



## PLANNING COMMISSION

Meeting Notes of April 20, 2016

Members present: Michael Babbitt, Jim Farrell, Jesse Knight, Charles Mathews, Chris Myers, Gary Walvatne and Joel Metlen (introduction only)

Members absent: None

Staff present: John Boyd, Planning Manager; Peter Spir, Associate Planner; Megan Thornton, Assistant City Attorney; Khoi Le, Public Improvement Program Manager

### **PREHEARING MEETING**

Chair Babbitt called the work session to order in the Rosemont Room at City Hall. Ms. Thornton addressed possible motions for the hearing. The commissioners discussed the 120-day clock and the fact that it also applies to any City Council hearing that might be needed.

(00:00:00)

### **REGULAR MEETING - CALL TO ORDER**

Michael Babbitt called meeting to order in the Council Chambers at City Hall.

(00:00:11)

### **PUBLIC COMMENT RELATED TO LAND USE ITEMS NOT ON THE AGENDA**

Peter Lang spoke.

(00:03:24)

### **OTHER**

Chair Babbitt introduced the newly appointed Commissioner, Joel Metlen. Commissioner Metlen then viewed the meeting from the audience.

(00:05:01)

### **PUBLIC HEARING – 34-LOT SUBDIVISION AND WATER RESOURCE AREA PERMIT AT 18000 UPPER MIDHILL DRIVE, SUB-15-03/WAP-16-03**

Chair Babbitt explained this is a quasi-judicial hearing and that the decision must be grounded in the code. He provided an outline of how the meeting will proceed: after the preliminary legal matters, staff will make a presentation, followed by the applicant, then public testimony. There will be time for rebuttal by the applicant and questions by the commission.

Ms. Thornton provided the preliminary legal matters.

The hearing commenced with a staff presentation by Mr. Spir.

Andrew Tull of 3J Consulting and Matt Bell of Kittelson and Associates presented for the applicant.

Kylee Yockey Desky, Scot Chandler, Peter Lang, Dorianne Palmer, Doug Palmer, Lorrie Watts, Roger Cherry, Friedrich Baumann, Chad Seber, Bruce Johnson, Robert Stowell, Bob Jordan, P S Sundar and Ben McKinley spoke.

David Norin, attorney for the applicant and Andrew Tull of 3J Consulting provided the applicant's rebuttal.

Chair Babbitt closed the hearing and the commissioners moved into deliberations.

Commissioner Chris Myers **moved** to approve SUB-15-03/WAP-16-03 at 18000 Upper Midhill Drive subject to the Conditions of Approval in the staff report as well as an additional Condition of Approval for the applicant to determine if tree 3439 is or is not on the applicant's property prior to removal.

Vice Chair Knight **seconded** the motion.

During discussion, Commissioner Jim Farrell **moved** to amend the motion and add a Condition of Approval to bring Arbor Drive and Midhill Drive up to city standards.

Commissioner Charles Mathews **seconded** the motion.

**Ayes: Commissioner Jim Farrell**

**Nays: Commissioner Charles Mathews, Vice Chair Jesse Knight, Commissioner Gary Walvatne, Commissioner Chris Myers, and Chair Michael Babbitt**

**Abstentions: None**

**The motion to approve the amendment failed 1-5-0**

A vote on the original motion was taken.

Chair Babbitt restated the original motion to approve SUB-15-03/WAP-16-03 at 18000 Upper Midhill Drive subject to the Conditions of Approval in the staff report as well as an additional Condition of Approval for the applicant to determine if tree 3439 is or is not on the applicant's property prior to removal.

**Ayes: Vice Chair Jesse Knight, Commissioner Chris Myers and Chair Michael Babbitt**

**Nays: Commissioner Charles Mathews, Commissioner Jim Farrell and Commissioner Gary Walvatne**

**Abstentions: None**

**The motion tied 3-3-0**

(03:26:24)

#### **ITEMS OF INTEREST FROM THE PLANNING COMMISSION**

Chair Babbitt inquired if an appeal had been filed for the Sunset Primary School replacement (there had not, but the appeal period was not up). Commissioner Walvatne reiterated the need for changes to the code.

(03:27:40)

#### **ITEMS OF INTEREST FROM STAFF**

City Council will provide direction regarding the code revisions. The Planning Commission will hold a work session soon regarding the code changes.

(03:34:57)

#### **ADJOURNMENT**

There being no further business, Chair Babbitt adjourned the meeting.