

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

**REGULAR MEETING
THURSDAY, DECEMBER 18, 2014
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 Kerlake at 7:00 p.m.

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

William Kerlake, Sr., Chairman

Michael Kircher, Vice Chairman

Dan Lucas

David Petty

Merry Maxwell

Excused absence(s):

Also present were:

Sandra S. Garley, Community Development Director

Kimberly A. McClure, Planning and Code Compliance Technician

Pam Whitehead, Recording Secretary

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

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

E. MINUTES OF PREVIOUS MEETING(S):

The minutes of the November 20, 2014 Regular Meeting were approved as presented.

F. PERSONS TO BE HEARD:

There were no persons wishing to speak on a topic not on the agenda.

G. PUBLIC HEARING(S): There were no public hearings.

H. UNFINISHED BUSINESS:

1. Continue Discussion of Central Business District.

Ms. Garley updated the Commission directing attention to the draft CBD ordinance on the table containing language based on Architect Gary Wolf's comments at the last meeting. The updated language provides for uninhabitable spaces on rooftops as conditional uses and provisions for massing and development scale related to the design of facades.

Commissioner Lucas moved, seconded by **Commissioner Petty**, to enter Committee of the Whole to openly discuss the proposed ordinance revisions.

VOTE on Motion: Carried Unanimously.

[The Commission entered committee of the whole at 7:06 p.m.; exited at 7:12 p.m.]

Upon exiting Committee of the Whole,

Commissioner Petty moved, seconded by **Commissioner Lucas**, to affirm amendment of draft Ordinance 17.___, CBD-Central Business Overlay District, by including items 17.___.030 Conditional uses (B), 17.___.050 Building height limit, and 17.___.066 Massing and development scale in its entirety, as proposed by staff, and further that the proposed ordinance be moved forward for City Council for approval.

VOTE on Motion: Carried Unanimously.

2. Continue Discussion of Setback Requirements for Single Family Residences in CG, General Commercial, and CL, Limited Commercial Districts.

Ms. Garley gave a staff report explaining the setback requirements for single family residences are more restrictive in CG and CL districts than in R-1 districts, and further explained that there are only four or five as-yet undeveloped lots within the CG and CL districts where these more restrictive setbacks would apply. She brings this before the Commission to determine if there should be language added to the code to address the inconsistency. Discussion and questions of staff ensued.

It was the consensus of the Commission to not insert special code language for these four or five lots and leave the language as is. If and when these lots are developed, the property owner could come before the Commission for a variance from the setback restriction on a case-by-case basis.

3. Continue Discussion of Potential Zoning Criteria in Regards to Ballot Measure 2.

Ms. Garley updated from last meeting, directing attention to additional information on the new marijuana legislation, and asked how the Commission wished to proceed. She informed that there was a proposed ordinance introduced (packet p. 17) to prohibit the sale of marijuana within the city of Anchorage, which did not pass. AS 17.38 covers the taxation and regulation of the production, sale, and use of marijuana in Alaska (packet p. 19-26), and more specifically AS 17.38.110, Local control, deals with what local governments can and cannot do to regulate marijuana sales or operations, including under (a) prohibit, and (b) enact ordinances or regulations governing same. It is clear that the city can impose zoning and decide on districts where things can and cannot happen, or there is the option to at least discuss and move forward to the City Council an ordinance similar to the one attempted in Anchorage to prohibit. Following discussion,

Commissioner Kircher moved, seconded by **Commissioner Lucas**, to postpone any action by the Commission until April, 2015 in order to allow time to study the issues

surrounding marijuana regulation as relates to zoning, review materials received, and receive the City Council's input at the P&Z/City Council joint meeting expected to occur in February.

The Commission understands that the City Council wants the Commission's input, however, the Commission would also like to have a better idea of what the council thinks prior to making its recommendations, and since a joint meeting is coming up, it would accomplish this purpose.

I. NEW BUSINESS:

1. **Resolution No. 14-009:** A Resolution of the Palmer Planning and Zoning Commission in Appreciation of the Contributions of Planning and Zoning Commission Member Michael Madar.

In recognition and appreciation of Michael Madar's 10 years of service and contributions to the Planning and Zoning Commission, four of which serving as Chairman,

Commissioner Kircher moved, seconded by **Commissioner Kerslake**, to adopt Resolution No. 14-009.

VOTE on Motion: Carried Unanimously.

J. PLAT REVIEWS:

1. **IM 14-030:** Preliminary Plat Review: The Request is to divide Tract 1-A, Caulkins Subdivision into 13 lots to be known as Mountain Ranch Estates 5, located outside Palmer city limits.

Ms. Garley reported as to comments made by city staff related to fire hydrant placement, confirming adequate R-1 lot size, and water drainage.

Commissioner Kircher commented that he wishes the developer would add sidewalks and paths; that this being a relatively small extension of the current subdivision, it would be practical to do in this case without too much effort.

Commissioner Maxwell made comments emphasizing the importance of, and that developers should make provision for, open space parkland, green belt corridors between subdivisions, and native habitat for wildlife. We tend to plant lawns and all the ornamentals we love, but if we want to continue to see wildlife, we'll have to also make some sort of concession to native habitat. Palmer Comprehensive Plan Goal 2, Objective (d), clearly states preference for open space subdivisions.

There was brief discussion on the topic of extra-territorial planning to see if there might be some way that the City could have an impact or Borough Platting could give deference to the comments the Commission continually sends them with regard to these issues.

Chairman Kerslake inquired regarding Utility Extension Agreements and further

discussion ensued concerning the difference between City drainage standards and less-strict Borough standards; that eventually the City will inherit the associated problems if the two codes are not made to correlate prior to city growth.

Ms. Garley was asked to prepare a draft ordinance to support the concept of having standards that are more closely tied to urban standards. There were no objections.

2. **IM 14-031: Abbreviated Plat Review:** The Request is to combine Lots 3 and 4, Block 2, E.J. Le Duc into one lot to be known as Lot 4A, E.J. Le Duc 2014, located inside Palmer city limits.

Mr. Garley gave a staff report, directing attention to the vicinity map (p. 58) in the packet. The applicants are asking to combine two smaller lots to meet the required minimum lot width of 60'. The new lot would meet and exceed the minimum lot area of 8,400 sf. City staff had no additional comments and supports this request.

The Commission had no additional comments.

- K. **PUBLIC COMMENTS:** There were no public comments.

- L. **STAFF REPORT:**

Ms. Garley:

- Updated as to the Fred Meyer project; it has submitted its rezoning request which P&Z will hear at its January meeting; a community meeting to introduce the project and receive comments from the public is scheduled for January 14 at the Mat-Su Senior Services.
- Reported end-of-year statistics for single family building permits, noting normally 12-15 are issued in a year; this year, 30 building permits were issued. She will email the end-of-year report on all statistics when it is completed; it will also be on the city website.

- M. **COMMISSIONER COMMENTS:**

Commissioner Maxwell commented she felt it was a good meeting; appreciated the discussion with regard to communities outside the city, including the discussion regarding greenbelts and the water and drainage systems.

Commissioner Lucas referred to the Comp Plan and because he hasn't heard anything recently, inquired if there is still interest in working to improve the trail along the railroad which is in a state of decline. Once done, it would be relatively easy to maintain and would open up quite a few miles of rehabilitated trail. Ms. Garley informed there is quite a lot of interest still and described the current status of what has been done and what the focus will be as funds become available.

Commissioner Petty commented that he supports whatever can be done to move toward the Borough and City getting together on standards for green space areas,

drainage, and keeping new developments family-friendly with trails and parks. He'd like to see it happen.

Commissioner Kircher commented on the DOT trail along the highway, making reference to the Palmer Urban Revitalization Plan that describes plans for trails, overlooks, etc. He reminded when the Plan was written, the participants included the Alaska Railroad and the Mat-Su Borough and everyone was amenable to not only putting an overlook down at the river but extending it to Sutton. The Railroad said sure; the Borough said it sounds like a good idea. The problem is funding, but if it's done a little at time, eventually it would be completed. He also commented regarding the icy patches on sidewalks in front of businesses during Colony Christmas being a major safety concern. Further discussion ensued on safety during these big events. He also commented that he was impressed by the attendance at Colony Christmas.

Chairman Kerslake had no comments this evening.

N. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:09 p.m.

William Kerslake, Sr., Chairman

Kimberly A. McClure
Planning and Code Compliance Technician