

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION REGULAR MEETING AGENDA

March 12, 2015

7:00pm

Agenda

A. CALL TO ORDER/ROLL CALL

B. AMENDMENTS TO THE AGENDA

C. APPROVAL OF MINUTES: December 11, 2014, January 8, 2015

D. PERSONS TO BE HEARD

E. CORRESPONDENCE

1. Memo from Carol Rushmore to Borough Manager, Assembly and Port Commission, dated Feb. 9, 2015 re. Bay Company alley vacation and request to purchase land. (Assembly approved request as recommended by Planning and Zoning Commission)
2. Corps of Engineers Public Notice Application revision POA -2014-436 for fill/piling on Stikine Avenue

F. OLD BUSINESS

G. NEW BUSINESS

1. Final Plat review of the Torgramsen/Prunella Subdivision, a subdivision of Lot A-2, Torgramsen Subdivision II, creating lots A-1A, Lot A and Remainder of Lot A-2, zoned Single Family and Commercial, requested by Steve Prunella
2. Final Plat review of the McCloskey/Rooney Replat, a replat of Lot 4 and Lot 5 Block 7 Wrangell Island West Subdivision, creating Lot A and Lot B, zoned Rural Residential, requested by Doug and Pam McCloskey.
- Pub Hrg 3. Preliminary Plat review for Hazel/Haverstock Resubdivision a resubdivision of Lots 13 and 14, Block 2 ASLS83-7 Wrangell Island West Subdivision, creating lots A & B, zoned Rural Residential, requested by Charles and Melody Hazel.
- Pub Hrg 4. Variance application for a 0' side yard setback for construction of a house on Lot 1, Block 3, USS 1593, zoned Single Family Residential, requested by Todd and Catherine White
5. Discussion of location and use of Silvernail Work Road

H. PUBLIC COMMENT

I. COMMISSIONERS' REPORTS AND ANNOUNCEMENTS

J. ADJOURNMENT

City and Borough of Wrangell

Date: February 9, 2015

To: Jeff Jabusch, Borough Manager
Borough Assembly

From: Carol Rushmore, Economic Development Director

Cc: Port Commission
Wrangell Planning and Zoning Commission

Re: Request to vacate remainder of alleyway adjacent to Lot A and Lot C, Bay Company Replat; and request to purchase portion of Lot 1 and Lot 2, Block B, Sortyard Subdivision, zoned Waterfront Development, requested by David Powell, Manager of The Bay Company, owned by Chet and Bejay Powell.

Background:

Several public hearings have been held before the Planning and Zoning Commission to discuss this request. Initially the request also included vacation of half of Silvernail Work Road behind Lot C owned by the Bay Company, but that is now being dealt with as a separate issue by the Planning and Zoning Commission.

In 2010, five feet of the 15 foot wide unnamed alley extending between Lot A/Lot C and Lot 1/Lot2 was approved for vacation. The actual plat to reflect this ROW vacation was put on hold until the utility work as part of Front Street was completed. Bay Company has now expanded their request to vacate the entire ROW (unnamed alley) and purchase part of the adjacent port land up to the Marine Service Center fenceline through Lots 1 and Lot 2.

The Bay Company is seeking to add on a small side structure attached to their existing building on Lot A. They would also like to utilize the land proposed for purchase adjacent to Lot C for storage of their equipment and inventory and complete additional rock fill in order to level the land in the back corner of the alley along Silvernail Work road.

The Wrangell Port Commission and the Planning and Zoning Commission met on-site in November to look at property lines, utility needs and access.

Findings:

The electrical lines extending from Front Street to Silvernail Work Road are located in the port property of Lots 1 and 2 and are NOT parallel to the fence line, but more or less parallel with the existing alley ROW. According to Clay Hammer Electrical superintendent, there are (2) utility poles between Front Street and Silvernail Work Road that they must be able to retain access to. One has an arterial sectionalizing switch located on it, the other a 3 phase power bank that feeds the port owned lots. The electrical pole closest to Front Street is the critical pole with the switch. Bay Company has indicated they would like to fence and gate off the driving area from

Front Street, but would place the gate past the pole to allow the Electrical Department access to the pole. If they need access to the other pole, Bay Company indicated they will move whatever equipment would be stored in order to provide immediate access. Mr. Hammer also indicated to provide the necessary easement for the utility, they would need 15 feet from the center of the electrical pole on both sides of the pole.

Also, according to former Public Works Director Carl Johnson, water and sewer utilities are stubbed under the fence from the port lease areas on Lots 1 and 2 all the way to the existing alley. These utility stubs will eventually need to be extended down the alley to existing mains on Front Street. Access down the alley to connect these lots needs to be preserved.

I am trying to determine with Amber Al-Haddad and Carl Johnson just where the stubouts are located, as if they are all the way to the existing alley, the utility easement may need to be widened to protect the future connection or existing connection to Front Street of sewer and water. I do not yet have those plans but should prior to the Port Commission's meeting.

Recommendations:

Carol Rushmore, Zoning Administrator has recommend to vacate all or a portion of the existing alleyway, but then rather than sell the Port property to Bay Company, shift the alley ROW over in order to maintain a future potential for mid Front Street access to the property. From a long term planning perspective, eliminating access to such a critical piece of waterfront property could prove disabling in the future should uses or access needs of the property change. Lease arrangements could be made with Bay Company, much like lease lots are being provided within the yard itself, to allow them use of the alley that does not need to be used now, except for utility access.

The Planning and Zoning Commission at their January meeting recommended to the Borough Assembly to vacate the remainder of the alleyway adjacent to Lot A and Lot C, Bay Company Replat, and recommended to sell the requested portions of Lot 1 and Lot 2, Block B, Sortyard Subdivision to the Service Center fence line, and create a utility easement from the fenceline to extend 15 feet north of the center lines of the electrical poles.

The attached survey does NOT reflect the decision of the Planning and Zoning Commission. The utility easement would need to be widened approximately approximately 3-4 feet to the North near Front Street to only a few inches near Silvernail Work Road. The easement would also need to be located on Lot 1 and Lot 2 retained by the City in order to meet the 15 foot requirements.

Carol Rushmore Zoning Administrator would request, if the Assembly accept the recommendation of the Planning and Zoning Commission, to change the utility only easement to and access and utility easement for potential future needs.

The Port Commission will be reviewing the request and making a recommendation at their meeting on Feb. 11, 2015.

Attachments:

1. A schematic drawing by PND of the service center adjacent to the alleyway under discussion. Drawing shows the ROW, electrical lines, fence line, sewer/water stub out
2. A survey conducted by the Bay Company representing their request. The drawing does not however reflect the recommendation of the Planning and Zoning Commission.



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Division (1145)
CEPOA-RD
Post Office Box 6898
JBER, Alaska 99506-0898

| | |
|----------------------------|--------------------------|
| PUBLIC NOTICE DATE: | February 24, 2015 |
| EXPIRATION DATE: | March 10, 2015 |
| REFERENCE NUMBER: | POA-2014-436 |
| WATERWAY: | Zimovia Strait |

PUBLIC NOTICE REVISION

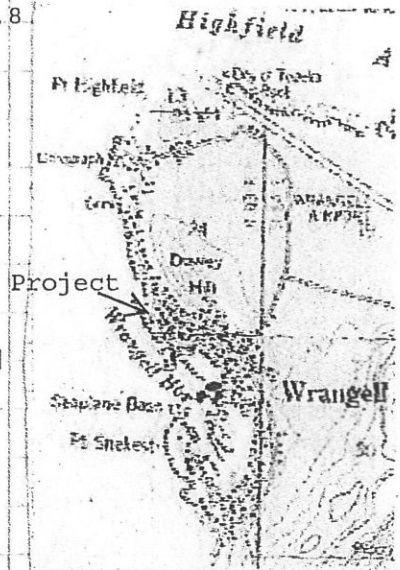
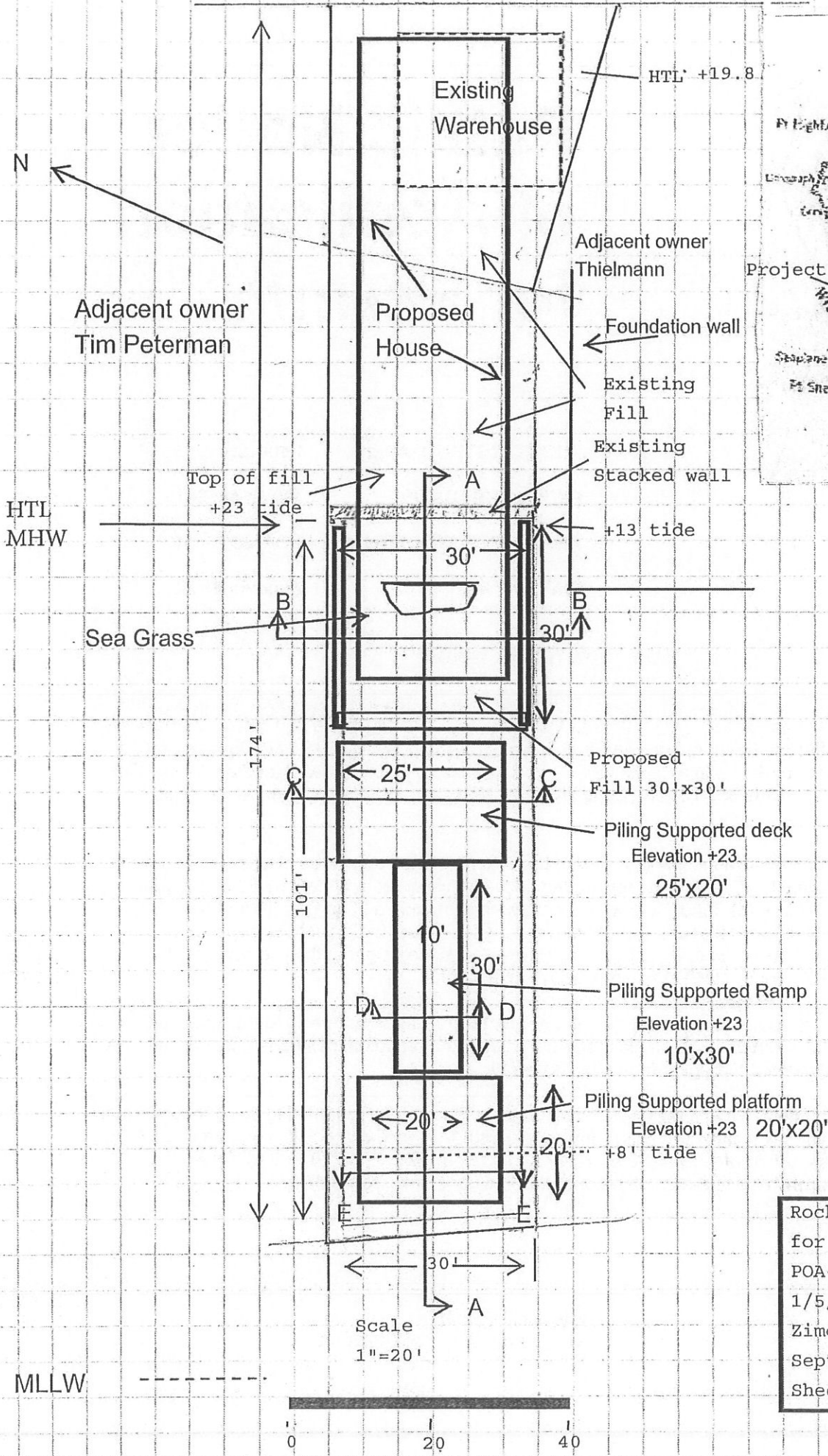
On November 6, 2014, the Alaska District Corps of Engineers published a Public Notice for a Department of the Army (DA) permit application, POA-2014-436, Zimovia Strait, to discharge 920 cubic yards of shot rock below the high tide line (HTL) of Zimovia Strait, to construct a 30 feet by 80 feet (0.06-acre) house pad. The project site is located within Section 24, T. 62 S., R. 83 E., Copper River Meridian, USGS Quad Map: Petersburg B-2, Latitude 56.4734° N., Longitude 132.3897° W., 231 Stikine Avenue, Lot 6, in Wrangell, Alaska.

The applicant has submitted revised plans, reducing the volume of shot rock to be discharged below the HTL from 920 cubic yards to 360 cubic yards, and reducing the fill pad from 30 feet by 80 feet (0.06-acre) to 30 feet by 30 feet (0.02-acre). Additional work includes: constructing a 20 feet by 25 feet pile supported deck, a 10 feet by 30 feet pile supported ramp, and a 20 feet by 20 feet pile supported platform. All piles would be 5 inch diameter galvanized steel, and the height of the pile supported structures would be +23 feet (MLLW) to minimize view obstructions.

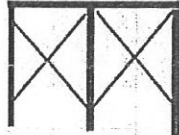
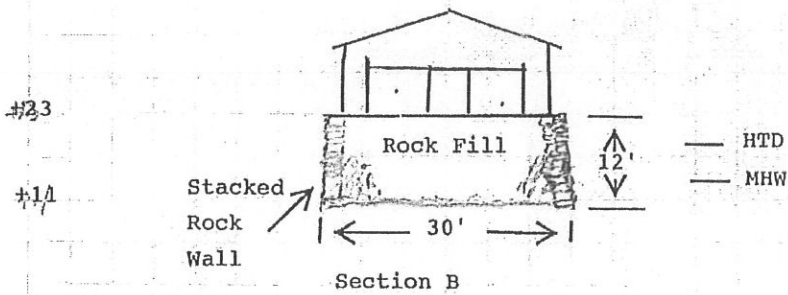
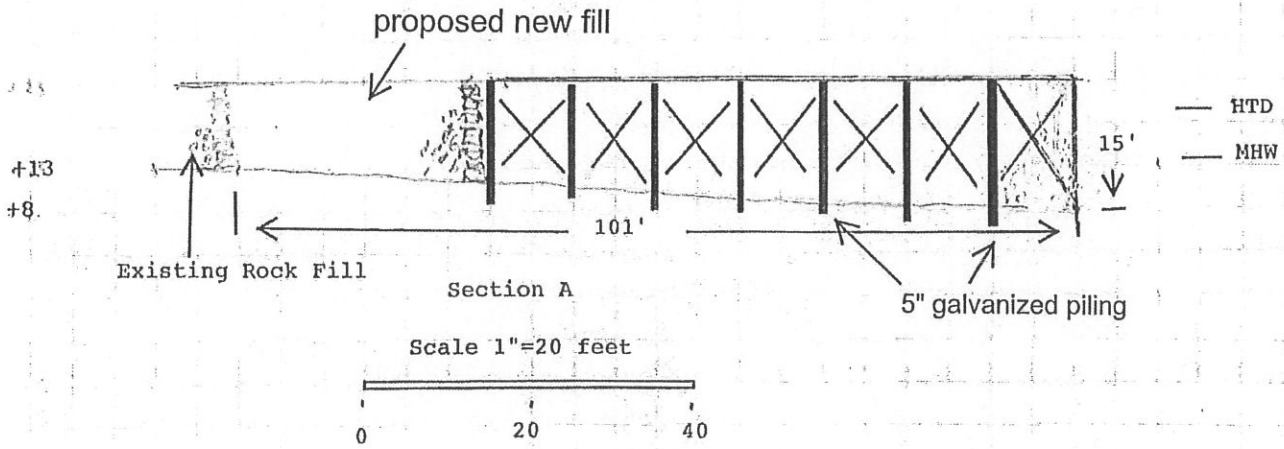
As compensation for aquatic resource impacts, the applicant is no longer proposing to transplant sea grass located within the intertidal area on his property. Rather, the proposed compensatory mitigation is proposed to be accomplished through a fee-in-lieu payment.

All other information contained in the previous notice remains the same. Please bring this announcement to the attention of anyone you know who is or may be interested. Please contact Jack Hewitt at (907) 753-2708, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-2708, or by email at jack.j.hewitt@usace.army.mil if further information is desired concerning this notice.

District Engineer
U.S. Army, Corps of Engineers



Rock Fill Lot 6 BLK A
for Residence buildings
POA-2014-359 Revised
1/5/2015
Zimovia Strait
September 2014
Sheet 1 of 2



Rock Fill Lot 6 BLK A
Revised 1/5/15
For Residence Buildings
Zimovia Strait
September 2014
Sheet 2 of 2
POA-2014-436

City of Wrangell, Alaska

AGENDA ITEM G1

Date: February 10, 2015

To: Planning and Zoning Commission

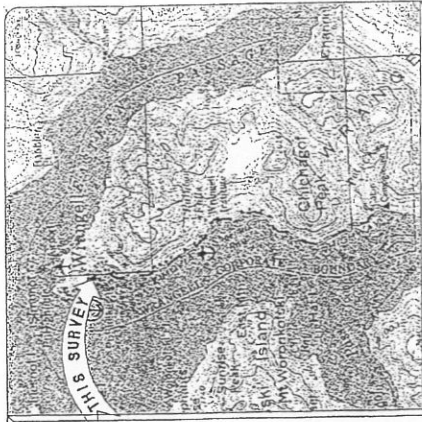
From: Carol Rushmore, Economic Development Director

RE: Final Plat review of the Torgramsen/Prunella Subdivision, a subdivision of Lot A-2, Torgramsen Subdivision II, creating lots A-1A, Lot A and Remainder of Lot A-2, zoned Single Family and Commercial, requested by Steve Prunella

Steve Prunella owns Lot 2, Spruce Subdivision and is purchasing adjacent land owned by Lisa Torgramsen. The proposed subdivision reflects the land area subject to their agreement.

New Lot A-1A of the Torgramsen/Prunella Subdivision will be mixed zoning, with the back half of the property zoned Single Family and the duplex itself zoned commercial. Lot A and remainder of Lot A-2 will be zoned Single Family residential. At this time, Mr. Prunella is not seeking to modify the zoning of the new lot, so it will remain as split zoning.

Staff recommends approval of the final plat.



VICINITY MAP
SCALE NOT TO SCALE

CERTIFICATE OF APPROVAL BY THE ASSEMBLY
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND DISTRICT OF WRANGELL, ALASKA, AS RECORDED IN WRANGELL RECORDING DISTRICT BOOK 3623, PAGE 2157, AND THAT THE SAME HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT CLERK, EX OFFICIO RECORDING WRANGELL, ALASKA.

DATE: _____
ATTEST: _____
DISTRICT CLERK

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION
I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND DISTRICT OF WRANGELL, ALASKA, AS RECORDED IN WRANGELL RECORDING DISTRICT BOOK 3623, PAGE 2157, AND THAT THE SAME HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT CLERK, EX OFFICIO RECORDING WRANGELL, ALASKA.

DATE: _____
ATTEST: _____
PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP AND DEDICATION
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY DEDICATE THIS PLAT OF SUBDIVISION TO THE PUBLIC FOR THE PURPOSES OF HIGHWAY, AND WE HEREBY DEDICATE THE PUBLIC TO PRIVATE USE AS NOTED.

DATE: _____
ATTEST: _____
OWNER

NOTARY'S ACKNOWLEDGMENT
I, _____, Notary Public in and for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as presented to me, and that the same has been duly acknowledged by the parties thereto.

DATE: _____
ATTEST: _____
NOTARY PUBLIC

RECORD CURVE DATA

| | | | |
|---|-------------------------------------|---|----------------------------------|
| ① | $\Delta = 130^{\circ}05'$ | ② | $\Delta = 013^{\circ}16'$ |
| | $R = 1004.93'$ | | $R = 1004.93'$ |
| | $C = 238.40'$ | | $C = 27.27'$ |
| | $CHD. BRG. = N30^{\circ}01'55.11"E$ | | $CHD. BRG. = N31^{\circ}03'08"E$ |

LEGEND

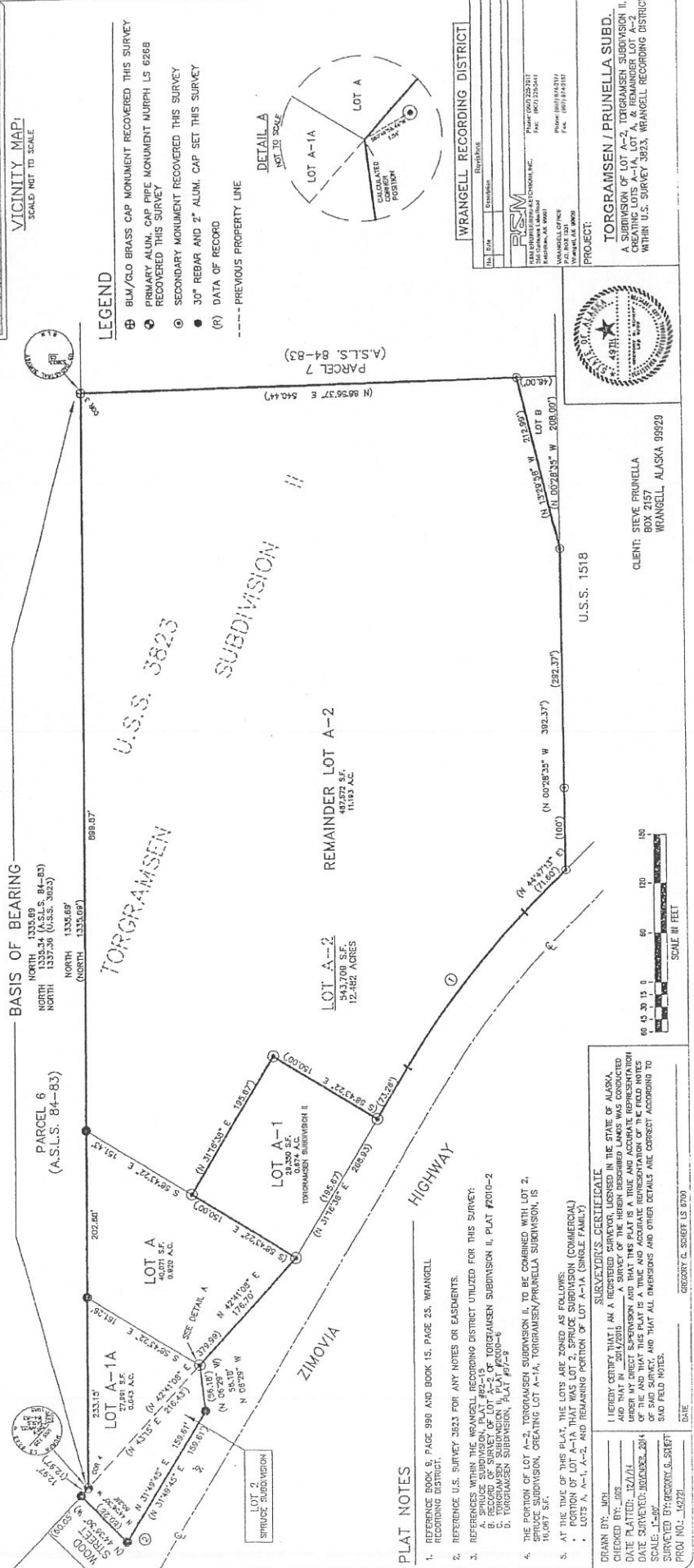
- ⊕ BLM/GLO BRASS CAP MONUMENT RECOVERED THIS SURVEY
- ⊙ PRIMARY ALUM. CAP PIPE MONUMENT MURPHY LS 6268
- RECOVERED THIS SURVEY
- SECONDARY MONUMENT RECOVERED THIS SURVEY
- 30" REBAR AND 2" ALUM. CAP SET THIS SURVEY
- (R) DATA OF RECORD
- PREVIOUS PROPERTY LINE

PLAT NOTES

- REFERENCE BOOK 6, PAGE 990 AND BOOK 15, PAGE 25, WRANGELL RECORDING DISTRICT.
- REFERENCES WITHIN THE WRANGELL RECORDING DISTRICT UTILIZED FOR THIS SURVEY:
- A. SPRUCE SUBDIVISION, PLAT #82-10, TORGRAMSEN SUBDIVISION II, PLAT #2010-2
- B. TORGRAMSEN SUBDIVISION II, PLAT #2010-4
- C. TORGRAMSEN SUBDIVISION II, PLAT #2010-5
- D. THE PORTION OF LOT A-2, TORGRAMSEN SUBDIVISION II, TO BE COMBINED WITH LOT 2, SPRUCE SUBDIVISION, CREATING LOT A-1A, TORGRAMSEN/PRUNELLA SUBDIVISION, IS 16,087 S.F.
- E. PORTION OF LOT A-1A, THAT WAS LOT 2, SPRUCE SUBDIVISION (COMMERCIAL) LOT A-1A, A-1, A-2, AND REMAINING PORTION OF LOT A-1A (SINGLE FAMILY)

NOTARY'S ACKNOWLEDGMENT
I, _____, Notary Public in and for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as presented to me, and that the same has been duly acknowledged by the parties thereto.

DATE: _____
ATTEST: _____
NOTARY PUBLIC



WRANGELL RECORDING DISTRICT

FILE NO. _____
BOOK _____
PAGE _____

DATE: _____
ATTEST: _____
DISTRICT CLERK

TORGRAMSEN / PRUNELLA SUBD.
A SUBDIVISION OF LOT A-2, TORGRAMSEN SUBDIVISION II, CREATING LOT A-1A, LOT A-1, LOT A-2, AND REMAINING PORTION OF LOT A-1A (SINGLE FAMILY) WITHIN U.S. SURVEY 3623, WRANGELL RECORDING DISTRICT

CLIENT: STEVE PRUNELLA
BOX 2157
WRANGELL, ALASKA 99829

NOTARY'S ACKNOWLEDGMENT
I, _____, Notary Public in and for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as presented to me, and that the same has been duly acknowledged by the parties thereto.

DATE: _____
ATTEST: _____
NOTARY PUBLIC

NOTARY'S ACKNOWLEDGMENT
I, _____, Notary Public in and for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as presented to me, and that the same has been duly acknowledged by the parties thereto.

DATE: _____
ATTEST: _____
NOTARY PUBLIC

City of Wrangell, Alaska

Agenda G2

Date: February 10, 2015

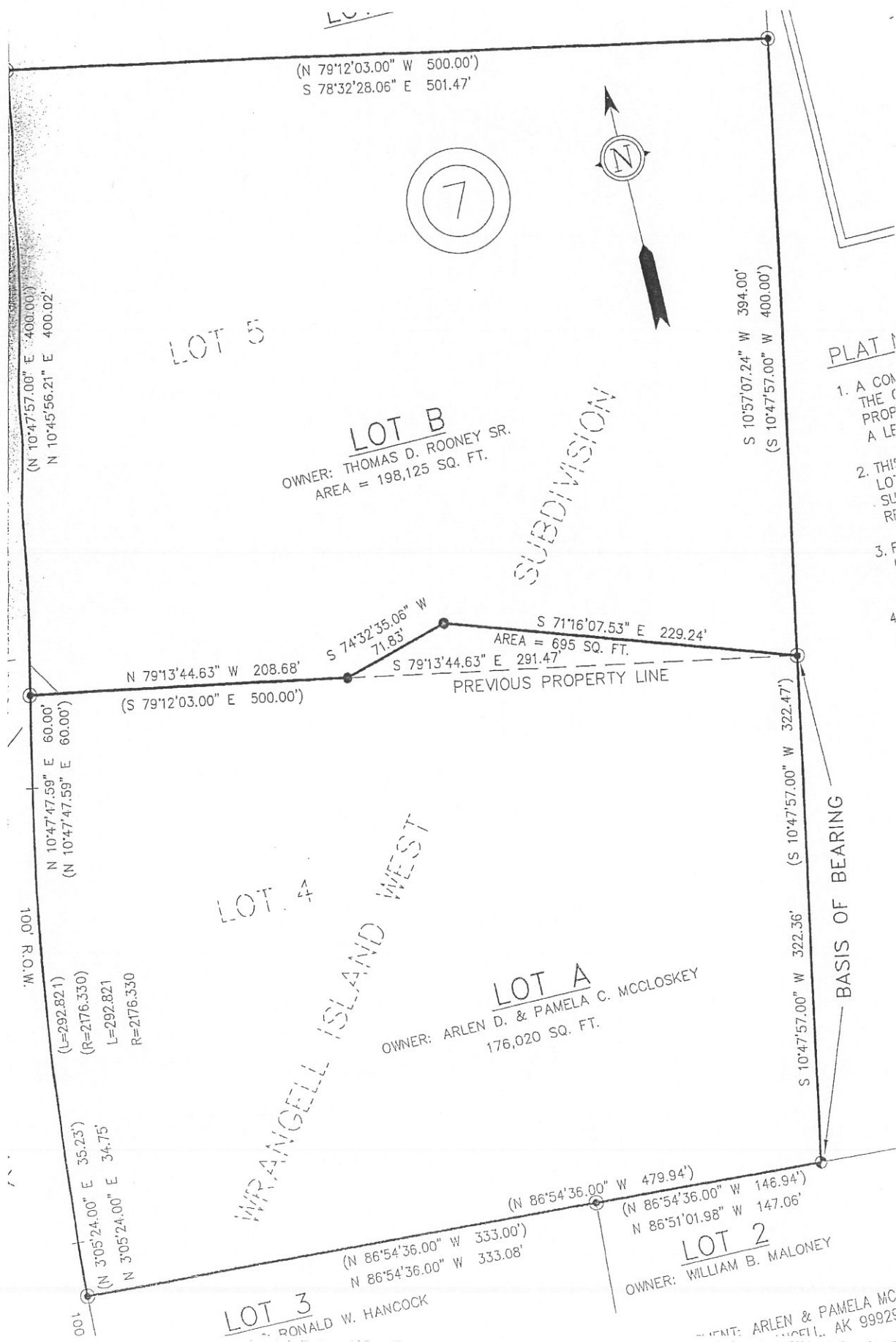
To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Final Plat approval of McCloskey/Rooney Replat, a replat of Lot 4 and Lot 5, Block 7 Wrangell Island West Subdivision, creating Lot A and Lot B, zoned Rural Residential, requested by Doug and Pam McCloskey.

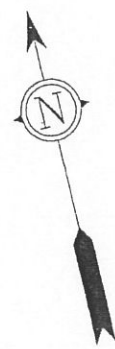
This plat is a lot line adjustment and per WMC 19.04.020 Platting – Required- Exceptions does not require a public hearing.

Staff recommends approval of the plat.



(N 79°12'03.00" W 500.00')
(S 78°32'28.06" E 501.47')

7



LOT 5

LOT B

OWNER: THOMAS D. ROONEY SR.
AREA = 198,125 SQ. FT.

SUBDIVISION

S 10°57'07.24" W 394.00'
(S 10°47'57.00" W 400.00')

PLAT 1

1. A COM THE C PROP A LE
2. TH LO SU RI
3. F

4

N 79°13'44.63" W 208.68'
(S 79°12'03.00" E 500.00')

S 74°32'35.06" W 71.83'

S 71°16'07.53" E 229.24'
AREA = 695 SQ. FT.

PREVIOUS PROPERTY LINE

N 10°47'47.59" E 60.00'
(N 10°47'47.59" E 60.00')

(L=292.821)
(R=2176.330)
L=292.821
R=2176.330

LOT 4

WAPANGELL ISLAND WEST

LOT A

OWNER: ARLEN D. & PAMELA C. MCCLOSKEY
176,020 SQ. FT.

BASIS OF BEARING

(S 10°47'57.00" W 322.47')
S 10°47'57.00" W 322.36'

(N 3°05'24.00" E 35.23')
(N 3°05'24.00" E 34.75')

LOT 3

OWNER: RONALD W. HANCOCK

(N 86°54'36.00" W 333.00')
(N 86°54'36.00" W 333.08')

(N 86°54'36.00" W 479.94')

(N 86°54'36.00" W 146.94')
(N 86°51'01.98" W 147.06')

LOT 2

OWNER: WILLIAM B. MALONEY

OWNER: ARLEN & PAMELA MC
WAPANGELL, AK 99929

City of Wrangell, Alaska

AGENDA ITEM G3

Date: February 10, 2015

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

RE: Preliminary Plat review for Hazel/Haverstock Resubdivision, a resubdivision of Lots 13 and 14, Block 2 ASLS83-7 Wrangell Island West Subdivision, creating lots A & B, zoned Rural Residential, requested by Charles and Melody Hazel.

The landowners are creating a subdivision. The lot being split in half will combine with one landowner and the other portion of the lot remains a separate lot.

Staff recommends approval of the Preliminary Plat

City and Borough of Wrangell, Alaska

Agenda Items G-4

Date: March 8, 2015

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Variance application for a 0' side yard setback for construction of a house on Lot 1, Block 3, USS 1593, zoned Single Family Residential, requested by Todd and Catherine White

Background: In November of 2013, Mr. White applied simultaneously for a Alleyway vacation and a setback variance, preferring the alley vacation and the variance setback only if the vacation was not approved. A copy of that staff report is included. The Commission and the Assembly both approved the alley vacation and therefore the Variance request was withdrawn.

Findings:

The Assembly made a final approval of the Commission's recommended action to vacate the alley. The alley was going to be vacated but a access and utility easement were to be maintained the length of the alley. An attached draft plat was prepared but at the request of the applicant Mr. Todd White, the plat was put on hold in part because of his request to reduce the easement along Evergreen, which the City indicated could not be addressed until final plans for Evergreen improvements were submitted by the State, and in part because of his on-going negotiations with the representative of Mr. Tomilla.

Mr. White is now re-requesting the variance permit rather than pursue the alley vacation. The variance for the setback would not have been necessary with the final completion of the vacation plat. With that not going through, any sewer pump houses necessary to service lots on the water for either adjacent landowner would be placed in the alleyway rather than the retained easement.

A Variance application must meet four criteria:

1. Exceptional Physical Circumstances: The lot sits much lower from Evergreen Ave than the roadway and requires a steep driveway for access. The only individuals utilizing the driveway and alleyway will be the landowners
2. Strict application would result in practical difficulties: Applicant's could do much more earthwork as part of their construction and could potentially shift their proposed development over. However dealing with only one steep access has provided some limitations to development siting.
3. That the granting of the variance will not result in prejudice to others, or be detrimental to public health, safety or welfare: The granting of the variance should not prejudice others in the area. The construction of a residential structure is a permitted use within the district.

4. Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.

Recommendation:

Staff recommends approval of the Variance request for a residential structure to be located on the side yard lot line along the alleyway, subject to a surveyor marking and determining property corners/boundary for Lot 3 along the alleyway to ensure there is no construction encroachment into the right-of-way.

EVERGREEN HIGHWAY

ROAD

BLUFF
BLUFF

28

26

132

Alley

2.6"

305

Setback request ON FOUNDATION
Roof Eave will stay in

156

APPLICATION FOR VARIANCE

RECEIVED

FEB 27 2015

CITY OF WRANGELL
PLANNING AND ZONING
P.O. BOX 531
WRANGELL, AK 99929
Application Fee \$50.00

WRANGELL CITY HALL

I. The undersigned hereby applies to the City of Wrangell for a variance.

II. Description: (use additional paper if necessary)

Legal description of the area requested for the variance

Wrangell USS 1593

Lot 1 A

LOT 1
PK 3
USS 1593

Lot (s) size of the petition area 34695 SF

Existing zoning of the petition area Single Family

Current zoning requirements that cannot be met (setbacks, height, etc.):

Side Lot Set BACK

Proposed change that requires this variance

0 Set BACK

III. Application information: (use additional paper if necessary)

Explain details of the proposed development

TO BUILD Pete's
House

A variance may be granted only if all four of the following conditions exist:

①

* That there are exceptional physical circumstances or conditions applicable to the property or to its intended use or development which do not apply generally to the other properties in the same zone.

That the strict application of the provisions of this ordinance would result in practical difficulties or unnecessary hardships.

That the granting of the variance will not result in material damage or prejudice to other properties in the vicinity nor be detrimental to the public health, safety or welfare.

That the granting of the variance will not be contrary to the objectives of the Comprehensive Plan.

Explain how your application meets these conditions:

#1

Note: A variance shall not be granted because of special conditions caused by actions of the person seeking relief or for reasons of pecuniary hardship or inconvenience. A variance shall not be granted which will permit a land use in a zone in which that use is prohibited.

A schematic site plat must be attached showing the type and location of all Proposed uses on the site, and all vehicular and pedestrian circulation patterns relevant to those uses.

I hereby affirm that the above information is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner or the authorized agent thereof for the property subject herein.

Todd White

PRINT PETITIONER'S NAME

SIGNATURE (S) OF THE OWNER (S) OF THE LAND IN PETITION AREA

Box 523 WLG AK 99929

ADDRESS

DATE

2-26-15
907 305 0544

TELEPHONE

City and Borough of Wrangell, Alaska

Agenda Items G-2 and G-3

Date: November 10, 2013

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request for Vacation of an alley between Lot 1, Block 3, USS 1593 owned by Todd and Catherine White and Lot 2, Block 3, USS 1593 owned by William Tommila, zoned Single Family Residential, requested by Todd and Catherine White.

Variance permit application (only if the above request for alley vacation be denied) to the side yard setback requirements on Lot 1, Block 3, USS 1593, zoned Single Family Residential, requested by Todd and Catherine White.

Background: Applicant White is seeking to construct a house on the beach.

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 an alleyway that extends from Evergreen Road to Zimovia Straits between his Lot 1, and Lot 2 owned by William Tommila. The two lots are located below the level of Evergreen. Mr. White has constructed a driveway on his property to access the lower lots. Lot 1 is 31,971 square feet.

The alley, while not needed for City utilities, may be needed for a pump station for each adjacent landowner or for future pedestrian access to the beach.

Public Works Director did meet with Greg Scheff at the property site to identify property corner markers and site lines for the alley boundary. The corners for the alley boundary along Evergreen are marked, but not the lower corners in/adjacent to the ocean, although a site line marker midway down was placed.

The Commission's decision is a recommendation to the Assembly.

Recommendation for alley vacation:

Staff recommends that the Planning and Zoning Commission forward a recommendation to the Assembly to vacate the requested alleyway, subject to a utility and access easement the full width of the property adjacent to Evergreen and extending approximately 20 feet down the alley and then 10 foot centered over the mutual property line the rest of the alleyway length.

Agenda Item G-3

Should the Commission forward a recommendation to vacate, the Agenda Item G-3 is withdrawn. Should the Commission vote not to vacate the alleyway, then the applicant is seeking a 0 foot setback from the side property line adjacent to the Alleyway.

Review Criteria: Single Family District: Chapter 20.16
 Standards: Chapter 20.52
 Variance: Chapter 20.52.72

Findings: The applicant, if the vacation is denied, is seeking a 0 foot sideyard setback along the alley for a residential dwelling.

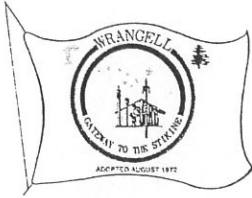
The property is 31,971 sq. ft and sits much lower than Evergreen Ave. The applicants are constructing a residential development are requesting to place the structure on the side property line along the alleyway. Alleyways, while not Streets, are right-of-ways. If this is considered a corner lot (usually a corner lot is bounded by two streets), then the setback required would be 20 foot on all property lines. Standard setback requirements for the Single Family Residential District is 5 foot for side yards and 20 foot for front and back yards. The alley is too steep and short and deadends at the water to provide a through way for anyone but the adjacent property owners.

A Variance application must meet four criteria:

1. Exceptional Physical Circumstances: The lot sits much lower from Evergreen Ave than the roadway and requires a steep driveway for access. The only individuals utilizing the driveway and alleyway will be the landowners
2. Strict application would result in practical difficulties: Applicant's could do much more earthwork as part of their construction and could potentially shift their proposed development over. However dealing with only one steep access has provided some limitations to development siting.
3. That the granting of the variance will not result in prejudice to others, or be detrimental to public health, safety or welfare: The granting of the variance should not prejudice others in the area. The construction of a residential structure is a permitted use within the district.
4. Granting of the variance is not contrary to the Wrangell Comprehensive Plan approved June 22, 2010.

Recommendation:

Staff recommends approval of the Variance request for a residential structure to be located on the side yard lot line along the alleyway.



CITY AND BOROUGH OF WRANGELL
INCORPORATED MAY 30, 2008

Office of the Borough Clerk

P.O. Box 531 907-874-2381
Wrangell, AK 99929 907-874-3952

December 11, 2013

Todd and Catherine White
P.O. Box 523
Wrangell, AK 99929

Karen Benedetti, POA for
William Tommila
via email

Dear Mr. & Ms. White and Ms. Benedetti, POA for Mr. Tommila:

At their Regular Assembly meeting held Tuesday, December 10, 2013, the Borough Assembly approved the vacation of an alley between Lot 1, Block 3, USS 1593 owned by Todd and Catherine White and Lot 2, Block 3, USS 1593 owned by William Tommila, zoned Single Family Residential subject to the following:

1. Maintain a utility and access easement the full width of the current alleyway to 25 feet from Evergreen, then continue the length of the current alley as a 10 foot utility/access easement centered on the mutual property line;
2. Both properties will be surveyed to encompass the alley vacation; and
3. Each adjacent land owner will receive half of the vacated alleyway, with the above described easement.

The next step will be for you to contact a qualified surveyor to have the required survey completed. Please be sure to have the surveyor contact Carol Rushmore, Economic Development Director first so that she can go over the conditions of the alley vacation requirements.

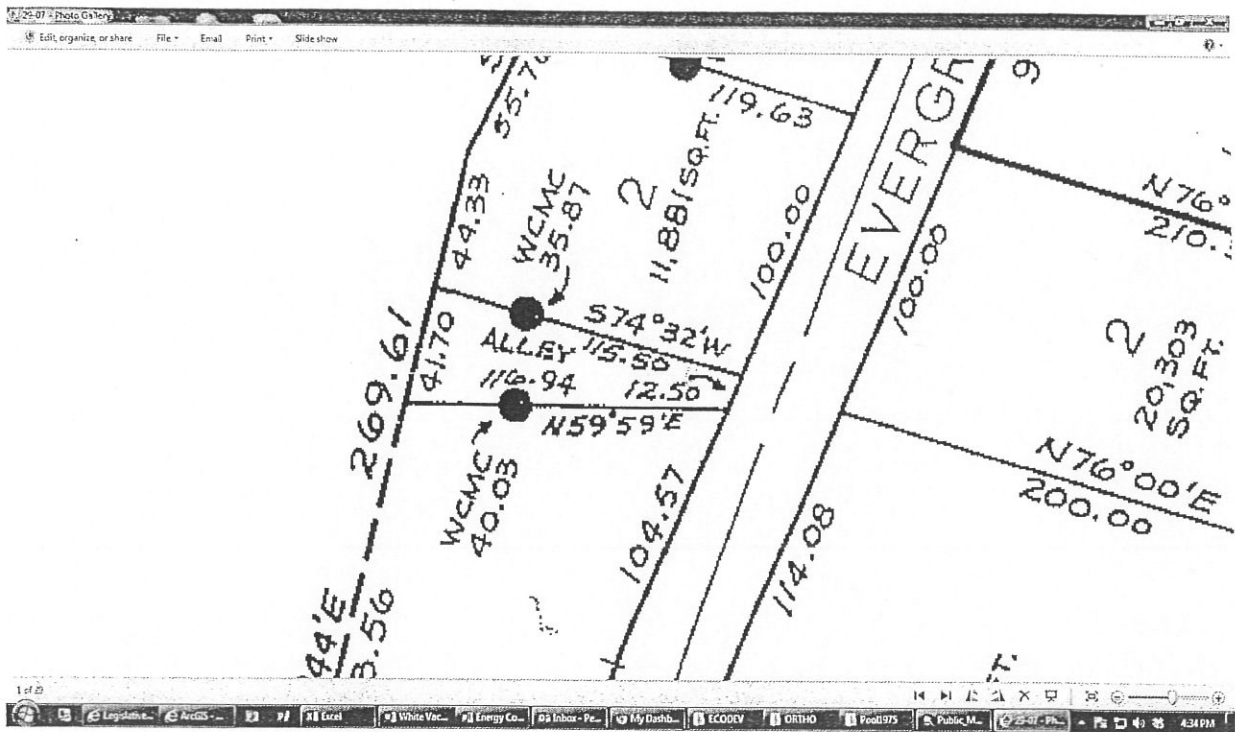
Once the survey has been completed, please have the survey delivered to Carol Rushmore so that it can go to Planning & Zoning for approval. Once Planning & Zoning approves the survey, it will then be forwarded to the Borough Assembly for consideration and approval.

The survey costs and recording fees will be your responsibility. I will contact you with the recording costs once I know what they will be.

Best Regards,

Kim Lane, Borough Clerk
City & Borough of Wrangell, Alaska

cc: Carol Rushmore, Economic Development 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 _____
MAYOR, CITY & BOROUGH OF WRANGELL
OWNER - CBW: ALLEY BEING VACATED

NOTARY'S ACKNOWLEDGMENT

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

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 19____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ 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.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

MY COMMISSION EXPIRES _____

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 _____
TODD WHITE
OWNER: LOT 1A, BLOCK 3 (PREVIOUS LOT 1)

NOTARY'S ACKNOWLEDGMENT

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

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 19____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

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NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

MY COMMISSION EXPIRES _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

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DATE _____
WILLIAM TOMILKA
OWNER: LOT 2A, BLOCK 3 (PREVIOUS LOT 2)

NOTARY'S ACKNOWLEDGMENT

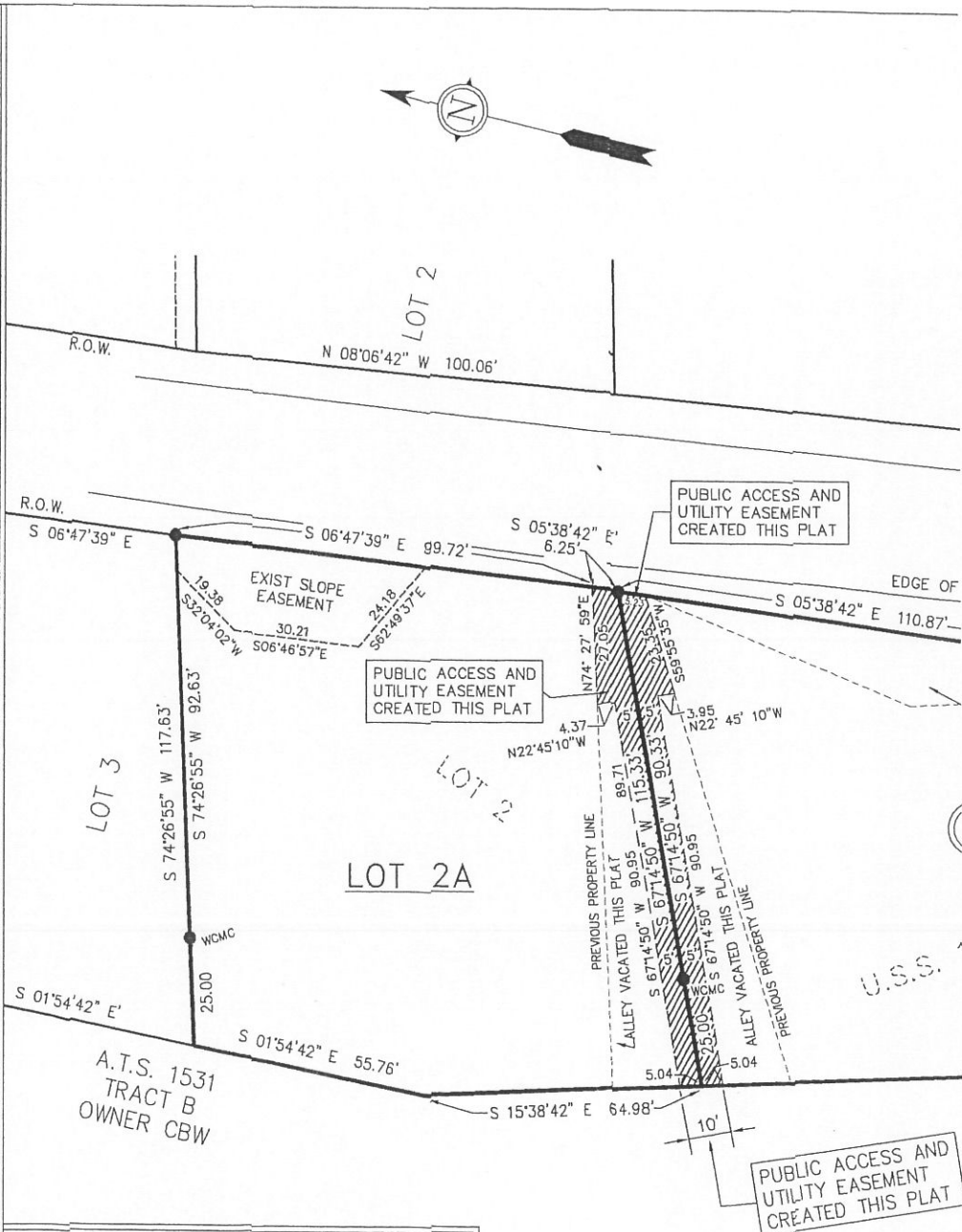
U.S. OF AMERICA
STATE OF ALASKA
CITY OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 19____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ 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.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

MY COMMISSION EXPIRES _____



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 RESOLUTION NO. _____ DATED _____, 19____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____ CHAIRMAN, PLANNING COMMISSION

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 _____ DATED _____, 19____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____ MAYOR, CITY OF WRANGELL

ATTEST:

CITY CLERK

CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)ss

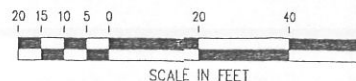
I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY OF WRANGELL, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY OF WRANGELL, IN THE NAME OF _____

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 19____ WILL BE DUE ON OR BEFORE AUGUST 15, 19____ DATED THIS _____ DAY OF _____

ASSESSOR CITY OF WRANGELL

LEGEND

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| | BPR BRASS CAP MONUMENT RE |
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| | CITY AND BOUROUGH OF WRANG |
| | RIGHT OF WAY |
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DRAWN BY: TJS
CHECKED BY: GGS
DATE PLATTED: _____
DATE SURVEYED: 12/2013 - 2/2014
SCALE: 1"=20'
SURVEYOR: GREGORY G. SCHEFF
PROJ NO.: 132334

City and Borough of Wrangell, Alaska

AGENDA G45

Date: February 10, 2015

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Discussion regarding Silvernail Work Road's need and future access to port property.

Background: Chet and Dave Powell of the Bay Company requested a partial vacation of Silvernail Work Road behind their property along with vacation of an unnamed alleyway intersecting Silvernail Work Road. They since dropped that aspect of the their request in order for the subject to be considered separately.

During the Site Visit on November 5, 2014 to consider the alleyway vacation, Greg Meissner also walked a few of the participants over to discuss Silvernail Work Road.

Issues:

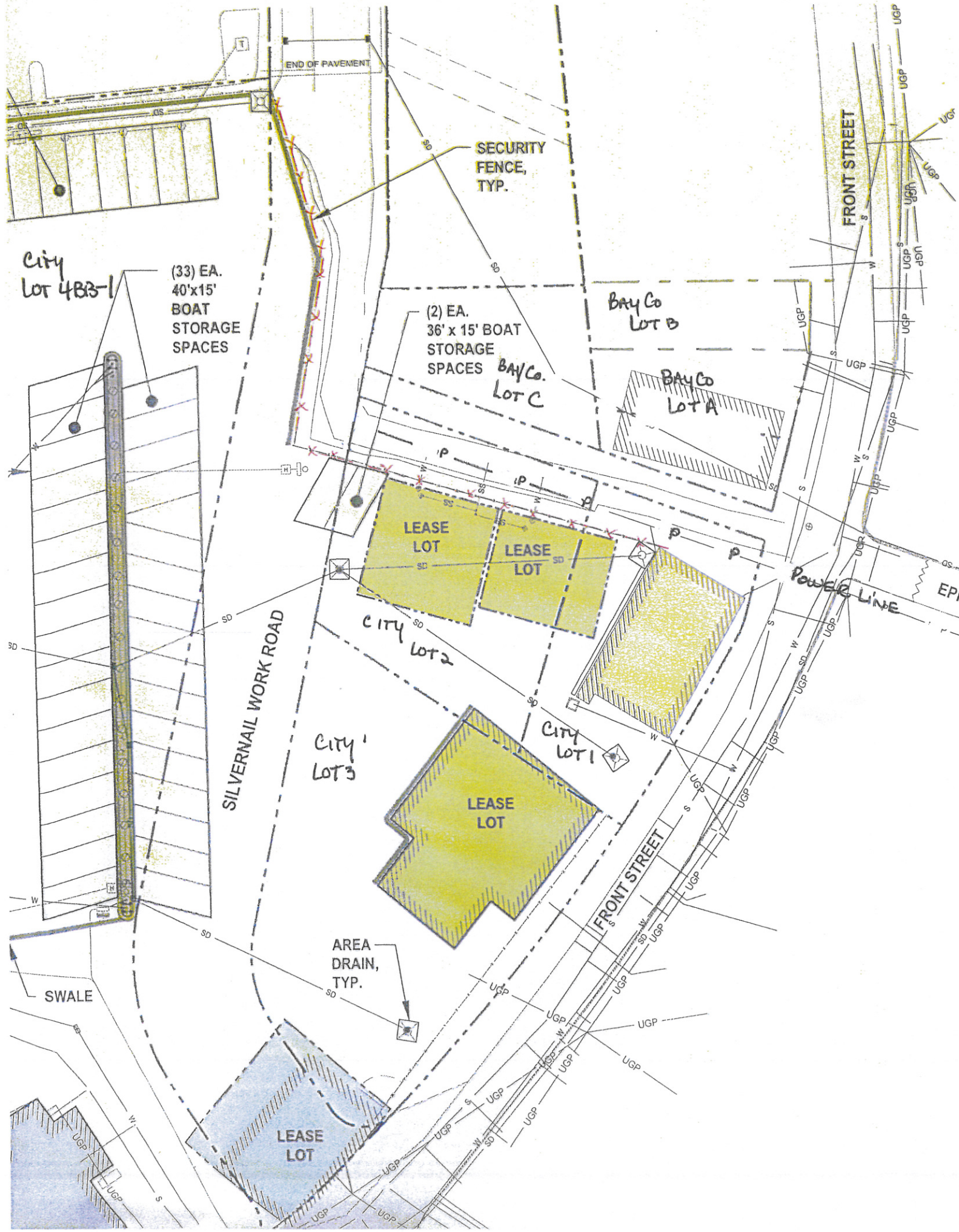
- It is the only platted guaranteed future access to the port property
- Port Commission wants to provide one more lease space which happens to be in the ROW with Front Street frontage
- Lots without Right of Way Frontage must have a guaranteed permanent access – Lot C owned by the Bay Company and Lot 2 owned by Port, or be combined with the adjacent lot that does have access.
- Silvernail behind the Museum could be the only access future platted access to the property if the ROW is vacated through out the port property.

Process:

Right-of-Way vacations require a public hearing before the Planning and Zoning Commission. This agenda item is to discuss the potential direction that the Commission is considering and to advertise a public hearing if needed based on direction from this meeting's discussion. Commission would make a recommendation to the Assembly, who would also hold a public hearing prior to decision.

The Port Commission reviewed the issue at their November meeting and I was told they recommended vacation of the ROW through the port property. I do not yet have the minutes or actual recommendation to know from what point the road would be vacated and if there were any other conditions or issues associated with their recommendation.

I have asked the Borough Attorney several questions concerning a ROW vacation but have not yet heard back from them. I have asked PND Engineering when they were here in January for the Waterfront Development Plan meetings and who provides the layout schematics of the Marine Service center if they could provide distances between buildings and an option for an easement rather than ROW – but I have not yet received their schematic as of yet.



END OF PAVEMENT

SECURITY FENCE, TYP.

City Lot 4B3-1

(33) EA. 40'x15' BOAT STORAGE SPACES

(2) EA. 36'x15' BOAT STORAGE SPACES

Bay Co Lot B

Bay Co Lot A

Bay Co Lot C

LEASE LOT

LEASE LOT

City Lot 2

City Lot 3

City Lot 1

LEASE LOT

SILVERNAIL WORK ROAD

FRONT STREET

FRONT STREET

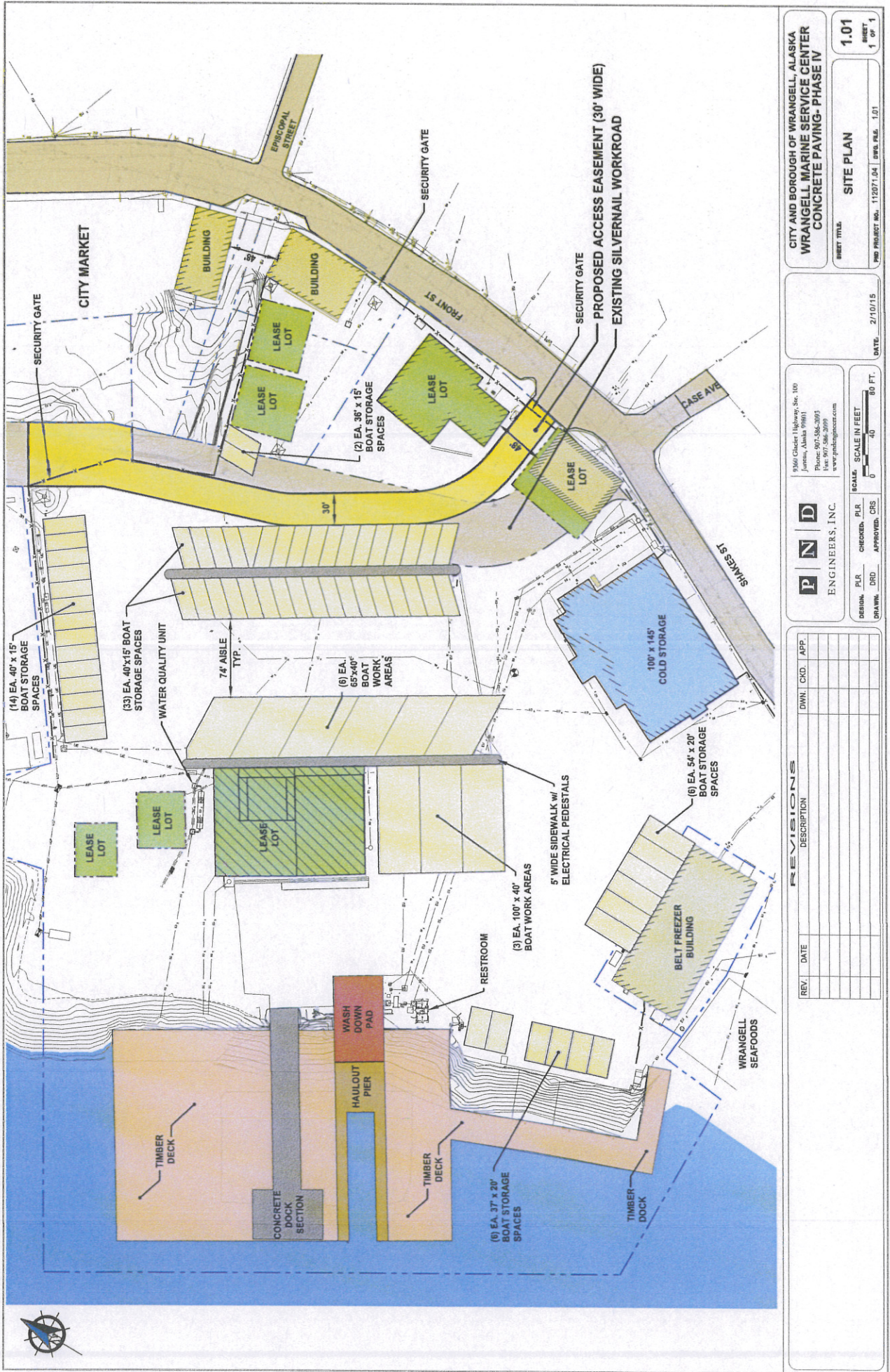
POWER LINE

AREA DRAIN, TYP.

SWALE

LEASE LOT

Potential easement option



9360 Glacier Highway, Ste. 100
Juneau, Alaska 99801
Phone: 907.586.2093
www.pndesigns.com

P N D
ENGINEERS, INC.

DESIGN: PLR
DRAWN: DRD
CHECKED: PLR
APPROVED: CHS
SCALE: SCALE IN FEET
0 40 80 FT.

REVISIONS

| REV. | DATE | DESCRIPTION | DWN. | CHK. | APP. |
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CITY AND BOROUGH OF WRANGELL, ALASKA
**WRANGELL MARINE SERVICE CENTER
CONCRETE PAVING- PHASE IV**

SHEET TITLE
SITE PLAN

1.01
SHEET
1 OF 1

DATE: 2/10/15

PROJ. NO. 11207.04
SHEET NO. 1.01