a transportation warehouse, maintenance area and warehouse facility. Restrictions were placed on the property to avoid broader use(s) from being allowed within proximity to a Single-Family Residential area.

Lot C, as shown above, is owned by the City and Borough of Wrangell. The land is vacant and zoned for Open Space Public. Open Space - Public is intended to provide for areas containing public facilities, existing and potential public recreation sites, areas subject to natural hazards, public watersheds and areas of critical wildlife habitat. The purpose of this district is to protect public safety, health and welfare, and to maintain the integrity of significant cultural, natural and recreational resources and provide for public uses consistent with the policies of the coastal management program.

While there may be applicable or like “conditional uses” allowed within Open Space – Public lands, the Planning Administrator has determined that a rezone will be required from Open Space- Public to Commercial to allow the proposed use outright and to ensure the zoning is compatible with adjacent properties and future development.

In consideration of the sale of Lot C and the subsequent rezoning necessary for the proposed use, it is important to note that the Borough has an interest in establishing a “Mixed Use” district within its zoning designations for this area. The new zoning classification would accommodate a broader range of development activities that currently do not fit neatly within the existing zoning designations or are administered by Contract Agreements, which have become a less preferred mechanism for handling zoning issues over time. By establishing a Mixed-Use zone, the community can better manage and support development that blends residential, commercial and potentially other land uses within in single family area. Furthermore, the Comprehensive Plan indicates that small pockets of “commercial development are encouraged in locations that are easily accessible to many residents and where traffic will not create a conflict” (page 120 of 2010 Comp Plan). The Comprehensive Plan specifically references areas surrounding medical facilities as a prospective location for this type of designation. The Wrangell Cooperative Association has been made aware of the prospective change in zoning designations within this area and how that may affect positively or negatively their development.

Lot C is 6.7 acres with legal access provided along Wood Street. The Wrangell Cooperative Association initial request included property up to the existing right-of-way along Wood Street as shown in Photo A2. Following discussion with the Capital Facilities and Public Works Director, staff identified concerns around the impact on existing and future infrastructure. Lot C contains a portion of the Wood Street right-



Photo - A2

of-way which houses infrastructure including water mains, vaults, electrical lines and a stormwater drainage system. To mitigate any concerns here, rather than selling the entire property staff have suggested to WCA that the request be amended to exclude any property within 50 feet of Wood Street, creating a substantial buffer to ensure future access, maintenance and replacement of all critical infrastructure within that corridor.

Photo A3 shows an upland stream (in blue) that traverses Wood Street through a portion of Lot C and Lot A-1A, before it drains into the Borough’s stormwater drainage system. In combination with a minimum 50 feet buffer along all property lines that abut Wood Street, staff recommended to WCA Administrators that they exclude land that includes the upload stream. While concerns related to the stream and runoff from the uplands are secondary to the infrastructure concerns, staff want to prevent such runoff from adversely affecting neighboring parcels. Eliminating the stream from the land sale offsets those concerns. The Wrangell Cooperative Association has agreed to modify their request as recommended by Borough staff.

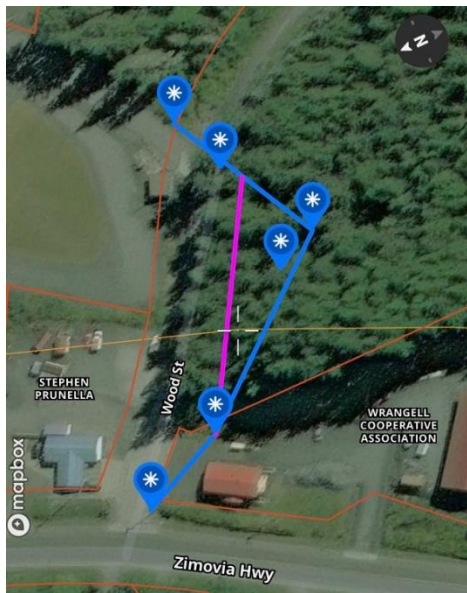


Photo - A3

The Wood Street Construction Projects Photos A4 and A5 on the right above show how the existing infrastructure creates challenges to addressing stormwater runoff from the upland side of the road, as there is little room to create a diversion ditch in the right of way without extending the right of way beyond the electrical vaults and lines. The culvert crosses the road above all the vaults.



Photo - A4



Photo - A5

**Attachments:**

- 1.) Land Application, 2.) Aerial Map of Properties, 3.) Plat No 2010-4

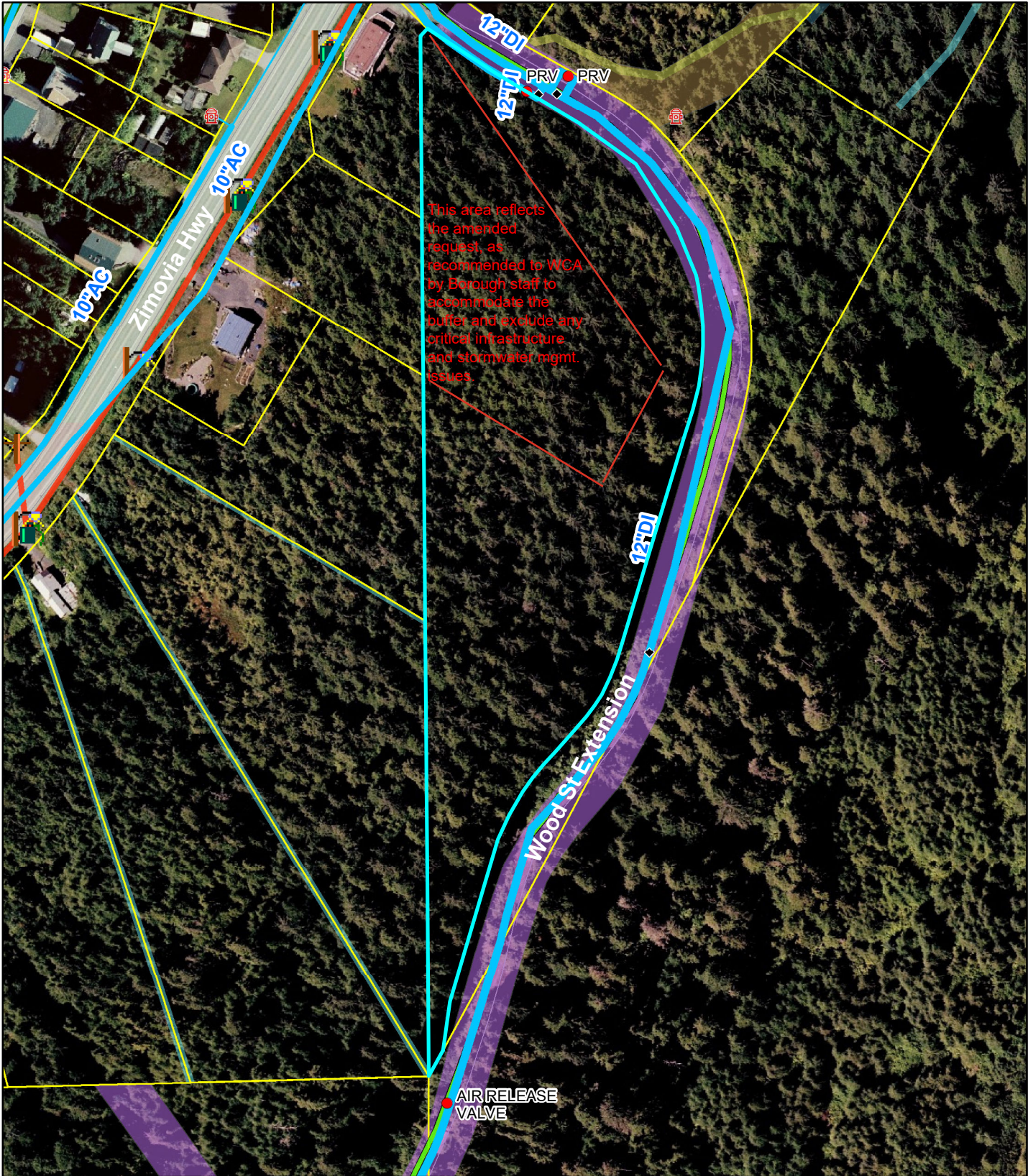
**Recommendation:**

Staff recommends that the Planning and Zoning Commission approve a recommendation to the Borough Assembly to sell a portion of Lot C to the Wrangell Cooperative Association.

**Recommended Motion:**

Move to recommend to the Borough Assembly approval of the sale of a portion of Lot C to the Wrangell Cooperative Association (WCA) for the purpose of expanding their campus to accommodate additional facilities and programs for the benefit of their members and the public with the following conditions;

1. The Planning Administrator provides consultation, review and approval of the new property boundaries during the subdivision and survey; and,
2. All expenses associated with the survey and appraisal are the responsibility of the Wrangell Cooperative Association; and,
3. A minimum of a 50-foot buffer is established between the property and the Wood Street right-of-way; and,
4. All land where the upland stream and runoff conveyance occurs is excluded from the land sale to mitigate any concerns related to drainage and runoff; and,
5. A final determination is made as to whether the zoning designation of this area will be amended to reflect mixed-use zone; and,
6. If a mixed-use zone is not established, a petition is filed by the Wrangell Cooperative Association and approved by the Borough Assembly to rezone a portion of Lot C from Open Space Public to Commercial.



1 inch = 177.280764 feet

24 Date: 7/23/2024

Public Map



**DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY. PROPERTY LINES ARE APPROXIMATE. AERIAL 2002.**



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE 6/18/10  
MAYOR, CITY AND BOROUGH OF WRANGELL

**NOTARY'S ACKNOWLEDGMENT**

U.S. OF AMERICA  
STATE OF ALASKA  
CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS 24<sup>th</sup> DAY OF June, 2010, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Mayor Donald J. McLaughlin, TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND he ACKNOWLEDGED TO ME THAT he SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THE HEREIN WRITTEN.  
Chittie Blamin  
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA  
MY COMMISSION EXPIRES 7-2-2014

**CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)ss**

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF WRANGELL, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF WRANGELL, IN THE NAME OF The City & Borough of Wrangell AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 2010 WILL BE DUE ON OR BEFORE AUGUST 15, 2010, DATED THIS 17<sup>th</sup> DAY OF June 2010.

Carol Bean  
ASSESSOR CITY AND BOROUGH OF WRANGELL

**CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION**

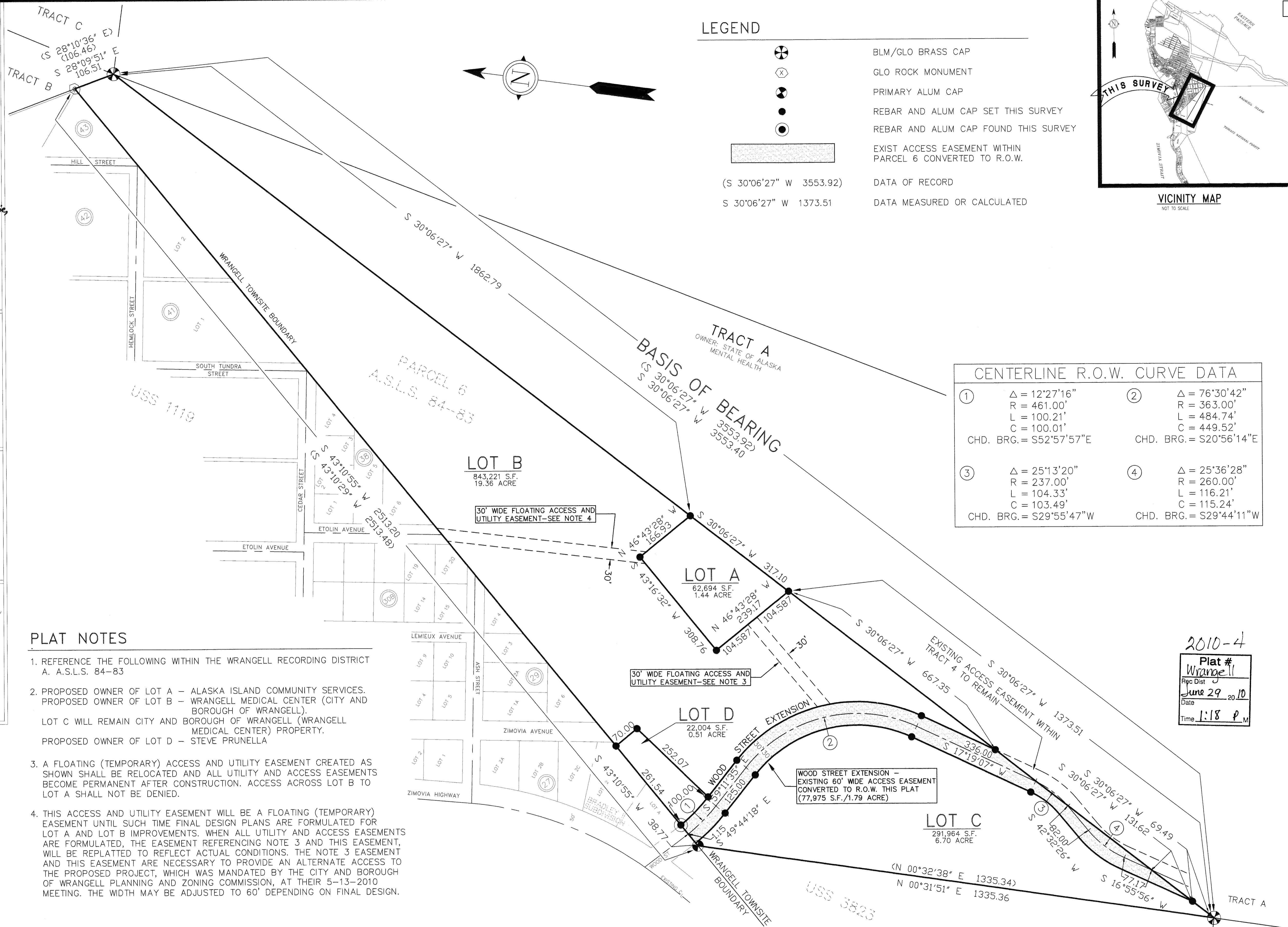
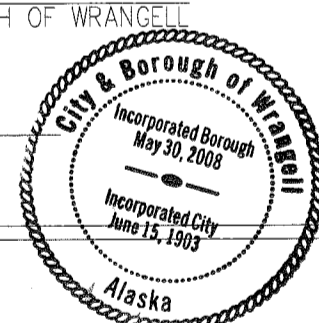
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION NO. \_\_\_\_\_ DATED \_\_\_\_\_ 20\_\_\_\_, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE 6-10-10  
John Taylor  
CHAIRMAN, PLANNING COMMISSION, CITY AND BOROUGH OF WRANGELL  
Javone Klise  
SECRETARY

**CERTIFICATE OF APPROVAL BY THE ASSEMBLY**

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY AS RECORDED IN MINUTE BOOK \_\_\_\_\_ PAGE \_\_\_\_\_ DATED \_\_\_\_\_ 20\_\_\_\_, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, WRANGELL, ALASKA.

DATE 6/24/10  
MAYOR, CITY AND BOROUGH OF WRANGELL  
ATTEST:  
Chittie Blamin  
CITY CLERK



**LEGEND**

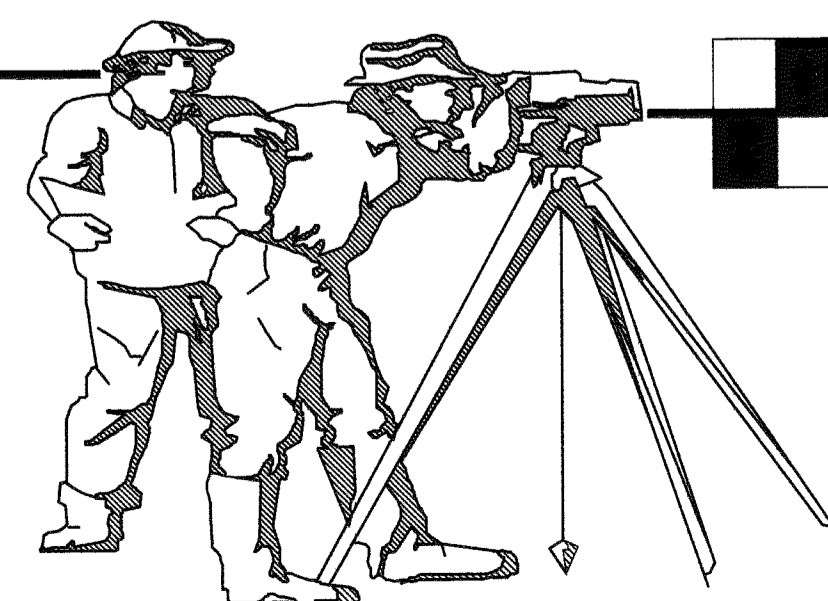
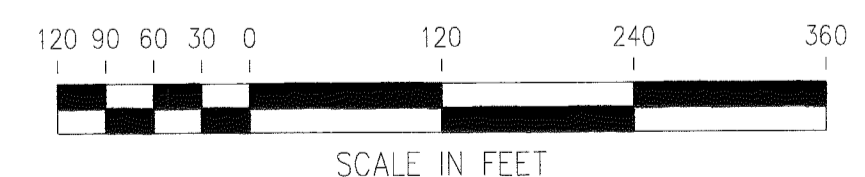
- BLM/GLO BRASS CAP
- GLO ROCK MONUMENT
- PRIMARY ALUM CAP
- REBAR AND ALUM CAP SET THIS SURVEY
- REBAR AND ALUM CAP FOUND THIS SURVEY
- EXIST ACCESS EASEMENT WITHIN PARCEL 6 CONVERTED TO R.O.W.
- DATA OF RECORD
- DATA MEASURED OR CALCULATED

**CENTERLINE R.O.W. CURVE DATA**

①	Δ = 12°27'16"	②	Δ = 76°30'42"
	R = 461.00'		R = 363.00'
	L = 100.21'		L = 484.74'
	C = 100.01'		C = 449.52'
	CHD. BRG. = S52°57'57"E		CHD. BRG. = S20°56'14"E
③	Δ = 25°13'20"	④	Δ = 25°36'28"
	R = 237.00'		R = 260.00'
	L = 104.33'		L = 116.21'
	C = 103.49'		C = 115.24'
	CHD. BRG. = S29°55'47"W		CHD. BRG. = S29°44'11"W

**PLAT NOTES**

- REFERENCE THE FOLLOWING WITHIN THE WRANGELL RECORDING DISTRICT A. A.S.L.S. 84-83
- PROPOSED OWNER OF LOT A - ALASKA ISLAND COMMUNITY SERVICES. PROPOSED OWNER OF LOT B - WRANGELL MEDICAL CENTER (CITY AND BOROUGH OF WRANGELL). LOT C WILL REMAIN CITY AND BOROUGH OF WRANGELL (WRANGELL MEDICAL CENTER) PROPERTY. PROPOSED OWNER OF LOT D - STEVE PRUNELLA
- A FLOATING (TEMPORARY) ACCESS AND UTILITY EASEMENT CREATED AS SHOWN SHALL BE RELOCATED AND ALL UTILITY AND ACCESS EASEMENTS BECOME PERMANENT AFTER CONSTRUCTION. ACCESS ACROSS LOT B TO LOT A SHALL NOT BE DENIED.
- THIS ACCESS AND UTILITY EASEMENT WILL BE A FLOATING (TEMPORARY) EASEMENT UNTIL SUCH TIME FINAL DESIGN PLANS ARE FORMULATED FOR LOT A AND LOT B IMPROVEMENTS. WHEN ALL UTILITY AND ACCESS EASEMENTS ARE FORMULATED, THE EASEMENT REFERENCING NOTE 3 AND THIS EASEMENT, WILL BE REPLATTED TO REFLECT ACTUAL CONDITIONS. THE NOTE 3 EASEMENT AND THIS EASEMENT ARE NECESSARY TO PROVIDE AN ALTERNATE ACCESS TO THE PROPOSED PROJECT, WHICH WAS MANDATED BY THE CITY AND BOROUGH OF WRANGELL PLANNING AND ZONING COMMISSION, AT THEIR 5-13-2010 MEETING. THE WIDTH MAY BE ADJUSTED TO 60' DEPENDING ON FINAL DESIGN.



**GREG SCHEFF & ASSOCIATES**  
LAND SURVEYORS

BOX 1331 WRANGELL, ALASKA 99929  
PHONE (907) 874-2177  
FAX (907) 874-2187

PROJECT:  
**HEALTH CARE SUBDIVISION**  
THE SUBDIVISION OF PARCEL 6, A.S.L.S. 84-83  
CREATING LOTS A, B, C AND D

CLIENT: A.I.C.S.  
BOX 1231  
WRANGELL, ALASKA 99929

**SURVEYOR'S CERTIFICATE**  
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN MAY 2010 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

G. Scheff  
GREGORY G. SCHEFF LS 6700  
DATE 5-27-10



1 OF 1 SHEET	DESIGNED: <u>GGS</u>
	DRAWN: <u>TLS</u>
	CHECKED: <u>GGS</u>
	DATE OF SURVEY: <u>APRIL/MAY 2010</u>
	DATE OF PLAT: <u>MAY 25, 2010</u>
	SCALE: <u>1"=120'</u>
SURVEYOR: <u>GREGORY G. SCHEFF</u>	
PROJECT NO. <u>51575-02-00</u>	

# CITY & BOROUGH OF WRANGELL

OFFICE OF THE BOROUGH CLERK

PO BOX 531 WRANGELL, AK, 99929 | +1 (907) 874-2381

205 BRUEGER STREET WRANGELL, AK, 99929



CITY & BOROUGH OF WRANGELL  
GATEWAY TO THE STIKINE

## PUBLIC LAND & TIDELANDS PURCHASE APPLICATION

WMC 16.12.010 - 16.12.180

APPLICATION FEE: \$250.00 NON- REFUNDABLE - MUST BE PAID AT TIME OF FILING

OFFICIAL USE ONLY	RECEIVED BY <u>Sherrin</u>	DATE RECEIVED <u>7/8/2024</u>	PAYMENT TYPE	CHECK <input checked="" type="checkbox"/>
			CREDIT CARD <input type="checkbox"/>	CASH <input type="checkbox"/>

Applications to purchase borough-owned real property or borough-owned tidelands shall be submitted to the borough clerk. The borough clerk shall submit the application to the planning and zoning commission and if borough-owned tidelands, to the port commission for comments in favor or against the sale.

After the report(s) have been received by the borough clerk from the planning and zoning commission or the port commission (if borough-owned tidelands), the borough clerk shall place the request for purchase on an upcoming regular borough assembly agenda, as a public hearing item, for the assembly to approve moving forward with the sale. All property owners within 300 feet shall be notified by mail regarding the public hearing.

### SECTION I.

APPLICANT'S FULL NAME <u>Wrangell Cooperative Association</u>	EMAIL ADDRESS <u>wcatrube@gmail.com</u>	PHONE NUMBER <u>907-874-4304</u>
--	--	-------------------------------------

APPLICANT'S PHYSICAL ADDRESS  
1002 Zimovia Highway, Wrangell, AK 99929

APPLICANT'S MAILING ADDRESS  
PO Box 2021, Wrangell, AK 99929-2021

### SECTION II.

REQUEST TO PURCHASE OR EXCHANGE ..... PURCHASE  EXCHANGE   
 REQUEST TO PURCHASE TIDELANDS OR REAL PROPERTY ..... TIDELANDS  REAL PROPERTY

PLEASE PROVIDE THE PARCEL ID NUMBER AS WELL AS EITHER THE PHYSICAL ADDRESS OR LEGAL DESCRIPTION OF THE PROPERTY.

PARCEL ID NUMBER <u>02-035-310</u>	PHYSICAL ADDRESS <u>Plat 2010-4</u>
---------------------------------------	--

LOT: <u>c</u>	BLOCK:	SUBDIVISION:
---------------	--------	--------------

LEGAL ACCESS TO LOTS (STREET NAME)  
Wood Street

CURRENT ZONING OF PROPERTY  
Open Space

LOT SIZE  
6.7 AC

**CITY & BOROUGH OF WRANGELL  
PUBLIC LAND & TIDELANDS PURCHASE APPLICATION  
CONTINUED FROM PAGE 1**

**SECTION III.**

**INCLUDE AND LIST ANY SUPPORTING DOCUMENTS (I.E. MAPS).**

Map attached.

**STATE THE PURPOSE AND PROPOSED USE OF THE PROPERTY.**

The purpose of the property purchase is to have enough land for a WCA campus. We currently have much opportunity to bring additional programs, funding and resources to the Wrangell Community, but we do not have available land. WCA's vision is to build a large, multi-purpose WCA Hall, similar to the historic "ANB Hall" for programs and activities on the property adjacent to the WCA Office Building. The hall will have apartments upstairs to increase housing in our community, a commercial kitchen, and space for Tlingit language programs, art classes, culture camps, educational opportunities with Earth Branch and WHS students, and many other uses. A multi-use facility will allow the WCA Cultural Center to be used for the original purpose of carving. Also on the property will be a WCA Community Garden, WCA Recycling Station, and a winding handicapped accessible path through the campus surrounded by important medicinal and edible plants.

**DESCRIBE THE IMPROVEMENTS THAT WILL BE ADDED TO THE PROPERTY.**

The property will be cleared and filled as appropriate for the WCA Hall, WCA Community Garden, WCA Recycling Station and the garden path. A land assessment, NEPA, archaeological survey, and geotech will need to be completed prior to purchase.

**WHEN WILL THE PROPOSED CONSTRUCTION IMPROVEMENTS BEGIN AND WHEN WILL THEY BE COMPLETED?**

START DATE 2025

END DATE 2026

**WHAT IS THE ESTIMATED COST OF IMPROVEMENTS THAT WILL BE ADDED TO PROPERTY?**

COST: \$4,000,000

**DESCRIBE THE EFFECTS THAT THE PROPOSED USE WILL HAVE ON PUBLIC STREETS, PUBLIC FACILITIES, PUBLIC SERVICES, PUBLIC UTILITIES, TRAFFIC, AND PARKING. INCLUDE A PLAN FOR MITIGATING ADVERSE EFFECTS ON STREETS, PUBLIC FACILITIES, PUBLIC SERVICES, PUBLIC UTILITIES, TRAFFIC CONGESTION, AND PARKING, AND A PLAN FOR PAYING ALL ASSOCIATED COSTS.**

There would be no ill effects from the proposed usage.  
Entrance to the campus would be via Zimovia Highway on the driveway between the WCA Administration Building and the WCA Transportation and Maintenance Facility.

Positive effects for public facilities:  
Reduced cost to the CBW for waste shipment, due to recycling.

**CITY & BOROUGH OF WRANGELL  
PUBLIC LAND & TIDELANDS PURCHASE APPLICATION  
CONTINUED FROM PAGE 2**

**SECTION III. (CONT.)**

If the applicant wishes to purchase real property or tidelands for the purposes of economic development, the assembly may determine, in its sole discretion, that it is in the best interest of the Borough to dispose of the property, which has a value of \$1,000,000 or less, without requests for proposals or sealed bid procedures and at less than fair market value. In determining the best interests of the borough under the Wrangell Municipal Code, the assembly may consider any relevant factors, which may include:

- i. The desirability of the economic development project.
- ii. The actual or potential economic benefits to the borough, its economy and other businesses within the borough.
- iii. The contribution of the proponent to the economic development project in terms of money, labor, innovation, expertise, experience and otherwise.
- iv. The business needs of the proponent of the project in terms of integration into existing facilities and operations, stability in business planning, business commitments, and marketing.
- v. Actual or potential local employment due to the economic development project.
- vi. Actual and potential enhancement of tax and other revenues to the borough related to the project.
- vii. Existing and reasonably foreseeable land use patterns and ownership.

**SECTION IV. ACKNOWLEDGEMENT**

*I hereby affirm all the information submitted with this application is true and correct to the best of my knowledge. I understand that incomplete applications will not be accepted and that all fees must be paid prior to review of this application.*

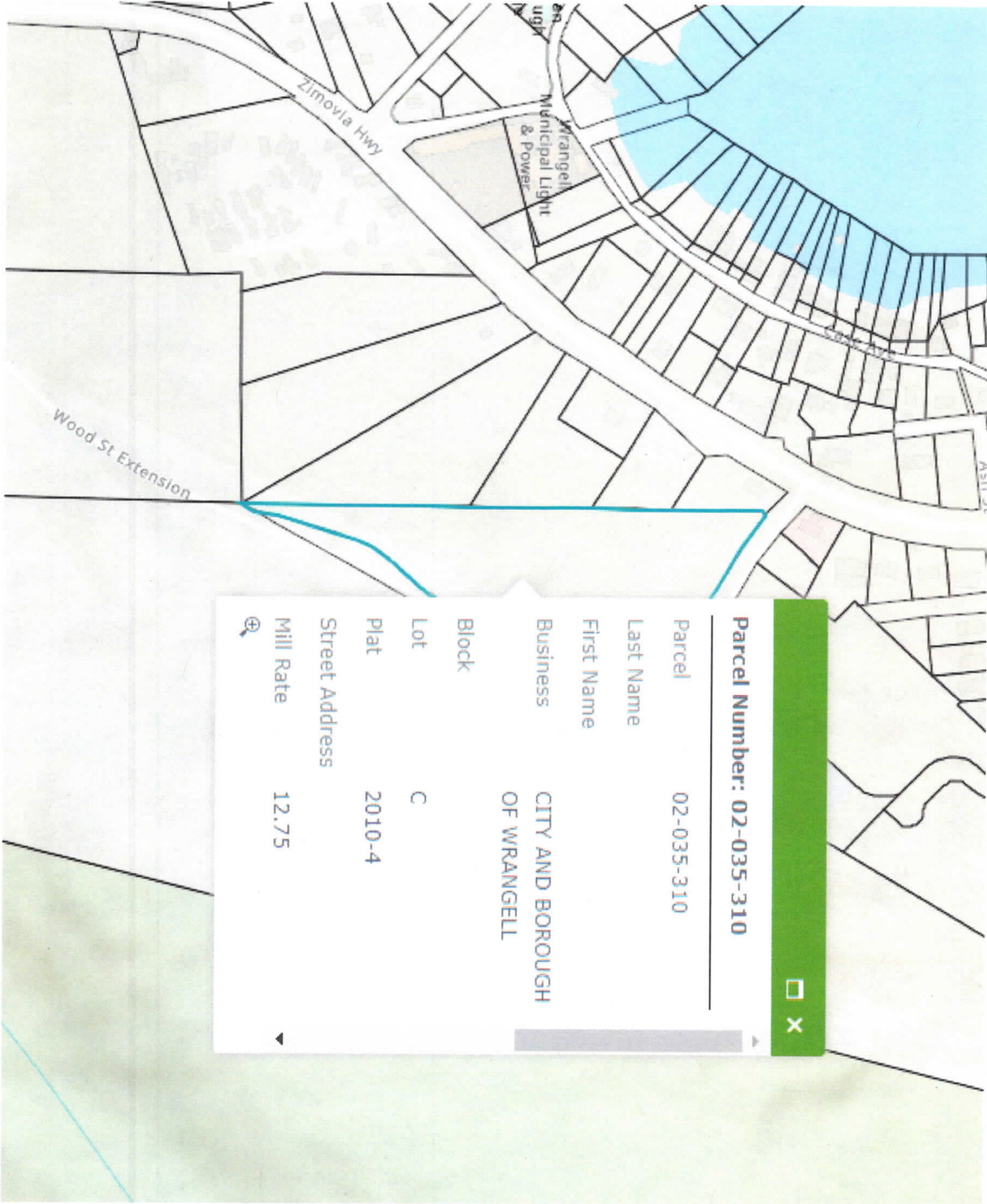
**SIGNATURE OF APPLICANT**

Edward Rilatos

Digitally signed by Edward Rilatos  
Date: 2024.07.05 15:14:04 -08'00'

**DATE**

[Empty box for date]





**CITY & BOROUGH OF WRANGELL**  
Office of the Borough Manager

Office: (907) 874-281 | Fax: (907) 874-2304 | Email: mfvillarma@wrangell.com



**MEMORANDUM**

**DATE:** JULY 29, 2024

**TO:** KATHLEEN THOMAS, ECONOMIC DEVELOPMENT DIRECTOR,  
AND CITY AND BOROUGH OF WRANGELL PLANNING &  
ZONING COMMISSION

**FROM:** MASON F. VILLARMA, *BOROUGH MANAGER*

**CC:** MAYOR GILBERT AND MEMBERS OF THE CITY AND BOROUGH  
OF WRANGELL ASSEMBLY

**SUBJECT:** Petition to Rezone remainder of Lot A-2, Torgramsen-  
Glasner Subdivision, according to Plat 2017-1, zoned Single  
Family Residential changing the zoning district from Single  
Family (SF) to Light Industrial (LI) requested by Phillip Mach

**PURPOSE:**

The purpose of this memo is to document the petition to rezone parcel 03-002-300 and provide clear directions to the Economic Development/Planning Director and Planning & Zoning Commission on how to address the issue.

**BACKGROUND:**

On May 7, 2024, Mr. Phillip Mach requested to rezone his recently purchased property within the Torgramsen-Glasner Subdivisions located along Zimovia Highway just beyond the 1-mile marker. The lot is currently zoned single-family residential, and Mr. Mach requested the property be rezoned light industrial.

On June 13<sup>th</sup>, the Planning & Zoning Commission met to provide a recommendation to the Borough Assembly to approve or deny the rezone request by Mr. Mach. Staff did not recommend approval of the rezone from Single-Family Residential to Light Industrial. Staff recommended that the Commissioners consider a Contract Zone Agreement as an alternative. Commissioners unanimously voted to deny a recommendation to the Assembly to execute a contract for light industrial uses, further stating that they were not in favor of a rezone.

On July 23<sup>rd</sup>, the Economic Development Director and I met with Borough General Counsel to assess the concept of a contract zone. The recommendation from legal counsel is not to engage in further contract zones as they are disfavored in court and can prove to be a legal liability for the Borough. Additionally, the Borough Assembly met for the first reading and public hearing of

Ordinance 1062 - amending the zoning map to effect a change to lot a-2, Torgramsen-Glasner subdivision from single-family residential to light industrial.

Testimony was provided by Bruce Smith (property owner adjacent to the property seeking rezone), Mr. Mach, and his business partner in the public hearing. I recommended the Borough Assembly to approve Ordinance 1062 for a second reading. With a vote of 5 for and 2 against, the Borough Assembly approved moving forward to a second reading of Ordinance 1062.

**BASIS FOR RECOMMENDATION TO BOROUGH ASSEMBLY:**

Opposing the recommendation of the Planning & Zoning Commission is not something I take lightly. I appreciate their hard work and commitment to provide good counsel to the Borough Assembly on how to guide and regulate land use development. That said, my basis in providing the recommendation to approve Ordinance 1062 is rooted in the fact that the two contract zones approved in the area have opposed general counsel's guidance, challenged the comprehensive plan, and ultimately created inequities in the subdivision.

The Borough has allowed for two contract zones in the general area. In October of 2016, the Borough approved a contract zone for Mr. Glasner to rezone Lot C, of the Torgramsen-Glasner Subdivision, according to Plat No. 2016-2. The contract zone provided a 10-year term with provisions around a vegetative buffer, lighting, and the explicit use of the property for storage units. In reviewing the minutes of the Planning & Zoning Commission, the main intention of approving this contract zone was that it would provide a buffer between the Panhandle trailer court that is zoned Multi-Family, and a Single-Family Residential area.

Again, in April of 2018, the Borough Assembly, approved a contract zone for the Wrangell Cooperative Association for the purpose of constructing a transportation warehouse facility on Lot A of the Torgramsen-Prunella Subdivision, according to Plat No. 2015-3. In review of the staff memo documenting the Planning & Zoning meeting held on December 23, 2015, the Commission recommended approval of the contract zone because the "activities of the proposed use provides benefits to the community." The Commission went on to say that the contract zone opposes the Future Residential Growth of the Comprehensive Plan and does not fall within the Future Growth Map (Figure 6-18). For reference, the lot that was rezoned under the contract zone is immediately adjacent to a Single-Family Residential lot (Parcel 03-002-304) that is now owned by Bruce Smith.

In both cases the Economic Development/Planning Director at the time (Carol Rushmore), recommended to deny the contract zones. Mrs. Rushmore's basis in recommending denial of both contract zones is provided below:

**June 8, 2015**

**RE: Glasner Contract Zone Request**

*Staff recommends to the Commission to not recommend a zone change from Single Family Residential to Light industrial due to the potential impacts the district's permitted uses could have on the residential nature of the area.*

**November 9, 2015**

**RE: WCA Contract Zone Request for Transportation Building**

*At this time, Staff's recommendation is based on land use issues, not on the economic potential of the proposed use, and staff recommends not to approve the contract zone for the*



*Transportation office and equipment storage and maintenance as proposed. The land is zoned Single Family and while there are other Light Industrial uses nearby, the proposed uses of WCA could very well generate enough impacts as to affect the Single-Family residential nature of the existing residences and SFR zoned land.*

Despite this recommendation, the Planning & Zoning Commission recommended to approve both contract zones, and the Assembly did.

Ultimately, both contract zones were supported by the Planning & Zoning Commission as they provided a perceived benefit to the community. This precedent, coupled with an attorney's recommendation to not engage in contract zones, puts the Borough at a crossroads. My recommendation to approve the petition to rezone for Mr. Mach was intended to provide equity, however, after further consideration, a complete rezone to light industrial, allows for disparity to Mr. Smith as he has no assurance that the land use will be limited to the development proposed by Mr. Mach.

**DIRECTION TO ECONOMIC DEVELOPMENT DIRECTOR AND PLANNING & ZONING:**

While the Assembly approved the motion to a second reading of Ordinance 1062, their reluctance to do so was expressed with valid concerns. It is clear they want to find a solution that will amend the precedent of the past while also allowing for similar developments to take place commensurate to that of those provided by established contract zones in the area.

To solve this issue at hand, I would direct the Economic Development Director and Planning & Zoning Commission as follows:

- Create a new zoning designation in the Wrangell municipal code that allows for multi-use activity and provide a recommendation to the Borough Assembly on how to rezone the entire area.
- Eliminate contract zones either at expiration or by execution of a mixed-use rezone (described above).
- Review Chapter 20.68 Conditional Uses and 20.72 Variances of the Wrangell Municipal Code and reconcile the differences with State statute. Provide a recommendation to improve the code such that conditional uses and variances may be used as a helpful tool for the Borough in the future.

I request that the proposal be brought to the Borough Assembly no later than October 8<sup>th</sup>, 2024.

Sincerely,

*Mason F. Villarma*

Mason F. Villarma  
Borough Manager  
City and Borough of Wrangell