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:    Wendy Presler    Chris Guinn
Doug Sims    Charles Whitaker
David Brandt    Eric Muehling
Mindy O'Neall

Commissioners Absent & Excused:  Mike Stepovich    John Perreault
Commissioners Absent    Robert Peterson

APPROVAL OF THE AGENDA AND CONSENT AGENDA

*MINUTES


Audio Track 1

AGENDA AND CONSENT AGENDA APPROVED

QUASI-JUDICIAL HEARINGS

1. CU2019-005: A request by Terrell Towns DBA Tot's 'R' Us Childcare for conditional use approval of a day care facility in the Single-Family Residential 10 (SF-10) zone on Lot 11, Block 7, Taku Subdivision, First Addition (located at 1178 Nenana Street, on the west side of Nenana Street, between Ruby Avenue and Kuskokwim Avenue). Staff Contact: Manish Singh

Audio: Track 1

CONDITIONS OF APPROVAL

1. If any modifications are made to the site plan, maximum number of children, hours of operation or other operational characteristics, 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, 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 conforms to the intent and purpose of Title 18 and of other ordinances and state statutes:
a. The purpose of Title 18 is met because the proposed conditional use is consistent with 'Urban Area' comprehensive plan land use designation. The conditional use is consistent with the Comprehensive Plan Community and Human Resources Goal 1, Strategy 1 because the day care facility serves the borough residents by providing essential childcare services.

b. The intent of Title 18 will be met because the conditional use both protects private property rights and promotes public health, safety, and welfare.

c. The applicant has obtained a state license for a day care facility from Child Care Licensing (CCL) Program. The applicant has obtained a business license from Division of Corporations, Business and Professional Licensing, Alaska Department of Commerce, Community, and Economic Development. The applicant has also obtained a business license from the City of Fairbanks. The applicant has provided information sufficient to show that they intend to meet the city and state regulations.

2. There are adequate existing sewage capacities, transportation facilities, energy and water supplies, and other public services to serve the proposed conditional use.

a. The day care facility has adequate water supply because the property is served by Golden Heart Utilities.

b. The facility has adequate sewage capacities because the property is served by Golden Heart Utilities.

c. The facility has adequate fire services because the property is served by the City of Fairbanks Fire Department.

d. The facility has adequate power supply because it is served by the GVEA grid.

e. The facility is served by the City of Fairbanks Police Department for law enforcement.

f. The subject property has access from Nenana Street which is a local road maintained by the City of Fairbanks. Nenana Street can accommodate the small number of trip ends generated by the day care facility.

g. The site plan shows one parking space and a child drop-off area which are adequate for the day care facility.

3. The proposed conditional use protects public health, safety, and welfare because the day care facility complies with Title 18 standards for the SF-10 zone (FNSBC 18.44) as well as with other applicable land use related laws.

a. The hours of operation for the day care facility do not negatively impact the residential neighborhood because the day care does not operate in the night. These hours of operation are consistent with the City’s noise ordinance. The late fee for late pick-ups incentivizes parents to pick up their children on time.
b. The noise produced by the day care facility does not negatively impact the residential neighborhood because the day care is for a maximum of 12 children and the playtime is limited to 10 am to 12 pm and 4 pm to 6 pm.

c. On December 4, 2017, the day care facility passed their fire inspection from City of Fairbanks Fire Department. The compliance with City of Fairbanks Fire Code and the availability of fire and rescue services through the City of Fairbanks Fire Department minimize fire and other safety risks.

CU2019-005 APPROVED
[SEVEN IN FAVOR/ZERO OPPOSED]

PUBLIC HEARINGS

1. **RZ2019-001**: A request by Don Duncan (Master Guide License #136) DBA Alaska Private Guide Service to rezone approximately 420 acres from Rural Residential (RR) to Outdoor Recreational (OR) or other appropriate zone. The area proposed to be rezoned include parcels described as Shuros Subdivision – Block 2, Schroeder Property Waiver – Tract B and Tract C, Section 28 T1N R1W F.M. – TL-2805, Section 29 T1N R1W F.M. – TL-2914 and GL-16 (located on the south side of Farmers Loop Road, near milepost 6). **Staff Contact: Manish Singh**

Audio: Track 2, 3, & 4

**MOTION:** To recommend approval of the rezone (RZ2019-001) of Shuros Subdivision – Block 2, Schroeder Property Waiver – Tract B and Tract C, Section 28 T1N R1W F.M. – TL-2805, Section 29 T1N R1W F.M. – TL-2914 and GL-16 from Rural Residential (RR) to Outdoor Recreational (OR), and adopt the staff report and eight (8) Findings of Fact in support of the recommendation of approval by Commissioner Sims, seconded by Commissioner Presler.

**ROLL CALL**

Zero (0) in Favor:  Five (5) Opposed: Guinn, Whitaker, Presler, Sims, and O’Neall

**MOTION FAILED**

**MOTION:** To recommend disapproval of the rezone (RZ2019-001) of Shuros Subdivision – Block 2, Schroeder Property Waiver – Tract B and Tract C, Section 28 T1N R1W F.M. – TL-2805, Section 29 T1N R1W F.M. – TL-2914 and GL-16 from Rural Residential (RR) to Outdoor Recreational (OR), and adopt one (1) Finding of Fact in support of the recommendation of disapproval by Commissioner Sims, seconded by Commissioner Presler.

**FINDING OF FACT IN SUPPORT OF THE RECOMMENDATION OF DISAPPROVAL**

1. The proposed rezone of the Farmers Loop perimeter lots to Outdoor Recreational (OR) is not consistent with the FNSB Regional Comprehensive Plan designation of Perimeter Area.
ROLL CALL

Five (5) in Favor: Whitaker, Presler, Sims, Guinn, and O’Neill

Zero (0) Opposed:

MOTION PASSED

RZ2019-001 RECOMMENDED FOR DISAPPROVAL
[FIVE IN FAVOR/ZERO OPPOSED]

LEGISLATIVE HEARINGS

ORDINANCE NO. 2018-40: An Ordinance Amending FNSBC 18.108.040(A) To Allow Reconstruction Of A Nonconforming Building. Staff Contact: Christine Nelson

Motion to Recommend that the FNSB Assembly approve Ordinance No. 2018-40 with 2 amendments.

Motion to Amend amendment #1 to read “Foundation permanent means a supporting substructure of a building permanently affixed to the ground such as a concrete or mason refoundation, thickened edge slab on grade, driven or drilled piles, spread footings, and continuous footing. This definition excludes skids or other non-permanent moveable support substructure.

Passed – unanimously

Motion to Amend line 53 of the ordinance to add “of the exterior structure” after the word “reconstruction”.

Passed – 4 in Favor [Sims, Guinn, Whitaker, Muehling]; 1 Opposed [Presler]

Motion to Amend line 53 of the ordinance to replace the word “occur” with the words “be complete”.

Passed – unanimously

Motion to Recommend that the FNSB Assembly approve Ordinance No. 2018-40 with 3 amendments.

Passed – 5 in Favor [Presler, Sims, Guinn, Whitaker, Muehling]

Audio: Track 4

RECOMMENDED FOR APPROVAL

Excuse Future Absences, Commissioner’s Comments and Adjournment.

Audio: Track 4

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