

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

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**SPECIAL MEETING  
THURSDAY, NOVEMBER 1, 2012  
7:00 P.M. - COUNCIL CHAMBERS**

A. CALL TO ORDER:

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

B. ROLL CALL:

Present and constituting a quorum were Chairman Madar, Commissioners Kerslake, Campbell, Kircher, and Prosser. Also present were Sanda Garley, Community Development Director, and Pam Whitehead, Recording Secretary.

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

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

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the April 19, 2012 regular meeting were approved as presented.  
The minutes of the October 4, 2012 special meeting were approved as presented.

F. PERSONS TO BE HEARD: There were no persons to be heard.

G. PUBLIC HEARING(S):

1. Resolution 12-009 A Resolution recommending City Council approve a Zoning Map Amendment for Tax Parcel D12, in Section 5, Township 17 North, Range 2 East from R-1 Single Family Residential to CG Commercial General.

**Commissioner Kerslake** moved, seconded by **Commissioner Kircher**, to recommend the City Council approve the requested rezone of Tax Parcel D12 from R-1 to CG.

Ms. Garley presented a staff report. The request is to rezone subject Tax Parcel D12, consisting of 63.79 acres, from R-1 to CG. All notice requirements pursuant to code have been met. Five comments were received; two in favor, two opposed, and one no answer. The parcel in question was annexed into the City prior to the creation of the T-Transitional Zoning district and was automatically zoned R-1 upon annexation. The property contains a commercial warehousing and storage structure and has access from East Moore Road and the Glenn Highway. The parcel is part of the Alaska DOT Glenn Highway Reconstruction project that will widen the highway and add a frontage road from East Moore Road to the Glenn Highway to accommodate more traffic and to help

to encourage more commercial growth in this area.

Ms. Garley spoke to the findings of fact the Commission must make in considering the proposed change:

Fact 1) The proposed change is in accordance with the borough and city comprehensive plans.

*Staff finds:* The proposed use is in accordance with the 2006 Palmer Comprehensive Plan because it furthers Goal 1 of Chapter 6, Land Use, which states "Guide growth to make Palmer an increasingly attractive place to live, invest, work and visit"; and Goal 4 which 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"; and

This property can provide space for expansion of commercial uses with direct access to the Glenn Highway; the proposed map amendment will facilitate the groundwork for future commercial enterprises on this property.

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

*Staff finds:* The proposed change is compatible with surrounding zoning districts and established land use because the contiguous land to the South is zoned Commercial General and property to the East is Industrial.

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

*Staff finds:* The existing public facilities such as schools, utilities, and streets are adequate to support the proposed change as the owners plan to develop commercial enterprises which will not directly add students to the public school system. This property is currently served by the City's water and sewer system.

The State of Alaska DOT currently is planning for an access road along the base of the bluff on this property from the Glenn Highway to East Moore Road, which will help create an attractive "boulevard-style" road as mentioned in Goal 7, which states: "Maintain and improve the visual quality of the Glenn and Palmer-Wasilla Highway corridors, and other major community roads. This proposed additional access road will be able to accommodate the increased commercial traffic, help to alleviate traffic congestion on the Glenn Highway, and will serve as a physical/visual boundary between the new commercial district and the residential zone to the west of the property in question.

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

*Staff finds:* The proposed plan by the State of Alaska DOT for a frontage road along the base of the bluff on this property supports the increased traffic associated with future commercial enterprises. As mentioned in Goal 7, the proposed frontage road will help to connect rather than divide the community by providing a transition from a high speed highway, which carries through traffic to a lower speed frontage road.

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

*Staff finds:* The proposed change will help to service the community by allowing commercial development for the expansion of businesses. There is no special privilege being granted by the zoning change as it is compatible with the contiguous CG zoning of some of the surrounding properties.

Based on the information provided by the applicant and additional staff research, staff finds that this proposed rezone of Tax Parcel D12 from R-1 to CG is consistent with and substantially in conformance with the Palmer Comprehensive Plan for CG district. If the Commission concurs, then staff recommends that the Commission approve this request for rezone and adopt staff's findings of fact and forward the recommendation for approval to City Council.

Chairman Madar opened the public hearing to public comment:

**Tom Dreyer**, with S4 Group, representing applicants, Jay and Joyce Kertulla, spoke in favor of the requested rezone, noting concurrence with planning staff's recommendations. He addressed some of the neighbors' concerns regarding traffic and access, noting the neighborhood to the west will be well protected from any negative traffic impacts. He responded to brief questions by commission members.

**Ann Peal**, who lives in the subdivision to the west of the proposed rezone, voiced concern about road access through the area, specifically the entrances and exits to the commercial property. She was also concerned about access to the Glenn and street lighting. Brief questions and discussion followed regarding Alaska DOT's plan. Her questions were answered.

The public hearing was closed.

The commission concurred with staff analysis and findings with regard to the requested rezone.

*Amendment:*

**Commissioner Kerlake** moved, seconded by **Commissioner Prosser** to amend the main motion to adopt staff's findings of fact and analysis of the requested rezone and zoning map amendment for Tax Parcel D12, Section 5, Township 17 North, Range 2 East from R-1 Single-family Residential to CG Commercial General, and to recommend approval to City Council.

<b>Madar</b>	<b>Kerlake</b>	<b>Campbell</b>	<b>Kircher</b>	<b>Prosser</b>	<b>Vacant</b>	<b>Vacant</b>
1. The proposed change is in accordance with the borough and city comprehensive plans.						
Y	Y	Y	Y	Y		
2. The proposed change is compatible with the surrounding zoning districts and the established land use pattern.						
Y	Y	Y	Y	Y		

3. Public facilities such as schools, utilities and streets are adequate to support the proposed change.						
Y	Y	Y	Y	Y		
4. Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change.						
Y	Y	Y	Y	Y		
5. The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).						
Y	Y	Y	Y	Y		

**VOTE ON AMENDMENT:** Motion passed unanimously.

**VOTE ON MAIN MOTION, AS AMENDED:** Motion passed unanimously.

<b>Madar</b>	<b>Kerslake</b>	<b>Campbell</b>	<b>Kircher</b>	<b>Prosser</b>	<b>Vacant</b>	<b>Vacant</b>
Y	Y	Y	Y	Y		

H. UNFINISHED BUSINESS:

1. Complete review and comment on City Council Goals for 2012.

Ms. Garley presented a staff report, reminding of the council goals/objectives on which the council has asked for the Commission's input, and asked if there additional comments or action steps to move the matter forward.

Commissioner Prosser commented that he thinks annexation has already been covered, especially with the Highway Commercial district. Signs have also already been discussed.

Commissioner Kircher commented with regard to annexation that it should be emphasized that we would like the City to proceed with the large-scale annexation as per the Commission's previous recommendation.

2. Discussion of standards for new Highway Commercial District.

Ms. Garley provided a staff report, updating as to the most recent changes.

Commissioner Kircher commented on 17.42.064 Setback requirements [packet p. 68], stating it should be clarified that "The width of the alley may be included [to the centerline] in the side or rear setback measurement." Also, another minor correction [packet p. 69]: B. General Site Standards, number 7, Incorporation of artwork with the hardscape is encouraged. Suggested rewording to state: Encourage incorporation of artwork with the hardscape.

Brief discussion and questions of staff ensued. Ms. Garley noted she would make the changes.

**Commissioner Kerslake** moved, seconded by **Commissioner Kircher**, to

recommend moving the matter forward to City Council to include the two additional changes recommended by Commissioner Kircher.

Chairman Madar wanted to make sure it goes forward as 35' maximum height.

**VOTE ON MOTION:** Motion passed unanimously.

I. NEW BUSINESS:

1. Review Capital Improvement Projects (CIP) list.

Ms. Garley presented a staff report, directing attention to p. 73 of the packet, Resolution No. 12-046, requesting the Alaska State Legislature to include the City's adopted capital projects in the 2013 State Capital Budget. This is the Commission's opportunity to comment on the proposed CIP list of priorities. She noted that this is a living document if there were any recommendations for changes.

Questions of staff and brief discussion ensued. There were no comments as to any changes at this time.

2. Discuss text amendment to allow Bed and Breakfast establishments in the R-2 Low Density Residential, R-3 Medium Density Residential, R-4 High Density Residential and CL Commercial Limited Districts.

Ms. Garley presented a staff report, noting the Zoning Code has a specific section for Bed and Breakfast establishments which has a list of criteria for any zoning district in which they are allowed. B&B establishments are not currently listed as a permitted use in the R-2, R-3, R-4 and CL districts even though boarding and rooming houses are listed in these districts. It appears it was an oversight when creating the PMC Chapter 17.88 Bed and Breakfast not to modify the language in the districts where a B&B would be permitted. The requested text amendment would list B&B establishments as a Permitted Use in the R-2, R-3, R-4 and CL districts.

Discussion ensued. The consensus of the comments were generally in favor of the text amendment. Commissioner Kircher suggested that B&B's be included as a conditional use as opposed to a permitted use.

Ms. Garley will prepare the language for the text amendment and bring it before the commission at its next meeting.

3. Annual Review of Conditional Use Permits.

Ms. Garley presented a staff report, directing attention to page 83 of the packet listing all of the currently active conditional use permits. All are in compliant status except for two that are listed as open/pending.

Commissioner Kerslake inquired and brief discussion ensued regarding sunset clauses.

Commissioner Kircher commented regarding a 10-year limit on the Alaska Demolition Inert Landfill CUP and inquired as to percentage of completion or fill. He would like to know how far along they are on finishing it up as the permit expires 3/18/14.

Commissioner Kircher also inquired as to the Mat-Su Borough CUP for a greenhouse and tree nursery, noting it states possible violation. He suggested it may be in full violation because the greenhouse was severely damaged by wind about two years ago; noted they have had plenty of opportunity to take it down and clean up the area but nothing has happened. They were also supposed to put greenery along Gulkana and haven't done so; that it really looks ugly from the standpoint of the people that live across the street; noted lack of momentum; suggested it would be productive for the City to pressure them to move further along with a vegetative buffer that would look much better with trees as has been done on the Auklet side.

Chairman Madar inquired as to status of the Palmer Lifeways Child Care CUP. Ms. Garley informed there have been no complaints.

Commissioner Prosser inquired if there were two co-gen power plants proposed, noting two on the picture but just one on the master list. Ms. Garley confirmed there are two.

J. PLAT REVIEWS:

1. IM 12-027 To create a subdivision from Tax Parcel C001 in Section 9, Township 17 North, Range 2 East located outside Palmer city limits.

Ms. Garley presented a staff report. The request is to create a subdivision from Tax Parcel C001 served by City water, located outside Palmer City limits on the south side of Inner Springer Loop. They are proposing an additional 68 lots (see packet p. 132).

Commissioner Kerslake inquired how the City continues to connect these properties to City water and sewer and they don't have to develop it to the same requirements as a property located within city limits. Further discussion ensued.

Commissioner Kircher suggested we should send forth a recommendation on any plat that comes before us that developers be required to put in trails and/or sidewalks for basic safety and livability. Further discussion on this issue ensued. Ms. Garley explained that all platting authority rests with the Borough. Commissioner Kircher emphasized, however, that we can still comment and we should do so to strongly recommend pedestrian traffic areas in all subdivisions in the form of either sidewalks or trails. Commissioner Prosser discussed other requirements when it comes to annexation such as lighting and ADA requirements. Further discussion ensued regarding city versus borough subdivision requirements. Commissioner Prosser inquired if there was any kind of broad language that the City of Palmer currently has and then say specifically sidewalks, parks, trails, street lighting.

Ms. Garley summarized the comments to recommend that the City of Palmer Planning

Commission strongly recommends that this development and all subsequent developments in the Palmer area be developed with trails and sidewalks for pedestrian access, that park strips be dedicated to the public, and with street lights for basic safety and livability, the same as if the development were located within the city limits.

Chairman Madar commented that the location of this subdivision greatly impacts us all. He pointed out that the ice arena and all the public facilities that the taxpayers paid for because they are residents within the city limits that borough residents just outside the border don't pay for but reap the benefits.

Commissioner Kircher pointed out that these comments may be ignored at this time but may be referenced at some point in the future for planning and development.

2. IM 12-030 To eliminate common lot lines between Lots 6 & 7, Block 15, T A Smith, located inside Palmer city limits.

Ms. Garley presented a staff report. The request is to eliminate the common lot lines between Lots 6 & 7, Block 15, T.A. Smith Subdivision, located inside Palmer city limits. She explained that when the City of Palmer had a water line improvement project along North Alaska St. to replace the water line and repair the street, the street on both N. Alaska and W. Dolphin contiguous to this property were torn up, the water lines replaced, and when the City replaced the paving on W. Dolphin and in order to protect the street and provide drainage, the city built a retaining wall. The two lots are considerably higher than the street and the sidewalk. At the same time a street light was installed. It was later discovered that the only real access was eliminated because of the slopes on the first lot. Rather than pay \$27,000 to remove the street light and retaining wall so they could have a driveway, the resident agreed that the City should help them apply to the borough to remove the common lot line. The City supports the proposed platting action.

The consensus of the Commission was in agreement with the proposed action and had no further comments.

3. IM 12-031 To adjust the common lot line between Lots 1 & 2, Air Liquide Industrial Park, Plat No. 2011-42, located inside Palmer city limits.

Ms. Garley presented a staff report. The request is to eliminate the common lot line between Lots 1 & 2, Air Liquide Industrial Park, Plat No. 2011-42, to be known as Lots 1A and 2A, located inside Palmer city limits. She noted that the parcel is 3-1/2 acres in size and the property owners have received an interest from New Horizons in Palmer, operating partially on the airport, to purchase Lot A2 and were looking for a parcel that was larger than the parcel that was originally being offered. In order to facilitate the sale of the property for the use of New Horizons, it would be necessary to adjust the common lot line.

Commissioner Kircher asked if it is the same area with the conditional use permit for the power plant. Ms. Garley confirmed that the CUP on Lot 2A will be abandoned to another

buyer.

Access for the utility easement will not be affected.

The Commission had no further comment.

K. PUBLIC COMMENTS:

There were no public comments.

L. STAFF REPORT: Ms. Garley reported:

- This special meeting replaces the regular meeting that didn't happen on November 15; that election of officers will take place at the next regular meeting on December 20, 2012;
- At the city council meeting of November 20, the Mayor will move forward an appointment of Van Lucas to the Planning & Zoning Commission to fill one of the vacancies.

M. COMMISSIONER COMMENTS:

Commissioner Prosser had no comments.

Commissioner Kerslake had no comments.

Commissioner Campbell had no comments.

Commissioner Kircher had no comments.

Chairman Madar had no comments.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:40 p.m.

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Mike Madar, Chairman

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Sandra Garley, Community Development Director