

SUBJECT: VACATE AND REPLACE PORTIONS OF W. LOLLYBROCK DRIVE RIGHT-OF-WAY ALONG WITH ADJOINING UTILITY AND DRAINAGE EASEMENTS TO CENTER THE CONSTRUCTED ROAD PRISM WITHIN A NEW RIGHT-OF-WAY. LOCATED IN SECTION 23, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA.
 ASSEMBLY DISTRICT 5: DAN MAYFIELD

AGENDA: FEBRUARY 5, 2019

ASSEMBLY ACTION:

Approved under the Consent Agenda

MANAGER RECOMMENDATION: Present to the assembly for consideration.

APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>FW</i>	
	Planning Director	<i>EP</i>	
	Borough Attorney	<i>BS</i>	
	Borough Clerk	<i>JM</i>	<i>1/22/19</i>

ATTACHMENT(S): Fiscal Note: Yes _____ No X

Minutes	(2 pages)
Notification of Action	(5 pages)
Vicinity Map	(1 page)
As-Built	(1 page)

SUMMARY STATEMENT: On January 17, 2019, (written decision January 22, 2019) the Platting Board approved the plat of Rambling Heights Estates Master Plan along with the modification (vacation and replacement) of a portion of the existing right-of-way (ROW) for W. Lollybrock Drive and adjacent drainage and utility easements. The surveyor provided evidence that a portion of W. Lollybrock Drive was constructed north of the platted centerline, causing encroachment on the undeveloped property to the north. The proposed plat will shift the ROW and adjoining easements north to center the road prism in the new ROW. The Platting Board's decision to modify a portion of W. Lollybrock Drive ROW is consistent with MSB 43.15.035(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 all areas affected by the vacation. The modification of the drainage and utility easements is consistent with MSB 43.15.032(A)(1)(a); there are no existing improvements within the easements, the utility companies had no objection, and substitute easements will be provided on the new plat.

RECOMMENDATION OF ADMINISTRATION: Staff recommends the assembly approve the vacation of ROW and modification of utility and drainage easements.

FINDINGS:

- Add #6: The cul-de-sac design does not meet international fire code. The international fire code is not adopted by the Borough Code or by the State Code regarding subdivision only industrial developments.

VOTE:

- The motion passed with all in favor. There are 6 findings.

TIME: 1:32 P.M.

CD: 0:25:17

D. RAMBLING HEIGHTS ESTATES MASTER PLAN

Chair Jordan Rausa read the case description into the record.

Sloan Von Gunten, Administrative Specialist, provided the mailing report.

- Stated that 146 public hearing notices were mailed out on December 27, 2018.

Peggy Horton, Platting Technician, provided a staff report:

- Gave an overview of the case, #2018-170.

Ellery Gibbs (Petitioner's Representative)

- Gave an explanation on the development regarding the property.

Chair Jordan Rausa

- Opened the public hearing and asked any members of the public wishing to speak to come forward.

William Lee

- Commented that S. Foothills Boulevard has not been developed.
- Commented on the deaths that have been on KGB Road.
- Concerned about traffic safety and new development.

Jim Ingersoll

- Concerned about the future transportation bypass being made on KGB.
- Concerned about the development process.

Chair Jordan Rausa

- Closed the public hearing.

James Guy (Petitioner) and Ellery Gibbs (Petitioner's Representative) and Bill Klebesadel (Engineer)

- Shared a brief history of the property.
- Agrees with all the recommendations.

MOTION:

- Anderson moved to approve the preliminary plat for Rambling Heights Estates Master Plan along with modification to the existing right-of-way for W. Lollybrock Drive and adjacent drainage and utility easements, with 17 recommendations. Modify finding #18. The motion was seconded by Vau Dell.

The platting board discussed the road classifications, upgrades, and the impacts to the surrounding area.

TIME: 2:23 P.M.

CD: 1:19:02

BREAK

TIME: 2:40 P.M.

CD: 1:20:04

Jamie Taylor (DPW Engineer)

- Answered questions regarding S. Foothills Boulevard from the platting board.

AMENDMENT TO THE MOTION:

- Vau Dell moved to amend the motion to add a finding stating: "The design does not meet international fire code."
- No second, the amended motion fails.

AMENDMENT TO THE MOTION:

- Anderson moved to amend the motion to add a finding stating: "DPW stated that S. Foothills Boulevard will be paved during the summer of 2019, and the result will meet traffic needs." The amendment was seconded by Johnson.

VOTE on AMENDMENT:

- The amendment to add the finding regarding S. Foothills Boulevard passed with all in favor.

Discussion regarding development of roadways and future issues.

FINDINGS:

- Modify #18: Staff received three objections and one concern as a result of the public noticing, addressed in the staff report.
- Add #19: DPW stated that S. Foothills Boulevard will be paved during the summer of 2019, and the result will meet traffic needs.

VOTE on MAIN MOTION:

- The motion passed with all in favor. There are 18 findings.

TIME: 3:03 P.M.

CD: 1:37:02



MATANUSKA-SUSITNA BOROUGH

Platting Division

350 East Dahlia Avenue • Palmer AK 99645
Phone (907) 861-7874 • Fax (907) 861-8407

NOTIFICATION OF ACTION

January 23, 2019

James & Kristina Guy
4047 W. Museum Dr.
Wasilla, AK 99623

William & Patricia Mable
5200 Lollybrook Dr.
Wasilla, AK 99623

Case #: 2018-170 & 171

Case Name: RAMBLING HEIGHTS ESTATES MASTER PLAN

Action taken by the Platting Board on January 17, 2019 is as follows:

THE PRELIMINARY PLAT FOR RAMBLING HEIGHTS ESTATES MASTER PLAN
ALONG WITH MODIFICATION TO THE EXISTING RIGHT-OF-WAY FOR W.
LOLLYBROCK DRIVE AND ADJACENT DRAINAGE AND UTILITY EASEMENTS WAS
APPROVED AND WILL EXPIRE ON JANUARY 23, 2025 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,

Mr. Jordan Rausa
Platting Board Chairman

sv

cc: DPW – Jamie Taylor

Bull Moose Surveying
200 Hygrade Lane
Wasilla, AK 99687
Additional Plat Reviews After 2nd Final are \$100.00 Each

**Ellery Gibbs
3450 N. Calder Rd.
Wasilla, AK 99654**

**Devin Johnson
PO Box 877001
Wasilla, AK 99687**

**James Ingersoll
5440 W. Placide Circle
Wasilla, AK 99623**

**William Lee
1831 S. Rue de la Paix Loop
Wasilla, AK 99654**

**Helga Huelskoetter
2641 S. Rue de la Paix Loop
Wasilla, AK 99623**

**Bill Klebesadel
16547 E. Smith Rd.
Palmer, AK 99645**

CONDITIONS of APPROVAL:

The Platting Board approved the preliminary plat for Rambling Heights Estates Master Plan along with Modification to the existing Right-of-way for W. Lollybrock Drive and adjacent Drainage and Utility Easements, contingent upon the following:

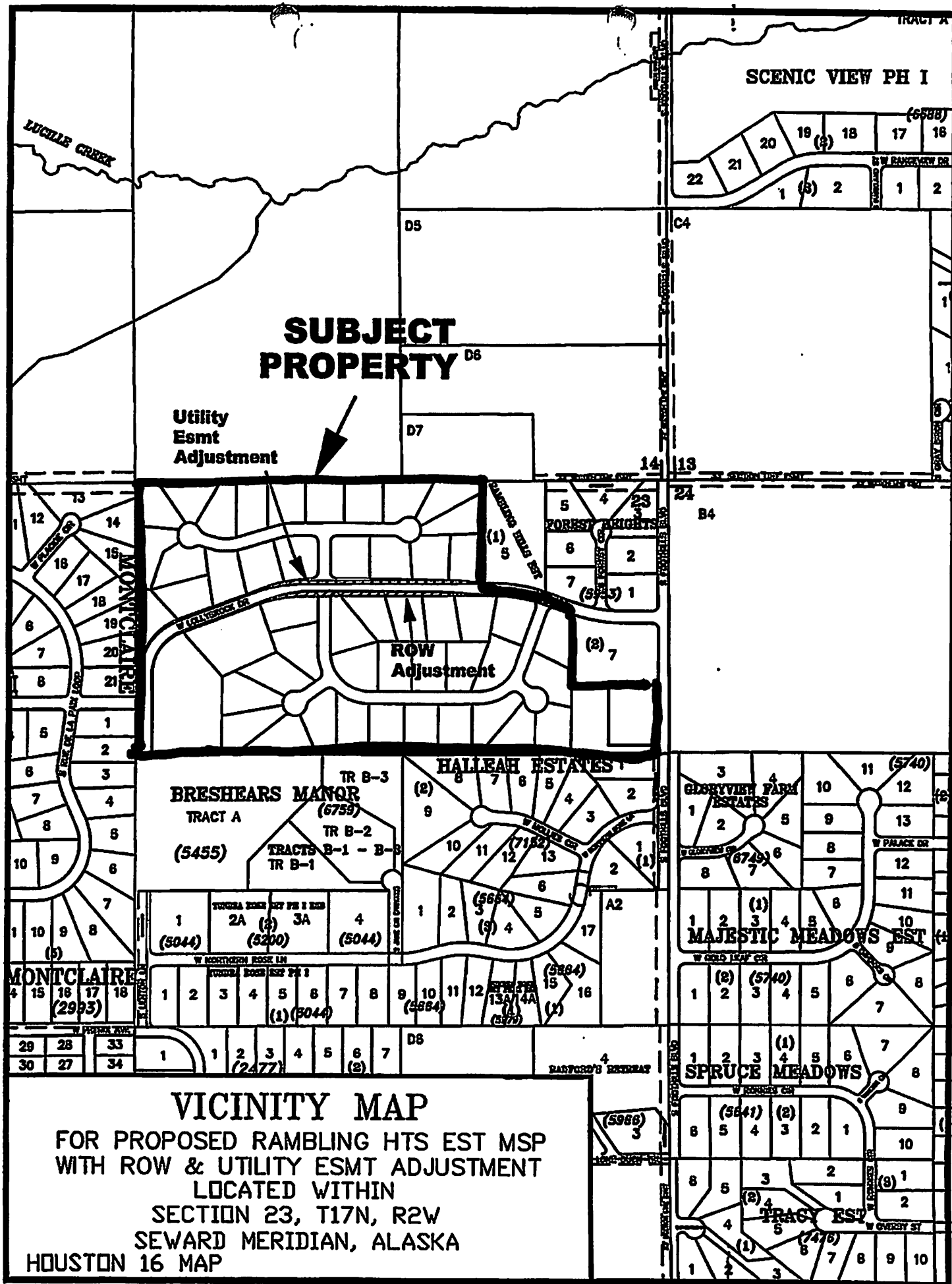
1. Submit the mailing and advertising fee prior to the first phase plat recording.
2. For each phase, submit construction cost estimate, schedule pre-construction meeting with Public Works Engineer, pay inspection fee, and obtain Notice to Proceed prior to any road or drainage construction in compliance with SCM, Section E.
3. Construct the interior roads to minimum residential standards for each phase. Provide engineer's final inspection report along with verification from an RLS that the constructed roadways are located within the proposed right-of-way per MSB 43.20.140 and obtain Public Works Engineer signoff.
4. Provide a connecting right-of-way to the section line easement within Block 1 in a constructible alignment, in accordance with MSB 43.20.060(D). Provide curve returns on either end.
5. Apply for driveway permits for any existing driveways onto public rights-of-way as required by MSB 11.10.020 prior to the phase 1 plat recording.
6. Place a plat note on the phase 1 plat that Lots 8A & 8B share a common access onto Foothills Blvd.
7. Realign W. Lollybrock Dr right-of-way and adjoining drainage and utility easements on the first phase plat so the physical road is centered within the right-of-way and the easements connect to that right-of-way.
8. Obtain Borough Assembly approval for the realignment of W. Lollybrock Drive right-of-way and adjoining drainage and utility easements within 30 days of the Platting Board's written decision.
9. Dedicate Tract B, Rambling Hills Estates Phase 1 as public right-of-way with the first phase plat.
10. Construct a t-intersection at the corner of W. Lollybrock Drive and W. Montclair Ave during the first phase that requires road construction.
11. Obtain road name approval from the Platting Assistant.
12. Provide an engineer's updated useable area report for Lots 9-15, Block 3 after recontouring to certify there is 10,000 sq ft of contiguous useable septic area and 10,000 sq ft of useable building area on those lots.
13. Provide updated Certificate to Plat executed within 7 days, prior to recording each phase plat per MSB 43.15.053(E).

14. Submit an affidavit from holders of beneficial interest, if any, to be recorded with each phase plat.
15. Submit recording fee for each phase plat, payable to the State of Alaska, DNR.
16. Taxes and special assessments must be paid in full through the year of recording, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash for each phase plat.
17. Submit final phase plats in full compliance with Title 43.

FINDINGS:

1. The preliminary plat for Rambling Heights Estates Master Plan is consistent with AS 29.40.070, *Platting Regulations*, and MSB 43.15.016, *Preliminary Plat Submittal and Approval*.
2. The request to modify the right-of-way and adjoining utility and drainage easements are consistent with MSB 43.15.032, *Elimination or Modification of Utility and Drainage Easements*, and 43.15.035, *Vacations*. The petitioner is adjusting the existing utility and drainage easements to fall alongside the realigned road right-of-way. The petitioner is adjusting the road right-of-way to place the centerline of the constructed road within the center of the right-of-way.
3. DPW requires final drainage plans after road construction and final grading, prior to acceptance of the roads. Additional infiltration galleries, culverts and drainage easements may be necessary.
4. Recontouring of Lot 14, Block 1 will provide a constructible alignment for the stub road to the northern section line.
5. Lots 9-14, Block 1 will be recontoured during road construction and Lot 15, Block 1 has an additional useable area restriction due to the proposed public use easement location. The updated useable area report is needed to address both these issues.
6. Lot sizes and shapes along with block lengths are consistent MSB 43.20.300(A), *Lot and Block Design*. No lot exceeds the depth to width ratio allowances. The flag lot with direct access to Foothills Blvd. meets the flag lot design standards.
7. Lot frontage is consistent with MSB 43.20.320, *Frontage*. Each lot has a minimum of 60' of road frontage, or if on a cul-de-sac, a minimum of 45 feet of frontage.
8. The petitioner obtained non-objection letters from the current owners of Lots 1 & 2, Block 5, Montclair Subdivision which state they release any interest in Tract B so it can be turned into public right-of-way with this plat, thereby eliminating an uneconomical remainder tract.
9. There are 15' utility easements shown on the plat along both sides of the proposed right-of-ways consistent with the Subdivision Construction Manual standards for utilities.

10. There are no existing utility facilities within the utility easements being realigned. MEA, MTA, Enstar and GCI responded with no objection or no comment to the utility easement adjustment.
11. Foothills Blvd. is on the Official Streets and Highway Plan as a future minor collector. Direct access should be limited.
12. A minor collector road named Middle Ridge Road is on the MSB Official Streets and Highways Plan (OSHP), planned along the northern property line.
13. Driveway permits onto public roads are required per MSB 11.10.020. Driveway permit for Lot 8, with access to Foothills Blvd. was approved January 4, 2019.
14. Road names may not duplicate existing road names in spelling or sound to avoid confusion with existing names, per MSB 43.15.049. The petitioner will coordinate those road names with the Platting Assistant.
15. The surveyor provided Section Line Easement determination and documentation for the section lines adjoining this property.
16. MSB 43.20.060(D) states "Subdivisions shall provide through connecting rights-of-way of residential collector standard minimum to all adjoining stub rights-of-way and unsubdivided parcels, where feasible, to improve interconnectivity and/or public safety unless shown by the applicant to be unnecessary for future development and/or public safety." The applicant agreed to provide a right-of-way to the northern boundary.
17. There were no borough department or outside agency objections to this plat.
18. Staff received three objections and one concern as a result of the public noticing, addressed in the staff report.
19. DPW stated that S. Foothills Boulevard will be paved during the summer of 2019, and the result will meet traffic needs.



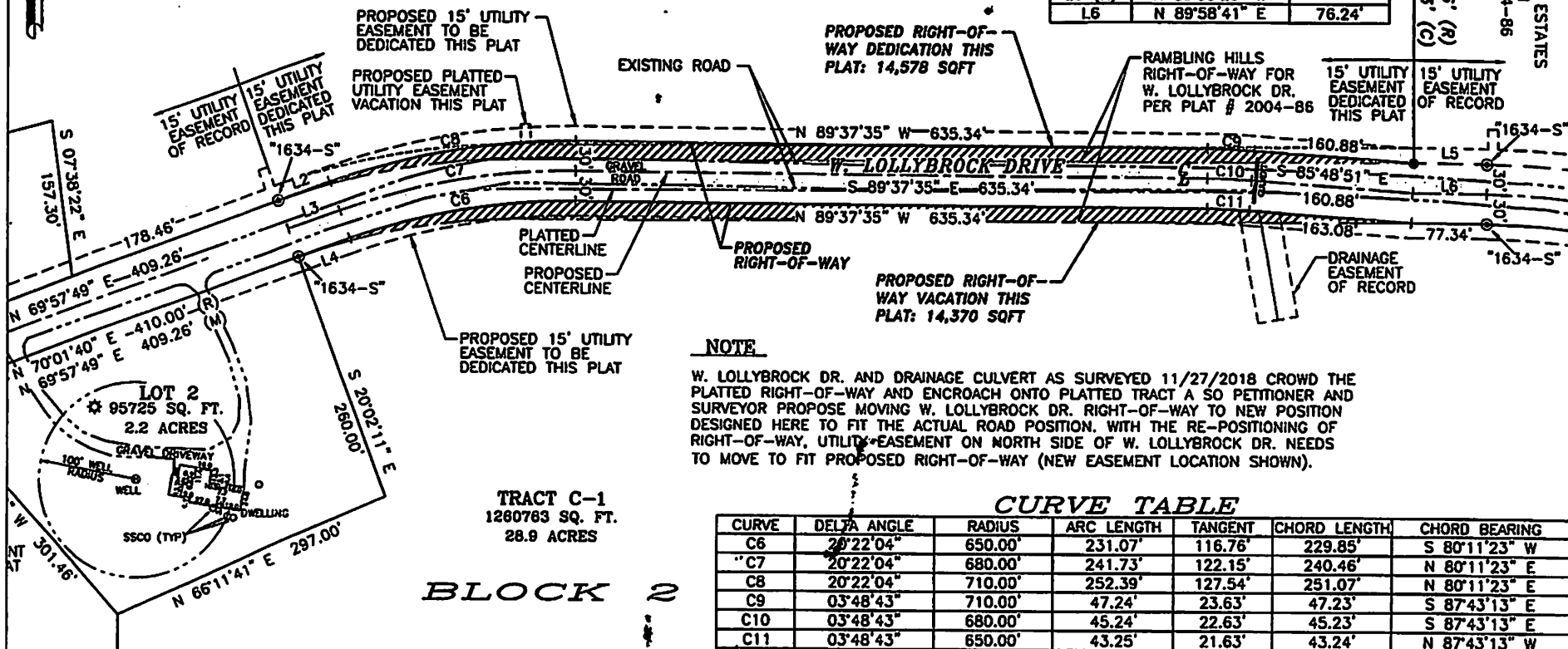
TRACT A-1
858873 SQ. FT.
10.7 ACRES

BLOCK 1

LINE TABLE

LINE	BEARING	DISTANCE
L2	N 70°00'21" E	55.38'
L3	N 70°00'21" E	55.36'
L4	S 70°00'21" W	55.33'
L5 (R)	N 89°58'20" W	75.00'
L5	N 89°58'41" E	75.12'
L6 (R)	N 89°58'20" W	
L6	N 89°58'41" E	76.24'

LOT 5
RAMBLING HILLS ESTATES
PHASE 1
PLAT # 2004-86
01°40' E 490.36' (R)
00°03' W 490.73' (C)



WEST LOLLYBROCK DRIVE EXHIBIT ROAD AS-BUILT & ENCROACHMENT WITH REVISED RIGHT-OF-WAY & UTILITY EASEMENT

PALMER RECORDING DISTRICT, ALASKA

BULL MOOSE SURVEYING

ROBERT S. HOFFMAN
200 HYGRADE LANE, WASILLA, ALASKA 99654
(907) 357-6957 bob@bullmoosesurveying.com

PLAT #2004-86

DRAWN BY: EEG
DATE OF SKETCH: 12/06/2018

CHECKED BY: RSH

SECTION TYP. RANGE
23 17N 2W S.M.

SCALE: 1"=100'

RAMBLING HEIGHTS ESTATES

REVISION BY DATE PREPARED FOR:

JIMMY GUY

