

City of Selah  
**Planning Commission Minutes**  
of  
January 4, 2011

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

A. Call to Order

The meeting was called to order by Chairman Munson at 6:02 p.m.

B. Roll Call:

Members Present: Commissioners Munson, Roberts, Quinnell and Torkelson.

Members Absent: Commissioner Smith

Staff Present: Dennis Davison, Community Planner; Diana Turner, Secretary

Guests: Dick Graf  
Dave Van Alstine  
Robert Van Alstine  
Jackie Matson  
Rich Goodall  
Shawn B Colligan  
Julianne Moore

C. Agenda Change None

D. Communications

1. Oral -None.

2. Written - Mr. Davison stated there were two items given to the Commissioners. One is page 2 of the findings for the first item on the agenda and the second is a on one of the applications.

E. Approval of Minutes

Chairman Munson called for a motion on the minutes of the Planning Commission meeting of November 16, 2010.

Commissioner Quinnell asked to correct the minutes for the approval of the minutes as he was absent and Commissioner Torkelson was the one that seconded the motion.

Chairman Munson so noted and moved to approve the minutes, Commissioner Torkelson seconded. Minutes were approved with voice vote 4/0.

F. Public Hearing

1. Old Business None

2. New Business

a. SELAH URBAN GROWTH AREA COMPREHENSIVE PLAN AMENDMENT 2010-4 AND OFFICIAL ZONING & AMENDMENT 914.67.10-06 (CITY OF SELAH)

Vice Chairman Roberts opened the Public Hearing for the UGA Comprehensive Plan amendment and asked staff to present their report.

Mr. Davison explained the public hearing process and presented staff's report.

The File no - UGA PLAN AMENDMENT 2010-4 CITY OF SELAH  
OFFICIAL ZONING MAP AMENDMENT 914.67.10-06

The proposal is to amend the City of Selah Urban Growth Area Comprehensive Plan by amending the Future Land Use Map re-designating thirteen (13) parcels containing 2.79± acres Commercial rather than the existing designation of Moderate Density Residential, and

Amend the official zoning map of the City of Selah reclassifying the 2.79± acres General Business (B-2) rather than Two-Family Residential (R-2).

The proponent is City of Selah.

There are nine different property owners (181436-32002, 32003, 32004, 32005, 32006, 32007, 32008, 32009, 32010, 32059, 32462, 32463 and 32464)

The location is west side of North Wenas Avenue lying between East Fremont Avenue and East Home Avenue.

LAND USE AND ZONING:

Table 1: Existing Land Use, Plan Designation and Zoning

Area	Land Use	Plan Designation	Zoning
Site	Residences	Moderate Density Residential	Two-Family Residential (R-2)
North	Residences	Moderate Density Residential	Two-Family Residential (R-2)
South	Residences	Commercial	General Business (B-2)
East	Industrial Multiple Family Residential	Industrial High Density Residential	Industrial (M-1) Multiple Family Residential (R-3)
West	Residences	Moderate Density Residential	Two-Family Residential (R-2)

The proposed use is (existing plan) continuance of residential uses (maximum density 12 units per acre). (with plan amendment) ultimate conversion to commercial enterprises along major transportation corridor

A full range of public facilities and utility services including water, sewage, storm drainage, transportation and fire protection. Typical private utilities (electricity-telephone-natural gas) serve the existing parcels.

Two adjacent streets and an alley serve the individual lots (East Home Avenue [local street], North Wenas Avenue [major arterial] and the abutting alley to the West.)

A Determination of Nonsignificance (DNS) (971.00.10-11) and the adoption of an existing environmental document [Determination of Nonsignificance (DNS) (971.00.07-08)] were issued November 3, 2010. There was no comment period for the DNS (971.00.10-11) however the Determination of Nonsignificance could have been appealed through November 12<sup>th</sup>.

OTHER FINDINGS:

1. The existing future land use designation of Moderate Density Residential was originally ascribed to these parcels in 1997 with the adopted of the City of Selah Urban Growth Area Comprehensive Plan.
2. The parcels were zoned Two-Family Residential (R-2), consistent with the adopted Future Land Use Map on January 1, 2005.
3. The parcels contain predominately single family residences. Frontage on a major arterial is historically not conducive to residential usage.

The recommendation is for approval of Comprehensive Plan Amendment 2010-4 designating the properties commercial and adopting official zoning map amendment 914.67.10-06 zoning the property general business (b-2).

Chairman Munson stated to review and confirm the parcels lying adjacent to N. Wenas between Fremont and Bartlett numbers 32459/6/1 were already designated commercial and zoned General Business.

Mr. Davison stated that is correct.

Chairman Munson called for comments from the audience.

Shawn Colligan lives in one of the parcels (purchased one year ago) and his concern is the taxes going up. He understands that if he continues to live there it will be taxed as residential, but if it is rezoned as commercial the taxes may change. It would effect the ability for him to refinance his house or sell it. If the lot is zoned commercial but I could sell it and still be taxed residential (he would like that in writing). The taxes will determine if he is able to live there if they go up as commercial taxes are higher. If it effects his ability to sell or taxes he is against the proposal.

Chairman Munson asked Mr. Davison if it would effect the taxes.

Mr. Davison stated that the County Assessor has explained to him that the property would be taxed based on current use.

Mr. Colligan stated that he called the Assessors suggested he go to the City and talk to the Planning Office to ask them if it will effect your taxes and get it in writing.

Mr. Davison stated unfortunately the City can not give that to him as the City does not appraise the property and set the taxes for the property the County does that. The City can not tell if the taxes or value will go up or down.

Dick Graf stated typically if it was a house it would be assessed as a house unless it was torn down. Graf Investments manage several rental property and right now they have houses on them and they have good rental history but as traffic increases on North Wenas it is harder to rent. Residential units usually have their own access and it will be harder getting out onto the street as traffic increases. Commercial units usually have a better chance with arterials.

Julianne Moore (an owner of one of the parcels) stated that she is disappointed that they were not notified in writing of the date change for the hearings. She stated that she is very opposed to the proposal. She finds it unacceptable that she is required to show proof of why the rezone should not happen. The Planning Commission should be the one getting all the information when the City is the one wanting to change the zoning on her property and it is not going to have any effect if she wants to sell her house as a residence. She has called several banks and none of them would finance her house to a new buyer as a residence. She feels it is the City's responsibility to find out if the rezone would effect her house. If she can not sell her house as a residence the only value she has is the land it sits on. She lives on a road with rentals and she has noticed that they do not sit empty. She stated the houses on Maru Avenue are not included and that is strange. Why not start at the park and move along the rest of the street if the lots to the south of the proposal are already zoned commercial.

Chairman Munson stated that he does not know the answers, but asked Mr. Davison to answer.

Mr. Davison stated he checked the parcel sales that have been zoned commercial along Wenas, E Fremont, and Naches Ave areas that have been zoned B-2 since 1997. There are numerous sales for the parcels, but he could not tell if they were financed through a bank or paid for with cash.

Ms Moore asked if he had called any realtors that question.

Mr. Davison stated no that he did not call any realtors. There are lots in Selah that are zoned commercial with houses on them.

Ms Moore asked Mr. Davison to write her something that says she could sell her house.

Mr. Davison stated he could not guarantee that she could sell her house.

Ms Moore stated that a minimum the Planning Commission needs to know the answer to the questions because you are effecting the residence of this City.

Commissioner Roberts stated that is why the Planning Commission is holding this meeting to get the information. The Planning Commission did not pick this property it was brought to the Commission and that is why they are holding the meeting.

Ms Moore stated that someone should find out what happens to the houses if they want to sell it as a residence. She stated that the Commission should give her the answer.

Chairman Munson stated there are several criteria in selling or purchasing a residence.

Ms Moore stated she has called several banks and all have said that if you sell your house if it is zoned commercial the bank will not loan on residential but it would on commercial. She spoke to Mr. Davison and he asked her to get him something in writing, but she does not feel that is her responsibility.

Mr. Davison stated that her concern about the meeting in December, but it was determined there would not be a quorum on Monday afternoon and it was not possible to mail out a notice of the continuance and the notices are sent to property owners. There was a notice posted on the door at City Hall with the new meeting date.

Chairman Munson called for further audience participation. Hearing none he called for comments from the Commissioners.

Commissioner Quinnell asked why not take the rezone all the way to Maru?

Mr. Davison stated that when the plan was amended in 2005 they included the north and south side of Fremont (which included the lots from the alley to Wenas). This one is taking the commercial zone to Home Ave. There are a few apartment from Home Ave to the School property that might be considered at the next time we do amendments. There was some interest from property owners in that neighborhood so we drew the proposed line where the interest was. He stated that if the Commission wanted to expand or reduce the area they could.

Commissioner Torkelson stated that eventually that will happen and makes sense. Makes sense to have business zone on both sides.

Chairman Munson stated the development to the north east is progressing nicely it seems that the Wenas Road in the long term is going commercial.

Commissioner Quinnell asked if there was a history of anything happening to the lots south of this proposal having problems like Ms Moore talked about?

Mr. Davison stated there have been no conversions to commercial. There have been some sales in the lots to the south and both were for more than what the previous sale was.

Commissioner Torkelson stated the lots in this area with the traffic they are not going to find it desirable to live there and dollar wise it would be higher for the owner.

Commissioner Quinnell stated Wenas Road is only going to get busier.

Chairman Munson stated they had two property owners one in opposition and the other is concerned of the appreciated value of the property. It looks like there are 13 properties involved.

Mr. Davison stated there are 13 properties but 9 property owners.

Ms Moore stated that Scott Spooner was to be here but his furnace went out on him today so he could not attend.

Chairman Munson read the findings.

#### FINDINGS AND CONCLUSIONS

The City of Selah Planning Commission at a public hearing on January 4, 2011 considered the following proposal:

PLAN AMENDMENT 2010-4  CITY OF SELAH	Proposal: Amend the Future Land Use Map by re-designating thirteen (13) parcels containing 2.79± acres Commercial rather than the existing designation of Medium Density Residential. (Parcels: 181436-32002, 32003, 32004, 32005, 32006, 32007, 32008, 32009, 32010, 32059, 32462, 32463 and 32464)  Location: West side of North Wenas Avenue lying between East Fremont Avenue and East Home Avenue.
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1. The Planning Commission adopts the findings of staff as to the existing use and Plan designation of the subject property and adjacent areas as indicated in the staff report.

2. The proposed Plan designation of Commercial is compatible with the use of adjacent lands.

3. The proposed Plan designation of Commercial is compatible with the Plan designation of adjacent lands.

4. COMPREHENSIVE PLAN FINDINGS

The proposed comprehensive plan amendment will or will not, as indicated below, further the following goals and their underlying policies of the City's comprehensive plan.

GOAL

- a. Promote orderly growth - Will Further
- b. Avoid incompatible land uses - Will not Further
- c. Encourage the provision of housing to meet the needs of all segments of the community - Will not Further
- d. Preserve natural resources - N/A
- e. Protect against flooding and drainage problems - N/A
- f. Maintain and improve air and water quality - N/A
- g. Maintain an efficient transportation system - Will Further
- h. Provide efficient and effective public services at the lowest possible cost - Will Further

5. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the proposed Plan amendment to Commercial is consistent with the goals and policies of the Plan.

6. The site proposed for Commercial designation in the Plan is served adequately by public facilities, such as roads, sewer, water and other public services.

7. The proposed Plan amendment does meet a public need. Public need means that a valid public purpose for which the Plan was adopted is served by the proposed Plan amendment. Findings addressing public need:

- a) Additional land is not needed for commercial expansion.
- b) Timing is appropriate.

8. Environmental review has been completed on the proposal. There are no significant environmental issues that renders the site unsuitable for the Future Land Use Map designation of Commercial.

The Planning Commission Recommendation is for approval of the Plan amendment to Commercial.

Motion by Chairman Munson seconded by Commissioner Torkelson, Vote 3/1 Commissioner Robert opposed the amendment

## FINDINGS AND DECISION ZONING MAP AMENDMENT 914.67.10-06

THIS MATTER having come for public hearing before the City of Selah Planning Commission on January 4, 2011 for the purpose of considering a the re-classification (rezone) of 2.79± acres of property from Two Family Residential (R-2) to General Commercial (B-2).

Commission members present at the January 4, 2011 public hearing were Munson, Quinnell, Roberts, and Torkelson

Legal notification pursuant to Selah Code was given on the 4th day of November, 2010. 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 Planning 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 proposed rezone is compatible with the use of adjacent land.
3. The proposed rezone is compatible with the zoning of adjacent land.
4. The proposed rezone is compatible with the optimal land use designation contained in the 2005 Urban Growth Area Comprehensive 'Future Land Use Map' based on recently recommended amendments.

### CHANGED CIRCUMSTANCES

5. The requirement that a rezone be supported by a change in circumstances is dispensed with entirely where a rezone will implement policies of the relevant comprehensive plan. Henderson v. Kittitas County. Because this proposal implements a relevant Selah Urban Growth Area Comprehensive Plan amendment there is no need to show a change in circumstances.

### NEED FOR THE PROPOSED REZONE

6. The Planning Commission finds that within the general geographic area containing the subject property, there is a demonstrated and/or recognized need for additional land to be zoned General Business (B-2).

### PUBLIC OPINION

7. The owners of adjacent lands expressed denial of the proposed rezone.
8. The majority of persons offering comments were in opposition to the proposed rezone.

### ENVIRONMENTAL REVIEW

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

**OTHER SIGNIFICANT FACTORS**

10. The Planning Commission finds these additional significant factors concerning this proposed rezone to be as follows: none

**CONTROLLING FACTORS**

The Planning Commission determines that findings numbered 1 through 10 to be the controlling factors in its deliberations on the proposal.

**DECISION**

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed 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 rezone should be approved.

Motion to approve by: Munson Seconded: Quinnell Vote: 3 to 1 Commissioner Roberts voted no.

**b. SELAH URBAN GROWTH AREA COMPREHENSIVE PLAN AMENDMENT 2010-5 AND OFFICIAL ZONING & AMENDMENT 914.64.10-07 (GRAF INVESTMENTS)**

Chairman Munson opened the Public Hearing for the UGA Comprehensive Plan amendment 2010-5 and asked staff to present their report.

Mr. Davison presented staff's report.

The file no: UGA PLAN AMENDMENT 2010-5 GRAF INVESTMENTS  
OFFICIAL ZONING MAP AMENDMENT 914.79.10-07

The proposal is to amend the City of Selah Urban Growth Area Comprehensive Plan by amending the Future Land Use Map re-designating one (1) parcel, containing 0.40 acre (17,425 ± square feet) High Density Residential rather than the existing designation of Moderate Density Residential, and

Amend the official zoning map of the City of Selah reclassifying the 0.40 acre (17,425 ± square feet) Multiple Family Residential (R-3) rather than Two-Family Residential (R-2).

The proponent and property owner is Graf Investments.

The location is 202 West Valleyview Avenue---Approximately 300 feet west of South 1<sup>st</sup> Street. (181302-11517)

**LAND USE AND ZONING:**

Table 1: Existing Land Use, Plan Designation and Zoning

Area	Land Use	Plan Designation	Zoning
Site	Single family residence	Moderate Density Residential	Two Family Residential (R-2)

North	Residences	Moderate Density Residential	Two Family Residential (R-2)
South	Residence and vacant lot	Moderate Density Residential	Two Family Residential (R-2)
East	Commercial	Commercial	General Business (B-2)
West	Residential	Moderate Density Residential	Two Family Residential (R-2)

The proposed use is (Existing plan) Medium Density Residential development (maximum 12 units per acre). (With plan amendment) High Density Residential development (maximum 24 units per acre) Proposal is an eight unit apartment.

A full range of public facilities and utility services including water, sewage, storm drainage, transportation and fire protection serves the property.

Valleyview Avenue a local collector street located immediately North of the site.

A Determination of Nonsignificance (DNS) (971.00.10-11) and the adoption of an existing environmental document [Determination of Nonsignificance (DNS) (971.00.07-08)] were issued November 3, 2010. There was no comment period for the DNS (971.00.10-11) however the Determination of Nonsignificance could have been appealed through November 12<sup>th</sup>.

**OTHER FINDINGS:**

4. The existing future land use designation was originally ascribed to this parcel in 1997 with the adopted of the City of Selah Urban Growth Area Comprehensive Plan.
5. The parcel was zoned Two Family Residential (R-2), consistent with the adopted Future Land Use Map on January 1, 2005.

The recommendation is for approval of comprehensive plan amendment 2010-5 to high density residential and official zoning map amendment 914.79.10-07 to multiple family residential. There is one minor correction. Mr. Graf had told staff that he wished to merge 13' on the west side of the adjacent lots. Staff wishes to amend the recommendation to adopt the proposal including the 13' to the east of this property.

Commissioner Roberts asked what lots the 13' would be taken from?

Mr. Davison stated parcel #11457 would be the one.

Chairman Munson called for comments from the audience.

Dick Graf stated this property is owned by the Graf Investments and it had a house that was in disrepair. They demolished the house and the land sits vacant now. They own the property directly east of the project and along with that is a 12 unit complex. Directly across the street from this lot is a 27 unit complex. Also there is a 26 unit complex about one block west of the proposal. So there is a history of R-3 in this area. The extra area that is requested is so the units could have deep back yards and an open feel. There are only 8 units each with 2 bedrooms. Mr. Graf stated Mr. Goodall has brought a map showing the configuration of the lot.

Chairman Munson asked if the Commission could look at the map.

Mr. Goodall put the map on the bulletin board for everyone to see.

Mr. Graf stated each unit would be two story. He explained what the plan entails.

Chairman Munson refreshed his mind where the commercial designation on Valleyview.

Mr. Davison stated the commercial designation is on the east boundary of this lot.

Chairman Munson asked if the 13' would extend into parcel #11457?

Mr. Graf stated yes and parcel #11458 to allow each unit to have a large back yard.

Discussion ensued on the 13' merger with parcel #11517.

Commissioner Roberts suggested going all the way to the south property line and include 13' from parcel #11507.

Commissioner Torkelson stated that happens all the time.

Commissioner Roberts stated as long as the owners are ok with the change.

Mr. Davison stated that could be done at this time.

Mr. Graf stated they were not opposed to the change.

Chairman Munson read the findings and conclusions.

#### FINDINGS AND CONCLUSIONS

The City of Selah Planning Commission at a public hearing on January 4, 2011 considered the following proposal:

PLAN AMENDMENT 2010-5	Proposal: Amend the Future Land Use Map by re-designating 0.40± acres (17,424± square feet) High Density Residential rather than the existing designation of Moderate Density Residential. (Parcel: 181302-11517)
GRAF INVESTMENTS	Location: 202 West Valleyview

1. The Planning Commission adopts the findings of staff as to the existing use and Plan designation of the subject property and adjacent areas as indicated in the staff report.
2. The proposed Plan designation of High Density Residential is compatible with the use of adjacent lands.
3. The proposed Plan designation of High Density Residential is compatible with the Plan designation of adjacent lands.
4. COMPREHENSIVE PLAN FINDINGS

The proposed comprehensive plan amendment will or will not, as indicated below, further the following goals and their underlying policies of the City's comprehensive plan.

## GOAL

- a. Promote orderly growth - Will Further
- b. Avoid incompatible land uses - Will Further
- c. Encourage the provision of housing to meet the needs of all segments of the community - Will Further
- d. Preserve natural resources - N/A
- e. Protect against flooding and drainage problems - N/A
- f. Maintain and improve air and water quality - N/A
- g. Maintain an efficient transportation system - Will Further
- h. Provide efficient and effective public services at the lowest possible cost - Will Further

5. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the proposed Plan amendment to High Density Residential is consistent with the goals and policies of the Plan.

6. The site proposed for High Density Residential designation in the Plan is served adequately by public facilities, such as roads, sewer, water and other public services.

7. The proposed Plan amendment does meet a public need. Public need means that a valid public purpose for which the Plan was adopted is served by the proposed Plan amendment. Findings addressing public need:

- a) Additional land is needed for residential expansion.
- b) Timing is appropriate.

8. Environmental review has been completed on the proposal. There are no significant environmental issues that renders the site unsuitable for the Future Land Use Map designation of High Density Residential.

The Planning Commission Recommendation is for approval of the Plan amendment to Commercial.

Motion by Chairman Munson seconded by Commissioner Quinnell. Commissioner Roberts suggested amending the motion to include 13' on the west portion of parcels 11457, 11458 & 11507. Vote 4.0

Mr. Davison suggested changing the order of the hearings to hear the Van Alstine proposal next. Mr. Davison stated the proposal has been modified and the request is for 11 & 13 North Wenas Road to be changed to Multifamily Residential and leave 9 North Wenas Road as commercial. He stated his report will reflect the change.

## FINDINGS AND DECISION ZONING MAP AMENDMENT 914.79.10-07

THIS MATTER having come for public hearing before the City of Selah Planning Commission on January 4, 2011 for the purpose of considering a the re-classification (rezone) of 0.40± acre (17,425 ± square feet) of property from Two Family Residential (R-2) to Multiple Family Residential (R-3).

Commission members present at the January 4, 2011 public hearing were Munson, Quinnell, Roberts, and Torkelson.

Legal notification pursuant to Selah Code was given on the 1<sup>st</sup> day of November, 2010. 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 Planning 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 proposed rezone is compatible with the use of adjacent land.

3. The proposed rezone is compatible with the zoning of adjacent land.

4. The proposed rezone is compatible with the optimal land use designation contained in the 2005 Urban Growth Area Comprehensive 'Future Land Use Map' based on recently recommended amendments.

#### CHANGED CIRCUMSTANCES

5. The requirement that a rezone be supported by a change in circumstances is dispensed with entirely where a rezone will implement policies of the relevant comprehensive plan. Henderson v Kittitas County Because this proposal implements a relevant Selah Urban Growth Area Comprehensive amendment there is no need to show a change in circumstances.

#### NEED FOR THE PROPOSED REZONE

6. The Planning Commission finds that within the general geographic area containing the subject property, there is a demonstrated and/or recognized need for additional land to be zoned Multiple Family Residential (R-3).

#### PUBLIC OPINION

7. The owners of adjacent lands expressed neither approval or denial of the proposed rezone.

8. The majority of persons offering comments were in favor of the proposed rezone.

#### ENVIRONMENTAL REVIEW

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

#### OTHER SIGNIFICANT FACTORS

10. The Planning Commission finds these additional significant factors concerning this proposed rezone to be as follows: none

**CONTROLLING FACTORS**

The Planning Commission determines that findings numbered 1 through 9 to be the controlling factors in its deliberations on the proposal.

**DECISION**

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed 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 rezone should be approved which is also to include the West 13 feet of properties located immediately East of Tax Parcel 181302-11517.

Motion to approve by: Munson Seconded: Quinnell Vote: 4 to 0

**c. SELAH URBAN GROWTH AREA COMPREHENSIVE PLAN AMENDMENT 2010-8 AND OFFICIAL ZONING & AMENDMENT 914.67.10-10 (VAN ALSTINE)**

Chairman Munson opened the Public Hearing for the UGA Comprehensive Plan amendment and asked staff to present their report.

Mr. Davison presented staff's report.

The file no.: UGA PLAN AMENDMENT 2010-8 VAN ALSTINE, DAVID  
OFFICIAL ZONING MAP AMENDMENT 914.67.10-10

The proposal is to amend the City of Selah Urban Growth Area Comprehensive Plan by amending the Future Land Use Map re-designating two (2) parcels, containing 0.42 acre (18,295 ± square feet) High Density Residential rather than the existing designation of Commercial, and

Amend the official zoning map of the City of Selah reclassifying the 0.42 acre (18,295 ± square feet) Multiple Family Residential (R-3) rather than General Business (B-2).

The proponent and property owner is David Van Alstine

The location is 11 and 13 North Wenas Road (1811436-32043, 32042)

**LAND USE AND ZONING:**

Table 1: Existing Land Use, Plan Designation and Zoning

Area	Land Use	Plan Designation	Zoning
Site	Multiple Family Residences	Commercial	General Business (B-2)
North	Industrial—Larson Fruit	Industrial	Industrial (M-1)
South	Commercial-Real Estate	Commercial	General Business (B-2)
East	Industrial—Larson Fruit	Industrial	Industrial )M-1)
West	Both Commercial / Residential Uses	Commercial	General Business (B-2)

The proposed use is (Existing plan) Medium Density Residential development (maximum 12 units per acre). (With plan amendment) High Density Residential development (maximum 24 units per acre) Proposal is an eight unit apartment.

A full range of public facilities and utility services including water, sewage, storm drainage, transportation and fire protection serves the properties.

North Wenas Avenue a major arterial street is located immediately West of the site.

A Determination of Nonsignificance (DNS) (971.00.10-11) and the adoption of an existing environmental document [Determination of Nonsignificance (DNS) (971.00.07-08)] were issued November 3, 2010. There was no comment period for the DNS (971.00.10-11) however the Determination of Nonsignificance could have been appealed through November 12<sup>th</sup>.

#### OTHER FINDINGS:

6. The existing future land use designation was originally ascribed to this parcel in 1997 with the adopted of the City of Selah Urban Growth Area Comprehensive Plan.
7. The parcel was zoned General Business (B-2) consistent with the adopted Future Land Use Map on January 1, 2005.

The recommendation is for approval of comprehensive plan amendment 2010-8 to high density residential and official zoning map amendment 914.67.10-10 to multiple family residential (r-3).

Chairman Munson called for comments from the audience.

David Van Alstine stated they changed the proposal because it would be too costly to convert the church into living units. So the proposal is to rezone the two north parcels 32043 and 32402. They have a problem with the four-plex with parking as DOT took away one parking space. With the remodel of the church there would be enough parking for the area. The proposal is to remodel the four-plex into a three-plex and build a three-plex next door with parking. He just wants to improve the look of the area, as it is an eyesore now.

Chairman Munson asked if both buildings would be demolished for this proposal.

Mr. Van Alstine stated no that the church would just be remodeled and they have a permit to do so now and they already have a renter. The area will look a lot better when he is finished. If someone else purchases the four-plex will have a problem with parking and have to back out onto North Wenas Road.

Chairman Munson asked if there were any buildings on parcel 32041.

Mr. Davison stated that is part of Larson Fruit's parking and has always been there.

Chairman Munson asked about the widening of North Wenas Road.

Mr. Davison stated the map in the packet it shows the new property lines.

Commissioner Torkelson stated that this property was designated B2 and M1 back in 2005 and now we coming along and trying to put an R-3 in the middle of this. Why did the staff recommend approval of

the proposal?

Mr. Davison stated that if all three parcels were involved for development into commercial property it would be feasible but as single parcels it is difficult to develop as commercial.

Commissioner Torkelson asked Mr. Van Alstine why he did not take this property and develop it as commercial instead of residential.

Mr. Van Alstine stated that the four-plex is going to be sitting there forever and it is an eyesore. The parking is a problem getting in and out. This is a solution to the problem. With the new road coming into the City you want it to look good.

Commissioner Quinnell asked if he owned all three parcels or just two.

Mr. Van Alstine stated he owned all three parcels or will. Tomorrow the purchase of Bud Owens parcel will be complete and he is in negotiations with the bank on the four-plex. His brother's partner passed away recently and they are having to work with the bank on the four-plex.

Chairman Munson stated that the Commission has already approved a change on lots to the north of this property to commercial even though two property owners opposed the change. He feels changing these lots to residential is not beneficial to the City. The lots should remain commercial as they are on an arterial. The church and other lots are an eyesore and not what the City wants on an arterial.

Mr. Van Alstine stated that this proposal would change that and each section should be looked at on its own merits.

Commissioner Quinnell asked if he was in the process of buying the four-plex?

Mr. Van Alstine stated yes.

Commissioner Torkelson stated there are a ton of R-2 and R-3 in the City and needs commercial and the parcels are already commercial. This proposal is not compatible with the area even though the four-plex is there.

Mr. Van Alstine stated the four-plex will remain whether he purchases the property or not. The problem is still going to be there. There will not be any parking for the four-plex.

Commissioner Torkelson asked how large each unit will be.

Mr. Van Alstine stated they would be about 900 sq. ft. as they will be 2 story. The four-plex will remain even if they purchase it or not and the rezone does not go through. Then you will have a problem as the four-plex is grandfathered in and the parking is an issue. The renters will back out onto North Wenas. And someone may get hit.

Commissioner Roberts stated the lots are already commercial and should remain. The lots to the north that the Commission just changed to commercial may not change use for a very long time. He suggested denial of the proposal.

Mr. Van Alstine stressed that people will be backing out into the street and wanted that to be on the record.

Commissioner Roberts asked the Secretary to make that happen.

Chairman Munson read the findings.

### FINDINGS AND CONCLUSIONS

The City of Selah Planning Commission at a public hearing on December 21, 2010 considered the following proposal:

PLAN AMENDMENT 2010-8  VAN ALSTINE	Proposal: Amend the Future Land Use Map re-designating 0.42± acre (18.295± square feet) High Density Residential rather than the existing designation of Commercial. (Parcel: 181436-32042, 32043, 32044)  Location: 11 and 13 North Wenas Road
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The Planning Commission Conclusion:

1. The Planning Commission adopts the findings of staff as to the existing use and Plan designation of the subject property and adjacent areas as indicated in the staff report.
2. The proposed Plan designation of High Density Residential is incompatible with the use of adjacent lands.
3. The proposed Plan designation of High Density Residential is incompatible with the Plan designation of adjacent lands.
4. **COMPREHENSIVE PLAN FINDINGS**

The proposed comprehensive plan amendment will or will not, as indicated below, further the following goals and their underlying policies of the City's comprehensive plan.

#### GOAL

- a. Promote orderly growth - Will not Further
- b. Avoid incompatible land uses - Will not Further
- c. Encourage the provision of housing to meet the needs of all segments of the community - Will Further
- d. Preserve natural resources - N/A
- e. Protect against flooding and drainage problems - N/A
- f. Maintain and improve air and water quality - N/A
- g. Maintain an efficient transportation system - Will not Further
- h. Provide efficient and effective public services at the lowest possible cost - Will Further

5. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the proposed Plan amendment to High Density Residential is inconsistent with the goals and policies of the Plan.

6. The site proposed for High Density Residential designation in the Plan is adequately served by public facilities, such as roads, sewer, water and other public services.

7. The proposed Plan amendment does meet a public need. Public need means that a valid public purpose for which the Plan was adopted is served by the proposed Plan amendment. Findings addressing public need:

- a) Additional land is needed for High Density Residential designation.
- b) Timing is not appropriate.

8. Environmental review has been completed on the proposal. There are no significant environmental issues that renders the site unsuitable for the Future Land Use Map designation of High Density Residential.

The Planning Commission Recommendation is for denial of the Plan amendment to High Density Residential.

Motion by Commissioner Roberts seconded by Commissioner Torkelson, Vote 4/0

**d. SELAH URBAN GROWTH AREA COMPREHENSIVE PLAN AMENDMENT 2010-6 AND OFFICIAL ZONING & AMENDMENT 914.84.10-08 (CITY OF SELAH)**

Chairman Munson opened the Public Hearing for the UGA Comprehensive Plan amendment 2010-6 and asked staff to present their report.

Mr. Davison presented staff's report.

The file no.: UGA PLAN AMENDMENT 2010-6 CITY OF SELAH  
OFFICIAL ZONING MAP AMENDMENT 914.84.10-08

The proposal is to amend the City of Selah Urban Growth Area Comprehensive Plan by amending the Future Land Use Map designating two (2) parcels, containing 3.46± acres Commercial rather than the existing designation of Industrial, and

Amend the official zoning map of the City of Selah reclassifying the 3.46± acres General Business (B-2) rather than Industrial (M-1).

The proponent is the City of Selah and the property owners are Lyn and Linda Dosch

The location is 116 East 10<sup>th</sup> Avenue, approximately 200 feet east of South First Street

LAND USE AND ZONING:

Table 1: Existing Land Use, Plan Designation and Zoning

Area	Land Use	Plan Designation	Zoning
Site	Vacant	Industrial	M-1
North	Vacant	Industrial and Commercial	Industrial (M-1) and General Business (B-2)
South	Vacant	Urban-Yakima County Designation	Industrial
East	BNSF Railroad / Elks Golf Course	Industrial / Quasi-Public	Industrial (M-1) / Low Density Single Family (LDSF)
West	Residential and Commercial	Commercial	General Business (B-2)

The proposed use(existing plan) No Proposed Use /(with plan amendment) No Proposed Use. Mr. Dosch would like to have all the lots zoned commercial rather than industrial. He owns parcels 23010, 23015 (which already are zoned commercial) and well as the two lots (32008, & 23009) to be rezoned commercial.

A full range of public facilities and utility services including municipal water and sewage, storm drainage, transportation and fire protection serves the properties or is easily extended to serve development. Typical private utilities (electricity-telephone-natural gas) serve the existing parcels or are readily available.

East 10<sup>th</sup> and 11<sup>th</sup> Avenues connect the properties to South First Street.

A Determination of Nonsignificance (DNS) (971.00.10-11) and the adoption of an existing environmental document [Determination of Nonsignificance (DNS) (971.00.07-08)] were issued November 3, 2010. There was no comment period for the DNS (971.00.10-11) however the Determination of Nonsignificance could have been appealed through November 12<sup>th</sup>.

#### OTHER FINDINGS:

8. The existing future land use designation of Industrial was originally ascribed to these two parcels in 1997 with the adopted of the City of Selah Urban Growth Area Comprehensive Plan.
9. The properties were zoned Industrial (M-1) consistent with the adopted Future Land Use Map on January 1, 2005.

The recommendation is for approval of comprehensive plan amendment 2010-6 designating the properties commercial and zoning map amendment 914.84.10-08 zoning the parcel. In the hearing for Matson Fruit the City found out that the fruit industry no longer needs to be next to the railroad as everything is now trucked ever where.

Chairman Munson asked about the flooding in the area?

Mr. Davison stated the reason they flood is due to the beavers that build dams across the creek. The creek does not naturally flood.

Chairman Munson questioned taking away more industrial land for commercial.

Mr. Davison stated industrial property does not need to be next to the railroad and there are areas next to the City that could be industrial.

#### FINDINGS AND CONCLUSIONS

The City of Selah Planning Commission at a public hearing on January 4, 2011 considered the following proposal:

<p>PLAN AMENDMENT 2010-6</p> <p>CITY OF SELAH</p>	<p>Proposal: Amend the Future Land Use Map by re-designating two (2) parcels containing 3.48± acres Commercial rather than the existing designation of Industrial.</p> <p>Location: 116 East 10<sup>th</sup> Avenue, approximately 400 feet east of South 1<sup>st</sup> Street.</p>
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1. The Planning Commission adopts the findings of staff as to the existing use and Plan designation of the subject property and adjacent areas as indicated in the staff report.
2. The proposed Plan designation of Commercial is compatible with the use of adjacent lands.
3. The proposed Plan designation of Commercial is compatible with the Plan designation of adjacent lands.

4. COMPREHENSIVE PLAN FINDINGS

The proposed comprehensive plan amendment will or will not, as indicated below, further the following goals and their underlying policies of the City's comprehensive plan.

GOAL

- a. Promote orderly growth - Will Further
- b. Avoid incompatible land uses - Will Further
- c. Encourage the provision of housing to meet the needs of all segments of the community - N/A
- d. Preserve natural resources - N/A
- e. Protect against flooding and drainage problems - N/A
- f. Maintain and improve air and water quality - N/A
- g. Maintain an efficient transportation system - Will Further
- h. Provide efficient and effective public services at the lowest possible cost - Will Further

5.. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the proposed Plan amendment to Commercial is consistent with the goals and policies of the Plan.

6. The site proposed for Commercial designation in the Plan is served adequately by public facilities, such as roads, sewer, water and other public services.

7. The proposed Plan amendment does meet a public need. Public need means that a valid public purpose for which the Plan was adopted is served by the proposed Plan amendment. Findings addressing public need:

- a) Additional land is needed for commercial expansion.
- b) Timing is appropriate.

8. Environmental review has been completed on the proposal. There are no significant environmental issues that renders the site unsuitable for the Future Land Use Map designation of Commercial.

The Planning Commission Recommendation is for approval of the Plan amendment to Commercial.

Motion by Chairman Munson second by Commissioner Quinnell, Vote 4/0

#### FINDINGS AND DECISION ZONING MAP AMENDMENT 914.84.10-08

THIS MATTER having come for public hearing before the City of Selah Planning Commission on January 4, 2011 for the purpose of considering a the re-classification (rezone) of 3.48± acres of property from Industrial (M-1) to General Business (B-2).

Commission members present at the January 4, 2011 public hearing were Munson, Quinnell, Roberts, and Torkelson.

Legal notification pursuant to Selah Code was given on the 4th day of November, 2010. 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 Planning 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 proposed rezone is compatible with the use of adjacent land.
3. The proposed rezone is compatible with the zoning of adjacent land.
4. The proposed rezone is compatible with the optimal land use designation contained in the 2005 Urban Growth Area Comprehensive 'Future Land Use Map' based on recently recommended amendments.

#### CHANGED CIRCUMSTANCES

5. The requirement that a rezone be supported by a change in circumstances is dispensed with entirely where a rezone will implement policies of the relevant comprehensive plan. Henderson v. Kittitas County. Because this proposal implements a relevant Selah Urban Growth Area Comprehensive Plan amendment there is no need to show a change in circumstances.

#### NEED FOR THE PROPOSED REZONE

6. The Planning Commission finds that within the general geographic area containing the subject property, there is a demonstrated and/or recognized need for additional land to be zoned General Business (B-2).

#### PUBLIC OPINION

7. The owners of adjacent lands expressed neither approval or denial of the proposed rezone.

8. No individuals were present to offer comments were in favor of or in opposition to the proposed rezone.

#### ENVIRONMENTAL REVIEW

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

#### OTHER SIGNIFICANT FACTORS

10. The Planning Commission finds these additional significant factors concerning this proposed rezone to be as follows: none

#### CONTROLLING FACTORS

The Planning Commission determines that findings numbered 1 through 9 to be the controlling factors in its deliberations on the proposal.

#### DECISION

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed 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 rezone should be approved.

Motion to approve by: Munson Seconded: Quinnell Vote: 4 to 0

**e. SELAH URBAN GROWTH AREA COMPREHENSIVE PLAN AMENDMENT  
2010-7 AND OFFICIAL ZONING & AMENDMENT 914.45.10-09 (CITY OF  
SELAH)**

Vice Chairman Roberts opened the Public Hearing for the UGA Comprehensive Plan amendment and asked staff to present their report.

Mr. Davison presented staff's report.

The file no.: UGA PLAN AMENDMENT 2010-7 CITY OF SELAH  
OFFICIAL ZONING MAP AMENDMENT 914.45.10-09

The proposal is to amend the City of Selah Urban Growth Area Comprehensive Plan by amending the Future Land Use Map designating nine (9) parcels, containing 3.08± acres Commercial rather than the existing designation of High Density Residential, and

Amend the official zoning map of the City of Selah reclassifying the 3.08± acres General Business (B-2) rather than Multiple-Family Residential (R-3).

The proponent is the City of Selah

There are eight different property owners.

The location is the northwest corner of the intersection of East Goodlander Road and North Wenas Avenue.

**LAND USE AND ZONING:**

Table 1: Existing Land Use, Plan Designation and Zoning

Area	Land Use	Plan Designation	Zoning
Site	Residences and Child Daycare Facilities	High Density Residential	Multiple Family Residential (R-3)
North	Residences	Low Density Residential	One Family Residential (R-1)
South	Commercial	Commercial	General Business (B-2)
East	Adult Care Facility	Commercial	Professional Business (B-1)
West	Residences	Low Density Residential	One Family Residential (R-1)(unincorporated Yakima County)

The proposed use is: (existing plan) High density residential development (maximum 24 units per acre)/ (with plan amendment) ultimate conversion to commercial along two transportation corridors

A full range of public facilities and utility services including water, sewage, storm drainage, transportation and fire protection. Typical private utilities (electricity-telephone-natural gas) serve the existing parcels or are readily available.

Each parcel fronts either East Goodlander Road or North Wenas.

A Determination of Nonsignificance (DNS) (971.00.10-11) and the adoption of an existing environmental document [Determination of Nonsignificance (DNS) (971.00.07-08)] were issued November 3, 2010. There was no comment period for the DNS (971.00.10-11) however the Determination of Nonsignificance could have been appealed through November 12<sup>th</sup>.

**OTHER FINDINGS:**

10. The existing future land use designation was originally ascribed to these parcels in 1997 with the adopted of the City of Selah Urban Growth Area Comprehensive Plan.
11. Multiple-Family Residential (R-3) zoning consistent with the adopted Future Land Use Map was adopted January 1, 2005.

The recommendation is for approval of comprehensive plan amendment 2010-7 and adoption of official zoning map amendment 914.45.10-09.

Chairman Munson asked if the two northern lots were the Busy Bear Daycare facility?

Mr. Davison stated yes.

Chairman Munson stated it seems that would be a natural progression for the commercial area.

### FINDINGS AND CONCLUSIONS

The City of Selah Planning Commission at a public hearing on January 4, 2011 considered the following proposal:

PLAN AMENDMENT 2010-6  CITY OF SELAH	Proposal: Amend the Future Land Use Map by re-designating nine (9) parcels containing 3.08± acres Commercial rather than the existing designation of High Density Residential. (Parcel: 181425-34043, 34044, 34045, 34046, 34047, 34048, 34049, 34050 and 34051)  Location: Northwest corner of the East Goodlander Road and North Wenas Road intersection.
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#### The Planning Commission Conclusion:

1. The Planning Commission adopts the findings of staff as to the existing use and Plan designation of the subject property and adjacent areas as indicated in the staff report.
2. The proposed Plan designation of Commercial is compatible with the use of adjacent lands.
3. The proposed Plan designation of Commercial is compatible with the Plan designation of adjacent lands.
4. COMPREHENSIVE PLAN FINDINGS

The proposed comprehensive plan amendment will or will not, as indicated below, further the following goals and their underlying policies of the City's comprehensive plan.

#### GOAL

- a. Promote orderly growth - Will Further
- b. Avoid incompatible land uses - Will Further
- c. Encourage the provision of housing to meet the needs of all segments of the community - Will Not Further
- d. Preserve natural resources - N/A
- e. Protect against flooding and drainage problems - N/A
- f. Maintain and improve air and water quality - N/A
- g. Maintain an efficient transportation system - Will Further
- h. Provide efficient and effective public services at the lowest possible cost - Will Further

5. Based upon consideration of the above factors and balancing any conflicting goals and policies of the comprehensive plan, the proposed Plan amendment to Commercial is consistent with the goals and policies of the Plan.

6. The site proposed for Commercial designation in the Plan is served adequately by public facilities, such as roads, sewer, water and other public services.

7. The proposed Plan amendment does meet a public need. Public need means that a valid public purpose for which the Plan was adopted is served by the proposed Plan amendment. Findings addressing public need:

- a) Additional land is needed for commercial expansion.
- b) Timing is appropriate.

8. Environmental review has been completed on the proposal. There are no significant environmental issues that renders the site unsuitable for the Future Land Use Map designation of Commercial.

The Planning Commission Recommendation is approval of the Plan amendment to Commercial.

Motion by Commissioner Roberts seconded by Commissioner Quinell, Vote 4/0

#### FINDINGS AND DECISION ZONING MAP AMENDMENT 914.45.10-09

THIS MATTER having come for public hearing before the City of Selah Planning Commission on January 4, 2011 for the purpose of considering a the re-classification (rezone) of 3.08± acres of property from Multiple Family Residential (R-3) to General Business (B-2).

Commission members present at the January 4, 2011 public hearing were Munson, Quinell, Roberts, and Torkelson.

Legal notification pursuant to Selah Code was given on the 4th day of November, 2010. 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 Planning 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 proposed rezone is compatible with the use of adjacent land.

3. The proposed rezone is compatible with the zoning of adjacent land.

4. The proposed rezone is compatible with the optimal land use designation contained in the 2005 Urban Growth Area Comprehensive 'Future Land Use Map' based on recently recommended amendments.

## CHANGED CIRCUMSTANCES

5. The requirement that a rezone be supported by a change in circumstances is dispensed with entirely where a rezone will implement policies of the relevant comprehensive plan. Henderson v. Kittitas County. Because this proposal implements a relevant Selah Urban Growth Area Comprehensive Plan amendment there is no need to show a change in circumstances.

## NEED FOR THE PROPOSED REZONE

6. The Planning Commission finds that within the general geographic area containing the subject property, there is a demonstrated and/or recognized need for additional land to be zoned General Business (B-2).

## PUBLIC OPINION

7. The owners of adjacent lands expressed neither approval or denial of the proposed rezone.

8. No one was present to offer comments in favor of in opposition to the proposed rezone.

## ENVIRONMENTAL REVIEW

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

## CONTROLLING FACTORS

The Planning Commission determines that findings numbered 1 through 9 to be the controlling factors in its deliberations on the proposal.

## DECISION

The Planning Commission, based upon the aforementioned findings and controlling factors, finds that the proposed 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 rezone should be approved.

Motion to approve by: Torkelson      Seconded: Munson      Vote: 4 to 9

### G: General Business

1. Old Business - None
3. New Business - None

### H. Reports/Announcements

1. Chairman - None
2. Commissioners - None
3. Staff -- Mr. Davison stated Southern Estates has gone to the Hearings Examiner and he recommends approval. It then goes to the Council. The Comprehensive Plan amendments will go to Council. Mr. Graf has submitted his building plans for the 8 unit apartment complex. DOT Wenas Road improvements will go out to bid this month and under construction this summer.

### I. Adjournment

Chairman Munson moved to adjourn the meeting, Commissioner Roberts seconded the motion. The meeting was adjourned at 9:40 pm.

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Chairman