

Thursday, October 09, 2025 6:30 PM

City Hall

Location: Borough Assembly Chambers

Planning & Zoning Commission 6:30 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 Planning and Zoning regular meeting minutes from August 14, 2025.
 - **b.** Approval of the Planning and Zoning regular meeting minutes from September 25, 2025.
- 6. DIRECTORS REPORT
- 7. CORRESPONDENCE
- 8. PERSONS TO BE HEARD
- 9. NEW BUSINESS
 - a. (PH) Request from Twyla Nore to purchase a portion of Borough-owned real property identified as Lot 6A (APN 02-033-154) of the Dan Nore Subdivision, according to Plat No 90-2, zoned Multi Family Residential, within the Wrangell Recording District.
 - <u>b.</u> (PH) Request from Brian Ashton to purchase a portion of Borough-owned real property identified as Lot 6A (APN 02-033-154) of the Dan Nore Subdivision, according to Plat No 90-2, zoned Multi Family Residential, within the Wrangell Recording District.
- 10. UNFINISHED BUSINESS
- 11. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS
- 12. ADJOURNMENT

Minutes of Planning & Zoning Commission Held on August 14, 2025

1. CALL TO ORDER: 5:30 PM

2. ROLL CALL:

PRESENT: Kat St. Clair, Terri Henson, Gary Watkins, Jillian Privett, Apryl Hutchinson

ABSENT: None

STAFF: Kate Thomas, JR Meek

3. AMENDMENTS TO THE AGENDA: None

4. CONFLICTS OF INTEREST: None

5. APPROVAL OF MINUTES

- a) Approval of the Planning and Zoning regular meeting minutes from July 10, 2025.
- b) Approval of the Planning and Zoning special meeting minutes from July 17, 2025.

M/S: Privett/St. Clair.

Approved by Commission.

6. DIRECTORS REPORT:

Staff provided an administrative update on ongoing efforts to strengthen economic development through strategic partnerships. A work session with Alaska Marine Lines has been scheduled for Thursday as an initial step toward fostering cooperation and long-term planning aligned with Wrangell's economic development goals.

7. CORRESPONDENCE: None

8. PERSONS TO BE HEARD:

Public hearing will open for individual items under New Business.

9. NEW BUSINESS:

a) (PH) Request from Brett Woodbury to purchase Borough-owned tidelands identified as Lot 12 and Lot 13, Block 12A of the Wrangell Townsite, according to Plat No 39-03, Zoned Waterfront Development.

Public Hearing Opened. No comments. Public Hearing Closed.

M/S: Hutchinson/Privett

Move to recommend that the Borough Assembly approve the sale of Lots 12 and 13, Block 12A, Evergreen Avenue to BW Enterprises, subject to the following conditions:

- 1. Submission and Borough approval of a detailed development plan.
- 2. Reservation of required utility and stormwater easements.

- 3. Approval of an engineered access plan ensuring slope stability and compliance with roadway safety standards.
- 4. Coordination with the Alaska Marine Highway System to establish operational restrictions protecting navigational safety.
- 5. Completion of a legal survey and plat prior to closing if necessary.

Staff presented background information on the parcel and acknowledged comments from Alaska Marine Highway Director, Craig Tornga and marine operations representatives regarding navigational concerns. Staff have noted that there are ways to mitigate impacts in the development of the site and access from the waterway.

Hutchinson inquired about driveway placement; staff responded that the Public Works and Capital Projects Department will be required to review placement and permitting for a driveway along Evergreen Ave. Watkins expressed concerns under Title 16 regarding the sale of tidelands and asked whether the Assembly had authorized such sales in the past. Specifically, Watkins cited the code section 16.12.030, "The policy of outright disposal by sale of tidelands and submerged lands is not favored". Watkins inquired as to whether or not the same development could take place under a leased agreement, rather than outright sale. Staff confirmed that the Borough has sold tidelands in the past by application, often providing preference to uplands property owners.

Staff clarified that while some Wrangell tidelands are leased, many are owned by private parties due to historic sales. Municipal Code updates were adopted to reconcile language inconsistencies between leasing and selling tidelands. Staff referenced the historical land transfer between the state and the Borough through statutes 820 and 825, which have covenants and restrictions on the management and/or sale of the land. Review of Brett Woodbury's original application was delayed ensuring that these tidelands were not subject to statute 825 which restricts the sale of tidelands. The tidelands in question can be sold under statute 820, although the state maintains mineral and any other subsurface rights, as well as prohibition of harvesting herring.

Staff shared that the tidelands sale is also subject to labor/land trade whereby the Borough is proposing to leverage the value of the land towards construction of a parking lot along Reid Street to improve the public-school parking access for regular operations and events. Sale of these tidelands allows for that value to be created, whereas the leased option would not accomplish the same.

Chair Henson noted that the area in question is not frequently accessed by the public and was historically associated with a barge ramp. Privett questioned whether the transaction was a sale or a trade. Chair Henson responded that the Commission is not determining a sale or trade but rather forwarding a recommendation to the Assembly. If this parcel is deemed unsuitable, alternative lots of equal value could be identified for consideration.

Polled Vote. Henson, Privett, St. Clair, Hutchinson - Yes. Watkins - No.

b) (PH) Petition to amend the zoning designation for Lot 6A of the Mitchell-Buhler Replat, according to Plat No. 2015-13, Zoned Industrial, changing the zone to Rural Residential 1, owned and requested by Kristine Mitchell and Michael Chesna.

Public Hearing Opened. No comments. Public Hearing Closed.

M/S: Privett/St. Clair

Move to approve the findings of fact and recommend to the Borough Assembly approval of the zoning amendment request submitted by Kristine Mitchell and Michael Chesna, to rezone Lot 6A, Mitchell-Buhler Replat, Plat No. 2015-3, from Industrial Development (I) to Rural Residential 1 (RR-1).

Staff reported that the application seeks to rezone property from Industrial to Residential. Although the lot is zoned industrial, it is adjoined by a Rural Residential property to the north. The current property owners are seeking the rezone following a Building Permit (after the fact) application which could not be approved as the proposed use is not in line with the exisiting zoning designation. While property owners considered maintaining the zoning designation, they determined that they would like to build out the property for residential purposes.

Watkins inquired about how long the property has been zoned industrial. Staff was unable to state the exact timeline, although it is suspected that the industrial designation has been long standing as the property was previously owned by the former owners of the Deep-Water Port (former sawmill) across the street. The property was considered accessory to the main waterfront industrial complex across the street. Chair Henson added that the parcel has seen no industrial development to date, and rezoning could enable meaningful residential growth in the area, noting it affects only one portion of the industrial zone.

Polled Vote. All in Favor.

c) (PH) Petition to amend the zoning designation for Lot 7A of the Mitchell-Buhler Replat, according to Plat No. 2015-3, Zoned Industrial, changing the zone to Rural Residential 1, owned and requested by Duke Mitchell.

Public Hearing Opened. No comments. Public Hearing Closed.

M/S: Privett/St. Clair

Move to approve the findings of fact and recommend to the Borough Assembly approval of the zoning amendment request submitted by Duke Mitchell, to rezone Lot 7A, Mitchell-Buhler Replat, Plat No. 2015-3, from Industrial Development (I) to Rural Residential 1 (RR-1).

This item is related to 9b, therefore no discussion was required.

Polled Vote. All in favor.

d) (PH) Conditional Use Permit application for a retail space for a cottage industry business on Lot 19 (APN 03-009-208) of the USS3403 Subdivision, according to Plat No. 73-2, zoned Rural Residential 1, owned and requested by Lindsay McConachie.

Public Hearing Opened. No comments. Public Hearing Closed.

M/S: Hutchinson/Privett

Move to approve the Findings of Fact and the Conditional Use Permit application submitted by Lindsay McConachie for a small retail cottage industry business, subject to the 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 goods classified under cottage industry.
- 3. The hours of operation for customer pickups shall be limited to 8:00 AM- 10:00 PM.

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

Staff clarified that the cottage industry business will be located off the Shoemaker Loop Rd. and is expected to have negligible impact on nearby residences.

Polled Vote. All in Favor.

e) (PH) Conditional Use Permit application to construct a communication tower on Lot 8, Block 5 of the Wrangell Island West Subdivision, according to Plat No. 83-11, zoned Rural Residential 1, owned by Rick Andersen, requested by Central Council of Tlingit and Haida Indian Tribes of Alaska.

Public Hearing Opened.

Leilani Sanford addressed the Commission in opposition to the Conditional Use Permit request. She expressed strong concerns regarding the potential health impacts associated with the construction and operation of a 250-foot telecommunications tower by Tidal Network. Citing a variety of online sources and studies. Leilani warned of possible long-term health detriments related to electromagnetic radiation exposure from 5G infrastructure. She additionally raised concerns about the visual and environmental impacts of the tower, noting its height and potential to disrupt the surrounding natural landscape. Leilani questioned whether the tower would draw significant power to operate and speculated that residents may need to reduce personal energy use to compensate. She further argued that Wrangell is already adequately served by existing providers such as AP&T and Starlink and stated that residents have expressed a preference for those providers as the costs are comparable. She concluded by stating the proposed tower would provide little to no benefit to the residential neighborhood and requested that the Commission deny the permit.

Tyler Ribera spoke next in opposition. He asserted that the proposed tower is incompatible with the rural residential character of the subdivision and claimed that the structure would require aviation lighting based on its proposed height. Tyler argued that the tower would be clearly visible from nearby homes and would negatively impact the visual appearance. In addition to aesthetic concerns, he emphasized the possibility of declining property values and reinforced Leilani's concerns regarding potential health effects associated with 5G towers. Tyler requested that the Commission declare the CUP application incomplete until the applicant provides comprehensive documentation regarding public health impacts and RF compliance. He stated that the applicant should include alternative analysis, reduced height options or co-location to complete the application. Tyler closed by emphasizing that the rural residential zoning designation was chosen by the community to reflect the desired land use pattern, and that introduction of a large-scale telecommunications tower would directly undermine that purpose.

Sylvia Ettefagh also provided testimony in opposition. She expressed that the CUP application was incomplete, incompatible with surrounding land use, and inconsistent with the community character. Sylvia emphasized that residents in the area had intentionally chosen to live in a rural residential setting and that the presence of a 250-foot tower would significantly alter that environment. She stated that not all neighbors had received proper notice of the proposed construction and urged the Commission to consider whether the notification process had been sufficiently carried out. Sylvia also argued that the structure could be relocated to a less populated or more industrialized area. She noted that there is currently no conclusive scientific consensus regarding the public health and safety implications of such infrastructure and therefore the benefit of the tower is questionable. She further stated that the proposed tower

would not be screened by trees and would remain visible from many homes in the area. Given the other service providers the application offers little to no benefit to the immediate neighborhood.

Jerry Cochran, representing the Central Council of Tlingit and Haida and Tidal Network, spoke in response to public comment and in support of their proposed development. Jerry provided clarification regarding the project's objectives and addressed the concerns raised. He explained that the project is part of an effort to expand broadband and telecommunications coverage to underserved rural areas in Wrangell and Southeast Alaska. The 12.5-mile location was selected based on preliminary engineering evaluations that indicated optimal line-of-sight and minimal topographic interference. Jerry noted that Tidal Network works with professional engineers to ensure the highest standards of safety, compliance, and service quality. While acknowledging that the scientific data surrounding 5G health impacts remains inconclusive in some studies, he emphasized that the project adheres to all applicable federal safety guidelines and is intended to benefit the broader community, not just tribal citizens.

St. Clair asked whether the network service would be exclusive to Tlingit and Haida citizens. Jerry responded that the network would be available to all Wrangell residents and was designed to serve the broader public, especially those in remote and less connected regions.

St. Clair followed up by asking why this particular residential parcel had been selected for the project, and why the tower could not be placed in a less populated area. Jerry explained that several alternative locations had been investigated, but that property availability and landowner willingness were significant barriers. The subject parcel, owned by Rick Andersen, was identified as suitable from an engineering standpoint and was one of the few locations where the landowner was open to discussions.

Chair Henson opened the floor for additional questions from the public.

Watkins asked what geographic area would receive coverage from the proposed tower. Jerry estimated that the signal could extend 10 to 20 miles, depending on the surrounding terrain and line-of-sight conditions. When asked who specifically would fall within the tower's direct coverage zone, Jerry acknowledged that he did not have access to precise RF coverage maps at the time but would provide them upon request and additional studies from the engineering firm are made available to present.

Sylvia inquired how engineering had accounted for the line-of-sight analysis. Jerry stated that the firm had completed preliminary studies and that engineering and topographic assessments were performed to identify the best-available parcel between 10 Mile and 13 Mile. However, he did not have copies of those studies available to present at the meeting and committed to sharing them with the Commission in the future.

Tyler asked about mitigation strategies and how Tidal intended to address the impact of the tower on neighboring properties. Jerry responded that the coverage provided would offer cost savings and enhanced access to digital services for many rural residents.

Sylvia asked whether any additional sites had been evaluated, and whether RF studies had been completed in less residential areas. Jerry confirmed that the engineering team had conducted a site selection study over a wide radius, and that the selected parcel was technically viable along with landowner interest to sell property. He stated that many surrounding property owners declined to sell or lease their land for this purpose.

Rick Andersen, the current property owner, briefly addressed the Commission. He noted that he had initially intended to sell the parcel for residential use, but after no acceptable offers materialized, he opened discussions with Tidal. Rick expressed that the land sale and subsequent use remained under consideration and had not yet been finalized, and that any future action would depend on the outcome of the permit process.

Tyler commented that the existing access road to the proposed site is poorly maintained and would likely require improvements prior to construction if the permit passes through Commission.

Chair Henson thanked the participants for their comments and closed the public hearing.

Public Hearing Closed.

M/S: Privett/St. Clair

Move to approve the findings of fact and the conditional use permit request for a 250-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 back-up power supply only and muffled as much as possible.

Hutchinson initiated the discussion by requesting clarification regarding the RF (radio frequency) studies used to determine the safety and coverage specifications of the proposed telecommunications tower. She asked whether any site-specific studies had been conducted in relation to the Wrangell location and whether documentation could be provided for the Commission's review. Jerry responded that the project follows all applicable federal RF exposure and emission guidelines. He acknowledged that while engineering analysis had been completed, the technical documentation had not yet been submitted to the Commission, but he committed to providing RF compliance reports and coverage maps at a later date.

Privett expressed that access to these technical studies would be critical for fully understanding the project's impact. She shared concerns that reliance solely on federal guidelines may not fully address the sensitivity or needs of a rural residential community. Privett encouraged the applicant to host additional public hearings or community listening sessions to gather feedback and more accurately assess the neighborhood response to the project. She further emphasized that some residents may not want or need Tidal Network coverage and questioned whether service through Tidal would-be opt-in or required if infrastructure is established in the area. Privett requested that the applicant take these issues seriously and continue working toward a transparent, data-supported proposal that genuinely reflects the needs and consent of the surrounding community.

Chair Henson then directed additional technical questions to Jerry, specifically regarding the presence of lighting on the tower. Staff follow up with more questions in regard to required ground-level amenities, and whether the applicant would consider a reduction in tower height to mitigate visual impacts. Jerry explained that the proposed structure would not include lighting unless explicitly required by the Federal Aviation Administration (FAA). The FAA determination has not been received. He noted that lighting requirements are regulated and that Tidal has no

intention of installing tower lighting beyond what is federally mandated. In response to the question of tower height, Jerry stated that reducing the structure to 150 feet would significantly degrade coverage effectiveness. If the 250-foot height cannot be approved, he indicated that Tidal may be forced to abandon the proposed location altogether, as the site would no longer meet engineering or service standards. He added that if the permit were denied, the company would need to "go back to the drawing board" to reassess network coverage strategy and alternate siting.

Chair Henson acknowledged that while several concerns had been raised throughout the evening, the most consistent issue across both public testimony and Commission deliberation was the matter of visibility, particularly the potential for tower lighting to negatively impact adjacent properties. She affirmed that such design details could influence the Commission's final decision and encouraged the applicant to return to the Commission with more complete information, including visual impact simulations, engineering studies, and clearer documentation on community outreach. She invited Jerry to remain engaged with staff and return to a future meeting with additional materials and answers to questions raised by the public.

Staff confirmed that they would follow up with Tidal Network on next steps, including information requests, study submissions, and coordination on potential resubmittal. While the application is being denied in its current form, Tidal Network can re-apply with an amended application.

Polled Vote. Denied motion. All Commissioners voted no.

f) (PH) Proposed land exchange of borough real property identified as Lot 5A of the Spur Road Subdivision, according to Plat No. 98-13, zoned Industrial Development, owned by the City and Borough of Wrangell, exchanging the land with the State of Alaska Mental Health Trust Land Office.

Public Hearing Opened. No comments. Public Hearing Closed.

M/S: Watkins/Privett

Move to recommend that the Borough Assembly approve the exchange of Borough-owned Lot 5A, Spur Road Subdivision, with the Alaska Mental Health Trust Land Office, subject to the completion of appraisals, rezoning, buffering, and provision of on-site water and wastewater systems, as outlined in the staff report.

Staff presented an administrative report detailing the objectives of the proposed exchange. Staff noted that the Borough does not currently possess the capacity to develop the Lot 5A property to its full potential, whereas the Mental Health Trust has both the legal authority and development experience to generate value from the parcel, including potential timber sales prior to subdivision development.

Staff clarified that while the parcel is currently zoned Industrial Development, a zoning amendment would be required if TLO seeks residential development. Currently, there is no water or sewer service to the property, although electrical service is located nearby. TLO would be required to subdivide with adequate sizing for onsite water and septic systems, as well as extension of electrical services to the property.

Watkins inquired whether Borough was pursuing specific parcels in exchange. Staff stated that the Borough is seeking land held by TLO of equal value to advance other economic initiatives. Although details remain confidential pending final negotiations, the Borough intends to seek

properties better suited for industrial development that could attract future business partnerships.

Hutchinson asked about the status of land surrounding the Muskeg Meadows Golf Course. Staff stated that the Borough currently holds a prime lease with the State Department of Transportation and subleases to Muskeg Meadows.

That area may then be subdivided and offered to TLO as part of an exchange package. Staff emphasized the value of engaging with TLO due to their strong development track record in nearby communities, including Ketchikan. Staff also referenced properties within the Wrangell Island East subdivision which were held by TLO and auctioned through a public lands' sale.

Staff highlighted that by exchanging this land with TLO there will be a loss in inventory of industrial designated lands. Staff shared that the Borough is actively working to withdrawal lands in holding for wetlands mitigation that are located in the area surrounding the industrial park subdivision along Bennett Street to help bolster industrial designated properties to fuel future demands.

Should the exchange be approved, the Borough will issue public notice and disclose the final terms prior to execution.

Polled Vote. All in favor.

10. UNFINISHED BUSINESS:

a) Final Plat review of a Replat of Lot 38 of US. Survey 2673 (APN 05-039-100) of the Ketchikan Recording District, Zoned Remote Mixed-Use Meyers Chuck, creating Lots 39A and 39B of the Peavey Subdivision owned and requested by Melissa Peavey.

M/S: Privett/St. Clair

Move to approve the final plat for the Peavey Subdivision, a replat of Lot 38 of U.S. Survey 2673, creating Lots 39A and 39B, as requested by Melissa Peavey.

Polled Vote. All in favor.

11. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS:

Chair Henson inquired about the status of enforcement related to the Broad property. Staff confirmed that progress had been made regarding debris and rubbish removal, although no other progress has been documented related to the trailer and right-of-way obstruction. The next step is to fine the property as it advances to the Borough Assembly. Legal consultation continues as the Borough seeks compliance with property owners. If violations are not resolved by August 22, water line services may be shut off on the property.

Chair Henson also noted she will be absent for the September 11, 2025, Planning & Zoning meeting, but highlights a possibility of attending via phone call.

12. ADJOURNMENT: 7:18 PM

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ATTEST:		
J.R. Meek, Secretary	Terri Henson, Chair	

9/14/ e ltem a.

I am opposed to the communications tower proposed location at lot 8 block 5 of the Wrangell island west subdivision for the following reasons.

Health concerns. More studies need to be done on the long term effects of RF on humans. I've attached a PubMed study reviewing the existing scientific literature. This shows results of 3 types of effects of living near towers. Considering the all the studies reviewed globally 73% showed effects of RF. 73.9% RF sickness, 76.9% cancer, and 75% changes in biochemical parameters. I'm concerned for my family's health and don't want to find out in 5 years that we all have cancer from living 500ft from a communications tower.

Appearance. At 250 feet tall all the surrounding properties will be within sight of this tower. If as the permit application says "much of the surrounding timber will likely limit the adjacent residences' viewshed of the tower itself; therefore, there are no anticipated appearance issues." the tower would be useless as it wouldn't stick up above the trees. This tower will be clearly visible from all the surrounding properties as well as the highway. if you disagree go take a look at the tower currently being installed in the 3 mile area. The tower proposed at the 12 mile area is 100 feet taller.

Power consumption. Towers use from 1-10 kw, so if we say an average of 5kw it translates to approximately 120 kWh per day. The average household consumes about 30kWh per day. Since the city routinely asks residents to conserve their power, this tower will be an unnecessary burden on our local resources.

Property values. According to the National association of Realtors property values decrease anywhere from 2-20% for homes within 1500 feet of communication towers. The 20% being for homes within sight of the tower.

Redundancy. Ap&T and Starlink are already available in this area, in addition to cell phone service with a booster antenna. This proposed tower adds no benefit to local residents. The residents of this area prefer the remote lifestyle provided by the lack of technology that is available closer to town. Those of us who choose to live out here are self reliant and prefer to be left to look at our trees and the water, not communication towers.

Thank you,

Leilani Sanford

Item a.



An official website of the United States government Here's how you know

FULL TEXT LINKS

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Review

Environ Res. 2022 Nov;214(Pt 2):113851. doi: 10.1016/j.envres.2022.113851.

Epub 2022 Jul 14.

Evidence for a health risk by RF on humans living around mobile phone base stations: From radiofrequency sickness to cancer

A Balmori 1

Affiliations

PMID: 35843283 DOI: 10.1016/j.envres.2022.113851

Abstract

The objective of this work was to perform a complete review of the existing scientific literature to update the knowledge on the effects of base station antennas on humans. Studies performed in real urban conditions, with mobile phone base stations situated close to apartments, were selected. Overall results of this review show three types of effects by base station antennas on the health of people: radiofrequency sickness (RS), cancer (C) and changes in biochemical parameters (CBP). Considering all the studies reviewed globally (n = 38), 73.6% (28/38) showed effects: 73.9% (17/23) for radiofrequency sickness, 76.9% (10/13) for cancer and 75.0% (6/8) for changes in biochemical parameters. Furthermore, studies that did not meet the strict conditions to be included in this review provided important supplementary evidence. The existence of similar effects from studies by different sources (but with RF of similar characteristics), such as radar, radio and television antennas, wireless smart meters and laboratory studies, reinforce the conclusions of this review. Of special importance are the studies performed on animals or trees near base station antennas that cannot be aware of their proximity and to which psychosomatic effects can never be attributed.

Keywords: Base station; Cell tower; Health; Mast; Microwave syndrome; RF radiation; Radar; Radio antennas.

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Chair and Commissioners, thank you for the opportunity to speak. My name is Tyler Riberio, and I'm a resident of the affected rural area. I'm asking you to deny—or at minimum, deem incomplete—the conditional use permit (CUP) for the proposed cell tower.

First, this project is fundamentally at odds with the purpose of this rural district: to preserve open viewsheds and an undeveloped character. By law, a tower of this proposed height will require aviation obstruction lighting. Yet the application contains no information about the type, intensity, or operating schedule of this lighting. In our setting—where the night sky is still truly dark—such lighting will be visible for miles. A white strobe by day and a pulsing red beacon by night will flash rhythmically against the skyline, washing the surrounding landscape in artificial light with every cycle. In winter, the glow will reflect off low clouds and snow, creating a constant halo in what is now a dark, quiet horizon. Aviation lighting will be the single most visible feature for miles, drawing the eye and changing the rural character permanently.

The applicant has not provided a meaningful alternatives analysis—such as re-siting, stealth/monopine treatment, reduced height, or co-location—nor complete photo simulations from key public vantage points across multiple seasons and sky conditions. This omission leaves the public unable to see, quite literally, what is being proposed.

This visual intrusion is not just aesthetic. The primary reason these properties are valuable is for their wild, scenic character. Studies in real estate economics consistently show that the introduction of visually intrusive infrastructure, particularly in scenic or undeveloped areas, can reduce nearby property values, sometimes substantially. Here, the combination of a tall tower, reflective antennas, and mandatory aviation lighting threatens both the enjoyment of the landscape and the long-term marketability of surrounding parcels.

Second, with respect to potential public-health considerations, I am not here to claim settled harm—but I am asking for settled answers. A review from the Swiss Institute of Public Health found that research in the 6–100 GHz range (relevant to some 5G deployments) is still limited and that better-designed studies are needed before firm conclusions can be drawn. A report from the Australian Radiation Protection and Nuclear Safety Agency similarly found no confirmed evidence of harm at low-level exposures above 6 GHz, but recommended future experimental studies with improved measurement and control methods. Work published by the National Institute for Public Health in Italy and research from the University of California both conclude that the knowledge base is incomplete and that additional, robust investigation is warranted before widespread rollouts. Even the U.S. Air Force Research Laboratory has highlighted the need for more

realistic, methodologically strong exposure studies to fully understand potential biological effects.

Third—and this is dispositive for tonight—the CUP application is incomplete. The applicant has not provided essential specifications for the antennas and radios proposed for installation: manufacturer and model numbers, frequency bands, maximum effective radiated power (ERP/EIRP), antenna patterns and downtilt, number of sectors, planned carrier aggregation, or any future-ready equipment bays. The application also omits aviation lighting details, despite this being a legal requirement for a tower of this height. Without this information, neither the public, nor the Department of Economic Development, nor this Planning & Zoning Commission can meaningfully evaluate compliance with applicable RF exposure standards, cumulative exposure from colocation, realistic alternatives to reduce height or power, noise from active antenna systems, the tower's true visual profile, or the nightscape impact from aviation lighting.

A conditional use permit is, by definition, discretionary and impact-driven. You cannot make the required findings when core technical and operational information is missing. With these deficiencies, it is clear that the applicant does not have a fully developed plan of operations and cannot be permitted to construct these improvements. I therefore respectfully request that you:

- 1. Find the application incomplete; and
- 2. Require a resubmittal that includes full antenna/radio specifications, complete photo simulations from key viewpoints, a good-faith alternatives analysis, an assessment of potential property value impacts, and a full aviation lighting plan.

Only then can the community and your staff offer informed comments on whether this tower—at this height, with its flashing night beacons and year-round visual presence—belongs in a district meant to protect rural character, scenic views, and the economic value of open space.

Thank you for your time.

Minutes of Planning & Zoning Commission Held on September 25, 2025

1. CALL TO ORDER: 5:30 PM

2. ROLL CALL:

PRESENT: Kathleen St. Clair, Chair Terri Henson, Gary Watkins, Jillian Privett, Apryl Hutchinson

ABSENT: None

STAFF: Kate Thomas, JR Meek

3. AMENDMENTS TO THE AGENDA: None

4. CONFLICTS OF INTEREST: None

5. APPROVAL OF MINUTES:

No minutes were provided for approval. The August 14th meeting minutes will be placed on the next agenda.

6. DIRECTORS REPORT:

Staff presented an update related to the relocation of the barge and along with the progress of the Memorandum of Understanding (MOU) with American Cruise Lines (ACL). Additional details regarding ACL's progress will be provided at a later date.

- 7. CORRESPONDENCE: None
- 8. PERSONS TO BE HEARD: None

9. NEW BUSINESS:

a) Final Plat review of a Replat of Lot A (APN 02-021-500) of the Presbyterian Reserve Replat, zoned Open Space Public, according to Plat No. 2019-7, creating Lots A-1 and A-2 of the Presbyterian - CBW Replat requested by Kim Covalt and the City and Borough of Wrangell.

M/S: Privett/St. Clair

Move to approve the final plat for the Presbyterian – CBW Replat, a replat of Lot A of the Presbyterian Reserve Replat, according to Plat No. 2019-7, creating Lots A-1 and A-2, as requested by Kim Covalt and the City and Borough of Wrangell.

Staff noted that while the existing plat notes reflect single-family residential development, the appropriate zoning designation for this property is Open Space Public.

Staff noted that the code requires the zoning designation to be on the plat. However, because the zoning designation may change or be amended from time to time, the surveyor has proposed that the Borough remove it from provisions for subdivisions.

Watkins inquired about whether both lots would remain open spaces, public. Staff affirmed the Zoning would remain the same for both lots following the subdivision.

Polled Vote - All in Favor

b) (PH) Preliminary Review of a Planned Unit Development Application and Subdivision for Lot D of the Torgramsen-Austin Subdivision according to Plat No. 2017-1, zoned Zimovia Highway Mixed Use, owned and requested by Southeast Alaska Regional Health Consortium.

M/S: Privett/St. Clair

Move to approve the findings of fact and staff analysis detailed in this report the preliminary review of a Planned Unit Development Application and Subdivision Plat for Lot D of the Torgramsen-Austin Subdivision according to Plat No. 2017-1, zoned Zimovia Highway Mixed Use, owned and requested by Southeast Alaska Regional Health Consortium, subject to the conditions of approval.

Public Hearing Opened

Michael Pountney, representing SEARHC, stated he had no additional comments at this time but thanked the Commission and staff for their thorough review and expressed enthusiasm about moving forward with the development.

Public Hearing Closed

Staff delivered a detailed presentation outlining the applicable Planned Unit Development (PUD) code provisions and the submitted development proposal. The presentation began with a series of visual aids to contextualize the application for the Commission.

On the third slide, staff provided an overview of PUDs as a planning tool designed to accommodate complex development proposals. Staff noted that PUDs consolidate subdivision and zoning review processes into a single coordinated review. The presentation referenced key sections of the Wrangell Municipal Code including: WMC Title 19 – Subdivisions, WMC 20.26 – Zimovia Highway Mixed Use, WMC 20.62 – Planned Unit Developments, WMC 20.68 – Conditional Use Permits

Staff explained that PUDs allow for flexibility in development standards such as minimum lot sizes, density, building setbacks, lot coverage, and building height. PUDs may support increased non-residential intensity, residential clustering, or mixed-use configurations, if deviations are justified through coordinated design and consistent with the Borough's Comprehensive Plan.

Staff reviewed the required findings for both the PUD and CUP processes, including that the project must: not pose a threat to public health, safety, or welfare, be compatible with surrounding land uses, be adequately served by Borough utilities and infrastructure, and demonstrate general conformance with the Borough's Comprehensive Plan.

SEARHC's Phase 1 Development Plan was then presented. Located at 1064 Zimovia Highway, the site comprises 3.28 acres of vacant land. Phase 1 proposes five residential lots totaling eight housing units. Unit sizes range from approximately 773 to 1,344 square feet. Development phasing will begin with southern parcels and expand northward in Phase 2.

The Preliminary Plat was shown, followed by a Civil Snapshot indicating a 700-foot private access road within a 30-foot-wide easement. Mike clarified that 20-inch culverts will be installed to manage stormwater drainage under Zimovia Highway.

The development will be connected to Borough water and sewer utilities via access through the Zimovia Highway right-of-way. Site layout standards include: 20-foot front and rear setbacks,

minimum of two off-street parking spaces per lot, road section: 30-foot easement with 26-foot paved width and 2-foot shoulders.

Multiple design renderings were presented showing a mix of housing types: Lot 1: Duplex, Lot 2: Single-family home, Lot 3: Duplex, Lot 4: Duplex, Lot 5: Single-family home.

Mike emphasized that SEARHC's intention is to provide modern, energy-efficient housing that meets the needs of both individuals and families.

St. Clair inquired why the plat includes nine total lots when flag lot standards only allow for 4 lots served by a common easement. Staff clarified that the PUD allows for certain deviations. In this case, the PUD is allowing for 9 lots to be accessed by a common easement. Additional design considerations were put in place, such as fire hydrants at the midpoint and endpoint of the easement to ensure public safety. Staff confirmed that each lot will have independent utility service connections and shutoffs.

Staff stated that while not all easement details are finalized, they are being developed in coordination with the applicant. Additional items such as stormwater conveyance, hydrant locations, and utility service will be incorporated into the final design and accompanying maintenance agreements.

Chair Henson inquired about how street addressing would be implemented for the subdivision. Staff responded that DATAMARK has been contracted to assist the Borough with GIS-based street naming and addressing assignments in correlation with SEARHC's development plan. Streets will have names and addresses assigned to lots. Staff noted that GIS training for Borough staff is scheduled to begin next week, after which addresses will be assigned based on policy.

Staff shared a projected timeline for project milestones: October: Final Plat review by Planning & Zoning Commission, November: Borough Assembly review and approval, and post-approval: recording of the plat and execution of required agreements.

Mike confirmed that he will meet with staff the following day to continue coordination on easement clarifications and utility requirements. SEARHC engineers will adjust site designs as needed based on these discussions.

Hutchinson inquired whether SEARHC has a development timeline for Phase 2. Mike responded that there is no firm schedule at this time, and Phase 2 is still in the evaluation stage. He anticipates a clearer timeline will emerge over the next couple of years. Litia Garrison (also representing SEARHC) confirmed that the organization is fully focused on Phase 1, and there is no official Phase 2 date set until Phase 1 development is complete.

Watkins asked whether the access road would remain privately maintained. Staff confirmed that the internal subdivision road will be privately maintained and will not be dedicated as a public street.

Hutchinson then asked whether the City would be responsible for snow removal, particularly given the development's location off Zimovia Highway. Staff clarified that due to the flag lot configuration and private road designation, the Borough will not provide snow removal services for the internal road.

Chair Henson followed up by asking if snow removal on the new development might impact Zimovia Highway during winter operations. Staff stated that snow is expected to be stored on the undeveloped Phase 2 parcels, but this will be monitored closely and considered further during the final design phase.

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Staff closed the item by thanking the Commission for their attention to detail and preparation in reviewing the application. They commended Commissioners for their commitment to thoughtful land use planning and meaningful review of long-range development proposals.

Polled Vote - All in Favor

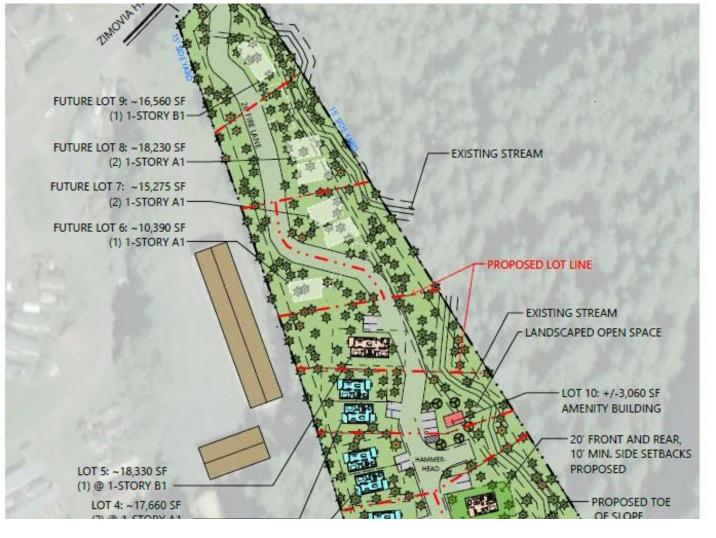
10. UNFINISHED BUSINESS: None

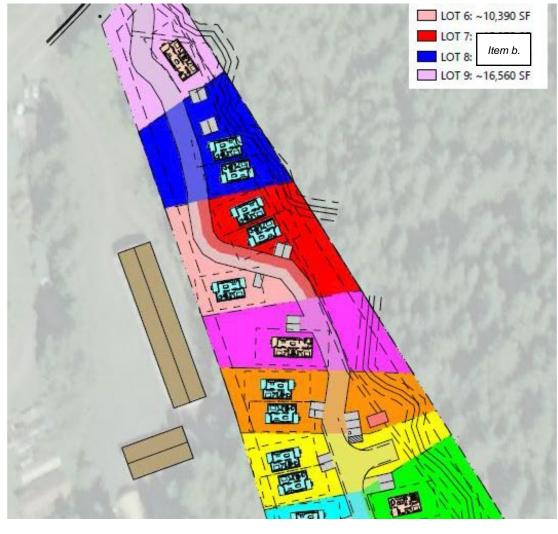
11. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS:

The October 9th meeting's time will be pushed back to 6:30 PM to accommodate Borough Assembly's special meeting at 5:30 PM to certify elections.

12. ADJOURNMENT: 6:16 PM

ATTEST:	
J.R. Meek, Secretary	Terri Henson, Chair







PLANNNED UNIT DEVELOPMENT SEARHC EMPLOYEE HOUSING

Planning and Zoning Preliminary Review, September 2025

AGENDA

Planning and Zoning Preliminary Review

- Overview
- Applicable Code Standards
- Subdivision & Flag Lot Standards
- Zoning Standards
- Required Findings for PUD & CUP
- SEARHC Development Overview
- Staff Analysis & Key Issues
- Recommended Conditions of Approval
- Next Steps

OVERVIEW

- Planned Unit Developments (PUD) service as a tool for complex projects.
- PUDs combines subdivision and zoning review into one process.
- PUDs must meet the requirements of both Title 19 (Subdivisions) and Title
 20 (Zoning).
- Requires Planning Commission review and Borough Assembly approval if the project includes a subdivision.

CODE OVERVIEW

- WMC 19 Subdivision Standards
- WMC 20.26 Zimovia Highway Mixed Use (ZHMU)
- WMC 20.62 PUD Regulations
- WMC 20.68 Conditional Use Permits (CUPs)

CODE OVERVIEW

- WMC 19 Subdivision Standards
- WMC 20.26 Zimovia Highway Mixed Use (ZHMU)
- WMC 20.62 PUD Regulations
- WMC 20.68 Conditional Use Permits (CUPs)

PUD DEVELOPMENT STANDARDS

Each PUD application may request only the following types of adjustments from base zoning district standards:

- Minimum lot sizes.
- Increased non-residential development intensity.
- Reduced or reorganized internal building setbacks.
- Additional types of housing.
- Subdivision standards.

ZONING STANDARDS

- Blend of residential & commercial uses along Zimovia Highway
- Minimum Lot Size: 10,000 sq. ft.
- Density: 1 unit per 10,000 sq. ft. (sitewide averaging allowed)
- Setbacks: 20 ft. front & rear, 15 ft. sides, 5 ft. from easement
- Lot Coverage: Max 50%
- Building Height: Max 25 ft.
- Building Separation: Min 10 ft. between structures

PUD REQUIRED FINDINGS

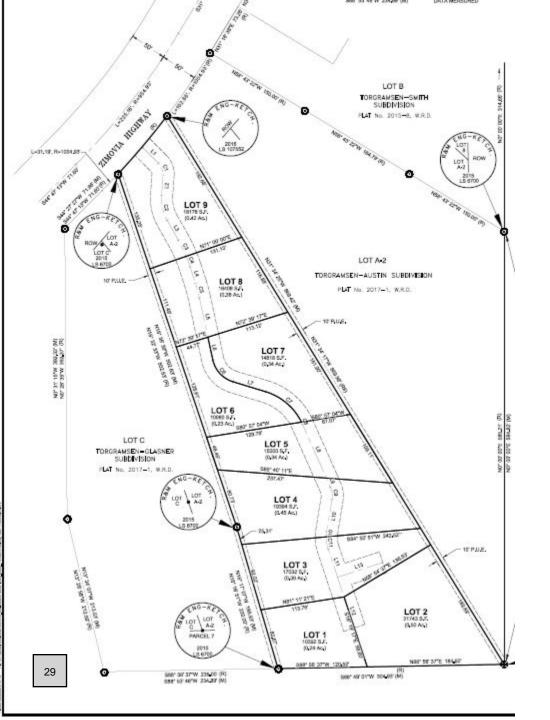
- Deviations will not have a material adverse impact or endanger public health/safety.
- Exceptions are warranted by coordinated design/amenities.
- Streets and thoroughfares are suitable and adequate.
- General conformance with Comprehensive Plan.

CUP REQUIRED FINDINGS

- Compatible with surrounding properties.
- Will not be detrimental to public health, safety, and welfare.
- Adequate traffic and access circulation.
- Served by Borough utilities and infrastructure.
- Consistent with Comprehensive Plan goals.

SEARHC DEVELOPMENT PLAN OVERVIEW

- Location: 1064 Zimovia Highway, 3.28 acres, vacant land.
- Phase 1: 8 units (6 one-bedroom, 2 two-bedroom).
 - 2 single-family homes.
 - 3 duplexes.
- Unit sizes: 773–1,344 sf.
- Site phasing: southern lots first, northern expansion later.
- Zoning: Zimovia Highway Mixed Use (Planned Unit Development).

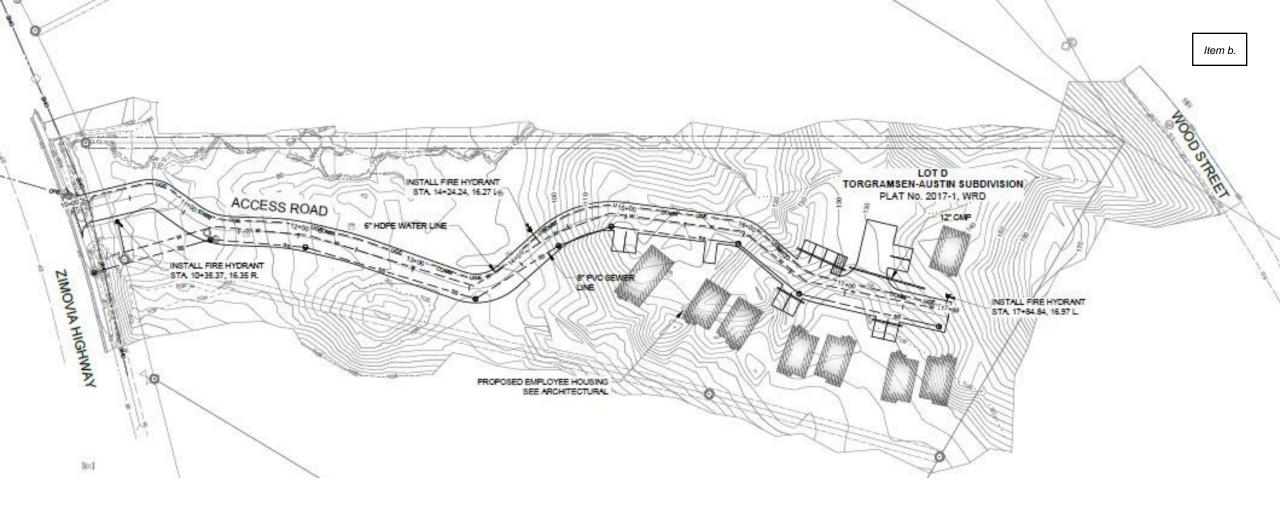


PRELIMINARY PLAT

The preliminary plat for the SEARHC Planned Unit Development shows the creation of nine residential lots within a **3.28-acre** parcel at 1064 Zimovia Highway. The plat establishes the private **30-foot access** and **utility easement**, with a **26-foot roadway** and **2-foot shoulders**, serving all lots.

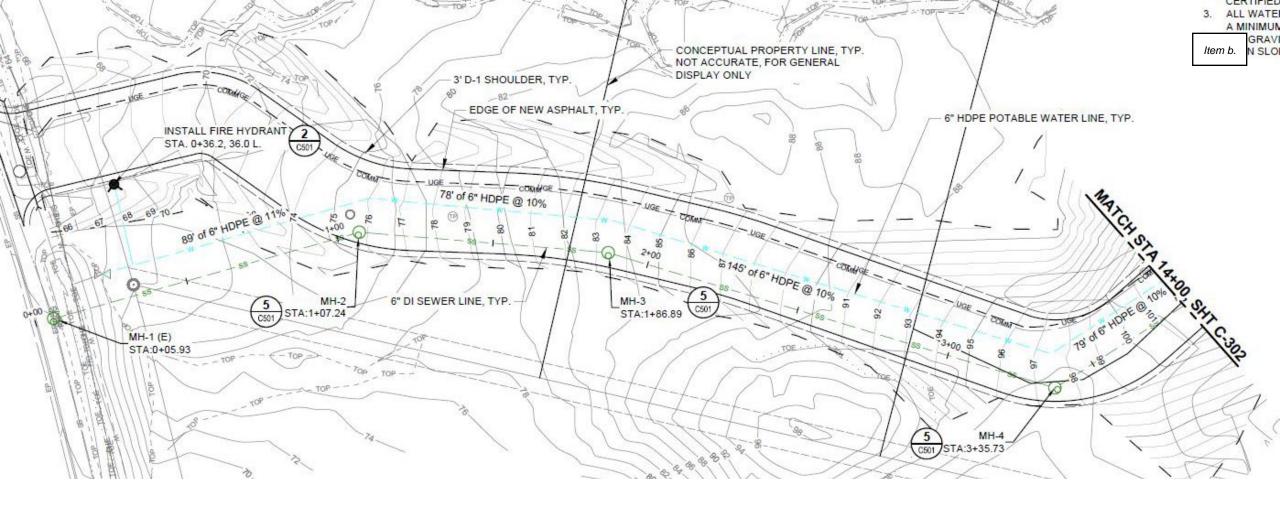
Easements are to be dedicated by plat with legal descriptions, including underground utility crossings within Lot 9. The plat also identifies building setbacks, common access, and utility easements, and demonstrates compliance with minimum lot size and access standards. Final plat notes will reference recorded agreements for maintenance and responsibility. (See plat note below)

"areas (to the extent not owned or maintained by 3rd**All easement** areas and improvements within the easement parties such as utility providers) shall be maintained and repaired by the Lot Owners with each Lot Owner responsible for 1/9th of maintenance and repair cost."



CIVIL SNAPSHOT

The civil plan shows the **700-foot private access road** within a **30-foot easement**, with **26 feet of travel width and 2-foot shoulders**. Grading accommodates site slopes, with culverts for stormwater and hydrants placed along the roadway for fire protection.



WATER & SEWER INFRASTRUCTURE

The development will connect to Borough water and sewer systems through the Zimovia Highway right-of-way. Service valves will be provided at each unit, and lines are designed to follow the private access road.



WATER & SEWER INFRASTRUCTURE

Culverts and drainage features are included to manage stormwater, with design coordinated to meet DOT&PF permit requirements.

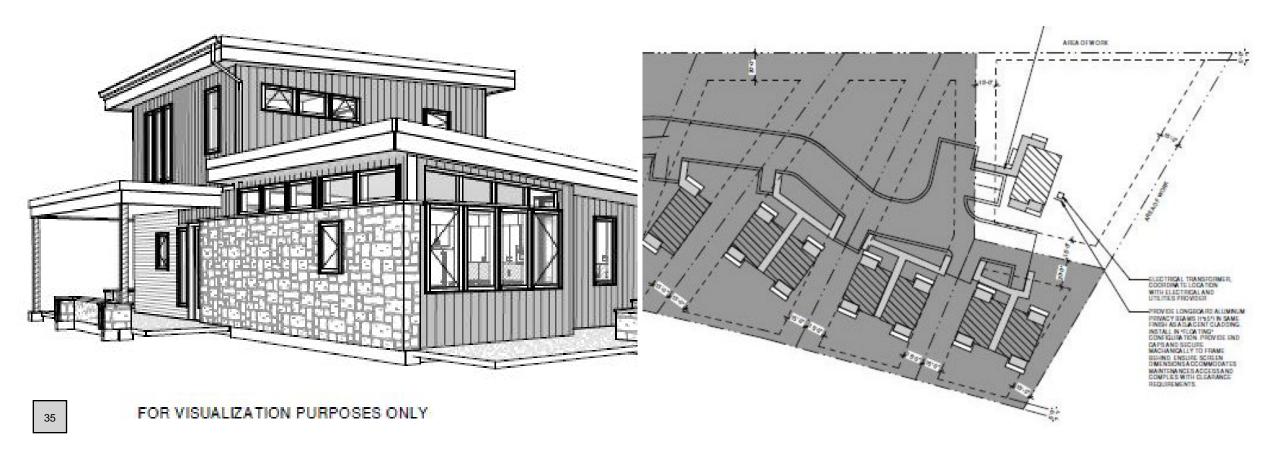
SITE STANDARDS & LAYOUT

- Setbacks: 20' front & rear, 15' sides, 5' from easement.
- Parking: min. 2 per lot, 1 per dwelling (meets code).
- Roadway: 30' wide easement, 26' paved with 2' shoulders.
- Utilities: Water/sewer, underground power, DOT ROW tie-ins.

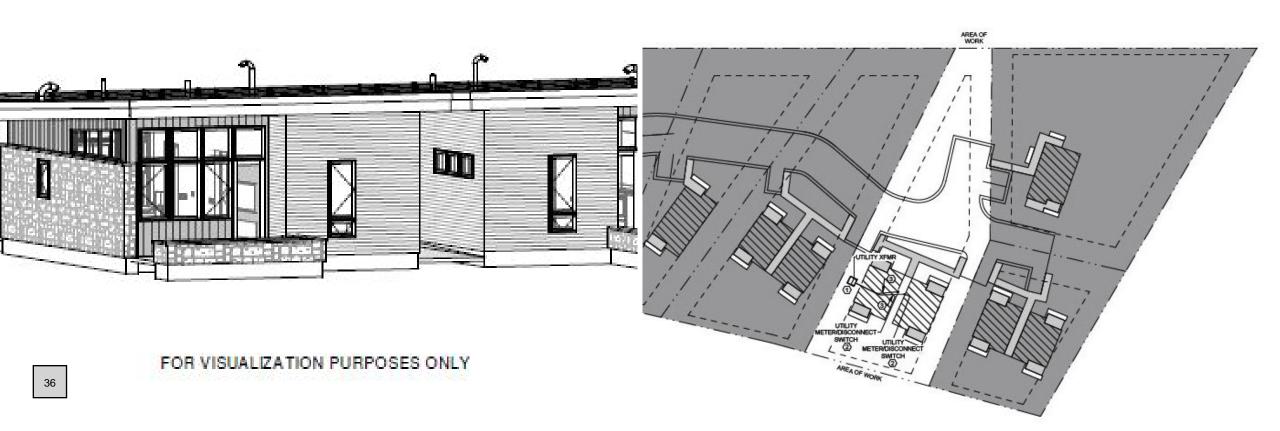
DUPLEX DESIGN LOT 1



SINGLE FAMILY DESIGN LOT 2



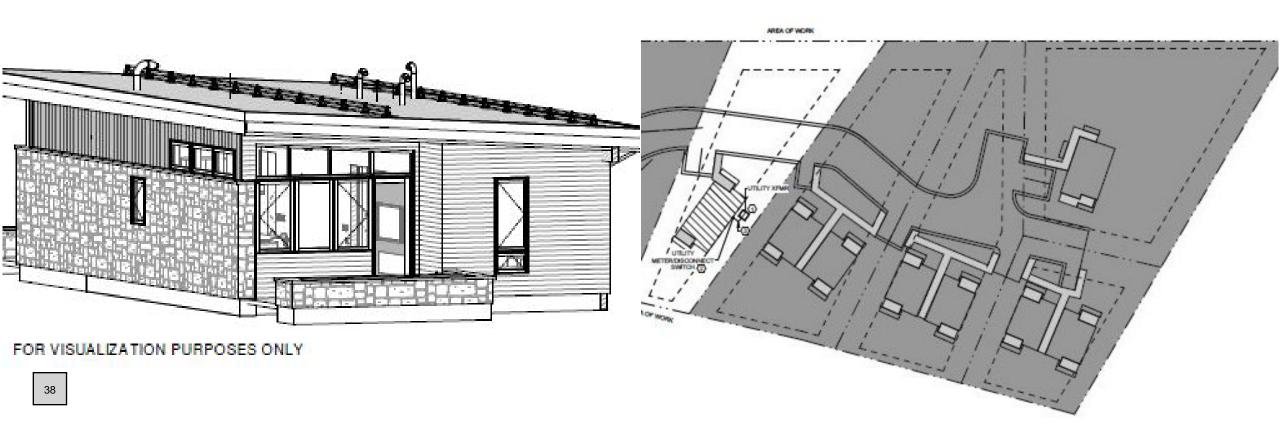
DUPLEX DESIGN LOT 3



DUPLEX DESIGN LOT 4



SINGLE FAMILY DESIGN LOT 5



STAFF ANALYSIS & KEY ISSUES

- Deviations: easement length (700' vs 400'), lot count (9 vs 4).
- Adequate fire protection: hydrants, turnaround radius.
- Utility easements: must be dedicated by plat (including Lot 9 crossings).
- Easement maintenance agreements required.
- Prohibit parking within easement shoulders.
- Conditions ensure long-term maintenance and safety.

RECOMMENDED CONDITIONS OF APPROVAL

- Dedicate easements by plat (metes and bounds or by exhibit).
 - NOTE: Increase back yard setback from 5 feet to 20 feet.
- Record access & utility maintenance agreement(s).
- Obtain DOT ROW permits.
- Service valves at each unit.
- Stormwater details, culverts, conveyance.
- Fire hydrants & turnaround radius.
- Parking restrictions in easement shoulders.
- Backflow prevention & metering.

NEXT STEPS

- Sept 25: Commission preliminary review.
- October: Final plat review (Commission).
- November: Borough Assembly review and final approval.
- Record plat and agreements following approval.



Agenda Item: New Business, Item 9A

From: Kate Thomas, Economic Development Director

Subject: (PH) Request from Twyla Nore to purchase a portion of Borough-owned real property identified as Lot 6A (APN 02-033-154) of the Dan Nore Subdivision, according to Plat No 90-2, zoned Multi Family Residential, within the Wrangell Recording District.

Introduction

An application was received from an adjacent property owner, Twyla Nore, requesting to purchase a portion of Borough-owned Lot 6A of the Dan Nore Subdivision. Following that submission, a second application was received from another adjoining property owner expressing interest in purchasing a separate portion of the same lot.

Both applicants indicated that they would be satisfied with acquiring a portion of the property if another party were also interested. For that reason, both applications are being brought forward concurrently for the Commission's review and discussion. Each application, however, will be evaluated independently and acted upon separately based on its own merits, findings, and proposed boundaries.

Review Criteria

- WMC Chapter 16.12: Disposition of Public Lands and Tidelands
- WMC Chapter 20.20: Multi-Family Residential
- Wrangell Comprehensive Plan (2010) Land management, neighborhood compatibility, and protection of access and utility corridors

Attachments

1.) Application Documents, 2.) Aerial Map, 3.) Plat Map

Background and Findings of Fact

Parcel Information: Lot 6A – Dan Nore Subdivision (7,934 sq ft); Borough-owned; zoned Multi-Family Residential; located along Case Avenue between two privately owned residential parcels.

Location Context: The lot lies between two developed residential properties and contains a platted access and utility easement along its southern boundary that provides legal access and utility service to Lot 6B1.

Property History: Past correspondence and details from the applicant reference an agreement among the adjoining landowners regarding the potential disposition of Lot 6A. At that time, the lot was identified as too small for independent development and encumbered by the access easement. The Borough considered dividing the property between the adjacent owners while retaining the easement.

Since that time, each of the current applicants has continued to maintain and use the portions adjacent to their respective properties; one as landscaped open space and the other as an established driveway and utility corridor.

Future Municipal Need and Land Use Planning

Lot 6A is not identified for municipal retention or future use in the Comprehensive Plan. The property's size and encumbrances limit its independent development potential. The Borough's long-term planning objectives support consolidation of small, non-buildable parcels into adjacent ownership where appropriate, provided that public access and utilities are maintained.

Infrastructure and Access

The existing access and utility easement provides legal access from Case Avenue to Lot 6B1 and must remain dedicated by the replat. Water and sewer infrastructure are present within or adjacent to the easement corridor. Any approved sale will require a replat of Lot 6A to define the new parcel boundaries, rededicate the easement, and record a maintenance agreement establishing shared access and upkeep responsibilities among the affected property owners.

Site-Specific Considerations

The access and utility easement must remain dedicated to preserve preferred access to Lot 6B1. Replatting must account for storm water management and drainage at the discretion of the Borough and maintenance provisions within the easement area.

The Borough should retain review authority over the Easement Maintenance Agreement to confirm fair and enforceable shared responsibilities and to protect the Borough's interest within the easement. A professional survey will be required to establish the conveyance boundaries and support the plat before closing, along with an appraisal.

Staff Analysis

The requested conveyances are legally permissible under WMC 16.12 and consistent with the Borough's policy of returning small, encumbered parcels to productive private ownership while preserving necessary public easements.

Bringing both applications forward concurrently allows the Borough to consider the overall site context and coordinate platting actions efficiently; however, each application will be reviewed and decided upon independently based on the proposed boundaries, supporting materials, and compliance with Borough requirements.

The requests are compatible with the Multi-Family Residential zoning district and align with Comprehensive Plan objectives for efficient land management and neighborhood compatibility.

Staff Recommendation

Staff recommends that the Planning and Zoning Commission recommend that the Borough Assembly approve the sale of portions of Lot 6A of the Dan Nore Subdivision to the respective adjacent property owners, subject to the various conditions outlined in the motion.

Recommended Motion

Move to approve the findings of fact and recommend that the Borough Assembly approve the sale of a portion of Lot 6A of the Dan Nore Subdivision to Twyla, subject to the following conditions:

- 1. Completion of a subdivision plat establishing the boundaries of the portion to be conveyed, rededicating the existing access and utility easement, and incorporating all drainage and stormwater provisions as required by the Borough.
- 2. Recordation of a Borough-approved easement maintenance agreement establishing shared access, maintenance, and cost-sharing responsibilities among affected property owners.
- 3. Retention of all existing public utility rights and Borough interests within the easement corridor.
- 4. Completion of an appraisal and sale under the terms of WMC 16.12, with all associated costs borne by the applicant.

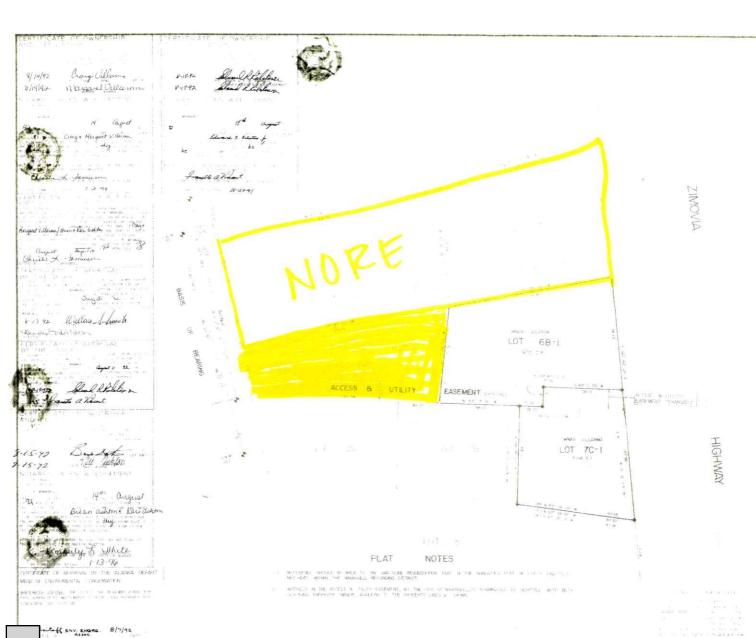
Item a.

CITY & BOROUGH OF WRANGELL PUBLIC LAND & TIDELANDS PURCHASE APPLICATION

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NCLUDE AND LIST ANY SUPPORTING DOCUMENTS (I.E. MAPS).					
See attached plat with highlighted area. *I am interested in the lot as a whole or a portion if another party is interested.					
TATE THE PURPOSE AND PROPOSED USE OF THE PROPERTY.					
To add additional square footage to my existing property. This would allow me to have access to the back of my property and to install a driveway into the back side of my house. The current access into my home includes a long pathway from my carport on Case Ave and includes two sets of stairs, whereas adding a driveway in back would allow direct access to my door. As I have gotten older it has become harder for me to make this walk and climb the stairs with groceries and packages especially during the winter months.					
DESCRIBE THE IMPROVEMENTS THAT WILL BE ADDED TO THE PROPERTY.					
Adding a driveway for better access to my property. The parcel is of such a shape that with the existing access easement it is not a very desirable building lot.					
THE DECOMPLETED?					
WHEN WILL THE PROPOSED CONSTRUCTION IMPROVEMENTS BEGIN AND WHEN WILL THEY BE COMPLETED?					
START DATE spring 2026 END DATE spring 2026					
WHAT IS THE ESTIMATED COST OF IMPROVEMENTS THAT WILL BECOST: \$5,000					
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.					
none					



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Request #1



Request#2



Request #3

CITY AND BOROUGH OF WRANGELL, ALASKA

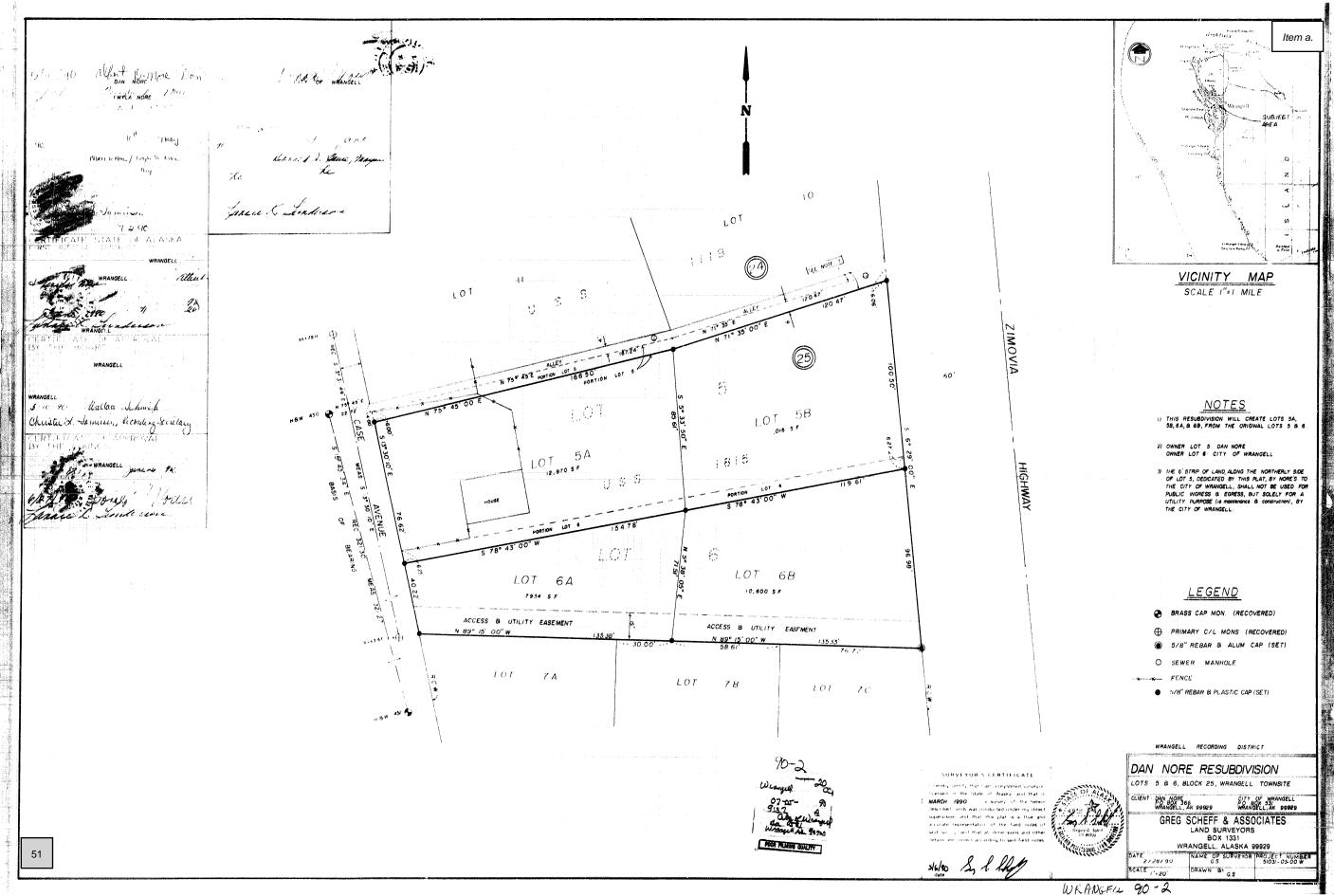




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Agenda Item: New Business, Item 9B

From: Kate Thomas, Economic Development Director

Subject: (PH) Request from Brian Ashton to purchase a portion of Borough-owned real property identified as Lot 6A (APN 02-033-154) of the Dan Nore Subdivision, according to Plat No 90-2, zoned Multi Family Residential, within the Wrangell Recording District.

Introduction

An application was received from an adjacent property owner, Twyla Nore, requesting to purchase a portion of Borough-owned Lot 6A of the Dan Nore Subdivision. Following that submission, a second application from Brian Ashton was received from another adjoining property owner expressing interest in purchasing a separate portion of the same lot.

Both applicants indicated that they would be satisfied with acquiring a portion of the property if another party were also interested. For that reason, both applications are being brought forward concurrently for the Commission's review and discussion. Each application, however, will be evaluated independently and acted upon separately based on its own merits, findings, and proposed boundaries.

Review Criteria

- WMC Chapter 16.12: Disposition of Public Lands and Tidelands
- WMC Chapter 20.20: Multi-Family Residential
- Wrangell Comprehensive Plan (2010) Land management, neighborhood compatibility, and protection of access and utility corridors

Attachments

1.) Application Documents, 2.) Aerial Map, 3.) Plat Map

Background and Findings of Fact

Parcel Information: Lot 6A – Dan Nore Subdivision (7,934 sq ft); Borough-owned; zoned Multi-Family Residential; located along Case Avenue between two privately owned residential parcels.

Location Context: The lot lies between two developed residential properties and contains a platted access and utility easement along its southern boundary that provides legal access and utility service to Lot 6B1.

Property History: Borough correspondence and attached materials reference to a 2012 agreement among the adjoining landowners regarding the potential disposition of Lot 6A. At that time, the lot was identified as too small for independent development and encumbered by the access easement. The Borough considered dividing the property between the adjacent owners while retaining the easement.

Since that time, each of the current applicants has continued to maintain and use the portions adjacent to their respective properties; one as landscaped open space and the other as an established driveway and utility corridor.

Future Municipal Need and Land Use Planning

Lot 6A is not identified for municipal retention or future use in the Comprehensive Plan. The property's size and encumbrances limit its independent development potential. The Borough's long-term planning objectives support consolidation of small, non-buildable parcels into adjacent ownership where appropriate, provided that public access and utilities are maintained.

Infrastructure and Access

The existing access and utility easement provides legal access from Case Avenue to Lot 6B1 and must remain dedicated. Water and sewer infrastructure are present within or adjacent to the easement corridor. Any approved sale will require a replat of Lot 6A to define the new parcel boundaries, rededicate the easement, and record a maintenance agreement establishing shared access and upkeep responsibilities among the affected property owners.

Site-Specific Considerations

The access and utility easement must remain dedicated to preserve legal access to Lot 6B1. Replatting must account for storm water management and drainage at the discretion of the Borough and maintenance provisions within the easement area.

The Borough should retain review authority over the Easement Maintenance Agreement to confirm fair and enforceable shared responsibilities and to protect the Borough's interest within the easement. A professional survey will be required to establish the conveyance boundaries and support the plat before closing, along with an appraisal.

Staff Analysis

The requested conveyances are legally permissible under WMC 16.12 and consistent with the Borough's policy of returning small, encumbered parcels to productive private ownership while preserving necessary public easements.

Bringing both applications forward concurrently allows the Borough to consider the overall site context and coordinate platting actions efficiently; however, each application will be reviewed and decided upon independently based on the proposed boundaries, supporting materials, and compliance with Borough requirements.

The requests are compatible with the Multi-Family Residential zoning district and align with Comprehensive Plan objectives for efficient land management and neighborhood compatibility.

Staff Recommendation

Staff recommends that the Planning and Zoning Commission recommend that the Borough Assembly approve the sale of portions of Lot 6A of the Dan Nore Subdivision to the respective adjacent property owners, subject to the various conditions outlined in the motion.

Recommended Motion

Move to approve the findings of fact and recommend that the Borough Assembly approve the sale of a portion of Lot 6A of the Dan Nore Subdivision to Twyla, subject to the following conditions:

- 1. Completion of a subdivision plat establishing the boundaries of the portion to be conveyed, rededicating the existing access and utility easement, and incorporating all drainage and stormwater provisions as required by the Borough.
- 2. Recordation of a Borough-approved easement maintenance agreement establishing shared access, maintenance, and cost-sharing responsibilities among affected property owners.
- 3. Retention of all existing public utility rights and Borough interests within the easement corridor.
- 4. Completion of an appraisal and sale under the terms of WMC 16.12, with all associated costs borne by the applicant.

CITY & BOROUGH OF WRANGELL PUBLIC LAND & TIDELANDS PURCHASE APPLICATION

CONTINUED FROM PAGE 1

SECTION III.

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

Attachment A - Narrative of history of use for property with multiple diagrams (A, B, C) of history of use, snow removal/drainage and suggested sale options.

Attachement B - Letter of Agreement (prior) by then-adjacent land owners, when city was offering to transfer the land to the adjacent owers

STATE THE PURPOSE AND PROPOSED USE OF THE PROPERTY.

Continued use, that the city had granted for access easement since 1992 to my home (occupied since May 1994) and partial fill/use since 2012. This is property that the city engaged adjoining property owners to transfer but then changed to sell. It had not moved forward since then. I am pursuing the purchase of all (if no other adjoining property owner is interested) or partial (if adjoining any adjoining property owner is also interested in purchase).

DESCRIBE THE IMPROVEMENTS THAT WILL BE ADDED TO THE PROPERTY.

Improvements have already been completed: sewer and driveway since 1992; fill/use since 2012.

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.

As the proposed sale does not alter the current use of the property, there is no known new effects this sale would have on all stated (above) issues.

Attachment A - Disposal of Lot 6A Property

Historical details:

- 1. Driveway and utility easement, located on Lot 6A, has been in use by Brian Ashton since 1992. This was agreed upon by Brian Ashton and the city, prior to Brian's purchase of Lot 6B in 1992.
- 2. Driveway and utility easement is off by 10 feet, at the front of the property (diagram A)
 - a. Curb was placed 10 feet off the surveyed easement location
 - b. Sewer was placed 10 feet off the surveyed easement location
 - c. This appears to have been done because the curb was made long before the sewer and driveway were installed and so the latter was done to appropriately accommodate the curb and sewer hookup.
- 3. Discussions, in 2012, between city and land owners, adjacent to Lot 6A, realized an agreement to dispose of portions of Lot 6A to Dan and Twyla Nore and Brian Ashton. Initially, the city intended to transfer the property, as it was too small to build upon, given the easements. Attachment B is a copy of the signed agreement from the adjacent owners (2012).
- 4. After receiving permission from the City Manager (2012), Brian Ashton added fill to the upper area of lot 6A, in anticipation of imminent property transfer (Attachment A):
 - a. City approached us and said they wanted to transfer the property to us, as it cannot be realistically built on (given the size, driveway/utility offset).

5. Property Maintenance History:

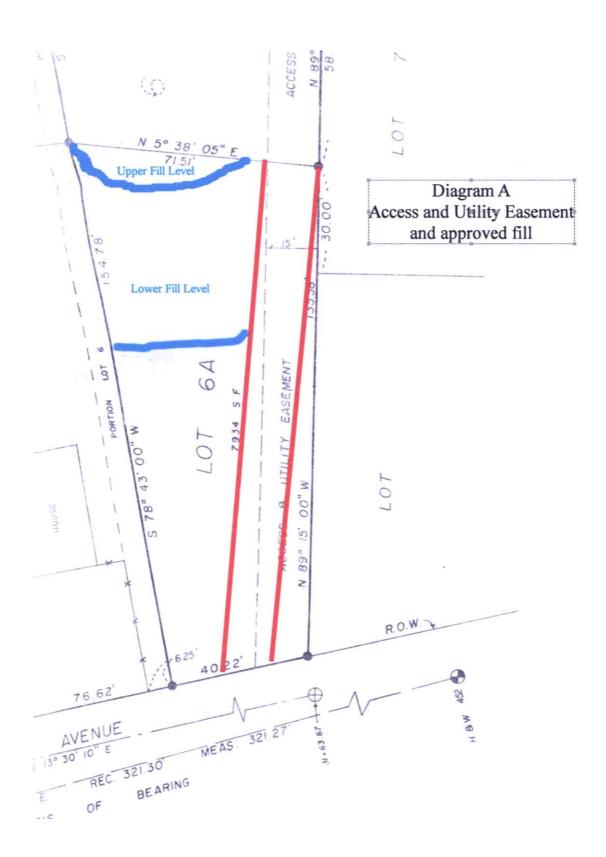
- a. Dan/Twyla Nore had maintained the grass in the front left portion of lot 6a to an ascetic level for over 31 years, at no cost to the city.
- b. Brian Ashton paid to have the driveway built (1993)
- c. Brian Ashton has maintained the driveway (maintenance and snow removal, Diagram B) and drainage for 31 years, at no cost to the city or adjacent land owners.

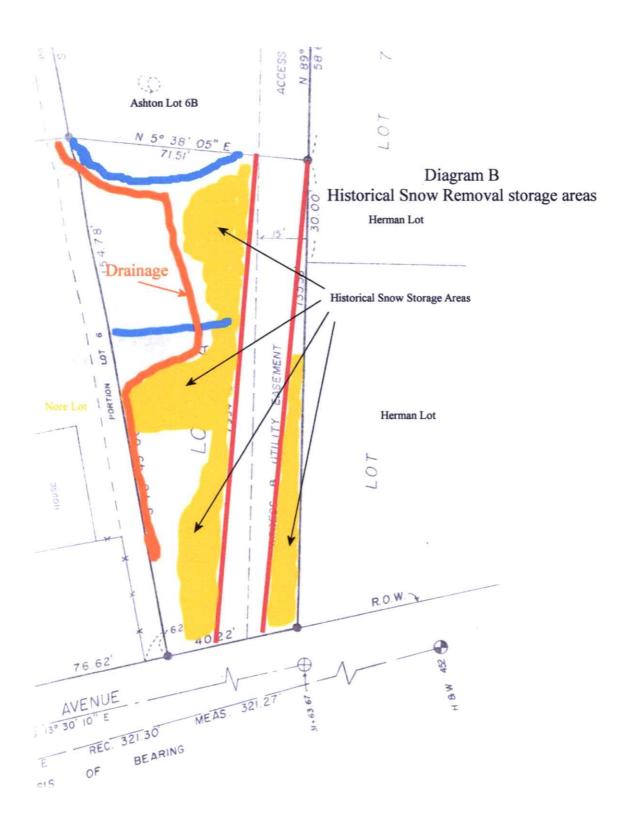
6. Considerations for future property use:

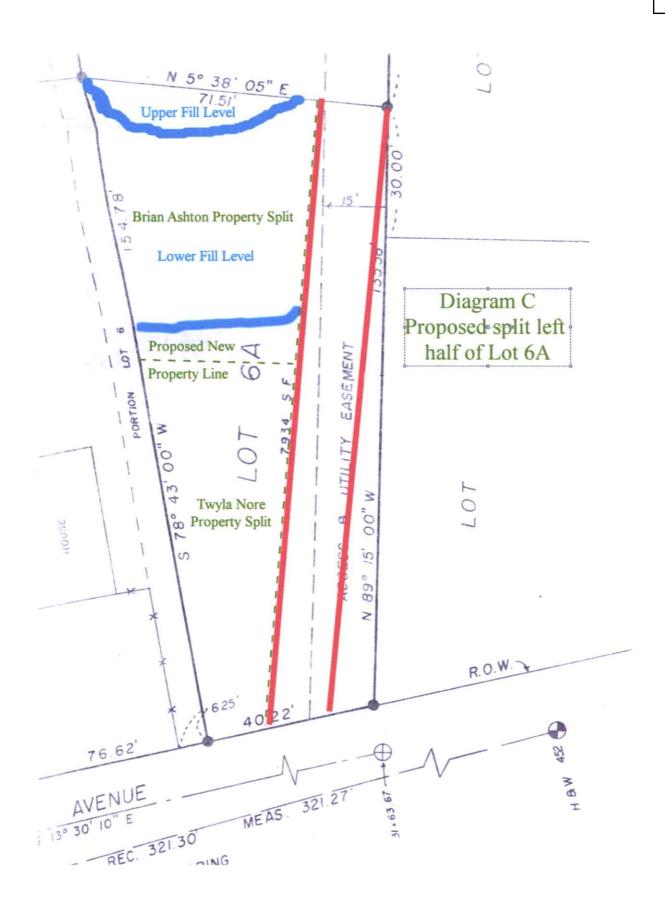
- a. If driveway is used by other adjacent property owners in the future, an agreement should be in place for maintenance/snow removal.
- b. Snow storage has been significant, when we experience snow. There are limited places to push the snow from the driveway. (See Diagram B)

Proposed Property Sale Options – I propose the following options for sale of Lot 6A:

- 1. If no other adjacent property owners are interested in purchasing a portion of Lot 6A, I would like to negotiate to purchase the whole lot.
 - a. If Twyla Nore wishes to have access for a driveway to the back of her house, I am in agreement to reserve an easement for this, off of the existing access and utility easement (driveway) with the understanding for shared expenses for maintenance, if the easement is executed/used
- 2. If Twyla Nore is interested in purchasing a portion of Lot 6A (Diagram C):
 - a. The left (west) side of Lot 6A (left of the driveway) be split in equal upper and lower portions, with lower portion going to Twyla Nore and upper portion going to Brian Ashton. This is supported by:
 - i. Twyla Nore maintaining the lower left portion of Lot 6A (mowing grass for the past 31 years) and having space to create a driveway to the back of her house, if she so desires
 - ii. Brian Ashton retaining the fill areas he was given permission, by the city, to fill/use and has been maintaining for the past 31 years
 - iii. A challenge to this layout would be that two separate driveways would eliminate the location for snow storage on the lower left of the driveway. Historically, this area is totally filled with snow from the removal of the berm from in front of Twyla Nores house, her current parking, the berm and lower area of the access and utility easement (driveway) on Lot 6A
 - b. and/or city retain the access and utility easement (driveway)
 - c. and/or Brian purchase the access and utility easement (driveway)







Letter of Agreement

Between adjacent land owners of Lot 6A, Block 25, Wrangell Townsite

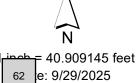
In regards to the City and Borough of Wrangell vacating Lot 6A, Block 25, Wrangell Townsite, the adjacent land owners of lots 5A (Albert and Twyla Nore), 7A (Marlene Clarke) and 6B (Brian Ashton) agree to the following:

- 1. Marlene Clarke has no interest receiving any portion of Lot 6A.
- Albert and Twyla Nore would like to receive ownership of the lower (west) portion of Lot 6A (adjacent to their existing property), in the amount of 50% (3967 Square Feet) and have that portion incorporated into their existing property (Lot 5A, see attachment A).
- Brian Ashton would like to receive ownership of the upper (east) portion of Lot 6A (adjacent to his adjacent property), in the amont of 50% (3967 Square Feet) and have that portion incorporated into his existing property (Lot 6B, See attachement A).
- All parties agree to have the access and utility easement on the south side of Lot 6A remain.

Signatures Albert Nore	9-5-12 Date
Twyla Nore	09-05-202 Date
Marlene Clarke	Lept, 5, 2012
Brian Ashton	9-5-2012 Date

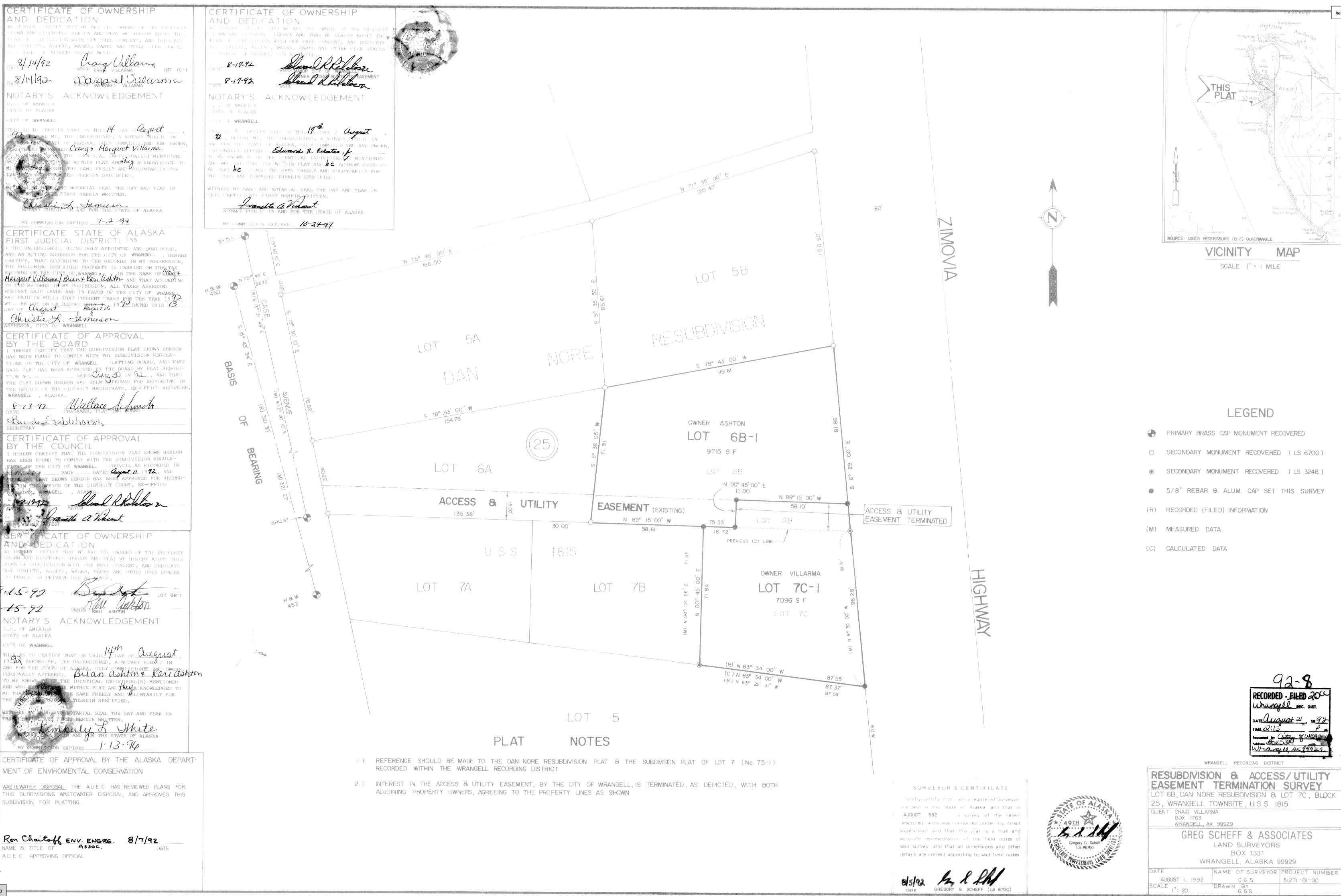
CITY AND BOROUGH OF WRANGELL, ALASKA











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SUBDIVISION FOR PLATTING.

A.D.E.C. APPROVING OFFICIAL

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