



Planning Commission
Regular Meeting
October 21, 2008

Minutes were approved on November 18, 2008

CALL TO ORDER:

Chair Tim Hein called the meeting to order at 7:01 p.m.

ROLL CALL:

Present:

Commissioner Tim Hein
Commissioner Troy Hull
Commissioner David Shepherd
Commissioner Bryan Beel
Commissioner Shelly Damore

Excused:

Commissioner Mary Kufedlt-Antle

Staff Present:

Sarah Fox, Planner II
James Carothers, Engineering Manager
Randy Miller, Deputy Fire Marshal
Shawn MacPherson, Assistant City Attorney
Jan Coppola, Administrative Support Assistant

Approval of minutes from the September 16, 2008, Planning Commission Meeting.

Commissioner Damore moved to approve the minutes from the September 16, 2008, Planning Commission meeting as read. Commissioner Shepherd seconded the motion. The motion carried unanimously by roll call vote.

Continued Public Hearing to review the approval for the Hancock Springs Subdivision (SUB05-03) subject to a remand from the Washington Court of Appeals.

Chair Hein opened the public hearing at 7:06 p.m.

Shawn MacPherson, City Assistant Attorney, briefly reviewed the parameters for the continued public hearing. Mr. MacPherson discussed Commissioner Kufedlt-Antle's excused absence from this hearing and asked if there were any objections to Commissioner Hein chairing the hearing given that he was excused from the September 16, 2008, hearing. Mr. MacPherson clarified that Commissioner Hein has listened to the tape recording and has reviewed the entire record from the September 16, 2008 hearing. There were no objections. Mr. MacPherson further noted that the public testimony portion of the hearing was closed on September 16, 2008. Mr. Howsley and Mr. Karpinski have submitted five-page briefs for Planning Commission to review without any new evidence being submitted.

Commissioner Hull inquired and Ms. Fox clarified that the *Tree Conservation Plan Report for Hancock Springs Subdivision, February 1, 2005*, was requested by Commissioner Hein. Ms. Fox noted that the

report was included in the original record in 2005, and was referenced in the Staff Report to City Council in December 2005.

Commissioner Hein further clarified that the report was intended to be used only as a reference tool.

Ms. Fox responded to Commissioner Hein's inquiry regarding the document, *Worksheet for Condition of Approval*, and suggested re-numbering the conditions of approval to be continuous from 1 – 31. Ms. Fox clarified that the worksheet was intended to be used as a tool at the end of tonight's discussion.

James Howsley, Attorney for the Applicant, 500 Broadway, Suite 400, Vancouver, WA 98660

Mr. Howsley responded to Commissioner Hein's inquiry regarding Mr. Howsley's five-page brief. In particular, on page five, in the first paragraph; *Prior to final construction, the applicant will submit a more detailed set of grading plans to the planning director and city engineer to ascertain whether trees outside of the building envelopes provided for in preliminary plat can be preserved without creating hazardous conditions. An arborist will determine which trees constitute a hazard. We believe this is a reasonable condition.* Mr. Howsley affirmed that this is what the applicant is proposing.

Discussion ensued.

Commissioner Damore inquired about the purpose of the proposed condition. Mr. Howsley responded that the purpose of the proposal is to save more significant trees, if that is possible.

Andrew Gunther, PE, Precision Land Services (PLS), P.O. Box 821556, Vancouver, WA 98682

Mr. Gunther responded to Commissioner Hein's inquiry regarding adjusting the alignment of the road in order to save more significant trees. Mr. Gunther further testified about complying with the City's engineering standards and maintaining safe sight distance.

Discussion ensued.

Walt Knapp, Walter H. Knapp & Associates, LLC, 7615 SW Dunsmuir Lane, Beaverton, OR 97007

Mr. Knapp responded to Commissioner Hein's inquiry regarding designing around tree number 1506 in order to possibly save the tree. Mr. Knapp testified that the western red cedar tree is in good health; however, due to the steepness of the slope and the changes in soil hydrology, the physical needs of the tree would not be met.

Mr. Howsley referenced Exhibit 47, page two, of the Arborist Report for Hancock Springs; *Table I. Tree inventory summary*, and noted that the western red cedar tree, *Thuja plicata*, is sensitive to changes in soil hydrology.

Mr. MacPherson responded to Mr. Karpinski's inquiry on the process for this hearing. Mr. MacPherson reiterated that the Planning Commission deliberation process consists of the Planning Commissioners presenting questions to staff, the applicant, or the applicant's representative on materials that have already been submitted into the record.

Commissioner Hein inquired and Mr. Gunther explained that tree number 1376 is encroaching into the right of way.

John Karpinski, Attorney for the Appellant, 2612 E. 20th Street, Vancouver, WA 98661

Mr. Gunther responded “no” to Mr. Karpinski’s and Commissioner Damore’s inquiry as to whether he was asked to consider alternative designs in order to save more of the significant trees. Mr. Gunther further testified that Exhibit 45 is the proposed preliminary grading plan.

Commissioner Hull inquired if any of the significant trees that are identified to be in poor condition could possibly be saved on lots twelve, thirteen and fourteen. Mr. Howsley referred to Exhibit 47, *Tree inventory summary*, to pinpoint the trees that are identified to be in poor condition and further noted these trees could create a potentially hazardous situation to the existing lots. Mr. Howsley further discussed the applicant’s proposed condition of approval regarding the grading plan which is outlined on page five in Mr. Howsley’s five-page brief.

Mr. MacPherson reiterated that the Planning Commission is to determine if the applicant has made a reasonable effort to design around and protect significant trees under the Camas Municipal Code (CMC).

Mr. Howsley responded to Commissioner Beel’s inquiry that every reasonable effort was addressed in order to adjust the building envelope sizes in order to save more significant trees. Mr. Howsley directed Planning Commission to his five-page brief, page two, third paragraph; *CMC 17.19.030.(D)(3) provides standards for building envelopes stating that they should be of the size suitable for the type of development anticipated and that other factors such as presence of critical areas, adjoining uses and areas for cuts and fills should be considered.* Mr. Howsley further noted that the sizes of the building envelopes are balanced with the R-10 zoning on the lots.

Discussion followed regarding the planting of trees to replace those that are proposed for removal as part of the condition of approval.

Ms. Fox clarified that the proposed suggestions outlined in the document, *Worksheet for Condition of Approval* are intended to be consistent with the current CMC.

Discussion ensued.

Decision

Commissioner Hull MOVED TO RECOMMEND APPROVAL AND FORWARD TO CITY COUNCIL the approval of the Hancock Springs Subdivision (SUB05-03) subject to a remand from the Washington Court of Appeals with the conditions of approval outlined in the *Worksheet for Conditions of Approval* with the following changes:

- Proposed new condition two, change moderate to *marginal*.
- Modify the first sentence in proposed new condition three to: *The following trees shall be protected: 1505, 2615, 2506, and 2507.*
- Strike all the new language in proposed condition four.
- Restate proposed new condition 30 to: *This subdivision has trees on private lots 5, 7, and 12 that are protected from removal. Contact the city prior to pruning or otherwise altering these trees.*

Commissioner Shepherd SECONDED THE MOTION. The MOTION CARRIED by roll call vote and Commissioner Damore voted no. (*Attached are Planning Commission’s recommended Conditions of Approval*).

The next regular Planning Commission meeting is scheduled for November 18, 2008, at 7 p.m.

ADJOURNMENT:

Chair Hein adjourned the Planning Commission public hearing at 8:20 p.m.

Planning Commission's recommended Conditions of Approval for the Remand of HANCOCK Springs Subdivision (SUB05-03). Public Hearing on October 21, 2008.

1. The final plat shall identify the delineated boundaries of the wetland and establish a 25' buffer adjacent to the wetland and a stream buffer of 25' to all lots
2. Significant trees shall be retained as identified in the arborist report dated September 3, 2008 and as approved by the City. The applicant shall mitigate on site for the trees deemed to be good or marginal condition at a ratio of two trees to one removed (min. 2" dbh).
3. The following trees shall be protected: Trees numbered 1505, 2615, 2506 and 2607. No grading shall occur within the drip lines of these trees.
 - a) The applicant shall install temporary construction fencing around the drip line of protected trees prior to any earthmoving activities. The construction fencing must remain in place until final occupancy is granted for the individual lot.
 - b) The applicant shall note on the final plat the location of trees to be preserved. Removal of trees shall be prohibited without consent of the City and must be deemed hazardous to life or property. If removal is warranted by an arborist due to its hazardous condition, then replanting of two trees of similar species at 2" dbh within six months of removal is required.
4. A revised Homeowners CC &R's must be submitted that will include protection measures for sensitive lands.
5. The applicant will pay a fee in lieu of constructing NW Cascade ½ street from the NE corner of Lot 11 and extending south to the project boundary.
6. The posted speed limit at curves with less than 100-foot radius will be 15 MPH
7. The applicant should install a STEP sewer system with a force main connection at NW 18th Avenue.
8. The applicant will align proposed sidewalk to existing trail system at SE corner of development.
9. The applicant will construct a trail along unimproved NW Cascade Street.

STANDARD CONDITIONS OF APPROVAL

10. Stormwater treatment and control facilities shall be designed in accordance with the 1992 Puget Sound Stormwater Manual design guidelines. Final stormwater calculations shall be submitted at the time of final construction plan submittal.
11. All construction plans will be prepared in accordance with City of Camas standards. The plans will be prepared by a licensed civil engineer in Washington State and submitted to the City for review and approval.
12. Underground (natural gas, CATV, power, street light and telephone) utility plans shall be submitted to the City for review and approval prior to approval of the construction plans.
13. The applicant will be required to purchase all permanent traffic control signs, street name signs, street lighting and traffic control markings and barriers for the improved

subdivision. The City will supply the list of required signs, markings and barriers at the time paving is scheduled.

14. A 3% construction plan review and inspection fee shall be required for this development. The fee will be based on an engineer's estimate or construction bid. The specific estimate will be submitted to the City for review and approval. The fee will be paid prior to the construction plans being signed and released to the applicant. Under no circumstances will the applicant be allowed to begin construction prior to approval of the construction plans.
15. Any entrance structures or signs proposed or required for this project will be reviewed and approved by the City. All designs will be in accordance with applicable City codes. The maintenance of the entrance structure will be the responsibility of the homeowners.
16. A homeowner's association (HOA) will be required for this development. The applicant will be required to furnish a copy of the C.C. & R.'s for the development to the City for review. Specifically, the applicant will need to make provisions in the C.C. & R.'s for maintenance of the stormwater detention and treatment facilities and any storm drainage system or easements outside the City's right of way (if applicable).
17. Building permits shall not be issued until this subdivision is granted Final Acceptance in accordance with CMC17.21.070.
18. The applicant shall remove all temporary erosion prevention and sediment control measures from the site at the end of the two-year warranty period, unless otherwise directed by the Public Works Director.
19. Final plat and final as-built construction drawing submittals shall meet the requirements of the CMC 17.21.060, CMC 17.01.050 and the Camas Design Standards Manual for engineering as-built submittals.

PLAT NOTES

20. A homeowners association will be required for this development. Copies of the C.C. & R.'s shall be submitted and on file with the City of Camas.
21. A right of entry is hereby granted to the City of Camas for the repair and maintenance of the STEP sewer system.
22. All costs associated with the installation of the STEP systems for individual lots will be the responsibility of said individual lot owners.
23. No further short platting or subdividing will be permitted within five years of the recording of the final plat.
24. A final occupancy permit will not be issued by the Building Department until all subdivision improvements are completed and accepted by the City.
25. The lots in this subdivision are subject to traffic impact fees, school impact fees, and park/open space impact fees. Each new dwelling will be subject to the payment of appropriate impact fees at the time of building permit issuance.
26. An automatic fire sprinkler system designed and installed in accordance with NFPA 13D are required in all structures.
27. In the event that any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease and the applicant shall notify the Public Works Department and OAHP.

28. This subdivision contains environmentally sensitive lands that have been protected from destruction. Contact the city prior to mowing grass or other activities in these areas.
29. This subdivision has trees on private lots 5, 7 and 12 that are protected from removal. Contact the city prior to pruning or otherwise altering these trees.
30. Residential buildings shall be designed consistent with the recommendations of the geotechnical report prepared by Redmond & Associates and Ash Creek Associates dated October 14, 2005.