Planning Commission Meeting
Minutes for –July 13, 2016

Chair Laumbattus called the Meeting of July 13, 2016 to order at approximately 6 p.m.

An executive session was held prior to new business.

The applicant for the Haddon Road PUD requested adjusting the agenda to allow old business first. Chair Laumbattus made a motion to keep the agenda as is, seconded by Commissioner Farnsworth. The vote passed with opposition from Commissioner Oppel.

Roll Call
Members Present: Commissioners Laumbattus, Oppel, Moffitt, and Farnsworth.

Minutes
No minutes

Correspondence
No correspondence was presented.

New Business
Public Hearing & Workshop – Low Impact Development Regulations

John Franz, City Capital Project Coordinator, gave an introduction to the shoreline permit and the requirements associated with it that the City is required to implement. Mr. Franz requested comments from both the commissioners and the public to contribute towards the updated code.

David Roberts, Kulshan Services, gave a presentation on the code changes, changes to engineering standards, and the process that will take place to implement the project. Updates will be made in several titles within the code and a part of the process will involve creating a map of likely areas to infiltrate.

With no comments, the public hearing closed

Old Business
Public Hearing – Tom Allen Haddon Road PUD

Kevin Cricchio, City Planner, provided a brief summary of the project.

Steve Lange, Engineering Technician, gave a presentation that addressed concerns voiced at previous meetings about the mitigation for the project and clarified recommendations to commissioners.

Chair Laumbattus requested clarification on the location of the road in front of Ms. Brogan's property and how moving the road could impact the power pole. The recommendations would involve moving the entire road fronting that property six feet south from the location in the application proposal, and moving the road should not have an effect on the power pole. Commissioner Farnsworth requested further clarification on the placement of the road.

Mr. Lange provided information on the project meeting sufficient sight distance. Commissioner Farnsworth requested clarification on the direction of sight.

Mr. Lange provided a breakdown of how the traffic report impacts the neighborhood, showing that there will not be a large change. Mr. Lange also showed a diagram which shows the engineering of sidewalks and an in depth example of stormwater work. Commissioner Farnsworth requested clarification that the project will not have a negative effect on stormwater. There was some discussion between Chair Laumbattus and Steve Lange regarding a gas cable going through the sanitary sewer lines.

Chair Laumbattus opened the hearing for public comment. Those members of the audience who would be speaking, including the applicant, took an oath at this time.

Bud Anderson, 11067 Post Drive. Mr. Anderson expressed his concern with moving the road south, related to the placement of the power pole discussed in past meetings. Mr. Lange stated that the power pole would be discussed with the county and Puget Sound Energy.

Allen Rhoades, 4105 Mitchell Drive, HOA President of Stittwood Property. Mr. Rhoades was concerned with using Ravnik Engineering as a third-party person for stormwater. Mr. Lange clarified that the third party was John Semrau of Sumrau Engineering.

Rebecca Bean, 4315 Whistle Lake Road. Ms. Bean was concerned for the rights of the neighborhood residences compared to the developer's rights. Ms. Bean recommended that the City Council deny the application for this project.

Jeaneen Brogan, 304 Haddon Road. Ms. Brogan provided a recap of her previous concerns and requested that the planning commission deny the application.

Vernon Lauridsen, 2219 32nd Street. Mr. Lauridsen stated his opinion regarding the duties of staff and provided standards for wetlands in subdivisions. Mr. Lauridson stated that based on those standards, the open space requirement has not been met and requested the applicant adjust his proposal.

Carol O'Hearn, 11039 Post Drive. Ms. O'Hearn expressed concerns with the applicant proposing a park as a way of avoiding the R1 regulations.

Patrick O'Hearn, 11039 Post Drive. Mr. O'Hearn addressed an email between Cynthia Richards and Kurt Oppel, which discussed the intent of the code on PUDs and is on record. Mr. O'Hearn also provided a recap on concerns expressed at previous meetings.

Craig Sjostrom, 1204 Cleveland Avenue, Mt. Vernon. Mr. Sjostrom requested the planning commission not allow the project proposal to change after the initial application.

Patricia Young, 2219 32nd Street. Ms. Young played a video recording of the neighborhood and expressed concerns with the compatibility of the project with the neighborhood. Ms. Young requested disapproval of the project to the planning commissioners.

Debbie Martin, 6407 Dow Lane. Ms. Martin expressed concerned that the project will affect the health, safety, and well-being of the residents within the neighborhood.

John Ravnik, Ravnik and Associates. Mr. Ravnik assured the planning commissioners that he would not produce any more runoff to Ms. Brogan's property, and provided examples of research done on infiltration for the project. Chair Laumbattus requested clarification on the location of an easement for infiltration.

Stephen Nicol, Nicol Law PLLC. Mr. Nicol cited several Supreme Court cases that support the project. One case determined a permit must be granted when the applicant demonstrates a willingness to mitigate any and every legitimate problem. Another case interprets a PUD process as allowing rezoning. Mr. Nicol also cited a case that determined PUDs could be used to cluster buildings to allow a section of critical or natural areas to be retained without sacrificing developmental applicability. Mr. Nicol ensured the Planning Commission that they would adjust the project as required by the law. Mr. Nicol preceded by addressing concerns from the public and providing rebuttal.

Chair Laumbattus questioned Mr. Measamer, City Director, on flag lots. Mr. Measamer provided clarification on the PUD process and Ms. Darcy Swetnam presented AMC 17.06.490, which states the definition of flag lots.

<u>With no further comments, Chair Laumbattus closed the public hearing and requested comments from the Commissioners.</u>

Chair Laumbattus made a motion to add as a condition that a homeowners association shall be established and be responsible for the maintenance of common use elements including, but not limited to, private drainage facilities, landscaped areas, shared driveways, parking on private property, and common open space east of the cedar fence. A note to this effect shall be shown on the face of the final plat and PUD. Commissioner Oppel seconded. Unanimous yes.

Commissioner Farnsworth made a motion to clarify the original motion to have Lot 13 include the portions of lot 9, 10, 11, and 12 east of the split cedar fence. Chair Laumbattus seconded the motion. The motion passed with opposition from Commissioner Moffitt.

Commissioner Farnsworth made a motion that all lots must comply with R2 standards, including that no lot may be under 7,500 square feet. Chair Laumbattus seconded. Unanimous yes.

Chair Laumbattus made a motion to require the developer put up a seven foot high wooden 100% site obscuring fence on the north and west property line, and the front yard fencing requirements be considered on proposed lot 1. Commissioner Oppel seconded. The motion passed unanimously.

Commissioner Farnsworth made a motion to require curb, gutter, and sidewalk along the proposed Haddon Road and Whistle Lake Road, with the exceptions of the five foot pathway in front of 304 Haddon (Ms. Brogan's residence). The motion was withdrawn.

Commissioner Oppel made a motion that curb and gutter shall be provided adjacent to the development on Haddon Road. Chair Laumbattus seconded the motion which passed unanimously.

Chair Laumbattus made a motion to approve the project with the conditions voted upon by the commissioners and staff. Commissioner Oppel seconded. The motion passed unanimously.

<u>Chair Laumbattus called the meeting to a close at approximately 10:45 p.m.</u>