

City of Selah
Planning Commission Minutes
of
June 15, 2010

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

A. Call to Order

The meeting was called to order to by Vice Chairman Roberts at 5:58 p.m.

B. Roll Call:

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

Members Absent: Commissioner Munson

Staff Present: Dennis Davison, Community Planner.

Guests: Nancy Buck; Kathy McLain

C. Agenda Changes None.

D. Communications

1. Oral -None.

2. Written - One letter was received pertaining to the application.

E. Approval of Minutes

Vice Chairman Roberts called for a motion on the minutes of the Planning Commission meeting of May 4, 2010.

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

F. Public Hearing

1. Old Business None

2. New Business

a. **TREE TOP VARIANCE (FILE #915.84.10-01)**

b. **TREE TOP SHORT PLAT (FILE #913.84.10-07)**

Vice Chairman Roberts opened the public hearing for the variance/short plat and asked staff to read the report.

Mr. Davison presented the staff report.

The file nos. are 913.84.10-07 for the Tree Top, Inc. Short Plat Application and 915.84.10-01 Tree Top, Inc. Variance Application

The proponent is Tree Top, Inc. (Nancy Buck)

The location is 300 block South Wenas Avenue. The site is located approximately one-hundred sixty (160) feet east of South First Street and west of Tree Top Warehouse #5. (Parcel Number: 18181301-22014).

The request is: (Item 1) Approval to create one parcel (7,200 sq. ft.) with a lot depth seven (7) times lot width. S.M.C. 10.08.020 (lot depth to width requirement) indicates the maximum lot depth to lot width ratio shall not exceed four to one (4:1).

(Item 2) Approval of a short plat dividing one parcel (1.83 acres) into four (4) separate lots in the Industrial (M-1) zoning district.

Land use and zoning - the existing parcel is vacant.

SURROUNDING LAND USE:

North - Viking Village Shopping Center

South - R& Q Parts and Machine, vacant property and further south is Goodwill and Mac Donald's

East - Vacant property and Warehouse #5 both owned by the applicant.

West - Commercial enterprises fronting South First Street.

Property to the North, West and South is zoned General Business (B-2) while property to the East is zoned Industrial (M-1).

The future land use map contained within the 2005 City of Selah Urban Growth Area Comprehensive Plan designates the site and property to the East as "Industrial" while property to the North, South and West are designated "Commercial".

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) finding no significant adverse environmental impacts issued a Determination of Nonsignificance (DNS). The DNS comment period expired today at 5:00 p.m. per WAC 197-11.

Basic public utilities in the vicinity will serve the site. Eight (8) inch sewage collection and water distribution are located within the adjacent alley to the West.

TRANSPORTATION:

South Wenas Avenue (proposed for construction by Washington State Department of Transportation-WSDOT) To be (designation to be determined by WSDOT) with two travel lanes and a center left turn lane (36-40 foot pavement width), variable right-of-way width with curb/gutter, sidewalk on both sides and street illumination on one side.

South 1st Street Alley Not to be considered a street but an alley affording 'secondary access' to abutting property. The alley has been privately paved in the past and remains hard surfaced within a twenty (20) foot wide right-of-way. No curb/gutter, sidewalk or illumination.

OTHER FINDINGS:

- (1) Access to the proposed parcels, other than the alley, is predicated upon So. Wenas Avenue being constructed by the State.
- (2) Although an 8" domestic waterline is available in the alley there is no waterline available for fire fighting purposes east of proposed building sites adjacent to So. Wenas Avenue. The Selah Fire Department recommends an 8" line, with hydrant, be extended east from the alley to a location adjacent to the So. Wenas Avenue alignment.
- (3) The property is vacant.
- (4) As proposed each lot will have public utilities available.
- (5) The proposed lots are compliant with the lot size requirement.
- (6) The short plat, in and of itself, will not contribute additional traffic onto the vicinity transportation network. Additional traffic volumes will be generated with business development of the new parcels.
- (7) It is anticipated significant traffic volumes will utilize the new So. Wenas Avenue extension (12,000 vehicles per day) and may include significant queue at the So. Wenas Avenue/So. 1st Street intersection. Based on this anticipation and public safety purposes the Public Works Department recommends Lots 3 and 4 share a common driveway at their abutting lot line. The common driveway approach would be removed approximately four hundred (400) feet from the So. Wenas extension/So. First Street intersection.

Item #1---Variance application authority. Selah Municipal Code, Chapter 10.30.030 provides that the Planning Commission may authorize a variance from the terms of the Zoning Ordinance (lot depth to lot width ratio) 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: (Note: The Commission's recommendation is forwarded to the City Council for final disposition.

- (a) That special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, do exist; and, (proposed purchase is for parking lot expansion of adjacent property west of the alley. Alley, a separate ownership, precludes a merger of the two properties (old and new) into one parcel. Staff believes location and commercial surroundings justifies a variance)
- (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, (staff believes there will be no detrimental or injurious impacts on the vicinity or surrounding uses or properties)

- (d) That the special circumstances do not result from the actions of the applicant; and, (staff concurs the location and ownership of the alley did not result from the actions of the applicant)
 - (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, (staff concurs)
 - (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. (staff concurs)
- 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)

Item #2---Short Plat Application Authority:

Selah Municipal Code, Chapter 10.50.016 provides that the Commission shall review short plat applications for compliance with the subdivision ordinance, consider public input and recommend approval, approval with conditions or denial. The Commission shall forward its recommendation to the City Supervisor for final disposition.

Conclusion: The development of this site for commercial purposes is predicated on So. Wenas Avenue extension construction by the State of Washington.

Recommendation:

(Item # 1--Variance) - approval of the minimum lot depth to lot width variance. The variance will not be contrary to the public interest or the comprehensive plan.

(Item #2—Short Plat) - approval of the short plat application subject to the following:

1. Final lot dimensions, lot area, and improvements indicated on the proposed short plat map or specific conditions imposed by the Commission must substantially conform to the short plat recommended by the Planning Commission.
2. The following note must be placed on the short plat map:

The owner(s) shown hereon, or any grantees or assignees in interest, hereby covenant and agree to retain all surface water generated within the short plat on-site.

3. An 8" water line, with hydrant, shall be extended either east from the alley, or from a water line to be located in So. Wenas Extension, to a location adjacent to the So. Wenas Avenue alignment at a location determined by the Selah Fire Department.

4. Lots 3 and 4 shall share a common commercial driveway approach at their abutting lot line.

5. A sixteen foot wide easement shall be provided across Lot 1, at the east-west lot line of Lots 2 and 3, for utility accessibility to Lots 2 & 3.

6. The short plat may be recorded, however, building permit shall only be issued after completion of the So. Wenas Avenue Extension by the Washington State Department of Transportation. The short plat shall be recorded within five (5) years of the City's approval or such approval expires.

Vice Chairman Roberts called for comments/questions from the Commissioners.

Commissioner Torkelson stated the variance creates more parking for Magic's. This could not be completed as a short plat exemption as there is a third party so a variance is the avenue.

Commissioner Smith asked if this property was zoned commercial or industrial?

Mr. Davison stated this area is zoned industrial. This fall the City has planned to amend the Comp Plan and zoning so the property west of the new street would be designated commercial and zoned commercial and the property east of the new street would be designated industrial and zoned industrial.

Nancy Buck stated that Tree Top decided to short plat all the lot at the same time.

Findings and Decision on the Variance June 15, 2010

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

Selah municipal code lot width/depth ratio variance: # 915.84.10-02

The proponent: Tree Top, Incorporated

Factors to Be Considered (Indicate N/A if not applicable) (Pursuant to S.M.C. Title 10, Chapter 10.30.030)

The proposed variance will or will not, as indicated below, meet the criteria contained in the City of Selah Municipal Code, Title 10, Chapter 10.30.030:

CRITERIA

1. Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, do exist. yes

2. Because of such special circumstances, strict application of this title would deprive the owner of rights and privileges enjoyed by other properties. Yes

3. The granting of the variance will not be detrimental to the public welfare or injurious to adjacent property. Yes

4. The special circumstances do not result from the actions of the applicant. No
5. The variance is the minimum variance Necessary that will make possible the reasonable use of the land, building or structure. Yes
6. The granting of the variance will be in harmony with the general purpose and intent of the zoning ordinance and comp. plan. Yes

CONCLUSIONS

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

DECISION

The Commission based on the criteria and conclusions finds that the variance 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.

Motion by Smith, seconded by Torkelson Vote 4 to 0

SHORT PLAT REVIEW June 15, 2010

SHORT PLAT: # 913.84.10-07 SEPA: Exempt

MEMBERS OF THE COMMISSION PRESENT: Quinnell, Roberts, Smith, and Torkelson

PROPONENT: Tree Top Incorporated

Factors to Be Considered (Indicate N/A if not applicable) (Pursuant to Selah Code and RCW 58.17.110)

1. STREETS, ROADS, ALLEYS, AND OTHER PUBLIC WAYS.

Factual Findings: The short plat will abut the newly constructed (three lane: north/south/center turn lane) So. Wenas Avenue. (street classification to be determined by WSDOT) with a pavement width of 38-40 feet, curb/gutter and sidewalk and street illumination on both sides. The proposed short plat will create four separate lots for business purposes. Projected traffic volumes on So. Wenas Avenue is 12,000 vehicles per day. The short plat, in and of itself, will not create traffic.

Conclusions: The short plat will abut an arterial carrying a significant volume of vehicle traffic. Site development, with access restrictions, lends itself to commercial development. The future street network would be sufficient to accommodate potential future traffic.

2. SIDEWALKS.

Factual Findings: Sidewalk will be constructed adjacent to the short plat as part of the SR 823 project.

Conclusions: Adequate pedestrian access will be provided at the location of the proposed short plat.

3. DRAINAGE.

Factual Findings: Storm water will continue to drain via its natural and historical course.

Conclusions: This proposal will not hinder historical drainage patterns.

4. POTABLE WATER SUPPLIES.

Factual Findings: Municipal water is available in the vicinity.

Conclusions: Adequate municipal water to serve potential future development. Additional water system improvements are recommended.

5. SANITARY WASTES.

Factual Findings: Municipal sewage collection facilities are available in the vicinity.

Conclusions: Adequate municipal sewage collection facilities to serve potential future development.

6. OPEN SPACES.

Factual Findings: No specific "open space" designated within the short plat but open space areas are available at nearby parks and schools.

Conclusions: "Open space" available at Selah's nearby Wixson Park to serve the proposed short plat.

7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Wixson Park, the nearest 'improved open space, is within ½ mile.

Conclusions: Adequate park and recreational facilities in the community to serve the proposed short plat.

8. SCHOOLS AND SCHOOL GROUNDS.

Factual Findings: Schools will not impacted by the proposed short plat and potential commercial development.

Conclusions: Schools and school facilities are not impacted by potential commercial development.

9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities available, once SR 823 is completed the transportation system will be adequate.

Conclusions: Pedestrian access is adequate. With installation of a fire hydrant adjacent to So. Wenas Avenue there will be adequate provisions for public health and welfare.

10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates the property Industrial allowing for industrial development. The City in support of that comprehensive plan has adopted a zoning ordinance and zoned the property Industrial (M-1).

Conclusions: The proposal is compliant with the City's comprehensive plan, proposed development would be compatible with adjacent uses, and the proposal is in furtherance of the City's zoning ordinance. The City's comprehensive plan is proposed for amendment to commercial in the fall, 2010.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings:

North: Commercial shopping center

South: Warehousing and commercial uses

East: New So. Wenas Avenue and warehousing
West: Commercial uses

Conclusions: Proposed future land use is compatible with adjacent uses.

12. ZONING.

Factual Findings: The subject property and properties to the East are zoned Industrial (M-1). Properties to the North, South and West are zoned General Business (B-2).

Conclusions: Adjacent property are zoned either Industrial or Commercial and the proposed short plat is compatible with abutting zoning.

13. COMPREHENSIVE PLAN

Factual Findings: The 2005 City of Selah Urban Growth Area Comprehensive Plan (2005) designates the property Industrial.

Conclusions: Commercial use is inconsistent with the comprehensive land use designation, however, a comprehensive plan amendment to Commercial will be considered this fall.

14. ENVIRONMENTAL IMPACTS.

Factual Findings: The short plat is categorically exempt from environmental review.

Conclusions: Environmental review not required.

15. TOPOGRAPHY AND NATURAL FEATURES.

Factual Findings: The property is relatively flat.

Conclusions: The property is available for development.

16. IRRIGATION AVAILABILITY:

Factual Findings: Naches-Selah Irrigation District water is not available to this property.

Conclusions: Irrigation water is not available.

Reasons for approval or denial: Based on these findings the short plat should be approved.

Motion to adopt findings of fact and recommend approval of the short plat by Smith, seconded by Torkelson vote: 4 to 0

Recommended conditions of approval: Six (6) conditions of approval recommended by the Commission:

1. Final lot dimensions, lot area, and improvements indicated on the proposed short plat map or specific conditions imposed by the Commission must substantially conform to the short plat recommended by the Planning Commission.

2. The following note must be placed on the short plat map:

The owner(s) shown hereon, or any grantees or assignees in interest, hereby covenant and agree to retain all surface water generated within the short plat on-site.

3. An 8" water line, with hydrant, shall be extended either east from the alley, or from a water line to be located in So. Wenas Extension, to a location adjacent to the So. Wenas Avenue alignment at a location determined by the Selah Fire Department.

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6. The short plat may be recorded, however, building permit shall only be issued after completion of the So. Wenas Avenue Extension by the Washington State Department of Transportation. The short plat shall be recorded within five (5) years of the City's approval or such approval expires.

G: General Business

1. Old Business - None
2. New Business - None

H. Reports/Announcements

1. Chairman - None
2. Commissioners - None
3. Staff - None

I. Adjournment

Commissioner Smith moved to adjourn the meeting, Vice Chairman Roberts seconded the motion. The meeting was adjourned the meeting at 6:35 pm.



Vice Chairman