

**FNSB PLATTING BOARD
ACTION MEMO
MARCH 20, 2019
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.

LEGISLATIVE

1. **ORDINANCE 2019-01:** An Ordinance Amending FNSBC Title 17 Regarding Legal And Constructed Road Access For Subdivisions. – Referred to the Platting Board with recommendation due back no later than March 29, 2019. (Sponsor: Mayor Ward)

RECOMMENDED FOR APPROVAL

The Board recommended approval to the FNSB Assembly of the ordinance, with the following recommended amendments:

1. Amendment #1:

Add the phrase “unless the landing is within a State right of way, the City of Fairbanks, or the City of North Pole, in which case the landing shall meet the standards set forth by the managing authority” on Line 298.

2. Amendment #2:

That the Assembly consider if there is a safety issue if Lines 260 and 262 are removed.

3. Amendment #3:

Change the phrase “on the first borough business day” to “365 days” on Line 304.

4. Amendment #4:

Create an exemption to road construction requirements for a single lot, 5 acres or less, subdividing into no more than two lots.

APPLICATIONS

2. **DE001-19 Pete Simpson Memorial Road** A request by the State of Alaska, Department of Natural Resources, Division of Forestry, on behalf of the State of Alaska and the Fairbanks North Star Borough Division of Land Management, to dedicate a 100ft wide public access easement for the Pete Simpson Memorial Road. The access easement is accessed from Himilaya Road and is located within Sections 16, 20, 21, 29, and 30, T3N R2W and Sections 25 and 26, T3N R3W, FM.

**THE PLATTING BOARD REMANDED THIS ITEM BACK TO THE DEPARTMENT OF
COMMUNITY PLANNING STAFF**

- 3. SD018-19 Pyrite Subdivision** A request by 49th Star Surveying, on behalf of the State of Alaska Department of Natural Resources, to subdivide the E1/2 SW1/4 Section 36, T1S R2E, FM, a total of approximately 80 acres, into nine lots ranging in size from 5.00 to 13.43 acres. The request includes dedication of a new right-of-way. The property is located off of Plack Road and Farmall Drive.

POSTPONED TO THE APRIL 17, 2019 PLATTING BOARD MEETING

- 4. WV002-19 / RP025-19 Irony Subdivision** A request by 49th Star Surveying, on behalf of the State of Alaska Department of Natural Resources, to subdivide, by Waiver of a Plat, TL-3600, a total of approximately 240 acres, into three tracts of 40, 80, and 120 acres. The property is located off of Plack Road, Parham-McCormick Road, Repp Road, and Farmall Drive and lies within Section 36, T1S R2E, FM, AK.

APPROVED

The Board gave preliminary approval to the request, subject to the following three (3) conditions:

1. A Certificate of Waiver shall be executed by the subdivision owner and approved by the FNSB platting officer prior to its recording.
2. ADOT and ACS shall have a maximum of 10 calendar days to comment prior to approval of the Certificate of Waiver.
3. GVEA shall have a maximum of 30 calendar days to comment prior to approval of the Certificate of Waiver.

Furthermore, the Platting Board adopted the following five (5) Findings of Fact in support of the approval:

- a) Irony Subdivision is a request for a Waiver of a Plat as codified by FNSBC Chapter 17.20.
- b) The preparation, approval, and recording of a final plat shall be waived as allowed by FNSBC 17.20.010.A because:
 - i. The subdivision tracts will have adequate access to a public highway or street.
 - ii. The subdivision tracts are nominally five acres in size or larger, and this waiver request creates four tracts or fewer.
 - iii. No dedication of a street, alley, thoroughfare or other public area is involved or required by this waiver request.

- c) No survey is required as allowed by FNSBC 17.20.040.B because the subdivision tracts are identified by aliquot parts descriptions and are nominally 40 acres or larger.
- d) FNSBC 17.20.030.L requires a Certificate of Waiver to be executed by the subdivision owner and signed and recorded by the platting officer.
- e) With the three conditions recommended by staff, this subdivision by Waiver of a Plat meets the applicable requirements of Title 17.

APPROVED

4. **SD014-19 Pine Meadows Subdivision 2nd Addition** - A request by Stutzmann Engineering Assoc., Inc. on behalf of Jason Franklin to subdivide TL1006, a total of approximately 75.0 acres, into seven lots ranging in size from 1.88 acres to 2.54 acres with two remainder tracts of approximately 8.02 acres and 47.6 acres. The request includes the rights-of-way dedication for Pine Meadows Ave, a temporary turnaround of Gunning Drive, and the continuation of Cartlieb Road. Two variances are included with the application: a variance to FNSBC 17.56.100.A from the minimum curve radius requirements for Pine Meadows Ave, and another variance to FNSBC 17.56.080.E.3 to allow for an alternative design to a temporary turnaround at the end of Gunning Drive. The property is located within the N½ NW¼ Section 10, T1N R1E, FM, AK (located Gilmore Trl, Pine Meadows Ave, Cartlieb Rd, and Gunning Drive).

APPROVED

The Board gave preliminary approval to the request, subject to the following seven (7) conditions:

1. GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS shall have a maximum of 10 calendar days to review and comment on the final plat.
3. South Cartlieb Road shall be changed to Cartlieb Road on the final plat.
4. A copy of the driveway permit from ADOT&PF shall be submitted for construction of the Cartlieb Road landing where Cartlieb Road intersects with Gilmore Trail.
5. The landing for Cartlieb Road at the intersection of Gilmore Trail shall be approved by FNSB Public Works prior to submittal of the final plat.
6. 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."
7. All approved variances shall be noted on the final plat.

Furthermore, the Platting Board adopted the following seven (7) Findings of Fact in support of the approval:

- a) The proposed subdivision creates seven lots and two tracts for a total of nine parcels.
 - b) The plat proposes to dedicate a 60-foot wide right-of-way as the extension of Cartleb Road to Gilmore Trail.
 - c) In accordance with FNSBC 17.36.010.E, the name of the right-of-way extending from the existing Cartleb Road to Gilmore Trail must be named Cartleb Road.
 - d) The plat proposes to dedicate an additional 30-foot wide right-of-way to the existing 30-foot wide right-of-way of Pine Meadows Ave.
 - e) FNSBC 17.56.080.D states "Roads that do not connect to adjacent roads shall end in a cul-de-sac or temporary turnaround."
 - i. The plat proposes to dedicate a temporary turnaround for the extension of Cartleb Road at boundary common to proposed Lot 2 and Lot 3.
 - ii. The plat proposes to dedicated temporary turnaround where Gunning Drive enters the southern border of the subdivision.
 - f) The applicant has met the requirements for road construction exemption under FNSBC 17.56.060.A.
 - i. The subdivision is not in a road service area nor does it rely on road service area roads for its only access.
 - ii. The subdivision consists of less than 10 lots.
 - iii. The applicant has submitted design information of roadway construction meeting applicable Title 17 requirements.
 - iv. Gilmore Trail is an existing traveled way that is maintained by ADOT&PF.
 - v. Per FNSBC 17.56.060.A.4, the applicant is required to obtain an ADOT&PF driveway permit and construct a 30-foot long landing where Cartleb Road connects with Gilmore Trail.
 - vi. Road improvements, other than the required 30-foot landing, leading to or within the subdivision are not proposed or required by this plat.
 - g) With approval of the variances and the seven conditions recommended by staff, this subdivision meets the applicable requirements of Title 17.
5. **SD009-19 Fox Creek Subdivision** A request by Stutzmann Engineering Associates, Inc., on behalf of KGM, LLC, to replat TL-3179 and TL-3103, a total of approximately 12.97 acres into three lots ranging in size of approximately 1.60 acres to 8.07 acres. The request includes a variance to FNSBC 17.56.010.F to allow for direct lot access onto the Elliot Highway, an arterial road. The properties are located within the E½ NW¼ and the NW¼ NE¼ Section 31 T2N R1E FM (located on the Elliott Hwy).

APPROVED

The Board gave preliminary approval to the request, subject to the following four (4) conditions:

1. GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. ACS and ADOT&PF have a maximum of 10 calendar days to review and comment on the final plat.
3. The bench mark requirements of 17.52.040(D)(18)(a) shall be depicted on the final plat.
4. All approved variance shall be noted on the final plat.

Furthermore, the Platting Board adopted the following thirteen (13) Findings of Fact in support of the approval:

- a. Proposed Lot 2 is a Type-II flag lot per FNSBC 17.56.010.H.2.
- b. FNSBC 17.56.010.H.2.b states "Evidence has been submitted by the applicant that a borough-standard road can be constructed in the stem in the event of a future dedication."
- c. The applicant has submitted evidence that a borough-standard road can be constructed in the proposed flag stem. FNSB Public Works is satisfied with the evidence submitted and concurs.
- d. The Elliott Highway is classified as an arterial road.
- e. FNSBC 17.56.010.F prohibits direct lot access onto an arterial roadway unless there is no reasonable alternative.
- f. Proposed Lot 3 has alternative means of access from a 50-foot wide roadway easement. The Elliott Highway is not its only access.
- g. The only available access for proposed Lots 1 and 2 is the Elliott Highway.
- h. There are currently three driveways onto the Elliott Highway accepted by the managing authority.
- i. Alaska Department of Transportation is the managing and maintenance authority for the Elliott Highway at the location of this proposed subdivision.
- j. 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.
- k. FNSBC 17.52.040.D.18.b states "Base flood elevation (BFE) determined by a method approved by the floodplain administrator, or as published by the Federal Emergency Management Agency, shall be noted prominently on the final plat."
- l. FNSBC 17.52.040.D.18 requires if the property lies within Flood Zone A or AE, a note shall be included on the final plat, stating that "This property has been determined to be located, in whole or in part, within Flood Zone A or AE, a flood hazard area as identified by the Federal Emergency Management Agency. All development shall be required to comply with federal regulations and FNSBC Title 15."
- m. With the four conditions adopted, this subdivision request meets the applicable requirements of Title 17.

6. **RP026-19 (Krogstie Heights Subdivision)** A request by 3-TIER ALASKA, LLC, on behalf of McGill Properties, LLC, to replat Lot 3, Block 1, Krogstie Heights Subdivision, a total of approximately 8.42 acres, into two lots of approximately 4.22 and 4.20 acres each. One variance to FNSBC 17.56.010.I has been requested to allow for each lot to exceed the minimum 4:1 depth to width ratio. The property is located within the NE¼ SE¼ Section 12, T1S R3W, FM, AK (located on Old Wood Road).

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. Old Wood Road Service Area, Ester Fire, and ACS shall have a maximum of 10 calendar days to review and comment on the final plat.
3. A note shall be added to the final plat that states "Any new or modifications to existing access onto Old Wood Road shall require an FNSB Driveway Permit."
4. Note 3 shall be replaced by a note stating "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. All approved variances shall be noted on the final plat.

Furthermore, the Platting Board adopted the following eight (8) Findings of Fact in support of the approval:

- a) The proposed replat creates two parcels.
 - b) The replat does not propose any public dedication or improvements.
 - c) Old Wood Road is maintained by the Old Wood Road Service Area.
 - d) The property contains wetlands per the US Fish and Wildlife National Wetlands Inventory.
 - e) The applicant has submitted a variance to the requirement of FNSBC 17.56.010.I.
 - f) FNSBC 17.56.010.I prohibits lots exceeding the 4:1 lot depth to width ratio.
 - g) The proposed lots will have a 6.7:1 lot depth to width ratio.
 - h) With the five conditions and approved variance, as recommended by staff, this subdivision meets the applicable requirements of Title 17.
7. **SD017-19 Aaron Estates Second Addition Subdivision:** A specific request by 3 Tier Alaska on behalf of Green Diamond Properties, LLC to replat Aaron Estates (Plat 2011-74) and Aaron Estates First Addition (Plat 2017-31) into a new configuration being called "Aaron Estates Second Addition". It proposes to combine 43 lots, a total of 44 acres, into 21 lots, varying from a minimum size of 1.839 AC to 4.236 AC. The property is located within the S1/2 of the SW1/4 of Section 30, T1S R2E, FM located on Aaron Avenue, Crazy Frank Street and Stormin Norman Avenue.

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. Add the necessary notes regarding covenants and waste water disposal.
3. Both the line and label of 'Drainage Easement' along the witness corner line shall be removed as it is not within the limits of the Gravel Easement.

Furthermore, the Platting Board adopted the following three (3) Findings of Fact in support of the approval:

- a) The subdivision request is exempt from improving Aaron Avenue, Crazy Frank Street, and Stormin Norman Avenue to current Title 17 standards as allowed by FNSBC 17.52.050 because;
 - i. The proposed subdivision does not result in an increase in the number of lots.
 - ii. The proposed subdivision does not create a new violation of the design and public improvement of this title.
 - iii. The proposed subdivision does not increase the nonconformity of any lot under this or any other FNSBC title.
- b) Access to Ownby Road is restricted because:
 - i. Ownby Road is classified as a Major Collector road per FNSB Comprehensive Road Plan and Title 17.56.010(F) prohibits direct lot access onto a major collector road. Prohibited access has been noted on the plat for Lots 6A Block C, Lots 4A, 6A, and 8A Block D.
- c) With the three conditions recommended by staff, this subdivision request 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.