

**CITY OF KALAMA
CITY COUNCIL MEETING
MARCH 28, 2007**

Special Meeting - Riverview Heights Subdivision

Mayor Pete Poulsen opened the City Council meeting at 7:00 p.m. Councilmembers present were Adam Smee, Dominic Ciancibelli, and Chuck Hutchinson. Councilmembers Don Purvis and Bud Gish were absent. City staff present were Director of Public Works Carl McCrary and Clerk/Treasurer Coni McMaster. City Attorney Paul Brachvogel and City Planner Justin Erickson were also present. Members of the public present were Brad Applegate and David Spencer of Moss and Associates, Inc., and Kalama citizens Jim Bain and Doug Sessions.

Mayor Poulsen stated that this meeting is to review the Subdivision proposal, the minutes of the hearings, and the recommendations from the Planning Commission. The item of most concern is the sidewalk placement around the development, mainly the portion on Cloverdale. City code requires that a development place sidewalks along all rights-of-way. The Developer has made an in-lieu-of offer to place sidewalks along Woodale instead of the area along Cloverdale Road. It has been stated that this would be a sidewalk to nowhere. Mayor Poulsen pointed out that the City does plan to have all sidewalks connecting eventually.

Councilmember Dominic Ciancibelli clarified the two sample motions that were provided to them. One would be to accept the preliminary plat as recommended by the Planning Commission. The other would be to accept the preliminary plat as recommend by the Planning Commission but with amendments to the conditions. The Council has the option of amending any of the conditions submitted by the Planning Commission including condition number 1 dealing with the sidewalks. Councilmember Ciancibelli asked if the developer will actually put in the sidewalks or if they will be built with the homes and if this is typical. It was acknowledged that this is standard practice. City Attorney Paul Brachvogel cautioned all present that the Council can only consider any testimony and information that was provided and available during the public hearing before the Planning Commission.

Councilmember Adam Smee asked about the deletion of the original condition No. 3 which would allow for sidewalks to be developed when the homes are actually built. Councilmember Ciancibelli asked about the lot and home costs, which was clarified to be approximately \$80,000 to \$100,000 for the lots and upwards from \$200,000 for the homes.

Mayor Poulsen asked why the developer is proposing the sidewalk along Woodale instead of Cloverdale. Applicant representative Brad Applegate explained that there are many engineering difficulties along Cloverdale Road. They feel that the connectivity provided by the Woodale connection is better for the residents, as well as being a better marketing tool for the development. There will be engineering challenges throughout the site with new street and utility placements. Mayor Poulsen acknowledged the developer's efforts to address pedestrian access and his belief that neither the City nor the developer is being unreasonable. He believes that the safety issues along Cloverdale make it the better sidewalk for the City. Mayor Poulsen noted that kids will likely try to find shortcuts through the area rather than use the sidewalks.

Councilmember Smee asked how long the Woodale portion is versus the Cloverdale frontage. The Woodale portion would be approximately 546 feet while Cloverdale is 751 feet. Mr. Applegate noted that the proposal is also to put sidewalk along Cloverdale that will lead up to the Little League field and this is 163 feet. Councilmember Smee clarified that the trail that

may go through private property on the north edge of the property is only proposed and cannot be built without the permission of the property owners. There was some discussion regarding the width along Cloverdale and that it is wide enough to place a sidewalk on, but it would be very narrow and close to the traffic lanes.

Councilmember Chuck Hutchinson asked if the Council accepts the proposal as recommended, would they be setting a precedent for future developments to bend the rules. City Planner Justin Erickson explained that each development is evaluated based upon the characteristics of the site. Each review is site specific, and they are all different. Many don't have the double frontage issues that Riverview does. Each proposal has to address the areas off site that will be effected by that project and provide any mitigation necessary to compensate for that, as well as follow the code requirements. Mr. Erickson added that the in-lieu-of proposal came from the developer and was not required. Mr. Applegate explained that the traffic study completed for the project indicates their development will not have great impact on the intersection at Cloverdale or Cloverdale Road. This is why they believe that requiring the sidewalk along Cloverdale would not meet the nexus and proportionality requirements of state codes. Attorney Brachvogel stated that the legal issues are complicated, and there is the possibility that the City's ordinances could be upheld.

It was noted that the development is being proposed in such a way as to encourage pedestrian traffic through the neighborhood. There may be people that will not like this. Mr. Applegate noted that this will be clearly shown on the plat. They feel that the pedestrian access through the project is a better alternative than travel down Cloverdale Road. It was asked if the homeowners could be asked to put the sidewalks in on Cloverdale. They could voluntarily do a LID to do this, but it would be very difficult for the City to force them to put in the sidewalk. There will be no access from the lots to Cloverdale. In fact there will be a no access easement recorded on the plat. There will be no barrier or even curb built along Cloverdale Road where it abuts the back of the new lots. There was some discussion of the steep grades and building sidewalks. These are items that will be addressed during the engineering stage of the project. The developer will be responsible for putting in the sidewalks along all areas that open space prior to final plat approval. Councilmember Chuck Hutchinson asked if lots 10 through 15 would have curbs and sidewalks on both sides of the property. These lots would have double frontage. Mr. Doug Sessions had sent a letter regarding issues pertaining to the sidewalks, parks and extending the nature trail for the deer in the area. He felt that the sidewalk question have been answered, but he wanted more information on his other issues. Mr. Applegate explained that they have dedicated open space areas for the parks, and one actually connects to a area that the deer use. They believe that the deer will come through just as they do now.

Councilmember Dominic Ciancibelli made a motion the City Council approve the preliminary plat for Riverview Heights as conditioned in the attached Planning Commission recommendations based upon the findings and facts included in the staff reports dated February 5 and February 22, 2007. Councilmember Chuck Hutchinson seconded the motion. There was no further discussion. The motion carried with a vote of 2 for and 1 against (Councilmember Smee).

Mayor Poulsen adjourned the meeting at 8:03 p.m. These minutes are not verbatim. A copy of the tape can be made available for listening.

/S/
Pete Poulsen - Mayor

/S/
Coni McMaster - Clerk/Treasurer