

APPROVED

**CITY OF MONROE
PLANNING COMMISSION MINUTES
Monday, October 12, 2015**

The regular meeting of the Monroe Planning Commission was scheduled for **October 12, 2015 at 7:00 p.m.**, in the City Hall Council Chambers at 806 West Main Street, Monroe, WA 98272.

CALL TO ORDER

Chair Kristiansen called the meeting to order at **7:00 p.m.**

ROLL CALL

Secretary Christina LaVelle called the roll. The following were:

Commissioners Present: Chair Kristiansen, Commissioner Coonan, Commissioner Duerksen, Commissioner Jensen, Commissioner Bull, Commissioner Stanger and Commissioner Tuttle

Staff Present: Director of Community Development David Osaki, Public Works Director Brad Feilberg, Senior Planner Melissa Place, and Planning Commission Secretary Christina LaVelle

COMMENTS FROM CITIZENS

None

APPROVAL OF MINUTES

September 21, 2015

- **Commissioner Coonan** moved to accept the **September 21, 2015**, Planning Commission meeting minutes as written. **Commissioner Duerksen** seconded. **Motion carried 6/0.**
Commissioner Bull abstained from voting.

September 28, 2015

- **Commissioner Jensen** moved to accept the **September 28, 2015**, Planning Commission meeting minutes with noted changes. **Commissioner Stanger** seconded. **Motion carried 6/0.** **Commissioner Bull** abstained from voting.

PUBLIC HEARING

A. East Monroe – Comprehensive Plan Amendment and Rezone

Proposal to amend the Comprehensive Plan Map and Zoning Map for approximately 43 acres of property located north of US 2, near the eastern Monroe City limits.

Director Osaki summarized the proposal and noted the following:

- The purpose of Planning Commission Public Hearing and responsibilities of the Planning Commission as an advisory committee to the City Council. The Planning

Commission is to consider comments made at the Public Hearing, as well as other documentation before recommending to the City Council approval or disapproval the East Monroe Comprehensive Plan map amendment and Rezone.

- The East Monroe Comprehensive Plan map amendment and Rezone is a non-project action for a change in Comprehensive Plan land use plan map designation and zoning designation for 43 acres of property located in East Monroe off of State Route 2. This property is currently zoned Limited Open Space and with a Comprehensive Plan designation of Limited Open Space. The proposal is to change the zoning and Comprehensive Plan designations from Limited Open Space (LOS) to General Commercial (GC). These amendments are to the zoning map and the comprehensive plan land use map.
- The history and chronology of the East Monroe Rezone and Comprehensive Plan map amendment was summarized. The comprehensive plan amendment and rezone was approved and adopted by City Council ordinances in December 2013. The adoption was appealed to the Growth Management Hearings Board. The Growth Management Hearings Board overturned the ordinances related to the East Monroe Comprehensive Plan map amendment and the rezone directing that additional environmental review occur to address an insufficient analysis of the environment. The result triggered the subsequent Draft Supplemental Environmental Impact Statement (DSEIS).
- The mandatory review criterion and additional criteria for each plan amendments is provided for in Resolution No. 2012/020. Those that are mandatory review criteria must be met for the Planning Commission to recommend approval. The additional criteria must be met; unless there is compelling reasons not to do so, for the Planning Commission to recommend approval.

Chair Kristiansen opened the Public Hearing for the East Monroe Rezone and Comprehensive Plan map amendment.

PUBLIC TESTIMONY

Heritage Baptist Church, Applicant

Pastor Thomas Minnick
16651 Currie Road
Monroe, WA
98272

Pastor Minnick asked the Planning Commission to support the rezone and Comprehensive Plan map amendment and have the City Council re-instate their previous decision. His key points are as follows:

- It has been five (5) year process of the attempt to rezone and change the Comprehensive Plan designation of the East Monroe property owned by the Heritage Baptist Church.
- The City Council decision to rezone and change the Comprehensive Plan designation from Limited Open Space (LOS) to General Commercial (GC) is the

only logical designation for this property.

- The environmental studies (Phased, FEIS, DSEIS) have been more than adequate and comprehensive for a non- project action.

PACE Engineers

Eileen Davis
11253 Kirkland Way, Suite 100
Kirkland, WA

Ms. Davis made herself available to answer questions.

Lowell Anderson

129 E. Rivmont Drive
Monroe, WA
98272

Mr. Anderson spoke on his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- The use of LIDAR map elevation data provides inaccurate land elevations. On the ground surveying show that the compensatory flood storage should be increased through-out the site. In addition, the original fill volumes were wrong making the data provided in the EIS suspect.
- The Watershed Science and Engineering data does not include flood rise or overland flooding. This could skew the data to show the flooding to be less frequent and intensive than it has been historically shown.

Vicki Furrer

23811 SR2
Monroe, WA
98272

Ms. Furrer expressed her opposition to the proposed rezone and Comprehensive Plan map amendment. Her key points are as follows:

- The property is a critical buffer for wildlife and is a natural boundary between commercial Monroe and its agricultural lands.
- The proposed rezone and Comprehensive Plan map amendment is not consistent with the adjacent uses which are primarily agricultural uses.
- Developing the site will accelerate the instability of the slope north of the property.
- Future development of a commercial property will significantly increase traffic issues in an area that already has extreme traffic volumes that pose safety risks to drivers.

Scott Furrer
23811 SR2
Monroe, WA
98272

Mr. Furrer expressed his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- The property currently acts as a natural boundary between urban and rural Monroe. If the property were to be rezoned, any commercial development would act as an "island" of commercial uses and would negatively impact downtown Monroe. It would draw consumers from downtown Monroe and impact business in the downtown or the North Kelsey business area.
- The proposed Comprehensive Plan and rezone designations are not consistent with current uses and adjacent properties.

David Demarest
13911 130th St. N.E.
Snohomish, WA
98290

Mr. Demarest expressed his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- The property's history of flooding, its isolation, and its environmental challenges, have driven previous council actions to designate this property as Limited Open Space (LOS).
- Future development of the site to General Commercial (GC) will drive consumers away from the downtown (to access services) which is not consistent with the Comprehensive Plan. One of the objectives of the Comprehensive Plan is to support a thriving downtown and the rezone of this property would be inconsistent with this goal.

Wiard Groenveld
29524 Fern Bluff Road
Monroe, WA
98272

Mr. Groenveld expressed his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- Re-designating the site to General Commercial (GC) from Limited Open Space (LOS) will remove prime farm land from a rural community.

Misty Blair

15405 Calhoun Road
Monroe, WA
98272

Ms. Blair expressed her opposition to the proposed rezone and Comprehensive Plan map amendment. Her key points are as follows:

- The rezone is inconsistent with the existing Comprehensive Plan that "protects the scenic gateway" to Stevens Pass.
- The rezone fits the criteria of "spot zoning" being that it is site specific and the property is under one ownership.
- Even though the site is within the Urban Growth Area there is no requirement that the property be rezoned for more intensive uses. WAC 365-196-185 Designation of Critical Areas- subsection 4- Avoiding Impacts: state that critical areas are included in urban areas.
- The State Environmental Policy Act (SEPA) review has determined that up to 70% of the site is impacted by critical areas making the proposed rezone inconsistent with flood plain management/SEPA policies.
- If the property is rezoned General Commercial (GC), it will allow for other adjacent properties, which are currently zoned Limited Open Space (LOS) to rezone to GC. This could result in the entire corridor to change from rural uses to commercial uses.
- The DSEIS uses the 1999 flood hazard data, which does not produce flood storage for a 500 year flood and does not account for overland flooding and climate change.
- Because it is an area wide rezone, the DSEIS does not take into account what will happen as each parcel is sold. **Ms. Blair** expressed concern that to counteract the current critical area restrictions on their properties, future property owners will apply for reasonable use exceptions and be able to develop land that is currently set aside for compensatory flood storage and critical area buffer zones.

Tom Treves

24032 153rd St. S.E.
Monroe, WA
98272

Mr. Treves expressed his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- The rezone is inconsistent with adjacent properties and the "country life-style" of the area.
- The rezone will increase impervious surfaces thereby increasing flooding and threatening the hillside.

Douglas Hamar

21314 E. Rivmont Drive
Monroe, WA
98272

Mr. Hamar expressed his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- The rezone is inconsistent with the current Comprehensive Plan. The Comprehensive Plan has a goal of a vibrant downtown and a walk-able community. This property is isolated and does not support this goal because it encourages the development of big box stores and draws people outside of town to shop. This could impact downtown Monroe businesses and weaken Monroe's economy.
- The SEIS does not provide for enough compensatory flood storage for flood events putting homeowners on the adjacent bluff at risk.
- There is not enough compensatory flood storage available if WSDOT (the Washington State Department of Transportation) decides to build the SR2 Highway Bypass.

8:59 p.m.: Commissioner Jensen moved to continue the public hearing past 9:00 p.m. Seconded by **Commissioner Duerksen**. **Motion carries 7/0.**

Jerry Lavish

21210 Calhoun Road
Monroe, WA
98272

Mr. Lavish expressed his opposition to the proposed rezone and Comprehensive Plan map amendment. His key points are as follows:

- The need to protect and preserve farm land reserves within east Monroe.
- The need to preserve the scenic route to Stevens Pass.

Brad Beetchenow

22127 Yeager Road
Monroe, WA
98272

Mr. Beetchenow expressed his opposition to the proposed rezone and Comprehensive Plan map amendment and expressed concern over the money and resources that the city has allocated to the project.

Ashley Sellers

20939 E. Rivmont Drive
Monroe, WA 98272

Ms. Sellers expressed her opposition to the proposed rezone and Comprehensive Plan map amendment. Her key points are as follows:

- Public safety is at risk of landslides due to increased flooding around an already unstable slope.
- Concern over inconsistencies in the landslide information within the DSEIS.
- Concern over the allocation of resources to this project.
- Concern that General Commercial uses in this area will drive business out of the downtown.
- Developing General Commercial properties will increase traffic in an already unsafe area posing greater risks to public safety.

The Commission redirected questions to individual public speakers and to PACE engineers for clarification. **Director Osaki** noted these questions.

Commissioner Jensen moved to close Public Testimony portion of the Public Hearing. Seconded by **Commissioner Coonan**. **Motion carries 7/0.**

Chair Kristiansen called for a ten minute break at **9:45 p.m.** Meeting resumed at **9:54 p.m.**

The Commission discussed and is summarized below:

The Commission provided a series of questions for city staff and PACE Engineers to answer in response to public testimony. The questions are as follows:

1. If someone were to build out there and it does still flood or a landslide occurs, would the City be liable? To what extent?
2. Does this meet the definition of spot zoning? More information on the issue of spot zoning (under one ownership, no other general commercial property touches). What does that mean? Is it illegal?
3. Would the compensatory flood storage required for the project affect the available compensatory flood storage for the future US 2 Highway bypass? Would development on this site be a further hindrance for the bypass could occur?
4. Question on landslide not being documented in the right parcel?
5. Does PACE have a conflict of interest because there is a lien on the property?
6. Is Limited Open Space (LOS) something that city typically doesn't do within the city limits? Is that a suggestion or a rule?
7. If we are dealing with wetlands does the Army Corps of Engineers need to look at this?

8. Could we please get a more direct answer on the inconsistencies in the landslide information?
9. I do not understand the process. Is it typical for an applicant to hire the consultant and have the City take the data as presented as unbiased and factual?
10. PACE put together information from a lot of sources. How much influence does PACE have on the data they are getting from others? Does the lien on the applicant's property influence how they collect and provide the data?

Commissioner Jensen moved to continue the public hearing to **Monday, October 19, 2015, at 7:00 p.m.** in the Monroe City Hall Council Chambers. Motion was seconded by **Commissioner Tuttle**. **Motion carried 7/0.**

PUBLIC HEARING (Public hearing is for the purposes of Planning Commission Deliberation on the Comprehensive Plan. The public testimony portion of the public hearing has been closed.)

A. 2015 Integrated Comprehensive Plan Update/Draft Environmental Impact Statement (DEIS)

Director Osaki discussed formatting changes.

The Commission discussed and is summarized below:

- The Commission tabled discussion on the 2015 Comprehensive Plan Update due to time constraints.

Commissioner Jensen moved to continue the public hearing to **Monday, October 19, 2015, at 7:00 p.m.** in the Monroe City Hall Council Chambers. Motion was seconded by **Commissioner Tuttle**. **Motion carried 7/0.**

NEW BUSINESS

- Newly appointed **Planning Commissioner Jay Bull** introduced himself.

DISCUSSION BY COMMISSION AND STAFF

ADJOURNMENT

Commissioner Tuttle moved to adjourn the **October 12, 2015** Planning Commission meeting. Motion was seconded by **Commissioner Duerksen**. **Motion carried 7/0** and the meeting was adjourned at p.m.



Bill Kristiansen
Chair



Christina LaVelle
Planning Commission Secretary