

MOSES LAKE PLANNING COMMISSION

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CHARLES HEPBURN

NATHAN NOFZIGER
KEVIN STARCHER
MITCH MOLITOR
RICK PENHALLURICK

AGENDA

PLANNING COMMISSION MEETING
COUNCIL CHAMBERS

January 26, 2012
7 P.M.

Identification of Citizens Wanting to Discuss Agenda Items

1. Consent Agenda
 - A. Approval of Minutes of the 1-12-12 Meeting
 - B. International Paper Preliminary Major Plat - Findings of Fact
 - C. National Frozen Foods Preliminary Major Plat - Findings of Fact
2. Duniap Shoreline Substantial Development Permit/CR Zone Conditional Use Permit - Public Hearing - Continued to February 16, 2012
3. ASPI Commerce Park #2 Final Major Plat and Findings of Fact
4. Staff Reports and Comments
5. Planning Commission Questions and Comments

Joseph K. Gavinski City Manager	Gilbert Alvarado Com. Dev. Director	Anne Henning Senior Planner	Billie Jo Muñoz Assistant Planner	Daniel Leavitt Assistant Planner
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MOSES LAKE PLANNING COMMISSION
January 12, 2012

3459

Commissioners Present: Mitch Molitor, Nathan Nofziger, Charles Hepburn, Vicki Heimark, Kevin Starcher, Todd Voth, Rick Penhallurick, and Todd Lengenfelder, **Absent:** Steve Shield

Name	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Molitor	P											
Starcher	P											
Lengenfelder	P											
Schild	A											
Heimark	P											
Penhallurick	P											
Hepburn	P											
Nofziger	P											
Voth	P											

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

Staff Present: Joseph K. Gavinski, Gilbert Alvarado, Anne Henning, Billie Jo Muñoz, Daniel Leavitt, and Sue Mahaney

ELECTION OF CHAIRMAN/VICE-CHAIRMAN

Mr. Penhallurick nominated Todd Voth as Chairman, seconded by Ms. Heimark.

Mr. Hepburn nominated Mitch Molitor as Chairman, seconded by Mr. Starcher.

Action Taken: Mr. Voth moved the nominations be closed, seconded by Ms. Heimark, and passed unanimously.

Mr. Voth was elected chairman.

Mr. Hepburn nominated Mitch Molitor as Vice-Chairman, seconded by Mr. Nofziger.

Mr. Molitor nominated Charles Hepburn as Vice-Chairman, seconded by Ms. Heimark.

Action Taken: Mr. Penhallurick moved the nominations be closed, seconded by Mr. Hepburn.

Mr. Molitor was elected as Vice-Chairman.

CONSENT AGENDA

Minutes: The minutes of the December 15 meeting were presented.

Dental Village Site Plan Review - Findings of Fact: The Findings of Fact for the Dental Village Site Plan Review were presented.

Action Taken: Mr. Hepburn moved that the Consent Agenda be approved, seconded by Mr. Penhallurick and passed unanimously.

NATIONAL FROZEN FOODS PRELIMINARY MAJOR PLAT/DEVIATION REQUESTS - PUBLIC HEARING

National Frozen Foods Corporation has submitted an application for a one-lot plat of 63.76 acres at the existing plant site. The site is located at 14406 Wheeler Road, and is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. A deviation was requested from the requirement that platted lots front on a street. The site has no street frontage and is accessed via easements.

Anne Henning, Senior Planner, described the project. She pointed out that the property has no street frontage so they are requesting a deviation to the requirement that plats front on a dedicated street.

Larry Angell, Columbia Northwest Engineering, representing National Frozen Foods, stated that the plat meets the city requirements except for the street frontage and access is provided through existing easements across adjacent properties to both Wheeler Road and Road N.

The public hearing was opened. There were no comments.

Action Taken: Mr. Hepburn moved that the public hearing be closed, seconded by Mr. Molitor, and passed unanimously.

Action Taken: Mr. Lengenfelder moved that it be recommended to Council that the National Frozen Foods Preliminary Major Plat be approved with the following conditions:

- A. The comments of the Development Engineer shall be addressed before final plat submittal.
- B. The comments of the East Columbia Irrigation District and USBR shall be addressed before final plat submittal.
- C. The requested deviation to not front on a street shall be granted.
- D. Before the plat is recorded, the proponent shall complete the connection to City sewer and abandon the existing septic system.

seconded by Mr. Penhallurick, and passed unanimously.

INTERNATIONAL PAPER MAJOR PLAT AND DEFERRAL REQUEST - PUBLIC HEARING

International Paper has submitted an application for a one-lot plat of 17.96 acres at 13594 Wheeler Road, the existing plant location. The site is zoned Heavy Industrial, which corresponds with the Comprehensive Plan Land Use Designation of Industrial. Deferrals were requested for street lighting and street improvements for Wheeler Road.

Anne Henning, Senior Planner, explained the project and mentioned that the request is to defer the requirements improvements to Wheeler Road.

The public hearing was opened. There were no comments.

Action Taken: Mr. Penhallurick moved that the public hearing be closed, seconded by Mr. Molitor, and passed unanimously.

Action Taken: Mr. Penhallurick moved that it be recommended to City Council that the preliminary major plat be approved with the following conditions:

- A. The comments of the Development Engineer shall be addressed before final plat submittal.
- B. The comments of the East Columbia Irrigation District and USBR shall be addressed before final plat submittal.
- C. A deferral shall be granted for design and construction of street improvements, including street lighting for Wheeler Road, and curb, gutter, asphalt widening, sidewalk, and storm drainage for the north side of Wheeler Road. Improvements shall be to Community Standards current at the time of construction, and a covenant shall be recorded with the plat to guarantee installation of required improvements.

seconded by Mr. Molitor, and passed unanimously.

HARRISON K. DANO PARK FINAL MAJOR PLAT AND FINDINGS OF FACT

The City of Moses Lake Municipal Services Department has submitted a final plat application for a one-lot plat on 4.48 acres located adjacent to Virginia Street, east of Paxson Drive and north of Park Orchard Elementary. The site is zoned R-1, Single Family Residential. The zoning corresponds with the underlying Comprehensive Plan Land Use Designation of Low Density Residential.

Anne Henning, Senior Planner, stated that the final plat is consistent with the preliminary plat.

Action Taken: Mr. Penhallurick moved that it be recommended to the Council that the final plat be approved with the condition that the comments of the Development Engineer be addressed, seconded by Mr. Hepburn, and passed unanimously.

Action Taken: Ms. Heimark moved that the Findings of Fact be approved, seconded by Mr. Nofziger, and passed unanimously.

The meeting was adjourned at 7:30 p.m.

Todd Voth,
Planning Commission Chairman

BEFORE THE PLANNING COMMISSION/CITY COUNCIL OF THE
CITY OF MOSES LAKE, WASHINGTON

IN THE MATTER OF THE INTERNATIONAL
PAPER MAJOR PLAT AND DEFERRAL
REQUEST

FINDINGS OF FACT, CONCLUSIONS, AND
DECISION

1. HEARING BEFORE THE PLANNING COMMISSION.

- 1.1 Date. A public hearing was held upon proper notice before the Planning Commission on January 12, 2012.
- 1.2 Proponent. International Paper is the proponent of this plat.
- 1.3 Purpose. The proponent has requested a one-lot preliminary major plat of 17.96 acres in the Heavy Industrial Zone upon property legally described as Tax #8829, 8812, & 9851 in Farm Unit 79, Block 41 in S17-T19N-R29E, Assessor Parcel #11-0069-488 & 489; and more fully described on the face of the plat. A deferral of street lights and street improvements to Wheeler Road was also requested.
- 1.4 Evidence. The Commission considered the following materials in reaching its decision:
 - A. The plat submitted December 5, 2011.
 - B. Staff report and attachments.
 - C. Testimony from Anne Henning, staff.

2. FINDINGS OF FACT BY THE PLANNING COMMISSION.

Based upon the evidence presented to it, the Commission makes the following findings of fact:

- 2.1 The proponent is the owner of the property legally described above located within City limits.
- 2.2 The site is currently developed with the International Paper plant. The plat will consolidate three tax numbers into one platted lot.
- 2.3 Surrounding land uses are a mix of industrial and vacant land.
- 2.4 Wheeler Road is classified as a primary street. Existing improvements do not meet Community Standards for curb, gutter, sidewalk, asphalt, stormwater, or street lights. Deferral of these improvements was requested.
- 2.5 The Development Engineer provided a list of comments and corrections that must be addressed before the final plat is submitted for review, including a list of documents to be provided.
- 2.6 The Bureau of Reclamation (USBR) commented that the pertinent survey data was shown, that any encroachments (including temporary improvements such as paving, fencing, and landscaping) on Project facilities or right-of-way requires approval, that the proponent may wish to have the agricultural water supply released from this site, that permits are required for withdrawing groundwater, and that the Irrigation District must sign the plat before it is submitted to USBR for signature.
- 2.8 The East Columbia Basin Irrigation District (ECBID) did not provide comments before the end of the comment period; however, ECBID has jurisdiction over the plat, and any corrections

or comments must be addressed before they will sign the plat.

- 2.9 Grant County PUD has previously requested that for projects in the Wheeler Corridor, street lighting should be deferred until sidewalks are installed.
- 2.10 A Determination of Non-Significance (DNS) for the building addition and plat was issued on October 21, 2011 under the State Environmental Policy Act Rules (WAC 197-11).
- 2.11 The Comprehensive Plan sets a minimum acceptable transportation level of service Wheeler intersections at LOS C and D. Existing conditions as of 1999 were B and C.
- 2.12 Comprehensive Plan General Land Use Policy 1 encourages cost-effective development adjacent to urban areas where adequate public facilities and services exist or can be provided in a timely and efficient manner.
- 2.13 Comprehensive Plan Land Use Policy 4 encourages infill developments that are scaled and designed to fit their surroundings on properties suited to urban development.
- 2.14 Industrial Land Use Goal 10 encourages the development of diversified industrial and manufacturing activities to provide employment in the area, and strengthen the economy and tax base.
- 2.15 Industrial Policy 54 supports industrial and manufacturing recruitment efforts by having a range of procurable large, open, attractive light- and heavy-industrial-zoned development sites located within the UGA.
- 2.16 Industrial Policy 55 states that industrial lands should not attract uses which are more appropriate in commercial areas.
- 2.17 Industrial Policy 56 requires that industrial lands be located in areas that maximize available and planned infrastructure, including major transportation corridors.

3. CONCLUSIONS BY THE PLANNING COMMISSION.

From the foregoing findings of fact, the Planning Commission makes the following conclusions:

- 3.1 The decision of the Planning Commission must be supported by the evidence presented and must be consistent with the standards and criteria for review specified in state statutes and city ordinances. The standards and criteria for review of preliminary plat applications are found in Chapter 58.17 of the Revised Code of Washington (RCW), Title 17 of the Moses Lake Municipal Code (MLMC), and Title 20 MLMC.
- 3.2 MLMC 20.09.020 requirements:
 - 1. **Comprehensive Plan/Municipal Code:** The development is consistent with Comprehensive Plan goals and policies on infill and industrial uses by platting a site in an industrial area and making it suitable for continued industrial development. With a deferral of street and lighting improvements, the development meets the requirements and intent of the Municipal Code.
 - 2. **Adequate provisions for necessary improvements:** Adequate provisions for streets and other public ways, water supply, and sanitary wastes exist currently. A

covenant will be required to upgrade the street to Community Standards in the future.

3. **Impacts:** No impacts have been identified under Chapters 14 through 19 that will not be mitigated through existing regulations and conditions.
 4. **Public health, safety, welfare, and interest:** The development is beneficial to the public health, safety and welfare and is in the public interest by platting land consistent with the intent of the Heavy Industrial Zone.
 5. **Transportation Level of Service:** The development does not lower the level of service of transportation facilities below the minimum standards established in the Comprehensive Plan because platting the property does not change the traffic generated by the site.
 6. **Parks Level of Service:** Not applicable to industrial projects.
 7. **Dedications:** The street right-of-way proposed for dedication is a direct result of the development proposal and is needed to serve the development.
- 3.3 The deferral of street improvements is reasonable so that improvements to Wheeler Road can be constructed in one large project rather than multiple small projects as each property is platted. One large project will be more economical and will be a better result for the public that uses the street than constructing the street piecemeal would be.
- 3.4 The deferral of street lighting has been requested by Grant County PUD.

4. DECISION OF THE PLANNING COMMISSION.

On the basis of the foregoing findings of fact and conclusions, it is the decision of the Planning Commission of the City of Moses Lake that the request for a preliminary major plat as submitted on the property designated above be approved with the following conditions:

- 4.1 The comments of the Development Engineer shall be addressed before final plat submittal.
- 4.2 The comments of the East Columbia Irrigation District and USBR shall be addressed before final plat submittal.
- 4.3 A deferral shall be granted for design and construction of street improvements, including street lighting for Wheeler Road, and curb, gutter, asphalt widening, sidewalk, and storm drainage for the north side of Wheeler Road. Improvements shall be to Community Standards current at the time of construction, and a covenant shall be recorded with the plat to guarantee installation of required improvements.

Approved by the Planning Commission on January 26, 2012.

Todd Voth
Planning Commission Chairman

BEFORE THE PLANNING COMMISSION/CITY COUNCIL OF THE
CITY OF MOSES LAKE, WASHINGTON

IN THE MATTER OF THE NATIONAL FROZEN
FOODS MAJOR PLAT AND DEVIATION
REQUEST

FINDINGS OF FACT, CONCLUSIONS, AND
DECISION

1. HEARING BEFORE THE PLANNING COMMISSION.

- 1.1 Date. A public hearing was held upon proper notice before the Planning Commission on January 12, 2012.
- 1.2 Proponent. National Frozen Foods Corp., Moses Lake, is the proponent of this plat.
- 1.3 Purpose. The proponent has requested a one-lot preliminary major plat of 63.76 acres in the Heavy Industrial Zone upon property legally described as Tax #14961 in Farm Units 80 & 81, Block 41 in S16-T19N-R29E, Assessor Parcel #11-0069-440; and more fully described on the face of the plat. A deviation was requested from the requirement that platted lots front on a street.
- 1.4 Evidence. The Commission considered the following materials in reaching its decision:
 - A. The plat submitted November 4, 2011.
 - B. Staff report and attachments.
 - C. Testimony from Anne Henning, staff; and Larry Angell of Columbia NW Engineering, representing the proponent.

2. FINDINGS OF FACT BY THE PLANNING COMMISSION.

Based upon the evidence presented to it, the Commission makes the following findings of fact:

- 2.1 The proponent is the owner of the property legally described above located within City limits.
- 2.2 The site currently contains an existing vegetable process plant and agricultural land to the north.
- 2.3 The site does not have frontage on any public streets. There is property owned by others between the site and the nearest streets, Wheeler Road and Road N. There are easements in place for access and utilities.
- 2.4 Surrounding land uses are a mix of industrial, agricultural, and vacant land.
- 2.5 The Development Engineer provided a list of comments and corrections that must be addressed before the final plat is submitted for review.
- 2.6 The East Columbia Basin Irrigation District (ECBID) commented that the water allotment must be released before they will sign the plat, that there will need to be irrigation facilities installed to get water to the remainder of Farm Unit 80, that there are underground drains that should be abandoned, and to change "road" to "street".
- 2.7 The Bureau of Reclamation (USBR) commented that the pertinent survey data was shown, that any encroachments (including temporary improvements such as paving, fencing, and landscaping) on Project facilities or right-of-way requires approval, that the proponent must contact Reclamation prior to construction within drain rights-of-way, that the proponent may

wish to have the agricultural water supply released from this site, and that permits are required for withdrawing groundwater.

- 2.8 Per the applicant's representative, connection to the City's sewer is under construction, and the existing septic system will be abandoned upon connection to sewer.
- 2.9 A Determination of Non-Significance (DNS) was issued on November 30, 2011, under the State Environmental Policy Act Rules (WAC 197-11).
- 2.10 Comprehensive Plan General Land Use Policy 1 encourages cost-effective development adjacent to urban areas where adequate public facilities and services exist or can be provided in a timely and efficient manner.
- 2.11 Comprehensive Plan Land Use Policy 4 encourages infill developments that are scaled and designed to fit their surroundings on properties suited to urban development.
- 2.12 Industrial Land Use Goal 10 encourages the development of diversified industrial and manufacturing activities to provide employment in the area, and strengthen the economy and tax base.
- 2.13 Industrial Policy 54 supports industrial and manufacturing recruitment efforts by having a range of procurable large, open, attractive light- and heavy-industrial-zoned development sites located within the UGA.
- 2.14 Industrial Policy 56 requires that industrial lands be located in areas that maximize available and planned infrastructure, including major transportation corridors.

3. CONCLUSIONS BY THE PLANNING COMMISSION.

From the foregoing findings of fact, the Planning Commission makes the following conclusions:

- 3.1 The decision of the Planning Commission must be supported by the evidence presented and must be consistent with the standards and criteria for review specified in state statutes and city ordinances. The standards and criteria for review of preliminary plat applications are found in Chapter 58.17 of the Revised Code of Washington (RCW), Title 17 of the Moses Lake Municipal Code (MLMC), and Title 20 MLMC.
- 3.2 MLMC 20.09.020 requirements:
 1. **Comprehensive Plan/Municipal Code:** The development is consistent with Comprehensive Plan goals and policies on infill and industrial uses by platting a site in an industrial area and making it suitable for continued industrial development. With a deviation to not front on a street, and a condition that the sewer connection be completed, the development meets the requirements and intent of the Municipal Code.
 2. **Adequate provisions for necessary improvements:** The only places the property fronts on any public right-of-way is through easements; therefore, no street improvements are appropriate. The site is currently connected to City water, and a connection to City sewer is in progress and is a condition of approval.
 3. **Impacts:** No impacts have been identified under Chapters 14 through 19 that will not

be mitigated through existing regulations and conditions.

4. **Public health, safety, welfare, and interest:** The development is beneficial to the public health, safety and welfare and is in the public interest by platting land and making it suitable for development consistent with the intent of the Heavy Industrial Zone.
 5. **Transportation Level of Service:** The development does not lower the level of service of transportation facilities below the minimum standards established in the Comprehensive Plan because platting the property does not change the traffic generated by the site.
 6. **Parks Level of Service:** Not applicable to industrial projects.
 7. **Dedications:** No street right-of-way is proposed for dedication with this development proposal.
- 3.3 **Deviation:** Because of the existing unusual condition of the property that it does not have street frontage, granting a deviation is justified. The purpose of requiring street frontage is met, since the site has existing easements for vehicular access and utilities.
- 3.4 Even though connection to the City sewer and abandonment of the septic system is in progress, in order to properly approve the plat at this time, a condition for completion of these items is required.

4. **DECISION OF THE PLANNING COMMISSION.**

On the basis of the foregoing findings of fact and conclusions, it is the decision of the Planning Commission of the City of Moses Lake that the request for a preliminary major plat as submitted on the property designated above be approved with the following conditions:

- 4.1 The comments of the Development Engineer shall be addressed before final plat submittal.
- 4.2 The comments of the East Columbia Irrigation District and USBR shall be addressed before final plat submittal.
- 4.3 The requested deviation to not front on a street shall be granted.
- 4.4 Before the plat is recorded, the proponent shall complete the connection to City sewer and abandon the existing septic system.

Approved by the Planning Commission on January 26, 2011.

Todd Voth
Planning Commission Chairman

January 19, 2012

TO: Planning Commission

SUBJECT: Dunlap dock, boatlift, retaining wall, and access path, Shoreline Substantial Development Permit - Public Hearing

Michael Mahovlich and Debbie Dunlap submitted an application to build a 250 square foot dock, boatlift, retaining wall, and hillside access path at 426 Crestview Drive. A public hearing was advertised for January 26, 2012. However, during a visit to the site it was discovered that work on the path and rock wall had started and that material from the hillside had been pushed into the wetland buffer. Enforcement measures to correct these violations have been taken.

The Planning Commission should not open the public hearing or take any testimony on the proposal. The Commission should postpone the public hearing on this project to February 16, 2012.

Respectfully submitted,

Daniel Leavitt
Assistant Planner
Community Development Department

January 18, 2012

TO: Planning Commission

SUBJECT: ASPI Commerce Park #2 Major Plat - Final Plat and Findings of Fact

North American Foreign Trade Zone Industries, LLC, has submitted a final plat application for a three-lot plat of 17.32 acres. The site is located east of Patton Blvd and north of Doolittle Drive, and is zoned C-2, General Commercial. There have been no significant changes from the preliminary plat.

Background

Doolittle Drive within and fronting the plat was constructed by the developer and accepted by City Council on September 28, 2010. The preliminary plat was approved on September 22, 2009, with the following condition:

1. The comments of the Development Engineer and Grant County Assessor shall be addressed before final plat submittal. *(The Development Engineer's comments were corrections needed to the plat. The Assessor's comments were to correct the subtitle of the plat and that the names shown on the dedication statement did not match county records. No comments were received from the Assessor's office in response to the final plat routing).*

City of Moses Lake Departments and/or Agencies Contacted: Cascade Natural Gas, Century Link (formerly Qwest Communications), Grant County PUD, Northland Cable, Grant County Health District, Grant County Planning, Grant County Assessor's Office, Grant County Auditor's Office, Grant County Treasurer, Grant County Public Works, United States Postal Service, and City of Moses Lake Municipal Services Department, Fire Department, Police Department, Development Engineering Division, Building Division, and Public Works Division.

Attachments:

- Attachment 1: Plat received 12-20-11 (4 pgs)
- Attachment 2: Plat site plan received 12-16-11
- Attachment 3: Development Engineer memo dated 2-14-11 (7 pages)
- Attachment 4: Building Official comments emailed 12-20-11
- Attachment 5: City of Moses Lake Land Use Application

Findings:

A. Applicable Codes:

RCW Chapter 58.17, Plats—Subdivisions—Dedications, is the state law that regulates subdivisions.

Moses Lake Municipal Code (MLMC) Title 17, Subdivisions regulates the subdivision of land to promote the health, safety, and general welfare, to prevent overcrowding of land, to lessen congestion in the streets and highways, to provide for adequate light and air, to facilitate adequate provision for water, sewerage, park and recreation areas, sites for schools and school grounds, and other public requirements; to provide for proper ingress and egress; and to require uniform monumenting of land subdivisions and conveying by accurate legal descriptions.

MLMC Chapter 18. 30, Commercial Zones, is intended to provide for a well-distributed system of community-based retail, service, neighborhood convenience, and regional-based retail uses; to provide land uses that meet the needs of local residents and attract regional populations, and provide land areas within the city to meet the needs of commercial development. The C-2 Zone is intended to provide for the general commercial and business activity of the city and to preserve land for such uses. It is intended to complement the downtown and help meet the other community needs, as well as provide an area for large scale shopping centers and other uses oriented to vehicle traffic. Limited light industrial uses are also permitted.

MLMC Title 20, Development Review Process, regulates the permit review process for preliminary plats. Final plat review is not subject to the Title 20 review process.

B. Public, Department and Agency Responses:

1. The Development Engineer provided comments that must be addressed prior to submitting plat mylars.
2. The Building Official commented on a drainage pond that crosses a property line.
Discussion: According to the proponent, the pond was intended to serve both Lot 1 and Lot 2. Typically, all storm drainage must be retained on the lot that generates the runoff. Therefore, an easement will be required to be recorded. Noting the easement on the plat will help protect potential purchasers of either lot by making the easement more visible.

C. A Mitigated Determination of Non-Significance (MDNS) was issued on July 20, 2009 under the State Environmental Policy Act Rules (WAC 197-11). There were 10 conditions, related to deleterious materials spills, stormwater, fill, grading, site stabilization, street improvements, water rights, and tracking of dirt onto public streets. The conditions of the MDNS automatically become conditions of the project approval.

Conclusions: The facts and findings support the following conclusions:

1. With conditions, the final plat is consistent with the preliminary plat approval.
2. An easement is needed for the stormwater basin that crosses the property line between Lots 1 and 2.

Staff Recommendations: Staff recommends that the final Major Plat be approved with the following conditions and any other conditions the Planning Commission deems appropriate:

1. The comments of the Development Engineer shall be addressed.
2. The easement for shared use of the stormwater basin that crosses the property line between Lots 1 and 2 shall be recorded prior to or concurrently with the plat. The easement shall be noted on the plat.

Action: The Commission should consider the final major plat and recommend to the Council to approve, conditionally approve, or deny the final plat.

Action: The Commission should consider the findings of fact and approve or modify them.

Respectfully submitted,

Anne Henning
Senior Planner
Community Development Department

BEFORE THE PLANNING COMMISSION/CITY COUNCIL OF THE
CITY OF MOSES LAKE, WASHINGTON

IN THE MATTER OF THE ASPI COMMERCE
PARK #2 FINAL PLAT

FINDINGS OF FACT, CONCLUSIONS, AND
DECISION

1. HEARING BEFORE THE PLANNING COMMISSION.

- 1.1 Date. A public meeting was held upon proper notice before the Commission on January 26, 2012.
- 1.2 Proponent. North American Foreign Trade Zone Industries LLC is the proponent of this plat.
- 1.3 Purpose. The proponent has submitted a final plat application for a three-lot plat of 17.32 acres for property which is legally described upon the plat. City staff has confirmed the property described on the plat is the property submitted for platting.
- 1.4 Evidence. The Commission considered the following materials in reaching its decision:
 - A. The final plat submitted December 20, 2011.
 - B. Staff report and attachments.

2. FINDINGS OF FACT BY THE PLANNING COMMISSION.

Based upon the evidence presented to them, the Commission makes the following findings of fact:

- 2.1 The proponent is the owner of the property.
- 2.2 The property is zoned C-2, General Commercial.
- 2.3 There were no significant changes between the preliminary plat and final plat.
- 2.4 The property includes a stormwater basin which crosses the property line between Lots 1 and 2.

3. CONCLUSIONS BY THE PLANNING COMMISSION.

From the foregoing findings of fact the Commission makes the following conclusions:

- 3.1 The Planning Commission of the City of Moses Lake is vested with the authority to determine approval of plats.
- 3.2 It is in the best interests and welfare of the city's citizens to plat the property as proposed.
- 3.3 With conditions, the final plat is consistent with the preliminary plat approval.
- 3.4 An easement is needed to address the stormwater basin which crosses a property line. To protect future purchasers, the easement should be noted on the plat.

4. DECISION OF THE PLANNING COMMISSION.

On the basis of the foregoing findings of fact and conclusions, it is the recommendation of the Planning Commission that the plat be approved with the following conditions:

- 4.1 The comments of the Development Engineer shall be addressed.

- 4.2 The easement for shared use of the stormwater basin that crosses the property line between Lots 1 and 2 shall be recorded prior to, or concurrently with, the plat. The easement shall be noted on the plat.

Approved by the Planning Commission on January 26, 2012.

Todd Voth
Planning Commission Chairman