

FNSB PLATTING BOARD MINUTES March 21, 2018

A regular meeting of the Fairbanks North Star Borough Platting Board was held in the Mona Lisa Drexler Assembly Chambers, Juanita Helms Administrative Center, 907 Terminal Street, Fairbanks, Alaska. The meeting was called to order at 6:0 p.m. by Randy Pitney, Chair.

ROLL CALL

Members Present: Kellie Fritze, Crystal Haman, Troy Hicks, Jason McComas-Roe, Clint Meyer, Bill Mendenhall and Randy Pitney

Members Absent: None

Others Present: Christine Nelson, Director, Department of Community Planning; George Stefan, FNSB Platting Officer; Angela Parker, FNSB Platting Officer; Noah Kline, Assistant Borough Attorney; David Bredlie, Public Works Engineer and Laura McLean, FNSB Recording Clerk

MESSAGES

Citizens Comments – limited to three (3) minutes

None

Disclosure and Statement of Conflict of Interest

Hicks disclosed that he has a conflict with the first item on the agenda. His wife is the applicant's representative for this item. **Pitney** confirmed that he has a conflict and will not hear this item.

APPROVAL OF AGENDA AND CONSENT AGENDA

Motion to approve the agenda and consent agenda made by **Mr. Meyer**, seconded by **Ms. Haman**. Motion carried without objection.

MINUTES

Minutes of February 21, 2018

OATH

QUASI-JUDICIAL HEARING

1. **VA002-18 Chena Reserve** A request by Northland Surveying & Consulting, LLC, on behalf of Kenneth E. Hayes, to vacate that portion of the 66 foot wide section line easement corridor lying east of Bate Street within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 1 (TL-111) and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 12 (GL-1), T1S R1E, FM. **Staff Contact: George Stefan**

Stefan presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the vacation with the following one (1) condition:

1. A minimum 20ft corner rounding shall be dedicated at the intersection of Bate Street and the 27ft wide public access easement created by the plat.

Furthermore, staff recommended adoption of the following ten (10) Findings of Fact and the Staff Report in support of approval:

- a) The dedication and construction of Bate Street in 1982 has provided other access provisions which are more beneficial to the public. This satisfies the requirements of FNSBC 17.32.030.E.1 and 11 AAC 51.065.
- b) In accordance with 17.56.100.C.2, corner roundings with a minimum 20-foot radius shall be required at intersections.
- c) The 66ft wide section line easement corridor to be vacated is composed of two 33ft wide section line easements.
- d) The 66ft wide section line easement corridor proposed for vacation does not have any roads constructed within it.
- e) No adjoining property owner will be denied access by vacation of the 66ft wide section line easement corridor.
- f) This vacation is the same vacation request as two previous vacation requests, VA 015-81 and VA 008-12.
- g) Preliminary approval of VA 015-81 expired on August 13, 1982. Preliminary approval of VA 008-12 expired on April 19, 2016.
- h) The State of Alaska, Department of Natural Resources, Division of Mining, Land and Water Survey Section issued a Final Decision approving the vacation request on March 16, 2016 and approved a one-year extension on January 9, 2018. Therefore the final plat submittal deadline to DNR was extended to March 16, 2019.
- i) The FNSB Transportation Planner and Public Works engineer do not object to the vacation request.
- j) With the one condition recommended by staff, this vacation meets the applicable requirements of Title 17.

Meyer referenced Section Line easement to the north. **Stefan** responded that there is only the 33' easement in this location.

McComas-Roe queried if the 33' easement on the other side of the Section Line was previously vacated. **Stefan** responded that from the research he did, a Section Line easement did not exist based on land patents.

McComas-Roe queried if there was any clearing of the remaining 33' SLE to the river. **Stefan** stated that with what he could tell it appears to be a fairly decent clearing. **Stefan** referred the Platting Board to the Findings of Fact for support of approval for further explanation.

Pitney inquired if there was a SLE to the east between Lots 6 and 7. **Stefan** stated that there is an easement to the east along the SLE but no dedication for Bates Street.

McComas-Roe queried that if there was not an easement on the east boundary, would this application have required some sort of turnaround or cul-de-sac at the end of Bates Street because there is no dedicated right-of-way beyond that. **Stefan** responded typically a temporary

turnaround would have been required. However, this is not a subdivision request but rather a vacation request.

Pitney queried why corner roundings are not depicted on the plat. **Stefan** replied that it will be depicted on the final plat as a condition of approval.

Applicant Testimony

Paula Hicks, Northland Surveying, addressed the Platting Board. She stated that the 27' access easement was requested by DNR. They would not have approved the SLE vacation without it.

Interested Person Testimony

None

Applicant Rebuttal

None

MOTION: A motion was made by **Mr. Meyer**, seconded by **Ms. Haman** to approve the vacation of the 66 foot wide section line easement corridor lying east of Bate Street within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 1 (TL-111) and the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 12 (GL-1), T1S R1E, FM, with the one condition and adopting the ten findings of fact and the staff report in support of approval.

Mr. Meyer stated that though he is not a supporter of SLE's, this case is one that he can see will most likely not serve a purpose in the future.

Ms. Fritze concurred.

Ms. Haman stated that she is an advocate for vacating SLE's if there is additional access. She intends to support this request.

Mr. McComas-Roe expressed support for this request.

Mr. Mendenhall commented that commas should not be utilized in the legal description.

MOTION: A motion was made by **Mr. McComas-Roe**, seconded by **Mr. Meyer** to amend the original motion to remove the commas within the legal description.

Ms. Haman stated that she has no objection to removing the commas.

ROLL CALL: 6 in favor Fritze, Haman, McComas-Roe, Mendenhall, Meyer and Pitney
0 opposed

ROLL CALL: 6 in favor Fritze, Haman, McComas-Roe, Mendenhall, Meyer and Pitney
0 opposed

1. **MD001-18 Heartland Ranch Subdivision 1st Addition** A request by 3 TIER-Alaska, Corporation, on behalf of Adam & Kimberly Bjornstad, to modify the preliminary approval received on June 21, 2017 for Heartland Ranch Subdivision 1st Addition. The modification includes the addition of nine lots and provides phasing schedules for the completion of all 21 lots in four phases. The property is a total of 36.8 acres, located within the S ½ NW ¼ Section 8, T1S, R2E, FM. Access will be provided from Freeman Road and Heartland Avenue. **Staff Contact: Angela Parker.**

Parker presented the Staff Report. Based on Staff analysis, the Department of Community Planning recommends APPROVAL of the variance with the following nine (9) conditions:

1. GVEA and IGU shall have ten calendar days to review and comment on the final plat of each applicable phase.
2. Lot 4 Heartland Ranch shall be included in the title block to correctly reflect the legal description of the proposed subdivision.
3. In the applicable phase, the developer shall construct Heartland Avenue to 50 feet beyond the intersection with Caden Court and provide a Type III Barricade permanently mounted in the road with appropriate signage meeting 17.60.010.D.2. The construction shall be approved by FNSB Public Works.
4. Caden Court, Benji Court and Lydia Joy Court shall be constructed to FNSB Local 1 road standards and approved by FNSB Public Works within the applicable phase(s).
5. The required driveway permit(s) shall be obtained from Alaska DOT&PF for the construction of Benji Court and Lydia Joy Court.
6. The final plat for the first phase shall be submitted no later than March 21, 2020. The final plat for the last phase shall be submitted no later than March 21, 2026.
7. A common driveway easement shall be reserved over the double flag stems for Lots 16 and 23.
8. A common driveway shall be constructed within the flag stems for Lots 16 and 23 and approved by FNSB Public Works per FNSBC 17.56.010.G.
9. A minimum 20-foot radius corner rounding is required on Lot 1A at the intersection of Nordale Road and Heartland Avenue.

Furthermore, staff recommended adoption of the following seven (7) Findings of Fact and the Staff Report in support of approval:

- a) With the modification, the subdivision creates 21 lots in four phases.
- b) The plat dedicates three new cul-de-sac rights-of way.
- c) Benji Court, Caden Court and Lydia Joy Court will be constructed to FNSB Local 1 standards.
- d) Heartland Avenue, from Nordale Road to the temporary turnaround, was approved with plat #2014-104.

- e) Heartland Avenue will be constructed to FNSB Local 2 standards from the temporary turnaround to 50 feet east of Caden Court, matching the construction of the existing road.
- f) All lots will have access from the new cul-de-sacs or Heartland Avenue. No lots shall have direct access to Nordale Road or Freeman Road, both major collectors.
- g) With the conditions recommended by staff, this replat meets the applicable requirements of Title 17.

Mr. Mendenhall queried if more lots are being added than should be. **Ms. Parker** responded that in-house reviews were conducted and these lots do meet the minimum lot size per the Planning Department for the current zoning.

Ms. Fritze questioned why a drainage plan was not required. **Ms. Parker** replied that drainage requirements, per Title 17, address issues that may be caused to adjacent properties that are not involved in the subdivision.

Mr. McComas-Roe queried if the Corp of Engineers had an opportunity to comment. **Ms. Parker** replied that they do if the property being disturbed is more than an acre.

Mr. Pitney asked if there was a method to test the wetlands that was utilized. **Ms. Parker** replied that testing is not part of the subdivision process.

Applicant Testimony

Ryan Hunt, 3-Tier Alaska, addressed the Platting Board. **Mr. Hunt** spoke to the wetland question and stated that the property is 1.1 acres. He stated that the Borough should not have jurisdiction over the wetlands. The Army Corp of Engineers should have said jurisdiction.

Interested Person Testimony

None

Applicant Rebuttal

None

MOTION: A motion by **Ms. Haman**, seconded by **Mr. Meyer** to approve the modification of the original approval of Heartland Ranch Subdivision 1st Addition with the nine conditions, adopting the seven findings of fact and the staff report in support of approval.

Mr. Hicks stated that he felt that they did a great job on this plat and he intends to support the request.

ROLL CALL: 7 in favor: Fritze, McComas-Roe, Mendenhall, Hicks, Haman, Meyer and Pitney.

0 opposed

UNFINISHED BUSINESS

None

NEW BUSINESS

None

EXCUSE FUTURE ABSENCES

None

BOARD MEMBER COMMENTS / COMMUNICATIONS

Mr. Stefan announced that the work sessions for the April meeting will be after the regular agenda has been adjourned.

Mr. Pitney announced that Mr. Meyer will conduct the Platting Board at the April meeting.

ADJOURNMENT