MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Mayor
         Jim Williams, Chief of Staff

FROM: Kellen D. Spillman
       Community Planning Acting Director

DATE: December 9, 2021

RE: ORD 2021-40 (RZ2022-002): A request of James Bartlett on behalf of Mayor Michael Welch to rezone Lot 1A Block 2 City of North Pole Subdivision Phase 2 from Two-Family Residential (TF) to General Commercial (GC)

Rezone RZ2022-002 was heard by the Planning Commission on October 26, 2021 for review and recommendation.

On October 26, 2021, the Planning Commission of the Fairbanks North Star Borough held a public hearing regarding the requested rezone.

The Department of Community Planning recommended approval of the requested ordinance change.

The Planning Commission concurred with the staff recommendation and voted nine (9) in favor, zero (0) opposed, to recommend approval of the request to the Borough Assembly.

This item is requested to be placed on the agenda to the next Fairbanks North Star Borough Assembly meeting. Attached is a packet with further details of the request.
By: Assembly
Introduced: 12/9/2021

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2021 – 40

AN ORDINANCE REZONING LOT 1A BLOCK 2, CITY OF NORTH POLE SUBDIVISION
PHASE 2 FROM TWO-FAMILY RESIDENTIAL TO GENERAL COMMERCIAL OR OTHER
APPROPRIATE ZONE (LOCATED AT SNOWMAN LANE AND CARY AVENUE)

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
North Star Borough:

Section 1. This ordinance is not of a general and permanent nature and
shall not be codified.

Section 2. The following described property is rezoned from Two-Family
Residential (TF) to General Commercial (GC):
Lot 1A Block 2, City of North Pole Subdivision Phase 2.

Section 3. Effective Date. This ordinance is effective at 5:00 p.m. on the
first Borough business day following its adoption.

ADOPTED THE _____ DAY OF ___________ 2022.

_________________________
Mindy O’Neall
Presiding Officer

_________________________
April Trickey, CMC
Borough Clerk

_________________________
Jill S. Dolan
Borough Attorney

Fairbanks North Star Borough, Alaska (RZ2022-002) ORDNANCE NO. 2021-
STAFF REPORT

TO: Fairbanks North Star Borough Planning Commission

THROUGH: Kellen D. Spillman, Acting Director Department of Community Planning

FROM: Sarah Bingham, Planner III

DATE: October 26, 2021

SUBJECT: RZ2022-002: A request by James Bartlett on behalf of Mayor Michael Welch to rezone Lot 1A, Block 2, City of North Pole Subdivision Phase 2 from Two-Family Residential (TF) to General Commercial (GC)

I. EXECUTIVE SUMMARY

This application is a request by the property owner¹ to rezone Lot 1A, Block 2, City of North Pole Subdivision Phase 2 from Two-Family Residential (TF) to General Commercial (GC) for a total of 70,164 square feet. The subject lot is owned by the City of North Pole and is currently operating the City Hall and Police Department under a conditional use permit. The applicant desires to expand the police department by 3,000 square

¹ FNSBC 18.104.020.A.2 “Any person or persons, provided, that an application for rezoning is accompanied by a petition favoring the proposed rezoning signed by the owner or owners of at least 51 percent of the property within the area proposed to be rezoned.”
feet and asserts that the proposed GC zoning district is more aligned with the Comprehensive Plan than the TF zoning district.

Community Planning Staff is recommending that the Planning Commission recommend approval to the Assembly. Rezoning the subject lot to GC as it is consistent with the FNSB Regional Comprehensive Plan, North Pole Land Use Plan and with the existing land use. The area is shown in the North Pole Land Use Plan as “Commercial”. The existing two-family zoning district on the subject parcel is not consistent with the existing Comprehensive Plan designation through the North Pole Land Use Plan. All rezone criteria in the FNSB Title 18 are met by this proposal and it is not a spot zone.

![Figure 2: North Pole Land Use Plan](image)

### II. GENERAL INFORMATION

<table>
<thead>
<tr>
<th>Property Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Rezone Area</td>
</tr>
<tr>
<td>Existing Zoning</td>
</tr>
<tr>
<td>Existing Land Use</td>
</tr>
<tr>
<td>Proposed Zoning</td>
</tr>
<tr>
<td>Comprehensive Plan</td>
</tr>
<tr>
<td>Flood Zone</td>
</tr>
<tr>
<td>Code Violations</td>
</tr>
</tbody>
</table>
### Parcel Information

<table>
<thead>
<tr>
<th>Legal Description</th>
<th>Owner</th>
<th>Lot Size (square feet)</th>
<th>PAN</th>
<th>Rezone Involvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 1A, Blk 2 City of North Pole Subdivision Phase 2</td>
<td>City of North Pole</td>
<td>70,164</td>
<td>113123</td>
<td>Primary applicant</td>
</tr>
</tbody>
</table>

### Adjacent Zoning/Land Use

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning/Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>General Use, open space/single-family residences</td>
</tr>
<tr>
<td>South</td>
<td>GC, Beaver Springs Creek/ single-family residences, commercial</td>
</tr>
<tr>
<td>East</td>
<td>General Use, undeveloped/commercial</td>
</tr>
<tr>
<td>West</td>
<td>GC – undeveloped/commercial</td>
</tr>
</tbody>
</table>

### Public Services

<table>
<thead>
<tr>
<th>Service</th>
<th>Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water &amp; Sewage</td>
<td>City of North Pole</td>
</tr>
<tr>
<td>Electricity</td>
<td>GVEA</td>
</tr>
<tr>
<td>Police</td>
<td>City of North Pole</td>
</tr>
<tr>
<td>Fire</td>
<td>City of North Pole</td>
</tr>
</tbody>
</table>

### Transportation

<table>
<thead>
<tr>
<th>Access Road</th>
<th>Snowman Lane &amp; Cary Avenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Type</td>
<td>Local</td>
</tr>
<tr>
<td>Maintenance Authority</td>
<td>City of North Pole</td>
</tr>
<tr>
<td>AADT</td>
<td>4,018 vehicles (N Santa Claus Ln west of Cary Ave &amp; Snowman Ln)</td>
</tr>
</tbody>
</table>

### Zoning History

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 28, 1968</td>
<td>Zoned as Unrestricted Use (UU) by Ord. No. 67-34</td>
</tr>
<tr>
<td>June 12, 1969</td>
<td>Rezoned as General Residential by Ord No. 69-14</td>
</tr>
<tr>
<td>December 19, 1980</td>
<td>Lot 1A is created via Plat No. 80-211</td>
</tr>
<tr>
<td>October 21, 1980</td>
<td>Conditional Use Permit 1980-005 for Public Use was approved</td>
</tr>
<tr>
<td>April 19, 1988</td>
<td>Rezoned as Two-Family Residential by Ord. No. 88-10</td>
</tr>
</tbody>
</table>
### Existing TF Zoning Standards

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Includes all permitted uses in Single-Family Residential district, and two-family attached dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conditional Uses</td>
<td>Includes all conditional uses in the Single-Family Residential district; major and minor communication towers</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>5,000 sf for a single-family residence; 7,000 sf for a duplex</td>
</tr>
<tr>
<td>Setback Requirement</td>
<td>20 feet from front lot lines; 5 feet from side and rear lot lines</td>
</tr>
<tr>
<td>Building Height</td>
<td>Unlimited</td>
</tr>
</tbody>
</table>

### Proposed GC Zoning Standards

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Includes all permitted uses in Light Commercial, Multiple-Family Residential/Professional Office, Multiple-Family Residential, Two-Family Residential, and Single-Family Residential districts; 92 other permitted uses including public utility and service uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conditional Uses</td>
<td>Airports, animal boarding &amp; breeding facilities; building contractor's office &amp; material storage; building materials sales &amp; storage; bus, train stations and terminals; large scale development; lumberyards; marijuana cultivation facility, indoor small/large/unlimited; marijuana product manufacturing facility, limited; outdoor storage as a principal use; outdoor shooting range; travel trailer parks and campgrounds; warehouses; watersports facility; welding as a principal use; wholesale and distribution operations; zoos and animal parks</td>
</tr>
<tr>
<td>Minimum Lot Size</td>
<td>None where community water and sewer connections are available</td>
</tr>
<tr>
<td>Setback Requirement</td>
<td>20 feet from front lot lines, no side or rear setbacks except 10 feet when adjacent to agricultural or residential zones</td>
</tr>
<tr>
<td>Building Height</td>
<td>Unlimited</td>
</tr>
</tbody>
</table>

### Agency Comments

- **FNSB Code Enforcement**: No code enforcement cases

### Hearing and Recommendation by the Planning Commission FNSBC 18.104.020(C)

- Conforms to the comprehensive plan ✓
- Conforms to the public health, safety and welfare ✓

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2 FSNBC Title 18, Section 18.72
3 FSNBC Title 18, Section 18.76
4 See Attachment 4 for full Agency Comments
III. STAFF ANALYSIS

Zoning:
The subject lot is the only lot that is zoned Two-Family Residential within this area. The property was originally zoned Unrestricted Use in 1968, then rezoned to General Residential in 1969. The FNSB Planning Commission approved a conditional use permit for the North Pole Public Safety Building on October 8, 1980. The zoning code was revised in 1988, and the General Residential zone became the Two-Family Residential zone. Publicly used facilities remained as a conditional use in the TF zone.

Nearby zoning includes General Commercial immediately to the west and south of the subject lot while the lots to the north and east are zoned General Use. Rezoning this area to GC is compatible with nearby zoning, as it would expand the contiguous GC zoning that currently surrounds the area on two sides.

Comprehensive Plan:
The area proposed to be rezoned is designated as “Commercial” in the North Pole Land Use Plan and is intended to be an “area to provide for a full range of commercial and
retail to serve area residents and visitors.” See Attachment 3 for a map of the North Pole Land Use Plan.

The proposed rezone area is located within the Comprehensive Plan’s Urban boundary. This area is served or can be served with community water and sewer, and contains the most intensive residential, commercial, and industrial development.

**Land Use Goal 3:** To have a variety of land uses that fit the diverse needs of the community

**Strategy 8:** Provide for commercial land uses in both urban and non-urban areas.

This urban area is developed mostly with commercial uses, and several of the lots remain undeveloped. Rezoning from TF to GC will allow the prevailing development pattern to continue and expand with additional permitted commercial uses.

**Land Use Goal 4:** To enhance development opportunities while minimizing land use conflicts

**Strategy 10:** Attract and support development that is compatible with and enhances existing land use.

**Action A:** Provide suitable areas for the location of essential human services

Rezoning this area from TF to GC is consistent with the Comprehensive Plan designations and goals and implements the North Pole Land Use Plan, an element of the Comprehensive Plan.

**IV. TRAFFIC AND TRIP GENERATION**

Cary Avenue and Snowman Lane are local roads in this area. The City of North Pole maintains both the local roads of Cary Avenue and Snowman Lane as well as other roads within the city limits. 4,018 vehicles travel N Santa Claus Lane each day.

The rezone to GC poses no concerns for the impact to the transportation system within the area. There is adequate capacity on the roadway to serve the traffic that this rezone may generate, specifically with City Hall already developed.

**V. NONCONFORMING LOTS, STRUCTURES AND USES**

There is no minimum lot size in GC, “except as may be required by the State of Alaska Department of Environmental Conservation in areas where community sewer and water are unavailable.” Community sewer and water are available in this area and the lot size exceeds one acre, which is typically the minimum required to meet separation distances between septic and well as required by DEC.

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5 North Pole Land Use Plan, page 3

6 Alaska Department of Transportation and Public Facilities, Alaska Traffic Counts — AADT 2019 retrieved at https://akdot.maps.arcgis.com/home/webmapviewer.html?webmap=7c1e1029f6b64d7a86449d55ef05e21e
All uses permitted in TF zone are also permitted in GC zone. The proposed rezone would not make any existing permitted uses nonconforming within the rezone area. The GC zone also expands the type and intensity of permitted commercial uses. However, residential uses are also permitted in the GC zone.

The setback requirements would change as follows:

<table>
<thead>
<tr>
<th>Setback</th>
<th>Two-Family Residential</th>
<th>General Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Side and Rear</td>
<td>5 feet side and rear setbacks</td>
<td>No side or rear setbacks except 10 feet when adjacent to agricultural or residential zones</td>
</tr>
</tbody>
</table>

The front yard setbacks would remain at 20 feet. There would only be side and rear yard setbacks when adjacent to agricultural or residential zones. Since there is no such adjacent zoning, no side or rear setbacks are required under the existing or proposed zones. This potential rezone does not appear to impact any existing structures.

VI. PLANNING COMMISSION RECOMMENDATION CRITERIA [FNSBC 18.104.020 (C)]

(1) The proposed rezone conforms to the comprehensive plan.

This rezone is supported by the Commercial land use designation of the North Pole Land Use Plan and the Land Use goals of the comprehensive plan, particularly goals 3 and 4 and associated strategies and actions.

(2) The proposed rezone conforms to the public health, safety and welfare.

This proposed rezone is compatible with existing commercial land uses within and adjacent to the rezone area. It's also compatible with and continues the adjacent GC zoning designation. It does not adversely impact road and traffic safety.

VII. SPOT ZONE ANALYSIS

The Alaska Supreme Court has stated that the classic definition of spot zoning is, "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners." Determining whether a rezone constitutes spot zoning depends on the facts and circumstances of each case. In Griswold v. City of Homer, 925 P.2d 1015, Alaska, 1996 the court stated it would consider the following three factors in determining the constitutionality of spot zoning:
1. The consistency of the amendment with the comprehensive plan;

The GC zoning district is consistent with the 'Commercial' designation and is supported by the Comprehensive Plan’s Land Use goals 3 and 4.

2. The benefits and detriments of the amendment to the owners, adjacent landowners, and community; and

This rezone will allow for the continued and expanded commercial development of an area that is surrounded by similar uses and zoning. This consistency in zoning and land use reduces potential incompatibilities and preserves an established commercial area, which benefits the owners, adjacent landowners, and community as a whole. Additionally, this parcel is already developed as a permitted use in General Commercial.

3. The size of the area rezoned

While case law does not give an exact size for making a spot zone determination, it does provide guidance that parcels less than 3 acres are almost always a spot zone and parcels over 13 acres are almost always found not to be a spot zone. While this rezone proposal is for only 70,164 square feet, the eastern and southern adjacent lots are also zoned as General Commercial. The General Commercial zone adjacent to this request is 55.9 acres in size.\(^7\)

VIII. PUBLIC NOTICE
The Department of Community Planning mailed 51 Dear Property Owner (DPO) notices on October 1, 2021. As of publishing this report has received zero responses. The Applicant posted one public hearing notice signs on October 6. This sign meets the ‘notice by applicant’ requirements.

IX. AGENCY COMMENTS
Community Planning contacted the following agencies for comments

- a. City of North Pole Fire Department
- b. City of North Pole Police Department
- c. City of North Pole City Services
- d. FNSB Transportation Planner
- e. FNSB Code Enforcement
- f. Golden Valley Electric Association

\(^7\) FNSB GIS “Zoning” feature class
X. SITE VISIT
Pictures\(^\text{8}\) were taken of the site on September 24, 2021.

XI. RECOMMENDATION
Based on the staff analysis above, the Department of Community Planning recommends rezoning Lot 1A, Block 2, City of North Pole Subdivision Phase 2 to General Commercial.

XII. FINDINGS OF FACT
The Department of Community Planning further recommends adoption of the staff report and following six (6) Findings of Fact in support of APPROVAL of the rezone.

1. The FNSB Regional Comprehensive Plan designates the rezone area as 'Commercial'. The Commercial Area is intended for “to provide for a full range of commercial and retail to serve area residents and visitors.”

2. The current TF zoning is not consistent with the Comprehensive Plan 'Commercial' designation because the TF zone does not allow all commercial uses.

3. The GC zone would better implement the Commercial Area land use designation because the GC zone allows for a wider range of commercial uses.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:
   a. Land Use Goal 3, Strategy 8 which is intended to provide for commercial land uses in both urban and non-urban areas.
   b. Land Use Goal 4, which is intended to enhance development opportunities while minimizing land use conflicts, and Strategy 10, Attract and support development that is compatible with and enhances existing land use. Action C recommends provide suitable areas for the location of essential human services.

5. The rezone conforms to the public health, safety and welfare because:
   a. The proposed GC zone aligns with the Commercial area designation that the North Pole Land Use Plan, as it allows for the variety of commercial uses.
   b. The rezone would not make any existing uses nonconforming within the rezone area, as all uses permitted in TF are also permitted in GC.
   c. The existing road network is capable of handling a traffic increase.

6. The rezone is not a spot zone or a reverse spot zone because:

\(^{8}\) Attachment 5: Site Visit Pictures
a. The rezone is consistent with the Comprehensive Plan because it will better implement the Commercial Area land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.

b. The implementation of the Comprehensive Plan is a benefit to the community by providing for a variety of commercial land uses.

c. The proposed rezone area is 70,164 square feet and is adjacent to lots that are already zoned as General Commercial that total 55.9 acres.

**DRAFT PLANNING COMMISSION MOTION:**

I move to recommend to the FNSB Assembly approval of RZ2022-002, a rezone of Lot 1A, Block 2, City of North Pole Subdivision Phase 2, from Two-Family Residential to General Commercial, adopting the staff report and six findings of fact in support of this recommendation.

Attachment 1: Zoning Map
Attachment 2: Comprehensive Plan Map
Attachment 3: Agency Comments
Attachment 4: Site Visit Photos
Attachment 5: Application with narrative
My records indicate that there are no open code enforcement cases on this lot (PAN 113123).

Best Regards,

Adam Pruett
Planner III-Code Enforcement
Department of Community Planning
907.459.1270 | adam.pruett@fnsb.gov

From: Sarah Bingham <sarah.bingham@fnsb.gov>
Sent: Tuesday, September 28, 2021 5:33 PM
To: Adam Pruett <adam.pruett@fnsb.gov>
Subject: Request for Comments for RZ2022-002

We have received a rezone request to rezone Lot 1A, Block 2 City of North Pole Subdivision Phase 2 from Two-Family Residential (TF) to General Commercial (GC). The Fairbanks North Star Borough Planning Commission will review this request on October 26, 2021.

Please confirm that there are no open code enforcement cases on this lot (PAN 113123).

Please let me know if you have any comments concerning this rezone request by noon this Friday, October 1.

Kind Regards,

Sarah Bingham
Planner III | FNSB Community Planning
907-459-1225 | sarah.bingham@fnsb.gov
**REZONE APPLICATION**  REZONE WITH SPECIAL LIMITATIONS

**FEES:**
- $1,000 rezone application**
- $300 sign deposit (check or cash recommended)

** Fee waived if rezoning a split zone parcel or rezoning a GU zoned property to an appropriate residential zone if the rezone encompasses at least 13 acres or 5 more contiguous lots

<table>
<thead>
<tr>
<th>Applicant: Design Alaska</th>
<th>Property Owner: City of North Pole</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name: James Bartlett</td>
<td>Name: Mayor Michael Welch</td>
</tr>
<tr>
<td>Business Name: Design Alaska</td>
<td>Mailing Address: 125 Snowman Lane</td>
</tr>
<tr>
<td>Mailing Address: 601 College Rd</td>
<td>City, State Zip: North Pole, AK 99705</td>
</tr>
<tr>
<td>City, State Zip: Fairbanks, AK 99701</td>
<td>Phone: 907-488-8584</td>
</tr>
<tr>
<td>Phone: 907-452-1241</td>
<td>Cell:</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:jamesb@designalaska.com">jamesb@designalaska.com</a></td>
<td>E-mail: <a href="mailto:mwelch@northpolealaska.org">mwelch@northpolealaska.org</a></td>
</tr>
</tbody>
</table>

**Property Information:**
- Property Description: City of North Pole, Phase 2; Block 02; Lot 01A
- Street Address: 125 Snowman Lane
- Size: 70,164 Acres
- Parcel Account Numbers (PAN): 113123
- Existing Use: Public Utility and Service - City Hall and Police station
- Existing Zone: TF
- Proposed Zone: GC (General Commercial)

I certify that the information included in this application is to the best of my knowledge true and complete.

APPLICANT SIGNATURE: [Signature]

DATE: 08/13/2021

OWNER SIGNATURE (If different): [Signature]

DATE: Aug 18, 2021

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.
REZONE INTAKE CHECKLIST

Please submit the required documentation listed below. Applications will not be scheduled for a Planning Commission meeting agenda until these items have been submitted and the application has been deemed complete.

REZONE

1. Attach a detailed written narrative that addresses the following criteria set forth in 18.104.020:

☑ Explain why the existing zone is unsatisfactory and state the reasons for requesting the rezoning. Discuss the advantages of rezoning the property.

☑ Explain how the proposed rezone conforms to the FNSB Regional Comprehensive Plan and/or the North Pole Land Use Plan. Please review the Plan goals, strategies and actions that would be furthered by the proposed rezone and to include them in the narrative. Copies of the Regional Comprehensive Plan are available at the Department of Community Planning or online at: https://www.fnsb.gov/DocumentCenter/View/900/Regional-Comprehensive-Plan-PDF

☑ Explain how the proposed rezone will protect the public health, safety and welfare, including protection from the impacts of traffic, noise, screening/buffering, etc.

2. Submit the following:

☑ Public Notice Sign Posting Affidavit. The form is included in the application packet

☐ Zoning Petition if more than one property owner is involved in the proposed rezone. The form is included in this application packet

☐ Include application fee (cash, check or charge)

☐ Include sign deposit (cash or check only – separate payment)

REZONE WITH SPECIAL LIMITATIONS

When requesting special limitations for the proposed rezone, the following items are required in addition to the above items as set forth in FNSBC 18.104.030:

A. Narrative to include the following:

☐ Explain your project and discuss how it will mitigate the adverse impacts of the project and the change in rezoning districts
☐ Explain how the proposed rezone with special limitations promotes aesthetics to the adjoining neighborhood

☐ Explain how the proposed rezone with special limitations does not defeat the general intent of surrounding zones, nor constitute a spot zone

B. Submit a detailed site development plan of your project (see attached Rezone with Special Limitations Intake Checklist)

1. A site plan drawn to a verifiable scale with north arrow and dimensions in feet (i.e. 1" = 10' or 1" = 20', etc.), including all of the following information:

   More than one site plan of different scales may be used to illustrate the site.

☐ Location and dimensions of property lines

☐ Name of the access road and any other roads adjacent to the property lines

☐ Location and dimensions of all existing and proposed buildings and structures (including additions) Label as existing or proposed

☐ In the Light Commercial (LC) zone, list the height of all proposed buildings

☐ Uses of all existing and proposed buildings and structures, portions of buildings, and areas of the property

☐ Setback distances of all existing and proposed buildings and structures from property lines, except in the General Use (GU) zones

☐ If adjacent to residentially zoned property, show the location and type of all outdoor lighting

☐ Location and dimensions of existing and proposed driveways. A driveway permit may be needed if accessing a Road Service Area (RSA) road or AKDOT&PF permitted right-of-way (ROW) or if located within city limits

☐ Location and dimensions of off-street parking spaces. Off-street parking spaces are required to be at least 9' by 18', with sufficient back-up and maneuvering area such that all back-up and maneuvering actions occur on the site (FNSBC 18.96.060). Label parking spaces with dimensions

☐ Location and dimensions of loading areas if the use involves the loading and unloading of merchandise, materials, or supplies.

☐ Location and dimensions of all traffic circulation areas. Show drive aisles, backing and maneuvering areas and all areas where motor vehicles will travel on the site

☐ Show any obstructions located within the parking and vehicle maneuvering areas, such as a wall, post, guard rail, or other obstruction.

Additional information may be required beyond the items listed above.
C. Submit written consent from the owner of the property approving the Special Limitations. The form is included in this application packet.

D. Submit acknowledgement form from the property owner that they have the right to have the Assembly consider their rezone without the requested special limitations and that their requested rezone will go to the Assembly for their consideration regardless of whether the property owner accepts or rejects any suggested special limitation. The form is included in this application packet.

E. Special limitations may be added, but not limited to the following purposes:

- Prohibit structures, or uses of land or structures, that would adversely affect the surrounding neighborhood or conflict with the comprehensive plan
- Conform the rezoning to the comprehensive plan, or to further the goals and policies of the comprehensive plan
- Conform development under the rezoning to existing patterns of development in the surrounding neighborhood
- Mitigate the adverse effects of development under the rezoning on the surrounding neighborhood and on public facilities and services
- Allow for innovation in design or use of land

F. Special limitations shall do one or more of the following:

- Limit residential density or prohibit structures or uses of land or structures otherwise permitted in a use district
- Require compliance with design standards for structures and other site features
- Require compliance with a site plan approved under this title
- Require the construction and installation of improvements, including public improvements
- Impose time limits for taking subsequent development actions
- Impose time restrictions such as hours of operation or other additional numeric standards on permitted uses
City of North Pole, Phase 2; Block 2; Lot 1A

Rezone from TF to GC (General Commercial) for North Pole City Hall and Police Station

This permit requests a rezoning for the North Pole Public Safety Building to GC on Lots 1-5, Block 2. A conditional use has been in effect since the mid 1980’s, see attachment CU 005-80 for review. Further work on the site will require additional conditional use permit requests. This is not a desired approach by North Pole or the borough. The proper approach is to rezone the property to align with the North Pole Land Use Plan guidelines.

The North Pole Land Use Plan guides the land use framework for future growth and change. The land use plan adopted in 2005 identifies the property at 125 Snowman Lane as Commercial to provide for a full range of commercial and retail to serve area residents and visitors. The attached application is advancing the next step for Lots 1-5, Block 2 rezoning to align with city framework.

The current project provides a building addition of 3,000 square feet to the previous 6,000 square foot Police Department. The addition will provide the City of North Pole Police Department with a secure area that is separated from the main Police Department for the processing of individuals infected or suspected of being infected with COVID-19.

Intake Checklist

- Public Notice Sign Posting Affidavit – Not required.
- Zoning Petition – Signed by Mayor Michael Welch, see attached.
- Application fee – Fee Waived by FNSB.
- Sign deposit – Not required.
REZONE PETITION FORM
WE THE UNDERSIGNED JOIN IN REQUESTING AND AUTHORIZE
REZONING OF ________________ ZONE
FROM ________________ ZONE
TO ________________ ZONE.

ALL BLANKS MUST BE COMPLETED AND LEGIBLE.

Mayor Michael Welch
Printed Name
125 Snowman Lane, North Pole, AK 99705
Mailing Address

Signature
City of North Pole, Phase 2; Block 02; Lot 01A
Property Description (Subdivision, Lot & Block)

Signature
Property Description (Subdivision, Lot & Block)

Signature
Property Description (Subdivision, Lot & Block)

Signature
Property Description (Subdivision, Lot & Block)

Signature
Property Description (Subdivision, Lot & Block)

Signature
Property Description (Subdivision, Lot & Block)

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

Page 5 of 8 Revised 02/22/2021
A regular meeting of the Planning Commission was held Tuesday, October 26, 2021, in the Mona Lisa Drexler Assembly Chambers of the Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska.

**ROLL CALL**

There were present appearing telephonically and in person:

<table>
<thead>
<tr>
<th>Present</th>
<th>Absent &amp; Excused</th>
<th>Unexcused</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sandra Mota</td>
<td>Shane Koester</td>
<td>Mike Kenna</td>
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<tr>
<td>Savannah Fletcher</td>
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<tr>
<td>Jason McComas-Roe</td>
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<tr>
<td>Eric Muehling, Vice-Chair</td>
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<tr>
<td>Kellen Spillman, Acting Community Planning Director</td>
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<td>Sarah Bingham, Community Planning, Planner III</td>
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<tr>
<td>Bryant Wright, Parks and Recreation, Trails Coordinator</td>
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<tr>
<td>Annmarie Billingsley, Assistant Borough Attorney</td>
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<td>Wendy Dau, Assistant Borough Attorney</td>
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</table>

Comprising a quorum of the Commission, and

- Sharon Wittenkeller, Administrative Assistant III, Clerk
- Kerynn Fisher
- Chris Guinn
- Doug Sims
- John Perreault, Chair
MESSAGES

C.1 Communications to the Planning Commission

Kellen Spillman, Acting Community Planning Director, provided status updates on Ordinance No. 2021-37 and 2021-27, an internal data share event with the Department of Labor and U.S. Census Bureau, Community Planning new hires, departure of Sharon Wittenkeller as Clerk of the Planning Commission, new Planning Commissioner Kevin McKinley, and State Law changes that allow all-terrain vehicles (ATV) on public roadways lesser than 45 miles per hour.

C.2.a. Citizen’s Comments on agenda items not scheduled for public hearing.

NONE

C.2.b. Citizen’s Comments on items other than those appearing on the agenda.

NONE

C.3. Disclosure & Statement of Conflict of Interest

NONE

APPROVAL OF AGENDA AND CONSENT AGENDA

MUEHLING, Seconded by FLETCHER moved to approve the agenda and consent agenda as read.

VOTE ON MOTION TO APPROVE THE AGENDA AND CONSENT AGENDA AS READ.

Yeses: Fisher, Mota, Muehling, Fletcher, McComas-Roe, Sims, Guinn, Perreault

Noes: None

MOTION CARRIED 8 Yeses, 0 Noes

APPROVAL OF MINUTES


Without objection this measure was read by title and approved under the consent agenda.
LEGISLATIVE HEARING

1. RZ2022-001

A request by Bill Kinne of Design Alaska on behalf of Alaska Housing and Finance Corporation to rezone Lots 5A1, 5A2, 5A3, 3A and Tracts A, B, and C, Block 129, Fairbanks Townsite from Two-Family Residential to Multiple-Family Residential (located between Denali Way and 9th Ave). (Staff Contact: Melissa Kellner)

Kellen Spillman, Acting Community Planning Director, presented the staff report on behalf of Melissa Kellner. Based on the staff analysis, the Department of Community Planning recommended rezoning Lots 5A1, 5A2, 5A3, 3A and Tracts A, B, and C, Block 129, Fairbanks Townsite to Multiple-Family Residential.

Commissioners questioned and discussed with staff the following:

- Whether the City of Fairbanks still administers a landscaping element through review of their building code process; it was answered, they do, and parking lots will trigger the review.
- Whether it is expected for the property, once it is developed, to be required to have some landscaping; it was answered, the City of Fairbanks requirements were not analyzed, and it could be looked into. It was the understanding that their code would apply but could not be definitively answered.
- Whether the owners of Tract A and B were opposed or neutral with the rezone request; it was deferred to the applicant, but answered, they were approached and in communication with the applicant. One owner was going to sign on but decided not to at the last minute.
- Whether they anticipate development to be rentals or private ownership; staff was unable to answer for certain, however, it was stated the application did note a senior housing facility. Mr. Spillman spoke with the applicant’s representative and it was his understanding the rezone application was the first step and other development has not proceeded further.
- The availability of street parking nearby; it was explained, street parking is allowed on both Denali Way and 9th Avenue. Denali Way is a very narrow right-of-way/street, 9th Avenue is a wide street and could easily accommodate the street level parking. With multi-family developments, it is their goal to have onsite parking, which would be part of the review process for either their zoning permit or conditional use permit, when or if they propose a development.
- Whether the 20-28 property units mentioned were for properties owned by Alaska Finance Housing Corporation (AFHC) or for the entire area that would be rezoned, and/or the rezone combined with existing AFHC’s property; it was answered, that it is for the rezone area, it was noted, there are already several developed properties in the rezone area.
LEGISLATIVE HEARINGS - continued

- How many units would be allowed on property 7A2 as part of the existing multi-family zoning; staff requested time to run calculations and would provide answers before the close of the hearing.
- Whether the Golden Valley Electric Association (GVEA) easement, between Denali Way and 9th Avenue, needed to be vacated or how would it be addressed; it was answered, in general, other than the small easement on the west side, the electrical line does not seem to be covered by an easement. More information could be gained by speaking with the property owner.
- Whether there is a need for greater density housing and more housing in general; it was answered, yes, there is a need, there is a large demand for housing stemmed from military development. Vacancy rates for rental units are at all-time lows. The most recent rental survey noted an at or below 5% vacancy rate, which is particularly low. There is a need for housing in the community. Much of the housing being built in the last couple of years has been less dense housing developments not on utilities, about 1-acre lots or bigger. We are running out of a lot of good developable land in borough.
- Reasons as to why this area would be ideal for denser multi-family housing developments; it was answered, the last couple of years the Community Planning Department has been going through a Downtown planning process, which included a housing analysis for the plan. In general, there are not particularly great density of housing units in downtown that you would expect from other similar sized communities.
- Concerns for accidents or dangerous traffic concerning kids walking to school; it was answered, no, they did not see any safety issues with potentially adding slightly more traffic. They did several site visits, some during peak hours, when school was getting out. The volumes and speeds on 9th Avenue and Denali Way are very low, and no traffic counts are available. It was estimated about 100-200 vehicles per day which is a low count, and street parked cars have statistically proven to lower the average travel speed of vehicles.

Bill Kinne, Design Alaska, Applicant’s representative presented the following information:

- The driving force of the rezone is the replat they are currently working on; which is to create one tract of land just over 1.3 acres in size.
- Once the plat is recorded, the tract will be split zoning between multi-family and two-family, which is not ideal to have two zoning classifications on one parcel of land. It creates confusion and causes difficulty with development efforts.
- They hope to correct the issue of having two zones with the rezone request.
- The general development idea for the area is one-story, ranch style housing.
- AHFC does intend to maintain ownership of the property, once the rezone and replat are complete, and make the units available for tenants to rent.
LEGISLATIVE HEARINGS - continued

- After the final plat is recorded it will show a 30-foot public utility easement over where the powerline runs across the property. This will limit the development. They will have to split it into two sides, into a south and north portion of the tract which will have housing on it.
- The development plan is in line with what is already in the area and downtown Fairbanks.
- AHFC will maintain ownership of the property. They will have maintenance personnel. They will have an application process, a screening process, background checks for potential tenants.
- Tract A property owner did not respond to the rezone request and did not sign the petition. They were unable to reach them.
- Tract B property owners initially indicated interest but decided not to sign the petition.

In response to comments provided by citizens, Mr. Kinne addressed the following:

- In general, the streets in the area are similar to other streets in downtown Fairbanks, some are wider than others. Denali Way has a 30-foot right-of-way, the speed limit is 20 mph and is not a through or connector road to anything else. Lathrop Street is the main collector street.
- The development will require off street parking, the concept plans developed do take this into account.
- AHFC does not intend to purchase Tracts A, B and C and remove them from the tax rolls.
- AHFC does not have a large facility plan, it will be residential ranch style housing.
- Traffic volume will be split between Denali Way and 9th Avenue.
- The City of Fairbanks does not oppose the rezone but did have concerns of the on-street parking and snow storage. They will take the concerns into consideration with the development plan and will analyze the snow storage issue along with the onsite drainage based on the City of Fairbanks’ site review.

Commissioners and staff questioned and discussed with Mr. Kinne the following:

- 20 single story units on new tract F.
- Concept plans, whether there will be one large building or separate units; it was answered, a finalized concept has not been developed at this time.
- Apartment size range and estimated monthly rent.
- Whether Mr. Kinne was aware that on existing lot 7A2 with the multi-family zoning they could fit approximately 17 units; it was answered, they are aware.
- Clarification for the rezone request; it was answered, the overall intent and goal of AHFC is to create enough affordable housing for people.
LEGISLATIVE HEARINGS - continued

- Why rezone to a multi-family zone when you can build single family homes in either of the zones currently in the area; it was answered, it is in the overall development plan, one concept is for multiple row-type housing, with roughly 20 units.

Chair Perreault opened and closed public testimony as there were no individuals to provide public comment.

FLETCHER, Seconded by MEUHLING moved to recommend to the FNSB Assembly approval of RZ2022-001, a request to rezone approximately 0.98 acres from Two-Family Residential to Multi-Family Residential, adopting the staff report and six findings of fact in support of this recommendation.

Commissioner Fletcher expressed great need for denser housing. The rezone allows for the area to be within compliance of either lots on both sides and it is in line with the FNSB Comprehensive Plan. There is good access to utilities in an urban area. While there was some public comment against the rezone, most of the concerns were not relevant to the question before the Commission. Roads can accommodate the additional housing. Even though the underlining tone of low-income housing causing additional worries was not said outright it was an improper consideration for a rezone, and she supported the motion.

Commissioner Muehling stated the rezone connects two islands of multi-family zoning to create a contiguous multi-family zone which makes sense. It is not a spot zone. High quality affordable housing is essential. It contributes to a strong community and he supported the motion.

Commissioner Guinn supported the rezone, noting housing in that area is aging and somewhat deteriorating, it will be a good addition to the community and the use of vacant land with the ability to support a denser area.

Commissioner Fisher expressed her mixed feelings of the rezone. She noted it feels a bit like a spot zone, partially driven by the fact they have four properties in question, one owned by the applicant, one neighbor in support and two who did not weigh in. She wished it was part of something more comprehensive for the neighborhood at large and not just to support the replat and the development of Lot 7A2. She had concerns of increased traffic on Denali Way. If approved, she encouraged the City of Fairbanks to direct the traffic to 9th Avenue because it has a wider right-of-way and is a safer place for more traffic and pedestrians.
LEGISLATIVE HEARINGS - continued

VOTE ON MOTION TO RECOMMEND TO THE FNSB ASSEMBLY APPROVAL OF RZ2022-001, A REQUEST TO REZONE APPROXIMATELY 0.98 ACRES FROM TWO-FAMILY RESIDENTIAL TO MULTI-FAMILY RESIDENTIAL, ADOPTING THE STAFF REPORT AND SIX FINDINGS OF FACT IN SUPPORT OF THIS RECOMMENDATION.

Yeses: Muehling, Sims, Guinn, Fletcher, Mota, Perreault

Noes: McComas-Roe, Fisher

MOTION CARRIED

6 Yeses, 2 Noes

FINDINGS OF FACT IN SUPPORT OF THE APPROVAL

1. The FNSB Regional Comprehensive Plan designates the rezone area as Urban. The Urban designation is defined as “Area that is served or can be served with community water and sewer, and contains the most intensive residential, commercial, and industrial development.”

2. The current TF zoning and the proposed MF zoning are both consistent with the Comprehensive Plan Urban designation.

3. The MF zone could implement the Urban designation because the MF zone allows for a wider range of residential uses.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:

   a. Land Use Goal 3, to have a variety of land uses that fit the diverse needs of the community, and Strategy 7, provide a variety of residential land use opportunities.

   b. Land Use Goal 4, which is intended to enhance development opportunities while minimizing land use conflicts, and Strategy 10, Attract and support development that is compatible with and enhances existing land use. Action C is to provide suitable areas for the location of essential human services.

5. The rezone conforms to the public health, safety and welfare because:

   a. The proposed MF zone will better implement the Urban designation.

   b. The rezone would not make any existing uses nonconforming within the rezone area, as all uses permitted in TF are also permitted in MF.
c. The existing road network is capable of handling a traffic increase and maintained by the City of Fairbanks.

6. The rezone is not a spot zone or a reverse spot zone because:

a. The rezone is consistent with the comprehensive plan because it will better implement the Urban land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.

b. The implementation of the Comprehensive Plan is a benefit to the community by providing for a variety of residential uses and directly adjacent to two existing MF zoning districts.

c. The proposed rezone area is adjacent to lots that are already zoned as Multiple-Family Residential and would be connecting two existing MF zoning designations that were implemented by the Planning Commission and Assembly without spot zone concerns and create a contiguous MF zoning district of approximately 10.12 acres.

2. RZ2022-002

A request by James Bartlett of Design Alaska on behalf of Mayor Michael Welch to rezone Lot 1A, Block 2 City of North Pole Subdivision Phase 2 from Two-Family Residential (TF) to General Commercial (GC). (Staff Contact: Sarah Bingham)

Sarah Bingham, Community Planning, Planner III, presented the staff report. Based on the staff analysis, the Department of Community Planning recommended rezoning Lot 1A, Block 2, City of North Pole Subdivision Phase 2 to General Commercial.

Commissioners questioned and discussed with Ms. Bingham and Mr. Spillman the following:

- Clarification on how the rezone is not a spot zone; it was answered, there are three main tests for a spot zone. One is the consistency with the Comprehensive Plan; the rezone area is zoned residential and the Comprehensive Plan calls for it to be commercial. The second test, it needs to benefit the property owner and be a deterrent to the general community; that is not the case in this rezone, as the adjacent land is also zoned General Use or General Commercial. The final test is the size of the area, not just looking at this particular lot, but at the greater area, the classic definition of a spot zone is a proposal different than the surrounding zoning; this rezone is a continuation of the current surrounding zoning.
LEGISLATIVE HEARINGS – continued

James Bartlett, Applicant’s Representative, shared the following information:

- The North Pole Police Department is doing a 3,000 square foot addition to the police station building.
- Previously they were granted a waiver to complete an addition in the 1980’s.
- He is uncertain how the addition in the 1990’s was completed without a waiver.
- Either they have the option of asking for a waiver or request a rezone.
- He is unaware of any future additions to the police station beyond the one currently planned.
- By rezoning to General Commercial, it will assist with any designers and contractor work in the future for any additions that may take place.

Chair Perreault opened and closed public testimony as there were no individuals to provide public comment.

MCCOMAS-ROE, Seconded by SIMS
moved to recommend to the FNSB Assembly approval of RZ2022-002, a rezone of Lot 1A, Block 2, City of North Pole Subdivision Phase 2, from Two-Family Residential to General Commercial, adopting the staff report and six findings of fact in support of this recommendation.

Commissioner McComas-Roe concurred with staff’s recommendation and supported the motion.

Commissioner Sims echoed the concurrence with staff’s recommendation, noting it as housekeeping measures that are consistent with the City of North Pole’s Comprehensive Plan and he supported the motion.

VOTE ON MOTION TO RECOMMEND TO THE FNSB ASSEMBLY APPROVAL OF RZ2022-002, A REZONE OF LOT 1A, BLOCK 2, CITY OF NORTH POLE SUBDIVISION PHASE 2, FROM TWO-FAMILY RESIDENTIAL TO GENERAL COMMERCIAL, ADOPTING THE STAFF REPORT AND SIX FINDINGS OF FACT IN SUPPORT OF THIS RECOMMENDATION.

Yeses: Mota, Guinn, Fletcher, Fisher, McComas-Roe, Sims, Muehling, Perreault
Noes: None

MOTION CARRIED 8 Yeses, 0 Noes
FINDINGS OF FACT IN SUPPORT OF THE APPROVAL

1. The FNSB Regional Comprehensive Plan designates the rezone area as ‘Commercial’. The Commercial Area is intended for “to provide for a full range of commercial and retail to serve area residents and visitors.”

2. The current TF zoning is not consistent with the Comprehensive Plan ‘Commercial’ designation because the TF zone does not allow all commercial uses.

3. The GC zone would better implement the Commercial Area land use designation because the GC zone allows for a wider range of commercial uses.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:
   a. Land Use Goal 3, Strategy 8 which is intended to provide for commercial land uses in both urban and non-urban areas.
   b. Land Use Goal 4, which is intended to enhance development opportunities while minimizing land use conflicts, and Strategy 10, Attract and support development that is compatible with and enhances existing land use. Action C recommends provide suitable areas for the location of essential human services.

5. The rezone conforms to the public health, safety and welfare because:
   a. The proposed GC zone aligns with the Commercial area designation that the North Pole Land Use Plan, as it allows for the variety of commercial uses.
   b. The rezone would not make any existing uses nonconforming within the rezone area, as all uses permitted in TF are also permitted in GC.
   c. The existing road network is capable of handling a traffic increase.

6. The rezone is not a spot zone or a reverse spot zone because:
   a. The rezone is consistent with the Comprehensive Plan because it will better implement the Commercial Area land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.
   b. The implementation of the Comprehensive Plan is a benefit to the community by providing for a variety of commercial land uses.
   c. The proposed rezone area is 70,164 square feet and is adjacent to lots that are already zoned as General Commercial that total 55.9 acres.
EXCUSE FUTURE ABSENCE

NONE

COMMISSIONER’S COMMENTS/ COMMUNICATIONS

Commissioner Fisher wished Commissioner Fletcher good luck serving on the Assembly.

Commissioner Muehling encouraged all to drive over the newly opened University Avenue Bridge.

Commissioner McComas-Roe welcomed the reopening of the Wendell Street Bridge.

Commissioner Fletcher thanked the Commission, she learned a lot serving on the Planning Commission, and noted Kevin McKinley will be filling her seat.

Chair Perreault thanked Commissioner Fletcher for her service on the Planning Commission, he looked forward to her service on the Assembly, and welcomed Mr. McKinley to join them. Chair Perreault thanked Clerk Wittenkeller for her highly valued professionalism and competence, she will be missed. Chair Perreault stated he will be leaving the Planning Commission after the completion of his 2nd three-year term at the end of December. Prior to his exit he would like to address the Planning Commission Rules at the next meeting.

Commissioner McComas-Roe echoed Chair Perreault’s sentiments to Clerk Wittenkeller.

Commissioner Fisher inquired if there is still a vacancy for the North Pole seat.

ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:40 p.m.

APPROVED: December 14, 2021
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<td>North Pole City Of Fire Station 125 Snowman Ln North Pole, AK 99705</td>
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<td>DAVIS HOMESTEAD, BLOCK: 10, LOT: D</td>
<td>Peterson Gineva Suzan Peterson Wanda PO BOX 58508 Fairbanks, AK 99711</td>
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<td>SEQUOIA, BLOCK: 01, LOT: 09A</td>
<td>Rivera Paz Alex R Rivera Alisa M 558 Blanket Blvd North Pole, AK 99705</td>
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<td>SANTAS VILLAGE, LOT: 01A</td>
<td>Santas Village LLC PO BOX 55068 North Pole, AK 99705</td>
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<td>SEQUOIA, BLOCK: 02, LOT: 12-A</td>
<td>Staley Mack &amp; Maxine L Trust Agreement 485 Washington Ct Tiburon, CA 94920</td>
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<td>Tallant Investments LLC 711 Gaffney Rd Ste 100 Fairbanks, AK 99701</td>
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<td>Vic Vic LLC 3423 Old Richardson Hwy North Pole, AK 99705</td>
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<td>CARY, LOT: 02</td>
<td>Weston Ronald Weston Laura 19034 Ridge Rd Sw Vashon, WA 98070</td>
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<td>SEQUOIA, BLOCK: 02, LOT: 03</td>
<td>Steinman Marcia Rene Cary 1600 Washington Dr Apt 14 Fairbanks, AK 99709</td>
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<td>DAVIS, BLOCK: 08A, LOT: 02A</td>
<td>United States Postal Service Real Est/escrow Div Fsc 551 850 Cherry Ave San Bruno, CA 94069</td>
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<td>SEQUOIA, BLOCK: 02, LOT: 18A</td>
<td>Weston Walter 26529 NE 15th St Redmond, WA 98053</td>
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<td>CITY OF NORTH P2, BLOCK: 01, LOT: UMB02</td>
<td>Pollo Real Estate LLC PO BOX 74708 Fairbanks, AK 99707</td>
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<tr>
<td>SANTAS VILLAGE, LOT: 01F</td>
<td>S &amp; S Properties LLC 2601 Blueberry Rd Anchorage, AK 99503</td>
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<td>SEQUOIA, BLOCK: 02, LOT: 14-A</td>
<td>Staley Alaska Community Property Trust PO BOX 55882 North Pole, AK 99705</td>
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<td>SEQUOIA, BLOCK: 02, LOT: 05</td>
<td>Story Stacy Lynn Story Thomas Jason 2148 Standard Ave Fairbanks, AK 99701</td>
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<tr>
<td>SANTAS VILLAGE, LOT: 01B</td>
<td>Zan Inc PO BOX 2009 Kenai, AK 99611</td>
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**TOTAL: 51**
RZ2022-002
Bartlett on behalf of Mayor Welch

FNSB Planning Commission
October 26, 2021
RZ2022-002 Bartlett on behalf of Mayor Welch

Requesting to rezone from Two Family Residential to General Commercial
R2022-002 Bartlett on behalf of Mayor Welch

Current Zoning Designation
Title 18 Rezone Approval Criteria

1) Conforms to the FNSB Regional Comprehensive Plan Goals
   - Designated as “Commercial” in the North Pole Land Use Plan

2) Conforms to the public health, safety and welfare
   - Doesn’t create any nonconformities

3) Does not create a spot zone
   - Adjacent to other GC- zoned properties

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<td>Side and Rear</td>
<td>5 feet side and rear setbacks</td>
<td>No side or rear setbacks except 10 feet when adjacent to agricultural or residential zones</td>
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</table>
Draft Motion

I move to recommend to the FNSB Assembly approval of RZ2022-002, a rezone of Lot 1A, Block 2, City of North Pole Subdivision Phase 2, from Two-Family Residential to General Commercial, adopting the staff report and six findings of fact in support of this recommendation.
Findings of Fact

1. The FNSB Regional Comprehensive Plan designates the rezone area as ‘Commercial’. The Commercial Area is intended for “to provide for a full range of commercial and retail to serve area residents and visitors.”

2. The current TF zoning is not consistent with the Comprehensive Plan ‘Commercial’ designation because the TF zone does not allow all commercial uses.

3. The GC zone would better implement the Commercial Area land use designation because the GC zone allows for a wider range of commercial uses.

4. The rezone conforms to the following FNSB Regional Comprehensive Plan goals:
   a. Land Use Goal 3, Strategy 8 which is intended to provide for commercial land uses in both urban and non-urban areas.
   b. Land Use Goal 4, which is intended to enhance development opportunities while minimizing land use conflicts, and Strategy 10, Attract and support development that is compatible with and enhances existing land use. Action C recommends provide suitable areas for the location of essential human services.
Continued Findings of Fact

5. The rezone conforms to the public health, safety and welfare because:
   a. The proposed GC zone aligns with the Commercial area designation that the North Pole Land Use Plan, as it allows for the variety of commercial uses.
   b. The rezone would not make any existing uses nonconforming within the rezone area, as all uses permitted in TF are also permitted in GC.
   c. The existing road network is capable of handling a traffic increase.

6. The rezone is not a spot zone or a reverse spot zone because:
   a. The rezone is consistent with the Comprehensive Plan because it will better implement the Commercial Area land use designation. The rezone advances Land Use Goals 3 and 4 of the Regional Comprehensive Plan.
   b. The implementation of the Comprehensive Plan is a benefit to the community by providing for a variety of commercial land uses.
   c. The proposed rezone area is 70,164 square feet and is adjacent to lots that are already zoned as General Commercial that total 55.9 acres.
Fairbanks North Star Borough Fiscal Impact Statement (FIS) (FNSBC 3.20.010 C.)

Originator's Name: Kellen D. Spillman
Department: Community Planning

To Be Introduced/Sponsored By:

Abbreviated Ordinance Title: City of North Pole City Hall Rezone

Department(s)/Division(s) Affected: Community Planning/Planning and Zoning

Proposed Introduction Date: December 9, 2021
Ordinance No.: 2201-40

Does this ordinance authorize:
1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes No ✓

2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes No ✓

FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE

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<td>2. Number and type of new positions which may be required</td>
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<td>3. Cost of operations and maintenance</td>
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<td>5. Estimated revenue impact</td>
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<td>6. Estimated non-Borough funds that may be received:</td>
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<tr>
<td>a. to fund the ordinance</td>
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<td>b. to fund future phases</td>
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<td>c. to fund future operations and maintenance costs</td>
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<td>7. Anticipated annual tax subsidy</td>
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Is backup attached? Yes No ✓

Contact Person's Name, for FIS questions: Kellen Spillman
Extension: 1266

Director(s) Signature(s): Date: 11/16/21

Mayor's Office or Assembly Member Signature:

Chief Financial Officer Signature:

W:\Financial Services\FS Ordinances & Resolutions\ORDINANCE\Fiscal Impact Statement Form & Procedures\Fiscal Impact Statement 10-15-2021 Revision.pdf
NOTICE OF PUBLIC HEARING

The Fairbanks North Star Borough Assembly will hold a public hearing on **Thursday, January 13, 2022** at or after 7:00 p.m., in the Mona Lisa Drexler Assembly Chambers, Juanita Helms Administration Center, 907 Terminal Street, on the following item:

**ORDINANCE NO. 2021-40.** An Ordinance Rezoning Lot 1A Block 2, City Of North Pole Subdivision Phase 2 From Two-Family Residential To General Commercial Or Other Appropriate Zone (Located At Snowman Lane And Cary Avenue) (RZ2022-002). (Sponsor: Assembly)

All interested persons shall be given the opportunity to speak at this public hearing and/or submit written comments. Comments to the Assembly can be mailed to P.O. Box 71267, Fairbanks, Alaska 99707, or emailed to assembly@fnsb.gov. Please reference Ordinance No. 2021-40 on all correspondence. Visit [https://www.fnsb.gov/415/Stay-Connected-with-the-Assembly](https://www.fnsb.gov/415/Stay-Connected-with-the-Assembly) for up-to-date information on participating at Assembly Meetings during the COVID-19 public health emergency.

Any questions regarding this zoning request can be directed to the Department of Community Planning at (907) 459-1260.

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