

SUBJECT: To vacate a 50' wide public use easement that was created to cover S. Horseshoe Lake Road and to vacate the Borough's interest in the 50' wide patent reservations and the overlying 50' wide public use easement; all located north of W. Lakes Boulevard, east and west of S. Horseshoe Lake Road, south of Hourglass Lake and west of Horseshoe Lake lying within Section 14, Township 17 North, Range 4 West, Seward Meridian, Alaska.

AGENDA OF: May 7, 2024

ASSEMBLY ACTION: Adopted without objection 05/07/24 - BJH

AGENDA ACTION REQUESTED: Present to Assembly for consideration.

Route To:	Signature
Originator	X Fred Wagner <small>Signed by: Fred Wagner</small>
Planning Director	X Alex Strawn <small>Signed by: Alex</small>
Finance Director	X Cheyenne Heindel <small>Signed by: Cheyenne Heindel</small>
Borough Attorney	X Nicholas Spiropoulos <small>Signed by: Nicholas Spiropoulos</small>
Borough Manager	X Michael Brown <small>Signed by: Michael Brown</small>
Borough Clerk	X Lonnice McKechnie <small>Signed by: Lonnice McKechnie</small>

ATTACHMENT (S) : Fiscal Note Yes
 Platting Board Minutes (7 pp)
 Platting Authority Action Letter (2 pp)
 Vicinity Map (1 pp)

SUMMARY STATEMENT: The Platting Board approved the preliminary plat of Two Lakes on April 18, 2024. This request included the vacation of the 50' public use easement that was created to cover S. Horseshoe Lake Road (recorded January 4, 1995, Book 793, Page 479) but did not align with the actual road location. The proposed Two Lakes Subdivision will dedicate right of way on the existing S. Horseshoe Lake Road. The request also included the vacation of

the Borough's interest in the 50' wide patent reservations on the eastern boundaries of Government Lots 26, 28, and 29 (Patent No. 16127 and Patent No. 16190) and the overlying 50' wide public use easement on the eastern boundary of Government Lot 28 (recorded June 15, 2004 at Serial No. 2004-015836-0) which were not accessible. The proposed Two Lakes Subdivision will grant a 60' wide public use easement providing usable access to Hourglass Lake. All proposed vacations are located within Section 14, Township 17 North, Range 4 West, Seward Meridian, Alaska and are consistent with MSB 43.20.035 Vacations.

RECOMMENDATION OF ADMINISTRATION: Staff recommends the assembly approve the vacation of the 50' wide public use easement created to cover S. Horseshoe Lake Road and approve the vacation of the Borough's interest in the 50' wide patent reservations and the overlying 50' wide public use easement.

MATANUSKA-SUSITNA BOROUGH

FISCAL NOTE

Agenda Date: May 7, 2024

SUBJECT: To vacate a 50' wide public use easement that was created to cover S. Horseshoe Lake Road (recorded January 4, 1995, Book 793, Page 479), and to vacate the Borough's interest in the 50' wide patent reservations (Patent No. 16127 and Patent No. 16190) and the overlying 50' wide public use easement (recorded June 15, 2004 at Serial No. 2004-015836-0), all located within the S ½ of Section 14, Township 17 North, Range 4 West, Seward Meridian, Alaska.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT YES NO
AMOUNT REQUESTED NO FISCAL IMPACT	FUNDING SOURCE
FROM ACCOUNT #	PROJECT
TO ACCOUNT:	PROJECT #
VERIFIED BY: X <u>Liese l W eiland</u> 4 / 2 5 / 2 0 2 4 Signed by: L i e s e l W e i l a n d	

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2024	FY2025	FY2026	FY2027	FY2028	FY2029
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
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REVENUE						
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FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other						
TOTAL						

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

APPROVED BY:	4 / 2 5 / 2 0 2 4 X <u>C h e y e n n e H e i n d e l</u>
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Signed by: C h e y e n n e H e i n d e l

The regular meeting of the Matanuska-Susitna Borough Platting Board was held on April 18, 2024, at the Matanuska-Susitna Borough 350 E Dahlia Ave, Palmer, Alaska. Alaska. Chair Johnson called the Meeting to order at 1:00 p.m.

1. CALL TO ORDER

A. ROLL CALL AND DETERMINATION OF QUORUM (by Acting Administrative Specialist)

Platting Board members present and establishing a quorum:

Mr. Ron Johnson, District Seat #1, Chair
Mr. Dan Bush, District Seat #4
Ms. Michelle Traxler, District Seat#5
Mr. Sandra Kreger, District Seat #6
Mr. Sidney Bertz, District Seat #7
Mr. Robert Hallford, Alternate B

Platting Board members absent and excused were:

Mr. Brian Goodman, District Seat #2
Mr. Eric Koan, District Seat #3, Vice Chair

Staff in attendance:

Mr. Fred Wagner, Platting Officer
Ms. Amy Otto-Buchanan, Platting Specialist
Ms. Kayla Kinneen, Platting Board Clerk
Mr. Matthew Goddard, Platting Technician
Mr. Chris Curlin, Platting Technician
Ms. Natasha Heindel, Platting Technician

B. THE PLEDGE OF ALLEGIANCE

Platting member Bush led the pledge of allegiance.

C. APPROVAL OF THE AGENDA

Chair Johnson inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved unanimously.

2. APPROVAL OF MINUTES

- April 4, 2024, Minutes were approved unanimously.

3. AUDIENCE PARTICIPATION & PRESENTATIONS

(None)

4. UNFINISHED BUSINESS

(None)

5. RECONSIDERATIONS/APPEALS
(No Reconsiderations/Appeals)

6. PUBLIC HEARINGS

- A. **30' PUE VAC GOVT LOT 6:** The request is to vacate the 30' Public Use Easement on the western boundary of **Government Lot 6** (Tax ID#17N04W26B009), containing 23,940 sf (.55 acres +/-). The property is located directly west of S. About Time Street and directly north of S. West Judy Avenue; located within the NW ¼ Section 26, Township 17 North, Range 04 West, Seward Meridian, Alaska. In the Big Lake Community Council and in Assembly District #5. **This case was continued from the January 4, 2024, Public Hearing.** *(Petitioner/Owner: Samuel Dickinson, Staff: Chris Curlin, Case #2023-138)*

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record.

- Member Bush recused himself at 1:04 pm

Kayla Kinneen provided the mailing report:

- Stating that 26 public hearing notices were mailed out on March 28, 2024.

Staff gave an overview of the case:

- Staff recommends approval with 7 conditions and 7 finding of facts.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative, Scott Holm, gave a brief overview of the case.

Chair Johnson opened the public hearing for public testimony.

The following persons spoke

- Peter Johanknecht
- Bill Heairet

There being no one else to be heard Chair Johnson closed the public hearing and invited the petitioner and/or the petitioner's representative to give a brief overview.

The petitioner's representative gave a brief overview of the case.

Discussion ensued.

MOTION: Platting Member Traxler made a motion to approve the preliminary plat, 30' PUE/VAC Govt Lot 6. Platting Member Bertz seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

Member Bush returned at 1:29 pm

- B. **TWO LAKES:** The request is to create 11 lots and one tract from Tax Parcels C5 (Government Lot 26), C6 (Government Lot 29), C8 (Government Lot 28), D2 (Government Lots 23 & 24) & D3 (Government Lot 25), Section 14, and vacate Public Use Easements and Patent Reservations, to be known as **TWO LAKES**, containing 86.3 acres +/- . Parcels are located north of W. Lakes Boulevard, east and west of S. Horseshoe Lake Road, south of Hourglass Lake and west of Horseshoe Lake (Tax IDs# 17N04W14C005/C006/C008/D002/D003); lying within the S ½ N ½ SE ¼ and the NE ¼ NW ¼ SE ¼ of Section 14, Township 17 North, Range 04 West, Seward Meridian, Alaska. In the Big Lake Community Council and in Assembly District #5. (Petitioner/Owner: *Wythe Lee Renfrew & Ronald K. Williams*, Staff: *Amy Otto-Buchanan*, Case #2024-020)

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Kayla Kinneen provided the mailing report:

- Stating that 31 public hearing notices were mailed out on March 28, 2024.

Staff gave an overview of the case:

- Staff recommends approval with 10 conditions and 8 finding of facts.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative, Gary LoRusso, gave a brief overview of the case.

Chair Johnson opened the public hearing for public testimony.

There being no one else to be heard Chair Johnson closed the public hearing and invited the petitioner and/or the petitioner's representative to give a brief overview.

The petitioner's representative gave a brief overview of the case.

MOTION: Platting Member Traxler made a motion to approve the preliminary plat, Two Lakes. Platting Member Bush seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

- C. **COLONY COMMERCIAL PARK:** The request is to create three lots from Tax Parcel C24, MSB Waiver 71-107, (Tax ID#18N02E32C024), containing 4.45 acres +/-, to be known as **COLONY COMMERCIAL PARK**. The proposed lots are located east of N. Hemmer Road, west of S. Felton Street, and directly north of E. Palmer-Wasilla Highway; located within the SE ¼ SW ¼ Section 32, Township 18 North, Range 02 E, Seward

Meridian, Alaska. In the Greater Palmer Community Council and in Assembly District #2.
(Petitioner/Owner: Midway, LLC, Staff: Chris Curlin, Case #2024-025)

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Kayla Kinneen provided the mailing report:

- Stating that 64 public hearing notices were mailed out on March 28, 2024.

Staff gave an overview of the case:

- Staff recommends approval with 7 conditions and 6 finding of facts.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative, Gary LoRusso, gave a brief overview of the case.

Chair Johnson opened the public hearing for public testimony.

There being no one else to be heard Chair Johnson closed the public hearing and invited the petitioner and/or the petitioner's representative to give a brief overview.

The petitioner/petitioner's representative gave a brief overview of the case.

Discussion ensued.

MOTION: Platting Member Kreger made a motion to approve the preliminary plat, Colony Commercial Park. Platting Member Traxler seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

- D. **NORDIC PARK 2:** The request is to create four tracts from Tracts A & B, Nordic Park, Plat No. 2021-44 and Government Lot 22 (Tax Parcel D4), Section 36, and vacate a portion of the right-of-way of N. Nordic Lane, to be known as **NORDIC PARK 2**, containing 96.65 acres +/- . Parcels are located north of N. Nancy Lake Parkway, east of Suncrest Lake, south of Rainbow Lake, southeast of N. Rainbow Shore Drive and accessed by N. Nordic Lane (Tax IDs# 8123000T00A/T00B and 19N05W36D002); lying within Section 36, Township 19 North, Range 05 West, Seward Meridian, Alaska. In the Willow Area Community Council and in Assembly District #7 Ron Bernier. (Petitioner/Owner: William G. Royce; Jeff & Jeanne Friedman Living Trust; Gail C. Green, Staff: Amy Otto-Buchanan, Case #2024-026)

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Kayla Kinneen provided the mailing report:

- Stating that 36 public hearing notices were mailed out on March 28, 2024.

Staff gave an overview of the case:

- Staff recommends a continuation to May 2, 2024

Chair Johnson opened the public hearing for public testimony.

MOTION: Platting Member Bush made a motion to continue the preliminary plat, Nordic Park 2. Platting Member Traxler seconded the motion.

VOTE: The motion passed without objection.

- E. **POWDER RIDGE:** The request is to create four tracts from Tract F, Alaska Division of Land Supplemental Cadastral Survey, recorded as Plat 79-74 (Tax Parcel D2), to be known as **POWDER RIDGE**, containing 107.03 acres +/- . Parcels are located east of Peters Creek and south of W. Petersville Road (Tax ID# 26N08W03D002); lying within Section 03, Township 26 North, Range 08 West, Seward Meridian, Alaska. In the Petersville Community Council and in Assembly District #7 Ron Bernier. (*Petitioner/Owner: Powder Ridge Investments LLC, Staff: Amy Otto-Buchanan, Case #2024-030*)

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Kayla Kinneen provided the mailing report:

- Stating that 11 public hearing notices were mailed out on March 28, 2024.

Staff gave an overview of the case:

- Staff recommends approval with 11 conditions and 6 findings of facts.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative, Gary LoRusso, gave a brief overview of the case.

Chair Johnson opened the public hearing for public testimony.

There being no one else to be heard Chair Johnson closed the public hearing and invited the petitioner and/or the petitioner's representative to give a brief overview.

The petitioner/petitioner's representative gave a brief overview of the case.

Discussion ensued.

MOTION: Platting Member Kreger made a motion to approve the preliminary plat, Powder Ridge. Platting Member Hallford seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

- F. **STRUBHAR ESTATES**: The request is to create 5 lots from Government Lot 5 and the NE ¼ SW1/4, Section 31, Township 16 North, Range 3 West, to be known as **STRUBHAR ESTATES**, containing 60.71 acres +/- . The property is southeast of Sevenmile Lake, north and west of Goose Creek, and north of W. Point MacKenzie Road. (Tax ID #16N03W31C002); within the SE ¼ Section 31, Township 16 North, Range 03 West, Seward Meridian, Alaska. In the Point Mackenzie Community Council and in Assembly District #5. (*Petitioner/Owner: Strubhar Estates, Staff: Matthew Goddard, Case #2024-033*)

Chair Johnson read the statement regarding Ex-Parte & Interest on quasi-judicial action into the record; there was no objection noted by the platting board.

Kayla Kinneen provided the mailing report:

- Stating that 23 public hearing notices were mailed out on March 28, 2024.

Staff gave an overview of the case:

- Staff recommends approval with 7 conditions and 6 finding of facts.

Chair Johnson invited the petitioner/petitioner's representative to give an overview.

The petitioner's representative, Wayne Whaley, gave a brief overview of the case.

Chair Johnson opened the public hearing for public testimony.

There being no one else to be heard Chair Johnson closed the public hearing and invited the petitioner and/or the petitioner's representative to give a brief overview.

The petitioner's representative gave a brief overview of the case.

MOTION: Platting Member Traxler made a motion to approve the preliminary plat, Strubhar Estates. Platting Member Bush seconded the motion.

Discussion ensued.

VOTE: The motion passed without objection.

7. PLATTING STAFF & OFFICER COMMENTS

A. Adjudicatory (*if needed*)

B. Upcoming Platting Board Agenda Items

Platting Officer, Fred Wagner informed the board of upcoming items:

- Next meeting May 2, 2024. We have five cases on the agenda.

- Misty Meadow
- Bogard Colonial MSP
- Nordic Park 2
- Hidden Jewel
- Wisteria Meadows ADD 1

Platting Officer Fred Wagner made comment on time frame for the May 2, 2024 meeting, thanked Amy for her hard work, and welcomed Natasha.

BOARD COMMENTS.

- Platting member Bush- Thanked Amy and welcome Natasha
- Chair Johnson – Farewell to A,y and welcome aboard Natasha

8. ADJOURNMENT

With no further business to come before the Platting Board, Chair Johnson adjourned the meeting at 2:29 PM.

RON JOHNSON
Platting Board Chair

ATTEST:

KAYLA KINNEEN
Platting Board Clerk



MATANUSKA-SUSITNA BOROUGH

Platting Division

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Phone (907) 861-7874 • Email: platting@matsugov.us

PLATTING BOARD ACTION LETTER

April 19, 2024

Wythe Lee Renfrew Williams
8 Roadrunner Court
Nogales, AZ 85621-9611

Case #: 2024-020

Case Name: TWO LAKES

Action taken by the Platting Board on April 18, 2024 is as follows:

THE PRELIMINARY PLAT FOR TWO LAKES WAS APPROVED AND WILL EXPIRE ON APRIL 19, 2030 SUBJECT TO THE ATTACHED CONDITIONS OF APPROVAL. FINDINGS OF FACT SUPPORTING THIS DECISION ARE ALSO INCLUDED.

ALL DECISIONS OF APPROVAL OR DISAPPROVAL BY THE PLATTING AUTHORITY 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. Fred Wagner, PLS
Platting Officer

kk
cc:

Keystone Surveying
PO Box 2216
Palmer, AK 99645

Additional Plat Reviews After 2nd Final are \$100.00 Each

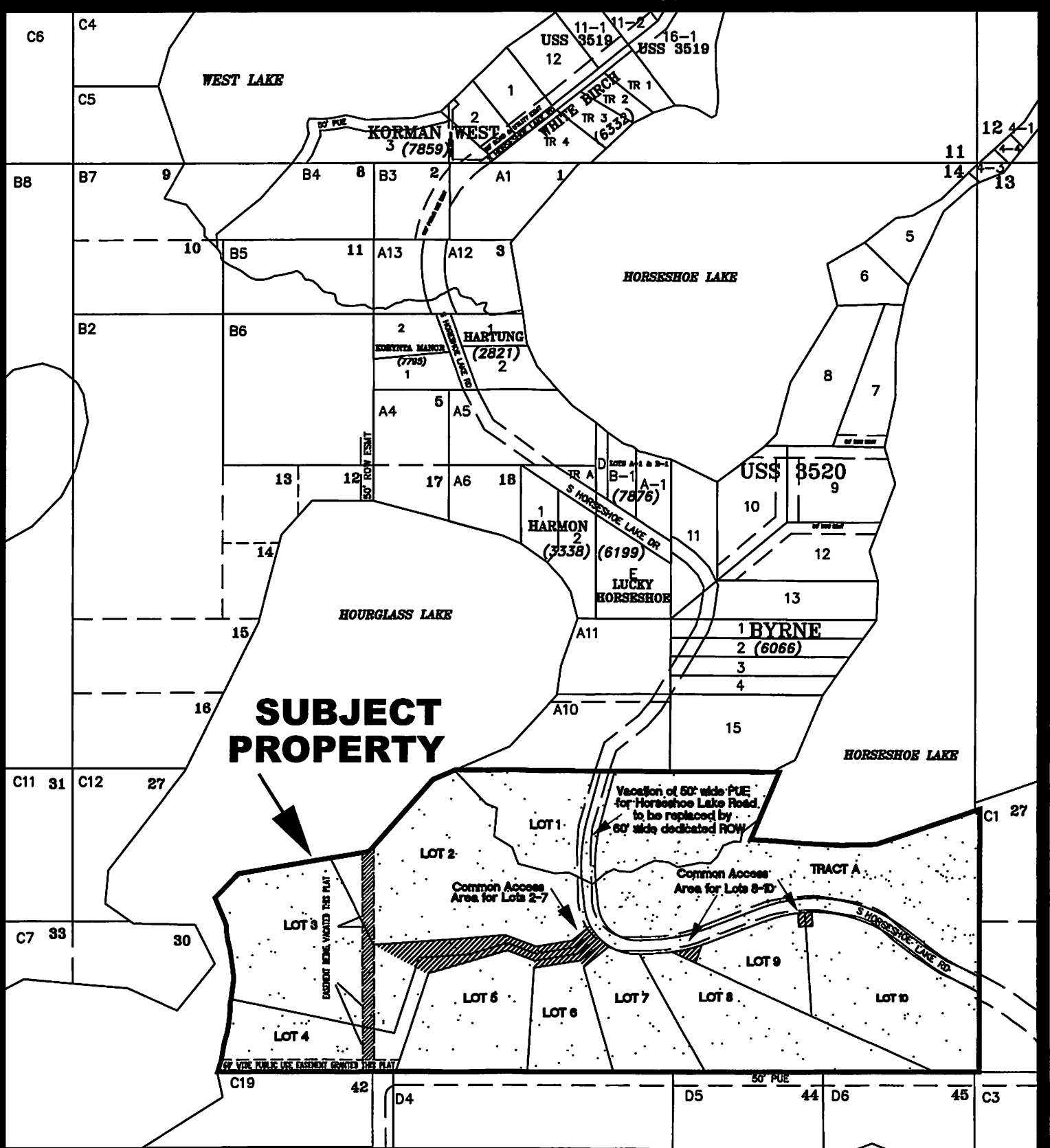
FINDINGS of FACT:

1. The plat of Two Lakes consistent with AS 29.40.070 Platting Regulations and MSB 43.15.016 Preliminary Plats.
2. The vacation of the 50' wide Public Use Easement and the Borough's interest in the Patent Reservations are consistent with MSB 43.15.035 Vacations.
3. A soils report was submitted, pursuant to MSB 43.20.281(A)(1). All lots have the required useable area. Engineer submitted a topographic narrative, pursuant to MSB 43.20.281(A)(1)(i)(i) for the lots greater than 400,000 sf.
4. All lots will have the required frontage pursuant to MSB 43.20.320 and MSB 43.20.300(E) Flag lots.
5. At the time of staff report write-up, there were no responses to the Request for Comments from US Army Corps of Engineers; Community Council Big Lake; Fire Service Area #136 West Lakes; Road Service Area #21 Big Lake; MSB Emergency Services, Development Services, or Assessments; or MEA.
6. There were no objections to the plat or vacations from any federal or state agencies, Borough departments, or utilities.
7. MTA has requested two utility easements: one for future use to provide services to the proposed lots and one for the existing buried cable.
8. There were no objections from the public in response to the Notice of Public Hearing.

CONDITIONS of APPROVAL:

The Platting Board approved the preliminary plat for Two Lakes contingent upon the following:

1. Obtain approval from the Assembly for the vacation of the Public Use Easement and Patent Reservations.
2. Taxes and special assessments must be paid in full for the year of recording, pursuant to MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs), by CERTIFIED FUNDS OR CASH.
3. Provide updated Certificate to Plat executed within seven (7) days of recording of plat and submit Beneficiary Affidavit for any holders of a beneficial interest.
4. Pay postage and advertising fees.
5. Show common access easement for Lots 2-7 on final plat.
6. Grant a 20' wide utility easement to as requested by MTA, south adjacent of the flag pole lots. Grant a blanket utility easement by document and list recorded information on final plat.
7. Show all easements of record on final plat.
8. Submit recording fees, payable to Department of Natural Resources (DNR).
9. Submit final plat in full compliance with Title 43.
10. The vacation of the existing Patent Reservation and the dedication of a new Public Use Easement is predicated on concurrence by the State of Alaska

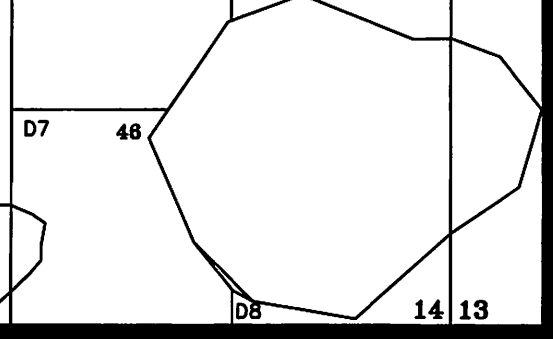


VICINITY MAP

FOR PROPOSED TWO LAKES
 LOCATED WITHIN
 SECTION 14, T17N, R04W, SEWARD MERIDIAN,
 ALASKA

LITTLE SUSITNA 09 MAP

AM 24-050



14 13