Planning Commission Staff Report & Findings of Fact

Meeting Date: September 12, 2023

APPLICANT/AGENT:

Petersburg Medical Center

LEGAL DESCRIPTION:

Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17, inclusive, and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.

OWNER(S), IF DIFFERENT:

Petersburg Borough

LOT AREA: 16.51 acres

LOCATION:

Vacant land between Haugen & Excel

ZONING:

Public Use

PID:

SURROUNDING ZONING:

North: Single Family Residential

South: Public Use

East: Commercial 1

West: Single Family Residential

APPLICATION SUBMISSION DATE:

August 8, 2023

RECOMMENDATION:

Approve with conditions

I. APPLICANT REQUEST:

The applicant requests approval of the Final Plat for the Petersburg Medical Center Subdivision.

II. APPLICABLE CODES:

18.24 MAJOR SUBDIVISION 19.48 PUBLIC USE DISTRICT

III. FINDING:

- a. Applications for a major subdivision and vacation of rights-of-way were submitted by Phil Hostetter, CEO of Petersburg Medical Center. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023. The applicant has now submitted a Final Plat for approval. See Exhibit A.
- b. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility and approved submission of the applications. See Exhibit B.
- c. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership.
- d. The subject property is zoned Public Use per ordinance #2023-11 adopted on July 17, 2023 by the Borough Assembly. See Exhibit C.

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- e. The stated intended use for the property is construction of a new medical center on Lot 1, and land reserved for future expansion on Lot 2. The intended use is consistent with the zoning designation of Public Use (PMC 19.48).
- f. The subject property is adjacent to municipal water, wastewater, and electric utility services.
- g. The subject property has legal access from existing public rights-of-way and there are no public dedications of land or rights-of-way on the final plat.
- h. At their July 13, 2023, meeting, the Planning Commission, sitting as the Platting Board, denied approval of PMC's preliminary plat and vacation of portions of Fram, Gjoa, N. 9th, and N. 12th Streets, and all of N. 11th Street.
- i. On July 17, 2023, the Borough Assembly, sitting as the Board of Adjustment, reversed the Platting Board's decision, thereby granting approval to the preliminary plat, vacation of the rights-of-way, and findings of fact. See Exhibit D.
- j. Approval of the preliminary plat granted authorization to the applicant to proceed with preparation of the final plat and engineering plans (PMC 18.24.045(B)). Under the terms of the approval, the applicant shall submit a final plat consistent with Borough Code or seek an extension of the approval from the platting board within one year of the approval date.

IV. PUBLIC NOTICE

Per 18.12.060, a public hearing is not required for Final Plat approval.

A notice specifying the subject, time, and date of the public meeting was posted in a public location at the municipal building and distributed to the local newspaper and radio station. See Exhibit E.

V. APPLICATION REVIEW

The application is classified as a request for approval of a Final Plat.

a. ZONING DISTRICT STANDARDS - Public Use

Minimum Standards for Zoning District and Use			
	Standard	Proposed Lots	Analysis
Minimum Lot Size	N/A	12 acres;	Conforms
		4.51 acres	
Minimum Road Frontage	N/A	N/A	Conforms
Maximum Height	35' or 3 stories	N/A	This is part of building permit review.
Maximum Lot Coverage	100%	N/A	This is part of building permit review.
Yard Setbacks/Fire Code Separation	N/A	N/A	This is part of building permit review.
Off-street Parking	N/A	N/A	This is part of building permit review.
Maximum Fence Height	N/A	N/A	This is part of building permit review.
Signs	N/A	N/A	This is part of building permit review.

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b. Final Plat Criteria

	PMC	Analysis
	Final Plat	
18.24.045 – Platting board review		
B2. Prior to approval of the final plat, all required and elected improvements shall be completed by the sub-divider	N/A	There are no public improvements required for this subdivision.
B3. The sub-divider may submit a final plat on or before the expiration date of the preliminary plat.	Conforms	Preliminary plat approval date: July 17, 2023 Final plat submission date: August 5, 2023
C. Prior to submittal of final plat, the subdivider shall furnish to the city engineer the following engineering plans	N/A	There are no public improvements required for this subdivision. Engineered plans for the proposed public access easement were submitted to Public Works for review on August 7, 2023. See Exhibit F.
18.24.050 – Final Plat Submission		
A. Subdivider shall submit a final plat that bears the information specified for the preliminary plat in <u>Section 18.24.040</u> .	Conforms	The preliminary plat was found to conform with requirements of Title 18 and approved by the Borough Assembly on July 17, 2023.
A1. The boundaries of the plat shall clearly show the initial point of survey, original or reestablished corners, with description of them, and actual traverse showing area of closure and all distances, angles and calculations required to determine initial point, corners and distances of the plat.	Conforms	
A2. Bearings and distances to the nearest established street lines, section lines or official monuments necessary to describe the location of the plat.	Conforms	
A2. All monuments found shall be indicated and proper references, including the date set, type of monument, the surveyor and his registration number shall be indicated.	Conforms	
A3. Centerlines of all streets, lengths, tangents, radii, and central angles of all curves, the total width of each street	Conforms	

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A4. The width, bearing and other necessary	Conforms	
data to delineate all easements to which the		
lots are subject.		
A5. All lot and block numbers.	Conforms	
A6. Sufficient data to determine readily the	Conforms	
bearing and length of each line. No ditto		
marks shall be used.		
A7. The names of adjacent subdivisions and	Conforms	
the lot numbers of adjacent lots.		
A8. The exact boundaries of all areas to be	Conforms	
dedicated or reserved for public use or for		
the common use of property owners. The		
purpose of the dedication or reservation		
shall be set forth on the plat.		
A9. All lots, blocks, or tracts affected by the	N/A	The subdivision is not located
floodplain regulations adopted by the city		within a flood hazard area. See
shall be labeled "Flood Hazard Area" on the		Exhibit G.
face of the plat.		
B1. Certification of Surveyor	Conforms	
B2. Certification of Ownership and	Conforms	
Dedication.		
B3. Certificate of Payment of Taxes.	Conforms	
B4. Certification of Approval by the Platting	Conforms	
Board		
C Final Plat Monuments		
C1. Primary Monuments established	Conforms	
C2. Secondary monuments	Conforms	
D1. statement referring to private covenants	N/A	There are no private covenants
		governing the subdivision.
D2. Statement limiting placement of	N/A	The subdivision is not located
habitable structures, if any portion of the		within a floodplain. See Exhibit G.
plat depicts areas within the floodplain.		
E. Development Plat Restriction.	N/A	No public improvements were
		required for this subdivision.
F. On any zero lot line subdivision	N/A	This is not a zero lot line
		subdivision.
18.64.060 Design Principles		
A1. Compliance with ordinances of the	Conforms	
borough.		
A2. Proposed name of the subdivision shall	Conforms	Petersburg Medical Center
not duplicate, or too closely approximate the		Subdivision does not duplicate or
name of any other subdivision.		approximate the name of any
		existing subdivision. See Exhibit H.
A3. Lands which have been found to be	Conforms	Per the Final Plat, a 3-acre
unsuitable for subdivision because of		drainage easement created along

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potential hazards, shall not be subdivided or included in any building lot.		the intermittent stream effectively renders area unbuildable.
18.24.070 Streets		
Street Design	N/A	Per the Final Plat, no public streets are dedicated as part of the subdivision.
18.24.080 Easements		
C. There shall be at least a ten-foot-wide easement on either side of any creek or stream.	Conforms	Per the Final Plat, the drainage easement is 25 feet on either side of the intermittent stream.

VI. ACTION

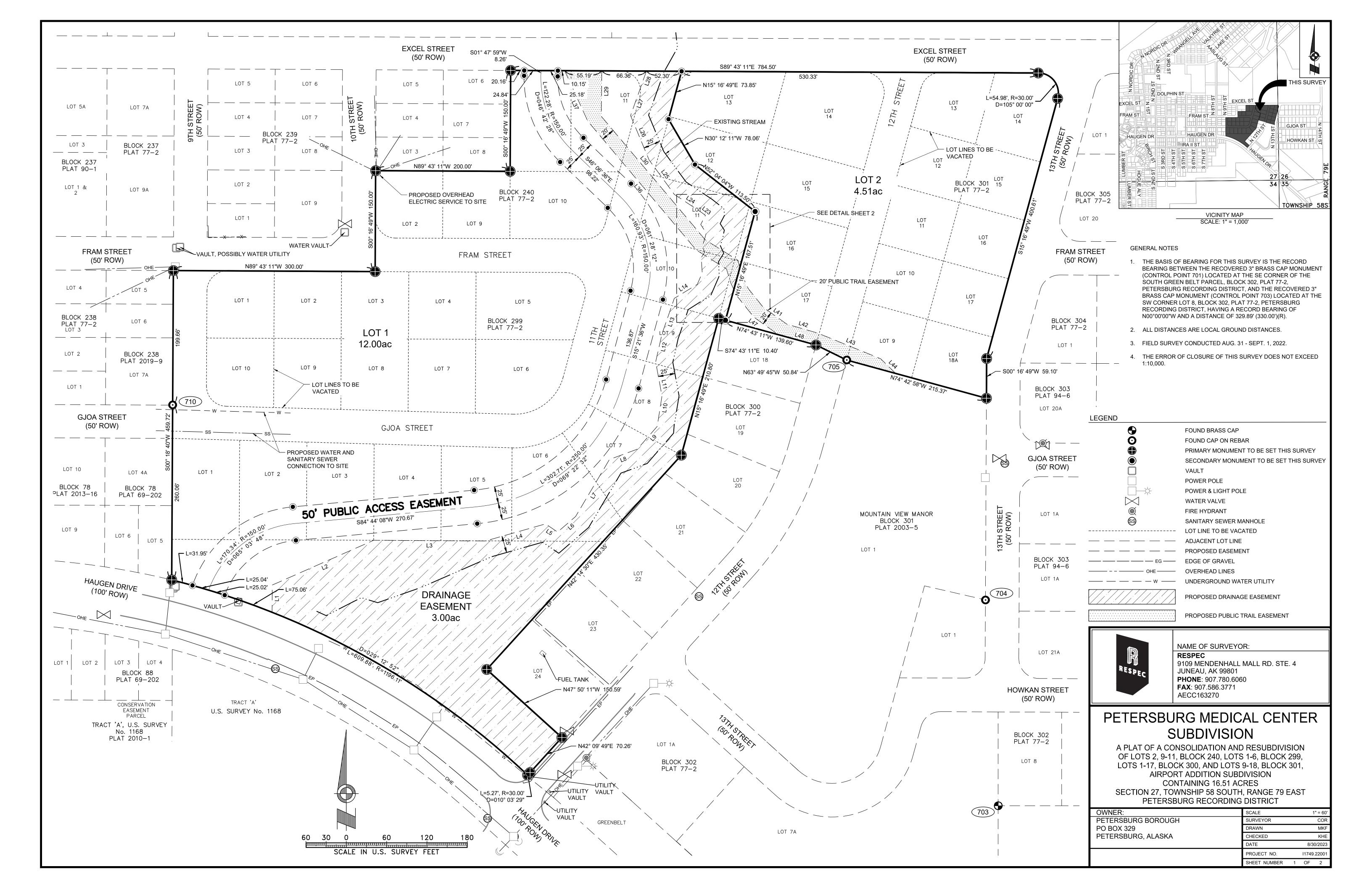
Proposed motion: I move to approve the Petersburg Medical Center Subdivision along with findings of fact and conditions of approval as presented.

Based on the preceding findings of fact, the Petersburg Planning Commission, acting as the Platting Board, makes the following determination:

- a. The proposed Petersburg Medical Center Subdivision meets the criteria outlined in Title 18 for final plat approval.
- b. As a condition of approval, the Applicant/Owner shall:
 - Submit a plat with legible lettering meeting the generally accepted standards for good draftsmanship as prepared by a professional land surveyor, properly registered in the state of Alaska, drawn to scale, and provided in a format, size, suitable for recording for signatures.
 - Prior to recording of the final plat, a certificate to plat shall be updated to a date not more than fifteen days prior to submission of the final plat to the borough clerk for recording.

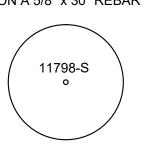
EXHIBITS

- A. Applicant submission Final Plat for PMC Subdivision
- B. Resolution 2023-04
- C. Ordinance 2023-11
- D. Board of Adjustment decision of July 17, 2023
- E. Public Service Announcement and Public Notice Ad
- F. Comments from Public Works and Proposed Access Road Typical Section
- G. Flood Insurance Rating Map
- H. Subdivision Name Search



RECOVERED MONUMENT DETAILS 702 701 ADA 5/8" REBAR, ADA 3" BRASS CAP, 3" BRASS CAP, 0.3' BELOW GROUND, 0.2' ABOVE GROUND, 0.45' ABOVE GROUND, GOOD CONDITION, GOOD CONDITION, FIRM LEANING/ VERY LOOSE LOOSE IN SWAMP C34 PA C35 PA 1-1/2" ALUM. CAP, 1-1/2" ALUM. CAP, M.V.M.\ろ BK 238 0.6' ABOVE GROUND, 0.6' ABOVE GROUND, 22A 3-1/4" ALUM. CAP, GOOD CONDITION, GOOD CONDITION, ROW 2003 PLS 5687

TYPICAL MONUMENT (ESTABLISHED THIS SURVEY) 2" ALUM. CAP ON A 5/8" x 30" REBAR



TYPICAL MONUMENT (ESTABLISHED THIS SURVEY) 1-3/8" YELLOW PLASTIC CAP ON A 5/8" x 30" REBAR

OWNERSHIP CERTIFICATE

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE:	OWNER:
DATE:	OWNER:

CERTIFICATE OF APPROVAL BY THE PLATTING BOARD

I, HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE PETERSBURG BOROUGH, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD, AND THE PLAT SHOWN, HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX OFFICIO RECORDER, PETERSBURG, ALASKA.

DATE _____ CHAIRMAN,
PLATTING BOARD

NOTARY ACKNOWLEDGMENT

UNITED STATES OF AMERICA

STATE OF ALASKA

PETERSBURG BOROUGH

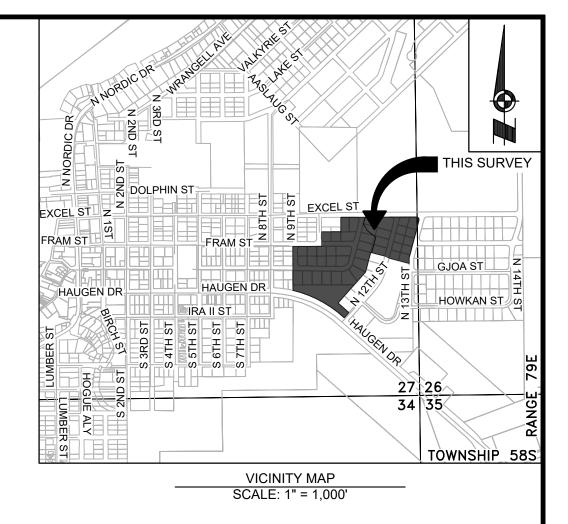
WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

NOTARY PUBLIC IN AND FOR STATE OF ALASKA

MY COMMISSION EXPIRES

THIS CERTIFICATE SHALL BE SIGNED BY ALL PERSONS HOLDING ANY LEGAL OR EQUITABLE INTEREST IN THE LAND BEING PLATTED AND DEDICATED. THE CERTIFICATE SHALL BE SIGNED BEFORE THE MUNICIPAL CLERK OR A NOTARY PUBLIC.

DETAIL



EASEMENT LINE TABLE LINE# BEARING DISTANCE N00° 35' 51.29"E 40.43' L2 N66° 11' 05.79"E 164.73' S89° 38' 05.76"E 166.15' N74° 06' 31.93"E 93.00' S55° 44' 23.54"E 21.65' L5 N49° 05' 34.21"E 35.42' N30° 44' 07.41"E 98.65' N69° 48' 01.84"E L8 44.05' N41° 04' 33.16"E L9 45.02' L10 N08° 56' 11.18"E 45.66' L11 N10° 30' 31.32"W 51.56' L12 N12° 42' 57.99"E 42.08' L13 N19° 05' 54.01"E 56.54' L14 N58° 40' 18.37"E 39.97' L15 N23° 13' 14.01"E 18.37' L16 N03° 11' 37.63"W 23.06' L17 N31° 50' 11.61"E 9.68' L18 N24° 16' 40.95"W L19 N17° 45' 47.15"E L20 N14° 34' 08.75"E 8.81' L21 N32° 36' 48.11"W 15.06' L22 N27° 29' 28.93"E 15.10' L23 N51° 26' 16.74"W 6.14' L24 N56° 21' 50.44"W 49.90'

EASEMENT LINE TABLE			
LINE#	BEARING DISTANCE		
L25	N36° 12' 23.30"W	63.49'	
L26	N22° 38' 46.03"W	71.37'	
L27	N19° 39' 18.33"E	43.65'	
L28	N19° 39' 18.33"E	26.52'	
L29	S00° 35' 52.16"W	67.63'	
L30	S40° 05' 57.38"E	239.75'	
L31	S57° 55' 53.53"E	57.28'	
L32	S17° 19' 56.45"E	10.65'	
L33	N24° 48' 05.87"W	10.28'	
L34	N17° 19' 56.45"W	22.24'	
L35	N57° 55' 53.53"W	53.02'	
L36	N40° 05' 57.38"W	250.30'	
L37	N24° 36' 52.97"W	82.61'	
L38	S17° 19' 56.45"E	17.68'	
L39	S24° 48' 05.87"E	16.61'	
L40	S38° 45' 06.05"E	35.91'	
L41	S54° 29' 17.79"E	42.98'	
L42	S73° 54' 51.96"E	47.63'	
L43	S67° 48' 25.96"E	101.17'	
L44	S45° 44' 31.54"E	31.31'	
L45	N24° 48' 05.87"W	10.09'	
L46	N38° 45' 06.05"W	41.12'	
L47	N54° 29' 17.79"W	44.66'	
L48	N74° 43' 10.76"W	57.91'	

CERTIFICATE OF PAYMENT OF TAXES

UNITED STATES OF AMERICA)
)SS.
STATE OF ALASKA)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING
ASSESSOR OF THE PETERSBURG BOROUGH, DO HEREBY CERTIFY THAT, ACCORDING
TO THE RECORDS OF THE PETERSBURG BOROUGH, THE FOLLOWING DESCRIBED
POPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF:

, AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION,

ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE PETERSBURG
BOROUGH ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR _____ WILL BE
DUE ON OR BEFORE _____ DATED THIS
____ DAY OF ____ , ___ AT PETERSBURG, AK.

TREASURER - PETERSBURG BOROUGH

SURVEYOR'S CERTIFICATE

I, CRAIG O. RANSON, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ALASKA, THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF LANDS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES AND BEARINGS ARE SHOWN CORRECTLY; AND THAT ALL PERMANENT EXTERIOR CONTROL MONUMENTS, ALL OTHER MONUMENTS, AND LOT CORNERS HAVE BEEN SET AND STAKED.

DAT

SCALE: 1" = 20'

REGISTRATION NO. LS-11798

CRAIG OWEN RANSON :

CRAIG O. RANSON
REGISTERED LAND SURVEYOR



NAME OF SURVEYOR:

RESPEC
9109 MENDENHALL MALL RD. STE. 4
JUNEAU, AK 99801
PHONE: 907.780.6060
FAX: 907.586.3771

PETERSBURG MEDICAL CENTER SUBDIVISION

AECC163270

A PLAT OF A CONSOLIDATION AND RESUBDIVISION
OF LOTS 2, 9-11, BLOCK 240, LOTS 1-6, BLOCK 299,
LOTS 1-17, BLOCK 300, AND LOTS 9-18, BLOCK 301,
AIRPORT ADDITION SUBDIVISION
CONTAINING 16.51 ACRES
SECTION 27, TOWNSHIP 58 SOUTH, RANGE 79 EAST

PETERSBURG RECORDING	DISTRICT			
OWNER:	SCALE		1	" = 60'
PETERSBURG BOROUGH	SURVEYOR			COR
PO BOX 329	DRAWN			CES
PETERSBURG, ALASKA	CHECKED			KHE
	DATE		8/30)/2023
	PROJECT NO.		l1749.	22001
	SHEET NUMBER	2	OF	2

PETERSBURG BOROUGH **RESOLUTION #2023-04**

A RESOLUTION OF THE PETERSBURG BOROUGH APPROVING THE HOSPITAL BOARD'S SITE SELECTION FOR A NEW HOSPITAL FACILITY, AUTHORIZING THE HOSPITAL BOARD'S SUBMISSION OF REZONING AND SUBDIVISION APPLICATIONS FOR THE SITE, AND AUTHORIZING THE HOSPITAL BOARD TO PROCEED WITH CONTRACTING WITH DAWSON CONSTRUCTION FOR PRECONSTRUCTION SERVICES UNDER A CONSTRUCTION MANAGER/GENERAL CONTRACTOR AGREEMENT

WHEREAS, on May 17, 2021, the Assembly approved Resolution #2021-04, a copy of which is attached hereto as Exhibit A, stating its support for the Hospital Board ("the Board") to commence phased planning for a new hospital facility ("the project"); and

WHEREAS, the Board has now selected a preferred site for the project, a 17-acre area owned by the Borough, and referred to as the North Haugen-Excel St. Site ("the site"); and

WHEREAS, the Borough Assembly wishes to approve this selection, dedicate the site for such use, and authorize the Board to submit applications for rezoning and subdivision/replatting of the site as may be necessary for the project under the Petersburg Municipal Code; and

WHEREAS, pursuant to PMC 3.50.070C, the Board hired Bettisworth North Architects & Planners to act as the architect for the project and the Preliminary Design phase has commenced, including geotechnical investigation and site and utility assessment; and

WHEREAS, at its April 3, 2023 regular meeting, the Assembly appointed Borough Manager Giesbrecht to the PMC Project Steering Committee, so that he can advise the Assembly on the progress of the project moving forward; and

WHEREAS, in December 2022, the Hospital Board issued a Request for Proposals (RFP), seeking proposals for a Construction Manager/General Contractor (CM/GC) for the project; and

WHEREAS, the CM/GC would provide preconstruction services for the project during the design phase, including assisting with phasing of the project, cost estimating, and value engineering; and

WHEREAS, under the CM/GC contract, a Guaranteed Maximum Price amendment could be executed upon completion of the design, for the CM/GC to construct the project for an agreed upon maximum price; and

WHEREAS, if a Guaranteed Maximum Price cannot be agreed upon between the parties, the contract can be terminated; and

WHEREAS, in response to the RFP, the Board received two proposals, which were evaluated and scored by the Board's selection committee; and

WHEREAS, the committee recommended to the Board that the proposal submitted by

Dawson Construction be accepted, and the Board adopted that recommendation on February 23, 2023; and

WHEREAS, the Borough Assembly wishes to now authorize the Board to proceed with contracting with Dawson Construction under a CM/GC contract, under the conditions set forth in this Resolution.

THEREFORE, BE IT RESOLVED by the Assembly of the Petersburg Borough, as follows:

- 1. The parcels identified in attached Exhibit B, located within the Airport Addition Subdivision (Plat Nos.77-2 and 94-6, Petersburg Recording District), selected by the Hospital Board as the preferred site, are hereby dedicated for use by the Hospital Board for the new hospital facility.
- 2. Pursuant to the selection of this site for the project, the Hospital Board is authorized to submit applications for a change of zoning of the parcels from their current zoning to Public Use, and for subdivision/replatting of this area, along with any necessary right-of-way vacations, as may be required under the provisions of Petersburg Municipal Code.
- 3. Pursuant to Section 9.03 of the Borough Charter and Sections 3.50.060 and 3.50.080 of the Petersburg Municipal Code, the Hospital Board is authorized to proceed with execution of a CM/GC contract with Dawson Construction, in substantially the form as attached hereto as Exhibit C. The Hospital Board shall administer, supervise and manage all aspects of Dawson's performance under the contract.
- 4. No Guaranteed Maximum Price amendment or Notice to Proceed for any service that does not constitute a preconstruction service shall be executed without authorization of the Assembly.
- 5. The Borough shall be notified when the Hospital Board issues any Notice to Proceed (NTP) to Dawson for preconstruction services. Such notice shall be given by email or personal delivery to the Borough Manager and to the Borough Clerk. A NTP can be issued by the Hospital Board only if the funds for the work to be performed under the NTP are fully appropriated for that work in the current hospital budget and said appropriation shall not lapse until the work called for under the NTP has been fully performed.
- 6. The Borough Manager is authorized to acknowledge in writing the CM/GC contract under the terms and conditions of this Resolution, and the Manager's signature shall be attested to by the Borough Clerk.

PASSED AND APPROVED BY the Petersburg Borough Assembly on this 17th day of April, 2023.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Exhibit C

PETERSBURG BOROUGH ORDINANCE #2023-11

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR SERVICE AREA 1 OF THE PETERSBURG BOROUGH TO REZONE PORTIONS OF THE AIRPORT ADDITION SUBDIVISION AND THIRTEENTH STREET RELOCATION SUBDIVISION TO PUBLIC USE (PU)

WHEREAS, the Petersburg Borough owns parcels of land, described as follows:

Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6

;and

WHEREAS, the parcels are currently zoned Single-family Residential (SFR-1), Commercial-1 (C-1), Multi-family Residential (MFR), and Open Space – Recreation (OS-R); and

WHEREAS, on April 17, 2023, the Petersburg Borough Assembly adopted Resolution 2023-04 dedicating the subject property for use by the Hospital Board for a new facility; and

WHEREAS, the Petersburg Borough Assembly approved submission of an application by the Petersburg Medical Center for a zoning change of the subject parcel, under PMC 19.84 .020(B); and

WHEREAS, Chapter 19.84 of the Petersburg Municipal Code (Service Area 1) provides for zoning amendments whenever the public necessity, convenience or general welfare requires; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed rezone on June 13, 2023, and considered and reviewed applicant materials, public comments and testimony, and staff report; and

WHEREAS, the Planning Commission voted 3-3 with one abstention to recommend rezoning the parcels to Public Use (PU); and

WHEREAS, Borough Charter Section 3.01(K) and Section 1.12.010(G) of the Municipal Code require amendments to the official zoning map be enacted by ordinance.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS as follows:

<u>Section 1. Classification</u>. This Ordinance is of a general and permanent nature but will not be codified in the Municipal Code.

<u>Section 2. Purpose</u>. The purpose of this Ordinance is to amend the Official Zoning Map for Service Area 1 of the Petersburg Borough.

<u>Section 3. Substantive Provisions</u>. The Official Zoning Map for Service Area 1 of the Petersburg Borough, codified and referenced in Section 19.08.020 in the Municipal Code, is hereby amended for the property described as: Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6 to Public Use (PU).

<u>Section 4. Where Record to be Maintained.</u> This non-Code ordinance, and the enactment of the zoning amendment referenced under Section 3 of this ordinance, shall be maintained with the zoning records of the Borough.

Section 5. Effective Date. This Ordinance will take effect immediately upon adoption.

PASSED and APPROVED by the Assembly of the Petersburg Borough, Alaska this 17th day of July, 2023.

Bob Lynn, Vice Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted: 7/17/2023 Published: 7/20/2023 Effective: 7/17/2023

Petersburg Borough Board of Adjustment Decision on Appeal filed by the Petersburg Medical Center (PMC) from the decision of the Platting Board denying Approval of a Preliminary Plat and Vacation of certain Rights-of-Way

On July 17, 2023, by a vote of 5 - 1, the Assembly of the Petersburg Borough, sitting as the Board of Adjustment, reversed the June 13, 2023 Decision of the Planning Commission, sitting as the Platting Board, and granted approval of PMC's Preliminary Plat and Vacation of certain Rights-of-Way. The Board of Adjustment hereby adopts the following Findings and Conclusions.

Findings:

- 1. Applications for a major subdivision and vacation of related rights-of-way were submitted by Phil Hostetter, CEO of Petersburg Medical Center ("the applications").
- 2. The legal descriptions of the parcels that are the subject of the applications are as follows: Lots 2 and 9 through 12, inclusive, Block 240; Lots 1 through 10, inclusive, Block 299; Lots 1 through 17, inclusive, and Green Belt, Block 300, and Lots 9 through 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6 ("the site"). The cumulative acreage of the site is approximately 16.86 acres.
- The site consists of vacant land owned by the Petersburg Borough and no transfer of land ownership is contemplated. Supporting ownership information was provided in the form of a Certificate to Plat from Alaska Escrow and Title dated April 7, 2023.
- 4. On April 17, 2023, by Assembly Resolution 2023-04, the applications were approved for submission and the parcels were dedicated for use by the Hospital Board for a new facility.
- 5. The Application for a Major Subdivision proposed to:
 - a. Consolidate 43 lots and adjacent rights-of-way within a portion of the Airport Addition Subdivision:
 - b. Subdivide the 16.86-acres into two parcels: Lot 1 containing approximately 12.34 acres and Lot 2 containing approximately 4.52 acres;
 - c. Establish a 50' wide public access easement from Haugen Drive to Excel Street through Lot 1;
 - d. Establish a 3.25-acre drainage easement within Lot 1; and
 - e. Establish a 20' wide public access easement for the existing pedestrian trail through the proposed Lot 2.
- 6. The stated intended use for the site is construction of a new medical center on proposed Lot 1, and land reserved for future expansion on proposed Lot 2. Approximately 6 acres of proposed Lot 1 would be utilized for initial development.
- 7. Government facilities in vicinity of the site include the Mountain View Manor Senior Housing and Assisted Living Facility.
- 8. The site is adjacent to municipal water, wastewater, and electric utility services.

- 9. The site has legal access from existing public rights-of-way and there are no proposed public dedications of land or rights-of-way on the preliminary plat.
- 10.A sketch plat was submitted by PMC and a pre-application conference with planning staff occurred on April 4, 2023 (PMC 18.24.020).
- 11. The preliminary plat submitted was reviewed by Borough staff and found to be consistent with the requirements of PMC 18.24.040, *Preliminary plat submission requirements*.
- 12. Per on-line FEMA flood maps, the subject property is not located within a flood hazard area (PMC 18.24.040(D)).
- 13. The preliminary plat establishes an adequate drainage easement along the intermittent creek flowing southwest along the eastern portion of Lot 1. The creek is not listed in the on-line ADFG Anadromous Waters Catalog. (PMC 18.24.080(C)(2)).
- 14. The proposed plat requires a vacation of a public dedication of land. An application and map for vacation of borough-owned rights-of-way was submitted by PMC (PMC18.24.030(A)).
- 15. The proposed vacation would vacate portions of Fram, Gjoa, N. 9th, and N. 12th Streets, and all of N. 11th Street, as shown on the Road Vacation Exhibit.
- 16. Legal access to Lot 1 would remain from Haugen Drive, Fram, Gjoa, N. 9th and N. 10th Streets, and Excel Street; and to Lot 2 from Excel, N. 12th, and N. 13th Streets.
- 17. On May 18, 2023, a notice of the public hearing was mailed to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).
- 18.On May 26, 2023, notices of the public hearing were posted at the Municipal Building and at the subject property (PMC 18.12.040(E)).
- 19. On June 1 and June 8, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).
- 20. On June 13, 2023, a duly noticed meeting was held by the Petersburg Planning Commission.
- 21.At the meeting, the Planning Commission, sitting as the Platting Board, denied approval of PMC's preliminary plat and related vacation of portions of Fram, Gjoa, N. 9th, and N. 12th Streets, and all of N. 11th Street.
- 22. The approved minutes of that meeting do not reflect that an adequate public hearing was held on the preliminary plat and vacation applications, and the minutes provide no findings or bases for the Board's decision.
- 23. On June 22, 2023, a Notice of Appeal from the Platting Board's decision was filed by PMC to the Board of Adjustment.
- 24. The Board of Adjustment meeting was scheduled for July 17, 2023 at 6:00 p.m.
- 25. On July 7, 2023, notice of the appeal, and of the Board of Adjustment meeting and hearing, were mailed to the persons entitled to notice of the proceedings before the Platting Board (PMC 18.36.040(A-B)).
- 26. General public notice of the Board of Adjustment meeting was posted at least five calendar days prior to the date of the meeting (PMC 18.36.040(B)).

27. The Board of Adjustment met on July 17, 2023, and held a public hearing, at which any person who wanted to be heard on the matter was permitted to provide oral or written testimony.

Conclusions:

- 1) The property which is the subject of the applications is located within the Petersburg Borough, and the Borough has jurisdiction over the applications.
- 2) By Assembly authority, PMC submitted applications for a major subdivision and for related vacations of rights-of-way for a site dedicated to hospital use.
- 3) Ownership of the site was demonstrated in compliance with PMC 18.24.040(B)(4).
- 4) Notice of the Platting Board meeting was provided to the public and to surrounding property owners in compliance with the requirements of PMC 18.12.040.
- 5) Notice of the appeal and of the Board of Adjustment meeting and hearing was provided to the public and to those entitled to notice of the Platting Board proceedings in compliance with the requirements of PMC 18.36.040.
- 6) While an adequate public hearing was not held before the Platting Board, a full public hearing was held before the Board of Adjustment on July 17, 2023, as permitted under PMC 18.36.040C.
- 7) The preliminary plat meets the requirements of Chapter 18.24 for preliminary plat approval.
- 8) Accordingly, the Platting Board's denial of preliminary plat approval is hereby reversed, and approval is hereby granted.
- 9) Approval of the preliminary plat grants authorization to the applicant to proceed with preparation of the final plat and engineering plans (PMC 18.24.045(B)). Within one year, the applicant shall submit a final plat consistent with Borough Code or seek an extension of the approval from the platting board.
- 10) Vacating the existing rights of way, as depicted in the map attached to the Application for Right-of-Way Vacation, is a necessary step to consolidate the parcels into the proposed lots suitable for the planned future development of a medical center.
- 11) Accordingly, the Platting Board's denial of the application for right-of-way vacation is hereby reversed, and approval is hereby granted in accordance with the requirements of PMC 18.30.040(D). All the area vacated shall be devoted to the public purpose of development of a new medical facility, so title to the area vacated would remain vested in the Petersburg Borough (PMC 18.30.050(B)).
- 12) The request by PMC to modify the Decision to reference a 'replat', instead of a preliminary plat for a major subdivision, is denied.

Bob Lynn, Vice Mayor

Dated: 7/18/2023

Certificate of Service: This Decision was sent on July 19, 2023, by U.S. Mail to the

following: See attached mailing list

Debra K. Thompson, Borough Clerk

Notice: This is notification of a Final Decision of the Board of Adjustment. Pursuant to PMC Chapter 18.36.060, this Decision may be appealed by an aggrieved person to the Superior Court, State of Alaska, First Judicial District, within thirty (30) days of the date of mailing, in accordance with the applicable rules of court.

27. The Board of Adjustment met on July 17, 2023, and held a public hearing, at which any person who wanted to be heard on the matter was permitted to provide oral or written testimony.

Conclusions:

- 1) The property which is the subject of the applications is located within the Petersburg Borough, and the Borough has jurisdiction over the applications.
- By Assembly authority, PMC submitted applications for a major subdivision and for related vacations of rights-of-way for a site dedicated to hospital use.
- 3) Ownership of the site was demonstrated in compliance with PMC 18.24.040(B)(4).
- 4) Notice of the Platting Board meeting was provided to the public and to surrounding property owners in compliance with the requirements of PMC 18.12.040.
- 5) Notice of the appeal and of the Board of Adjustment meeting and hearing was provided to the public and to those entitled to notice of the Platting Board proceedings in compliance with the requirements of PMC 18.36.040.
- 6) While an adequate public hearing was not held before the Platting Board, a full public hearing was held before the Board of Adjustment on July 17, 2023, as permitted under PMC 18.36.040C.
- 7) The preliminary plat meets the requirements of Chapter 18.24 for preliminary plat approval.
- 8) Accordingly, the Platting Board's denial of preliminary plat approval is hereby reversed, and approval is hereby granted.
- 9) Approval of the preliminary plat grants authorization to the applicant to proceed with preparation of the final plat and engineering plans (PMC 18.24.045(B)). Within one year, the applicant shall submit a final plat consistent with Borough Code or seek an extension of the approval from the platting board.
- 10) Vacating the existing rights of way, as depicted in the map attached to the Application for Right-of-Way Vacation, is a necessary step to consolidate the parcels into the proposed lots suitable for the planned future development of a medical center.
- 11) Accordingly, the Platting Board's denial of the application for right-of-way vacation is hereby reversed, and approval is hereby granted in accordance with the requirements of PMC 18.30.040(D). All the area vacated shall be devoted to the public purpose of development of a new medical facility, so title to the area vacated would remain vested in the Petersburg Borough (PMC 18.30.050(B)).
- 12) The request by PMC to modify the Decision to reference a 'replat', instead of a preliminary plat for a major subdivision, is denied.

Mark Jensen, Borough Mayor

Dated: 7 //7 /2023



PLANNING COMMISSION MEETING

Tuesday, September 12, 2023

12:00pm Agenda includes:

Notice is hereby given that the Planning Commission, on **Tuesday**, **September 12th**, **2023**, at 12:00 pm will be holding a meeting in the Assembly Chambers located at 12 South Nordic Drive.

- **A.** Consideration of final plat approval for the Petersburg Medical Center Subdivision.
- **B.** Consideration of an application from Don Huse, Laura Rose, and Seth McCallum for a replat of Lots T-1, T-1A, T-2, T-3, T-4, & T-5 of the Tidelands Addition of ATS 9, Lots 8 & 9 of Block 219, US Survey 2499, Lots 8 & 9 of ATS 113, and a portion of US Survey 1173 located at 1208, 1212, and 1216 South Nordic Drive.
- C. Recommendation to the Borough Assembly regarding an application from Ambre Burrell (Skylark Park LLC) to rezone Gov't Lot 14, US Survey from Public Use to Single-family Mobile Home (PID: 01-010-600).

PETERSBURG BOROUGH PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission, on **Tuesday**, **September 12th**, **2023 at 12:00 pm** will be holding a meeting and conducting a public hearing in the Assembly Chambers located at 12 South Nordic Drive. The purpose of the public hearing is to receive public comment on the following:

- A. Consideration of final plat approval for the Petersburg Medical Center Subdivision.
- **B.** Consideration of an application from Don Huse, Laura Rose, and Seth McCallum for a replat of Lots T-1, T-1A, T-2, T-3, T-4, & T-5 of the Tidelands Addition of ATS 9, Lots 8 & 9 of Block 219, US Survey 2499, Lots 8 & 9 of ATS 113, and a portion of US Survey 1173 located at 1208, 1212, and 1216 South Nordic Drive.
- C. Recommendation to the Borough Assembly regarding an application from Ambre Burrell (Skylark Park LLC) to rezone Gov't Lot 14, US Survey from Public Use to Single-family Mobile Home (PID: 01-010-600).

Liz Cabrera

From: Chris Cotta

Sent: Tuesday, September 5, 2023 3:13 PM To: Kevin Puustinen; Jay Farmwald

Cc: Mark Kimerer; Juli Suver; Roy Rountree; Liz Cabrera

Subject: RE: Petersburg Medical Center - Access Road Typical Section

Kevin and Jay,

The revised street section looks good and appears to line up well with Petersburg's standard specs. Thanks!

Chris

From: Kevin Puustinen < Kevin. Puustinen@respec.com >

Sent: Thursday, August 17, 2023 4:52 PM

To: Jay Farmwald <jafalaska@gmail.com>; Chris Cotta <ccotta@petersburgak.gov>

Cc: Mark Kimerer < mkimerer@bettisworthnorth.com >; Juli Suver < jsuver@bettisworthnorth.com >; Roy Rountree

<rrountree@bettisworthnorth.com>; Liz Cabrera <lcabrera@petersburgak.gov>

Subject: RE: Petersburg Medical Center - Access Road Typical Section

Hi Chris,

Attached is a revised typical section for the PMC access road. The revised section includes a crowned roadway to match the Petersburg standards. Let me know if this revised section meets your approval.

Thank you,



Kevin Puustinen, PE 907.780.6060









From: Jay Farmwald < jafalaska@gmail.com> Sent: Thursday, August 17, 2023 10:37 AM

To: Kevin Puustinen < Kevin.Puustinen@respec.com >

Cc: Mark Kimerer < mkimerer@bettisworthnorth.com >; Juli Suver < jsuver@bettisworthnorth.com >; Roy Rountree

<rrountree@bettisworthnorth.com>; Liz Cabrera <lcabrera@petersburgak.gov>

Subject: Re: Petersburg Medical Center - Access Road Typical Section

I just talked to Chris Cotta at the Borough to make sure an approved road section makes it into the packet for the new P&Z Commission meeting on 12 September. He said he prefers a section with a crown and was in discussion with you about that. I'll assume the two of you will work it out and get the appropriate documentation to Liz Cabrera at the Borough for inclusion in the P&Z packet.

Liz, please let Kevin know the deadline for submitting info. for the packet.





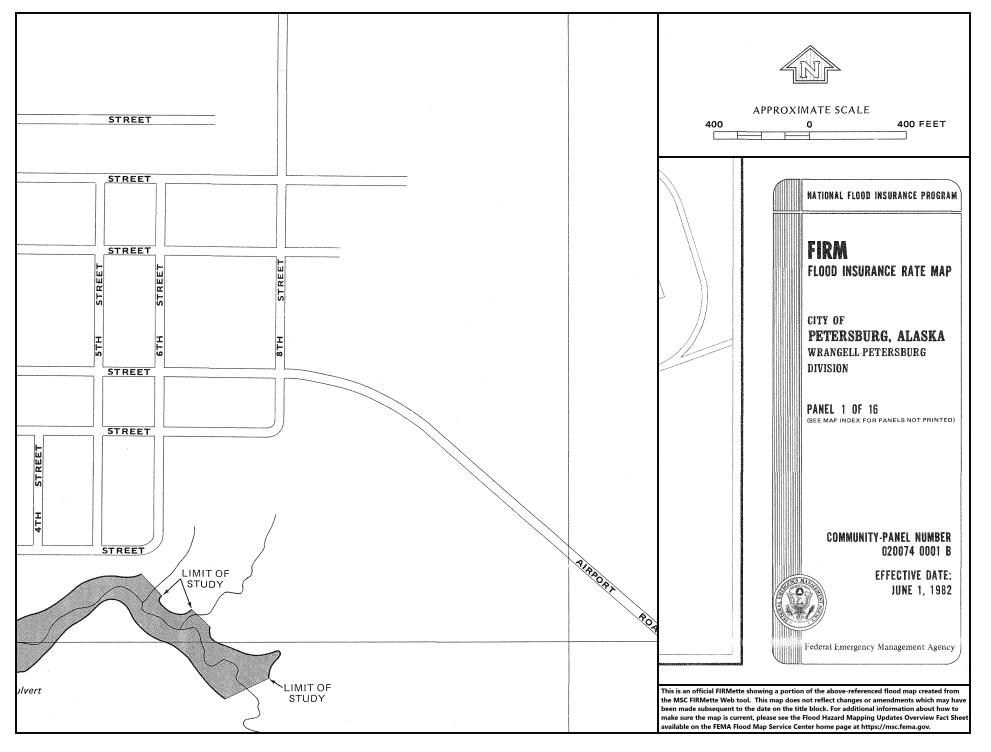
PETERSBURG MEDICAL CENTER PROPOSED ACCESS ROAD

TYPICAL SECTION

DESIGN: KAP DRAWN: KAP CHECKED: KAP 8/17/2023

PROJ No. 11749.22001 FIGURE FIG

N:\Projects\\1749.22001-PSG_Med_Cntr\C\CXREF-BASE-I1749.22001:





Recorder's Office - Search By Subdivision Name

Please Note: Can't find the subdivision you are looking for? Check the Name Search.	
In District:	
110 - PETERSBURG	
Starting Subdivision Name:	
PETERSBURG	
Next Subdivision Name:	
New Search	

SUBDIVISION NAME	ASSOCIATED PLAT	PLA
PETERSBURG AIRPORT BOUNDARY SURVEY	2009-16	Image
PETERSBURG AIRPORT PROPERTY	2020-4	Image
PETERSBURG ALASKA	2013-14	Image
PETERSBURG ALASKA CITY OF	66-94	Image
PETERSBURG CABLEVISION SUBDIVISION	95-10	Image
PETERSBURG CREEK ALASKA SUBDIVISION	68-543	Image
PETERSBURG CREEK ALASKA SUBDIVISION	2005-6	Imag
PETERSBURG CREEK ALASKA SUBDIVISION	2006-6	Imag
PETERSBURG CREEK DUNCAN SALT CHUCK WILDERNESS AREA	93-5RS	Imag
PETERSBURG CREEK HIGHWAY RETRACEMENT OF CENTERLINE	87-26	Imag
PETERSBURG H STREET R S -0938 1	85-4	Imag
PETERSBURG HYDRO ELECTRIC PROJECT	71-32	Imag
PETERSBURG LDS CHURCH TRACT CONSOLIDATION SURVEY	90-29	Imag
PETERSBURG MARINE RAILWAY	86-8	Imag
PETERSBURG MARINE RAILWAY TIDELANDS LEASE	84-13	Imag
PETERSBURG PORT FACILITY CONSOLIDATION PLAT	2000-6	Imag
PETERSBURG PORT FACILITY THE	94-8	Imag
PETERSBURG PUBLIC SCHOOL RESERVE STREET R O W VACATION	91-15	Imag
PETERSBURG ROAD IMPROVEMENTS	2013-2	Imag
PETERSBURG SHIPWRIGHTS II	89-23	Imag
PETERSBURG SHIPWRIGHTS TIDELANDS LEASE	86-15	Imag
PETERSBURG SMALL TRACT GROUP	81-21	Imag
PETERSBURG THROUGH ROUTE PHASE I	2008-3	Imag
PETERSBURG THROUGH ROUTE PHASE I FERRY TERMINAL TO F STREET	85-33	Imag
PETERSBURG THROUGH ROUTE PHASE II	2008-4	Imag
PETERSBURG THROUGH ROUTE PHASE II S-0937 10	85-34	Imag
PETERSBURG THRU ROUTE PHASE III JOY STREET TO SANDY BEACH	86-2RS	Imag
PETERSBURG THRU ROUTE R-O-W PHASE III JOY ST TO SANDY BEACH	85-35	Imag
PETERSBURG TIDELANDS ADDITION PTN BLOCK F AND T 207	90-6	Imag