



PLANNING COMMISSION MINUTES

September 28, 2017
7:30 PM
City Hall Annex

1. CALL TO ORDER

Chairperson Veltkamp called the Planning Commission meeting to order at 7:35 p.m. on Thursday, September 28, 2017, at the City of Lynden City Hall Annex.

2. ROLL CALL

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

Members Absent: B. Kok

Staff Present: Gudde, Planning Director; Timmer, City Planner.

3. DECLARATION OF CONFLICT

None of the Commissioners reported any ex-parte contact of conflict of interest.

4. PUBLIC HEARING

A. Comprehensive Plan Amendment #17-01, East Lynden Land Use Changes

D. Veltkamp, PC Chair, opened the public hearing.

Gudde briefly reviewed the Technical Review Committee Report dated September 22, 2017. Also notes the difference between land use and zoning as well as the next steps in the approval process.

Chair states that public comment will be collected on a parcel by parcel basis moving from east to west as was done in the previous workshop. Asks for comments related to Parcels 8 and 9 which are shifting from CSL to RM-3.

Otto Bouwman, 8865 Northwood Road, the property owner of parcel 9 spoke in favor of the land use change.

No other comments were given on these parcels.

Parcel 7 introduced by the chair with the majority of this parcel currently being CSL now to a proposed split zone of RM-2 and RS-72. Chair explains the zoning implications of these zones. Units permitted per building and lot sizes.

Marlin Arneson, property owner of parcel 7, spoke for the family trust that owns the property. Stated that they were "good with it".

Joe Lugo, 1560 Bryce Park Loop, inquired about the permitted overall density on a property.

Timmer stated that the RM-2 zoning considered on Parcel 7 allow for up to 12 dwelling units per acre.

Chair states that other factors must also be considered such as infrastructure like streets.

Lugo states he's attempting to understand how many buildings could be built on each parcel.

Timmer explains that the number of buildings depend on multiple factors including the style of architecture, setbacks, parking requirements. At this point we are not able to definitively determine the number of buildings which would be constructed on each property.

Chair introduces Parcels 2-6 and requests comment. Chair notes that CSL zoning exists near to these parcels and some has been built-out as mixed use.

No comments on these parcels.

Parcel 1 introduced by the Chair. Proposal would bring this property into residential land use with an RM-3 zoning.

Bob Burns, 1559 Bryce Park Look, on the HOA Board of Bryce Park. Burns speaks regarding access, the middle school, density of the proposed zoning on Parcel 1, traffic calming and enforcement. Aaron Drive is the only access point for Bryce Park and this is concerning to residents, especially the older residents of Bryce Park. The average age of residents there is 73. Difficult for older drivers to respond to speeding traffic. Aaron becoming a very busy roadway. The middle school expected to add up to 750 students plus staff. This will also add to traffic in the area. Burns noted that a land use change to residential is probably better than commercial in regard to traffic demand however states that any extra traffic is dangerous to Bryce Park residents. Burns asks the commission to consider a 4 way stop at the entrance of Bryce park and the new development. Understands that

traffic circles are becoming more “in vogue” but notes there is not enough room for a proper circle. Also requested increase law enforcement presence along Aaron to discourage speeding especially during peak hours. Asks the Commission to consider a lower density zoning designation for Parcel 1 and the traffic that an RM-3 development will create.

Allen Scott, 2197 Eastwood Way, spoke. Appreciates the comments made by Bob Burns. Very concerned about speeding on Aaron Drive. Average speed, he felt, was way over the 25 mph. Traffic adds to the noise of the neighborhood. Prevents him from having a conversation in their backyard because of noise – a lot of trucks related to the construction in the area. Has concerns about the drop in property value because of the busy street. Also, north of Aaron on Eastwood Way there are a lot of families with kids. He’s seen vehicles travel at speeds over 70 mph on Aaron and feels it’s only a matter of time until someone is hit by a vehicle. Suggested stop signs at the intersection of Eastwood and Aaron. Has fears related to safety.

Joe Lugo, asks about public hearing opportunities to comment on future development in the area and height restrictions, design, etc.

Director explains that when land is divided for development it is typically required to go to a public hearing with the Planning Commission before it goes to Council for approval. Neighbors within 300 feet are notified. Also, multi-family buildings are subject to design review. The Design Review Board considers the exterior of buildings and landscape. This also is a public meeting and neighbors are notified. All buildings are subject to zoning code. Height restrictions are in place for residential development at 32 feet although implementing a greater setback can earn a developer another 5 feet in height.

Dan Robinson, Bryce Park Loop, asks about the history of the change and also the number of developers involved in the future development.

Chair explains that the property was assigned land use and zoning when annexed. This included commercial along the state highway. Later the State began restricting access to the highway for new development and this seems to have limited the viability of the commercial properties on this corridor. Also, a high demand for housing and property owners’ requests have pushed the City to consider the change. The PC was asked to review changes. Proposal from staff included a concentration of commercial uses at intersections rather than spread along the Badger.

Timmer added that the sub-area plan for East Lynden was developed in 2004.

Chair addressed the number of developers here. Nine different property owners are represented and they may work independently or together.

George Harrison, 1508 Bryce Park Loop, asks how the changes came to be proposed, and what is the maximum density permitted on Parcel 1, for example.

Timmer explains that the maximum number of units on a 10-acre piece, with an RM-3 zoning, is as many as 150 units.

Gudde notes, however, that a full build-out of that number of units is unlikely as the developer also has to accommodate setbacks, height restrictions and parking standards. At this stage, we are unable to say exactly how many units would fit on the property. Also, changes were proposed through property owner requests and a couple of workshops with the Planning Commission and the public.

Eldon DeJong, 1205 E. Badger Road, property owner of Parcel 1. Stated that he may be able to calm concerns related to the future development of his property. They do not intend to develop a lot of very large buildings. They intend to continue to live on the property and want to see a great product develop there. If he were intending to build large buildings he could have done it under the current commercial land use. Interested in using the PRD section of code which would allow for a mix of housing types.

Chair asks why RM-3 is preferable to RMD as RMD is designed to accommodate a mix of housing types as well.

DeJong stated that it was primarily to accommodate the reuse of the existing large building.

Chair noted that a PRD is also permitted in RMD zoning.

DeJong acknowledged this.

Faber asks staff about the potential for adding traffic controls to Aaron such as pedestrian controlled intersections.

Gudde explains that adding traffic controls on a street that traditionally has not had them can create a very dangerous situation and is implemented only with great caution. Also, pedestrian controlled intersections are usually created only where there is a high concentration of pedestrians like the existing middle school on Main Street. Noted that traffic calming is something that can be considered at any time. Police can be brought into conversations about enforcement in this area. Director

noted that a reduction in speed limit was already gaining support following a recent plat approval on Northwood.

Chair asks about the green space requirements especially as it relates to multi-family development.

Timmer explains that the code currently requires 7.5% open space, suitable for recreation, to be maintained. In looking at a number of RM site plans, staff found that open space is typically around 30% - this includes setbacks and is usually grass areas although it doesn't have to be grass.

Chair states that she would like to see more green space in this neighborhood.

Joe Lugo asks the Commission if public input is considered or if there are just there "to wave goodbye to the ship". Is there input able to change the outcome?

Chair explains that public participation is very important and valued in the City of Lynden. The intent of the public hearing is to hear and address concerns.

Gudde notes that public participation was sought in the development of the plan. Also, consideration is made to the specific concerns. Traffic, for example, will have a decrease demand due to the change from CSL to residential uses. Additionally, the City looks for solutions to mitigate the impact of additional demand such as through enforcement of traffic or traffic calming. Gudde also noted that the land use change will come to another public hearing with the City Council as it is a legislative decision.

Timmer noted that the state review would be conducted following the PC recommendation and then to Council likely on December 18th, just before the end of the year.

Motion to close the Public Hearing. Public Hearing closed at 8:35pm.

Commission discussion on the issue.

Faber noted that safety on the roadways was the biggest concern but that this did not translate into a condition for the proposal other than what was already noted in the TRC report. A conversation about traffic safety can continue with staff and PD.

Scott relayed his experience of biking in the neighborhood. Also felt that it was not safe. More enforcement, he felt, was warranted especially regarding speeding and stopping at stop signs.

Strengholt noted that students crossing the road, especially busy roads like Aaron and Line, is a concern.

Chair noted that traffic definitely a concern.

Timmer noted that roadway improvements in the area are important and would help provide a safer environment. Currently improvements on Line Road are being done in conjunction with the new middle school. The City also desires to see this improvement run all the way to the Badger. Other roads in the area including Kamm and Northwood are on the 6-10 year improvement timeline.

Chair noted the pressure on Aaron as it is the primary through-street in east Lynden. Felt that Badger Road was not a safe through-street option. Noted that plats should consider connections when they come forward for development. Also expressed interest in seeing Parcel 1 be RMD instead of RM-3.

Chair asked if the Commission was ready to take the question and if the proposal should be considered parcel by parcel.

Faber noted that the text amendment would be consistent throughout. Also, that the response on each parcel would likely be the same.

Faber made the motion to approve Comprehensive Plan Amendment #17-01 East Lynden Land Use Changes, as presented, according to the finding, conditions and recommendations of the Technical Review Committee Report dated September 22, 2017.

Strengholt seconded.

Vote was called. Proposal received recommendation 4-0.

After the vote the Chair noted that she was not able to vote, but would like to state for the record that, in her opinion, she would prefer to see Parcel 1 as RMD rather than RM-3.

5. COMMISSIONERS CORNER

Gudde noted the upcoming meeting schedule. October 12 the Commission will be having a workshop on Critical Areas Ordinance update. Also, the meeting will include a special meeting to announce the decision on the pending appeal. That portion of the meeting will occur between 7:00 and 7:30 with the regular meeting occurring at 7:30pm.

It is the goal of the Planning Department to keep the second meeting date in October clear so that it could be cancelled as the Commission has been putting in a lot of overtime in the last couple months to handle the appeal hearings.

One meeting planned for November and one for December as typical.

6. ADJOURNMENT

A Commissioner motioned to adjourn the meeting at 8:50 PM. Seconded by another Commissioner, and the motion passed 5-0.