

PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA
REGULAR MEETING
THURSDAY, November 17, 2011
7:00 P.M. - COUNCIL CHAMBERS

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chairman Madar at 7:02 p.m.

B. ROLL CALL, DETERMINATION OF QUORUM:

Present and constituting a quorum were Commissioners Campbell, Kerslake, Kircher and Madar. Commissioners Pack and Prosser were absent. Also present were Sandra Garley, Community Development Director, and Ron Anderson, Recording Secretary.

C. PLEDGE OF ALLEGIANCE:

The Pledge was led by Commissioner Kerslake.

D. APPROVAL OF AGENDA:

1. To accommodate pending City Council action, Mrs. Garley suggested that Item H-5, Consideration of Resolution 11-004 to Revise and Update the 2007 Palmer Zoning Map, be removed from the agenda. It was suggested that this item could then be heard at the next regularly scheduled Planning and Zoning Commission meeting after the pending action is approved by City Council. The Commission agreed.

The agenda was approved as amended.

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the Regular Meeting of September 15, 2011 were approved as corrected.

F. PERSONS TO BE HEARD:

There were no persons to be heard scheduled for this meeting.

G. PUBLIC HEARING:

1. Consideration of a Zoning Map Amendment application to re-zone 246.16 acres of land from a P-Public District to an F-Fairgrounds District; located within Township 17N, Range 02E., Section 08, Seward Meridian, Palmer Alaska; Lots 1 and 2 and Tract A. Submitted by Alaska State Fair, Inc.

Commissioner Madar read the Zoning Map Amendment application into the record.

Commissioner Madar asked if there was a motion to approve.

Commissioner Kircher moved, seconded by **Commissioner Kerlake** to approve the Zoning Map Amendment application to re-zone 246.16 acres of land from a P-Public District to an F-Fairgrounds District; located within Township 17N, Range 02E., Section 08, Seward Meridian, Palmer Alaska; Lots 1 and 2 and Tract A. Submitted by Alaska State Fair, Inc.

Commissioner Madar requested a Staff Report.

Mrs. Garley presented the following staff report. Mr. Chairman and members of the Commission, On October 5, 2011, 166 public hearing notices were mailed to property owners within 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Anchorage Daily News on October 12, 2011. No comments were received in response.

The three lots are 246.16 acres in total size and are currently designated as a P-Public District. The property can be accessed from the South Glenn Highway, East Inner Springer Loop and South Inner Springer Loop.

The surrounding properties are Industrial to the north and south, with a small area of commercial general properties to the northwest of its boundary.

This property is located along the South Glenn Highway road within the city limits of Palmer. This location has been used as a fairground for over 40 years. It is adjacent to an existing major road systems, has more than adequate parking and the land is well suited for this type of operation.

There are several findings of fact that the Commission must consider before approving the re-zoning request. For the audience, unlike a Conditional Use Permit, the Commission acts in an advisory capacity. Any action recommended by the Commission will the move forward to the City Council for final action.

The first finding that the Commission would have to make is that the proposed change in accordance with the borough and city comprehensive plan.

Staff recommends a finding that the proposed use will preserve the value, spirit, character and integrity of the surrounding area and support both the borough and the city comprehensive plan. One of the main goals of the city comprehensive plan is to work with community partners to provide other important community services. Under this broad heading is the more specific goal to provide and sustain public services and facilities to

serve visitors.

If this land is re-zoned as a fairground, it will help to maintain this spirit of a small mid-western farming community with a truly unique Alaskan flavor. This will result in much needed services and destination for both residents and visitors. The Fair promotes and enhances what is unique about Palmer. This re-zone specifically addresses this key goal and helps the city to accomplish this goal.

The second fact to consider is how the proposed change is compatible with surrounding zoning districts and the established land use pattern.

Staff recommends a finding that the change is consistent with the goals for land use in Palmer. The surrounding properties are predominately I-Industrial parcels. There are no residential districts that border this property directly. The Alaska State Fair has operated at this location for many years and has blended well with the surrounding land use districts. This location is serviced by both a major road system and the Alaska Railroad. The F-Fairground District is specifically able to support this type of land use.

The third fact you must find is that public facilities such as schools, utilities and streets are adequate to support the proposed change.

Staff recommends a finding that there will be no impact on the surrounding schools or an increase in attendance within the local school district. These surrounding properties cannot be used for residential developments.

This action is thought to have little to no impact on public utilities. The Alaska State Fair has operated at this location for a significant number of years, with no adverse impact on infrastructure.

The fourth fact you must find is that the changed conditions affecting the subject parcel or the surrounding neighborhood will support the proposed change.

Staff recommends a finding that the current use of these properties fully support this change. The properties are currently zoned as a P-Public District. The current zoning for the P-Public District does not directly allow for the operation of a fair. The Alaska State Fair has had to apply for a Conditional Use Permit to allow for continued operation of the State Fair. Additionally, this land is not publicly owned and therefore does not meet the intent of the P-Public District. The change in zoning would better reflect the actual use of the land, eliminate burdensome permit requirements to the Alaska State Fair and use of this land would support the current land use pattern for the area.

The final fact you must find, is the proposed change is consistent with public welfare and will it grant a special privilege to the owners.

Staff recommends a finding that the proposed change is consistent with the public welfare. The proposed land use will be enhancing the public welfare by providing a rich cultural location. The public utilities and the school systems will not be adversely impacted by this action. The city and the public will benefit from having an established State Fair within the city limits. The State Fair and its related activities will provide a more rural feel to the town in keeping with its history. The re-zone will grant no foreseeable privilege to the owners.

Based on this review of the request, staff respectfully recommends approval of the Zoning Map Amendment to re-zone these properties from a P-Public District to an F-Fairgrounds property.

Commissioner Madar asked there was anybody present for a presentation of the project for the Commission. Mrs. Dawn Webster offered to answer any questions that the Commission might have but did not have a presentation for the Commission.

Commissioner Madar then opened the meeting for discussion or any proposed amendments to the Zoning Map Amendment application.

Commissioner Kircher felt that this action was necessary. The Alaska State Fair had been operating in a Public Zoning District and granting this request would correct this problem.

Commissioner Kerslake stated that he was curious if a 5 acre section of the Fairground properties would be included in this current application. During a previous Planning and Zoning Commission, this section had been re-zoned as I-Industrial.

Mrs. Webster indicated that these 5 acres would be included, and re-zoned to F-Fairground.

Mrs. Garley explained for the meeting that the F-Fairground District allows for power plants. This current rezoning action would not prevent the power plant from being built.

Commissioner Campbell agreed with the proposal but had no additional comments.

Commissioner Madar also agreed with the proposal but had no additional comments.

Commissioner Kircher made a motion, seconded by Commissioner Kerslake to adopt staff's findings of facts.

The roll-call vote to approve the findings of fact was as follows:

Campbell	Kerslake	Kircher	Madar	Pack	Prosser	Vacant
1. The conditional use will preserve the value, spirit, character and integrity of the surrounding area.						
Y	Y	Y	Y	--	--	--
2. The conditional use fulfills all other requirements of this title pertaining to the conditional use in question.						
Y	Y	Y	Y	--	--	--
3. That the conditional use will not be harmful to public health, safety, convenience and comfort.						
Y	Y	Y	Y	--	--	--
4. That sufficient setbacks, lot area, buffers, or other safeguards are being provided to meet the conditions.						
Y	Y	Y	Y	--	--	--
5. The proposed use or structure is located in a manner which will maximize public benefits.						
Y	Y	Y	Y	--	--	--

VOTE ON MOTION: the motion passed unanimously.

ROLL CALL VOTE ON MOTION [recommending approval of original motion]:

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

VOTE ON MOTION: the motion passed unanimously.

H. UNFINISHED BUSINESS:

1. Consideration of Resolution 11-003, recommending the construction of a Bandstand as requested by the Palmer Arts Council.

Commissioner Madar requested a staff report.

Mrs. Garley reported that this issue was first presented to the Commission during the September 15, 2011 Planning and Zoning meeting. A representative from the Palmer Arts Council explained the project. After due consideration, the Commission requested staff to draft a Resolution in support of this plan, that would be forwarded to City Council as a recommendation.

A copy of that resolution is included in the November Packet. The Commission has it in its power to approve the resolution, modify the resolution in any way it sees fit or deny the resolution altogether. However, since that meeting, staff has received 4 additional letters from 3, separate individuals. All 4 letters spoke eloquently against the proposal.

Commissioner Madar asked if all the members had the opportunity to read the letters. Most had not had the opportunity to read the letters. Commissioner Madar offered a five minute break, to allow the members to read the letters.

Commissioner Madar began the break at 7:18 p.m.

Commissioner Madar reconvened the meeting at 7:23 p.m.

Commissioner Madar requested a motion to approve the Resolution in favor of construction a Band Stand.

Commissioner Kerlake made a motion, seconded by **Commissioner Campbell**, to approve Resolution 11-003 recommending to the Palmer City Council, that the Palmer Arts Council be allowed to construct a Band Stand on the Green.

Commissioner Madar opened the meeting for discussion of this resolution.

Commissioner Kerlake felt that a Band Stand could be a significant addition to the activities available in Palmer. The historic significance of the 'Greens' must be considered as well. Perhaps this is a good idea but located in the wrong place.

Commissioner Campbell agreed with Commissioner Kerlake and wished to withdraw his support to approve this resolution.

Commissioner Kircher still liked the idea of more arts in Palmer. He felt perhaps the Palmer Arts Council might consider investing the funds in an indoor venue for performing arts. Commissioner Kircher also said that he had been trying for a number of years to have a band stand build in the Matanuska River Park. This location would also serve a good number of people and serve the community.

Commissioner Madar also liked the idea of a band stand but also felt the 'Greens' should also be protected. Commissioner Madar suggested that the Planning Commission draft a statement for City Council for their consideration.

ROLL CALL VOTE ON MOTION [recommending approval of original motion]:

Campbell	Kerlake	Kircher	Madar	Pack	Prosser	Vacant
N	N	N	N	--	--	--

VOTE ON MOTION: the motion failed unanimously.

2. Discussion of the Final Draft of a proposed Rural Residential District ordinance.

Commissioner Madar stated that the next order of business was to consider the Final Draft of the Rural Residential District ordinance.

Commissioner Madar requested a staff report.

Mrs. Garley reminded the Commission of what progress had been accomplished to the draft ordinance. The lot size of 1 acre had been included and language addressing signage for a Conditional Use Permit had been revised. The present form of the ordinance incorporates all suggested changes by the Commissioners.

Commissioner Madar requested a motion to forward the draft ordinance to City Council for approval.

Commissioner Kircher made a motion, seconded by **Commissioner Kerslake**, to approve the Draft Rural Residential District ordinance and forward it to the City Council for their consideration.

Commissioner Madar opened the meeting for discussion of this motion.

Commissioner Kircher commented that a tremendous amount of work had gone into the drafting of this ordinance. It was time that it went to City Council.

Commissioner Kerslake felt that the ordinance was well thought out and ready for consideration.

Commissioner Campbell agreed with Commissioner Kerslake.

Commissioner Madar also liked the idea and felt that this might ease annexation problems and was ready to go to City Council for their consideration.

ROLL CALL VOTE ON MOTION [recommending approval of original motion]:

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

VOTE ON MOTION: the motion passed unanimously.

3. Discussion of a proposed revision to the Palmer Municipal Code, Title 14, Signs.

Commissioner Madar requested a staff report.

Mrs. Garley informed the Commission that the Mayor, through the City Council, had asked the Commission to review the section of Palmer City Code that dealt with signs; more specifically temporary signs and banners.

Currently, banners do not require a permit and therefore can appear with the knowledge of staff. This leads to potential problems or abuses.

Political signs do have an application which controls;

- Who can put up a sign
- Where the sign can be located
- When it may be installed
- And when it must be removed from properties.

It is felt that having a similar procedure in place for banners might alleviate some of the difficulties experienced in the past.

Tonight's Packet also includes pictures of other signage in Palmer. This information may be helpful if annexation moves forward.

Commissioner Madar led a general discussion on signs and related problems. It was hoped that, over the course of several meetings, the Commission would be able to draft and forward to Council for consideration, a revision to the existing Ordinance.

The Commission requested staff research how other like-sized communities approach this problem and present recommendations for the Commission to consider.

An application from Lacy, Washington seemed to be a step in the right direction for regulating banners.

I. NEW BUSINESS:

1. Consideration of a request for an extension of a Permit to allow Colony Cup, a temporary facility, to continue operation at 1800 S. Glenn Highway; submitted by Psalms 37:4, d/b/a Colony Cup.

Commissioner Madar read a request for an extension of a Permit to allow Colony Cup, a temporary facility, to continue operation at 1800 S. Glenn Highway; submitted by Psalms 37:4, d/b/a Colony Cup into the record.

Commissioner Madar requested a Staff Report.

Mrs. Garley explained that although City Council has the authority to grant this request, Council would like input from the Planning and Zoning Commission. Temporary structures such as sheds in one's back yard do not require this type of consideration. If a temporary structure is to operate as a business and for an extended period of time, then City Council must approve this request.

The initial request for this temporary structure was granted in May of 2001, with the first 5-year

allowance being granted in January of 2002. In January of 2007 the second continuance was granted, and that is set to expire in January of 2012.

There have been no complaints received by this office and traffic is not a problem, as well.

Commissioner Kerslake made a motion, seconded by **Commissioner Campbell**, to forward a recommendation to the Palmer City Council to allow the Colony Cup, a temporary facility, to continue to operate for another 5 years in its current location; 1800 S. Glenn Highway.

Commissioner Kerslake felt the Colony Cup was a seeming thriving business that employed people and contributed to the Tax Base. He felt that the extension should be granted.

Commissioner Campbell was also in favor of granting this extension and had firsthand knowledge of the quality of serve and product offered at that location.

Commission Kircher also was in favor of granting this extension.

Commissioner Madar also liked the idea and called for a vote on the recommendation.

ROLL CALL VOTE ON MOTION [recommending a recommendation to City Council]:

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

VOTE ON MOTION: the motion passed unanimously.

2. Annual Review of Beverage License report:

Mr. Anderson presented his written report to the Commission. He stated that there were 19 establishments within the City of Palmer that maintained current Beverage Dispensary Licenses. Each licensed operation was checked to ensure;

- The state License was current
- The property was zoned for the type of establishment being operated
- When the license was due to expire

The State of Alaska has placed Palmer on the distribution list and has provided up dates to the list of licenses within the Palmer city limits.

3. Annual Review of Accessory Dwelling Unit report:

Mr. Anderson presented his written report to the Commission. He stated that there had not been an application to construct an accessory dwelling unit during the past year. Palmer Municipal Code did require a yearly review be prepared and presented to the Commission. The Commission was able to review the report form and comment on its possible content.

4. Annual Review of Conditional Use Permits report:

Mr. Anderson presented his written report to the Commission. He stated that there were 33 active Conditional Use permits within the City of Palmer. Each Conditional Use Permit was checked to ensure;

- That all Conditions on the Permit were still being maintained.
- The property was zoned for the type of establishment being operated.
- When the Conditional Use Permit was due to expire.

Each permit site had been visited and documented with its individual report. Only one CUP needed to be revisited and as information became available, an additional report would be presented to the Commission for any action as warranted.

5. Annual Election of Officers:

The Palmer Municipal Code requires that the Planning and Zoning Commission elect a Chair and Vice Chair each November. To fulfill this requirement the election for officers was conducted.

Commissioner Madar called for nominations for Commission Chair and Commission Vice Chair.

Commissioner Madar was nominated and elected Chair.

Commissioners Kerslake and Kircher were nominated for Vice Chair. After the candidates were allowed a brief statement, Commissioner Kerslake was elected to act as Vice Chair.

6. Board of Economic Development Report:

Commissioner Madar gave the Report. He was delighted to report that all revisions and changes to the Economic Development Report had been adopted by the Board. This final package was returned to the City Council to be voted on for final approval.

Roving vendors were the next subject of consideration. There still remains some question as to whether to allow roving vendors to operate within the City of Palmer. When this issue was first considered, the Palmer City Clerk was responsible for overseeing this program. It was recommended that this duty be returned to the financial section for oversight. This has yet to be finalized.

J. PLAT REVIEWS:

There was no plat reviews scheduled for this meeting.

K. PUBLIC COMMENTS:

There were no public comments scheduled for this meeting.

L. STAFF REPORT:

There was no staff report for this meeting. Commissioner Kerslake asked about an item that had been included in the November Packet. This item was Commissioner Prosser's comments on various subjects scheduled for consideration. Commissioner Kerslake wondered if this type of information should be included in discussions.

Mrs. Garley indicated that this information could not be included in the record for the meeting. It did indicate that Commission Prosser was interested in contributing to meetings. Commissioner Prosser also had questions about telephone tie-ins for meetings. Several Commissioners indicated that they had tried this in the past and it was cumbersome and poorly suited for a Commission meeting. The consensus seemed to be no telephone tie-ins.

M. COMMISSIONER COMMENTS:

Commissioner Campbell had no closing thoughts for the meeting.

Commissioner Kerslake mentioned that perhaps he had misplaced one of his very special and unique coins.

Commissioner Kircher stated that he was at the GIS fair that was held on Wednesday of this week. He thought they did an excellent job! Additionally, he was introduced to Light Detection and Ranging (LIDAR). This imaging software is able to very accurately map over rough terrain; obscured or hidden older trails and depressions are easy to locate and measure.

Commissioner Kircher also said that during his conversation with a presenter, he was told that the Commissioners would be able to have access to the LIDAR library. He was hoping to be able to use this material to improve the way the commission does business.

Mrs. Garley also mentioned that this tool would be helpful when the next properties are annexed. This would help identify the best zoning district for each property.

Commissioner Madar also felt the LIDAR information would be a help for annexation and trails within the Borough. Commissioner Madar was curious as to how surveys were distributed to collect information for dams, etc.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:48 p.m.

Michael W. Madar, Chairman

Ron Anderson, Recording Secretary