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 6:23 p.m. by Mindy O’Neall, Chair.

A. CALL TO ORDER AND ROLL CALL

MEMBERS PRESENT: Chris Guinn  John Perreault  
Charles Whitaker  Mike Kenna  
Toni Abbey  Eric Muehling  
Mindy O’Neall

MEMBERS EXCUSED: Doug Sims  Kerynn Fisher

OTHERS PRESENT: Christine Nelson, Director of Community Planning  
Melissa Kellner, Community Planning  
Donald Galligan, Community Planning  
Annmarie Billingsley, Assistant Borough Attorney  
Kielecia Coker, Clerk

B. MESSAGES

Ms. Nelson briefed Commissioners on the following:
- upcoming meetings
- a recent Boards and Commissions training and “Know Your Property” seminar
- projects in the works, including ordinances and re-organizing zoning requirements

Commissioner Muehling asked Ms. Nelson about nuances regarding representation of interested parties if processes are changed.

Ms. Nelson replied that the process would be similar.

C. APPROVAL OF AGENDA AND CONSENT AGENDA

MOTION: To approve the agenda and the consent agenda by Commissioner Muehling seconded by Commissioner Perreault.

MOVED WITHOUT OBJECTION OR ROLL CALL

D. MINUTES

Minutes from April 23, 2019. Approved.

E. QUASI-JUDICIAL HEARING

1. CU2019-010: A request by Allan Hayton for conditional use approval of a guesthouse, located at 736 Arkansas Drive, in the Rural Residential (RR) zoning district on Lot 10, Block 6, Mountain View 5 (on the north side of Arkansas Drive, southeast of Keep Drive). (Staff Contact: Kristina Heredia)

OATH ADMINISTERED
Kristina Heredia presented the staff report. Based on the staff analysis, the FNSB Department of Community Planning recommended approval.

**Commissioner Muehling** asked if the note on the plat was a covenant.

Ms. Heredia said the note was not a covenant, but a zoning comment on a non-zoning document. She did not find any covenants recorded and mentioned that the Borough does not enforce covenants.

**Commissioner Muehling** and Ms. Heredia discussed the impacts of a pit privy on neighboring properties.

**Commissioner Abbey** asked if homes in the area had wells.

Ms. Heredia said that the applicant was in contact with ADEC staff regarding that information.

**Applicant Testimony**

Allan Hayton testified as follows:
- He was planning to use the guesthouse in the event that he or his family members needed a place to stay.
- He mentioned the merits of the cabin’s construction.

**Questions by Commissioners**

**Commissioner Muehling** asked if Mr. Hayton knew of the setback requirements by GVEA.

Mr. Hayton answered that he had been in contact with GVEA and was in compliance.

**Commissioner Muehling** asked about the construction of the pit privy.

Mr. Hayton replied that he was in contact with ADEC and contractors regarding proper installation and that the pit privy would be able to be pumped.

**MOTION:** To approve the Conditional Use Permit (CU2019-010) for a guesthouse on Lot 10, Block 6 with three (3) conditions, and adopting the staff report and three (3) Findings of Fact in support of the approval by **Commissioner Perreault** seconded by **Commissioner Guinn**.

Discussion ensued among Commissioners. Commissioners mentioned that the applicant seemed to be well-informed and following proper procedures.

**Commissioner Muehling** mentioned that granting an additional property right such as a guesthouse was specific to the applicant, not to the entire neighborhood.

**Public Testimony**

None

**ROLL CALL**

Seven in Favor: Perreault, Guinn, Whitaker, Abbey, Muehling, Kenna, O’Neill

Zero Opposed

**MOTION PASSED**
Conditions for Approval

1. If an addition is made to the guesthouse that increases the size of the guesthouse to be equal to or greater than the principal dwelling, a modification to the conditional use permit is required pursuant to FNSBC 18.104.050(F).

2. Only one shared driveway access will be allowed on the property due to its proximity to the intersection of Arkansas Drive and Colorado Court.

3. The pit privy must be built per ADEC guidelines and regulations.

Findings of Fact for Approval

1. The proposed conditional use conforms to the intent and purpose of Title 18 and of other ordinances and state statutes because:
   a. The proposed conditional use is consistent with the ‘Perimeter Area’ comprehensive plan land use designation because it supports a variety of residential development.
   b. FNSB Regional Comprehensive Plan Land Use Goal 1 and Goal 3 are supported by the conditional use by increasing the density of the neighborhood in a manner that supports the necessary variety of residential development.
   c. The intent of Title 18 is met because the conditional use, with conditions, protects private property rights and promotes public health, safety, and welfare.
   d. The proposed conditional use conforms to state statues because the applicant intends to build the pit privy in accordance with applicable ADEC regulations.

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 dry cabin will have a separate pit privy and outhouse, which will be constructed in accordance with ADEC regulations.
   b. The subject property is served by the Steese Fire Department for emergency fire response.
   c. The subject property has adequate power supply because it is served by the GVEA grid.
   d. The subject property is served by the Alaska State Troopers for law enforcement.
   e. The subject property has access from Arkansas Drive which is a Local 1 type roadway maintained by Mt. View Service Area. Arkansas Drive can accommodate the proposed additional trips generated from the property.
   f. The FNSB zoning code requires one off-street parking space for the guesthouse.

3. The proposed conditional use protects public health, safety, and welfare because the property complies with Title 18 standards for the RR zone (FNSBC 18.40) as well as with other applicable land use related laws.
   a. The conditional use does not greatly increase the residential density in the neighborhood because it will only add one additional single-family dwelling unit.
b. Noise, odor, dust and other negative impacts to the neighborhood are not expected to be created by the addition of a second dwelling unit as there is already an existing dwelling unit in a residentially developed neighborhood.

c. A shared driveway will help ensure the safety of drivers by limiting the number of driveway accesses off of Arkansas Street.

d. The dry cabin will be situated on a gravel bed, and the pit privy dug in accordance with ADEC regulations.

F. **UNFINISHED BUSINESS**

1. Discussion of quasi-judicial procedures, including current code requirements in Titles 4, 17 and 18, potential methods to increase public involvement and comment, and other ways to streamline or make the quasi-judicial process more efficient and effective.

Ms. Nelson, Ms. Kellner, and Commissioners discussed quasi-judicial matters including standing, interested persons, and the process for accepting written testimony. Comparisons were made between the Fairbanks North Star Borough and other Alaskan communities.

A Working Group was developed to discuss these matters in more detail and report back to the Commission. The Working Group would include Commissioner Guinn, Commissioner Muehling, and Commissioner Abbey.

G. **EXCUSE FUTURE ABSENCES**

The absence of Commissioner Abbey (July 9) was excused.

H. **COMMISSIONER’S COMMENTS/COMMUNICATIONS**

1. FMATS

Commissioner Perreault gave an update on FMATS meetings. He mentioned that FMATS is now FAST Planning. He discussed the non-motorized plan, the Salcha-Badger plan, the draft state implementation plan (PM2.5), federal grant sequences, and bus pullouts.

I. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:24 p.m.