

**CITY OF BLAINE
PLANNING COMMISSION MINUTES
Thursday, January 24, 2019
7:00 PM
Calvin Armerding - Chair**

A. CALL TO ORDER: 7:01 PM

B. ROLL CALL:

PRESENT: Calvin Armerding, Sue Sturgill, John LeBrun, Richard May, and Steve Hrutfiord.

EXCUSED: Tom Hanrahan

ABSENT: None

STAFF: Alex Wenger, Acting Community Development Director,
Andrew Boucher, Community Planner I,

**MOTION TO EXCUSE MR. HANRAHAN INTRODUCED BY MR. MAY
AND SECONDED BY MR. LEBRUN; (5-0) APPROVED**

**MR. MAY NOMINATES MR. ARMERDING AS CHAIR; NO OTHER
NOMINATIONS; (5-0) APPROVED**

**MOTION TO TABLE THE ELECTION OF VICE CHAIR TO THE 2/14/19
MEETING INTRODUCED BY MR. MAY, SECONDED BY MS.
STURGILL; (5-0) APPROVED**

C. AUDIENCE COMMENTS: None

D. PUBLIC HEARING

Walsh Marine

Chairman Armerding reads the procedures for Quesi-judicial proceedings; in appearance of fairness and conflict-of-interests, do any Planning Commissioners have any disclosures or interests that would prevent them from ruling? Audience objections on commissioners participating?

Mr. Wenger gives staff report; SSDP – Type II PC permit application proposed by the Port of Bellingham – six findings (pg. 9) and three conditions of approval (pg. 9).

Applicant – John Gibson and Robert Wright – Port of Bellingham: “Thanks for your consideration and we are available for questions.”

Ms. Sturgill: “Any mitigation around the weblocker and anything discouraging seagulls?”

- Staff: “These are being waived as there are more efficient filtration methods and that is left up to the applicant.”
- Port of Bellingham: “Not currently in plan, but open to this.”

Mr. May: “Does this type of application typically come to the Planning Commission? It is going to be in between the sightline of the downtown and the water tower?”

- Staff: “Permitted process, but one determined by the Planning Commission. Under the maximum 40’ height limit.”

MOTION TO APPROVE #2018078 – SUBSTANTIAL SHORELINE DEVELOPMENT PERMIT BASED ON THE FINDINGS OF FACT AND SUBJECT TO THE CONDITIONS OF APPROVAL INTRODUCED BY MR. LEBRUN AND SECONDED BY MR. HRUTFIORD; (5-0) APPROVED.

Woodberry PUD

COMMISSIONERS ARMERDING AND LEBRUN TESTIFY THAT THEY HAVE READ THE PACKET AND MINUTES AND LISTENED TO THE 3 HR AND 12 MINUTE RECORDING AND HAVE RECEIVED ALL INFORMATION THAT IS PART OF THE RECORD.

Rules of Quesi-judicial proceedings previously read still apply; public hearing is open.

Staff recommends continued public comment;

Public Comments:

- Patti and Paul Jordan (5593 Sandpiper Lane): “We have issues regarding the desire to clear cut, the language on trailers/boats and fences, and departure from the RSMP.”
- Adria Hahn resubmitted her comment: “Require maintenance of a 30’ buffer zone, preserve large specimen trees where possible; irrigate and replant the buffer as require in other neighborhoods.” Mark Livingston and Kem Ellis (5601 Sanderling Way) resubmitted their comment: “We support Mr. Beauregard and Mr. Wendt’s comments.”
- Blair and Teresa Smith (9141 Gleneagle Drive): “Development is incompatible with existing community; specifically, the buffer/screening, clear cutting, fencing, and RV/boat storage. Disagreement with staff report claiming minimal traffic impacts – request for a traffic-calming island/roundabout.”
- Glenn and Marleen Rinkel (9039 Gleneagle Drive): “Buffers and a main entrance on Semiahmoo Drive.”
- Dwight Moore (9005 Snowy Owl Lane): “I strongly object to this development.”
- Rick Beauregard (8961 Bald Eagle Drive): “Withdraw the MNDS for this project; perform a legal review of the environmental process for this and future developments; rescind the exclusion of the area of Cannery Hill/West

- Semiahmoo, including Woodberry, from the RSMP; include all mitigation and design standards of the existing Semiahmoo community – specifically visual screening/buffers, tree preservation, unit density, fencing, RV and boat storage; address the emergency services shortfall; address mitigation for the Pileated Woodpecker and cultural impacts. Further comments and concerns attached.”
- Liselotte Silk (5641 Sanderling Way): “I would like to see an easement of 30’ with the trees remaining in place and elimination of language permitting RV/trailer/boat storage.”
 - Chris Nicolls, PVHOA President (PO Box 2247): “Main concerns of the PVHOA are as follows; require a 30’ buffer screening, restrict ability to clear cut development, and eliminate fencing language.”
 - Will York (9158 Gleneagle Drive): “Compares Woodberry development to Sea Smoke in regards to screening vegetation/buffers and standardized; formally requests that the City require Sea Smoke to remove the orange fence and improve the effective of screening vegetation.”
 - Cheryl Strong (9158 Gleneagle Drive): “I agree with the comments submitted; lamenting the loss of what makes Semiahmoo unique.”
 - John and Roberta McDougall (5441 Canvasback Road): “Horizon and Carnoustie used as examples of the effects of clearcutting, Sea Smoke does not conform to the standards of the CC&Rs and was exempted from the SRMP; Sea Smoke has also not planted the required evergreen buffer and construction site still in clear view. I would like to see a 30’ irrigated buffer along Semiahmoo Parkway at least 4’ tall.”
 - Helen Worley (5571 Sandpiper Ln): “Refers to letter from Chris Nicolls on behalf of the PVHOA.”
 - Stan and Maria Monks (9057 Gleneagle Drive): “Refers to PVHOA letter dated 1/21/19 and Rick Beauregard’s 1/21/19 letter..”
 - Michael and Beverly Coltart (5468 Night Heron Drive): “Reinstate requirement to plant trees along the Semiahmoo Parkway.”
 - Bryan Johnson (9118 Gleneagle Drive): “Please see attached comments and Blair Smith’s letter.”
 - Daphne and Bryan Johnson (9118 Gleneagle Drive): “Sea Smoke comparisons to Woodberry in regards to clearcutting, development layout and phasing, and 30’ buffer being inadequate.”
 - Alec Berkman (8971 Bald Eagle Drive): “Attachments suggest Woodberry was not included in the removal and may fall under the RSMP.”
 - James Little (5701 Sanderling Way): “Development is in conflict with the goals of housing affordability and retaining consistency with existing developments. I echo the comments submitted regarding clearcutting and retention of mature trees, vegetation screening, and vehicle storage language.”
 - Karen and Cal Clements (8625 Great Horned Owl Lane): “We are concerned about the tree removal, incompatibility with existing developments, and concern over traffic/infrastructure impacts.”
 - William McNally (8991 Snowy Owl Lane): “Addendum to 1/10/19 letter, proposing solutions to conflicts with Housing Policy 2.1 in Blaine’s Comp. Plan, attachments and recommendations attached.”

- Hoyt and Ingrid Hatfield (8607 Horned Owl Way): “Disappointment with the Blaine Planning Commission regarding Woodberry and letting this developer clearcut.
- Jennifer Plombon (address): “Excess water is an issue currently facing Semiahmoo, some of that could be due to tree removal and an increase in impervious area; therefore, staff recommendation to waive this requirement in conflict with 17.74.080.D; question regarding 17.38.055.B(9): above grade foundation exposure not to exceed 6” and exposed foundation being waived. Opposition to language allowing storage of RV/boats/trailers.”
- Paul and Alice Bessembinders (5611 Sanderling Way) submitted additional comments: “In reference to my 1-10-19 letter, I have concerns with the City of Blaine’s process regarding the decision to remove Cannery Hill and West Semiahmoo from the RSMP as well as the Planning Commission recommendation and City Council passing resolution 1665-15 in May 2015 and Ordinance 15-2872 in December 2015. The resolution and ordinance called for establishing standards to further the development pattern established by the RSMP and reflecting a pattern of non-fenced lots developed in a forested setting, but several exemptions and waivers are given.”
- Arthur Abercrombie (8965 Bald Eagle Drive): “Agree with the inconsistencies found by Mr. Wendt, Beauregard, and McNally, etc.; current plan of clearcutting and developing for up to ten years is unreasonable and irresponsible. The currently planned visual buffer is inadequate in size and there is no requirement to replant and irrigate the buffer for at least 2 years; this combined with the fencing allowance would negatively impact property values.”
- Alec Berkman (8971 Bald Eagle Drive): “House design examples used were drawn over 15 years ago for dissimilar development, not connected to Woodberry, which was never built.”
- Sonia Hurt (650 Cherry Street): “Prohibit clearcutting the entire site and clear only as actively developed, maintain all topsoil/mark natural drainages, don’t allow fencing, and cluster the homes to best maintain the natural state.”
- Patrick and Susan Hammack (8862 Dunlin Court): “Issues regarding clearcutting, fencing and large vehicle storage language, density per acre, outdated plans being referenced, and impact on property values.
- Stan Monks (9057 Gleneagle Drive): “Issue with developer and City staff; independent group look into the RSMP and modifications over the years.”
- Martha and Ted Jackovics (9027 Gleneagle Drive): “Comparisons to Sea Smoke in regards to clearcutting effects; development out of character with the existing developments.”
- Turnberry Wood HOA (address): “Issues with the lack of consistency within the existing community, environmental impact, and the negative impact to current home values.”
- April Hashimoto (8833 Goldeneye Lane): “I have issues with the development phasing and how it relates to clearcutting as well as language regarding fencing.
- Greg Wendt (8800 Goshawk Lane): “Recommendations in regards to buffers, preservation of trees and vegetation, and disagreements with staff recommendations/findings.”

- Lesa Starkenburg-Kroontje (313 4th Street – Lynden) enters a letter.
- Mike and Judy Bailey (8821 Goldeneye Lane)

Verbal testimony:

- Debra Paquin (8608 Great Horned Owl Ln): “This development is not good and removal of a lot of trees is bad for the neighborhood in regards to runoff and aesthetic issues; impacts to property values and wildlife. Comparison to the Sea Smoke development in regard to the vegetation screening and maintenance/irrigation of replantings.”
- Mark Livingston (5601 Sanderling Way) speaking on behalf of William McNally (8991 Snowy Owl Ln): “Mr. McNally has submitted two letters and has three issues (amount/distribution of open space; deviations from RPR design elements; lack of provisions to preserving trees); second letter provides several recommendations for mitigation. Consider all input, reject Woodberry PUD, and involve Semiahmoo.”
- Karen Haug (Address) ; Reject Woodberry
- Helen Worley (5571 Sandpiper Ln): “I endorse the PVHOA; not compatible with existing developments; opposed to fencing language, large vehicle storage, clearcutting; more buffer needed. How was this property exempted from the RSMP?”
- John Gaff (5555 Sandpiper Road): “My concerns are in regards to the utility capabilities of this new development and sewer/stormwater runoff in relation to city services; maintain and access to utilities and the impact on city budget; finally, what are the total cost implications of this development?”
- Ted Jackovics (9027 Gleneagle Drive): “I am concerned with the overall effect on the character and atmosphere of the city.”
- Dan Daniels (5651 Sanderling Way): “It appears that the development doesn’t take into consideration the existing community.”
- Doug Woods (5574 Sandpiper Lane): “I stand with the comments submitted; comparison to Sea Smoke.”
- John and Roberta McDougal (5441 Canvasback Road): “Agree with question when this development was taking out of the RSMP; the CC&R’s are in conflict with this development. Plans are based on optimal location to houses without regard to topography; include heritage trees. Include an adequate buffer.”
- Daphne and Bryan Johnson (9118 Gleneagle Drive): “Sea Smoke and Horizon comparison; refer to Doug Woods; interest in buffer enhancements.”
- Jason Cohen (9035 Shearwater Road): “In support of previously submitted commented; concerns include clearcutting (Horizon and Sea Smoke), architectural standards, and impervious coverage regarding stormwater.”
- Greg Wendt (8800 Gausehawk Road): “Expanding buffer to 30’ and not allow removal of natural vegetation in that buffer, don’t allow clearcutting but cutting in phases, direct staff to review ordinances and subdivision development restriction, Sea Smoke comparison in regards to irrigation/maintenance of replantings.”
- Rick Beauregard (8961 Bald Eagle Drive): “Refers to second letter sent and a page of the staff report; exhibit 2, West Semiahmoo and Cannery Hill PUD – appendix including Woodberry; who requested removal of these properties?”

- Lesa Starkenburg-Kroontje (313 4th Street; Lynden, WA 98264): “Applicant has been working on this project for over a year; letter was submitted 1/24/19 in response to some of the comment letters (up until 1/21/19). This project has been processed per code. References Sea Smoke in relation to Woodberry’s density. Developer’s intent is not to duplicate Semiahmoo.”

Public Hearing Closed

Staff recommendation to hold a work session;

Work Session outline:

- Mr. Armerding: “Removal of Cannery Hill/West Semiahmoo – map referenced from the minutes, definition of line – city limits/parcel; 9-25-14 PC Packet in regards to Mr. Beauregard’s comment. Second question, was the SRA legally obligated to rescind language surrounding Cannery Hill/West Semiahmoo and was there any options of “keeping the red area”.
 - o Staff: “Surrounding areas were included in urban growth area, but were removed from the UGA by Whatcom County causing conflict with the City’s Master Plan/Comp. Plan – attempt to rectify this and remove areas from RSMP that were outside of the City. Commission may request City Council to consider reinserting this area back into the RSMP, but cannot force applicant to join the SRA or enforce their design standards.”
- Mr. LeBrun: “Are property values decreasing a finding of fact? Screening process will effectively screen out housing within 2 years? Was the project in compliance with city ordinance and was the environmental review was done correctly?”
 - o Greg Wendt (8800 Gausehawk Road): “The screening process will effectively screen out housing within two years; gives example of plants and ASC’s landscaping requirements.
 - o Staff: “Do not have that information on changes in property values. The applicant is requesting to deviate from residential design standards in regards to the zoning, but was allowed to request deviations through the PUD application. Environmental review and appeal process has expired; the environmental review was done correctly. Stormwater and utility plans have been reviewed by city engineers and third party.”
 - Mr. Armerding: “Compliance issues with city ordinances? What is the appropriate process if there is a belief that a development is affecting surrounding processes, including drainage; what are the engineers’ responsibilities?”
 - Staff: “The request can be made to staff to evaluate existing drainage system; applicant has submitted a preliminary stormwater report. At this stage of the development, we are reviewing preliminary plans; once approved by City Council, applicant has six months to approve CC&Rs and PUD Master Plan through the Planning Commission for a final review– five year window to develop the final engineered civil drawings.”

- Mr. May: “Environmental checklist and drainage are two of my issues. Are higher quality and public benefits objectives? Does the Planning Commission have the responsibility to consider public comments and consider how this project will fit the surrounding community and consider conditions to achieve that? Is the intention of the phasing of the project because it is financially efficient?”
 - Lesa #52: “Yes, changes to phasing would change the financial impact of the project.”
 - Staff: “PUD allows for deviation from zoning design standards; 11 design standards to be met. Yes, that is a responsibility of the Planning Commission to determine if those criteria have been met.”
 - Mr. Armerding: “Allowed to request to be given permission to deviate. Is the buffer being deviated?”
 - Staff: “Correct, City Council decides based on Planning Commission recommendation. Buffer is required to be 20’ per the PUD ordinance, wider in some areas.”
 - Revisit 20’ buffer – minimum required through PUD ordinance
- Mr. Hrutford: “Go over deviations in the work session.”

Staff clarifies that the study session is open to public to observe, but not comment.

MOTION INTRODUCED BY MR. MAY; SECONDED BY MS. STURGILL TO TABLE THE PROJECT UNTIL STUDY SESSION ON FEB. 28, 2019 AT 5:00 P.M.; (5-0) APPROVED.

Marin Building C

Quesi-judicial rules for proceedings still apply

Public Comments:

- Karen and Tom Newberry (9535 Semiahmoo Parkway): “Issues regarding the process and the applicant’s attempts to bring his project in line with existing community.”
- Gordon and Maureen Smith (9535 Semiahmoo Parkway): “Echo comments made by Alan Ogden.”
- Christopher and Sandra Taylor (9535 Semiahmoo Parkway): “The project does not adhere to the character of the existing Marin Buildings or other projects on the Spit.”
- Peggy Richter and Alan Ogden (9535 Semiahmoo Parkway): “Opposition to Building C as it does not fit in with the exterior design of existing Marin Buildings or similar developments.”
- Janice and Michael Gill (9535 Semiahmoo Parkway): “The proposed design is not consistent nor compatible with Buildings A & B.”

- Nancy L. Jacob and George B. Fotheringham (9535 Semiahmoo Parkway): “The proposed visuals and materials including roofing are incompatible with existing community.”
- Paul and Kathryn Petersen (9535 Semiahmoo Parkway): “Opposition to proposed design of Building C as it is not compatible with existing community.”
- Robert Smith (5555 Night Heron Drive): “Opposition to proposed design of Building C as it is not compatible with existing community.”
- Edward Etherington (9535 Semiahmoo Parkway): “Opposition to proposed design of Building C as it is not compatible with existing community.”
- Jennifer Plombon (address): “The current plan for Marin C has no architectural relationship to anything currently on the Spit, let alone to Marin A & B, the plan must meet the ASC Standards.”
- Jean Overly (5454 Pine Siskin Road): “Letter”
- Applicant – Jim Quick (115): “In conversation and coordination with the SRA and ASC to find a middle ground, asking for a continuance until the next Planning Commission meeting, Feb. 14, 2019.”
 - o Staff: “Yes, but staff needs adequate time for additional review; public record/hearing open until Feb. 14, 2019.”

Verizon Bel Drayton – Rescheduled

E. INFORMATIONAL ITEMS:

F. APPROVAL OF MINUTES: MOTION TO APPROVE THE 1-10-19 PLANNING COMMISSION MINUTES AS AMENDED INTRODUCED BY MR. MAY, SECONDED BY MR. HRUTFIORD; (5-0) APPROVED.

G. ADJOURNMENT: 9:11 P.M.

Calvin Armerding, Chair

Alex Wenger, Staff

Planning Commission minutes of January 24, 2019 to be approved at the February 14, 2019 Planning Commission meeting.