



CITY & BOROUGH OF WRANGELL PUBLIC HEARING MEETING AGENDA

**Thursday, March 31, 2016
12:00 p.m. (noon)**

Location: Assembly Chambers, City Hall

1. Call to Order
2. Roll Call
3. Public Hearing Item:
 - a. **Request for a Contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, Zoned Commercial, requested by Sarah and Andrew Scambler, owned by Clifford White**
4. Written Testimony
5. Oral Testimony
6. Adjournment

Agenda Item 3a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY PUBLIC HEARING AGENDA ITEM March 31, 2016

INFORMATION:

Request for a Contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, Zoned Commercial, requested by Sarah and Andrew Scambler, owned by Clifford White

Attachments:

1. Planning & Zoning Agenda Item (information with findings)
2. Minutes of the Planning & Zoning meeting held 3-10-16
3. Map of the area
4. Letters from Mr. & Mrs. Scambler and Mr. White

City and Borough of Wrangell

Agenda Items G2

Date: March 7, 2016

To: Planning and Zoning Commission

From: Carol Rushmore, Economic Development Director

Re: Request for a Contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, zoned Commercial, requested by Sarah and Andrew Scambler, owned by Clifford White.

Background:

The Scamblers are seeking to buy the building/property behind AICS dental clinic and adjacent to Olga Norris residence to be used as a residence. The Planning and Zoning Commission is making a recommendation to the Assembly.

Review Criteria:

Commercial District	WMC 20.44
Single Family Residential District	WMC 20.16
Contract Zoning	WMC 20.77
Amendment	WMC 20.76

Findings:

The property that the Scamblers are seeking to purchase and remodel for their residence is a commercial structure. The entire block that the house is located in (see attached map) from Church Street to Cow Alley is zoned commercial even though all the structures north of Cow Alley in the immediate area are residential. Once the residential use of a property ceases, the subsequent uses must conform the zoning code. The property previously was in use for commercial activities, meeting the zoning code.

In the Commercial District, residential uses are permitted on the second floor. The Scamblers are proposing as primary use of the property, residential, which is not currently permitted in the Commercial District as a primary use. They needed either to request a zone change or the contract zone. A zone change would permanently change the commercial lot to a residential lot, but surrounded by commercially zoned properties, it may not be the best use of the property from a long term planning aspect. The applicants have decided to request a Contract Zone to allow specifically for a Single Family Residential Use for the entire structure. Should they cease the residential use, it would convert back to its

Commercial status.

Contract Zoning (WMC 20.77) allows a zoning reclassification to a less restricted use.

A letter of initiation has been submitted by the applicants (prospective buyers) and by the landowner.

The Planning and Zoning Commission must make findings of fact addressing the following:

1. Findings as to need and justification for the proposed change including findings as to the effect which the proposed change would have on the objectives of the comprehensive plan;
2. Findings as to the effect which the proposed change would have on property owners in the area of proposed boundary changes, including changes in traffic flow, population, density, off-street parking, sewer and water services; and
3. Recommendation as to the approval or disapproval of the change.

Recommendation:

Staff's recommendation is based on land use issues, not on the economic potential of the proposed land in its current zoning status. Because the area in which the request for residential is mixed use – residential uses on one side and commercial uses on the other, staff recommends approval of the contract zone changing the zone to Single Family Residential for the proposed use solely as a single family residential structure. Staff recommends the following condition be placed on the Contract Zone:

- 1) Due to the limited off-street parking space for the residence, the landowners are not allowed to park anything other than their personal cars/truck vehicles in the street, subject to any parking restrictions for the roadway. No boats, trailers, RV's 4wheelers or other vehicles are permitted to be parked by the residents on McKinnon, Front Street or Church Street. Off-street parking should be used for their personal cars/trucks, not secondary vehicles.

Draft Findings of Fact to be reviewed and approved by the Commission are:

1. **Findings as to need and justification for the proposed change including findings as to the effect which the proposed change would have on the objectives of the comprehensive plan.** The proposed change from Commercial to Single Family Residential is being requested by the Scamblers because they like the structure, it is affordable, and was at one time used as a residential structure. Commercial allows for mixed uses including residential dwellings on the second floor. The adjacent lots north of Cow Alley are all currently zoned Commercial but used for residential uses. The proposed use, while not allowed as the primary use in the Commercial District, is an allowable use on second floors. The change will not negatively affect current objectives of the Comprehensive Plan but support "Policy 31 Support development of a range of housing types/living arrangements...(p.146)" The underlying zoning is not changing from Commercial, but will allow the single family residential use until it is discontinued, at which time it reverts back to commercial (Policy 32, p. 146)

2. Findings as to the effect which the proposed change would have on property owners in the area of proposed boundary changes, including changes in traffic flow, population, density, off-street parking, sewer and water services. The proposed residential use should not affect traffic, utilities, population or density. There is very little off street parking for the residence so there could be additional vehicles parking on the McKinnon Street, Church Street or Front Street. The Contract Zone can specify no vehicles other than cars are to be parked on-street by the residents of the structure.

3. Recommendation as to the approval or disapproval of the change. The Planning and Zoning Commission recommends to the Borough Assembly approval of the contract zone changing the zone to Single Family Residential for the proposed use solely as a single family residential structure, with the following condition placed on the Contract Zone:

- 1) Due to the limited off-street parking space for the residence, the landowners are not allowed to park anything other than their personal cars/truck vehicles in the street, subject to any parking restrictions for the roadway. No boats, trailers, RV's 4wheelers or other vehicles are permitted to be parked by the residents on McKinnon, Front Street or Church Street. Off-street parking should be used for their personal cars/trucks, not secondary vehicles.

City and Borough of Wrangell, Alaska

WRANGELL PLANNING AND ZONING COMMISSION March 10, 2016

Regular Meeting excerpts for the:

- 1) Variance application request for a reduction in side yard setback to 1 foot for an accessible ramp on Lot H, Block 3, Mork Subdivision, zoned Single Family Residential, requested by Alaska Community Development Corporation, owned by Bart Churchill.

Open public hearing
Close public hearing

Moved by Mitchell, 2nd by Shoemaker

Approved unanimous

- 2) Request for a Contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, zoned Commercial, requested by Sarah and Andrew Scambler, owned by Clifford White.

Open public hearing
No one spoke

Close public hearing

Mitchell moves to approve the contract Zone from Commercial to Single Family Residential on Lot 7B, Block 2, USS 1119, McConachie 2nds

Parking could be an issue.

Shoemaker moves to amend the original motion to include staff's recommendation and findings of fact:

1. **Findings as to need and justification for the proposed change including findings as to the effect which the proposed change would have on the objectives of the comprehensive plan.** The proposed change from Commercial to Single Family Residential is being requested by the Scambler's because they like the structure, it is affordable, and was at one time used as a residential structure. Commercial allows for mixed uses including residential dwellings on the second floor. The adjacent lots north of Cow Alley are all currently zoned Commercial but used for residential uses. The proposed use, while not allowed as the primary use in the Commercial District, is an allowable use on second floors. The change will not negatively affect current objectives of the Comprehensive Plan but support "Policy 31 Support development of a range of housing types/living arrangements...(p.146)" The underlying zoning is not changing from Commercial, but will allow the single family residential use until it is discontinued, at which time it reverts back to commercial (Policy 32, p. 146)

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McConachie 2nd's the amendment.

Andrew Scambler, 1315 Peninsula. House is on the corner of Cow Alley and Mckinnon, there is room for parallel parking one space along cow alley to help alleviate the parking issue.

Approved unanimously.

Main motion approved unanimously.

Note: These are draft and the full meeting minutes will be approved at the next Planning and Zoning Commission meeting in April.



February 18, 2016

To Whom It May Concern:

We are requesting a contract zone from commercial to single-family residential for Lot 7B, Block 2 (109 McKinnon St.). We are planning to buy the property to use as our primary residence and as a possible rental property in the future. We are requesting a contract zone rather than requesting that the entire zone be changed back to single-family residential. It is currently zoned as commercial, however the majority of landowners in this zone use their property as single-family residential.

Thank you for your consideration,

Sincerely,

A handwritten signature in cursive script that reads "Andrew Scambler".

Andrew Scambler

A handwritten signature in cursive script that reads "Sarah Scambler".

Sarah Scambler

RECEIVED
FEB 19 2016
WRANGELL CITY HALL

RECEIVED
FEB 24 2016
WRANGELL CITY HALL

February 18, 2016

To Whom It May Concern:

I, Clifford White, am the owner of Lot 7B, Block 2 (109 McKinnon St.). I support Andrew and Sarah Scambler's request of a contract zone from commercial to single-family residential for the aforementioned property.

Sincerely,



Clifford White