

Planning Commission Staff Report

Meeting date: February 8, 2022

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

Subject: Purchase of Borough-Owned Property at 1015 Sandy Beach Rd.
Linda Millard & Samuel Burgeron

Recommendation:

Recommend preliminary approval of sale to the borough assembly.

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

Applicant is requesting to purchase approximately 14,925 sf of borough-owned property located at 1015 Sandy Beach Road (PID#: 01-014-180.

1. Application was referred to the Planning Commission on January 18, 2022.
2. The property has legal and practical access from Sandy Beach Road.
3. The property has more than 80' of road frontage and a lot area greater than 8,000 sf, which are minimum standards for residential property in this district.
4. Lot is zoned single-family residential.
PMC 16.12.050 requires a property be zoned prior to approval for disposal.
5. The property is within the borough's Applicant's development plans are to construct a single-family residence. Per zoning, property may be developed with single-family or duplex dwelling, or any manner allowed by code.
6. A portion of the property is located within flood zone A-1 and is subject to the requirements of PMC 17.14 Floodplain Management Regulations.
7. Based on review of the application by borough departments, there is no public need or use for the property.
8. Hearing notices were mailed to property owners within 600 feet of the area on January 24, 2022.



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9. On February 8, 2022, a duly noticed public hearing was held by the Petersburg Planning Commission. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

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

1. Based on review of the application by borough departments, there is no public need or use for the property.
2. Terms and conditions of sale require that any future residential development on the property connect to municipal sewer system on Sandy Beach Rd. Cost of extending utilities (electricity, water, sewer) to the property will be the responsibility of the property owner. Cost of providing service from the property line to any structure is the responsibility of the property owner.
3. Proof of consultation and, if required, a permit/letter from the Army Corps of Engineers shall be furnished to the borough prior to development of the lot.



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: VT

Fee: \$ 500

Date Rec'd:

1/12/22

Date: *January 6, 2022*

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

Lease **Purchase** Exchange Other

Parcel ID #(s) of Subject Property:

01-014-180

Proposed term of lease: NA

(total years)

Legal Description of Property:

1015 Sandy Beach Road, Petersburg

Current Zoning of Property:

Single Family Residential

Applicant Name:

Linda Millard & Samuel Bergeron

Applicant Mailing Address:

501 A Front St
Ketchikan, AK 99901

Applicant Contact Info:
(phone and/or email)

Linda: 907.617.3246 Email: lmillard@millardarchitects.com
Samuel: 907.821.0524 Email: sam@bergeronalaska.com

1. Size of Area requested (identify the minimum area necessary in square feet): 14,925 sf
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. *See attached.*

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)

Property would be used for construction of a new single family home meeting zoning and building code requirements. Design and construction would take place soon after the property is purchased with the proposed improvements in the range of \$425,000. The economy of the borough would be strengthened by adding the property and improvements to the tax rolls and providing new housing for new residents.

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

<u>Nancy Strand</u>	<u>1017 Sandy Beach Road</u>
<u>Matthew & Jolyn Duddles</u>	<u>1013 Sandy Beach Road</u>
<u>Petersburg Borough</u>	<u>1016 Sandy Beach Road</u>

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)

A local building permit is required for the development of a single family home.

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

A. Name, address and place of incorporation: NA

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?

Disposal of the residential property to private ownership for housing development would increase housing stock within the Borough with the tax rolls benefitting from the development.

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

The Comprehensive Plan Update of 2016 notes a goal of expanding the range of quality housing in the community and the development of infill properties in established neighborhoods.

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: Please see attached email from Linda Millard.

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

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.

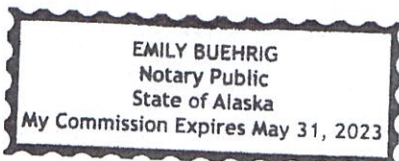
Please sign application in the presence of a Notary Public.

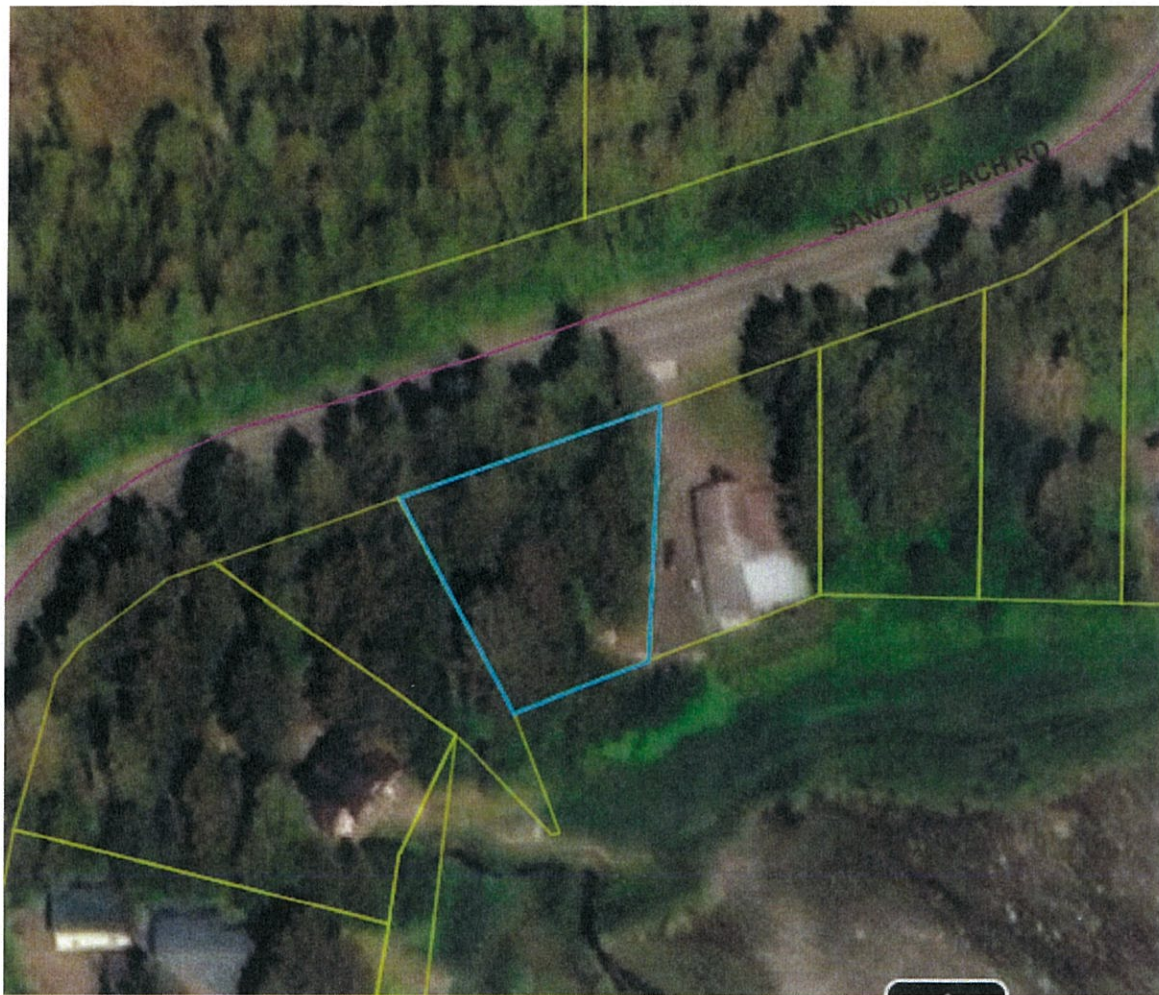
Linda G. Millard
Applicant/Applicant's Representative

Subscribed and sworn to by Linda G. Millard, who personally appeared
before me this 7th day of January, 20 22.

Emily Buehrig
Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: 05/31/2023





1015 Sandy Beach Road

Parcel ID 01-014-180

168,200 assessed value

Single family residential

Debra Thompson

From: Linda Millard <lmillard@millardarchitects.com>
Sent: Tuesday, January 11, 2022 3:27 PM
To: Debra Thompson
Subject: Land Disposal Application for 1015 Sandy Beach Road, Petersburg

Hello Debbie-

As noted on the Land Disposal Application, I verified with two of the Borough Departments to see if the Borough-owned property at 1015 Sandy Beach Road was needed for a public purpose.

I first spoke with Karl Hagerman, Utility Director, at his office regarding whether he saw any need for electrical, water, or wastewater easements or other utility uses. He verified that he saw no need now or in the future for the property . I contacted Liz Cabrera, Director for Community Development, by telephone. She did not see any public need for the property and was very helpful in providing information on the property that was in the Borough files. Please let me know if there is any additional information you need for the application.

Sincerely,

Linda
Linda Millard, AIA
Principal Architect

309 Stedman St.
Ketchikan, Alaska 99901
Office: 907.225.7133
www.millardarchitects.com



MILLARD +
ASSOCIATES
ARCHITECTS LLC



U. S. SURVEY
No. 3276, ALASKA

SITUATED
ON SANDY BEACH ROAD
APPROXIMATELY 2½ MILES SOUTHEAST
OF PETERSBURG

IN
SECTION 35, TOWNSHIP 58 SOUTH, RANGE 79 EAST
OF THE COPPER RIVER MERIDIAN
AREA: 7.24 ACRES

SURVEYED BY
JOHN M. SHORT, CARTOGRAPHER (CADASTRAL)
APRIL 22 TO MAY 2, 1953
UNDER SPECIAL INSTRUCTIONS
DATED APRIL 14, 1953
AND APPROVED MAY 11, 1953.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. September 13, 1954

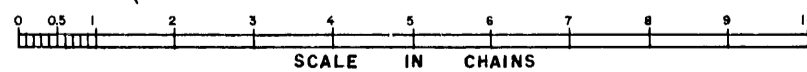
This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Carl G. Harrington
Cadastral Engineering Officer



- indicates an iron post with brass cap.
- indicates a brass tablet



E. P. D.

State of Alaska



Patent

No. 2086

RECORDED - 500
Petersburg REC. DIST.
DATE Oct. 16 1974
TIME 4:00 P.M.
Examined by City of Petersburg
Adm. City 329

Know All Men By These Presents that the State of Alaska in consideration of the sum of TEN AND NO/100.....DOLLARS, lawful money of the United States and other good and valuable consideration, now paid, the receipt whereof is hereby acknowledged, does hereby grant to

CITY OF PETERSBURG.....

Its successors

..... and assigns all the real property situated in the Borough of

State of Alaska, described as follows:

LOT FF OF U. S. SURVEY 3276, CONTAINING 0.53 ACRES,
MORE OR LESS, LOCATED IN TOWNSHIP 58 SOUTH, RANGE
79 EAST, COPPER RIVER MERIDIAN.

Subject to art. right-of-way permit ADL 56729 a Federal
Aid Highway Project No. S-0937(10) Parcel "B".

Township 58 SOUTH Range 79 EAST COPPER RIVER Meridian,
Alaska, according to the official survey thereof save and except those restrictions appearing in the Federal Patent or other conveyance by which the Grantor acquired title and further, Alaska, the Grantor, expressly reserves, out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, all oils, gases, coal, ores, minerals, fissionable materials, and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oils, gases, coal, ores, minerals, fissionable materials and fossils, and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its lessees, successors and assigns forever, the right to enter by itself, its or their agents, attorneys, and servants upon said lands, or any part or parts thereof, at any and all times, for the purpose of opening, developing, drilling and working mines or wells on these or other lands, and taking out and removing therefrom all such oils, gases, coal, ores, minerals, fissionable materials and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its lessees, successors, and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain, and use all such buildings, machinery, roads, pipelines, powerlines, and railroads, sink such shafts, drill such wells, remove such soil, and to remain on said lands or any part thereof for the foregoing purposes and to occupy as much of said lands as may be necessary or convenient for such purposes hereby expressly reserving to itself, its lessees, successors, and assigns, as aforesaid, generally all rights and power in, to, and over said land, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved.

On Here and to Hold the said land with the appurtenances thereof unto the said Grantee and its successors and assigns forever.

In Testimony Whereof the State of Alaska has caused these presents to be executed by the Director of the Division of Lands, Department of Natural Resources, State of Alaska, this 26th day of SEPTEMBER A.D. 1974..

Don P. Testala
Acting Director, Division of Lands

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Serial No. 74-626