



City of Palmer

Planning and Zoning Commission Packet

November 19, 2015



Happy Thanksgiving





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 October 15, 2015
- F. Persons to be Heard
- G. Public Hearings
- H. Unfinished Business
- Page 15 I. New Business
 - Page 17 1. Annual Election of Chairman and Vice Chairman
 - 2. Resolution No. 15-010: A Resolution of the Palmer Planning and Zoning Commission Supporting Designation of Area along the Railroad Right-Of-Way North of the Depot as a New Grow Palmer Garden Area
- Page 21 J. Plat Reviews
 - Page 33 1. IM 15-026: Preliminary Plat Review: To change the conditions of approval for Mountain Ranch Estates 5, a proposed subdivision of Tract 1-A, Caulkins subdivision into 13 lots, located outside Palmer city limits.
 - Page 41 2. IM 15-027: Preliminary Plat Review: To subdivide Tax Parcel B2 in Section 29, Township 18 North, Range 2 East, Seward Meridian into two lots to be known as Windy Hollow Subdivision, located outside Palmer city limits.
 - 3. IM 15-028: Preliminary Plat Review: To create one lot from Lot 8 and Lot 9, Block 2, ARRC No. 1, Plat No. 3-124, to be known as Lot 1, Brooks Subdivision, located inside Palmer city limits
- K. Public Comments
- L. Staff Report
- M. Commissioner Comments

N. Adjournment



Minutes

PLANNING & ZONING COMMISSION
CITY OF PALMER, ALASKA
REGULAR MEETING
THURSDAY, OCTOBER 15, 2015
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 Kerslake on October 15, 2015 at 7:00 p.m.

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

William Kerslake, Sr., Chairman

Michael Kircher, Vice Chairman

Dan Lucas

David Petty

Merry Maxwell

Excused absence(s):

Douglas Cruthers

Also present were:

Sandra S. Garley, Community Development

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 presented.

E. MINUTES OF PREVIOUS MEETING:

The minutes of the September 17, 2015 Regular Meeting were approved as presented.

F. PERSONS TO BE HEARD:

There were no members of the audience wishing to speak on a topic not on the agenda.

G. PUBLIC HEARING(S):

1. **Resolution No. 15-009:** A Resolution of the Palmer Planning and Zoning Commission Denying a Variance Request for Exception to PMC 17.20.020(F) to Permit Applicants to Live in an RV on Their Property Zoned R-1, Single-family Residential on Lot 1, Fairside Estates, located at 12301 E. Helen Drive, Palmer.

Staff Report: Ms. Garley reported background and site information, including surrounding land use, noting the request is for a variance to permit the applicants to live in their RV on subject property which they own. The code specifically states at PMC 17.20.020(F) that motor homes cannot be used or occupied as living quarters in an R-1 district. All notice and publishing requirements pursuant to code have been met. A

total of four comments have been received, one in favor of granting the variance and three in opposition. A full written report is contained in the packet [pages 13-39], including the Applicant's responses.

In order to grant a variance, the Commission must find that each of the following code requirements has been met. Ms. Garley reported the following staff findings in response to the variance application for the commission's review and consideration:

PMC 17.76.020:

- A.** That there are unusual circumstances applying to the property that do not apply generally to other properties in the same vicinity and that the problem of the applicant is not the result of his own action.

Staff Findings:

There are no unusual circumstances applying to this property that do not apply generally to other properties in the same vicinity.

- 1) The parcel was part of a large annexation by the City in 2003 and upon annexation, this property and surrounding properties were zoned R-1, Single-family residential.
- 2) The owner(s) enjoys the same right to a single family dwelling unit as other properties in the R-1 district which contain existing single family dwelling units.
- 3) The lot exceeds the minimum lot width and lot area required for the R-1 district which provides adequate space for a single family dwelling in compliance with the Palmer Municipal Code.

- B.** That strict interpretation of this title would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the terms of this title.

Staff Findings:

- 1) Living in an RV is prohibited in the R-1 district; therefore the variance would grant a land use that is not commonly enjoyed by other properties in the same district.
- 2) At the time of annexation, staff noted the property contained a mobile home.
- 3) According to information from the Matanuska Borough Assessment Records Department, the mobile home was removed from the Borough's assessment records in January of this year.
- 4) The applicants purchased the property on May 29, 2015.
- 5) Photos from a site visit on August 18, 2015 show a motor home and greenhouse on the property.

- C.** That the authorization of the variance will not be injurious to nearby property nor harmful to the public welfare.

Staff Findings:

- 1) Authorization of the land use variance would be harmful to the public welfare by permitting a land use in a district in which that land use is prohibited in violation of PMC 17.76.020(F).

- D.** That the granting of the variance will be in harmony with the objectives of this title and the comprehensive plans.

Staff Findings:

- 1) The intent of the R-1 district is to establish a district in which the principal use of land is for single-family dwellings and to encourage construction of and use of the land for single-family dwellings.
- 2) The City of Palmer has guided land use through use of a zoning code since the City was incorporated in 1951. In regards to planning and zoning land use policies, Goal 10 of Chapter 6 of the Comprehensive Plan states: "Palmer residents have some certainty that structures within the city limits were built to code. Their neighborhoods are also protected from the intrusion of incompatible uses because Palmer has enforced local zoning for many years. These conditions have not always been considered to be assets in the Mat-Su Borough. However, increasing densities and land use conflicts in the "Core" area are changing attitudes toward land use regulation. Increasingly, Borough residents are recognizing that reasonable planning and zoning policies help ensure the quality of neighborhoods, and maintain and increase property values."
- 3) There are several nonconforming properties, including the hangar and airstrip that were all there when the properties were annexed into the City. The City's recognition of these nonconforming properties upon annexation would not be the same as the action of granting a variance which is prohibited under PMC 17.76.020(F).

- E.** That the application is due to unusual lot shape, topographic condition, or governmental action or regulations which render the property unusable.

Staff Findings:

- 1) Lot 1, Fairside Estates, is a standard rectangular shaped subdivision lot; there is no topographic condition or governmental regulations which render the property unusable for single family residential construction.
- 2) The lot is 164.34 feet wide by 243.40 feet deep with 25 foot setbacks on the front yard and rear yard, and 10 foot side yard setbacks resulting in a buildable area 193.40 feet by 144.34 feet totaling 27,915.36 square feet. There is sufficient room on this lot for placement of a single family residential structure in compliance with all setback requirements.
- 3) Governmental action does not render the property unusable as the property has been sold and purchased several times since the creation of the lot in 1984.

- F.** That the granting of the variance will not permit a land use in a district in which that use is prohibited.

Staff Findings:

- 1) The granting of this variance would permit a land use in a district in which that use is prohibited. Any use not permitted in a district is a prohibited use. Occupying a motor home as living quarters is a prohibited use in the R-1 district.

Based on these findings, staff recommended that the variance not be granted and if the Commission concurs, following public hearing testimony and review, additionally recommended adoption of the stated findings of fact.

Applicant Bob McCarthy spoke in favor of granting the requested variance, noting he has lived in Alaska for 50 years. He emphasized the "temporary" nature of living in their motorhome on property they purchased to live closer to his mother. They are snowbirds and will be leaving in a month and come back in the spring when the work picks up again. He is a journeyman lineman; they move and live in their motorhome by where the work is. They want to do the right thing, but he doesn't think they are hurting anything. In fact, they have worked to improve the property a lot by just clearing away junk. The property is not a dump, has a fence around it, and not in the core of the city. They have done everything they thought was correct and were shocked when told they were in violation by using their RV as living quarters. He wanted to know what he needs to do.

Mr. McCarthy responded to commissioner questions. At this time, he has no plans to build a permanent structure on the property; perhaps next year but he could not be definite. Until that time, they are in and out of their motorhome. He goes where the work is.

Public Hearing [Resolution 15-009]:

Chairman Kerslake opened the public hearing at 7:18 p.m.

Gale Barnett, adjacent property owner for 13 years, Lot 3 to the north of subject property, testified in full support of the McCarthys' request. The improvements they have made on Lot 1 is amazingly wonderful compared to what it was before because it was a derelict mobile home that was falling in on itself. When they moved it out, the neighborhood cheered. The McCarthys hauled away a tremendous amount of debris and continue to keep it well maintained. They have a driveway with lots of surrounding trees and well-maintained vegetation. They have water, power, a septic system; it's not like they are camping on the side of the road.

Darrin Hamming, neighbor across the street, spoke in opposition to the requested variance, noting he agrees with staff findings that none of the requirements of the code have been met. He reminded the Commission that a variance runs with the land, not with the people. It doesn't matter what the intent is or improvements that have been made. He quoted 17.76.030, cases where a variance is illegal. "In accordance with state law, no variance shall be granted because of conditions caused by actions of the applicant or for reasons of financial hardship or inconvenience, nor shall a variance be granted which will permit a land use in a district in which that use is prohibited." Mr. Hamming opined that it would be in violation of state law if the variance were to be granted.

There being no others coming forward to testify, Chairman Kerslake closed the public

hearing at 7:24 p.m. and brought the matter back before the Commission.

Commissioner Kircher moved, seconded by **Commissioner Petty**, recommending adoption of **Resolution 15-009**, denying the requested variance and accepting the Findings of Fact as presented by staff.

The matter was opened for discussion. Commissioner Kircher expressed sympathy for the applicants dilemma, but further explained the city's code is explicit that the variance being requested is prohibited. A variance is actually permission to violate the code and can only be used when there is no other possible reasonable use of the land. This is not the case here. Commissioner Petty spoke in agreement.

ROLL VOTE ON MOTION: PASSED UNANIMOUSLY.

[Kircher – Yes; Petty – Yes; Lucas – Yes; Maxwell – Yes; Kerlake – Yes]

Director Garley explained the appeal process to the applicant and audience.

H. UNFINISHED BUSINESS:

There was no Unfinished Business.

I. NEW BUSINESS:

1. Presentation by Jessica Smith, Transportation Planner, Matanuska-Susitna Borough.

Jessica Smith, new MSB Transportation Planner, with the assistance of her supervisor, **Lauren Driscoll**, spoke to the Commission regarding transportation planning in the Borough. Ms. Smith talked about her background as a civil engineer specializing in transportation systems and later in planning. She spoke to the growing population in the Valley causing challenges to the transportation system citing less funding and emphasizing a greater need to collaborate and communicate with transportation system decision-makers and stakeholders. They are working on projects at the Borough to help solve some of the challenges. She defined an MPO (Metropolitan Planning Organization) as a federally mandated and federally funded transportation policy-making organization made up of representatives from local government and governmental transportation authorities, and described an MPO Self-Assessment for the core area of the Borough. MPO components include a Long-Range Transportation Plan (which the Borough already has and which is currently being updated) and a Financial Plan. They are looking to establish a formal relationship or partnership between DOT, Cities, and the Borough to collaborate from the very beginning on mega-transportation projects, including ways to keep everyone involved throughout the whole process for an end product that benefits everybody. The Borough expects to complete the update on the LRTP in April or May of 2016. The City should be expecting invites for future discussions and collaboration on what we want our road systems to look like moving forward.

Commissioner questions and further discussion ensued primarily concerning the Long Range Transportation Plan.

2. 2015 Annual Conditional Use Permit Review.

Ms. Garley reported and directed attention to written report in the packet (pages 45-84) of the City's Active Conditional Use Permits as of October 15, 2015. All except one are in compliance. The one found not in compliance was the Borough Green House/Tree Nursery on Auklet Avenue, however Ms. McClure reported that upon her last inspection, the Borough was taking steps to address any deficiency to maintain compliance.

3. Discussion of PMC Title 14 Signs, Signs Related to Electronic Changeable Copy Signs.

Ms. Garley reported at the last meeting a comment was made about an electronic changeable copy sign. The first such sign has appeared in Palmer, prompting research of the code to determine if it is allowed. See packet (pages 85-95) for portions of PMC 14.04 Sign definitions and signs permitted in commercial and public use districts.

David Meneses, City Building Inspector, addressed the Commission instructing that changeable copy signs are allowed in all commercial and industrial districts, including automatic changeable copy signs. He drove by the sign commented on and stated that it is an allowable sign per code. He also discussed signs that would have to be addressed if they were to become too distracting or a safety hazard to drivers.

Questions and further discussion ensued. Ms. Garley provided in the packet examples for the Commission's review of what other cities do to deal with or regulate changeable copy signs. In response to inquiry by Chairman Kerslake, Mr. Meneses informed regarding legal nonconforming signs upon annexation. Ms. Garley asked the Commission to let her know if they wished to pursue this topic further.

J. PLAT REVIEWS:

1. **IM 15-023:** Pre-application review: The request is to divide Lot 1-A, Block 1, ARRC #1 between existing structures to create two lots, located inside Palmer city limits.

Ms. Garley directed attention to comments in the packet (p. 101) by the Building Inspector that all applicable Life Safety Codes will apply, by Public Works that separate sides of the building must have separate water and sewer connections, and by Community Development in support of these comments especially those focusing on exits and fire walls.

Commissioner Lucas questioned ownership of the property and asked for follow-up, noting different names stated as Petitioner and Owner on the Pre-Application. Ms. Garley stated she would follow up.

Upon inquiry by Commissioner Kircher, Building Inspector Meneses informed that subject building has been added onto and remodeled about three times and that there is probably very little left of the original building.

2. **IM 15-024:** Pre-application review: The request is to divide Tract A-1, Cedar Hills #2 Ph. I into 3 new tracts, located inside Palmer city limits.

Ms. Garley directed attention to the packet (page 117) vicinity map showing the location in Cedar Hills and reported City Department comments regarding this request.

Commissioner Kircher inquired if there will be requirements for sidewalks and playgrounds. Ms. Garley noted it will require development of sidewalks, as it is a future subdivision wholly within the city of Palmer and will have to meet city street, curb, gutter, and sidewalk standards at the time of development. She further discussed requirements relating to neighborhood parks.

K. PUBLIC COMMENTS: There were no comments from the public.

L. STAFF REPORT:
Director Garley had no additional staff report.

M. COMMISSIONER COMMENTS:

Commissioner Lucas pointed out that he noticed the photos of the two towers (packet pages 62 and 67) in the Conditional Use Permits are of the same tower; the one on page 62 should actually be of the tower located about ¼ mile to southwest from the one shown in the picture. Ms. Garley appreciated the comment and noted she will see that the correction is made.

Commissioners Maxwell, Petty, Kircher, and Chairman Kerslake had no additional comments.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:25 p.m.

William Kerslake, Sr., Chairman

Kimberly A. McClure
Planning and Code Compliance Technician



New Business

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 15-010

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION SUPPORTING DESIGNATION OF AREA ALONG THE RAILROAD RIGHT-OF-WAY NORTH OF THE DEPOT AS A NEW GROW PALMER GARDEN AREA

WHEREAS, the Economic Vitality chapter of the City's Comprehensive Plan notes under Objective C of Goal 5 that the city recognizes the value of promoting agricultural products and its agricultural heritage as one way to increase the economic health of the community; and

WHEREAS, Objective B under Goal 4 in the Economic Vitality chapter of the City's Comprehensive Plan notes that improved opportunities to experience farming life and history, such as more downtown gardens will expand and improve attractions for Palmer; and

WHEREAS, Grow Palmer has a three year track record of success, providing publicly accessible gardens for residents to harvest fresh, local food; and

WHEREAS, the City of Palmer has endorsed Grow Palmer and has provided financial support for three years; and

WHEREAS, the community benefits from increased volunteer engagement, exposure for local producers, and improved access to healthy food for all; and

WHEREAS, Grow Palmer volunteers logged over 2100 work hours on the Palmer public food project in 2015; and

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission has voted to support designation of area along the Railroad Right-Of-Way North of the Depot as a new Grow Palmer garden area.

NOW BE IT FURTHER RESOLVED that the Commission requests the City seek authorization from the Alaska Railroad to permit the establishment of a new Grow Palmer garden area along the railroad right-of-way north of the depot.

Passed and approved by the Palmer Planning and Zoning Commission this 19th day of November, 2015.

William Kerslake, Chairman

Sandra Garley, Director of Community Development



Plat Reviews



**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 15-026**

SUBJECT: Preliminary Plat Review: Tract 1-A, Caulkins

AGENDA OF: November 19, 2015

ACTION: Review and comment

Attachment(s): 1) Memorandum
2) Preliminary plat package from MSB Platting Division

Summary: The request is to change the conditions of approval for Mountain Ranch Estates 5, a proposed subdivision of Tract 1-A, Caulkins subdivision into 13 lots now to be served by City sewer, not by City water system. Located outside Palmer city limits.

Recommendation: The staff comments regarding the preliminary plat packet are attached.



DEPARTMENT OF COMMUNITY DEVELOPMENT

Sandra Garley
Director

David Meneses
Building Inspector

Beth Skow
Library Director

MEMORANDUM

TO: Paul Hulbert, Chief of Platting
FROM: Kimberly McClure, Planning Technician
DATE: October 19, 2015
SUBJECT: Tract 1-A, Caulkins (Mountain Ranch Estates 5)

Inside City Limits

Outside City Limits

We have distributed the abbreviated plat for the subject project and have received the following comments from the following departments:

1. City Manager: No comments.
2. Building Inspector: No changes necessary.
3. Community Development: No comments.
4. Fire Chief: No changes necessary.
5. Public Works: No changes necessary.
6. Planning and Zoning Commission: This preliminary plat package was not received in time to be reviewed at the October Planning and Zoning meeting; it is scheduled to be reviewed at the November 19 P & Z meeting. Any additional comments will be forwarded.



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

Received

OCT 14 2015

City of Palmer

Comments Due: October 19, 2015

October 14, 2015

Preliminary Plat Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – Palmer	MSB – Community Development
AK Dept. of Transportation – Aviation	MSB – Cultural Resources
AK DNR, Division of Mining/Land/Water	MSB – Capital Projects, Engineering
AK DNR, Public Access Defense	MSB – Public Works, O&M
AK DNR, Division of Agriculture	MSB – Assessments
AK DF&G, Habitat Mgmt. & Permitting	MSB – Code Compliance
AK DF&G, Division of Sport Fish	MSB – Planning Division
AK Railroad, Engineering Department	MSB – Pre-Design Division
Corp of Engineers	MSB – Permit Center
U.S. Postmaster	M.E.A.
City of: Palmer	M.T.A.
Community Council:	Enstar
Fire Service Area: #132 Greater Palmer	GCI
Road Service Area: #16 South Colony	Assembly District #2
MSB – Borough Attorney	

Title:	Mountain Ranch Estates 5
Location:	Sec 9, T17N, R2E, S.M, AK
Petitioner:	JRK Group, LLC
Address:	PO Box 1987, Palmer AK 99645
Surveyor:	Keystone Surveying
Address:	PO Box 2216, Palmer AK 99645

The request is to change the conditions of approval for Mountain Ranch Estates 5, a proposed subdivision of Tract 1-A, Caulkins Subdivision, into 13 lots, containing 7.44 acres. The developer has extended Palmer Municipal Sewer into the subdivision instead of Municipal Water, as previously planned. The preliminary plat received conditional approval on February 5, 2015, written decision February 10, 2015.

Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the preliminary plat to help us more effectively enforce our subdivision regulations.

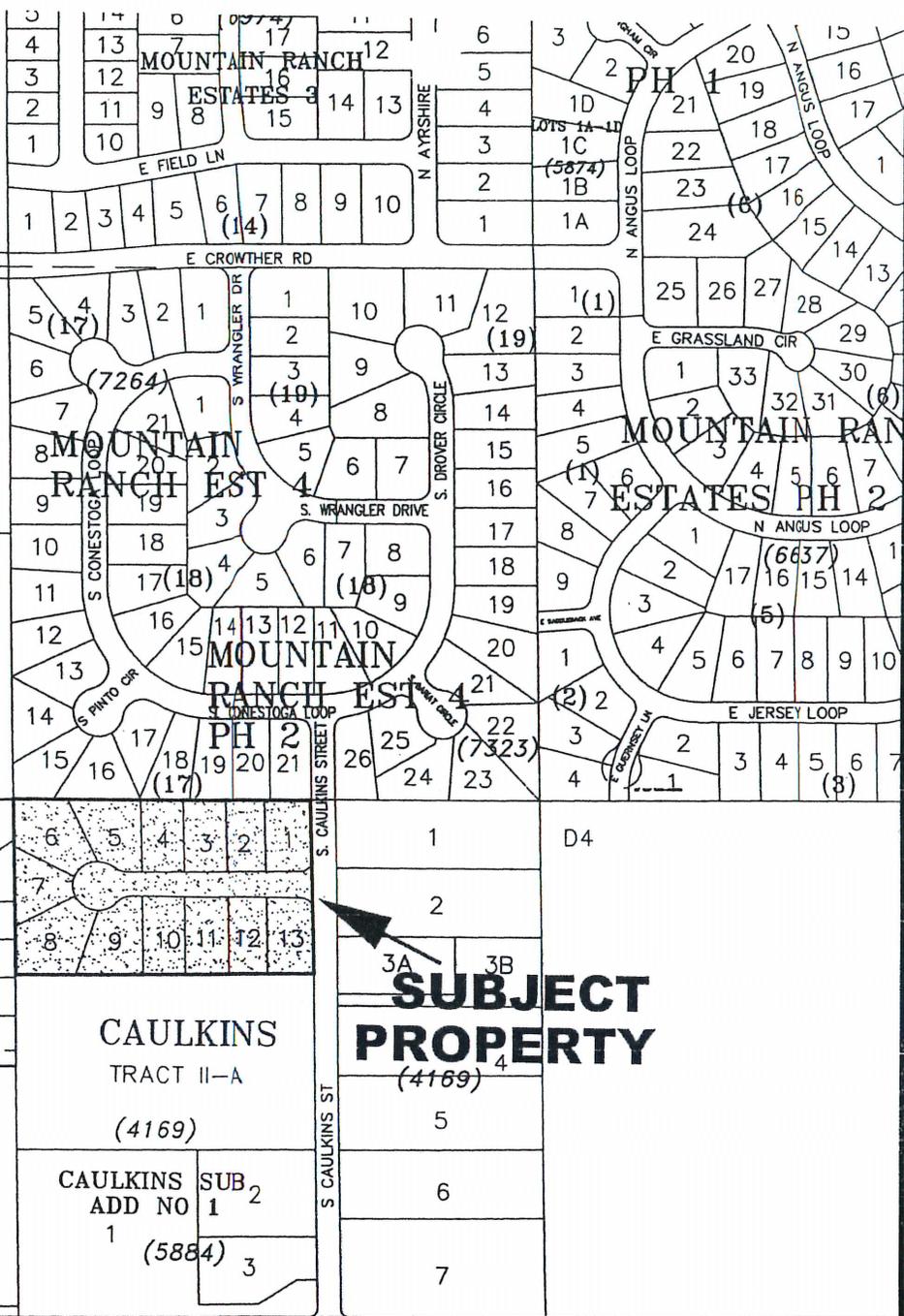
All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **October 19, 2015** so that we may incorporate this information into our recommendations to the Platting Board, for the public hearing to be held on **November 5, 2015**.

Kindest Regards,

Peggy Horton
Platting Technician
peggy.horton@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.

B3



C10 TR 1
KING ARTHUR
 (2303)
 ERICKSON SMALL TRACT TR A (3012)
 TR 2

C3 1
QUEEN VERDA'S CT.
 2
 (5310)
 C8
 C7

C29
Proposed Springer Park

SPRINGER CROSSING 2013
 (7202)
 1 2 3

6 5 4 3 2 1
 7 8 9 10 11 12 13
CAULKINS TRACT II-A
 (4169)
CAULKINS SUB 2
 ADD NO 1 2
 1 (5884) 3

1 2 3A 3B
SUBJECT PROPERTY
 (4169)
 4 5 6 7
 D4

16 **LIEBING TR 1**
 (3034)
 B3 B7
 B13 B10

FREMONT MEADOWS ADDN. #1
 1 2 3
 (3354)
FREMONT MEADOWS
 4

VICINITY MAP
 FOR PROPOSED MOUNTAIN RANCH EST 5
 LOCATED WITHIN
 SECTION 9, T17N, R2E
 SEWARD MERIDIAN, ALASKA
 PALMER 12 MAP

GRANITE HEIGHTS
 5 6 7 8 9
 (2967)
 S BADGER RD
 (3013) TR F



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department
Platting Division

350 East Dahlia Avenue • Palmer AK 99645
Phone (907) 861-7874 • Fax (907) 861-8407

February 10, 2015

NOTIFICATION OF ACTION

JRK Group LLC
PO Box 1987
Palmer, AK 99645

RE: MOUNTAIN RANCH ESTATES 5

CASE: 2014-152

Action taken by the Platting Board on February 5, 2015 is as follows:

THE PRELIMINARY PLAT FOR MOUNTAIN RANCH ESTATES 5 WAS APPROVED, AND WILL EXPIRE ON FEBRUARY 10, 2021 CONTINGENT UPON THE FOLLOWING CONDITIONS / REASONS (see attached).

ALL DECISIONS AS TO APPROVAL OR DISAPPROVAL BY THE PLATTING BOARD OR OFFICER SHALL BE FINAL UNLESS APPEALED TO THE BOARD OF ADJUSTMENT AND APPEALS, MSB 15.39. A PETITION WHICH IS TABLED BY THE BOARD SHALL BE DEEMED DENIED UNLESS THE APPLICANT BRINGS THE MATTER BACK BEFORE THE BOARD WITH ALL CONDITIONS MET WITHIN THE TIME ALLOWED BY THE BOARD OR BY LAW.

If this is in reference to a plat application, recordation at the appropriate District Recorder's Office of the plat is required before any transfer of title can occur. Should you have any questions or require a copy of the minutes of the meeting, please feel free to contact this office.

Kindest regards,

Ms. Katie Cruthers
Platting Board Chairman

cc:

City of Palmer

Keystone Surveying
Gary LoRusso
PO Box 2216
Palmer, AK 99645

CONDITIONS of APPROVAL:

The Platting Board approved the Preliminary Plat for Mountain Ranch Estates 5, contingent upon the following:

1. Submit the mailing and advertising fee.
2. Show or list all easements of record on the final plat per MSB 43.15.051(P).
3. Install hydrants and obtain Fire Chief signoff on the installation.
4. Extend the water system and obtain City of Palmer signoff on the installation. Obtain ADEC approval to operate the water system prior to recording the plat. Provide engineering plans, data and record drawings of the approved water system to Platting Staff.
5. Obtain a construction permit from the MSB ROW Coordinator to allow the waterline encroachment within Caulkins Road per MSB 11.30.30 and pay appropriate fees.
6. Submit construction cost estimate, schedule pre-construction meeting with Capital Project's Engineer, pay inspection fee, and obtain Notice to Proceed prior to any road or drainage construction in compliance with SCM, Section E.
7. Construct the E. Cimmarron Circle to residential standards minimum, provide engineer's final inspection report along with verification from an RLS that the constructed roadways are located within the proposed right-of-way per MSB 43.20.140 and obtain Capital Project's Engineer signoff.
8. Provide updated Certificate to Plat executed within 90 days, prior to recording the plat per MSB 43.15.053(E).
9. Submit an affidavit from any holders of beneficial interest, if any, to be recorded with the plat.
10. Submit recording fee, payable to the State of Alaska, DNR.
11. Taxes and special assessments must be current prior to recording the plat, per MSB 43.15.053(F) and AS 40.15.020. Pay taxes and special assessments (LIDs) by certified funds or cash.
12. Submit final plat in full compliance with Title 43.

FINDINGS for PRELIMINARY PLAT:

1. The plat of Mountain Ranch Estates 5 is consistent with AS 29.40.070 Platting Regulations; and MSB 43.15.015 Preliminary Plat.
2. A professional engineer stated useable area is available for wastewater disposal in compliance with MSB 43.20.280.

3. Useable building a. is not required as these lots will be served with public water by extension of the City of Palmer water main.
4. Fire hydrants are planned for the subdivision, a requirement for connecting to the City of Palmer water system.
5. Lot sizes are consistent with MSB 43.20.280(A)(2), the Platting Board may approve lots having at least 20,000 sq ft if served with an approved public or community water system.
6. This property is not within the City of Palmer however it is within the Palmer Water Service Area.
7. Palmer Planning and Zoning Commission commented about the absence of sidewalks and paths in the proposed subdivision. They support the provision of parks and greenbelts for subdivisions in the greater Palmer area.
8. Staff notes there is no school, playground, park, shopping center, public cemetery, public transportation, or other community facility surrounding this property. Staff does not recommend a requirement to provide connectivity via walkways for this property.
9. Goal (PO-1) included in The Parks and Open Space section of the Borough Comprehensive Plan are implemented by:
 - a. Policy PO1-2: Develop pedestrian and bicycle linkages between schools, public facilities, neighborhoods, parks and open spaces and population centers where feasible.
 - b. Policy PO1-3: Ensure adequate maintenance and operation funding prior to development of parks and recreational facilities.
10. DPW has stated there are no funds available to provide maintenance for pathways. They do not maintain pathways currently constructed due to budget constraints.
11. There are 15' utility easements shown on the plat along both sides of the proposed right-of-ways.
12. The revised engineered drainage plan uses traditional methods and is supported by both Capital Projects and Public Works Departments and meets the standards of the Subdivision Construction Manual.
13. There were no objections from any borough departments or outside agencies.
14. There was a comment from the owner of the adjacent parcel, Tract II-A, Caulkins Subdivision concerning their well and future development plans. Tract II-1A is currently undeveloped.



RECEIVED
OCT 13 2015
PLATTING

GARY LORUSSO

KEYSTONE SURVEYING AND MAPPING

P.O. Box 2216
Palmer, Alaska 99645
Email: garyl@kmtaonline.net
Phone: (907) 376-7811

October 13, 2015

Paul Hulbert
Matanuska-Susitna Borough Platting Chief

RE: Mountain Ranch 5

Paul,

As discussed please put Mountain Ranch 5 on the Platting Board agenda under "Old Business" to change the conditions of approval as we have installed City Sewer instead of City water.

Suggested changes:

Eliminate old conditions #rd 3 and 5 as they no longer apply.

Change old condition # 4 so that it reads as follows:

Extend sewer system and obtain City of Palmer signoff on the installation prior to recording the plat. Provide engineering plans, data and record drawings of the approved sewer system to Platting Staff.

Also, findings should be amended as follows:

Eliminate finding # 2

Amend finding 3 to:

useable building area is not required as these lots will be served with public sewer by extension of the City of Palmer sewer system.

Eliminate finding #4

Respectfully,

Gary LoRusso



**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 15-027**

SUBJECT: Preliminary Plat Review: Tax Parcel B2, Section 29, Township 18 North, Range 2 East, Seward Meridian

AGENDA OF: November 19, 2015

ACTION: Review and comment

Attachment(s): 1) Memorandum
2) Abbreviated plat package from MSB Platting Division

Summary: The request is to subdivide Tax Parcel B2 into two lots to be known as Windy Hollow Subdivision, located outside Palmer city limits.

Recommendation: The staff comments regarding the preliminary plat packet are attached.



MEMORANDUM

TO: Paul Hulbert, Chief of Platting
FROM: Kimberly McClure, Planning Technician
DATE: November 16, 2015
SUBJECT: Plat Review: 18N02E29B002

Inside City Limits

Outside City Limits

We have distributed the abbreviated plat for the subject project and have received the following comments from the following departments:

1. City Manager: (No comments received yet.)
2. Building Inspector: Must meet all life safety requirements at time of development.
3. Community Development: The proposed lots are located outside Palmer city limits but do exceed the required minimum lot area for residentially zoned lots inside Palmer city limits. Access appears to be from N. Palmer-Fishhook Road.
4. Fire Chief: Must meet all life safety requirements at time of development.
5. Public Works: (No comments received yet.)
6. Planning and Zoning Commission: This plat is scheduled to be reviewed at the November 19 Planning and Zoning meeting. Any additional comments will be forwarded.



MATANUSKA-SUSITNA BOROUGH
 • PLATTING DIVISION •
 350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
 PHONE 861-7874 • FAX 861-8407

Received
 OCT 30 2015
 City of Palmer

Comments Due: November 16, 2015

October 30, 2015

Abbreviated Plat Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – Palmer	MSB – Community Development
AK Dept. of Transportation – Aviation	MSB – Cultural Resources
AK DNR, Division of Mining/Land/Water	MSB – Capital Projects, Engineering
AK DNR, Public Access Defense	MSB – Public Works, O&M
AK DNR, Division of Agriculture	MSB – Assessments
AK DF&G, Habitat Mgmt. & Permitting	MSB – Code Compliance
AK DF&G, Division of Sport Fish	MSB – Planning Division
AK Railroad, Engineering Department	MSB – Pre-Design Division
Corp of Engineers	MSB – Permit Center
U.S. Postmaster	M.E.A.
City of: Palmer	M.T.A.
Community Council: Farm Loop	Enstar
Fire Service Area: #132 Greater Palmer	GCI
Road Service Area: #16 South Colony	Assembly District #1
MSB – Borough Attorney	

Title:	Windy Hollow
Location:	Sec 29, T18N, R2E, S.M, AK
Petitioner:	Dianne Johnson, Trustee
Address:	3255 S. Old Glenn Hwy, Palmer AK 99645
Surveyor:	All Points North
Address:	PO Box 4207, Palmer AK 99645

The request is to subdivide Tax Parcel B2 into two lots to be known as Windy Hollow Subdivision, containing 106.7 acres.

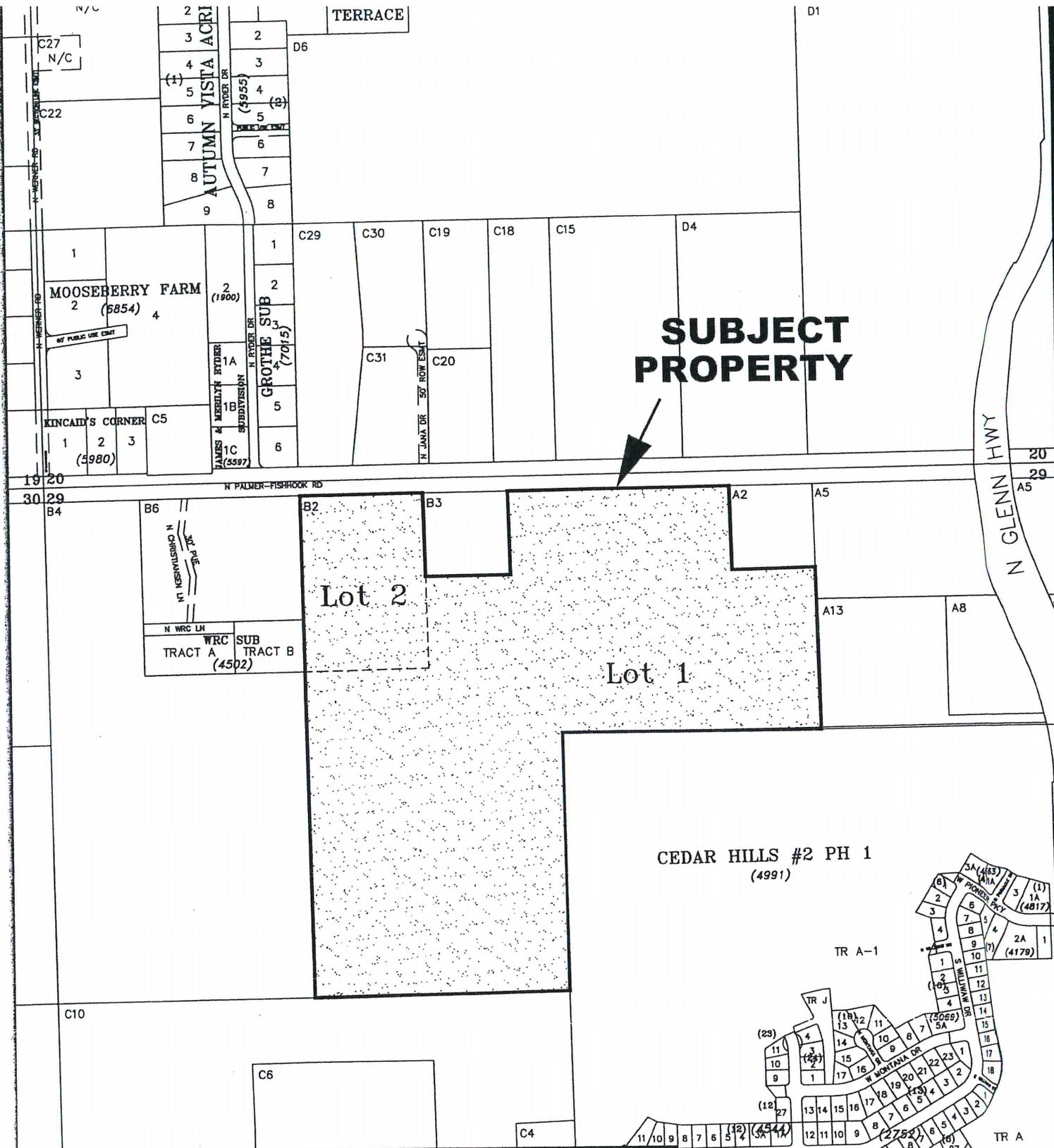
Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the abbreviated plat to help us more effectively enforce our subdivision regulations.

All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **November 16, 2015** so that we may incorporate this information into our recommendations to the Platting Officer, for the public hearing to be held on **November 25, 2015**.

Kindest Regards,

Peggy Horton
 Peggy Horton
 Platting Technician
peggy.horton@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.



**SUBJECT
PROPERTY**

Lot 2

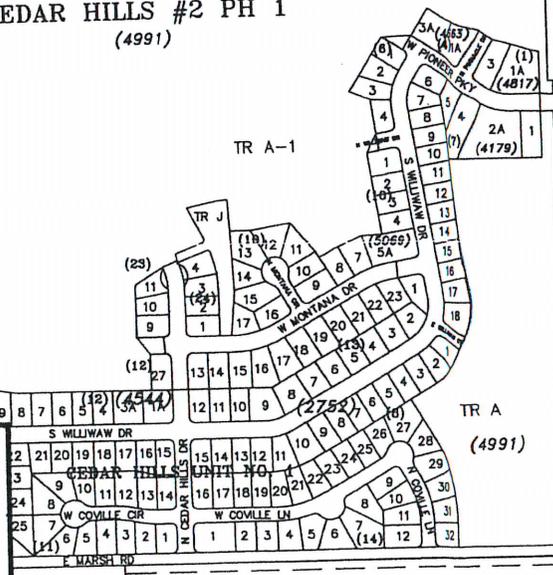
Lot 1

CEDAR HILLS #2 PH 1
(4991)

VICINITY MAP

FOR PROPOSED WINDY HOLLOW SUBDIVISION
LOCATED WITHIN
SECTION 29, T18, R2E, SEWARD MERIDIAN,
ALASKA

PALMER 05 MAP



D6

Received

OCT 30 2015

OWNER'S STATEMENT

00126 2015

City of Palmer

This information is required for submission per MSB 43.05.050. Please **type** or **print** all non-signature items in ink.

PROPOSED SUBMITTAL NAME: WOLFEY TRANSFER TRUST

I submit the enclosed items concerning the above-referenced submittal for review. By my signature I certify that the property is (check one):

- ~~Privately owned and that I am the owner.~~ OWNED BY ESTATE AND I AM TRUSTEE
- Owned by a sole proprietorship and I am the proprietor.
- Owned by a partnership of which I am a general partner.
- Owned by a corporation of which I am a principal executive officer of at least the level of vice-president, or a duly authorized representative responsible for the overall management of this subdivision. (Submit copy of authorization).
- Owned by a municipal, state, federal or other public agency, of which I am a principal executive officer, ranking elected official, or other duly authorized employee.

Dianne Johnson
Original Signature (please sign in ink)

8/28/15
Date

3255 S. Old Glenn Hwy, Palmer
Mailing Address

745-3676
Phone

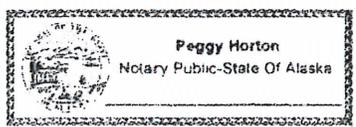
Dianne Johnson, Trustee
Name & Official Title (print)

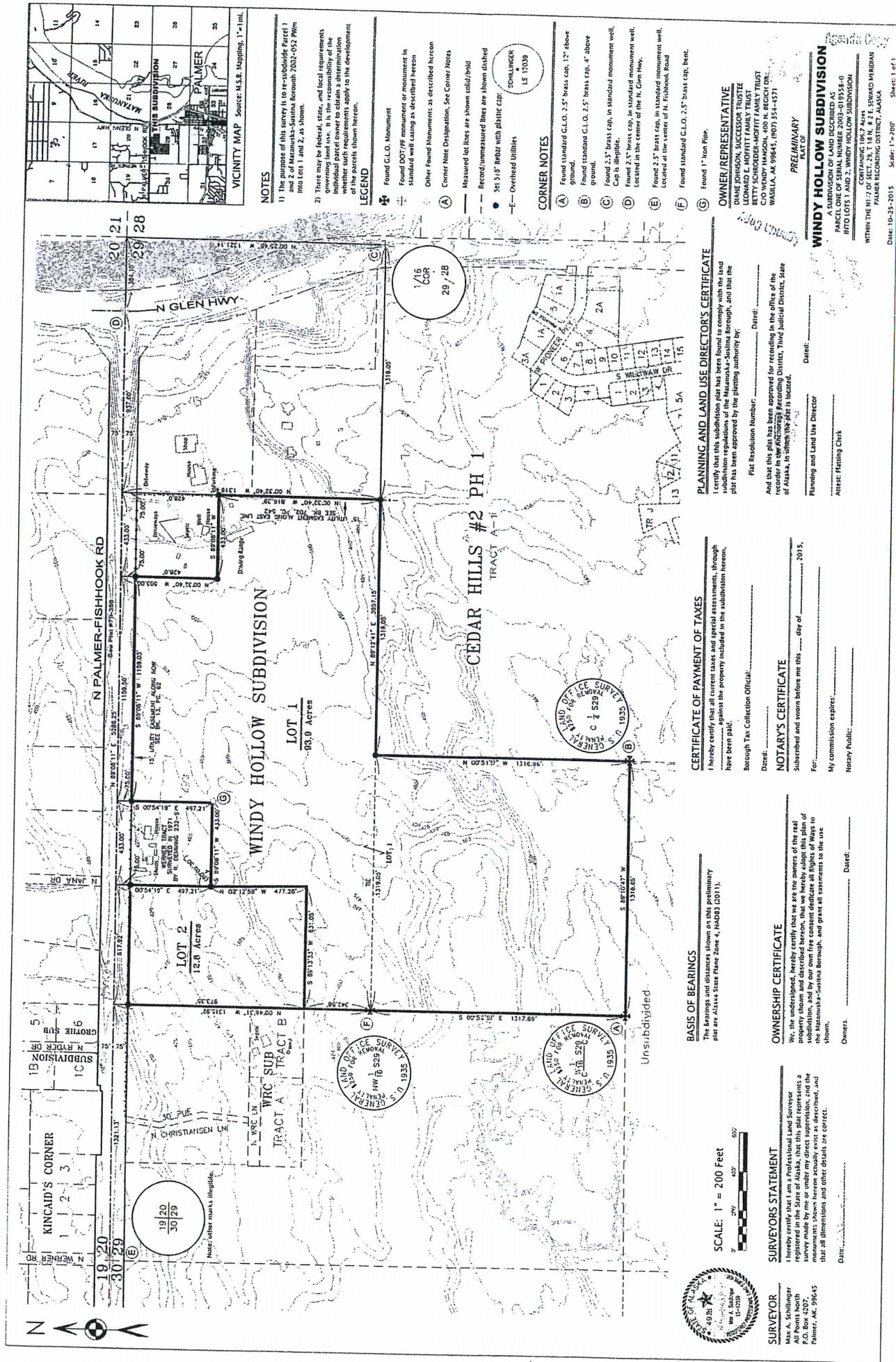
Company or Agency (if applicable)

NOTARY ACKNOWLEDGEMENT:

Subscribed and sworn to before me this 28th day August, 2015

Peggy Horton
NOTARY PUBLIC in & for Alaska
My Commission Expires: 3 13 2017





NOTES

1) The purpose of this survey is to re-subdivide Parcel 1 and 2 of Mankaska-Suona, Borough 001-02 (Plan into Lots 1 and 2, as shown.

2) There may be federal, state, and local requirements which apply to the development of the parcels shown hereon.

LEGEND

Found G.L.O. Monument
 Found 007/96 monument or monument in standard well casing as described herein
 Other Found Monuments as described herein
 Corner Note Designation, See Corner Notes
 Measured lot lines are shown solid/brd
 Records/monuments lines are shown dashed
 3/4" 3/8" Rebar with plastic cap
 SCHLIMMER
 US 1039
 Overhead utilities

CORNER NOTES

(A) Found standard G.L.O. 2.5" brass cap, 12" above ground.
 (B) Found standard G.L.O. 2.5" brass cap, " above ground.
 (C) Found 2.5" brass cap, in standard monument well, Cap is illegible.
 (D) Found 2.5" brass cap, in standard monument well, Located in the center of the N. Glen Hwy.
 (E) Found 2.5" brass cap, in standard monument well, Located at the center of N. Fishhook Road.
 (F) Found standard G.L.O. 2.5" brass cap, bent.

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I certify that this subdivision plan has been found to comply with the land use regulations of the Matanuska-Susitna Borough, and that the plan has been approved by the Planning Authority by:

Plan Resolution Number: _____ Date: _____

And that this plan has been approved for recording in the office of the recorder in the Matanuska-Susitna Borough, Third Judicial District, State of Alaska, in which the plan is located.

Planning and Land Use Director _____ Date: _____

Attest: Planning Clerk _____

CERTIFICATE OF PAYMENT OF TAXES

I hereby certify that all current taxes and special assessments, through _____, against the property included in the subdivision hereon, have been paid.

Borough Tax Collection Official: _____ Date: _____

NOTARY'S CERTIFICATE

Subscribed and sworn before me this _____ day of _____, 2015.

My commission expires: _____

Notary Public: _____

OWNERSHIP CERTIFICATE

We, the undersigned, hereby certify that we are the owners of the real property shown and described in this preliminary subdivision, and by our own free consent dedicate all rights of title to the Matanuska-Susitna Borough, and grant all easements to the use shown.

Owners: _____ Date: _____

BASES OF BEARINGS

The bearings and distances shown on this preliminary plan are Alaska State Plane Zone 4, NAD83 (G011).

SURVEYORS STATEMENT

I hereby certify that I am a Professional Land Surveyor registered in the State of Alaska, that this plan represents a survey made by me or under my direct supervision, and the information shown hereon accurately exists as described, and that all dimensions and other details are correct.

Date: _____

SCALE: 1" = 200 Feet

49th ALASKA SURVEYORS ASSOCIATION
 1515 W. 11th Ave.
 Anchorage, AK 99501



WINDY HOLLOW SUBDIVISION

A SUBDIVISION OF LAND DESCRIBED AS PARCEL ONE OF SERIAL NUMBER 2003-019538-0 BFD LOTS 1 AND 2, WINDY HOLLOW SUBDIVISION WITHIN THE MATANUSKA-SUSITNA BOROUGH, PALMER RECORDING DISTRICT, PALMER

CONTAINING 04.7 ACRES
 PREPARED BY: M. A. SCHLINGER, L.S. 11929
 DATE: 10-31-2015 Scale: 1" = 200' Sheet 1 of 1



**CITY OF PALMER
PLANNING & ZONING COMMISSION
INFORMATION MEMORANDUM 15-028**

SUBJECT: Preliminary Plat Review: Lots 8 & 9, Block 2, ARRC #1

AGENDA OF: November 19, 2015

ACTION: Review and comment

Attachment(s): 1) Memorandum
2) Abbreviated plat package from MSB Platting Division

Summary: The request is to create one lot from Lot 8 and Lot 9, Block 2, ARRC No. 1, Plat No. 3-124, to be known as Lot 1, Brooks Subdivision, located inside Palmer city limits.

Recommendation: The staff comments regarding the preliminary plat packet are attached.



MEMORANDUM

TO: Paul Hulbert, Chief of Platting
FROM: Kimberly McClure, Planning Technician
DATE: November 25, 2015
SUBJECT: Lots 8 & 9, Block 2, ARRC #1

Inside City Limits

Outside City Limits

We have distributed the abbreviated plat for the subject project and have received the following comments from the following departments:

1. City Manager: (No comments received yet.)
2. Building Inspector: No changes necessary.
3. Community Development: These lots are zoned CL, Limited Commercial. The proposed lot has a lot width of 100 feet which exceeds the minimum required lot width of 60 feet; and has a lot area of 12,600 square feet which exceeds the minimum required lot area of 7,200 square feet.
4. Fire Chief: No changes necessary.
5. Public Works: (No comments received yet.)
6. Planning and Zoning Commission: (Pending any comments.)



MATANUSKA-SUSITNA BOROUGH

• PLATTING DIVISION •

350 EAST DAHLIA AVENUE, PALMER, ALASKA 99645-6488
PHONE 861-7874 • FAX 861-8407

Received

NOV 06 2015

City of Palmer

Comments Due: November 25, 2015

Date: November 6, 2015

Abbreviated Plat Request for Comments

AK Dept. of Transportation – Anchorage	MSB – Emergency Services
AK Dept. of Transportation – Palmer	MSB – Community Development
AK Dept. of Transportation – Aviation	MSB – Cultural Resources
AK DNR, Division of Mining/Land/Water	MSB – Capital Projects, Engineering
AK DNR, Public Access Defense	MSB – Public Works, O&M
AK DNR, Division of Agriculture	MSB – Assessments
AK DF&G, Habitat Mgmt. & Permitting	MSB – Code Compliance
AK DF&G, Division of Sport Fish	MSB – Planning Division
AK Railroad, Engineering Department	MSB – Pre-Design Division
Corp of Engineers	MSB – Permit Center
U.S. Postmaster	M.E.A.
City of: Palmer	M.T.A.
Community Council:	Enstar
Fire Service Area:	GCI
Road Service Area:	Assembly District #2
MSB – Borough Attorney	

Title:	BROOKS
Location:	SEC 33, T18N, R02E, S.M, AK
Petitioners:	BROOKS PROPERTIES LLC
Address:	634 S. BAILEY STREET, SUITE #104 PALMER AK 99645
Surveyor:	ALL POINTS NORTH
Address:	PO BOX 4207 PALMER AK 99645

The request is to create one lot from Lot 8 and Lot 9, Block 2, ARRC No. 1, Plat No. 3-124, Section 33, Township 18 North, Range 02 East, SM AK, to be known as BROOKS, LOT 1, containing .289+ acres.

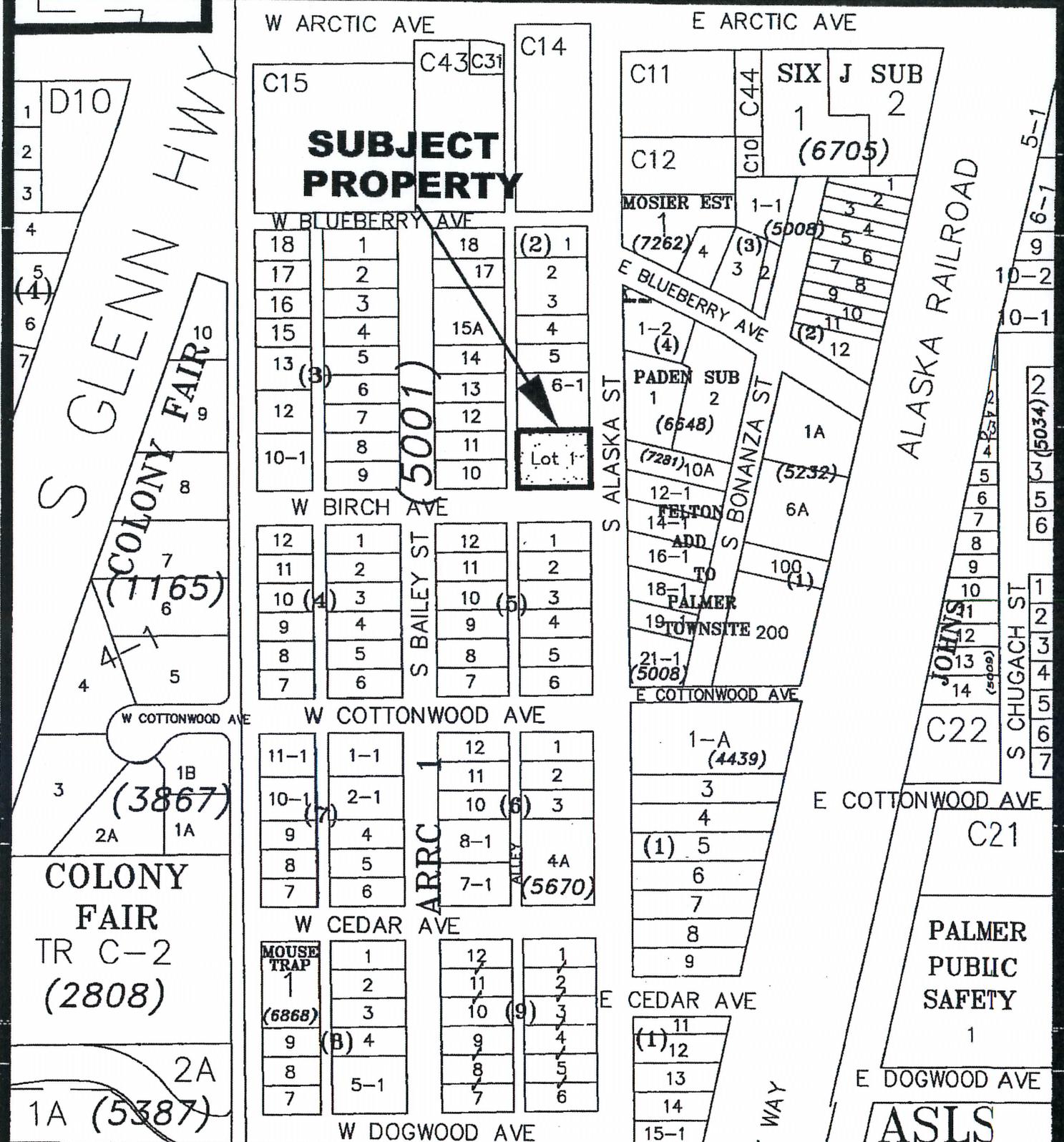
Please submit your comments in writing, specifying any easements or other requirements that your department or agency may need or any data which you feel should be incorporated on the abbreviated plat to help us more effectively enforce our subdivision regulations. All comments, existing files and correspondence that you may have relating to this case must be submitted to the Platting Division by **November 25, 2015** so that we may incorporate this information into our recommendations to the Platting Officer, for the public hearing to be held on **December 2, 2015**.

Sincerely,

Amy Otto-Buchanan
Platting Technician
direct line: 861-7872

amy.otto-buchanan@matsugov.us

Providing Outstanding Borough Services to the Matanuska-Susitna Community.



W ARCTIC AVE
 C15
SUBJECT PROPERTY
 C43 C3i C14

W BLUEBERRY AVE
 18 1 18 (2) 1
 17 2 17 2
 16 3 17 3
 15 4 15A 4
 13 (3) 5 14 5
 12 6 13 6-1
 10-1 8 11
 9 10
 S ALASKA ST (5001)

W BIRCH AVE
 12 1 12 1
 11 2 11 2
 10 (4) 3 10 (5) 3
 9 4 9 4
 8 5 8 5
 7 6 7 6
 S BAILEY ST

W COTTONWOOD AVE
 11-1 1-1 12 1
 10-1 2-1 11 2
 9 (7) 4 10 (6) 3
 8 5 8-1 4A
 7 6 7-1 (5670)
 ARRC 1

W CEDAR AVE
 MOUSE TRAP
 1 1 12 1
 (6868) 2 11 2
 3 10 (9) 3
 9 (B) 4 9 4
 8 5-1 8 5
 7 7 7 6

E ARCTIC AVE
 C11 C44 SIX J SUB
 1 2
 (6705)
 C12 C10

MOSIER EST
 1-1 1-1
 (7262) 4 (3) (5008)
 E BLUEBERRY AVE
 1-2 (4)
 PADEN SUB
 1 2
 (6648)
 (7281) 10A (5232)
 12-1 FELTON
 14-1 ADD S BONANZA ST
 16-1 TO 100 (1)
 18-1 PALMER
 19 TOWNSITE 200
 21-1 (5008)

S ALASKA ST
 S BONANZA ST
 1A
 6A
 S CHUGACH ST
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 (5034) N

E COTTONWOOD AVE
 1-A (4439)
 3
 4
 (1) 5
 6
 7
 8
 9
 C22
 S CHUGACH ST

E CEDAR AVE
 11
 (1) 12
 13
 14
 15-1
 S COLONY WAY
 S VALLEY WAY
 E COTTONWOOD AVE
 C21
 PALMER PUBLIC SAFETY 1
 E DOGWOOD AVE

ASLS 96-4
 TR A-1
 CO-OP GARAGE TRACT TR A1 (4871)
 (5031) TR B1
 POWER HOUSE TR B-2 (1779)

VICINITY MAP
 FOR PROPOSED BROOKS SUBDIVISION
 LOCATED WITHIN
 SECTION 33, T18N, R02E, SEWARD MERIDIAN,
 ALASKA
 PALMER 05 MAP

OWNER'S STATEMENT

This information is required for submission per MSB 43.05.050. Please type or print all non-signature items in ink.

PROPOSED SUBMITTAL NAME: Brooks

I submit the enclosed items concerning the above-referenced submittal for review. By my signature I certify that the property is (check one):

- Privately owned and that I am the owner.
- Owned by a sole proprietorship and I am the proprietor.
- Owned by a partnership of which I am a general partner.
- Owned by a corporation of which I am a principal executive officer of at least the level of vice-president, or a duly authorized representative responsible for the overall management of this subdivision. (Submit copy of authorization).
- Owned by a municipal, state, federal or other public agency, of which I am a principal executive officer, ranking elected official, or other duly authorized employee.

[Signature]
Original Signature (please sign in ink)

10/26/2015
Date

634 S BAILEY ST. STE 104
Mailing Address

(907) 715-7368
Phone

Laura Brooks, Manager
Name & Official Title (print)

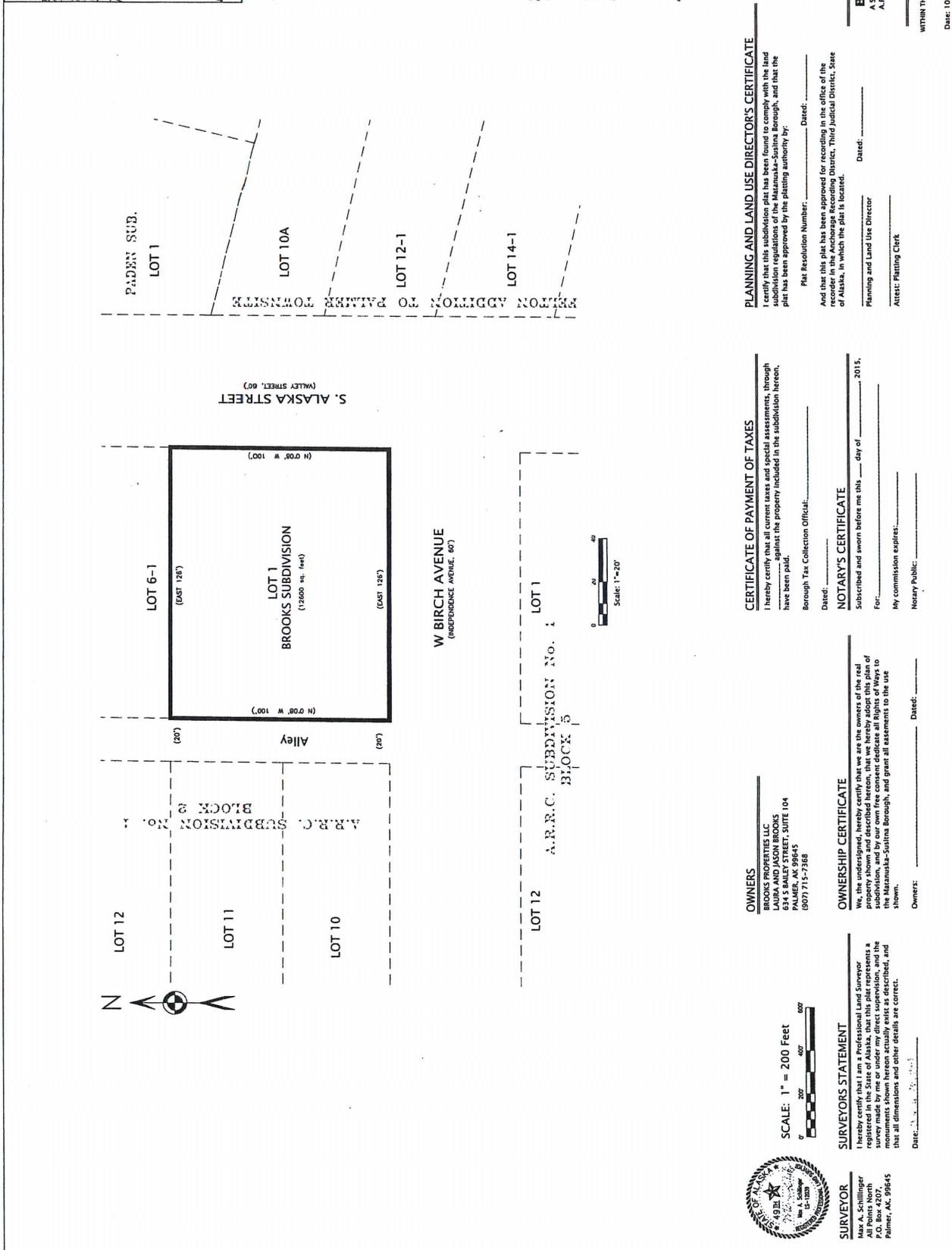
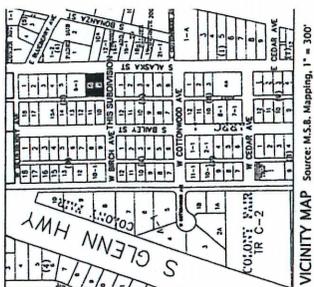
BROOKS PROPERTIES LLC
Company or Agency (if applicable)

NOTARY ACKNOWLEDGEMENT:

Subscribed and sworn to before me this 26th day, OCTOBER, 2015

[Signature]
NOTARY PUBLIC in & for Alaska
My Commission Expires: 12/03/2018





NOTES

- 1) The purpose of this plat is to vacate the lot line between Lots 8 and 9, A.R.R.C. Subdivision No. 1, Plat Number 3-124, filed 9/6/1945 in the Palmer Recording District. This plat is based on record information of Plat Number 3-124.
- 2) There may be Federal, state, and local requirements governing land use. It is the responsibility of the individual parcel owner to obtain a determination of what requirements apply to the development of the parcels shown hereon.
- 3) This lot is served by the City of Palmer water and sewer systems. No on-site wastewater disposal nor water systems is permitted on this lot.

CITY OF PALMER TAX CERTIFICATE

I hereby certify that all special assessments through subdivision hereon, have been paid.

City of Palmer Tax Collection Official: _____

Dated: _____

LEGEND

() RECORD DIMENSIONS, PLAT NO. 3-124, ARE SHOWN IN PARENTHESES



SURVEYOR

Max A. Schilling
All Points North
P.O. Box 4207
Palmer, AK, 99645

SURVEYORS STATEMENT

I hereby certify that I am a Professional Land Surveyor registered in the State of Alaska, that this plat represents a survey made by me or under my direct supervision, and that the dimensions and other details are correct.

Date: _____

OWNERS

BROOKS PROPERTIES LLC
LAURA AND JASON BROOKS
634 S BAILEY STREET, SUITE 104
PALMER, AK 99645
(907) 713-7586

OWNERSHIP CERTIFICATE

We, the undersigned, hereby certify that we are the owners of the real property shown and described hereon, that we hereby adopt this plan of subdivision, and by our own free consent dedicate all rights of way to the public for use as shown, and grant all easements to the use shown.

Owners: _____

CERTIFICATE OF PAYMENT OF TAXES

I hereby certify that all current taxes and special assessments, through subdivision hereon, against the property included in the subdivision hereon, have been paid.

Borough Tax Collection Official: _____

NOTARY'S CERTIFICATE

Subscribed and sworn before me this ____ day of _____, 2015.

For: _____

My commission expires: _____

Notary Public: _____

PLANNING AND LAND USE DIRECTOR'S CERTIFICATE

I certify that this subdivision plat has been found to comply with the land subdivision regulations of the Matanuska-Sustina Borough, and that the plat has been approved by the planning authority by:

Plat Resolution Number: _____ Date: _____

And that this plat has been approved for recording in the office of the recorder in the Anchorage Recording District, Third Judicial District, State of Alaska, in which the plat is located.

Date: _____

Planning and Land Use Director: _____

Attest: Planning Clerk: _____

BROOKS SUBDIVISION

A SUBDIVISION OF LOTS 8 AND 9 OF BLOCK 2, A.R.R.C. SUBDIVISION NO. 1 (PLAT NO. 3-124), INTO

LOT 1, BROOKS SUBDIVISION

CONTAINING 0.889 ACRES
WITHIN THE NW 1/4 OF SECTION 10, T32N, R14E, S12W
PALMER RECORDING DISTRICT, ALASKA

Date: 10-25-2015 Scale: 1"=200'