

**SEQUIM PLANNING COMMISSION**

**Public Meeting**

**Sequim Civic Center**

**152 West Cedar Street**

**Sequim, WA 98382**

**6:00 P.M.**

**Tuesday, October 17, 2017**

**Minutes**

**CALL TO ORDER, PLEDGE OF ALLEGIANCE & ROLL CALL:**

Present: Roger Wiseman, Olaf Protze, John Wendt, Karen Mahalick, Dave Potter, Ankur Shah

Excused: Gary Smith

Motion to approve minutes with the addition of Ankur Shah as present at the September 5, 2017 meeting. Seconded by \_\_\_\_\_ Unanimously approved.

**APPROVAL OF MINUTES:** September 19, 2017

**ITEMS FROM THE PUBLIC NOT ALREADY ON THE AGENDA**

None

**NEW BUSINESS**

- a. Continuation of Public Hearing & Workshop SUB17-002 Willow Creek Manor Major Preliminary Subdivision**

**Commissioner Mahalick read the rules for Public Hearing and the Doctrine of Public Fairness.**

Open public hearing 6:09 pm

Public Hearing continuation presentation for the Willow Creek Subdivision Phases B - E presented by Barry Berezowsky, Community Development Manager.

One primary issue we left with was traffic.

Another issue was regarding lot density in Phase B has been resolved. Square footage has been shaved off a number of lots in Phase B which has reduced the total lot square footage by about 5,000 to out of 700,000 square feet there by raising density in Phase B to 4 dwelling units/acre.

Staff Report Page 5 struck language regarding Phase B density. Recommend Planning Commission strike that language.

Subdivision Phasing plan Page 9 to reflect changes to Phase B

Staff Report proposes to strike the language on pages 11 & 12, as the verbiage is no longer necessary.

At what point in time as this project is built out should the applicant be required to build the second point of access for egress?

Condition No. 11 of Staff report recommending Carisbrook be built after Phase B, the applicant Jeff Cole provided an opinion from his traffic engineer that with Willow Creek Manor's 128 lots would not require any secondary access.

Staff recommends continuance of the meeting.

Amendment on page 21 and 22 of the staff report Condition No. 11 should be changed from that requiring the second point of access during Phase C to either traffic calming measures in Phase C, or building a road if traffic calming measures are selected as a mitigation to traffic in Phase C, then any further development of any other phase will require a second point of access whether that be Carisbrook or some other point of access the developer could make.

City Attorney Kristina Nelson-Gross interjected for purposes of the record, as the Commission members might remember from the last time I had made a comment about there being a concern about making requirements outside the subject property, unbeknownst to me at the time, the applicant had indicated in his application that he intended to build out Carisbrook so he was volunteering that on the outset of his application. We have had subsequent conversation with Mr. Cole and discussed the need to make his statements conform to the application. Mr. Cole indicated that while it is not his preference to build it sooner he did in fact expect to conform to his application. I expect those statements to be true tonight. I want to make sure the commission is clear on that aspect that the applicant did come forward with the application and indicated to build out Carisbrook.

Wendt – When you say build out you mean build out to West Sequim Bay?

KNG – Yes it was clearly identified in the SEPA application.

Public Works Director David Garlington – The applicant's traffic consultant looked at Broadmoor and said the lane width on Broadmoor could handle a certain amount of traffic capacity. Geometrics allowed up to 2000 vehicle per day. The City's traffic consultant came to a different conclusion. The main thing we are looking at is how you look at the street. If you look at the geometrics of the street then it can handle a lot of traffic. But if you look at the functional classification of the street which is a local road or neighborhood street, there is a characteristic to a neighborhood street that is affected by traffic volumes. The citation was from the Highway Functional Class Concepts criteria procedure which is a Federal Highway Administration publication that looks at characteristics of local or neighborhood streets having daily traffic at 700 vehicles or less. It looks at the character of a Collector street as having vehicle traffic of 1,100 vehicles or more. There is a gray area here. To truly maintain the characteristic of a local street we would keep volumes on Broadmoor at 700 or below. That would allow the construction of Phase B including traffic generated in Phase A. To move to Phase C you are moving to that area between 700 to 1,100 where you are transitioning from characteristics of a neighborhood street to the characteristics of a collector where emphasis is more on vehicles rather than multi-modal; i.e. pedestrians, bicyclist or on access to street via driveways. SMC states if you have a collector street you must make every effort to not have access directly to the collector street. You want to have access to neighborhood streets which then access the collector streets via an intersection. So in the transition period we are starting to lose the characteristics of neighborhood streets. So what can be done to mitigate that is to put in traffic calming measures along that entire corridor to Rhodfer Road. There are a number of things that can be done.

There are many traffic calming measures. The exact design details will be addressed during review of Phase C. He could also build the extra connection of Carisbrook or another road that would take the traffic off of Broadmoor Avenue. Once you get past 1,100 which would happen at Phase D if the phases are done sequentially, then there is nothing you can mitigate with traffic calming. You have just put too much traffic on there. You haven't turned Broadmoor into a collector you have turned it into a street that has characteristics of a collector which is not what we want and is not consistent with the driveways. So at that point you would have to have the second connection.

Phase B is adequate with current Broadmoor. Phase C you can do traffic calming or a new connection and Phase D you will have to do another connection even with traffic calming in Phase C.

Shah – The two traffic management techniques suggested in the memo with the City Engineer they have slightly different characteristics and I wanted to ask about that. The first one, second access, not using Broadmoor Street would address the volume of the traffic and the second one, traffic calming measures, addresses the speed?

DG – Correct

Shah – How do you see that? From my mind those are not equivalent. Like in order to maintain characteristics of a local street we want to achieve a certain level of volume and a certain level of speed. I'm curious how you see that interacting? The perception of the person in the vehicle and the person outside of the vehicle too that it is a low volume street and is driven like a low volume street. When you start reaching the higher numbers of 1,100 at that collector volume there is just a sense of difference of that street and it becomes more vehicle focused than multi-modal and there is a different sense driving it so there could be a speed increase as it is not an unreasonable conclusion. So something has to be done to mitigate that speed. Just by the numbers, if you have a small number of vehicles passing by there and 2% of them speed that is more vehicles speeding and traffic calming measures would have a positive traffic calming effect.

Shah – So there is a psychological connection between the two? What is your recommendation of recommending both of these at the same time? Would that provide any benefit? Or is just one sufficient?

DG- I think traffic calming is a good thing to build into all local streets. To say that you have to retrofit at Phase B on Broadmoor with traffic calming I think that would be great but as an engineer it is not something that I can look at data collected and say that has to be done in order to preserve this as a local street. As the City looks to fill in roadways, regardless of the volumes it is a good thing to have; it makes the street more pleasant. Phase B and Broadmoor does not turn something into inconsistent with the feel of the neighborhood street.

Protze – Took a drive along Broadmoor. It is a narrow street. It is winding more than what shows on this plan. So that is a calming effect itself but calming effect I take just the same as calling a 2 lane road but putting in a planter divider in the middle is misleading. In light of recent events in California with the fires I think 2 entrances should be mandatory so people can get out in case of emergencies.

DG – That is a very good observation and the Fire Codes does require a second point and that would be right now the road we are calling Carisbrook. There is not a requirement for public dedication though for that to be developed to city standards. That is with curb, gutter and sidewalks and all of that. But there does exist a second emergency access into the area.

Shah – Just to clarify that; an unimproved road counts as a second entrance or exit?

DG – Yes as long as it is traversable by the emergency vehicles then this driveway certainly is.

Shah – Ok.

Commissioner Mahalick – I would like clarification on Section 17.32.110 and that is the 2 points of access. I would like your interpretation as this was presented by one of the area residents, but it says two points of access may be combined if separated by a minimum 10 foot wide landscape area. How is the Broadmoor area separated by a minimum 10 foot wide landscaped area?

DG – Broadmoor where it intersects with Rhodefer is separated by a 10 foot wide landscaped median and the road on either side is 20 feet wide so it meets the letter of that portion of the code.

Shah – What do you think about the utility of that little circle there?

DG – We have the code and it does meet that. Is this a piece of code I think we should look at and see if we can improve it? Yes it is frankly. But that is the code that exists.

Mahalick – So it is your interpretation that only the access point itself has to have that dedicated landscape separation? And the rest of the road can converge after that?

DG – I'm looking at the code and it does not indicate that 10 foot landscape strip but it does not give a length for the landscape separation.

Shah – It does not specify the length or diameter; it seems to imply the length of rectangle. So how do we decide how long that rectangle should be?

Mahalick to DG how do you make that determination?

DG – I'm not sure the code gives me that determination.

Mahalick – But somebody does when it comes forward, who approves that design with you being in charge of the traffic division?

DG – What I would look at is what they are trying to make happen here. And remember, keep in mind, that while that entrance satisfies the letter of the code, what I just said, there is a second emergency entrance. So that in terms of the danger to the community and not getting the emergency vehicles in there that is taken care of with that. So what I see as trying to be taken care of is this intersection at Rhodefer and Broadmoor and if there is an accident at this intersection, is there an alternative way for emergency vehicles to get in? Can emergency vehicles get in and out? You do not need a whole lot of length to take care of that specific instance. If blocking right at the intersection which is where this is likely going to happen; where you have a blocking accident and the divider goes for 100 feet. 50 feet down you will not have any conflicts because you are in your own lane. The conflict point is at that intersection. And if that conflict does take place, you do have blockage there even though there is separation by a median in this subdivision. In that case you can go north on Rhodefer or the Reuse Park to access that point.

Mahalick - The Google map shows a dirt road that forms this loop that is going to be built out for this subdivision, and if there is going to be an accident, are people going to be able to maneuver around that loop? Is it on the ground?

DG – Yes I have driven that road.

Mahalick – It does exist?

DG – Yes on the ground.

Mahalick – You say it does not have to be brought up to city standards. Are there some standards that the road will have to be built to? Or is the level of such as the use of gravel and the width of the road?

DG – It has to be able to manage emergency vehicle traffic and that road does. The road is hard packed gravel surface and has been there for many years.

Mahalick – That does not answer the question. Is there a minimum 6” base, 20 feet wide standard?

DG – There is not a city standard for non-public emergency access.

Mahalick – Okay that was the question.

Shah – This second access they are recommending in 11.1, it says it must include all city utilities?

DG – Yes.

Shah – City utilities exist via the first access point? Is it always necessary to include city utilities in a road like that?

DG – Any city utilities needed to service the city and in fact there are utilities in Carisbrook. Not all of the utilities are coming in off Broadmoor.

KNG – I would just point out if you are talking about 11.1 it does not specifically specify Carisbrook. It says a second access. So the point is to give the applicant some flexibility if that is in his best interest and if so all of the utilities in Carisbrook must be moved or located there. The City is trying to be flexible there and that is why it is written this way.

Shah – I was just wondering if it would be more economical for the applicant if the utilities were provided through the existing access point.

DG – If the utilities are coming along Broadmoor and terminate at the point of Phase B, if they are adequate for use, if the ones are big enough that would apply to sewer. With the water supply we like the lines to be looped rather than have them dead end. Both health and safety reasons to do that. By having them go out to Carisbrook as that portion of the subdivision develops that will include looping.

Applicant Jeff Cole – Thanks to staff, Kristina, Barry, David, Matt. This has been 2 yearlong plan of mine. For clarification, the Department of Transportation put Carisbrook in. It is 40 feet wide, 30 feet at the time. It is a massive road not just a driveway, and has water and sewer services in it. When I met with the property owners during the community meeting Joe has mentioned some form of a compromise we could do as to when to bring that road through and I believe we have addressed it here. In my environmental study I recommended doing the completion of that road at Phases E or E and F at the last phase because it is almost double the cost to improve the road as I mentioned last time. What the city is recommending doing right now as a condition of Phase C without traffic calming or Phase D with traffic calming on Phase C, I’m okay with. That represents 50% of the traffic. Out of 128 lots, there are 73 lots in Phase B and C and that directs half of the subdivision through Broadmoor until we can construct the other stuff. For me, it is financial; it is another million dollars. And when you meet every condition and someone arbitrarily does not want traffic in their front yard, I didn’t see how they can forcefully make you do something that would jeopardize the development. Even the different standards between our

engineers, they are using 2 different standards and Sequim does not have a trip standard so it is arbitrary. The standard line second opinion came in at 700 and mine was saying 1100 trips. The disagreement is what is it? And we are labeling it a smaller street because we want it to be a smaller street, but technically we were told to build it out as a larger street. Gibson is telling me that as that road as built could handle 6000 cars not just 2000 cars. So the fact we are doing this to be amicable to everyone, I mean I do not blame the HOA for not wanting too many people to drive along the front of their house but the reality is and I want to be a good neighbor. I want to develop that street when I can afford to do so because it will help sell the rest of the lots. We have conformed. We have gone through an enormous effort and an enormous amount of money to get where we are at. Thankfully Barry did a great job going through it last time and I went through it all and because we have met every condition. The recommendation from staff is approval. I hope you would see there are no games being played. I'm not a big developer; I am a family real estate agent who is financing this every inch of the way. For me, the solution that the city attorney has come up is a fair one. It allows me to sell enough lots that I can pay that cost to pave the road, but does not make it a demand if those lots never sell. If market changes, I have to have some kind of condition to pave that all the way through is just unreasonable. Because the city is dedicating it, that would be forcing a developer to improve a road to a standard so they can take it. The State has already taken half of our farm. Right now we are farming. I like that language being left on the plat face regarding farming because I can hopefully sell this out in a couple of years. If I'm unable to do it then we will continue to farm. We have presented this in the best light we can. Thank for you considering it. I believe we have met the standard of the law that the entrance not only meets, each phase has to stand alone, so not only technically does it already meet it because it was voted on by the council as approved by the Planning Commission on Phase A. It would be hard to say that that entrance does not meet code.

#### Public Speakers:

Debbie Clymer – Against. I live on 11 Broadmoor on the corner of Rhodefer and if there is ever a backup I will not be able to get out of my driveway. I expect a lot of backup. Rhodefer is increasing in traffic volume because they are going to make it 2 way again. Safety? We are all going to be backing out on a street and I guess what the question is what other street in Sequim has traffic calming? To think that is a solution, it certainly isn't on Rhodefer. Jeff stopped by her house after the last meeting and said you will not even notice the 1200 cars. I'm in my yard a lot. That is why I know what goes on on that street. People walk. Today there was a woman with a stroller and her friend. It will alter the neighborhood so much and the safety. Please get a road. She also remembered Jeff saying in an earlier neighborhood meeting that you were not developing E and F because it is too close to your own house and your wife said no, don't develop that. Waiting is a big problem.

Bob Richey – He presented a slide show of other subdivisions. You are being asked to make a recommendation for Willow Creek Manor, one access point or two. If it were not for the split entrance gremlin in this code, it would be a simple decision. However, due to lack of definition and lot number limits, the burden of interpretation is placed upon you. Therefore, I am offering the following definition of a split entrance. Most people in this room would agree that the split entrance is when you enter you must proceed to the right or the left. The design provides traffic flow to both sides of the development. Here are a few examples of developers using this concept in Sequim. I contend that this 30 plus lot example demonstrates the intent of the split entrance allowance to be used for small to medium developments. Here is one and another (slide show pic). Taking a close look at the Willow Creek entrance there is a nicely landscaped entrance with a narrowing access to Broadmoor but where is the split? To find the elusive split we need to take a look with a trip down Broadmoor in 10 seconds. Oh there's the split but no divided entrance. I propose you are being asked to believe that a divided entrance with a split more than ¼ mile away qualifies as a valid use of the combined access code allowing the developer's single point for 128 lots. If you agree then the solution is to declare that the Broadmoor access is not a valid split entrance. To reinforce this point here are 3 more items of interest. When I

purchased this property I was given this plat map with Title Insurance and it draws no attention to the entrance other than a wide opening. By looking at the 2007 DCD report we can see the original developer had no intention of depending on a single access point to develop Phase B. But instead would build Carisbrook Avenue to a very high standard as a collector standard. Finally this development was constructed by the same one who built Willow Creek Manor Phase A for 12 lots and with 2 access points he used a divided entrance at both points. Like the entrance on Broadmoor Street I contend that he uses elegant uses as a design feature. In conclusion I call for your recommendation that Willow Creek Manor will be required to have two access points linked to the construction of Phase B.

Joe Pirano – They are calling this development as a continuation of the Willow Creek Manor. But it doesn't feel like it. We have a new developer who has no vested interest in Phase A. When he chooses not to build the access road he funnels all the traffic through our neighborhood which makes it less desirable, which translates to less valuable. There are still 14 lots that have not been developed; I own 2 of them. So what if I want to sell my lots? With the construction of Phase B, I can just hear the sales pitch, yeah there are less expensive lots in Phase A, but they are going to get all that traffic; you don't want to live there. It's not fair; it's not right that he would determine the value my property by making decisions that affects only a small portion of the development, namely us Phase A. There is a statement on the city's website that says we will do the right thing even when no one is looking. Well, we are looking now and we are asking you to do the right thing. Give us that second road please.

Yelena Pirano – chose not to speak.

Gary DeFolo – My concern in this is traffic but different than what is been brought up. Since living here for six years I have come to know the peace and quiet out there. And I'm thinking a lot more cars, a lot more traffic. All I have done all my life is to come up with the right answer. Is it me or is it them? I have been brought up to be objective. I have been an EMT for 6 six years, a teacher from K-12 schools for 7 years, and a trooper in the Washington State Patrol for 30 years. My slant is not for speeding or traffic but for the first responder. He gave an example of someone needing help and being the last one off Rhodefer. Time spent getting to an emergency is critical. If it is a fire or EMT, you want them to show up. It is ludicrous to me to think there is not more than one entrance. They need a second entrance, paved that is fast and efficient access to your home to give that time. If you think time does not make much difference ask the person waiting for the EMT. I have been there and based on experience, I say there is only one answer, and that is to provide the second entrance and make it improved.

Bob Griebenow – I'm here to request the second access sooner than later. Our street needs to be a livable street; it's urban street not a collector. We have driveways, pedestrians, sidewalks. Traffic calming measures are a good band aide and they are nice to have in your neighborhood but they really are a band aide with regard to traffic. The only way to reduce traffic is with the second access. I would like the Planning Commission to consider that; maintain the livability of the urban street. We are not on a grid system. This is a unique situation where you have a large number of houses that are only accessed at two points. Let's maintain the two access points for the Willow Creek Manor.

David Bier – chose not to speak.

DG - There is one comment I would like to address. We did not completely speak about it and it is the split entrance. There are two roads converging in Phase B. A divider could be put there and I have now accomplished the requirement for a 2-way at the entrance to Phase B. It would not make any sense as there is no conflict. What we have as a condition to Phase B is that a traffic circle be put in that area and it will have some of the same effect. The actual reason for doing a traffic circle is the transitioning from one road way section to another with sidewalks on one side and sidewalk on both sides in Phase B. The traffic circle would supply an element of pedestrian safety for getting across that intersection area and

being able to access the two sidewalk streets. To satisfy that code requirement of the separated two roadways with a 10 foot section median unfortunately at the entrance to Phase B would not provide any additional protection in terms of emergency vehicles.

KNG – Interjected that now is not the time to consider a new standard proposed by one of the applicants. If the Commission wanted to consider that as a standard, it should be something on the legislative end.

Jon Wendt – Is this whole thing Phase B? He was absent the last meeting. What is Phase B?

Staff provided a map on screen that depicted where the phase lines are.

Protze – I feel Mr. Cole is playing off the financial aspects of developing property. I developed a 3 acre piece down the road, the Red Caboose Bed & Breakfast. I planned to put 10 units down, but because the city had so many demands that cost me \$50,000.00 more than I thought I was going to spend on things like moving driveways and utilities. I ended up only adding 5 cabooses on the property, a few more now. But those first years were difficult to plan out? I accepted that as a cost of development and I really have a problem seeing those fires in California. If a fire happens, yes there is a second road, but with residents, would they know that and be able to get out. I feel his pain but I also know in the interest of safety there should be a second access point that is either well documented or inform people of what is there as the access road; and built to standards so they can get out that way.

Shah – Question for Chairperson. One issue is the second access and the other is these recommendations from the city, and when people here think this should happen. Would it be okay to ask the other Commissioners to share their perspective in the way Olaf just did?

Wiseman – Developing Carisbrook phase by phase, as I recall, we were told the applicant does not own land nearest Sequim Bay Road and there is not a plan to connect. But what we have tonight, it looks like city staff is recommending after enough of these sections that go in like D, that there would be a connection to West Sequim Bay Road.

Mahalick – I think we need to hear that clarification from staff because we seem to be hearing something different. Clarify the access of the final Phase of D and the connection to Carisbrook road.

BB – In terms of clarifying the conditions, the condition requires that all construction vehicles access the project via Carisbrook.

Mahalick – The applicant has voluntarily said he will utilize that in addition to all construction utilizing that.

Wiseman - When is it going to be completely paved? And connected to Sequim bay road

BB - For construction activity the road does not need to be paved. For emergency vehicles the road does not have to be paved. It only needs to be paved and brought to city standards when it is constructed to serve as the second point of egress for traffic generated by the project. There are 3 different things. The construction traffic, emergency vehicle traffic and traffic generated by 128 new homes.

Shah – The current recommendation is for that to happen before or with Phase C and will be connected to West Sequim Bay Road. Is that the current recommendation?

BB – The second access could theoretically be another road other than Carisbrook.



Shah - But if it happened, it would go all the way to West Sequim Bay road even though the applicant does not own the property?

KNG - That was a mistake from the prior meeting. That is what I was trying to correct earlier. That was a misstatement from the prior meeting.

Mahalick – Applicant will be doing the construction for Phase B. Once final platting is over for Phase B, and he decides to move on then it will be incumbent on him to improve the road, the secondary access, to city standards?

Shah - Not according to the current recommendation. He has a choice of doing that or traffic calming measures at that point.

Mahalick – So either, but not both?

Shah – No. But before Phase D it had not been chosen before Phase C would have to be done.

KNG – To be clear it would happen at Phase D or subsequent phase. We are trying to allow development at different phases so we don't want to presume that Phase C is going to be the next. So the options are B plus secondary access or B with traffic calming. After C is full build out of the secondary road to city standards.

Wendt – In my previous life I worked for a municipality and we would do a condition like this and called it interim pavement; dust proofing; not a full build out. No curb, gutter or sidewalk, a hard surface that would not create dust and when phasing catches up permanent improvement would be installed. So write an interim condition to allow traffic to use it without creating dust. You would not have the expense of the permanent improvements and expense of underutilization of the whole phases. This would just be interim condition until full build out.

Shah – Can PW say if that is an option for us?

DG – Public dedication with the current recommendation does not come until Carisbrook is built either in C or D depending on the options they have. There is no standard for that road that exists. Without it being public access the expectation is there is not going to be that much traffic using that road except that is traffic by the applicant because it accesses his property or emergency traffic. So you are not going to have people in the subdivision using it right now because they do not have an easement across that property.

Wendt – I can put an ingress/egress easement dedication for the benefit of the people who buy lots in that phase?

DG – That would work. I'm not sure with putting a road; I know a concern is of the applicant and his farming business. You would have to build a stout road, not just skim of asphalt. If the residents were allowed, they could utilize it right now. Yes dust could be a problem. I do not see that as an issue of concern that it be paved, but is usable in its current condition.

Wendt – So passenger cars can use it?

DG – Yes.

Protze – Could that road be just a one way road out of the subdivision? And cut the traffic down to half? So there would only be a narrow strip of pavement that is a one way? So people would go out and come back in on Broadmoor cutting traffic down by 50%?

DG – That is not the issue with the driveways that exists now. But remember we are talking about permission being given to you to use that road which is not a condition of the current city staff report.

Mahalick – Were you here during Phase A to David G.?

DG – No not with city.

Wendt – It is not a condition of the city staff report but the developer could offer. It does not cost that much for an ingress/egress easement. It is something the developer could offer to the neighbors.

DG – If that were done, I would not require any other improvements to the road.

Wendt – There you go! An ingress/egress easement will work.

Shah – I would like to share what I'm feeling. The City Engineer did a great job. Traffic analyses were great to read. Reviewing all of the recommendations, to me, the most important is the second access. I'm reading the code and I'm totally unconvinced that an unimproved road satisfies second access. And I'm totally unconvinced that that median is actually a divided street. Whenever Phase A was approved, it was approved erroneously, and the fact that there is a subdivision that has 30 houses with just one entrance point was a mistake and a mistake we now have the opportunity to correct going forward. I wouldn't feel more comfortable with any construction without a second access. And I would not have felt comfortable even approving Phase A without a second access because of the code and the risks. It is a question based on safety. Follow the rules.

Mahalick – Entertain a motion, to approve, approve with conditions as stated within staff report, or deny. It will go to City Council for further consideration.

Shah – Is there an option to move for different conditions?

Mahalick – You would be bargaining with the applicant.

BB – Not necessarily. The Planning Commission could move to recommend approval to the City Council with conditions and state for the record the conditions that you would like the council to consider imposing on the project if they so agree with you.

KNG – I would add the conditions the commissions were to entertain would have to be based on the evidence presented before you tonight and not based on speculation and conjecture.

Wendt – Before we entertain a motion, can I ask the developer why you dismissed my ideas quickly out of hand and said it was not an option?

Jeff Cole – The reason why we would not be able to make that an easement for just normal use of the development to drive through is until I can afford to complete development and finalize each phase, I am going to continue farming. I have young kids on tractors, cows and fencing. I would destroy any road that you would impose. That road is a well-constructed road and has lots of dust and the only ones affected by the dust are us. That road carries on another 1000 feet off that map before it gets to Sequim Bay Road. What we have proposed with Phase B, Broadmoor being completed all the way to Carisbrook

at the very top line (indicating map). That is going to be completed fully at the approval of that plat. When we do C, that's 36 homes, and the next 27 homes, we complete those other 3 roads so there will be connectivity. When we do Phase C with traffic calming, there are 2 extra roads that were not in the original design, for the specific purpose of connectivity. Cars can come in here. Cole described how traffic will flow through. My original thought was to do Phase B, C and D and do Carisbrook when I do E because I still plan to farm. Some of my comments in the last meeting were taken out of context. I said I do not have an immediate plan to do Phase E and F, which I don't, because while I'm selling these houses, I'd love to plant some vines there. There are only 28 homes in Phase A, half of these are not built out yet. So for me to finalize 36 homes, assuming it takes me the same 10 years so sell that out, I am not going to final Phase C until enough is sold to pay for the development of the roads. Sewer and water are in the road and stubbed out from the previous approval. This goes all the way out to West Sequim Bay Road. To assume you are going to get 1200 vehicles on this road is so highly unlikely if this whole thing was built out. There will be traffic. When Phases B, C and D are built out, there will be traffic. What is really being said is I don't want traffic for as long as I can put a burden on him. I don't know.

Mahalick – The comment was made to dedicate so there could be public traffic through the dirt road, not to improve it to the standard of a city road. But you have agreed to use it for construction of the road work and Phase B. Your children and animals are going to be impacted by large vehicles.

Jeff – We will build it out in 3 months. So Phase B will be constructed. Construction traffic will be in and out; I have to deal with it. For them to have an easement to go across there will restrict me from doing my farming business that has been going on since 1900. It is unrealistic to assume they would try to force an easement where all of the sudden my driveway is public road, one-way street, two-way street, whatever for the subdivision. From my home down, is not a part of this development. The second point of egress can come in other ways than that. Whether we develop future phases to go to West Sequim Bay Road or not, we are talking about 128 parcels, of which 63 will be completed before that road has to go in.

Mahalick – There is a public notice off West Sequim Bay. It that where your farm is? It's called "The Farm"? That is the access actually going to your home? So that is the dirt road in question? So it will be open those 3 months for construction?

Cole – Yes, yes. There is already a public easement on there for access for emergency vehicles. The City can use it. The city has a key, the irrigation company has a key, the fire department has a key, DOT has a key. It is always open. The only part blocked off is between A and B because I don't want the drive through traffic there as I have small kids and it is not a part of the development. The access is currently in and being used.

Mahalick – Does anyone want to try a motion?

Wendt – Please review Phase B for the required round-about. Is this a form of traffic calming? With Phase C, they are required to do additional traffic calming? That would be along Broadmoor, traffic calming? Phase D they would have to do the second access point? So C is traffic calming along Broadmoor, B is the traffic circle?

DG – Yes a traffic circle. It is a 10 foot to 12 foot diameter area. Yes this is traffic calming. Yes build that out to West Sequim Bay Road or to some other access point. Yes a second access point if not done with Phase C it would be a condition of D. Yes.

Protze – I find it interesting that Mr. Cole does not want his farm impacted, or his kids or animals by the development, but it is okay that all the folks along Broadmoor will be affected. That is a double standard.

I have mine and don't want to be bothered. Development will happen. I feel we can compromise and say if he builds out B and sells the plots, then develop the access road; I could be good with that. That is a compromise I can live with. Other than that there is just too much development and too little access on that road.

Shah / Mahalick – Can you state that again?

Protze – There is too much development and too little access for that road.

Shah – Your idea your proposal?

Protze – I propose we accept the plan with the addition of after Phase B is complete that the access road be built. Additional traffic will be going up Carisbrook Road.

Mahalick – Put in form of a motion.

Shah – When you say before C, the language here is with each phase. The assumption is that nothing happens between phases. So if the applicant never did Phase C then it would not happen. Does that satisfy your proposal?

Protze – Yes. Because traffic again would not increase. I am concerned about all the traffic.

Shah – I motion that we approve with some changes to these recommendations. Those changes would be, with Phase B the traffic calming measures would be built. And with Phase C, the second access would be built.

Potter – That is with the start of Phase C? So when they start to develop Phase C that is what you are proposing?

Shah – Correct.

Wendt – The full traffic calming measures would be built with Phase B.

Shah – Yes that is in the motion.

Wendt – Just clarification.

Mahalick – Is there a second?

Protze - I'll second since I did not bring it forward.

Mahalick – Any further discussion? All in favor? Unanimously carried. Motion passes with conditions.

## **UNFINISHED BUSINESS**

None.

## **DIRECTOR'S REPORT**

Barry Berezowsky indicated DCD has two new employees; Alisa Hasbrouck as the new Community Development Specialist and Gary Dougherty is the new Assistant Planner.

Joint meeting with the City Council next Monday at 5:00 pm to talk about the Comprehensive Plan amendments. Agenda packet went out today. The meeting is to review the amendments brought forward by City staff and Green Crow. Barry and Eric Hovee, consultant city hired to assist in terms of looking at the number of amendments, and coming forward with some recommendations.

Barry has communicated with Department of Commerce to bring the short course back to Sequim, the short course on Planning. Start baseline to talk about legal basis for planning in Washington State, Growth Management and preliminary planning issues.

## **GOOD OF THE ORDER**

Mahalick – You have heard from the commission tonight, two points of access are mandatory for that. The soonest we could get something before the council for consideration would be when?

KNG - Will depend on what that standard looks like. Having a requirement of 2 points of access is not necessarily the same thing as having an actual standard. I would defer to the PW Director to see what that standard would look like.

Mahalick – I believe in the Comprehensive Plan it is discussed as having two points of access. We were clear during the development of the Comprehensive Plan. Maybe this is something we can talk about in the joint meeting. It was brought up a number of times that two points of access in the Comprehensive Plan were standard and we want to take a look at that.

DG – Right now we have two points of access that everyone on the commission feel is inadequate. If we are to look at something else, we would have to see what other cities are doing and what seems to make sense. My first thought is to look at the Fire Code and how the Fire Code envisions the two points of access. That is what this undeveloped road is to allow. They do not have the 10 foot divider in the Fire Code.

Mahalick – How long will this take? Development has started up.

DG –We have a lot of Public Work construction season going on now but we will start. We will begin to look at it right away.

Mahalick – Appreciate it. Site visits by commissioners?

BB – KNG may want to jump in here. It depends on the nature of the application. I know if it is a quasi-judicial, you should limit conversations, your involvement of the project, your thought with other commissioners, friends and other acquaintances because you have a responsibility not only to be impartial but look impartial. The appearance of fairness doctrine.

In terms of site visits I think it may be hard to prohibit you from visiting the site as you may drive by doing your daily routine. Saying you cannot visit the site is probably not appropriate, but you should report to the other commissioners. You do not want any commissioners or council members to have additional information that is not available to the other commissioners. You should all be looking at the same information. If it was my choice and there is a need to visit a site I think we would arrange a visit with the commission as a whole. We would make sure everyone saw and heard the same thing at the same time.

Protze – I think to understand the project you have to visit the site. Does it fit? Is it good?

KNG – I concur with Barry. The commission needs to make its decision based on the record before it during the Public Meeting. Unless a site meeting is conducted in a way described here which Barry referenced, it is not on the record.

Mahalick – That brings us to the question; it would behoove us to request a site visit when in doubt. Since we don't know the procedure to do that, give us some information. In essence we can request a site visit at any time that we have a question.

KNG – It would need to be properly noticed. Site visit will be open to the public.

Protze – Provide a Google Map for these projects in the future.

BB – We can include that map into the packet.

KNG – If you feel compelled to do a site visit, request one and do not do it on your own.

Mahalick – Entertain a motion to adjourn.

**ADJOURNMENT at 7:40.**

**MOTION** to adjourn by Commissioner Wendt seconded by Commissioner Shah. **Carried Unanimously.**

Respectfully submitted,



Ann Hall  
Secretary to the Commission



Karen Mahalick  
Chair

Next meeting: November 7, 2017