

**CITY OF MEDINA**  
**Planning Commission Meeting**

*September 23, 2014*  
*6:00 p.m.*

*Medina City Hall Council Chambers*  
*501 Evergreen Point Road*

**CALL TO ORDER**

The Planning Commission meeting of September 23, 2014, was called to order at 5:56 PM by Chair Nunn.

**ROLL CALL**

Present: Chair Heija Nunn, Jeanne Carlson, Peter May, Mark Nelson, Peter Papano, Randy Reeves and Shawn Schubring

Absent:

Staff Present: Robert Grumbach, Development Services Director  
Donna Goodman, Development Services Coordinator  
Cristina Haworth, Planning Consultant

**ELECTION (5:57 PM)**

Chair Nunn explained the procedure for election of vice-chair and opened the floor to nominations. May nominated Schubring. Papano nominated May. May stated that he would prefer not to be elected.

There were no further nominations and Chair Nunn closed the floor.

**MOTION TO ELECT SCHUBRING AS VICE CHAIR APPROVED 6 – 1, PAPANO OPPOSED. (5:58 PM)**

**ANNOUNCEMENTS (5:59 PM)**

Grumbach made the following announcements:

- Introduced Cristina Haworth, new Planning Consultant, and Keith Bates, Construction Mitigation Plan Field Compliance Consultant, both with Otak.
- Shredder Day will be Saturday, September 27<sup>th</sup>.
- There will be a City Council study session on the budget September 29<sup>th</sup>.
- Michael Luis resigned as mayor and Pat Boyd was elected the new mayor.

Chair Nunn announced the community will host a coffee gathering next week for new police chief, Steve Burns.

Nelson asked if it would be possible for the Planning Commission to assign a commissioner to speak at each council meeting and outline what was accomplished at the previous Planning Commission meeting. Chair Nunn explained that this had been done in the past and that during her meeting with the new mayor and city manager, they indicated that is something that they will initiate again. Discussion followed on making sure that the person who speaks for the Planning Commission is authorized to speak for the entire group.

#### **APPROVAL OF MINUTES (6:03 PM)**

MOTION MAY / SECOND NELSON TO APPROVE THE MINUTES FOR THE AUGUST 12, 2014, SPECIAL PLANNING COMMISSION MEETING AS WRITTEN. APPROVED 7 – 0. (6:04 PM)

#### **AUDIENCE PARTICIPATION (6:04 PM)**

There were no comments from the audience.

Grumbach apologized for hearing notices that announced the meeting start time at 5:30 pm rather than the correct time of 6:00 PM.

#### **PUBLIC HEARING (6:05 PM)**

##### **QUASI-JUDICIAL:**

1. Level 2 Tailored Construction Mitigation Plan. File No. CMP-14-005.  
Site Address: 2409 Evergreen Point Road.  
Proposal: Construct a new single-family home, install a new tram and install a new boatlift to an existing pier. Work will occur within geologically hazardous areas.

Chair Nunn asked commissioners about disclosures related to the Appearance of Fairness Doctrine. Chair Nunn disclosed her acquaintance with the applicant. No other disclosures were made. Chair Nunn asked if there were any challenges to commissioners participating in the decision-making. There were no challenges.

Chair Nunn explained the hearing procedures.

Consultant Bates was given the oath. He introduced an additional exhibit for the record and made a short presentation on the proposal. He stated only one public comment was received. Bates announced that staff recommended approval of the tailored construction mitigation plan subject to the conditions in the staff report.

Commissioners asked questions regarding the tram and erosion control, and about the long-term stability of the site. Grumbach responded that a geotechnical report was prepared that was peer-reviewed by the city's geotechnical engineering consultant.

Nelson suggested adding a condition that would address the concerns of the neighbor, explaining that the neighbor had been inundated with construction activities in the area for the last few years and that all the neighbors are concerned about vehicle speed.

Grumbach responded that the police can provide enforcement for speeders. There was also discussion regarding the use of flaggers for some activities.

Commissioners discussed the nearby school bus stop at Evergreen Point Road and NE 24<sup>th</sup> Street and the prohibition of trucking during school pick up and drop off times, the use of barging, and a request that trucks be turned off when not in use.

Steve Schiro (applicant) was given the oath. He provided additional information and answered commissioners' questions.

Contractor Tom Jergens was given the oath. He discussed arrival and start times and explained they would do what they could to minimize speeding and dirt control. He added that they may not remove as much soil as had been specified and expected only three to four days of trucking.

There were no comments from the audience.

Discussion followed on truck covers and arrival and work hours.

MOTION MAY / SECOND SCHUBRING TO AMEND THE CONDITIONS IN THE STAFF REPORT TO SPECIFY AN ARRIVAL TIME NO EARLIER THAN 7:00 AM AND START TIME NO EARLIER THAN 7:30 AM. APPROVED 7-0. (6:31 PM).

MOTION NELSON / SECOND SCHUBRING TO AMEND THE CONDITIONS IN THE STAFF REPORT TO SPECIFY THAT TRUCKS BE REQUIRED TO BE COVERED ON DRY DAYS. APPROVED 6-1, NUNN OPPOSED. (6:34 PM).

MOTION MAY / SECOND SCHUBRING TO APPROVE TAILORED CONSTRUCTION MITIGATION PLAN, CMP-14-005, WITH THE CONDITIONS IN THE STAFF REPORT AND THE TWO ADDITIONAL CONDITIONS. APPROVED 7 - 0. (6:34 PM).

2. Level 2 Tailored Construction Mitigation Plan. File No. CMP-14-006.

Site Address: 625 84<sup>th</sup> Ave. NE

Proposal: Redevelopment of a residential property, to include demolition of the existing single-family dwelling and construction of a new residence and other site improvements.

Still under oath, Bates made a brief presentation on the proposal. He reviewed the conditions in the staff report and recommended approval of the CMP with the noted conditions.

Commissioners discussed the parking arrangement and the traffic in that area during school drop off and pick up times.

Chair Nunn opened the hearing to public comment.

Dave Sanford expressed concern that there was no environmental impact statement for the site because he had seen wildlife and birds on the site. Grumbach responded that the site is not a protected area and no environmental impact statement is required. Sanford then asked about the path shown through the western portion of the property and expressed concern with run-off at the slope. Grumbach explained that the applicant was required to obtain a grading/drainage permit and plans that would address storm water runoff that meet the city's regulations.

Sanford inquired about the amount of soil to be removed and any fumes that might be produced, as well as tile cutting and sealing that might occur.

Robert Brog, who stated that he lived above the property, expressed concern with three large deformed fir trees on the subject property and indicated that he hoped they would be removed. He also requested a 7:30 am start time instead of 7:00 am.

Tim Rhodes, architect of record, was given the oath. He explained site conditions and described the project. He indicated that 84<sup>th</sup> Ave NE was designated for most of the trucking. Rhodes shared that there will be a rain garden to help with storm water, which he noted is a preferred method for dealing with runoff. Additional storm water will be tight-lined and removed from the site. Rhodes stated that the lower third of the site is a low marshy area and that the desire was to retain this area as a wildlife preserve; however there will be a gravel or wood chip pathway for the children to plan on. Two berms are planned to raise the areas slightly so they will not need to haul off all the excavated soil. He confirmed that the three previously topped trees mentioned by Brog would be removed but most of the trees on the site would be retained.

Nelson applauded the owner and architect for incorporating sustainable features into the project and for retaining so many of the trees.

MOTION MAY / SECOND NELSON TO APPROVE TAILORED CONSTRUCTION MITIGATION PLAN, CMP-14-006, WITH THE CONDITIONS IN THE STAFF REPORT.

Discussion by the commissioners followed. May expressed concern with the window prohibiting trucking during school pick-up and drop-off times and suggested a broader window that would take into consideration the traffic on 84<sup>th</sup> Ave NE.

Grumbach conveyed that twenty minutes before and after bus drop off and pick up has been a standard and that there is no data to support the traffic issue.

MOTION MAY / SECOND SCHUBRING TO ADJUST THE PROHIBITION ON TRUCKING TO 30 MINUTES BEFORE AND 15 MINUTES AFTER THE SCHOOLS' START AND STOP TIMES. APPROVED 5 - 0, NELSON & PAPANO OPPOSED. (7:25 PM)

MOTION TO APPROVE TAILORED CONSTRUCTION MITIGATION PLAN, CMP-14-006 AS AMENDED APPROVED 7 - 0. (7:26 PM).

## OTHER BUSINESS

Grumbach introduced the City's new planning consultant, Cristina Haworth, who spoke briefly about her education and experience.

1. Discussion of September 22, 2014, joint City Council and Planning Commission meeting. (7:29 PM)

Schubring summarized the outcome of the joint meeting with council on tree code updates. He suggested as a starting point to separate the regulations into two categories – development and landscape, landscape referring to situations where property owners are merely maintaining their lots.

Carlson raised concern with the timeline that had been specified by the council, noting that the Planning Commission had been out of the loop due to council appointing the tree committee. Now the commission needs to look at how to effectively approach it.

Discussion followed on the timeline, the need to act efficiently, the upcoming holidays and when meetings will occur.

Grumbach clarified that the tree committee was created as more of a study group rather than being tasked with defining the new code and agreed that what is needed is a framework for approaching the task at hand.

Chair Nunn suggested a hybrid approach and proposed asking members of the tree committee to participate with the Planning Commission. Discussion followed. Grumbach conveyed that the production of the written code is time consuming and, since he is working with the council also, his biggest concern would be with producing material quickly enough to present to the tree committee before presenting to the commission.

Further discussion followed on the performance approach, philosophical issues to be determined, identifying the key issues and how the process should proceed. Grumbach suggested walking through the material he had presented and determining the overall goal and general principles before getting into the particulars.

May proposed to continue with the tree committee and use them as consultants to the planning commission and council. He suggested that the commission could ask them to address particular issues, such as creative ideas on how to treat Medina Heights, heritage trees and the extent they should be protected, and ideas regarding non-residential existing properties such as the golf course.

Nelson pointed out that before they can look at how to solve the issues they need to agree on a purpose and to determine the overall goals.

Chair Nunn proposed that for the next meeting commissioners review the current code and make notes to be able to compare what is being presented. Grumbach suggested that they start the discussion with the slides he had prepared.



Mayor Boyd briefly addressed the Planning Commission, suggesting that they move beyond the expectations of the tree committee and take this issue on themselves as much as possible.

Nelson distributed a proposal from Medina resident Kay Koelemay and asked that it be required reading for discussion next time. He also suggested that the policies will need to incorporate flexibility for property owners while protecting the tree canopy.

Reeves commented that the canopy approach may not protect heritage trees.

Chair Nunn proposed that at the next meeting the discussion center around philosophy and policy.

## **ADJOURNMENT**

MOTION MAY / SECOND SCHUBRING TO ADJOURN THE SEPTEMBER 23, 2014, PLANNING COMMISSION MEETING. APPROVED 7 - 0. (8:43 PM)

The next Planning Commission meeting is scheduled for Tuesday, October 28, 2014, at 6:00 PM.

Minutes taken by:



Donna Goodman  
Development Services Coordinator