

Planning Commission Report & Findings of Fact

Meeting Date: 3/12/2024

APPLICANT/AGENT:

Petersburg Children's Center

OWNER(S), IF DIFFERENT:

Petersburg Borough

LEGAL DESCRIPTION:

Lots 3,4,5,6 Blk 66 USS1252

LOT AREA:

20,000 sq ft

LOCATION:

See attached maps

SURROUNDING ZONING

North: Public Use

South: Single-family Residential (SF)

East: Single-family Residential (SF)

West: Public Use

ZONING:

Single Family Residential

PID:

01-006-125, 01-006-127

01-006-149, 01-006-155

APPLICATION SUBMISSION DATE:

1/25/2024

I. APPLICANT REQUEST: Request to rezone 4 lots from Single-family to Public Use.

II. APPLICABLE CODES:

19.84 AMENDMENTS

III. FINDINGS:

- a. The subject property is composed of 4 parcels of borough-owned vacant land that is leased to the Petersburg Children's Center.
- b. The immediate surrounding area is developed with a mix of residential and institutional uses such as schools and childcare.
- c. The applicant's intent is to develop these lots for parking for the adjacent childcare facility but also move toward construction of a future childcare facility.
- d. The 2016 comprehensive plan recommends future land use for this area be Public Facilities. The intended use is *site-specific, developed public use facilities, including developed recreation facilities*.
- e. Public Facilities is also the intended land use for the existing PCC facility.
- f. Rezoning these lots from SF to Public Use would be consistent with the current land use for the school and existing Petersburg Children's Center. It would also be consistent with the intended use as outlined in the lease agreement with the borough.

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.

Planning Commission Report & Findings of Fact

Meeting Date: 3/12/2024

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

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

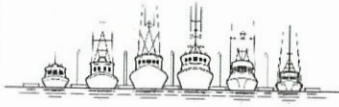
The Planning Commission recommends to the Borough Assembly that Lots 3,4,5,6 Blk 66, USS 1252 be rezoned from Single-Family Residential to Public Use with findings of fact as presented.

The proposed change is consistent with the goals of the comprehensive plan, which recommended the property be used for public facilities and is consistent with the intended use as outlined in the terms of the lease between the PCC and the borough.

EXHIBITS

Planning Commission packet

Pages 1-2 of original Lease Agreement that was assigned to PCC



**PETERSBURG BOROUGH
LAND USE APPLICATION**

CODE TO:	110.000.404110
BASE FEE:	
PUBLIC NOTICE FEE:	\$70.00
TOTAL:	
CHECK NO. or CC:	

DATE RECEIVED: _____ RECEIVED BY: _____

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 Lots 3, 4, 5, 6 Block 66

PARCEL ID: 01-006-125;-127;-149;-155 ZONE: Single Family Residential OVERLAY: N/A

CURRENT USE OF PROPERTY: Vacant LOT SIZE: 5000 sf each

PROPOSED USE OF PROPERTY (IF DIFFERENT):
Childcare facilities and required parking lot

CURRENT OR PLANNED SEWER SYSTEM: Municipal DEC-approved on-site system

CURRENT OR PLANNED WATER SOURCE: Municipal Cistern/Roof Collection Well

LEGAL ACCESS TO LOT(S) (Street Name): **Dolphin Street and 5th Street**

TYPE OF APPLICATION & BASE FEE

- 19.84 Zoning Change (\$100)
- 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)
- 18.20 Minor Subdivision/18.24 Preliminary Plat/18.19 Replat (\$75 + \$10 per lot)
- 18.24 Final Plat (\$25 per lot)

SUBMITTALS:

For Zoning Change, please submit letter stating the new zoning and explaining the need for the change.
For Subdivision approvals, please submit a prepared plat map as required by borough code.

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(s) or authorized agent thereof for the property subject herein.

Applicant(s): Shalaya Mancee Date: 1/25/2024

Owner: _____ Date: _____

Owner: _____ Date: _____

Owner: [Signature] Date: 1/25/2024



Petersburg Children's Center
Eagle's Nest
P.O. Box 138
Petersburg, AK 99833
(907)772-3419 Fax (907)772-3452
pccen1@gmail.com

The mission of the Petersburg Children's Center is to promote the healthy development of children and families in Petersburg by offering dependable, high-quality child care and by actively working toward the positive growth and development of all children in the community.

Petersburg Children's Center
PO Box 138
Petersburg, AK 99833
907-772-3419

Dear Planning and Zoning Committee,

The Petersburg Children's Center is planning for a new building on the site of their current parking lot and the building of a new parking lot across the street from the Children's Center building. There is an existing lease between the Petersburg Children's Center and the City of Petersburg for Lots 3, 4, 5, 6 Block 66, US Survey 1252 for childcare related facilities and activities. Reviewing the status of the land in question with the Borough staff it was determined that the zoning of Lots 3, 4, 5, 6, Block 66, currently is Single Family Residential.

The Petersburg Children's Center is requesting to change the zoning of Lots 3, 4, 5, 6, Block 66, from Single Family Residential to Public Use, so that the zoning will match the intent of the existing lease between the Petersburg Children's Center and the Petersburg Borough. We would also like to point out that the Petersburg Childcare Task Force has discussed the positive potential of the lots for future childcare facilities. The Petersburg Children's Center is also submitting a conditional use permit for Lot 4, of Block 66, for the construction of a parking lot to replace the loss of their current parking lot to the proposed after-school childcare facility. The rezoning of the land in question will also strengthen the grant applications that we will be submitting, eliminating any potential questions with mismatched documentation.

Thank you for your consideration.

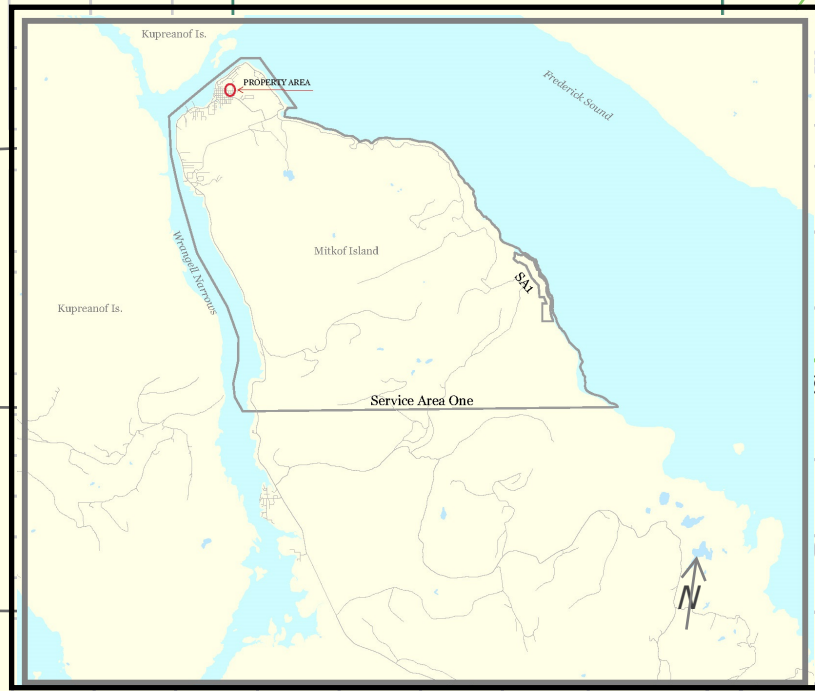
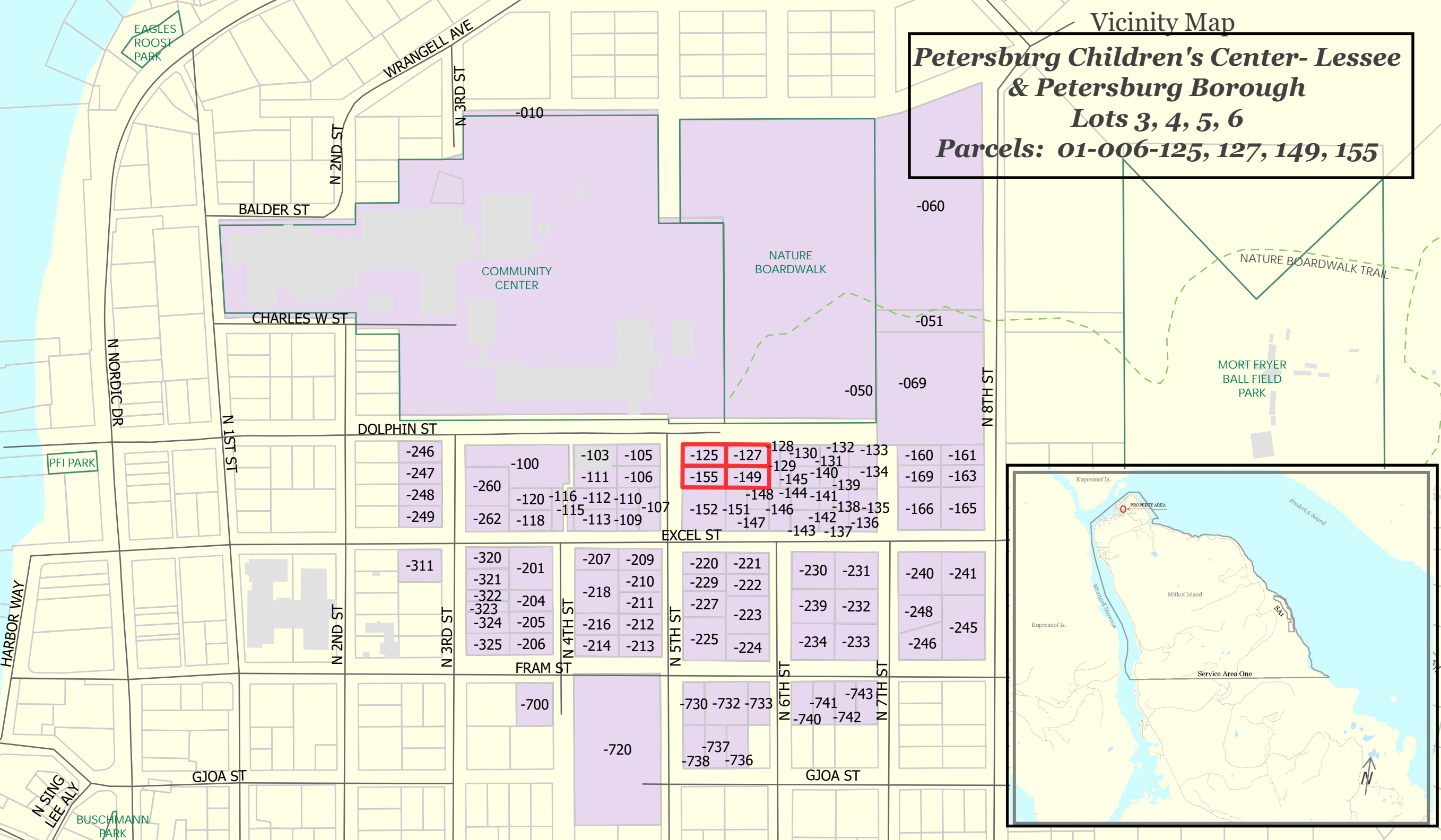
Sincerely,

A handwritten signature in black ink that reads "Sharlay Mamoe". The signature is written in a cursive, flowing style.

Sharlay Mamoe
Executive Director
Petersburg Children's Center

Vicinity Map

**Petersburg Children's Center- Lessee
& Petersburg Borough**
Lots 3, 4, 5, 6
Parcels: 01-006-125, 127, 149, 155





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



2004-000892-0

Recording Dist: 110 - Petersburg
9/20/2004 2:51 PM Pages: 1 of 11

A
L
A
S
K
A



Record in the Petersburg Recording District

LAND LEASE

THIS AGREEMENT is made on the date last below signed between the City of Petersburg, a municipal corporation organized and existing under the laws of the State of Alaska, whose mailing address is P. O. Box 329, Petersburg, Alaska 99833, hereinafter referred to as the "Lessor" or "City", and the Petersburg Childhood Education Center Board of Directors, a non-profit organization organized and existing under the laws of the State of Alaska, whose mailing address is PO Box 1793 Petersburg, Alaska 99833, hereinafter referred to as the "Lessee."

RECITALS

WHEREAS, the real property subject to this lease lies within the boundaries of the City of Petersburg, Alaska, First Judicial District, Petersburg Recording District; and

WHEREAS, Lessor holds title to the real property; and

WHEREAS, the real property subject to this lease has been assessed for true and full value in the amount of \$75,000.00 prior to the date fixed for the beginning of the term of this lease; and

WHEREAS, on June 7, 2004 the City Council passed Resolution #1746 determining this particular tract of land is not required for municipal purposes; shall be exempt from public auction and leased for a period of five years for the construction of The Childhood Education Center; and

WHEREAS, the Childhood Education Center is a non profit entity as defined by the Petersburg Municipal Code, and

WHEREAS, this lease contains restrictions and reservations as are necessary to protect the public interest.

NOW THEREFORE, in consideration of the mutual covenants and conditions of this lease the parties agree as follows:

ARTICLE 1 - Description of Premises

Section 1. Description. Lessor hereby leases to Lessee the "premises," designated as Lots 3, 4, 5 & 6 of Block 66, US Survey 1252, in the City of Petersburg, Alaska.

ARTICLE 2 - Term of Lease

Section 2.1 Term. The term of this lease shall extend for a period of five (5) years, commencing on August 1, 2004 and ending at midnight on July 31, 2009.

Section 2.2 Renewal. This lease may be renewed on new terms and conditions upon written mutual consent by the Lessee and Lessor.

ARTICLE 3 - Rent

Section 3. Rent. Lessee shall pay to Lessor rent for the premises at the annual rate of \$1.00 (One Dollar and 00/100) per year.

ARTICLE 4 -Use of Premises

Section 4.1 Use of Premises. The premises are to be used only for the development, construction and operation of a community child learning center with emphasis on providing learning facilities and opportunities for the children of Petersburg aged twenty and under.

Section 4.2: Compliance with Law. Lessee shall comply with all, laws, regulations and rules that apply to the leased premises.

Section 4.3: Uses Prohibited. Lessee shall not use, or permit the premises, or any part of it, to be used for any purpose other than the purpose for which the premises is leased. No use shall be allowed which may be considered hazardous on account of fire or otherwise. Lessee shall not allow any nuisance to occur or remain on the premises and shall not use or occupy the premises for any unlawful purpose. Any use not authorized by this lease shall be a trespass against the Lessor.

Section 4.4: Utilities. Lessee shall fully and promptly pay all costs associated with public services built, installed and used by Lessee, for example, power and any other utilities of any kind furnished to the premises throughout the term of this lease, and all other similar costs and expenses of any kind, arising from the use, operation and maintenance of the premises and all activities conducted on the premises.

Section 4.5: Location of Improvements. Lessee shall be responsible for properly locating improvements on the leased land. Utilization or development for other than allowed uses shall be a violation of this lease and subject to lease cancellation.

