Planning Commission Meeting Minutes
September 15, 2014

COMMISSIONERS:
Present: Trish Tierney, Stephanie Bailey, Nick Whittleton, Dee Coppola, Gil Michael, Annette Stewart
Absent: Robert Baglio, Tim Drury

STAFF PRESENT:
City Development Director Nick Bond, Associate Planner Stephanie Andrews, Intern Planner Scott Bonjukian.

1. CALL TO ORDER:
Chair Stewart called the meeting to order at 7:01 p.m.

2. AUDIENCE COMMENTS:
None

3. PUBLIC HEARINGS:
A) 2014 Comprehensive Plan Amendment Applications

Annette Stewart opened the public hearing on the 2014 Comprehensive Plan Amendments. She explained to the audience that comments should be limited to 3 minutes in length. She stated that due to her employment with the South Kitsap School District (SKSD), she would need to recuse herself from any discussion or testimony on the SKSD application. Chair Stewart asked if there was any general testimony on items not on the agenda. There were none, so Chair Stewart removed herself from the room.

Vice-Chair Dee Coppola then proceeded with opening the public hearing on the SKSD rezone and comprehensive plan amendment request.

Planner Andrews described the applicant’s request for a zoning and comprehensive plan designation change on two pieces of property owned by the SKSD, both of which are requested to be changed to Community Facilities/Public and Community Spaces. “Site #1” is at the intersection of Old Clifton Rd and Feigley Rd. “Site #2” is at the intersection of Hoover Avenue and Lincoln Avenue. Both properties were annexed by the City of Port Orchard and given residential zoning and comprehensive plan designations. The staff recommendation for action is to approve the rezone and comprehensive plan designation for both sites.

Applicant Tom O’Brien, Facilities Director for the SKSD, testified that the School District is requesting these changes for long-term planning/consistency and that there were no project plans at this time.

Commissioner Michael questioned whether the current designation of residential was an oversight or error by staff during the annexation process. He stated that where an error has been made in the past that the City Council has waived fees for those amendments. Planner Andrews said that during the annexation process, a large number of parcels are involved and not every site is evaluated on an individual basis. Commissioner Michael asked if staff was saying that this was an oversight. Planner Andrews responded that it could be considered an oversight that not every parcel is analyzed individually, but that that is not a part of the annexation process.

Vice-Chair Coppola asked if there was any further public testimony from the audience. There was none. Planner Andrews directed the Planning Commission to the information that was at their desks for the hearing. An email was provided with one public comment regarding a proposed high school and resulting traffic and safety concerns.

Planner Andrews introduced the application from Living Hope Community Baptist Church for a rezone and comprehensive plan designation change. Chair Stewart re-entered the Council Chambers. Planner Andrews continued; the amendment is requested to change the zoning from R8 to BP1. This could result in additional flexibility for the property owner to rent out building space during the week when church activities were not being conducted. The staff recommendation is to approve the rezone request.

Applicant Joe Parkinson testified that the rezone is to allow repurposing of the structure. Chair Stewart asked what “repurposing” would mean in this situation and Mr. Parkinson replied that the intent is to sell the building and that this would allow other uses that are consistent within the area.
Planner Andrews indicated that one written comment was received and provided to the Planning Commission.

Chair Stewart introduced the Vogel amendment. Planner Andrews explained that the amendment request from Dave Vogel was to change from Greenbelt and R8 zoning to Greenbelt, R8, and Commercial zoning. The Commercial was proposed from the top of the bank to the west. A modified zoning map with the applicant's depiction of "top of slope" was submitted by Planner Andrews. The staff recommendation is to deny this rezone request. If the Planning Commission wanted to consider approving this amendment, Planner Andrews suggested looking at either R4.5 or R8 zoning to reflect the surrounding uses.

Applicant Dave Vogel testified that when he purchased this property in 1988, the zoning designation was Residential Low, which, aside from low-density residential development, allowed for uses such as grocery, restaurant, barber, professional offices, banks, churches and service stations with approval of a Special Use Permit. Mr. Vogel provided the Planning Commission and staff with copies of the zoning ordinance and an additional map of his proposal. He is requesting to be able to use his property as was intended when he bought it. He would like Commercial so he could do mini-storage, and he feels that would provide an appropriate buffer between the traffic and road noise on Lund Avenue and the neighboring residences. He also stated that there are two businesses in adjacent residences -- a school and a hair salon.

Michael Carrigan testified and read a letter from Robin Kundert into the record. Mr. Carrigan said that he represents a group of residents from the Bill Ave/Jones Ave area and asked them to stand. Approximately 14-18 people stood. Their concern with the proposed rezone is that commercial development would change the character of their neighborhood. They also have concerns with safety, garbage, and traffic. He said that if Mr. Vogel purchased this property in 1988 then the Lund Ave bridge would already have been constructed.

Commissioner Michael asked Mr. Carrigan what use the neighborhood would like to see there, to which Mr. Carrigan replied none, except possibly a single-family residence.

Betty Goodrow testified that she had concerns with traffic and how this site would be accessed off of Sidney.

Planner Andrews stated that the Port Orchard Public Works Department indicated in their comments on the proposal that a Traffic Impact Analysis would have to be submitted at the time of project application. An Analysis may say that access off of Tremont or Sidney would not be possible, and it may be required that an applicant construct street improvements on Bill Ave.

Jean Jones testified that there is a lot of history in this area. Businesses in the homes are off of Sidney Avenue, which is not a part of this neighborhood. Their way of life would be impacted by a commercial development.

Chair Stewart introduced the Bethel Rd LLC/Kvinsland amendment application.

Planner Andrews explained that the amendment request is for a map change only. The property has split zoning between the Commercial and Greenbelt zones. The applicant desires to redraw that line to gain additional commercial area. The surveyor that prepared the map was contacted and indicated that the applicant had chosen where to draw the lines and the site was not actually surveyed. Staff provided a map that shows "Areas of Concern" based on soils data from USGS. Staff recommends denial of the proposal but if the Planning Commission supported the change that they use the soils information as the basis for that decision. Applicant was not present to testify.

Chair Stewart introduced the Parks Amendment.

Planner Andrews gave a description of the application, as proposed by Mayor Tim Matthes. This is a three-part amendment. The first request is to update the Parks Plan to change the name of Central Park to Clayton Park, an action that was previously taken by Council in the minutes from 1971/1972 that were included in the packets. The second request is to designate Lundberg Park as an ADA-accessible barrier free park. The third request is to designate South Park (across from Fred Meyer) for development as an off-leash dog park.

Mayor Tim Matthes testified, explaining each amendment. He cited the 1971/1972 minutes as the basis for changing the name of Central Park to Clayton Park. He said that Lundberg Park used to be an RV Park and has a nice flat area with a trail around the old RV sites already. Because of the hard-packed, level soils it would be a suitable location for wheelchair access on the upper portion of the site. The Mayor indicated that councilmember Bek Ashby had informed him that certain grant opportunities may be available if the park is designated as "barrier free". He also discussed South Park and its designation as a dog park. He indicated that some clearing of scotch broom and blackberries had been done with help from LDS church volunteers. They had

Page 2 of 5
indicated that they would be willing to help with future installation of fences also. He cited that there are approximately 3,500 licensed dogs in the City, and an unknown number of unlicensed pets, and the City should be providing an amenity for those pet owners. There would be an area at the park that is fenced off for dogs as well as an area for leashed dogs only.

Department of Community Development (DCD) Director Nick Bond introduced the proposed amendment to consider reductions to the City's UGA, an amendment sponsored by the City Council. Director Bond explained that any amendment to the comprehensive plan under this proposal would need to be followed by an application submitted to the county to amend the county UGA boundary. Bond explained that the maps provided showing the city's affiliated UGA has been broken into subareas labeled A-K. These areas are up for discussion to determine if some of the areas should be removed from the UGA. If the UGA, as it currently is mapped, was to be annexed into the City, that would make the City's population approximately 27,000. If the 20 year population allocations as found in the countywide planning policies were to materialize and the city were to annex the entire UGA, the population of the city could reach 47,000 in 20 years. In determining each area A-K, logical boundaries were drawn based on critical areas and infrastructure. Director Bond noted that West Sound Utility District is currently in discussions to possibly form a LID in Area “F”, so we may not be able to remove that from the UGA, depending on timing.

There was no public testimony on the topic.

DCD Director Nick Bond introduced the proposed amendment to designate “centers of local importance” in the City. The map breaks out ten different areas for consideration, based on the location of employment centers with transportation related connections. The Kitsap Countywide Planning Policies say that Centers should be identified. These are local (not regional) centers and designating these areas as centers could help to get transportation funding for projects located within these areas. When grant applications are evaluated at the regional level, in some cases, an applicant may receive an extra “point” if the project is in a designated center of local importance.

There was no public testimony on this topic.

Chair Annette Stewart closed the public hearing on the 2014 Comprehensive Plan Amendments and opened the hearing on the 2016 Comprehensive Plan Update.

Planning Intern & UW graduate school student Scott Bonjukian introduced the 2016 Comprehensive Plan Update Items. The three draft elements for consideration are Vision, Land Use, and Housing, which have been developed out of a series of workshops and public meetings. These elements have been previously presented to the Planning Commission.

There was no public testimony on the topic.

Chair Stewart closed the public hearing on the 2016 Comprehensive Plan Update and opened the discussion on the 2014 Comprehensive Plan Amendments and the 2016 Comprehensive Plan Update.

Chair Stewart stepped out of the room for the SKSD rezone discussion. Commissioner Michael asked that the Resolution specifically state that staff admitted to this issue being an “oversight”. Planner Andrews clarified that in the annexation process, these were vacant pieces of property and that the Sidney Glen school piece was rezoned properly because it is built out with a school building. In the annexation process all owners are notified and can request alternate zoning. The SKSD did not make such a request during the annexation process. Commissioner Michael said that he would still like the language that this was an oversight/staff error to be reflected in the Resolution. Other Planning Commission members stated that they disagreed and that that was not the intent of what was said. An informal vote indicated that the proposed language would not be added to the Resolution. Director Bond added that even with the existing Residential zoning, schools are conditionally allowed.

The Planning Commission members agreed that they supported the staff recommendation to approve the rezone request on both sites and that a resolution to that effect should be prepared. Chair Stewart re-entered the room.

Chair Stewart asked for discussion regarding the Living Hope Baptist Church rezone request. Commissioner Bailey stated that this application seems to mainly just be so that the owner can sell this property. Commissioner Michael said that the owner failed to make a compelling argument for the necessity of this rezone.
Director Bond added that trying to sell may be difficult given that this structure was originally constructed for use as a church and repurposing it for residential uses may be challenging. Commissioner Michael referred to the original discussion on the Business Professional (BP) designation and that it was intended to remain only on the west side of Sidney Avenue.

The Planning Commission members supported a recommendation of denial.

Chair Stewart asked for discussion regarding the Vogel rezone request. Commissioner Bailey stated that the community presence was impressive, other members agreed. She went on to say that the applicant has requested to have the use allowance that was on the property when he made that investment in 1988. She feels that a Residential designation would be appropriate. Commissioner Michael stated that he does not feel that Commercial is appropriate here, but that residential would be, perhaps R8 or R12 in the area above the top of the ravine. The Commission identified the neighboring properties as being R8.

The Planning Commission members supported a recommendation of denial, with consideration given to designating R8 from top of bank west instead.

Chair Stewart asked for discussion regarding the Bethel Rd LLC/Kvensland map amendment request. Staff and the planning Commission went through the maps provided in the packet (created by staff). Commissioner Bailey questioned the applicant’s desire to follow the stream curve rather than top of slope. Planner Andrews stated that she had spoken to the surveyor who created the map and that there was not an actual survey of the top of slope done. The applicant's map relies on Kitsap County topography data, which is the same data that the City uses for creating maps. Planner Andrews directed the Planning Commission to look at a map with “areas of concern” marked out in a pink map layer. This layer is designated by USGS data for soils. Commissioner Michael noted that it was a give/take, some areas would be expanded while some retracted, if redrawn to follow hazard lines.

The Planning Commission members agreed to support denial of the request to redraw the line between the Greenbelt and Commercial zoning designations.

Chair Stewart asked for discussion regarding the Parks Plan amendments proposed by the Mayor. The Planning Commission members agreed to support renaming Central Park to Clayton Park (there was no discussion).

Commissioner Coppola said that she went to Lundberg Park and does not think this is a good location for a park because it is tucked away, dark, and there have been police issues there. She suggests that the property be sold to the Housing Authority. The Planning Commission considered removing this park from the Parks Plan and designating a different park as “barrier free”. Director Bond told them this would require public notice and comment as part of the annual amendment cycle next year. The Planning Commission agreed to support denial of this amendment and look at other parks for the “barrier free” designation. Director Bond noted that all new parks in the City must meet ADA standards.

Commissioner Coppola stated opposition to designating South Park as an off-leash dog park due to its location because it is not safe for dogs. Commissioner Tierney responded that it would just require adequate fencing. Planner Andrews gave the examples of Howe Farm in Port Orchard that has been used as a dog park and the dog park a JBLM that are both located near busy roadways. The Planning Commission members agreed to support approval of this amendment.

Chair Stewart asked for discussion regarding the proposed amendment to reduce the Urban Growth Area.

Director Bond introduced the proposed amendment, which was proposed by the City Council. The amendment was proposed to allow for consideration of the implications of the current UGA, should that area be annexed in the future as intended. The future population of Port Orchard could reach over 41,800, requiring services and infrastructure that the City may not be able to provide. To aid in the discussion, a map is provided that breaks the UGA into smaller areas based on streets.

The Planning Commission discussed the areas on the map labeled A-K. Area B was modified to follow a straight line along SE Mile Hill Drive to Baby Doll Road. Area D was subsequently expanded to include the areas from Area C that go west to Baby Doll Rd. Area I was split along Sidney Avenue, with the small area to the east of Sidney Ave recommended to stay in the UGA. The area to the west was recommended for removal. The recommendations for all areas were as follows:

Area A: Leave in the UGA
Area B: Modified to include properties to the north of SE Mile Hill Drive. Remove from the UGA
Area C: Modified to remove parcels north of SE Mile Hill Dr and east of Baby Doll Rd. Leave in the UGA
Area D: Modified to include all parcels from Area C that are east of Baby Doll Rd. Remove from UGA
Area E: Remove from UGA
Area F: Remove from UGA
Area G: Remove from UGA
Area H: Remove from UGA
Area I: Modified to split along Sidney Avenue. Remove the area west of Sidney from the UGA
Area J: Leave in the UGA
Area K: Leave in the UGA

Chair Stewart asked for discussion regarding the proposed amendment to designate ten Centers of Local Importance.
Director Bond stated that the purpose of this amendment was to designate ten local Centers of Local Importance. Designation of these areas would be consistent with the Kitsap Countywide Planning Policies and would provide additional eligibility for transportation grants. In the 2016 Comprehensive Plan Update, sub-area plans for each Center could be developed.
The Planning Commission members agreed to support approval of this amendment.

Director Bond introduced the 2016 Comprehensive Plan Update and asked for any proposed revisions that the Planning Commission members had. Commissioner Coppola stated that she had a number of revisions to propose as well as some questions. It was decided that Commissioner Coppola would email her comments to Director Bond for distribution.

5. ANNOUNCEMENTS FROM STAFF
Director Bond reminded the Planning Commission to RSVP for the upcoming Short Course on Local Planning to be held October 13, 2014.

6. APPROVAL OF MINUTES
Commissioner Tierney made a motion to approve the minutes as written. Commissioner Coppola seconded the motion. The motion passed.

7. ADJOURN:
Chair Stewart adjourned the meeting at 9:43 p.m.

Annette Stewart, Chairman

Nick Bond, City Development Director