

EAST BETHEL PLANNING COMMISSION MEETING
September 24, 2024

MEMBERS PRESENT: Chair Sharon Johnson, Glenn Terry, Tanner Balfany, Brian Downie, Kory Jorgensen, and Diana Saenger.

MEMBERS ABSENT: Vice Chair Gabriel Hanschen

ALSO PRESENT: Aaron Berg, Community Development Director
Jim Smith, City Council Liaison

1.0 Call to Order

Chair Johnson called the Planning Commission regular meeting to order at 7:00 pm.

2.0 Adopt Agenda

Commissioner Terry moved and Commissioner Downie seconded to adopt the agenda as presented. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

3.0 Updates

Council Liaison Smith updated the Commission on recent Council actions.

4.0 Approve August 27, 2024 meeting minutes

Johnson requested a correction on page 6, line 229, to change: ‘build anything on the Inn property’ to ‘build a residential property on Hunters Inn property.’

Commissioner Terry moved and Commissioner Saenger seconded to adopt the August 27, 2024 regular meeting minutes as amended. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

5.0 Conditional Use Permit – Exterior Storage – 23035 Ulysses St NE – North County Concrete, Inc.

Berg reviewed staff’s report stating on September 9, 2024, the city received an application from Karl Virkus, owner of North County Concrete, Inc., for a Conditional Use Permit (CUP) for Exterior Storage on vacant parcel, across Ulysses Street NE to the west of the existing North County Concrete, Inc. location.

Berg added the vacant parcel is over three acres in size and is located at the North West corner of 230th Lane NE and Ulysses St NE, in a Light Industrial Zoning District. It borders a 17.50-acre Single Family Residential parcel on the West lot line and three Single Family Residential parcels of the Cooper Lake Estates subdivision to the North.

Berg stated that Virkus is proposing the exterior storage of equipment, trucks, and trailers for the associated business across the street at 23035 Ulysses St NE. He is proposing the construction of a six-foot privacy fence with an entrance gate onto Ulysses St NE and one on the cul-de-sac onto 230th Lane NE, landscape boulevard areas with evergreen trees and bushes to match the North County Concrete, Inc. location.

Berg reported that additionally, the proposal includes stripping and remove the topsoil and replace with crushed asphalt millings to provide a positive drainage to the roads for watershed, as well as installing drive-over curb and concrete approach aprons at each gate location. There is not a building included in the proposal however Virkus indicated he would be constructing a building on the parcel someday.

Berg noted that the first item is to determine the zoning code for this parcel.

Berg reviewed section 48 which permits Exterior Storage as regulated under Section 24 as a Conditional Use.

Berg reviewed Section 24-4 which states Construction yards are exempt from exterior storage requirements as outlined in Section 24, 4-A, provided they are located in the rear yard behind the principal building and cannot exceed the square footage of the principal building and shall not be allowed within the required setbacks, public right-of-way, private access easement, or within the required parking area.

Berg noted that under the current proposal, the Exterior Storage on a separate parcel, without a principal building, would not meet the conditions of city ordinance.

Berg reviewed Section 22 as follows:

1. Purpose. This section establishes off-street parking standards to allow for the orderly and adequate parking of vehicles on property, to alleviate and prevent congestion on public right-of-way, and to control the appearance and maintenance of parking areas and surfaces.
2. Scope of regulations. -The regulations and requirements set forth in this chapter shall apply to all off-street parking facilities in all the zoning districts.
3. General provisions. B. - Prohibited uses in required parking areas. Required off-street parking areas in the B-1, B-2, B-3, I, and MXU districts, shall not be used for open storage of goods, recreational vehicles and equipment, commercial vehicles, and equipment, unlicensed/inoperable vehicles, or vehicles displayed for sale.
4. Design, construction, and maintenance. A. - All parking facilities and streets are subject to the City of East Bethel engineering standards.

Berg reviewed Section 48-E.

Berg noted Section 23-B, stating that any business, industrial, non-residential uses, and residential dwellings other than detached single-family adjacent to any residential district shall provide screening along the boundary of residential property.

Berg reported Section 35. which states that no land shall be developed, and no use shall be allowed that results in water runoff causing flooding, erosion, or increased runoff on adjacent property. Such runoff shall be properly channeled into a watercourse, ditch, storm pond, or other appropriate facility subject to review and approval by the City Engineer.

Berg recommended that the Planning Commission should review the information, hold a Public Hearing and make a recommendation to the city council of either approval, approval with alternative conditions or a denial of the CUP for Exterior Storage on a vacant parcel.

Johnson opened the public hearing at 7:12 p.m.

Jane Weinhold noted that the property owner has already answered a few of her questions. She asked if there will be a surveyor when they do the property lines. She also asked regarding the watershed, and what side the drainage will be on. Berg stated that if City Council passes this, the site will have to go through a site plan review process which will require a survey. He also stated that the stormwater management ordinance does not allow for a parcel of property to shed water onto adjacent properties.

Carl Virkus noted that on the corner of his property there is a CB in place for property drainage. He noted that he will need an engineer to ensure that it is enough to drain the property.

Aaron Virkus reported that he has been in discussion with some surveyors for the process.

Saenger asked how many years their business has been located on the spot they are at now. Carl Virkus shared that they have been located there for about 11 years.

Johnson closed the public hearing at 7:20 p.m.

Berg shared some pictures of the property that were included in the proposal.

Jorgensen stated that he is not against this proposal. He noted that he lives near this property, and they have been good neighbors. He would like to see some conditions added, he would like for them to leave as many trees as they can on the north side. He would like to see a survey. He also noted he would like them to have a matching fence and a larger apron. He added that he would prefer to see a pond added for runoff water rather than a drainage system.

Downie discussed that he does not see any reason to deny this and would agree with moving to recommend this to the Council.

Balfany stated that he would like them to be cautious of setting precedents. He added that they must be careful in how they word it and what it is subject to. He noted that he is not against this if there was a proper way to issue it, but he would just like them to be cautious.

Jorgensen asked what happens if the owner agrees to terminate the permit upon a sale as one of the conditions. Berg noted that the City attorney mentioned in a previous conversation that conditional use permits do not expire, and they stick with the property.

Terry asked if there was any likelihood of expanding the cul-de-sac on Ulysses any farther north. Berg stated that yes there is a likelihood.

Saenger noted that she has no problem with this conditional use permit if they continue to serve the commercial district if there is an expansion of the street.

Johnson noted that she is in support of this, she would just like to brainstorm some of the worst things that could go on this property and find ways to prevent that within the conditions.

Downie added that this is purely hypothetical and there is no way to know what may be beneficial or not many years down the road. He also asked why the two properties cannot be made into one. Berg explained that due to the road separating the two properties, it would not be approved to be made one property.

Berg asked if the Commission would approve the request to add chain link fences to the property, or if they would like them to follow the conditions within the code. Johnson reported the chain link fence is fine for the property.

Commissioner Saenger moved and Commissioner Downie seconded to recommend approval to City Council of Resolution No. 2024-XX, A Resolution Approving a Conditional Use Permit to Allow Exterior Storage at 23035 Ulysses Street NE, East Bethel, PIN 32-34-23-34-0013, with the addition of three conditions. Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Downie, Jorgensen, Johnson, Terry, Saenger- Aye; Balfany- Nay, motion passes.**

This item goes before the City Council on October 14, 2024.

6.0 Adjournment

Commissioner Balfany moved and Commissioner Saenger seconded to adjourn at 7:53 pm.

Johnson asked any discussion? To the motion, all in favor say aye. **All in favor.** Johnson asked any opposed? That motion passes. **Motion passes unanimously.**

Submitted by:

Sylvia Rokosz
TimeSaver Off Site Secretarial, Inc.