

**CITY OF WHITE SALMON
PLANNING COMMISSION MEETING**

August 8, 2007

Meeting called to order at 5:30 PM.

Roll Call: Present were Vice-Chair Suzie Willey, Comm. Spaeth, Poucher and Bill Mason. Comm. Smith excused. Staff –Dotty DeVaney, Planner, Associate Planner Dixie Walker and applicants Howard Kreps and Bob Blades.

Request by Planning Commission to petition the City Council to renew Suzie Willey's membership to the Planning Commission for a new 4-year term. Vice-Chair Willey turned this agenda item over to Dotty DeVaney. Dotty said whenever you have a vacancy on the Commission, the By-Laws require that someone who wants to serve another term on the Planning commission must submit a written request to the Mayor and City Council may renew the terms of membership.” Suzie has submitted that written request. The By-Laws do not require an action by the PC however; the PC may wish to make a recommendation to the Council. *Motion by Comm. Poucher to recommend Suzie Willey to fill position #4 and to forward comments to the City Council to support Comm. Willey to continue as a Planning Commissioner; motion seconded by Comm. Mason – approved 4-0.*

Welcome to new Planning Commissioner Bill Mason. Dotty DeVaney said Mr. Mason will be a great asset to the PC. Commissioners welcomed Mr. Mason.

The determination of qualifications of members of the Planning Commission to assure a fair and impartial hearing was recited. No ex-parte contact, conflict of interest or bias and no one wished to abstain as a result of conflict or bias was revealed. There was not anyone in the audience wishing to object to the participation of any of the sitting members. Public Hearing opened at 5:40 PM.

PUBLIC HEARING WS-SP-2007-003. Applicant's R. Howard and Christine E. Kreps. Location: NE Corner of the intersection of Estes Avenue and Jewett (SR-141) Blvd.

REVIEW OF STAFF REPORT by the city's Land Use Consultant Dotty DeVaney. Dotty said that Comm. Poucher and Comm. Willey both contacted her via e-mail and telephone. The e-mail was directed to all of

the Planning Commission. “(1) looking at the preliminary plan map included with the package, can a delivery truck back into the loading dock area if the property lines were to have a “hard built” fence constructed. When you look at this on the ground it appears that when trucks back into this they cross over that imaginary line now. Does this need to be addressed?” (2) Fact 4, last item Storm Water—doesn’t really matter that the use is remaining the same the question needs to be asked is the storm water off of this property a problem? If it is then it needs to be addressed. If there is no problem with the storm water then I would suggest a rewording to something like this; At this time staff was not aware of, nor were there any concerns lodged by neighbors, that the described properties were known to create an adverse impact on storm water runoff”.

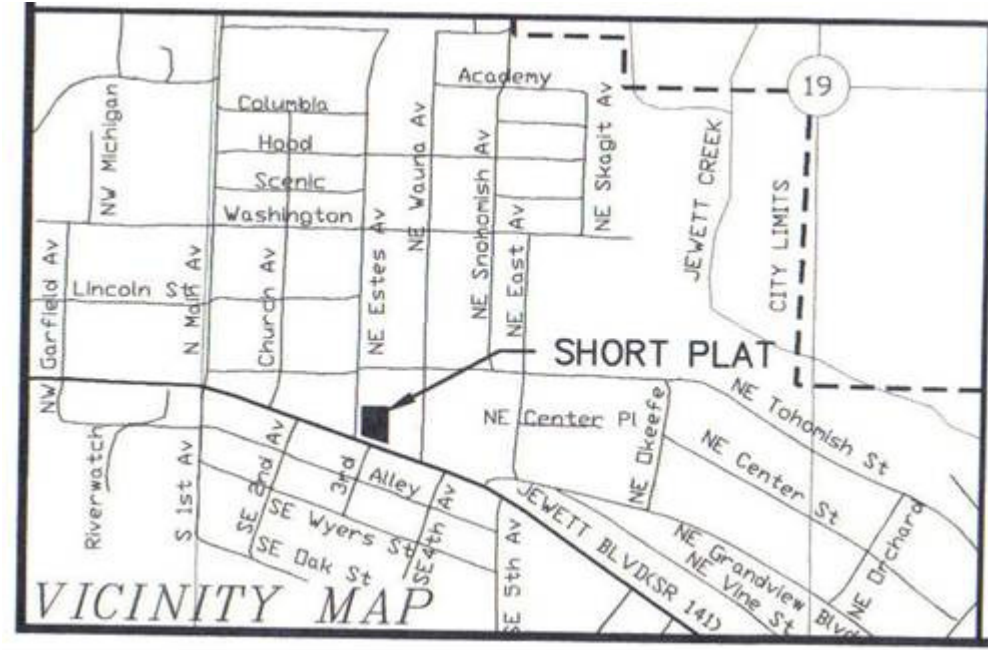
Dotty said there is participation with all tenants, the contract purchaser and the contract seller. Tenants are not required to agree to a land use application however due to the questions on the loading dock there is comment from the tenant of Heidi’s. “I have leased and operated Heidi’s Convenience Store since February 1998. I have no objection to the short plat requested as presented by Howard Kreps. The loading dock at the rear of the store is accessible for my purposes and the lot line as proposed is acceptable to me. Since I have worked and operated the store I have had no complaints or issues concerning storm water runoff. David VanLaar.”

Dotty spoke with Engineers Mike Wellman and Frank Childs of Pioneer Engineering just to confirm that there were no point source issues related to stormwater that we need them to fix. They (the applicant’s) are contributors to stormwater issues, all impervious surfaces are contributors to stormwater issues in general. Comm. Poucher said in other words, we can say that we have looked at it, we have evaluated it and we do not have a problem with stormwater at this time.

Access to the loading dock must be on Lot 2. The tenant said there is not a lot of large vehicle use in the loading zone area. All current occupants were advised of the potential conflict.

Applicant proposes a land division including requested approval for two (2) lots located within the City of White Salmon (City). Project is located on the NE corner of the intersection of Jewett Blvd and NE Estes Ave. This property is legally referenced as Tax Parcel 03-11-1933-003/00, and is located in Government Lot 4 in the SW ¼ of the SW ¼ of Section 19, in Township 3N, Range 11E, W.M., Klickitat County, Washington.

LOCATION:



This matter has been duly noticed and is scheduled to be heard by the White Salmon Planning Commission (PC) on August 8th, 2007. In preparation for the hearing, the city's consulting planner has reviewed the applicant's proposal, has discussed the proposal with city staff, reviewed all applicable criteria, and clarified two questions with the applicant's representative, Bob Blades, on July 18th, 2007.

PRELIMINARY PLAN MAP:

Proposed short plat divides an existing parcel between two (2) existing commercial buildings and uses. No change in land use is proposed. Any future change in land use will be subject to review under land use ordinances in effect at the time.

BACKGROUND INFORMATION:

Proposed lot sizes are:

- Lot #1 – 4387 s.f.
- Lot #2 – 8969 s.f.

Complete Legal Description:

A tract of land in Government Lot 4, Section 19, Township 3 North, Range 11 East, of the Willamette Meridian, in the County of Klickitat and State of Washington, described as follows:

Commencing at a point which is 721.45 feet East and 169 feet South of the Northwest corner of the Southwest Quarter of the Southwest quarter of said Section 19; thence East 115.36 feet to the West line of the property described in contract of sale recorded March 29th, 1956, Auditor's File No. 76755; thence Southerly along said West line (and said West line extended) to the North line of Jewett Blvd; thence Northwesterly along said North line to the East line of NE Estes Ave; thence Northerly 99.6 feet, more or less, along said East line to the point of beginning.

Assessor's Tax Parcel No. 03-11-1933-0005/00

Ownership:

The Applicants have provided a Subdivision Guarantee showing Title Vested in PANELOG, a partnership. R. Howard and Christine E. Kreps, are contract purchasers for the real properties comprising the proposed short plat and have initiated the application. John Nelson and Max Logan are PANELOG partnership and hold the contract on the parcel. Nelson and Logan have authorized the land division via notarized signature.

Lot Size:

0.31 Acres

Zoning:

C-2: General Commercial

Existing Land Use:

A realty agency and a mini-mart currently share the lot. The entire site slopes gently up from Jewett Blvd. The majority of the site is paved. No springs, seeps or ponded water were identified on any portion of the properties subject to this proposed short plat. (See preliminary plat map.)

Surrounding Land Use:

All uses immediately surrounding the parcel are zoned commercial and most parcels in the vicinity are in commercial use. The parcel is located on the corner of Jewett Blvd and NE Estes Ave, a primary commercial corner in the downtown commercial area of White Salmon.

The Recommendation. Based upon the following findings, the staff forwards a recommendation for approval of WS-SP-2007-003 subject to strict compliance with all Proposed Findings of Fact and Conditions of Approval.

Proposed Findings of Fact and Conclusions of Law:

WSMC 16.64.080.A. Its conformance to the general purposes, standards and requirements to the city’s comprehensive plan, zoning ordinance, environmental ordinance and to any other applicable laws and policies:

F-1

The proposal, as conditioned, complies with this criterion.

- **Comp Plan -**
- The parcel is zoned C-2 (general commercial). The Comprehensive Plan provides no minimum lot size, no required front, side, or rear yards unless a parcel abuts a residential district.
- **Zoning Ordinance -**
- The Zoning ordinance implements the 0 s.f. minimum lot size, requires no front, side, or rear yards unless a parcel abuts a residential district, and allows for commercial use.
- **State Law -**
- The subject property is located on Jewett Blvd., also known as Highway 141. This means the city must apply standards that are the same or more stringent than the state’s access standards. (RCW 47.50 – WAC 468-52-040)
- RCW 58.17.110 also lists other factors to be considered and findings required by state law prior to approval of a land division. These factors are discussed and findings provided below.
- A condition of approval also requires that the short plat conform to other local and state regulations controlling water, wastewater, solid waste service, and environmental regulations where they may be applicable.

WSMC 16.64.080 B. The physical characteristics of the short subdivision site. Flood inundation or swamp conditions are cause for disapproval. Construction of protective improvements may be required as a condition of approval;

F-2

No flood hazards, riparian areas, wetlands, or other environmentally sensitive areas are located on the subject parcel.

WSMC 16.64.080 C. All other relevant facts to determine whether the public interest will be served by the short subdivision;

F-3

The public interest will be served by this short subdivision as per the relevant facts set forth throughout these Findings and Decision.

RCW 58.17.110

Approval or disapproval of subdivision and dedication -- Factors to be considered -- Conditions for approval -- Finding --

(2) A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication.

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This application is consistent with the public health, safety, and general welfare when subject to appropriate conditions and standards as provided in these Findings and Decision. Approval of this short plat will result in no change in land use. Any future change in land use will be subject to zoning regulations in effect at the time.

Safety of Streets, Roads, Alleys, and Other Public Ways is provided for uses permitted outright in the WSMC by the imposition of street standards. The proposed land division does not include a request for changes in use or in points of access and existing uses will continue to operate in their established manner. Approval of this short plat will result in no change in the safety of public ways.

Potable water is available to the site. Approval of this short plat will not result in a change in use or a change in demand for water or water service.

Wastewater service is available at the site. Approval of this short plat will not result in a change in use or a change in demand for wastewater service.

Storm water Approval of this short plat will not result in a change in use or a change in stormwater runoff.

WSMC 16.64.080 D. All standards for improvement as set forth in Chapter 16.28 have been met;

F-5

The request for land division does not include any request for change in use or additional improvements of the site. Any future change in use or additional improvements on either lot will be subject to improvement standards in effect at the time.

WSMC 16.64.080 E. Determine if the intent of this title is met by the short plat and that the short plat does not contravene the intent of state and local subdivision regulations.

F-6

Application of the recommended conditions of approval ensure the proposal as conditioned is consistent with the intent of this title.

WAC 468.51.110 Changes in property site use. The connection permit is issued to the permit holder for a particular type of land use generating specific projected traffic volumes at the final stage of proposed development. Any changes made in the use, intensity of development, type of traffic, or traffic flow of the property requires the permit holder, his or her assignee, or property owner...shall obtain a new permit prior to the initiation of any on-site construction to the connection or to the property.

(1) Significant change. A significant change is one that would cause a change in the category of the connection permit or one that causes an operational, safety, or maintenance problem on the state highway system based on objective engineering criteria or available accident data. Such data shall be provided to the property owner and/or permit holder and tenant upon written request.

(2) Notification. Failure to contact the department to determine the need for connection modifications or to apply for a new permit for such modifications prior to initiation of property improvements, land use changes or traffic flow alteration actions shall result in notification to the property owner and/or permit holder and tenant of intent to revoke the existing permit and closure of the connection to the property.

(3) Costs. The permit holder is responsible for all costs associated with connection removal, relocation, or modification caused by increased or

altered traffic flows necessitated by changes to facilities, use, or to the nature of the business on the property.

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Approval of this short plat will result in no significant change of site use or access locations. A condition of approval notifies the land owners that any future change in use may trigger review and revision of points of access onto Highway 141 (Jewett Blvd.) if required at the time.

CONDITIONS OF APPROVAL:

Prior to Final Short Plat Approval:

C-1. All relevant requirements of the City's Short Subdivision ordinance shall be met and the final short plat shall be prepared in accordance with WSMC 16.12.050 (j) and other applicable law. The Applicant shall submit a final short plat prepared by a Washington registered land surveyor for approval by the City. The Applicant shall submit the final short plat as approved by the City to be recorded with the Klickitat County Auditor, this becoming a legal division of land.

C-2. No further division of land in this short plat will be approved in any manner within a period of five years without the filing of a final plat. (RCW 58.17.060(1)).

Enforcement of Conditions:

C-3. Final Short Plat shall be submitted to the City for review by City staff in a timely manner so that the final plat may be recorded within one year of the date of this Decision. If an extension appears necessary, Applicant shall make written request for an extension prior to the elapse of one year. The City may allow an extension, if appropriate. Submission of the final short plat shall be accompanied by a title report per WSMC Section 16.60.030.

C-4. Any request for amendment of the preliminary plat consistent with the Findings and Decision of the City Council, shall be submitted to the Planning Department within 45 days of the date of approval.

C-5. This Decision shall be recorded with the Klickitat County Auditor, at the Applicant's expense, and shall be binding on all owners of the Property, their transferees, successors and assigns.

C-6 Future review required for change of use. Request for approval of the short plat does not include request for or approval of any change in land use, further structural improvement, or change in type and location of access. Any future change in land use, further structural improvement, or change in type and/or location of access shall be subject to review and required to comply with all applicable local and state standards and regulations.

QUESTIONS OF STAFF BY PC – None

APPLICANT’S TESTIMONY – Bob Blades said he is the tenant of Lot 1, Pacific Rim Realty and he has no objection to this Short Plat

QUESTIONS BY PC OF APPLICANT – Comm. Poucher asked if we should remove the wording “loading dock” from the Plat Map. Dotty said she will speak to the surveyor. Typically, structures are not depicted on the final mylar.

Public Hearing closed at 5:55pm.

Motion by Comm. Poucher to approve White Salmon Short Plat 2007-003 with amendments to the Staff Report as discussed; seconded by Comm. Spaeth. The motion was discussed and the findings presented to the City Council as the Planning Commission recommendation will be amended to reflect additional consideration of storm water issue in Finding F-4 and the ability to continue to use the loading dock as part of the consideration of standards of improvement in Finding F-5. Motion carried 4-0. Dotty said she will make the revisions to the Staff Report for incorporation into the written recommendation to City Council and have it ready for Vice-Chair Willey’s signature.

Dotty said the Dept. of Ecology had planned to come to talk about Stormwater earlier this summer, however; due to vacation schedules, that meeting was cancelled. Staff will contact them to reschedule for September or October. Frank Childs of Pioneer Surveying & Engineering should be contacted to see if he can attend. Frank is the Engineer that did a Stormwater Analysis several years ago.

Motion to adjourn made by Comm. Spaeth; seconded by Comm. Poucher. Motion carried 4-0.

Meeting adjourned at 6:15pm.

Respectfully Submitted by Dixie Walker, Associate Planner.

APPROVED AS TO FORM

Vice Chair Suzie Willey

Craig Spaeth, Commissioner