

CITY OF PORT ORCHARD Planning Commission Minutes

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Planning Commission Meeting Minutes March 19, 2007

Commissioners Present:

Gil Michael, Chairman
Bek Ashby
Stephanie Bailey
Noel Larson
Annette Stewart

Staff Present:

Joanne Long-Woods, Planning Director
Jennifer Haro, Associate Planner

CALL TO ORDER:

Chairman Michael called the meeting to order at 7:03.m.

OLD BUSINESS:

A. Continued Public Meeting: R-1160. Rezone request by Mr. Fred Paulson for a site-specific rezone from Residential 4.5 to Commercial zoning to allow construction of two medical office buildings at 1922 and 1932 Pottery Avenue.

Planning Director Long-Woods stated that the agent for the applicant has submitted a proposed fix for the drainage problem on the neighboring property, and is working with the City Engineer and the neighbors. She also indicated that the City Attorney advised that the Planning Commission cannot hold up an application for Mr. Paulson because of a problem with Paul Berg's development.

There was a discussion about proper notice for the hearing. Associate Planner Haro indicated that the adjacent neighbors, David and Sally Bilodeau were the only discrepancy found on the mailing list provided by the title company, versus the Kitsap County records.

Leonard Smith, PacWest Engineering, Fife, WA, stated that he and Mr. Berg were working with the neighbors to come up with a satisfactory solution to the drainage problem.

Chairman Michael told Mr. Smith that he had created a significant health, safety, and welfare problem in the City, and the job of the Planning Commission is to address all significant health, safety and welfare problems. After further discussion, Mr. Smith he would be happy to have a technical debate in a more appropriate forum.

Paul Berg, agent for the applicant, stated that he is planning to take care of the problem, and has meet with the neighbors, and he and his engineer are working toward a fix.

Commissioner Ashby steered the discussion back to the rezone.

Sally Bilodeau, 1710 Pottery Avenue, stated that she found Mr. Berg to be very helpful, but she had not heard anything from the City.

Chairman Michael directed Staff to get City Engineer Maher Abed from his committee meeting in a nearby conference room. He indicated he would stop by when the meeting was over.

There was discussion about the location of the proposed buildings. The Bilodeaus were concerned that sunlight would be blocked in their shop after construction of the buildings.

Chairman Michael told Staff that he did not want the Bilodeau's to have to go through a lot of bureaucracy during the process of fixing the drainage problem.

Paul Berg, Leonard Smith, David and Sally Bilodeau alternated discussion about location of garbage bins, sidewalks, and building location. Chairman Michael asked Mr. Berg how the process was going with the City. Mr. Berg indicated that while he would like the process to go faster, the City was doing a good job with the limited staff they had.

Motion by Commissioner Stewart, second by Commissioner Ashby to approve Rezone 1160 as conditioned. After discussion, Commissioner Ashby accepted a friendly amendment to add a new condition 22, which would read "before issuance of any site development permits, the regional drainage issue needs to be designed, and approved by the City Engineer." Upon vote, motion passed 3-1. Commissioner Bailey cast the dissenting vote.

NEW BUSINESS:

Chairman Michael asked the new Planning Commissioner, Noel Larson, to introduce himself.

A. CUP025-07. A conditional use permit to allow construction of a 3,200 square foot storage building at 4611 Sidney Ave. Applicant: South Kitsap Western Little League.

Commissioner Stewart indicated that she would be stepping down from this hearing. Chairman Michael told her that she cannot, because there would not be a quorum.

Associate Planner Haro gave a summary of the staff report, and concluded by saying staff recommended approval of the project.

Chairman Michael asked Commissioner Stewart why she was desired to step down. She indicated that she sits on the Board of the Little League and has been involved in the project. Chairman Michael asked Commissioner Stewart if she felt should could make an unbiased decision. Commissioner Stewart stated that she could.

Planning Manager Long-Woods indicated that late last week, it came to the attention of the City that the Little League did not own the property, but rather leased it from Kitsap County, and as of yet, the City has not received a permission letter from the County authorizing the project. The City had received verbal permission from Brian Lyman at the Parks Department, but nothing in writing.

Commissioner Ashby indicated that she had some history on the lease with the County, as she is a former president of the Little League. She stated that there was a long-term lease.

Bob Showers, President, South Kitsap Western Little League, stated that there was a 50-year lease with the County, signed in 1982. Mr. Showers stated that he had been working with the County for three or four months until someone there told him to go to the City for a building permit. He expressed dissatisfaction with the process.

There was discussion about the need for a permission letter, in order to protect the investment of the shed.

Motion by Commissioner Ashby, second by Commissioner Stewart to recommend approval of CUP025-07 with the condition that appropriate permission be received from the County prior to the City Council hearing. Upon vote, motion passed unanimously.

Commissioner Stewart asked for an answer as to why the CUP for the tattoo studio at the February meeting was not heard, with the owner sitting in audience, but the Little League hearing was allowed to go forward with no formal permission from the owner. Commissioner Ashby stated that she was wondering the same thing.

Planning Director Long-Woods summarized the City Attorney's finding that there was nothing in the Code that prohibited lessees from applying for permits, if they have the owner's written permission. The attorney also noted that home occupations are allowed outright in the R4.5 zone, and they did not need a CUP, and their money would be refunded.

B. Staff Report on Updates to plans and changes to the Planning Department

Chairman Michael stated he was receiving pressure from several Council members about Bed & Breakfast parking, and wanted that subject on the next Planning Commission agenda.


Planning Director Long-Woods stated that the Planning Department was getting a new Assistant Planner, and a half-time Clerk to help with the workload. She also stated that the Comprehensive Plan update would be happening this year, and Council was meeting twice a month to update development regulations and the zoning code.

Director Long-Woods informed the Planning Commission that Council had voted to move to a Hearing Examiner for all land use cases, but there was no timeline on that change.

There was discussion on a possible special meeting date for annexations. Ms. Long-Woods indicated that there were seven or eight applications for annexation.

ADJOURN:

Chairman Michael adjourned the meeting at 8:42 p.m.



Joanne Long-Woods, Planning Director



Gil Michael, Chairman