

**City of Buckley  
Planning Commission  
March 9, 2005**

Chairperson Schneider called the continued public hearing to order at 6:30 PM.

The following members were present: Ken Smith, James Montgomery, Cindy Maas, Cristi Boyle-Barrett, Sandy Ramsey and Lisa Cramer. Also in attendance were staff members Dan Staley and Gwen Rousseau, City Administrator Dave Schmidt and City Attorney Sue Sampson.

Chairperson Schneider stated the purpose of tonight's meeting is to continue to receive public comments regarding the zoning code. Schneider stated one of the main things he would like to say that there were a few letters and some comments that were made that this was a done deal. That is not true. This is a public hearing and that is the purpose of the meeting is to hear from the public. There have also been some comments that they are going to be zoned out of business. That is also not true. The Planning Commission has worked very hard to do what is best for the City. The primary purpose of this hearing is to hear from the public. We will try to answer as many questions as possible, but sometimes it is not always possible to do that.

Dan Staley, City Planner gave a presentation to the audience to explain what the Planning Commission is doing and why the zoning code needs to be changed. Recently the growth management hearings board has ruled that all cities that have an urban growth boundary must have a minimum of 4 dwelling units per acre and that is the main driver for changing the zoning. A lot of the information that is proposed came from the public vision workshop meetings. We have proposed a comprehensive plan and zoning changes. After we have received all the public comments, we will consider the comments and make changes if necessary. We will hold another hearing and present the proposed zoning changes at that time. After that this plan will go forward to the City Council for approval. Staley then gave an explanation as to why we are making these changes. From the comprehensive plan meetings we had, we have taken the top three items we heard and incorporated that into the zoning code. The three things are economic development, efficient service delivery and character preservation. Staley stated the last bit of information for the audience is that there is currently a House Bill 2171 that will extend the deadlines for updating the comprehensive plan which will allow us to not rush the process.

An audience member asked about the House Bill and how that will work for the City. Staley stated the current text reads it gives us an extension of one extra year. Administrator Schmidt stated that would make the deadline December 2005.

The public hearing was opened at 6:45 PM.

Ken Berkshire, Cottage Street, stated he is proposed to be zoned at MDR8 and he would like to know how he could be assured that the County won't be raising his taxes. He is not giving up his house for something that the City is trying to do. Schneider stated the

tax problem is a concern and they will be looking into this. He would like to know why this didn't get put into the Historical district because this is one of the oldest parts of town. He doesn't know how this will really affect his property when he is already built out. He is not in favor of the Main Street issue. Schneider stated the Planning Commission isn't in the position to discuss the Main Street issue because they are not the body that put this forward. Mr. Berkshire stated for the next meeting, can we have answers for the tax information. Schneider stated to the best that we can. Mr. Berkshire stated if the answers are not sufficient, then what, will this just get shoved down our throats. Schneider stated we have to do something, what that is, we are not sure yet.

Alan Wolfe, 1895 Collins Road, his property and the property surrounding him is currently zoned RA. The proposed new zoning is for MDR8 from Collins to Ryan Road. That level of compaction is not acceptable or practical. If the State GMA requires a minimum density of 4 units per acre and there are already areas within the city of 5 units per acre along with high density areas such as the mobile home park and apartments around then why would you try to double that limit especially on agricultural land. He appreciates the amount of time the commission has spent and the effort they have put into this zoning proposal it seems it is out of touch with the historic sentiment of this community which is limited and controlled growth.

Sean Martin, 1302 Puyallup Street, Sumner. He is the evil developer. He works for a company that develops land. That is his job and that is what he does for a job to make money just as everyone in this room goes to a job to make a living. He would like to have his children live in Buckley. He is originally from New York. One of the things he noticed today was some of the plats that were developed many years ago were developed at 8-1/2 to 11 units per acre. Many people are here opposing the 8 units per acre when that is how the Historical Buckley got started. You cannot stop development; you can only control it. Everyone wants to live somewhere and everyone deserves to live somewhere. One of the other things he has heard and seen a lot in several other cities is they have allowed commercial development to come in without planned growth. They were willing to accept the negative development in order to get the growth and expansion. One of the things that has drawn him to Buckley as a company is marketing. There is a need for housing in this area. What the City has done is stating they are going to accept growth on their terms. They have come up with design and development regulations and character elements. When talking about units per acre, it is a misconception. The city needs to grow in order to survive. He is glad for the opportunity to come and speak and his happy with the plan that has been presented before you.

Garry Brevik, 340 No. McNeeley, there are some questions that he has come up with. It really scares him that there is a developer that really likes what is being presented. One of his questions is in the current RA zone there are no requirements for curb, gutter and sidewalks. Will that be required for the new zones? Schneider stated it is currently required for all new development in every zone. Mr. Brevik asked it has been figured how many building lots will be available with the proposed zoning. Staley stated it is very hard to figure out due to the wetlands issue. Mr. Brevik stated one of the things that the Planning Commission worked on when he was on the commission is a grid system.

He feels this is very important. Schneider stated that this Planning Commission has pushed very hard for connectivity. We do have a proposed grid system for new development. He thanked the Planning Commission and he hopes they take a good look at the design. One other issue he wanted to know is on the current zoning the Railroad Right-of-way property only shows a small section for Public and the rest is zoned B-2 when did that change to take away all the public land. Administrator Schmidt stated he is not sure when that changed; it has been that way since he has been here.

Mike Bowler, 160 No A Street. The question he has is since the growth management act only requires a minimum of 4 units per acre, why are we having 8. Schneider stated for one thing this is not a done deal and that is why we are having the public hearing. The main reason behind the 8 units per acre is to provide more affordable housing within the City. There have been some letters written stating apartments are for low income. Mr. Bowler stated if the city continues to go with the 8 units per acre, you will destroy the essential character of this town. Schneider stated he would like to see affordable housing and whether or not 8 units per acre is the way to do it, he is not sure. The other reason is provision of services. Because there has been a lot of opposition to the idea, they have researched this greatly. Mr. Bowler stated if you adopt the 8 units per acre, it will increase the population and taxes and will drive the people that live here now out of town.

Dennis Ross, 150 Ryan Road. They changed where he is at now from a transition zone to general commercial. If you zone it commercial, what will happen to the apartments and homes that are around him and behind him? Schneider stated we will have to get back with you on that.

Alex Zaffee, 255 Shamrock Court. If we do all these things that the people in power wish to do, it will ruin the ambience of Buckley. The developer and the builders should have a hefty surcharge to pay for all the services. We had some growth here that because of it you can't even get into the cemetery. There were no allowances made for the traffic coming off River by the Doctors' office. The traffic issues need to be dealt with before you even talk about 4 units or 8 units per acre. It makes his skin crawl when he thinks some of the things people do when they are supposed to be public servants. Enhance living in Buckley as a public servant. Since all the new growth in Buckley we get more and more people and less of them are courteous.

Kelly Carnahan, 28221 Hinkleman Road. He would like to ask the same question of Dave Schmidt that he asked at the last meeting. He doesn't live in the City limits; he lives on the opposite side of Hinkleman Road. What is going to happen to Hinkleman Road? Administrator Schmidt stated that is addressed within each of the comprehensive plan for each utility. Mr. Carnahan asked if a Costco came to a large parcel off of Hinkleman Road, would they have to improve Hinkleman Road. Administrator Schmidt stated yes they would. They have to do full frontage improvements along with possible offsite improvements. The other question he asked at the last meeting is what will happen with water run off when development occurs on the opposite side of Hinkleman Road. Schneider stated we are here tonight to discuss the zoning yet we know the storm

water is a huge issue and will be dealt with on a case by case basis as development occurs. Montgomery stated we do have a capital facilities element within the comprehensive plan and we will have a public hearing on that as well which will be a good time to voice your comments. Mr. Carnahan stated they had to fight for a correct storm water system when the School District bus garage was going in. We don't want to have to do this with every development on Hinkleman Road.

Stephen Link, 28510 Hinkleman Road. He would like to let the Planning Commission know that we all appreciate the work that is being done. They do have some concerns and that is there was a surveyor out there and found that the Highway is much higher than Hinkleman Road so this is something that definitely needs to be looked at. He is zoned Residential Buffer right now and he would like to see if stay that way. If you zone that entire area commercial, you will have to widen the road. If you widen the road, you will have to take property from each property owner out there. This road is straight shot for a little over a mile; which will make this a nice raceway. They moved to Buckley for the small town living where he could raise his children and not have to worry about his children playing in the front yard. They are definitely concerned about the water drainage problems. He would like to see this left as residential buffer.

Kjersta Loyd, 621 Spiketown Road. She is the young person that everyone is talking about that wants to come live in Buckley. Living in Buckley is reasonably affordable and likes the small town atmosphere. Obviously we have to do something. She is usually a go-getter but under this circumstances, lets be an under achiever. Let's go with the minimum rather than the maximum. Let's do what we have to do to please Washington State. If it is developed at that high of a density, she will probably be taxed out of their home and that is not what she wants. She wants to stay in Buckley.

David Bowman, 2063 Ryan Road, he lives right in front of the Rainier School. He is here for his mother also. The first thing he would like to do is thank the commission for looking at the issue of the grid system for roads. He would like to echo the concerns about the higher density. With all due respect to the developing community what is the driver here is not the need for profit or how much they would like to build its what we think can be built without harming our city and he would like to ask the city to remember that. The driver of this plan is the interest of the community members first. He has a question about the north side of Ryan Road development. Is that development dependant upon the new zoning or is that already going ahead. Administrator Schmidt stated it actually some wetland delineations that are taking place. He is a little confused about matrix, does this list only the proposed or does it include the current zoning. Staley explained to Mr. Bowman how the matrix worked. People control the communities and they decide how much development we want.

Gerald Schmitz, representing the property at 190 Park Ave. He attended the last meeting and is not happy that some of the questions that were asked at the last meeting still have not been answered tonight. He would like to know if there will be another public hearing. Schneider stated it is the general consensus that yes we will hold another public hearing. There are several issues that he would like to make sure are addressed at the

next public hearing and those issues are: 1) taxes, at the last meeting you were asked if we would be taxed at the current rate or at the highest and best use rates. 2) there has not been any communication that there is no retroactive application that it is only for new development. Schneider stated he did say that at the last meeting but will re-enforce it again tonight and also all the former uses where people are living in houses or where they have businesses are considered grand fathered in and become non-conforming uses. 3) there is a great deal of confusion regarding the zoning. It seems rather strange we are zoning based on something in the future that may never be instead of rezoning and reflecting the neighborhoods as they currently exist. 4) the last issue is regarding sewage and storm water. If you have another meeting, a presentation of what is in the current capital facilities plan would be very beneficial.

Ted Papenbrock, 100 So McNeeley, stated he lives on the East end of town; he is within 500 feet of the Rainier School property. He doesn't understand why you would be changing from RA to MDR8 that far out to the east. He stated this is all for sewer and that is the reason for having the higher density. The sewer plant isn't big enough and that is the reason for higher density is to upgrade the sewer plant. Administrator Schmidt stated that was not the intent of the planning commission in proposing the MDR8 zone. Papenbrock stated this is one step in order to get the grant for the sewer plant upgrade. Administrator Schmidt stated no it is not. The City is required by the DOE under the state to meet the water quality discharge requirements into the White River. Our sewer plant currently is not meeting those water quality discharge standards. The sewer plant has to be upgraded regardless of whether or not the zoning is changed. Mr. Papenbrock stated we have a water problem; water is the main thing you need. You need to think about the water before you even think about the sewer. Schneider stated we will make sure the City Planner is aware of the water line.

Jennifer Sivils, 580 Park Ave. Her question concerns the city parks. There are a lot of public lands on the map but the parks are not listed as public lands. Why are public parks not listed as public zones In the new proposed plan, are you expecting developers to provide further parks or would that be under city control to create new parks. Schneider stated we do have Park Plan and parks are a very high concern to the Planning Commission. Mrs. Sivils asked in the new proposal, money that is received from developers would any of that money go into the general fund for maintenance of the existing parks. Schneider stated it is only for building of new parks. Her only concern is the public parks are not listed on the maps as public land. Schneider stated some of them are and we will make sure that we do not lose any of the public parks.

Alan Long, 312 No. Elsa. Again he would like to thank the commission for all the time that have put into this plan. He also thanked Mrs. Maas for returning to the commission. Although he doesn't agree with this change. We all agree we cannot stop development but we certainly ought to be able to control it. At the last meeting it took almost an hour to get from this commission that the underlying reason that the city is doing this is to be able to apply for the grant that the state has. Schneider stated his understanding of the reason we were in a hurry was not because we need a specific zoning but because we need to have a zoning plan done as part of the comprehensive plan and the hurry was

because of the grants. We hope that is no longer the case, if the House Bill does not go through, it won't matter, and we are going to take our time to make sure this is done right. Mr. Long stated this committee would have met a lot less opposition to this if they would have made all the residential areas that currently exist 4 units per acre and told them up front that we are doing this to meet the state and county urban growth area for our city. He doesn't feel the people sitting in this room are willing to accept the negatives that come with the amount of growth the city is now proposing. The developers can come into the city right now and apply for variances in the zoning. When the developer comes in and builds the developments, they leave the city with the fire protection, police protection and providing the utilities for years to come. The developer comes and makes his money and then leaves and leaves the residents that are already here to pay for these services. Several years ago when the city annexed Hinkleman Road to Mundy Loss, those customers were promised gas, water and sewer and to this date still do not have those services. If we can't provide services to the customers who were already promised it, and now we are talking about doubling our population, how are we going to provide these services? The last thing he would like to bring up is the property tax issue. It was stated at the last meeting that you were going to have someone from the Assessors Office be here tonight but he doesn't see anyone. Rousseau stated she did try to but was not able to have someone here; however she is still trying to have someone from their office come to one of our regularly scheduled meetings. After dealing with the Assessors Office for the last two years on tax appeals, if we do rezone at a higher density are taxes are going to go up.

Kim Trimble, 461 Spiketon Road. He is confused about the change in his zoning. Right now he is RB and it will be going to HDR. He was under the impression that it was going to be 4 units per acre and now he is being told it could be up to 24 units per acre. The RB zone already allows for multi-family dwellings as will the HDR zone. Rousseau stated there is some confusion regarding the MDR8, because it doesn't necessarily mean 8 units per acre due to roads or any other constraints. Again to reiterate the reason for the higher density is to allow for affordable housing. Mr. Trimble stated the storm drain problems need to be addressed before any higher density zoning is considered. Mr. Trimble asked if for some reason his home was destroyed would he be allowed to rebuild that one home if he is rezoned to HDR. Schneider stated yes he would.

Stephen Link, he was told regarding the taxing there will be no grand fathering; your taxes will go at fair market value. The taxes are based on the properties that sell around them. Schneider stated they understand the concerns and this is definitely something they will be looking at, if the zoning is going to tax people out of their homes then the commission needs to look into that. Mr. Link had a question regarding the posting procedure for a four plex that is supposed to be built on Hinkleman Road. The posting has been placed on Highway #410 and yet the access will be on Hinkleman so shouldn't the posting have been on Hinkleman. Administrator Schmidt stated he would have to look into the posting requirements.

Sara Griggs, owns property on Hinkleman Road. She owns both inside and outside the city on Hinkleman Road. The property inside the city will be zoned commercial,

however on the other side outside the city is zoned residential. How are they going to get anyone to purchase property on the other side of Hinkleman if the city limits side is going to be all commercial? She has dealt with the Assessors Office and the board of equalization has been very frustrated with the process.

Greg Rayburn, 26606 112<sup>th</sup> St E., he lives outside the City, however he enjoys Buckley. He would like to applaud the Planning Commission regarding the connectivity issues as well as the parks. He heard several people mention surface water issues and he didn't see anything in the comp plan regarding low impact development techniques are those included in the capital facilities portion of the plan. Staley stated he hasn't got to it yet but there will be a landscaping portion of the zoning and they will include low impact development. He has had some difficulty getting information for this process and he would like to see more information in the local library.

Sean Martin, 1302 Puyallup Street, he wanted to reiterate the fact that growth in coming and the best way to manage that growth is define what you want before it gets here. There are not some answers on the water, sewer and storm issues. That is not the City's responsibility to come up with the answer. The cities responsibility is to ensure that before anything happens that an answer is provided by the developer. Before any developer does anything they would have to demonstrate that they could provide adequate utilities. If the City doesn't want anymore economic development, then don't grow. He would invite anyone to come look at some of the developments they have done. He feels the city is making the appropriate steps to guide development in the direction it wants to go. Mr. Papenbrock asked Mr. Martin if he lived in housing development with 8 units per acre. Mr. Martin stated as a matter of fact he does, there are 80 homes on 10.1 acres.

Melanie Kohn, 921 Jefferson Ave. One of the things she is concerned about is the school district. How will we accommodate for the growth of all the children. When they start outgrowing the schools they just bring in portables because they are less costly. Schneider stated the school district currently charges a school impact fee for each building lot. Staley stated the education of the schools comes from the general fund. Part of what we are trying to do here is increase economic growth; which will increase sales taxes coming into our community. We do know that growth will impact the schools and very possibly there will need to be new schools built. She feels these things need to be considered before we increase the growth of the community. There are not enough extra-curricular activities for our kids to do here now. Schneider stated the city is building the skate park along with a youth center.

Clint Calhoun, 28818 112<sup>th</sup> St. They did not attend the last meeting so he had some questions. The map that he saw a couple months ago is quite a bit different than the one that is here tonight. He would like to know if there will be a vote of the citizens on this plan. Schneider stated no it won't. During the slide show presentation, it was stated the deadline has been extended due to the House Bill, what is that actually deadline. Staley stated the House Bill states the deadline can be extended up to one year and that will be December 2005. Mr. Calhoun asked if there is any chance the map will be redrawn

again. Schneider stated the Planning Commission will have to decide on this during deliberations. Mr. Calhoun stated so there could be changes made to this. Schneider stated there is the possibility; however they cannot discuss that at this time. Mr. Calhoun stated he feels the commission needs to focus on the vacant lands and also towards the new high school. Schneider stated the County has already turned down any urban growth area outside our current city limits.

Beau Burkett, 1739 Collins Road. He would like to clear up a few things to the audience. The property taxes will triple, probably quadruple. He is living on a family piece of property that they have owned for 65 years that the property taxes have gone so high that he is actually paying \$500 per month to the County. It doesn't matter if you have an old house on one acre or an old house on twenty acres, the property taxes will sky rocket. The board of equalization will cut your property taxes in half if you fight them, but in three years it will go up again without any notification.

Jon Olson, 1711 Collins Road. One question he has is where the RA and R-5 is now going to MDR8 in the aspect of this, was the map generated from the hurriedness because you needed it done this way. Staley stated the Planning Commission had this 90% done and the map has been drawn since November. What or who made the decision to place MDR8 where RA is. Staley stated the planning commission debated on how to deliver services and provide affordable housing and everything else they heard from the public meetings. Mr. Olson asked if there will be draft provided before this is sent to Council. Schneider stated it has been agreed upon by the commission to have another public hearing before this goes to the Council.

John Pfhall, 528 Spiketon Road. He has heard tonight if you don't have the internet, you cannot find any information, what is wrong with placing an article in the Courier Herald. Schneider stated it is has been noted and we will be doing that. Mr. Pfhall stated if the developers pay impact fees for transportation, there is a lot of development on Ryan Road and he hasn't seen anything happen with a traffic light at the end of Ryan. Schneider stated that is the intersection that the City was just notified about receiving a grant. The grant is not a done deal, but it is in the works.

Garry Brevik, 340 No. McNeeley. He is just really concerned about the City Park that runs between Wally's and the library. There is nothing on zoning map there for the parks. Staley stated he will look at the sub area plan and check on this.

Eric Skogen, 121 So. Sergeant. He would like to thank the city staff and the Planning Commission. As it was said earlier tonight, it would have been a lot more palatable if we all knew the real reason for this. If it was the minimum 4 units per acre, more people would be able to deal with it. None of us want a whole lot of change. Why can't we do the bare minimum, rather than taking the entire east portion of the city limits and changing it from RA and R5 to MDR8? The quality of life will not be the same. He would like to have his family live in the same Buckley as he has. Where is the city infrastructure to support this increase in people? The property tax is a big issue and yes our values will go up and anyone can sell, but we don't want to sell. It sounds like we

aren't even taking care of the people we have in our city limits such as the people on Hinkleman Road.

Alex Zaffee would like to ask one question, how will we know what the decision the Planning Commission has made prior to going to the City Council before it is set in stone? Schneider stated once again there will be another public hearing. Mr. Zaffee stated they would like to know how much of an impression the heated discussion has made on the committee. Staley stated the Planning Commission is planning for the community, not for the commission.

Dan Sivils, 580 Park Ave. For the record he is not for this plan. As for the developer he has seen the houses and they are pretty but they are not for us. He feels we do need to spend a little more time on our plan and not rush it through so we don't end up like so many other cities that have spent a lot of money on studies and not ended up with what they wanted and now have a big mess. He is glad there is the chance for the extension because he feels it is very important to take your time with this and not rush it through.

David Bowman, 2063 Ryan Road. It seems to him that there is not a lot of support for out of control density. The community decides how many people we want in our City.

The public hearing was closed at 8:55 PM.

With nothing further the meeting was adjourned at 8:55 PM.