

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

**May 9, 2013
7:00pm**

Agenda

A. CALL TO ORDER/ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: Regular Meeting of April 11, 2013

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

1. Memo from John Taylor regarding resignation from the Commission.

F. OLD BUSINESS

1. Outdoor Wood Boilers (defer)

G. NEW BUSINESS

- Pub Hrg 1. Request for Vacation of a portion of "A" Street, located between Lots 1 and 8, Block 1, USS 1593 owned by Frank Warfel; and Lot 16B, Biastoch Resubdivision, owned by Charles and Valerie Biastoch and Lot 38, Block 13, USS 1119, zoned Single Family residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.
- Pub Hrg 2. Request for Vacation of a portion of Cassiar Street where it intersects with "A" Street and adjacent to Lots 36-38, Block 13 USS 1119, zoned Single Family Residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.
- Pub Hrg 3. Request for Vacation of "C" Street, located between Grave Street right-of-way and Lot 4A, Block 2, USS 1593, zoned Single Family Residential, requested by Holly and Clay Hammer.

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

J. ADJOURNMENT

4/21/13

Honorable Mayor Dave Jack & Assembly Members
Tim Rooney, City Manager
Carol Rushmore, P&Z Administrator
Planning & Zoning Commissioners

Please accept this letter as my resignation, effective immediately, from the Planning & Zoning Commission. I have enjoyed working with this fine group of people, both city staff and volunteers of the commission.

Best regards,

John Taylor

City and Borough of Wrangell, Alaska

Agenda Items G-1 and G-2

Date: May 2, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request for Vacation of a portion of "A" Street, located between Lots 1 and 8, Block 1, USS 1593 owned by Frank Warfel; and Lot 16B, Biastoch Resubdivision, owned by Charles and Valerie Biastoch and Lot 38, Block 13, USS 1119, zoned Single Family residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.

Request for Vacation of a portion of Cassiar Street where it intersects with "A" Street and adjacent to Lots 36-38, Block 13 USS 1119, zoned Single Family Residential, owned by the City and Borough of Wrangell, requested by Frank Warfel.

Background:

In 2003, the Planning and Zoning Commission and City Council approved a partial vacation of the lower part of "A" Street at the request of the Biastochs whose home encroached into the Right-of-Way (ROW). Mr. Warfel is preparing for new construction on his lot on the other side of the ROW and is requesting several items:

- 1) that the remaining 15 foot wide portion of A Street be vacated along with an upper portion of A Street;
 - 2) that part of Cassiar be vacated between Biastoch property and three inaccessible lots owned by the City and Borough of Wrangell;
 - And 3) that he could purchase those three inaccessible lots.
- Please refer to the attached map.

Review Criteria:

The proposal must comply with the following sections:

- Chapter 20.16: Single -Family Residential District
- Chapter 20.52: Lot Standards

Findings:

The Applicant is seeking to vacate portions of two ROW as described above under "Background".

A Street is a very steep slope and will be difficult to construct. Contractors differ in the opinions as to the viability of the roadway. In 2003, it was recommended and approved that that portion of A Street adjacent to the Biastoch property be vacated to address an encroachment of their structure. It was felt there was little likelihood of constructing such a steep road to access lots on Cassiar.

The "A" Street Right of Way was actually platted in 1925 (see attached map). According to Greg Scheff, Stikine Ave/Evergreen was formally created and constructed in the late 70's/early 80's and mostly developed by deeds and easements. The road construction changed the shape of Lot 16 to the current shape owned by Biastoch's. The original southwestern "A" Street ROW edge was the Wrangell Townsite line, until the ROW was vacated in 2003 in the Biastock Resubdivision.

"A" Street was one potential access to the inaccessible lots on Cassiar, as is blasting the rock at the end of the existing Cassiar, or perhaps developing a new subdivision by extending Meridian Street (ROW behind Stough's/Bloom Trailer Park), as explored earlier by staff. "A" Street as it stands now has a 22% slope. There could be some concern from landowners on Cassiar currently without access, that by vacating the remaining lower portion of "A" Street, it effectively eliminates all potential future access to their lots. All potential routes to access the privately owned inaccessible lots on Cassiar have development issues.

Providing access to the privately owned lots on the lower portion of Cassiar Street is finally being raised to a higher priority, now that Front Street is completed and the upper portion of Cassiar and Weber will be fixed. Staff has explored several options to obtain access to the currently inaccessible private lots on the lower portion of Cassiar. One option was to reroute the existing Cassiar Street up above the rock outcropping currently located by Lurine McGhee's house, above the Churchill property as well. Another option is to extend Meridian Street from the north and down to the private owned lots, opening up additional land for sale and development at the same time. There was some survey and topographical work done 10-12 years ago, but there is currently no exact plan on exactly where or how the road might be located. To vacate portion of "A" Street, sell the lots, or vacate portion of Cassiar without first knowing where the road and access will come from is poor planning and could dramatically affect access to the lower portion of Cassiar. Please also see memo from Public Works Director Carl Johnson.

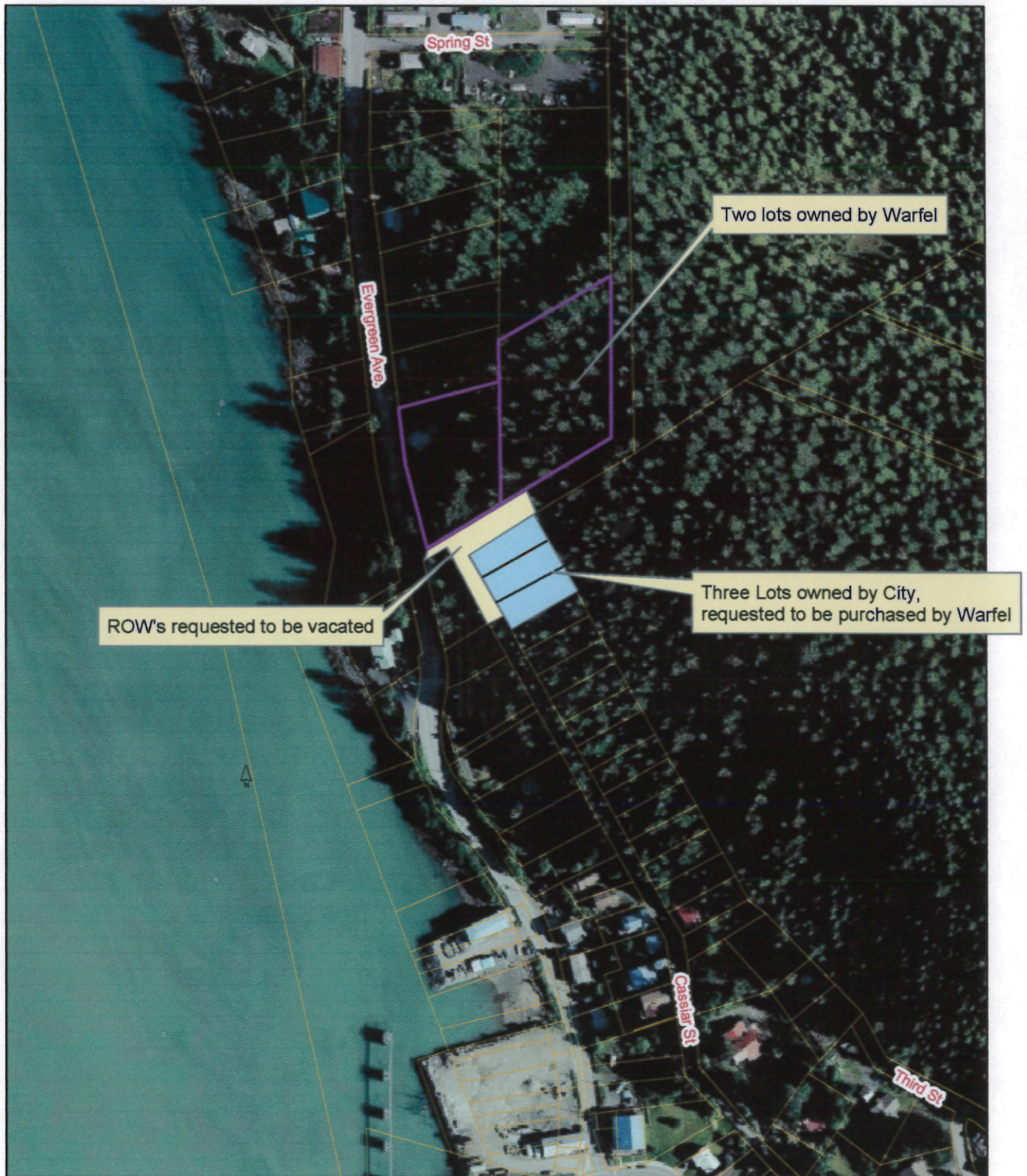
The lower portion of "A" Street does still have utilities in the unvacated portion and it could still also be used as a one way street, or even an improved pedestrian access to tie into a larger trail plan that is currently being developed.

Recommendation:

Staff recommends that the Planning and Zoning Commission deny the request to vacate any of the "A" Street ROW and portion of Cassiar Street. Staff also recommends that the three lots are not recommended for sale until such time that access to the Cassiar lots can be provided.

Should the Commission have questions that are not answered in this staff report, Staff requests that you defer a decision until the June meeting so that I can get any answers to questions.

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 250 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2011



Memo

To: Carol Rushmore
From: Carl Johnson
CC: Planning & Zoning Commission
Date: April 30, 2013
Re: Warfel Proposal

Carol,

I read the undated proposal from Frank W. Warfel and have a few comments:

- The remaining portion of "A" Street running between Cassiar Street and Stikine/Evergreen would be very unlikely to ever be developed as a street. It is already only 15 feet wide and the topography does not lend itself to a street. That said, there are water and sewer mains tapped into the "A" Street Right of Way from Evergreen. If the City vacated the lower portion of the "A" Street ROW, we would need to keep a utility easement for the full 15 foot width.
- The other issue is the section of "A" Street above Cassiar Street, the portions of Cassiar Street Mr Warfel is requesting vacation of, and the three City owned lots. The requested vacations would interrupt the connection between Meridian Street and Cassiar Street via "A" Street. The topography of this area may dictate that the future street be routed through the City owned parcels but that has not been determined yet. Until a buildable route has been planned and constructed, I think it would be a mistake for the City to vacate the upper portion of "A" Street or the requested portion of Cassiar Street. I also think the City should retain ownership of lots 36, 37, and 38 until whatever road the City chooses to construct is finished. At that time the City could replat and sell any lots not required for the construction of the road. There are property owners in this area who have been waiting for decades for access to their properties. I would hate to do something now that would limit the City's ability to construct a road to access those lots.

Thank You,
Carl Johnson
Public Works Director

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 7-3-03 Charles R. Biastoch
CHARLES R. BIASTOCH

DATE 7-3-03 Valerie J. Biastoch
VALERIE J. BIASTOCH

NOTARY'S ACKNOWLEDGMENT

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

THIS IS TO CERTIFY THAT ON THIS 3rd DAY OF July, 2003, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Charles R. Biastoch AND Valerie J. Biastoch TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND THIS ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

Deborah Bohell
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES 2-15-05

CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING Tax Clerk FOR THE CITY 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 OF WRANGELL, IN THE NAME OF Charles R. Biastoch 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 2003 WILL BE DUE ON OR BEFORE AUGUST 15, 2003, DATED THIS 11th DAY OF July, 2003.

Deborah Bohell
TAX CLERK, CITY 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 OF WRANGELL PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT REGULATION NO. 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 7/10/03 Michael Thompson
CHAIRMAN, PLANNING COMMISSION
Theresa Craque
SECRETARY

CERTIFICATE OF APPROVAL BY THE COUNCIL

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF WRANGELL COUNCIL AS RECORDED IN MINUTE BOOK PAGE 20, 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 7-23-03 Bruce R. Harris
MAYOR, CITY OF WRANGELL
ATTEST:
Christine A. Harris
CITY CLERK

PLAT NOTES

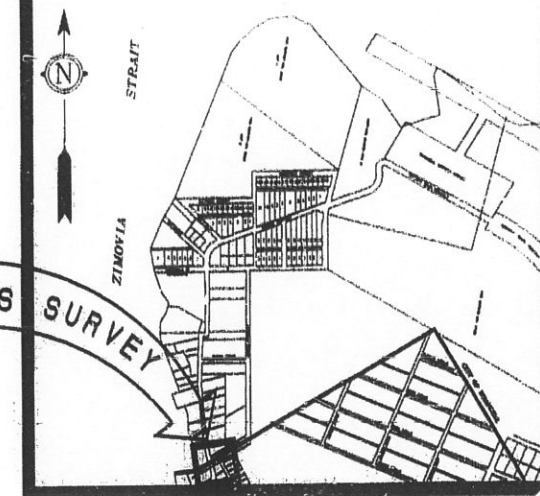
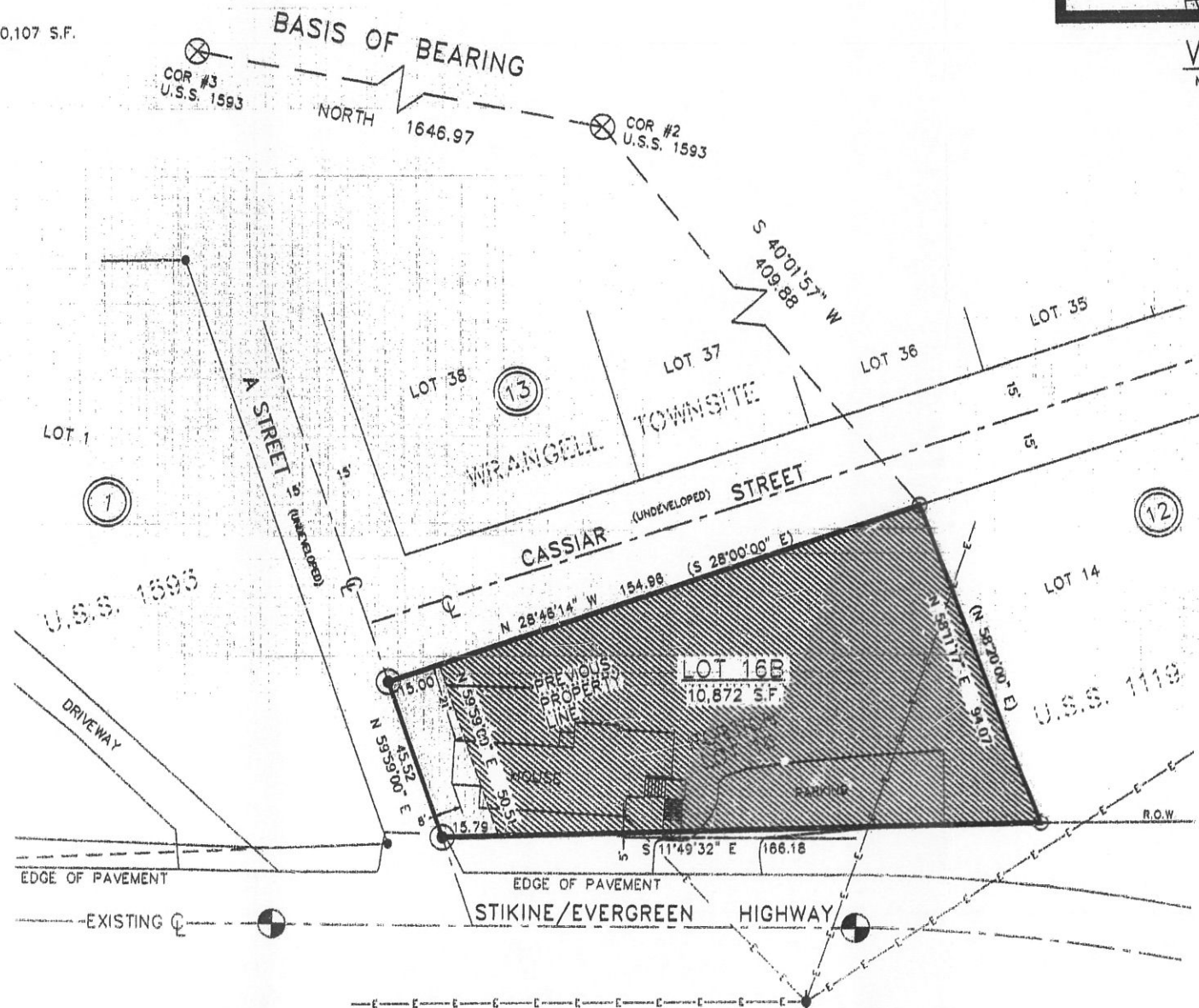
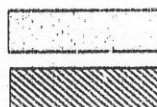
1. PORTION LOT 16 IS ZONED SINGLE FAMILY RESIDENTIAL
2. THIS PLAT WILL CREATE LOT 16B, BLOCK 12, WRANGELL TOWNSITE, U.S. SURVEY 1119.



LEGEND

- CENTERLINE BRASS CAP - RECOVERED
- GLO/BLM ROCK MONUMENT-- RECOVERED
- REBAR AND ALUM CAP - RECOVERED (LS6700)
- REBAR AND YELLOW PLASTIC CAP - RECOVERED (LS6700)
- REBAR AND ALUM CAP - SET THIS SURVEY (LS6700)
- POWER POLE
- OVERHEAD ELECTRICAL SERVICE
- DATA OF RECORD
- DATA MEASURED OR COMPUTED
- PORTION OF "A" STREET TO BE VACATED 718 S.F.
- ORIGINAL LOT 16 - APPROX. 10,107 S.F.

(N 58°20'00" E)
N 58°11'17" E



GREG SCHEFF & ASSOCIATES LAND SURVEYORS

BOX 1331 WRANGELL, ALASKA 99929
PHONE (907) 874-2177
FAX (907) 874-2197

PROJECT: **BIASTOCH RESUBDIVISION**
THE REPLAT OF A PORTION LOT 16, BLOCK 12, U.S. SURVEY 1119 AND A VACATION OF A PORTION OF "A" STREET, U.S. SURVEY 1593
WRANGELL RECORDING DISTRICT

CLIENT: CHARLES AND VALERIE BIASTOCH
BOX 1589
WRANGELL, ALASKA 99929

DESIGNED: GGS
DRAWN: JLS
CHECKED: GGS
DATE OF SURVEY: 07/02/2003
DATE OF PLAT: 07/02/2003
SCALE: 1"=20'
SURVEYOR: GREGORY G. SCHEFF
PROJECT NO.

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN JULY 2003, 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 NOTE.
DATE 7/3/03
GREGORY G. SCHEFF
GREGORY G. SCHEFF (LS 6700)



2003-8
Wrangell REC DIST
DATE 7-23-03
TIME 11:45 AM
Prepared by Greg Scheff
Address Box 1331
City Wrangell, AK 99929

Wrangell 2003-8

MAP OF NORTHERN ADDITION TO WRANGELL TOWNSITE ALASKA SURVEY No 1593

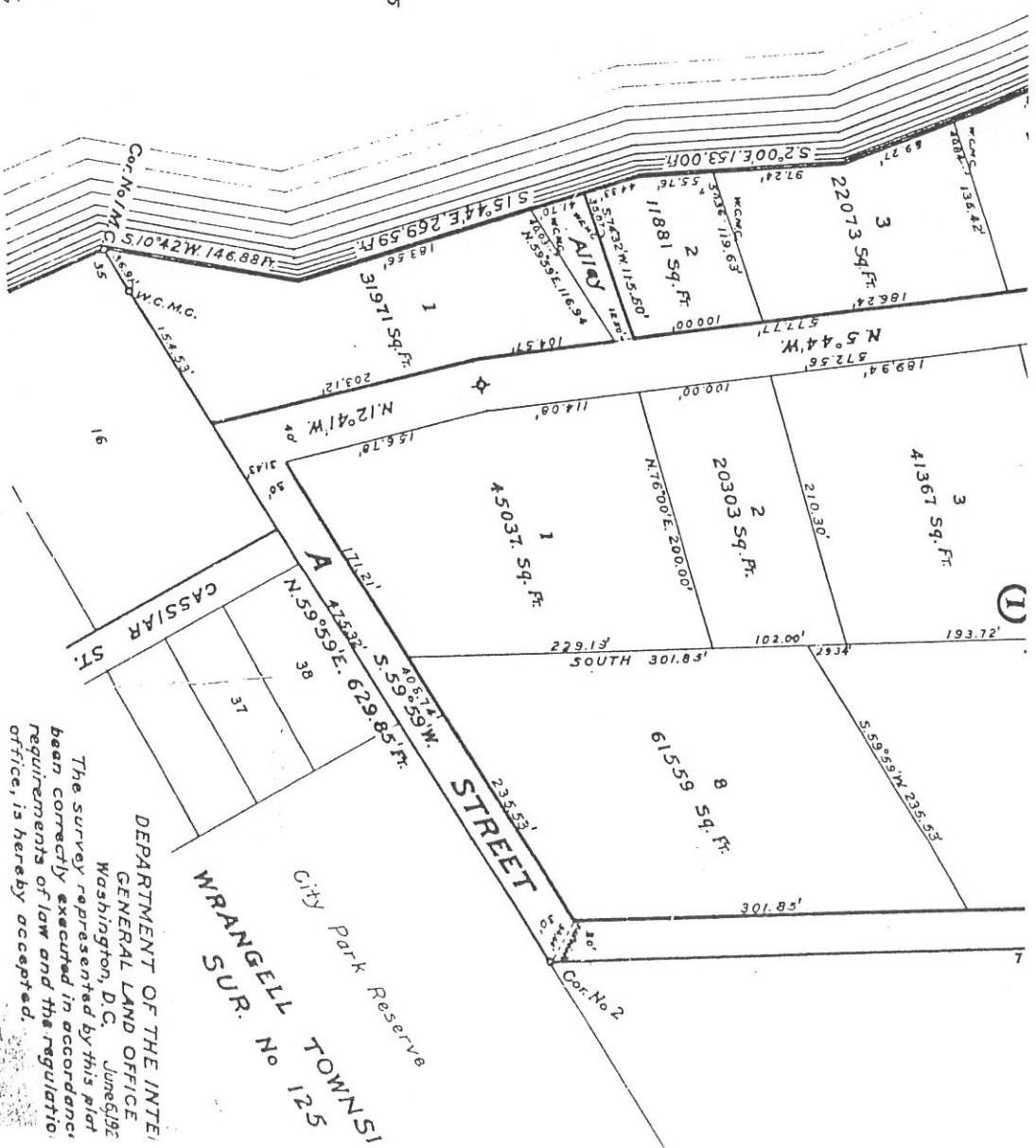
Lat. 56°28'20"N Long. 132°23'W
Scale; 100 Ft. To The Inch
Area Subdivided 24.85 Acres
Survey Begun Oct. 12, 1925; Survey Completed Oct. 24, 1925

LEGEND

STONE REFERENCE MONUMENTS, marked with cross
(X) sunk 18 and 24 inches below the surface at intersection
of center lines of streets, indicated thus X
BLOCK CORNERS, are spruce posts 4X4X24" long
driven 18" in the ground.
LOT CORNERS, are spruce posts 1 1/2 X 1 1/2 X 24" long
driven 18" in the ground.

Denver, Colorado Sept. 9, 1926
I hereby certify that this Plat of US Survey No 1593
NORTHERN ADDITION TO WRANGELL TOWNSITE,
ALASKA, as surveyed by Fred Deliquist USCE. under
special instructions dated Aug. 17, 1925, in accordance with
provisions of the act of March 3, 1891 (26 Stat. 1095)
is strictly conformable to the field notes of survey thereof,
which have been examined and approved.

William H. Dwyer
U.S. Supervisor of Surveys

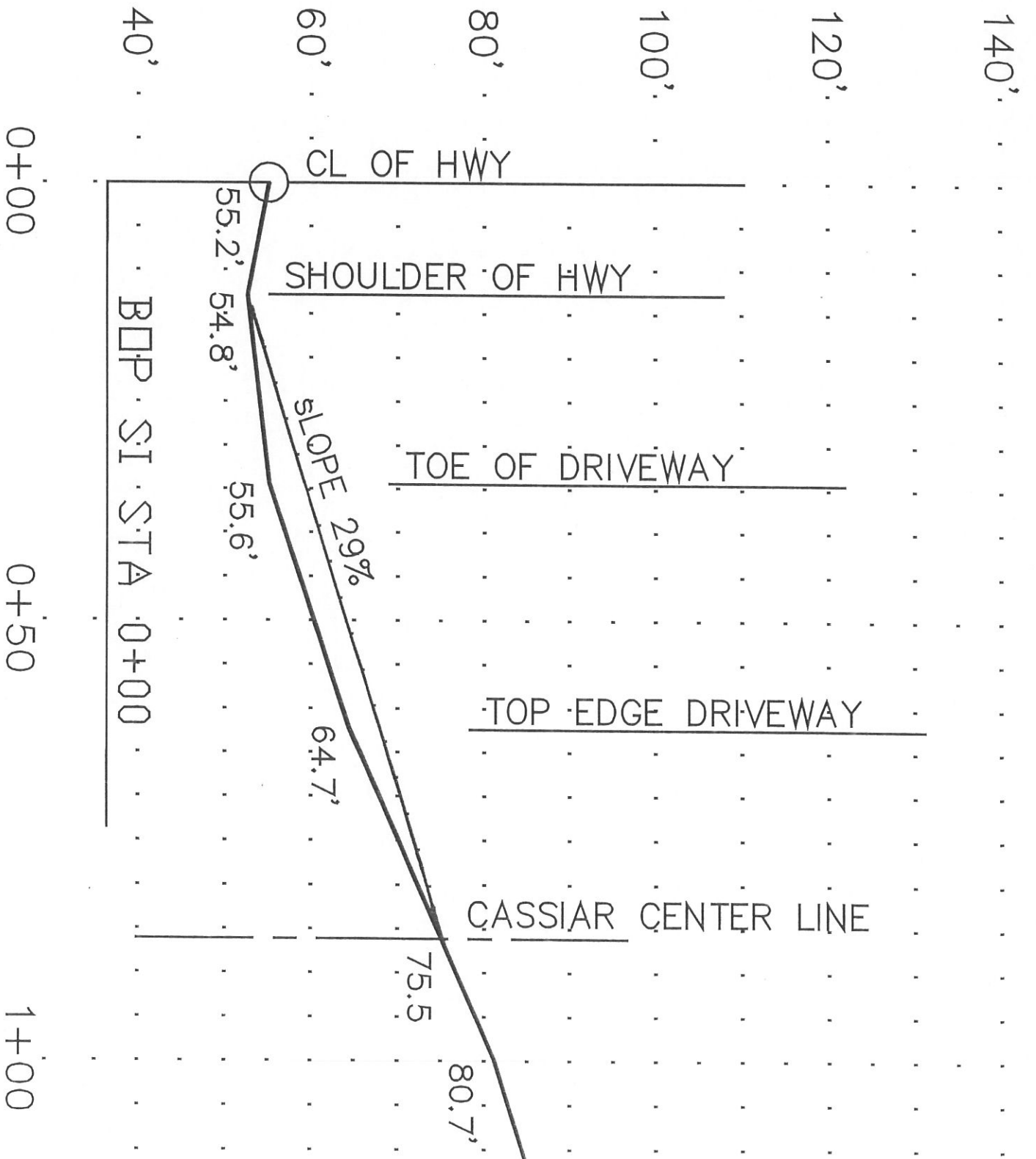


DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
Washington, D.C. June 6, 1926
The survey represented by this plat
been correctly executed in accordance
requirements of law and the regulatory
office, is hereby accepted.

Charles Dwyer
Assistant Commissioner

VERTICAL ELEVATION

SCALE: 1" = 20'



To: Planning and Zoning Committee

From: Frank W. Warfel

Subject: Property Vacate/Purchase

Proposal

My name is Frank W. Warfel. I have owned and resided at 502 Evergreen Ave., or better known as the Benjamin Homestead for the past 18 years. My properties are subdivided, one being directly behind the other. For the sake of this letter I will refer to the lots as stated on the city obtained plat notes as Lot 1 and Lot 8.

Immediately south, or towards town, from Lot 1 and Lot 8, lies a 30' easement or referred to as A Street. To my understanding A Street has been determined by the City of Wrangell or Planning and Zoning as "undevelopable". Since that conclusion my adjacent neighbors Chuck and Valerie Biastoch, who own Lot 16B, approached the Planning and Zoning Committee and were approved to vacate 15' of A Street leaving only 15' of A Street available.

As you move up the hill paralleling Lot 1, A street extends back out to a 30' easement and intersects with proposed extension of Cassiar Street which lies directly behind Lot 16B. Cassiar Street is a 30' easement street that currently is not developed.

Above Cassiar Street and south or towards town of A Street, lie 3 City of Wrangell owned lots. These lots are designated as Lot 38, Lot 37, and Lot 36 respectively. Currently these lots are undeveloped and not accessible.

These past few months I have had some very extensive rock work done by B.W. Enterprise on Lot 1 preparing it to build a shop and new home. Myself, my checkbook, and Brett's 3 (working on 4) rock chipping bits that have snapped are very certain that with the layout and makeup of


the terrain and as rock hard as the ground is, A Street and Cassiar Street are going to remain undeveloped and/or undevelopable.

With that said, I am asking the Planning and Zoning Committee to consider some proposals. 1) Vacating the remaining 15' of A Street and adding it to Lot 1. Just a reminder 15' has already been approved, vacated, and added to Lot 16B. 2) Vacate the 30' easement of A Street that parallels Lot 1 and Lot 8 up to where Lot 1 and Lot 8 intersect or in those whereabouts. If vacated, add that portion of A Street to Lot 1 and Lot 8. 3) I would like to purchase Lot 38, Lot 37, and Lot 36, or at the minimum Lot 38. I understand the City of Wrangell has to do this in a bid form so I'm requesting they make these lots available for a bid purchase. 4) Lastly, I'm proposing the Cassiar Street extension to be vacated starting by extending the property line from city Lot 36 towards Evergreen Ave. and vacating it north to where it intersects with A Street. Of the vacated Cassiar Street, 15' would be granted to Chuck and Valerie Biastoch of Lot 16B since it adjoins their current property, the other 15' would be granted to the bid winners of Lot 38, Lot 37, and Lot 36 respectively.

Being able to have an opportunity to purchase Lot 38, Lot 37, and Lot 36, along with vacating A Street and Cassiar Street will not only rid the city of undevelopable lands, but will essentially rid myself of any easement issues or zoning issues with my current properties projects and any future projects.

Thank you for your time and consideration of this proposal.

Regards,


Frank W. Warfel

502 Evergreen Ave.

(907)470-3776

L.O.T. 16 - APPROX. 10,10' S.F.

Lot

1/00

LOT



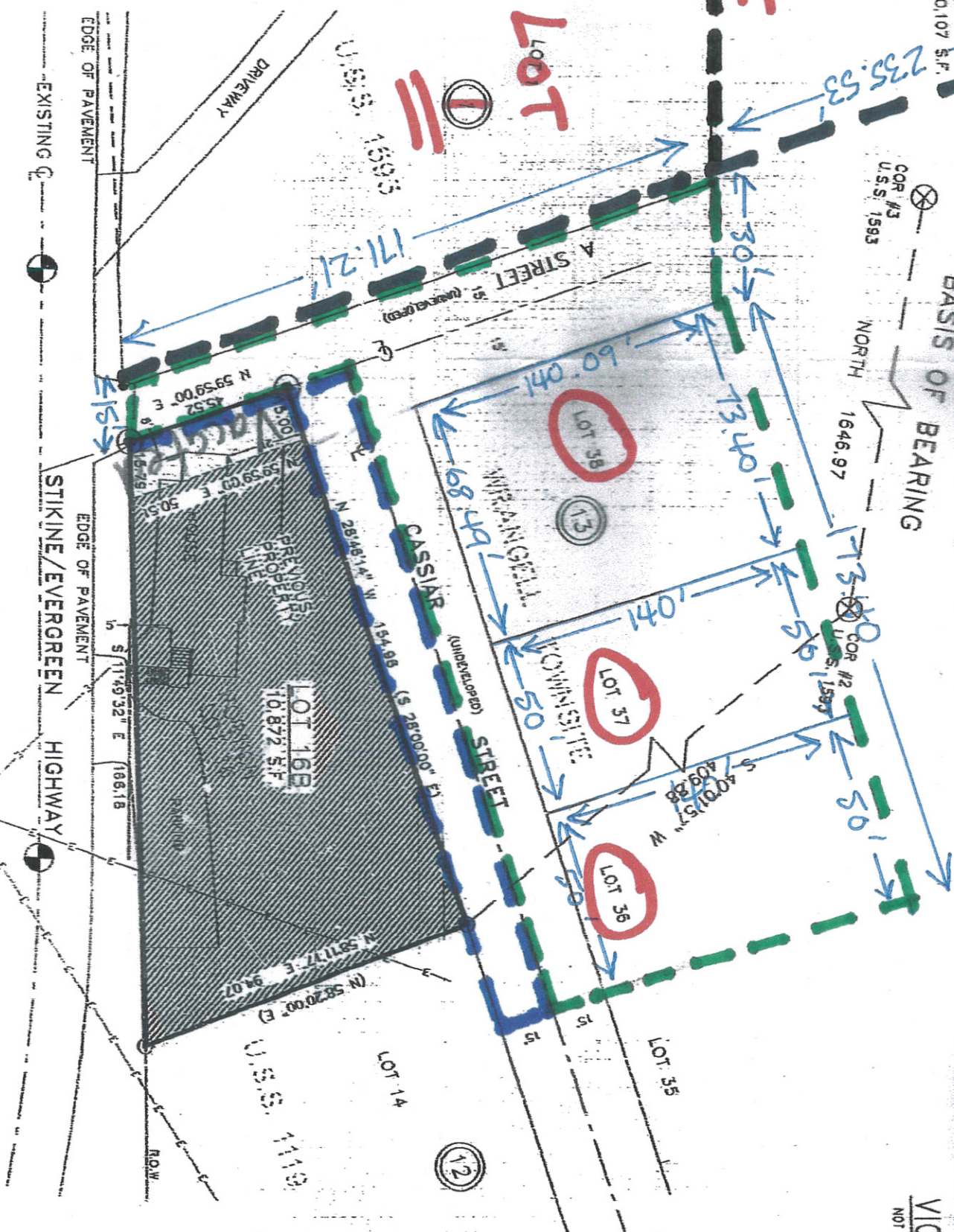
BASIS OF BEARING

NORTH

1046.97

VICINITY M.
NOT TO SCALE

NOT TO SCALE



City and Borough of Wrangell, Alaska

Agenda Items G-3

Date: May 2, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request to Vacate "C" Street, located between Grave Street and Lot X... owned by Clay and Holly Hammer, Zoned Single Family Residential requested by Clay Hammer.

Background:

"C" Street was platted in 1925. See the attached maps. It is an additional 30 foot ROW adjacent to the existing 60 foot ROW of Grave Street. Grave Street in this area is not fully developed and is currently used mostly as a driveway. The "C" Street portion is still wooded.

Please refer to the attached map.

Review Criteria:

The proposal must comply with the following sections:

Chapter 20.16: Single -Family Residential District

Chapter 20.52: Lot Standards

Findings:

The Applicant is seeking to vacate the 30' portion of "C" Street adjacent to his lot.

While there are no utilities in this portion of the 90' ROW area, and it appears to be unnecessary and extra, ROW there are currently some planning projects that have started that could make use of this ROW.

State Parks has recently acquired the Bangeman property in order to expand Petroglyph Beach State Historic Park. While some tentative plans show a turn around, access into the property from Grave Street nearer the walkway, their final development plan is a couple of years away. In the past, when bus companies have taken tours to the Beach, they have often backed up and parked in the upper portion of Grave Street on the opposite side of Evergreen. There could potentially be a need in the future for buffer, parking or other use to support access to the beach.

In addition, the City is in the process of developing a Trail Plan that will link Volunteer Park, with Mt. Dewey, with the trailer park and Petroglyph Beach. The current plan has potential trails coming linking with the area on Spring Street, Grave Street and 3rd or 4th Street a bit further north. One idea was that the trail could be located in "C" Street, because of the wooded area adjacent to the road.

While "C" Street may seem like extra ROW, it could potentially be used in the future or could continue to provide a buffer.

Recommendation:

Staff recommends that the Planning and Zoning Commission deny the current request to vacate "C" Street ROW, until the State Park Petroglyph Beach plan and the local trail planning process are completed.

CITY AND BOROUGH OF WRANGELL, ALASKA



1 inch = 208.333333 feet

DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.
PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2011



Memo

To: Carol Rushmore
From: Carl Johnson
CC: Planning & Zoning Commission
Date: April 30, 2013
Re: Hammer Vacation Request

Carol,

Vacating the "C" Street ROW does not look like it would negatively impact future road or utility construction. Utilities are extended from Evergreen Avenue onto the Grave Street ROW. I have nothing that shows utilities in the "C" Street ROW. The remaining 60 foot Grave Street ROW is wide enough to accommodate a future through street.

Thank You,
Carl Johnson
Public Works Director.

RECEIVED
APR 19 2013
WRANGELL CITY HALL

To: Wrangell Planning and Zoning Committee

City and Borough of Wrangell;

Re: Vacation of "C" Street.

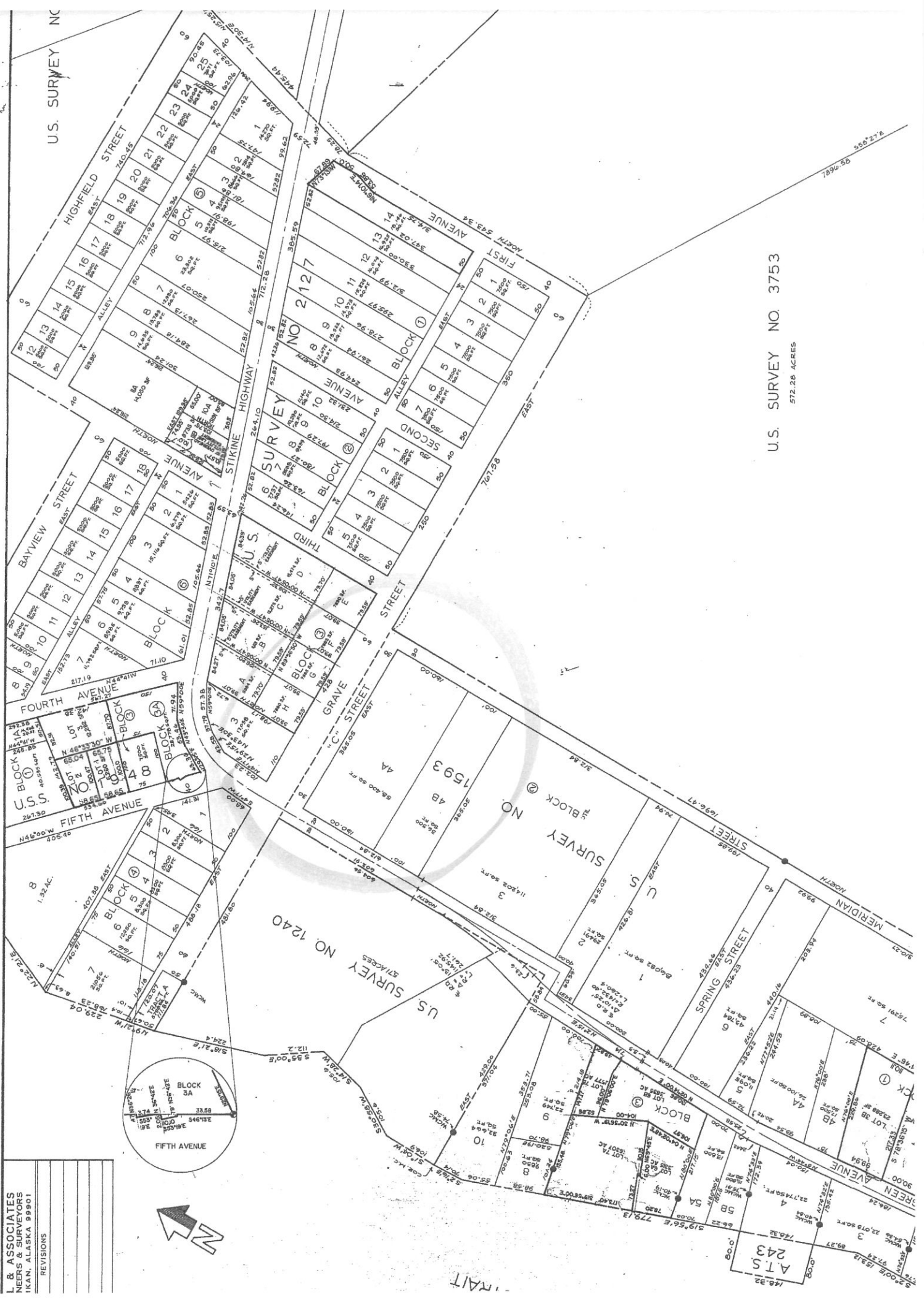
Shortly after purchasing the old Urata House at 690 Evergreen I was looking at the plat for the property and I noticed an anomaly on the northern side that I would like to bring to your attention. (See Attached Plat layout) On the northern side of the property is a 60 foot wide easement known as Grave Street. Grave Street runs from Petroglyph Beach to First Avenue almost 1700 feet to the southeast. What I find odd is that after crossing Evergreen Avenue and heading southward the easement widens up to include a "C" street which only exists for the 365 feet that it parallels my property then it shrinks back up to the original 60 foot for the rest of the length of its existence. Correct me if I am mistaken but I believe Evergreen Avenue itself, our main thorough fare only has a 40 foot easement. I am unclear as to why there would need to be a 90 foot wide easement bordering only my property, my plans are not that big! I propose to this committee that the City and Borough of Wrangell vacate the length and width of that portion called "C" street adding it to lot 4-A within US survey Number 1593. This would clean up the lines on the plat and add that property back to the tax base of the community. As "C" Street borders no property but my own no other owners would be affected. With an easement of 60 feet already in place for Graves Street it is already 20 feet wider than Evergreen Avenue so any impact to future road development would be minimal.

Thank You for your consideration, Clay Hammer

690 Evergreen Avenue

L & ASSOCIATES
NEERS & SURVEYORS
IRAN, ALASKA 99901

REVISIONS



U.S. SURVEY NO. 3753
572.28 ACRES