

**PLANNING COMMISSION
MINUTES**

February 25, 2019
6:30 p.m., DSB Auditorium

Commissioners present: Brian Pasko, Mary Phillips, Louise Lopes, Gerald Murphy, Thomas Peterson, Steven Schroedl, Mark Fitz, Michael Wilson

Commissioners absent: Christine Drazan

Staff present: Jennifer Hughes, Martha Fritzie, Darcy Renhard, Karen Buehrig

1. Commission Chair Pasko called the meeting to order at 6:30 pm.

General public testimony not related to agenda items: none.

The public comment period for Z0375-18/Z0376-18 has already closed. The purpose of hearing this agenda item tonight is only for Planning Commission deliberations and recommendation.

Commissioner Pasko asked if staff has any additional changes or recommendations since the January 28th hearing. Martha answered that the hearing was continued for deliberations by the Planning Commission, all testimony that was received within the 3-week comment period is in front of the Commission. They are marked Exhibits 12 through 15.

Commissioner Phillips said that even though she was not in attendance on January 28th, she has read all of the material and watched the video from that hearing. She is comfortable in participating in the deliberations and making an informed recommendation. Commissioner Lopes asked if staff still had the position of not recommending approval, or has anything changed? Martha answered that based on what has been submitted by the applicant and by those in opposition, the needle has not swung either way. She feels that even though the material submitted by the applicant does not win the argument, there may be a route to meeting the standards. The policy does not prohibit expansion of commercial into residential neighborhood zones. The concerns specifically raised by the neighborhood members are more appropriately addressed during the design review process. The way specific policies are written in the Comprehensive Plan, it is interpreted to mean that theoretical housing that could be built does not count toward the actual housing replacement requirement. Jennifer said that recommendations need to be based on criteria in the Comp Plan or ZDO. Commissioner Wilson asked what the outcome of the design review process could be—is it possible that some of the concerns of the community could be addressed? Martha replied that during the design review process, things such as traffic impacts, water runoff, sidewalk improvements, frontage improvements, access, etc. are all looked at. The application goes before our Design Review Committee in a public hearing format. Jennifer pointed out that even though the applicant has chosen to tell us that they have a particular plan for the site, there is nothing that says they can't do something else. They can do anything allowed within the commercial corridor zone. A car wash, among 250 other things, is allowed outright in a commercial zone. During the design review process there are design standards and impacts that are looked at. It isn't about whether or not they can put a car wash in. Commissioner Murphy is concerned about the traffic impacts with the property having frontage on SE 82nd, but access from the side streets. Martha answered that traffic impacts, as well as other potential impacts, will all be determined in the design review process. Commissioner Lopes wanted to know if there was any concern with setting a precedent of recommending approval of something that staff does not feel meets the criteria. Martha explained that the

application moves forward to the BCC either way. It is presented to the Board with an explanation of why the PC made the recommendation that they did.

Commissioner Pasko asked for a straw poll. Commissioner Schroedl has no *ex parte* or conflict, even though the house in question was his grandmothers house. Commissioner Murphy is concerned that these roads were designed for residential use, and we would be turning it into commercial use. Commissioner Peterson pointed out that the County has identified a commercial corridor along SE 82nd, even though there is housing within the corridor. The plan envisions this area as eventually being a commercial corridor, including areas that right now are residential. If the County hadn't already designated it as a commercial corridor, then you wouldn't even be seeing this application. Jennifer explained that this property meets the basic threshold to be corridor commercial, but there are a number of other zones that can be within a corridor. Commissioner Peterson thinks that it is more likely that people will invest to make properties commercial if they have already been designated as corridor commercial. Commissioner Phillips doesn't have a problem with this becoming part of the corridor commercial, except that the findings don't support what the applicant is asking for. They seem to be sort of on the right track, but they haven't completely addressed housing and does not address at all the issue of encroaching into a residential zone. This doesn't mean that it couldn't be shown, but the applicant has not shown it. The findings for housing capacity could be stronger, and there is nothing in there to support the argument that they are not encroaching into a residential zone. Commissioner Pasko thinks that we are getting hung up on Section 5. He thinks that it is clear that there is an intent to replace other housing in a contemporaneous exchange. He does not think that it passes the straight face test, and if the applicant wants to move forward then they are really going to have to convince the Board. There needs to be a clear demonstration of replacing housing capacity. Commissioner Schroedl said that there is no winning argument-do we allow improvements to the neighborhood or not allow them and leave the property the way it is now? Commissioner Lopes has a problem with recommending approval on something that does not meet all of the criteria. Commissioner Pasko pointed out that if the applicant's intent was to preserve residential housing units, then there needs to be a meaningful showing of that. Commissioner Fitz said that the applicant is going to do their project anyway, it is just a matter of whether or not they use the property in question as part of the project. Jennifer explained that you cannot really condition a zone change. It could have been done if they had packaged a design review with a zone change, but the applicant did not do that in this case.

Commissioner Fitz moved to recommend approval of Z0375-18/Z0376-18 predicated on the County's acceptance of conditions. Commissioner Peterson seconds. *Ayes=2: Fitz, Schroedl. Nays=6: Phillips, Pasko, Lopes, Murphy, Peterson, Wilson. Motion fails.*

Commissioner Phillips moved to recommend denial based on staff findings in the January 18th staff report. Commissioner Wilson seconds. *Ayes=5: Phillips, Wilson, Lopes, Murphy, Pasko. Nays=3: Fitz, Schroedl, Peterson. Motion passes.*

Commissioner Pasko opened the second portion of the meeting, a study session for the 2019-2020 Long Range Planning Work Program. Karen Buehrig provided an update to some new items on the second page of Attachment A. For the past 6 or 7 years, the Planning group has brought a work program to the PC. A couple years ago we incorporated transportation planning. There has been significant outreach to different parties, CPOs, etc. looking at some process updates. One of these is developing a multi-year plan. Another is to implement an issue paper concept to address what issues might be for different projects. Lorraine Gonzales explained how outreach has grown over the last 6 years to include media, CPOs, interested parties, as well as internal parties. We received about 16 submittals this year. The proposals vary from infrastructure to UGMAs. Staff identifies who the appropriate entity is to handle some of these projects. There is a public

hearing scheduled for the Work Program on April 8th. Tonight is a discussion of what has been submitted for consideration. We have to balance what we have as far as available staff time, and not all of the projects submitted are part of a planning process. Those projects are referred to the appropriate division. We do refer back to the list from prior years and review what can be added from this year. Commissioner Fitz said that we need to take another look at the street alignment in Carver to better allow truck flow that is going through for food services. We should also address the issue of kennels in the unincorporated areas that have to regulations or oversight.

How can we address these groups who come back to us every year because we haven't accomplished their project within a year? We also need to look at and update the Comp Plan. Some projects may work well if we bundle them together, which is what we would want to look at in a multi-year work plan. We could capture a variety of things by doing it this way. Issue papers might help provide more information to PC members and give staff the chance to dig a little deeper on some of these issues. It also allows us to consider the implications of implementation. We must also acknowledge that there are state and regional requirements that come at us and need to be implemented in a short amount of time. How can we make this an effective process and balance staff availability?

Commissioner Pasko thinks that this is a great way to manage the work we have ahead of us. We should be asking where the PC wants to go, what are our goals, how can we help the County accomplish their goals? We want X amount of housing available by such a year. This is work that would involve the BCC. Jennifer answered that the BCC has already done some of the work in building and adopting the MFR program, which is the vision statement for the County. Some things in the MFR program are definitely related to what we do, but probably not at the level of detail that Commissioner Pasko is talking about. Commissioner Pasko would really like to see the two connect. Commissioner Peterson thought that it may actually help us vet projects that do not actually meet County goals if we apply the MFR goals. How do these projects help us move forward with our overarching goals?

Commissioner Schroedl moved to approve the minutes from the January 28th meeting as submitted. Commissioner Fitz seconded. *Ayes=7: Pasko, Peterson, Fitz, Schroedl, Wilson, Lopes, Murphy. Nays=0. Abstain=1: Phillips. Motion passes.*

The March 11th meeting is cancelled, we will send confirmation or cancellation for the March 25th meeting shortly. Commissioner Peterson will be absent at the April 8th meeting.

There being no further business, the meeting was adjourned at 8:48 p.m.