

Planning Commission Report

1/15/2020

TO: Borough Assembly

FROM: Planning Commission

Subject: Special Use Permit for Greg & Wendy Einerson

Summary: Applicant is requesting a special use permit to allow for placement of 2,025 sf of fill at the end of the W. Lansing St. Right-of-Way to access property at 16 W. Lansing St. (PID: 01-007-768).

Recommendation: Recommend Assembly approve with conditions

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

1. Proposed project is located on the W. Lansing Street Right-of-Way. The parcel is zoned Single-Family Residential.

2. Surrounding parcels are zoned Single Family Residential, while parcels to the West are zoned Commercial-2. Existing development on adjacent properties is primarily residential.

3. Review of the application by Utility Director: "I have no concerns with this SUP application. I have been visited by Mr. Einerson and I believe he understands that access to the sewer line and manhole in this area of development must be maintained. As I understand it, the SUP application is asking for permission to add some fill on the end of the platted Lansing Street Right of Way so that he can build a driveway to a future building site. The future building will be constructed on his property on the Mill Slough side of the utility easement that crosses his property, and which was recently realigned to match the actual location of the sewer main. He understands that he cannot build on the easement or within the Lansing Street Right of Way. I believe he has done a good job of communicating his future plans and I see no conflicts with the sewer main or right of way that would require an alteration to his plans."



5. A Notice of Public Hearing was mailed to all property owners within 600 feet of the subject parcel on December 27, 2019.

6. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Planning Commission Report

Determinations Based on Findings of Fact:

A. The proposal is found to be of a beneficial nature to the community;

The proposal allows for extension and maintenance of an existing right-of-way.

B. Adjacent and surrounding properties will not be adversely impacted;

The project is occurring on platted right-of-way. Any potential drainage or other concerns should be addressed during project planning and in consultation with Public Works.

C. Specific Conditions

Based on recommendations from Community Development & Utility Director the following conditions should be included in the permit:

1. Permittee shall provide copy of Army Corps of Engineers permit prior to filling any wetlands at the site, if deemed necessary by the Corps.
2. Permittee understands that if a developer decides to develop property in the vicinity, the developer will be required to supply a public roadway and utilities to serve their prospective lots, as required under municipal code. This would likely obliterate the applicant's driveway fill and the applicant should expect no reimbursement for any portion of their driveway that may be removed as part of permanent road/utility construction.
3. Permittee shall consult with Public Works Director prior to construction.
4. Permittee understands no structure shall be constructed on the existing utility easement or within the W. Lansing Street Right of Way.

December 15, 2019

From: Greg Einerson
P.O. Box 307
16 W. Lansing Street
Petersburg, AK 99833


To: Joe Bertagnoli
Karl Hagerman
Petersburg Planning and Zoning
Reid Construction

Purpose of Special Use Permit: Extending a dead end street (W. Lansing Street) by approximately 45' for the purpose of accessing private property owned by Greg and Wendy Einerson. Corp of Engineers permit is not required if road is kept above the 19.5 foot elevation line.

Contractor: Reid Brothers has inspected the project property and submitted a bid for this project and the Einersons will pay all project costs. Rick Braun has finished all necessary survey requirements for the project and can be on-site during the road construction.

Please see filing check, application for Special Use Permit, and Block 48 Plat.

Thank you,


Greg Einerson
907-518-0110

PID: _____ Date Received: _____ Received By: _____

Fee: \$170.00 (CODE: 110.000.404110)

Planning Commission Public Hearing Date: _____ Approved _____ Denied _____
FOR OFFICE USE ONLY

APPLICATION FOR SPECIAL USE PERMIT

Petersburg Borough
Community & Economic Development
PO Box 329
Petersburg, Alaska 99833

- I. APPLICANT(S): Greg EINERSON
- II. DESCRIPTION: (Use additional paper if necessary)
Legal Description of the area requested for the special use permit:
END OF W. LANSING STREET
Size of the petition area: 45' x 45'
- III. APPLICATION INFORMATION: (Use additional paper if necessary)
Explain details of proposed development: _____

Explain schedule of timing of development program: Spring 2020

A SPECIAL USE PERMIT CONDITIONS OF APPROVAL:

The Borough Assembly may issue the permit if the request, as approved by the Planning Commission, is found to be of beneficial nature to the community and that adjacent and surrounding property will not be adversely impacted.

There are instances when the private sector needs to use borough property for uses other than what the property was initially intended for. An example would be to use a platted, but undeveloped, right-of-way for private access to private property.

Explain how your application meets these conditions: _____

EXTENSION OF CITY ROAD 45'

Note: The Borough Assembly shall render its decision within thirty days after the conclusion of the public hearing, and upon receipt of Planning Commission recommendations.

In granting a special use permit, the commission shall state under what conditions, if any, the permit has been issued. Any such condition must be complied with. Violation of any condition shall result in revocation of the permit and further use of the property shall constitute a violation of this title, and shall be punishable accordingly.

A Schematic site plat must be attached showing the type and location of all proposed uses on the site, and all vehicular and pedestrian circulation patterns relevant to those uses.

Approval of a special use permit may require verification of insurance coverage. Contact the Borough Clerk at 772-4425 for further information on these additional requirements.

I hereby affirm that the above information 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.

GREG EINGERSON

Print Petitioners Name

Greg E

Signature of the Owner(s) of the Land in Petition Area

Box 307, PETERSBURG, AK

Address (Street and Mailing)

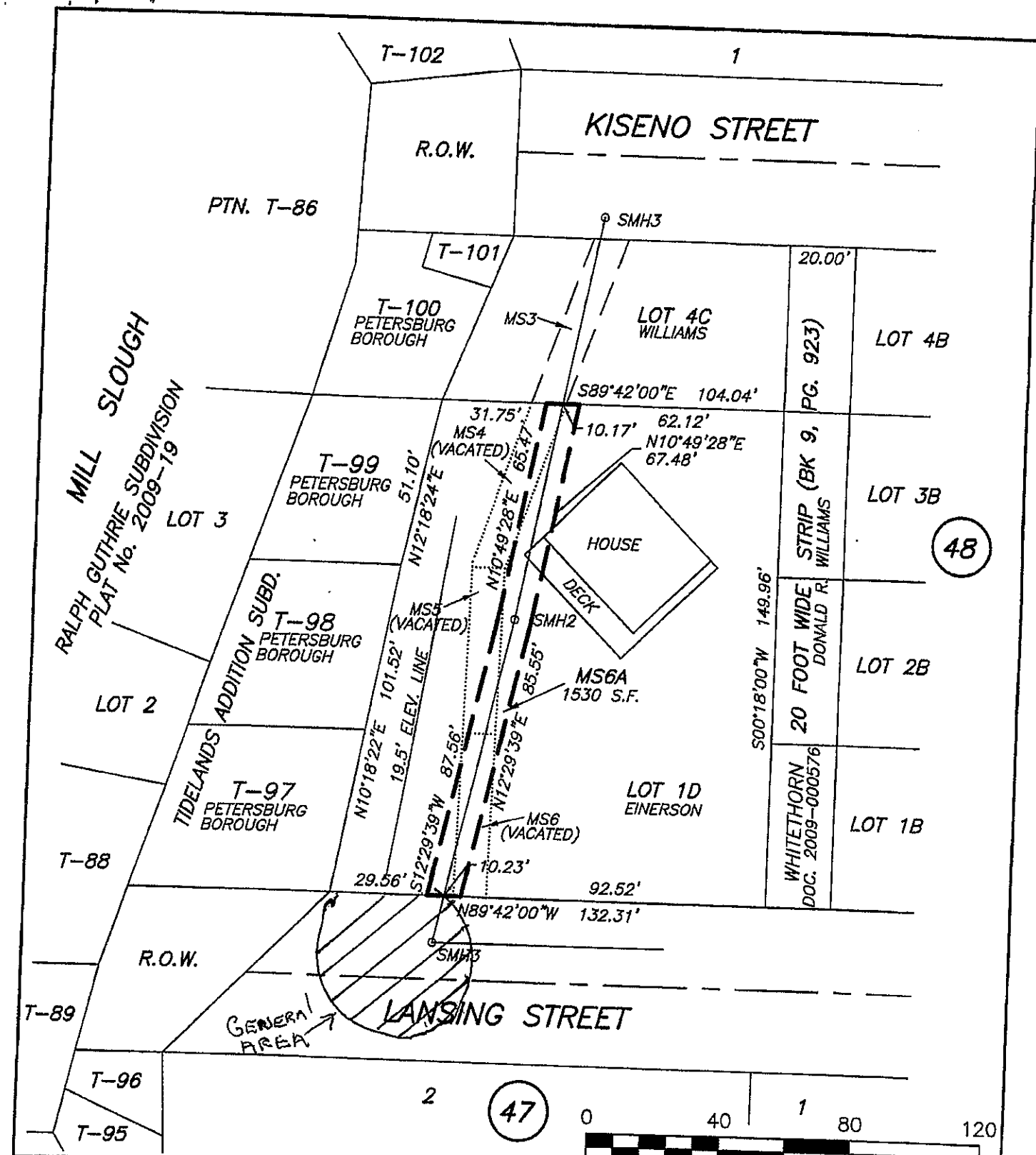
99833

15 DEC 2019

Date

907 518-0110

Phone Number



OWNER: GREG EINERSON

OWNER: WENDY EINERSON
 ATTACHED TO: SEWER LINE EASEMENT
 AGREEMENT, DATED: _____
 PAGE 4 OF 4

GPS COORDINATES: NAD 1983
 SMH1-N56°48'31.211" W132°57'36.212"
 SMH2-N56°48'32.425" W132°57'35.979"
 SMH3-N56°48'30.246" W132°57'36.600"

PETERSBURG BOROUGH

PLAT SHOWING SEWER LINE EASEMENT
 PARCELS NUMBER MS6A
 WITHIN LOT 1D OF MINOR LOT CONS-
 OLIDATION DOC. No. 2013-000566-0,
 BLOCK 48, U.S.S. 1252, PETERSBURG
 RECORDING DISTRICT.
 AREA: 1530 SQUARE FEET
 SCALE: 1"=40' DATE: SEPT. 4, 2019

Liz Cabrera
Director, Community and Economic Development
Borough of Petersburg
PO Box 329
Petersburg, Alaska 99833

Reid
1/13/20 @

Dear Liz and Planning Commission Members,

I am writing to share my support for the special use permit request by Greg Einerson for a roadway on his property at 16 Lansing. In looking at the plats as well as inspecting the property where this road will be placed, I see no negative impacts on the community or the Einerson's neighbors. As stated in the application it is well above any high water line and therefor does not require any Army Corps permitting. The project is planned, overseen and completed by Rick Braun and Reid Brothers so you know it will be done right. This is a way for an owner to make better use of their property and thus I believe this special use permit should be granted.

Thank you for considering my thoughts on this matter.

All the best,



Dave Ohmer

West Lansing Street
Einerson - 16 West Lansing Street
01-007-768

Streets: West Lansing Street, Snodgrass Street, Hammer Street, Birch Street, Kseno Street, S 2nd St, S 3rd St, Hogue Alley, Marianne Street, Noseum Street, Neptune Street, South Harbor Viewway Area.

Parks: Buschmann Park, Centennial Park, Bolser Wiman Fisherman's Memorial.

Property Lots: Numerous lots are labeled with numbers, including 1-011-160, 1-011-162, 1-011-166, 1-011-170, 1-011-175, 1-011-176, 1-011-178, 1-011-180, 1-011-181, 1-011-185, 1-011-186, 1-011-187, 1-011-188, 1-011-190, 1-011-200, 1-011-201, 1-011-202, 1-011-203, 1-011-204, 1-011-205, 1-011-206, 1-011-207, 1-011-208, 1-011-209, 1-011-210, 1-011-211, 1-011-212, 1-011-213, 1-011-214, 1-011-215, 1-011-216, 1-011-217, 1-011-218, 1-011-219, 1-011-220, 1-011-221, 1-011-222, 1-011-223, 1-011-224, 1-011-225, 1-011-226, 1-011-227, 1-011-228, 1-011-229, 1-011-230, 1-011-231, 1-011-232, 1-011-233, 1-011-234, 1-011-235, 1-011-236, 1-011-237, 1-011-238, 1-011-239, 1-011-240, 1-011-241, 1-011-242, 1-011-243, 1-011-244, 1-011-245, 1-011-246, 1-011-247, 1-011-248, 1-011-249, 1-011-250, 1-011-251, 1-011-252, 1-011-253, 1-011-254, 1-011-255, 1-011-256, 1-011-257, 1-011-258, 1-011-259, 1-011-260, 1-011-261, 1-011-262, 1-011-263, 1-011-264, 1-011-265, 1-011-266, 1-011-267, 1-011-268, 1-011-269, 1-011-270, 1-011-271, 1-011-272, 1-011-273, 1-011-274, 1-011-275, 1-011-276, 1-011-277, 1-011-278, 1-011-279, 1-011-280, 1-011-281, 1-011-282, 1-011-283, 1-011-284, 1-011-285, 1-011-286, 1-011-287, 1-011-288, 1-011-289, 1-011-290, 1-011-291, 1-011-292, 1-011-293, 1-011-294, 1-011-295, 1-011-296, 1-011-297, 1-011-298, 1-011-299, 1-011-300, 1-011-301, 1-011-302, 1-011-303, 1-011-304, 1-011-305, 1-011-306, 1-011-307, 1-011-308, 1-011-309, 1-011-310, 1-011-311, 1-011-312, 1-011-313, 1-011-314, 1-011-315, 1-011-316, 1-011-317, 1-011-318, 1-011-319, 1-011-320, 1-011-321, 1-011-322, 1-011-323, 1-011-324, 1-011-325, 1-011-326, 1-011-327, 1-011-328, 1-011-329, 1-011-330, 1-011-331, 1-011-332, 1-011-333, 1-011-334, 1-011-335, 1-011-336, 1-011-337, 1-011-338, 1-011-339, 1-011-340, 1-011-341, 1-011-342, 1-011-343, 1-011-344, 1-011-345, 1-011-346, 1-011-347, 1-011-348, 1-011-349, 1-011-350, 1-011-351, 1-011-352, 1-011-353, 1-011-354, 1-011-355, 1-011-356, 1-011-357, 1-011-358, 1-011-359, 1-011-360, 1-011-361, 1-011-362, 1-011-363, 1-011-364, 1-011-365, 1-011-366, 1-011-367, 1-011-368, 1-011-369, 1-011-370, 1-011-371, 1-011-372, 1-011-373, 1-011-374, 1-011-375, 1-011-376, 1-011-377, 1-011-378, 1-011-379, 1-011-380, 1-011-381, 1-011-382, 1-011-383, 1-011-384, 1-011-385, 1-011-386, 1-011-387, 1-011-388, 1-011-389, 1-011-390, 1-011-391, 1-011-392, 1-011-393, 1-011-394, 1-011-395, 1-011-396, 1-011-397, 1-011-398, 1-011-399, 1-011-400, 1-011-401, 1-011-402, 1-011-403, 1-011-404, 1-011-405, 1-011-406, 1-011-407, 1-011-408, 1-011-409, 1-011-410, 1-011-411, 1-011-412, 1-011-413, 1-011-414, 1-011-415, 1-011-416, 1-011-417, 1-011-418, 1-011-419, 1-011-420, 1-011-421, 1-011-422, 1-011-423, 1-011-424, 1-011-425, 1-011-426, 1-011-427, 1-011-428, 1-011-429, 1-011-430, 1-011-431, 1-011-432, 1-011-433, 1-011-434, 1-011-435, 1-011-436, 1-011-437, 1-011-438, 1-011-439, 1-011-440, 1-011-441, 1-011-442, 1-011-443, 1-011-444, 1-011-445, 1-011-446, 1-011-447, 1-011-448, 1-011-449, 1-011-450, 1-011-451, 1-011-452, 1-011-453, 1-011-454, 1-011-455, 1-011-456, 1-011-457, 1-011-458, 1-011-459, 1-011-460, 1-011-461, 1-011-462, 1-011-463, 1-011-464, 1-011-465, 1-011-466, 1-011-467, 1-011-468, 1-011-469, 1-011-470, 1-011-471, 1-011-472, 1-011-473, 1-011-474, 1-011-475, 1-011-476, 1-011-477, 1-011-478, 1-011-479, 1-011-480, 1-011-481, 1-011-482, 1-011-483, 1-011-484, 1-011-485, 1-011-486, 1-011-487, 1-011-488, 1-011-489, 1-011-490, 1-011-491, 1-011-492, 1-011-493, 1-011-494, 1-011-495, 1-011-496, 1-011-497, 1-011-498, 1-011-499, 1-011-500, 1-011-501, 1-011-502, 1-011-503, 1-011-504, 1-011-505, 1-011-506, 1-011-507, 1-011-508, 1-011-509, 1-011-510, 1-011-511, 1-011-512, 1-011-513, 1-011-514, 1-011-515, 1-011-516, 1-011-517, 1-011-518, 1-011-519, 1-011-520, 1-011-521, 1-011-522, 1-011-523, 1-011-524, 1-011-525, 1-011-526, 1-011-527, 1-011-528, 1-011-529, 1-011-530, 1-011-531, 1-011-532, 1-011-53

