



**City of Palmer**  
**Planning and Zoning Commission Packet**

*May 19, 2016*



**PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**7 PM, THURSDAY, MAY 19, 2016**  
**CITY COUNCIL CHAMBERS**  
**231 W. EVERGREEN AVENUE, PALMER**  
[www.cityofpalmer.org](http://www.cityofpalmer.org)



CHAIRMAN DAN LUCAS  
VICE CHAIRMAN DAVID PETTY  
COMMISSIONER WILLIAM KERSLAKE, SR.  
COMMISSIONER MICHAEL KIRCHER  
COMMISSIONER MERRY MAXWELL  
COMMISSIONER DOUGLAS CRUTHERS  
COMMISSIONER DAVID FULLER

**AGENDA**

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
- E. Minutes of Previous Meetings
  - 1. Regular Meeting of March 17, 2016
  - 2. Special Meeting of April 14, 2016
- F. Persons to be Heard
- G. Public Hearings
- H. Unfinished Business
- I. New Business
  - 1. Resolution No. 16-003: A Resolution of the Palmer Planning and Zoning Commission for the Reconsideration of Recommending the City Council Adopt an Expanded Boundary of the Central Business District
- J. Plat Reviews
  - 1. IM 16-006: Applications for an Interim Materials District (IMD) and Administrative Permit have been submitted for the removal of 3,120,000 cubic yards of earth material through 2060 for Tax Parcel D005 in Section 1, Township 17 North, Range 1 East, Seward Meridian, located outside 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, MARCH 17, 2016  
7:00 P.M. - COUNCIL CHAMBERS**

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A. CALL TO ORDER:

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

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

Dan Lucas, Chairman  
David Petty, Vice Chairman  
William Kerslake, Sr.  
Michael Kircher  
Merry Maxwell  
Douglas Cruthers  
David Fuller

Excused absence(s):

Also present were:

Sandra S. Garley, Community Development Director  
Kimberly A. McClure, Planning and Code Compliance Technician  
Nathan Wallace, City Manager  
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(S):

The minutes of the **January 21, 2016** 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: There was no unfinished business.

I. NEW BUSINESS: There was no new business.

J. PLAT REVIEWS:

1. **IM 16-002:** An application for an Interim Materials District (IMD) under MSB 17.28

-- Interim Materials District has been submitted for the removal of 12,140,000 cubic yards of material, with extraction activities concluding in 2055 for Tax Parcels D005 & D006 in Section 1, Township 17 North, Range 1 East, Seward Meridian and Tax Parcels A007 & B006 in Section 12, Township 17 North, Range 1 East, Seward Meridian, located outside Palmer city limits.

Director Garley reported that these properties are located adjacent to 155 acres leased by the City on France Road. City department head comments are in the packet noting no changes necessary. Brief questions and discussion ensued. Ms. Garley gave an historical overview of the 155-acre leased property located outside city limits. Originally, it was intended to be the city landfill but plans changed and the city continues to hold it in reserve.

Commissioner Kircher commented that he has worked on the Crevasse Moraine Trail in the area and noted that this has been planned for a long time and is nothing new. The idea was to open up a new cell and the trail head would move from where it is now closer to Palmer for easier access. The Borough also planned to move its pavilion.

Commissioner Cruthers commented that consideration be given to when they want to start extracting the 12,140,000 cubic yards of material and will it affect any of the nearby residential zones; noted it is relatively quiet there now, but it could get quite noisy and dusty with gravel trucks in and out of the area on a daily basis.

Chairman Lucas noted a discrepancy in the stated year of extraction conclusion, referencing "extraction activities concluding in 2055" (Mark Whisenhunt, MSB, transmittal memo) and the Application itself stating "estimated final year extraction will occur approximately 2020."

Commissioner Fuller commented regarding traffic impact – tractor trailers pulling gravel out. Would the trucks be coming through Palmer and dumped at the gravel pit to be loaded on a train and how will that impact the traffic down the road, especially for the next couple of decades?

Commissioner Maxwell noted the answers to these questions might very well be contained in the Mining Plan. Ms. Garley informed the MSB multi-page support packet is posted on the City's website.

2. **IM 16-003:** Preliminary Plat Review: The request is to create six lots from Parcel #2, MSB Waiver 77-56 recorded as 77-123w, Tax Parcel A29 in Section 32, Township 18 North, Range 2 East, Seward Meridian, to be known as Sunlit Fields, located outside Palmer city limits.

Director Garley reported the request is as above-described, located outside city limits on the South side of Scott Road. The plat has been reviewed by city staff and comments are in the packet (page 25). The proposed lots meet the requirements for required width and minimum lot area for R-1 in the event the lots are ever annexed into the city

and access is appropriate. Public Works commented that the water main extension will require a Utility Extension Agreement with the City. Developers should design finish grade and drainage structures accordingly. See map on page 28 of the packet. The developer should be advised that this property is the natural drainage course for upland areas and under certain precipitation and/or thaw events (usually in the Spring), large amounts of surface water flow across this property in a north-to-south direction.

Commissioner commented raising concerns about drainage and whether it would impact neighborhoods. Brief further discussion followed.

3. **IM 16-004:** Palmer-Wasilla Hwy Center Left Turn Lane Widening ROW Acquisition Plat: The request is for Right-of-Way Acquisition Plat approval for HSIP: Palmer-Wasilla Highway Center Left Turn Lane Widening Project No. Z518290000/HHE-0441(8); the project begins at the west end of Palmer-Wasilla Hwy at N. Betts Street and ends on the east end of N. Loma Prieta Drive, located outside Palmer city limits.

Director Garley directed attention to the map in the packet (page 49) showing the ROW acquisition located outside city limits. Staff has reviewed subject plat and both Community Development and Public Works note it appears to follow the original Palmer-Wasilla Highway Improvement Plan.

The Commission had no additional comments.

K. PUBLIC COMMENTS: There were no persons to speak on a topic not on the agenda.

L. STAFF REPORT: Director Garley reported:

- City received a small Arbor Day Grant from Alaska Community Forestry Council; announced Monday, May 16, which coincides with Alaska Arbor Day, there will be a ceremony at the Visitor's Center Garden. The grant will allow the purchase of four new trees for the area, of which one will be planted that day. The day before, Sunday, May 15, another tree will be planted at the Arboretum – the first tree planted in the Arboretum in over 45 years.
- P&Z Special Meeting April 14, 2016 – Appeal of Mountain Rose Estates from the P&Z Commission's Decision approving the PUD, Resolution No. 15-008. Distributed on the table is a copy of the Hearing Officer's Decision. Please review and bring back for the special meeting.

M. COMMISSIONER COMMENTS: There were no further Commissioner comments.

N. ADJOURNMENT:

There being no further business, the meeting adjourned at 7:23 p.m.

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Dan Lucas, Chairman

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Kimberly A. McClure  
Planning and Code Compliance Technician

DRAFT

**PLANNING & ZONING COMMISSION  
CITY OF PALMER, ALASKA  
SPECIAL MEETING  
THURSDAY, APRIL 14, 2016  
7:00 P.M. - COUNCIL CHAMBERS**

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A. CALL TO ORDER:

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

B. ROLL CALL:

Present and constituting a full board quorum were Commissioners:

Dan Lucas, Chairman  
David Petty, Vice Chairman  
William Kerslake, Sr.  
Michael Kircher  
Merry Maxwell  
Douglas Cruthers  
David Fuller

Also present were:

Nathan Wallace, City Manager  
Michael Gatti, City Attorney  
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 Fuller.

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

E. PERSONS TO BE HEARD:

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

F. PUBLIC HEARING(S):

**Resolution 16-002:** A Resolution of the Palmer Planning and Zoning Commission reconsidering three issues remanded to the Commission by the Hearing Officer following an appeal regarding the preliminary approval of a Planned Unit Development application for Tax Parcel C8 in Section 4, Township 17 North, Range 2 East, Seward Meridian, located inside Palmer city limits, initiated by Ron Bateman of Lumen Design, LLC on behalf of the property owner.

The three items remanded to the Planning and Zoning Commission:

- 1) *Drainage* – This aspect of the Commission’s decision is reversed and remanded for further consideration;
- 2) *The PUD must be shown to not overload the street system or result in unsafe access*

*or danger to pedestrians and must be in conformance with the City Traffic Study –*  
This aspect of the Commission’s decision is reversed and remanded for further consideration; and

- 3) *Consistency with the City Comprehensive Development Plan –* This aspect of the Commission’s decision is reversed and remanded for further consideration.

**Attorney Gatti** explained the procedure for conducting the public hearing on the remanded items, emphasizing that these three points are the only items that may come before the Commission during this hearing. And by way of clarification, he pointed out that the final decision on this PUD application rests solely with the Planning and Zoning Commission, subject to any rights of appeal on either side. The decision does not move to the City Council.

[Chairman Lucas opened the public hearing at 7:04 p.m.]

Staff Report: Director Garley reported that all notice and publishing requirements on the appeal remand relating to this parcel have been met. As of the beginning of this hearing, a total of four written comments have been received. She briefly recapped the property in question consisting of 9.30 acres. Comments by the Public Works Director on the remanded items are contained in a memorandum [packet pages 9-11] addressing traffic and drainage issues provided in supplemental information by the applicant and additional information by the project engineer Alaska Rim Engineering dated March 15, 2016. Ms. Garley read the Public Works Director’s comments in full for the record and benefit of the audience.

Staff offered the following findings on the three remanded items for the Commission’s consideration:

Remanded Item #1)

The PUD must be integrated with surrounding land uses and minimize any negative impacts on them – Drainage.

*Finding:* The additional drainage information provided by Alaska Rim Engineering, Inc. shows the design concept to include specifics on rain gardens, infiltration trenches, and sub-basins. The information provided contains sufficient information on the drainage plan, including a description of the proposed drainage system, hydraulic calculations, a plan view of the drainage system and typical section drawings of rain garden and infiltration trench structures to show the proposed drainage plan is designed to contain a 100-year 24-hour event onsite without negative impacts to the adjoining neighbors. The drainage plan combined with the recommendations from the Public Works Director will adequately address the plan’s ability to contain storm water onsite.

Remanded Item #2)

The PUD must be shown not to overload the street system or result in unsafe access or danger to pedestrians and must be in conformance with the most recently adopted city traffic study.

*Finding:* The trip generation report by Alaska Rim Engineering does provide estimates of how many trips would be generated by the proposed PUD. Based on said trip generation information, the estimated daily trips during the peak hour of the day generated by the proposed PUD, falls under the threshold guideline that would require a Traffic Impact Study.

At the time the City of Palmer Traffic Study was prepared in 1984, the property of the proposed PUD was not inside city limits. According to the 1984 study, both South Chugach Street and the portion of Cope Industrial Way inside city limits were designated as collector streets. Based on the information provided by the Public Works Director, the designation of these streets as collector streets continues to be consistent with their function today.

Both Cope Industrial Way or South Chugach Street would provide safe access to pedestrians and would be able to absorb the traffic generated by the PUD. Based on the detailed information provided by Alaska Rim Engineering and the Public Works Director regarding the larger width of the road, availability of paved sidewalks, existing street lights, curb and gutter, since both South Chugach Street and E. Cope Industrial Way function as collector roads, either is appropriately designed to accommodate the traffic generated by the proposed PUD.

Remanded Item #3)

Consistency with the City Comprehensive Development Plan.

*Finding:* Listed in Chapter 3, City of Palmer Comprehensive Plan, dealing with Community Vision, are broad goals to achieve community vision. One goal states: "Encourage High Quality, Attractive Development with Ready Access to Parks and Green Space" [page 3-3] and mentions the desire to provide ready access to parks, trails, and open space and preserve sense of views. The proposed PUD addresses the need to preserve the mountain views and arranges the housing units and positions the primary street on an axis to maximize the views of the surrounding mountains.

The housing units are divided among 21 buildings with varying roof lines to produce an attractive development and promote a neighborhood experience. A characteristic listed under Chapter 6, Land Use, of the Comprehensive Plan in Objective A of Goal 1 [page 6-7] refers to guiding growth so there is "Space for new residential neighborhoods, primarily around the outer portions of the community, but also within mixed use areas in the downtown core. Residential areas include internal open space, parks and connecting trails. "Consistent with the Comprehensive Plan," the proposed PUD will provide approximately 3.8 acres of open outdoor space, pocket parks, and playground, and will have trails connecting internally and to existing adjacent sidewalks. Interior trails and walkways will connect the residential units to each other and will connect to existing sidewalks to help ensure Palmer remains a pedestrian friendly town as referred to in the Comprehensive Plan.

Goal 2, Chapter 6, Land Use, of the Comprehensive Plan states: "Maintain high quality residential neighborhoods; promote development of a range of desirable new places to

live in Palmer” [page 6-8] and speaks to the many assets of Palmer that will attract residential development. Water and sewer connections which permit higher density housing are one of those assets listed in Goal 2. Another asset mentioned in Goal 2 is the opportunity to live within walking distance of stores, restaurants and places to work. The proposed PUD will consist of 1, 2, and 3-bedroom multi-level townhouse units, each unit with a garage to produce a neighborhood appearance and environment. The PUD will have an onsite office with management and security to ensure standards are maintained to produce a safe, high quality residential environment.

Objective A, Goal 2, Chapter 6, Land Use, of the Comprehensive Plan states: “Promote a diverse range of quality housing, from attractive higher density housing in or near downtown, to outlying housing in more rural settings.” The proposed PUD is consistent with this objective by offering quality high density housing near downtown. The planning concepts presented in the proposed PUD speaks to providing a variety of unit heights so the proposed PUD becomes smaller, more residential in appearance, with private garages as opposed to a large parking lot and landscaping throughout the PUD that will be required and maintained. The location of the proposed PUD is within walking or biking distance to the downtown area.

The Comprehensive Plan under Objective C, Goal 2, Chapter 6, Land Use, states: “Around the country, a growing body of experience shows that higher density housing can offer very desirable places to live, if this housing is well designed and constructed and has pedestrian access to amenities like open space, parks, and shopping.” [pages 6-9]. The proposed PUD will consist of 1, 2, and 3-bedroom multi-level townhouse units, each unit with a garage to produce a neighborhood appearance and environment. The PUD will have onsite gardens, open space, and walking trails. The PUD will have an onsite office with management and security to ensure standards are maintained to produce a safe, high quality residential environment, and the location of the proposed PUD is within walking or biking distance to the downtown area.

Staff recommends that based on the information reviewed at the time of this report, there is sufficient information to support finding that the criteria for the three remanded items has been met and would support a Commission decision to grant preliminary approval of the proposed PUD for Tax Parcel C8, Section 4, Township 17 North, Range 2 East, Seward Meridian, and that it is consistent with and in conformance with the Palmer Comprehensive Plan with the following conditions:

1. All subsequent development shall comply with all State, Federal and local laws, statutes, regulations and ordinances.
2. The applicant shall, within one year of the date of commission approval of the preliminary PUD plan, submit a final PUD plan of the proposed development to the zoning administrator, which must incorporate all of the changes and conditions required by the commission.
3. The 12.5’ greenbelt easement along the boundary of this parcel and C9 be maintained.
4. Construction must comply with the approved site plan.

5. Construction of primary access to the development must meet City standards for new road construction.
6. The development will be responsible for all street, sidewalk, drainage and street lighting improvements within the development.
7. Consolidate the public gardens on the southern border of the property adjacent to the southwest corner of the PUD.
8. Use Cope Industrial Way as main entrance to the PUD.
9. Once the final PUD is approved, the City shall require an agreement and a bond or surety to guarantee construction of proposed improvements in accordance with PMC 17.84.090(C).
10. Once approved by the City Council, the Zoning Map will be amended to reflect the granting of the Planned Unit Development status for Tax Parcel C8 in Section 4, Township 17 North, Range 2 East, Seward Meridian.

Chairman Lucas called for the motion –

**Commissioner Fuller** moved, seconded by **Commissioner Kircher**, for approval of **Resolution 16-002**, upon reconsideration of the three issues more particularly described in the Resolution, remanded to the Commission by the Hearing Officer following appeal of the preliminary approval of the requested VRS/VOA Planned Unit Development on Tax Parcel C8, Section 4, Township 17 North, Range 2 East, Seward Meridian.

#### **PUBLIC HEARING:**

##### **For the Applicant:**

**Norman Gutcher**, P.E., Alaska Rim Engineering, spoke specifically to the traffic and drainage issues.

*Traffic:* Noting comments by Public Works that the traffic expected to be generated by 88 dwelling units, even during the peak hour of trip generation, would be less than the 100 vehicles an hour, he added that the only information he was able to find in his own research on the surrounding streets was from a DOT most recent traffic report which showed total average daily traffic on Chugach at approximately 3500 cars a day, on Springer east of Chugach less than 2000 a day, and there was no data from the Borough or the City on Cope Industrial, although he would estimate it about 1000 vehicles a day. Regardless of which access is ultimately used, the majority of the traffic will go out onto Chugach either directly through an extension of Commercial or via Cope Industrial. Either Chugach or Cope Industrial can handle the traffic from this project.

*Drainage:* In response to the request for additional information, detailed analysis has been provided of the runoff for the 100-year 24-hour storm, which is pretty much the standard adopted across the country for keeping drainage onsite [see packet, pages 57-82]. ARE has suggested some grading on the site that would facilitate keeping the water on site. The Public Works Director's request to reposition the rain gardens at the parking areas has been done [drawing provided]. Mr. Gutcher further detailed the rain gardens and infiltration systems designed to keep drainage onsite.

Brief questions ensued inquiring about grading and test holes for depth of silt.

**Petra Sattler-Smith**, Architect, Lumen Design, LLC, offered to answer any commissioner questions on the architectural side of the project. She emphasized that as planners and architects their goal is to create a neighborhood that is safe and creates diversity in terms of architecture that is attractive. She further described details of the design and noted that they are creating “homes” and neighborhoods with sidewalks, pathways, and green space throughout the development. Landscaping is a large part of the budget for this project. There is a community center and an onsite manager to address any issues that may arise. There were no questions by the Commission.

**[Chairman Lucas opened the hearing to public testimony at 7:35 p.m.]**

**Allan Linn**, resident of Mountain Rose Estates, spoke in opposition, and in particular to drainage and street accesses. With regard to drainage, Mr. Linn described in detail the winter/thaw conditions that have occurred in subject area during the existence of MRE, resulting in major flooding crossing over into Mountain Rose Estates despite the existence of the dry wells along the north border of MRE which was commented on by the Alaska Rim engineer. Any drainage features such as garden drains and surface trenches are temporary in nature due to the fact that they eventually bind up due to accumulations of silt, sand, leaves, twigs, etc. and require periodic refurbishment investments in order to maintain their effectiveness whether the ground surface is frozen or not. He believes a surface conduit ditch leading to S. Chugach Street drainage should be incorporated as a safety feature. Regarding traffic, even though staff comments seem to infer the Commission erred in establishing Cope Industrial Way as the property primary access, he believes the Commission made the correct decision. Both Cope Industrial and Commercial at Chugach Street are 4-way intersections. As such both have the opportunity for up to 32 different types of accidents involving both vehicles and pedestrians. Both locations have three sidewalks at the intersections. The difference is Commercial is a 45-mph speed zone while Cope Industrial is a 25-mph speed zone which has the ability to reduce the speed to 20 mph for safety concerns to protect student pedestrians.

**Robert Nilsen**, MRE resident, spoke in opposition to the PUD for many reasons, but which include the drainage problem and the extension of E. Commercial Drive. He submitted seven pictures taken February 21, 2016 which demonstrate the existing drainage problem after only one day of heavy rainfall. He believes that the suggested drainage fix of a 100-year flood onsite plan and rain gardens won't work as long as frost is in the ground; that what is needed is a drainage plan that addresses normal drainage needs. Construction of these housing units may exacerbate the existing problem. He also opposes the proposed extension of E. Commercial Drive noting it fails to consider the impact of travel on the local neighborhood. Will it be an emergency exit only? Where will school buses pick up the children? Even though the extension would be legal, it will impact the value and quiet enjoyment of the seniors residing within a few feet of the proposed roadway.

**Keith Morberg**, MRE resident, spoke in opposition, in particular relating to compatibility with the Palmer Comprehensive Plan. Directing attention to page 6-2 of the Comp Plan, he noted noncompliance with the Palmer Municipal Code. He believes that Palmer staff erred in finding the PUD consistent with the Comp Plan especially relating to density. PMC 17.84.010(B) limits a

PUD to only slightly higher density than the underlying zoning, which in this case is R-1. This parcel is 9.3 acres. A minimum dwelling lot size of 7200 sf allows for about 56 dwelling units. The proposed PUD calls for 88 dwelling units, is over 45 percent more than allowed by the R-1 zoning. No reasonable person would consider this only slightly higher density. It is not opinion, but a matter of fact and law. This issue must be resolved before the Commission takes affirmative action. The proposed PUD is not in accordance with city code and must be rejected.

**Verda Lewis**, 1438 S. Denali St., Palmer, spoke in opposition, voicing concern about the flooding and standing water problem on the west side of the soccer field and in the area. If a dike is built on the south and east sides, what will be done about the water coming across the soccer field? She is not opposed to housing being built there, but does object to the number of units they want to build – 88 units is way too many (averaging 4 per unit equals 352 people plus an average of 2 cars per unit equals 176 vehicles added to the traffic flow). She spoke to the impact of 2 to 3 children per unit on our school system which is already overloaded. She also raised concern if there was no onsite maintenance/management.

**Casey Adney**, corner of S. Denali and E. Kinnikinnik, Palmer, spoke in opposition and is not convinced that what is built attractive in the beginning will stay attractive, referencing Mountain View in Anchorage as an example. He works in law enforcement and cautioned against such a high density development in a small space, that it begs for crime and will highly impact the Palmer Police Department. He also spoke to the impact on our schools adding an average of two per unit or 176 children to an already crowded system. As for the drainage issue, referring to his own backyard, there is a swamp every summer thaw.

**B. Jean Krause**, MRE resident, spoke in opposition, noting confusion over whether there would or would not be onsite management. She referenced one of the points in the Palmer Comprehensive Plan is to retain what is best about Palmer's history and tradition. She doesn't think that high density housing is part of Palmer's history or its tradition, but the thrust may be to make a new history and tradition. Another objective is to maintain the quality of existing neighborhoods. Mountain Rose Estates is not high density nor is it low income or adds a lot to the traffic flow. She spoke to the all the new development along Chugach Street since the last traffic study was done 30 years ago and suggested a new traffic study should be a duty of the City of Palmer to perform and not rely on Alaska Rim estimates which she believes has a financial interest in the outcome of this decision.

**[There being no others coming forward to testify, the public testimony portion of the hearing was closed at 7:56 p.m.]**

**Rebuttal by Applicant:**

**John Weaver**, President and CEO of Valley Residential Services (VRS) working with Volunteers of America (VOA) on the project, responded to the question concerning onsite management, confirming that there *is* onsite management planned for this development. There will be a manager's office and resident manager spending the night in one of the units.

**Debate/Discussion on Motion:**

**Commissioner Fuller**, maker of the motion, spoke in appreciation of the testimony and concerns expressed in the public testimony; understands the drainage concerns stating he thinks everyone in Palmer experiences drainage problems every year and that it is hard to predict from year to year; spoke to his review of the PUD plans and additional materials submitted and he believes they appear to be sound.

**Commissioner Kircher**, second on the motion, spoke in favor of affirming the three remanded issues; argued that they have been adequately addressed in detail; that based on the testimony today plus the additional information and documentation, the issues of drainage, traffic, and consistency with Comp Plan have more than adequately been addressed; that this development is one of the best that he has seen – well done, well maintained, well landscaped; doesn't think there could be a better use of this property; reminded that the City will not allow occupancy unless all the issues are resolved; encouraged the Commission to vote in favor of adoption of Resolution 16-002.

**Amendment #1** to Main Motion:

**Commissioner Kircher** moved, seconded by **Commissioner Kerslake**, to amend the Main Motion to strike staff-recommended Condition #8, mandating use of Cope Industrial Way as the main entrance to the PUD.

Commissioner Kircher reiterated the reasons for originally applying Condition #8 at the previous hearing, however, based on the additional information received since that time, a good case might be made for using Chugach Street as an entrance. He argued this decision might be better left to the developer and engineering firm. Further debate followed. Chairman Lucas argued that both entrances should be equally part of the access with emphasis perhaps on Commercial Drive based on Public Works comments. Commissioner Cruthers commented in agreement that both streets should have equal access. Commissioner Maxwell asked, based on the discussion tonight, if it wouldn't be prudent to consider updating the traffic study if the PUD is approved. Director Garley referenced the zoning code and concurs with the Public Works Director that DOT and Borough standards are adequate thresholds and that this development does not meet those thresholds to require a traffic impact study.

Further discussion ensued regarding road construction standards for emergency access and standards for primary versus secondary access. Public Works Director Tom Healy answered questions regarding city standards for public streets. Debate continued on Cope Industrial versus Chugach Street as the main or equal access.

**VOTE on Amendment #1: DEFEATED** [6 opposed; 1 in favor (Cruthers)]

Further Debate/Discussion on Main Motion:

**Commissioner Maxwell** addressed the issue concerning consistency with the Palmer Comprehensive Plan and while she appreciates that two different sides have brought out valid points, it is important to remember that the Comp Plan is an envisioning document with public input and important to bracketing the decisions that the Commission makes. She talked about the conflicting desire to control what will happen in the future, but still keep intact the existing

communities if we can. She thinks the proposed PUD is a fabulous design and wonderfully done, but also thinks it is too high density for this area; that in keeping with the community that is already established at Mountain Rose Estates, it needs to go somewhere else.

Somewhat lengthy discussion ensued debating whether the proposed PUD is consistent with the Palmer Comprehensive Plan especially as relates to density. **Commissioner Kircher** expounded on the need for new growth in Palmer and good quality affordable housing; that this development is exactly what is needed in the core area. **Commissioner Kerslake** asked if there was a mechanism in place to protect Mountain Rose Estates if drainage from the development were to ever create a problem. Director Garley and Attorney Gatti addressed the question discussing performance bonds and insurance. **Commissioner Kerslake** commented, whether you agree or disagree about the density, development is coming and Palmer will have no better chance of quality design and neighborhood incorporated into our community. The information in the packet and the findings of staff support approval of this PUD. **Commissioner Cruthers** spoke in favor and to the aesthetic nature of the development; commented that when the Palmer Comprehensive Plan was written, we knew that growth was coming; the question is how we manage that growth. This PUD isn't just a good idea, it is an exciting idea. His only reservation is that 50 percent isn't offered up for private ownership. He agrees with Commissioners Kircher and Kerslake that if this doesn't go through, someone could go in there and slap up a bunch of rectangular boxes with no onsite management where the owner lives in Anchorage or out of state.

[Main Motion repeated for ease of reference:

**Commissioner Fuller** moved, seconded by **Commissioner Kircher**, for approval of **Resolution 16-002**, upon reconsideration of the three issues more particularly described in the Resolution, remanded to the Commission by the Hearing Officer following appeal of the preliminary approval of the requested VRS/VOA Planned Unit Development on Tax Parcel C8, Section 4, Township 17 North, Range 2 East, Seward Meridian.]

**VOTE on Main Motion by Voice Vote: CARRIED.**

[In favor: Cruthers, Fuller, Kircher, Lucas, Kerslake]

[Opposed: Maxwell, Petty]

*Amendment:*

**Commissioner Fuller** moved, seconded by **Commissioner Cruthers**, to amend **Resolution 16-002** to include adoption of staff-recommended Conditions 1-10.

**VOTE ON MAIN MOTION AS AMENDED: CARRIED UNANIMOUSLY.**

G. PUBLIC COMMENTS: None.

H. COMMISSION MEMBER COMMENTS: None.

I. ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:56 p.m.

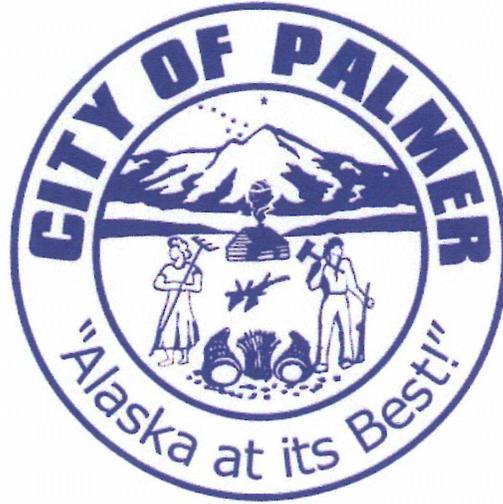
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Dan Lucas, Chairman

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Kimberly A. McClure  
Planning and Code Compliance Technician

DRAFT



## **New Business**



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 16-007**

- SUBJECT:** Resolution No. 16-003: Re-consideration of Resolution No. 12-003 recommending the City Council adopt an expanded boundary of the Central Business District
- AGENDA OF:** May 19, 2016
- ACTION:** Review Resolution No. 16-003 and re-send a recommendation to the City Council to adopt Resolution No. 16-003.
- Attachment(s):** Resolution No. 16-003  
Resolution No. 12-003  
Proposed map showing expanded Central Business District boundary  
Planning & Zoning Minutes of August 21, 2014
- Summary:** The new City Manager has requested the Planning and Zoning Commission to revisit Resolution No. 12-003 to expand the Central Business District boundary. Staff has worked on clarification of the CBD boundary description and revised the CBD boundary description as described in Resolution No. 16-003.
- Recommendation:** Move forward Resolution No. 16-003 to City Council for adoption.

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 16-003

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

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WHEREAS, the Planning and Zoning Commission considered the Central Business District boundary expansion recommended to City Council in Resolution No. 12-003; and

WHEREAS, the Planning and Zoning Commission has been requested by the City Manager to reconsider the expansion of the Central Business District boundary; and

WHEREAS, the Planning and Zoning Commission continues to recommend the expansion of the Central Business District boundary as described in Resolution No. 12-003;

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

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

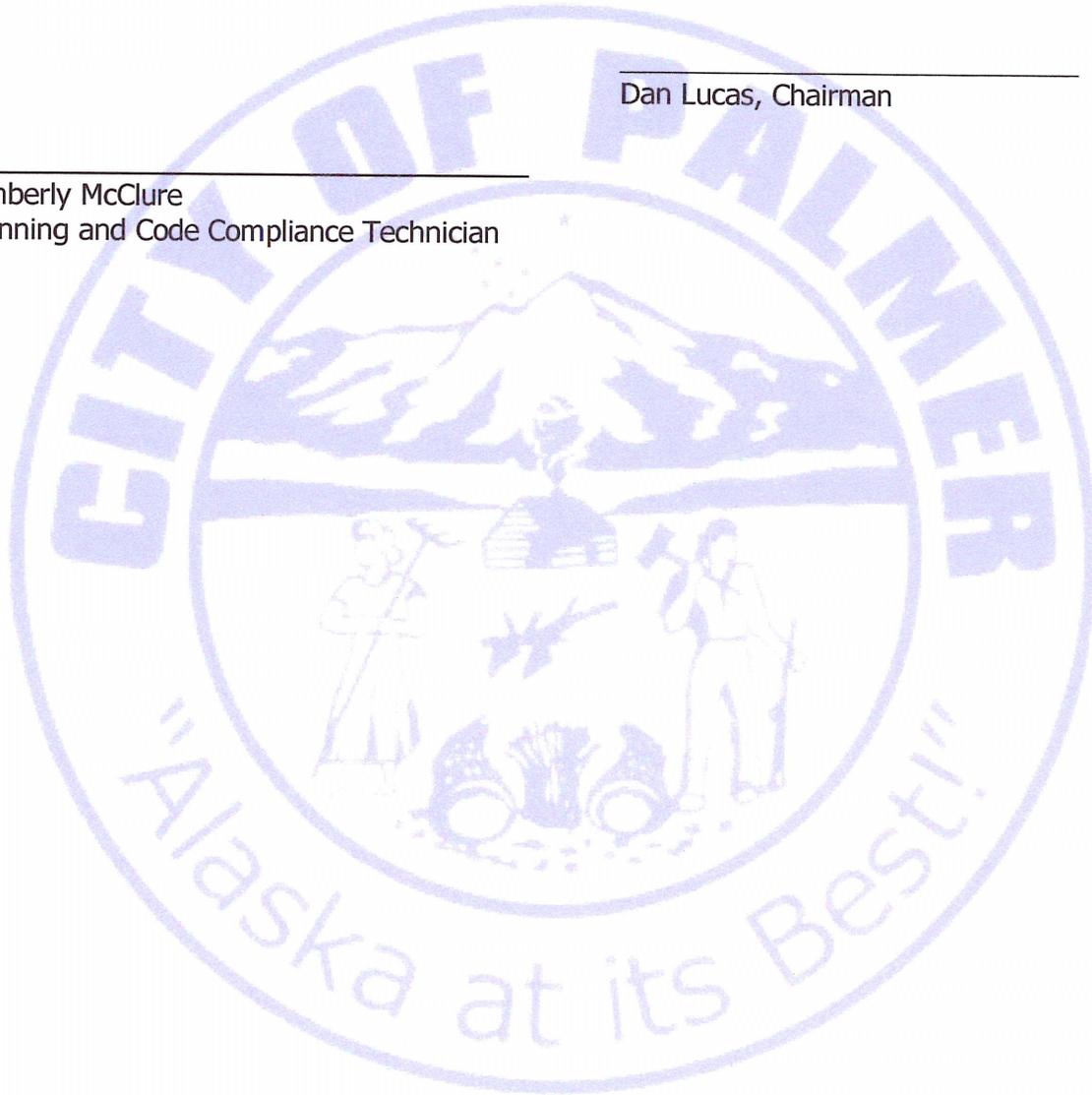
Way to the junction of S. Colony Way and the Glenn Highway centerlines, then north along the centerline of the Glenn Highway to the point of beginning.

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

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Dan Lucas, Chairman

\_\_\_\_\_  
Kimberly McClure  
Planning and Code Compliance Technician



PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 12-003

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

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

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

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

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

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

WHEREAS, PMC 17.84, Planned Unit Development, adopted in 1992, implemented the 1986 Comprehensive Develop Plan recommendation that established a "minimum area for a PUD of 60,000 square feet unless the planned unit development is used to facilitate redevelopment in the downtown redevelopment area as described in the city's comprehensive plan"; and

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

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

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

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

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

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

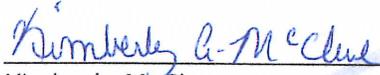
NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby recommend the City Council approve a revised Central Business District described as follows:

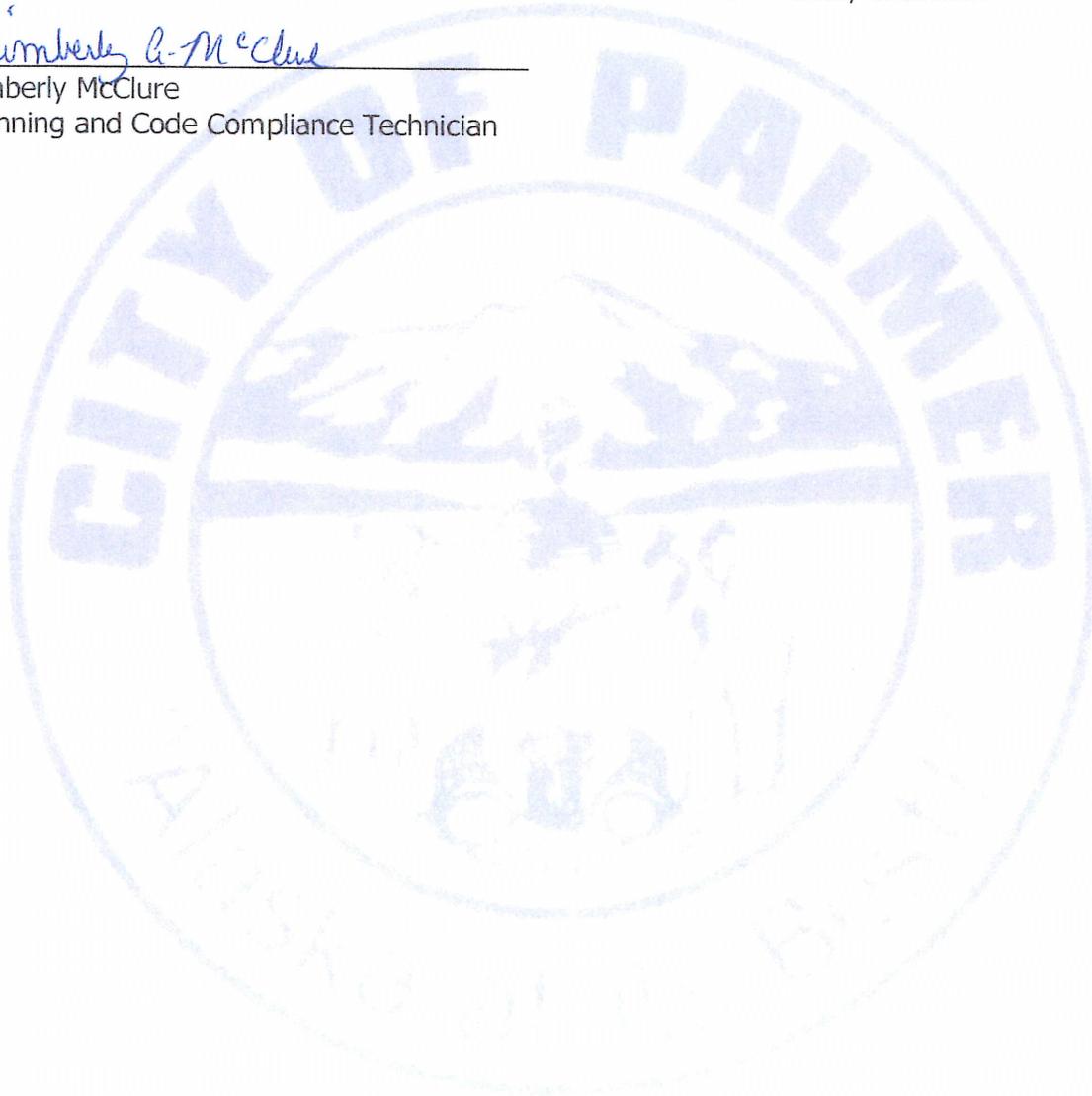
Beginning at the intersection of the Palmer/Wasilla Highway and the Glenn Highway centerlines, then north along the centerline of the Glenn Highway to the centerline of W. Auklet Avenue, then east along the centerline of W. Auklet to the east side of parcel 18N02E33 Tract 1-A, then south along the east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

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

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

  
Michael W. Madar, Chairman

  
Kimberly McClure  
Planning and Code Compliance Technician







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

Ms. Garley updated the Commission as to past lengthy discussions on the CBD expanded boundary at various times since April of 2012, noting that the topic and draft resolution were again re-visited at the Commission meeting of October 17, 2013, however no action was taken. Staff requested the Commission to again consider adopting Resolution 12-003 and move it forward to the City Council with a map. See draft resolution at pages 55-57 of the packet containing a written description of the proposed expanded CBD boundary.

**Commissioner Lucas** moved, seconded by **Commissioner Kerslake**, to recommend adoption of Resolution 12-003 as written and move forward to the City Council with a map and recommendation for adoption.

Commissioner Lucas voiced approval of the action and Commissioner Kerslake added the Commission has worked on this at length and it's now time to forward it as written for the Council's input and adoption. Further discussion took place as to whether the written outer core boundary description highlighted in yellow in the resolution (packet page 56) corresponds to the map shown on the screen. Ms. Garley stated she and Kimberly will double check to confirm that it matches and send a printed copy of the map to Commissioners tomorrow. Chairman Madar reminded that this has been on the table for two-plus years, including joint meetings with the Council; that this is important for the community and especially for the businesses in Downtown Palmer; personally thinks it does a good job of describing our Central Business District.

**VOTE ON MOTION: Carried Unanimously.**

2. **Continue Discussion of Central Business District.**

Ms. Garley gave a staff report, informing that staff conducted site visits of several businesses and mixed use structures and took pictures showing the various setbacks from the right-of-way. Included in the packet are example pictures. Questions of staff followed.

**Commissioner Lucas** moved, seconded by **Commissioner Kerslake** to enter Committee of the Whole to continue open discussion on the CBD. There were no objections.

[The Commission entered Committee of the Whole at 7:50 p.m.; exited at 8:01 p.m.]

While in Committee of the Whole, the Commission further discussed setbacks and mixed use commercial/residential as it would relate to a CBD; questioned staff as to code requirement conflicts between CG and CL. Conditional Use Permits could address/solve some of the issues.



## **Plat Reviews**



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 16-006**

**SUBJECT:** Earth Materials Extraction Application & Permit Application: Tax Parcel D005 in Section 1, Township 17 North, Range 1 East, Seward Meridian

**AGENDA OF:** May 19, 2016

**ACTION:** Review and comment

**Attachment(s):** 1) Memorandum  
2) Earth Materials Extraction & Permit Application package with map from MSB Platting Division (**partial copy; full copy available at:** <http://www.matsugov.us/publicnotice/central-landfill-applications-for-gravel-extraction-activities>)

**Summary:** Applications for an Interim Materials District (IMD) and Administrative Permit have been submitted for the removal of 3,120,000 cubic yards of earth material through 2060 for Tax Parcel D005 in Section 1, Township 17 North, Range 1 East, Seward Meridian, located outside Palmer city limits.

**Recommendation:** The staff comments regarding the application packet are attached.



## MEMORANDUM

TO: Mark Whisenhunt, Planner II, MSB  
FROM: Kimberly McClure, Planning Technician  
DATE: May 2, 2016  
SUBJECT: 17N01E01D005 – Central Landfill Applications

Inside City Limits

Outside City Limits

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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.
2. Building Inspector: No comments.
3. Community Development: It is located adjacent to the 155 acres that the City of Palmer leases on France Road.
4. Fire Chief: No comments.
5. Public Works: No comments.
6. Planning and Zoning Commission: The applications are scheduled to be reviewed at the May 19 P & Z meeting. Any additional comments will be forwarded.



## MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department  
 Development Services Division  
 350 East Dahlia Avenue • Palmer, AK 99645  
 Phone (907) 861-7822 • Fax (907) 861-7876  
[www.matsugov.us](http://www.matsugov.us)

### MEMORANDUM

DATE: April 14, 2016  
 FROM: Mark Whisenhunt, Planner II  
 SUBJECT: REQUEST FOR REVIEW AND COMMENTS  
 PROJECT: **Request for Interim Materials District (IMD) & Administrative Permit**  
 TAX ID: 17N01E01D005 TAX MAP: WA 09  
 LOCATION: Central Landfill; within Township 17 North, Range 1 East, Section 1, Seward Meridian  
 APPLICANT: Matanuska-Susitna Borough Land Management Division

**Application 1:** The original application for Interim Materials District at the Central Landfill which pertained to a 260-acre mining area has been withdrawn. As a result, the public hearing pertaining to this item set for May 2, 2016 has been cancelled.

**Application 2:** A **NEW** application for IMD under MSB 17.28 has been submitted by the Matanuska-Susitna Borough Land Management Division for earth materials extraction in preparation of the landfill expansion. The site is located at the Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian. The IMD will allow for the removal of approximately 3,120,000 cubic yards of earth material through 2060.

**Public Hearing:** The Planning Commission will conduct a public hearing concerning the **NEW Interim Materials District** application on Monday, May 16, 2016, at 6:00 p.m. in the Borough Assembly Chambers in Palmer.

**Application 3:** In addition, an Administrative Permit application for Earth Materials Extraction has been submitted by the Matanuska-Susitna Borough Land Management Division in preparation of the landfill expansion. The site is located at the Central Landfill (MSB Tax ID# 17N01E01D005); within Township 17 North, Range 1 East, Section 1, Seward Meridian. The Administrative Permit will allow for the removal of 770,000 cubic yards of material for two years. The earth material extraction activity subject to this application will occur within the areas designated as future landfill cells which total approximately 13 acres within a 120-acre parcel. The decision date for this administrative permit application is May 3, 2016.

All Application material is available for reviewed in the Borough Permit Center. Written comments can be mailed to the MSB Development Services Division, 350 E. Dahlia Avenue, Palmer.

**All comments received on or before May 2, 2016 will be included in both the IMD packet for the Planning Commission and the Administrative Permit packet for the Planning Director.**

Comments received after that date will not be included in the staff report to the Planning Commission or the staff report to the Planning Director. For additional information please contact Mark Whisenhunt, Planner II, at 861-8527.

Distribution:

- |  |  |
|--|--|
| <input type="checkbox"/> Borough Manager (info only) | <input type="checkbox"/> Pre-Design Division         |
| <input type="checkbox"/> Collections                 | <input type="checkbox"/> Community Development       |
| <input type="checkbox"/> Assessment                  | <input type="checkbox"/> Public Works Director       |
| <input type="checkbox"/> Planning Division           | <input type="checkbox"/> Right-of-Way Coordinator    |
| <input type="checkbox"/> Environmental Planning      | <input type="checkbox"/> Emergency Services Director |
| <input type="checkbox"/> Platting Division           | <input type="checkbox"/> Code Compliance             |
|  | <input type="checkbox"/> Cultural Resources          |

Comments:

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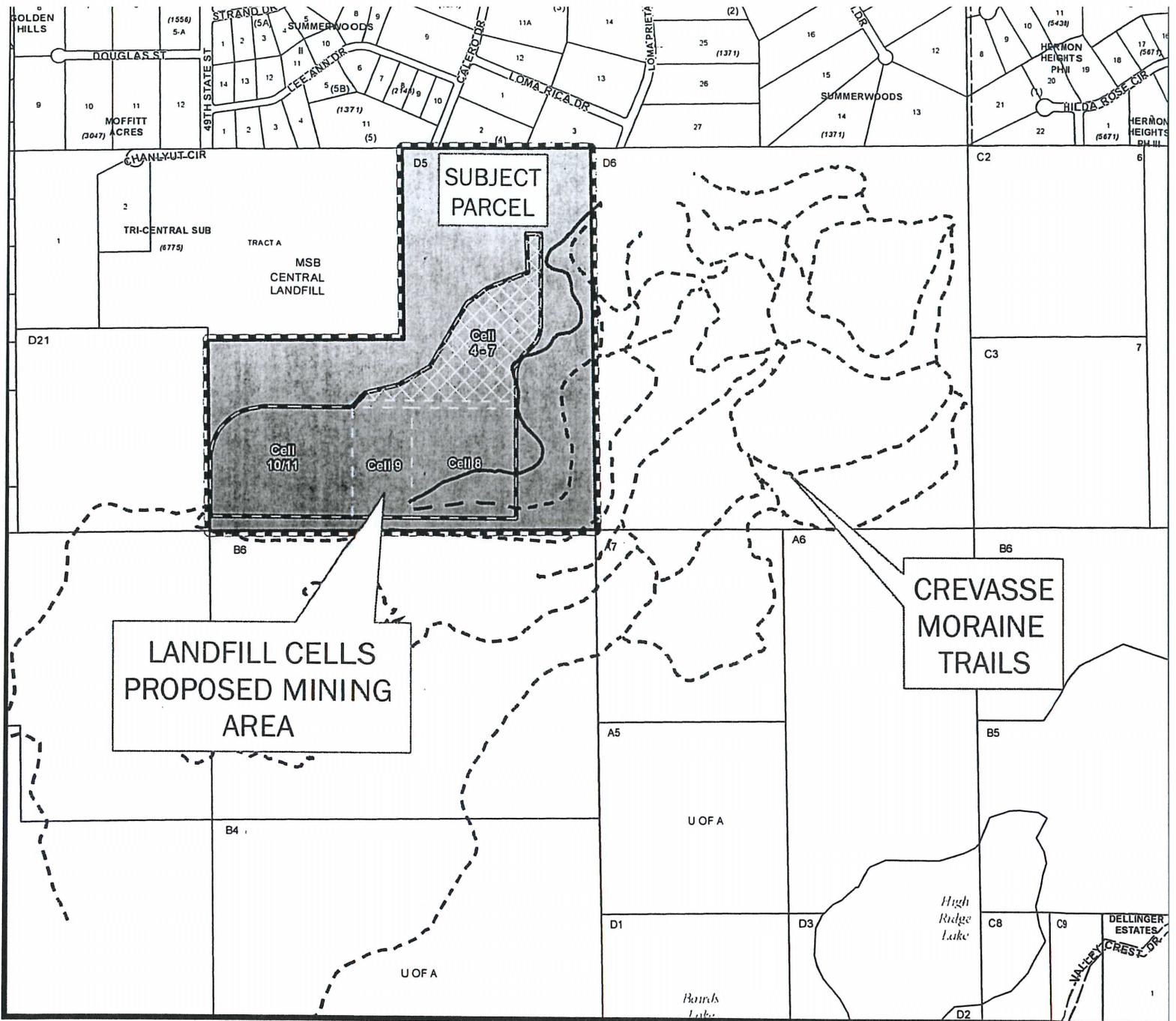
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**17N01E01D005**

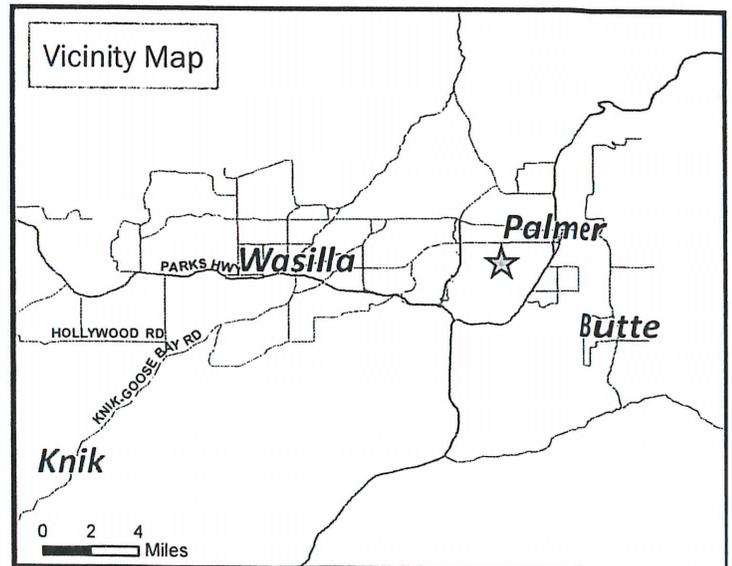
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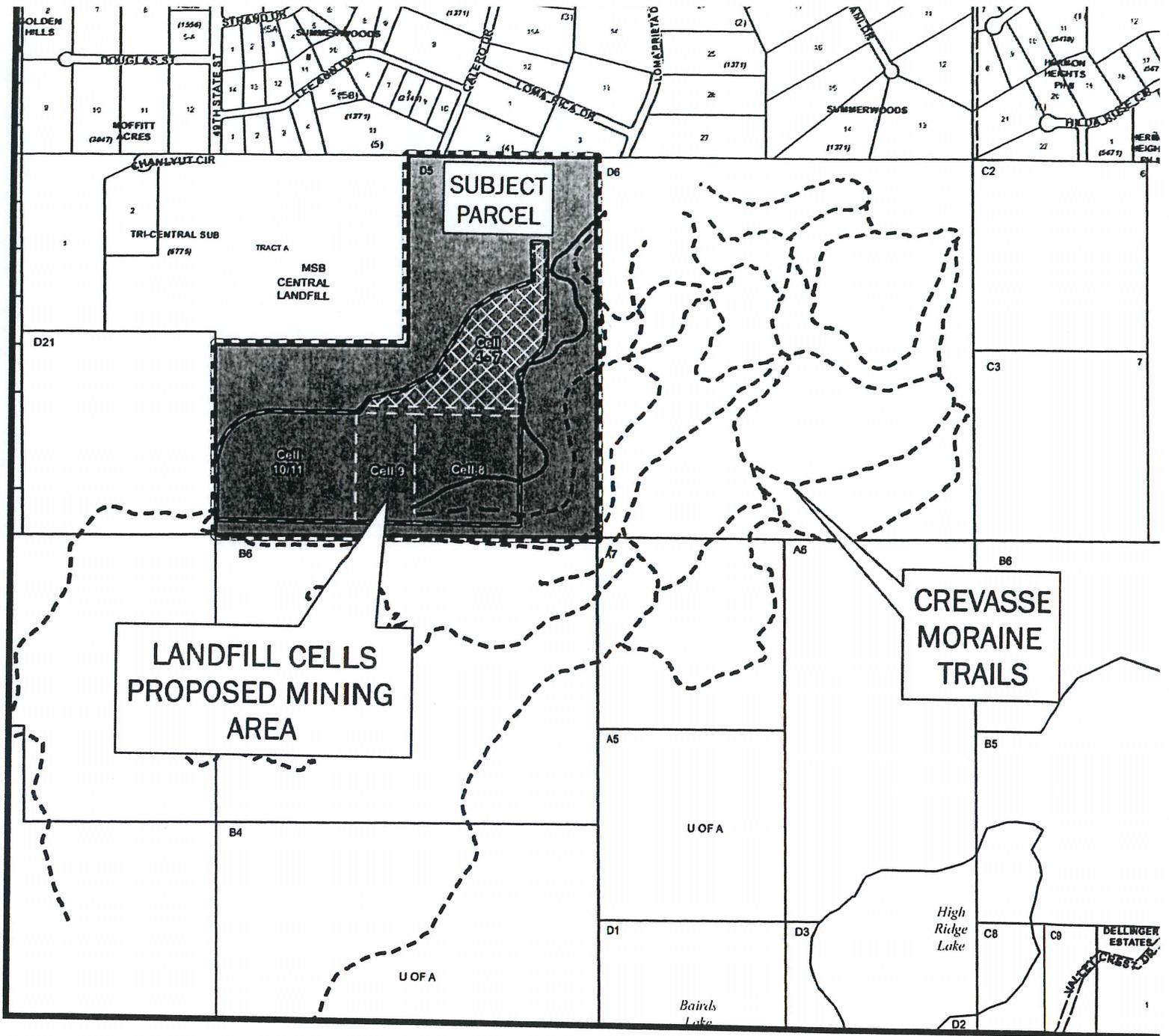
APR 14 2016

City of Palmer



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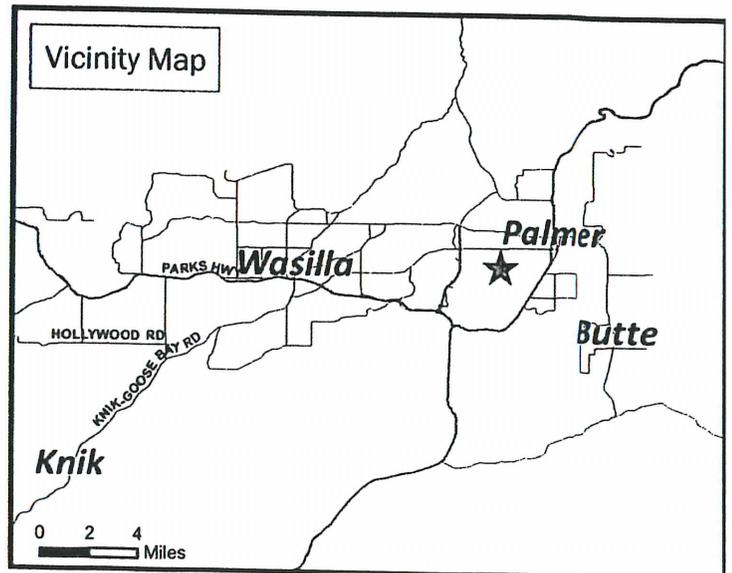




17N01E01D005



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# MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia, Palmer, Alaska 99645  
(907)861-7822 \* fax (907)861-7876

PermitCenter@matsugov.us

Matanuska - Susitna Borough  
Development Services

APR 05 2016

## APPLICATION Earth Materials Extraction

Carefully read instructions and applicable borough code. Fill out forms completely. Attach information as needed. Incomplete applications will not be processed.

**THIS APPLICATION IS FOR MATERIALS EXTRACTION THAT DOES NOT OCCUR WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE. IF YOUR PLAN INCLUDES EXTRACTION WITHIN FOUR FEET OF THE SEASONAL HIGH WATER TABLE YOU MUST COMPLETE THE APPLICATION SPECIFIC TO THAT PURPOSE.**

Application fee must be attached, check one:

- \$100 for Administrative Permit
- \$500 for Conditional Use Permit > earth materials extraction on sites of 20 acres or less
- \$1,000 for Interim Materials District - earth materials extraction on sites greater than 20 acres

Prior to public hearing, the applicant must also pay for costs of advertising and mailing of public notices.

**Subject property** Township: 17 North, Range: 01 East, Section: 01, Meridian \_\_\_\_\_

MSB Tax Account # 17N01E01D005

SUBDIVISION: \_\_\_\_\_ BLOCK(S): \_\_\_\_\_, LOT(S): \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_  
(US Survey, Aliquot Part, Lat. /Long. etc) \_\_\_\_\_

**\*\* A legal description must be provided for partial-lot Interim Materials Districts\*\***

**Ownership** If the applicant is different from the owner, then a Letter of Authorization must be included.

**Name of Property Owner**  
Matanuska-Susitna Borough

Address: 350 E. Dahlia Ave.  
Palmer, AK 99645

Phone: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Wk 907-861-7606 Cell 907-354-2841

E-mail macey.shapiro@matsugov.us

Is authorization attached?  Yes  No  N/A

**Name of Agent/ Contact for application**  
Ryan Johnston

Address: 350 E. Dahlia Ave.  
Palmer, AK 99645

Phone: Hm \_\_\_\_\_ Fax \_\_\_\_\_

Wk 907-861-8572 Cell 907-355-9607

E-mail ryan.johnston@matsugov.us

**Description** What type(s) of material is being extracted? sand and gravel

Total acreage area of all parcels on which the activity will occur: 120 acres

Total acreage area of earth material extraction activity: 13 acres (Cells 4 to 7 footprint)

Total cubic yards extraction per year: Approximately 385,000

Total projected cubic yards to be extracted: 770,000

What is the estimated final year extraction will occur? 2018

**Required information**

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

<b>Plan of Operation</b>	<b>Attached</b>
Provide seasonal start and end dates	Mining Plan
Provide days of the week operations will take place.	"
Provide hours of operation.	"
Estimated end date of extraction	"
Estimated end date of reclamation	"
Describe all other uses occurring on the site	"
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads	"
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	Appendix A

2. Submit a site plan. Drawings must be detailed and drawn to scale. Drawings under seal of an engineer or surveyor are recommended but not required.

<b>SITE PLAN REQUIREMENTS</b>	<b>Attached</b>
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	Appendix A
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	"
Identify wetlands and waterbodies on site and within one mile	"
Identify existing surrounding land uses within one mile	"
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	"
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	"
Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	"
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	Mining Plan
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment,	"

erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	
Proposed lighting plan	
Other (as required by MSB Planning Department)	Mining Plan

3. Submit a reclamation plan including the following:

Reclamation Plan	
Provided timeline for reclamation at particular locations	Attached
Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption)	Mining Plan
	"

4. Submit documentation of compliance with borough, state and federal laws:

COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS	Applied for (list file #)	Attached (list file #) or N/A
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65		N/A
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land		"
Reclamation plan as required by ADNR, pursuant to A.S. 27.19		"
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements		"
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.		"
Others (list as appropriate)		

5. OWNER'S STATEMENT: I am owner of the following property:

MSB Tax parcel(s) ID #(s) 17N01E01D005

and,

I hereby apply for approval of material extraction activity on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17.28, MSB 17.30 and with all other applicable borough, state or federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.28.040.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land.

I understand that changes from the approved operational plan may require further authorization by the borough planning commission or Assembly. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I understand it is my responsibility to provide the borough code compliance division with up to date reports, notification of proposed changes, and contact information for approved person(s) to whom I sell this property and to whom I assign responsibility for daily operations on the site.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance with permit requirements. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

Signature: Property Owner	Eric Phillips	4/5/16
	Printed Name	Date
Signature: Agent	Ryan Johnston	4/5/16
	Printed Name	Date

\*\*\*\*\*

**MSB USE ONLY: MSB file #** \_\_\_\_\_

Date complete application received: \_\_\_\_\_, Approved, Yes \_\_\_ No \_\_\_

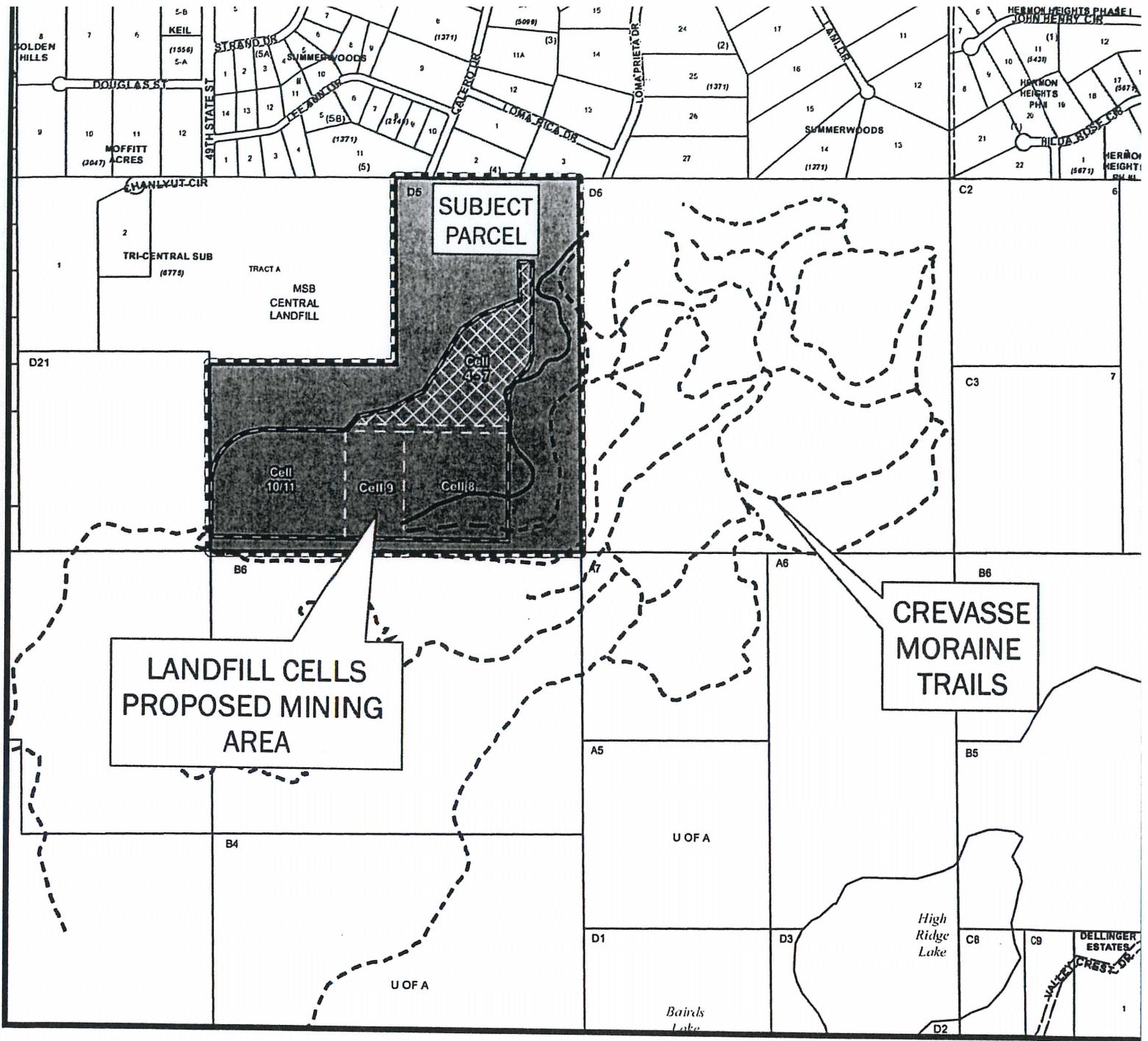
Additional conditions: Yes \_\_\_ (see attached) No \_\_\_ Comments: \_\_\_\_\_

Planning Commission Action (date): \_\_\_\_\_ Resolution No.: \_\_\_\_\_

Assembly Action (date): \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

Date permit (circle one) issued or denied: \_\_\_\_\_

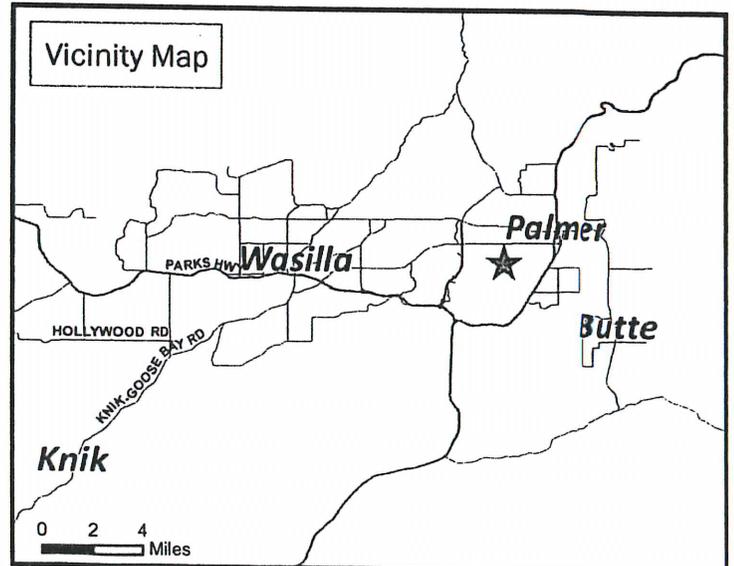
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17N01E01D005



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**Required information**

1. Attach a plan of sufficient detail to demonstrate compliance with the requirements of MSB 17.28.050 and MSB 17.28.060.

<b>Plan of Operation</b>	<b>Attached</b>
Provide seasonal start and end dates	Mining Plan
Provide days of the week operations will take place.	"
Provide hours of operation.	"
Estimated end date of extraction	"
Estimated end date of reclamation	"
Describe all other uses occurring on the site	"
Describe methods used to prevent problems on adjacent properties, such as lateral support (steep slopes), water quality, drainage, flooding, dust control and maintenance of roads	"
Provide quantity estimates and topographical information such as cross section drawings depicting depth of excavation, slopes and estimated final grade	Appendix A

2. Submit a site plan. Drawings must be detailed and drawn to scale. Drawings under seal of an engineer or surveyor are recommended but not required.

<b>SITE PLAN REQUIREMENTS</b>	<b>Attached</b>
Identify location of permanent and semi-permanent structures on the site for verification of setback requirements. Include wells and septic systems.	Appendix A
Depict buffer areas, driveways, dedicated public access easements, and noise buffers (such as fences, berms or retained vegetated areas), and drainage control such as ditches, settling ponds etc.	"
Identify wetlands and waterbodies on site and within one mile	"
Identify existing surrounding land uses within one mile	"
Identify surrounding property ownership (i.e. public vs. private) within one mile of exterior boundaries	"
Show entire area intended for gravel/material extraction activity and the boundary of the lot(s) containing the operation. Identify areas used for past and future phases of the activity. Identify phases of proposed mining activities including a map showing the area to be mined, a description of the topography and vegetation, approximate time sequence for mining at particular locations, and general anticipated location of semi-permanent equipment such as conveyor belts, crushers, dredges, batch plants, etc.	"
Road and access plan that includes anticipated routes and traffic volumes. If the level of activity exceeds the minimum levels specified in MSB 17.61.090, traffic standards, a traffic control plan consistent with state regulations may be required	"
Visual screening measures that include a detailed description of the type of visual screening to be utilized. Visual screening may include, but is not limited to, berms, natural vegetation, solid fences, walls, evergreen hedges or other means as approved by the commission	Mining Plan
Noise mitigation measures that include a description of measures to be taken by the applicant to mitigate or lessen noise impacts to surrounding properties. Measures shall include, but not be limited to, hours of operation of noise-producing equipment,	"

erecting noise barriers (i.e., berms a minimum of 10 feet in height) between noise-producing equipment and adjacent uses, location of noise-producing equipment (i.e., below grade in excavated pit areas), and measures to utilize equipment with noise reduction features	
Proposed lighting plan	Mining Plan
Other (as required by MSB Planning Department)	

3. Submit a reclamation plan including the following:

<b>Reclamation Plan</b>	<b>Attached</b>
Provided timeline for reclamation at particular locations	Mining Plan
Provide copy of reclamation financial assurance filed with the State of Alaska (If exempt, provide qualifying documents for exemption)	"

4. Submit documentation of compliance with borough, state and federal laws:

<b>COMPLIANCE WITH BOROUGH, STATE AND FEDERAL LAWS</b>	<b>Applied for (list file #)</b>	<b>Attached (list file #) or N/A</b>
Mining license as required by the Alaska State Department of Revenue, pursuant to A.S.42.65		N/A
Mining permit as required by the Alaska State Department of Natural Resources (ADNR) if extraction activities are to take place on state land		"
Reclamation plan as required by ADNR, pursuant to A.S. 27.19		"
Notice of intent (NOI) for construction general permit or multi-sector general permit and storm water pollution prevention plan, and other associated permits or plans required by the Environmental Protection Agency (EPA) pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements		"
United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act, 33 U.S.C. 1344, if material extraction activity is to take place within wetlands, lakes and streams.		"
Others (list as appropriate)		

5. **OWNER'S STATEMENT:** I am owner of the following property:

MSB Tax parcel(s) ID #(s) ... 17N01E01D005

and,

I hereby apply for approval of material extraction activity on that property as described in this application.

I understand all activity must be conducted in compliance with all applicable standards of MSB 17. 28, MSB 17.30 and with all other applicable borough, state or federal laws, including but not limited to, air quality, water quality, and use and storage of hazardous materials, waste and explosives, per MSB 17.28.040.

I understand that other rules such as local, state and federal regulations, covenants, plat notes, and deed restrictions may be applicable and other permits or authorization may be required. I understand that the borough may also impose conditions and safeguards designed to protect the public's health, safety and welfare and ensure the compatibility of the use with other adjacent uses.

I understand that it is my responsibility to identify and comply with all applicable rules and conditions, covenants, plat notes, and deed restrictions, including changes that may occur in such requirements.

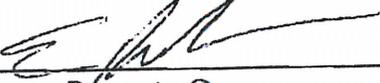
I understand that this permit and zoning status may transfer to subsequent owners of this land and that it is my responsibility to disclose the requirements of this status to operators on this property, and to the buyer when I sell the land.

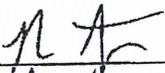
I understand that changes from the approved operational plan may require further authorization by the borough planning commission or Assembly. I understand that failure to provide applicable documentation of compliance with approved requirements, or violation of such requirements will nullify legal status, and may result in penalties.

I understand it is my responsibility to provide the borough code compliance division with up to date reports, notification of proposed changes, and contact information for approved person(s) to whom I sell this property and to whom I assign responsibility for daily operations on the site.

I grant permission for borough staff members to enter onto the property as needed to process this application and monitor compliance with permit requirements. Such access will at a minimum, be allowed when the activity is occurring and, with prior notice, at other times necessary to monitor compliance.

The information submitted in this application is accurate and complete to the best of my knowledge.

 Eric Phillips 4/5/16  
Signature: Property Owner Printed Name Date

 Ryan Johnston 4/5/16  
Signature: Agent Printed Name Date

\*\*\*\*\*  
MSB USE ONLY: MSB file # \_\_\_\_\_  
Date complete application received: \_\_\_\_\_, Approved, Yes \_\_\_ No \_\_\_  
Additional conditions: Yes \_\_\_ (see attached) No \_\_\_ Comments: \_\_\_\_\_  
Planning Commission Action (date): \_\_\_\_\_ Resolution No.: \_\_\_\_\_  
Assembly Action (date): \_\_\_\_\_ Ordinance No.: \_\_\_\_\_  
Date permit (circle one) issued or denied: \_\_\_\_\_  
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