

City of Palmer
Planning and Zoning Commission Packet

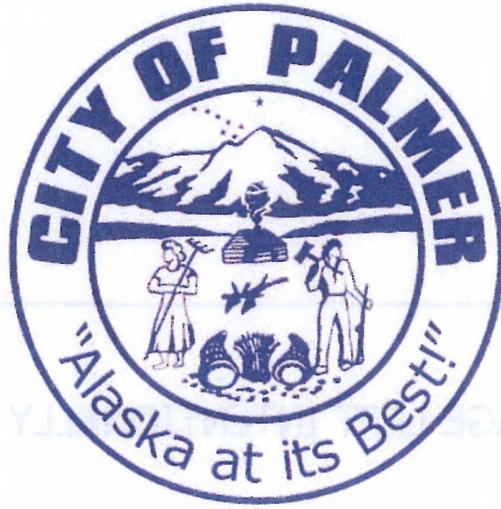
August 21, 2014



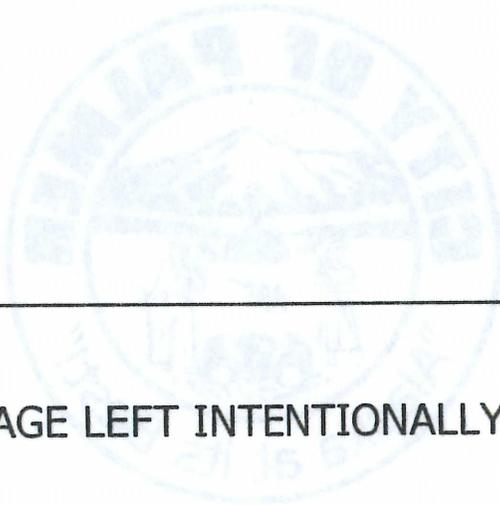


AGENDA

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
- Page 5 E. Minutes of Previous Meetings
 - 1. Regular Meeting of July 17, 2014
- F. Persons to be Heard
- Page 15 G. Public Hearings
 - 1. Resolution No. 14-004: A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Lot 3, Raven's Ridge to be rezoned from R-1E, Single-family Residential Estate to CG-General Commercial, Located in Section 5, Township 17 North, Range 2 East, Seward Meridian, Alaska
- Page 53 H. Unfinished Business
 - Page 65 1. IM 14-011 Review Expanded Boundary of Central Business District as Described in Resolution No. 12-003
 - Page 81 2. Continue discussion of the Central Business District
 - Page 81 3. IM 14-022 Continue discussion of Proposed Kennel Ordinance and Current Zoning Districts
 - Page 129 4. Resolution No. 14-005: A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve the Establishment of an Appeals Process to an Administrative Decision
- Page 149 I. New Business
 - 1. IM 14-021 Referring Palmer Municipal Code 15.08.3103, Temporary Buildings or Structures to the Planning and Zoning Commission as directed by City Council
- Page 167 J. Plat Reviews
 - 1. IM 14-020 Plat Review – To create 2 lots from Tax Parcel C10, in Section 5, Township 17 North, Range 2 East, Seward Meridian, to be known as BRS Subdivision, located inside Palmer city limits.



Minutes



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Minutes

**PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA
REGULAR MEETING
THURSDAY, JULY 17, 2014
7:00 P.M. - COUNCIL CHAMBERS**

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order July 17, 2014 at 7:00 p.m. by Chairman Madar.

B. ROLL CALL:

Present and constituting a quorum were:

Michael W. Madar, Chairman
Michael Kircher, Vice Chairman
Dan Lucas, Commissioner
David Petty, Commissioner

Not present:

William Kerslake, Sr., Commissioner

Also present were:

Sandra S. Garley, Community Development Director
Kimberly A. McClure, Planning and Code Compliance Technician
Pam Whitehead, Recording Secretary

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Commissioner Petty.

D. APPROVAL OF AGENDA:

The agenda was approved as amended. Chairman Madar proposed postponing Item G-1, Public Hearing on Resolution No. 14-004, to later in the meeting. As Commissioner Lucas will have to be recused on this item, it was anticipated Commissioner Kerslake might be able to attend in order to maintain a quorum. There were no objections.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the May 15, 2014 Regular Meeting were approved as presented.

F. PERSONS TO BE HEARD:

1. **Lloyd Smith**, Chief Appraiser for Matanuska-Susitna Borough to speak about assessments.

Mr. Smith was asked to address the commission discussing how assessments are determined if properties were to be rezoned, in particular as relates to those located within the proposed Central Business District. Open discussion ensued and he answered

questions posed by the commissioners. He explained highest and best use adjustments.

Mr. Smith will get back to the Commission on inquiries he was not able to give a definitive answer.

G. PUBLIC HEARING(s):

1. **Resolution No. 14-004:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Lot 3, Raven's Ridge to be rezoned from R-1E, Single-family Residential Estate to CG-General Commercial, Located in Section 5, Township 17 North, Range 2 East, Seward Meridian, Alaska.

This matter was **tabled** until the next meeting on August 21, 2014 for reason of lack of quorum. [Commissioner Lucas must recuse himself from discussion and vote on this item]

H. UNFINISHED BUSINESS: - **Tabled** until next meeting for time expediency; no objections.

1. **IM 14-011** Review Expanded Boundary of Central Business District as Described in Resolution No. 12-003.
2. Continue discussion of the Central Business District.

I. NEW BUSINESS:

1. **IM 14-012** Review Text Amendment to Palmer Municipal Code sections 17.26.068, Fencing requirements in R-3 Medium Density Multi-family Residential District; 17.27.068, Fencing Requirements in R-4 High Density Residential District; 17.28.068, Fencing Requirements in C-L Limited Commercial District, and 17.32.068, Fencing Requirements in C-G General Commercial District.

Ms. Garley gave a staff report summarizing the text amendments correcting the fence height from six-foot six-inch to six foot; pointed out that according to the building inspector, any fence taller than six feet requires an engineer's stamp. This will basically clear up an unintended consequence discrepancy between the zoning code and the building code.

Following review and brief discussion:

Commissioner Lucas moved, seconded by **Commissioner Petty**, to recommend approval of the Text Amendments as stated and to move forward to City Council with a recommendation for adoption.

VOTE ON MOTION: Passed Unanimously.

2. **IM 14-015** Revise language to establish an appeals process to an Administrative Decision.

Ms. Garley gave a staff report, explaining that Ordinance 454 adopted in 1992 contained a statement regarding an appeal for Conditional Use Permits and for Variances, but did not contain an appeals process to an administrative decision from the Planning and Zoning Department. The City enacted Chapter 17.98 Appeals to a Hearing Officer, which contains an appeals process to a decision of the Commission but does not contain an appeals process to an administrative decision from the Planning and Zoning Department. It has come to attention recently that there is a lack of an appeals process from an administrative decision when a citizen of Palmer did not agree with staff's interpretation of the code and wanted to know how to appeal the decision. Ms. Garley submitted revised language to establish such an appeal process. Brief discussion and questions ensued.

Commissioner Lucas moved, seconded by **Commissioner Petty**, to recommend adoption to the City Council of establishing an appeals process to an administrative decision as recommended by staff.

VOTE ON MOTION: Passed Unanimously.

3. **IM 14-016** Discussion of Proposed Kennel Ordinance and Current Zoning Districts.

Ms. Garley explained that there is currently no process for establishing a licensed kennel in Palmer Municipal Code. The proposed ordinance, written by the City Clerk (see packet p. 93), will establish such a procedure for the licensing and operation of a dog kennel within city limits, ensure the location of the dog kennel is appropriately zoned for such use, and meets the requirements of Title 17 (zoning code). Currently, kennels are allowed by right in the BP Business Park district (only if indoors with outdoor fenced runs) and the AG Agricultural district. Ms. Garley brings this before the Commission to weigh in and determine if there are other districts in Palmer that might be appropriate for kennels and, if so, whether they should be permitted by conditional use, giving the public an opportunity to comment and the Commission an opportunity to apply conditions if necessary.

Commissioner Kircher moved, seconded **Commissioner Lucas**, to enter Committee of the Whole to openly discuss the issue and include any members of the audience who wished to be included. There were no objections.

[The Commission entered Committee of the Whole at 7:50 p.m.; exited at 8:07 p.m.]

Ray Briggs, 3480 N. Old Glenn Highway, Palmer, spoke to the Commission explaining and calling to attention his dispute with the City over not addressing his application have a kennel on his property.

[The Commission entered a brief at ease while Chairman Madar attempted to contact

Commissioner Kerslake; he was not successful]

After exiting Committee of the Whole:

Commissioner Lucas moved, seconded by **Commissioner Petty**, to review and discuss recommendations for the licensing and operation of a dog kennel within the city limits of Palmer.

Commissioner Lucas commented that this is an issue that needs to be addressed in a timely manner but at this point additional information is needed. Commissioner Petty was in agreement, adding that because there are currently no set rules or procedures, it must be developed from the ground up. Further discussion ensued.

Staff was instructed to carry forward to the City Clerk the following suggestions for language revisions to the proposed ordinance:

- In order to get a kennel license in Palmer, an inspection certificate must be obtained from the Borough;
- A kennel inspection should include safety of the animals and safety of the facility;
- There should be a procedure for addressing complaints;
- Should re-inspections be required on a regular basis?
- Kennels should be considered by right in zoning districts RR-Rural Residential, BP-Business Park, AG-Agricultural; and by CUP in R-2, R-3, R-4, CG Commercial General, and CL Commercial Limited; kennels should be excluded in R-1 and R-1E.

J. PLAT REVIEWS:

1. **IM 14-010** Plat Review – To create a seven – ten-acre tract at the northern end of Tract 2, Brasil Springs Survey and create 20 one-acre lots out of the remainder, located outside Palmer city limits.

Ms. Garley gave a staff report. There is a City of Palmer well on the parcel; city staff had no particular comments.

Commissioner Lucas inquired about the status of the city well located on the parcel and whether it was in use. Ms. Garley will obtain that information from Public Works and report back.

2. **IM 14-013** Preliminary Plat Review – To combine Tax Parcel A34 in Section 4, Township 17 North, Range 2 East, Seward Meridian with Lot 1, Block 1, Egtvet #2, located inside Palmer city limits.

Ms. Garley gave a staff report. The property has been reviewed by city staff; comments included that an apparatus access and turn-a-round needs to be provided if longer than 150' per the Fire Code; both parcels are zoned R-1 and meet the required minimum lot area; and a driveway permit may be required from the city. These two properties were

divided many years ago and this will allow the back property access to be developed.

Brief questions ensued. There were no additional commissioner comments.

3. **IM 14-014** Plat Review – To create a 2-phase Master Plan of 60 lots from Tract B, Hidden Ranch Phase III, (Plat #2005-25), located inside Palmer city limits and to request a Variance from MSB 43.20.055(A)(3) to allow for 50' wide rights-of-way.

Ms. Garley gave a staff report. The City Council has received a request for this Variance and they have reviewed it under Title 12, street and road standards, brought forward by the Public Works Dept. Public Works argued that because the developers are providing a 50-foot right-of-way plus a five-foot snow storage easement that parallels the road, that the City in fact has the 60-foot which it needs for road maintenance and snow storage. Public Works would accept the variance which the City Council granted. This subdivision was designed on a master plan which was accepted by the City at the time this property was brought in for the master planning process and the road pattern, including the road widths, were set at the time of acceptance. Ms. Garley further explained the history and the changes to the zoning code over time.

Norman Gutcher, Alaska Rim Engineering, Engineer for the project, explained that the original master plan did not include sidewalks or bike paths. The zoning is R-1E and agreements were put in place between the developer and the city at the time the original master plan was approved that added the 50-foot plus 5-foot easements on either side to make it 60-foot. Outside of the snow storage and maintenance easements, there are 15-foot easements on either side for utilities. The Borough Planning & Zoning has approved the Master Plan and the variance on the right-of-way issues as has the Palmer City Council. This Master Plan review is before the Commission this evening because there was not a quorum last month. They have agreed to a Plat Note on the plat that specifically precludes property owners from filling the ditches. He further described some of the project details.

Questions and discussion ensued. Commissioner Kircher voiced his displeasure that subdivisions like these are allowed to be developed without providing facilities for actual human beings. Mr. Gutcher added that on the north property line of this plat is a dedicated right-of-way for a bike path.

4. **IM 14-017** Plat Review – To divide Lot 4, Springer Crossing 2013, Plat No. 2013-51 into a 2-phase master plan of 23 lots to be known as Springer Park, located outside Palmer city limits.

Ms. Garley gave a staff report. This lot is off the Springer road system on what used to be good farm land, but has become surrounded by other tracts of land that are under development. City staff has reviewed and commented that fire hydrants should meet fire code requirements and lot sizes are adequate.

Chairman Madar commented that all these subdivisions should be required to have

sidewalks, street lights, bike trails, and big subdivisions should be required to put in a park.

Commissioner Kircher commented that he would go a step further and require that these big subdivisions should have its own school.

Commissioner Petty questioned the only one-way in/one-way out access and whether it was adequate.

Further discussion ensued about requiring amenities in subdivisions – may be a bigger investment to the developer, but would also bring a bigger profit.

5. **IM 14-018** Plat Review – To create four lots from Tract 3, Kopperud Subdivision, Plat No. 2001-71 to be known as Kopperud Commercial Park, located outside Palmer city limits.

Ms. Garley gave a staff report. This request has been reviewed by city staff with comments including fire hydrants need to be placed according to fire code and turn-arounds for drives over 150 feet. The proposed lots and tracts are adequate in size. Access is from the S. Glenn Hwy and also E. Moore Road and E. Drift Lane. It was noted that currently there is a possible DOT right-of-way acquisition for the Glenn Hwy Reconstruction.

Following review, there were no additional commissioner comments.

K. PUBLIC COMMENTS: There was no public comment.

L. STAFF REPORT:

Ms. Garley reported, referring to a recent article in the newspaper, that Fred Meyer has closed on the property for the Old Pioneer Plaza. The new property owners have agreed to allow the police and fire department to do training exercises in the old building over the next month or so, but the plans are to demolish the Old Pioneer Plaza by the end of this summer and move forward with construction of a much larger Fred Meyer Store in its place. They are also looking to acquire additional property adjacent. The City is actively working with Fred Meyer to help find a new tenant or new buyer for the old Fred Meyer building.

M. COMMISSIONER COMMENTS:

Commissioner Kircher commented that he doesn't think the City of Palmer should provide sewer and water to any subdivision that doesn't do what it wants it to do in terms of sidewalks and safety provision for kids.

There were no other commissioner comments.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:55 p.m.

Michael W. Madar, Chairman

Kimberly A. McClure
Planning and Code Compliance Technician

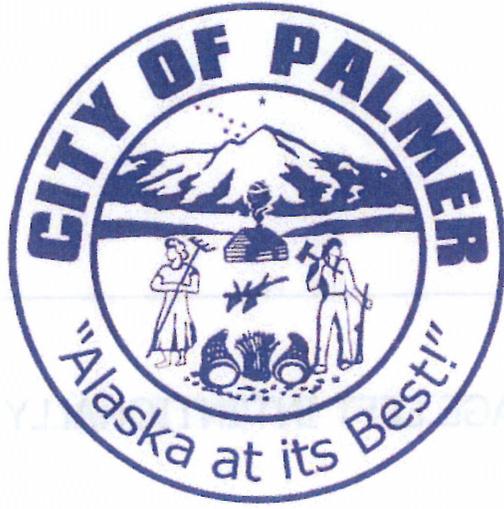
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There being no further business, the meeting was adjourned at 8:05 p.m.

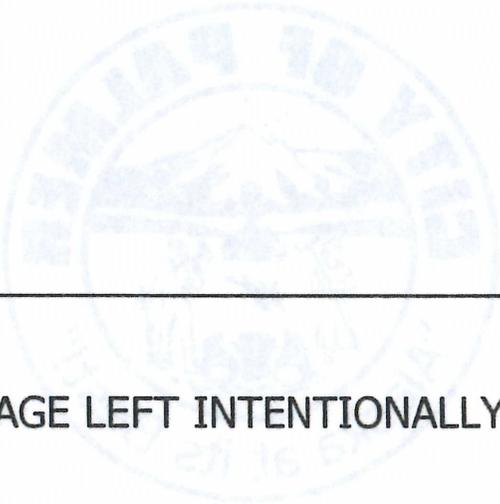
Michael W. Madar, Chairman

Kimberly A. McClure
Planning and Code Compliance Technician

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Public Hearings



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**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 14-019**

SUBJECT: Request to rezone Lot 3, Raven's Ridge from R-1E, Single-family Residential Estate to CG-General Commercial

AGENDA OF: August 21, 2014 postponed from July 17, 2014

ACTION: Review request for a Zoning Map Amendment to rezone the subject parcel and if approved, send a recommendation to the City Council for adoption and subsequent revision to the Official Zoning Map for the City of Palmer

Attachment(s):

- 1) Staff report to the Commission
- 2) Resolution No. 14-004
- 3) Application
- 4) Public Hearing Notice and Vicinity Map
- 5) Maps (Zoning, Google and MSB)
- 6) Copy of mailing address labels
- 7) Responses to Notice (if any)

Summary: The owners of the parcel are requesting a rezone from R-1E, Single-family Residential Estate to CG-General Commercial to expand the possibilities for future development of this parcel. This parcel was annexed into the City in 2003 and zoned R-1, Single-family Residential. Raven's Ridge subdivision was platted in 2006. Lot 3 of Raven's Ridge was rezoned from R-1 to R-1E, Single-family Residential Estate on October 27, 2009. This lot is surrounded by R-1E, R-1 and CG, consisting of some residential uses and numerous commercial uses and small businesses; and this lot is adjacent to the South Glenn Highway corridor.

Recommendation: Community Development recommends approval of the zone change from R-1E, Single-family Residential Estate to CG-General Commercial and the forwarding of a recommendation supporting the requested change to City Council.



City of Palmer

Community Development

Zone Change Application

Staff Report to Commission

PART I. GENERAL INFORMATION

Location: **1200 S. Margaret Ct.
Lot 3, Raven's Ridge in Section 5, Township 17 North,
Range 2 East, Seward Meridian**

Permit Request: Rezone from R-1E, Single-family Residential Estate to CG, General Commercial

Applicant & Owner: Daniel Lucas, Sam & Roberta Koppenberg

Public Hearing Date: August 21, 2014 postponed from July 17, 2014

Notification Requirements: On June 30, 2014, 116 public hearing notices were mailed to property owners with 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on July 11, 2014. **The public hearing was postponed to the August 21, 2014 meeting.**

On August 4, 2014, 116 public hearing notices were mailed to property owners with 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on August 15, 2014. A total of 6 written comments were received in response, with 1 in favor of, 1 opposed, 3 no objection and 1 was received with no comment.

PART II. BACKGROUND

Site Information: Raven's Ridge subdivision was platted in 2006. Lot 3 is accessed by South Margaret Court. It is located on the west side of the South Glenn Highway, across the highway from Glacier View Avenue. The property is currently undeveloped.

The property owners request the change to expand the possibilities for development. This property was rezoned from R-1 to R-1E on October 27, 2009 to eliminate the spot zoned lot and to match with the existing contiguous R-1E zoned surrounding lots.

Parcel Size: 2.99 gross acres
Existing Zoning: R-1E Single-family Residential Estate; property is undeveloped

Surrounding Land Uses:

	Zoning	Land Use for surrounding areas
North	R-1E	Single-family Residential Estate (house/cabin)
South	R-1E	Single-family Residential Estate (residential building)
East	CG	General Commercial across the highway (Taco Bell, Tesoro)
West	R-1E	Single-family Residential Estate

Considerations:

The intent of the R-1E district is to provide large lot residential estates comprised primarily of single-family residences. While there are neighboring R-1E lots, there are also larger neighboring parcels zoned General Commercial across the highway and to the south of this property. Because this parcel is adjacent to the Glenn Highway, the property owners would like to see commercial development of this large parcel.

Code Requirements:

The intent of the CG, General Commercial District is to provide a zoning district in which the principle use of land is for commercial enterprises to provide for commercial enterprises which serve the needs of a large population and large land area, and to provide a centralization of service by allowing heavier uses. The lot exceeds the required minimum lot width of 60 feet and the required minimum lot area of 7,200 square feet for the General Commercial District. The request to rezone this parcel to General Commercial would be compatible with the existing nearby commercial uses of Taco Bell, Tesoro and O'Reilly.

PART III. FINDINGS OF FACT

PMC 17.80.036.C The report of the Commission shall give consideration as to what effect the proposed change would have on public health, safety, welfare and convenience, and for a map amendment show whether:

Fact 1) The proposed change is in accordance with the borough and city comprehensive plans;
Applicant's response: Yes.

Staff finds the following facts support this finding: Goal 4 of Chapter 6, Land Use, from The 2006 Palmer Comprehensive Plan states, "Encourage new commercial development, so residents of Palmer, residents of surrounding areas, and visitors can find the goods and services they need in Palmer." Objective D under Goal 4 goes on to state "Allow for attractive commercial use along the Glenn Highway corridor." The proposed zone change to CG-General Commercial would allow for the option of future commercial development for this property located along the Glenn Highway corridor which is not a current available option in the R-1E district.

The 2006 Palmer Comprehensive Plan recognized that new commercial use would most likely occur along the Glenn Highway south of downtown with the installation of the southwest water and sewer extension. This property is located along the Glenn Highway corridor south of downtown and would be appropriate for attractive commercial uses.

Fact 2) The proposed change is compatible with surrounding zoning districts and the established land use pattern;

Applicant's response: The land east, across the Glenn Highway are all zoned commercial, and the land to the south was recently re-zoned C-G. The land also fronts the Glenn Highway.

Finding: The parcel's location is surrounded by a mix of R-1E, Single-family Residential Estate and CG-General Commercial uses. Located to the east of the Glenn Highway of this parcel are Taco Bell, Tesoro and O'Reilly among other existing small businesses and General Commercial uses; and to the south of this parcel is a large tract of land recently rezoned in December 2012 from R-1 to CG-General Commercial. If rezoned to CG-General Commercial, this parcel would continue to be compatible with surrounding zoning districts, and would allow for a much wider range of uses for the future development of this parcel.

Fact 3) Public facilities such as schools, utilities and streets are adequate to support the proposed change;

Applicant's response: Yes.

Finding: This parcel is adjacent to a major thoroughfare, South Glenn Highway and would be adequate to meet any increased traffic demand in this area. Public facilities such as schools and utilities are adequate to support the proposed change since there are numerous existing General Commercial uses in the surrounding area.

Fact 4) Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change;

Applicant's response: Yes – the Glenn Highway corridor has become increasingly developed in the last thirty years.

Finding: There have been changed conditions affecting the surrounding neighborhoods and properties. There has been major development along the Glenn Highway corridor throughout the years and this area continues to grow in commercial activities. The 63.79 acre tract (Tax Parcel D12) located south of this parcel which was re-zoned from R-1, Single-family Residential to CG-General Commercial in December 2012 reflects the increase demand for commercially zoned property and uses in this area.

Fact 5) The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).

Applicant's response: It is consistent with public welfare and does not grant a special privilege.

Finding: The proposed zone change is consistent with the public welfare and does not grant this parcel any special privilege as the requested zone change is consistent with nearby properties zoned CG-General Commercial.

PART III. STAFF RECOMMENDATION

Based on the information provided by the applicant, staff finds this proposal to rezone Lot 3, Raven's Ridge, from R-1E, Single-family Residential Estate to CG-General Commercial is consistent with and in conformance with the Palmer Comprehensive Plan for the CG-General Commercial district.

If following the Public Hearing, Commission finds that the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for rezoning Lot 3, Raven's Ridge from R-1E, Single-family Residential Estate to CG-General Commercial and forward a recommendation for approval to the City Council.

Highway. The land east, across the Green Highway and all zoned commercial and the land to the south was recently rezoned C-1. The land also fronts the Green Highway.

Findings: The parcel's location is surrounded by a mix of R-1E, Single-Family Residential, Estate and C-1 General Commercial uses. Located to the east of the Green Highway of this parcel are Taco Bell, Tesco and O'Reilly among other existing small businesses and General Commercial uses; and to the south of this parcel is a large tract of land recently rezoned in December 2013 from R-1 to C-1 General Commercial. It rezoned to C-1 General Commercial, the parcel would continue to be compatible with surrounding zoning districts and would allow for a much wider range of uses for the future development of the parcel.

Fact 3: Public facilities such as schools, libraries and streets are adequate to support the proposed change.

Conclusion: rezoned to C-1

Findings: This parcel is adjacent to a major thoroughfare, the Green Highway and would be suitable to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change. The parcel is adjacent to a major thoroughfare, the Green Highway and would be suitable to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change. The parcel is adjacent to a major thoroughfare, the Green Highway and would be suitable to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change.

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Findings: There have been no zoning conditions or other zoning conditions that would be a barrier to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change. The parcel is adjacent to a major thoroughfare, the Green Highway and would be suitable to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change.

Fact 4: The proposed change is consistent with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance. The proposed change is consistent with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance. The proposed change is consistent with the Comprehensive Zoning Ordinance and the Comprehensive Zoning Ordinance.

Conclusion: rezoned to C-1

Conclusion: rezoned to C-1

Findings: This parcel is adjacent to a major thoroughfare, the Green Highway and would be suitable to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change. The parcel is adjacent to a major thoroughfare, the Green Highway and would be suitable to meet any need for traffic, transit or other public facilities. Public facilities are adequate to support the proposed change.

Conclusion: rezoned to C-1

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 14-004

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION RECOMMENDING CITY COUNCIL APPROVE A ZONING MAP AMENDMENT FOR LOT 3, RAVEN'S RIDGE TO BE REZONED FROM R-1E SINGLE-FAMILY RESIDENTIAL ESTATE TO C-G GENERAL COMMERCIAL, LOCATED IN SECTION 5, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA,

WHEREAS, Daniel Lucas, Sam and Roberta Koppenberg, owners have initiated a zoning map amendment application to change the zoning designation for Lot 3, Raven's Ridge from R-1E, Single-family Residential Estate to CG-General Commercial; and

WHEREAS, a request for a zoning map amendment must be reviewed by the Planning and Zoning Commission and a recommendation reflecting the findings of the Commission must be forwarded to the City Council; and

WHEREAS, on June 30, 2014, 116 public hearing notices were mailed to property owners with 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on July 11, 2014. The public hearing was postponed to the August 21, 2014 meeting; and

WHEREAS, On August 4, 2014, 116 public hearing notices were mailed to property owners with 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on August 15, 2014. A total of 6 written comments were received in response, with 1 in favor of, 1 opposed, 3 no objection and 1 was received with no comment; and

WHEREAS, Goal 4 of Chapter 6, Land Use, from The 2006 Palmer Comprehensive Plan states, "Encourage new commercial development, so residents of Palmer, residents of surrounding areas, and visitors can find the goods and services they need in Palmer." Objective D under Goal 4 goes on to state "Allow for attractive commercial use along the Glenn Highway corridor." The proposed zone change to CG-General Commercial would allow for the option of future commercial development for this property located along the Glenn Highway corridor which is not a current available option in the R-1E district.

The 2006 Palmer Comprehensive Plan recognized that new commercial use would most likely occur along the Glenn Highway south of downtown with the installation of the southwest water and sewer extension. This property is located along the Glenn Highway corridor south of downtown and would be appropriate for attractive commercial uses; and

WHEREAS, the parcel's location is surrounded by a mix of R-1E, Single-family Residential Estate and CG-General Commercial uses. Located to the east of the Glenn Highway of this parcel are Taco Bell, Tesoro and O'Reilly among other existing small businesses and General Commercial uses; and to the south of this parcel is a large tract of land recently rezoned in December 2012 from R-1 to CG-General Commercial. If rezoned to CG-General Commercial, this parcel would continue to be compatible with surrounding zoning districts, and would allow for a much wider range of uses for the future development of this parcel; and

WHEREAS, this parcel is adjacent to a major thoroughfare, South Glenn Highway and would be adequate to meet any increased traffic demand in this area. Public facilities such as schools and utilities are adequate to support the proposed change since there are numerous existing General Commercial uses in the surrounding area; and

WHEREAS, there have been changed conditions affecting the surrounding neighborhoods and properties. There has been major development along the Glenn Highway corridor throughout the years and this area continues to grow in commercial activities. The 63.79 acre tract (Tax Parcel D12) located south of this parcel which was re-zoned from R-1, Single-family Residential to CG-General Commercial in December 2012 reflects the increase demand for commercially zoned property and uses in this area; and

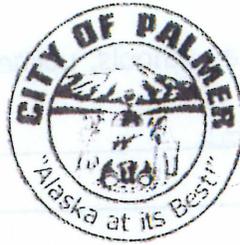
WHEREAS, the proposed zone change is consistent with the public welfare and does not grant this parcel any special privilege as the requested zone change is consistent with nearby properties zoned CG-General Commercial.

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby recommend the City Council approve the Zoning Map Amendment for Lot 3, Raven's Ridge to C-G General Commercial, located in Section 5, Township 17 North, Range 2 East, Seward Meridian.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this 21st day of August, 2014.

Michael W. Madar, Chairman

Kimberly A. McClure
Planning & Code Compliance Technician



Received

OCT 30 2013

City of Palmer

**City of Palmer
Department of Community Development**

645 E. Cope Industrial Way, Palmer, Alaska 99645

Telephone: (907) 745-3709 * Fax: (907) 745-5443

Zoning Map Amendment Application

Applicant: Dan Lucas, Sam + Roberta Koppenberg

Legal Description of Properties covered by this application (use additional sheets if necessary):

Lot 3, Raven's Ridge Subdivision
1200 S. Margaret's Ct
Palmer, Alaska

Requested District Change (i.e., from - to): R1E to C-C General Commercial

Reason for request: To expand possibilities for development

Please provide a written narrative explaining the following:

1. Is the proposed change in accordance with the borough and city comprehensive plan?

yes

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern?

The land east, across the Glenn Hwy. ave. is zoned commercial, and the land to the south was recently rezoned C-C. The land also fronts the Glenn Hwy. ave.

3. Are public facilities such as schools, utilities and streets adequate to support the proposed change?

yes

4. Do changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change?

yes - the Glenn Highway corridor has become increasingly developed in the last thirty years

5. Is the proposed change consistent with public welfare and will it grant a special privilege to the owners?

It is consistent with the public welfare and does not grant a special privilege.

Date of application: Oct. 7, 2013

\$250.00 Filing fee paid: _____

Roberta Kozzenburg
Signature of owner or owner's authorized representative

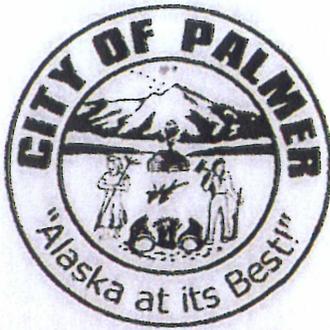
Address _____

Phone/contact number _____

Dan Lucas
Box 875
Palmer, Alaska
99645

Dan & Roberta Kozzenburg
PO Box 109
Central, AK 99729
Tel: 768 2724

907-745-3444 km
907-745-2383 wk



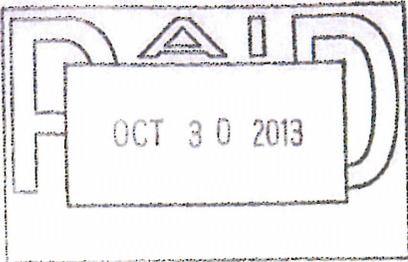
PALMER COMMUNITY DEVELOPMENT

ATTN: Joan E. Patterson
645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709 • Fax: 907-745-5443
www.cityofpalmer.org

Invoice No.: CD13-124

Invoice Date: 10/30/2013

Sold To: DAN LUCAS
P.O. BOX 855
PALMER, AK 99645

Qty	Description	Price
1	REQUEST FOR ZONING MAP AMENDMENT Raven's Ridge Subd., Lot 3 1200 S. Margaret Ct. 	\$250.00

01-00-00-3427

TOTAL
\$250.00

This invoice must be paid within 30 DAYS or further collection procedures will be taken.

PALMER COMMUNITY DEVELOPMENT

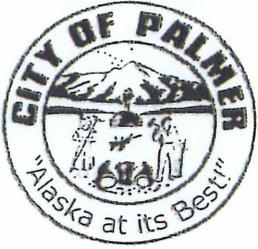
ATTN: Joan E. Patterson
645 E. Cape Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3700 • Fax: 907-745-2443
www.cityofpalmer.org



Invoice No.: CD13-124
Invoice Date: 10/30/2013

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Qty	Description	Price
1	REQUEST FOR SOILING MAP AMENDMENT Palmer's Ridge Blvd, Lot 2 1300 S. Margaret Ct	\$250.00
TOTAL		\$250.00



DEPARTMENT OF COMMUNITY DEVELOPMENT

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709
Fax: 907-745-5443
www.cityofpalmer.org

June 30, 2014

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a re-zone of Lot 3, Raven's Ridge, initiated by Dan Lucas, Sam & Roberta Koppenberg, owners. The street address for the site is 1200 South Margaret Court, Palmer, Alaska. This property is currently zoned R-1E, Single-family Residential Estate. The request is to rezone the property to C-G, General Commercial. The map on the reverse side of this notice indicates the location of the subject parcel. For additional information on the General Commercial District, please refer to Palmer Municipal Code Chapter 17.32 – General Commercial District, located online at: www.cityofpalmer.org.

The Commission will hold a Public Hearing to consider this application and to allow for public comments as well. The meeting will be held on July 17, 2014 at 7:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by July 10, 2014. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to 745-5443 or emailed to me at: kmclure@palmerak.org.

Sincerely,

Kimberly McClure
Planning & Code Compliance Technician

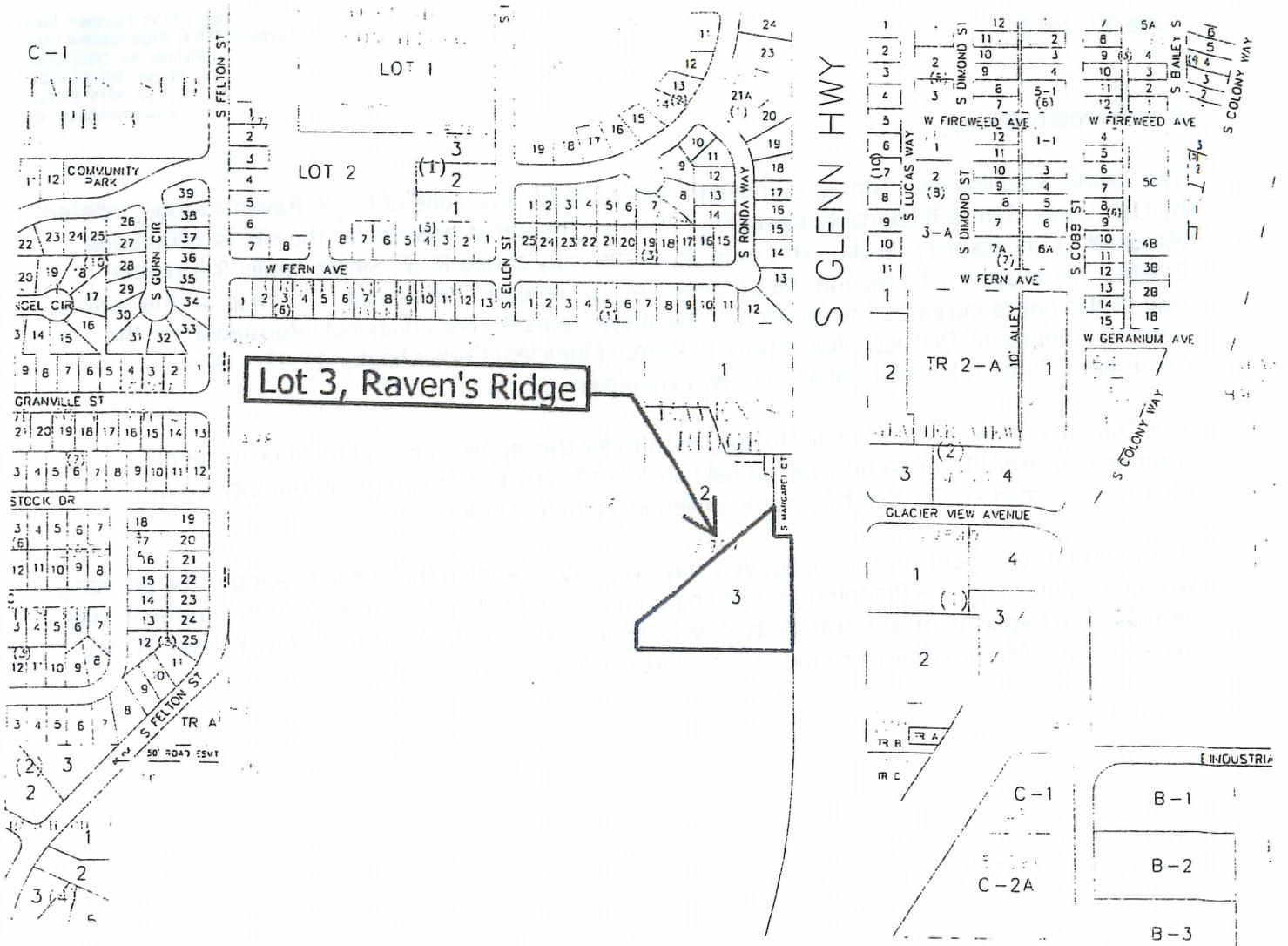


For the following reason, I am (please circle) (in favor of), (NOT in favor of), (have no objection to) the issuance of the proposed re-zone from R-1E to CG.

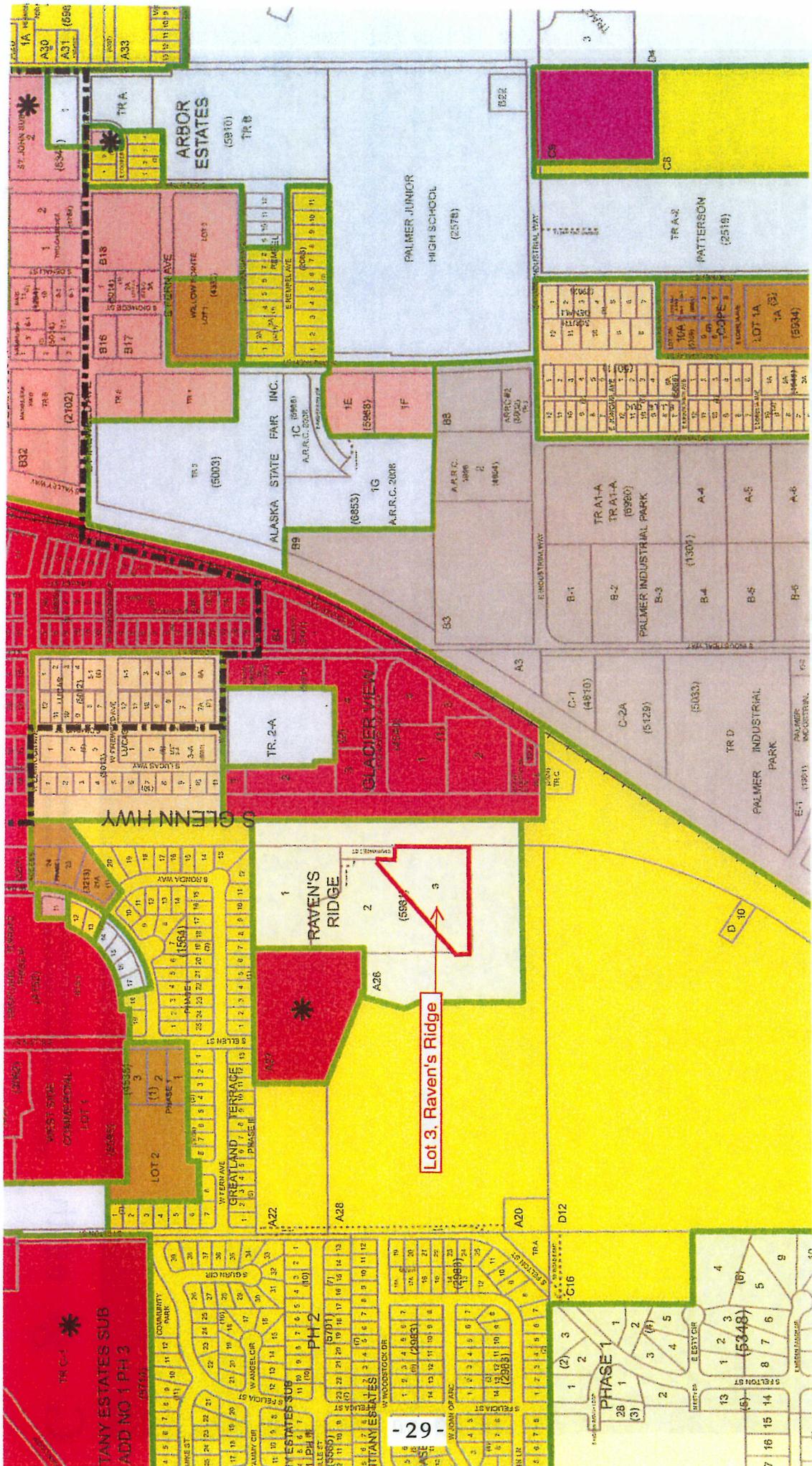
Name: _____

Address: _____

VICINITY MAP



Request for Rezone from R-1E (Single-family Residential Estate) to C-G (General Commercial) for Lot 3, Raven's Ridge, located at 1200 South Margaret Court in Palmer, Alaska.



Lot 3, Raven's Ridge



900



feet

meters

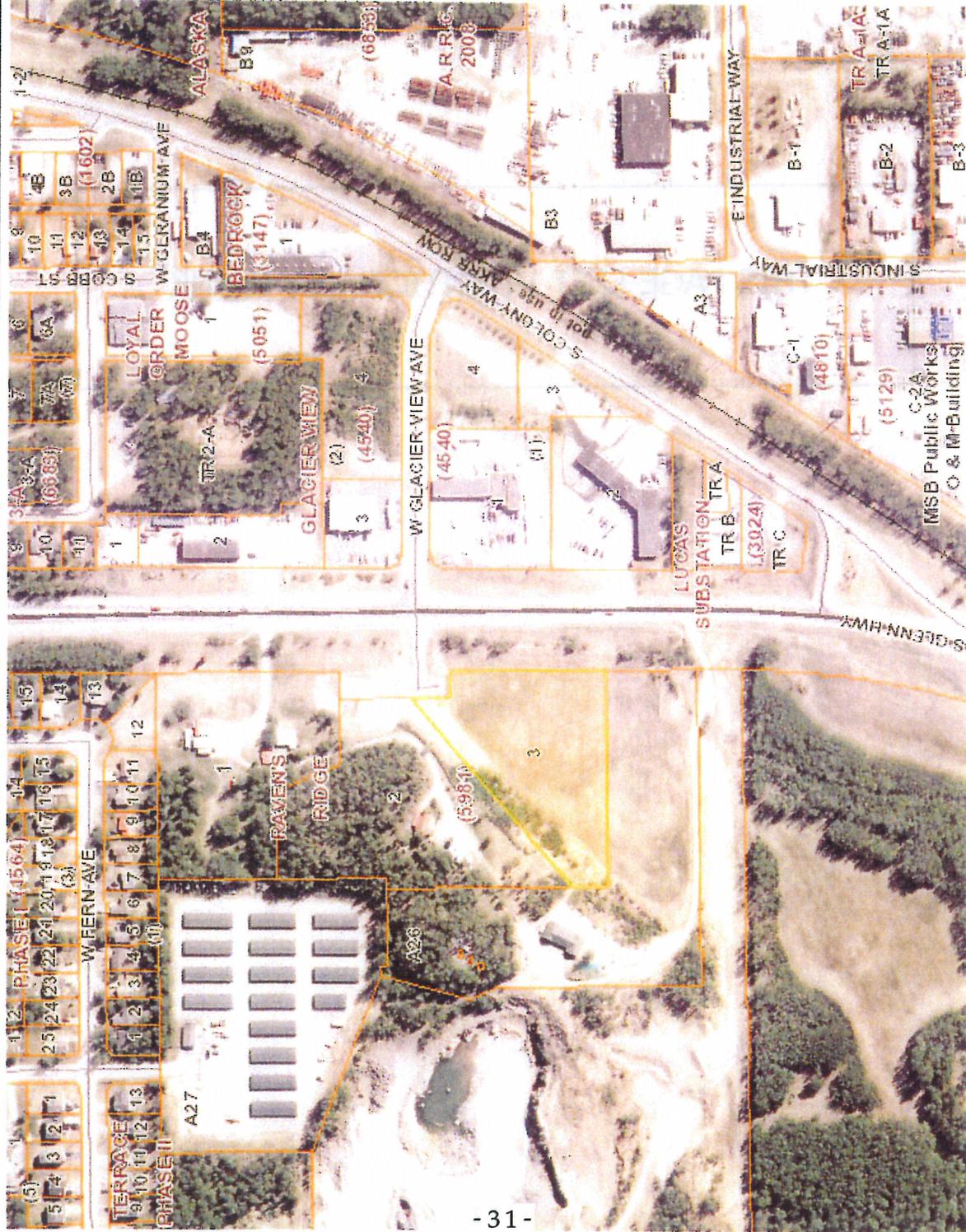
200

Google earth

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© 2014 Google



Matanuska-Susitna Borough



Legend

- Public Facilities**
 - Administrative
 - Animal Control
 - City Hall or Courthouse
 - Community Center
 - Landfill or Transfer Station
 - Library
 - Medical
 - Post Office
 - Public Safety
 - School
- Streets**
 - Highway
 - Major Street
 - Medium Street
 - Minor Street
 - Primitive Road
 - Private Road
- Mat-Su Borough Boundary**
- Incorporated Cities**
- Parcels**

1: 3,934

Notes

This map was automatically generated using Geocortex Essentials.

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the accuracy of the information provided by this map. For more information regarding the full disclaimer and policies related to acceptable uses of this map, please contact the Matanuska-Susitna Borough GIS Division at 907-745-1801.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.1 0.06 0.1 Miles

NAD_1983_StatePlane_Alaska_4_FIPS_5004_Feet

Reported on 07/09/2014 10:43 AM

© Matanuska-Susitna Borough

MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

MACHINERY SERVICES INC
11751 E PALMER-WASILLA
PALMER, AK 99645

MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

~~MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929~~

U S C & G S
4230 UNIVERSITY DR
ANCHORAGE, AK 99508-4667

BRYMER PALMAGE H
PO BOX 1584
PALMER, AK 99645-1584

NOVOSAD JOHN & JEANNE
PO BOX 3894
PALMER, AK 99645-3894

SECURE STORAGE LLC
PO BOX 4496
PALMER, AK 99645-4496

WILDER CONST CO
PO BOX 50085
WATSONVILLE, CA 95077-0085

KERTTULA JALMAR M & JOYCE
8660 E EMPIRE CIR
PALMER, AK 99645

~~KERTTULA JALMAR M & JOYCE
8660 E EMPIRE CIR
PALMER, AK 99645~~

~~MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929~~

ALASKA STATE OF
DEPT OF PUBLIC WORKS DIV
PO BOX P
JUNEAU, AK 99811-0001

NORTHERN ENCLOSURES LLC
PO BOX 3288
PALMER, AK 99645-3288

WHITE DOROTHY E
WHITE MARK A
PO BOX 1771
PALMER, AK 99645-1771

FLAGSHIP PROPERTIES LLC
PO BOX 1895
PALMER, AK 99645-1895

MCNIVEN JANE M
3420 N MEADOW LAKES DR
WASILLA, AK 99654-9259

OTTON ESTHER L
PO BOX 3022
PALMER, AK 99645-3022

TYREE DEREK S
664 W FERN AVE
PALMER, AK 99645-6525

JONES DEBBIE K
656 W FERN AVE
PALMER, AK 99645-6525

ECHTERNACHT DONALD & MARY
646 W FERN AVE
PALMER, AK 99645-6525

MELICKIAN ELAINE
636 W FERN AVE
PALMER, AK 99645-6525

DAVIS JOSHUA L & KYLA D
626 W FERN AVE
PALMER, AK 99645-6525

LOHRENZ KRISTI S
616 W FERN AVE
PALMER, AK 99645-6525

WIEHE GENE W & GLENNA S
606 W FERN AVE
PALMER, AK 99645-6525

PALMER CITY OF
231 W EVERGREEN AVE
PALMER, AK 99645-6952

ANDERSON K A & E M TRE
ANDERSON K & E REV TR
1085 S RONDA WAY
PALMER, AK 99645-6528

KITZMAN JAMIE L
1073 S RONDA WAY
PALMER, AK 99645-6528

BOYD MARY ANN
1065 RONDA WAY
PALMER, AK 99645-6528

HALE JEFFREY W
17822 MEADOW CREEK DR
EAGLE RIVER, AK 99577-8250

SLACK NEDRA
1045 S RONDA WAY
PALMER, AK 99645-6528

MINKLER DUANE W&CAROLYN S
1035 RONDA WAY
PALMER, AK 99645

WATKINS THOS P & JOLENE
PO BOX 3521
PALMER, AK 99645-3521

~~PALMER CITY OF
231 W EVERGREEN AVE
PALMER, AK 99645-6952~~

LALIBERTE APRIL M
PO BOX 1153
PALMER, AK 99645-1153

~~PALMER CITY OF
231 W EVERGREEN AVE
PALMER, AK 99645-6952~~

SEWARD JESS A
COURTNEY BEN G
674 W DARON DR
PALMER, AK 99645-6523

HATLEY SPENCER W
18457 E MAUD RD
PALMER, AK 99645

JENSEN DENNIS G
664 W DARON DR
PALMER, AK 99645-6523

WADDELL JAS E JR & SHERRY
1150 S COLONY WAY STE 3
PALMER, AK 99645-6967

GLEASON CARL D & DEANN M
PO BOX 871007
WASILLA, AK 99687-1007

BADGER CARLIN C & Y
PO BOX 0304
PALMER, AK 99645-0304

VAN DYKE JUSTIN K& KELLIE
648 W DARON DR
PALMER, AK 99645

HERMON NEIL R & MEGAN C
646 W DARON DR
PALMER, AK 99645-6523

MASCAK JAMIE
640 W DARON DR
PALMER, AK 99645

PUSHRUK SIMON S & HELEN S
1006 S RONDA WAY
PALMER, AK 99645-6527

BANNON DAN'L W & ANGELA D
PO BOX 18
SUTTON, AK 99674-0018

FRAZIER KAREN L
1026 RONDA WAY
PALMER, AK 99645-6527

LOUCKS CLYDE & ARVETTE
1036 S RONDA WAY
PALMER, AK 99645

FARIS ROBYN N TR
FARIS BREANNA L TR FARIS
1044 S RONDA WAY
PALMER, AK 99645-6527

SMITH JOSEPH F
20509 RAVEN DR
EAGLE RIVER, AK 99577-8741

POCHATKO RICHARD & ABBY
PO BOX 134
DELTA JUNCTION, AK 99737-0134

KOENEN ROBT D & BARBARA A
PO BOX 876951
WASILLA, AK 99687-6951

PICKARD KIRSTEN
1119 AIRLINE DR
FAIRBANKS, AK 99705-5324

EVANS RUTH E
647 W FERN AVE
PALMER, AK 99645-6526

PINCKERT MATTHEW & ADINA
PO BOX 2521
PALMER, AK 99645-2521

ROZKYDAL JAMES A
665 W FERN AVE
PALMER, AK 99645

SHANKS ROBT M JR& TANYA M
675 W FERN AVE
PALMER, AK 99645-6526

LAMM PAYTON W
685 W FERN AVE
PALMER, AK 99645-6526

KORNFEIND DAVID R
693 W FERN AVE
PALMER, AK 99645-6526

CHARRON KATIE
699 W FERN AVE
PALMER, AK 99645-6526

DEHR PROPERTIES LLC
6967 TOWN AND COUNTRY PL
ANCHORAGE, AK 99502-2847

MULLIGAN PATRICIA A TRE
MULLIGAN PATRICIA A TR MU
PO BOX 2029
PALMER, AK 99645-2029

ALEUT CORP INC
4000 OLD SEWARD HWY
ANCHORAGE, AK 99503-6068

MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

MATANUSKA ELECTRIC ASSN
PO BOX 2929
PALMER, AK 99645-2929

IRSIK CHRISTOPHER R&DONNA
725 W FERN AVE
PALMER, AK 99645-6550

JOHNSON JAY L & ERICA M
5045 E FETLOCK DR
WASILLA, AK 99654-8403

AL-MAQTADIR IDI Y
PO BOX 3105
PALMER, AK 99645-3105

STRAUGHN MICHAELA S
755 W FERN AVE
PALMER, AK 99645

HARRISON MARCIA L
PO BOX 4660
PALMER, AK 99645-4660

NOLL JARED M
PINNE NICHOLE J
950 W FERN AVE
PALMER, AK 99645

AVERY ALAN
AVERY MARK
940 W FERN AVE
PALMER, AK 99645

THINGSTAD CORY P
930 W FERN AVE
PALMER, AK 99645

SHERMAN ROBT M SR & D M
830 W FERN AVE
PALMER, AK 99645

BERG JERRELL T & VERONA M
820 W FERN AVE
PALMER, AK 99645

AVERRE KEITH M
810 W FERN AVE
PALMER, AK 99645

METZLER JOSEPH L & HOLLIE
760 W FERN AVE
PALMER, AK 99645-6517

BANK OF NEW YORK MELLON T
8742 LUCENT BLVD STE 300
HIGHLANDS RANCH, CO 80129-2386

DAVIS JOSHUA R & ANNE MAR
6046 THRUSH CIR
SANFORD, NC 27332-8862

WARFILED VICKI A
730 W FERN AVE
PALMER, AK 99645

SMITH PATRICK W
PO BOX 122
CRAWFORDSVILLE, OR 97336-0122

CHOI DAVE HWAN & JUNG SUK
2341 HEATHER CROOK CIR
ANCHORAGE, AK 99504

STOUT ANNE M
PO BOX 96744
LAS VEGAS, NV 89193-6744

NOLIN JOHN P
PO BOX 3023
PALMER, AK 99645-3023

FERGUSON-KECK PATRICIA A
KECK STEVEN C
1000 ELLEN ST
PALMER, AK 99645-6530

MATANUSKA-SUSITNA BOROUGH
350 E DAHLIA AVE
PALMER, AK 99645-6488

SMITH WM W & A H REV TR
WILLIAMSON WM W TRE WILLI
13111 NORTHWEST FWY
HOUSTON, TX 77040-6321

BILIKIN PROPERTIES LLC
711 E NORTHERN LIGHTS BLV
ANCHORAGE, AK 99503-2810

BOLSHIO MISHA INC
1150 S COLONY WAY STE 3
PALMER, AK 99645-6967

~~BOLSHIO MISHA INC
1150 S COLONY WAY STE 3
PALMER, AK 99645-6967~~

ALASKA AT LAST
PO BOX 871708
WASILLA, AK 99687-1708

~~ALASKA AT LAST
PO BOX 871708
WASILLA, AK 99687-1708~~

COOL LAND HOLDINGS LLC
DAWG CREEK HOLDINGS LLC
PO BOX 06116
CHICAGO, IL 60606-6116

GREISEN RONALD E TRE
GREISEN JOY ANN BYPASS TR
1400 W BENSON BLVD
ANCHORAGE, AK 99503-3677

O E S INC
3201 C ST
ANCHORAGE, AK 99503-3934

MAT VLY MASONIC HLDG CO
PO BOX 297
PALMER, AK 99645-0297

RILEY RENEE-BETH
6730 QUEENSVIEW CIR
ANCHORAGE, AK 99504

MCDONELL WAYNE
2901 E MARIANNS PL
WASILLA, AK 99654

KASKA GARY B & CRISTY A
1015 S DIMOND ST
PALMER, AK 99645

~~KASKA GARY B & CRISTY A
1015 S DIMOND ST
PALMER, AK 99645~~

~~KASKA GARY B
1015 S DIMOND
PALMER, AK 99645~~

KASKA GARY B & CRISTY A
KASKA CHAD J
1015 S DIMOND ST
PALMER, AK 99645

MOMA BERT N & SHEILA D
3724 W MERCER LN
PHOENIX, AZ 85029-4043

AZURE STAR LLC
2128 S PADDOCK DR
WASILLA, AK 99654-8431

LOGSDON TARA
348 S DENALI ST
PALMER, AK 99645-6434

~~KASKA GARY B & CRISTY A
1015 S DIMOND ST
PALMER, AK 99645~~

~~KASKA GARY B & CRISTY A
1015 S DIMOND ST
PALMER, AK 99645~~

RICHTARCSIK JOHN E
RICHTARCSIK MALINDA L
PO BOX 3493
PALMER, AK 99645-3493

SIZEMORE GREGORY E
PO BOX 2581
PALMER, AK 99645-2581

ELLIOTT CHAS L III & J R
PO BOX 312
EUFAULA, AL 36072-0312

COPPOCK JULIANNA
PO BOX 217
PALMER, AK 99645-0217

CRUTHERS DOUGLAS E&LISA L
1006 S LUCAS WAY
PALMER, AK 99645

KITAGAWA LEON Y
1018 S LUCAS ST
PALMER, AK 99645-6974

LAFRANCE RAYMOND J& LAURA
1030 S LUCAS ST
PALMER, AK 99645-6963

DAVIS LOGAN
529 W VICTOR RD
WASILLA, AK 99623

PAULSON ZACHARY P& DAWN M
1054 S LUCAS WAY
PALMER, AK 99645

CAVYELL KASEY W
1066 S LUCAS WAY
PALMER, AK 99645-6974

MAT VLY FED CR UNION
1020 S BAILEY ST
PALMER, AK 99645

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Use Avery® Template 5160®

CORBIN MARK A
CAYWOOD DOROTHY B L/E
PO BOX 752
PALMER, AK 99645-0752

RAY KEN
1067 S COBB ST
PALMER, AK 99645

WHITTAKER MGMT GROUP LLC
7410 BERN ST
ANCHORAGE, AK 99507-2736

LUCAS MARGARET B
PO BOX 855
PALMER, AK 99645-0855

WIRTANEN CARL R
5305 N DOROTHY DR
PALMER, AK 99645

SMITH ARLINE H
WILLIAMSON ARLINE H
13111 NORTHWEST FWY
HOUSTON, TX 77040-6321

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expose Pop-up Edge™

CORBIN MARK A
CAYWOOD DOROTHY B L/E
PO BOX 752
PALMER, AK 99645-0752

MYHRE THOMAS MORRIS
20003 N 23RD AVE
PHOENIX, AZ 85027-4162

LOYAL ORDER OF THE MOOSE
PALMER LODGE #793
PO BOX 772
PALMER, AK 99645-0772

LUCAS DAN'L T
PO BOX 855
PALMER, AK 99645-0855

DEPARTMENT OF TRANSPORTATION &
PUBLIC FACILITIES
PO BOX 112500
JUNEAU, AK 99811-2500

 **AVERY® 5160®**

RAY KEN
1067 S COBB ST
PALMER, AK 99645

MYHRE THOMAS MORRIS
20003 N 23RD AVE
PHOENIX, AZ 85027-4162

MATANUSKA-SUSITNA BOROUGH
MSB/PUBLIC WORKS BLDG
350 E DAHLIA AVE
PALMER, AK 99645-6488

LUCAS DANIEL T
KOPPENBERG SAM & ROBERTA
PO BOX 855
PALMER, AK 99645-0855

FARIS ERICKA D
1044 S RONDA WAY
PALMER, AK 99645-6527



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231 W EVERGREEN AVE
PALMER, AK 99645-6952~~

~~PALMER CITY OF
231 W EVERGREEN AVE
PALMER, AK 99645-6952~~

~~PALMER CITY OF
231 W EVERGREEN AVE
PALMER, AK 99645-6952~~

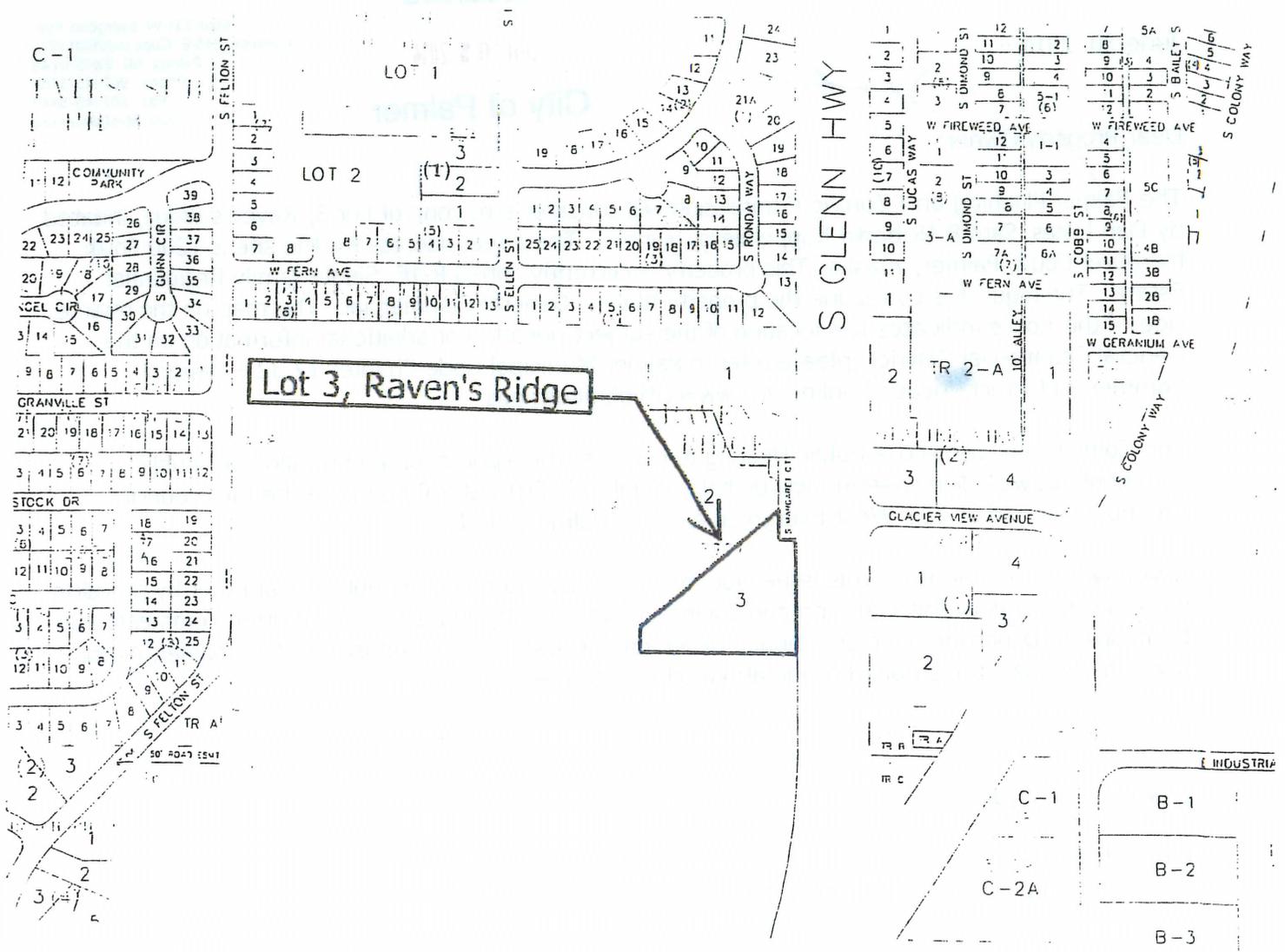
~~HAGER JOHN
PO BOX 4115
PALMER, AK 99645-4115~~

~~SANDVIK CURTIS L
PO BOX 1903
PALMER, AK 99645-1903~~

~~MAT VLY FED CR UNION
1020 S BAILEY ST
PALMER, AK 99645~~

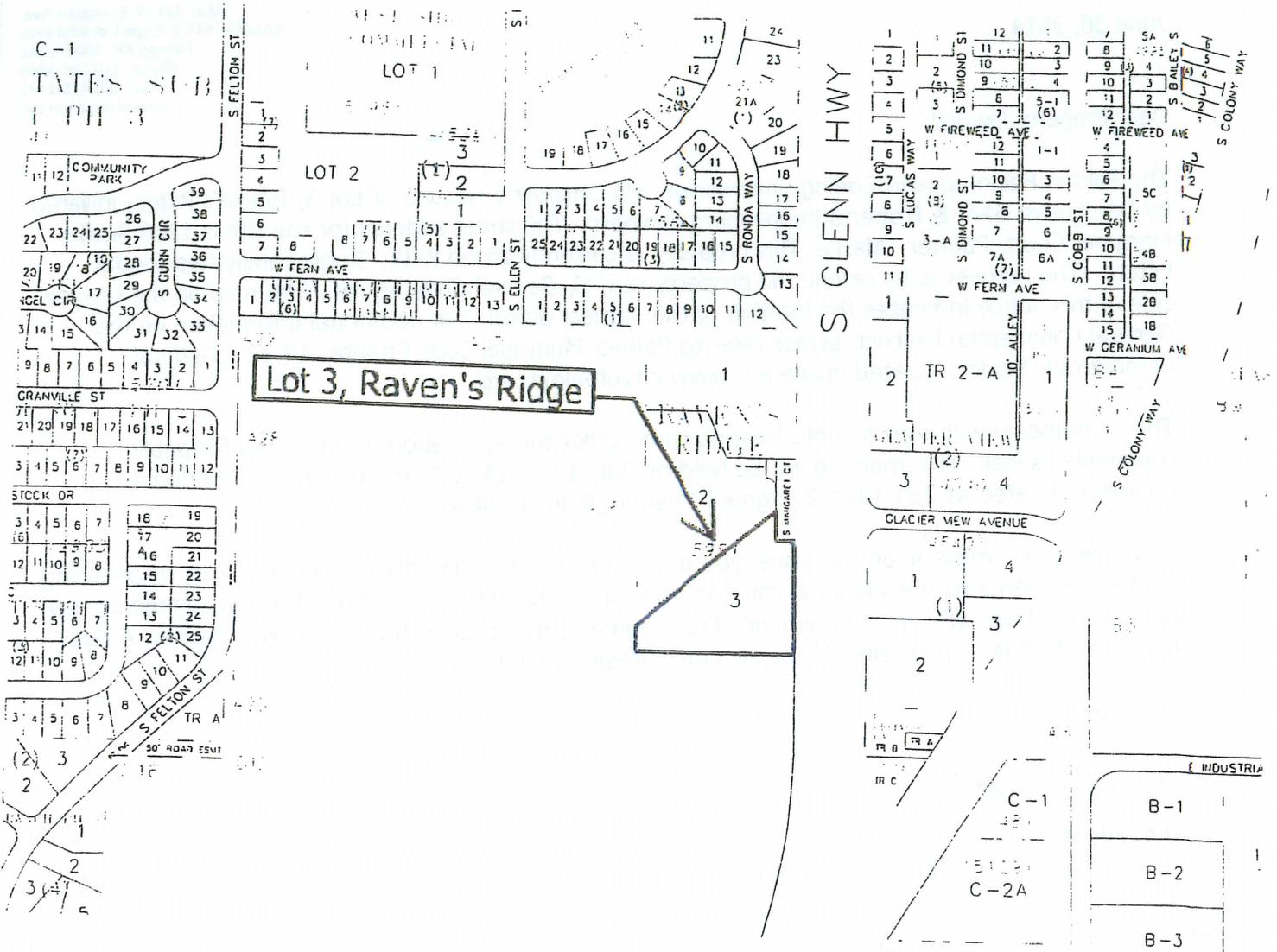
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VICINITY MAP



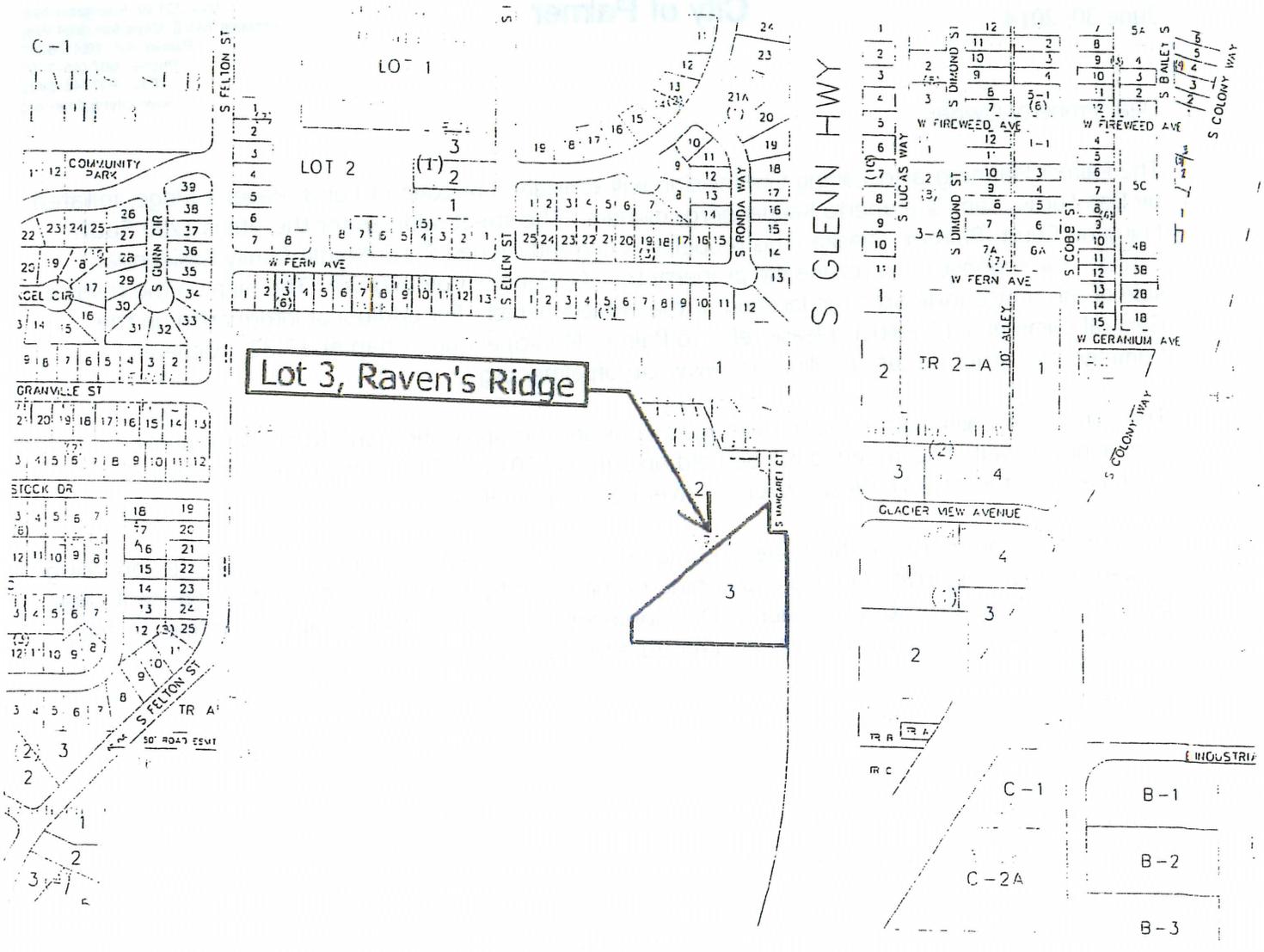
Request for Rezone from R-1E (Single-family Residential Estate) to C-G (General Commercial) for Lot 3, Raven's Ridge, located at 1200 South Margaret Court in Palmer, Alaska.

VICINITY MAP



Request for Rezone from R-1E (Single-family Residential Estate) to C-G (General Commercial) for Lot 3, Raven's Ridge, located at 1200 South Margaret Court in Palmer, Alaska.

VICINITY MAP

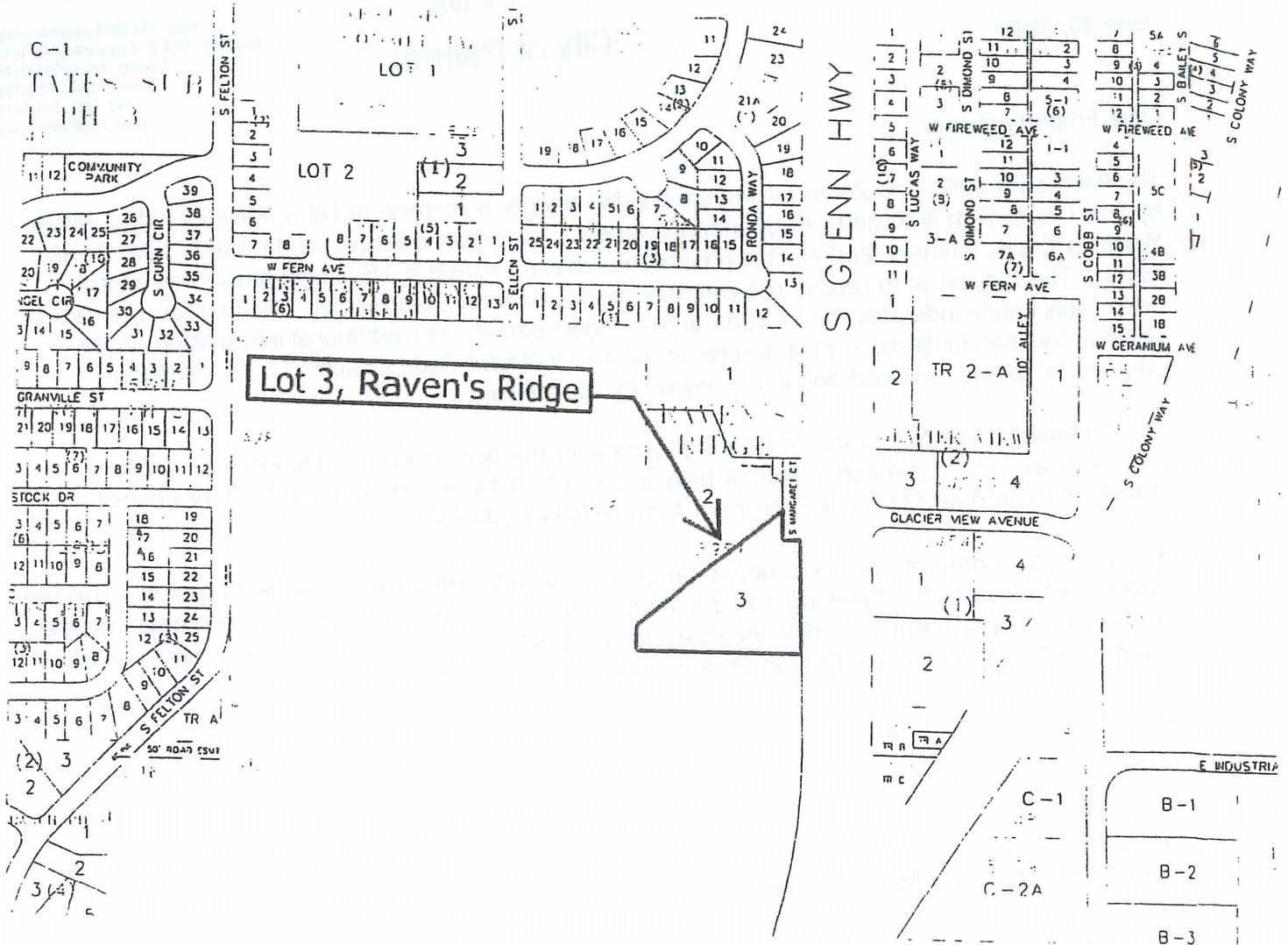


Lot 3, Raven's Ridge

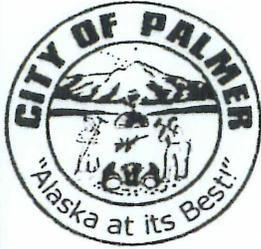


Request for Rezone from R-1E (Single-family Residential Estate) to C-G (General Commercial) for Lot 3, Raven's Ridge, located at 1200 South Margaret Court in Palmer, Alaska.

VICINITY MAP



Request for Rezone from R-1E (Single-family Residential Estate) to C-G (General Commercial) for Lot 3, Raven's Ridge, located at 1200 South Margaret Court in Palmer, Alaska.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

Received

AUG 07 2014

City of Palmer

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709
Fax: 907-745-5443
www.cityofpalmer.org

August 4, 2014

Dear Property Owner:

NOTICE: On July 17, 2014, this item was postponed by the Planning & Zoning Commission to the next regularly scheduled meeting.

The Palmer Planning and Zoning Commission will consider a re-zone of Lot 3, Raven's Ridge, initiated by Dan Lucas, Sam & Roberta Koppenberg, owners. The street address for the site is 1200 South Margaret Court, Palmer, Alaska. This property is currently zoned R-1E, Single-family Residential Estate. The request is to rezone the property to C-G, General Commercial. The map on the reverse side of this notice indicates the location of the subject parcel. For additional information on the General Commercial District, please refer to Palmer Municipal Code Chapter 17.32 – General Commercial District, located online at: www.cityofpalmer.org.

The Commission will hold a Public Hearing to consider this application and to allow for public comments as well. The meeting will be held on August 21, 2014 at 7:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by August 15, 2014. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to 745-5443 or emailed to me at: kmclure@palmerak.org.

Sincerely,

Kimberly A. McClure

Kimberly McClure
Planning & Code Compliance Technician

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

For the following reason, I am (please circle) (in favor of) (NOT in favor of),
(have no objection to) the issuance of the proposed re-zone from R-1E to CG.

I think this is a great idea +
should have been done months ago!
Thank you,

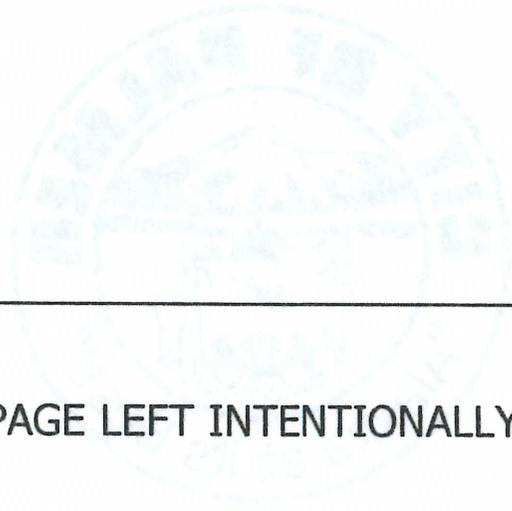
Name: Dan Lucas

Address: Box 855 Palmer AK 99645

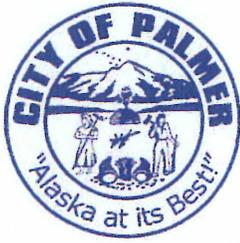
1180 S. Margaret Ct. -49-



Unfinished Business



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**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 14-011**

- SUBJECT:** Review expanded boundary of Central Business District as described in Resolution No. 12-003.
- AGENDA OF:** August 21, 2014 postponed from July 17, 2014
- ACTION:** Review and approve Resolution 12-003 and move forward to City Council.
- Attachment(s):** Resolution 12-003
April 19, 2012 P & Z Minutes
October 17, 2013 P & Z Minutes
- Summary:** The last lengthy discussion by the P & Z Commission about the expanded boundary of the Central Business District was on April 19, 2012. Resolution No. 12-003 was presented for review at that meeting reflecting the proposed expanded boundary of the Central Business District. No action was taken at that time and Resolution No. 12-003 was not approved. The topic and draft Resolution No. 12-003 were re-visited at the October 17, 2013 P & Z meeting. No action was taken.
- Recommendation:** Review draft Resolution No. 12-003 and if approved, move forward to City Council with recommendation for adoption.



Review expanded boundary of Central Business District as described in
Resolution No. 17-007

SUBJECT:

Agenda Item 21, 2014 proposed for July 13, 2014

AGENDA OR:

Review and approve Resolution 14-011 and move forward to City Council

ACTION:

Resolution 13-013

Attachment 1

Palmer Planning & Zoning Commission
July 13, 2014

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PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 12-003

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION RECOMMENDING THE CITY COUNCIL ADOPT AN EXPANDED BOUNDARY OF THE CENTRAL BUSINESS DISTRICT

WHEREAS, following the City of Palmer's incorporation in 1951, small lot subdivisions were lawfully created, many of which have existing buildings currently in need of remodel or renovation work; and

WHEREAS, over the years many of the lots have been rezoned to permit commercial, limited commercial, and multi-family uses; and

WHEREAS, within the 1982 Comprehensive Development Plan the stated objective of the Central Business District (CBD) was to address ways to resolve the parking problem and recommend techniques to develop and enhance the downtown area described as bounded by West Cedar, West Fireweed, South Colony Way, and Cobb Streets; and

WHEREAS, the 1986 Comprehensive Development Plan identified the CBD as the "Downtown Redevelopment Area" and described an expanded CBD as extending from the commercially zoned area at the western edge of town along the Palmer-Wasilla Highway to Felton Street, north along the Glenn Highway to the north side of Arctic Avenue, south to the intersection of Cobb Street and Colony Way, and east to be integrated with the Town Square and campus area later described across the Alaska Railroad right-of-way; and

WHEREAS, the 1986 Comprehensive Development Plan recommended the Planned Unit Development (PUD) District ordinance language provide for a smaller threshold lot size when located within the Downtown Redevelopment Area; and

WHEREAS, PMC 17.84, Planned Unit Development, adopted in 1992, implemented the 1986 Comprehensive Develop Plan recommendation that established a "minimum area for a PUD of 80,000 square feet unless the planned unit development is used to facilitate redevelopment in the downtown redevelopment area as described in the city's comprehensive plan"; and

WHEREAS, a majority of the lots in the proposed expansion area for the Downtown Business District are less than 20,000 square feet in size and therefore not eligible to apply for Planned Unit Development status; and

WHEREAS, the Central Business District, described in PMC 17.64.050 and adopted in 2006, did not include all areas described in the previously adopted Comprehensive Plans; and

WHEREAS, insufficient parking area continues to remain a barrier to redevelopment or renovation of existing properties; and

WHEREAS, the Palmer Municipal Code, Chapter 17.64, Parking and Loading permits a reduction in the number of required parking spaces in the Central Business District; and

WHEREAS, expanding the Downtown Redevelopment Area to include the areas referenced in previously adopted Comprehensive Development Plans will bring the district into compliance with requirements of the Planned Unit Development code; and

WHEREAS, an expanded Central Business District boundary will help promote the city's economic growth and the preservation of its existing structures and support efforts to help ensure Palmer's traditional downtown is lively, attractive and inviting for residents and visitors thereby remaining in harmony with the 2006 adopted Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby recommend the City Council approve a revised Central Business District described as follows:

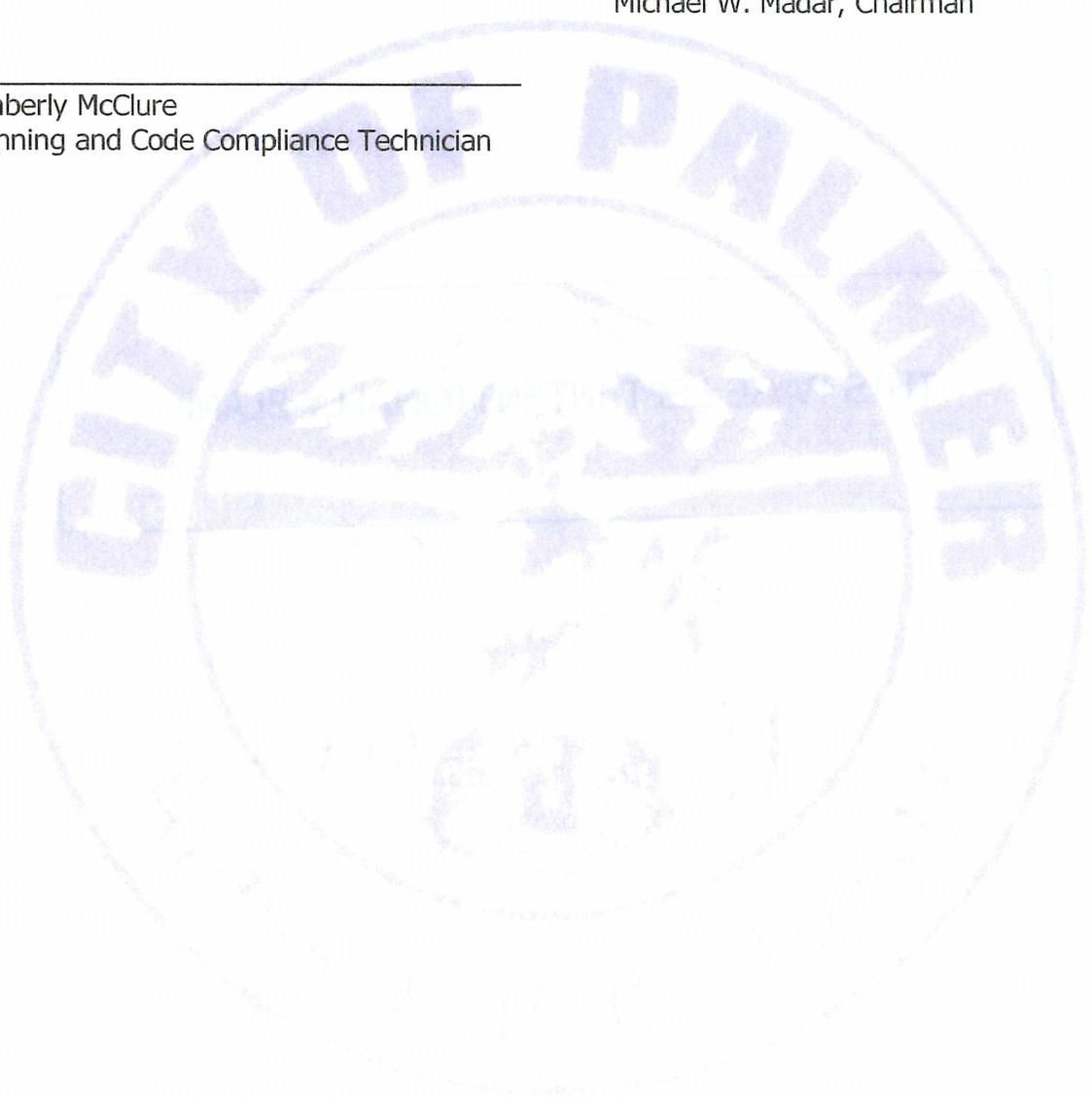
Beginning at the intersection of the Palmer/Wasilla Highway and the Glenn Highway centerlines, then north along the centerline of the Glenn Highway to the centerline of W. Auklet Avenue, then east along the centerline of W. Auklet to the east side of parcel 18N02E33 Tract 1-A, then south along the east side of said parcel until the southern boundary of 18N02E33 Block 3, Lot 8, T.A. Smith then east along the boundary of parcel 18N02E33 Tract 1-A to its terminus, then south along the east side of 18N02E33 Tract 1-A to the centerline of the alleyway, then east along the centerline of the alleyway to the centerline of N. Bonanza Street, then south along centerline of N. Bonanza Street to the centerline of E. Arctic Avenue, then east along the centerline of E. Arctic Avenue to the centerline of S. Denali Street, then south along the centerline of S. Denali Street to the centerline of E. Cottonwood, then east to the centerline of S. Gulkana Street, then south along the centerline of S. Gulkana to the southeast corner of Tract A, Arbor Estates, then west along the south property line of Tract A to Lot 4, Block 2, Arbor Estates, then south to the southeast corner of Lot 4, Block 2, Arbor Estates, then west along the south property lines of Lots 4, 3, 2, and 1, Block 2, Arbor Estates to the centerline of S. Eklutna Street, then north along the centerline of S. Eklutna Street to the centerline of E. Fireweed Avenue, then west along the centerline of E. Fireweed to the centerline of S. Colony Way, then south along the centerline of S. Colony Way to the junction of S. Colony Way and the Glenn Highway centerlines, then north along the centerline of the Glenn Highway to the point of beginning.

BE IT FURTHER RESOLVED, all references in the Palmer Municipal Code to the Downtown Redevelopment Area shall mean the Central Business District.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this _____ day of _____, 2014.

Michael W. Madar, Chairman

Kimberly McClure
Planning and Code Compliance Technician



BE IT FURTHER RESOLVED, all references in the Palmer Municipal Code to the
Downtown Redevelopment Area shall mean the Central Business District.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this
day of _____, 2014.

Richard V. Madar, Chairman

Richard V. Madar
Planning and Zoning Commission

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17.72.100 (B) by inserting "one of the following" to the last sentence. The motion was seconded by **Commissioner Kircher**.

VOTE ON MOTION: the amendment passed unanimously.

ROLL CALL VOTE ON MAIN MOTION:

Campbell	Kerslake	Kircher	Madar	Prosser	Weir	Vacant
Y	Y	Y	Y	Y	Y	--

VOTE ON MOTION: the motion passed unanimously.

H. NEW BUSINESS:



1. Discussion of boundaries of the Central Business District.

Chairman Madar asked for a staff report.

Ms. Garley provided a staff report as to status.

Commissioner Kerslake moved, seconded by **Commissioner Kircher**, to suspend the rules temporarily to allow an audience member to speak to the issue. There were no objections.

Kevin Brown, former Commissioner and member of the Palmer Economic Development Authority (PEDA), commented on the need for infill and an increased opportunity for new small businesses to find a home in downtown. He suggested that any discussion on boundaries should also include adoption of design standards including lighting and landscaping.

Teresa Roy, chairman of the Palmer Economic Development Authority (PEDA), commented that the Commission consider reviewing the sign code within the central business district boundaries as well as incentives to beautify the community.

Commissioner Weir moved, seconded by **Commissioner Kerslake** to re-establish formal rules. There were no objections.

Commissioner Kerslake moved, seconded by **Commissioner Kircher**, to enter the Committee of the Whole. There were no objections.

The Commission entered into the Committee of the Whole at 7:15 pm.

Chairman Madar spoke about his desire to tackle the central business district as a zoning district. By creating a new district with commercial and residential uses, we could create the downtown that we all want. It might be a new zoning district or an overlay zone for the downtown area.

The current boundary is too small and it only impacts, to a minor degree the number of parking spaces a business must provide in the downtown area. It is not flexible and has not really created an incentive for infilling.

A general discussion followed of how to encourage a cohesive look to new construction in the downtown area in order to keep the "Palmer feel" as the community continues to grow. In addition to landscaping and permitted uses, setbacks and building height were discussed.

Commissioner Weir moved, seconded by **Commissioner Kircher**, to exit Committee of the Whole at 8:15 pm. There were no objections.

Chairman Madar directed staff to research other community overlay zones and/or zoning districts for their central business districts and return with a report to the Commission on her recommendations.

I. UNFINISHED BUSINESS:

1. Discussion of City Council Goals for Community Development.

Chairman Madar asked for a staff report.

Ms. Garley explained the process the Council had used to come up with their goals and objectives and the desire of Council to have the Commission review and comment on the items with the Council's highest priority. She directed Commission's attention to the items on page 16 of the packet.

Commissioner Kircher made the motion, seconded by **Commissioner Prosser** to enter into the Committee of the Whole.

The Commission entered into the Committee of the Whole at 8:18 pm.

While in committee of the whole, the Commission continued review of the goals and objectives relating to the Council's Objective of increasing outdoor use of the MTA Events Center complex which included sending flyers listing Event Center activities out to Palmer schools, using the City's Robo calling system to highlight the Events Center once a quarter, and getting posters up at local stores.

Discussion regarding the Council Action Plan for using the paved parking area for basketball to provide teens with active play area which highlighted the need to provide lights in the parking area for safety.

Other items of discussion included using a message board to advertize community events. Placing a digital message board on the Glenn Highway by the gas station or by the electric substation was suggested.

Commissioner Kerlake moved, seconded by **Commissioner Weir**, to exit the

Commissioner Kircher moved, seconded by **Commissioner Prosser** to postpone action on the conditional use permit until after City Council has made a decision on the rezone request on the parcel from R-1 to R-1E.

Vote on Motion: Carried Unanimously.

H. UNFINISHED BUSINESS: There was no unfinished business.

I. NEW BUSINESS:

1. Annual Review of Conditional Use Permits.

Ms. Garley directed attention to the packet, beginning at page 47, listing Active Conditional Use Permits as of October 17, 2013 and the status of each as to compliance.

Commissioner Kircher inquired of staff as to procedure for removal from the active list if the conditions of the permit have been met.

Commissioner Kerslake moved, seconded by **Commissioner Prosser**, to enter into committee of the whole. There were no objections.

[The commission entered committee of the whole at 7:10 p.m.; exited at 7:22 p.m.]

While in committee of the whole the commission reviewed and had questions on several of the CUPs discussing status and compliance.

2. IM 13-027 Review site plan for proposed courthouse expansion for JS Trooper office space and sallyport located on Lot 1A, Deneke Park.

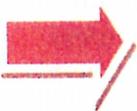
Ms. Garley reported that the courthouse is located in the P-Public District and the proposed expansion will allow additional Judicial Services Trooper office space, additional holding cells and a larger Sallyport. The proposed parking will be sufficient to meet the minimum parking requirements and the lot area and width both exceed the minimum requirements. Staff recommends approval of the proposed courthouse expansion.

Upon review of the submitted documents, the commission had no additional comment or questions.

Commissioner Kerslake moved, seconded by **Commissioner Prosser**, for approval the proposed courthouse expansion.

Vote on Motion: Carried Unanimously.

3. Discussion of Central Business District.



Ms. Garley gave a staff report directing attention to the packet containing information and minutes of previous meetings when discussion of a CBD first began in 2010, including a draft ordinance recommending an expanded boundary. The purpose of discussion tonight is to renew discussions and determine what the commission needs to do differently to encourage more high quality growth in the Central Business District and develop ideas that would engage the city council moving forward, including adding it to the agenda of the next joint meeting in January, 2014.

Commissioner Madar moved, seconded by **Commissioner Prosser**, to enter into Committee of the Whole for open discussion on the matter. There were no objections.

[The commission entered Committee of the Whole at 7:26 p.m.; exited at 8:00 p.m.]

While in committee of the whole, the commission discussed what other communities have done to revive downtown business districts, parking solutions, city/business partnerships, among others, including status of the Mat-Maid properties. Commissioners should think about ideas for the next meeting.

J. PLAT REVIEWS:

1. IM 13-026 To divide Parcel C-2 of MSB Waiver 96-38-PWm into three lots and one tract to be known as Zastrow Acres, also known as Tax Parcel D20 in Section 17, Township 18 North, Range 2 East, Seward Meridian, located outside Palmer city limits.

Ms. Garley gave a staff report. The request is to divide the parcel into three lots and one tract, to be known as Zastrow Acres, containing 10.57 acres more or less. The Alaska Department of Transportation claims prescriptive rights for the Farm Loop right-of-way extending to the back of the existing ditch, which is shown on the plat. See vicinity map on page 144 of the packet. City staff had no recommended changes.

Following review, the commission had no additional comments.

K. PUBLIC COMMENTS: There were no public comments.

L. STAFF REPORT: Ms. Garley reported:

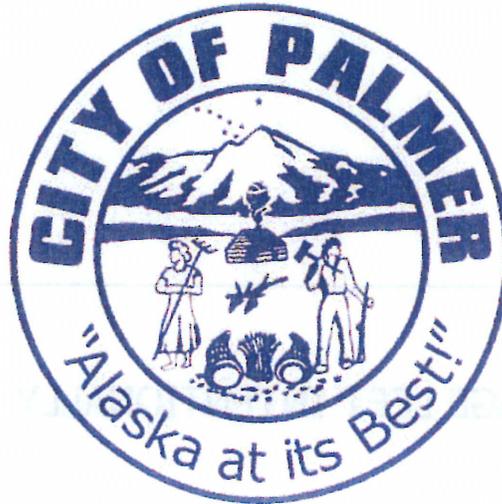
- Status of Mat-maid (reported during CBD discussion);
- Status of Pioneer Square on the market for sale; DOT is moving forward with upgrades on Dogwood to Felton which should be appealing to potential buyers.

M. COMMISSIONER COMMENTS:

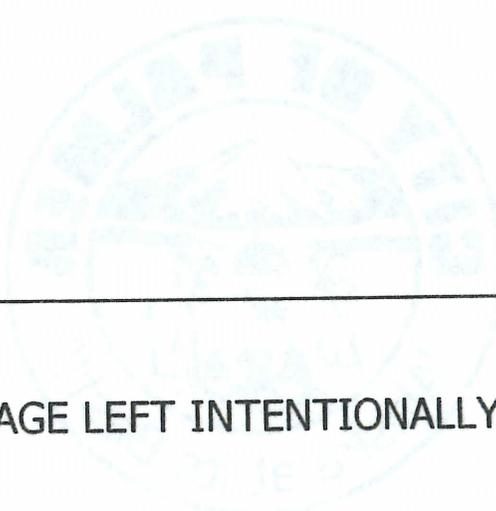
Commissioner Lucas had no comment.

Commissioner Kircher:

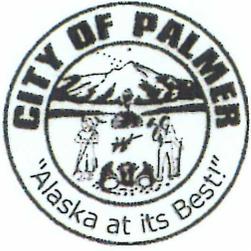
- Reiterated his previous complaints about the voluminous amount of paper in the monthly packets plus the costs of mailing; noted preference for the "paperless



**Continue Discussion of the
Central Business District**



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DEPARTMENT OF COMMUNITY DEVELOPMENT

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

MEMORANDUM

TO: P & Z Commission
FROM: Staff
DATE: June 10, 2014
SUBJECT: Pictures of setbacks within the Central Business District

On June 5, staff conducted site visits of several businesses and mixed use structures to take pictures showing the various setbacks from the right of way.



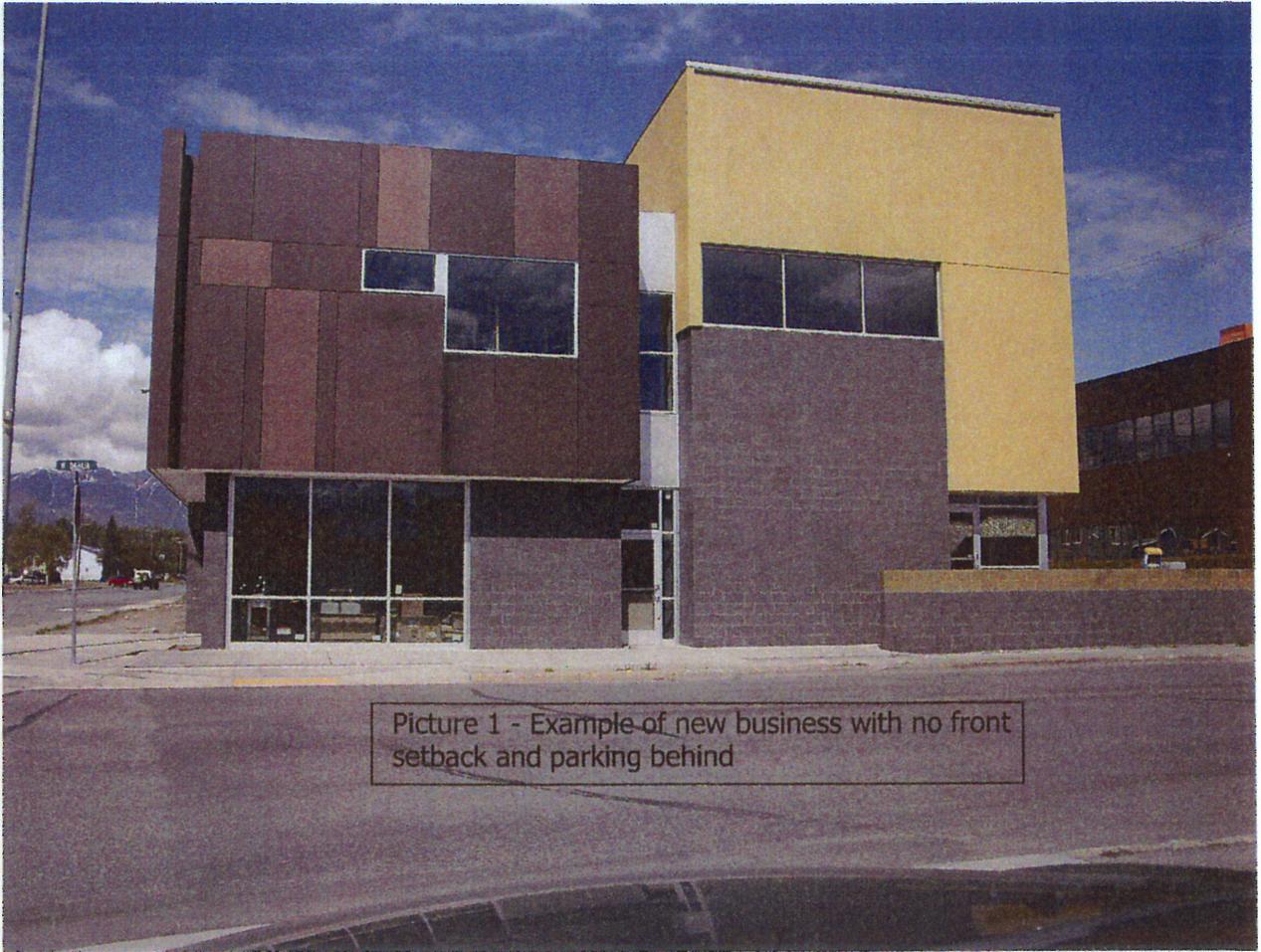


MEMORANDUM

TO: P & Z Commission
FROM: Staff
DATE: June 10, 2014
SUBJECT: Pictures of setbacks within the Central Business District

In June 7, staff conducted site visits of several businesses and mixed use structures to take pictures showing the various setbacks from the right of way.

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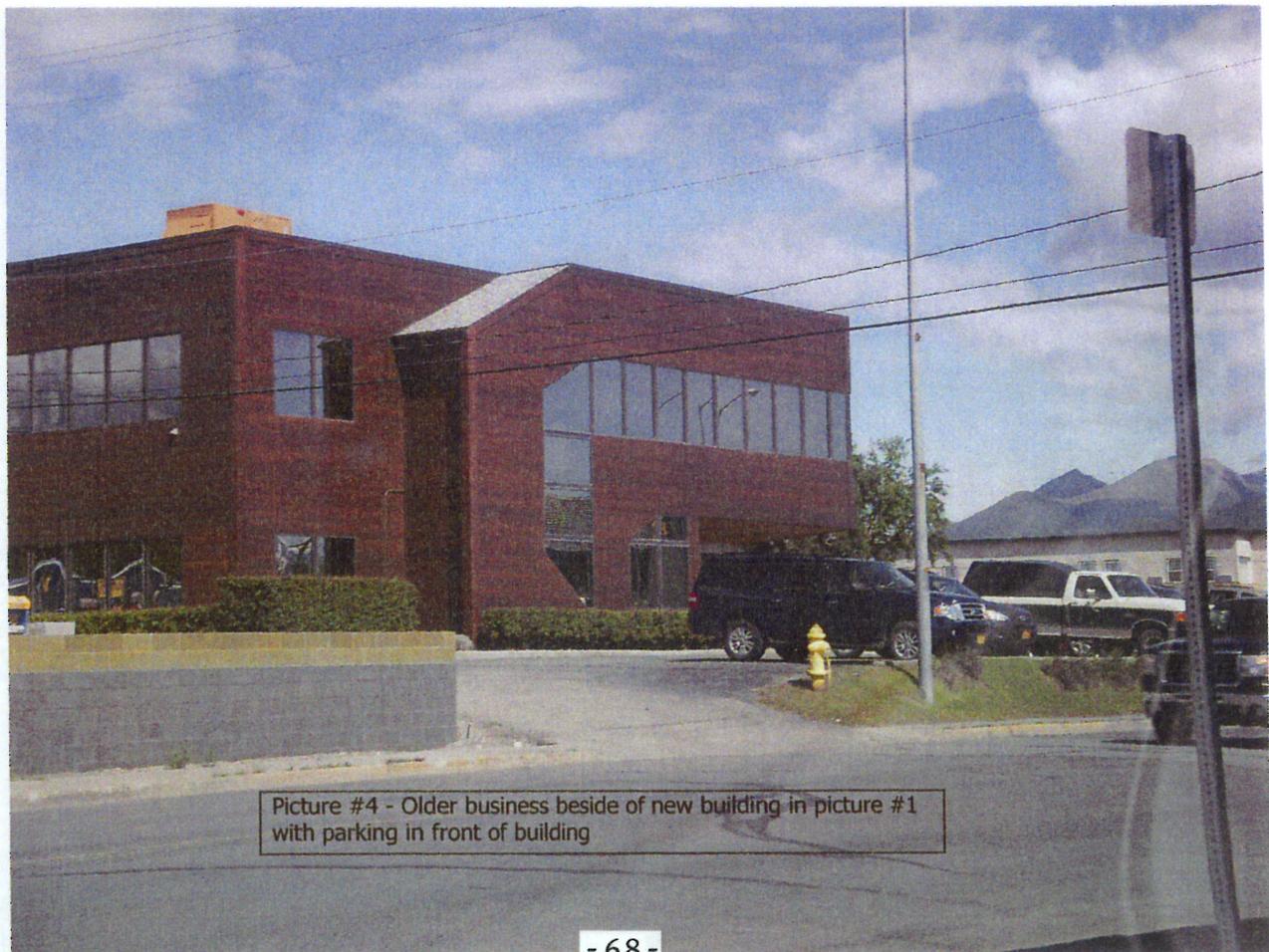
Picture 1 - Example of new business with no front setback and parking behind



Picture 2



Picture 3



Picture #4 - Older business beside of new building in picture #1 with parking in front of building



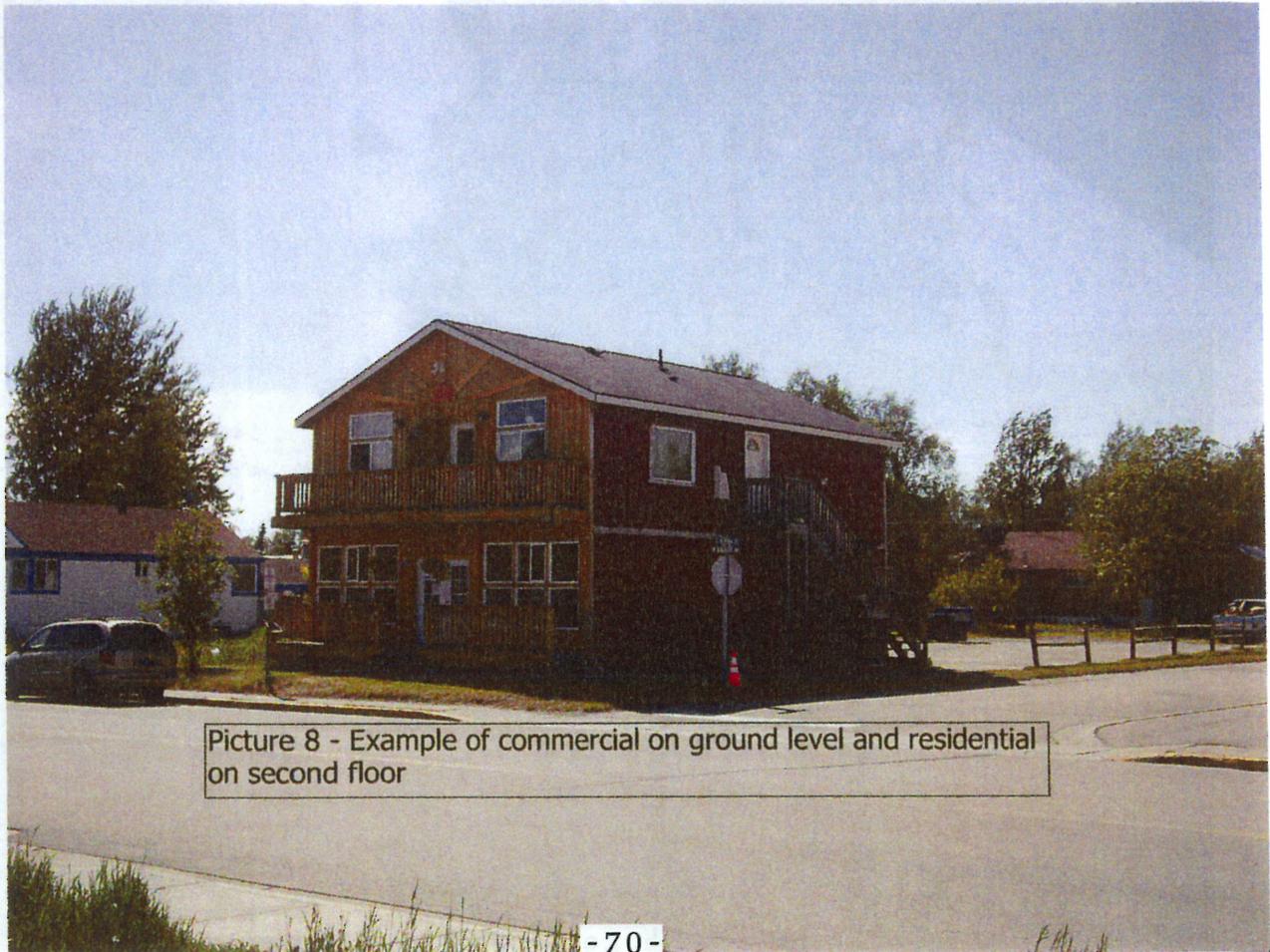
Picture 5 - Business across from new building in picture 1 & 4, also with no front setback and parking behind building



Picture 6 - Side of Fosselman building showing setback from street

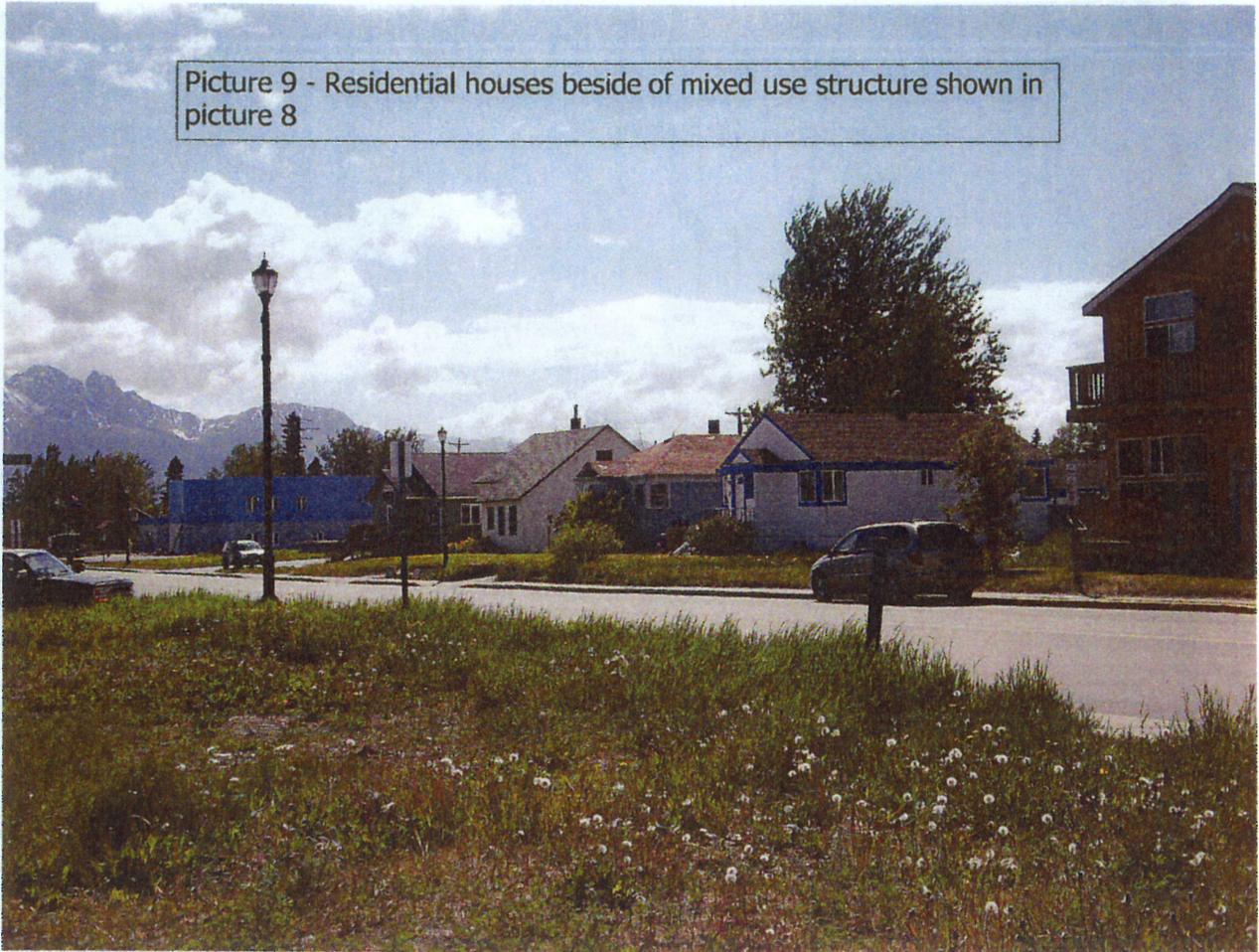


Picture 7 - Another business with no front setback

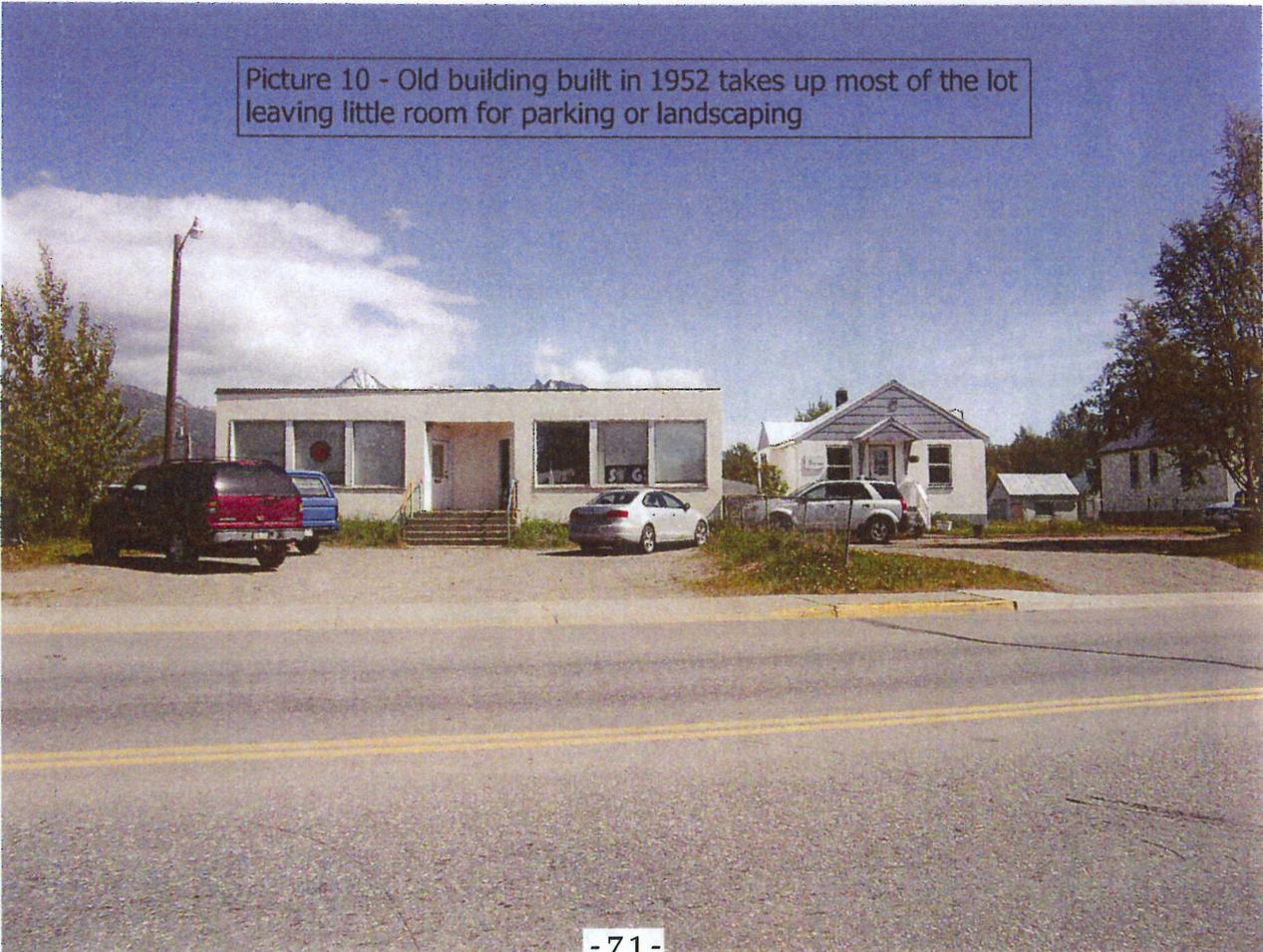


Picture 8 - Example of commercial on ground level and residential on second floor

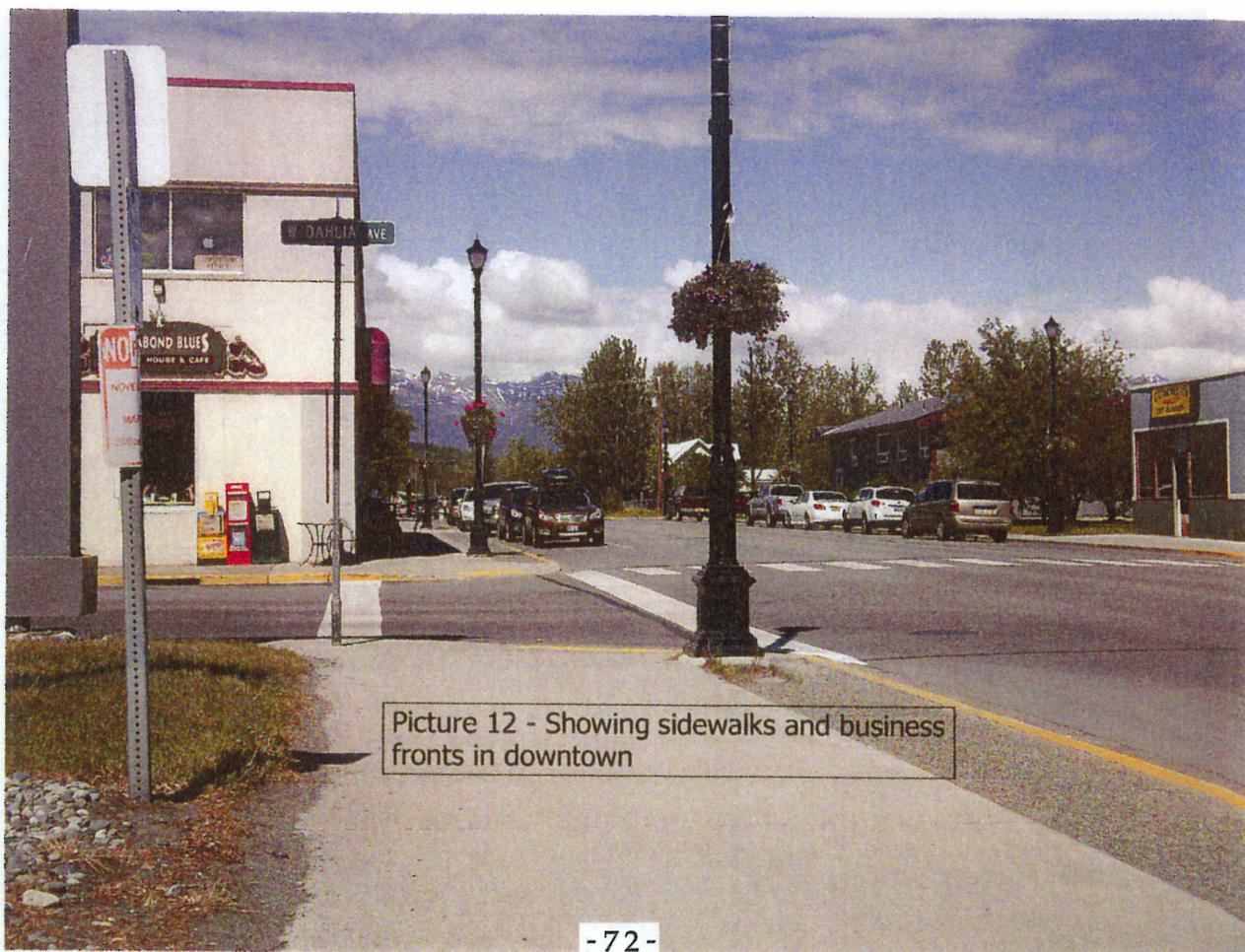
Picture 9 - Residential houses beside of mixed use structure shown in picture 8



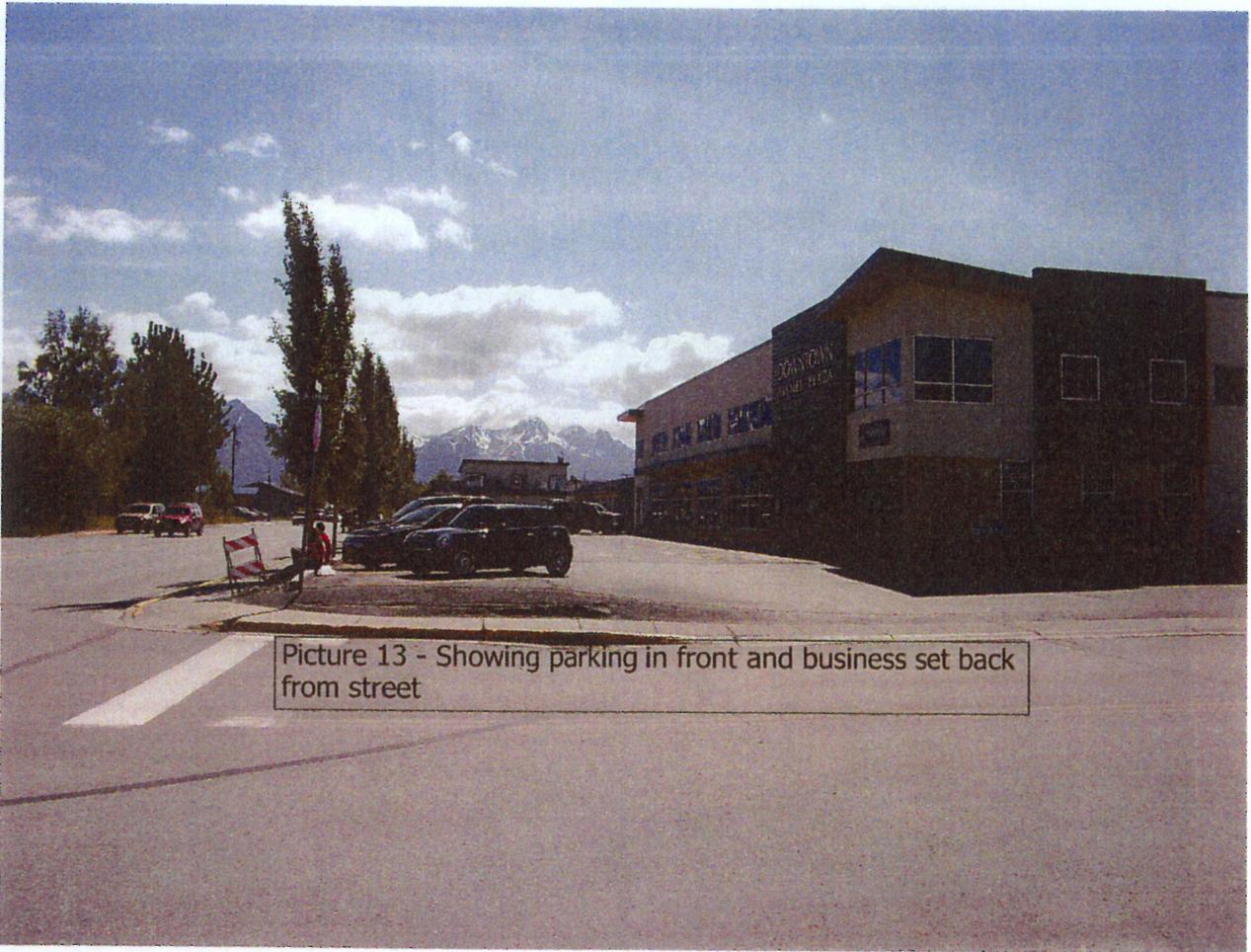
Picture 10 - Old building built in 1952 takes up most of the lot leaving little room for parking or landscaping



Picture 11 - Back side of old building in picture 10 showing how much of this lot is taken up by the building



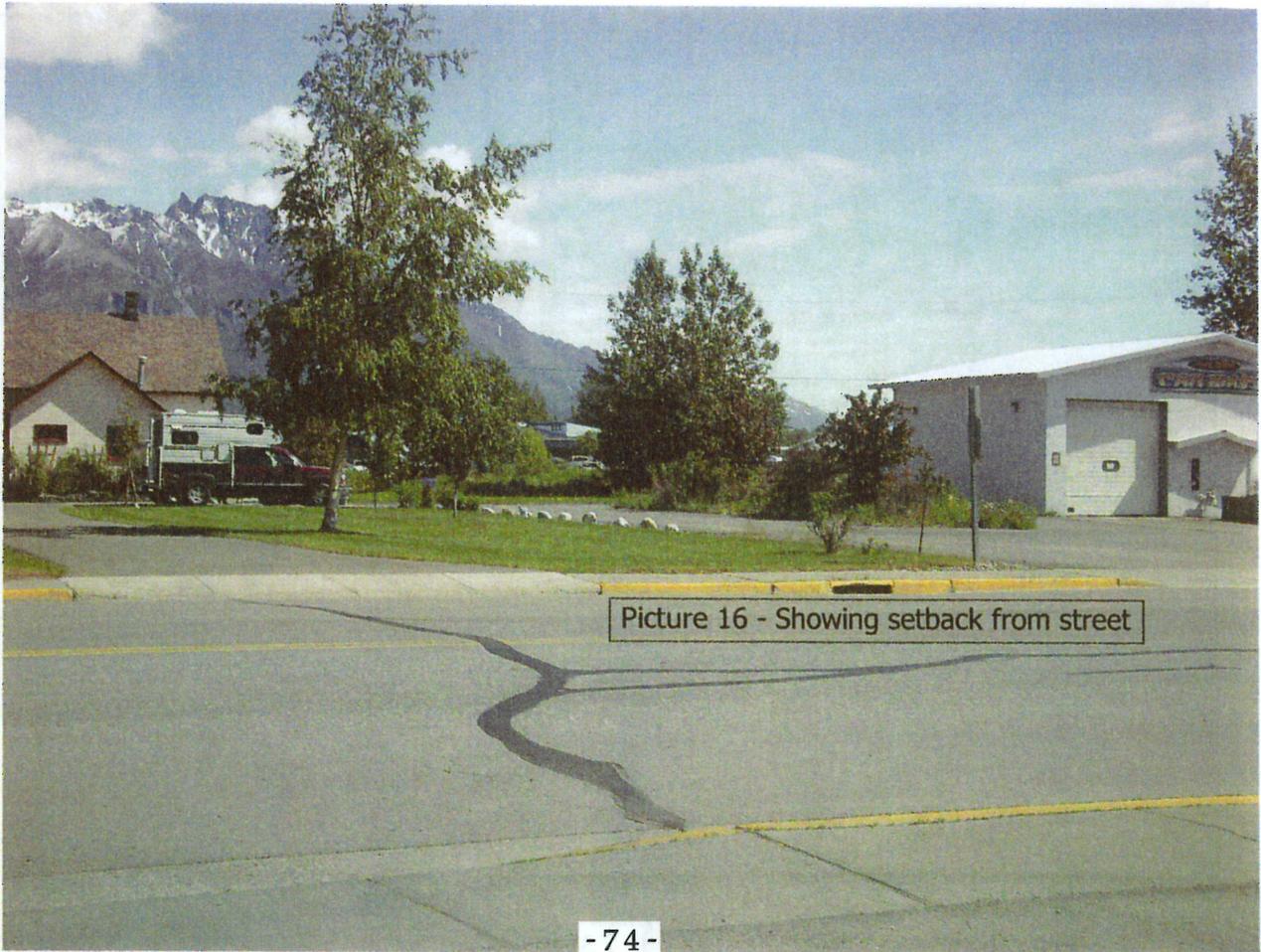
Picture 12 - Showing sidewalks and business fronts in downtown

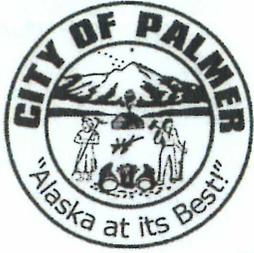


Picture 13 - Showing parking in front and business set back from street



Picture 14





DEPARTMENT OF COMMUNITY DEVELOPMENT

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

MEMORANDUM

TO: Planning and Zoning Commission
FROM: Kimberly McClure, Planning & Code Compliance Tech.
DATE: August 1, 2014
SUBJECT: Mixed Use Structures in Central Business District

On July 30, 2014, Neil Fox stopped by the office to discuss future options for a structure located at 564 S. Denali Street (Alaska Book Store). He would like to purchase this property to use the existing structure for professional offices but in the future would like to turn this into a mixed use structure by attaching a residence to the backside of the existing structure, approximately 800 square feet. His idea is to rent the existing structure for professional offices (possibly satellite offices for the Borough) and build an attached residential structure in the back for his son to live there and maintain the property. He brought by a copy of his proposed idea.

Currently this type of mixed used development (with the residence on the ground level behind the business) is not permitted. Since this property is zoned General Commercial, he is limited to residing either on or above the second floor of the structure or below the ground level of the structure. He mentioned that if he were to live in the basement, he would need to sprinkler the basement or second floor which would require a 4" water line; there is a 3 1/2" water line in place. He would need to replace the water line in addition to the sprinkler system, which would cost too much money. The area on the second floor is not fully useable due to the A-frame of the roof of the structure. He spoke with Fran Sager-boss at the Borough about this structure. He was told that even though this house is not on the National Historic Registry, it is located in the historic district; and it was recommended that no modifications be made to the roofline in order to more fully utilize the second floor for a living area.

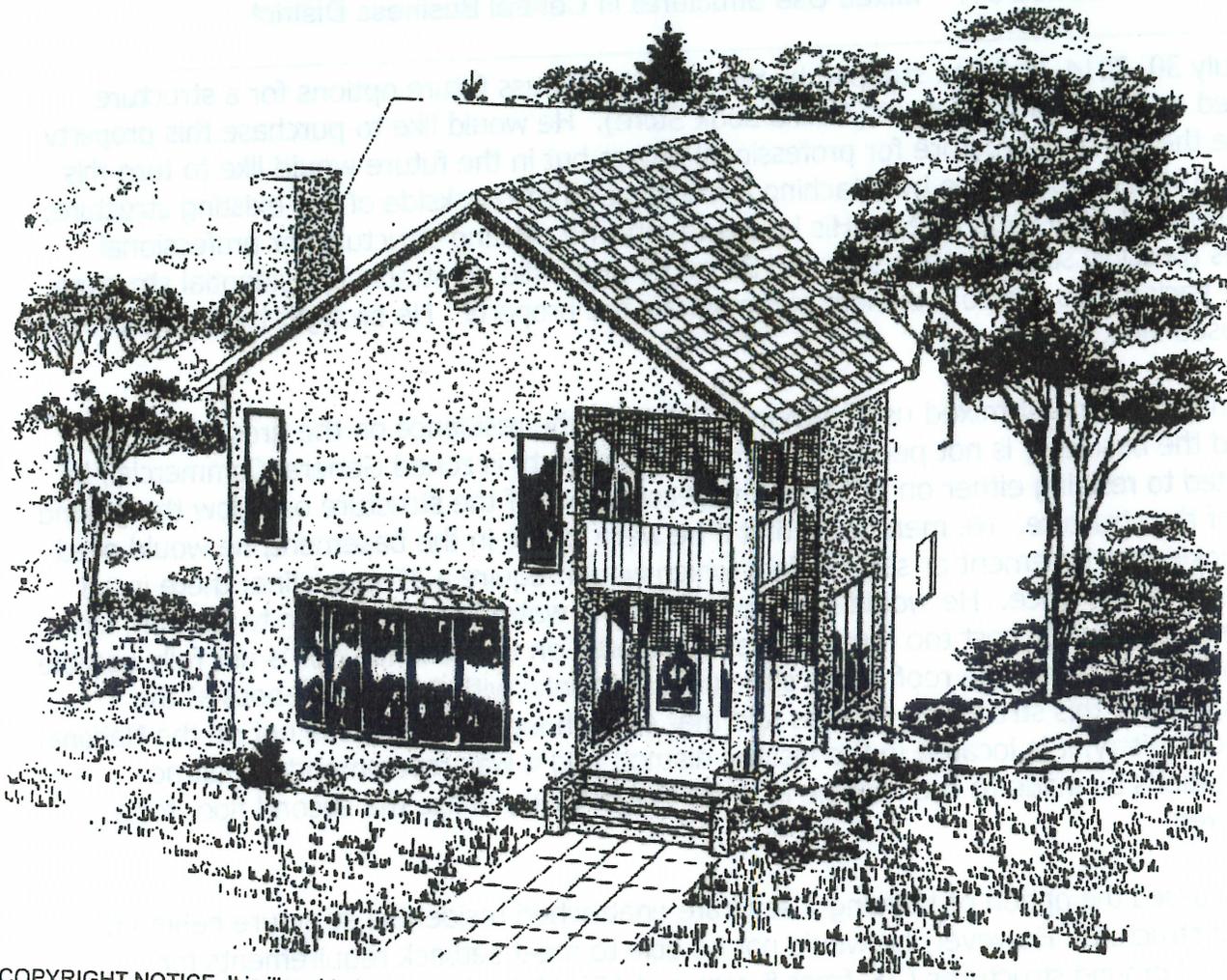
We discussed the option of building a separate unattached residential structure behind the existing structure. However, he would not be able to meet setback requirements for residential ground structures (25' front & rear and 15' side), plus the 20' separation between buildings and still build a reasonable size residence in the back portion of this small lot (approximately 7,840 square feet lot size) behind the existing structure. In addition, sufficient parking area would need to be provided for both commercial space and residential.

I mentioned to Mr. Fox that there are discussions about possibly changing the regulations in the downtown core area to allow for these types of mixed use developments where the residence is located on the ground level behind the business. I cautioned Mr. Fox that these are only discussions; no decisions have been made, and this type of development is not currently permitted and may not be permitted in the future. Mr. Fox asked to pass this information along to the Planning and Zoning Commission to show his interest in this type of mixed use development. He understands that this type of mixed use (with the residence on the ground level behind the business) is not currently permitted and may never be permitted in this district, but he would like to see the regulations changed to allow for it.

New Family Room & Master Suite (KFBR3) (6236)

Contact The Designer: 866-
214-2242

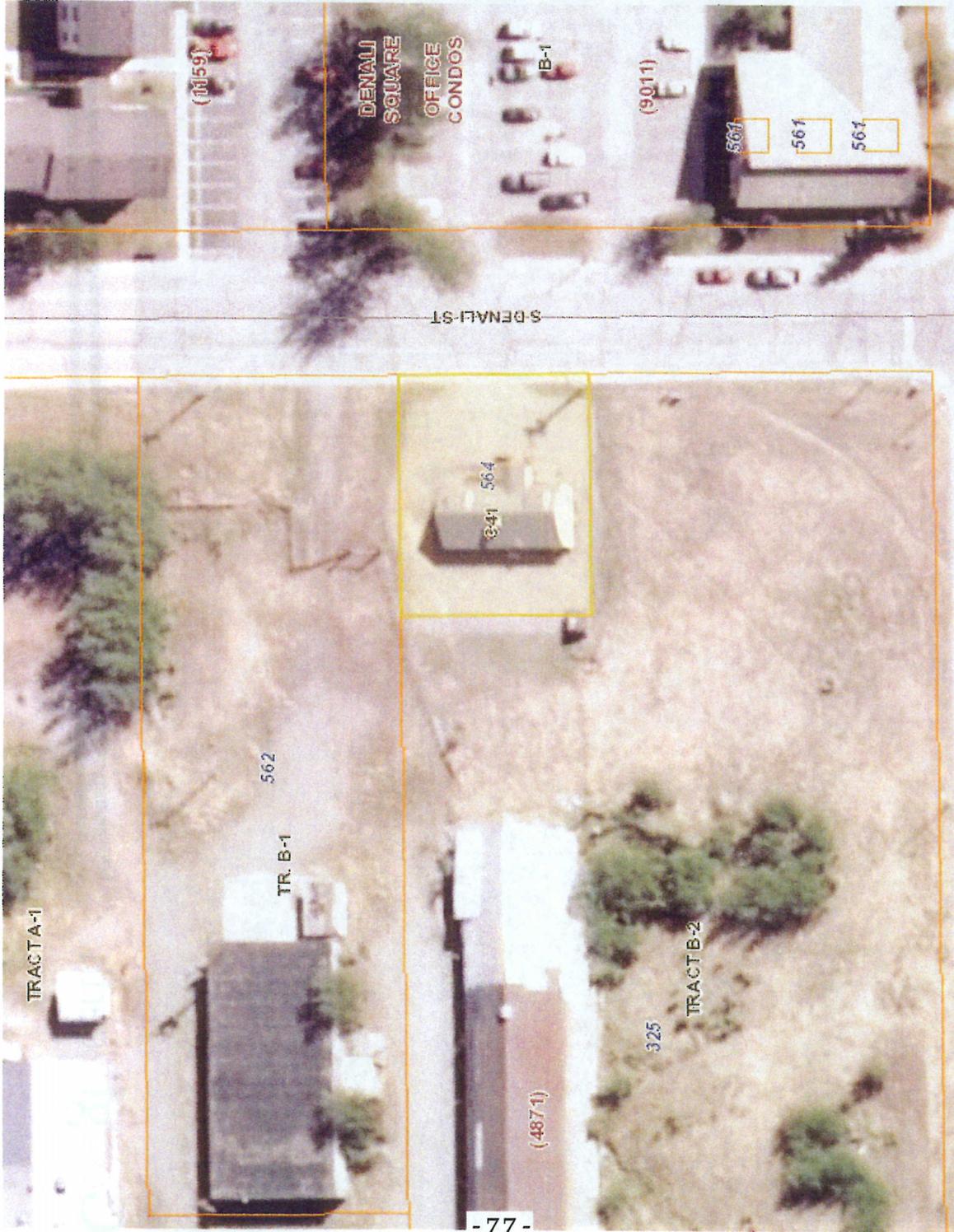
Remodeled Rear Rendering:



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Matanuska-Susitna Borough



Legend

- Public Facilities**
 - Administrative
 - Animal Control
 - City Hall or Courthouse
 - Community Center
 - Landfill or Transfer Station
 - Library
 - Medical
 - Post Office
 - Public Safety
 - School
- Alaska Railroad**
- Streets**
 - Highway
 - Major Street
 - Medium Street
 - Minor Street
 - Primitive Road
 - Private Road
- Mat-Su Borough Boundary**
- Incorporated Cities**
- Parcels**

1:726



Notes

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Reported on 08/01/2014 10:20 AM

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564 S Denali St, Palmer, AK 99645, USA

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C 2014 Google

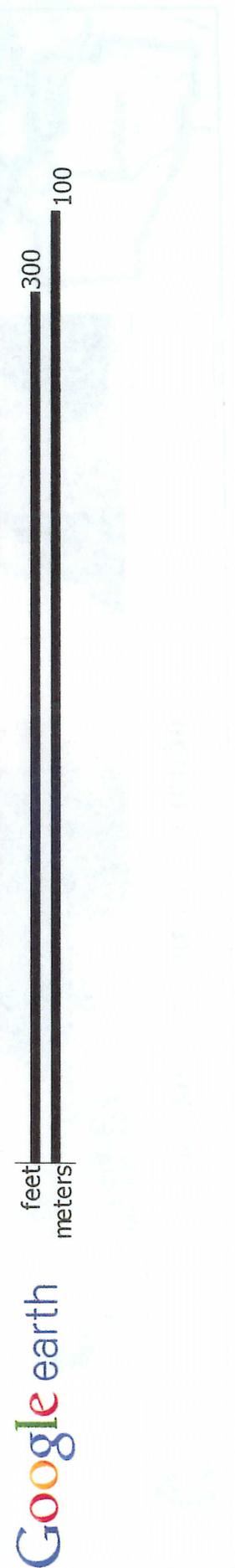
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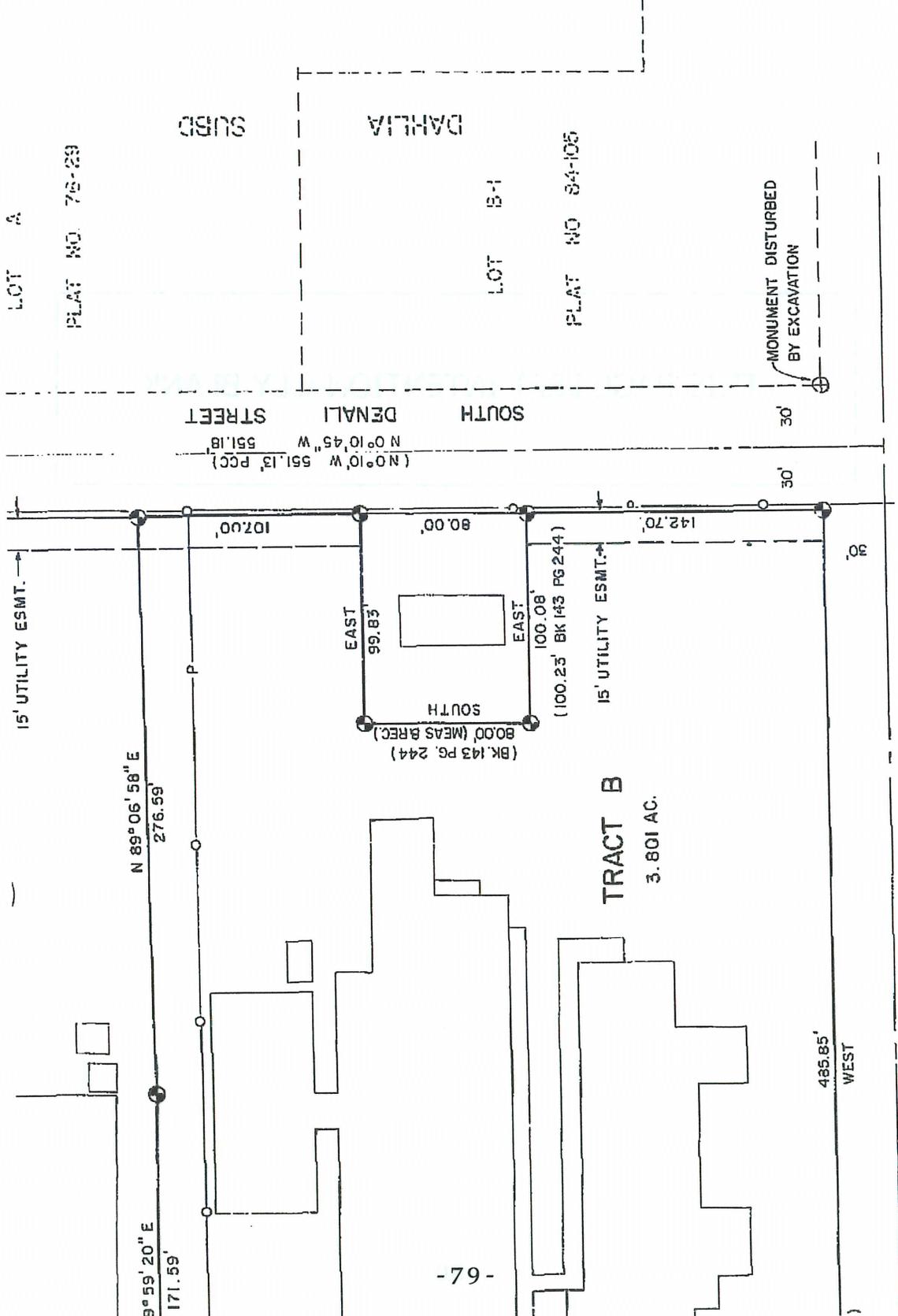


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 AREAS, AND RIGHTS -OF- WAY AS SH

DATE 11/9/92 RAM
 DIRECTOR, DIVI

NOTARY'S ACKNOWLEDGE
 SUBSCRIBED AND SWORN TO BEFC
 1992 FOR RICHARD A.
Richard A. ...
 NOTARY FOR ALASKA
 MY COMMISSION EXPIRES 12-10

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT I AM PROPER
 LAND SURVEYING IN THE STATE OF AL
 A SURVEY MADE BY ME OR UNDER MY
 MONUMENTS SHOWN HEREON ACTUAL
 ALL DIMENSIONS AND OTHER DETAILS
 DATE 11/9/92 4018.S
 REGISTRATION NUM
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 REGISTERED LAND SURVEYOR



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**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 14-022**

- SUBJECT:** Discussion of Proposed Kennel Ordinance
- AGENDA OF:** August 21, 2014
- ACTION:** Review and discuss proposed Ordinance No. 14-0xx regarding the licensing and operation of dog kennels within Palmer city limits
- Attachment(s):** Ordinance No. 14-0xx
Chart of Kennels in Alaska Zoning Codes
PMC 17.36.020 Permitted Uses in Industrial District
PMC 17.54.020 Permitted Uses in Rural Residential District **(by right)**
PMC 17.57.020 Permitted Uses in Agricultural District **(by right)**
PMC 17.58.020 Permitted Uses in Business Park District **(currently permitted by right)**
PMC 17.24.030 Conditional Uses in R-2 **(by CUP)**
PMC 17.26.030 Conditional Uses in R-3 **(by CUP)**
PMC 17.27.030 Conditional Uses in R-4 **(by CUP)**
PMC 17.28.030 Conditional Uses in C-L **(by CUP)**
PMC 17.32.030 Conditional Uses in C-G **(by CUP)**
- Summary:** Due to annexation, there are properties which operate dog kennels that may be considered as "grandfathered" into the City of Palmer. Currently there is no procedure in code for the operation of a dog kennel within Palmer city limits besides obtaining a City of Palmer business license. The proposed ordinance will establish a procedure for the licensing and operation of a dog kennel within city limits and Title 17 needs to ensure a dog kennel is appropriately zoned for such use.
- The operation of a dog kennel would be appropriate in the I-Industrial district and the AGR-Agricultural district due to the noise and disturbance from boarding dogs. The BP-Business Park district does permit "veterinarian clinics and boarding kennels; provided, that such an activity be conducted within a completely enclosed building, except that outdoor exercise yards may be permitted".
- Recommendation:** Review proposed Ordinance No. 14-0xx and move forward to City Council with recommendation for adoption.



Discussion of Proposed Revised Ordinances
April 21, 2014
Action:
All members

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Introduced by:

Date:

Public Hearing:

Action:

Vote:

Yes:

No:

CITY OF PALMER, ALASKA

Ordinance No. 14-0XX

An Ordinance of the Palmer City Council Enacting Palmer Municipal Code Chapter 6.18 Licensed Dog Kennels

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Chapter 6.18 is hereby enacted to read as follows:

Chapter 6.18

LICENSED DOG KENNELS

6.18.010 Licenses required.

In addition to the registration requirements of this chapter and Title 17, a person shall not operate a kennel facility without having a license issued pursuant to this chapter.

6.18.020 Licensing procedure.

- A. A person wishing to obtain a kennel license shall make an application to the city manager or designee. The application shall include:
1. An application fee as required in the current, adopted budget;
2. The name and address of the kennel owner;
3. The name and address of the operator;
4. The kennel name;
5. The number and breeds of dogs to be kept in the facility;
6. The physical location of the kennel;
7. A diagram of the premises on which the applicant proposes to operate under the license. The diagram shall show:
a. The lot lines and the location and dimensions of yards and structures on the premises where the applicant proposes to operate under the license; and

- b. The designated parts of the premises on which dogs will be kept.
- c. A formal survey of the premises is not required.
- 8. Proof of a current rabies vaccination for each dog kept in the facility that is over the age of three months.
- B. A license shall not be issued to any person who has been convicted of neglecting an animal or cruelty to an animal.
- C. An inspection may be conducted in accordance with PMC 6.18.XXX.
- D. A written report shall be prepared containing the findings, including any reason why the proposed facility does not meet the standards set forth in this chapter and Title 17 and any steps which the applicant may take to make the facility qualify for a license. The ~~Department of Community Development~~ City manager or designee shall give the applicant the copy of the report.

6.18.030 License expiration.

A kennel license shall be valid for a period of three years from the issue date.

6.18.040 Changes in ownership or location.

Changes in ownership or location of the kennel shall cause the kennel to be re-registered as provided for in this chapter.

6.18.050 License renewal.

- A. An application to renew a kennel license shall be made before the current license expires, and shall be made in the same manner as an application for a new license.
- B. An applicant for renewal may rely upon materials submitted with a prior application for a kennel license provided the information accurately portrays the current condition of the kennel and the applicant certifies there have been no significant changes since the prior application.

6.18.060 Kennel requirements.

- A. A kennel shall not be maintained or operated in a manner which is unsanitary, an annoyance or in any other way jeopardizes the health and well-being of any animal.
- B. All kennel facilities shall meet the following requirements:
 - 1. Shelter which provides adequate air and ventilation and which shall prevent the dogs from being exposed to inclement or adverse weather conditions, overheating from sunlight, unsanitary conditions or dirty, wet and uncomfortable conditions which may endanger the health or welfare of the dog;
 - 2. Dogs shall be physically restrained or confined within the premises of the kennel;
 - 3. The premises shall be free from bacteria, parasites, waste, filth, or other elements in amounts which would endanger the health or welfare of the dogs; and
 - 4. Sufficient amounts of wholesome and nutritious food and fresh water shall be provided to keep the dogs in healthy physical condition.

6.18.070 Kennel inspections.

- A. The city may inspect a kennel that has applied for a kennel license to ensure compliance with this chapter and Title 17, prior to the issuance of a kennel license. Any inspection shall require the owner be given reasonable notice prior to the inspection time and date.

- B. Upon receiving written complaint that the kennel does not meet any or all of the requirements of this chapter ~~and~~ or Title 17, the city may inspect any kennel, at reasonable times, between eight a.m. and ten p.m.

6.18.080 License revocation.

- A. A kennel license may be immediately revoked for a conviction of the owner for cruelty to animals in violation of PMC 6.08.010 or AS 11.61.140.
- B. If, upon the inspection of a kennel, the kennel does not meet the requirements of this chapter and Title 17, the city may issue a written administrative order to the kennel owner setting forth the conditions the kennel owner shall meet in order to be in conformance with this title.
- C. The kennel owner shall be granted a reasonable length of time of no more than thirty (30) calendar days within which to remedy any deficiencies found.
- D. If, upon a second inspection after the time granted in the written administrative order, the kennel is still in violation of any provision of this chapter ~~and~~ or Title 17, the city may revoke the license.
- E. Each day a kennel owner operates the kennel without a license constitutes a separate violation for operating a kennel without license.
- F. Violation of the written administrative order under this provision shall result in the fine established in the current, adopted budget.
- G. Notwithstanding this section, the city may immediately order the closing of a kennel and the impoundment of all animals if conditions of the kennel pose an imminent risk to the health and safety of the animals or to the public. The owner of the kennel may appeal the closure pursuant to PMC 6.18.090.

6.18.090 Right to appeal.

- A. A kennel license owner aggrieved by the city's determination is entitled to a hearing before a hearing officer, pursuant to the following procedures:
 - 1. A request for a hearing shall be in writing and filed with the clerk within five business days of the date the kennel owner is served with the city's written administrative order.
 - 2. Within five business days of receipt of the written request for a hearing by the clerk, a hearing date shall be set no sooner than 20 calendar days, nor later than 30 calendar days, after receipt of the request.
 - 3. The appropriate city department shall file the record with the clerk regarding the case within five business days after receipt of notice of appeal.
 - 4. Witness lists, written briefs by the kennel owner and appropriate city department, and other information to be considered by the hearing officer shall be filed by the parties no less than five business days before the hearing.
- B. A person who files an appeal under this section may withdraw that appeal by a written request to the clerk.

6.18.100 Conduct of hearing.

- A. The meeting at which the hearing officer deliberates and decides an appeal shall be open to the public and a record of the hearing shall be made.
- B. The hearing shall be subject to the following order and time limitations:
 - 1. City: 10 minutes to present his or her decision;
 - 2. Kennel owner: 15 minutes;
 - 3. Appellee: 15 minutes;
 - 4. Interested persons: three minutes each;

5. Kennel owner, for rebuttal: five minutes.
- C. Upon hearing the evidence, the hearing officer shall deliberate and issue written findings and conclusions based on the evidence on the record within 10 business days of the hearing.

6.18.110 Filing fees.

- A. The filing fee, established in the current, adopted budget, shall accompany an appeal to the hearing officer from a determination and related administrative order.
- B. If an appeal is withdrawn, the filing fee shall be reimbursed to the person who filed the appeal based on the following schedule:
 1. Filing date through 10 business days: 75 percent.
 2. More than 11 business days after filing date: zero percent.

6.18.120 Appeals to superior court.

- A. Appeals by the kennel owner from the written decision of the hearing officer shall be to the superior court in Palmer, Alaska, and governed by the 600 series of the Alaska Rules of Appellate Procedure.
- B. The clerk shall estimate the cost of preparing the transcript of the hearing and compiling the record on appeal. The kennel owner shall deposit the estimated costs for preparation of the transcript and record with the clerk in advance. Upon completion of the record on appeal, the clerk shall refund any excess deposit or charge to the animal owner for costs exceeding the deposit.
- C. The hearing before the superior court is an administrative appeal heard solely on the record established before the hearing officer.

Section 4. Effective Date. Ordinance No. 14-0XX shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this _____ day of _____, 2014.

DeLena Goodwin Johnson, Mayor

Janette M. Bower, MMC, City Clerk

Kennels in Alaska Zoning Codes

Zoning Code	Zoning District	By Right	CUP
Palmer			
	BP Business Park	✓*	
	AG Agricultural	✓	
Wasilla			
	RR Rural Residential		✓
	R2 Residential		✓
	C Commercial		✓
Soldatna			
	RR Rural Residential		✓
	CL Commercial Limited		✓
	CG Commercial General		✓
	I Industrial	✓	
Homer			
	RR Rural Residential		✓
	CG Commercial General		✓
Sitka			
	C1 Commercial Limited		✓
	C2 Commercial General		✓
	I Industrial		✓
Bethel			
	GU General Use	✓*	

* Only if kennels are indoors with outdoor fenced runs.

Kennels in Alaska Zoning Codes

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Chapter 17.36 I INDUSTRIAL DISTRICT

Sections:

- 17.36.010 Intent.
- 17.36.020 Permitted uses.
- 17.36.030 Conditional uses.
- 17.36.040 Building height limit.
- 17.36.050 Lot area.
- 17.36.060 Parking.

17.36.010 Intent.

The I district is intended to apply to areas where land is best used for industrial purposes. Regulations in this district are intended to permit a wide range of industrial land and heavy commercial use and to discourage land uses which might preempt land which is best used for current or future industrial and heavy commercial development. The specific intent in establishing this district is:

- A. To provide for use of the land for heavy commercial or moderate industrial uses;
- B. To prohibit any residential use of the land;
- C. To concentrate the industrial and heavy commercial uses within a given area to protect residential areas from noxious or noisy operations. (Ord. 454 § 4, 1992)

17.36.020 Permitted uses.

Permitted principal uses and structures in the I district are:

1. Airplane repairing or reconditioning;
2. Assaying, cabinet shop, chemical laboratory, sash and door mill or assembly of music, candy, and vending machines;
3. Auction business;
4. Battery manufacture, boat building, iron work (ornamental), machine shop, die-casting or electroplating;
5. Bottling plant, brewery, packing house (vegetable or fruit) or wholesale business;
6. Petroleum products storage, service and distribution station, paint storage or paint manufacture;
7. Dry-cleaning and dyeing plant, laundry, linen supply business and rug and carpet cleaning;
8. Cold storage lockers, meat and seafood processing plants;
9. Egg candling and grading, feed grain and hay scales and grain storage;
10. Automobile painting, upholstering, rebuilding, reconditioning, motor exchange, body and fender work;
11. Utility substations;
12. Refrigeration maintenance and repair, steam cleaning and welding service and supplies;

13. Pipe and pole storage;
14. Radio or TV transmitter and/or studios;
15. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts such as coils and transformers;
16. The manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, drugs, perfumes, perfumed toilet soap, toiletries and food products, vinegar, yeast, fish and meat products, and the rendering or refining of fats and oils;
17. The manufacture of music and scientific instruments, optical goods, cameras, jewelry, small auto accessories, trailers, mobile homes, prefabricated housing modules or units in the manufacture of similar goods;
18. The manufacture of pottery, figurines or other ceramic products;
19. The manufacture and maintenance of electric and neon signs and light sheet metal products, including heating and ventilating ducts and equipment, drain pipes, eaves and the like;
20. Industrial hardware store;
21. Heavy tool and equipment rental;
22. Warehousing of manufactured products;
23. Lumber yard, building material manufacture or sales yards;
24. Septic tank pumping business;
25. Freighting, transportation or trucking yard or terminal, railroad and motor freight terminals;
26. Industrial air and gas products;
27. Culvert fabrication;
28. Other comparable uses. (Ord. 454 § 4, 1992)

17.36.030 Conditional uses.

A. The following uses may be permitted by obtaining a conditional use permit:

1. Concrete and concrete products manufacture;
2. Coal yard;
3. Contractor's equipment yard;
4. House moving business;
5. Sewage treatment plants;
6. Industrial planned unit development;
7. Airport and heliports;