

MILLWOOD PLANNING COMMISSION
REGULAR MEETING
JANUARY 25, 2010
MEETING MINUTES

1. Call to Order. The Regular Meeting of the Millwood Planning Commission was called to order by Chairperson John Newman at 6:04 p.m. January 25, 2010 at the Millwood City Hall. Members present were: John Newman, Bobbie Beese, Tammy McQuaig and Kelly Stravens. Staff present: Tom Richardson, City Planner, and Brian Werst, City Attorney.

2. Approval of Minutes. Mr. Stravens moved to approve the minutes of the October 26 meeting. Motion seconded by Ms. McQuaig. Mr. Newman asked about the item discussing reinstatement of a previously platted lot line. He also asked about the procedure for cancelling a regularly scheduled meeting. Motion carried unanimously.

3. Public hearing – Special Sign Permit 09-05 Arrow Construction.

Mr. Newman asked if any commission members had any appearance of fairness issues to declare. There were none. He asked if anyone present wished to challenge any of the members' participation in the hearing. There were none. He opened the hearing at 6:09 p.m. Mr. Richardson gave his staff presentation on the application for a special sign permit for Arrow Construction, 9915 E. Trent. The SSP is needed because a) the sign will be inside the required 15 ft setback, and b) a manual readerboard sign is proposed. Mr. Richardson explained that the original sign location was apparently on state highway right of way which is outside the city limits, and therefore in the City of Spokane Valley's jurisdiction. He was told by Spokane Valley staff that DOT would probably not allow the sign, and so he suggested that the sign be moved off the right of way onto the owner's property. Also, he noted that the bottom of the sign is lower than the 12' minimum sign height but that the signs would not exceed the maximum height if they were raised to the 12' minimum. He apologized on behalf of the owner who was confused about the meeting date and was planning to attend on Tuesday the 26th, but was unable to attend tonight. Mr. Richardson pointed out the possible other locations in the swale on the east property line or the landscaping area closer to the building but that these locations are 30 ft behind the sidewalk. This situation is unique because of the width of the right of way behind the sidewalk. There was a question about the setback for the espresso shop next door to the east.

Greg Mott, 3301 N. Argonne, said here is another proposal to place signs inside the 15 ft setback. He said the city has resisted approving them except for Walgreen's which was a minor encroachment of two feet. He said this is a brand new building and they should have checked the code when they were building it last year. He said signs should be consistent along the street and the sign could be moved back into the swale area 15 ft back from the property line as required by the code.

Mr. Newman asked if the owner was opposed to moving the sign back. Mr. Richardson said the owner did not want to put the sign in the paved area because it could be backed into by vehicles. He said some cities' ordinances generally require sign poles to be located in landscaped areas for this reason.

There was agreement among the commissioners that the sign should be raised to the 12' minimum. Ms. Beese said the changeable message sign was ugly and "plastic-y" but that if there was any place in town to be allowed it would be in the industrial zone. Mr. Stravens agreed that the sign style was alright for this area.

Mr. Richardson said he thought the owner should be allowed to speak on his application and asked that the commission not vote to deny the application tonight but continue the hearing to the next meeting. Ms. McQuaig said the owner may have a good reason for needing to put the sign in this location and would feel better if the matter was deferred to allow the owner the chance to speak on it. Ms. Beese and Mr. Stravens said it is important that the sign code be enforced consistently and there should be good reasons for making exceptions.

Ms. Beese moved to continue the hearing to February 22. Motion seconded by Mr. Stravens. Motion carried.

4. Public Hearing: 2010 Annual Comprehensive Plan and Development Regulation Amendments

Mr. Richardson said that the municipal code states that amendments of the comprehensive plan and development regulations may be considered once each year at the commission's January meeting. He presented the staff report on the one comprehensive plan amendment and the five development regulation proposals.

CPA #10-01 Historic Preservation Element

Mr. Newman read the conflict of interest policy. Ms. Beese said that does not really have a conflict of interest but she has had conversations with people who were asking about the historic preservation proposal before the application was submitted. There was no objection from the people present.

Mr. Richardson explained said that only one comprehensive plan amendment proposal was received (CPA 10-01), from the Millwood Historic Preservation Society, requesting that a Historic Preservation chapter be added to the Comp Plan, along with several implementation proposals. He said that three years ago there was a lot of discussion on this issue but that it petered out. Shortly after that the planner resigned and the issue was left alone until now. He talked about some examples he downloaded from other cities' websites, including Colville and Longview.

Vikkie Naccarato, Melissa Spivey and Debbie Lehinger, who own homes in the historic district, explained their proposal to create a new chapter in the Comp Plan for historic preservation and to adopt regulations to protect the integrity of the Millwood Historic District. Ms. Naccarato said the historic preservation regulations are more of a guideline keeping building changes friendly to our area. There is a guideline to protect the homeowner but also to treat projects as part of the neighborhood. It is not dictating to the neighbor what can be done but helps to consider the entire picture. Ms. Spivey said that what she likes about the Colville plan is that there is due process for the homeowner who wants to change something, but also a way for the community to protect what we have. Once you take away something from the historic community it is gone. She said

we have seen that happen in bits and pieces in the past and it is disturbing. She likes the way Colville has it set up that there is a way of preserving but also the recognition that the homeowner has this process that they could go through if they have a unique situation.

Ms. Naccarato said that there is a whole catalog of things that a homeowner could do, what is appropriate for your era, your house, to show the homeowner what are the products of today that would be era-friendly, not that one would have to make it exactly how it used to be. Mr. Stravens asked how detailed is the list, is it broad or narrow? Ms. Naccarato said it is very broad, and that is the whole point of the due process. You can make suggestions. A lot of it is exterior, not much we can do about the inside of the structure.

Ms. Spivey said it also speaks to maintaining property values. Mr. Stravens asked about the new garage at the historic home on Dale; could they still do the 3-car garage or would that be frowned upon. Ms. Spivey said they would still be able to do that but you will notice that they did a beautiful job, they did the roof line and the stucco exactly right. Ms. Naccarato said, but we lucked out; what if we had someone come in and did not do it right?

Mr. Newman noted the demolitions mentioned in the Longview plan, they lamented that they had occurred but they pointed out that they were able to preserve other areas. Ms. Naccarato said the review process gives a mechanism to address those issues and if there is a tradeoff then at least it has been talked about. Ms. Beese says sometimes it is just ignorance. Mr. Stravens asked what CLG means. Vikkie Naccarato explained that the State Office of Archaeology and Historic Preservation can designate Certified Local Government status for cities. She explained that the committee would consist of trained people with expertise in construction and historic preservation including builders, architects, etc. and would open the door for grants. She explained that Millwood is currently not available for tax incentives for historic preservation because we do not have the CLG designation.

Brian Werst talked about the process for approving the requested amendment. He said the first step would be the comp plan itself. He asked the applicants if they have anything other than the Colville and Longview text, otherwise the work will fall on to Tom or the Planning Commission and this could be a lot of work. Is the applicant willing to develop the proposed language? They said yes. Ms. Naccarato said there are a lot of resources available and they would be able to come up with something. Mr. Newman said both the Colville and Longview plan elements looked very good.

Mr. Stravens moved to continue the hearing on this matter to the next meeting to allow the group to further develop their proposal. Seconded by Ms. McQuaig. Motion carried unanimously.

DR #10-01 Accessory Buildings

Mr. Newman asked the members if anyone had a conflict of interest on the accessory buildings issue requested by Mr. Cox. There were none, and no one in the room challenged it. Mr. Richardson explained the proposal from David Cox to reconsider the changes to the code for accessory buildings which he initiated last year. His original request was to increase the maximum size of accessory buildings. The City Council approved an amendment in 2009 to increase the maximum from 1,000 s.f. to 1,200 s.f., and to limit the size to 75% of the main

building. He distributed photos provided by Mr. Cox showing large accessory buildings in his neighborhood. He asked if there were changes that could be made in the code, perhaps allowing larger accessory buildings by a conditional use permit, or setting the maximum size based on the size of the parcel. He noted that the UR-1 zone allows fourplexes with a conditional use permit, which would be very large structures compared to the accessory buildings we are looking at now. The zone also allows large animals on large lots. So this zone is quite different from what is allowed in the UR-2 zone. He noted that people's expectations now are that there be more room for storage compared to a generation ago.

Mr. Stravens noted that the pictures showed there are numerous large accessory buildings in Mr. Cox neighborhood. Mr. Cox explained that he wants to build a 30'x40' structure with a 14-ft door, which requires a building taller than 20 ft. Ms. McQuaig noted that the lots in Mr. Cox area were of many different sizes and some were quite large. Ms. Beese said that accessory buildings should be "accessory" and not the dominant building. She also noted that Mr. Cox's neighborhood is affected by the commercial and industrial uses along Trent. She said we do not have to have the same exact rules for accessory building in all zones.

Chuck Lindquist from Steel Structures of America questioned the 75% limit, and referred to the City of Spokane which allows 15% of the site to be used for accessory buildings. He was not aware of any city that uses the 75% rule. He also noted that allowing accessory buildings help to keep the town cleaned up, rather than having stuff stored outside. He explained the height issue for larger accessory buildings. A standard one is 30'x40', with a 14-ft door which requires an eave height of 16, that puts the roof 5 ft taller at the peak, which exceeds the city's 20 ft maximum height. What about a two-story accessory building; would the city consider this? He said he has worked in a lot of cities and thinks Spokane has the best ordinance he has worked with; it is very clean and easy to use. Also he asked about allowing waivers from the 5 ft setback; some cities allow the adjoining property owner to grant a waiver to allow the structure closer to the property line.

Ms. Beese said solar access should be considered, as well as the appearance of such large buildings.

Jackie Tomsha spoke in favor of Mr. Cox's proposal and offered to help research the issue.

Stan Peterson, 10407 E. Empire, said he has an acre and 1/8 there, and has been holding off on building a garage because of the size limits. He would not want his place to look like a junkyard with all his vehicles stored in the yard. He would like a 40'x60' building. He also said that if he wanted to have livestock on his property in the UR-1 zone he would not be able to build a building large enough for them. He mentioned a 40'x60' building north of his property which is close to his property. He said the shadow from a building of this size would not affect his neighbors because the parcel is so large. He also mentioned a very large tree on his neighbor's property which does not affect his neighbor's garden either.

Mr. Stravens asked Mr. Lindquist how tall would a 40'x60' building be? He said it would be between 24 and 25 ft.

DR #10-04 and 10-05 Maximum Lot Coverage and Residential Setbacks

Mr. Richardson recommended tabling items #10-04 residential setbacks and #10-05 lot coverage; these were proposed by staff last year. He has not had time to research these issues and would prefer to withdraw them.

DR #10-02 Signs

Mr. Richardson said he would like to adopt text describing how to calculate size area. He described the method used by the City of Spokane for irregular-shaped lines. He also talked about the lack of a maximum area of all signs on the parcel. Ms. Beese said that the 32 sq ft sign limit was originally intended to be the maximum area for all signs combined for that business. She asked how this would apply to multi-tenant buildings; some places allow signs for each store front. Mr. Stravens wants to make sure we do not end up like North Division St. where there is an overload of signs. Maximum sign area should be based on the lot size not on the building. Ms. Beese asked to look at language for multi-tenant buildings.

The chairperson called a five minute recess at 7:35. The meeting was reconvened at 7:40.

Mr. Richardson said he would distribute a copy of City of Spokane's sign code. Mr. Werst said City of Spokane Valley is in the process of amending theirs as well.

DR #10-03 Height Limit in I-2 Zone

Ms. Beese acknowledged that she is a property owner and business owner who would be affected by the sign code changes.

Mr. Richardson described the changes he has made in the staff's proposal to change the height limits in the I-2 zone. He said he sent the proposal to IEP for comment but has not heard back from them. It would allow a building taller than 45 ft with a conditional use permit up to a maximum of 85 ft.

Ms. McQuaig moved to approve the staff proposal for the height limit in the I-2 zone. Seconded by Mr. Newman. Motion carried.

Ms. Beese moved to defer the residential setback and lot coverage proposals. Seconded by Ms. McQuaig. Motion carried.

Ms. Beese moved to continue the hearing to the next meeting. Seconded by Ms. McQuaig. Motion carried.

6. Staff Report. Mr. Richardson reminded the commissioners of the Planning Short Course coming up on February 10 in Spokane Valley. He said he is having the new Comprehensive Plan printed up and will have a copy for each commissioner at the next meeting.

7. Public Comments. None.

8. Adjournment. Mr. Stravens moved to adjourn. Seconded by Ms. McQuaig. Motion carried. Chairperson Newman said the next meeting would be February 22. There being no further business he adjourned the meeting at 8:12 p.m.

Chairperson

Secretary