



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

October 19, 2017
Kendall

Present: Chairperson Kendall, Commissioners Kim Moloney, Aletha Howes, Hans Juhle

Excused: None

Staff: Planner Mona Green, Deputy Clerk Angela Kulp

Guests: Resident Marc Shaadt

Chairperson Kendall called the meeting to order at 7:03pm.

MINUTES:

Commissioner Howes moved to approve the September 21, 2017 minutes as written. Commissioner Juhle seconded. Vote: 4 For, 0 Against. Motion carried.

OLD BUSINESS: Zoning Code Amendments and Council report: Commissioner Howes reported the Council likes the message on the Zoning Code amendments; it's well thought-out. However she noted the Council is still concerned of impacts to smaller lots, and any potential for increased nonconformity or shoving homes closer to the street.

Councilmember Moloney verified that any Zoning changes would be for future construction and existing situations are grandfathered unless redeveloped. She also noted the concern of the Zoning amendments is for storm water drainage and front curb appeal. As discussion ensued, the Commissioners agreed the simplified variance process proposed should assist with extenuating circumstances of the smallest lots for any additional nonconformities, but until the Town has some time working with proposed changes, there is no way of knowing how many properties could be impacted unless a complete survey was done of every property. The Commissioners also agreed this type of survey would be extremely challenging, costly and impractical to consider, and they felt it's unlikely that very many existing properties would be impacted negatively as the proposals were aimed at new construction.

As discussion continued, the Commissioners also agreed the Council's concern over new homes being closer to the street was misguided and based upon one arbitrary example giving that perception rather than an actual consequence since setbacks were not changing, most new construction maximizes to all setback lines and Rights of Way were most generous in front of many properties. The Commissioners also agreed if

new construction chose to maximize their front setback, that it would be beneficial to neighborhood safety and not a detriment as the Council feared.

Planner Green reminded the Commissioners that the Council has the authority to change the Zoning amendments, and request the Planning Commission to revisit this topic at a later date. She noted the Council will hold their public hearing at their November Council meeting. All Commissioners agreed and requested Planner Green to prepare a written statement to the Council by month's end confirming answers to their questions and concerns.

NEW BUSINESS: Landscaping –ROW

Deputy Clerk Kulp gave an overview of landscaping concerns, and Commissioner Moloney stated the landscaping discussion has been separated out for its own focus primarily aimed at storm water concerns for new construction and how less green space and larger structures are overwhelming the Town's aging storm water system. Staff noted the landscaping discussion could overlap into Zoning or ROW codes, but also may be impacted by Resolution 66 created in 1986 for ROW management. For the purpose of these discussions, the Commissioners agreed to focus on landscaping impacts to storm water in the public ROW and not private property in the Zoning Code.

Resident Marc Schaadt, a small business owner of a landscaping business, shared his concern and interest in the landscaping discussion primarily over current maintenance of the Town's Rights of Way. Town staff notes this maintenance is not consistent and has relied for decades on the adjacent property owner to maintain the Town's Rights of Way. The Town is tasked with safety and visibility, and Deputy Clerk Kulp noted whenever there is a problem, the Council intervenes to address a specific issue. She noted the Town also works closely with the City of Bellevue Fire Department, and has begun contracting out some work for insurance of this safety and visibility. She reminded the Commissioners the Town also has agreed to use Rights of Way Analysis and Guidance as needed, as developed for the Town in 2013 by CREÄ Affiliates.

Commissioner Juhle pointed out the average resident probably doesn't know where their private property ends and the Town's public Rights of Way begin. As the nature of the community continues to change, he noted the ROW maintenance may evolve into a contract and knowing that border would be important. Deputy Clerk Kulp notes water meters and other public utilities like power poles are in the Town's ROW most closely to the private property boundaries.

Commissioner Howes asked the Commission, what are we tasked with? Planner Green noted enforcement of ROW plant removal or replacement is crucial for erosion management. Commissioner Moloney emphasized the importance enforcing what we have, and tying landscaping to a Certificate of Occupancy or a permit in the Building Department wherever possible. As discussion ensued, Planner Green noted rather than changing the ROW Code, addressing the ROW enforcement issue may best be accomplished by requiring a plan review of any landscaping work, where conditions may be attached regardless of permits required. She recommended the Town consider

a Bond as an administrative policy for attached conditions. Deputy Clerk Kulp noted a Bond was required for a ROW plant removal problem during a new construction project in 2016 and that process worked quite well. The Commissioners agreed this might be an excellent solution, and Planner Green agreed to bring examples to the November meeting for further consideration.

NEW BUSINESS: GFAR Definition – Zoning

The Commissioners agreed in light of the Council's concern for a revisit of the GFAR definition at last month's meeting, they will focus some attention on this issue at their November meeting.

NEW BUSINESS: Lot Sizes – Zoning

- **Minimum lot sizes**
- **Detached Accessory Dwelling Units**

The Commissioners agreed Council direction would be required with further details prior to discussion of either of these topics.

Adjourn: Commissioner Howes moved to adjourn the meeting. Commissioner Juhle seconded. Meeting adjourned at 8:35pm. Vote: 4 For, 0 Against. Motion carried.

Next Meeting: The next regular Planning Commission meeting will be held at Commissioner Moloney's home on November 16, 2017 at 7:00pm.

Respectfully submitted,
Angela Kulp, Deputy Town Clerk