

City and Borough of Wrangell, Alaska

DATE: October 15, 2015

TO: Planning and Zoning Commission

FROM: Carol Rushmore, Economic Development Planner

RE: Public Hearing and Discussion on the Preliminary Plat review of the Mitchell-Buhler Replat, a replat of Lots 6,7,8 and 9 USS 2589, creating lots 6A and 6B, 7A and 7B, 8A and 8B, 9A and 9B USS 2589, zoned Industrial and Waterfront Development, requested by Mark Mitchell, owned by DB AK Enterprises LLC.

Background:

Mr. Mitchell is seeking to buy land on the eastern (landward) side of Zimovia Highway which is part of the former Silver Bay Logging Mill. However, the legal lot is actually split by the Highway, and a portion of each lot (Lots 6-9) is located on both sides of Zimovia Highway. In order to sell the portion of each lot on the eastern side of the highway, a subdivision must be recorded to split each lot into two lots.

Findings:

The proposed replat of Lots 6-9 USS 2589, creates two separate lots of each of the 4 original lots currently split by Zimovia Highway and owned by Dick Buhler. This will allow the lots on the upland side of the highway cross from the mill site to be sold separately to the prospective buyer Mr. Mark Mitchell.

A copy of the preliminary plat is attached, as is a copy of the plat with additional access/utility easements that Staff is requesting be added. An explanation of these easements is below.

Utility easements: On the lots on the eastern (upland) side of Zimovia Highway, staff is requesting 10 foot utility easements centered on mutual property lines be added between each of the lots, and a 5 foot utility easement be added to the outside property line of Lot 6A and Lot 9A. Mental Health Trust owns all of Lot 3 behind these lots and in some distant future, additional development could be possible and utility easements will be in place.

For the lots on the waterward side of Zimovia Highway, staff is requesting two 10' utility easements centered between Lot 7B and 8B and between 8B and 9B.

Access/Utility easement: Staff is also requesting a 30 foot access and utility easement centered on the mutual property line between Lot 6B and Lot 7B. Mr. Tullis on behalf of Mr. Buhler indicated today that access will be provided to the full site via the existing access through Lot 8B. However, just a couple of weeks ago Mr. Buhler had indicated that he was considering selling off some of these lots bordering the highway. If Mr. Buhler were to reconsider and move in that direction again with existing access to the former mill site lost by individual property sales, the site loses its development ability.

As the platting authority, guaranteed access should be provided to the parcel in a stretch of highway with turning visibility. If an easement were to be placed in the actual access location, it would cut lot 8B in half, but it is an option. If all of Lots 6B, 7B, 8B and 9B were sold separately as indicated as a possibility earlier this month the only other access could be through Lot 20 or Lot 10 located in a blind curve area.

The site has always been considered one parcel until recently. If the status of the site located waterward of the highway is no longer considered as one parcel, there are some illegal lots without any guaranteed access to them.

Recommendation:

Staff recommends approval of the plat with the additional utility and access easements as described.

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ NAME _____
TITLE _____
NAME AND TITLE OF AUTHORIZED REPRESENTATIVE _____
DB AK ENTERPRISES LLC

NOTARY'S ACKNOWLEDGMENT

U.S. OF AMERICA
STATE OF ALASKA
CITY AND BOROUGH OF WRANGELL

THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN _____ AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND _____ ACKNOWLEDGED TO ME THAT _____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA
MY COMMISSION EXPIRES _____

CERTIFICATE STATE OF ALASKA (FIRST JUDICIAL DISTRICT)ss

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF WRANGELL, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF WRANGELL, IN THE NAME OF _____

AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE AUGUST 15, 20____ DATED THIS DAY OF _____

ASSESSOR CITY AND BOROUGH OF WRANGELL

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION NO. _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____ CHAIRMAN, PLANNING COMMISSION
SECRETARY _____

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF WRANGELL ASSEMBLY AS RECORDED IN MINUTE BOOK _____ PAGE _____ DATED _____, 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX-OFFICIO RECORDER, WRANGELL, ALASKA.

DATE _____ MAYOR, CITY AND BOROUGH OF WRANGELL
ATTEST: _____
CITY CLERK _____

PLAT NOTES

REFERENCES WITHIN THE WRANGELL RECORDING DISTRICT UTILIZED FOR THIS SURVEY -

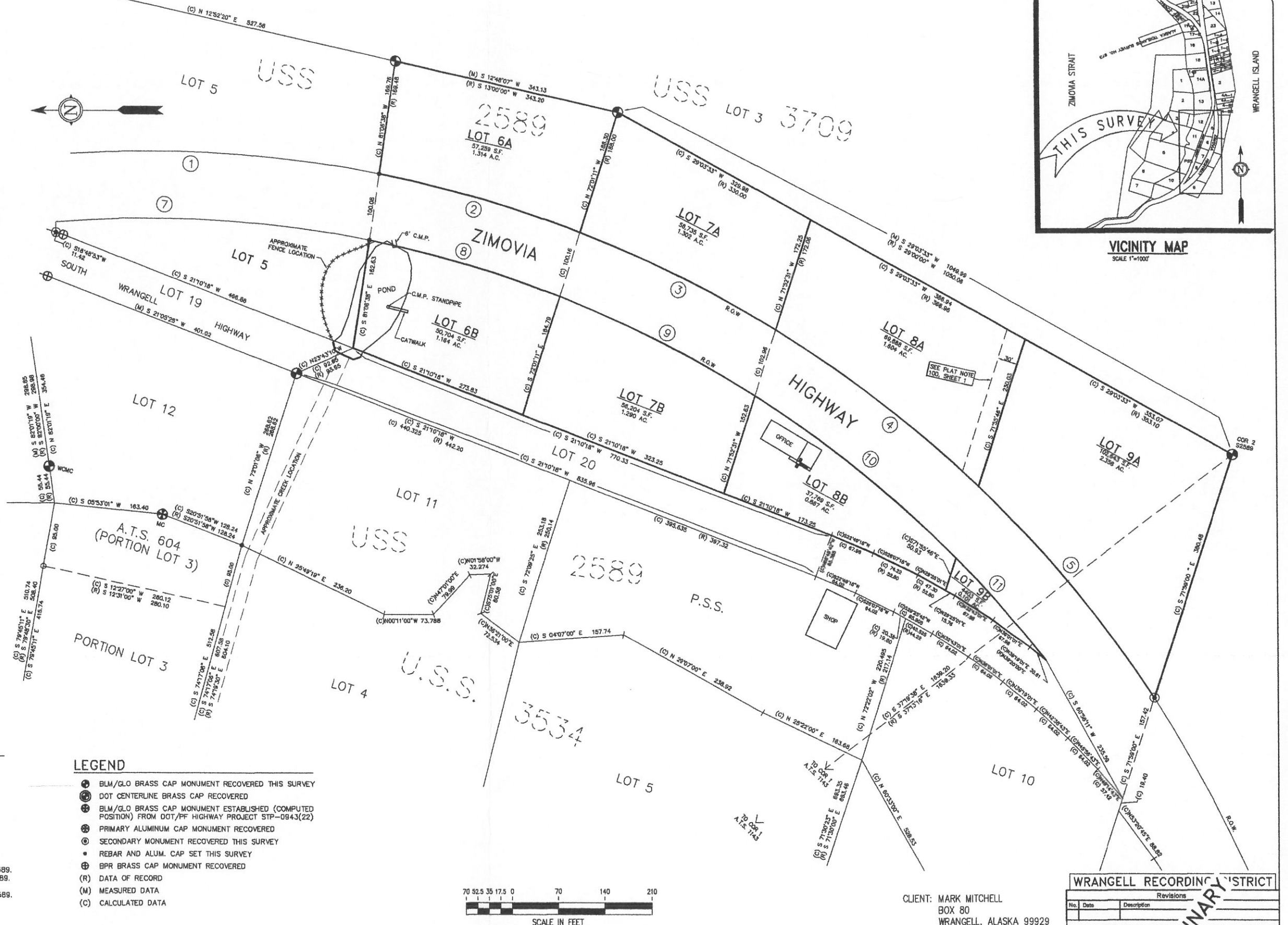
1. PLAT #83-6
2. PLAT #71-253
3. PLAT #74-13
4. PLAT AND FIELD NOTES OF U.S.S. 2589
5. PLAT AND FIELD NOTES OF U.S.S. 3534
6. A.T.S. 1249 PLAT #83-13 EXPIRES 05/22/2000
7. A.T.S. 1143 PLAT #80-10 EXPIRES 08/23/2036
8. A.T.S. 604 ADL 17487
9. STATE OF AK. HIGHWAY PROJECT NO.'S
A. STP-0943(22)
B. RS-0943(19)
10. A. BOOK 13, PG 254-256, POWERLINE EASEMENT, AFFECTS LOT 4, S2589.
B. BOOK 13, PG 317-319, POWERLINE EASEMENT, AFFECTS LOT 3, S2589.
C. BOOK 17, PG 215, WATER RIGHTS, AFFECTS LOT 11, S2589.
D. BOOK 3, PG 979-984, 30' ACCESS EASEMENT, AFFECTS LOT 8, S2589.
E. BOOK 7, PAGE 967.
F. BOOK 11, PAGE 97.
G. BOOK 11, PAGE 96.
H. BOOK 23, PAGE 274.
I. LOT 3, U.S.S. 2589 SOLD TO AK. WRANGELL LUMBER CO. BY RICHARD AND MIKE STOUGH IN 1990.

DRAWN BY: TJS
CHECKED BY: GGS
DATE PLATTED: SEPT. 30, 2015
DATE SURVEYED: _____
SCALE: 1"=70'
SURVEYOR: GREGORY G. SCHEFF
PROJ NO.: 152750

SURVEYOR'S CERTIFICATE

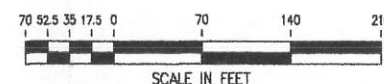
I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ GREGORY G. SCHEFF LS 6700



LEGEND

- BLM/GLO BRASS CAP MONUMENT RECOVERED THIS SURVEY
- ⊙ DOT CENTERLINE BRASS CAP RECOVERED
- ⊕ BLM/GLO BRASS CAP MONUMENT ESTABLISHED (COMPUTED POSITION) FROM DOT/PF HIGHWAY PROJECT STP-0943(22)
- ⊗ PRIMARY ALUMINUM CAP MONUMENT RECOVERED
- ⊙ SECONDARY MONUMENT RECOVERED THIS SURVEY
- ⊕ REBAR AND ALUM. CAP SET THIS SURVEY
- ⊕ BPR BRASS CAP MONUMENT RECOVERED
- (R) DATA OF RECORD
- (M) MEASURED DATA
- (C) CALCULATED DATA



CURVE DATA

① Δ=19°31'22" R=1504.76 L=488.48 C=457.98 CHD. BRG.=N 03°19'48" E	② Δ=10°00'56" R=1504.76 L=315.48 C=315.08 CHD. BRG.=N 16°09'27" E	③ Δ=10°23'26" R=1504.76 L=327.29 C=326.84 CHD. BRG.=N 08°18'38" E	④ Δ=12°08'40" R=1504.76 L=383.09 C=383.34 CHD. BRG.=N 37°35'11" E	⑤ Δ=13°01'36" R=1504.76 L=410.31 C=409.82 CHD. BRG.=N 37°35'11" E	⑥ (M) Δ=18°39'48" R=157.11 L=721.01 C=166.50 CHD. BRG.=N 10°58'49" E	⑦ Δ=13°59'56" R=1704.76 L=473.63 C=472.11 CHD. BRG.=N 03°19'48" E	⑧ Δ=10°04'12" R=1704.76 L=289.62 C=289.23 CHD. BRG.=N 16°15'52" E	⑨ Δ=11°00'36" R=1704.76 L=327.51 C=327.01 CHD. BRG.=N 08°48'11" E	⑩ Δ=12°58'53" R=1704.76 L=386.24 C=385.46 CHD. BRG.=N 38°47'51" E	⑪ Δ=06°48'00" R=1704.76 L=202.82 C=202.70 CHD. BRG.=N 48°41'47" E
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CLIENT: MARK MITCHELL
BOX 80
WRANGELL, ALASKA 99929

WRANGELL RECORDING DISTRICT

No.	Date	Description
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PRELIMINARY

R&M ENGINEERING-KETCHIKAN
355 Carlenna Lake Road
Ketchikan, AK 99901
Phone: (907) 225-7817
Fax: (907) 225-3441

WRANGELL OFFICE
P.O. BOX 1331
Wrangell, AK 99929
Phone: (907) 874-2177
Fax: (907) 874-2167

MITCHELL-BUHLER REPLAT
THE REPLAT OF LOTS 6, 7, 8 AND 9,
U.S. SURVEY 2589,
CREATING LOTS 6A, 6B, 7A, 7B, 8A, 8B, 9A AND 9B,
U.S. SURVEY 2589,
WITHIN THE CITY AND BOROUGH OF WRANGELL.

