



City of Clarkston

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830 Fifth Street • Clarkston, WA 99403

PLANNING COMMISSION

AGENDA

June 24, 2013

CITY HALL

829 5TH STREET

CALL TO ORDER: 5:30 P.M.

ROLL CALL:

APPROVAL OF MINUTES:

June 17, 2013

REGULAR BUSINESS:

- A. Review and Adopt Findings of Fact, Conclusions of Law and
 Recommendation re: Zone Change Application #2013-01, Dietrich, 13th & Poplar

UNFINISHED BUSINESS:

COMMUNICATIONS:

- A. From Public
- B. Written
- C. From Planning Commission
- D. Staff Reports

ADJOURN:



TREE CITY USA.

CITY OF CLARKSTON
PLANNING COMMISSION MINUTES
June 17, 2013

CALL TO ORDER: 5:30 P.M., Clarkston City Hall, John Murray
ROLL CALL: Bob Gilbertson, Larry Moser, Jim Merrill
Excused: Margo McCroskey

Staff: Jim Martin, Vickie Storey

APPROVAL OF MINUTES:

Minutes of the May 6, 2013 meeting were approved on a motion by Gilbertson/Moser. Motion carried.

REGULAR BUSINESS:

A. Zoning Regulations related to Marijuana Initiative I-502 - Discussion

PWD Martin said that the city is working on creating a map that would identify the areas that would be eliminated as potential business sites based on proximity to certain uses, such as schools, playgrounds, etc. The map will help identify available locations so the City can develop zoning regulations that are appropriate. Martin said that marijuana businesses will not be able to locate in conjunction with other types of business. The state is still in the process of developing the rules. The state will begin accepting applications for state business licenses in September.

B. Other Discussion

Martin said he is getting requests to place shops on a separate lot as a primary use in residential zones. He asked the commission to give the issue some consideration for future discussion. Martin said the code has a definition for a private garage, but not for a shop building. Sometimes they serve basically the same purpose, but sometimes they do not. Murray asked for this to be a topic for discussion on the next agenda.

PUBLIC HEARING:

Zone Change Application, 13th & Poplar, Bill Dietrich

Murray opened the public hearing at 5:45 p.m. He said the property under consideration is at 546 13th and 1316 and 1310 Poplar. Murray said this is the official public hearing on the application. He explained that if a zone change is granted, it will allow any use that is allowed in that particular zone as an outright use. Murray explained the process for the hearing.

PWD Martin gave a brief summary of the application. He said the owner is Bill Dietrich. The property in question is located on the NW corner of 13th & Poplar. It runs from 546 13th west to 1316 Poplar. The property is currently zoned R2, Medium Density Residential. The request is to change it to SC, Service Commercial, in order to construct 18 9 x 20 ft. storage units on the property. These would replace storage units that were removed from his Bridge Street property to make room for his RV business. The surface would be gravel and drainage would be installed as required by law. Additional units would be a possibility in the future. Murray asked if the removal of storage units from the Bridge St. property was at the request of the city. Martin said it was not.

Randy Bitler spoke on behalf of Mr. Dietrich. Bitler said Mr. Dietrich has been in business for over 30 years. His business consists of auto sales, RV sales and 400 storage units. He is proposing 18 new storage units constructed in a 40 x 80 foot building. On the subject property, Mr. Dietrich has demolished one residential structure and made improvements to two others. The parking and driveway areas will be a gravel surface. Approximately 600 feet of new curb, gutter and sidewalk will be installed on poplar Street. Bitler said the improvements will bring additional property tax revenue to the city.

Murray asked if Mr. Dietrich owns the property immediately to the west of the site. Bitler said it belongs to the owner of the furniture store. On the other side of that, Dietrich owns additional property. Bitler said that the owner of that property will be installing curb, gutter and sidewalk also. It would connect with a small portion of existing sidewalk near an existing duplex.

Larry Moser asked about the elevation of the property. Bitler said it is about 7 feet lower than Poplar now. Martin said the elevation difference is natural, it has not been excavated. Moser questioned how steep the driveways will be. Bitler said he doesn't anticipate a problem. The improvements will help alleviate drainage problems.

Murray commented that Dietrich's property is commercial between Bridge and Poplar. He asked why that property is not included in the zone change application. Murray said the use now may be grandfathered, but were the property to be

sold it could revert to residential use. Martin said that Dietrich did a short plat several years ago for the property with a duplex where the existing sidewalk is. Martin explained that the zoning code (17.05.090) explains that zones follow the property lines, section lines, subdivision lines or center lines of streets and alleys. Martin's interpretation is that if a piece of property fronted Bridge Street and had a commercial zone and use, the entire parcel would have that same zone. Gilbertson asked at what point Mr. Dietrich will decide to eliminate the two existing residences and expand the storage units. Gilbertson asked if the houses were to burn down would he replace them. Bitler said he would probably look at the most economically feasible choice.

Martin commented that the change might reduce the present commercial use of a residential neighborhood for RV storage and service that has been an issue in the past. He said the change could make it possible to move the RV business north to Bridge Street where it belongs. If the change is not granted it is possible the owner could construct the same size building and use it as a personal shop. Martin said this area was not included in one of the transition areas the commission created a few years ago. He reminded the commission that the change, if granted, would open it up to any use allowed in the Service Commercial zone. It would not be restricted to storage units.

Moser commented that the zoning map is misleading in the area of the furniture store. It would make more sense if that property were marked as commercial. Martin agreed that would make sense except that the detail needed to map it that way would be difficult and that is why the zones are shown with straight lines and then interpreted on an individual basis. Murray confirmed that the applicant property abuts a commercial use. Martin said it does.

Murray opened the hearing to public comment. He asked for comments in support of the zone change.

Martin Holmes owns property at 522, 524 and 524 ½ 13th Street. He asked if the intent is to change zoning in the entire area or only the property owned by Mr. Dietrich. Murray said the change would only impact the property owned by Mr. Dietrich and listed on the application. Holmes said he doesn't have an objection to the change of just the applicant property. His property is directly south of the furniture store. Murray stated that the use would not be restricted to storage units. Moser confirmed that Mr. Holmes does not want his property changed.

Kevin Chapman, 531 13th, said he does not oppose the change. He owns storage units also and feels this is a better use than shabby, rundown house.

Steve Pelton said with the school and bus stops in the area the streets in the area are quite busy with traffic. Improving the area with sidewalks will help ensure safety of children walking to school and give them an option to walking in the street. He also commented that there are very few houses in the area and it seems a natural progression to expand commercial business in that direction. He said that storage units are low impact so far as traffic. He works in the RV portion of the business and said the plan is to move the RV's to the front of the property.

Moser said the Planning Commission's decision doesn't just deal with storage units. They have to consider all the potential uses that would be allowed in a Service Commercial zone.

Bob Weber owns duplexes at 1313, 1315, 1317, 1325 Poplar. He does not want to interfere with business opportunities. He asked what other uses could be allowed if it were changed to commercial. What if tomorrow he decided to put a body shop, repair shop or paint shop there? That would change the whole atmosphere of the area. He asked about traffic and commented if the street is already narrow, is traffic going to be an impact. He is concerned with the impact on his duplexes. It is possible that his rentals will not be as marketable if the commercial zones expand. He stressed that a change of zoning designation opens many doors that should be examined before a decision is made.

Martin Holmes said he shares the concerns of Mr. Weber. He has made an investment in his property also and doesn't want to see it devalued. He said he is opposed to the change.

Hazel Christiansen owns property AT 536 13th Street directly north of the proposed change. She also sent written comments. She is concerned with the access on the 13th Street side, feeling it may be difficult to make the entry, especially if pulling a trailer. She is also concerned with the integrity of her fence and potential damage to it. Murray confirmed that Ms. Christiansen's property is directly to the north of the subject property.

Martin read into the record a letter from Hazel Christiansen expressing her opposition to the proposed zone change. Traffic and security lighting were some of her concerns. She commented that it appears excavation is already in progress. Access to the units could disturb the peace of her residential property.

Martin read a letter into the record from the tenants at 536 13th Street, Carol Dupeau and Don Rogers. They are concerned with traffic that could be entering at all hours, potential security lighting and a lack of privacy in their backyard.

Kevin Chapman said the removal of

Daniel Dietrich, 1316 Poplar, said he would be overseeing the storage units and keeping people out after 10:00. He said most people don't access their storage units at night. He also commented the sidewalks would be a good improvement.

Bill Dietrich said the excavation is being done because something will be built there regardless. He asked what is the largest building that could be built there. The storage units would be 8 feet high, but a shop would be 40 x 80 and could be 16 feet high.

The storage units would be less visible than a shop. He commented that he doesn't have to work with the neighborhood to make it attractive. He could also install a fence to help lessen the impact. The storage units could be built so they would

barely be visible by the neighbors. Dietrich said this property is surrounded by commercial. Dietrich said he has managers who watch his storage units.

The public hearing was closed at 6:40 p.m.

Murray asked if there are screening requirements for storage units. Martin said there are not. Murray asked if there are lighting restrictions. Martin said there is not. Murray asked about traffic impacts. Martin said there has not been a traffic study. 24 hour access is possible.

Murray opened discussion for the commission. He reminded them that the project has been presented as storage units, but if the zone is changed it would be open to any allowed use in the SC Zone.

Gilbertson asked what would be allowed on the property if the zone were not changed. Martin said there are restrictions as to lot coverage, but a building about the same size as the storage units could be constructed. Murray asked how far below grade the property is. Martin guessed between 5 and 7 feet.

Moser said he has a concern with residential encroachment. He said there are other places in the city that could accommodate a service commercial use, even though Mr. Dietrich may not own them. He expressed concern that Mr. Dietrich would threaten to build a larger, more intrusive building if he is denied the zone change.

Merrill said he also has concerns with encroachment into residential neighborhoods.

Gilbertson said that if Mr. Dietrich wanted to purchase property from surrounding neighbors and then get a zone change to build, he wouldn't have a problem with it.

Moser said doesn't have a particular problem with storage units, but he does have a concern with the other possible uses that would be allowed in a commercial zone.

Murray stated that a zone change should be consistent with the Comprehensive Plan. The Comp Plan map is basically the same as the zoning map and indicates that this area should be residential. The commission went through a process and designated some transitional zones previously and this was not an area designated as transitional. He said the commission needs to look at what is best for the community. He said he thinks the plan to add curb, gutter and sidewalk is attractive. It is not consistent with the comprehensive plan map and there are neighboring property owners who are in opposition.

Gilbertson asked if the right of way is sufficient for curb, gutter and sidewalk. Martin said all curb, gutter and sidewalk would be on city right of way. The roadway would be retained at an 18 foot width.

MOTION BY MOSER/MERRILL to recommend denial of the zone change application to the city council. Motion carried 3-1, Murray opposed.

Martin said he will prepare findings of fact for the commission to adopt and that recommendation will be presented to the city council.

Commission will meet at 5:30 on June 24.

COMMUNICATIONS:

Planning Commission:

Staff:

ADJOURNMENT:

Meeting adjourned at 6:55 p.m.

John Murray, Chair

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF CLARKSTON**

RE:)	
ZONING MAP CHANGE APPLICATION #2013-01)	FINDINGS OF FACT
Bill Dietrich)	
546 13 th , 1310, 1316 Poplar)	CONCLUSIONS OF LAW
)	AND DECISION
)	

This matter having come before the Planning Commission of the City of Clarkston, Washington on June 17th, 2013 for public hearing pursuant to public notice as required by law, on a request for a Zoning Code map change that would change property at 546 13th St, 1310 and 1316 Poplar. from Medium Density Residential (R-2) to Service Commercial (SC) in order to allow commercial use, and the Commission having heard the staff report and recommendation of other interested parties who appeared and being fully advised in the matter, issues the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Clarkston City Code section 17.09.010 establishes the authorization to initiate amendments to the Zoning Code.
2. All applicants, the titled owners of the subject properties have submitted zoning map change application #2013-01.
3. All applicants filed said application with the City for the map change for the Medium Density Residential zone on March 28, 2013 and paid the applicable fee.
4. The City set a public hearing before the Planning Commission for June 17th, 2013 and provided notice to the public as required by law.
5. The Planning Commission held a public hearing on June 17th, 2013 and took testimony from the applicant, city staff and the public.
6. As a result of the testimony, the Planning Commission has determined that the proposed use is not consistent with the Comprehensive Plan and would be detrimental to the

residential character of the neighborhood. The zoning map change is therefore denied for the following reasons:

- a. The proposed zone change is not consistent with the Comprehensive Plan.
- b. The change would have a negative effect on the residential character of the neighborhood.

CONCLUSIONS OF LAW

1. The proposed zone change does not follow the anticipated evolution of the comprehensive plan and zoning standards.

Based on the foregoing Conclusions of Law, the Planning Commission hereby enters the following...

DECISION

1. Application No. 2013-01 for a zoning map change of the Zoning Code is denied and a recommendation will be made to the City Council for final action.

DATED this 24th day of June, 2013.

PLANNING COMMISSION
OF THE CITY OF CLARKSTON

By: _____
John Murray, Chair

ATTEST: _____
Vickie Storey, City Clerk