

**FNSB ADMINISTRATIVE HEARING**  
**Ester Conference Room, 2<sup>nd</sup> Floor**  
**Juanita Helms Administration Center**  
**907 Terminal Street, Fairbanks, Alaska**

**AGENDA**  
**10:30 a.m.**  
**February 21, 2019**

**A. CALL TO ORDER**

**B. COMMUNICATIONS**

1. Staff Comments
2. Citizen Comments
3. Hearing Officer Comments

This hearing may include Quick Plat, Legal Nonconforming (Grandfather Rights), Amnesty Relief and Administrative Variance requests. Public testimony will be requested as each agenda item comes up. *Any action taken during this meeting may be appealed. Appeal of a Hearing Officer decision must be submitted in writing.*

*Agenda, meeting audio, and Hearing Officer decisions are posted at <http://www.co.fairbanks.ak.us/cp/Pages/Administrative-Hearings.aspx>.*

**C. QUASI-JUDICIAL HEARING**

1. Administer Oath
2. Quick Plats

- a. **SD016-19 Strand Subdivision** A request by 3-Tier Alaska., on behalf of Strand and Airport Way JMT, LLC and Strand and Airport Way JCV, LLC to replat three lots 6A, 7A and 8A, Block 5, of the Addition to Riverside Park Subdivision, a total of approximately 37,200 SF into two lots consisting of approximately 18,600 SF each. The property is located within the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 8 T1S R1W FM between Geraghty Avenue and Airport Way. **Staff Contact: Julie Kotila**

**D. ADJOURNMENT**

Julie Kotila,  
Platting Officer**SD016-19/RP023-19 Strand Subdivision****Applicant/Owner:** Strand and Airport Way JMT LLC  
Todd Madison  
5614 S. Asotin St.  
Tacoma, WA 98408Strand and Airport Way JCV LLC  
Johnny Vong  
2442 NW Market St Ste 562  
Seattle, WA 98107-4137**Surveyor:** 3-Tier Alaska  
326 Driveway Street  
Fairbanks, AK 99701Contact person:  
Steve Lowry**Specific Request:** A request by 3-Tier Alaska., on behalf of Strand and Airport Way JMT, LLC and Strand and Airport Way JCV, LLC to replat three lots 6A, 7A and 8A, Block 5, of the Addition to Riverside Park Subdivision (Plat 2006-46) into two lots. The lot lines common between 6A/7A and 7A/8A would be vacated and then a new lot line would be created dividing them into only two. Lot one consisting of 18,562 SF and Lot two consisting of 18,661 SF.**Location:** The property is located within the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 8 T1S R1W FM being more particularly located between Geraghty Avenue and Airport Way lying just west of Washington Drive.**Existing Land Use:** High Density Core Area**Current Zoning:** GC (General Commercial)**Comprehensive** Industrial**Soils:** Overlain with urban soils**Flood Zone:** Flood Zone X**Wetlands:** Not in a wetlands**Road Service Area:** City of Fairbanks**Fire Service Area:** City of Fairbanks**History:** The Block 5 Addition to Riverside Park Subdivision (Plat 189-794) was recorded June 11, 1959 which created Block 5 and its 9 lots. Since then it underwent a revision when Alaska Department of Transportation & Public Facilities did a right-of-way acquisition under Project STP-F-M-0610(1)/65412 in 2003 (Plat 2009-121). This project reconfigured the whole Block 5 and split the existing lots into two portions in order to make way for the continuation of Geraghty Street heading east. The lots of interest here underwent another replat (Plat 2006-46) vacating the Public Parking and Access Reservation to the south of them. Since then, no further changes have been made.**Applicability:** FNSBC 17.52.050 states "Any application to subdivide any number of lots that have been approved by the relevant platting authority when created or were exempt from platting authority approval when created shall not be subject to the design and public improvement requirements of this Title provided that all of the following criteria are met:

- A. The proposed subdivision does not result in an increase in the number of lots.
- B. The proposed subdivision does not create a new violation of the design and public improvement requirements of this title.

- C. The proposed subdivision does not increase the non-conformity of any lot under this or any other FNSB title.”

The subdivision request proposes to vacate the existing lot lines between legally created lots and create a new lot line. It is a replat of three lots into two lots. No new lots will be created by this request. FNSBC 17.52.050 exempts the plat from any design and public improvement requirements of Title 17.

This proposed subdivision meets the requirements of FNSBC 17.52.050 because;

1. The request only involves lots that have been approved by the relevant platting authority when created. Plat 189-794 was created in 1959.
2. The request does not result in an increase in the number of lots
3. The application does not create a new violation of the design and public improvement requirements of Title 17 and
4. The proposed replat does not increase the non-conformity of any lot under this or any other FNSB title.

By meeting the requirements of FNSBC 17.52.050, the proposed subdivision shall not be subject to the design and public improvement requirements of Title 17 which includes right-of-way dedication and road construction. Because rights-of-way dedication or road improvements are not required by this replat, it is not necessary for the plat to show the existing roadway improvements.

**Access:** The proposed lots will continue to use the legal access of Geraghty Avenue, a State of Alaska maintained Road. Because Geraghty Avenue is maintained by the State of Alaska a note shall be required stating “any new, or modification to, existing access onto Geraghty Avenue shall require an ADOT&PF Driveway Permit.” Additional improvements or dedication to the access road is not required because the request benefits from FNSBC 17.52.050. Access onto Airport Way is prohibited by ADOT. A note shall be required stating “Direct lot access onto the Airport Way rights-of-way is prohibited.”

**Flood Zone:** This property falls within Flood Zone X. It requires no special action.

**Soils Report:** No soils report was necessary as it benefits from FNSBC 17.52.050 and these lots have access to city water and sewer.

### **FNSB In-house Review:**

Addressing/Street Naming: (Kim Streeter, GIS-Emergency Services Technician)

Addressing: It appears the assigned addresses here will be unaffected by the replat.

The vicinity map: Airport Frontage Rd is also labeled on the vicinity map, but as we cannot assign addresses from frontage roads it may be superfluous to have it shown on this map.

Public Works: (Chad Hosier, Public Works Engineer)

I have no comments.

Zoning: (Manish Singh, Planner II)

Current Planning has no objections to this plat request.

Transportation: (Don Galligan, Transportation Planner)

The plat states that all access will be off of Geraghty but just in case, we should require a note that states no direct lot access is allowed onto an arterial roadway (Airport Way). Title 17.56.010(F).

Flood: (Nancy Durham, Flood Plain Administrator)

SD016-19/RP023-19 is located in Flood Zone X: Protected by Levee (100%) and is not required to meet FNSB Title 15 Floodplain Management Regulations.

Rural Services: (Floyd Sheesly, Engineer)

Rural Services has no comment on the proposed replat.

### **Agency and Utility Review:**

GVEA: Has no objection to the approval of the preliminary plat for Strand Subdivision, as submitted to us January 21, 2019, by Steve Lowry, PLS, provided the following:

- (A) GVEA requests review of the final plat prior to approval by the FNSB; and
- (B) GVEA asks that all easements of record be shown on the final plat.

GCI: GCI appears to be utilizing the joint use poles with fiber optic cable strand that falls within the 10ft P.U.E., therefore, GCI has no objection to the proposed preliminary plat for the Strand Subdivision.

FNG: No conflict.

ADOT: Has commented the need to establish a utility easement on Lot 1 for the existing power drop to Lot 9. Also note that driveways on state owned roads must meet current Alaska DOT&PF standards. If they do not meet these standards, ADOT&PF may request that they be modified to do so. If the owner wishes to modify an existing permitted driveway, or create a new driveway, an ADOT&PF driveway permit is required.

**Analysis:** The purpose of this plat is to vacate two existing lot lines between three platted lots and create a new one resulting in two lots. Per FNSBC 17.52.050 this platting request is exempt from the design and public improvement requirements of Title 17; however, the plat must still meet the applicable preliminary and final plat requirements. Airport Way Frontage Road as labeled. on the vicinity map is unnecessary as it does not exist as a separate right-of-way from the Airport Way right-of-way

Including the recommended conditions below, this subdivision request meets the applicable portions of FNSBC Title 17.

**Recommendation:** Staff recommends preliminary approval for Strand Subdivision with the following conditions:

1. GVEA shall have a maximum of 30 calendar days to review and comment on the final plat.
2. A note shall be added to the final plat stating: "Direct lot access into the Airport Way rights-of-way is prohibited."
3. Since "STRAND AVE" is not constructed it should be taken off the final plat vicinity map for less confusion.
4. The label "Airport Way Frontage Road" in the vicinity map shall be removed from the final plat.
5. A note shall be added to the final plat stating "Any new, or modification to, existing access onto Geraghty Avenue shall require an ADOT&PF Driveway Permit."

**Findings of fact:** Staff further recommends adoption of the following findings of fact:

- a. Airport Way is an ADOT&PF maintained road.
- b. "Airport Way Frontage Road" does not exist as a separate right-of-way from the Airport Way rights-of-way.
- c. Geraghty Avenue is maintained by ADOT&PF.
- d. This plat proposes to combine three lots into two lots.

- e. FNSBC 17.52.050 exempts this platting application from the design and public improvements requirements of Title 17 because:
  - 1. The lots have legally been created by Plat 189-794 in 1959.
  - 2. The request does not increase the number of lots.
  - 3. The request does not create a new violation of the design and public improvement requirements of Title 17.
  - 4. The request does not increase the non-conformity of any lot under this or any other FNSB Title.
- f. This plat request does not deny legal and physical access to any lot.
- g. This plat does not vacate a public road, trail, public area or any easements other than public utility easement.
- h. This plat does not alter a dedicated street or right-of-way or require dedication.
- i. This plat request does not require road construction or improvement.
- j. This plat request does not require a variance from a subdivision regulation.
- k. With the three conditions recommended by staff, this subdivision request meets the applicable requirements of Title 17.

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**ACTION** by hearing officer at a public hearing on February 21, 2019: The above named file was

\_\_\_\_\_ *Approved* with the five condition(s) and adopting the staff report and Findings of Facts ‘a’ through ‘k’ as amended. A final plat must be prepared by a registered land surveyor and submitted to this office within 24 months or the preliminary approval will become void.

\_\_\_\_\_ *Denied*. Any appeal must be filed within ten working days of this decision.

\_\_\_\_\_ *Recommended for hearing* by the Platting Board. (See Platting Officer for requirements.)

***APPEAL of this decision must be made in writing within ten days of the decision. Request an appeal form from the Community Planning Department.***

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FNSB Hearing Officer

date

cc: Staci Quinlan, GVEA



**Fairbanks North Star Borough**  
**Department of Community Planning**  
 907 Terminal Street/P.O. Box 71267  
 Fairbanks, Alaska 99707-1267  
 (907) 459-1260 Fax: (907) 205-5169  
 planning@fnsb.us

For Office Use Only

Received By: JK

Receipt No.: 540630

Date Submitted:

Comm. Planning Dept

**PRELIMINARY QUICK PLAT APPLICATION**

File No. SD016-19/RP023-19

\*\*\*\*\*FEES ARE NON-REFUNDABLE\*\*\*\*\*

IAN 22 2019

FEES:  \$400 Preliminary Quick Plat Application  
 \$100 Per Lot (N/A if plats do not create additional lots)

RECEIVED

Applicant:		Survivor:	
Contact Name:	<u>Steve Lowry</u>	Business Name:	<u>3-TIER ALASKA</u>
Business Name:	<u>3-TIER ALASKA</u>	Contact Person:	<u>Steve Lowry</u>
Mailing Address:	<u>326 Driveway St Suite 102</u>	Mailing Address:	<u>326 Driveway St Suite 102</u>
City, State Zip:	<u>Fairbanks, AK 99701</u>	City, State Zip:	<u>Fairbanks, AK 99701</u>
Contact Phone:	<u>907-451-7411</u>	Phone:	<u>907-451-7411</u>
E-mail:	<u>Steve@3tieralaska.com</u>	E-mail:	<u>Steve@3tieralaska.com</u>

Property Information:							
Section:	Township:	Range:	Lot (or TL):	Block:	Subdivision:	FSA? Y/N:	RSA? Y/N:
<u>8</u>	<u>1 South</u>	<u>1 West</u>	<u>6A-8A</u>	<u>5</u>	<u>PLAT NO ADD TO RIVERSIDE 7006-46</u>	<u>COF*</u>	<u>COF*</u>
Total Acreage:				No. of Lots Resulting:			
Proposed Subdivision Name(if applicable): <u>STRAND SUBDIVISION CITY OF FAIRBANKS*</u>							
Signatures of <u>all</u> legal owners are required on this application. If signing for a corporation or partnership, provide proof of authority to sign. Use additional pages if necessary.							
Printed name: <u>Todd Madison</u>				E-mail: <u>toddmadison@hotmail.com</u>			
Signature: <u>Todd Madison</u>				Phone: <u>(206) 619-5555</u>			
Mailing address: <u>PO Box 31609 Seattle, WA 98103</u>							
Property owned: <u>Property identified above in 'Property Information' section of this document</u>							
Printed name: <u>Johnny Vong</u>				E-mail: <u>johnnyvong@gmail.com</u>			
Signature: <u>Johnny Vong</u>				Phone: <u>(206) 403-8043</u>			
Mailing address: <u>2442 Market Street #562 Seattle, WA 98107</u>							
Property owned: <u>Property identified above in 'Property Information' section of this document</u>							

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