

Planning Commission Report & Finding of Fact

Meeting Date: November 14, 2023

APPLICANT/AGENT:

John and Miriam Swanson

OWNER(S), IF DIFFERENT:

Petersburg Borough (Ramona St)

LEGAL DESCRIPTION:

Lot 10, Block 234, USS 1252A

LOT AREA:

13,782 Sq Ft

LOCATION:

1320 N Nordic Drive

SURROUNDING ZONING:

North: Single Family Residential

South: Single Family Residential

East: Single Family Residential

West: Single Family Residential

ZONING:

Single Family Residential (SFR)

PID:

01-002-161

APPLICATION SUBMISSION DATE:

October 9, 2023

RECOMMENDATION:

Approve

I. APPLICANT REQUEST: The applicant is requesting approval of a preliminary plat for a major subdivision. The subdivision includes vacation of a portion of a borough-owned right-of-way, Ramona St.

II. APPLICABLE CODES:

18.24 MAJOR SUBDIVISION

18.30 VACATION

19.20 SINGLE-FAMILY RESIDENTIAL

III. FINDING:

- a. The subject property is a through lot on North Nordic Drive and an adjacent undeveloped right-of-way. The subject property is adjacent to municipal water, wastewater, and electric utilities.
- b. The surrounding area is partially developed with residential dwellings.
- c. The stated intended use of the property is:
 - a. Lot 10A to be acquired by the Petersburg Borough for use as the site of a new wet well and valve vault as part of the Pumpstation #4 reconstruction project.
 - b. Lot 10B will remain in private ownership and zoned single-family residential.
 - c. See details in attached memo from Karl Hagerman.
- d. Currently, Lot 10 is of an usual shape and does not meet the minimum lot size or road frontage for the single-family residential district.
- e. The proposed Lot 10A would be a substandard lot and would not meet the minimum size nor road frontage for the single-family residential district.
- f. Lot 10A will be acquired by the borough for the utility department's use and is not intended for future residential development. The limited use of the parcel will not be detrimental to public safety, welfare or injurious to adjacent properties.

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- g. Following the subdivision, Lot 10B will no longer have direct access to N Nordic though electric utilities will be available from Valkyrie St.
- h. The proposed vacation eliminates most of the existing Ramona St right-of-way between N. Nordic and Valkyrie St. The vacated portion of Ramona St will attach to the adjacent lot to create Lot 10B.

IV. PUBLIC NOTICE

The borough provided public notice consistent with PMC 19.84.040. Notice was mailed by first class mail to the owner of record of the property within six hundred feet of the exterior boundary of the property that is the subject of the application.

V. APPLICATION REVIEW

The application is classified as a request to approve a preliminary plat and platting variance and partial vacation of a borough right-of-way.

a. ZONING DISTRICT STANDARDS

Minimum Standards for Zoning District and Use			
	Requirement	Proposed Lots	Analysis
Minimum Lot Size	8,000	Lot 10A – 2,080 sf Lot 10B – 11,702 sf	Lot 10A is substandard but will be owned by the borough.
Minimum Road Frontage	80 ft	Lot 10A – 36.58 ft Lot 10B- 100 ft	Road frontage for Lot 10A is substandard, but the lot will be owned by the borough.
Front Yard	20'		For Lot 10A, all improvements will be underground.
Rear Yard	20'		For Lot 10A, all improvements will be underground.
Side Yard	10'		For Lot 10A, all improvements will be underground.
Max. Height	32'		For Lot 10A, all improvements will be underground.
Max Lot Coverage	35%		For Lot 10A, all improvements will be underground.
Fire Code Separation	N/A		
Off-street Parking	N/A		
Max Height Fence	6 feet		

- c. Criteria – Per 18.24, the platting authority shall inquire into and determine the merits of the relief petitioned for and make such order as justice and the public welfare require.

PRELIMINARY PLAT	
A sketch plat was submitted and a pre-application conference with planning staff occurred.	Conforms
Application submitted no less than 30 days before the regular meeting of the platting board	Application was submitted on October 9, 2023

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Plat prepared by a licensed land surveyor.	Conforms
The preliminary plat submitted was reviewed for consistency with the requirements of PMC 18.24.040, Preliminary plat submission requirements.	Conforms
A Certificate to Plat prepared by a title company licensed to do business in the state with a date of issue not more than 30 days.	Conforms
Per adopted flood insurance maps, the subject property is not located within a flood hazard area (PMC 18.24.040(D)).	Conforms
Drainage/Stream easement (PMC 18.24.080(C)2).	N/A
The application was distributed to borough departments (Power & Light, Water/Wastewater, Public Works, Fire, Community Development) for review.	Emailed to Departments on October 11, 2023. No comments.
VACATION	
The proposed plat requires a vacation of a public dedication of land.	An application and map for vacation of a borough-owned right-of-way were submitted (PMC18.24.030(A)).

VI. ACTION

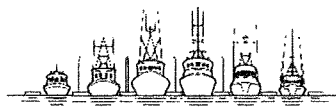
Based on the preceding findings of fact, the Petersburg Planning Commission, acting as the Platting Board, makes the following determination:

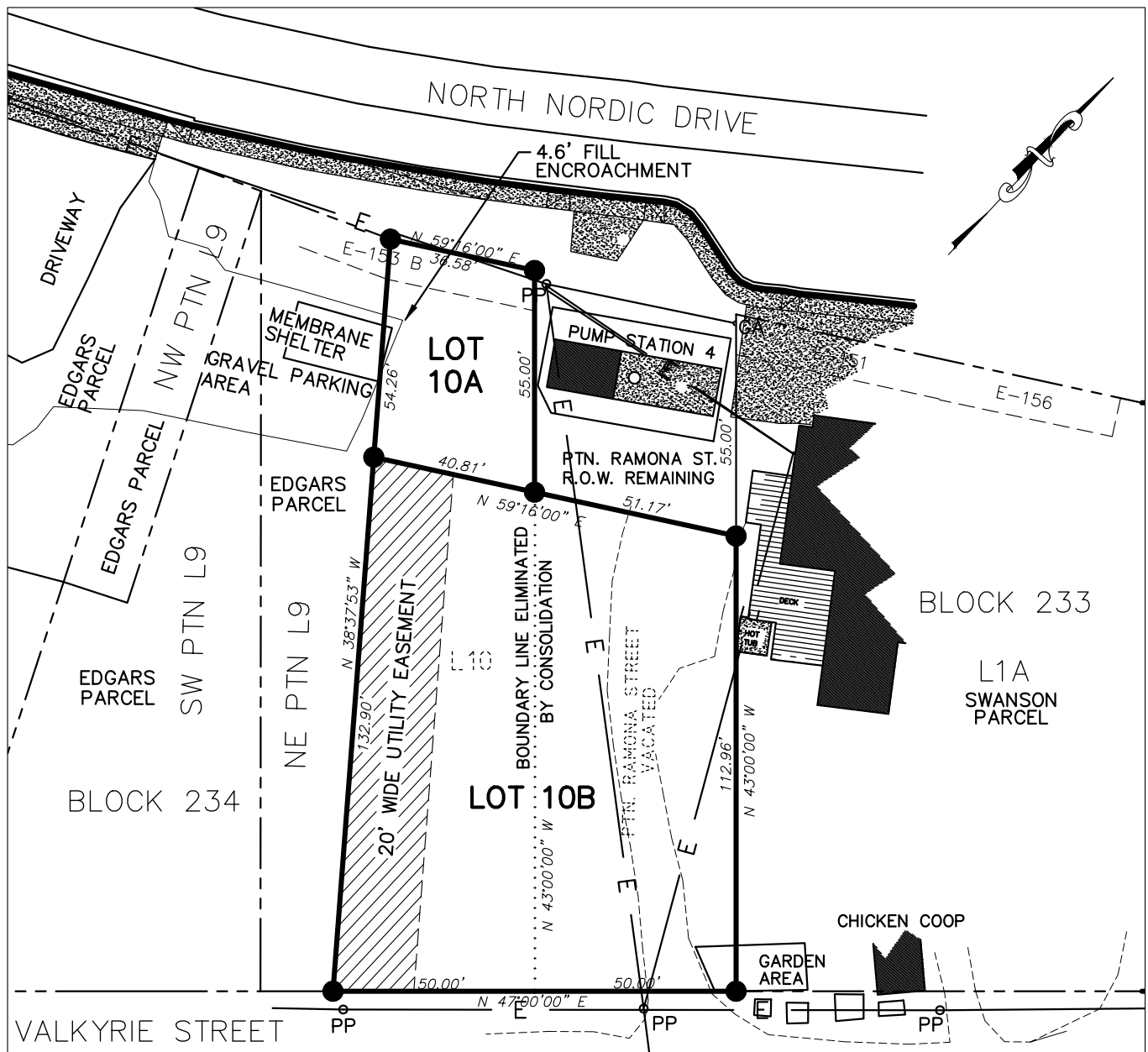
- a. The proposed preliminary plat meets the general conditions outlined in Title 18.
- b. The vacation of a portion of the Ramona St right-of-way allows for creation of a legal sized lot (Lot 10B), which would be suitable for future residential development.
- c. Lot 10A meets the criteria for a platting variance for lot size and road frontage under 18.32.
- d. Lot 10A is not intended for future residential development and will be acquired by the borough for use by the wastewater utility.
- e. As a condition of approval, the Applicant/Owner shall:
 - Submit a final 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.

EXHIBITS

- A. Applicant materials
- B. Vicinity & Detail Maps
- C. Public Hearing Mailout
- D. Public Comments

EXHIBIT A

 PETERSBURG BOROUGH LAND USE APPLICATION		CODE TO: 110.000.404110
		BASE FEE:
		PUBLIC NOTICE FEE: \$70.00
		TOTAL:
DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME JOHN & MIRIAM SWANSON		NAME SAME
MAILING ADDRESS P.O. Box 1546		MAILING ADDRESS
CITY/STATE/ZIP PETERSBURG AK 99833		CITY/STATE/ZIP
PHONE 907-518-0715		PHONE
EMAIL JSWANSON71@YAHOO.COM		EMAIL
PROPERTY INFORMATION		
PHYSICAL ADDRESS or LEGAL DESCRIPTION: 1320 N. NORDIC DRIVE		
PARCEL ID: 01002161	ZONE: SFR	OVERLAY:
CURRENT USE OF PROPERTY: VACANT		LOT SIZE:
PROPOSED USE OF PROPERTY (IF DIFFERENT): VACANT / POTENTIAL FUTURE RESIDENCE / MUNICIPAL SEWER PUMP STATION		
CURRENT OR PLANNED SEWER SYSTEM: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site system		
CURRENT OR PLANNED WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well		
LEGAL ACCESS TO LOT(S) (Street Name): VALKYRIE STREET		
TYPE OF APPLICATION & BASE FEE		
<input type="checkbox"/> 19.84 Zoning Change (\$100)		
<input type="checkbox"/> 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)		
<input checked="" type="checkbox"/> 18.20 Minor Subdivision/18.24 Preliminary Plat/18.19 Replat (\$75 + \$10 per lot)		
<input type="checkbox"/> 18.24 Final Plat (\$25 per lot)		
SUBMITTALS:		
For Zoning Change, please submit letter stating the new zoning and explaining the need for the change. For Subdivision approvals, please submit a prepared plat map as required by borough code. ✓		
SIGNATURE(S):		
I hereby affirm all of the information submitted with this application is true and correct to the best of my knowledge. I also affirm that I am the true and legal property owner(s) or authorized agent thereof for the property subject herein.		
Applicant(s): <u>John & Miriam Swanson</u>		Date: <u>Oct. 6, 2023</u>
Owner: _____	Date: _____	
Owner: _____	Date: _____	
Owner: _____	Date: _____	



**PRELIMINARY PLAN
LOT 10 CONSOLIDATION SUBDIVISION**

A CONSOLIDATION & SUBDIVISION OF
LOT 10, BLOCK 234 OF U.S.S. 1252 AND
OF A VACATED PORTION OF RAMONA STREET R.O.W.
INTO LOTS 10A AND 10B
PETERSBURG RECORDING DISTRICT

AREA SUMMARY:
PTN. RAMONA VACATED & ABSORBED
INTO LOT 10B = 5,920 S.F.
PTN. LOT 10 TO LOT 10B = 5,782 S.F.
PTN. LOT 10 TO LOT 10A = 2,080 S.F.
BOROUGH TOTAL = 2,080 S.F.
SWANSON TOTAL = 11,702 S.F.
RAMONA R.O.W. REMAINING = 2,750 S.F.

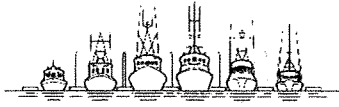
NOTE:
THIS PLAN ASSUMES PRIOR APPROVAL OF THE
PARITAL VACATION OF RAMONA STREET.
EXISTING LOT 10 IS OWNED BY SWANSON.



SURVEYOR
CENTRAL SOUTHEAST SURVEYORS
P.O. BOX 533, PETERSBURG AK 99833
PH (907) 518-0075

SURVEY COMPLETED 10/05/23 **DRAWN BY D.C.T.**

DRAWING No. LT10 BLK234 CON/SUBD 2023



**PETERSBURG BOROUGH
R.O.W. VACATION**

CODE TO:	110.000.404110
BASE FEE:	\$50.00
PUBLIC NOTICE FEE:	\$70.00
TOTAL:	\$120.00

DATE RECEIVED: _____ RECEIVED BY: _____ CHECK NO. or CC: _____

APPLICANT/AGENT:		PROPERTY OWNER(S):	
NAME	JOHN & MIRIAM SWANSON	NAME	SAME
MAILING ADDRESS	P.O. Box 1546	MAILING ADDRESS	
CITY/STATE/ZIP	PETERSBURG AK 99833	CITY/STATE/ZIP	
PHONE	907-518-0715	PHONE	
EMAIL	JSWANSON71@YAHOO.COM	EMAIL	

Adjacent Properties

Number of Lots/Parcels Affected by Vacation: 2 LOTS - 01002161 - - 01002160 -	Subdivision:	Plat #:
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SUBMITTALS:
Please include a copy of plat.

SIGNATURE(S):
I (we) do hereby apply for a vacation of the borough owned easement/right-of-way/land in accordance with the provisions of Title 18, SUBDIVISIONS of the Petersburg Municipal Code. *PORTION OF RAMONA STREET RIGHT-OF-WAY.*
I (we) am (are) the owners of the real estate which borders said borough-owned easement/right-of-way/and, which is generally described above.

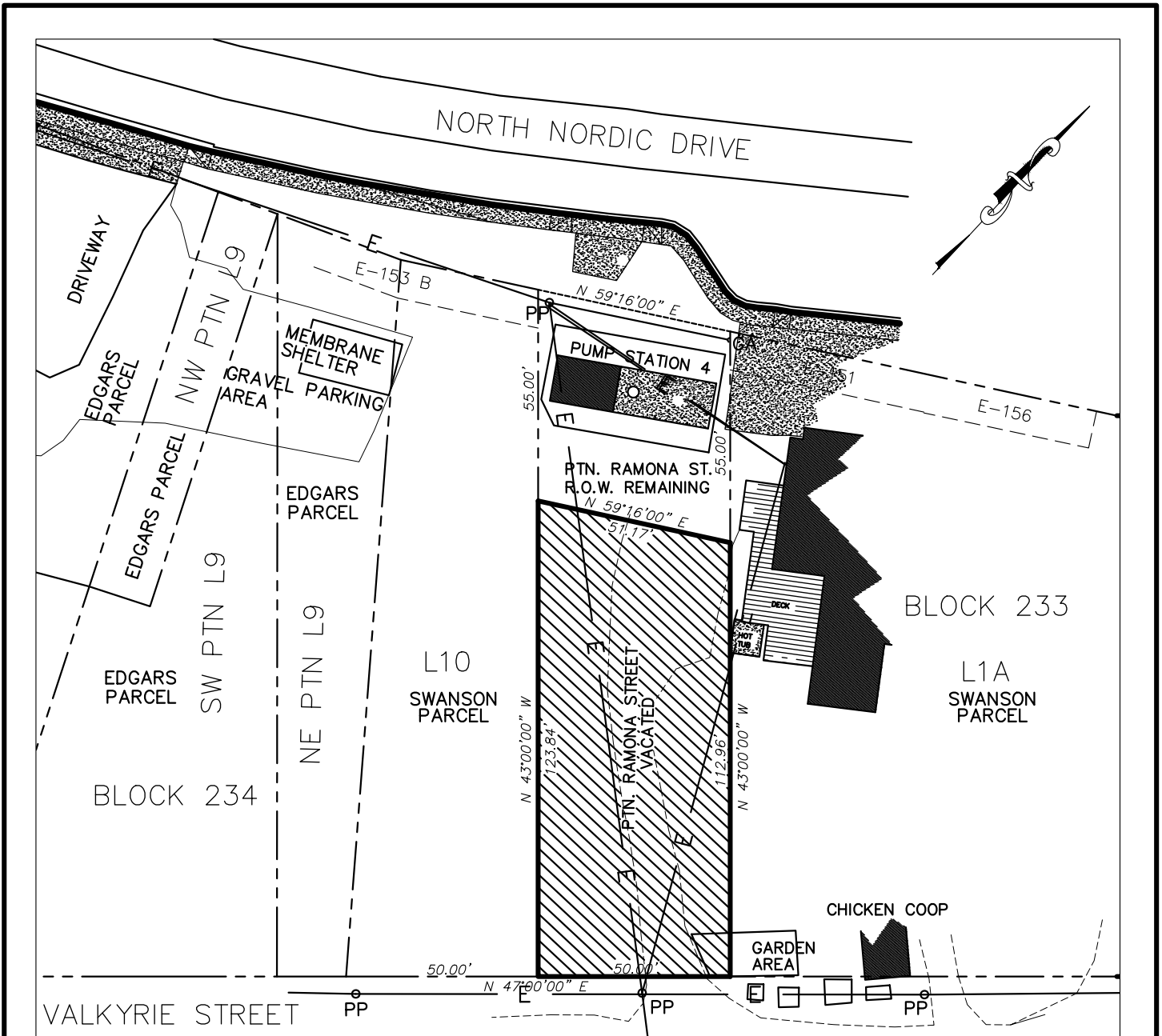
Lot/Block	Owner(s) Name	Mailing Address	Email	Phone
1A/233	JOHN & MIRIAM SWANSON	PO BOX 1546	JSWANSON71@YAHOO.COM	907-518-0715

X Owner Signature: *John R. Swanson* *Miriam Swanson*

10/234	JOHN & MIRIAM SWANSON	PO BOX 1546	JSWANSON71@YAHOO.COM	907-518-0715
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X Owner Signature: *John R. Swanson* *Miriam Swanson*

Owner Signature:				
Owner Signature:				
Owner Signature:				
Owner Signature:				



**PRELIMINARY PLAN
RAMONA STREET PARTIAL VACATION**

A VACATION OF A PORTION OF RAMONA STREET
NORTH OF ITS INTERSECTION WITH VALKYRIE STREET
AND SOUTH OF ITS INTERSECTION WITH NORTH
NORDIC DRIVE
PETERSBURG RECORDING DISTRICT

AREA SUMMARY:

PTN. RAMONA VACATED = 5,920 S.F.
PTN. RAMONA R.O.W. REMAINING = 2,750 S.F.



SURVEYOR

CENTRAL SOUTHEAST SURVEYORS

P.O. BOX 533, PETERSBURG AK 99833


PH (907) 518-0075

SURVEY COMPLETED 10/05/23

DRAWN BY D.C.T.

DRAWING No. RAMONA ST. PARTIAL VACATION 2023

MEMORANDUM

TO: PETERSBURG BOROUGH PLANNING COMMISSION
FROM: KARL HAGERMAN, UTILITY DIRECTOR 
SUBJECT: LAND EXCHANGE TO BENEFIT PUMPSTATION 4 PROJECT
DATE: 10/19/2023
CC: LIZ CABRERA, ECONOMIC DEVELOPMENT DIRECTOR
STEVE GIESBRECHT, BOROUGH MANAGER
DEBRA THOMPSON, BOROUGH CLERK
JODY TOW, FINANCE DIRECTOR

The Pumpstation 4 Force Main project has been in development for some time. It is located near Hungry Point on North Nordic Drive and pumps community wastewater from all points south of that location to a gravity main about 1,100 feet closer to the final pump station in our system. Currently, the project has achieved 65% design completion by PND Engineers, with 95% completion scheduled to be achieved by the end of September. The project is anticipating a bid advertisement to start in late October with construction occurring next year.

However, one requirement of the project is to procure a portion of private land adjacent to the pump station in order to site the new wetwell and valve vault. As this station is particularly deep and is the second largest pump station in our system, it was not economically feasible to decommission the current pumps and replace them in the same footprint as the existing station. Utilizing vacant land adjacent to the station provides enough space for a deep excavation without impacting generator shed foundations and aids in the constructability of the project by eliminating a large expense for bypass pumping during the work.

The owner of the adjacent land (John and Miriam Swanson) is amenable to working with the Borough to make land available for the project. The manner in which the wastewater department would like to proceed is through a process of right of way vacation, followed by a major subdivision of Lot 10 (1320 N Nordic Drive) and conditional use permit to use the newly procured property for public utility purposes. The process is described in further detail below.

1. September 18, 2023: The Borough Assembly passed a motion approving of the concept of the land acquisition and moving forward with Ramona Street Right of Way Vacation – referring the issue to the Planning Commission.
2. The Planning Commission must review the request for the right of way vacation and the dedication of the vacated right of way to Lot 10 at 1320 N Nordic Drive and provides recommendations to the Assembly. The Assembly will receive the recommendations and have the final decision insofar as the vacation of Borough property.
3. Concurrently with the vacation request, the Planning Commission will receive and consider a Major Subdivision application of Lot 10 to separate the land being requested for the new pump station. The Commission may approve of the subdivision under their authority without making recommendations to the Assembly.
4. Lastly, the WW department will seek a conditional use permit through the Planning Commission to site and operate utility infrastructure in a lot zoned for single family residential use.

The goal of this process is to acquire permanent Borough ownership of lands where the pump station will be located, to vacate right of way and increase the size of the private land owner's Lot 10 so that

no substandard lot size will remain after the project's completion and to move overhead infrastructure to underground in the vicinity of the pump station by way of a utility easement on private property.

A preliminary plat of the vacation request and also the subdivision will be provided along with the applications for both.

It is important to note that while the Borough Wastewater department has instigated this land acquisition, the Swansons are the legal owners of lands that are impacted by this process. Therefore, the applications are presented with the Swansons as the applicant, but the Wastewater department is the driving force behind the process and will be paying for all application fees.

Please consider approval of the Vacation Request of Ramona Street as depicted on the preliminary plat, and further please consider approval of the major subdivision plat in order for the Borough to secure the property in question and maintain progress on this important project.

Thank you.

Swanson Property & Borough R.O.W.
1320 N. Nordic Drive
01-002-161 & Ramona St. R.O.W.

EXHIBIT B





October 23, 2023

**KRAVITZ MARY KRAVITZ GARRETT
PO BOX 2073
PETERSBURG, AK 99833-2073**

NOTICE OF SCHEDULED PUBLIC HEARINGS

The Petersburg Borough Planning Commission has scheduled a public hearing to consider:

Consideration of an application from John and Miriam Swanson for a major subdivision and vacation of a portion of the Ramona St. right-of-way at 1320 Nordic Dr. (PID: 01-002-161).

The public hearing and consideration of the application will be held:	Tuesday, November 14th 2023, at 12:00 PM Assembly Chambers, Municipal Building 12 South Nordic Drive, Petersburg, Alaska.
The meeting is open to the public. To attend via ZOOM , please contact Anna Caulum at 907-772-5409.	

Interested persons desiring to present their views on the applications, either in writing or verbally, will be given the opportunity to be heard during the above-mentioned hearing. Said hearing may be continued from time to time as necessary. If the Planning Commission is unable to meet at the date and time stated above, this application will be considered at a future meeting with no further notice provided except for the general notice provided to the public.

TO SUBMIT WRITTEN COMMENTS TO THE PLANNING COMMISSION	
By Mail:	PO Box 329, Petersburg, Alaska 99833
By Email:	acaulum@petersburgak.gov
Hand-Deliver:	Petersburg Municipal Building, 12 S. Nordic Dr.

The Petersburg Municipal Code (PMC) provides for an appeal of a Planning Commission decision to the Borough Assembly by the property owner or a governmental agency, or any property owner within 600' of the applicant property and requires that such an appeal be filed within 10 consecutive calendar days of the date the decision is made. For more information regarding appeal requirements, please see PMC Chapter 19.92.

Sincerely,

Liz Cabrera,
Community & Economic Development Department

Name1	Name2	Address1	City	State	Zip
CHRIST FRY		PO BOX 1440	PETERSBURG	AK	99833-1440
HEATHER O'NEIL		PO BOX 1083	PETERSBURG	AK	99833-1083
SALLY DWYER		PO BOX 1788	PETERSBURG	AK	99833-1788
JIM FLOYD		PO BOX 281	PETERSBURG	AK	99833-0281
JOHN JENSEN		PO BOX 681	PETERSBURG	AK	99833-0681
PHIL MEEKS		PO BOX 1514	PETERSBURG	AK	99833-1514
MARIETTA DAVIS		PO BOX 673	PETERSBURG	AK	99833-0673
SWANSON JOHN R	SWANSON MIRIAM M	PO BOX 1546	PETERSBURG	AK	99833-1546
ALASKA STATE OF		550 W 7TH AVE STE 1050A	ANCHORAGE	AK	99501-3579
ALBERG KAYLYNN		17904 3RD AVE NW	SHORELINE	WA	98177
BIGGERS PATRICIA L		PO BOX 1633	PETERSBURG	AK	99833-1633
BIRCHELL CURTIS W	BIRCHELL KRISTI A	PO BOX 12	PETERSBURG	AK	99833-0012
CORRAO KARLA M		PO BOX 1066	PETERSBURG	AK	99833-1066
CURRY CLYDE	CURRY JEAN	PO BOX 572	PETERSBURG	AK	99833-0572
EDGARS GORDON	EDGARS SANDRA	PO BOX 641	PETERSBURG	AK	99833-0641
EDGARS JIM	JESTEL ALISA	PO BOX 1814	PETERSBURG	AK	99833-1814
HARAI SUSAN E		PO BOX 612	PETERSBURG	AK	99833-0612
JAKOBSEN MAGNUS A	JAKOBSEN PAULINE G	PO BOX 201	PETERSBURG	AK	99833-0201
KRAVITZ MARY	KRAVITZ GARRETT	PO BOX 2073	PETERSBURG	AK	99833-2073
KVERNVIK JERALD A	KVERNVIK JANICE K	PO BOX 1221	PETERSBURG	AK	99833-1221
LYONS COLT H	CRAIN CAROLINE	PO BOX 74	PETERSBURG	AK	99833-0074
MARTINSEN JAMES H	MARTINSEN DONNA	PO BOX 385	PETERSBURG	AK	99833-0385
MARTINSEN JUDINE M	BISSET GEORGE J	PO BOX 2112	PETERSBURG	AK	99833-2112
NILSEN MATT J	NILSEN VALAREE J	PO BOX 1463	PETERSBURG	AK	99833-1463
OHMER JUDY M		PO BOX 372	PETERSBURG	AK	99833-0372
RAVEN 1 LLC		307 NE 7TH ST	MCMINNVILLE	OR	97128
STOLPE BJORN H	STOLPE SHANNON R	PO BOX 1487	PETERSBURG	AK	99833-1487
STOLPE JAMES D STOLPE TERESA G		PO BOX 1466	PETERSBURG	AK	99833-1466