

MOSES LAKE PLANNING COMMISSION
September 13, 2012

3501

Commissioners Present: Todd Voth, Vicki Heimark, Charles Hepburn, Steve Schield, Carly Griffith Hotvedt, Kevin Starcher, Rick Penhallurick, and Nathan Nofziger **Absent:** Todd Lengenfelder

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

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

Staff Present: Anne Henning, Billie Jo Muñoz, Daniel Leavitt, and Sue Mahaney

CONSENT AGENDA

Minutes: The minutes of the August 30 meeting were presented.

Benny's Tires - Site Plan Review - Findings of Fact: The Findings of Fact for the Site Plan for Benny's Tires at 611 Penn Street were presented.

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

CACCHIOTTI DENTAL OFFICE - SITE PLAN REVIEW - PUBLIC HEARING

Exterra LLC submitted an application for a site plan review to build a 5,138 square foot dental clinic at 961 E. Nelson Road. The site is legally described as Parcel C, Amick Addition, Lot 1, Commercial Binding Site Plan, First Amendment. The site is zoned C-2, General Commercial and Business. The Comprehensive Plan designation is Commercial.

Daniel Leavitt, Assistant Planner, explained that 14 parking spaces are required and the site plan shows 37 and 2 handicapped parking spaces. The lot fronts a private drive so no street frontage landscaping is required. The landscaping will meet the requirements.

The public hearing was opened. There were no comments.

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

Action Taken: Mr. Schield moved that the site plan be approved with the following conditions:

- A. The comments of the Development Engineer, Assistant Fire Chief and Stormwater Program Manager shall be addressed.
- B. The building, when constructed, appears essentially as presented.
- C. The parking lot landscaping deficiencies will be addressed with the building permit and will meet the requirements of MLMC 18.57, Landscaping.

seconded by Mr. Nofziger, and passed unanimously.

COMPREHENSIVE PLAN UPDATE - CAPITAL FACILITIES ELEMENT - SCHOOLS

Anne Henning, Senior Planner, presented the proposed updates to the Schools section of the Capital Facilities Element of the Comprehensive Plan and mentioned that the updated information from the School District has been incorporated.

No changes were made by the Commission.

COMPREHENSIVE PLAN UPDATE - TRANSPORTATION ELEMENT

Anne Henning, Senior Planner, presented the proposed updates to sections 4 through 6 of the Transportation Element of the Comprehensive Plan.

There was some discussion but no changes were made.

COMPREHENSIVE PLAN - PARKS

Ms. Hotvedt stated that she proposed a dog park to the Parks and Recreation Commission and they recommended it on to the Council so she suggested it might need to be included in the Comprehensive Plan. The location is proposed to be in the Basin Homes area on property owned by the City.

There was some discussion and it was the consensus of the Commission that a dog park be added to the Comprehensive Plan.

Anne Henning, Senior Planner, pointed out that in the Capital Facilities element, Parks Goal 9 states that the city will develop a high quality diversified recreation system that provides for all age and interest groups, and a policy about dog parks could be included in that section.

The regular meeting was adjourned at 7:30 p.m.



Todd Voth, Planning Commission Chairman

BEFORE THE PLANNING COMMISSION OF THE
CITY OF MOSES LAKE, WASHINGTON

IN THE MATTER OF THE BENNY'S TIRES SITE
PLAN REVIEW

FINDINGS OF FACT, CONCLUSIONS, AND
DECISION

1. HEARING BEFORE THE PLANNING COMMISSION.

- 1.1 Date. A public hearing was held upon proper notice before the Commission on August 30, 2012.
- 1.2 Proponent. Benito Lopez is the proponent of this project.
- 1.3 Purpose. The proponent has requested a site plan review for a new 2,400 square foot tire store and service bay. The property is described as Lot 3, Commercial Plat. The address is 611 Penn Street.
- 1.4 Evidence. The Commission considered the following materials in reaching its decision:
 - A. The application of the proponent for a site plan review.
 - B. Staff report and attachments.
 - C. Testimony from Billie Jo Muñoz, staff; Robert Lopez, representing the proponent.

2. FINDINGS OF FACT BY THE PLANNING COMMISSION.

Based upon the evidence presented to them, the Commission makes the following findings of fact:

- 2.1 The property is currently zoned C-2 General Commercial and Business, which corresponds to the Comprehensive Plan designation of General Commercial. A tire store is outright permitted in the C-2 Zone.
- 2.2 The project site is approximately .51 acres. The property is currently vacant. Any new development must meet current standards and regulations.
- 2.3 Nearby uses are public transportation services, and commercial services.
- 2.4 The site fronts on Penn Street. There will be two entrances to access the site: one on Penn Street and one on Block Street. Both North Block Street and Penn Street are unimproved gravel roads without curb/gutter, sidewalks, or asphalt. On June 12, 2012, the City Council deferred the requirement to improve these streets.
- 2.5 City water and sewer are available to serve the site.
- 2.6 Assistant Fire Chief Bastian commented on the height of the existing storage building and the workshop area in the new building and how the ceilings are constructed. He also commented on the cubic foot requirement that will trigger fire sprinkler system.
- 2.7 Building Official Kevin Myre commented on onsite storm water and how it needs to be maintained onsite, the existing storage building and requirements to make it comply with the current codes. He commented that the main entrance of the building and the shower need to comply with ADA regulations. He also commented on other items that will need to be submitted at the time of the building application.
- 2.8 Development Engineer Russell Brown commented on the location, address, and zone. He

reported that both Block and Penn Street are unimproved streets. Mr. Brown also discussed the location of the water and sewer services. He reported that there may be issues with the water service installation due to a storm pipe in Penn Street.

- 2.9 Vic Jansen, a neighboring land owner, commented that he was in support of this project.
- 2.10 The site plan meets the requirements of the C-2 Zone. A pedestrian access is not shown on the site plan. If the site is paved, the pedestrian connection requirement will need to be met. If the proponent does choose to pave, the pedestrian connection and parking stalls will need to be installed, and meet the intent of the Moses Lake Municipal Code. Building height and setback requirements are met.
- 2.11 The parking lot landscaping requirement has not been met. There is 260 square feet of landscaping within the parking lot required. They have approximately 80 square feet of parking lot landscaping.
- 2.12 **MLMC 18.54.050 Improvements of Parking Lots**, states any adjacent to an existing paved street, shall be improved. This site is not adjacent to a paved street. Both Penn Street and Block Street are unimproved. The hard surfacing requirement does not apply to this project. If the proponent does choose to pave, the pedestrian connection and parking stalls will need to be installed, and meet the intent of the Moses Lake Municipal Code. If the proponent chooses not to pave the ADA accessible parking stall will need to be installed with an approved surface.
- 2.13 Applicable Comprehensive Plan Goals and Policies:
- A. General Land Use Policy 4: Infill developments that are scaled and designed to fit their surroundings are encouraged on properties suited to urban development.
 - B. Commercial Land Use Policy 37: Commercial areas outside the central business district shall complement downtown and help meet community needs.
 - C. Commercial Land Use Policy 38: Strips of commercial uses shall be avoided. Commercial areas of all types should be compact and allow for walking between businesses.
 - D. Commercial Land Use Policy 39: New commercial development should be encouraged to locate within existing commercial areas in order to enhance the area's economic vitality.
 - E. Community Image and Design Goal Policy 16: A high quality of design for private developments and buildings will be encouraged.

Policy 99: Promote excellence in site planning, architecture, and the design of landscaping, lighting, and signage in all commercial and residential development.

3. CONCLUSIONS: From the foregoing findings of fact the Commission makes the following conclusions:

- 3.1 The requirements of MLMC 20.90.020 are met:
- A. **Consistency with Comprehensive Plan:** The proposed site plan is consistent with Comprehensive Plan Goals and Policies: It infills a vacant site within an existing commercial area (Policies 4 and 39), it will complement downtown and help meet community needs as specified in Policy 37. The site design does not provide for

walking between businesses as specified in Policy 38, since the streets are unimproved at this time.

- B. **Requirements and Intent of Municipal Code:** With conditions to address fire codes, building comments, engineering comments, hard surface parking and the pedestrian connection, and landscaping, the project will meet the requirements of the Municipal Code.
- C. **Impacts:** No adverse impacts have been identified under MLMC Titles 14 through 19 that will not be mitigated by existing regulations.
- D. **Public health, safety, welfare, and interest:** The proposed use of the site is beneficial to the public health, safety, and welfare, and is in the public interest because it provides useful commercial services to the public.
- E. **Level of service:** The development will not generate enough traffic to lower the level of service of transportation facilities below the minimum standards established within the Comprehensive Plan.

4. **DECISION OF THE PLANNING COMMISSION:** On the basis of the foregoing findings of fact and conclusions, it is the decision of the Planning Commission of the City of Moses Lake that:

- 4.1 The request for site plan review for a new 2,400 square foot tire store and service bay, be approved with the following conditions:
 - A. The comments of the Assistant Fire Chief, Development Engineer, and Building Official shall be addressed.
 - B. A landscape plan shall be submitted per 18.57.060 Submittal Requirements. The requirements of MLMC 18.57, parking lot landscaping, shall be met, unless the Planning Commission approves an alternate landscape plan.
 - C. If the site is improved with an approved hard surface, the pedestrian connection and parking stalls will need to meet the Moses Lake Municipal Code.
 - D. The building, as constructed, shall appear essentially as presented to the Planning Commission.

Approved by the Planning Commission on September 13, 2012.



Todd Voth, Planning Commission Chairperson