

## FNSB PLATTING BOARD

# MINUTES

**March 22, 2006**

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 by Ron McIntosh, Chairman.

PRESENT:            Oliver Backlund  
                         Margery Kniffen  
                         Ronald McIntosh, Chairman  
                         Janet Matheson, Vice Chair (arr 3:30)  
                         Bill Mendenhall  
                         Lee O'Hare  
                         John Reeves

ALSO PRESENT:    Loriann Quakenbush, Platting Officer  
                         Martin Gutoski, Platting Officer  
                         Bernardo Hernandez, Director, Community Planning  
                         Randy Johnson, FNSB Public Works  
                         Renee Broker, FNSB Borough Attorney  
                         Jill Dolan, FNSB Asst Borough Attorney  
                         Karin Wolfe, Recording Clerk

The minutes of the February 22, 2006 Platting Board meeting and the agenda for this meeting were approved.

### COMMUNICATIONS TO THE BOARD

**Gutoski** advised the Board that Mendone Subd had been appealed and would be heard by the Planning Commission on April 4, 2006.

### APPLICATIONS

#### Preliminary Applications

1.    **SD 008-99 / VA 006-99 / RP 008-99 Sun Island Estates (extension)** - A request by Fritz Kuykendall for a two-year extension of the preliminary approval to subdivide Gov't Lots 45 and 51 and the island portion of Renee Subdivision, a total of 4.4 acres, into 12 lots varying in size from 10,000 sq. ft. to 19, 100 sq. ft; to vacate the 33' road and utility easement along the north and west boundary of Gov't Lot 45 and along the west boundary of Gov't Lot 51; and to vacate 33' of road and utility easement along the east side of Renee Subdivision island, all within the S½, Sec. 7, T1S, R1W, F.M. (accessed by Fairbanks Street). Preliminary approval given July 28, 2004.

**Quakenbush** gave the staff report; staff recommended preliminary approval of the two-year extension with the final plat of Phase I due no later than June 28, 2008 and the final plat of Phase II due no later than June 28, 2010.

A roll call vote was taken on the motion to approve a two-year extension as recommended by staff. Approval was unanimous.

#### TWO-YEAR EXTENSION APPROVED

2. **SD 026-05 / RP 007-06 Ford Subdivision Phasing (modification)** – A request by 3 Tier Alaska for Liberty Homes, Inc. to modify preliminary approval granted on January 26, 2005 by the FNSB Platting Board to subdivide two parcels totaling 75.5 acres (TL 924 and 923) into 63 lots ranging in size from 20,000 sf to 55,615 sf and two tracts of 3 acres each within the S½ SW¼, Sec 9, T2S R2E, FM AK. (located on Fifth Ave, Homestead Dr, Sixth Ave, and North Pole HS Blvd).

**Gutoski** gave the staff report; staff recommended approval of a variance from 17.60.060.F. to allow access for Tract E onto two major collectors.

Findings of fact for the variance: The managing authority for the maintenance on North Pole High School Blvd and Homestead Dr does not object to the access variance. The access variance will be for a tract to build a new public library in the area. Homestead Dr and North Pole High School Blvd are proposed to be constructed later for access to the new library tract. Allowing access onto the two major collectors will reduce the impact of a new library facility on the existing residential neighborhood. Granting the variance conforms with 17.70.010.A. because the tract can be developed consistent with public welfare and safety by eliminating a conflict with existing roads in the subdivision. If the tract is required to have access only onto Seventh Ave and Rosson's Cross Way, it will result in a substantial hardship to the residents of that area by putting all the traffic for the library through their subdivision rather than onto the two major collectors outside the subdivision.

Staff also recommended preliminary approval of the modification request, with seven conditions: City of North Pole review and comment on final plat drainage provisions, street names, utility easements, water service, and road alignments. Roads be built to City of North Pole standards. Homestead Drive be dedicated 40' wide per the FNSB Comprehensive Road Plan. GVEA and ACS review and comment on final plat utility easement provisions. Each phase be granted two years for completion, with the final plat for the last phase to be submitted for approval by Jan 26, 2009. Note be added to the final plat prohibiting direct lot access except for Tract E to Homestead Dr and North Pole High School Blvd. Approved variance for Tract E to access onto Homestead Dr and North Pole High School Blvd be noted on the final plat.

**Mendenhall** asked if there is additional easement along the west side of Homestead Dr.

**Gutoski** replied that there is no additional easement along the west side of the section line. His recommendation is predicated on the half-dedication provision in the ordinance. When those large tracts are developed, the additional 40' needed for a corridor road will be required. If DOT acquires Homestead Dr, they may have to obtain additional right-of-way for the project.

**Paul Costello**, Director, FNSB Land Management, has been working for the past 1½ years with the staff of the North Pole library, the City of North Pole, and the staff of the Public Works Dept to find a suitable site for a new library in North Pole as the present location doesn't allow any expansion of the library building. They believe this will be a good site. They are looking at six-to-eight years before actually building. Planning will be a public process, just as it is for a school.

A roll call vote was taken on the motion to approve a variance from 17.60.060.F. to allow access from Tract E onto two major collectors. Findings of fact for approval are as follows: The managing authority for the maintenance on North Pole High School Blvd and Homestead Dr does not object to the access variance. The access variance will be for a tract to build a new public library in the area. Homestead Dr and North Pole High School Blvd are proposed to be constructed later for access to the new library tract. Allowing access onto the two major collectors will reduce the impact of a new library facility on the existing residential neighborhood. Granting the variance conforms with 17.70.010.A. because the tract can be developed consistent with public welfare and safety by eliminating a conflict with existing roads in the subdivision. If the tract is required to have access only onto Seventh Ave and Rosson's Cross Way, it will result in a substantial hardship to the residents of that area by putting all the traffic for the library through their subdivision rather than onto the two major collectors outside the subdivision. Approval was unanimous.

#### VARIANCE APPROVED

A roll call vote was taken on the motion to approve the phasing modification, subject to the seven conditions recommended. Approval was unanimous.

#### APPROVED

- 3. SD 050-06 Heritage Estates** – A request by Darrell Russell dba Denali Builders, Inc on behalf of themselves, Gavora, Inc and Aspen, Inc to subdivide a 3.5-acre parcel (TL 1200) and a 5.0-acre parcel (TL 1220) into 38 lots ranging in size from 7,000 sq ft to 12,000 sq ft within the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Sec 12, T1S R2W, FM AK (located on Chena Pump Rd, Palo Verde Ave, Vassar Cir, and Clarkson Dr).

**Gutoski** gave the staff report; staff recommended approval of two variances: 17.60.150.A.2. Road geometrics and profiles to allow 40' radius curve for three angle points for Heritage Loop, and 17.60.130.B. Right-of-way Trafficway width to allow the 40' width for Heritage Loop right-of-way.

Staff recommends approval of both variances collectively for the modified road design of Heritage Loop because it meets the criteria specified in 17.70.010.A. Staff recommended adopting the following findings for approval of the alternate design: The borough engineering division supports the alternative design for the variances. The College Rd Service Area supports the alternate design. Traffic control signs will be installed to limit speeds. The road will be built 4' wider than required by both the previous and present Title 17. The road will be paved asphalt 24' wide and provided with concrete curb and gutter. The 40 road right-of-way will be provided with an additional 10' easement for snow storage. The unique drainage within the property will be incorporated by the modified design. The unusual shape of the parcels being subdivided is such that standard curves and right of way for a minor collector will not fit within the property. The right-of-way for the roads in adjoining property has been developed such that a connection with them cannot be accomplished without substantial hardship. No public health and safety concerns will be presented by this alternate design for the variances.

Staff recommended preliminary approval of the subdivision with nine conditions: Appropriate traffic control signs and drainage provisions be approved by FNSB Public Works Engineering. Lots 1 and 5, Block A, access be shared for a common driveway onto Heritage Loop. Lots 24

and 25, Block A, access be shared for a common driveway onto Heritage Loop. GVEA, CUC, and ACS review and comment on final plat utility easement provisions. University West Street Light Service Area review and comment on final plat. A note be placed on the final plat stating that no direct lot access will be allowed onto Chena Pump Rd or Palo Verde Ave. Lots 15, 16 and 17, Block A access be restricted to Heritage Loop only. Pedestrian paths be built for access to the school site. Non-duplicate street name be chosen for Heritage Loop.

Staff further recommended adoption of the following finding: As conditioned and with the alternate road design, this subdivision meets the applicable standards and purposes of Title 17.

**McIntosh** asked who would enforce the signage limiting parking to certain times and seasons.

**Gutoski** believes the service areas have enforcement right.

**Randy Johnson**, FNSB Public Works Deputy Director, confirmed that and added that Title 12 covers encroachments and gives enforcement within service areas. Public Works has a process whereby they can remove vehicles within 24 hrs if they are considered a safety issue, and within 30 days if they are not a safety issue. Snow removal would require immediate response.

**Mendenhall** asked if it is legal for two roadways to intersect at a right angle in the absence of a curve radius that meets Title, e.g.; Clarkson Dr and Vassar Circle.

**Gutoski** had discussed that at length with staff. Their conclusion is that if the deflection angle of a street centerline exceeds 10°, it requires a curve. It cannot be considered to be an intersection. If the other road goes through, it can be considered an intersection. T intersections are legal, but L intersections are not.

**McIntosh** thought the variances appear to bridge between the old and new Title 17 requirements.

A roll call vote was taken on the motion to approve variances from 17.60.150.A.2. Road geometrics and profiles to allow 40' radius curve for three angle points for Heritage Loop, and 17.60.130.B. Right-of-way Trafficway width to allow the 40' width for Heritage Loop right-of-way. Approval was unanimous.

#### VARIANCES APPROVED

A roll call vote was taken on the motion to approve the subdivision with the findings of fact recommended by staff for both the subdivision and variances, including the nine conditions. Approval was unanimous.

#### SUBDIVISION APPROVED

- 4. HY 001-66 / RP 070-07** – A request by ADOT&PF to subdivide six parcels totaling 16.27 acres by acquiring a total of 0.91 acres for right-of-way for the Badger Interchange Ramp and Intersection Improvements within Sec 9, T2S R2E, FM AK (located between intersections of St Nicholas Dr, Santa Claus Lane, and Richardson Hwy at Badger Rd overpass).

**Gutoski** gave the staff report; staff recommended preliminary approval of the highway project, with one condition: Appropriate final plat be submitted for the affected parcels in the right-of-way acquisition as part of the highway project completion

Staff further recommends adoption of the following finding: Traffic safety and circulation is the primary purpose of this replat and meets the applicable requirements and purposes of Title 17.10.10.

**Gutoski** read into the record a letter from Christina Yurkovich, who does not intend for DOT to take any property from her.

A roll call vote was taken on the motion to approve the application. Approval was unanimous.

APPROVED

5. **SD 055-06 / RP 068-06 Haggland Subdivision 2<sup>nd</sup> Addn** – A request by Phyllis Haggland to replat Tr A-1, Haggland Subd 1<sup>st</sup> Addn, into three parcels ranging in size from approximately 4.6 acres to 13.3 acres within the NW¼ SW¼ NE¼ and the SE¼ NW¼, Sec 6, T2S R2W, FM AK (located on Becker Ridge Rd).

**Quakenbush** gave the staff report; staff recommended preliminary approval of Haggland Subdivision, 2<sup>nd</sup> Addition (date-stamped March 10, 2006) with five conditions: ACS, GCI, and the Becker Road Service Area review and comment on the final plat. The shed located within the flag stem of Lot 5 be removed or relocated to meet the RE-4 setback requirements prior to final plat approval. Easements and notes requested by GVEA and ACS in their preliminary review letters be provided on the final plat. GVEA and ACS review and comment on final plat utility easement provisions. A note be placed on the final plat stating that no soils investigation was done in conjunction with this subdivision and that all onsite wastewater disposal systems must meet the regulatory requirements of ADEC. A common driveway easement be reserved within the flag stem, and a note be placed on the final plat stating that Lots 4 and 5 shall share one common driveway onto Becker Ridge Road.

Staff further recommended adoption of the following finding: This subdivision meets the applicable requirements of Title 17.

**Backlund** asked if the FAA has any jurisdiction over a small private airstrip.

**Quakenbush** replied that the Borough doesn't get any help with designing or regulating these private airstrips or roads that impact them.

**Frank Williams**, owner of TL 619 just south of this proposed replat, was in support of the replat, especially with the staff recommendations.

**Reeves** didn't understand why the shed would be required to be removed. Haggland is a good enough pilot that he is not going to hit the shed.

**Quakenbush** said he would have to move the shed to meet setback requirements from the new lot line.

**O'Hare** asked if it can be grandfathered.

**Quakenbush** said the shed cannot be grandfathered because this replat will create the zoning violation.

**Mike Potter** lives just southwest of the airstrip. He has no objection to the revised plan the Board is considering. He is a pilot and flies off that airstrip.

**Phyllis Haggland**, applicant, noted that the shed is the original homestead cabin, and they have been told that it cannot be moved because of the condition of the lower logs. They were hoping to keep it because it is a historical landmark. It dates back to the 1950s as does the airstrip. It would be nice to be able to maintain a little bit of the Fairbanks history.

**Reeves** asked if the applicant is willing to request a variance from the Planning Commission.

**Matheson** suggested adjusting the lot line between Lot 1 and Tract B so it misses the shed.

**Reeves** asked if the Platting Board can recognize the historic nature of the cabin.

**McIntosh** thought that could be put in the findings of fact.

**Hernandez** said the historic nature of the property can be considered by the Planning Commission if the applicant puts that in their application.

**McIntosh** added a finding of fact: The Platting Board encourages the Planning Commission to consider the historical nature of the structure.

**Kniffen** noted that further subdivision might indeed require removal of the shed so the full 60' of right-of-way could be used.

A roll call vote was taken on the motion to amend condition #2 to append the words *or a setback variance be obtained from the Planning Commission*. The motion passed with Backlund, Kniffen, O'Hare, Reeves, Matheson, and McIntosh voting to approve and Mendenhall voting to deny.

#### CONDITION #2 AMENDED

A roll call vote was taken on the motion to approve the subdivision/replat with five conditions as amended. Approval was unanimous.

#### SUBDIVISION / REPLAT APPROVED

Findings of fact: This subdivision meets the applicable requirements of Title 17. The Platting Board encourages the Planning Commission to consider the historical nature of the structure.

- 6. SD 006-06 / RP 007-06 Bentley Brothers, 4<sup>th</sup> Addition (modification)** – A request by Stutzmann Engineering Assoc., Inc. for J & J Development, LLC for a modification of the preliminary plat to request a variance in conjunction with the replat Lot 11C-4, Bentley Brothers Subdivision, 3<sup>rd</sup> Addition into seven lots ranging in size from approximately 40,000 square feet to 4.13 acres and one tract of approximately 21.4 acres within Sec. 2 and 3, T1S, R1W, F.M. (located on Merhar Ave off Hunter St and the Johansen Expw).

**Quakenbush** gave the staff report; staff recommended approval of a variance from Title 17.60.070.B.1 to allow common access easements to provide access to the lots in lieu of public road dedication.

Findings of fact: These access easements have a proven history of providing good access to mall-type commercial development. The roads constructed within the common access easements meet or exceed City standards; therefore, approval of the variance will not jeopardize health or safety. The owner has demonstrated a substantial hardship for the variance.

Staff also recommended preliminary approval of the modification of Bentley Brothers, 4<sup>th</sup> Addition (Revision #3 – date stamped March 2, 2006) with two conditions: ACS, GVEA, FNG, GHU, and the City of Fairbanks review and comment on the final plat. A note be placed on the final plat prohibiting direct lot access onto the Johansen Expressway or College Road.

In addition to the findings of fact listed for the variance, Staff further recommended adoption of the following finding: With the variance, this subdivision / replat meets the applicable requirements of Title 17.

**Kniffen** asked if there is any difference in the way the rights-of-way are treated or if not dedicating is simply some sort of dodge. Dedication is not continuous out to the public road.

**Quakenbush** replied that the City of Fairbanks had some discussion about how they would handle maintenance at the location where the public dedication stops. That will have to be worked out. The maintenance agreement has a provision for future dedication of these roads and what should happen.

**Jeff Whipple**, Stutzmann Engineering Assoc, explained that since J & J Development acquired Lot 11-C-4, the difference between the common access easement on Merhar Ave and on Helmericks Ave is that on Merhar Ave the easement is entirely within Lot 11-C-4. There is a maintenance agreement on this area, and as the area is developed, there is language for developing tracts which will be responsible for a portion of the road maintenance. It is set up to be fully maintained, which it has been over the past couple of years. J & J's intention was to dedicate this portion so they could divest themselves of that long narrow strip. The City Mayor had indicated he would support this, but he wasn't at the City Council meeting. The City Engineering staff also was in support of it. The City Council had some objections, which they did not identify. This will come up again. Dedicating after parcels are sold will require a joint venture on a platting action by all the owners. He believes the intention is to eventually connect Merhar with Helmericks as a loop road. City Public Works did not object to taking over the maintenance. The State maintains Hunter Ave

**McIntosh** asked who has jurisdiction in the case of an accident on one of these access easements.

**Whipple** said that has occurred, and it is a civil matter since it is private property. Right now the manager of Lowes is the director of the road maintenance agreement. He doesn't know how an accident report is handled. He heard that City police had walked away from a call when they found it was private property.

**Jill Dolan**, FNSB Asst Attorney, thinks there are contracts whereby these businesses pay for fire safety and police services. It is City of Fairbanks' jurisdiction, so the City police should respond to anything like that.

**McIntosh** asked that Dolan investigate and report on that.

**Gutoski** noted that he had seen City police on site at an accident.

A roll call vote was taken on the motion to approve a variance from Title 17.60.070.B.1 to allow the replat/subdivision without road dedication. Findings as noted above. The motion was approved with Backlund, Kniffen, O'Hare, Reeves, Matheson, and McIntosh voting to approve and Mendenhall voting to deny.

#### VARIANCE APPROVED

A roll call vote was taken on the motion to approve the subdivision / replat modification with the findings of fact stated above. The motion was approved with Backlund, Kniffen, O'Hare, Reeves, Matheson, and McIntosh voting to approve and Mendenhall voting to deny.

#### SUBDIVISION / REPLAT APPROVED

**Reeves** asked that item #8 be placed before #7.

8. **SD 056-096 / RP 069-06 Lazelle Estates** – A request by Eastside Estates, LLC to subdivide a 50.8-acre tract remainder of Shannon Park 4<sup>th</sup> Addn being a portion of the W½ W½, Sec 1 and a portion of the NE¼ SE¼, Sec 2, T1S R1W, FM AK (located at the end of D St, Joyce Dr, Shannon Dr, and Lazelle Rd).

**Gutoski** gave the staff report; staff recommended postponement.

**Reeves** asked if those who testify at this meeting can testify again at a subsequent meeting.

**McIntosh** said they may.

**Kniffen** pointed out that testifying at the Platting Board does not mean they should not appear before the Assembly for the rezone hearing.

**O'Hare** asked that the attorney define for the audience the Platting Board's limitations.

**Jill Dolan**, Asst Borough Attorney, stated that the Platting Board can act only in accordance with Borough code. The Planning Commission decides whether or not to recommend rezones. The Borough Assembly makes the final determination on rezones. The Platting Board cannot approve a subdivision that is in violation of the zoning, and they have no authority over zoning. Comments or arguments regarding zoning should be addressed to the Assembly.

**Kathy Chapados**, 463 Cindy Dr, asked if the Platting Board's powers allow them to mandate that in phase I access would have to be provided to the northern end of D St.

**McIntosh** replied that the Board has to comply with the technical provisions of the ordinance, health and safety issues. If a subdivision meets the requirements and doesn't pose a health and safety threat to the neighborhood, the Board does not have the latitude to deny it.

**Laquitta Poland**, 1315 D St, there is already dust that needs to be put under control. She thought the rezone was already settled. A lot of people purchased property in Shannon Park

with the belief that nothing would ever happen in that unsubdivided area because of chemicals. What happened to them; where did they go, and who cleaned them up? They have sold their home and are out of there.

**Chapados** knows that many of her issues need to be addressed by the Assembly rather than the Platting Board. Her major concern is access during construction. She also asked that the Board consider insuring the northern attachment of D St to Lazelle Rd. It would be unconscionable to allow the subdivision to be developed without that access in place. D St and Joyce Dr will not be able to tolerate the construction traffic. The neighbors need some legal assurance that the developer and contractors will limit their construction access only from Lazelle St.

**Sherry Leighton**, 278 Shannon, was one of the original owners. She was told when she purchased her lot there would be curbs, gutters, sidewalks, lighting, etc., and they paid premium price at the time for that. It, of course, did not happen. People have to walk their dogs and children play in the streets since there are no sidewalks. There is a terrible drainage problem. There is already a lot of traffic. Sight distance is pretty short since all the roads curve. She has almost been hit several times in the last month when walking her dog. Many times traffic ends up in her yard. The traffic concern might be able to be alleviated if Joyce St and D St were blocked so the new subdivision could access only from the northern end. The streets are narrow in the winter, and in the summer traffic flies through there. There are too many children and no sidewalks.

**Robin Davis**, 410 Cindy, has lived there for 13 years. Ft Wainwright has been drilling wells checking for water contamination right along the edge of proposed Phase II. She would like to know what they have found. Do they know something the Borough doesn't know? Trying to get out of Shannon Park when the schools open or close, the traffic is a nightmare. Traffic is backed up because it can only turn right at the Old Steese. She can't imagine what it will be like on Trainor Gate with 900 more cars per day. She is glad to hear that DOT is going to do a traffic count. She doesn't want construction trucks going through her neighborhood all summer long. The air quality will also be affected by the burning of waste during construction. She would love to see some trees put back; residential areas should have some type of vegetation. She appreciated that the entire subdivision was notified of this hearing.

**Jeff Cook**, 458 Terrace Dr, was the original acquirer of the land for the LDS church 25 years ago. Although the church was given some information a number of months ago, and they told Melissa Bidwell, representative from MVI, where to direct their conversation with the church, that has not happened. There is no agreement; there is no land swap; there have been no substantive negotiations. They were given one document they assumed was just informational. The proposal he sees at this meeting is not going to work. The LDS Church cannot have one common access with the Baptist Church. LDS has as many as four wards meeting in that building. A 40' access off that with the high traffic from the subdivision is not going to work. LDS has a lot of concerns, including what is going to happen to Phase III. Why is it not included in the rezone? The developer should have had a neighborhood meeting before submitting to the Borough. A lot of this could have been avoided by his being a good neighbor.

**Mendenhall** asked if the local congregation has the authority to change land boundaries and swap land.

**Kniffen** asked if the Lazelle Rd intersection with the Steese is adequate for the two churches, the cemetery, and Fairhill traffic.

**Cook** replied that in his opinion it is heavily overloaded already without further development in the Bentley area and other places feeding into it.

**Dale Merrill**, Physical Facilities Representative for the church, 1270 Yoder Dr, said the church has not been approached in the right manner for a land swap. That will have to be done through Randy Yoder in Vancouver, Washington. No one local has the authority to make the land swap. Randy Turner will get in touch with the real estate division in Salt Lake. The proposed land swap would take out their leach field; it would put the road quite close to the front of the building (which would be a noise factor). The traffic is a big concern. Sharing a 40' driveway with the Baptist Church will not work because the two churches have meetings at the same time, and the LDS ward is continuing to grow. They are already cramped for parking. There is a fire marshal concern about the proposed access because they wouldn't be able to pull completely around the building. The proposal would cut off one of the accesses.

**Kniffen** asked the normal timeline for getting an approval through the hierarchy.

**Merrill** said the church will act upon it immediately. Salt Lake will make all the decisions, though they will contact the local President for input. There will also be engineering evaluation.

**Vernal "Ted" Hansen**, 422 Shannon Dr, said his biggest concern is Trainor Gate. When that gate was opened to Ft Wainwright, the traffic was very heavy. It is now proposed that the housing on the base will revert to the private sector. Once that gate is opened again, there will be additional traffic from that housing in addition to this new subdivision. There will be a severe safety problem. Some real foresight needs to be brought to this. He hoped the Board would look at the safety issue. It is already very difficult to get onto Trainor Gate Rd when the schools let out. When the gate was open before, they had to widen Trainor Gate Rd to handle the traffic.

**Susie Hallinan**, 803 Shannon Dr, was very disappointed to see all the trees cut down in what looked like a possible wetlands area. She would like the access open to Lazelle Rd from the first phase. Increased dust will affect their health. The school children walking on the pedestrian easement beside her house will be in more danger. Traffic already doesn't look out for them, and there is also a tremendous amount of 4-wheeler and snowmachine traffic, including under-age drivers. Shannon Dr can't support more traffic safely. Who is going to police the increased amount of snowmachine traffic on the roads?

**Mendenhall** asked if there is permafrost known to be on this ground.

**Mary Beth Overturf**, 493 Droz, confirmed there is definitely an increase in traffic when the Trainor Gate is open – 7 am to 7 pm. The railroad is planning to bring more trains down Trainor Gate at a faster speed. She also believes the railroad is planning to close some of the streets that cross between Farewell and Shannon Park Subd. As it is now, she drives through to Farewell to avoid the traffic at Trainor Gate and Steese. If those streets are closed off, it will further limit the ability to move around.

**Michael Salzman**, 908 D St, said the reason the final phase of Shannon Park Subd was stopped by the City in the past was because of the permafrost. The bulk of both Phase II and III is wetlands. There is no way Trainor Gate Rd can handle all the traffic coming through from Lazelle. How long are people going to wait for a green light onto the Steese before they turn and go up through Shannon Park to Lazelle?

**John Poland**, 1315 D St, has lived in Shannon Pk for more than 20 years. They regretfully just sold their home there. It wouldn't have hurt if the new developer had left a buffer or greenbelt and had met with the neighbors before clearing all the trees. There will be a runway coming right down through Lazelle Est on D St. People already drive fairly fast. The dust is already unbelievable, and it is not even summer yet. He had to acknowledge that the contractor was making a real effort to keep the dust down. He was concerned about what type of housing would be in the new subdivision. There is going to be terrible traffic congestion. He wished DOT would consider an additional road onto the Steese.

**Randall Hupprich**, has lived at 1316 Joyce Dr since 1982. He is appalled at the lack of planning and doesn't know why this developer was allowed to proceed without having a more thorough plan that met the approval of the residents of Shannon Park. Within three or four days after approval by the Planning Commission, every tree on the subject parcel was gone. Can't the established neighborhood have a little bit of control over this? The traffic problem already exists. It will be atrocious if the new subdivision is allowed to go through. Property owners pay taxes, and they expect the Borough to regulate the development of these situations - the health hazard, the pollution, the dust, etc. This should be postponed until everyone understands what is going to take place. If this subdivision is allowed, it should be controlled so that everyone else is not paying for it in the future.

**Jennifer Delzer**, 436 Droz Dr, said the traffic is a real problem. She has two small boys who have almost been hit many times. She asked that the construction traffic not be allowed to go through their streets. Although the newspaper article said the developer had stated that he would use alternate access for construction, she would like to see it mandated. Construction people are not looking for children, and there are a ton of them in the neighborhood. Children tend to pop out into streets to chase balls, etc. She also would like the hours of construction limited. If that goes on until 11 pm, it will destroy their summer. The buzzing and banging from 85 houses being constructed at one time will affect their quality of life.

**Brent Kaiser**, 427 Shannon Dr, works for the Ft Wainwright fire dept and could echo everyone else's comments. He is happy to see a nice new neighborhood going in, but the traffic needs to be dealt with. None of this is worth one child getting hurt. Trainor Gate to Ft Wainwright is open, and Birchwood housing is going to come back to the private sector, increasing traffic even more. Kids walk along Trainor Gate Rd, Shannon Dr, and D St to school. He didn't know what the solution to the traffic problem could be, but safety is one of the things the Platting Board can deal with, and this is a very serious issue.

**Rocky Pavey**, 428 Shannon Dr, is also a big fan of development if it is done right. Mr. Vivlamore is a big part of the Fairbanks economic engine. He would love to see a nice neighborhood go in, but he fears for the traffic and for the safety of the kids in the neighborhood. He wants to see some good streets go in, and he wants to see some provisions to be sure the hundreds of kids in the neighborhood are safe on their daily walks to school and whatever else they do. There is no school bus service in Shannon Park. Kids are crawling like ants all over the neighborhood.

**Debby Thurman Hunt**, 812 Joyce Dr, said her father started this subdivision, and he had a dream for it. He wanted people to feel safe. With all this new housing, they won't be safe anymore. Joyce Dr, Shannon Dr, and D St are runways. She sees people running stop signs all the time. This developer needs to have an alternate route in and out of his subdivision, not Shannon Park. The kids in his subdivision will be bussed to school, and they will drive through Shannon Park to get there.

**Paula Johnson**, 309 Shannon Dr, SAID her husband is in construction. She has seen the side dumps using Lazelle, and she would like to see that continued. Her concern is for her kids. They cannot ride their bikes on the streets, and there are no sidewalks. She put orange cones at the end of her front yard where the sidewalk would be, but it is still very unnerving to let her children ride their bikes down through there and into her renter's driveway. Her major concern is the traffic. Trying to get onto Trainor Gate Rd at 4:15 is horrendous. Traffic is backed up then almost to Shannon Dr. She doesn't think the neighborhood can sustain more traffic. One of her neighbors had contacted the City right-of-way department about what they could do to slow down the traffic. They were advised to put in sidewalks. She thinks the City or the Borough should be doing that.

**Mike Leonard**, 454 Carlton Dr, backs right up against the land that has been cleared. Will the utility construction affect the contaminants from the tanks that have leaked at Ft Wainwright? A friend hand dug a well in Shannon Park to water his grass. The smell of something like benzene was so strong that he had to shut it down. Probably the entire area is underlain with the contaminated ground water. Disturbing it on a large scale could probably be hazardous to the neighbors. He would like that looked at.

**Phil Salmon**, 371 Jeanne Dr, had identified a number of health and safety concerns in a letter to the platting officer. What the developer does will affect the people in Shannon Park. The people want to believe the developer will be a good neighbor, but they need information from him. There wasn't a lot of information available before coming to this meeting. Mr. Gutoski did give him as much as possible, but he would like to see more. A culvert goes under the Steese close to his home, and he anticipates that a lot of the drainage will come down to the southeast corner and be directed to the Steese. The area east of the schools on Ft Wainwright has been cleared, and a major new army housing development will be going in there, starting construction this year.

**Jeff Whipple**, Stutzmann Engineering Assoc, said they are trying to minimize impacts to the existing neighborhood. All construction activity will enter over Lazelle Rd, as they have. They are carrying out 25,000 cu yds of material per day, and not one truck has gone through Shannon Park. He has maps in his office which show the original proposed Shannon Park going all the way to Lazelle Rd as this development is doing; that was back in the 1970s. So this development is simply continuing what was originally proposed. The facilities in this subdivision will meet or exceed the City of Fairbanks standards, and they will be significantly improved from those in the existing Shannon Park. The streets will be from 20'-37' wide, curb and gutter on both sides, underground utilities—electrical, sewer, gas, water—and an engineered drainage system.

All these concerns are being dealt with right now and will be dealt with through a developer's agreement with the City. He has been working with the City for close to three months and should have a signed developer's agreement by Monday. Although the kink in Lazelle Rd is

not part of this development, he is trying to straighten that out so it will be beneficial not only to the their own development but also to those folk in Shannon Park who will wish to avoid the problems on Trainor Gate Rd. They have good intentions and are willing to work it. The church properties are zoned GU-1.

The military would like to see over 400 units built in this property, more than twice the number the developer plans. There is also the option of placing a big box store on the property, which would significantly impact the traffic. The road into Shannon Park will be blocked and will remain blocked until the City accepts the dedication of the streets and they have a final plat from which they can start selling lots. At that time D St will be built with a gravel surface to Lazelle. They want to start the development from the south and build it to the north to minimize the construction traffic on new pavement.

When Phase I is complete, D St can be continued up to Lazelle. When Phase II is permitted, they will come down through Shannon Dr and develop another street for the access. At that point, D St can be paved. It will be at least another year beyond that before there is any major traffic coming from there. Regarding the church, the Bentley Trust said the church had asked to buy land for additional parking. Vivlamore would take out their old leach field and well and hook them up to City sewer, water, and gas and provide an alternate access easement for them. It would be a good deal. The Baptist Church would also like some additional ground.

**Kniffen** asked if they have done sub-surface testing and drilling to see if there is contamination either moving toward them or concentrated above the permafrost.

**Whipple** said the Corps has numerous wells in the area, and there were some problems from the tank farm, but they were deep. Lazelle's facilities are not going to go down 25', and the drill logs they have don't indicate there will be any problem.

**O'Hare** has always admired the greenbelt along the Steese. It is quite an eyesore to see total devastation. Why was there not a greenbelt along the Steese and Shannon Park.

**Whipple** said there were options for people to buy lots and preserve their trees. A couple of people have signed agreements.

**Michael Vivlamore**, applicant, has drilled 23 new holes. He has probably 10 large binders from the military regarding what has happened in that area. There were contaminants that leached over into a small area. That has been cleaned up by the military. The ground water from the easterly tanks moves south, which is probably why the contaminants are more in Shannon Park than in the new building area. The church issue has been blown way out of proportion. He has tried to straighten Lazelle by trading some land and selling the churches additional land. They have been talking to the local people and have never gotten their way up the ladder far enough until just recently he has gotten contact information for the man in Vancouver, Washington. This is for sale. He is not taking their property. He is providing them an opportunity to have water, sewer, and gas, and is providing the residents the opportunity to have Lazelle straightened out so it is better access. The driveway around the church is an illegal driveway that is going to go away. He doesn't mind forgetting about dealing with the churches, but they won't have everything they need if he does that. He is not invading their space. It is important to him to see that the traffic is done well. He also has kids and grandkids, and he doesn't want to hurt anyone either. Shannon Park had  
a huge

traffic issue long before he came to the neighborhood. His commitment is to keep the streets blocked off going into Shannon Park and not allow his construction people in there at all. They are not building 82 houses this year; he is selling lots. He is going to build some but is going to sell most of them. He has to do this in phases because he doesn't have \$20 million to do it all at once. It takes phases to make it work.

**Reeves** asked about an additional access route onto the Steese which had been mentioned earlier. Would it be possible to have a right turn only onto the Steese?

**Vivlamore** said that is definitely a large gravel surface. He thinks that at some point it was a gravel highway. The new Steese Hwy eliminated whatever it was. DOT has asked him to help them clean up the red light by Seekins on the Steese so all the traffic can go in and out there. If he straightens Lazelle, the church would have water and sewer and better access. They would have fire engine access all around the church. That is a huge intersection.

**Reeves** asked if the entire Lazelle Subd could use that northern intersection.

**Vivlamore** said they absolutely could. They have designed a tie into Shannon Park because that is what the City requested. He intends to keep that blocked off until the City owns the roads. He has asked the City to keep the streets blocked for at least three years. He has spent a lot of time and money to design so that each phase can go out through Lazelle and not have the construction traffic going through it. Once he completes the first phase, he won't be going back through that either. He is trucking out the trees and vegetative mat – at least 25,000 cu yds per day—instead of burning it. He doesn't have a Corps of Engineers determination as to what they are going to require. They have asked him to wait until spring. The contractor has water trucks. He isn't doing anything without asking the City and Borough what he can do. The Corps of Engineers gave him a short window of time to get in on the frozen ground and cut all the vegetation. It costs a lot more money to develop if greenbelts are left. Landscaping will no doubt be part of the residents' construction. He is planning to move the driveway for the Baptist Church and swap them equal square footage on the side and then provide them a new 40' access off D St from Lazelle. He will get them utility easements, water, sewer, and natural gas. Some of that will be swapped, and additional square footage will be available to them if they want to purchase it. If not, he will move on. He has no obligation to straighten Lazelle Rd. The local people he has talked with at the church have been really excited. They need more space: that is what he is trying to do.

**Mendenhall** asked if there is permafrost on the property.

**Vivlamore** acknowledged there is, but it is not unbuildable. He drilled 23 new holes besides the wells and other holes that were already in there. He wanted to know exactly what the soil was like. The permafrost areas will require deeper excavation and a different type of foundation.

**Gutoski** asked for direction from the Board as to whether the March 16 revision should be accepted under the new Title standards.

The Board said the applicant could make the choice as to which Title he wants used.

A roll call vote was taken on the motion to approve postponement to the April meeting. Approval was unanimous.

POSTPONED TO APRIL 26, 2006

7. **SD 053-06 / RP 067-06 MVI Industrial Park 1<sup>st</sup> Addn** – A request by MV Investments, LLC to replat Tr E-1-A, Fountainhead Industrial Park, First Addition into two lots of approximately 40,000 sq ft and 1.5 acres within the S½, Sec 22, T1S R1W, FM AK (located on Van Horn Rd and Riley Ct).

**Quakenbush** gave the staff report; staff recommended approval of a variance from Title 17.60.060.F to allow a common driveway access onto Van Horn Road with the following findings of fact: The variance request meets the criteria of Title 17.70 – Variances. Approval of the variance would allow direct access consistent with that enjoyed by a majority of other lots fronting Van Horn Road. The existing driveway will be upgraded to meet ADOT standards for safety; therefore approval of the variance will not jeopardize health and safety.

Staff also recommended preliminary approval of the replat/subdivision with five conditions: GVEA and GHU review and comment on the final plat. Standard Flood Zone A note, base flood elevation, and temporary bench mark within 1,000 feet of each lot be shown on the final plat. Note be placed on the final plat stating that Lot 1 and Tract E-1-B shall access Van Horn Road only from the existing common driveway easement. Tract E-1-B be included on the final plat for the purpose of clarifying that the access restriction previously reserved on plat # 2001-108 is being removed to allow access via the common driveway. All easements of record be shown on the final plat.

Staff further recommended adoption of the following finding: With approval of the direct lot access variance, this replat of one lot into two meets the applicable requirements of Title 17.

**Jeff Whipple**, Stutzmann Engineering Assoc, described the driveway access for the two proposed lots.

A roll call vote was taken on the motion to approve a variance from 17.60.060.F to allow a common driveway access onto Van Horn Road with findings as listed above. Approval was unanimous.

#### VARIANCE APPROVED

A roll call vote was taken on the motion to approve the application. Approval was unanimous.

#### SUBDIVISION / REPLAT APPROVED

**McIntosh** noted that more than 75% of the businesses on Van Horn Rd have direct lot access. At what point will the speed limit be lowered from 45 mph?

**Whipple** has talked with DOT about it. Their upcoming project will add a middle turning lane. Out of 119 lots between Easy St and Great Northwest property, 3.5 miles, about 82 have direct lot access, including several subdivisions with plat notes prohibiting direct lot access. Direct lot access onto Van Horn Rd is a major factor when businesses are considering purchasing property.

**Randy Johnson**, FNSB Public Works Deputy Director, confirmed there will be a middle lane.

**Whipple** added that the Borough standards classify all of Van Horn as a major collector, whereas DOT classifies it as a major collector between Easy and Cushman, as a minor arterial between Cushman and Peger, and as a local road from Peger west.

**COMMENTS**Planning Staff

As a matter of interest, **Quakenbush** showed the Board a 1953 aerial photo of Island Homes with hardly a tree in it.

**Mendenhall** added the note that the properties along the Chena River didn't go all the way to the river because the plat didn't specify "meander corner."

Board Members

The Board asked when they will get an integrated version of Title 17 with the road standards.

**Quakenbush** said she will get something to the Board by the April meeting, perhaps not an integrated version.

**Matheson** asked about the Taylor and Mendone appeals.

**Quakenbush** replied that Mendone will be before the Planning Commission on April 4. Taylor and Fraser worked out their difference, so that appeal was withdrawn.

**ADJOURNMENT**

/r