

MOSES LAKE PLANNING COMMISSION
February 16, 2012

Commissioners Present: Todd Voth, Nathan Nofziger, Charles Hepburn, Vicki Heimark, Steve Shield, and Todd Lengenfelder, Absent: Mitch Molitor, Rick Penhallurick, and Kevin Starcher

Name	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Molitor	P	A	A									
Starcher	P	P	E									
Lengenfelder	P	P	P									
Schild	A	P	P									
Heimark	P	P	P									
Penhallurick	P	P	A									
Hepburn	P	P	P									
Nofziger	P	P	P									
Voth	P	P	P									

P - Present E = Excused A = Absent C = Canceled

Staff Present: Gilbert Alvarado, Anne Henning, Billie Jo Muñoz, Dan Leavitt, and Sue Mahaney

CONSENT AGENDA

Minutes: The minutes of the January 26 meeting were presented.

Action Taken: Ms. Heimark moved that the Consent Agenda be approved, seconded by Mr. Nofziger, and passed unanimously.

DUNLAP - SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT PERMIT - CON'T PUBLIC HEARING

Michael Mahovich and Debbie Dunlap submitted an application to build a 250 square foot dock, boatlift, retaining wall, and hillside access path at 426 Crestview Drive. A public hearing was continued to February 16, 2012. A mitigation plan has been submitted and is currently being reviewed by Planning staff and appropriate state agencies. The public hearing was continued to March 1, 2012.

PIONEER COMMERCIAL PARK 4TH ADDITION MAJOR PLAT FINAL PLAT AND FINDINGS OF FACT

John Hobbs of Pioneer Way Associates has submitted a final plat application for a two-lot plat of 10 acres. The project extends Pilgrim Street from south of Colonial Avenue to Clover Drive. The site is zoned C-2, General Commercial. The only significant changes from the preliminary plat have been to comply with the conditions of approval.

Anne Henning, Senior Planner, explained that a portion of the previous cul-de-sac has been vacated and the vacated portion has been excluded from this final plat, and the planter strips on the adjacent developed property need to be landscaped.

Phillip Bloom, Columbia Northwest Engineering, representing the developer, stated that they are in agreement with the conditions of the final plat except for the requirement to install landscaping as now is not the time to install plants. He stated that they would be willing to bond for those improvements.

Action Taken: Ms. Heimark moved that it be recommended to the City Council that the final plat be approved with the following conditions:

1. The comments of the Development Engineer shall be addressed before the plat is recorded.

2. The comments of the Bureau of Reclamation and East Columbia Basin Irrigation District shall be addressed before the plat is recorded.
3. Before the plat is recorded, the developer shall bond for or install landscaping within the planter strip that abuts Parcel B of the binding site plan of Lot 1, Block 1, Pioneer Commercial Park Second Addition. The purposes of this landscaping are to provide an aesthetic street frontage, to prevent weeds and dust, and to comply with the street frontage landscaping requirements of MLMC 18.57. The developer shall submit a landscape plan to the Community Development Department before installation.

and the findings of Fact be adopted, seconded by Mr. Schield, and passed unanimously.

VERN'S MOSES LAKE MEATS - REVIEW OF NON-CONFORMING USE

Vern's Moses Lake Meat Company is a non-conforming use in the R-3, Multi-Family Zone. The slaughter house and meat packing company is located at 2721 Peninsula Drive and is surrounded by residential development. The Comprehensive Land Use Designation for the area is residential. Moses Lake Municipal Code Chapter 18.69, entitled "Non-Conforming Uses," requires that a non-conforming use is to be reviewed by the Planning Commission no less frequently than every two years and/or upon change of ownership.

Billie Jo Muñoz, Assistant Planner, stated that staff inspected the site and explained the violations and the corrective measures taken.

Action Taken: Mr. Schield moved that the non-conforming use be allowed to continue for two years with the following conditions:

1. The driveway and parking area must be treated for dust control with an approved oil-based treatment as needed, but no less than once a year.
2. Landscaping and fencing shall be continually maintained.
3. All structures shall be maintained according to Federal Food and Drug Administration regulations.
4. The corral drains must be cleaned weekly when holding stalls are in use.
5. Livestock will be allowed on the premises from 5 a.m. to 8 p.m. Keeping livestock overnight for an emergency will be allowed. No livestock will be kept over a weekend. Records are to be kept and submitted to the Community Development Director.
6. Cattle trucks are not to be washed down on the site.
7. Comply with the best management practices to eliminate excessive blood from entering the city sewer system. The Wastewater Division tests the Winona Lift Wet Well bi-weekly and maintains a blood record at the well site. Community Development will not follow unless a complaint or the Wastewater Division informs us of any issues.
8. Service tank no less than every 90 days, and submit a load ticket to Public Works attached to the quarterly discharge report. Community Development can request copies from Public Works.
9. Test samples may be required at the request of the Building Official or Wastewater Plant Treatment Supervisor and submitted to a state approved lab. Based on test results the tank service time frame may be modified.

seconded by Mr. Lengenfelder, and passed unanimously.

SUKO - 508 E THIRD AVENUE - LANDSCAPE ALTERATION

Gary Suko has requested an alternate landscape plan substitute for the landscaping required at 508 E. Third Avenue. Landscaping is being triggered by the change of occupancy in a building that used to be a clothing store but is now going to be used as a computer/appliance repair shop. The property is zoned C-2 General Commercial and Business Zone.

Billie Jo Muñoz, Assistant Planner, explained the landscaping required and mentioned that 104 total points are needed. She mentioned that there is currently no landscaping and they are proposing two potted plants in front of the building. Placing objects on the sidewalk will require a sidewalk use license, with a \$75 yearly application fee and the need for liability insurance.

Gary Suko, representing Suko Investments, stated that considerable work has been done on the building but because this building was constructed in the 1950's there is really no room for landscaping and no water available on the outside of the building.

There was considerable discussion on how the site could be landscaped.

Action Taken: Mr. Schield moved that the request be tabled, seconded by Ms. Heimark, and passed unanimously.

SHORELINE MASTER PLAN

Gilbert Alvarado, Community Development Director, introduced Jaime Short from the Department of Ecology.

Ms. Short stated that she is the new Shoreline Planner out of the Spokane office. She gave a brief background on the shoreline master plan updates which must be done by December 2013. She mentioned that she is also working with Grant County and six towns and cities within Grant County on a coordinated update. She requested information on what is holding up Moses Lake's update and a schedule to discuss and work through the problems. She pointed out that the Department of Ecology and the City do not have to agree on everything in order for the process to move forward and that they can agree to disagree on what the law requires.

There was some discussion and staff was directed to provide an updated draft Shoreline Master Plan to the Commission and then discuss it at the next meeting. Once the list of issues to be discussed is provided, arrangements will be made to have Ms. Short to return to discuss the unresolved issues with the Commission.

ZONE CHANGE

Gilbert Alvarado, Community Development Director, stated that at the Council meeting, Lanny Ferguson requested an amendment to the Heavy Industrial Zone in order to allow eating establishments. He mentioned that there is a request for a small portable building to be located at the intersection of Wheeler Road and Road M. The building would be used as a drive through food stand. He pointed out that the Light Industrial Zone allows for food establishments but it is not allowed in the Heavy Industrial Zone.

Lanny Ferguson, 4548 Road K NE, stated that they could not find any locations in the Light Industrial Zone but that there is a location available in the Heavy Industrial Zone which has water and power. He felt that there is a need for food service in the area.

There was considerable discussion, and it was the consensus of the Commission that staff provide information on how other jurisdictions deal with this issue.

TRIBAL LANDS

Gilbert Alvarado, Community Development Director, stated that the City has received a request from the Department of the Interior, Bureau of Indian Affairs, asking for comments concerning the Coville Confederated Tribes' request to place in trust a 7 acre piece of property located on Wanapum Drive and Wapato Drive. The

property was purchased by the Tribes last year. The property is proposed to be developed as a travel plaza, or a truck stop, convenience store, and gas station. The Council has sent a letter to the Bureau of Indian Affairs outlining the City's concerns with this development. He mentioned that the zoning is C-2 which allows this type of development, but the City would have no ability to discuss such issues as traffic impacts, permitting, police services, etc. with the Tribes. The Council felt that the property should be developed under the same rules as every other developer has to use.

Mr. Voth pointed out that if the property is designated as trust lands, the Tribes do not have to meet any development codes of the City, would not have to pay any permitting fees, and there would be no inspections by the City's building and planning staff. He felt that the Commission should also let the Bureau of Indian Affairs know their position on this matter.

Mr. Alvarado pointed out that the consulting firm that did a site analysis on the property for the Tribes pointed out that it was not a good site for truck trip generation, but the Tribes are still moving forward with this project.

There was some discussion and it was the consensus of the Commission that staff draft a letter to be sent to the Council stating the Commission's opposition to the Tribe's desire to convert their property to trust lands.

The meeting was adjourned at 9 p.m.

Todd Voth, Chairman