

Planning Commission Staff Report

Meeting date: October 25, 2016

Updated: 10/25/2016

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director
Joe Bertagnoli, Building Official

Subject: Rezone from Public Use to Single-family Residential
Parcel 01-014-125
Petersburg Borough

Recommendation: Rezone 919 Sandy Beach Road from “Public Use” to “Single-family Residential”

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

1. An application for rezone was initiated by the Planning Commission (applicant) on June 14, 2016. The rezone was scheduled for a public hearing on June 14, 2016.
2. Subject parcel is 1.33 acres and undeveloped. Surrounding area is predominantly single-family residential with two rural residential parcels located to the west and significant parcels of Public Use to the south.
3. The Borough Assembly has given preliminary approval to sell this parcel at public auction in 2016.
4. While single-family residential uses are allowed in the public use district, it is inappropriate to zone private land for public use.
5. Legal and practical access to the property is via a public access easement located on adjacent lots (Lot JK and LA) as described in USS 3276 and rededicated in Plat# 2004-6.
6. The public easement located across Lot N, USS3276 was vacated by Resolution 956-R.
7. Future land use for the subject parcel is WATERFRONT B, defined as areas on or near the waterfront, where waterfront location is key to value of the use; examples include residential, lodging, restaurants, select retail; uses must be sited and designed to take advantage of waterfront values, and maintain the scale of single family detached residential buildings.



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8. The proposed action is consistent with comprehensive plan goal 3d: to increase the supply of housing within the already developed parts of town and encourage infill on vacant in-town parcels (p42).
9. Hearing notices were mailed to property owners within 600 feet of the subject parcel on July 6, 2016.
10. On August 23, 2016, a duly noticed public hearing was held by the Petersburg Borough Planning Commission. The commission decided to postpone action on this item until October 25, 2016.
11. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments:
 - a. Letter from Kris Norosz

Section 2. Based on the preceding findings of fact, the Petersburg Planning & Zoning Commission makes the following recommendation:

Rezone 919 Sandy Beach Road from "Public Use" to "Single-family Residential"

Kris Norosz
P.O. Box 805
Petersburg, AK 99833



August 18, 2016

Petersburg Borough Planning Commission
P.O. Box 329
Petersburg, Alaska 99833

Sent via e mail

RE: Agenda items 4(d) and 8(e) Vacation of Public Easement at 919 Sandy Beach Road (PID#: 01-014-125); and
Agenda items 4(e) and 8(f) Consideration of a rezone from Public Use to Single-Family Residential at 919 Sandy Beach Road (PID#: 01-014-125)

Dear Chairman Fry and Planning Commission Members,

I respectfully request the Petersburg Borough Planning Commission postpone any action on agenda items 4(d), 4(e), 8(e) and 8(f) until a future meeting of the Commission. As an adjacent property owner to Lot 10 and the easement in question, it is of huge importance to me to be present where these issues are discussed. I cannot be in attendance (and I will not be in cell range to call in) for the recently re-scheduled meeting on August 23.

I appreciate the fact the members of this Commission serve in a volunteer capacity and thank you for your service. I also realize how difficult it is to schedule and attend meetings during the summer months when life is particularly hectic for Alaskans. I was in attendance for the noticed and scheduled meeting on July 25, 2016 only to find it was cancelled due to lack of a quorum.

I did obtain some of the Commission's meeting packet information in reference to the agenda items noted above and had a chance to review them. I am disturbed by the contents as I believe the Planning Commission Staff Report contains some misstatements and errors.

I disagree with points # 5, 8, and 9 in the "findings of fact":

- #5: To my knowledge, there is no public access easement on Lot N.
- #8: On July 25, 2016 a public hearing was not held by the Petersburg Borough Planning Commission.
- #9: The Planning Commission did not consider and review applicant materials, public comments and testimony, and staff comments because the public hearing never occurred due to a lack of a quorum.

I am unsure how to address Section 2 because the preceding "findings of fact" are inaccurate and, to my knowledge, and contrary to what it says in the Staff Report, I do not believe the "Petersburg Borough Planning and Zoning Commission" has made the four determinations stated. For if they did not meet on July 25, when did they make these determinations?

In Section 2, I disagree with points # 1, 2 and 3 as presented in the Staff Report.

- #1: To my knowledge, there is no public access easement on the adjoining Lot N
- #2: I have used the small pull-out adjacent to Lot N since 1979. In my mind, 37 years of use would qualify as historic use.
- #3: I do not agree the easement limits the future use of the lot.

As the adjacent property owner since 1979, I believe I can provide some factual information that can add value to the discussion and correct some errors contained in the Commission's meeting packet. I believe it is critical to have accurate and factual information, and consider public input, before one can make truly informed decisions.

Also to be considered is my filed application with the Petersburg Borough to purchase the 50 foot easement running between Lot 10 and Lot N only. The application does not include the portion of the easement running along Lot 10 and adjacent Lots LA and JK.

I appreciate the Commission taking the time to read, understand and carefully consider the contents of this letter. I respectfully request you postpone taking action on any recommendations for Lot 10 and associated easements until a later date when I can partake in the discussion and provide more clarity. I also request this letter be read out loud during the meeting to ensure it is included in the written and oral records.

Thank you very much for your consideration.



Kris Norosz