Planning Commission Report & Finding of Fact

Commission Meeting Date: November 14, 2023

<u>APPLICANT/AGENT:</u> Petersburg Indian Association

LEGAL DESCRIPTION: Portion of Tract A, USS 1168 Portion of Tract A, USS 1168

<u>LOCATION:</u> N 8th Street, West side of 8th N 8th Street, East side of 8th

ZONING: Multiple Family Residential

<u>PID:</u> 01-006-060 01-006-070

APPLICATION SUBMISSION DATE: 10/11/2023

OWNER(S), IF DIFFERENT: Petersburg Borough

<u>LOT AREA:</u> 343,629 sq ft

SURROUNDING ZONING:

North: Single Family Residential South: Single Family Residential East: Multiple Family Residential West: Public Use

North: Public Use South: Single Family Residential East: Public Use West: Multiple Family Residential

<u>I. APPLICANT REQUEST</u>: The applicant has requested to purchase two borough-owned parcels for development of residential rental properties.

II. APPLICABLE CODE: 16.12 ACQUISITION OR DISPOSAL OF BOROUGH PROPERTY

III. FINDINGS:

- a. Petersburg Indian Association applied to purchase borough property on N. 8th Street.
- b. The subject parcel is comprised of borough-owned vacant land. The total area is approximately 343,000 sf or just over 7.8 acres.
- c. Legal access to the property is from N 8th Street.
- d. The subject parcel is zoned Multiple Family Residential.
- e. The "Nature Boardwalk" trail bisects a portion of the parcel as does the continuation of that trail up to the ballfield.
- f. The surrounding area is developed with residential neighborhoods to the north and south and public school and recreational areas to the east and west.
- g. The applicant's intent is to develop residential rental properties.
- h. The purpose of Multiple Family Residential is to provide a sound residential environment for three or more one-family, two-family, or multiple-family dwellings.
- i. The current zoning is consistent with the applicant's intended use for the parcel.
- j. The application was reviewed by relevant borough departments and determined there was no public purpose need for the subject property.

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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.C riteria –

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.

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

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

- 1. The Planning Commission recommends the subject property be approved for sale.
- 2. The current zoning of the subject property is consistent with the intended development plans.
- 3. The existing trail should not be included in the sale of the parcel (or be granted a public access easement) to ensure continued use.

EXHIBITS

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



PETERSBURG ALASKA Petersburg Borough, Alaska

Office Use:

Rec'd. by:

Fee: \$

Date Rec'd:

Land Disposal Application (\$500.00 non-refundable filing fee required) Form must be completed in its entirety to be considered

Date: September 22, 2023

This is a request for land disposal via (circle one): Lease (Purchase) Exchange Other

Parcel ID #(s) of Subject Property: 01006060 01006070

Proposed term of lease:_

(total years)

Legal Description of Property: <u>Portion of Tract A, USS 1168</u> <u>Portion of Tract A, USS 1168</u> Current Zoning of Property: <u>Multi-family Residential</u> <u>Multi-family Residential</u>

Applicant Name:	Petersburg Indian Association		
Applicant Mailing Address:	<u>PO Box 1410</u>		
	Petersburg, AK 99833		
Applicant Contact Info: (phone and/or email)	Chad Wright		
(phone and/or email)	(907) 772-3636 tribaladmin@piatribal.org_		

1. Size of Area requested (identify the minimum area necessary in square feet): <u>64,642 & 71,469</u>

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)

Proposed use: residential rental properties -- duplexes and small apartment buildings. PIA plans to retain ownership of the units. Rentals would be available to tribal and non-tribal citizens. Some of the units will be designated for tenants who experience mobility issues (elderly, disabled, etc). Estimated completion date for all structures: 2038 to 2043. Estimated dollar value for all structures: \$10 million. Value to the economy: (a) Increasing the rental market will benefit local employers by providing housing opportunities for new and existing employees and has the potential to attract new residents to the borough who might otherwise choose not to move here due to a lack of available housing. (b) Property tax for structures on land that is now vacant.

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

Petersburg Borough	Jay Hofschulte, Trustee, 304 N. 8th Street
Nels III & Holli Otness, 307 N. 8th Street	
John R. Longworth, 607 Excel Street	

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

Yes X 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) Borough building permits, ACOE permit

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:_____

Why should the Planning Commission recommend Assembly approval of this request? 8. Petersburg Indian Association's housing plan (a) fits within the current zoning purpose and principal uses for

the two parcels and (b) would serve to lessen the housing shortage that Petersburg is projected to experience for the forseeable future.

9. How is this request consistent with the Borough's comprehensive plan? Comprehensive Plan Update (Feb 2016) - Chapter 6. "1. Goal: Housing Supply. Increase availability of affordable, quality housing, particularly ... rentals " "1. Goal: Housing Supply. (b) Encourage higher density, less expensive housing options such as duplexes . . . apartments. . . . " "1. Goal: Housing Supply. (c) Encourage small housing developments with shared green spaces, maintenance and parking."

Prior to submitting this application, please verify with pertinent Borough Departments that the 10. 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 have no need for these lots. The housing development plan being presented by PIA will need to include provisions of extending water and sewer service to this low lying area as there is no current plan for the Borough to extend water and sewer to these lots. Power exists on 8th Street that can serve the development. I am supportive of this effort to add housing options to Petersburg residents.

Signature of Department Commenter

Department Comments: Community Development has no need for these 2 parcels.

JaCaun Signature of Department Commenter

Department Comments: Public works has no need for these two parcels. Any road or drainage work will will need to be approved by Public Works.

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.

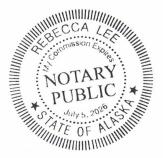
I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

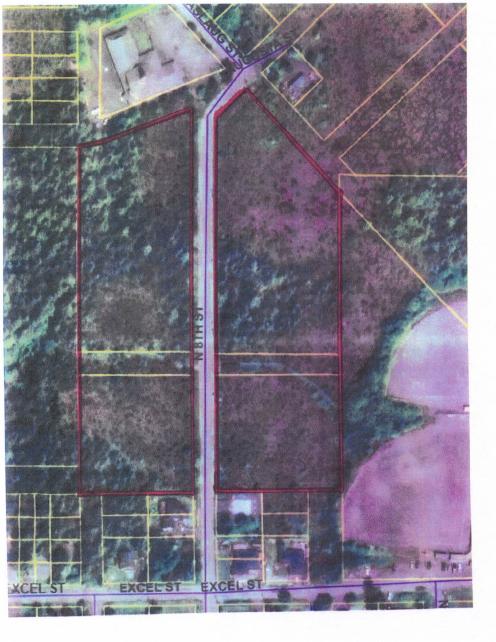
Please sign application in the presence of a Notary Public.

Applicant/Applicant's Representative

Subscribed and s	sworn to by	Cha	d Wright	, who personally appeared
before me this	25	day of	eptember	, 20 <u>_23</u> .
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Notary Public in and for the State of Alaska. My Commission Expires: July 5, 202(0





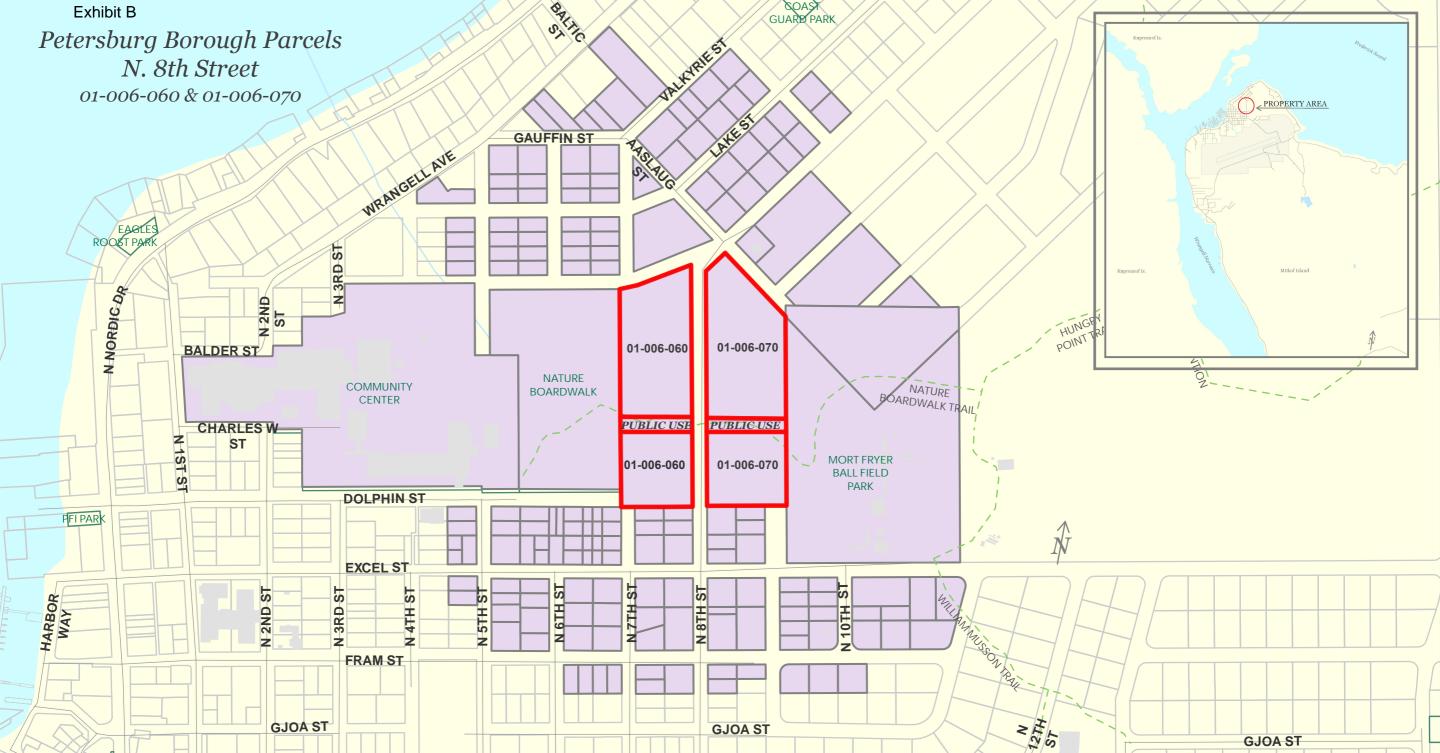


EXHIBIT C



October 23, 2023

JOHNSON CARLEE RAE BAXTER-MCINTOSH RANS PO BOX 2162 PETERSBURG, AK 99833-2162

NOTICE OF SCHEDULED PUBLIC HEARINGS

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

Recommendation to the Borough Assembly on an application from the Petersburg Indian Association to purchase borough-owned property located on N. 8th St. (PID: 01-006-060, 01-006-070).

consideration of the	Tuesday, November 14th 2023, 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

Community & Economic Development PO Box 329, Petersburg, AK 99833 – Phone (907)772-4042 Fax (907)772-3759 www.petersburgak.gov

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MIDKIFF SAALNOONPO BOX 122SPETERSBURGAK9833-123MOORE LOSHUA AMOORE VICTORIA RPO BOX 2015PETERSBURGAK9833-0215NESUND DAALD NELSON BETTYPO BOX 4242PETERSBURGAK9833-0613NEWLUN NARGARETPO BOX 2013PETERSBURGAK9833-0613OCHOA RAYMONDPO BOX 2138PETERSBURGAK9833-0613OCHOA RAYMONDPO BOX 2138PETERSBURGAK9833-0613OTNESS HOLLIOTNESS NELSPO BOX 2050PETERSBURGAK9833-0731OTNESS HOLLIOVERDORFF KELLY JPO BOX 2050PETERSBURGAK9833-0213OVERDORFF KELC LOSEPO BOX 1567PETERSBURGAK9833-0213PETERSBURG DRUGH SCHOOLSPO BOX 1313PETERSBURGAK9833-1031PETERSBURG CHILDEN CENTERPO BOX 1313PETERSBURGAK9833-1031PETERSBURG CHILDEN CENTERRONNE RITA JPO BOX 1313PETERSBURGAK9833-1031SPERL CARLESSPEIL KORENPO BOX 1313PETERSBURGAK9833-1031SPERL DONALD & TAUSHASPEIL KORENPO BOX 1313PETERSBURGAK9833-1031SPERL DONALD & TAUSHASPEIL KORENPO BOX 1313PETERSBURGAK9833-1031SPERL DONALD & TAUSHASPEIL KORENPO BOX 1305PETERSBURGAK9833-1031SPERL DONALD & TAUSHASPEIL KORENPO BOX 1305PETERSBURGAK9833-1031SPERL DONALD & TAUSHASPEIL KORENPO BOX 1305 <t< td=""><td>MAZZELLA DAVID A</td><td>MAZZELLA HILLARY G</td><td>PO BOX 650</td><td>PETERSBURG</td><td>AK</td><td>99833-0650</td></t<>	MAZZELLA DAVID A	MAZZELLA HILLARY G	PO BOX 650	PETERSBURG	AK	99833-0650
MOORE VICTORIA RPO BOX 2015PETERSBURGAK9983-042NELSON DONALD NELSON BETTYPO BOX 420PETERSBURGAK9983-0421NEWLUN NARGARETPO BOX 2058PETERSBURGAK9983-0131OCHOA RAYMONDPO BOX 2138PETERSBURGAK9983-0131OTHOSS NOLLIOTNESS NELSPO BOX 2058PETERSBURGAK9983-0131OTNESS HOLLIOTNESS HOLLIPO BOX 2058PETERSBURGAK9983-0216OTNESS NELS K IIIOTNESS HOLLI IPO BOX 216PETERSBURGAK9983-0216OVERDORFF KELC YPO BOX 137PETERSBURGAK9983-0276PETERSBURG CHILDERU CENTERPO BOX 137PETERSBURGAK9983-0289PETERSBURG CHILDERU CENTERPO BOX 138PETERSBURGAK9983-0289PETERSBURG CHILDERU CENTERPO BOX 133PETERSBURGAK9983-0289SPERL CORALLESEPO BOX 133PETERSBURGAK9983-0289SPETERSBURG CHILDERU CENTERPO BOX 133PETERSBURGAK9983-0289SPERL CORALLESEPO BOX 133PETERSBURGAK9983-0216SPERL CORALLESEPO BOX 134PETERSBURGAK9983-0216SPERL CORA						
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November 14, 2023

Levid 11/4 0

Attn: Planning Commission

RE: PIA Land Disposal Application

We ask that the Planning Commission and Borough Assembly does not approve the application as presented.

Proposed use: Residential rental properties - duplexes and small apartment buildings

We don't have a problem with duplexes, however we are against apartment buildings and believe this will lower the property value of the existing homes in the area.

Value to the economy: Increasing the rental market would benefit employers

Increasing the rental market would benefit employers, only if there isn't an income limit on the rentals. Most of the advertised job opportunities right now would pay over the amount to qualify for low income housing.

Attracting new residents to the borough:

There are people who would like to move here to work and own their house. We also have man young families that are looking for a house to own. We have a shortage of houses to purchase and that is why we believe that some of the parcels should be available for families to purchase and build a home on.

We request that if the Planning Commission decides to approve the application, you put a stipulation stating that there cannot be any apartment buildings, only duplexes.

Sincerely, Nels & Holli Otness John & Victoria Kaer David & Hillary Mazzella



Sent: Tuesday, November 7, 2023 11:14 AM To: Anna Caulum <acaulum@petersburgak.gov> Subject: public hearing, land disposal 01-006-060, 01-006-060, 01-006-070, 01-006-070

To Petersburg Borough Planning Commission,

Thank you for this notice of a hearing for land disposal regarding these large parcels of land along 8 th street. We own a duplex on 906 Gauffin Street.

My number one question was, who would be able to rent these properties, if purchased my Petersburg Indian Association?

I was happy to see that it is stated that native and Non-native individuals would be able to rent them.

My second question is this going to be a competitive bid. We feel that it is in the best interest of the Borough of Petersburg for this to be a competitive bid.

My third question is, if this is PIA owned property, will it be on the tax roles. It is necessary for it to be on the tax roles, in the years to come there will need to be road,

and utility maintenence. It would be a heavy burden on the borough if money has not been contributed along the way.

The surrounding area has historically been single family dwelling, or duplex. Would it require a change in zoning, if multi family units (larger than duplex) were build? We would not

want this area to be re-zoned commercial. We would like to see it remain single family dwelling or duplex.

Thank-you.

William and Joyce Bergmann