

MOSES LAKE PLANNING COMMISSION
March 30, 2017

Commissioners Present: Chair Nathan Nofziger, Vice-Chair, Charles Hepburn, Commissioners Jason Avila, Roderick Davis, David Eck, Todd Lengenfelder. Rick Penhallurick, and Don Schmig. **Absent:** Gary Mann

P - Present E = Excused A = Absent C = Canceled

Name	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Avila	P	P	P	*E	P	P						
Davis	P	P	P	*P	P	P						
Eck	P	P	P	*A	P	P						
Hepburn	P	P	P	*E	P	P						
Lengenfelder	P	P	P	*A	A	P						
Mann	P	E	E	*E	P	E						
Nofziger	P	P	P	*P	E	P						
Penhallurick	P	P	P	*A	E	P						
Schmig	P	P	A	*P	P	P						

Staff Present: Community Development Director / Deputy City Manager, Gilbert Alvarado; Associate Planner, Daniel Leavitt; Recording Secretary, Lori Witters

Chair Nofziger called the meeting to order at 7:02 p.m.

Secretary Witters called the roll. The following were:

Present: Chair Nofziger, Commissioners Hepburn, Avila, Davis, Eck, Legenfelder, Pennhallurick, and Schmig

Absent: Commissioner Mann

Action: Commissioner Pennhallurick moved to excuse Commissioner Mann, seconded by Commissioner Davis. Motion carried unanimously.

Minutes for March 16, 2017 Meeting

Action: Commissioner Schmig moved to approve the March 16, 2017 minutes with an amendment to change Commissioner Schmig from absent to present, on the March 2, 2017 meeting. Seconded by Commissioner Penhallurick, motion carried unanimously.

700 E. Sharon Avenue - Children are Special Daycare - Request for Direction

Gilbert Alvarado, Community Development Director/Deputy City Manager, stated that in 1997, the subject property owner was granted a Conditional Use Permit (CUP) to operate a daycare facility at the Sharon Avenue site. The existing Conditional Use Permit runs with the owner, rather than with the land. The process used in 1997 of granting the CUP to the owner rather than having it run with the land, requires the Planning Commission to review the conditional use permit each ownership change.

Because the site was developed as a daycare facility, and to the City's knowledge has had no interruption in service since 1997, it is likely that it will remain a daycare. Based on the information presented, it is the recommendation of City Staff is to amend the Conditional Use Permit to run with the land, instead of the owner.

For consistency and fairness, Commissioner Hepburn requested an inventory list of existing Conditional Use Permits of this type in order to amend them to run with the land.

Commissioner Hepburn moved to amend Conditional Use Permit 97-11 to run with the land. Seconded by Commissioner Penhallurick, motion passed unanimously.

MLDC 1, LLC - Structural use of cargo container - Request for Direction/Consideration

Associate Planner Leavitt presented the staff report and visual attachments: Ryan Oster of MLDC 1 LLC has submitted a request for an exception to Moses Lake Municipal Code 18.40 and 18.76 in order to allow use of a modified cargo containers as a structure to house portable data centers. Currently the only provision in the Municipal Code for cargo containers is their use as storage with a Conditional Use Permit in the industrial zones and certain commercial zones.

Commissioner Hepburn brought up the issue of fire in these units and stated that no fire standards information available.

Associate Planner Leavitt explained the Department of Labor and Industry was working on certifying cargo containers for uses other than overseas shipping.

Presentation by Proponent: Business owner, Ryan Oster of 10622 227th Avenue SE, Monroe, WA 98272, explained that the use of cargo containers as portable data centers will be the next evolution for the data center industry, and for his existing business. He further stated that since City regulation restricts the use as proposed, it was necessary to appeal to the City for consideration to change the Municipal Code to allow the use.

Presentation by Proponent: Business Associate and Owner of Gigawatt, Dave Carlson of 1250 N. Wenatchee Avenue, Wenatchee WA, provided detail of the components, and functions of the portable cargo containers used for data centers. He included information regarding life safety features, such as, fire alarms, dampers, ingress, and egress. In addition, he stated the cargo containers are fabricated from new containers, not used units. Mr. Davis concluded with explaining structural aspects of the containers' integrity, and overall financial benefits in transitioning into using portable data centers.

After considerable discussion, it was recommended to go forward in reviewing the current Municipal Code with consideration for change.

Associate Planner Leavitt will provide to the Planning Commission a draft of revision to the Moses Lake Municipal Code 18.40 for review and approval consideration.

With no further business, Vice-Chair Hepburn adjourned the meeting at 8:15 p.m.



Nathan Nofziger, Planning Commission Chair