

FNSB PLATTING BOARD
ACTION MEMO
DECEMBER 19, 2018
BOROUGH ASSEMBLY CHAMBERS
6:00PM

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

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

APPLICATIONS

Preliminary Applications

1. **SD018-17 Amayun Subdivision** A request by Diane L. Stevens Sam and Crystal K. Drum, on behalf of themselves, Bonnie Gale Brosius, and the Estate of Martha A. Stevens, to subdivide TL-704, TL-706, TL-707, TL-709, and TL-710, a total of approximately 46.37 acres, into four lots ranging in size from 3.23 to 29.08 acres. The request includes dedication of a temporary turnaround easement along a section line easement corridor. The property is located within the SW¼ Section 7, T2N R1E, FM. **Staff Contact: George Stefan**

APPROVED

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

1. GVEA shall be given a maximum of 30 calendar days to review and comment on the final plat.
2. A note shall be placed on the final plat which states, "The Davidson Ditch Access Road – Elliott Highway provides a 100-foot wide right-of-way that may cross a portion of Lot 4 of this subdivision. This right-of- way was established by RS-2477 and is also known as RST-1967."
3. A note shall be placed on the final plat which states, "Roads in and to this subdivision were not required to and may not meet the borough's minimum standards for materials and construction. To the extent these road standards have not been met, fire protection, ambulance and other public services may not be available year-around or their availability may be severely limited."
4. A note shall be placed on the final plat which states, "No subdivision lot may be further subdivided until such time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided."
5. A note shall be placed on the final plat which states, "New direct access onto the Elliott Highway is prohibited. Any modification to the existing driveway onto the Elliott Highway will require an approved ADOT&PF driveway permit prior to commencing construction."

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

- a) The applicants have applied for and shall be exempted from the road construction requirements for a road within the section line easement corridor along the subdivision's west boundary, including the proposed temporary turnaround as allowed by FNSBC 17.56.060.A because:
 - i. The proposed subdivision is not within a road service area or fire service area.
 - ii. The proposed subdivision does not rely on roads maintained by a service area for its only access or for access that is required by the subdivision plat.

- b) A requirement for the applicant who utilizes the road construction exemption of FNSBC 17.56.060.A is that a cautionary plat note be placed on the final plat. Condition #3 satisfies this.
- c) The subdivision request is exempt from constructing a Title 17 road within the portion of the section line easement corridor from the Elliott Highway to the northwest corner of the subdivision as allowed by FNSBC 17.56.020.G because:
 - i. The proposed subdivision creates fewer than five lots.
 - ii. Legal access exists to the subdivision boundary from the Elliott Highway to the subdivision boundary via the section line easement corridor.
- d) Per FNSBC 17.56.020.G a lot created under this subsection may not be further subdivided until such time as legal, constructed road access is available to the boundary of the lot proposed to be resubdivided. Condition #4 satisfies this.
- e) FNSBC 17.56.010.F states, "Direct lot access onto a major collector road or arterial shall not be allowed unless topography allows no reasonable alternative. Where double-frontage lots are platted, lots shall not access onto major collector or arterial roads unless topography allows no reasonable alternative. Restricted access shall be noted on the plat." Condition #5 satisfies this restriction.

2. **MD003-19/SD005-18 Golden View Subdivision** A request by Degerlund Engineering, LLC, on behalf of Karl and Florine Benson, for a modification to the Platting Board's approval of Golden View Subdivision on October 25, 2017. The approved request was for the subdivision of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, T1N, R2E, FM, a total of approximately 40 acres, into five lots ranging in size from 3.03 acres to 23.92 acres. The modification request is to remove two conditions approved by the Platting Board related to a private access easement and to reconfigure the five proposed lots to range in size from 2.08 acres to 20.21 acres. The property is located on Chena Valley View Lane. **Staff Contact: George Stefan**

APPROVED

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

- a) The Golden View Subdivision request was submitted with a design in which the new subdivision road, Chena Valley View Lane, was proposed to intersect with an existing private access easement at an angle of less than 60 degrees.
- b) FNSBC 17.56.100.C.1 requires that, "Streets shall intersect at an angle as close to 90 degrees as feasible, and in no event, at an angle less than 60 degrees."
- c) Golden View Subdivision was approved on October 25, 2017 by the Platting Board with conditions #4 and #5 in order to rectify the code violation of FNSBC 17.56.100.C.1. Those conditions were approved as:
 - 4. The portion of the existing access easement that runs through proposed Lot 1 shall be vacated by deed prior to final plat approval.
 - 5. The portion of the road within the existing private easement that runs through proposed Lot 1 shall be barricaded at the intersection with the new portion of Chena Valley View Lane and at the intersection with the ADL such that vehicular access is not possible.
- a) On November 21, 2018 the Platting Board granted approval for a variance from FNSBC 17.56.100.C.1 to allow the intersection angle of the new subdivision road, Chena Valley View Lane, and a private access easement to be less than 60 degrees.
- b) The subdivision, with the modification, can be developed consistent with public welfare and safety because:
 - i. The applicant's registered professional has designed the new subdivision road, Chena Valley View Lane, to provide as safe as possible road given the existing topography.
 - ii. Chena Valley View Lane will provide a much safer and practical connection between the properties to the west and the ADL ROW to the north compared to the private access easement.
 - iii. The substandard trail within the private access easement may only be used by the dominant estate properties, and Chena Valley View Lane may be used by the general public.

- c) The private access easement is no longer necessary due to the construction of Chena Valley View Lane.
- d) The substandard trail within the private access easement will likely become overgrown and unusable for vehicular traffic over time since Chena Valley View Lane will be used.
- e) It is very likely that the few parties who directly benefit from the private access easement will instead use Chena Valley View Lane for access.
- f) FNSB Public Works and the Transportation Planner support the modification.

3. **SD006-19 Cullen Acres** A request by 3-TIER Alaska, LLC., on behalf of Timothy L. Cullen, to subdivide TL-2300, a total of approximately 40 acres, into one lot of approximately 0.98 acres and a remainder tract of approximately 39.02 acres. The request includes dedication of a seven foot wide public access easement along the existing section line easement within the property. The property is located within NE¼ SE¼ Section 23, T1N R2W FM on Miller Hill Extension Road. **Staff Contact: Daniel Welch**

APPROVED

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

1. GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS and the Chena Goldstream Fire Service Area shall have a maximum of 10 days to review and comment on the final plat.
3. A note shall be added to the plat which states "Upon construction and connection of Miller Hill Road and Miller Hill Extension Road, direct lot or driveway access onto the through road will be prohibited, and until there is other adequate road access, driveways from Lot 1 and Tract A are limited to the 25' shared driveway easement. Any other driveway connections to the major collector road will be removed at time of new roadway construction."
4. A note shall be added to the final plat that states "Portions of this subdivision may contain wetlands. If development plans entail the discharge or placement of dredged and/or fill material into these wetlands, issuance of an individual Department of the Army permit may be required pursuant to section 404 of the Clean Water Act prior to initiating work."
5. The Flood zone Note 2 shall be amended to state "The base flood elevation for this area is 590.5'..." The note shall be reviewed by the FNSB Flood Plain Administrator or other CFM within the Department of Community Planning.
6. The final plat shall include the benchmark requirements of FNSBC 17.52.040.18.a. This requirement shall be reviewed by the FNSB Flood Plain Administrator or other CFM within the Department of Community Planning.
7. A note shall be added to the final plat that states "Roads in and to this subdivision were not required to and may not meet the borough's minimum standards for materials and construction. To the extent these road standards have not been met, fire protection, ambulance and other public services may not be available year-around or their availability may be severely limited."
8. A note shall be added to the final plat that states "Lots created by this plat may not be further subdivided until such time as legal and constructed road access meeting FNSB Title 17 standards is available to the boundary of the lot proposed to be resubdivided."
9. Water and Wastewater Disposal Notes 1-3 shall be replaced by a note to reflect the findings of the submitted soils report. The note shall state something to the effect of "The soil classifications as stated above are not suitable for conventional onsite wastewater disposal systems. The onsite wastewater disposal systems should be designed by a professional

engineer and submitted for plan review and approval by ADEC prior to installation.” FNSB Public Works shall review the note.

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

- f) The proposed subdivision creates one lots and one tract, for a total of two parcels.
- g) The subdivision plat proposes to dedicate an additional 7 foot public access easement for right-of-way purposes following the existing section line easement corridor.
- h) Per FNSBC 17.56.020.B.3 states that dedication of the exterior boundary right-of-way width may be shared with the adjoining property owner if the shared right-of-way exists and is public.
 - a. The applicant is only required to supply half of the 14-feet of required right-of-way.
- i) FNSBC 17.56.090 states “No street or right-of-way shall be created or modified within 15 feet of a permanent building existing on or adjoining the property to be subdivided or dedicated unless the applicant proves that the replat will not impede safe public access or otherwise result in a hazard to persons or property.”
 - a. The permanent structure will be within 14.2 feet of the proposed dedication.
 - b. Evidence was submitted by the applicant showing that the existing structure would not impede safe public access in the event of future road improvements.
- j) FNSBC 17.56.110.A states “The alignment of subdivision streets shall conform to the comprehensive road plan adopted by the Fairbanks North Star Borough assembly.”
- k) The FNSB Comprehensive Road Plan intends for the connection of Miller Hill Road and Miller Hill Road Extension.
 - a. The connection will create a new through road for the existing road network.
 - b. The FNSB Comprehensive Road Plan classifies the connection as a Major Collector Road.
 - c. Improvements of Miller Hill Road Extension do not connect to the constructed improvements of Miller Hill Road.
 - d. Miller Hill Road Extension does not function as a major collector.
 - e. Once constructed, the connection of Miller Hill Road and Miller Hill Road Extension will function as a Major Collector Road.
- l) The subdivision is not within the Miller Hill Extension Road Service Area.
- m) The subdivision plat relies on Miler Hill Extension Road.
- n) Miller Hill Extension Road is maintained by the Miller Hill Extension Road Service Area.
 - a. Miller Hill Extension Road Service Area does not maintain Miller Hill Road Extension to the boundary of the subdivision.
- o) The applicant has met the requirements for road construction exemption under FNSBC 17.56.060.B.
- p) The road construction exemption of FNBC 17.56.020.G applies to this subdivision.
- q) Road improvements leading to or within the subdivision are not proposed or required by this plat.
- r) Portions of the property are located within Flood Zone A.

- s) FNSBC 17.52.040.D.18.a requires that bench marks be placed within the subdivision as primary monuments and be stamped and noted on the plat. Monumentation shall be placed so that no lot within the Flood Zone A or AE is more than 1,000 from a benchmark. Condition #6 satisfies this requirement.
- t) With the nine conditions recommended by staff, this subdivision meets the applicable requirements of Title 17.

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