

City of Selah  
**Planning Commission Minutes**  
of  
March 2, 2010

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

A. Call to Order

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

B. Roll Call:

Members Present: Commissioners Quinnell, Roberts, and Munson.

Members Absent: Commissioner Smith

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

Guests: Jane Williams  
Carl Torkelson  
Jim & Peggie Gerred  
Karl Corpron  
Steve Gates  
Ted Lukkes  
Lauri Skala  
Sue Miller  
Joe Folk  
Michael Goulart

C. Agenda Changes None.

D. Communications

1. Oral - None
2. Written - Monthly Development Project list

E. Approval of Minutes

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

Commissioner Roberts moved to approve the minutes, Commissioner Quinnell seconded. Minutes were approved with voice vote 3/0.

F. Public Hearing

Old Business

a. **FRIENDS 1<sup>ST</sup> VARIANCE (FILE #915.79.10-01)**

Chairman Munson opened the public hearing for the variance and asked staff to read the report.

Mr. Davison presented himself to the audience and explained the type of projects on tonight's agenda and gave the staff report.

The proponent is Friends 1<sup>st</sup> Investments, L.L.C.

The location is 307 Riverview Avenue. The site is located approximately three-hundred fifty (150) feet west of South 3<sup>rd</sup> Street (Parcel # 181302-11499).

The request is for approval of a subdivision variance authorizing the creation of a lot which does not front upon a public street. Selah Municipal Code 10.50.041(e) (3) requires that:

(e) Lot design in a subdivision shall conform to the following standards:

... (3) Each lot must front upon a public street with a width not less than those set forth in the street standards.

The variance, if approved, would permit the division of one parcel, seventy-six (76) feet wide by 265 feet deep, into two parcels.

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 all of 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)

The existing parcel contains one (1) residence and is zoned Two-Family Residential (R-2).

**SURROUNDING LAND USE:**

NORTH: Apartments

SOUTH: Single family residences, duplexes and a vacant parcel

EAST: Apartments and single family residences

WEST: Single family residences and duplexes

Properties to the North, South, East and West are zoned Two-Family Residential (R-2) similar to the subject property.

The future land use map' contained within the 2005 City of Selah Urban Growth Area Comprehensive Plan designates the site, and properties to the North, South, East and West, as "Moderate Density Residential" providing for a maximum density of twelve (12) dwelling units per acre.

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) determined that this proposal is categorically exempt from SEPA per WAC 197-11-800(6)(a).

Basic public utilities are available, or will be constructed, to serve the site, i.e., (telephone, electricity, municipal water and sewer), and will be connected to individual lots.

TRANSPORTATION: Riverview Avenue Designated "local access" with two travel lanes (22-24 foot pavement width), 40 foot wide right-of-way with no curb/gutter or sidewalk.

**OTHER FINDINGS:**

The existing residence is to remain on-site

The proposed private driveway and utility easement, to serve the rear lot, is 20 feet in width.

Division of the property will require additional utility installations.

The site is designated for moderate density residential development; the property is appropriately zoned for duplexes. Each proposed lot would be served by municipal services; and each proposed lot would meet or exceed the minimum lot size requirement established in the Two Family Residential (R-2) zone. One of the lots, if created, however, will not front upon a public street.

The requested variance should be approved based on the following:

First Basis for Approval. SMC 10.50.041(e) (3) does not apply.

SMC 10.50.041(3) (3), which requires that each lot in a subdivision front a public street, is not applicable to the instant application. That provision applies to "subdivisions". A subdivision is defined in the SMC 10.50.010(M) as follows:

(m) "Subdivision" means the division of a lot, tract or parcel of land into five or more lots or other divisions of land for the purpose, whether immediate or future, of transfer of ownership, lease or building development, including all changes in street or lot lines and shall include all resubdivisions of land.

Here, the applicant proposes to divide a lot into two lots, not five or more lots. Because the plain language of SMC 10.55.041(e) (3) makes its application limited to "subdivisions", it does not apply to the instant application. As a result, the requirement that each lot front a public street is not applicable.

Second Basis for Approval. Even if SMC 10.50.041(e) (3) applies, the applicant meets to the criteria for a variance.

The criteria that must be met for a variance under SMC 10.30.030 is set forth below with reasons following each criteria establishing how each requirement is met:

(a) That special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, do exist.

Comment: The subject property is unique in that it is a narrow and elongated lot created to accommodate a "victory garden" during the Second World War such narrow and long lots are of little utility in today's land use and development patterns. The special circumstances surrounding the creation of these long and narrow lots has rendered otherwise usable property useless in terms of meeting required growth management mandated densities in compliance with the City's Comprehensive Land Use Plan.

(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.

Comment: As indicated above, due to the unique characteristics of this lot, the property owner is unable to develop his property to densities and in compliance with the Comprehensive Land Use Plan, as other property owners would otherwise be able to develop. The strict application of the title would result in depriving the property owner the full beneficial use of his property.

(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.

Comment: As noted above, permitting the division of property for the use existing on it at present is consistent with permitted uses in the zoning district, is consistent with development densities for the area, and the area is equipped with sufficient infrastructure to accommodate the division. In fact, the property is already developed and is already being served with utilities.

(d) That the special circumstances do not result from the actions of the applicant.

Comment: The applicant did not create the special circumstance present here. These long and narrow lots were created in the past to accommodate victory gardens during the World War II era.

(e) That the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

Comment: Providing for this variance is the minimum necessary to permit the applicant full reasonable use of his land. The use will be consistent with all zoning requirements and the Comprehensive Plan.

(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.

Comment: As indicated above, the division of this lot will be in harmony with the intent of the title, the zoning district and the Comprehensive Plan, in terms of use, density and in terms of compliance with development regulations and standards.

(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.

Comment: An administrative adjustment was not available as the requested relief involves the creation of an additional lot.

There was a memorandum from the Fire Department stating that the structures next door were two stories tall.

The recommendation is for approval of the subdivision variance application.

Chairman Munson stated the implications were for fire?

Mr. Davison stated yes. The buildings are accessed by a twenty (20) foot easement and the structures do comply with the Selah Municipal Code.

Mr. Davison suggested preceding into presenting the staff report for the short plat to facilitate both applications.

**b. FRIENDS 1<sup>ST</sup> SHORT PLAT (FILE #913.79.10-01)**

Mr. Davison presented the staff report for the short plat.

The proponent is Friends 1<sup>st</sup> Investments, L.L.C. (Steve Gates)

The location is 307 Riverview Avenue. The site is located approximately three hundred fifty (350) feet west of South Third Street (Parcel Number: 181302-11499).

The request is for approval of a short plat dividing one parcel, (20,300± sq. ft.), into two (2) separate lots in the Two Family Residential (R-2) zoning district.

Selah Municipal Code, Chapter 10.50.016 provides that the Planning Commission shall review the proposal 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.

The existing parcel is contains a single family residence..

**SURROUNDING LAND USE:**

NORTH: Apartments

SOUTH: Single family residences, duplexes and a vacant parcel

EAST: Apartments and single family residences

WEST: Single family residences and duplexes

Properties to the North, South, East and West are zoned Two-Family Residential (R-2) similar to the subject property.

The 'future land use map' contained within the 2005 City of Selah Urban Growth Area Comprehensive Plan designates the site, and properties to the North, South, East and West, as "Moderate Density Residential" providing for a maximum density of twelve (12) dwelling units per acre.

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) determined that this proposal is categorically exempt from SEPA per WAC 197-11-800(6)(a).

Basic public utilities are available to serve the site. Sewer line 8" and water line 12".

TRANSPORTATION: Valleyview Avenue Designated "local access street" with two travel lanes (24 foot pavement width), 40 foot wide right-of-way with no curb/gutter, or sidewalk.

**OTHER FINDINGS:**

- (1) One single family residence occupies the site.
- (2) As proposed, each lot will be connected to public utilities, with utilities serving the rear lot crossing the street frontage lot.
- (3) The proposed lots are compliant with the lot size requirement.
- (4) Division of the property into two separate lots will not contribute additional traffic onto Valleyview Avenue.

The site is designated for moderate density residential development and each lot would be served by municipal services.

The recommendation is for 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 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. The recorded short plat shall provide reference of a separate access and utility easement in favor of Lot 2 across Lot 1. The subject utility easement over and across Lot 1 is for the purpose of access and constructing, installing, maintaining and operating utilities with the right of ingress and egress to such utilities with perpetual right to enter into and upon said land for the purpose of installing and maintaining said utilities, and also, at all times in the future, for the purpose of repairing, inspecting, making connections therewith, maintaining and operating utilities.

4. The short plat shall dedicate five (5) feet of right of way for Valleyview Avenue and the proponent shall construct a five (5) wide sidewalk adjacent to Valleyview Avenue adjacent to the short plat. Existing pavement shall be saw-cut for sidewalk installation and constructed to City standards from the saw cut to back of sidewalk (sidewalk to include barrier curb/gutter). Appropriate construction financing for the required sidewalk may be submitted in lieu of actual construction.

5. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

Chairman Munson called for comments in favor of the application.

Steve Gates, Friends First, stated that financing is the reason for the short plat and variance. If left at one lot the loan would be commercial but if short plated it would be residential and the financing would be less. He asked about the sidewalk condition for approval. He asked why the condition as the rest of the street did not have sidewalks.

Mr. Gates asked if he put in the sidewalk would the City credit him for the sidewalk on the future street.?

Mr. Davison stated yes.

Chairman Munson called for further comments in favor of the proposal.

Carl Torkelson stated that there is a correction on the fact it was Riverview not Valleyview. He stated he was in favor because the lots are big lots and it would be helpful to developers for the smaller lots.

Chairman Munson called for comments opposed to the proposal. Hearing none he called for comments from the Commissioners. He stated the continuance was to allow the applicant to be present and for Commission Smith's concerns to be address on the fire code. The statement of reasonable use of land is the premises he is looking at on this application.

Commissioner Quinnell stated he had a couple of questions. He asked Mr. Torkelson if he owned the duplexes at 305 Riverview.

Mr. Torkelson stated yes.

Commissioner Quinnell asked if that was what would be built on the new lot?

Mr. Torkelson stated he did not know yet.

Commissioner Quinnell asked if that was a condition for Mr. Garner in the approval for his application?

Mr. Davison stated yes, he gave to the City the money for the sidewalk.

Chairman Munson stated that was a standard for approval of plats.

Mr. Davison stated the City has tried to get sidewalks incrementally as development happens. If the City has a street project for that particular street they have the sidewalks paid for through the developers bonds that were posted for their applications. That is why the City allows for a bond to be posted for the sidewalk instead of the actual construction of the sidewalk.

Chairman Munson moved onto the findings and facts for the variance.

Mr. Davison stated that instead of reading the entire findings to just adopt as written.

Chairman Munson stated he had read the findings and he agreed with them. Commissioners Quinnell and Roberts also agreed with the findings.

Chairman Munson moved to approve the findings of facts and the variance. Commissioner Quinnell seconded the motion. Voice vote 3/0.

Chairman Munson moved to approve the short plat with conditions listed. Commissioner Roberts seconded the motion. Voice vote 3/0.

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

**SPECIFIC FINDINGS APPLICABLE TO A VARIANCE**

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:

<b>CRITERIA</b>	<b><u>YES</u></b>	<b><u>NO</u></b>	<b><u>N/A</u></b>
1. Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, do exist.	XXX		
2. Because of such special circumstances, strict application of this title would deprive the owner of rights and privileges enjoyed by other properties.	XXX		
3. The granting of the variance will not be detrimental to the public welfare or injurious to adjacent property.	XXX		
4. The special circumstances do not result from the actions of the applicant.	XXX		
5. The variance is the minimum variance Necessary that will make possible the			

reasonable use of the land, building  
or structure. XXX

6. The granting of the variance will be in  
harmony with the general purpose and intent  
of the zoning ordinance and comp. plan. XXX

## 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.

### Finding and Decision

PROPONENT: Friends 1<sup>st</sup> Investments, L.L.C. (Steve Gates)

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 Riverview Avenue (designated a local access street) with a pavement width of 24 feet, no curb, with no curb, gutter or sidewalk within the forty (40) foot right-of-way which connects to South Third and South First Streets. The proposed short plat, containing an existing residence currently generates approximately ten (10) vehicle trips per day on Riverview Avenue. The short plat, in and of itself, will not create any additional traffic volume.

Conclusions: Potential maximum build-out (comprehensive plan designation permits 12 dwelling units per acre) would permit five (5) dwelling units on the site generating approximately fifty (50) vehicle trips per day. The existing street network is sufficient to accommodate existing and potential future traffic.

#### 2. SIDEWALKS.

Factual Findings: No sidewalk adjacent to the short plat.

Conclusions: Inadequate pedestrian access is 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 existing and potential future residences.

#### 5. SANITARY WASTES.

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

Conclusions: Adequate municipal sewage collection facilities to serve existing and potential future residences.

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 Wixson Park and Lince Elementary to serve the proposed short plat.

7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Lince Elementary and Wixson Park are both 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: Lince Elementary School within ½ mile of the site. Projected student generation from the proposed short plat, at build-out, is 3.250 students.

Conclusions: Schools and school facilities are adequate to serve the proposed short plat.

9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities available, transportation system adequate and a fire hydrant located within 400 feet.

Conclusions: Adequate provisions for public health and welfare. Pedestrian access appears inadequate.

10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates the property Moderate Density Residential allowing a development density of twelve dwellings per acre. The City in support of that comprehensive plan has adopted a zoning ordinance and zoned the property Two-Family Residential (R-2).

Conclusions: The proposal is compliant with the City's comprehensive plan and zoning ordinance, the existing development is compatible with adjacent uses, and the proposal is in furtherance of the City's zoning ordinance and is not detrimental to the neighborhood.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings:

North: Apartments

South: Single Family Residences, Duplexes and Vacant property

East: . Apartments and Single Family Residences.

West: Single Family Residences and Duplexes

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

12. ZONING.

Factual Findings: The subject property and properties to the North, South, East and West are zoned Two-Family Residential (R-2).

Conclusions: Adjacent property to the North, South, East and West is zoned for moderate density residential use and the proposed short plat is compatible with abutting and adjacent zoning.

13. COMPREHENSIVE PLAN

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

Conclusions: Triplex and duplex residential use is consistent with the comprehensive land use designation.

14. ENVIRONMENTAL IMPACTS.

Factual Findings: Categorically exempt from environmental review.

Conclusions: Environmental review not required.

15. TOPOGRAPHY AND NATURAL FEATURES.

Factual Findings: The property is 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 not available.

Based on these findings the short plat should be approved

RECOMMENDED CONDITIONS OF APPROVAL: Five (5) conditions of approval recommended by the Commission:

1. Final lot dimensions, lot area, and improvements indicated on the proposed short plat map 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. The recorded short plat shall provide reference of a separate access and utility easement in favor of Lot 2 across Lot 1. The subject utility easement over and across Lot 1 is for the purpose of access and for constructing, installing, maintaining and operating utilities with the right of ingress and egress to such utilities with perpetual right to enter into and upon said land for the purpose of installing and maintaining said utilities, and also, at all times in the future, for the purpose of repairing, inspecting, making connections therewith, maintaining and operating utilities.

4. The short plat shall dedicate five (5) feet of right of way for Valleyview Avenue and the proponent shall construct a five (5) wide sidewalk adjacent along Valleyview Avenue adjacent to the short plat. Existing pavement shall be saw-cut for sidewalk installation and constructed to City standards from the saw cut to back of sidewalk (sidewalk to include barrier curb/gutter). Appropriate construction financing for the required sidewalk may be submitted in lieu of actual construction.

5. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

2. New Business

a. **DISCOVERY PROPERTIES, INC. SHORT PLAT/LOT SIZE VARIANCE (FILE #913.79.19091 & 915.63.19-020**

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

Mr. Davison presented the staff report.

The proponent is Discovery Properties, Inc.(Jim Gerred).

The location is 1406 West Fremont Avenue----The site is located directly south of Selah Intermediate School (Parcel Number: 1811435-32403).

The request is:(1) Approval of a lot size variance allowing the creation of one parcel, (7,875± sq. ft.), which is 1,125 sq. ft. smaller than the minimum lot size of 9,000 sq. ft. in the Two Family Residential (R-2) zoning district

(2) Approval of a short plat dividing one parcel, (16,875± sq. ft.), into two (2) separate lots in the Two Family Residential (R-2) zoning district.

Selah Municipal Code, Chapter 10.30.030 provides that the Planning Commission may authorize a variance from the terms of the Zoning Ordinance (minimum lot size) 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, (staff believes location and 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 properties)

(d) That the special circumstances do not result from the actions of the applicant; and, (staff concurs that location and surroundings 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*)

Short plat application authority: (Item #2); Selah Municipal Code, Chapter 10.50.016 provides that the Planning Commission shall review the proposal 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.

LAND USE AND ZONING: The existing parcel is contains a single family residence..

SURROUNDING LAND USE:           NORTH: Selah Intermediate School  
  SOUTH: Single family residences  
  EAST: Duplexes  
  WEST: Duplexes

Properties to the North and South are zoned One-Family Residential (R-1) whereas properties to the East and West are zoned Two-Family Residential (R-2) similar to the subject property.

The 'future land use map' contained in the 2005 City of Selah Urban Growth Area Comprehensive Plan designates the site, and properties to the East and West, as "Moderate Density Residential" providing for a maximum density of twelve (12) dwelling units per acre whereas properties to the North and South are designated "Low Density Residential" providing for a maximum density of five (5) dwelling units per acre.

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) determined that this proposal is categorically exempt from SEPA per WAC 197-11-800(6)(a).

Basic public utilities are available to serve the site. Sewer line 8" and water line 10".

West Fremont Avenue Designated "minor arterial" with two travel lanes (34 foot pavement width), variable right-of-way width with curb/gutter, sidewalks and street illumination on both sides.

**OTHER FINDINGS:**

- (1) One single family residence occupies the site.
- (2) As proposed each lot will front W. Fremont and each will be connected to public utilities.
- (3) Division of the property into two separate lots could contribute an additional twenty (20) vehicle trips per day onto W. Fremont Avenue.

**CONCLUSION:** The site is designated for Moderate Density Residential development, the site is zoned Two-Family Residential (R-2), each lot would be served by municipal services, all street infrastructure improvements have been previously completed and this site is an appropriate location for infill development.

The recommendation for Item # 1 is for approval of the minimum lot size variance to facilitate infill development. The recommendation for Item #2 is for 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 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. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

Mr. Davison stated there was a suggestion that the lot line run north and south instead of L shaped. It would make the lot with the house on it the larger lot but the back leg of the L shape would be wasted land if left as presented.

Chairman Munson opened the public hearing to the audience and called for comments in favor of the proposal.

Jim Gerred stated that he is the applicant and if the line was drawn straight the lot with the house would be about 9,800 square feet and the new lot would be about 7,000 square feet. He stated they did not have any objections to that proposal. The existing house is still in good shape and they did not want to remove it.

Chairman Munson asked if the existing garage would be 5' from the property line?

Mr. Davison stated that detached garages could be setback 5' from the property line.

Chairman Munson called for further comments in favor of the proposal. Hearing none he called for comments in opposition to the proposal.

Ted Lukkes stated that he is the property owner to the south of the property. He stated he is concerned with the 25' strip between the properties. He did not want to see any one having access to the strip.

Susan Miller stated her question was if the single family home would remain.

Mr. Gerred stated that yes.

Chairman Munson called for comments from the Commissioners.

Commissioner Quinnell asked if there is a height restriction on buildings.

Mr. Davison stated the height restriction was 35 feet.

Commissioner Quinnell asked what the height of existing houses around the area?

Mr. Davison stated that he did not know.

Commissioner Quinnell asked if he could have two duplexes on the lots?

Mr. Davison stated he could do that today.

Chairman Munson asked how much property was taken from the lot when Fremont was widened?

Mr. Davison stated 10 feet.

Chairman Munson stated he is in favor of the 9,00 s.f. lots, but there may be circumstances that needs to be looked at. He also wanted run off to remain on the lots. He stated that he is in favor of granting the variance.

Commissioner Roberts stated he does not like lots smaller than 9,000 feet.

Ms. Skala asked if there was a requirement for street frontage?

Mr. Davison stated yes 60 feet wide. It appears that this proposal does not meet that.

Discussion ensued on the property line being drawn so that each lot would have 60 feet street frontage.

Chairman Munson made a motion to approve the variance with condition that there is 60' street frontage on the new lot. That would entail moving the lot line west to the east line of the driveway and that line would continue south to within 20 feet to the garage and the jog east 5 feet and then south to the property line. Commissioner Quinnell seconded the motion. Voice vote 3/0

Chairman Munson stated he had read and agreed with the findings and facts on the variance and made a motion to approve the short plat with conditions presented by staff. Commissioner Quinnell second the motion. Voice vote 2/1 Commissioner Roberts voted no.

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 West Fremont Avenue (designated a minor arterial) with a pavement width of 34 feet, curb/gutter and sidewalk and street illumination on both sides. The proposed short plat, containing an existing residence currently generates approximately ten (10) vehicle trips per day on Fremont Avenue. The short plat, in and of itself, will not create any additional traffic volume.

Conclusions: Potential maximum build-out (comprehensive plan designation permits 12 dwelling units per acre) would permit two (2) dwelling units on the site generating approximately twenty (20) vehicle trips per day. The existing street network is sufficient to accommodate existing and potential future traffic.

2. SIDEWALKS.

Factual Findings: Sidewalk adjacent to the short plat.

Conclusions: Adequate pedestrian access is 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 existing and potential future residences.

5. SANITARY WASTES.

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

Conclusions: Adequate municipal sewage collection facilities to serve existing and potential future residences.

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 Intermediate School to serve the proposed short plat.

7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Selah Intermediate School is across the street from the short plat.

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

8. SCHOOLS AND SCHOOL GROUNDS.

Factual Findings: Selah Intermediate School is across the street from the short plat. Projected student generation from the proposed short plat, at build-out, is 1.9 students.

Conclusions: Schools and school facilities are adequate to serve the proposed short plat.

9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities available, transportation system adequate and a fire hydrant located within 250 feet.

Conclusions: Adequate provisions for public health and welfare. Pedestrian access appears adequate.

10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates the property Moderate Density Residential allowing a development density of twelve dwellings per acre. The City in support of that comprehensive plan has adopted a zoning ordinance and zoned the property Two-Family Residential (R-2).

Conclusions: The proposal is compliant with the City's comprehensive plan, the existing and proposed development is compatible with adjacent uses, and the proposal is in furtherance of the City's zoning ordinance, provides for infill development and is not detrimental to the neighborhood.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings:

North: School

South: Single Family Residences

East: Duplexes

West: Duplexes

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

12. ZONING.

Factual Findings: The subject property and properties to the East and West are zoned Two-Family Residential (R-2). Properties to the North and South are zoned One-Family Residential (R-1).

Conclusions: Adjacent property to the East and West zoned for moderate density residential use and the proposed short plat is compatible with abutting zoning.

### 13. COMPREHENSIVE PLAN

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

Conclusions: Triplex and duplex residential use is consistent with the comprehensive land use designation.

### 14. ENVIRONMENTAL IMPACTS.

Factual Findings: 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 available to this property.

Conclusions: Irrigation water available.

Based on these findings the short plat should be approved.

Motion to adopt findings of fact and recommend approval of the short plat by Munson, seconded by Quinnell vote: 3 to 0

Three (3) conditions of approval recommended by the Commission:

1. Final lot dimensions, lot area, and improvements indicated on the proposed short plat map 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. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

b. **TORKELSON SHORT PLAT (FILE #913.82.10-04)**

Chairman Munson opened the public hearing for the short plat and asked staff to read the report.

Mr. Davison presented the staff report.

The proponent is Carl and Candi Torkelson.

The location is westerly end of Harris Avenue. The site is located approximately one hundred (100) feet west of Harris Avenue at the south end of South Seventh Street (Parcel Number: 181302-42447).

The request is for approval of a short plat dividing approximately 12.0 acre parcel into public street right of way, two (2) small lots (#1-10,000± sq. ft.); (#2-11,000± sq. ft.) with two (2) remaining large lot (#3-4.27± acres) and (#4-7.8± acres in the One Family Residential (R-1) zoning district.

Selah Municipal Code, Chapter 10.50.016 provides that the Planning Commission shall review the proposal 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.

The existing parcel is vacant.

#### SURROUNDING LAND USE:

NORTH: Single-family residences

SOUTH: Vacant property

EAST: Single family residences

WEST: Vacant property

Properties to the North, South, and East are zoned One-Family Residential (R-1) similar to the subject property. Property to the West, located in unincorporated Yakima County, is zoned Single Family Residential (R-1).

The 'future land use map' contained within the 2005 City of Selah Urban Growth Area Comprehensive Plan designates the site, and properties to the North, South, East and West, as "Low Density Residential" providing for a maximum density of five (5) dwelling units per acre.

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) issued a Determination of Nonsignificance (DNS) on February 14, 2010. Responses received are to be considered an appendix to and a part of this report. (Comments received prior to issuance of this report are attached. Comments received after report issuance will be provided at the public hearing). A comment was received from the Selah Naches Irrigation District stating that the property was entitled to irrigation rights and ways to serve the property. I believe that Mr. Torkelson has talked to the District.

Basic public utilities are available and will be extended to serve the site. Sewer line 8" and water line 8".

#### TRANSPORTATION:

Harris Avenue and So. 7<sup>th</sup> Street Designated "local access streets" with two travel lanes 50 foot wide right-of-way with curb/gutter and sidewalk on one street side.

#### OTHER FINDINGS:

- (1) The site is vacant.
- (2) As proposed, Lots 1 and 2 will be connected to public utilities.

(3) The proposed lots are compliant with the lot size requirement of the One-Family Residential (R-1) zone.

(4) Division of the property into four separate lots will potentially contribute forty (40) additional vehicular trips per day. These vehicle trips will be distributed on Harris Avenue and So. 7<sup>th</sup> Street eventually onto Southern Avenue.

CONCLUSION: The site is designated for low density residential development and each lot would be served by municipal services.

The recommendation is for 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 must substantially conform to the proposed short plat recommended by the Planning Commission.

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

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

3. Install street illumination on Harris Avenue to City standards at location(s) determined by the Director of Public Works..

4. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

Chairman Munson called for comments from the audience in favor of the proposal.

Carl Torkelson stated that he and the Naches Selah Irrigation District have talked and they are not supplying water to the lots as yet. They are not going to supply water to the at this time.

Chairman Munson asked if Harris Avenue ended at the property line?

Mr. Torkelson stated yes.

Chairman Munson asked if there were homes on lot 28 and 29?

Mr. Davison stated it was completely built out.

Commissioner Quinnell asked if there was storm drainage in the road?

Mr. Torkelson stated that was done in Eagle Ridge.

Commissioner Quinnell

Chairman Munson called for comments from the audience in opposition to the proposal.

Jane Williams stated she was not opposed to the project she just had some questions. She asked where is the street access to lot four (4)?

Chairman Munson stated that a future extension of 7<sup>th</sup> Street would access lot 4.

Mr. Davison stated Ms Williams is correct at this time there is no street access to lot 4.

Ms. Williams asked who has to pay for the extension of Harris Avenue and would it be paved?

Mr. Torkelson stated yes.

Ms. Williams asked how often can someone short plat property. She stated this lot had been short platted about a year ago.

Mr. Torkelson stated there was a boundary line adjustment, which is done administratively and the parent parcel was the one not short platted last year.

Ms Williams asked again how often can land be short platted?

Mr. Davison stated statute says you can not short plat a short plat for 5 years.

Ms. Williams stated that the only other concern she had was the traffic which she has mentioned at each meeting.

Chairman Munson made the motion to approve the short plat with conditions as staff presented. Commissioner Roberts seconded the motion.

Mr. Davison stated that the Commission should expand the motion to include the findings.

Chairman Munson expanded his motion to include the findings and he read the conditions for the record.

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

## 2. STREETS, ROADS, ALLEYS, AND OTHER PUBLIC WAYS.

Factual Findings: The short plat will abut Harris Avenue Drive (to be constructed) which is designated a local access street with a future pavement width of 32 feet with curb, gutter and sidewalk on one street side. The proposed short plat will generate potentially forty (40) vehicle trips per day distributed onto Harris Avenue and So. 7<sup>th</sup> Street and eventually funneled onto Southern Avenue.

Conclusions: Potential maximum build-out is four (4) residences (comprehensive plan designation permits 5 dwelling units per acre). The existing and proposed street network is sufficient to accommodate existing and potential future traffic.

## 2. SIDEWALKS.

Factual Findings: A sidewalk will be constructed within the short plat and a sidewalk exists on So. 7<sup>th</sup> Street.

Conclusions: Adequate pedestrian access is 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 the potential future residences.

5. SANITARY WASTES.

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

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

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 Wixson Park and Lince Elementary to serve the proposed short plat.

7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Lince Elementary and Wixson Park are both within one (1) mile.

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

8. SCHOOLS AND SCHOOL GROUNDS.

Factual Findings: Lince Elementary School within one (1) mile of the site. Projected student generation from the proposed short plat, at build-out, is 2.58 students.

Conclusions: Schools and school facilities are adequate to serve the proposed short plat.

9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities available, transportation system adequate and a fire hydrant is to be located at the intersection of Harris Avenue and So. 7<sup>th</sup> Street.

Conclusions: Adequate provisions for public health and welfare. Pedestrian access appears adequate.

10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates the property Low Density Residential allowing a development density of five dwellings per acre. The City in support of that comprehensive plan has adopted a zoning ordinance and zoned the property One-Family Residential (R-1).

Conclusions: The proposal is compliant with the City's comprehensive plan and zoning ordinance, the proposed development is compatible with adjacent uses, and the proposal is in furtherance of the City's comprehensive plan, zoning ordinance and is not detrimental to the neighborhood.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings:

NORTH: Single-family residences

SOUTH: Vacant property

EAST: Single family residences

WEST: Vacant property

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

12. ZONING.

Factual Findings: The subject property and properties to the North, South, and East are zoned One-Family Residential (R-1). Property to the West, located in unincorporated Yakima County, is zoned One Family Residential (R-1)

Conclusions: Adjacent property to the North, South, East and West is zoned for low density residential use and the proposed short plat is compatible with abutting and adjacent zoning.

### 13. COMPREHENSIVE PLAN

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

Conclusions: Single family residential use is consistent with the comprehensive land use designation.

### 14. ENVIRONMENTAL IMPACTS.

Factual Findings: Determination of Nonsignificance issued February 14, 2010.

Conclusions: No significant environmental factors identified.

### 15. TOPOGRAPHY AND NATURAL FEATURES.

Factual Findings: The property slopes up-hill to the south.

Conclusions: The property is suitable for development.

### 16. IRRIGATION AVAILABILITY:

Factual Findings: Naches-Selah Irrigation District water can be made available to this property.

Conclusions: Irrigation water can be made available.

Based on these findings the short plat should be approved.

Motion to adopt findings of fact and recommend approval of the short plat by Munson, seconded by Roberts. Vote 3/0.

Recommended conditions of approval: Four (4) conditions of approval recommended by the Commission:

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

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

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

3. Install street illumination on Harris Avenue to City standards at location(s) determined by the Director of Public Works..

4. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

#### **c. TORKELSON SHORT PLAT (FILE #913.66.10-02)**

Chairman Munson opened the public hearing for the short plat and asked staff to read the report.

Mr. Davison presented the staff report.

The proponent is Carl and Candi Torkelson

The location is westerly end of Terrace Drive. The site is located approximately one hundred (100) feet west of South Seventh Street (Parcel Number: 181302-42446).

The request is for approval of a short plat dividing a 5.13 acre parcel into public street right of way, three (3) small lots (#1-9,200) (#2-8,034) (#3-8,032) with remaining large lot (#4-190,004) in the One Family Residential (R-1) zoning district. Average size of small lots: 8,422 s. f.

Selah Municipal Code, Chapter 10.50.016 provides that the Planning Commission shall review the proposal 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.

The existing parcel is vacant.

SURROUNDING LAND USE:            NORTH: Vacant and across Southern Avenue is apartments  
   SOUTH: Vacant property  
   EAST: Single family residences  
   WEST: Vacant property

Properties to the North, South, and East are zoned One-Family Residential (R-1) similar to the subject property. Further North, across Southern Avenue, is zoned Multiple-Family Residential (R-3). Property to the West, located in unincorporated Yakima County, is zoned Single Family Residential (R-1).

The 'future land use map' contained within the 2005 City of Selah Urban Growth Area Comprehensive Plan designates the site, and properties to the North, South, East and West, as "Low Density Residential" providing for a maximum density of five (5) dwelling units per acre.

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) issued a Determination of Nonsignificance (DNS) on February 7, 2010. Responses received are to be considered an appendix to and a part of this report. (Comments received prior to issuance of this report are attached. Comments received after report issuance will be provided at the public hearing).

Basic public utilities are available and will be extended to serve the site. Sewer line 8" and water line 8".

#### TRANSPORTATION:

Terrace Drive and So. 7<sup>th</sup> Street Designated "local access streets" with two travel lanes 50 foot wide right-of-way with curb/gutter and sidewalk on one street side.

#### OTHER FINDINGS:

- (1) The site is vacant.
- (2) As proposed, Lots 1, 2 and 3 will be connected to public utilities.
- (3) The proposed lots are compliant with the lot size requirement of the One-Family Residential (R-1) zone.
- (4) The Naches-Selah Irrigation District indicates the property is within the District and irrigation water is available.

(5) Division of the property into four separate lots will potentially contribute forty (40) additional vehicular trips per day onto Southern Avenue.

The site is designated for low density residential development and each lot would be served by municipal services.

The recommendation is for 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 must substantially conform to the proposed short plat recommended by the Planning Commission.

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

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

3. Install street illumination on Terrace Drive to City standards at location(s) determined by the Director of Public Works..

4. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

Chairman Munson asked what the square footage for R-1 zones?

Mr. Davison stated 8,000 s.f.

Chairman Munson opened the public hearing for the audience comments in favor of the proposal.

Mr. Torkelson asked if the Commission had questions for him.

Chairman Munson asked Mr. Davison if the fire standards had been looked at?

Mr. Davison stated the Fire Department had reviewed the proposal.

Chairman Munson called for comments from the audience opposed to the proposal.

Ms. Williams stated she just had questions. The size of lot is different from the previous proposal. She again mentioned the traffic concerns.

Mr. Davison stated code requires 9,000 to R2 lots and 8,000 for R-1.

Chairman Munson called for comments from the Commissioners.

Chairman Munson made a motion to approve the short plat with the findings stated and the conditions stated in the staff report. Commissioner Quinnell seconded the motion.

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 Terrace Drive (to be constructed) designated a local access street with a future pavement width of 32 feet with curb, gutter and sidewalk on one street side.

The proposed short plat will generate potentially forty (40) vehicle trips per day onto So. 7<sup>th</sup> Street and Southern Avenue.

Conclusions: Potential maximum build-out is four (4) residences (comprehensive plan designation permits 5 dwelling units per acre). The existing and proposed street network is sufficient to accommodate existing and potential future traffic.

## 2. SIDEWALKS.

Factual Findings: A sidewalk will be constructed within the short plat and a sidewalk exists on So. 7<sup>th</sup> Street.

Conclusions: Adequate pedestrian access is 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 the potential future residences.

## 5. SANITARY WASTES.

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

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

## 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 Wixson Park and Lince Elementary to serve the proposed short plat.

## 7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Lince Elementary and Wixson Park are both within one (1) mile.

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

## 8. SCHOOLS AND SCHOOL GROUNDS.

Factual Findings: Lince Elementary School within one (1) mile of the site. Projected student generation from the proposed short plat, at build-out, is 2.58 students.

Conclusions: Schools and school facilities are adequate to serve the proposed short plat.

## 9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities available, transportation system adequate and a fire hydrant located within 100 feet at Terrace Drive and So. 7<sup>th</sup>.

Conclusions: Adequate provisions for public health and welfare. Pedestrian access appears adequate.

## 10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates the property Low Density Residential allowing a development density of five dwellings per acre. The City in support of that comprehensive plan has adopted a zoning ordinance and zoned the property One-Family Residential (R-1).

Conclusions: The proposal is compliant with the City's comprehensive plan and zoning ordinance, the proposed development is compatible with adjacent uses, and the proposal is in furtherance of the City's comprehensive plan, zoning ordinance and is not detrimental to the neighborhood.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings:

NORTH: Vacant and northeasterly across Southern Avenue is apartments

SOUTH: Vacant property

EAST: Single family residences

WEST: Vacant property

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

12. ZONING.

Factual Findings: The subject property and properties to the North, South, and East are zoned One-Family Residential (R-1). Further North, across Southern Avenue, is zoned Multiple-Family Residential (R-3). Property to the West, located in unincorporated Yakima County, is zoned One Family Residential (R-1)

Conclusions: Adjacent property to the North, South, East and West is zoned for low density residential use and the proposed short plat is compatible with abutting and adjacent zoning.

13. COMPREHENSIVE PLAN

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

Conclusions: Single family residential use is consistent with the comprehensive land use designation.

14. ENVIRONMENTAL IMPACTS.

Factual Findings: Determination of Nonsignificance issued February 7, 2010.

Conclusions: No significant environmental factors identified.

15. TOPOGRAPHY AND NATURAL FEATURES.

Factual Findings: The property slopes up-hill to the south.

Conclusions: The property is suitable for development.

16. IRRIGATION AVAILABILITY:

Factual Findings: Naches-Selah Irrigation District water is available to this property.

Conclusions: Irrigation water is available.

Based on these findings the short plat should be approved.

Motion to adopt findings of fact and recommend approval of the short plat by Munson, seconded by Quinnell vote: 3/0.

Recommended conditions of approval: Four (4) conditions of approval recommended by the Commission:

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

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

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

3. Install street illumination on Terrace Drive to City standards at location(s) determined by the Director of Public Works..
4. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

d. **MATSON FRUIT COMPANY SHORT PLAT (FILE #913.66.10-02)**

Chairman Munson opened the public hearing for the short plat and asked staff to read the report.

Mr. Davison presented the staff report. The City Council has worked out a Development Agreement with the Matson Fruit Company and in exchange for the Development Agreement the City will rezone approximately 8.3 acres to industrial. That is basically the yellow colored area on the map just handed out to you. The balance of the property will remain B2 general business. The Development Agreement requires Matson Fruit to short plat the lot into two lots as shown on the map. The agreement further states that Matson Fruit has specific times of which to build the office build, specific time for the fruit packing building, and specific time for the warehousing. If it is not completed as agreed upon the Development Agreement is null and void. The Development Agreement contains the requirement that the City of Selah acquire right of way on Bartlett Ave. and improve the intersection of Bartlett and Wenas so the trucks can have a turning radius. Matson Fruit will dedicate right of way from the end of South Park Drive to Railroad Ave so the City can extend Railroad Ave through the SR823 improvements. There will be a landscaping border before any buildings are in place

The proponent is Matson Fruit Company (Jordan Matson)

The location is 600 block South Park Drive. The site is located approximately three hundred (300) feet east of North Wenas Avenue at the east end of Larson Drive (Parcel Number: 181336-24401).

The request is for approval of a short plat dividing one parcel, (14.94 acres), into two (2) separate lots in the General Business (B-2) zoning district. (portion proposed for rezone to Industrial [M-1] on March 9<sup>th</sup>)

Selah Municipal Code, Chapter 10.50.016 provides that the Planning Commission shall review the proposal 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.

The existing parcel is vacant..

**SURROUNDING LAND USE:**

NORTH: AAA storage facility

SOUTH: Matson Fruit Co. and agricultural processing facilities

EAST: Burlington Northern Santa Fe Railroad tracks

WEST: Commercial enterprises

Property to the North and West is zoned General Business (B-2). Property to the South is zoned Industrial (M-1). Property to the East is zoned Agriculture (Yakima Co.).

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

The City of Selah, as the lead agency for this proposal under the State Environmental Policy Act (SEPA) finding no significant adverse environmental impacts exist issued a Determination of Nonsignificance (DNS) that includes not only this proposal but a 'Development Agreement' negotiated between the City of Selah and Matson Fruit Co. The DNS comment period expires February 23rd per WAC 197-11.

Basic public utilities are available to serve the site. Sewer line 12" and water line 12".

TRANSPORTATION:

South Park Drive Designated "local access street" with two travel lanes (32 foot pavement width), 50 foot wide right-of-way with curb/gutter, sidewalk and street illumination on one side. The Matson side contains no sidewalk or street illumination.

Bartlett Avenue Designated "local access street" with two travel lanes (30 foot pavement width), 40 foot wide right-of-way with curb/gutter on the north side, no sidewalk or street illumination.

Railroad Avenue Designated "local access street" with two travel lanes (44 foot pavement width), variable 60-100 foot wide right-of-way with no curb/gutter, sidewalk or street illumination.

North Wenas Road Designated "minor arterial" with four travel lanes (50 foot pavement width), variable 60-75 foot wide right-of-way with curb/gutter, sidewalks and street illumination on both sides.

OTHER FINDINGS:

- (1) The property is vacant.
- (2) As proposed each lot will have public utilities available.
- (3) The proposed lots are compliant with the lot size requirement.
- (4) The Matson "development agreement" being considered by City Council for approval March 9<sup>th</sup> requires Matson to install a sidewalk and street lights on the East side of S. Park Drive adjacent to Lot. Installation of sidewalk and street lights on the East side of S. Parks Drive adjacent to Lot will occur with further platted or development for commercial purposes.
- (5) The Matson "development agreement" being considered by City Council for approval March 9<sup>th</sup> requires Matson to dedicate right-of-way for the extension of a public street (Railroad Avenue) from South Park Drive southerly to Railroad Avenue at East Home Avenue.
- (6) The short plat, in and of itself, will not contribute additional traffic onto the vicinity transportation network.

The northerly 6.51± acres will remain designated Commercial while the southerly 8.43± acres would be designated Industrial subject to development limitations contained in the Matson 'development agreement'. Each lot would be served by municipal services.

The recommendation is for 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 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. The recorded short plat shall provide reference to the Matson "Development Agreement" and "Development Site Plan" which agreement and site plan shall be recorded prior to final short plat recording.

4. Installation of a sidewalk and street lights on the East side of S. Park Drive and dedication of right-of-way from South Park Drive to East Home Avenue shall occur in conformance with the Matson "Development Agreement".

5. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

Chairman Munson called for comments from the Commissioners.

Chairman Munson made a motion to approve the short plat with conditions and adopt the findings. Commissioner Roberts seconded the motion.

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 South Park Drive (designated a local access street) with a pavement width of 32 feet, with curb, gutter and sidewalk located on the west side. The right-of-way width is fifty (50) feet and the street connects to Larson Drive and eventually to North Wenas Road. Traffic generated from the short plat will not create a significant adverse environmental impact. The short plat, in and of itself, will not create any additional traffic volume.

Conclusions: The existing, and proposed improvements to the street network recited in the Matson "Development Agreement" is sufficient to accommodate existing and potential future traffic.

#### 2. SIDEWALKS.

Factual Findings: No sidewalk adjacent to the short plat.

Conclusions: Inadequate pedestrian access is 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 existing and potential future uses.

5. SANITARY WASTES.

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

Conclusions: Adequate municipal sewage collection facilities to serve existing and potential future uses.

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: The proposed short plat does not generated a need for additional open space. "Open space" is available at Carlon Park and Selah High School.

7. PARKS AND RECREATION AND PLAYGROUNDS.

Factual Findings: Carlon Park and Selah High School are both within ¼ mile.

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

8. SCHOOLS AND SCHOOL GROUNDS.

Factual Findings: No additional student population generated from the proposed short plat.

Conclusions: Schools and school facilities are adequate to serve the proposed short plat.

9. PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Factual Findings: Municipal water and sewerage facilities available, transportation system adequate and a fire hydrant located within 50 feet.

Conclusions: Adequate provisions for public health and welfare. Pedestrian access will be improved and adequate with implementation of the Matson "Development Agreement".

10. WILL THE PUBLIC INTEREST BE SERVED?

Factual Findings: The City has adopted a comprehensive plan that designates, after the March 9<sup>th</sup> Council approval of a comprehensive plan and zoning amendment, the site partially Commercial and partially Industrial and development of the industrial property will be in accordance with a 'development agreement' and 'development plan'. The City in support of that comprehensive plan and proposed plan amendment has adopted a zoning ordinance and zoned the property partially General Business (B-2) and partially Industrial (M-1).

Conclusions: The proposal is compliant with the City's comprehensive plan and zoning ordinance, the existing development is compatible with adjacent uses, and the proposed future development is in furtherance of the City's zoning ordinance and is not detrimental to the neighborhood.

OTHER FACTORS THAT MAY BE RELEVANT FOR CONSIDERATION:

11. ADJACENT LAND USE

Factual Findings:

North: AAA storage facility

South: Matson Fruit Co. and agricultural processing facilities

East: Burlington Northern Santa Fe Railroad tracks

West: Commercial enterprises

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

## 12. ZONING.

Factual Findings:

The subject property and properties to the North and West are zoned General Business (B-2).

Property to the South is zoned Industrial (M-1).

Property to the East is zoned Agriculture (Ag) [Yakima County]

Conclusions: The proposed short plat and proposed uses integrated into the 'development agreement' is compatible with abutting and adjacent zoning.

## 13. COMPREHENSIVE PLAN

Factual Findings: The City of Selah Urban Growth Area Comprehensive Plan (2005), subject to a pending amendment, would designate a portion of the property (southerly) Industrial and a portion of the property (northerly) Commercial.

Conclusions: Commercial and industrial development of the property is contemplated and would be consistent with the comprehensive land use designations.

## 14. ENVIRONMENTAL IMPACTS.

Factual Findings: Environmental review was completed with no significant adverse impacts identifies.

Conclusions: Environmental review completed.

## 15. TOPOGRAPHY AND NATURAL FEATURES.

Factual Findings: The property is flat.

Conclusions: The property is available for development.

## 16. IRRIGATION AVAILABILITY:

Factual Findings: Taylor Ditch Company water is available to this property.

Conclusions: Irrigation water is available.

Based on these findings the short plat should be approved.

Motion to adopt findings of fact and recommend approval of the short plat by Munson, seconded by Roberts vote: 3/0

The recommendation is for 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 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. The recorded short plat shall provide reference to the Matson "Development Agreement" and "Development Site Plan" which agreement and site plan shall be recorded prior to final short plat recording.

4. Installation of a sidewalk and street lights on the East side of S. Park Drive and dedication of right-of-way from South Park Drive to East Home Avenue shall occur in conformance with the Matson "Development Agreement".

5. The short plat is to be recorded within five (5) years of the City's approval or such approval expires.

G: General Business

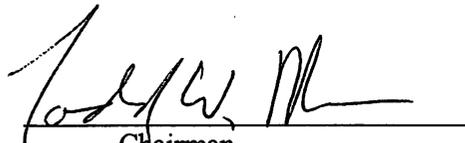
1. Old Business - None
2. New Business - None

H. Reports/Announcements

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

I. Adjournment

Chairman Munson moved to adjourn the meeting, Commissioner Quinnell seconded the motion. The meeting was adjourned the meeting at 9:02 pm.

  
Chairman