

City of Selah
Planning Commission Minutes
of
February 21 2012

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

A. Call to Order

The meeting was called to order to by Chairman Roberts at 6:01 p.m.

B. Roll Call:

Members Present: Commissioners Roberts, Smith, Torkelson Pendleton and Quinnell.
Members Absent: Commissioner
Staff Present: Mayor John Gawlik, Bob Noe, City Attorney; Dennis Davison, Community
Planner; Diana Turner, Secretary
Guests: Dave Van Alstine; Mr. & Mrs Roger Urbaniak,

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 December 6, 2011.

Commissioner Quinnell moved to approve the minutes, Commissioner Torkelson seconded. Minutes were approved with voice vote 5/0.

F. Public Hearing

1. Old Business None

2. New Business

a. **VAN ALSTINE PLANNED DEVELOPMENT REZONE 914.64.12-02**

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

Mr. Davison presenting the staff report.

FILE NO.: 914.62.12-02—Van Alstine—Planned Development Rezone

The proponent is David Van Alstine. The application authority is Selah Municipal Code, Chapter 10.40 (zoning amendments). The location is 9 and 11 Wenas Avenue.

The proposal is to rezone approximately 0.3085 acre (13,442 sq. ft.) from General Business (B-2) to Planned Development (PD).

Renderings and photographs of the architectural styles of the structures are included in the applicant's development plan.

Private community open space appears adequate to serve the residential development.

All residences will be served by a paved private interior drive. The private interior drive is constructed without curb or gutter.

Storm drainage is to be retained on site.

The residences will be served by private interior lines connected to a municipal line located in Wenas Road.

The residences will be served by private interior lines connected to an existing municipal line located in Wenas Road.

Fire Hydrants are located at intersections of East Naches and Wenas Road and East Orchard and Wenas Road.

Covenants: None. The property owner will assume responsibility for maintenance of the community open space, private drives and parking lot, utilities and drainage facilities.

A Determination of Nonsignificance (DNS), adopting a previously finalized Determination of Nonsignificance was issued by the SEPA Official for the proposed rezone. The SEPA Official determined the Finalized DNS as being appropriate for the proposed project. The SEPA Official concluded that the proposal would not have probable significant adverse environmental impacts which are not mitigated.

Land Use and Zoning: The property contains a duplex. The property is zoned General Business (B-2).

Adjacent lands to the North and East are zoned Industrial (M-1) Lands to the South and to the West, located across Wenas Avenue, are zoned General Business (B-2).

SURROUNDING LAND USE:

North A four-plex and then Larson Fruit.
South A Real Estate agency, residences and other commercial businesses.
East Fruit packer Larson Fruit.
West Farmers Insurance.
Northwest Residences.

The City's comprehensive plan establishes High Density Residential use at Page 35. The site of the proposal was recently designated High Density Residential by the City Council on December 27, 2011. This designation provides for a maximum density of twenty-four (24) dwelling units per acre.

The proposed density is 7.4 dwellings per gross acre which is well below the maximum density set forth in the high density designation.

TRANSPORTATION:

Wenas Avenue—Principal Arterial—Sixty (60) foot pavement width, variable right-of-way width, curb/gutter, sidewalks and street illumination. A traffic control signal is located both North and South of the development site.

OTHER FINDINGS:

(1) Purpose statement of the Planned Development Zone contained within the Selah Municipal Code:

10.24.010 Purpose. A planned development zone approved in accordance with this chapter shall be a separate zoning district. Regardless of underlying zoning requirements, planned development zone may permit all proposed uses and developments that can be shown to be in conformance with the policies of the comprehensive plan. A planned development zone may be permitted at any location subject to the provisions of this chapter. Approval of a planned development zone shall modify and supersede all regulations of the underlying zoning district. An applicant may also file a subdivision or binding site plan application which, if filed, may be processed concurrently the planned development zone application.

The purpose of this chapter, providing for the establishment of a planned development zone, is to allow new development that is consistent with the comprehensive plan but that would not be readily permitted in other zoning districts due to limitations in dimensional standards, permitted uses, or accessory uses. In addition, planned development zones may:

- (1) Encourage flexibility in design and development that are architecturally and environmentally innovative, that will encourage a more creative approach in the development of land, and which will result in a more efficient, aesthetic and desirable utilization of the land than is possible through strict application of standard zoning and subdivision controls; provided that subdivision controls are applicable to planned development zoning only when a planned development application is combined with a proposal to divide land into lots;
- (2) The proposal, at total built-out, will contribute approximately 40* vehicle trip ends per day. (* These figures were calculated using 10 vehicle trip ends per dwelling per day).
- (3) Sufficient municipal water supply and sewage disposal capacities are available to adequately serve the proposal.
- (4) Projected student generation from the proposal is five students.

Analysis:

The Planning Commission must apply the criteria found in SMC 10.24.060 in rendering a recommendation on a Planned Development rezone. The project must be consistent with the City's comprehensive land use plan and development regulations, specifically considering the:

- Type of proposed land use;
- The level of development and the intensity of development;
- Characteristics of the development and the standards of improvement.

The Commission's recommendation must be based on these criteria:

Substantial conformance with the Selah Urban Growth Area Comprehensive Plan
The proposals harmony with the surrounding area
System of ownership and means of development including the preservation of open space.
Adequacy of the size of the zoning district to accommodate the development

The recommendation is for approval of the Planned Development (PD) based on the following:

The proposal as presented is consistent with the 2005 City of Selah Urban Growth Area Comprehensive Plan as amended and fulfills the 'Purpose Statement' of the Planned Development Zone contained in Selah Municipal Code 10.24.010.

RECOMMENDED CONDITIONS OF APPROVAL:

1. Exterior surfaces of structures shall be as indicated in the applicant's presentation and materials submitted in the application.

Chairman Roberts called for questions from the Commissioners. Hearing none he called for comments from the audience.

Roger Urbaniak stated he was in support of the development and if it went through he might have a project for the City.

Chairman Roberts then called for comments from Mr. Van Alstine.

Dave Van Alstine stated that the lay out would look like the other duplexes. It will be very nice when completed. The ingress and egress will be the furthest from the light for safety. There will be a little green area in the back.

Commissioner Quinnell asked where each drawing was in connection to each other?

Mr. Van Alstine stated the duplex unit is will be in the back and it is far from being done.

Commissioner Torkelson asked if the new duplex have garages?

Mr. Van Alstine stated no, but he intends to put up carports.

Chairman Roberts asked if the Findings should be read now?

Commissioner Quinnell asked if a Planned Development needed to go before a Hearings Examiner or the Planning Commission?

Mr. Davison stated this application was tied into a Comprehensive Plan Amendment last year and the Commission denied the plan amendment, but the Council overturned that recommendation and suggested the application be reviewed as a Planned Development instead of a rezone to implement the plan amendment.

Chairman Roberts called for further questions. Hearing none Chairman Roberts read the findings and Decision.

REZONE FINDINGS OF FACT

This matter having come for public hearing before the City of Selah Planning Commission on February 21, 2012, for the purpose of considering a rezone application from David Van Alstine for the rezone of 0.3085 acre of land (13,442 sq. ft.) from General Business (B-2) to Planned Development (PD). The rezone, if approved, would authorize the subsequent construction of an additional duplex on the site.

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

Legal notification of the hearing was provided on the February 5, 2012. All persons present were given the opportunity to speak for or against the proposed rezone.

LAND USE FINDINGS

Existing Use and Zoning/Optimal Land Use

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.

Land Use Conditions

2. The Planned Development rezone is compatible with the use of adjacent land.
3. The Planned Development rezone is compatible with the zoning of adjacent land.
4. The Planned Development rezone is consistent with the land use designation identified in the 2005 City of Selah Urban Growth Area Comprehensive Plan.

COMPREHENSIVE PLAN FINDINGS

Comprehensive Plan Goals and Policies

5. The Planned Development rezone will or will not, as indicated below, further the following goals and their underlying policies of the City's comprehensive plan.

GOAL	WILL FURTHER	WILL NOT FURTHER	N/A
a. Promote orderly growth	XXX		
b. Avoid incompatible land uses	XXX		
c. Encourage the provision of housing to meet the needs of all segments of the community	XXX		
d. Preserve natural resources			XXX
e. Protect against flooding and drainage problems	XXX		

- f. Maintain and improve air and water quality XXX
- g. Maintain an efficient transportation system XXX
- h. Provide efficient and effective public services at the lowest possible cost XXX

Comprehensive Plan Conclusions

- 6. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the Planned Development rezone is consistent with the goals and policies of the comprehensive plan.

CHANGED CIRCUMSTANCES

- 7. The Commission finds the following change in circumstances which tends to justify the rezone to have occurred since the most recent zoning of the subject property:
 - a. Adoption of the December 2011 amendment to the 2005 City of Selah Urban Growth Area Comprehensive Plan occurring subsequent to the most recent zoning of the property designating the property High Density Residential and the proposal is consistent with the current planning document.
 - b. Other circumstances. Specify: Majority of structures on the site were previously constructed and are consistent with the High Density Residential designation.

NEED FOR THE PROPOSED REZONE

- 8. The Commission finds there is a demonstrated and/or recognized need for this land to be zoned Planned Development to implement the comprehensive plan and the public interest will be served.

PUBLIC OPINION

- 9. Owners of adjacent lands expressed neither approval nor disapproval of the proposed Planned Development rezone.
- 10. The majority of comments offered were in favor of the proposed Planned Development rezone.

ENVIRONMENTAL REVIEW

- 11. The Commission finds that environmental review has been completed on the proposal and further finds that such environmental review is adequate.

OTHER SIGNIFICANT FACTORS

- 12. The Commission finds these additional significant factors concerning this proposed rezone to be as follows:

- a. NONE.

CONCLUSIONS

Based upon consideration of the above findings the proposed rezone is consistent with the comprehensive plan and regulatory ordinances.

CONTROLLING FACTORS

The Commission determines findings numbered 1-11 to be the controlling factors in it's deliberations on the proposal.

DECISION

The Commission based upon these findings, conclusions and controlling factors finds that the rezone 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 planned development should be approved subject to:

1. Exterior surfaces of structures shall be as indicated in the applicant's presentation and materials submitted in the application.

Motion to approve by Smith, seconded by Torkelson. Vote:5-0

G: General Business

1. Old Business - None

2. New Business –

a. **MEDICAL CANABIS COMMUNITY GARDENS STUDY SESSION**

Chairman Roberts opened the study session.

Mr. Davison read the staff report and asked City Attorney Noe to present his information.

Mr. Noe presented his information

Discussion ensued.

Chairman Roberts called for a motion

Commissioner Smith moved to continue the moratorium for six (6) months, Commissioner Quinnell seconded the motion.

Chairman Roberts called for the vote 5/0.

H. Reports/Announcements

1. Chairman - None

2. Commissioners – None

3. Staff -- None

I. Adjournment

Chairman Roberts called for a motion to adjourn. Commissioner Quinnell moved to adjourn the meeting, Commissioner Torkelson seconded the motion. The meeting was adjourned the meeting at 7:05 pm.


Chairman