

Planning Commission Staff Report & Finding of Fact

Meeting Date: 3/12/2024

APPLICANT/AGENT:

Petersburg Children's Center

OWNER(S), IF DIFFERENT:

Petersburg Borough

LEGAL DESCRIPTION:

Lot 4, Blk 66, USS 1252, Plat 66-38

LOT AREA:

5000 sq ft

LOCATION:

306 N 5th Street

SURROUNDING ZONING:

North: --Public Use

South: Single-family Residential (SF)

East: Single-family Residential (SF)

West: --Public Use

ZONING:

Single-family Residential (SF)

PID:

01-006-125

EXISTING STRUCTURES:

Vacant

APPLICATION SUBMISSION DATE:

1/25/2024

RECOMMENDATION:

Approve with Conditions

I. APPLICANT REQUEST:

Applicant is requesting a conditional use permit.

II. APPLICABLE CODES:

19.20 SINGLE FAMILY RESIDENTIAL DISTRICT

19.64 OFF-STREET PARKING

19.72 CONDITIONAL USE PERMIT

III. FINDING:

- a. The surrounding area is an established neighborhood with a mix of residential and institutional uses, such as schools, childcare facility, and churches.
- b. The applicant is seeking to expand their existing childcare facility and seek to provide required off-street parking for their existing facility and the expansion.
- c. The original facility was constructed prior to requirements for off-street parking were adopted, however off-street parking is now required for new construction or alteration and/or enlargements.
- d. Per 19.64.060, Parking shall be on the same lot with the main use it serves except that the commission may allow parking spaces to be on a lot within 500 feet of the use.
- e. Lot 4 is within 500 feet of the main use.
- f. The expansion will add capacity to provide after-school care for 35 children.
- g. There is no school or childcare parking requirement specified. The closest use mentioned in code is likely, perhaps oddly, shopping centers where most people are coming for a short period of time to pick-up/drop off.
- h. Under the off-street parking requirement, the expansion requires one parking space for every 500 square feet of building.
- i. For the proposed 2,500 sf addition, 5 parking spaces would be required.

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IV. PUBLIC NOTICE

The borough provided public notice consistent with PMC 18.12.040. Notice was mailed by first class mail to the owner of record of the property within a distance of 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 for a conditional use permit to allow for required parking on a lot within 500 feet of the main use.

a. ZONING DISTRICT STANDARDS

Minimum Standards for Zoning District and Use			
	Requirement	Subject Property	Analysis
Minimum Lot Size	8,000 sf	5000 sq ft	Legal non-conforming
Minimum Road Frontage	80 ft	100 ft	Conforms
Front Yard	20 ft		--
Rear Yard	20 ft		--
Side Yard	10 ft		--
Max. Height	3 stories, not to exceed 30 ft		--
Max Lot Coverage	35%		--
Fire Code Separation	n/a		
Off-street Parking			
Dwelling	2 spaces		--
Home Occupation			
Max Height Fence	6 feet		--

b. Floodplain management – The subject property is not located within the flood hazard area.

c. Conditional Use Permit Criteria – Per 19.72.020, the commission shall permit these uses if, in addition to meeting the off-street parking regulations, development requirements and all other requirements of this title, the conditions set forth in this chapter are met.

A. The commission shall consider the suitability of the property, the character of the surrounding property and the economic and aesthetic effects of the proposed use upon the property and neighboring property. The use will be permitted if it is in harmony with the general purpose and intent of this title and where the use will be in keeping with the uses generally authorized for the zone in which the use is to take place. The commission shall require the conditional user to take those steps necessary so that the permitted conditional use will not be offensive because of injurious and noxious noise, vibrations, smoke, gas, fumes or odors or will not be hazardous to the community because of danger of fire or explosion.

YES_X_ NO___ REASON: The area adjacent to the subject property is used as off-street parking for the elementary school.

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B. Exits and entrances and off-street parking for the conditional use shall be located to prevent traffic hazards or congestion on public streets.

YES NO **REASON:** While the Dolphin and 5th St area is congested during morning hours, locating the entrance/exit on 5th St will prohibit cars moving directly onto Dolphin St, which is the drop off point for the elementary school.

C. In addition to the conditions of subsections (A) and (B) of this section, schools, governmental and civic buildings, and other public uses shall meet the following condition: The proposed location of the use and size and character of the site shall facilitate maximum benefit and service to the public.

YES NO N/A **REASON:** The Children's Center provides substantial benefit and service to the public by providing childcare services to the community.

VI. ACTION

Proposed motion: I move to approve the application for a conditional use permit to allow the Petersburg Children's Center to use Lot 4 for nine off-street parking spaces as required for expansion.

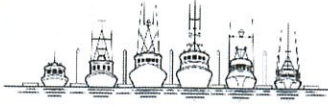
Based on the preceding findings of fact, the Petersburg Planning Commission makes the following determination:

- a. The application meets the criteria outlined in Title 19.72 for a conditional use permit.
- b. The conditional use permit approved by the planning commission shall expire unless the privilege granted is utilized within one year after the granting of the conditional use permit. The applicant may request an extension in writing prior to expiration of their permit.
- c. The planning commission may, in writing, suspend or revoke the conditional use permit whenever the permit is issued in error or based on incorrect information supplied, or in violation of any ordinance or regulation or any provisions of this code.

EXHIBITS

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

Applicant Material

 PETERSBURG BOROUGH CONDITIONAL USE APPLICATION		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		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Petersburg Children's Center		NAME Petersburg Borough
MAILING ADDRESS P.O. Box 138		MAILING ADDRESS P.O. Box 329
CITY/STATE/ZIP Petersburg, AK 99833		CITY/STATE/ZIP Petersburg, AK 99833
PHONE 907-772-3419		PHONE
EMAIL pccen1@gmail.com		EMAIL
PROPERTY INFORMATION		
PHYSICAL ADDRESS or LEGAL DESCRIPTION: US Survey 1252 Lot 4, Block 66		
PARCEL ID: 01-006-125	ZONE: Single Family Res	OVERLAY: N/A
CURRENT USE OF PROPERTY: Vacant		LOT SIZE: 5000 sf
PROPOSED USE OF PROPERTY (IF DIFFERENT): Create a 50' x 100' gravel parking lot		
SEPTIC SYSTEM: Is there a septic system on the property <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO What is current or planned system? <input type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site		
WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well		
LEGAL ACCESS TO LOT(S) (Street Name): Dolphin Street and 5th Street		
TYPE OF APPLICATION		
<input type="checkbox"/> Home Occupation. Please include copy of current Sales Tax Registration Application		
<input type="checkbox"/> Residential Use in Industrial District		
<input checked="" type="checkbox"/> Other:		
Submittals		
Please submit site plan. For home occupation permits, please include a site plan showing location and size of area to be used for the home occupation (including storage), and location and size of area available for off-street parking.		
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 or authorized agent thereof for the property subject herein.		
Applicant(s):	<u>Shaulay Mamoe</u>	Date: <u>1/25/2024</u>
Owner(s):	<u>[Signature]</u>	Date: <u>1/25/2024</u>

19.72 CONDITIONAL USE APPLICATION

Applicant(s): Petersburg Children's Center

Address or PID: P.O Box 138, Petersburg, AK 99833

Project Summary:

Create a gravel parking lot on Lot 4, of Block 66 from US Survey 1252 which is directly across 5th street from the current Children's Center complex. The Petersburg Children's Center already has a lease from the Petersburg Borough for the lot for childcare related purposes. Lot 4 is 50' x 100'. It will need to have the current sidewalk reconfigured so that a drive through from 5th street accesses the gravel parking so that 9 diagonal drive through parking spots are available that exit into Dolphin Street and the elementary parking right-of-ways. This should minimize traffic congestion and facilitate the current traffic flow.

Conditions of approval as required in Petersburg Municipal Code 19.72.020:

(Note that all regulations and requirements of Title 19 must be satisfied in order to qualify for a conditional use permit.)

1. The commission shall consider the suitability of the property, the character of the surrounding property and the economic and aesthetic effects of the proposed use upon the property and the neighboring property. The use will be permitted if it is in harmony with the general purpose and intent of this title and where the use will be in keeping with the uses generally authorized for the zone in which the use is to take place.

Because a lease exists between the Petersburg Children's Center and the Petersburg Borough for childcare related uses and the perfect location across the street from the Children's Center this conditional use as a parking lot will be an excellent match for meeting the needs of the expansion of Center to accommodate a building on the old parking lot. Lot 4, of Block 66 is currently zoned Single Family Residential. This conditional use permit will allow this parking lot activity to occur and fit with the intended lease agreement already in place.

2. Exits and entrances and off-street parking for the conditional use shall be located to prevent traffic hazards or congestion on public streets.

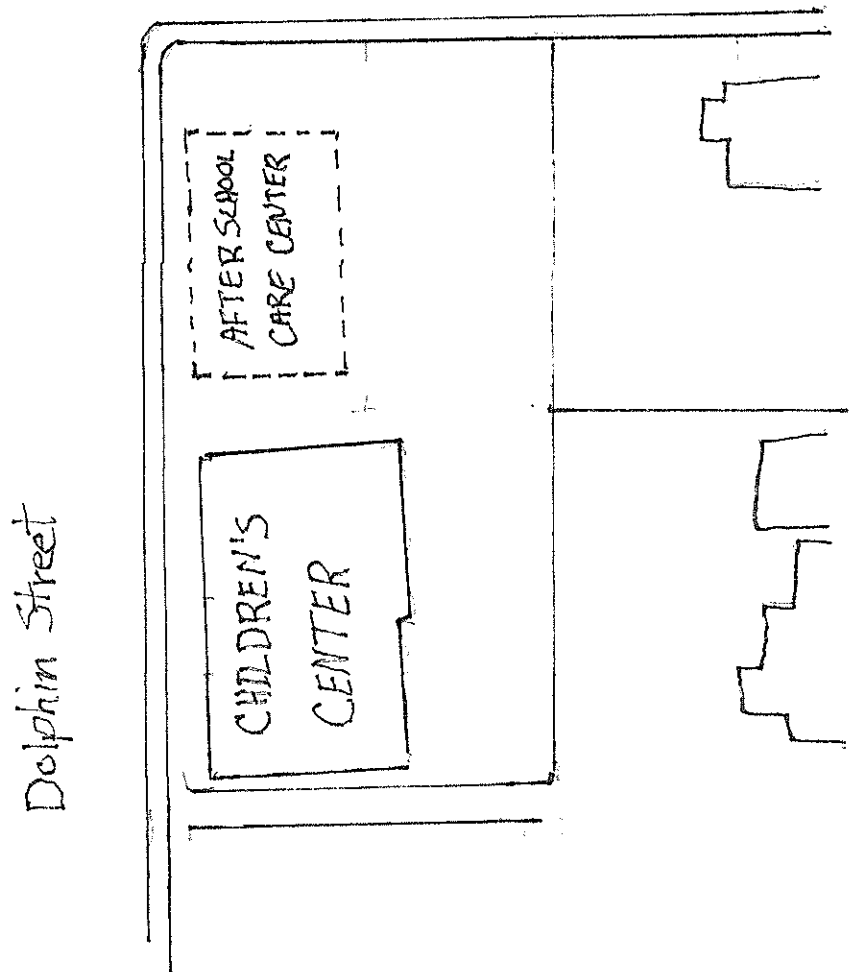
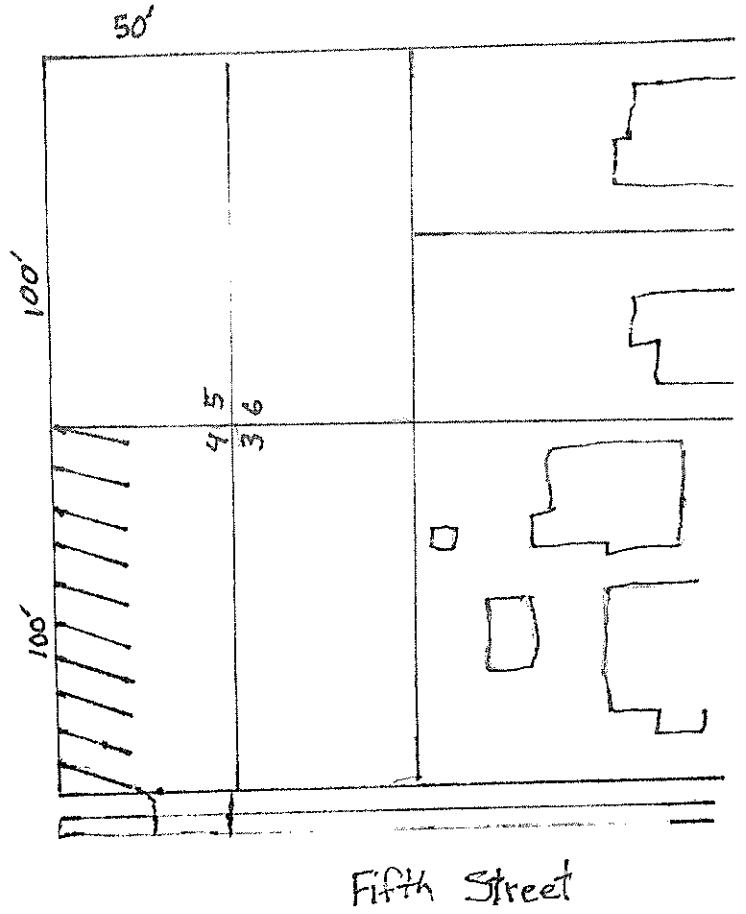
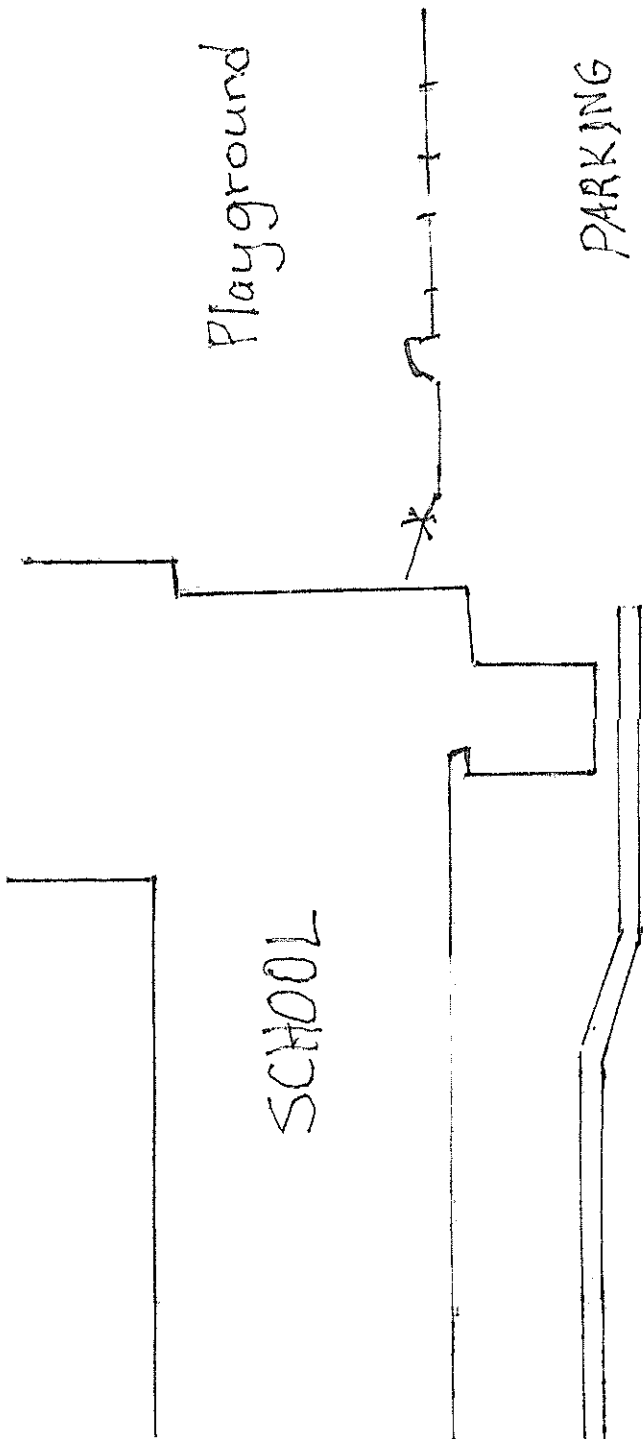
Lot 4 is 50' x 100'. It will need to have the current sidewalk reconfigured so that a drive through from 5th Street accesses the gravel parking so that 9 diagonal drive through parking spots are available that exit into Dolphin Street and the elementary parking right-of-way. This should minimize traffic congestion and facilitate the current traffic flow.

3. In addition to the conditions of subsections (A) and (B) of this section, schools, governmental and civic buildings and other public uses shall meet the following condition: The proposed location of the use and size and character of the site shall facilitate maximum benefit and service to the public.

The size and location of Lot 4 is an excellent match for replacing the current parking lot of the Petersburg Children's Center expansion project. Since there is already a lease between the Center and the Borough this proposed activity fits the intent of that Lease. The availability of this lot also becomes part of the project's local contribution in the formula for grant requirements thereby increasing the strength of our grant applications for funding. This project is also "shovel ready" with the approval of this permit application.

Petersburg Children's Center Site Plan: Lot 4 Parking Lot

9 Drive thru parking spaces





February 20, 2024

**ABBOTT THOMAS HART ELIZABETH
PO BOX 1617
PETERSBURG, AK 99833-1617**

NOTICE OF SCHEDULED PUBLIC HEARINGS

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

An application from the Petersburg Children’s Center for a conditional use permit to allow parking spaces to be on a lot within 500’ of the use at 306 N 5th ST. (PID: 01-006-125) also, to rezone Lots 3,4,5, and 6 from single-family residential to public use at the corner of N 5th and Dolphin Streets (PID: 01-006-125, -127, -149, -155).

The public hearing and consideration of the application will be held:	Tuesday, March 12th 2024, 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
PETERSBURG CHILDREN CENTER		PO BOX 138	PETERSBURG	AK	99833-0138
ABBOTT THOMAS	HART ELIZABETH	PO BOX 1617	PETERSBURG	AK	99833-1617
ANDERSON JASON C	ANDERSON JULIE E	PO BOX 1841	PETERSBURG	AK	99833-1841
ANDERSON RODNEY L	ANDERSON MELINDA S	PO BOX 849	PETERSBURG	AK	99833-0849
BRUMBLEY PAGE	HILL KENNETH	PO BOX 1290	CORDOVA	AK	99574
BURKE RICHARD		PO BOX 1406	PETERSBURG	AK	99833-1406
CANIK HEATHER D		PO BOX 1653	PETERSBURG	AK	99833-1653
CANTON LOGAN J	CANTON SHEENA L	PO BOX 1742	PETERSBURG	AK	99833-1742
COLLISON JEREMY N	COLLISON MARISSA A	PO BOX 1702	PETERSBURG	AK	99833-1702
CRONLUND DOUGLAS		PO BOX 363	PETERSBURG	AK	99833-0363
EILENBERGER MARILYN H		PO BOX 503	PETERSBURG	AK	99833-0503
EWING LYNN R	EWING DONNA M	PO BOX 1335	PETERSBURG	AK	99833-1335
FIRST BAPTIST CHURCH		PO BOX 990	PETERSBURG	AK	99833-0990
FREDRICKSEN NORMAN	FREDRICKSEN LYNDA	PO BOX 98	PETERSBURG	AK	99833-0098
HAGERMAN KARL	HAGERMAN ROBYN	PO BOX 2111	PETERSBURG	AK	99833-2111
HINDE BENJAMIN	HINDE MARCIE	PO BOX 2099	PETERSBURG	AK	99833-2099
HOLMGRAIN RANDAL E	HOLMGRAIN SARAH	PO BOX 1975	PETERSBURG	AK	99833-1975
JOHNSON CARLEE RAE	BAXTER-MCINTOSH RANS	PO BOX 2162	PETERSBURG	AK	99833-2162
KAINO DOUGLAS	MCNUTT NAN	PO BOX 295	PETERSBURG	AK	99833-0295
KAINO TEDDY T	KAINO SHIGEKO	PO BOX 265	PETERSBURG	AK	99833-0265
LENHARD MATTHEW	LENHARD JILL	PO BOX 1404	PETERSBURG	AK	99833-1404
LEWIS ERIC L		PO BOX 2046	PETERSBURG	AK	99833-2046
LONGWORTH JOHN R		PO BOX 773	PETERSBURG	AK	99833-0773
LUTHERAN CHURCH		PO BOX 709	PETERSBURG	AK	99833-0709
MALLORY DARCY		PO BOX 1945	PETERSBURG	AK	99833-1945
MANLY AMBER	OLSON DARRYL P	PO BOX 476	PETERSBURG	AK	99833-0476
MARTIN DAVID S		PO BOX 88	PETERSBURG	AK	99833-0088
NEWLUN NEIL	NEWLUN MARGARET	PO BOX 957	PETERSBURG	AK	99833-0957
NICHOLSON NATALIE RUTH	REID MICHAEL FLOYD	14200 69TH DR SE #M-1	SNOHOMISH	WA	98296
NILSEN MIKE L	NILSEN RAVENNA	PO BOX 1084	PETERSBURG	AK	99833-1084
OHMER DAVE N		PO BOX 13	PETERSBURG	AK	99833-0013
OINES MARJORIE J		PO BOX 591	PETERSBURG	AK	99833-0591
O'NEIL ERICA	O'NEIL SCOTT	PO BOX 755	PETERSBURG	AK	99833-0755
OTNESS HOLLI	OTNESS NELS	PO BOX 2058	PETERSBURG	AK	99833-2058
OTNESS NELS K III	OTNESS HOLLI I	PO BOX 716	PETERSBURG	AK	99833-0716
PETERSBURG BOROUGH SCHOOLS		PO BOX 289	PETERSBURG	AK	99833-0289
PETERSEN CODEE	PETERSEN NATALIE	PO BOX 1498	PETERSBURG	AK	99833-1498
SPERL DONALD & TAUSHA	SPERL KOREN	PO BOX 1407	PETERSBURG	AK	99833-1407
ST ANDREWS EPISCOPAL CHURCH		PO BOX 1815	PETERSBURG	AK	99833-1815
ST CATHERINE'S CHURCH		PO BOX 508	PETERSBURG	AK	99833-0508
STANTON GREGOR JAY	STANTON GREGOR LEA	PO BOX 2155	PETERSBURG	AK	99833-2155
STEWART DAVID L		PO BOX 1018	PETERSBURG	AK	99833-1018
STRATMAN JOSEPH	RICE ALLISON	PO BOX 1736	PETERSBURG	AK	99833-1736
THOMPSON FLOYD A		PO BOX 1436	PETERSBURG	AK	99833-1436
TURLAND BECKY A		PO BOX 1987	PETERSBURG	AK	99833-1987
US FOREST SERVICE		PO BOX 21628	JUNEAU	AK	99802-1628
WELDE DOUGLAS		PO BOX 875	PETERSBURG	AK	99833-0875
WELDE RACHEL		PO BOX 1245	PETERSBURG	AK	99833-1245
WELLNER MICHAEL	WELLNER JENNIFER	PO BOX 1591	PETERSBURG	AK	99833-1591
WIKAN RICHARD		PO BOX 1461	PETERSBURG	AK	99833-1461
WILKINSON TIM	WILKINSON RAE	PO BOX 895	PETERSBURG	AK	99833-0895
WRIGHT CHADWICK C	JOHNSON SARAH A	PO BOX 1956	PETERSBURG	AK	99833-1956