

MOSES LAKE PLANNING COMMISSION  
October 15, 2015

Commissioners Present: Vicki Heimark, Charles Hepburn, Nathan Nofziger, Gary Mann, David Eck, Tim Adams, and Don Schmig Absent: Rick Penhallurick and Todd Lengenfelder

Name	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Eck	E C	P P	P E	A P	P P	E P	E P	E P	P P	P		
Starcher Schmig	P C	A P	A P	A						P P	P P	P
Lengenfelder	A C	P P	P P	P P	P P	P A	P P	P P	P A	P A		
Adams						P P	P P	P P	P P	P P		
Heimark	P C	P P	P P	P P	P P	P P	P P	P P	P P	P P		
Penhallurick	P C	P P	A A	P P	A P	P P	P E	E P	A A	A A		
Hepburn	P C	P P	P P	P P	P P	P P	P E	P P	P P	P P		
Nofziger	P C	P P	E P	P P	P P	P E	P P	P P	P P	P P		
Mann	P C	P E	P P	P P	E P	E P	P P	P P	P P	P P		

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

Staff Present: Anne Henning, Daniel Leavitt, and Sue Mahaney

CONSENT AGENDA

Minutes: The minutes of the September 24 meeting were presented.

Armstrong - Conditional Use - Findings of Fact: The Findings of Fact for the Conditional Use Permit for the change of use of an existing building by Kelly and Jody Armstrong were presented.

Action Taken: Mr. Mann moved that the Consent Agenda be approved, seconded by Mr. Hepburn, and passed unanimously.

PIONEER MEADOWS MAJOR PLAT AND DEVIATION/WAIVER REQUEST - PUBLIC HEARING

Pioneer Meadows LLC has applied for a preliminary plat to subdivide 14.75 acres into two lots for future development. Deviations were requested to street construction standards and a waiver of the requirement to extend Ninth Avenue to Pioneer Way. A waiver or deferral of water and sewer improvements in Pioneer Way is also required. The site is located west of Pioneer Way, north of Ninth Avenue, east of Division Street, and south of Three Ponds. The area is zoned R-3, Multi-Family Residential at the south end and C-2, General Commercial at the north end.

Anne Henning, Senior Planner, pointed out that this site is challenging due to the many grade changes. It is proposed to provide sewer to Lot 1 though an easement from Lot 2, which will intrude into a wetland buffer. The proponents have submitted a mitigation plan for the area that would be disturbed by the sewer line. She pointed out the wetlands located on and near the site. Because the Municipal Services Director determined that extending 9<sup>th</sup> Avenue to Pioneer Way would create an unsafe intersection, 9<sup>th</sup> Avenue will be extended to Balsam Street and then only a sidewalk will continue to Pioneer Way to provide connectivity for pedestrians.

Larry Angell, Columbia Northwest Engineering, representing the project, stated that a geo-technical analysis is being done on the site. He pointed out that the majority of the ash that was deposited in this area is in the wetland buffer and no construction will take place in those areas. An activity trail will be constructed to access the Japanese Garden and Pioneer Way. He stated that they have no objections to the recommendations of the staff.

The public hearing was opened. There were no comments.

Action Taken: Mr. Nofziger moved that the public hearing be closed, seconded by Mr. Mann, and passed unanimously.

Action Taken: Mr. Nofziger moved that it be recommended to the Council that the preliminary plat be approved with the following conditions:

- A. The comments of the Development Engineer shall be addressed before final plat submittal.
- B. A waiver shall be granted to the requirement to extend Ninth Avenue to Pioneer Way, with the condition that a 14'-wide Activity Trail be provided instead, to maintain connectivity for pedestrians and bicycles.
- C. A waiver shall be granted to the requirement for sewer and water mains in Pioneer Way, since all property in the area is already served without extending these mains.
- D. Based on no objections from public utility providers, public utility easements are not required along the northerly and westerly boundaries of Lot 1 nor the north and west boundaries of Lot 2, as shown in the proponent's request dated 8-24-15.
- E. The sewer main to serve Lot 1 may be routed through the wetland buffer as proposed, provided the Mitigation/Restoration Plan dated 9-4-15 is followed.

seconded by Mr. Mann, and passed unanimously.

#### POTH 1 MAJOR PLAT - FINDINGS OF FACT

Anne Henning, Senior Planner, informed the Commission that the Planning Commission's recommendation to approve the developer's request to only pay half of the reimbursement for Peninsula Drive, since only a portion of the site is being developed, is not allowed by code. Moses Lake Municipal Code 12.40.112 states that the reimbursement must be paid "upon platting" and there are no provisions to defer a portion of the reimbursement. She mentioned that the Findings of Fact have been changed to reflect the requirements of the code.

Mr. Mann felt that if only a portion of the property fronting on a street is being platted then only a portion of the reimbursement should be required to be paid.

Ms. Henning reported that the City Attorney's opinion is that the only way to allow them to pay a portion of the reimbursement is to have the Council change the code.

There was some discussion by the Commission.

Kevin Richards, Western Pacific Engineering and Surveying, felt that this requirement puts a damper on development when only a portion of the property is being platted and suggested that the Council review this situation for future developments.

It was the consensus of the Commission that the issue be brought to the attention of the Council since the Commission felt that a partial reimbursement should be allowed.

Action Taken: Mr. Hepburn moved that the findings of fact be accepted, seconded by Mr. Eck, and passed unanimously.

#### POTH II MAJOR PLAT AND WAIVER/DEFERRAL REQUESTS - PUBLIC HEARING

Mark Poth has submitted an application for a preliminary plat to subdivide 4.1 acres into 17 residential lots. The site is located north of Lower Peninsula Park and east of Peninsula Drive, between Pacific Street and Harvorview Street. The site is zoned R-1, Single Family Residential, which corresponds to the Comprehensive Plan Land Use Designation of Low Density Residential. Deviation were requested for a dead-end street and for non-rectangular lots. Deferrals for connection to water and sewer for the lots that front Peninsula were also requested. Side and rear public utility easements are proposed to not be dedicated. The plat would continue the street started in Poth I Major Plat, to connect Lakeside Drive to Peninsula Drive.

Mr. Nofziger declared a conflict of interest and exited the room.

Anne Henning, Senior Planner, explained the project and the requested deferrals and deviations.

Kevin Richards, Western Pacific Engineering and Surveying, representing the project, stated that they were not in favor of the requirement to have the front of the garage even with the front of the house on the lots fronting the cul-de-sac in Block 2 as it limits the number of house plans that could be used.

There was some discussion by the Commission about the requirement to have the garage even with the front of the house on the cul-de-sac.

Mark Poth, 3201 W. Lakeside, developer, stated that the requirement to have the garage even with the front of the house will eliminate possibly more pleasing architectural aspects.

The public hearing was opened. There were no comments.

Action Taken: Mr. Hepburn moved that the public hearing be closed, seconded by Mr. Eck, and passed unanimously.

Mr. Hepburn requested staff's reason for recommending that the garages be even with the front of a house.

Ms. Henning stated that it is an aesthetic issue and there was discussion with prior Commissions about garages that are 10' to 20' in front of the house and it was felt that such a house was not attractive.

Action Taken: Mr. Mann moved that it be recommended to the City Council that the preliminary plat be approved with the following conditions:

1. The comments of the Development Engineer shall be addressed before final plat submittal.
2. The developer shall propose a name for the new street connecting Lakeside Drive to Peninsula Drive and the intersecting dead-end street. Before street construction plans are submitted, the names must be approved by the Municipal Services Department, Fire Department, the Multi Agency Communication Center, and the City Council.
3. The deviation to allow Lakeside Drive Court to be a dead-end street shall be granted.
4. Deviations to lot standards for Lots 3-7, Block 2, shall be granted.
5. Deferral of water and sewer connections for Block 1, Lots 1-3 shall be granted, with the condition that a covenant run with the land for connection at the time of building permit.
6. The requested deferral of water and sewer connections for Block 1, Lots 4 and Block 3, Lot 5 shall not be granted. These lots should be connected to utilities before the new street is constructed, the same as the rest of the lots that do not abut Peninsula Drive.
7. Based on no objections from public utility providers, public utility easements are not required along side and rear lot lines.
8. If the Poth I Major Plat is not finished first, this project shall complete a street connection to Lakeside Drive.
9. As described in the project submittal, this project shall abandon the existing water line along the northerly boundary of the property and replace it with a municipal main within the street connecting Lakeside Drive to Peninsula Drive.

seconded by Mr. Adams, and passed unanimously.

#### PARKVIEW FINAL PLANNED UNIT DEVELOPMENT AND MAJOR PLAT AND FINDINGS OF FACT

Smith Martin LLC has submitted an application for a final planned unit development and plat for 21 townhouses, garages, and redevelopment of the existing building for offices on the ground floor and apartments on the second floor. The site is 922/928 Division Street and is zoned R-3, Multi-Family

Residential, which corresponds with the underlying Comprehensive Plan Land Use Designation of High Density Residential.

Anne Henning, Senior Planner, stated that the final plat corresponds to the preliminary plat and planned unit development.

Larry Angell, Columbia Northwest Engineering, representing the project, stated that they were in agreement with the staff recommendations.

Action Taken: Mr. Eck moved that it be recommended to the Council that the final plat and planned unit development be approved with the following conditions:

1. The comments of the Development Engineer and Fire Prevention Specialist shall be addressed.
2. The plat shall not be recorded until the city fees and reimbursements are paid to the City of Moses Lake.
3. Before the plat/PUD documents are recorded and before any building permits are issued, the proponent shall build or bond for all street and utility improvements, public or private, which serve the development.
4. A Municipal Utility Access Easement is required, and shall be shown on the face of the plat. This easement is accepted by the City Council by their approval of the plat/PUD.

seconded by Mr. Hepburn, and passed unanimously.

Action Taken: Mr. Nofziger moved that the Findings of Fact be accepted, seconded by Mr. Hepburn, and passed unanimously.

#### SUMMER PLACE CONDOMINIUMS SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT - REQUEST FOR EXTENSION

John Hermann, representing the permit holders, has requested a two-year permit extension for the placement of two boat-lifts at Summer Place Condominiums located at 2812 Marina Drive. A Shoreline Substantial Development Permit for the two boat-lifts and access dock was approved by the Planning Commission on December 12, 2013.

Daniel Leavitt, Assistant Planner, stated that the work on the project is expected to be completed by April 2016.

Mr. Herman stated that the reason for the extra time is that one of the property owners sold his condo and now the new owner and the other owner wish to proceed with installing the boat lifts.

Action Taken: Mr. Mann moved that the request for a one year extension be granted, seconded by Mr. Eck, and passed unanimously.

#### COMPREHENSIVE PLAN UPDATE - TRANSPORTATION ELEMENT

Minor updates to the Transportation Element are being included as part of the 2015 Comprehensive Plan update. This chapter was extensively updated in 2012, with minor updates in 2013 and 2014. The 2015 changes are to update the element to add the most recent traffic counts and trail counts, adjust dates for projects that have changed construction dates, delete projects that are finished, restore one project that was accidentally deleted last year, and add one new trail project so that it is eligible for a grant.

Anne Henning, Senior Planner, explained the proposed changes.

Mrs. Heimark suggested that the new GTA transportation center be included. The Planning Commission had no other comments.

The regular meeting was adjourned at 8:21 p.m.

  
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Vicki Heimark, Planning Commission Chair