

**CITY OF PALMER ACTION MEMORANDUM**

**SUBJECT:** Authorize a Waiver from the Central Business District (CBD) Parking Regulations in the CBD for Property Located at 736 S. Alaska Street Pursuant to Palmer Municipal Code 17.64.050

**AGENDA OF: March 11, 2008**

**Council action:** Authorized

**Approved for presentation by B.B. Allen, City Manager** \_\_\_\_\_

Route To:	Department/Individual:	Initials:	Remarks:
X	Originator – Community Development	<i>BB</i>	
x	City Clerk	<i>JM</i>	
X	City Attorney	<i>[Signature]</i>	
	Director of Public Safety		
	Director of Administration		
	Director of Community Development		
	Director of Community Services		
	Director of Public Works		

**Attachment(s):** Letter from Property Owner Craig Thorn, dated 12/27/08  
 Property location map  
 PMC 17.64.050  
 Letter to Property Owners, Jeff Johnson and Craig Thorn, dated 12-18-07  
 As-Built Drawing by Alaska Rim Engineering, dated 12/8/06

**Fiscal note:**

X	No fiscal impact.	
	Funds are budgeted from this account number:	
	Funds are not budgeted. Budget modification is required. Affected account number:	

Finance Director Signature: *[Signature]*

**Summary statement:** The City has received a request for a parking waiver and waiver of fee-in-lieu of fees from Craig Thorn who is redeveloping the first floor of the building known as the Sellick Plaza building located at 736 S. Alaska Street. The building records indicate it was constructed in 1948, prior to adoption of zoning ordinances in the City of Palmer. The City's

parking code provides for waivers in the Central Business District in PMC 17.64.050, which states: *In order to encourage economic growth in the downtown core and permit the redevelopment of property to its highest commercial use, parking requirements may be waived after review by the city council. It is the intent of this clause to provide as much off-street parking as practical while allowing commercial development in the core area.*

PMC 17.64.050.E. states that waivers may be granted if the Council determines and cites evidence in its decision that a number of conditions have been met. Staff has reviewed those conditions and has the following responses:

**1. The property is within the central business district;**

*The property is located at 736 S. Alaska Street, which is located within the Central Business District as shown on the official City of Palmer Zoning Map, dated September 2007.*

**2. No parking spaces have been lost due to redevelopment or change of use;**

*No parking spaces have been lost due to redevelopment. The exterior configuration of the building has not been changed and therefore the previously existing parking spaces remain in tact.*

**3. There is a city-owned, fee-in-lieu designated public parking area (excluding the parking lots at City Hall and the fire station located on W. Evergreen Avenue and S. Cobb Street) within 600 feet of the building as measured along the rights-of-way;**

*There is no public parking lot located within 600 feet of the subject property. The closest parking lot is the Depot parking lot.*

**4. The waiver is for less than 30 percent of the required parking spaces for buildings constructed after December 13, 2005;**

*This does not apply because the building was constructed in 1948.*

**5. To the extent practicable, the waiver is for less than 70 percent of the required parking spaces for buildings in existence on December 13, 2005;**

*The redevelopment of the first floor of the building results in a change of use for approximately 3,100 square feet (s.f.) of space from retail to professional office space. Within the CBD, professional office space requires one parking space for every 400 s.f. ( $3,100/4 = 7.75$ ) of area resulting in a requirement for eight spaces.*

*A site observation, conducted on February 27, 2008, confirms two on-street parking spaces are available on W. Evergreen Avenue and no parking spaces are available in front of the building on S. Alaska Street. (Each 25' on S. Alaska Street and W. Evergreen Avenue which is marked for parking, counts as one space.)*

*Existing parking spaces are utilized by current building tenants; the building occupies the entire lot; and there is no area on the property that can be converted into parking spaces. Therefore, there is no practicable way to provide the required additional parking*

*spaces on the subject property.*

**6. The waiver furthers the goal of the comprehensive plan.**

*The goals listed in Chapter 6, Land Use, of the Comprehensive Plan address the desire to guide growth so that the overall development pattern for the community results in a compact, walkable, dynamic, downtown core where Palmer's history is visible (see page 6-7). Goal 5 states: Guide the form and character of growth to encourage high quality buildings and site development that reflects Palmer's history and setting. Goal 6 states: Support efforts by the Downtown Business Improvement District to help ensure Palmer's traditional downtown is lively, attractive and inviting for residents and visitors.*

*The redevelopment of the subject property continues to further the goals of the plan and has improved the overall appearance of downtown Palmer.*

The Sellick Plaza building has been redeveloped and it continues to retain its historical character and attributes. On most days, there is no problem finding a parking space along S. Alaska Street. The Depot parking lot is seldom filled to capacity during the work week when the spaces would be required for the professional offices. On weekends, when higher use of the parking lot occurs, offices are generally closed and therefore the parking spaces would be available for events at the Depot and for visitors to the city.

**Administration recommendation:** Authorize action memorandum 08-011.

February 27, 2008

City of Palmer  
C/o Sandra Garley, Community Development Director  
231 W. evergreen Ave.  
Palmer, AK 99645

Re: Parking Ordinance

Dear Ms. Garley,

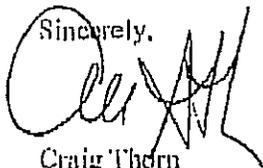
As you are aware, Jeff Johnson and I are redeveloping the commercial building located at the northwest corner of Evergreen Avenue and S. Alaska Street. We have recently negotiated a lease with an engineering firm for occupancy of approximately 3,100 square feet.

We are requesting a waiver of the parking requirements for the Palmer Central Business District. This waiver is being requested for the following reasons; the building was originally constructed in 1948, well prior to the existing City parking ordinance. The building fully encompasses the existing lot dimensions and there is no room to consider adding additional parking spaces, and the existing tenants are utilizing the existing street parking spaces. Additionally, the City-owned Depot parking lot is located only 150 feet from our premises, providing ample overflow parking.

We feel our recent substantial investment into our community provides significant improvement to the downtown Central Business District. Accordingly, we are also requesting the City Council consider waiving the fee in lieu of parking spaces as suggested by the ordinance.

Thank you for your consideration. Please feel free to call me if you have any questions.

Sincerely,

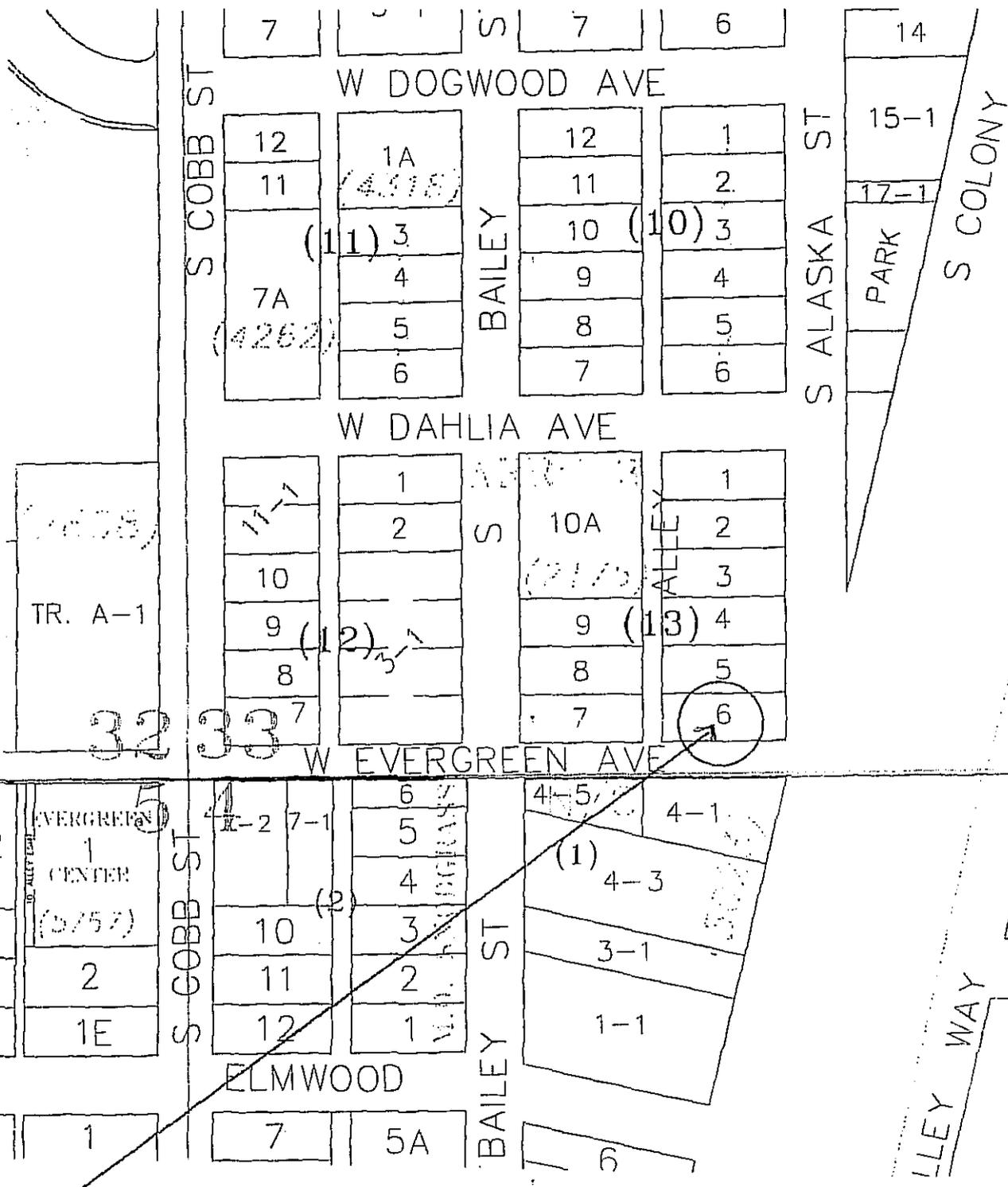


Craig Thorn  
PO Box 2527  
Palmer, AK 99645  
352-5930

**Received**

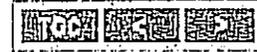
FEB 27 2008

**City of Palmer**



**Subject Parcel: Lot 6, Block 13, ARRC #1**  
**18N02E33 - Request for parking spaces waiver**





### 17.64.050 Central business district.

In order to encourage economic growth in the downtown core and permit the redevelopment of property to its highest commercial use, parking requirements may be waived after review by the city council. It is the intent of this clause to provide as much off-street parking as practical while allowing commercial development in the core area. The central business district is described as follows:

Beginning at the intersection of W. Evergreen Avenue and the Glenn Highway, proceed south on the Glenn Highway one block to W. Elmwood Avenue, then east on W. Elmwood Avenue to S. Dimond Street, south on S. Dimond to W. Fern Avenue, east on W. Fern Avenue to S. Cobb Street, south on S. Cobb Street to W. Geranium Avenue, west on W. Geranium Avenue to S. Colony Way, north on S. Colony Way to E. Fireweed Avenue, east on E. Fireweed Ave to S. Gulkana Street, north on S. Gulkana Street to the platted road of E. Cottonwood Ave, west on E. Cottonwood Avenue across the Railroad tracks to S. Cobb Street, west to the Glenn Highway on the north side of tax parcel 2808000T00C-2, and south on the Glenn Highway to the intersection of the W. Evergreen Avenue and the Glenn Highway.

A. The following minimum number of parking spaces shall be provided for all structures and uses in the central business district only. For uses not specifically identified in this section, the requirement for parking shall be the same as for the use duly determined by the zoning administrator to be the most similar.

Use	Parking Requirement
Churches, auditoriums, theaters and other similar places of assembly	One parking space for every five seats in the principal auditorium or assembly room
Dance hall, bowling alley or skating rink	One parking space for each 500 square feet of gross floor area
Hospitals, nursing, convalescent homes	One parking space for each four beds based on maximum capacity
Hotel	One parking space for each three guest rooms
Laundromat	One parking space for each 350 square feet of gross floor area
Medical offices and clinics	One parking space for each 400 square feet of gross floor area
Mortuary	One parking space for each five seats in the principal seating area
Professional, offices, financial institutions	One parking space for each 400 square feet of gross floor area
Residences, multifamily	One parking space per dwelling unit.

Residences, single-family and two-family	Two parking spaces per dwelling unit.
Restaurants and bars	One parking space for each five seats based on maximum seating capacity
Retail space, all types	One parking space for each 500 square feet of gross floor area

B. No required existing parking spaces in the downtown district shall be relinquished as a result of this section.

C. In areas with designated public on-street parking, each 25 feet in front of a lot will be counted towards the parking requirement for the lot.

D. Developers may provide the parking spaces required in this chapter or may apply for a waiver from meeting those requirements and make payment to the city in lieu of parking spaces.

E. Waivers may be granted if the city council determines and cites evidence in its decision that:

1. The property is within the central business district;
2. No parking spaces have been lost due to redevelopment or change of use;
3. There is a city-owned, fee-in-lieu designated public parking area (excluding the parking lots at City Hall and the fire station located on W. Evergreen Avenue and S. Cobb Street) within 600 feet of the building as measured along public rights-of-way;
4. The waiver is for less than 30 percent of the required parking spaces for buildings constructed after December 13, 2005;
5. To the extent practicable, the waiver is for less than 70 percent of the required parking spaces for buildings in existence on December 13, 2005;
6. The waiver furthers the goals of the comprehensive plan.

F. To promote growth in the central business district, the city council may waive the fee-in-lieu fees. (Ord. 06-017 § 3, 2006; Ord. 05-036 § 14, 2005)

Complete chapter



# CITY OF PALMER

231 West Evergreen Avenue  
Palmer, Alaska 99645  
Phone (907) 745-3271 • Fax (907) 745-0930  
[www.cityofpalmer.org](http://www.cityofpalmer.org)

"Alaska at its Best!"

18 December 2007

Mr. Craig Thorn  
Mr. Jeff Johnson  
PO Box 2527  
Palmer AK 99645

Dear Mr. Thorn and Mr. Johnson:

The property located at 736 S. Alaska Street, MSB parcel ID number 5001B13L006, is located in the Central Business District. As previously discussed, there are a number of options available to meet the parking requirements for the building's re-development into expanded uses. It is possible to use a combination of these options to meet any additional parking requirements:

1. Count on-street parking towards the parking requirement. Each 25' on S. Alaska Street and W. Evergreen which is marked for parking, counts as one space.
2. Apply for a waiver from the City Council from the parking requirements and pay the-fee-in-lieu of cost of \$6,000 per required parking space.
3. Request the City Council waive the fee-in-lieu fees.

There are conditions which must be met before the Council may grant the waivers. These include the fact that no parking spaces have been lost due to the redevelopment; there is a publicly designated parking lot within 600'; the building was in existence prior to December 13, 2005; and the waiver(s) further the goals of the 2006 City of Palmer Comprehensive Plan. The staff determination is that the property would meet those conditions.

The current parking requirements are this: no spaces are needed for the apartments upstairs since that use has not changed. Nor are any additional parking spaces required for the retail oriented, Hair Salon. Mr. Thorn's email indicates a potential 3,100 square feet of office space in a new lease. The parking code requires eight spaces for that amount of office space.

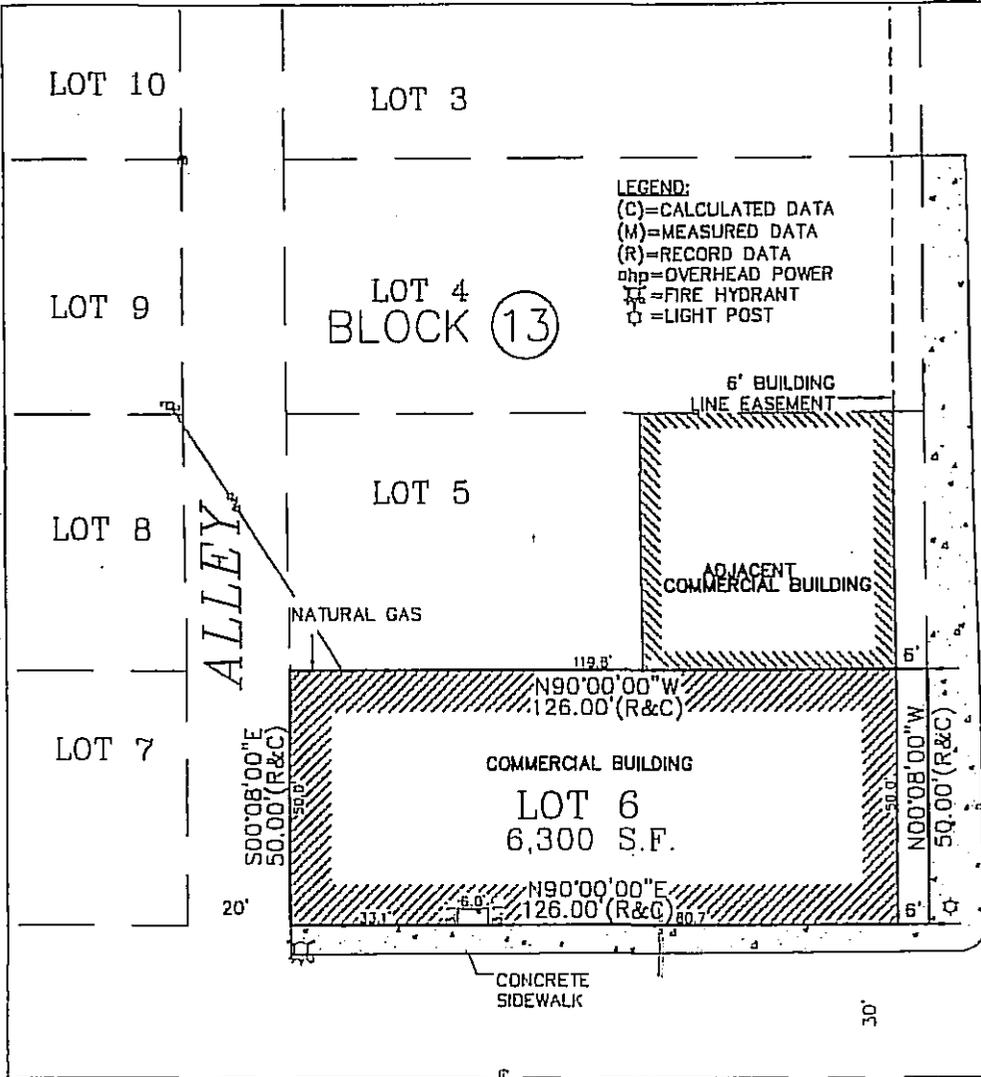
If you wish to apply for waivers, please submit a letter of request to the City Council which identifies the number of spaces required, and the proposal to meet those requirements. Community Development staff will then write a staff report for the Council. The Council meets on the second and fourth Tuesdays of each month, with the agenda closing 15 days prior to the meeting. Community Development staff will require a minimum of five days to complete the Staff Report.

We look forward to working with you on this re-development project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sara Jansen".

Sara Jansen  
Community Development Coordinator



LEGEND:  
 (C)=CALCULATED DATA  
 (M)=MEASURED DATA  
 (R)=RECORD DATA  
 ohp=OVERHEAD POWER  
 fh=FIRE HYDRANT  
 lp=LIGHT POST

BLOCK (13)

500'08"00"E  
 50.00 (R&C)

30.0

119.8'

N90°00'00"W  
 126.00 (R&C)

COMMERCIAL BUILDING

LOT 6

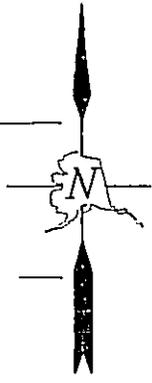
6,300 S.F.

N90°00'00"E  
 126.00 (R&C)

30.0

50.00 (R&C)

30'



1" = 30'

SPECIAL NOTE:  
 DUE TO LACK OF AND CONFLICTING CONTROL, IT HAS BEEN DETERMINED THAT THE BEST EVIDENCE FOR THE PROPERTY LINES FOR THE PARCEL ARE THE BUILDING LINES. THIS IS DUE TO THE FACT THAT THE BUILDING IS OLDER THAN ANY MONUMENTATION RECOVERED.

NOTES:  
 1. EXCEPTING FOR GROSS NEGLIGENCE, THE LIABILITY FOR THIS SURVEY SHALL NOT EXCEED THE COST OF THIS SURVEY.  
 2. THIS SURVEY REPRESENTS VISIBLE IMPROVEMENTS & CONDITIONS ON THE DATE OF SURVEY.  
 3. THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY & IS SUBJECT TO ANY INACCURACIES THAT A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.