

MOSES LAKE PLANNING COMMISSION

Regular Meeting
January 14, 2016

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

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

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

Staff Present: City Attorney, Katherine Kenison; Senior Planner, Anne Henning; Associate Planner, Daniel Leavitt; Assistant Planner, Billie Jo Muñoz; Recording Secretary, Lori Witters

CONSENT AGENDA

Minutes: The minutes of the December 10th meeting were presented.

Lakeview Park Major Plat and Waiver Requests Findings of Fact: The Findings of Fact for the Major Plat and Waiver of the Lakeview Park Plat were presented.

Action Taken: Commissioner Hepburn moved that the consent agenda be approved, seconded by Commissioner Nofziger. Motion passed unanimously.

THE LAKES MOBILE HOME PARK - PROPOSED OFF SITE SIGN

Billie Jo Muñoz, Assistant Planner, presented the background information and photo examples; property manager, Pat Carroll is requesting to install two off site, non illuminated sign on two separate vacant lots. The mobile home park was approved under a conditional use permit in 2004, and is a conforming mobile home park. The purpose of the signs is for visibility reasons and located on two different lots on Wheeler Road. The mobile home is located approximately two blocks off of Wheeler Road, on Hamilton Road, and not easily located by potential customers. The proposed sites are currently without power or water, and the proponent is requesting a deferral of the landscaping requirements, until the sites would be developed. A verbal approval has been given by the site owner for the proposed sign installation, and would be formalized in writing upon Commission's approval.

Commissioner Hepburn asked for clarification from staff regarding Moses Lake Municipal Code 18.57 specifically, off-site signs and exception for the proposed signs. Senior Planner, Henning read the provision in City Code for directional sign in which the application complies. Commissioner Hepburn was satisfied with the clarification from staff.

Discussion between the commissioner raised question on the type of sign proposed, the construction type and landscaping challenges. The proponent was not in attendance to address the Commissioner concerns. It was decided to table the matter, until these items would be addressed.

Action Taken: Commissioner Lengenfelder moved to table the matter until the requested information would be provided, seconded by Commissioner Adams. Motion passed unanimously.

LAKE VALLEY BAPTIST CHURCH - BUILDING SIGN

Chair Heimark discusses with the Commissioner that Commissioner Hepburn may have to recuse himself from the hearing, due to being an active member of the church. Clarification from City Attorney, Kenison confirmed that Commissioner Hepburn, would not have to recuse himself because: he attends this church voluntarily, he would remain impartial, and that he receives no monetary gain from being a member.

Daniel Leavitt, Associate Planner, presented the background information and photo examples; Lake Valley Baptist Church is located at 935 W. Valley Road in a R-1 Zone (Single Family Residential). Current zoning standard requires a conditional use permit for a church in an R-1 Zone. Constructed as a church in 1954, it remained the same to present day. History does not show that a conditional use permit was required at the time of construction in 1954. The sign is proposed to be 85 square feet and will cover approximately 8% of the north facade of the church. City Code allows up to 15%. There is an existing light at the top of the wall, with no other lighting proposed. Surrounded by single family residential to the south and east, multi-family residential uses and vacant land zoned R-3 to the north, with another church located west across Grape Drive.

Further, Planner Leavitt explained how the proposed sign does not specifically fit neatly into one particular sign category. Current code only addresses about signs for buildings in an R-3 zone which would require a conditional use permit. However, nothing is provided for R-1 or R-2. The language found in the sign chapter that fits, would be a sign for non-conforming use. Planner Leavitt states that he is using this term "non-conforming" only because of the inability to confirm the existence of a conditional use permit. Code was found back to 1956 which made it a requirement through a special permit, but nothing prior to that date. The sign does meet the requirement for size, wall coverage, and the existing lighting would not pose a nuisance to the neighboring property. Planner Leavitt asks the Commission to proceed with the action.

Action Taken: Commissioner Lengenfelder moved to approve the sign has presented, Adams seconded. Motion passed unanimously.

WINCO APPEAL FINDINGS, AND CONCLUSION

Chair Heimark called for Commission to go into executive session to review the findings and conclusion.

Chair Heimark resumed the meeting by announcing that Commissioners Schmig and Penhallurick joined the executive session for the discussion of the findings and conclusion.

Chair Heimark asked the Commission to move forward with the findings of fact, conclusion of law, final decision on the SEPA appeal, and recommended decision of appeal on the Big Bend Binding Site Plan as amended.

Action Taken: Commissioner Adams moved to approve and adopt the findings of fact, conclusion of law, final decision on the SEPA appeal, and recommended decision of appeal on the Big Bend Binding Site Plan as amended. Seconded by Commissioner Schmig. Motion passed 6-0, with Commissioner Lengenfelder abstaining.

STAFF REPORTS AND COMMENTS

Senior Planner, Henning informed the Commission the project update report was carried over from the December second meeting, which was not held. She explained the report can be found updated and posted on the City website.

Commissioner Lengenfelder asked if the Department of Ecology had provided a date to speak to the City Council. Planner Henning reported that due to staff changes with the Department of Ecology, no date had been set at this time.

Commissioner Hepburn touched on the sign code in the R-1 and R-2 zones and on vacant lots, and asked staff to bring proposed amendments in the future.

Chair Heimark adjourned the meeting at 8:06 P.M.



Vicki Heimark, Planning Commission Chair