

City of Selah
Planning Commission Minutes
of
April 16, 2013

Selah Council Chambers
115 W. Naches Ave.
Selah, Washington 98942

A. Call to Order

The meeting was called to order by Chairman Roberts at 6:00 p.m.

B. Roll Call:

Members Present:	Commissioners Roberts, Smith, Quinnell, and Pendleton
Members Absent:	None
Staff Present:	Dennis Davison, Community Planner; Diana Turner, Secretary
Guests:	Shane Backlund, Brent Harding, Carl Torkelson, Gary Wetch, and Gerald Moss.

C. Agenda Change None

D. Communications

1. Oral -None.

2. Written – None

E. Approval of Minutes

Chairman Roberts called for a motion on the minutes of the Planning Commission meeting of March 19, 2013.

Commissioner Smith moved to approve the minutes, Chairman Quinnell seconded. Minutes were approved with voice vote 4/0.

F. Public Hearing

1. Old Business None

2. New Business

a. **SELAH SCHOOL DISTRICT #119 – NEW MIDDLE SCHOOL (FILE 928.66.13-01)**

Chairman Roberts opened the public hearing and asked staff to present their report.

Mr. Davison presented the staff report.

FILE NO.: 928.66.13-01

PROPOSAL: Authorize construction of a new 115,200± square foot Selah School District Middle School containing forty-one (41) classrooms, band/choir and library area. The structure also includes main gym, multi-purpose gym and student commons. Also included is a student drop-off location separated from faculty and visitor parking.

PROPONENT / PROPERTY OWNER: Selah School District # 119

LOCATION: The 32± acre site is located at 411 North First Street---More specifically located to the rear (east) of the existing Junior High School which will be demolished after occupancy of the new Middle School.

ON-SITE LAND USE: The site contains the existing Junior High School, standalone gymnasium, athletic fields, employee and event parking.

SURROUNDING LAND USE:

North: Carlon Park, Peace Lutheran Church and single family and duplex residences.
South: Selah School District # 119 bus barn, single family and duplex residences and Church of the Nazarene.
East: Commercial development including, but not limited to, Helms Hardware, Les Schwab Tires, and Selah Square Apartments.
West: John Campbell Elementary School, single family and duplex residences

EXISTING ZONING:

Site: One-Family Residential (R-1).
North: One-Family Residential (R-1) and Multiple-Family Residential (R-3).
South: Two-Family Residential (R-2).
East: General Business (B-2).
West: One-Family Residential (R-1)

Selah Urban Growth Area Comprehensive Plan: The site and properties to the North are designated Public / Semi-Public, properties to the East are designated Commercial and properties to the South and West are designated a combination of Low and High Density Residential on the 'Future Land Use Map'.

Selah School District # 119, was the lead agency for this proposal under the State Environmental Policy Act (SEPA) and issued a Final Mitigated Determination of Non-Significance as authorized under WAC 197-11-335 on October 18, 2012.

APPLICATION AUTHORITY: Selah Municipal Code, Chapter 10.06.020(3) Class 3 Uses.

UTILITIES: All utilities are available at the site.

RECOMMENDATION: Approval of the new middle school subject to the following conditions: (Conditions 2 through 6 are requirements of SEPA mitigation)

- (1) The facilities shall be constructed in substantial compliance with the information submitted in the Class 3 Use permit application.
- (2) Dedicate sufficient right-of-way along the East side of Wernex Loop, from the existing Junior High School parking lot entrance northerly to North First Street, to the extent the District owns the property adjacent to Wernex Loop, to accommodate a minimum five (5) foot wide sidewalk. The District must partner with the City to participate 50% - 50% on the cost of sidewalk construction and/or partner together on grant applications where this 50% - 50% participation would apply to any required money match.
- (3) Sufficient right-of-way, along the South side of Wernex Loop, shall be dedicated from North First Street to the existing Junior High School parking lot entrance, to accommodate a minimum five (5) foot wide sidewalk. The District must partner with the City to participate 50% - 50% on the cost of sidewalk construction and/or partner together on grant applications where this 50% - 50% participation would apply to any required money match.
- (4) The new Middle School access drive (located North of the John Campbell faculty parking lot), from the school bus drop-off connecting to North First Street, shall be a "RIGHT TURN OUT ONLY" This road approach shall be clearly signed and maintained as a "right turn-out only:
- (5) The current signalization for ingress and -egress to the John Campbell faculty parking lot (located

at the southwest corner of the Middle School site) must be modified to accommodate both vehicular and pedestrian traffic. The modifications shall be designed and constructed by the School District to accommodate such items as: adding traffic light heads to regulate existing vehicles from the John Campbell parking lot, reposition of the traffic stop bars to provide additional driver vision at the existing traffic lights, adding a southbound left turn lane into the John Campbell parking lot or other reasonable improvements necessary to accommodate vehicular and pedestrian traffic at this location.

The modifications to this vehicle and pedestrian ingress-egress point will be designed by the School District and submitted to the City of Selah for review and approval. All design and construction costs associated with the modifications are the sole responsibility of the School District.

- (6) The baseball field located in the southeast quadrant of the Middle School site plan and which hits toward State Route 823 must be removed or relocated on the property, or, if not removed or relocated, a screen must be installed to prevent balls from entering State Route 823 right-of-way. The School District shall work cooperatively with the Washington State Department of Transportation to determine an appropriate screen height.
- (7) The location, design and construction of the 'temporary construction entrance' are subject to the approval of the Director of Public Works.
- (8) Construction noise emanating from the construction site shall not comment prior to 7:00 a.m. or extend past 7:00 p.m. local time.

Chairman Roberts called for comments from the applicant.

Mr. Brent Harding, architect for the school, presented his report. He thanked Mr. Davison for his report and stated that Staff's report presented the application well, but that he would entertain any questions from the Commission to help clarify any point they would like. The project will start in the back of the site with the demolition of one building at the back of the school. The project will take about 16 months to complete and will be done in phases. The gymnasium will be demolished as it is cost prohibited to try to remodel verses construct new. He explained the different phases and when they will be done. He explained the traffic flow through the parking lot.

Commissioner Pendleton asked if the parking lot would stay the same size.

Mr. Harding stated yes, but setup so the busses and the cars would flow better. He explained the new traffic control light and flow of the traffic.

Commissioner Quinnell asked how they would accomplish that.

Mr. Davison stated that there would be only right hand turns onto the street.

Mr. Davison asked how many entrances into the new school for safety and security reasons.

Mr. Harding stated there would be 6 primary corridors with some other doors from the gym. All doors will be locked from the outside to force visitors through the main entrance.

Commissioner Smith asked if the Fire Department would have access to the building at all doors.

Mr. Harding stated the Fire Departments usually gain access through the main doors, but there will be Knox boxes at other doors for them.

Commissioner Quinnell asked when the busses have dropped off the kids and leaving the school they can only turn right where do they go from there.

Mr. Harding stated they go to the High School.

Mr. Welch explained the route of the busses that they drop off kids at the Junior High then go to the High School.

Chairman Roberts called for any more questions. Hearing none he read the Findings and Decision.

CLASS 3 USE FINDINGS AND DECISION
(File No.: 928.66.13-01)

This matter having come for public hearing before the City of Selah Planning Commission on April 16, 2013, for the purpose of considering a Class 3 Use permit application from Selah School District # 119 to construct a 115,200± square foot Middle School at 411 North First Street in the Single Family Residential (R-1) Zone under Selah Municipal Code, Chapter 10.28, Table 10.28A-1.

The members of the Commission present were Pendelton, Quinnell, Roberts and Smith.

Legal notification pursuant to Selah Municipal Code was given on the 29th day of March, 2013. All persons present were given the opportunity to speak for or against the proposed Class 3 Use permit.

LAND USE FINDINGS

1. The Commission adopts the staff findings and report as to the existing use, zoning and optimal land use designation of the subject and adjacent property.
2. The proposal is compatible with the use of adjacent land.
3. The proposal is compatible with the zoning of adjacent land.
4. The proposal is compatible with the optimal land use designation contained in the City's comprehensive land use plan.

PUBLIC OPINION

5. No one expressed disapproval of the proposal.
6. No one spoke in opposition of the proposal.

SPECIFIC FINDINGS APPLICABLE TO CLASS 3 USES

7. The proposal will or will not, as indicated below, further the following criteria contained in the City of Selah Zoning Ordinance, Chapter 10.28.
 - A. The proposal will comply with the requirements of the underlying zoning district.
 - B. The proposal will be served by existing public facilities such as streets, fire protection, water, storm and sanitary sewers, and other essential utilities.
 - C. The proposal will further, will be in keeping with, and is consistent with the objectives of the comprehensive plan.
 - D. The effect of the proposal on the immediate vicinity will not be materially detrimental.
 - E. There is merit and value in the proposal for the community as a whole.

- F. Sufficient consideration has been exercised by the applicant in adapting the proposal to the existing environment.

CONCLUSIONS

Based upon consideration of the above factors and the specific findings applicable to Class 3 Uses the proposal IS consistent with the criteria, purpose and intent of the zoning ordinance.

ENVIRONMENTAL REVIEW

8. State mandated Environmental Review was completed by the Selah School District, a Final Mitigated Determination of Nonsignificance (FMDNS) issued, and the mitigation measures are incorporated in the City's Recommendation of Approval.

OTHER SIGNIFICANT FACTORS

9. The Commission finds no additional significant factor concerning the proposed Class 3 Use permit:

CONCLUSIONS

Based upon consideration of the above factors and the specific findings applicable to Class 3 Uses the proposal is consistent with the criteria, purpose and intent of the zoning ordinance.

CONTROLLING FACTORS

The Commission determines that findings numbered 1 through 8 to be the controlling factors in its deliberations on the proposal.

DECISION

The Commission, based on these findings, conclusions and controlling factors finds that the proposal IS in furtherance of the public health, safety or a contribution either to the general welfare of the people in the area or at large; therefore, the conditional use permit should be approved with the following conditions:

(Conditions 2 through 6 are requirements of SEPA mitigation)

- (1) The facilities shall be constructed in substantial compliance with the information submitted in the Class 3 Use permit application.
- (2) Dedicate sufficient right-of-way along the East side of Wernex Loop, from the existing Junior High School parking lot entrance northerly to North First Street, to the extent the District owns the property adjacent to Wernex Loop, to accommodate a minimum five (5) foot wide sidewalk. The District must partner with the City to participate 50% - 50% on the cost of sidewalk construction and/or partner together on grant applications where this 50% - 50% participation would apply to any required money match.
- (3) Sufficient right-of-way, along the South side of Wernex Loop, shall be dedicated from North First Street to the existing Junior High School parking lot entrance, to accommodate a minimum five (5) foot wide sidewalk. The District must partner with the City to participate 50% - 50% on the cost of sidewalk construction and/or partner together on grant applications where this 50% - 50% participation would apply to any required money match.
- (4) The new Middle School access drive (located North of the John Campbell faculty parking lot), from the school bus drop-off connecting to North First Street, shall be a "RIGHT TURN OUT ONLY" This road approach shall be clearly signed and maintained as a "right turn-out only:

- (5) The current signalization for ingress and -egress to the John Campbell faculty parking lot (located at the southwest corner of the Middle School site) must be modified to accommodate both vehicular and pedestrian traffic. The modifications shall be designed and constructed by the School District to accommodate such items as: adding traffic light heads to regulate existing vehicles from the John Campbell parking lot, reposition of the traffic stop bars to provide additional driver vision at the existing traffic lights, adding a southbound left turn lane into the John Campbell parking lot or other reasonable improvements necessary to accommodate vehicular and pedestrian traffic at this location.

The modifications to this vehicle and pedestrian ingress-egress point will be designed by the School District and submitted to the City of Selah for review and approval. All design and construction costs associated with the modifications are the sole responsibility of the School District.

- (6) The baseball field located in the southeast quadrant of the Middle School site plan and which hits toward State Route 823 must be removed or relocated on the property, or, if not removed or relocated, a screen must be installed to prevent balls from entering State Route 823 right-of-way. The School District shall work cooperatively with the Washington State Department of Transportation to determine an appropriate screen height.
- (7) The location, design and construction of the 'temporary construction entrance' are subject to the approval of the Director of Public Works.
- (8) Construction noise emanating from the construction site shall not comment prior to 7:00 a.m. or extend past 7:00 p.m. local time.

Motion to approve with conditions by: Pendleton; Seconded by: Smith. Vote: 4 to 0

Mr. Davison called for a 5 minute break before the next item.

b. MOSS REAR YARD SETBACK VARIANCE (FILE 915.79.13-01)

Chairman Roberts opened the public hearing and asked staff to present their report.

Mr. Davison presented the staff report.

FILE NO.: 915.79.2013-01

PROPOSAL: Reduce required rear yard setback from twenty (20) feet to fifteen (15) feet

PROPONENT: Gerald Moss

LOCATION: 607 South Third Street

PROPOSAL: Construct a triplex residence in the Two-Family Residential (R-2) Zone. The requested variance would permit the triplex to be constructed fifteen (15) feet from the East (Rear) property line and the structure would face south. Once constructed the triplex would meet all other required setbacks.

HISTORY: The present ½ acre lot configuration (73 ft. by 334ft.) was created many years ago (1937) through a subdivision named "South Selah Acres Tracts". These original lots have been continuously re-divided into small parcels as shown on the vicinity map.

ADJACENT ZONING: The site and adjacent parcels to the North, South and West are zoned Two-Family Residential (R-2). To the East is zoned General Business (B-2).

ADJACENT LAND USE: The site contains a single family residence located near So. 3rd St.

North: single-family residences
South: duplexes
East: commercial use (i.e., Bill Harris Used Cars)
West: single-family residences and duplexes

2005 Selah-Urban Growth Area Comprehensive Land Use Plan: The site and adjacent parcels to the North, South and West are designated Moderate Density Residential (up to twelve dwelling units per acre) while property to the East is designated Commercial.

VARIANCE APPLICATION AUTHORITY: Selah Municipal Code, Chapter 10.30.030 provides that the Planning Commission may authorize a variance from the terms of the Subdivision Ordinance as will not be contrary to the public interest and the comprehensive plan. A variance shall not be granted unless the Commission makes findings that the applicant has expressly demonstrated the following:

- (a) That special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, do exist; and,
- (b) That because of such special circumstances, strict application of this title would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity under identical zoning district classification; and,
- (c) That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zoning district classification in which the property is situated; and,
- (d) That the special circumstances do not result from the actions of the applicant; and,
- (e) That the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and,
- (f) That the granting of a variance will be in harmony with the general purpose and intent of this title, the specific zoning district and the comprehensive plan; and,
- (g) That the administrative adjustment or administrative modification provisions of this chapter were either not applicable or were insufficient to provide the relief sought from the standards of this title.

- The Commission may recommend approve or denial of a variance application and may impose conditions of approval.
- The Commission shall not grant a variance to allow a use not permissible under the terms of this title in the zoning district involved, or any use expressly or by implication prohibited in the zoning district by the terms of this title. (*Use is a not an issue*)
- The Commission shall not grant a variance to allow a density exceeding the land use designation contained in the Selah Urban Growth Area Comprehensive Plan, Future Land Use Map. (*Density is not an issue*)

UTILITIES: All public/private utilities are available or will be provided to the triplex.

TRANSPORTATION: The site abuts South Third Street, a local access street, along the West lot line.

OTHER FINDINGS:

1) Utilizing the proposed configuration would maximize the utilization of the lot and provide for in fill development on these ½ acre lots.

ANAYLSIS: The purpose and intent of required setbacks is to maintain light, air and open space between structures. In this instance a reduced rear yard setback is a trade-off to providing an emergency vehicle turn-a-round.

Balancing the proposed rear yard setback (15 ft.) against the benefit of having an emergency vehicle turn-a-round would appear to benefit both the residents and the community as a whole.

RECOMMENDATION: Approval of the rear yard variance subject to the following minimum structure setbacks:

- North property line - Minimum eight (8) foot setback
- South property line - Minimum twenty-one (21) foot setback
- East property line - Minimum fifteen (15) foot setback
- West property line - Minimum twenty (20) foot setback

Chairman Roberts asked what the original intent of the 20' setback.

Mr. Davison stated the original was to keep houses and apartments separate from each other so they do not have fire going from one building to another building.

Chairman Roberts opened the public hearing for comments from the audience.

Mr. Torkelson Mr. Moss's contractor, stated he was here to answer questions for the applicant. The plans were set when he found out that the Fire Department wanted the separation from the home and the triplex.

Commissioner Quinnell noticed that the only people in the audience tonight were the applicants and their representatives. He asked Mr. Davison if anyone had called the office to voice an opinion.

Mr. Davison stated that he did not receive a single call on both projects.

VARIANCE APPLICATION FINDINGS AND DECISION (File No.: 915.79.2013-01)(April 16th 2013)

This matter having come for public hearing before the City of Selah Planning Commission on April 16th 2013 for the purpose of considering an application from Gerald Moss for a rear yard setback variance to reduce the required rear yard setback from twenty (20) feet to fifteen (15) feet located at 607 South Third Street in the Two-Family Residential Zone (R-2) under Selah Code, Chapter 10.08.090 (Table 8-3).

Members of the Commission present were Pendleton, Quinnell, Roberts and Smith.

Legal notification pursuant to Selah Municipal Code was given on the 7th day of April, 2013. All persons present were given the opportunity to speak for or against the proposed variance.

LAND USE FINDINGS

1. The Commission adopts the staff findings and report as to the existing use, zoning and optimal land use designation of the subject and adjacent property.
2. The proposed variance is compatible with the use of adjacent land.
3. The proposed variance is compatible with the zoning of adjacent land.
4. The proposed variance is compatible with the optimal land use designation contained in the City's comprehensive land use plan.

PUBLIC OPINION

5. The owners of adjacent lands expressed neither approval or disapproval of the proposed variance.

There were no persons offering comments were in favor of against the proposed variance.

SPECIFIC FINDINGS APPLICABLE TO A VARIANCE

7. The proposed variance will or will not, as indicated below, meet the criteria contained in the City of Selah Zoning Ordinance, Chapter 10.30.030.

CRITERIA	YES	NO	N/A
a. The property was acquired in good faith.	_X_	_____	_____
b. By reason of irregular shape or existing topographic conditions or other peculiar or exceptional conditions the strict application of the ordinance would result in a real and unnecessary hardship. (emergency vehicle turn-around results in a real hardship)	_X_	_____	_____
c. The variance will not be detrimental to adjacent property.	_X_	_____	_____
d. The variance will alleviate a hardship that approaches confiscation of the property.	_X_	_____	_____

ENVIRONMENTAL REVIEW

8. The proposal is categorically exempt from environmental review per Selah Code, Chapter 11.40.

CONCLUSIONS

Based upon consideration of the above factors and the specific criteria applicable to a variance the proposal is consistent with the criteria, purpose and intent of the zoning ordinance.

CONTROLLING FACTORS

The Commission determines that findings 1 through 8 to be the controlling factors in its deliberations on the proposed variance.

DECISION

The Commission based on the findings, conclusions and controlling factors finds that the proposal **IS** in furtherance of the public health, safety or a contribution either to the general welfare of the people in the area or at large; therefore, the variance should be approved with the following conditions

The required setbacks shall be as follows:

- North property line - Minimum eight (8) foot setback.
- South property line - Minimum twenty-one (21) foot setback
- East property line - Minimum fifteen (15) foot setback
- West property line - Minimum twenty (20) foot setback

Motion to approve by: Smith

Seconded by Pendleton

Vote: 4 to 0

G: General Business

1. Old Business - None

2. New Business - None

H. Reports/Announcements

1. Chairman - None

2. Commissioners - None

3. Staff - filled the Commission in on all the projects that are going on in the City.

I. Adjournment

Chairman Roberts called for a motion to adjourn. Commissioner Smith moved to adjourn and Commissioner Pendleton seconded the motion. The meeting was adjourned at 7:00 pm.



Chairman