

**CITY OF PALMER
ACTION MEMORANDUM NO. 12-013**

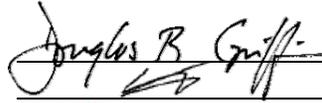
Subject: Authorize Extension of Temporary Building for Colony Cup Espresso on Property Located at 1800 S. Glenn Highway, Palmer

Agenda of: January 24, 2012

Council Action: Authorized

Approved for presentation by:

**City Manager
City Attorney
City Clerk**





Certification of Funds:

Total amount of funds listed in legislation: _____

This legislation (√):

Has no negative fiscal impact

Funds are budgeted from this (these) line item(s):

Funds are not budgeted. Budget modification is required. Affected line item(s):

Unrestricted/undesignated fund balance (after budget modification) \$ _____

Director of Administration signature certifying funds: _____


Attachment(s):

- Request for extension from Susan Clark, Psalm 37 4 Enterprises, DbA Colony Cup Espresso
- Lot Layout diagram from Building Permit # 2001-048
- November 17, 2011 Planning and Zoning Commission Minutes regarding request
- PMC 15.08.3102

Summary statement: Palmer Municipal Code 15.08.3103 requires City Council approval for a temporary building or structure to remain in place for longer than six months within the City limits. The owners of the Colony Cup coffee stand, located in a temporary building, are requesting Council approval to remain at their current location at 1800 S. Glenn Highway.

Background: Building Permit #2001-048 was issued on May 22, 2001, for the construction of a 8' x 20' temporary building to be used as a coffee stand on a portion of the Palmer Business Park property located at 1800 S. Glenn Highway. Within six months of the completion of construction, the owners of the coffee stand requested Council approval to remain on site for five years. On January 8, 2002, the City Council authorized the temporary building to remain on the property through January 2007. A second five year period was approved by Council on December 12, 2006. This second five year period expires in January 2012.

The current owner of the coffee stand, Susan Clark of Psalm 37 4 Enterprises doing business as Colony Cup Espresso, has requested an additional five year extension from January 2012 through January 2016.

The Planning and Zoning Commission considered this request for extension at their November 17, 2011, meeting and unanimously voted to recommend that the City Council approve the extension for an additional five year period. The Commission's recommendation is based on the fact this is has been a thriving business in Palmer for ten years, provides employment, and contributes to the City's sales tax.

The Finance Department notes that this business has an excellent record on reporting and remitting payment of their sales tax. There is no record of any code compliance or land use complaints regarding this use.

Administration recommendation: Approve action memorandum 12-013.



Sandra Garley, Director
Palmer Community Development
645 E. Cope Industrial Way
Palmer, AK 99645

RE: 1800 S. Glenn Hwy. (Tax Parcel D-11, T17N, R2E, S5)

Dear Ms. Garley:

The current 5-year permit allowing the existence of my temporary structure known as Colony Cup, located in the parking lot at 1800 Glenn Hwy, is set to expire January 8, 2012. The purpose of this letter is to request City Council approval for renewal of this permit so that I may remain in business at the same location.

Thank you for your time and consideration.

Sincerely,

Susan Clark
Psalm 37 4 Enterprises
Dba Colony Cup
PO Box 4057
Palmer, AK 99645

907.746.4365 p
907-746-1980 f

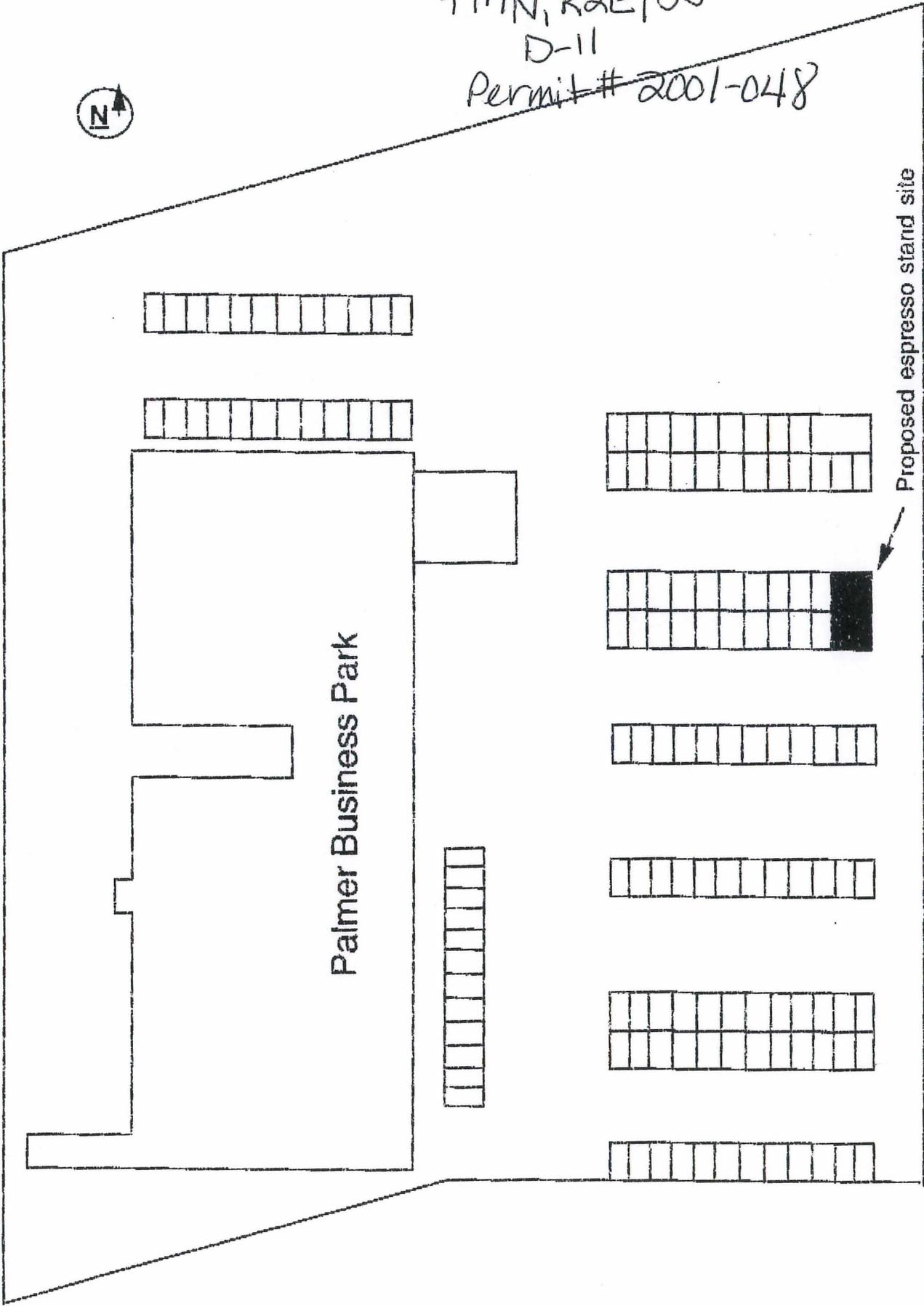
received

05-22-2001

T17N, R2E, S5

D-11

Permit # 2001-048



Highway

Glenn

Political signs do have an application which controls;

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

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

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

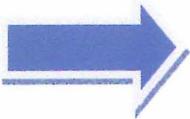
Commissioner Madar led a general discussion on signs and related problems. It was hoped that, over the course of several meetings, the Commission would be able to draft and forward to Council for consideration, a revision to the existing Ordinance.

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

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

I. NEW BUSINESS:

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



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

Commissioner Madar requested a Staff Report.

Mrs. Garley explained that although City Council has the authority to grant this request, staff would like forward to Council any input from the Planning and Zoning Commission. By Code, if a temporary structure is to operate as a business and for a period of time exceeding six-months, then City Council must approve this request.

The initial request for this temporary structure was granted in May of 2001, with the first 5-year allowance being granted in January of 2002. In January of 2007 the second continuance was

granted, and that is set to expire in January of 2012.

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

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

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

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

Commission Kircher also was in favor of granting this extension.

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

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

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

VOTE ON MOTION: the motion passed unanimously.

2. Annual Review of Beverage License report:

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

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

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

3. Annual Review of Accessory Dwelling Unit report:

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

15.08.3103 Temporary buildings or structures.

Amend by adding a sentence as follows:

No temporary building or structure shall remain in place longer than six months without City Council approval.

(Ord. 504 § 3, 1996)

Compile Chapter

This page of the Palmer Municipal Code is current through Ordinance 11-010 and legislation passed through June 14, 2011.

Disclaimer: The City Clerk's Office has the official version of the Palmer Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofpalmer.org/>
(<http://www.cityofpalmer.org/>)
City Telephone: (907) 745-3271
Code Publishing Company
(<http://www.codepublishing.com/>)