



	Approved	Denied
Action taken	9/15/05	
Other:	9/12/05 mtg cancelled; approved at Special	
Verified by:	K. Smithers	

COUNCIL ACTION MEMORANDUM

AM No. 05-56

TITLE: YENLO SUBDIVISION, VACATION OF 15' UTILITY EASEMENT ALONG THE NORTH SIDE OF LOTS 2 AND 3 AND ON THE SOUTH BOUNDARY OF TRACT A-1 ABOVE LOTS 2, 3, AND 4.

Agenda of: August 12, 2005
 Originator: Kristie Smithers, City Clerk

Date: August 30, 2005

Route to:	Department	Signature/Date
X	Public Works Planning	<i>[Signature]</i>
X	Finance *signature required	<i>[Signature]</i>
X	Clerk	<i>[Signature]</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 August 19, 2005

SUMMARY STATEMENT: On July 21, 2005 the borough platting board approved the vacation of a 15' utility easement along the north side of Lots 2 and 3 and on the south boundary of Tract A-1, above lots 2, 3, and 4 of Yenlo Subdivision.

The vacation was granted to provide the lot with more buildable area. The utility easement is no longer necessary as the lots are being combined. The vacation of the utility easement will enhance development of the Tract.

The notice from the borough was forward to administration (mayor, public works director, and city planner) and no comments were received.

The borough is requesting the city council approve the vacation.

STAFF RECOMMENDED ACTION: To direct the planning office to send a letter of non objection on behalf of the city council regarding the above mentioned utility easement vacation.



CITY OF WASILLA

PLANNING OFFICE
290 E HERNING AVENUE
WASILLA AK 99654-9050
PHONE: (907) 373-9020
FAX: (907) 373-9021

October 4, 2005

RECEIVED
OCT 17 2005
CLERK'S OFFICE
CITY OF WASILLA

Paul Hulbert, Platting Officer
Matanuska-Susitna Borough
350 E Dahlia Avenue
Palmer, AK 99645


RE: **YENLO SUBDIVISION, VACATION OF 15' UTILITY EASEMENT ALONG NORTH SIDE OF LOTS 2 & 3 AND ON SOUTH BOUNDARY OF TRACT A-1 ABOVE LOTS 2, 3, & 4.**

Dear Mr. Hulbert:

On September 15, 2005 the City Council approved AM 05-56 directing the City's Planning Office to send a letter of non-objection to Matanuska-Susitna Borough Platting Division regarding the above noted vacations.

Please contact me if you should have any questions.

Sincerely,


Jill Carricaburu
Planning Clerk



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

August 19, 2005

CITY OF WASILLA
290 E HERNING
WASILLA, AK. 99654

RECEIVED

AUG 25 2005

**CLERK'S OFFICE
CITY OF WASILLA**

RE: YENLO SUBDIVISION, Vacation OF 15' utility easement ALONG THE NORTH SIDE OF Lots 2 & 3 and on the south boundary of Tract A-1 above lots 2, 3 & 4.

CASE: 2005-124

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

REASON FOR REQUEST: The vacation is to provide the lot with more buildable area. The utility easement is no longer necessary as the lots are being combined. The vacation of the utility easement will enhance development of the Tract.

SUMMARY STATEMENT: On July 21, 2005 (written decision August 15, 2005) the platting board approved the vacations

RECOMMENDATION: Staff recommends the City Council approve the vacation as the platting board's decision to vacate is consistent with MSB 16.15.032 The utility easement is no longer needed as the lots are being combined.

Regards;

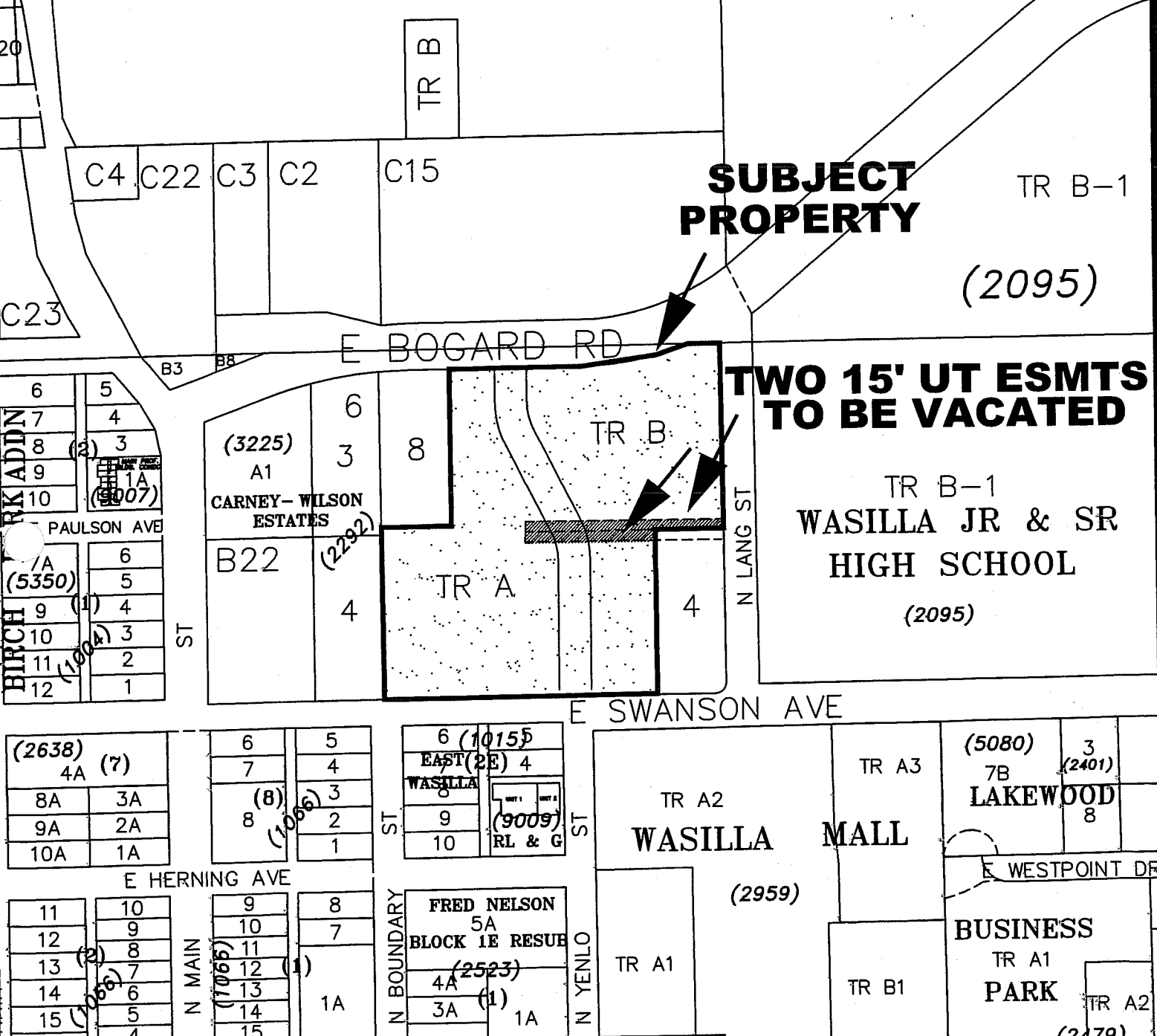
Paul Hulbert, Platting officer

ATTACHMENT(S): Minutes 7-21-05 (2 pages)
Vicinity Map (1 page)
Notification of Action (3 pages)

141 56166617-05-0

IDITAROD ELEMENTARY SCHOOL SITE

TRACT A
(2076)



**SUBJECT
PROPERTY**

**TWO 15' UT ESMTS
TO BE VACATED**

TR B-1
**WASILLA JR & SR
HIGH SCHOOL**
(2095)

VICINITY MAP

FOR PROPOSED YENLO SQUARE SUBDIVISION
TRACT A & B LOCATED WITHIN
GOV. LOT 5 SEC. 10, T17N, R1W, S.M., AK.
MAP WA11

ALASKA RAILROAD

C. YENLO SQUARE AND VACATION

Ms. Thompson (Secretary)

- Stated that on June 29, 2005 there were 68 notices mailed.
- To date there has been no returns and 3 non-objections.

Ms. Jensen (Platting Tech)

- Gave a review of the request.
- Stated the plat recommendations and findings.

There was discussion by the board.

Ms. Kincaid (Chair)

- Opened the public hearing.
- Closed the public hearing.

Mr. Gary Cain (Enterprise Engineering)(petitioner's rep)

- Stated that the development will be a planned unit development.
- Agree with the recommendations.

MOTION: Mr. Johnson moved to approve the vacations for the 15' utility easements located on the north side of Lots 2 & 3 and on the south boundary of Tract A-1 above Lots 2, 3 & 4 contingent upon the 2 recommendations of staff. Mr. Larson second

VOTE: The motion passed with all voting yes. There were 8 findings.

MOTION: Mr. Johnson moved to approve the preliminary plat of Yenlo Square with 8 recommendations. Adding No 9, "Obtain review of the roadway intersection from State Dept of Transportation and Public Facilities." Adding No.10, "Construct roads to City standards." Adding No. 11, "Replace plat notes 2 & 3 with "No on site well and septic on Lots 2 & 3 they will be served by City water and sewer." Mr. Larson seconded.

VOTE: The motion passed with all voting yes. There were 9 findings. Adding No. 10, "The vacation was approved."

D MIDTOWN BUSINESS PARK

Ms. Thompson (Secretary)

- Stated that on June 29, 2005 there were 54 notices mailed.
- To date there has been no returns and two concerns.



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

August 15, 2005

NOTIFICATION OF PLATTING BOARD ACTION

VALLEY RESIDENTIAL SERVICES RE: **YENLO SQUARE AND VACATION**
1075 CHECK ST. SUITE 203
WASILLA, AK. 99654

CASE: 2005-124

Action taken by the Platting Board on July 21, 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,

Paul Hubbard

Ms. Janet Kincaid
Platting Board Chair

Cc: Sentec Inc
2102 Cleveland Ave.
Anchorage, Ak. 99517

MSB/DPW

CONDITIONS/REASONS FOR VACATION

The platting board approved the vacations for the 15' utility easements located on the north side of Lots 2 & 3 and on the south boundary of Tract A-1 above Lots 2, 3 & 4 contingent upon the following conditions:

1. The City of Wasilla approval within 30 days of the Platting Boards written Notification of Action;
2. Show vacated area on final plat or record vacation resolutions.

FINDINGS: VACATION

- 1) The vacation for **YENLO SQUARE TRACTS A & B** is consistent with MSB 16.15.032.
- 2) The City of Wasilla Planning Office has no objection and the City of Wasilla Public Works had no objections. The City of Wasilla approval of vacation within 30 days of the written Platting Boards Notification of Action.
- 3) MSB Code Compliance; Special Land Use District or City / YES no comments beyond.
- 4) MSB Planning: no objection; Within MSB Coastal Management Boundary.
- 5) MSB Land Management: no comment.
- 6) MTA had no objection.
- 7) There were three (3) public comments received from the NOTIFICATION OF PUBLIC HEARING with no objections.
- 8) There were no other agency comments or objections from the Request for Comments from MSB-FSA #130 Wasilla-Lakes, MSB Community Council North Lakes, MSB Road Service Area Wasilla-Lakes, MSB-EMS Wasilla, MSB Cultural Resources, MSB DPW, MEA, Enstar and GCI regarding the preliminary plat.

RECOMMENDATION: PRELIMINARY PLAT

The platting board approved the preliminary plat for YENLO SQUARE TRACTS A & B 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 \$45.06 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. Any special assessments due to City must be paid in full prior to final sign-off on the plat.
6. Add Certification of Payment of Taxes for the city of Wasilla and the Matanuska Susitna Borough.

7. Add Plat Notes:
 - a) Tract A & B will be served by the city of Wasilla water and sewer.
 - b) Direct access onto Bogard Road is prohibited from Tracts A & B.
8. Submit final plat in full compliance with Title 16.
9. Obtain roadway intersection permit from State DOT/PF.
10. Construct roads to City of Wasilla standards.
11. Replace plat notes 2 & 3 with "No on lot water supply and waste water disposal system allowed. Tracts A & B are required to connect to City Water and City Sewer."

FINDINGS: PRELIMINARY PLAT

- 1) The preliminary plat for YENLO SQUARE TRACTS A & B 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. In accordance with the Wasilla Municipal Code 12.04.060 Construction and Design Standards for roads, the road design is approved for this planned unit development by the City's DPW.
- 3) ADOT&PF understands that the developer has agreed to a 60' right-of-way. ADOT&PF has no objection to the planned unit development.
- 4) MSB Code Compliance; Special Land Use District or City / YES no comments beyond.
- 5) MSB Planning has no objection; Within MSB Coastal Management Boundary.
- 6) MSB Land Management has no comment.
- 7) MTA had no objection.
- 8) There were three (3) public comments received from the NOTIFICATION OF PUBLIC HEARING with no objections.
- 9) There were no other agency comments or objections from the Request for Comments from MSB-FSA #130 Wasilla-Lakes, MSB Community Council North Lakes, MSB Road Service Area Wasilla-Lakes, MSB-EMS Wasilla, MSB Cultural Resources, MSB DPW, MEA, Enstar and GCI regarding the preliminary plat.