

**Town of Eatonville
PLANNING COMMISSION MEETING
MONDAY 7:00 PM, DECEMBER 4, 2006
COMMUNITY CENTER
305 CENTER STREET WEST**

MSC- Motion, Second and Carried.

Chairman Beach called the meeting to order at 7:00PM .

Commissioners Present: Beach, Lind, Frink, Valentine, Schaub, Pruitt.

Town Staff Present: Nick Bond, Robert Mack, Mart Kask and Karen Bennett.

Approval of agenda: MSC w/corrections.

Approval of minutes: Corrected minutes from November 6, 2006.

Communications and Announcements:

From Commissioners, Town Officials, other government bodies:

Beach I sent out an e-mail to the commissioners on the 30th of November about meeting dates and I would like to run through that quickly. How many of you will be available on December 18th? All are available for the 18th. January 2nd? Three commissioners will be available. January 15th? All commissioners will be available. We need to think about January 2nd probably next time. We have an e-mail that I sent to the commissioners also on November 30th from Mr. VanCleve we'll get the sense of that in a moment then also an e-mail from Mr. Mack on December 4th that was sent out to the commissioners and we will get to that in a moment.

From the Public: There was none.

Public Hearings:

Old Business:

Beach we closed the hearing last time and so the only way that anyone in the audience now can participate is on a direct question from one of the commissioners. It is possible that we might open it again for whatever reason we might choose. But at this point the hearing is closed. Before we get into the substance here I've got some procedural questions that I would like to ask the staff, and I have four of them and I will read the four and then we will go back to the first one and work our way through them. The first one is, should consideration of Aviator Heights be held over because the question of the variance criteria and the legal requirements of the site clearing and grading which Mr. Mack raised. The second is procedurally what should be done about the possibility of a proposal from VanCleve. Third procedurally should the variance application be voted on separately from any sub-division proposal. In other words voted on first before we deal with the substance

of any proposal. And the fourth should the hearing be reopened on the the Valentine/Beach proposal prior to a vote on the variance application. The Valentine/Beach proposal is in the packet that was distributed to the commissioners. And so we will go to the staff and then possibly as the applicant to comment on these, we'll see.

Lind Mr. Chair, before we do that. Some of these questions sound to me like are items for deliberation for the body.

Beach we will deliberate on them. But I would like to get advise.

Lind I would like to be clear here that some of these sound like the body. Ultimately is the decider on them.

Beach it's just to get advise at this point. Not determination. The first question is should consideration of Aviator Heights be held over because of questions of the variance criteria and the legal requirements of the site clearing and grading.

Robert Mack Mr. Beach, members of the commissions I think you want to hear from Mr. Bond also. He and I had a conversation about two hours ago about that. I was not suggesting that it be held over I just thought those were issues that appeared to be of some concern to some members of the commission. I think Mr. Bond has a response to the issue about the earlier site clearance approval and I guess a misstatement in my memo that in fact it has expired and apparently that is not correct. And the variance criteria I just thought that in addition to the statement of what's in our code I thought it was important that you knew that there is this standard about that the condition cannot be caused by the applicant himself, herself or itself. I think Mr. Bond has some comments about that, suggesting that that is not the case here. I don't know if that's an answer. I don't necessarily think you need to hold it over.

Nick Bond as far as our readiness to take action on this application tonight I think that the report that has been prepared and the materials that have been provided to the Planning Commission this evening are complete and the application is ready to see action. I don't see any need to hold it over for either the clearing and grading issues or the question surrounding the variance and I have provided you with a clean copy of the report with a few minor corrections tonight which I passed out before hand and e-mailed to you this afternoon. I feel that we are ready to take action.

Beach second one. Procedurally what should be done about the possibility of a proposal from Mr. VanCleve. He has in effect given us notice that he may or may not have a proposal to make. If we proceed tonight and he subsequently does in fact come with a proposal where does that leave us, what should we do?

Mr. Tift good evening gentlemen. I have had several conversations with Mr. VanCleve over the last week and he has shared with us some ideas but I'm frankly surprised to hear that it has some how risen to the level of a proposal because the record is clear, and I recognize Mr. Chairman that you indicated that under certain unique circumstances, my word not yours that you would open the record. I don't need to remind all of you how long this

process has been going on. I Mr. VanCleve has a proposal as such he has not shared it with any of us.

Beach I might say that my interpretation of what he sent to us was pretty vague. More about that there is something in the pipeline.

Lind we have had this open for a very long time. We closed it where we wouldn't accept even written comments on it. I think that was the right thing to do and I don't think that we should be reopening in these types of situations. I can't imagine what reason we would end up opening it again. People have had the notice of when they need to be here and that's what they needed to do and get it in and they have had more than ample opportunity in two separate occasions.

Beach the third question then is procedurally should the variance application be voted on separately from any sub-division proposal? Obviously the map submitted by the applicant, map B and the amended by Y in terms of moving the street. Does depend upon the variance being approved. Any thoughts from the staff about that.

Bond Mr. Chair I don't have a real strong preference one way or another except that the variance application – your voting on it all at one time it would defeat the entire proposal and I think there would be an opportunity to go back and change elements of the proposal before voting on the sub-division so if you do not approve the variance the sub-division would still be able to go forward and we'd have to bring deliberations and come up with new criteria for approval. I would lean towards separately.

Beach the fourth question was should the hearing be . . . Mr. Kask

Mart Kask my reading of the proceedings is that it would be in the best interest of the community and the Planning Commission if you were to take the two applications together as a joint proposal or joint resolution and then if that fails to pass then you have an opportunity to come back and take them separately.

Schaub I agree with Mr. Kask on that statement. They both should be considered together.

Beach the fourth question then was should the hearing be opened on the Valentine/Beach proposal prior to a vote on the variance application. Of course this becomes mute if we take the proposal and the variance application jointly. If we should choose otherwise. Why don't we hold off on that question for a moment then and see what happens on the others. The first question that was asked was about the memo that Mr. Mack wrote and it seems that there is probably no reason to not proceed with the application and so on. And the second on was that procedurally what should be done about the possible proposal by VanCleve then it would appear but then again maybe we need some guidance, or I need some guidance, from the other members of the commission and that we just proceed and not concern ourselves with VanCleve.

Schaub Mr. Chairman I think Mr. VanCleve has had plenty of opportunity to present information to the Planning Commission or to the staff at the town hall. And I think that

since nothing was forth coming prior to tonight's meeting that we should just go ahead and proceed from here.

Beach the matter then of procedurally the variance application be voted separately from the sub-division proposal we seem to have a somewhat of a conflict in terms of the staff here. Mr. Bond would suggest that the variance application should be voted on separately and Mr. Kask thinks that they ought to be combined. Mr. Mack did you have something?

Mack well I hesitate, Mr. Chairman and members of the commission, Bob Mack, Town Attorney. That maybe what they say in law school describes a distinction without a difference but I'm not sure. Someone can correct me if I am wrong I think what you have before you is a current configuration of the proposed plat that is dependant on you granting the variance. And so in that sense you vote on them together, I think. If that goes down then because the applicant has changed his, and correct me if I am wrong, has changed his original application over time in a significant number of respects to try and get approval along with the variance it may be appropriate then for the applicant and the staff, if you were to vote it down, I am not assuming you are going to do that, to then go back to the drawing boards but to review it's options and have another proposal.

Bond spoke away from microphone.

Lind Mr. Chair I think we have two items to do here to start with. I think one is we need to read into the record the exhibits, first of all, and then we need to formally by vote open deliberations. Isn't that what we have done in the past?

Beach no we just go into deliberations after we close the hearing.

Lind I think we need to, probably, read the exhibits that we have collected to this point into the record.

Beach we have the list and we need the list.

Lind I think we need to read that list into the record, formally.

Beach we can certainly do that.

Lind you may be able to do that by title. So we are at the moment in deliberation, is that correct?

Beach we are at the moment in deliberations. We are on the procedural questions and I would like to settle the issue of whether we are going to vote on the variance separately or whether we are going to do it in combination.

Lind I am going to settle that at the moment. I make a motion of a resolution that I am going to ask the recorder to pass out which I will read into the record at the moment for the record. So if Ms. Bennett will pass that out to the body and to the staff and the applicants representatives I would appreciate it. At that point I will then proceed to read it into the record.

Beach while she is passing that out we will read this exhibits into the record and the exhibit Aviation Heights Table of Contents and it is the one that was distributed this evening on 12/04/06 which goes from Report One through Exhibit CC.

Lind and I will now proceed to read into the record the resolution that I moved is labeled:

Joint Resolution of the Town of Eatonville Planning Commission and the Board of Adjustment Approving the Preliminary Plat Application Know as Aviator Heights and Its Accompanying Variance Application on Lot Sizes

WHEREAS, the Town of Eatonville has received an application for a preliminary plat approval from Summit Properties for a 27 lot subdivision, known as Aviator Heights, in the vicinity of the Eatonville Airport; and

WHEREAS, Summit Properties has also filed for a variance in association with the preliminary plat approval for reduction of minimum lot size; and

WHEREAS, the Eatonville Municipal Code delegates the responsibilities and duties of the Board of Adjustment to the Planning Commission; and

WHEREAS, the Eatonville Planning Commission/Board of Adjustment has reviewed the preliminary plat approval application for Aviator Heights and the accompanying variance application for lot size reduction; and

WHEREAS, the Eatonville Planning Commission/Board of Adjustment has conducted public hearings on two consecutive Planning Commission/Board of Adjustment meetings and has heard public testimony on both the plat approval and variance applications; and

WHEREAS, the Eatonville Planning Commission/Board of Adjustment has received a number of letters from various governmental and private organizations and individual citizens, commenting on the plat approval and variance applications; and

WHEREAS, the Eatonville Planning Commission/Board of Adjustment has heard testimony and answers to questions from the applicant and the Town Planner; and

WHEREAS, the Eatonville Planning Commission/Board of Adjustment has reviewed the SEPA checklist and the threshold determination of mitigated determination of nonsignificance; and

WHEREAS, the Eatonville Planning Commission/Board of Adjustment has received and review the Town Planner's reports, containing findings of fact, conclusions and recommendations with conditions;

NOW THEREFORE BE IT RESOLVED, that the Eatonville Planning Commission/Board of Adjustment adopts the following:

1. The Town Planner's findings of fact and conclusions as contained and presented to the Planning Commission/Board of Adjustment in the Town Planner's

reports entitled "Preliminary Subdivision Application Review" (in brief {i.b.} approved w/conditions which also apply to the Variance) and "Planning Commission Findings of Fact, Conclusions and Recommendations Regarding a Variance Application for a Reduction in Minimum Lot Size and Lot Width in conjunction with a Dedication of Land for Assigned Offsite Airplane Hangers" (i.b. Variance approved w/conditions) for the Planning Commission/Board of Adjustment meeting on 4 December 2006.

2. The Town Planner's recommendations as contained and presented to the Planning Commission/Board of Adjustment in the Town Planners reports entitled "Preliminary Subdivision Application Review" (i.b. approved w/conditions which also apply to the Variance) and "Planning Commission Finds of Fact, Conclusion and Recommendations Regarding a Variance Application for a Reduction in Minimum Lot Size and Lot Width in conjunction with a Dedication of Land for Assigned Offsite Airplane Hangers" (i.b. Variance approved w/conditions) for the Planning Commission/Board of Adjustment meeting on 4 December 2006, with conditions 1 through 3 of the variance application and conditions 1 through 21 of the preliminary subdivision application.

BE IT FURTHER RESOLVED, that the Planning Commission/Board of Adjustment sends its recommendation for adoption with conditions of the preliminary plat approval to the Town Council for their review and final action.

I would ask for a second. Mr. Schaub seconds the motion.

Beach it has been moved and seconded we have the motion in front of us.

Lind and I would ask Mr. Mack and the attorney for the applicant and his representatives for legal advise to see if they are legally agreeable to that particular resolution. Or it needs and changes.

Mack Mr. Lind, let me say, they municipal code section 17.20.080 requires certain adoption of findings of fact. I take it dealing with whether the plat is consistent with the comprehensive plan and planning standards whether appropriate provision has been made for various matters and whether the public use and interest will be served by this subdivision and the dedication proposed and I'm assuming that by the way your motion was drafted that there were recommendations on all of those and I believe in the staff report.

Lind I believe so and it was meant to be that way.

Mack and so you are recommending on adopting that?

Lind yes, that is true.

Mack if that's the case them the motion is adequate.

Lind any applicants representative?

Tift thank you for the opportunity. We have just received this and so we have just had the opportunity in the last few minutes to review this but with the understanding that it was a quick review process we have no objections to this as written as moved.

Lind since I get to first chance to speak on this I would urge us to go ahead and do this we have had a long time on this. I have come to the conclusion listening to all the testimony and everything that the designers of this are skilled individuals that they have found a way to come up with what I think is something that is going to help get us some pilots within the town which will reinvigorate the airport out there. I think that doing it the way it is it is economically efficient site. I think it meets all the criteria and the staff has told us that. As we have gone through this we have had lots of questions, etc. We have listened to and we have listened to the answers I would urge us to move on this and move it through and be done with the matter so we can move on to others.

Beach I am trying to read this in a hurry. Your one and two, I see two has this additional part about conditions one through twenty-one. Is it still twenty-one? I am trying to figure out what the difference is between one and two, except for the addition of these conditions at the end.

Lind the first one is the finding of facts and conclusions and I believe you will find number two is recommendations.

Beach in adopting this we are comfortable with all of those conditions? Because if we adopt as I understand it we are adopting all. . .

Lind that is correct. And the two reports that are there.

Beach so we have got to be sure when we do this that we are satisfied with those. If we are satisfied with those then it seems to me this resolution takes care of it. If we are not then we might want to make some amendments to the recommendations in terms of the conditions and so forth. I think that maybe a five minute recess to just let people think about what they are going to do.

Lind what do the rest of the commissioners think here?

Schaub I could use a minute.

Frink ready for vote.

Schaub question.

Beach if people are satisfied. . .(all commissioners answered yes). Any further discussion? No further discussion. All those in favor say "Y". All commissioners answered "Y". Opposed? The motion is carried. And that takes care of that. Unless there is any further comments from the staff the applicants.

New Business:

Beach the bylaws of the commission say that we shall have a election of the commission officers for the next year the first meeting in December and so this is the first meeting in December. We have a Chair, Vice Chair and a Secretary to elect. We will take nomination for each of those in turn. There doesn't need to be a second once there a nomination then I will ask the person nominated whether they are willing to accept that office if elected and then we will proceed with how ever many nominations there are for a given office. If there is only one nomination then we will declare that person elected to that office. Nominations are now in order for the Commission Chair.

Schaub Mr. Chair I would like to nominate Steve Lind for Chairman of the Planning Commission.

Beach to Lind. Would you accept that.

Lind I would accept.

Beach any other nominations. Mr. Lind is elected Chair for 2007.

Lind I would like to nominated Bob Schaub as Vice Chair.

Beach Mr. Schaub would you take that nomination?

Schaub I accept.

Beach is there any other nomination for Vice Chair? Mr. Schaub is elected Vice Chair. The nomination for Secretary.

Lind Mr. Chair I have asked Mr. Frink if he would and he hadn't. . . . he said he would think about it. Mr. Frink?

Frink do I have to say yes right now?

Beach ya, you have to say yes right now.

Frink what is involved?

Beach you have to sign the minutes and call roll and keep the Chair in line. Any other nominations? The new officers for the Planning Commission for 2007 are Mr. Lind, Chairman and Mr. Schaub, Vice Chairman and Mr. Frink, Secretary. The next item is the to do list. We have several items the Joint Planning Agreement, Short Plat Procedures, Design Standards, Hearing on Single Family Design Standards, Cottage Housing, Formula Take Out Restaurants, Larson Street, Six Year Street Plan and Planning Commission Findings For Council. Do we have any other things that we want to add to that list. Are there any of items that we want to take off this list.

Schaub I would like to suggest that we encourage the Mayor to appoint additional members to the Commission.

Beach I have been jawing at him with some regularity about that. I think one of the reasons he has not done so was because this hearing that we have had going on. If we had any additional appointments will the hearing was going on we they simply would have to abstain or we would have to start the hearing all over again. I suggest that the new Chair take up my jawing at the Mayor.

Public Comments:

Dixie Walter, 140 Antoni Avenue North, Eatonville, WA

Curious about Formula For Take Out Restaurants it doesn't compute with me.

Beach it's basically the chain franchise kinds of restaurants.

Bud Blancher, Airport, Eatonville, WA

I have one little airport thing I want you to think about. We do need at the airport is transient tie down on the south end of the airport so people can fly in go to a different restaurants or wherever they want to go. It would be nice if we had a maintenance facility down there and some fuel available for credit card operation on a fuel tank. These would be all things that would really help the airport and eventually help the city.

Bond in the last year we have received a grant to do a airport layout plan from the Washington State Department of Transportation and in that plan those are needs that I can bring to the attention of our consultant and we can include them in the plan when it comes before the Planning Commission as soon as we have a finished product probably this spring.

Jeff Stephen, 147 Weyerhaeuser Road North, Eatonville, WA

What go approved? Either they were all handed out when I came out the door or this wasn't inclusive your variance is very vague. What got approved? Where are you cutting into Weyerhaeuser Road. People would really like to know.

Beach it's that map right there. There is provision in what was approved for the two lots across the street from there to get some mitigation in term of headlights.

Jeff Stephen spoke away from the microphone.

Arlen Parario, 210 Orchard Avenue South, Eatonville, WA

In recent meetings he noticed there was a lot of conditions and topics talked about regarding the road on the South end of the air field. It seems to me that the applicant said he would move that road back so it would not be where it is shown now it would be moved further to the South.

Beach that map shows it moved all the way to the South.

Arlen Parario some discussion about the hangers, the space behind the hanger and the front for access has that been included applicants papers?

Bond just to clarify this is only been recommended to Town Council. Town Council still has to approve the preliminary plat. If anyone has any concerns regarding the content of the

application please come see me in the office and I can show you exactly what was contained in the findings in the report and I will try and explain to you the best that I can.

Commissioner Comments: None

Next Meeting: December 18, 2006

MSC to Adjourn at 7:58 PM

PC Chairman, Philip Beach

PC Recorder, Karen T. Bennett

PC Secretary, Bob Schaub