

**FNSB PLATTING BOARD
MINUTES
January 20, 2021**

A regular meeting of the Fairbanks North Star Borough Platting Board was held via Zoom from the Mona Lisa Drexler Assembly Chambers, Juanita Helms Administrative Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 6:00 p.m. by Randy Pitney, Chair.

A. ROLL CALL

Members Present: Steven Brooks, Kellie Fritze, Troy Hicks, Mike Kwasinski, Jackie Morton, Ginger Orem (joined at 6:55 pm) and Randy Pitney

Members Absent: Traci Schachle (excused)

Others Present: Sven Grage, Laura Grage, Evon Peter, Susan Heinrichs, Andrew Allaby, Ryan Hunt, 3-Tier Alaska; Steve Lowry, 3-Tier Alaska; Nick Ringstad, 3-Tier Alaska; Jeremy Stark, Stutzmann Engineering Associates; Kellen Spillman, Deputy Director, FNSB Department of Community Planning; Sharon Wittenkeller, FNSB Recording Clerk; David Bredlie, FNSB Public Works; Christine Nelson, Director of FNSB Department of Community Planning; Wendy Dau, FNSB Assistant Attorney; Dave Ruzicka, FNSB Platting Officer; Billy Cardentey, FNSB Platting Officer; George Stefan, FNSB Platting Officer and Laura Melotte, FNSB Recording Clerk.

B. MESSAGES

Chairs Comments –

Mr. Pitney thanked staff regarding the presentation on Direct Lot Access.

Communications to the Platting Board -

Mr. Spillman addressed the Platting Board regarding the February 17, 2021 and March 17, 2021 Platting Board meetings. He stated that the deadlines for both meeting has passed and at this time there are no items to be heard at either meeting. However, he added that it is possible that there may be an item

from the Administrative Hearing that may have to be bumped to either of the meetings.

Mr. Spillman announced that the Borough kicked off two projects, the update of the Comprehensive Road Plan and an update of the Comprehensive Trails Plan. He stated that a worksession at the Platting Board is likely for both projects in the near future.

Mr. Spillman commented that the Borough has switched to a new webpage platform and staff is still working out the kinks with the new website.

Mr. Spillman addressed the Platting Board regarding the AK APA Conference. He stated that the meeting is scheduled to be held February 23, 2021 through February 25, 2021. Registration information is forthcoming and staff will keep the board apprised accordingly.

Ms. Nelson reiterated that the Planning Commissioner course will be held, however it is not on a Sunday as in the past. She directed any interested board member to contact her directly.

Citizens Comments – limited to three (3) minutes

None

Disclosure and Statement of Conflict of Interest

Ms. Morton commented that she may have a perceived conflict of interest with item #4. She stated that she and the owner of the property are both employed by the same employer. **Chair Pitney** queried Ms. Morton further and determined that she does not have a financial interest in this application and will not be excluded from hearing the request.

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of Consent Agenda passes all routine items indicated by asterisk (*) on the agenda. Consent Agenda items are not considered separately unless and Commission or Board member or citizen so requests. In the event of such request, the item is returned to the general agenda.

It was noted that the agenda listed the year as 2020 rather than 2021.

D. *MINUTES

*Minutes of October 25, 2017

Motion to approve the amended agenda and consent agenda made by **Mr. Kwasinski**, seconded by **Ms. Fritze**. Motion carried without objection.

E. CONSENT AGENDA ITEMS

None

F. QUASI-JUDICIAL HEARING

1. **RP021-21 Birkebakke Subdivision** A request by Degerlund Engineering, LLC, on behalf of Sven and Laura Grage, to replat Lot 2, Birkebakke Subdivision, a total of approximately 31.4 acres, into two lots of 16.0 and 15.4 acres. A variance has been requested from FNSBC 17.56.010(H)(2)(b) to allow a Type II flag lot in which a borough-standard road cannot be constructed within the flag stem. The property is located within the SE¼ NW¼ of Section 26, T.1N., R.2W., FM (located on Hafele Avenue).

Mr. Stefan presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the replat with the following three (3) conditions:

1. The Chena Goldstream Fire Service Area and GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. GCI and the OUR Road Service Area shall have a maximum of 10 calendar days to review and comment on the final plat.
3. The approved variance shall be noted on the final plat.

Furthermore, staff recommended adoption of the following two (2) Findings of Fact and the Staff Report in support of approval:

- a) The applicant has submitted a variance request from FNSBC 17.56.010(H)(2)(b) to allow a Type II flag lot in which a borough-standard road cannot be constructed within the flag stem.
- b) With the amended three conditions and approved variance, as recommended by staff, this subdivision meets the applicable requirements of Title 17.

Applicant Testimony

Sven and Laura Grage addressed the Platting Board and stated that they did not have any questions of the staff report.

Sven Grage gave a brief statement as to the purpose behind this request. He made himself available for questions.

They made themselves available for questions of the Platting Board.

Interested Person Testimony

Susan Heinrichs, interested person, addressed the Platting Board. She stated that she is concerned about Hafele Road connecting to Lawlor Road in this area and read a prepared statement to that effect.

Andrew Allaby, determined interested person, addressed the Platting Board. He stated that they have a tentative agreement with the Grages' to purchase the newly created parcel should the Platting Board approve the request.

Applicant Rebuttal

The Grages' declined rebuttal.

MAIN MOTION: A motion by **Mr. Kwasinski**, seconded by **Ms. Morton** to approve the subdivision request with the three (3) amended Conditions adopting the two (2) Findings of Fact and the Staff Report in support of the approval.

MOTION ON THE VARIANCE:

A motion by **Mr. Hicks**, seconded by **Mr. Kwasinski** to approve the variance from FNSBC 17.56.010.H(2)(B) to allow a type two flaglot in which a borough standard road cannot be constructed in the flagstem in the event of a future road dedication, adopting the three (3) Findings of Fact and the Staff Report in support of the approval.

There was no discussion on the request for the variance. **Mr. Pitney** commented that he does not have issues with the request.

Ms. Orem joined the meeting but was not able to participate in the vote as she did not hear the entire discussion.

ROLL CALL ON THE VARIANCE:

Six (6) in Favor
Zero (0) Opposed

There was no discussion on the request for the replat. **Mr. Pitney** commented that he does not have issues with the request.

ROLL CALL ON THE MAIN MOTION:

Six (6) in Favor
Zero (0) Opposed

Mr. Pitney queried Ms. Orem if she had any Disclosure of Conflict of Interest to declare. **Ms. Orem** stated that she did not feel that she had any conflict of interest with any of the remaining requests.

2. **MD002-21 / SD056-07 / RP069-07 Northside Business Park A** request by Stutzmann Engineering Associates, Inc., on behalf of North Side Investors Limited Partnership, to modify the preliminary approval for Northside Business Park to include a phase that vacates existing public utility easements and eliminates the conservation area tracts and associated development restrictions. The Platting Board originally approved the preliminary plat at its December 17, 2008 meeting. The property is located within the N½ Section 2, T.1S., R.1W., FM (located on Harold Bentley Avenue, Northside Boulevard, Johansen Expressway, and the Steese Highway).

Mr. Stefan presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the modification with the following eight (8) amended Conditions:

1. A final plat creating Tract D-1-A shall be submitted no later than December 17, 2021. A final plat creating all remaining lots shall be submitted no later than December 17, 2022. The approved flexible phasing plan approved by the Platting Board in September 2012 is not valid and no longer effective. The applicant may submit an application for modification of the preliminary plat in order to provide for a new phasing plan in which the final plat of the last phase shall be submitted no later than December 17, 2022.
2. The subdivision road network shall conform to the preliminary plat approved May 12, 2012; the final number of lots created by all phases of Northside Business Park shall not exceed 34 lots; road construction and other required improvements shall be constructed incrementally, as determined necessary by the City of Fairbanks, to serve the lots and tracts created by each phase.

3. Standard wetland advisory note be placed on the final plat of each phase that includes area designated as wetlands by the Army Corps of Engineers and the Army Corps of Engineers be given 10 days to review and comment on any phase that involves wetlands.
4. Access control lines be shown on the final plat, and access restriction notes be placed on the applicable final plats as follows: Direct lot access onto the Johansen Expressway and Steese Expressway is prohibited for all lots and tracts within this subdivision. Direct lot access onto Farmers Loop Extension from Lot 30 and Tract B is prohibited. Any road connection to Farmers Loop Road Extension will require approval and a permit from ADOT. ADOT review and comment on the final plats.
5. The developer coordinate with GVEA, ACS, and GHU to determine plat notes and location of utility easements to be reserved on the final plats, and GVEA, ACS, and GHU review and comment on the final plat of each phase.
6. Prior to final plat approval, the requested items in the City of Fairbanks review letters dated October 31, 2008, December 5, 2008 and April 12, 2012 be addressed to the satisfaction of the City, and the City review and approve the final plat and public improvements for each phase of the subdivision.
7. The City of Fairbanks determine whether a 40' wide easement for a transportation corridor connecting Wayne's Way to Harold Bentley Avenue per the City's Dec. 5, 2008 letter is still necessary to be reserved and constructed and if so, on what phase of the subdivision.
8. A note be placed on the final plat limiting access from Lots 1 and 2 onto Northside Blvd to "right only" and stipulating that any driveway permit issued by the City is not permanent and may be revoked at the discretion of the City Engineer. The wording for the note to be approved by the City of Fairbanks.

Furthermore, staff recommended adoption of the following two (2) Findings of Fact and the Staff Report in support of approval:

- a) This subdivision modification appears to be in accordance with the approved May 5, 2020 permit modification for the Army Corps of Engineers Permit POA-2004-01127-M7, Isabella Creek.
- b) There does not appear to be any change to the subject property or surrounding development that would warrant a new preliminary plat review by the Platting Board.

Mr. Pitney queried the date of the December 2021 Platting Board meeting. It was clarified that the Platting Board is scheduled to meet on December 15, 2021.

Discussion ensued with regard to phasing.

Mr. Pitney queried who the principal owners of Northside Investors Limited Partnership. **Mr. Stefan** provided this information to the board.

Applicant Testimony

Jeremy Stark, Stutzmann Engineering Associates, Inc. addressed the Platting Board and gave a brief summary of the purpose for this request.

Interested Person Testimony

None

Applicant Rebuttal

None

MOTION: A motion by **Ms. Fritze**, seconded by **Ms. Morton** to approve the modification request with the amended eight (8) Conditions adopting the two (2) Findings of Fact and the Staff Report in support of the approval.

ROLL CALL: Seven (7) in Favor
Zero (0) Opposed

3. **MD001-21 / SD036-17 Halbert Meadows** A request by 3-Tier Alaska, LLC, on behalf of Samuel Halbert, to modify the subdivision's typical road sections approved by the Platting Board at its July 19, 2017 meeting. The property is located within the N½ SE¼ Section 8, T.1S., R.2E., FM (located on Freeman Road and Blalock Road).

Mr. Stefan presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the modification with the following five (5) conditions:

1. GVEA and IGU shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS and GCI shall be given a maximum of 10 calendar days to review and comment on the final plat.

3. Approved ADOT&PF approach road permits for Venessha Loop and Deanna Way shall be submitted prior to final plat approval.
4. The second sentence of the plat's access note shall be revised to state, "Any new access or modification to access onto Freeman Road will require an approved ADOT&PF permit."
5. Venessha Loop and Deanna Way shall be built to FNSB Local 2 road standards and Samuel Edwards Way shall be built to FNSB Local 1 road standards. These roads shall be approved by FNSB Public Works prior to submittal of the final plat application.

Furthermore, staff recommended adoption of the following four (4) Findings of Fact and the Staff Report in support of approval:

- a) The modified typical road sections exceed the minimum requirements of FNSBC 17.56.
- b) FNSB 17.56.060(D) states, "*Road construction must be built taking into account the conclusions/recommendations based on the typical roadway cross-sections.*"
- c) FNSB Public Works does not object to the modified typical road sections.
- d) There does not appear to be any change to the subject property or surrounding development that would warrant a new preliminary plat review by the Platting Board.

Ms. Fritze questioned if the roads within the subdivision are yet to be constructed. **Mr. Stefan** deferred to Public Works to see if a request for inspection has been submitted.

Applicant Testimony

Nick Ringstad addressed the Platting Board. He stated that they wanted to modify the proposed section simply to provide their client with flexibility in building the roads due to the quality of the soils. He further commented that he concurs with the staff report. He made himself available for questions.

Interested Person Testimony

None

Applicant Rebuttal

None

MOTION: A motion by **Mr. Kwasinski**, seconded by **Ms. Fritze** to approve the modification request with the original five (5)

(8) Conditions adopting the four (4) Findings of Fact and the Staff Report in support of the approval.

Ms. Fritze commented that she is supportive of this request.

Ms. Pitney concurred with Ms. Fritze.

ROLL CALL: Seven (7) in Favor
 Zero (0) Opposed

4. **RP021-21 Shanly Homestead Subdivision** A request by 3-Tier Alaska, LLC, on behalf of Evon and Enei Peter, to replat Lot 2, Block C, Shanly Homestead Subdivision, a total of approximately 26,320 square feet, into two lots of 13,020 and 13,300 square feet. A variance has been requested from FNSBC 17.56.080(D) to waive the requirement for dedication of a temporary turnaround. The property is located within the NW¼ SW¼ of Section 5, T.1S., R.1W., FM (located on Hayes Avenue and Shanly Street).

Mr. Stefan presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the replat with the following three (3) conditions:

1. A 7.5-foot wide PUE shall be placed on the final plat, south of the northern border of proposed lot 2A, beginning at the northwest corner of Lot 2A, running east 35-feet more-or-less, as determined by GVEA and the applicant.
2. GCI, IGU, and the College Road Service Area shall have a maximum of 10 calendar days to review and comment on the final plat.
3. The approved variance shall be noted on the final plat.

Furthermore, staff recommended adoption of the following three (3) Findings of Fact and the Staff Report in support of approval:

- a) The applicant has submitted a variance request from FNSBC 17.56.080(D) to waive the requirement for dedication of a temporary turnaround.
- b) FNSBC 17.56.030 requires reservation of utility easements along lot lines or rights-of-way within a subdivision when a utility company demonstrates a specific need for them.
- c) With the three conditions and approved variance, as recommended by staff, this subdivision meets the applicable requirements of Title 17.

Steve Lowry, 3-Tier Alaska, queried if there was an allowance within the staff report for a joint use of the easement on the north end of the subdivision. **Mr.**

Stefan responded that there is nothing in the staff report with regard to a joint use of the driveway. He stated that that is more of a civil or private matter.

Applicant Testimony

Steve Lowry, 3-Tier Alaska, addressed the Platting Board. He commented with regard to emergency vehicle access. He made himself available for questions.

Ms. Fritze questioned if there was anything in writing that showed that the fire marshall was satisfied with the distance of 147' (+/-) rather than the 150' as stated in code. **Mr. Lowry** clarified that he had conversations with the fire marshall regarding acceptance of the distance.

Mr. Pitney queried if Mr. Lowry could empirically say that the fire department was accepting of this distance. **Mr. Lowry** responded "Yes".

Mr. Pitney asked if there were any set-back regulations on this lot. **Mr. Lowry** stated that he believes there is a front-yard setback. He further commented that they designed this request so as not to create any setback violations.

Ms. Orem clarified that for the zoning on this property, the front yard setback is 20' and zero for the side and back yards.

Evon Peter, applicant, addressed the Platting Board. He stated that he concurs with the staff report. He made himself available for questions.

Interested Person Testimony

None

Applicant Rebuttal

None

MAIN MOTION: **A motion by Ms. Fritze, seconded by Mr. Brooks to** approve the replat request with the three (3) Conditions adopting the three (3) Findings of Fact and the Staff Report in support of the approval.

MOTION ON THE VARIANCE

A motion by **Ms. Fritze**, seconded by **Mr. Brooks** to approve the variance from FNSBC 17.56.080.(D), to waive the requirement for dedication of a temporary turnaround.

adopting the three (3) Findings of Fact and the Staff Report in support of the approval.

Ms. Fritze commented that she is supportive of this request.

Ms. Orem commented that she too is supportive of this request.

ROLL CALL ON THE VARIANCE:

Seven (7) in Favor
Zero (0) Opposed

Mr. Pitney commented that he is supportive of this request and plans to vote accordingly.

ROLL CALL ON THE MAIN MOTION:

Seven (7) in Favor
Zero (0) Opposed

G. NEW BUSINESS

1. Election of Chair and Vice-Chair for the Platting Board

Ms. Fritze nominated Randy Pitney for the Chair position.

There were no other nominations for the Chair position nor were there any requests to be nominated for the Chair position.

An electronic straw poll was conducted. Mr. Pitney was elected unanimously as the Chair.

Mr. Hicks nominated Kellie Fritze for the Vice-Chair position.

There were no other nominations for the Vice-Chair position nor were there any requests to be nominated for the Vice-Chair position.

An electronic straw poll was conducted. Ms. Fritze was elected unanimously as the Vice-Chair.

H. CITIZENS COMMENTS

None

I. EXCUSE FUTURE ABSENCES

None

J. BOARD MEMBER COMMENTS / COMMUNICATIONS

Ms. Orem had no comments.

Ms. Morton had no comments.

Ms. Fritze thanked the board for their votes.

Mr. Kwasinski thanked staff for their presentations.

Mr. Brooks had no comments.

Mr. Hicks thanked staff for their presentations.

Mr. Pitney thanked the board for their votes.

K. ADJOURNMENT

Motion to adjourn made by **Mr. Brooks**, seconded by **Mr. Pitney**. All were in favor, there were no objections.