Planning Commission Staff Report & Finding of Fact

Meeting Date: December 12, 2023

APPLICANT/AGENT:

OWNER(S), IF DIFFERENT:

Petersburg Borough

LEGAL DESCRIPTION:

Lot 4, Skylark II Subdivision, Plat# 90-14 Gov't Lot 13, T58S, R79E, Section 33 LOT AREA:

Lot 4: 22,530 Sq Ft GL 13: 140,263 Sq Ft

LOCATION:

See attached maps

SURROUNDING ZONING (Lot 4)

North: Single Family Residential

South: Public Use

East: Single Family Residential West: Single Family Residential

ZONING:

Lot 4 – Single-Family Residential

GL 13 – Public Use

SURROUNDING ZONING (GL 13)

North: Single Family Residential South: Undeveloped land East: Single Family Residential West: Single Family Mobile Home

PID:

01-010-243 01-010-412

APPLICATION SUBMISSION DATE:

Initiated by Commission

<u>I. APPLICANT REQUEST:</u> The commission initiated a rezone under its own motion.

II. APPLICABLE CODES:

19.12 OPEN SPACE - RECREATIONAL 19.84 AMENDMENTS

III. FINDINGS:

- a. The commission initiated a rezone under its own motion per PMC 19.84.
- b. The subject property is composed of 2 parcels of borough-owned vacant land.
- c. Lot 4 is Single-Family Residential (SF) and approximately 22,000 sf.
- d. GL 13 is zoned Public Use and is approximately 3.22 acres. GL 13 has a deed restriction limiting the future use of the parcel to unrestricted public use and access, thereby prohibiting sale to private owners. The parcel has a 33' access easement along the north and west property lines. This easement will remain in place regardless of the zoning.
- e. The immediate surrounding area is partially developed with a well-established neighborhood adjacent to the parcels.
- f. The commission recently recommended the borough assembly approve the sale of adjacent parcels for future residential development and recommended rezone of a 5-acre parcel from Open Space to SFMH.
- g. The commission initiated these rezones to establish greenbelt buffers between an established neighborhood and proposed higher-density residential development.

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- h. For Lot 4: The 2016 comprehensive plan recommends future land use for this area be Low- Density Residential. The intended use is lower density residential, Single family or duplex residential, option for accessory dwelling units and home-based businesses, 1-4 dwellings per acre (DUA) is most common; but allow option for densities up to 6-8 DUA. The corresponding zoning districts are: RR Rural Residential; SFMH Single Family Mobile Home? (add option for up to 6-8 DUA with site plan review.)
- i. For GL 13 lot: The 2016 comprehensive plan recommends future land use for this area be Higher density residential, including attached and detached homes; option for accessory dwelling units, for home-based occupations. The corresponding zoning districts are: SF 1 Single Family 1, (SF 2 Single Family 2 modified or eliminated), MF- Multi-Family, SFMH Single Family Mobile Home, MHP Mobile Home Park. However, this is inconsistent with the deed restrictions placed on the property.
- j. Rezoning these parcels to Open Space Recreational would limit development in these parcels with principal allowed uses of Green Belts, Watersheds, Drainages. Park, Playground, and recreational activities and essential services are allowed with a conditional use permit.
- k. Chapter 7, Recreation and Tourism, of the 2016 Comprehensive Plan includes a recommendation for the borough to ...work in partnership with neighborhoods to develop and maintain neighborhood parks that serve the needs of adjacent neighborhoods. Focus efforts on higher density, lower income neighborhoods, where such facilities are particularly needed. Among the potential actions supporting this goal is to: consider parks or green spaces outside of downtown in areas currently lacking such facilities.

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

- a. The application is classified as a request to amend the borough zoning map.
- b. Criteria Per 19.84.030, The Planning Commission's report to the Assembly shall include findings as to need and justification for the proposed change, including findings as to the effect which the proposed change would have on the objective of the comprehensive plan.

VI. ACTION

Proposed motion: I move to recommend to the Borough Assembly that both Lot 4, Skylark II Subdivision, Plat# 90-14 and Government Lot 13, Section 33, Township 58 South, Range 79 East, be rezoned to Open Space – Recreational.

Based on the preceding findings of fact, the Petersburg Planning Commission makes the following recommendation to the Borough Assembly:

a. The Planning Commission initiated this rezone based on public comment and discussion during the review of an application to purchase borough property for residential development of single-family and single-family mobile homes adjacent to these parcels.

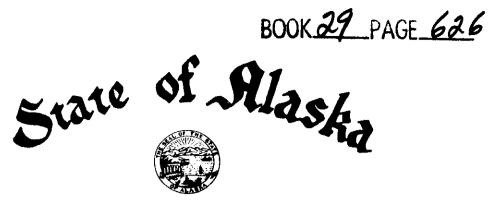
Planning Commission Staff Report & Finding of Fact

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- b. The rezone establishes a greenbelt between an established single-family residential neighborhood and a proposed higher density neighborhood.
- c. The greenbelt could also serve as a future playground for residents of both neighborhoods as there is no property zoned for recreational use in either the Severson's Subdivision or the proposed new development. This is consistent with chapter 7 of the comprehensive plan that the borough consider parks or green spaces outside of downtown in areas currently lacking such facilities.

EXHIBITS

- A. Map
- B. Public Hearing Mailout
- C. Public Comments



No	920 9	

know De By These Presents that the State of Alaska. pursuant to A.S. 38.05.810(a) and the regulations promulgated. thereunder. consideration of the sum of TEN AND NO/100 DOLLARS lawful money of the United States, and other good and valuable consideration, now paid, the receipt whereof is hereby acknowledged, does hereby grant to the CITY OF PETERSBURG, P.O. Box 329, Petersburg, Alaska 99833, its successors and assigns, all that real property situated in the Petersburg Recording District, State of Alaska, and described as follows:

TOWNSHIP 58 SOUTH, RANGE 79 EAST, COPPER RIVER MERIDIAN

SECTION 33: LOT 13.

CONTAINING 3.22 ACRES, MORE OR LESS.

ACCORDING TO THE SUPPLEMENTAL PLAT OF SECTION 33 ACCEPTED BY THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT IN WASHINGTON, D.C., ON APRIL 30, 1952.

Subject to:

Valid existing easements and reservations.

ADL 56411, a right-of-way along the north and west boundaries, 33 feet in width.

Unrestricted Public Use and Access.

If at any time the Director of the Division of Land and Water Management of the Department of Natural Resources determines that the City of Petersburg and its successors in interest has failed to observe any provision or condition of this patent, and that said failure has continued for at least one year, the Director may declare a forfeiture of this conveyance and title hereby conveyed shall thereupon revert to the State of Alaska.

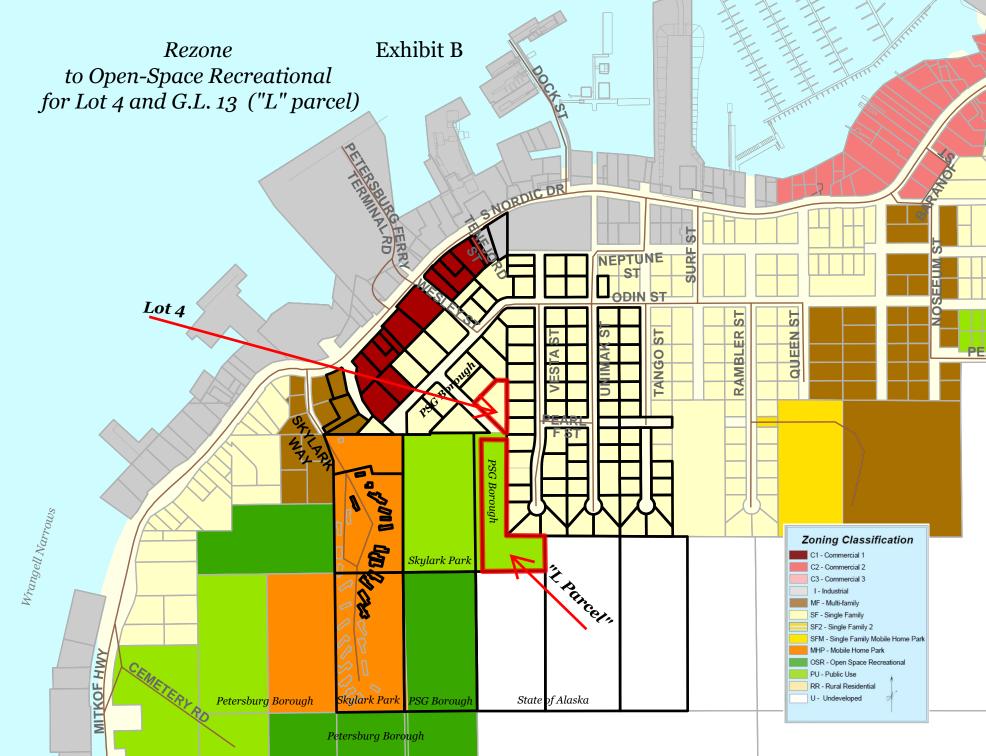
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ADL No. 103765
Patent No. 9209
Location Index:
T. 58 S., R. 79 E., C.R.M.
Section 33

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PETERSBURG RECORD

Aug 25 3 17 PM '87





November 21, 2023

CRISTINA KARNA CRISTINA NEIL 19504 SE 324TH ST KENT, WA 98042

NOTICE OF SCHEDULED PUBLIC HEARINGS

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

A recommendation to the Borough Assembly to rezone Lot 4, Skylark II Subdivision from Single-Family Residential to Open Space - Recreation, and Government Lot 13, Section 33, T58S, R79E from Public Use to Open Space - Recreation. (PID: 01-010-243, 01-010-412)

consideration of the	Tuesday, December 12 th 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	7in
CHRIST FRY	Numez	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 MARIETTA DAVIS		PO BOX 1514 PO BOX 673	PETERSBURG PETERSBURG	AK AK	99833-1514 99833-0673
AGNER JESSE A	AGNER MARGARET H	PO BOX 565	PETERSBURG	AK	99833-0565
ALASKA STATE OF	AGNERIMANOARETTI	550 W 7TH AVE STE 1050A	ANCHORAGE	AK	99501-3579
AMANECER ELIZABETH		PO BOX 215	PETERSBURG	AK	99833-0215
ANDERSON AMY E		PO BOX 1781	PETERSBURG	AK	99833-1781
BERTAGNOLI JOE		PO BOX 481	PETERSBURG	AK	99833-0481
BOJORQUEZ-FELIX RICARDO		PO BOX 2011	PETERSBURG	AK	99833-2011
BRAUN RICK G	BRAUN SUE A	PO BOX 211	PETERSBURG	AK	99833-0211
BURRELL SIGMUND BURRELL AMBRE CANGIALOSI SALVATORE A	SKYLARK PARK LLC	PO BOX 2070 PO BOX 1414	PETERSBURG PETERSBURG	AK AK	99833-2070 99833-1414
CHITTENDEN TIMOTHY R		PO BOX 1774	PETERSBURG	AK	99833-1774
CISNEY JOE ALLEN	CISNEY JENNIFER MAE	PO BOX 349	PETERSBURG	AK	99833-0349
COLE KIMBERLEE		PO BOX 1908	PETERSBURG	AK	99833-1908
CONN JOSHUA H	CONN HEATHER	PO BOX 593	PETERSBURG	AK	99833-0593
CONNOR WILLIAM H JR		1668 E HARMONY WAY	SAN TAN VALLEY		85140-5176
COTTA CARISSA R		PO BOX 615	PETERSBURG	AK	99833-0615
CRISTINA KARNA	CRISTINA NEIL	19504 SE 324TH ST	KENT	WA	98042
CUMMINGS ROBIN DIAMANTE GIFT SHOPPE INC	CUMMINGS JOYCE	PO BOX 1754 PO BOX 1029	PETERSBURG PETERSBURG	AK AK	99833-1754 99833-1029
EGEN KADDY		PO BOX 1644	PETERSBURG	AK	99833-1644
ENGELL JAMES B	ENGELL JILL E	PO BOX 730	PETERSBURG	AK	99833-0730
ENRIQUEZ JORGE A	ENRIQUEZ MINDY J	PO BOX 1132	PETERSBURG	AK	99833-1132
FRANKLIN CLAYTON S		PO BOX 62	PETERSBURG	AK	99833-0062
FRANKLIN KYLE O	FRANKLIN VIKKI	PO BOX 62	PETERSBURG	AK	99833-0062
FRENTZ STEPHEN	FRENTZ MELANIE	PO BOX 66	PETERSBURG	AK	99833-0066
FRIEND REX	FRIEND CHERI	PO BOX 1225	PETERSBURG	AK	99833-1225
GARD TIMOTHY	GARD LISA	21700 WILDFLOWER DR PO BOX 818	NEWBERG	OR	97132
GOOD INVESTMENTS LLC HALL KIMBERLY REBECCA		PO BOX 818 PO BOX 7	PETERSBURG PETERSBURG	AK AK	99833-0818 99833-0007
HANAHAN INDIGO L	HANAHAN WILLIAM R	PO BOX 7	PETERSBURG	AK	99833-0007
HASBROUCK MIKA JERE	THE WATER WITH	PO BOX 1902	PETERSBURG	AK	99833-1902
HELMS DAVID	HELMS ALEXANDREA	PO BOX 2194	PETERSBURG	AK	99833-2194
HERMOSA HOLDINGS LLC		PO BOX 1393	PETERSBURG	AK	99833-1393
HESS COURTNEY N	HESS REX	PO BOX 1332	PETERSBURG	AK	99833-1332
HOLMGRAIN RANDAL E	HOLMGRAIN SARAH	PO BOX 1975	PETERSBURG	AK	99833-1975
JONES KENNETH JOHN LORGEN MARIE H	THE LORGEN-JONES LIVING		PORT LUDLOW	WA	98365
KANDOLL BRIAN KLUDT-PAINTER JONATHAN T	KANDOLL CAROL KLUDT-PAINTER ERICA L	PO BOX 1363 PO BOX 1972	PETERSBURG PETERSBURG	AK AK	99833-1363
LENZ TORE	KLUDT-PAINTER ERICA L	PO BOX 1972 PO BOX 1073	PETERSBURG	AK	99833-1972 99833-1073
LITSHEIM PETER	LITSHEIM THERESA	PO BOX 856	PETERSBURG	AK	99833-0856
LOPEZ-MENDOZA JOEL	ETOTICIWI TTEREOT	426 MAGPIE CT	KISSIMMEE	FL	34758-4444
LUHR JASON	LUHR STACY	PO BOX 1663	PETERSBURG	AK	99833-1663
LYONS HEIDI PERSCHON LIV	ONEIL HEATHER	PO BOX 128	PETERSBURG	AK	99833-0128
LYONS JACK C	LYONS HEIDI	PO BOX 527	PETERSBURG	AK	99833-0527
M&K SCHWARTZ AK TRUST		PO BOX 434	PETERSBURG	AK	99833-0434
MAIN KEVIN		PO BOX 1704 PO BOX 178	PETERSBURG PETERSBURG	AK AK	99833-1704
MARIFERN SAMANTHA MARSH KIRT	MARSH DONNA	PO BOX 178	PETERSBURG	AK	99833-0178 99833-1421
MARTIN BROCK F	WEBB SUZANNE M	PO BOX 1398	PETERSBURG	AK	99833-1398
MARTIN MARIA F		PO BOX 646	PETERSBURG	AK	99833-0646
MORAN TONY		PO BOX 1191	PETERSBURG	AK	99833-1191
MORRIS CHRISTINA		709 95TH DR SE	LAKE STEVENS	WA	98258-3929
MORRISON CHRISTINA TRUSTEE	ARNOLD G FREDRICKSEN TR		PETERSBURG	AK	99833-0284
MOULTON WILLIAM T	MOULTON PATRICIA	PO BOX 456	PETERSBURG	AK	99833-0456
MURDOCK WILLIAM CHARLES	MURDOCK EILEEN ROSE	PO BOX 850	PETERSBURG	AK	99833-0850 99833-1913
NEIDIFFER KIMBERLY NELSON JOSEPH T	NELSON KAREN G	PO BOX 1913 PO BOX 731	PETERSBURG PETERSBURG	AK AK	99833-1913
NEWMAN LUCAS	NEWMAN TANGI	PO BOX 476	PETERSBURG	AK	99833-0476
NEWMAN SCOTT D	NEWMAN CYNTHIA	PO BOX 1348	PETERSBURG	AK	99833-1348
NEWPORT RACHEL M		PO BOX 1211	PETERSBURG	AK	99833-1211
NORHEIM LADD	NORHEIM BRENDA	PO BOX 935	PETERSBURG	AK	99833-0935
NUSSBAUMER DONA M	NUSSBAUMER ALVIN	PO BOX 994	PETERSBURG	AK	99833-0994
ONEIL DENNIS	ONEIL HEATHER	PO BOX 1083	PETERSBURG	AK	99833-1083
OREAR LARRY O'SOUP DERRICK G	OREAR KATHY O'SOUP KELLY N	PO BOX 115 PO BOX 1994	PETERSBURG PETERSBURG	AK AK	99833-0115 99833-1994
PERRY DONALD E	PERRY LYNNE M	PO BOX 1994 PO BOX 1566	PETERSBURG	AK	99833-1994
PETERSEN KARI ANN		PO BOX 2044	PETERSBURG	AK	99833-2044
PETERSON RAYMOND G	PETERSON ELIZABETH K	PO BOX 1491	PETERSBURG	AK	99833-1491
PHILLIPS AARON L	•	PO BOX 624	PETERSBURG	AK	99833-0624
PHILLIPS JEANETTE		PO BOX 386	PETERSBURG	AK	99833-0386
PLEW EVA R	SALOMONE PAUL	PO BOX 413	PETERSBURG	AK	99833-0413
POOLE JEFFREY		PO BOX 1715	PETERSBURG	AK	99833-1715
RIBICH ELI	RIBICH GAIL	PO BOX 110	PETERSBURG	AK	99833-0110
ROBERTS MARK S ROSVOLD ANDERS O	WHITE-ROBERTS LORI	PO BOX 246 PO BOX 1993	PETERSBURG PETERSBURG	AK AK	99833-0246 99833-1993
ROUNDTREE DEAN & ELENA	ROUNDTREE ARIEL M	PO BOX 1993 PO BOX 454	PETERSBURG	AK	99833-1993
SAKAMOTO DIANNA	QUEZON ALVIN	PO BOX 1668	PETERSBURG	AK	99833-1668
SCHWARTZ JAMES	SCHWARTZ LESLIE	PO BOX 1506	PETERSBURG	AK	99833-1506
SKEEK GEORGE		PO BOX 334	PETERSBURG	AK	99833-0334
SKYLARK PARK LLC		PO BOX 2126	PETERSBURG	AK	99833-2126
SLAVEN JACOB		PO BOX 973	PETERSBURG	AK	99833-0973
STEUBER NORIE	STEUBER GERALD M JR	PO BOX 102	PETERSBURG	AK	99833-0102
STROMDAHL JAMES	STROMDAHL MARY	PO BOX 1326	PETERSBURG	AK M/A	99833-1326
TANGATAILOA STACIE THE MILL INC		400 NE 153 ST PO BOX 790	SHORELINE PETERSBURG	WA AK	98155 99833-0790
THOMASSEN SCOTT	RRT TRUST / SPECIAL NEEDS		PETERSBURG	AK	99833-0790
		500 252		AK	99833-0496
TIDWELL JARED	RRT TROST / SPECIAL NEEDS	PO BOX 496	PETERSBURG		
	CHRISTENSEN CARIN L	PO BOX 496 PO BOX 1785	PETERSBURG	AK	99833-1785
TIDWELL JARED					
TIDWELL JARED TUCKER EMIL K VICK THERESA VOLK ROBERT D	CHRISTENSEN CARIN L	PO BOX 1785 PO BOX 1271 PO BOX 576	PETERSBURG PETERSBURG PETERSBURG	AK AK AK	99833-1785 99833-1271 99833-0576
TIDWELL JARED TUCKER EMIL K VICK THERESA	CHRISTENSEN CARIN L VICK DAN	PO BOX 1785 PO BOX 1271	PETERSBURG PETERSBURG	AK AK	99833-1785 99833-1271

From: <u>emil tucker</u>
To: <u>Anna Caulum</u>

Subject: Lot 4 Skylark II subdivision rezoning comment **Date:** Monday, November 27, 2023 8:27:45 PM

We are writing to support the recommendation to rezone Lot 4, Skylark II Subdivision and Government Lot 13, from Single Family residential to Open Space - Recreation.

Deliberately rezoning open space as green space or for future recreation development into subdivision plans is an important aspect of development. Open space is valuable in its own right as a buffer between houses as neighborhoods grow and it allows for the development of small parks and playgrounds that are important quality of life attractants to families with young children. There are currently no parks or playgrounds in the Severson Subdivision adjacent to this area, and the rezoning of these lots would allow for this in the future. Additionally, the open space allows access to the State of Alaska lands behind the neighborhood which are desirable locations for recreation. These areas behind the neighborhood are used daily to walk, ski and snowmachine.

Thank you for the opportunity to comment on this proposal.

Emil Tucker & Carin Christensen

From: Mika hasbrouck
To: Anna Caulum

Subject: Planning and Zoning board

Date: Wednesday, December 6, 2023 11:52:03 AM

Dear Planning and Zoning,

In studying your proposal for rezoning Lot 4 and "L" Parcel to Open-Space Recreational and I believe it needs to be revised to make some inclusions. I think It's a great idea, However as you can see from my attached graphic that it still leaves 1101 Odin without any buffer to the proposed development. 1101 Odin is the one established property with closest proximity to the project and likely to be impacted the most. My home at 1101 Odin has been an established tax generating property in the borough since 1991.

I respectfully request that you revise your rezoning proposal to include a reasonable open space between 01010248 (1101 Odin street) and lots 01010247 and 01010245 (proposed for sale.)

I'm curious how come were parcels (outlined in Blue) 01010247 and 01010245 not considered for rezoning or even reconfiguration then rezoning to provide for the same "Open-Space Recreational" zoning like "L Parcel" and Lot 4? I appreciate your thought and attention to this complex and lengthy process and I fully support the rezoning of these two parcels ("L" and 4.) However it hardly seems equitable to leave the busiest corner of the whole proposed project without a buffer or "Open-Space" of any kind.

If anyone on the Planning and Zoning Commission and Assembly has not taken the time to do so, I would highly encourage you to physically visit the area shown on the attached map. In reality, it's a very small area and the map does not clearly give that perspective. Your decisions and recommendations have long lasting impacts in many ways. I think the proposed sale and project that so many are working on is worthy but there are a lot of imperative details that are not known yet or even thought of especially by the general public. This project as a whole could be of great benefit to our community but it should not come at a cost to those that happen to have established our homes in the vicinity long before. The fact that this purchase and proposals have gotten this far with the assembly without a lot of specific information being provided is concerning. I understand that some information is not yet available so conditions and parameters cannot be set. However, I believe that's where this boards (Planning and Zoning) work becomes invaluable to the boroughs residents.

This purchase and development proposal has been very slow to produce specific details since put forth, so I hope you and the Assembly will take that into consideration as I put

forth a request that my property be afforded the same buffer of "Open-Space Recreational" like the rest of the existing single family residential homes of the Severson subdivision. I make this request based on vague answers to specific questions on and off the record and random comments that indicate that this road would cut strait across the area and most lots would be reconfigured to allow for a new layout. It makes sense but should not be at the expense of the quality of the existing neighborhood.

From the outlines I added to the map attached to this letter, you can see in purple what would be the most cost effective route for a road into the proposed new development (this has been eluded to) versus where the road is currently mapped out to be. There would be no buffer or "Open-Space" between a road and the residence at 1101 Odin (lot 01010248.) While this may not necessarily happen (we cannot say one way or another because its not been required to know at this time) or affect the property's value, common sense is obvious that it would greatly affect the overall quality of the property if a busy road is allowed to be placed without an Open-Space designation like the rest of the Single Family Residential properties of the established neighborhood.

I respectfully request that you revise your rezoning proposal to include a reasonable open space between 01010248 (1101 Odin street) and lots 01010247 and 01010245 (proposed for sale.)

I'm always happy to have a conversation with any or all of you so please reach out via email or phone.

Sincerely,

Mika Hasbrouck 1101 Odin Street Petersburg Alaska From: Mika hasbrouck
To: Anna Caulum
Subject: Attachment

Date: Wednesday, December 6, 2023 12:20:36 PM

