

**City of Poulsbo  
PLANNING COMMISSION**

**Tuesday July 9, 2013**

**MINUTES**

**MEMBERS PRESENT**

Jim Coleman; Gordon Hanson; Bob Nordnes; Kate Nunes; Ray Stevens; James Thayer

**MEMBERS ABSENT**

Stephanie Wells

**STAFF**

Alyse Nelson, Linda Mueller, Aaron Hulst, Jim Groh, Edie Berghoff, Alexander Tooke (Intern)

**GUESTS**

Daryl Milton, Norm Olson, Shawn Cates, George Cates, Thomas Foley, Margaret Deordio, Ed Euritt, Judi Euritt, Mark Kuhlman, Jerry Fondow, Sherry Fondow, Frank Leach

**1. CALL TO ORDER**

Chairman Stevens called the meeting to order at 7:00 pm

**2. FLAG SALUTE**

**3. MODIFICATIONS TO AGENDA – none**

**4. APPROVAL OF MINUTES – Minutes of February 26, 2013**

**MOTION: Coleman/Nordnes Move to approve the minutes of February 26, 2013. Vote: 6 for**

**5. COMMENTS FROM CITIZENS – none**

**6. PUGH ROAD PRELIMINARY PLAT – Public Meeting**

Alyse Nelson, Associate Planner introduced the project noting the recommendation received tonight will be forwarded to the Hearing Examiner. One additional comment received which is added to staff report exhibit 10, as item E. The Pugh Plat proposal is a 19 lot subdivision, on a 5 acre property, in the Residential Low zone, featuring on-site detention, cul-de-sac design, road connectivity north and south, and wetland buffer. The plat has been reviewed against city subdivision, zoning, and environmental regulations. All lots meet the city standards for zoning as conditioned. The Engineering Department has reviewed the application for consistency with the city construction standards and stormwater regulations and found the project meets requirements as conditioned.

During project review an off-site wetland was found on property to the north. The buffer encroaches on lot 14 and tract B, fencing is required in perpetuity.

Public comments received primarily concerned stormwater and tree retention along the west line of the plat. Engineering determined stormwater meets requirements. The project vested under old zoning ordinance which did not require tree retention so no tree protection is required.

Staff reviewed the application against the city's regulations and standards and finds that with SEPA Mitigations and Conditions of Approval, the project is consistent with the city codes and standards.

Ms. Nelson continued in response to commissioner query indicating 21 lots were proposed initially and through the review process a stormwater pond was added to the project which reduced the number of lots to 19.

Norm Olson, Project Engineer with NL Olson and Associates, stated he agrees with review by city and believes the project is ready for preliminary plat approval.

Chairman Stevens requested public comment, noting this is not a public hearing.

Daryl Milton, adjacent property owner to north, requested a fence be required along the north property line before the project goes forward to limit access and limit unwanted occurrences like when the Chateau Ridge was developed.

**Discussion:**

Aaron Hulst, Engineering Technician responded to commissioner inquiry of water infiltration between this project and Snowberry Bungalows plat to the west stating: 1) the storm pond takes all water from impervious surfaces, like roadway, and directs it north into the closed depression following natural topography of the land; 2) post development conditions match closely to pre development conditions; and 3) roof drains are directed to individual on lot infiltration.

Ms. Nelson and Mr. Olson clarified: 1) fencing is not being required around development; 2) roadway connectivity is planned to north and south; 3) Chateau Ridge is a Planned Development and perimeter fencing was required with that project; 4) fencing is required on lot 14 around the wetland buffer, the type will be determined with the final landscape plan, to differentiate buffer from yard; and 4) Planning condition 15 requires signage along the wetland buffer.

**MOTION: Coleman/Hanson: The Planning Commission shall hereby recommend approval to the Hearing Examiner, of the Pugh Road Preliminary Plat, Planning File 11-15-12-1, subject to the SEPA Mitigations and Conditions of Approval. Vote: 6 for, 1 absent**

**7. MOUNTAIN AIRE PLANNED RESIDENTIAL DEVELOPMENT AND PRELIMINARY PLAT – Public Meeting**

Linda Mueller, Associate Planner introduced the project noting the project is located at the intersection of Hostmark Street and Noll Road. The project extends east to the city limits. Mountain Aire was originally proposed in 2007 by Capstone Homes after

revised Critical Area and Planned Residential Development Ordinances were adopted.

This proposal is a revised application submitted June 2013 by Quadrant Homes. A second Neighborhood Meeting was held to reacquaint the neighborhood with the project and to provide neighborhood comment to the new developer. The proposal is to subdivide 27 acres into 145 single-family detached units; no density bonus is being requested.

The Wyatt property, a separate 10 acre tract to the south, is proposed to be developed with shared stormwater pond with the Poulsbo Meadows plat. No homes are proposed on the Wyatt property. The 10 acres is proposed to be dedicated to the city for infrastructure and a possible city park. A gravity sewer line will be constructed on the property to connect to another project, Blue Heron, located south of the Wyatt property. A public trail will go around the pond and connect Mountain Aire to Blue Heron.

The gravity sewer proposed is part of the sewer line connecting projects from Lincoln Road south to Heron Pond Lane then to the existing gravity main in the Langdon easement. Obtaining easements and economy contributed to the long project timeline, and remained a problem until recently. There is a second option to build a pump station on the Wyatt property, which will pump to Noll Road then down to the Langdon easement connecting in the same location. The pump station route is in existing right-of-way or existing easements. As a condition of approval a dry sewer line will be constructed through the Wyatt property for future use. The pump station route would be an interim measure until gravity is available, and then the pump station would be decommissioned. Either sewer approach can be approved.

Critical areas are Lemolo Creek offsite to east, two wetlands on site, and an aquifer recharge area of concern. A geotechnical report identifies a clay layer 3 to 5 feet below surface indicating the aquifer would not be impacted. The shallow clay layer also indicated low impact development would likely not work on site so stormwater will be collected and piped to a stormwater pond on the Wyatt property. Lemolo Creek has a 100 feet buffer. The wetland buffer extends further west than the creek buffer in most cases. A small area of grading will occur in the Wetland A buffer and mitigation of buffer enhancement is required. Wetland B is proposed to be filled with an already approved Corp permit. Wetland B fill activity meets the findings for road and utility improvements provided in Poulsbo Municipal Code 16.22.35(B). Mitigation site for the fill of Wetland B is on the Wyatt property.

Wyatt property also has wetland. Gravity sewer crosses the narrowest point of the Wyatt property wetland. The storm pond encroaches into the Wyatt wetland buffer. Mitigation for Wetland A is on the Mountain Aire site; mitigation for Wetland B, the sewer crossing and storm pond impact to the wetland and buffer on the Wyatt property are all mitigated on the Wyatt property. Peer review provides concurrence for wetland delineations and mitigation plans provided with the project.

SEPA was issued in 2009 with the Capstone project. Project modifications over the years were not viewed by the Planning Director, SEPA Official, to be significant enough to warrant a new application or a new SEPA decision. The MDNS has been amended. The biggest change is relocation of the stormwater pond. Also relocated open space to northwest corner of the project after root rot was found in the proposed tree retention area as suggested in public comment. Traffic impacts are similar prior and post redesign of the project under the impact fee ordinance. Mitigation will be used to improve Noll Road under the city Transportation Improvement Plan (TIP). Park impact is \$500 per lot, and park improvements within the plat, including the Wyatt property and improvements. School impact fees are determined by NKSD. Staff recommends that environmental impacts are adequately mitigated through critical area review and mitigation, SEPA impact fees, and city ordinances.

Staff is recommending approval of the Mountain Aire PRD Pre Plat subject to the SEPA Mitigations and Conditions of Approval.

Mark Kuhlman, Team4 Engineering, indicated the storm pond is designed to limit the need of fencing, is designed to be an amenity with plantings to help the recovering pasture and provide a pedestrian connection as part of the Urban Paths of Poulsbo plan. The path will link through the Blue Heron project to Noll Road creating a regional amenity. The last easement link necessary in the gravity sewer line is being reviewed one last time by the grantor prior to signature, although if necessary the lift station will be constructed and the portion of the gravity line crossing the Wyatt property will be constructed, fulfilling the vision of the Comprehensive Plan. A monument entry sign will be located at the Hostmark Street entrance to the project.

Mr. Kuhlman continued with applicant requests to deviate from conditions 1) deviate setback on lot 20 adjacent to Road G, which accesses the Wyatt property, by excluding the 5 feet setback from the 10 feet utility easement along the public roadway; 2) allow the applicant to determine if a 6 feet high fence adjacent to the driveway along the south line should be constructed, rather than be required as a condition; 3) provide for city utilities to be included in Tract J as an agreement between developer and project neighbor included in an access extinguishment agreement early in the project process; and 4) approval to deviate from the Noll Road Study improvements by providing a shared use path for pedestrians and bicycles and leave the PSE high voltage lines in a planter strip immediately next to the roadway.

Commissioners questioned the request to not provide fencing along the south property line indicating the safety and security aspect of residents within the project.

Jim Groh, Senior Engineering Technician, stated concern that the easement extinguishment document could place the city in a compromising position, and the City Attorney suggested 1) accomplish as many of the things the developer has offered that the city can, and 2) it may be necessary to file, with agreement of the property owners an amended agreement. In the agreement, the water issue could be solved by placing the hydrant where Road A intersects with the easement. The city does not want to mislead the property owners east implying that there is utility

connection opportunity. Only a ruling by the Health District could lead to connection for properties outside the Urban Growth Area. The same section of the agreement indicates sewer, gas, cable, and other stubs be provided through Tract J. Providing sewer stub to east gives impression sewer is available, and it is not. Mailbox location must be approved by Post Office. City Attorney, state law, city codes says city cannot supply water and sewer outside the urban growth boundary. Possible to include a condition that the termination agreement as recorded be resolved to remove conflicting issues prior to construction drawings being released.

Corey Watson, representative with Quadrant Homes, indicated the agreement predates the Quadrant Homes involvement in the project. Noll Road sewer and corridor plan installation outweigh additional maintenance cost with utility stubs being extended. If stubs are extended then future connection is governed by other regulations.

Commission and staff noted: 1) Question is if there is an expectation created by installation of city mains in the easement. Modification to the agreement is not in the purview of the recommending body. The Hearing Examiner or City Council should be the deciding body. 2) City is requiring a split rail fence around pond to provide a visual separation and discourage people from thinking the storm pond is a swimming or fishing hole. 3) Noll Road deviation request will provide a shared use path on both sides of the road in the Mountain Aire plat boundary.

Mr. Kuhlman indicated discharge from the pond is along the edge of the wetland buffer using a level spreader.

Chairman Stevens requested comment from citizens.

Shawn Cates, representing interest of the Cates family who control 20 acre parcel east of the project. There is a 12 feet wide road easement along the south property line which serves 3 properties and has potential to serve 2 additional properties. Mr. Cates indicated: 1) there is some wavering of the road along the property line; 2) would like to know how the road will be managed; 3) would like fencing along the property line; and 4) would like fencing to protect and limit access to two fish ponds. Three photos of property line staking were presented and described by Mr. Cates.

Mr. Kuhlman stated that the applicant is aware that the road has shifted outside the easement and the areas occurring on the Wyatt property could be relocated with the project, and the fencing requested along the east property line would be located in a wetland. Ms. Mueller responded that fencing would not be allowed in the wetland, but may be allowed at the buffer edge.

### **Discussion:**

Commissioners discussed: 1) the Traffic Study addresses Hostmark Street and Noll Road; 2) question the travel patterns during school transportation closure as people take Mesford rather than Hostmark; 3) intersection concurrency at Hostmark and Noll is not identified as changing in the Traffic Study; 4) capacity of Mesford and Hostmark appear to be different; 5) Noll Road and State Highway 305 and the

timeframe for signalization; 6) the intersection is on the TIP, and not being ignored; 7) if the developer were creating the problem the existing LOS F would need to be solved; 8) if no fencing, what is to limit the Mountain Aire property owner from accessing the private drive; 9) existing wire fence along south property line should be maintained and signage provided at Noll Road and at internal project roadway; 10) private roadway should be noted on the face of the plat; 11) will green space in Tract C at northwest corner of project will be used by school kids or will it be signed private; and 12) the open space tracts will include signage, however, homeowner associations always carry insurance, and anticipation is that school children will use the space.

Commissioners then discussed the four modification items requested by the applicant for motion clarity: 1) removing the 5 feet setback from the 10 feet utility easement on Road G on Lot 20; 2) fence should be located between the private road and project Lots 24 through 34; 3) no modifications to the request to modify water and sewer in Tract J; and 4) Modification to the Noll Road Corridor Study of shared use path for bicycles and pedestrians being separated from the roadway by a 5 feet landscaping strip should be referred to Planning Department.

**MOTION: Hansen/Nordnes: move to recommend approval with modification to the Hearing Examiner, for the proposed Planned Residential Development & Preliminary Plat for Mountain Aire Type III Permit, Planning File 08-01-07-1, as modified: Modification 1, eliminate the 5 foot setback from the utility setback adjacent to lot 20 so the total of 10 feet setback along that property; Modification 2, require fence to satisfaction of Planning Department on the south sides of lots 24 through 34 and noting on the plat map; Modification 3, refer the shared path issue to the Poulsbo Planning staff and Engineering staff to resolve adjacent to the west side adjacent to Noll Road.**

**Vote: 6 for, 1 absent**

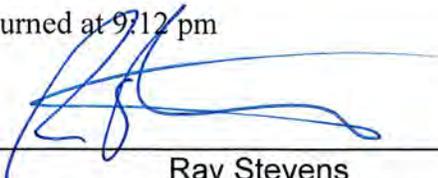
**8. COMMENTS FROM CITIZENS - none**

**9. COMMISSIONER COMMENTS**

Asked about the future schedule, include some more plats and some code revision this fall.

After preliminary plat approval the project must currently begin developing in 7 years under state law.

The meeting was adjourned at 9:12 pm

  
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Ray Stevens  
Chairman, Poulsbo Planning Commission