

**COMMITTEE OF THE WHOLE WORKSESSION AGENDA**

March 19, 2015

\* Immediately following Finance Committee \*  
Mona Lisa Drexler Assembly Chambers  
Fairbanks North Star Borough Administrative Center  
809 Pioneer Road  
Fairbanks, Alaska

**1. MEMORANDA/REPORTS/PRESENTATIONS**

- a. Geographic Information System (GIS) Update by the Administration.
- b. Discussion with Fairbanks North Star Borough Administration regarding management options of fire and emergency services.
- c. Possible executive session with the Borough Attorney's office regarding matters within the attorney client privilege and specifically a discussion concerning potential legal liabilities arising from management and structure of the borough's fire and emergency services.

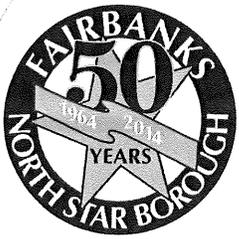
**2. ADVANCED ORDINANCES AND RESOLUTIONS**

- a. ORDINANCE NO. 2015-13. An Ordinance Rezoning All Of Block 22 Of Fairbanks Townsite From Two-Family Residential (TF) To Multiple-Family Residential/Professional Office (MFO) Or Other Appropriate Zone (Located Between 1<sup>st</sup> Avenue And 2<sup>nd</sup> Avenue And Between Badger Street And State Street) (RZ 2015-006) (Sponsor: Mayor Hopkins)(**Page 2**)

**3. BRIEFINGS FROM THE BOROUGH MAYOR**

**4. ASSEMBLY BUSINESS/COMMENTS**

**5. ADJOURNMENT**



# FAIRBANKS NORTH STAR BOROUGH

809 Pioneer Road ☆ P.O. Box 71267 ☆ Fairbanks, Alaska 99707-1267

(907) 459-1260 ☆ FAX (907) 459-1255

## MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Luke Hopkins, Mayor *gjh for LH*  
 Jeff Jacobson, Chief of Staff *mc*

FROM: D. Christine Nelson, Director *DCN*  
 Department of Community Planning

DATE: March 12, 2015

SUBJECT: ORDINANCE NO. 2015- 13 (RZ2015-006) Benjamin Ford

RE: **RZ2015-006:** A request by Benjamin Ford to rezone all of Block 22 of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO) or other appropriate zone. (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street)

The attached ordinance will rezone all of Block 22 of Fairbanks Townsite. (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street)

On February 17, 2015, the Planning Commission of the Fairbanks North Star Borough held a public hearing to rezone the property described above.

After analysis of the request, the Department of Community Planning recommended **approval** of the requested rezone.

The Planning Commission concurred with the staff recommendation and voted 6 in favor, 1 opposed, to recommend **approval** of the request to the Borough Assembly. The Planning Commission adopted the following Findings of Fact in support of its decision:

1. The request is consistent with the goals and policies of the Comprehensive Plan, specifically Land Use Goal 3, Strategy 7, which promotes a variety of land use opportunities.
2. The proposed zone Multiple Family Residential/Professional Office zone does not jeopardize public health, safety or welfare because it does not result in a substantial intensification of uses. None of the uses allowed in the MFO zone produce undue hazards or adverse traffic impacts due to limited lot area availability and will be in line with expectations for a downtown area.

3. The proposed MFO is not a spot zone because the property is located across from and adjacent to industrial land use and zoning, including a major power plant and warehousing and acts as a buffer to the Two Family Zone.
4. In addition, the request is consistent with the URBAN plan designation.
5. Although the rezone size is small, the rezone of the entire block (13 lots and 9 owners) is consistent with rezoning of similar blocks along 1st Avenue.

This item is requested to be placed on the Consent Agenda for advancement to the next Fairbanks North Star Borough Assembly meeting. Attached is a packet with further details of the request.

By: Luke T. Hopkins, Mayor  
Introduced: March 12, 2015

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2015 – 13

AN ORDINANCE REZONING ALL OF BLOCK 22 OF FAIRBANKS TOWNSITE FROM TWO-FAMILY RESIDENTIAL (TF) TO MULTIPLE-FAMILY RESIDENTIAL / PROFESSIONAL OFFICE (MFO) OR OTHER APPROPRIATE ZONE (LOCATED BETWEEN 1<sup>ST</sup> AVENUE AND 2<sup>ND</sup> AVENUE AND BETWEEN BADGER STREET AND STATE STREET.)

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

Section 1. Classification. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. The following described property is rezoned from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO):

ALL OF BLOCK 22 OF FAIRBANKS TOWNSITE

Section 3. The official zoning map is amended in accordance with this ordinance.

Section 4. Effective date. This ordinance shall be effective at 5:00 p.m. on the first borough business day following its adoption.

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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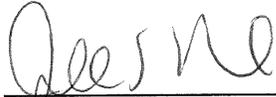
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Karl Kassel  
Presiding Officer

ATTEST:

APPROVED:

\_\_\_\_\_  
Nanci Ashford-Bingham, MMC  
Municipal Borough Clerk

  
\_\_\_\_\_  
A. René Broker  
Borough Attorney

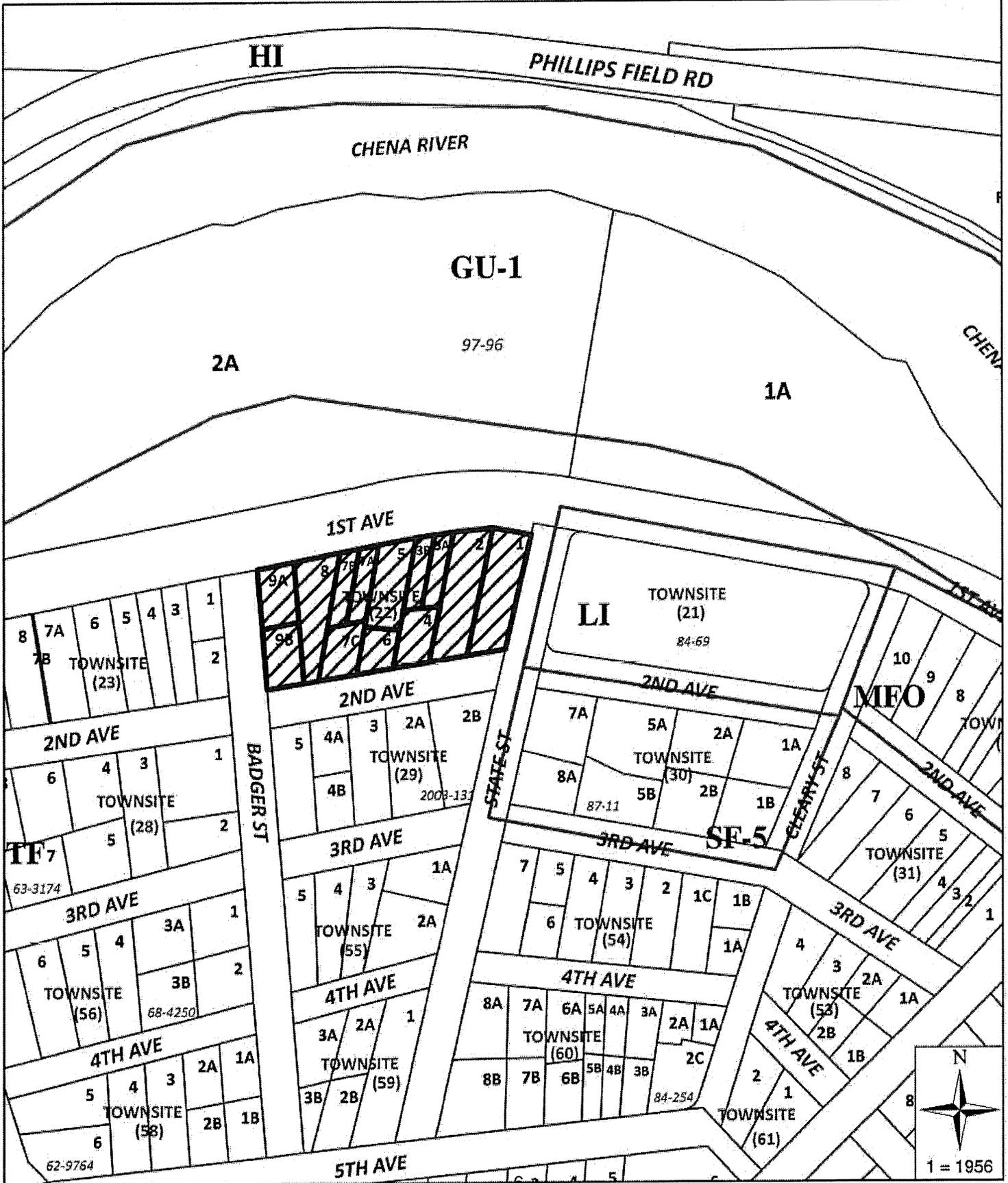
CODE AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT  
Text to be *added* is underlined  
Text to be *deleted* is [BRACKETED AND CAPITALIZED]



# FNSB Dept. Of Community Planning Planning Commission

Printed on: Jan 7, 2015

RZ 2015-006



**Fairbanks North Star Borough**  
**Fiscal Impact Statement (FIS) (FNSBC 2.09.035 C.)**

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

**Originator's Name:** Tanya Hughes      **Department:** Community Planning

**To Be Introduced/Sponsored By:** Mayor Hopkins

**Abbreviated Ordinance Title:** Ordinance No. 2015- 13

**Department(s)/Division(s) Affected:** \_\_\_\_\_

**Proposed Introduction Date:** \_\_\_\_\_ **Ordinance No.:** 2015- 13

**Does this ordinance authorize:**

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget?    **Yes** \_\_\_ **No**  \*
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? **Yes** \_\_\_ **No**  \*

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /	FY 20 / /
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached?    **Yes** \_\_\_ **No** \_\_\_

**Contact Person's Name, for FIS questions:** \_\_\_\_\_ **Extension:** \_\_\_\_\_

**Director(s) Signature(s):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Mayor's Office or Assembly Member Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Chief Financial Officer Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Process/Instructions

### **To prepare a Fiscal Impact Statement (FIS):**

Complete the top section of the FIS.

Answer the two questions, Yes or No.

\* If the answer to either question on page 1 is **Yes**, complete the Pro Forma Summary and provide the FIS contact person's information and the Director's signature.

- **To avoid uncertainty, fill in every solid box; if an answer is zero or none, enter 0 or None.**

- **Attach backup detail to support your estimates, as necessary.**

\* If the answer to both questions is **No**, provide the FIS contact person's information and if Administration initiated Director's signature. Continue to next block.

### **Ordinance from a department:**

Department submits FIS to Mayor's Office for signature and for concurrence to be the ordinance sponsor.

Mayor's Office dates and signs FIS Version 1.

After Mayor's Office OK, department drafts ordinance and prepares a Finance Checklist for the appropriating ordinance.

Department submits an FIS Version 1 signed by the Mayor's Office, to Finance along with the draft ordinance and Finance Checklist for the appropriating ordinance.

### **Ordinance from the Mayor:**

Mayor's Office works with affected department(s) to prepare the FIS.

Mayor's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Mayor's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.

- Law requests department(s) to revise FIS if needed, to match the ordinance.

- Mayor's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Mayor's Office drafts the ordinance and prepares a Finance Checklist for the appropriating ordinance. Mayor's Office submits latest FIS version to Finance along with the draft ordinance and Finance Checklist.

### **Ordinance from an Assembly Member:**

If Assembly Member/Clerk's Office/Law requires assistance in preparing the FIS, a request shall be submitted to the Mayor's Office for scheduling/coordination with affected department(s) to assist in preparing the FIS.

Department(s) work with Assembly Member/Clerk's Office/Law to prepare the FIS.

Assembly Member/Clerk's Office dates and signs FIS Version 1.

If the Law department will be drafting the ordinance, the Assembly Member/Clerk's Office will submit the signed FIS Version 1 to Law along with the request for Law to draft the ordinance.

- Law drafts the ordinance.

- Law requests department(s) to revise FIS if needed, to match the ordinance.

- Assembly Member/Clerk's Office concurs with, and dates and signs the new FIS version.

Otherwise, the Assembly Member drafts the ordinance.

Assembly Member/Clerk's Office/Law submits latest FIS version to Finance along with the draft ordinance.

### **Chief Financial Officer (CFO) reviews FIS:**

CFO reviews FIS version submitted to Finance with ordinance.

CFO consults with affected department(s) and/or ordinance sponsor, and requests FIS revisions if needed.

CFO dates and signs FIS and routes it to Law, along with the draft ordinance and Finance Checklist, if any.

DEPARTMENT OF COMMUNITY PLANNING  
STAFF REPORT

**RZ2015-006**

TO: Fairbanks North Star Borough Planning Commission

RE: **RZ2015-006:** A request by Benjamin Ford to rezone all of Block 22 of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO) or appropriate zone. (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.)

I. GENERAL INFORMATION

- | A. Purpose                            | To rezone approximately 54,105 square feet from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------|------------|---|-------|---------|---|-------|---------|----|-------|---------|----|-------|---------|---|-------|---------|---|-------|---------|---|-------|---------|----|-------|---------|----|-------|---------|----|-------|---------|---|-------|---------|----|-------|---------|----|-------|---------|----------|--------|--|
| B. Location                           | North side of 2 <sup>nd</sup> Avenue, south side of 1 <sup>st</sup> Avenue, west of State Street, and east of Badger Street                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| C. Access                             | 1 <sup>st</sup> Avenue, 2 <sup>nd</sup> Avenue, State Street, and Badger Street                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| D. Size/PAN                           | <table border="0" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;"><u>Lot/TL</u></th> <th style="text-align: left;"><u>Sf.</u></th> <th style="text-align: left;"><u>PAN</u></th> </tr> </thead> <tbody> <tr><td>1</td><td>7,500</td><td>0030996</td></tr> <tr><td>2</td><td>8,400</td><td>0599081</td></tr> <tr><td>3A</td><td>2,350</td><td>0599091</td></tr> <tr><td>3B</td><td>2,550</td><td>0599051</td></tr> <tr><td>4</td><td>3,350</td><td>0031020</td></tr> <tr><td>5</td><td>5,200</td><td>0599061</td></tr> <tr><td>6</td><td>2,550</td><td>0599071</td></tr> <tr><td>7A</td><td>2,375</td><td>0031038</td></tr> <tr><td>7B</td><td>2,375</td><td>0031046</td></tr> <tr><td>7C</td><td>3,500</td><td>0613396</td></tr> <tr><td>8</td><td>6,075</td><td>0613404</td></tr> <tr><td>9A</td><td>3,850</td><td>0031062</td></tr> <tr><td>9B</td><td>4,030</td><td>0031071</td></tr> <tr><td>Total sf</td><td>54,105</td><td></td></tr> </tbody> </table> | <u>Lot/TL</u> | <u>Sf.</u> | <u>PAN</u> | 1 | 7,500 | 0030996 | 2 | 8,400 | 0599081 | 3A | 2,350 | 0599091 | 3B | 2,550 | 0599051 | 4 | 3,350 | 0031020 | 5 | 5,200 | 0599061 | 6 | 2,550 | 0599071 | 7A | 2,375 | 0031038 | 7B | 2,375 | 0031046 | 7C | 3,500 | 0613396 | 8 | 6,075 | 0613404 | 9A | 3,850 | 0031062 | 9B | 4,030 | 0031071 | Total sf | 54,105 |  |
| <u>Lot/TL</u>                         | <u>Sf.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <u>PAN</u>    |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 1                                     | 7,500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0030996       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 2                                     | 8,400                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0599081       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 3A                                    | 2,350                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0599091       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 3B                                    | 2,550                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0599051       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 4                                     | 3,350                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0031020       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 5                                     | 5,200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0599061       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 6                                     | 2,550                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0599071       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 7A                                    | 2,375                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0031038       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 7B                                    | 2,375                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0031046       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 7C                                    | 3,500                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0613396       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 8                                     | 6,075                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0613404       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 9A                                    | 3,850                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0031062       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| 9B                                    | 4,030                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0031071       |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| Total sf                              | 54,105                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |               |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| E. Existing Zone<br>-Minimum lot size | Two-Family Residential (TF)<br>Varies depending on number of dwelling units                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |
| F. Proposed Zone                      | Multiple-Family Residential / Professional Office (MFO)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |               |            |            |   |       |         |   |       |         |    |       |         |    |       |         |   |       |         |   |       |         |   |       |         |    |       |         |    |       |         |    |       |         |   |       |         |    |       |         |    |       |         |          |        |  |

-Minimum lot size	Varies depending on number of dwelling units
G. Existing Land Use	Residential & Undeveloped
H. Surrounding Land Use/Zoning	North: Golden Heart Utilities Inc. (GHU), Water Treatment Plant/GU-1 South: Residential & Undeveloped/TF East: Shop for GHU/LI West: Residential & Undeveloped/TF
I. Zoning History	1922: Residential District 1949: City Ordinance 437 – Residential District 1967: Ord. No. 67-34 – General Residential (R2) 1988: Ord. No. 88-010 – Two-Family Residential (TF)
J. Non-conforming Structures, Uses	Lot 01—Triplex Lot 9B—Triplex
K. Comprehensive Plan Designation	Urban Area
L. Community Facilities	Water/sewer: Golden Heart Utilities Electricity: GVEA
M. Code Violations	None
N. Soils	Urban Land
O. Flood Zone	X
P. Ownership	Benjamin Ford 102 State Street Fairbanks, AK 99701 (Lots 1, 7A, 7B, 7C, & 8, Block 22)  Jessica Ford 102 State Street Fairbanks, AK 99701 (Lot 1, Block 22)  Peter Delima 3875 Geist Road, Ste. E PMB 292 Fairbanks, AK 99709 (Lots 3B, 5, & 6, Block 22)  Almeda Witter P.O. Box 73015 Fairbanks, AK 99707

(Lot 4, Block 22)

Donovan Goertz  
607 Old Steese Highway, Ste. B 353  
Fairbanks, AK 99701  
(Lot 9A, Block 22)

David Kluting  
P.O. Box 73123  
Fairbanks, AK 99707  
(Lot 9B, Block 22)

Kathryn Clark  
1309 1<sup>st</sup> Avenue  
Fairbanks, AK 99701  
(Lots 2 & 3A, Block 22)

James Clark  
1309 1<sup>st</sup> Avenue  
Fairbanks, AK 99701  
(Lots 2 & 3A, Block 22)

Q. Applicant

Benjamin Ford  
102 State Street  
Fairbanks, AK 99701

## II. ANALYSIS

This rezone request involves thirteen (13) lots totaling 54,105 sq. ft. Block 22 is comprised of a mixture of single family homes, duplexes and two non-conforming triplexes. The rezone petition has been signed by ALL affected property owners in Block 22.

Block 22 is part of the original Fairbanks Townsite and is located between 1<sup>st</sup> and 2<sup>nd</sup> Avenues between Badger and State Streets. 1<sup>st</sup> Avenue is an east/west high volume collector that connects downtown Fairbanks with popular destinations to the west such as the Carlson Center, athletic fields and Pioneer Park. 1<sup>st</sup> Avenue is also the primary access for the Golden Heart Utility coal fired power plant located between the rezone site and the Chena River. 2<sup>nd</sup> Avenue located along the southern boundary of the rezone site, is a typical residential street, common in much of the Townsite residential areas. The current Two-Family Residential zoning, also known as General Residential prior to 1988, has been in place for Block 22 since the 1940's.

1<sup>st</sup> Avenue experiences a relatively high volume of traffic in its function as a collector street. It is reasonable to expect more intense land uses along such a street as a result. In addition, the near proximity of the power plant and associated industrial land uses directly across 1<sup>st</sup> Avenue to the north and east, also influence the residential character of Block 22. A typical response to this influence is to insulate or

buffer lower density residential areas located in the interior portions of a neighborhood with higher density zoning such as MF or MFO along the collector street.

#### Surrounding Land Use and Zoning

Surrounding land use and zoning is a mixture of heavy industrial, light industrial and low density residential. The power generation plant located directly across 1<sup>st</sup> Avenue to the north is considered a heavy industrial land use while the associated equipment storage and warehouse uses to the east are considered light industrial. Zoning is General Use-1 and Light Industrial respectively.

Residential uses to the south and west are typical Fairbanks Townsite combinations of single family homes, duplexes and the occasional non-conforming multiple family structure. Zoning is Two-Family Residential. Block 30 located diagonally to the southeast from Block 22 is zoned Single Family-5. A rezone to Multiple-Family Residential/Professional Office for Block 19 and 20 located to the east toward downtown along 1<sup>st</sup> Avenue was recently adopted in January 2013.

#### Comprehensive Plan

The Comprehensive Plan designation for Block 22 is URBAN. **Land Use Goal 3** addresses the need for a variety of land uses that fit the diverse needs of the community. A variety of residential land use opportunities are supported by **Strategy 7** that also includes different housing types, densities and costs.

The proposed Multiple-Family Residential/Professional Office (MFO) zone differs from the current Two-Family Residential (TF) zone in several ways. The proposed MFO zone allows for higher residential density based on lot size as well as the option for professional office. Any new professional office that may be considered in the future as a new use will be constrained by current lot sizes on Block 22 and limited areas for off street parking. Home occupations are already allowed in the current zone when residential remains the principal use.

#### Traffic

Approval of the request not expected to create adverse traffic conditions. The proposed re-zone has many similarities to RZ2013 – 006 (Gappert), located to the east a few blocks away on 1<sup>st</sup> Avenue. In the larger sized RZ2013 – 006, a detailed trip generation analysis was conducted and found very minimal potential impact to generate additional trips. This minimal potential increase in traffic generation was very small compared to the existing average daily traffic (ADT) on 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue which varies from 2,000 to 3,000 vehicles/day. For this type of increase in trips to be generated by the current rezone request, the entire block would have to be redeveloped.

1<sup>st</sup> Avenue is a collector street that was recently upgraded during the summer of 2013/14. Pedestrian sidewalks are present along both the north and south side of 1<sup>st</sup> Avenue. Day cares, bed and breakfasts, group homes and school buildings are all permitted uses in the MFO zone. The potential for any of these uses is limited given

the current land uses in Block 22 and limited lot sizes. Higher residential densities are more likely to develop due to the existing residential character.

### III. RECOMMENDATION

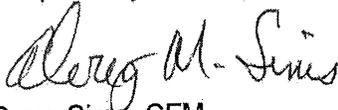
Based on the staff analysis above, the Department of Community Planning recommends APPROVAL of the requested Multiple-Family Residential/Professional Office zone.

### IV. FINDINGS OF FACT

The Department of Community Planning further recommends adoption of the following findings of fact in support of APPROVAL:

1. The request is consistent with the goals and policies of the Comprehensive Plan, specifically Land Use **Goal 3, Strategy 7**, which promotes a variety of land use opportunities.
2. The proposed Multiple-Family Residential/Professional Office zone does not jeopardize public health, safety or welfare because it does not result in a substantial intensification of uses. None of the uses allowed in the MFO produce undue hazards or adverse traffic impacts due to limited lot area availability and will be in line with expectations for the downtown area.

Respectfully submitted,



Doug Sims, CFM  
Division of Planning and Zoning

for

D. Christine Nelson, Director  
Department of Community Planning

Attachment

DPO's sent – 63

DS/th



**Fairbanks North Star Borough  
Department of Community Planning**  
P.O. Box 71267  
Fairbanks, Alaska 99707-1267  
(907) 459-1260 Fax: (907) 459-1255  
planning@co.fairbanks.ak.us

Comm. Planning Dept  
JAN 06 2015  
RECEIVED

**PUBLIC HEARING APPLICATION**

File No. RZ2015-006

Application is for  Rezone (\$400)  Variance (\$300)  Conditional Use Approval (\$300)

Property Owner:		Owner's Representative (if any):	
Name: <u>BENJAMIN FORD</u> Multiple Owners - See "Rezone Petition Form"	Name:		
Mailing Address: <u>102 STATE ST.</u>	Mailing Address:		
<u>FAIRBANKS, AK 99701</u>			
Phone: Cell <u>907-378-1232</u>	Phone:		
Fax: <u>N/A</u>	Fax:		
E-mail: <u>ben@portproperties.com</u>	E-mail:		

Property Information:	
Legal Description: <u>Fairbanks Townsite, Block 22, Lots 1, 2, 3A, 3B, 4, 5, 6, 7A, 7B, 7C, 8, 9A, 9B (All lots on block 22)</u>	
Street Address:	Size: <input type="checkbox"/> acres <input type="checkbox"/> square feet
Parcel Account Numbers (PAN):	
Existing Zone: <u>Two-Family (TF)</u>	Existing Use: <u>Mixed Single Family, Multi-Family</u>
Existing Water/Wastewater Providers: <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public: <u>Golden Heart Utilities</u> (name of provider)	
<u>For Rezones:</u> Proposed Zone: <u>Multi-Family, Office (MFO)</u>	<u>For Variances:</u> <input type="checkbox"/> Lot Size <input type="checkbox"/> Setback <input type="checkbox"/> Parking <input type="checkbox"/> Other: _____
<u>For Conditional Uses:</u> Requested Use:	Description:

I hereby certify that  (I am)  (I am authorized to act for) the owner of the property. I understand that payment of the application fee helps to cover the costs associated with processing this application, and that payment of the fee does not assure approval of the application.

APPLICANT SIGNATURE: [Signature] DATE: Dec 1st, 2014  
OWNER SIGNATURE (if different): \_\_\_\_\_ DATE: \_\_\_\_\_

Received By: <u>[Signature]</u>	Fee: <u>\$400</u>	Receipt No. <u>493116</u>	Proposed Meeting Date: <u>2-17-15</u>	Sign Issued? <input checked="" type="checkbox"/> Yes Sign #: <u>I</u>
Date: <u>1-6-15</u>				

File No. RZ2015-006

Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq, and this document may be subject to public disclosure under state law. Revised 7/2014

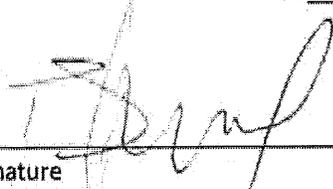
THE NAMES AND SIGNATURES  
ON THIS PAGE ARE THOSE OF  
THE OWNERS OF THE  
LOTS ON BLOCK 22

## REZONE PETITION FORM

WE THE UNDERSIGNED JOIN IN REQUESTING AND AUTHORIZE  
REZONING OF Block 22, Fairbanks Townsite - All Lots

FROM Two-Family (TF) ZONE  
TO Multi-Family, Office (MFO) ZONE.

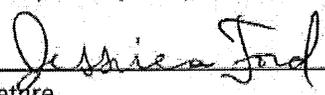
ALL BLANKS MUST BE COMPLETED AND LEGIBLE.

  
\_\_\_\_\_  
Signature

Benjamin Ford (907) 378-1232  
\_\_\_\_\_  
Printed Name

Fairbanks Townsite, Lots 1, 7A, 7B, 7C, 8, Block 22  
\_\_\_\_\_  
Property Description (Subdivision, Lot & Block)

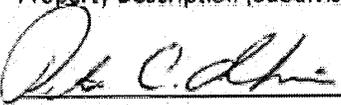
102 State St., Fairbanks, AK 99701  
\_\_\_\_\_  
Mailing Address

  
\_\_\_\_\_  
Signature

Jessica Ford (907) 590-3652  
\_\_\_\_\_  
Printed Name

Fairbanks Townsite, Lot 1, Block 22  
\_\_\_\_\_  
Property Description (Subdivision, Lot & Block)

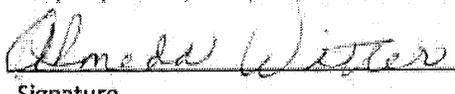
102 State St., Fairbanks, AK 99701  
\_\_\_\_\_  
Mailing Address

  
\_\_\_\_\_  
Signature

Peter Delima (907) 388-1491  
\_\_\_\_\_  
Printed Name

Fairbanks Townsite, Lots 3B, 5, 6, Block 22  
\_\_\_\_\_  
Property Description (Subdivision, Lot & Block)

3875 Geist Rd Ste E,  
PMB 292, Fairbanks, AK 99709  
\_\_\_\_\_  
Mailing Address

  
\_\_\_\_\_  
Signature

Almeda Witter (907) 452-3323  
\_\_\_\_\_  
Printed Name

Fairbanks Townsite, Lots 4, Block 22  
\_\_\_\_\_  
Property Description (Subdivision, Lot & Block)

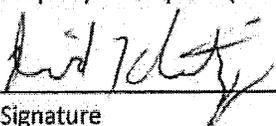
P.O. Box 73015, Fairbanks, AK, 99707  
\_\_\_\_\_  
Mailing Address

  
\_\_\_\_\_  
Signature

Donovan Goertz (907) 347-2632  
\_\_\_\_\_  
Printed Name

Fairbanks Townsite, Lots 9A, Block 22  
\_\_\_\_\_  
Property Description (Subdivision, Lot & Block)

607 Old Steese, STE B 353, Fairbanks, AK 99701  
\_\_\_\_\_  
Mailing Address

  
\_\_\_\_\_  
Signature

David Kluting (971) 275-2530  
\_\_\_\_\_  
Printed Name

Fairbanks Townsite, Lots 9B, Block 22  
\_\_\_\_\_  
Property Description (Subdivision, Lot & Block)

P.O. Box 73123, Fairbanks, AK 99707  
\_\_\_\_\_  
Mailing Address

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THE NAMES AND SIGNATURES  
ON THIS PAGE ARE THOSE OF  
THE OWNERS OF THE  
LOTS ON BLOCK 22

## REZONE PETITION FORM

WE THE UNDERSIGNED JOIN IN REQUESTING AND AUTHORIZE  
REZONING OF Block 22, Fairbanks Townsite - All Lots

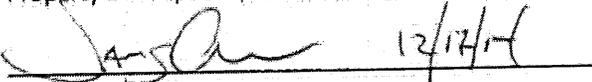
FROM Two-Family (TF) ZONE

TO Multi-Family, Office (MFO) ZONE.

ALL BLANKS MUST BE COMPLETED AND LEGIBLE.

  
Signature

Fairbanks Townsite, Lots 2, 3A, Block 22  
Property Description (Subdivision, Lot & Block)

  
Signature

Fairbanks Townsite, Lots 2, 3A, Block  
Property Description (Subdivision, Lot & Block)

Kathryn Clark (818) 800-6836  
Printed Name

1309 1st Ave., Fairbanks, AK 99701  
Mailing Address

James Clark (907) 460-4433  
Printed Name

1309 1st Ave., Fairbanks, AK 99701  
Mailing Address

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

## Narrative

Planning Commission and Assembly Members,

We, the owners of the properties which constitute Block 22, Fairbanks Townsite, request that you consider the following conditions and reasoning, and grant our petition for rezoning.

### *Unsatisfactory Current Zoning:*

- Five of the seven properties front 1<sup>st</sup> Ave., a high-traffic through-fare. 3,500 vehicles per day is consistent with a more commercial-type property.
- There are large, industrially-zoned and developed properties on two of the four sides of Block 22. We feel the zoning transition from Industrial to Two-Family is highly unusual, and perhaps negatively impacts Block 22 with its current zoning.
- Two of the six buildings on Block 22 are not zoning-compliant as purchased from previous owners. Our petition seeks to make these buildings compliant.
- Land close to the center of a metropolis tend to increase in value. As time passes, these parcels should be able to host more valuable assets to offset rising fixed costs. If not, as buildings deteriorate, they may not retain economic viability, and may become run-down and cause stagnation in economic development.

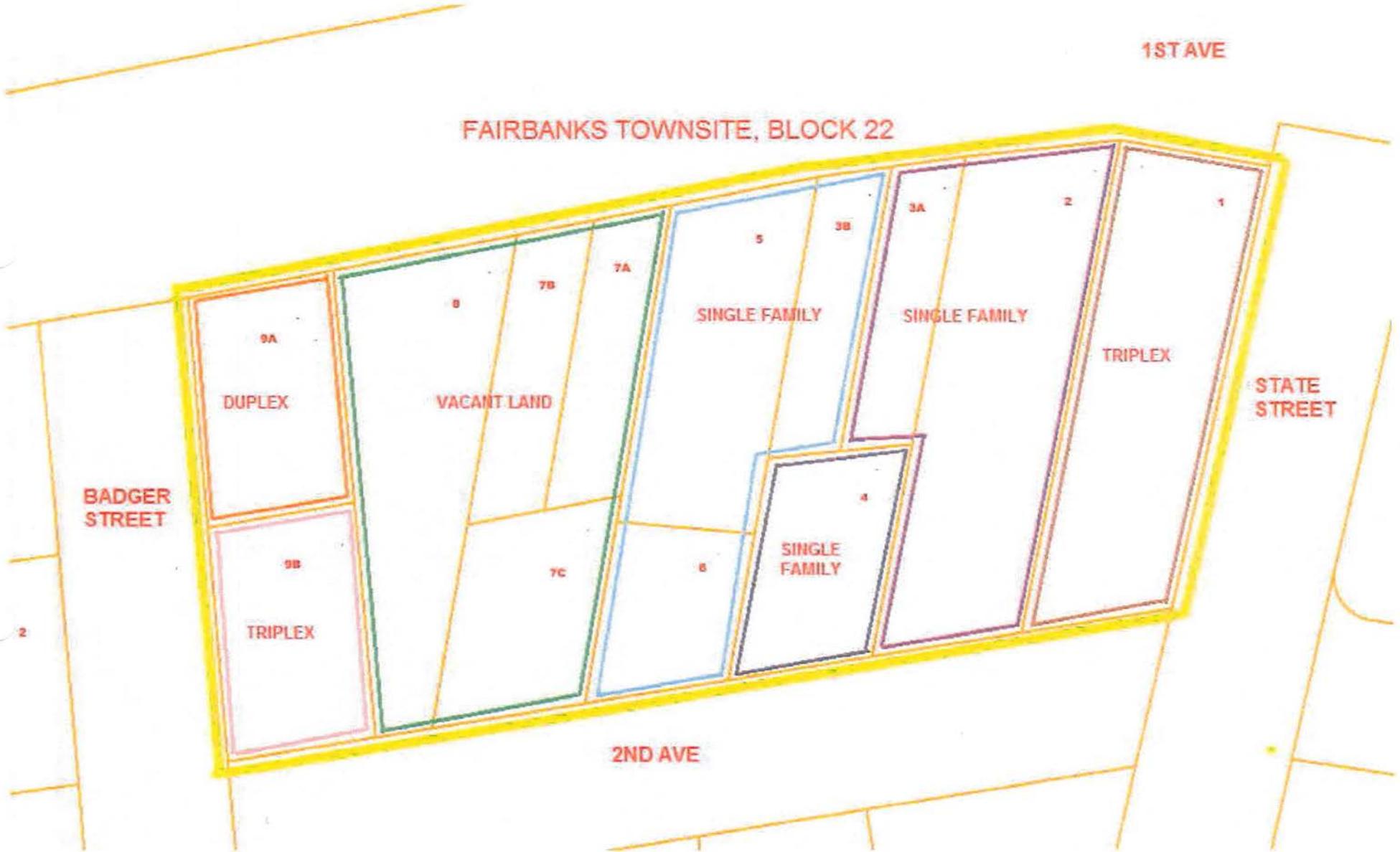
### *Advantages of Zoning Change:*

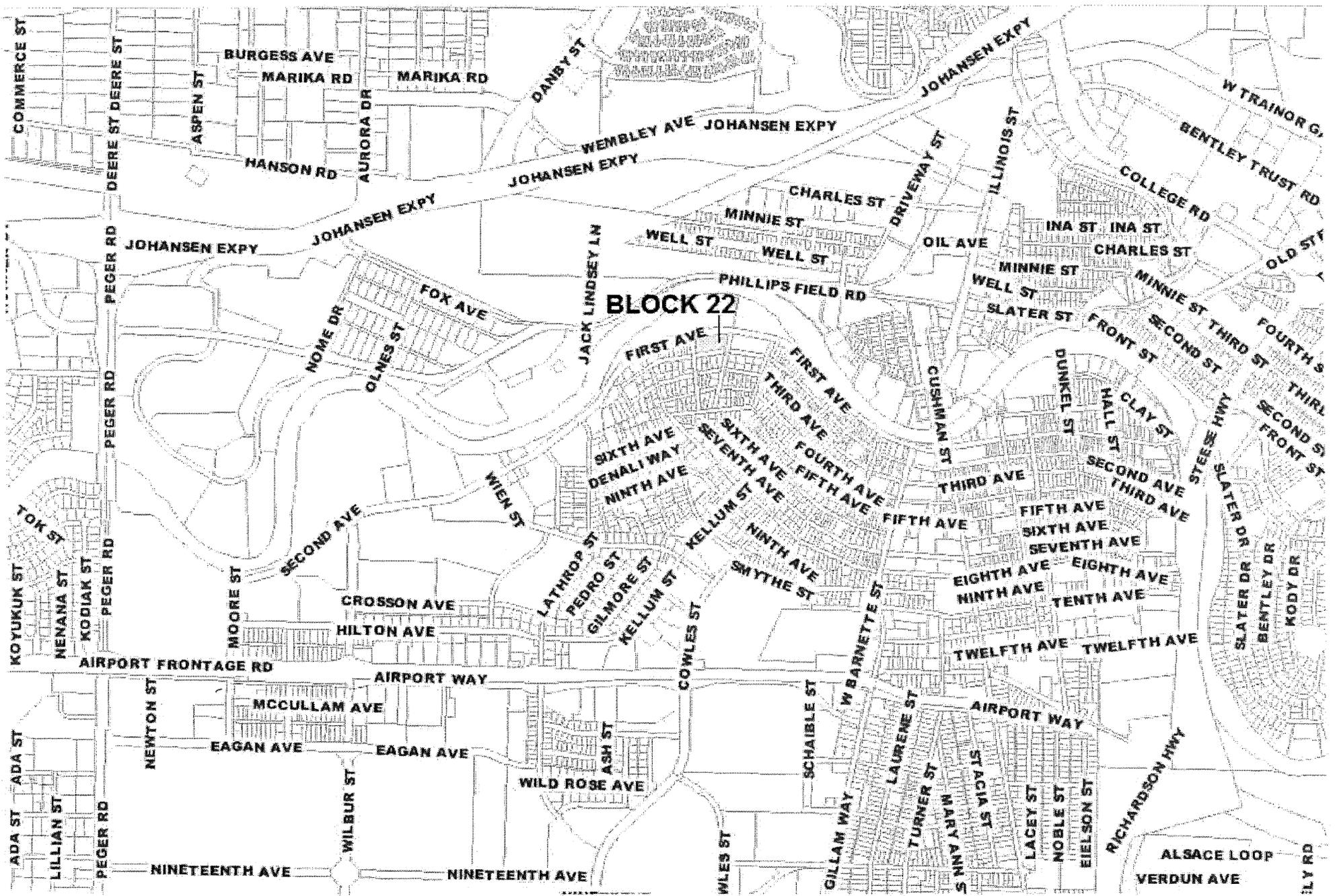
- We feel our request is consistent with the FNSB Regional Comprehensive Plan, as well as the Vision Downtown Fairbanks Plan:
  - It retains and promotes the stated goal of protecting private property rights.
  - It harmonizes with trending land use (Block 20 was recently approved for this same zoning change request).
  - It resolves existing use compliance conflicts.
  - It offers potential economic incentive.
- We are in agreement that we would each appreciate the flexibility of increasing the overall utility and viability of our land.

Thank you for your consideration,

Block 22 Owners

FAIRBANKS TOWNSITE, BLOCK 22











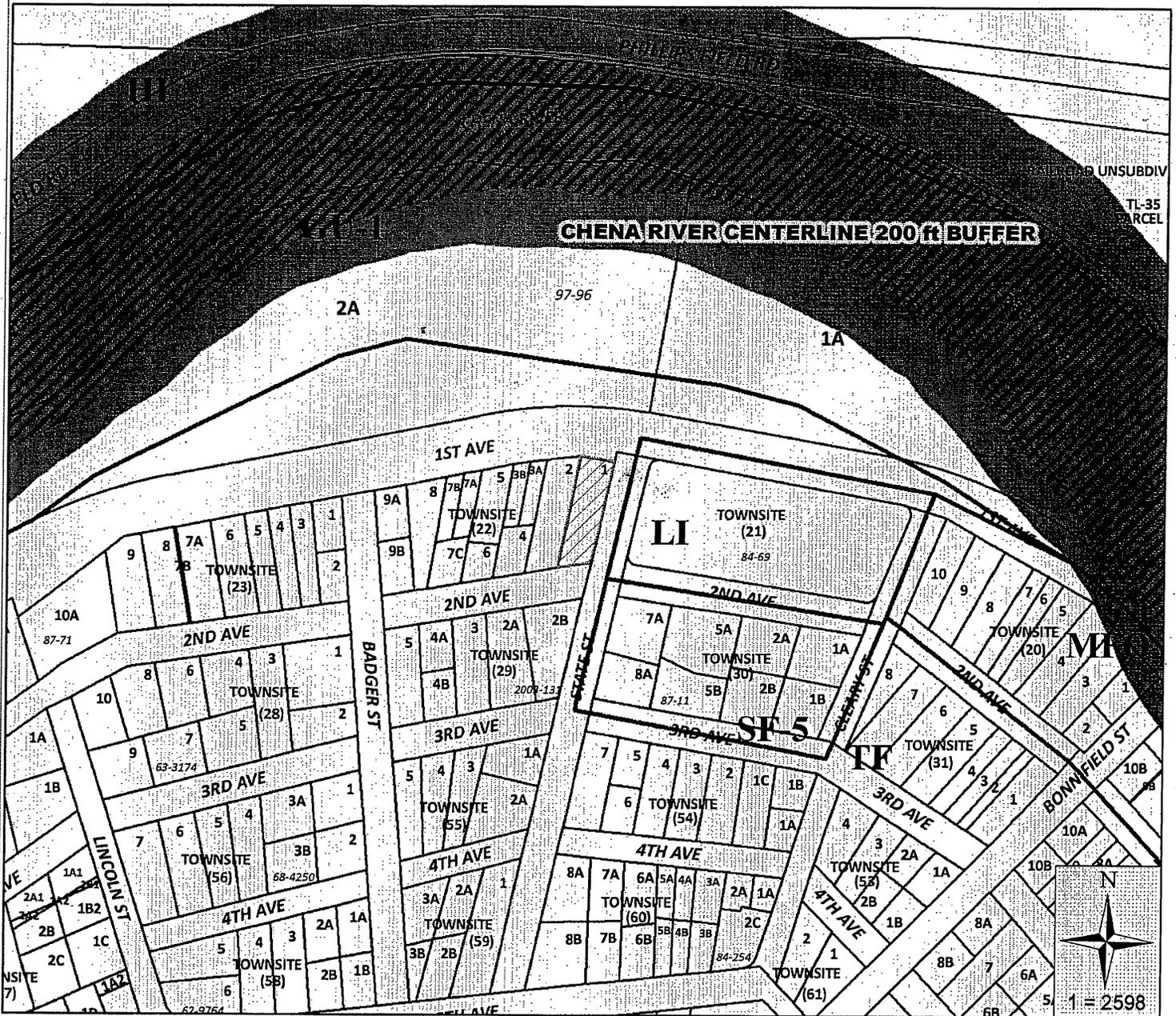


# Fairbanks North Star Borough

## Zoning Report

PAN# 0030996

Printed on: 01/06/2015



**Property Information for PAN#: 0030996**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 01  
 OWNER: Ford Benjamin David, Ford Jessica Marie  
 BILLING ADDRESS: 102 State St Fairbanks, AK 99701 4276  
 SITUS ADDRESS: 102 State St  
 PARCEL SIZE: 7500 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: Triplex (3 Units)  
 COMMUNITY PLANNING PERMITS:  
 Zoning: 12604  
 Rezone History: 1995-014

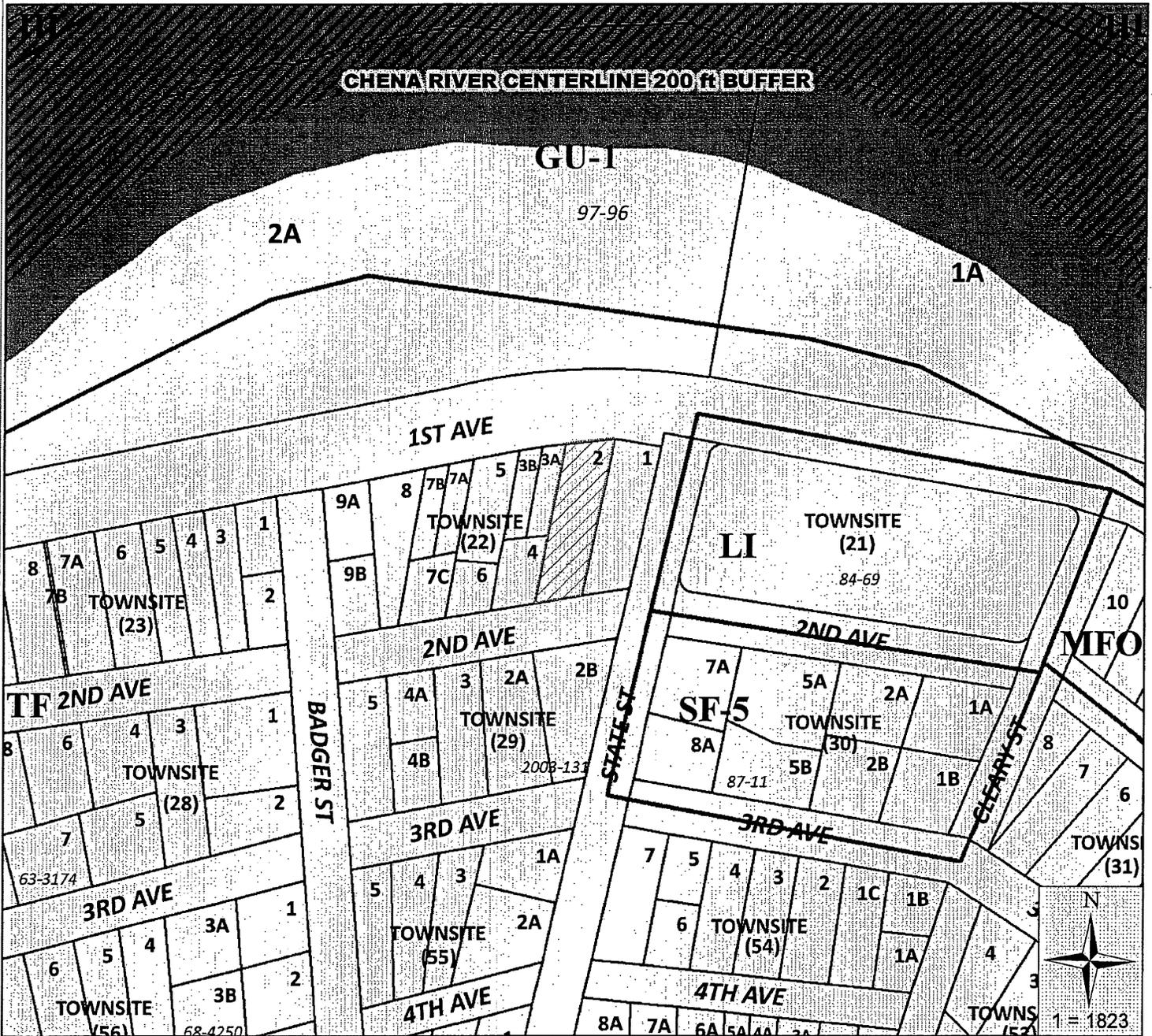
Controlled Access Roads	FEMA Flood Zones (March 17, 2014 dFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 ft BUFFER	AE, FLOODWAY
LEVEE 250ft BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AO
	X



# Fairbanks North Star Borough

## Zoning Report

PAN# 0599081  
Printed on: 01/06/2015



**Property Information for PAN#: 0599081**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSI, BLOCK: 22, LOT: 02  
 OWNER: Clark James, Clark Kathryn  
 BILLING ADDRESS: 1309 1st Ave Fairbanks, AK 99701 4226  
 SITUS ADDRESS: N/A  
 PARCEL SIZE: 8400 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%); Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads	FEMA Flood Zones (March 17, 2014 dFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 ft BUFFER	AE, FLOODWAY
LEVEE 250ft BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AO
	X

The Fairbanks North Star Borough does not warrant the accuracy of maps or data provided nor their suitability for any particular application. There may be errors in the data.

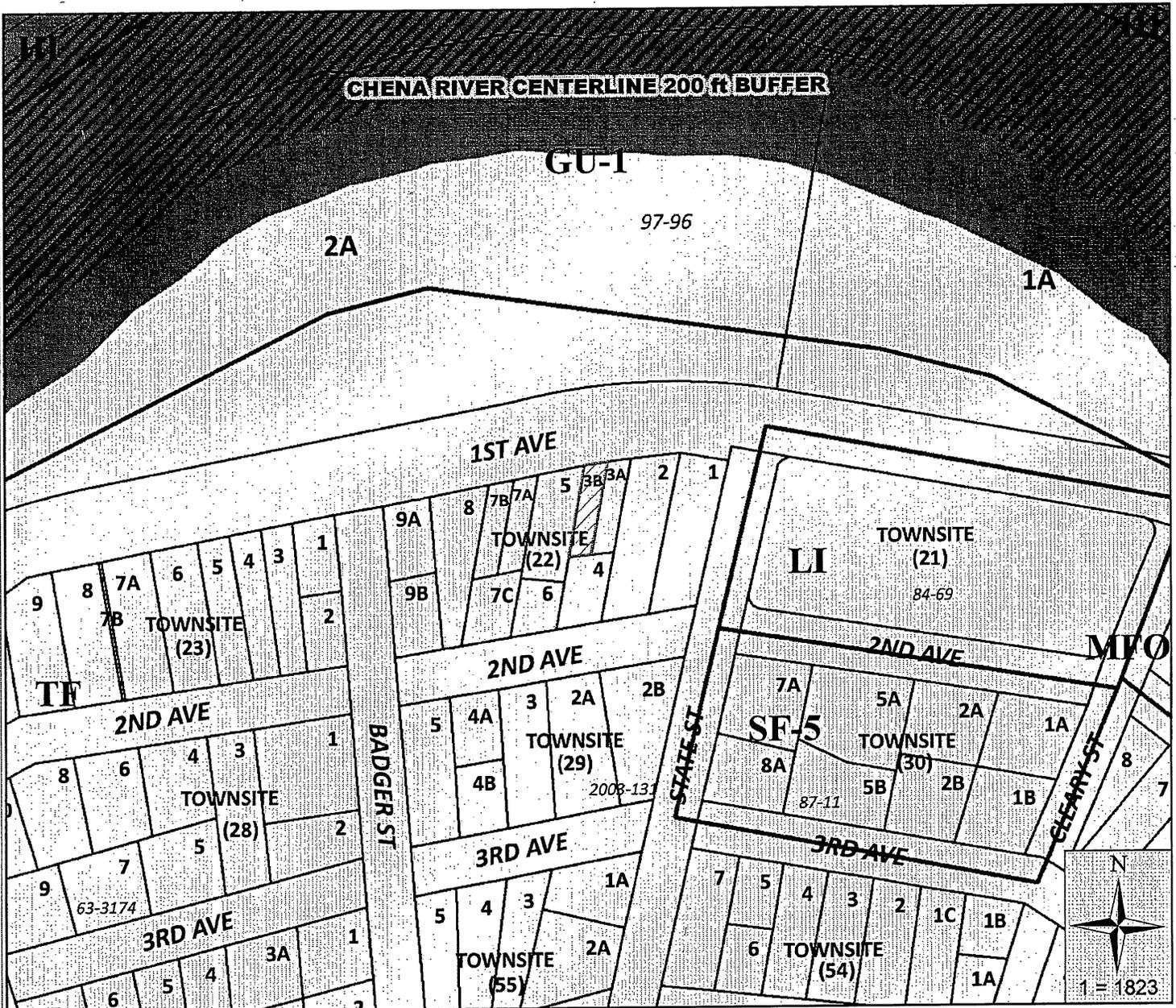




# Fairbanks North Star Borough

## Zoning Report

PAN# 0599051  
Printed on: 01/06/2015



**Property Information for PAN#: 0599051**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSI, BLOCK: 22, LOT: 03B  
 OWNER: Delima Peter  
 BILLING ADDRESS: 3875 Geist Rd Ste E PMB 292 Fairbanks, AK 99709 6339  
 SITUS ADDRESS: N/A  
 PARCEL SIZE: 2550 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads		FEMA Flood Zones (March 17, 2014 dFIRM)	
	ARTERIAL - CONTROLLED ACCESS		A
	Special Regulatory Areas		AE
	CHENA RIVER CENTERLINE 200 ft BUFFER		AE, FLOODWAY
	LEVEE 250ft BUFFER		AH
	SALCHAKET HEIGHTS EROSION CONTROL		AO
			X

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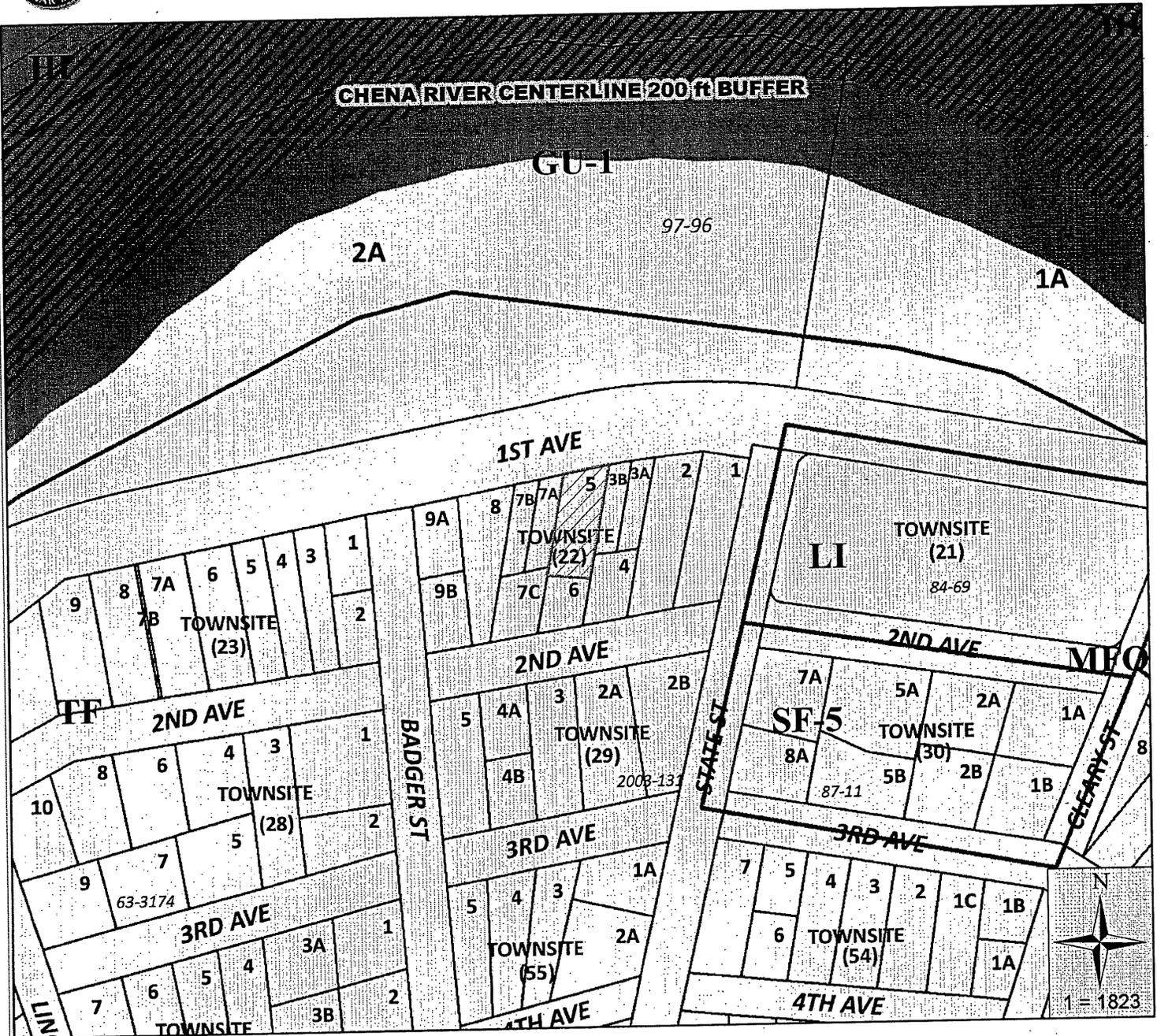


# Fairbanks North Star Borough

## Zoning Report

PAN# 0599061  
Printed on: 01/06/2015

**CHENA RIVER CENTERLINE 200 ft BUFFER**



**Property Information for PAN#: 0599061**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 05  
 OWNER: Delima Peter  
 BILLING ADDRESS: 3875 Geist Rd Ste E PMB 292 Fairbanks, AK 99709 6339  
 SITUS ADDRESS: N/A  
 PARCEL SIZE: 5200 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads	FEMA Flood Zones (March 17, 2014 dFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 ft BUFFER	AE, FLOODWAY
LEVEE 250ft BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AO
	X

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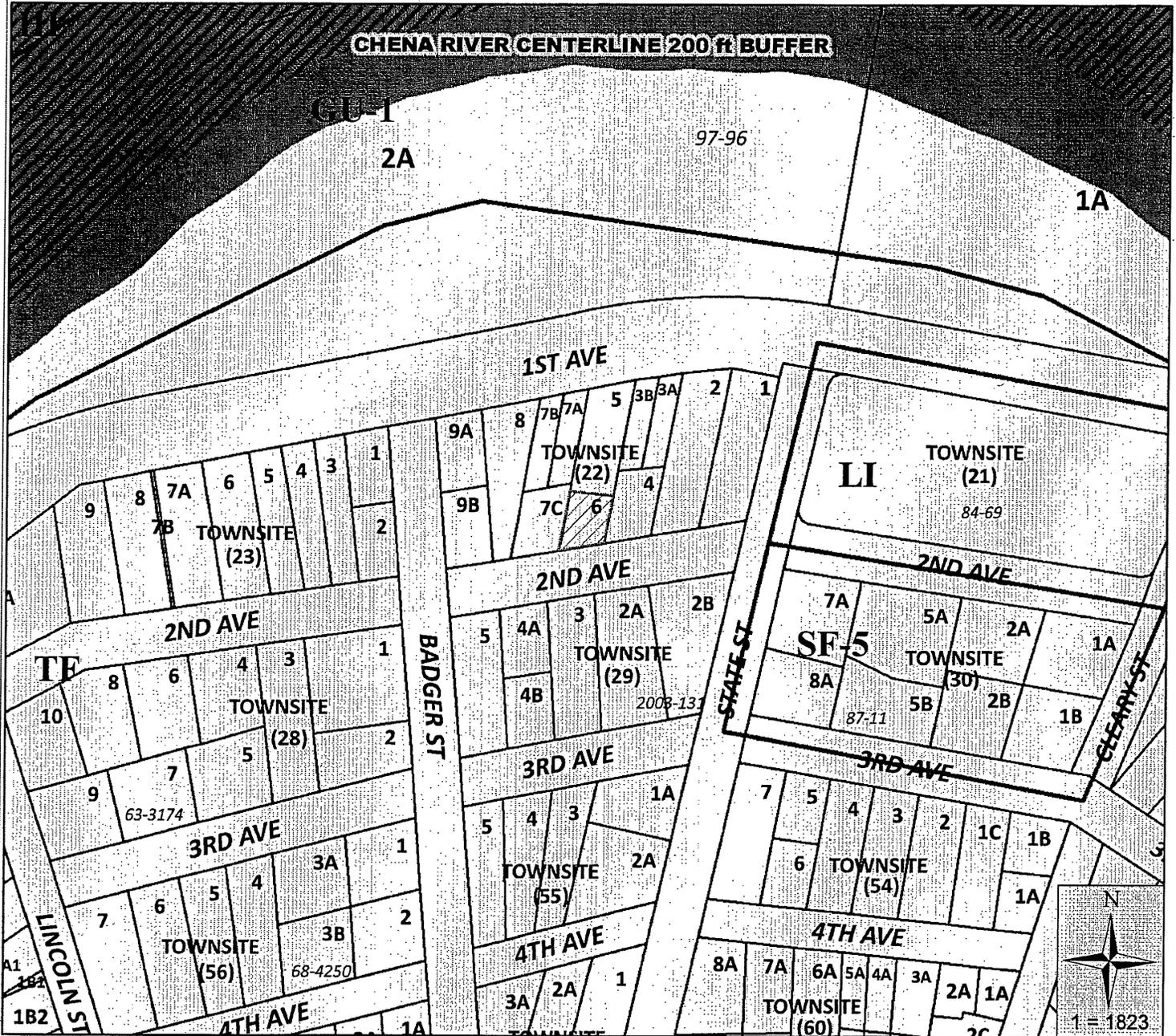


# Fairbanks North Star Borough

## Zoning Report

PAN# 0599071  
Printed on: 01/06/2015

**CHENA RIVER CENTERLINE 200 ft BUFFER**



**Property Information for PAN#: 0599071**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSI, BLOCK: 22, LOT: 06  
 OWNER: Delima Peter  
 BILLING ADDRESS: 3875 Geist Rd Ste E PMB 292 Fairbanks, AK 99709 6339  
 SITUS ADDRESS: N/A  
 PARCEL SIZE: 2550 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads	FEMA Flood Zones (March 17, 2014 dFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 ft BUFFER	AE, FLOODWAY
LEVEE 250ft BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AO
	X

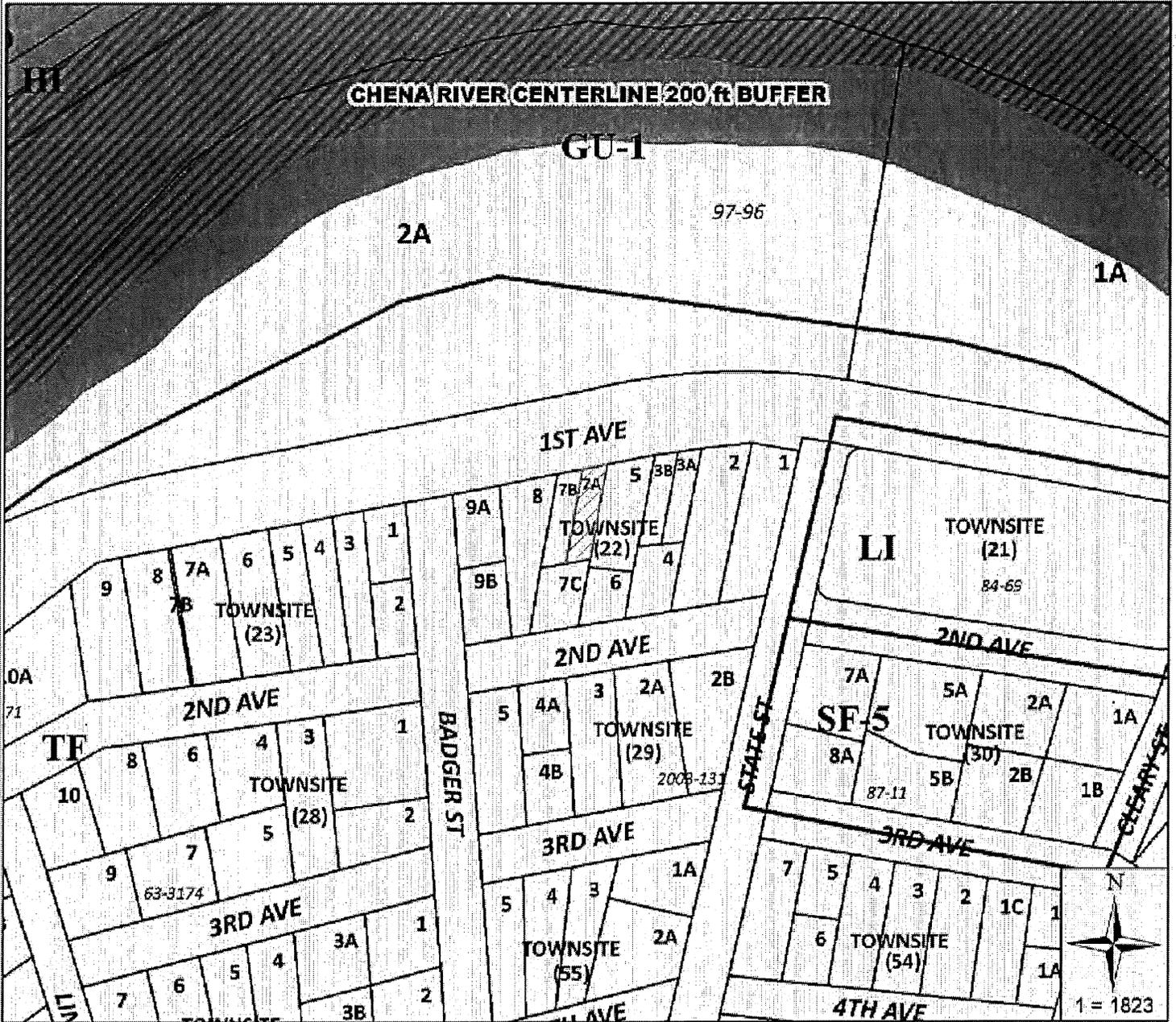
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# Fairbanks North Star Borough

## Zoning Report

PAN# 0031038  
Printed on: 01/06/2015



**Property information for PAN#: 0031038**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 07A  
 OWNER: Cherrier, Curtis R Benjamin Ford  
 BILLING ADDRESS: PO BOX 202109 Anchorage, AK 99520 2109  
 SITUS ADDRESS: 1323 First Ave  
 PARCEL SIZE: 2375 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: SFR (1 Unit)  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads	FEMA Flood Zones (March 17, 2014 sFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 FT BUFFER	AE, FLOODWAY
LEVEE 250 FT BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AC
	X

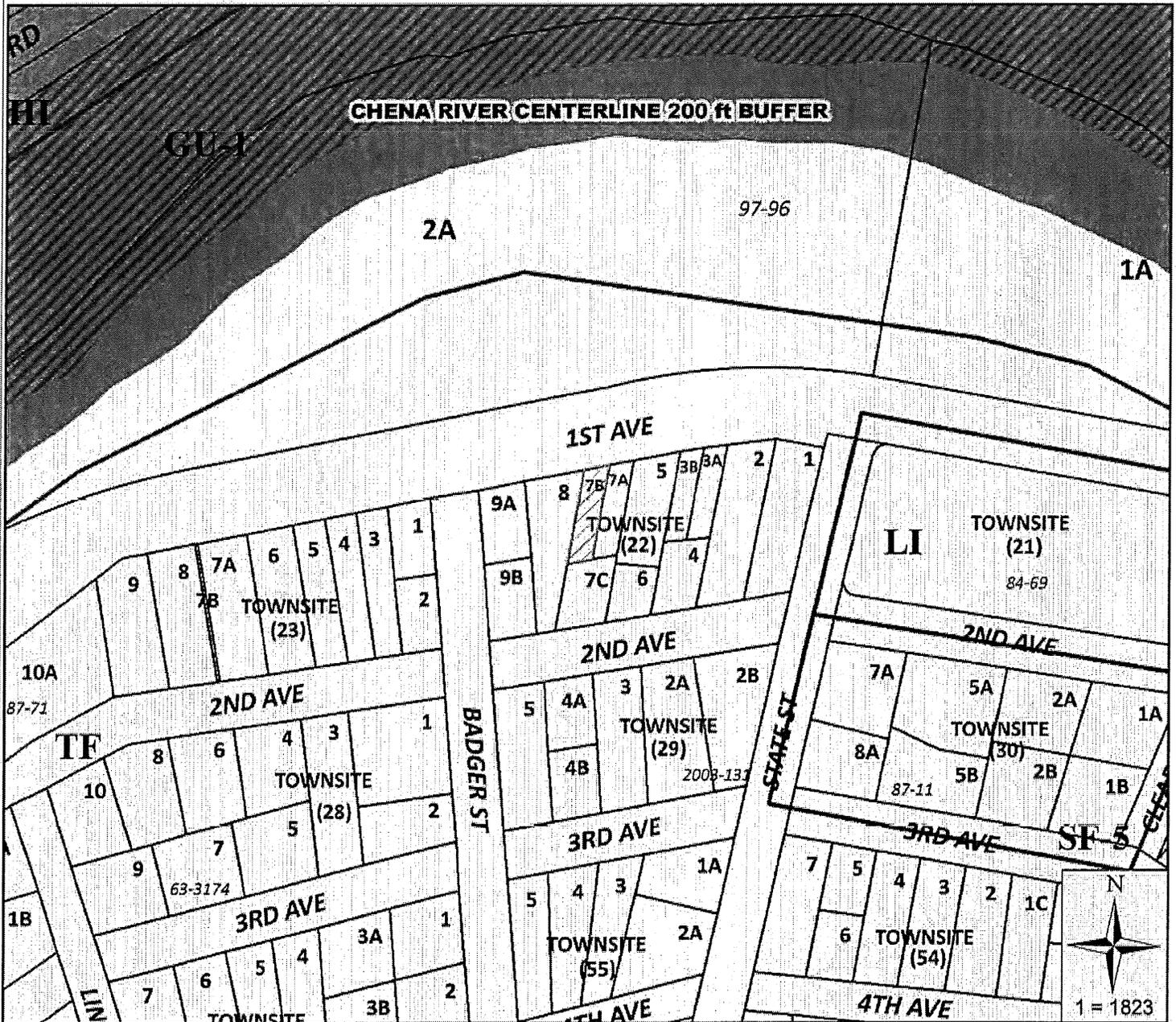
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# Fairbanks North Star Borough

## Zoning Report

PAN# 0031046  
Printed on: 01/06/2015



**Property Information for PAN#: 0031046**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 07B  
 OWNER: Cherrier Curtis R - Benjamin Ford  
 BILLING ADDRESS: PO BOX 202109 Anchorage, AK 99520 2109  
 SITUS ADDRESS: 1325 First Ave  
 PARCEL SIZE: 2375 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads	FEMA Flood Zones (March 17, 2014 dFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 ft BUFFER	AE, FLOODWAY
LEVEE 250ft BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AO
	X

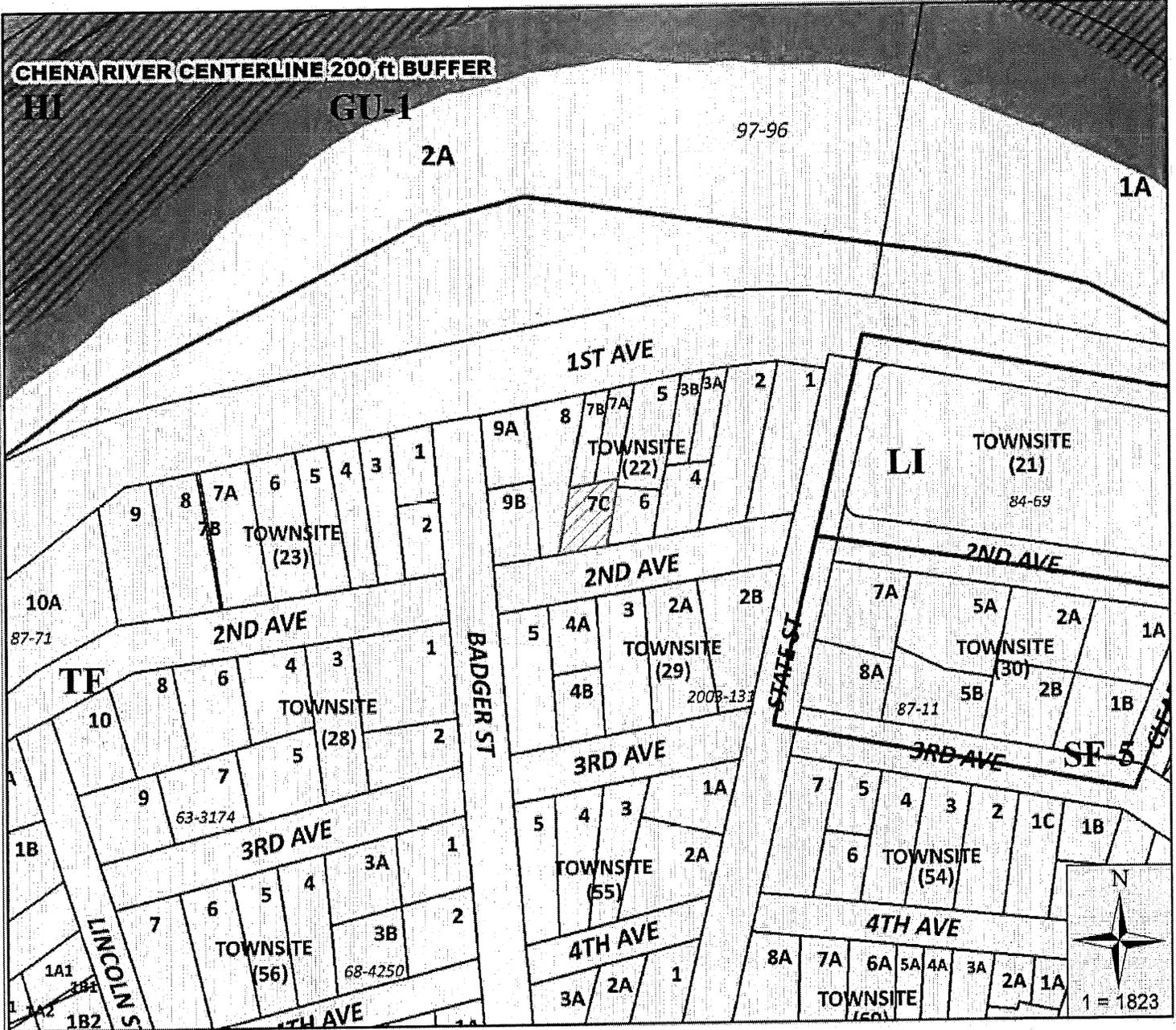
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# Fairbanks North Star Borough

## Zoning Report

PAN# 0613396  
Printed on: 01/06/2015



**Property Information for PAN#: 0613396**  
 PROPERTY DESCRIPTION: FAIRBANKS TOWNSHI, BLOCK: 22, LOT: 07C  
 OWNER: Chemier Curtis Benjamin Ford  
 BILLING ADDRESS: PO BOX 202109 Anchorage, AK 99520 2109  
 SITUS ADDRESS: N/A  
 PARCEL SIZE: 3500 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads		FEMA Flood Zones (March 17, 2014 dFIRM)	
	ARTERIAL - CONTROLLED ACCESS		A
	Special Regulatory Areas		AE
	CHENA RIVER CENTERLINE 200 ft BUFFER		AE, FLOODWAY
	LEVEE 250ft BUFFER		AH
	SALCHAKET HEIGHTS EROSION CONTROL		AO
			X

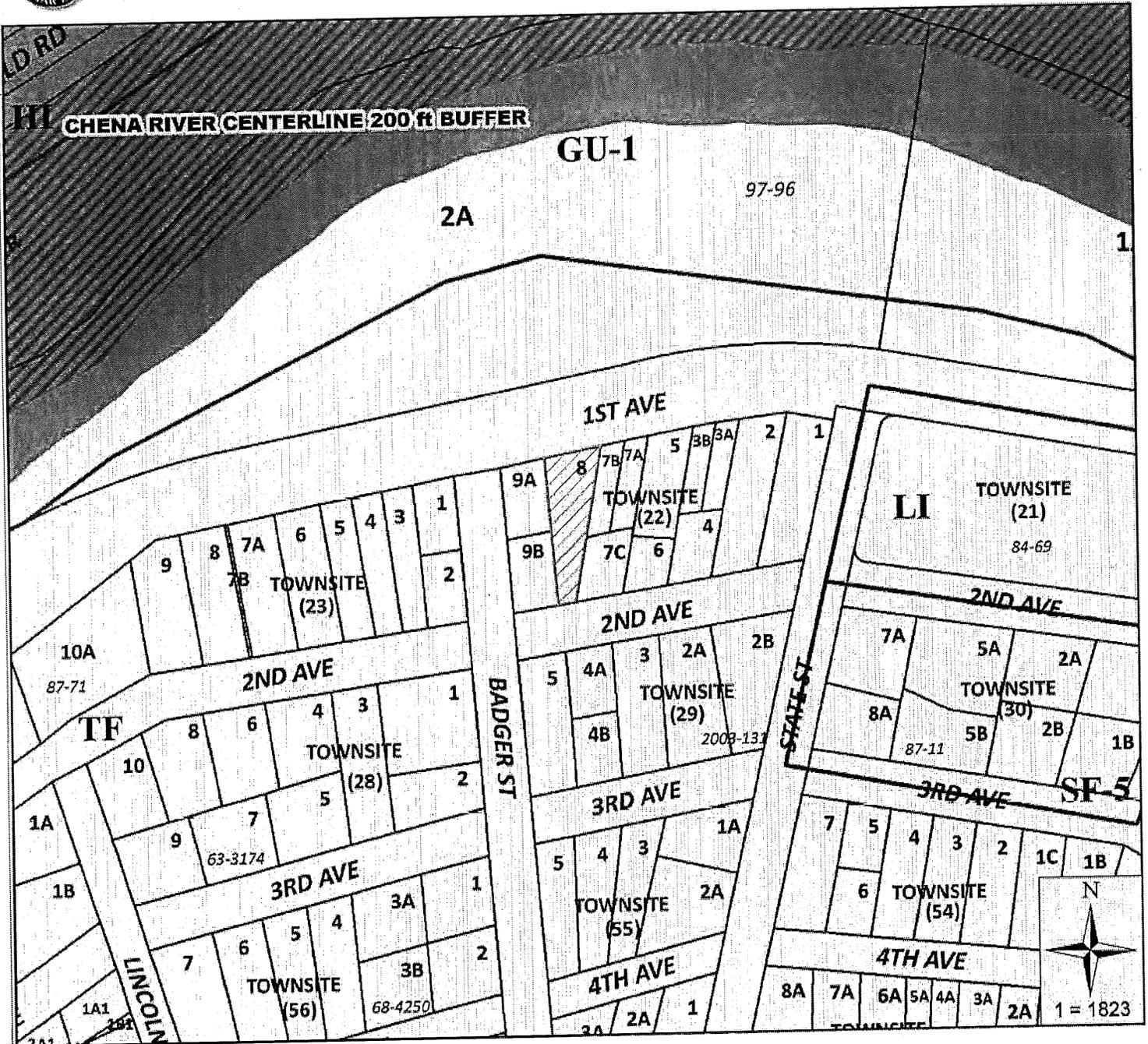
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# Fairbanks North Star Borough

## Zoning Report

PAN# 0613404  
Printed on: 01/06/2015



**Property Information for PAN#: 0613404**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 08  
 OWNER: Charrier-Curtis R *Benjamin Ford*  
 BILLING ADDRESS: PO BOX 202109 Anchorage, AK 99520 2109  
 SITUS ADDRESS: N/A  
 PARCEL SIZE: 6075 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: N/A  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads		FEMA Flood Zones (March 17, 2014 dFIRM)	
	ARTERIAL - CONTROLLED ACCESS		A
	Special Regulatory Areas		AE
	CHENA RIVER CENTERLINE 200 ft BUFFER		AE, FLOODWAY
	LEVEE 250ft BUFFER		AH
	SALCHAKET HEIGHTS EROSION CONTROL		AO
			X

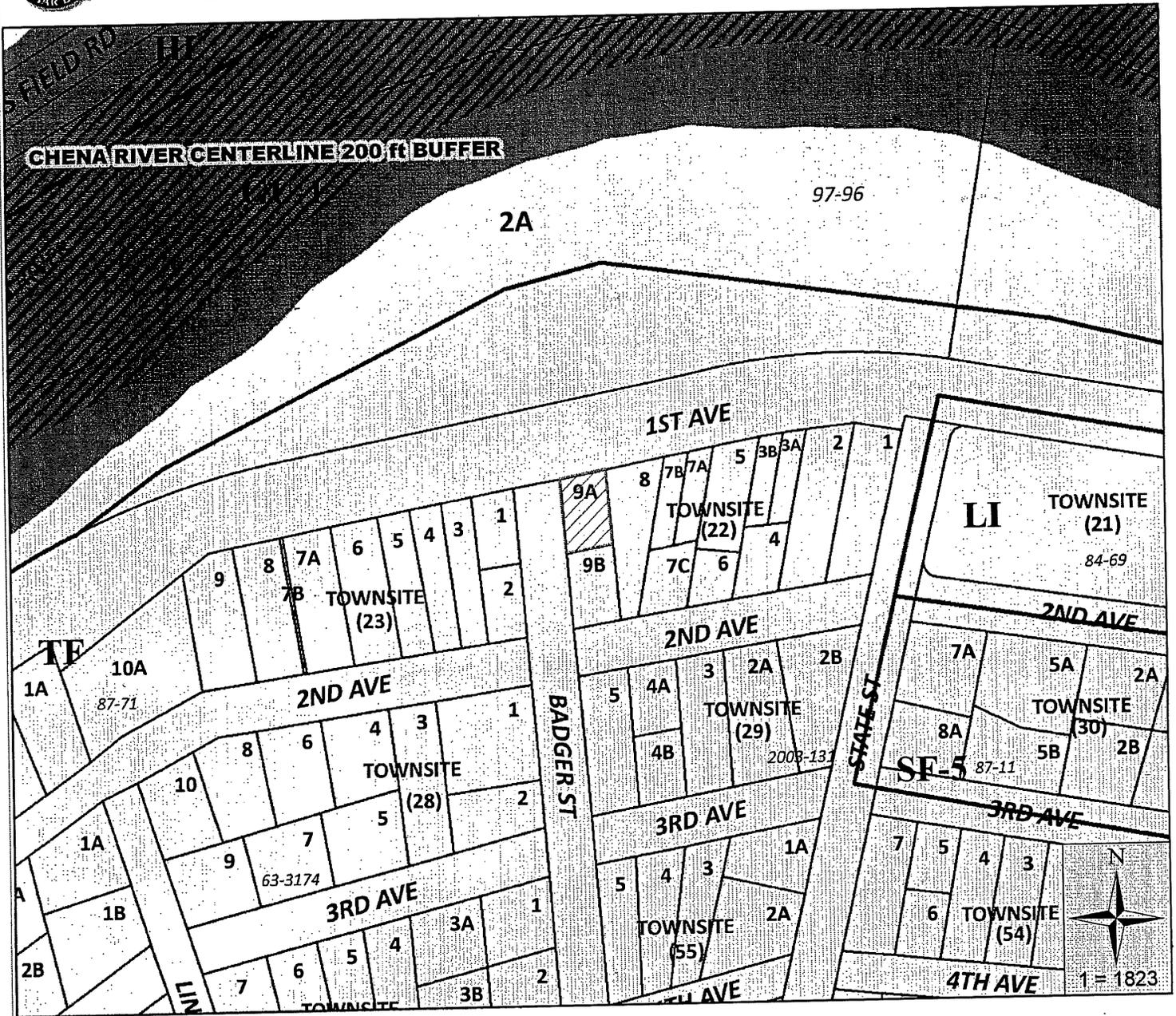
The Fairbanks North Star Borough does not warrant the accuracy of maps or data provided, nor their suitability for any particular application. There may be errors in the data.



# Fairbanks North Star Borough

## Zoning Report

PAN# 0031062  
Printed on: 01/06/2015



**Property Information for PAN#: 0031062**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 09A  
 OWNER: Goertz Donovan K  
 BILLING ADDRESS: 607 Old Steese Hwy Ste B 353 Fairbanks, AK 99701 3131  
 SITUS ADDRESS: 101 Badger St  
 PARCEL SIZE: 3850 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: Duplex (2 Units)  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads		FEMA Flood Zones (March 17, 2014 dFIRM)	
	ARTERIAL - CONTROLLED ACCESS		A
	Special Regulatory Areas		AE
	CHENA RIVER CENTERLINE 200 ft BUFFER		AE, FLOODWAY
	LEVEE 250ft BUFFER		AH
	SALCHAKET HEIGHTS EROSION CONTROL		AO
			X

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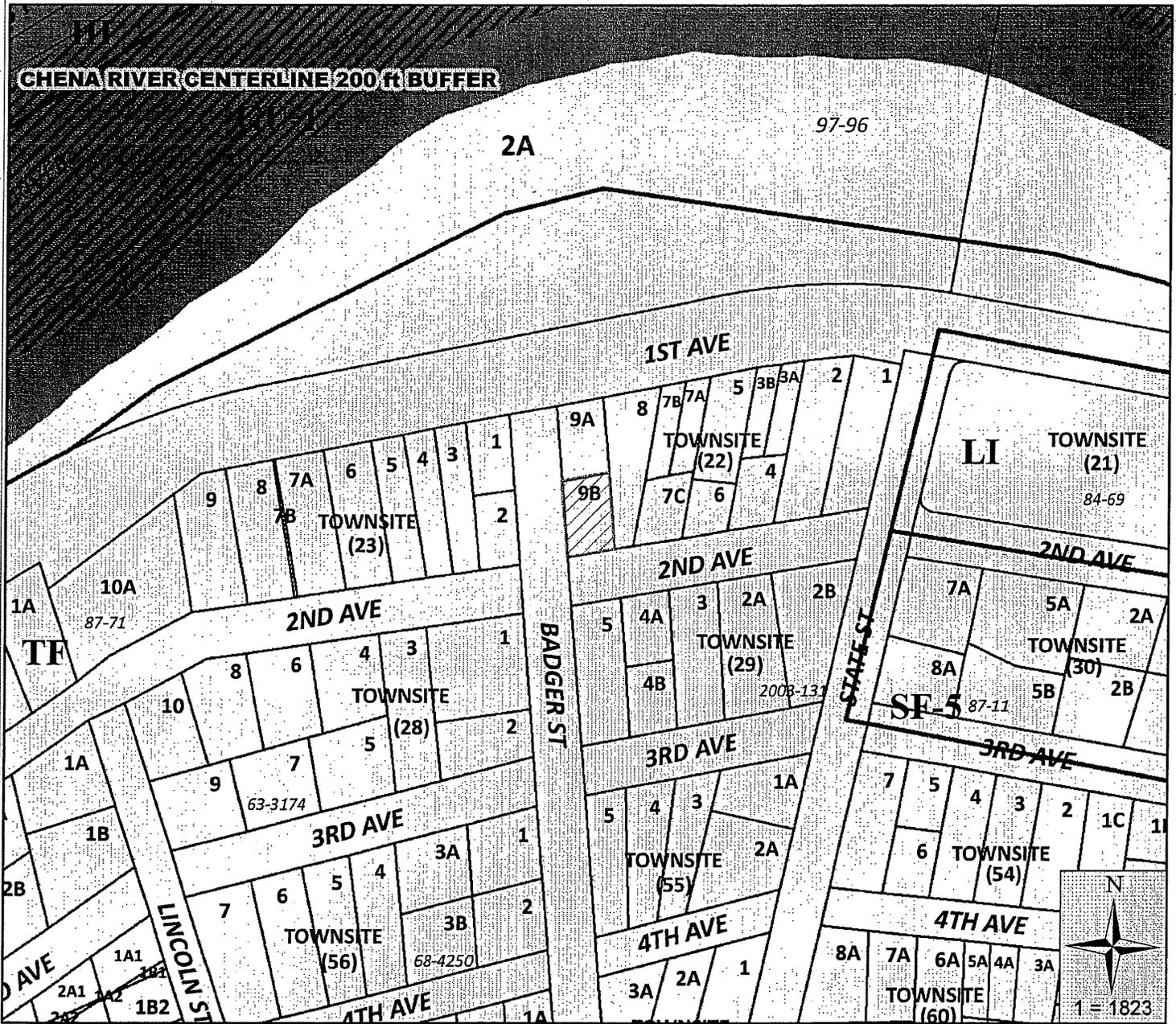


# Fairbanks North Star Borough

## Zoning Report

PAN# 0031071  
Printed on: 01/06/2015

**CHENA RIVER CENTERLINE 200 ft BUFFER**



**Property Information for PAN#: 0031071**

PROPERTY DESCRIPTION: FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 09B  
 OWNER: Kluting David D  
 BILLING ADDRESS: PO BOX 73123 Fairbanks, AK 99707 3123  
 SITUS ADDRESS: 1324 Second Ave  
 PARCEL SIZE: 4030 SF  
 FLOOD ZONE: X (100%)  
 SPECIAL REG. AREAS: None  
 ZONING: TF (100%)  
 COMP PLAN: Urban Area (100%), Urban Boundary (100%)  
 PLANNING DISTRICT: Fairbanks (100%)  
 ROAD SERVICE AREA: City of Fairbanks (100%)  
 FIRE SERVICE AREA: City of Fairbanks (100%)  
 FIRE RESPONSE AGENCY: City of Fairbanks Fire Department (100%)  
 STRUCTURES: Triplex (3 Units)  
 COMMUNITY PLANNING PERMITS: NONE

Controlled Access Roads	FEMA Flood Zones (March 17, 2014 dFIRM)
ARTERIAL - CONTROLLED ACCESS	A
Special Regulatory Areas	AE
CHENA RIVER CENTERLINE 200 ft BUFFER	AE, FLOODWAY
LEVEE 250ft BUFFER	AH
SALCHAKET HEIGHTS EROSION CONTROL	AO
	X

The Fairbanks North Star Borough does not warrant the accuracy of maps or data provided, nor their suitability for any particular application. There may be errors in the data.

TL-435

HI

PHILLIPS FIELD RD

CHENA RIVER

GU-1

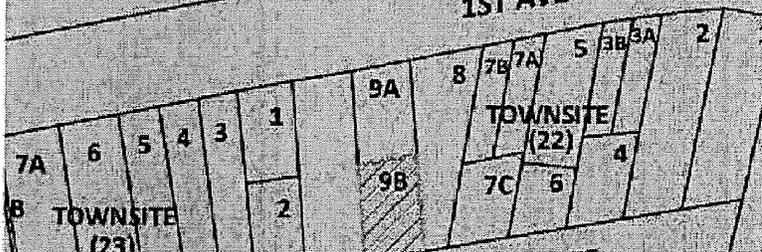
97-96

2A

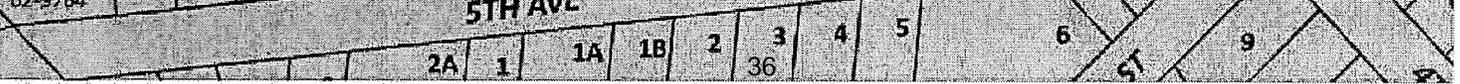
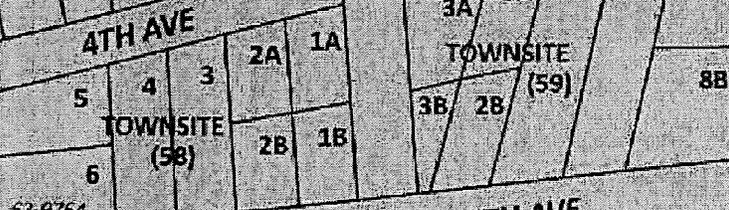
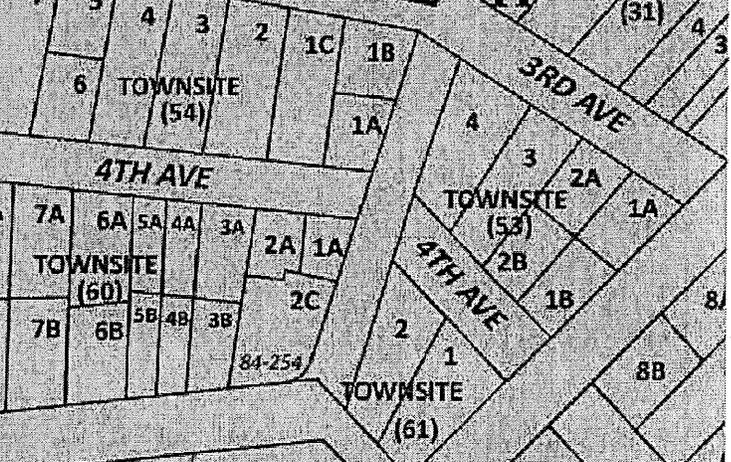
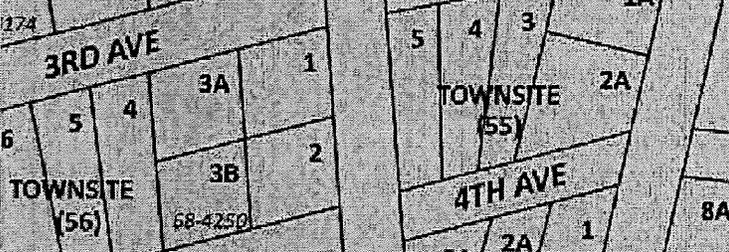
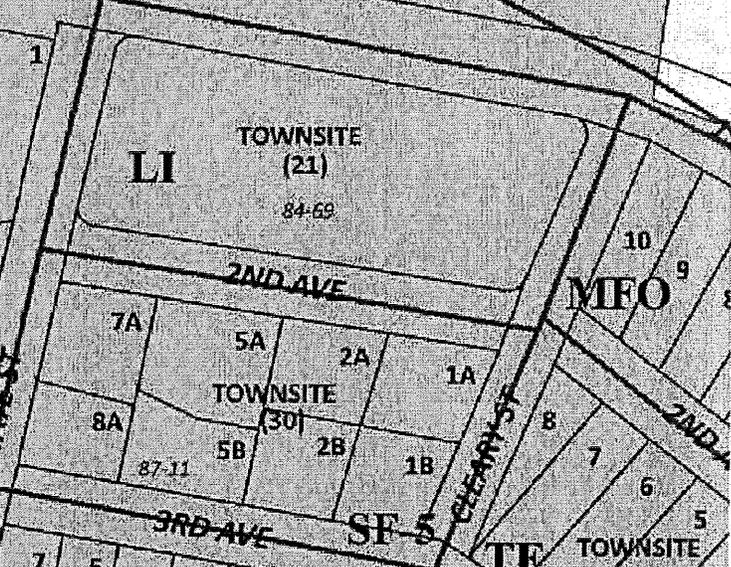
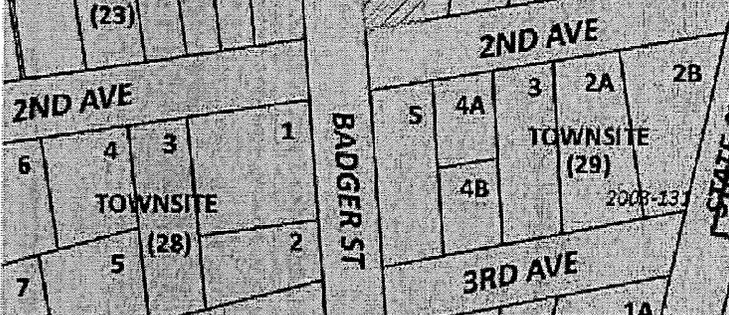
1A

URBAN

1ST AVE



LI TOWNSHIP (21) 84-69



BADGER ST

STATE ST

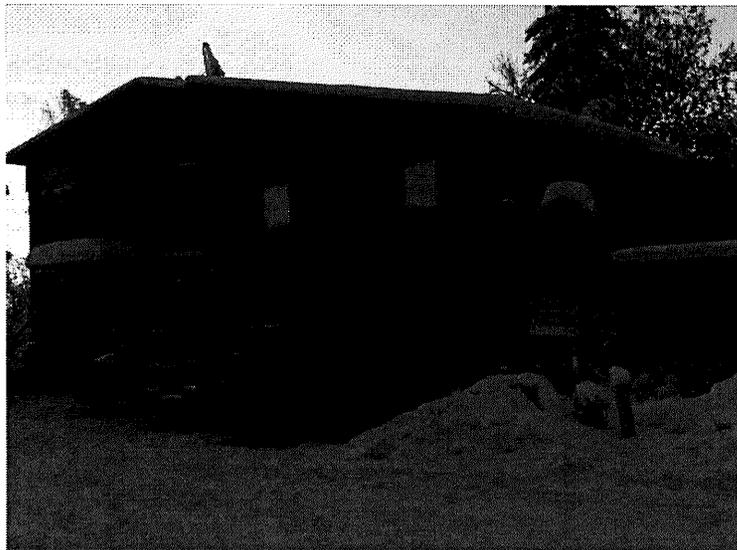
SE 5

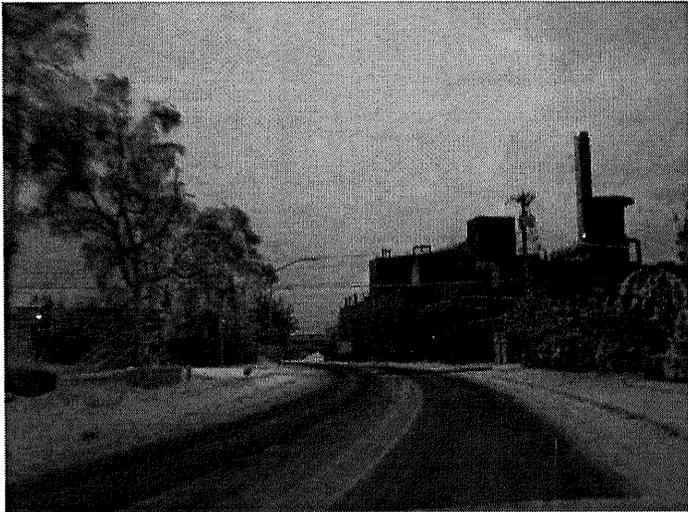
CHEMUN ST

MFO

TF

RZ2015-006\_Ford\_Sign\_Pictures\_2015-0128

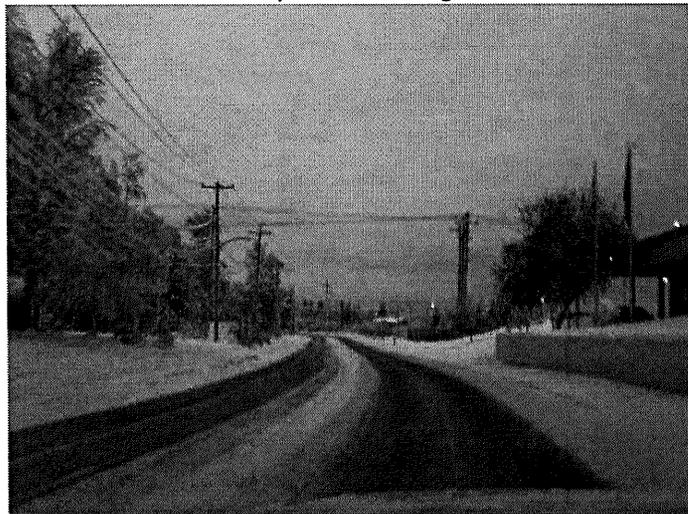




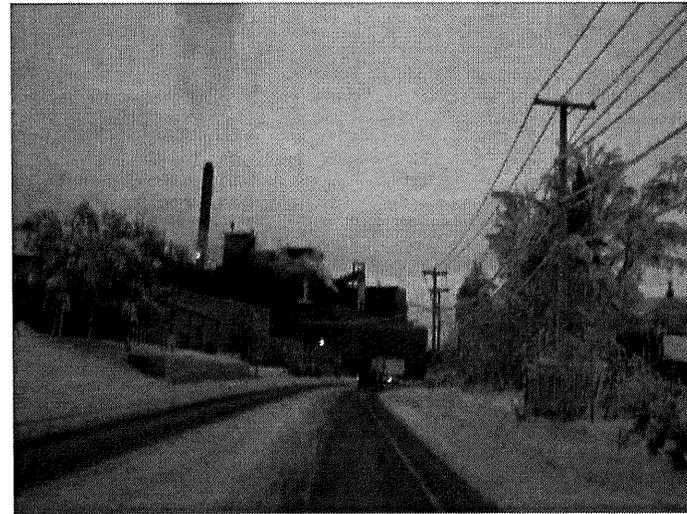
1<sup>st</sup> Avenue east of Cleary Street looking west



1<sup>st</sup> Avenue east of State Street looking west



1<sup>st</sup> Avenue east of Badger Street 22 looking west



1<sup>st</sup> Avenue west of State Street looking east



Lot 1 from 1<sup>st</sup> Avenue



North Half Lot 1 from State Street



Lot 1 from 2<sup>nd</sup> Avenue



South Half Lot 1 from State Street



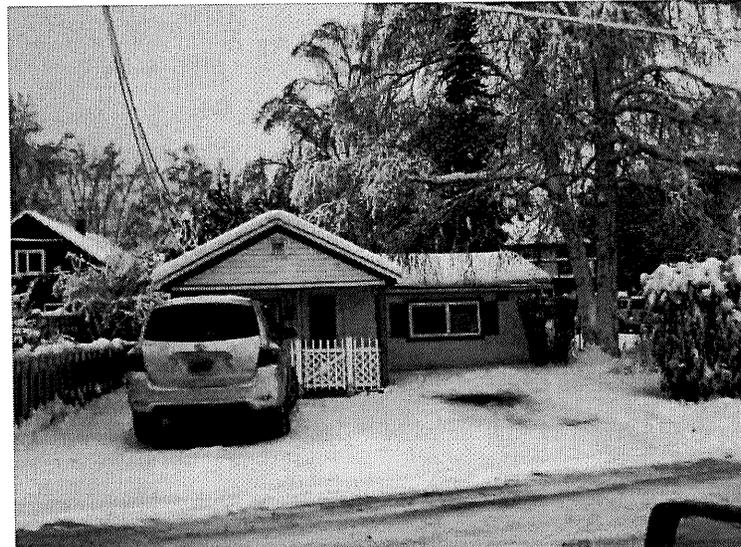
Lot 2 from 1<sup>st</sup> Avenue



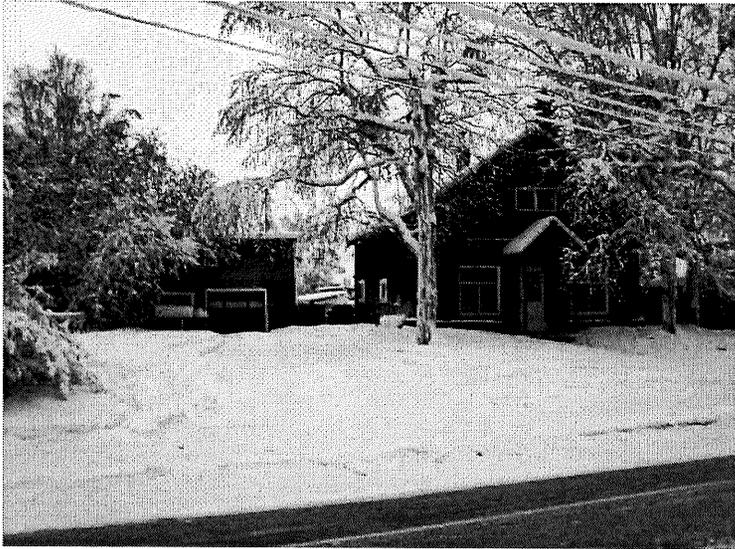
Lot 2 from 2<sup>nd</sup> Avenue



Lot 3A from 1<sup>st</sup> Avenue



Lot 4 from 2<sup>nd</sup> Avenue



Lots 3B & 5 from 1<sup>st</sup> Avenue



Lots 6 & 5 from 2<sup>nd</sup> Avenue



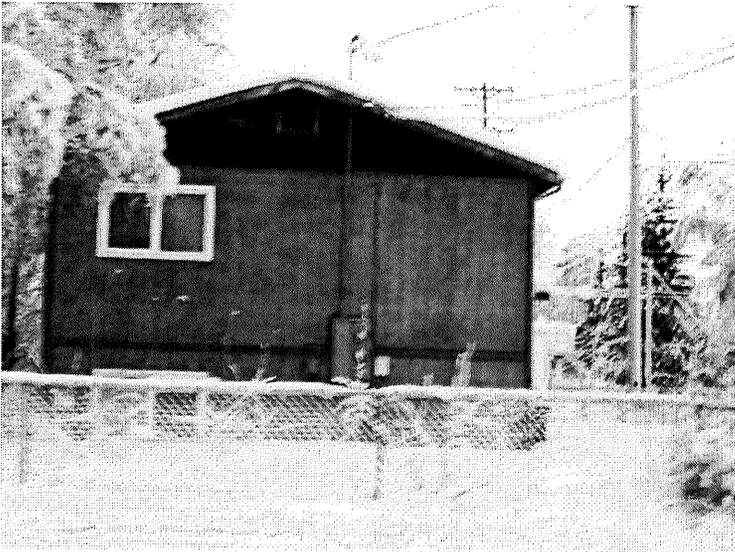
Lots 7A & 7B from 1<sup>st</sup> Avenue



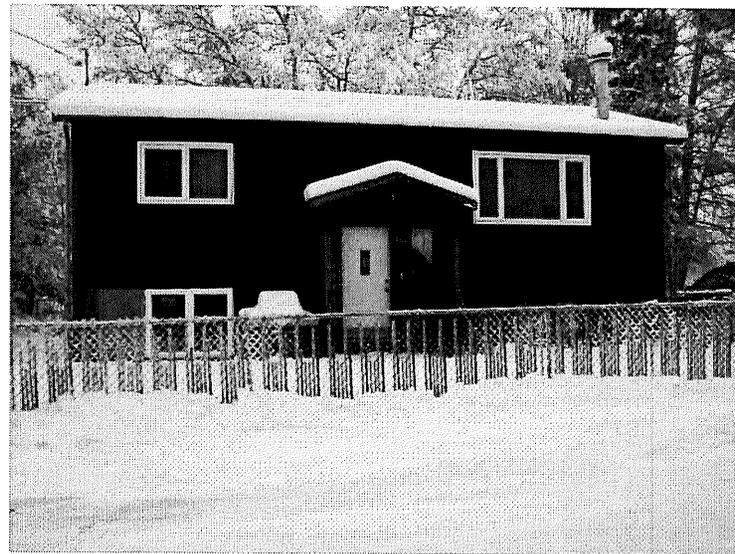
Lots 8 & 7C from 2<sup>nd</sup> Avenue



Lot 8 from 1<sup>st</sup> Avenue



Lot 9A from 1<sup>st</sup> Avenue



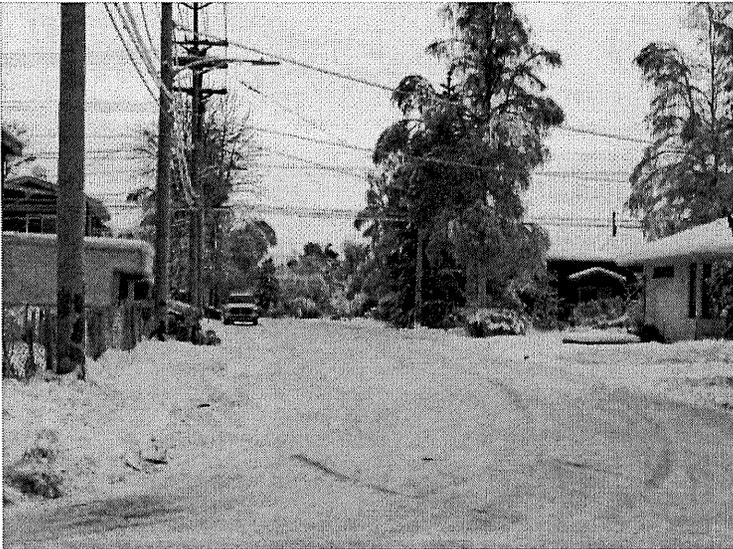
Lot 9A from Badger Street



Lot 9B from Badger Street



Lot 9B from 2<sup>nd</sup> Avenue



At 1<sup>st</sup> Avenue looking south down Badger Street



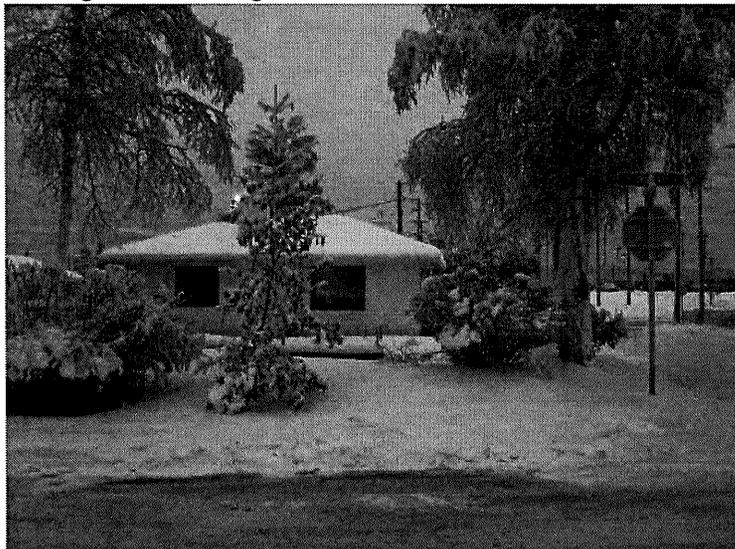
Southeast corner of 1<sup>st</sup> Avenue and Badger Street



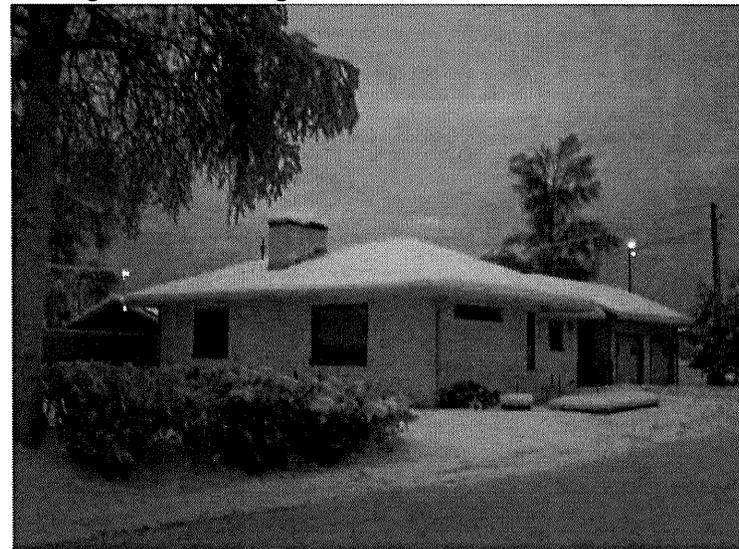
Looking south on Badger Street from 1<sup>st</sup> Avenue near 2<sup>nd</sup> Avenue



At Badger Street looking west down 2<sup>nd</sup> Avenue



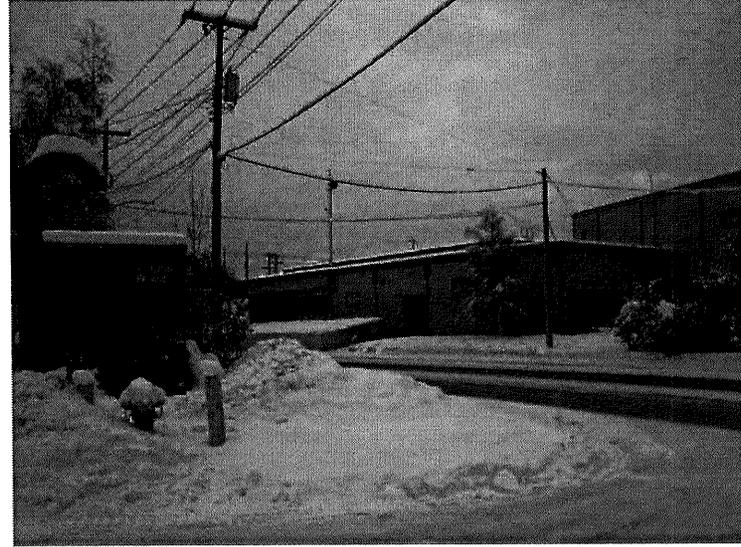
Northwest corner of 2<sup>nd</sup> Avenue and Badger Street (Block 23)



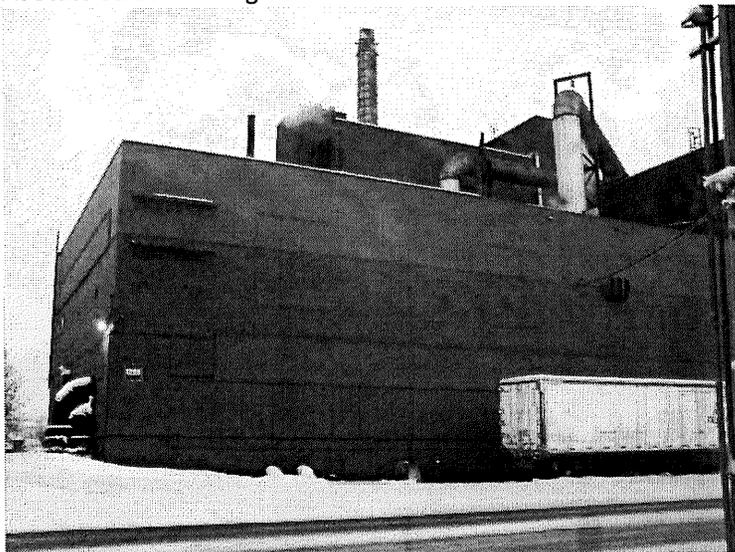
Southwest corner of 1<sup>st</sup> Avenue and Badger Street (Block 23)



At State Street looking northwest across 1<sup>st</sup> Avenue



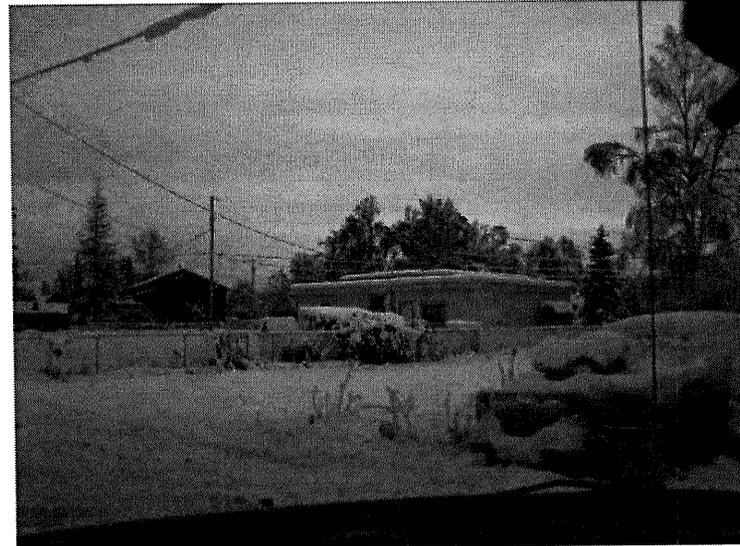
At State Street looking west down 1<sup>st</sup> Avenue



At State Street looking northeast across 1<sup>st</sup> Avenue



Southeast corner of 2<sup>nd</sup> Avenue & Badger Street (Block 29)



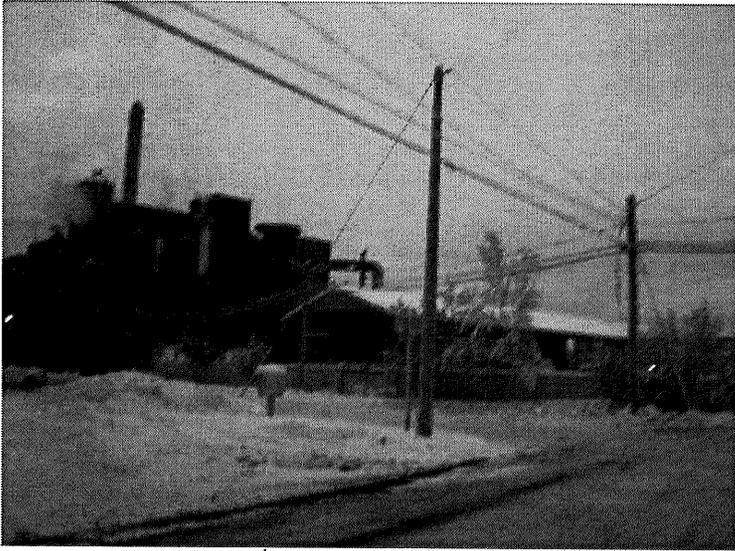
Looking at the middle of Block 29 from 2<sup>nd</sup> Avenue



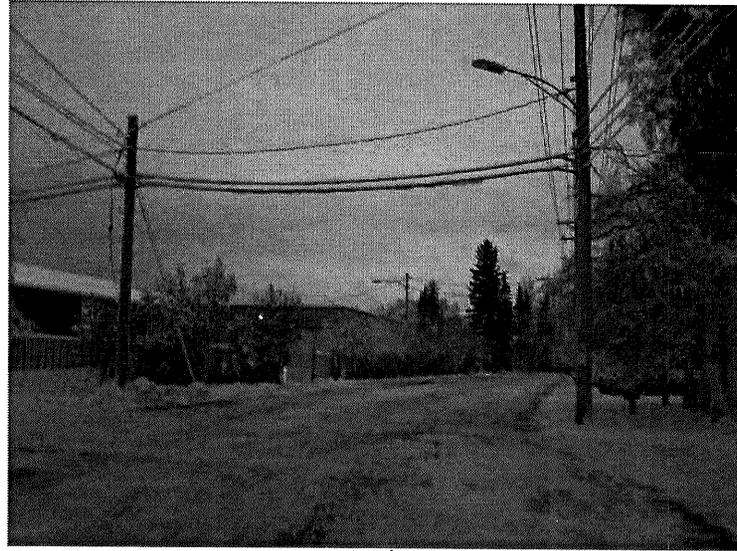
Looking at the middle of Block 29 from 2<sup>nd</sup> Avenue



Looking at the east side of Block 29 from 2<sup>nd</sup> Avenue



Northeast corner of 2<sup>nd</sup> Avenue and State Street (Block 21)



At State Street looking east on 2<sup>nd</sup> Avenue



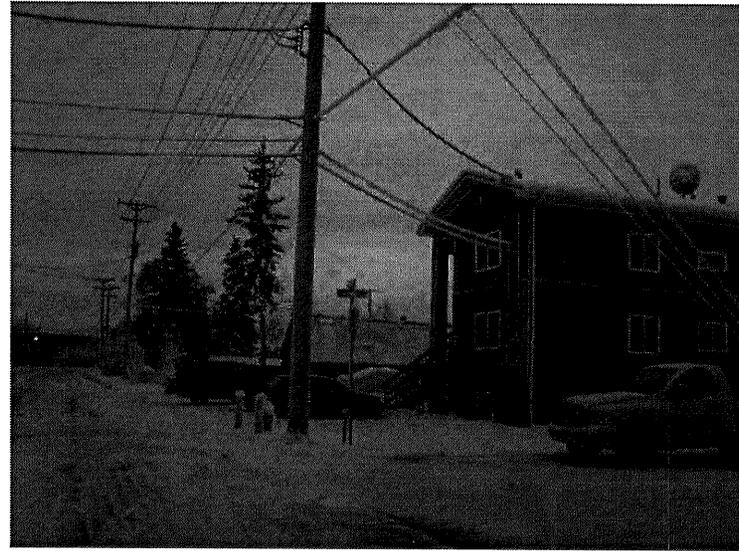
Southeast corner of 2<sup>nd</sup> Avenue and State Street (Block 30)



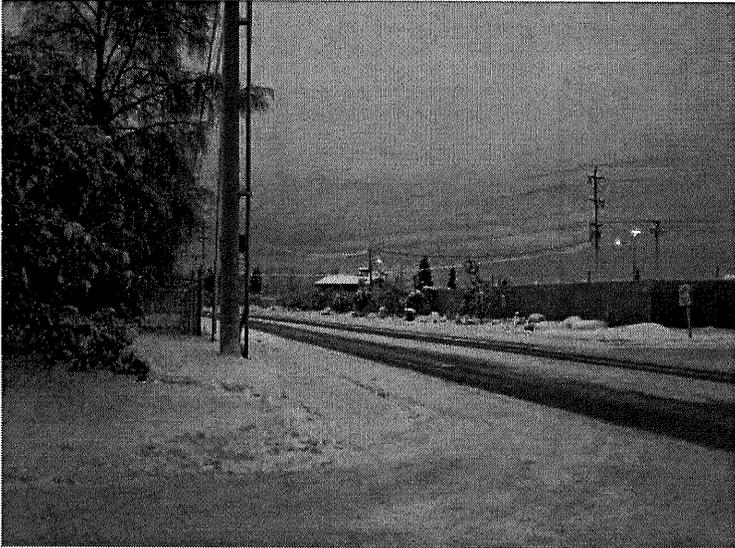
Looking north on Badger Street from 3<sup>rd</sup> Avenue



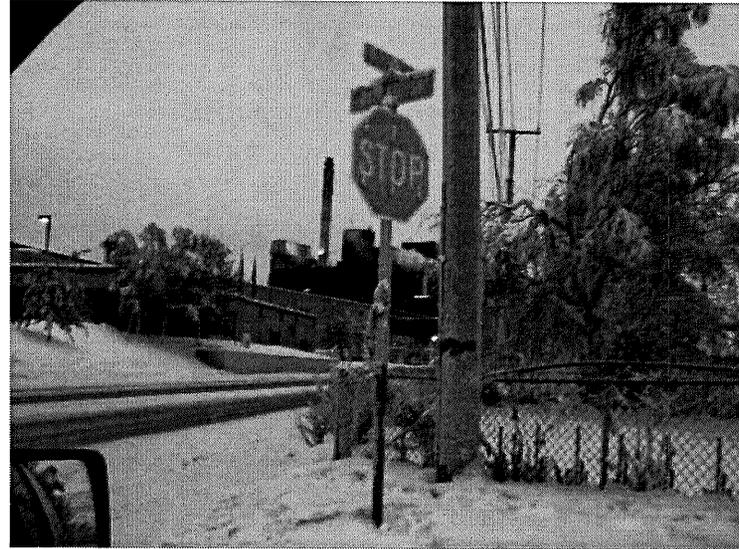
At State Street looking northeast on 2<sup>nd</sup> Avenue



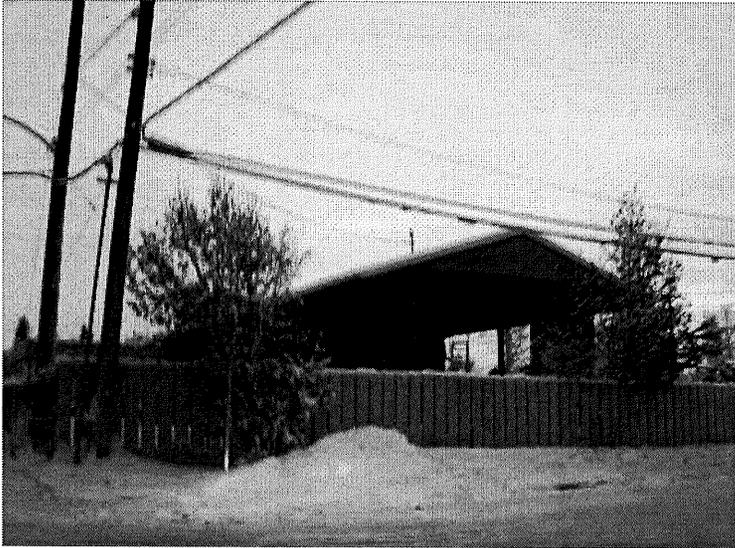
At State Street looking southeast on 2<sup>nd</sup> Avenue



At Badger Street looking west down 1<sup>st</sup> Avenue



Badger Street looking east down 1<sup>st</sup> Avenue



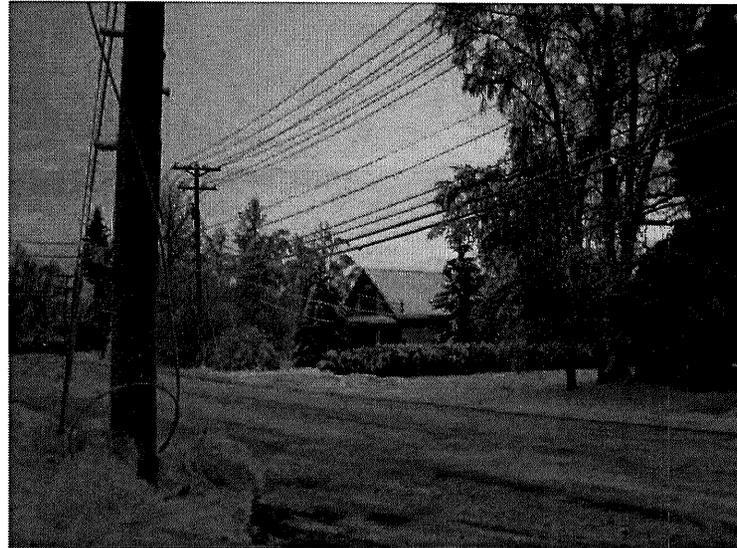
Southeast corner of 1<sup>st</sup> Avenue and State Street (Block 21)



At 1<sup>st</sup> Avenue looking south down State Street



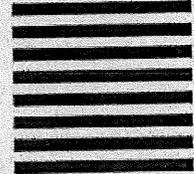
Southeast corner of 2<sup>nd</sup> Avenue and State Street (Block 30)



At State Street looking southeast on 2<sup>nd</sup> Avenue

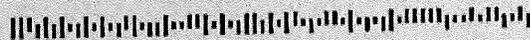


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DEPARTMENT OF COMMUNITY PLANNING  
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P.O. BOX 71267  
FAIRBANKS, AK 99707-9990



FOLD ON THIS LINE

Dear Property Owner:

The Fairbanks North Star Borough Planning Commission is considering **RZ2015-006**, a request to rezone 54,105 square feet from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO) at all of **Block 22 of Fairbanks Townsite**, located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.

You are being notified as a courtesy because your property is within 500 feet of the request. You may provide comments on this application by returning this notice prior to the meeting or by testifying in person.

A public hearing on this request will be held at **7:00 pm, Tuesday, February 17, 2015**, at the Borough Administrative Center, Assembly Chambers, 809 Pioneer Road, Fairbanks.

For more information, please email [planning@fnsb.us](mailto:planning@fnsb.us) or contact Community Planning at 459-1260. The staff report to the commission will be available online at [www.fnsb.us/meetings/planningcommission](http://www.fnsb.us/meetings/planningcommission) five days before the hearing.

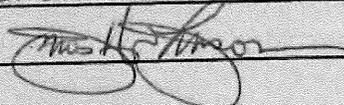
*for*   
D. Christine Neison, Director  
FNSB Department of Community Planning

FOLD ON THIS LINE

Property Owner: JAMES H. JOHNSON & GWENETTA DAWN JOHNSON

Address or Lot/Block/Sub: LOTS 1A, 1B, 2A, 2B, TOWNSITE 30

Comments: WE SUPPORT THIS RE-ZONING REQUEST.

RZ2015-006: A request by Benjamin Ford to rezone all of Block 22 of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO). (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.)

The Fairbanks North Star Borough is subject to the Alaska Public Records Act, AS 40.25 et seq. and this document may be subject to public disclosure under state law.

# ADDENDUM



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*Rella D. Spill*  
D. Christine Nelson, Director  
FNSB Department of Community Planning

FOLD ON THIS LINE

Property Owner: Candace Carroll  
Address or Lot/Block/Sub: 1221 3RD AVE, FBK AK Lot 3B154  
Comments: I object to this Rezone.  
outside buffer zone. @Carroll

RZ2015-006: A request by Benjamin Ford to rezone all of Block 22 of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO). (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.)

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**Tanya Hughes**

---

**From:** L.B <lat64n@yahoo.com>  
**Sent:** Friday, February 13, 2015 3:52 PM  
**To:** Webmail Planning  
**Cc:** Webmail Planning  
**Subject:** RZZ2015-006

Christine Nelson Director,  
FNSB Department of Community Planning.

I am opposed to the rezoning of Block 22 Fairbanks Townsite or any other lots along 1st Avenue and 2nd Avenue from 2 family residential to multiple-family or office buildings Please don't do it.

I will not be able to attend the hearing on Feb. 17,2015 at 7PM please let this email speak for me.

Thanks,  
Laura LeMieux

Comm. Planning Dept

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*fo*   
D. Christine Nelson, Director  
FNSB Department of Community Planning

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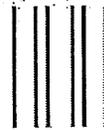
Property Owner: Peter delima

Address or Lot/Block/Sub: 1319 1<sup>st</sup> Ave

Comments: I have no issues with a Rezone of Block 22

RZ2015-006: A request by Benjamin Ford to rezone all of Block 22 of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO). (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.)

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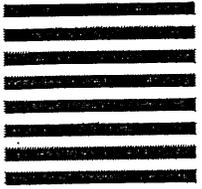
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*Rebecca D. Spill*

D. Christine Nelson, Director  
FNSB Department of Community Planning

FOLD ON THIS LINE

Property Owner: Stephen Ketzler

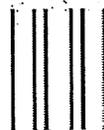
Address or Lot/Block/Sub: 360 State St. or Townsite (55)2A

Comments: Personally pro development in my area of downtown Fairbanks  
In the past 4 years of owning my house, I've seen 2 houses  
on my block go abandoned. New development will help revitalize the  
downtown area and create more revenue for the City.

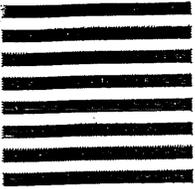
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PHOENIX  
AZ 852  
05 FEB '15  
PM 11 L



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DEPARTMENT OF COMMUNITY PLANNING  
FAIRBANKS NORTH STAR BOROUGH  
P.O. BOX 71267  
FAIRBANKS, AK 99707-9990



FOLD ON THIS LINE

**Dear Property Owner:**

The Fairbanks North Star Borough Planning Commission is considering **RZ2015-006**, a request to rezone 54,105 square feet from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO) at all of **Block 22 of Fairbanks Townsite**, located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.

You are being notified as a courtesy because your property is within 500 feet of the request. You may provide comments on this application by returning this notice prior to the meeting or by testifying in person.

A public hearing on this request will be held at **7:00 pm, Tuesday, February 17, 2015**, at the Borough Administrative Center, Assembly Chambers, 809 Pioneer Road, Fairbanks.

For more information, please email [planning@fnsb.us](mailto:planning@fnsb.us) or contact Community Planning at 459-1260. The staff report to the commission will be available online at [www.fnsb.us/meetings/planningcommission](http://www.fnsb.us/meetings/planningcommission) five days before the hearing.

*Kellen D. Spill*

for D. Christine Nelson, Director  
FNSB Department of Community Planning

FOLD ON THIS LINE

Property Owner: Vernon Allen Fleming  
Address or Lot/Block/Sub: 304 Badger St., FBX5, AK 99701  
Comments: We have no objections

RZ2015-006: A request by Benjamin Ford to rezone all of Block 22 of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO). (Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street.)

**DRAFT**

F. PUBLIC HEARING

**RZ2015-006:** A request by Benjamin Ford to rezone All of Block 22 (Lots 1, 2,3A, 3B, 4, 5, 6, 7A, 7B, 7C, 8, 9A and 9B) of Fairbanks Townsite (approximately 54,105 square feet) from Two-Family Residential (TF) to Multiple-Family Residential / Professional Office (MFO) or other appropriate zone. **(Located between 1<sup>st</sup> Avenue and 2<sup>nd</sup> Avenue and between Badger Street and State Street)**

**Doug Sims**, presented the staff report. Based upon staff analysis, the Department of Community Planning recommended **approval** of the proposed request with the following findings of fact in support of the request:

1. The request is consistent with the goals and policies of the Comprehensive Plan, specifically Land Use **Goal 3, Strategy 7**, which promotes a variety of land use opportunities.
2. The proposed Multiple-Family Residential/Professional Office zone does not jeopardize public health, safety or welfare because it does not result in a substantial intensification of uses. None of the uses allowed in the MFO produce undue hazards or adverse traffic impacts due to limited lot area availability and will be in line with expectations for the downtown area.

**Mr. McBeath** requested information regarding responses received to the Dear Property Owner letters; for and against the rezone request.

**Mr. Sims** responded that the responses were non-descript; the two in support stated that they had no objection, and the two opposed stated they were in against the rezone request.

**Mr. McBeath** commented that he had trouble interpreting the responses.

**Mr. Lanning** inquired if Mr. Sims knew where Laura LeMieux, the author of an email response, lived.

**Mr. Sims** replied, no; however, he could determine that with GIS.

**Mr. McBeath** requested to see the adjoining properties and their classifications on screen.

**Mr. Sims** brought up the map on screen; the adjoining properties in Block 22 were Two Family Residential (TF), across 1<sup>st</sup> Avenue are General Use 1 (GU-1) and Light Industrial (LI). Block 30 was Single Family 5; some of those lots were vacant. Blocks 19 and 20, were rezoned in 2013 to Multiple-Family Residential/Professional Office (MFO).

**Mr. McBeath** commented; the effect of approving the rezone would make more heterogeneous zoning in this area.

**Mr. Sims** agreed it would be varied; however not out character along a collector street as 1<sup>st</sup> Avenue with Industrial Uses across the street. Usually there is some gradation in zoning intensity between Industrial to Residential. Multiple-Family Residential/Professional Office (MFO) along a collector street is not unreasonable. It would be different if the request were for an interior block, away from 1<sup>st</sup> Avenue because it would draw a lot of traffic in through residential areas. If the rezone is approved, 2<sup>nd</sup> Avenue will experience some increased traffic if the lots are redeveloped with a higher intensity. The proposed zone allows for daycares, schools, and professional offices. However, in this location those uses are limited due to lot

area, off street parking requirements, and larger setback requirements for new structures; these requirements all limit potential uses for the future development in Block 22.

**Mr. McBeath** queried would it have more potential under Multi-Family (MF) than it does currently as Two Family (TF).

**Mr. Sims** responded, yes, with Multi-Family (MF) no Professional Office uses were allowed. The Multiple-Family Residential/Professional Office (MFO) allows for higher residential density compared to Multi Family (MF). In terms of what development would be allowed if the rezone were approved; the vacant lots, 7A, 7B, 7C, and 8 comprise only about 14,000 square feet so potential is limited.

**Mr. Lanning** inquired which lots were single family residences. If all the single family residences were torn down, would that make this area more developable?

**Mr. Sims** pointed out the single family homes on the screen; lots 2, 4, and a combination of lots 3B and 5.

**Mr. Billingsley** queried if a Multiple-Family Residential/Professional Office (MFO) rezone request was submitted for the block south, what would Mr. Sims recommend?

**Mr. Sims** replied that he would be hesitant to recommend approval.

**Mr. Billingsley** inquired if that was due to it being a block away from 1<sup>st</sup> Avenue.

**Mr. Sims** replied that it was located farther away from the main traffic corridor and would bring higher density into a two family neighborhood.

**Mr. Billingsley** continued, what about the same request for the block to the west.

**Mr. Sims** responded, without being familiar with this area, large vacant lots compared to the current request where the lots are already developed and stable.

**Mr. Billingsley** observed that a zoning change lasts forever; if the current structures are torn down something else could be built.

**Mr. Sims** commented that age factored into that, Lots 7A and 6 were vacant. There is an electrical generating power plant across the street zoned General Use 1 (GU-1) which also factors into the potential. 2<sup>nd</sup> and 3<sup>rd</sup> Avenue do not have sidewalks and are not major connectors to downtown. All of these factors would be considered in a recommendation and I do not know what I would recommend for Block 23.

**Mr. Billingsley** commented that was his point. Would Mr. Sims support all of the Blocks along 1<sup>st</sup> Avenue being rezoned to Multiple-Family Residential/Professional Office (MFO)?

**Mr. Sims** replied, no. That question was too broad and vague to answer. The Comprehensive Plan calls this area Urban and should give direction; however, in my opinion it does not. Things to consider; what is there now, what is the potential for change, and what type of transportation was near.

**Mr. Billingsley** inquired how a residential neighborhood was developed right across from a General Use 1 (GU-1) power plant.

**Mr. Sims** responded that the power plant was established by the City of Fairbanks prior to the existence of the Fairbanks North Star Borough. The railroad delivered coal across the river on a

conveyor belt. The power plant should be zoned Heavy Industrial (HI); however, General Use 1 (GU-1) is similar. The town site is the original part of Fairbanks and perhaps in the 1950's they were not concerned with compatibility issues.

**Mr. McBeath** added, there were zones and the City of Fairbanks did have zoning powers

**Mr. Sims** concurred.

**Mr. Guinn** probed did Mr. Sims believe that there were enough Multiple-Family Residential/Professional Office (MFO) lots in the Fairbanks North Star Borough, or if more were needed.

**Mr. Sims** replied there was no empirical data to make that determination for a town this size. Home occupations are allowed outright in all zones.

**Mr. Guinn** inquired if Mr. Sims would strongly disagree if he stated that there was not enough Multiple-Family Residential/Professional Office (MFO) zoning.

**Mr. Sims** offered that he would not strongly agree or disagree but he would be curious why Mr. Guinn posited that though.

**Mr. McBeath** inquired if Mr. Ford had questions for Mr. Sims.

**Benjamin Ford**, applicant, offered that all questions were asked prior to applying.

**Mr. McBeath** observed that there were many co-applicants listed, inquiring as to the relationship between the owners living on adjoining properties.

**Mr. Ford** explained that his idea of zoning was about property rights and interests. He approached the neighbors prior to filing the application to see if they were interested in rezoning as well; explaining the density issue. The neighbors are investing money in their properties for their existing use; however, they all liked the flexibility of increased density usage and adding signage on 1<sup>st</sup> Avenue.

**Mr. McBeath** restated for clarification, the current zoning does not allow him to do what he would like on his property.

**Mr. Ford** explained that he and David Kluting, co-applicant, both purchased triplexes on their respective lots. He purchased his using owner financing, the Borough assessing page lists the structure as a triplex; however, it is zoned Two Family (TF). When he tried to refinance the underwriter denied the loan request due to noncompliance with zoning requirements. He commented that he was not sure how a triplex was constructed in this zone; the City of Fairbanks permit was obtained, but it was not zoned for a triplex. One of the units was huge and it is hard to keep tenants due to the large vehicular traffic and steam release from the power plant; it is hard to rent a 2,000 square foot apartment to one or two people. Previous tenants sublet rooms which causes an issue for the landlord trying to evict individuals who are not on the lease. 1<sup>st</sup> Avenue has developed as a collector street; according to a friend at DOT the traffic has tripled in the past twenty to twenty five years. Owners in this block are adding fencing and trees due to the traffic compared to properties to the North and South which are open yards and gardens. Zoning should match the use of the property. One neighbor is rebuilding his parents' house and has a lawyer interested in purchasing the property if he could put up a sign on 1<sup>st</sup> Avenue.

**Ms. Banks** asked for clarification, the rezone was not to build offices but to match zoning to the current property use.

**Mr. Ford** replied, his intended and understanding from conversations with other owners was that the rezone was for existing use.

#### Public Hearing Opened

**Lee Wood**, resident of Fairbanks, spoke against the rezone request. She purchased her property, which is located 1 block to the west of the rezone, 20 years ago. She purchased the adjacent property because she loved the neighborhood. She attended several rezoning meetings since the big rezone on 1<sup>st</sup> Avenue, being told that it is not near her property yet. Now it is the next block over. If reason for the rezone request was to bring two triplexes into compliance there is no need to rezone the entire block. She posited that people could purchase the lots and turning them into parking lots and group homes; things that do not match the neighborhood. The block is surrounded on three sides by residential properties. When blocks 19 & 20 were rezoned they were assured that traffic and parking on 2<sup>nd</sup> Avenue would not be an issue. However, that is not true. After the rezone and addition of the Chiropractic office 2<sup>nd</sup> Avenue became a one lane road; there are no sidewalks or guards to protect pedestrians. This rezone request would bring that problem further down 1<sup>st</sup> Avenue. 2<sup>nd</sup> Avenue is becoming a major corridor. This neighborhood is given nothing in return. She inquired where the rezoning would be stopped. Owners did not purchase here to live next to a group home or parking lot.

**Ms. Banks** queried where Ms. Wood's property was located with respect to the rezone request.

**Ms. Wood** one block to the west, 1524 2<sup>nd</sup> Avenue and she also owns 1538.

**Mr. McBeath** inquired if she was aware that there are 7 or 8 co-applicants.

**Ms. Wood** replied, yes.

**Mr. McBeath** asked if her fear of non-compatible future developments was based on similar developments that happened close to this location.

**Ms. Wood** responded it was based in the recent rezone that brought a Chiropractic Clinic into this area which increased traffic to the point that 2<sup>nd</sup> Avenue is a one way street at times. For the block requesting rezone now; what is the access? What is the parking available? A business requiring parking or access will bring traffic to the south.

**Mr. Guinn** inquired if there has been construction in this area since the power plant was installed in the 1950's.

**Ms. Wood** replied, yes; it doesn't happen often because it is a stable neighborhood.

**Mr. Whitaker** declared that he has a potential conflict of interest that he was not aware of at the beginning of the meeting. He performed work on the house that Ms. Wood refurbished at the end of the road. He did not recognize her until she came forward.

**Mr. McBeath** referred the question to Ms. Klepaski; Mr. Whitaker performed work for Ms. Wood, however, she is not an adjacent property owner.

**Ms. Klepaski** inquired how significant was the work done.

**Mr. Whitaker** replied \$500.00 worth of work.

**Ms. Klepaski** asked for clarification; it is not an ongoing service?

**Mr. Whitaker** replied, no.

**Ms. Klepaski** queried if it was at all based on the value of her home.

**Mr. Whitaker** answered, no.

**Ms. Klepaski** advised that she did not see a conflict.

**Mr. McBeath** ruled no conflict.

**David Kluting**, co-applicant, spoke regarding the non-compliance of his property; he was the other owner of a triplex in the Two Family (TF) zone. He, like Mr. Ford, purchased his property using owner financing. The Borough lists the property as a triplex. It was built in the 1980's, has three meters, and is billed as a triplex for garbage service. Somehow a triplex was allowed, by the Borough and City of Fairbanks, to be constructed in a non-compliant zone. He was informed of the zoning issue while trying to refinance the property. He offered that there is no intention of building additional structures; adding that the small vacant lots did not allow many options for structures to be built with current zoning requirements. This rezone would bring the triplex into compliance.

**Mr. Billingsley** queried if there was a driveway to the triplex.

**Mr. Kluting** answered, no; there is parking on both sides.

**Mr. Billingsley** queried if he knew where the parking was for Mr. Ford's property.

**Mr. Kluting** responded that Mr. Ford had more parking in front of his property.

**Ms. Nelson** inquired if Mr. Kluting had applied for Grandfather Rights to determine if his property was legal non-conforming.

**Mr. Kluting** responded, no.

**Mr. McBeath** commented that they did not know if it was legal non-conforming then.

**Mr. Sims** offered that this area has been zoned Two Family a long time. It was constructed in 1980. As to how it was possible to build a non-compliant structure; there was a time when the City of Fairbanks did not talk to Fairbanks North Star Borough Zoning when a lot of city building was happening. He posited that there was a lack of communication between two entities; the City of Fairbanks issued building permits and the Fairbanks North Star Borough Zoning issued permits for land use. .

**Ms. Nelson** asked if there was a copy of zoning permits for either of the two triplexes.

**Mr. Sims** replied, not that he was aware of but he would have to research. One of the triplexes applied for a setback variance that was denied.

**Mr. McBeath** informed that the Assembly recently approved triplexes as a conditional use in the Rural Residential (RR) zone. If that were possible for Two Family (TW) would that solve the need to be in compliance?

**Mr. Kluting** stated that to be in compliance in the current zone he would have to vacate one of the units.

**Mr. McBeath** observed that the zone he spoke of was Rural Residential (RR) and would not apply. He clarified that the rezone request was to bring the property into full compliance.

**Mr. Billingsley** inquired if there was an alternative to rezoning the entire block; was conditional use a possibility?

**Ms. Klepaski** counseled that it is not a conditional use in this zone. There were alternative options; rezone with Special Limitations or rezone to a different zone like Multi Family, which allows a triplex but not an office. Special Limitations require the approval of the owners.

**Mr. Reilly** enquired about the future intent regarding this property. Do you intend to sell the property if it is rezoned or will you reside there?

**Mr. Kluting** specified that he would live in one and rent out the other two.

Public Hearing Closed

**MOTION** Move to approve **RZ2015-006** with two (2) Findings of Fact by **Mr. Guinn**, seconded by **Mr. Lanning**.

Discussion

**Mr. Guinn** spoke in favor of recommending approval of the rezone request. The properties in this area have struggled with the traffic and industrial use created by the power plant; which will not change. He opined that the area would not improve under current zoning. He agreed with Mr. Sims that 1<sup>st</sup> Avenue was a collector. This rezone would be positive for the future of the area.

**Mr. Lanning** spoke in favor of recommending approval of the rezone request, agreeing with all of Mr. Guinn's points.

**Ms. Banks** spoke in favor of recommending approval of the rezone request. She agreed with the points made and posited that changes were coming in the future. She expressed empathy for the property owners that were affected.

**Ms. Nelson** instructed that Multi Family (MF) was an effective and appropriate transition zone between Industrial and Two Family (TW) or Single Family (SF) zones. She advised the commission to make a finding on spot zoning. The criteria for spot zoning includes; 1.) The consistency of the amendment with the Comprehensive Plan, 2.) The benefits and detriments to the owners adjacent land owners and the community and 3.) The size of the area rezoned. The Anderson Treatise states that parcels less than 3 acres are almost always spot zones, while parcels over 13 acres are almost always found valid. Since these properties are not adjacent to any other Multiple-Family Residential/Professional Office (MFO a finding needs to be made to that effect.

**Ms. Klepaski** counseled these are three things that the courts consider; it is possible to have a rezone smaller than 3 acres but the other two criteria then become even more important.

**Mr. McBeath** instructed the commission to discuss and arrive at reasons why the approval of this request would not create a spot zone.

**Mr. Billingsley** spoke in favor of a more limited rezone; rezoning only the two lots with triplexes to Multi Family (MF). This would solve the stated issue and would not affect Ms. Wood. That would satisfy all individual interests. There is no need to rezone the entire block; the other property owners signed the paperwork but are not present to lobby for the rezone. Also, it would not open the entire block to being bulldozed in the future for offices.

**Mr. McBeath** asked if Mr. Billingsley would be in favor of that action if it were creating two new spot zones.

**Ms. Klepaski** instructed that suggestion would create spot zones by singling out two lots that are surrounded by incompatible zones.

**Mr. Sims** offered that staff advised Mr. Ford to not apply to rezone only the two properties as it would be a clear spot zone. Staff advised to rezone the entire block; it would be homogeneous, create a buffer against the traffic and the incompatible industrial uses to the north and east. This does not constitute a spot zone in spite of the small size; it is located in the Fairbanks Township where lots are small.

**Mr. Reilly** indicated that he shared Mr. Billingsley future use concerns if the rezone was approved. There are 17 permitted uses allowed in the Multiple-Family Residential/Professional Office (MFO) zone. A developer could potentially purchase the entire block and have no restrictions.

**Ms. Banks** disagreed, offering that there was already a large change between zones across 1<sup>st</sup> Avenue and this would create a buffer in between.

**Mr. Lanning** added that a block across from the power plant will not continue developing without help; buffering between the Industrial use of the power plant and residential use on 2<sup>nd</sup> Avenue is a benefit.

**Mr. McBeath** spoke in favor of recommending approval of the rezone request with three Findings of Fact instead of two, the third regarding the nonexistence of a spot zone. He offered appreciation for Ms. Woods' testimony, offering that rarely is there a case that can be solved without working against someone's interest. There is no guarantee that Ms. Woods' neighborhood will decay due to this rezone. All of the all of the adjacent property owners agreed to rezone from Two family (TF) to Multiple-Family Residential/Professional Office (MFO).

**Ms. Klepaski** advised that the commission could vote on just the rezone and then break to determine the Findings of Fact.

ROLL CALL TO RECOMMEND APPROVAL OF THE REZONE REQUEST

Six (6) in Favor: **Ms. Banks, Mr. Lanning, Mr. Guinn, Mr. Whitaker, Mr. Billingsley, and Mr. McBeath**

One (1) Opposed: **Mr. Reilly**

**MOTION APPROVED**

**Mr. Sims** read the proposed Findings of Fact into the record.

**MOTION** Move to approve the five (5) Findings of Fact as proposed by staff by **Mr. Guinn**, seconded by **Mr. Reilly**.

**MOTION** Move to amend the Findings of Fact as proposed by staff by **Mr. Lanning**, seconded by **Mr. Reilly**.

**MOTION APPROVED WITHOUT OBJECTION**

ROLL CALL ACCEPT THE FIVE (5) FINDINGS OF FACT AS PROPOSED BY STAFF

Seven (7) in Favor: **Mr. Lanning, Mr. Guinn, Mr. Whitaker, Mr. Reilly, Mr. Billingsley, Ms. Banks, and Mr. McBeath**

One (1) Opposed:

**MOTION APPROVED**

FAIRBANKS TOWNSHIP, BLOCK: 29, LOT: 02B  
1504 Holdings Llc  
PO BOX 72292  
Fairbanks, AK 99707

FAIRBANKS TOWNSHIP, BLOCK: 23, LOT:  
UMB02  
Atwell Levi J  
1406 2nd Ave Apt 1  
Fairbanks, AK 99701

UTILITIES, LOT: 06&  
Aurora Energy Llc  
100 Cushman St Ste 210  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 54, LOT: 01C  
Baker Dolores J  
1209 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 55, LOT: 05  
Boyle Ruth Mary Estate Of  
2602 Roland Rd  
Fairbanks, AK 99709

FAIRBANKS TOWNSHIP, BLOCK: 54, LOT: 03  
Carroll Candace E  
1221 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 08  
Cherrier Curtis R  
PO BOX 202109  
Anchorage, AK 99520

City of Fairbanks, Mayor's Office  
800 Cushman Street  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 22, LOT:  
UMB02  
Clark James, Clark Kathryn  
1309 1st Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 29, LOT: 04B  
Curry Robert M  
915 7th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 54, LOT: 01B  
Cysewski Stephen D  
PO BOX 70723  
Fairbanks, AK 99707

FAIRBANKS TOWNSHIP, BLOCK: 22, LOT:  
UMB01  
Delima Peter  
3875 Geist Rd Ste E PMB 292  
Fairbanks, AK 99709

FAIRBANKS TOWNSHIP, BLOCK: 23, LOT: 05  
Dorzweiler Paul  
1522 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 54, LOT: 05  
Dullen Kristen R, Dullen Karen R  
PO BOX 72914  
Fairbanks, AK 99707

FAIRBANKS TOWNSHIP, BLOCK: 28, LOT: 09  
Federal National Mortgage Association  
PO BOX 650043  
Dallas, TX 75265

FAIRBANKS TOWNSHIP, BLOCK: 28, LOT: 02  
Fleming Allen P & Verna R Revocable Trust  
304 Badger St  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 01  
Ford Benjamin David, Ford Jessica Marie  
102 State St  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 29, LOT: 04A  
Gardner Eugene E, Gardner Kapsok  
370 Carlton Dr  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 22, LOT: 09A  
Goertz Donovan K  
607 Old Steese Hwy Ste B 353  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: D, LOT: 02A  
Golden Heart Utilities Inc  
PO BOX 80370  
Fairbanks, AK 99708

FAIRBANKS TOWNSHIP, BLOCK: 21  
Golden Valley Electric Association Inc  
PO BOX 71249  
Fairbanks, AK 99707

FAIRBANKS TOWNSHIP, BLOCK: 28, LOT: 08  
Hall Louis B, Hall Susan Larkins  
1423 2nd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 23, LOT:  
UMB01  
Harvey Justin K, Harvey Rhonda S  
1426 2nd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 28, LOT: 10  
Henricks Robert J  
4601 Fm 3058  
Caldwell, TX 77836

FAIRBANKS TOWNSHIP, BLOCK: 59, LOT: 01  
Hollifield Edward Ray, Hollifield Jackleen Alice  
5172 Chilkoot Dr  
Fairbanks, AK 99709

FAIRBANKS TOWNSHIP, BLOCK: 30, LOT: 01B  
Johnson James H, Johnson Gwenetta Dunn  
121 Trinidad Dr  
Fairbanks, AK 99709

FAIRBANKS TOWNSHIP, BLOCK: 60, LOT:  
UMB02  
Karmun Thomas E, Karmun Patricia L  
402 Cleary St  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 60, LOT:  
UMB01  
Kdm Properties Llc  
3590 Holden Rd  
Fairbanks, AK 99709

FAIRBANKS TOWNSHIP, BLOCK: 56, LOT: 03B  
Kenmonth Craig Mead  
1412 4th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 55, LOT: 02A  
Ketzler Stephen W  
360 State St  
Fairbanks, AK 99701

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FAIRBANKS TOWNSI, BLOCK: 22, LOT: 09B  
Kluting David D  
PO BOX 73123  
Fairbanks, AK 99707

FAIRBANKS TOWNSI, BLOCK: 28, LOT: 06  
Lambert Willard, Lambert Carol R  
1419 2nd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 28, LOT: 05  
Larson Wayne F, Larson Marijo E  
PO BOX 61201  
Fairbanks, AK 99706

FAIRBANKS TOWNSI, BLOCK: 20, LOT: 10  
Lemieux Laura Bie Trust  
PO BOX 60489  
Fairbanks, AK 99706

FAIRBANKS TOWNSI, BLOCK: 54, LOT: 04  
Litzinger Rebecca L  
2842 Guinevere Place  
Fairbanks, AK 99709

FAIRBANKS TOWNSI, BLOCK: 58, LOT: 03  
Lyle James R, Lyle Kristen J  
PO BOX 73137  
Fairbanks, AK 99707

FAIRBANKS TOWNSI, BLOCK: 60, LOT: 06A  
Marshall Florence  
1221 4th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 54, LOT: 07  
Martinez Patricia A  
1235 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 30, LOT: 08A  
Matson Erik N, Matson Charmaine C  
1234 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 54, LOT: 02  
Mehmedi Blerim, Mehmedi Venera  
1215 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 29, LOT: 05  
Newstrom Virginia Ann, Albee William W  
906a 6th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 23, LOT: 10A  
Plaquet Jan M, Plaquet James A  
1444 2nd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 29, LOT: 02A  
Powell Marie Liz  
1306 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 56, LOT: 04  
Pringle Cory Hamilton, Pringle Amber Rose  
1419 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 28, LOT: 01  
Ramsaur Mary Carolyn Revocable Trust  
1401 2nd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 59, LOT: 02A  
Reiss John Patrick, Reiss Lee A  
730 Berentsen Ln  
Fairbanks, AK 99712

FAIRBANKS TOWNSI, BLOCK: 59, LOT: 03A  
Reiss John Patrick  
4721 Stanford Dr  
Fairbanks, AK 99709

FAIRBANKS TOWNSI, BLOCK: 28, LOT: 07  
Rojas Marc, Rojas Christine  
1426 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 60, LOT:  
UMB04  
Sansone Leah D  
1210 5th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 23, LOT: 02  
Schendel William B  
102 Badger St  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 30, LOT: 05B  
Schneider Barbara S, Schneider Perry B  
1223 2nd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 56, LOT:  
UMB01  
Shilling Rodney D, Shilling Dianne Renee  
PO BOX 72093  
Fairbanks, AK 99707

FAIRBANKS TOWNSI, BLOCK: 28, LOT: 03  
Stepp James V  
607 Old Steese Ste B  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 53, LOT: 04  
Stroecker Properties Llc  
1029 W 3rd Ave Ste 400  
Anchorage, AK 99501

FAIRBANKS TOWNSI, BLOCK: 55, LOT:  
UMB01  
Struthers Laurie J  
1319 3rd Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 28, LOT: 04  
Thompson Keith Myron  
PO BOX 74631  
Fairbanks, AK 99707

FAIRBANKS TOWNSI, BLOCK: 30, LOT: 07A  
Thumma Karl I  
PO BOX 72914  
Fairbanks, AK 99707

FAIRBANKS TOWNSI, BLOCK: 23, LOT: 07A  
Wiese Family Limited Partnership  
118 Gruening Way  
Fairbanks, AK 99712

FAIRBANKS TOWNSI, BLOCK: 58, LOT: 02A  
Wieser Raymonde J  
1409 4th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSI, BLOCK: 22, LOT: 04  
Witter Almeda J  
PO BOX 73015  
Fairbanks, AK 99707

FAIRBANKS TOWNSHIP, BLOCK: 54, LOT: 01A  
Wright Lynis E  
1200 4th Ave  
Fairbanks, AK 99701

FAIRBANKS TOWNSHIP, BLOCK: 29, LOT: 03  
Wv Builders Inc  
3555 Davis Rd Ste 201  
Fairbanks, AK 99709

FAIRBANKS TOWNSHIP, BLOCK: 56, LOT: 05  
Young Michael B, Young Joyce E  
1427 3rd Ave  
Fairbanks, AK 99701