PLANNING COMMISSION MEETING

October 24, 2017
AGENDA

October 24, 2017
6:00 p.m.

A. ROLL CALL

B. MESSAGES

1. Chairperson’s Comments
2. Commissioner’s Comments
3. Communications to the Planning Commission
4. Citizen’s Comments – limited to three (3) minutes
   a. Agenda items not scheduled for public hearing
   b. Items other than those appearing on the agenda
5. Disclosure & Statement of Conflict of Interest

C. APPROVAL OF AGENDA AND CONSENT AGENDA

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

D. *MINUTES


E. QUASI-JUDICIAL HEARINGS

1. CU2018-003: A request by Ryan Hallsten DBA R.C.H. Cultivation on behalf of S. Corp Inc. for conditional use approval of a marijuana cultivation facility, indoor large in the General Use 1 (GU-1) zone on Lot 21, Fairbanks Industrial Park Subdivision (located at 2745 Hanson Road, on the south side of Hanson Road, between Commerce Street and Deere Street). (Staff Contact: Manish Singh) Page 15

2. CU2017-010: A remand of a request by Dan Sloan on behalf of the Fairbanks North Star Borough Public Works Department, for conditional use approval of a solid waste public dumping site in the Multiple-Family Residential/Professional Office (MFO) zone on Lot 1, Chena Pump Solid Waste Transfer Station Subdivision (located on the south side of Old Chena Ridge Road, west side of Chena Pump Road, and southwest of the Parks Highway). The Board of Adjustment remanded this case to the Planning Commission to rehear and enter specific findings consistent with the following: Whether the impacts on nearby residential neighborhoods have been adequately addressed with the proposed conditions, or whether additional conditions should be imposed to ensure the protection
of the public health, safety and welfare. Specifically, the Planning Commission should consider (1) noise mitigation; (2) whether set hours of operation or maintenance should be imposed; (3) whether limitations on the use of lighting are necessary; and (4) whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property. (Staff Contact: Stacy Wasinger)

F. PUBLIC HEARING

1. RZ2018-003: A request by Northland Surveying & Consulting LLC, on behalf of Ainley International Memorial Fund, to rezone approximately 218 acres from Two-Family Residential (TF), Single-Family Residential (SF-10), Multiple-Family Residential (MF), General Commercial (GC), Light Industrial (LI), Outdoor Recreation (OR), and Multiple-Family Residential/Professional Office (MFO), and Waterway Setback Designation (WS) overlay zone, all with the Groundwater Damage Protection overlay (GWP) to Two-Family Residential (TF), Multiple-Family Residential (MF), General Commercial (GC), and Light Industrial with Special Limitations (LI/SL), all with the Groundwater Damage Protection (GWP) overlay zone and a 25’ Waterway Setback Designation (WS) overlay zone from Beaver Springs Creek or other appropriate zone. The proposed rezone boundary includes parcels described as all of North Star II Subdivision and all of North Star II Buzby Subdivision (located southwest of the Richardson Highway, west of Buzby Road, east of the Alaska Railroad and Old Richardson Highway). (Staff Contact: Stacy Wasinger)

G. EXCUSE ABSENT MEMBERS

H. COMMISSIONER’S COMMENTS

I. ADJOURNMENT
A regular meeting of the Fairbanks North Star Borough Planning Commission was held in the Mona Lisa Drexler Assembly Chambers, Juanita Helms Administration Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 6:03 p.m. by Wendy Presler, Chairperson.

MEMBERS PRESENT: Charles Whitaker Eric Muehling
John Perreault Robert Peterson
Patricia Thayer Chris Guinn
Wendy Presler

MEMBERS ABSENT: David Brandt Mike Stepovich
Mindy O’Neall

OTHERS PRESENT: Christine Nelson, Director of Community Planning
Kellen Spillman, Deputy Director, Community Planning
Manish Singh, Planner
Stacy Wasinger, Planner
Don Galligan, Transportation Planner
Wendy Doxey, Assistant Borough Attorney
Nicole Nordstrand, Administrative Assistant

1. ROLL CALL

B. MESSAGES

1. Chairperson’s Comments

There were no comments by the Chairperson.

2. Commissioner’s Comments

There were no comments by Commissioners.

3. Communications to the Planning Commission

Ms. Nelson communicated that the Downtown Fairbanks Planning Community Meeting was held Wednesday, September 27, 2017, and explained other outreach efforts taking place to get more community involvement. She further communicated that the FMATS Charrette also took place and generated positive growth scenarios.

Ms. Nelson advised of an upcoming “Conversation with Surveyors” to discuss any concerns there may be with Title 17, and to educate the surveying community in an effort to better meet their needs.

Mr. Guinn inquired if there are any new appeals. Ms. Nelson advised that CU2017-025 has been appealed.
4. Citizen’s Comments – limited to three (3) minutes

There were no comments by Citizens.

5. Disclosure & Statement of Conflict of Interest

Ms. Thayer disclosed that related to HP2018-002 she had worked on a project which was part of milepost 357 and it is completed and closed out.

Ms. Thayer further disclosed that related to RZ2018-002, as a consultant, she has a term-contract with the Alaska Railroad, but does not work on property they owner rather property they acquire.

Ms. Presler inquired on HP2018-002, and asked Ms. Thayer if she had previously worked on milepost 357. Ms. Thayer responded the property was milepost 357 – 353 and it is closed now and was an access improvement project. Ms. Preiser asked if she was directly involved in the planning of the pedestrian path project and Ms. Thayer stated “no”. Ms. Presler queried if the outcome of HP2018-002 would have any bearing on her employment or financial situation and Ms. Thayer indicated it would not.

Ms. Presler determined no conflict exists.

Ms. Presler inquired on RZ2018-002, and asked Ms. Thayer if through her term contract had been specifically involved in the project related to RZ2018-002, and Ms. Thayer stated she was not.

Ms. Doxey questioned if Ms. Thayer’s company is the only company with a term contract with the Railroad, and Ms. Thayer responded there are two other companies that hold term contracts for real estate services. Ms. Doxey sought confirmation that her company would be one of three that could potentially be approached for a job, and Ms. Thayer confirmed as well as confirmed she had no direct financial interest.

Ms. Presler determined no conflict exists.

C. * APPROVAL OF REVISED AGENDA AND CONSENT AGENDA

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

MOTION: To approve the Agenda and Consent Agenda by Mr. Peterson and seconded by Mr. Muehling.

PASSED WITHOUT OBJECTION

D. MINUTES

E. **CONSENT AGENDA ITEMS**

1. *HP2018-002:* A request by the State of Alaska, Department of Transportation and Public Facilities for local planning authority approval of the Richardson Highway Milepost 357-362 Bicycle/Pedestrian Path project. This project proposes to construct a mixed-use pedestrian and bicycle facility adjacent to the Richardson Highway between Badger Road and Airport Way/Gaffney Road in Fairbanks, Alaska.

F. **PUBLIC HEARING**

1. **RZ2018-001:** A request by Robert Dyer to rezone approximately 17.5 acres from General Use 1 (GU-1) to Rural Residential (RR) or other appropriate zone. The proposed rezone includes parcels described as Benshoof Subdivision – Phase 2, Block 1, Lots 15-24 and Block 2, Lots 1-6 (located on Benshoof Drive and Golf Court, south of Chena Slough, east of Badger Road and north of Bradway Road).

The Applicant, Robert Dyer, was present.

**Mr. Manish Singh** provided a presentation of his staff report and recommendations on behalf of the Borough’s Planning Department.

**Questions by Commissioners**

**Mr. Muehling** provided a scenario on potential reverse spot zones in future rezone applications and asked what policies are in affect to handle those types of rezones.

**Mr. Singh** responded that the application fee waiver does not guarantee a rezone will be approved and deferred to Mr. Spillman on the remainder of the question.

**Mr. Spillman** communicated that there is a three (3) part test brought about by Griswold v. City of Homer to determine whether a rezone is a spot zone, and it is applied to every rezone.

**Mr. Guinn** commented that North Pole water will be brought into this neighborhood and all along Badger Road, and asked if/when more intensive planning will be done and what is being planned.

**Mr. Spillman** responded that the Borough has received grant funding to do an area plan for Badger Road and Salcha area, and consultant proposals are currently under review.

**Applicant’s Testimony**

**Mr. Dyer** testified to the Planning Commission that his neighborhood had been governed by covenants which had recently expired, but the covenants were designed to mirror the rural residential zoning requirements. He further stated the need to request a rezone arose due to an application for a marijuana cultivation facility conditional use permit application. Mr. Dyer communicated his neighbors’ desire to safeguard their neighborhood from uses allowable in a GU-1 zone; sexually oriented businesses, shooting range, etc., to protect the residential character of the neighborhood. Mr. Dyer communicated the involvement of the subdivision property owners and efforts when forming the petition and the potential for non-conforming properties should the rezone happen, and conveyed plans by those property owners.
Public Testimony Opened

Mr. Leo Valdrow testified as to his history in the neighborhood and the character of the residential neighborhood.

Mr. Muehling inquired if Mr. Valdrow understood they would now have property rights afforded to rural residential zoning and forfeit those allowed in GU-1. Mr. Valdrow stated he understood.

Mr. Mark Gudschinsky testified he has a rental in the neighborhood and stated his desire to protect the safe neighborhood which exists.

Ms. Doxey clarified the legislative nature of the matter and advised anyone from the public can testify.

Mr. Brad Erichson testified he is a renter in the neighborhood and desires to have the zoning reflect the true residential nature of the neighborhood.

Ms. Sue Valdrow testified of her desire to keep the neighborhood integrity intact.

Mr. Muehling inquired about the noise impact from Badger Road. Ms. Valdrow replied there is not a lot of noise because of the existing tree buffer.

Ms. Lara Freeman testified of her desire to preserve and maintain residential nature of neighborhood free of businesses.

Ms. Lois Maxwell testified about her introduction to the neighborhood and appropriateness of being zoned rural residential.

Mr. Austin Somaduroff described the character of the neighborhood and the negative impact it would have if the lots were used for industrial use.

Ms. Monique Daigle testified she is the property owner of the marijuana cultivation facility (CU2017-025) recently approved, and stated her belief that she can conform to the 100 foot buffer by moving the entry door, and approves of the rezone so long as it does not interfere with her permit.

Mr. Muehling asked Ms. Daigle how far along she is in the State application and permitting process, and Ms. Daigle responded she is scheduled for the November meeting, and there is approval from DEC on the septic system installation, approval for foundation from fire and life safety, and in the process of obtaining approval for the structure.

Mr. Dyer asked Ms. Daigle if concrete has been laid, and Ms. Daigle responded “not today”.

Mr. Daryll Acorda testified to the neighborhood’s character and expressed concerns with the marijuana facility, particularly potentially permeation of odor requiring military to consistently drug test him and the criminal activity.

Ms. Christa Dyer testified as to her support of the rezone, and spoke on the neighborhood’s previous covenants and summarized the discussions the neighborhood had in choosing to seek a change in zoning to rural residential to protect their neighborhood, and advised that they are making a very informed decision in electing to rezone.
Mr. Muehling commented that they are trying to balance the expansive rights granted to the unrestricted properties with GU-1 against having some protections and fewer rights under the rural residential, and that it sounded like everyone how testified is willing to make those as a tradeoff.

Ildefonso Rodriguez testified he understands the pros and cons involved with changing the zoning.

Public Testimony Closed

Applicant’s Rebuttal

Mr. Dyer reiterated his earlier testimony and stated the resounding support of the property owners of the rezone and that they accept the restrictions imposed by rezoning. He further testified that the 100 foot buffer zone between the residential neighborhood and AK Green Bee should not be waived because AK Green Bee does not have legal existing use of the property as a marijuana business.

MOTION: 
To recommend approval of the rezone of Benshoof Subdivision – Phase 2, Block 1, Lots 15 – 24 and Block 2, Lots 1 – 6 from General Use 1 (GU-1) to Rural Residential (RR), and adopt the staff report and twelve (12) Findings of Fact in support of the recommendation of approval by Ms. Thayer and seconded by Mr. Perreault.

Discussion on the Motion

Ms. Thayer commented of her concern related to the marijuana permit approved, but noted that with the property owner’s testimony in support of the rezone, it satisfied her concern. She further noted the rezone is within the Borough’s Regional Comprehensive Plan, the property has been used and should remain rural residential, and it is not in a spot zone.

Mr. Muehling indicated that the testimony was unanimous to maintain a quiet residential neighborhood under the more restrictive rural residential classification. He further noted the residential character of the neighborhood in the past and a rezone maintains that character. He stated the perimeter area falls within the “preferred residential land use designator”, it is residential and within 10-20 minute commute and it is not a spot rezone. Mr. Muehling communicated there will be a 25 foot setback from the Chena Slough, and there was no setback requirement under the GU-1.

Ms. Thayer communicated that the proposed rezone conforms to the public health, safety and welfare.

Mr. Perreault stated his support, and commended the efforts of the neighborhood in banding together to preserve their neighborhood.

Mr. Muehling commented that from the testimony from the marijuana grow property owner, she has made substantial investment and a good faith reliance on the permitting process in an effort to get her business developed.

ROLL CALL:
Seven (7) in Favor: Mr. Guinn, Mr. Whitaker, Mr. Peterson, Mr. Perreault, Mr. Muehling, Ms. Thayer, and Ms. Presler.

Zero (0) Opposed.

(The meeting recessed from 7:15 – 7:29 p.m.)

2. RZ2018-002: A request by Northland Surveying & Consulting LLC on behalf of Alaska Railroad Corporation to rezone approximately 12.597 acres from General Use 1 (GU-1) to Multiple-Family Residential/Professional Office with a 25 foot Waterways Setback Designation overlay (MFO/WS) or other appropriate zone. The proposed rezone boundary includes parcels described as Tracts 4 and 5 of Chena Landings Subdivision (located off of Chena Landings Loop Road, south of Phillips Field Road, east of Peger Road, and north of the Chena River).

Ms. Stacy Wasinger provided a presentation of her staff report and recommendations on behalf of the Borough’s Planning Department.

Questions by Commissioners

Mr. Muehling asked if there was discussion with the Chena Riverfront Commission about having a public path along the Chena River within the 25 foot easement.

Mr. Spillman explained there is a FMATS project where the Alaska Railroad and the City of Fairbanks engaged in a permit for a plan to run a path along the Chena River to the existing pedestrian bridge and back to Philips Field Road where there is an existing pedestrian easement.

Ms. Thayer sought clarification on whether it is a pedestrian easement or public use easement.

Mr. Spillman replied that it is a public utility easement / non-motorized.

Discussion ensued between Ms. Thayer and Mr. Spillman on the area being discussed and whether it pedestrian or public use.

Ms. Wasinger clarified that it is a public utility easement / non-motorized. She further clarified that a public utility easement does not necessarily grant a pedestrian trail easement through it, but in this case it is both.

Applicant’s Testimony

The Applicant, Northland Surveying and Consulting, LLC, was represented by Richard Heieren and Paula Hicks, and the property owner, Alaska Railroad Corporation was represented by Jon Cook.

Mr. Jon Cook introduced himself as Chairman of the Board of Directors for the Alaska Railroad Corporation.

Mr. Cook testified that real estate is one of the prime assets of the Alaska Railroad Corporation, and feels the Railroad could better monetize its holdings and better utilize its real estate holdings. He reported that the subject subdivision was put in 16 years ago and a significant investment was made in utilities and roads, but has generated virtually no revenue for the
Railroad. He stated that the Railroad has historically not sold any land; it has only leased. He presented that this land is prime riverfront land for residential, the Railroad is offering at 25 foot waterways setback, and Lots 2 and 3 have been committed for trail use, and they are willing to work with the Chena Riverfront Commission to provide outreach efforts to potential new homeowners for preserving and protecting the Chena River.

Questions by Commissioners

**Mr. Perreault** asked if Tracts 2 and 3 are expected to be developed in the future and if so, why not include them now. **Mr. Cook** responded that Tracts 2 and 3 are General Use, and the Railroad is cash constrained, so it needs to generate the capital to do the extensive development (road and utilities extension) to Tracts 2 and 3. **Mr. Cook** also explained how the final plats for Tracts 4 and 5 may look once fully developed.

**Mr. Muehling** inquired if the Railroad would be open to a recommendation of a foot path within the 25 foot easement along the river on Tracts 4 and 5. **Mr. Cook** responded that the Railroad has offered the 25 foot waterways setback and there is a 25 foot setback on the back, so there is no way that would work with the planned development.

Public Testimony Opened

**Mr. Gary Nance** testified that as a business owner in the area he leases Lots 9, 10, 11 and 12, from the Railroad and his relationship with the Railroad has been good. **Mr. Nance** expressed concerns with the dangerousness of Phillips Field Road, especially with the amount of semi-truck traffic now being shared with the residential traffic, and is concerned with the foot path leading to Phillips Field Road and then stopping. **Mr. Nance** commented that he cannot put a residence on his lots per the Alaska Railroad, and there is now Hoo Doo and a marijuana retail operation, all of which is not industrial in nature. **Mr. Nance** stated his belief that more studying needs to happen.

**Mr. Richard Green** testified that he is the manager of Spenard Builders Supply, and he applauded the Alaska Railroad and Mr. Cook for taking steps to develop this riverfront property. **Mr. Green** discussed historical development in the area and related plans and expressed hope that everyone is concerned with “long-term thinking” and not just “short-term economic goals”.

**Mr. Perreault** inquired how Mr. Green saw the impact, or potential dangers, of several residential and/or professional lots on Phillips Field Road. **Mr. Green** responded that several times a year he is asked for video footage of accidents at the lighted intersection, but stated his concern is with the narrowness down Phillips Field Road, which is being addressed.

**Ms. Kathi Stevens** testified she is an avid user of the Bike Path, and is concerned with increased boat traffic, noise on the river, and destruction of its “park zone” like character. **Ms. Stevens** further elaborated on the impact to tourism by changing that strip to more houses and the scenery of looking into someone’s yard.

Public Testimony Closed

Applicant’s Rebuttal

**Mr. Cook** responded to comments made by Mr. Nance concerning traffic, and explained that the Railroad has obtained permits from the Department of Transportation to construct a “right in/right out” from Peger Road to Chena Landings Loop Road, to negate the need to access
Phillips Field Road. Mr. Cook clarified that the new path to be constructed on the north side of the river will not terminated at Phillips Field Road, and explained it will continue around by Flowline, around the river, and carried back to downtown. Mr. Cook finished by explaining the total benefits of this development to the community and especially the downtown area.

Mr. Heieren emphasized that the Alaska Railroad will actually be selling property and stated that GU-1 can be very intensive use and believes the Railroad is taking the right approach by changing its use.

Ms. Hicks testified she is in support of the project.

Questions by Commissioners

Mr. Muehling asked where the parking will be for the residential and office use. Mr. Heieren responded and stated that the lots average about 100 x 100 which is a large residential lot when there is public water and sewer, and explained that each plan that would be submitted for any office use would be submitted to the City of Fairbanks and undergo their permitting process.

Ms. Thayer communicated her understanding that if this rezone moves forward, it is the intent of the Railroad to go through the platting/subdivision process with the proper entities. Mr. Heieren replied that they are in the early stages of planning and have conceptual plans.

Ms. Thayer commented that there had been discussion about additional traffic with the potential additional of 30 lots, and indicated her belief that there should not be any more traffic then was seen when Ice Alaska held its event off of Phillips Field Road. Mr. Cook concurred that there was substantially more traffic with Ice Alaska, and explained that when they were getting the permit with DOT for access off of Peger Road, they had an extensive Traffic Impact Analysis completed and even with a full buildout of the area did not generate the amount of traffic generated by Ice Alaska. Ms. Thayer and Mr. Cook discussed the Railroad and DOT's relationship concerning safety improvements on the Alaska Railroad owned land that Peger Road is constructed.

MOTION: To recommend approval of the rezone of Tracts 4 and 5 of Chena Landings Subdivision from General Use 1 (GU-1) to Multiple-Family Residential/Professional Office with a 25-foot Waterways setback Designation overlay (MFO/WS) or other appropriate zone, and adopt the staff report and seven (7) Findings of Fact in support of the recommendation of approval by Ms. Thayer and seconded by Mr. Perreault.

Discussion on the Motion

Ms. Thayer commented on her excitement of the project and reflected that the Railroad selling property and getting it on the Borough's tax records is monumental, and shows that the Railroad is onboard with the comprehensive plans for the urban area. She further stated that the health, safety, and welfare will be improved immensely, it will develop the bike path to tie into other areas, and will be good for the community.

Mr. Muehling stated their plan supports the Chena Riverfront Plan.

Mr. Perreault communicated his full support of the plan and stated the traffic concerns have been addressed, and overall the rezone will increase the core downtown density.
ROLL CALL:

Seven (7) in Favor: Mr. Perreault, Mr. Muehling, Mr. Guinn, Mr. Whitaker, Mr. Peterson, Ms. Thayer, and Ms. Presler.

Zero (0) Opposed.

G. NEW BUSINESS

1. Consideration on research and outreach efforts to re-evaluate how the FNSB regulates small-scale agricultural operations and small livestock in urban and residential zones. Discussions may include topics covered during the September 19, 2017 work session which included review of existing regulations, results of community surveys, interviews with local subject matter experts, and review of zoning regulations from other communities which may include formation of a Subcommittee to work with the FNSB Community Planning Department.

Mr. Spillman explained that this discussion is a continuation of the work session on September 19, 2017, and briefly highlighted and gave an abbreviated presentation on the areas covered during the September 19th work session.

Discussion amongst the Commission ensued on the timeline, involvement, process and formation of a subcommittee.

MOTION: To form a subcommittee comprised of Commissioners Whitaker, O’Neall, and Perreault to assist the FNSB Administration in drafting an ordinance on small livestock and small scale commercial agriculture by Ms. Thayer and seconded by Ms. Presler.

PASSED WITHOUT OBJECTION

H. EXCUSE ABSENT MEMBERS

Ms. Presler communicated that Ms. O’Neall’s absence is excused.

I. COMMISSIONER’S COMMENTS

1. FMATS

Ms. Thayer reported that she has been unable to attend the FMATS meetings and requested the Commission designate another Commissioner. Mr. Muehling volunteered to be the new representative. Mr. Spillman offered to officially notify the FMATS coordinator and to brief Mr. Muehling prior to the next meeting.

J. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:42 p.m.
STAFF REPORT

CU2018-003
DEPARTMENT OF COMMUNITY PLANNING
STAFF REPORT

CU2018-003
October 24, 2017 Planning Commission Meeting

TO: Fairbanks North Star Borough Planning Commission
FROM: Manish Singh, Planner II
DATE: October 11, 2017
RE: CU2018-003: A request by Ryan Hallsten DBA R.C.H. Cultivation on behalf of S. Corp Inc. for conditional use approval of a marijuana cultivation facility, indoor large in the General Use 1 (GU-1) zone on Lot 21, Fairbanks Industrial Park Subdivision (located at 2745 Hanson Road, on the south side of Hanson Road, between Commerce Street and Deere Street).

I. EXECUTIVE SUMMARY

The Department of Community Planning recommends APPROVAL of the conditional use request with three (3) conditions and three (3) Findings of Fact in support of approval. The staff analysis finds that the marijuana cultivation facility, indoor large, with proposed conditions, will meet the intent and purpose of Title 18 and of other ordinances and state statutes, will have adequate public services and will protect public health, safety and welfare.

Figure 1: Existing Warehouse Building at 2745 Hanson Road
II. GENERAL INFORMATION

A. Purpose
To request a marijuana cultivation facility, indoor large in the GU-1 zone.

B. Location
2745 Hanson Road, on the south side of Hanson Road, between Commerce Street and Deere Street

C. Access
Hanson Road

D. Size/PAN
<table>
<thead>
<tr>
<th>Area</th>
<th>PAN (Lot)</th>
</tr>
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<tbody>
<tr>
<td>54,101.52 sq.ft</td>
<td>0128201 (Lot 21)</td>
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</tbody>
</table>

E. Existing Zone
General Use 1 (GU-1)

F. Existing Land Use
Storage warehouse, Residence

G. Surrounding Land Use/Zoning

North: Hanson Road  
Zoning: GU-1  
Land Use: Vacant

South: 25’ wide Public Right-of-Way  
Zoning: GU-1  
Land Use: Alaska Railroad Corridor

East: Zoning: GU-1  
Land Use: Vacant Land

West: Zoning: GU-1  
Land Use: Commercial (Law Office), Multiple-Family Residential

H. Community Facilities
Water: 2,500 gal. tank, Sewer: Septic System  
Electricity: GVEA

I. Code Violations
None on file

J. Flood Zone
X: Protected by Levee (100%)  
(March 17, 2014 dFIRM)

K. Zoning History
Zoning changed from UU to GU-1 through Ordinance No. 88-010, effective April 25, 1988

L. Ownership
S. Corp Inc.  
1062 Dolphin Way  
Fairbanks, AK 99709

M. Applicant
Ryan Hallsten DBA R.C.H. Cultivation  
2745 Hanson Road A  
Fairbanks, AK 99709
III. PROPERTY DEVELOPMENT HISTORY

The application states that the subject parcel contains an existing storage warehouse building (53’ X 120’) and a single-family residence. The FNSB Assessor’s Records reflect that the warehouse building was constructed in 2003 and the single-family residence was constructed in 1991 (Exhibit 1). These structures are located in GU-1 zoning where zoning permits are not required.

IV. PROPOSED USE AND PROJECT INFO

The existing 53’ X 120’ warehouse building has two 53’ X 60’ units - Unit A & Unit B. The applicant has requested a conditional use permit to use the Unit A as a marijuana cultivation facility, indoor large (see site plan in Figure 2).

Figure 2: Site Plan
The indoor cultivation unit is shown in red
A marijuana cultivation facility, indoor large is defined as “a legally licensed, fully enclosed commercial marijuana cultivation facility as defined by state law, in which all growing, preparation and packaging activities are conducted completely indoors. Net floor area of all cultivation facility structures does not exceed 10,000 square feet [FNSBC 18.04.010].” The proposed marijuana cultivation facility, indoor large in Unit A requires a conditional use permit in GU-1 zone because the principal building located on the adjacent property to the west (Lot 22) contains three dwelling units [FNSBC 18.96.240(A)(6)]. The applicant has proposed to use Unit B as a dwelling unit. A dwelling unit in Unit B is an outright permitted use in GU-1 zone and does not require zoning permit.

The total floor area of Unit A is 3,760 sq.ft. Unit A is proposed to have three flower/bed tents, an office, a boiler room and a bathroom and a mezzanine floor proposed to be used for storage (see floor plans in Exhibit 2). The subject property is within the City of Fairbanks limits (Figure 3) but the City’s sewer and water lines don’t serve Hanson Road. The applicant estimates having maximum three full-time employees. The applicant has stated that the facility will mostly operate from 7:30 am to 5:30 pm, seven days a week. However, the facility may operate 24-hours a day during the harvest period.

Figure 3: Aerial Image (2017)

The subject property is currently zoned GU-1 and is surrounded by GU-1 zoning on all sides (Figure 4). The adjacent property to the west has a law office and three dwelling units. The parcels to the east and to the north across Hanson Road are vacant. The subject parcel has the Alaska Railroad Corridor to the south across the 25’ public right-of-way. The FNSB Comprehensive Plan Land Use Map characterizes this area as ‘Light Industrial Area’ (Figure 5).
Figure 4: Zoning in the Surrounding Area

Figure 5: Comprehensive Plan Designation in the Surrounding Area
V. **APPLICABLE APPROVAL CRITERIA**

Conditional Uses for marijuana establishments are governed by FNSBC 18.104.050(C) and FNSBC 18.96.240 (see Exhibit 3 for details).

VI. **PUBLIC NOTICE**

The Community Planning Department mailed 24 dear property owner notices and did not receive any inquiry about this case. Additionally, the applicant posted a public notice sign meeting the “Notice by Applicant” requirements listed in FNSBC 18.104.010 (Exhibit 4).

VII. **AGENCY COMMENTS**

The FNSB Department of Community Planning contacted following agencies for comments:

a. State Fire Marshal  
b. City of Fairbanks (Chief of Staff, City Engineer, Building, Fire and Public Works Departments)  
c. University Fire Service Area  
d. Golden Heart Utilities  
e. Alaska Railroad (Real Estate and Planning)  
f. Alaska Department of Transportation and Public Facilities (ADOT&PF)  
g. Alaska Department of Environmental Conservation (ADEC)  
h. Alaska Department of Natural Resources (ADNR)  
i. Golden Valley Electric Association (GVEA)

All written comments are included in the “Agency Comments” section following this report.

VIII. **STAFF ANALYSIS**

A. **Transportation & Parking**

**Table 1: Trip Generation Summary**

<table>
<thead>
<tr>
<th>Proposed land use</th>
<th>Size/ employees</th>
<th>Closest related land use in ITE Trip Generation Manual</th>
<th>Trip generation standard in ITE</th>
<th>Weekday trip ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana cultivation facility, indoor large</td>
<td>3 employees</td>
<td>Nursery (Wholesale)</td>
<td>23.40 trip ends/ 5 employees</td>
<td>14.04 trip ends</td>
</tr>
</tbody>
</table>

The subject property is accessible from Hanson Road. Hanson Road is a local road, maintained by the City of Fairbanks. The Average Daily Traffic (ADT) count on Hanson Road in the immediate area was 1,425 vehicles per day in 2015. The proposed use would generate approximately 14 trip ends per weekday. This calculation is based on the estimated maximum three employees and relying on the closest related land use

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1 This section of this staff report includes comments from Donald Galligan, FNSB Transportation Planner  
3 2015 Annual Average Daily Traffic (AADT) GIS Map, Alaska DOT&PF Transportation Data Programs
“Nursery (Wholesale)” in the Institute of Transportation Engineers (ITE) Trip Generation Manual (Table 1). Hanson Road can accommodate the small number of trip ends generated by the proposed facility.

The proposed facility is located in GU-1 zoning where FNSB parking standards do not apply. However, Community Planning has analyzed the off-street parking provided on site using FNSB parking standard requirement of three parking spaces for every four employees [FNSBC 18.96.060(C)]. The applicant expects maximum three employees for the marijuana cultivation facility, indoor large. The parking plan provided by the applicant shows the three parking spaces that are adequate for the three employees (Exhibit 5). The site plan shows the gravel traffic circulation and loading area with adequate backing, turning and maneuvering space.

B. **FNSBC 18.96.240 Standards for Commercial Marijuana Establishments**

**A. General Standards**

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

The current property owner has provided written consent to the proposed marijuana cultivation facility.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances (see FNSBC 18.96.240(A)(3)(a-e)).

The buffer map and property detail provided by the applicant (Exhibit 6) demonstrates that the marijuana cultivation facility is not located within the buffer distances provided in FNSBC18.96.240(A)(3)(a-e) because this facility doesn’t have any FNSB sensitive uses within 500 feet.

All state buffer requirements provided in 3AAC 306 must also be met.

4. Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.

The applicant is not proposing outdoor storage of marijuana, marijuana products, or hazardous substances, as shown in the site plan and explained in the narrative.

5. In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

The applicant’s submittals include an area map drawn to scale indicating all land uses within a 500-foot proximity of the subject lot (Exhibit 6).

6. Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and
adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.

The applicant has applied for a conditional use permit for the proposed marijuana cultivation facility, indoor large on the subject property in the GU-1 zone because the principal building located on the adjacent property to the west (Lot 22) contains three dwelling units.

G. FNSBC 18.104.050(C) Hearing and Decision by the Planning Commission

1) Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes.

Purpose of FNSBC Title 18: The purpose of Title 18 is “to implement the Fairbanks North Star Borough comprehensive plan” (FNSBC 18.12.020). The Comprehensive Plan Land Use Map characterizes this area as ‘Light Industrial Area’. Light Industrial Area includes “activities such as manufacturing, storage, wholesaling, repair maintenance and relate office functions which do not handle explosives or other hazardous materials, or emit noise, air, chemicals, or other pollutants detrimental to surrounding land uses.”

The proposed conditional use is consistent with ‘Light Industrial Area’ comprehensive plan land use designations because it proposes commercial cultivation of marijuana in a neighborhood that has already developed with industrial and commercial uses. The applicant does not intend to use any explosives or other hazardous materials. The proposed conditional use does not appear to emit noise, air, chemicals, or other pollutants detrimental to surrounding land uses because the operation is completely indoors and the applicant intends to mitigate odors by carbon filters.

The request is consistent with the following goals of the Comprehensive Plan:

Land Use Goal 3 – To have a variety of land uses that fit the diverse needs of the community
Strategy 6 – Provide for commercial land uses in both urban and non-urban areas
Action A – Provide for a variety of commercial areas that adequately serve the market area

This conditional use proposal adds a commercial marijuana cultivation establishment in the Borough. Commercial marijuana is a new industry and this conditional use would serve the market by making products available for commercial marijuana product manufacturing and retail establishments.

Economic Development Goal 2 – To diversify the economy
Strategy 6 – Emphasize development that brings new dollars into the community, including efforts to add value to the region’s natural, manufactured, service and intellectual resources.
Action B – Create a variety of types and sizes of commercial and industrial areas that support diversification of economic activity.

The applicant submittals state that this marijuana cultivation establishment would support three jobs with this conditional use. This operation would diversify the
commercial activity in the Fairbanks North Star Borough enhancing community's ability to generate revenue.

**Intent of FNSBC Title 18:** The intent of Title 18 which is “to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise; and to divide the borough into districts (FNSBC 18.12.020).”

Allowing a property owner to develop their private property is an example of protecting private property rights via clearly defined local zoning regulations. This proposal is to use the property as a marijuana cultivation facility, indoor large which requires a conditional use permit in GU-1 zone because the adjacent property has a dwelling as a primary structure. The public notification, public hearing procedures and approval criteria for conditional uses help protect the property rights of the surrounding property owners.

The subject property is accessible from Hanson Road. Hanson Road is a local road, maintained by the City of Fairbanks. Hanson Road can accommodate the small number of trip ends generated by the proposed facility.

The proposed conditional use promotes economic development and the growth of private enterprise because it would support three full-time jobs in the area and would help diversify the commercial activity in the Fairbanks North Star Borough.

The applicant has addressed site security elements and has developed strategies for plant and liquid waste disposal. Moreover, the applicant has agreed to comply with state marijuana regulations. The application material and the narrative for this proposal illustrates that it meets the intent of Title 18 because this application is to protect property rights and with the conditions imposed, it would promote the public health, safety and general welfare of the residents of the borough.

**Alaska State Statute and Other Ordinances:** 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations. The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state issued license.

(2) **Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.**

**Water:** The applicant has proposed a 2,500 gal. tank and has proposed to contract ‘Water Wagon’, a water delivery service, to meet the water supply needs for marijuana cultivation. Therefore, Community Planning believes that the facility has adequate water supply because the required amount of water could be delivered at the facility.

**Wastewater/Sewage:** The applicant has stated that the property has a septic system for the wastewater produced from the restroom (domestic wastewater) and this septic system is currently pumped on a regular basis by ‘Bigfoot Pumping & Thawing’, a septic pumping company.
The wastewater produced from marijuana cultivation will be stored in a separate wastewater storage tank for recycling. The applicant has proposed to contract 'Bigfoot Pumping & Thawing', a septic pumping company to haul any excess wastewater to Golden Heart Utilities Wastewater Treatment Plant according to state regulations.

ADEC regulates wastewater holding tanks and does not allow discharging non-domestic wastewater produced from a marijuana cultivation facility into an ADEC approved operator’s (such as Golden Heart Utilities) waste disposal system without express written approval from the operator. Additionally, ADEC does not allow any non-domestic wastewater discharge into a septic system which is designed for domestic wastewater discharge without express written approval from ADEC (18 AAC 72, Wastewater Disposal Regulations).

Therefore, Community Planning recommends a condition requiring a formal plan review by ADEC Division of Water, Wastewater Discharge for the septic system and the wastewater storage tank and compliance with all recommendations and/or requirements resulting from the plan review as a condition to ensure that there is adequate wastewater/sewage capacity for the conditional use. With this condition imposed, the property will have adequate wastewater/sewage capacity for the proposed conditional use.

**Emergency Fire Response:** The proposed conditional use has adequate fire services because the property is within the City of Fairbanks limits and is served by City’s Fire Department.

**Energy:** The proposed conditional use has adequate power supply because they are served by GVEA grid.

**Police:** The proposed conditional use is served by City of Fairbanks Police Department.

**Transportation:** The subject property is accessible from Hanson Road. Hanson Road is a local road, maintained by the City of Fairbanks. Hanson Road can accommodate the small number of trip ends generated by the proposed facility. The applicant has provided three off-street parking spaces and a loading area with sufficient backing and maneuvering space.

3) **Whether or not the proposed conditional use will protect the public health, safety and welfare.**

With the conditions imposed, this use will protect the public health, safety, and welfare through responsible operation of the facility as demonstrated in applicant’s business plan. The proposed marijuana cultivation facility, indoor large meets the standards required by FNSBC 18.96.240 and the operating plan is intended to minimize and mitigate adverse impacts to surrounding properties. The applicant has a detailed plan for site security, fire safety, and employee health to help address public health, safety, and welfare concerns.

Site security, marijuana liquid and plant waste, outdoor lighting, noise, odor and hours of operation could be potential concerns for surrounding properties with a commercial
marijuana cultivation operation but the applicant has addressed these issues in a way that mitigates the public health, safety and welfare concerns.

**Site Security and Marijuana Waste Disposal:** The applicant intends to secure all marijuana and marijuana products inside the building to ensure the general public does not have access to them. The applicant has stated that the cultivation facility will not be open to public. The applicant has stated that the building has been securitized by ‘Vivint Smart Business Security Systems’, a security company, to comply with the state security regulations for marijuana cultivation. The applicant has stated that these security provisions include an alarm system, security cameras, a doorbell camera, door locks and sensors. Additionally, there is a fence surrounding the perimeter of the property with a locking gate to ensure site security.

At the time of the Conditional Use application, the applicant initially proposed to dispose of marijuana plant waste by composting on site. However, ADEC Solid Waste Program commented that the applicant’s marijuana waste disposal plan was incomplete because the application didn’t address “how the compost will be used.” ADEC Solid Waste Program also commented that “an ever-increasing compost pile could easily be that source of nuisance odors.” Community Planning relayed these concerns raised by ADEC Solid Waste Program to the applicant and the applicant revised his marijuana plant waste management plan on October 3, 2017. This revised marijuana plant waste management plan addresses the concerns raised by the ADEC Solid Waste Program and does not propose to dispose of marijuana plant waste by composting on site. It states that the marijuana plant waste would be rendered unusable via mixing with acceptable medium and will be disposed of at the Borough landfill according to state regulations.

The state licensing and operational standards including restricted access areas, security alarm systems, video surveillance, waste disposal methods for marijuana facilities are governed by 3AAC 306. The application material acknowledges that a marijuana cultivation facility, indoor large cannot legally operate without obtaining a state issued license [FNSBC18.04.010] and compliance with 3AAC 306 is required to obtain a state license. Compliance with state regulations related to security, waste disposal, health and safety would help ensure employees’ health and safety. Therefore, Community Planning recommends compliance with 3AAC 306 as a condition to ensure public health, safety and welfare.

**Odor:** The applicant plans to address odor by carbon filters. However, if these filters are not of sufficient capacity, the odor could potentially become a public health, safety and welfare issue for the neighbors. Therefore, Community Planning recommends a condition requiring installation of appropriately sized odor filtration systems in the indoor cultivation space to help ensure the public health, safety and welfare.

**Outdoor Lighting:** FNSBC 18.96.140 states that “lighting, glare and general illumination shall not be directed towards residentially zoned properties other than that property from which the lighting, glare and general illumination originates.” However, the subject property is not adjacent to a residential zone.

The floor plan provided by the applicant shows three exterior flood lights (see Exhibit 2). The applicant has stated that these lights would point downward and would not exceed beyond the property lines. The applicant has stated that there are no windows on the
sides of the warehouse building, therefore the interior grow lights will not visible to the public when they are operating. Therefore, Community Planning believes that the outdoor lighting does not negatively impact the public health, safety and welfare of the surrounding properties.

**Noise:** The applicant has stated that the noise generated from this cultivation operation would be minimum because the cultivation operation is completely indoors and the nature of the work is quiet. Therefore, Community Planning believes that the noise produced from the indoor cultivation building will not negatively impact the public health, safety and welfare of the surrounding properties.

**Hours of Operation:** The subject property is located in GU-1 zoning where there are no restrictions on hours of operation. The applicant has stated that the hours of operation would be 7:30 am to 5:30 pm, seven days a week. However, the facility may operate 24-hours a day during the harvest season. These hours of operation do not appear to be negatively impacting the neighborhood’s public health, safety and welfare because the neighborhood has already developed with industrial and commercial uses.

**Fire Safety:** Fire and rescue services for this operation are available through the City of Fairbanks Fire Department. Any lack in ensuring necessary fire safety provisions for a marijuana cultivation operation could result in a fire because the attached Unit B is proposed to be a dwelling unit and marijuana cultivation operation in Unit A will have high usage of electricity in a moist environment. Therefore, Community Planning recommends a formal plan review by the City of Fairbanks Building and Fire Departments and compliance with all recommendations and/or requirements resulting from the plan review as a condition to minimize fire and other safety risks, thereby ensuring public health, safety and welfare.

The applicant’s submittals indicate that the applicant plans to go to other agencies such as the Marijuana Control Board (MCB) and the City of Fairbanks Building and Fire Departments for plan reviews and approvals. Because this conditional use approval is for a specific use, a change in the site plan or operation method may result in increased impacts or trigger a public health, safety and welfare concern which has not been analyzed. Therefore, Community Planning recommends a condition that the applicant file final site and floor plans with Community Planning to ensure compliance with Planning Commission approved site plan, floor plan and conditions. If any modifications are made to the approved documents or operations characteristics, an amendment to the conditional use permit may be required.

**IX. RECOMMENDATION**

Based on the staff analysis, the Department of Community Planning recommends **APPROVAL** of the conditional use permit request for marijuana cultivation facility, indoor large in the GU-1 zone with three (3) conditions.

**X. CONDITIONS**

1. Prior to the commencement of marijuana cultivation operation, the applicant or holder of this conditional use permit shall comply with all applicable land use related laws. Applicable permits and approvals may include but are not limited to:
a. As required by the FNSB and the Department of Commerce, Community, and Economic Development (Alcohol and Marijuana Control Office), the applicant or holder of this conditional use permit shall ensure the site meets all licensing requirements for a commercial marijuana cultivation facility.

b. The applicant or holder of this conditional use permit shall obtain a formal plan review by the City of Fairbanks Building and Fire Departments and shall comply with all recommendations and/or requirements resulting from the plan review.

c. The applicant or holder of this conditional use permit shall obtain a formal plan review by the State of Alaska Department of Environmental Conservation for the onsite septic system and the wastewater storage tank and shall comply with all recommendations and/or requirements resulting from the plan review.

2. Indoor cultivation, drying, and processing rooms or portions of the building where marijuana will be grown, processed or stored, shall be equipped with appropriately sized odor filtration systems such that the marijuana odor shall not be detectable by the public from outside the indoor cultivation facility.

3. If any modifications are made to the site plan, floor plans, or other FNSB required documents or operational characteristics, the applicant or holder of this conditional use permits shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).

XI. FINDINGS OF FACT

The Department of Community Planning further recommends the following Findings of Fact in support of approval:

1. With the conditions imposed, the proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes:

   a. The purpose of Title 18 will be met because the proposed conditional use is consistent with ‘Light Industrial Area’ comprehensive plan land use designation. The Comprehensive Plan Land Use Goal 3 and Economic Development Goal 2 are being enhanced with the development of this site as a marijuana cultivation facility.

   b. The intent of Title 18 will be met because with the conditions imposed, the conditional use will both protect private property rights and promote public health, safety, and welfare.

   c. 3AAC 306 governs the state licensing and operational standards for marijuana facilities. Title 18 requires that a borough permitted commercial marijuana facility obtain a license pursuant to all state regulations. The applicant has provided information sufficient to show they intend to meet the state regulations and to apply for a state issued license.

2. With the conditions imposed, there are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.

   a. The facility will have a 2,500 gal. tank and a contract with ‘Water Wagon’, a water delivery service, to meet the water supply needs for marijuana cultivation.
b. The facility has an onsite septic system for domestic wastewater and a storage tank for the non-domestic wastewater. With the conditions imposed, the facility will have a contract with ‘Bigfoot Pumping & Thawing’, a septic pumping company to haul any access wastewater to Golden Heart Utilities Wastewater Treatment Plant according to the state regulations.

c. The facility is served by the City of Fairbanks Fire Department for emergency fire response is served by City of Fairbanks Police Department for law enforcement.

d. The facility is currently connected to the GVEA grid which will provide sufficient energy supply for indoor cultivation activities.

e. Three (3) off-street parking spaces and a loading area have been provided on-site, which are adequate for the proposed cultivation conditional use.

f. The subject property is accessible from Hanson Road. Hanson Road is a local road, maintained by the City of Fairbanks. Hanson Road can accommodate the small number of trip ends generated by the proposed facility.

3. With the conditions imposed, the proposed conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the GU-1 zone (FNSBC 18.84) and Standards for Commercial Marijuana Establishments (FNSBC 18.96.240) as well as state requirements for a commercial marijuana cultivation facility.

a. With the conditions imposed, security systems, alarms, cameras and lighting will meet state regulations required to obtain a commercial marijuana cultivation license.

b. With the conditions imposed, any solid or liquid waste including marijuana plant waste will be disposed of in accordance with state and local regulations.

c. With the conditions imposed, odor will be mitigated with appropriately sized odor filtration systems in cultivation, drying, and processing facilities.

d. All marijuana and marijuana products will be secured inside the building to ensure the general public does not have access to them.

e. The noise generated from this cultivation operation would be minimal and it would not negatively impact the neighboring residential property owners because the operation is completely indoors.

f. The outdoor lighting would point downwards and will not negatively impact the neighborhood or residential uses.

g. The cultivation hours of operation will not negatively impact the neighboring residential property owners because the neighborhood has already developed with industrial and commercial uses.

**DRAFT PLANNING COMMISSION MOTION:**

I move to approve the Conditional Use Permit for a commercial marijuana cultivation facility, indoor large with three (3) conditions, and adopting the staff report and three (3) Findings of Fact in support of the approval.
# 21 FAIRBANKS INDUSTRIAL PARK: 0128201

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Planning Commission  
34  
October 24, 2017
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Planning Commission  
35  
October 24, 2017
21 FAIRBANKS INDUSTRIAL PARK: 0128201

Billing Address
Owner Changed On: 12/23/2002
Address Changed On: 11/4/2013

HALLSTEN STEPHEN B
HALLSTEN MARJA L
1052 DOLPHIN WAY
FAIRBANKS AK 99709 2545

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Page 4
APPLICABLE APPROVAL CRITERIA

Conditional Uses are governed by the following provisions of Title 18, Fairbanks North Star Borough Code of Ordinances:

18.104.050 (C)

1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes.

2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.

3. Whether or not the proposed conditional use will protect the public health, safety and welfare.

The Planning Commission may approve or deny a conditional use request or may approve a conditional use request with conditions to ensure the protection of the public health, safety and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements, lighting, pedestrian movements.

Marijuana Facilities are also governed by the provisions of Title 18, Standards for Commercial Marijuana Establishments:

18.96.240

A. General Standards.

1. Applicability. Standards of this section shall apply to commercial marijuana establishments regardless of whether they are a permitted or conditional use.

2. A commercial marijuana establishment may only be allowed with the written consent of the owner of the property.

3. No marijuana establishment, except a marijuana testing facility, shall be located within the following buffer distances:

   a. Five hundred feet of primary and secondary school buildings (K-12) including vocational programs, playgrounds, adult and juvenile correctional facilities and housing facilities owned by a public housing authority with children as residents; and

   b. Two hundred feet of any post-secondary school buildings including but not limited to trade/technical/vocational schools, colleges and universities; and

   c. One hundred feet of youth centers, group homes serving persons ages 18 and under, public swimming pools, state licensed day care facilities, arcades, state licensed substance use treatment provider or facility providing substance abuse use treatment, church buildings and residential zones (RE, RR, SF, TF, MF, MFO).
d. Buffer distances shall be measured from the nearest public entrance of a commercial marijuana establishment to:

i. Outer boundaries of school buildings, including outdoor school facilities where students are regularly found;

ii. Outer boundaries of playgrounds;

iii. The lot line of a lot in a residential zone; or

iv. The principal building containing other uses listed in subsections (A)(3)(a) through (c) of this section.

e. Buffer distance measurements shall not extend beyond the nearest ordinary high water (OHW) mark of a river or lake or beyond the nearest edge of a right-of-way (ROW) of a controlled access facility.

4. Outdoor Storage. No outdoor storage of marijuana, marijuana products or hazardous substances shall be allowed.

5. In all zones in which marijuana establishments, with the exception of a marijuana testing facility, are a permitted or conditional use, the applicant shall include an area map drawn to scale indicating all land uses on complete parcels within a 500-foot proximity of the lot upon which the applicant is seeking a zoning permit or conditional use permit.

6. Marijuana establishments other than marijuana cultivation facilities, indoor small and marijuana testing facilities located in GU-1 or GU-5 zoning and adjacent to a lot upon which a principal building used as a dwelling is located are a conditional use subject to the requirements of this title.

B. Cultivation Facility Standards.

1. Yard Setbacks. Outdoor marijuana cultivation facilities, including all land planted with marijuana, shall be located at least 50 feet from a lot line.

2. Height Limitations.

   a. The maximum height for a marijuana cultivation facility, indoor small shall be 35 feet.

   b. The maximum height for a marijuana cultivation facility, indoor large shall be 75 feet.
PUBLIC NOTICE SIGN POSTING AFFIDAVIT

STATE OF ALASKA  )
FIFTH JUDICIAL DISTRICT  ) ss.

1. Ryan Hassan, being first duly sworn, depose and state that:
   1. I have submitted an application identified as 0112018-003.
   2. I have posted and will maintain public notice sign #0 in accordance with the following provisions:
      a. Sign is posted on the property on which my request for rezone, conditional use or variance has been made.
      b. Sign is clearly visible from streets and roads.
      c. Sign will be maintained free of snow or other materials which impede readability.
      d. Sign is posted between an elevation of 2’ and 8’ above ground level and no further than 50’ from the edge of the road to further ensure readability from streets.
      e. Sign was posted on 9/29/17 (date) and complies with posting requirements of 20 days prior to the public hearing date.
      f. I shall return the sign to the FNSB Department of Community Planning within 10 days following the final public hearing.

2. I understand a refund check of $200.00 (the amount I have deposited for said sign) will be issued 7-10 days following return of the sign providing that sign is returned in usable condition. I further understand I may receive only partial refund if the sign is damaged when returned to the Borough.

3. This document is null and void when necessary action has been completed as provided in Item #2 f.

Laura McLean
Notary Public
STATE OF ALASKA

SUBSCRIBED AND SWORN TO BEFORE ME on this 3rd day of October, 2017

Notary Public in and for Alaska
Photos by Community Planning Staff
(CU2018-003)

Front Gate, access from Hanson Road

Hanson Road, looking east
Photos by Community Planning Staff
(CU2018-003)

Hanson Road, looking west

Driveway from Hanson Road
Parking Area located north of the subject building

West elevation of the subject building
Agency Comments

CU2018-003
October 9, 2017

Manish Singh
Planner II
FNSB Department of Community Planning
msingh@fnsb.us

Property Owner/Developer:  S. Corp., Inc.

Type of Request:  Conditional Use Permit- CU2018-003- Marijuana Facility

Property Location:  2745 Hanson Road, Lot 21 Fairbanks Industrial Park out of TL 521, 1S, 1W.

ADOT&PF has reviewed the above request and has no comment.

Driveways on state owned roads must meet current Alaska DOT&PF standards. If they do not meet these standards, ADOT&PF may request that they be modified to do so. If the owner wishes to modify an existing permitted driveway, or create a new driveway, an ADOT&PF driveway permit is required. The ADOT&PF permitting website can be found at:  http://www.dot.state.ak.us/permits/index.shtml

Thank you.

Sincerely,

[Signature]

Randi Motsko
Fairbanks Area Planner
(907) 451-2386

cc:  George Stefan, FNSB
     Angela Parker, FNSB
     Dan Welch, FNSB

"Keep Alaska Moving through service and infrastructure."
Manish Singh

From: Buteyn, Douglas J (DEC) <doug.buteyn@alaska.gov>
Sent: Friday, September 29, 2017 12:37 PM
To: Manish Singh
Subject: RE: CU2018-003: Requesting Comments for Marijuana Cultivation App. (2745 Hanson Road)

Manish:

Thank you for the opportunity to review this proposal. I realize I’m submitting this later than you wanted but I hope it is still useful to you. My review and comments are limited to those aspects of the proposal related to the management and disposal of solid waste generated by the proposed facility. Information related to this is found in Part 4, Item #8 on page 4 of the pdf document.

In brief, the management plan for marijuana waste is a bit confusing and is likely incomplete. It is confusing because everything described relates to waste disposal but no disposal actually occurs. It speaks of determining when it is necessary to dispose of waste, notifying the Board of that decision, and mixing the waste with other materials, all of which is required. (What is missing here is any mention of grinding the waste to make it unusable.) The narrative then states that the waste will “be disposed of in an outdoor compost pile” or, if that cannot be done safely, it will be taken to the local landfill.

My concern here is that disposal of the waste is clearly the intent, but a compost pile is not a disposal site. Compost piles are used to convert organic waste materials into a beneficial product, but there is no mention in the narrative of how the compost will be used. As such, it seems the applicant fully intends the compost pile as the final resting place for the marijuana waste. Such action will result in an ever-increasing compost pile that could easily be the source of nuisance odors. The application needs to be revised to clarify the applicant’s intention and operational plan for the compost pile.

Douglas Buteyn
Northern/Southeastern Regional Program Manager
ADEC Solid Waste Program
610 University Avenue
Fairbanks, AK 99709
Phone: 907-451-2135
Fax: 907-451-2188
Email: doug.buteyn@alaska.gov

From: Manish Singh [mailto:MSingh@fnsh.us]
Sent: Wednesday, September 13, 2017 4:48 PM
To: Tyler, David L (DPS) <david.tyler@alaska.gov>; Aden, David G (DPS) <david.aden@alaska.gov>; Roberts, Jillian T (DPS) <jillian.roberts@alaska.gov>; Nakano, Lloyd M (DPS) <lloyd.nakano@alaska.gov>; Parks, Diana C (DPS) <diana.parks@alaska.gov>; mmeeks@ci.fairbanks.ak.us; cmc looten@ci.fairbanks.ak.us; pwmmail@ci.fairbanks.ak.us; jcf ox@ci.fairbanks.ak.us; bejohnson@ci.fairbanks.ak.us; KGreen@fairbanks.us; bczellweger@alaska.edu; usainfo@akwater.com; marc@akwater.com; RealEstTech@akrr.com; Motsko, Randi Lynn (DOT) <randi.motsko@alaska.gov>; Horton, George C (DNR) <george.horton@alaska.gov>; Bear, Tonya (DEC)
Application Material Received on
August 29, 2017

CU2018-003
MARIJUANA FACILITY
CONDITIONAL USE PERMIT APPLICATION
File No. CU2018-003

FEES:
- $800 conditional use permit application
- $250 verification of sensitive use buffers
- $200 sign deposit (check or cash only)
- $100 Second Attempt Buffer Verification fee.

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Property Owner:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact Name:</td>
<td>Name: S. Coop Inc.</td>
</tr>
<tr>
<td>Business Name:</td>
<td>Mailing Address: 1002 Dolphin Way</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>City, State Zip: Fairbanks, AK 99709</td>
</tr>
<tr>
<td>City, State Zip:</td>
<td>Phone: (907) 322-0229</td>
</tr>
<tr>
<td>Phone: (907) 388-3111</td>
<td>Cell: same</td>
</tr>
<tr>
<td>E-mail: <a href="mailto:Wachowski@ymail.com">Wachowski@ymail.com</a></td>
<td>E-mail: <a href="mailto:smartgen@me.com">smartgen@me.com</a></td>
</tr>
</tbody>
</table>

Property Information:
Property Description:

Lot 21 Fairbanks Industrial Park out of TL $2115 (1.00 acres)

| Street Address: | Lot Size: 1.00 acre |
| Parcel Account Numbers (PAN): | Zoning District: City of Fairbanks |
| Existing Use(s): | |
| Storage, Warehouse, Residence |

Conditional Use Request Information:

Proposed Use(s):

Standard marijuana cultivation facility indoor farm

Request Description and Reasons for the Request:

I have attached a detailed site plan drawn to scale and to the standards of the Commercial/Industrial Site Plan guidelines.

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

APPLICANT SIGNATURE: [Signature] DATE: 8/25/17

OWNER SIGNATURE (if different): [Signature] DATE: 8/25/17

If the applicant is not the sole property owner, written consent of all property owners must be provided pursuant to FNSBC 18.104.050(B).
NAME(S)

Type
Legal Name
S Corp., Inc.

ENTITY DETAILS

Entity Type: Business Corporation
Entity #: 10036448
Status: Good Standing
AK Formed Date: 3/4/2016
Duration/Expiration: Perpetual
Home State: ALASKA
Next Biennial Report Due: 1/2/2018
Entity Mailing Address: 1082 DOLPHIN WAY, SUITE 200, FAIRBANKS, AK 99701
Entity Physical Address: 1008 16TH AVE., SUITE 200, FAIRBANKS, AK 99701

REGISTERED AGENT

Agent Name: Jason Gazwood
Registered Mailing Address: 1008 16TH AVE., SUITE 200, FAIRBANKS, AK 99701
Registered Physical Address: 1008 16TH AVE., SUITE 200, FAIRBANKS, AK 99701

OFFICIALS

AK Entity #
Name
Roles
Steve Hallsten
Director, President, Shareholder, Secretary, Treasurer

FILED DOCUMENTS

Date Filed
3/4/2016
Type
Creation Filing
Filing
Click to View
Certificate
Click to View

Juneeau Mailing Address
P.O. Box 110806
Juneau, AK 99811-0806
Physical Address
333 Willoughby Avenue
9th Floor
Juneau, AK 99801-1770
Phone Numbers
Main Phone: (907) 465-2590
FAX: (907) 465-2074

Anchorage Mailing/Physical Address
550 West Seventh Avenue
Suite 1500
Anchorage, AK 99501-3597
Phone Numbers
Main Phone: (907) 269-8160
FAX: (907) 269-8150

https://www.commerce.alaska.gov/CBP/Main/Search/EntityDetail/10036448
7/25/2017
Part 4: Narrative –

1). R.C.H. Cultivation will employ 3 full time employees throughout the year.

2). With regards to traffic, R.C.H. can promise the surrounding property owners that there will be extremely little to no change to the current traffic patterns on Hanson Rd. As R.C.H. is a cultivation facility, only the employees of R.C.H. will frequent the facility. The public is not welcome to loiter, and visitors are required to have a scheduled appointment to visit the facility and gain access inside.

3). R.C.H. Cultivation will operate a regular schedule most weeks Monday – Sunday: 7:30 am – 5:30 pm. However, some days during harvest the facility may remain open as long as 24 hours in one day. This will not negatively impact anyone nearby as all of the work is done inside the warehouse.

4). There will be no activities occurring on site, other than the daily work of the employees.

5). There are no phases of development, there is only the planting, growing, and harvesting of marijuana.

6). R.C.H. does not foresee any negative impacts of the proposed use for marijuana cultivation. There will be little to no noise as all the work is completed inside the warehouse and the nature of the work is quiet. The odor of marijuana will be mitigated with carbon filters and fans. R.C.H. can also promise that the public will not come into contact with any marijuana waste produced at R.C.H.’s facility. The lighting at R.C.H. is simple – with motion lights that have been installed at the property for the last 10 years. The lights point downward and do not exceed the property line. There are no windows on the side of the warehouse where growing will take place -- the public will not be able to see the grow lights when they are on. In all reality, anyone in the area will have a hard time noticing anything has changed at all.

7). List of chemicals to be used at R.C.H.:
   Co2
   General plant and soil fertilizer and nutrients

8). Marijuana waste will be collected and stored until R.C.H. deems it necessary to dispose of said waste. Once the decision has been made, R.C.H. will notify the board through METRC that R.C.H. plans to make waste unusable and to dispose of said waste. Once approval has been received, R.C.H. will mix the marijuana waste with other forms of waste until the rendered mixture is less than 50% cannabis waste. The rendered waste will then be disposed of in an outdoor compost pile. If the waste cannot be disposed of safely in the outdoor compost pile, R.C.H. will notify the local land fill or liquid waste plant to determine if the waste can be disposed of there. R.C.H. will set an appointment with the local waste facility to have the waste disposed of.
9). Electrical energy will be provided by GVEA and heating fuel delivered by Crowley Fuel.

10). Water is delivered by Water Wagon as needed to a 2500 gallon tank.

11). The property is on an isolated septic system that is pumped on a regular basis by Bigfoot Pumping and Thawing. That said, no waste water will be poured down the drains. All marijuana waste is required to be disposed of through safe means per state regulations. In addition, there will be little to no waste water, as a majority of the water will be absorbed through the soil by the plants. If there is liquid waste, R.C.H., as mentioned before, will contact the proper waste management facility to notify them of the waste so it can be accepted at their facility.

12). The property is located in the city, however, the property does not receive city water, garbage, etc. All utilities other than GVEA are self-provided.

13). R.C.H. is strictly cultivation.

14). The building has been securitized by Vivint Smart Business Security Systems. An alarm system, security cameras, a doorbell camera, door locks, door sensors, smoke detectors, and lights have all been installed to ensure compliance with state security regulations for marijuana cultivation. This security system notifies owner of any emergency on their smart phone and notifies local law enforcement and fire departments. The cameras and playback are accessible on the smartphones 24 hours a day. The doorbell camera notifies employees when a visitor is at the door and displays the video on the security hub panel located inside the facility. There is a fence surrounding the perimeter of the property with a locking gate for after-hours protection. The owners of the facility, live on the property, which will also ensure that someone is always close by should an emergency occur.

In conclusion, R.C.H. has clearly shown that the proposed conditional use conforms to the intent and purpose of this title as well as other ordinances and state statutes. R.C.H. has notified the city and borough of the plans for the cultivation facility. R.C.H. has notified other local offices in order to ensure public, and environmental compliance (fire marshal, DEC, DCP). R.C.H. has also made sure that all owners and employees of R.C.H. are licensed and compliant with Alaska marijuana statutes

This application also provides proof that adequate sewage, transportation, energy, air quality, water, and public service capabilities are available to serve the proposed conditional use. The building is in the city limits and although the building does not receive city water, an account has been set up at Water Wagon to keep the water tanks full. Crowley has supplied fuel to the building since it was built, and the buildings power has always been supplied by GVEA. The road to the building is maintained by the city. The City of Fairbanks Fire department will come to the address of the building, should there be a fire. The security system has added an extra layer of protection to ensure that should an emergency occur, the proper security facility will be notified to remedy the issue.
Finally, the narrative above clearly shows that the proposed conditional use in no way harms the health and safety of the public. R.C.H. has taken the necessary steps to ensure that the facility will be protected 24 hours a day, with cameras, alarms, commercial grade door locks, motion detecting lights, fencing around the perimeter of the property, educated and licensed employees, and 24 hour data protected storage of all playback from the cameras installed at the facility. R.C.H. is well aware of the necessary steps that need to be taken when disposing of marijuana solid and liquid waste. R.C.H. will always take every necessary precaution to maintain a reputation as an informed, and proactive business that is a benefit to the Fairbanks community and understands and welcomes the need to cultivate an integrity that spreads from our facility out into the community.

# The existing dwelling at the back of the property is currently vacant and R.C.H. has no plans to use this dwelling in the cultivation plan.
Application Material Received on
September 14, 2017

CU2018-003
Part 4: Narrative –

1). R.C.H. Cultivation will employ 3 full time employees throughout the year.

2). With regards to traffic, R.C.H. can promise the surrounding property owners that there will be extremely little to no change to the current traffic patterns on Hanson Rd. As R.C.H. is a cultivation facility, only the employees of R.C.H. will frequent the facility. The public is not welcome to loiter, and visitors are required to have a scheduled appointment to visit the facility and gain access inside.

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4). There will be no activities occurring on site, other than the daily work of the employees.

5). There are no phases of development, there is only the planting, growing, and harvesting of marijuana.

6). R.C.H. does not foresee any negative impacts of the proposed use for marijuana cultivation. There will be little to no noise as all the work is completed inside the warehouse and the nature of the work is quiet. The odor of marijuana will be mitigated with carbon filters and fans. R.C.H. can also promise that the public will not come into contact with any marijuana waste produced at R.C.H.’s facility. The lighting at R.C.H. is simple – with motion lights that have been installed at the property for the last 10 years. The lights point downward and do not exceed the property line. There are no windows on the side of the warehouse where growing will take place -- the public will not be able to see the grow lights when they are on. In all reality, anyone in the area will have a hard time noticing anything has changed at all.

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9). Electrical energy will be provided by GVEA and heating fuel delivered by Crowley Fuel.

10). Water is delivered by Water Wagon as needed to a 2500 gallon tank.

11). The property is on an isolated septic system that is pumped on a regular basis by Bigfoot Pumping and Thawing. That said, no waste water will be poured down the drains. All marijuana waste is required to be disposed of through safe means per state regulations. In addition, there will be little to no waste water, as a majority of the water will be absorbed through the soil by the plants. If there is liquid waste, R.C.H., as mentioned before, will contact Alaska Waste or the Fairbanks Landfill to notify them of the waste so it can be accepted at their facility. Any liquid water waste produced will be recycled for use in a separate small water tank.

12). The property is located in the city, however, the property does not receive city water, garbage, etc. All utilities other than GVEA are self-provided.

13). R.C.H. is strictly cultivation.

14). The building has been securitized by Vivint Smart Business Security Systems. An alarm system, security cameras, a doorbell camera, door locks, door sensors, smoke detectors, and lights have all been installed to ensure compliance with state security regulations for marijuana cultivation. This security system notifies owner of any emergency on their smart phone and notifies local law enforcement and fire departments. The cameras and playback are accessible on the smartphones 24 hours a day. The doorbell camera notifies employees when a visitor is at the door and displays the video on the security hub panel located inside the facility. There is a fence surrounding the perimeter of the property with a locking gate for after-hours protection. The owners of the facility, live on the property, which will also ensure that someone is always close by should an emergency occur.

In conclusion, R.C.H. has clearly shown that the proposed conditional use conforms to the intent and purpose of this title as well as other ordinances and state statutes. R.C.H. has notified the city and borough of the plans for the cultivation facility. R.C.H. has notified other local offices in order to ensure public, and environmental compliance (fire marshal, DEC, DCP). R.C.H. has also made sure that all owners and employees of R.C.H. are licensed and compliant with Alaska marijuana statutes.

This application also provides proof that adequate sewage, transportation, energy, air quality, water, and public service capabilities are available to serve the proposed conditional use. The building is in the city limits and although the building does not receive city water, an account has been set up at Water Wagon to keep the water tanks full. Crowley has supplied fuel to the building since it was built, and the building's power has always been supplied by GVEA. The road to the building is maintained by the city. The City of Fairbanks Fire department will come to the address of the building, should there be a fire. The security system has added an extra layer of
protection to ensure that should an emergency occur, the proper security facility will be notified to remedy the issue.

Finally, the narrative above clearly shows that the proposed conditional use in no way harms the health and safety of the public. R.C.H. has taken the necessary steps to ensure that the facility will be protected 24 hours a day, with cameras, alarms, commercial grade door locks, motion detecting lights, fencing around the perimeter of the property, educated and licensed employees, and 24 hour data protected storage of all playback from the cameras installed at the facility. R.C.H. is well aware of the necessary steps that need to be taken when disposing of marijuana solid and liquid waste. R.C.H. will always take every necessary precaution to maintain a reputation as an informed, and proactive business that is a benefit to the Fairbanks community and understands and welcomes the need to cultivate an integrity that spreads from our facility out into the community.
Application Material Received on
October 3, 2017

CU2018-003
Part 4: Narrative –

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General plant and soil fertilizer and nutrients

8). Marijuana waste will be collected and stored until R.C.H. deems it necessary to dispose of said waste. R.C.H. will notify the AMCO Board through METRC that R.C.H. plans to make waste unusable by mixing it with soil, and newspaper, and to dispose of said waste. Once approval has been received, R.C.H. will grind up the marijuana waste with other forms of waste until the rendered mixture is less than 50% cannabis waste. R.C.H. will notify the FNSB Land fill to determine when the waste can be disposed of there. The landfill provides locking containers, so that the waste can be transported to the landfill safely. R.C.H. will set an appointment with the FNSB Landfill to have the waste disposed of. Once the waste has been disposed of safely, R.C.H. will notify the AMCO board. Although R.C.H. does not plan to produce liquid waste, Big Foot Pumping and Thawing will dispose of any liquid waste, as long as it meets dilution requirements.
set forth by Golden Heart Utilities. If the said liquid waste is over a certain limit for any liquid chemical or nutrient (R.C.H. will use only liquid nutrients to feed plants, other chemicals will not be used), R.C.H. will dilute the mixture with more water. It should be noted that Big Foot Pumping and Thawing is also capable of diluting the mixture. Once the liquid waste has been rendered safe to dispose of. R.C.H. will contact the AMCO Board for approval, and set an appointment with Big Foot Pumping and Thawing. Once the liquid waste has been disposed of R.C.H. will notify the AMCO Board.

9). Electrical energy will be provided by GVEA and heating fuel delivered by Crowley Fuel.

10). Water is delivered by Water Wagon as needed to a 2500 gallon tank.

11). The property is on an isolated septic system that is pumped on a regular basis by Bigfoot Pumping and Thawing. That said, no waste water will be poured down the drains. All marijuana waste is required to be disposed of through safe means per state regulations. In addition, there will be little to no waste water, as a majority of the water will be absorbed through the soil by the plants. If there is liquid waste, R.C.H., as mentioned before, will contact Alaska Waste or the Fairbanks Landfill to notify them of the waste so it can be accepted at their facility. Any liquid waste produced will be recycled for use in a separate small water tank.

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In conclusion, R.C.H. has clearly shown that the proposed conditional use conforms to the intent and purpose of this title as well as other ordinances and state statutes. R.C.H. has notified the city and borough of the plans for the cultivation facility. R.C.H. has notified other local offices in order to ensure public, and environmental compliance (fire marshal, DEC, DCP). R.C.H. has also made sure that all owners and employees of R.C.H. are licensed and compliant with Alaska marijuana statutes.
This application also provides proof that adequate sewage, transportation, energy, air quality, water, and public service capabilities are available to serve the proposed conditional use. The building is in the city limits and although the building does not receive city water, an account has been set up at Water Wagon to keep the water tanks full. Crowley has supplied fuel to the building since it was built, and the building's power has always been supplied by GVEA. The road to the building is maintained by the city. The City of Fairbanks Fire department will come to the address of the building, should there be a fire. The security system has added an extra layer of protection to ensure that should an emergency occur, the proper security facility will be notified to remedy the issue.

Finally, the narrative above clearly shows that the proposed conditional use in no way harms the health and safety of the public. R.C.H. has taken the necessary steps to ensure that the facility will be protected 24 hours a day, with cameras, alarms, commercial grade door locks, motion detecting lights, fencing around the perimeter of the property, educated and licensed employees, and 24 hour data protected storage of all playback from the cameras installed at the facility. R.C.H. is well aware of the necessary steps that need to be taken when disposing of marijuana solid and liquid waste. R.C.H. will always take every necessary precaution to maintain a reputation as an informed, and proactive business that is a benefit to the Fairbanks community and understands and welcomes the need to cultivate an integrity that spreads from our facility out into the community.

R.C.H. plans to use a perpetual harvest schedule, meaning there will be a harvest every 30 days. During non-harvest, hours of operation will remain 8:30am - 5:30pm. During harvest, the hours of operation could be as long as 24/7 for up to two weeks.
Application Material Received on
October 12, 2017

CU2018-003
HI Manish,

Ryan Hallsten here. I just wanted to touch base about our future plans for the property. In my initial application I noted that we were going to keep unit B a residence, however, we have run into some problems with that plan because of fire proofing requirements. We would need to sprinkle the whole building and build a five hour proof wall between the two units. Needless to say this is not a financially viable option for us at this time.

Audrey Ranstead, who had planned to use part of the building as a manufacturing facility a couple years ago, had some personal matters take precedence causing her plan to fall through, but now is going to proceed. Our plan is to turn the apartment of Unit B into a manufacturing facility. She is going to apply for a separate conditional use permit and manufacturing license through the state.

In addition, I plan to open a retail facility on the bottom non-apartment portion and garage side of Unit B. I will also apply for a conditional use permit and retail license through the state.

Please let me know if you have any other questions or need any more information. I just wanted to touch base with you again to clarify out future plans.

Best regards,

Ryan
DEAR PROPERTY OWNER
“INTERESTED PERSONS”

CU2018-003
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<th>Property Details</th>
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<td>T &amp; R INDUSTRIAL, LOT: 09</td>
<td>Carlile Transportation Systems Inc</td>
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STAFF REPORT

REMAND OF
CU2017-010
DEPARTMENT OF COMMUNITY PLANNING  
STAFF REPORT  

CU2017-010 - REMAND  
October 24, 2017 Planning Commission Meeting  

TO: Fairbanks North Star Borough Planning Commission  
FROM: Stacy Wasinger, Planner III  
DATE: October 11, 2017  

RE: REMAND of CU2017-010: A request by Dan Sloan, FNSB Public Works Director, for conditional use approval of a solid waste public dumping site in the Multiple-Family Residential/Professional Office (MFO) zone on Lot 1, Chena Pump Solid Waste Transfer Station Subdivision (located on the south side of Old Chena Ridge Road, west side of Chena Pump Road, and southwest of Parks Highway).  

I. EXECUTIVE SUMMARY  

The applicant has requested a conditional use permit for expansion of an existing solid waste public dumping site in the MFO zone. The conditional use request was previously considered at a public hearing by the Planning Commission on February 7, 2017 and was approved by the Commission with six (6) conditions and three (3) findings of fact. The CUP approval was appealed to the Board of Adjustment (BOA) by an interested party within the 'Dear Property Owner' notification area. At a public hearing on June 29, 2017, the BOA considered the appeal and remanded the matter back to the Planning Commission to consider and make findings on four specific elements of the conditional use proposal:  

1) Noise mitigation  
2) Whether set hours of operation or maintenance should be imposed  
3) Whether limitations on the use of lighting are necessary  
4) Whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property  

The full remand order from the BOA is attached to this report as Exhibit A. The previous staff report, for the public hearing on February 7, 2017, is attached as Exhibit B.  

The Department of Community Planning recommends APPROVAL of the conditional use request on remand with two (2) modified or additional conditions from the original conditions of approval for a total of seven (7) conditions and five (5) additional findings to the original three (3) Findings of Fact in support of approval. With conditions as proposed, the staff analysis finds that the proposed public dumping site will meet the intent and purpose of Title 18 and of other ordinances and state statutes, will have adequate public services and will protect public health, safety and welfare.
II. GENERAL INFORMATION

A. Purpose
   Conditional Use: To allow an expansion to the existing solid waste public dumping site in the MFO zone

B. Location
   On the south side of Old Chena Ridge Road, west side of Chena Pump Road

C. Access
   Old Chena Ridge Road

D. Size/PAN
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E. Existing Zone
   MFO

F. Existing Land Use
   Vacant/driveway to existing public dumping site on adjacent parcel to the south

G. Surrounding Land Use/Zoning
   North: Zoning: MFO  
          Land Use: Chena Ridge Road/Vacant
   South: Zoning: GU-1  
          Land Use: Chena Pump Transfer Site
   East:  Zoning: TF  
          Land Use: Chena Pump Road/Residential
   West:  Zoning: OR  
          Land Use: Vacant

H. Community Facilities
   Water and Sewer: N/A  
                    Electricity: GVEA

I. Code Violations
   None on file

J. Flood Zone
   X (94%). Ae (6%) (March 17, 2014 dFIRM)

K. Zoning History
   Unrestricted Use (UU) through the adoption of Ord. No. 67-34 on March 28, 1968
   Unrestricted Use (UU) to Holding zone (Q) with Ord. No. 70-42, adopted November 25, 1970
   Holding zone (Q) to Residential (R4) with Ord. No. 86-109, adopted January 13, 1987
III. BACKGROUND

Application materials as submitted for the first hearing of this CUP application are attached as Exhibit C. The conditional use permit application was submitted on December 8, 2016. The CUP was considered at a public hearing on February 7, 2017 and approved by the Planning Commission. After this approval, the decision was appealed by an interested person on February 27, 2017. A public hearing was held and the appeal was heard by the Board of Adjustment (BOA) on June 29, 2017. The BOA remanded the case back to the Planning Commission to consider and make findings on four specific elements of the conditional use proposal:

1) Noise mitigation
2) Whether set hours of operation or maintenance should be imposed
3) Whether limitations on the use of lighting are necessary
4) Whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property

Figure 1 illustrates the proposed site plan previously provided by the applicant. The applicant submitted additional application materials submitted to address the four elements of the remand order, which are attached to this report. The site design remains the same as described in the previous staff report (Exhibit B). The applicant has further addressed lighting, noise, hours of operation, and buffers.

This conditional use permit application and any conditions imposed apply only to the expansion on Lot 1; the existing Chena Pump Transfer Site on Lot 2 is zoned GU-1 and does not require a conditional use. However, many of the overall site improvements, such as resurfacing and fencing, are intended for both the existing and proposed expansion of the transfer site. This expansion will address lighting on both the existing site and the proposed expansion, including replaced fixtures that will direct light downward. Noise and hours of operation are considered in the context that although the transfer site gates are open 24/7, the refuse haulers and maintenance are primarily on site during 7 am to 4 pm due to the gate hours of the FNSB landfill and normal working hours. Buffers are analyzed for two elements, visual and water runoff.
Figure 1: Site Plan
(Source: Site plan by applicant, annotations by Community Planning staff for illustrative purposes.)

- Existing trees and vegetation to remain
- Proposed relocated driveway
- Existing driveway to be closed and re-vegetated
- Proposed expansion on Lot 1, CU2017-010
- Approximate location of 35° PUE (see Plat 95-85 for details)
IV. APPLICABLE APPROVAL CRITERIA

Conditional Uses are governed by 18.104.050 (C) Hearing and Decision by the Planning Commission, Fairbanks North Star Borough Code of Ordinances (Exhibit D).

Public Notice

There were 226 dear property owner notices mailed out and staff received three inquiries about this conditional use remand.

V. STAFF ANALYSIS

A. Remand Elements

After a public hearing on June 29, 2017, the BOA remanded this matter back to the Planning Commission to consider and adopt findings on four concerns related to public health, safety, and welfare. The applicant has provided additional application materials, including a narrative and photos, to address these elements.

1) Noise mitigation

The primary noise impacts of this conditional use request are expected to be those associated with use and maintenance of the site. For instance, refuse haulers and snow plows may have back-up alarms that create repetitive noises that are louder than passenger vehicles. The applicant states that both of these activities generally occur during normal business hours, from 7 am to 4 pm. This is due in large part to the operating hours of the FNSB Landfill. The refuse haulers operate primarily during the landfill’s open hours, which are Monday - Friday, 8:00 am to 4:00 pm, Saturday 9:00 am to 4:00 pm, and Sunday 12:00 pm to 4:00 pm. Additionally, the applicant states that maintenance by borough staff generally occurs between those same operational hours. An unusually heavy snowfall may cause plowing to occur earlier or later than the typical 7 am to 4 pm hours, but this would be an unusual circumstance.

Traffic on Chena Pump Road and other nearby uses may also create some noise being attributed to the proposed conditional use. According to the applicant’s narrative, Chena Pump Road has a daily traffic count of 12,000 trips to the north of the intersection with Old Chena Ridge, which may account for some noise in the area. This conditional use is for an expansion of the existing Chena Pump Transfer Site on to Lot 1. The existing Chena Pump Transfer Site on Lot 2 is on property zoned General Use 1 (GU-1) and does not require a conditional use permit. There is already noise from existing site operations, including noise that is associated with the refuse haulers and maintenance. The proposed expansion is expected to have minimal, if any, impact to these operations. The site currently has an average of refuse haulers on site 3 times per day in the winter and 6 times per day in the summer. Because the site will be physically larger, refuse haulers and snow plows may be on the site longer. The expansion is not expected to generate an increase in the number of refuse hauler or snow removal vehicle visits to the site per day.

Dictating set hours of operation may help mitigate noise impacts, but staff is not recommending a condition limiting hours of operation or maintenance. Any fixed hours of
operation are not likely to be more restrictive than the hours of 7 am to 4 pm. For instance, the City of Fairbanks noise ordinance restriction is between the hours of 11 pm and 7 am.

2) **Whether set hours of operation or maintenance should be imposed**

The remand order did not discuss specifically the purpose of considering hours of operation, but the impact would be primarily noise mitigation. As stated above, refuse haulers and snow removal vehicles are primarily on site between 7 am and 4 pm.

The FNSB Solid Waste Division, working with borough administration, has instituted trials at other transfer sites that restrict hours of operation and provide full-time staff to monitor the site during open hours. These trials have been generally successful, and there is a workshop scheduled for the FNSB Assembly on October 19, 2017 to discuss implementing similar changes to borough transfer sites. Such operational changes may be part of a future ordinance.

Because the existing transfer site does not require a conditional use permit, any condition that imposes hours of operation would only apply to the expansion. Because refuse collection and maintenance typically occur during the business hours of 7 am to 4 pm, a limitation of hours of operation would primarily have the effect of limiting access by the public to dispose of waste at the transfer site. Hours of operation that restrict maintenance would impact unusual circumstances, such as a very heavy snowfall that may cause plowing to occur earlier or later than the typical 7 am to 4 pm hours. Decisions on hours of operation which affect access by the public would more appropriately be made on an operational level, because the land use impacts of the expansion area are limited compared to the impacts of the existing transfer site. If the Planning Commission chooses to impose a condition, hours of operation or operational changes imposed through subsequent Public Works Department and Assembly action may be superseded by this condition. The most restrictive of a CUP condition or an Assembly ordinance will govern. Therefore, due to the operational issues related to transfer sites borough-wide being considered by the Assembly that may well impose hours of operation on most transfer sites, Community Planning does not recommend that a condition related to hours of operation be imposed for this conditional use expansion.

3) **Whether limitations on the use of lighting are necessary**

The Title 18 requirement in terms of lighting is that “Lighting, glare and general illumination shall not be directed towards residentially zoned properties other than that property from which the lighting, glare and general illumination originates” (FNSBC 18.94.140). In this case, the subject property for the transfer site expansion is not adjacent to residentially zoned land.

Due to security concerns, transfer site lighting remains lit 24 hours a day, 7 days a week. The existing transfer site has five (5) flood lights that provide lighting (Figure 2). With the expansion, the current lighting would be removed and replaced with eleven (11) lower color temperature lights that are downward-facing and cut off to direct light to the site. The new lighting poles are 29.5 feet to the top of the fixtures, which is similar in height to the existing lighting poles. The Farmers Loop transfer sites have already had these lower intensity type fixtures installed (Figure 3). By increasing the number of fixtures, the brightness of each light can be decreased. Traffic on Chena Pump Road and other nearby uses also create
light sources and some of the light impacts attributed to this site may actually be a result of those uses (Figure 4).

Staff does not recommend a condition regarding lighting on the site. For security purposes, the lighting should remain on 24/7. With the change to fixture types and light color temperature, the conditional use will be in conformance with Title 18 requirements. The change to downward directed fixtures and lower temperature color lights lessen the impact of lighting to neighboring properties by decreasing light pollution.
4) **Whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property**

There are two aspects of the buffers on the site that were addressed by the applicant in response to this remand: the visual buffer; and the vegetative buffer area for water run-off. There was a question raised in the BOA appeal hearing whether the applicant could shift the proposed buffers along the west property line to give more space along the west boundary for increased buffer area.

**Visual Buffer**

The transfer site is separated from residential lots to the west by a minimum of 500 feet of property zoned OR. The applicant states that the buffers originally proposed for the Chena Pump Transfer Site expansion were based on buffers established for the Farmers Loop West Transfer Site, which include a 50 foot buffer along the major road and a 30 foot buffer on the side road. At the Chena Pump Transfer Site expansion, a 50 foot buffer was originally proposed along Chena Pump Road and a 30 foot buffer was proposed along Old Chena Ridge Road. In addition, a 30 foot buffer to the west property line was also originally proposed at the Chena Pump Transfer Site along the slough. The existing vegetation which is proposed to remain will help provide a visual buffer on all three sides (*Figure 5*).

Additionally, there are power poles along the east boundary of the property, between the proposed expansion and Chena Pump Road. The 50 foot buffer provided along Chena Pump Road also allows these power poles to remain, as it would be cost prohibitive to relocate them. The applicant states that at least four poles would need to be moved at a cost of $16,000 per pole if this buffer is reduced significantly. The presence of these poles indicates the need for the buffer along Chena Pump Road to remain 50 feet.

The applicant has not changed the design of the site or the buffers originally proposed. With the additional application materials submitted in response to the remand elements, the applicant indicated that an additional 10 feet could be accommodated along the west boundary without significantly impacting site design or functionality (*Exhibits E and F*). Because this would provide additional visual buffer to the neighboring property, Community Planning recommends a condition that the west buffer be increased by 10 feet to at least a 40 foot buffer.

**Water Runoff Buffer**

There is a 30 foot vegetative buffer originally proposed on the west side and a 12 foot gravel maintenance access road between the site perimeter fence and the buffer area. Dumpsters will be placed at least 3-5 feet inside the fence. This effectively creates a 45 foot area for the water to infiltrate between the dumpsters and the western property boundary.

Any alteration of the slough would require wetlands permits from the Army Corp of Engineers. There is not intended to be direct discharge into the slough from the site. Additionally, the overall site will be graded from north to south, sloping away from the slough. Many of the dumpsters and other structures on the site will be on the east side, which slopes away from the slough. The applicant states that the design of the site will "require runoff to travel a longer path, reducing the likelihood of ever even reaching" the slough. In their remand narrative, the applicant also cited two different sources for riparian
buffers. For example, Alaska DNR recommends a 100 foot building setback from anadromous waterways on state land. The subject parcel is not state land and this slough is not currently designated as anadromous, but does have some indicators that it potentially could be so designated in the future. There are no proposed structures on Lot 1. Providing a 100 foot buffer to the dumpsters would make expansion on Lot 1 difficult. Because there is no space to expand the transfer site to the south due to the limited width of Lot 2, Lot 1 is the only option for expansion. The other publication, “General Recommendations for Riparian Management Zones in Interior Alaska” recommends a minimum of 26 feet up to 82 feet or more of vegetated buffer from anadromous waterways. The 30 foot buffer originally proposed meets the minimum recommendation of 26 feet from the slough but the maximum buffer of 82 feet is not feasible if the site is to be developed due to the width of Lot 1.

The applicant reviewed the site and determined that there was some flexibility in site design. Due to the design of the site, the applicant indicates that an additional 10 feet could be added to the proposed 30 foot buffer on the west side of the site expansion on Lot 1 without compromising the usability of the site or incurring prohibitive costs (Exhibit E). Any buffer greater than the additional 10 feet would require substantial site redesign and cost; a drawing is included showing the impact of a 50 foot buffer on the west side, which would require moving light poles and dumpsters and/or the driveway. The analysis from the applicant regarding how much additional buffer can be provided on the west side of Lot 1 is based on the proposed driveway location and the maneuvering of refuse hauler trucks (Exhibit F). The appellant argued that there was not sufficient vegetative buffer to mitigate any impacts on the slough from water runoff from the conditional use but has not provided proof that the proposed 30 foot buffer is insufficient to mitigate any water runoff. Vegetation and pervious surface provides an area for water runoff to infiltrate. In addition to increased visual buffering, an additional 10 feet of vegetated buffer space would provide more area for any stormwater runoff to filter and absorb prior to reaching the slough. Staff recommends a condition that the west vegetative buffer be no less than 40 feet, in addition to the 12 foot gravel access road.

B. 18.104.050 (C) Hearing and Decision by the Planning Commission

(1) **Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes;**

Please see the previous staff report for the February 7, 2017 Planning Commission meeting for detailed analysis of the overall conditional use proposal and how it meets the criteria. The conditional use meets the intent and purpose of Title 18 and the remand considerations do not alter the previous analysis.

(2) **Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use;**

Please see the previous staff report for the February 7, 2017 Planning Commission meeting for detailed analysis of the overall conditional use proposal and how it meets the criteria. The subject site has adequate facilities available for the proposed conditional use and the remand considerations do not alter the previous analysis.

(3) **Whether or not the proposed conditional use will protect the public health, safety and welfare.**
Please see the previous staff report for the February 7, 2017 Planning Commission meeting for detailed analysis of the overall conditional use proposal and how it meets the criteria.

The four remand elements are all concerns analyzed in the context of impact on health, safety, and welfare. Noise, light, hours of operation, and visual and water runoff buffers could all have impacts that cross property lines.

The primary noise impacts of this conditional use request are expected to be those associated with use and maintenance of the site. For instance, refuse haulers and snow plows may have back-up alarms that create repetitive noises that are louder than passenger vehicles. The applicant states that refuse hauler, snow plow, and maintenance activities by borough staff generally occur between the hours of 7 am to 4 pm. An unusually heavy snowfall may cause plowing to occur earlier or later than the typical 7 am to 4 pm hours, but this would be an unusual circumstance. Traffic on Chena Pump Road and other nearby uses may also create some noise being attributed to the proposed conditional use. The existing Chena Pump Transfer Site on Lot 2 is on property zoned General Use 1 (GU-1) and does not require a conditional use permit. There is already noise from existing site operations, including noise that is associated with the refuse haulers and maintenance. The proposed expansion is expected to have minimal, if any, impact to these operations. The expansion is not expected to generate an increase in the number of refuse hauler or snow removal vehicle visits to the site per day.

The remand order did not discuss specifically the purpose of considering hours of operation, but the impact would be primarily noise mitigation. Any fixed hours of operation are not likely to be more restrictive than the hours of 7 am to 4 pm, which is the primary timeframe for refuse haulers and maintenance of the site. For instance, the City of Fairbanks noise ordinance restriction is between the hours of 11 pm and 7 am. There are potential operational changes from Public Works and the Assembly that would institute hours of operation at most transfer sites. Because the existing transfer site does not require a conditional use permit, any condition that imposes hours of operation would only apply to the expansion. Therefore, staff does not recommend a condition regarding hours of operation because it is not effectively addressing a land use concern of the proposed expansion.

In regard to concerns of lighting impacts on neighboring properties, the existing transfer site currently has five (5) flood lights. Due to security concerns, transfer site lighting remains lit 24 hours a day, 7 days a week. With the expansion, the current lighting would be removed and replaced with a total of eleven (11) poles on the entire site. These fixtures use lower color temperature lights that are downward-facing and cut off to direct light to the site. The new and existing lighting poles are similar in height but the new fixtures will cut light by focusing it downward and having a lower color temperature, which is less bright than the existing lights. By increasing the number of fixtures, the brightness of each light can be decreased. Traffic on Chena Pump Road and other nearby uses also create light sources and some of the light impacts attributed to this site may actually be a result of those uses. Staff does not recommend a condition regarding lighting on the site because the changes proposed by the applicant are compliant with Title 18 and reduce light impacts on neighboring properties.

There are two aspects of the buffer that were addressed by the applicant in response to this remand element: visual buffer; and buffer area for water run-off. There was a question at
the BOA appeal hearing whether the applicant could shift the proposed buffers along the west property line to give more space to the west boundary for increased buffers for the neighboring properties. The applicant reviewed the site design and indicated that an additional 10 feet could be provided on the west property boundary.

A 50 foot buffer was originally proposed along Chena Pump Road and a 30 foot buffer was proposed along Old Chena Ridge Road. In addition, a 30 foot buffer to the west property line was also originally proposed at the Chena Pump Transfer Site for the neighboring properties and the slough. The vegetation that is proposed to remain will help provide a visual buffer on all three sides. The 50 foot buffer provided along Chena Pump Road also allows the existing power poles to remain, as it would be cost prohibitive to relocate them. Because this would provide additional visual buffer to the neighboring property, staff recommends a condition that the west buffer be increased by 10 feet.

There is a 30 foot vegetative buffer originally proposed on the west side and a 12 foot gravel maintenance access road between the site perimeter fence and the buffer area. Dumpsters will be placed at lease 3-5 feet inside the fence. This effectively creates a 45 foot area for the water to infiltrate between the dumpsters and the western property boundary. Due to the design of the site, the applicant indicates that an additional 10 feet to the proposed 30 foot buffer could be provided on the west side of the site expansion on Lot 1 without compromising the usability of the site or incurring prohibitive costs. Vegetation and pervious surface provides an area for water runoff to infiltrate. In addition to increased visual buffering, an additional 10 feet of vegetated buffer space on the west side would provide more area for any water runoff to filter and absorb prior to reaching the slough. The applicant reviewed the site and determined that there was some flexibility in design. Staff recommends a condition that the west vegetated buffer be no less than 40 feet, with the additional 12 feet gravel access road.

With the conditions imposed, the application promotes the public health, safety and general welfare of the residents of the borough because the proposed use will increase the capacity and functionality of the sanitary collection and disposal of solid waste.

C. **Zoning and Comprehensive Plan Designation**

Please see the previous staff report for the February 7, 2017 Planning Commission meeting for detailed analysis of the overall conditional use proposal and how it conforms to zoning requirements and the Comprehensive Plan.

C. **Agency Comments**

Please see the previous staff report for the February 7, 2017 Planning Commission meeting for agency comments regarding the overall conditional use. The FNSB Department of Community Planning contacted following agencies for comments on the remand elements:

a. Chena Goldstream Fire Department
b. State of Alaska Fire Marshal’s Office
c. State of Alaska Troopers
d. State of Alaska Department of Environmental Conservation (ADEC)
e. State of Alaska Department of Transportation and Public Facilities (AKDOT&PF)
f. Alaska Department of Fish and Game (ADF&G)
g. FNSB Land Management
As of the date of this report, no additional agency comments have been returned that indicate concern or conflict with the remand elements for the proposed conditional use.

VII. RECOMMENDATION

Based on the staff analysis of the original application and remand considerations, the Department of Community Planning recommends **APPROVAL** of the conditional use permit request for expansion of the public dumping site on Lot 1 in MFO zone with seven (7) conditions. Condition 2 has been revised into two conditions but all other conditions were previously adopted by the Planning Commission on February 7, 2017. Modifications to the original conditions and findings are shown in red text.

VIII. CONDITIONS

1. Any development within the Special Flood Hazard Area, including but not limited to filling, paving or grading shall require a Floodplain Permit and compliance with FNSB Title 15 regulations.

2. The minimum 30 foot wide buffer of existing natural vegetation shall be maintained along the north, east, and west property lines.

2. A 50 foot wide vegetative visual buffer shall be maintained along Chena Pump Road and a 30 foot wide vegetative visual buffer shall be maintained along Old Chena Ridge Road.

3. A minimum 40 foot wide visual and water runoff buffer of existing natural vegetation shall be maintained along the west property line, along with a 12 foot gravel access road between the fence and the vegetative buffer.

4. No structures or dumpsters shall be located in the Public Utility Easement (PUE), nor shall any dumpsters, structures or other impediments be located such that the access to PUE is restricted.

5. The existing old driveway shall be revegetated after the construction of the new driveway off of Chena Ridge Road.

6. All dumpsters and other structures shall be constructed and located on the recycled asphalt pavement surfacing and directly relate to the principal use of a solid waste public dumping site.

7. If any modifications are made to the site plan, floor plan, or other FNSB required documents, the applicant or holder of this conditional use permits shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).
IX. FINDINGS OF FACT

The Department of Community Planning further recommends the following Findings of Fact in support of approval (Finding of Fact 3 has been modified, and 4 through 7 area additional to the Findings of Fact adopting on February 7, 2017):

1. The proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes because it will conform to Title 18 requirements as a conditional use in the MFO zone.

   a. The conditional use is consistent with the Urban Area designation. With appropriate conditions, the conditional use is compatible with the existing land uses. The purpose of Title 18 will be met because the proposed use supports Land Use Goal 4, Strategy 10 of the FNSB Regional Comprehensive Plan, which is to “attract and support development that is compatible with and enhances existing land use”. The use also aligns with Transportation and Infrastructure Goal 2 to “have sufficient public utilities and infrastructure to meet existing and future demand.”
   
   b. The intent of Title 18 will be met because with the conditions imposed, the conditional use will both protect private property rights and promote public health, safety, and welfare by adding more space for turning and maneuvering and creating a designated area for household hazardous waste (HHW), thereby enhancing the functionality of the public dumping site.
   
   c. The applicant has provided information sufficient to show they intend to meet all local, state, and federal laws.

2. There are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.

   a. The proposed conditional use does not require water and sewer capacity.
   b. The site is served by the Alaska State Troopers, Chena Goldstream Fire Service Area, and other services.
   c. The site is connected to the GVEA grid which will provide sufficient energy supply for the public dumping site.
   d. The site is served by Chena Pump Road, an AK DOT & PF maintained road, and Old Chena Ridge Road.
   e. The expanded public dumping site will generate additional trips but will not impede vehicular and pedestrian traffic on the surrounding roads because they have adequate capacity for current and future vehicular trips.
   f. Chena Pump Road has dedicated right and left turn lanes. The relocated driveway will increase the queuing capacity on Old Chena Ridge Road.

3. With the conditions imposed, the conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the MFO zone.

   a. It will expand the capacity for safe disposal of solid waste in the area served by the conditional use.
   b. The existing vegetation and proposed fencing will create a buffer and minimize the visual impact of the proposed conditional use.
   c. Noise impacts are expected with the operation of the public dumping site. The restriction of hauling only within landfill gate hours will eliminate hauler truck
noise at night. The minimum 30-foot vegetative buffers required in Conditions 2 and 3 along the north, east, and west property lines will also help reduce noise impacts on the surrounding parcels.

d. Odor impacts involving the solid waste will be minimized by the regular removal of waste to the FNSB Solid Waste landfill.

e. The structures and dumpsters are not proposed to be located in the floodplain. With the proposed conditions, any filling, paving and grading or other development in the Floodplain are required to comply with Title 15 regulations to ensure public health, safety and welfare.

4. Additional noise mitigation for the expansion of the transfer site use is not necessary because the most intensive noises, including backup alarms from refuse haulers and snow plows, are already mitigated by occurring primarily from 7 am to 4 pm.

5. Hours of operation are an operational issue that is currently being considered by the FNSB Solid Waste Division and the FNSB Assembly. Hours of operation may be imposed on a borough-wide level after trial periods at some transfer sites are concluded. Limiting hours of operations by CUP on this expansion would have the primary effect of limiting access by the public, since maintenance, refuse hauling, and snow removal generally takes place between 7 am and 4 pm. Additionally, the existing Chena Pump Transfer Site on Lot 2 does not require a CUP, so any condition imposed regarding hours of operation on the expansion on Lot 1 would not apply to the existing site.

6. Lighting has been adequately addressed by the applicant. Security concerns dictate that lighting at transfer sites must be lit 24 hours a day, 7 days a week. FNSBC 18.96.140 requires that “Lighting, glare and general illumination shall not be directed towards residentially zoned properties other than that property from which the lighting, glare and general illumination originates.” The expansion will remove and replace existing site lighting with lower temperature, downward facing light fixtures. Other sources of light in the area include lighting and traffic on Chena Pump Road and from nearby commercial uses.

7. An additional 10 feet could be added to the buffer on the west property line, adjacent to the slough, without making the design of the site infeasible or cost prohibitive. Increasing this proposed buffer from 30 feet to 40 feet provides additional space to reduce the possibility of water runoff in to the adjacent slough.

8. The applicant has stated that the vegetative visual buffer on Chena Pump Road cannot be reduced without cost prohibitive expense because power poles would have to be moved. With conditions 2 and 3 requiring a 30 foot buffer along Old Chena Ridge Road, a 50 foot buffer along Chena Pump Road, and a 40 foot buffer along the west property line, the buffers are adequate to provide a visual barrier.

DRAFT PLANNING COMMISSION MOTION:

I move to approve the Conditional Use Permit for expansion of the public dumping site on Lot 1 with seven (7) conditions, and adopting the staff report and eight (8) Findings of Fact in support of the approval.
MEMORANDUM

TO: Christine Nelson, Director
Department of Community Planning

FROM: Nanci Ashford-Bingham, MMC, Borough Clerk

DATE June 30, 2017

SUBJECT: BOARD OF ADJUSTMENT APPEAL FILED BY TAMMI AND RAJIVE GANGULI REGARDING CU2017-010

The Board of Adjustment met on June 29, 2017, and remanded this matter back to the Planning Commission; a copy of the remand order is attached.

The Planning Commission shall act on the case upon remand in accordance with the decision of the board of adjustment in the minimum time allowed by the circumstances.

This is a final decision. 1) Decisions of the board of adjustment may be brought up for reconsideration or rehearing only if: there was substantial procedural error in the original proceeding; or the board acted without jurisdiction in the original proceeding; or the decision was based upon fraud or misrepresentation. The appellant or appellee may seek reconsideration or a rehearing by filing a request with the borough clerk, together with materials supporting one or more of the grounds stated above, within 15 days of the original decision. 2) If you wish to appeal the Board’s decision, you must file an administrative appeal to the Alaska Superior Court as provided by the rules of court applicable to appeals from the decisions of administrative agencies. Such filing must be made within 30 days of the mailing of this notice and may be made at the Alaska State Courthouse located at 101 Lacey Street, Fairbanks.

cc: Jim Williams, Chief of Staff
BEFORE THE BOARD OF ADJUSTMENT
OF THE FAIRBANKS NORTH STAR BOROUGH

In the Matter of the Appeal of CU2017-010:
Tammi and Rajive Ganguli
(Chena Pump Transfer Site Expansion)

ORDER ON REMAND

WHEREAS, The Planning Commission failed to make findings and there is insufficient evidence in the record on an issue material to the decision of the case, specifically regarding the concerns of interested parties regarding noise (dumpsters, back up alarms, and banging), lighting, snow removal/runoff, and visual impacts on nearby properties;

Therefore, this matter is remanded to the Planning Commission to rehear and enter specific findings consistent with the following:

Whether the impacts on nearby residential neighborhoods have been adequately addressed with the proposed conditions, or whether additional conditions should be imposed to ensure the protection of the public health, safety and welfare. Specifically, the Planning Commission should consider (1) noise mitigation; (2) whether set hours of operation or maintenance should be imposed; (3) whether limitations on the use of lighting are necessary; and (4) whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property.
Dated this 29th day of June, 2017.

Kathryn Dodge  
Presiding Officer

ATTEST:

Nanci Ashford-Bingham, RMC  
Municipal Borough Clerk

APPROVED AS TO FORM:

Jill S. Dolan  
Borough Attorney

This is a final decision. If you wish to appeal the Board's decision, you must file an administrative appeal to the Alaska Superior Court as provided by the rules of court applicable to appeals from the decisions of administrative agencies. Such filing must be made within 30 days of the mailing of this notice and may be made at the Alaska State Courthouse located at 101 Lacey Street, Fairbanks.
DEPARTMENT OF COMMUNITY PLANNING  
STAFF REPORT

CU2017-010
February 7, 2017 Planning Commission Meeting

TO: Fairbanks North Star Borough Planning Commission

FROM: Stacy Wasinger, Planner III & Manish Singh, Planner II

DATE: January 27, 2017

RE: CU2017-010: A request by Dan Sloan, FNSB Public Works Director, for conditional use approval of a solid waste public dumping site in the Multiple-Family Residential/Professional Office (MFO) zone on Lot 1, Chena Pump Solid Waste Transfer Station Subdivision (located on the south side of Old Chena Ridge Road, west side of Chena Pump Road, and southwest of Parks Highway).

I. EXECUTIVE SUMMARY

The Department of Community Planning recommends APPROVAL of the conditional use request with six (6) conditions of approval and three (3) Findings of Fact in support of approval. The applicant has requested a conditional use permit for expansion of an existing solid waste public dumping site in MFO zone. With conditions as proposed, the staff analysis finds that the proposed public dumping site will meet the intent and purpose of Title 18 and of other ordinances and state statutes, will have adequate public services and will protect public health, safety and welfare.

II. GENERAL INFORMATION

A. Purpose To allow an expansion to the existing solid waste public dumping site in the MFO zone

B. Location On the south side of Old Chena Ridge Road, west side of Chena Pump Road

C. Access Old Chena Ridge Road

D. Size/PAN Square feet PAN

72,440.28 0481530

E. Existing Zone MFO

F. Existing Land Use Vacant/driveway to existing public dumping site on adjacent parcel to the south

G. Surrounding Land Use/Zoning North: Zoning: MFO Land Use: Chena Ridge Road/Vacant
South: Zoning: GU-1  
Land Use: Chena Pump Transfer Site

East: Zoning: TF  
Land Use: Chena Pump Road/Residential

West: Zoning: OR  
Land Use: Vacant

H. Community Facilities  
Water and Sewer: N/A  
Electricity: GVEA

I. Code Violations  
None on file

J. Flood Zone  
X (94%). Ae (6%) (March 17, 2014 dFIRM)

K. Zoning History  
Unrestricted Use (UU) through the adoption of Ord. No. 67-34 on March 28, 1968

Unrestricted Use (UU) to Holding zone (Q) with Ord. No. 70-42, adopted November 25, 1970

Holding zone (Q) to Residential (R4) with Ord. No. 86-109, adopted January 13, 1987

Residential Office (R4) to Multiple-Family Residential/Professional Office (MFO) with Ord. No. 88-010, effective April 25, 1988

L. Ownership  
Fairbanks North Star Borough  
P.O. Box 71267  
Fairbanks, AK 99707

M. Applicant  
Dan Sloan, FNSB Director of Public Works  
P.O. Box 71267  
Fairbanks, AK 99707

III. ZONING AND DEVELOPMENT HISTORY

The subject property was zoned Unrestricted Use (UU) with the adoption of Ordinance No. 67-34 on March 28, 1968. It was rezoned to Holding (Q) with the adoption of Ordinance No. 70-42 on November 25, 1970. In 1986, a proposed residential and golf course development required the rezone of the subject parcel and some of the surrounding parcels. The subject parcel was rezoned to Residential Office (R4) with the adoption of Ordinance No. 86-109 on January 13, 1987. It was then rezoned from R4 to Multiple-Family Residential/Professional Office (MFO) with the adoption of Ordinance No. 88-010, effective April 25, 1988.
The proposed golf course was not developed. The subject parcel was created with the recording of the plat for the Chena Pump Solid Waste Transfer Station Subdivision on September 19, 1995 (Exhibit 1). The subject parcel and adjacent parcel to the south were acquired by the Fairbanks North Star Borough for a solid waste public dumping site on September 21, 1995. The adjacent parcel (Lot 2, Chena Pump Solid Waste Transfer Station Subdivision) to the south is zoned General Use 1 (GU-1) where a public dumping site is an allowed use. It was determined at that time that utilizing the subject parcel, zoned MFO, to access a public dumping site on the parcel zoned GU-1 would not require a conditional use permit.

IV. PROPOSED USE AND PROJECT INFO

The subject property is currently vacant, serving only as access to the existing FNSB Chena Pump Transfer Site public dumping site. This application requests a conditional use permit to expand the existing Chena Pump Transfer Site currently on Lot 2, which is zoned GU-1, to Lot 1, which is zoned MFO. A public dumping site requires a conditional use permit in the MFO zone (FNSBC18.56.020 (B)).

Figure 1 shows the current land use of parcels in the surrounding area, based on the FNSB Assessor primary use designations. The properties north and west of the subject property are vacant. The properties east of Chena Pump Road and north of Chena Small Tracts Road are developed residentially. The properties east of Chena Pump Road and south of Chena Small Tracts Road are developed commercially.

Figure 2 illustrates the proposed site plan provided by the applicant. The extent of asphalt and gravel surfacing is shown, as well as the approximate location of dumpsters and shelters on both lots. In this site plan, the current public dumping site on Lot 2 is proposed to be restructured to contain a reuse shelter, dumpsters, and a household hazardous waste shelter. Approximately 36 new dumpsters would be located on the subject parcel (Lot 1) and dumpsters, a relocated reuse area, and a new household hazardous waste area will be located on the existing dumping site (Lot 2). A new retaining wall will be constructed on Lot 2. The existing pad will be expanded, surfaced in recycled asphalt pavement. The existing fence will be removed and replaced with a new fence surrounding the entire expanded site. New lighting along the perimeter of the site and free-standing signs at the entrance are proposed. A new driveway is proposed to be constructed to the northwest along Old Chena Ridge Road. Vegetation will be maintained in a 30 to 50 foot buffer along the exterior property lines of both lots. The existing driveway will be revegetated when the new driveway is relocated.

A portion of the subject property is in Floodplain. The subject property is 94% in flood zone ‘X’ (protected by levee) and 6% in flood Zone Ae. Properties within the designated floodplain have additional requirements established by the Title 15 of the Borough code to ensure structures are safe from potential flooding. Designated floodplains and the floodway in the Borough are subject to periodic inundation of floodwaters, which could cause loss of life or property, health or safety hazards. The current proposal maintains a 30 foot buffer along the western property line, which is bordered by Cripple Creek and within the floodplain. Although, the site plan does not show any new construction in the floodplain portion of the property, any grading, paving or filling may impact the flood levels and increase vulnerability to potential floods.
Figure 1: Surrounding Land Uses  
(Source: FNSB GIS, Parcels in yellow are residential uses, gray are vacant parcels, and the red are commercial uses)

The proposed expansion of the existing public dumping facility onto Lot 1 intends to enhance its functionality by increasing the capacity and square footage of the dumping facility. This expansion is likely to generate more impacts on the nearby residential neighborhoods related to increased lighting, odor, noise, traffic and visual impacts. The contract between FNSB and Alaska Waste (contractor) requires the solid waste containers to be hauled often enough to ensure that there is always capacity at this dumping site to allow residents to dispose of waste easily and to encourage residents to place their waste in the waste containers.

The transfer site gates are open 24/7 but the haulers are restricted to disposal during the gate hours of the landfill, which are: Monday - Friday, 8:00 a.m. to 4:00 p.m., Saturday 9:00 a.m. to 4:00 p.m., and Sunday 12:00 p.m. to 4:00 p.m. The haulers generally start collections 1 to 2 hours before the gates open so they can drop their first load immediately after the gates open. Similarly they will generally stop collections 1 to 2 hours before the gates close to ensure they have ample time to drop their last load. The hauling crew consists of large packer and roll-off truck drivers, and clean-up crew in pickups.
Figure 2: Site Plan
(Source: Site plan by applicant, annotations by Community Planning staff for illustrative purposes.)

Existing trees and vegetation to remain

Proposed relocated driveway

Existing driveway to be closed and re-vegetated

Existing Chena Pump Transfer Site on Lot 2

Proposed expansion on Lot 1, CU2017-010

Approximate location of 35’ PUE (see Plat 95-85 for details)
IV. APPLICABLE APPROVAL CRITERIA

Conditional Uses are governed by the following provisions of Title 18, Fairbanks North Star Borough Code of Ordinances:

18.104.050 (C) Hearing and Decision by the Planning Commission

The planning commission shall review, hear and decide whether or not to approve a request for a conditional use. The planning commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes;

2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use;

3. Whether or not the proposed conditional use will protect the public health, safety and welfare.

The planning commission may approve or deny a conditional use request or may approve a conditional use request with conditions to ensure the protection of the public health, safety and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements, lighting, pedestrian movements, time limits for commencing or ceasing use.

Public Notice

There were 226 dear property owner notices mailed out and staff received six telephonic inquiries about this conditional use.

V. STAFF ANALYSIS

A. Zoning and Comprehensive Plan Designation

Figure 3 shows the zoning of the surrounding area. A public dumping site is permitted by conditional use in the MFO zone (FNSBC18.56.020 (B)). The MFO zone also permits uses such as single-family, two-family and multiple-family residential, accessory uses, school buildings, and professional offices. Required setbacks in the MFO zone are 20 feet from the front and rear property lines and 10 feet from the side property lines.

The comprehensive plan designation for the subject parcel is “Urban Area”. It is defined as “[a]rea that is served or can be served with community water and sewer, and contains the most intensive residential, commercial, and industrial development.” The proposed conditional use does not require water and sewer. The application materials align with Land Use Goal 4, Strategy 10 of the FNSB Regional Comprehensive Plan, which is to “attract and support development that is compatible with and enhances existing land use”. The existing public dumping site on Lot 2 serves the surrounding community and provides solid waste collection for the area. The proposed expansion on to Lot 1 will allow the Chena Pump Transfer Site to continue serving the community and expand its capacity. Additionally, the
application aligns with Transportation and Infrastructure Goal 2 to “have sufficient public utilities and infrastructure to meet existing and future demand.” With conditions as proposed, the proposed conditional use will be compatible with the existing uses in the surrounding neighborhood. Appropriate conditions will help mitigate impacts, such as potential noise and traffic, and increase compatibility.

**Figure 3: Zoning Map**
(Source: FNSB GIS)

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**B. Transportation Facilities**

The proposed expansion will enable the FNSB Public Works Department to address some of the deficiencies identified in the FNSB Transfer Sites Major Maintenance and Improvements Plan, including fencing, re-use area, surface conditions, and expansion for forecast growth (see Exhibit 2).

Land uses that cater to drive-up type activities, like transfer sites, can generate a large amount of trip ends on a daily basis. The “Chena Pump Transfer Site” is the fifth most trafficked transfer site in the FNSB in terms of tons of solid waste processed each year, producing 12% by weight of waste collected at FNSB transfer sites. Demand at this transfer site is expected to continue to increase as one of the four transfer sites expected to serve areas with the largest amount of population growth projection.

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The single entrance off of Old Chena Ridge Road is perceived as experiencing some congestion. The entrance to the transfer site is proposed to be moved to the north, farther from the intersection of Chena Pump Road and Old Chena Ridge Road. The new driveway entrance will be more than 200 feet from the centerline of Chena Pump Road, as required by the intersection standards in FNSB Title 17. This relocation will also provide an additional 130 feet of separation from the intersection of the proposed driveway and Chena Pump Road, which would allow additional vehicles to queue.

Chena Pump Road is an arterial type road maintained by AKDOT & PF. Chena Pump Road has essentially four lanes from Geist Road to the intersection of Old Chena Ridge Road/Chena Small Tracts Road. Chena Pump has a high vehicle capacity in this area and could accommodate any additional trips generated from this expansion. The section of Old Chena Ridge Road fronting the subject parcel is maintained by the Yak Road Road Service Area and functions as a collector road.

According to AK DOT & PF, turning movements at the Old Chena Ridge Road/Chena Small Tracts Road and Chena Pump Road intersection recorded in 2009 were between 900 and 1000 vehicles entering and/or existing Old Chena Ridge Road (Exhibit 3). This is an appropriate average daily traffic count for a collector type road4. While there are currently no vehicle counts available on Old Chena Ridge Road or for the transfer site itself, it can be expected that a large amount of traffic is and will continue to be generated by this development. This expectation is based on the following factors:

- There are currently 4,500 tons of waste collected annually at this transfer site;
- The average American “individual waste generation rate of 4.38 pounds per person per day”5, used as basis for the FNSB Transfer Sites Major Maintenance and Improvements Plan6.
- It is unrealistic to expect more than a very select few individuals to transport their refuse to this transfer site by any means other than a vehicle, due to the distance that walking or bicycling would require.
- Only waste from “individual residences” can be collected [FNSBC 21.20.060].

Drawing upon these factors and conservative estimates, it can be assumed that over 500 and less than 900 vehicles per day are utilizing this site7. While this development may lead to a small increase in trip generation, there are adequate transportation facilities with dedicated right and left turn lanes into Old Chena Ridge Road, in addition to the increased queueing capacity that will be gained through the driveway relocation.

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4 Alaska Functional Classification Update, Final Report, June 2010
7 State of Alaska DOT & PF, Traffic Data and Engineering for Chena Pump & Chena Small Tracts
C. Agency Comments

The FNSB Department of Community Planning contacted following agencies for comments:

a. Chena Goldstream Fire Department
b. State of Alaska Fire Marshal’s Office
c. State of Alaska Department of Environmental Conservation (ADEC)
d. State of Alaska Department of Transportation and Public Facilities (AKDOT&PF)
e. FNSB Land Management
f. State of Alaska Troopers
g. Army Corp of Engineers
h. Golden Valley Electric Association (GVEA)

As of the date of this report, no agency comments returned have indicated concern or conflict with the proposed conditional use (see “Agency Comments” section following this report). The State Fire Marshal's Office commented that the “project engineer should expect similar communication/review with the state fire marshal’s office as occurred last season for the other two transfer sites near Fairbanks.” GVEA commented that they have no conflict, provided that “no dumpsters are to be placed within the existing Public Utility Easement (PUE)” and “access to the PUE is maintained.” FNSB Land Management had no concerns but requested a copy of the as-built after the expansion is complete.

D. 18.104.050 (C) Hearing and Decision by the Planning Commission

(1) Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes;

Purpose of FNSBC Title 18: The purpose of Title 18 is “to implement the Fairbanks North Star Borough comprehensive plan” (FNSBC 18.12.020). The proposed conditional use is consistent with the Urban Area designation of the site. The application materials align with Land Use Goal 4, Strategy 10 of the FNSB Regional Comprehensive Plan, which is to “attract and support development that is compatible with and enhances existing land use”. With conditions as proposed, it is staff’s opinion that the proposed conditional use will be compatible with the existing uses in the surroundings such as the existing solid waste dumping site to the south, vacant properties in north and west, and residential and commercial neighborhoods to the east across Chena Pump Road. Appropriate conditions will help mitigate impacts and increase compatibility.

Intent of FNSBC Title 18: The intent of Title 18 which is “to protect private property rights, to promote the public health, safety and general welfare of the residents of the borough, and safety from fire and to promote the efficient distribution of water, sewage, schools, parks and other public requirements; to provide safe traffic flow on the public streets; to promote economic development and the growth of private enterprise; and to divide the borough into districts (FNSBC 18.12.020).”

This proposal is to develop the property with an expansion of the existing public dumping site currently located on the adjacent lot to the south. All conditional uses for the MFO zone are listed in Title 18 of FNSB Code. The MFO zone allows a public dumping site as a conditional use. MFO zone allows some other non-residential uses, such as schools and professional offices, by zoning permit. The public notification, public hearing procedures and
approval criteria for conditional uses protect the property rights of the surrounding property owners.

There is an existing chain-link fence around lot to the south that will be replaced and expanded to including the subject site. The fence will help protect public safety related to the transfer site.

Noise created by visitors to the public dumping site and refuse haulers is an impact that will cross property lines. However, the adjacent parcel to the south is already developed as a public waste dumping site and the parcel to the north across Old Chena Ridge Road is owned by the Interior Alaska Land Trust and is currently vacant. Chena Pump Road bounds the parcel to the east and the adjacent parcel to the west is currently vacant. This will minimize the potential noise impacts because the parcels that would be most impacted are vacant or already developed as a public dumping site.

The proposed use of a public dumping site is expected to generate some additional vehicle trips and the existing transportation facilities are adequate for any anticipated increase. The relocation of the driveway will provide additional queueing area for vehicles and turning movements. The proposed conditional use is not expected to impede vehicular and pedestrian traffic on the surrounding roads.

The application material and the narrative for this proposal demonstrate that it meets the intent of Title 18 because the public dumping site protects property rights. With the conditions imposed, the application promotes the public health, safety and general welfare of the residents of the borough because the proposed use will improve capacity for the sanitary collection and disposal of solid waste. This proposed expansion would also add more space for turning and maneuvering and create a designated area for household hazardous waste (HHW), thereby enhancing the functionality of the public dumping site and protect public health, safety and welfare.

**Alaska State Statute and Other Ordinances:** The site is will be required to meet any other local, state, or federal requirements, including ADEC and State Fire Marshal requirements. These agencies had an opportunity to review the application materials and no comments were received expressing concern about the conditional use. The proposed conditional use complies with the FNSB Comprehensive Plan and other ordinances.

(2) **Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use;**

The applicant has demonstrated that the proposed conditional use has adequate power supply from GVEA. The proposed conditional use does not require water and sewer capacity. Refuse haulers remove solid waste from the site and waste is disposed of properly on the landfill.

The proposed use of this public dumping site expansion is estimated to have approximately 500 to 900 vehicles per day utilizing this site. While this development may lead to a small

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8 Sections of this staff report involving transportation related reviews include comments and feedback from Kellen Spillman, Acting Transportation Planner, after a review of the application materials with FNSB Planners Stacy Wasinger and Manish Singh.
increase in trip generation, there are adequate transportation facilities with dedicated right and left turn lanes into Old Chena Ridge Road. The driveway relocation will increase queueing capacity. The existing capacity of Chena Pump and Old Chena Ridge Road is adequate to serve the conditional use.

(3) **Whether or not the proposed conditional use will protect the public health, safety and welfare.**

With the conditions imposed, the application promotes the public health, safety and general welfare of the residents of the borough because the proposed use will increase the capacity and functionality of the sanitary collection and disposal of solid waste. This proposed expansion will add more space for turning and maneuvering and create a designated area for household hazardous waste (HHW), thereby enhancing the functionality of the public dumping site and protect public health, safety and welfare. Noise, traffic, and odor impacts are potential concerns for health, safety, and welfare impacts to the neighborhood and can be mitigated by the site design and proposed conditions.

The proposed conditional use will have a safe traffic flow because the existing transportation facilities are adequate for any additional trips generated. The proposed conditional use is not expected to impede vehicular and pedestrian traffic on the surrounding roads. The existing driveway is proposed to be relocated to the north along Old Chena Ridge Road, resulting in additional queueing area for vehicles. The asphalt pad will be extended to accommodate the expansion on to the subject parcel and new fencing and lighting will be provided. Access and circulation areas are adequate for safe maneuvering.

The existing structures and dumpsters do not appear to be located within the floodplain. There are no structures or fences proposed to be located in the floodplain. However, the application material does not include any information if the proposed development would require any fill, paving or grading in the designated floodplain. All development within the Floodplain is required to comply with Title 15 regulations to protect public health, safety and welfare by obtaining floodplain permits and elevation certificate as applicable.  

Additionally, the existing vegetation on the site will help minimize the visual impact and create a buffer for neighboring property owners. A condition is recommended to maintain the 30 foot vegetated buffer along the north, east and west property lines, both to serve as a buffer to the adjacent property and to maintain the floodplain.

The application material does not include any information about the daily or weekly pattern or frequency of the hauling activity on this transfer site. The applicant states that even if the hauling activity occurs daily in peak periods, the hours of hauling operation does not appear to be negatively impacting the health, safety and welfare of the surrounding property owners because the hauling could not occur during night time and the existing 30 foot natural vegetative buffer would help mitigate the visual and noise impacts of the hauling operation during the day times.

Odor and dust from solid waste are potential concerns, particularly due to the additional capacity of the expanded site. Alaska Waste, contracted to empty the dumpsters and

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Section of this staff report involving floodplain related reviews include comments and feedback from Nancy Durham, FNSB Floodplain Administrator, MURP, CFM after a review of the application materials with FNSB Planners Stacy Wasinger and Manish Singh.
remove solid waste to the landfill, monitors and maintains all solid waste dumping sites. Odor mitigation is accomplished by removing the garbage from the dumpsters on a regular basis. The existing transfer site surface is gravel and silt. The expanded transfer site will have a new surface of recycled asphalt pavement and will be significantly less dusty and reduce tracking onto the paved road.

Noise is a concern with the proposed conditional use. It is expected that some noise will ensue from visitors to the site disposing of waste, refuse haulers, and other users of the site. The use is proposed to be open 24 hours a day, 7 days a week for public for is limited to Solid Waste Facility gate hours for the haulers. The restricted Solid Waste Facility gate hours help mitigate hauling truck noise in night and protect public health, safety and welfare of the neighboring property owners. The proposed 30 foot buffer will allow some distance between the use and neighboring properties. Additionally, the areas on lots directly adjacent to the proposed conditional use are vacant, and to the south is the existing public dumping site. Maintaining a buffer will help mitigate any noise impacts.

Because this conditional use approval is for a particular use of the said property, a change in the site plan or operation method or expansion may result in increased impacts or trigger a public health, safety and welfare concern which have not been analyzed as part of this conditional use permit. Therefore, Community Planning staff recommends a condition to file final site design plans with Community Planning to ensure compliance with Planning Commission approved site plan and conditions. If modifications are made in the final site design plans, an amendment to the conditional use permit may be required.

VII. RECOMMENDATION

Based on the staff analysis, the Department of Community Planning recommends APPROVAL of the conditional use permit request for expansion of the public dumping site on Lot 1 in MFO zone with six (6) conditions.

VIII. CONDITIONS

1. Any development within the Special Flood Hazard Area, including but not limited to filling, paving or grading shall require a Floodplain Permit and compliance with FNSB Title 15 regulations.

2. The minimum 30 foot wide buffer of existing natural vegetation shall be maintained along the north, east, and west property lines.

3. No structures or dumpsters shall be located in the Public Utility Easement (PUE), nor shall any dumpsters, structures or other impediments be located such that the access to PUE is restricted.

4. The existing old driveway shall be revegetated after the construction of the new driveway off of Chena Ridge Road.

5. All dumpsters and other structures shall be constructed and located on the recycled asphalt pavement surfacing and directly relate to the principal use of a solid waste public dumping site.
6. If any modifications are made to the site plan, floor plan, or other FNSB required documents, the applicant or holder of this conditional use permits shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).

IX. FINDINGS OF FACT

The Department of Community Planning further recommends the following Findings of Fact in support of approval:

1. The proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes because it will conform to Title 18 requirements as a conditional use in the MFO zone.

   a. The conditional use is consistent with the Urban Area designation. With appropriate conditions, the conditional use is compatible with the existing land uses. The purpose of Title 18 will be met because the proposed use supports Land Use Goal 4, Strategy 10 of the FNSB Regional Comprehensive Plan, which is to “attract and support development that is compatible with and enhances existing land use”. The use also aligns with Transportation and Infrastructure Goal 2 to “have sufficient public utilities and infrastructure to meet existing and future demand.”

   b. The intent of Title 18 will be met because with the conditions imposed, the conditional use will both protect private property rights and promote public health, safety, and welfare by adding more space for turning and maneuvering and creating a designated area for household hazardous waste (HHW), thereby enhancing the functionality of the public dumping site.

   c. The applicant has provided information sufficient to show they intend to meet all local, state, and federal laws.

2. There are adequate existing energy and transportation facilities serving the site and other public services are available to serve the proposed conditional use.

   a. The proposed conditional use does not require water and sewer capacity.

   b. The site is served by the Alaska State Troopers, Chena Goldstream Fire Service Area, and other services.

   c. The site is connected to the GVEA grid which will provide sufficient energy supply for the public dumping site.

   d. The site is served by Chena Pump Road, an AK DOT & PF maintained road, and Old Chena Ridge Road.

   e. The expanded public dumping site will generate additional trips but will not impede vehicular and pedestrian traffic on the surrounding roads because they have adequate capacity for current and future vehicular trips.

   f. Chena Pump Road has dedicated right and left turn lanes. The relocated driveway will increase the queuing capacity on Old Chena Ridge Road.

3. With the conditions imposed, the conditional use will protect public health, safety, and welfare as the facility will comply with Title 18 standards for the MFO zone.
a. It will expand the capacity for safe disposal of solid waste in the area served by the conditional use.
b. The existing vegetation and proposed fencing will create a buffer and minimize the visual impact of the proposed conditional use.
c. Noise impacts are expected with the operation of the public dumping site. The restriction of hauling only within landfill gate hours will eliminate hauler truck noise at night. The minimum 30 foot vegetative buffer along the north, east, and west property lines will also help reduce noise impacts on the surrounding parcels.
d. Odor impacts involving the solid waste will be minimized by the regular removal of waste to the FNSB Solid Waste landfill.
e. The structures and dumpsters are not proposed to be located in the floodplain. With the proposed conditions, any filling, paving and grading or other development in the Floodplain are required to comply with Title 15 regulations to ensure public health, safety and welfare.

DRAFT PLANNING COMMISSION MOTION:

I move to approve the Conditional Use Permit for expansion of the public dumping site on Lot 1 with six (6) conditions, and adopting the staff report and three (3) Findings of Fact in support of the approval.
EXECUTIVE SUMMARY

This master plan is the first comprehensive study of the 14 waste transfer sites operated by the Fairbanks North Star Borough (FNSB). It compares the forecast growth in borough population with existing facilities and conditions to identify needed future development and describes development plans for the near term (next 5 years) and beyond.

Of the 14 waste transfer sites, the five largest sites are in need of expansion and major improvements, as well as upgrades to existing facilities such as reuse shelters and household hazardous waste collection. All 14 sites will benefit from improvements such as resurfacing, sign upgrades, energy efficient lighting, and new fencing. The plan also recommends consolidating the Midway, Thirty Mile, and Salcha sites into a single location.

During the development of this master plan, an analysis of recycling in the FNSB was also conducted. That analysis recommended collecting recyclables with mobile recycling units at the five largest sites. Recycling collection is not proposed to begin until after 2020.

The implementation plan (Chapter 5) lays out the sequencing of the recommended projects. The highest priority projects are expansion of the two Farmer’s Loop sites, with construction slated for 2016. The Chena Pump, North Pole, Badger, and Ester transfer sites are recommended for expansion in subsequent years (see the table below).

The plan balances funding constraints, environmental requirements, FNSB needs, and project sequencing limitations. Full implementation of the recommended near-term projects is estimated to cost $5.1 million. Public support for these projects is documented in Chapter 4.

<table>
<thead>
<tr>
<th>Project</th>
<th>Year</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farmer’s Loop West Expansion</td>
<td>2016</td>
<td>$1,300,000</td>
</tr>
<tr>
<td>Farmer’s Loop East Expansion</td>
<td>2016</td>
<td>$1,600,000</td>
</tr>
<tr>
<td>Borough-Wide Sign Updates</td>
<td>2016</td>
<td>$50,000</td>
</tr>
<tr>
<td>Site Improvements, Phase I</td>
<td>2016</td>
<td>$150,000</td>
</tr>
<tr>
<td>Chena Pump Expansion</td>
<td>2017</td>
<td>$500,000</td>
</tr>
<tr>
<td>North Pole Expansion</td>
<td>2018</td>
<td>$520,000</td>
</tr>
<tr>
<td>Site Improvements, Phase II</td>
<td>2018</td>
<td>$20,000</td>
</tr>
<tr>
<td>Trial Night Closures</td>
<td>2018</td>
<td>TBD</td>
</tr>
<tr>
<td>Badger Road Expansion</td>
<td>2019</td>
<td>$620,000</td>
</tr>
<tr>
<td>Ester Expansion</td>
<td>2020</td>
<td>$375,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$5,135,000</td>
</tr>
</tbody>
</table>
1.2.5 **Chena Pump Transfer Site**

The Chena Pump site accounts for approximately 12% of all waste collected from the transfer sites. The site consists of 45 dumpsters, three large receptacles for construction debris, and a reuse area.

There are four light poles providing primary lighting for the site and one additional pole lighting the access road. All of the light poles are located exterior to the fencing and in good locations.

Snow storage is located on the south end of the site, outside the fence. Access to the snow storage area is provided by a double swing access gate in fair/good condition while the capacity of the storage area appears sufficient. The entrance double swing access gate appears in fair condition; however portions of the fencing were damaged, especially in the northeast corner.

Signage consists of two entrance signs, a reuse sign, and signage relating to acceptable waste stream materials. The reuse area was heavily used and the majority of reuse material was located within the limits of the structure. There is good counterclockwise traffic flow through the Chena Pump Transfer site.

![Image of Chena Pump Transfer Site](image)

Figure 1-11 – 2012 Waste by Type – Chena Pump
Chena Pump

2012 Tons: 5,043
Percent of all waste: 12%
No. of dumpsters: 45
No. of large containers: 3
1.3 Public Opinion Survey Analysis

1.3.1 About The Survey
A public opinion survey was designed to record the needs, preferences, and barriers identified by patrons of the FNSB’s waste transfer sites (see Appendix). The survey first sought to ascertain trends in usage of the sites by asking respondents a series of questions about their recent trips to a transfer site. The survey also sought information on the preferences of respondents by asking them what difficulties they encountered, what improvements might enhance their experience, and to rate a series of elements that could be improved at the transfer sites.

Six transfer sites (Farmer’s Loop East, Farmer’s Loop West, Ester, North Pole, Badger, and Salcha) were visited to distribute and collect responses to the public opinion survey from patrons. These sites represented a cross section of large, mid-sized and small sized transfer sites. They also represented a wide geographic distribution, allowing the capture of needs and preferences across the Borough (see Figure 1-24).

Many of the responses were gathered orally and recorded on-site. Approximately 50 surveys were distributed to respondents to mail in. A public assembly meeting was attended to build awareness about the project and distribute surveys. There was also a project website with a link to an electronic version of the survey. In total, over 250 surveys were distributed, with an 80% return rate of 206 surveys. From the 206 surveys collected (via on-site interviews, public meetings, and online responses), respondents reported 299 visits to transfer sites.

1.3.2 Qualitative Summary
Almost 40% of total respondents reported that they had visited more than one site. Respondents from Farmer’s Loop East were most likely to go to one or more additional sites as well, with almost 50% of Farmer’s Loop East respondents reporting that they also went to other sites.

Farmer’s Loop East was reported as the site that needed the most improvements, both by those who only went to the Farmer’s Loop East site, and those who made trips to multiple sites. Of the mid-size and small sites, “Other” sites were reported as needing the most improvements (Figure 1-22).
Respondents were presented a series of elements and asked which of those elements made their visits to the transfer site(s) more difficult. Muddy/dirty conditions caused the most difficulties overall. Traffic at dumpsters was also reported as causing difficulties. Table 1-2 captures all of this information. Issues that caused the greatest difficulty at each site are highlighted in red. The difficulties identified by respondents also support what was seen in site visits to the various sites.

Table 1-2 – Difficulties Reported at Various Sites

<table>
<thead>
<tr>
<th></th>
<th>Farmer's Loop East</th>
<th>Farmer's Loop West</th>
<th>Chena Pump</th>
<th>Badger Road</th>
<th>North Pole</th>
<th>Ester</th>
<th>Fox</th>
<th>Other[^1]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sites Too Far Off</td>
<td>2%</td>
<td>1%</td>
<td>0%</td>
<td>7%</td>
<td>3%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Traffic, Entrance</td>
<td>17%</td>
<td>10%</td>
<td>18%</td>
<td>7%</td>
<td>7%</td>
<td>0%</td>
<td>12%</td>
<td>18%</td>
</tr>
<tr>
<td>Traffic, Dumpsters</td>
<td>20%</td>
<td>14%</td>
<td>13%</td>
<td>7%</td>
<td>10%</td>
<td>7%</td>
<td>24%</td>
<td>18%</td>
</tr>
<tr>
<td>Poor Lighting</td>
<td>4%</td>
<td>6%</td>
<td>10%</td>
<td>7%</td>
<td>3%</td>
<td>10%</td>
<td>8%</td>
<td>9%</td>
</tr>
<tr>
<td>Confusing Signs</td>
<td>1%</td>
<td>4%</td>
<td>0%</td>
<td>7%</td>
<td>7%</td>
<td>3%</td>
<td>4%</td>
<td>9%</td>
</tr>
<tr>
<td>Not Enough</td>
<td>20%</td>
<td>10%</td>
<td>13%</td>
<td>7%</td>
<td>10%</td>
<td>21%</td>
<td>16%</td>
<td>9%</td>
</tr>
<tr>
<td>Dumpster Capacity</td>
<td>13%</td>
<td>23%</td>
<td>15%</td>
<td>36%</td>
<td>28%</td>
<td>14%</td>
<td>4%</td>
<td>18%</td>
</tr>
<tr>
<td>Insufficient</td>
<td>9%</td>
<td>15%</td>
<td>13%</td>
<td>7%</td>
<td>10%</td>
<td>24%</td>
<td>20%</td>
<td>0%</td>
</tr>
<tr>
<td>Recycling Facilities</td>
<td>15%</td>
<td>17%</td>
<td>18%</td>
<td>14%</td>
<td>21%</td>
<td>21%</td>
<td>12%</td>
<td>18%</td>
</tr>
</tbody>
</table>

Respondents were presented a series of issues that could be improved at the transfer sites and asked to rate issues by importance. Improving recycling and reuse options was what respondents said was most important. Improving other issues was next most important after that. Respondents reported that safety at sites was the least important issue to be addressed. Figure 1-23 captures this information. The most important issues to improve are highlighted in green, while the least important are highlighted in red.

[^1]“Other” includes remaining seven FNSB sites.
The major issues that were identified by respondents included those regarding recycling and reuse options, improving surface conditions, improved signage, improved lighting, security, and dumpster diving issues. The full survey analysis can be found in the appendix.

1.3.3 Qualitative Summary
Respondents were also asked a couple of open-ended questions about their concerns and what improvements could be made at the transfer sites.

A wide range of responses was received, with varying opinions and interests. Respondents from Farmer’s Loop East and Ester provided the largest portion of written responses. Issues relating to recycling and reuse play the largest role in responses. Thoughts and concerns regarding poor surface conditions also play a significant role. A full list of responses can be found in the appendix.

1.3.4 Geographic Area
Because of their geographic locations, each of the transfer sites tends to capture the waste stream from a distinct catchment area. Figure 24 designates the catchment areas for waste transfer sites. The catchment areas are labeled as the transfer site with which they are associated. The same catchment areas in Figure 25 are labeled with an associated graph, showing the elements most commonly cited as being very important to improve for the transfer site in that catchment area.

A desire for more recycling and reuse options seems to be a prevalent factor at all of the transfer sites, although its relative importance does vary throughout the region. The rest of the factors vary significantly in their importance between the catchment areas.

The distribution of preferences between transfer site catchment areas provides a sense of which improvements are needed most in various locations. By combining this information with data gathered from site visits, the existing facilities and needs are clearly indicated.
2 FORECAST

The goal of this forecast is to predict the future volume of waste and number of trips taken to the waste transfer sites. There are a number of factors that can affect future waste volumes. Population growth in the areas served by the transfer sites is central to the volume of waste produced, and will be the focus of this forecast. Per capita waste production also plays an important role. There are a number of other demographic factors that also have an effect. Factors identified in conversations with Alaska Waste, LLC, included military deployments, the state of the economy, and an increased culture of salvage and reuse.

The population forecast in this report is presented for three time periods—5 years, 10 years, and 20 years from the present—representing 2018, 2023, and 2033, respectively. The forecast is presented at both the borough-wide level, as well as for individual transfer site service areas.

There is much uncertainty in population projections. However, projections based on reasoned assumptions are an important tool for planners and policy makers. The forecasts presented in this chapter are based on the latest available data and reflect the current conditions in the Borough.

To develop this forecast, we have gathered data from a variety of sources including:

- Alaska Department of Labor & Workforce Development (ADOL&WD)
- Fairbanks North Star Borough Solid Waste Division
- Fairbanks North Star Borough Department of Community Planning
- Alaska Waste

2.1 FNSB Population

2.1.1 Historic

The FNSB has seen steady population growth over the past 50 years (Figure 2-1). During that time, there have been population bursts and busts associated with the trans-Alaska oil pipeline construction, changing North Slope oil production, and military base closures and realignments. Growth averaged 0.64% annually during the 1990s and increased to 1.68% annually during the early 2000s.

![Figure 2-1 – Historic FNSB Population](image-url)
While the borough as a whole has experienced growth in population, this growth has not been equal across all parts of the borough. Between 2000 and 2010, areas with the greatest population increases were Chena Ridge/Chena Pump, North Pole, and Northeast Fairbanks. Each of these areas saw more than a 40% increase in the population (Figure 2-2).

Figure 2-2 – FNSB Population Change by Census Tract, 2000-2010
During that same time period, areas within the City of Fairbanks saw only moderate growth or a decrease in population (Figure 2-3).
2.1.2 Forecast
The ADOL&WD has developed detailed projections of boroughs and census areas throughout the State. These forecasts are based on natural increase (the difference between births and deaths) and net migration (the difference between in-migration and out-migration). For the FNSB, these forecasts show annual growth rates between 0.93% and 1.55% (Figure 2-4).

![Figure 2-4 – ADOL&WD Population Forecast for FNSB, 2012-2035](image)

More recently, the FNSB Department of Community Planning has developed a detailed population forecast of 96 geographic units throughout the borough. This forecast is a detailed look at the potential development of land in the Borough, based upon estimates of natural population growth and economic drivers. A team of local realtors, state and borough officials, and planners evaluated the growth potential for each of the 96 units to determine the likelihood of “build out” within each one. The data from this detailed forecast will be utilized in analyzing transfer site specific waste volume predictions in the following section.

2.2 Transfer Site Waste Volumes

2.2.1 Transfer Site Service Areas
In order to forecast the impacts of future population growth on the existing transfer sites, it is important to understand which geographic areas are served by each transfer site. It is also important to understand the patterns of both population growth and transfer site use within the different geographic areas.

The 2010 Transfer site service area boundaries, delineated by the FNSB, are presented in Figure 2-5. (These boundaries are based on census blocks and represent an approximation of households that utilize a particular transfer site.)
2.2.2 Historic

Historic transfer site waste volumes were collected for 2011-2013 and are presented in Figure 2-6. Information on refuse volumes by transfer site was not available prior to 2011.

Among the five largest transfer sites there is a clear pattern—a sharp increase in refuse volumes in 2012 and then a dip in 2013. The remaining nine sites do not exhibit a clear pattern.

Census data was utilized to track population trends from 2000 to 2010. Total population growth within the various transfer sites is presented in Figure 2-7, and the portion of population growth occurring in each of the areas served by the different transfer sites is presented in Figure 2-8.

Population growth varied between the geographic areas served by the various transfer sites between 2000 and 2010. Populations in the areas served by the North Pole, Farmer’s Loop East, Chena Pump, and Ester sites saw almost 75% of the total growth. The area served by the Dale road site saw the least growth (actually a slight decline in population).
Figure 2-7 – Total Population Growth by Transfer Site Service Area, 2000-2010

Figure 2-8 – Relative Population Growth for Transfer Site Service Areas, 2000-2010
2.2.3 Population Forecast

2.2.4 Forecast Summary
The largest amount of population growth is projected to occur in the areas served by the Badger, Ester, North Pole, and Chena Pump sites. These sites will comprise over 50% of total growth. Issues or limits that already occur in these sites may be of particular concern for the provider.

Over the 20 year planning period, population is projected to grow the most from 2013 to 2018, slow slightly from 2018 to 2023, and pick up pace again between 2023 and 2033.

Although the projected growth rates vary across the service areas, the differences in rate are not enough to cause changes in the overall distribution of population across the Borough.

2.2.5 Forecast
The detailed population forecast developed by the FNSB Department of Community Planning culminated in a report, “Geographic Allocation of Household and Commercial Acre Growth within the FMATS Travel Demand Model Area.” A draft of this report was utilized to project potential development within the various transfer site service areas. The projections also utilized data from forecasts conducted by ADOL&WD.

Total population growth within the various transfer sites is presented in Figure 2-9, and the portion of population growth occurring in each of the areas served by the different transfer sites is presented in Figure 2-10.

Populations in the areas served by the North Pole, Badger, Chena Pump and Ester Sites are projected to comprise over 50% of the total projected growth. Issues or limits that already occur in these sites may be of particular concern to the Borough.
Figure 2-10 – Relative Population Growth for Transfer Site Service Areas, 2013-2033

Figure 2-11 depicts the relative growth across the borough every five years over the planning period.

Figure 2-11 – Relative Population Growth During Planning Period

---

2 Based on Department of Labor Statistics (ADOL&WD)
Over the 20-year planning period, population is projected to grow the most from 2013 to 2018, slow slightly from 2018 to 2023, and pick up again between 2023 and 2033.

2.2.6 Per Capita Waste Production

Although a trend of population growth was predicted for all of the areas served by transfer sites, the trend in per capita waste production is also important to understanding past and future waste volumes. Per capita waste volumes were calculated using figures from the U.S. Census *American Community Survey*, and figures for waste volumes provided by Alaska Waste, LLC (Figure 2-12).

![Figure 2-12 – Per Capita Waste Production, 2005-2012](image)

Figure 12 clearly indicates a decreasing trend in per capita waste production over a seven-year period from 2005 to 2012. This may be due to some of the causes explored at the beginning of the report, such as movement of military employees, or economic factors.

This trend may have a tempering effect on the borough’s total waste production, although it is not assumed to have an effect on the distribution of waste volumes.
3.3.5 Chena Pump

Chena Pump Transfer Site serves the residents of Chena Ridge, Cripple Creek, and University West, an area that has seen over 60% population growth over the last decade.

Table 3-6 – Chena Pump Deficiencies

<table>
<thead>
<tr>
<th>Element</th>
<th>Meets Needs?</th>
<th>Deficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signage</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Lighting</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Fencing</td>
<td>✗</td>
<td>• Damage in northeast corner</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Access gate in fair condition</td>
</tr>
<tr>
<td>Access Road/Entrance</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Traffic Circulation</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Snow Removal</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Recycling</td>
<td>✗</td>
<td>• 50% of survey respondents identified need for additional recycling facilities at this site</td>
</tr>
<tr>
<td>Reuse Areas</td>
<td>✗</td>
<td>• No containers for reuse items</td>
</tr>
<tr>
<td>Surface Conditions</td>
<td>✗</td>
<td>• Muddy/slippery when wet</td>
</tr>
<tr>
<td>Size</td>
<td>✗</td>
<td>• Undersized for forecast growth</td>
</tr>
</tbody>
</table>
3.4 Findings

The majority of the transfer sites do not require any capacity-related improvements in the near future. However, there are some improvements needed to improve customer service at these sites.

Generally, these deficiencies include:

- Poor surface conditions
- Fence damage
- Old, damaged, or missing signs
- Traffic circulation issues

Based on the population forecast presented in the previous chapter, the sites that require expansion to accommodate increasing user population are:

- Farmer’s Loop East
- Badger Road
- Ester
- Chena Pump

Additionally, Farmer’s Loop West would need to be expanded if additional recycling facilities were added.

Together, the Salcha, Thirty Mile, and Midway sites serve a population of approximately 1,500 people. It may be beneficial to enlarge one of those sites and close the other two. This will be evaluated in the following chapter.

The next chapter of the master plan will outline and evaluate potential alternatives that accommodate the deficiencies identified above. The alternatives will include both physical and operational improvements.
4.3 All Other Sites

The alternatives described in this section provide three different scenarios for the FNSB in preparing for and responding to pressures from increased use and volume at all other waste transfer sites.

- **Scenario 1 – Significant Improvements:** The Borough makes significant changes to meet current deficiencies, while anticipating a higher amount of borough-wide growth in waste volumes and traffic at the waste transfer sites.

- **Scenario 2 – Moderate Improvements:** The Borough makes a moderate amount of change to meet current deficiencies, while anticipating a moderate amount of borough-wide growth in waste volumes and traffic at the waste transfer sites.

- **Scenario 3 – Limited Improvements:** The Borough makes the minimum changes needed to meet current deficiencies, while anticipating a small amount of borough-wide growth in waste volumes and traffic at the waste transfer sites.

To develop borough-wide alternative concepts, a number of elements affecting the borough’s waste transfer sites were analyzed. These elements include: signage, lighting, fencing, entrances and access, traffic, snow removal, recycling, reuse, surface conditions, size, and operations. Any of the alternatives to increase recycling are contingent upon the FNSB developing a more comprehensive recycling program than is currently in place.

A range of recommendations to improve or maintain these elements at the waste transfer sites was created by referring to the forecast growth and deficiencies identified in the Facility Requirements chapter. Computer aided design software (CAD) and geographic information systems (GIS) were utilized to identify potential growth areas, and create specific design features.

The following table summarizes the key features of each alternative scenario for easy comparison. Details for each scenario are included on the following pages.

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Signage</th>
<th>Access/Traffic</th>
<th>Recycling</th>
<th>Expansion</th>
<th>Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Significant</td>
<td>Informational</td>
<td>Badger: Widen entrance</td>
<td>Plan for collection at heavier use sites</td>
<td>Badger: +35,000 sf</td>
<td>Trial night closures</td>
</tr>
<tr>
<td></td>
<td>Educational</td>
<td>Ester: Add reuse area North Pole: Remove reuse structure and replace with standard reuse area</td>
<td>Chena Pump: +15,000 sf Ester: +11,000 sf Salcha: +22,000 sf</td>
<td>Roving staff</td>
<td></td>
</tr>
<tr>
<td>Moderate</td>
<td>Informational</td>
<td>Badger: Widen entrance North Pole: Traffic island</td>
<td>Plan for collection at heavier use sites</td>
<td>Badger: +26,000 sf Chena Pump: +9,000 sf Ester: +9,000 sf</td>
<td>Roving staff</td>
</tr>
<tr>
<td>Limited</td>
<td>Informational</td>
<td>No change</td>
<td>No change</td>
<td>Badger: +22,000 sf Chena Pump: +7,000 sf</td>
<td>No change</td>
</tr>
</tbody>
</table>
4.3.1 Scenario 1 – Significant Improvements

The first alternative explores a very active role for the Borough, providing for all current deficiencies and a higher projected growth in waste volumes and traffic at the waste transfer sites.

4.3.1.1 Signage

- Ensure all sites have informational welcome signs at their entrance. These signs should be standardized to the same colors, lettering, language, etc. throughout the service area (Figure 4-7). All signs should be reflectorized or illuminated to provide the same messaging during day or night. Brush and other debris should be cleared so signs are clearly visible as visitors enter the sites.

- Develop large, visible educational signage regarding disposal of hazardous household waste and recycling opportunities at all of the sites. The signage would indicate where patrons should dispose of their hazardous household waste, and the types of waste that can be safely disposed of in the hazardous waste receptacles, as well as which items can be recycled and which bins to place recyclables. (Figure 4-8 and Figure 4-9).
4.3.1.2 Lighting
- Move all existing light poles and guy wires outside of perimeter fences at each of the sites. Place 30-foot light poles with LED or high efficiency lighting spaced at 120-foot intervals around the perimeter of sites. Incorporate motion-sensor-controlled lighting at all sites.

Chatanika
- Provide illumination at this site by adding a 30-foot light pole with LED lights.

Dale Road
- Provide illumination at this site by adding a 30-foot light pole with LED lights.

4.3.1.3 Fencing
- Replace damaged fencing as needed.

Badger, Chena Pump, and Ester
- Erect a total of 950 feet of new perimeter fencing around the expanded perimeters of these three sites.

Moose Creek
- Clear a 4-foot buffer around the perimeter.

North Pole
- Clear a 4-foot buffer around the perimeter and remove the barbed wire along the top of the fence.

4.3.1.4 Access/Traffic
- Replace damaged entrance gates.
- Inspect culverts for damage and replace as needed.
- Widen entrance geometries to encourage counter-clockwise travel patterns within sites and avoid conflicts from crossing traffic.
- Install traffic islands at entrances to reduce traffic conflicts (see Figure 4-10).

Badger
- Widen the eastern end of this site by 100 feet to alleviate conflicts from incoming and outgoing traffic and accommodate overall expansion (see Section 4.3.1.9).

4.3.1.5 Snow Removal
- Replace all damaged snow storage access gates.

Badger
- Expand the snow removal area by 8,700 sf.

Dale Road
- Expand the snow removal area by 750 sf.

4.3.1.6 Recycling
- Plan growth areas at heavier use sites, so that the sites can accommodate mobile recycling units without interference with the collection of MSW from the dumpsters.
- Separate areas for hazardous household waste, under shelter.
Figure 4-10 – Example Traffic Island at Transfer Site Entrance
4.3.1.7 Reuse Areas

- Repair and reinforce structural damages where needed.
- Repaint roof of reuse structures where surfaces have chipped or rusted.
- At heavier use sites, build half walls on three sides of reuse platform. Mount shelving - on two of these walls, leaving ample room for a skid steer to lift up any bins in the reuse area.

**Ester**

- Add a reuse area.

**North Pole**

- Remove the existing structure that houses the reuse area; replace with standard reuse area

4.3.1.8 Surface Condition

- Begin systematic program of re-grading sites, starting with the most heavily used sites.

**Ester**

- Level site with infill on the south end of the site to lower the grade to less than 5%.

4.3.1.9 Size

**Badger**

- Expand the site by 35,000 sf to accommodate projected growth in this area.

**Chena Pump**

- Expand Chena Pump site by 15,000 sf to accommodate projected growth.

**Ester**

- Expand the site by 11,000 sf to accommodate projected growth.

**Salcha, Thirty Mile, and Midway**

- Close Thirty Mile and Midway sites and expand Salcha site by 22,000 sf to accommodate additional volumes and projected growth.

4.3.1.10 Operations

- Conduct trial periods of night closures between 11 p.m. and 5 a.m. All fenced sites to be gated off between the hours of 11 pm and 5 am for three, week-long trial periods. After trial closures have been conducted, public opinion surveys and a financial analysis would assess the viability of longer term night closures. Closures would:
  - Reduce undesirable activity that occurs overnight, such as vandalism and commercial use of sites
  - Reduce the amount of waste that overflows the bins

- Hire roving staff that will be responsible for visiting the transfer sites to ensure proper usage, provide information, and monitor sites. The goals of this position are to:
  - Reduce the amount of commercial use at the sites
  - Report damaged infrastructure promptly
  - Assist the public by answering questions about the waste stream and acceptable waste types
  - Assist in the organization and cleanliness of reuse areas.

Staff would visit two to three sites per day, visiting the heavier use sites more often than the less-used sites.
4.3.2 Scenario 2 – Moderate Improvements

The second alternative explores a moderate role for the Borough, providing improvements to address current deficiencies and support a moderate amount of borough-wide growth in waste volumes and traffic at the waste transfer sites.

4.3.2.1 Signage

- Ensure all sites have informational welcome signs at their entrance. These signs should be standardized to the same colors, lettering, language, etc. throughout the service area (Figure 4-7). All signs should be illuminated to provide the same messaging during day or night. Brush and other debris should be cleared so signs are clearly visible as visitors enter the sites.
- Develop large, visible educational signage regarding disposal of hazardous household waste and recycling opportunities at all of the sites. The signage would indicate where patrons should dispose of their hazardous household waste, and the types of waste that can be safely disposed of in the hazardous waste receptacles, as well as which items can be recycled and which bins to place recyclables (Figure 4-8 and Figure 4-9).

4.3.2.2 Lighting

- Move all existing light poles and guy wires outside of perimeter fences at each of the sites.
- Place 30-foot light poles with LED or high-efficiency lighting at 120-foot intervals around the perimeter of each site.
- Incorporate motion sensor controls for all lights at sites with existing lighting.

4.3.2.3 Fencing

- Replace damaged fences at all sites.

Badger, Chena Pump, and Ester

- Erect a total of 750 feet of new perimeter fencing around the expanded perimeters of these three sites.

Moose Creek

- Clear 4-foot buffer around the perimeter.

North Pole

- Clear 4-foot buffer around the perimeter.
- Remove all barbed wire along top of fence.

4.3.2.4 Access / Traffic

- Replace damaged or deficient entrance gates.
- Inspect culverts for damage and replace as needed.
- Widen entrance geometries to encourage counter-clockwise travel patterns within sites and avoid conflicts from cross traffic.

Badger

- Widen the eastern end of this site by 75 feet to alleviate conflicts from incoming and outgoing traffic and accommodate overall expansion requirements (see Section 4.3.2.9).
**North Pole**
- Build traffic island (Figure 4-10) at the entrance to the North Pole site to encourage counterclockwise traffic flow.

**4.3.2.5 Snow Removal**
- Replace damaged snow storage access gates.

**Badger**
- Expand snow removal area at the Badger site by 8,700 sf.

**Dale Road**
- Expand snow removal area by 500 sf.

**4.3.2.6 Recycling**
- Plan growth areas at heavier use sites, so that the sites can accommodate mobile recycling units without interference with the collection of MSW from the dumpsters.
- Separate areas for hazardous household waste; construct shelter.

**4.3.2.7 Reuse Areas**
- Repair and reinforce structural damage where needed.
- Repaint roof of reuse structures where surfaces have chipped or rusted.
- At heavier-use sites, build half walls on three sides of reuse platform.

**4.3.2.8 Surface Conditions**
- Continue gravel treatment as needed.
- At heavier-use sites, assess surface conditions and options with a geotechnical engineer in order to develop cost-effective plans for ongoing treatment.

**4.3.2.9 Size**

**Badger**
- Expand the site by 26,000 sf to accommodate moderate projected growth rate in this area.

**Chena Pump**
- Expand the site by 9,000 sf to accommodate moderate projected growth rate in this area.

**Ester**
- Expand the site by 9,000 sf to accommodate moderate projected growth rate in this area.

**4.3.2.10 Operations**
- Hire roving staff that will be responsible for visiting the transfer sites to ensure proper usage, provide information, and monitor sites. The goals of this position are to:
  - Reduce the amount of commercial use at the sites
  - Report damaged infrastructure promptly
  - Assist the public by answering questions about the waste stream and acceptable waste types
  - Assist in the organization and cleanliness of reuse areas.

Staff would visit two to three sites per day, visiting the heavier use sites more often than the less-used sites.
4.3.3 Scenario 3 – Limited Improvements

The third alternative explores a limited role for the Borough. This alternative addresses current deficiencies and a small amount of borough-wide growth in waste volumes and traffic at the waste transfer sites.

4.3.3.1 Signage
• Develop a consistent look and feel for all welcome signs and ensure all sites have welcome signs at their entrance. These signs should be standardized to the same colors, lettering, language, etc. throughout the service area (Figure 4-7). All signs should be illuminated to provide the same messaging during day or night. Brush and other debris would be cleared so signs are clearly visible as visitors enter the sites.

4.3.3.2 Lighting
• Move all existing light poles and guy wires outside of perimeter fences at each of the sites.

4.3.3.3 Fencing
• Replace damaged fences at all sites.

Badger and Chena Pump
• Erect a total of 600 feet of new perimeter fencing around the expanded perimeter of the Badger and Chena Pump sites.

North Pole
• Clear 4-foot buffer around North Pole site and remove barbed wire along the top of the fence.

4.3.3.4 Access / Traffic
• Replace damaged or deficient entrance gates.
• Inspect culverts and replace as needed.

Badger
• Widen the eastern end of the site to alleviate conflicts from incoming and outgoing traffic.

4.3.3.5 Snow Removal
• Replace snow storage access gates, where damaged.

Badger
• Expand the snow removal area by 3,200 sf.

Dale Road
• Expand the snow removal area by 500 sf.

4.3.3.6 Recycling
• No changes to current recycling collection at the transfer sites.

4.3.3.7 Reuse Areas
• Repair and reinforce structural damage where needed.
• Repaint roof of reuse structures where surfaces have chipped or rusted.

4.3.3.8 Surface Conditions
• Continue gravel treatment on an as-needed basis.
4.3.3.9 Size

**Badger**
- Expand the site by 22,000 sf to accommodate low projected growth rates in this area.

**Chena Pump**
- Expand the site by 7,000 sf to accommodate low projected growth rates in this area.

4.3.3.10 Operations
- No change from current operating hours.
Figure 4-11 – Example Reuse Shelter

Figure 4-12 – Example HHW Shelter
5.1.5 2017-2 – Chena Pump Expansion

*Purpose*
Chena Pump is the fifth most-used transfer site and serves an area with a forecast population increase of 11%. The existing size does not accommodate the current and projected usage; expanding the site will improve traffic flow and provide needed capacity.

*Scope*
- Expand the pad by 15,000 square feet
- Replace perimeter fencing
- Reconstruct reuse area
- Construct new HHW shelter
- Reconfigure lighting and install energy efficient lights

*Prerequisites*
- Wetlands permit (possibly)
- FNSB conditional use permit modification

5.1.6 2018-1 – North Pole Expansion

*Purpose*
The North Pole transfer site is already the third busiest site, and its service area is expected to see 12% population growth over the next 20 years. The site also contains an old grade-separated facility for waste collection that is currently being used as a reuse area. The building incurs the highest electric costs of any transfer site (30% of total utility costs for all 14 transfer sites) and is beyond its useful life, and it should be removed.

*Scope*
- Expand the pad by 10,000 square feet
- Replace perimeter fencing
- Demolish existing reuse building, re-grade the surface, and construct standard reuse shelter
- Construct new HHW shelter

*Prerequisites*
- FNSB conditional use permit modification

5.1.7 2018-2 – Site Improvements – Phase II

*Purpose*
The Inventory phase of this master plan identified minor deficiencies at several sites. This project will correct those deficiencies.

*Scope*
- Install energy efficient lighting at Dale Road
- Repair fencing at Fox
- Repair fencing at Moose Creek

*Prerequisites*
- None
Public Hearing sign posted January 4, 2017

Existing driveway, through Lot 1 to Chena Pump Transfer Site on Lot 2
Existing driveway and Old Chena Ridge Road

Existing public dumping site on Lot 2
WRITTEN AGENCY
COMMENTS

CU2017-010
Stacy Wasinger

From: Aden, David G (DPS) <david.aden@alaska.gov>
Sent: Thursday, December 29, 2016 9:59 AM
To: Stacy Wasinger
Subject: RE: CU2017-010: Public Dumping Site Conditional Use Permit Application (at Chena Pump Transfer Site)

Stacy,
The project engineer should expect similar communication / review with the state fire marshal’s office as occurred last season for the other two transfer sites near Fairbanks. David Aden

From: Stacy Wasinger [mailto:SWasinger@fnsb.us]
Sent: Thursday, December 29, 2016 8:55 AM
To: Stacy Wasinger
Subject: CU2017-010: Public Dumping Site Conditional Use Permit Application (at Chena Pump Transfer Site)

Good morning,

FNSB Community Planning has received an application for the conditional use of a solid waste public dumping site. This application is from FNSB Public Works and involves the expansion of the existing Chena Pump Transfer Site off of Chena Pump Road. The parcel included in the expansion is zoned Multiple-Family Residential/Professional Office (MFO), which requires a conditional use permit for a public utility/public dumping site. Attached, please find application materials regarding the proposed conditional use, which is currently scheduled for a public hearing before the Planning Commission on February 7, 2017. Also attached is a zoning report that contains basic information regarding the parcel.

We are providing this information to you for review and comment, if any, because the site is within your review area. If you have any concerns or potential issues regarding this land use on the property, please send a response in writing and we will include the comment in the information that is provided to the Planning Commission.

If possible, please return comments by Tuesday, January 10, 2017. If there is another contact that would be appropriate to review this application, please feel free to forward this email or let me know and I will contact them. If you have any questions or need any clarification, please just let me know. I appreciate your time and help on this issue.

Thanks,
Stacy

Stacy Wasinger
Planner III | FNSB Community Planning
swasinger@fnsb.us
907-459-1262

Fairbanks North Star Borough
PO Box 71267 / 907 Terminal Street
Fairbanks, AK 99707-1267
January 3, 2017

Fairbanks North Star Borough  
Attn: Stacy Wasinger  
Department of Community Planning  
PO Box 71267  
Fairbanks AK 99707-1267

Re: CU2017-010, Public Dumping Site Conditional Use Permit

Golden Valley Electric Association, Inc. has no objection to FNSB Public Works expanding Chena Pump Transfer Site located within Sections 11 & 14, T1S, R2W, FM., provided the following requests are taken into consideration:

A) No dumpsters are to be placed within the existing Public Utility Easement, PUE.  
B) Access to PUE is maintained.

If you have any questions or need additional information, please call me at 458-5763. Thank you for this opportunity to comment.

Sincerely,

Julie Karl, Land Management Supervisor  
Transmission & Distribution Services
Thank you for allowing Land Management to comment on the CU2017-010 application permit relating to the expansion of the Chena Pump Transfer station. Presently Land Management has no issues/concerns regarding this conditional use permit as it relates to FNSB owned lands. However, we are requesting a copy of the as-built from Public Works, after the completion of the project for our Title Files.

Thank you.

Deborah Koons
FNSB Land Officer
907 Terminal St. *NEW address
459.1239 Wk  459.1122 Fax

Please consider the environment before printing this email

From: Stacy Wasinger
Sent: Thursday, December 29, 2016 8:55 AM
To: Stacy Wasinger
Subject: CU2017-010: Public Dumping Site Conditional Use Permit Application (at Chena Pump Transfer Site)

Good morning,

FNSB Community Planning has received an application for the conditional use of a solid waste public dumping site. This application is from FNSB Public Works and involves the expansion of the existing Chena Pump Transfer Site off of Chena Pump Road. The parcel included in the expansion is zoned Multiple-Family Residential/Professional Office (MFO), which requires a conditional use permit for a public utility/public dumping site. Attached, please find application materials regarding the proposed conditional use, which is currently scheduled for a public hearing before the Planning Commission on February 7, 2017. Also attached is a zoning report that contains basic information regarding the parcel.

We are providing this information to you for review and comment, if any, because the site is within your review area. If you have any concerns or potential issues regarding this land use on the property, please send a response in writing and we will include the comment in the information that is provided to the Planning Commission.

If possible, please return comments by **Tuesday, January 10, 2017.** If there is another contact that would be appropriate to review this application, please feel free to forward this email or let me know and I will contact them. If you have any questions or need any clarification, please just let me know. I appreciate your time and help on this issue.

Thanks,
Stacy
APPLICATION MATERIAL SUBMITTED ON December 8, 2016
EXHIBIT C
Fairbanks North Star Borough
Department of Community Planning
907 Terminal Street/P.O. Box 71267
Fairbanks, Alaska 99707-1267
(907) 459-1260  Fax: (907) 459-1255
planning@fnsb.us

CONDITIONAL USE PERMIT APPLICATION
File No. 2017-010

FEES: O $800 conditional use permit application $200 sign deposit (check or cash only)

Applicant:  Contact Name: Dan Sloan
Business Name: Director of Public Works
Mailing Address: PO Box 71267
City, State Zip: Fairbanks, AK 99707
Phone: 907-459-1355
E-mail: DSloan@fnsb.us

Property Owner: Name: Fairbanks North Star Borough
Mailing Address: PO Box 71267
City, State Zip: Fairbanks, AK 99707
Phone: 907-459-1247
E-mail: swagner@fnsb.us

Property Information:
Property Description: Lot 1 Chena Pump Solid Waste Transfer Site
Street Address: 2395 Old Chena Ridge Rd
Parcel Account Numbers (PAN): 481530
Existing Use(s): Chena Pump Transfer Site Access
Lot Size: 1.688 acres
Zoning District: Multi-family residential/professional office

Conditional Use Request Information:
Proposed Use(s): Solid Waste Public Dumping Site
Request Description and Reasons for the Request: To expand the existing transfer site to meet the demands of population growth. See attached narrative for details.

APPLICANT SIGNATURE: 
DATE: 11/28/16

OWNER SIGNATURE (if different): 
DATE: 11/24/16

If the applicant is not the sole property owner, written consent of all property owners must be provided (FNSBC 18.104.050(B)).

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.

October 24, 2017
CONDITIONAL USE NARRATIVE

The purpose of this conditional use permit is to expand the existing Chena Pump Transfer Site. This is a solid waste public dumping site. The site is located on property owned by the Fairbanks North Star Borough. The existing transfer site is located on Lot 2 which is zoned GU-1 (General Use District). The entrance road to the existing site is located on Lot 1, zoned MFO (Multi-Family Residential/Professional Office District). MFO zoning district is intended for the availability of community sewer and water systems, but allows the conditional use of a solid waste transfer station under Ord. 2012-22 § 9.

The attached site plan is conceptual. The final design may change due to design requirements, available space, available funding, or other circumstances. The expansion of the site will increase the existing pad extents at the Northern property line along Old Chena Ridge Road as well as the Western property line along the Cripple Creek drainage. The proposed site plan will retain a vegetative buffer on the Eastern property line along Chena Pump Road and a buffer from the near side of the creek along the western border. This expansion will increase the overall square footage of the pad by approximately 40,000 square feet. The expansion will preserve adequate vegetation to screen the dumpsite from the adjacent roadways to the north and east as well as the land parcels to the west.

The proposed project includes: paving with 6 inches of crushed recycled asphalt, a retaining wall with vehicle barrier, a household hazardous waste shelter, reuse shelter relocation, 1000 linear feet of chain link fence, a drive gate across the entrance road, raising the GVEA overhead power lines, and a complete area lighting system including lights along the perimeter of the site. These upgrades will accommodate the increased traffic that has accompanied population growth since the site was first constructed in the mid-90s.
Legend

- Maximum Work Extents
- Parcels
- Public Utility Easement
- wetlands

Chena Pump Public Dumping Site
Conditional Use Permit Plan

Image Source: 4in FNSB Pictometry Aerials. 2012
APPLICATION
MATERIAL
SUBMITTED ON

December 19, 2016
Stacy Wasinger

From: Chad Hosier
Sent: Monday, December 19, 2016 4:08 PM
To: Stacy Wasinger
Cc: Dan Sloan; Christine Nelson; Dave Halverson
Subject: Chena Pump Transfer Site expansion conditional use permit application (CU2017-010)
Attachments: CONDITIONAL USE NARRATIVE_16y12m19d.pdf; Conceptual Site Plan.pdf; Conditional Use Permit Plan.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Stacy, 

Please see below for responses to the items in the letter you emailed to me on December 13, 2016. I have attached a revised narrative and revised drawings.

Chad

**Conditional Use Criteria (FNSBC 18.104.050):**

A. Site Plan(s):

1) The site plan(s) must be to a verifiable scale (i.e. 1" = 10' or 1" = 20', etc.). The site plan provided includes a graphic scale but does not identify the scale, which appears to be nearly but not exactly 1" = 70'. Please resubmit site plan(s) to a verifiable scale.

Please see the attached revised drawings. Drawings must be printed to “actual size”. I will provide hard copies to you printed to “actual size”.

2) Please indicate if any utility or access easements are on the parcel. If there are easements, please include their location and dimensions on the site plan(s).

Easements are shown on the Conditional Use Permit Plan.

3) Cripple Creek runs along the western property boundary of the parcel. Wetlands are labeled on one of the site plans. FNSB GIS shows there may be some floodplain on the parcel. Please also show any floodplain boundaries, if any, on the site plan(s).

Please see the attached revised Conditional Use Permit Plan.

4) The provided site plan shows the proposed buildings and structures. However, existing buildings and structures are not depicted. Please include the location and dimensions of all existing and proposed buildings/structures and label each building/structure as to their use and as existing, proposed, or to be demolished/removed.

There are no existing buildings on Lot 1. Existing buildings on Lot 2 have been shown on the revised Conceptual Site Plan.
5) Please include at least one site plan without the aerial photo.

Please see the attached Conceptual Site Plan.

6) Please show any existing and proposed signage, including type (i.e. free-standing, hanging on gates, etc.) and size.

Please see the attached Conceptual Site Plan.

7) Please show the location and type of all outdoor lighting, existing and proposed.

Please see the attached Conceptual Site Plan.

8) Please show the location of all existing trash dumpsters and the conceptual location and estimated quantity of proposed trash dumpsters.

Please see attached Conceptual Site Plan for conceptual location of future dumpsters. There are no existing dumpsters on Lot 1.

9) The site plan shows that the pad area will extend beyond the proposed fence line. Is that accurate and is the pad area outside the fence intended to be utilized for any purpose in the operation of the public dumping site?

A 12’ wide maintenance road will be provided outside of the fence.

10) Please indicate the clearance width of the gates at the proposed entrance.

Clearance width of the gates will be approximately 40 feet.

11) The narrative states that the surface material intended to be used is 6 inches of crushed, recycled asphalt. Is the entire pad area to be paved in this material? If not, please clearly indicate on the site plan(s) the extent of the asphalt and all other proposed surface materials.

It is planned to use RAP on Lot 1 within the fence and on the entrance road. The maintenance road will not have a RAP surface and is planned to be constructed of pit run gravel.

12) Please clearly delineate the extent of the existing landscaping and buffer vegetation and clearly indicate the location and extent of the proposed landscaping and vegetative buffer.

Lot 1 is vegetated except for the entrance road. The existing vegetation is shown in the submitted aerial photo on the Conditional Use Permit Plan. The extents of the buffer areas are shown on the revised Conditional Use Permit Plan.
8. Narrative:

1) Please explain the type (passenger vehicle/truck, commercial trucks, refuse haulers, etc.) and frequency of vehicle trips expected for the public dumping site use.

   **Passenger vehicle/truck, large trucks, refuse haulers, etc. will use this site. Frequency of trips is unknown. Chena Pump Transfer Site accounts for about 12% of the waste collected at the Borough transfer sites.**

2) Please explain the expected activities occurring on the site on a daily, weekly, monthly, periodic, seasonal, occasional, and annual basis.

   **Solid waste disposal will take place at the site 365 days per year.**

3) Please indicate the proposed hours of operation.

   **24 hours per day/ 7 days per week.**

4) Please explain any phasing of development, if applicable.

   **Not applicable to this project.**

5) Please explain any impacts of the public dumping site that may cross property lines, such as odor, noise, dust, light, etc.

   **A fence and vegetative buffer will be around the perimeter of Lots 1 and 2. Odor, noise, dust, light, etc. will cross the property boundaries. However, there are no neighbors in the immediate vicinity of the dumping site.**

6) Please indicate the energy source for the proposed use.

   **GVEA will provide electricity to the site.**

7) Please elaborate on the procedures and handling of solid and household hazardous waste (i.e. how it is stored to prevent runoff and groundwater contamination, etc.).

   **The conceptual design has been refined. The HHW shelter will not be located on Lot 1. No buildings will be located on Lot 1. Please see the attached revised drawing.**

8) Please explain any other public services serving the use, such as police, fire protection, security measures and maintenance of the site, etc.

   **Alaska State Troopers and Chena Goldstream Fire and Rescue serve this area. Solid Waste will maintain the site.**

---

For a conditional use request, the Community Planning staff must write a staff report making a recommendation to the Planning Commission. The Planning Commission is required by borough code to adopt specific findings of fact regarding the criteria below to support their decision. The narrative provided with the application did not address these criteria and does not provide sufficient detail for staff to make a recommendation or for the Planning Commission to adopt findings. Please provide a detailed written narrative that addresses how each of the following criteria are met by your project:

FNSBC 18.104.050 (C)
1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes (such as the FNSB Comprehensive Plan);

   FNSBC 18.56.020.B.7 allows public dumping sites as a conditional use within MFO zoning. Public dumping sites protect the public health, safety, and welfare by providing for disposal of solid waste in a sanitary manner. This is consistent with the FNSB Comprehensive Plan for Community and Human Resources, Goal 1, Strategy 2.

2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use;

   Sewage and water services will not be provide as there will be no facilities on the site that require those services. The transportation facilities are sized adequately. GVEA will be able to meet the electrical demand.

3. Whether or not the proposed conditional use will protect the public health, safety, and welfare.

   Public dumping sites protect the public health, safety, and welfare by providing for disposal of solid waste in a sanitary manner.
CONDITIONAL USE NARRATIVE

The purpose of this conditional use permit is to expand the existing Chena Pump Transfer Site into Lot 1 from its current location on Lot 2. Chena Pump Transfer Site is a solid waste public dumping site. The Fairbanks North Star Borough owns Lots 1 and 2. The existing transfer site is located on Lot 2 which is zoned GU-1 (General Use District). The entrance road to the existing site is located on Lot 1 which is zoned MFO (Multi-Family Residential/Professional Office District). Public dumping sites are a permitted use of property zoned GU-1. FNSBC 18.56.020.B.7 allows public dumping sites as a conditional use within MFO zoning.

MFO zoning district is intended for the availability of community sewer and water systems. Sewage and water services will not be provide to the site as there will be no facilities on the site that require those services.

Public dumping sites protect the public health, safety, and welfare by providing for disposal of solid waste in a sanitary manner. This is consistent with the FNSB Comprehensive Plan for Community and Human Resources, Goal 1, Strategy 2.

The attached site plan is conceptual. The final design may change due to design requirements, available space, available funding, or other circumstances. The expansion of the site will increase the existing pad extents at the northern property line along Old Chena Ridge Road as well as the western property line along the Cripple Creek drainage. The proposed site plan will retain a vegetative buffer on the eastern property line along Chena Pump Road and a buffer from the near side of the creek along the western border. This expansion will increase the overall square footage of the pad by approximately 40,000 square feet. The expansion will preserve adequate vegetation to screen the dumping site from the adjacent roadways to the north and east as well as the land parcels to the west.

The proposed project includes: paving with 6 inches of crushed recycled asphalt, a retaining wall with vehicle barrier, a household hazardous waste shelter, reuse shelter relocation, 1000 linear feet of chain link fence, a drive gate across the entrance road, raising the GVEA overhead power lines, and a complete area lighting system including lights along the perimeter of the site. No buildings will be located on Lot 1. Please see the attached conceptual site plan for the locations of the improvements on Lots 1 and 2. These upgrades will accommodate the increased traffic that has accompanied population growth since the site was first constructed in the mid-90s.

Passenger vehicles/trucks, large trucks, refuse haulers, etc. will use this site. The frequency of trips is unknown, however this dumping site accounts for approximately 12% of all the waste collected from the Borough’s dumping sites. Solid waste disposal will take place at the site 365 days per year. The site will be open 24 hours per day/ 7 days per week.

Lot 1 is vegetated except for the entrance road. The existing vegetation is shown in the aerial photo on the Conditional Use Permit Plan. The extents of the buffer areas are shown on the Conditional Use Permit Plan. A fence and vegetative buffer will be around the perimeter of Lots 1 and 2. Odor, noise, dust, light, etc. will cross the property boundaries. However, there are no neighbors in the immediate
vicinity of the dumping site. GVEA will provide electricity to the site and will be able to meet the electrical requirements of the site.

Alaska State Troopers and Chena Goldstream Fire and Rescue serve this area. Solid Waste will maintain the site. The transportation facilities are sized adequately.
Christine,

I talked to Dave Halverson about the questions below. Please see the answers in red.

Chad

---

Two more questions that we need answers to for Chena Pump transfer site expansion:

- What is the pattern of hauler activity on site currently? There is no set pattern. The contractor is required to keep the dumpsters emptied.

For example, do you currently have 2 trucks on site for an hour 3 days a week? Or is it 1 truck on site for 2 hours...?

- And what is expected for the expanded site? Will it be 3 trucks for 1.5 hours every other day or ?? The contractor’s requirements will be unchanged. There will be no set pattern. The contractor is required to keep the dumpsters emptied.

Please explain how the expansion will impact the number of hauler trucks and the duration and frequency of their visits to the site.

There will be no change to the contractor’s operations as a result of the expansion.
Fairbanks, Alaska 99707-1267
cnelson@fnsb.us (e-mail)
907-459-1260 (main office)
907-459-1251 (direct)
907-459-1255 (fax)
www.fnsb.us (website)
Christine,

Please see the answers below and the attached document.

Chad

From: Christine Nelson
Sent: Tuesday, January 24, 2017 3:28 PM
To: Dave Halverson
Cc: Dan Sloan; Chad Hosier; Manish Singh; Kellen Spillman
Subject: Chena Pump transfer site CUP
Importance: High

Hi Dave,

I need some information ASAP related to operation of the existing (and expanded) Chena Pump transfer site for the conditional use permit staff report due for publication Thursday. We have previously requested this information but did not get sufficient detail for the staff report or Planning Commission hearing.

1. What is the current frequency of hauling garage from this transfer site to the land fill, specifically.....
   a. What does the contract say (please provide copy of that section)? Solid waste containers shall be hauled often enough to ensure that there is always capacity at each site to allow residents to dispose of waste easily and to encourage residents to place their waste in the waste containers. Contractor is required to always provide sufficient containers and to haul enough to always provide tipping capacity at the transfer sites even during hours the Solid Waste Facility is closed.
   b. Days of the week that hauling occurs? The Solid Waste Facility is open for disposal seven (7) days a week year round, except for the following days: New Year’s Day, Thanksgiving Day, and Christmas Day.
   c. Specific time of the day (or windows of time) that haulers are on site? The haulers are restricted to disposal during the gate hours of the Solid Waste Facility, which are: Monday - Friday, 8:00 a.m. to 4:00 p.m., Saturday 9:00 a.m. to 4:00 p.m., and
Sunday 12:00 p.m. to 4:00 p.m. The haulers generally start collections 1 to 2 hours before the gates open so they can drop their first load immediately after the gates open. Similarly they will generally stop collections 1 to 2 hours before the gates close to ensure they have ample time to drop their last load. Occasionally gate hours are extended in response to unforeseen circumstances. The contractor may request additional gate hours if they cannot keep up the flow from a transfer site.

d. Will day/time/frequency change if site is expanded? No. Expanding the site and increasing the number of dumpsters will make it less likely the contractor would need to request additional gate hours.

2. Is this a 24/7 operation for the public? Yes. The fourteen (14) transfer sites are open 24 hours a day, 7 days per week.

3. Are haulers limited to gate hours? The transfer site gates are open 24/7. Gates are only closed for short periods of time for circumstances such as maintenance or nuisance bears in the area. See above for Solid Waste Facility gate hours.

   a. What are the gate hours? The transfer site gates are open 24/7.

   b. Are gate hours expected to change with expansion? No

4. How will odor mitigation be addressed? Odor mitigation is accomplished by removing the garbage from the dumpsters on a regular basis.

5. How will dust mitigation will be addressed? The current transfer site surface is gravel and silt. The new surface will be recycled asphalt pavement and will be significantly less dusty and reduce tracking onto the paved road.

The reason these questions must be answered is that these issues (noise, odor, traffic and dust) impact the surrounding areas (and will cross property lines as stated in your application). The Planning Commission is required by code to make findings on the public health, safety and welfare associated with the proposed use in this location and general design and these issues directly impact public health, safety and welfare. Please provide this information ASAP so that we can complete the staff report and have sufficient information to make a recommendation about the appropriateness of expansion of the transfer site in this location. If you have any follow-up questions, please contact me or Manish. Thank you.
D. Christine Nelson, AICP, CFM
Director of Department of Community Planning
Fairbanks North Star Borough
907 Terminal Street
P.O. Box 71267
Fairbanks, Alaska 99707-1267
cnelson@fnsb.us (e-mail)
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907-459-1251 (direct)
907-459-1255 (fax)
www.fnsb.us (website)
C. SCOPE OF SERVICES/SPECIFICATIONS

The Fairbanks North Star Borough (Borough) is seeking a hauling contractor (contractor) to provide hauling services for the Solid Waste Collection District. At this time the Borough operates 16 solid waste transfer sites that have been separated into three areas at various locations throughout the Borough. The areas are West, East and South. The Hauling Contractors shall provide all equipment and personnel required to receive, load, haul, and transport solid waste from the Borough transfer sites to the Solid Waste Facility located at 455 Sanduri Street, Fairbanks, AK 99701. The Hauling Contractors will also be responsible for, but not limited to: site cleaning, grading, snow removal, and the day-to-day maintenance of the transfer sites. Items to be hauled include, but are not limited to: garbage, brush, appliances, furniture, and recyclables, etc.

HIGHLIGHTS

- 16 Transfer Sites including the Solid Waste Facility and Salcha State Recreation Site.
- 8 packer trucks and 6 roll off style trucks.
- Extended Site Clean-up: To be conducted during the 1st week in May and last week in September.
- Snow Removal: When loose snow accumulation has reached 3 inches.
- Container Refurbishment: Completed inspection and repairs due by July 31.
- Contract Price Adjustment: Price is fixed through June 30, 2016. Thereafter, adjustments allowed for remaining 5 years of contract.
- Performance Bond: One year bond effective July 1 – June 30 renewed annually by April 1st.
- South Side Sites: Badger Road & North Pole transfer sites to be serviced separately from remaining south sites
- Recycling Option: Future expanded waste reduction, recycling, or waste-to-energy programs anticipated.

Note: A solid waste hauling certificate issued from the Regulatory Commission of Alaska is not required.

I. Hauling Frequency

1.1. Solid waste containers shall be hauled often enough to ensure that there is always capacity at each site to allow residents to dispose of waste easily and to encourage residents to place their waste in the waste containers. In no event shall solid waste be allowed to remain in containers long enough to produce obnoxious odors or to begin to decompose. Contractor shall immediately increase the number of containers, the number of trucks and hauling hours when sites reach capacity. Contractor must utilize all required trucks and place additional 8 CY containers, equal to 10% of the minimum required rounded to the next highest whole number, before requesting extended Solid Waste Facility hours. Contractor is required to always provide sufficient containers and to haul enough to always provide tipping capacity at the transfer sites even during hours the Solid Waste Facility is closed.
2. Regulatory or Reporting Requirements

2.1. When loading, hauling, transporting, or depositing solid waste under this agreement, the Hauling Contractor shall comply with all Federal, State, and Local laws (EPA, ADEC, DOT, and the Borough etc.), and the guidelines governing the transportation of hazardous waste such as hauling of appliances containing Freon. If a release or spill of hazardous substance occurs during the hauling process, it must be reported to ADEC and other appropriate authorities as required, and the contractor shall make the same report to the Borough within 24 hours of the incident.

3. Truck and Equipment Inspection

3.1. The contractor is required to submit a detailed list of trucks and equipment to be used for this contract to the borough with their bid (See Bidders Checklist). The contractor is required to resubmit this detailed list of trucks and equipment with scheduled delivery dates, verified in writing by the contractor's vendors, within one month following award of the contract (See Bidders Checklist). All trucks and equipment must be operational and in Fairbanks 60 days prior to the start date of the contract. The borough reserves the sole right to approve an alternate schedule and changes if requested by the contractor due to events beyond the control of the contractor.

3.2. Annually on July 1 of each year, the contractor is required to provide a truck condition list that includes total mileage, total hours, annual summary repair and maintenance history, and summary overall analysis of the truck's condition.

4. Compactor Truck Description

4.1. The number, size, and type of trucks to be used shall be adequate to haul the solid waste from the individual containers at the designated sites as often as necessary to prevent overflow of waste. At a minimum, trucks and compactor boxes shall conform to the following:

4.1.1 Number and age of trucks and compactor boxes required: eight (8) trucks and compactor boxes will be 2012 or newer, (the age of the truck and compactor box shall be computed from the manufacture date of each). See Attachment A for the specific number of trucks required for each area.

4.1.2 Each truck shall have a front self-loading compactor box rated at 40-cubic yards minimum.

4.1.3 Each truck shall be of sufficient size, weight, and horsepower to adequately handle the compactor box and load. All trucks shall be new at the start of the contract and in good repair and operating condition during the term of the contract, and be compatible and equipped for an arctic environment. This requirement may cause the Hauling Contractor to purchase newer trucks and compactor boxes during the term(s) of the contract. All trucks shall be cleaned and washed to eliminate buildup of dirt, mud, debris from the exterior of the vehicles. Trucks shall conform to State of Alaska DOT and Department of Public Safety published regulations and shall meet all weight, height, and other restrictions as set forth by those agencies. Vehicles shall be compatible with the Fairbanks North Star Borough Solid Waste Facility.

4.1.4 The compactor trucks required are to be used solely for this contract and are not to be used for any other purpose.

5. Roll-Off Truck Description

5.1. An additional six (6) roll-off style trucks, 2012 or newer, (the age of the trucks and roll off bins shall be computed from the manufacturer date of each) are required to haul selected items such as brush and metal from select Transfer Sites. See Attachment A for specific number of trucks required for each separate area. Additional roll off trucks will be required if hauling contractor is unable to keep roll off bins from overflowing with...
waste. These trucks must be sufficient to load, haul and unload 40-cubic yard roll off bins. At a minimum, trucks and roll off bins must conform to the following:

5.1.1. Each truck shall be of sufficient size, weight, and horsepower to adequately handle the roll-off bin and load. All trucks shall be new at the start of the contract and in good repair and operating condition during the term of the contract and be compatible and equipped for an arctic environment. This requirement may cause the Hauling Contractor to purchase newer trucks and roll off bins during the term(s) of the contract.

(This paragraph was deleted in error with Amendment No. 3 and added back in the service contract.)

All trucks shall be cleaned and washed to eliminate buildup of dirt, mud, debris from the exterior of the vehicles. Trucks shall conform to State of Alaska DOT and Department of Public Safety published regulations and shall meet all weight, height, and other restrictions as set forth by those agencies. Vehicles shall be compatible with the Fairbanks North Star Borough Solid Waste Facility.

5.1.2. The roll-off trucks required are to be used solely for this contract and are not to be used for any other purpose.

6. Contractor Employees

6.1. The Contractor agrees to prohibit any employee from working while under the influence of alcohol, drugs or otherwise impaired and to prohibit drinking of alcoholic beverages by Contractor’s drivers and crew members while on duty or in the course of performing their duties under this Contract. Contractor’s employees shall be required to wear a clean uniform bearing the Contractor’s name. Employees who normally and regularly come into direct contact with the public shall bear some means of individual identification such as a name tag or identification card. Employees driving the Contractor’s vehicles shall at all time possess and carry a valid commercial driver’s license issued by the State of Alaska having a class required to operate the collection vehicle being operated. Contractor’s employees, officers, agents and sub-contractors shall, at no time, be allowed to identify themselves or in any way represent themselves as being employees or agents of the Borough.

7. Contractor Representative

7.1. The successful bidder(s) shall appoint a Contractor Representative who shall act as the Borough’s contact person for purposes of contract administration. The Contractor Representative shall provide the Borough with phone number(s), for on-hours, off-hours, weekends and holidays. The Fairbanks North Star Borough Solid Waste Facility is open year round with the exception of Thanksgiving Day, Christmas Day, and New Years’ Day.

7.2. The Borough shall, throughout the life of the contract, have the right of reasonable approval and rejection of staff or subcontractors assigned to the work by the contractor. If the Borough reasonably rejects staff or subcontractors, the contractor must provide replacement staff or subcontractor satisfactory to the Borough in a timely manner and at no additional cost to the Borough. The day-to-day supervision and control of the contractor’s employees and subcontractors is the responsibility solely of the contractor.

8. Site Cleanup

8.1. The Hauling contractor shall keep the overall sites neat, clean, and free of excess litter. This includes cleanup of all litter, refuse, and discarded materials from the site pads, access roads, fence lines and tree or brush lines. The site pads are the gravel fenced (generally) areas where the containers are located. Regular litter cleanup shall be conducted after each container is emptied. The contractor is required to keep the sites neat and clean, including picking up solid waste from the ground. Regular litter cleanup includes under the container, and the immediate area around each container.
Reuse areas are not included. Borough is responsible for the immediate reuse area and up to 5 feet around the perimeter of the reuse pad. Additionally, the Hauling Contractor will conduct extended cleanup during the first week in May, and the last week in September. Extended cleanup will consist of deep cleanup of the site pad, fence line, access roads, and surrounding tree or brush lines. The Hauling Contractor is required to load and transport all materials that are left at the site. Besides normal household solid waste, such materials may include but are not limited to appliances, furniture, wood waste, brush, etc. Contractor would be expected to haul all appliances including those that contain Freon and follow all regulations.

The Borough classifies appliances that contain Freon as a recyclable, and has a vendor under contract to purge and recycle the Freon. Contractor is required to haul solid waste, including human and/or animal waste. These waste volumes are a very small percentage of the total waste stream.

Contractor must schedule sufficient equipment and personnel, and have sufficient containers to maintain capacity. Contractor must haul all solid waste items left at the Transfer Sites except automobiles. Contractor must be able to load and haul items that do require heavy equipment. The Hauling Contractor shall notify the Borough immediately (within 24 hours) when an automobile is abandoned at a transfer site.

9. Hazardous Waste

9.1. Transportation and handling hazardous waste is not part of this contract. Spills caused by the Contractor must be cleaned up and are required to be reported immediately. Contractor shall report all spills to the Borough and reportable quantities to the appropriate authority. This waste shall not be transported in the compactor truck. Many transfer sites have containers for the placement of hazardous waste and the borough has signage at the transfer sites requesting users to use these containers. The Borough also operates a Recycling/Household Hazardous Waste Facility that accepts hazardous waste. Contractor shall plan for situations such as explosives in loads, hot loads, and delays etc. Contractor shall not expect any additional compensation from the Borough.

10. Snow Removal and Graveling

10.1. The Hauling Contractor shall maintain public access and sight lines into all driving areas at the transfer sites. Snow removal maintenance shall include plowing, stockpiling, hauling if necessary, and graveling. Graveling shall be frequent enough to provide traction at all times. Snow removal shall occur each time loose snow accumulation has reached three (3) inches. The Hauling Contractor shall also remove hard pack snow layers once between January 1st and 15th, and once between March 1st and 15th, of each contract year. Snow removal, as well as plowing, etc., is a requirement of the contract. The Contractor will not be able to haul the snow to the Solid Waste Facility. Hard pack removal includes access roads and pad area including under and around solid waste containers. In addition, Snow Removal and Graveling at the Chena Pump Transfer Site includes the portion of the road from the entrance of the site to Chena Pump Road; at the Ester Transfer Site from the entrance of the site to the Parks Highway; and at the Fox Transfer Site from the entrance of the site to Goldstream Road. The Contractor may submit an alternate request for hard pack removal during times of extreme cold weather, years of light snowfall, and other conditions. The Borough retains the sole right to approve or deny these requests.

11. Signage

11.1. The Hauling Contractor shall notify the Borough when any work is required on signage so the Borough can perform needed repairs in a timely manner. The Hauling Contractor shall be responsible for repair or replacement when damage to signage is caused by the Hauling Contractor's activities.
12. Truck Signage

12.1. The Hauling Contractor shall affix a 4 feet by 8 feet Borough approved sign (see Attachment E) to both sides of the vehicle’s compactor box clearly identifying them as hauling contractors for the Borough. The vehicles with signs so affixed shall not be used for hauling of other contracted or private waste. The Hauling Contractor shall not use other vehicles to haul Borough solid waste without approval from the Borough. Contractor may submit request of alternate wording and design. The Borough retains the sole right to approve or deny this request.

13. Alterations

13.1. The Borough reserves the right to increase or decrease the quantity of any item or portion of the work or to omit portions of the work or to make such alterations, additions or deletions as may be determined to be necessary and advisable during the progress of the work.

14. Failure to Perform

14.1. Due to the public health or safety risk inherent in this hauling agreement, after giving the Hauling Contractor notice, the Borough may take whatever action is necessary to maintain safe and clean transfer sites including hiring contractors or utilizing Borough employees and equipment. The costs for such work will be deducted from any amount due to the hauling contractor. If such costs exceed such unpaid balance, Hauling Contractor shall pay the difference to Borough. Notification of deficiencies will be direct between a borough representative and contractor representative.

15. Contractor Violation

15.1. It is agreed that in case of violation by Hauling Contractor, or any of its agents or employees, of any of the provisions contained in this contract, the Borough may, after giving Hauling Contractor and the surety, seven days written notice and to the extent permitted by Laws and Regulations, terminate the services of Hauling Contractor, exclude Hauling Contractor from the site and take possession of all Hauling Contractor’s trucks, compactors and containers used for the work and use the same to the extent they could be used by Hauling Contractor (without liability to Hauling contractor for trespass or conversion), finish the work specified in the Agreement as Borough may deem expedient. During such period, the liability of the Borough to the Contractor for loss or damage to equipment and facilities so used shall be that of a bailee for hire, ordinary wear and tear being specifically exempt from such liability. Hauling Contractor shall not be entitled to receive any further payment until the Work is finished. If the unpaid balance of the Contract Price exceeds the direct, indirect and consequential costs of completing the Agreement (including but not limited to fees and charges of other contractors, attorneys and other professionals and court and arbitration costs) such excess will be paid to Hauling Contractor. If such costs exceed such unpaid balance, Hauling Contractor shall pay the difference to Borough.

16. Solid Waste Facility Days and Hours

16.1. The Solid Waste Facility is open for disposal seven (7) days a week year round, except for the following days: New Year’s Day, Thanksgiving Day, and Christmas Day. The gate hours are Monday - Friday, 8:00 a.m. to 4:00 p.m., Saturday 9:00 a.m. to 4:00 p.m., and Sunday 12:00 p.m. to 4:00 p.m. The Borough will extend hours to allow the Contractor to meet contract requirements after the contractor is utilizing all required trucks and has placed the additional 8-cy containers, equal to 10% of the minimum required rounded to the next highest whole number, before requesting extended gate hours. The Borough will expect reasonable advance notice of requested extended hours.
16.2. Currently transfer sites are unmanned.

17. Transfer Site Gate Services and Hours

17.1. The fourteen (14) transfer sites are open 24 hours a day, 7 days per week. The Solid Waste Facility transfer site located at 455 Sanduri Street has the same hours as the Solid Waste Facility (see Section 16).
### 18. Locations and Capacities

<table>
<thead>
<tr>
<th>Sites</th>
<th>Location</th>
<th>Minimum</th>
<th>NUMBER OF 8 CUBIC YARD CONTAINERS</th>
<th>NUMBER OF 40 CUBIC YARD ROLL OFF CONTAINERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Badger Road</td>
<td>Corner of Holmes Rd and Badger Rd (access via Holmes Rd)</td>
<td></td>
<td>50</td>
<td>3</td>
</tr>
<tr>
<td>Solid Waste Facility</td>
<td>455 Sanduri St (2)</td>
<td></td>
<td>15</td>
<td></td>
</tr>
<tr>
<td>Chatanika</td>
<td>28 Mile Steese Hwy at Chatanika Lodge (3)</td>
<td></td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>Chena Pump</td>
<td>1.1 Mile Chena Pump Rd</td>
<td></td>
<td>45</td>
<td>3</td>
</tr>
<tr>
<td>Dale Road</td>
<td>Broadmoor Ave (between Electra Ave &amp; Fairchild Ave)</td>
<td></td>
<td>15</td>
<td>1</td>
</tr>
<tr>
<td>Ester</td>
<td>Intersection of the Parks Hwy &amp; Little Shot Rd (3)</td>
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<td></td>
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<tr>
<td>Farmer's Loop East</td>
<td>Old Steese Hwy &amp; Farmer's Loop Rd (entrance on Old Steese Hwy)</td>
<td></td>
<td>45</td>
<td>3</td>
</tr>
<tr>
<td>Farmer's Loop West</td>
<td>Farmer's Loop Rd (opposite the University of Alaska's Taku Dr exit)</td>
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<td>45</td>
<td>3</td>
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<tr>
<td>Fox</td>
<td>Goldstream Rd, 1/2 Mile from Steese Highway (Old Fox School)</td>
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<td>25</td>
<td>1</td>
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<tr>
<td>Midway</td>
<td>Mile Post 315.6 Richardson Hwy</td>
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<td>Moose Creek</td>
<td>3481 Old Richardson Hwy</td>
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<td>North Pole</td>
<td>2740 Old Richardson Hwy (between the high school and the refinery)</td>
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<td>55</td>
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<td>30 Mile</td>
<td>MP 334.5 Richardson Hwy (before Stringer Rd)</td>
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<td>Salcha</td>
<td>8121 Richardson Hwy (south side of highway)</td>
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<tr>
<td>Salcha River State Recreation Site</td>
<td>(2) &amp; (3)</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Two Rivers</td>
<td>18 Mile Chena Hot Springs Rd</td>
<td></td>
<td>25</td>
<td></td>
</tr>
</tbody>
</table>

419 + 47(5) = 466

17

(1) 8-cy Containers – Containers must have an 8-cy capacity. Slight variation in calculated capacity to 7.65-cy minimum allowed. Front height must be 44 inches maximum including skids, front top edge must be smooth to prevent injury to users, and containers must be mounted on skids.

(2) Must have lids on 8-cy containers

(3) Per Memorandum of Agreement between Salcha River State Recreational Site and the Borough, Contractor should expect to provide up to four (4) 8-CY dumpsters from approximately May 15th through September 15th depending upon weather and recreation use, and provide hauling services for these containers.

(4) Containers must be identified with an identifying number and a list must be provided annually to the Borough.

(5) See 1. Hauling Frequency 1.1 - Additional 8 CY containers required when sites reach capacity.
19. Containers

19.1. 8-Cubic Yard Containers

Individual containers shall be new construction and large enough to accommodate disposal of furniture, appliances, and other approved items. The containers shall be painted metal with all seams flush and tight with the bottom 12 inches sealed and leak proof. Also see paragraph 18 "Locations and Capacities" of this section.

Each solid waste container shall have a sign affixed to the front that discourages users from entering the container and a list of prohibited items. The Contractor must have lids on containers at the Solid Waste Facility, Chetaniks, and the Salcha River State Recreation Site. Containers for solid waste shall be all painted one color. Currently the Borough does not require the contractor to recycle. See Section 22, Recycling Options. The Borough may require each container to be filled with 12 inches of water to prove that it is leak proof.

19.2. 40-Cubic Yard Roll Off Containers

40-cubic yard roll off containers shall be new construction. The 40-cu yd roll off containers shall be painted metal that is a different color from the 8-cubic yard containers. Roll off containers shall have at least one door on a long side to allow for easy public access. These containers need to be compatible for hauling by the roll off trucks. Each container shall have two approximate 2'x2' signs affixed to the side, which identifies the type of waste to be disposed in that container. The 2"x2" signs on roll-off containers will be sufficient for transfer site load identification. The Contractor must provide the 2"x2" signs for the roll off containers and replace them when they become damaged or excessively dirty. The wording shall be "Scrap Metal and Other Large Debris" and "Brush and Construction Debris." Freon (reference Section 8 site Clean-up) is recycled by the Borough. Aluminum recycling is not part of this contract. Currently the Borough does not require the contractor to recycle. See Section 22, Recycling Options. Also see paragraph 18, "Locations and Capacities" of this section.

19.3. 4 Cubic Yard Ash Containers

The contractor shall place specially designed ash containers at select transfer sites to discourage the disposal of ash in the regular 8 CY or 40-cu roll off containers. These ash containers must be all metal with all seams flush and tight with the bottom 12 inches sealed and leak-proof. Ash containers are not required to be painted, but must have a grate on top to discourage tipping of regular debris in the containers and still allow the tipping for ash. Signage with language that encourages the tipping of ash shall be affixed on the front. Hauling will be when the container is full. Ash hauled in these containers will not be included in the calculation and payment for tons hauled for the month.

20. Container Maintenance/Refurbishment

20.1. Container Maintenance: Hauling contractor must maintain all containers by making necessary repairs. Container maintenance may also include purchasing new containers. Containers that are burnt, have sharp edges, or other unsafe conditions must be set aside in the back corner of the transfer site and repaired or replaced within two weeks. Containers maintenance includes routine painting, welding, straightening bent edges, etc., and is included in the per ton unit price.
20.2. Container Refurbishment: Container refurbishment includes prepping, priming, and painting of two or more outside surfaces, metal surface replacement or major repairs, and sleeve replacement or major repairs etc., and is listed as a separate item on the bid form. Annually, by July 31, all bins must be inspected, repaired, and repainted as necessary. The Borough reserves the sole right to determine necessary repairs and repainting.

20.3. Container Painting: The contractor shall prep and paint the outside front, sides, and back of the containers when determined by the Borough and is listed as a separate item on the bid form. The contractor shall have 30 days to complete such work. The Borough reserves the sole right to determine necessary painting.

21. Additional Containers

21.1. The volume of solid waste collected at each site has steadily increased each year. As the volume increases, the Borough will require additional containers at each site without additional compensation to Hauling Contractor.

22. Recycling Option (waste reduction, recycling, or waste-to-energy)

22.1. A future expanded waste reduction, recycling, or waste-to-energy program (recycling option) is anticipated over the life of this contract. The Borough is actively pursuing options to expand the collection of recyclables for recycling or waste-to-energy programs. The Borough is also pursuing projects to expand transfer sites including separate collection areas. Specific program(s), the size of the program(s), the recyclable(s) collected, and implementation dates are not known at this time. The number of expanded sites and the size of the expansions are also not known at this time. The hauling contractor can anticipate requirements including recyclable site operations, recyclable collections, and recyclable hauling.

23. Contract Period

23.1. The term of this Agreement is from July 1, 2014, through June 30, 2021.

24. Funding

24.1. Borough funds are subject to appropriation in each fiscal year. Yearly purchase orders and contracts are subject to the appropriation of funds. Funds are not presently available for this contract. The Borough’s obligation under this Contract is contingent upon the availability of funds from which payment for Contract purpose can be made. No legal liability on the part of the Borough for any payment may arise until funds are made available to, and accepted by, the Borough for this Contract and until the Contractor receives notice of such availability, confirmed by the issuance of a purchase order by the Borough.

25. Compensation

25.1. The Borough shall pay the Hauling Contractor in accordance with the contract price PER TON for services performed under this Agreement except for those items listed separately on the bid form. The Hauling Contractor shall be paid on a monthly basis. The Hauling Contractor shall submit a monthly itemized invoice. Contractor shall utilize the Solid Waste Facility’s certified scales.

25.2. The quantities appearing in the bid form are approximate and are prepared for the comparison of bids. Payment to the Contractor will be made for the actual quantities performed and accepted. Annually, a 1% increase in annual tonnage is estimated. Where the annual tonnage (including the 1% estimated increase in annual tonnage) varies more than 25% above or below the bid quantity either party to the contract may request an equitable adjustment in the contract unit price of that item.

25.3. Except as provided above, no allowance shall be made for any increased expenses, loss of expected reimbursement, or loss of anticipated profits suffered or claimed, either directly or indirectly from such alterations in quantities.
25.4. NOTE: Hauling Contractor must complete all required services on a monthly basis including providing the correct number of trucks and containers, hauling, site cleanup, snow removal and graveling, truck signage, container maintenance, etc. prior to receiving payment. The Borough will withhold payment or portion of payment until all monthly services are performed or until an alternate proposal that meets contractual requirements is received and accepted by the Borough. Correction of deficiencies shall be approved when contract requirements are met. If deficiencies are not corrected pursuant to this paragraph the contract may be terminated pursuant to paragraph 15.1 of this section.

26. Contract Price

26.1. The Hauling Contractor shall place on the bid form, which shall be a part of this agreement, an all inclusive price per ton for each area to receive solid waste at the site, load the solid waste at each solid waste transfer site, transport this solid waste to the Solid Waste Facility and unload the solid waste as directed. The work shall also include cleaning, graveling, snow plowing, and maintaining each site, the containers and the hauling equipment etc. The Hauling Contractor’s contract price per ton for each area except for those items listed separately on the bid form shall also include all costs associated with completing this work, including the costs of capital investments, fuel, maintenance, labor, insurance, bonds, and any other costs etc. Contractor shall not be required to pay tipping fees.

27. Contract Price Adjustments

27.1. From July 1, 2014, through June 30, 2016, there shall not be any contract price adjustments. The Hauling Contractor may request an adjustment by March 1, 2016, and March 1st of each year after for Item No. 1 on the bid form. For the purpose of contract price adjustments only, 30% of the unit cost for Item No. 1 is assumed to be a fixed cost and not subject to adjustment, the remaining 70% is assumed to be a variable cost and is subject to the adjustment by multiplying the 70% by the percent change between the two previous years in the annual average Consumer Price Index-U (CPI-U) for Anchorage, Alaska. The source of this percent change shall be the “U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Indexes Pacific Cities and U.S. City Average”. The new unit cost is the 70% variable cost multiplied by the percent change added to the 30% fixed cost. The new unit cost shall be in effect for one (1) year and shall be used in determining any price adjustments for the next contract anniversary date if requested by the Hauling Contractor. Item No. 2, 3, and 4 on the bid form are not subject to contract price adjustments.

28. BID GUARANTY

28.1. Each bid shall be accompanied by a certified check, bank cashier’s check, bid bond issued by a surety company licensed to do business in the State of Alaska and is rated “A-” or higher by A.M. Best Company, in an amount equal to at least five percent (5%) of the bid and payable without condition to the Borough. This deposit is a guaranty that the bidder, if awarded the contract, will promptly execute the agreement, will furnish good and sufficient bond for the faithful performance of the agreement and for the payment to all persons supplying labor and material for the work, (see General Conditions) and provide the appropriate certificates of insurance (see General Conditions).

If the successful bidder fails to execute and deliver the agreements, furnish the required security and provide the required insurance certificates within 10 days after Notice of Award, unless the Borough has received and approved prior notification of delays, the bid guarantee of that bidder shall as a liquidated damage, not a penalty, be redeemed by the Borough. The bid guarantees of all bidders except the three
lowest responsive will be returned promptly after the Purchasing Division's review of the bids and identification of the three lowest responsive bids.

28.2. The Borough may retain the bid guaranty of bidders to whom an award is being considered until either (a) the agreement has been executed and bonds, if required, have been furnished, or (b) the specified time has elapsed so that bids may be withdrawn, or (c) all bids have been rejected.

28.3. If the bidder elects to provide the bid guarantee in the form of a bid bond, the bidder shall submit the bond on the form supplied. The persons executing the bid bonds on behalf of the bidder and their surety shall be authorized to bind their respective companies and shall provide original signatures. Any power of attorneys attached to the bid bonds shall be regular and effective in all respects. Failure to provide the original signatures by authorized persons or to provide effective power of attorneys, for persons so required, shall render the bid non-responsive.

29. Performance Bonds

29.1. The Hauling Contractor shall furnish a performance bond with the form provided in an amount of 100% of the contract price (not to exceed $2,500,000) as security for the faithful performance of all the Hauling Contractor's obligations under the Contract Documents. Within ten (10) days after contract award, the Hauling Contractor agrees to execute the attached Performance Bond form. The bond shall be in effect for one (1) year from July 1 to June 30, and shall be renewed on an annual basis on April 1 of each year. The performance bond shall be in effect throughout all periods of the contract.

The performance bond shall be in effect throughout all periods of the contract. These bonds shall be secured by a surety company satisfactory to the Borough and has rating of "A-" or higher by A.M. Best Company. The successful bidder will be required to use the bond forms included in the bidding documents.

29.2. If the surety on any bond furnished by the Hauling Contractor is declared bankrupt or becomes insolvent, or its right to do business is terminated in any state where any part of the Project is located, or it ceases to meet the requirements of paragraph 28.1, the Hauling Contractor shall within five (5) days thereafter substitute another Bond and Surety, both of which must be acceptable to the Borough.

30. Insurance

30.1. The successful bidder will provide a certificate of insurance in a form acceptable to the Borough showing that they have the required insurance coverage in effect upon execution of the agreement, except that automobile limits will increase on the date referenced in Section 3.1 "Truck and Equipment Inspection" of the Scope of Services / Specifications. The required coverage must be obtained and maintained with an insurance company rated "Excellent" or "Superior" by A.M. Best Company, or specifically approved by the Borough risk manager.

End of Specification Section
J. **BID FORM**

1. **METHOD OF AWARD:**
   Award will be made to the low responsive, responsible bidder meeting all requirements. This award is for the specified equipment and services only.

2. **FOB POINT:**
   Fairbanks North Star Borough
   PO Box 71267
   Fairbanks, AK 99701

3. **PROMPT PAYMENT DISCOUNT:**
   Indicate discount for prompt payment here: __________. Note that the discount will not be used to evaluate the bid and is not a factor in the method of award.

   **Please Note:**
   Prices quoted for commodities or services must be in U.S. funds and include applicable federal duty, brokerage fees, packaging, and transportation cost to the FOB point so that upon transfer of title the commodity can be utilized, or the services can be provided, without further cost. Prices quoted in bids must be exclusive of federal, state and local taxes. If the bidder believes that certain taxes are payable by the Borough, the bidder may list such taxes separately, directly below the bid price for the affected item.

4. **LOT ONE – West Area Locations**

<table>
<thead>
<tr>
<th>ITEM NO. 1</th>
<th>DESCRIPTION</th>
<th>QTY/UNIT</th>
<th>UNIT COST</th>
<th>EXTENDED PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No. 1</td>
<td>Solid Waste Hauling and other services as specified in the Scope of Services for the West Area locations (Chena Pump, Dale Road, Ester &amp; Farmers Loop West)</td>
<td>Estimated FY15 Tonnage 16,400 tons</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 2</td>
<td>Container Refurbishment</td>
<td>Estimated 20 each per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 3</td>
<td>Hard Pack Removal as specified in paragraph 10.1.</td>
<td>Estimated 2 events per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 4</td>
<td>Extended Cleanup as specified in paragraph 8.1.</td>
<td>Estimated 2 events per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 5</td>
<td>Ash Container Hauling</td>
<td>Estimated 20 events per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 6</td>
<td>Container Painting</td>
<td>Estimated 125 events per year</td>
<td>$</td>
<td>$</td>
</tr>
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</table>

**LOT ONE TOTAL** $
LOT TWO – East Area Locations

<table>
<thead>
<tr>
<th>ITEM NO. 1</th>
<th>DESCRIPTION</th>
<th>QTY/UNIT</th>
<th>UNIT COST</th>
<th>EXTENDED PRICE</th>
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</thead>
<tbody>
<tr>
<td>Item No. 1</td>
<td>Solid Waste Hauling and other services as specified in the Scope of Services for the East Area Transfer Sites (Chatanika, Farmer's Loop East, Fox and Two Rivers).</td>
<td>Estimated FY15 Tonnage 11,960 tons</td>
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<tr>
<td>Item No. 2</td>
<td>Container Refurbishment</td>
<td>Estimated 15 each per year</td>
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<td>Item No. 3</td>
<td>Hard Pack Removal as specified in paragraph 10.1.</td>
<td>Estimated 2 events per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 4</td>
<td>Extended Cleanup as specified in paragraph 8.1.</td>
<td>Estimated 2 events per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 5</td>
<td>Ash Container Hauling</td>
<td>Estimated 20 events per year</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>Item No. 6</td>
<td>Container Painting</td>
<td>Estimated 125 events per year</td>
<td>$</td>
<td>$</td>
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</tbody>
</table>

LOT TWO TOTAL $
## BID FORM CONTINUED

### LOT THREE – South Area Locations

<table>
<thead>
<tr>
<th>ITEM NO. 1</th>
<th>DESCRIPTION</th>
<th>QTY/UNIT</th>
<th>UNIT COST</th>
<th>EXTENDED PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Item No. 1</td>
<td>Solid Waste Hauling and other services as specified in the Scope of Services for the South Area locations (Badger Road, North Pole, Moose Creek, 30 – Mile, Salcha, Salcha River State Recreation Site, Midway and the Solid Waste Facility).</td>
<td>Estimated FY15 Tonnage 16,820 tons</td>
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<td>Item No. 2</td>
<td>Container Refurbishment</td>
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<td>$</td>
<td>$</td>
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<tr>
<td>Item No. 3</td>
<td>Hard Pack Removal as specified in paragraph 10.1.</td>
<td>Estimated 2 events per year</td>
<td>$</td>
<td>$</td>
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<tr>
<td>Item No. 4</td>
<td>Extended Cleanup as specified in paragraph 8.1.</td>
<td>Estimated 2 events per year</td>
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<td>Item No. 5</td>
<td>Ash Container Hauling</td>
<td>Estimated 25 events per year</td>
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<td>Item No. 6</td>
<td>Container Painting</td>
<td>Estimated 125 events per year</td>
<td>$</td>
<td>$</td>
</tr>
</tbody>
</table>

**LOT THREE TOTAL $**

Brand/Model of item(s) Bid: __________________________________________

Contract Start Date: July 1, 2014  Indicate Contract Start Date: __________________________

Amendment No.(s) _______ is/are hereby acknowledged.

<table>
<thead>
<tr>
<th>Original Signature</th>
<th>Vendor’s Name (Print or Type)</th>
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<tr>
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<table>
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<tr>
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<table>
<thead>
<tr>
<th>Facsimile Number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**-- END OF BID FORM --**
18.104.050 Procedures for conditional uses.

C. Hearing and Decision by the Planning Commission. The planning commission shall review, hear and decide whether or not to approve a request for a conditional use. The planning commission shall also consider and adopt findings in each of the following:

1. Whether or not the proposed conditional use conforms to the intent and purpose of this title and of other ordinances and state statutes;

2. Whether or not there are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use;

3. Whether or not the proposed conditional use will protect the public health, safety and welfare.

The planning commission may approve or deny a conditional use request or may approve a conditional use request with conditions to ensure the protection of the public health, safety and welfare. Such conditions may relate to any, or more, of the following: traffic flow and access requirements, lighting, pedestrian movements, time limits for commencing or ceasing use.
Stacy,

Regarding the three plan views:

The 30 foot buffer is as currently designed.

The 40 foot buffer could be constructed with the current design and contractor by issuing a directive to the contractor. The change will impact the site and may reduce the number of dumpsters that can be placed along the fence on the west side, but this minor change could be accommodated without significant cost increases for design and construction.

The 50 foot buffer significantly impacts the site and would require redesigning and possibly rebidding the project. The entrance and lighting would need to be moved; dumpsters could not be placed along the fence on the right hand side as you enter the site. The roll-off trucks would probably need to make three-point turns to back into where the roll offs are. There would be a choke point formed between the roll off slope and the location where the fence jogs into the site.

Chad
Public Hearing sign posted October 4, 2017
WRITTEN AGENCY
COMMENTS

Remand of CU2017-010
Stacy,

Please find the ADOT&PF final comments for the Chena Pump Solid Waste Transfer Site Conditional Use Permit.

Thank you.

Randi Motsko
Transportation Planner
AK Dept. of Transportation & Public Facilities, Fairbanks Field Office
2301 Peger Rd
Fairbanks, Alaska 99709
(907) 451-2386
October 9, 2017

Stacy Wasinger
Planner III
FNSB Community Planning
swasinger@fnsb.us

Property Owner/Developer: Fairbanks North Star Borough

Type of Request: Conditional Use Permit: Chena Pump Solid Waste Transfer Site- CU2017-010

Property Location: 2395 Old Chena Ridge Road. Lot 1 Chena Pump Solid Waste Transfer Site.

ADOT&PF has reviewed the above request and has no comments.

Driveways on state owned roads must meet current Alaska DOT&PF standards. If they do not meet these standards, ADOT&PF may request that they be modified to do so. If the owner wishes to modify an existing permitted driveway, or create a new driveway, an ADOT&PF driveway permit is required. The ADOT&PF permitting website can be found at: http://www.dot.state.ak.us/permits/index.shtml

Thank you.

Sincerely,

[Signature]

Randi Motsko
Fairbanks Area Transportation Planner
(907) 451-2386

cc: George Stefan, FNSB
    Angela Parker, FNSB
    Dan Welch, FNSB
REMAND of CU2017-010

APPLICATION MATERIAL

SUBMITTED ON

September 19, 2017
The purpose of this document is to provide evidence in support of findings as to whether the impacts on nearby residential neighborhoods have been adequately addressed with the proposed conditions, or whether additional conditions should be imposed to ensure the protection of the public health, safety and welfare. Specifically:

1. Noise mitigation
2. Whether set hours of operation or maintenance should be imposed
3. Whether limitations on the use of lighting are necessary
4. Whether a vegetative buffer or similar control will assist in mitigating the visual impact of the use of and/or runoff from the property.

The following facts provide evidence which should make clear that the conditions of approval already adopted are sufficient and that additional conditions will have little or no mitigating effects on the concerns listed above.

The existing Transfer Site was established on Lot 2 in 1997, prior to the subdivision along Old Chena Ridge Road. Even by 1999, the three nearest roads, Staffordshire, Knightsbridge and Allen Adale had not yet been constructed. At that time the nearest homes were just being constructed along Knightsbridge.

The existing Transfer Site on Lot 2 is zoned GU-1, so no conditional use was required for the original site construction or should apply to the existing Transfer Site that has operated on Lot 2 since 1997.

There is almost no possibility of future expansion of the Transfer Site on either lot, due to the limited size of the lots, and surrounding property ownership, development, and zoning. The only space available is at the south end of Lot 2, where it becomes too narrow to provide any buffers and still leave adequate useable width greater than eighty feet. Another site would have to be acquired and developed in order to serve any significant future growth beyond the projections in the 2015 Transfer Site Improvements Plan.

1. Noise Mitigation - The Order on Remand cited dumpsters, back up alarms, and banging as sources of noise expressed as points of concern by interested parties.

- Undeveloped land zoned outdoor recreation separates the proposed expansion from the nearest residence by over 500 feet to the northwest. The nearest home to the west is over 800 feet away.
- The Transfer Site is only one of a number of noise sources in the area including traffic on Chena Pump Road, Old Chena Ridge Road, and Chena Small Tracts Road. No traffic counts exist for Old Chena Ridge. However, Chena Pump handles over 12,000 trips per day north of the intersection, almost 8,000 trips beyond to the south, and Chena Small Tracts shows a count of 1,500 according to figures published by Alaska DOT in 2015. The Pump House Restaurant is
nearly directly across from the Transfer Site, and has a parking lot comparable in size to the proposed Transfer Site.

- Waste hauling trucks are onsite an average of 3 times per day in the winter and 6 times per day during the summer, for approximately one-half hour per trip, unless unusual circumstances such as Christmas or spring cleanup require additional hauling to keep the site clean. The trucks are usually onsite between the hours of 7am and 4pm.

- Snow plowing is typically completed during normal operation hours between 7am and 4pm. If there is an unusually heavy snowfall, plowing may start earlier or stay later based on the need to maintain safe public access to the site. Snow plowing of Chena Pump, Chena Small Tracts, Old Chena Ridge, the Pump House parking lot, and neighborhood residences also occur throughout the area and may be mistakenly attributed to the Transfer Site.

- While the Transfer Site does experience all of the noises listed above, such as back-up alarms, and banging dumpsters, noise impacts will not increase due to the expansion, and must be considered in the context of all the existing and surrounding activities.

- There will be no increase above the current noise levels as this is an expansion of the existing Chena Pump Transfer Site into an adjacent lot in order to reduce congestion and improve safety within the Transfer Site. There will be almost no perceptible change in current activity levels. The expansion to the north moves it no closer to the properties on the hill to the west, along Old Chena Ridge, and the expansion will remain over 500 feet from the nearest three homes on Locksley Court. No new equipment or other source of noise is being added as part of this expansion. Any conditions placed on the expansion into Lot 1 would not mitigate the use of the existing Transfer Site that has operated on Lot 2 since 1997.

- Further mitigation of onsite noise issues may be addressed by manning the Transfer Site, restricting activities, or limiting hours of operation as described in that section below.

- For the reasons set out above, no additional conditions are necessary or would be effective in mitigating noise concerns.

2. Hours of Operation - The Order on Remand did not cite specific examples regarding hours of operation, but only proposed whether set hours of operation or maintenance should be imposed.

- Solid Waste personnel are responsible for summer site maintenance, which currently happens 3-4 times during the construction season during regular business hours. This activity will be reduced when the improvements are constructed as grading will be eliminated and cleanup efforts will not be required as frequently.

- Snow removal is conducted during normal hours of operation as described above.

- Waste hauling is conducted during normal hours of operation as described above.

- The FNSB Solid Waste Division is working with Borough administration and has successfully implemented a trial period of providing full-time staff onsite in addition to restricted hours of
operation at some of its larger transfer sites. An Assembly workshop scheduled for October 19th will address future hours of operation and staffing attendants at all of the larger transfer sites, including this one at Chena Pump. A resolution is also scheduled for October 26th that will address “dumpster diving” and re-use policy for all transfer sites.

- In light of the likelihood of Assembly action to address activities and operation times at the transfer sites, it is unnecessary to impose conditions on the hours of operation as they would only affect the expansion on Lot 1, and would have only secondary effects on the existing Transfer Site on Lot 2. If it is determined that a condition on hours of operation is deemed necessary and desirable, adopting something similar to the noise ordinance for the City of Fairbanks is recommended, which imposes noise restrictions to the hours between 11pm and 7am, and then only after having been informed by another that such operation is disturbing the peace and privacy of others.
- Imposing limited hours of operation would only affect public access, since collection and maintenance activities are already scheduled during normal business hours.

3. Limitations on Lighting - The Order on Remand did not cite specific examples regarding lighting, but only proposed whether limitations on the use of lighting are necessary.

- The lights at the Transfer Site are left on due to security concerns, similar to streetlights and lights at businesses and parking lots throughout the borough.
- The new lights will be a lower color temperature (3000 K) than what is currently installed at Farmers Loop East and Farmers Loop West (4000 K). The new lights will be close to the color temperature of the existing lights.
- The existing floodlights will be replaced with new light fixtures designed to shine all the light downward and minimize stray light to the sides and up into the sky.
- See photos of the higher color temperature lights at Farmers Loop West and the existing high pressure sodium lights at Chena Pump. Also, note how the new lights direct light down, versus the existing floodlights which shine sideways.
- The existing Transfer Site has 5 area lights. The new Site will have as many as 11 area lights plus lighting in the reuse shelter. More light fixtures mean they do not have to be as bright and will provide a softer more uniform light directed downward throughout the site.
- The new poles will be similar in height to the existing poles and much lower than the street lights at the intersection out on Chena Pump Road.
- There are several other sources of light in the area, including five ADOT streetlights surrounding the intersection of Old Chena Ridge Road and Chena Small Tracts Road with Chena Pump Road, additional ADOT streetlights at Amherst, and floodlights illuminating the parking lot of the Pump House Restaurant. See the photos of the intersection and parking lot.
• Visibility of the current lights at the Transfer Site was checked from all of the roads in the neighborhood including, Allen Adale, Old Chena Ridge, Knightsbridge, and Locksley Court. See the nighttime photos showing the views from the roads crossing the section line that goes up the hill and from around the homes along these roads.

• Imposing conditions on the use of lighting is not required as the new lighting will be improved to reduce stray light and provide softer, more uniform lighting throughout the site. It is difficult to imagine from the photos how light from this Transfer Site impacts residences, or if any of the lights observed from the residences can be attributed to the Transfer Site.

4a. Visual Buffer - The Order on Remand cites whether a vegetative buffer or similar control will assist in mitigating the visual impacts of the use of the property.

• As indicated under Item 1 above, the Transfer Site is separated by a minimum of 500 to 800 feet of undeveloped land zoned outdoor recreation from the nearest residential lots. Most homes are much farther north and west of the Transfer Site.

• The Transfer Site was developed and designed based on the buffer requirements consistent with the conditional use approved for Farmers Loop West, which called for 50 feet along the major road and 30 feet along the side road. This site design went a step further and provides a 30-foot buffer from the property line for the adjacent parcels and ditch to the west.

• See daytime photographs and key that illustrate the effectiveness of the existing buffer and the comparatively minimal amount of trees that will be removed for the new expansion. Also, note photographs taken from the Transfer Site looking toward residences after the leaves fall.

• There are several power poles at the east boundary of Lots 1 and 2, between the existing Transfer Site and expansion north, near Chena Pump. These poles provide primary power to the residences of the neighborhood above, from Chena Small Tracts Road to the top of the hill at Chena Ridge Road. The existing proposed 50-foot buffer avoids the need to relocate these poles which would be prohibitively costly. It already cost over $16,000 to move and raise a single pole at the west end of the boundary between Lots 1 and 2. Due to the configuration of these poles and the offset between the line along Chena Small Tracts and the section line corridor, at least four poles would have to be moved at a cost of not less than $64,000. This may not even be possible, or may prove much more expensive as the realignment would certainly affect several poles on either side in order to maintain alignment, easily doubling the estimate to over $100,000. It does not appear possible to move the poles sufficiently to result in a worthwhile expansion or shift to the east, closer to Chena Pump. Therefore, there is no advantage to be gained by reducing the buffer along Chena Pump to anything less than 50 feet.
4b. Water Run-off Buffer - The Order on Remand cites whether a vegetative buffer or similar control will assist in mitigating the runoff from the property.

- With the 30-foot buffer along the west side, and a 12-foot gravel perimeter road between the site fence and the buffer, and placing dumpsters the usual 3-5 feet from the inside of the fence, this configuration will provide a minimum of 45 feet between the ditch and the nearest dumpster.

- The US Army Corps of Engineers (COE) requires permitting for any work resulting in the discharge, dredge or fill of any wetlands. All improvements for this site expansion are outside of the adjacent designated wetlands, so no permit is required.

- Alaska Department of Natural Resources recommends a 100 foot building setback from anadromous water bodies on State land. However, they do not control non-State lands and defer to Alaska Department of Conservation (DEC) for coordination. All structures on this Transfer Site are on the east side and more than 100 feet from the ditch, with the exception of a gravel pad, some fencing and a few light poles.

- Alaska Department of Fish and Game (DFG) requires permitting for any work below the ordinary high water mark of streams. All improvements for this Transfer Site expansion will be above the ordinary high water mark of the drainage ditch, therefore no permit is required, regardless of the stream classification.

- DFG and the US Fish and Wildlife Service (FWS) cite a publication titled General Recommendations for Riparian Management Zones in Interior Alaska, September 2002. This publication suggests management zones ranging from 26 feet to 82 feet or more, depending on ownership and quality of habitat values. Due to the almost triangular configuration of Lot 1, a buffer zone of 82 feet along the west boundary would render more than a third of the property unusable, and severely restrict the usability of the remaining portion, effectively limiting it to access and snow storage. Lot 1 is almost 350 feet along its west boundary near the ditch but narrows to less than 80 feet on the east side near Chena Pump. A buffer zone following the maximum recommendations would make development of Lot 1 unfeasible in consideration of the cost, provide almost no improvement to the existing Transfer Site on Lot 2, and eliminate the room the expansion would have provided for grade separated roll offs, and to reduce congestion for patrons.

- Recommendations are not regulations and as such are not requirements. The expansion provides a 30-foot buffer along the west boundary, paralleling the ditch, meeting the minimum recommendations, but not the maximum desirable. It is possible to increase the buffer on Lot 1 to 40 feet by shifting the west edge of the expansion east away from the ditch by up to 10 feet without incurring significant cost increases or compromising usability. Even if shifting the entire Transfer Site east were not impractical due to the cluster of power poles next to Chena Pump, it would still result in substantial re-design costs, as well as increased construction costs due to the
steep drop off along the east side, which was another reason to avoid expanding east, in addition to preserving the existing 50-foot buffer along Chena Pump Road.

- During construction activities, a Storm Water Pollution Prevention Plan (SWPPP) will be required in compliance with DEC regulations. DEC requires a 25-foot buffer from water bodies as part of the Alaska Construction General Permit. This project will maintain at least the minimum recommended 30-foot buffer of vegetation between the improvements and the property line and drainage ditch, and will meet all SWPPP requirements.

- The new Transfer Site will be graded from north to south with a crown along most of its length. The reuse shelter, HHW shelter, roll-off bins, and many of the dumpsters will be located on the east side of the site. The grade on the east side of the site slopes away from the ditch on the west. The snow storage area at the south end of the site slopes away and sheds to the natural ground to the south. These design features require runoff to travel a longer path, reducing the likelihood of ever even reaching the ditch due to absorption and evaporation as it collects and ponds in the surrounding buffer zones.

- The dumpsters, roll-off bins, and household hazardous waste containers are leak proof, and are replaced or repaired if they are ever found to be damaged to the point of not being liquid tight.

- The proposed access road around the perimeter fences provides a number of benefits. The road permits staff to monitor daily and identify any migration of litter or runoff from the collection area, and allows easy and immediate access outside the fence to remove trash before it can leave the site. It provides additional separation between the active area inside the fence and the buffers surrounding the Transfer Site. The perimeter road will be constructed of gravel, which is porous, and will retain liquids if any should ever run off from the impermeable pavement inside the fence. Solid Waste and contractor staff monitor the Transfer Site daily for leaks or spills and make every effort to clean them up before anything can migrate off the paved area. The gravel perimeter road outside the fence acts as an additional safety zone that allows any spill to be identified and cleaned up before it can leave the site.

- The likelihood of offsite contamination from this expansion is fairly low given the amount of daily operational oversight. It is likely hardly more than at any of the existing locations where heavily traveled public roads cross the ditch already at Old Chena Ridge, Chena Pump, Chena Ridge and Chena Spur roads. These locations are all subject to vehicles that may be leaking fluids and litter such as accumulates along all trafficways, the same types of litter that this Transfer Site is intended to collect for removal and disposal daily.

- The existing Transfer Site on Lot 2 parallels the ditch for approximately 390 feet. The expansion on Lot 1 adds only another 240 feet, or just over half again. However, Lot 2 extends an additional 850 feet south until the ditch crosses under Chena Pump Road just south of the Pump House. This additional 850 feet is completely undeveloped except for a small communication maintenance shed, and is likely to remain undeveloped for the foreseeable future due to its configuration, use, and ownership. This provides an extended buffer zone along the entire
ditch, all the way from the south end of the Transfer Site to where the ditch crosses Chena Pump and empties into the Chena River, less than a hundred yards beyond.

- In light of the buffers already proposed, the site configuration and design, the physical and economic constraints, the regulations and recommendations, the daily operation and monitoring of the site, and the 850 foot buffer south of the Transfer Site on Lot 2, there should be no need for any additional condition regarding the buffer zones for reasons listed above. However, as indicated previously, and in consideration of recommendations, it is possible to increase the buffer zone on Lot 1 by 10 feet from 30 to 40 feet along the west boundary, without incurring substantial or unreasonable costs. If it is determined that a condition to increase the buffer along the west side of Lot 1 is deemed necessary and desirable, then increasing it by 10 feet could be accomplished without undue hardship. However, going beyond 10 additional feet begins a snowball effect due to working around existing constraints, adjusting new lighting placement, reducing useable space inside the site, reconfiguring perimeter road access and design, and impacting location and design of the new entrance. The redesign and subsequent construction costs begin to rise sharply, and the usability of the expansion begins to drop rapidly with any increase beyond 10 additional feet.
REMAND of
CU2017-010
APPLICATION
MATERIAL
SUBMITTED ON
September 25, 2017
CHENA PUMP TRANSFER SITE
SITE PLAN - 30FT BUFFER

DOUBLE SWING GATE
GRAVEL SURFACING
PAD EDGE
APPROXIMATE FILL LIMITS
NEW FENCE

OLD CHENA RIDGE ROAD
NEW DRIVWAY, 30' WIDE

LOT 1
NEW VEGETATED BUFFER
RECYCLED ASPHALT PAVEMENT SURFACING
EXISTING LIGHTING
GARBAGE COLLECTION VEHICLE
PROPOSED SIGANCE
EXISTING SIGNAGE

LOT 2
EXISTING FENCE
EXISTING DUMPSTERS
RELOCATED REUSE AREA
NEW HW SHelter
EXISTING REUSE AREA
RETAINING WALL

EXISTING FENCE
EXISTING DUMPSTERS
RELOCATED REUSE AREA
NEW HW SHelter

TITLE
217

MAY 2008
COMM. PLANNING DEPT.

RECEIVED
SEP 25 2017

October 24, 2017
SCALE IN FEET
CHENA PUMP TRANSFER SITE
SITE PLAN - 50FT BUFFER
10
LOCKSLEY YARD
OVERLOOKING OLD CHENA RIDGE ROAD, CHENA PUMP ROAD, SWT AND ENTRANCE

10 A
LOCKSLEY CT
VIEW FROM LOCKSLEY CT
Planning Commission
14
2490 OLD CHENA RIDGE RD
VIEW OVER 2540 ALLEN ADALE ROAD

14 A
2490 OLD CHENA RIDGE RD
ZOOM OF PREVIOUS PHOTO SHOWING ROAD
DEAR PROPERTY OWNER
“INTERESTED PERSONS”

REMAND OF CU2017-010
SMITH, BLOCK: 12, LOT: UMB01
Weber Judith A
PO BOX 60233
Fairbanks, AK 99706

1S 2W, SEC: 14, TAXLOT: 10
Weiss Ferdinand J
PO BOX 81962
Fairbanks, AK 99708

CHENA GOLD, BLOCK: C, LOT: 10
Wells Aro L
Wells Donna J
1321 Prospect Dr
Fairbanks, AK 99709

SHERWOOD FOREST2, BLOCK: C, LOT: 24
Westby Katrina M
671 Finsbury Ct
Fairbanks, AK 99709

UNIVERSITY GARDE, BLOCK: A, LOT: 06A
Whippoorwill Llc
427 Crestmont Dr
Fairbanks, AK 99709

SHERWOOD FOREST2, BLOCK: C, LOT: 20
Whisenhant Gregory P
Whisenhant Jennifer B
PO BOX 83925
Fairbanks, AK 99708

UNIVERSITY GARDE, BLOCK: A, LOT: 17A
White Patricia M
PO BOX 58354
Fairbanks, AK 99711

SHERWOOD FOREST3, BLOCK: E, LOT: 27
White Trevor C
638 Kentshire Dr
Fairbanks, AK 99709

SHERWOOD FOREST3, BLOCK: D, LOT: 16
Willson Wesley Carl
Bellion Tara Elizabeth
705 Kentshire Dr
Fairbanks, AK 99709

CHENA GOLD, BLOCK: B, LOT: 04
Winners Scott
Winners Patricia
5143 Chilkoot Dr
Fairbanks, AK 99709

SHERWOOD FOREST2, BLOCK: C, LOT: 14
Witte Dustin R
Witte Jaime C
PO BOX 84276
Fairbanks, AK 99708

UNIVERSITY GARDE, BLOCK: A, LOT: 56
Woods Marsha S
5041 George Nelson Ave
Fairbanks, AK 99709

SHERWOOD FOREST3, BLOCK: E, LOT: 36
Wyman Gregory E
Wyman Barbara H
2455 Locksley Ct
Fairbanks, AK 99709

1S 2W, SEC: 14, TAXLOT: 24
Yoder Brian K Sr
859 Chena Pump Rd
Fairbanks, AK 99709

1S 2W, SEC: 14, TAXLOT: 22
Yoder Brian K
859 Chena Pump Rd
Fairbanks, AK 99709

SHERWOOD FOREST3, BLOCK: D, LOT: 20
Zhu Jiang
Lang Songzhen
665 Kentshire Dr
Fairbanks, AK 99709