

SUBJECT: Vacation of Septic Drain Easement – Olson Subdivision

REQUESTED BY: Jamie Newman

PREPARED BY: Jamie Newman

DATE: December 7, 1999

FOR AGENDA OF: December 13, 1999

SUMMARY:

We have received notice from the Mat-Su Borough Platting Division that a vacation of septic drainfield easement within Tract 2A Olson Subdivision has been granted.

If the council wishes to object to this action, a letter of objection must be sent to the borough by December 15, 1999.

The clerk's office circulated the vacation request to administration, the planning office and the public works department and no concerns have been raised.

FISCAL IMPACT: X No ___ Yes, amount requested: \$ _____ Fund: _____

RECOMMENDED ACTION: Non-objection to the vacation of septic drainfield easement in Olson Subdivision 1999 Addition.

Administration Initial: SP

Attachments: Letter from the Mat-Su Borough Platting Division
Re: Vacation of Septic Drainfield Easement
Dated: November 15, 1999

Presented to council on 12/13/99
Action taken: Approved Denied
other _____
Verified by Kr.



CITY OF WASILLA

290 E Herning Avenue
Wasilla, AK 99654-7091
Phone: (907) 373-9050
Fax: (907) 373-9092

TO: John Cramer, Deputy Administrator
Tim Krug, City Planner
Don Shiesl, Public Works Director

FROM: Jamie Newman, Deputy Clerk *Jamie*

DATE: November 17, 1999

SUBJECT: Vacation of Septic Drainfield Easement - Olson Subdivision 1999 Addition

Please review the attached letter from the Mat-Su Borough Platting Division notifying the city that a vacation of septic drainfield easement within Tract 2A Olson Subdivision has been granted.

If you have concerns regarding this vacation, please notify the clerk's office no later than Wednesday, November 24, 1999. We will be presenting this information to the council at the December 12th regular city council meeting.

13

Thank you for your assistance.

Pc: Mayor Palin

ADMINISTRATION

Phone: (907) 373-9055

Fax: (907) 373-9096

CLERK'S OFFICE

Phone: (907) 373-9090

Fax: (907) 373-9092

FINANCE

Phone: (907) 373-9070

Fax: (907) 373-9085

LIBRARY

Phone: (907) 376-5913

Fax: (907) 376-2347

MUSEUM

Phone: (907) 373-9071

Fax: (907) 373-9072

PARKS AND RECREATION

Phone: (907) 373-9053

PLANNING

Phone: (907) 373-9094

POLICE

Phone: (907) 373-9077

PUBLIC WORKS

Phone: (907) 373-9095



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 745-9874 • FAX 745-9876

November 15, 1999

CLERK'S OFFICE
NOV 1 1999
RECEIVED

CITY COUNCIL
CITY OF WASILLA
290 E HERNING
WASILLA, AK 99654

RE: **VACATION OF SEPTIC DRAINFIELD EASEMENT W/IN OLSON
SUBDIVISION 1999 ADDITION**

Dear Council Members:

On November 4, 1999, the Platting Board of the Matanuska-Susitna Borough granted the vacation of the septic drainfield within Tract 2A Olson Subdivision pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035. The written notification of action is dated November 12, 1999.

CONDITIONS AND/OR REASONS

VACATION of SEPTIC DRAINFIELD EASEMENT

The platting board approved the vacation of the septic drainfield within Tract 2A Olson Subdivision contingent on the following:

1. Wasilla City Council approval within 30 days of written decision;
2. Graphically show the vacation on the Olson 1999 Addition Plat or record a vacation resolution.

FINDING The vacation is pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035.

FINDING The drain field is no longer needed as the property is served by city sewer.

FINDING No public objection has been received as a result of the public noticing.

All pertinent data, including copies of vicinity maps, platting board minutes, and notification of action are attached.

If we do not hear from you within 30 days we will assume that the City of Wasilla has no objection to this vacation.

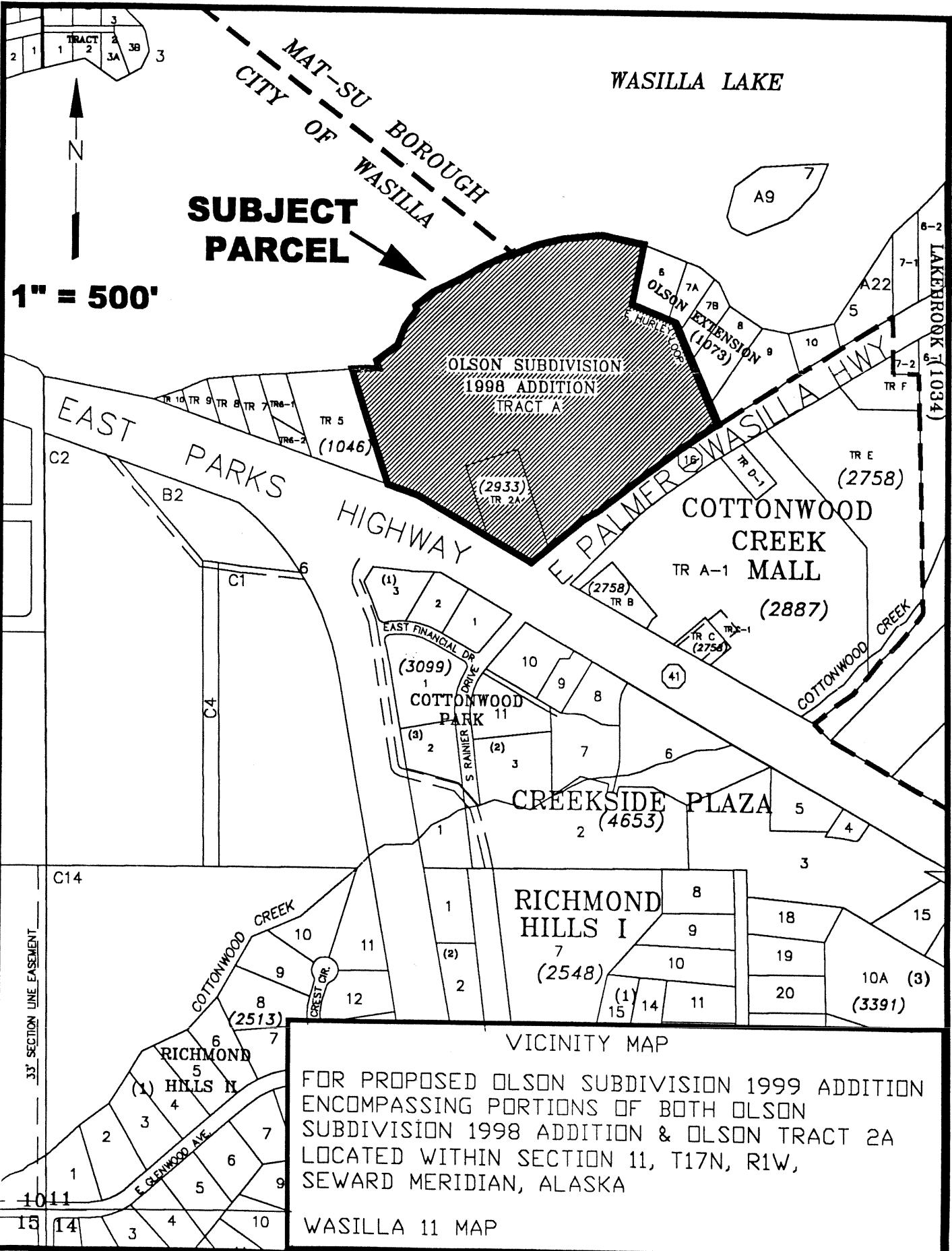
Kindest regards,



Rick Brown
Platting Officer

attachments

XC: W/O ENCLOSURES: MCLANE CONSULTING GRP, POB 468, SOLDOTNA, AK 99669; STEPHEN RICKS, PRES., TESORO AK CO, 3230 "C"
ST, ANCHORAGE, AK 99519; MSB-DPW



VICINITY MAP

FOR PROPOSED OLSON SUBDIVISION 1999 ADDITION
 ENCOMPASSING PORTIONS OF BOTH OLSON
 SUBDIVISION 1998 ADDITION & OLSON TRACT 2A
 LOCATED WITHIN SECTION 11, T17N, R1W,
 SEWARD MERIDIAN, ALASKA

WASILLA 11 MAP

PUBLIC HEARINGS**OLSON SUBDIVISION 1999 ADDITION WITH VARIANCE & VACATION REQUEST
WITHIN SEC 11, T17N, R01W, SM, AK.**

Mr. Brown stated that on October 14, 1999, 25 public hearing notices were issued. To date, none have been returned and no objections have been received. Mr. Hulbert gave an overview.

Ms. Roberts opened the public hearing. With no one present wishing to speak, the public hearing was closed.

Scott McLane, petitioner's representative, addressed the board asking for clarification of Department of Public Works comments numbers 2 and 3.

Mr. Hulbert responded that he had spoken with Mr. Strother and assured Mr. Strother that Fred Meyer has plans to vacate the unused portion of Hurley Circle and combine with western remnants of lots 8 and 9, and to dedicate the PUE through lots 8 and 9 at another time. Mr. McLane concurred.

Mr. Timmons moved, seconded by Ms. Elkins, to accept the variance from MSB 16.20.060, 100, 120, and 140 based on the special circumstances A, B, and C. The motion passed unanimously.

Findings were approved as presented.

Mr. Timmons moved, seconded by Ms. Elkins to approve the vacation of the septic drainfield of Tract 2A Olson Subdivision based on staff recommendations 1 and 2. The motion passed unanimously.

Findings were approved as presented.

Mr. Timmons moved, seconded by Ms. Elkins to approve preliminary plat Olson 1999 Addition based upon staff recommendations 1 through 8. The motion passed unanimously.

Findings were approved as presented adding that the petitioner agrees with the recommendations.



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 745-9874 • FAX 745-9876

November 12, 1999

NOTIFICATION OF PLATTING BOARD ACTION

JAMES AALBERG, V.P.
FRED MEYER, INC
POB 42121
PORTLAND, OR 97242

RE: OLSON SUBD 1999
ADDN w/VARIANCE
& ELIM of EASMT
CS: PWY-7

Action taken by the Platting Board on November 4, 1999 is as follows:

The PRELIMINARY PLAT W/VARIANCE & VACATION REQUESTS was APPROVED
CONTINGENT ON CONDITIONS AND/OR REASONS (attached)

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL OF A SUBDIVISION OR OF A WAIVER OF PLATTING REQUIREMENTS BY THE PLATTING BOARD OR OFFICER SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

IF ROAD CONSTRUCTION IS REQUIRED PLEASE NOTE THE FOLLOWING CONDITIONS:

1. Notice of cost estimate to be submitted by an engineer or a copy of the construction contract or the contractor's proposal, to be approved by the Borough Dept of Public Works.
2. Payment of a 2% fee based upon the approved estimate submitted.
3. Notice to proceed must be issued prior to construction as no road inspection is authorized without this notice.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

A handwritten signature in black ink, appearing to read "Rick Brown".

Rick Brown
Platting Officer

XC: MCLANE CONSULTING GRP, POB 468, SOLDOTNA, AK 99669; STEPHEN RICKS, PRES, TESORO AK CO, 3230 C ST, ANCHORAGE, AK 99519; MSB-DPW

CONDITIONS AND/OR REASONS

VARIANCE

The platting board approved the variance from MSB 16.20.060, 100, 120, and 140, for legal and physical access to tracts, based on responses to criteria as provided by the petitioner and incorporated here as findings:

The special circumstances for the variance are as follows: (Refer to Section 16.15.075).

FINDING These parcels have adequate access to existing public rights-of-way including the E. Parks Highway, E. Palmer Wasilla Highway and Hurley Circle.

FINDING Only the parcels within the subdivision will have covenants, conditions and restrictions recorded pertaining to cross access allowing ingress and egress to the adjacent state highways.

FINDING Due to unusual physical surroundings, shape, or topographical condition of the property for which the variance is sought or because of surrounding development or conditions, the strict application to the property of the requirements of Chapter 16.20 will result in undue substantial hardship to the owner of the property because:

The parcels being created within this subdivision surround the Fred Meyer store. These satellite building pad lots including the Tesoro 2 Go parcel currently are served by city water and sewer, storm drain, electric and gas utilities.

ADDITIONAL FINDINGS

FINDING DPW does not object.

FINDING The city of Wasilla has stipulated that the Fred Meyer's Snow Storage and Lot Maintenance Plan must be complied with.

FINDING Fred Meyer is guarantying the operation and maintenance of the accesses and parking areas for their facilities.

FINDING No public objections have been received as a result of the public hearing mailout.

FINDING SOA DOT/PF has no comment on this plat as internal access is being provided to the tracts and no additional accesses from the Parks Highway or Palmer/Wasilla Highway is being requested.

VACATION OF SEPTIC DRAIN FIELD

The platting board approved the vacation of the septic drain field on Tract 2A Olson Subdivision contingent on:

1. Wasilla City Council approval within 30 days of written decision;
2. Graphically show the vacation on the Olson 1999 Addition Plat or record a vacation resolution.

FINDING The vacation is pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035.

FINDING The drain field is no longer needed as the property is served by city sewer.

FINDING No public objection has been received as a result of the public noticing.

PRELIMINARY PLAT

1. Comply with the City Land Use Permit No. AA99-99.
2. Resolving utility easements with MEA. Obtain MEA, MTA, and Enstar sign-off's on copy of final plat.
3. Submit covenants for review.
4. Record the PUE through Lots 8 and 9, Olson Extension prior to or simultaneously with the Olson 1999 Addition.
5. Obtain *certificate to plat* and *beneficiary acknowledgments* if any.
6. Pay taxes in full for the year of recording.
7. Submit final plat in full compliance with MSB Title 16.
8. Guarantee that private maintenance will be provided and continued public access to all tracts within Olson 1999 Addition Subdivision.

FINDINGS

FINDING The city of Wasilla has issued a development permit to Fred Meyer for Olson 1999 Addition.

FINDING The city requires Fred Meyer to adhere to their Snow Removal and Maintenance Plan.

FINDING A plat note stipulating no direct access to state maintained rights-of-way is permitted

approved by state of Alaska Department of Transportation is consistent with SOA DOT/PF policy.

FINDING The plat is consistent with MSB 16.15.052B Flood Hazard Identification.

FINDING No public objections have been received as a result of the noticing.

FINDING DOT/PF (Anchorage) has no comment.

FINDING The petitioner agreed with the recommendations.