

# Planning Commission Report & Finding of Fact

Planning Commission Meeting Date: July 9, 2024

APPLICANT/AGENT:

Pacific Rose LLC  
Bill Menish

OWNER(S), IF DIFFERENT:

Petersburg Borough

LEGAL DESCRIPTION:

McFadden Lease Parcel B,  
Plat#95-7

LOT AREA:

3,923 Sq Ft

LOCATION:

107A Dock St

SURROUNDING ZONING:

North: Industrial

South: Industrial

East: Industrial

West: Industrial

ZONING:

Industrial

PID:

01-008-242

APPLICATION SUBMISSION DATE:

6/5/2024

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I. APPLICANT REQUEST: The applicant has requested to purchase Borough owned property located off Dock Street. (PID: 01-008-242)

II. APPLICABLE CODE:

16.12 ACQUISITION OR DISPOSAL OF BOROUGH PROPERTY

16.16 TIDELANDS

19.44 INDUSTRIAL DISTRICT

III. FINDINGS:

- a. The subject property is approximately 3,923 sf of vacant waterfront property owned by the Petersburg Borough.
- b. The subject property is zoned industrial.
- c. The proposed use of the property is to construct a 40'x80' metal building for heated boat storage. The intended use is consistent with the existing zoning.
- d. The property has legal access to Dock St.
- e. Municipal utilities are located at Dock St but would need to be extended to the subject parcel.
- f. No portion of the property is located within a flood zone.
- g. Per borough code, tidelands maybe sold in isolated and necessary instances when not needed for public purposes.
- h. Borough departments have reviewed the request and determined the property is not needed for a public purpose. Additional comments are attached.

# Planning Commission Report & Finding of Fact

Planning Commission Meeting Date: July 9, 2024

## IV. PUBLIC NOTICE

The borough provided public notice of the hearing. 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 purchase borough property.

b. Criteria –

Per 16.12.050, no borough property in Service Area 1 may be disposed of unless it has been zoned by the borough. As noted in Section III, Findings, the subject property is zoned Industrial.

Per 16.12.080 (A), the Planning Commission may require an applicant to state the nature, extent, size and general specifications of improvements the applicant intends to construct upon the real property and the time when the improvements will be completed.

## VI. ACTION

**The Commission recommends** to the Borough Assembly that McFadden Lease Parcel B, Plat #95-7 be approved for sale along with the findings as presented.

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

- a. The subject property is not needed for a public purpose.
- b. The subject property is appropriately zoned for its intended future use.
- c. Project will be reviewed by State Fire Marshal for compliance with fire code prior to construction. This may require reducing the width of the structure to meet fire separation standards.

## EXHIBITS

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



Petersburg Borough, Alaska

Land Disposal Application

(\$500.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered

<b>Office Use:</b>
Rec'd. by: <u>KT</u>
Fee: \$ <u>500<sup>00</sup></u>
Date Rec'd: <u>6/5/24</u>

Date: 6-4-24

This is a request for land disposal via:

- Lease
- Purchase
- Exchange
- Other \_\_\_\_\_  
(Describe)

Parcel ID #(s) of Subject Property:  
01-008-242

Proposed term of lease: \_\_\_\_\_  
(total years)

Legal Description(s) of Property:  
McFadden Tidelands lease Plat  
Plat # 95-7, USS ATS 9, Tidelands T-37,  
Section 28, Township 58S, Range 7E

Current Zoning of Property:  
industrial

Is the Applicant applying to purchase under Petersburg Municipal Code Section 16.12.030 as one of the following? If yes, check approximate box below:

- State of Federal Agency
- Federally Recognized Tribe
- Nonprofit Entity
- Applying to Purchase for a Public Benefit Purpose per PMC 16.12.030

Applicant Name: Pacific Rose LLC

Applicant Mailing Address: P.O. Box 877  
Petersburg AK 99833

Applicant Contact Info:  
(telephone and email) Bill Menish cell 206-910-4401  
billrmenish@gmail.com

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation: \_\_\_\_\_  
\_\_\_\_\_ *NA*

B. Is the corporation qualified to do business in Alaska?:  Yes  No

X Name and address of registered agent: *Pacific Rose LLC, Bill*  
*Menish 710 S Nordic P.O. Box 827 Petersburg AK*  
*99833*

8. Why should the Planning Commission recommend Assembly approval of this request?

\_\_\_\_\_ *attached sheet*  
\_\_\_\_\_  
\_\_\_\_\_

9. How is this request consistent with the Borough's comprehensive plan?

\_\_\_\_\_ *attached sheet*  
\_\_\_\_\_  
\_\_\_\_\_

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase, exchange or other disposal is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: *See attached comments from the Harbor*  
*Water, Wastewater, Electric, Public Works & Community*  
*Development Departments.*

\_\_\_\_\_  
Signature of Department Commenter

Department Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Department Commenter



- ✓ 1. Size of Area requested (identify the minimum area necessary in square feet): 3923
- ✓ 2. Attach a map showing the location of the parcel(s) requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

If applicant is applying to purchase property under PMC 16.12.030 for a public benefit purpose, the application must include, at a minimum, the following:

- ~~a) a conceptual plan;~~
- ~~b) a financial plan; and~~
- ~~c) a development timeline~~

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

*Attached sheet*

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4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

*Island Refrigeration LLC* \_\_\_\_\_  
*Petersburg Borough* \_\_\_\_\_  
*US Coast Guard* \_\_\_\_\_

5. Are there any existing permits or leases covering any part of the land applied for?

Yes  No      If yes, please check one:    Lease    Permit

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee: \_\_\_\_\_

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6. What local, state or federal permits are required for the proposed use? (list all)

*Petersburg Borough building permit* \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### # 3 narrative-Use of Property

The proposed use of land is to build a metal steel building, 40 feet X 80 feet X 18 feet high for inside storage of boats that will be heated. The demand is there, without the product, so with boats, as expensive as they are, getting them out of the weather is a great value to boat owners.

After permitting and engineering, for the building, a start date would be approximately 6/15/2025 with a finish date of 10/31/2025.

Cost estimate is \$340,000 to \$370,000.

### #8 Reason for approving request

To put up a metal steel building that can house boats in a heated environment follows along with the plan of marine industrial that the Borough would like to see.

### #9 Consistency with the Borough's comprehensive plan

This business will follow along with usage of the waterside land this town wants to keep marine related for businesses.

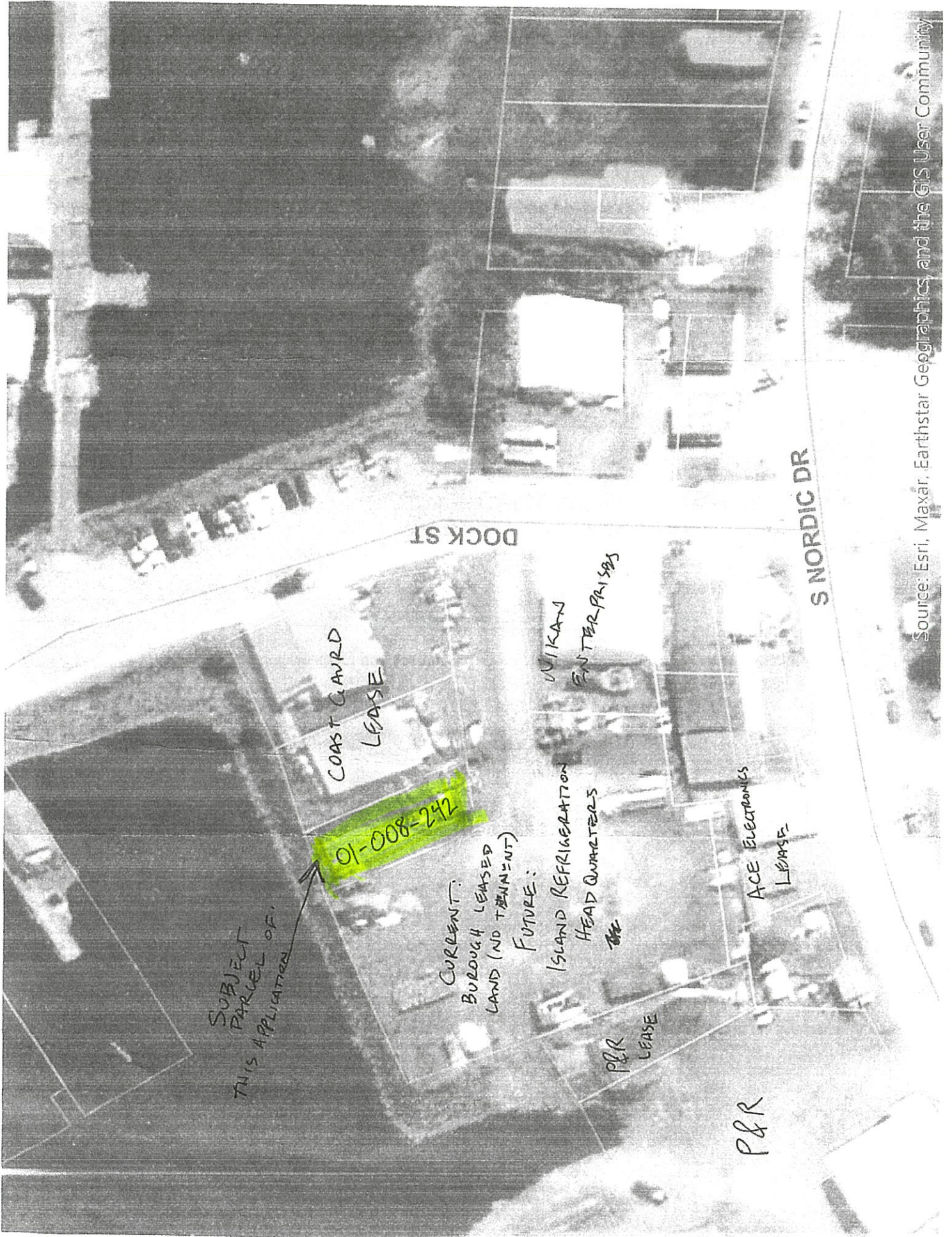
### NOTES

- 1) To address right of way maintenance, I am willing to take over the Maintenance of the road, prorating it with Island refrigeration, assuming the Borough would retain ownership of the easement.

2) As far as looking for a price reduction on parcel 10, I have found that I could get a loan relatively easy to put a building up even if the land was leased. I feel the appraised value at \$15 per square foot is a reasonable valuation.

3) I understand this parcel could be rezoned to Marine Industrial but is in the planning phase at this point.





SUBJECT  
PARCEL OF  
THIS APPLICATION

01-008-242

COAST GUARD  
LEASE

CURRENT:  
BURROGH LEASED  
LAND (NO TENANT)

FUTURE:

ISLAND REFRIGERATION  
HEAD QUARTERS

NIKAN  
ENTERPRISES

P&R  
LEASE

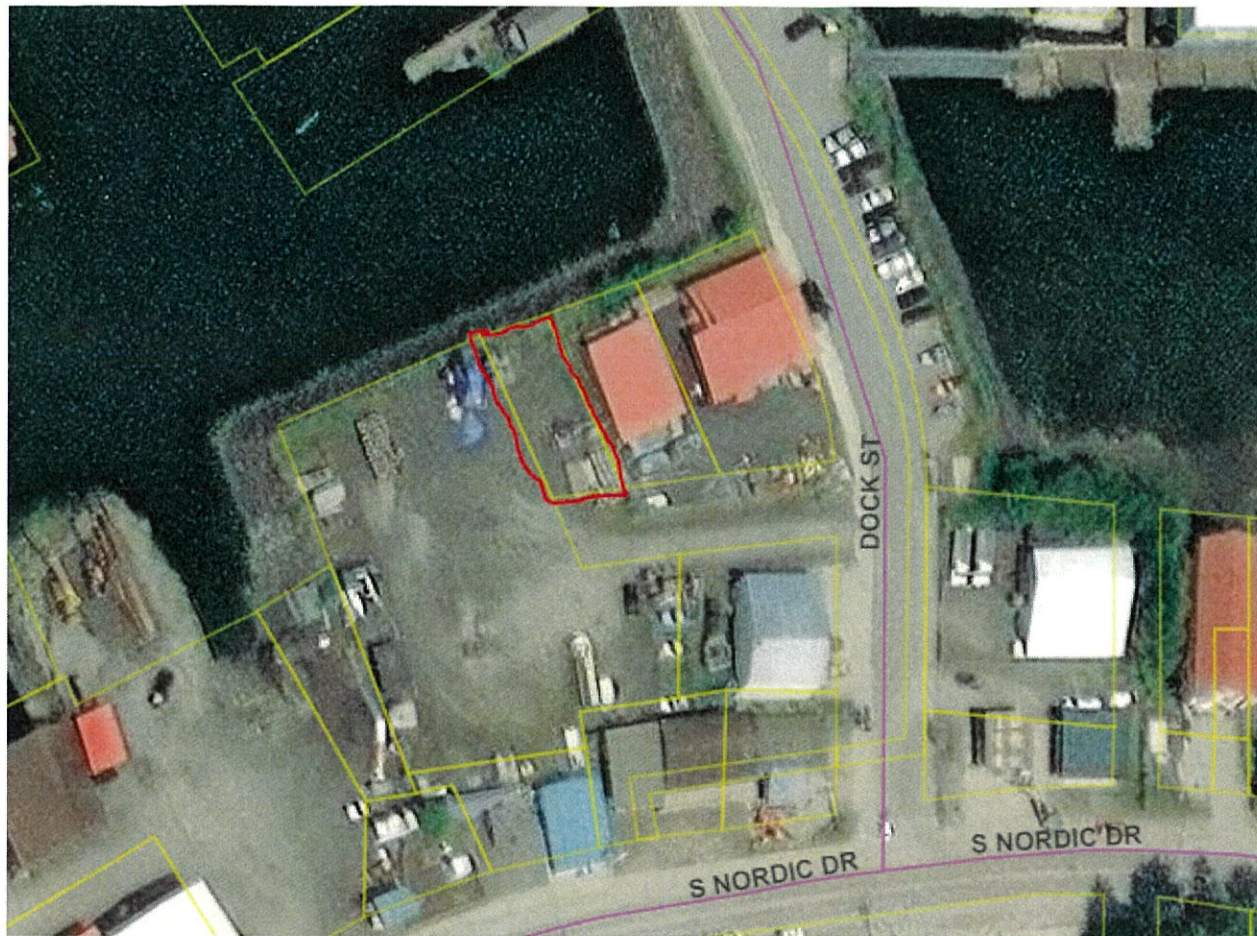
P&R

ACE ELECTRONICS  
LEASE

DOCK ST

SNORDIC DR





Parcel ID 01-008-242

107 A Dock St.

Legal description = McFadden Tidelands Lease Plat,  
Plat #95-7, US Survey ATS-9, Tidelands T-37,  
Section 28, Township 58S, Range 79E,  
Petersburg Recording District

Zoning = Industrial

## Debra Thompson

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**From:** Glorianne Wollen  
**Sent:** Wednesday, June 5, 2024 12:42 PM  
**To:** Billrmenish; Karl Hagerman; Liz Cabrera; Debra Thompson; Chris Cotta  
**Subject:** RE: Parcell 01-008-242 purchase

HI Bill, thanks for the chat.

Yes, the Harbor is currently using the piece you are speaking of and will continue to do so until or if the Assembly decides to sell it.

Glo

-----Original Message-----

**From:** Billrmenish <billrmenish@gmail.com>  
**Sent:** Tuesday, June 4, 2024 2:23 PM  
**To:** Karl Hagerman <khagerman@petersburgak.gov>; Liz Cabrera <lcabrera@petersburgak.gov>; Debra Thompson <dthompson@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>; Glorianne Wollen <gwollen@petersburgak.gov>  
**Subject:** Parcell 01-008-242 purchase

This is the 4000 square foot lot adjoining the coast guard . I am putting in an application to purchase this lot and am looking for verification from your departments that it's not needed for public purpose.  
Bill menish Sent from my iPad

## Debra Thompson

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**From:** Karl Hagerman  
**Sent:** Tuesday, June 4, 2024 4:21 PM  
**To:** Billrmenish; Liz Cabrera; Debra Thompson; Chris Cotta; Glorianne Wollen  
**Subject:** RE: Parcell 01-008-242 purchase

The electric, water and wastewater departments have no need for this property.

Thanks,

Karl Hagerman  
Utility Director  
907-772-5421

-----Original Message-----

**From:** Billrmenish <billrmenish@gmail.com>  
**Sent:** Tuesday, June 4, 2024 2:23 PM  
**To:** Karl Hagerman <khagerman@petersburgak.gov>; Liz Cabrera <lcabrera@petersburgak.gov>; Debra Thompson <dthompson@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>; Glorianne Wollen <gwollen@petersburgak.gov>  
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## Debra Thompson

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**From:** Chris Cotta  
**Sent:** Wednesday, June 5, 2024 11:34 AM  
**To:** Liz Cabrera; Karl Hagerman; Billrmenish; Debra Thompson; Glorianne Wollen  
**Subject:** RE: Parcell 01-008-242 purchase

Public Works has no need for the subject parcel. Thanks,

Chris

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**From:** Liz Cabrera <[lcabrera@petersburgak.gov](mailto:lcabrera@petersburgak.gov)>  
**Sent:** Wednesday, June 5, 2024 11:30 AM  
**To:** Karl Hagerman <[khagerman@petersburgak.gov](mailto:khagerman@petersburgak.gov)>; Billrmenish <[billrmenish@gmail.com](mailto:billrmenish@gmail.com)>; Debra Thompson <[dthompson@petersburgak.gov](mailto:dthompson@petersburgak.gov)>; Chris Cotta <[ccotta@petersburgak.gov](mailto:ccotta@petersburgak.gov)>; Glorianne Wollen <[gwollen@petersburgak.gov](mailto:gwollen@petersburgak.gov)>  
**Subject:** Re: Parcell 01-008-242 purchase

Community & Economic Development have no need for this property.

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Department Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Department Commenter

Department Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Department Commenter

**NOTICE TO APPLICANT(s):**

Application must be submitted to the Borough with a non-refundable filing fee of \$500. If the application moves forward, the applicant will be required to deposit with the Borough payment for other costs. See, PMC 16.12.030C(2)(a), 16.12.090, and 16.16.070A, as applicable.

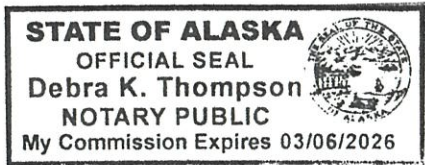
I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

Please sign application in the presence of a Notary Public.

Bill Menish  
Applicant/Applicant's Representative Signature

Bill Menish  
Printed Name

Subscribed and sworn to by Bill Menish, who personally appeared  
before me this 5th day of June, 2024.



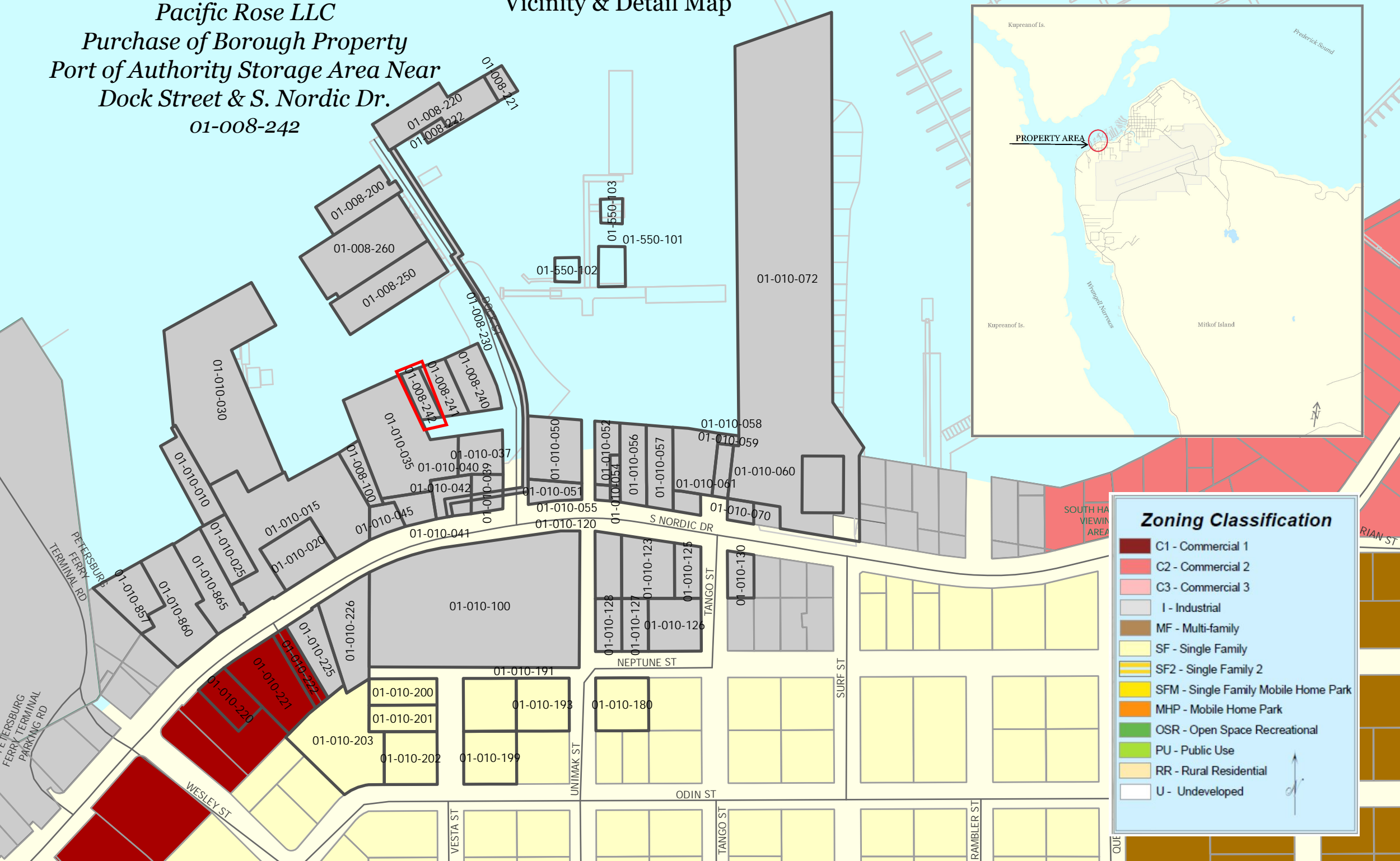
Debra K Thompson  
Notary Public in and for the State of Alaska.  
My Commission Expires: 3/6/2026



*Pacific Rose LLC*  
*Purchase of Borough Property*  
*Port of Authority Storage Area Near*  
*Dock Street & S. Nordic Dr.*

01-008-242

Vicinity & Detail Map



**Zoning Classification**

- C1 - Commercial 1
- C2 - Commercial 2
- C3 - Commercial 3
- I - Industrial
- MF - Multi-family
- SF - Single Family
- SF2 - Single Family 2
- SFM - Single Family Mobile Home Park
- MHP - Mobile Home Park
- OSR - Open Space Recreational
- PU - Public Use
- RR - Rural Residential
- U - Undeveloped

Public Hearing Mailout



June 17, 2024

**MARSH KIRT MARSH DONNA  
PO BOX 1421  
PETERSBURG, AK 99833-1421**

**NOTICE OF SCHEDULED PUBLIC HEARINGS**

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

**An application from Pacific Rose LLC to purchase borough-owned property at 107A DOCK ST. (PID: 01-008-242).**

The public hearing and consideration of the application will be held:	<b>Tuesday, July 9<sup>th</sup>, 2024, at 12:00 PM</b> Assembly Chambers, Municipal Building 12 South Nordic Drive, Petersburg, Alaska.
The meeting is open to the public. To attend via <b>ZOOM</b> , 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.

<b>TO SUBMIT WRITTEN COMMENTS TO THE PLANNING COMMISSION</b>	
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
<b>MENISH SCHONBERG LIVING TRUST</b>		<b>PO BOX 877</b>	<b>PETERSBURG</b>	<b>AK</b>	<b>99833-0877</b>
ISLAND REFRIGERATION, LLC		PO BOX 2185	PETERSBURG	AL	99833-2185
ALASKA COMMERCIAL ELECTRONICS LLC	PETERSBURG BOROUGH LESSOR	PO BOX 1144	PETERSBURG	AK	99833-1144
ANDERSON AMY E		PO BOX 1781	PETERSBURG	AK	99833-1781
BIRCHELL PROPERTIES LLC	PETERSBURG BOROUGH LESSOR	PO BOX 12	PETERSBURG	AK	99833-0012
BOJORQUEZ-FELIX RICARDO		PO BOX 2011	PETERSBURG	AK	99833-2011
CURTISS KERRI		PO BOX 1532	PETERSBURG	AK	99833-1532
DAHL JEROME E	DAHL STACEY	PO BOX 1275	PETERSBURG	AK	99833-1275
KIVISTO ROBERT S		PO BOX 1781	PETERSBURG	AK	99833-1781
LITSHEIM PETER	LITSHEIM THERESA	PO BOX 856	PETERSBURG	AK	99833-0856
MARSH KIRT	MARSH DONNA	PO BOX 1421	PETERSBURG	AK	99833-1421
MARTIN BROCK F	WEBB SUZANNE M	PO BOX 1398	PETERSBURG	AK	99833-1398
NORDIC HOUSE BED & BREAKFAST INC		PO BOX 469	PETERSBURG	AK	99833-0469
OLSEN OLIVIA J		PO BOX 221	PETERSBURG	AK	99833-0221
PARKER SAMMY	NEWTON LEEROY	PO BOX 1364	PETERSBURG	AK	99833-1364
PERRY DONALD E	PERRY LYNNE M	PO BOX 1566	PETERSBURG	AK	99833-1566
PETERSBURG FLYING SERVICES LLC LESSEE	ALASKA DOT & PF LESSOR	PO BOX 1348	PETERSBURG	AK	99833-1348
PETRO 49 INC	HARBOR ENTERPRISES INC	PO BOX 389	SEWARD	AK	99664
PISTON AND RUDDER SERVICE INC		PO BOX 1308	PETERSBURG	AK	99833-1308
RIBICH ELI	RIBICH GAIL	PO BOX 110	PETERSBURG	AK	99833-0110
ROCKY'S MARINE INC. LESSEE	PETERSBURG BOROUGH LESSOR	PO BOX 690	PETERSBURG	AK	99833-0690
ROSVOLD LESSEE ERIC LESSEE	ALASKA DOT & PF LESSOR	PO BOX 1144	PETERSBURG	AK	99833-1144
RUTHERFORD ANDREW LESSEE	ALASKA DOT & PF LESSOR	PO BOX 190498	ANCHORAGE	AK	99519-0498
SMITH LYNN M		PO BOX 841	PETERSBURG	AK	99833-0841
STEUER NORIE	STEUER GERALD M JR	PO BOX 102	PETERSBURG	AK	99833-0102
STROMDAHL JAMES	STROMDAHL MARY	PO BOX 1326	PETERSBURG	AK	99833-1326
TUCKER EMIL K	CHRISTENSEN CARIN L	PO BOX 1785	PETERSBURG	AK	99833-1785
US COAST GUARD LESSEE	PETERSBURG BOROUGH LESSOR	PO BOX 1290	PETERSBURG	AK	99833-1290
US FOREST SERVICE LESSEE	PETERSBURG BOROUGH LESSOR	PO BOX 1328	PETERSBURG	AK	99833-1328
VOLK EDWARD J	VOLK RENEE I	PO BOX 1564	PETERSBURG	AK	99833-1564
WEATHERS LAIFE	WEATHERS ANDREA	PO BOX 167	PETERSBURG	AK	99833-0167
WIKAN JOHN B WIKAN SHERI L	WIKAN ENTERPRISES INC	PO BOX 929	PETERSBURG	AK	99833-0929