



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Borough Assembly Regular Meeting

Monday, July 03, 2023

12:00 PM

Assembly Chambers

You are invited to a Zoom webinar.
When: Jul 3, 2023 12:00 PM Alaska
Topic: July 3, 2023 Assembly Meeting

Please click the link below to join the webinar:
<https://petersburgak.gov.zoom.us/j/86022690841?pwd=ajZDazdrWjRYT3hOOXVCaVVocUlkZz09>
Passcode: 224273

Or Telephone:
(720) 707-2699
(253) 215-8782
Webinar ID: 860 2269 0841
Passcode: 224273

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
 - A. **A. June 19, 2023 Assembly Meeting Minutes**
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
 - A. **Public Hearing for Ordinance #2023-11: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Portions of the Airport Addition Subdivision and Thirteenth Street Relocation Subdivision to Public Use (PU)**

Any public testimony regarding Ordinance #2023-11 should be given during this public hearing. A copy of Ordinance #2023-11 may be found under agenda item 14A.
6. **Bid Awards**

A bid award for the Community Center Sewer Project is on the agenda under New Business - Item 15A, as Resolution #2023-08.

7. Persons to be Heard Related to Agenda

Persons wishing to share their views on any item on today's agenda may do so at this time.

8. Persons to be Heard Unrelated to Agenda

Persons with views on subjects not on today's agenda may share those views at this time.

9. Boards, Commission and Committee Reports

10. Consent Agenda

A. The Bottle Shop Liquor License Renewal

The Bottle Shop has applied with the Alaska Alcohol & Marijuana Control Office for a retail package store liquor license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

11. Report of Other Officers

A. Petersburg Medical Center Update

PMC CEO Hofstetter will update the Assembly on Medical Center activities.

B. Southeast Alaska Power Agency Report

Assembly and SEAPA Board Member Lynn will provide a report on the June, 2023 SEAPA board meeting.

12. Mayor's Report

A. July 3, 2023 Mayor's Report

13. Manager's Report

A. July 3, 2023 Manager's Report

14. Unfinished Business

A. Ordinance #2023-11: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Portions of the Airport Addition Subdivision and Thirteenth Street Relocation Subdivision to Public Use (PU)

If approved in three readings, Ordinance #2023-11 will rezone portions of the Airport Addition and Thirteenth Street Relocation subdivisions from Single-family Residential, Commercial-1, Multi-family Residential, and Open Space - Recreation to Public Use in preparation for proposed future construction of a new medical center. The Planning Commission recommends the subject property not be rezoned due to lack of public education on the issue, lack of public input on the "pro's" and "con's" of the rezone,

and loss of single-family and multi-family residential lots. The Assembly unanimously approved Ordinance #2023-11 in its first reading.

15. New Business

A. Resolution #2023-08: A Resolution for Bid Award Authorization for the Community Center Sewer Line Project and Increase in Budget

If approved, Resolution #2023-08 will authorize the award of the Community Center Sewer Line Project to Ketchikan Mechanical, Inc. for an amount not to exceed \$501,114.61, and will authorize transfer of an additional \$84,114.61 from the Property Development Fund to the project budget.

B. Petersburg Medical Center Appeal of Planning Commission Decision

On June 13, 2023, the Planning Commission denied a preliminary plat for the Petersburg Medical Center Subdivision and vacation of the rights-of-way located within the proposed subdivision by vote of the Commission. No public hearing was held on the subject by the Commission. Petersburg Medical Center has filed an appeal of the Planning Commission's decision. Per Borough Code Section 18.36.040, within 30 days of the appeal filing, the Assembly must hold a public hearing on the appeal. Code also states that at the discretion of the Assembly, a full rehearing may be held with all parties presenting relevant evidence with opportunity to make argument, or the Assembly may elect to make its decision only on the evidentiary record, considering only the arguments of those opposing or supporting the appeal. Due to a lack of a public hearing prior to the Planning Commission's denial of the replat and vacation applications, it is advised the Assembly hold a full hearing on the subject. A public hearing and possibly a decision on the appeal could take place on July 17 at the regular Assembly meeting. If the Assembly chooses to postpone a decision on the appeal at the July 17 meeting, a special meeting should be scheduled to comply with Borough Code, which states the Assembly shall render a decision on the appeal within 10 calendar days of the hearing (by July 27).

Suggested motion: to approve a full hearing on the appeal filed by Petersburg Medical Center regarding the Planning Commission's denial of a preliminary plat for the Petersburg Medical Center Subdivision and vacation of the rights-of-way located within the proposed subdivision to be held at the regular Assembly meeting on July 17, 2023 at 6:00 p.m.

C. Appointment of Acting Borough Manager

Manager Giesbrecht is taking a vacation in August and requests approval from the Assembly to appoint Borough Clerk Thompson as Acting Borough Manager in his absence.

16. Communications

A. Correspondence Received Since June 15, 2023

17. Assembly Discussion Items

A. Assembly Member Comments

B. Recognitions

18. Executive Session

The Assembly will adjourn to Executive Session to discuss with members of the Borough negotiating team (1) the status of the negotiations for a new labor agreement between the Borough and the Petersburg Municipal Employees Association and the Borough's proposals and position in those negotiations, and (2) the status of and strategy for upcoming negotiations between the Borough and IBEW for a new labor agreement.

19. Ratification of the Petersburg Municipal Employees Association Collective Bargaining Agreement for July 1, 2023 through June 30, 2026

If approved, the new PMEA CBA will be effective through June 30, 2026.

20. Adjourn



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Borough Assembly Regular Meeting

Monday, June 19, 2023

6:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Vice Mayor Lynn called the meeting to order at 6:00 p.m.

PRESENT

Vice Mayor Bob Lynn
Assembly Member Thomas Fine-Walsh
Assembly Member David Kensinger
Assembly Member Donna Marsh
Assembly Member Jeff Meucci
Assembly Member Scott Newman

EXCUSED

Mayor Mark Jensen

2. Voluntary Pledge of Allegiance

The Pledge was recited.

3. Approval of Minutes

A. June 5, 2023 Assembly Meeting Minutes

The June 5, 2023 meeting minutes were unanimously approved.

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci, Assembly Member Newman

4. Amendment and Approval of Meeting Agenda

The agenda was approved as submitted.

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci, Assembly Member Newman

5. Public Hearings

There were no public hearings.

6. Bid Awards

There were no bid awards.

7. Persons to be Heard Related to Agenda

Persons wishing to share their views on any item on today's agenda may do so at this time.

Phil Hofstetter, Mary Clemens, Marlene Cushing, Joel Randrup and Jennifer Bryner spoke in support of Ordinance #2023-11 to rezone portions of the Airport Addition and Thirteenth Street Relocation Subdivisions to Public Use to be used as a site for a new medical center.

8. Persons to be Heard Unrelated to Agenda

Persons with views on subjects not on today's agenda may share those views at this time.

Becky Knight spoke in opposition to the recent Landless Native legislation, S. 1889, currently before the 118th Congress, and requested the Assembly oppose the bill on the record.

Joel Randrup expressed support for the Borough acquiring the Papke's Landing facility.

9. Boards, Commission and Committee Reports

No reports were given.

10. Consent Agenda

There were no consent agenda items.

11. Report of Other Officers

There were no reports.

12. Mayor's Report

A. June 19, 2023 Mayor's Report

Vice Mayor Lynn read his report into the record.

13. Manager's Report

A. June 19, 2023 Manager's Report

Manager Giesbrecht read his report into the record, a copy of which is attached and made a permanent part of these minutes.

14. Unfinished Business

There was no unfinished business.

15. New Business

A. Ordinance #2023-11: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Portions of the Airport Addition Subdivision and Thirteenth Street Relocation Subdivision to Public Use (PU)

Ordinance #2023-11 was approved in its first reading by a vote of 5-1.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Kensinger.

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Meucci, Assembly Member Newman

Voting Nay: Assembly Member Marsh

B. Resolution #2023-07: A Resolution to Temporarily Change Assembly Meeting Dates from Monday to Thursday for July through September 2023

A motion to approve Resolution #2023-07 made by Assembly Member Marsh failed due to lack of a second.

16. Communications

A. Correspondence Since June 1, 2023

17. Assembly Discussion Items

A. Assembly Member Comments

B. Recognitions

Assembly Member Fine-Walsh thanked our Parks & Recreation Department and all other entities involved for production and installation of the interpretive signs at Sandy Beach Park.

18. Adjourn

The meeting was adjourned at 6:50 p.m.

Motion made by Assembly Member Meucci, Seconded by Assembly Member Newman.

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Kensinger, Assembly Member Marsh, Assembly Member Meucci, Assembly Member Newman



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

June 19, 2023

Petersburg Borough Via Email: dthompson@petersburgak.gov

Re: Notice of 2023/2024 Liquor License Renewal Application

Table with 4 columns: License Type, Licensee, Doing Business As, License Number. Values: Package Store, Daniel E & Mallory A Sloan, The Bottle Shop, 4666

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Handwritten signature of Joan M. Wilson

Joan Wilson, Director amco.localgovernmentonly@alaska.gov



Petersburg Medical Center

Borough Assembly Report – July 2023 – Phil Hofstetter, CEO

FY24-28 Strategic Plan Goals, Priorities, and Benchmarks

Workforce Wellness:

- PMC Paddle/Pedal Battle will occur July 29 to raise money for the PMC Foundation to support our workforce education.



Community Engagement:

- The 9th annual PMC Foundation Pedal/Paddle Battle is scheduled for July 29. The funds raised will assist the Petersburg Medical Center employees in advancing professional health and wellness education and support scholarships for graduating seniors.
- June 1: KFSK Radio PMC Live
- June 5: PMC reports out at April Borough Assembly Meeting
- June 13: PMC attendance and input at planning commission meeting
- June 19: PMC attendance and input at Borough Assembly Meeting
- July 29: The 9th annual PMC Foundation Pedal/Paddle Battle is scheduled for July 29. The funds raised will assist the Petersburg Medical Center employees in advancing professional health and wellness education and support scholarships for graduating seniors.
- Monthly hospital guild meetings resume for the summer.

Facility:

- Planning and Zoning Meeting June 13 denied application for rezoning, replat / vacating right of way. The report at the June 19th assembly meeting submitted that the decision was based on “lack of education, taking too many single/multifamily lots and wanting public vote.” The public use recommendation was overruled by the assembly meeting with a 5 to 1 vote. This will still require two more readings, the next on July 3rd. I want to thank the assembly, PMC board members, staff and community members who spoke and attended both meetings. However, there is still the replat and vacate application denial which PMC appealed within the 10 day requirement and submitted to the assembly.
- Ongoing space planning and design meetings with Bettisworth North, Dawson Project Manager and PMC staff. The Bettisworth North project team was in Petersburg the week of June 19 to further refine and define space planning needs with department managers and staff.

- NEPA, geotechnical and archaeological studies are still in process. Further dig is occurring on June 28th to determine an area if it is clay versus bedrock. Results are nearing completion.
- Updates: Project updates are available on the PMC website under the “New Facility” tab: <https://www.pmcak.org/new-facility.html>.

Financial Wellness:

- Operating and Capital Budget packet for FY24 submitted for approval at June board meeting.
- Operating cashflow margins are starting to turn and shift in the more positive direction in the past 2 months. However, there is still a long road to financial recovery, rebuild operating cash and recoup our cash reserves. PMC applied for state exceptional relief approval to do this and position PMC back to its pre-COVID cash position.
- PMC completely paid off the approximately ~\$5 million Medicare advance payment emergency COVID relief.
- PMC was awarded a number of grants in the past week in addition to the Falls Prevention grant of almost \$500,000 spread out over 4 years. This includes Care Coordination Grant \$51,000; the Alaska Healthcare and Hospital Association grant \$88,000; and the Tobacco Cessation Grant \$145,000 (x 4 years). Total so far going into FY24 is \$409,000.
- PMC financial team is finalizing the projects with FEMA to obtain the amount for COVID remaining from 2021-2023.
- The Home Health department submitted and is pending approval on a state grant to expand senior in-home services. Grant reward notification was expected to occur in May but is now expected in June. Being awarded this grant will allow PMC to expand support to seniors in Petersburg and possibly surrounding areas.
- PMC applied for a \$975,000 infrastructure-related grant with the Denali Commission. Award announcements are still pending and are expected to be announced in June.

Patient-Centered Care:

- PMC has been working collaboratively with Mountain View Manor with their billing and time & attendance digital timeclock system. We are working with the Borough to better formalize this arrangement to allow us to improve these processes together.
- The SEARHC scope team traveled to PMC to review equipment, space and other requirements to resume endoscopy and colonoscopy services in September. PMC goals are to build out specialty clinics and services to the community.
- PMC grant awards for care coordination, childcare, tobacco cessation and falls prevention will all drive the care model to achieve improvements in these areas for healthcare.

Summary of June 22 SEAPA Meeting

- The contract for Robert Siedman, SEAPA's new CEO, was approved and accepted by Mr. Siedman.
- Power sales for the three communities reached a record high this spring thereby deferring the potential wholesale rate increase at least till next year.
- The Board discussed FERC (Federal Energy Regulatory Commission) relicensing of both Swan Lake and Tyee reservoirs. SEAPA is about to start the complex process for relicensing. Estimated costs per reservoir \$3-4 million.
 - The Board authorized the CEO and counsel to contract for help to lead SEAPA through the process.
 - A discussion will occur at a later date whether to include adding of a third turbine at Tyee and to possibly change reservoir draft limits as part of the relicensing or as a separate action.
- Snow pack was 1/3 higher than average so we are in good shape to supply the power needs of the three communities. The long term forecast is for warmer and wetter weather to come.
- The Board discussed the need for a policy on alternative power. That discussion raised multiple issues including the legal issue of the power sales agreement; compensation to both SEAPA and the rate payer; effects on grid resiliency, cost of maintaining the grid. This is a subject that needs more discussion and some hard data.
- A presentation was made on the increase in loads for the three communities. Loads in the past track very closely with heating needs. Four years ago loads began to exceed heating needs. This past year Petersburg has had more than a 3% increase in loads and Ketchikan has a 5% increase in demand.
- Last, the Board will be scheduling a work session to delve deeply into load forecasts, relicensing, alternative power, and new power generation.

**Mayor's Report
For
July 3, 2023 Assembly Meeting**

- 1. APEI Safety and HR Review:** APEI has requested to extend their timeline to complete the Safety and HR Review requested by the Assembly by approximately one month. July 1 is the annual insurance renewal for each member of APEI, and also APEI's busiest time of year, and due to a large rate increase in liability insurance, their members are understandably requesting alternative quotes to mitigate the increases. In addition, the documents and materials they have received from the Borough for the review are many, and Executive Director Thurston feels the final work product will be more useful if they have more time to complete the review than originally proposed. The new timeline proposes to review all documentation, interview Borough management staff and speak with Borough employees in person on August 15 and 16, submit a completed report to the Assembly by August 31, and provide a formal presentation of the report to the Assembly at the September 18 Assembly meeting.

- 2. Happy Independence Day:** Have a safe and fun filled Independence Day celebration tomorrow, July 4th!





**Borough Manager's Report
Assembly Meeting 03 July 2023**

- ❖ The Delegation has announced the AK awards from the latest round of RAISE grants. The Scow Bay project was not among them. It remains pending as a CDS request in both the House and Senate. The RAISE awards did include \$10 M for the Kake Access Road as one of the four AK projects funded.
- ❖ We received a letter recently from the Regulatory Commission of Alaska noting that when the Borough was formed, the city failed to seek a transfer of our utility certificates from the old City to the new Borough. Karl and Chris will work on getting this completed.
- ❖ Water and Public Works employees recently replaced a failing main valve at Third and Fram Streets.
- ❖ Public Works dug a test pit at the Pump Station 4 wet well site recently to investigate subsurface materials and groundwater/tidewater infiltration issues. The dig went well, with blue clay being encountered sooner than expected and no evidence of groundwater infiltration that would cause problems for the project. The Engineer continues to work on design for the project.
- ❖ New employees at PMPL are being trained to operate the diesel plant in the event of a local power outage. Our customers should expect that restoration of power will take longer than in previous history as the new operators are being trained and getting up to speed on the process.
- ❖ PMPL successfully submitted the application for the DOE Hydro Energy Efficiency grant on June 19th. This grant has the potential to provide up to \$2.8M to the hydro rebuild and shift that same amount of local bond proceeds to the Scow Bay Generator project.
- ❖ Assisted Living continues to work with the Hospital on gathering information for a time clock system like what is used at the Hospital and coordinating nurse coverage for Assisted Living.
- ❖ Property Tax bills were mailed out on Friday, June 30th. The payment due date is October 16th. If you have any questions, please contact the finance department at 907-772-4425.
- ❖ Open enrollment is happening now through July 15th for our new Health Insurance provider: MODA. This means changes to health insurance can be made without a Qualifying Event. Representatives for the Borough's MODA Health Insurance plan will be in Petersburg on Thursday, July 13th. There will be two mandatory meetings at 9 am and 12:30 pm on July 13th for employees that have the Borough's Health Insurance. The meetings will be about an hour long.
- ❖ Martin and crew replaced 20 deck planks on the Rasmus Enge Bridge, to keep the bridge safe for traffic until we can do a full deck replacement later this year.
- ❖ The crew has been working on smoothing out some of the rough patches on Frederick Drive.

- ❖ Still looking for a motor pool mechanic. We have not had any applicants to date. We are considering the development of an apprenticeship type program to fill this position.
- ❖ Motor Pool Foreman Sam Hoschar recently traveled to Florida with representatives from PVFD to inspect the Borough's newly completed fire engine. The new engine looked great and will now be shipped west for final upfitting before being barged to Petersburg.
- ❖ The Borough's Free Household Hazardous Waste (HHW) Collection event was held on June 24th and 25th. The waste collected during the event together with HHW already stockpiled onsite totaled over 29,500 lbs. It was enough hazardous material to completely fill a 40' shipping container, which will now be sent south for proper disposal. Thanks to the Sanitation crew and HHW contractor US Ecology for everything they did to make this event a big success!
- ❖ With our waste transshipment contract set to expire in August, we are still looking into alternate waste disposal providers for the Borough's municipal solid waste and recyclables. We have a couple of quotes in hand and are working through the numbers. We should have a contract recommendation for the Manager and Assembly to consider at the 2nd meeting in July.
- ❖ Building Maintenance assisted Island Refrigeration with a compressor replacement in one of the HVAC units at the Motor Pool shop.
- ❖ We are working on a preliminary estimate for the fire sprinkler system replacement project at the baler.
- ❖ Parks and Recreation will be closed on July 3rd and 4th to host holiday events downtown. Please join them downtown for activities and events!
- ❖ Parks and Recreation will be hosting a Sprint Triathlon on July 8th at 10a. Contact Parks and Rec or Scott Burt for more information.
- ❖ More swimming lessons are coming up next week, contact Parks and Rec for more information and registration.
- ❖ Thank you to Pat Blair and others for their work at the Bike Park location on June 25th! Keep an eye out for more opportunities to volunteer and join the fun!
- ❖ I have asked Glorianne to work with members of the community and the Harbor Board to outline some of the needed repairs to the Sea Plane float and facility. This would be the first step in trying to get the State to take better care of this local asset.
- ❖ The Borough continues to work with our insurance broker and our I.T. vendor on implementation of requirements for cyber insurance coverage. Most of the requirements have been completed.
- ❖ I attended the changing of the command for the Pike last week. Great ceremony and got to welcome the new skipper, Master Chief Kay Jones. Borough staff including Glorianne, Stephanie and I were present, along with Captain Jensen from sector Juneau and representatives from our DC delegation.
- ❖ I met with Chere Klein, the Senators' SE Alaska representative, and Robyn Engibous, Senator Sullivan's DC Deputy Chief of Staff, to discuss Petersburg issues. This was Robyn's first visit to Petersburg. Thanks to Glorianne who made them feel at home.

**PETERSBURG BOROUGH
ORDINANCE #2023-11**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR SERVICE AREA 1 OF
THE PETERSBURG BOROUGH TO REZONE PORTIONS OF THE AIRPORT ADDITION
SUBDIVISION AND THIRTEENTH STREET RELOCATION
SUBDIVISION TO PUBLIC USE (PU)**

WHEREAS, the Petersburg Borough owns parcels of land, described as follows:

Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6

;and

WHEREAS, the parcels are currently zoned Single-family Residential (SFR-1), Commercial-1 (C-1), Multi-family Residential (MFR), and Open Space – Recreation (OS-R); and

WHEREAS, on April 17, 2023, the Petersburg Borough Assembly adopted Resolution 2023-04 dedicating the subject property for use by the Hospital Board for a new facility; and

WHEREAS, the Petersburg Borough Assembly approved submission of an application by the Petersburg Medical Center for a zoning change of the subject parcel, under PMC 19.84 .020(B); and

WHEREAS, Chapter 19.84 of the Petersburg Municipal Code (Service Area 1) provides for zoning amendments whenever the public necessity, convenience or general welfare requires; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the proposed rezone on June 13, 2023, and considered and reviewed applicant materials, public comments and testimony, and staff report; and

WHEREAS, the Planning Commission voted 3-3 with one abstention to recommend rezoning the parcels to Public Use (PU); and

WHEREAS, Borough Charter Section 3.01(K) and Section 1.12.010(G) of the Municipal Code require amendments to the official zoning map be enacted by ordinance.

THEREFORE, THE PETERSBURG BOROUGH ORDAINS as follows:

Section 1. Classification. This Ordinance is of a general and permanent nature but will not be codified in the Municipal Code.

Section 2. Purpose. The purpose of this Ordinance is to amend the Official Zoning Map for Service Area 1 of the Petersburg Borough.

Section 3. Substantive Provisions. The Official Zoning Map for Service Area 1 of the Petersburg Borough, codified and referenced in Section 19.08.020 in the Municipal Code, is hereby amended for the property described as: Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6 to Public Use (PU).

Section 4. Where Record to be Maintained. This non-Code ordinance, and the enactment of the zoning amendment referenced under Section 3 of this ordinance, shall be maintained with the zoning records of the Borough.

Section 5. Effective Date. This Ordinance will take effect immediately upon adoption.

PASSED and APPROVED by the Assembly of the Petersburg Borough, Alaska this ____ day of _____ 2023.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk

Adopted:
Published:
Effective:

Planning Commission Report

P&Z Meeting date: June 13, 2023

TO: Borough Assembly

FROM: Planning Commission

Subject: ZONING AMENDMENT – PMC SUBDIVISION
Petersburg Medical Center/Petersburg Borough

The Petersburg Planning & Zoning Commission makes the following findings as to need and justification:

1. An application for an amendment to the zoning map was submitted by Phil Hofstetter, CEO of Petersburg Medical Center.
2. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023.
3. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility.
4. The legal description of the subject property is Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.
5. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership. Supporting ownership information is provided in writing in the form of US Patent 710415.
6. The surrounding area is well-developed with a mix of residential, recreational, and commercial activity. Government facilities in the vicinity include the Mountain View Manor Senior Housing and Assisted Living Facility, Petersburg Indian Association Tribal Offices, Petersburg ballfields and ice rink, and Petersburg Fire Hall.
7. The stated intended use for the property is construction of a new medical center. Approximately, 6 acres are proposed for initial development.
8. The current zoning of the subject property is a mixture of single-family residential (6 acres), multiple-family residential (1.1 acre), commercial-1 (2.4 acres), and open space-recreation (4.8 acres).
9. Current zoning districts for the subject property, except for commercial-1, are not compatible with the proposed intended use.
10. The purpose of the Public Use district is to provide areas for public uses, such as parks, playgrounds, government-owned buildings, and municipal facilities.
11. One of the goals the 2016 Petersburg Borough Comprehensive Plan is “Quality Health and Wellness Care” so that Petersburg residents are “healthy and well and have access to quality medical and behavioral health care services.” (See p 60).
12. The comprehensive plan notes that “[a]ccess to health care is an important factor in maintaining a high quality of life in remote Alaska communities. Residents in Petersburg Borough have access to a variety of health care services. The nonprofit Petersburg Medical

Planning Commission Report

P&Z Meeting date: June 13, 2023

Center (PMC) provides most health care services in the Borough...PMC is housed in a Borough-owned building. The facility has received a variety of upgrades in recent years including a new roof. However, the building is aging...”. (See pp 66-67).

13. The comprehensive plan references a 2015 condition assessment of the existing medical center that concludes that the “[t]he hospital has not changed significantly for 30 years, yet health care services, technology, regulations, policies and building codes have changed. ...the facility has reached a point where replacement of systems and finishes will be critical to maintaining reliable high quality health care delivery. A majority of the systems and components have exceeded or are near the end of their expected service life and should be replaced.” (See pp 66-67).
14. Applicant’s letter states that the Petersburg Medical Center envisions that the development of the subject property will create a medical campus and locating the new medical center in proximity to the Mountain View Manor facility is consistent with this long-term vision. Centralizing medical services increases efficiency and improves access to care.
15. On May 18, 2023, a notice of the public hearing was mailed at least fifteen working days before the public hearing to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).
16. On May 26, 2023, notices of the public hearing were posted at the Municipal Building, and at the subject property (PMC 18.12.040(E)).
17. On June 1 and June 6, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).
18. On June 13, 2023, a duly noticed public hearing was held by the Petersburg Planning Commission.
19. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

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

1. The Planning Commission recommends the subject property not be rezoned to Public Use due to:
 - a. Lack of public education on the issue;
 - b. Lack of public input on the “pro’s” and “con’s” of the rezone; and
 - c. Loss of single-family and multi-family residential lots.

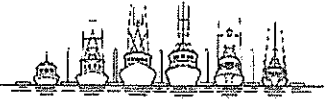
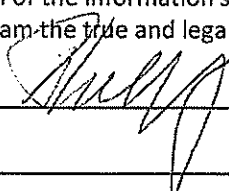
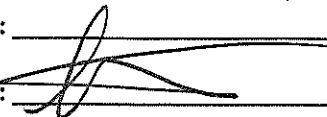
 PETERSBURG BOROUGH LAND USE APPLICATION		CODE TO: 110.000.404110
		BASE FEE: \$195
		PUBLIC NOTICE FEE: \$70
		TOTAL: \$265
DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Phil Hofstetter, CEO, Petersburg Medical Center	NAME Petersburg Borough	
MAILING ADDRESS PO Box 589	MAILING ADDRESS PO Box 329	
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP Petersburg, AK 99833	
PHONE 907-772-5724	PHONE 907-772-4425	
EMAIL phofstetter@pmc-health.org	EMAIL sgiesbrecht@petersburgak.gov	
PROPERTY INFORMATION		
PHYSICAL ADDRESS or LEGAL DESCRIPTION: See attachment.		
PARCEL ID: See attachment	ZONE: See attachment	OVERLAY: n/a
CURRENT USE OF PROPERTY: vacant	LOT SIZE: See attachment	
PROPOSED USE OF PROPERTY (IF DIFFERENT): New medical center		
CURRENT OR PLANNED SEWER SYSTEM: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site system		
CURRENT OR PLANNED WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well		
LEGAL ACCESS TO LOT(S) (Street Name): Haugen Drive, Excel St, N 12 th St, N 13 th St		
TYPE OF APPLICATION & BASE FEE		
<input checked="" type="checkbox"/> 19.84 Zoning Change (\$100)		
<input type="checkbox"/> 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)		
<input checked="" type="checkbox"/> 18.20 Minor Subdivision/18.24 Preliminary Plat/18.19 Replat (\$75 + \$10 per lot)		
<input type="checkbox"/> 18.24 Final Plat (\$25 per lot)		
SUBMITTALS:		
For Zoning Change, please submit letter stating the new zoning and explaining the need for the change. For Subdivision approvals, please submit a prepared plat map as required by borough code.		
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(s) or authorized agent thereof for the property subject herein.		
Applicant(s):		Date: <u>11-3-2017</u>
Owner:	_____	Date: _____
Owner:	_____	Date: _____
Owner:		Date: _____

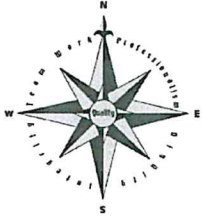
Exhibit A

Description of Subject Property:

PIDN	LEGAL	BLOCK	LOT AREA (SF)	ZONING
01-006-280	LOT 2	240	10,000	Single-family residential
01-006-279	LOT 9	240	10,000	Single-family residential
01-006-273	LOT 12	240	13,500	Single-family residential
01-006-275	LOT 11	240	13,502	Single-family residential
01-006-277	LOT 10	240	14,780	Single-family residential
01-006-359	LOT 1	299	9,808	Single-family residential
01-006-361	LOT 2	299	10,000	Single-family residential
01-006-363	LOT 3	299	10,000	Single-family residential
01-006-365	LOT 4	299	10,000	Single-family residential
01-006-350	LOT 5	299	15,865	Single-family residential
01-006-351	LOT 6	299	13,789	Single-family residential
01-006-353	LOT 7	299	10,856	Single-family residential
01-006-355	LOT 8	299	10,628	Single-family residential
01-006-357	LOT 9	299	10,400	Single-family residential
01-006-358	LOT 10	299	9,998	Single-family residential
01-006-330	LOT 1	300	14,935	Single-family residential
01-006-332	LOT 2	300	14,714	Single-family residential
01-006-334	LOT 3	300	14,485	Single-family residential
01-006-336	LOT 4	300	14,257	Single-family residential
01-006-338	LOT 5	300	14,737	Single-family residential
01-006-340	LOT 6	300	19,081	Open-Space Recreational
01-006-341	LOT 7	300	14,316	Open-Space Recreational
01-006-342	LOT 8	300	15,466	Open-Space Recreational
01-006-344	LOT 9	300	13,500	Open-Space Recreational
01-006-346	LOT 10	300	13,500	Open-Space Recreational
01-006-347	LOT 11	300	13,500	Open-Space Recreational
01-006-348	LOT 12	300	13,500	Open-Space Recreational
01-006-300	LOT 13	300	13,384	Open-Space Recreational
01-006-301	LOT 14	300	19,166	Commercial-1
01-006-303	LOT 15	300	13,500	Commercial-1
01-006-305	LOT 16	300	13,500	Commercial-1
01-006-306	LOT 17	300	13,500	Commercial-1
01-006-317	Greenbelt	300	112,737	Open-Space Recreational
01-006-420	LOT 9	301	9,000	Commercial-1
01-006-421	LOT 10	301	9,000	Commercial-1
01-006-422	LOT 11	301	9,000	Commercial-1
01-006-425	LOT 12	301	9,000	Commercial-1
01-006-401	LOT 13	301	9,559	Commercial-1
01-006-403	LOT 14	301	11,992	Multi-family Residential
01-006-405	LOT 15	301	9,000	Multi-family Residential
01-006-407	LOT 16	301	9,000	Multi-family Residential
01-006-409	LOT 17	301	9,000	Multi-family Residential
01-006-411	LOT 18A	301	9,437	Multi-family Residential

Street Area 106,000

TOTAL Site 734,892 Square Feet
16.8707989 Acres



Petersburg Medical Center

103 Fram Street
PO Box 589
Petersburg, AK 99833

Phone: 907-772-4291
Fax: 907-772-3085

April 4, 2023

Liz Cabrera
Community Development Director
Petersburg Borough
PO Box 329
Petersburg, AK 99833

Dear Ms. Cabrera,

This letter provides the zoning related information requested in the Land Use Application dated April 3, 2023 that will create the new Petersburg Medical Center Subdivision.

Change

- Change the existing zoning (Single-Family Residential, Open-Space Recreational, Commercial-1, Multi-Family Residential) of the 43 lots in the attachment to the referenced application, to Public Use.

Need

- Lot 1: This new 9.2 acre lot will be the site for the new Petersburg Medical Center.
- Lot 2: This new 4.4 acre lot will be reserved for future public use development.

PMC and the Borough envision that the development of these two lots will create a Medical Campus. Locating the new Medical Center in close proximity to Mountain View Manor is consistent with this long-term vision. Centralizing medical services increases efficiency and improves access to care.

One of the goals of the borough's comprehensive plan is Quality Health and Wellness Care so that Petersburg residents are "healthy and well and have access to quality medical and behavioral health care services." See P. 60-61. The plan recommends two action items:

- Maintain and enhance medical care in the community. Identify the minimum level of desired care for the Petersburg Borough and prepare strategies on how to maintain that care. Work with regional partners to meet the health care needs of the greater region.
- Ensure the financial viability of the Medical Center.

The change in zoning will allow PMC to construct a new modern Medical Center, set the stage for a medical campus, and help the Borough meet one of the goals in its comprehensive plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip Hofstetter', with a long, sweeping flourish extending to the right.

Philip Hofstetter
CEO

Planning Commission Staff Report

Meeting date: June 13, 2023

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

Subject: ZONING AMENDMENT – PMC SUBDIVISION
Petersburg Medical Center/Petersburg Borough

Recommended Motion: I move to recommend to the Borough Assembly that the Petersburg Borough Zoning Map be amended by rezoning the subject property, as described in Exhibit A, to Public Use with accompanying findings as presented.

The Petersburg Planning & Zoning Commission makes the following findings as to need and justification:

1. An application for an amendment to the zoning map was submitted by Phil Hofstetter, CEO of Petersburg Medical Center.
2. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023.
3. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility.
4. The legal description of the subject property is Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.
5. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership. Supporting ownership information is provided in writing in the form of US Patent 710415.
6. The surrounding area is well-developed with a mix of residential, recreational, and commercial activity. Government facilities in the vicinity include the Mountain View Manor Senior Housing and Assisted Living Facility, Petersburg Indian Association Tribal Offices, Petersburg ballfields and ice rink, and Petersburg Fire Hall.
7. The stated intended use for the property is construction of a new medical center. Approximately, 6 acres are proposed for initial development.
8. The current zoning of the subject property is a mixture of single-family residential (6 acres), multiple-family residential (1.1 acre), commercial-1 (2.4 acres), and open space-recreation (4.8 acres).
9. Current zoning districts for the subject property, except for commercial-1, are not compatible with the proposed intended use.
10. The purpose of the Public Use district is to provide areas for public uses, such as parks, playgrounds, government-owned buildings, and municipal facilities.

Planning Commission Staff Report

Meeting date: June 13, 2023

11. One of the goals the 2016 Petersburg Borough Comprehensive Plan is “Quality Health and Wellness Care” so that Petersburg residents are “healthy and well and have access to quality medical and behavioral health care services.” (See p 60).
12. The comprehensive plan notes that “[a]ccess to health care is an important factor in maintaining a high quality of life in remote Alaska communities. Residents in Petersburg Borough have access to a variety of health care services. The nonprofit Petersburg Medical Center (PMC) provides most health care services in the Borough...PMC is housed in a Borough-owned building. The facility has received a variety of upgrades in recent years including a new roof. However, the building is aging...”. (See pp 66-67).
13. The comprehensive plan references a 2015 condition assessment of the existing medical center that concludes that the “[t]he hospital has not changed significantly for 30 years, yet health care services, technology, regulations, policies and building codes have changed. ...the facility has reached a point where replacement of systems and finishes will be critical to maintaining reliable high quality health care delivery. A majority of the systems and components have exceeded or are near the end of their expected service life and should be replaced.” (See pp 66-67).
14. Applicant’s letter states that the Petersburg Medical Center envisions that the development of the subject property will create a medical campus and locating the new medical center in proximity to the Mountain View Manor facility is consistent with this long-term vision. Centralizing medical services increases efficiency and improves access to care.
15. On May 18, 2023, a notice of the public hearing was mailed at least fifteen working days before the public hearing to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).
16. On May 26, 2023, notices of the public hearing were posted at the Municipal Building, and at the subject property (PMC 18.12.040(E)).
17. On June 1 and June 6, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).
18. On June 13, 2023, a duly noticed public hearing was held by the Petersburg Planning Commission.
19. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Section 2. Based on the preceding findings, the Petersburg Planning Commission makes the following determination:

1. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership.
2. The existing zoning of the subject area is inconsistent with the intended use of the site as the location of a new medical center.
3. The purpose of the Public Use district includes government-owned buildings and municipal facilities and is consistent with the intended use of the subject property.

Planning Commission Staff Report

Meeting date: June 13, 2023

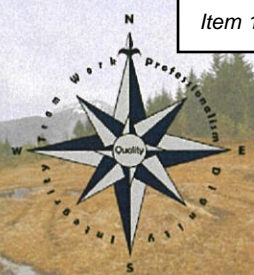
4. The proposal is found to be of a beneficial nature to the community by maintaining and enhancing access to health care and by seeking to improve efficiency and access to care by locating the new medical center in proximity to Mountain View Manor Assisted Living Facility and Senior Housing apartments.
5. The proposal responds to the 2015 condition assessment cited in the comprehensive plan that notes replacing major systems and components of the medical facility will be critical to maintaining reliable high quality health care delivery.
6. The proposal is consistent with and furthers the goal of the comprehensive plan that Petersburg residents have access to quality medical and behavioral health care services.

Chair, Planning Commission

Secretary, Planning Commission

Petersburg Medical Center Replacement

Project Information



May 2023

Petersburg Medical Center (PMC) has provided medical services to the community of Petersburg for over 100 years. The current hospital was originally built in 1955, and became a federally designated Critical Access Hospital in 2001. In 2015, a team of architects and engineers conducted an assessment of the existing facility and found that it was well beyond its useful life. Many building systems do not meet current codes, are no longer manufactured or supported, and require constant maintenance which is very difficult because parts and knowledgeable personnel are no longer available.

The building is not energy efficient and is expensive to operate. In addition, it cannot support increased technology demands which are essential for the delivery of modern healthcare. The report also documented that many functional improvements were needed in order to comply with current guidelines related to infection control, patient safety, patient privacy, food service and sanitation. In 2020, NAC Architecture completed a Master Plan and recommended that PMC construct a new energy-efficient replacement building.

Key Improvements Planned

- ⊗ Meeting the most current regulations and best practices for healthcare delivery
- ⊗ Fully-accessible building and site, including parking, entrances, and covered dropoffs.
- ⊗ Enhanced privacy for treatment, ER, and registration
- ⊗ Private rooms for Long Term Care and Acute Care
- ⊗ Layout that maximizes staffing efficiency to maintain current staffing levels and provide opportunities for expanded services
- ⊗ Energy-efficient design for long-term utility cost savings
- ⊗ Welcoming and functional spaces for training, education, and community events – large meeting rooms, plus activity and dining spaces in Long Term Care
- ⊗ Site connections to existing trails and existing nature



BUDGET AND FUNDING

The preliminary total estimated project cost, including design, construction, inspection, project management, medical equipment, contingency, etc. is \$85 million.

FUNDING STACK*		
SOURCE	AMOUNT	NOTES
Health Resources and Services Administration Grant	\$8M	Secured
Borough	\$1.8M	Contribution-In-Kind
Treasury Grant	\$20M	Pending

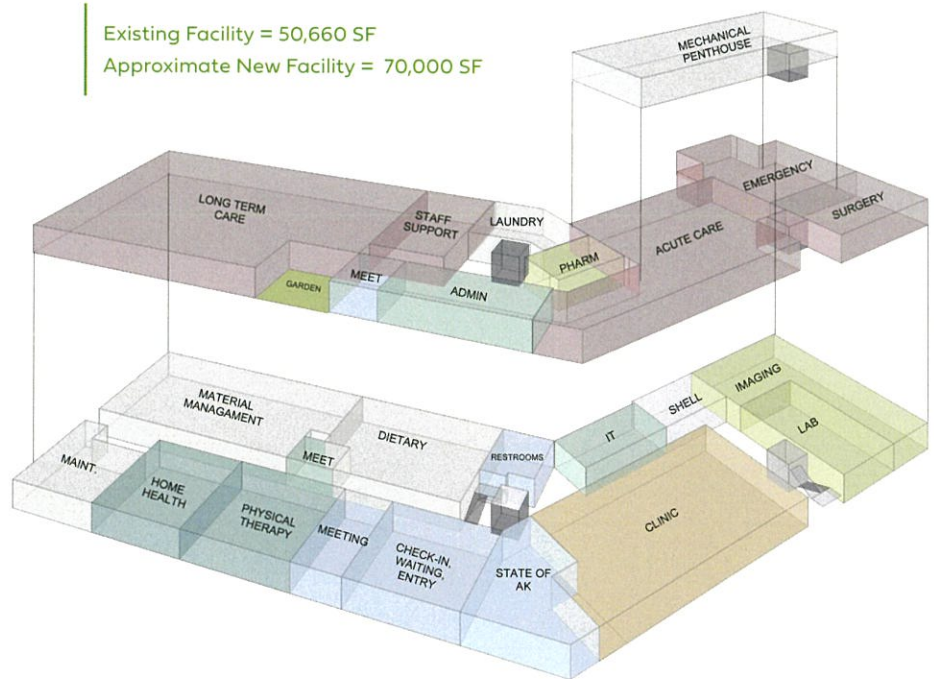
*Other federal, state and philanthropic grant opportunities are being pursued to complete the primary funding stack. PMC will also conduct a capital campaign for some specific project needs.

PROGRESS TO DATE

- November 2015:** Building condition assessment survey
- January 2020:** Master plan completed, including site options assigned by Borough
- May 2021:** Borough Resolution 2021-04 donates land, supports phased construction and getting the project shovel ready
- May 2022:** North Haugen and Excel sites selected for further study
- September 2022:** Site due diligence studies; Bettisworth North selected as project architect
- January 2023:** Preliminary design completed
- February 2023:** Borough Motion making the project their #1 priority for federal funding
- March 2023:** NEPA process started
- April 2023:** Borough Resolution 2023-04 approves North Haugen site, start of rezone/replat, and the Dawson contract for pre-construction services; final geotechnical investigation
- May 2023:** 404 permit application submitted to USACE; community open house

TWO STORY CONCEPT DIAGRAM

Existing Facility = 50,660 SF
Approximate New Facility = 70,000 SF



NEXT STEPS

2023

2024 - 2026



Share your thoughts

Your feedback is important. Please link to the community survey here to share your input.



**PETERSBURG BOROUGH, ALASKA
RESOLUTION #2023-08**

**A RESOLUTION FOR BID AWARD AUTHORIZATION FOR THE COMMUNITY
CENTER SEWER LINE PROJECT AND INCREASE IN BUDGET**

WHEREAS, the Community Center Gym began experiencing a multitude of plumbing and sewer line problems over the past 2 years; and

WHEREAS, problem with the sewer lines are resulting in very recent closures of gym locker room facilities; and

WHEREAS, approval was granted by the Petersburg Borough Assembly with Resolution 2022-21 to hire RSA Engineering, Inc. to create the bid documents for this project at an estimated project cost of \$416,290; and

WHEREAS, with Ordinance #2023-08, the Borough Assembly approved \$417,000 from the Property Development Fund in the FY 2024 budget for this project; and

WHEREAS, the project was made available for bidding on Thursday, May 18, 2023, closing on June 16, 2023 where the sealed documents were publicly opened and read; and

WHEREAS, one bid was received from Ketchikan Mechanical, Inc. with a project cost not to exceed \$501,114.61; and

WHEREAS, the deficit of \$84,114.61 can be obtained from the Property Development Fund with approval of the Borough Assembly.

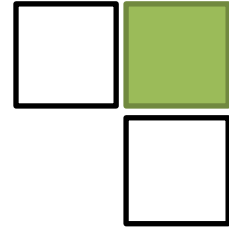
THEREFORE BE IT RESOLVED, the Petersburg Borough Assembly hereby authorizes the acceptance of the bid provided by Ketchikan Mechanical, Inc. for the repairs to the Community Center Gym sewer line, in an amount not to exceed \$501,114.61, and to increase the budget by \$84,114.61 to come from the Property Development Fund.

Passed and Approved by the Petersburg Borough Assembly on June 19, 2023.

Bob Lynn, Vice Mayor

ATTEST:

Debra K. Thompson, Borough Clerk



Hildie A. Cain, Architect:

June 26, 2023

Petersburg Assembly

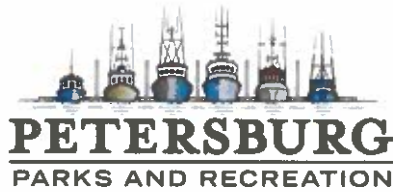
RE: Sewer Line Repair Project Petersburg Community Center

I highly recommend hiring Ketchikan Mechanical Inc. for the Sewer Line Repair Project. Their interest throughout the bidding process and their participation in the Pre-Bid meeting bodes well for the successful outcome of the project.


Respectfully submitted;

A handwritten signature in black ink, appearing to read 'H. Cain'.

AIA, CSI, CCS, CCCA



To: Petersburg Borough Assembly

From: Stephanie Payne, Parks and Recreation Director 

Re: Sewer Line Repair – Petersburg Community Center

Cc: Steve Giesbrecht, Borough Manager
Debra Thompson, Borough Clerk
RSA Engineering, PND Engineering, Hildie Cain, Project Engineers and Architect

On June 16, 2023, the Petersburg Borough received and opened sealed bids for the Sewer Line Repairs – Petersburg Community Center. The bid tabulation form is attached to this bid award recommendation.

Ketchikan Mechanical, Inc. was the sole bid received for said project, presenting a cost of \$501,114.61. Ketchikan Mechanical will be contracting Rainforest Contracting for local work and expertise on this project. I feel very confident in the ability of these two businesses to successfully restore our Community Center sewer system which has been failing and causing disruption to facility services. This project presents a short timeline for completion as the community and school district rely on this facility for their daily fitness and educational activities. Ketchikan Mechanical and Rainforest Contracting understand this and intend to meet our short completion date.

While the estimated project cost was \$417,000 and budgeted for during this fiscal year budget, the deficit of \$84,114.61 is available in the Project Development Fund during the 2024 fiscal year.

Therefore, I highly recommend that the Petersburg Borough Assembly approve this bid award, for the not to exceed cost of \$501,114.61, in support of moving forward with this project for the betterment of this community.

Please let me know if you have any questions. Thank you for your consideration.

PETERSBURG BOROUGH NOTICE OF APPEAL FORM

THIS FORM IS TO BE USED ONLY FOR FILING AN APPEAL OF A DECISION BY THE PLANNING COMMISSION PURSUANT TO SECTION 18.36 OF THE MUNICIPAL CODE

Name of Appellant: Petersburg Medical Center

Mailing Address: PO Box 589
Petersburg, AK 99833
Attn: CEO

Telephone Number: 907-772-5724

Date of Action Appealed: June 13, 2023

An appeal of a decision must be filed with the Borough Clerk, accompanied by the required fee of \$100, plus the actual cost of mail notification, within 10 calendar days of the date the decision was made. The appellant must specify concisely the reason for the appeal and the relief sought.

Per Municipal Code Section 18.36.040, the burden of proof that a decision was made in error, or the decision should be modified, or the decision will have an adverse effect, is on the appellant.

Reason for Appeal:

- Decision was made in error.
- Decision should be modified.
- Decision will have an adverse effect.

Relief Sought by Appeal: Approval by the Borough Assembly of Application for (i) Preliminary Replat of Airport Subdivision under Municipal Code chapter 18.19 and (ii) Vacation of Rights-of-Way under Municipal Code chapter 18.30

On the next page, please describe why you feel the decision was issued in error or should be modified or will have an adverse effect. Please be as specific as possible. By way of example, if you believe that an error in the application of the law was made, cite the specific municipal ordinance(s) you believe were misapplied and how that resulted in an error in your matter. The appeal board will be able to more easily understand and address your appeal, the more information you provide. If necessary, you may attach additional pages.

Signature of Appellant:  Date: 6-22-2023

Title of signatory if Appellant is an entity: Chief Executive Officer

SUMMARY OF BASIS FOR APPEAL

- **Overview**

The Petersburg Planning & Zoning Commission ("Commission") failed to comply with applicable law as to the process for deciding Appellant's applications to approve (i) the preliminary replat of certain real property in Petersburg (more particularly described in said application) and (ii) the vacation of certain rights-of-way. Moreover, the Commission's specific findings here support approving that replat and vacation applications.

- **Background**

This appeal relates solely to the denial of Appellant's replat and vacation applications, each of which relate to the following real property located in Petersburg, AK ("Property"):

Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.

On May 17, 2021, the Assembly issued a resolution (Resolution 2021-04 attached hereto as Exhibit A) supporting the development of a new hospital facility in Petersburg and agreed to provide one of three sites owned by the Borough specifically for that development. Later on April 17, 2023, the Assembly issued a resolution (Resolution 2023-04 attached hereto as Exhibit A-1) specifically authorizing the use the Property for that development.

Resolution 2023-04 also authorized Appellant to file an application (the filed copy of which is attached hereto as Exhibit B) seeking to rezone the Property pursuant to Municipal Code chapter 19.84 and to replat the Property pursuant to Municipal Code chapter 18.19. Appellant filed a separate application seeking to vacate certain rights-of-way within the platted area at issue (attached hereto as Exhibit B-1), which application the Commission considered at the same time as the rezone and replat applications.

The Commission made it's findings regarding the replat application and vacation of certain rights-of-way (attached hereto as Exhibit C), while denying the replat and vacation approvals at its hearing on June 13, 2023. A copy of the written denial of those applications is attached hereto as Exhibit C-1 ("Decision"). Appellant now appeals that decision to the Borough Assembly.

- **Reasons for Appeal**

- Decision was made in error

Alaska Statutes section 29.40.110 requires the Commission to provide a basis in writing for the denial of any replat request. And Municipal Code section 18.30.40 requires the Commission to state the reasons on the record for the denial of an application to vacate a public easement or area. The Decision, however, omits any written basis for the denial of either application. As a result, the denial of Appellant's replat and vacation applications was counter to Alaska Statutes section 29.40.110 and Municipal Code section 18.30.40 respectively.

Even so, given the replat and vacation requests were considered at the same hearing as the rezone request, the findings and recommendations related to the rezone request (see Exhibit D attached hereto) and the meeting minutes from that hearing (see Exhibit E attached hereto) could be reasonably understood as the reasons for denying the replat and vacation requests. Those specific reasons were:

- Lack of public education on the issue;
- Lack of public input on the “pro’s” and “con’s” of the rezone; and
- Loss of single-family and multi-family residential lots.

Those reasons are not, however, supported by the Commission’s findings in that same Decision:

- As to the lack of “public input” and “public education” on Appellant’s replat and vacation requests, none of the findings suggest (i) the public was not given a meaningful opportunity to participate in the process or (ii) Appellant failed to comply with the Municipal Code or Alaska Statutes as to the required public notice of the applications and hearing.
- As to the loss of single-family and multi-family residential lots, although the Commission acknowledged in its findings that the replat (if approved) would result in less lots (not necessarily residential lots), the Commission made no specific written findings as to the detriment to the Petersburg community as the result of that loss.

The findings instead support the opposite conclusion. As to public participation and input, the Commission acknowledged in its findings that (i) notice was given to the public as to the applications and hearing in compliance with relevant law and (ii) the Commission “received and considered” public comments and testimony. Moreover, the meeting minutes reflect that several members of the public participated in the hearing and voiced their opinions as to the Appellant’s request. It is also worth noting the June 13 hearing was not the only time the public had an opportunity to weigh in on the proposed project, as the Assembly reviewed and approved the selection of this specific Property for the new medical facility pursuant to its April 17, 2023 Resolution (cited by the Commission in its findings). To the extent the Commission believed that such meaningful public participation was inadequate, that is not required by relevant law.

Moreover, as to the possible detriment to the community resulting from the loss of residential lots, the findings show impeding the ability to develop the Property for a new health care facility has far greater consequences for the community. The Commission cited portions of the 2016 Petersburg Borough Comprehensive Plan recognizing the importance of health care access in the community and the findings acknowledge the issues with Appellant’s ability to provide that care at its existing facility.

- Decision should be modified

As to the replat application, the Commission denied Appellant’s request for what it said was a request to approve a “preliminary plat.” Given the Property is already platted, however, Appellant’s application instead seeks approval of a preliminary “replat” of that Property. As a result, the Decision should be revised to accurately reflect Appellant’s request as to the replat application.

The Decision should, moreover, be modified to approve Appellant’s replat and vacation applications given the Commission’s findings support such a conclusion (as further outlined above).

- Decision will have an adverse effect

Failing to grant Appellant's replat and vacation applications will limit, if not wholly prevent, the development of a new medical facility on the Property. And as supported by the Commission's findings, that new facility is needed. Appellant's letter to the Commission (a portion of which is cited by the Commission) and a 2015 property condition assessment (also cited by the Commission) show that serious issues exist at Appellant's current medical facility given its age and condition. Those issues will limit Appellant's long-term ability to provide quality health care within that existing facility thus necessitating the need for a new facility. If this new facility is blocked due to the disapproval of the replat and vacation requests, continued access to quality health care in the Petersburg community could be jeopardized.

The denial of Appellant's applications will, moreover, have significant adverse financial effects on Appellant that may ultimately doom the new medical facility project. Appellant will need to spend additional time and monetary resources to identify and assess an alternative site (to the extent an alternative site is even available) for its new medical facility, which will likely include spending, at minimum, an estimated \$225,000 for additional site due diligence and an estimated \$500,000 to redo the concept and schematic design phase for the facility. Appellant will also very likely be denied or have revoked three grant applications that are specific to the Property (including a pending \$20 million grant from the U.S. Department of Treasury, a pending \$975,000 grant from the Denali Commission, and an \$8 million grant awarded in August 2022 from U.S. Health Resources and Services Administration). Without those grants, financing for the new facility will likely be in jeopardy.

EXHIBIT A

ASSEMBLY RESOLUTION #2021-04

(please see attached)

**Petersburg Borough, Petersburg, Alaska
RESOLUTION #2021-04**

**A RESOLUTION SUPPORTING THE PETERSBURG HOSPITAL BOARD AND
PETERSBURG MEDICAL CENTER IN THE PLANNING FOR A NEW HOSPITAL FACILITY
IN PETERSBURG TO BE COMPLETED IN PHASES**

WHEREAS, the Petersburg Borough Assembly recognizes the need for quality health care for Petersburg residents; and

WHEREAS, the Assembly recognizes the health care industry's substantive changes in health care regulations, privacy concerns, treatment processes, equipment, communications and procedures; and

WHEREAS, our current health care facility, Petersburg Medical Center, is reaching forty (40) years of age and infrastructure can no longer be remodeled to accommodate the necessary upgrades, making the existing facility obsolete and in need of replacement; and

WHEREAS, there are safety concerns with structural deficiencies and age of equipment; and

WHEREAS, PMC departments are in need of more space to meet the needs of their patients and staff; and

WHEREAS, the cost of a new facility far exceeds the Boroughs ability to finance or bond for the project, making it imperative that the project be completed in phases as external sources of funding are available; and

WHEREAS, the Assembly support the concept and planning association with building a new hospital, but would like PMC to proceed in phases; and

WHEREAS, the Assembly has agreed to provide 1 of 3 sites to PMC as part of the planning for construction of a new hospital; and

WHEREAS, the Assembly supports PMC moving forward with the geotechnical work so that a specific site can be designated by the Borough to PMC for the planning for a new hospital; and

WHEREAS, the Assembly supports the Hospital Board in moving forward with phase 2 to bring the selected site to shovel ready status.

THEREFORE BE IT RESOLVED, the Petersburg Borough Assembly:

- 1) Supports the efforts of the Petersburg Hospital Board and PMC in their endeavor to engage the public and develop a plan for a new facility that will meet the needs of Petersburg Borough residents for health care services well into the future; and
- 2) Supports the continual need for public dialogue and participation in the planning for a new facility, and
- 3) Wishes to participate with the Hospital Board and CEO in the planning for a new facility, and

- 4) Supports the manager and staff working with the Hospital CEO and potential contractors in connection with planning for a new facility, and
- 5) Supports the Board in its effort to seek external financing for the facility; and
- 6) Lends it support in the search for external sources of funding.

Passed and Approved by the Petersburg Borough Assembly on May 17, 2021, 2021.



Mark Jensen, Mayor

ATTEST:



Debra K. Thompson, Borough Clerk

EXHIBIT A-1

ASSEMBLY RESOLUTION #2023-04

(please see attached)

**PETERSBURG BOROUGH
RESOLUTION #2023-04**

A RESOLUTION OF THE PETERSBURG BOROUGH APPROVING THE HOSPITAL BOARD'S SITE SELECTION FOR A NEW HOSPITAL FACILITY, AUTHORIZING THE HOSPITAL BOARD'S SUBMISSION OF REZONING AND SUBDIVISION APPLICATIONS FOR THE SITE, AND AUTHORIZING THE HOSPITAL BOARD TO PROCEED WITH CONTRACTING WITH DAWSON CONSTRUCTION FOR PRECONSTRUCTION SERVICES UNDER A CONSTRUCTION MANAGER/GENERAL CONTRACTOR AGREEMENT

WHEREAS, on May 17, 2021, the Assembly approved Resolution #2021-04, a copy of which is attached hereto as Exhibit A, stating its support for the Hospital Board ("the Board") to commence phased planning for a new hospital facility ("the project"); and

WHEREAS, the Board has now selected a preferred site for the project, a 17-acre area owned by the Borough, and referred to as the North Haugen-Excel St. Site ("the site"); and

WHEREAS, the Borough Assembly wishes to approve this selection, dedicate the site for such use, and authorize the Board to submit applications for rezoning and subdivision/replatting of the site as may be necessary for the project under the Petersburg Municipal Code; and

WHEREAS, pursuant to PMC 3.50.070C, the Board hired Bettisworth North Architects & Planners to act as the architect for the project and the Preliminary Design phase has commenced, including geotechnical investigation and site and utility assessment; and

WHEREAS, at its April 3, 2023 regular meeting, the Assembly appointed Borough Manager Giesbrecht to the PMC Project Steering Committee, so that he can advise the Assembly on the progress of the project moving forward; and

WHEREAS, in December 2022, the Hospital Board issued a Request for Proposals (RFP), seeking proposals for a Construction Manager/General Contractor (CM/GC) for the project; and

WHEREAS, the CM/GC would provide preconstruction services for the project during the design phase, including assisting with phasing of the project, cost estimating, and value engineering; and

WHEREAS, under the CM/GC contract, a Guaranteed Maximum Price amendment could be executed upon completion of the design, for the CM/GC to construct the project for an agreed upon maximum price; and

WHEREAS, if a Guaranteed Maximum Price cannot be agreed upon between the parties, the contract can be terminated; and

WHEREAS, in response to the RFP, the Board received two proposals, which were evaluated and scored by the Board's selection committee; and

WHEREAS, the committee recommended to the Board that the proposal submitted by

Dawson Construction be accepted, and the Board adopted that recommendation on February 23, 2023; and

WHEREAS, the Borough Assembly wishes to now authorize the Board to proceed with contracting with Dawson Construction under a CM/GC contract, under the conditions set forth in this Resolution.

THEREFORE, BE IT RESOLVED by the Assembly of the Petersburg Borough, as follows:

1. The parcels identified in attached Exhibit B, located within the Airport Addition Subdivision (Plat Nos.77-2 and 94-6, Petersburg Recording District), selected by the Hospital Board as the preferred site, are hereby dedicated for use by the Hospital Board for the new hospital facility.
2. Pursuant to the selection of this site for the project, the Hospital Board is authorized to submit applications for a change of zoning of the parcels from their current zoning to Public Use, and for subdivision/replatting of this area, along with any necessary right-of-way vacations, as may be required under the provisions of Petersburg Municipal Code.
3. Pursuant to Section 9.03 of the Borough Charter and Sections 3.50.060 and 3.50.080 of the Petersburg Municipal Code, the Hospital Board is authorized to proceed with execution of a CM/GC contract with Dawson Construction, in substantially the form as attached hereto as Exhibit C. The Hospital Board shall administer, supervise and manage all aspects of Dawson's performance under the contract.
4. No Guaranteed Maximum Price amendment or Notice to Proceed for any service that does not constitute a preconstruction service shall be executed without authorization of the Assembly.
5. The Borough shall be notified when the Hospital Board issues any Notice to Proceed (NTP) to Dawson for preconstruction services. Such notice shall be given by email or personal delivery to the Borough Manager and to the Borough Clerk. A NTP can be issued by the Hospital Board only if the funds for the work to be performed under the NTP are fully appropriated for that work in the current hospital budget and said appropriation shall not lapse until the work called for under the NTP has been fully performed.
6. The Borough Manager is authorized to acknowledge in writing the CM/GC contract under the terms and conditions of this Resolution, and the Manager's signature shall be attested to by the Borough Clerk.

PASSED AND APPROVED BY the Petersburg Borough Assembly on this 17th day of April, 2023.


Mark Jensen, Mayor

ATTEST:


Debra K. Thompson, Borough Clerk

EXHIBIT B

COPY OF REPLAT APPLICATION

(please see attached)

 PETERSBURG BOROUGH LAND USE APPLICATION	CODE TO:	110.000.404110
	BASE FEE:	\$205
	PUBLIC NOTICE FEE:	\$70
	TOTAL:	\$275

DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
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APPLICANT/AGENT	LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Phil Hofstetter, CEO, Petersburg Medical Center	NAME Petersburg Borough
MAILING ADDRESS PO Box 589	MAILING ADDRESS PO Box 329
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP Petersburg, AK 99833
PHONE 907-772-5724	PHONE 907-772-4425
EMAIL phofstetter@pmc-health.org	EMAIL sgiesbrecht@petersburgak.gov

PROPERTY INFORMATION

PHYSICAL ADDRESS or LEGAL DESCRIPTION:
See attachment.

PARCEL ID: See attachment	ZONE: See attachment	OVERLAY: n/a
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CURRENT USE OF PROPERTY: vacant	LOT SIZE: See attachment
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PROPOSED USE OF PROPERTY (IF DIFFERENT):
New medical center

CURRENT OR PLANNED SEWER SYSTEM: Municipal DEC-approved on-site system

CURRENT OR PLANNED WATER SOURCE: Municipal Cistern/Roof Collection Well

LEGAL ACCESS TO LOT(S) (Street Name):
Haugen Drive, Excel St, N 12th St, N 13th St

TYPE OF APPLICATION & BASE FEE


- 19.84 Zoning Change (\$100)
- 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)
- 18.20 Minor Subdivision/18.24 Preliminary Plat/18.19 Replat (\$75 + \$10 per lot)
- 18.24 Final Plat (\$25 per lot)

SUBMITTALS:

For Zoning Change, please submit letter stating the new zoning and explaining the need for the change.
For Subdivision approvals, please submit a prepared plat map as required by borough code.

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(s) or authorized agent thereof for the property subject herein.

Applicant(s):  Date: 4-3-2017

Owner: _____ Date: _____

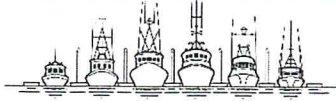
Owner: _____ Date: _____

Owner: _____ Date: _____

EXHIBIT B-1

COPY OF RIGHTS-OF-WAY VACATION APPLICATION

(please see attached)

 PETERSBURG BOROUGH R.O.W. VACATION	CODE TO:	110.000.404110
	BASE FEE:	\$50
	PUBLIC NOTICE FEE:	\$70
	TOTAL:	\$120.00

DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
----------------	--------------	------------------

APPLICANT/AGENT		PROPERTY OWNER(S)	
NAME Phil Hofstetter, CEO, Petersburg Medical Center		NAME Petersburg Borough	
MAILING ADDRESS PO Box 589		MAILING ADDRESS PO Box 329	
CITY/STATE/ZIP Petersburg, AK 99833		CITY/STATE/ZIP Petersburg, AK 99833	
PHONE 907-772-5724		PHONE 907-772-4425	
EMAIL phofstetter@PMC-HEALTH.ORG		EMAIL sgiesbrecht@petersburgak.gov	

Adjacent Properties		
Number of Lots/Parcels Affected by Vacation: 42	Subdivision: Airport Addition	Plat #: 77-2

SUBMITTALS:

Please include a copy of plat showing the proposed vacation.

SIGNATURE(S):

I (we) do hereby apply for a vacation of the borough owned easement/right-of-way/land in accordance with the provisions of Title 18, SUBDIVISIONS of the Petersburg Municipal Code.

I (we) am (are) the owners of the real estate which borders said borough-owned easement/right-of-way/and, which is generally described above.

Lot/Block	Owner(s) Name	Mailing Address	Email	Phone
See Attached.	Petersburg Borough	PO Box 329	sgiesbrecht@petersburgak.gov	772-4425

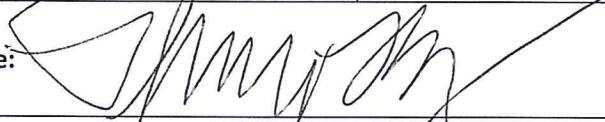
Signature: 

EXHIBIT C

COPY OF FINDINGS RE: REPLAT/VACATION

(please see attached)

Planning Commission Staff Report

Meeting date: June 13, 2023

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

Subject: MAJOR SUBDIVISION and VACATION of BOROUGH ROW
Petersburg Medical Center Subdivision

Recommended Motion: I move to approve the preliminary plat for the Petersburg Medical Center Subdivision and to approve vacation of the rights-of-way, as depicted in Exhibit A, with findings of facts as presented.

The Petersburg Planning Commission, acting as the Platting Authority, makes the following findings of fact:

1. Applications for a major subdivision and vacation of rights-of-way were submitted by Phil Hostetter, CEO of Petersburg Medical Center.
2. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023.
3. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility.
4. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership. Supporting ownership information is provided in writing in the form of US Patent 710415 and a Certificate to Plat from Alaska Escrow and Title dated April 7, 2023 (PMC 18.24.040(B)4).
5. The legal description of the subject property is Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.
6. The total acreage of the site is approximately 16.68 acres.
7. The Petersburg Medical Center Subdivision proposes to:
 - a. Consolidate 43 lots and adjacent rights-of-way within a portion of the Airport Addition Subdivision;
 - b. Subdivide the 16.86 acres into two parcels: Lot 1 containing approximately 12.34 acres and Lot 2 containing approximately 4.52 acres;
 - c. Establish a 50' wide public access easement from Haugen Drive to Excel Street through Lot 1;
 - d. Establish a 3.25-acre drainage easement within Lot 1; and
 - e. Establish a 20' wide public access easement for the existing pedestrian trail through the proposed Lot 2.
8. The stated intended use for the property is construction of a new medical center on Lot 1, and land reserved for future expansion on Lot 2. Approximately, 6 acres of Lot 1 are proposed for initial development.

Planning Commission Staff Report

Meeting date: June 13, 2023

9. The surrounding area is well-developed with a mix of residential, recreational, and commercial activity. Government facilities in the vicinity include the Mountain View Manor Senior Housing and Assisted Living Facility, Petersburg Indian Association Tribal Offices, Petersburg ballfields and ice rink, and Petersburg Fire Hall.
10. The subject property is adjacent to municipal water, wastewater, and electric utility services.
11. The subject property has legal access from existing public rights-of-way and there are no proposed public dedications of land or rights-of-way on the preliminary plat.
12. A sketch plat was submitted and a pre-application conference with planning staff occurred on April 4, 2023 (PMC 18.24.020).
13. The preliminary plat submitted was reviewed for consistency with the requirements of PMC 18.24.040, Preliminary plat submission requirements.
14. Per adopted flood insurance maps, the subject property is not located within a flood hazard area (PMC 18.24.040(D)).
15. The preliminary plat establishes a drainage easement along the intermittent creek flowing southwest along the eastern portion of Lot 1. The creek is assumed to connect to Hammer Slough but it is not listed in the ADFG Anadromous Waters Catalog. (PMC 18.24.080(C)2).
16. The proposed plat requires a vacation of a public dedication of land. An application and map (exhibit A) for vacation of borough-owned rights-of-way were submitted (PMC18.24.030(A)).
17. The proposed vacation eliminates legal public access to the subject property from Fram, Gjoa, N 11th, and a portion of N 12th Streets as shown in Exhibit A.
18. The subject property retains legal and practical access to Lot 1 from Haugen Drive, N 10th, and Excel Streets; and to Lot 2 from Excel, N 12th, and N 13th Streets.
19. The application was distributed to borough departments (Power & Light, Water/Wastewater, Public Works, Fire, Community Development) for review on May 2, 2023.
20. On May 18, 2023, a notice of the public hearing was mailed to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).
21. On May 26, 2023, notices of the public hearing were posted at the Municipal Building and at the subject property (PMC 18.12.040(E)).
22. On June 1 and June 6, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).
23. On June 13, 2023, a duly noticed public hearing was held by the Petersburg Planning Commission.
24. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Section 2. Based on the preceding findings of fact, the Petersburg Planning Commission, acting as the Platting Authority, makes the following determinations:

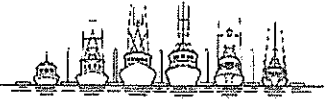
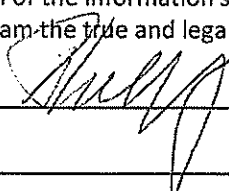
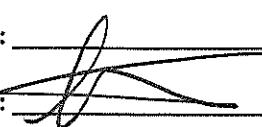
Planning Commission Staff Report

Meeting date: June 13, 2023

- 1) The Petersburg Medical Center Subdivision plat meets the requirements of Chapter 18.24 for preliminary plat approval.
- 2) Vacating the existing rights of way as depicted in Exhibit A is a necessary step to consolidate the subject property into lots suitable for the planned future development of a medical center.
- 3) All the area vacated shall be devoted to a public purpose so title to the area vacated remains vested in the Petersburg Borough (PMC 18.30.050(B)).
- 4) Consistent with the general purposes of Title 18, the proposed subdivision promotes public health, safety, and welfare:
 - a) There are adequate open spaces around the proposed development, including a 3.2-acre drainage easement along the intermittent creek. Approximately 50% of Lot 1 will remain undeveloped according to the conceptual design.
 - b) The general design and location of utilities appears adequate for the location and site. This will be reviewed further once the applicant gains preliminary plat approval and is authorized to move forward with detailed engineering plans for review by the borough.
 - c) There is adequate access for firefighting apparatus. Access, as well as the location of fire hydrants and other life safety requirements will be reviewed further by the State Fire Marshal and local Fire Marshal prior to issuing a building permit.
 - d) Recreation space is preserved by the establishment of a public easement and a new trail segment connecting the development site to the existing Musson Trail.
 - e) The lot sizes far exceed the minimums required in all zoning districts. Setback requirements and other standards shall be applied during State Fire Marshal review. The lot coverage under the conceptual design is 15%; this is well below maximum lot coverage requirements in all zoning districts. The proposed development will not result in population congestion.
 - f) The proposed plat provides for an orderly and efficient layout and use of land. The site is adjacent to existing municipal utilities so extensive buildout of public utility infrastructure is not required for development of the property. The subject property is vacant land located on a major collector road near the Assisted Living Facility, Airport, and Firehall/EMS.
- 5) Approval of the preliminary plat grants authorization to the applicant to proceed with preparation of the final plat and engineering plans (PMC 18.24.045(B)).
- 6) Within one year, the applicant shall submit a final plat consistent or seek an extension of the approval from the platting board.

Chair, Planning Commission

Secretary, Planning Commission

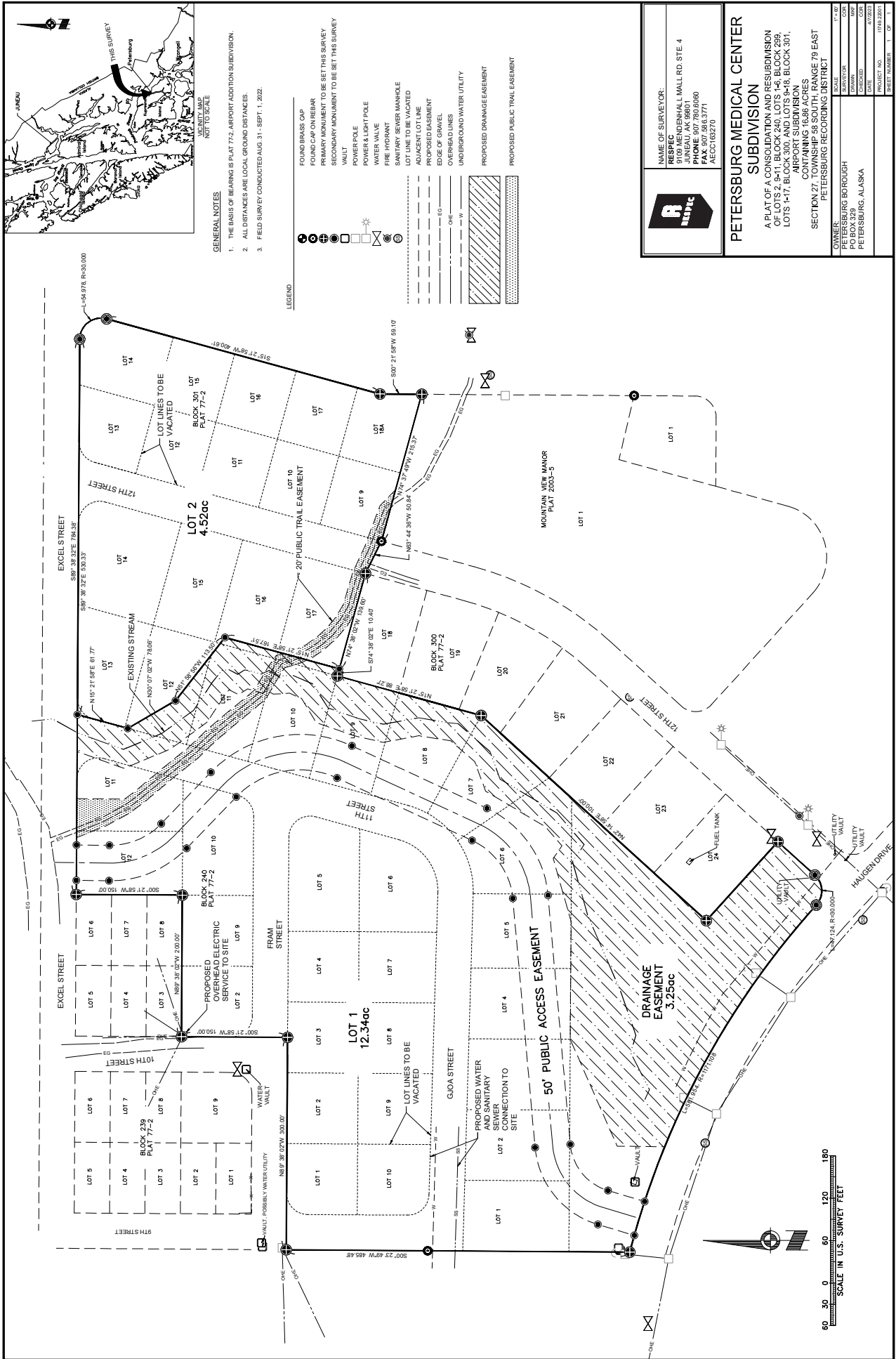
 PETERSBURG BOROUGH LAND USE APPLICATION		CODE TO: 110.000.404110
		BASE FEE: \$195
		PUBLIC NOTICE FEE: \$70
		TOTAL: \$265
DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Phil Hofstetter, CEO, Petersburg Medical Center	NAME Petersburg Borough	
MAILING ADDRESS PO Box 589	MAILING ADDRESS PO Box 329	
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP Petersburg, AK 99833	
PHONE 907-772-5724	PHONE 907-772-4425	
EMAIL phofstetter@pmc-health.org	EMAIL sgiesbrecht@petersburgak.gov	
PROPERTY INFORMATION		
PHYSICAL ADDRESS or LEGAL DESCRIPTION: See attachment.		
PARCEL ID: See attachment	ZONE: See attachment	OVERLAY: n/a
CURRENT USE OF PROPERTY: vacant	LOT SIZE: See attachment	
PROPOSED USE OF PROPERTY (IF DIFFERENT): New medical center		
CURRENT OR PLANNED SEWER SYSTEM: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site system		
CURRENT OR PLANNED WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well		
LEGAL ACCESS TO LOT(S) (Street Name): Haugen Drive, Excel St, N 12 th St, N 13 th St		
TYPE OF APPLICATION & BASE FEE		
<input checked="" type="checkbox"/> 19.84 Zoning Change (\$100)		
<input type="checkbox"/> 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)		
<input checked="" type="checkbox"/> 18.20 Minor Subdivision/18.24 Preliminary Plat/18.19 Replat (\$75 + \$10 per lot)		
<input type="checkbox"/> 18.24 Final Plat (\$25 per lot)		
SUBMITTALS:		
For Zoning Change, please submit letter stating the new zoning and explaining the need for the change. For Subdivision approvals, please submit a prepared plat map as required by borough code.		
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(s) or authorized agent thereof for the property subject herein.		
Applicant(s):		Date: 11-3-2017
Owner:	_____	Date: _____
Owner:	_____	Date: _____
Owner:		Date: _____

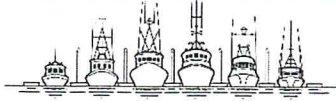
Description of Subject Property:

PIDN	LEGAL	BLOCK	LOT AREA (SF)	ZONING
01-006-280	LOT 2	240	10,000	Single-family residential
01-006-279	LOT 9	240	10,000	Single-family residential
01-006-273	LOT 12	240	13,500	Single-family residential
01-006-275	LOT 11	240	13,502	Single-family residential
01-006-277	LOT 10	240	14,780	Single-family residential
01-006-359	LOT 1	299	9,808	Single-family residential
01-006-361	LOT 2	299	10,000	Single-family residential
01-006-363	LOT 3	299	10,000	Single-family residential
01-006-365	LOT 4	299	10,000	Single-family residential
01-006-350	LOT 5	299	15,865	Single-family residential
01-006-351	LOT 6	299	13,789	Single-family residential
01-006-353	LOT 7	299	10,856	Single-family residential
01-006-355	LOT 8	299	10,628	Single-family residential
01-006-357	LOT 9	299	10,400	Single-family residential
01-006-358	LOT 10	299	9,998	Single-family residential
01-006-330	LOT 1	300	14,935	Single-family residential
01-006-332	LOT 2	300	14,714	Single-family residential
01-006-334	LOT 3	300	14,485	Single-family residential
01-006-336	LOT 4	300	14,257	Single-family residential
01-006-338	LOT 5	300	14,737	Single-family residential
01-006-340	LOT 6	300	19,081	Open-Space Recreational
01-006-341	LOT 7	300	14,316	Open-Space Recreational
01-006-342	LOT 8	300	15,466	Open-Space Recreational
01-006-344	LOT 9	300	13,500	Open-Space Recreational
01-006-346	LOT 10	300	13,500	Open-Space Recreational
01-006-347	LOT 11	300	13,500	Open-Space Recreational
01-006-348	LOT 12	300	13,500	Open-Space Recreational
01-006-300	LOT 13	300	13,384	Open-Space Recreational
01-006-301	LOT 14	300	19,166	Commercial-1
01-006-303	LOT 15	300	13,500	Commercial-1
01-006-305	LOT 16	300	13,500	Commercial-1
01-006-306	LOT 17	300	13,500	Commercial-1
01-006-317	Greenbelt	300	112,737	Open-Space Recreational
01-006-420	LOT 9	301	9,000	Commercial-1
01-006-421	LOT 10	301	9,000	Commercial-1
01-006-422	LOT 11	301	9,000	Commercial-1
01-006-425	LOT 12	301	9,000	Commercial-1
01-006-401	LOT 13	301	9,559	Commercial-1
01-006-403	LOT 14	301	11,992	Multi-family Residential
01-006-405	LOT 15	301	9,000	Multi-family Residential
01-006-407	LOT 16	301	9,000	Multi-family Residential
01-006-409	LOT 17	301	9,000	Multi-family Residential
01-006-411	LOT 18A	301	9,437	Multi-family Residential

Street Area 106,000

TOTAL Site 734,892 Square Feet**16.8707989 Acres**



 PETERSBURG BOROUGH R.O.W. VACATION	CODE TO:	110.000.404110
	BASE FEE:	\$50
	PUBLIC NOTICE FEE:	\$70
	TOTAL:	\$120.00

DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
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APPLICANT/AGENT	PROPERTY OWNER(S)
NAME Phil Hofstetter, CEO, Petersburg Medical Center	NAME Petersburg Borough
MAILING ADDRESS PO Box 589	MAILING ADDRESS PO Box 329
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP Petersburg, AK 99833
PHONE 907-772-5724	PHONE 907-772-4425
EMAIL phofstetter@PMC-HEALTH.ORG	EMAIL sgiesbrecht@petersburgak.gov

Adjacent Properties		
Number of Lots/Parcels Affected by Vacation: 42	Subdivision: Airport Addition	Plat #: 77-2

SUBMITTALS:

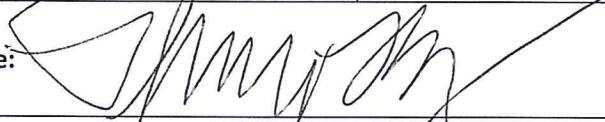
Please include a copy of plat showing the proposed vacation.

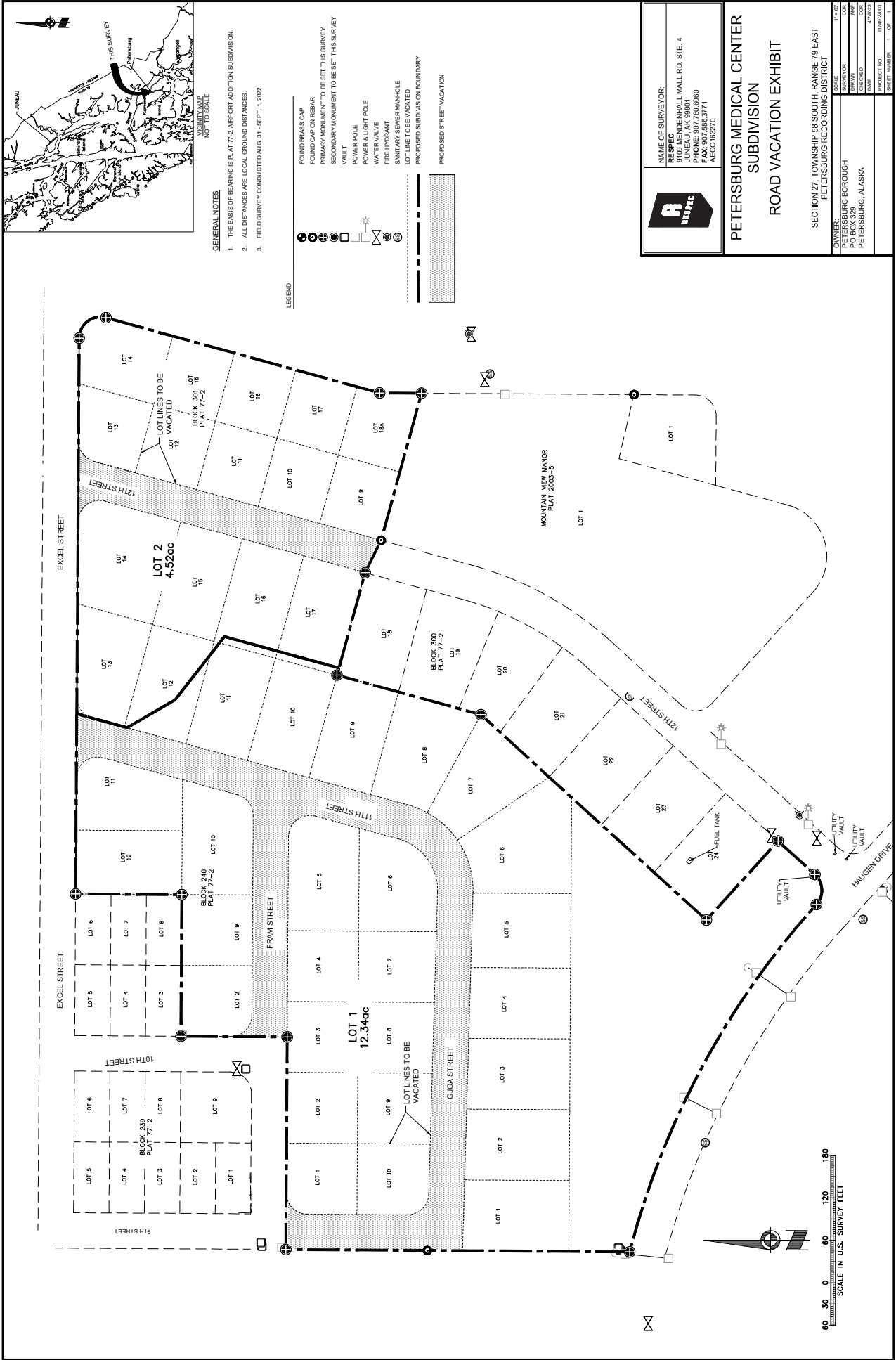
SIGNATURE(S):

I (we) do hereby apply for a vacation of the borough owned easement/right-of-way/land in accordance with the provisions of Title 18, SUBDIVISIONS of the Petersburg Municipal Code.

I (we) am (are) the owners of the real estate which borders said borough-owned easement/right-of-way/and, which is generally described above.

Lot/Block	Owner(s) Name	Mailing Address	Email	Phone
See Attached.	Petersburg Borough	PO Box 329	sgiesbrecht@petersburgak.gov	772-4425

Signature: 



NAME OF SURVEYOR:
RESPEC
9109 MENDEHALL MALL RD. STE. 4
JUNEAU, AK 99801
PHONE: 907.586.3710
FAX: 907.586.3711
AEC00183270

**PETERSBURG MEDICAL CENTER
SUBDIVISION
ROAD VACATION EXHIBIT**

SECTION 27, TOWNSHIP 58 SOUTH, RANGE 79 EAST
PETERSBURG RECORDING DISTRICT

**PETERSBURG BOROUGH
RESOLUTION #2023-04**

A RESOLUTION OF THE PETERSBURG BOROUGH APPROVING THE HOSPITAL BOARD'S SITE SELECTION FOR A NEW HOSPITAL FACILITY, AUTHORIZING THE HOSPITAL BOARD'S SUBMISSION OF REZONING AND SUBDIVISION APPLICATIONS FOR THE SITE, AND AUTHORIZING THE HOSPITAL BOARD TO PROCEED WITH CONTRACTING WITH DAWSON CONSTRUCTION FOR PRECONSTRUCTION SERVICES UNDER A CONSTRUCTION MANAGER/GENERAL CONTRACTOR AGREEMENT

WHEREAS, on May 17, 2021, the Assembly approved Resolution #2021-04, a copy of which is attached hereto as Exhibit A, stating its support for the Hospital Board ("the Board") to commence phased planning for a new hospital facility ("the project"); and

WHEREAS, the Board has now selected a preferred site for the project, a 17-acre area owned by the Borough, and referred to as the North Haugen-Excel St. Site ("the site"); and

WHEREAS, the Borough Assembly wishes to approve this selection, dedicate the site for such use, and authorize the Board to submit applications for rezoning and subdivision/replatting of the site as may be necessary for the project under the Petersburg Municipal Code; and

WHEREAS, pursuant to PMC 3.50.070C, the Board hired Bettisworth North Architects & Planners to act as the architect for the project and the Preliminary Design phase has commenced, including geotechnical investigation and site and utility assessment; and

WHEREAS, at its April 3, 2023 regular meeting, the Assembly appointed Borough Manager Giesbrecht to the PMC Project Steering Committee, so that he can advise the Assembly on the progress of the project moving forward; and

WHEREAS, in December 2022, the Hospital Board issued a Request for Proposals (RFP), seeking proposals for a Construction Manager/General Contractor (CM/GC) for the project; and

WHEREAS, the CM/GC would provide preconstruction services for the project during the design phase, including assisting with phasing of the project, cost estimating, and value engineering; and

WHEREAS, under the CM/GC contract, a Guaranteed Maximum Price amendment could be executed upon completion of the design, for the CM/GC to construct the project for an agreed upon maximum price; and

WHEREAS, if a Guaranteed Maximum Price cannot be agreed upon between the parties, the contract can be terminated; and

WHEREAS, in response to the RFP, the Board received two proposals, which were evaluated and scored by the Board's selection committee; and

WHEREAS, the committee recommended to the Board that the proposal submitted by

Dawson Construction be accepted, and the Board adopted that recommendation on February 23, 2023; and

WHEREAS, the Borough Assembly wishes to now authorize the Board to proceed with contracting with Dawson Construction under a CM/GC contract, under the conditions set forth in this Resolution.

THEREFORE, BE IT RESOLVED by the Assembly of the Petersburg Borough, as follows:

1. The parcels identified in attached Exhibit B, located within the Airport Addition Subdivision (Plat Nos.77-2 and 94-6, Petersburg Recording District), selected by the Hospital Board as the preferred site, are hereby dedicated for use by the Hospital Board for the new hospital facility.
2. Pursuant to the selection of this site for the project, the Hospital Board is authorized to submit applications for a change of zoning of the parcels from their current zoning to Public Use, and for subdivision/replatting of this area, along with any necessary right-of-way vacations, as may be required under the provisions of Petersburg Municipal Code.
3. Pursuant to Section 9.03 of the Borough Charter and Sections 3.50.060 and 3.50.080 of the Petersburg Municipal Code, the Hospital Board is authorized to proceed with execution of a CM/GC contract with Dawson Construction, in substantially the form as attached hereto as Exhibit C. The Hospital Board shall administer, supervise and manage all aspects of Dawson's performance under the contract.
4. No Guaranteed Maximum Price amendment or Notice to Proceed for any service that does not constitute a preconstruction service shall be executed without authorization of the Assembly.
5. The Borough shall be notified when the Hospital Board issues any Notice to Proceed (NTP) to Dawson for preconstruction services. Such notice shall be given by email or personal delivery to the Borough Manager and to the Borough Clerk. A NTP can be issued by the Hospital Board only if the funds for the work to be performed under the NTP are fully appropriated for that work in the current hospital budget and said appropriation shall not lapse until the work called for under the NTP has been fully performed.
6. The Borough Manager is authorized to acknowledge in writing the CM/GC contract under the terms and conditions of this Resolution, and the Manager's signature shall be attested to by the Borough Clerk.

PASSED AND APPROVED BY the Petersburg Borough Assembly on this 17th day of April, 2023.


Mark Jensen, Mayor

ATTEST:


Debra K. Thompson, Borough Clerk



Alaska Escrow and Title Insurance Agency, Inc.

2030 Sea Level Drive Suite 201
Ketchikan, Alaska 99901
Tel:(907)225-9077 Fax:(907)225-9076

8800 Glacier Hwy Suite 102
Juneau, Alaska 99801
Tel:(907)789-1161 Fax:(907)789-1159

315 Seward Street, Ste. B
Sitka, AK 99835
Tel:(907)623-1140 Fax(907)623-0774

66152

April 11, 2023

CERTIFICATE TO PLAT

Reference No.:	
File No.:	66152
Premium:	\$250.00
Tax:	_____
Additional Parcel Fee:	\$220.00
	\$37.60
Total:	\$507.60

This report is restricted to the use of the addressee and is not to be used as a basis for closing any transaction affecting title to said property. Liability of the Agency is limited to the compensation received therefore. Two years from the certificate date, this Certificate to Plat expires and this company's obligation for updates or use ends.

This is a certificate as of April 07, 2023 at 8:00 a.m for a plat out of the following property:

PARCEL 1:

Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, Petersburg Recording District, First Judicial District, State of Alaska

PARCEL 2:

Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6, Petersburg Recording District, First Judicial District, State of Alaska

The Company certifies that record title is vested in:

Town of Petersburg
an estate in Fee Simple

SUBJECT TO:

1. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
2. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.

4. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof (c) water rights; claims or title to water.
5. Rights of the state or federal government and/or public in and to any portion of the land for right of way as established by federal statute RS 2477 (whether or not such rights are shown by recordings of easements and/or maps in the public records by the State of Alaska showing the general location of these rights of way).
6. Any lien or right to lien, for services, labor or material heretofore or hereafter furnished imposed by law and not shown by the public records.
7. Any right, title, interest, estate or easement in land beyond the lines of the area specifically described or referred to in this report, or in abutting streets, roads, avenues, alleys, lanes, ways or waterways, but nothing in this paragraph shall modify or limit the extent to which the ordinary right of an abutting owner for access to a physically open street or highway is insured by this policy.
8. Any law ordinance or governmental regulation (including but not limited to building and zoning ordinances) restricting or regulating or prohibiting the occupancy, use or enjoyment of the land, or regulating the character, dimensions or location of any improvement now or hereafter erected on the land, or prohibiting a separation in ownership or a reduction in the dimensions or area of the land, or the effect of any violation of any such law, ordinance or governmental regulation.
9. Rights of eminent domain or governmental rights of police power unless notice of the exercise of such rights appears in the public records.
10. Defects, liens, encumbrances, adverse claims, or other matters, (a) created, suffered, assumed or agreed to by the insured claimant; (b) not shown by the public records and not otherwise excluded from coverage but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy or acquired the insured mortgage and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or created subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had been a purchaser or encumbrance for value without knowledge.
11. Taxes and/or assessments, if any, due the Borough of Petersburg, a report of which will follow.
12. Easements and notes as shown on Plat No. 77-2, Plat No. 94-6 and Plat No. 2020-4.
13. Rights of the public and/or governmental agencies in and to that portion of said Land formerly within the right-of-way of 13th Street, now vacated.
14. Easement and the terms and conditions thereof:

GRANTEE: State of Alaska, acting by and through its Department of Highways
 PURPOSE: Constructing and maintaining thereon a public highway
 DATED: August 23, 1973
 RECORDED: January 8, 1974 in Book 1 at Page 81
 AFFECTS A PORTION OF SAID LAND AS DEPICTED ON A SKETCH, RECORDED AS A PART OF SAID EASEMENT.
 (Affects Green Belt Block 300)
15. Subject to the terms and conditions in Notice of Federal Interest recorded November 29, 2022 at Document No. 2022-000668-0 and recorded January 23, 2023 at Document No. 2023-000035-0.

16. Showing of **authority of the officers** executing the proposed instrument on behalf of the herein named corporation must be **submitted**.

Corporation: Town of Petersburg

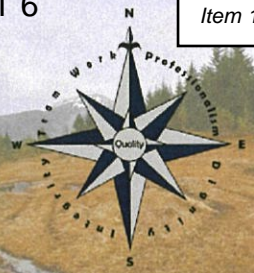
NOTE: Failure to submit such copy will prevent us from recording.

Alaska Escrow and Title Insurance Agency, Inc.


Authorized Countersignature

Petersburg Medical Center Replacement

Project Information



May 2023

Petersburg Medical Center (PMC) has provided medical services to the community of Petersburg for over 100 years. The current hospital was originally built in 1955, and became a federally designated Critical Access Hospital in 2001. In 2015, a team of architects and engineers conducted an assessment of the existing facility and found that it was well beyond its useful life. Many building systems do not meet current codes, are no longer manufactured or supported, and require constant maintenance which is very difficult because parts and knowledgeable personnel are no longer available.

The building is not energy efficient and is expensive to operate. In addition, it cannot support increased technology demands which are essential for the delivery of modern healthcare. The report also documented that many functional improvements were needed in order to comply with current guidelines related to infection control, patient safety, patient privacy, food service and sanitation. In 2020, NAC Architecture completed a Master Plan and recommended that PMC construct a new energy-efficient replacement building.

Key Improvements Planned

- ⊗ Meeting the most current regulations and best practices for healthcare delivery
- ⊗ Fully-accessible building and site, including parking, entrances, and covered dropoffs.
- ⊗ Enhanced privacy for treatment, ER, and registration
- ⊗ Private rooms for Long Term Care and Acute Care
- ⊗ Layout that maximizes staffing efficiency to maintain current staffing levels and provide opportunities for expanded services
- ⊗ Energy-efficient design for long-term utility cost savings
- ⊗ Welcoming and functional spaces for training, education, and community events – large meeting rooms, plus activity and dining spaces in Long Term Care
- ⊗ Site connections to existing trails and existing nature



BUDGET AND FUNDING

The preliminary total estimated project cost, including design, construction, inspection, project management, medical equipment, contingency, etc. is \$85 million.

FUNDING STACK*		
SOURCE	AMOUNT	NOTES
Health Resources and Services Administration Grant	\$8M	Secured
Borough	\$1.8M	Contribution-In-Kind
Treasury Grant	\$20M	Pending

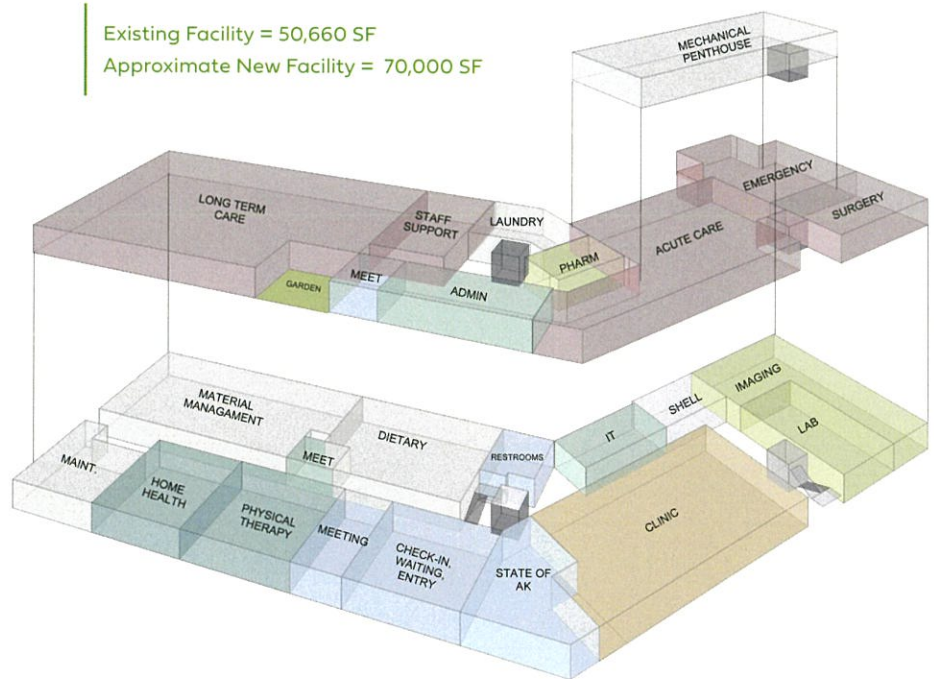
*Other federal, state and philanthropic grant opportunities are being pursued to complete the primary funding stack. PMC will also conduct a capital campaign for some specific project needs.

PROGRESS TO DATE

- November 2015:** Building condition assessment survey
- January 2020:** Master plan completed, including site options assigned by Borough
- May 2021:** Borough Resolution 2021-04 donates land, supports phased construction and getting the project shovel ready
- May 2022:** North Haugen and Excel sites selected for further study
- September 2022:** Site due diligence studies; Bettisworth North selected as project architect
- January 2023:** Preliminary design completed
- February 2023:** Borough Motion making the project their #1 priority for federal funding
- March 2023:** NEPA process started
- April 2023:** Borough Resolution 2023-04 approves North Haugen site, start of rezone/replat, and the Dawson contract for pre-construction services; final geotechnical investigation
- May 2023:** 404 permit application submitted to USACE; community open house

TWO STORY CONCEPT DIAGRAM

Existing Facility = 50,660 SF
Approximate New Facility = 70,000 SF



NEXT STEPS

2023

2024 - 2026



Share your thoughts

Your feedback is important. Please link to the community survey here to share your input.



EXHIBIT C-1

COPY OF DECISION

(please see attached)

Planning Commission Staff Report

Meeting date: June 13, 2023

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

Subject: MAJOR SUBDIVISION and VACATION of BOROUGH ROW
Petersburg Medical Center Subdivision

Recommended Motion: I move to approve the preliminary plat for the Petersburg Medical Center Subdivision and to approve vacation of the rights-of-way, as depicted in Exhibit A, with findings of facts as presented.

The Petersburg Planning Commission, acting as the Platting Authority, makes the following findings of fact:

1. Applications for a major subdivision and vacation of rights of way were submitted by Phil Hostetter, CEO of Petersburg Medical Center.
2. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023.
3. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility.
4. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership. Supporting ownership information is provided in writing in the form of US Patent 710415 and a Certificate to Plat from Alaska Escrow and Title dated April 7, 2023 (PMC 18.24.040(B)4).
5. The legal description of the subject property is Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.
6. The total acreage of the site is approximately 16.68 acres.
7. The Petersburg Medical Center Subdivision proposes to:
 - a. Consolidate 43 lots and adjacent rights of way within a portion of the Airport Addition Subdivision;
 - b. Subdivide the 16.86 acres into two parcels: Lot 1 containing approximately 12.34 acres and Lot 2 containing approximately 4.52 acres;
 - c. Establish a 50' wide public access easement from Haugen Drive to Excel Street through Lot 1;
 - d. Establish a 3.25-acre drainage easement within Lot 1; and
 - e. Establish a 20' wide public access easement for the existing pedestrian trail through the proposed Lot 2.
8. The stated intended use for the property is construction of a new medical center on Lot 1, and land reserved for future expansion on Lot 2. Approximately, 6 acres of Lot 1 are proposed for initial development.

Planning Commission Staff Report

Meeting date: June 13, 2023

9. ~~The surrounding area is well developed with a mix of residential, recreational, and commercial activity. Government facilities in the vicinity include the Mountain View Manor Senior Housing and Assisted Living Facility, Petersburg Indian Association Tribal Offices, Petersburg ballfields and ice rink, and Petersburg Fire Hall.~~
10. ~~The subject property is adjacent to municipal water, wastewater, and electric utility services.~~
11. ~~The subject property has legal access from existing public rights of way and there are no proposed public dedications of land or rights of way on the preliminary plat.~~
12. ~~A sketch plat was submitted and a pre-application conference with planning staff occurred on April 4, 2023 (PMC 18.24.020).~~
13. ~~The preliminary plat submitted was reviewed for consistency with the requirements of PMC 18.24.040, Preliminary plat submission requirements.~~
14. ~~Per adopted flood insurance maps, the subject property is not located within a flood hazard area (PMC 18.24.040(D)).~~
15. ~~The preliminary plat establishes a drainage easement along the intermittent creek flowing southwest along the eastern portion of Lot 1. The creek is assumed to connect to Hammer Slough but it is not listed in the ADFG Anadromous Waters Catalog. (PMC 18.24.080(C)2).~~
16. ~~The proposed plat requires a vacation of a public dedication of land. An application and map (exhibit A) for vacation of borough owned rights of way were submitted (PMC 18.24.030(A)).~~
17. ~~The proposed vacation eliminates legal public access to the subject property from Fram, Gjoa, N 11th, and a portion of N 12th Streets as shown in Exhibit A.~~
18. ~~The subject property retains legal and practical access to Lot 1 from Haugen Drive, N 10th, and Excel Streets; and to Lot 2 from Excel, N 12th, and N 13th Streets.~~
19. ~~The application was distributed to borough departments (Power & Light, Water/Wastewater, Public Works, Fire, Community Development) for review on May 2, 2023.~~
20. ~~On May 18, 2023, a notice of the public hearing was mailed to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).~~
21. ~~On May 26, 2023, notices of the public hearing were posted at the Municipal Building and at the subject property (PMC 18.12.040(E)).~~
22. ~~On June 1 and June 6, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).~~
23. ~~On June 13, 2023, a duly noticed public hearing was held by the Petersburg Planning Commission.~~
24. ~~At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.~~

~~Section 2. Based on the preceding findings of fact, the Petersburg Planning Commission, acting as the Platting Authority, makes the following determinations:~~

Planning Commission Staff Report


Meeting date: June 13, 2023

- ~~1) The Petersburg Medical Center Subdivision plat meets the requirements of Chapter 18.24 for preliminary plat approval.~~
- ~~2) Vacating the existing rights of way as depicted in Exhibit A is a necessary step to consolidate the subject property into lots suitable for the planned future development of a medical center.~~
- ~~3) All the area vacated shall be devoted to a public purpose so title to the area vacated remains vested in the Petersburg Borough (PMC 18.30.050(B)).~~
- ~~4) Consistent with the general purposes of Title 18, the proposed subdivision promotes public health, safety, and welfare:

 - ~~a) There are adequate open spaces around the proposed development, including a 3.2-acre drainage easement along the intermittent creek. Approximately 50% of Lot 1 will remain undeveloped according to the conceptual design.~~
 - ~~b) The general design and location of utilities appears adequate for the location and site. This will be reviewed further once the applicant gains preliminary plat approval and is authorized to move forward with detailed engineering plans for review by the borough.~~
 - ~~c) There is adequate access for firefighting apparatus. Access, as well as the location of fire hydrants and other life safety requirements will be reviewed further by the State Fire Marshal and local Fire Marshal prior to issuing a building permit.~~
 - ~~d) Recreation space is preserved by the establishment of a public easement and a new trail segment connecting the development site to the existing Musson Trail.~~
 - ~~e) The lot sizes far exceed the minimums required in all zoning districts. Setback requirements and other standards shall be applied during State Fire Marshal review. The lot coverage under the conceptual design is 15%; this is well below maximum lot coverage requirements in all zoning districts. The proposed development will not result in population congestion.~~
 - ~~f) The proposed plat provides for an orderly and efficient layout and use of land. The site is adjacent to existing municipal utilities so extensive buildout of public utility infrastructure is not required for development of the property. The subject property is vacant land located on a major collector road near the Assisted Living Facility, Airport, and Firehall/EMS.~~~~
- ~~5) Approval of the preliminary plat grants authorization to the applicant to proceed with preparation of the final plat and engineering plans (PMC 18.24.045(B)).~~
- ~~6) Within one year, the applicant shall submit a final plat consistent or seek an extension of the approval from the platting board.~~

The commission considered a motion to approve the preliminary plat for the Petersburg Medical Center Subdivision and to approve vacation of the rights-of-way, as depicted in Exhibit A, with findings of facts as presented.

Motion to approve failed 7-0.



 Chair, Planning Commission

6/21/23

EXHIBIT D

COPY OF FINDINGS AND RECOMMENDATIONS RE REZONE APPLICATION

(please see attached)

Planning Commission Report

P&Z Meeting date: June 13, 2023

TO: Borough Assembly

FROM: Planning Commission

Subject: ZONING AMENDMENT – PMC SUBDIVISION
Petersburg Medical Center/Petersburg Borough

The Petersburg Planning & Zoning Commission makes the following findings as to need and justification:

1. An application for an amendment to the zoning map was submitted by Phil Hofstetter, CEO of Petersburg Medical Center.
2. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023.
3. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility.
4. The legal description of the subject property is Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.
5. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership. Supporting ownership information is provided in writing in the form of US Patent 710415.
6. The surrounding area is well-developed with a mix of residential, recreational, and commercial activity. Government facilities in the vicinity include the Mountain View Manor Senior Housing and Assisted Living Facility, Petersburg Indian Association Tribal Offices, Petersburg ballfields and ice rink, and Petersburg Fire Hall.
7. The stated intended use for the property is construction of a new medical center. Approximately, 6 acres are proposed for initial development.
8. The current zoning of the subject property is a mixture of single-family residential (6 acres), multiple-family residential (1.1 acre), commercial-1 (2.4 acres), and open space-recreation (4.8 acres).
9. Current zoning districts for the subject property, except for commercial-1, are not compatible with the proposed intended use.
10. The purpose of the Public Use district is to provide areas for public uses, such as parks, playgrounds, government-owned buildings, and municipal facilities.
11. One of the goals the 2016 Petersburg Borough Comprehensive Plan is “Quality Health and Wellness Care” so that Petersburg residents are “healthy and well and have access to quality medical and behavioral health care services.” (See p 60).
12. The comprehensive plan notes that “[a]ccess to health care is an important factor in maintaining a high quality of life in remote Alaska communities. Residents in Petersburg Borough have access to a variety of health care services. The nonprofit Petersburg Medical

Planning Commission Report

P&Z Meeting date: June 13, 2023

Center (PMC) provides most health care services in the Borough...PMC is housed in a Borough-owned building. The facility has received a variety of upgrades in recent years including a new roof. However, the building is aging...". (See pp 66-67).

13. The comprehensive plan references a 2015 condition assessment of the existing medical center that concludes that the “[t]he hospital has not changed significantly for 30 years, yet health care services, technology, regulations, policies and building codes have changed. ...the facility has reached a point where replacement of systems and finishes will be critical to maintaining reliable high quality health care delivery. A majority of the systems and components have exceeded or are near the end of their expected service life and should be replaced.” (See pp 66-67).
14. Applicant’s letter states that the Petersburg Medical Center envisions that the development of the subject property will create a medical campus and locating the new medical center in proximity to the Mountain View Manor facility is consistent with this long-term vision. Centralizing medical services increases efficiency and improves access to care.
15. On May 18, 2023, a notice of the public hearing was mailed at least fifteen working days before the public hearing to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).
16. On May 26, 2023, notices of the public hearing were posted at the Municipal Building, and at the subject property (PMC 18.12.040(E)).
17. On June 1 and June 6, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).
18. On June 13, 2023, a duly noticed public hearing was held by the Petersburg Planning Commission.
19. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

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

1. The Planning Commission recommends the subject property not be rezoned to Public Use due to:
 - a. Lack of public education on the issue;
 - b. Lack of public input on the “pro’s” and “con’s” of the rezone; and
 - c. Loss of single-family and multi-family residential lots.

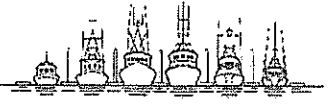
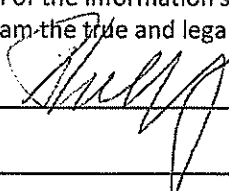
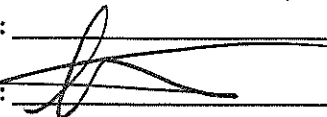
 PETERSBURG BOROUGH LAND USE APPLICATION		CODE TO: 110.000.404110
		BASE FEE: \$195
		PUBLIC NOTICE FEE: \$70
		TOTAL: \$265
DATE RECEIVED:	RECEIVED BY:	CHECK NO. or CC:
APPLICANT/AGENT		LEGAL OWNER (IF DIFFERENT THAN APPLICANT/AGENT)
NAME Phil Hofstetter, CEO, Petersburg Medical Center	NAME Petersburg Borough	
MAILING ADDRESS PO Box 589	MAILING ADDRESS PO Box 329	
CITY/STATE/ZIP Petersburg, AK 99833	CITY/STATE/ZIP Petersburg, AK 99833	
PHONE 907-772-5724	PHONE 907-772-4425	
EMAIL phofstetter@pmc-health.org	EMAIL sgiesbrecht@petersburgak.gov	
PROPERTY INFORMATION		
PHYSICAL ADDRESS or LEGAL DESCRIPTION: See attachment.		
PARCEL ID: See attachment	ZONE: See attachment	OVERLAY: n/a
CURRENT USE OF PROPERTY: vacant	LOT SIZE: See attachment	
PROPOSED USE OF PROPERTY (IF DIFFERENT): New medical center		
CURRENT OR PLANNED SEWER SYSTEM: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> DEC-approved on-site system		
CURRENT OR PLANNED WATER SOURCE: <input checked="" type="checkbox"/> Municipal <input type="checkbox"/> Cistern/Roof Collection <input type="checkbox"/> Well		
LEGAL ACCESS TO LOT(S) (Street Name): Haugen Drive, Excel St, N 12 th St, N 13 th St		
TYPE OF APPLICATION & BASE FEE		
<input checked="" type="checkbox"/> 19.84 Zoning Change (\$100)		
<input type="checkbox"/> 18.18 Record of Survey (\$50) (Note: No Public Notice Fee)		
<input checked="" type="checkbox"/> 18.20 Minor Subdivision/18.24 Preliminary Plat/18.19 Replat (\$75 + \$10 per lot)		
<input type="checkbox"/> 18.24 Final Plat (\$25 per lot)		
SUBMITTALS:		
For Zoning Change, please submit letter stating the new zoning and explaining the need for the change. For Subdivision approvals, please submit a prepared plat map as required by borough code.		
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(s) or authorized agent thereof for the property subject herein.		
Applicant(s): 	Date: <u>11-3-2017</u>	
Owner: _____	Date: _____	
Owner: _____	Date: _____	
Owner: 	Date: _____	

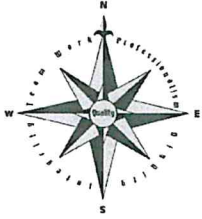
Exhibit A

Description of Subject Property:

PIDN	LEGAL	BLOCK	LOT AREA (SF)	ZONING
01-006-280	LOT 2	240	10,000	Single-family residential
01-006-279	LOT 9	240	10,000	Single-family residential
01-006-273	LOT 12	240	13,500	Single-family residential
01-006-275	LOT 11	240	13,502	Single-family residential
01-006-277	LOT 10	240	14,780	Single-family residential
01-006-359	LOT 1	299	9,808	Single-family residential
01-006-361	LOT 2	299	10,000	Single-family residential
01-006-363	LOT 3	299	10,000	Single-family residential
01-006-365	LOT 4	299	10,000	Single-family residential
01-006-350	LOT 5	299	15,865	Single-family residential
01-006-351	LOT 6	299	13,789	Single-family residential
01-006-353	LOT 7	299	10,856	Single-family residential
01-006-355	LOT 8	299	10,628	Single-family residential
01-006-357	LOT 9	299	10,400	Single-family residential
01-006-358	LOT 10	299	9,998	Single-family residential
01-006-330	LOT 1	300	14,935	Single-family residential
01-006-332	LOT 2	300	14,714	Single-family residential
01-006-334	LOT 3	300	14,485	Single-family residential
01-006-336	LOT 4	300	14,257	Single-family residential
01-006-338	LOT 5	300	14,737	Single-family residential
01-006-340	LOT 6	300	19,081	Open-Space Recreational
01-006-341	LOT 7	300	14,316	Open-Space Recreational
01-006-342	LOT 8	300	15,466	Open-Space Recreational
01-006-344	LOT 9	300	13,500	Open-Space Recreational
01-006-346	LOT 10	300	13,500	Open-Space Recreational
01-006-347	LOT 11	300	13,500	Open-Space Recreational
01-006-348	LOT 12	300	13,500	Open-Space Recreational
01-006-300	LOT 13	300	13,384	Open-Space Recreational
01-006-301	LOT 14	300	19,166	Commercial-1
01-006-303	LOT 15	300	13,500	Commercial-1
01-006-305	LOT 16	300	13,500	Commercial-1
01-006-306	LOT 17	300	13,500	Commercial-1
01-006-317	Greenbelt	300	112,737	Open-Space Recreational
01-006-420	LOT 9	301	9,000	Commercial-1
01-006-421	LOT 10	301	9,000	Commercial-1
01-006-422	LOT 11	301	9,000	Commercial-1
01-006-425	LOT 12	301	9,000	Commercial-1
01-006-401	LOT 13	301	9,559	Commercial-1
01-006-403	LOT 14	301	11,992	Multi-family Residential
01-006-405	LOT 15	301	9,000	Multi-family Residential
01-006-407	LOT 16	301	9,000	Multi-family Residential
01-006-409	LOT 17	301	9,000	Multi-family Residential
01-006-411	LOT 18A	301	9,437	Multi-family Residential

Street Area 106,000

TOTAL Site 734,892 Square Feet
16.8707989 Acres



Petersburg Medical Center

103 Fram Street
PO Box 589
Petersburg, AK 99833

Phone: 907-772-4291
Fax: 907-772-3085

April 4, 2023

Liz Cabrera
Community Development Director
Petersburg Borough
PO Box 329
Petersburg, AK 99833

Dear Ms. Cabrera,

This letter provides the zoning related information requested in the Land Use Application dated April 3, 2023 that will create the new Petersburg Medical Center Subdivision.

Change

- Change the existing zoning (Single-Family Residential, Open-Space Recreational, Commercial-1, Multi-Family Residential) of the 43 lots in the attachment to the referenced application, to Public Use.

Need

- Lot 1: This new 9.2 acre lot will be the site for the new Petersburg Medical Center.
- Lot 2: This new 4.4 acre lot will be reserved for future public use development.

PMC and the Borough envision that the development of these two lots will create a Medical Campus. Locating the new Medical Center in close proximity to Mountain View Manor is consistent with this long-term vision. Centralizing medical services increases efficiency and improves access to care.

One of the goals of the borough's comprehensive plan is Quality Health and Wellness Care so that Petersburg residents are "healthy and well and have access to quality medical and behavioral health care services." See P. 60-61. The plan recommends two action items:

- Maintain and enhance medical care in the community. Identify the minimum level of desired care for the Petersburg Borough and prepare strategies on how to maintain that care. Work with regional partners to meet the health care needs of the greater region.
- Ensure the financial viability of the Medical Center.

The change in zoning will allow PMC to construct a new modern Medical Center, set the stage for a medical campus, and help the Borough meet one of the goals in its comprehensive plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip Hofstetter', with a long, sweeping flourish extending to the right.

Philip Hofstetter
CEO

Planning Commission Staff Report

Meeting date: June 13, 2023

TO: Planning Commission

FROM: Liz Cabrera, Community & Economic Development Director

Subject: ZONING AMENDMENT – PMC SUBDIVISION
Petersburg Medical Center/Petersburg Borough

Recommended Motion: I move to recommend to the Borough Assembly that the Petersburg Borough Zoning Map be amended by rezoning the subject property, as described in Exhibit A, to Public Use with accompanying findings as presented.

The Petersburg Planning & Zoning Commission makes the following findings as to need and justification:

1. An application for an amendment to the zoning map was submitted by Phil Hofstetter, CEO of Petersburg Medical Center.
2. The applications were approved for submission by the Petersburg Borough Assembly as owner of the property on April 17, 2023.
3. In Resolution 2023-04, approved on April 17, 2023, the Petersburg Borough Assembly dedicated the subject property for use by the Hospital Board for a new facility.
4. The legal description of the subject property is Lots 2 and 9 thru 12, inclusive, Block 240; Lots 1 thru 10, inclusive, Block 299; Lots 1 thru 17 and Green Belt, Block 300, and Lots 9 thru 17, inclusive, Block 301, Airport Addition to Petersburg, according to Plat No. 77-2, and Lot 18A, Thirteenth Street Relocation Subdivision, according to Plat No. 94-6.
5. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership. Supporting ownership information is provided in writing in the form of US Patent 710415.
6. The surrounding area is well-developed with a mix of residential, recreational, and commercial activity. Government facilities in the vicinity include the Mountain View Manor Senior Housing and Assisted Living Facility, Petersburg Indian Association Tribal Offices, Petersburg ballfields and ice rink, and Petersburg Fire Hall.
7. The stated intended use for the property is construction of a new medical center. Approximately, 6 acres are proposed for initial development.
8. The current zoning of the subject property is a mixture of single-family residential (6 acres), multiple-family residential (1.1 acre), commercial-1 (2.4 acres), and open space-recreation (4.8 acres).
9. Current zoning districts for the subject property, except for commercial-1, are not compatible with the proposed intended use.
10. The purpose of the Public Use district is to provide areas for public uses, such as parks, playgrounds, government-owned buildings, and municipal facilities.

Planning Commission Staff Report

Meeting date: June 13, 2023

11. One of the goals the 2016 Petersburg Borough Comprehensive Plan is “Quality Health and Wellness Care” so that Petersburg residents are “healthy and well and have access to quality medical and behavioral health care services.” (See p 60).
12. The comprehensive plan notes that “[a]ccess to health care is an important factor in maintaining a high quality of life in remote Alaska communities. Residents in Petersburg Borough have access to a variety of health care services. The nonprofit Petersburg Medical Center (PMC) provides most health care services in the Borough...PMC is housed in a Borough-owned building. The facility has received a variety of upgrades in recent years including a new roof. However, the building is aging...”. (See pp 66-67).
13. The comprehensive plan references a 2015 condition assessment of the existing medical center that concludes that the “[t]he hospital has not changed significantly for 30 years, yet health care services, technology, regulations, policies and building codes have changed. ...the facility has reached a point where replacement of systems and finishes will be critical to maintaining reliable high quality health care delivery. A majority of the systems and components have exceeded or are near the end of their expected service life and should be replaced.” (See pp 66-67).
14. Applicant’s letter states that the Petersburg Medical Center envisions that the development of the subject property will create a medical campus and locating the new medical center in proximity to the Mountain View Manor facility is consistent with this long-term vision. Centralizing medical services increases efficiency and improves access to care.
15. On May 18, 2023, a notice of the public hearing was mailed at least fifteen working days before the public hearing to all owners of property within six hundred feet of the exterior boundary of the property that is the subject of the application (PMC 18.12.040(B)).
16. On May 26, 2023, notices of the public hearing were posted at the Municipal Building, and at the subject property (PMC 18.12.040(E)).
17. On June 1 and June 6, 2023, a notice of the public hearing was published in the local newspaper of general circulation (PMC 18.12.040(C)).
18. On June 13, 2023, a duly noticed public hearing was held by the Petersburg Planning Commission.
19. At the public hearing, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments.

Section 2. Based on the preceding findings, the Petersburg Planning Commission makes the following determination:

1. The subject property is vacant land owned by the Petersburg Borough and will remain in borough ownership.
2. The existing zoning of the subject area is inconsistent with the intended use of the site as the location of a new medical center.
3. The purpose of the Public Use district includes government-owned buildings and municipal facilities and is consistent with the intended use of the subject property.

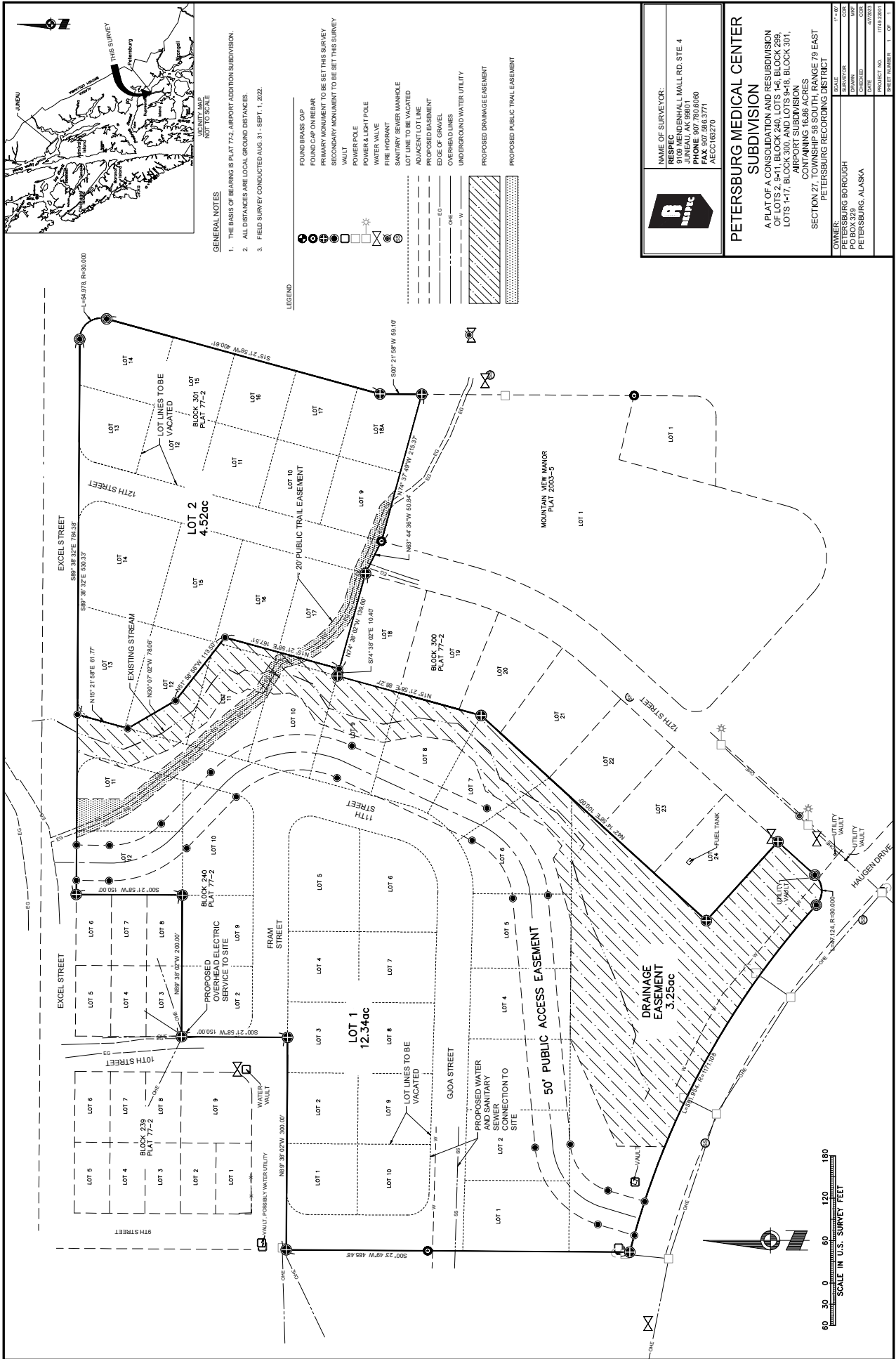
Planning Commission Staff Report

Meeting date: June 13, 2023

4. The proposal is found to be of a beneficial nature to the community by maintaining and enhancing access to health care and by seeking to improve efficiency and access to care by locating the new medical center in proximity to Mountain View Manor Assisted Living Facility and Senior Housing apartments.
5. The proposal responds to the 2015 condition assessment cited in the comprehensive plan that notes replacing major systems and components of the medical facility will be critical to maintaining reliable high quality health care delivery.
6. The proposal is consistent with and furthers the goal of the comprehensive plan that Petersburg residents have access to quality medical and behavioral health care services.

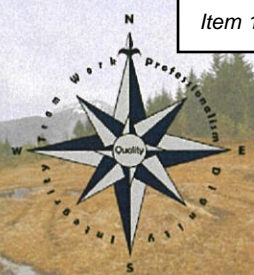
Chair, Planning Commission

Secretary, Planning Commission



Petersburg Medical Center Replacement

Project Information



May 2023

Petersburg Medical Center (PMC) has provided medical services to the community of Petersburg for over 100 years. The current hospital was originally built in 1955, and became a federally designated Critical Access Hospital in 2001. In 2015, a team of architects and engineers conducted an assessment of the existing facility and found that it was well beyond its useful life. Many building systems do not meet current codes, are no longer manufactured or supported, and require constant maintenance which is very difficult because parts and knowledgeable personnel are no longer available.

The building is not energy efficient and is expensive to operate. In addition, it cannot support increased technology demands which are essential for the delivery of modern healthcare. The report also documented that many functional improvements were needed in order to comply with current guidelines related to infection control, patient safety, patient privacy, food service and sanitation. In 2020, NAC Architecture completed a Master Plan and recommended that PMC construct a new energy-efficient replacement building.

Key Improvements Planned

- ⊗ Meeting the most current regulations and best practices for healthcare delivery
- ⊗ Fully-accessible building and site, including parking, entrances, and covered dropoffs.
- ⊗ Enhanced privacy for treatment, ER, and registration
- ⊗ Private rooms for Long Term Care and Acute Care
- ⊗ Layout that maximizes staffing efficiency to maintain current staffing levels and provide opportunities for expanded services
- ⊗ Energy-efficient design for long-term utility cost savings
- ⊗ Welcoming and functional spaces for training, education, and community events – large meeting rooms, plus activity and dining spaces in Long Term Care
- ⊗ Site connections to existing trails and existing nature



BUDGET AND FUNDING

The preliminary total estimated project cost, including design, construction, inspection, project management, medical equipment, contingency, etc. is \$85 million.

FUNDING STACK*		
SOURCE	AMOUNT	NOTES
Health Resources and Services Administration Grant	\$8M	Secured
Borough	\$1.8M	Contribution-In-Kind
Treasury Grant	\$20M	Pending

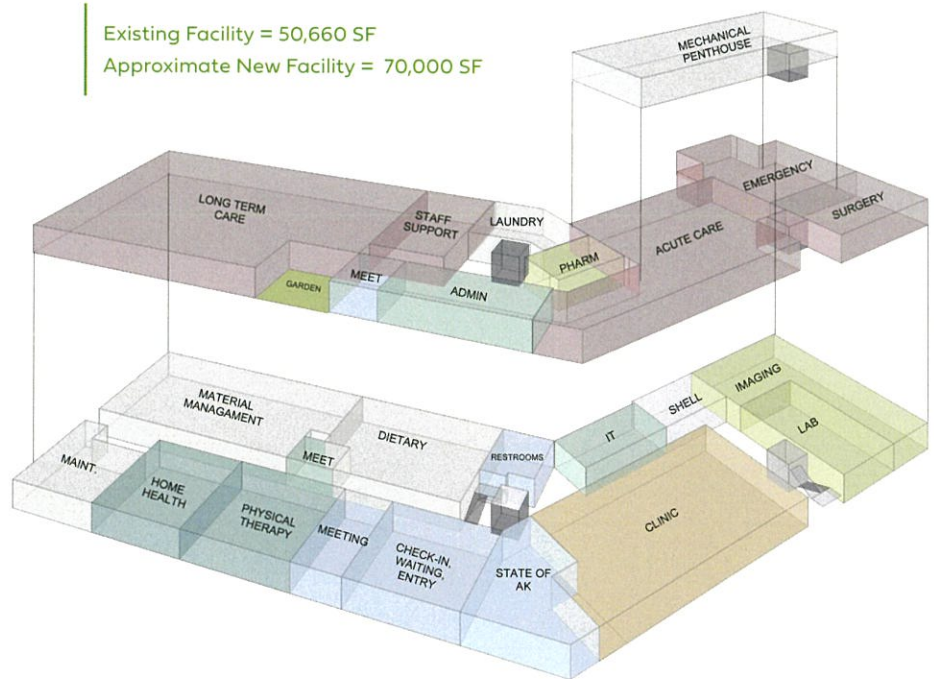
*Other federal, state and philanthropic grant opportunities are being pursued to complete the primary funding stack. PMC will also conduct a capital campaign for some specific project needs.

PROGRESS TO DATE

- November 2015:** Building condition assessment survey
- January 2020:** Master plan completed, including site options assigned by Borough
- May 2021:** Borough Resolution 2021-04 donates land, supports phased construction and getting the project shovel ready
- May 2022:** North Haugen and Excel sites selected for further study
- September 2022:** Site due diligence studies; Bettisworth North selected as project architect
- January 2023:** Preliminary design completed
- February 2023:** Borough Motion making the project their #1 priority for federal funding
- March 2023:** NEPA process started
- April 2023:** Borough Resolution 2023-04 approves North Haugen site, start of rezone/replat, and the Dawson contract for pre-construction services; final geotechnical investigation
- May 2023:** 404 permit application submitted to USACE; community open house

TWO STORY CONCEPT DIAGRAM

Existing Facility = 50,660 SF
Approximate New Facility = 70,000 SF



NEXT STEPS

2023

2024 - 2026



Share your thoughts

Your feedback is important. Please link to the community survey here to share your input.



EXHIBIT E

COPY OF HEARING MINUTES

(please see attached)



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Planning Commission Regular Meeting

Tuesday, June 13, 2023

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 Jim Floyd - late arrival 12:10pm

Commissioner Marietta Davis

Commission Secretary Sally Dwyer

Commissioner John Jensen

Commissioner Phillip Meeks

3. Acceptance of Agenda

The agenda was approved as presented.

Motion made by Commission Secretary Sally Dwyer, Seconded by Commission Vice-Chair Heather O'Neil.

Voting Yea: Commission Chair Chris Fry, Commissioner John Jensen, Commissioner Marietta Davis, Commissioner Phillip Meeks

4. Approval of Minutes

A. Planning Commission Meeting Minutes April 11, 2023

Motion made by Commission Secretary Dwyer, Seconded by Commissioner Jensen.

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

5. Public Comments

None

6. Consent Calendar

- A. Acceptance and scheduling of an application from Tamara McKeon for a conditional use permit for a temporary trailer for construction at 567 Mitkof Highway (PID: 01-116-200)

Motion made by Commission Vice-Chair O'Neil, Seconded by Commission Secretary Dwyer.

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

7. Public Hearing Items

- A. Consideration of an application from Derek and Stacey Thorsen for a variance from the front-yard setback requirement to allow for construction an addition 10.7' from the property line at 807 Wrangell Avenue (PID: 01-002-250).

Motion made by Commission Secretary Dwyer, Seconded by Commission Vice-Chair Heather O'Neil

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

Amendment made to include allowing for lot coverage of 42.6%. Included in finding fact but not in original motion.

Motion made by Commission Vice-Chair Heather O'Neil, Seconded by Commission John Jensen

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

- B. Consideration of an application from Drew Ware for a minor subdivision at 365-367 Mitkof Highway (PID: 01-084-250, 01-084-260, 01-084-279).

Motion made by Commissioner Jensen, Seconded by Commission Secretary Dwyer.

Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commission Secretary Dwyer, Commissioner Floyd, Commissioner Jensen, Commissioner Davis, Commissioner Meeks

- C. Recommendation to the Borough Assembly regarding an application from the Petersburg Medical Center to rezone 43 vacant lots within the Airport Addition Subdivision to Public Use.

Mary Clemens spoke on her own behalf speaking in favor of a new hospital but requested that there be open communication during the construction process and afterwards.

Diane Marsh spoke on her own behalf speaking against the location of the new hospital.

Harold Medalan spoke on his own behalf speaking against the location of the new hospital.

Heather Conn spoke on her own behalf speaking in favor of a new hospital.

Jarod Cook on behalf of the Hospital Board speaking in favor of the proposed location for the new hospital.

Motion made by Commissioner Davis, Seconded by Commissioner Floyd.

Voting Yea: Commission Chair Fry, Commissioner Floyd, Commissioner Davis

Voting Nay: Commission Vice-Chair O'Neil, Commissioner Jensen, Commissioner Meeks
Voting

Abstaining: Commission Secretary Dwyer

Commission Vice-Chair O'Neil spoke her concerns that the rezoning would take away residential and single family lots.

Commission Secretary Dwyer would like to hear more public comment.

Commission Chair Fry would be willing to hear this again once more is put out to the public.

Recommendation is no to the Borough Assembly regarding an application from the Petersburg Medical Center to rezone 43 vacant lots within the Airport Addition Subdivision to Public Use because lack of education among the public, did not receive enough input on pros and cons and loss of single family and residential lots.

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

Voting Yea: Commission Chair Fry, Commissioner Floyd, Commissioner Davis, Commission Vice-Chair O'Neil, Commissioner Jensen, Commissioner Meeks
Voting
Abstaining: Commission Secretary Dwyer

- D. Consideration of an application from the Petersburg Medical Center to approve a preliminary plat of a major subdivision located within the Airport Addition Subdivision and to vacate portions of the Fram St, Gjoa St, and N. 12th Street rights-of-way.

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

Voting Nay: Commission Chair Fry, Commission Vice-Chair O'Neil, Commission Secretary Dwyer, Commissioner Floyd, Commissioner Jensen, Commissioner Davis, Commissioner Meeks

8. Non-Agenda Items

- A. Commissioner Comments

Commissioner Jensen stated "he is in no way voting against a new hospital and supported approving the correct place to put the hospital and not lose a bunch of residential areas."

Commissioner Dwyer is in favor of a new hospital but needs to be educated more.

Commissioner O'Neil suggests listening or attending public Hospital Board Meetings.

- B. Staff Comments

None

- C. Next Meeting is scheduled for July 11, 2023 at noon

9. Adjournment

The meeting adjourned at 1:25pm.

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

Voting Yea: Commission Chair Fry, Commission Vice-Chair O'Neil, Commission Secretary Dwyer, Commissioner Floyd, Commissioner Jensen, Commissioner Davis, Commissioner Meeks



THE SECRETARY OF THE INTERIOR
WASHINGTON

JUN 15 2023

PETERSBURG BOROUGH
P.O. Box 329
Petersburg, AK 99811-0803

Dear County Official:

I am pleased to notify you that on June 15, 2023, the Department of the Interior (Department) issued payments under the Payments in Lieu of Taxes (PILT) program. The PILT program compensates eligible local jurisdictions for Federal lands administered by agencies within the Department and on behalf of the U.S. Forest Service and the U.S. Army Corps of Engineers. Local governments may use the PILT payments for any governmental purpose, including emergency response, public schools, and roads. Since local governments cannot tax Federal lands, annual PILT payments help to defray the costs associated with maintaining important community services.

The Payments in Lieu of Taxes Act, 31 U.S.C. 6901–6907, as amended, authorized the program. The PILT Act prescribes the formula used to compute the annual payments based on annually adjusted per-acre and population variables. Prior-year Federal payments under certain revenue-sharing programs, as reported annually by States, are deducted in formulating the payment amounts. A provision in the PILT Act provides temporary compensation for recent additions to the National Park System and National Forest Wilderness Areas.

The President signed the Consolidated Appropriations Act, 2023 (Public Law 117–328) on December 29, 2022, providing full funding for the 2023 PILT program. More than 1,900 local jurisdictions received a total of \$578.8 million in PILT payments this year.

For 2023, your county is receiving a PILT payment of \$711,089. If you provided current bank routing and account numbers to our Interior Business Center or to the System of Awards Management (SAM), an electronic funds transfer was posted to your account on or about June 15, 2023. If you did not receive a payment or require further information, please refer to www.doi.gov/pilt. The website includes information on how to register in SAM to expedite receipt of future PILT payments. If you have any questions, please contact the PILT Program Manager, Ms. Dionna Kiernan, at DOI_PILT@ios.doi.gov or (202) 341–2066.

Sincerely,



Deb Haaland



PUBLIC NOTICE

Alaska Department of Environmental Conservation (DEC)
 Wastewater Discharge Authorization Program
 555 Cordova Street
 Anchorage, Alaska 99501

NOTICE OF PROPOSED ISSUANCE OF AN ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM (APDES) GENERAL PERMIT TO DISCHARGE TO WATERS OF THE UNITED STATES

For inquiries or to request copies of documents, contact:

DEC Contact:

Amber Bennett
 Alaska Department of Environmental Conservation
 Division of Water
 Wastewater Discharge Authorization Program
 610 University Avenue
 Fairbanks, AK 99709
 Phone: 907-451-2190
 E-mail: Amber.Bennett@alaska.gov

Draft Permit Public Notice Period:

Public Notice Start Date: June 14, 2023
 Public Notice Expiration Date: July 17, 2023, at 11:59 p.m. AST

Permit Number: AKG573000

Applicant:

Statewide Domestic Wastewater Treatment Lagoon Facilities

Proposed Permit Coverage:

Permit Coverage: Domestic wastewater treatment lagoons that provide equivalent to secondary or secondary treatment and that discharge less than 1,000,000 gallons per day to fresh or marine surface water.

Description of Discharges: Domestic wastewater from lagoons that discharge to fresh or marine surface water and that discharge less than 1,000,000 gallons per day. Expected pollutants can include 5-day biochemical oxygen demand, dissolved oxygen, enterococci bacteria, fecal coliform bacteria, pH, total residual chlorine, and suspended solids.

Mixing Zones: Applicants may request modified effluent limits and facility specific mixing zones for fecal coliform bacteria, pH, dissolved oxygen, or total residual chlorine. DEC will authorize a mixing zone if it is consistent with the Clean Water Act and the mixing zone criteria at 18 AAC 70.240.

Tentative Determination:

DEC has tentatively determined to issue a discharge permit for the activity described above.

Disability Reasonable Accommodation Notice

The State of Alaska, Department of Environmental Conservation complies with Title II of the Americans with Disabilities Act of 1990. If you are a person with a disability who may need a special accommodation in order to participate in this public process, please contact Megan Kohler at 907-269-4198 or TDD Relay Service 1-800-770-8973/TTY or dial 711 within 30 days of publication of this notice to ensure that any necessary accommodations can be provided.

Debra Thompson

From: Sharon - Brad Hunter <akhunters85@hotmail.com>
Sent: Sunday, June 18, 2023 10:31 AM
To: Assembly
Subject: support for rezoning of area for hospital construction

Regarding the Assembly support for rezoning of the selected area for the new construction of Petersburg Medical Center, I would like to give my full support and urge your approval at the June 19th meeting.

I have been following the community forums and attended the open house presentation at the Holy Cross House in order to be as well informed as I could be.

My preference would have been a location beside the firehall but the reasons presented regarding site selection made sense and I support the new area with consideration for privacy screening made a top priority for the homes in the area. The new facility is needed and the most economical site is obviously a central issue to the process. The plans presented at the open house explained to me how those issues were being addressed.

I would be glad to speak to any one of you who would like to further discuss my support.

Yours,

Sharon Hunter



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

DIVISION OF MINING, LAND & WATER
Southeast Regional Land Office

P. O. Box 111020
Juneau, Alaska 99811-1020
Main: 907.465.3400
TTY: 711 or 800-770-8973
Fax: 907.500.9011

PUBLIC NOTICE
ADL 109296
Joel Clark

June 5th, 2023

Subject to AS 38.05.850, the Department of Natural Resources, Division of Mining, Land and Water, Southeast Regional Land Office has received an application for the following:

APPLICANT: Joel Clark

PROJECT NAME: ADL 109296

GEOGRAPHIC LOCATION:

Petersburg, Alaska; more specifically in the Frederick Point North Subdivision, approximately 2.78 miles Southeast of James A. Johnson Airport.

PROPERTY DESCRIPTION:

CRM059S080E06 Metes and bounds description within Section 6 and a possible fraction of Section 31 (South portion), Township 59 South, Range 80 East, Copper River Meridian, containing approximately 0.34 acres.

REQUESTED ACTIVITY:

On October 25th, 2022, Joel Clark submitted an application proposing to build a public access road to join a private easement in place with an adjacent landowner, within the Frederick Point North Subdivision in Petersburg, Alaska. This public access road would also provide access to a trail that follows the creek along Tract D within the subdivision. Along with building a road that connects to Mr. Clark's property, the application proposes a wider entry radius, grading the steep hillside for the construction of a small parking area for the trailhead, and placing a drainage ditch and utility corridor on the East hillside. An access road has already been started at the beginning of the old state trailhead. Mr. Clark's intent is to use the proposed road that would essentially connect the two ends of the trail, providing more access to the trail for residents, as well as serving as an access point to his private easement.

REQUESTED TERM: 25 years

DEADLINE FOR COMMENTS: July 5th, 2023

The public is invited to comment on this activity. The purpose of this notice is to gather input before a decision is made on this activity. To ensure consideration, written comments must

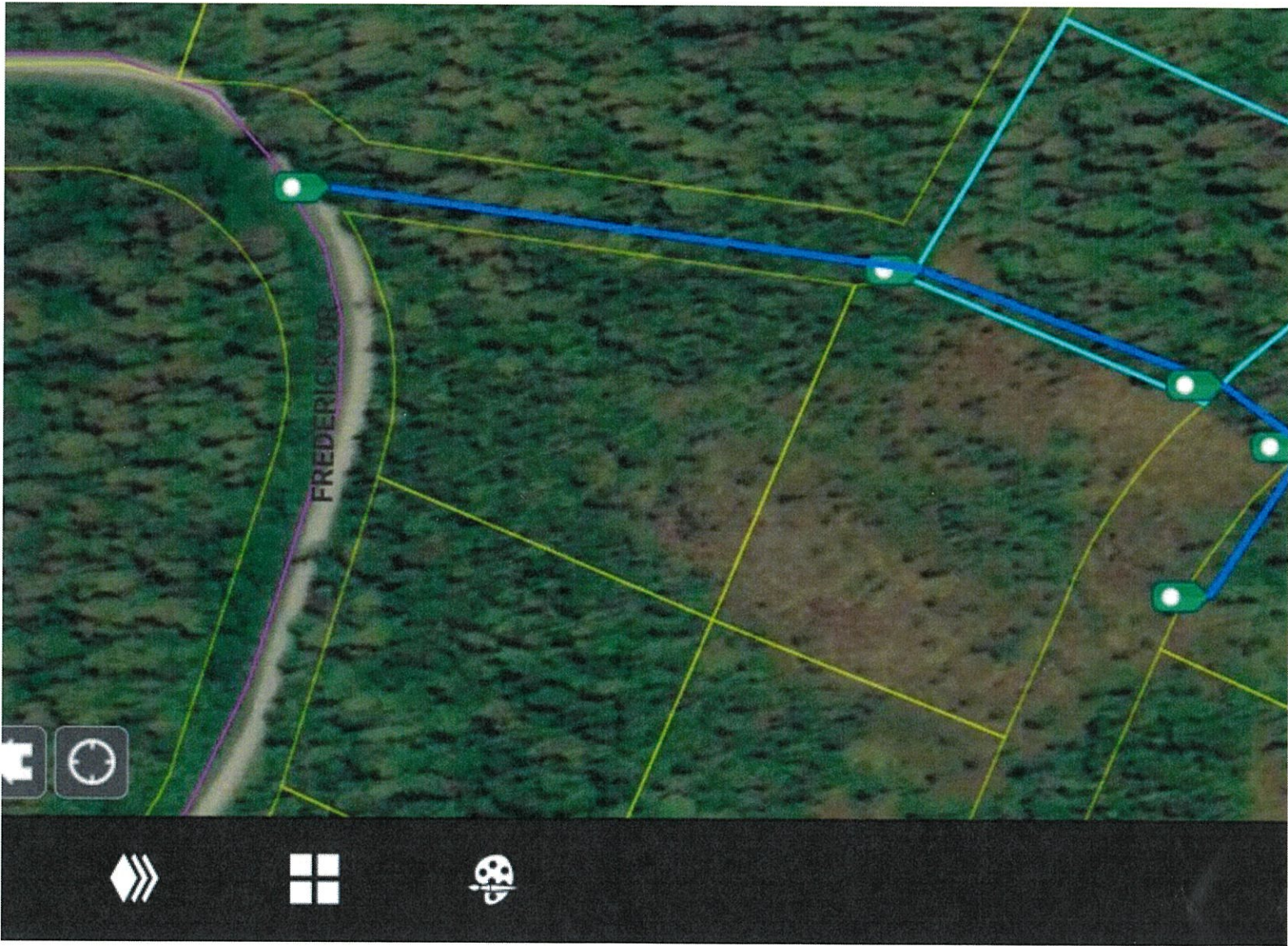
Page 2 of 2

be emailed to the adjudicator below or received by the Division of Mining, Land and Water at Southeast Regional Land Office, PO Box 111020, Juneau, Alaska 99811 on or before 5:00 p.m. on the date noted above. Questions concerning this activity or requests to view the full application packet should be directed to Quinn McClurg, Telephone: (907)-465-3432, or e-mail: quinlan.mcclurg@alaska.gov

After review and adjudication, we may issue an authorization with stipulations for the activity. The activity may be modified during the review and adjudication process.

The Alaska Department of Natural Resources complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, or special modifications to comment should contact Quinn McClurg by phone at (907)-465-3432 or TDD (907) 465-3898

The DMLW, reserves the right to waive technical defects in this notice.



Debra Thompson

From: Bill Tremblay <brtrembla@gmail.com>
Sent: Monday, June 19, 2023 10:06 AM
To: Assembly
Subject: Oppose Resolution #2023-07 - Change in Assembly Meeting Days

Sent from [Mail](#) for Windows

Dear Assembly members,

Please oppose the proposed change to the regular Borough Meeting times (Resolution #2023-7). The current meeting times for Monday were well discussed by the community when the Borough was formed. Changing our current meeting times to accommodate one person isn't in the best interest of our community.

The Borough has been able to continue its business through all of the years of summers when Mr. Jensen was absent an Assembly member and mayor. Despite his years of summer absences; Mr. Jensen continues to be voted into office, so the public has not shown any objection for him missing these meetings.

A vice-Mayor is appointed to conduct business while the Mayor is unavailable. If needed, the Mayor can provide information or opinions on subjects to the Assembly in his Mayor's Report that is a part of the normal agenda for each meeting. Thursday's are the normal time for providing information to an upcoming agenda.

I have confidence in our Borough staff and Assembly to conduct their regular business during the summer has they have done for years. Changing the meeting time and date could detrimental to other members of the public who would not be able to attend because of regularly scheduled meetings on Thursdays. Example: the Petersburg Volunteer Fire Department meets for an All- Departments Meeting the first Thursday of each month; followed by weekly drills of the Fire Department every Thursday night for the rest of the month.

If Mayor Jensen feels that Borough business cannot be adequately conducted without the full compliment of our Assembly in attendance, he could resign so someone who could attend can be there. He's quit before...

Bill Tremblay
P.O. Box 662
Petersburg, AK 99833
(907) 772-4461

Debra Thompson

From: George Clemens <geodix@hotmail.com>
Sent: Monday, June 19, 2023 6:20 PM
To: Assembly
Subject: 2023-11 PMC Site

Please adhere to Plan & Zone vote to shelve the present plan for now . Even though there was much info put out to the public , seems like it was somewhat rushed thru. Especially in respect to a very limited scope of new sites considered. Also a cost /benefit study needs to be done as to future Tax income if the proposed lots were developed for much-needed residential lots vs. a public industrial building that would probably be tax-free. Additionally I don't recall if much study was done on effects of increased traffic// turn lanes and congestion off of Haugen , Which is already very busy.. thanks

Debra Thompson

From: Sarah Fine <sarahfine90@gmail.com>
Sent: Wednesday, June 21, 2023 11:57 AM
To: Assembly
Subject: Local History - Support the Landless

Dear Assembly:

Please consider the following in regards to our local Tribal history, and choose to Support the Landless Legislation and our local Tribes.

Here are [Senator Murkowski's, Senator Sullivan's, and Representative Peltola's statements](#) in support of the Landless Legislation they are reintroducing together:

U.S. Senators Lisa Murkowski and Dan Sullivan (both R-Alaska), and Representative Mary Peltola (D-Alaska), [on June 8, 2023] issued statements on legislation that would allow the Alaska Native communities of Haines, Ketchikan, Wrangell, Petersburg, and Tenakee to form urban corporations and receive land entitlements under the Alaska Native Claims Settlement Act of 1971 (ANCSA).

The delegation's bill, entitled the Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act, would amend ANCSA to provide these five communities with the right to form an Alaska Native Urban Corporation and receive 23,040 acres, or one township, of federal land—just as ANCSA granted to other Southeast Native communities over 50 years ago.

“Our Landless legislation will provide for rightful Native ownership of lands that these five communities are entitled to under ANCSA. Alaska Native leaders in these communities are asking for no more than the opportunity granted to other Native communities 50 years ago. I urge colleagues on both sides of the aisle to look at the facts and help us get this done, so we can finally put an end to more than half a century of injustice in Southeast Alaska,” **said Senator Murkowski.**

“For years, Alaska Native residents in five southeast communities have been denied the land and opportunities afforded by the Alaska Native Claims Settlement Act,” **said Senator Sullivan.** “This is an injustice that Congress has a duty to rectify. I am hopeful my colleagues join the Alaska delegation in quickly advancing our legislation for our constituents.”

“The Alaska Native Claims Settlement Act was intended to recognize and address traditional land claims, enabling selection of lands to be used for the benefit of Alaska Natives. But for these Southeast Alaska Native communities, in Haines, Ketchikan, Petersburg, Tenakee, and Wrangell, this never happened. It is past time that we correct this unjust error. The Unrecognized Southeast Alaska Native Communities Recognition and Compensation Act would make each landless community eligible for 23,040 acres of federal land, providing new opportunities for economic growth and self-determination. This is an overdue but important step in the right direction. I am proud to partner with my Delegation colleagues to introduce and advance this crucial legislation,” **said Representative Peltola.**

Locally, there is much helpful [historical information available on Tlingit & Haida's website](#) to help give background to this issue. There is a Page on Tlingit & Haida's website dedicated to [Tribal History on this Land since Time Immemorial](#).

There is also a Page specifically dedicated to the [Contemporary Political History and Tribal Recognition](#) which describes the past 100 years of history and why the Landless Legislation has been reintroduced today:

In 1929, at a convention in Haines the Alaska Native Brotherhood (ANB) passed a resolution to sue the United States government for the creation of the Tongass Nation Forest and the Glacier Bay National Park without the permission of the indigenous people of Southeast Alaska. The suit was filed in the Federal Court of Claims and the ANB was later advised that only federally recognized tribes can sue the United States over aboriginal land claims. The ANB then petitioned the United States Congress to recognize the aboriginal people of Southeast Alaska as a tribe and on June 19, 1935, an act of Congress was passed to recognize the Tlingit and Haida people as a single tribe.

Note: In 1934, the Indian Reorganization Act (IRA) was passed to set a standard for the federal government to recognize tribes in the Lower 48. The Alaska Native Brotherhood petitioned Congress to amend the IRA to apply to Alaska, and in 1936 the revision was made.

In 1975, the Indian Self-determination Act (PL 93-638) was passed requiring federal agencies, primarily the Bureau of Indian Affairs (BIA), to contract with federally recognized tribes to manage programs that are intended to benefit Native Americans. In Alaska, the BIA adopted an "Order of Precedence" for recognizing tribes for the purpose of contracting:

- Indian Reorganization Act tribes;
- Traditional tribes;
- Alaska Native Claims Settlement Act village corporations; and
- Alaska Native Claims Settlement Act regional corporations.

In 1993, the Assistant Secretary for Indian Affairs in the Department of the Interior amended the list of federally recognized tribes that are posted in the Federal Register to include all tribes in Alaska. The Central Council of the Tlingit and Haida Indian Tribes of Alaska was left off of the list and petitioned Congress to restore the tribe to the list. In 1994, the President of the United States signed into law an Act that not only restored Tlingit and Haida to the list but also required that the Department of the Interior must consult with Congress before removing any recognized tribe from the list published in the Federal Register.

Thank you for your consideration. Please Support the Landless.

Sincerely yours,
Sarah Fine-Walsh

Debra Thompson

From: Cindi Lagoudakis <trembladakis@gmail.com>
Sent: Thursday, June 22, 2023 12:30 AM
To: Assembly
Subject: Ordinance 2023-11 and working toward a new hospital

Dear Assembly members,

I wish to thank you for your consideration of Ordinance 2023-11 and the vote to move forward. I especially wish to thank David Kensinger for taking the time to do due diligence in researching the availability of parcels within the Borough for potential new housing units--one of the questions that has arisen from the discussion surrounding this ordinance--and for reminding the Planning Commission and Assembly of their responsibilities in doing the same.

Planning for a new hospital has been a process that the hospital board, staff and community have been engaged in for some years now. The process has dragged on while the costs increase, but the need and the benefits do not go away.

Having a critical access hospital in our town is not only a quality of life and health issue, it is also an economic driver. As a major employer in the Borough, Petersburg Medical Center provides quality jobs for current residents, as well as newcomers to town.

I am encouraged that we are working toward maintaining and improving the hospital facility and operations, as well as the future of our community. Moving this ordinance forward is one positive step in the process.

Thank you,

Cindi Lagoudakis



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Environmental Conservation

DIVISION OF WATER
Alaska Pollutant Discharge Elimination System Program

PO Box 111800
Juneau, Alaska 99811-1800
Main: 907.465.5180
Fax: 907.465.5070

Since it has been almost a year, I am resending this letter as a reminder that we are still working on this general permit and that we are almost ready to go out for the notice of review.

June 28, 2022

Subject: **Early notification** of wastewater discharge permit for General Permit AKG320000 – Statewide Oil and Gas Pipelines

Dear Local and Tribal Government Leaders:

The Alaska Department of Environmental Conservation (DEC) proposes to reissue an Alaska Pollutant Discharge Elimination System (APDES) General Permit AKG320000 – Statewide Oil and Gas Pipelines (Permit). This permit would regulate wastewater discharges to freshwaters located in the State of Alaska from significant oil and gas pipeline construction, operation, and maintenance activities and facilities.

Description of Discharge

Coverage under the General Permit will be limited to discharges resulting from large oil and gas pipeline construction and O&M to fresh surface waters and land in Alaska. The General Permit will establish limits and conditions for discharges including, but not limited to the following:

- Drilling Fluids and Drill Cuttings,
- Domestic Wastewater,
- Gravel Pit Dewatering,
- Excavation Dewatering,
- Hydrostatic Test Water,
- Storm Water, and
- Mobile Spill Response.

General Permit Additional Information

Any operator that meets the eligibility requirements of the general permit will be authorized to discharge after filing a Notice of Intent (NOI) with DEC so long as all conditions of the permit are met. The public has an opportunity to comment and provide information for this general permit; however, public notice will not be issued for individual NOIs submitted by qualified facilities. The general permit will expire five years after the effective date.

Opportunities for tribal and local government participation in this permitting decision

DEC recognizes rural Alaska has unique needs and considerations with regard to wastewater discharges and strives to issue permits that reflect a full understanding of local conditions. This letter is intended as an **early notice** to assist you in determining whether your community may be affected and inform you of the opportunity to provide

traditional, cultural, or other local information that DEC should consider as part of this permit reissuance. DEC would like to know how your area and resources may be affected by this permitting action.

Next Steps

After the permit is drafted, there will be a **10-day applicant review period** of the preliminary draft permit. Following the applicant review period, there will be a **30-day public review and comment period**. I will provide a copy of the public notice for the permit by mail or e-mail at the start of the public comment period. After the public review and comment period, there will be a **5-day applicant review period** of the final draft permit before the permit is issued.

If requested, I can also provide notice of the preliminary draft and proposed final applicant review periods. Due to the short timeframes for those reviews, notices are sent by email or fax. Please provide an e-mail address or fax number if you would like to receive notices for the preliminary draft and proposed final applicant review periods.

If you would like more information or would like to provide DEC with information about this permit, please do not hesitate to contact me at (907) 465-5272 or at gina.shirey@alaska.gov. For technical questions about the permit, you may also directly contact the permit writer, Bre Lambert, by phone at (907) 465-5171, or via email at Bre.Lambert@alaska.gov.

Sincerely,



Gina Shirey
Local and Tribal Government Coordinator

cc: Potentially Affected Local Governments
Potentially Affected Federally-recognized Indian Tribes

**State of Alaska
Department of Natural Resources
Division of Forestry
Southeast Area Office
El Capitan Timber Sale (SSE-1380-K)
Draft Forest Land Use Plan**

The Alaska Department of Natural Resources, Division of Forestry (DOF), gives formal notice per AS 38.05.945 that the Division proposes to adopt a site-specific Forest Land Use Plan (FLUP) under AS 38.05.112 and the administrative standards of AS 41.17.060 for the commercial timber sale: El Capitan Timber Sale (SSE-1380-K).

The timber sale area is found within Sections 1, 12, and 13, Township 66 South, Range 78 East, and Sections 6, 7, 8 and 18, Township 66 South, Range 79 East, Copper River Meridian. The sale area is found within the Petersburg A-4 NW USGS quadrangle. The main access for this sale area is from the existing Prince of Wales Road System.

The harvest units total approximately 336 acres and contain approximately 8,000 MBF of timber. This volume will be sold under provisions of AS 38.05.115 or AS 38.05.118, in the form of one or multiple sales. The sale(s) will require in-state manufacture and will be negotiated contract(s).

The FLUP is intended to provide the best available information regarding the proposed timber harvest on 340 acres and the management of other non-timber uses in compliance with AS 38.05.112 and AS 41.17.060, and must be adopted by the DOF before the proposed activity can occur. This FLUP does not determine whether or not to access and sell timber within the timber sale area, nor the method of sale. Those decisions have been made previously in the April 3, 2023 Best Interest Finding and are not appealable under this FLUP.

The public is invited to comment on the FLUP. Comments should be mailed to the Alaska Division of Forestry, 2417 Tongass Avenue, Suite 213, Ketchikan, AK 99901. Comments must be received at the Division of Forestry office no later than **July 17, 2023**, in order to be considered in the adopted FLUP. To be eligible to appeal the adopted FLUP a person must have provided written comment by **July 17, 2023**.

FOR MORE INFORMATION OR TO SUBMIT COMMENTS CONTACT:

Alaska Division of Forestry	Contact:	Greg Staunton
2417 Tongass Avenue, Suite 213	Phone:	(907) 225-3070
Ketchikan, AK 99901	Email:	dnr.dof.sse@alaska.gov

Copies of the FLUP are available for review at the division’s Area Office, the division’s web site along with the community libraries in Thorne Bay, Craig, Whale Pass and Ketchikan and at the State Online Public Notice System at <http://notice.alaska.gov/211477>.

The State of Alaska, Department of Natural Resources, Division of Forestry complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, or special modifications to participate in this review may contact the number above.