

City of Poulsbo PLANNING COMMISSION

Tuesday, August 23, 2016

MINUTES

Members Present

Shane Skelley (SS), Bob Nordnes (BN), James Thayer (JT), Ray Stevens (RS), Gordon Hanson (GH), Jim Coleman (JC), Kate Nunes (KN)

Staff

Edie Berghoff (EB), Aaron Hulst (AH), Charlie Roberts (CR), Karla Boughton (KB), Helen Wytko (HW)

1. Call to Order
2. Flag Salute
3. Approval of Minutes – 04/26/16 THAYER/NORDNES, **Vote: 7 in favor.**
4. Modifications to Agenda – NONE
5. Comments from Citizens – regarding items not on the agenda – NONE

6. Public Meeting Morrow Manor Staff: Berghoff

Edie Berghoff, Associate Planner with Aaron Hulst, Engineering Department. Project representatives in the audience. Project was reviewed, staff findings are discussed and provided in the Staff Report. Maps are also provided and indicate general location in Poulsbo. The Morrow Manor Short Plat is located at the eastern portion of Poulsbo at the corner of Noll and Mesford that intersects with Langaunet.

What has been occurring in the area is annexation and larger subdivisions. The short plat is proposed to have four lots and three tracts. Designed in compliance with ACUP and Site Plan Review that was approved in 2015. That approval includes site planning elements such as duplexes, elevations, and appearance. ACUP is run with use and not with the land.

The project sponsor, adjacent owner, and city have MOU that has some development constraints that the site needs to comply with. The short plat conditions require that the ACUP and site plan requirements be complied with as well.

Of the three tracts shown, Tract A will be dedicated as a city park. CC approved dedication recently and will be dedicated with recording of short plat and plans to develop as a neighborhood park. School and traffic fees required but dedication of park negates park mitigation fees.

As reviewed in the staff report, the proposed subdivision meets city zoning requirement and current code, building permits will be required to be compliant with conditions of approval and current code. It is not in violation of the comprehensive plan, shoreline regulations The uses proposed are permitted. Everybody within 300ft notified as well as health district and tribe. No comment letters have been received. The staff recommended findings are in the staff report. As mitigated and conditioned we respectfully request Planning Commission recommend approval to the City Engineer.

AH: The sewer will be on a private force main system. Each house will have a grinder pump that powers a private force main that goes up the private driveway and west towards intersection. It has to convert to gravity before it reaches City right of way. Has to convert to gravity sewer when Poulsbo Meadows is developed. Applicant has to show how to switch over to gravity once available. Water currently in Noll Rd and will tie in at SW corner and stub towards Poulsbo Meadows and up tract A to the north. Storm infiltration pit and offsite detention facility to east of short plat. For access, it is off of two shared private driveways.

RS: Any questions?

JC: The infiltration trenches, why are we going that route? Is it because you can't get rain any other way to a storm pond?

AH: You can get drainage, this is designed to 2005 stormwater manual but we are going to be adopting 2014 manual, and in that manual it forces you to do LID before detention. The developer chose to handle this project this way, but in four months everyone will have to.

JC: Who is responsible for maintain?

AH: These are private, all short plats are privately owned and maintained.

JC: If it fails, what obligation does the city have?

AH: If fails before we issue CO, there is an operations and maintenance manual recorded against each lot that tells them what to do. If after, there is a covenant that binds homeowner.

JC: Ask because the one on Caldart didn't work for a long time.

AH: For snowberry bungalows? Not familiar with it not working, from what I have seen it has been.

JC: It didn't work when they installed it and I want it to work the first time so we don't go down that road again.

AH: There are disadvantages of doing that kind of system, but we can do work up front and we have been working with ecology to do things so they work the first time around.

JC: Storm pond a dead end?

AH: No, it is a detention pond that releases to a ditch and flows down eventually to Lemolo Creek.

JC: It's on private property, correct?

AH: This storm pond is on private property.

JC: And who is responsible for maintaining it?

AH: The homeowners. Covenants recorded and on face of short plat, also in conditions of approval.

SS: How does the tree retention work with park?

EB: So there are preliminary plans for the park and a number of trees will be retained within the park area. They are not going to be clear cutting this property. Only clearing area they need to construct in, and rest of trees will remain.

JT: Tract A, the recreation area is strange in that it is two areas separated by corridor. How will that work for small SW portion?

EB: The pre design for the park has a trail that goes through there and connects to the SE corner. Idea in the future you could walk into Poulsbo Meadows or Tract B at south and it will be a connecting path.

JT: Rest of the area?

EB: Path and a variety of features but no final design.

JT: But intent to make SW portion an active part of park, correct?

EB: Yes.

JT: What will the fencing be between park and residential lots?

EB: ACUP has fencing requirements.

JT: Will Park and Rec area have buffer or will people go right up to fence?

EB: There is landscaping along edges where homes will be in park. But fencing requirement along the park perimeter where residences are. That requirement is included.

RS: Any other questions? Comments from the public.

Mark Kuhlman (MK) I have been engineer and surveyor on this project. Staff has done a great job. I would amplify on a couple of things. The tract road on the south property line will be an emergency vehicle access and pedestrian corridor. It's not a dead end; part of the paths of Poulsbo. Connection to the park. Utilities, AH discussed approved with dual requirement for sewer. The Mountain Aire project under construction developed sewer up to a point, Poulsbo Meadows can finish gravity connection. The only reason we are looking at temporary grinder pump is in case well ahead of Poulsbo Meadows project, it has a viable sewer option. Ultimately connect to gravity sewer. We did water from west through to southwest corner. Notice the east boundary has triangular line and that is to facilitate utilities and emergency access. To provide hydrant at each access point. Park dedicated at time of final short plat. Tree retention burden of City Parks design. They have plenty of good trees to pick from. We have spoken with the park about need of sewer and water connection. To date we have not received request, so not sure if bathroom will be included in preliminary design. Stormwater is mixture of infiltration and detention pond. Restrain size to not intrude and keep private. In order to keep with that, we did roof downspouts and are required to in the future. We are doing infiltration of roof downspouts which is easy to do and better because not a lot of pollution. Easiest stormwater. Had to be careful because of soils with a lot of glacial till. Will be doing LID moving forward as well. Do you have any questions for me?

BN: Park regarding water and sewer. I caught a hint of you reached out and tried to contact parks people, and they haven't responded?

MK: A lot of city work for the park. We talked about what can be done, and in those discussions we said we need to make provision.

BN: Let's not miss opportunity.

EB: Mary McCluskey is ready to move forward with future design and review. But until it is ours it is hard to spend money on it. Let's wait until we finalize until we really know it is going to happen. Expect to be doing more on the parks sooner rather than later.

BN: Let's not trip over a dollar to save a dime.

EB: She is aware of the water and sewer conversation.

MK: We shouldn't forget these will be city owned and operated facilities in easements which are easily accessible by the parks dept.

RS: Any comments?

MOTION: NORDNES/HANSON: Make a motion that the Poulsbo Planning Commission recommends approval to the City Engineer of the Morrow Manor Short Plat, planning file number 10-21-15-1. **Vote: 7 in favor.**

7. Public Meeting
Schattin Short Plat
Staff: Boughton

Karla Boughton, Senior Planner. The parcel is located at the eastern end of Gene's Lane. And is zoned Residential Low. It is 12.5 acres in size. The adjacent zoning is RL to the North (unincorporated), Park and RL to the south, Rural Protection to the east (unincorporated) and RL to the West.

The property lies just inside the northeasterly city limits of Poulsbo, near the end of Gene's Lane, and is shaped like an upside down L with the short edge at the north end and the long edge along the east side. The property is currently undeveloped with an existing logging situated just offsite to the west that leads to a series of walking trails entering the property from the adjacent city park. An old power line maintenance road runs along the north property line and begins at the end of Gene's Lane. A stormwater pond constructed for the plat of Forest Rock Hills Phase 2 is located at the south end of the parcel. The topography of the property is mostly sloping with a low ridge oriented southwest to northeast across the west half and ends at the lower end of an east-west ridge that begins offsite to the north. The east-west ridge then slopes steeply down into a ravine that crosses the east half of the property.

Three wetlands were identified and delineated on the subject site by Ecological Land Services (ELS). Wetland A is a depressional system that lies at the west end of the property; Wetland B is a sloping system that begins at the adjacent storm detention pond located on the southern portion of the site, and Wetland C is a small, sloping system that lies at the north of the property. A Type F stream is located on the subject site, beginning at the culvert outlet of the stormwater pond and following the western and northern boundaries of Wetland B.

Short Plat drawing. The proposed short plat is to create Lot A, approximately 10.5 acre in size and Lot B, approximately 2 acre in size along the southern portion of the subject site. Lot A is where the majority of the three wetland and associated buffers and the Type F stream are located. In order to accommodate one single-family residence on Lot A, Critical Area Permit is included with the short plat drawing due to a

requested wetland buffer reduction (maximum 25%). The existing stormwater management pond for Forest Rock Hills is currently located on Lot B. At the conclusion of the short plat, Lot B will be conveyed to the City of Poulsbo.

The wetland delineation, proposed buffer reduction and mitigation plan (as revised) has been reviewed and accepted by the City's Contract Wetland Biologist.

The Short Plat and Critical Area Permit was reviewed under Title 16.20 Critical Areas, Title 17 Short Plats, Title 18 Zoning and Title 19 Project Permit Application Procedures.

Three wetlands were identified and delineated on the subject site by Ecological Land Services (ELS) (Wetland Delineation Report Revised April 2016; Exhibit E). Wetland A is a depressional system that lies at the west end of the property; Wetland B is a sloping system that begins at the adjacent storm detention pond located on the southern portion of the site, and Wetland C is a small, sloping system that lies at the north of the property. Wetland A and B are both Category III systems that require 150 foot buffers because they have moderate scores for habitat functions. Wetland C is roughly 835 square feet in size and is composed of a small seep that exits the northern slope and drains seasonally toward the northwestern tip of Wetland B. PMC Table 16.20.230A requires no buffer for Category IV wetlands less than 1,000 square feet if it is not associated with a riparian corridor, part of a wetland mosaic or does not contain habitat for priority species.

The ELS Wetland Delineation was peer reviewed by a third party consultant (as required in PMC 16.20.225), and the Revised April 2016 Wetland Delineation Report was accepted by Grette Associates.

A single-family home, garage and septic drainfield are proposed on the upland slopes at the north end of the subject site, and would result in about .56 acres being cleared and constructed. In order to accommodate the construction of a residence and garage, buffer reductions of 25% are proposed, reducing the 150' buffer to 112.5' buffer.

PMC 16.20.230.G allows the director to decrease the buffer widths for Category I, II and III wetlands when the following can be demonstrated through a wetland report. A "Buffer Mitigation Plan" dated Revised April 2016 has been prepared by Ecological Land Services (ELS) and is included as Exhibit F. The mitigation plan has been prepared to improve the condition of the buffer vegetation so that it functions to minimize impacts from light, glare, noise and human presence within the onsite wetlands, and to compensate for the 25% reduction. The Wetland Buffer Mitigation Plan has been peer reviewed and accepted by Grette Associates (see Exhibit G).

About 15,000 square feet of the conifer forested buffer will be planted with native deciduous and evergreen shrubs and ferns, which will create

shrub and herbaceous layers that will provide increased noise and light screening for Wetland A. The mix of deciduous and evergreen shrubs will improve the diversity and habitat opportunity of the buffer and increase the year round cover within the buffer. The inner half of the buffer, which is composed of deciduous and mixed deciduous/coniferous forest, will remain intact and will continue to provide high quality noise and light screening over the long term in conjunction with the buffer mitigation area. The additional plant cover within the conifer forested buffer will provide greater water quality protection for Wetland A because there will more vegetation to slow water flow down the slope and allow it to be detained behind roots and above ground growth. The rain garden will contribute to the ability of the wetland to protect water quality by routing the stormwater into the basin and allow for treatment and metered discharge of water toward Wetland A.

A rain garden is proposed to be located within the buffer and is intended to capture stormwater runoff from the new impervious surfaces that include the house, garage, and the new section of driveway as well as the parking area. Stormwater from the impervious surfaces will be routed to the rain garden through a created drainage channel that will enter the north end. A drainage channel will be created from the outlet and will discharge toward Wetland A. Topsoil and woody mulch will be placed in the rain garden area, which will be followed by installation of specified plants.

A low-rail style fence will be installed along the reduced buffer edge to demarcate the limits of onsite critical area and buffer.

The Schattin Short Plat was reviewed under the criteria of the City's Subdivision Ordinance short plat section. Access for the proposed lots is provided by a 60' utility and access easement from Little Valley know as Gene's Lane.

Existing City sanitary sewer and water main is located further than 200' from the site. Sewer and water connection is not required or has been considered infeasible for the proposed single-family residence. Sanitary sewage shall be provided through an on-site system and is regulated and permitted by the Kitsap Public Health District. Similarly, a private well will provide potable water to the site, and is regulated and permitted by the Kitsap Public Health District. If sewer and water connection to City utilities is necessary or desired in the future, the owners shall comply with all City requirements and associated fees.

The Kitsap Public Health District has reviewed the proposed short plat application and has determined they have sufficient soil log information from a previously applied short plat at the site, to support the short plat as proposed. Prior to any building permit issuance, a Building Site Application for the onsite sewage system and private drinking water well must be submitted and fully approved by the Health District. This has been included as Condition #6.

The technical review committee has reviewed the proposed Amos short plat, and found that it provides appropriate site access; utilities and easements are available; the property survey was completed by a licensed land surveyor; the proposed parcels provide adequate buildable lot area to meet applicable zoning setback standards, and that the proposed short plat meets the purpose of the commercial zoning district.

The Schattin Short Plat was reviewed under the criteria of the City's Zoning Ordinance Residential Low Section. The Schattin Short Plat proposed lots exceed the maximum lot size of 10,890 square feet, with Lot A at 10.5 acres and Lot B at 1.94 acres.

The proposed lots may exceed the maximum lot size and not meet the minimum net density requirement when critical area protection regulations preclude the ability to achieve minimum density requirements. Lot A is encumbered with three wetlands and a Type F stream. Combined, the buffer requirement for critical area protection does not provide a buildable area on the site, and therefore a 25% buffer reduction has been requested and is discussed in Section III of this staff report. Maximum lot size and minimum net density requirements do not apply to this short plat, as critical area protection requirements are present and preclude the ability to develop the parcel at any higher density than the proposed single-family residence.

Further, Lot B is not a buildable lot as it is fully encumbered by the storm detention pond for Forest Rock Hills Phase 2 subdivision. Upon recording of the short plat, Lot B will be dedicated to the City for its ownership and maintenance.

A short plat and critical area permit are a Type II application, with the review authority as the City Engineer for short plat and Planning Director for the critical area permit, with a recommendation by the Planning Commission. A Notice of Application was issued on March 3, 2016 and no comments were received. The SEPA MDNS was issued on July 15th, and no comment letters were received during the 14 day comment period.

In conclusion, the City technical staff has reviewed the proposed Schattin short plat, and the project as proposed – in conjunction with the SEPA Mitigations and Conditions of Approval, is consistent with the City's comprehensive plan, critical areas, subdivision, and zoning ordinances, and respectfully recommends approval of the Schattin Short Plat.

GH: Why does the city want to take Lot B?

KB: The homeowner doesn't want to own it, and all large detention ponds are conveyed to the city.

CR: Should have been cleaned up years ago, should have been dedicated to City when Forest Rock was put in.

JT: So it looks like you are squeezing building area up in the top. Is there going to be enough area to build a big house if he wanted?

KB: Applicant is proposing about a 2000ish sq ft house. What we would look at is figure 4, to make sure that the footprint of the house meets within the upland area and the buffer impact area remains intact. He is committing himself to where the building lot are is because such little room.

RS: Constraint is septic system because there is not enough room for a drain field.

JC: Wetland C, is that proposed to have a mitigation?

KB: No, but can't be impacted so no fill or septic drain field, has to leave as is.

JC: But can't mess with just no buffer?

KB: Exactly, one of the SEPA mitigations.

KN: What about the old road walking trails. Why are we letting those go? It is a nice little access loop for forest rock hills neighborhood. In documents it says that it is private for homeowner but could be part of trail system as it is developed. But we have them there now, why let them go?

KB: They have not ever been public trails. People are using that at the kindness of the property owner. He is not intending to close it down.

CR: He is open to trails. Initially with the short plat we tried to get an easement for the trails but we realized that it ended on someone else's private property, and Genes Lane is private too. Wanted to get easement but too many property owners. We left door open to dedicate in the future.

KB: Property owner is willing to put in public access easement. Needs to be our parks dept to work with property owners to get a public access easement, but we don't want it to stop on private property. It is hard because people use it. You can keep using it for now, but it is not a public access trail. It is on our parks and trail maps. Mayor wants this to happen. Condition in the planning portion that if the public access easement works out, then they can get credit towards park impact fee. If you grant City than we can calculate fair credit.

KN: I would like to see us get that easement now, when we have a willing property owner. It doesn't have to be a loop it could be a dead end. So why not pursue getting at least that easement in place.

KB: Will pass along to the parks department and encourage them to contact property owner with recommendation.

KN: Does look like the main trail logging road stays well away from his house, and there is a wetland in there which acts as a buffer, so it's not like you are going to have people traipsing through his driveway.

BN: That doesn't hold up process of building permit?

KB: No, negotiating the public access easement would not hold up anything we do here.

SS: Wouldn't it be good leverage to have it though?

KB: We don't have any legal nexus, so I could not make it a condition or hold up recording. But you are right. We have a willing property owner let's start the process now.

BN: I agree with that, I think the guy has done a lot to get what he is after and is showing a willingness to participate which is more than adequate.

MOTION: HANSON/THAYER: Make a motion that the Poulsbo Planning Commission recommends approval to the City Engineer of the Schattin Short Plat in conjunction with the SEPA Mitigations and Conditions of Approval, planning file number 01-28-16-1. **Vote: 7 in favor.**

8. Comments from Citizens - NONE

9. Commissioner Comments

BN: Where are we at on the old Webster place, I see some activity?

KB: I believe you are referring to Whitford. There are a couple things. We are reviewing their construction drawings right now, so if there is any work out there it should be very minimal.

The second thing is the property owner did enter an agreement with WDFW to have that beach under a restoration program. Which they are using to mitigate the boat ramp they are building up at Hansville. They are going to pull out the concrete and make it a natural shoreline. They have all the permits from us that they need.

RS: If you are interested I recommend reading the findings from the court because it is quite critical of our hearings examiner, and how cowboyish he is.

BN: Didn't we replace him?

KB: Yes, so I will report as well that Barry and the hearing examiner had a mutual parting of ways. We did get that confirmation this

morning.

RS: Good because people could have easily challenged his decisions, and we would have lost quickly.

BN: Well those things don't show up on job application.

KB: We will receive his 60 day notice within the next couple days. We have already identified another person of interest. Doing more due diligence before we move forward. Luckily we don't have any projects that are heading to the hearing examiner, so this is a good time.

RS: Would be interesting to know if we could reflect that, because he is a member of a hearings examiner association, and this is a problem. You can't be an activist and a judge.

BN: We are fortunate with knowledge because in the past there could have easily been a filled hole there with a bulkhead and a big fancy house.

KB: When Whitfords lived there, the family with three boys lived in the trailer and the sheep were on upland portion.

BN: Dad didn't want anything to do with development and the kids waited till dad passed. It will be nice.

KB: Help area of our shoreline that was smelt spawning areas.

RS: Any other comments?

KB: I have two more things. I was informed this afternoon that the Mayor and Planning Director parted ways. I am the interim planning director for this transition and until that gets sorted out.

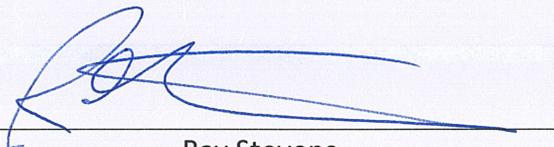
We are very behind on comprehensive plan schedule. Part of that is the workload our department has been under without any additional staffing, but we need to get done at end of year. We are almost on the last stretch. We will be releasing the plan in September and we will have a number of meetings. Less than in 2009, not a full rewrite. These are amendments and are shown as bold, underlined, and strike out. Most significant portion is to capital facility plan because we updated all of our functional plans. It took 6 months longer that Engineering had anticipated. And then we had to incorporate it into the plan. Released in next two weeks. We are also required to do an update to stormwater manual update 2014 as well as impact to codes that might be an impact to LID haven't worked out schedule what that's going to look like is more meetings within the next couple months.

JT: Is there a regulatory timeline for comp plan revisions?

KB: By end of year. Periodic update and timeline was June 30th but we have been talking to Commerce and are in compliance with all regulatory requirements under GMA. We meet minimum regulatory requirements which is what they ask for. What we are doing now, updated capital facility plans, urban forestry section, economic development committee helped update the economic development chapter, the Parks Commission updated the pros plan, is to keep ourselves updated. It doesn't negate that we have a valid comp plan now. The worst thing that will happen is we would lose some points on grant applications, and we all agreed we could live with that. Here's what's going to happen. Need to have comp plan in compliance by date of execution of contract for grants. Engineering in 2017 and parks sent resolution as well as explanation demonstrating how we have met in every area. We believe we are in compliance. Want to continue moving forward with that.

BN: Not the end of the world. You are the interim starting tomorrow congratulations.

10. Meeting Adjourned at 8:17PM



Ray Stevens

Chairman, Poulsbo Planning Commission