

BENTON COUNTY PLANNING COMMISSION
Regular Meeting, December 8, 2009 - 7 p.m.
Public Hearing Room, Planning Annex
1002 Dudley Avenue, Prosser WA 99350

These minutes are a summary of the meeting and are not transcribed verbatim.

Call to order, Roll call and declaration of a quorum.

PRESENT: Lloyd Coughlin
Faye Nelson
Martin Sheeran
James Wetzel
Rick Giberson

ABSENT: Eugene Johnson
James Willard

STAFF: Donna Hutchinson
Michael Shuttleworth

APPROVAL OF MINUTES

It was moved by Rick Giberson, seconded by Lloyd Coughlin, that the minutes be approved as written. All members in attendance voted in favor of the motion.

CONSENT AGENDA

- A. One Year Time Extension on the preliminary plan for the Badger Mountain Golf and Country Club. Applicants: Nor Am Investments

Loren Combs spoke on the status of the application. He noted that they were hoping to record Phase 1A within the next couple of months. A sub area plan for the City has been completed and hopefully annexation into the City will occur this year.

It was moved by Lloyd Coughlin, seconded by Faye Nelson, that a one year extension be granted.

Vote: 5-0
Yes: Lloyd Coughlin
Faye Nelson
Martin Sheeran
James Wetzel

No: Rick Giberson
None
Abstained: None
Absent: Eugene Johnson
James Willard

Motion passed unanimously.

UNFINISHED BUSINESS: None

NEW BUSINESS:

Public Hearing on the preliminary plat of Hidden Hills - File No. SUB 09-02/EA 09-36 consisting of 58 lots on 41.4 acres by: Bill & Holly Wilson, 1276 Bermuda, Kennewick WA 99336. The site is located in a portion of the East Half of the Southwest Quarter lying East of Clover Road and the South Half of the Southeast Quarter of the Northeast Quarter of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter of the Southeast Quarter; the West Half of the Southwest Quarter of the Southeast Quarter in Section 34, Township 9 North, Range 28 East, W.M. together with a fraction of the North Half of the Northeast Quarter of the Northwest Quarter lying North of Bermuda and Clover Roads in Section 3, Township 8 North, Range 28 East, W.M.

All those currently in the audience were sworn in.

Mike Shuttleworth, Planning Staff gave a summary of the memo for the Planning Commission members and entered the exhibits listed in the staff memo into the record along with new Exhibit # 28 - aerial map with the preliminary plat overlaid on it.

APPLICANT TESTIMONY: Holly Wilson, 1276 N. Bermuda Rd., Kennewick, stated that she was the applicant and was available to answer any questions.

Lloyd Coughlin asked Ms. Wilson if the Badger Irrigation District was in the process of obtaining a current water permit? Ms. Wilson noted that she was unaware that it was not current but that water was available.

The Planning Commission asked about open spaces within the plat? The applicant noted that during the engineering phase there are drainage areas that will reduce the number of lots and therefore there will be more open space.

The Planning Commission asked about Fire Flow within the plat and it was noted that booster pumps would be used to provide water to the plat.

Derek Smith, MacKay & Sposito, stated that he was representing the Wilson's as their engineer.

Martin Sheeran asked who the provider for power would be. Mr. Smith noted that the Richland Energy Services would provide power for this area. Currently PUD is providing most the services on the property for the Wilsons.

Lloyd Coughlin asked that since this land was within the Richland UGA were they planning any extension of services out there? There are no specific plans for city services within this plat.

There has been discussion about alignments for arterials to be brought over the saddle of Badger Mountain and obviously utilities would follow those alignments both sewer and water.

Lloyd Coughlin asked if the water services would be built so as to be able to hook up to city services in the future? Mr. Smith noted that they were planning for that situation.

Lloyd Coughlin asked if the City would have to put in booster pumps for water? Mr. Smith stated that during the preliminary plat stage they had not done the water system modeling for the entire project, which would answer that question.

It was noted that there were anticipated drainage ways and that they must be remain open and would be noted on the plat.

Martin Sheeran asked if soil erosion would take place in some areas due to storm water runoff? Mr. Smith noted that the proposed development would not increase erosion and during development the builders would have erosion prevention measures in place.

It was noted that the water system plan for BMID must be in place prior to final plat approval as a condition of preliminary plat approval.

It was noted by the Planning Commission that the agricultural setback buffer would eliminate lots 1 and 8. The applicant noted that the buffer zone would be set north of the property line.

PROPONENT TESTIMONY:

Loren Combs, VSI Law Group 3600 Port of Tacoma Rd, Tacoma WA stated that he was the project manager for the area west of this project and was fully in support of the application. He noted that regarding the open spaces within this plat, the lots were 1/2 in size which would allow lots of space for kids to play right within their own yards. Therefore there would not be a need for parks. He noted that the BMID has water available and that the license was a paperwork issue. He noted that they have been working with them regarding water supply. He noted that the sewer approval was a condition of preliminary plat approval. He noted that the City could not extend services outside to the UGA, it was illegal and the area must be annexed in order for the City to provide services.

OPPONENT TESTIMONY:

Doug Bonfoey, 95204 E. Clover Rd., Kennewick WA 99338, voiced his concerns and read from his written comments that were entered into the record as Exhibit No. 29. He noted that he had concerns regarding traffic and air quality.

Rachel and Mark Booth were sworn in.

Rachel Booth, 1502 N. Clover Rd., Kennewick WA 99338 stated that she resided within the Wilson's first development. She asked if there would be covenants on this property? It was noted that the applicant could answer that during her rebuttal. She noted that in this area 1/2 acre is common in this area and that open space creates community and creates conversation. People would take their children to a park to play and socialize. She noted that dust during construction is very prevalent. It was noted that Benton Clean Air would be the agency to contact regarding dust control. She noted that she owned another house on Rachel Road and it would be impacted by the increase in traffic. She asked what would be done about the roads?

Mark Booth, 1502 N. Clover Rd., Kennewick pointed out their house on the aerial photo and noted that the UGA rules are not established so don't approve this plat.

Michael Shuttleworth noted that the UGA plan that has been mentioned this evening regarding

this area is only for the City of Richland only and is not a plan for the County. The County UGA has been established through many public hearings, Comprehensive Plan Amendments, and appeals. He stated that the planning process that Mr. Combs has referred to is a planning process for the City of Richland to annex, not for development within the County. The County cannot deny someone's development based on a planning process through the City of Richland. It must be approved on what the County has and it has been approved by the Growth Management Hearings Board and the Board of County Commissioners. He noted that as to the traffic issue there are several developments that have been approved which will be creating more roads and various traffic routes in this area. He pointed these out on the aerial photo.

APPLICANT REBUTTAL:

Holly Wilson, 1276 N. Bermuda, Kennewick, stated that there will be covenants place on this plat and that there was a master plan for the entire area. She noted that the covenants would similar to the other developments that they have done. She noted that the development would be phased and that water would be used to control dust. She stated that she was aware of the Benton Clean Air Authority. She noted that this would be a good buffer and transition to future development and that future development would probably be done after annexation into the City. She stated that once the development is fully sold out they turn it over to a homeowners association managed by the homeowners themselves. She noted that an outside agency governs the covenants in the other subdivisions that they have done.

Mike Shuttleworth asked if they were going to provide a buffer on the property to the north. Ms. Wilson indicated that yes the buffer would be on their other property to the north of Lots 1-8.

Derek Smith, representing the applicant noted that the requirement for 300-foot notification and that it was also published in the newspaper. He stated that the Wilson's were building to the rules and regulations in place at this time. He noted that this proposal was for only 58 lots at this time. He noted that in regards to the traffic issue they would agree with the Planning Dept. and the Public Works Dept. who looked at the traffic that would be generated through this development and that it would create a fairly small amount of traffic increase approximately 500 trips per day and that the existing roads were built to handle 6000 per day.

The public portion of the hearing was closed.

DISCUSSION:

Rick Giberson noted that the water and traffic concerns were the major issues connected with this proposal. These issues would be addressed as conditions of approval on this proposal.

Lloyd Coughlin noted that there will be 60 foot roads in this proposal but until the other roads in the other approved subdivisions are put in there is no place for the traffic to go.

It was noted that the water plan would have to be approved prior to final plat approval.

After discussion by the Planning Commission the FOF of fact were completed and the following motion was made.

It was moved by Rick Giberson, seconded by James Wetzel, that that the Chairman, in conjunction with the Secretary of the Planning Commission, prepare and adopt written findings and conclusions reflecting the commission's recommendation for approval with conditions as stated in the staff memo dated November 23, 2009 and as amended this date for the proposed

