



**CITY COUNCIL
SPECIAL MEETING MINUTES**

September 11, 2007 4:00 PM

I. CALL TO ORDER

A. Flag Salute

Mayor Peter B. Lewis called the meeting to order at 4:00 p.m. in the Council Chambers of Auburn City Hall and led those in attendance in the Pledge of Allegiance. The purpose of the special meeting is to conduct a closed record hearing on Application No. PLT06-0006 and consider Resolution No. 4227.

B. Roll Call

Mayor Lewis and the following Councilmembers were present: Rich Wagner, Gene Cerino, Nancy Backus, Bill Peloza, Roger Thordarson and Lynn Norman. Councilmember Sue Singer was excused.

Staff members present included: Senior Planner Jeff Dixon, Acting Planning Director David Osaki, City Attorney Daniel B. Heid, Human Resources and Risk Management Director Brenda Heineman, Chief of Police Jim Kelly, Transportation Planner Joe Welsh, City Engineer Dennis Selle, Utilities Engineer Dan Repp, and City Clerk Danielle Daskam.

II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE

A. Closed Record Hearing

The following is a closed record hearing where comments are limited to the existing record established by the Hearing Examiner and where no new evidence or information is allowed to be submitted.

1. Application No. PLT06-0006 – Lakeland Area 9

The request of Martin D. Waiss of Lakeland East, LLC for a preliminary plat to subdivide 1.48 acres, located northeast of the intersection of Lake Tapps

Parkway East and Charlotte Avenue SE, into seven single family residential lots and one private access/utilities tract.

Senior Planner Jeff Dixon presented the staff report for Application No. PLT06-0006 using PowerPoint slides. The proposal from Lakeland East LLC is to subdivide a 1.48 acre vacant site into seven single-family lots and one private access/utilities tract. The site is located northeast of the intersection of Lake Tapps Parkway East and Charlotte Avenue SE. Mr. Dixon displayed the site on a vicinity map.

The project is part of the Lakeland Hills South Special Planning Area. The area was annexed in 2005. The Comprehensive Plan designation for the site is Moderate Density Residential within the Lakeland Hills South Special Plan Area. The planning area is implemented by the applicable Utilities and Annexation Agreement and by the Lakeland Hills Planned Unit Development (PUD) zoning. The zoning designation for the property is single family detached (SFD-5). The zoning designation requires a minimum lot size of 2,730 square feet and a minimum lot width of 40 feet. Each of the proposed lots meets or exceeds the minimum area and dimensional standards.

Mr. Dixon reported that a major amendment to the Lakeland Hills South Planned Unit Development Final Development Plan was approved by Ordinance No. 6115 on August 20, 2007. The amendment allows an increase in the number of dwelling units applicable to the site from five to seven.

Mr. Dixon reviewed some of the key features of the site. The site is currently vacant. It is bordered to the north and east by wetlands and wetland buffers on adjacent City-owned property. The site is bordered to the south and west by the plat of North Tapps Estates. The site does not contain critical areas or buffers and is forested with a gentle grade.

The average lot size of the lots is 7,559 square feet. The smallest lot will be 6,598 square feet. The gross density is 4.73 dwelling units per acre. One private tract (Tract A) is proposed. The tract consists of a T-shaped area of approximately 8,938 square feet containing public water,

sewer and private storm water lines within easements. The tract also serves as the private street to provide access to six of the proposed lots.

Access to the site will be from Charlotte Avenue SE. Rather than having a cul-de-sac, the subdivision includes a hammerhead configuration that has been reviewed and accepted by the Regional Fire Authority as an acceptable emergency turnaround.

The private road tract meets the standards for a 28-foot private street with a marked fire lane on one side. The private road tract must have a capable legally responsible owner or homeowners' association to maintain the street. A recorded private street maintenance agreement and stormwater easement and maintenance agreement are also required. The applicant has indicated that the plat will have its own separate homeowners' association in addition to being a part of the overall Lakeland Hills South PUD homeowners' association.

To construct the connection to the private tract to Charlotte Avenue SE, it will be necessary to cross approximately five to fifteen feet through the City-owned Tract S within the adjacent final plat of North Tapps Estates. Tract S was dedicated to the City in anticipation of the required access. Adjacent streets are already fully developed and no off-site improvements are required, except to cross Tract S.

No dedication of park land is required of this plat.

Police, sanitary sewer, and storm sewer services will be provided by the City. Fire service will be provided by Valley Regional Fire Authority. Water service will be provided by the City of Bonney Lake. Utility construction includes a private storm drainage system within the private access tract which will lead to underground oversized pipes to provide detention and then to a water quality vault which will ultimately discharge via sheet flow along the eastern property boundary.

Bonney Lake issued a certificate of water availability for the project. An 8-inch diameter line is proposed to be extended east approximately 170 feet from Charlotte Avenue SE.

A City sewer line will be extended approximately 210 feet east from the existing manhole on Charlotte Avenue.

Mr. Dixon reported the Hearing Examiner held an open record hearing on July 18 on the request. The Hearing Examiner recommended approval of the plat with eleven conditions, consisting of six conditions recommended by staff, two conditions which were introduced by staff at the public hearing, and three conditions added by the Hearing Examiner.

Councilmember Wagner inquired regarding the homeowners association for the plat. Councilmember Wagner noted that page 2, section 2.1 of the resolution contains verbiage that indicates that the creation of a homeowners association for the subdivision is optional. Mr. Dixon responded that since the initial drafting of the resolution, the applicant has confirmed that a homeowners association will be established for the subdivision and will be part of the overall homeowners association for the Lakeland Hills South PUD; however, the statement is not contained in the resolution.

Councilmember Pelozo inquired regarding sidewalks for the development. Senior Planner Dixon explained that sidewalks are not required as part of the plat. Sidewalks were not proposed by the applicant and staff believed the proposal was appropriate in light of the short distance of the private tract.

Councilmember Thordarson also questioned the lack of sidewalks in the subdivision. He suggested including sidewalks on at least one side of the street. Senior Planner Dixon explained that the access tract is 34 feet wide with a 28-foot wide driving surface.

Sean Martin, 1302 Puyallup Street, Sumner
Mr. Martin spoke as a representative of Lakeland East LLC (Investco Evergreen Tucci), the applicant. Mr. Martin stated that the proposed subdivision is part of the overall Lakeland Hills South PUD homeowners association. The overall homeowner association organizes specific sub-associations to handle the costs and maintenance issues specific to each subdivision within the Lakeland Hills South PUD. Mr. Martin

confirmed that the lots will be surveyed and staked. Mr. Martin also responded to Council comments regarding sidewalks. Mr. Martin stated that the City's design standards do not require private streets to have sidewalks. In the case of Tract A, the length of the walk for a school age child is approximately 100 feet.

Councilmember Wagner inquired whether Investco has developed other private streets without sidewalks in Lakeland. Mr. Martin advised that components of the PUD have been developed without sidewalks along the drive aisles with provisions for pedestrian circulation.

Councilmember Wagner pointed out page 6, line 16 of the Hearing Examiner's Decision where the Hearing Examiner states: "A somewhat disturbing element to the request for added length is that it is a self-created hardship." In response, Mr. Martin stated that the issue was not discussed at the public hearing, and the Hearing Examiner did not direct any questions to the application or staff regarding the issue. Mr. Martin stated that the proposed design is appropriate for a seven lot subdivision.

Councilmember Wagner inquired regarding parking and curbing for the subdivision.

Jeff Mann, Apex Engineering, 2601 South 35th Street, Suite 200, Tacoma

Mr. Mann responded to Council's questions regarding the private access tract. Mr. Mann stated that the access tract serves as a driveway access. The City's standards allow a maximum of six lots that access a private access tract. Curbing will be installed on one side so that storm drainage will flow against the curb.

Sean Martin, Investco

Mr. Martin stated that parking restrictions will be established through signage. Enforcement will be managed through the Homeowners Association and management company.

Councilmember Thordarson expressed concern with the lack of sidewalks in the subdivision. Mr. Martin offered that the developer would be willing to accommodate a pedestrian

way if the City will allow flexibility through the construction process.

Councilmember Norman stated that she has received comments from residents of the older areas of Lakeland regarding the lack of sidewalks in their neighborhood. Councilmember Norman suggested that the Council review the standards as they relate to required sidewalks.

Councilmember Pelosa expressed support for the construction of sidewalks in the subdivision.

Mr. Martin indicated the developer is amenable to the Council's decision regarding sidewalks on one side or both sides of the access tract.

Councilmember Cerino stated that the issue of sidewalks is a non-issue due to the size of the plat.

In response to questions from Councilmember Norman, Mr. Mann of Apex Engineering described the access tract as a driveway and narrow access tract.

Mayor Lewis opened the hearing. There being no one present to offer comments, Mayor Lewis closed the hearing.

Councilmember Wagner inquired regarding the storm drainage report regarding developed site hydrology and the percentage of impervious lot coverage. Utilities Engineer Dan Repp confirmed that impervious lot coverage can be calculated either by a percentage of impervious lot coverage or by number of units. According to Mr. Repp, sixty-five percent is a reasonable level.

Councilmember Wagner inquired whether the storm filter vault size is adequate. Utilities Engineer Repp stated that in sizing detention systems, the target is the higher frequency/lower intensity event. Therefore, the storm filter vault was sized for the 6-month/24 hour storm event. The design of the detention system addresses both quantity and water quality.

Councilmember Backus spoke in support of requiring sidewalks on both sides of the access tract.

Councilmember Cerino stated the access tract is a driveway and not a street. Councilmember Cerino stated that a requirement for sidewalks is unnecessary.

Councilmember Wagner noted that the City's Transportation Plan has been amended to discourage private streets in general. Councilmember Wagner expressed support for the construction of sidewalks on both sides of the access tract.

Councilmember Backus concurred with Councilmember Wagner's statements.

Councilmember Pelozo suggested a twelfth condition to the resolution to require sidewalks on both sides of the access tract.

Councilmember Wagner spoke in favor of a more defined statement in condition 1 to require a homeowners association.

Councilmember Wagner recommended a condition to require five foot sidewalks on both sides of the access tract with no landscape strip.

III. Resolutions

A. Resolution No. 4227

O3.5 PLT06-0006

A Resolution of the City Council of the City of Auburn, Washington, approving a Preliminary Plat Application for a 7 lot residential subdivision known as Lakeland Area 9 within the City of Auburn, Washington

Councilmember Norman moved and Councilmember Backus seconded to adopt Resolution No. 4227 amended as follows:

1. Condition 1 on page 2 of the resolution, remove the verbiage: "(if one is to be created)"
2. Add a new Condition 12 to read as follows: "Five-foot sidewalks, curbs and gutters shall be constructed on each side of the private street."

MOTION CARRIED. 5-1. Councilmember Cerino voted no.

IV. ADJOURNMENT

There being no further business, the meeting adjourned at 5:06 p.m.

APPROVED THE _____ DAY OF NOVEMBER 2007.

Peter B. Lewis, Mayor

Danielle Daskam, City Clerk

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