

Planning Commission Staff Report & Findings of Fact

Meeting Date: January 9, 2024

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 with conditions

I. APPLICANT REQUEST:

The applicant requests approval of the Final Plat for the Swanson Subdivision.

II. APPLICABLE CODES:

18.24 MAJOR SUBDIVISION

19.48 SINGLE FAMILY RESIDENTIAL DISTRICT

III. FINDING:

- a. Applications for a major subdivision and vacation of rights-of-way were submitted by John and Miriam Swanson.
- b. The Planning Commission approved the preliminary plat on November 14, 2023 and the Petersburg Borough Assembly approved vacation of a portion of the Ramon St. right-of-way on January 2, 2024. The applicant has now submitted a Final Plat for approval. See Exhibit A.
- c. 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.
- d. The surrounding area is partially developed with residential dwellings.
- e. 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.
- f. 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.
- g. 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.

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- h. 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.
- i. Following the subdivision, Lot 10B will no longer have direct access to N Nordic though electric utilities will be available from Valkyrie St.
- j. 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|

V. PUBLIC NOTICE

Per 18.12.060, a public hearing is not required for Final Plat approval.

A notice specifying the subject, time, and date of the public meeting was posted in a public location at the municipal building and radio station.

V. APPLICATION REVIEW

The application is classified as a request for approval of a Final Plat.

a. ZONING DISTRICT STANDARDS – Single Family Residential

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		

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Off-street Parking	N/A		
Max Height Fence	6 feet		

b. Final Plat Criteria

	PMC Final Plat	Analysis
18.24.045 – Platting board review		
B2. Prior to approval of the final plat, all required and elected improvements shall be completed by the sub-divider	N/A	There are no public improvements required for this subdivision.
B3. The sub-divider may submit a final plat on or before the expiration date of the preliminary plat.	Conforms	Preliminary plat approval date: November 14, 2023 Final plat submission date: January 2, 2024
C. Prior to submittal of final plat, the sub-divider shall furnish to the city engineer the following engineering plans	N/A	There are no public improvements required for this subdivision.
18.24.050 – Final Plat Submission		
A. Subdivider shall submit a final plat that bears the information specified for the preliminary plat in Section 18.24.040 .	Conforms	The preliminary plat was found to conform with requirements of Title 18 and approved by the Planning Commission on November 14, 2023.
A1. The boundaries of the plat shall clearly show the initial point of survey, original or reestablished corners, with description of them, and actual traverse showing area of closure and all distances, angles and calculations required to determine initial point, corners and distances of the plat.	Conforms	
A2. Bearings and distances to the nearest established street lines, section lines or official monuments necessary to describe the location of the plat.	Conforms	
A2. All monuments found shall be indicated and proper references, including the date set, type of monument, the surveyor and his registration number shall be indicated.	Conforms	
A3. Centerlines of all streets, lengths, tangents, radii, and central angles of all curves, the total width of each street	Conforms	
A4. The width, bearing and other necessary data to delineate all easements to which the lots are subject.	Conforms	

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A5. All lot and block numbers.	Conforms	
A6. Sufficient data to determine readily the bearing and length of each line. No ditto marks shall be used.	Conforms	
A7. The names of adjacent subdivisions and the lot numbers of adjacent lots.	Conforms	
A8. The exact boundaries of all areas to be dedicated or reserved for public use or for the common use of property owners. The purpose of the dedication or reservation shall be set forth on the plat.	Conforms	A 20' utility easement is identified in the plat.
A9. All lots, blocks, or tracts affected by the floodplain regulations adopted by the borough shall be labeled "Flood Hazard Area" on the face of the plat.	N/A	See Exhibit C.
B1. Certification of Surveyor	Conforms	
B2. Certification of Ownership and Dedication.	Conforms	
B3. Certificate of Payment of Taxes.	Conforms	
B4. Certification of Approval by the Platting Board	Conforms	
C Final Plat Monuments		
C1. Primary Monuments established	Conforms	
C2. Secondary monuments established	Conforms	
D1. statement referring to private covenants	N/A	There are no private covenants governing the subdivision.
D2. Statement limiting placement of habitable structures, if any portion of the plat depicts areas within the floodplain.	N/A	Lot 10A will be owned by the borough and is not for residential development. See Exhibit C.
E. Development Plat Restriction.	N/A	No public improvements were required for this subdivision.
F. On any zero lot line subdivision	N/A	This is not a zero lot line subdivision.
18.24.060 Design Principles		
A1. Compliance with ordinances of the borough.	Nonconforming	Lot 10A does not meet the minimum lot size for the district, however it is not intended for residential development. Platting variance granted 11/14/23
A2. Proposed name of the subdivision shall not duplicate, or too closely approximate the name of any other subdivision.	Conforms	Swanson Subdivision does not duplicate or approximate the name of any existing subdivision. See Exhibit D.
A3. Lands which have been found to be unsuitable for subdivision because of	N/A	

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potential hazards, shall not be subdivided or included in any building lot.		
18.24.070 Streets		
Street Design	N/A	Per the Final Plat, no public streets are dedicated as part of the subdivision.
18.24.080 Easements		
C. There shall be at least a ten-foot-wide easement on either side of any creek or stream.	N/A	

VI. ACTION

Proposed motion: I move to approve the Swanson Subdivision along with the findings of fact and conditions of approval as presented.


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

- a. The proposed Swanson Subdivision meets the criteria outlined in Title 18 for final plat approval.
- b. As a condition of approval, the Applicant/Owner shall:
 - Submit a 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 for signatures.
 - Prior to recording of the final plat, a certificate to plat shall be updated to a date not more than fifteen days prior to submission of the final plat to the borough clerk for recording.

EXHIBITS

- A. Applicant submission - Final Plat for Swanson Subdivision
- B. Resolution 2023-18
- C. Flood Insurance Rating Map
- D. Subdivision Name Search

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.

**PETERSBURG BOROUGH, ALASKA
RESOLUTION #2023-18**

**A RESOLUTION TO VACATE AND CONVEY A PORTION OF THE RAMONA
STREET RIGHT-OF-WAY BETWEEN NORTH NORDIC DRIVE
AND VALKYRIE STREET AND AUTHORIZE ACQUISITION OF LOT 10A
AND A 20' UTILITY EASEMENT**

WHEREAS, a majority of the property owners along the subject right-of-way applied to vacate a portion of Ramona Street between North Nordic Drive and Valkyrie Street; and

WHEREAS, proper notice was sent to adjacent property owners and a public hearing was held on November 14, 2023, by the Planning Commission; and

WHEREAS, the Planning Commission considered comments from borough staff and the public; and

WHEREAS, the Planning Commission determined the right-of-way has no value to the municipality and approved vacation of a portion of the Ramona Street right-of-way as part of the approval of the Swanson Subdivision (attached); and

WHEREAS, the Planning Commission recommends, as allowed by code, and requested by the surrounding property owner, the portion of the public right-of-way vacated be attached in its entirety to Lot 10, USS 1252A to create Lot 10B; and

WHEREAS, the borough assessor has determined the full and true assessed value of the vacated portion of the Ramona Street right-of-way to be \$59,200; and

WHEREAS, PMC 18.30.040(E) authorizes the Assembly to approve terms and conditions for purchase of a street right-of-way other than payment of the full and true assessed value; and

WHEREAS, the borough requires Lot 10A and a 20' utility easement across Lot 10B to proceed with rebuilding of Pump Station #4; and

WHEREAS, the assessor has determined the full and true value of Lot 10A to be \$25,000.00 and of the 20' utility easement to be \$5,300.00 for a total of \$30,300.00; and

WHEREAS, the cost of not acquiring Lot 10A and the 20' utility easement would be in excess of \$100,000 and place an additional burden on rate payers; and

WHEREAS, the Planning Commission recommends, as required by code, that within 18-months of approval, the applicants present a final plat, signed by all property owners of record, depicting the vacation, as approved for signature and recording.

THEREFORE, BE IT RESOLVED, the Petersburg Borough Assembly authorizes the Borough Manager to:

- a. Execute documents necessary to vacate and convey a portion of the Ramona Street right-of-way per the Swanson Subdivision plat as approved by the Planning Commission.
- b. Execute documents necessary for the borough to acquire Lot 10A and a 20' utility easement along the southern property line of Lot 10B per the Swanson Subdivision plat approved by the Planning Commission.

PASSED AND APPROVED by the Petersburg Borough Assembly on December 18, 2023.

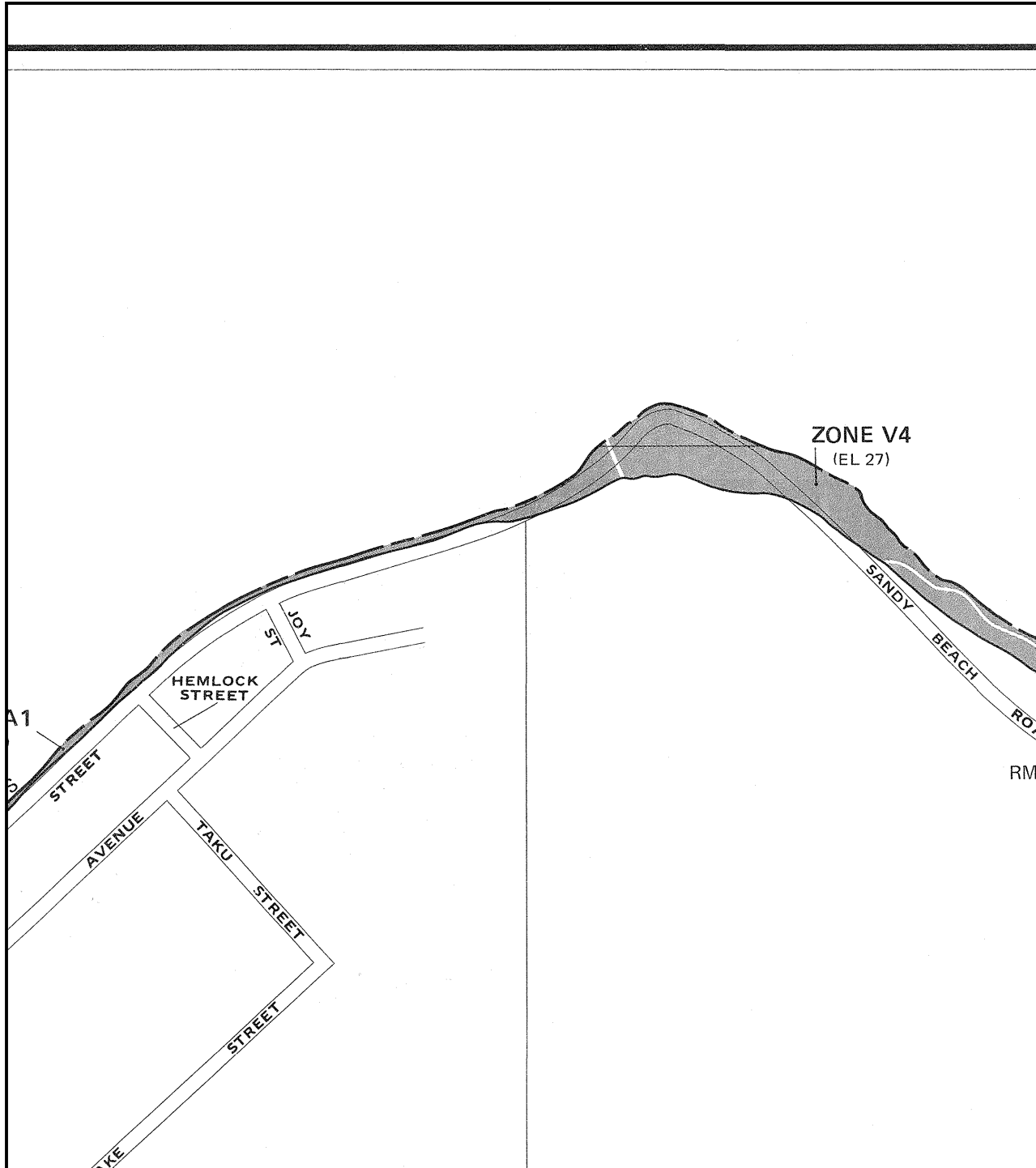


Mark Jensen, Mayor

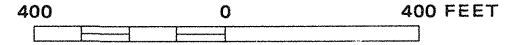
ATTEST:



Debra K. Thompson, Borough Clerk



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

CITY OF
PETERSBURG, ALASKA
WRANGELL-PETERSBURG
DIVISION

PANEL 1 OF 16
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
020074 0001 B

EFFECTIVE DATE:
JUNE 1, 1982



Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.



Alaska Department of Natural Resources
RECORDER'S OFFICE

Exhibit D

Recorder's Office - Search By Subdivision Name

Please Note: Can't find the subdivision you are looking for? Check the Name Search.

In District:

110 - PETERSBURG

Starting Subdivision Name:

SWANSON

Next Subdivision Name:

TONGASS NATIONAL FOREST STIKINE AREA

New Search

SUBDIVISION NAME	ASSOCIATED PLAT	PLAT
SWANSON - WORHATCH SUBDIVISION	98-38	Image
SWANSON BRYNER SUBDIVISION	96-26	Image
TANGO SUBDIVISION	2018-15	Image
TANNER SUBDIVISION	93-9	Image
TATE SUBDIVISION WEST	92-2	Image
TATE TRACT SUBDIVISION	2018-16	Image
TEBENKOF BAY WILDERNESS AREA	93-4RS	Image
TED KERRI SUBDIVISION	90-3	Image
TED MORRISON SUBDIVISION	2001-8	Image
TED SMITH SUBDIVISION	96-7	Image
TED SOKOL II SUBDIVISION	97-20	Image
TED SOKOL SUBDIVISION	88-14	Image
THE GROGAN SUBDIVISION	2020-12	Image
THE MILL INC SUBDIVISION	2015-5	Image
THE REID SUBDIVISION	2023-6	Image
THE TIDELANDS ADDITION SUBDIVISION	2015-4	Image
THE TIDELANDS ADDITION SUBDIVISION	2019-7	Image
THIRTEENTH STREET RELOCATION SUBDIVISION	94-6	Image
THOMAS BAY ALASKA SUBDIVISION	82-16	Image
THOMAS BAY ALASKA SUBDIVISION	82-17	Image
THOMASSEN SUBDIVISION	2005-16	Image
THOMPSON SUBDIVISION	84-34	Image
THORNDYKE SUBDIVISION GENE	84-7	Image
THORSTENSON SUBDIVISION	2001-3	Image
TIDELANDS ADDITION	64-176	Image
TIDELANDS ADDITION	64-177	Image
TIDELANDS ADDITION	64-178	Image

SUBDIVISION NAME	ASSOCIATED PLAT	PLAT
TIDELANDS ADDITION	64-179	Image
TIDELANDS ADDITION	64-180	Image
TIDELANDS ADDITION	64-181	Image
TIDELANDS ADDITION	64-182	Image
TIDELANDS ADDITION	64-183	Image
TIDELANDS ADDITION	64-184	Image
TIDELANDS ADDITION	64-185	Image
TIDELANDS ADDITION	64-186	Image
TIDELANDS ADDITION	64-187	Image
TIDELANDS ADDITION	64-188	Image
TIDELANDS ADDITION	85-14	Image
TIDELANDS ADDITION SUBDIVISION	92-23	Image
TIDELANDS ADDITION SUBDIVISION	2005-31	Image
TIDELANDS ADDITION SUBDIVISION	2013-22	Image
TIDELANDS ADDITION SUBDIVISION	2015-8	Image
TIDELANDS ADDITION SUBDIVISION	2018-8	Image
TIDELANDS ADDITION SUBDIVISION LOT T-168	87-25	Image
TIDELANDS ADDITION SUBDIVISION THE	2015-4	Image
TIDELANDS ADDITION SUBDIVISION THE	2019-7	Image
TIDELANDS LEASE	85-21	Image
TIDELANDS SUBD	90-31	Image
TIDELANDS SURVEY NO 9		NONE
TONGASS NATIONAL FOREST CHATHAM AREA	96-12	Image

Please Note: Can't find the subdivision you are looking for? Check the Name Search.

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