



	Approved	Denied
Action taken	7/25/05	
Other:		
Verified by:	<i>Kristie Smithers</i>	

COUNCIL ACTION MEMORANDUM

AM No. 05-44

TITLE: WASILLA BIBLE CHURCH, VACATION ROAD RIGHT OF WAY OF N. PATOGONIA STREET, W. PATRICIA AVENUE, SLOPE EASEMENT AND VACATION 15' UTILITY EASEMENT.

Agenda of: July 25, 2005
 Originator: Kristie Smithers, City Clerk

Date: July 18, 2005

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
	Public Works Planning	<i>S. Hardy 7/18/05</i>
X	Finance *signature required	<i>Roman Elcolligan</i>
X	Clerk	<i>Kristie Smithers</i>

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 July 15, 2005

SUMMARY STATEMENT: On July 7, 2005 the Borough Platting Board granted the vacations of N. Patogonia Street, W. Patricia Avenue, slope easement and the 15' utility easement. 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 vacations of N. Patogonia Street, W. Patricia Avenue, slope easement and the 15' utility easement.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Platting Division

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 745-9853 • Fax (907) 746-7407

July 18, 2005

CITY OF WASILLA
290 E HERNING
WASILLA, AK. 99654

RE: WASILLA BIBLE CHURCH, Vacation road right of way of N. Patagonia St., W. Patricia Ave, slope easement and vacate 15' utility easement.

CASE: 2005-113

Please respond if you have any objections within 30 days of The Platting Board Notification of Action (July 15, 2005).

REASON FOR REQUEST: The vacation is to provide the lot with more usable area.

SUMMARY STATEMENT: On July 7, 2005 (written decision July 15, 2005) the platting board approved the vacations of road right of way of N. Patagonia St., W. Patricia Ave, slope easement and vacate 15' utility easement.

RECOMMENDATION Staff recommends the City Council approve the vacation as the platting board's decision to vacate is consistent with MSB 16.15.035(B)(1)(a). The vacation is conditioned upon the final approval of a plat affecting the same land which provides equal or better access to the areas affected by the vacation.

Regards;

Paul Hulbert, Platting officer

ATTACHMENT(S): Minutes 7-7-05 (2 pages)
Vicinity Map (1 page)
Notification of Action (4 pages)

**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

July 18, 2005

NOTIFICATION OF PLATTING BOARD ACTIONWASILLA BIBLE CHURCH
351 PARKS HWY
WASILLA, AK. 99654**RE: WASILLA BIBLE CHURCH
AND VACATION**

CASE: 2005-113

Action taken by the Platting Board on July 7, 2005 is as follows:

THE PRELIMINARY PLAT AND VACATION 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,

Handwritten signature of Paul H. Kincaid.

Ms. Janet Kincaid
Platting Board ChairCc: COLVER SURVEYING
P O BOX 427
PALMER, AK. 99645 /MSB/DPW

CONDITIONS/REASONS VACATION

The Platting Board approved the **vacations** of N. Patagonia Street, W. Patricia Avenue, slope easement and the 15' utility easement contingent on:

1. Wasilla City Council approval within 30 days of Platting Boards written Notification of Action;
2. Showing the vacated area on the final plat.

FINDINGS: VACATION

- 1) The vacation for **WASILLA BIBLE CHURCH** is consistent with **MSB 16.15.035 (B) and pursuant to AS 29.40.140 thru AS 29.40.160** for the road right-of-way of N. Patagonia Street, W. Patricia Avenue, slope easement and eliminating a 15' utility easement.
- 2) The City of Wasilla Planning Office has no objection and the City of Wasilla Public Works had no objections
- 3) MSB Department of Public Works had no objections to vacations.
- 4) MSB Code Compliance had no response to the request for comments
- 5) MSB Planning had no objection / Within MSB Coastal Management Boundary.
- 6) MSB Land Management had no response to the request for comments
- 7) MTA had no objections.
- 8) MEA is requesting a 15' T & E along the south end of the property.
- 9) A letter dated March 9, 2005 from Andrew Fraiser had no objection to the proposed vacation of the platted right of-way, slope easements and utility easements, situated on that certain preliminary plat known as Wasilla Bible Church Subdivision.
- 10) There were no public concerns received from the NOTIFICATION OF PUBLIC HEARING.
- 11) There were no other agency comments or any objections received from MSB-FSA #130 Wasilla Lakes, MSB-EMS Wasilla, MSB Code Compliance, and GCI regarding the vacations.
- 12) The City of Wasilla Planning Office has no objection and the City of Wasilla Public Works had no objections.

REASONS/CONDITIONS PRELIMINARY PLAT

The Platting Board approved the preliminary plat for **WASILLA BIBLE CHURCH** contingent upon the following conditions:

1. Prior to recording, pay MSB taxes and special assessments in full for the year of recording by certified funds or cash;
2. Obtain a *Certificate to Plat* and *Beneficiary Acknowledgement*, if any;
3. Pay mailing and advertising fees of \$52.94 prior to recording;
4. Obtain a LAND USE PERMIT from the city of Wasilla must be obtained prior to plat recordation in accordance with Titles 16.12.020 & 16.28.030 of the Wasilla Municipal Code, provide copy.
5. Submit M.E.A. and M.T.A sign-off on the final plat.
6. Any special assessments due to City must be paid in full prior to final sign-off on the plat.
7. Plat notes:
 - a) There may be Federal, State and Local requirements governing Land Use. It is the responsibility of the individual parcel owner to obtain a determination whether such requirements apply to the development of parcels shown hereon.
 - b) No individual water supply or sewer disposal system shall be permitted on any lot unless the system is located, constructed and equipped in accordance of the state of Alaska, Department of Environmental Conservation, which governs those systems.
 - c) Add Certification of Payment of Taxes for the city of Wasilla.
8. Submit final plat in full compliance with Title 16.

FINDINGS: PRELIMINARY PLAT

- 1) The preliminary plat for **WASILLA BIBLE CHURCH** is consistent with **Alaska Statute 29.40.070 Platting Regulations, MSB 16.15.015 Platting Regulation and MSB 16.20 Subdivision Development Standards.**
- 2) The City of Wasilla Planning Office has no objection and the City of Wasilla Public Works had no objections
- 3) MSB Department of Public Works made no comment regarding the preliminary plat.
- 4) MSB Code Compliance had no response to the request for comments
- 5) MSB Planning had no objection / Within MSB Coastal Management Boundary.
- 6) MSB Land Management had no response to the request for comments
- 7) MTA had no objections.
- 8) MEA is requesting a 15' T & E along the south end of the property.
- 9) A letter dated March 9, 2005 from Andrew Fraiser had no objection to the proposed vacation of the platted right of-way, slope easements and utility

easements, situated on that certain preliminary plat known as Wasilla Bible Church Subdivision.

- 10) There were no public concerns received from the NOTIFICATION OF PUBLIC HEARING.
- 11) There were no other agency comments or any objections received from MSB-FSA #130 Wasilla Lakes, MSB-EMS Wasilla, MSB Code Compliance, Enstar and GCI regarding the preliminary plat.
- 12) The City of Wasilla Planning Office has no objection and the City of Wasilla Public Works had no objections.