

CITY OF SEDRO-WOOLLEY PLANNING COMMISSION

**Regular Meeting
July 18, 2006**

MINUTES

CALL TO ORDER:

Chairman Dan Lefebber called the meeting to order at 6:34 p.m.

ROLL CALL:

Present: Commissioners James Johnson, Patrick Huggins, Rick Judd, Susie Williams, Michael Macomber, Kevin Loy-absent (excused)

APPROVAL OF AGENDA: Approved

CONSENT AGENDA: Approved

GENERAL PUBLIC COMMENTS:

Open: 6:36 pm

Closed: 6:37 pm

PUBLIC HEARING/S: 6:37 p.m.

1. 06-CUP-3 (705 and 707 F and S Grade Rd-Dennis Klinger)

City Planner Allen Rozema gave the background on 06-CUP-3, which is a conditional use permit to alter an existing legal non-conforming use of two homes on a single lot by undertaking a boundary line adjustment. In order to alter legal non-conforming uses you need to do it through a conditional use process so this is really an administrative manner to get a conditional use permit so they can proceed with the boundary line adjustment. Questions.

Applicant Comment:

Dave McLaughlin- Skagit Surveyors and Engineering, 806 Metcalf Street, Sedro-Woolley. Mr. Klinger approached Skagit Surveyors and Engineering awhile back asking them to assist in getting a boundary line adjustment done on his property .One of the parcel he owns has two existing residences on it. He is renting out one of them and he is proposing to continue that activity. He wants to adjust the boundary of his property to aggregate some of the outbuildings on the one parcel and possibly develop that parcel in the future. At this time he has no plans to do any development, but at least by aggregating the remaining property a shadow plat design will have been done. The one lot with the two houses on it could also be developed in the future and he has agreed to do certain things to combine access along F and S Grade Road. He is asking to continue an existing condition and will not be changing anything out there except the value of the property. Mr. Klinger has spent a significant

amount of money in extending sewer and stubs along F and S Grade Road to serve the residences on this property knowing that some point in time if he sold it, it would be required anyway.

There is enough area out there now for three lots under the current zoning codes.

A before and after exhibit showing the existing residences and outbuildings and what the changes would look like if the boundary line adjustment is approved was shown to everyone.

Chairman Lefeber opened the meeting up for public comments. None

Motion made to closed public hearing.

Motion moved. 6:43 p.m.

Discussion: None

Commissioner Johnson made the motion to approve conditional use permit #06-CUP-3

Seconded by Commissioner Susie Williams.

Motion Carried.

2. 06-CUP-4 (West State & Borseth Street- New Generations LLC)-6:56 p.m.

City Planner Allen Rozema explained that this is a conditional use permit for stand-alone multi-family housing (tri-plexes) in this case within the Central Business District. As you are aware the Central Business District the primary use or out righted permitted use is commercial with some limited residential. Conditional uses are usually residential types and multi-family uses. This particular application is for multi-family use with no commercial associated with it. The site history on this application was that it was suppose to come in front of you under a different ownership back in 2005 and then it was sold to another developer and we had to pick up the pieces and the new developer is now coming in for the conditional use permit. Staff reviewed it and it conforms to the comprehensive plan and it conforms to all of our zoning codes and staff feels this is the appropriate use for this area providing more density in our central business district and further support our central businesses. The staff is recommending approval with conditions attach with the staff report.

Commissioner questions:

Is the proposal actual tri-plexes or just an example of what could be built? Are they going to sell them individually? Location of site, Sidewalks, on street and off-street parking, sewer lines in the area,

Staff- Piazza Construction has purchased this site and is currently doing civil engineering on the site and will be doing the building portion of the site. The elevation drawings in your packet are a good example of what might be coming in as building permit application. They will have to be conforming to the design standards for the Central Business District and if they ask for any changes from the design standards we will bring the back to the planning commission for approval.

Landscape design will come in before final plat approval.

Applicant- Project Manager Don Poe addressed the commission on the history of this project. When Piazza Construction purchased the land the agent stated that the land had been approved for tri-plexes and it was also in the purchase and sale agreement. He stated that although the application was filed and gone through the motions it was never completed prior to us purchasing the land. We had to go back and pay catch up as quickly as we could because we already had a binding site plan and construction under way. In the initial purchasing discussion we had developed tri-plex design precisely to fit on those four lots.

Piazza's content is to build on all four lots with tri-plex structures like the elevations shown although we are willing to work with the city on the design standards for that area.

We are putting in sidewalks and angle parking along the Borseth Street side and we will be re-surfacing Thompson Lane. The entry to the project will be on the northern part of Thompson Lane and the project will be split into four equal sized lots. These will not be condominiums. Piazza will be keeping the property and renting them out.

Public Comment:

Tom Douglas- 208 Thompson Lane. Mr. Douglas questioned the costs to the neighbors when this project is completed. He brought up the question of what will be the cost in hooking up to sewer and complained that no information has been given to any property owners in the area by either the builder or the City. He doesn't want to be kept in the dark until the last minute on the impact of sewer will be to the homeowners in the area.

Staff- The general facility charge is approximately \$7200 and if they are on septic they get a credit of approximately \$3000 for decommission of the septic tank. This would bring the general facility bill down to approximately \$4000. This is all approximately. They are also allowed a one time variance waiver not to hook up. When the City sends out letters advising homeowners that sewer is in their area they have 90 days to request this variance or hook up to sewer. If the homeowner takes the variance not to hook up, you can stay on site septic and you lose the credit for decommission of the septic tank. At the sale of the property the new owner will have to hook up to the sewer.

Sheila Strock- 203 Thompson Lane. Sheila wanted to get some safety issues answered. Is there going to be an area for the children in the development to play in? Fencing?

Staff- Playground areas are required with 5 lots or more. Fencing comes in under design review as part of SEPA. This project under the previous planner and city attorney, no SEPA was required so no design review will be required.

Commissioner Huggins- Layout and Site Plan questions. Open Space questions. Playground issues.

Motion to close the public hearing by Commissioner Johnson and seconded by Commissioner Macomber. Motion carried.

Discussion:

Fencing concerns

No playground area for the children to play- but not required

Low impact developments

Commissioner Judd made the motion to approved Conditional Use Permit #06-CUP-4 with conditions listed in the staff report.

Commissioner Macomber seconded.

Motion carried with reservations by all commissioners

3. Subdivision- Preliminary Plat of Westpark (05-SD-1) 7:38 pm

City Planner Allen Rozema gave the background on Preliminary Plat of Westpark which came in November right after the moratorium was lifted. It is a proposed 27 lot subdivision basically between F and S Grade and West Jones Rd. It has gone through a couple of revisions and Staff is recommending approval with conditions attached in the staff report. Our City Engineer is not present tonight and we will be referring all of the engineering questions to the applicant's engineer.

Applicant Comments:

Project Engineering Young- Soo Kim- Summitt Engineering and Engineering 2218 Hwy 99 South, Mt, Vernon.

The project has been in the works since 2004. Several revisions have been discussed with the City and we think this is the best design for this project in that area.

Right of way issues and traffic concerns were studied and discussed with the City Engineer. We know that this is a straight road with houses but the design of the houses will vary to make this a very attractive neighborhood.

All drainage will be all underground and the playground will be used for the overflow from detention.

Commissioner Johnson questioned if the traffic calming strategy had come up at all other than street trees?

Staff- Traffic concerns: The location of the two intersections prevents traffic speeds on this new section of Garden of Eden from getting too high it is not that long of a distance. The new part of the Garden of Eden Road is also a proposed major arterial.

Safety concerns: The placement of the play area on the tri-angle lot off of the F and S Grade Rd.

We discussed this with the applicant and we both agreed that this is the best place for the playground since Garden of Eden is a proposed major arterial road. You don't want to force the children to cross the street in the middle and in this location they can walk down to the end and use the crosswalk because traffic will be actually stopped at that location. One of the conditions of the plat approval will be the playground design for safety.

Commission Johnson questioned the stark and repetitious of the design. Young-Soo explained that they do have 6-8 types of residences they will be putting into place in this development and there will be different finishes on the front of the buildings to help with the repetitious of the houses.

Public Comments:

Darrell Kearns- 701 Jones Rd, Sedro-Woolley-Westside of the project.

Mr. Kearns is requesting a cedar privacy fence to be put in and wants them to maintain the fence. Mr. Kearns also advised that there is a gas line and power line that follows his driveway that are private due to no easement. He wanted also to say that the northwest corner of the land floods every year and there is a low area near his driveway. He also stated that several years ago several neighbors put in a Burlington catch basin to help resolve the drainage problems in the area.

Mr. Kearns advised that he has pictures of the drainage problems and would be happy to bring them in for us to look at.

Larry Lintz- 705 Jones Rd, Sedro-Woolley

Mr. Lintz question if on the new Garden of Eden Rd will there be street parking there? /Yes.

Mr. Lintz expressed his concerns and reasoning why there needs to be a traffic light placed at the end of F and S Grade Rd due to all the traffic that will be impacted in this area. Drainage issues were discussed due to the size of pipes in that area especially in the area of West Jones and F and S Grade Rd.

There was more discussion on the need for a traffic light at the end of F and S Grade Rd and Hwy 20 and the further funds to make this happen.

Dorothy DeFremery- 316 Garden of Eden Rd.

Dorothy commented that she understood now that there is city sewer in the area by her house that the lot next to her could be sold and up to ten houses could be put on it.

Dorothy also advised of the costs of hooking up to sewer other than the fee to the city. She was expressed her concerns with the water table in the area and the flooding in the area. She also had a concern with the size of the play area and what is actually going in the area for the older kids to play on.

Impact on the schools due to the development.

She also would like to see a light put in at the end of F and S Grade Rd and Hwy 20. She is concerned with the angle of the intersection at this time.

Karl Stansbury- 641 Warner Street, Sedro-Woolley

Mr. Stansbury questioned on whether or not there will be a 4 way stop at Garden of Eden and Jones Rd?

He wanted to know if some roads will be re-named due to the new Garden of Eden Road.

There was discussion on the lining up of the existing Garden of Eden Road to the new proposed Garden of Eden Road.

All these questions will need to be answered by the City Engineer who is not present.

David McLaughlin- 4558 State Route 9, Sedro-Woolley

Mr. McLaughlin owns property next to the proposed development. He had concerns with the drainage problems in the area and what you can do and can't do to help with the problem.

25 year storm issues.

Water Table in the area (high)

Regional Storm drainage system

Discussion of the size of the right of ways, sidewalks and street design standards.

Mr. McLaughlin also wanted to comment on the need for the light at the end of F and S Grade Rd and how the city can spend the traffic impact fees more wisely than they are now.

Discussion on the drainage problems on Debbie Lane.

Applicant Engineer Young- Soo Kim gave more information on the drainage requirements that the developer has to comply with for the approval of this project. He gave information on the underground detention, the overflow area and the ditch on F and S Grade Rd.

There will be a four - way stop at the intersection of Jones Rd and Garden of Eden Road and the houses will not be sitting right next to the property lines. All houses in the development will have nice front yards and backyards.

Staff- State law requires that the project developers will maintain pre-development conditions on their property so by law they can not discharge any increase of runoff.

Planner Rozema pointed out that the developer has also provided a variation of lot sizes that will go in combination of the number of house plans.

Commission Johnson motion to close the public hearing. Seconded. Motion carried.

Closed 8:27p.m.

Discussion:

Drainage problems, spill over conditions

No reduction in the size of the play area.

No reduction variance to the side yard setbacks

Privacy fence to the west and east request and issues, quilt pattern fencing

The project might help with the water issues in the area.

Play area location and why it was placed where it is

Attractive development on a proposed major arterial

Understands concerns with school impact and the need for the light at the end of F and S Grade Rd but we can't say no to the developer on those issues because they will be paying impact fees to improve those issues.

Annual flooding, standards, legal liability and recourse

Staff-City Planner Rozema- The developer just advised that they would agree to some of the conditions by installing the cedar fencing.

Rozema commented on one of Commissioner Huggins recommendations not to come back for a side yard setback reduction. We can't actually pass that as a condition as they have the legal right to apply for a variance and we can't deny that right.

We could add it as a condition that if they do apply for a variance that it would come back to the planning commission for a hearing instead of an administrative decision.

The other condition of not reducing the size of the play area can be added as part of the planning commission approval to this application.

He also said that the developer has complied with all recommendations by the City Engineer on the storm water issues.

Commissioner Huggins made a motion to approval Preliminary Plat of Westpark 05-SD-1 as written and with additional conditions:

1. That a fence be built by the developer around and on the East and West side of the development. (Up to six feet maximum per City standards). If the fence is built on the developer's property than it will be the responsibility of the developer or the property's homeowner to maintain the fence, but if it is built on a zero lot line than it will be jointly shared by both parties.
2. If there is an attempt to obtain an variance from the eight feet side yard setback to a 5 feet side yard setback if must come before the planning commission.
3. The play area not is reduced in size in the final portion of their plat.

Commissioner Johnson seconded. All approved.

Motion carried.

UNFINISHED BUSINESS: N/A

NEW BUSINESS: N/A

COMMISSION DISCUSSION/INFORMATION:

Chairman Lefeber suggested that maybe Staff can put together a workshop/presentation on the process of a short plat, long plat, building permit etc so the commission can have a better idea of what components go into reviewing and approving these projects before it comes to the planning commission.

Commissioner agreed to have an on-site field trip to the area over by Brickyard Meadows at 6:00 pm on August 15th.

Commissioner Huggins- Discussion on outside lighting complaints and what can be done about them.

Discussion of the possible code change to look at of requiring developers to construct the play area at the civil engineering stage of the plat and no certificate of occupancy will be issued until the play area is completed.

The next Planning Commission meeting will be set at 7:00 pm. August 15th 2006.

ADJOURNMENT: [9:30 p.m.]

Planning Commission Chair

Planning Commission Secretary