

**PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA**

**REGULAR MEETING
THURSDAY, August 18, 2011
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 Madar at 7:00 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Chairman Madar, Commissioners Campbell, Kerslake and Kircher. Commissioner Weir was not in attendance. Also present were Sandra Garley, Community Development Director, and Ron Anderson, Recording Secretary. A quorum was established.

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Ms Adsit, a member of the audience.

D. APPROVAL OF AGENDA: The agenda was approved as presented.

E. MINUTES OF PREVIOUS MEETINGS:

The minutes of the July 21, 2011 Planning and Zoning Commission meeting were approved as amended.

F. PERSONS TO BE HEARD:

1. Margaret Adsit from the Alaska Farmland Trust presented an outline for agricultural development in the Matanuska Susitna Valley. She has served for the last year and a half as the Executive Director for the Alaska Farmland Trust. This trust was formed by the Alaska Rural Rehabilitation Corporation (ARRC) in 2005, with a priority to preserve existing farmlands.
 - a. Agricultural lands are being pressured to be developed. Lands are most at risk if a current owner retires and then must settle his estate, by either selling the land outright or dividing the acreage among the heirs.
 - b. The Alaska Farmland Trust (AFT) has three main goals:
 - i. Preserve existing agricultural lands;
 - ii. Protect agricultural lands from future pressures;
 - iii. Arrange for the cost of farmlands to remain affordable, to encourage farming.

There also exist three fallacies about agricultural lands:

- a. The best use for these lands is development;
 - b. Agricultural lands receive an unfair tax break;
 - c. Residential land use lowers overall taxes by increasing the tax base for a city.
- The actual cost of providing essential services for the land uses is \$0.29 for Commercial/Industrial Lands, \$0.35 for Agricultural Lands and \$1.16 for residential land use.

Ms Adsit stressed the importance of preserving agricultural lands. AFT has three strategies to achieve this.

- a. Encourage farmers to apply for a conservation easement (tax breaks are available);
- b. Purchase the land outright, and re-sell with easements in place;
- c. Educate families as to how to pass these lands on to future generations of farmers.

She then opened the presentation for questions.

Commissioner Madar asked if this program was funded by both the State of Alaska and the Federal Government. Also what method was used to contact property owners to offer this program.

Ms Adsit indicated that the program was funded by both governmental agencies. The AFT had just received \$500,000 from the State and that amount would be matched by the Federal Government as well. She also said that the AFT used a soft approach to contacting owners. This was done through newsletters or brochures mailed to property owners. This seemed to work best.

G. PUBLIC HEARINGS:

1. Review of a proposed parking plan submittal.

Commissioner Madar Requested a Staff Report for this issue.

Mrs. Garley reported that a supplemental packet had been presented to each Commissioner. This packet contained

H. UNFINISHED BUSINESS:

1. Review of a proposed parking plan submittal.

Commissioner Madar Requested a Staff Report for this issue.

Mrs. Garley reported to the Commission that a supplemental packet had been provided for each Commissioner. This packet contained a letter from Palmer Lifeways dated August 18, 2011, addressed to staff indicating all work for the parking location had been completed, a sample letter that each parent was to receive explaining the new parking arrangement, and a parking diagram indicating the lay-out for the parking area.

Staff visited the daycare center on Monday August 15, 2011 to inspect the site. The parking plan has already been implemented! There were 4 photographs attached to the new packet showing the conditions staff observed during the visit. Parking spaces 1 to 3 and 4 to 6 are gravel based parking spaces and run parallel to the building. This allows for a vehicle to turn or maneuver entirely within the parking area and eliminates any need to back out onto 1st Street. This will correct the major safety concern. Spaces 7 and 8 are also gravel based while spaces 9 and 10 currently park on existing landscaping. Further, the property owner has submitted a recordable document, that would ensure that parking agreement remain in place. It was staff's recommendation that the current lay-out meets the requirements for parking as outlined in the Conditional Use Permit.

However, landscaping was not complete. Typically, landscaping is not required to be completed this late in the growing season. Similar projects are given one full growing season to complete landscaping requirements. This helps to ensure that the vegetation survives the winter and remains healthy. Palmer Lifeways would then have until August 1st of 2012 to complete the required landscaping or buffers.

Public Works has issued a driveway permit. Mrs. Garley also stated that the Conditional Use Permit had been signed by Commissioner Madar and the property owner. The Conditional Use Permit was therefore considered to be issued and in full effect. No further action by the Commission was required. If the Commission would like to allow for additional comments on this issue, the Commission could entertain a motion to suspend the rules and allow for testimony.

COMMISSIONER CAMPBELL moved, seconded by COMMISSIONER MADAR, to temporarily suspend the rules of order to allow for comments from members of the audience. The time was 7:37 pm.

Mrs. Lori Berrigan introduced herself as owner/operator. I came into this issue late. I have every intention of complying. Mrs. Euwer and I have talked and she didn't quite understand the issues or time requirements. My husband and I did all the work, including the dirt work. We want to be good neighbors.

Mr. Hill introduced himself as a resident on 1st Street. I try to represent the neighborhood because not every person in the neighborhood is able to attend these meetings. He also indicated he felt there was not enough space for the required number of parking spaces. He also felt that 10 parking spaces was not enough to accommodate the parking requirements of the childcare center.

Mr. Hill also felt that the public was not adequately notified about this Conditional Use Permit. Commissioner Madar recalled that there was a June 16, 2011 Public Hearing during that time. Mr. Hill didn't recall being at that the meeting. Commissioner Madar reminded Mr. Hill that Mr. Hill had signed in and testified during the June 16, 2011 meeting.

Mr. Hill also felt that there was always enough time to complete the project. His experience was that it only takes a few days for bids and only a week or so, to complete a project.

Mrs. Shannon Bodelay (spelling??) introduced herself as an assistant attorney for the Matanuska Susitna Borough. My youngest child is enrolled in Palmer Lifeways. I really like the location and my son enjoys his time there.

COMMISSIONER MADAR ended this portion of comments at 7:49 pm.

I. NEW BUSINESS:

1. Review and prioritize the areas to be considered for possible annexations. Review process outline for annexation as developed by Agnew::Beck. Establish a time line for completion of draft package and presentation to City Council for consideration.

Commissioner Madar requested a staff report.

Mrs. Garley stated that on page 41 of the agenda, staff has taken the language produced by the Agnew::Beck study. These recommendations were based on testimony they heard during the public hearings they conducted. Some of the things they asked the City to look at start on page 44 of the packet. Indentify where there might be areas for improvements.

New zones that might be developed include a rural residential district, an improved agricultural district and changes to better accommodate home based businesses. After a property is annexed, work with property owners to accurately zone these properties. It was also recommended that the City draw away from using a T-Transitional District.

The Low Density Rural Residential District is one that the Commission has worked on previously, in October of 2006. This was moved to City Council early in January of 2007, but was referred back to the Commission for further amendments. A copy of the earlier draft work is included in this packet. This district is the 'bones' of the work as outlined by Agnew::Beck.

People outside the current city limit are concerned about the current zoning districts. These districts are designed to serve the current city population of about 1000 persons per square mile. Outside of the city there exists a much more rural population. Lots are on 1 acre minimum, to very large parcels. Because of this, the time is correct to address this issue and move forward. This leaves the Agricultural District and home based occupations to be worked on.

It was the hope that the AG-Agricultural District would have been introduced at the joint meeting of the City Council and the Planning Commission. That meeting had to be cancelled and this delayed action on that district. We still hope to move the Agricultural District forward and also include home based occupations on an upcoming Commission agenda.

Commissioner Kerslake moved, seconded by Commission Kircher to move into Committee of the Whole. The time was 7:55 pm.

Commissioner Madar suggested that the two items, annexation and a Rural Residential district, are closely related and could be discussed as a single item.

2. Discussion of proposed new Rural Residential District and draft ordinance to present as a recommendation to the Palmer City Council.
 - A. Commissioner Kerslake was concerned about a. under Conditional Use Permits (CUP). "The use shall not unreasonably interfere with or cause undue annoyance to residential uses by reason of visual appearance, bright or flashing lights, odor, noise, dust, traffic, or other negative effects." Unreasonable seems like it might be difficult to define.

Mrs. Garley suggested that since this consideration was for a CUP, this would be heard at a Public Hearing. From testimony, the Commission could make this a finding, that there is or is not reason to think this activity will be a nuisance to the residential uses.

Commissioner Kircher felt that the Agnew::Beck study identified several key issues. He recommended being a bit cautious in introducing numerous new zoning districts just to allow for flexibility. During the last large annexation, properties were annexed into a T-Transition District and later re-zoned as needed. Sara Jansen helped this process by organizing properties into large but similar groups. This was a time-intensive process. Perhaps deciding before annexation as to what zone to designate a property, might eliminate some of the confusion. Commissioner Kircher also felt the maps Agnew::Beck had prepared were well thought out and seemed to group the properties into intelligent groups.

Commissioner Madar agreed that too many zones might be counterproductive, but also thought that a Highway Commercial District should be considered. This corridor could be located along the Palmer-Wasilla Highway and this would bring a strong commercial based location for businesses into Palmer.

This led to the discussion about having property north of the Palmer-Wasilla Highway (PWH) outside of the city limits and properties to the south included in the city limits.

Mayor Johnson commented that this may appear cumbersome, but by dividing annexation along that line, a very large residential area to the north is eliminated from the process. During the last annexation hearings, residents in Equestrian Acres and Arabian Acres had some issues with annexation. One consideration is to annex the

properties bounded by the Palmer-Wasilla Highway to the North, Trunk Road to the west, the Parks Highway to the south and the Glenn Highway to the east. Properties in these areas tend to be owned by institutions and these may not object to the annexation process.

Commissioner Madar observed that Equestrian Acres has had water problems in the past. Once the annexation process is begun, Equestrian Acres could also request to be annexed. He observed that residential areas are expensive to annex, while commercial properties generate more income with less expense for the city.

The Mayor understood that Equestrian Acres may have water issues as well, especially with new standards on water from the Environmental Protection Agency.

Commissioner Kerslake felt that the PWH is one of the main highways into the City and it would be convenient to be able to zone both sides of this critical highway.

Burning of trash is still an issue. This is an item that might be better addressed by the Palmer City Council. It was suggested by Commissioner Kerslake and Mrs. Garley that a list of additional concerns should be developed and forwarded along with a draft zoning district to the City Council for review. A target date of February of 2012 for completion of this work was established.

Commissioner Kerslake, seconded by Commissioner Kircher, moved to leave the committee of the whole. The time was 8:37 pm.

3. Board of Economic Development Report.

- A. Commissioner Madar reported to the Commission that there was no August meeting of the Board of Economic Development. The next meeting was scheduled for October.

J. PLAT REVIEWS:

There was no plat reviews scheduled for this meeting.

K. PUBLIC COMMENTS:

Mr. Hill requested an opportunity to speak. He presented four additional comments:

- 1. He wished to apologize for his earlier outburst before the Commission.
- 2. Drainage might still present a problem at the childcare center.
- 3. Safety is still an issue. He felt cars would still be forced to back out onto 1st street.
- 4. He also asked what constituted a quorum for the Commission. Commissioner Madar informed him that at least 4 members were required for a quorum; if only

4 members were present, all actions required a unanimous vote for approval.

L. STAFF REPORT:

There was no staff report for presentation at this meeting.

M. COMMISSIONER COMMENTS:

Commissioner Campbell had no additional comments for the Commission.

Commissioner Kerslake commented that the Commission had acted responsibly in considering the Conditional Use Permit for the Daycare Center. The Commission had bent over backwards to accommodate this issue. Perhaps it could have been resolved earlier.

Commissioner Kircher had a question and a comment. He wondered when fluoride was to be removed from City water. He also commented that the mayoral wall was missing a photograph of the current Mayor.

Commissioner Madar commented that the parking for the daycare center had been completed in just over a week. He felt that Mrs. Euwer could have perhaps finished this item in June if she had talked with her tenant. Commissioner Madar also mentioned that tickets were available to support the local hockey program. No sushi was to be served.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:54 p.m.

Michael W. Madar, Chairman

Ron Anderson, Recording Secretary