



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Agenda Harbor Advisory Board Meeting

Wednesday, February 21, 2024

6:30 PM

Assembly Chambers

You are invited to a Zoom webinar.
When: February 21, 2024 06:30 PM Alaska
Topic: Harbor Board Meeting

Please click the link below to join the webinar:

<https://petersburgak.gov.zoom.us/j/84233899362?pwd=q4K0JvbokQmTwsWYwnThpWUHSSE4Q.ClwkuPeHduhZBnGn>

Passcode: 137665

Or Telephone:
(253) 215-8782 or (720) 707-2699
Webinar ID: 842 3389 9362

1. **Call to Order / Roll Call**
2. **Approval of Minutes**
 - A. **August 17, 2023 Harbor Board Meeting Minutes**
3. **Amendment and Approval of Meeting Agenda**
4. **Persons to be Heard Related to the Agenda**
5. **Persons to be Heard Unrelated to the Agenda**
6. **Harbormaster Report**
7. **Unfinished Business**
8. **New Business**
 - A. **Harbor Compensation for Lost Lease Revenue and Property Sale Proceeds**

The Board will discuss and recommend to the Assembly how to compensate the Harbor for the lost lease revenue and property sale proceeds if port leases are sold.

B. Define Marine Industrial Including Allowable Use of Waterfront Property for Local Maritime Economy

The Board will craft a definition of Marine Industrial to include the allowable uses of waterfront property in Petersburg and make recommendation to the Assembly.

C. Review Proposed Draft Process for Entertaining all Port/Harbor Waterfront Lease and Property Sale Applications

The Board will review the draft process attached in this packet and make recommendations for edits/additions.

D. Island Refrigeration Application to Purchase Tidelands Property on Dock Street

Island Refrigeration has applied to purchase a portion of Wilson Tidelands Lease Plat #2000-6, T-37. The Board will review the application and make a recommendation to the Assembly regarding the possible sale.

E. Assignment of Ocean Beauty Seafoods, Inc. Lease to Fierce Allegiance Development, LLC

The Board will review the application to assign Ocean Beauty's lease to Fierce Allegiance Development, LLC and make recommendation to the Assembly.

9. Communication

10. Discussion Items

11. Adjourn



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Harbor Board Meeting

Thursday, August 17, 2023

7:00 PM

Assembly Chambers

1. Call to Order / Roll Call

Chair Martin called the meeting to order at 7:00 p.m.

PRESENT

Board Chair Bob Martin
Board Member Daniel Cardenas
Board Member Casey Knight
Board Member John Murgas
Board Member Scott Roberge
Board Member Jim Stromdahl

EXCUSED

Board Member Don Spigelmyre

2. Approval of Minutes

A. June 23, 2023 Harbor Board Meeting Minutes

The minutes of the June 23, 2023 regular meeting were unanimously approved as submitted.

3. Amendment and Approval of Meeting Agenda

The agenda was approved as submitted.

4. Persons to be Heard Related to the Agenda

Sheri Wikan addressed the Board on behalf of she and her husband John and presented a history of their business, Wikan Enterprises, before introducing the application and giving rationale for the purchase of the leased property request listed under New Business A. Ms. Wikan made comments in support of Member Knights proposed recommendation that was part of the Board packet.

Hillary MacDonald addressed the Board on behalf of she and Earl Warner and presented their plans for continuation of the marine diesel repair business. She reviewed the difficulty in obtaining affordable financing for a building on leased property.

Bennet McGrath addressed the Board in support of the sale of leased property to Wikan Enterprises and suggested the inclusion of restrictive covenants to ensure the property remain marine service oriented.

5. Persons to be Heard Unrelated to the Agenda

No views were shared.

6. Harbormaster Report

A. August 17, 2023 Harbormaster's Report

Harbormaster Wollen reviewed her written report. The report is attached and made a permanent part of these minutes.

7. Unfinished Business

There was no unfinished business.

8. New Business

A. Wikan Enterprises, Inc. Application to Purchase Borough-Owned Leased Tidelands

Manager Giesbrecht requests the Harbor Board provide recommendation to the Assembly regarding the land purchase application filed by Wikan Enterprises, Inc. to purchase the tidelands parcel they currently lease from the Borough for resale.

Member Knight made a motion, seconded by Member Murgas, for the Board to consider the written recommendation attached in the meeting packet. In part it reads “A recommendation, from the Harbor Board to the Petersburg Borough Assembly, to grant the land purchase application, filed by Wikan Enterprises, to purchase the Tidelands parcel they currently lease from the Borough, provided that certain further restrictions, to be agreed upon by the assembly and borough staff, are met.”

Chairman Martin opened the discussion up allowing members to give opinion and ask questions of staff and interested parties. Member Knight read, in part, a written commentary he had provided to explain the recommendation (in meeting packet), that includes rationale to support the marine diesel service and repair business and suggest the placement of restrictions on the property that may include 1) a covenant attached to the property itself, 2) satisfaction of a “first-right-of-refusal” agreement between the Borough and any potential owner of the parcel, (3) a change to the Borough zoning code, or (4) something else.

Discussion centered around the positive impact Wikan Enterprises, Inc. has had on the community’s fishing fleet and the importance to keep this vessel support business intact. Discussion also centered around concerns with the process of placing a restrictive covenant upon the property owner including how legally this could be obtained and then enforced. Member Stromdahl gave history to the area’s original property development through the Harbor Enterprise Fund. Member Murgas listed pro’s and con’s of property sale and mentioned experiences with covenants.

Harbormaster Wollen cautioned the Board to consider the public planning for this area and all future waterfront projects as related to existing leases. Member Roberge commented upon the unique situation and importance of maintaining a diesel repair business for the community. Chairman Martin expressed concerns related to the actual need for purchase vs. continued lease and the precedent this sale will set for the 18 existing leases and their particular future plans.

Voting Yea: Board Member Cardenas, Board Member Knight, Board Member Murgas, Board Member Roberge
Voting Nay: Board Chair Martin, Board Member Stromdahl

9. Communication

10. Discussion Items

There were no discussion items.

11. Adjourn

The meeting was adjourned at 8:02 p.m.

Ordinance Change Suggestions for Chapter 16.16, Tidelands

Draft Sale Parameters:

- 1) If the tidelands are currently being leased, only lease holder, or current assignee with written leaseholder approval, may apply to purchase.
- 2) Sale of tidelands currently being leased must be by direct sale to the lessee or current assignee.
- 3) Sale of tidelands shall only be by ordinance and shall require specific written findings of fact be placed in the ordinance outlining why the sale of the tidelands, vs lease of the tidelands, is in the best interest of the Borough. The findings must outline the benefits to the Borough that would be gained through sale that would not be realized through leasing.
- 4) Sale of tidelands shall not be for less than appraised value (not assessed value).

Draft Process:

- 1) Application to purchase is filed along with \$500 application fee.
- 2) Application is sent by the Clerk's office to the Harbor Board for recommendation to the Planning Commission and the Assembly.
- 3) Application is sent by the Clerk's office to the Planning Commission, including the recommendations from the Harbor Board, for recommendation to the Assembly.
- 4) Application is sent to the Assembly with Harbor Board and Planning Commission recommendations. Assembly decides if application moves forward in the process or not. If not, the Assembly gives reasons for the application's denial and votes to deny the application moving forward. If so, and the property is currently a lease, sale will be direct to the lessee or current assignee.
- 5) Clerk's office obtains estimated price to provide an appraisal of the property, a title report, and to send notices to adjacent property owners and lessees and collects the estimated cost from the applicant.
- 6) Clerk's office sends notices to adjacent property owners and lessees.
- 7) Clerk's office obtains title report and appraisal for the property.
- 8) Manager negotiates sale price of property, which will not be less than the appraised value and will include the remaining of the current 5 year lease term if the property is being leased.
- 9) Sale of the property is sent back to the Assembly for final approval, which must be by ordinance.

From Attorney Heideman regarding Chair Martin's discussion topics:

Topic #2 – How to ensure marine industrial use of the parcel and hold potential buyers to their stated intentions?

Attorney Heideman: The best (and potentially easiest) way to ensure marine industrial use of certain parcels is to create a zoning district that is strictly limited to those uses. In that fashion, a violation of that zoning would be covered by building permitting/code enforcement.

Topic #3 – Restrictive Covenants viability?

Attorney Heideman: A restrictive use covenant can be placed on a property, limiting the use of the property to a specific purpose. The covenant can be placed either on the deed itself or in more general recorded covenants covering multiple properties. However, restrictive covenants require enforcement, which would likely involve a court action.



Petersburg Borough, Alaska

Land Disposal Application

(\$500.00 non-refundable filing fee required)

Form must be completed in its entirety to be considered

Office Use:
 Rec'd. by: KT
 Fee: \$ 500⁰⁰
 Date Rec'd: 11/16/23

Date: 11/6/2023
~~8/29/2023~~

This is a request for land disposal via (circle one):
 Lease **Purchase** Exchange Other

Parcel ID #(s) of Subject Property:
01-010-035

Proposed term of lease: _____
 (total years)

Legal Description of Property:
A PORTION OF WILSON TIDELANDS
LEASE PLAT # 2000-6
T-37

Current Zoning of Property:
INDUSTRIAL

Applicant Name: ISLAND REFRIGERATION, LLC

Applicant Mailing Address: BRUCK SNIDER
PO BOX 2185, PETERSBURG AK 99833

Applicant Contact Info: BRUCK SNIDER 907 518 1310
 (phone and/or email) bruck@islandref.com

1. Size of Area requested (identify the minimum area necessary in square feet): ~27,150

2. Attach a map showing the location of the land requested. Map must show surrounding area with the land requested clearly marked with bolded borders or highlighted color.

SEE ATTACHED

3. Narrative on use of property: Explain proposed use of land and when use is expected to begin and end. Include any planned new construction or renovation, including time-frame when construction or renovation will be completed and type of materials to be used. Provide the estimated dollar value of proposed improvements. Explain the value of the proposal to the economy of the borough and any other information you feel should be considered. (attached additional sheet if necessary)

SEE ATTACHED NARRATIVE

4. Name and address of all adjacent land owners or lessees, including upland owner(s) if applicable: (attach additional sheet if necessary)

PETERSBURG BOROUGH

PISTON & RUBBER SERVICES

5. Are there any existing permits or leases covering any part of the land applied for?

Yes No If yes, please check one: (Lease Permit)

Describe the type of permit or lease, if applicable, and the name and last known address of the permittee or lessee:

6. What local, state or federal permits are required for the proposed use? (list all)

LOCAL BUILDING PERMIT

7. If applicant is a corporation, provide the following information:

A. Name, address and place of incorporation:

B. Is the corporation qualified to do business in Alaska?: Yes No

Name and address of resident agent:

8. Why should the Planning Commission recommend Assembly approval of this request?

SEE ATTACHED NARRATIVE

9. How is this request consistent with the Borough's comprehensive plan?

SEE ATTACHED NARRATIVE

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments:

Signature of Department Commenter

Department Comments:

Signature of Department Commenter

Department Comments:

Signature of Department Commenter

Department Comments:

Signature of Department Commenter

3. Narrative on Use of Property:

The proposed use of the land is to establish a marine refrigeration and electrical facility tailored to support Petersburg's commercial fishing fleet. We anticipate beginning operations within six months of acquiring the land. The overall use of the property would be to be the headquarters for Island Refrigeration and Marine Electrical, which would be housed in two buildings which would be built in phases. The first building would house the parts warehouse, office, a small work area/toolroom, and a basic showroom and retail area. This structure is a steel building 40'x80' intent to utilize durable marine-grade materials to withstand Petersburg's waterfront conditions. The construction phase is expected to span approximately 12 months from the start date. The estimated dollar value of these improvements stands at \$500,000. Our proposal's value to the borough's economy is twofold: directly, by enhancing marine services and infrastructure, and indirectly, by creating jobs and fostering economic activity. As a team of young professionals dedicated to marine trades, our venture symbolizes a generational commitment to bolstering Petersburg's marine heritage.

8. Why should the Planning Commission recommend Assembly approve this request?

This request aligns with the borough's vision of prioritizing marine uses, especially in strategic locations like the parcel near South Harbor. While the current use as storage serves a purpose, diversifying its utility can lead to broader economic benefits. Given the challenges highlighted by the leasing model, granting this land to a committed business like ours not only optimizes its use but also sends a positive message about the borough's adaptability and forward-thinking approach.

9. Consistency with the Borough's Comprehensive Plan:

Our proposal resonates with the comprehensive plan's emphasis on marine vitality and economic development. The establishment of a marine refrigeration and electrical facility directly supports and uplifts the commercial fishing fleet, a cornerstone of Petersburg's identity. Furthermore, by nurturing the next generation of marine professionals, we are laying the groundwork for sustainable growth and ensuring that our marine traditions continue to flourish.

Island Refrigeration General Purpose for Applying to Purchase Land

Petersburg's waterfront, particularly the parcel near South Harbor, holds immense potential for bolstering our community's economic and marine vitality. Currently, this industrially zoned waterfront land, owned by the borough, is underutilized, primarily serving as net storage. Given its strategic location and the overarching vision of the borough to prioritize marine uses, there's an evident opportunity to maximize its utility. However, due to the complications of ownership of the land, a business owner is very hesitant to invest in a building on leased land. This reveals a self-contradicting plan design.

Historically, the lease model has presented challenges for business owners looking to invest and develop properties. A prime example is Wikan Enterprises who, after building on leased land, faced significant obstacles in selling his property. This is partially due to lenders' hesitancy in providing loans for properties on leased land, given the complications in asset seizures. But it is also a challenge for the seller to establish a price for the structure built on leased property. Recognizing this challenge, the borough took the step of allowing this individual to purchase the land his building occupied, paving the way for a smoother business transition.

As a community, we are at a crossroads. Many of our skilled tradesmen are approaching retirement, emphasizing the need to support and nurture the next generation of marine professionals. My team and I represent this new wave of dedicated workers, fully committed to supporting the commercial fishing fleet. Specializing in marine refrigeration and electrical work, our business is exclusively tailored to serve and uplift the fleet, ensuring its continued success. Very few locations near the harbors, where we do nearly 100% of our work, are available to build, buy or even rent. This property would be a chance for us to establish a long-term location where we can be close to where we are needed.

By granting us this land, the borough would be entrusting a valuable asset to individuals deeply invested in Petersburg's marine future. Not only would this move alleviate the property's current limitation as storage, but it would also symbolize a proactive approach in ensuring the land's optimal use. Furthermore, given the scarcity and high cost of land on the island, acquiring this parcel would enable us to establish a permanent base, further cementing our commitment to the community and the fleet.

In conclusion, this proposal isn't just about land acquisition; it's about envisioning a future where Petersburg's marine heritage thrives, supported by passionate professionals dedicated to its success. We humbly request the borough's consideration in granting us this opportunity.

8. Why should the Planning Commission recommend Assembly approval of this request?

SEE ATTACHED NARRATIVE

9. How is this request consistent with the Borough's comprehensive plan?

SEE ATTACHED NARRATIVE

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: The water, wastewater and electric utilities do not have a need or use for the property in question. Extension of all utilities to the applicant's proposed site will be the applicant's responsibility.


Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

8. Why should the Planning Commission recommend Assembly approval of this request?

SEE ATTACHED NARRATIVE

9. How is this request consistent with the Borough's comprehensive plan?

SEE ATTACHED NARRATIVE

10. Prior to submitting this application, please verify with pertinent Borough Departments that the land requested for lease, purchase or exchange is not needed for a public purpose by speaking with the appropriate personnel in the Electric, Water, Wastewater, Community Development, Harbor or Public Works Departments and obtain their comments and signatures below. (attach additional sheet if necessary):

Department Comments: _____

Signature of Department Commenter

Department Comments: Community Development does not need the parcel for a public purpose.

Liz Cabrera

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Department Comments: _____

Signature of Department Commenter

Debra Thompson

From: Glorianne Wollen
Sent: Friday, November 10, 2023 3:40 PM
To: Debra Thompson; Liz Cabrera; Karl Hagerman; Chris Cotta
Cc: Stephen Giesbrecht
Subject: RE: Island Refrigeration Land Purchase Application

Hi Debbie,

10.
This is Borough’s Port waterfront property that was filled in and developed in the early 80’s by the Harbor and has been managed and maintained for marine use by the Port and Harbor Department. We are glad we have an opportunity to comment on its future.

Will start with a little history. The originally authorized City Council’s plan for this developed Port property on Dock Street was to be used as a marine industrial park with partials of leasable land that marine businesses could use for short- or long-term purposes. The objective was to protect an area within the waterfront and keep it available for specific marine industry businesses to enhance the available support for our commercial fleet and harbor users. The goal of leasing borough property gave the Borough some oversight to ensuring the marine nature of the use of the property, especially during the sale of improvements associated with the said leased property. Over the last 40 years the Port property has been leased and used for a variety of marine businesses ie: USCG Port Building, Alaska Commercial Electronics, Wikan Enterprise, Wally MacDonald’s Fleet Refrigeration, McFadyn Shipwrights, Desire Fish Company and others have operated out of this area and met the goals of the original intention. The Port and Harbor Dept. has also used a portion of the property to house containers used for material and equipment storage and maintenance facility (welding/wood working) needs. The area has also been used as leased space for gear storage – bait houses, trailers, crab pots, tender gear etc. on a monthly square foot basis.

This being said, the decision to sell the leased Port property to Wikan Enterprises changes the landscape and the need outlined by Mr. Snider is hard to argue with. His business, Island Refrigeration is the second generation of Wally MacDonald’s Fleet Refrigeration and is instrumental to supporting the SE fishing industry. There are a couple of local businesses we notice “put Petersburg on the map” as far as vessels that come from elsewhere to have work done here in Petersburg and Island Refrigeration is one of them.

Being familiar with refrigeration maintenance needs onboard our commercial fleet, we understand that location is an important element for this particular business and their customer base to thrive. More importantly to keep the original vision of a marine industrial park which is integral to the local fleet’s viability, staff supports the Borough’s direct sale of Port property to Mr. Snider and Island Refrigeration. The Harbor Dept. is currently exploring a better location for a permanent maintenance building and storage yard so willing to relocate the storage containers and equipment as needed. The private gear storage needs will be accommodated at the Drive Down Approach where currently (free) 30 day parking is available, thus no loss of income related to the requested purchased partial.

Thanks, Glo

From: Debra Thompson <dthompson@petersburgak.gov>
Sent: Tuesday, November 7, 2023 4:33 PM
To: Liz Cabrera <lcabrera@petersburgak.gov>; Glorianne Wollen <gwollen@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>
Subject: Island Refrigeration Land Purchase Application

Debra Thompson

From: Chris Cotta
Sent: Tuesday, November 14, 2023 3:57 PM
To: Debra Thompson
Cc: Liz Cabrera; Glorianne Wollen; Karl Hagerman
Subject: FW: Island Refrigeration Land Purchase Application
Attachments: Island Refrigeration Land Purchase Application 11.6.2023.PDF

All,

My comments wouldn't quite fit on the attached form so I'm providing them via email. Public Works does not need the subject parcel for a public purpose. That being said, we also feel that if the outlined property is transferred to private ownership, that the driveway leading from Dock Street to the subject property should also be looked at. We have been maintaining that driveway as a courtesy to the Harbor Dept, but if there was only one property owner served by that driveway, our opinion is that it would essentially be a private drive at that point and no longer something Public Works would need to maintain. The Coast Guard lots and the Wikan Enterprises building both have access from Dock Street. Even if the driveway is left in public hands, it would only be serving one private entity (Island Refrigeration) so it would not make sense for us to maintain it going forward. This issue likely merits further discussion before any action is taken to transfer ownership of either the subject lots or the associated driveway leading from Dock Street. Thanks,

Chris Cotta
Public Works Director
Petersburg Borough
(907)772-4430

From: Debra Thompson <dthompson@petersburgak.gov>
Sent: Tuesday, November 7, 2023 4:33 PM
To: Liz Cabrera <lcabrera@petersburgak.gov>; Glorianne Wollen <gwollen@petersburgak.gov>; Karl Hagerman <khagerman@petersburgak.gov>; Chris Cotta <ccotta@petersburgak.gov>
Subject: Island Refrigeration Land Purchase Application

Liz, Glo, Karl & Chris,

Brock Snider, owner of Island Refrigeration, has applied to purchase the lot behind Wikan Enterprises on Dock Street (parcel #01-010-035). Please note on the application or in an email whether or not your department has a need to keep the parcel in Borough ownership. Once I hear from all of you I will forward the application to the Planning Commission.

Thank you,
Debbie

Debra K. Thompson, CMC
Borough Clerk/Human Resources Director

Petersburg Borough
907-772-5405



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Communit



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Commu

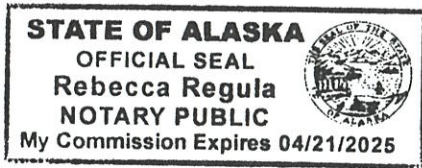
NOTICE TO APPLICANT(s):

Applicant will be required to pay a non-refundable filing fee with the Borough of \$500 to cover estimated costs of: a title report, survey, legal fees, postage, recording fees, public noticing and advertising and other costs incidental to the processing of this application.

I hereby certify that I have received and reviewed a copy of Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to my particular application) and understand the Code requirements. I further certify I am authorized to sign this application on behalf of the applicant.

Please sign application in the presence of a Notary Public.

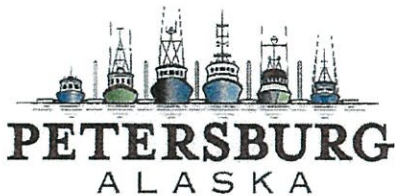
[Signature]
Applicant/Applicant's Representative



Subscribed and sworn to by Brock Snider, who personally appeared
before me this 6th day of November, 2023.

[Signature]
Notary Public

Notary Public in and for the State of Alaska. My Commission Expires: 4/21/2025



Office Use:
 Rec'd. by: DKT
 Date Rec'd: 1/26/24

Application For Assignment or Sublease of Borough Lands or Tidelands Lease

Please return completed and signed application to the Borough Clerk's Office, along with an accurate drawing or asbuilt survey, showing the location of all improvements currently located on the property.

Assignment

Sublease

Current Lessee Information:

Name: Ocean Beauty Seafoods, Inc. now Ocean Beauty Holdings, Inc.

Mailing Address: 1100 W Ewing St., Seattle WA 98119

Email Address: Tony.Ross@OceanBeauty.com

Tele./Fax Nos.: 206-769-5996

SOA Bus. Lic. No.: _____

Type of Business Entity (i.e. corporation, LLC, partnership, d/b/a, etc.), including State of incorporation or organization: Corporation

SSN/Tax Id. No.: 91-0460780

Proposed New Lessee or Sublessee Information:

Name: Fierce Allegiance Development, LLC

Contact Person: Andrew Mazzella, President

Mailing Address: P.O. Box 11463 Bozeman, MT 59719

Email Address: admazzella@gmail.com

Tele./Fax Nos.: 406-209-1390

SOA Bus. Lic. No.: 2192596

Proposed New Lessee or Sublessee Information: (cont'd)

Type of Business Entity (i.e. corporation, LLC, partnership, d/b/a, etc.), including State of incorporation or organization: LLC (Montana)

SSN/Tax Id. No.: 47-3642932

Current Lease Information:

Parcel ID #: 01007333

Legal Description of Leased Property: 13 Harbor Way, Petersburg, AK 99833
Tidelands Addition Subdivision Lot 4A-A of Tidelands Survey T-A, Section 27 T58S R79E

Expiration Date of Lease: April 14, 2049

Description and estimated value of all improvements currently located on Leased Property: _____
No improvements, existing gravel surface (unpaved) lot

Assignment/Sublease of Lease Information:

Intended Purpose and Use for leased property by Proposed New Lessee/Sublessee, including (i) a thorough description of any equipment, materials, facilities or improvements to be constructed, installed or otherwise placed upon the property in the future and the use of each such item, attaching a map showing the placement of all current and planned equipment, materials, facilities and improvements on the site; (ii) a plan for removal of any waste or refuse from the site; (iii) a comprehensive outline of new lessee/sublessee's anticipated activities at the site, including dates of operation and number of persons at the site; (iv) a plan for restoration and reclamation of the leased property to its original condition upon expiration or termination of the lease; and (v) if a sublease is proposed, the term of the proposed sublease; please attach a copy of the proposed sublease: (attach additional sheets if necessary): _____

Proposed use will be vehicle parking of approximately 10 designated spaces beginning March 1, 2024 and will remain the use for the duration of the lease period. Parking will be private for use by Fierce Allegiance Development LLC to provide off street parking for it's nearby developments.

No improvements to the lot are proposed, and lot will be returned to the Borough in it's existing condition at the end of the lease.

Do any of the uses listed in the preceding section require federal, state or local permits? If yes, list all:
No

Are the uses listed consistent with the Borough Comprehensive Plan? If yes, please describe:

Yes, per Petersburg Municipal Code 16.12.005, this lease is directly related to Fierce Allegiance Development, LLC's intent to contribute to the economic development of Petersburg by providing residential and commercial leasing opportunities nearby, of which private off street parking is a necessity, and it will additionally reduce the impact to public parking in the area.

The Current Lessee and the proposed New Lessee/Sublessee hereby request approval of assignment or sublease of the above-described Lease. The parties understand that the Borough may request additional information and documents upon review of this application. The parties hereby certify that they have reviewed Petersburg Municipal Code Chapters 16.12 and 16.16 (as they may pertain to this particular application) and understand the Code requirements.

Dated: 1/26/2024 Current Lessee: Olean Beauty Seafood, Inc.
(printed name)

[Signature]
Signature
Tony Foss
Printed Name
CEO
Title of Signatory (if an entity)

Dated: 1/26/2024 New Lessee or Sublessee: Fierce Allegiance Development, LLC
(printed name)

[Signature]
Signature
Andrew Mazzella
Printed Name
President
Title of Signatory (if an entity)



Lots: 01-007-333
(1 of 1)

HARBOR WAY

CHIEF JOHN LOTT ST

CERTIFICATE OF APPROVAL BY THE PLATTING BOARD

I, hereby certify that the subdivision plat shown herein has been found to comply with the subdivision regulations of the City of Petersburg, and that said plat has been approved by the board, and the plat shown, herein has been approved for recording in the office of the City Clerk, Petersburg, Alaska.

DATE: _____
 CHAIRMAN, PLATTING BOARD

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, the undersigned, hereby certify that I am the owner of the property shown and described herein and that I (we) hereby adopt this plan of subdivision with my (our) free consent, and dedicate all streets, alleys, easements, or other open spaces to public or private use as noted.

WITNESSETH, that I (we) have signed this certificate of ownership and dedication in the presence of the undersigned, a Notary Public in and for the State of Alaska.

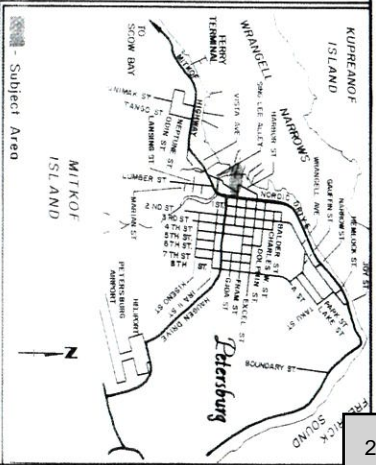
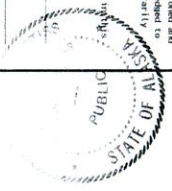
DATE: _____
 NOTARY'S ACKNOWLEDGEMENT

NOTARY'S ACKNOWLEDGEMENT

This is to certify that on this 12th day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared _____, known to me to be the identical individual(s) mentioned and described in the within recited instrument, and that he (she) acknowledged the same, freely and voluntarily for the uses and purposes therein specified.

Witness my hand and notarial seal, the day and year first certified first herein written.

Notary Public in and for the State of Alaska
 My Commission Expires: _____



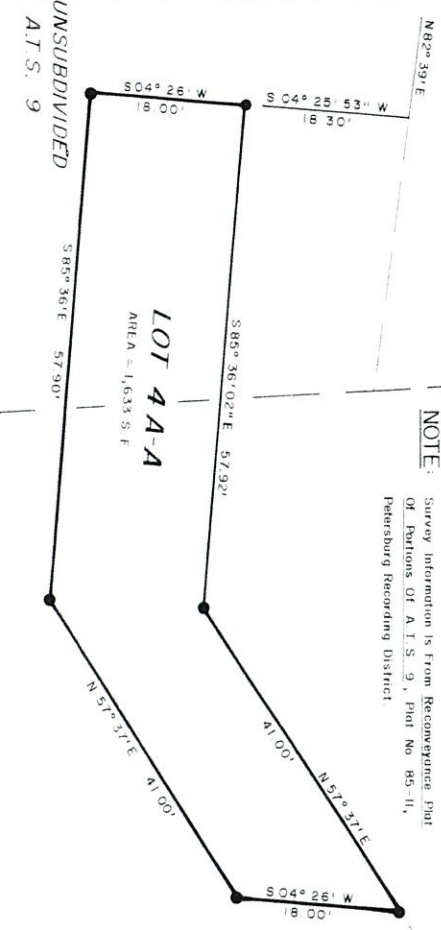
VICINITY MAP

LOT 1-199
 A.T.S. 9

LOT 4, BLOCK A, A.T.S. 9

NOTE: Survey information is from Reconveyance Plat Of Portions Of A.T.S. 9, Plat No. 85-11, Petersburg Recording District.

LOT 4-A-A
 AREA = 1.633 S.F.



SURVEYOR'S CERTIFICATE

I hereby certify that I am a registered Surveyor, licensed in the State of Alaska, and that in APRIL, 1994, a survey of the herein described lands was conducted under my direct supervision and that this plat is a true and accurate representation of the field notes of said survey, and that all dimensions and other details are correct according to said field notes.

DATE: April 1994
 Surveyor: *Alan T. Murphy*

Petersburg
 94.05
 20'
 May 24 A
 8:50
 File of Petersburg
 for Box 303
 Petersburg, Alaska

LEGEND

- PROPERTY LINES
- 5/8" Ø STEEL ROD & ALUM. CAP
- MURPH LS6268
- SET THIS SURVEY
- PRIMARY MONUMENT (FOUND)

PETERSBURG RECORDING DISTRICT

TIDELAND LEASE SURVEY

CHATHAM STRAIT SEAFOODS-1994

PORTION LOT 4, BLOCK "A", & PORTION OF UNSUBDIVIDED A.T.S. 9

CITY OF PETERSBURG

MURPH ENGINEERING

Box 625

Petersburg, Alaska 99833

DATE	APRIL 21, 1994	PROJECT NUMBER	1302-06-08
SCALE	1" = 10'	NAME OF SURVEYOR	A. J. MURPHY
		DRAWN BY	LAW

PETERSBURG 04-5

