

# Planning Commission Report

Meeting date: July 18, 2016

**TO:** Borough Assembly

**FROM:** Planning commission

**Subject:** Special Use Permit for Rosann Dunham

**Summary:** Applicant is requesting a special use permit to construct and maintain a driveway on the Baranof Street ROW. The driveway would provide access to the backyard at 223 S. Nordic Drive.

**Recommendation:** Recommend approval with conditions

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

1. Proposed project is located on the Baranof Street Right-of-Way along South Nordic Drive. The parcel is zoned Commercial-2.
2. Parcels to the North, South, East and West are primarily zoned C-2. Existing development on surrounding properties is primarily residential with some light commercial.
3. Review of the application by Public Works found there are no underground water or sewer lines that would be impacted by the proposed special use permit or driveway. Review of possible drainage issue by Public Works resulted in opinion that filling the low spot, or shallow pothole, next to the power pole will not change any of the major drainage patterns in the neighborhood
4. Review of the application by Power & Light revealed no issues of concern.
5. A Notice of Public Hearing was mailed to all property owners within 600 feet of the subject parcel on May 26, 2016.
6. The Planning Commission held a duly noticed Public Hearing on June 20, 2016.
7. At the public hearing, the commission heard and considered oral testimony from Ms. Dunham, Mr. Danial Tate, Mr. Stan Hjort and Ms. Bailey. Mr. Hjort also submitted written comments.

## **Determinations Based on Findings of Fact:**

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

The proposal allows for maintenance of an existing, but undeveloped right-of-way.

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

The project is occurring on platted right-of-way. The right-of-way ends at the applicant's property line. The specific conditions being recommended address maintaining existing drainage patterns and complying with state and federal regulations.

### **C. Specific Conditions**

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Based on recommendations from Public Works Director and Community Development staff, the following conditions should be included in the permit:

1. Permittee is authorized to maintain existing driveway by filling potholes and clearing brush. The existing driveway footprint is not to be enlarged without prior approval of Public Works Director and notification of immediate neighbors.
2. If area of fill is increased, permittee should ensure project doesn't impact local drainage and should install a drainage culvert (minimum diameter 12") if it is determined water will pool on either side of their driveway.
3. Permittee understands that as part of the snow removal, the borough may plow snow up to their driveway and may push snow into the right of way past their driveway. Notwithstanding these activities, this remains a private driveway and the borough has no responsibility to plow or maintain a private driveway.
4. The Fire Department recommends a minimum of 15' wide driveway for emergency vehicle access. This is the minimum space needed to operate at an emergency and access the tools and equipment from our vehicles.