

FNSB PLATTING BOARD
ACTION MEMO
FEBRUARY 17, 2021
VIA ZOOM FROM THE JUANITA HELMS ADMINISTRATION CENTER
907 TERMINAL STREET, FAIRBANKS, AK
6:00PM

Any action taken during this meeting is subject to reconsideration during this meeting or at the next. A request for reconsideration at the next meeting must be submitted in writing by a Platting Board member (who voted on the prevailing side) by the close of business the day following the meeting.

There is a seven-day appeal period for any preliminary action of the Platting Board other than those regarding vacations.

APPLICATIONS

Preliminary Applications

- 1. SD002-15 Happy Creek Subdivision Fourth Addition (extension)** A request by 3-Tier Alaska, LLC, on behalf of Mark Nielson, for an additional 15-month extension of the preliminary approval of Happy Creek Subdivision Fourth Addition, the subdivision of Tax Lot 2801, a total of 40 acres, into 15 lots ranging in size from 1.90 acres to 4.94 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T1N R2W, FM (located on McFadden Lane and Saxon Avenue). The subdivision was granted preliminary approval on October 15, 2014 by the Platting Board.

APPROVED

The Board gave preliminary approval to the request, subject to the following condition(s):

1. The final plat application for the first phase shall be submitted by January 15, 2022, and the final plat application for the last phase shall be submitted by January 15, 2026 or the preliminary approval will become void.

Futhermore, the Platting Board adopted the following Findings of Fact in support of the approval:

- a) The Platting Board approved the subdivision but denied two variances on October 15, 2014.
- b) The applicant appealed the first variance denial (dedication of Saxon Avenue to the subdivision's western boundary) to the FNSB Planning Commission.
- c) The FNSB Planning Commission approved the appeal on December 9, 2014, thereby overturning the Platting Board's October 2014 denial of the variance.
- d) The first two-year extension request was submitted by the applicant's representative on October 4, 2016, 11 days prior to the Phase One final plat application deadline.
- e) The Platting Board approved a two-year time extension on November 16, 2016 with the condition that the Phase One final plat application be submitted by October 15, 2018.

- f) The Platting Board approved another two-year time extension on September 19, 2018, approximately one month prior to the Phase One final plat application deadline, with the condition that the Phase One final plat application be submitted by October 15, 2020.
- g) A general request for extension was submitted by the applicant's representative on October 13, 2020, two days prior to the Phase One deadline. The request was based on staff initially informing the applicant's representative that the extension request could be submitted.
- h) The Community Planning Director determined based on policy since 2018 that the extension request could not be accepted. Staff then informed the applicant and applicant's representative the extension could not proceed since the Platting Board would not be able to consider the extension request before the Phase One deadline expired.
- i) Further analysis of previous extension actions and subsequent legal advice resulted in the determination that the October 13 extension request may be honored retroactively.
- j) FNSB staff supports the 15-month extension request.
- k) Per FNSBC 17.12.030.J.1, the Platting Board may provide for the later submittal of one or more phases or segments of the subdivision.
- l) FNSBC 17.12.030.J.1 has been interpreted by staff to include the extension of the entire subdivision request.
- m) There does not appear to be any change to the subject property or surrounding development that would warrant a new preliminary review by the Platting Board.

Further information can be obtained from FNSB Platting at 459-1260 or FNSBPB@fnsb.gov.