

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

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**REGULAR MEETING  
THURSDAY, MAY 21, 2020  
7:00 P.M. - COUNCIL CHAMBERS**

**A. CALL TO ORDER:**

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

**B. ROLL CALL:**

Present and constituting a quorum were Commissioners:

Richard Benedetto, Chair (via teleconference)	Casey Peterson, Vice Chair
Kristy Thom Bernier (via zoom video-conference)	Dan Lucas (via teleconference)
Josh Taylor (via zoom video-conference)	Gena Ornquist (via zoom video-conference)
Sabrina Shelton (via teleconference)	

Also present were:

Brad Hanson, Community Development Director  
David Meneses, Building Inspector  
Sarah Rennie, Community Development Specialist  
Pam Whitehead, Recording Secretary

**C. PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was performed.

**D. APPROVAL OF AGENDA:**

The agenda was unanimously approved as presented by roll call vote.  
[Shelton, Tudor, Ornquist, Thom-Bernier, Lucas, Peterson, Benedetto]

**E. MINUTES OF PREVIOUS MEETING:**

The minutes of the **February 20, 2020 Regular Meeting** were unanimously approved as presented by roll call vote.

[Shelton, Tudor, Ornquist, Thom-Bernier, Lucas, Peterson, Benedetto]

**F. PERSONS TO BE HEARD:**

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

**G. PUBLIC HEARINGS:**

- 1. Resolution No. 20-001:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Tax Parcel Tract 5, Cedar Hills, Unit No. 2, Phase 1 from CL-Commercial Limited to P-Public Use.

Vice Chair Peterson opened the public hearing on Resolution No. 20-001 at 7:05 p.m.

Staff Report: Director Hanson reported general and background information on the requested rezone, including site information, parcel size, existing zoning, surrounding land uses, particular considerations, code requirements, and findings of fact. Public notice and publishing requirements pursuant to code have been met. A total of 10 written comments were received in response, with 4 in favor, 3 opposed, 2 no objection, and 1 with questions.

Findings of Fact: Pursuant to PMC 17.80.036.C, the Commission shall give consideration as to what effect the proposed change would have on public health, safety, welfare and convenience, and for a map amendment show whether:

**Fact 1:** The proposed change is in accordance with the borough and city comprehensive plans.

Staff finds the following support in the Comprehensive Plan:

- Chapter 5, Transportation, Goal 1, states, "Shape the character and use of the Glenn Highway."
- Chapter 6, Land Use, Goal 3, Objective A states, "Provide for the continuation and expansion of Palmer's traditional role as a center for institutional and governmental users for the Mat-Su Borough and State."
- Chapter 4, Public Services, Facilities & Infrastructure, Goal 1, Objective B states, "Fire & Emergency Services – Provide adequate fire protection measures and services in Palmer to respond to current and future anticipated emergency service needs."
- Chapter 7, Economic Vitality, Goal 1, states "Strengthen Palmer's competitiveness as the region's institutional center."

Staff finds the following facts in support:

- a) Tract 5 is large enough to support the development of an emergency medical services building and achieve sufficient setbacks from the residential development to the west and future medium density residential development to the north.
- b) Accomplish objective of monitoring the needs of existing institutional uses and working with these organizations to meet their needs.
- c) Mat-Su Borough provides emergency medical services for the City of Palmer. Locating the facility on the Glenn Highway will provide for faster and more efficient response times for medical emergencies.

**Fact 2:** The proposed change is compatible with surrounding zoning districts and the established land use pattern.

Staff finds the following facts in support:

- a) Tract 5 original use was a nursery. Nurseries are a permitted use within the agriculture district, which can have a higher intensity of use than low density residential. The property has had limited use since 1966. Tract 5 current zoning of Commercial Limited (CL) indicate the property was to be developed to a higher intensity than low density residential.
- b) The land is surrounded on the south by a working farm and to the east by commercial and a church. An emergency medical services building would be an acceptable use of property considering land use patterns around the property are as high of an intensity as a public use zone.
- c) Public use (P) zones are compatible with surrounding zoning districts because of the safeguards established in Palmer Municipal Code 17.40.050 requiring commission approval to ensure compatibility. A petition for development will include a site plan by an Alaska licensed architect and shall also provide setbacks and a parking plan.
- d) Buffering and appropriate placement of the facility is necessary to minimize the impacts to the low density residential to the west.

**Fact 3:** Public facilities such as schools, utilities and streets are adequate to support the proposed change.

Staff finds the following facts in support:

- a) Public facilities such as schools and utilities are established in Cedar Hills. A facility will have access to

city sewer and water. Gas and electric are accessible to the property.

- b) Facility vehicular access points will need approval from the Alaska Department of transportation Public Facilities (AK DOT/PF). The City of Palmer recommends acceptance of access as described in the rezone application.

**Fact 4:** Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change.

Staff finds the following facts in support:

- a) Improvements to the Glenn Highway have spurred development in the area around Marsh Road. A proposed development of an emergency medical facility that is well conceptualized and appropriately placed will serve the greater Palmer community.
- b) Residential growth on Fishhook Roads and Farm Loop Roads has necessitated the evaluation of how emergency services can better serve the public and the placement of facilities.
- c) Recent improvements to the Glenn Highway have increased safety for ingress and egress onto the highway.

**Fact 5:** The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).

Staff finds the following facts in support:

- a) The proposed map amendment is consistent with the public welfare as an appropriately placed facility will improve efficiency and response times for emergency medical services.
- b) A map amendment to allow Public zoning does not grant a special privilege to the owners as this 5.72-acre parcel is large enough to sufficiently minimize impacts on non-compatible uses.

Staff Recommendation:

If, following the Public Hearing, the Commission finds the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for rezone Tract 5 Cedar Hills, Unit 2, Phase 1 to Public Use zoning with the following considerations for Tax Parcel Tract 5 and forward a recommendation for approval to the City Council:

- A. The public use of the property is limited to the establishment of an emergency medical facility building that is oriented in such a way that provides safe access to the Glenn Highway, as outlined in applicant's response.
- B. Development of buildings or structures within public zones requires approval from the City of Palmer Planning and Zoning Commission.

Public Hearing: Vice Chair Peterson opened the hearing for public testimony at 7:19 p.m.

Applicant:

**Nancy Cameron**, Land Management Agent, Mat-Su Borough:

- Testified on behalf of the Applicant and Owner: Cedar Hills Properties LLC & Matanuska-Susitna Borough, in support of the requested rezone;
- Discussed mitigation and protective measures to address neighbor concerns for quiet and noise reduction, emphasizing the facility will *only* be an ambulance station, not a fire station;
- Noted that funding for purchase of the property has been appropriated; that the requested rezone from CL to P is the last step in meeting the conditions of the Purchase Agreement with the Owner;
- Respectfully asked that the rezone be approved.

- Responded to questions/clarifications by the Commission regarding siren use and the primary access road (Marsh Road).

**Bill Gilbert**, resident of Cedar Hills:

- Commended staff for the fine job in the noticing and keeping them advised regarding this meeting;
- Spoke in opposition to the rezone request, commenting they used to live a quarter mile from the current ambulance station and told the story of sirens blazing at all hours of the day and night. They moved to Cedar Hills and now, less than 200 yards away again will be the new facility;
- Discussed CL being "limited" but P could also be a park; that nobody would complain about a park. Cedar Hills is a high density area, lots of kids, and a great place for a park as opposed to a place that is in and out with sirens;
- His main concern is the change in zoning to a 24/7 potentially noisy area with the sirens and believes this is the wrong place for that kind of facility.

**Tony Clark**, resident of Cedar Hills:

- Spoke in opposition to the rezone, in agreement with the previous speaker concerning the noise, stating his back yard borders the property to be rezoned;
- Spoke to the loudness of the semi-truck traffic from the landfill nearby that goes down the road;
- Appreciates the mitigation measures talked about, but does not believe an earthen berm will make a difference; that consideration should be given that it will bring a big change to the neighborhood.

There was one additional written response received 5/18/2020 from Jade Schlichting, indicating "supportive."

Applicant's Rebuttal/Response:

- Ms. Cameron spoke in response to the Gilberts' and the Clarks' concerns, noting she hears what they are saying and emphasized wanting to be good neighbors, to work with the neighborhood to come up with mitigation that will direct or abate the sound, which she believes can be done. It needs to be noted for the record that these concerns exist. This property is an ideal location for a great service, but we also need to be mindful of doing what we can to continue to allow the lifestyle the residents have chosen to be respected. She would like to be part of facilitating the process of the Borough staff and the neighbors working together to find a solution as to what will work. She would welcome input from the community.
- Responded to Commission questions regarding use of alarm/siren regulations.

There being no others coming forward to testify, the public hearing was closed at 7:47 p.m.

Vice Chair Peterson called for the motion:

**Main Motion: For approval of Resolution No. 20-001, recommending City Council Approve a Zoning Map Amendment for Tax Parcel Tract 5, Cedar Hills, Unit No. 2, Phase 1, from CL-Commercial Limited to P-Public Use, to include adoption of Findings of Fact 1-5 as stated by staff in support of Resolution 20-001 and as reviewed by the Commission.**

Moved by:	Lucas
Seconded by:	Shelton
Vote:	7 Yes / 0 No; Shelton, Tudor, Ornquist, Thom Bernier, Lucas, Peterson, Benedetto
Action:	Motion Carried Unanimously by roll call vote.

Director Hanson informed the applicant that Resolution 20-001 zoning action will be forwarded to the City

Council for introduction at its June 9 meeting, and for another public hearing at the Council June 23 meeting. He also informed the Commission’s action may be appealed pursuant to PMC 17.98 by any party, including a city official. The right to appeal is forfeited unless a written appeal is delivered to the Clerk within 20 calendar days of the Commission’s decision.

**H. UNFINISHED BUSINESS:**

1. Committee of the Whole: Discussion of IM 20-010 regarding PMC 17.28 CL-Limited Commercial Highway Commercial District and Central Business District zoning districts for a presentation at the joint City Council/Planning and Zoning Meeting (note: action may be taken by the Commission following the committee of the whole).

**Main Motion: To enter Committee of the Whole for open and ease of discussion of the Commercial Districts for City Council presentation.**

Moved by:	Thom Bernier
Seconded by:	Lucas
Vote:	7 Yes / 0 No; Shelton, Tudor, Ornquist, Thom Bernier, Lucas, Peterson, Benedetto
Action:	Motion Carried Unanimously by roll call vote.

[The Commission entered Committee of the Whole at 8:00 p.m.; exited at 8:08 p.m.]

Director Hanson provided an update as to status of the Title 17 commercial district rewrites, recommending the Commission develop a Written and Oral Report by Chair Benedetto to the Council and plan a Joint Meeting at a later date when the social distancing restrictions have relaxed to be able to fit in the room or be able to have a productive joint meeting via Zoom. Also, Sarah has prepared and printed a Title 17 Update and has copies for everyone.

The Commission had no additional comments.

[The Commission exited Committee of the Whole without objection at 8:08 p.m.]

**I. NEW BUSINESS:**

1. Committee of the Whole: Discussion of IM 20-011 regarding PMC 17.24 R-2 low density residential district and PMC 17.26 R-3 medium density multi-family residential district for consideration of setbacks (note: action may be taken by the Commission following the committee of the whole).

**Main Motion: To enter Committee of the Whole for open and ease of discussion considering 15-foot setbacks in R-2 and R-3.**

Moved by:	Benedetto
Seconded by:	Ornquist
Vote:	7 Yes / 0 No; Shelton, Tudor, Ornquist, Thom Bernier, Lucas, Peterson, Benedetto
Action:	Motion Carried Unanimously by roll call vote.

[The Commission entered Committee of the Whole at 8:09 p.m.; exited at 8:37 p.m.]

Director Hanson reported the action is to evaluate setbacks in R-2 and R-3, noting he was approached by a developer concerning the appropriateness of 15-foot setbacks. The commission was asked to consider if newly-platted lots should have 15-foot setbacks, and if so, it would result in a text amendment to R-2 and R-3 and move to the city council for final approval.

Following Committee of the Whole discussion:

- Commissioners Shelton, Ornquist, Lucas, Thom Bernier, and Peterson recommended:
  - to allow reduction of the 15-foot setback to 10-foot in R-2; and
  - do not allow reduction of the 15-foot setback in R-3.

Director Hanson will bring back the text amendment to the next meeting.

[The Commission exited Committee of the Whole without objection at 8:37 p.m.]

## **J. PLAT REVIEWS:**

1. **IM 20-008:** Pre-application Plat – Re-subdivide three lots to create two new lots, Lots 10-1, 10-2, and 11 of Roland Snodgrass Subdivision (located inside Palmer City limits).

Director Hanson directed attention to the comments of City Departments in the packet:

City Manager: Access to lots must be from road not alleyway. There were no other department comments.

The Commission had no additional comments.

2. **IM 20-009:** Pre-Application Plat – To divide one lot and create two new lots, Lot 1, Smith extension Y2K Addition Subdivision (located inside Palmer City limits).

Director Hanson reported City Department comments included:

City Manager: New lots must conform to current zoning.

Public Works: Water and sewer connections will be required and a new driveway permit.

The Commission had no additional comments.

3. **IM 20-012:** Abbreviated Plat – To combine Lots 1, 2 & 3, Block 1A, Sherrod, Plat #12-204 into one lot to be known as Lot 3A, Sherrod Subdivision (located inside Palmer City limits).

Director Hanson reported City Department comments included:

City Manager: See Community Development related to roadway.

Building Inspector: Agree with comment of Community Development.

Community Development: The lots are located within the designated Airport Influence Area; a plat note should be added to the new plat reflecting this information. On the plat provided 2/13/20 it shows lot extends into Gulkana Street. This is inaccurate as the property in the roadway was quitclaim deeded to the City on March 11, 1953.

Fire Chief: Same as Building Inspector.

Public Works: MSB Real Property Parcel ID 41211, Sherrod, Block 1A, Lot 1, showing 0.08 gross acreage. Total combined should say 0.50 for new lot.

The Commission had no additional comments.

4. **IM 20-013:** Master Plan Plat Review – To create a 19-lot, 4-phase master plan from Tax Parcels D14, D16, D17 and Lot 2, Spring Pond Estates to be known as FOLSOM ACRES (located outside Palmer City limits).

Director Hanson reported City Department comments included:  
Public Works: P.W. has reviewed and has no issues.  
There were no additional Department comments.

The Commission had no additional comments.

**K. PUBLIC COMMENTS:** None.

**L. STAFF REPORT:**

Director Hanson:

- Updated on things happening in the Department of Community Development;
- Reported the City Council appropriated \$125,000 for annexation services; the Council selected Agnew Beck to perform the services; they will be presenting to the Commission soon;
- Discussed the annexation goals agreed on between the Council and Agnew Beck:
  - promote orderly high quality development and cost effective extension of services when and where warranted;
  - sustain desired quality of life in and around Palmer;
  - insure a sustainable tax base along with a long term economic viability, physical health and natural environment in Palmer;
- Discussed the role of the Local Boundary Commission;
- Currently working to identify study areas for evaluation.
- Recommended review of the annexation strategies of 2010.

**M. COMMISSIONER COMMENTS:**

**Commissioner Lucas:**

- Commented he was pleased to hear that the City Council is finally addressing annexation.

**Chair Bennetto:**

- Thank you to Vice Chair Peterson for chairing the meeting; looks forward to seeing everyone next month.

**N. ADJOURNMENT:**

There being no further business, the meeting adjourned without objection at 8:58 p.m.

**APPROVED by the Planning and Zoning Commission this 18th day of June, 2020.**

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Casey Peterson, Vice Chair

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Brad Hanson, Community Development Director