



Planning Commission Minutes
February 7, 2007 Regular Scheduled Meeting

APPROVED

City Hall Council Chambers

At 5:30PM, Ms. Heston read the Oath of Office and swore in member Winona Jacobsen.

The meeting was called to order at 5:34 P.M.

Planning Commission Present

Randy McKibbin, **Chair**
Grant Sulham, **Vice-Chair**
Donn Lewis
Dennis Poulsen
David Eck
Katrina Minton-Davis
L. Winona Jacobsen

City Staff Present

Stephen Ladd, Planning Manager
Arlene Heston, Department Assistant

Guest

Gary Leaf, Community Services Director

A poll determined that a majority of Commission members would be available for the next meeting scheduled for February 21, 2007 to be held at City Hall Council Chambers.

I. APPROVAL OF MINUTES:

Minutes requiring review and approval were those of November 1, 2006, December 6, 2006 and January 17, 2007.

MOTION WAS MADE BY VICE-CHAIR SULHAM, SECONDED BY COMMISSIONER ECK TO APPROVE THE MINUTES OF NOVEMBER 1, 2006 (WITH TWO SPELLING CHANGES NOTED ON PAGE 2 BY COMMISSIONER LEWIS), DECEMBER 6, 2006 MINUTES AS PRESENTED AND JANUARY 17, 2007 AS PRESENTED (WITH GRAMMER CHANGE NOTED ON PAGE 1 BY COMMISSIONER LEWIS). APPROVAL WAS UNANIMOUS.

II. PUBLIC COMMENTS/CONCERNS: None

Individuals in the audience chose to wait and comment during the scheduled Public Hearing.

III. OLD/CONTINUING BUSINESS: None

IV. PUBLIC HEARING-

Fennel Creek Trail Plan & Environmental Impact Statement-

Chair McKibbin opened the Public Hearing at 5:38 P.M.

Mr. Ladd provided a brief explanation and history of the Fennel Creek Trail Plan and EIS stating that in 2005 the Fennel Creek Trail Plan was prepared by Bruce Dees & Associates but didn't go through an official adoption process until the Environmental Impact Statement was prepared. Now that the EIS is complete, the Fennel Creek Plan and EIS are being presented before the official Public Hearing process. Mr. Ladd added that if anybody feels the Plan or Environmental Impact Statement (EIS) is inaccurate or would like to voice pros or cons on these 2 documents, this would be the appropriate time to do so.

Mr. Leaf, Community Services Director for the City of Bonney Lake said that one of the most important issues that have come up is the number of people that are opposed to having a trail located on their property. The Fennel Creek Trail Advisory Committee decided early on that the trail will not be located on properties where property owner do not want the trail. That is why the trail plan is not precise. It's not the City's intent to proceed with condemnations. Rather, there will be some purchases of lands, some acquisitions and negotiations with plat developers.

Mr. Leaf further went on to say that there is a pending grant application (Safe Route to School Grant) with the State Department of Transportation. City staff has recommended a list of applicants to legislature and the City of Bonney Lake was rated very highly for a section of the trail that is within the vicinity of Victor Falls Elementary School.

Audience members were given the opportunity to ask questions of staff. Comments included:

Audience question- Would the route go along Rhodes Lake Rd?

Mr. Leaf replied that the trail would not go along Rhodes Lake Rd, but strictly on city owned property and the school district property which is a approximately a mile of trail to the school.

Audience question- How is the City going to propose to protect kids from child predators? And, would part of the grant go towards safety education?

Mr. Leaf replied that this same question is being asked to WSDOT, the agency to award the grant. WSDOT has developed a number of ways to increase exposure to the public. For example, there is a program called "the walking school bus". Parents would trade-off walking their kids to school in groups. This is a preferred method. In addition, since the proposal calls out for a paved path, it would be fairly easy for police to patrol on bicycle. Walking in groups is the biggest key.

Audience question- What is the timeline on the grant?

Mr. Leaf replied that the grant should be awarded by the end of March by legislature. With a mitigation process (because of environmental/sensitive areas) and after a design process, construction could start sometime in 2008.

Audience question- Is 192nd Ave E and Angeline Road part of the route on the proposed grant?

Mr. Leaf replied that, yes, part of the proposed Safe Route to School Grant application includes sidewalks to be installed along 192nd Ave E. allowing kids a safer route to local schools in those neighborhoods. Sidewalks along Angeline Road are included in the city's Non-motorized Transportation Plan but not part of Grant.

The overall essence of audience members was that safety is a priority for the kids versus an expensive trail that not many people may use.

Mr. Leaf replied by saying that this particular grant proposes trails and sidewalks. The 2 biggest concerns from citizens is safety for those utilizing the trail and property owners opposed to a trail going through their back yards. This is why the current trail plan allows for some flexibility to change trail routes.

Audience question- Does the Grant include money allocated to more police protection?

Mr. Leaf replied that the proposal does indicate daily bike patrols along the trail.

Audience members who spoke and asked questions during the presentation gave their names for the record

Shawn Tetter, 18720 95th Street E, Bonney Lake, WA 98391

Diane Bechtold, 17425 119th St Ct E, Bonney Lake, WA 98391

Laurie Carter, 18119 85th St E, Bonney Lake, WA 98391

Chair Randy McKibbin opened the floor for Public Hearing comments.

Kim Marzolf, 18515 Rhodes Lake Rd E, Bonney Lake, WA 98391- A County resident since 1976 who owns 2,000 feet along Fennel Creek hopes the City will adhere to the wishes of property owners that live along the trail routes and asked that affidavit be sign acknowledging such. Also asked questions about setbacks and how the City will handle them.

Glenn Souza, 18715 95th St E, Bonney Lake, WA 98391- Stated that he's concerned with the proposed trail plan along Angeline Rd. that would travel underneath State Route 410 and parallel with Angeline Road east bound. There is a filtration ditch in that vicinity that allows water to drain from SR410 E (a massive amount of water). It's not understood how a trail could be proposed in this location without it moving onto parts of SR410 E. This section is private property that the trail would be encroaching on. He is opposed to having a trail located behind his home. It's a heavily wooded area and if a trail is built in this vicinity it could open the doors for predators to hang out behind homes along the trail route.

Brian Bernecker, 10104 184th Ave E, Bonney Lake, WA 98391- Concerns include: 1) Possible impacts to property owners currently outside Bonney Lake City limits (but within the Urban Growth Area) and where

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this area ends up in 5-10 years; 2) The city's position that the proposed trail will not be constructed on properties where current land owner are opposed to it. This is false. BLMC Title 17.12.20 indicates that if you intent to plat land, which is my case (Copperfield Estates), in order to allow additional lots, a section of land (tract) would be dedicated for the trail to go through; 3) Landowner liability if someone is injured on the trail. The Plan indicated this would be covered under the recreational use statute. In order to invoke the recreational use statute, you're required to be represented by an attorney in a court of law. How many people have that kind of money? The City should be insurance to cover incidents along the trail not private land owners; 4) Provisions to keep people on the trail, off private properties and how police will be able to patrol. Poor plan; 5) Burden of property owners paying for fencing and signage; 6) Trash and garbage along the trail routes; 7) Reduction in property values for those along the trail routes; 8) The City providing appropriate compensation to those individuals that allow the trail to go through private properties.

Robin ?, 11122 McCutcheon Road, Bonney Lake, WA 98391- Owner of 14 acres in Pierce County. Concerned about a trail head proposed right next to her property and constructing an asphalt trail 50 feet adjacent to Fennel Creek that has been identified as a salmon bearing creek.

Shawn Tetter, 18720 95th Street E, Bonney Lake, WA 98391- Concerned about trail routes being constructed close to unstable terrain south of Victor Falls, to the north that would parallel SR410 E. and within 50 feet of the creek. How can the City be able to design and build within sensitive areas yet land owners cant? This doesn't seem fair

Mr. Ladd, Planning Manager for the City of Bonney Lake- Read into the record two comments that he received via voice mail (February 6, 2007) from a Mark Sedman, (Comment #1). The caller is opposed to the Fennel Creek Trail running through his back yard in unincorporated Pierce County. The second, an email received (February 6, 2007) from a Don Partington, Fennel Creek Trail Advisory Committee, 18220 26th St Ct E. (Comment #2) Mr. Partington unable to attend the Public Hearing is in favor of the Fennel Creek Trail Plan adoption. The environmental impacts will be somewhat costly, but a small price to pay for what will be one of the best trails in the region.

With no other comments from audience members or staff, Chair McKibbin stated at 6:37 P.M. the Public Hearing would remain open on the Fennel Creek Trail Plan for comments until the next Planning Commission meeting schedule for Wednesday, February 21, 2007.

This item is to remain on the Agenda under Old/Continuing Business until complete.

Non-Motorized Transportation Plan-

Chair McKibbin opened the Public Hearing at 6:37 P.M.

Mr. Ladd explained that this Plan (part of the Bonney Lake Comprehensive Plan) refers to sidewalks and bicycle lanes. Several older neighborhoods, built prior to modern subdivision requirements, lack sidewalks. The current Non-Motorized Transportation plan will place an emphasis on prioritizing where sidewalks should be built, how they will be built, and much they will cost and for accommodating bicycles (widened lanes on edge of local roads).

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Diane Bechtold, 17425 119th St Ct E, Bonney Lake, WA 98391- In support of the plan because it places an emphasis on possible safety, alternative commuting for enjoyment and favors bike lanes. Bonney Lake is way behind many other cities.

Mr. Ladd, Planning Manager for the City of Bonney Lake- Read into the record two letters received by the City of Bonney Lake. February 7, 2007 from a Robert E. Jones, Transportation Planning Manager, Washington State Department of Transportation, Olympic Region (Letter #1) And, February 6, 2007 from the State of Washington, Department of Ecology, Southwest Regional Offices (Letter #2).

With no other comments from audience members or staff, Chair McKibbin stated at 6:46 P.M. the Public Hearing would remain open on the Non-Motorized Transportation Plan for comments until the next Planning Commission meeting schedule for Wednesday, February 21, 2007.

This item is to remain on the Agenda under Old/Continuing Business until complete.

V. NEW BUSINESS-

Title 15, Sign Code- Commissioners had a minor discussion about the current sign code and some research performed by Ms. McQuillen, Planning Commission Clerk and Commissioner Lewis. It was determined that additional assistance is needed by staff, presumably Denney Brian, Code Enforcement Officer, on the subject of sign code enforcement issues.

Commissioner Minton-Davis noted for the record her position with the Bonney Lake Chamber of Commerce. If at any time she feels a need to step away because of conflict, she would do so on this subject. Secondly, the Commission talked about revising the sign codes based on the 3 separate Districts within the city (Downtown, Midtown and Eastown). These should be reviewed individually.

After a minor discussion, it was decided by Commission members that a possible workshop session would be started with emphasis on Downtown first and possibly utilizing an architectural group.

Chair McKibbin suggested that commission members read and familiarize themselves with the current sign code, think about how it would affect Downtown and provide comments for discussion at the next Planning Commission meeting.

This item is to remain on the Agenda under Old/Continuing Business until complete.

VI. FOR THE GOOD OF THE ORDER:

Correspondence- Acknowledged in the Fennel Creek Trail/EIS and Non-Motorized Transportation Plan Public Hearings (Attached).

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Staff Concerns- None

Commissioner Concerns- None

VI. ADJOURNMENT:

MOTION WAS MADE BY COMMISSIONER LEWIS, SECONDED BY COMMISSIONER JACOBSEN TO ADJOURN. APPROVAL WAS UNANIMOUS.

The meeting ended at 7:00 P.M.

Prepared by Arlene Heston, Department Assistant sitting in for Christy McQuillen Planning Commission Clerk (Absent at 2-7-07 meeting)
Signed by Christy McQuillen Planning Commission Clerk
Approved on April 4, 2007