



	Approved	Denied
Action taken	9/26/05	
Other:		
Verified by:	[Signature]	

COUNCIL ACTION MEMORANDUM

AM No. 05-59

TITLE: FLOYD SUBDIVISION, VACATION OF A 20' STRIP OF LAND BETWEEN THE TAX PARCEL A3, SECTION 10, TOWNSHIP 17NORTH, RANGE 1 WEST, SEWARD MERIDIAN, AND FLOYD SUBDIVISION BLOCK 8.

Agenda of: September 26, 2005
 Originator: Jamie Newman, Deputy Clerk

Date: September 16, 2005

Route to:	Department	Signature/Date
X	Public Works Planning	[Signature] 9/16/05
X	Finance *signature required	[Signature]
X	Clerk	[Signature]

REVIEWED BY MAYOR DIANNE M. KELLER: [Signature]

FISCAL IMPACT: yes or no Funds Available yes no

Account name/number:

Attachments: Notice from the Borough Platting Office, dated September 6, 2005

SUMMARY STATEMENT: On August 18, 2005 the Mat-Su Borough Platting Board approved the vacation of a 20' strip of land in Floyd Subdivision. The vacation was requested to provide the lot with more buildable area and is no longer needed as the lots are being combined.

The platting board approved the vacation as adequate alternate access has been provided.

The notice from the borough was forward to city administration and no comments were received in regard to the vacation. Pursuant to Mat-Su Borough Code 16.15.035(B), concurrence is requested from the City Council.

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 vacation in Floyd Subdivision.



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

SEPTEMBER 6, 2005

CITY OF WASILLA
290 E HERNING
WASILLA, AK. 99654

RECEIVED

SEP 09 2005

CLERK'S OFFICE
CITY OF WASILLA

RE: FLOYD SUBDIVISION, Vacation OF 20' strip of land between the
between tax parcel A3, Section 10, Township 17 North, Range 1 West,
Seward Meridian, and Floyd Subdivision Block 8

CASE: 2005-171

Please respond if you have any objections within 30 days of The Platting Board
Notification of Action (September 6, 2005).

REASON FOR REQUEST: The vacation is to provide the lot with more buildable
area, and is no longer needed as the lots are being combined.

SUMMARY STATEMENT: On August 18, 2005 (written decision September 2,
2005) the platting board approved the vacation as adequate alternate access has
been provided.

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) (c) The easement is no longer needed as the lots are being combined.

Regards;

Paul Hulbert, Platting officer

ATTACHMENT(S): Minutes 8-15-05 (2 pages)
Vicinity Map (1 page)
Notification of Action (3 pages)



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Planning and Land Use Department

Platting Division

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September 16, 2005

NOTIFICATION OF PLATTING BOARD ACTION

DISCOVERY CONST. INC
LEE BAKER JR.
P O BOX 111411
ANCHORAGE, AK. 99511

RE: FLOYD BLOCK 8A AND VACATION

CASE: 2005-171

Action taken by the Platting Board on August 18, 2005 is as follows:

THE VACATION AND PRELIMINARY PLAT 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 H. Willey

Ms. Janet Kincaid
Platting Board Chair

Cc: LITTLE BEAR SERVICES, LLC
BOBBY BURNETT
525 W. 54TH ST.
ANCHORAGE, AK. 99518 /MSB/DPW

CONDITIONS/REASONS FOR VACATION

The platting board approved vacation of a the 20' wide strip of land situated between Tax Parcel A3 and Block 8 Floyd Subdivision contingent upon the following:

1. Wasilla City Council approval within 30 days of Platting Boards written Notification of Action;
2. Graphically show vacation on plat or record vacation resolution with plat.

FINDINGS: VACATION

- 1) The vacation of a portion of a 20' wide strip of land situated between Tax Parcel A3 & Block 8 Floyd Subdivision is consistent with MSB 16.15.035 (B) (1) (c) as the right-of- way is not being used, so the State has designated this 20' strip of land excessive to their needs. The created parcel will gain access from E. Susitna Avenue.
- 2) The City of Wasilla Planning Office stated Units 5 to 8 and 17 to 20 may only be constructed upon vacation of 20' R.O.W.;
- 3) ADOT&PF, MTA, MSB DPW, CC and Planning stated no objections.
- 4) There were no public comments received from the NOTIFICATION OF PUBLIC HEARING.
- 5) There were no other agency comments received from ADOT/Palmer, AK RR, FSA #130 Wasilla-Lakes, EMS-Wasilla, MSB Cultural Resources, MSB ROW, MEA, Enstar and GCI.

CONDITIONS/REASONS FOR PRELIMINARY PLAT

The platting board approved the preliminary plat for **FLOYD SUBDIVISION BLOCK 8A** 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 \$38.16 prior to recording;
4. Resolve subdivision name with the Platting Staff.
5. 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.
6. Resolve any utility easements, if any, with utility companies sign-off on the final plat.
7. Any and all special assessments due to City must be paid in full prior to final sign-off on the plat.
8. Developer to work with Director of city of Wasilla Public Works Department to provide additional right-of-way (60') for E. Susitna Avenue along SW corner of project.

9. 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. The city of Wasilla will furnish sewer and water facilities to the project.
10. Submit final plat in full compliance with Title 16.

FINDINGS: PRELIMINARY PLAT

- 1) The preliminary plat for **FLOYD SUBDIVISION BLOCK 8A** is pursuant with Alaska Statute 29.40.070 Platting Regulations and consistent MSB 16.15.015 Platting Regulation and MSB 16.20 Subdivision Development Standards.
- 2) The soils investigation report states the city of Wasilla will furnish Sewer and Water Facilities to this project. No on-site sewer & water permits or test have been completed.
- 3) The City of Wasilla Planning Office and Finance Department stated no objections, but lined out conditions to be met for the project.
- 4) ADOT&PF, MTA, MSB DPW, CC and Planning stated no objections.
- 5) There were no public comments received from the NOTIFICATION OF PUBLIC HEARING.
- 6) There were no other agency comments received from ADOT/Palmer, AK RR, FSA #130 Wasilla-Lakes, EMS-Wasilla, MSB Cultural Resources, MSB ROW, MEA, Enstar and GCI.
- 7) The vacation was approved.

MOTION: Mr. Bruu moved to approve the subdivision of Shafer Estates with 11 recommendations and Mr. Johnson seconded.

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

F. FLOYD SUBDIVISION BLOCK 8A

Ms. Thompson (Secretary)

- Stated that on July 28 2005 there were 23 notices mailed.
- To date there has been no returns, and no objections..

Mr. Paul Hulbert(Platting officer)

- Stated the petitioner wishes and agency reviews.

There was discussion by the board.

Ms. Kincaid (Chair)

- Opened the public hearing, having no one wishing to speak the hearing was closed.

Mr. Bob Burnett(petitioner's representative)

- Met with the city of Wasilla, Sandra Garley, at which time they determined front, back and side lines.
- Also discussed the 20' request but originally it was 10'.foot will have to resolve with the city of Wasilla.

There was discussion by the board.

MOTION: Mr. Johnson moved to approve the vacation of a 20' wide strip of land situated between Tax Parcel A3 and Block 8 Floyd Subdivision Plat No. 67-12, with 2 recommendations. . Mr. Bruu seconded.

VOTE: The motion passed with all voting yes. There were 5 findings.

MOTION: Mr. Heinrich moved to approve the preliminary plat of Floyd subdivision Block 8, with 10 recommendations. . Mr. Bruu seconded.

VOTE: The motion passed with all voting yes. There were 6 findings. Adding No. 7, "The vacation was approved."

BOARD COMMENTS

Mr. Johnson (board member)

- Asked about a previous case that was in appeal phase.

Mr. Bruu (board member)