



## TOWN OF BEAUX ARTS VILLAGE

### PLANNING COMMISSION

#### MINUTES

March 16, 2017

Dix

**Present:** Chairperson Paula Dix, Commissioners Hans Juhle, Jeff Kendall, Aletha Howes, and Kim Moloney

**Excused:** None

**Staff:** Planner Mona Green, Deputy Clerk Angela Kulp

**Guests:** Mayor Rick Leider

Chairperson Dix called the meeting to order at 7:01pm.

**MINUTES:** Commissioner Juhle moved to approve the January 19, 2017 minutes as written. Chairperson Dix seconded. Vote: 5 For, 0 Against. Motion carried. There was no meeting held in February.

**ADMINISTRATIVE:** Deputy Clerk Kulp introduced Kim Moloney as our newest Commissioner just confirmed by the Council in their February meeting. The Commission welcomed her; she replaces Jan Johnston and will serve a new term.

Deputy Clerk Kulp noted with Bennet Yen's resignation and two new Commissioners onboard, a new chairperson is needed. After some discussion, Commissioner Kendall moved to have a rotating chair where the host commissioner will serve as that meeting's chairperson. Commissioner Howes seconded. Vote: 5 For, 0 Against. Motion carried.

Staff noted both the Council and Commission have a need for liaisons to better communicate status and clarification on issues being discussed. After some discussion on who the Commission would send to the Council meetings, Commissioner Juhle recommended Chairperson Dix be considered since she was already attending Council meetings. Commissioner Howes also volunteered since she is interested in learning about and serving on the Council in the future. Both Chairperson Dix and Commissioner Howes agreed to share the role of liaison to the Council and will determine the details between the two of them. The Commission looks forward to hearing from the Council on who they will send as a liaison to Commission meetings upon occasion or as needed, or if the Council expects the Commission liaisons to communicate for them as well.

Planner Green noted the bylaws must reflect these changes. Commissioner Juhle moved to have the bylaws reflect the change of rotating chairperson and Council liaison.

Commissioner Kendall seconded. Vote: 5 For, 0 Against. Motion carried. Deputy Clerk Kulp agreed to make the bylaw changes.

Deputy Clerk Kulp distributed the 2017 Meeting Location Schedule as hosted alphabetically by Commissioner. The schedule was discussed and will be adjusted along the way for any conflicts including a June/July swap agreed upon. Meetings will remain on the 3<sup>rd</sup> Thursday of each month at 7:00pm.

Noting large amounts of papers to manage on recent discussions, Deputy Clerk Kulp introduced a new binder system and distributed a completed binder to each Commissioner. The binder was reviewed and discussed; Commissioners agreed to manage their own binder while serving, and return to Deputy Clerk upon their term completion.

Deputy Clerk Kulp reminded three of the Commissioners to complete the Public Records Training online as soon as possible and send their certificates to her for the Town's records, as required by law.

### **OLD BUSINESS: Zoning Code and Historic Preservation**

Mayor Leider came to discuss two issues with the Planning Commission that are in front of the Council; The Zoning Code amendments and the Home Design Guidelines, both previously recommended to the Council for action by the Commission. Mayor Leider explained the Council did not want to pursue anything that could cause problems later or perhaps add to any additional nonconformity. Both issues were discussed in detail with the Mayor to better understand the Council's concerns and the Commission's intent. Planner Green noted the Zoning Code amendments had been sent with a Reader's Guide she'd created as a reference to assist in the Council's discussions. She noted this included crafting language in the Zoning Code that preserves the unique characteristics of Beaux Arts. She explained some of the proposed changes loosen existing regulations to allow creativity and flexibility with design, while others tighten up regulations for neighborhood protection. It was shared that the Council members had the following questions about the proposed zoning-code amendments:

- An explanation of plate height,
- The allowance of front and rear setback encroachments, and
- The reason for re-defining gravel as an impervious surface and how that change impacts lot coverage on existing properties.

Staff noted the "Home Design Guidelines" document is meant to give property owners a feel for the character of the Village and the types of design and construction that tend to fit best into the Village. The intent is to encourage owners, particularly new ones, to help preserve the characteristics of the Village that have made it unique for many years by posting these guidelines to the Town's website. Mayor Leider explained these guidelines may create more confusion than clarity. In addition, since the guidelines have no force of law behind them, it doesn't seem appropriate to suggest design aspects beyond what the Zoning Code currently allows and doesn't allow.

The Commission promised Mayor Leider they will discuss these issues again one at a time to work on clearing up the confusion. Consensus was reached on first discussing Zoning, to focus on education and intent clarification over the Council members' concerns. Consensus was reached on then discussing the Home Design Guidelines, which will focus on clearing up confusion over any potential conflicts.

The Commission agreed to start the Zoning Code discussion tonight for further Council clarification and get back to the Council with more details whenever they were ready. Commissioner Juhle explained to Mayor Leider that with recent increased development, the Commission was looking to minimize the looming structures and plate height was one option to do this. Planner Green reminded the Zoning conversation had neighbor Bob Durr as a guest early on. He had recommended suggestions from his Issaquah Highlands construction project which appealed greatly to previous Commissioner Johnston. Planner Green noted the concept of a Design Review Board was dismissed on legalities and past challenges, and the focus turned to quantifiable measures. She noted non-conforming structures may increase with any code change. A question arose about how the Zoning Code amendments would be agreed upon with the Council and Mayor Leider noted a motion would be to either accept the Zoning Code amendments or not in their entirety as recommended. He detailed the need for the Council to better understand the plate height and previous intentions, and awareness of how many structures would be thrown into nonconformity over such accepted amendments as the implications may be too strong for the Council to accept. Planner Green interjected there may be a way to exempt some structures from some recommendations, which Mayor Leider thought might be helpful.

After Mayor Leider's departure, Commissioner Howes inquired as to why the Commission sought to amend zoning in the first place. Commissioner Juhle gave an overview on the background about many in the neighborhood not liking the recent increased development. The perceived neighborhood consensus echoed by commissioners has since focused on how do we minimize mass of newer structures and maximize greenspace with development often pushing the codes' limits.

Commissioner Moloney shared her concern over five Commissioners setting changes that may or may not reflect the needs or wishes of the entire community. She inquired why we don't have a landscape architect review a project. Staff explained current review processes involve the Town's building official, storm water engineer, planner and arborist as needed along with many client representatives as well, which may include a client's landscape architect. Staff also noted anyone serving the Town is urged to put their own agenda aside and focus on the needs of the entire community.

Discussion turned to the previous issue and previous discussions over the state's storm water requirements being inconsistent with the current town regulations. Discussion included finding a balance of structures old and new, small and larger, with trees and open space, as well as caution over additional alternatives. Commissioner Juhle also noted the Commission makes recommendations not laws and the Council may make

additional changes to those recommendations before enacting any legislation. Discussion centered on concerns over unintended consequences of any recommendation.

Chairperson Dix noted we were never asked to explain anything to the Council on these recent recommendations. Planner Green assured having a liaison present will help communication in the future. She also suggested perhaps anytime anything goes to the Council, we have the Commission present to explain the recommendations. Commissioner Kendall noted on zoning amendments that property owners are already aware of what they bought, and Commissioner Moloney noted there are maintenance concerns too. Chairperson Dix asked the Commissioners to consider tabling this Zoning discussion until April for a fresh perspective for further conversation since Commissioners Juhle and Kendall were short on time.

Planner Green noted regulations are explained as a reference to understand how Beaux Arts operates. Commissioner Juhle inquired how we present our ideas to others and suggested we just take the foot off the gas and reconsider. He noted further development hasn't happened as quickly in the last year as expected, everything restrictive impacts someone, we have new commissioners on our team with perhaps a different perspective as those that were serving previously, and we need to clarify concerns for the Council. Perhaps as we go forward to clarify, we should take the time to revisit our discussions and confirm we're headed in the right direction.

Chairperson Dix indicated she would like to better understand the pervious and impervious issue of materials and calculations and how it impacts development and greenspace. Commissioner Moloney agreed noting big implications to any recommendations. Planner Green recommended we begin the April discussion by revisiting the pervious/impervious issue and when complete, move onto the plate height issue.

**NEW BUSINESS:** Mayor Leider also asked the Commission to add two new topics for discussion as time allowed, and then report back to the Council with a recommendation.

- **CLG** – Legislation has passed the Council for Beaux Arts to become a Certified Local Government. The next step is to develop a CLG Commission, suggested volunteer registry of potential qualified homes, and by-laws for a CLG Commission. The Planning Commission will take on this task as soon as time allows.
- **Lot Sizes** – Mayor Leider pointed out creation of a new lot must be rectangular and 10,000 square feet. He asked the Commission to determine why we have this requirement and if it should stay the same or change. He cited 40% of current lots are non-conforming by being smaller than the current minimum, and 30% of current lots do not meet these rectangular lot requirements. The Planning Commission will take on this task as soon as time allows.

**Adjourn:** Commissioner Kendall moved to adjourn the meeting. Commissioner Moloney seconded. Meeting adjourned at 9:07pm. Vote: 5 For, 0 Against. Motion carried.

**Next Meeting:** The next meeting will be at Commissioner Howe's home on Thursday, April 20, 2017, at 7:00pm.

Respectfully submitted,  
Angela Kulp, Deputy Town Clerk