

**Town of Eatonville
Planning Commission Meeting
Monday, March 7th, 2011
Community Center
305 Center St W**

Chairman Lambert called the meeting to order at 7:00 p.m.

Commissioners Present: Gribi, Lambert, Justice, Treyz, Beach and Triggs
Commissioner Craig was excused.
Town Staff present: Mayor Harper, Nick Bond and Kerri Murphy

Commissioner Treyz led the pledge of allegiance.

Approval of agenda. Motion by Commissioner Beach. Seconded by Commissioner Gribi. Carried.

Approval of minutes. Motion by Commissioner Gribi. Seconded by Commissioner Justice. Carried.

Election of Planning Commission officers for 2011.

Chairperson - Chairman Lambert
Vice Chairperson - Commissioner Gribi
Secretary - Commissioner Justice

Planning Commissioners welcomed David Triggs to the Planning Commission.

There were no communications or announcements from the public or the commissioners.

Public Hearing: 2011 Comprehensive Plan Amendments

Mr. Bond gave a brief summary and a slide show presentation of the various amendments. There are four citizen amendments submitted to ~~amend~~ the Comprehensive Plan. All of the submittals are land use amendments and several amendments sponsored by Mayor Harper and Nick has worked with the Public Works committee to prepare for tonight's meeting. The Planning Department has also received a number of written comments that were given out this evening. There is a duplicate comment letter that has been signed by two different people, comments from Dept. of Ecology and Dept. of Commerce. The amendments this evening will be considered one by one and will also be presented in a power point presentation. Public testimony will be taken as amendments are presented with proponents first and then opponents of the project. After this meeting, staff will take comments received and formulate a staff recommendation along with making any corrections regarding the amendments to the comp plan. A staff report will be brought back two weeks before the next meeting in April.

- Mercedes (Dee) Baublits Amendment, **333 Washington Ave N., Parcel # 0416141004**. Requesting a rezone from single family to multi-family (MF-1). There were no comments.
- Gary Malcolm Amendment, **769 Warner Lane, Parcel # 0416137002**. Requesting a change in use from single family to commercial (C-2 Zone).

Waylan Jumper, 304 Antonie Ave N., Eatonville - Speaking on behalf of his brother-in-law Gary Malcolm, stated the reason for the rezone was he wanted to add onto his garage which is approximately 860 square feet and under current zoning the garage cannot exceed 1,000 square feet. They looked at a possible variance but were told that this would not work. Applicant is looking to add on to the current garage about 720 square feet to house his cars. The property before the last comprehensive plan rezone was zoned commercial.

Commissioner Beach asked if it didn't occur to them that this would also increase the value of the property?

Mr. Jumper stated that his brother in law had lived there for 16 years and didn't intend to go anywhere. He's got a truck that sits outside and would just like to have it in a garage.

Commissioner Beach said that increasing the value would make it more saleable in the future. If he does want a larger garage this may be the only way that he can do it, but it does have other implications besides enlarging the garage. When you see that the property next door is also asking for commercial zone, you wonder what is in peoples' minds. It is along the road, stores and shops could be put in. He just finds it kind of curious that all this has to do with a garage.

Mr. Jumper said that this has been going on for some time, probably 6 months or more just trying to add on to this garage. He said that he was directed that this would be the quickest and easiest way to achieve this. All his brother in law would like to do is have a garage that exceeds 1,000 square feet.

Commissioner Treyz asked what would be the alternative to getting a variance.

Mr. Bond said that a variance would not meet the criteria needed to grant a variance.

Mr. Jumper added that the property exceeds 5 acres. The garage is not going to be something that will look obtrusive or out of place.

Commissioner Treyz said that he understood Commissioner Beach's concern with the commercial being a chain reaction with more and more parcels becoming commercial. He asked if there was any kind of a variance with him living on five acres.

Commissioner Gribi asked Mr. Bond if the property was previously commercial.

Mr. Bond thought that it was previous to annexation.

Mr. Jumper said that when the property was first annexed in it was listed as commercial. Then prior to this last comp plan it was changed to residential.

Mr. Bond thought that it was general when the property was located in the county which allowed for commercial uses, when it was annexed it became single family. He will double check the information.

Commissioner Treyz made a comment that, from his observation, there are several properties that are zoned residential and being used on a realistic basis as commercial. He has not seen any challenge to these properties in doing so.

Mr. Bond said that the code does allow for home based businesses and they have provisions that must be met in order to run a business out of your home. The code does not allow for garages over 1,000 square feet in a residential zone. Variances are not the correct tool for allowing an oversized garage in a residential area. What would need to happen is to change the zoning of the land to allow for oversized garages which is what has been applied for, or you can petition the planning commission or the council to draft an ordinance which would allow a process for the construction of oversized garages. If you were going to do that, the conditional use permit is probably the best tool that would be available. An oversized garage would never meet the criteria for granting a variance because it is treating individuals differently. It is not responding to a specific hardship relating to the lay of their land which is what is required in this type of a finding. Change the code or change the zoning.

Mr. Jumper said that they have been trying to get this done and this was the quickest way to get this done.

Commissioner Treyz said that 5 acres should make a difference in being able to change the zoning easier. There are not that many 5 acre parcels within the town as a whole.

Mr. Bond said he thought if Mr. Jumper would talk to planning commissioners or council members and have them direct staff to get this thing on the fast track.

Mr. Jumper said he would appreciate the planning commission considering this so that they could move at a faster pace.

- Kevin and Charlene Pegg Amendment, **649 Warner Lane, Parcel # 0416137001**. Requesting a change in land use from single family to commercial (C-2 Zone).
- **Mr. Bond** said that this home is a site where there has been a home based business. The town has notified them that they would not be able to have a business at this site.
- **Amber Brandt, 750 Riverside Lane** - stated that she lives in Riverside Estates. She is not opposed to them having a business at their home; they have been there longer than our neighborhood. She also thought that Commissioner Treyz had a good idea for 5 acres or more. She does feel that the Peggs have been there long enough and should be allowed to have their business there. She is concerned that someday there could be a strip mall in that area. She added that she would like to see everyone work together.
- **Mr. Bond** said that in order for that type of business to occur in that type of home, there are building and electrical codes for the house to be able to operate that type of business according town standards in that structure. It would also require a zoning change.
- **Chairman Lambert** asked if there was a designation that would allow him to run that business while still addressing Ms. Brandt's concerns about a strip mall.
- **Mr. Bond** said no. It would have to be C-1 or C-2. They could potentially build a shop on the Center St. side of their property.
- **Robert Weiding, 126 Curtis Lane,-** said that he does not have anything against this business. He would also like to see everyone work together. Usually there is a plat map to show what the intentions are of the citizens requesting a rezone.
- **Commissioner Beach** said that he alluded to this in the prior application. We are now discussing a change in zoning, not what will be allowed. Anything allowed in that zoning, if it meets the criteria then they will be able to have this business. Once they get the zoning they will then have other possibilities.
- **Chairman Lambert** asked Mr. Bond to speak on the current residential zoning and the C-2 zoning.

- **Mr. Bond** stated that the current residential zoning is SF-2 with 8,400 sq. ft. lots. The Pegg parcel is a little over an acre and could potentially be subdivided into an 8 lot subdivision. It does allow some home based businesses but does not allow for auto maintenance. The C-1 zone would allow nearly any use that we have in town right now, gas stations, equipment storage, semi industrial uses and more. The difference between C-1 and C-2 is in the C-1 zone is in downtown commercial you are allowed to build right up to the property line, it is more compact, the list of uses is much more limited as opposed to downtown. Gas stations would not be allowed in C-1. One thing they could potentially do is possibly build a shop on part of the property. They could apply for a short subdivision and divide the property into 2 parcels and zone the front parcel commercial on Center St and build a shop on it.
- Richard Williams Amendment, **300 Center St W., Parcel # 3605001200**. Requesting a change from single family to commercial (C-1 Zone). Property is abutted by commercial on two sides.
- **Rich Williams, 300 Center St W.**, said that he and his wife are not going to live at the property. Several people have asked about doing something with the property. A nursery, a used book store, a bed and breakfast. But these ideas cannot be done under its current zone and none of these ideas can be done without a rezone.
- **Commissioner Beach** asked if they plan on keeping this house and property.
- **Mr. Williams** said that yes they do. They plan on doing a lot more work on it too. The rezone would only allow for more uses.
- **Commissioner Treyz** asked if there is an ordinance, if this were designated a historical site, whether it is used as commercial, would the integrity of the house itself would be kept unchanged.
- **Mr. Bond** said there is no historic preservation on the books. He is aware that this is one of the concerns that has floated around. This property is part of the original plat of Eatonville and people feel that this is a historical structure and should be preserved. The question is whether or not this property should be zoned to commercial which potentially could lead to the house being demolished and rebuilt with something much bigger and more commercial in nature. Do you rezone it and then take it a step further and look at adopting a historical building ordinance where land mark buildings could be designated in some way that would preclude their demolition or any significant alterations that could change their character.
- **Commissioner Treyz** felt that this could be a win-win situation.
- **Mr. Williams** said that if they did anything to the house it would only enhance it. Previously the house had a coal heating system and now it has wall heaters. The best thing would be a heat pump or a more efficient heating system. He added that it is not their intent to build another store or restaurant in this town, but the town cannot become so restrictive that no matter who has a good idea the restrictions will not allow it. People come into town with better ideas than are on the current books. We should be trying to promote people that are creative. He added that this is the method of application that we were told would accomplish this.
- **Commissioner Beach** noted there are two letters in opposition that have been submitted that do make valid points and should be considered.
- **Chairman Lambert** asked if the town knew who wrote the letter that was sent to people around town.
- **Mr. Bond** said that he thought it was distributed around town. There was one copy of the letter signed by Ms. Baardson, another copy signed by Mona Hessler and a letter submitted by Rich and Marlane Eliff.
- **Mr. Bond** gave a brief summary of the following amendments by Mayor Harper. He worked with the Mayor and the public works committee on these amendments.
- Mayor Harper's Amendments:
 - **Airport Layout Plan** (available online at: www.eatonville-wa.gov/planning_documents) The Airport Layout plan has been adopted by resolution.
 - Chapter 16 - Capital Facilities Element
 - **Parks**: remove completed projects; correct park and project names; update the description of the "Trail to Pack Forest"; Amend description of west end community park"; update description of Mashel River Gorge Site and update funding table and financing section.
 - **Streets**- Adopt newest version of 6-year street plan and combine it with the 20 year street plan; update financing section and revenue sources; plan to adopt new 6-year street plan annually.
- **Commissioner Beach** said originally when Gary did this he had Carter St at #30 and he asked him to raise it and it was listed at #12. He felt that Carter St should be listed higher than #12. And the cost does not make sense to him relative to the cost of other projects.
- **Mr. Bond** stated that the way Gary did the street plan was based on what he felt would get funded and what funding would be available. Doug Beagle, the Town Administrator will be working on the 6-Year Street Plan and make it a working document.
- **Mayor Harper** confirmed that the Town Administrator would be working on this and mapping everything out. The timing will probably be more toward the end of the year.

Commissioner Beach said that Carter St. more than just serves a residential area, it is the only other east-west street.

- **Sewer** - Delete constructed and duplicate projects; add Ridge Road extension project; add project to update the department comp plan; add system wide manhole upgrade and replacement project; add long term expansion project; update cost estimates, financing section and tables.

Commissioner Beach asked what happened to the "Brown Water" idea.

Mr. Bond said that this is something that has to be studied as part of our comp plan update for both water and sewer. The town removes water from the river, and stormwater is something that needs to be returned, especially during summer months when the river is low to help with the needs of salmon. We need to look at what type of water right is required.

Commissioner Beach said it does need to be studied and that the town gets some of their water from wells.

Mr. Bond explained that when the safe water drinking act passed in 1998 it was determined that all of our wells were under the influence of the river hydrologically. As you pump out of the wells you are lowering the level in the river.

Commissioner Beach noted that on page 16-27, under financing he noted that there are too many zero's.

Mr. Bond confirmed that this was a typo.

- **Water** - Update to describe and/or eliminate recently constructed projects; add department comp plan project; add filtration plant 3rd skid project; add booster pump project; add clear well project; add remote read meters project; add system wide expansion project; update finance section and tables.

Commissioner Beach said that on page 14.14, fourth line up from the bottom did not read right. "gains in water loss and efficiency"

Mr. Bond said it should read "water loss rates".

- **Electric** - Add 2nd feeder project; add annual electrical undergrounding projects; add Carter St project; add decorative street lighting project; add comprehensive plan update project; update cost on substation; update financial table.

Commissioner Beach suggested that the town make the LaGrande connection a top priority.

Mr. Bond said that the town needs a project, a route and a scope and once this is in the electrical comp plan we can proceed with that type of a project more as a short term project.

- **Public Safety** - Update Fire Capital projects; add EMS Aid Car for future; update police car cost; update finance tables and revenue information.
- **Stormwater** - Add stormwater plan update project; add water quality (pretreatment) and detention projects; add Eatonville Highway project; add Mashel Avenue project; update financing and table.
- **Commissioner Beach** said that under the stormwater, comprehensive plan update, the cost figures need to be addressed.

Chapter 14 Utilities -

- **Water**-Achieve internal consistency with Chapter 16. Update history, wells, water efficiency, water usage data, projects to match Capital Facilities Element; Discussion of ERU's
- **Wastewater**-Achieve internal consistency with Chapter 16. Update project list to match Capital Facilities Element.

Mr. Bond confirmed that for the next planning commission meeting he will have a staff report with recommendations which will include any changes with strike through addressing each of the land use amendments along with the Mayor's sponsored amendments. Mr. Bond added that he has been working on a six year budget identifying how we are going to pay for all of these projects. Revenues and expenses have been projected out 20 years. Some departments we will be able to lower rates but other departments will have to raise rates in order to stay out of the red.

Copies of the presentation are available if commissioners would like along with copies of the Airport Layout Plan. You are more than welcome to take the Airport Layout Plan and review it, but if you don't want it sitting at your house please return it to be recycled and let someone else read it.

Robert Weiding, 126 Curtis Lane, Eatonville said that the planning commission is overworked and have a lot on their plates and suggested that they make the process a little more user friendly. Have the applicant submit a letter of intent indicating their plans for the property. Also, the idea of using wastewater for landscape irrigation, however, he thought that the town had a bacterial problem but you can add micro organisms to take care of the bacteria and one or two more aeration pumps. That wastewater does not have any oxygen in the water. The plant would then become a lot more efficient.

Public hearing portion of the meeting was closed at 8:54 p.m.

Old Business:

Commissioner Treyz asked about the Fireworks issues that he had mentioned.

Mr. Bond said that there is a Draft ordinance to the safety committee at this time for review. Dates for discharging fireworks has been changed to July 3rd and 4th only, if this were to pass. Also, redefining the types of fireworks that can be discharged. The old terminology referred to "Safe and Sane" which is a terminology that is no longer relevant in terms of enforcement. The state has produced a definition of different classifications of fireworks including images and every fireworks stand is required to post what is and what is not allowed to be discharged in the State of Washington. Anything not legal can be confiscated by the police. Hopefully the new ordinance will be in front of the council before the end of March.

Staff Comments:

Nick Mr. Bond announced: "Short Course for Planning" being offered at University Place

Announcement was included in the agenda packet. Excellent opportunity to learn about land use issues and permits. Cottage housing application for property located near Eatonville Baptist Church has been submitted but is incomplete. Draft Fireworks Ordinance has been given to the Safety Committee for review and hopefully the ordinance will be approved before July.

Mayor Harper gave an update on several projects:

Mashell Ave N. from the high school extended to Mashell Ave S. to Rainier View Dentistry. Project should start sometime around May this year. The road will never be completely shut down. The town is trying to limit the impact that the businesses will experience.

Washington Ave N. sidewalk project will take place in 2012.

Old Ford dealership garage on Mashell Ave N has now been demolished and clean up has started. Multi-care may be submitting building permits for the second phase of buildings. They were given two years, after that time is up, they will have to adhere to the new design guidelines.

The town is purchasing the Lind property on Rainier Ave S.

The town has also inherited a house located at 409 Center St W. from Norberg Van Hoof. This house is available to rent.

WSDOT will be starting a project at the shoreline at the bridge and at Rich Collins property. This will probably be a two month project.

Foot bridge across the Mashell is still scheduled to be put in this summer. The state trail money has been pulled. We are working with the Nisqually's to acquire the pond and connecting Mill Pond to the walking bridge itself, but this is still in the works.

Commissioner Treyz said that the work that was done along the river and the tree plantings are well done and looks very nice.

Chairman Lambert asked if the Mashell Ave N was going to end up with more narrow lanes.

Mayor Harper said that there will be a step up to the street from the sidewalk of 8 inches along the sidewalk near the Tall Timber Restaurant. Carter and Mashell streets will be a four way stop. The town is also looking at moving the sidewalks back in front of the visitors' center to restore parking.

Next meeting will be in April, 2011.

Commissioner Gribi motion to adjourn. **Commissioner Beach seconded.** Carried.

Chairman Lambert

Kerri Murphy, Recording Secretary

Judy Justice, Secretary