

FNSB PLATTING BOARD
ACTION MEMO
December 20, 2017
BOROUGH ASSEMBLY CHAMBERS
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.

IN ATTENDANCE: Kellie Fritzie, Crystal Haman, Troy Hicks, Whitney Malin, Jason McComas-Roe, Clint Meyer and Bill Mendenhall

ABSENT: Randy Pitney (excused)

APPLICATIONS

Preliminary Applications

1. **SD015-18 Page Subdivision** A request by Blizzard Alaska Surveys, on behalf of George Allen Page, to subdivide the NE ¼ NW ¼ SE ¼ NE ¼ and W ½ NW ¼ SE ¼ NE ¼ Section 20, T1S R2E FM, also known as Tax Lot 2017, into two lots of 3.984 and 2.756 acres (Located on Muskeg Lane). This request includes a variance from construction of Muskeg Lane. **(Staff Contact: Angela Parker)**

The Board gave preliminary approval to the request, subject to the following conditions:

1. GVEA shall have ten days to review and comment on the final plat.
2. All easements of record shall be shown on the final plat.
3. A note shall be placed on the final plat which states, "Soils within this subdivision do not support conventional wastewater disposal systems. An alternative system approved by ADEC may be required."
4. The approved variance shall be noted on the final plat.
5. Note #5 shall be corrected to include, "All development shall be required to comply with federal regulations and FNSBC Title 15."
6. A temporary turnaround shall be dedicated that provides 40ft of frontage for each lot.

Furthermore, the Platting Board adopted the following findings of fact in support of approval:

- a. The subdivision proposal creates two lots from one and dedicates right-of-way for Muskeg Lane.
- b. The proposed subdivision is within Lee Lane Road Service Area.
- c. Legal access is from Muskeg Lane. Lee Lane is a private road that does not meet FNSBC requirements for legal access.
- d. Muskeg Lane east of the proposed subdivision was approved by the borough engineer in 1985.
- e. Muskeg Lane is maintained by the service area to the eastern boundary of the proposed subdivision.
- f. The topography is relatively flat within the proposed subdivision.
- g. With the variance and conditions, the subdivision meets the requirements of FNSBC Title 17.

APPROVED

2. **VR010-18/SD008-13/RP017-13 Morning Sun Subdivision First Addition** A request by 3 Tier Alaska, Corp., on behalf of Edward and Galilee Halbert, for a variance from FNSBC 17.56.100.C.7.a to allow the through road grade of Bruhn Road to exceed six percent 75-feet each side of its intersection with the proposed subdivision road, Galilee Drive. The property is located within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21 T1N R1W FM (located on Bruhn Road). **(Staff Contact: George Stefan)**

The Board approved the variance request.

The Board gave preliminary approval to the request base on the following five findings of fact:

- a) Bruhn Road's intersection with Summer Rose Drive and the driveways in this area would adversely be impacted if the Bruhn Road roadway grade was brought up to Title 17 standards.
- b) Summer Rose Drive would have to be reconstructed to properly intersect with Bruhn Road if the Bruhn Road roadway grade was brought up to Title 17 standards.
- c) If the Bruhn Road roadway grade was brought up to Title 17 standards there would be significant potential impacts to existing conditions in the surrounding area such as drainage, the cut slope to the north and GVEA power line
- d) The subdivision, with the variance, can be developed consistent with public welfare and safety because:
 - i. There is adequate sight distance at the intersection.
 - ii. Bruhn Road does not create a hazard at the intersection because it is a through road with no stopping leg. Galilee Drive is the new subdivision's intersecting road which is required to stop at the intersection, and it will be constructed to Title 17 standards.
- e) FNSB Public Works supports the variance.

APPROVED

3. **SD013-18 Garden Subdivision 1st Addition** A request by Stutzmann Engineering Associates, Inc., on behalf of Lee Schut, Jomarie Kougl-Schut, and Josephine Kougl, to subdivide TL-3233 and TL3205, parcels of approximately 4.39 acres and 1.29 acres in size, by shifting a common lot line to the west and creating two lots of approximately 3.4 acres and 2.3 acres in size. The request includes a variance from FNSBC 17.56.080.D to not require dedication of a temporary turnaround or cul-de-sac at the end of a public road. The parcels are located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T1S R2E FM (Located on Woll Road). **(Staff Contact: Daniel Welch)**

The Platting Board denied a variance from FNSBC 17.56.080.D to not dedicate a temporary turnaround or cul-de-sac at the end of the existing public access that does not continue beyond the boundary of the subdivision.

The Board gave preliminary approval to the request, subject to the following conditions:

1. GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS, GCI and IGU shall be given a maximum of 10 calendar days to review and comment on the final plat.
3. A 40ft-wide public right-of-way shall be dedicated consistent with the intent of the Dedication Deed recorded on December 15, 1980 in Book 199 at Page 730, Fairbanks Recording District.

4. The portion of Woll Road within the northern boundary of the subdivision shall be renamed on the final plat and must meet the criteria of FNSBC 17.36.010.B. FNSB Addressing shall review the final plat to ensure the requirements of FNSBC 17.36.010.B have been met.
5. A 100ft diameter temporary turnaround shall be dedicated providing a minimum of 40ft of frontage for Lot 1.
6. A note shall be placed on the final plat which states, "Roads in and to this subdivision were not required to and may not meet the borough's minimum standards for materials and construction. To the extent these road standards have not been met, fire protection, ambulance and other public services may not be available year-around or their availability may be severely limited."
7. A note shall be placed on the final plat which states, "Portions of this subdivision may contain wetlands. If development plans entail the discharge or placement of dredged and/or fill material into these wetlands, issuance of an individual Department of the Army permit may be required pursuant to section 404 of the Clean Water Act prior to initiating work."
8. Note # 10 shall be removed from the final plat.
9. A note shall be added to the final plat which states "These lots may not be further subdivided until such time as legal and constructed road access, meeting FNSB Title 17 standards, is available to the boundary of the lot proposed to be resubdivided."
10. Any approved variance shall be noted on the final plat.

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

- a) The Dedication Deed providing a 40ft-wide public right-of-way over a portion of Woll Road was recorded in 1980 (Bk 199, Pg 730 F.R.D.). and has been used for lot access for over 30 years. Construction for the roadway within the right-of-way created by the deed is not required. Dedication by this plat and approved by the FNSB over the same land described in the dedication deed by formally accepts the right-of-way historically connected to these properties.
- b) FNSBC 17.36.010.B states "Street names shall neither duplicate nor be subject to confusion with the spelling or the pronunciation of any existing street name in the borough." Condition # 4 satisfies this requirement.
- c) FNSBC 17.56.080.D states "Roads that do not connect to adjacent roads shall end in a cul-de-sac or temporary turnaround." Condition # 5 satisfies this requirement.
- d) Dedication of turnaround meeting FNSBC 17.56.080.D is consistent with FNSBC 17.08.010.A.5.
- e) Note # 10 on the preliminary plat provides information for the purpose of staff analysis during the preliminary plat application process. The information from Note # 10 is not required on the final plat.
- f) The subdivision request is exempt from constructing a portion of Woll Road per FNSBC 17.56.020.G because:
 - i. The proposed subdivision creates two lots.
 - ii. Legal access exists to the subdivision boundary from Woll Road dedicated by deed in 1980, found on Book 199, Page 730 Fairbanks Recording District.
- g) The applicants have applied for and shall be exempted from the road construction requirements for the 100-foot diameter temporary turnaround per FNSBC 17.56.060.A. because:
 - i. The proposed subdivision creates two lots.
 - ii. The proposed subdivision is not within a road service area and does not rely on road service area roads for access to the subdivision.

- h) With the ten conditions recommended by staff, this subdivision request meets the applicable requirements of Title 17.

APPROVED

- 4. **SD016-18 Chena Point Lake Subdivision 1st Addition** A request by Stutzmann Engineering Associates, Inc., on behalf of Chena Point Gravel, L.L.C., to subdivide Lot 1, Chena Point Lake Subdivision, a parcel of approximately 40.2 acres, into two lots of approximately 35.73 acres and 3.0 acres, and dedicating a 33 foot wide right-of-way along the western boundary of the subdivision over the existing section line easement and portions of the existing Raven Lake Street. The parcel is located within the NW $\frac{1}{4}$ Section 27, T1S R2W FM (Located Chena Pump Road and Raven Lake Street). **(Staff Contact: Daniel Welch)**

The Platting Board approved a variance from FNSBC 17.56.020.B to allow an existing public roadway to provide physical road access to lots within the subdivision that does not meet Title 17 standards with the following condition:

- 1. The final plat shall maintain note #14 on plat which states, "Roads in and to this subdivision were not required to and may not meet the borough's minimum standards for materials and construction. To the extent these road standards have not been met, fire protection, ambulance and other public services may not be available year-around or their availability may be severely limited."

Furthermore, the Board adopted the following Findings of Fact in support of the variance approval:

- a) The requirement is impractical because the current boundary of the Chena Point Road Service Area covers a portion of the proposed subdivision; therefore, not allowing the request to apply the road construction exemption of FNSBC 17.56.060.A to a portion of the roadway that would not be maintained by the road service area.
- b) The variance is taking place of the road construction exemption found in FNSBC 17.56.060.A due to specific circumstances and development surrounding the subdivision and should require the same plat note required by the road construction exemption because:
 - i. If the boundary of the Chena Point Road Service Area did not include a portion of the subdivision, the request would rely on the road construction exemption of FNSBC 17.56.060.A, or the applicant would have to construct a portion of Raven Lake Street and the temporary turnaround to Title 17 standards.
 - ii. The variance is providing the same benefit as the road construction exemption.
 - iii. The required note is consistent with protecting the health, safety and welfare of the public.
- c) Only a portion of the property falls within the Chena Point Road Service Area.
- d) The road service area does not maintain any portion of Raven Lake Street to date.
- e) Proposed Lot 1B and the portion of Raven Lake Street affected by this variance can be requested by the owner to be removed from the Chena Point Road Service Area after the plat for Chena Point Lake Subdivision is recorded.
- f) Raven Lake Street has some form of construction and will support most vehicles, to include the trucks traversing the roadway for the gravel pit operations.
- g) The FNSB Transportation Planner, Public Works engineer and Rural Services engineer support the variance.
- h) Specific to this request, a variance from FNSBC 17.56.020.B will not jeopardized the health, safety and welfare of the public.

The Board gave preliminary approval to the subdivision request, subject to the following conditions:

1. GVEA and ADOT&PF shall have a maximum of 30 days to review and comment on the final plat.
2. ACS, Chena Goldstream Fire Service, and Chena Point Road Service Area shall have a maximum of 10 days to review and comment on the final plat.
3. A 100ft diameter temporary turnaround shall be dedicated providing a minimum of 40ft of frontage for Lot 1B.
4. A note shall be added to the final plat that states "Additional access onto Chena Pump Road is prohibited. There are two existing access points from the subdivision onto Chena Pump Road. Any modification to, or use of an existing access point will require an approved DOT permit."
5. An approved and completed DOT permit shall be submitted for the connection of Raven Lake Street into the Chena Pump Road right-of-way prior to final plat approval.
6. Notes 10 and 13 shall be removed from the final plat.
7. The final plat for Chena Point Lake Subdivision shall be approved and recorded prior to approval and recording of the plat for Chena Point Lake Subdivision, 1st Addition.

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

- a) The proposed subdivision creates two lots.
- b) The proposed subdivision dedicates right-of-way for a portion of Raven Lake Street.
- c) The proposed subdivision does not qualify for either the FNSBC 17.56.010.G or FNSBC 17.56.060.A road construction exemptions for roads leading to, or within, the subdivision.
- d) FNSBC 17.56.080.D states "Roads that do not connect to adjacent roads shall end in a cul-de-sac or temporary turnaround." Condition #3 satisfies this requirement.
- e) Construction of Raven Lake Street and the temporary turnaround to Title 17 standards is not required by this plat if the Variance to FNSBC 17.56.020.B is granted.
- f) FNSBC 17.56.010.F states "Direct lot access onto a major collector road or arterial shall not be allowed unless topography allows no reasonable alternative." Access to the proposed lots is via Raven Lake Street. The plat does not propose direct lot access onto Chena Pump Road.
- g) Chena Pump Road is a DOT maintained roadway and an appropriate permit is required for the connection of Raven Lake Street onto Chena Pump Road.
- h) The proposed subdivision is partially within the Chena Point Road Service Area. Raven Lake Street is not maintained by the road service area.
- i) Once the final plat for Chena Point Lake Subdivision is recorded, the property owner for proposed Lots 1A and 1B may formally request the property to be removed from the Chena Point Road Service Area.
- j) Condition #7 is based on Staff's recommended condition for approval for variance request VR013-18. Condition #7 is only applicable to the subdivision request if VR013-18 is approved as recommended by staff.
- k) The lot proposed to be subdivided by this plat is to be created by Chena Point Lake Subdivision. The final plat application for Chena Point Lake Subdivision has been submitted, but a final plat for the subdivision has not been recorded. Condition #8 requires it to be recorded.
- l) With the variance and seven conditions recommended by staff, this subdivision meets the applicable requirements of Title 17.

APPROVED

5. **SD017-18 Chena Landings Subdivision First Addition** A request by Northland Surveying & Consulting LLC, on behalf of the Alaska Railroad Corporation, to subdivide Tracts 4 and 5 of Chena Landings Subdivision, totaling approximately 12.6 acres, in three phases into 23 lots ranging in size from 9,000 to 57,000 square feet and a remainder tract of 5.1 acres. The subdivision proposal includes a request for a variance to allow the six proposed flag lots to have 20ft wide flag stems. The property is located within the W½ Section 9, T1S R1W, FM (located on Chena Landings Loop Road and Phillips Field Road). **(Staff Contact: George Stefan)**

The Platting Board approved a variance from FNSBC 17.56.010.H.2.a to allow the six flag lots to have 20ft wide flag stems.

The Board gave preliminary approval to the request, subject to the following conditions:

1. A note shall be placed on the final plat which states, "Direct access from Lot 1 onto Phillips Field Road is prohibited for this subdivision. Access from Lot 1 onto Chena Landings Loop Road is restricted to the furthest point practical to the south of Phillips Field Road."
2. A minimum 20-foot radius corner rounding shall be dedicated at the intersection of Chena Landings Loop Road and Phillips Field Road.
3. The approved variance shall be noted on the final plat.
4. The flood zone note shall be revised to indicate Flood Zone X: Protected by Levee.
5. A note shall be placed on the final plat which states, "A driveway permit is required from the City of Fairbanks for access to lots adjoining Chena Landings Loop Road."
6. A note shall be placed on the final plat which states, "All parcels within this subdivision are required to connect to sewer and water facilities in accordance with City of Fairbanks Ordinances."
7. ACS and GCI shall have a maximum of 10 calendar days to review and comment on the final plat.
8. GHU, ADOT&PF and the City of Fairbanks shall have a maximum of 30 calendar days to review and comment on the final plat.
9. The applicant shall work with GVEA to ensure that the appropriate utility easements are created and depicted on the final plat.
10. The final plat application for the first phase shall be submitted by December 20, 2019, and the final plat application for the last phase shall be submitted by December 20, 2023.

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

- a) FNSBC 17.56.010.F states, "Direct lot access onto a major collector road or arterial shall not be allowed unless topography allows no reasonable alternative. Where double-frontage lots are platted, lots shall not access onto major collector or arterial roads unless topography allows no reasonable alternative. Restricted access shall be noted on the plat." Condition #1 satisfies this requirement.
- b) Per FNSBC 17.56.100.C.2 corner roundings with a minimum 20-foot radius shall be required at intersections. Condition #2 satisfies this requirement.
- c) Per FNSBC 17.12.030.J the Platting Board may provide for the later submittal of one or more phases or segments of the subdivision, and deadlines for submitting the last phase shall be set by the Platting Board at the initial preliminary subdivision hearing. Condition #10 satisfies this provision.
- d) With the ten conditions recommended by staff, this subdivision request meets the applicable requirements of Title 17.

APPROVED

6. **SD018-18/RP013-18 TanChena Bluff** A request by Northland Surveying & Consulting LLC, on behalf of Fairhill, Inc., to subdivide Lot 2 Hopkins Subdivision, totaling approximately 13.05 acres, in three phases into five lots ranging in size from 1.75 to 3.22 acres and to dedicate new right-of-way for Edby Road. The property is located within the S½ Section 28, T1S R2W FM (located on Edby Road, Pickering Drive and Chena Pump Road). (**Staff Contact: George Stefan**)

The Board gave preliminary approval to the request, subject to the following conditions:

1. GVEA, IGU and ADOT shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS shall be given a maximum of 10 calendar days to review and comment on the final plat.
3. A note shall be placed on the final plat which states, "Lots 1-5 may not be further subdivided until such time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided."
4. A note shall be placed on the final plat which states, "Portions of Lots 1-5 appear to have slopes greater than 25%. On-site wastewater disposal systems on slopes greater than 25% shall be designed by a professional engineer registered in the State of Alaska and approved by the State of Alaska Department of Environmental Conservation (ADEC). Any onsite wastewater disposal system must meet the requirements of ADEC."
5. The final plat application for the first phase shall be submitted by December 20, 2019, and the final plat application for the last phase shall be submitted by December 20, 2023.

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

1. The subdivision request is exempt from constructing the portion of Edby Road from its intersection with Roden Lane to the subdivision boundary per FNSBC 17.56.020.G because:
 - i. The proposed subdivision creates five lots.
 - ii. Legal access exists to the subdivision boundary from Edby Road dedicated by Plat No. 69-3.
2. Per FNSBC 17.56.020.G a lot created under this subsection may not be further subdivided until such time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided. Condition #3 satisfies this.
3. Per FNSBC 17.12.030.J the Platting Board may provide for the later submittal of one or more phases or segments of the subdivision, and deadlines for submitting the last phase shall be set by the Platting Board at the initial preliminary subdivision hearing. Condition #5 satisfies this.
4. With the five conditions recommended by staff, this subdivision request meets the applicable requirements of Title 17.

APPROVED

7. **SD007-18/RP006-18 Sholes Subdivision First Addition** A request by Northland Surveying & Consulting, LLC, on behalf of R.C. & Joyce Swarthout, Jeffrey & Molly Green, and Ralph & Marilyn Swarthout, to subdivide Tract A Sholes Subdivision and TL-2311, totaling approximately 127.8 acres, into two lots of 59.0 and 68.8 acres. The request includes a variance to the requirement to provide road design data for the existing flag stem north of Mink Lane. The parcel is located within the SE¼ Section 23, T1N R2E FM (Located on Buffalo Lane and Mink Lane). (**Staff Contact: Angela Parker**)

The Platting Board approved a variance from FNSBC 17.56.010.H.2.b to waive the requirement that evidence that a borough standard road can be constructed within the flag stem.

The Board gave preliminary approval to the request, subject to the following conditions:

1. GVEA shall have ten days to review and comment on the final plat.
2. All easements of record shall be shown on the final plat.
3. Approved variance shall be noted on the final plat.
4. A note shall be placed on the final plat which states, "Lots in this subdivision may not be further subdivided until such a time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided (FNSBC 17.56.020.G)."

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

- a. The subdivision proposes to move the lot line between two existing properties and dedicate a temporary turnaround at the north end of Mink Lane.
- b. The proposed lots are over 40 acres each.
- c. The proposed subdivision is not within a road service area.
- d. The Comprehensive Road plan depicts the continuation of Mink Lane as a minor collector through the proposed subdivision.
- e. No roads are required for the subdivision proposal; therefore, no dedication for the Comprehensive Road plan is required (FNSBC 17.56.110.A).
- f. Buffalo Lane, Mink Lane and Adventure Road provide legal access to the proposed subdivision.
- g. Adventure Drive was approved by the borough engineer on October 5, 2007.
- h. Buffalo Lane and Mink Lane were approved by the borough engineer on October 3, 1975.

APPROVED

Further information can be obtained from *FNSB Platting* at 459-1260 or 907 Terminal Street, Fairbanks, AK 99701.