



City and Borough of Wrangell  
Planning and Zoning Commission  
AGENDA

Thursday, May 11, 2023  
5:30 PM

Location: Borough Assembly Chambers  
City Hall

Planning and Zoning Commission  
5:30 PM

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. AMENDMENTS TO THE AGENDA**

**D. CONFLICTS OF INTEREST**

**E. APPROVAL OF MINUTES**

1. Planning and Zoning Commission meeting minutes from April 13th, 2023.

**F. CORRESPONDENCE**

**G. PERSONS TO BE HEARD**

**H. NEW BUSINESS**

2. Request from John Agostine to purchase Borough Tidelands in the subdivided portion of Agostine Tidelands Resubdivision, adjacent to Lot 15A and 14A, zoned Waterfront Development.

**I. UNFINISHED BUSINESS**

**J. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS**

**K. ADJOURNMENT**

Minutes of Regular Planning and Zoning Meeting  
Held on April 13, 2023

**A. CALL TO ORDER / ROLL CALL: APRIL 13TH, 2023 @ 5:32 PM**

**PRESENT:** Chair Terri Henson, Vice-Chair Donald McConachie, Apryl Hutchinson, Kathleen St Clair

**ABSENT:** Jillian Privett

STAFF PRESENT: Carol Rushmore, Kate Thomas

Commission Secretary, Matt Henson was present.

**B. AMENDMENTS TO THE AGENDA - NONE.**

McConachie asked to be excused when item 5 is presented.

**C. CONFLICTS OF INTEREST - NONE.**

**D. APPROVAL OF MINUTES - Approval of the march 9th, 2023 regular meeting minutes**

M/S McConachie/St. Clair - all in favor

**E. PERSONS TO BE HEARD - See public hearing.**

**F. CORRESPONDENCE - Two letters were submitted: Pullman and Demerjian**

**G. NEW BUSINESS**

1. (PH) Conditional Use Permit application request for an animal shelter on a portion of Lot 4, Block 66, Wrangell Industrial Park Expansion Subdivision (Plat 92-9) Zoned Industrial, owned by the City and Borough of Wrangell, requested by St. Frances Animal Rescue

**OPEN PUBLIC HEARING**

JOAN SARGENT - (PERMIT APPLICANT) stated establishment would comply with all code. Must comply with animal code. Establishment is recognized as a commercial animal shelter. Request for non-profit status to be listed in lease agreement.

ALICE ROONEY - Reminder of feral cat problem. Animal rescue relieved the situation. Provide community service and finding homes for animals.

DIANE O'BRIEN - Thanks commission for adding to agenda. Shelter provides homes for animals. No physical place right now. Lot would provide space for animals.

ANNE WINTERS - Ideal location for property.

**CLOSE PUBLIC HEARING**

**M/S MCCONACHIE/HUTCHINSON: To approve the Conditional Use Permit application request for an animal shelter on a portion of Lot 4, Block 66, Wrangell Industrial Park Expansion Subdivision (Plat 92-9) Zoned Industrial, owned by the City and Borough of Wrangell, requested by St. Frances Animal Rescue**

DISCUSSION. STAFF REPORT.

**M/S MCCONACHIE/HUTCHINSON AMENDED MOTION. To approve finding of fact and the Conditional Use Permit request for the operation of an Animal Establishment (Shelter) for cats in the Industrial Lot subject to the following conditions:**

CONDITIONS OF CONDITIONAL USE PERMIT READ INTO RECORD.

1. Location of the building and size of parcel to shall be discussed and approved by staff and Assembly;
2. Determination of the type of agreement (lease, purchase) shall be discussed and determined by staff and approved by the Assembly;
3. Responsible party identified and agreed to for site expenses such as moving the chain-link fence, subdivision and surveying the land;
4. Borough Access to the impound lot must be maintained from 5th Avenue;
5. Connection of the utilities shall be responsibility of St. Frances;
6. This permit is for a shelter for cats only. Should St. Frances want to include dogs in the future, a modification or new permit must be obtained from the Planning and Zoning Commission;
7. The Assembly approves the sale/lease of land to Saint Frances.

**Amendment approved unanimous.**

**Main motion approved unanimous.**

2. (PH) Variance permit application request for a variance to the front and side yard setbacks for a storage unit on a portion of Lot 2, Tract A, USS 3402 and Lot A, Block A, Tract C, Keller Tidelands Subdivision (Plat No. 2012-2), zoned Rural Residential 1, requested and owned by Steven and Helen Keller

**OPEN PUBLIC HEARING**

STEVE KELLER - Small outbuilding for vehicles and fish cleaning station. 16x20 foot area for building. Setbacks on the town side. The new structure will look similar to the existing home. Setbacks requested are different than the original application.

**CLOSE PUBLIC HEARING**

**M/S HUTCHINSON/ST. CLAIR move to approve findings of fact and the variance request for a 4-foot side yard setback (11-foot setback reduction) and an 8-foot front yard setback (12-foot reduction) for a storage shed.**

DISCUSSION. STAFF REPORT. The applicant states that the actual setbacks are greater than what the application indicated.

AMENDMENT TO MOTION, 8-foot side yard setback and 18-foot front yard setback for storage shed (2-foot reduction) to reflect actual plans.

**A friendly amendment was made to adjust setbacks M/S HUTCHINSON/ST CLAIR Moved to approve findings of fact and the variance request for an 8-foot (7-foot reduction) side yard setback and an 18-foot (2-foot reduction) front yard setback for a storage shed as amended.**

**Motion approved unanimous.**

3. (PH) Preliminary plat review of the Ostrander Replat, a replat of a portion of Lot 5, Block 84, USS 2589 (Plat No. 65-152), creating Lot 5A and Lot5B, zoned Rural Residential 1, owned and requested by Mark and Margaret Mitchell

**PUBLIC HEARING OPEN:** No Public Comment. No statement from parties of interest.

**PUBLIC HEARING CLOSED**

**M/S HUTCHINSON/ST. CLAIR approve the preliminary plat of the Ostrander replat.**

**Motion approved unanimous.**

4. Review and Approval of a Right-Of-Way encroachment application for an awning on 310 Front Street, Portion of Lot 3, Block 5, USS 1119, owned by Buness Family LLC, requested by Tim Buness.

**M/S MCCONACHIE/HUTCHINSON move to approve the findings of fact and the right of way encroachment request for an awning attached to the front of their building to provide coverage at the entrance of their business.**

DISCUSSION. STAFF REPORT: After the fact application.

**Motion approved unanimous.**

5. Review and Discussion of Detached Accessory Dwelling Units (ADU) draft code

FURTHER REVIEW:

- Minimum 10,000 sq ft parcel - YES
- Variances not allowed for ADU. Meet Setbacks to wall of structure, then allow variance for roof overhang only into setback by 3 or 4 feet.
- 800 sq ft building – foundation footprint including deck (SFMD) - YES
- Must have enough lot size and still meet lot coverage - YES
- Allowing 2 residential structures on a single lot (this is currently permitted but the current requirement is land must be or could be subdivided), but not 3 units in SF. - YES. Share driveway access - NOT MANDATORY, DEPENDS ON LOCATION
- Needs utilities - YES
- Not allowing construction over a lot line if own adjacent lot (should be case for all construction) - YES ADU must be on same lot as primary residence.
- Add a third RR Zone – different lot size for septic system - TBD
- Only 1 ADU in SF, only 1 in Rural Residential. - YES. How many units in Multifamily? - based on current code density. If the residence has garage apt, it cannot have ADU. - YES
- Should it be owner occupied or long-term rental? - BOTH ACCEPTABLE
- If know to be used as commercial, then must have licensed electrician. - YES. But is a long-term rental considered commercial? - NOT DECIDED

- If existing Residence built, then becomes Airbnb - COND. USE NEEDED - OK. ADU must be located behind the main structure. - YES.

6. Review and Discussion of Planned Unit Development and Cluster Subdivision draft code  
FURTHER INVESTIGATION IN TO PRELIMINARY PLAT AND FINAL PLATS. DISCUSSION ON  
SEPARATING LOTS IN CLUSTER DEVELOPMENTS.

**H. OLD BUSINESS - NONE.**

**I. PUBLIC COMMENT - NONE.**

**J. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS - NONE.**

**K. ADJOURNMENT**

Meeting adjourned at 7:12PM; Next meeting is scheduled for May 11th, 2023.

All future meetings will be scheduled for 5:30 PM.

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

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

**City and Borough of Wrangell, Alaska**  
**Planning and Zoning Commission**  
**Regular Meeting May 11<sup>th</sup>, 2023**  
**Staff Report**

**Agenda Item:** G1

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

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**Subject:** Request from John Agostine to purchase Borough Tidelands in the subdivided portion of Agostine Tidelands Resubdivision, adjacent to Lot 15A and 14A, zoned Waterfront Development.

**Background:** John Agostine is requesting to purchase tidelands as identified in the attached drawing. Mr. Agostine has had a lease agreement with the Borough for the lots in question since 1994. He wants to acquire these tidelands to expand his existing residence and develop the property for storage.

The Port Commission reviewed the request at their last meeting on April 27<sup>th</sup>, 2023. The Port Commission unanimously approved recommending the sale of tidelands to Mr. Agostine. The Borough does not have any plans to develop the property at this time.

**Supporting Documents:** 1.) Letter from John Agostine requesting the purchase, 2.) Public Map of proposed area, 3.) Memo in support of purchase from the Port Commission.

**Recommendation:** Staff recommends approval of the request.

**Recommended Motion:**

**Move to recommend approval of John Agostine request to purchase tidelands Parcel 02-015-113 Lot 15A, Plat 2004-9 and Parcel 02-015-111 Lot 14A, Plat 2004-9.**

April 18, 2023

Attn: Kim Lane  
Borough Clerk  
City & Borough of Wrangell  
205 Brueger Avenue  
Wrangell, Alaska 99929

Dear Mrs. Lane,

I am contacting you today to express my interest in purchasing two leased tideland from the City and Borough of Wrangell. Please consider this letter as a formal request to purchase the following parcels of land that I currently lease from the Borough:

Parcel 02-015-113, Lot 15A, Plat 2004-9

Parcel 02-015-111, Lot 14A, Plat 2004-9

*\*See attached Schedule A*

As per WMC 16.12.040, it is necessary for me to outline my purpose and the intended use of the land I am requesting to purchase. The aforementioned parcels are adjacent to my primary residence. As such, I would like to acquire these properties for the purpose of expanding my existing residence and/or developing these properties for use of a storage facility that would have an economic benefit to the Borough.

I lease these tidelands from the Borough currently and am looking to purchase them outright as no person would have road access to them as my primary residence blocks any access to them. It is unlikely the Borough will develop the access and infrastructure needed to open up these properties from the waterfront side. Therefore, the Borough would benefit from this transaction as it would expand its tax base and provide an economic benefit as I could expand my storage capacity for business. It is my understanding that the Borough has no plans to develop these properties, and I believe such a transaction is mutually beneficial.

Please feel free to contact me directly at (907) 305-0408 regarding next steps. I sincerely hope you consider this request to purchase.

Respectfully,

*John Agostine*

John Agostine  
Wrangell Resident

Exhibit A:





# CITY AND BOROUGH OF WRANGELL, ALASKA

Item .



1 inch = 160.898384 feet

9

ate: 5/4/2023

Public Map



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

# memo

City of Wrangell

**To:** Kim lane, Kate Thomas

**From:** Steve Miller

**Date:** 3/28/2023

**Re:** John Agostine leased property sale.

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**Comments:** On April 27<sup>th</sup>, 2023, the Port commission unanimously passed the request to sell tide land parcels 02-015-113 Lot 15A, Plat 2004-9 and parcel 02-015-111 lot 14A, Plat 2004-9 to John Agostine.