

Mayor Steven J. Carrington
Deputy Mayor Pamela Melin
Council Member Carolina Anzilotti
Council Member John Alcantra
Council Member Richard W. Best
Council Member Thomas Ojala IV
Council Member Joshua Tudor

City Manager John Moosey
City Clerk Shelly M. Acteson, CMC
City Attorney Sarah Heath, Esq.

City of Palmer, Alaska
Regular City Council Meeting
August 23, 2022, at 6:00 PM
City Council Chambers
231 W. Evergreen Avenue, Palmer
www.palmerak.org

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a) Introduction and set Public Hearing date of September 13, 2022, for **Ordinance No. 22-006**, Amending Palmer Municipal Code Sections 17.08.260 Corner Lot, 17.60.055 Exceptions for Setbacks, Adding Food bank in Commercial Land Use Matrix 17.28.020, Adding Sections 17.08.256 Lot Classification Diagram, 17.08.268 Flag Lot, and Deleting Sections 15.08.3103 Temporary Buildings and Structures, 17.08.398 Senior Citizen (Page 3)
2. Approval of Minutes of Previous Meetings (Page 12)
 - a) August 9, 2022, Regular Meeting
 - b) May 17, 2022, Special Meeting

E. COMMUNICATIONS AND APPEARANCE REQUESTS

1. Palmer Municipal Airport Presentation on Taxiway November, Airport Drainage Improvement, and Construction of Apron E, by Dave Lundin, Principal/Civil and Environmental Engineer (Page 21)

F. REPORTS

1. City Manager's Report
 - Police Staffing Update (Page 23)
 - Discussion on Capital Priorities (Page 27)
2. Mayor's Report
3. City Clerk's Report
4. City Attorney's Report

G. AUDIENCE PARTICIPATION

H. PUBLIC HEARINGS

1. **Resolution No. 22-022:** Authorizing the City Manager to Execute a Subdivision Agreement with Variances to Required Public Improvements for Subdivision Development as Outlined in Palmer Municipal Code Chapter 12.12 (Public Hearing 2 of 2) (Page 30)
2. **Resolution No. 22-026:** Authorizing the City Manager to Accept and Appropriate a State of Alaska Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs Grant in the Amount of \$6,900,000 for the Wastewater Treatment Plant Facility Phase II Project (Page 35)

I. ACTION MEMORANDA

1. **Action Memorandum No. 22-048:** Authorize the City Manager to Purchase one Schwarze Model A7 Tornado SE Street Sweeper in the amount of \$334,558.00 and to purchase the Street Sweeper under the Governmental and Proprietary Procurements Section of Palmer Municipal Code 3.21.230 by attaching to the Sourcewell Contract#093021-SWZ awarded to Schwarze Industries (Page 50)

J. UNFINISHED BUSINESS

1. **Ordinance No. 22-005:** Rezone Tax Parcel C-21, T18N, R2E, S33, from C-L, Limited Commercial to C-G, General Commercial (Postponed from August 8, 2022, Council Meeting) (Page 61)

K. NEW BUSINESS

L. RECORD OF ITEMS PLACED ON THE TABLE

M. AUDIENCE PARTICIPATION

N. EXECUTIVE SESSION

O. COUNCIL MEMBER COMMENTS

P. ADJOURNMENT

Tentative Future Palmer City Council Meetings

Meeting Date	Meeting Type	Time	Notes
Sept. 13	Regular	6 pm	
Sept. 27	Regular	6 pm	
October 10	Special	6 pm	Certify election
October 11	Regular	6 pm	
October 25	Regular	6 pm	
November 8	Regular	6 pm	
November 22	Regular	6 pm	

**City of Palmer
Ordinance No. 22-006**

Subject: Amending Palmer Municipal Code Sections 17.08.260 Corner Lot, 17.60.055 Exceptions for Setbacks, Adding Food bank in Commercial Land Use Matrix 17.28.020, Adding Sections 17.08.256 Lot Classification Diagram, 17.08.268 Flag Lot, and Deleting Sections 15.08.3103 Temporary Buildings and Structures, 17.08.398 Senior Citizen.

Agenda of: Introduction August 23, 2022

Council Action: **Adopted** **Amended:** _____
 Defeated

Originator Information:

Originator: Brad Hanson, Director of Community Development

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (√):

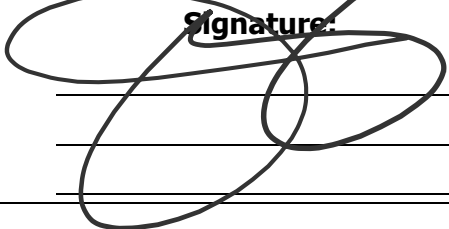
- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney	_____	_____
City Clerk	_____	_____

Attachment(s):

1. Ordinance No. 22-006
2. Planning and Zoning Minutes of July 28, 2022 (Draft)

Summary Statement/Background:

During the Planning & Zoning Commission's continued review of Palmer Municipal Code Title 17, it became apparent to define and include the standards for the different lot types in the city of Palmer. Examples of these lots are corner lots, double frontage lots, as well as lots of irregular shape such as flag lots. Flag lots exist because there is no legal frontage to a road, or because the lot has less than the legal minimum frontage required in that particular zoning district.

P&Z Commission requested additional definitions of lot classification to be added in Title 17 to better understand the criteria for different types of lots in the city of Palmer. Community Development staff has researched various communities' lot requirements including the Matsu-Borough, and how they define frontage of their more complex lots. For consistency, this ordinance provides a definition for flag lot that mirrors the borough's definition.

Proposed definitions of Double frontage lot and Flag lot have been added, as well as adding language to the definition of Corner lot to distinguish primary and secondary yards. These definitions outline the standards for setbacks, access to the lots, as well as the different lot types in the city of Palmer. Adding these proposed definitions and the lot classification diagram, along with adopting the borough's flag lot requirements will create consistency and clarity for lot standards in Palmer.

The city of Palmer Commercial Land Use Matrix provides direction regarding land use and responsible development. The addition of Food bank, under general services, in the Commercial Land Use Matrix will detail the permitted land use of such, to promote continued responsible growth and development in the city of Palmer.

Section 15.08.3103 Temporary Buildings and Structures has been deleted in its entirety. The need for Council approval for temporary buildings and structures remaining after six months is no longer necessary since the adoption of Ordinance 21-002. Section 17.08.398 Senior Citizen has also been deleted in its entirety to allow for greater consistency.

Administration's Recommendation:

Adopt Ordinance No. 22-006, Amending Palmer Municipal Code Chapters 17.08 Definitions, 17.28 Commercial Land Use, 17.60 General District Regulations and Deleting Section 15.08.3103 Temporary Buildings and Structures.

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date:

Public Hearing:

Action:

Vote:

Yes:

No:

--	--

CITY OF PALMER, ALASKA

Ordinance No. 22-006

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Sections 17.08.260 Corner Lot, 17.60.055 Exceptions for Setbacks, Adding Sections 17.08.256 Lot Classification Diagram, 17.08.268 Flag Lot, and Deleting Section 15.08.3103 Temporary Buildings and Structures

WHEREAS, P&Z proposes and recommends text amendments as necessary to Title 17, Zoning to ensure that the regulations and standards are applicable to the current needs of the community; and

WHEREAS, the commission proposes text amendments to Palmer Municipal Code Title 17 for the promotion of Palmer’s unique character and general welfare; and

WHEREAS, the Commission has reviewed and discussed lot restrictions compared to similar districts and has drafted code language consistent to borough lot regulations; and

WHEREAS, the Commission has determined there is a need to include additional definitions and criteria pertaining to lot orientation.

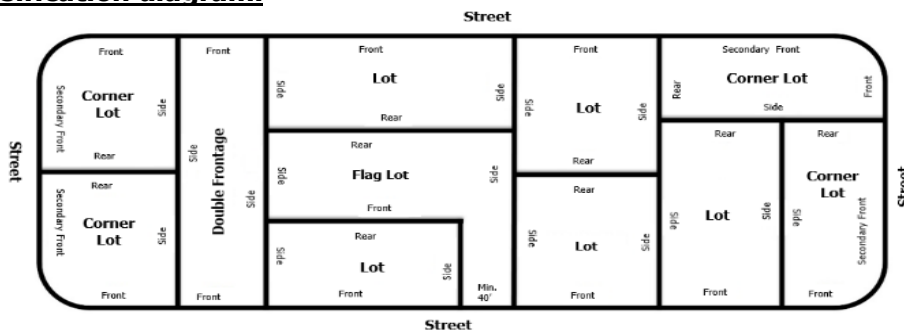
THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 17.08.256 Lot classification diagram is hereby amended as follows (new language is underlined and deleted language is stricken):

17.08.256 Lot classification diagram.



Section 4. Palmer Municipal Code Section 17.08.260 Lot, corner is hereby amended as follows (new language is underlined and deleted language is stricken):

17.08.260 Lot, corner.

“Corner lot” means a lot located at the intersection of two or more streets. A lot abutting on a curved street ~~or streets~~ shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. A corner lot has one primary front yard which will be the address frontage and shall be subject to a full front yard setback as provided by PMC. The secondary front yard is on the secondary frontage side of the property and shall be subject to a secondary front yard setback.

Section 5. Palmer Municipal Code Section 17.08.266 Lot, double frontage is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.266 Lot, double frontage.

“Double frontage lot” means a lot which abuts on two separate parallel public streets.

Section 6. Palmer Municipal Code Section 17.08.268 Lot, flag is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.268 Lot, flag.

“Flag lot” means a lot with a long narrow strip that resembles a pole providing a minimum of 40 feet access to the lot. Flag lots must meet the required lot minimum width of 60 feet with a minimum lot area of 8,400 square feet and does not include the strip (pole). Flag lots containing 2.5 acres or less, the minimum pole width is 30 feet where two or more poles are adjoining, and 40 feet in width for a single pole. Flag lots containing greater than 2.5 acres, the minimum pole width is 40 feet where two or more poles are adjoining, and 60 feet in width for a single pole.

Section 7. Palmer Municipal Code Section 17.08.398 Senior Citizen is hereby deleted:

~~17.08.398 Senior Citizen~~

~~“Senior Citizen” means an individual who is 60 years of age or older.~~

Section 8. Palmer Municipal Code Section 17.28.020 Commercial Land Uses, Commercial Land Use Matrix, is hereby amended to add Food bank under General Services, as a permitted use in the Central Business District, Commercial Limited District, Commercial General District, Business Park District, and Industrial District and as a conditional use in a Public District. (New language is underlined and deleted language is stricken)

17.28.020 Commercial land uses.

General Services	CBD Overlay	C-L	C-G	BP	I	P	A
<u>Food bank</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>C</u>	

Section 9. Palmer Municipal Code Section 17.60.055 Exceptions for setback requirements is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.60.055 Exceptions for setback requirements.

A. Setbacks may be reduced up to 10 percent for ~~existing~~ structures by the zoning administrator after an investigation and written finding that the resulting lesser setback would meet the public purpose of establishing setback standards.

Section 10. Palmer Municipal Code Section 15.08.3103 Temporary buildings or structures is hereby amended to read as follows (new language is underlined and deleted language is stricken):

~~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.~~

Section 11. Effective Date. Ordinance No. 21-006 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this ____ day of _____, 2022.

Steve Carrington, Mayor

Shelly Acteson, City Clerk

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

**SPECIAL MEETING
THURSDAY, JULY 28, 2022
6:00 P.M. - COUNCIL CHAMBERS**

A. CALL TO ORDER:

The Special meeting of the Planning and Zoning Commission was called to order by Chair Peterson at 6:00 p.m.

B. ROLL CALL:

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair
Linda Combs
Lisbeth Jackson
Kristy Thom Bernier
John Murphy
Penny Mosher

Absence(s) excused without objection:

Penny McClain

Also present were:

Brad Hanson, Community Development Director
Pam Whitehead, Recording Secretary (via Zoom teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was approved as presented by all members present by roll call vote.

[Murphy, Mosher, Thom-Bernier, Jackson, Combs, Peterson]

E. MINUTES OF PREVIOUS MEETINGS:

1. The minutes of the **June 16, 2022 Regular Meeting** were unanimously approved as presented by roll call vote.

[Thom-Bernier, Jackson, Combs, Peterson]

F. REPORT:

Director Hanson provided a staff report directing attention to the packet (pp 15-21) for information on two presentations recently presented to the Parks & Recreation Advisory Board regarding 1) Railroad Right-of-Way, including BED Resolution 22-001 recently passed by the City Council recommending funding for a Master Plan for the Railroad Right of Way to implement elements of the Brownfield Area Wide Plan., and 2) Eastern Downtown Palmer study concepts and Revitalization Plan. The Commission reviewed and open discussion followed re same.

G. AUDIENCE PARTICIPATION: None.

H. PUBLIC HEARINGS:

1. **IM 22-005:** Consideration of proposed text amendment to Palmer Municipal Code Chapters 17.08

Definitions, 17.28 Commercial Land Use/Land Use Matrix, 17.60 General District Regulations and Section 15.08.3103 Temporary Buildings and Structures.

Chair Peterson opened and closed the public hearing a 6:32 p.m.; there were no audience members in attendance wishing to testify on the matter.

Staff Report: Director Hanson updated as to background, current status (packet pp. 25-34) and responded to Commissioner questions discussing proposed Ordinance 22-0XX, Commercial Land Use Matrix, and Senior Citizen Research. The Commission was reminded that this Ordinance was forwarded from the May 2022 P&Z meeting for the purpose of including amendments. It was recommended that this proposed Ordinance be substituted for the Ordinance proposed in May, and if approved, move forward to the City Council with a recommendation for adoption.

Following review and discussion:

Main Motion: To substitute the previous Ordinance No. 22-0XX proposed at the May meeting for this current proposed Ordinance No. 22-0XX, An Ordinance of the Palmer City Council Amending Palmer Municipal Code Sections 17.08.260 Corner Lot, 17.60.055 Exceptions for Setbacks, Adding Sections 17.08.256 Lot Classification Diagram, 17.08.268 Flag Lot, and Deleting Section 15.08.3103 Temporary Buildings and Structures, and move forward to the City Council recommending adoption.

Moved by:	Combs
Seconded by:	Mosher
Vote:	Unanimous (Mosher, Murphy, Thom-Bernier, Jackson, Combs, Peterson)
Action:	Motion Carried.

I. UNFINISHED BUSINESS:

1. Committee of the Whole: Discussion of IM 22-007 Review of City of Palmer 2006 Comprehensive Plan (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 regarding the City of Palmer 2006 Comprehensive Plan.

Moved by:	Mosher
Seconded by:	Thom-Bernier
Vote:	Unanimous (Mosher, Murphy, Thom-Bernier, Jackson, Combs, Peterson)
Action:	Motion Carried by roll call vote.

[The Commission entered Committee of the Whole at 6:47 p.m.; exited at 7:25 p.m.]

Director Hanson updated as to status requesting the Commission review and discuss potential updates to the 2006 Palmer Comprehensive Plan, recommending review of the Broad Goals to Achieve Community Vision and determine the scope of update needed to ensure the 2006 Palmer Comprehensive Plan is relevant today.

Committee of the Whole discussion included:

- Open discussion in agreement that the comprehensive plan should be reviewed every five or so years to reflect changes that have occurred and new ideas for improvement.
- Discussion regarding the Broad Goals (Chapter 3 Community Vision – packet pp. 39-42) and the changes that have occurred Palmer since 2006.

Director Hanson will prepare and present a Resolution for review at the August meeting.

J. NEW BUSINESS:

1. **IM 22-013:** In accordance with Palmer Municipal Code 17.40.050, review and approval of a new building/structure, in a Public Use District (Township 18N R2E S33 A15)

Director Hanson provided a staff report, directing attention to the packet (pp. 45-58) for review of the site plan and description of the new building/structure.

Following review and discussion:

Main Motion: For approval of the site plan and description of the new building/structure in a Public Use District as described in IM 22-013.

Moved by:	Mosher
Seconded by:	Jackson
Vote:	Unanimous (Mosher, Murphy, Thom-Bernier, Jackson, Combs, Peterson)
Action:	Motion Carried by roll call vote.

K. PLAT REVIEWS:

1. **IM 22-014:** Abbreviated Plat Request to create two lots from Tax Parcel B11 to be known as Patten Estates.

Director Hanson reported the Abbreviated Plat Request has been distributed to city departments. There were no issues or comments.

The Commission reviewed and had no additional comments.

2. **IM 22-015:** Abbreviated Plat Request to create one lot from Lots 8 & 9, Block 7, Lucas, to be known as Lucas Block 7, Lot 8A.

Director Hanson reported the Abbreviated Plat Request has been distributed to city departments. Comments included:

Building Inspector: Potential bedrock on the lots. Building on the new lot may require a structural engineer’s stamp on the foundation plans.

Community Development: Airport Influence Area.

There were no other issues or concerns.

The Commission reviewed and had no additional comments.

L. PUBLIC COMMENTS: None.

M. COMMISSIONER COMMENTS:

Chair Peterson:

- Welcomed new Commissioners Mosher and Murphy to the P&Z Commission.

Commissioner Thom Bernier:

- Advised she will be absent for the next two meetings noting her commitments to the Alaska State Fair which will be starting soon;
- Announced she has been invited to speak at the Iowa State Fair on August 17 about the Alaska State Fair, noting the entire Thom family will be there for receipt of an award celebrating the 150 year recognition of the Iowa Thom Family Farms.

Commissioner Mosher:

- Commented she is pleased to serve on the Commission and thanked everyone for the welcome.

Commissioner Combs:

- Thanked everyone for the nice wishes;
- Updated on the activities of the Mat-Su Senior Services, including the hiring of new CEO, Brandi Burchett.

Commissioner Murphy:

- Thanked everyone for the warm welcome.

N. ADJOURNMENT:

There being no further business, the meeting adjourned without objection at 7:47 p.m.

APPROVED by the Planning and Zoning Commission this ____ day of August, 2022.

Casey Peterson, Chair

Brad Hanson, Community Development Director

A. CALL TO ORDER

A regular meeting of the Palmer City Council was held on August 9, 2022, at 6:00 p.m. in the Council Chambers, Palmer, Alaska. Mayor Carrington called the meeting to order at 6:00 p.m.

B. ROLL CALL

Comprising a quorum of the Council, the following were present:

Steve Carrington, Mayor	Pamela Melin, Deputy Mayor
Carolina Anzilotti	John Alcantra
Richard W. Best	Thomas Ojala IV
Joshua Tudor	

Staff in attendance were the following:

John Moosey, City Manager	Sarah Heath, City Attorney
Shelly M. Acteson, CMC, City Clerk	Holly Dubose, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
2. Approval of Minutes of Previous Meetings
 - a. July 26, 2022, Regular Meeting

Main Motion: To Approve the Agenda, Consent Agenda, and Minutes, as Presented

Moved by:	Tudor
Seconded by:	Anzilotti
Vote:	Approved
Action:	Motion Carried

E. COMMUNICATION AND APPEARANCE REQUESTS

1. Proclamation: Coby Marvin Day

Mayor Carrington presented Coby Marvin with a proclamation for his outstanding mountain race accomplishments, declaring August 9th as Coby Marvin Day.

F. REPORTS

Acting City Manager Brad Hanson reported on the following:

- Deferred to the City Attorney to provide information regarding gatherings and marches, and the current City permitting process.

Mayor Carrington and the Council Members directed City Attorney to investigate how other entities are handling marches and protests.

Mayor Carrington called a recess at 6:15 pm. Mayor Carrington called the meeting back into order at 6:23 pm.

G. AUDIENCE PARTICIPATION

Jackie Goforth:

- Commented on voting machines used by the City.

Michelle Kinkaid:

- Commented on the rezone request, and the parking impact with the potential rezone.

Mike Chmielewski:

- Commented on the chamber's audio.
- Congratulated Council Member Alcantra on his previous Mt .Marathon race.
- Thanked the Mayor for the proclamation earlier in the meeting.

H. PUBLIC HEARINGS

- 1. Ordinance No. 22-005:** Rezone Tax Parcel C-21, T18N, R2E, S33, from C-L, Limited Commercial to C-G, General Commercial

Acting Manager Brad Hanson provided a staff report.

Mayor Carrington opened the public hearing.

Rezone applicant Dale Fosselman:

- Gave an overview on the property and the rezone request.

Cindy Hudgins:

- Spoke in opposition to the Ordinance.

Jackie Goforth:

- Spoke in opposition to the Ordinance.

Dickey Hudgins:

- Spoke in opposition to the Ordinance.

Eric Anderson:

- Spoke in support of the Ordinance.

Matthew Hayes:

- Spoke in support of the Ordinance.

Mike Chemleski:

- Spoke in support of the Ordinance.

Seeing no others come forward Mayor Carrington closed the Public Hearing.

Main Motion: To Adopt, and Postpone Ordinance No. 22-005

Moved by:	Best
Seconded by:	Alcantra
Vote:	6 yes/1 no (Alcantra)
Action:	Postponed to 8/23/22 Council Meeting

Acting City Manager Hanson and the Council engaged in debate over the ordinance, discussing the traffic impacts and the height requirements in the Code.

2. Resolution No. 22-022: Authorizing the City Manager to Execute a Subdivision Agreement with Variances to Required Public Improvements for Subdivision Development as Outlined in Palmer Municipal Code Chapter 12.12 (Public Hearing 1 of 2)

Acting City Manager Brad Hanson provided a staff report.

Craig Hanson:

- Provided an overview of the project.

Eric Anderson:

- Spoke in support of the Resolution.

Mayor Carrington opened the public hearing.

Seeing no others come forward Mayor Carrington closed the Public Hearing.

Public Works Director, Jude Bilafer responded to Council questions.

Main Motion: To Adopt Resolution No. 22-022, Public Hearing 1 of 2

Moved by:	Best
Seconded by:	Melin
Vote:	N/A
Action:	Public Hearing 2 of 2 will occur on August 23

3. Resolution No. 22-023: Authorizing the City Manager to Accept, Appropriate, and Execute a Grant Offer from the Federal Aviation Administration (FAA) in the Amount up to \$7,131,944.44 for construction of Taxiway "N" November and Improvement of the Airport Drainage System at the Warren "Bud" Woods Palmer Municipal Airport

Acting City Manager Brad Hanson gave a staff report.

Mayor Carrington opened the public hearing. No one commented.

Mayor Carrington closed the Public Hearing.

Airport Superintendent Rosalie Kelly provided a staff report. Project Engineer Dave Lundin was also in attendance.

Main Motion: To Approve Resolution No. 22-023

Moved by:	Alcantra
Seconded by:	Melin
Vote:	Approved
Action:	Motion Carried

- 4. Resolution No. 22-024:** Authorizing the City Manager to Accept, Appropriate, and Execute a Grant Offer from the Federal Aviation Administration (FAA) in the Amount up to \$2,500,000 for Construction of Apron "E" at the Warren "Bud" Woods Palmer Municipal Airport

Mayor Carrington opened the public hearing.

Acting City Manager Brad Hanson, Airport Superintendent Rosalie Kelly and Project Engineer Dave Lundin responded to Council questions.

Eric Anderson:

- Spoke in support of the Resolution.

Seeing no others come forward Mayor Carrington closed the Public Hearing.

Main Motion: To Approve Resolution No. 22-024

Moved by:	Best
Seconded by:	Tudor
Vote:	Approved
Action:	Motion Carried

- 5. Resolution No. 22-025:** Appointing Election Officials for the City of Palmer Regular Election on Tuesday, October 4, 2022

Mayor Carrington opened the public hearing. No comments were made.

Mayor Carrington closed the Public Hearing.

Main Motion: To Approve Resolution No. 22-025

Moved by:	Best
Seconded by:	Alcantra
Vote:	Approved
Action:	Motion Carried

I. ACTION MEMORANDA

- 1. Action Memorandum No. 22-046:** Authorize the City Manager to Execute Change Order No. 3 with Roger Hickel Contracting Inc., to Relocate the Clarifier Control Panels to a More Central Location for the Wastewater Treatment Plant Facility Phase II

Main Motion: To Approve Resolution No. 22-046

Moved by:	Melin
Seconded by:	Alcantra
Vote:	Approved
Action:	Motion Carried

2. Action Memorandum No. 22-047: Authorize the City Manager to Dispose of Surplus City Solid Waste Equipment Valued at More than \$10,000

Main Motion: To Approve Resolution No. 22-047

Moved by:	Melin
Seconded by:	Alcantra
Vote:	Approved
Action:	Motion Carried

J. UNFINISHED BUSINESS

K. NEW BUSINESS

L. RECORD OF ITEMS PLACED ON THE TABLE

1. Email comment in opposition to rezone ordinance
2. Mail comment with no objection to rezone ordinance
3. Pictures of Cedar Park curbs and gutters
4. Documents submitted regarding voting machines

M. AUDIENCE PARTICIPATION

Eric Anderson:

- Spoke regarding septic systems and curb and gutter issues and provided pictures.

Catherine Fosselman:

- Spoke regarding the construction and parking requirements in Palmer

N. EXECUTIVE SESSION

O. COUNCIL COMMENTS

Council Member Ojala:

- Commented on community attendance and thanked everyone for attending the meeting.

Council Member Tudor:

- Thanked everyone for coming to the meeting and providing comments.
- Commented on the protest and marches discussion and not impeding people’s right to march and protest.

Council Member Best:

- Concurred with the comments of Council Member Tudor.

Council Member Alcantra:

- Noted appreciation to the public for providing comments.

Council Member Anzilotti:

- Appreciated the community input.
- Commented favorably on the postponement of the rezone ordinance.

Council Member Melin:

- Thanked everyone for attending the meeting.

- Stated as the Council should be careful and make wise decisions regarding marches and protests.
- Thanked the Fosselman's for their input on the rezone project.
- Asked the Manager for an inventory of the museum items.
- Asked the City Attorney to view the contract the City has with the museum.

P. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 8:16 p.m.

Approved this 23rd day of August, 2022.

Shelly M. Acteson, CMC, City Clerk

Steve Carrington, Mayor

A. CALL TO ORDER:

A special meeting of the Palmer City Council was held on May 17, 2022, in the Council Chambers, Palmer, Alaska. Mayor Carrington called the meeting to order at 6:00 p.m.

B. ROLL CALL:

Comprising a quorum of the Council, the following were present:

Steve Carrington, Mayor	Pamela Melin, Deputy Mayor
Richard Best	
Carolina Anzilotti	

Staff in attendance were the following:

John Moosey, City Manager	Shelly M. Acteson, CMC, City Clerk
Sarah Heath, City Attorney	Holly Dubose, Deputy City Clerk

C. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed.

D. APPROVAL OF AGENDA

Main Motion:	Approval of Agenda
Moved by:	Anzilotti
Seconded by:	Melin
Vote:	Approved
Action:	Motion Carried

E. NEW BUSINESS

1. City Council Applicant Interviews

The following applicants were interviewed one at a time, alphabetically by last name and given 5 minutes to provide an introductory statement.

- a. John Alcantra
- b. Cecilia Bradford (was not in attendance)
- c. John Murphy
- d. Thomas Ojala IV
- e. Joshua Tudor

2. Selection and Appointment of City Council Members

Council Members were given 10 minutes to review notes and deliberate individually.

Mayor Carrington opened the floor for nominations.

Main Motion: Nomination of Thomas Ojala IV

Moved by:	Anzilotti
Seconded by:	Melin
Vote:	Approved
Action:	Motion Carried

Mayor Carrington closed nominations.

Mayor Carrington opened the floor for nominations.

Main Motion: Nomination of Joshua Tudor

Moved by:	Melin
Seconded by:	Best
Vote:	Approved
Action:	Motion Carried

Mayor Carrington closed nominations.

Mayor Carrington opened the floor for nominations.

Main Motion: Nomination of John Alcantra

Moved by:	Best
Seconded by:	Melin
Vote:	Approved
Action:	Motion Carried

Mayor Carrington closed nominations.

New Council Members will be sworn into office at the next Council Meeting on 5/24/2022.

F. AUDIENCE PARTICIPATION

Brian Daniels:

- Welcomed new Council Members.
- Spoke in opposition of the majority of the Council being appointed.

John Alcantra:

- Thanked current Council for nominating him to the Council.
- Thanked applicant John Murphy for his military service.

Jackie Goforth:

- Was impressed by Council applicants.
- Commented on Open Meetings Act violations.

G. RECORD OF ITEMS PLACED ON THE TABLE

H. COUNCIL MEMBER COMMENTS

Council Member Best:

- Expressed that this is a time for healing and rebuilding.
- Thanked the Council applicants and welcomed the New Council.

Deputy Mayor Anzilotti:

- Welcomed new Council Members.
- Congratulated the Palmer class of 2022.

Council Member Melin:

- Thanked all the Council applicants.
- Commented positively on the attendance of Clean Up Day in Palmer.

I. ADJOURNMENT

With no further business before the Council, the meeting adjourned at 6:43 p.m.

APPROVED this 23rd day of August 2022.

Shelly M. Acteson, CMC, City Clerk

Steve Carrington, Mayor

MEMORANDUM

Date: August 15, 2022
To: Mayor and Council Members
City of Palmer
From: David Lundin, PE *DL*
Subject: Construct Taxiway N, Improve Airport Drainage, & Construct Apron E
Warren "Bud" Woods Palmer Municipal Airport

The subject project is currently advertised, with bids due August 23, 2022. The project elements are shown on the attached graphic.

Purpose

- Problem:** Taxiway B does not meet runway-taxiway separation standards.
Available lease property south of Runway 10/28 has no air-side access.
- Solution:** Construct Taxiway N, a parallel taxiway on the south side of Runway 10/28.
Remove Taxiway B; realign Taxiway J and extend it to Taxiway A to maintain access to lease lots on the north side of Runway 10/28
- Problem:** Snowmelt and stormwater runoff south of Runway 10/28 is unmanaged.
- Solution:** Construct a subsurface infiltration basin at the southeast corner of the airport.
- Problem:** Demand for tie-down spaces exceeds availability.
- Solution:** Construct Apron E, to provide an additional 16 tie-down spaces.

Funding

Taxiway N and drainage improvements are programmed for 100% FAA funding.
Apron E is programmed for 93.75% FAA funding, with a 6.25% city match.

Schedule:

Bids open August 23, 2022.
Grant offers are expected early in September.
Contract award is expected September 13, 2022.
Field work will begin in Spring 2023 and take all season.

Attach: Project Figure

H:\jobs\18-001 Palmer Airport Term (COP)\15 Taxiway N Design\05-Public Involvement\Council Presentation 082322\MEMO to council.docx

3335 Arctic Boulevard, Suite 100, Anchorage, Alaska 99503
202 West Elmwood Avenue, Palmer, Alaska 99645

907.564.2120
907.746.5230

Civil
Engineering

Geotechnical
Engineering

Transportation
Engineering

Aviation
Engineering

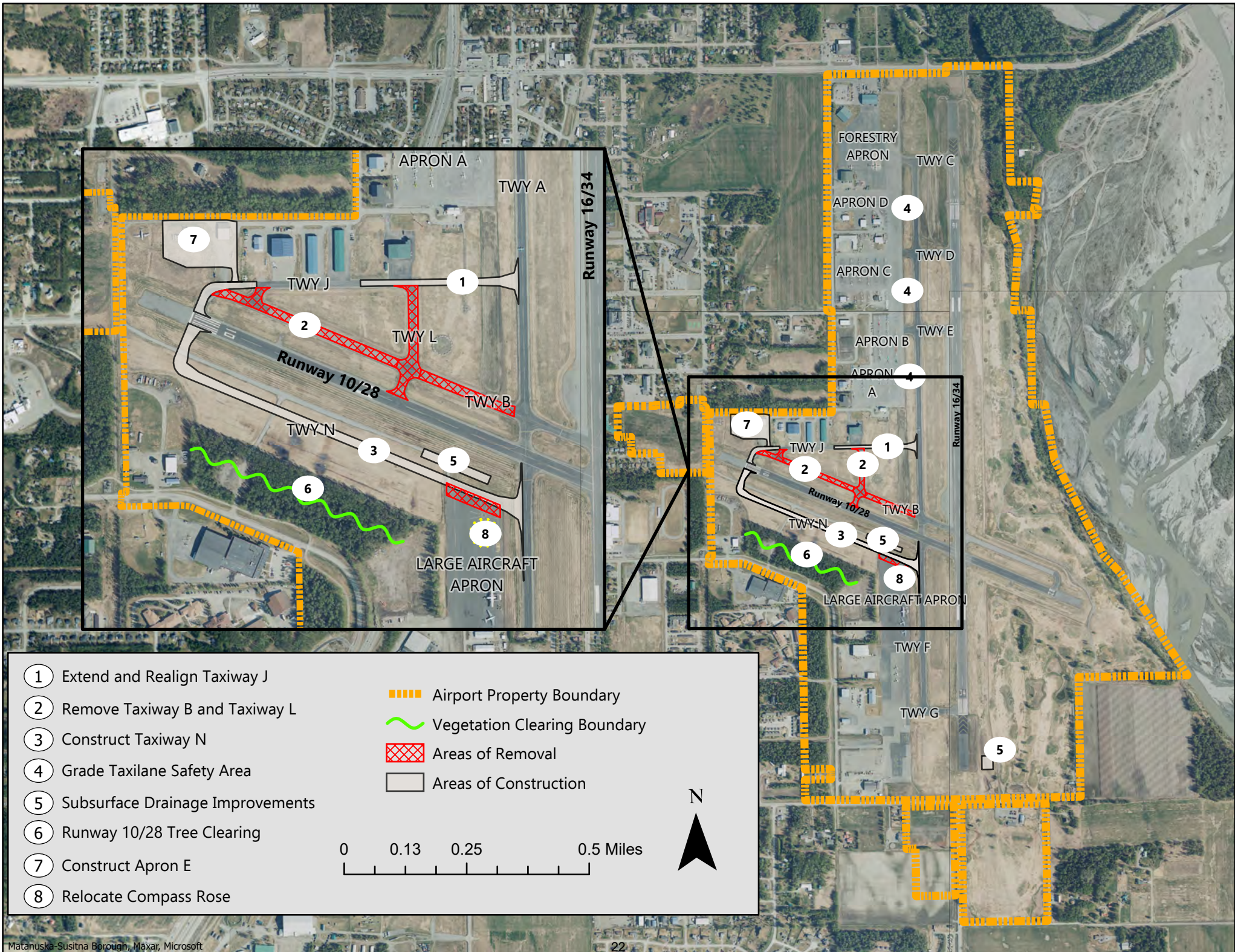
W/WW
Engineering

Environmental
Services

Surveying &
Mapping

Construction
Administration

Material
Testing



- ① Extend and Realign Taxiway J
- ② Remove Taxiway B and Taxiway L
- ③ Construct Taxiway N
- ④ Grade Taxilane Safety Area
- ⑤ Subsurface Drainage Improvements
- ⑥ Runway 10/28 Tree Clearing
- ⑦ Construct Apron E
- ⑧ Relocate Compass Rose

- Airport Property Boundary
- ~ Vegetation Clearing Boundary
- ▨ Areas of Removal
- ▭ Areas of Construction

0 0.13 0.25 0.5 Miles





PALMER POLICE DEPARTMENT

Dwayne Shelton
Chief of Police
423 S. Valley Way
Palmer, Alaska 99645
Phone (907) 745-4811
Fax (907) 745-4276

August 2022

Palmer City Mayor and Members of the Council,

I have been asked by City Manager John Moosey to address the staffing issues the Palmer Police Department has been facing over the past 10 years along with the accompanying recommended solution.

The Palmer Police Department is committed to providing outstanding service to its citizens and business owners. We want Palmer to be a place where people are safe and abiding the law is expected.

To accomplish these goals, it is necessary to have sufficient staffing to allow officers to get to know the public through Community Policing efforts and to be proactive rather than merely reactive.

As your Chief, I want a well-trained, professional police department. Some of the training includes use of force, handling people in crisis, dealing with diversity, properly following policy and procedures, de-escalation techniques, criminal investigations, etc. The list is long and constantly changes due to the changing of societal norms, criminal statutes, policies, police procedures, etc. There is also redundant training that is required to ensure officers maintain an acceptable level of proficiency in areas such as firearms, control tactics, and application of the law.

With Palmer at the current geographical size, having two patrol officers on duty is prudent and generally sufficient to ensure prompt response times and to keep a high level of service. The issue lies with me being able to maintain adequate staffing levels to support double officer shift coverage.

Since 2011, we have lost the following number of officers per year:
2011-2, 2012-3, 2013-3, 2014-1, 2015-2, 2016-2, 2017-3, 2018-0, 2019-2, 2020-3, 2021-3, and 2022-2.

It can take over a year to hire a new police officer and have them at a point where they are able to work by themselves. In the fortunate event that we can hire a lateral officer, that time is usually reduced to 3-6 months. There have been times where we have had to open multiple job postings to fill a single vacancy due to not having qualified applicants apply.



PALMER POLICE DEPARTMENT

Dwayne Shelton
Chief of Police
423 S. Valley Way
Palmer, Alaska 99645
Phone (907) 745-4811
Fax (907) 745-4276

Of the 26 officers that have left since 2011, 8 took another job for better pay/advancement, 6 retired, 4 left for personal reasons, 3 left due to medical reasons, and 5 resigned in lieu of termination (all were still on probation). The extra shifts that have been left vacant have piled a burdensome workload onto the remaining officers resulting in burnout, low morale, and lower productivity which has caused other vacancies.

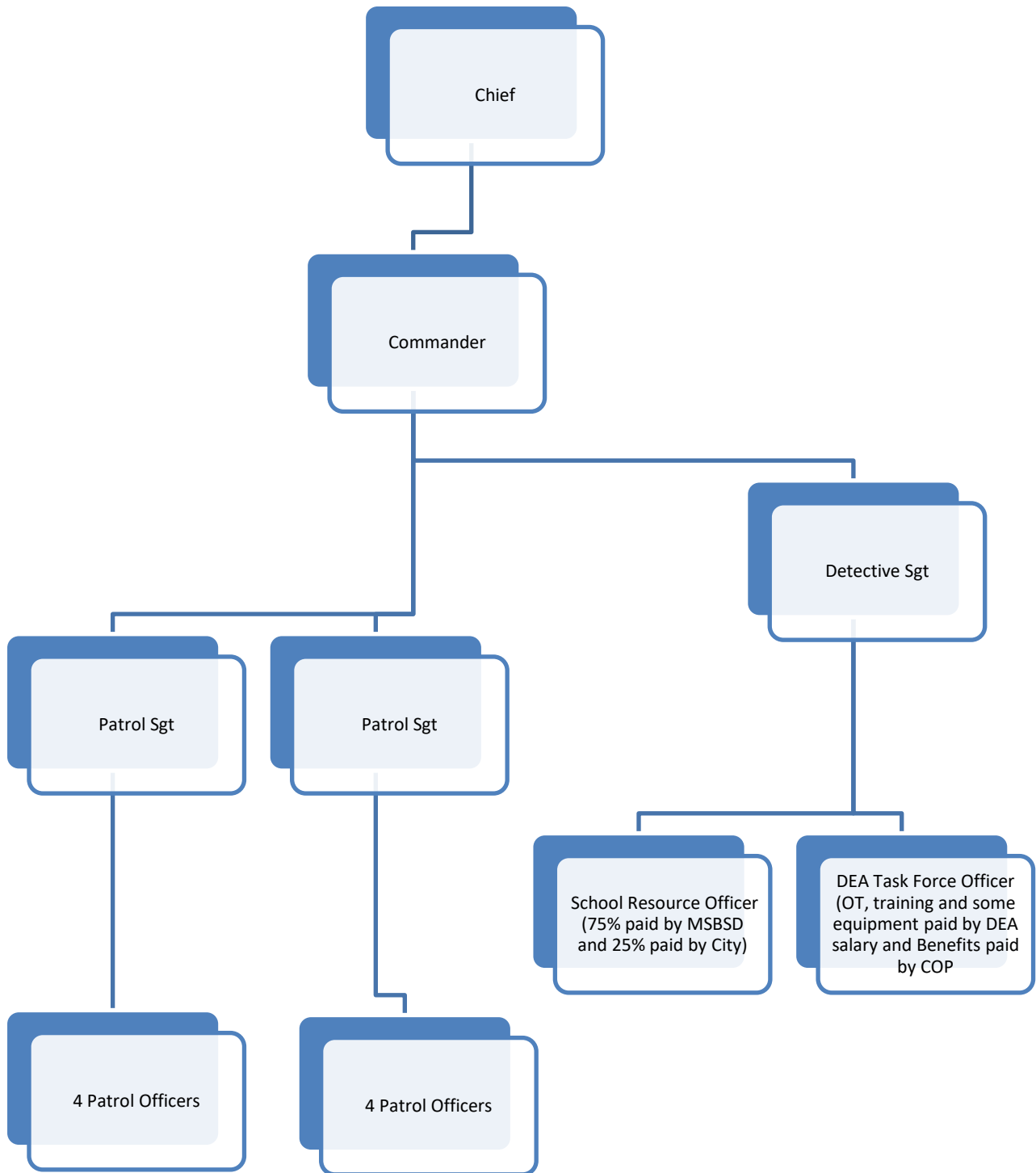
As you look at PPD's current organizational chart, you can see how our 15 sworn personnel are allocated. To maintain 2 officer staffing 24/7 on patrol when we are fully staffed at current levels does not account for time off, training, court time, and injuries. When there are vacancies, it exasperates the staffing difficulties. I have 3 positions that are dedicated to specific positions, those are Detective Sgt., School Resource Officer, and DEA Task Force Officer. I am frequently required to pull them from their assigned duties to back fill patrol to maintain adequate patrol staffing. This stifles their effectiveness in their respective assignments. Commander LaCroix and I also fill in on patrol; it is not ideal but currently is a necessity.

I ask you to add 2 additional officer positions to the Palmer Police Department. The addition of 2 more personnel will allow for coverage while others are out on leave, training, injured, and during times of vacancy. Manager Moosey and I have discussed this issue and have looked at many options. The best option is to add 2 more personnel in the following manner: Adding 1 additional officer beginning 2023 and a second officer preferably by mid-year 2023 but no later than beginning the beginning of 2024.

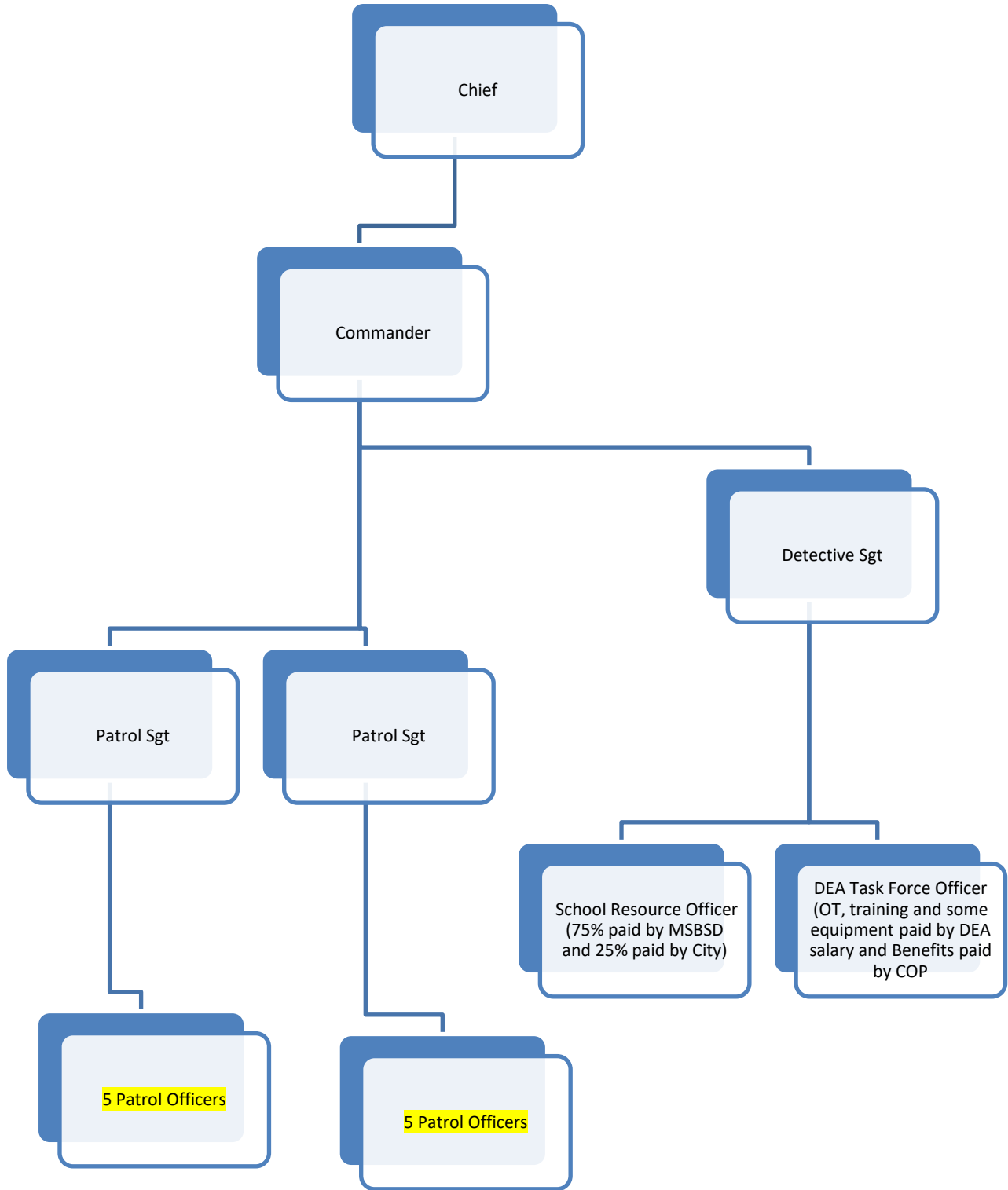
Thank you,

Dwayne Shelton
Chief of Police

Current Sworn Officer Organizational Chart



Proposed Organizational Chart





City of Palmer's Capital Project Priorities for State, Federal, and Other Interested Parties Funding

1	Bogard Road Water Main Extension-Pressure Booster Station "Shovel ready"	\$1,381,980
2	Wastewater Treatment Plant Improvements-Secondary Clarifier installation "Shovel ready"	\$9,000,000
3	Water System Expansion	\$19,400,000
4	Gravel to Paved Road Surfacing- Multi-component "Shovel Ready"	\$400,000 to \$4,000,000
5	Traffic Control Lights at the Palmer-Wasilla, Felton Street Intersection	\$1,200,000
6	Downtown Road Improvements - Cobb Street "Shovel Ready"	\$1,875,000
7	Historic Palmer Water Tower Purchase	\$100,000
8	Airport TW N Design & Build Project	\$6,500,000
9	Park Projects- Multi-component: Veterans Park Establishment, New Parks (Riverfront and Hidden Ranch), Amusement Park Improvements	\$75,000 to \$575,000
10	Trail Projects-Multi-component: Connect Auklet Bike Tunnel to Mat River Park/Butte Trail, Connect Butte Trail to Cope Industrial Trail, Connect S. Chugach to the State Fair Grounds, Connect Thuma to S. Chugach	\$75,000 to \$750,000
11	Replacement Fire Engine, Brush Truck, and Support Vehicle	\$1,060,000
12	Construct ARFF Building	\$2,200,000
13	Safety Service Building	\$10,000,000
14	Restore Alaska Railroad Track to Downtown Palmer	\$3,000,000
15	Rescue Support Vehicle	\$95,000

City of Palmer

**City of Palmer
Resolution No. 22-022**

Subject: Authorizing the City Manager to Execute a Subdivision Agreement with Variances to Required Public Improvements for Subdivision Development as Outlined in Palmer Municipal Code Chapter 12.12

Agenda of: August 9, 2022
August 23, 2022

Council Action: **Approved** **Amended:** _____
 Defeated

Originator Information:

Originator: John Moosey, City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
<u> ✓ </u>	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (✓):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (✓):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: _____

Approved for Presentation By:

	Signature:	Remarks:
City Manager	_____	_____
City Attorney	_____	_____
City Clerk	_____	_____

Attachment(s):

1. Resolution No. 22-022
2. Staff Report – Departmental Memos
3. Variance Application
4. Green Acres Supplemental Information – Provided by WM Construction

Summary Statement/Background:

Variance Request	Item	Appeal Process & Procedure	Hearing Administrator and Type	Date
1	Curb and Gutter	PMC 12.12.080	Public Hearing – City Council	August 9, 2022

City Development Standards outline requirements for developers when constructing subdivisions. One of the requirements is for curb and gutter to be constructed on all residential streets. WM Construction, LLC., is asking for a variance from this requirement.

The city council recently granted a similar variance request to Cedar Park, LLC., in April of 2021.

Administration’s Recommendation:

Approve Resolution No. 22-022 to grant WM Construction LLC requested variances to subdivision development standards for Green Acres Subdivision.

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey
Public Hearing Date: August 9, 2022 (1 of 2)
Public Hearing Date: August 23, 2022 (2 of 2)
Action:
Vote:

Yes:	No:

CITY OF PALMER, ALASKA

Resolution No. 22-022

A Resolution of the Palmer City Council Authorizing the City Manager to Execute a Subdivision Agreement with Variances to Required Public Improvements for Subdivision Development as Outlined in Palmer Municipal Code Chapter 12.12

WHEREAS, City Council establishes and defines the public improvements which will be required under agreement to be constructed by a subdivider and to outline the procedures and responsibilities of subdivider in Palmer Municipal Code Chapter 12.12; and

WHEREAS, the City requires every subdivider to install streets, curb and gutters, public utilities, provide adequate drainage system, traffic control devises, sidewalks (when required) and street lighting in accordance with standards adopted by the City; and

WHEREAS, Palmer Municipal Code Section 12.12.080 grants City Council the authority to grant variances to development standards for subdivisions that it deems necessary, or which it finds desirable from the standpoint of public interest; and

WHEREAS, the City Council shall include its findings the specific reasons and actions in its minutes; and

WHEREAS, the City has received from WM Construction LLC a request for variances to development standards for curb and gutters; and

WHEREAS, the adopted Palmer Comprehensive Plan Chapter 6 Goal 2 supports maintaining high quality residential neighborhoods; promotes development of a range of desirable new places to live in Palmer; and

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council hereby authorizes the City Manager to enter into a subdivision agreement with WM Construction LLC and grant variances to development standards for the installation of curb and gutter.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Palmer City Council hereby finds that there are such circumstances of conditions affecting the property that the strict application of the provisions of this chapter would clearly be impractical, unreasonable or undesirable to the general public. That granting of the specific variances will not be detrimental to the public welfare or injurious to the property in the area in which property is situated. The granting the specific variance will not have the effect of nullifying the intent and purpose of Palmer Municipal Code Chapter 12.12 or the Palmer Comprehensive Plan.

Approved by the Palmer City Council this ____ day of _____, 2022.

Steve Carrington, Mayor

Shelly Acteson, CMC, City Clerk



DEPARTMENT OF PUBLIC WORKS

Jude Bilafer
Director

Phone: (907) 761-1350
Fax: (907) 745-3203
Email: jbilafer@palmerak.org

Mail: 231 W. Evergreen Ave.
Palmer, Alaska 99645-6952
Location: 1316 South Bonanza Street
www.palmerak.org

MEMORANDUM FOR RECORD

FROM: Jude Bilafer, Director of Public Works

DATE: July 22, 2022

SUBJECT: **Green Acres Variance Request from Curb and Gutter requirement**

The City of Palmer Public Works Director and Maintenance Superintendent reviewed the variance request and provide the following comments.

According to the 1985 Development Standards, Division 1000, Section 1001, para 1001.2, "The developer shall provide roads, **curb and gutter**, sidewalks, drainage, etc. as provided herein and in accordance with Palmer Municipal Code." Additionally, Section 1003.5 residential, states curb and gutter are required for residential streets.

Regarding this request, Public Works "concur" with granting a variance. None of the surrounding roads have curb and gutter. Due to the lack of surrounding curb and gutter, an engineered drainage plan was created by the developer to effectively move water in and around the development. This drainage plan also provides for additional snow storage along the development. Both the Public Works Director and the Maintenance Superintendent visited the site on several occasions. Based on the site visits and plan reviews, Public Works believes the plans will sufficiently mitigate drainage any issues.

Jude Bilafer
Director of Public Works, City of Palmer

**City of Palmer
Resolution No. 22-026**

Subject: Authorizing the City Manager to Accept and Appropriate a State of Alaska Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs Grant in the Amount of \$6,900,000 for the Wastewater Treatment Plant Facility Phase II Project

Agenda of: August 9, 2022

Council Action: **Approved** **Amended:** _____
 Defeated

Originator Information:

Originator: John Moosey, City Manager

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ **6,900,000.00**

This legislation (√):

- Creates revenue in the amount of: \$ 6,900,000.00
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): 24-00-00-3174 Grant Revenue
- Not budgeted 24-53-45-6225 Grant Expense

Director of Finance Signature: *[Signature]*

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u><i>[Signature]</i></u>	_____
City Attorney	_____	_____
City Clerk	_____	_____

Attachment(s):

1. Resolution No. 22-026
2. Grant Agreement Letter
3. Grant Agreement

Summary Statement/Background:

As part of the 2023 State of Alaska fiscal year budget, Governor Dunlevy included a grant to the City of Palmer in the amount of \$6,900,000.00 for the Wastewater Treatment Plant Facility Project Phase II. This project includes the engineering, constructing, and installing of two secondary clarifiers, a project that began in February 2021.

This resolution is authorizing the City Manager to accept and appropriate these grant funds for this project from the State of Alaska, Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs.

This project is underway with the engineering design phase starting in February of 2021 and the construction of this project starting in July 2021. This project had an original deadline of July 2022, however, due to the supply chain issues this project has been delayed for completion until Fall of 2022.

Administration's Recommendation:

Adopt Resolution No. 22-026.

LEGISLATIVE HISTORY

Introduced by: Manager Moosey

Date: August 9, 2022

Action:

Vote:

Yes:

No:

--	--

CITY OF PALMER, ALASKA

Resolution No. 21-0XX

A Resolution of the Palmer City Council Authorizing the City Manager to Accept and Appropriate a State of Alaska Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs Grant in the amount of \$6,900,000 for the Wastewater Treatment Plant Facility Phase II project

WHEREAS, the installation of two Secondary Clarifiers at the Palmer Wastewater Treatment Plant Facility are required as of our current Federal Consent Decree; and

WHEREAS, the construction estimates for the engineering, construction and installing of Secondary Clarifiers at the Palmer Wastewater Treatment Plant Facility is \$10,090,000; and

WHEREAS, the Governor Dunleavy appropriated \$6,900,000 in the State of Alaska’s 2023 fiscal year budget for the City of Palmer’s Wastewater Treatment Plant Facility Phase II project.

NOW, THEREFORE, BE IT RESOLVED by the Palmer City Council hereby authorizes the City Manager to accept and appropriate a State of Alaska Department of Commerce, Community, and Economic Development Division of Community and Regional Affairs grant in the amount of \$6,900,000 for the Wastewater Treatment Plant Facility Phase II Project.

Approved by the Palmer City Council this ____ day of _____, 2022.

Steve Carrington, Mayor

Shelly M. Acteson, CMC, City Clerk



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development
Division of Community and Regional Affairs
Anchorage

550 West Seventh Avenue, Suite 1640
Anchorage, Alaska 99501
Main: 907.269.4581
Fax: 907.269.4539

VIA E-MAIL

August 17, 2022

Steve Carrington, Mayor
City of Palmer
231 W. Evergreen Avenue
Palmer, AK 99645

RE: FY 2023 Designated Legislative Grant Agreement

Dear Mayor Carrington:

Enclosed you will find a grant agreement between the City of Palmer and Department of Commerce, Community, and Economic Development for Wastewater Treatment Plant Improvements-Phase II.

In order to receive grant funds, a grant agreement must be executed. Please carefully review the agreement, sign, date, and return the cover page to my attention. Upon receipt and approval, a fully executed copy will be sent to you for your file.

If you have any questions, please contact me via phone at (907) 269-7906 or email Lindsay.reese@alaska.gov.

Sincerely,

Lindsay Reese

Lindsay Reese
Grants Administrator II

Enclosure:



DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

Designated Legislative Grant Program
Grant Agreement

Grant Agreement Number 23-DC-037		Vendor Number CIP84644	Amount of State Funds \$6,900,000.00	
GAE	Appropriation Unit 087281004	Lapse Date 06/30/2027	Project Title Wastewater Treatment Plant Improvements - Phase II	
Grantee			Department Contact Person	
Name City of Palmer			Name Lindsay Reese	
Street/PO Box 231 W. Evergreen Avenue			Title Grants Administrator II	
City/State/Zip Palmer, Alaska 99645			Street/PO Box 550 W. 7th Ave Ste 1650	
Contact Person Gina Davis, Finance Director			City/State/Zip Anchorage, AK 99501	
Phone 907-745-3271	Fax 907-745-0930	Phone 907-269-7906	Fax 907-269-4563	
Email gdavis@palmerak.org			Email Lindsay.reese@alaska.gov	

AGREEMENT

The Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs (hereinafter 'Department') and **City of Palmer** (hereinafter 'Grantee') agree as set forth herein.

Section I. The Department shall pay the Grantee for the performance of the project work under the terms outlined in this Agreement. The amount of the payment is based upon project expenses incurred, which are authorized under this Agreement. In no event shall the payment exceed **\$6,900,000.00**.

Section II. The Grantee shall perform all of the work required by this Agreement.

Section III. The work to be performed under this Agreement begins **April 15, 2022** and shall be completed no later than **June 30, 2027**.

Section IV. The Agreement consists of this page and the following:

ATTACHMENTS

- Attachment A: Scope of Work
1. Project Description
 2. Project Budget
 3. Project Management
 4. Reporting
- Attachment B: Payment Method
- Attachment C: Standard Provisions

AMENDMENTS

Any fully executed amendments to this Agreement

APPENDIX

Appendix A: State Laws and Regulations

Grantee		Department	
Signature		Signature	
Printed Name and Title Steve Carrington, Mayor		Printed Name and Title Pauletta Bourne, Grants Administrator III	
Date		Date	

Attachment A

Scope of Work

1. Project Description

The purpose of this FY 2023 Designated Legislative Grant in the amount of \$6,900,000.00 *pursuant to the provisions of AS 37.05.315, Grants to Municipalities, SLA 2022, HB 281, Chapter 11, Section 14, Page 121, and Line 27* is to provide funding to City of Palmer for use towards Wastewater Treatment Plant Improvements - Phase II. The purpose of this project will address consent decree deadlines for ammonia and TSS effluent limits. Phase II includes the construction of two new circular secondary clarifiers, a waste activated sludge pumping station, and scum pump station. In addition to modifications to existing lagoons, piping upgrades, and associated electrical, SCADA, mechanical and civil work.

This project may include the following items:

- Engineering
- Construction

Additional expenditures must be reasonable and relative to the project objective and may require preapproval by the department.

No more than five percent (5%) of the total grant award may be reimbursed for Administrative expenses for projects involving equipment purchase or repairs and no more than ten percent (10%) of the total grant award may be reimbursed for Administrative expenses for all other projects. To be reimbursed for eligible administrative costs, expenses must be reported on the Designated Legislative Grant Financial/Progress Report form.

2. Project Budget

Cost Category	Total Project Costs
Project Funds	\$6,900,000.00
Administration	\$0.00
Total Grant Funds	\$6,900,00.00

3. Project Management

This project will be managed by the Grantee.

Signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the chief administrator. For grants appropriated to a municipality, the mayor is the chief administrator unless the municipality operates a managerial form of government; then the city manager/administrator acts as the chief administrator. For named recipients and unincorporated communities, the executive director or highest-ranking official will act as chief administrator.

The chief administrator may delegate authority for executing the Grant Agreement and amendments to others within the Grantee's organization via the Signatory Authority Form. The chief administrator also designates financial and performance progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the Grantee's organization unless otherwise approved by the Department.

The Grantee must establish and maintain separate accounting for the use of this grant. The use of grant funds in any manner contrary to the terms and conditions of this Grant Agreement may result in the subsequent revocation of the grant and any balance of funds under the grant. It may also result in the Grantee being required to return such amounts to the State.

If applicable under state law, grantees must be registered and in good standing with the Department of Commerce, Community and Economic Development's Division of Corporations, Business and Professional Licensing.

4. Reporting

The Grantee shall submit a Designated Legislative Grant Financial/Progress Report Form provided by the Department each month, or quarterly, with the concurrence of the Department, during the life of the Grant Agreement. Grant Financial/Progress Report Forms are due thirty (30) days after the end of the month or quarter being reported. The report period is the first of the month through the last day of the month. If quarterly reporting is approved, the report period is the first day of the first month through the last day of the third month of the quarter. The final Financial/Progress Reports must be submitted within thirty (30) days following completion of the project.

Attachment B Payment Method

1. Reimbursement Payment

Upon receiving and approving a Grantee's Financial/Progress Report, the Department will reimburse the Grantee for expenditures paid during the reporting period, in accordance with this Grant Agreement. The Department will not reimburse without approved Financial/Progress Reports, prepared and submitted by the Grantee on the form provided by the Department. Before approving the financial/progress report for payment, the Department may require the Grantee to submit documentation of the costs reported (e.g., copies of vendor billings/invoices and proof of payment, general ledger expenditure report).

2. Advance Payment

In most instances, the Department will make payment to a Grantee on a cost reimbursable basis. If cost reimbursement significantly inhibits the Grantee's ability to implement the project, the Department may advance to the Grantee an amount not to exceed a projected thirty (30) day cash need, or twenty percent (20%) of the amount in Section I, whichever is less.

Before the Department will issue an advance, the Grantee must submit a "Request for Advance Payment" form along with documentation of costs associated with the advance. The "Request for Advance Payment" form can be obtained from the Department electronically or in hard copy.

All advances will be recovered with the Grantee's next Financial/Progress Report form. Should earned payments during the terms of this Grant Agreement be insufficient to recover the full amount of the advance, the Grantee will repay the unrecovered amount to the Department when requested to do so by the Department, or at termination of the Grant Agreement.

3. Withholding of Ten Percent (10%)

The Department may withhold ten percent (10%) of the amount in Section I until the Department determines that the Grantee has satisfactorily completed the terms of this Grant Agreement, including all required reporting of the project.

Attachment C

Standard Provisions

Article 1. Definition

“Department” refers to the Department of Commerce, Community, and Economic Development with the State of Alaska.

Article 2. Indemnification

It is understood and agreed that this Grant Agreement is solely for the benefit of the parties to the Grant Agreement and gives no right to any other party. No joint venture or partnership is formed as a result of the Grant Agreement.

The Grantee, its successors and assigns, will protect, save, and hold harmless the Department and the State of Alaska and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its subcontractors, assigns, agents, contractors, licenses, invitees, employees, or any person whomever arising out of or in connection with any acts or activities authorized by this Grant Agreement. The Grantee further agrees to defend the Department and the State of Alaska and their authorized agents and employees in any litigation, including payment of any costs or attorney’s fees for any claims or actions commenced thereon arising out of or in connection with acts or activities authorized by this Grant Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the Department of the State of Alaska or their authorized agents or employees, provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Department and the State of Alaska and their agents or employees, and (b) the Grantee, its agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee, or Grantee’s agents or employees.

Article 3. Legal Authority

The Grantee certifies that it possesses legal authority to accept grant funds under the State of Alaska and to execute the project described in this Grant Agreement by signing the Grant Agreement document. The Grantee’s relation to the Department and the State of Alaska shall be at all times as an independent Grantee.

Article 4. Waivers

No conditions or provisions of this Grant Agreement can be waived unless approved by the Department in writing. The Department’s failure to insist upon strict performance of any provision of the Grant Agreement, or to exercise any right based upon a breach thereof, or the acceptance of any performance during such a breach, shall not constitute a waiver of any right under this Grant Agreement.

Article 5. Access to Records

The Department and duly authorized officials of the State of Alaska shall have full access and the right to examine, excerpt, or transcribe any pertinent documents, papers, records, and books of the Grantee, and of persons or organizations with which the Grantee may contract, involving transactions related to the project and this Grant Agreement.

Article 6. Reports

The Grantee, at such times and in such forms as the Department may require, shall furnish the Department with such periodic reports as it may request pertaining to the activities undertaken pursuant to this Grant Agreement, including the final close-out report, the costs and obligations incurred in connection therewith, and any other matters covered by this Grant Agreement.

Article 7. Retention of Records

The Grantee shall retain financial and other records relating to the performance of this Grant Agreement for a period of six years from the date when the final financial status report is submitted to the Department, or until final resolution of any audit findings, claims, or litigation related to the grant.

Article 8. Assignability

The Grantee shall not assign any interest in this Grant Agreement and shall not transfer any interest in the same (whether by assignment or novation).

Article 9. Financial Management and Accounting

The Grantee shall establish and maintain a financial management and accounting system that conforms to generally accepted accounting principles.

Article 10. Program Income

Program income earned during the award period shall be retained by the Grantee and added to the funds committed to the award and used for the purpose and under the conditions applicable to the use of award funds.

Article 11. Amendments and Modifications

The Grantee or the Department may request an amendment or modification of this Grant Agreement. However, such amendment or modification shall not take effect until approved, in writing, by the Department and the Grantee.

Article 12. Procurement

Grantees may utilize their own written procurement procedures, provided they reflect applicable state and local laws and regulations and conform to the standards identified in AS 36.30.

Article 13. State Excluded Parties List Report

The grantee is responsible for ensuring that all sub-grantees or sub-contractors are not listed on the 'Excluded Parties List Report', which identifies those parties excluded from receiving State contracts.

Article 14. Recordkeeping

The Grantee agrees to keep such records as the Department may require. Such records will include information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. They will also include information pertaining to project performance and efforts to comply with the provisions of the Grant Agreement.

Article 15. Obligations Regarding Third-Party Relationships

None of the Work specified in this Grant Agreement shall be contracted by the Grantee without prior approval of the Department. No permission for subcontracting shall create, between the Department or the State of Alaska and the subcontractor, any contract or any relationship.

The Grantee shall remain fully obligated under the provisions of this Grant Agreement notwithstanding its designation of any third party or parties of the undertaking of all or any part of the project described herein. Any subcontractor that is not the Grantee shall be required by the Grantee to comply with all applicable provisions of this Grant Agreement.

The Grantee shall bind all subcontractors to each and every applicable Grant Agreement provision. Each subcontract for work to be performed with funds granted under this Grant Agreement shall specifically include a provision that the Department and the State of Alaska are not liable for damages or claims from damages arising from any subcontractor's performance or activities under the terms of the subcontracts.

Article 16. Conflict of Interest

No officer or employee of the Department; no member, officer, or employee of the Grantee or its designees or agents; no member of the governing body of the jurisdiction in which the project is undertaken or located; and no other official of such locality or localities who exercises any functions or responsibilities with respect to the project during his or her tenure, shall have any personal or pecuniary gain or interest, direct or indirect, in any contract, subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under this Grant Agreement.

The Grantee shall incorporate, or cause to incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this provision.

Article 17. Political Activity

No portion of the funds provided hereunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office or influence the approval or defeat of any ballot issue.

Article 18. Notices

The Grantee shall comply with all public notices or notices to individuals required by applicable state and federal laws and shall maintain a record of this compliance.

Article 19. Prohibition Against Payment of Bonus or Commission

The assistance provided under this Grant Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval or concurrence under this contract provided, however, that reasonable fees of bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

Article 20. Termination by Mutual Agreement

This Grant Agreement may be terminated, in whole or in part, prior to the completion of contract project activities when both parties agree that continuation is not feasible or would not produce beneficial results commensurate with the further expenditure of funds. The Department will determine whether an environmental review of the cancellation is required under State and/or Federal law. The parties must agree on the termination conditions, including effective date and the portion to be terminated. The Grantee shall not incur new obligations for the terminated portion after the effective date and shall cancel as many outstanding obligations as possible. The Department shall make funds available to the Grantee to pay for allowable expenses incurred before the effective date of termination.

Article 21. Termination for Cause

If the Grantee fails to comply with the terms of this Grant Agreement, or fails to use the grant for only those purposes set forth herein, the Department may take the following actions:

- A. Suspension – After notice in writing by certified mail to the Grantee, suspend the grant and withhold any further payment or prohibit the Grantee from incurring additional obligations of grant funds, pending corrective action by the Grantee or a decision to terminate. Response must be received within fifteen (15) days of receipt of the written notice.
- B. Termination – Terminate the grant in whole or in part, at any time before the final grant payment is made. The Department shall promptly notify the Grantee in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Payments made to the Grantee or recoveries by the Department shall be in accordance with the legal rights and liabilities of the parties.

Article 22. Withdrawal of Funds

In the event funding from the state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Grant Agreement and prior to normal completion, the Department may terminate the agreement, reduce funding, or re-negotiate subject to those new funding limitations and conditions. A termination under this article shall be implemented under the same conditions as a termination under Article 19 of this Attachment.

Article 23. Recovery of Funds

In the event of a default or violation of the terms of the Grant Agreement by the Grantee, the Department may institute actions to recover all, or part of the project funds paid to the Grantee. Repayment by the Grantee of grant funds under this recovery provision shall occur within thirty (30) days of demand.

All remedies conferred on the Department by this agreement, or any other instrument or agreement are cumulative, not exclusive, and may be exercised concurrently or consecutively at the Department’s option.

Article 24. Disputes

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement that is not disposed of by mutual agreement shall be decided by the Department, which shall reduce its decision to writing and mail, or otherwise furnish a copy thereof, to the Grantee. The decision of the Department shall be final and conclusive.

This “Disputes” clause does not preclude the consideration of questions of law in connection with the decision provided for in the preceding paragraph provided that nothing in the Grant Agreement shall be construed as making final the decisions of any administrative official, representative, or board on a question of law.

Article 25. Jurisdiction

This Grant Agreement shall be governed by the laws and statutes of the State of Alaska. The venue of any suit hereunder may be in the Superior Court for the First Judicial District, Juneau, Alaska.

Article 26. Ownership of Project/Capital Facilities

The Department makes no claim to any capital facilities or real property improved or constructed with funds under this Grant Agreement and, by this grant of funds, does not and will not acquire any ownership interest or title to such property of the Grantee. The Grantee shall assume all liabilities arising from the ownership and operation of the project and agrees to hold the Department and the State of Alaska harmless from any and all causes of action arising from the ownership and operation of the project.

Article 27. Site Control

If the grant project involves the occupancy and use of real property, the Grantee assures that it has the legal right to occupy and use such real property for the purposes of the grant, and further that there is legal access to such property.

As a minimum requirement, the Grantee should obtain a “sufficient interest” that allows the Grantee the right to use and occupy the site for the expected useful life of the building, structure or other improvement. Generally, the interest obtained should be for at least 20 years. A sufficient interest depends upon the nature of the project and the land status of the site.

Article 28. Insurance

The Grantee is responsible for obtaining any necessary liability insurance and maintain in force at all times during the performance of this Grant Agreement the insurance policies identified below. All insurance policies shall comply with and be issued by insurers licensed to transact the business of insurance under Alaska Statute AS 21. The Grantee shall require any contractor hired to work on the project be licensed, bonded and insured for at least the amount of the project and if appropriate provide and maintain Professional Liability Insurance.

- A. Workers' Compensation Insurance for all employees engaged in work under this Grant Agreement, coverage as required by AS 23.30.045, and where applicable, any other statutory obligations including but not limited to Federal U.S.L. & H. and Jones Act requirements.
- B. Commercial General Liability Insurance covering all business premises and operations used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$300,000 combined single limit per occurrence and annual aggregates where applicable.
- C. Comprehensive Automobile Liability Insurance covering all vehicles used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$100,000 per person/\$300,000 per occurrence bodily injury and \$50,000.00 property damage.
- D. Professional Liability Insurance covering all errors, omissions or negligent acts of the contractor, subcontractor or anyone directly or indirectly employed by them, made in the performance of this contract which result in financial loss to the State. Limits required are per the following schedule:

Contract Amount Minimum Required Limits

Under \$100,000 \$100,000 per occurrence/annual aggregate

Article 29. Subcontracts for Engineering Services

In the event that the Grantee subcontracts for engineering services, the Grantee will require that the engineering firm certify that it is authorized to do business in the State of Alaska. In the event that the engineering firm is also the project administrator, the Grantee shall require that the bond or insurance shall be for not less than the amount of the entire project.

Article 30. Governing law

This Grant Agreement is governed by the laws of the State of Alaska. The Grantee shall perform all aspects of this project in compliance with the appropriate laws and regulations. It is the responsibility of the Grantee to ensure that all permits required for the construction and operation of this project by the Federal, State, or Local governments have been obtained.

Article 31. Budget Flexibility

Notwithstanding the provisions of Article 11, Attachment C, the Grantee may revise the project budget in Attachment A without a formal amendment to this agreement. Such revisions are limited within each line item to a maximum of ten percent (10%) of the line item or \$10,000, whichever is less, over the entire term of this agreement. Such budget revisions shall be limited to changes to existing budget line items. Budget revisions may not be used to increase any budget item for project administrative expenses. Changes to the budget beyond the limits authorized by this provision may only be made by a formal amendment to this agreement.

Article 32. Equal Employment Opportunity (EEO)

The Grantee may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The Grantee shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Grantee shall state, in all solicitations or advertisements for employees to work on state funded projects, that it is an equal opportunity employer (EEO) and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

The Grantee shall include the provisions of this EEO article in every contract relating to this Grant Agreement and shall require the inclusion of these provisions in every agreement entered into by any of its contractors, so that those provisions will be binding upon each contractor or subcontractor.

Article 33. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities. Title I of the ADA prohibits discrimination against persons with disabilities in employment and provides that a reasonable accommodation be provided for applicants and employees. Title II of the Act prohibits public agencies from discriminating against individuals with disabilities in the provision of services, programs, or activities. Reasonable accommodation must be made to ensure or allow access to all services, programs, or activities. This section of the Act includes physical access to public facilities and requires that public entities must, if necessary, make modifications to their facilities to remove physical barriers to ensure access by persons with disabilities. All new construction must also be accessible to persons with disabilities. A public entity's subgrantees or contractors must also comply with the ADA provisions. Grantees are responsible for assuring their compliance with the ADA.

Article 34. Public Purposes

The Grantee agrees that the project to which this Grant Agreement relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

If the Grantee is a non-municipal entity and if monies appropriated under this grant constitute the sole or principal funding source for the acquisition of equipment or facilities, the Grantee agrees that in the event a municipal corporation is formed which possesses the power and jurisdiction to provide for such equipment or facilities, the Grantee shall offer, without compensation, to transfer ownership of such equipment or facilities to the municipal corporation.

If the Grantee is a non-profit corporation that dissolves, the assets and liabilities from the grant project are to be distributed according to statutory law, AS 10.20.290-10.20.452.

Article 35. Operation and Maintenance

Throughout the life of the project, the Grantee shall be responsible for the operation and maintenance of any facility, equipment, or other items acquired under this grant.

Article 36. Assurance

The Grantee shall spend monies awarded under this grant only for the purposes specified in this Grant Agreement.

Article 37. Current Prevailing Rates of Wage

Certain grant projects are constrained by the provisions of AS 36. PUBLIC CONTRACTS. To the extent that such provisions apply to the project, which is the subject of this Grant Agreement, the Grantee shall pay the current prevailing rates of wage to employees as required by AS 36.05.010. The Grantee also shall require any contractor to pay the current prevailing rates of wage as required by AS 36.05.010.

Article 38. Severability

If any provision under this Grant Agreement or its application to any person or circumstance is held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the contract agreement which can be given effect without the invalid provision.

Article 39. Performance

The Department's failure to insist upon the strict performance of any provision of the Grant Agreement or to exercise any right based upon breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any rights under this Grant Agreement.

Article 40. Sovereign Immunity

If the Grantee is an entity which possesses sovereign immunity, it is a requirement of this grant that the Grantee irrevocably waive its sovereign immunity with respect to state enforcement of this Grant Agreement. The waiver of sovereign immunity, effected by resolution of the entity's governing body, is herein incorporated into this Grant Agreement.

Article 41. Audit Requirements

The Grantee must comply with the audit requirements of the Alaska Administrative Code set forth in **2AAC45.010. AUDIT REQUIREMENTS**. An entity that expends a cumulative or total, equal to the state single audit threshold during the fiscal year is required to have a state single audit. A copy of the most current **2AAC45.010** adopted regulations is available at the Alaska Department of Administration's State Single Audit website: <http://doa.alaska.gov/dof/ssa/index.html>.

Current audit compliance supplements and guides specific to programs under AS 37.05.315 Grants to Municipalities, AS 37.05.316 Grants to Named Recipients, and AS 37.05.317 Grants to Unincorporated Communities can be found at http://doa.alaska.gov/dof/ssa/audit_guide.html.

Article 42. Close-Out

The Department will advise the Grantee to initiate close-out procedures when the Department determines, in consultation with the Grantee, that there are no impediments to close-out and that the following criteria have been met or soon will be met:

- A. All costs to be paid with grant funds have been incurred with the exception of close-out costs and any unsettled third-party claims against the Grantee. Costs are incurred when goods and services are received or contract work is performed.
- B. The last required performance report has been submitted. The Grantee's failure to submit a report will not preclude the Department from effecting close-out if it is deemed to be in the State's interest. Any excess grant amount that may be in the Grantee's possession shall be returned by the Grantee in the event of the Grantee's failure to finish or update the report.
- C. Other responsibilities of the Grantee under this Grant Agreement and any close-out agreement and applicable laws and regulations appear to have been carried out satisfactorily or there is no further State interest in keeping the grant open for the purpose of securing performance.

Appendix A

State Laws and Regulations and Permits

Grantees are responsible for all applicable state laws, regulations and permits; including but not limited to the following list which most commonly affects Grantees.

Municipality Public Facility Operations and Maintenance—AS 37.05.315(c)

In accepting a grant under AS 37.05.315 for construction of a public facility, a municipality covenants with the State that it will operate and maintain the facility for the practical life of the facility and that the municipality will not look to the State to operate or maintain the facility or pay for its operation or maintenance. This requirement does not apply to a grant for repair or improvement of an existing facility operated or maintained by the State at the time the grant is accepted if the repair or improvement for which the grant is made will not substantially increase the operating or maintenance costs to the State.

Restriction on Use—AS 37.05.321

A grant or earnings from a grant under AS 37.05.315 - 37.05.317 may not be used for the purpose of influencing legislative action. In this section “influencing legislative action” means promoting, advocating, supporting, modifying, opposing, or delaying or seeking to do the same with respect to any legislative action but does not include the provision or use of information, statistics, studies, or analyses in written or oral form or format. A grant or earnings from a grant made under AS 37.05.315 - 37.05.317 may not be used for purposes of travel in connection with influencing legislative action unless pursuant to a specific request from a legislator or legislative committee.

Hiring Preferences—AS 36.10

This chapter of the Alaska Statutes applies to grants for public works projects and requires compliance with the hiring preferences under AS 36.10.150 – 36.10.175 for employment generated by the grant.

Historic Preservation Act—AS 41.35

This chapter of the Alaska Statutes applies to public construction of any nature undertaken by the State, or by a governmental agency of the State, or by a private person under contract with or licensed by the State or a governmental agency of the State. The Department of Natural Resources must be notified if the construction is planned for an archaeological site. The Department of Natural Resources may stop the construction to determine the extent of the historic, prehistoric, or archaeological values.

Fire Protection—AS 18.70

This chapter of the Alaska Statutes requires the Alaska Department of Public Safety (the State Fire Marshal) to adopt regulations (currently in the form of Uniform Fire Code, as amended) establishing minimum standards for:

1. Fire detection and suppression equipment.
2. Fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings used for residential purposes containing four or more dwelling units.
3. Any activity in which combustible or explosive materials are stored or handled in commercial quantities;
4. Conditions or activities carried on outside a building described in (2) or (3) likely to cause injury to persons or property.

Procurement Preference for State Agricultural and Fisheries Products—AS 29.71.040

This chapter of the Alaska Statutes applies to municipalities that use state funds to purchase agricultural and fisheries products. The law requires:

1. When agricultural products are purchased, only such products harvested in the state shall be purchased whenever priced no more than seven percent above products harvested outside the state, and of like quality compared with agricultural products harvested outside the state.
2. When fisheries products are purchased, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever priced no more than seven percent above products harvested or processed outside the jurisdiction of the state, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

Alaska Product Preferences—AS 36.15

This chapter of the Alaska Statutes applies to projects financed by state money in which the use of timber, lumber, and manufactured lumber products is required, only timber, lumber and manufactured lumber projects originating in this state from local forests shall be used wherever practicable. The law requires the insertion of this clause in calls for bids and in all contracts awarded.

Permits and Environmental Procedures

The Alaska Department of Environmental Conservation (ADEC) regulates all activities in Alaska that might pollute the air, water or soil. There are dozens of ADEC permits related to constructing and operating public buildings. The law requires the following permits, including others designated by the commissioner. The following list is not intended to be all-inclusive.

- Air Emissions Permit
- Anadromous Fish Protection Permit
- Authorization for Tidelands Transportation
- Brine or Other Saltwater Waste Disposal Permit
- Burning Permit during Fire Season
- Coal Development Permit
- Critical Habitat Area Permit
- Dam Construction Permit
- Driveway Permit
- Encroachment Permit
- Miscellaneous State Land Use Permit
- Mineral and Geothermal Prospecting Permits
- Occupied Tide and Submerged Land
- Open Burning Permit
- Permit for Use of Timber or Materials
- Permit to Appropriate Water
- Pesticides Permit
- Preferred Use Permit
- Right-of-Way and Easement Permits
- Solid Waste Disposal
- Special Land Use Permit
- State Game Refuge Land Permit
- State Park Incompatible Use Permit
- Surface Oiling Permit
- Surface Use Permit
- Tide and Submerged Lands Prospecting Permit
- Tidelands Permit
- Tidelands Right-of-Way or Easement Permit
- Utility Permit
- Wastewater Disposal Permit
- Water Well Permit

**City of Palmer
Action Memorandum No. 22-048**

Subject: Authorize the City Manager to Purchase one Schwarze Model A7 Tornado SE Street Sweeper in the amount of \$334,558.00 and to purchase the Street Sweeper under the Governmental and Proprietary Procurements Section of Palmer Municipal Code 3.21.230 by attaching to the Sourcewell Contract#093021-SWZ awarded to Schwarze Industries.

Agenda of: August 23, 2022

Council Action: **Approved** **Amended:** _____
 Defeated

Originator Information:

Originator: Jude Bilafer, Director of Public Works

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
X	Public Works	<i>JPB</i>	08/02/2022

Certification of Funds:

Total amount of funds listed in this legislation: \$ **\$334,558.00**

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ **\$334,558.00**
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): 09-01-10-6054 Public Works Equipment
- Not budgeted

Director of Finance Signature: *Jude Bilafer*

Approved for Presentation By:

	Signature:	Remarks:
City Manager	_____	_____
City Attorney	_____	_____
City Clerk	_____	_____

Attachment(s):

- ✓ SCHWARZE INDUSTRIES Quote
- ✓ Sourcewell Contract Award #093021-SWZ
- ✓ SCHWARZE INDUSTRIES Authorization Letter
- ✓ SCHWARZE INDUSTRIES Brochure

Summary Statement/Background:

In the 2022 City of Palmer Council Approved Budget, funds were budgeted for the purchase of a Street Sweeper for Department of Public Works.

This action memorandum requests the authorization to purchase one new Street Sweeper from BSI Equipment LLC.

The City of Palmer Administration chose to take advantage of its ability to attach to the Sourcewell contract for purchase of vehicles for the following reasons:

- The City of Palmer did not bear the expense and resources of preparing and carrying out the typical bid process;
- The City of Palmer, by attaching itself to the Sourcewell that purchases many heavy-duty vehicles & equipment per year, enjoys a greater discount versus buying heavy vehicles every 10 years; and
- The City of Palmer benefits from the fact that the Sourcewell procurement is locked into fuel, freight, and production rates based on last fall's pricing that is considerably lower than the rapidly escalating fuel and steel surcharges that have increased shipping and production costs.

3.21.230 Governmental and proprietary procurements.

A. The purchasing officer may contract, without the use of the competitive source selection procedures of this chapter, for the following supplies, services, professional services or construction:

1. For contracts, including reimbursable agreements, with federal, state or local units of government or utility provider where the city has a financial responsibility or beneficial interest in entering into an agreement.

2. For contracts issued pursuant to any federal, state, or local government contract where the city is an authorized user, or where the resulting contractor agrees to extend the same terms, conditions, and pricing to the city as those awarded under the original contract, all in accordance with PMC 3.21.240. Such agreements shall be limited to those contracts where the award is issued pursuant to a formally advertised solicitation.

3. For contracts where the purchasing officer determines in writing that the city's requirements reasonably limit the source for the supplies, services, professional service, or construction to one person.

B. All contract awards under this section, and any amendments thereto, shall be subject to the applicable approval requirements of PMC 3.21.090 prior to execution.

C. No contractor may provide supplies, services, professional services, or construction to the city before the applicable requirements of this section are first satisfied. (Ord. 644 § 4, 2004)

Administration's Recommendation:

To approve Action Memorandum No. 22-048.



06/24/2022

NEW A7 TORNADO SE SWEEPER UNIT - SOURCEWELL CONTRACT NO 093021-SWZ

Customer: CITY OF PALMER

Location: ALASKA

Description	Amount
Schwarze Model A7 Tornado SE Street Sweeper unit with <u>all standard equipment</u>	\$181,739.75
2023 Freightliner Model M2 Single Engine Spec Chassis	\$102,395.00
Body mounting on chassis	\$4,567.00
Standard sweeping head with rubber blast orifice	\$0.00
Sweep head deluge	\$505.00
Dual gutter brooms with Power Tilt	\$9,665.00
Gutter broom GEO dual	\$3,345.00
Standby, Full with throttle ramp	\$0.00
Variable speed gutter brooms	\$0.00
Remote grease manifold	\$0.00
Single camera system	\$0.00
Water tank capacity shall not be less than 470 gallons and be constructed of polyethylene for strength and corrosion resistance	\$0.00
Water tank low level alarm & indicator	\$0.00
Front mounted spray bar	\$905.00
Hopper mounted spray bar with 4 nozzles	\$905.00
Auto drop down screens	\$1,810.00
Load weight alarm & indicator	\$0.00

Description	Amount
Hopper up alarm & indicator	\$0.00
Hopper door open indicator	\$0.00
Hopper dump switches exterior, right side only	\$0.00
High Strength Stainless Steel Hopper with Lifetime Warranty	\$8,370.00
Paint, Standard	\$0.00
Decal kit	\$0.00
12" Parabolic mirror set	\$505.00
6 Alternating LED strobe package, rear bumper, grille, side	\$1,050.00
Rear mounted, high, LED Arrow stick	\$950.00
(2) Complete sets of spare brooms shipped with unit in hopper	\$980.00
One year / 1200 hours warranty on sweeper	\$0.00
Dropdeck, Huntsville to Tacoma	\$9,775.00
TOTE Maritime, Tacoma, WA to Anchorage, AK	\$6,995.00
PDI, In-Service, and Local Transportation	\$960.00
Operations and light maintenance training at location with Schwarze Product Specialist	\$0.00
Additional discount offered by local dealer	(\$863.75)
TOTAL PRICE OFFERED TO SOURCEWELL MEMBER	\$334,558.00

Vendor/Contract Holder: SCHWARZE INDUSTRIES 1055 JORDAN ROAD HUNTSVILLE, AL 35811
Contact: M.J. DuBois Email: SOURCEWELL@SCHWARZE.COM Phone: 410-924-1004



Schwarze

Street Sweepers

#093021-SWZ

Maturity Date: 11/16/2025

Products & Services 

Products & Services

Sourcewell contract 093021-SWZ gives access to the following types of goods and services:

- Parking lot sweeping
- Airport sweeping
- Stormwater management
- Street sweeping
- Industrial sweepers
- Portable sweepers
- Catch basin cleaner
- FOD removal
- Construction cleaning
- Spring cleanup

City of Palmer Public Works Department
1316 S Bonanza St
Palmer, AK 99645-6716

ID# 76630

Is this your organization?

Great news—your organization already has a registered account! Using the ID number provided on this page, you can immediately access Sourcewell awarded contracts by providing this number to the supplier you wish to purchase from.

Update your organization's information

Add a contact for your organization

Need help?

Contact our dedicated Client Development Team at service@sourcewell-mn.gov or 877-585-9706.



[Sourcewell for Vendors](#) →



The People You Know. The Products You Trust.

CUSTOMER PO TO DEALER AUTHORIZATION LETTER

Date June 24, 2022

To: City of Palmer
1316 S. Bonanza
Palmer, Alaska 99645

RE: DEALER AUTHORIZATION TO RECEIVE SOURCEWELL MEMBER PO

To Whom It May Concern,

We authorize your local dealer, BSI Equipment, LLC. to receive a Purchase Order from you for the purchase of a Schwarze sweeper model A7 Tornado SE as quoted to you on 06/24/2022 according to the terms of our Sourcewell Contract Number 093021-SWZ. This letter is for a one time authorized assignment of Contract Number 093021-SWZ, and cannot be duplicated on future orders, or quotations without specific written consent of Schwarze Industries, Inc. Please provide us a copy of your purchase order for our records. You may email the Purchase Order to sourcewell@schwarze.com

Should you have any further questions or concerns, please do not hesitate to contact me.

Sincerely,

M.J. DuBois

MJ DuBois
Contract Administrator



AVAILABLE IN
ENGINE 1
SINGLE ENGINE CONFIGURATION

**PATENT
PENDING**



A7 Tornado SE™

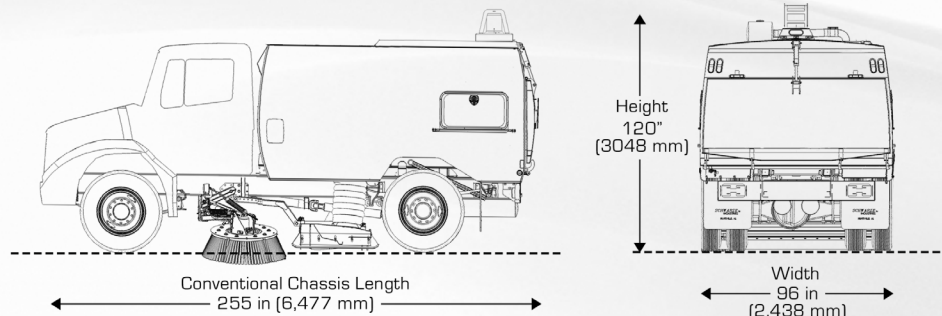
The Schwarze A7 Tornado Single Engine is a heavy-duty, chassis mounted, single engine regenerative air street sweeper with an 8.4 cubic yard hopper. It follows over 20 years of successful operation throughout the United States and around the world of the A7 Tornado twin engine sweeper. The A7 Tornado is the most popular street sweeper in the Schwarze lineup, with its standard high flow saw tooth screens, high efficiency whisper wheel blower and proven blast orifice pickup head, the Schwarze A7 tornado is the standard of the sweeping industry.

The Schwarze A7 Tornado SE has no performance compromise from its twin engine version and can perform most typical sweeping at a low single engine speeds allowing for low noise and operational costs. When full power is needed for heavy jobs like construction and spring cleanup the A7 Tornado SE comes through with the same amount of sweep power available on the twin engine A7 Tornado.

Designed to operate exactly like the twin engine model, little if any additional operator and technician training is required. The Schwarze exclusive selectable "sweeps in reverse" feature allows unparalleled ability to clean all surfaces.



**PATENT PENDING SINGLE
ENGINE TECHNOLOGY
WITHOUT THE LOSS OF
PERFORMANCE**



*TYPICAL MEASUREMENTS SHOWN, EXACT DIMENSIONS DEPENDING ON OPTIONS AND TRUCK MANUFACTURER

SWEEPING PATH

Pickup head only	90 in (2286 mm)
Head and 1 broom	117 in (2972 mm)
Head and 2 brooms	144 in (3658 mm)

CHASSIS

Freightliner M2 106

SWEEPER BODY

Construction	Welded 10-gauge stainless steel plate
Safety props	Lift spacers

CHASSIS AND SWEEPER POWER

Model/type	ISB 6.7 in-line 6 cylinder
Emissions	GHG21 turbo-charged diesel
Manufacturer	Cummins Corp
Displacement	6.7 liter (409 c.i.)
Brake horsepower	240 hp (180 kw) @ 2500 rpm
Torque	560 ft lb (759 Nm) @1100 rpm
Air cleaner	High capacity dry type with safety element and restriction indicator
Oil filter	Full-flow/spin-on
Stroke	5 in (127 mm)
Bore	4.20 in (106 mm)
Compression ratio	19 to 1
Safety shutdown	Cummins automatic
Throttle control	Electronic

SWEEPER/CHASSIS ELECTRICAL

Voltage	12 V
Engine alternator	160 amp

DUST CONTROL SYSTEM

Type	High pressure/low volume
Capacity	470 gallon (1786 L); options to 570 gallons (2166 liters)
Tank construction	Polyethylene
Pump Inlet filter	50 mesh; cleanable
Fill diameter	2.5 in (63.5 mm)
Fill hose	25 ft (7620 mm)
Controls	Electric; in-cab
Nozzles	2 on each broom; 5 around suction head; 2 inside suction nozzle; 2 on front axle; 2 inside hopper
Water level gauge	In-cab

INSTRUMENTATION

Sweeper	Flat panel display; spray water level; hydraulic oil temperature; sweep mode; sweep in reverse; vacuum enhancer position; hopper position, sweeper diagnostics; sweep power; broom speed
---------	--

FAN SYSTEM

Type	Closed-face radial
Drive	Hot shift PTO via 5 groove; banded power belt
Construction	AR steel
Balance	1.5 grams on 2 sides
Diameter	32.75 in (832 mm)
Housing lining	Bolt-in corded rubber
Mounting	2 regreasable sealed bearings
Vacuum enhancer	For heavy/light material; in-cab indicator

PICKUP HEAD

Type	Dual chambered full-width blast orifice
Operating direction	Forward and reverse
Suspension	Adjustable spring balanced
Length	90 in (2286 mm)
Pressure hose diam	14 in (355.6 mm)
Suction hose diam	14 in (355.6 mm)
Hose construction	3/8 in (9.5 mm) wire-reinforced molded rubber
Head area	3240 sq in (20903 sq cm)
Controls	Hydraulic raise and lower
Skids	Double wide tungsten carbide
Construction	Abrasion-resistant steel inlet and outlet transitions.

SIDE BROOMS

Type	Vertical steel digger
Location	Right; left; forward of pickup head
Diameter	44 in (1118 mm)
Drive	Hydraulic
Suspension	Torque-sensing spring
Wear adjustment	Automatic
Pressure	Manual
Speed	Variable; non-reversing
Segments	5 each side; disposable
Tilt angle adjustment	In-cab controls

DEBRIS HOPPER

Volumetric capacity	8.4 cu yd (6.4 cu m)
Usable Capacity	7.0 cu yd (5.4 cu m)
Dump angle	51 degrees
Floor angle	3 degrees
Lifting	Twin hydraulic cylinders
Hopper dump door	Hydraulic open, close, lock
Inspection doors	1 on each side, pressure vessel lock
Hopper dump height	40 in (1016 mm)
Debris screens	Sawtooth drop down

HYDRAULIC SYSTEM

Type	Variable displacement
Max Pump capacity	27 gpm @ 1800 rpm (103 lpm)
Drive	Belt
Maximum pressure	2750 psi (190 bar)
Reservoir	25 gal (94 L)
Filter	10 micron; in-tank with DP gauge
Protection	Pressure relief valve
Controls	Electro-hydraulic

AUXILIARY HYDRAULIC SYSTEM

Type	Gear type; driven by electric motor
Function	Lower hopper; open/close hopper door; raise brooms and pickup head

PAINT

One coat of sealer/primer and two coats of Sherwin Williams Duraspar in standard white color

Note: Design and specifications subject to change without notice.



© 2021 Schwarze Industries
1055 Jordan Road
Huntsville, AL 35811
800.879.7933
An Alamo-Group Company

**City of Palmer
Ordinance No. 22-005**

Subject: Amending the Zoning Map to Revise the Zoning Designation of Lot C-21, Township 18N Range 2E Section 33 to be rezoned from C-L, Limited Commercial District, to C-G, General Commercial District, Seward Meridian, Alaska


Agenda of: July 26, 2022 - Introduction

Council Action: **Adopted** **Amended:** _____
 Defeated

Originator Information:

Originator: Brad Hanson, Community Development Director

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development		_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ _____

This legislation (√):

- Creates revenue in the amount of: \$ _____
- Creates expenditure in the amount of: \$ _____
- Creates a saving in the amount of: \$ _____
- Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: _____

Approved for Presentation By:

	Signature:	Remarks:
City Manager	_____	_____
City Attorney	_____	_____
City Clerk	_____	_____

Attachment(s):

1. Ordinance No. 22-005
2. Staff Report
3. Planning and Zoning Commission Resolution No. 22-004 with Findings of Facts
4. Planning and Zoning Commission Minutes for June 16, 2022 (Draft Copy)
5. Public Notice and Vicinity Map for Council Public Hearing of June 16, 2022
6. Zoning Map Amendment Application
7. Public Comments Received for City Council Public Hearing

Summary Statement/Background:

On May 6, 2022, Dale & Catherine Fosselman initiated a zoning map amendment to change the zoning designation of Lot C-21, T18N R2E S33 to be rezoned from C-L, Limited Commercial District, to C-G, General Commercial District.

The owners are requesting a zone change to allow for higher intensity of commercial uses on the property. Expansion of the Central Business District allows for commercial development opportunities. Commercial activities have expanded in the surrounding area in recent years. The recent amendments to the Central Business District allow for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land. The surrounding zoning districts consist of R-3, C-L and P zoning and have had no recent significant condition changes to the area. The zoning map amendment would support the objectives and goals of the City's Comprehensive Plan by encouraging commercial development that would expand the commercial footprint of downtown Palmer.

Ordinance No. 22-0XX will change the zoning designation of Lot C-21, T18N R2E S33 from C-L, Limited Commercial District, to C-G, General Commercial District.

Administration's Recommendation:

Adopt Ordinance No. 22-005 to amend the Zoning Map to revise the designation of Lot C-21, Township 18N Range 2E Section 33 to be rezoned from C-L, Limited Commercial District, to C-G, General Commercial District, Seward Meridian, Alaska.

LEGISLATIVE HISTORY

Introduced by: City Council
Date: 7/26/2022
Public Hearing: 8/9/2022
Action: Postponed to August 9 mtg
Action:
Vote:

Yes: _____ No: _____

CITY OF PALMER, ALASKA

Ordinance No. 22-005

An Ordinance of the Palmer City Council Enacting the Zoning Map to Revise the Zoning Designation of Lot C-21, Township 18N Range 2E Section 33 to be rezoned from C-L, Limited Commercial District, to C-G, General Commercial District, Seward Meridian, Alaska.

WHEREAS, Dale & Catherine Fosselman, have initiated a zoning map amendment application on May 6, 2022, to change the zoning designation of Lot C-21, T18N R2E S33 to be rezoned from C-L, Limited Commercial District, to C-G, General Commercial District; and

WHEREAS, a request for a zoning map amendment must be reviewed by the Planning and Zoning Commission and a recommendation reflecting the findings of the Commission must be forwarded to the City Council; and

WHEREAS, on May 31, 2022, 159 public hearing notices were mailed to property owners within 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on June 10, 2022. A total of one written comment of no objection was received in response; and

WHEREAS, Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth guided to make Palmer an increasingly attractive place to live, work, invest and visit; and

WHEREAS, Goal 5 encourages the development of high quality buildings that reflects Palmer's historical character; and

WHEREAS, Goal 6 of Chapter 6 supports improvements to the downtown area to help insure Palmer's traditional downtown is lively, attractive, and inviting for residents and visitors.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. The City of Palmer Zoning Districts Map dated November 2017 is hereby amended to revise the zoning designation of Lot C-21, T18N R2E S33 from C-L, Limited Commercial District, C-G, General Commercial District.

Section 4. Effective Date. Ordinance No. 22-0XX shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this ____ day of _____, 2022.

Steve Carrington, Mayor

Shelly M. Acteson, CMC, City Clerk



Community Development Zoning Map Amendment Application

Staff Report to Commission

PART I. GENERAL INFORMATION

Location:	T18NR2ES33, C-21	
Site Address:	NHN South Valley Way, Palmer Alaska 99645	
Request:	To rezone the lot from C-L, Commercial Limited, to C-G, Commercial General	
Applicant(s) & Owner:	Dale and Catherine Fosselman	
Public Hearing Date:	June 16, 2022	
Notification Requirements:	In accordance with 17.80.030	
On May 31, 2022, 159 public hearing notices were mailed to property owners within 1,200' of the site. Notification of the public hearing was published in the Frontiersman on June 10, 2022. A total of 1 written comment was received in response to this rezone application.		

PART II. BACKGROUND

Site Information:

Lot C-21, Township 18N Range 2E Section 33 is a vacant corner lot that has access from South Valley Way and E. Cottonwood Avenue. The lot is located north of fully developed public zoned lots that include the Palmer Police Department, Alaska State Troopers Detachment and the Mat-Su Pre-Trial Facility. East of Lot C-21 is a vacant property owned by the City of Palmer and Zoned Public. North of C-21 is a single family home and commercial businesses and is zoned R-3, Medium Density Residential. West of the property is the railroad right-of-way and commercial businesses. Zoning is General Commercial.

The property has never been developed.

Parcel Size:

Lot size is 1.6 acres

Existing Zoning:

C-L, Limited Commercial District

Surrounding Land Uses:

	Zoning	Land use for surrounding areas
North	R-3 & C-L	Medium density residential & commercial offices
East	Public	Court House and Vacant City Property
South	Public	Palmer Police Station and Mat-Su Pre-Trial Facility
West	C-G	Railroad right-of-way & small businesses



Considerations:

The intent of the **C-L**, Limited Commercial District is established to serve the daily or frequent convenience shopping and personal service needs of residences, thus serving a population and trade area which is less than that serviced by the Central Business district. The intent of **C-G**, General Commercial District is established in which the principal use of land is for commercial enterprises to provide for commercial enterprises which serve the needs of a large population and a large land area, and to provide a centralization of service by allowing heavier uses.

- **Owners Reason for Request**

We have owned this 1.60-acre lot located in the heart of Palmer for approximately 16 years. In recent years, the surrounding area of Downtown Palmer has dramatically changed. Downtown Palmer is becoming a focal point for the Mat-Su Valley. The surrounding area now hosts many events, live entertainment, great restaurants and two breweries. The area hosts numerous local shops and professional offices. Almost all properties abutting this lot either provide public services (judicial/justice system) or are professional offices spaces (mostly health and legal related).

This lot, while centrally located, has sat vacant (and for sale) for years. The lot is currently zoned "Commercial - Limited," which severely limits the lot's commercial development potential. Specifically, while still permitting development of professional office space, the rezone will also allow for the following additional potential uses providing the basis for a vibrant, mixed-use development:

- a) Hotels, Motels
- b) Bar, cocktail lounge, liquor and beer sales, including brewpubs and wineries;
- c) Cafes, bakeries, bars and restaurants

A preliminary site design plan is attached hereto as **Exhibit 1** of the Zoning Application

Code Requirements:

General Commercial minimum lot width is 60 feet and the required minimum lot area is 7,200 square feet. The total square footage of the proposed rezone property is approximately 69,696 square feet, with an average width of 152 feet.

PART III. FINDINGS OF FACT

(PMC 17.80.036.C) The report of 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;

Applicant's response:

Yes.
Mixed-use development including professional office space, retail outlets, restaurants, bakeries, bars, and visitor accommodations is a consistent feature of both the Palmer Comprehensive Plan, Palmer Economic Goals and the Area Wide Plan, a joint vision of the Mat-Su Borough and City of Palmer. More specifically, if the project is developed under the proposed plan, it will:

- a) Facilitate the expansion of the local economy and local business, so residents of
- b) Palmer and surrounding areas can find more of the goods, services and jobs they
- c) need in Palmer;
- d) Strengthen downtown Palmer, which is "the heart of community public life;"
- e) Promote and enhance Palmer's uniqueness and attracting more visitors;
- f) Encourage high quality, attractive development, with ready access to parks and
- g) green space.
- h) e) Improve connections within Palmer;
- i) f) Utilize ideas from planned Business Improvement District, by, *e.g.*, helping
- j) maintain and enhance downtown as a compact, walkable, dynamic, mixed-use
- k) center; and
- l) g) Create new retail, office and lodging space so more residents and businesses can
- m) have convenient access to places of work, commercial services, schools and other
- n) public facilities, by vehicle, sidewalk and trail.

Staff finds the following support in the Comprehensive Plan:

- Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growthguided to make Palmer an increasingly attractive place to live, work, invest and visit.
- Goal 5 encourages the development of high-quality buildings that reflects Palmer's historical character.
- Goal 6 of Chapter 6 supports improvements to the downtown area to help ensure Palmer's traditional downtown is lively, attractive, and inviting for residents and visitors.
- The proposed change would support the goals and objectives of the City's Comprehensive Plan by encouraging commercial development that will improve business opportunities
- Guide development so there is the right balance of residential and commercial uses to ensure the City maintains its fiscal health

- These new building will reflect Palmer’s character and historical setting with high quality architecture while maintaining the traditional appeal of Palmer.
- The proposed change will provide more accommodations in the downtown area as well as encourage spending for visitors and tourists.

Fact 2) The proposed change is compatible with surrounding zoning districts and the established land use pattern;

Applicant’s response:

The proposed change is compatible with the surrounding Zoning districts because the development will help provide a transition from the several types of land use surrounding the area. For example:

- a) Land to the south is institutional (Public Safety, Mat-Su Pretrial)
- b) To the west is Commercial - General
- c) To the north is residential and Commercial - Light

As such, the proposed rezoning will complement the land use pattern of surrounding areas and help the City of Palmer (especially the downtown area) become a more integrated whole. The subject parcel is surrounded by a variety of land uses: public safety, professional offices in what used to be single family residences, two residences, and vacant city property. The rezoning will allow us to combine many of these land uses into a single, comprehensive development to further help unify the land use areas in the Palmer's downtown district.

The approximate location of the lot is shown in the illustrations located on the next page. The two illustrations were taken from the *East Downtown Palmer Area Wide Study Plan* ("AWP"). As shown, this parcel is located in the "East Downtown Palmer" area located adjacent to public facilities/courthouse, and close to the Mat-Maid block of town. According to the *AWP*, "East Downtown Palmer lags behind the other downtown areas in terms of vibrancy, business activity, and infill development." If the city of Palmer permits rezoning of this lot, the rezoning will help create new economic opportunities in Palmer and renewed vibrancy in the area.



FIGURE ES-1 - AREA CONTEXT MAP
(Source: Google Earth / Stantec)

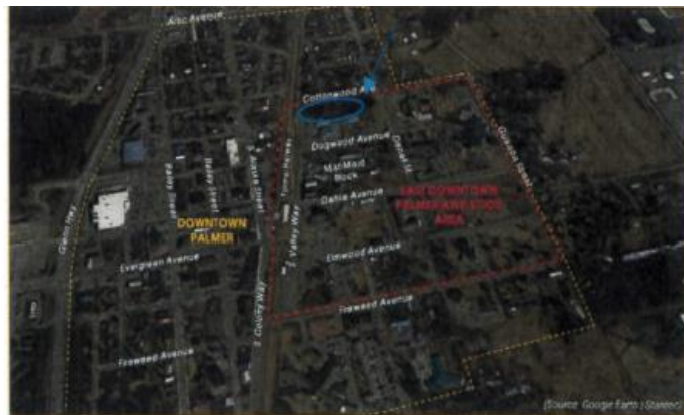
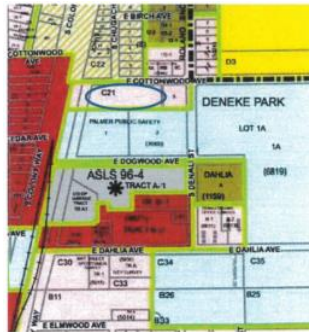


FIGURE ES-2 - DOWNTOWN AREA CONTEXT MAP
(Source: Google Earth / Stantec)
Existing aerial of Downtown Palmer (delineated in orange) and the AWP Study Area (delineated in red dashed line)

A cropped version of the *City of Palmer Current Zoning Districts* is shown directly below. As shown in the map, multiple lots located directly West are zoned "Commercial General" (red). Properties to the North and East of the lot are zoned "Public" (blue). The lot abutting the East property line is owned by the City of Palmer, is vacant, and is zoned "Commercial Limited" (pink). Lot C22 is also owned by the City of Palmer, is Vacant, and is zoned "Medium Density Residential" (yellow with stripes). There are believed to be one residential property (possibly two) across the street from the requested rezoning, which is zoned "Medium Density Residential" (yellow with stripes). There are at least three professional offices located on the same street (E. Cottonwood Ave.) and are zoned Limited Commercial. The second lot after turning north on South Denali St. (Lot 10-1) provides accommodations for students at a local bible college.



According to the *City of Palmer Central Business District Vicinity Map* (shown on page 4 below), our lot is part of the Central Business District ("CBD"). Palmer City Code 17.30.010 states that the intent of the central business district . . . is to establish consistent procedures and standards for the traditional downtown in the city of Palmer that is unique or requires additional consideration due to their character, historical importance or importance to the town's economic well-being. The overlay districts will assist Palmer to promote and protect the public health, safety, comfort, character, convenience and general welfare in the central business district (CBD) overlay zone while meeting the goals established in the comprehensive plan.



As shown in the map above, while the subject parcel is part of the CBD. Under the City's code, a property in the CBD is zoned to allow commercial activities such as "Large retail establishment (+20,000)". However, it is unclear how the CBD applies Limited Commercial Zoning. Nonetheless, rezoning the lot to Commercial - General will provide clear guidance for securing development and investment opportunities, and will help clarify ambiguities during the permitting process. Furthermore, over the last several years, the Mat-Maid block has begun developing a new atmosphere with the addition of the Palmer Ale House and two breweries. While the surrounding area is developing, this lot remains one of the largest undeveloped, privately owned real estate parcels with commercial development potential within the heart of

Palmer. The property is ideally situated to connect the following areas:
 Downtown area restaurants, cafes, bars, shops, and lodging;
 The Palmer Depot and greenbelt;
 Justice system and professional office areas (mostly legal/medical professions);
 The Mat-Maid Block with music, entertainment, breweries, and restaurant;
 North Palmer's cafes/coffee, shops, restaurants, Railbelt trail and skate park;
 While this property is in a prime location, it is not without its challenges. One of the main issues with the current zoning is that it abuts the Palmer Correctional Facility. The current zoning makes it extremely challenging to construct aesthetically pleasing Commercial - Limited development or construct single residential homes.
 Our vision is to develop this parcel into a vibrant mixed-use area with development opportunities for high quality retail, tourism/service, professional, accommodations and other industries. We hope to construct a minimum of two (2) multi-use buildings that could provide additional space for, *e.g.*, professional office space, retail stores, restaurants, hospitality/lodging, and other potential services. In addition, we intend to provide off street parking, pedestrian pathways and green spaces as part of a comprehensive site design stretching almost a complete city block.

Staff Finds:

- The property for the proposed rezone is contiguous to P Public Use District zoning on the South and East, C-L Limited Commercial District and R-3 Medium Density Multifamily Residential District zoning on the North side, C-G General Commercial District zoning to the West of the lot.
- The lot is located adjacent to an active Public zone with the Palmer Police and the Alaska State Troopers detachment, the Mat-Su Pre-Trial Facility and the Alaska Court System Palmer. Among the other comparable land use in the subject area are attorney offices. Across the railroad right-of-way are small businesses such as retail, gift shops and short-term rentals. Many restaurants and dining establishments are within walking distance from the property, convenient for visitors of Palmer while staying at this location.
- PMC 17.32.060 establishes a minimum lot size of 7,200 square feet. The property is 1.6 acres, sufficient to provide adequate parking, landscaping and buffering from adjacent lots.

Fact 3) Public facilities such as schools, utilities and streets are adequate to support the proposed change;

Applicant's response:

Yes.

We paid over \$12,000 as part of the 2010 Blueberry Avenue improvement LID which fixed severe leakage from the City's water system, paved East Cottonwood Avenue, installed sidewalks and streetlights. Two utility stubs to the subject property were installed during construction.

No permanent residential units are currently proposed, so there should be no additional burden to schools.

Initial site plans include off street parking and pathways to existing restaurants, brewpubs, government facilities, and the courthouse.

Staff finds:

- This property is a double frontage lot and has access on South Valley Way and East Cottonwood Avenue, allowing adequate flow of traffic along with incoming and outgoing visitors.

- Utilities are available to serve the proposed use of property as General Commercial; current water and sewer are set in place and will support the proposed structure.
- The proposed change is from C-L, Limited Commercial District to C-G, General Commercial District; there would be little to no impact on public schools since the proposed commercial lease space. The nearest public school is 0.7 miles from the property.

Fact 4) Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change;

Applicant's response:

In recent years a variety of new businesses have launched in the East Palmer area including two breweries, the Palmer Ale House, a clothing store, and restaurants.

The proposed rezoning will build on the momentum initiated by these ventures

Staff finds:

- Expansion of the Central Business District allows opportunities for commercial development opportunities. Commercial activities have expanded in the surrounding area in recent years.
- The surrounding zoning districts consist of R-3, C-L and P zoning and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allow for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

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

Applicant's response:

The proposed development will enhance public welfare by providing the local residents and visitors additional, convenient access to retail, restaurant, accommodations, and office space. In addition, the planned development will:

- a) provide community groups space for events.
- b) provide additional business opportunities for entrepreneurs and professionals.
- c) produce sales and other tax revenue to the City of Palmer and Mat-Su Borough.

Provide additional employment opportunities for residents.

The proposed change will not grant a special privilege to the owners because the owners are not asking for any special privileges other than the standard permitted uses under the Commercial - General zoning.

Staff finds:

- The proposed change does not grant the owner any special privilege as the property in question is contiguous to public zoning and commercial development.
- The proposed change is consistent with the public welfare by allowing this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

PART IV. STAFF RECOMMENDATION

Based on the information provided by the applicant, public comments received before publication of this report and staff analysis, staff recommends approval of the request to a zoning map amendment from C-L, Limited Commercial District, to C-G, General Commercial District Lot C-21, T18N R2E S33, is consistent with, and in conformance with the Palmer Comprehensive Plan.

If, following the Public Hearing, Commission finds that the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for zoning map amendment for Lot C-21, T18N R2E S33 from C-L Limited Commercial District to C-G, General Commercial District and forward a recommendation for approval to the City Council.

If the final vote of the Commission is not to approve the rezone, the Commission's decision is final unless the initiating party or property owner files a written statement with the City Clerk within 20 days of the Commission's decision requesting that the zoning be considered by City Council.

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 22-004

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION RECOMMENDING CITY COUNCIL APPROVE A ZONING MAP AMENDMENT FOR LOT C-21, TOWNSHIP 18N RANGE 2E SECTION 33 TO BE REZONED FROM C-L, LIMITED COMMERCIAL DISTRICT, TO C-G, GENERAL COMMERCIAL DISTRICT, SEWARD MERIDIAN, ALASKA

WHEREAS, Dale & Catherine Fosselman, have initiated a zoning map amendment application on May 6, 2022, to change the zoning designation for Lot C-21, T18N R2E S33 to be rezoned from C-L, Limited Commercial District, C-G, General Commercial District; and

WHEREAS, a request for a zoning map amendment must be reviewed by the Planning and Zoning Commission and a recommendation reflecting the findings of the Commission must be forwarded to the City Council; and

WHEREAS, on May 31, 2022, 159 public hearing notices were mailed to property owners within 1,200' of the site in accordance with 17.80.030. Notification of the public hearing was published in the Frontiersman on June 10, 2022. A total of one written comment of no objection was received in response; and

WHEREAS, Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth guided to make Palmer an increasingly attractive place to live, work, invest and visit; and

WHEREAS, Goal 5 encourages the development of high quality buildings that reflects Palmer's historical character; and

WHEREAS, Goal 6 of Chapter 6 supports improvements to the downtown area to help insure Palmer's traditional downtown is lively, attractive, and inviting for residents and visitors.

The following facts support a finding that this zone change is in accordance with the Zoning Code, Title 17, and the Comprehensive Plan:

Fact 1:

- a) The proposed change would support the objectives and goals of the City's Comprehensive Plan by encouraging commercial development that will improve business opportunities
- b) A commercial development will expand the commercial footprint of downtown Palmer and will reflect Palmer's character and historical setting with high quality architecture while maintaining the traditional appeal of Palmer.
- c) The proposed change will guide development so there is a balance between residential and commercial development.

Fact 2:

- a) The property for the proposed rezone is contiguous to P Public Use District zoning on the South and East, C-L Limited Commercial District and R-3 Medium Density Multifamily Residential District zoning on the North side, C-G General Commercial District zoning to the West of the lot.
- b) The lot is located adjacent to an active Public zone with the Palmer Police and the Alaska State Troopers detachment, the Mat-Su Pre-Trial Facility and the Alaska Court System Palmer. Among the other comparable land use in the subject area are attorney offices. Across the railroad right-of-way are small businesses such as retail, gift shops and short-term rentals. Many restaurants and dining establishments are within walking distance from the property; convenient for visitors of Palmer while staying at this location.
- c) PMC 17.27.060 establishes a minimum lot size for dwelling units that would make the development compatible with surrounding properties.

Fact 3:

- a) This property is a double frontage lot and has access on South Valley Way and East Cottonwood Avenue, allowing adequate flow of traffic for business development.
- b) Utilities are available to serve the proposed use of property as General Commercial, current water and sewer are set in place and will support the proposed structure.
- c) The proposed change is from C-L, Limited Commercial District to C-G, General Commercial District; there would be little to no impact on public schools. The nearest public school is 0.7 miles from the property.

Fact 4:

- a) Expansion of the Central Business District allows for commercial development opportunities. Commercial activities have expanded in the surrounding area in recent years.
- b) The surrounding zoning districts consist of R-3, C-L and P zoning and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allow for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

Fact 5:

- a) The proposed change does not grant the owner any special privilege as the property in question is contiguous to public zoning and commercial development.

- b) The proposed change is consistent with the public welfare by allowing this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby recommend the City Council approve the Zoning Map Amendment for Lot C-21, Township 18N Range 2E Section 33 from C-L, Limited Commercial District C-G, General Commercial District.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this 16th day of June, 2022.



Brad Hanson
Director, Community Development



Casey Peterson (Jul 8, 2022 16:37 AKDT)

Casey Peterson, Chairperson

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

**REGULAR MEETING
THURSDAY, JUNE 16, 2022
7:00 P.M. - COUNCIL CHAMBERS**

A. CALL TO ORDER:

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

B. ROLL CALL:

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair
Linda Combs
Lisbeth Jackson
Penny McClain
Kristy Thom Bernier

Also present:

Brad Hanson, Community Development Director

C. PLEDGE OF ALLEGIANCE: The Pledge was performed.

D. APPROVAL OF AGENDA:

The agenda was approved as presented by all members present.
[Thom Bernier, McClain, Jackson, Combs, Peterson]

E. MINUTES OF PREVIOUS MEETINGS: No minutes were presented.

F. REPORTS:

Director Hanson reported on the recent City Council/Board of Economic Development Joint Meeting at which the BED presented its Resolution to encourage the Council to fund a planning study for implementation of potential improvements for the downtown railroad right-of-way. The Council appropriated \$20,000 for the project.

G. AUDIENCE PARTICIPATION:

Andrew Melevanski, 380 N. Eklutna Street, spoke regarding the city land between him and his neighbor, the Andersons, raising concerns about it becoming a snow dump and asked for it to be vacated.

H. PUBLIC HEARINGS:

- 1. Resolution No. 22-004:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Tax Parcel C-21 to be rezoned from C-L Limited Commercial to C-G General Commercial, located within Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Director Hanson provided a staff report informing that the applicants/owners of the property are Dale

and Catherine Fosselman and that on May 31, 2022, 159 public hearing notices were mailed to property owners within 1200' of the site. Notification and publication requirements pursuant to code have been met. A total of 1 written comment was received in response. He spoke to background, including site information, parcel size, existing, zoning, surrounding land uses, other considerations and code requirements.

Findings of Fact:

Pursuant to PMC 17.80.036.C, the report of 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:

- Goal 1, of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth-guided to make Palmer an increasingly attractive place to live, work, invest and visit.
- Goal 5 encourages the development of high-quality buildings that reflects Palmer's historical character.
- Goal 6 of Chapter 6 supports improvements to the downtown area to help ensure Palmer's traditional downtown in lively, attractive, and inviting for residents and visitors.
- The proposed change would support the goals and objectives of the City's Comprehensive Plan by encouraging commercial development that will improve business opportunities.
- Guide development so there is the right balance of residential and commercial uses to ensure the City maintains its fiscal health.
- These new building will reflect Palmer's character and historical setting with high quality architecture while maintaining the traditional appeal of Palmer.
- The proposed change will provide more accommodations in the downtown area as well as encourage spending for visitors and tourists.

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

Staff finds:

- The property for the proposed rezone is contiguous to P Public Use District zoning on the South and East, C-L Limited Commercial District and R-3 Medium Density Multifamily Residential District zoning on the North side, C-G General Commercial District zoning to the West of the lot.
- The lot is located adjacent to an active Public zone with the Palmer Police and the Alaska State Troopers detachment, the Mat-Su Pre-Trial Facility and the Alaska Court System, Palmer. Among the other comparable land use in the subject area are attorney offices. Across the railroad right-of-way are small businesses such as retail, gift shops and short-term rentals. Many restaurants and dining establishments are within walking distance from the property, convenient for visitors of Palmer while staying at this location.
- PMC 17.32.060 establishes a minimum lot size of 7,200 square feet. The property is 1.6 acres, sufficient to provide adequate parking, landscaping and buffering from adjacent lots.

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

Staff finds:

- This property is a double frontage lot and has access on South Valley Way and East Cottonwood Avenue, allowing adequate flow of traffic along with incoming and outgoing visitors.
- Utilities are available to serve the proposed use of property as General Commercial; current water and sewer are set in place and will support the proposed structure.
- The proposed change is from C-L, Limited Commercial District to C-G, General Commercial District; there would be little to no impact on public schools since the proposed commercial lease space. The nearest public school is 0.7 miles from the property.

Fact 4) Changed conditions affecting the subject parcel or the surrounding neighborhood supports the proposed change.

Staff finds:

- Expansion of the Central Business District allows opportunities for commercial development opportunities. Commercial activities have expanded in the surrounding area in recent years.
- The surrounding zoning districts consist of R-3, C-L, and P zoning and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allow for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

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 proposed change does not grant the owner any special privilege as the property in question is contiguous to public zoning and commercial development.
- The proposed change is consistent with the public welfare by allowing this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

Staff Recommendation:

Based on the information provided by the applicant, public comments received before publication of this report and staff analysis, staff recommends approval of the request to a zoning map amendment from C-L, Limited Commercial District, to C-G, General Commercial District. Lot C-21, T18N R2E S33, is consistent with and in conformance with the Palmer Comprehensive Plan.

If following the Public Hearing, the Commission finds that the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for zoning map amendments for Lot C-21, T18N R2E S33 from C-L Limited Commercial District to C-G, General Commercial District and forward a recommendation for approval to the City Council.

If the final vote of the Commission is not to approve the rezone, the Commission's decision is final unless the initiating party or property owner files a written statement with the City Clerk within 20 days of the Commission's decision requesting that the zoning be considered by the City Council.

Applicant's Presentation:

Jesse Carnahan and Matthew Hayes testified on behalf of Applicants, Dale and Catherine Fosselman, speaking to the “spirit” of the applicants’ plans for the property.

Alex Pafasalvach spoke to her concern over increased traffic in the neighborhood.

There being no further members of the public to speak, Chair Peterson closed public testimony at 6:39 p.m. and called for the motion, followed by further open discussion regarding the Resolution and unanimous approval of Findings of Fact 1 through 5 as presented by staff.

Main Motion: For approval of Resolution No. 22-004, recommending City Council approve a zoning map amendment for Tax Parcel C-21 to be rezoned from C-L Limited Commercial to C-G General Commercial, located within Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Moved by:	Combs
Seconded by:	Jackson
Vote:	Unanimous (Thom Bernier, Combs Jackson, McClain, Peterson; 2 vacant)
Action:	Motion Carried.

I. UNFINISHED BUSINESS: None.

J. NEW BUSINESS: None.

K. PLAT REVIEWS:

1. **IM 22-009:** Pre-application plat request to create two lots from Tax Parcel D-21 (Parcel #2 of Waiver 95-42 pwm).

Director Hanson provided a staff report, directing attention to the packet (p. 47) for comments from City Departments.

The Commission had no additional comments.

2. **IM 22-010:** Abbreviated plat request to create two lots from Tract A-1, Alaska State Land Survey 96-4, Plat No. 99-62, to be known as Matanuska Brewing.

Director Hanson provided a staff report directing attention to the packet (p. 63); City Departments had no comments or issues.

The Commission had no additional comments.

3. **IM-22-011:** Abbreviated/preliminary plat request to create one lot from Lots 3 & 4, Block 1, Sherrod, Plat No. 12-204, to be known as Lot 3A.

Director Hanson provided a staff report directing attention to packet (p. 73), City Departments had no comments or issues.

The Commission had no additional comments.

4. **IM 22-012:** Pre-application request to vacate the 40’ x 114’ right-of-way located between Lot 7

and Lot 8 (Block 2, Christensen Add Subd.)

Director Hanson provided a staff report directing attention to the packet (p. 81); City Department comments included: City Manager: Is there a future city need such as a utility corridor? Community Development: Consideration should be given for not compounding an access issue for platted lots to west of property. Public Works: Recommends to NOT vacate. Plan to use as storm water area in the future.

Commissioners McClain and Thom Bernier spoke in agreement with Public Works.

L. PUBLIC COMMENTS: None.

M. COMMISSIONER COMMENTS:

Commissioner Combs:

- Requested for support to initiate change from Industrial at the location of the Brewery; Director Hanson noted he would look into it.

Chair Peterson:

- Extended a welcome back from vacation to Commissioner Jackson and welcome to new Commissioner McClain.

Commissioner Thom Bernier:

- Reported that Colony Days was very successful and thanked Director Hanson and staff for helping to make it happen.
- Next big event at the Fair Grounds is the Scottish Hyland Games;
- Commented they are gearing up for the Alaska State Fair.

N. ADJOURNMENT:

There being no further business, the meeting adjourned without objection at 7:33 p.m.

APPROVED by the Planning and Zoning Commission this ____ day of July, 2022.

Casey Peterson, Chair

Brad Hanson, Community Development Director



DEPARTMENT OF COMMUNITY DEVELOPMENT

Brad Hanson
Director

Dusten Voehl
Building Inspector

Beth Skow
Library Director

Cotton Gore
Parks & Facilities Manager

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709

May 31, 2022

Dear Property Owner:

The Palmer Planning and Zoning Commission will consider a Zoning Map Amendment application for Tax Parcel C-21, T18N, R2E, S33, initiated by Dale & Catherine Fosselman. The property is located on the corner of S. Valley Way and E. Cottonwood Avenue, Palmer, Alaska.

The property is zoned C-L, Limited Commercial. The request is to rezone the property to C-G, General Commercial. The map on the reverse side of this notice indicates the location of the subject property. For additional information on the C-G District, please refer to Palmer Municipal Code Chapter 17.32, C-G, General Commercial District, located online at: www.palmerak.org.

The Commission will hold a Public Hearing to consider this application and allow an opportunity for public comments. The meeting will be held on June 16, 2022, at 6:00 p.m., in the City Council Chambers located at 231 West Evergreen Avenue, Palmer, Alaska.

If you wish to comment on this issue, you may do so by attending the public hearing or by providing written comments to the Planning and Zoning Commission by **June 13, 2022**. Written comments may be mailed to Department of Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to 907-745-5443 or emailed to me at: bahanson@palmerak.org.

Sincerely,

Brad Hanson



For the following reason, I am (please circle) **in favor of**, **NOT in favor of**, **have no objection to** the approval of the proposed re-zone from C-L, Limited Commercial, to C-G, General Commercial.

Name: _____

Address: _____

125 WEST EVERGREEN LLC
3852 N CLARK-WOLVERINE RD
PALMER, AK 99645-8708

4 C'S LLC
1150 S COLONY WAY PMB 361
PALMER, AK 99645

AHMED CHAUDHRY R
BUSHRA GHULAM
339 S BAILEY ST
PALMER, AK 99645

AK FAM RESOURCE CTR INC
c/o ALASKA FAMILY SERVICES
1825 S CHUGACH ST
PALMER, AK 99645-6795

ALASKA BIBLE COLLEGE
248 E ELMWOOD AVE
PALMER, AK 99645-6619

THE ALASKA LIFE LLC
12120 E WOODSTOCK DR
PALMER, AK 99645

ALASKA STATE OF
DEPT OF TRANS & PUB FAC
PO BOX 196900
ANCHORAGE, AK 99519-6900

ALASKA STATE OF
DNR DIV OF LANDS
550 W 7TH AVE STE 1050A
ANCHORAGE, AK 99501-3576

ANDERSON BONNIE K
229 S CHUGACH ST
PALMER, AK 99645-6427

ANDERSON BONNIE K
229 S CHUGACH ST
PALMER, AK 99645-6427

ARRC
248 E DAHLIA AVE
PALMER, AK 99645

AUBREY BOB
352 E BLUEBERRY ST # 16
PALMER, AK 99645

B&J ASSETS LLC
7015 E JEAN DR
PALMER, AK 99645

BAKER DAVID M & EVA M
4374 E SHAW'S DR
WASILLA, AK 99654-4353

BALES CANDICE M
PO BOX 2621
PALMER, AK 99645-2621

BELLAMY ISAAC
352 E BLUEBERRY AVE SPACE 24
PALMER, AK 99645-6465

BERBERICH INVESTMENTS LLC
532 E EAGLE AVE
PALMER, AK 99645

BERGER PAUL
15250 EVERGREEN RIDGE
ANCHORAGE, AK 99516

BIELAR WM M & ELAINE L
PO BOX 70
PALMER, AK 99645-0070

BLATCHFORD HENRY
417 S COBB ST
PALMER, AK 99645

BLUEBERRY INV MNGMT LLC
TAYLOR KENNETH & LISA
2124 N NADINA ST
PALMER, AK 99645-9131

BOLSHIO MISHA INC
1150 S COLONY WAY PMB 311
PALMER, AK 99645

BOVY BRANDON J
319 S COBB ST
PALMER, AK 99645-6315

BOYLE STEPHANIE
PO BOX 38
SUTTON, AK 99674

BRISCOE CLARENCE A & MARY
141 S DENALI ST
PALMER, AK 99645-6431

BROOKS PROPERTIES LLC
3680 S SKY RANCH LOOP
PALMER, AK 99645

BURTCH FAMILY TRUST
BURTCH MONTE LEE TRE BURTCH
JERILYN LENO
1150 S COLONY WAY STE 3 PMB 105
PALMER, AK 99645-6967

CAULKINS DENISE
352 E BLUEBERRY SPC 2
PALMER, AK 99645

CHACE GARY TODD
2521 E MTN VILLAGE DR #B PMB 255
WASILLA, AK 99654

CHISHOLM BRET THOMAS
BERBERICH LESLIE LAUREN
PO BOX 903
PALMER, AK 99645

CHURCH OF THE
COVENANT OF PALMER AK INC
451 S BAILEY ST
PALMER, AK 99645

CM MECHANICAL INC
PO BOX 1025
PALMER, AK 99645-1025

COBB STREET INVESTMENTS LLC
9806 E NORTHSTAR CIR
PALMER, AK 99645-8810

COCKLE SETSUKO REV LVG TR
COCKLE SETSUKO TRE COCKLE MARY
ANN TRE
25224 E BUCK SHOT LN
PALMER, AK 99645

COLONY WAY INVESTMENTS LLC
800 W BRIAR DR
WASILLA, AK 99654

COMBS DAVID HARVEY
COMBS SABRENA KENT
208 W COTTONWOOD AVE
PALMER, AK 99645

CONSULTING SOLUTIONS GROUP INC
425 E DAHLIA AVE #K
PALMER, AK 99645

CORP OF ST MICHAEL'S PARISH
432 E FIREWEED AVE
PALMER, AK 99645

CPD ALASKA LLC
201 ARCTIC SLOPE AVE
ANCHORAGE, AK 99518-3033

CZARNEZKI MARGARET R
335 S COBB ST
PALMER, AK 99645

DALRYMPLE-SORENSEN HOLDINGS LLC
353 S DENALI ST
PALMER, AK 99645

DAW WHITNEY M
PO BOX 3822
PALMER, AK 99645-3822

DECORA RICHARD ALLEN
313 S DENALI ST
PALMER, AK 99645

DENALI SQ BLDG CONDO CORP
c/o WESTERN ENTERPRISES
4101 ARTIC BLVD
ANCHORAGE, AK 99503

DENALI STREET LLC
561 S DENALI ST STE C
PALMER, AK 99645

DISARRO PETER JR & SANDRA
PO BOX WWP
KETCHIKAN, AK 99950-0280

DOLLARD ANNE S
329 S CHUGACH ST
PALMER, AK 99645-6429

DUNLAP RUSSELL M & RHONDA L
1150 S COLONY WAY STE 3 PMB 635
PALMER, AK 99645

DYEMOND LLC
11621 OLD SEWARD HWY
ANCHORAGE, AK 99515

EAGERTON ANN
267 S BAILEY ST
PALMER, AK 99645

ERBEY KENNETH W & CYNTHIA A
635 E CEDAR AVE
PALMER, AK 99645

ETHOS LLC
PO BOX 1217
PALMER, AK 99645-1217

FAMILY CHRISTIAN CENTER
PO BOX 2491
PALMER, AK 99645-2491

FELZIEN CHARLES R
PO BOX 110
PALMER, AK 99645-0110

FOSSelman DALE & CATHERINE M
3562 E TEAGUE TRAIL CIR
WASILLA, AK 99654

FOX KYLE LEVI
564 S DENALI ST
PALMER, AK 99645

FROHLING KEVIN K& JOANN A
6250 N LOSSING RD
PALMER, AK 99645

GLACIER MEDICAL GROUP LLC
1150 S COLONY WAY STE 3 PMB 193
PALMER, AK 99645

GLICK KORY N
352 E BLUEBERRY AVE LOT 26
PALMER, AK 99645

GOLDMAN KENNETH J& MARY V
3150 N SEAGULL DR
PALMER, AK 99645-6930

GRABAREK LUKASZ
347 S CHUGACH ST
PALMER, AK 99645-6429

GRIMES DUSTIN L & AUSTIN M
11200 E LUPINE RD
PALMER, AK 99645-9448

GUTHRIE STANLEY L
PO BOX 2367
PALMER, AK 99645-2367

HALE JOSEPH
15581 E TEELING CIR
PALMER, AK 99645

HANSON MILDRED A N FAM TR
235 S VALLEY WAY
PALMER, AK 99645

HAWKINS JOSEPH T
108 E ARCTIC AVE
PALMER, AK 99645

HEADRICK MEGAN
PO BOX 3951
PALMER, AK 99645-3951

HENDRICKSON ROSE M
NEUMANN CANAAN
PO BOX 1314
PALMER, AK 99645-1314

HENRY NICHELLE S
327 S COBB ST
PALMER, AK 99645-6315

HILL JARED
352 E BLUEBERRY AVE SPC 10
PALMER, AK 99645

HOKENSON TASHA N
424 S BAILEY ST
PALMER, AK 99645

HOLSAPPLE MICHAEL W&MAY M
7327 S LENORE ST
WASILLA, AK 99654-0368

HUBBARD KENNETH & CAROLYN Rev TR
615 S GULKANA ST
PALMER, AK 99645-6677

INGALDSON WM H
4120 TAZLINA AVE
ANCHORAGE, AK 99517

JAN-AL LLC
3761 E PALMDALE DR
WASILLA, AK 99654-6611

JIMENEZ PAULETTE
PO BOX 2513
PALMER, AK 99645

JOHNSON BARBARA PENNISTON
543 S GULKANA ST
PALMER, AK 99645

JOHNSON DELENA
PO BOX 944
PALMER, AK 99645-0944

JOHNSON JEFFREY
THORN CRAIG A
PO BOX 2527
PALMER, AK 99645-2527

JONES JULIE M
c/o MERIDITH DOLPI
352 E BLUEBERRY AVE LOT 19
PALMER, AK 99645-6465

KEELING GERALDINE LAMPARD
243 S BAILEY ST
PALMER, AK 99645

KELLEY RAYMOND B& LINDA M
560 W MONTANA DR
PALMER, AK 99645

KEYPORT PHYLLIS M
c/o JO WELLER
3245 DOVE LN
PALMER, AK 99645-9639

KIM JUNG S
4875 BARRINGTON LOOP # 88
ANCHORAGE, AK 99503-7521

KINCAID MICHELLE
KLOEP DAVID
PO BOX 520687
BIG LAKE, AK 99652-0687

KINDRICK MICHAEL C
251 S BAILEY ST
PALMER, AK 99645-6323

KLH INC
4255 S MCKECHNIE LOOP
PALMER, AK 99645

KONYOT JOE
PO BOX 876738
WASILLA, AK 99687-6738

KOPPERUD NOEL H
PO BOX 4470
PALMER, AK 99645-4470

KRAUN CLARENCE
352 E BLUBERRY ST SPC 28
PALMER, AK 99645

KULIKOVSKIY ROMAN
3060 N LAZY EIGHT CT STE 2 PMB 109
WASILLA, AK 99654-4331

LAVIELLE FLOYD
352 E BLUEBERRY ST SPC 3
PALMER, AK 99645

LEE CYNTHIA M
PO BOX 2401
PALMER, AK 99645-2401

LENAGHEN RICHARD & GRETA
6454 E BEECHCRAFT RD
WASILLA, AK 99654-9331

LOCKE LYNDA E
421 S LAKE ST
WASILLA, AK 99654

LOGSDON & GOLTER LLC
348 S DENALI ST
PALMER, AK 99645

MAIN DRAG LLC
c/o DAN LUCAS
1180 S MARGARET DR
PALMER, AK 99645

MARTIN CURTIS W
MARTIN DONNA L
263 S ALASKA ST
PALMER, AK 99645-6335

MATANUSKA BREWING CO LLC
c/o KEVIN BUTON
513 S VALLEY WAY
PALMER, AK 99645

MATANUSKA TELEPHONE ASSN
PO BOX 3550
PALMER, AK 99645-3550

MATANUSKA-SUSITNA BOROUGH
MSB/ DSJ ADMIN BUILDING
350 E DAHLIA AVE
PALMER, AK 99645

MAT-SU HEALTH SERVICES INC
1363 W SPRUCE AVE
WASILLA, AK 99654-5327

MAUI TOE LLC
1460 S FRAN ST
PALMER, AK 99645-9029

MCCLURE DOLORES M
MCCLURE MARY EST
416 S BAILEY ST
PALMER, AK 99645-6326

MCKENZIE KAY S
452 S COLONY WAY
PALMER, AK 99645

MEADOWS CHARLSA JOY
6823 TERRY ST
ANCHORAGE, AK 99502

MESSENGER LINDSAY J
413 S GULKANA ST
PALMER, AK 99645

MILLER INVESTMENT TR
MILLER WM H JR & BARBARA J TRES
PO BOX 870151
WASILLA, AK 99687-0151

MITTLESTADT SUZANNE
319 S CHUGACH ST
PALMER, AK 99645-6429

MOB INVESTMENTS LLC
2451 N LARKSPUR HILL CIR
PALMER, AK 99645

MONROE LINDA NOEL J
352 E BLUEBERRY AVE # 8
PALMER, AK 99645

MOODY RONNIE
FINDLAY-MOODY SHERRY
16345 E SMITH RD
PALMER, AK 99645

MORROW JOSHUA P & HEATHER N
PO BOX 1223
PALMER, AK 99645

MOSES ERIC J
ALSTROM APRIL G
151 S DENALI ST
PALMER, AK 99645-6431

NILSSON GREGORY SCOTT
LIVELY BRIGITTE E
259 S ALASKA ST
PALMER, AK 99645

PALMER ARTS COUNCIL
PO BOX 4286
PALMER, AK 99645-4286

PALMER CLINIC LLC
PO BOX 202845
ANCHORAGE, AK 99520-2845

PALMER EMERGENCY FOOD & COMM
SERV INC
PO BOX 2421
PALMER, AK 99645

PALMER PROPERTIES LLC
561 S DENALI ST STE B
PALMER, AK 99645-6464

PAPASAVAS CYNTHIA A
337 S CHUGACH ST
PALMER, AK 99645

PASSPORT LLC
610 S BAILEY ST
PALMER, AK 99645

PENWARDEN RICHARD
352 E BLUEBERRY AVE SPACE 13
PALMER, AK 99645

PMK PROPERTIES LLC
2521 E MTN. VILLAGE DR. #B PMB 619
WASILLA, AK 99654-7336

PROSSER ROBERT & CAROL Jnt Rev Tr
12031 GINAMI ST
ANCHORAGE, AK 99516-2550

QUILL BONNIE
241 S BAILEY ST
PALMER, AK 99645-6323

RAYBACK CLINTON & DELORES E
312 S BAILEY ST
PALMER, AK 99645

RELGUD INVESTMENTS LLC
10701 STROGANOF DR
ANCHORAGE, AK 99507

RICHARDS RON DOUGLAS
RICHARDS MICHELLE LEE
1460 FRAN ST
PALMER, AK 99645-9029

ROBERTS DAVID A
ROBERTS CHRISTINA R
505 W QUICK SILVER CIR
PALMER, AK 99645

SCANDURA MICHELLE R
WEAVER THOMAS W
231 W CEDAR AVE
PALMER, AK 99645

SHAFER PHYLLIS J
PO BOX 3475
PALMER, AK 99645-3475

SHAFFER DANIEL R
1481 S BERTHA LN
WASILLA, AK 99654-8230

SHILOH MISSIONARY BAPTIST
CHURCH OF PALMER
PO BOX 2449
PALMER, AK 99645

SINDORF PAUL H JR & MARY H
10913 N PALMER FISHHOOK R
PALMER, AK 99645-9235

SLATER DAPHNE
210 S ALASKA ST
PALMER, AK 99645

SNODGRASS JOHN R JR
PO BOX 1867
PALMER, AK 99645-1867

SNYDER WILLIAM H & TERRY L
208 W CEDAR AVE
PALMER, AK 99645

STEPHEN MARLENE F
NOLIN MARLENE F
517 S COBB ST
PALMER, AK 99645

STONEKING RUSSELL & ANNE
3803 MUKTUK TRL
DELTA JUNCTION, AK 99737

STOTTS DEBBIE LAHTI
PO BOX 3951
PALMER, AK 99645-3951

SUSTAINABLE DESIGN & PLANNING
LLC
247 S ALASKA ST
PALMER, AK 99645-6335

T & S ENTERPRISES LLC
PO BOX 1969
PALMER, AK 99645

TORIGAI LLC
720 S ALASKA ST
PALMER, AK 99645

TORRES ROBERTO JESUS
171 S DENALI ST #A
PALMER, AK 99645

TSALACH LLC
c/o HOLLY STEINER
10739 E GRANITE RIDGE RD
PALMER, AK 99645-9664

TULL WILLIAM F
1995 N MONTE VISTA DR
PALMER, AK 99645-8842

VALLEY RESIDENTIAL SERVICES
1075 S CHECK ST STE 102
WASILLA, AK 99654-8067

VAN CLEVE RAMONA ANN
PO BOX 372
SUTTON, AK 99674

VAN DIEST JAY & SUSAN
16801 E T & T LN
PALMER, AK 99645

VANHOOMISSEN JAMES J & DIANE E
PO BOX 873833
WASILLA, AK 99687

VANN AILIS S
DECKERT MAVERICK O
PO BOX 3354
PALMER, AK 99645

VERZONE THAI G
3740 CLAY PRODUCTS DR
ANCHORAGE, AK 99517-1010

VH PROPERTIES LLC
PO BOX 520488
BIG LAKE, AK 99652-0488

VINDUSKA JOHN A
15605 E HELMAUR PL
PALMER, AK 99645-8691

VIZZERRA WM P & ALMA E
324 E ARCTIC AVE
PALMER, AK 99645-6129

WALDEN JESSICA S M
147 S BONANZA ST
PALMER, AK 99645-6344

WALKER RICHARD LEE
2131 W MELANIE DR
WASILLA, AK 99654

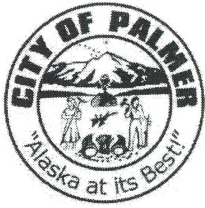
WARNKE RANDY L
4380 E HAMILTON CT
WASILLA, AK 99654

WHITMORE ENTERPRISES LLC
1200 S BADGER RD
PALMER, AK 99645

ZELAZNY JOS
352 E BLUEBERRY AVE # 32
PALMER, AK 99645

MAY - 6 2022

City of Palmer



**City of Palmer
Community Development Department**

645 E. Cope Industrial Way, Palmer, AK 99645

Phone: 907-745-3709

www.palmerak.org

Zoning Map Amendment Application Form

Applicant: Dale and Catherine Fosselman

Legal Description of properties covered by this application (use additional sheets if necessary):

Township 18N Range 2E Section 33 Lot C21

Requested District Change (i.e., from - to): Rezone From Commercial Light to Commercial General

Reason for request: See attached page 1

Please provide a written narrative explaining the following:

1. Is the proposed change in accordance with the borough and city comprehensive plans?

See attached page 2

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern?

See attached page 3

3. Are public facilities such as schools, utilities and streets adequate to support the proposed change?

See attached page 6

4. Do changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change?

See attached page 6

5. Is the proposed change consistent with public welfare and will it grant a special privilege to the owners?

See attached page 6

Date of application: 5/6/2022

\$500.00 filing fee paid: yes



Signature of owner or owner's authorized representative

c/o Jesse Carrahan P.O. Box 4514, Palmer, AK 99645
Address

907.232-2140 Dale 907-795-5872 Matt Hayes (POA)
Contact/phone/email

Matt Hayes
795-5872
jmatthewhayes@me.com

Reason for Request

We have owned this ~ 1.60 acre lot located in the heart of Palmer for approximately 16 years. In recent years, the surrounding area of Downtown Palmer has dramatically changed. Downtown Palmer is becoming a focal point for the Mat-Su Valley. The surrounding area now hosts many events, live entertainment, great restaurants and two breweries. The area hosts numerous local shops and professional offices. Almost all properties abutting this lot either provide public services (judicial/justice system) or are professional offices spaces (mostly health and legal related).

This lot, while centrally located, has sat vacant (and for sale) for years. The lot is currently zoned "Commercial - Limited," which severely limits the lot's commercial development potential. Specifically, while still permitting development of professional office space, the rezone will also allow for the following additional potential uses providing the basis for a vibrant, mixed-use development:

- a) Hotels, Motels
- b) Bar, cocktail lounge, liquor and beer sales, including brewpubs and wineries;
- c) Cafes, bakeries, bars and restaurants

A preliminary site design plan is attached hereto as **Exhibit 1**.

1. Is the proposed change in accordance with the borough and city comprehensive plans?

Yes.

Mixed-use development including professional office space, retail outlets, restaurants, bakeries, bars, and visitor accommodations is a consistent feature of both the Palmer Comprehensive Plan, Palmer Economic Goals and the Area Wide Plan, a joint vision of the Mat-Su Borough and City of Palmer. More specifically, if the project is developed under the proposed plan, it will:

- a) Facilitate the expansion of the local economy and local business, so residents of Palmer and surrounding areas can find more of the goods, services and jobs they need in Palmer;
- b) Strengthen downtown Palmer, which is “the heart of community public life;”
- c) Promote and enhance Palmer’s uniqueness and attracting more visitors;
- d) Encourage high quality, attractive development, with ready access to parks and green space;
- e) Improve connections within Palmer;
- f) Utilize ideas from planned Business Improvement District, by, *e.g.*, helping maintain and enhance downtown as a compact, walkable, dynamic, mixed-use center; and
- g) Create new retail, office and lodging space so more residents and businesses can have convenient access to places of work, commercial services, schools and other public facilities, by vehicle, sidewalk and trail.

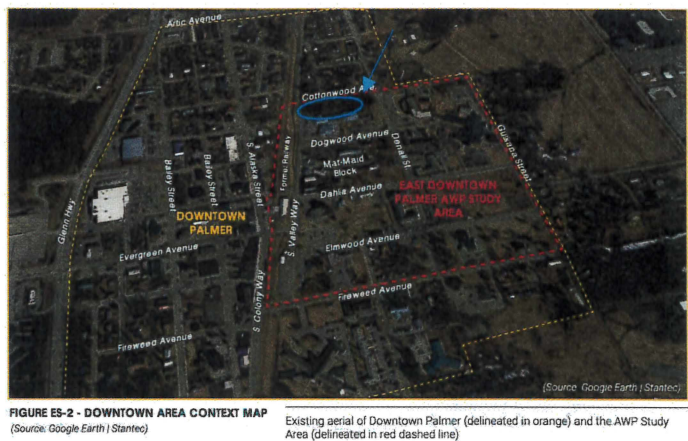
2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern?

The proposed change is compatible with the surrounding Zoning districts because the development will help provide a transition from the several types of land use surrounding the area. For example:

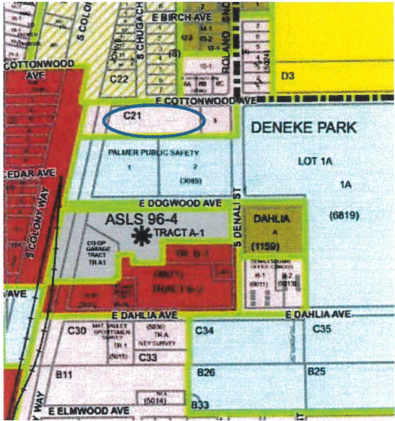
- a. Land to the south is institutional (Public Safety, Mat-Su Pretrial)
- b. To the west is Commercial – General
- c. To the north is residential and Commercial – Light

As such, the proposed rezoning will complement the land use pattern of surrounding areas and help the City of Palmer (especially the downtown area) become a more integrated whole. The subject parcel is surrounded by a variety of land uses: public safety, professional offices in what used to be single family residences, two residences, and vacant city property. The rezoning will allow us to combine many of these land uses into a single, comprehensive development to further help unify the land use areas in the Palmer’s downtown district.

The approximate location of the lot is shown in the illustrations located on the next page. The two illustrations were taken from the *East Downtown Palmer Area Wide Study Plan* (“AWP”). As shown, this parcel is located in the “East Downtown Palmer” area located adjacent to public facilities/courthouse, and close to the Mat-Maid block of town. According to the *AWP*, “East Downtown Palmer lags behind the other downtown areas in terms of vibrancy, business activity, and infill development.” If the city of Palmer permits rezoning of this lot, the rezoning will help create new economic opportunities in Palmer and renewed vibrancy in the area.



A cropped version of the *City of Palmer Current Zoning Districts* is shown directly below. As shown in the map, multiple lots located directly West are zoned “Commercial General” (red). Properties to the North and East of the lot are zoned “Public” (blue). The lot abutting the East property line is owned by the City of Palmer, is vacant, and is zoned “Commercial Limited” (pink). Lot C22 is also owned by the City of Palmer, is Vacant, and is zoned “Medium Density Residential” (yellow with stripes). There are believed to be one residential property (possibly two) across the street from the requested rezoning, which is zoned “Medium Density Residential” (yellow with stripes). There are at least three professional offices located on the same street (E. Cottonwood Ave.) and are zoned Limited Commercial. The second lot after turning north on South Denali St. (Lot 10-1) provides accommodations for students at a local bible college.



According to the *City of Palmer Central Business District Vicinity Map* (shown on page 4 below), our lot is part of the Central Business District (“CBD”). Palmer City Code 17.30.010 states that the intent of the central business district

... is to establish consistent procedures and standards for the traditional downtown in the city of Palmer that is unique or requires additional consideration due to their character, historical importance or importance to the town’s economic well-being. The overlay districts will assist Palmer to promote and protect the public health, safety, comfort, character, convenience and general welfare in the central business district (CBD) overlay zone while meeting the goals established in the comprehensive plan.



As shown in the map above, while the subject parcel is part of the CBD. Under the City’s code, a property in the CBD is zoned to allow commercial activities such as “Large retail establishment (+20,000)”.” However, it is unclear how the CBD applies Limited Commercial Zoning. Nonetheless, rezoning the lot to Commercial - General will provide clear guidance for securing development and investment opportunities, and will help clarify ambiguities during the permitting process.

Furthermore, over the last several years, the Mat-Maid block has begun developing a new atmosphere with the addition of the Palmer Ale House and two breweries. While the surrounding area is developing, this lot remains one of the largest undeveloped, privately owned real estate parcels with commercial development potential within the heart of Palmer. The property is ideally situated to connect the following areas:

- a) Downtown area restaurants, cafes, bars, shops, and lodging;
- b) The Palmer Depot and greenbelt;
- c) Justice system and professional office areas (mostly legal/medical professions);
- d) The Mat-Maid Block with music, entertainment, breweries, and restaurant;
- e) North Palmer’s cafes/coffee, shops, restaurants, Railbelt trail and skate park;

While this property is in a prime location, it is not without its challenges. One of the main issues with the current zoning is that it abuts the Palmer Correctional Facility. The current zoning makes it extremely challenging to construct aesthetically pleasing Commercial - Limited development or construct single residential homes.

Our vision is to develop this parcel into a vibrant mixed-use area with development opportunities for high quality retail, tourism/service, professional, accommodations and other industries. We hope to construct a minimum of two (2) multi-use buildings that could provide additional space for, e.g., professional office space, retail stores, restaurants, hospitality/lodging, and other potential services. In addition, we intend to provide off street parking, pedestrian pathways and green spaces as part of a comprehensive site design stretching almost a complete city block.

3. Are public facilities such as schools, utilities and streets adequate to support the proposed change?

Yes.

We paid over \$12,000 as part of the 2010 Blueberry Avenue improvement LID which fixed severe leakage from the City's water system, paved East Cottonwood Avenue, installed sidewalks and streetlights. Two utility stubs to the subject property were installed during construction.

No permanent residential units are currently proposed, so there should be no additional burden to schools.

Initial site plans include off street parking and pathways to existing restaurants, brew pubs, government facilities, and the courthouse.

4. Do changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change?

In recent years a variety of new businesses have launched in the East Palmer area including two breweries, the Palmer Ale House, a clothing store, and restaurants. The proposed rezoning will build on the momentum initiated by these ventures.

5. Is the proposed change consistent with public welfare and will it grant a special privilege to the owners?

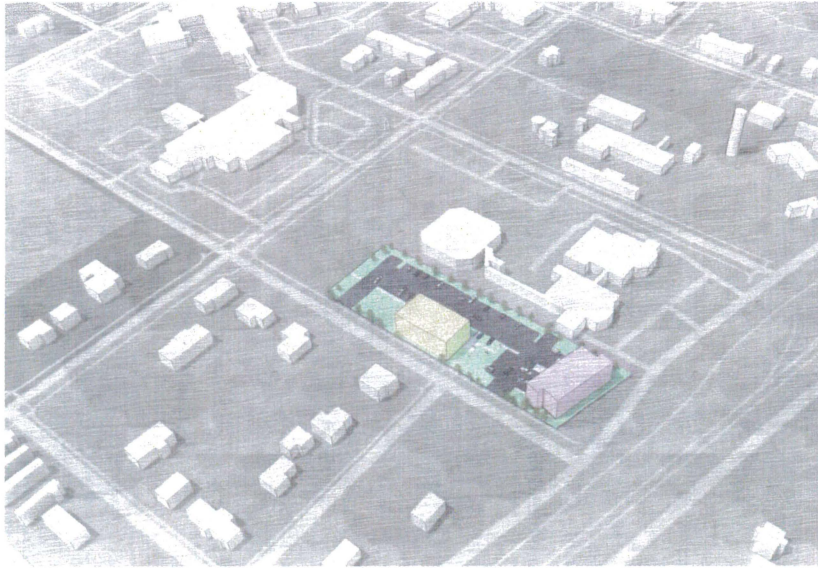
The proposed development will enhance public welfare by providing the local residents and visitors additional, convenient access to retail, restaurant, accommodations, and office space. In addition, the planned development will:

- a) provide community groups space for events.
- b) provide additional business opportunities for entrepreneurs and professionals.
- c) produce sales and other tax revenue to the City of Palmer and Mat-Su Borough.
Provide additional employment opportunities for residents.

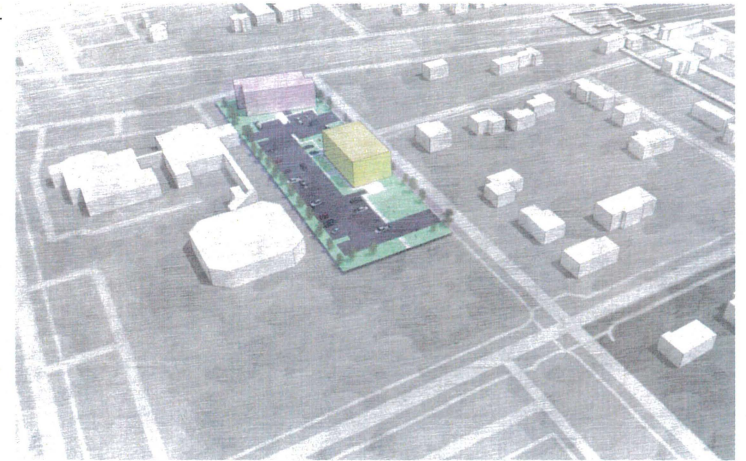
The proposed change will not grant a special privilege to the owners because the owners are not asking for any special privileges other than the standard permitted uses under the Commercial - General zoning.

OPTION 1

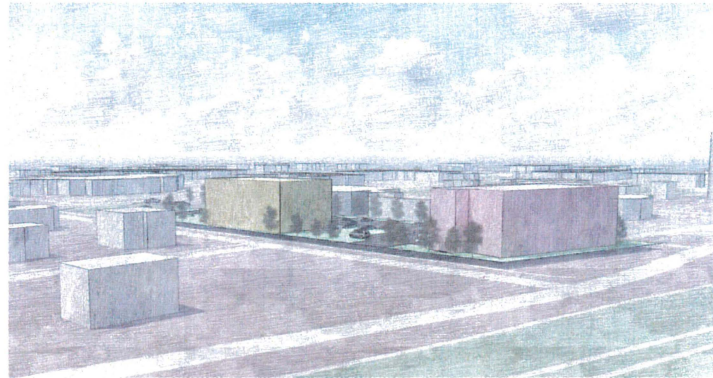
VIEW 2



VIEW 1

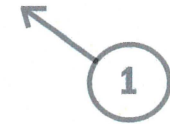
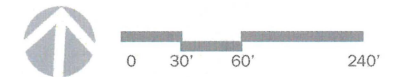
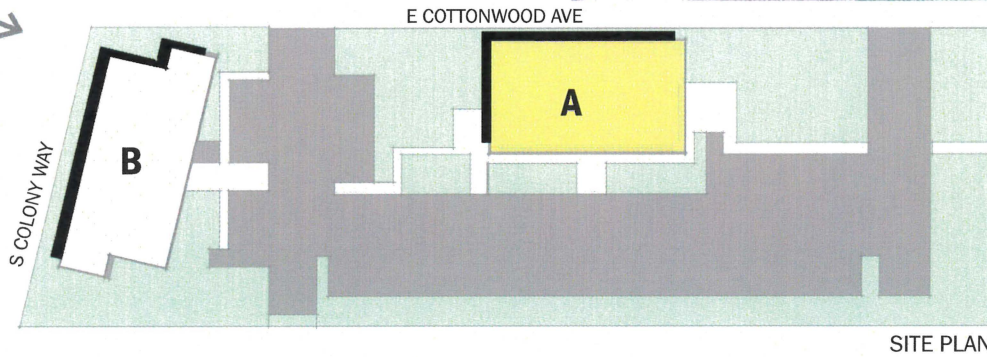
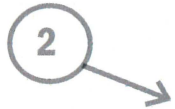


SOUTH WEST PERSPECTIVE



- BUILDING A** 3 STORIES
 RETAIL LEVEL 1 - 6,000 GSF
 OFFICE LEVEL 2 & 3 - 6,000 GSF EA.

- BUILDING B** 3 STORIES
 HOTEL LEVEL 1 & 2 - 6,000 GSF EA. (28 ROOMS)
 RESTAURANT LEVEL 3 - 6,000 GSF

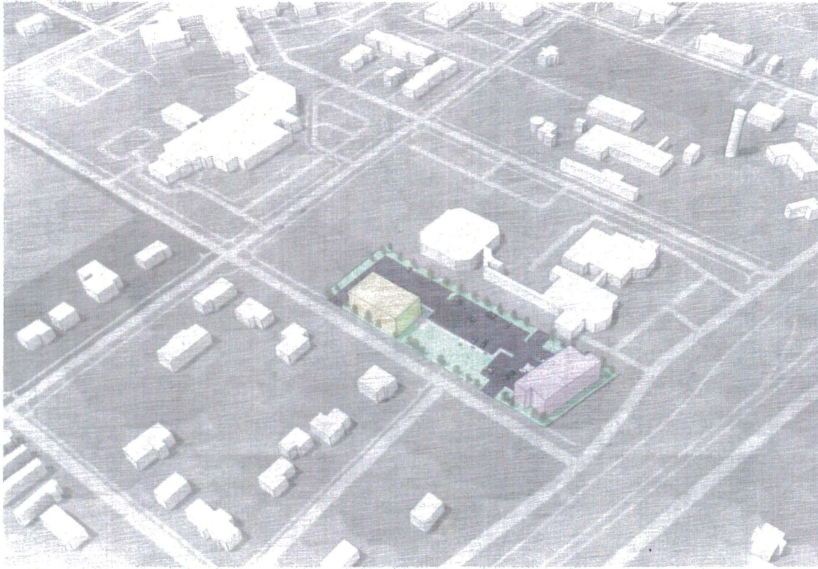


COTTONWOOD AVE MIXED-USED DEVELOPMENT
 05 04 22

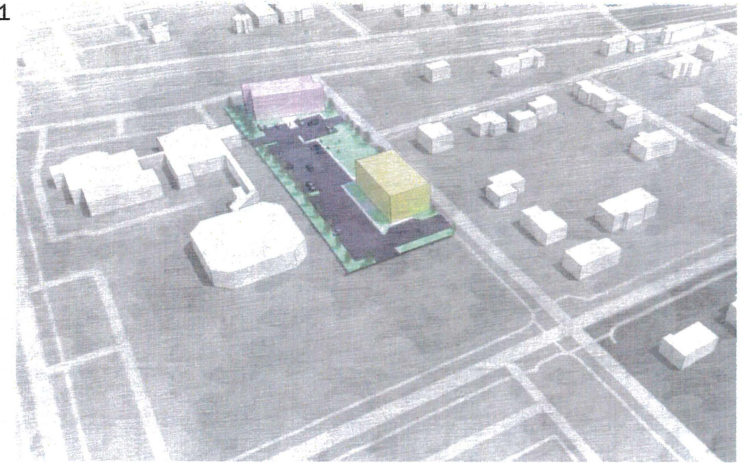
EXHIBIT 1 ECI

OPTION 2

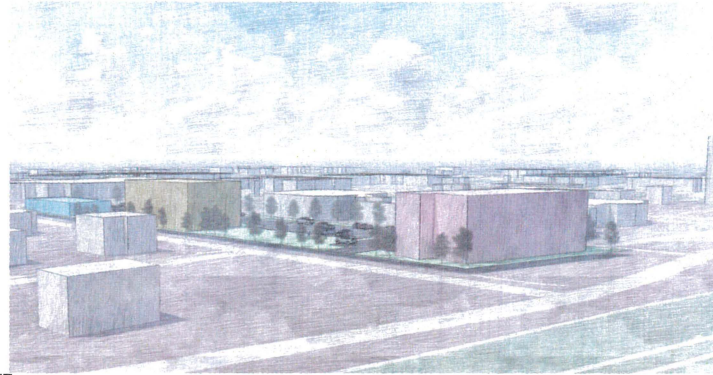
VIEW 2



VIEW 1



SOUTH WEST PERSPECTIVE

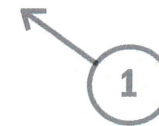


BUILDING A 3 STORIES
 RETAIL LEVEL 1 -
 6,000 GSF
 OFFICE LEVEL 2 & 3 -
 6,000 GSF EA.

BUILDING B 3 STORIES
 HOTEL LEVEL 1 & 2 -
 6,000 GSF EA. (28 ROOMS)
 RESTAURANT LEVEL 3 -
 6,000 GSF

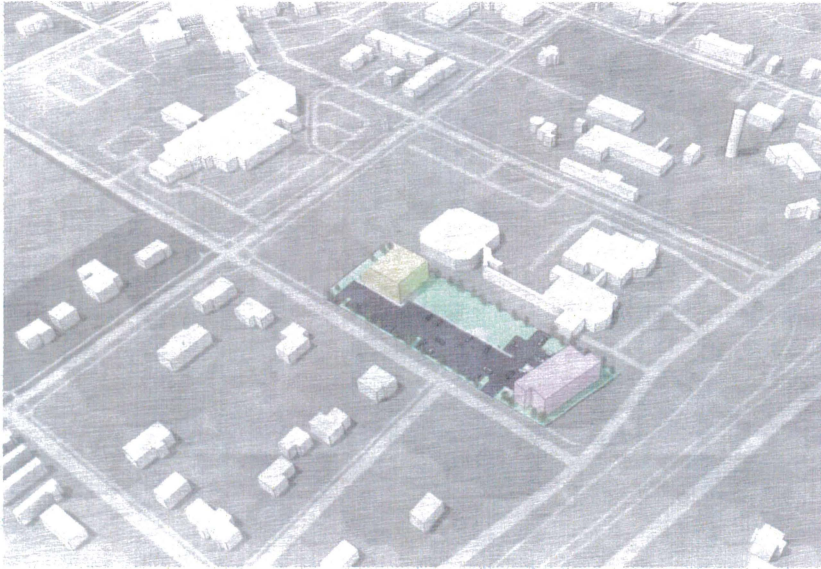


SITE PLAN

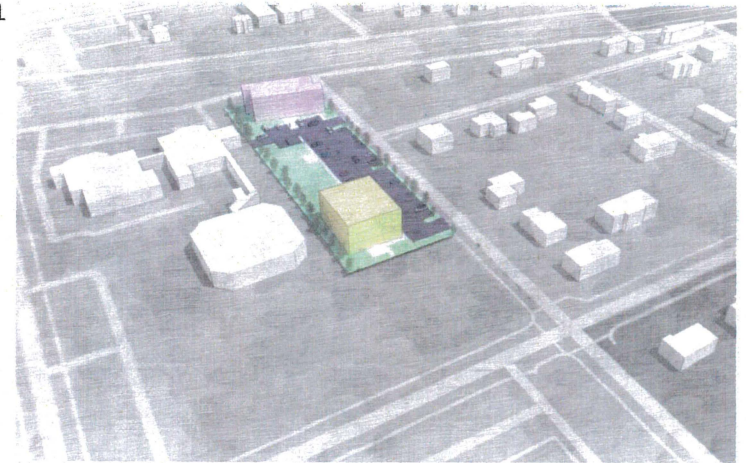


OPTION 3

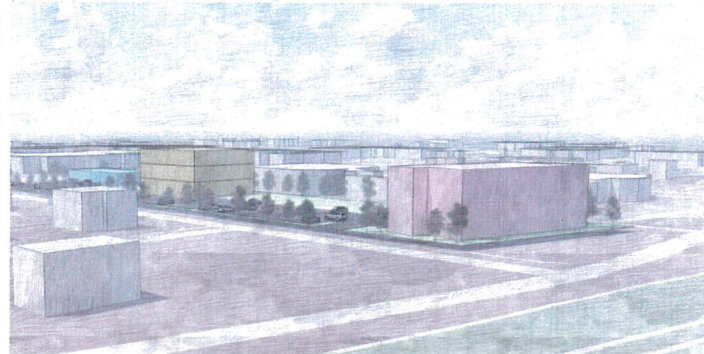
VIEW 2



VIEW 1



SOUTH WEST PERSPECTIVE



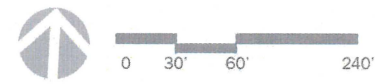
- BUILDING A** 3 STORIES
 RETAIL LEVEL 1 - 6,000 GSF
 OFFICE LEVEL 2 & 3 - 6,000 GSF EA.

- BUILDING B** 3 STORIES
 HOTEL LEVEL 1 & 2 - 6,000 GSF EA. (28 ROOMS)
 RESTAURANT LEVEL 3 - 6,000 GSF

2



SITE PLAN



1



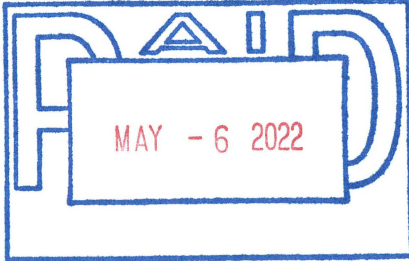
PALMER COMMUNITY DEVELOPMENT

ATTN: Joan E. Patterson
645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709 • Fax: 907-745-5443
www.palmerak.org

Invoice No.: COP22-054

Invoice Date: 05/06/2022

Sold To: DALE & CATHERINE FOSSELMAN
3562 E. TEAGUE TRAIL CIR.
WASILLA, AK 99654

Qty	Description	Price
	<p>ZONING MAP AMENDMENT APPLICATION T18N, R2E, S33, TAX PARCEL C-21 NHN S. VALLEY WAY</p> 	\$500.00

01-00-00-3427

TOTAL
\$500.00

This invoice must be paid within 30 DAYS or further collection procedures will be taken.

Application Processing Checklist

Applicant: Dale & Catherine Fosselman

Planning & Zoning Commission Meeting: June 16, 2022

Application for:

- Rezone from C-L to C-G
- CUP for _____
- Variance for _____
- Public Use
- Other _____

Legal Description:	Tax Parcel C-21, T18N, R2E, S33		
Street Address:	Corner of S. Valley Way & E. Cottonwood Avenue		
Requested By:	Dale & Catherine Fosselman		
Mailing Address:	3562 E. Teague Trail Cir., Wasilla, AK 99654		
Total Fee:	\$500.00	Date Paid:	05/06/2022

P & Z COMMISSION	Deadline	Date Completed	Initial
Date complete application accepted		05/06/2022	Jep
Prepare map of 1,200' notification area		05/23/2022	Jep
Public notices mailed		05/31/2022	Jep
Advertising through agenda to Frontiersman	06/07/2022	06/07/2022	Jep
Staff report completed	06/09/2022	06/09/2022	Jep
Packets prepared	06/09/2022	06/09/2022	Jep
Date of issuance: <i>recommended</i>	-----	06/16/2022	BH
Special Limitations-signed showing concurrence	-----	Date signed:	---

FORWARDED TO CITY COUNCIL

City council hearing date:	
Ordinance No.:	Date of first reading:
Public notices mailed:	
Publication in Frontiersman on: (5 to 20 days before public hearing)	
Decision:	



DEPARTMENT OF COMMUNITY DEVELOPMENT

Brad Hanson
Director

Dusten Voehl
Building Inspector

Beth Skow
Library Director

July 26, 2022

Item Placed on the Table

Meeting Date: 8/9
Agenda Item: Perone
Description: 8/5/22

Mail: 231 W. Evergreen Ave.
Location: 645 E. Cope Industrial Way
Palmer, AK 99645-6748
Phone: 907-745-3709
Fax: 907-745-5443
www.cityofpalmer.org

Mark & Dorothy White
P.O. Box 1771
Palmer, AK 99645

Dear Property Owner:

Palmer Community Development has received an application to consider granting a valid nonconforming determination status for the setback of the structure located at 692 W. Fern Ave. (Greatland Terrace Subd., Lot 2, Block 1) to make an exception for the encroachment of the side yard setback.

The property is zoned R-1, single-family residential. Palmer Municipal Code (PMC) chapter 17.20 – Single-Family Residential District, establishes the current standard of a 6’ side yard setback. The structure on this property, built in 1979, has a 2.3’ setback encroachment on the west side of the structure and does not meet the current setback regulations.

Certain technical setback violations exist on residential properties throughout the city of Palmer. In some cases, these violations have existed compatibly with the surrounding neighborhoods for 25 or more years with no known adverse impacts to public health, safety, or welfare. In such cases the city’s existing amnesty program provides a mechanism for excusing full compliance with city setback regulations for certain minor violations existing on or before adoption of the current zoning code.

For additional information on Amnesty for setback encroachments, please refer to Palmer Municipal Code 17.60.057. To view a copy of the city of Palmer zoning ordinances please refer to Title 17 – Zoning, located online at www.palmerak.org.

If you wish to comment on this issue, you may do so by providing written comments to the Zoning Administrator by August 5, 2022. Written comments may be mailed to Palmer Community Development, 645 E. Cope Industrial Way, Palmer, Alaska, faxed to 745-5443 or emailed to tpatterson@palmerak.org.

Respectfully,

Brad Hanson

.....
For the following reason, I am (please circle) (in favor of), (NOT in favor of), (have no objection to) the granting of a determination of valid nonconforming status for the above listed property.

Name: Mark A. White

Address: P.O. Box 1771 Palmer 698 W. Fern Ave, Palmer