

SEDRO-WOOLLEY PLANNING COMMISSION
AUGUST 17, 2004 – 6:30 P.M. – MUNICIPAL COURTROOM

The meeting was called to order by Chairman Johnson at 6:32 P.M. with Commissioners Massey, Loy, Huggins, Quam, Shewmaker, Lefeber (Late) and Johnson in attendance. The minutes of the July 20, 2004 and August 3, 2004 meeting were approved as submitted.

Public Comment

None

PUBLIC HEARINGS

PRD #2021 Klinger Estates

Chairman Johnson reviewed the Klinger Estates hearing which was continued from the August 3, 2004 meeting.

Bill Foster – representing the applicant, Grandview, Inc., reviewed the primary issue which was the interpretation of the SWMC relating to calculations of open space. Foster noted they have submitted to staff a revised preliminary plat of Klinger Estates. The essential parts of the revision of the plat is that the detention pond is no longer considered open space for the purposes of the necessary open space allocations. He reviewed a revised drawing of the plat which hi-lighted the areas that qualify for open space calculation and other areas that are open space but unable to be included in the useable open space. Foster stated the square footage does meet the requirements of the SWMC. The applicant is giving the Commission an opportunity is to pick, depending upon what is considered to be the correct argument. Foster noted the applicant still believes that their interpretation of the code is correct and the detention pond can be considered as open space and therefore the preliminary plat of Klinger Estates is an appropriate design that should be approved. Foster reviewed the changes which have resulted in smaller lots within the plat but does meet the density calculations. Foster acknowledged that there were a few other supplemental issues have been addressed in the staff report and are included in the staff recommendations.

Foster entertained questions from the Commissioners to include the change in number of lots.

Planner Lahr reviewed the supplemental staff report that addressed the Planning Commission's direction to staff to attempt to resolve disputed issues with the applicant concerning contribution to half-street improvements on F & S Grade Road, and open space calculations as they related to the detention pond. Lahr stated that the issues of the contribution towards half-street improvements and credits against impact fees have been resolved. The detention facility as unusable open space is still an outstanding issue. Lahr noted the applicant has presented an alternative proposal which meets the minimum

twenty percent open space required by reducing lot sizes. She pointed out that the PRD code does not have a minimum lot size as long as they do not exceed the maximum number of units allowed. The City staff finds that the alternative design meets the requirements of the PRD ordinance and recommends approval.

Lahr addressed play equipment in which staff recommends that age-appropriate play equipment shall be provided as specified by the Planning Commission. She noted the Planning Commission may elect to allow city staff to approve the design, or may specify during the preliminary plat approval process what type of equipment should be required within the development.

The staff recommendation is that the Planning Commission recommend approval of the revised design which provides additional open space, and approval of the variance to the agriculture buffer, subject to the conditions, requirements, and recommendations of the staff report, MDNS, with the following changes:

- A. Comply with the mitigation measures included in the Mitigated Determinations of Non-Significance dated June 23, 2004 and as set forth below:....
 - (viii). Comply with conditions in traffic impact analysis report dated 5-27-04, including off-site improvements consisting of intersection improvements to West Jones Road and F & S Grade Road, as described in the traffic impact analysis report and as approved by the City Engineer. Traffic impact fee credits may be given for improvements to F & S Grade Road, as provided by city ordinances and RCW 82.02.050.

Lahr noted that the Planning Commissions recommendation will be passed onto City Council for the final recommendation which is set for September 8, 2004.

Questions from the Planning Commission were addressed to include square footage calculations, number of units, playground equipment, installation and maintenance of equipment, and the detention facility as open space.

Attorney Hayden stated that the applicant has presented two alternatives but the applicant is still advocating for the original design which utilizes the detention pond as open space.

Bill Foster addressed the Planning Commission noting that while they still believe their interpretation of the open space calculations are correct, they are providing an alternative design, leaving the Planning Commission to decide.

Commissioner Loy moved to close the public hearing at 6:53 P.M. Seconded by Commissioner Massey. Motion carried.

Further discussion was held regarding the detention pond. John Ravnik reviewed the sloping of the detention pond and the purpose of the pond. Ravnik noted the bottom three feet will not be designed to purposely drain out dry and explained the workings of a detention pond.

Foster spoke on the detention pond and concedes that it is “non-useable” open space, their argument is to include it as open space for the purpose of calculations only.

Lahr requested Commissioners not present at the last meeting state their intentions for voting.

Commissioner Massey stated that he has listened to the recorded tape of the meeting and will be voting on the issue.

Commissioner Huggins stated that he has listened to the recorded tape and does intend to vote. Huggins also disclosed that his mother is a close friend of one of the applicants and should anyone object to this connection he would abstain from voting.

Commissioner Lefeber stated he was absent from the last meeting, had not reviewed the tapes and therefore would not be voting on this issue.

Commissioner Loy moved to accept the original plan. Motion died for lack of a second.

Discussion was held on the options of the two plans, lot sizes, disagreement with small lots, and calculations of lot density.

Commissioner Shewmaker argued on the process of the calculations. Hayden and Lahr explained the calculation process with Shewmaker continuing to disagree with the calculations.

Commissioner Massey moved to send to the Council the revised application which meets all codes with the recommendation that it not be approved.

Discussion continued on calculation of lot sizes.

Attorney Hayden stated for the record that staff is relying on the calculations of the applicants engineer for the open space and other calculations. Independent calculations were not obtained.

Commissioner Quam seconded the motion introduced by Commissioner Massey. Massey restated the motion. Chairman Johnson restated the motion to send the application to City Council for their consideration with the understanding that the Planning Commission does not approve of it.

Motion carried 4-1. (Commissioner Loy opposed, Commissioner Lefeber abstained)

Planner Lahr reviewed the request for a variance to reduce the agriculture buffer from 50 feet to 25 feet with the inclusion of a fence. She noted the current code does not require fencing. Lahr noted that staff and the adjoining property owner are in support of the variance.

Commissioner Shewmaker moved to approve the variance setback from 50 feet to 25 feet. Seconded by Commissioner Loy. Motion carried. (Commissioner Lefeber abstained).

Summer Wyze Conditional Use Permit #2396

Chairman Johnson opened the public hearing for the Conditional Use request for Summer Wyze at 7:27 P.M.

Tanner Wyze, representing Summer L. Wyze, 7660 NE Cape Horn, Concrete, addressed the Commission. He questioned the differences in their application which was for a multi-family request but the staff report was written as a Dependent Relative Cottage. The DRC has conditions that the unit has to be removable which is not what they wanted, they want a permanent structure. Wyze questioned why it was written as a DRC and reviewed his plans for the additional dwelling and building plans.

Planner Lahr presented background information on a pre-application meeting held prior to the process of the conditional use application. She stated it was staff understands that the building was for their mother or mother in law and the DRC would have been more appropriate. She stated she spoke with the applicant yesterday and a dwelling would still be allowed under a conditional use but the conditions may be different. They had allowed for a recommendation that some of the impact fees could be waived through an agreement because of the assumption that there would be an elderly resident in the home. She noted some of the conditions of approval may need to be reconsidered.

Commissioner Shewmaker moved to continue the hearing to the September 7, 2004 meeting in order for staff to straighten the verb age and make the corrections on the application. Commissioner Loy seconded.

The applicant requested clarification of what they need to do for the September 7, 2004 meeting. It was noted nothing was expected of the applicant. Staff was requested to clarify the application.

Discussion ensued on access and improvements to Shadow Lane.

Commissioner Loy called for the question. Chairman Johnson restated the motion. Motion carried.

DESIGN REVIEW

None

NEW BUSINESS

2005 Comprehensive Plan Update

Planner Lahr presented a proposed schedule for the 2005 Comprehensive Plan Update. Discussion followed on possible rezone requests, net loss for farm land and update of the traffic element.

Chairman Johnson noted for the record that he personally supports no net loss of farm land and encouraged the members to do what is necessary to maintain the agricultural land while expanding the industrial lands.

OLD BUSINESS

Design Manual – changes/comments

Planner Lahr encouraged the Commission to be thinking about the draft design manual, keeping in mind that the goal is to encourage developers to come in with a good design. Lahr noted the adoption deadline is October.

Discussion on the purpose of the design manual ensued.

COMMISSION DISCUSSION/INFORMATION ITEMS

Planner Lahr reviewed upcoming items which include a Public Hearing – September 7, 2004 6:30 P.M. on the Janicki Variance Request and the continuation of the Wyze Conditional Use Request.

Report from Subcommittees : Update from downtown committee

Planner Lahr reported that the downtown committee recently took a field trip to Fairhaven in Bellingham.

Chairman Johnson announced that he has invited Allison Studley, Executive Director of Skagit Fisheries Enhancement Group to address the Commission at the next meeting on Brickyard Creek, as well as someone from the Kulshan Land Trust to talk about green sustainable and low income housing sometime in the near future.

Commissioner Huggins – requested time at a future meeting to present photos of different park concepts which he took on his recent trip to Europe. He also spoke briefly on green spaces and public squares.

Commissioner Shewmaker moved to adjourn the meeting. Seconded by Commissioner Quam. Motion carried.

The meeting adjourned at 8:04 P.M.

Commission Chair: _____