



	Approved	Denied
Action taken	6/7/04	
Other:		
Verified by:	Jamie Newman, Acting Clerk	

COUNCIL ACTION MEMORANDUM

AM No. 04-33

TITLE: SUN PLAZA LOT 1A, VACATIONS AND ELIMINATIONS OF UTILITY EASEMENTS.

Agenda of: June 7, 2004

Date: May 25, 2004

Originator: Jamie Newman, Deputy Clerk

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
	Public Works Planning	<i>[Signature]</i> 5/25/04
X	Finance *signature required	<i>[Signature]</i> 5/25/04
X	Clerk	

REVIEWED BY MAYOR DIANNE M. KELLER: *Dianne M. Keller*

FISCAL IMPACT: yes\$ or no Funds Available yes no

Account name/number:

Attachments: Notice from the borough platting office, dated May 21, 2004

SUMMARY STATEMENT: The Wasilla Planning Commission approved the attached referenced vacation on March 26, 2004 with the concurrence of the city planner and public works director. On May 6, 2004 the Borough Platting Board granted the vacation and elimination of utility easements on Sun Plaza Lot 1A. Affirmation of this action is requested from the council.

STAFF RECOMMENDED ACTION: To direct the planning office to send a letter of non objection on behalf of the city council regarding the preliminary plat and vacations and eliminations on Sun Plaza Lot 1A.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Platting Division

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9874 • Fax (907) 746-7407

Celebrating **40** Years!

— 1964-2004 —

May 21, 2004

RECEIVED

MAY 24 2004

CLERK'S OFFICE
CITY OF WASILLA

CITY COUNCIL
CITY OF WASILLA
290 HERNING AVENUE
WASILLA, ALASKA 99654

RE: **SUN PLAZA LOT 1A VACATIONS AND ELIMINATIONS**

Dear Council Members:

On May 6, 2004, the Platting Board of the Matanuska-Susitna Borough granted vacations and eliminations for the above mentioned preliminary plat, pursuant to AS 29.40.120 through AS 29.40.160 and MSB 16.15.035. The written *notification of action* is dated May 13, 2004

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

If we do not hear from you by June 12, 2004, (within 30 days of written notice) we will assume that the City of Wasilla has no objection to this vacation.

Sincerely,

Paul Hulbert
Platting Officer

attachments



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Phone (907) 745-9874 • Fax (907) 746-7407

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— 1964-2004 —

May 13, 2004

NOTIFICATION OF PLATTING BOARD ACTION

LOWES ENG & CONSTRUCTION
1530 FARADAY AVE SUITE 140
CARLSBAD, CA 92008

RE: **SUN PLAZA LOT 1A, VACATIONS &
ELIMINATIONS OF UTILITY
EASEMENTS**

CS: 2004-046

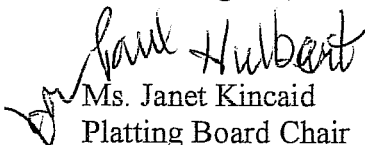
Action taken by the Platting Board on May 6, 2004 is as follows:

The PRELIMINARY PLAT AND VACATIONS AND ELIMINATIONS WERE APPROVED CONTINGENT UPON THE FOLLOWING CONDITIONS/REASONS (see attached).

~~ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL 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 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,


Ms. Janet Kincaid
Platting Board Chair

pc: LOUNSBURY & ASSOC
3161 E. PALMER-WASILLA HWY #2
WASILLA, ALASKA 99654 DPW/MS

CONDITIONS/RECOMMENDATIONS for VARIANCE

The platting board approved the variance from MSB16.20.120(A)(2) Legal Access allowing the right of way width to be reduced from 50' to 44.5' based on the following response to variance criteria.

- A. The granting of the variance will not be detrimental to the public health, safety, welfare or injurious to adjacent property because:

The granting of the variance will be no threat to public health or safety as the physical access is being upgraded as part of a new development of Lot 1A and these upgrades will be thoroughly reviewed by the City of Wasilla. Most of the lot does enjoy the 50' ROW width required by code, therefore the intent of the code is maintained.

- B. The condition upon which the variance application is based to not apply generally to properties other than the property for which the variance is sought because:

The variance is a dimensional variance from right of way width.. Because of the curve in the subject ROW and the proposed vacation of the ROW within Lot 1A the ROW width will no longer satisfy MSB code.

- C. Due to the unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, 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:

Strict application of the ROW width code would require the petitioner to reconfigure the existing ROW. This reconfiguration may require the acquisition of additional ROW from adjacent property owners. Reconfiguration of the ROW to comply to code may cause substantial hardship by not using the existing ROW for access therefore causing the petitioner to develop other ROW for access.

VARIANCE FINDINGS

FINDING 1 A variance to 16.20.120(A)(2) Legal Access is required as the vacation of a portion of E. Mountain Village Dr. will reduce legal access to neighboring Lot 3B, Block 3 Mountain Village Plaza from 50' to 46'.

FINDING 2 The granting of the variance will not be detrimental to the public health, safety, welfare or injurious to adjacent property. The physical access is being upgraded as part of this development.

FINDING 3 The condition upon which the variance application is based to not apply generally to properties other than the property for which the variance is sought.

FINDING 4 Due to the unusual physical surroundings, shape, or topographical conditions of the property for which the variance is sought, 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.

FINDING 5 The City of Wasilla has no objections to the variance. A Conditional Use Permit has been issued in accordance with City Code (C04-89)

FINDING 6 The owner of the affected Lot 3B, Mountain Village Plaza supports the variance. As per Lounsbury letter of April 5, 2004, "The owner of Lot 3B Valley Country Stores, Richard Godfrey states, "We do not object to the preliminary plat as submitted to the Borough and support it's approval."

FINDING 7 The City of Wasilla comment, "Lowe's development will maintain adequate access to Lot 3B, supporting the variance request."

CONDITIONS/REASONS FOR VACATION of a PORTION of E.MOUNTAIN VILLAGE DR.

The platting board approved the vacation of a portion of E. Mountain Village Dr. as depicted on the preliminary plat contingent on;

1. City of Wasilla approval within 30 days of Platting Board's Notification of Action,
2. Depict vacated portion of E. Mountain Village Dr. on final plat.

VACATION FINDINGS for E.MOUNTAIN VILLAGE DR.

FINDING 1 Vacation of right of way will allow for redevelopment of Lot 1 by proposed new owner. A conditional agreement exists between the City of Wasilla and the new owner to allow the vacation. The City of Wasilla has issued a Conditional Use Permit (C 04-89) March 23, 2004 for this project.

FINDING 2 The City of Wasilla supports the partial vacation to optimize the Lowes development, and will continue to maintain E. Mountain Village Dr .

FINDING 3 No Agency or public objections have been received regarding the vacation request. A letter from Archie Giddings of the City of Wasilla states that the City has no objection to these partial vacations to optimize the Lowes development, recognizing that there will be no platted public turn-around at the ends of the streets.

FINDING 4 Lowes has no objection to public traffic turning through their parking lot.

FINDING 5 .The surrounding area is fully developed and all planned or needed rights-of-way and utilities are being provided.

CONDITIONS/RECOMMENDATIONS for VACATION of the WEST 50' ("hammerhead") of the NORTHERN END of ALPINE ST.

The platting board approved the vacation of the west 50' of the northern end of Alpine St. as depicted on the preliminary plat contingent on;

1. City of Wasilla approval within 30 days of Platting Board's Notification of Action,
2. Depict vacated portion of Alpine St. on final plat.

VACATION FINDINGS for ALPINE ST.

- FINDING 1** Vacation of right of way will allow for redevelopment of Lot 1 by proposed new owner. A conditional agreement exists between the City of Wasilla and the new owner to allow the vacation. The City of Wasilla has issued a Conditional Use Permit (C 04-89) March 23, 2004 for this project.
- FINDING 2** The City of Wasilla supports the partial vacation to optimize Lowes development, and will continue to maintain Alpine St.
- FINDING 3** No Agency or public objections have been received regarding the vacation request.
- FINDING 4** Lowes and neighboring Nye Ford have no objection to public traffic turning through their parking lots.
- FINDING 5** The surrounding area is fully developed and all planned or needed right of ways and utilities are being provided.
- FINDING 6** A letter from Archie Giddings of the City of Wasilla, states that the city has no objections to these partial vacations to optimize the Lowes development, recognizing that there will be no platted public turn-around at the ends of the streets.

CONDITIONS/RECOMMENDATIONS for ELIMINATION of 30' WATER and SEWER EASEMENT

The platting board approved the elimination of the 30' wide water and sewer easement bisecting Lot 1 Sun Plaza Subdivision as depicted on the preliminary plat contingent on;

1. City of Wasilla approval within 30 days of Platting Board's Notification of Action,
2. Depict vacated 30' wide water and sewer easement on final plat.

FINDINGS for ELIMINATION of 30' WATER and SEWER EASEMENT

- FINDING 1** The City of Wasilla supports the elimination request.
- FINDING 2** No agency or public objections have been received regarding the elimination request.

FINDING 3 Elimination will allow redevelopment of the lot by proposed owner.

FINDING 4 Note No. 10 of General Notes on Alta ACSM Land States. "Public water does not serve this property but is available 600' to the west along E. Sun Mt. Ave. at Hermon Rd." that petitioner states that water and sewer will be extended to the property.

FINDING 5 As per the letter from the City of Wasilla, "The Lowes development will maintain water and sewer utility service to adjacent parcels and extend water and sewer service that is consistent with the City's Water and Sewer Master Plans, all of which supports the elimination of the utility easement."

CONDITIONS/RECOMMENDATIONS for ELIMINATION of 40'x40' SNOW STORAGE EASEMENT

The platting board approved the elimination of the 40'x40' snow storage area as depicted on the preliminary plat contingent on;

1. City of Wasilla approval within 30 days of Platting Board's Notification of Action,
2. Depict elimination of 40'x40' snow storage easement on final plat.

FINDINGS for ELIMINATION of 40'x40' SNOW STORAGE EASEMENT

FINDING 1 The City of Wasilla supports the elimination to optimize Lowes development, and will continue to maintain E. Mountain Village Dr.

FINDING 2 No agency or public objections have been received regarding the elimination request.

FINDING 3 Elimination will allow redevelopment of the lot by proposed owner.

FINDING 4 The petitioner has stated that they have a drainage plan and they will submit it to the City of Wasilla and MSB/DPW.

FINDING 5 The City of Wasilla has no objections to the reconfiguration and vacations for Lot 1. A Conditional Use Permit has been issued in accordance with City Code.

FINDING 6 The Lowe's development will maintain the required snow storage area for the facility, supporting the elimination of the snow storage easement.

CONDITIONS/RECOMMENDATIONS for ELIMINATION of 25'x30' SNOW STORAGE EASEMENT

The platting board approved the elimination of the 25'x30' snow storage area as depicted on the preliminary plat contingent on;

1. City of Wasilla approval within 30 days of Platting Board's Notification of Action,

2. Depict elimination of 25'x30' snow storage easement on final plat.

FINDINGS for ELIMINATION of 25'x30' SNOW STORAGE EASEMENT

- FINDING 1** The City of Wasilla supports the elimination to optimize Lowes development, and will continue to maintain E. Mountain Village Dr.
- FINDING 2** No agency or public objections have been received regarding the elimination request.
- FINDING 3** Elimination of the snow storage easement will allow redevelopment of the lot by proposed owner.
- FINDING 4** The petitioner has stated that they have a drainage plan and they will submit it to the City of Wasilla and MSB/DPW.
- FINDING 5** The City of Wasilla has no objections to the reconfiguration and vacations for Lot 1. A Conditional Use Permit has been issued in accordance with City Code.
- FINDING 6** The Lowe's development will maintain the required snow storage area for the facility, supporting the elimination of the snow storage easement.

CONDITIONS/RECOMMENDATIONS for ELIMINATION of 10' DRAINAGE EASEMENT

The platting board approved the elimination of the 10' drainage easement as depicted on the preliminary plat contingent on;

1. City of Wasilla approval within 30 days of Platting Board's Notification of Action,
2. Depict elimination of 10' drainage easement on final plat.
3. Provide a PE drainage plan.

FINDINGS for ELIMINATION of 10' DRAINAGE EASEMENT

- FINDING 1** The City of Wasilla supports the elimination to optimize Lowes development, and will continue to maintain E. Mountain Village Dr.
- FINDING 2** No agency or public objections have been received regarding the elimination request.
- FINDING 3** Elimination will allow redevelopment of the lot by proposed owner.
- FINDING 4** It appears that the drainage from the proposed subdivision will drain into the drainage ditch along Quiet Cir. The collected water has no outlet. DPW requests a PE provide a solution to address the drainage problem

FINDING 5 As per Mr. Wilson (ROW/DPW) letter of April 27, 2004, concerning feasibility of access onto Quiet Circle. It appears that the drainage from the proposed subdivision will drain into the drainage ditch along Quiet Circle. The water collected along Quiet Circle has no outlet. The Public Works Dept requests a Professional Engineer to provide a solution to address the drainage problem. It is the Subdivider's responsibility to comply..."

FINDING 6 The petitioners have stated that they have engineered a drainage plan and will submit it to City of Wasilla and MSB/Dept of Public Works.

CONDITIONS/RECOMMENDATION for PRELIMINARY PLAT

The platting board approved of the preliminary plat of Sun Plaza Subdivision Lot 1A contingent on;

1. Pay taxes in full for year of recording with certified funds or cash,
2. Pay \$46.32 for public hearing postage and advertising fees,
3. Submit copy of City of Wasilla Conditional Use Permit #C04-89
4. Obtain City of Wasilla sign off on final plat,
5. Submit recording fee payable to the State of Alaska Dept. of Revenue,
6. Submit final plat in full compliance with Title 16.
7. Record vacations simultaneously with the subdivision plat.
8. Provide Certificate to plat and Beneficiary Affidavits if necessary.

PRELIMINARY PLAT FINDINGS

FINDING 1 The request is to reconfigure Lot 1 Sun Plaza Subdivision through the vacation of the northeasterly 78' of E. Mountain Village Dr. and the vacation of the westerly "hammerhead" of Alpine St.

FINDING 2 The preliminary plat contains the appropriate items required for conceptual review.

FINDING 3 Legal and physical access to the proposed subdivision has been verified, however a vacation request will create non conforming right of way width to Lot 3B, Mountain Village Plaza. A variance request has been submitted and approved.

FINDING 4 The proposed lot contains more than 40,000 sq. ft. A soils report is not required as the property is served by City of Wasilla water and sewer.

FINDING 5 The proposed lot design does not exceed the 3:1 lot width to length ratio.

FINDING 6 The proposed lots contain more than 60' of road frontage.

FINDING 7 The City of Wasilla supports the reconfiguration of Lot 1A.

FINDING 8 No agency or public objections have been raised.

FINDING 9 There were several vacations that were approved.

FINDING 10 The City of Wasilla has no objections as per their communications (EX D, D-1, D-2 D-3)

FINDING 11 Conditional agreements exist with all subject utilities to provide service for new development.

FINDING 12 Note No. 10 of General Notes on Alta ACSM Land States. "Public water does not serve this property but is available 600' to the west along E. Sun Mt. Ave. at Hermon Rd." that petitioner states that water and sewer will be extended to the property.

FINDING 13 Access concerns: Archie Giddings letter from City of Wasilla, April 30, 2004 (1) The Lowe's development will maintain adequate access to Lot 3B, supporting the variance request; (2) The Lowe's development will maintain water and sewer utility service to adjacent parcels and extend water and sewer service that is consistent with the City's Water & Sewer Master Plans, all of which supports the elimination of the utility easement; (3) The Lowe's development will maintain the required snow storage easement and (4) The Lowe's development will maintain adequate drainage for the site to support the elimination of the drainage easement.

VOTE: Motion passed with Mr. Heinrich excused. There were 5 findings

Wade Wilson,

- There is a MTA pedestal in the right of way
- It has an encroachment permit presently
- Yoder Rd to be a future greater road

MOTION: Ms. Roberts moved to approve the preliminary plat of River Run Subdivision with 9 recommendations, Mr. Larson seconded

VOTE: Motion passed. There were 10 findings, adding No. 11, Variance to MSB 16.20.300 lot and block has been granted." Adding No. 12. "DPW has requested a 15' utility easement outside of the public right of way." Adding No. 13, "Comments have been received from the "Y" Community Council stating that "Public safety and the rural environment will be best protected if an attempt is made to minimize the number of driveways or points of ingress/egress along E. Yoder Rd." Adding No. 14 "MTA has requested a '15' T & E Easement along the N. Side of E. Yoder Rd." Adding No. 15, "Encroachment permit has been approved by DPW for the MTA pedestal in the right of way." Adding No. 16 "Yoder Rd is constructed and maintained by MSB." Adding No. 15. "No topographical information was available for the section line easement on the north."

SUN PLAZA AND ELIMINATIONS AND VACATIONS

Ms. Thompson (secretary)

- April 15, 2004 71 notices mailed
- To date there has been no objections and no returns

Mr. James (platting tech)

- gave an overview
- stated MSB/DPW concerns
- gave an itemized description of each action

There was discussion by the board.

Ms. Kincaid

- opened the public hearing
- closed the public hearing no one wishing to speak

Mr. Brad Rinck and Mr. Tom Adams /Lounsbury & Assoc (petitioner's representative)

- Lowe's has purchased the property and is now the petitioner
- Petitioner has worked with the utility companies to get support of project
- Existing lot configuration will not change but will resolve the easement situation
- This is the fourth project for the petitioner and they have had successful endeavors in the past.

There was discussion by the board concerning the drainage plan.

Mr. Hulbert, (platting officer)

- Drainage addressed in the City of Wasilla letter
- Comment from DOT Alpine St access seems not necessary

Mr. Tom Adams, (Lounsbury)

- Have been in discussion with DOT concerning access points
- Concerns for lights and safety have been addressed
- Have been actively studying the secondary access points
- Will tie into the city water and sewer

There was discussion by the board.

MOTION: Ms. Roberts moved to approve the variance from MSB 16.20.120 (A) (2) Legal Access allowing the right of way width to be reduced from 50' to 44.5' for E. Mountain Village Dr. based on the petitioners response to the variance criteria. Mr. Johnson seconded

VOTE: Motion passed with all voting yes. There were 6 findings, modifying No. 6 to add, "as per the Lounsbury letter of April 5, 2004," "The owner of Lot 3B Valley Country Stores, Richard Godfrey states, "We do not object to the preliminary plat as submitted to the Borough and support it's approval." Modify No.2 "The physical access is being upgraded as part of this development." Adding to No. 5 "A Conditional Use Permit has been issued in accordance with City code. (C04-89)." Adding No. 7, City of Wasilla comment, "The Lowe's development will maintain adequate access to Lot 3B, supporting the variance request, "

MOTION: Ms. Roberts moved to approve the vacation of a portion of E. Mountain Village Dr. as depicted on the preliminary plat based on 2 recommendations, Mr. Johnson seconded.

VOTE: Motion passed with all voting yes. There were 5 findings. Amending No. 1 to add, "City of Wasilla has issued a Conditional Use Permit (C 04-89) March 23, 2004 for this project." Adding to No. 3, "A letter from Archie Giddings of the City of Wasilla states that the City has no objection to these partial vacations to optimize the Lowes development, recognizing that there will be no platted public turn-around at the ends of the streets." Changing No. 5. to read, "The surrounding area is fully developed and all planned or needed rights-of-way and utilities are being provided."

MOTION: Ms. Roberts moved to approve the vacation of the west 50' of the northern end of Alpine St. (hammerhead) as depicted on the preliminary plat with 2 recommendations. Mr. Larson seconded.

VOTE: Motion passed with all voting yes. There were 5 findings. Adding to No. 1, "A Conditional Use Permit has been issued in accordance with City code. (C04-89)." Changing No. 5. to read, "The surrounding area is fully developed and all planned or needed rights-of-way and utilities are being provided." Adding No. 6, "A letter from Archie Giddings of the City of Wasilla states that the City has no objection to these partial vacations to optimize the Lowes development, recognizing that there will be no platted public turn-around at the ends of the streets."

MOTION: Ms. Roberts moved to approve the elimination of the 30' wide water and sewer easement bisecting Lot 1 Sun Plaza Subdivision as depicted on the preliminary plat based on 2 recommendations. Mr. Larson seconded.

VOTE: Motion passed with all voting yes. There were 3 findings, adding No. 4, " Note No. 10 of General Notes on Alta ACSM Land States: "Public water does not serve this property but is available 600' to the west along E. Sun Mt Ave. at Hermon Rd." the petitioner states that water and sewer will be extended to property." Adding No. 6, as per letter from City of Wasilla, "The Lowe's development will maintain water and sewer utility service to adjacent parcels and extend water and sewer service that is consistent with the City's Water and Sewer Master Plans, all of which supports the elimination of the utility easement."

MOTION: Ms. Roberts moved to approve the elimination of the 40' X 40' snow storage area as depicted on the preliminary plat based on 2 recommendations. Mr. Larson seconded

VOTE: Motion passed with all voting yes. There were 3 findings. Adding No. 4, "The petitioner has stated that they have a drainage plan and they will submit it to City of Wasilla and MSB/DPW." Adding No. 5, "The City of Wasilla has no objections to the reconfiguration and vacations for Lot 1.A A Conditional Use Permit has been issued in accordance with City code." Adding No. 6, The Lowe's development will maintain the required snow storage area for the facility, supporting the elimination of the snow storage easement."

MOTION: Ms. Roberts moved to approve the elimination of the 25' X 30' snow storage area as depicted on the preliminary plat based on 2 recommendations. Mr. Larson seconded

VOTE: Motion passed with all voting yes. There were 3 findings. Adding No.

4, "The petitioner has stated that they have a drainage plan and they will submit it to City of Wasilla and MSB/DPW." Adding No. 5, "The City of Wasilla has no objections to the reconfiguration and vacations for Lot 1 A A Conditional Use Permit has been issued in accordance with City code." Adding No. 6, The Lowe's development will maintain the required snow storage area for the facility, supporting the elimination of the snow storage easement."

MOTION: Ms. Roberts moved to approve the elimination of 10' drainage easement area as depicted on the preliminary plat with 2 recommendations. Adding No.3, "Provide an engineers design plan of drainage for review to the MSB/DPW." Mr. Larson seconded

VOTE: Motion passed with all voting yes. There were 4 findings. Adding NO. 5, "As per Mr. Wilson (ROW/MSB) letter of April 27, 2004, concerning feasibility of access onto Quiet Circle. It appears that the drainage from the proposed subdivision will drain into the drainage ditch along Quiet Circle. The water collected along Quiet Circle has no outlet. The Public Works Dept requests a Professional Engineer to provide a solution to address the drainage problem. It is the Subdivider's responsibility to comply...." Adding No. 6, "The petitioner's have stated that they have engineered a drainage plan and will submit it to City of Wasilla, and MSB/ Dept of Public Works." Adding No. 7, as per the letter of April 30, 2004, "The Lowe's development will maintain adequate drainage for the site to support the elimination of the drainage easement."

MOTION: Ms. Whitfield moved to approve the preliminary plat of Sun Plaza Lot 1A with 6 recommendations, adding No. 7, "Record vacations simultaneously with the subdivision plat." Adding No. 8. " Provide Certificate to plat and beneficiary affidavits if required." Mr. Johnson seconded

VOTE: Motion passed with all voting yes. There were 9 findings. Adding No. 10, " There were several vacations and eliminations that have been submitted and approved with this plat." Findings No.5 & 6 are the same delete 6, Adding Finding No. 8 , "The City of Wasilla has no objections as per their communications. (Ex D, D-1, D-2 D-3)." Adding No. 11, "Conditional agreements exist with all subject utilities to provide service for new development." Adding No. 12, " Note No. 10 of General Notes on Alta ACSM Land States: "Public water does not serve this property but is available 600' to the west along E. Sun Mt Ave. at Hermon Rd." the petitioner states that water and sewer will be extended to property." Adding No.13 "Access concerns. Reference Giddings Letter from City of Wasilla, April 30, 2004, (1) The Lowe's development will maintain adequate access to Lot 3B, supporting the variance request: (2) The Lowe's development will maintain water and sewer utility service to adjacent parcels and extend water and sewer service that is consistent with

the City's Water & Sewer Master Plans, all of which supports the elimination of the utility easement; (3) The Lowe's development will maintain the required snow storage area for the facility, supporting the elimination of the snow storage easement and (4) The Lowe's development will maintain adequate drainage for the site to support the eliminate of the drainage easement.'

SUN ACRES No.1

Ms. Thompson

- April 15, 2004, 37 notices were mailed
- No objections and no returns one letter of concern

Mr. James (plattting tech)

- Gave an overview
- Stated the request of the petitioner

There was discussion by the board

Ms. Kincaid (board chair)

- Opened the public hearing
- No one present to speak the hearing was closed

Mr. Hulbert

- Distributed an aerial photo to the board

Mr. Pio Cottini (petitioner's representative)

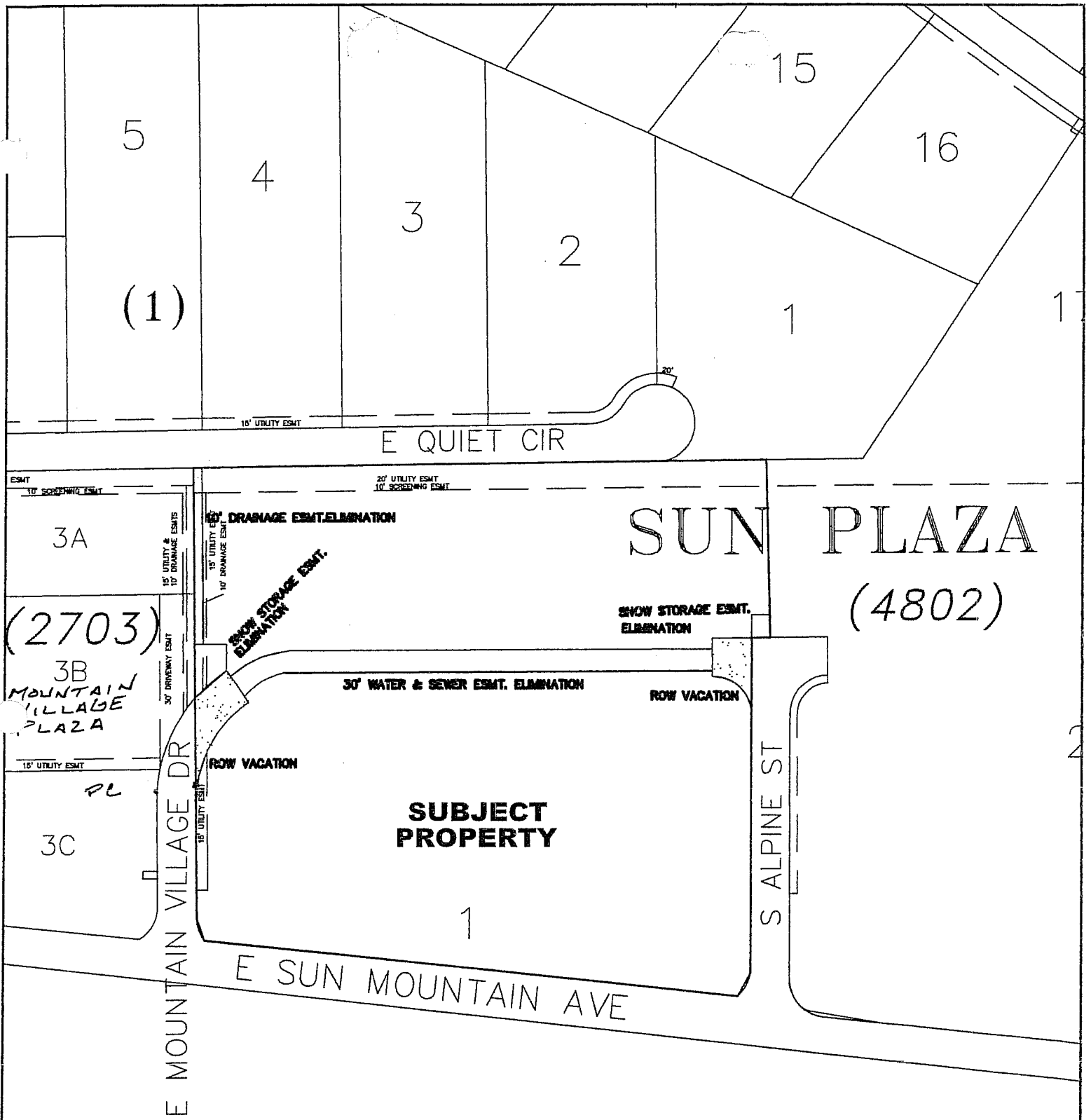
- Gave an overview of the changes for recommendations no. 2
- Need clarification of utility easements as requested by DPW
- Agrees with the recommendations
- Gave a photo detail to the board of trails and tracks

There was discussion by the board as to the standard for the road.

Mr. Hulbert (plattting officer)

- Mr. Strother set the standard and it is for the physical road
- Row should have radius as physical to conform

MOTION: Ms. Whitfield moved to approve the preliminary plat for Sun Acres Addition No. 1 with 5 recommendations, Adding to No 4 (c) "prior to commencement of construction." Adding to No. 5, "(a) Pay taxes in full prior to recordation of plat phases. (b) Obtain Certificate to Plat and Beneficiary Affidavits if necessary, (c) Pay Mailing and Advertising Fees." Adding No.6. "Increase Curve radius to 30'." Mr. Johnson seconded.



VICINITY MAP
 for PROPOSED
 SUN PLAZA SUBDIVISION
 LOT 1A

located within
 Section 12, T17N, R1W, Seward Meridian
 Alaska

