Please refer to Planning Commission Rule #25: 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 Planning Commissioner (who voted on the prevailing side) by the close of business the day following the meeting.

Roll Call, Opening Statements, Agenda and *Consent Agenda.

Commissioners Present: Charles Whitaker  Chris Guinn
Doug Sims  John Perreault
Eric Muehling  Wendy Presler
Robert Peterson  Michael Stepovich

Commissioners Absent & Excused: Mindy O'Neall

Commissioners Unexcused  David Brandt  Patricia Thayer

APPROVAL OF THE AGENDA AND CONSENT AGENDA

Audio Track 1

AGENDA APPROVED / CONSENT AGENDA ITEM REMOVED

QUASI-JUDICIAL HEARINGS

1. **CU2018-015**: A request by Charles E. Workman for amendment of the conditional use approval of a marijuana cultivation facility, indoor large to make changes to the site plan and building size and configuration in the General Use 1 (GU-1) zone on Tract A, Bias Drive East Subdivision (located at 278 Bias Drive East, on the north side of Bias Drive East, east of Beacon Road). Staff Contact: Manish Singh.

Audio Track 2

CONDITIONS OF APPROVAL

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 State of Alaska Department of Public Safety (Division of Fire and Life Safety, Plan Review Bureau) 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 (ADEC) Division of Water, Wastewater Discharge for the proposed septic system, for the proposed
wastewater storage tank and for the application of the wastewater onto the property and shall comply with all recommendations and/or requirements resulting from the plan review.

2. If the applicant or holder of this conditional use permit decides to sell the Canaccrete products or the composted marijuana waste or make it available for public to pick up, the applicant or holder of this conditional use permit shall obtain a formal plan review by the State of Alaska Department of Environmental Conservation (ADEC) Solid Waste Program for the marijuana waste management plan and shall comply with all recommendations and/or requirements resulting from the plan review.

3. 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.

4. 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).

FINDINGS OF FACT

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 compatible with the „Perimeter 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 site is proposed to have an onsite septic system for the wastewater generated from the restroom and a 5,000 gal. tank for storing the wastewater generated from the cultivation operation. With the conditions imposed, the property will have adequate capacity to receive the non-domestic wastewater generated from the cultivation facility.
   b. The site is served by Steese Volunteer Fire Department for emergency fire response.
   c. The site is served by Alaska State Troopers for law enforcement.
   d. The site is currently connected to the GVEA grid which will provide sufficient energy supply for indoor cultivation activities.
   e. Eight (8) 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 Bias Drive East. Bias Drive East is a Road Service Area maintained road and it could accommodate the trip ends generated by the proposed cultivation 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, 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 will 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 cultivation operation is completely indoors and supplies are expected to be delivered only 2-4 times per month.
   h. The location of the compost area is proposed to be outside of the wetlands.

**CU2018-015 APPROVED**

[EIGHT IN FAVOR / ZERO OPPOSED]

2. **CU2018-016**: A request by Fairbanks North Star Borough Land Management on behalf of the Fairbanks North Star Borough for conditional use approval of schools: art, music, dance, business, trade and similar educational uses for the Folk School to be located in Pioneer Park in the Outdoor Recreational (OR) zone on Tax Lot 906, Section 9, T1S, R1W (2300 Airport Way, on the north side of Airport Way, east of Peger Road, and west of Moore Street). Staff Contact: Stacy Wasinger.

**Audio Track 3**

**CONDITIONS OF APPROVAL**

1. Prior to the commencement of operations, 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. The applicant or holder of this conditional use permit shall obtain any required permits or certificates of occupancy from the City of Fairbanks.
   b. The applicant or holder of this conditional use permit shall obtain any required permit from FNSB Air Quality and shall comply with all recommendations and/or requirements resulting from the review and permit.
2. If any modifications are made to the site plan or operations of the school use, the applicant or holder of this conditional use permit shall submit revised documents to the FNSB Community Planning Department. If modifications are made to the conditional use or the use is expanded, an amendment to the Conditional Use Permit may be required pursuant to FNSBC 18.104.050(D).

FINDINGS OF FACT

1. The proposed conditional use will conform to the intent and purpose of Title 18 and of other ordinances and state statutes because it is consistent with the Comprehensive Plan.

   a. The conditional use is consistent with the Urban Area designation. The existing use of the parcel includes Pioneer Park, which is an attraction that generates intensive use. The proposed conditional use is compatible with the existing use of Pioneer Park. Adequate water and sewer facilities exist for this use.
   
   b. The purpose of Title 18 is met because the conditional use supports Land Use Goal 4, Strategy 10 that development opportunities should “[a]ttract and support development that is compatible with and enhances existing land use.” Pioneer Park is well established as a recreational and entertainment facility and the proposed conditional use will enhance educational opportunity associated with the park. This area is Outdoor Recreational (OR) zoning south of the Chena River where the Carlson Center and Pioneer Park are located. Additionally, the application aligns with Land Use Goal 3 “to have a variety of land uses that fit the diverse needs of the community.” The existing residential and commercial uses are compatible with the proposed conditional use, which would provide enhanced educational and recreational opportunities in Pioneer Park.
   
   c. The proposed conditional use is also compatible with the Comprehensive Parks and Recreation Plan Goal II “Fully utilize existing facilities” and Objective E “Promote and develop multiuse areas and facilities.” The proposed use supports this goal and objective by putting a new compatible use into underused existing buildings within Pioneer Park.
   
   d. The intent of Title 18 will be met with the conditions imposed. The conditional use process will protect private property rights and promote public health, safety, and welfare.
   
   e. The applicant has provided information sufficient to show they intend to meet all local, state, and federal laws.

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

   a. The subject site has community water and sewer facilities.
   
   b. The subject site is served by GVEA.
   
   c. The site is served by the City of Fairbanks for other public services.
   
   d. The existing transportation facilities, including roads and parking areas, are adequate to serve the needs of the proposed conditional use. Moore Street, Airport Way/Airport Way Access Road, and Peger Road are all maintained by ADOT & PF. Access to the use is adequate to serve the proposed conditional use. The additional vehicle trips generated by the Folk School are expected to be minimal to the overall trips generated by Pioneer Park. The conditional use is expected to generate a maximum of 43 trips per day. Adequate space is available in the existing parking lot and on-site for vehicles to park and maneuver.
3. With the conditions imposed, the conditional use will protect public health, safety, and welfare because of adverse impacts are mitigated.

   a. Noise, odor, and lighting impacts are expected to be minimal due to the location in existing Pioneer Park.
   b. No off-site stormwater runoff is expected as a result of the conditional use.
   c. Lighting is not directed at any residentially zoned parcel.
   d. The conditional use does not create any fire hazards.
   e. All transportation facilities are adequate to handle the traffic associated with this conditional use and no traffic hazards are created by the conditional use.

CU2018-016 APPROVED
[EIGHT IN FAVOR / ZERO OPPOSED]

LEGISLATIVE

1. HP2018-003 Badger Road TWLTL: A request by the State of Alaska Department of Transportation and Public Facilities for local planning authority approval of the Badger Road Two Way Left Turn Lane Project. This project proposes to upgrade Badger Road to include a continuous two way left turn lane (TWLTL) from Dennis Road to Hurst Road, including road widening and to reduce the cross-slope at the intersection of Holmes and Peede. Ancillary work includes signing, striping, lighting, and drainage improvements. Staff Contact: Donald Galligan

Audio Track 4

FINDINGS OF FACT

1. This project supports Goal 1, Strategy 1, Action C ("Ensure that road designs improve safety and minimize adverse impacts") of the Transportation Section of the Fairbanks North Star Borough Comprehensive Plan.

   Badger Road was the subject of a Road Safety Audit conducted by the ADOT&PF, FHWA, and the Borough in 2015. The findings were clear that the high number of accesses onto Badger Road was causing many of the accidents on the corridor. A TWLTL is a proven treatment for reducing rear-end collisions on heavily-traveled corridors (USDOT Publication No. FHWA-HRT-08-042). In addition, the Audit found that the super-elevation in the Holmes/Peede Road intersection was creating difficulty for vehicles to cross Badger Road under winter driving conditions. This project would reduce that super-elevation.

2. The project is consistent with Goal 1, Strategy 1, Action D) that states “Retain the integrity of neighborhoods as the road network expands.”

   The widening and improving of Badger Road is being done within current right-of-way. What’s more, the addition of this two way left turn lane makes it safer and more comfortable to reach your destination, thus bringing the community and neighborhoods closer together. Finally, the existing walking/bicycle pathway that currently runs parallel to Badger Road will remain intact.

3. The project is consistent with Goal 1, Strategy 1, Action F) that states “Encourage adequate transportation services to serve business activities.”
Driveways to businesses contributed to the current situation on Badger Road. The land use in the vicinity of the project is a mix of residential, commercial and some industrial uses. Driveway access is one of the most important resources to a business endeavor. Customers need easy and safe access to businesses for them to succeed. The construction of the TWLTL would create a more business-friendly environment, thus supporting local business needs.

RECOMMENDED FOR APPROVAL

2. **HP2018-006 Gillam Way Upgrade**: A request by the State of Alaska Department of Transportation and Public Facilities for local planning authority approval of the Gillam Way Upgrade project. This project proposes to reconstruct Gillam Way, from 22nd Avenue to 14th Avenue, including addition of traffic calming features, intersection improvements, drainage improvements, pedestrian and bicycle enhancements, and ADA improvements. Staff Contact: Donald Galligan

Audio Track 5

**FINDINGS OF FACT**

1. The Gillam Way Upgrade project will “ensure that road designs improve safety and minimize adverse impacts”, “identify and correct problem intersections”, and “integrate pedestrian-friendly sidewalks and bike trails along newly-developed roads or as enhancements during road construction and maintenance”, by adding a four foot shared use shoulder on each side of the road. (Transportation and Infrastructure: Goal 1, Strategy 1, Action C)

2. The Gillam Way Upgrade project will help to “make the borough more pedestrian friendly” as it includes new sidewalks throughout the length of the projects, constructing sidewalks in areas of the corridor where there are currently none. (Transportation and Infrastructure Goal 1, Strategy 3)

3. The Gillam Way Upgrade project will “encourage use of non-motorized transportation systems” by providing sidewalks throughout the project area, and four foot striped shoulders for use by bicycles. (Transportation and Infrastructure Goal 1, Strategy 4, Action B)

RECOMMENDED FOR APPROVAL

Excuse Future Absences, Commission’s Comments and Adjournment.

Audio: Track 6

Further information may be obtained from *FNSB Department of Community Planning* at 459-1260