

Planning Commission Staff Report

Meeting date: November 8, 2022

TO: Planning Commission

FROM: Liz Cabrera, Community Development Director

Subject: Rezone Lot B, Greenbelt Subdivision – Parcel 01-006-442
Petersburg Borough

Recommended Motion:

Recommend to the Borough Assembly to rezone Parcel B, Greenbelt Subdivision from Open Space to Commercial-1.

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. An application for rezone was initiated by the Petersburg Planning & Zoning Commission (applicant) on October 11, 2022.
2. Applicant to purchase borough property is requesting a rezone of a parcel from Open Space to Commercial-1.
3. Subject parcel is .31 acres and undeveloped except for the school district informational sign. There is a 10' wide utility easement along Haugen Drive to protect an existing water main.
4. The zoning district for the area is primarily commercial. Parcels to the North, South, East and West are zoned commercial-1 and have been developed consistent with commercial zoning. There are also public-use facilities in the area, namely the Post Office and Fire Hall.
5. The subject parcel has road access (Haugen Drive) and utilities are located nearby.
6. The Petersburg Indian Association has expressed interest in acquiring this parcel for future development.
7. The proposed rezone is consistent with the current Petersburg Comprehensive Plan (2001), specifically: "4.14 – Objective: Encourage a mixture of land uses and increase density in planned areas. Work with private/public interests to identify areas for cost-effective, practical development...".
8. The Planning Commission considered rezoning this parcel to commercial-1 in 2015 at the same time Parcel A was rezoned to commercial-1. The Commission chose to keep Parcel B zoned Open Space and noted future development of the small lot "should be considered separately if and when there is interest.". The Commission's report from 2015 is included in the commission's packet.
9. Hearing notices were mailed to property owners within 600 feet of the subject parcel on October 20, 2022.
10. On November 8, 2022, a duly noticed public hearing was held by the Petersburg Planning Commission.

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11. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Section 2. Based on the preceding findings of fact, the Planning Commission makes the following recommendation to the Borough Assembly:

Amend the official zoning map of the Petersburg Borough to rezone Parcel B, Greenbelt Subdivision from Open Space to Commercial-1.

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October 20, 2015

TO: Borough Assembly
FROM: Planning Commission
Subject: Rezone – Parcel 01-006-442 - 1200 Haugen Drive

Recommendation:

Approve rezoning of greenbelt lot at 1200 Haugen Drive from Open Space to Commercial-1 with condition the parcel is subdivided as noted in attachment a.

The Petersburg Planning & Zoning Commission makes the following findings of fact:

1. An application for rezone was initiated by the Petersburg Planning & Zoning Commission (applicant) on August 11, 2015.
2. Applicant is requesting a rezone of a parcel from Open Space to Commercial.
3. Subject parcel is 2.21 acres and undeveloped. The surrounding area is a developed commercial district.
4. The zoning district for the area is primarily commercial. Parcels to the North, South, East and West are zoned commercial. There are also public-use facilities in the area, namely the Post Office and Fire Hall.
5. The parcel has road access (Haugen Drive) and utilities are located nearby.
6. Private sector has expressed interest in acquiring this parcel for future commercial development.
7. The rezone is consistent with the current Petersburg Comprehensive Plan (2001), specifically: “4.14 – Objective: Encourage a mixture of land uses and increase density in planned areas. Work with private/public interests to identify areas for cost-effective, practical development...”.
8. Hearing notices were mailed to property owners within 600 feet of the subject parcel on September 29, 2015.
9. On October 13, 2015, a duly noticed public hearing was held by the Petersburg Planning & Zoning Commission.
10. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments. There were no public comments submitted on the proposed action.

Section 2. Based on the preceding findings of fact, the Petersburg Planning & Zoning Commission makes the following recommendation:

The Planning Commission recommends rezoning of greenbelt lot at 1200 Haugen Drive from Open Space to Commercial-1 with the condition that the parcel be subdivided as shown in attachment a.

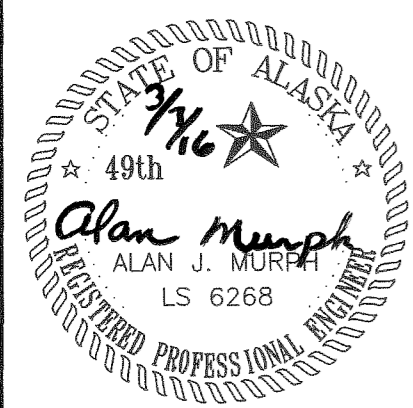
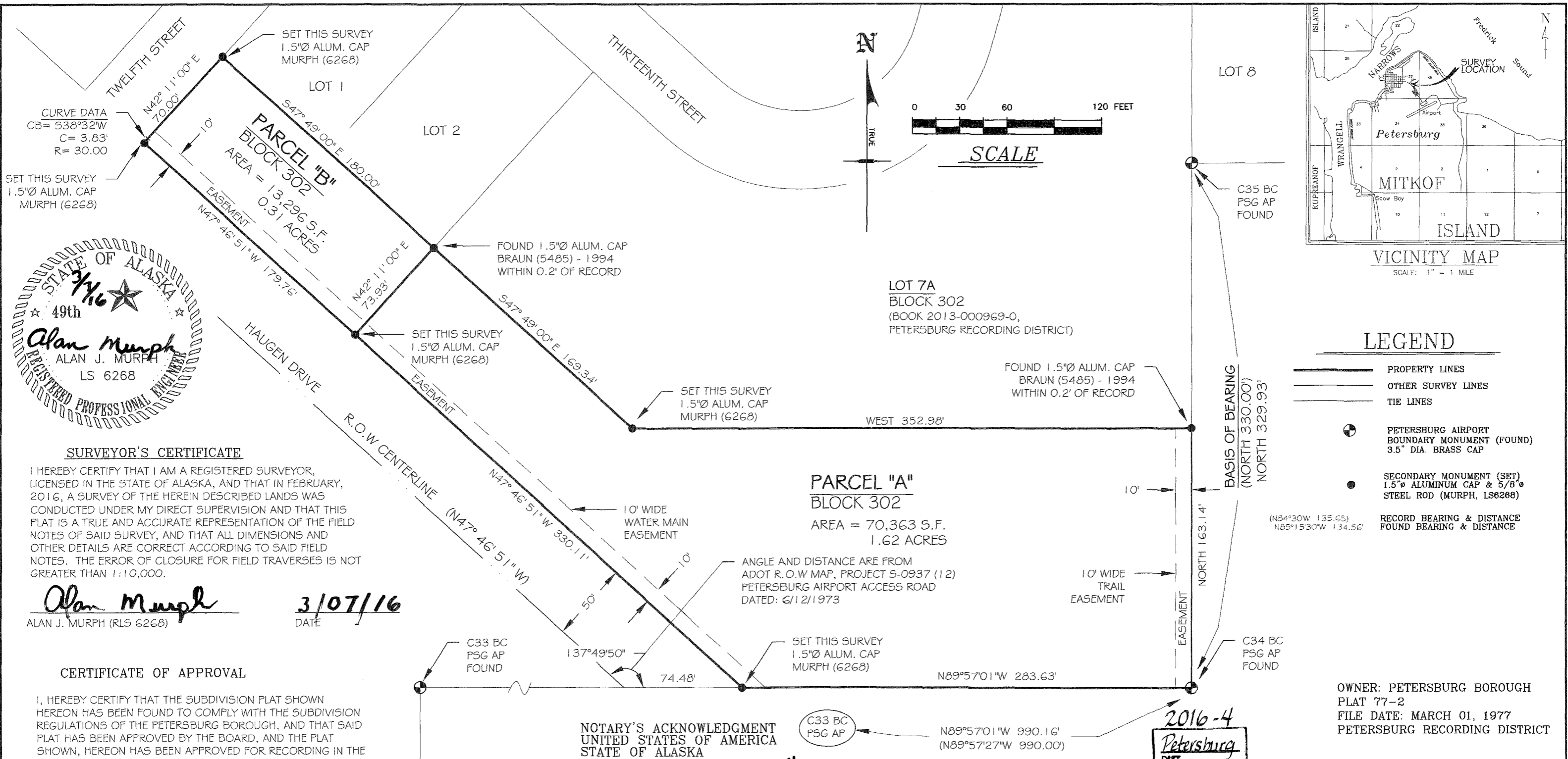
The commission further recommends the small lot (“B” on Attachment A map) created at the corner of Haugen Drive and 12th Street remain Open Space as it provides for good line of site for

Planning Commission Report

October 20, 2015

traffic entering/exiting 12th Street. Any future development of this smaller lot should be considered separately if and when there is interest.

The commission also notes that future development in this area should protect existing water lines located along the Haugen Drive R.O.W. and pedestrian access to the trail connecting the Hammer & Wikan grocery store and the US Post Office by establishing easements in those areas.



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN FEBRUARY, 2016, A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES. THE ERROR OF CLOSURE FOR FIELD TRAVERSES IS NOT GREATER THAN 1:10,000.

Alan Murph 3/07/16
 ALAN J. MURPH (RLS 6268) DATE

CERTIFICATE OF APPROVAL

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.

3/15/16 [Signature]
 DATE CHAIRMAN, PLATTING BOARD

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I REPRESENT THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION.

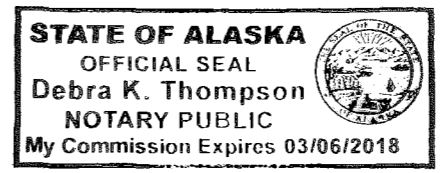
[Signature] 3/18/2016
 PETERSBURG BOROUGH MANAGER DATE

**NOTARY'S ACKNOWLEDGMENT
 UNITED STATES OF AMERICA
 STATE OF ALASKA**

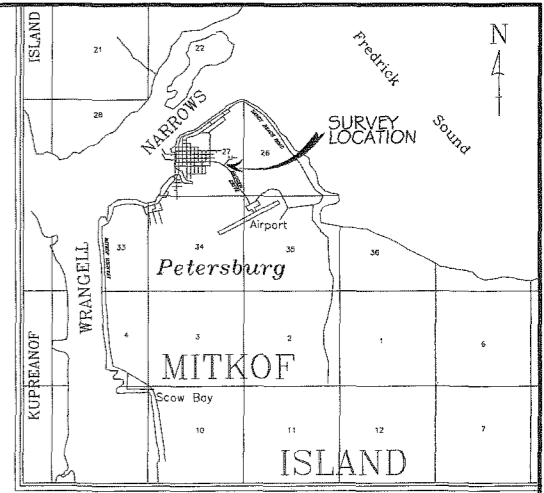
THIS IS TO CERTIFY THAT ON THIS 18th DAY OF March, 2016, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Stephen Giesbrecht TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND he (HE/SHE) ACKNOWLEDGED TO ME THAT he SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

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

Debra K. Thompson
 NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
 MY COMMISSION EXPIRES 3/6/2018



2016-4
 Petersburg
 DIST
 April 13 2016
 DATE
 11:14 A.M.
 TIME



VICINITY MAP
 SCALE: 1" = 1 MILE

LEGEND

- PROPERTY LINES
- OTHER SURVEY LINES
- TIE LINES
- ⊙ PETERSBURG AIRPORT BOUNDARY MONUMENT (FOUND) 3.5" DIA. BRASS CAP
- SECONDARY MONUMENT (SET) 1.5"Ø ALUMINUM CAP & 5/8"Ø STEEL ROD (MURPH, L56268)
- RECORD BEARING & DISTANCE FOUND BEARING & DISTANCE

OWNER: PETERSBURG BOROUGH
 PLAT #77-2
 FILE DATE: MARCH 01, 1977
 PETERSBURG RECORDING DISTRICT

GREENBELT SUBDIVISION
 A SUBDIVISION OF GREENBELT, BLOCK 302, AIRPORT ADDITION TO PETERSBURG, ALASKA (PLAT #77-2, PETERSBURG RECORDING DIST.) FORMING PARCEL "A" & PARCEL "B"

For: PETERSBURG BOROUGH
 P.O. BOX 329
 PETERSBURG, ALASKA 99833

Harai & Associates, Inc.
 P. O. Box 625
 Petersburg, Alaska 99833

Date: 2/29/2016	Surveyor: AJM	Project Number:
Scale: 1" = 60'	Drawn By: AJM	



PETERSBURG INDIAN ASSOCIATION

PO Box 1418
15 N. 12th Street
Petersburg, Alaska 99833
Phone: 907-772-3636
Fax: 907-772-3637

September 2, 2022

Petersburg Borough
PO Box 329
Petersburg, Alaska 99833

To Whom It May Concern,

Petersburg Indian Association (PIA) submitted a Land Use Application for the property whose legal description is Parcel B, Greenbelt Subdivision, Plat 2016-4. That property is currently zoned Open Space – Recreational. PIA is only interested in purchasing that property if it were to be rezoned to Commercial-1 to match the adjacent lots. I appreciate your consideration in this matter.

As noted in the application, this parcel is the site of the school's informational sign. PIA is willing to grant the school an easement for the sign.

Please contact me with questions or if further information is required.

Sincerely,

Chad Wright
Tribal Administrator



Petersburg Borough, Alaska

Land Disposal Application

(\$500.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered

Office Use:

Rec'd. by:

Fee: \$

Date Rec'd:

Date: SEPTEMBER 1, 2022

This is a request for land disposal via (circle one):

Lease Purchase Exchange Other

Parcel ID #(s) of Subject Property:

01-006-431

Proposed term of lease: _____

(total years)

Legal Description of Property:

PARCEL B, GREENBELT SUBDIVISION,
PLAT 2016-4

Current Zoning of Property:

RESIDUE-RENTAL

Applicant Name:

PETERSBURG TRIBAL ASSOCIATION

Applicant Mailing Address:

PO BOX 1418
PETERSBURG, AK 99833

Applicant Contact Info:
(phone and/or email)

CHAD WRIGHT 907-772-3636
tribaladonna@tribal.org

1. Size of Area requested (identify the minimum area necessary in square feet): 13,216 sq ft
2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

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)

CURRENTLY THERE ARE NO PLANS FOR THIS PROPERTY. PDA OWNS THE ADJACENT LOT AND REALIZES THE POTENTIAL BENEFIT TO OBLIGING THIS LOT WHEN A DECISION IS MADE TO DEVELOP. PDA WOULD BE WILLING TO GRANT THE SCHOOL AN EASEMENT FOR THE INFORMATIONAL SIGN. WE WILL ASK FOR THIS TO BE REQUIRED TO COMMERCIAL-1 TO MATCH THE ADJACENT LOTS

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

PETERSBURG DUNDAS ASSOCIATION _____
HAMMER & WYKAW _____

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: _____

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

NONE _____

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

A. Name, address and place of incorporation: _____

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

Name and address of resident agent: _____

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

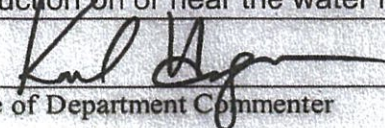
THIS LOT DOES NOT HAVE MUCH UTILITY ON ITS OWN, BUT IT HAS
MORE POTENTIAL IF COMBINED WITH THE ADJACENT LOT, WHICH
IS OWNED BY PETERSBURG TOWN ASSOCIATION.

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

THIS PURCHASE REQUEST IS CONSISTENT WITH THE BOROUGH'S
COMPREHENSIVE PLAN IN THAT IT ENCOURAGES DEVELOPMENT
WITHIN OUR EXISTING INFRASTRUCTURE.

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange 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: The water, wastewater and electric departments of the Borough
have no need for retention of this parcel for utility purposes. However, there is an existing
easement for a 14" water main, that is installed on the property line common to Haugen
Drive, that should remain in place and prohibit construction on or near the water main.


Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

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

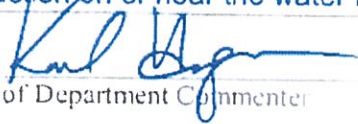
*THEY LET YOU SEE HAVE MUCH INTEREST ON THIS AREA, BUT IT HAS
NOT BEEN TAKEN TO CONSIDER WITH THE ASPECT OF LOT, WHICH
REQUIRE BY 30' BUFFER ZONE AS A MINIMUM*

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

*THESE REQUEST IS CONSISTENT WITH THE BOROUGH'S
COMPREHENSIVE PLAN IN THAT IT ENCOURAGES DEVELOPMENT
WHICH WOULD ENHANCE THE INFRASTRUCTURE*


10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange 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 The water, wastewater and electric departments of the Borough have no need for retention of this parcel for utility purposes. However, there is an existing easement for a 14" water main, that is installed on the property line common to Haugen Drive, that should remain in place and prohibit construction on or near the water main.



Signature of Department Commenter

Department Comments Community development has no need for the parcel to be retained in borough ownership.



Signature of Department Commenter

Department Comments Public Works has no need for this parcel for public purposes, other than access to the water main as described above.



Signature of Department Commenter

Department Comments _____

Signature of Department Commenter

NOTICE TO APPLICANT(s):

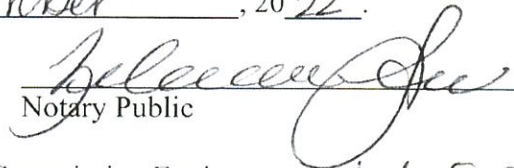
Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

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.

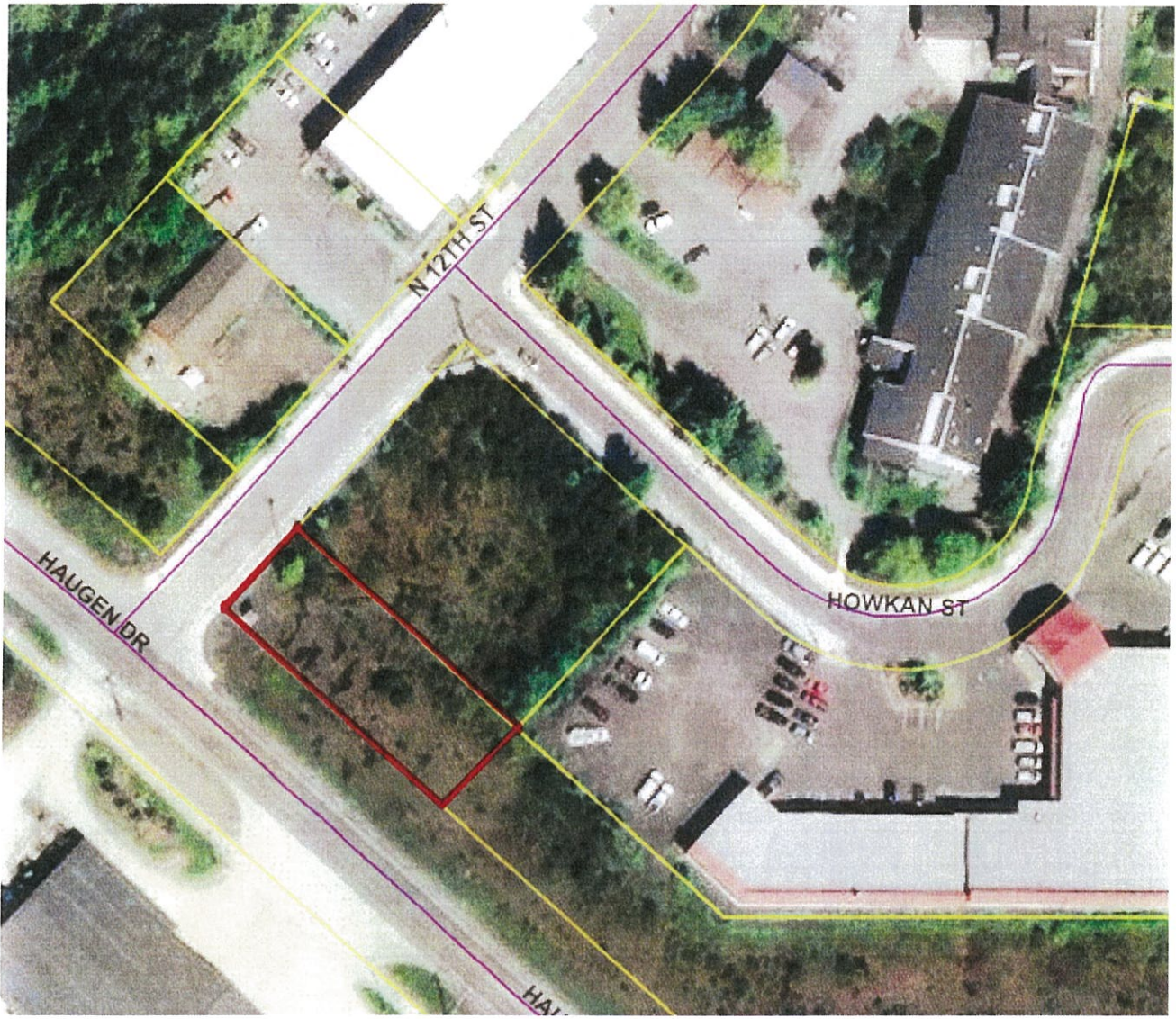
Please sign application in the presence of a Notary Public.


Applicant/Applicant's Representative

Subscribed and sworn to by Chad Wright, who personally appeared
before me this 7th day of September, 2022.


Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: July 5, 2026



Petersburg Indian Association Petersburg Borough 10 N. 12th Street 01-006-431



Petersburg Indian Association Petersburg Borough 10 N. 12th Street 01-006-431



Zoning Classification

- RR - Rural Residential
- SFR - Single Family Residential
- SF-2 - Single Family Special Use
- MF - Multi-Family Residential
- SFMH - Single Family Mobile Home
- C1 - Commercial 1
- C2 - Commercial 2
- C3 - Commercial 3
- MHP - Mobile Home Park
- I - Industrial
- PU - Public Use
- OSR - Open Space Recreational
- U - Undeveloped Land Pending Future Classification



OSR

U