

Kathy Carr

From: Kathy Carr
Sent: Tuesday, May 21, 2024 3:39 PM
To: Steve Burnham
Cc: Stacy Fairbanks
Subject: Letter to P&Z Commission re Conditional Use Permit Application #2024024
Attachments: Hunz Letter to P&Z Commissioner.pdf

Commissioners,

Please see the attached additional information for Conditional Use Permit Application No. 2024024, as was requested at your last regular meeting.

Thank you,

Kathy Carr
Deputy Borough Clerk
Municipality of Skagway
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From: Office Manager 01 <[REDACTED]>
Date: May 21, 2024 at 1:07:48 PM AKDT
To: Steve Burnham <S.Burnham@skagway.org>
Subject: [External Email] Letter to P&Z Commissioner

[ATTENTION: This Email was received from outside the Municipality]

Hi Steve,

Can you please distribute the attached letter to the Planning and Zoning Committee members?

Thank you,

Jill M. Cox

Jill M. Cox – Office Manager

Hunz & Hunz Enterprises
PO Box 185
Skagway, AK 99840

P. [REDACTED]
[REDACTED]

Date: May 20, 2024

To: Planning & Zoning Commission Chair; David Brena

Cc: Borough Clerk; Steve Burnham Jr
Borough Permitting Official; Stacy Fairbanks

RE: Conditional Use Permit Application #2024024

I am requesting the Planning & Zoning Commission Chair re-open the public hearing on this conditional use permit application and to re-consider the two motions that failed based on the following additional information and clarifications:

1. The conditional use permit is for Lot B Bus facility (4.96 acres or 216,070sqft). The reason to identify conditional use of square foot space size is when it is recorded with the State on the deed to Lot B it is clearly identified.
 - Area for the conditional use permit is a 41,075sqft portion of the 216,070sqft at the North end of Lot B.
 - Area for Bunkhouse w/common areas = 13,694sqft
 - 18 parking spaces (10'w X 20'l) = 3,600sqft
 - Combined square footage of the above items = 17,294sqft
 - Balance of the total 41,075sqft available for vehicle & equipment storage = 23,781sqft
2. Principle uses of Lot B are as follows:
 - Trucking/Bus transportation firms & yard
 - Currently HAP leases 7200sqft shop
 - Current Hunz Enterprises operations at 6000sqft shop
 - Vehicle & Equipment storage
 - HAP currently has 72 buses in their fleet parked on Lot B
 - Hunz Enterprises currently has an equipment fleet of 50+ on Lot B
 - SECON currently leases 10,350sqft for equipment parking on Lot B
 - The following Accessory Uses are currently in place on Hunz Subdivision, Lot B:
 - H&H shop office
 - HAP offices (2), lunch rooms, training room
 - The following Accessory Use is being proposed on Hunz Subdivision, Lot B:
 - Bunkhouse with two offices

In my view, a bunkhouse and administrative offices are accessory to at least five existing Principal Uses on Hunz Subdivision, Lot B. In other words, in my view, the proposed bunkhouse complies with the code.

Bunkhouse to be defined as a building used as living quarters for people such as tourism workers or construction workers.

Definition of Accessory Use

SMC 19.02.065(B)(3) defines “accessory use” as “a use customarily incidental and subordinate to the principal use of the land, building or structure, and located on the same lot or parcel of land.”

- Hunz Subdivision, Lot B (USS 994/1805) is the “lot or parcel” on which the accessory use is proposed (see attached map). The principal use to which the accessory uses would be incidental and subordinate are also on Hunz Subdivision, Lot B. The proposed accessory use is therefore in compliance with SMC 19.02.065(B)(3).

Accessory Residential Use in the Industrial Zone

SMC 19.06.070(B)(c) states that the following use can be conditionally permitted: “Residential uses, accessory to industrial uses listed in subsections (A)(1)(a) through (l) of this section, such as watchman’s apartment, owner-operator’s home, and necessary bunkhouses.”

The following uses are considered Principal Uses in the Industrial Zone: Trucking transportation firms and yard (A)(1)(a); Vehicle and equipment storage (A)(1)(f).

Conditional Use Permit (CUP) Standards

SMC 19.04.060(B)(3) directs that four standards must be met in order to issue the CUP. P&Z found that two of the standards were not met; here are my thoughts on these two:

(3)(c) The requested conditional use will generally be in harmony with the comprehensive plan, coastal management plan, and other officially adopted plans.

- The requested CU complies with municipal code (as noted above).
- The requested CU is in harmony with at least the following [comprehensive plan](#) objectives and actions:
 - Objective H1: By 2030, there will be construction of at least 150 new dwelling units ... New housing should be a mix of housing styles (p. 35).
 - Action H1E: Rezone portion of area north of the 23rd Avenue Bridge to add a Transition Overlay Zone, per Future Growth Map L-16 and Land Use chapter, to better match existing development patterns and encourage higher density residential development that takes advantage of public investment in water and wastewater infrastructure (p. 36).
 - Action H6C: Continue efforts that increase the supply of safe seasonal housing, such as the program allowing one RV attached to water and sewer per home (now, only in effect until Garden City RVs are relocated), promoting accessory apartment construction, etc.
- Pursuant to the Coastal Management Plan, the proposed use is in the Skagway River AMSA. The proposed use does not violate any enforceable policies within this AMSA and supports the noted objective of providing for industrial uses in appropriate areas (p. 5-30).

I do not see any adopted plans that are not in harmony with the proposed use.

(3)(d) The requested conditional use will not substantially decrease the value or be out of harmony with property in the neighboring area.

- SMC 19.06.070 states, “This zoning district is intended to provide for an area where heavy industrial activities like manufacturing, processing, repairing, and assembling can take place. ... **The zoning district allows commercial and residential uses** but with conflicts being resolved in favor of industrial uses.”
- The comprehensive plan identifies the surrounding Industrial Zone as part of a “transition area” and states: The Future Growth Map at Figure L-16 presents changes to the long-term growth direction for the area to better reflect current development patterns, the addition of utilities, and desired future growth. The Future Growth Map shows a mix of Industrial, Commercial, and Transition Areas. This guides the types of development the Municipality will encourage in these areas over time. In the Transition Areas, which include half the Municipality’s 15-acre site on Klondike Highway, **a goal is to create more housing over time**. This will include a combination of relocating RVs and building condominiums, apartments, congregate residences or **bunkhouses**, cottage housing, and clustered housing developments in order to provide additional year-round and seasonal housing and replace seasonal housing lost at Garden City RV Park. **It will be critical to provide sound and visual buffering with the adjacent public works yard and other industrial land uses.**
- The following similar CUPs have been approved for the “neighboring area” of the Industrial Zone:
 - 2000-04: Construction of an owner’s home with shop, warehouse, and office on USS 1394
 - 2000-07: Construction of 12 additional units in the White Pass RV Park on USS 176
 - 2000-10: Tent camping, RV parking, manufactured homes, seasonal housing, watchman’s house, and commercial garden area on USS 1394
 - 2003-03: Development of trailer park on USS 176
 - 2003-05: Development of watchman’s house for Gold Dredge on USS 994
 - 2005-02: Convert visitors center building into duplex for employee housing on USS 1394
 - 2006-11: Watchman’s apartment on USS 1394
 - 2007-08: Employee housing at Jewell Gardens on USS 994
 - 2008-01: Expansion of trailer park on USS 176
 - 2012-02: Watchman’s trailer and office on USS 994
 - 2012-03: Watchman’s trailer and office on USS 994
 - 2012-18: Construct owner’s home with coffee stand and metal fabrication shop on USS 176
 - 2012-19: Employee housing on USS 994
 - 2013-01: Expand trailer park on USS 176
 - 2013-18: Construct seasonal office on USS 994/1805
 - 2014-09: Additional employee housing on USS 994
 - 2015-01: Live in RV while constructing home on USS 176
 - 2016-01: Construct employee bunkhouse on Lot D USS 994/1805
 - 2016-02: Construct employee bunkhouse on Lot B USS 994/1805
 - 2018-13: Request for habitation of RV on USS 1394
 - 2019-71: Watchman’s cabin on USS 1394
 - 2023-01: Expand trailer park on USS 176
 - 2024-04: Three-person camp for temporary living for contractors on USS 994

The proposed use is in harmony with other similar uses in the neighboring area. I don't know how to quantify how the proposed use would affect the value of neighboring areas, but it's unclear how it would decrease value.

Conditions

Perhaps P&Z would be comfortable adding conditions to the permit to address concerns that were raised, such as:

- If Lot B is subdivided in the future and the principal and accessory uses are separated onto different lots, the CUP would become void.
- A vegetative barrier along the highway provide sound and visual buffering.

Industrial land is to support construction projects in Skagway such as:

- A concrete plant delivers offsite
- A crusher yard to process materials delivered offsite
- An asphalt plant delivers offsite

I therefor request a special meeting to re-open public hearing and to have a re-vote on the last 2 items ((3)(c)) & ((3)(d)) of the four conditions set out in SMC 19.04.060(B)(3).

Sincerely,

A handwritten signature in blue ink, appearing to read "David M. Hunz", with a long horizontal flourish extending to the right.

David M. Hunz

ATTACHMENT: Dave & Pam Hunz Subdivision

