

**PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA
REGULAR MEETING
THURSDAY, APRIL 17, 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 Brown at 7:00 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Chairman Brown, Commissioners Madar, Kerslake, Hamming, Cordero, 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 amended. Chairman Brown requested the addition of item E.1. Introduction of Commissioner Erick Cordero. No objection was noted.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the Regular Meeting of March 20, 2008 were approved as submitted.

1. Commissioner Erick Cordero was introduced by Chairman Brown. Commissioner Cordero provided information on this past work experience. Commissioner Cordero works in Anchorage, for Alaska Legal Services, a nonprofit charitable organization that provides free legal services for many Alaskans.

F. PERSONS TO BE HEARD:

Rebecca Knowlton, Palmer Shotokan Karate Club, spoke to the Conditional Use Permit request for a Martial Arts Studio and Adult Education Classroom Spaces in the Palmer Commercial Center:

- is aware the building has been sold;
- addressed why they have not withdrawn their permit request;
- the Business Park is the only place in Palmer where warehouse space is available that suites their space needs;
- considers their business a commercial service operation that does not produce a product;
- noted another use of land in the Palmer Commercial Center that does not produce a product;
- addressed the vagueness of code as it relates to their request;
- code restricts heavy industrial use and prohibits residential use; and
- requested compliance with code as it pertains to current property use and violations

noted.

G. PUBLIC HEARING: None

H. UNFINISHED BUSINESS:

1. Continuation of discussion of request for a Conditional Use Permit to allow a Martial Arts Studio and Adult Education Classrooms to occupy an existing vacant building located on Lot 7, Block 3, Palmer Commercial Center, in the BP, Business Park District of the City of Palmer.

Ms. Garley addressed the letter received from Michael Gatti, City Attorney, in response to the city's questions regarding the requested conditional use permit. Mr. Gatti's letter advises the requested commercial use, a karate school, is not a permitted use in this district; additionally, the permit request is no longer valid since the property has been sold.

COMMISSIONER HAMMING moved, seconded by COMMISSIONER MADAR to postpone this item indefinitely.

VOTE ON MAIN MOTION: MCU

I. NEW BUSINESS:

1. General Discussion on PMC Chapter 17.64 Parking and Loading.

Ms. Garley provided the staff report:

- discussed recent waiver reviewed by the City Council for fee-in-lieu, parking, and costs;
- noted minutes of the March 11, 2008 City Council meeting have been provided as requested
- suggested City Council be requested to meet jointly with Planning and Zoning Commission to discuss the issues and get direction from the City Council as to what they would like to see in the ordinance.

Commissioner Madar stated the old buildings without parking spaces were the reason the ordinance was written; also the Business District needs different criteria. He stated the Business District is the only place where there will be problems in the future. He stressed that the city wants businesses.

Commissioner Kircher provided a copy of an article from the Planning Commissioners Journal, fall 2002, entitled "We Don't Have Enough Parking".

Commissioner Hamming requested confirmation that the City Council had adopted the ordinance and but now finds it doesn't address the issues. He inquired as to whether a parking study has been done; Ms. Garley stated, to her knowledge, there has been no parking study prepared.

Commissioner Silva inquired about the data used to establish the parking criteria; Ms. Garley responded that Ms. Jansen researched many codes in an effort to come up with criteria workable in the city. Ms. Webster advised the previous parking code had the criteria listed,

and that the last rewrite only modified the numbers in the Downtown Business District.

Chairman Brown polled the Commission to see if, in their determination, there is a parking problem.

Commissioner Kircher: No
Commissioner Silva: Not yet
Commissioner Cordero: Not yet
Commissioner Kerslake: No
Commissioner Hamming: Not yet
Commissioner Madar: Not yet

Chairman Brown stated if we want downtown Palmer to be more "walkable" perhaps what we really have is a "sidewalk problem". The sidewalks don't connect; in the winter, the sidewalks become impassible. He also advised that we do not have enough ADA compliant parking spaces in the Downtown Business District. He would like to see a parking study done in conjunction with the trails plan; he would like to have further discussion with the City Council on these issues.

Ms. Garley stated staff had been requested to provide a proposal for preparation of a trails plan. A draft of the master plan RFP has been reviewed by two different groups; the estimate to prepare the plan is approximately \$80,000.

Discussion was held regarding the clearing of sidewalks in the winter; Ms. Garley advised that the City has purchased two four-wheelers with blades to remove the snow from the sidewalks; they were tried out very successfully during the most recent snowfall.

Commissioner Kircher felt spending \$80,000 on the plan was a waste of money; the Borough has a Master Trails Plan, our Comprehensive Plan shows the trails and the sidewalks, and the engineering has been done for the City of Palmer Urban Revitalization Plan. Some of the sidewalk improvements were done last summer; and the baseline inventory already exists. Ms. Garley advised she would pass that message along to the City Council.

Commissioner Hamming inquired whether the study addresses the parking issue; Ms. Garley confirmed it does not. He also inquired as to who takes care of the sidewalks in the winter and thinks that should be looked at if it is the private property owner.

Commissioner Madar requested a large map of all the trails including the trailheads.

Commissioner Silva requested a joint meeting for discussion of trails and parking. Commissioner Kircher suggested adding sidewalks; Commissioner Silva agreed. Staff was directed to request a joint meeting with the City Council to discuss trails, parking, and sidewalks. Two members of the Commission have requested the meeting; therefore, Ms. Garley advised that she would set that up as soon as possible.

Commissioner Hamming inquired of the findings of fact for the waiver and whether they were made by the City Council; Ms. Garley confirmed that findings are required by code.

The Commission took a 10 minute break at 7:50 p.m. and returned to session at 8:00 p.m.

2. General Discussion on Public Hearing Procedures

Ms. Garley provided the staff report:

- handouts are an effective way of informing participants of the process;
- if stapled to the agenda page, the information would be readily available to the public. The agenda advises when an item is up for discussion; the information sheet provides the public hearing procedures; and
- the information sheet can be helpful to the Commissioners as a reminder of the procedures.

Chairman Brown asked for comments from the Commissioners.

Commissioner Kerslake suggested the procedures be included in the packet when someone applies for a Conditional Use Permit.

Commission Kircher suggested having them available on the wall as part of the public information; perhaps it could be enlarged and posted on the wall.

Commissioner Hamming suggested that all of #13 be bolded or highlighted to ensure everyone is aware of the approval process.

Commissioner Silva suggested that it be posted on the website; the Commission agreed.

Commissioner Madar addressed item #3 and stated the applicant needs more time to speak; Chairman Brown suggested that a time limit of 10 minutes which could be extended by the chair if necessary. Commissioner Kircher felt the time limit should be extended at the discretion of the chair.

Commissioner Kerslake inquired whether there would have to be a code change to PMC Chapter 2.2.060 to allow someone to speak longer than three minutes; Ms. Garley will check with the city attorney to see if an ordinance change will be required.

The Commissioners emphatically stated they need to have all the information available to them before they make a decision to ensure that their decision is an informed decision.

Chairman Brown recommended that if we do have to change the code, that it be simplified to "The planning and zoning commission shall determine the rules of operation to be approved by the City Council." That way, no code change would be required for revisions to the procedures. Ms. Garley advised that the City of Palmer is unique in the way the procedures are spelled out. The Borough and the City of Wasilla's procedures are stated in one paragraph or one sentence. The Planning and Zoning Commission should develop by-laws to cover their procedures, the meeting dates, and the meeting times.

Commissioner Madar inquired as to whether they could question the public speaker. Ms. Garley stated it would be appropriate in a public meeting; if desired, it could be added to the procedures. Consistency is important.

Chairman Brown affirmed that the Commission doesn't answer questions from the speaker; it is not a debate process. He also inquired about the five minute limit for organizations; Ms. Garley advised she would check the intent and report back to the Commission.

Chairman Brown addressed the issue of wishing to speak at the meeting, not as a participant of the public hearing but as a citizen on another issue; Ms. Garley proposed addressing that issue on the back side of the general information sheet.

Commissioner Kircher recommended the people be advised that comments may also be submitted in writing to give more latitude in providing comments. If the comments are available before the hearing, the commissioners have more time to read the comments.

Ms. Garley will research the code and find out if we may add another item to allow another place for public speaking. Chairman Brown requested he be included in the meeting with the Community Development staff and the City Clerk. Chairman Brown stated he would like to see this item completed by next month. Commissioner Madar concurred with Chairman Brown's request.

J. PLAT REVIEWS: None.

K. PUBLIC COMMENTS: None.

L. STAFF REPORT(S):

Ms. Garley advised she would bring the Commission's comments brought back to the City and share them with Pat Kilmain who is Community Services Director and in charge of parks and trails.

Ms. Webster provided a brief overview of the ongoing investigation of Palmer Commercial Center and the parcels currently in violation of the ordinance. A graph will be prepared outlining each property, its current use, and noncompliance issues. Letters would be sent to the property owners requesting the properties be brought into compliance with the code.

Commissioner Cordero inquired as to the number of lots out of compliance before we begin a discussion on possible revisions to sections of the BP ordinance.

Chairman Brown requested the property owners be invited to attend the next meeting to discuss the Business Park District; Ms. Garley agreed.

Commissioner Madar addressed the issue of Eklutna Street being used as a connector between Mountain Ranch Subdivision through the business park to Inner Springer Loop Road.

M. COMMISSIONER COMMENTS:

Commissioner Madar inquired as to when the Commission would be discussing the Agricultural District. Ms. Garley advised that she has had conversations with members of the farm community; they will provide a list of people who would be interested in meeting with the Commission. Ms. Garley will let the Commission know when that might occur, hopefully

within the next month.

Commissioner Kircher stated that the City bought a set of swings that have been stored for years in the Industrial Park. He would like to see that equipment set up and used. He added his recollection of the intent of the Business Park was to allow a place for businesses that would not be appropriate in the downtown area. The idea was to use the BP for business for light industrial uses and that it would not be appropriate for heavy industrial uses. Commission Kircher suggested revising the list of allowed uses rather than consider a rezone. He would like to see all the city trails completed so he could use his Segway on the trails and sidewalks.

Commissioner Kerslake requested a large map of the trails be brought to the next meeting to review the trails.

Commissioner Silva advised that Segways on the sidewalks are not permitted. She welcomed Commissioner Cordero and thanked Ms. Garley for all the information she brought forward to the Commission.

Commissioner Hamming stated that the City may be faced with not having enough Industrial property. He requested we look at the 8' fencing requirement and how it is maintained; fencing can be ugly and cause security problems.

Commissioner Cordero thanked the Commissioners for their warm welcome and looks forward to working with them.

Chairman Brown talked briefly about the Spring Cleanup and asked staff to find out if the City will be picking up the bags if the properties are out of the city's rubbish district. (NOTE: Staff has been advised that the City will pick up the bags if they are in the City of Palmer.) On Wednesday night, April 23, 2008, at 6 p.m., at the Depot, there will be a presentation on the Juneau Road and its possible construction. He also advised the Commission of Juneau's avalanche and the fact that the power line has been destroyed; they anticipate a 500% increase in power costs. He also discussed the Victory Garden program and that he will be growing a garden in his front yard. He hopes everyone else will consider doing it too.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 9:10 p.m.

Kevin Brown, Chairman

Sandra Garley, Community Development Director