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**Meeting Minutes**  
**City of Duvall Planning Commission Meeting**

**Date:** May 12, 2021

**Time:** 7:00 PM

**Place:** Via Zoom <https://zoom.us/j/97976861027>

**Commissioners Present:** John Isaacson, Ronn Mercer, Eric Preston, William Chappell, Mike Supple, Laura Bradley, Elaine Sawyer.

**Staff Present:** Lara Thomas, Community Development Director; Troy Davis, Senior Planner; Asela Chavez, Assistant Planner/Permit Specialist.

**Call to Order – Flag Salute**

The Planning Commission meeting was called to order by Commissioner Sawyer at 7:01 PM.

**1. Approval of the Agenda**

It was moved and seconded (*Mercer/Chappell*) to approve the agenda for the May 12, 2021, Planning Commission meeting. The motion passed 7-0.

**2. Announcements**

Lara Thomas, Community Development Director, announced that the Planning Department provided a growth and development update to the Chamber last week. One question that came up was related to fast food and drive-thrus; these types of use are not prohibited in the city and are regulated by the Municipal Code. The Department also received questions related to street parking in Midtown, street tree maintenance on Main Street, and pedestrian crossings throughout the City.

**3. Adoption of Minutes**

It was moved and seconded (*Mercer/Supple*) to approve the April 28, 2021, Planning Commission meeting minutes. The motion passed 7-0.

**4. Comments from Audience**

None.

**5. Design Review**

**A. Rio-Vista Park Design Review (File #SPR20-001)**

Chairperson Sawyer opened the design review for Rio-Vista Park at 7:11 PM.

Troy Davis, Senior Planner, briefly introduced the project and its development timeline. He noted that the developer chose to separate the design review process for the park from the subdivision process.

Jim Berger, KB Home Seattle, gave a presentation on the layout of the project. Neil Buchanan, GHA Landscape Architects, gave a presentation on the design of the park and the landscape proposed within the project.

**Public Comments:**

Carol and Stephen Peringer, area residents, asked about lightning in park A, the size of the buffer between the trail and their property neighboring the northwest of the project, the materials of the trail, whether the wetland would be cleared, the type of sports court and the expected occupancy date of the project.

Jim Berger responded to the public comments by stating that the park is not going to be lighted, that he was unsure about the distance in feet from the property, that the trail it's going to be on grade with arborist chip material, that a basketball court is proposed and that they expect to complete final plat by the end of the summer. Neil Buchanan responded that only the wetland buffer is going to be cleared and spot planted.

Brian Gessel, area resident, asked about the maintenance obligations of the park and if the public will be able to use it.

Jim Berger responded that the park will be dedicated to the City.

**Staff Comments:**

Staff responded that the plan set indicates that the distance between the trail and the Peringer's property is 15 feet. City staff also noted that a portion of the park would remain under the HOA's responsibility.

**Planning Commissioners asked the following questions:**

- Is the wetland the responsibility of the developer up until the expiration of the 5-year bond? Staff response: Correct
- Is it too late to move trees to offer protection to Mr. and Ms. Peringer's property? Staff response: The species already approved for the project cannot be changed but they could be arranged to offer additional screening to the property. Mr. Peringer asked if it was too late to alter the location and shape of the trail. Staff responded that this cannot be changed.
- Does the City have a follow up decision on assuming the park responsibility? Staff response: The bond is not released until it meets all mitigation criteria and it performs.
- Has the City developed a budget to maintain the park? Staff response: This will be budgeted when it is time for the City to take over the park.
- What is the purpose of the chain link fences? Where the split rail fence will go? Staff response: The chain link fences will surround the sports court to retain balls and in portions of the perimeter to keep people from going into the wetlands. It will be visible from the street. The split rail fencing will go around the perimeter of the sports park.
- Will the park maintenance responsibility will be captured in the HOA? Staff response: The HOA document will be specific on the maintenance responsibility.

Clarifying questions from audience: None.

Chairperson Sawyer closed the Public Comment portion of the Design Review at 8:10 PM.

It was moved and seconded (Chappell/Mercer) to recommend approval of the proposed Rio-Vista Neighborhood Site Plan Review (Exhibit 7), as conditioned in the staff report dated May 12, 2021, to the Hearing Examiner. The motion passed 7-0.

**6. Workshop**

None.

**7. Public Hearing**

None.

**8. Unfinished Business**

**A. Duvall Village Parcel C1 – Commercial Deferment Request.**

Lara Thomas, Community Development Director gave a brief presentation on the development of the project and the timeline of the deferment request. Ms. Thomas noted there was an updated recommendation for consideration for Planning Commission.

Planning Commissioners asked the following questions:

- What happens if the deferment is denied? Staff response: Both parties, the City and the Applicant, go to arbitration or litigation.
- Has the City requested a market update in the past to other applicants? Staff response: There has been only one other case, and yes, a market update was requested for a commercial deferment.
- Is this extension the only one that will be granted? Staff response: currently, this is the only extension the City is going to provide.
- Is it accurate to say that the applicant should be listing the property for sale, build to suit or lease within 60 days of the extension decision? Staff response: Yes.

Kerek Edwards, Westcott Homes, provided an overview of the history of the Duvall Village project.

It was moved and seconded (*Isaacson/Preston*) to recommend approval of the proposed Duvall Village Parcel C1 – Commercial Deferment Request, as conditioned in slides 6 and 7 of the PowerPoint presentation to Planning Commission on May 12, 2021, to the City Council. The motion passed 7-0.

**9. New Business**

None.

**10. Good of the Order**

None.

**11. Adjournment**

The meeting was adjourned at 8:40 PM.