

URBAN AREA PLANNING COMMISSION

MEETING MINUTES

March 8, 2017 – 6:00 P.M.

Council Chambers

1. ROLL CALL:

The Urban Area Planning Commission met in regular session on the above date with Chair Gerard Fitzgerald presiding. Commissioners Loree Arthur, David Kellenbeck, Lois MacMillan, Dan McVay, Robert Wiegand and Vice Chair Jim Coulter were present. Commissioner Blair McIntire was absent. Also present and representing the City was Parks & Community Development Director Lora Glover and City Council Liaison Barry Eames.

2. CONSENT AGENDA:

- a. **MINUTES: January 25, 2017**
- b. **FINDINGS OF FACT: None**

MOTION/VOTE

Commissioner MacMillan moved and commissioner Kellenbeck seconded the motion to approve the consent agenda with minutes of January 25, 2017. The vote resulted as follows: "AYES": Commissioners Arthur, Coulter, Fitzgerald, Kellenbeck, MacMillan, and McVay. "NAYS": None. Abstain: Wiegand. Absent: McIntire
The motion passed.

3. ITEMS FROM PUBLIC:

4. PUBLIC HEARINGS: 103-00105-17 and 301-00113-17 ~ Cedar Fall Lane Partition & Major Variance Staff Report.

- Chair Fitzgerald stated, at this time I will open the public hearing to consider Application 103-00105-17 and 301-00113-17 for Cedar Fall Lane Partition & Major Variance Staff Report. We will begin the hearing with a staff report followed by a presentation by the applicant, statements by persons in favor of the application, statements by persons in opposition to the application, and an opportunity for additional comments by the applicant and staff. After that has occurred, the public comment portion will be closed and the matter will be

discussed and acted upon by the Commission. Is there anyone present who wishes to challenge the authority of the Commission to consider this matter? Seeing none do any Commissioners wish to abstain from participating in this hearing or declare a potential conflict of interest? Seeing none are there any Commissioners who wish to disclose discussions, contacts, or other ex parte information they have received prior to this meeting regarding this application? Seeing none in this hearing the decision of the Commission will be based on specific criteria which are set forth in the development code. All testimony which applies in this case is noted in the staff report. If you would like a copy of the staff report, please let us know and we will try and get you one. It is important to remember if you fail to raise an issue with enough detail to afford the Commission and the parties an opportunity to respond to the issue you'll not be able to appeal to the Land Use Board of Appeals based on that issue. The hearing will now proceed with a report from staff.

- PCD Director Lora Glover gave the staff report. She stated the property is located at 1404 NE 10th Street. Structures on the property were recently demolished. The private driveways on NE Hefley are driving the possible need for a variance. She went through the criteria for variance and noted all were either satisfied or not applicable. She also went through each of the criteria for land partitions. All were satisfied with exception to Criterion (4) and Criterion (5) which will be satisfied with conditions. Criterion (6) will be satisfied on the condition of the variance approval. Recommendation from staff is to approve the variance and recommend the three parcel partition.
- Commissioner Arthur asked about Criterion (2) under the Criteria for Land Partitions, regarding the 22-foot driveway. They discussed the 5-foot buffer zone that allows for future development. They also discussed the language on page 4 and page 11 under criterion 6 (*The parcel to the north was divided using a similar variance and it appears that a very similar parcel two lots to the south would have same right to divide as the subject parcel if this variance is approved*).
- Justin Gerlitz spoke on behalf of the applicants.
- Bill Kangas, 1342 NE 10th Street, noted his concerns about heavy rain and drainage issues. He wants to be sure they don't have drainage issues in the future with the addition of the new properties. PCD Director Lora Glover mentioned that each home will have to have its own drainage system.

- Robert Bean, 1336 NE 10th Street, stated his concerns are the same as Mr. Kangas' only he has much more water and had sewage issues at one point. He doesn't want to stop the development, but just wants it done right. He also states that he doesn't want to be land locked.
- Bill Kangas asked if he could speak again. He stated that the bus stops right there (pointing to the map on the presentation). Thought it should probably be changed a bit in terms of safety.
- Michael Black, 941 Providence Way, stated that one of the reasons they bought the lot is because it was a divided lot, the house was in horrible condition before they tore it down and they are trying to fix it up. The goal is to not have an impact on the neighbors and they will design the drainage to catch all the rain. He requests approval for the project.
- Commissioner MacMillian stated she thought this was a really good project with sound engineering.
- Commissioner Kellenbeck agreed with Commissioner MacMillian and hopes they will take care of the drainage problem.

MOTION/VOTE

Commissioner MacMillan and Commissioner Kellenbeck seconded the motion to approve the Major Variance (103-00105-17 and 301-00113-17) with the correction on the language on Criterion 6, Minimum Deviation, under the staff response.

The vote resulted as follows: "AYES": Commissioners Arthur, Coulter, Fitzgerald, Kellenbeck, MacMillan, McVay and Wiegand.

"NAYS": None. Abstain: None. Absent: McIntire.

The motion passed.

MOTION/VOTE

Commissioner MacMillan and Commissioner Kellenbeck seconded the motion to approve the Cedar Fall Lane Partition (103-00105-17 and 301-00113-17).

The vote resulted as follows: "AYES": Commissioners Arthur, Coulter, Fitzgerald, Kellenbeck, MacMillan, McVay and Wiegand.

"NAYS": None. Abstain: None. Absent: McIntire.

The motion passed.

5. OTHER ITEMS/STAFF DISCUSSION:

a. Staff Updates – Discussion

- PCD Director Glover updated the Commission on Parks & Community Development State of the City. The City Council has just adopted the Ordinance for the Fee in Lieu. The funds collected will go into a general water or storm drain account and can be used anywhere in the city on a tier system for improvements. Tier 1 is for arterials and collectors. They will be paying a 50% rate for their frontage improvement. Tier 2 will be for local access streets at 25%. Then the property owner is off the hook.
- A schedule of Council Workshops/Meetings was provided to the Commission.
- There will be a text amendment coming up for vacation rentals.
- Discussion for the Allen Creek Road project will begin in April. Project is moving forward.
- The roundabout on Harbeck at Denton Trail will not happen and they will move forward with the standard intersection.
- A reminder for the Mayor and Council regarding ex parte contacts was shared with the Commission.
- Redwood Towers had requested a medical marijuana facility for that building but it was determined they were too close to the library and the daycare facility at the church.
- There was discussion (some parts were inaudible) about why appeals are going through to the City Council and not the Planning Commission. It was explained that there isn't time with the 120-day deadline to go through three public hearings. Lora Glover has the authority to send items forward to the City Council.

6. ITEMS FROM COMMISSIONERS:

a. Updates/discussion

- Commissioner Arthur said she likes the calendar that was provided.

- Commissioner MacMillian stated she may not be at the next UAPC meeting of March 22.

7. ADJOURNMENT:

Chair Fitzgerald adjourned the meeting at 7:07 pm

Next Meeting: March 22, 2017



Gerard Fitzgerald, Chair
Urban Area Planning Commission

3/22 2017
Date

These minutes prepared by Donna Anderson, City Administration.