

**MOSES LAKE PLANNING COMMISSION**  
**March 1, 2012**

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

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

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

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

**CONSENT AGENDA**

Minutes: The minutes of the February 16 meeting were presented.

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

**DUNLAP - SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT PERMIT - PUBLIC HEARING**

Michael Mahovich and Debbie Dunlap submitted a Shoreline Substantial Development Permit and C-R Zone Conditional Use Permit application to build a 250 square foot dock, boatlift, retaining wall, and hillside access path at 426 Crestview Drive. The property is zoned R-1, Single Family Residential and the shoreline designation is Conservancy.

Daniel Leavitt, Assistant Planner, explained the project and gave the background on the site and mentioned that work was started prior to applying for the permit. The vegetation that was in place was removed so the first thing that needs to be done is to stabilize the hillside. He explained the measures required to mitigate the requested improvements.

Eldon Broughton, representing the project, stated that the homeowner is concerned about the requirement for a bond for the vegetation since it is difficult to obtain a bond for this type of development. He mentioned that the property owner was concerned that it may be difficult to keep the vegetation alive because of the poor soil and little water available. The concern of the property owner is that she is being requested to install grasses and plants that are not currently on the site and if they do not survive she will be held responsible under the bond.

Gilbert Alvarado, Community Development Director, stated that the staff is aware of the difficulty of obtain bonds for small projects. The MDNS provides for an alternate to the bond and since the appeal period of the MDNS has run, the requirements cannot be changed.

There was considerable discussion about the vegetation.

The public hearing was opened.

Jack Hendricks, 414 Crestview, stated that the property owner is trying her best to comply. He pointed out that once the water comes up it will be difficult to do anything at the shoreline. He also mentioned that cheatgrass is the dominant vegetation in the area and it will be difficult to get some of the native grasses established and that the cheatgrass will crowd out the native grasses until it is controlled.

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

Mr. Schield felt that the shoreline restoration requirement is more than what was originally on the site and the inability to change the MDNS makes it frustrating for the Commission. He felt that the plan was very well thought out and does not see the value to the City or the lake of a bond or monitoring requirement of the vegetation.

Action Taken: Mr. Starcher moved that the Shoreline Management Substantial Development Permit and the C-R Zone Conditional be approved with the following conditions and forwarded to the Department of Ecology:

1. The project shall be located and constructed per the site plan, and other submitted construction plans.
2. The contractor shall notify City staff at least 24 hours before start of construction and within three business days after completion of construction to check that the work meets permit approval.
3. The comments of the Washington State Department of Fish and Wildlife and the Washington State Department of Archaeology and Historic Preservation shall be addressed.
4. All aspects of the approved mitigation plan will be implemented. Any deviation from the approved plan will require prior approval from the Department of Community Development.

seconded by Mr. Nofziger, and passed unanimously.

#### SUKO - 508 E THIRD AVENUE - LANDSCAPE ALTERATION

Gary Suko has requested an alternate landscape plan substitute for the landscaping required at 508 E. Third Avenue. Landscaping is being triggered by the change of occupancy in a building that used to be a clothing store but is now going to be used as a computer/appliance repair shop. The property is zoned C-2 General Commercial and Business Zone.

Action Taken: Mr. Penhallurick moved that the item be removed from the table, seconded by Ms. Heimark, and passed unanimously.

Billie Jo Muñoz, Assistant Planner, explained the landscaping required and mentioned that 92 total points are needed. She mentioned that there is currently no landscaping and the owner originally proposed two potted plants in front of the building. The Planning Commission requested a different landscaping plan. The owner has paved the area adjacent to the building but left 4' wide planter islands adjacent to the sidewalk and has installed an irrigation system. The proposal is to install river rock and drought tolerant plants. She pointed out that the building is adjacent to the street so with the minimum area available for landscaping, they will probably not be able to meet the total number of points required.

Gabe Adame, 508 E. Third, stated that it was originally hoped that no landscaping would be required because of the lack of landscaping throughout this entire area. He felt that these planters were better than the pots.

Mr. Starcher expressed concern that the owner is not even close to meeting the required landscaping points for this site. He felt that there are tree species that could be used which would more nearly meet the required number of points.

Mr. Schield felt that there should be trees and more drought tolerant plants. He pointed out that the Commission needs to see an actual plan and not a proposed plan.

Action Taken: Mr. Schield moved that the request be denied, seconded by Mr. Starcher, and failed with Mr. Schield, Mr. Starcher, and Ms. Heimark in favor and Mr. Lengenfelder, Mr. Penhallurick, Mr. Nofziger, and Mr. Voth opposed.

There was some additional discussion by the Commission and it was felt that a more definite plan needs to be provided.

Gilbert Alvarado, Community Development Director, mentioned that the Commission strives for consistency and other developers have been requested to provide more specific information on landscaping. He pointed out that 92 points are required and the landscaping proposed only comes to 14 points.

Action Taken: Ms. Heimark moved that the request be tabled, seconded by Mr. Penhallurick, and passed unanimously.

#### HEAVY INDUSTRIAL ZONE - AMENDMENT

Gilbert Alvarado, Community Development Director, stated that the Council was provided with the change to the Heavy Industrial Zone that would allow the same types of uses as are allowed in the Light Industrial Zone. The Council was concerned about the size of the uses and that there may be a need for small eateries in the Heavy Industrial areas. Other jurisdictions do allow for these type of uses, especially espresso stands. Council requested that the uses be less than 1,000 square feet in size and that it be considered as a conditional use.

#### TRIBAL LANDS

Gilbert Alvarado, Community Development Director, read the letter that was sent to the Council from the Commission in support of their opposition to the request by the Coville Confederated Tribes to place in trust a 7 acre piece of property located on Wanapum Drive and Wapato Drive.

Joseph K. Gavinski, City Manager, explained the process that is used to have the lands become part of a reservation and the process to appeal that decision.

The meeting was adjourned at 8:30 p.m.

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Todd Voth, Chairman