

# **SULTAN PLANNING BOARD MEETING MINUTES**

## **REVISED -May 4, 2010**

### **PLANNING BOARD MEMBERS PRESENT:**

Frank Linth –Chairman  
Steve Harris  
Jerry Knox  
Bob Knuckey

Staff: Deborah Knight, City Administrator  
Robert Martin, C.D. Director  
Cyd Donk, P.B. Secretary

**CALL TO ORDER:** Frank Linth called the meeting to order at 7:03 p.m.

### **PLEDGE OF ALLEGIANCE**

**ROLL CALL:** See above

### **CHANGES TO THE AGENDA**

Introduction of Bill Grimes of Stdio Cascade. Bill gives a brief introduction and told the Board what Studio Cascade will be doing for the City. There support is mostly technical. Harris asked what or how they are getting information to work with. Staff has provided the information needed to get the Consultant going.

### **PUBLIC COMMENTS**

Craig Sears, 15 Lake Bellevue Drive Suite 102, Bellevue WA 98005  
Generally in support of the Econiomic Stimulus. Wants the City to consider taking the mitigation payments at the Point of Sale..City of Kirkland will begin this process June 1, 2010. City of Sammamish and Federal Way are following suit. This is very important to help since the Community Banks are in a mess right now.

### **PLANNING BOARD MEMBER COMMENTS:**

No Comments from the Board.

### **HEARINGS AND ACTION ITEMS**

Approval of P.B. Minutes for April 20, 2010 with the addition of a “k” to ban last word on Page 2 of 6 . Motion by Knox. Second by Knuckey. All Ayes. Approved.

### **H-1 Public Hearing Economic Stimulus Package, Permit Extension of Subdivision Preliminary Approvals and Impact fee Deferral.**

Public Hearing opened by Chairman Linth. Staff gave background on offering relief and Economic Stimulus to developers of residential projects and explains that this is a continuation of the April 20<sup>th</sup> Meeting. Staff reviews the Agenda Packet information with the Board. Page 3 of 6 shows a Sample Impact Fee Deferral Policies and Page 4 of 6 shows a list of Best Practices.

Harris asks about Item 1 for a clarification of Residential Unit for Resale Only. Staff explains. Item 2. After 18-months what happens? Staff would keep track. Harris says like keep track of this on the Dashboard. Staff agrees. Item 3...mumbles and says well anyone can file Bankruptcy. Item 4.... Discusses the fee amount and reasons. Item 5 Harris does not agree with this one. What if the Bank is bad and depending on the circumstances, the Developer would want to move the project forward and might be penalized because of a Banks failure.

Knucky states he spoke in length to Chicago Title Company and sad the City cannot take first position lien rites before the Mortgage Company. Investors use Promissory notes as a way of securing fees and so on. Promissory Notes can dictate how things are done. You can cure the first position lien rite. You can put anything in a Promissory Note as long as it is legal. Bankruptcy will not get rid of a Promissory Note. Promissory Note secured with a Deed of Trust. You cant get rid of it.

Linth asks Knucky would an underlying Lien Holder have a problem with a Promissory Note? If the Lien is filed first, the Lien would take precedence. Discussion among Board Members. Discussion with Staff and Board about Utility payments andd what triggers the water shut-off. Staff states that water is the only thing the City can Lien. The Utility payment is applied to the total bill with the water being last.

Board discusses paying now versus paying later.

Linth asks on Item #1, how are you going to police this item? Staff discusses the options with the Board.

Linth and Knucky discuss the Promissory Note.

Linth says that there should be an Administrative Fee associated with the deferrment. Harris starts to speak but Linth states he is trying to make a statement and doesn't mean to cut him off..... Linth goes on to discuss deferrment to Certificate of Occupancy. To push it out to close of sale or 24-months of permit issuance.

Board discusses Administration Fees and when or how to collect them. Staff gave information from other City's and what there times are.

Knox says that it seems we are making something very complicated to something that should be fairly simple. The Board should just address the question posed by Council. The Board seems to make something simple more difficult.

Harris and Linth have discussion over fees and when they should be collected and Promissory Notes secured by a Deed of Trust. Knucky strongly suggests that this is the way to go. Make sure they are not CES's signing make sure they are personal.

Board would like Staff to look into the Promissory Notes secured by a Deed of Trust and Administration Fees. Harris does not believe that #5 should be in there.

Knucky would like to add #6 to add Credit Reports and add a Title Search. Harris ssays that this is not a good idea since the Devlopers have all been beaten up and it they wont look good.

Staff asks about Knuckeys Motion and Knucky removes his Motion.

#### **D-1: Comprehensive Plan 2011 Update Process: Housing Element Goals and Policies**

First Introduction to the Housing Element and this is probably the shortest of the Elements. Staff believes that the Board can get through this at this meeting if they use there time wisely. The Board has been through these before and can move fairly swiftly through the issues. Staff explains what the Housing Element is and what the City needs to do to comply with Vision 2040.

Harris asks about Page #3 the 30% of gross household income. Staff explains that the Citys Goals & Policies have to have flexibility. The City has to have Standards in place. Discussion between Board and Staff about how we are promoting a wide variety of Housing. Discussion of the 30% gross household income. Staff makes a point that there is a difference between House and Housing.

Staff asks if we can move on to Policies. Land Use, Transportation, Housing. The 3-legs of the stool. You bring in Land Use, that brings in Transportation which in turn brings in Housing.

Nothing on Page 3. No yellow marks from the Board.

Page 4 however can Staff explain this. Staff states that this is from the previous Comp Plan and they have no history on how this happened. Board would like Staff to come back with something new. Staff agrees.

Board and Staff go over Topics and agree to changes. Staff to bring back updated Housing Element for review.

Break for 5-minutes back to work at 8:49 p.m.

## **D-2: Concurrency Management: Council Referral of Work Item Regarding Sewer and Water Allocation Policies**

Board asks Staff haven't we already discussed this before? Staff says that we have breezed over this but not really looked in to the Concurrency Policy. There is no connection between this and Population. Staff explains Concurrency and Levels of Service. Discussion of upgrades for wastewater treatment and the costs involved. Implement the Comprehensive Plan Goals & Procedures and allocate those scarce resources so everyone understands what needs to be done. There is no direction in the Policy now. Board asks about the Sewer Fees. Staff states that the City uses the money to plan for the future.

Board asks what they need to do. Staff says that they need to look at the Procedure and see if it makes sense to you. Do you understand the decision and what you have to do.

Staff explains the TAZ Zones and Maps and how to read them. Discussion on how these cannot be transferred between Zones.

Board talks about Concurrency and how it always comes back to the same set of difficulties. We know what the problem is but how do we get to the solution/ Staff says you are doing this now by reviewing the Comprehensive Plan.

There are 254 ERU's available. 105 Commercial Capacity Accounts, 25-Septic Replacements, 124 Residential Allocation. The Commercial can take the Residential or Septic because of the Retail over Roof Top Policy. This cannot work the other way. Residential cannot take from Commercial.

Board and Staff has discussion of ERU's Commercial vs Residential. The Policy is set and things cannot be changed now. It can be changed down the road in 2015. Change your Allocations to "Centers". 2011 Update is where the changes can take place and knowing the fatal flaws we know what to do to fix it.

Knox asks the Board if they are clear, Harris, Linth, Knuckey and Knox are all clear.

RCM introduces Spring 2010 and specifically points out the Downtown Revitalization story.

### **SUMMARY OF MEETING RESULTS AND ACTIONS FOR NEXT MEETING**

- Board directs Staff to bring back Housing Element as an Action item.

### **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

No Public to Comment

### **BOARD MEMBERS COMMENTS**

Bob Knuckey: Appreciates the effort Staff has put into the information presented to the Board.

Steve Harris: Does not want the City to get in the same position that they were 3-4/years ago. We can fix mistakes from the past. Great job, impressed with Staff's knowledge.

Frank Linth: Who is bringing Cookies next week?

Jerry Knox: No Comments

## **ADJOURNMENT**

At 9:52 pm on a motion by Knox and seconded by Knuckey and Ayes by all, meeting was adjourned.

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Frank Linth, Planning Board Chairman

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Cyd Donk, Planning Board Secretary