

AMENDMENT #2

Eric Grundberg
Chris Ford & Ruth Johnson
Brian & Ola Richards
Petersburg, AK

3/07/2019

Rec'd 3/11

Dear Petersburg Planning Commission,

We're property owners on Hammer Slough and Hogue Alley between Kisen St. and East Lansing (see attached map). Under the draft zoning map our properties are now designated as (RL) Residential Low Density. However, we believe our tideland properties should retain the historic zoning consistent with adjacent properties. Our lots are no different than the rest of Hammer Slough which is zoned (DC) Downtown Commercial. Uniform zoning throughout Hammer Slough will help the area retain its unique character as development continues. Hammer Slough was originally part of Petersburg's working waterfront and the structures on these properties reflect their role in Petersburg's diverse, maritime economy. We therefore request that the Planning Commission consider an amendment and make a recommendation to the Petersburg Assembly that our lots be zoned (DC) Downtown Commercial.

Sincerely,

Chris Ford

Alexandra Richards

Brian Richards
Alexandra Richards

From: Farragut Farm

Sent: Wednesday, January 30, 2019 10:00 AM

To: Liz Cabrera

Subject: zoning suggestion

Hello Liz,

We want to suggest an amendment to the new Petersburg zoning map. We would like to see the the lots located between Haugen and Ira II, along S. 8th street, be changed from medium density residential to general commercial. In addition, it would be worth considering changing the city owned lots across the street from these parcels (four lots located on Haugen) to general commercial as well.

In general, we feel that there are not enough undeveloped commercially-zoned properties under the current zoning map. It would be helpful for more of Petersburg's empty lots to be zoned commercial in order to open up opportunities for entrepreneurs.

Thank you for considering our suggestions,

Marja Smets and Bo Varsano

Jason and Vanessa Miller
PO Box 1473
Petersburg, AK 99833
PH: 907.518.4400
jlmiller1@gci.net

February 11, 2019

Petersburg Borough
Planning Commission
PO Box 329
Petersburg, AK 99833
PH: 907.772.4255
FX: 907.772.3759
kmalcom@petersburgak.gov

Chairman Fry and Commissioners,

As a Residential, Commercial, and Industrial landowner in Petersburg we would like to share some of our concerns with the Draft/Proposed Zoning Map and how the proposed draft affects our properties on Sing Lee Alley. We're particularly concerned with the designation of our 2 Industrial Parcels T-193 and T-194 to Downtown Commercial. As we understand the Downtown Commercial Designation allows for current/existing use to continue. Our Industrial Properties have nothing built at this time, so it's a blank canvas, and due to that reality, we don't want to be prevented or restricted from developing our properties if the Downtown Commercial designation does restrict our plan.

We have Architect, Peter Klauder and Engineer, Bill Nelson of Klauder and Company Architects helping us create a Condominium/Townhouse Development Plan for these lots. We would like the support of the Planning Commission to designate our land for this purpose, so we can alleviate this concern. Since we own 3 condominiums in the HCA building next door, and our neighbors are condos (HCA), apartments (Ohmer Apts), and homes, we would like to continue with that same use, and whatever zoning designation that is and ask for the Draft to be amended if needed.

Thank you for your time and consideration:

Jason and Vanessa Miller

JEAN ELLIS

RECEIVED
2/1/18
KM

P.O. Box 1068
913 N. Nordic Drive
Petersburg, Alaska 99833
(907) 772-3240
jrellis@gci.net

January 31, 2019

Chris Fry - Chair
Planning Commission
P.O. Box 329
Petersburg, AK 99833

Dear Chair Fry and members of the Planning Commission,

I just received the Notice of Scheduled Public Hearings & Proposed Action with a description of the new zoning districts and a map depicting the proposed zoning district boundaries.

I am sitting here feeling sick to my stomach and very upset at myself. Having served on Boards for many years I know how frustrating it is when you have given many, many opportunities for involvement in the process. Yet when the process is almost over someone, who did not take advantage of those opportunities, comes forward wanting changes. I sincerely apologize.

I own approximately 52 acres of property in three lots on the airport by-pass road. Most of the property was not zoned prior to this. Now the zoning is General Industry. Because of noise concerns from being directly in the airport flight path I don't think it should be zoned residential however I believe some dwellings beyond the very restrictive small caretaker dwelling should be allowed.

Over the years several people have called me wanting to purchase that property for a dwelling. Those people are going to be very angry with me for not coming forward sooner. At one point I considered selling some of that property for a sawmill. However prior to that I had only walked on the by-pass road. When I went through in a vehicle the slight height difference made me realize what fantastic views there were from that property.

Because the property is in the flight path to the airport I'm sure pilots would prefer a Light Industrial building with a maximum height of 35 feet. Not the 75 foot high buildings allowed in General Industry.

When looking over the limited zoning choices I request a zoning of Light Industrial for the two parcels closer to the airport either in their entirety or a portion of each parcel.

Thanks for your consideration.

Jean L. Ellis
Jean L. Ellis

February 12, 2019

Planning Commission

Public Hearing

Hello, I'm Jean Ellis and I'm here to protest the General Industry Zoning of a 35 acre parcel that I own on the airport by-pass road. You have a letter from me in your packet. When I wrote that letter I had spoken to someone at the Borough office who gave me the impression that the zoning had already been approved by the Assembly and there was nothing I could do about it. I now realize that they were talking about the zoning regulations not the way a specific piece of property was zoned.

At this time I have no plans to develop that 35 acre property which I've owned for over thirty years. My son has teased me that when he is 90 he will say "yes that property was a good investment". It will be another 40 years before he is 91.

That property is now listed as Undeveloped Land Pending Future Classification. I request that it remain that way. At this time I don't know what the highest and best use of that property will be at some point in the future and don't believe this is the time to make that decision.

I've been in contact with Bob Thorstenson, who owns the other 35 acre piece on the Airport By Pass road, and he would like his to also remain as "Undeveloped Land Pending Future Classification".

Thanks for your consideration.

From: [Robert Thorstenson](#)
To: [Karen Malcom](#)
Cc: [Liz Cabrera](#)
Subject: Re: Zoning meeting
Date: Monday, February 11, 2019 11:59:48 AM

> Dear members of the Zoning Commission

Thank you for this opportunity to comment on your proposed zoning changes.

> My family, on my mothers side, moved here in 1903. We believe in ether promise Petersburg has had and will offer and have lived in the past and present blessing Petersburg has bestowed so graciously upon our extensive family.

And we are striving with the coming generations to assist in allowing them to receive the future promise that Petersburg will offer.

We believe in Petersburg.

We appreciate your work and rising to the task of setting the plate for future development.

We share this laudable goal.

As with all changes, however, not all areas of town and properties are seen in the light of their future potential at the same time.

It is for this reason that we request that you leave our zoning classifications on our properties unchanged until we get a clearer vision of what those properties could best be used for in the future.

I. Airport access road

I believe that none of my properties should be designated or limited in any capacity until I and my family determine the best use and development for the land and the borough.

My 37 acre property along the airport access road should remain Unclassified depending on future development.

There is likely to be just as much a housing need by the time this land is developed and asin til the economy heats up to establish a warehouse need in that area and it seems unwise to jump into a classification prior to knowing whether we want to force residential landowners into developing storage and working land and vice versa.

II. Scow bay tidelands property

The Thorstenson family does not wish to submit our property to a restrictive marine classification as is being proposed. The massive taxes we pay annually on this property certainly don't seem to have limited the boroughs estimate of the worth of this property. We would presume the taxes would drop in half with the massive limitations placed upon this waterfront property through such a zoning reclassification.

The very reason we purchased this property was indeed so that we could either develop this for our own very large home with a dock for our boats and perhaps cabins for our friends who wanted to build next door.

Unlike other cases where petitioners have tried to circumvent warehouse and dwelling zoning restrictions, we did not buy and then try to change the classification of our zoning.

But while we plan on longer term dreams of a house and dock, we are just as likely to fit as much of the property for a working waterfront if there exists a demand or need in the future

We have not had a single offer and only one inquiry as to industrial use on the property in nearly a decade and that is indeed another reason we do not believe this classification is a fair one for this property. Next door is straight residential, all the way to AML and then pretty much to town. To deny potential future residential waterfront here would be shortsighted and a major burden to our family. And our neighbors.

And speaking of next door, our neighbors already have been offered opportunities to purchase buffers of our property so as to not encroach upon their views and privacy if we do indeed determine it's in the best community interest and our family interest to develop a seafood processing plant or some other marine business that we may believe is a Petersburg beautification project but may not be seen as such by our neighbors.

Our neighbors moved to this area just to be in a nice quiet, out of downtown, waterfront location.

While our family are enthusiastic supporters of a vibrant waterfront, we are also cognizant of the quality of life and other issues that might influence future development.

Again, as with our prior request, we most humbly request that you leave the Thorstenson property, waterfront scow bay as well as airport access, in their original zoning classification, depending upon future development.

Sincerely
Robert Magnus Thorstenson Jr.
410 Calhoun Ave
Juneau AK 99833
(907)723-8267

My properties along the scow bay road immediately preceding the beachcomber

Sent from my iPad

Rick & Sharon McKay
PO Box 1196
Petersburg, AK 99833
February 28, 2019

RECEIVED
3/1/2019
KM

Chris Fry
Chair-Petersburg Planning and Zoning
PO Box 329
Petersburg, AK 99833

Dear Chair Fry and members of the Planning Commission:

We were not in town when the first Scheduled Public Hearings and Proposed Action regarding the new zoning recommendations took place. We will be out of town again during the next meeting. We have reviewed the new proposed zoning map and are requesting a consideration of a zoning change regarding properties we own.

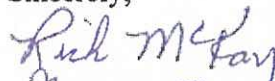
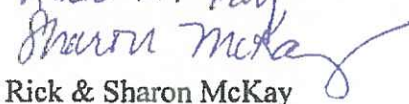
We own 3 lots in the Hungerford Hill Subdivision;
Lot 19 Tract H (parcel # 01056284) 111 Hungerford Hill. This is where our home has sat for the past 40 years.
Lot 19 Tract A (parcel # 01056277) 111A Hungerford Hill
Lot 19 Tract B (parcel # 01056279) 111B Hungerford Hill

When we purchased these properties over 40 years ago this land was not part of the then City of Petersburg. In 1985 (after the annexation of the property by the City) the property was zoned Industrial. The Industrial Zoning code at that time, allowed for single, two-family, multi-family dwellings and mobile homes with a conditional use permit. Because we already had a residence on the property we were grandfathered in and allowed to renovate the existing residence.

Our home is located on a street that has homes up and down both sides, similar to Cornelius Road with proposed Light Industrial zoning. The Light Industrial regulations are more consistent with what has been happening for residents on Cornelius and Hungerford for the past several decades. In consideration of this and the zoning history, we request Light Industrial zoning for our three Hungerford lots.

Thank you for your consideration in this matter.

Sincerely,



Rick & Sharon McKay

From: [Liz Cabrera](#)
To: [Karen Malcom](#)
Subject: Fwd: light industrial
Date: Sunday, February 24, 2019 11:50:24 AM

Begin forwarded message:

From: JOHN REID <nana_patti@msn.com>
Date: February 24, 2019 at 10:12:55 AM AKST
To: Liz Cabrera <lcabrera@petersburgak.gov>
Subject: Re: light industrial

Dear Planning committee Attn; Liz

Thank you for keeping us informed of the new re-zoning classification on our property, we feel that the light industrial classification will be of better use for our property.

Sincerely
John Reid

Sent from my iPad

On Feb 19, 2019, at 12:00 PM, Liz Cabrera <lcabrera@petersburgak.gov> wrote:

Liz Cabrera
Community & Economic Development
Petersburg Borough
P. 907.772.4042
M. 907.518.0242

<LightIndustry.pdf>

kmalcom@petersburgak.gov
(907) 772-5423 – Public Works
(907) 772-5413 – Community Development

From: Dustin Connor <cnrddb@gmail.com>
Sent: Monday, February 11, 2019 9:42 AM
To: Karen Malcom <kmalcom@petersburgak.gov>
Subject: Re: FW: Zoning changes

Hi Karen, I have already spoke to Liz on this matter. She referred me to you, I believe to see if there would be any issues from the borough with a zoning change.

On Mon, Feb 11, 2019, 8:08 AM Karen Malcom <kmalcom@petersburgak.gov> wrote:

Liz – Please see comments from Dustin Connor below.

Thank you,

Karen S. Malcom
Administrative Assistant
Petersburg Borough
kmalcom@petersburgak.gov
(907) 772-5423 – Public Works
(907) 772-5413 – Community Development

From: Dustin Connor <cnrddb@gmail.com>
Sent: Saturday, February 9, 2019 11:22 AM
To: Karen Malcom <kmalcom@petersburgak.gov>
Subject: Zoning changes

Good morning Karen. I have a question about zoning changes from general industrial to light industrial. I have property at 311 Mitkoff hwy. After reviewing the regulations for general industrial versus light industrial, as well as the adjoining properties to the South and across the hwy to the west being zoned; public utility, low density, and light industrial respectively, I believe rezoning my parcel to light industrial would benefit not only my future plans but the surrounding properties as well. Please get back to me at your earliest convenience.

Best Regards,

Dustin Connor
Box 1372
Cnrddb@gmail.com
907-518-4369

From: Robert Thorstenson
To: Karen Malcom
Cc: Liz Cabrera
Subject: Re: Zoning meeting
Date: Monday, February 11, 2019 11:59:48 AM

> Dear members of the Zoning Commission

Thank you for this opportunity to comment on your proposed zoning changes.

> My family, on my mothers side, moved here in 1903. We believe in ether promise Petersburg has had and will offer and have lived in the past and present blessing Petersburg has bestowed so graciously upon our extensive family.

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The very reason we purchased this property was indeed so that we could either develop this for our own very large home with a dock for our boats and perhaps cabins for our friends who wanted to build next door.

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But while we plan on longer term dreams of a house and dock, we are just as likely to fit as much of the property for a working waterfront if there exists a demand or need in the future

We have not had a single offer and only one inquiry as to industrial use on the property in nearly a decade and that is indeed another reason we do not believe this classification is a fair one for this property. Next door is straight residential, all the way to AML and then pretty much to town. To deny potential future residential waterfront here would be shortsighted and a major burden to our family. And our neighbors.

From: Kellie Jones <mrsdj82@hotmail.com>
Sent: Friday, March 8, 2019 10:42 AM
To: Karen Malcom <kmalcom@petersburgak.gov>
Subject: Zoning concerns

Dear Planning and Zoning Commissioners,

We would like to see our property at 589 Mitkof Highway zoned as Light Industrial instead of General Industrial. There are too many restrictions on the General Industrial zoned properties with the new zoning regulations that have been currently set up.

Among the things permitted in Light Industrial as opposed to in General Industrial are:

RV Park, Vacation Rental, Duplex and Single Family Dwellings, Manufactured Homes, Bed and Breakfast and these are not all of them. If we wanted to have a Child Care Center it would not be allowed under General Industrial, but would be under Light Industrial.

These are a few of our concerns. We hope you will consider them when deciding the zoning of our property at 589 Mitkof Highway.

Thank you for your time.

Sincerely,

Dennis and Kellie Jones
PO Box 1528
Petersburg, AK 99833

cell: (907) 518-1600

February 11, 2019

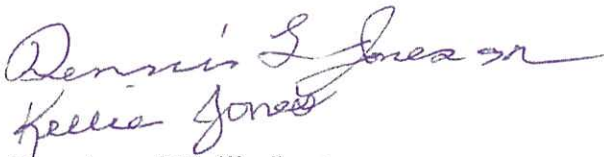
Planning Commission
PO Box 329
Petersburg, AK 99833

Dear Planning Commissioners,

We see that our property at 589 Mitkof Highway has been zoned General Industrial. We would prefer to be zoned Light Industrial. Upon looking at the chart of what is permitted on GI and LI, the Light Industrial fits our family's needs better.

Thank you for your time.

Sincerely,

Handwritten signatures of Dennis and Kellie Jones in purple ink. The signature for Dennis is written above the signature for Kellie.

Dennis and Kellie Jones
PO Box 1528
589 Mitkof Hwy.
Petersburg, AK 99833

Ph: (907) 518-1600

From: [Liz Cabrera](#)
To: [Karen Malcom](#)
Subject: FW: 587 Mitkof Highway Zoning
Date: Friday, February 22, 2019 4:17:29 PM

Please add to the Commission's packet

Liz Cabrera
Community & Economic Development
Petersburg Borough
P. 907.772.4042
M. 907.518.0242

From: Sara Stoner <saramichele@hotmail.com>
Sent: Friday, February 22, 2019 4:00:17 PM
To: Liz Cabrera
Subject: 587 Mitkof Highway Zoning

Hi Liz,

I have a few concerns regarding our upcoming zoning changes here at 587 Mitkof Highway. The proposed changes have us under the "General Industrial" category, where I would prefer to be put into the "Light Industrial" category. General Industrial does not allow for a single family home. We have been permitted by the borough and are in the middle of completing construction on a single family home. The way we are zoned now allows us to build a house as a Conditional Use on Industrial land. How will the new changes affect us as we finish this project and prepare to move in? We are a self-employed fishing family and chose to build our home here on an Industrial lot because we want more freedom to expand our business in the future. Please consider changing our proposed zoning to Light Industrial.

Thanks,

Sara Stoner
587 Mitkof Highway
907-209-3095

From: Griffin, David W (DNR)
Sent: Monday, November 5, 2018 3:26 PM
To: Liz Cabrera
Subject: Trust Land Comments Regarding Proposed Petersburg Borough Zoning/Code Revision

Hi Liz,

Below are some comments regarding the proposed zoning on seven Trust parcels located on the "DRAFT ZONING MAP (~4 mile to ~8 mile)".

We would like to have these parcels zoned Rural Residential (RR); they are currently proposed as being "General Industry (GI)".

We have other land that fall into the "Development Reserve (DR)" zoning district. I looked through the planning documents and could not find the definition for DR. Would you please point me in the right direction to find out what this means?

Thank you,

David Griffin
Southeast Area Lands Manager
Trust Land Office
2600 Cordova Street, Suite 100
Anchorage, AK 99503
(907) 269-7921
david.griffin@alaska.gov
www.mhtrustland.org

From: Please Do Not Click Reply

Sent: Monday, November 19, 2018 10:36 AM

To: Liz Cabrera

Subject: Submit Comments (form) has been filled out on your site.

Your Site has received new information through a form.

Form: Submit Comments

Site URL: www.ci.petersburg.ak.us

Name: Tory DeAngelis

Comments: November 19, 2018

To Bough Assembly Members and the Planning Commission,
I have just closed on a Petersburg parcel on November 6th, 2018 at 108 Somerset. This parcel is just past the 7-mile marker on the water side. After closing on this parcel, I came to find out the parcel is included under the revision to the borough subdivision and zoning codes. From what I briefly read, I am understanding that my .33-acre parcel line set backs could increase. Currently, I believe on the Somerset Lane and Mitkof Hwy roads the set back is 20 feet and could increase to 25 feet. Also, the East/ West property lines are currently 10 feet and could double to 20 feet. Overall, I need to educate myself farther on what the revision would fully entail but for now I wanted to put a voice to someone this revision would affect. If this revision were to pass, I would ask for you to put in a type of grandfather's clause. A clause that would give property owners a grace period to get the ball rolling on their projects. I purchased raw land and need time to prep the site, install septic, rock, pilings and draw a site plan map. I do not want to rush into a \$100,000 project to get in before this revision may go into effect. Please consider a reasonable clause in the revision that gives current property owners 3 years before the new zoning for them would go into effect. Also, another option to consider would be lots under a certain square footage don't get an increase of property lines since the parcel is so small to begin with.

Thank you for your time and consideration,

Tory DeAngelis

907-518-1829

Do Not Click Reply - This e-mail has been generated from a super form.

From: Please Do Not Click Reply

Sent: Sunday, February 10, 2019 3:55 PM

To: Liz Cabrera

Subject: Submit Comments (form) has been filled out on your site.

Your Site has received new information through a form.

Form: Submit Comments

Site URL: www.ci.petersburg.ak.us

Name: Leslea Nunley

Comments: I would like you to reconsider changing my property to a new zone. I have reviewed the new zones you have approved and none of them fit the use of this property. It has been general use since it's inception and is used for an RV park, both temporary residential trailers as well as for long term residential trailers, a business and a residence. If you change me to General Commercial I will not be allowed to have residential trailers, I will not be allowed to have a caretaker on the property (which I do) and I will not be allowed to expand the residence when I move there permanently in the next 5 years. I don't see any of the new zones that will allow me to use my property for what I intend and the reason I bought general use in the first place. I am only 1/2 mile from being outside of these changes. Is it really necessary to change my general use zoning when I am 7.5 miles outside of town? And if it is, what can you offer me that allows me to continue to allow multi residential use in trailers and business use and the ability to expand the residential uses when I move there permanently? I purchased the 10 acres behind me from the state so I had plenty of room to expand my uses. Changing my zoning will restrict what I can do and I don't think it's necessary where I'm at. My current uses aren't causing a problem in that area. Please advise. 741 Mitkof Hwy.

Do Not Click Reply - This e-mail has been generated from a super form.

March 7, 2019

Petersburg Planning and Zoning Commission
PO Box 329
Petersburg, AK. 99833

Re: Rezoning of my property at 7.5 Mile Mitkof Highway
Parcels: 01-174-700, 01-175-140, 01-175-160, 01-174-701

Please reconsider changing my zoning from the general use zoning I have enjoyed since I have owned the property. I bought the property that far out of town with general use zoning for a reason. I intentionally did not live in town where there were more restrictions on the use of my property as I am not interested in living under those conditions. I am convinced I am not the only resident who lives "out the road" that feels that way.

Alaska is unique in it's land as well as it's residents. A remote area such as Mitkof Island is attractive to people who enjoy their freedom. By changing the zoning in a manner that puts so many restrictions on land use you are making that property less desirable to the current residents as well as to people who may be considering living here.

Members of the community now find themselves in a position of owning a piece of property that is being zoned in a manner that makes it undesirable to them. A lot of these properties are several miles out of town, which is where general use zoning makes sense, and I have yet to hear a valid argument from the commission as to why those areas are being changed. By putting so many limitations on the use of those properties you are, in effect, limiting growth. I also have to wonder where some of the limitations on some of the properties came from and why they are part of the new zoning restrictions, instead of part of a conditional use process or even more appropriate, covenants. Such as the General Industry that is planned for my properties. There are specific items in that zoning that don't allow me to do what I have been doing for years and I don't understand why. Such as, why can't I have a caretaker? What is the purpose of that? That means I own a property outside of town that has no protection from vandalism? I don't understand.

When I called the Borough offices and talked to Liz she suggested that maybe a better zoning for my property would be multi-family instead of General Industrial. When looking at that zoning I found it was the same situation. There were so many limitations on that it still didn't fit my needs. I couldn't find one new zone that did. After listening to public testimony at the meeting on February 12th I find that I am not the only one dealing with this same problem. There seem to be several people whose property needs something that no longer exists to them, but I hope that can be rectified.

When the zoning was established back in the 80's the community members made it very clear they wanted to have the freedom to use their property as they wished and if that use created an issue with a neighbor then there are ways to deal with that, on a case by case basis. I don't see where anything has changed that would require so many limitations to be placed on most of the properties where the owners have a valid concern and have expressed that concern. I can understand reviews of zoning in areas of heavy residential development and especially when residential and commercial collide, but that is not what is happening to the properties that are "out the road".

Another concern I have is that I feel the change in zoning is devaluing my property. That is how unusable this property will become to me under a change in zoning to what is being proposed. I have to ask myself how I will sell this property and to whom, if it no longer works for me. Currently I have an RV park, with 28 stations with available water and sewer hookups. I have a caretaker who makes sure the property isn't vandalized and keeps maintenance repairs done, I have a 5th wheel with a build on that is used for residential rental, I have a shop and office for another business on the property. I have a mobile home for residential purposes and I have a small apartment for myself. I had intended to retire there and keep the caretaker and trailer rentals and expand upon my apartment to make it more comfortable. The General Industrial zoning won't let me use my property for what I want. And how could I sell it? How would I market something that I have that is no longer allowed? Who would want to buy property that far out of town for an industrial purpose only? It makes no sense. And what if I ask for a conditional use permit so I can use the property the way I want in my retirement and you refuse? Where does that leave me? I obviously have a lot of questions and concerns.

Rural residential again would not allow me to take advantage of the business and rental potential of that property. Multi family won't work either as low, medium or high residential density is not allowed, general commercial needs a special use permit, no industrial is allowed, etc. Also, the way I read the summaries none of these allow living in a recreational trailer or a mobile home, which has been happening on this property for years, except for a mobile home park which won't allow the commercial uses. Maybe there is a new zoning that meets all my needs and I'm not seeing it or am not understanding the summaries but it doesn't appear that way.

I understand that I am allowed to continue my uses by being grandfathered in with my zoning. I have also heard it sound like that would continue even if I added more businesses to my property, more trailers for rent, built a new home for myself, etc. But I have also been told that is only true to some degree and I can't change anything on the property that doesn't conform to current zoning unless the change is less than 25% of what it currently has. So I am confused about which is true. Am I grandfathered in to do what I want or am only allowed to do that up to a 25% change? And I have to ask one more time. What is wrong with my general use zoning as it stands?

March 7th letter to the Petersburg Planning Commission
Page 3

Maybe changes to properties such as mine need a bit more time and work on a zone that is more appropriate for people like me than what is available right now. I think that in these zones more input from the people affected would be beneficial to everyone, including your Commission that deals with unhappy land owners on a regular basis.

I think that in the interest of better serving those community members negatively affected by the zoning changes those properties should be left as they are and those land owners be given the opportunity to work with you on something that better fits their needs. From what I have heard in testimony these properties are not problem properties and there is an argument to be made that more time should be given to ensure their needs are met along with yours. The situation at the moment is not a win-win. It appears to be a lose-lose.

I am asking you to recognize the problems you are creating for your community by instituting these new zoning laws across the board at this time. I am asking you to be good stewards of your community and invite the landowners, with valid concerns about the changes you are forcing upon them, to be a part of the process. There are obvious problems with the new zones, and their placement, and to push forward before that is resolved would be irresponsible and damaging to this community.

I understand you have put a lot of time into this project to date and you may not like the idea of putting it off any further. However, I think you owe it to the members of this community to allow them to be part of this process, which was not done. Most of the people affected by this were not even aware you were working on new zoning until about a month ago. I'm sure if they had any idea what was happening you would have had more input before you put so much time into finalizing your zones and would have less conflict now.

Sincerely,

Leslea Nunley

907-388-8023

Liz, yes please add me and possible zoning change to your agenda. A local contractor has inquired about using a portion of the subject property as a manufacturing sight for transportable small and modular houses, with possible display. I assume that would not be allowed in a residential district. The contractor said he would attend the meeting if possible.

On another subject, but possibly related, the new planning code makes reference to "cottage housing". There is no definition for that in the code, but on the internet a common definition is...

What is Cottage Housing?

Cottage housing is generally defined as a grouping of small, single family dwelling units clustered around a common area and developed with a coherent plan for the entire site. They have gained popularity in recent years as a type of infill development on small sites within existing developed areas.

The cottage units may have other shared amenities. The shared common area and coordinated design may allow densities that are somewhat higher than typical in single-family neighborhoods while minimizing impacts on adjacent residential areas. As a result, cottage housing can offer its owners a quality living experience that is less expensive than traditional single family housing.

Cottage housing provides a degree of privacy and some of the benefits of single-family housing, combined with the lower cost and maintenance of attached housing. The clustered arrangement can also contribute to a strong sense of community within the cottage housing site itself.

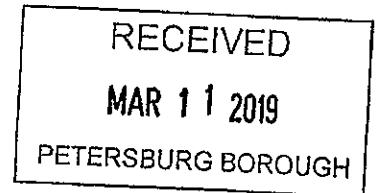
end of definition

The subject property lends itself to such development, albeit a distant future and challenging utilities.

Thank you,

John Murgas

M/M Dennis & Heather O'Neil
PO Box 1083
Petersburg, AK 99833



March 11, 2019

To: Petersburg Borough Assembly
Petersburg Community & Economic Development

Dear Petersburg Community & Economic Development and Borough Assembly Members:

We are writing today to contest the new zoning / definition of zoning of our properties at 606 S Nordic both lots; parcel number 01-010-089 and parcel number 01-010-082. We have been making plans to use our properties in ways that we are currently allowed to. But would not be allowed to should this rezoning go through.

Within the last year and a half, we have met with Mr. Sig Burrell at Rock and Road to discuss the cost of filling in our lots and even perhaps, dredging a portion of the tideland parcel # 01-010-082 for a small dock with floats. We brought with us the Corp. of Engineers permit that my dad Erling Husvik applied for and was granted from years ago for him to use as a reference. We also discussed the possibility of Rock and Road helping with our Corp. permit application.

After having met with Mr. Burrell we called Mr. Bisset a local surveyor in hopes that he would survey both lots and give us a better idea of how to proceed. We met with him at our properties and at that time, and in later emails he appeared willing to do this work for us. We gave him copies of my dad's old granted Corp. of Engineers permits to work off of also. This is still a work in progress.

Our plan was to put to the waters edge; dredged or not a lodge, or rentals facing the water with offices facing Nordic Drive. Under the current zoning definitions, we would be allowed that. The definition of the new zone, waterfront industrial would not allow a Bed and Breakfast, Lodge, Seasonal Rentals, Hotel, Motel or similar Overnight Accommodations, Business or Retail Offices.

If the new zoning passes, we will not be allowed to build any new Rentals, Lodging, Business or Retail Offices, we could not operate a Cafe or Restaurant, or even a Laundry facility, a Day Care, a Barber Shop, a Beauty Salon, not even Auto Parking or Public Parking.

When looking at the Borough's Property Tax Map you can see that the State of Alaska currently owns property zoned Industrial Tidelands just like we do. Those lands are used just a few hundred feet from us as Public Parking for the South Harbor.

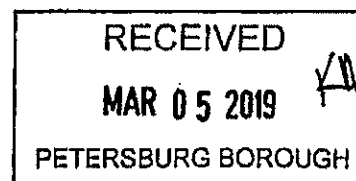
We believe our Industrial Tidelands to be a good location for all of the uses and services mentioned above. They would be in line with the tourism industry our community is promoting, for those traveling through Petersburg but for those who live here as well.

We strenuously object to you taking action that would take away the possible current use of our land, future opportunities that we now have to develop our land. You would be depriving us of protentional income we could derive from the use of our properties.

Sincerely, Dennis & Heather O'Neil

A handwritten signature in cursive script that reads "Heather O'Neil".

Ms. Heather O'Neil
PO Box 1083
Petersburg, AK 99833



March 4, 2019

To: Petersburg Community & Economic Development
PO Box 329
Petersburg, AK 99833

Dear Petersburg Community & Economic Development:

I'm writing today to contest the new zoning / definition of zoning of my properties at 606 S Nordic both lots; parcel number 01-010-089 and parcel number 01-010-082. They were simply zoned Industrial in the past and your new Waterfront Industrial Zoning definition appears to greatly diminishes the opportunities my property could be used for. And therefor it's value for future use. What if I wanted to use my property as collateral?

Before there was a road connecting Petersburg to Scow Bay there came a time when that community had enough children to warrant a school and what I now own as apartments was built. With the road students were bused to our Petersburg school and in time my Grandpa Ole Husvik bought it. He moved it to its current location on the beach in front of the house he built.

My apartments at 606 S Nordic have been a school house, a law office for Bill Lewis and Susan Hofstad, a bed and breakfast run by Barb Magestrali and of course apartments.

Your definition of "Waterfront Industrial" uses reads in part ".....The waterfront industrial district permits water-dependent industrial and some commercial uses." I find "some commercial uses" to be quite vague. And how is something going to be deemed water- dependent or not? That can be interpreted differently by the borough than a land owner. It is not really clear to me what all the activities are that fit your "Industrial Waterfront" zoning definition.

When I received my assessment for parcel number 01-010-082 last year it went from 42,000.00 to 14,400.00 and parcel number 01-010-089 went from 21,200.00 to 17,000.00 for land only not including any improvements. Yet last year a smaller but similar property about 2 blocks south parcel 01010057 has had a land value of 65,000.00 for years without changes. Also, my lots somehow lost square footage since my last assessments.

I have asked the assessor to make my assessments to reflect that my apartments do sit on both parcels. And I will ask the borough to do the same through the appeals process.

My properties are being devalued by assessments and by zoning definitions.

I understand that I am "grandfathered in" for what I currently use my properties for. But I do not want these limitations put on my properties for the future.

In closing I am formally requesting that the zoning definition you give my properties not include language like "...The use should be dependent on its waterfront location." or ".... "Water-dependent Industrial"... "port and harbor uses". I do not want to lose the ability to use my property in ways open to me in the past.

Respectfully, Heather O'Neil
cc Petersburg Pilot

A handwritten signature in cursive script that reads "Heather O'Neil".

From: Liz Cabrera
Sent: Monday, March 11, 2019 1:16 PM
To: Leonard Madsen
Cc: kmalcom@petersburg.gov; ken Madsen
Subject: RE: Planning Commission Public Hearing, 3.12.19. Proposed Zoning District, 604 S. Nordic, Petersburg Alaska

Hello,

I just spoke with Ken a few minutes ago and he let me know you were submitting this.

These comments will be forwarded to the commission for tomorrow's meeting.

Best,
Liz

Liz Cabrera
Community & Economic Development
Petersburg Borough
P. 907.772.4042
M. 907.518.0242

Rec'd 3/11

From: Leonard Madsen <len.madsen@gmail.com>
Sent: Monday, March 11, 2019 1:09:53 PM
To: Liz Cabrera
Cc: kmalcom@petersburg.gov; ken Madsen
Subject: Planning Commission Public Hearing, 3.12.19. Proposed Zoning District, 604 S. Nordic, Petersburg Alaska

Dear Ms. Cabrera:

Ken and Stacey Madsen asked me to forward you the enclosed letter and graphic

requesting a designation of "General Commercial" (GC) zoning" for the above referenced property.

Ken Madsen, my brother, asked me to express my opinion as a practicing and certified urban planner. It is my view that GC zoning is a logical extension of the proposed GC zoning for the City Marina property located immediately to the north.

Proposed GC zoning is consistent with the owners' planned use of their property. Their plans include conversion of the above property from a single family rental to a mixed use, 2 to 3 story building including retail and parking on the ground floor and a bed and breakfast inn on the upper floor(s). The proposed table, Section 2.2.C, "District Zoning Regulations"

allow commercial retail sales and services outright and Bed and Breakfast Inn's under Special Use Standards for the GC zone.

I understand the Madsens discussed their intent with the adjoining owner to the south who support extension of the general commercial (GC) zoning south of the marina. Although the Madsens are not in support of expansion of the Marina

boat ramp as proposed in the Waterfront Plan, proposed general commercial (GC) zoning is not inconsistent with the City's plan.

The proposed Waterfront Industrial (WI) designation of the property, and the associated allowable uses (Section 2.2.D.) are illogical in the sense that such uses will not take advantage of economic development

opportunities associated with tourism that will be enhanced by small cruise lines that are anticipated to be served by the new ramp developed immediately to the south of this property. The fishing and forestry industries are in decline; and tourism, as anticipated, will continue to significantly improve the economic base of the community. As suggested in their letter, Waterfront

Industrial (WI) zoning and associated uses will be a nuisance, the uses are incompatible with their plans for mixed use of their property, will not allow bed and breakfast inns. The net result will lead to irreparable economic harm to the owners as well as loss of economic opportunity for the City.

Please don't hesitate to contact me or Ken, (907) 518-0904, if

you have any questions. The Planning Commission is to be commended for their efforts to plan for a sustainable community with a rich cultural heritage.

Sincerely,

Leonard Madsen, AICP

630 Lehman Drive
Camano Island, WA 98282

206 353 1328

4/10/19

2018 Planning & Zoning

I am requesting the zoning change proposed for my property at 604 S. Nordic not be changed to the new Waterfront zoning plan.

It is too restrictive on any of the future develop plans that I have i.e. Bed & Breakfast, no commercial retail ect.

This change in zoning will cause considerable ~~financial~~ loss because of these restrictions.

Thank you

Kenneth Madsen

From: Karen Malcom
Sent: Monday, March 11, 2019 11:05 AM
To: Liz Cabrera; Karen Malcom
Cc: 'Don Bieber'; Derrick O'Soup
Subject: Fwd: New zoning comments

*Rec'd
3/11*

Just recieved this.
Karen

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution smartphone

----- Original message -----

From: david@vikingtrvl.net
Date: 3/11/19 12:03 PM (GMT-08:00)
To: Karen Malcom <kmalcom@petersburgak.gov>
Cc: 'Don Bieber' <dbieber@pmc-health.org>
Subject: New zoning comments

Hi Karen
Would you please pass this on to the Planning Commission?
Thanks
Dave

11MAR2019
Petersburg Planning Commission

On behalf of the Petersburg Lutheran Church, we'd like to point out what we consider an error in the proposed zoning of the Church properties which appear to be zoned Medium Density Residential.

It seems that the more appropriate zoning of these properties, which include the Lutheran Church, the Admin Building and the Holy Cross House, together with the Rabbi Hus Day Care Center would be more accurately zoned General Commercial.

Please contact the undersigned should you have further questions.
Thanks
Dave

David Berg
Building Committee
Petersburg Lutheran Church
Po Box 709
Petersburg, AK 99833
907-313-7579 Direct

From: Please Do Not Click Reply
Sent: Monday, March 11, 2019 10:55 AM
To: Liz Cabrera
Subject: Submit Comments (form) has been filled out on your site.

Received 3/11

Your Site has received new information through a form.

Form: Submit Comments

Site URL: www.ci.petersburg.ak.us

Name: Carrie Martinsen

Comments: I am concerned that my property at 400 Mitkof highway is being rezoned from General Industrial to Light Industrial. This strains my current business model as well as the value and sell ability of the land. I was not notified of this change in writing or verbally. I request to have all properties owned by Tamico, Inc to remain general Industrial.

Kindly,

Carrie Martinsen

Tamico, Inc

Do Not Click Reply - This e-mail has been generated from a super form.

BEACHCOMBER LODGE LLC
PO BOX 2126
PETERSBURG, ALASKA 99833
907.772.3888
beachcomberlodgellc@gmail.com

March 8, 2019

Planning & Zoning
Borough Assembly

This letter has taken many weeks of research, stress and crunching of numbers trying to figure out how I am going to try to operate a business within my new constricted zoning ordinance.

The Beachcomber property was purchased in November Of 2018. The current use is a lodging facility, apartments with potential for nightly rentals. There is a bar and restaurant that hasn't operated in years but the bones are all there for it as well as a liquor license. The property was purchased with the intention of allowing the building income to offset the payments while we begin the long permitting process to fill the tidelands for a barge landing. Potential for condos a small harbor a meadery or an asphalt/concrete plant have all been tossed around.

All of the above are currently allowable uses within our Industrial zoning. However, now we are being forced to choose between what we currently have and what we want to do in the future. As we all know plans change, needs change, finances change. I now am being forced to either open our bar and restaurant and ask for our zoning to be General Industry - which doesn't actually allow much industry or forego our long term plans so we can continue to operate with our current use. Most importantly, living within our means is something a private business owner is forced to do. By trying to set into motion things so I can be "grandfathered in" puts a large financial burden on us that we were not wanting to undertake at this time.

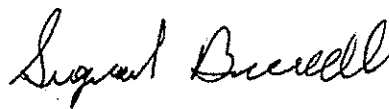
In a struggling economy I am shocked that the Borough would choose to put so many limitations on industry. The possibilities with the lot I purchased are endless. The possibilities with the lot I purchased within its new zoning is cutting us off at the knees.

I encourage all of you to take a long hard look at the current Industrial zoning and the proposed Industrial zoning and try to get our zoning back on the right track. I can tell you from our business standpoint we will not be purchasing one more piece of property in this community. I have already lost significant value by this rezoning and it is proof that economic diversity and growth is not something the Borough wants to encourage or support.

Best Regards,



Sigmund K and Ambre R. Burrell
Beachcomber Lodge LLC



SKYLARK PARK LLC
PO BOX 2126
PETERSBURG, ALASKA 99833
907.772.3888
skylarkparkllc@gmail.com

*Received
3/10/19*

March 8, 2019

Planning & Zoning


To whom it may concern:

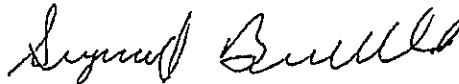
Our trailer park consisting of 3 separate parcels located at 117 Skylark Way, parcel #'s 01-010-450, 01-010-675 & 01-010-600.

I would like to have our zoning be Light Industry. This most closely aligns with our current use. It facilitates our current trailer park use, expansion for manufactured homes and possibility for single family homes or warehouses in the future to meet the needs of the community when that time arises.

Thank you for your consideration.

Regards,


Sigmund K and Ambre R. Burrell
Skylark Park LLC



Karen Malcom

From: Chase Bell <chaser-81@hotmail.com>
Sent: Thursday, March 7, 2019 10:31 AM
To: Karen Malcom
Subject: Proposed rezoning

To the Planning and Zoning Commission and/or whom it may concern,

Hello, I am writing in regards to the proposed rezoning of industrial and commercial property here in Petersburg.

Of specific concern is the light industrial "buffer" zone (light purple on the map) in Scow Bay.

As an owner of industrial property in Scow Bay, this is of serious concern.

For all practical purposes, it seems that this would split our property in two, with differing stipulations between Waterfront Industrial and Light Industrial.

We purchased this particular piece of industrial property in 2014, specifically for "industrial" use.

It is located just a few lots south of AML.

We operate a commercial, landing craft and barging service with that property as our base of operations.

With the new proposed zoning, instead of a broad range of "permitted uses", like we enjoy with General Industrial", Light Industrial would require us to apply for "conditional use" permits for various activities.

For instance, and please correct me if I am wrong, if I wanted to start a machine shop, it looks like I would have to apply for a conditional use permit.

A sawmill would also require a special permit.

Making a living with a sawmill is hard enough without more restrictions and what kind of extra stipulations would be required with all of these "conditional use" permits?

Also, it looks like a dwelling for a caretaker or watchmen would NOT be allowed on light industrial.

I have heard that we as property owners, would be "grandfathered" in the event of rezoning which sounds nice for now but in the event that years down the road we would want to sell, it seems that this could potentially devalue our property and limit our options.

What if we wanted to pass down a viable, industrial business to our kids?

Would they be "grandfathered" in as well?

Historically, Scow Bay has seen a number of industrial uses over the years including fish plants, a sawmill, and in more recent times, the AML/Samson yard.

This has set a continuing precedent for a large part of Scow Bay to be an industrial area and I believe that people in this area are used to that.

The General Industrial waterfront property in Petersburg is limited as it is so changing a bunch of it into Light Industrial does not seem like a good idea.

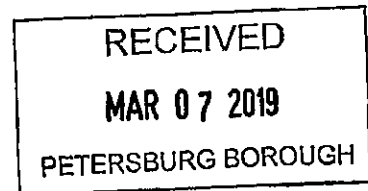
Industrial property tends to create jobs for locals and limiting the use of it seems counterproductive if our goal as a community is to nurture a thriving waterfront.

Maybe I am missing something here but I don't see any upsides and a lot of downsides but of course I am speaking from an industrial owners perspective.

It will be interesting to hear other people's perspectives from the residential sector.

Anyway, just my 2 cents but I am strongly opposed to this rezoning proposal.

Thank you,
Chase and Hilary Bell



March 6, 2019

Petersburg Borough Assembly:

The changes to Petersburg's zoning are not acceptable.

We've always had the right to build residences on industrial land; part of the original zoning plan. We are being told we will no longer be able to do that on most industrial land; nor will we be able to add on to an existing residence or rebuild it if badly damaged

We bought our land because its industrial zoning would allow us the latitude to build a home and still use it for any business we might want.

The land to the north of us has always been single family residential. By changing that zoning to multi residential you are altering the neighborhood we live in. Any undue extra traffic is not wanted.

When a person buys property and buys into a neighborhood it is with reasonable expectation that the zoning will not be changed. It's required that property owners be informed of any application for even a minor variance from existing zoning restrictions. That's to

ensure anyone who thinks they will be adversely affected will have a chance to express their concerns.

Owners should be informed in writing before any action is taken that affects their property.

I was told a lawyer was hired for 3 months to help come up this travesty. What does a lawyer know about how property owners want their land zoned? How many of our taxpayer dollars were wasted on this person? It's rather insulting that a lawyer would be consulted but not the people directly affected. Whoever hired this lawyer should pay the bill; not us taxpayers.

If zoning and the definitions of zoning are to be changed the borough needs to start over by notifying all affected property owners of proposed changes.

There doesn't exist a mechanism by which to change a person's zoning without their permission. Violating a person's property rights is just wrong.

We are happy with the way our property has always been zoned. Everyone I've talked to is also pleased with their present zoning.

The borough assembly, the department of community and economic development and planning and zoning

have no right to arbitrarily change peoples' property descriptions and thereby their value. Anyone who doesn't believe in basic property rights does not deserve a position of public trust.

We are happy with the way our property has always been zoned. Everyone I've talked to is also pleased with their present zoning.

Leave well enough alone and we'll be fine.

A handwritten signature in cursive script, reading "Mike Medalen". The ink is dark and the signature is fluid.

Mike Medalen, Box 969, Petersburg AK 99833

(907)772-2799

rev'd 3/1/19

Laurel McCullough

P.O. Box 707

Petersburg, AK

99833

March 6, 2019

Planning and Zoning, Petersburg Borough


Dear Committee Members:

I am writing to comment on the proposed changes to zoning in Petersburg. The map that I received in the mail shows that Birch St. would become part of the Downtown Commercial area.

I have several questions about that change: Why was this decision made when all but one of the buildings on Birch St are currently used as residences, and, if this zoning change is carried out, will there be a variance available for new residential construction in this neighborhood?

Thank you for your time,

Sincerely,

A handwritten signature in cursive script, appearing to read "Laurel McCullough".

Laurel McCullough

3/8

Ray Olsen Jr.
P.O. Box 928
Petersburg, AK 99833
(907) 581-1111

March 06, 2019

Borough Assembly
P.O. Box 329
Petersburg, AK 99833

Borough Assembly Members:

Long forgotten are the overtures of the City of Petersburg in the 1970's, to the people of Scow Bay, on how beneficial it would be for the residents of Scow Bay to become a part of the City as it was being annexed into the City. Soon after, in the early 80's, came the supposed need for zoning, so the zoning plan was adopted. With the zoning, the people then lost their right to do as they pleased on their own property, for they then came under the jurisdiction of the zoning code of the City of Petersburg, and if your property was zoned industrial, a Conditional Use Permit was required to build a house on your property. Now, as I read the current proposed changes regarding Industrial zoned property, what was once legal in building a house on Industrial land with a Conditional Use Permit, is no longer allowed or legal to do. With the proposed zoning code, a house built on industrial land would be considered non-conforming with termination clauses, reducing the value of our homes to zero.

As for the subdivision that was recorded as Olsen Subdivision, Tract B, it is stated on the City website that the lots were created large to allow for on-lot sewer systems. The lots were made that size because that's the size my dad wanted them. Lester Leatherberry of D.E.C. would only allow 5 septic systems in the entire subdivision. The subdivision was zoned Single-Family Residential, and needs to remain that way.

What is the next stage of the Zoning Revision? To evict us from our homes, and put us out into the streets? Totally unbelievable. I request the zoning not be changed, and to be notified the next time you decide to make any changes.

"As a man is said to have a right to his property, he may be equally said to have a property in his rights. Where an excess of power prevails, property of no sort is duly respected. No man is safe in his opinions, his person, his faculties, or his possessions." James Madison

Sincerely,

A handwritten signature in cursive script that reads "Ray Olsen Jr.".

Ray Olsen, Jr

From: [Pam Olsen](#)
To: [Karen Malcom](#)
Cc: [Assembly](#)
Subject: Proposed Zoning
Date: Thursday, March 7, 2019 3:49:23 PM

Planning Commission and Borough Assembly:

The proposed Petersburg Development Code Revision would change the Industrial zone on which our home sits at 101 Woodrow Wilson Drive, in the Bayview Estates area, to General Industry. Under this proposed change, we, and many other residents who currently reside in the Industrial zone, would now have restrictions imposed upon us, such as not being allowed to add onto our home, nor rebuild a larger home should it be destroyed, nor build on a different location on our property, among other restrictions.

Under the proposed change, most of Scow Bay's zoning would become General Industry, thus preventing new homes to be built out there. The small section of residential lots behind our house at Bayview Estates is proposed to be changed, allowing up to 3 houses on a lot. This would result in a cramped neighborhood of houses at Bayview Estates, while a vast area of land at Scow Bay is locked-up, reserved for General Industry. The spacious lots in the subdivision now called Bayview Estates were created for single-family dwellings, one house per lot, to give people privacy and space between their homes. The lots were not designed large in order to make room for on-site septic systems, as is recorded. At the time the size of the lots were designed, Lester Leatherberry of D.E.C. approved only 5 septic systems throughout the entire development. Crowding the neighborhood with houses would destroy the privacy, openness, and spaciousness between homes, would create a busy, noisy, high-traffic neighborhood, and would ruin the scenic view enjoyed by the upper lots.

Not a letter was sent to the property owners stating the proposed changes. Most of the individuals who will lose privileges on their own property are unaware that this will happen. We, as property owners, purchased our land and built our homes with the intent that we would always have the full right to live, and dwell, and retain all of the freedoms and privileges we currently have on our own land, and this proposed zoning change takes away that right. The change locks-up land that could be developed for single family residences at Scow Bay, and over-crowds and devalues a neighborhood created to be quiet, peaceful, and spacious. I request this new proposed zoning not be put into place, for the sake of many who'll be adversely affected by the change.

Sincerely,

Pam Olsen

February 12, 2019

Harold Medalen

P. O. Box 821

Petersburg, Alaska

Planning and Zoning Commission,

Petersburg Borough

P.O. Box 329

Petersburg, Alaska 99833

Commissioners,

I have received notice that you intend to change the zoning districts in town. My mother, Sigrid Medalen, owns the portion of Block 57 which is along the south side of Hammer's Slough between Sing Lee Alley and Nordic Drive. This land has been zoned C-2 for many years and she would like it to remain so. To put it another way, she does not want it to be zoned "Downtown Commercial". Her neighbors across Nordic Drive on the other part of Block 57, Mary Katasse-Miller, and Lars and Dan Christensen, have expressed their concerns to us about the proposed changes as well. They are also opposed to any zoning change. They have asked me to speak on their behalf at your February 12th meeting, Mary because she is very hard of hearing, and the Christensen's because they will both be out of town that day. In addition to her property on Block 57, my mother also owns a C-2 zoned property on Block 109 south of Mill Slough. My wife and I own the adjacent C-2 property. All of us are concerned about any changes to allowable uses and development requirements on those properties which may arise from the change from the present C-2 to the proposed "Downtown Commercial" and "General Commercial" zoning.

Our understanding of the Development Code Revision, based on news articles in the Petersburg Pilot, on KFSK radio, and as explained on the Petersburg Borough website, is that the intent has been to "improve and streamline approval processes, increase the range of allowed uses, increase clarity and consistency of code application, expand economic opportunities and quality of life, and address systemic shortcomings of existing code, while implementing some of the land use provisions of the most recent Comprehensive Plan". None of us have any objection to streamlining approval processes, increasing the range of allowable uses, increased clarity and consistency of code application, or expanded economic opportunities and quality of life. We are all in favor of these things. None of us understand what the systemic shortcomings of the existing code are, we would need to have these pointed out to us before we could come to an opinion about them. As far as implementing some of the land use provisions of the Comprehensive Plan, to the extent that the allowable land uses in the C-2 zone stay the same or become less restrictive, we won't object. To the extent that our zoning becomes more restrictive, we are

strenuously opposed to any change. None of us were specifically asked as property owners to give input to the 2016 Comprehensive Plan as it pertained to present and future use of our properties, but if we had been, we would all have stressed that we wanted no change to the zoning or development requirements we have lived under up until the present, unless it was to liberalize them.

The zoning ordinance which has applied to our properties for these many years states the purpose of C-2 zoning as follows:

"19.36.010 Purpose of district: The purpose of this district is to provide a commercially oriented environment that is considered heavy or vehicle commercial, including wholesale and warehousing, and light industrial. The uses would normally be service oriented to retail or industrial.

(Ord. 557 € 3(part). 1985)"

The permitted uses for C-2 zoning are as follows:

"19.36.020 Principal uses permitted.

- A. Warehouses and storage;
- B. Transportation and transshipment facilities;
- C. Manufacturing, fabricating and assembling of a light industrial nature;
- D. Commercial radio and television transmitters and towers;
- E. Required essential services;
- F. All uses permitted in C-1 zone

(Ord. 557 € 3 (part). 1985)"

(The uses permitted under "F." above are the whole range of uses under C-1 zoning, including all the uses permitted in S-F (single family) and M-F (multi family) zones.)

Prior to 1985, Petersburg had only rudimentary zoning. The Zoning ordinance enacted in 1985 drew heavily on the 1984 Comprehensive Plan. That plan has a more thorough discussion of land use priorities in town than either of the more recent comprehensive plans. In order to understand the zoning we have been living under , it is worthwhile to read the applicable sections of the 1984 plan. Existing C-2 zoning closely follows the recommendations of that plan.

1984 plan, Page 3-29, 8. Commercial -2 reads as follows:

"Purpose: To provide space for commercial or light industrial activity, particularly small marine related businesses."

"The commercial-2 (C-2) classification provides lands for light industrial, especially marine related, activities. One area of town is designated for C-2 activity; this is adjacent to the new boat harbor, off Nordic Drive South. Although this area is presently developed mostly as residential waterfront

properties, the new boat harbor will likely produce a demand for marine related commercial or industrial activity”

“The residents of the area recognize that waterfront space along the harbor is limited and valuable for commercial or industrial development which can strengthen the economy of the community, yet they would like to preclude major industrial activities which would compromise the amenities presently enjoyed in their neighborhood. The intent of this C-2 designation is to allow space for commercial and light industrial growth, but to limit industrial development to small, water related activities which are compatible with a residential/marine area. Examples of acceptable activities for this designation are marine stores, small boat repair shops, and small engine repair facilities.”

As you can see from both the Borough Code and the original 1984 guidelines, the intent of C-2 is clearly light industrial, but includes a whole range of other commercial uses and residential uses as well. The area that was ultimately zoned C-2 included all of the waterfront from the south end of the South Harbor north to the middle harbor, including along Sing Lee Alley, along both sides of Hammer's Slough upstream to the upper bridge, and along the east side of South Nordic Drive from Hammer's Slough Street to Marion Street. Additionally, the area in upper Hammer's Slough along Birch Street was zoned C-3, which was similar in most respects to the C-2 zoning in allowing warehouses and storage and manufacturing, fabricating and assembling of a light industrial nature. The principal difference was the recognition of that area's historical flavor. All of the C-2 and C-3 area have had intensive commercial and industrial use over the years. Many boats have been built along Hammer's Slough. My Mother's portion of Block 57 and the area to the south and west of it were the site of a large sawmill at one time. Later, the Mitkof Marine Ways shipyard for many years occupied what is now the site of the South Harbor crane dock and parking lot. On my parents Block 57 property we had a portable sawmill for a number of years. We brought logs up the Slough and drug them up the bank to the mill, trailered them in, or had them delivered by self-loading log truck, whichever was most convenient at any given time. We have used the back yard there to work on boats as large as 32', as well as a great deal of other marine related and carpentry fabrication and assembly work. My father's first fishing boat was finished out on a grid below his warehouse there. This kind of work has gone on periodically there since I was a small child. We have never had any complaints from any of our neighbors about these activities. Many of them were doing the same sorts of things themselves. We intend to continue to use this property for all these purposes as the need arises. With this in mind, we have been happy to hear that the objectives of the code revision is improve the approval process and increase the range of allowed uses. We don't seek your approval to continue doing things as we always have, but we do feel that the less permissions and approvals that are required for anything a citizen wants to do with their own property, the better it is for the whole community. We realize that not everyone feels this way, but hopefully it is understood by all concerned that we are living in a small town in Alaska, not in some gated community where people's main pastime is complaining about neighbors paint schemes, vegetable gardens, cars left parked in driveways too long, and grass being allowed to grow too long.

As far as the increase in the range of allowed uses goes, one of the neighbors gave me a zoning regulation handout from the Borough. It is a working draft from August 2018, but hopefully it is still more or less current for the sake of discussion. I have carefully compared the allowed uses in the revised zoning districts with the existing zoning code and I haven't found that the range of allowed uses has increased for the two proposed new commercial districts that are proposed to replace zones C-1, C-2, and C-3. Off street parking requirements have been relaxed and we can put up a tiny house, and

that's all well and good, but it appears that light industrial uses such as boat repair and construction, machine and welding shops, warehousing, freight distribution, cabinetmaking and carpentry shops, wood products manufacture such as small sawmills, all of which activities we have heretofore conducted to varying extents at different times, would either be prohibited or require us to come to you for permission in the form of a special or conditional use permit. This is unacceptable to us as property owners and taxpayers. For that reason, we oppose the adoption of the new zoning maps until the code is revised further.

I am not sure just how this streamlined and liberalized code we have been looking forward to came to be so far removed from the zoning to which we have become accustomed, but looking over the draft zoning maps, I noticed several areas designated "Light Industrial" in the vicinity of Scow Bay. I had heard that more property was going to be zoned light industrial, and I have no objection to that. The upper part of Cornelius Road is presently zoned single family. The proposed revision shows it as light industrial. As long as that is what the property owners there want, that is fine with me. There are three other areas that I see, one seaward of the highway below Hungerford Hill, one along the south side of the Scow Bay Loop Road, and the last is a narrow strip along the highway between A.M.L. and the Beachcomber. Rather than liberalizing the pre-existing zoning, as on Cornelius Road, these have been carved out of the existing Industrial zoning. I can see no advantage to this at all, but perhaps the property owners in those areas have requested this, and if that is the case, I have no complaint. However, I and my neighbors do not want to see our existing C-2 light industrial zoning pulled out from under us and moved to Scow Bay. We all like it fine where we are at right now. It is not practical or desirable for any of us to sell out and attempt to buy property and move to Scow Bay to maintain some semblance of the zoning we are in now.

In further researching the background to all this, I looked at the 2016 Comprehensive Plan land use provisions. The implementation of some of those were mentioned as further intended goals of the development code revision. On page 49 of the comprehensive plan is a category of land called "Waterfront B". It is described as being "Intended for uses that greatly benefit from a waterfront location, including residential, retail, lodging, and dining. While diverse uses are allowed in Waterfront B areas, the form and scale of such uses needs to maintain an attractive waterfront. The primary strategy to reach this goal is to require structures to be built in a scale and style of traditional Petersburg single family residential homes. An example is the set of uses on the strip of land along the water between the two access drives to the South Harbor". It appears that the group putting the 2016 plan together didn't bother to read the previous Comprehensive Plans and come to an understanding about the background to the existing situation. It looks like they may have decided to reinvent the wheel, and rather than allow the neighborhood to slowly evolve from residential use into a marine service area serving the harbor as in the previous plan, under a new plan, we as property owners would instead construct cutesy traditional house looking buildings and use them to provide lodging and dining for the leisure classes. I sincerely doubt they got that idea from any of the property owners in the C-2 zone. This sounds like the kind of idea dreamt up by somebody who doesn't own the property, but wants to tell other people what they should do with it. We would prefer to stick with our C-2 commercial/light industrial for marine related services, thank you very much, and under that zoning, if we decide we want to build a foo foo restaurant in a cutesy house overlooking the harbor, we are allowed to do that as well.

I would like to say a few things about industrial zoning before I wrap this up. In recent years, there has been a lot of wringing of hands over the lack of industrial land available in town. Looking at the

zoning maps, existing or proposed, it seems to me we have an awful lot more industrial land than we have industry. There isn't enough of it developed and for sale, but we have a fair amount of it. Since the 1980's, we have lost one large sawmill and several small mills. Recently, one of the major fish processors pulled out of town, probably never to return. Various efforts by first the City of Petersburg, and more recently the Borough, to promote industry and attract business haven't produced much in the way of long term results. The timber industry has just about disappeared and our fishing industry is largely geared toward burning increasingly expensive fossil fuel to produce high end seafood products which have to be shipped out to increasingly competitive world markets at increasingly higher freight rates. Some in the community hope that tourism will be our salvation, and who knows, maybe one day our town will be world famous for its zip lines and trinket and tee shirt sales. Probably not though. It is more likely we are in for an extended period of gradual decline, possibly even hard times. The 1984 comprehensive plan has an interesting chart showing the projected population for the year 2010. Their predicted high number was 5072 residents. Intermediate was 3774, and the low prediction was 3252. The actual number from the 2010 census was 2948, a shortfall of 300 residents from the most pessimistic prediction. The 2016 comprehensive plan predicts a 2022 population of 3097, declining slowly to 2574 in 2042. I have no idea how they come up with these numbers, but they are certainly food for thought. With that in mind, I believe splitting up our one industrial zoning category into three separate ones is simply rearranging the deck chairs on the Titanic. I am fine with creating more light industrial zoned land wherever property owners want it and can agree on it, or for that matter rezoning more land industrial if the neighbors want it and can agree.

On the other hand creating a separate category of waterfront industrial land and trying to restrict uses there to those which are water dependent will do nothing to promote development, but will only hinder it. Likewise, eliminating the currently allowed residential conditional uses make no sense. I am sure it isn't the landowners that are clamoring for this change. I was on the Planning Commission back in the 1980's when we did the last zoning revision. Many property owners contacted us to specifically demand that their land be zoned industrial. In every case they wanted the maximum flexibility to develop as they saw fit, and industrial was universally understood to be the least restrictive zone. The reason for the conditional use requirement in the code for the multifamily structures, dormitories, rooming houses, boarding houses, mobile homes, mobile home parks and one and two family dwellings allowed on the industrial land was to put the developers on notice that if they built residences of any sort on their industrial property, they had no cause to complain if an adjacent property was later developed for strictly industrial use. Many homes in town had the land around them zoned industrial when the 1985 zoning ordinance was enacted. Many more have been built on industrial land since. I don't know of anyone who has any regrets about living on their industrial property. Changing the code to disallow residential use of industrial zoned property will only create a future can of worms by turning many existing homes into nonconforming uses.

In recent years, the commission has ceased to closely follow Chapter 19.72 of the Borough Code and issue the conditional use permits which are required for such dwellings. The stated purpose of Chapter 19.72 is because of the potential impact of some uses of land on neighboring properties, or the public service nature of such uses. In the case of a dwelling, the public service nature isn't applicable, so we can ignore that. It is all about potential impact. 19.72.010 B. States: "The commission shall permit these uses if, in addition to meeting off street parking regulations, development requirements, and all other requirements of this title, the conditions set forth in this title are met". You will notice that it doesn't say

“ may permit”, it says “shall permit”. The conditions of approval under 19.72.020 primarily deal with the character of the surrounding property and the economic and esthetic effects of the proposed use on the property and neighboring property. The impact of a dwelling of any sort on industrial property is negligible compared to virtually any industrial use. The conditions of approval are further concerned with prevention of injurious and noxious noise, vibrations, smoke, gas fumes or odors or fire or explosion hazards, and of course the exits and entrances to the property and off street parking for the conditional use must be located to prevent traffic hazards or congestion on public streets. Interestingly, there is nothing in Chapter 19.72 that would indicate that the conditional use of industrial land should not be allowed because the commission or any other entity feels the land to only be used for a strictly industrial use. Taxpaying property owners generally have a better idea of what their own particular highest and best of their land is than anyone else does.

On that happy note, here is some background about this for you from the 1984 Comprehensive Plan.

Chapter 4 of the 1984 plan is titled “Special Land Use Concerns”. This chapter divided the waterfront into several sectors. Page 4-2 describes the sector between Eagle Roost Point and Turn Point, essentially all of the downtown working waterfront and the best approaches to its future development and use. I will type it out here so you don’t have to go looking for a copy of the plan, but I would recommend to anyone interested in land use issues in town to read the plan as well.

“Eagle Roost Point to Turn Point is the most extensively developed of all the waterfront in the community. The land use adjacent to this waterfront is a combination of commercial businesses, apartments, single family homes, industries, and public buildings. There is a strong community preference to continue allowing a mixture of uses in this area, and to give property owners a maximum degree of latitude in selecting uses for their property.

The land in this area is extremely valuable because of the intensive development which has already occurred, and since it is the most favorable natural location in the community for protected harbor facilities. The community has invested heavily in harbor and other public facilities along this waterfront as a means of bolstering the economic health of its major industries. Thus, industrial and commercial activity should be encouraged in the area in order to maintain a strong and viable harbor and central business district. This is particularly true for business activities which are dependent on the developed harbor facilities, even though the community preference is to allow a latitude of uses.

Petersburg intends to allow the free market to determine the uses of waterfront land from Eagle Roost to Turn Point, rather than reserving this land for water-related uses which might (“might” is underlined in the original here.) occur in the future. This policy will result in the highest and best use according to prevalent market conditions, and will maximize economic efficiency and public tax collections.

If land were reserved for potential water dependent uses, present opportunities and revenues from free market uses would be lost until such time as the planned (hoped for) (parenthesis in the original) development occurs. It might not occur. Making the presumption that particular kinds of development will occur is not prudent for Petersburg in view of the expected limited growth scenario. If a future intensive water-related use occurs, but does not make up for the cost of lost opportunities in the intervening years, then the community will have essentially granted a hidden subsidy to the future user,

at the cost of the excluded users, and the taxes they would have paid to the public treasury during the intervening years. "

If those very prescient words from 1984 make you as commissioners and staff think back on your recent treatment of Bill Menish and his conditional use application for a two family dwelling and bed and breakfast on his industrial waterfront lot, in a typical Petersburg mixed use neighborhood with several similar businesses, I can assure you they made me think of it too. I believe if he had taken his appeal to the next level and gone to court, he would have prevailed. That was an excellent case study of a present development and business opportunity being lost, but at least as elected officials and public employees, you all got to show a taxpayer who was boss, even if it involved shooting yourselves and the community in the foot in the long run.

I can see a lot of problems that need to be resolved before the revised development code can be implemented. If it is put in place as it is now, it appears it will decrease the range of allowed uses on commercial and industrial land and diminish the economic opportunities and quality of life of the owners of these properties. I think the most important thing you need to do before proceeding any further with this plan is to send a notice by mail to every property owner detailing the currently allowed uses of their land, and what uses will be allowed if the code changes. That's the only way that I can see that will allow informed consent by property owners.

Sincerely,

Harold Medalen

March 11, 2019

Petersburg Planning and Zoning
P.O. Box 329
Petersburg, Alaska 99833

Rec'd
3/11

Ref: Tax Parcel Number 01-055-500, Olsen Avenue

In January we received a colored map of proposed zoning changes along with a notice of scheduled public hearings and proposed action. I took a quick look at the map and saw the proposed zoning of our property was dark purple and general industry. This did not represent a change to me and I looked no further until a friend and neighbor in town pointed out changes in zoning along South Nordic Drive which are not favorable to property owners.

Under the new code definitions our home on our industrial property where we have lived since 1985 would be a non-conforming use. If our home is damaged or destroyed, we would not be allowed to rebuild and we would not be able to add on to it more than 25%. Residences have always been allowed on industrial zoned property. Under the existing zoning they are a conditional use and have no trouble meeting the requirements to obtain a permit.

When the Scow Bay Area was zoned in the 1980s land owners were contacted and asked what zoning they wanted. Most of those in our neighborhood requested industrial zoning because it allowed owners the widest possible freedom in developing their property from residential to industrial.

I have verified that no property owners in the past 3 years requested their land be zoned to a lesser use. I have verified that no property owners requested their parcel be split into more than one zoning classification. The changes being arbitrarily made are an unacceptable overreach.

This revision needs to start over, with notifications being sent out to all affected property owners detailing a comparison of their current zoning and definitions compared to new proposed zoning and new definitions of zoning. Better yet, leave the zoning as it has been for years since there have not been complaints.

I urge a "NO" vote on adopting this change.



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