

**CITY OF BRIER
PLANNING COMMISSION MINUTES
Continuation of Public Hearing from March 28, 2001
April 4, 2001**

Chairman Protem Corey Friesen opened the April 4, 2001 continuation of the March 28, 2001 Planning Commission meeting at 7:38 PM

Roll Call:

Present: Commissioners Funk, Brock, Neilson, Hodgen and Friesen.

Absent: Commissioner Lavoie.

Public Hearing – Continuation:

Shortplat Application #99-001 – Murphy/Lamb – at 22411 Old Poplar Way, and Subdivision Application #99-003 – J. M. Murphy – at 22608 and 22512 Old Poplar Way.

Mr. Steven Anderson gave a brief review of Subdivision Application #99-003 and Shortplat Application #99-001, to the Planning Commission.

Commissioners who were absent at the March 28th meeting have listened to the tapes from that meeting.

Chair Protem Friesen re-opened the Public Hearing at 7:44 PM

*John Fisken - 22424 Old Poplar Way – stated that he lives directly to the north of subject property and has horses in his pasture and his concern is regarding the road that would lead into his property, and what would stop traffic from entering, also he does not want complaints that there are horses living next to proposed home owner. Mr. Fisken stated his concern regarding Old Poplar and a walk way, water runoff, and he felt Mr. Thorp was totally in favor of the developer and not the City of Brier. Mr. Fisken asked what was the capacity of the storage tank, it was answered that it is 206,000 cubic feet.

*Sharon Valentine - 22309 Old Poplar Way, asked questions about the sidewalk and road improvements and where is the water runoff on the west side of Old Poplar going to go.

Ken Collins - 2221 225th Pl. SW, commented about the question of what would become of Old Poplar Way and stated that the citizens do not want sidewalks, and curbs. He stated that he would hate to see that what is done on one small subdivision determines the character or breaks up the personality of the road.

Dick Russell stated that the Subdivision Ordinance requires curbs, gutters, and sidewalks.

John Fisken – 22424 Old Poplar Way, stated that over a year ago one City Councilmember asked if it was appropriate for him to have a discussion with the residents of Old Poplar Way to find out what they wanted for their street. Mr. Fisken stated that he was frustrated because there has never been a meeting. Mr. Fisken asked about the timing of the development and why the urgency.

Tom Evans explained the timing of the proposed subdivision.

Peggy Dare – 22320 Hickory Way, stated she is the SEPA appellant and talked about a State Law since 1995 that says SEPA review and review of the underlying plat by the Official Body is to be integrated as one process, the reason for this is to streamline the process and cut the duplication of the paper work. Ms. Dare talked about the responsibility put on Brier's SEPA Official. Ms. Dare stated that she feels the SEPA law has been used to the advantage to the citizens or the City and she has appealed the determination. Ms. Dare spoke of what she thought was not fair and asked that the Planning Commission recommend denial of the subdivision. Ms. Dare explained her understanding of the Subdivision Ordinance and gave suggestions of what she thought the project should look like. Ms. Dare gave histories of other projects completed in the City. Commissioner Hodgen asked for written input from the citizens.

Dick Russell stated that the 1994 Comprehensive Plan referred to Old Poplar Way from the convergence of Brier Road and Poplar Way down to 228th as a scenic or historical location and recommended diverters, but it also included Brier Road and Alaska Road.

*Marty Carrol - 2811 227th St SW, stated that this proposed Subdivision and Shortplat is going to change what Brier is, the tree line will be replaced by houses and the water runoff will increase.

*John Fisken – 22424 Old Poplar Way, talked about the sewer and gravity flow and how will a sewer line reach the proposed properties.

*Sharon Valentine – 22309 Old Poplar Way, stated she is concerned with the way Brier is changing. She stated she lives on the only private road off of Old Poplar Way and she will be losing all of the trees in order for the detention pond to go in.

*Dick Russell, Public Works Superintendent, stated that the City has a code and all that the staff can do administratively is to follow what the code says and no more.

*Kirby Johnson - 22016 Vine Road, stated that he lives downstream of the proposed detention facility that is proposed and is concerned by the SEPA determination because it represents a significant departure from what has been done before and it is precedent setting. Mr. Johnson stated he has a pond and is concerned about water runoff, sediment, pollutants, and temperature of water that may overpower his pond. Mr. Johnson stated he is concerned about a safety issue because of the 20 feet of water build up for the detention pond. He stated his concern for a premature decision because all the facts are not in. Mr. Johnson stated that there are conditions that could affect the basic elements of the plat as proposed and does that not preset the whole project.

*Jorge Garcia, City Engineer – Mr. Garcia stated the City of Brier is trying to complete the Water Comprehensive Plan. He talked about the regional ponds that were referred to.

There was discussion as to when the City Council may hear the Subdivision proposal.

*Peggy Dare – 22320 Hickory Way, stated there has been an assumption that the City allows regional detention, and she stated that the subdivision code does

not allow it. Ms. Dare asked if the City Council has made a decision that this was a good place for a regional detention.

Ms. Dare read Title 18 page 323-8 3.D, regarding drainage. Ms. Dare discussed the City's requirement that the detention pond comply with the Department of Ecology's standards.

*Mike Allberg – 800 Sheffield Road, Ellensburg, WA, stated his family owns property directly south of the proposed shortplat and asked about the regional detention pond, easements, and the sewer lines. Mr. Allberg handed the Planning Commission a letter.

*Katie Allberg - 17904 3rd NW Shoreline, stated she had about 4 concerns and would like a copy of the survey of the shortplat, she stated that she is concerned about the swale to collect water. Ms. Allberg stated that if the detention pond is a regional one who decides who uses the excess capacity, the cost of using it and many questions regarding the use of the detention pond, and Ms. Allberg asked what requirements would be made of them if they were to develop their property. Ms. Allberg handed the Planning Commissioners a letter from her and her Engineer.

*Ken Collins - 2221 225th Pl. SW, gave a letter to the Planning Commission, stated he owns property adjoining the end of the shortplat. Mr. Collins stated he is affected by the aesthetics of the area and his primary concerns are related to the ravine in the quality of the water in Locust Creek and the ravine. Mr. Collins wanted to know what is the impact to the environment in and around Poplar Creek due to the increased water flow, decreased water quality, and the different thermal profile.

*John Fisker – 22424 Old Poplar Way, talked about the concern he had regarding the property line between his land and the proposed subdivision.

*Kirby Johnson - 22016 Vine Road, asked if the latest version of the Department of Ecology Stormwater Management manual going to be applied to this project, and the answer is no because the manual has not been adopted by the Department of Ecology.

*Tom Evans – City Attorney explained the issue of the proposal being substantially complete.

*Kirby Johnson – 22016 Vine Road, talked about the standards the City is working with.

*Peggy Dare - 22320 Hickory Way, gave handouts to the Planning Commissioners, and talked about the best placing of the regional detention system. Ms. Dare played a taped conversation with Craig Young, Snohomish County Watershed Steward

Planning Commission took a five minute break.

Ken Collins – 2221 225th Pl. SW, asked if running an access road to Brier Road rather than Old Poplar Way was considered.

Steve Anderson – answered that the property does not front on Brier Road there is no physical way to run through to Brier Road.

*Peggy Dare – 22320 Hickory Way, asked the Planning Commission to seek that eventual connection through the Schroeder property from Brier Road, and talked about the design of the trail, and handed the Planning Commission copies if the SEPA rules.

*Kate Allberg – 17904 3rd NW, Shoreline, gave the Planning Commission a handout.

*Rolf Vecchi – 3003 216th St. SW, asked the Planning Commission to consider everything that has been said at the Public Hearing.

*Ken Collins – 2221 225th Pl. SW, asked that the public have pictures of similar detention ponds in advance of the final decision, so that the public would know what is going in, and he stated that it bothers him because it is not clearly defined.

*Kirby Johnson – 22016 Vine Road, asked about the calculations of the drainage area for the basin and stated what he thought it should show.

Jill Johnson – 22016 Vine Road, asked if the City could require a bond to cover damage to other properties and would it cover her property.

Tom Evans, City Attorney, explained the different bonds that the City requires.

There was no other Public comment.

Chair Protem Friesen closed the Public Hearing at 9:48 PM.

There was Planning Commission discussion regarding their concerns, with City Staff and Steve Anderson.

Commissioner Hodgen moved and Commissioner Funk seconded to continue Shortplat Application #99-001 – Murphy/Lamb – at 22411 Old Poplar Way, and Subdivision Application #99-003 – J. M. Murphy – at 22608 and 22512 Old Poplar Way, until April 11, 2001 at 7:30 PM.

Commissioner Funk moved and Commissioner Brock to adjourn the Planning Commission meeting. The Planning Commission meeting adjourned at 10:32 PM