



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Planning Commission Regular Meeting

Tuesday, October 14, 2025

12:00 PM

Assembly Chambers

You are invited to a Zoom meeting.

When: Tuesday, October 14, 2025, 12:00 PM Alaska

Topic: Tuesday, October 14, 2025, Regular Planning Commission Meeting

Please click the link below to join the webinar:

<https://petersburgak.gov.zoom.us/j/85866776998?pwd=4zzLhj6b35RFN6azsDitkoJN2aIBqh.1>

Passcode: 717525

Webinar ID: 858 6677 6998

Or Telephone:

(253) 215 8782 US (Tacoma) or (720) 707 2699 US (Denver)

1. **Call to Order**
2. **Roll Call**
3. **Acceptance of Agenda**
4. **Approval of Minutes**

A. September 9, 2025, Meeting Minutes

5. **Election of Officers**

6. **Public Comments**

Public comments are welcome on matters not appearing on the Public Hearing or Consent Calendar but are within the Borough's jurisdiction. Persons wishing to speak should come forward and state their name and address. Issues raised may be referred to staff and, if action by the Commission is needed, may be scheduled for a future meeting.

7. **Consent Calendar**

8. **Public Hearing Items**

A. Five-year review of condition of approval for payment in lieu of parking for Valhalla Place at 107 EXCEL STREET (PID: 01-007-236).

B. Recommendation to the Borough Assembly for an application from Silver Bay Seafoods for a Special Use Permit to use 6,000 sf of a borough right-of-way at W. DOLPHIN ST.

9. **Non-Agenda Items**

- A. Commissioner Comments
- B. Staff Comments
- C. Next Meeting is November 11, 2025

10. Adjournment



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Planning Commission Regular Meeting

Tuesday, September 09, 2025

12:00 PM

Assembly Chambers

1. Call to Order

The meeting was called to order at 12:00PM.

2. Roll Call

PRESENT

Commission Chair Chris Fry
Commission Vice-Chair Heather O'Neil
Commissioner Marietta Davis
Commissioner Phillip Meeks

ABSENT

Commissioner Jim Floyd
Commissioner John Jensen
Commissioner Donald Sperl

3. Acceptance of Agenda

The agenda was accepted as presented.

Motion made by Commission Vice-Chair O'Neil, Seconded by Commissioner Davis.

Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

4. Approval of Minutes

A. August 12, 2025, Meeting Minutes

The August 12, 2025, Meeting Minutes were unanimously approved.

Motion made by Commissioner Davis, Seconded by Commission Vice-Chair O'Neil.

Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

5. Public Comments

None

6. Consent Calendar

None

7. Public Hearing Items

- A. Consideration of an application from Mary Ellen Anderson for a conditional use permit for a home occupation at 191B MITKOF HWY (PID: 01-031-100).

By unanimous vote, the Commission approved the conditional use permit.

Motion made by Commissioner Davis, Seconded by Commissioner Meeks.
Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

- B. Consideration of an application from Shawn Blake for a conditional use permit for a home occupation at 1309 GJOA ST (PID: 01-005-535).

Shawn Blake spoke representing himself to explain his plans for the conditional use permit.

By unanimous vote, the Commission approved the conditional use permit.

Motion made by Commissioner Davis, Seconded by Commissioner Meeks.
Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

- C. Consideration of an application from Greg & Heidi Johnson for a minor subdivision at 811 SANDY BEACH RD (PID: 01-004-136).

Motion made by Commission Vice-Chair O'Neil, Seconded by Commissioner Davis.

Commission Chair Fry questioned the section of the plat that was circled, the steps looked close to the property line. Director Liz Cabrera replied, the steps are below 30" in height, which is allowed within the setback under code.

Director Liz Cabrera asked Surveyor Rick Braun if the accreted area on the plat was in the flood hazard zone. Rick Braun spoke to say yes, it would be, and he could put that note on the plat. Discussion.

By unanimous vote, the Commission approved the minor subdivision.

Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

- D. Consideration of an application from Rocky Littleton for a variance from the side yard setback requirement to construct a car port within 3' of the property line at 407 Mitkof Hwy (PID: 01-084-500).

Dan Bird spoke as the contractor for Mr. Littleton. He made himself available for any questions and gave more details about the project.

Commissioner Meeks asked Mr. Bird if there was a fire code issue. Mr. Bird said a portion of the structure would be sheetrock to meet fire code.

Director Cabrera clarified, the agenda item wasn't updated but the variance proposal is for 3' from the side and 7' from the rear. Also noting the motion is correct at 5' from side yard because this is what the Commission has done previously. It is up to the Commission to approve or amend that.

By unanimous vote, the Commission approved the variance for Rocky Littleton.

Motion made by Commissioner Davis to approve a variance from the side yard setback requirement to construct a car port within 5' of the side property line and 7' from the rear property line at 407 Mitkof Hwy., Seconded by Commissioner Meeks. Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

8. Non-Agenda Items

A. Commissioner Comments

None

B. Staff Comments

Director Cabrera mentioned the zoning practice that was distributed to the Commissioners today for their review. The next meeting we will have new Commissioners. The code has been updated, and copies of the changes should be available for the Commissioners' code books at the next meeting.

C. Next Meeting is October 14, 2025, at 12:00pm.

9. Adjournment

The meeting adjourned at 12:26pm.

Motion made by Commissioner Davis, Seconded by Commission Vice-Chair O'Neil. Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commissioner Davis, Commissioner Meeks

PLANNING COMMISSION STAFF REPORT

Action #	2025-1001
Meeting Date:	10/14/2025
Applicant(s):	Valhalla Place LLC
Property Owner(s):	Valhalla Place LLC
Agent/Representative:	Glenn Gellert
Property Address:	107 EXCEL ST
Legal Description:	Lot 9A, Plat 89-2
Parcel ID	01-007-236
Acreage/Lot Size	15,000 sf
Current Zoning	Commercial-1
Request Type:	Review of Condition of Approval

EXECUTIVE SUMMARY

Applicant Request: Remove the condition of approval requiring use of property at 103 N 1ST ST to provide overflow parking spaces for residents of 107 EXCEL ST.

Staff Recommendation: Approve with conditions

Key Issues:

1. In 2020, Planning Commission approved Vakker Sted's request to use fee in lieu of parking for 6 off-street parking spaces required by code.
2. Additionally the Commission required Vakker Sted to set aside a portion of 103 N 1st St to serve as overflow parking for residents for five years at which time it was to be reviewed.

PROJECT DESCRIPTION

Proposal Details

Intended Use USE OF 103 N 1ST ST AS OVERFLOW PARKING

ZONING AND LAND USE ANALYSIS

Current Zoning	
Zone	Commercial-1
Intent	C-1 provides a consolidated, cohesive and strong central business district with easy access to facilitate a viable economic center.
Principal Uses	Uses outlined in Section 19.32.20 for C-1 include, but are not limited to, retail, offices, and all uses in SF and MF.
Conditional Uses	There are no conditional uses in the C1 district.

Surrounding Zoning		Actual Land Use	
North	Commercial-1	North	Residential
South	Public Use	South	Public Medical Center
East	Commercial-1	East	Residential
West	Commercial-1	West	Commercial/Industrial

LOT DEVELOPMENT STANDARDS

Standard	Required	Proposed	Conforms?	Comment
Parking Spaces	21	15 spaces	Yes	
		6 spaces paid fee in lieu of parking		

STANDARDS ANALYSIS (PMC 19.64)

1. Required off-street parking for residential use. Multi-family residential is required to provide 2 off-street parking spaces for each dwelling unit. Vakker Sted has 15 units requiring 30 off-street spaces.
2. Parking requirements may be reduced if the parcel is located within one of the designated Parking Districts. Vakker Sted is located in PD-2 East, so its off-street parking is reduced to .70 of the amount required by code. Vakker Sted is required to provide 21 spaces.
3. Parking code also allows for 2 exemptions with one being to pay into a parking trust fund in lieu of providing the required spaces. Vakker Sted was approved to use this exemption and paid an amount in the equivalent of 6 parking spaces to the borough.

DEPARTMENT REVIEWS

Department Name	Comments
Public Works:	No comments.
Power & Light:	No comments.
Fire/EMS:	No comments.

PUBLIC NOTICE

Notice was mailed by first class mail to the owner of record of the property within a distance of six hundred feet of the exterior boundary of the property that is the subject of the application. See Attachment D for notification list.

FINDINGS AND CONDITIONS OF APPROVAL

See draft resolution on next page for findings of fact and conditions of approval

Proposed Motion

I move to approve Resolution No. 2025-101

ALTERNATIVES

The Planning Commission has the following options:

1. Approval of the application as submitted.
2. Approval of the application with staff-recommended conditions
3. Approval of the application with modified or additional conditions.
4. Continue the hearing to allow for additional information or public input.
5. Deny the application.

If the Planning Commission chooses to recommend the application contrary to staff recommendation, specific findings supporting that decision should be provided.

ATTACHMENTS

A. Maps	C. Public Comments	E. Minutes of October 13, 2020 meeting.
B. Applicant Materials	D. Public Notice	

APPEAL (PMC 19.92)

If approved by the Planning Commission, this decision may be appealed to the Borough Assembly within 10 days of the Planning Commission's decision by the Applicant; a property owner within 600 feet of the subject property; or any governmental agency, that may be adversely affected by the decision. Appeal forms are available at the Borough Clerk's office and must be accompanied by the required fee.

PLANNING COMMISSION RESOLUTION NO. 2025-101

**A RESOLUTION OF THE PETERSBURG BOROUGH PLANNING COMMISSION RECOMMENDING RECISSION OF THE
CONDITION OF APPROVAL REQUIRING
USE OF 103 N 1ST ST AS OVERFLOW PARKING**

Whereas on October 14, 2025, the Planning Commission conducted a duly and properly noticed public hearing to review the conditions of approval requiring USE OF 103 N 1ST ST AS OVERFLOW PARKING for required parking located at 107 EXCEL ST, legally described as Lot 9A, Plat 89-2; and

WHEREAS, the applicant and staff presented testimony and evidence, and all interested persons were given the opportunity to provide public testimony regarding the application; and

WHEREAS, the Planning Commission has reviewed the staff report, attachments, and all relevant documents and materials, and has heard all testimony presented at the public hearing; and

WHEREAS, the Planning Commission has considered the proposed request in light of the findings; and

WHEREAS, the Planning Commission has made the following findings of fact, based on substantial evidence in the record:

Finding 1: Vakker Sted has 15 dwelling units and is located in Parking District 2-East.

Finding 2: PMC 19.64.020(B) reduces parking to .70 of required spaces for parcels located in PD-2 East, which reduces Vakker Sted required parking to 21 spaces.

Finding 3: Vakker Sted proposed to provide 15 off-street parking spaces and requested approval to use PMC 19.64.120(B)2 and pay a fee in lieu of 6 spaces of required parking.

Finding 4: On October 13, 2020, the Planning Commission approved allowing Vakker Sted to pay a fee in lieu of providing off-street parking.

Finding 5: The Planning Commission decision required applicant to set aside 103 N 1ST for overflow parking with the caveat that it would be reviewed in 5 years to determine if it was necessary.

Finding 6: Per Vakker Sted owner, none of their tenants have parked at the overflow lot.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the Petersburg Borough hereby rescinds the condition of approval requiring use of 103 N 1st St as overflow off-street parking for the Vakker Sted building.

BE IT FURTHER RESOLVED, that the chairperson is authorized to sign this resolution on behalf of the Planning Commission.

ADOPTED this 14 day of October, 2025, by the following vote:

AYE:

NAY:

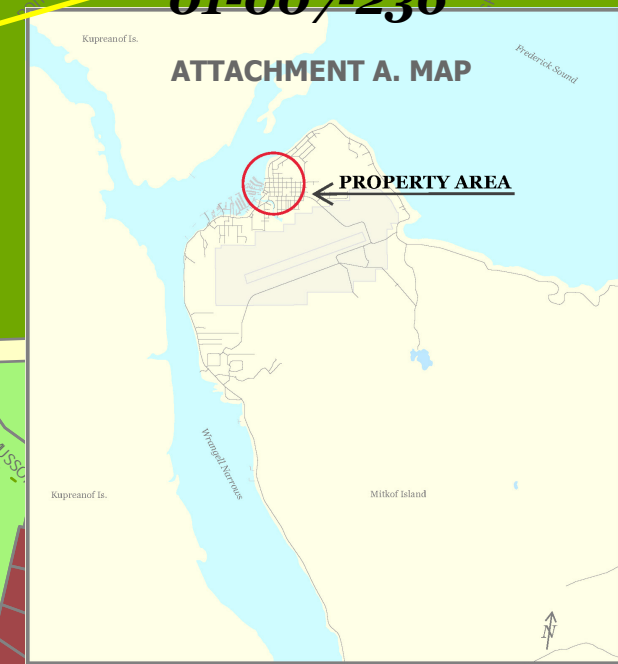
ABSENT:

Chair, Planning Commission

Valhalla Place
107 Excel Street
01-007-236

Item 8A.

ATTACHMENT A. MAP



Zoning Classification

- C1 - Commercial 1
- C2 - Commercial 2
- C3 - Commercial 3
- I - Industrial
- MF - Multi-family
- SF - Single Family
- SF2 - Single Family 2
- SFM - Single Family Mobile Home Park
- MHP - Mobile Home Park
- OSR - Open Space Recreational
- PU - Public Use
- RR - Rural Residential
- U - Undeveloped

ATTACHMENT B: APPLICANT MATERIALS

 Outlook

Re: Valhalla Place additional parking

From Glenn Gellert <[REDACTED]>

Date Wed 9/10/2025 4:51 PM

To Liz Cabrera <[REDACTED]>

External Email! Use Caution

Hi Liz,

Thanks for contacting me regarding the off-street parking requirement for our Valhalla Place housing project.

It would be nice to get rid of the extra parking requirement. To date, none of our tenants have parked over on 103 N 1st.

I would be able to participate in a Zoom meeting except between September 28th and October 10th, when I am out of the country.

Glenn

On Wed, Sep 10, 2025 at 5:13 PM Liz Cabrera <[REDACTED]> wrote:

Hi Glenn,

Next month is the five-year review for the off-site parking requirement for Valhalla Place.

As you likely recall, the Planning Commission required additional off-street parking at 103 N 1st ST as a condition of approval for payment in lieu of parking. I intend to put this on as a public hearing item on the October meeting agenda for the Commission to review.

As part of the public hearing process, notice of the hearing will be mailed to surrounding property owners and a sign will be posted at the site.

The meeting is scheduled for October 14th at noon and you could attend in person or via zoom.

Please let me know if you would be available to attend as we could postpone to November if needed.

Best,
Liz

Liz Cabrera
Community Development
Petersburg Borough



September 23, 2025

CHAMBER OF COMMERCE**NOTICE OF SCHEDULED PUBLIC HEARINGS**

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

Five-year review of condition of approval for payment in lieu of parking for Valhalla Place at 107 EXCEL STREET (PID: 01-007-236).

The public hearing and consideration of the application will be held:	Tuesday, October 14th, 2025, 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

Name1	Name2
CHRIS FRY	
HEATHER O'NEIL	
JOHN JENSEN	
MARIETTA DAVIS	
VALHALLA PLACE LLC	
ABBOTT THOMAS	HART ELIZABETH
ALASCOM INC PROPERTY TAX DIVISION	
ALASKA POWER & TELEPHONE	
ALCOCK TARALEE	
ANDERSON JASON C	ANDERSON JULIE E
BAYSIDE LANDING LLC	
BERG DAVID A	BERG NANCY A
BERNALDO DELILAH	
BOSWORTH DALE	BOSWORTH LESLEY
BRUMBLEY PAGE	
BUOTTE DAVID E	SUHARA COLLEEN T
BURKE RICHARD	LYNN BURKE JAMIE
CANTON LOGAN J	CANTON SHEENA L
CHAMBER OF COMMERCE	
COWLING GREGORY A	
CRONLUND DOUGLAS	
DIAMANTE GIFT SHOPPE INC	
DRURY DONALD RAY	DRURY BRIANA
EC PHILLIPS AND SONS INC	
EIDE VENTURES LLC	
ESPESETH RHEA	ESPESETH NICHOLAS
FIRST BANK	
FJORD BOUNTIES LLC	
FREEDOM VENTURES LLC	
HAMMER & WIKAN	
HIGGINS DONALD	HIGGINS NANCY
IGLOO LLC	
KAWASHIMA DWIGHT G	KAWASHIMA JANE
KFSK NARROW BROADCASTING	
KORCHAK PAUL	
KVERNVIK RACHEL M	
LENHARD MATTHEW	LENHARD JILL
LOESCH RONALD JOHN	LOESCH ANNE MARIE
LOPEZ CHADAM	LOPEZ DEREK AND MICHELLE
LUTHERAN CHURCH	
MALLORY DARCY	
MANLY AMBER E	OLSON HELEN ANN
MARTENS COLLIN B	ROBSON KIMBERLY M
MARTIN TYLER J	
MEEKS PHILLIP E	MEEKS SANDRA R
MICHAEL ERIN A	
MOORE JOSHUA A	MOORSE VICTORIA R
MURRISON GEORGE	MURRISON NANCY
NILSEN MIKE L	NILSEN RAVENNA
NORTHERN NECESSITIES LLC	
O'CONNOR DEMKO KELLY M	
OGDEN JACK E	OGDEN CAROL B
OHMER AND COMPANY LLC	
OHMER DAVE	
OHMER NICHOLAS E	
QINES MARJORIE J	
OLSEN ROBERT G JR	OLSEN NICCOLE
O'NEIL ERICA	O'NEIL SCOTT
OTNESS JOHN J	
PETERSBURG BOROUGH SCHOOLS	
PETERSBURG CHILDREN CENTER	
PETERSBURG ELKS LODGE	
PETERSBURG INDIAN ASSOCIATION	
PETERSBURG MEDICAL CENTER	
PETERSBURG MENTAL HEALTH SERVICES	
PETERSBURG MOOSE LODGE	
PETERSEN CODEE	PETERSEN NATALIE
PRIEST POINT LLC	C/O SUSAN ERICKSON
QUITSLUND JOSEF M	
ROCKWELL DEVELOPMENT LLC	
SALVATION ARMY-PETERSBURG	
SANAMADA HOLDINGS LLC	
SEVER CYNTHIA	
SILVER BAY SEAFOODS LLC	
SKEEK LEONARD	SKEEK LOURDES
SOKOL VICKIE L	LUHR ROBERT W
SPRAGUE RICHARD	SPRAGUE SHARON
ST ANDREWS EPISCOPAL CHURCH	
ST CATHERINE'S CHURCH	
STOLPE ADRIENNE	STOLPE LOGAN
STRATMAN JOSEPH	RICE ALLISON
TAGABAN LOLITA	
TONGASS FEDERAL CREDIT UNION	
TRASK GRANT	TRASK LILA
TRIAM FRED	
VERSTEEG KORY H	
VINSON TRACI	VINSON ANTHONY
WEAVER PAT ELAINE	
WELDE DOUGLAS	
WELLS FARGO	
WIKAN RICHARD	
WOHLHUETER KURT	WOHLHUETER SHERI
YIP WAMEN	YIP LANAY

**Petersburg Borough**12 South Nordic Drive
Petersburg AK, 99833**Meeting Minutes
Planning Commission**

Tuesday, October 13, 2020

12:00 PM

Assembly Chambers

ZOOM MEETING**1. CALL TO ORDER:****2. ROLL CALL:****Present:** 5 - Richard Burke, Sally Dwyer, Chris Fry, Heather O'Neil and Nancy Strand**3. ACCEPTANCE OF AGENDA:****A motion was made by Commissioner Nancy Strand, seconded by Commissioner Richard Burke that the agenda be approved as presented. The motion carried by a vote of****Yes:** 5 - Commissioner Burke, Commissioner Dwyer, Commissioner Fry, Commissioner O'Neil and Commissioner Strand**4. APPROVAL OF MINUTES:****A motion was made by Commissioner Nancy Strand, seconded by Commissioner Richard Burke that the meeting minutes from 9/9/2020 be approved as presented. The motion carried by a vote of****Yes:** 5 - Commissioner Burke, Commissioner Dwyer, Commissioner Fry, Commissioner O'Neil and Commissioner Strand

Meeting minutes from September 9, 2020

Attachments: [Meeting Minutes from September 9, 2020](#)**5. PUBLIC COMMENTS:**

None

6. CONSENT CALENDAR:

None

7. PUBLIC HEARING ITEMS:

- A. Consideration of a request from Valhalla LLC to provide payment in lieu of providing a portion of required off-street parking at 107 Excel St. (PID: 01-007-236).

Grant Trask spoke on his own behalf in opposition. Mr. Trask stated they had no information on the proposal and asked the request from Swell LLC be read into the record. Administrative Assistant, Karen Malcom, read the letter from Valhalla Place, LLC into the record. Mr. Trask stated that only a fraction of the people impacted by this proposal are here today to comment. Mr. Trask suggested putting parking under the building in order to keep it off the street. Discussion.

Doug Welde spoke on his own behalf in opposition. Mr. Welde stated he was concerned by the 15 vehicles parking off-street as there is no room. Discussion.

Lila Trask spoke on her own behalf in opposition. Mrs. Trask asked for clarification on how many spaces Swell LLC is looking to pay for. Discussion.

John Swanson spoke on his own behalf in opposition. Mr. Swanson stated that there's already limited parking in the area and there is a big risk of people abandoning vehicles. Discussion.

John McGrew spoke on behalf of Valhalla Place, LLC to explain about their plans for parking. Discussion. Mr. McGrew also explained why underground parking would not work.

Commissioner Nancy Strand expressed confusion regarding the overflow parking all over town and in this area, particularly, by other entities so why is the burden being put on Valhalla to control their overflow when no one else has to. Discussion.

A motion was made by Commissioner Nancy Strand, seconded by Commissioner Heather O'Neil that the consideration from Valhalla LLC be postponed until further information may be acquired. The motion failed by a vote of

Yes: 3 - Commissioner Fry, Commissioner O'Neil and Commissioner Strand

Opposed: 2 - Commissioner Burke and Commissioner Dwyer

Consideration of a request from Valhalla LLC to provide payment in lieu of providing a portion of required off-street parking at 107 Excel St. (PID: 01-007-236).

Building Inspector, Joe Bertagnoli, was able to share a drawing of the apartment building with proposed parking spaces.

A motion was made by Commissioner Richard Burke, seconded by Commissioner Sally Dwyer to approve the request from Valhalla LLC to provide payment in lieu of providing a portion of required off-street parking at 107 Excel St. (PID: 01-007-236) with the condition that the leases are limited to one spot per unit and requiring the second parking lot and have a review period of five years to see if that second lot is needed at that point. The motion carried by a vote of

Yes: 5 - Commissioner Burke, Commissioner Dwyer, Commissioner Fry, Commissioner O'Neil and Commissioner Strand

Valhalla Place Parking

Attachments: [VALHALLA PLACE PARKING](#)

8. NON-AGENDA ITEMS:

A. Commissioner Comments

Commissioner Fry stated that they would hold off on election of officers until the next meeting in case there are any commission appointments by the Mayor.

B. Staff Comments

None

- a. The next regularly scheduled meeting is November 10, 2020 at 12:00pm

9. ADJOURNMENT:

**A motion was made by Commissioner Nancy Strand, seconded by Commissioner Sally Dwyer to adjourn.
The motion carried by a vote of**

Yes: 5 - Commissioner Burke, Commissioner Dwyer, Commissioner Fry, Commissioner O'Neil and Commissioner Strand

PLANNING COMMISSION STAFF REPORT

Action # 2025-1002
Meeting Date: 10/14/2025
Applicant(s): Silver Bay Seafoods
Property Owner(s): Silver Bay Seafoods
Agent/Representative: Kim Partridge
Property Address: Dolphin St ROW
Legal Description: portion of Dolphin St ROW
Parcel ID 01-605-651
Acreage/Lot Size 6,000 sf
Current Zoning n/a
Comp Plan Designation: n/a
Request Type: Special Use Permit

EXECUTIVE SUMMARY

Applicant Request: Special user permit for the purpose of loading container vans in the Dolphin St right-of-way.

Staff Recommendation: Approve with conditions

Key Issues:

1. In 1989, PFI acquired a special use permit to use a portion of the Dolphin St ROW to stage/load container vans.
2. The SUP is non-transferrable so Silver Bay must apply for a new permit to continue using the site.

PROJECT DESCRIPTION

Proposal Details

Intended Use loading container vans
Building/Development n/a
Site Improvements n/a
Operations Plan n/a
Timeline Already in use.

Site Characteristics

Size: 6,000 sf
Topography: developed ROW
Existing Structures: none
Legal Access: Dolphin St
Utilities: none
Constraints: none

ZONING AND LAND USE ANALYSIS

Current Zoning		Surrounding Land Use		
Zone	n/a	North	Industrial	
Intent	n/a	South	Industrial	
Permitted Uses	n/a	East	Industrial	
Conditional Uses	n/a	West	n/a	

LOT DEVELOPMENT STANDARDS - Not applicable

STANDARDS ANALYSIS (PMC 19.76.050)**Impact on proposed site and surrounding properties, if any, of proposed activity:**

1. Proposed activity has been occurring at the site since at least 1989.
2. No known conflicts or impacts on surrounding properties during past use.

DEPARTMENT REVIEWS

Department Name	Comments
Public Works	No comments.
Power & Light	No comments.
Fire/EMS	No comments.

PUBLIC NOTICE

The borough provided public notice consistent with PMC 19.76.060. Notice was mailed by first class mail to the owner of record of the property within a distance of six hundred feet of the exterior boundary of the property that is the subject of the application. See Attachment D for notification list.

FINDINGS AND CONDITIONS OF APPROVAL**Findings of Fact**

- Finding 1: Application is consistent with intent of Special Use Permits.
- Finding 2: Proposed use has no negative impact on proposed site.
- Finding 3: Proposed use is compatible with surrounding area and uses.

Proposed Motion

I move to recommend to the Borough Assembly that the SUP application from Silver Bay Seafoods to use 6,000 sf of the Dolphin St right-of-way for loading containers be approved, subject to conditions of approval in this report.

Recommended Conditions of Approval

- Condition 1: Retain conditions of original SUP prohibiting storage.
- Condition 2: Update permit language and general liability insurance coverage amounts to current requirements.

ALTERNATIVES

The Planning Commission has the following options:

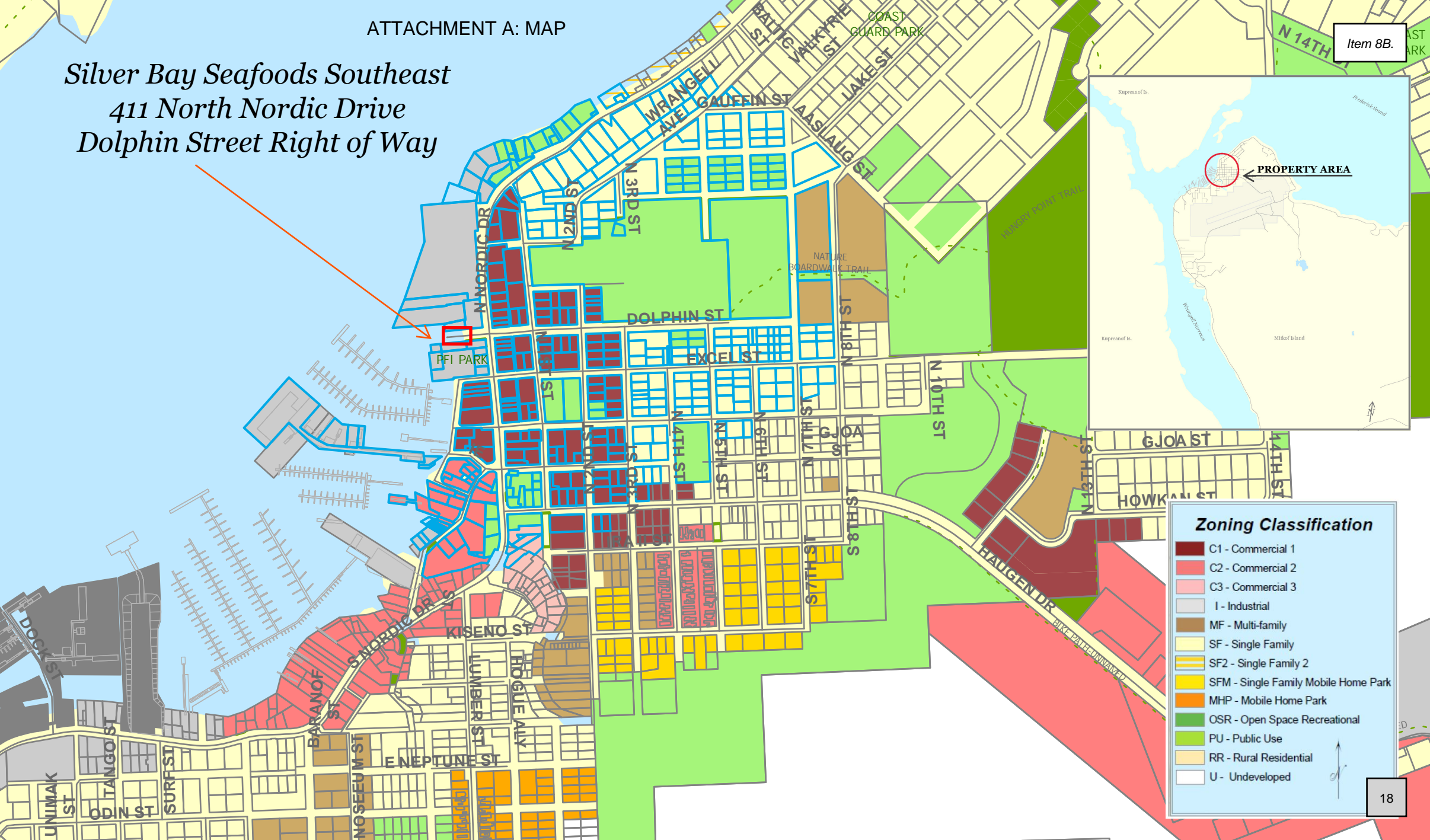
1. Recommend approval of the application as submitted
2. Recommend approval of the application with staff-recommended conditions
3. Recommend approval of the application with modified conditions
4. Continue the hearing to allow for additional information or public input
5. Recommend the application be denied.

If the Planning Commission chooses to recommend the application contrary to staff recommendation, specific findings supporting that decision should be provided.

ATTACHMENTS

- | | | |
|------------------------|--------------------|---------------------------|
| A. Maps | C. Public Comments | E. PFI Special Use Permit |
| B. Applicant Materials | D. Public Notice | |

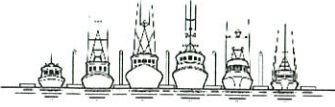
Silver Bay Seafoods Southeast
411 North Nordic Drive
Dolphin Street Right of Way



Item 8B.

Zoning Classification

- C1 - Commercial 1
- C2 - Commercial 2
- C3 - Commercial 3
- I - Industrial
- MF - Multi-family
- SF - Single Family
- SF2 - Single Family 2
- SFM - Single Family Mobile Home Park
- MHP - Mobile Home Park
- OSR - Open Space Recreational
- PU - Public Use
- RR - Rural Residential
- U - Undeveloped

 PETERSBURG BOROUGH SPECIAL USE PERMIT APPLICATION		CODE TO:	110.000.404110
		BASE FEE:	\$50.00
		PUBLIC NOTICE FEE:	\$70.00
		TOTAL:	\$120.00
DATE RECEIVED:		RECEIVED BY:	CHECK NO. or CC: CC
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)	
NAME SILVER BAY SEAFOODS SOUTHEAST LLC		NAME	
MAILING ADDRESS 4 [REDACTED]		MAILING ADDRESS	
CITY/STATE/ZIP SEATTLE, WA 98199		CITY/STATE/ZIP	
PHONE		PHONE	
EMAIL [REDACTED]		EMAIL	
PROPERTY INFORMATION			
PHYSICAL ADDRESS or LEGAL DESCRIPTION: <i>W side Dolphin St</i>			
PARCEL ID:	ZONE: <i>Industrial</i>	OVERLAY:	
CURRENT USE OF PROPERTY: STORAGE		LOT SIZE:	
PROPOSED USE OF PROPERTY (IF DIFFERENT):			
WASTEWATER SYSTEM: Is there a wastewater system on the property? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
What is current or planned system? <input type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site system			
WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well			
LEGAL ACCESS TO LOT(S) (Street Name): <i>Nordic Dolphin</i>			
TYPE OF APPLICATION			
<input checked="" type="checkbox"/> Use of Borough Right-of-Way.			
<input type="checkbox"/> Other:			
SUBMITTALS:			
Please submit site plan of the area you will be developing/using and additional information as required below.			
SIGNATURE(S):			
I hereby affirm all of the information submitted with this application 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.			
Applicant(s): SILVER BAY SEAFOODS SOUTHEAST LLC		Date: 8/26/2025	
Owner(s): <i>Agent Kim Partridge</i>		Date: <i>8/27/25</i>	
Owner(s):		Date:	

contact phone - Kim Partridge

[REDACTED]

19.76 SPECIAL USE APPLICATION

(SUBMIT WITH SITE PLAN)

Applicant(s): Silver Bay Seafoods Southeast LLCAddress or PID: Dolphin St ROW

Project Summary: Continued use of container van storage.
New ownership - no change in type of use.

Conditions of approval as required in Petersburg Municipal Code 19.76.020:

(Note that all regulations and requirements of Title 19 must be satisfied in order to qualify for a special use permit.)

1. 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:

use of the property is for container van staging. Dolphin is not a ~~through~~ ^{thru} street so no traffic is hindered.

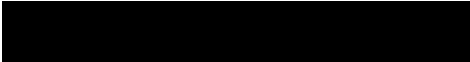


From: [Aardvark LLC](#)
To: [Anna Caulum](#)
Subject: Silver Bay Seafoods, Inc.
Date: Friday, September 26, 2025 3:16:00 PM

External Email! Use Caution

I would like to manifest my agreement and general accord with the idea of Silver Bay Seafoods leaving a van or storage unit in the Dolphin way street. That street is not a through street, so traffic remains unhindered. I think that it is good to allow local businesses to conduct their affairs in our borough, as long as they are respectful of the populace. These people are doing the right thing in my opinion.

Joshua and Adams





September 23, 2025

**NOTICE OF SCHEDULED PUBLIC HEARINGS**

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

A recommendation to the Borough Assembly for an application from Silver Bay Seafoods for a Special Use Permit to use 6,000 sf of a borough right-of-way at W. DOLPHIN ST.

The public hearing and consideration of the application will be held:	Tuesday, October 14th, 2025, 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

Name1	Name2
CHRIS FRY	
HEATHER O'NEIL	
JOHN JENSEN	
MARIETTA DAVIS	
SILVER BAY SEAFOODS LLC	
TONKA TOY RENTALS LLC	
BURRELL STEVE	BURRELL DESIREE
GREER THOMAS R	
GALLI DENISE	LONGWORTH JOHN
HOFSTAD MELINDA	
BIRCHELL GREGORY G OTNESS DIANE K	
MARTIN ROBERT W	MARTIN BECKY J
ISRAELSON TEKLA	
SHOTWELL EMILY C	GILLILAND WILLIAM C
SHIMEK VIOLET KATHLEEN	BURNETT MICHAEL ANTHONY
DREISBACH ERIK	DREISBACH LINDSI
MATHISEN LENORE	
BERGMANN WILLIAM BERGMANN JOYCE A	
CASE BENJAMIN	CASE CAREY
DROLLINGER KAREN M	
ENGE MARILEE SUSAN NYSSSEN CHRISTOPHER & ELISABETH	
KNIGHT REBECCA J KNIGHT JOHN K	
TATE CARL J	TATE HAILEY D
COIL JODE	
WALKER JULIE K	WALKER ELDON W
MARIFERN BRUCE	MARIFERN BARBARA
KAPP WORLAND KAMEY	
LARSON NICHOLAS J	
SHILLING JOAN	
HOLMES DONALD	HOLMES SUSAN
SWANSON ADAM	
HALTINER ROBERT	HALTINER SIGNE
MILLER APRIL LANE	
LUCZAK LEON	LUCZAK JOANNE
POULSEN CHRIS W	POULSEN STACEY M
SWANSON ROBERT L TRUSTEE	SURVIVORS TRUST UNDER THE SWANSON FAMILY L
THORSEN DEREK	THORSEN STACEY
WORHATCH GLADYS MAXINE TRUSTEE	WORHATCH FAMILY TRUST
NEIDIFFER FRANK	NEIDIFFER JACQUELINE
STRAND FLOYD STRAND BARBARA	
TREMBLAY CHELSEA LOUISE	PERRY BRYAN GARRETT
MOORE JOSHUA A	MOORE VICTORIA R
THAIN LAUREN	THAIN TYLER
CARR REED	
MALONE ALAN J	
LIGHTHOUSE ASSEMBLY OF GOD	

MACPHEE DANIELLE
 OCHOA RAYMOND
 HICKMAN DANIEL
 PETERSBURG BOROUGH SCHOOLS
 KFSK COMMUNITY RADIO
 ST CATHERINE'S CHURCH
 THOMPSON FLOYD A
 LUTHERAN CHURCH
 CRONLUND DOUGLAS
 PETERSBURG CHILDRENS CENTER
 ANDERSON RODNEY
 VALENTINE JAMES
 WILKINSON TIM
 KAINO DOUGLAS M
 OTNESS NELS K III
 OTNESS HOLLI
 CANIK HEATHER D
 O'NEIL ERICA
 ABBOTT THOMAS
 PETERSEN CODEE
 ANDERSON JASON C
 NICHOLSON NATALIE RUTH
 MANLY AMBER E
 CANTON LOGAN J
 WELDE RACHEL
 SPERL DONALD & TAUSHA
 NEWLUN NEIL
 HINDE BENJAMIN
 STANTON GREGOR JAY
 WRIGHT CHADWICK C
 MARTIN DAVID S
 KAINO DOUGLAS
 EILENBERGER MARILYN H
 SNIDER BROCK
 EWING LYNN R
 OLSEN ROBERT G JR
 MORRISON CHRISTOPHER
 ERICKSON BARBARA S
 US FOREST SERVICE
 HOLMGRAIN RANDAL E
 FREDRICKSEN NORMAN
 LEWIS ERIC L
 ALASCOM INC PROPERTY TAX DIVISION
 COWLING GREGORY A
 NORTHERN NECESSITIES LLC
 OTNESS JOHN J
 ESPESETH RHEA LOUISE

RASMUSSEN JACOB
 HICKMAN PATRICIA L
 ANDERSON MELINDA
 VALENTINE MADELEINE
 WILKINSON RAE
 ROXANNE KAINO KERRY L KAINO
 OTNESS HOLLI I
 OTNESS NELS
 O'NEIL SCOTT
 HART ELIZABETH
 PETERSEN NATALIE
 ANDERSON JULIE E
 REID MICHAEL FLOYD
 OLSON HELEN ANN
 CANTON SHEENA L
 SPERL KOREN
 NEWLUN MARGARET
 HINDE MARCIE
 STANTON GREGOR LEA
 JOHNSON SARAH A
 MCNUTT NAN
 EWING DONNA M
 OLSEN NICCOLE MARIE
 MORRISON CHRISTINA
 ERICKSON WIARD TRACY
 HOLMGRAIN SARAH
 FREDRICKSEN LYNDA
 ESPESETH NICHOLAS ALLAN

OGDEN JACK E	OGDEN CAROL B
VERSTEEG KORY H	
DRURY DONALD RAY	DRURY BRIANA
BUOTTE DAVID E	SUHARA COLLEEN T
STOLPE ADRIENNE	STOLPE LOGAN
O'CONNOR DEMKO KELLY M	
TRASK GRANT	TRASK LILA
OHMER DAVE	
FJORD BOUNTIES LLC	
OHMER AND COMPANY LLC	
EC PHILLIPS AND SONS INC	
TONGASS FEDERAL CREDIT UNION	
PETERSBURG INDIAN ASSOCIATION	
PETERSBURG ELKS LODGE	
IGLOO LLC	
BAYSIDE LANDING LLC	
OHMER NICHOLAS E	
WELDE DOUGLAS	
SEVER CYNTHIA	
KAWASHIMA DWIGHT G	KAWASHIMA JANE
VALHALLA PLACE LLC	
ALASKA POWER & TELEPHONE	
WOHLHUETER KURT	WOHLHUETER SHERI
MALLORY DARCY	
OINES MARJORIE J	
ST ANDREWS EPISCOPAL CHURCH	
BOSWORTH DALE	BOSWORTH LESLEY
YIP WAMEN	YIP LANEY
BRUMBLEY PAGE	
BURKE RICHARD STEWART	LYNN BURKE JAMIE ANNE
SANAMADA HOLDINGS LLC	
LOESCH RONALD JOHN LOESCH ANNE MARIE	
WELLS FARGO TAX L C/O D	WELLS FARGO-c/o DELOITTE TAX LLP
PETERSBURG MOOSE LODGE	
CHAMBER OF COMMERCE	
WEAVER PAT ELAINE	PAT WEAVER LIVING TRUST
HAMMER & WIKAN	
SPRAGUE RICHARD	SPRAGUE SHARON
WIKAN RICHARD	
KORCHAK PAUL	
PETERSBURG MEDICAL CENTER	
STRATMAN JOSEPH	RICE ALLISON
NILSEN MIKE L	NILSEN RAVENNA
LENHARD MATTHEW	LENHARD JILL
FIERCE ALLEGIANCE DEVELOPMENT LLC	
OBSESSION INDUSTRIES LLC	
MEEKS PHILLIP E	MEEKS SANDRA R

BERG DAVID A
FIRST BANK
4 & 4 RENTALS LLC
DIAMANTE GIFT SHOPPE INC
MARTENS COLLIN B
TRIEB FRED
MURRISON GEORGE
ROCKWELL DEVELOPMENT LLC
PRIEST POINT LLC
EIDE VENTURES LLC
PETERSBURG MENTAL HEALTH SERVICES
SALVATION ARMY-PETERSBURG
HIGGINS DONALD K HIGGINS NANCY M
SKEEK LEONARD
MICHAEL ERIN A
VINSON TRACI
LOPEZ CHADAM S
KVERNVIK RACHEL M
ALCOCK TARALEE
BERNALDO DELILAH
TAGABAN LOLITA
SOKOL VICKIE L
HAMILTON JOHN A IV
KITOS KAVE INC
15 SING LEE LLC
BLUE GLACIER LLC
GILLILAND HARVEY C
SONS OF NORWAY
ZUSE LLC
FREEDOM VENTURES LLC
QUITSUND JOSEF M
LEGGETT JIMMY
VARSANO DANIEL J
DAVIS MARCIA
MARTIN TYLER J
TUCCILLO MARK WILLIAM
SWAINSON DYLAN P
PETERSBURG MOTORS INC
ROSE CHARLES
FEIST ROBERT ANTHONY
ADAMS JOSHUA
HILLSIDE RENTALS LLC
GOOD INVESTMENTS LLC
HARBOR CONDOMINIUMS
MC CONVILLE KRISTY
ALASKA STATE OF
SONDENAA ANITA

BERG NANCY A

ROBSON KIMBERLY M

MURRISON NANCY

C/O SUSAN ERICKSON

SKEEK LOURDES

VINSON ANTHONY
LOPEZ DEREK AND MICHELLE

LUHR ROBERT W
HAMILTON JENNIFER Y

GILLILAND SARAH E

SMETS MARJA

OHMER SUSAN

WONG-ROSE LAURA ANN

SONDENAA LEROY

PRESBYTERIAN CHURCH
MILLER JASON L
PRUS JOSEPH EDWARD
KVALHEIM GERALD ARNE

MILLER VANESSA K
JEWELL KVALHEIM THERESA C

ATTACHMENT E: PFI SPECIAL USE PERMIT

Record in the Petersburg Recording District

BOOK 32 PAGE 746

SPECIAL USE PERMIT

This SPECIAL USE PERMIT, issued by the City of Petersburg, Alaska, whose mailing address is PO Box 329, Petersburg, Alaska 99833, hereinafter referred to as the "City", will allow Icicle Seafoods, Inc., whose mailing address is PO Box 1147, Petersburg, Alaska 99833, hereinafter referred to as "Permittee", the use of an un-subdivided portion of Alaska Tidelands Survey No. 9, being an extension of Dolphin Street, lying south of T-204A and more particularly described as follows:

Beginning at Corner No. 1, the True Point of Beginning, being the Northwest corner of Lot 2, Block E, common the N.E. Corner of Lot 2A, Block E of the Subdivision of Alaska Tidelands Survey No. 9, Petersburg, Alaska; monumented with a rebar and aluminum cap. From which a Brass Cap at the Southeast Corner of Lot 2, Block 6 of the Subdivision of U.S.S. 282, bears S. 70 31' 07" E, a distance of 545.26 feet. Said Brass Cap and an iron pipe which bears S. 89 42' 00" E, forms the Basis of Bearing for this legal description.

Thence S. 86 43' 00" W, along the Northerly side of Lot 2A, a distance of 100.00 feet, to a point on the Northerly side of Lot 2A, Corner No. 2. Thence N 03 23' 00" W, across un-subdivided tidelands, a distance of 60.00 feet, to a point on the southerly property line of T-204A, Corner No. 3. Thence N 86 43' 00" E, along the southerly property line of T-204A, a distance of 100.00 feet, to the southeast corner of T-204A, Corner No. 4, common to the Southwest corner of Lot 1, Block F, and common to the most westerly end of the Dolphin Street R.O.W. Thence S 03 23' 00" E, along the westerly end of the Dolphin Street Right-of-Way, a distance of 60.00 feet, to Corner No. 1, the True Point of Beginning. Said Parcel of tidelands afore described, contains 6,000 S.F., more or less, all as described within this legal description. The intent of this legal description, is to describe a 60.00 foot by 100.00 foot parcel of tidelands, westerly of Dolphin Street, at its most westerly extension. A plat of said parcel is attached hereto and incorporated herein as Exhibit A.

This Special Use Permit is subject to the following terms and conditions:

1. The Permittee agrees a copy of this Special Use Permit shall be duly recorded in the Petersburg Recording District for the State of Alaska with the cost of recording to be borne by the Permittee.
2. Permittee agrees to assume full control and responsibility for all activities connected with this permit. The Permittee shall defend and save harmless the City and all of its representatives from any liability, claim, demand, loss, damage or expense of whatsoever character, directly or indirectly, including, for example, attorney's fees and costs incurred by the City, arising from or in any way related to this permit, whether or not caused in part by the negligence of the party indemnified herein, including without limitation of the foregoing, any such liability, claim, demand, loss, damage or expense; (a) arising out of, or directly or indirectly due to any failure of Permittee to satisfy his obligations under this permit, including compliance with the workers' compensation and other employee benefit laws or the applicable federal, state and local laws governing use of the property; and/or (b) arising out of, or directly or indirectly due to any accident or other occurrence causing injury to any person or persons or property on account of any act or omission by the Permittee or its representatives in connection with the Permittee's use of the property or any improvements thereon. Permittee shall further indemnify the City against all liens and charges that may be established against the premises or any improvements thereon as a consequence, direct or indirect, of any act or omission of the Permittee under this permit.
3. No future claim nor any real property interest is granted to the Permittee to the above described area. This permit is not transferable; it is for the use of the within named Permittee only.

BOOK 32 PAGE 747

4. The Permittee shall have the right to use the above described area for access to T-204A and Lot 2A for the purpose of loading and unloading vans and incidental uses necessary for the loading and unloading operations. However, the Permittee's use of the property pursuant to this permit shall not be inconsistent nor interfere with the use of the area by others, including the City, any other permittee or members of the general public. The Permittee shall not store any equipment, vehicles or materials of any kind upon the above described area.

5. The Permittee agrees to be wholly responsible for the maintenance and upkeep of the above described area and acknowledges the City has no responsibility whatsoever for maintenance, upkeep or repair. City will, however, repair any damage to or destruction of the above described area caused by its sole negligence and will not hold Permittee responsible for repairs due to damage to or destruction of the above described area caused by the sole negligence of another permittee of the city.

6. Environmental and Water Quality Protection.

(a) If the City believes that environmental or water quality damage has occurred or is threatened as a result of use of the above described area under this permit, the City shall give Permittee 24 hours notice of such damage or threatened damage after which time, unless the City and Permittee mutually agree otherwise, the City shall have the right to require Permittee, or his employees, representatives or agents to cease operations immediately and require Permittee to take immediate action to correct or eliminate said damage or threat thereof. Failure of Permittee to comply with such request will be treated as a material breach of this Agreement, causing the immediate termination of this Agreement. The City's rights under this provision shall not be construed as creating an obligation on the City's part to provide for any inspection as to environmental practices, it being agreed that compliance is the sole responsibility of Permittee.

(b) Liability for any environmental or water quality damage that is caused by Permittee or his employees, agents or representatives shall be borne by and at the sole expense of Permittee. If Permittee fails or refuses to correct or repair said damage after notice from the City, then the City shall have the right to contract with any party to correct said condition and the Permittee shall be fully responsible for all actual costs of said correction and repair. The Permittee shall immediately reimburse the City for such costs upon demand by the City. Failure to reimburse the City for such costs, after demand, shall be a material breach of this Agreement, causing the immediate termination of this Agreement.

(c) As part of the City's right to indemnification as stated above, Permittee shall indemnify and hold the City harmless from any and all civil or criminal liabilities, sanctions or penalties, including costs of defense, resulting from Permittee's acts or omissions which cause environmental or water quality damage.

7. Insurance Requirements

(a) Permittee shall, at all times during the term of this permit at its own expense, keep in force by advance payment of premiums, the following described insurance for protection against the claims of employees or other persons, insuring both Permittee and the City against any liability that may accrue against them or either of them in connection with the performance of Permittee, his agents, employees or other representatives under this Permit:

(1) Comprehensive general liability insurance including coverage for environmental damage and contractual liability, without limitation, covering bodily injury, death and property damage with a combined single limit of not less than \$100,000.00.

(2) At such times as Permittee has persons employed by him working in the above described area or any work related to this Permit, Permittee shall be required to obtain and maintain during the full term of such employment, insurance in at least the required statutory amounts covering claims under workers compensation, disability benefit or other similar employee benefit acts; and

BOOK 32 PAGE 748

(3) The insurance shall be placed with an insurance carrier or carriers satisfactory to the City and shall not be subject to cancellation or any material change except after thirty (30) days written notice to the City and shall provide that no failure of Permittee to comply with any condition or provision of this Permit or other conduct of Permittee or those for whose conduct it is responsible, shall void or otherwise affect the protection under the policy afforded to the City. A certificate of insurance reflecting full compliance with these requirements shall, at all times during the term of this agreement, be kept on deposit at the general office of the City. If Permittee fails to comply with these insurance requirements, the City may terminate this agreement 24 hours after providing notice of Permittee's lack of compliance.

(b) All public liability, property damage, or other casualty policies shall be written as primary policies; they shall not be in contribution with, or in excess of, any insurance coverage that the City may otherwise carry. The insurance required by this agreement shall cover all claims arising in connection with the performance of Permittee, his employees, agents and other representatives under this agreement, whether or not such a claim is asserted during the term of this agreement and even though judicial proceedings may not be commenced until after the expiration of the applicable insurance policy and/or this agreement.

8. If the Permittee keeps, observes and performs all of the terms and conditions of this Permit, the Permittee may, peaceably and quietly, continue the use of the area specified in this permit for an indefinite term however, the City reserves the right to terminate this Permit upon six (6) months written notice of intent to revoke said Permit. If Permittee's use of the area specified in this permit ceases for a continuous period of 365 days, such disuse shall be considered an abandonment and consequent termination of this permit.

PASSED and APPROVED by the City Council of the City of Petersburg, Alaska this 20 day of March, 1989.

DATED this 22nd day of March, 1989.

PERMITTEE: Icicle Seafoods, Inc.
Petersburg, Alaska

By: Douglas L. Robberson

Its: Plant Manager

UNITED STATES OF AMERICA)

) ss.

STATE OF ALASKA)

THIS IS TO CERTIFY that on this 22nd day of March, 1989, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Douglas L. Robberson, Plant Manager (office), of the corporation described in and which executed the above and foregoing instrument, and acknowledged to me that said instrument is the free and voluntary act of said corporation for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS My Hand and Official Seal the day and year in this certificate first above written.

Notary Public in and for the State of Alaska residing at Petersburg, Alaska. My commission expires Jan 4, 1991.

BOOK 32 PAGE 749DATED this 22 day of March, 1988.

CITY OF PETERSBURG, ALASKA

Patricia Curtiss
City Manager

ATTEST:

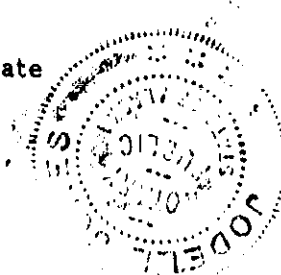
Doris Larson
Deputy City Clerk

UNITED STATES OF AMERICA)
) ss.
STATE OF ALASKA)

THIS IS TO CERTIFY that on this 22nd day of March, 1988, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared Patricia Curtiss and Doris Larson to me known to be the Acting City Manager and Deputy City Clerk respectively of the City of Petersburg, Alaska which executed the above and foregoing instrument, and acknowledged to me that said instrument is the free and voluntary act of said city for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument and that the seal affixed is the corporate seal of city.

WITNESS My Hand and Official Seal the day and year in this certificate first above written.

Notary Public in and for the State of Alaska residing at Petersburg, Alaska. My commission expires 10/21/92.



District Recording Office
Return to:
City of Petersburg
Atten: P. Curtiss
PO Box 329
Petersburg, Alaska 99833

89-0228

19-
RECORDED & FILED
PETERSBURG RECORDING
DISTRICT

MAR 29 2 29 PM '88

REQUESTED BY City of
ADDRESS Petersburg