

**PLANNING & ZONING COMMISSION  
CITY OF PALMER, ALASKA  
REGULAR MEETING  
THURSDAY, DECEMBER 17, 2009  
7:00 P.M. - COUNCIL CHAMBERS**

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A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Kerslake at 7:00 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Chairman Kerslake, Commissioners Madar, Bower, Hamming, 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 November 19, 2009 were approved as corrected.

F. PERSONS TO BE HEARD: None.

G. PUBLIC HEARING:

**1. Revisions to PMC 17.58 BP, Business Park District**

Ms. Garley provided the staff report and stated:

- The business park ordinance has been revised to be a better fit with actual activities occurring in the BP District
- Draft ordinance was mailed to all property owners within the BP Districts in the city; only two comments were received: one from JD Steel requesting the use of plastic slats for the fencing rather than wood slats; and one from the Borough acknowledging their need to erect a fence along the perimeter of their property
- Reviewed the changes reflected in the revised ordinance

Chairman Kerslake opened the Public Hearing at 7:13 p.m.

Hans Vogel, property owner in Palmer Commercial Center, spoke to uses in the Palmer Commercial Center being more industrial than commercial; addressed conflicting uses between commercial and industrial; residential traffic still comes through the Center; thinks it is a great idea to have perimeter fencing, however, interior lot line fencing should be at the discretion of the property owner. Commissioner Madar inquired whether the requirement for lot line fencing was a hardship on the property owners; Mr. Vogel stated he felt it was

and would like to retain as much flexibility as possible. Commissioner Madar asked whether the property owners had considered requesting a zone change from BP to Industrial; Mr. Vogel stated he would like to have that happen.

Vance Tolstrup, Magic Metals, stated the business park was built with industrial development money and that is why he purchased property there. He talked about fences between buildings with small lots and big rigs going in and out, it becomes an impediment to them. He stated that the burden of perimeter fencing for the properties that abut Hall's new subdivision should be Hall's responsibility. He stated the rest of the proposed revisions look pretty good.

The Public Hearing was closed at 7:23 p.m.

Commissioner Kircher inquired of the difference between the Sectional Analysis, dated August 7, 2008, item 7, which addressed a five foot landscape bed and proposed 17.58.110 which calls for a four foot landscape bed. Ms. Garley advised the final width of the landscape could be decided by the Commission during its review of the ordinance.

Commission Hamming inquired of item 7, Sectional Analysis, which stated "the ordinance would delete the requirement for limitation of deciduous trees or bushes; the proposed change to the ordinance reduces the number of deciduous trees to 50%.

COMMISSIONER MADAR moved, seconded by COMMISSIONER HAMMING to adopt the revisions on Palmer Municipal Code 17.58 Business Park District and move the ordinance forward to the City Council for their consideration and adoption.

The commission voted to enter into the Committee of the Whole at 7:29 p.m.

The commission was reminded, the ordinance under review pertains to properties in all Business Park Districts. Ms. Garley advised of the goal to make the district workable for all commercial park districts and current and future business parks; and suggested the list of uses in the business park district may need to be reviewed to see if they are compatible with the existing uses.

The Commission exited the Committee of the Whole at 7:40 p.m.

COMMISSIONER MADAR moved, seconded by COMMISSIONER HAMMING, to delete Section 17.58.100 Open storage and fences which reads "Any open storage or repair yard, excluding yards for orderly display of new or reconditioned equipment, shall be entirely enclosed within a screening fence at least six feet high. The fence shall be of chain link with wood slats, concrete block or other appropriate construction allowed by ordinance. The fence shall be maintained in a sound and orderly condition and shall be kept free of any advertisements other than signs permitted by ordinance."

Commissioner Hamming inquired whether the code or the covenants take precedence; Ms. Garley advised the city doesn't enforce covenants.

Commission Silva reviewed the reasons given previously for revising this section of code, and stated she would not vote in favor of the motion. Additionally, she stated the referenced

section does not apply to all lots, only those with open storage of items in a disorderly manner.

Commissioner Madar stated the ordinance should make it easier to do business in the city of Palmer, and not make it more difficult to run a business or have to lay off employees in order to meet the code.

Commissioner Silva requested a definition of open storage; Ms. Webster stated the definition is not in the code, however, the paragraph relates to the condition of materials stored in the public view. The ordinance requires areas with open storage of items, stored in a disorderly fashion, to be screened from view.

Commission Kircher expressed concern regarding the condition of chain link fences with plastic slats; he would rather delete the requirement for fencing than have fencing end up in poor condition due to wind or weather events.

Commissioner Hamming referenced Ms. Garley's comment and stated the ordinance is a compromise to make everything work in all the existing Business Park Districts.

**VOTE ON MOTION TO AMEND MAIN MOTION: Motion passed.**

Madar	Hamming	Bower	Silva	Kircher	Kerslake
Y	Y	Y	N	Y	Y

COMMISSIONER BOWER moved, seconded by COMMISSIONER MADAR, to change Section 17.58.11.C allowing 18 months to accomplish the landscaping requirements to read "24 months. . ."

Discussion followed regarding the length of time allowed to complete the landscaping on a project. Commissioner Kircher disagreed with the motion and stated 18 months is long enough to provide the landscaping.

**VOTE ON MOTION TO AMEND MAIN MOTION: Motion passed.**

Madar	Hamming	Bower	Silva	Kircher	Kerslake
Y	Y	Y	Y	N	Y

Commissioner Hamming inquired of the definition of deciduous trees and asked for a clarification on the landscaping buffer. Discussion followed regarding natural vegetation and a better definition for natural vegetation. Commissioner Madar requested a five minute break to allow time to prepare a description of natural vegetation.

Chairman Kerslake called for a five minute break at 8:05 p.m.; the Commission resumed the meeting at 8:15 p.m.

Ms. Garley recommended adding the following sentence to section 17.58.110.A. Buffer fencing and/or landscaping. Deciduous trees or bushes may not make up more than 50 percent of the mixture; "Naturally occurring stands of indigenous trees such as birch, willow or alder are accepted as meeting this standard."

COMMISSIONER HAMMING moved, seconded by COMMISSIONER MADAR, to add the new descriptive sentence to 17.58.110.A.

**VOTE ON MOTION TO AMEND MAIN MOTION: Motion passed.**

Madar	Hamming	Bower	Silva	Kircher	Kerslake
Y	Y	Y	Y	Y	Y

Commissioner Madar stated he did not want to limit the list of activities permitted in the BP District to prevent a new, unlisted use from being allowed. The Commission agreed.

COMMISSIONER MADAR moved, seconded by COMMISSIONER HAMMING, to add the following to 17.58.020, revise to read "The permitted commercial and industrial uses and activities include but are not limited to:"; and strike the first sentence in 17.58.050 Prohibited uses and structures reading "Prohibited uses and structures in the BP district are all uses and structures not specified as permitted outright, including, without limitation, the following:"

**VOTE ON MOTION TO AMEND MAIN MOTION: Motion passed.**

Madar	Hamming	Bower	Silva	Kircher	Kerslake
Y	Y	Y	Y	Y	Y

**VOTE ON MAIN MOTION: Motion carried unanimously**

Madar	Hamming	Bower	Silva	Kircher	Kerslake
Y	Y	Y	Y	Y	Y

**2. Amend Title 17 Zoning to add Chapter 17.92 Mobile/Manufactured Home Parks**

Ms. Garley provided the staff report and stated the changes requested by the commission at previous meetings have been incorporated into the ordinance.

The Public Hearing was opened and closed at 8:30 p.m. as there was no one present to testify.

COMMISSIONER MADAR moved, seconded by COMMISSIONER BOWER, to amend Title 5, Business Licenses and Regulations, to delete Chapter 5.16, Trailer Courts, in its entirety and amend Title 17, Zoning, by approving Chapter 17.92, Mobile/Manufactured Home Parks and recommend the ordinance be moved forward to the City Council for consideration and adoption.

Discussion followed in support of the ordinance.

**VOTE ON MAIN MOTION: Motion carried unanimously**

Madar	Hamming	Bower	Silva	Kircher	Kerslake
Y	Y	Y	Y	Y	Y

H. UNFINISHED BUSINESS: None

I. NEW BUSINESS: None

J. PLAT REVIEWS: None

K. PUBLIC COMMENTS: None

L. STAFF REPORT:

Ms. Garley reported the Highway Corridor Landscape Committee had another meeting on Monday; it is anticipated that the draft ordinance will be presented at the January Planning and Zoning Commission meeting.

The Palmer/Wasilla Highway Eastern Terminus Committee, which is a DOT/PF committee, has been working and the target was to have an open house with two or three alternatives they wish to move forward in February. The advisory group will be bringing a presentation to the Planning and Zoning Commission.

Ms. Garley advised of the meeting held with the City Manager and the City Councilors regarding the greenbelt trail and railroad questions as a planning charrette. They had many questions and talked about whom the stakeholders are and what the costs would be. The charrette is proposed to be a community-based rather than a city-based project.

A meeting was held with Mike Gatti, city attorney, to inquire whether we could have a planning commissioner who does not live in Palmer; a code change will be required for this to occur. If the commission wishes to have a planning commissioner from the greater Palmer area, staff could prepare a resolution for presentation to the City Council. A discussion regarding this change could be scheduled during the next joint City Council/Planning and Zoning Commission meeting. A joint meeting could be scheduled for February 16, 2010.

M. BOARD OF ECONOMIC DEVELOPMENT:

Commissioner Hamming reported on the last meeting; advised that Chris Gates will be re-assigned to full-time marketing director. City Manager Allen requested the Board rate which one of the five goals of the Comprehensive Plan was the most important; he was advised all five goals were important. City Manager Allen wondered if Agriculture was the most important goal. Commissioner Hamming reported that it is necessary to get something done or the Board may cease to exist. The next meeting is scheduled for January 4, 2010. Commissioner Hamming announced he would not be at the next Planning and Zoning Commission meeting on January 21, 2010.

N. COMMISSIONER COMMENTS:

Commissioner Kircher would like to see the addition of a discussion regarding having a Planning Commission member from the Greater Palmer area; also a reminder to adjust the minutes to reflect the vote on November 19, 2009 to schedule the public hearing on the Mobile/Manufactured Home Park ordinance at the December meeting.

Commissioner Silva: No comments.

Commissioner Bower would like to see the new commission member from the Greater Palmer area have a vested interest in the city, such as a business owner, to ensure there would be no conflict with what goes on in the city.

Commissioner Hamming stated he felt it was not necessary for the new member to have a vested interest; if they live in the greater Palmer area they already have an interest because they live in our community; the community doesn't stop at the city boundaries. The new member would be appointed by the Mayor and City Council and therefore a check and balance would be in place. He stated that a lot of the planning we do affects the people outside the city of Palmer because we are planning for ten, fifteen, twenty years down the road.

Commissioner Madar said that the Youth Hockey steak feed went very well. He enjoyed the parade and fireworks at Colony Christmas.

Chairman Kerslake wished everyone a Merry Christmas.

O. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:56.

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William B. Kerslake, Sr., Chairman

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Dawn U. Webster, Recording Secretary