

THE PLATTING BOARD WILL HOLD A WORK SESSION IN THE ASSEMBLY CHAMBERS AT 5:00 P.M., PRECEDING THE REGULAR MEETING AT 6:00 P.M. TO DISCUSS: HIGHER-RISK LOCATIONS FOR EROSION LOSSES ALONG RIVERS.

FNSB PLATTING BOARD
AGENDA
February 15, 2012
Borough Assembly Chambers
6:00 PM

CALL TO ORDER and ROLL CALL

INFORMATION FOR THE PUBLIC.

Public testimony will be requested as each public hearing agenda item comes up. The Platting Board's review is limited to the technical requirements of the state and borough subdivision ordinances, codes and statutes, health and safety issues, or hazards to property. *Public testimony gives interested parties the opportunity to convey information to the Platting Board; however, it is not a forum in which to request information or ask questions of Board members. Questions may be directed to staff prior to or after the meeting.* Please note: testimony will be limited to three minutes per person, six minutes for the applicant.

Before testifying, please state your name and print it and your mailing address on the sheet at the microphone.

If you wish to speak regarding an item not on this agenda or listed as non-public hearing, you must do so during Citizens Comments at either the beginning or the end of the meeting.

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) before the close of business the day following the meeting.

Appeal of a Platting Board decision must be submitted in writing within seven calendar days of the decision. Appeal forms may be obtained from the Community Planning office. Actions on vacation requests are not appealable.

Staff reports and associated material, Platting Board decisions, and meeting audio are made available at fnsb.us/Meetings/PlattingBoard/. Hearings are audio-streamed when possible from the link on the Borough web page or fnsb.us/fnsbwebcast/fnsbwebcast.htm

CITIZENS' COMMENTS (On items not scheduled for public hearing including consent agenda items)

***APPROVAL OF AGENDA AND CONSENT AGENDA** (Approval of Consent Agenda passes all routine items indicated by asterisk (*) on the agenda. Consent Agenda items are not considered separately unless so requested, in which event the item is returned to the general agenda.)

***APPROVAL OF THE MINUTES** (1/18/12 Meeting)

CHAIR'S COMMENTS

COMMUNICATIONS TO THE BOARD

DISCLOSURE & STATEMENT OF CONFLICT**PUBLIC HEARING ITEMS***Preliminary Applications*

1. **VA 006-12 / RP 018-12 Wilbur Street Vacation** – A request by 3-Tier Alaska on behalf of Fairbanks Montessori Assn., Inc. to vacate the westerly 50 foot wide portion of Wilbur Street adjacent to the eastern boundary of Lot 1, Tract H, ASLS 80-64, and add the 0.37 acre vacated area to create one new lot of 1.37 acres, within Sec 16, T1S R1W, FM (located on 30th Ave and Wilbur St).
2. **SD 039-11 / RP 035-11 / VA 006-11 Tanana Clinic 1st Addn** – A request by Stutzmann Engineering on behalf of the Greater Fairbanks Community Hospital Foundation to vacate that portion of 11th Avenue east of Noble Street and to replat Lots 1-8, Blk 119, Lot 1-A, Blk 120, portions of Lots 1 and 2, Blk 120, Lots 2-C-1-A, 2-C-1-B, and 2-C-1-C, Blk 120, Fairbanks Townsite, into four lots ranging in size from 22,865 square feet to 1.725 acres within the SE¼ of Sec 10, T1S R1W, FM (located on 10th and 11th Avenues and Noble St).

EXCUSE ABSENT MEMBERS**COMMENTS***Citizens**Platting Staff**Board Members***ADJOURNMENT**

/b

FNSB PLATTING BOARD MINUTES January 18, 2012

A regular meeting of the Fairbanks North Star Borough Platting Board was held in the Assembly Chambers, 809 Pioneer Road, Fairbanks, Alaska. The meeting was called to order at 6:05pm by Joanne Trefethen, Vice Chair.

PRESENT: Andrew Bryan
Margery Kniffen
Dave Lanning
Kirk Maynard
Bill Mendenhall
Randy Pitney
Joanne Trefethen, Vice Chair
Leo Woster (joined at 6:42pm)

ABSENT: Merle Jantz, Chair

ALSO PRESENT: Martin Gutoski, Platting Officer
Loriann Quakenbush, Platting Officer
Cynthia Klepaski, FNSB Asst Borough Attorney
Mark Mussman, FNSB Community Planning
Jennifer Schmetzer, FNSB Public Works Engineer
Bobette McKirgan, Recording Clerk

CITIZENS' COMMENTS (On items not scheduled for public hearing, including consent agenda items)

None

*APPROVAL OF AGENDA AND CONSENT AGENDA

The agenda and consent agenda for this meeting, including the minutes of the December 14th Platting Board meeting, were approved without objection after a motion by Kniffen, seconded by Pitney.

*APPROVAL OF THE MINUTES (December 14, 2011)

CHAIR'S COMMENTS

None

COMMUNICATIONS TO THE BOARD

Quakenbush introduced staff member **Mark Mussman**, Planner in the Community Planning Department, and advised he was in attendance to address the Stepping Stone Estates cluster development, a non-public hearing item.

Quakenbush queried board members about their availability for the regular meeting scheduled February 15th. **Quakenbush** said the reason behind the possible move of the February meeting to the 14th was because of staffing; she suggested the meeting be held on the 15th as scheduled, to ensure a quorum.

Quakenbush provided a status update on Title 17, reporting that the mayor's ordinance went before the Assembly road service commission and the members recommended approval to the Assembly.

Quakenbush said staff would make a presentation 1/19/12 to the (Assembly) Committee of the Whole, and a public hearing, at which everyone would be welcome to testify, was scheduled to be held Thursday, 1/26/12,

DISCLOSURE & STATEMENT OF CONFLICT

Lanning said he has a personal friendship with the Pagh family and felt it appropriate that he be excused from participating on that item. **Trefethen** asked **Lanning** whether he had a financial interest and **Lanning** replied no. **Pitney** said he understood the reasoning behind **Lanning's** request but noted that, on previous occasions, he had not been allowed to step down due to the same reason. **Mendenhall** said he preferred that **Lanning** stay in place because there was a lack of financial interest, and **Kniffen** agreed.

A roll call vote taken on the motion to excuse Lanning during consideration of SD 027-08 / RP 024-08 / NR 001-08 Pagh Subd failed with Bryan, Maynard and Pitney voting to approve and Kniffen, Mendenhall and Trefethen voting to deny.

FAILED

Trefethen reported that her company sold gravel products to the applicants of Eagle Estates in the past, but had no current jobs or orders. **Klepaski** did not see a conflict. **Lanning** asked for the amount of sales and **Trefethen** replied they were not substantial to the business, especially in the last five or six years.

A roll call vote taken on the motion to excuse Trefethen during consideration of SD 061-07 / RP 080-07 Eagle Estates Development (modification) failed with Lanning voting to approve and Bryan, Kniffen, Maynard, Mendenhall and Pitney voting to deny.

FAILED

PUBLIC HEARING ITEMS

Applications for Extension of Time

1. **SD 027-08 / RP 024-08 / NR 001-08 Pagh Subd** – A request by Mathews Land Surveying on behalf of Four Star Rentals, LLC for a 2-year extension of the Platting Board's preliminary approval of February 20, 2008 to subdivide a portion of No. 14 Below Discovery, First Tier, Left Limit Placer, USMS 1758, and Lot 6, Ellingson Subd into 10 lots ranging in size from approximately 40,000 sq ft to approximately 2.1 acres, and to rename the north/south segment of Beth Ct to Maudlee Ct within the SW¼, Sec 31, T2N R1E and the NW¼, Sec 6, T1N R1E, FM (first 2-year extension granted 12-16-09).

Quakenbush gave the staff report; staff recommended approval of the two-year extension with the original 10 conditions imposed by the Platting Board on February 20, 2008 and the three findings of fact. The final plat will be due no later than February 20, 2014.

Findings of fact: Staff further recommended adoption of the following findings:

- a) Except for a change in ownership of Lot 6, there have been no changes to the parcels proposed to be subdivided since preliminary approval was granted in February 2008.
- b) There has been no platting activity involving the surrounding properties since preliminary approval was granted in February 2008.

- c) There have been no changes to Title 17 that would alter the requirements for this subdivision.

Mendenhall asked whether an extension could be limited to one year and **Quakenbush** replied the Platting Board could approve a one year instead of two year extension and her recommendation was based on the applicant's request.

A motion was made by Mendenhall, seconded by Bryan, to approve SD 027-08 / RP 024-08 / NR 001-08 Pagh Subd two year extension with the with the original 10 conditions imposed by the Platting Board on February 20, 2008 and three findings of fact, as recommended by staff.

Pitney commented that it seemed like this could drag on and may not happen at all, possibly having to revisit this again in two years. **Mendenhall** said he would second an amendment to limit the extension to one year.

A motion was made by Pitney, seconded by Mendenhall, to amend the extension from two years to one year.

Bryan asked what would happen to the buildings under construction if the subdivision were not done in one year. **Quakenbush** said based on the zoning, there would not be a problem with the structures; they just could not be sold off separately. Only the two existing parcels could be sold.

Maynard said he did not have a problem with the two-year extension.

Mendenhall said he planned to vote to change it to one year.

Lanning asked staff whether road construction was done and **Schmetzer** said a site visit at the beginning of last summer revealed no construction.

Kniffen objected to changing the extension from two years to one, citing the need for some latitude; and to push somebody who probably would have to come before the board again next year would be more of a concern, because two extensions had already been granted. **Trefethen** agreed with **Kniffen's** comments, noting health concerns could have a bearing on the outcome and the board would likely hear this again if the extension was limited to one year.

A roll call vote taken on the motion to amend the extension from two years to one year failed with Mendenhall voting to approve and Bryan, Kniffen, Lanning, Maynard, Pitney and Trefethen voting to deny.

FAILED

A roll call vote was taken on the motion by Mendenhall, seconded by Bryan, to approve the 2-year extension for SD 027-08 / RP 024-08 / NR 001-08 Pagh Subd with the with the original 10 conditions imposed by the Platting Board on February 20, 2008 and three findings of fact, as recommended by staff. Approval was unanimous.

APPROVED

- *2. **SD 024-10 Xavier Court Subd (formerly known as Alicia Rose Acres)** – A request by Kelly Drew for a 2-year extension of the preliminary plat to subdivide a portion of the W½ SW¼, Sec 21, T1N R1W, FM (TL 2 of Steven Kerner Subd) into five lots ranging in size from approximately 42,730 sq ft to 2.44 acres (preliminary approval granted 01/20/2010).

APPROVED ON CONSENT

Preliminary Applications

1. **SD 061-07 / RP 080-07 Eagle Estates Development (modification)** – A request by RCH Surveys, LTD on behalf of Jeff Balek and White Eagle Construction, Inc., and George L. & Joyce P. Miller, for modification of the 4-4-07 preliminary approval to re-subdivide Lots B2 through B5, Eagle Estates, totaling 23.9 acres, into 87 lots ranging in size from 7,032 sq ft to 17,993 sq ft, and to dedicate public rights of way in the City of North Pole within the N½ N½, Sec 16, T2S R2E, FM.

Quakenbush gave the staff report; staff recommended approval of the modification of the preliminary plat of Eagle Estates Development with the following amended conditions:

1. Except for the two Type I flag lots, all lots be designed with a minimum of 40' of street frontage and adequate buildable areas exclusive of easements and zoning setbacks.
2. The final plat Phase IV be submitted no later than April 4, 2018.
3. The developer coordinate with GVEA and ACS to determine public utility easements to be reserved on the final plat of each phase, and GVEA and ACS review and comment on the final plat of each phase.
4. The US Army Corps of Engineers wetland determination be obtained and submitted for Blocks 4, 5, 6, and 7 of Eagle Estates Development, along with any required wetland permit.
5. Wetland advisory note be placed on the final plat, if applicable.
6. The City of North Pole verify that the required public improvements have been constructed (or bonded) to City standards prior to final plat approval of each phase, and the City review and comment on final plat of each phase.
7. The developer change the subdivision name on the final plats to Eagle Estates 1st, 2nd, 3rd Addition, etc.
8. Legal description in the title block be corrected on the final plat(s).
9. Wastewater and soils notes as depicted on the preliminary plat be replaced on the final plats with a note requiring structures on the lots to connect to community sewer and water.
10. Existing 10' pedestrian easement located north of Lot 143, Stillmeyer Estates be shown on the final plat.

Finding of fact: Staff further recommended adoption of the following finding:

- a) As conditioned, the modified preliminary plat for Eagle Estates Development meets the applicable requirements of Title 17.

A motion was made by Bryan, seconded by Mendenhall, to approve SD 061-07 / RP 080-07 Eagle Estates Development (modification) with the ten amended conditions and one finding of fact, as recommended by staff.

Pitney pointed out that condition #1 addressed two Type I flag lots. **Quakenbush** recommended that condition #1 be amended from two Type I flag lots to three Type I flag lots.

Mendenhall wanted to clarify that the requirements meet the current Title 17 and not future Title 17 requirements and **Quakenbush** agreed. **Mendenhall** asked about the status of community water and sewer for Phase I. **Quakenbush** said she believed the entire subdivision had community water and sewer, noting that hydrants were in place for this particular phase.

Pitney suggested the similarity of road names including 'Eagle' could be confusing. **Quakenbush** said the street naming coordinator reviewed and had no objection.

A roll call vote was taken on the motion by Bryan, seconded by Mendenhall, to approve SD 061-07 / RP 080-07 Eagle Estates Development (modification) with the ten amended conditions, change to condition #1, and one finding of fact, as recommended by staff. Approval was unanimous

APPROVED

NON-PUBLIC HEARING ITEMS

1. **CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates** – A request by Stutzmann Engineering on behalf of Stepping Stone Builders for approval of a conditional use permit for a cluster development; a subdivision of Tract C, Chena Point Heights Subdivision, a 20.484-acre parcel, into ten lots ranging in size from 40,000 sq ft to approximately 41,400 sq ft and one open space tract of approximately 10.2 acres within the S½, Sec 21, T1S R2W, FM.

Trefethen noted for the record that **Woster** joined the meeting.

Quakenbush gave the staff report; staff recommended the Platting Board recommend the Planning Commission approve a conditional use permit for a cluster development with the following conditions:

1. GVEA review and comment on the final plat.
2. Verification be submitted with the final plat that Lots 6-10 are not within Flood Zone AE.
3. Standard Flood Zone A note, base flood elevation, and temporary bench mark be shown on the final plat.
4. Wetlands determination, and permit if required for construction of Stepping Stone Court, be submitted with the final plat.
5. Note be placed on the final plat clarifying the uses and authorized users of the open space tract.
6. Note be placed on the final plat stating that prior to construction of any driveway onto Stepping Stone Court, a driveway permit is required from the FNSB Rural Services Division.
7. Note be placed on the final plat precluding direct lot access from Lots 1 and 10 onto Stepping Stone Court.
8. The following notes be placed on the final plat:
 - a) Lots in this subdivision may contain permafrost; however, these lots should support conventional onsite wastewater disposal systems if properly designed and constructed for the conditions present. A test hole at the site proposed for the septic system and specific subsurface analysis by an engineer is recommended prior to construction.
 - b) The bottom of the wastewater disposal system must be a minimum of 4 feet above the top of any impermeable (frozen) layer. All onsite wastewater disposal systems must meet the regulatory requirements of ADEC.

Finding of fact: Staff further recommended adoption of the following finding:

- a) With the conditions recommended by staff, this subdivision meets the applicable requirements of Title 17.

Mussman said he was in attendance to observe and pass any Platting Board issues or concerns on to the Planning Commission. **Mussman** added he would be able to answer any additional questions the board may have about the planning aspect of the cluster development.

Kniffen asked staff whether Taiga was a cluster development and **Quakenbush** replied yes. **Kniffen** noted that roads in Taiga were not to Title 17 standards in all aspects because of insufficient width available on the access line. **Kniffen** questioned whether the roads in Stepping Stone Estates would be built to Title 17 standards and who was responsible to maintain them. **Quakenbush** said roads in Stepping Stone Court would be constructed to Local 1 standards and she anticipated maintenance by the Chena Point road service area. **Quakenbush** added that the owner and owner's surveyor were in attendance at the meeting and they could probably answer **Kniffen's** question definitively.

Lanning said there were challenges fitting houses, driveways, and septic systems on smaller lots and gave the opinion that one acre lots were inappropriate in the hillside. He asked what provisions had been made for the smaller lot size. **Quakenbush** said that a soils report from the applicant's engineer stated the lots are sufficient for onsite wastewater disposal systems, if properly constructed. **Quakenbush** noted that one acre lots are not unusual in many areas of the borough and added she did not see any particular constraints or excessive slopes on this property that would prevent construction of house sites and septic systems.

Lanning said he was unclear as to the board's role with regard to this hearing item. **Quakenbush** said there was not a specific process in Title 17 or Title 18 to address the Platting Board's role in the process. **Quakenbush** said her understanding was that the board would vote whether to bring forward the recommendation to the Planning Commission; if they wanted to change any conditions or incorporate changes, or if the board determined this was not an appropriate development, that could be passed on, as well.

Trefethen questioned why a cluster development was being considered instead of a rezone. **Mussman** said the cluster development could be more appropriate, as the property is surrounded by properties zoned RE-2 and there could be some issues with spot-zoning. He added that the physical characteristics of the property made only ten acres suitable for development, making this route more practical. **Mussman** commended the property owner for proceeding with the Planning Department's suggestion of a cluster development. **Mussman** said the open space lot is encumbered with flood hazard area and in close proximity to the Chena Flats Greenbelt Project and could be incorporated into the whole project. **Mussman** said from a planning perspective, it would be better to maintain the existing zoning, maintain the base density and reduce the lot size; and permanently protect that part of the property that really has no development potential and is a better use of open space.

Woster asked about the DEC standard setback and **Quakenbush** said you had to prove there are at least 20,000 square feet of contiguous soils suitable for onsite wastewater disposal systems. **Quakenbush** said the engineer did not identify the specific amount of area, however reported the lots were suitable for construction of onsite wastewater disposal systems, provided the systems were properly designed.

Woster asked **Mussman** if there was anything in the open space and whether it would be retained. **Mussman** said the future property owners would own it in common, and as an association, could convey a conservation easement of which the Interior Alaska Land Trust could be the holder.

Kniffen added that owners could give an easement to the Land Trust, but not the underlying fee title because it has to be held in perpetuity and **Klepaski** agreed.

Klepaski asked the width of the flag stem from Stepping Stone Court to the open space and **Quakenbush** replied it was twenty feet. **Klepaski** said no driveway had to be built and it would be left open for owners to use and **Quakenbush** said that was correct.

Mendenhall voiced concern about ownership and **Quakenbush** said the building lots would be owned fee-simple and Tract A would be owned in common by all owners in the subdivision. She said the homeowners' association can agree to give the Interior Land Trust a conservation easement on Tract A. **Klepaski** noted the rules of the homeowners' association would prevail and that what is being approved is a cluster development where the ten lots would own an undivided interest in Tract A. **Mussman** remarked this area cannot be developed and is limited to recreation, agriculture or open space uses. **Klepaski** said the open space, unless conveyed to another party, belongs to the subdivision lot owners and staff agreed.

Pitney wanted to know who pays taxes on Tract A and whether each of the ten lots needs to pay taxes, and what happens if some of them do not pay. **Mussman** said the lot owners would be responsible for taxes and Title 18 requires the homeowners' association to ensure everyone pays their applicable fees and taxes; and levies can be assessed on the property owners, which could include arrears on the open space lot.

Klepaski said she was unsure how Assessing would handle this; suggesting they might make assessments in a manner similar to that used for a condo association. **Trefethen** thought this might be likened to properties sharing a private airstrip. **Klepaski** noted the difference could be that the borough could take legal action, such as foreclosing on the airstrip and selling it, whereas this property could not be foreclosed on because it has to remain open space. **Klepaski** said Assessing would have to be consulted for a definitive answer.

Mendenhall asked whether the assumption is that each lot would be equally liable for Tract A and if a lot could be foreclosed on because of whatever happens with Tract A. **Klepaski** replied that if you treat this like a condo association, unpaid taxes could mean foreclosure on a particular lot, not Tract A; and again said Assessing would have to provide input. **Klepaski** said buyers would know at the time of purchase that they own 1/10th of Tract A and what the homeowner association agreement is, and that it is also referenced on the plat.

Mendenhall wanted to know what would happen if title to Tract A was turned over to the borough. **Mussman** said the assessed value of the open space lot would be negligible compared to the value of the individual lots and the tax impact would be minimal. He said the Assessor could include their portion of taxes for Tract A in each lot owners' taxes. **Mussman** said that if the Land Trust holds a conservation easement for Tract A, that could decrease the property value even more and decrease the property tax liability of the ten lot owners. **Mussman** said this would be a bigger issue if the open space area was more developable and he thought the tax issue would wind up being pretty negligible.

Kniffen commented that all of the issues tangentially would be covered with the home owners' association document and that would be the governing piece for this particular project.

Pitney asked about liability for accidents on the open space lot and **Mussman** replied that per Title 18, it was the responsibility of the homeowners' association.

Trefethen remarked that the board is being asked to make a recommendation to the Planning Commission based on the land use and suggested the application be reviewed as a land use issue and whether it fits in with Title 17.

Quakenbush asked counsel if it was appropriate for the applicant to answer questions and **Klepaski** replied no, as this was a non-public hearing item. **Klepaski** said the applicant will have opportunity to address problems before the Planning Commission, as that will be a public hearing. **Quakenbush** reiterated the role of the Platting Board is to review this application as it conforms or does not conform to Title 17, and bring forward recommendations to the Planning Commission. She noted that at the Planning Commission level, terms of the homeowners' agreement will have been determined, it will

have gone through legal review, and all details will have been addressed as part of the cluster development conditional use portion.

Trefethen said the Planning Commission would have the Platting Board's minutes and be aware of any concerns.

Lanning wanted to know why the flag stem to Stepping Stone from Tract A was only twenty feet. **Quakenbush** said this was because there is no road access required. It cannot be further subdivided so there is no need for a Type 2 flag lot, which requires a wider stem; and there is technically forty feet of frontage on Chena Point Avenue, which is a dedicated right-of-way. She said, as designed, this subdivision meets the technical requirements of Title 17. **Lanning** asked whether the plat prevents access onto Chena Point. **Schmetzer** said that, from a Public Works perspective, this land cannot be further subdivided, so there is no intent to put any public access into this parcel. She said private access would be disallowed as Chena Point is a major collector. **Schmetzer** said the twenty feet meets access requirements per Title 17.

Pitney asked if there were any variances and **Quakenbush** replied no, it meets the applicable requirements of Title 17. **Trefethen** reminded the board to review the addendum they received, from which the variance suggestion had been removed. **Quakenbush** said she received confirmation that the variance was unnecessary after the surveyor took measurements in the field.

A motion was made by Maynard, seconded by Bryan, that the Platting Board forward a recommendation to the Planning Commission to approve CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates with the eight conditions and one finding of fact, as recommended by staff in the amended report.

Pitney stated his opposition and thought a regular subdivision should be built. **Pitney's** opinion was the land could be divided into five lots and Tract A conveyed to another party.

Maynard commented he was unsure what Title 17 and taxes had to do with each other. He said his residence is located in a subdivision with a common area and at closing, each lot is allocated a certain percentage of taxes, and there is a governing document you sign. **Maynard** said this was a great use of space and supported it.

Mendenhall said he was uncomfortable about the homeowners' association, as it seemed up in the air to him and, as he understood it, you could not have a homeowners' association until there were homeowners.

Lanning said that the preliminary plat lacked topographic information, which is a requirement of Title 17, making it difficult to determine whether it is appropriate to use the property for one-acre lots. **Lanning** said what you can do in North Pole on a one-acre lot is completely different from what you can do with a one-acre lot on the hillside. **Quakenbush** pointed out property lines and section line easements on the accompanying slides. **Schmetzer** said that based on the available topography, the grades are well under 10%. **Lanning** said his opinion was that 10% is fine for two acres in the hills but makes development on a one-acre lot difficult. **Lanning** said the preliminary plat information was disappointing, however tended to agree this was a good use of the property.

Kniffen stated that the homeowners' association document is subscribed to by buyers at the time of purchase and the document can be in place prior to having homeowners. **Kniffen** said the homeowners' association agreement is similar to covenants, only more restrictive. **Kniffen** said it is noted in the presentation that no lot could be sold without having the homeowners' document approved and available as part of the sale package. **Kniffen** added that she recognized this is not the best land and probably the best you can do with it.

Mendenhall said his understanding is that Stepping Stone Builders will provide a homeowners' document and **Kniffen** said that is her understanding, as well.

Maynard said he did not understand what the homeowners' document had to do with Title 17. **Maynard** stated the two most common type of financing are VA or FHA and they all require water and septic tests to meet minimum DEC standards.

Lanning said it was up to the board to decide whether the builder could create the subdivision in this manner.

Woster commented that the board is not approving the plat. He said the board has been advised by Legal in the past that if something meets title, it has to be voted for.

Pitney agreed with **Woster** and noted that the board is recommending the Planning Commission approve the plat and it would undoubtedly pass. He said the more members that vote against it will cause the Planning Commission to look into it deeper.

Woster said there were eight conditions now and, if there were other concerns, the board should add conditions and make those concerns known. **Trefethen** said it is always possible to add conditions, however this was a different type of development the board has not seen and it is one subdivision with common areas and fee simple lots. **Trefethen** added that the staff has reviewed all of the information required for a preliminary plat and said the board's role was to look at it under Title 17 and land use and vote on whether to recommend to the Planning Commission, and the Planning Commission will decide the action. **Quakenbush** confirmed that the Planning Commission is looking to the board to evaluate the subdivision as it relates to the requirements of Title 17.

Mendenhall said he was upset that people were in attendance at the meeting who could answer Platting Board questions but were not allowed to speak, and asked whether this item could be tabled so that the developer could testify at a future meeting. **Klepaski** said it could be tabled and the developer could speak under Citizens' Comments, however did not know how time sensitive this request was. **Quakenbush** said the Planning Commission meeting was scheduled for February 21st. **Quakenbush** added that the applicants were unaware they would not be allowed to testify, so did not speak during Citizens' Comments at the beginning of the meeting. **Klepaski** said the board should consider whether these were Title 17 questions or questions about the homeowners' association, adding the Platting Board's questions should be related to the land and land use.

Mendenhall said he would like to have more information from the developer.

A motion was made by Mendenhall to postpone CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates.

Mendenhall withdrew the motion to postpone CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates.

Pitney stated there was something broken with the system when the board is frustrated with not being able to get information from the applicant and the applicant is frustrated because he cannot provide it, and the members are being asked to recommend this to the Planning Commission.

Trefethen said the option was for the board to vote on the issue and noted if it is approved, it goes forward with the board's recommendations; and if the issue is not approved, it still moves forward to the Planning Commission, but the Platting Board cites their dislikes. The Planning Commission could return the item for review or override the Platting Board's suggestions. **Trefethen** added the

other option would be to postpone the item and questioned what additional information could be provided that would change the mind of board members unsure of their vote.

A motion was made by Pitney, seconded by Mendenhall to table CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates.

The motion by Pitney, seconded by Mendenhall to table CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates was amended to a motion to postpone.

Woster said he would not support a motion to postpone.

Maynard said he had enough information and would not support a postponement.

Mendenhall said he wanted more information and, although he would not be at the next meeting, would support a postponement.

Lanning said that normally he does not like to postpone, but in this case would support it.

Kniffen agreed with **Woster** that the board is voting to send a recommendation to the Planning Commission and whether this request meets the criteria; she felt postponement would be unfair to the applicant.

Maynard wanted concerns about lack of information, such as topographic maps, brought to the attention of the Planning Commission.

A roll call vote was taken on the motion by Pitney, seconded by Mendenhall, to table CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates. The motion failed with Lanning, Mendenhall, and Pitney voting to approve and Bryan, Kniffen, Maynard, Trefethen, and Woster voting to deny.

FAILED

A motion was made by Woster to add condition #9 that the applicant provide additional, required preliminary plat information to the Platting Board.

Quakenbush said the application provided met the technical requirements of Title 17.

Woster withdrew the motion to add condition #9 that the applicant provide additional, required preliminary plat information to the Platting Board.

A roll call vote was taken the motion by Maynard, seconded by Bryan, that the Platting Board forward a recommendation to the Planning Commission to approve CU2012-007 / SD018-12 / RP017-12 Stepping Stone Estates with the eight conditions and one finding of fact, as recommended by staff in the amended staff report. The motion passed with Bryan, Kniffen, Maynard, Mendenhall, Trefethen, and Woster voting to approve and Lanning and Pitney voting to deny.

APPROVED

ELECTION OF OFFICERS

Bryan asked if the board had failed to discuss Xavier Court and **Trefethen** advised this item was passed on the consent agenda. **Trefethen** added that if a member wanted further discussion on an item, it could be removed from consent and be heard. **Trefethen** instructed how to determine when an application was on consent.

Trefethen said Merle relayed to her his willingness to continue as Chair, if that was the wish of the board. **Trefethen** added that she was willing to serve as Vice Chair for another year. Trefethen asked for nominations.

A motion was made by Bryan, seconded by Maynard, to nominate Jantz for Chair.

A motion was made by Kniffen, seconded by Bryan, to close nominations.

The motion to retain Jantz as Chair was approved, without objection.

A motion was made by Woster, seconded by Bryan, to nominate Trefethen for Vice Chair.

A motion was made by Mendhall to nominate Kniffen for Vice Chair and Kniffen declined.

A motion was made by Kniffen, seconded by Maynard, to close nominations.

The motion to retain Trefethen as Vice Chair was approved, without objection.

EXCUSE ABSENT MEMBERS

The absence of Jantz was excused without objection.

Woster requested excusal of his late arrival due to vehicle problems.

COMMENTS

Citizens

Jeremy Stark, Stutzmann Engineering, stated that he felt the process was extremely poor and apologized for any missing information. **Stark** explained the topographic makeup of the property, noting it was particularly flat. **Stark** said he did not understand why citizens could not speak twice and he would like to change the process so that questions could be answered during the meeting.

Platting Staff

Klepaski noted there had been complaints about public hearings and said that this was the first hearing since the law was changed. She said the board could make a recommendation to the Assembly regarding the process.

Board Members

Trefethen added the intent was to streamline the cluster development process; however the applicant should be allowed to be heard.

Pitney questioned whether the applicant could have spoken during public comment at the beginning of the meeting and **Klepaski** replied yes, and added that **Trefethen** had made that very clear. **Pitney** expressed his opinion that this was disingenuous. **Klepaski** said that is not the objective; this is the current process and has to be followed until the Assembly makes a change.

Bryan added that staff thought the applicant would be able to speak and the borough was not well represented at this meeting. **Trefethen** said that there could be a problem allowing someone to testify when public notices had not been sent.

Quakenbush clarified that there is nothing in the code that requires this process and perhaps this could be handled as a work session, where discussion can be made. **Klepaski** said votes are not usually done in a work session and another meeting to vote would be required.

Maynard encouraged the board to remain focused on how applications align with Title 17 and avoid lengthy discussions.

Mendenhall wanted to know whether other cluster developments had been reviewed before and was told the most recent was in 2007.

Lanning thought the development was a good one; maybe too many lots, but in general, a good application.

Kniffen found the excursion regarding the cluster development interesting.

Pitney asked whether the Planning Commission was allowed to discuss this item with Platting Board members before meeting on it and **Mendenhall** asked whether members could testify. **Klepaski** replied members could testify, but not as representatives of the board and that had to be made clear to the Planning Commission.

Trefethen said she hoped the Planning Commission would consider the board's comments and suggestions as part of its process, however noted the Planning Commission could approve over anything the board might say.

ADJOURNMENT

The meeting was adjourned at 8:05pm.

/b

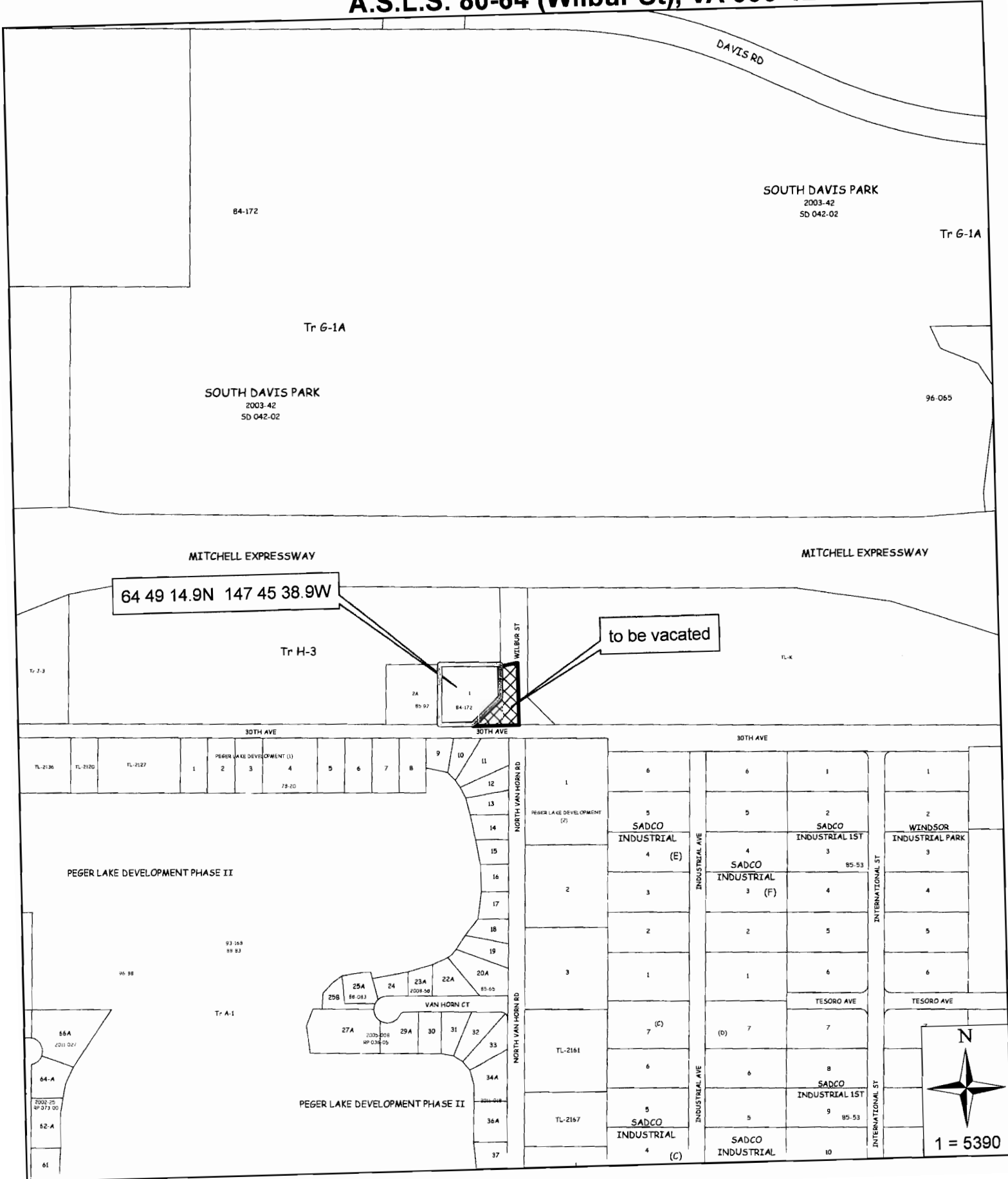


FNSB Dept. Of Community Planning

Platting Board

Printed on: Jan 26, 2012

A.S.L.S. 80-64 (Wilbur St), VA 006-12 & RP 018-12



ROBERT J. MITCHELL EXPRESSWAY

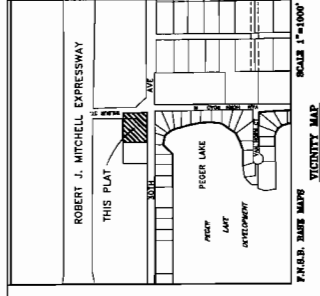
CERTIFICATE OF OWNERSHIP, DEDICATION AND COMPLIANCE
 I, JAMES R. RINGSTAD, A PROFESSIONAL LAND SURVIVOR REGISTERED IN THE STATE OF ALASKA, DO HEREBY CERTIFY THAT THE PLAN OF SUBDIVISION AND THE DEEDS AND DEEDS TO THE PUBLIC USE, WITH MY FREE CONSENT AND DEEDS, ALL STREETS, ALLEYS, WALKS, DRIVEWAYS, AND OTHER DEDICATED PUBLIC SPACES TO THE PUBLIC USE, HAVE BEEN LAYED OUT AND DEDICATED TO THE PUBLIC USE, AND THAT THE STANDARDS ESTABLISHED IN TITLE 17, SUBDIVISIONS, FARMBANKS NORTH STAR BOROUGH CODE.

DATE: _____

FARMBANKS MONTESSORI ASSOCIATION, INC. AN ALASKAN CORPORATION
 THE NOTARY'S ACKNOWLEDGMENT:
 STATE OF ALASKA, JUDICIAL DISTRICT FOURTH
 THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 2011, _____ COMMISSIONED AND SHOWN, PERSONALLY APPEARED _____ TO ME KNOWING TO BE THE IDENTICAL INDIVIDUAL MENTIONED IN AND WHO SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED, AND THAT HE OR SHE HAS READ AND UNDERSTANDS THE CONTENTS OF THE CERTIFICATE FIRST HEREIN WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF _____
 BY COMMISSION EXPIRES _____

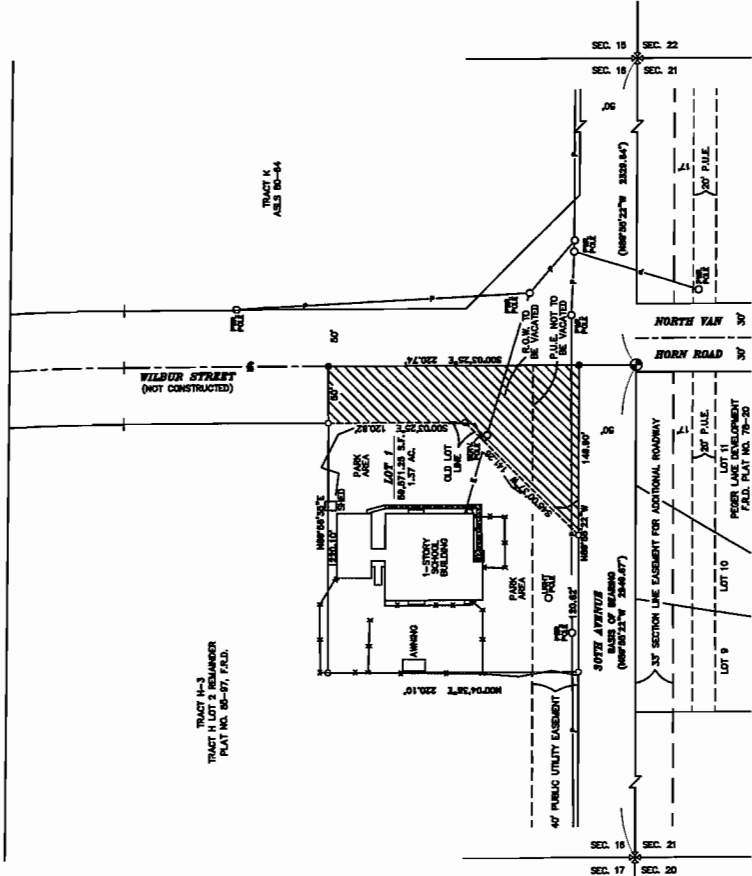
LEGEND
 * 3" BRASS CUP MONUMENT, RECORDED THIS SURVEY (NO IS #)
 * 3" ALUMINUM CUP MONUMENT, RECORDED THIS SURVEY (NO IS #)
 * 3" ALUMINUM CUP MONUMENT, SET THIS SURVEY (NO IS #)
 * 3" ALUMINUM ALUMINUM MONUMENT, RECORDED THIS SURVEY (NO IS #)
 * 1 1/2" DIAMETER ALUMINUM MONUMENT, RECORDED THIS SURVEY (IS # AS SHOWN)
 * 2" DIAMETER ALUMINUM MONUMENT, SET THIS SURVEY (IS # AS SHOWN)
 () RECORD DATA
 P.U.L.E. = PUBLIC UTILITY EASEMENT



VICINITY MAP
 SCALE 1"=1000'

NOTES

UTILITIES WILL BE A 36-FOOT RADIUS EASEMENT AT EACH POLE LOCATION FOR GUY, ANCHORS, AND OTHER SUPPORTIVE STRUCTURES. THE UTILITY COMPANIES ARE RESPONSIBLE FOR THE INSTALLATION, MAINTENANCE, REPAIR, OR REMOVAL OF YARD POLES. THE RIGHT TO PROPERTY AND TREES REMOVE ANY DEAD, WEAKE, OVERHANGING, OR OTHERWISE DANGEROUS TREES SHALL BE THE RESPONSIBILITY OF THE UTILITY COMPANIES. AN EASEMENT IS HEREBY DEDICATED WITHIN ALL LOTS FOR SECONDARY CROSSINGS AS DETERMINED NECESSARY BY THE UTILITY COMPANIES.
 THIS AREA IS OVERLAIN WITH SALSCHMET SANDY LOAM.
 WATER AND WASTE WATER TREATMENT PLANTS: GORDON HEART UTILITIES, INC. COMMUNITY WATER AND WASTE WATER DISPOSAL SYSTEMS.
 FLOOD ZONE: THIS AREA HAS BEEN DETERMINED TO BE LOCATED IN PLAT WITHIN FLOOD ZONE VIBAS OF 500-YEAR FLOOD AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTH OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS OF 100-YEAR FLOOD PER TRACT OR FLOOD ALASKA COMMUNITY PANEL NUMBER 030008 001 C, DATED JANUARY 2, 1992.
 ACCESS TO THIS LOT IS VIA THE 50 FOOT RIGHT-OF-WAY OF 50TH AVENUE.



CERTIFICATE OF PAYMENT OF TAXES
 I, THE NOTARY PUBLIC, HAVE BEEN ADVISED BY THE TAX COLLECTOR OF FARMBANKS NORTH STAR BOROUGH, ALASKA, THAT, ACCORDING TO THE RECORDS OF THE FARMBANKS NORTH STAR BOROUGH, ALASKA, THE TAX RECORDS IN THE NAME OF THE DESCRIBED PROPERTY IS CARRIED ON THE _____ DAY OF _____, 2011.

DESCRIPTION: _____

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES (ASSESSED AND OWED) AGAINST SAID LAND AND IN FAVOR OF THE FARMBANKS NORTH STAR BOROUGH, ARE NOT DELINQUENT. THIS CERTIFICATE IS VALID AT FARMBANKS, ALASKA, THIS _____ DAY OF _____, 2011.

TAX COLLECTOR
 FARMBANKS NORTH STAR BOROUGH



JAMES R. RINGSTAD, L.S. 8474
 DATE: _____



SCALE 1" = 50'

CERTIFICATE OF APPROVAL BY THE FLATTING AUTHORITY
 I, HEREBY CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF CHAPTER 17.05 FINAL PLATS OF OF FARMBANKS NORTH STAR BOROUGH, ALASKA, AND THAT SAID PLAT HAS BEEN APPROVED.

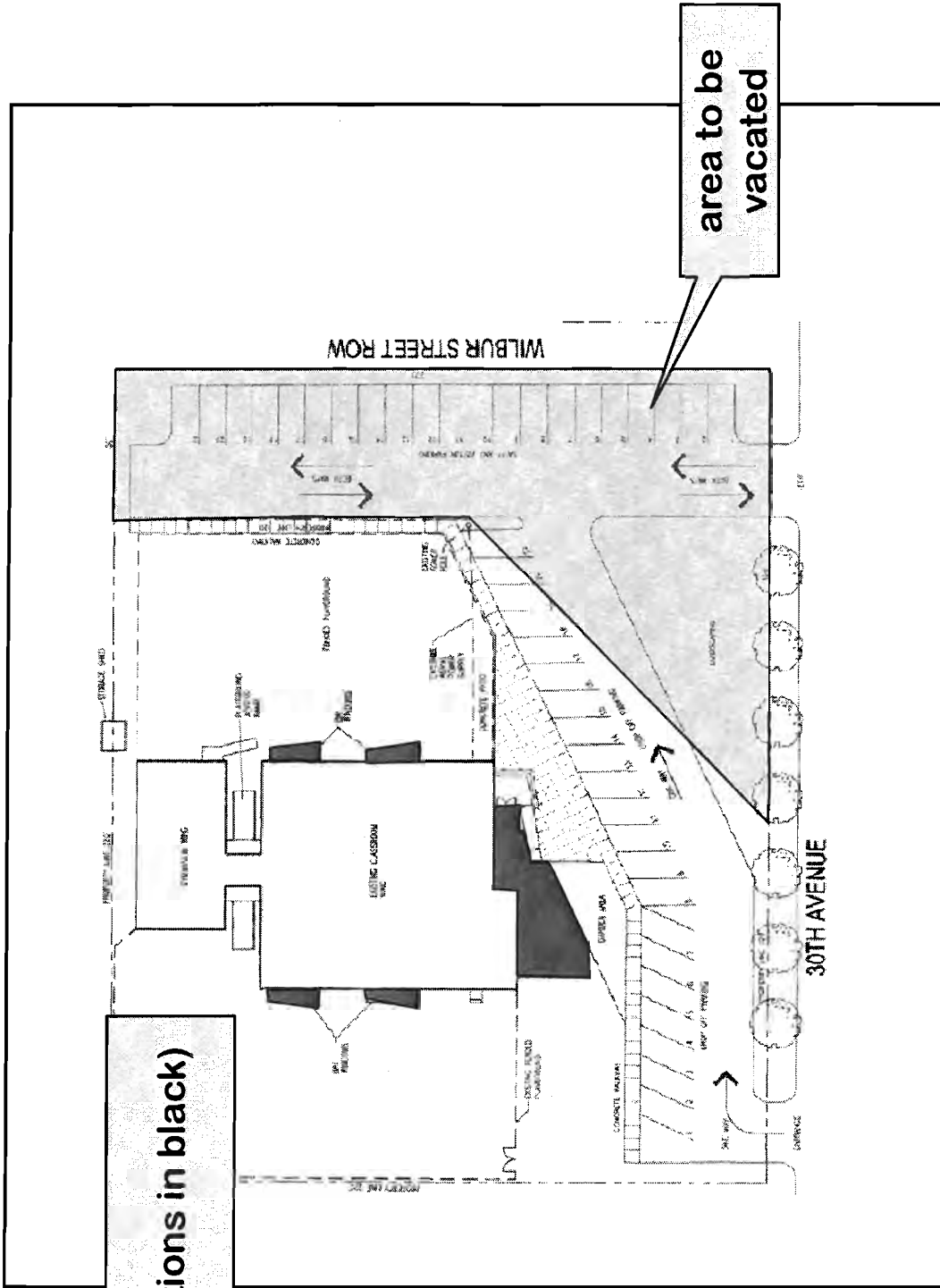
A REPLAT OF LOT 1, TRACT H A.S.L.S. 80-64 WITHIN THE S1/2 SECTION 16 PARKER TWP., JUNEAU DISTRICT (F.L.D. PLAT NO. 84-172)		PREPARED BY FARMBANKS MONTESSORI ASSOCIATION INC. 1000 1/2 10TH AVENUE FARMBANKS, AK 99701
DRAWN BY JRR	CHECKED BY JRR	TITLE 1"=50'
DATE 10/01/2011	JOB NO. 37111943	SHEET NO. 1 OF 1 SHEETS PER PLAN 1100-00



VA 006-12 & RP 018-12

PB 2-15-2012

Proposed Expansion

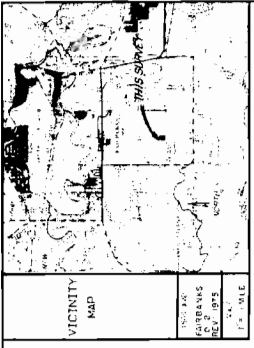


EASEMENTS

1. A 15 foot wide strip of land is hereby granted within and across the entire width of the subdivision for the purpose of providing utility easements for water, sewer, gas, electric, and other utility services.
2. A 20 foot wide strip of land is hereby granted for the purpose of providing utility easements for water, sewer, gas, electric, and other utility services.
3. The utility easements shall be subject to the terms and conditions set forth in the utility easement agreement.

NOTES:

1. The plat is subject to all other laws, rules, regulations, and orders of the State of Alaska, and the Department of Natural Resources, relating to the subdivision of land.
2. The plat is subject to all other laws, rules, regulations, and orders of the State of Alaska, and the Department of Natural Resources, relating to the subdivision of land.
3. This map is recorded by the Municipal Utilities System City of Fairbanks.



FAIRBANKS	1985
DEPT. OF NATURAL RESOURCES	1985
PLAT NO.	1985-001
DATE	1985-05-22

CERTIFICATE OF DOMESTIC AND DEDICATION

I hereby certify that the Fairbanks North Star Borough is the owner of the property shown and described herein and that it is the intention of the Board to dedicate the same to the public use of the State of Alaska for the purpose of providing utility easements for water, sewer, gas, electric, and other utility services.

THE LEGISLATIVE AUTHORITY OF THE STATE OF ALASKA IS HEREBY CERTIFIED TO THE BOARD OF SUPERVISORS OF THE FAIRBANKS NORTH STAR BOROUGH.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Board of Supervisors of the Fairbanks North Star Borough, this 19th day of May, 1985.

Henry Public Trust for the State of Alaska
By Commission Expires: _____

CERTIFICATE OF APPROVAL BY THE PLATTING BOARD

I hereby certify that the subdivision map shown herein has been found to comply with the provisions of Title 17, Section 14, of the Alaska Statutes, and that the plat has been approved by the Board of Supervisors of the Fairbanks North Star Borough.

Dated this 19th day of May, 1985, at Fairbanks, Alaska.
By: _____
Board of Supervisors

CERTIFICATE OF PAYMENT OF TAXES

I, the undersigned being duly appointed and qualified the City Clerk of the City of Fairbanks, do hereby certify that the taxes due on the property shown and described herein have been paid in full to the City of Fairbanks.

Dated this 19th day of May, 1985, at Fairbanks, Alaska.
By: _____
City Clerk

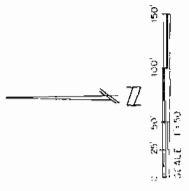
A.D.E.C. APPROVAL CERTIFICATE

This plat is approved by the Alaska Department of Environmental Conservation, pursuant to the provisions of AS 11.30.010.

CERTIFICATE OF REGISTERED LAND SURVEYOR

I, Ron Robertson, a professional land surveyor duly registered in the State of Alaska, do hereby certify that the plat shown on this map is a true and correct representation of the land shown and described herein, and that the same has been surveyed and measured in accordance with the laws of the State of Alaska.

Registration No. 3036-K



REMAINDER LOT 2, TRACT H

WILBUR STREET

LOT 2A TRACT H
53560 S.F.
1.000 AC.

LOT 1 TRACT H

30th AVENUE
BASIS OF BEARING N 89°45'22\"/>

30th AVENUE
EASEMENT FOR HIGHWAY PURPOSES

DEER LAKE DEVELOPMENT

NORTH VAN HORN ROAD

LEGEND

- 1. 5' x 25' SEWER AND GAS SET
- 2. PERM AND GAS RETENTION
- 3. PRIMARY WATERSHED BOUNDARY
- 4. W/ FIELD INSTRUMENT RECOVERED

1/4\"/>

REPLAT OF
LOT 2, TRACT H, ASLS 80-64
LOCATED WITHIN SE 1/4, SEC 16, T15S, R1W, F.M. ALASKA

OWNER: FAIRBANKS
4249 CRANBERRY LANE
FAIRBANKS, AK 99701

ROEN
DESIGN ASSOCIATES
ENGINEERS SURVEYORS

SCALE: 1\"/>

RE 241-89

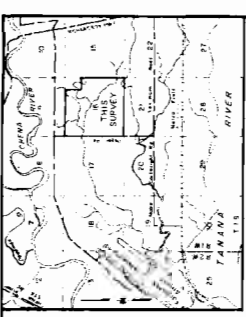


FIGURE 1 - VICINITY MAP

Scale 1 inch = 1 mile

THIS HALF TYPICAL OF INTERSECTION WITH EXISTING STREET



TYPICAL INTERSECTION ROW DETAIL

All data above is ROW controlling data except 3A & 3B.

LEGEND

Field Measurement

OWNERSHIP CERTIFICATE

THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF TECHNICAL SERVICES AND THAT THE DATA HEREON IS TRUE AND CORRECT AND THAT THE PLAT FOR THE STATE OF ALASKA THIS SURVEY AND

NOTARY'S ACKNOWLEDGEMENT

SUBMITTED AND SWORN TO BEFORE ME THIS 22nd DAY OF AUGUST 1978.

DAVID MERRY, JAIL-S

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF TECHNICAL SERVICES

ALASKA STATE LAND SURVEY No. 80-64

Tracts A through V

FAIRBANKS NORTH STAR DIVISION

PLANNING COMMISSION

DATE 8-22-78

6-26-80

8-22-80

3-28-80

8-22-80

8-22-80

8-22-80

8-22-80

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8-22-80

CURVE DATA

STATION	CHORD BEARING	CHORD DISTANCE	CHORD BEARING
1	15° 45' 35"	100.00	15° 45' 35"
2	15° 45' 35"	100.00	15° 45' 35"
3	15° 45' 35"	100.00	15° 45' 35"
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5	15° 45' 35"	100.00	15° 45' 35"
6	15° 45' 35"	100.00	15° 45' 35"
7	15° 45' 35"	100.00	15° 45' 35"
8	15° 45' 35"	100.00	15° 45' 35"
9	15° 45' 35"	100.00	15° 45' 35"
10	15° 45' 35"	100.00	15° 45' 35"
11	15° 45' 35"	100.00	15° 45' 35"
12	15° 45' 35"	100.00	15° 45' 35"
13	15° 45' 35"	100.00	15° 45' 35"
14	15° 45' 35"	100.00	15° 45' 35"
15	15° 45' 35"	100.00	15° 45' 35"
16	15° 45' 35"	100.00	15° 45' 35"
17	15° 45' 35"	100.00	15° 45' 35"
18	15° 45' 35"	100.00	15° 45' 35"
19	15° 45' 35"	100.00	15° 45' 35"
20	15° 45' 35"	100.00	15° 45' 35"
21	15° 45' 35"	100.00	15° 45' 35"
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26	15° 45' 35"	100.00	15° 45' 35"
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81	15° 45' 35"	100.00	15° 45' 35"
82	15° 45' 35"	100.00	15° 45' 35"
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84	15° 45' 35"	100.00	15° 45' 35"
85	15° 45' 35"	100.00	15° 45' 35"
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87	15° 45' 35"	100.00	15° 45' 35"
88	15° 45' 35"	100.00	15° 45' 35"
89	15° 45' 35"	100.00	15° 45' 35"
90	15° 45' 35"	100.00	15° 45' 35"
91	15° 45' 35"	100.00	15° 45' 35"
92	15° 45' 35"	100.00	15° 45' 35"
93	15° 45' 35"	100.00	15° 45' 35"
94	15° 45' 35"	100.00	15° 45' 35"
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96	15° 45' 35"	100.00	15° 45' 35"
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100	15° 45' 35"	100.00	15° 45' 35"

DEDICATION OF EASEMENTS, PUBLIC UTILITIES AND RIGHTS-OF-WAY

WE HEREBY DEDICATE FOR PUBLIC OR PRIVATE USE, AS NOTED, ALL EASEMENTS, PUBLIC UTILITIES, AND RIGHTS-OF-WAY AS SHOWN AND DESCRIBED HEREON.

DATE 8-22-78

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CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

THE PLANNING COMMISSION HAS REVIEWED THE SURVEY AND HAS BEEN FOUND TO COMPLY WITH THE REGULATIONS OF THE PLANNING COMMISSION, OF THE FAIRBANKS NORTH STAR REGION CODE OF ORDINANCES, AND THAT SAID PLAT HAS BEEN APPROVED BY THE PLANNING COMMISSION.

THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORD ON DATED THIS 22nd DAY OF AUGUST 1978.

FAIRBANKS, ALASKA

DATE 8-22-78

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NOTARY'S ACKNOWLEDGEMENT

SUBMITTED AND SWORN TO BEFORE ME THIS 22nd DAY OF AUGUST 1978.

DATE 8-22-78

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OWNERSHIP CERTIFICATE

THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE DIRECTOR, DIVISION OF TECHNICAL SERVICES AND THAT THE DATA HEREON IS TRUE AND CORRECT AND THAT THE PLAT FOR THE STATE OF ALASKA THIS SURVEY AND

NOTARY'S ACKNOWLEDGEMENT

SUBMITTED AND SWORN TO BEFORE ME THIS 22nd DAY OF AUGUST 1978.

DATE 8-22-78

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NOTARY'S ACKNOWLEDGEMENT

SUBMITTED AND SWORN TO BEFORE ME THIS 22nd DAY OF AUGUST 1978.

DATE 8-2

Prepared 01-23-12 by	STAFF REPORT FNSB PLATTING BOARD	February 15, 2012
Martin Gutoski Platting Officer	Wilbur Street Vacation # VA 006-12 / RP 018-12	

Applicant:	3-Tier Alaska PO Box 71940 Fairbanks, AK 99707-1940
Surveyor:	3-Tier Alaska PO Box 71940 Fairbanks, AK 99707-1940
Owners/Subdividers:	Fairbanks Montessori Assn, Inc. 2014 30 th Ave Fairbanks, AK 99701
Specific Request/ Legal Description:	To vacate the westerly 50 foot wide portion of Wilbur Street adjacent to the eastern boundary of Lot 1, Tract H, ASLS 80-64, and add the 0.37 acre vacated area to create one new lot of 1.37 acres, within Sec 16, T1S R1W, FM.
Location/Access:	30 th Ave and Wilbur St.
Existing Land Use:	Daycare facility (Montessori School)
Current Zoning:	MFO - Multi-Family Residential/Professional Office Minimum Lot Size: (SFR) 5,000 sf Minimum Lot Size: (Duplex) 3,500 sf each unit Minimum Lot Size: (Multi-family) 1,500 sf each unit Minimum Street Setback: 20 ft Minimum Side Yard Setback: 10 ft Minimum Rear Yard Setback: 20 ft
Comprehensive Plan:	Urban Area, Urban Boundary
Soils:	Salchaket Sandy Loam
Flood Zone:	A
Road Service Area:	City of Fairbanks

History: Plat #80-149 recorded August 22, 1980 created Tracts A through M of ASLS 80-64. This plat encompassed an area of approximately 600 acres bounded on the north by Eagan Avenue, on the south by 30th Avenue, on the east by Lathrop Street, and on the west by Peger Road. Plat #84-172 recorded August 17, 1984 replatted Tract H into two parcels. The dedication of the Mitchell Expressway resulted in the reconfiguration of Tracts I, J, K, and M per Plat #96-39 recorded on March 22, 1996. Plat #96-65 replatted Tract G into three tracts. A vacation of the portion of Wilbur St north of the Mitchell Expressway was approved for South Davis Subd (VA 013-02) Plat #2003-42 by the Platting Board because access onto the Mitchell was no longer practical.

Specific Request/Analysis: This application is to vacate the western half of the 100' wide right-of-way for Wilbur St adjacent to Lot 1, Tract H dedicated by the 1980 plat on a state land survey. The plat of ASLS 80-64 was a DNR survey to provide 12 large tracts for municipal entitlements. The City of Fairbanks, FNSB and State of Alaska retained the large tracts and have subsequently subdivided smaller tracts for sale or lease to private parties. The FNSB subdivided Tract H twice in 1984, the first of which created the parent parcel for this vacation (H-1) and the second adjacent lot (H 2-A). Both lots were sold by the FNSB to the Montessori School organization, but Lot 2A was subsequently sold in 2008 to another private non-profit.

Flood Zone/Wetlands: This property is within Flood Zone A. The standard Flood Zone A note, TBM, and BFE will be required to be shown on the final plat.

This property appears to be in a wetland area according to the Army Corps of Engineers Wetland Mapping. It is recommended that prior to beginning construction, the developer contact the Army Corps of Engineers for a wetland determination and permit, if required.

Soils Report: No soils report is required as this parcel is served by community sewer and water.

FNSB In-house Review:

Transportation Planner: still hasn't been hired since Todd retired in May.

Street Addressing: has no objection.

Public Works Engineering / Rural Services: has no objection since the roads are City maintained.

Advanced Planning/Zoning: indicated it is not clear the building and shed meet the setbacks.

Flood Plain Administrator: remarked that the flood zone note is incorrect, standard Flood Zone A note, TBM and BFE will be required on the final plat.

Trails: has no objection.

Land Management: has no objection.

Agency and Utility Review:

ACS: was sent a copy of the preliminary on Dec 19, 2011 and returned no comment.

ADOT: requests clarification for a note on the preliminary plat.

GCI: was sent a copy of the preliminary on Dec 19, 2011 and returned no comment.

GVEA: requests review of the final plat.

FNG: has no objections.

City of Fairbanks: has no objection to the vacation.

Replat Analysis: The replat consists of adding the vacated area of Wilbur Street into the lot. The 40' PUE within the road right-of-way will not be vacated. The purpose of acquiring the vacated area is to accommodate the additional off street parking for the building remodel that will require more spaces for staff and clients.

Vacation Analysis: The 1980 plat of ASLS 80-64 created the 12 tracts within Section 16 and dedicated right-of-way for Eagan Ave, 19th Ave, Davis Rd, 30th Ave, Peger Rd, Lathrop St, including the present alignment of Wilbur St. The Mitchell Expressway is a controlled access right-of-way, which means that Wilbur Street cannot be constructed to intersect with the expressway. When DOT planned for the Mitchell Expressway, they did not include any intersection at Wilbur Street because it was not built from Davis Rd to 30th Ave. There were adequate access points available onto the Mitchell Expressway a mile apart at Peger Rd and at Lathrop St. Wilbur Street was vacated north of the Mitchell Expressway to Davis Rd for South Davis Park because a connection was not practical

Vacation Recommendation: Staff recommends approval of the vacation of Wilbur Street because it meets the criteria of 17.40.030.E.1, *the area is no longer practical for the uses or purposes authorized.*

Vacation Findings: Staff recommends adopting the following findings for vacation approval:

- a) The Mitchell Expressway was built after the dedication of Wilbur Street, thereby negating Wilbur's purpose as a collector.
- b) The Mitchell Expressway is a controlled access highway which prohibits any additional access.
- c) Wilbur Street is not constructed between Davis Rd and 30th Ave.
- d) Wilbur Street was vacated by similar conditions in South Davis Park in 2003 by VA 006-12.
- e) The adjoining property owners are the City of Fairbanks and the FNSB, both of which have no objection to vacating the area of Wilbur Street.
- f) Adjoining land also has adequate frontage onto 30th Ave, which is paved and maintained.
- g) There will be a 50' width remaining for Wilbur Street after the vacation that will be adequate for future access needs to adjoining properties.
- h) Vacating the 50' portion of Wilbur Street will not adversely affect alignment with North Van Horn Rd south of the intersection at 30th Ave.
- i) Peger Road and Lathrop Street provide adequate access onto the Mitchell Expressway without the need for using Wilbur Street.

Recommendation: Staff recommends preliminary approval of the replat and vacation, with the following conditions:

1. Standard Flood Zone A note, base flood elevation, and temporary bench mark be shown on the final plat.
2. ADOT review and comment on the final plat.
3. Standard utility notes be placed on the final plat, and GVEA, ACS and GCI review and comment on final plat utility easement provisions.
4. FNSB Zoning permit be submitted to verify the building addition will conform to zoning standards.
5. City of Fairbanks review and comment on the final plat.
6. Lot be designated as 1-A on the final plat.

Finding of fact: In addition to the findings for the vacation approval, staff further recommends adoption of the following finding:

- a) This replat meets the applicable requirements of Title 17.

Recommended Motion:

I move to approve the replat and vacation of a portion of Wilbur Street with the six conditions and one finding of fact, as recommended by staff.

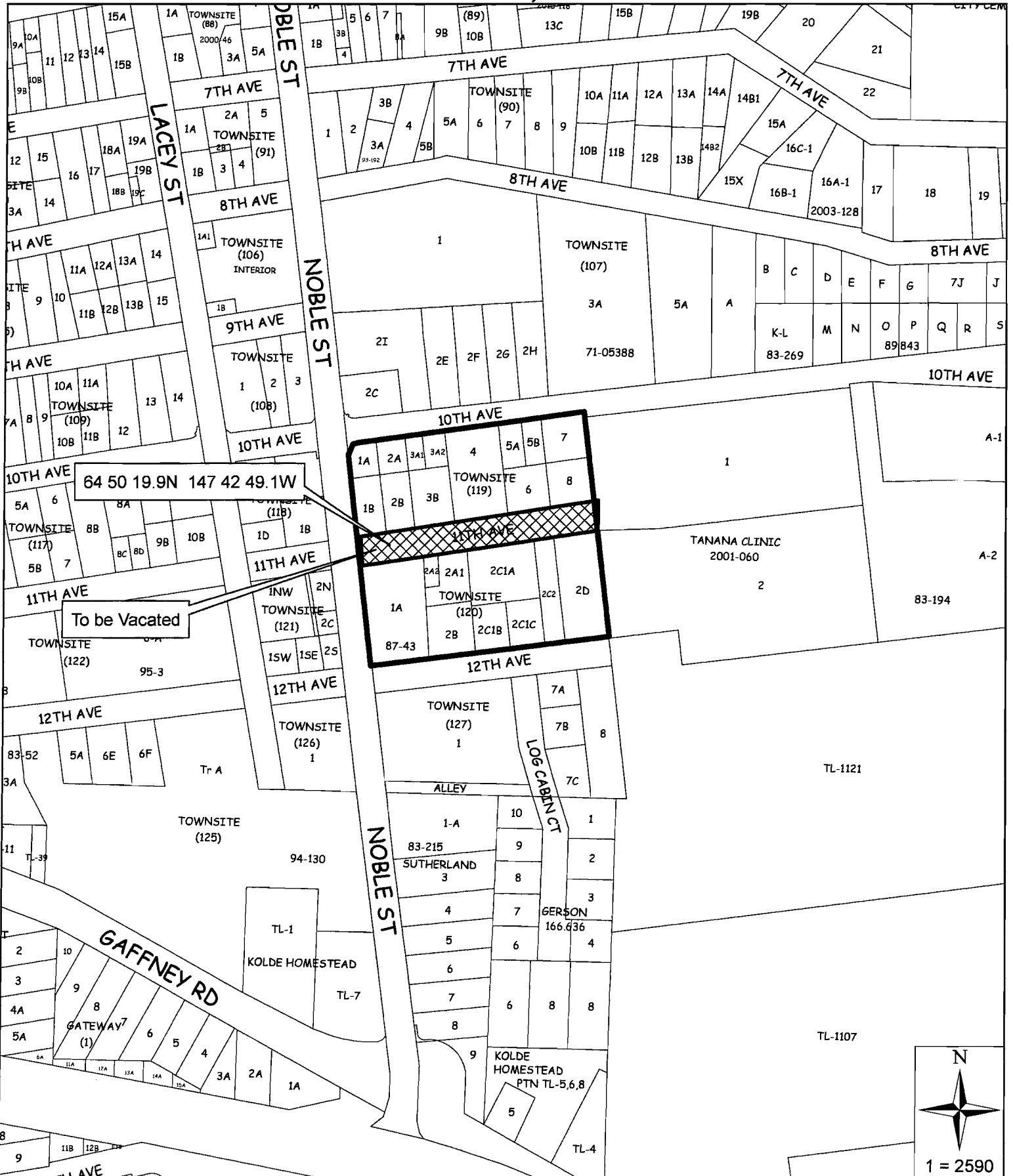
/b1

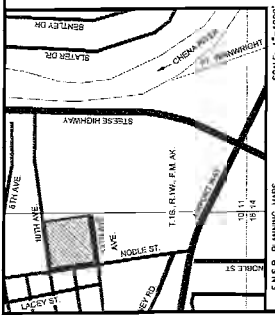
6 DPOs sent	6 Parcels notified	Opposed:	Favor:	Undeliverable:
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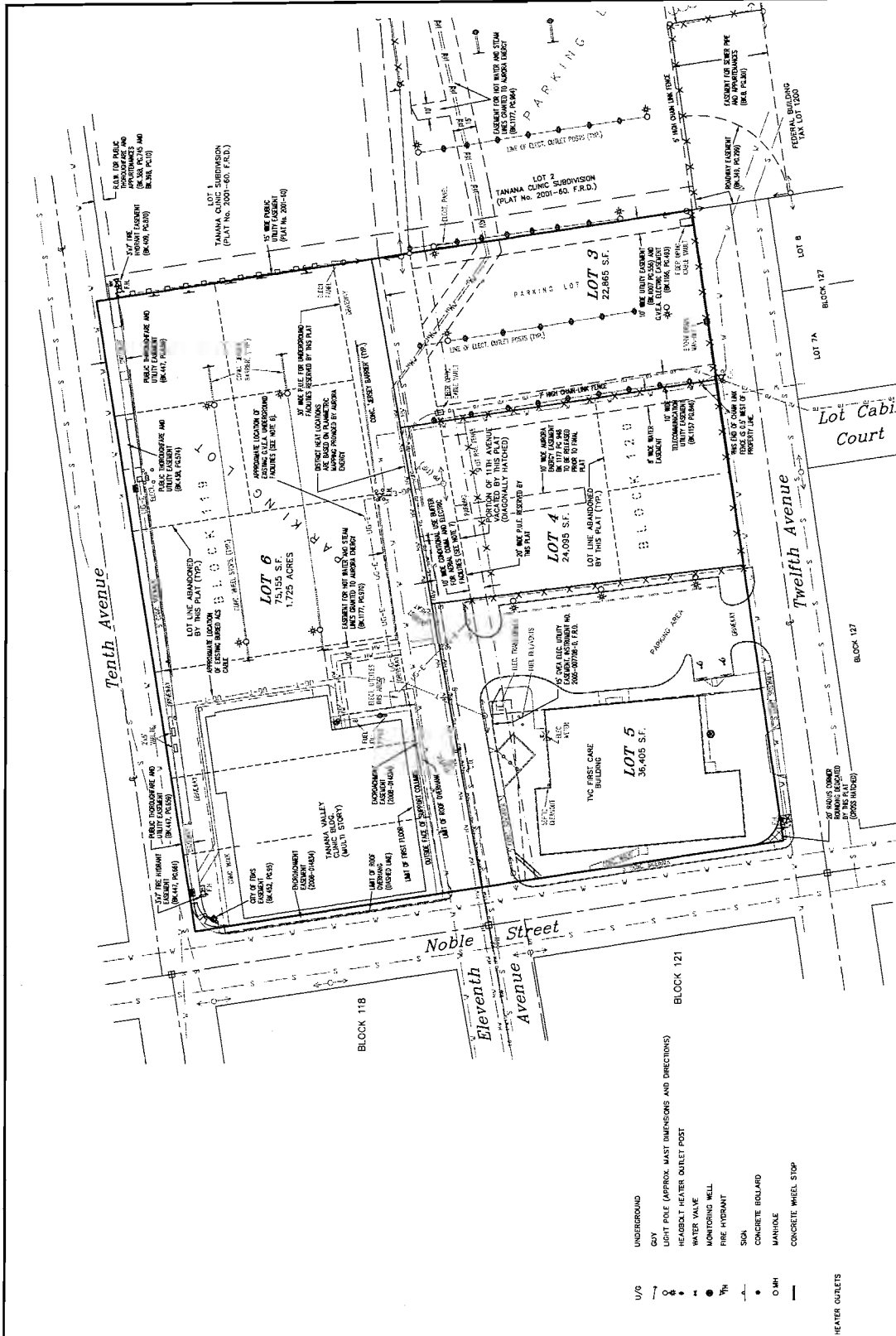
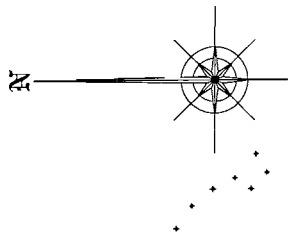
Platting Board

Tanana Clinic 1st Addition, SD 039-11 & RP 035-11 & VA 006-11

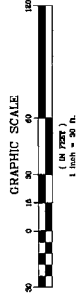




VICINITY MAP



TOTAL AREA = 3.54 ACRES



LEGEND

---	UNDERGROUND ELECTRIC	U/G	---	UNDERGROUND
---	UNDERGROUND TELEPHONE	UT	○	GUY
---	BURIED SENECA LINE	S	○	HEADBOLT HEATER OUTLET POST
---	BURIED WATER LINE	W	○	WATER VALVE
---	BURIED HOT WATER LINE	HW	○	MONITORING WELL
---	UTILITY POLE	U	○	FIRE HYDRANT
---	FIRE HYDRANT	YH	○	SKIN
---	FENCE	F	○	CONCRETE BOLLARD
---	FENCE GATE	FG	○	MANHOLE
---	WOODEN BULLRUSH WITH HEADBOLT HEATER OUTLETS	WB	○	CONCRETE WHEEL STOP
---	FIBER OPTIC CABLE	FO	○	

NOTES

- This property lies within Flood Zone "X" per Federal Emergency Mapping Agency Flood Insurance Rate Map No. 075009 0185G dated January 2, 1992.
- This one is not covered by USDA soils mapping.
- The purpose of this plat is to locate a portion of 11th Avenue and replot existing lots into larger parcels.
- This property is served by Golden West Utilities street and water.
- Buried utility locations shown herein are a compilation of field locations and utility company mapping. Buried facilities will be field located as necessary prior to final plat approval.
- A 10' wide easement for buried electric facilities will be reserved centered on the as-built location of buried G.V.E.A. facilities.
- The 10' conditional use buffer is hereby established to provide an easement around an existing overhead utility line. The utility company shall have the right to clear vegetation within the buffer as necessary. The owner reserves the right to utilize the buffer as desired, including the presence of structures and other improvements, provided that use meets minimum applicable electric safety standards.

STUTZMANN ENGINEERING ASSOCIATES, INC.
 P.O. BOX 71490, FAIRBANKS, ALASKA 99707-1490
 OFFICE AT 8 AMBER AVENUE, DEPT. 0000000000
TANANA VALLEY CLINIC SUBDIVISION
1ST ADDITION
 THE REPLAT OF BLOCKS 118 AND 120 FAIRBANKS TOWNSHIP
 AND THE MAGNION OF A PORTION OF 17TH AVENUE
 WITHIN THE SETBACK SECTION 10, T.15S., R.1W., F.4M. AC.
 FOR THE GREATER FAIRBANKS COMMUNITY HOSPITAL FOUNDATION
 SUBMITTED BY: S.E.C.
 DRAWN BY: S.E.C.
 DATE: JAN. 2012
 CHECKED BY: J.J.S.
 SCALE: 1"=30'
 SHEET 1 OF 1

SD

Exhibit A

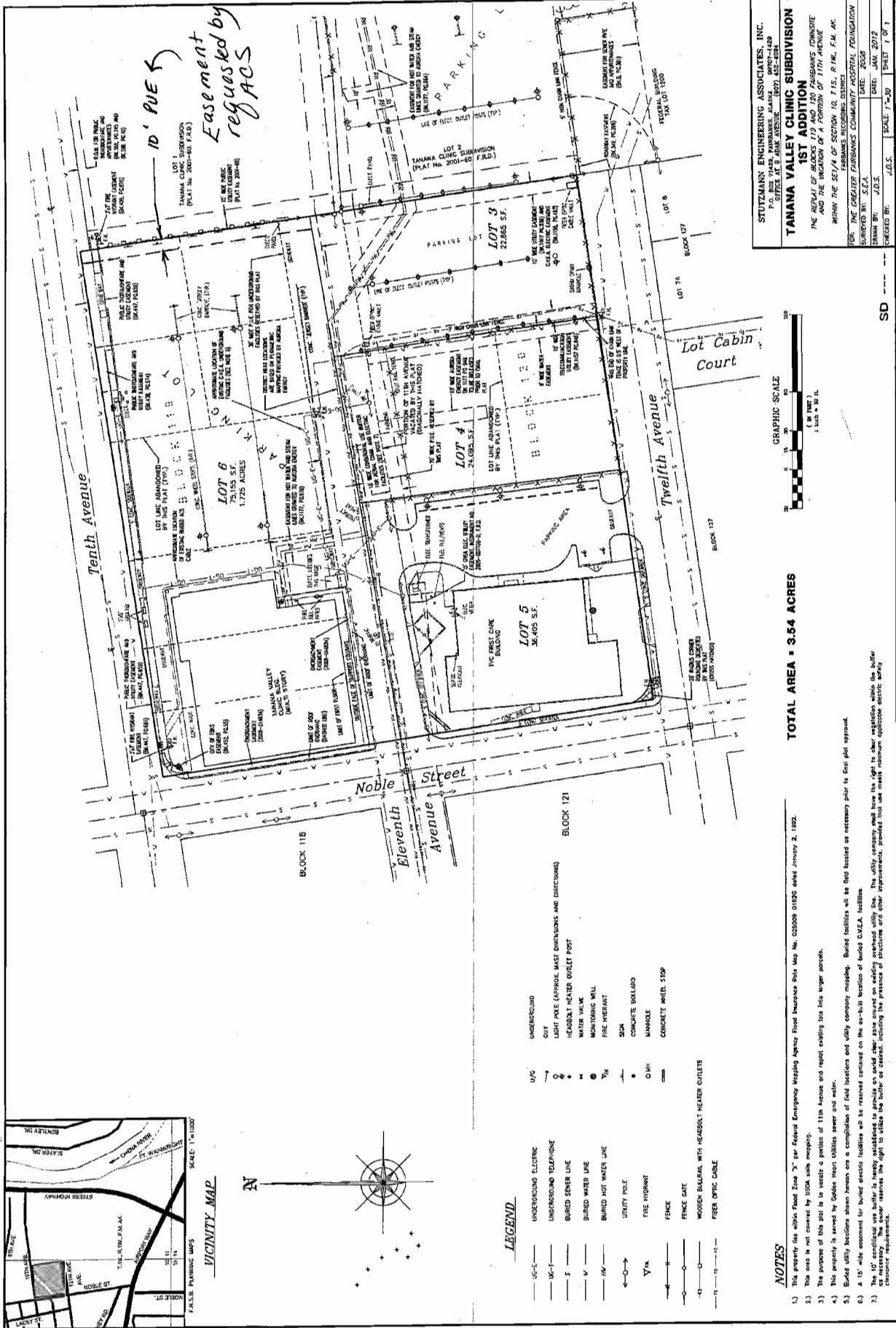
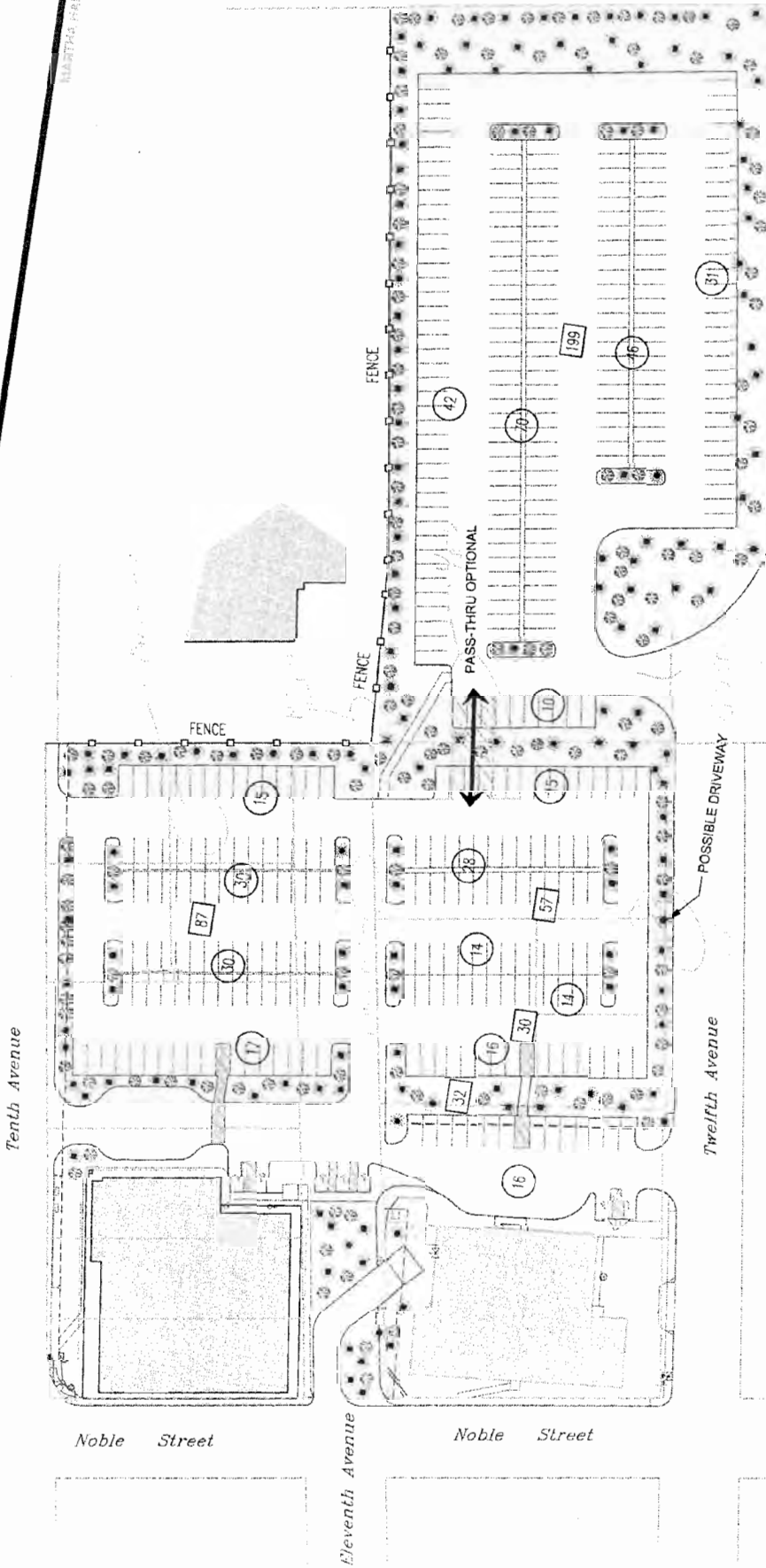


Exhibit A



PARKING LAYOUT

SCALE 1/8" = 1'-0"

CONCEPTUAL ONLY

PRELIMINARY

TVC Parking Revision
(Conceptual)

Prepared 1-27-12 by	STAFF REPORT FNSB PLATTING BOARD	February 15, 2012
Loriann C. Quakenbush Platting Officer	TANANA CLINIC 1st Addn #SD 039-11 / RP 035-11 / VA 006-11	

Applicant/Owner/ Subdivider:	Greater Fairbanks Community Hospital Foundation 1650 Cowles St, Floor 5 Fairbanks AK 99701
Surveyor:	Stutzmann Engineering Assoc., Inc PO Box 71429 Fairbanks AK 99707
Specific Request/ Legal Description:	To vacate the portion of 11 th Ave east of Noble St and to replat Lots 1-8, Blk 119; Lot 1-A, Blk 120; portions of Lots 1 and 2, Blk 120; Lots 2-C-1-A, 2-C-1-B, and 2-C-1-C, Blk 120, Fairbanks Townsite, into four lots ranging in size from 22,865 sf to 1.725 ac within the SE¼, Sec 10, T1S R1W, FM AK
Location/Access:	Noble St, Tenth Ave, Eleventh Ave
Existing Land Use:	Proposed lots 3 and 4: vacant Proposed Lot 5: First Care Clinic building Proposed Lot 6: TVC building
Current Zoning:	CBD - Central Business District Minimum Lot Size: No minimum Minimum Setback: 0 ft
Comprehensive Plan:	Medium Density Residential, Urban Preferred, Commercial Area, Office
Soils:	This area not covered by the USDA soils mapping
Flood Zone:	X
Road Service Area:	City of Fairbanks

History: Blocks 119 and 120 were created by the survey known as the L.S. Robe Map of 1909, reproduced by Karl Theile, U.S. Surveyor-General in 1922. This survey platted Block 119 into four lots and Block 120 into two lots.

The lots within these blocks have been reconfigured over the years through a combination of formal replats and deeds of record. The plats of record associated with Blocks 119 and 120 are as follows:

- Oct. 29, 1959 Plat # 87.402 replatted Block 119 into Lots 1 through 8.
- May 3, 1965 Plat # 65-2921 replatted reconfigured Lots 1 and 2, Block 120.
- June 9, 1965 Plat # 65-3992 replatted Lot 2-C-1, Block 120 into three lots.
- June 19, 1987 Plat # 87-43 replatted portions of Lot 1, Block 120 back into one lot.

Specific Request: This request is to vacate 11th Avenue between Blocks 119 and 120, east of Noble Street, and to reconfigure 22 lots into four lots ranging in size from 22,865 sq. ft. to 1.725 acres.

The Greater Fairbanks Community Hospital Foundation owns all the lots within Blocks 119 and 120. This property is developed with the Tanana Valley Clinic, the Tanana Valley Clinic First Care building and associated parking lots.

Access: Tenth and Twelfth Avenues and Noble Street will provide access to the four proposed lots. These streets are maintained by the City of Fairbanks.

Variance: Not applicable.

Soils Report: A soils report is not required as these lots are served by community sewer and water.

Flood Zone/Wetlands: This property is not within Flood Zone A nor does it appear to be in wetlands.

FNSB In-house Review:

Transportation Planner: Comments are not available as this position remains vacant.

Street Addressing: Commented that Log Cabin Court is misspelled on the preliminary plat. Further commented that there are no addressing issues with this plat.

Public Works Engineering / Rural Services / Service Area: This property is within the City of Fairbanks; therefore, FNSB Public Works defers to the City.

Advanced Planning/Zoning: No objection.

Flood Plain Administrator: No comment/objection.

Trails: No objection.

Land Management: No comment/objection.

Agency and Utility Review:

ACS: ACS has requested an easement be reserved, 10' wide, adjacent to the easterly lot line of proposed Lot 6.

The hospital foundation is objecting to providing the 10' PUE. along the east boundary of proposed Lot 6 as there are no existing facilities in this area. The telephone facilities are currently located along the east boundary of proposed Lot 3.

ACS has commented that the easement is needed because the facilities along the east boundary of Lot 3 may need to be extended or relocated in the future. The applicant commented that ACS can pursue acquisition of additional easement in the future, if necessary. The applicant further contends that this is commercial property and very valuable. The property owner should not be expected to provide utility easements on property that has already been platted.

Title 17.60.080.A stipulates that: "The platting board shall require reservation of utility easements along lot lines or rights-of-way within a subdivision when a utility company demonstrates a specific need for them."

The title does not take into consideration the value of the land. Furthermore, the demonstrated need is not restricted to an immediate need per the title language. The platting board routinely requires utility easements on subdivisions plats and replats for future use by utility companies.

ADOT: ADOT reviewed the preliminary plat and had no comment.

GHU: Requested easements be provided for existing water and sewer main lines located in the 11th Avenue right-of-way. GHU also requested review of the final plat.

Aurora Energy: Requested a 20' utility easement be provided centered on hot water district heat mains located within the 11th Avenue right-of-way.

GCI: GCI was provided a copy of the preliminary plat on March 18, 2011. GCI has not provided comments, to date.

GVEA: Requested easements to cover existing facilities, standard utility notes on the final plat, and review of the final plat.

City of Fairbanks: Requested public utility easement be reserved to cover storm drain catch basins and street lights located within the proposed 11th Avenue vacation. Further requested a 20' radius corner rounding be reserved at the 12th Avenue corner with Noble Street.

Mike Schmetzer, City Engineer, commented during a phone conversation on April 13, 2011 that a reconstruction of Noble Street is planned for 2014 to include a traffic signal at 12th Avenue and Noble Street. He further commented that the vacation would not adversely impact traffic circulation or inhibit access to the parcels in the area.

Fairbanks Fire Department: Commented that the fire hydrant in the 11th Avenue right-of-way will need to be relocated when the hospital foundation redesigns the parking area.

Vacation Analysis: The Greater Fairbanks Community Hospital Foundation is requesting the vacation of 11th Avenue in order to incorporate the vacated street into a parking and pedestrian area that provides for safer patient access. The hospital foundation believes that the vacation is beneficial not only to the large percentage of the Fairbanks population that uses these facilities, but also the city and borough. The city will receive fair market value for the vacated right-of-way and will no longer be responsible for the maintenance of a street that's functioning as a common driveway for the TVC and First Care facilities. The borough will benefit from additional tax revenue once the property is in private ownership.

Title 17.40.030.E.1 states that it shall be incumbent upon the applicant to demonstrate that the area proposed to be vacated is no longer practical for the uses and purposes authorized, or that other provisions have been made that are more beneficial to the public.

The portion of 11th Avenue lying east of Noble Street currently functions as a driveway for TVC and First Care. The hospital foundation owns all the lots north and south of the street. There is a large amount of pedestrian traffic between the two facilities as well as several parking areas. For these reasons, it is no longer practical or safe for 11th Avenue to function as a public street.

The only other parcel with access to 11th Avenue is the Dixon Apartments on Lot 1, Tanana Clinic Subd. to the east. The primary access for the Dixon Apartments is 10th Avenue. The owners of the Dixon Apartments have provided a letter of non-objection to the vacation.

The Fairbanks Fire Department reviewed the proposed vacation and did not raise any objections. The City of Fairbanks also reviewed and commented on the proposed vacation without objection. The Fairbanks City Council will have 30 days to veto if the vacation is approved by the Platting Board.

Vacation Recommendation and Findings: Staff recommends approval of the vacation of that portion of 11th Avenue lying east of Noble Street. This vacation meets the requirements of Title 17.40.030.E.1 as this street is no longer practical for the purposes authorized, as supported by the following findings:

1. All existing and proposed lots adjacent to this segment of 11th Avenue have access to other public streets.
2. This segment of 11th Avenue is currently being used as a common driveway for the two medical clinic buildings and is not providing primary access to any other parcels.
3. The only other lot with access to 11th Avenue is Lot 1, Tanana Clinic Subdivision. The apartment buildings on this lot use 10th Avenue for access. The owner has provided a letter of non-objection to the vacation.
4. Vacation of the street will allow for the redesign of parking areas and pedestrian access to the clinic buildings, which will improve public safety.

5. The Fairbanks Fire Department and City of Fairbanks have no objection to the vacation.

Recommendation: Staff recommends preliminary approval of the replat with the following conditions:

1. Easements be reserved on the final plat within the vacated 11th Avenue right-of-way to cover all existing utilities, the storm drain catch basins and the street lights.
2. Standard utility notes be placed on the final plat and GVEA review and comment on the final plat.
3. GHU and Aurora Energy review and comment on the final plat.
4. GCI be given ten days to review and comment on the final plat utility easement provisions.
5. Twenty foot radius corner rounding be reserved at the corner of 12th Avenue and Noble Street and the City of Fairbanks review and comment on the final plat.
6. A ten foot wide public utility easement be reserved along the east boundary of proposed Lot 6 and ACS review and comment on the final plat utility easement provisions.

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

- a) ACS provides telephone utilities to this area.
- b) ACS has existing telephone facilities along the east boundary of proposed Lot 3.
- c) These facilities may need to be relocated or extended north along the east boundary of proposed Lot 6, according to ACS.
- d) Title 17.60.080.A provides that: "The platting board shall require reservation of utility easements along lot lines or rights-of-way within a subdivision when a utility company demonstrates a specific need for them."
- e) With the conditions recommended by staff, this subdivision meets the applicable requirements of Title 17.

Recommended Motions:

(Vacation) I move to approve the vacation of 11th Avenue lying east of Noble Street with the five findings of fact, as recommended by staff.

(Replat) I move to approve the preliminary plat of Tanana Clinic, 1st Addition with the six conditions and five findings of fact, as recommended by staff.

LQ/b2

13 DPOs sent	50 Parcels notified	Opposed:	Favor:	Undeliverable:
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FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2012 - 10

AN ORDINANCE AMENDING TITLE 17 AND 14 TO PARTIALLY EXEMPT
SUBDIVISIONS AMONG IMMEDIATE FAMILY MEMBERS AND LOTS GOVERNED
BY HOMEOWNER ASSOCIATIONS OR SIMILAR ENTITIES FROM MINIMUM ROAD
MATERIALS AND CONSTRUCTIONS STANDARDS WHILE LIMITING THE LOTS'
ELIGIBILITY FOR INCLUSION IN ROAD SERVICE AREAS

WHEREAS, it is in the best interest of the residents of the Fairbanks North
Star Borough to protect, to the fullest extent possible the property rights of all property
owners of the Borough; and

WHEREAS, some property owners who have homesteaded or purchased
large parcels of land find that they are unable to subdivide and pass their land on to
their immediate family members due to the prohibitive costs of constructing Title 17
roads prior to obtaining a Borough plat; and

WHEREAS, waivers and exemptions to Title 17 road standards need to be
appropriately balanced between enabling development and transfers of property
between family members and the ability to ensure that future subdivision and property
sales are not foreclosed because the parcels cannot meet Title 17 standards.

NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
North Star Borough:

Section 1. This ordinance is of a general and permanent nature and shall
be codified.

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED AND CAPITALIZED]

34

35

Section 2. Section 17.20.010 Definitions of the Fairbanks North Star
Borough Code is hereby amended to add the following definition:

37

38

"Immediate Family Member" means a spouse, son, son-in-law, daughter,
daughter-in-law or grandchild

40

41

Section 3. Section 17.60.110 **General road requirements** of the
Fairbanks North Star Borough Code is hereby amended as follows:

43

44

A. This chapter sets forth the minimum standards for design, materials, and
construction of the required improvements for subdivisions approved under this title,
located outside the city of Fairbanks and the city of North Pole. Minimum standards for
subdivisions developed within the city of Fairbanks or North Pole shall be determined by
the appropriate municipal authority.

49

B. Minimum standards for road materials and construction shall not apply to
any subdivision created by a transfer of property among or between immediate family
members or a subdivision in which all of the lots are governed by a homeowner
association or other legal entity comprised of all of the subdivision's property owners
and which accepts full financial and legal responsibility for construction and
maintenance of the roads in the subdivision.

55

1. A subdivision which is approved pursuant to this subsection shall
not be eligible for inclusion into a road service area until a registered professional
certifies that the roads sought to be included meet the minimum design, materials and
construction standards of this title in effect when the subdivision was preliminarily
approved.

60

2. Any subdivision approved pursuant to this subsection shall contain
a plat note that contains essentially the following:

61

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED AND CAPITALIZED]

62 Roads in this subdivision were not required to and may not meet the
63 borough's minimum standards for materials and construction. To the extent these road
64 standards have not been met, fire protection, ambulance and other public services may
65 not be available year-around or their availability may be severely limited.

66 3. The applicant shall provide to the platting authority sufficient
67 information to demonstrate that the subdivision roads have been designed so as to
68 allow future construction meeting the standards of this title in effect at the time of the
69 preliminary approval.

70 4. Any parcel created under the immediate family exemption shall not
71 be further divided or transferred, except to an immediate family member, without first
72 complying with this title.

73 5. The immediate family exemption shall apply only to transfers of
74 land for the purpose of providing for housing or other non-commercial needs of the
75 grantee and shall not apply if a member of the landowner's immediate family receives or
76 will receive more than one exempted parcel.

77 D. The platting board may require higher minimum standards within
78 Fairbanks North Star Borough road service areas provided the higher standard is
79 commensurate with that of the majority of roads constructed within the service area in
80 which the subdivision is being developed.

81 [A] E. If the standards as contained herein are impractical because of terrain,
82 soil characteristics, or drainage, the borough engineering division may recommend to
83 the platting board alternate designs when substantiated by a design analysis prepared,
84 signed and sealed by the applicant's registered professional. Any alternate geometric
85 design shall be in accordance with sound engineering principles and meet AASHTO/ITE
86 guidelines or applicable federal, state or local standards.

87 [B] E. Any soils report or certification documents of public improvements
88 submitted by the applicant shall be certified by a registered professional.

89 [C] G. The owner guarantees that the required improvements will remain within
90 the specifications of this title for a period of one year after approval by the borough

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED AND CAPITALIZED]

91 engineer or, if applicable, the city engineer, and agrees to make all repairs necessary to
92 meet those requirements during that one-year period. This guarantee shall be
93 enforceable by municipal action or by private action by any lot owner within the
94 subdivision.

95

96 Section 4. FNSB 17.60.010 E. is hereby amended as follows:

97

98 If a road proposed for access to the subdivision is maintained by a road service
99 area, consent to the exercise of road construction and maintenance powers signed by
100 all owners of the real property to be subdivided shall be submitted with the preliminary
101 plat if the subdivision is eligible for inclusion into a road service area.

102

103 Section 5. FNSB 14.01.031 is hereby amended as follows:

104

105 The petition shall be reviewed for number and validity of signatures. If the
106 petition contains a sufficient number of valid signatures and all of the real property is
107 eligible for inclusion into a road service area, it will be accepted. If the petition does not
108 contain a sufficient number of valid signatures, it will be returned to the sponsors who
109 may obtain additional valid signatures or abandon the effort.

110

111 Section 6. Effective Date. This ordinance shall be effective at 5:00 p.m.
112 of the first Borough business day following its adoption.

113

114

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be *deleted* is [BRACKETED AND CAPITALIZED]

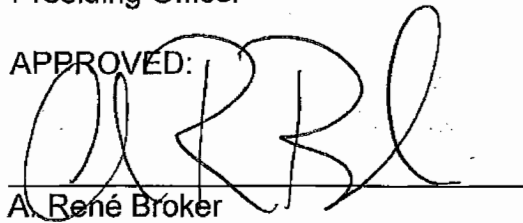
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PASSED AND APPROVED THIS _____ DAY OF _____, 2012.

Diane Hutchison
Presiding Officer

ATTEST:

APPROVED:



A. René Broker
Borough Attorney

Mona Lisa Drexler, MMC
Borough Municipal Clerk

CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be *added* is underlined
Text to be *deleted* is [BRACKETED AND CAPITALIZED]