

PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA
REGULAR MEETING
THURSDAY, DECEMBER 18, 2008
7:00 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 7:00 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Chairman Kircher, Commissioners Madar, Kerslake, Hamming, and Silva. Commissioner Cordero was excused. 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 amended. Move Public Hearing, item 1 to New Business, item 1. Renumber previous item 1 to read item 2.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the Regular Meeting of October 29, 2008 were approved as submitted. The minutes of the November 20, 2008 minutes were approved as amended.

F. PERSONS TO BE HEARD: None.

G. PUBLIC HEARING: None.

H. UNFINISHED BUSINESS:

1. Planning and Zoning Commission Prioritization Process for projects in the Capital Improvement Plan.

COMMISSIONER HAMMING moved, seconded by COMMISSIONER MADAR to enter into the Committee of the Whole at 7:17 p.m.

COMMISSIONER MADAR moved, seconded by COMMISSIONER HAMMING to exit the Committee of the Whole at 8:01 p.m.

Staff was requested to provide information on point systems for weighting the projects; consider using money/cost as one of the factors in the ranking process; schedule a special meeting/work session for 5:00 p.m. on January 15, 2009 to be followed by the regularly scheduled Planning and Zoning Commission meeting of January 15, 2009.

2. Continuation of discussion to include Brewpubs and Wineries as permitted uses in the General Commercial District and conditional uses in the Limited Commercial District

Commissioner Hamming requested he be recused as he may have a conflict of interest. The Commission approved his request. Commissioner Hamming left the Commission at 8:03 p.m.

Ms. Garley provided the staff report:

- Discussed definition of brewpub and wineries;
- Advised of the need to add these activities as permitted uses in the General Commercial District and conditional uses in the Limited Commercial District
- Addressed the State's Alcohol Beverage Control regulations
- Referenced the revisions made to the existing code to allow these activities

Chairman Kircher inquired as to whether these uses would be allowed by the Alcohol Beverage Control Board in Palmer; Ms. Garley advised that the applicants would need to obtain their permit from the State of Alaska.

Ms. Garley also advised that staff had contacted the Great Beer Brewing Company in Wasilla to find out how much beer they brewed annually and was advised that 50,000 gallons was the maximum they brewed at their facility. Chairman Kircher inquired of the time period and recommended the definitions reflect the maximum amount of beer or wine brewed or bottled be 50,000 gallons per year.

COMMISSIONER MADAR moved, seconded by COMMISSIONER KERSLAKE, to approve the changes to 17.08 Definitions, 17.28, Limited Commercial District, and 17.32, General Commercial District as prepared by staff.

Commissioner Madar spoke in favor of the motion to permit brewpubs and wineries. Commissioner Kerslake stated he felt it would fit with the intent of the Comprehensive Plan and would provide a social gathering place. Commissioner Silva concurred and stated there is already a winery downtown; it has proven to be a successful business and further stated that most people who have been to brewpubs enjoyed their experience.

COMMISSIONER KERSLAKE moved, seconded by COMMISSIONER MADAR, to amend the main motion to add "in one calendar year" to the definitions of Brewpub and Winery.

The definition of Brewpub will read as follows: "Brewpub" means a brewery, duly licensed by the State of Alaska, and restaurant that serves food and brews a maximum of 50,000 gallons of beer on the premises in one calendar year.

The definition of Winery will read as follows: "Winery" means a facility, duly licensed by the State of Alaska, where a maximum of 50,000 gallons of wine is manufactured and bottled or barreled for sale on the premises in one calendar year.

VOTE ON MOTION AMENDING MAIN MOTION: MOTION CARRIED UNANIMOUSLY

VOTE ON MAIN MOTION: MOTION CARRIED UNANIMOUSLY

At 8:20 p.m. Commissioner Hamming rejoined the Commission.

I. NEW BUSINESS:

1. Discussion on proposed amendment to Palmer Municipal Code 17.76.090 Termination of Variances

Ms. Garley provided the staff report:

- Commissioner Madar requested the termination section be revised to either eliminate it in its entirety or terminate a variance if no action is taken within five years of the date of issuance
- Due to the short construction season and the current economic conditions, it may be difficult to exercise the variance within one year
- Advised this is the first community she was worked in where a termination section has been included in the variance ordinance
- Advised that the reasons for granting a variance do not go away with time; there are very tight restrictions for granting the variance

Commissioner Silva inquired as to why it was in the code; staff was unable to provide an answer.

COMMISSIONER HAMMING moved, seconded by COMMISSIONER MADAR, to strike section 17.76.090 in its entirety.

Commissioner Madar inquired as to why a termination section would be needed; Ms. Garley stipulated it would only be necessary if a Commission had a history of granting many variances but the Commission history does not indicate that is a fact.

Commissioner Hamming asked whether the zoning map could be revised to show the location of all variances and conditional use permits. It could be a helpful tool in researching adjacent properties before purchase.

VOTE ON MAIN MOTION: MOTION CARRIED UNANIMOUSLY

3. Request for a Commission member to represent the Commission on the Board of Economic Development in accordance with Palmer Municipal Code, Chapter 2.30.

Ms. Garley advised that Kevin Brown, former Chairman of the Commission, was the previous representative from the Commission and because he has been elected to the City Council there is a need to fill the empty position.

Commissioner Hamming volunteered to accept the position. The first meeting will be January 5, 2009.

J. PLAT REVIEWS:

1. Soulwood Subdivision, a Subdivision of Parcel No. 1, MSB Waiver Resolution No.

Ms. Garley advised that the review comments have been submitted to Alaska Rim Engineering including structure setbacks from lot lines, provision of the rest of the cul-de-sac bulb, and correction of spelling errors.

Following review of the plat, the Commission recommended a 5' right-of-way dedication on the east side of N. Thuma Street to allow the street to be constructed in compliance with city standards.

K. PUBLIC COMMENTS: None.

L. STAFF REPORT:

Ms. Garley advised that the City Council has awarded the bid and is now working out the final agreement for the Professional Services Contract, with Bert Lent of URS, Inc., for the landscaping ordinance. The contract will most likely be signed after Christmas and work will begin on the Highway Corridor Landscaping ordinance. There will be public input during the process; there will be a citizen's advisory group and community participation is encouraged.

The Scope of Work is ready for the Parks and Trails Master Plan. Paperwork is being completed for the grant from the Mat-Su Health Foundation to the Palmer Economic Development Association. The City is ready to go to bid as soon as financing has been finalized.

M. COMMISSIONER COMMENTS:

Commissioner Silva: No comments.

Commissioner Hamming: Requested that staff be directed to pursue adding a "V" designation on the zoning map for all lots with a variance; and a "CUP" to all the lots with conditional use permits. Commissioner Hamming also requested staff work with the Valley Board of Realtors to produce a form for prospective property owners, to be signed at closing, indicating they are aware of the requirements for permits and the need for compliance with zoning regulations. The form would be accompanied by the small map indicating the location of parcels with variances or conditional use permits in the immediate vicinity. The paper would be signed prior to going to the title company.

Commissioner Kerslake: Is pleased that the winery and brewpub ordinance is done and he wishes everyone a very Merry Christmas and a Happy New Year.

Commissioner Madar: The Palmer Amateur Hockey Association served 819 steaks last Sunday. Also likes the idea of putting the "V" and "CUP" on the zoning map. Commissioner Madar would also like to see a review process for the Conditional Use Permits to ensure that the permit does not remain with the property if the use is discontinued; Commissioner Hamming supported that request. Staff will add this time to a future agenda for discussion. Commissioner Madar also wished everyone a Merry Christmas.

Chairman Kircher looks forward to attending the hockey association steak feed when they start serving fish. Chairman Kircher also requested the City buy a new pop machine; tonight was the second time the machine "ate his money" and did not give him a pop.

Commissioner Madar inquired about the City Christmas party and wondered why the Commissioners were not invited.

Commissioner Hamming reminded everyone to read the pamphlet provided by the National Association of Home Builders regarding house building. It is an economic engine here in the valley.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:03 p.m.

Michael A. Kircher, Chairman

Dawn U. Webster, Recording Secretary