

**PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA**

**REGULAR MEETING
THURSDAY, JANUARY 15, 2009
7:07 P.M. - COUNCIL CHAMBERS**

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Kircher at 7:07 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Chairman Kircher, Commissioners Madar, Kerslake, Hamming, Cordero, and Silva. Also present were Sandra Garley, Community Development Director, and Dawn Webster, Recording Secretary.

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Commissioner Madar.

D. APPROVAL OF AGENDA: The agenda was approved as presented.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the Regular Meeting of December 18, 2008 were approved as submitted.

F. PERSONS TO BE HEARD: None.

G. PUBLIC HEARING:

1. Add Brewpubs and Wineries to the list of permitted uses in the General Commercial District and as conditional uses in the Limited Commercial District

Ms. Garley provided the staff report stating the issue was discussed and set for public hearing at the December 18, 2008 meeting. The public hearing has been advertised as required. Staff recommends approval of the text amendment.

The public hearing was opened and closed at 7:12 p.m. as no one was present to speak on the issue.

COMMISSIONER MADAR moved, seconded by COMMISSIONER KERSLAKE to recommend approval of the proposed modifications to PMC 17.08 Definitions adding Brewpubs and Wineries to the list of definitions; approval of PMC 17.28 C-L Limited Commercial District adding Brewpubs and Wineries as a conditional use; and approval of PMC 17.32 C-G General Commercial District addition Brewpubs and Wineries as a permitted use and recommend adoption of the code revisions by the City Council.

Commissioner Hamming requested he be recused from the discussion as he may have a potential conflict of interest.

The Commissioner Hamming was recused at 7:14 p.m.

Commissioner Madar spoke in favor of adoption of PZ 09-002 and stated the addition of the proposed uses would be an asset to the City of Palmer and the State of Alaska already has regulations pertaining to the locations of those uses. The addition of the uses will also create new locations to meet and greet people downtown.

Commissioner Kerslake also spoke in favor of the motion stating it furthers one of the stated goals in the Comprehensive Plan and would add to the attractions in downtown Palmer. The number of destinations in the walking area of downtown Palmer would be increased and there would also be alternative locations in downtown Palmer to go and have a beer.

VOTE ON MOTION: MOTION PASSED UNANIMOUSLY

Commissioner Hamming rejoined the commission at 7:17 p.m.

2. Delete PMC 17.76.090 Termination of Variances

Ms. Garley provided the staff report and stated that the commissioners voted unanimously to delete the termination of variances portion of the code and set the public hearing date at the December 18, 2008 meeting. State law sets the parameters for granting a variance; governmental action and topographic constraints do not change with time. The city of Palmer does not have a history of granting variances without regard to state law. Obtaining a variance is a strict and rigorous process; to grant a variance, it must be found to be in compliance with the requirements of Alaska Statute. Conditions affecting the property for which the variance is sought do not change with rezones or changes in city policies or vision. If a structure or characteristic of use permitted by a variance is moved, removed or discontinued; it should be brought into compliance with code. Staff recommends the commission vote to forward the language to the city council to delete PMC 17.76.090 Termination of variances in its entirety.

The public hearing was opened and closed at 7:18 p.m. as there was no one present who wished to speak.

COMMISSIONER MADAR moved, seconded by COMMISSIONER KERSLAKE, to delete PMC 17.76.090 Termination of variances, in its entirety, and recommend approval the city council adopt the code revision.

Commissioner Madar stated that a variance is very specific and must meet state law; requirements for granting a variance do not change with time and therefore there is no need for a termination date.

Commissioner Kerlake stated that if the request met all the requirements for a variance, there should be no reason to terminate the variance.

Commissioner Silva concurred with the comments by Commissioners Madar and Kerlake.

VOTE ON THE MOTION: MOTION PASSED UNANIMOUSLY

H. UNFINISHED BUSINESS:

1. Discussion of Capital Improvement Plan projects

COMMISSIONER MADAR moved, seconded by COMMISSIONER SILVA, to enter into the Committee of the Whole at 7:22 p.m.

MOTION PASSED UNANIMOUSLY

Commissioner Madar stated he likes the process established so far and discussed the funding portion of the projects.

Commissioner Silva requested wording for the process of prioritization of projects for years 1, 2, 3, and 4.

Commissioner Madar suggested they review the projects at home and bring the scores back to the next meeting to discuss prioritization of projects.

Commissioner Hamming discussed the need for establishing written criteria and timeframes to forward to the City Council to support the commissions' decisions. He also inquired as to who would receive the nomination forms and who would review them to be sure that the review process is fair to all parties.

The Commission decided to score ten projects on their own, the results will be brought to the next meeting. Staff was directed to revise the matrix to add both revisions as previously discussed.

Ms. Garley addressed the commission on the importance of the individual projects brought before them and that each one must be considered equally. Letters and nomination forms will be mailed to various groups at the beginning of next week. Ms. Garley will bring recommendations for the selection process for groupings of projects and timelines.

Commissioner Madar recommended that a short paragraph, with notes as to why a project received the ranking it did, be included in the findings. The commission agreed with his recommendation; the form will be revised to add an area for comments.

The commission asked for assurance the department heads would rank their own projects before submitting them to the commission for review and, the in-house nominations would include the appropriate references to the Comprehensive Plan.

It was decided that the revised matrix and a list of projects will be compiled and forwarded to the commission for their review and ranking. Staff will send the information to the commissioners as soon as the matrix revisions have been made.

The commissioned exited the Committee of the Whole at 8:10 p.m.

I. NEW BUSINESS: None.

J. PLAT REVIEWS: None.

K. PUBLIC COMMENTS: None.

L. STAFF REPORT:

Ms. Garley advised that the city council is preparing to lobby the legislature for the top ten projects on the list; the city is very aware of the state funding issues and the potential cuts to the funding requests. The federal government has introduced an infrastructure incentive program with approximately \$850,000,000 in funds; the city will be aggressively pursuing those funds and has obtained the services of a lobbyist for Juneau and Washington.

M. COMMISSIONER COMMENTS:

Commissioner Silva: no comments.

Commissioner Cordero: no comments.

Commissioner Hamming reported that he missed his first Board of Economic Development meeting; he did receive a copy of the report and advised that the question before the board concerns the railroad tracks downtown. Ms. Garley advised that the commission will be involved in the discussion of the railroad tracks at future meetings.

Commissioner Kerslake: no comments.

Commissioner Madar: Inquired as to Sara Jansen's progress; stated he would like to see the railroad track remain but would like to make school buses exempt from having to stop when they cross the tracks in downtown since no trains will be using the tracks. He also inquired as to the status of the request to close the road to the Palmer Commercial Center from Mountain Ranch Subdivision and, revisions to the noise ordinance to allow companies to work around the clock if they want to. Ms. Garley advised there are other business park districts in town and if we change the Business Park District ordinance, it would impact the other property also zoned BP; she suggested the property owners may wish to pursue a rezone of Palmer Commercial Center to Industrial District.

Chairman Kircher: Advised Commissioner Cordero of the Historic Preservation booklet produced by the Borough that will be helpful when reviewing the Capital Improvement Plan.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:23 p.m.

Michael A. Kircher, Chairman

Dawn U. Webster, Recording Secretary