

MOSES LAKE PLANNING COMMISSION
August 29, 2013

3520

Commissioners Present: Todd Voth, Todd Lengenfelder, Vicki Heimark, Charles Hepburn, David Eck, Rick Penhallurick, and Kevin Starcher, Absent: Steve Schield

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

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

Staff Present: Gilbert Alvarado, Billie Jo Muñoz, and Sue Mahaney

CONSENT AGENDA

Minutes: The minutes of the August 15 meeting were presented.

Polo Ridge #2 Preliminary Major Plat - Findings of Fact: The Findings of Fact for the Polo Ridge #2 Preliminary Major Plat were presented.

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

SHADY NOOK MOBILE HOME PARK - NON-CONFORMING USE REVIEW

The Shady Nook Mobile Home Park, located at 301 E. Seventh Avenue on Tax #478, is a non-conforming use that was declared a legal non-conforming use on August 1993 as it was not a permitted nor a conditional use since it did not conform to the requirements of Chapter 18.65, Manufactured Home Parks. The property is currently bisected by the R-3, Multi-family and C-2, General Commercial Zones. The park contains approximately twenty-one (21) units, some are older manufactured homes.

Billie Jo Muñoz, Assistant Planner, stated that the staff inspection found three violations, none of which were code violations. All the violations have been corrected.

Action Taken: Mr. Eck moved that the non-conforming use be continued with the following conditions:

1. The owner will ensure that all necessary emergency egresses and exits will be maintained. All exterior steps, landings, and utilities will be maintained and any repairs will be to current code.

2. The non-conforming use shall be continued for twenty-four months.

seconded by Mr. Starcher, and passed unanimously.

LIL CHIEFS CHILDCARE - CONDITIONAL USE PERMIT - RECONSIDERATION - PARKING

In February 2013, the Planning Commission approved a conditional use permit for April Cisnerso, on behalf of Lil Chiefs Childcare, to convert an existing single family residence to a childcare facility in the R-3 Multi-Family Residential Zone at 976 Juniper Drive. After the approval of the conditional use permit, it was determined that the condition to provide additional on-site parking could not be met. Ms. Cisnerso submitted a letter of reconsideration of the parking conditions placed on the business by the Planning Commission.

Mr. Nofziger declared a conflict of interest as he has performed a traffic study on this property and exited the room.

Billie Jo Muñoz, Assistant Planner, stated that all the conditions have been met except for the requirement to provide 6 off-site parking spaces. In order to provide the off-street parking spaces, a larger curb cut was needed which required a variance to the Community Standards. A variance to the Community Standards requires Council approval. Council did not approve the variance request. She mentioned that the Community Development Director can determine the amount of parking spaces required if a use is not specifically spelled out in the parking ordinance, which a childcare facility is not. The Community Development Director did not want to make a determination on the number of parking spaces since the Commission had already indicated that six would be needed.

There was considerable discussion on the parking issue and it was pointed out that because of the nature of the business, cars would not be parking any length of time. People will simply be dropping off and picking up the children attending the day care.

Ms. Cisnerso stated that she has been working on this home for about 11 months and there should be between 45 and 49 children attending the day care. The day care will be open from 6:30 a.m. to 7 p.m. and the main drop off times are between 8 a.m. and 9 a.m. and pick up is mainly between 5 p.m. and 6 p.m. She mentioned that the staff either walk or park in another area. Staff includes 6 in the existing day care and 4 in the proposed day care.

Action Taken: Mr. Penhallurick moved that 3 off-street spaces be allowed, seconded by Mr. Hepburn, and passed unanimously.

RECREATIONAL MARIJUANA

Gilbert Alvarado, Community Development Director, stated that the Liquor Control Board has until December 1, 2013 to adopt the rules regulating the use of marijuana. He pointed out that the City will be receiving applications for location to produce and sell marijuana and the City cannot prohibit these activities. There are certain requirements that would limit the location of retailer that sell marijuana such as they must be a 1,000' from schools, parks, recreation facilities, arcades, etc. Basically the location must be 1,000' from any place that underage children may congregate. The City is developing a map showing the 1,000' radius from any parks, schools, etc.

There was considerable discussion and it was pointed out that the City needs to establish zoning regulations for the sale of marijuana.

SHORELINE MASTER PROGRAM

Gilbert Alvarado, Community Development Director, stated that the shoreline cumulative impact analysis has been completed by the consultant and the results will be placed on the September 26 meeting.

There was considerable discussion and the consensus was for staff to arrange an open house for the public to discuss the proposed Shoreline Master Plan prior to the Commission making a recommendation to the Council. It was decided to arrange a working lunch with the consultant for those Commissioners who wish to attend so that the consultant can answer any question the Commissioners may have prior to the open house. The Commissioners were requested to provide to staff those issues they wished to discuss with the consultant. The open house will be scheduled for the same day as the working session with the consultant as the consultant will be attending that meeting.

The Planning Commission will then consider the proposed Shoreline Master Plan and make a recommendation to the Council. The Council will hold a public hearing and make a decision on the Shoreline Maser Plan and forward it to the Department of Ecology.

Mr. Alvarado stated that all shoreline property owners will be notified in writing of the open house and the public hearing before the Council.

The regular meeting was adjourned at 8:30 p.m.



Todd Voth, Planning Commission Chairman