

PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA
REGULAR MEETING
THURSDAY, MARCH 18, 2010
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 Kerslake at 7:02 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Chairman Kerslake, Commissioners Madar, Bower, Silva, and Kircher. 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 submitted.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the Regular Meeting of February 18, 2010 were approved as submitted.

F. PERSONS TO BE HEARD: None.

G. PUBLIC HEARING:

Revise Chapter 17.28, C-L, Limited Commercial District to permit both public and private schools as permitted uses in the district

Ms. Garley provided the staff report:

- Received a letter from Matanuska Christian School stating desire to add a gym to the school but noted schools were not listed as an allowed use in the C-L district;
- Matanuska Christian School requested code be revised to allow schools in the C-L district;
- Existing school has been in its current location since 1997 and is a legal nonconforming use and cannot be expanded;
- During staff review, obsolete language was noted throughout the ordinance;
- Request consideration of expanding uses in the Limited Commercial District to include schools as a conditional use

The public hearing was opened at 7:06 p.m.; no one was present to speak therefore the public hearing was closed at 7:06 p.m.

COMMISSIONER MADAR moved, seconded by COMMISSIONER KIRCHER to approve the proposed revisions to Chapter 17.28, C-L, Limited Commercial District.

Both Commissioners Madar and Kircher spoke in favor of the proposed amendments to the ordinance.

VOTE ON MOTION: MOTION CARRIED UNANIMOUSLY

H. UNFINISHED BUSINESS: None

I. NEW BUSINESS:

1. Discussion regarding revisions to Chapter 17.84 Planned Unit Development to reduce the minimum area for a PUD and update the wording regarding downtown redevelopment area.

Ms. Garley gave the staff report:

- Addressed the location of the Forest Apartments (project) and the correspondence from Allied Pacific Development;
- Advised of the legal nonconforming status of the Forest Apartments and the request to give the project legal status;
- Spoke to the requirement for a minimum of 80,000 square feet of property, unless the property is located within the downtown redevelopment area, to be eligible to apply for a Planned Unit Development (PUD) and that the project does not have adequate property and is not located within the Downtown Redevelopment area;
- No minimum property area required if the property is located in the downtown redevelopment area;
- Advised that PUD status would allow the project to gain legal status;
- Addressed additional properties within the city desiring to apply for PUD status but they too do not have the required 80,000 square feet of property;
- Addressed the Comprehensive Plan attachments; and
- Requests commission consider reducing the minimum square footage requirement to a nominal acre and a half, or eliminating the minimum square footage requirement for existing structures and lots;
- The term Downtown Redevelopment Area is obsolete, replace it with the Central Business District; and
- Allow application for a PUD on any parcel in Palmer where you are renovating or upgrading an existing structure. This becomes a "carrot" for renovating existing structures in the city.

The Commission voted to enter into the Committee of the Whole at 7:12 p.m.

Commissioner Madar inquired as to whether the project would have been included within the expansion boundaries of the Central Business District (CBD) as previously proposed; Ms. Garley advised that it would; discussion was held with the City Council regarding the inclusion of the boundary discussion as part of the charrette process, the council chose not to include it in the charrette. Commissioner Madar stated he did not want to see

changes in the minimum lot area requirements for the districts and that he would oppose changing the PUD area requirement; spoke to the need to change the boundaries of the CBD.

Commissioner Kircher addressed the PUD ordinance and how it applies to projects allowing densification of land. Commissioner Madar inquired as to whether the minimum lot size would be reduced again if a new project came along and needed a revision.

Ms. Garley spoke to the fourth alternative, a new piece of land with new development would be required to meet the minimum lot size stated in the code; an existing parcel with an existing structure(s) would not be required to meet a minimum lot size if the project was renovation or redevelopment.

Commissioner Silva concurred with Ms. Garley's comments and requested members of the audience be permitted to address the commission.

Greg Dunfield, with Allied Pacific Development, gave a brief history of the project and stated when the Forest Apartment buildings (project) were constructed, it met the requirements of code with regard to the number of dwelling units permitted (32 units were permitted). Introduced other guests with an interest in the project: Ron Baird, attorney representing Allied Pacific Development, and Corey Baldwin; Cindy Jackson and Tim Krug of USDA. Renovation work on the apartments is underway at the present time. If the building were destroyed, only 24 apartment units would be permitted. The ARA funds (recovery act funds, part of the stimulus program) have a very specific timeframe in which they can be used. He stated the project provides affordable housing and is funded by various program funds.

Ronald Baird, attorney, spoke to Commissioner Madar's comments; stated that he had reviewed the 2006 Comprehensive Plan and the description of the central area covers the project area; felt the requested changes were technical corrections and did not wish to reopen the description of the central area.

Commissioner Madar requested information on the type of renovation work being accomplished, the developer responded there are significant changes being made to the entries of the units; replacement of windows, siding, sidewalks, etc. and advised the work is underway at the current time.

Cynthia Jackson, USDA, loan underwriter at Rural Development, stated the 32 apartments are low-income housing which have existed for over 30 years; failure to legalize the building will mean if the building were to be destroyed, only 24 units could be rebuilt leaving eight families without housing. Ms. Jackson wanted it on the record that Rural Development is in full support of the project.

Commissioner Kircher stated item 3, delete the term Downtown Redevelopment Area and replace it with the Central Business District in two locations in Chapter 17, should be approved; Commissioner Madar agreed and requested the district boundaries be changed. Commissioner Kircher added the Central Business District (CBD) was designed

to allow the densification of the downtown area; there should be no square footage limitations in the CBD for establishing a PUD. Commissioner Madar stated he wants to retain the 80,000 square foot minimum for establishing a PUD outside the CBD. Ms. Garley advised that she would be happy to move the boundary revisions forward to the City Council; she requested a commission member be the emissary to the council; Commissioner Madar stated he would be willing to bring it forward to the council.

Commissioner Silva reminded the commission, the Central Business District currently only addresses the waiver of parking. She also stated that the commission should be able to address the loss of structure issue now so that if there was a total loss, the owner could rebuild what they had. Commissioner Silva further stated that she would not support changing the 80,000 square foot minimum for a new PUD; she would support Ms. Garley's recommendation for the redevelopment or renovation of existing structures on existing lots, the minimum square footage should be waived. Further discussion of the boundaries of the CBD should be held at a later time.

Commissioner Kircher asked if the text amendment would be brought forward at the next meeting, Ms. Garley advised that it would be brought to the commission for a public hearing at the next meeting.

The Commission exited the Committee of the Whole at 7:41 p.m. Staff was directed by Commissioners Kircher and Madar to bring forward revisions to 17.84.030 and 17.84.130.B changing the references from Downtown Redevelopment Area to read Central Business District.

Commissioner Silva and Commissioner Bower requested an alternate option be brought forward to the commission addressing complete reconstruction of a structure following its destruction.

Commissioner Madar requested adding the expansion of the Central Business District boundary as an agenda item; Ms. Garley concurred as long as it was a stand-alone item. Commissioner Silva concurred and recommended there be work sessions for discussion of the boundary.

2. Discussion regarding revisions to Chapter 17.36 Industrial District to remove obsolete language; create a light industrial district and a heavy industrial district; and add power plants as a permitted use

Ms. Garley addressed:

- Discussion has been held regarding the placement of a power plant within the city limits;
- Currently there is no district where a power plant can be located;
- See a need to create a light industrial district and a heavy industrial district;
- Need to look at the potential size of the power plant and the impact on the community relative to the size of the plant, power plants producing less than 50KV would be considered light industrial and plants producing over 50 KV would be considered heavy industrial;

- Looking for discussion and direction from commission for land use regulations on where and how power plants should be zoned;
- Obsolete language throughout the ordinance which should be addressed.

Commissioner Bower inquired as to the differences in the power plants and whether EPA regulates them; Ms. Webster advised the 50KV location distinctions were taken from other ordinances. The State of Alaska's Public Utilities Regulatory Authority regulates power plants.

Commissioner Madar inquired of the different types of industrial districts and asked about the light industrial park district; Ms. Garley advised the light industrial district could be rewritten to become the light industrial park. Commissioner Madar wanted to be sure boat building was included in the light industrial district. Commissioner Madar requested clarification regarding storage facilities as a permitted use; he wants to make sure they are included.

Ms. Garley reiterated, we are looking for suggestions and wording to improve the existing industrial language.

Commissioner Silva asked how the proposed changes would help the Palmer Commercial Center. Commissioner Madar stated Weldin Construction wants to double the size of their facility but does not want to because of the existing ordinance; he stated that Weldin Construction doesn't fit in the Business Park District.

Ms. Garley suggested the new ordinance for light industrial include the landscaping requirements recently adopted for the Business Park; also ensure storage facilities and manufacturing of items such as boats, are a permitted use.

Commissioner Madar requested the revisions be sent to the Business Park owners prior to the next meeting.

Chairman Kerslake inquired of item B, under Intent, whether it would include businesses such as JD Steel; Ms. Webster advised the intent was to concentrate the uses in areas where they will not have a negative impact on residential areas.

Staff was requested to bring revisions back to the commission at the next meeting.

3. Discussion of items included in the Farm Bureau's 2010 Resolution Platform

Ms. Garley addressed the list of items included on the Farm Bureau's Resolution Platform and requested commissioner comments supporting specific items. She stressed the need for the City of Palmer to support the farm community not just because it's green but because it is good business for the community.

Commissioner Kircher urged caution before supporting particular items on the list as some items may not be what they appear to be.

The commission was requested to review the list and send two items they wish to support to Ms. Webster; they will be brought to the next meeting for discussion purposes.

Commissioner Madar stated preservation of agricultural land is a homeland security issue and an issue of national security.

Commissioner Bower addressed the need to keep farm land and the cost of retaining farm land.

Ms. Garley stated she would take any comments received by noon on March 24, 2010, to the City Council.

4. Discussion regarding allowing a high school student to participate as a nonvoting member of the Planning and Zoning Commission.

Commissioner Madar advised he has contacted Palmer High School and spoke with the Guidance Counselor to inquire about interest in the program; she thought it was a good idea; he stated the plan/program should come from them.

Commissioner Silva inquired about procedural changes required to allow the student to speak. Ms. Garley advised that could be handled by a change to the draft By-Laws which will be included in the next packet.

J. PLAT REVIEWS:

1. Palmer Industrial Park Subdivision, Combine Lots A-1, A-2 & A-3

Ms. Garley advised the subject property is the Department of Public Works site; they are combining the lots to remove the common lot lines to create one new lot.

There were no comments or concerns from the Planning and Zoning Commission.

K. PUBLIC COMMENTS: None

L. BOARD OF ECONOMIC DEVELOPMENT: No report

M. STAFF REPORT:

Ms. Garley requested Chairman Kerslake attend the City Council meeting on April 13, 2010 to give a five minute presentation on what the commission has been doing.

Ms. Webster advised of a potential new Planning and Zoning Commissioner who may be appointed at the City Council meeting on March 23, 2010

N. COMMISSIONER COMMENTS:

Commissioner Kircher invited everyone to attend the Baha'i New Year celebration being held at the Borough Gym, Saturday evening.

Commissioner Silva advised of the Community Newsletter; they are looking for articles for the publication.

Commissioners Bower, Madar, and Chairman Kerlake had no comments.

O. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:32 p.m.

William B. Kerlake, Sr., Chairman

Dawn U. Webster, Recording Secretary