



PLANNING COMMISSION MINUTES

July 13, 2017
7:30 PM
City Hall Annex

1. CALL TO ORDER

Chairperson Veltkamp called the Planning Commission meeting to order at 7:30 p.m. on Thursday, July 13, 2017, at the City of Lynden City Hall Annex.

2. ROLL CALL

Members Present: Faber, Kok, Scott, Strengholt, D. Veltkamp, and G. Veltkamp

Members Absent: None

Staff Present: Gudde, Planning Director, Banham, Public Works Director and Samec, City Planner.

3. APPROVAL OF MINUTES

A. June 22, 2017

Scott motioned to approve the June 22, 2017, minutes as submitted. Seconded by Faber, and the motion passed 5-0.

4. EXECUTIVE SESSION

The Planning Commission entered into Executive Session with legal counsel at 7:40 PM to discuss the upcoming appeal hearing. The Planning Commission returned from executive Session at 7:55 PM.

5. DECLARATION OF CONFLICT

Commissioner Faber stated that he is a member of the Cornerstone Christian School community which has property that neighbors the North Prairie Phase 7 Long Plat to be heard this evening. Faber stated that he has met with Mr. Libolt to discuss grading, sewer line stubs and fencing. All topics of discussion were coordination items.

None of the other Commissioners reported any ex-parte contact or conflict of interest and no Commissioner had concerns regarding Faber's disclosure.

6. NEW BUSINESS

A. Marlin Hendricks (Trails)

Marlin Hendricks addressed the Board and spoke on behalf of the Berthusen Park Advisory Committee and the Lynden Parks and Recreation Committee. Both Committees would like to ask that the City continues to consider off-road trails, a trail to cross the Guide Meridian, a connection between the Berthusen Trail with the Lynden Trail System and to make sure that trails and connections are in the Comprehensive Plan. Please keep trails in the forefront of your planning. Hendricks will provide the Planning Department with a map that shows the desired trail connections along with other pertinent information.

7. PUBLIC HEARINGS

A. LP #17-03, Gonzalez Family Long Plat, 8841 Northwood Road, Lynden

Gudde reviewed the Technical Review Committee report dated July 7, 2017.

D. Veltkamp opened the public hearing on the Gonzalez Family Long Plat.

The Planning Commission is being asked to develop a recommendation for the Gonzalez Family Long Plat. The plat is approximately 2.45 acres and located on the south side of Aaron Drive near the intersection of Northwood Road. The property has a multi-family zoning of RM-3. The applicant is proposing a plat of 7 lots. Lot 2 includes an existing single family home which will remain. Two existing accessory structures are also shown on the plat and conditions regarding these structures are noted on the plat.

The undeveloped lots of the Gonzalez Family plat range in size from 8,371 to 16,674 square feet. Per the zoning classification, the square footage of lots 1, 3, and 4 permits up to four units each. Lot 5 is permitted to construct up to a five-unit building while lots 6 and 7 would be restricted to a single-family home per lot. Of course, other zoning standards such as setbacks, lot coverage, parking requirements, and height restrictions also affect the final product and unit count. The RM-3 zoning allows up to twelve units per building which could be achieved if lots of the Gonzalez Family plat were combined.

Adjacent uses to the Gonzalez plat is primarily single family residential. One neighbor has recently requested the installation of a privacy barrier between the single family and proposed multi-family plat. Per 19.61.090(O), a Type IV planting strip, ten feet in width is required. Fencing, in the case of RM adjacent to RS, is optional.

Access to the lots will be from both Aaron Drive and Northwood Road. Lots 1 through 5 will be accessed via Aaron Drive while lots 6 and 7 will share an access off of Northwood Road.

Improvements to Aaron Drive, including driveway cuts for the Gonzalez plat, have been completed to City standards through a public / private partnership with North Prairie LLC. As part of that construction the Gonzalez family dedicated property which allowed Aaron Drive to connect to the Northwood Road. As a "Fee Impact Street" improvement of Northwood is not required of the developer but is instead included within the city-wide projects list. Improvements to Northwood will not occur for some time.

One outstanding condition for this plat includes the addition of the required landscape buffer to appear along the southern property line of the plat map with reference to LMC 19.61.090.

Speaking in Favor:

David Leighton, Compass Point Survey, 523 Front Street, Lynden

Leighton is the surveyor for the request and spoke on behalf of the Gonzalez Family. The applicants are okay with the conditions of the Technical Review Committee Report.

The existing shed on site will be removed and the existing shop will be either demolished, removed or made to conform.

Speaking in Opposition:

Jerry Sebens, 8821 Northwood Road, Lynden

Sebens expressed concern regarding the increase in traffic that will be occur from multi-family build-out and no sidewalks on Northwood Road. Sebens also requested that the City fund an additional police officer for traffic control.

Phil Pruner, 8847 Northwood Road, Lynden

Pruner stated that his property is located just north of the proposed Lot 6 and 7. Pruner is okay with tri-plex development on Lots 1, 3, 4, and 5, however, asked that Lots 6 and 7 remain single family.

Kok addressed Pruner and stated that based on the size of Lot 6 and Lot 7, only single family development could occur. Gudde concurred.

Banham spoke briefly about sidewalks on Northwood Road and stated that Northwood is an impact fee street which means, the city collects the fee and it is used for upgrades that are higher on the list. Faber asked when can the City expect improvements to Northwood Road? Banham replied, development will create the demand and at this time it is not in the near future.

Lil Gonzalez, 8841 Northwood Road, Lynden

Gonzalez addressed the Board and asked if they had to provide a landscape buffer now or at the time of construction? Gudde replied, the installation of the buffer can happen at the time of lot development.

Kok motioned to close the public portion of the hearing. Seconded by Scott, and the motion passed 5-0.

Faber motioned to recommend approval of Long Plat #17-03, for the Gonzalez Family Long Plat, as presented, according to the findings, conditions, and recommendations of the Technical Review Committee Report dated July 7, 2017, and further subject to the following conditions:

- 1. That the required Type IV landscape buffer be installed at time of build-out for parcels that construct multi-family housing.**
- 2. Lots 6 and 7 shall be developed as single family parcels as they do not have adequate square footage for multi-family use.**

Seconded by Strengholt, and the motion passed 5-0.

B. LP #17-04, North Prairie Phase 7 Long Plat, 8818 Northwood Road, Lynden

Gudde reviewed the Technical Review Committee Report dated June 22, 2017.

D. Veltkamp opened the public hearing on the North Prairie Phase 7 Long Plat.

The Planning Commission is being asked to review the North Prairie Phase 7 Long Plat application. The plat is between the Northwood Road and the eastern edge of the City limits. It is approximately 23 acres in size and has a zoning classification of RS-72, Single family residential with a 7,200 square foot minimum lot size. The applicant is proposing a plat of 94 lots. The property currently includes a number of existing agricultural / commercial structure which will be removed prior to final plat.

The North Prairie Phase 7 lots range in size from 7,200 to 20,313 square feet.

The plat wraps around the T&K Williams Plat and will require that the developer coordinate with the property owners to complete the plat as shown, especially in relation to the construction of Brome Street. The applicant is currently coordinating with the Public Works Department and the Property owner at the northeast corner of Brome and Northwood Road to develop a compatibly roadway section that meets city standards while providing the safest intersection of these two roads.

Resolution of encroachments associated with adjoining property owners and the applicant's obligation are currently under legal review.

The plat provides two access points to the City street network. Both of these access points are to Northwood Road. Interior roadways are proposed to meet all City of Lynden standards and

provide access or adjacent undeveloped properties. Additionally, seven lots will be accessed via internal access easements.

One outstanding condition for this plat includes the resolution of the encroachments. City staff is currently in communication with legal counsel regarding this issue.

Speaking in Favor:

Bob Libolt, 125 Rosemary Way, Lynden

Libolt stated that he is one of the partners of North Prairie LLC. This is the last area slated for development for North Prairie. Libolt stated that final plat for this proposal will most likely come forward in phases and will be driven by the market.

Libolt is supportive of the Technical Review Committee Report and has also read the changes to such report. Libolt agrees with the new fence encroachment language. With regards to the easement issue on Mr. Troupe's property, Libolt is hopeful that it can be worked out. The proposed plat makes use of an easement from the TK Williams Short Plat that was approved in 2010, which allows for the alignment of Brome Street.

Speaking in Opposition:

Randy Troupe,

Troupe had specific concerns relating to his property located at 8794 Northwood Road. Troupe is concerned with the easement on his property, traffic congestion and the width of the street. Troupe stated that he was not aware that his garage is to be relocated as stated on the Phase 7 plat.

Troupe is asking that the plat not be approved and that the 15-foot easement on his property be terminated and not used for Brome Street. Troupe was not aware that the easement would be a roadway and that the area would be taken. Troupe thought, if this happened he would be compensated. The economic effect of giving up the easement area, finding alternate parking and property devaluing issues are a concern. Troupe stated that his existing driveway is the only access / parking area for the lot.

Troupe stated that the property was short platted by the previous owner and there have been some issues regarding water, septic and power locations.

Jerry Sebens, 8821 Northwood Road, Lynden

Sebens supports Troupe and stated that Troupe got a bad deal.

Glen McKay, 8793 Northwood Road, Lynden

McKay stated that he is in favor of the plat, however, has a concern with the increased traffic on Northwood Road and would like to request that the speed limit be reduced to 25 mph.

Darren Leyenhorst, Chair of the Cornerstone Christian Society

Leyenhorst stated that he would like to request that a sewer stub be placed at the northern portion (south of Cornerstone) of the proposed plat to allow for future connection. Leyenhorst also agreed that reducing the speed limit on Northwood Road is a good idea.

Libolt addressed the Commission and had the following comments:

A traffic study was completed for this project and concluded that this plat does not require any further mitigation. Libolt does support traffic calming ideas and stated that narrow streets is often not a safety issue it is more of an inconvenience. All streets proposed in this development are 60-feet, the same as Aaron Drive.

The note on the face of the plat that indicates the relocation of Mr. Troup's garage should not be there. It was an oversight.

Compensation – Mr. Troupe did buy the property under a plat that was done by someone else. A 15-foot easement was obtained under the approved short plat. Mr. Troupe likely paid less for his property because of the easement. Regardless, the easement does exist and did not come out of the blue. The TK Williams short plat was approved with the future in mind.

Shifting the road 15-feet will cause alignment issues. Libolt indicated that they should not have to dedicate another 15-feet as they already gave up 45-feet.

The City is required to provide housing and increase density, thus long time area residents will see an increase in traffic.

Libolt is not opposed to an easement that would allow sewer connection north to the Cornerstone School property line.

D. Veltkamp stated that she is disappointed with the design of the plat and would like to see more houses with street access. The code only permits one access easement per long plat. The plat will need to be redesigned with that in mind. Libolt replied that lots tucked away on easements are popular.

D. Veltkamp also stated that a hammer head / turnaround will be required at the northern edge of the plat.

G. Veltkamp stated that some of the lots will be difficult to build on and is concerned that the design will be very repetitive.

Strengholt stated that he is not happy with the interior land locked parcels. Easements take away a lot of the square footage. Strengholt asked, would shifting the road 15-feet south create to large of a misalignment on Brome Street? Banham replied, yes.

Veltkamp asked about a better mix of various lot sizes. Libolt replied that there is a mix.

Kok stated that he likes lots located on easements.

The Commission discussed the items they would like to see at the next meeting.

Faber motioned to continue the North Prairie Phase 7 Long Plat until the August 3, 2017, Planning Commission meeting requesting additional information on the following items of concern:

- ***Access Easements*** - Reduce the use of access easements to meet code.
- ***Sanitary Sewer*** – Show the proposed sewer easement which would allow sewer connection to meet the property line shared with Cornerstone School. This will be a minimum easement of 20 feet in width in the proximity of lots 4, 5, or 6.
- ***Fire Turnaround*** – Show the fire turnaround (hammerhead or cul-de-sac) at the northern extent of the plat, as noted in the TRC report.
- ***Plat Note*** – Remove the note on the adjacent Troupe property “Building to be relocated” as a relocation is not required.
- ***Access Easement for Brome Street ROW*** – Provide, with the assistance of City staff, a legal determination regarding the intended use of the access easement along the southern edge of the T&K Williams Plat.
- ***Lot Variation*** – Provide, to the greatest extend possible, variation in lot characteristics (width and size) to encourage a diversity along the street frontage and alternate architectural styles.
- ***Safety Concerns*** – Explore opportunities to improve the safety of pedestrian routes to nearby destinations including Cornerstone School, Northwood Market, and the new middle school.

Seconded by Scott, and the motion passed 5-0.

8. ADJOURNMENT

Faber motioned to adjourn the meeting at 10:12. Seconded by Kok, and the motion passed 5-0.