

Date: 12/09/2016

To: Mayor and Borough Assembly

From: Gerald J. Whitethorn
dba
Alaska Commercial Electronics

Reference: TIDELANDS LEASE 01-010-041 Portion #9 Port Facility.

Dear Assembly,

I am writing this letter to request an amendment to my TIDELANDS LEASE 01-010-041 Portion #9 Port Facility to include C-1 permitted uses as listed in Petersburg code 19.32.020. Currently my lease only allows commercial and marine electronics sales and service. (exhibit A) The current zoning for my location is Industrial which includes C1 Commercial zoning.

Referring to the Borough of Petersburg Code, Chapter 19-32, C-1 Commercial 1 District under 19.32.020 the principal uses permitted, I would refer you to A. Retail Business. (exhibit C) This amendment to my lease, allows for less specific uses and an opportunity for more flexibility for local businesses to expand their products and markets.

As a matter of housekeeping, I am also requesting that Richard C. Tamblin be removed from my lease as he no longer has a financial interest in Alaska Commercial Electronics. (see exhibit D)

Thank you for your consideration in this matter.

Respectfully,
Gerald J. Whitethorn

dba
Alaska Commercial Electronics



Record in the Petersburg Recording District

TIDELANDS LEASE

THIS AGREEMENT is made on the date last below signed between the City of Petersburg, a municipal corporation organized and existing under the laws of the State of Alaska, whose mailing address is P. O. Box 329, Petersburg, Alaska 99833, hereinafter referred to as the "Lessor" or "City", and Gerald J. Whitethorn and Richard C. Tamblin, dba Alaska Commercial electronics, whose mailing address is P.O. Box 1550, Petersburg, Alaska 99833, hereinafter referred to as the "Lessees."

Remove
No financial
Interest.
See exhibit J

RECITALS

WHEREAS, the real property subject to this lease lies within the boundaries of the City of Petersburg, Alaska, First Judicial District, Petersburg Recording District; and

WHEREAS, Lessor holds title to such real property; and

WHEREAS, the real property subject to this lease has been appraised within six (6) months prior to the date fixed for the beginning of the term of this lease; and

WHEREAS, the particular tract subject to this lease has been nominated for lease by an application of Lessees demonstration: (1) the proposed use of the nominated parcel is a beneficial use in terms of highest and best use; and (2) it is in the City's interests to lease the nominated parcel; and

WHEREAS, Lessees have submitted a showing: (1) the purpose of the proposed lease; and (2) whether the intended use complies with the zoning ordinance and the comprehensive plan of the City; and

WHEREAS, this lease contains such restrictions and reservations as are necessary to protect the public interest; and

WHEREAS, Lessees desire to lease the parcel described herein for the purpose of constructing marine and commercial electronics sales and service; and

C-1 Commercial
Guidelines

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree as follows:

ARTICLE I - Demise and Description of Premises

19.32.010

Chapter 19.32

C-1, COMMERCIAL-1 DISTRICT

Sections:

| | |
|-----------|--|
| 19.32.010 | Purpose of district. |
| 19.32.020 | Principal uses permitted. |
| 19.32.030 | Accessory uses permitted. |
| 19.32.040 | Objectionable operation prohibited. |
| 19.32.050 | Screening of storage required. |
| 19.32.060 | Lot, yard and height. |
| 19.32.070 | Lot coverage. |
| 19.32.080 | Off-street parking and loading—Other requirements. |

19.32.010 Purpose of district.

The purpose of this district is to provide a consolidated, cohesive and strong central business district with easy access to facilitate a viable economic center. (Ord. 557 § 3 (part), 1985)

19.32.020 Principal uses permitted.

The following are principal permitted uses:

- A. Retail businesses;
- B. Business and professional offices;
- C. Barbershops and beauty shops, laundries and other consumer services;
- D. Restaurants, cafes, bars;
- E. Theaters and assembly halls;
- F. Clubs, lodges and fraternal organizations;
- G. Hotels and motels;
- H. Governmental and civic buildings;
- I. Multiple-family dwellings, boardinghouses and rooming houses;
- J. Recreational vehicle parks;
- K. Newspaper and printing establishments;
- L. All uses permitted in S-F and M-F zones;
- M. Commercial radio and television transmitter or towers;
- N. Required essential services;
- O. Service stations. (Ord. 600 § 3 (part), 1987; Ord. 557 § 3 (part), 1985)

19.32.030 Accessory uses permitted.

Uses and structures which are clearly incidental and subordinate to principal uses permitted and which will not create a nuisance or hazard and which are located on the same lot, are permitted in these districts as accessory uses. (Ord. 557 § 3 (part), 1985)

19.32.040 Objectionable operation prohibited.

No uses shall involve any kind of manufacture, compounding, processing or treatment of products, even though properly and safely operated with ordinary care, according to good and reasonable practice, which causes

19.32.040

noxious or offensive odors, gas, fumes, smoke, dust or vibration or noise which substantially interferes with other use of the property permitted in the district. (Ord. 557 § 3 (part), 1985)

19.32.050 Screening of storage required.

All open storage visible from a street shall be screened from view by a sight obscuring fence or hedge of good appearance. (Ord. 557 § 3 (part), 1985)

19.32.060 Lot, yard and height.

When a lot in this district abuts a different zone of greater restrictions, then the setback requirements of the more restrictive zone shall apply. If the lot is not adjacent to a more restrictive zone, there are no lot and yard regulations except as necessary to provide required off-street parking and requirements specified in Chapter 19.60 of this title (Yards and Lots). Buildings in C-1 districts shall be limited to three stories, not to exceed thirty-five feet. (Ord. 557 § 3 (part), 1985)

19.32.070 Lot coverage.

There are no maximum lot coverage restrictions. (Ord. 557 § 3 (part), 1985)

19.32.080 Off-street parking and loading—Other requirements.

A. Off-street parking and loading requirements shall be specified in Chapter 19.64 of this title.

B. Other development requirements shall be as stated in Chapter 19.60 of this title (Yards and Lots). (Ord. 557 § 3 (part), 1985)

Chapter 19.44

I-1 DISTRICT, INDUSTRIAL DISTRICT

Sections:

| | |
|------------------|---|
| 19.44.010 | Purpose of district. |
| 19.44.020 | Principal uses permitted. |
| 19.44.030 | Accessory uses permitted. |
| 19.44.040 | Conditional uses. |
| 19.44.050 | Screening of storage required. |
| 19.44.060 | Lot, yard and height. |
| 19.44.070 | Lot coverage. |
| 19.44.080 | Off-street parking and loading—Other requirements. |

19.44.010 Purpose of district.

The purpose of this district is to provide for an area with a broad range of industrial establishments. Development requirements are intended to provide for a safe and sightly environment and to allow adequate space for off-street parking, storage and expansion. Residential construction in this zone is limited because it is intended that land in this zone be reserved for primarily industrial process. (Ord. 557 § 3 (part), 1985)

19.44.020 Principal uses permitted.

The following are principal permitted uses:

- A. Uses permitted in the C-1 zone under subsections (A) through (D) and (F) of Section 19.32.020 of this title;
- B. Uses permitted in the C-2 zone under subsections (A) through (E) of Section 9.36.020;
- C. Docks and wharfs;
- D. Transportation and transshipment facilities;
- E. Warehouses and storage;
- F. Marinas and facilities for boat storage and repair;
- G. Lumber mills and log storage;
- H. Fish processing plants;
- I. Manufacturing, fabricating, assembling and storage;
- J. Required essential services;
- K. Automobile wrecking, junkyards;
- L. Watchman or caretaker dwelling;
- M. Rock quarry/borrow operations. (Ord. 798 § 3 (part), 1998; Ord. 699 § 3 (part), 1993; Ord. 557 § 3 (part), 1985)

19.44.030 Accessory uses permitted.

Uses and structures which are clearly incidental and subordinate to principal uses and which are located on the same lot, are permitted in these districts as accessory uses. (Ord. 557 § 3 (part), 1985)

19.44.040 Conditional uses.

The following are uses which may be permitted in the industrial zone by action of the commission, under the conditions and procedures specified in Chapter 19.72 of this title:

19.44.040

- A. Multifamily structures, dormitories, rooming houses and boardinghouses;
- B. Mobile homes on single lots;
- C. Mobile home parks;
- D. One- and two-family dwellings. (Ord. 699 § 3 (part), 1993; Ord. 557 § 3 (part), 1985)

19.44.050 Screening of storage required.

All open storage visible from a street shall be screened from view by a sight obscuring fence or hedge of good appearance. (Ord. 557 § 3 (part), 1985)

19.44.060 Lot, yard and height.

No minimum requirements for lot area are imposed in industrial districts, except as necessary to provide required off-street parking and loading requirements as specified in Chapter 19.64 of this title. Building height in industrial districts shall be limited to seventy-five feet. (Ord. 557 § 3 (part), 1985)

19.44.070 Lot coverage.

There are no lot coverage restrictions imposed in I-1 districts. (Ord. 557 § 3 (part), 1985)

19.44.080 Off-street parking and loading—Other requirements.

- A. Off-street parking and loading requirements shall be as specified in Chapter 19.64 of this title.
 - B. Other development requirements shall be as stated in Chapter 19.60 of this title (Yards and Lots).
- (Ord. 557 § 3 (part), 1985)

Reprint

Record in the Petersburg Recording District

Amendment

TIDELANDS LEASE

THIS AGREEMENT is made on the date last below signed between the City of Petersburg, a municipal corporation organized and existing under the laws of the State of Alaska, whose mailing address is P. O. Box 329, Petersburg, Alaska 99833, hereinafter referred to as the "Lessor" or "City", and Gerald J. Whitethorn and Richard C. Tamblin, dba Alaska Commercial electronics, whose mailing address is P.O. Box 1550, Petersburg, Alaska 99833, hereinafter referred to as the "Lessees."

*Richard Tamblin
has no owners
must be removed
See*

RECITALS

WHEREAS, the real property subject to this lease lies within the boundaries of the City of Petersburg, Alaska, First Judicial District, Petersburg Recording District; and

WHEREAS, Lessor holds title to such real property; and

WHEREAS, the real property subject to this lease has been appraised within six (6) months prior to the date fixed for the beginning of the term of this lease; and

WHEREAS, the particular tract subject to this lease has been nominated for lease by an application of Lessees demonstration: (1) the proposed use of the nominated parcel is a beneficial use in terms of highest and best use; and (2) it is in the City's interests to lease the nominated parcel; and

WHEREAS, Lessees have submitted a showing: (1) the purpose of the proposed lease; and (2) whether the intended use complies with the zoning ordinance and the comprehensive plan of the City; and

WHEREAS, this lease contains such restrictions and reservations as are necessary to protect the public interest; and

WHEREAS, Lessees desire to lease the parcel described herein for the purpose of constructing marine and commercial electronics sales and service; and *other retail businesses as allowed by Petersburg zoning code.*

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree as follows:

ARTICLE I - Demise and Description of Premises

C-1

Richard Tamblin
3100 Birchwood Avenue
Bellingham WA 98225

(425) 210 1754
r_tamblin@msn.com

17th December, 2016

Ref: Tax parcel ID#01-010-041, Portion of ATS# 9, Port Facility
908 S. Nordic Drive

To whom it may concern,

This is to confirm that I, Richard Tamblin, have no ownership or financial interest in the property described above, currently leased to Alaska Commercial Electronics.

Please contact me if you have any questions.

Sincerely,

Richard Tamblin