

MASON COUNTY PLANNING ADVISORY COMMISSION

August 16, 2010

(Note audio tape (#2) dated August 16, 2010
counter (#) for exact details of discussion)

(This document is not intended to be a verbatim transcript)

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1. CALL TO ORDER

The meeting was called to order at 6:00 pm by Chair Dennis Pickard.

2. ROLL CALL

Members Present: Bill Dewey, Dennis Pickard, Jim Reece, Ken VanBuskirk, Randy Neatherlin, and Cathi Bailey. Jim Sims was introduced as the newly appointed member.

Staff Present: Barbara Adkins, Allan Borden, and Susie Ellingson.

3. APPROVAL OF MINUTES

None.

4. NEW BUSINESS

(#0030) Dennis Pickard opened the public hearing on the rezone request by McReavy House Museum by inquiring if any of the members of the PAC have had any exparte communications with anyone regarding this matter, or if they have any interest in this matter that should be disclosed under the Appearance of Fairness Doctrine.

(#0040) Jim Reece stated that he had visited the site and they were doing a tour of the house, so I joined in and walked with the tour. There were no conversations precisely on this issue. He stated he feels he can hear this matter fairly and impartially.

(#0050) There were no objections to any of the PAC members hearing this matter.

(#0060) Allan Borden of the Department of Community Development introduced the staff report. The applicant, McReavy House Museum, is requesting that three parcels be rezoned within the Union Rural

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Activity Center from Rural Residential 2.5 zone to Rural Residential 3 zone. Under Rural Commercial 3 there are a wide variety of land uses that could be allowed that are described in the Mason County Development Regulations. (See attached staff report). The three properties total up to just under 1.3 acres in size. The request is made so that the properties can be redeveloped from residential land use to develop a museum associated with a historic home on the property for the benefit of the public. This property is uphill from the marina, café, and store. The property is located east of Second Street. Access is limited. The access would be through Second Street and that would have to be developed as the museum is proposed. There are slopes downhill from the site. There are no identified wetlands or streams on the property. There is a seasonal drainage off to the east. There is RC3 property to the north; RC3 property to the east; RR2.5 to the south and west. We match the request with 8 rezone criteria. Criterion #1 regarding impacts to public safety, health and welfare, under the new zone, this will be a more intensive land use, but there are existing development standards. Criterion #2 deals with the fact that the zone designation shall be consistent with the Mason County Comp Plan. When zoning took place in 2002, much of the land within the RAC's were zoned RR 2.5 as it was either under residential use or vacant. This request is consistent with the Comp Plan policies to provide available services and foster economic activity in the community, both for residents and visitors to the Hoodsport area. The requested zone designation RC3 is the most appropriate zone and shall match the characteristics of the area best. Criterion #3 deals with cumulative impacts or increased sprawling development. RAC's are areas of more intense land uses with a logical outer boundary, so this policy would be met. Criterion #4 deals with increased demand for urban services in the rural areas. The small amount of land involved in this rezone request is not likely to cause a marked increase for demand for urban services. Criterion #5 regarding such zoning to materially interfere with the GMA; #4 above, answers this question. Criterion #6 deals with encouraging retention of open space and conservation of fish & wildlife. Proposed development of the parcels will need to comply with proper standards of the Development Regulations and the Resource Ordinance. Criterion #7 regarding pressure to change land use designation of other lands are anticipated in the RAC, but such expansion is contained within the boundaries of the RAC. Criterion #8 does not apply. Based upon the application materials and the evaluation of the rezone criteria, staff finds that the seven criteria have been met.

(#0425) Jim Sims inquired why a RAC would not be included under a community or recreation center.

(#0450) Allan Borden explained that a local community center is a venue for the public in general to use for multiple purposes; meeting place, things like that.

(#0460) Dennis Pickard stated the designation of the RAC is for the broader rural area.

(#0490) Jim Reece inquired why the museum can't stay in the RR 2.5 zone.

(#0500) Allan Borden explained they could, but they would then be limited from having any associated retail land use on the property.

(#0515) Dennis Pickard inquired about the decision to rezone to RC3 versus potentially RC2. In RC 2, single family residential is a permitted use, whereas it's an accessory use in RC3.

(#0535) Allan Borden stated the applicant made the decision to submit for RC3.

(#0550) Steve Whitehouse stated he is a volunteer assisting these applicants. He is not a hired attorney. This is the oldest building in Mason County, as far as we know. It was built in 1869 by John McReavy. The building has come into some disrepair, and has undergone some modifications. Several years ago, Mike Fredson took it upon himself to try to save this building. He started a nonprofit corporation, which now holds title to the building. Some time ago, when Allan and I were discussing the most appropriate zoning, that's where the RC3 idea came into play. Steve introduced a proposed site plan.

(#0735) Discussion regarding ingress and egress. Second Street will be the only access, and the State will not allow access off of State Route 106.

(#0780) Ken VanBuskirk inquired if the McReavy House is on the State Historical Register. Mr. McReavy was quite instrumental in a lot of development up in the North end, around Belfair.

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(#0790) Mr. Whitehouse replied not at this time as the roof has been repaired. We will reapply at a later time. There are a lot of steps that have to take place before this ultimately happens. This county has a history about having discussions saving historical buildings.

(#0850) Howard Leggett stated he is the Vice President of the McReavy House. The house was torn apart in 1970 by a descendent. Ms. Vissor, another descendent, asked us to take this project on. She wanted us to rehabilitate the house and glorify what her great grandfather had done. This is a great opportunity, and a great project to have for the community.

(#0930) Dennis Pickard closed the public comment portion of the hearing.

(#0945) Randy Neatherlin stated this is a logical step for this to happen in order to protect a very important part of our history. If you do any research on Union, you cannot find anything about it that isn't focused around the McReavy House. Having the McReavy House there will bring in visitors who will spend money at other local businesses, keeping the community thriving with other businesses.

(#0990) Jim Reece stated it is a great idea. He did note he had concerns about Second Street being the primary access. It seems inappropriate; it isn't a very good road.

(#1035) Dennis Pickard noted there are adequate means in the regulations governing future specific development that would require that adequate access be established for the proposed use.

(#1065) Allan Borden noted he did not receive any comments back from the surrounding property owners who were sent notices about this hearing taking place.

(#1085) Dennis Pickard added that because of the nonprofit nature of the ownership, and the limitations that the limiting access provides, actually provides more security that a more intensive commercial use wouldn't be possible, so I feel that potentially mitigates some potential problems with the rezone.

(#1110) Cathi Bright stated the economic vitality of Union is going to be augmented by this. There's probably not anywhere else has the potential that this has to be a draw. I would be concerned that 17 parking spaces might not be enough, and I would be concerned about the route you would have to take to get there. However, those concerns are not something that I feel will override the potential benefits to the community of allowing a project like this to go forward.

(#1145) Jim Reece inquired being they are a nonprofit, do they have to pay the fee for the rezone.

(#1160) Allan Borden stated that is correct.

(#1180) Bill Dewey made a motion to recommend to the BOCC approval of the rezone request #10-01.

(#1185) Cathi Bright seconded the motion, a vote was taken, and the motion passed

(#1225) Dennis Pickard opened the public hearing on the rezone request by Phil & Yvonne Wolff by inquiring if any of the PAC members have had ex parte communications regarding this matter, and/or any interest in the parties or the applicants. Dennis stated that he does work at Mason County Title Company, so perhaps everything in the county has gone through my hands at one point. I did confirm that our office did handle the title and escrow purchase of the property in 2007, but I have no personal interest in that project. We have no pending applications that I am aware of.

(#1255) Bill Dewey disclosed that Taylor Shellfish crews (where Bill works) uses the marina extensively, but he has had no communications with anyone regarding this property.

(#1265) Ken VanBuskirk disclosed that he lived on an adjacent parcel 40 years ago. I have history with the area, but no interest in the property.

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(#1275) Randy Neatherlin disclosed that he looked at the property and other properties around it for a real estate sale, but has no connection with it at this time.

(#1295) There were no objections to any of the PAC members hearing this matter.

(#1300) Allan Borden introduced the staff report. He handed out additional photos for the PAC to review. The applicants, Phil & Yvonne Wolff, are requesting that two parcels be rezoned within the Grapeview Hamlet from Rural Residential 5 zone to Rural Commercial 2 zone. Under RC2 there are a wide variety of land uses that could be allowed that are described in the Mason County Development Regulations. (See attached staff report). These uses are more limited than what is available under RC3. The request is made so that the property can be developed from vacant and residential land uses to provide commercial services as part of the nearby existing recreational and tourist uses. The parcel next to the county road is located on Grapeview Loop Rd within the outer boundaries of the Grapeview Hamlet. The west parcel is undeveloped but recently cleared of trees and shrubs; the southern .62 ac portion of this parcel is within the Grapeview Hamlet and subject to the present rezone request. These properties are to the west of several recreational developed parcels associated with the Fair Harbor Marina. Both properties slope slightly to the west. The surrounding zoning consists of properties to the north, east & west zoned Rural Residential 5 zoning in the Hamlet, and to the south are Rural Commercial 3 zone and Rural Residential 5 zone. The properties have direct access to the county road and road easement. Septic and water are available from privately maintained systems. Seven of the eight rezone criteria apply to this request. Criterion #1 talks about potential damage to public health, safety and welfare. If this request were to be approved, the DR's for the county would help in providing separation from residential land uses, provide for parking, traffic and stormwater, and buffers as needed. Criterion #2 which talks about appropriate characteristics of the area, in a Hamlet this is an area in the county designated in 2002 similar to Bayshore, Deer Creek, Dayton, Lake Cushman, Lilliwaup and Matlock. The county established a boundary around clusters of properties with the expectation that community, commercial, and tourist types of land uses would be able to develop to serve the surrounding areas. The RC2 zone would be an appropriate use to allow some commercial use of a lighter spectrum. Criterion #3 has to do with sprawl, the outer boundaries of the Grapeview Hamlet in essence provide that border so that outside the border, existing residential uses can continue. The Hamlet was set aside to try to guide some commercial development. Criterion #4 having to do with increased demand for urban services, if the request were approved, demands for services would not approach urban levels. Criterion #5, having to do with drawing urban services away from the UGA; the properties do not have large enough areas to create an intensive development so the service demands would not be pulled away from the UGA in Allyn, which is 3 plus miles to the north. Criterion #6, regarding open space and fish & wildlife habitat, those development standards could be implemented at the time of proposed development. Criterion #7, having to do with creating pressure to change other land use designations, such rezone requests are anticipated within a Hamlet. In summary, staff finds that all seven criteria are met, and that RC2 is the more consistent zone for this use.

(#1760) Cathi Bailey inquired about the aeriels included in the staff report. Allan explained the uses shown on the map.

(#1800) Randy Neatherlin noted their application mentioned it not being near by wetlands. The parcel right next door to the south, there is a standing pond.

(#1845) Phil Wolfe explained the commercial use is where the mobile home used to be. Phil explained there is a seasonal intermittent stream located on the property.

(#1920) Ken VanBuskirk inquired about Criterion #4. The applicant stated on his application there is a planned 20 home development.

(#1955) Allan Borden shows on the map that it is an existing platted development to the northwest of the Hamlet and access would be through a road called 'Atwater'.

(#2000) Miscellaneous discussion about road access permits needed.

(#2050) Ken VanBuskirk inquired when the Hamlet was drawn up, it looks like it cut some of the parcels into

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portions, and what was the rationale for that.

(#2070) Allan Borden explained it is the nature of the inaccurate mapping at the time those local areas of more intensive rural development were mapped. We used old assessor maps, and they were not accurate.

(#2100) Ken VanBuskirk stated that part of the parcel they're asking to be rezoned, part of it won't be affected by this rezone request, so wouldn't it make more sense to put the Hamlet boundary where it should be now?

(#2125) Allan Borden stated that might be worthwhile, but it would involve all those properties affected by it. Grapeview always has been a problem with the county, because of the inaccurate mapping that took place. Also, there was a fair amount of local planning done in the Grapeview area that really wasn't carried through very well from the local level to the Comprehensive Plan level.

(#2135) Dennis Pickard stated he had considered that, but because of the nature of the old platted lots, existing tax parcel boundaries aren't necessarily the same as the existing lot boundaries. In this particular case, a portion of lot #61 actually consists of ten platted lots, even though it is under one parcel now. The rezone request would affect 6 of those 10 lots, but there would still be four lots outside of the plat that have more limited development potential than that under RR5.

(#2200) Yvonne Wolff, applicant, stated one of the reasons why they bought this property was because of the opportunity to put in a commercial venture when it was feasible to do so. Our goal is to utilize it as best we can. We paid for a survey, and we removed the unsightly mobile. We're not quite sure what we're going to do with the property yet, but we like the Grapeview community and we think it is a good place, and we want to do the right thing for the community. Also, in the future, if the Port wanted to expand, this would make it easier.

(#2335) Phil Wolff, applicant, stated they have spoken to their neighbors, many of who are here tonight, regarding this project. We want to do the right thing for our neighbors. We bought the property in 2007 and it had the unsightly mobile on there. We want to do what's right for the community, and that's why we have been communicating with them. It is within the Port's Comprehensive Plan to focus on the boat ramp and the parking lot area for marine and recreation uses. Our house is right next door, so we're active with the Grapeview Association.

(#2430) Joe Long stated he lives right near where they want to develop this property. I live where all the traffic comes after the marina has all their parties; all the half drunks come around there and half of them are trying to run over my animals and other neighbors animals. I have heard they want a convenience store there possibly. I really dread the thought of those people leaving that party and going over there and buy more liquor and come around the corner even faster. Pretty soon we're going to look just like Kent. He points out on the map the location of his property.

(#2535) Vern Nelson, owner of the Marina, spoke next. He explained it is a small Hamlet and it needs to grow some. It hasn't grown in the 20 years he's been there. He feels some project like a cold storage, or anything to do with the water would help our community. Maybe a parking lot would also work; we do not have enough parking for the area. I'm sorry about the drunks leaving the Marina, but we try to really watch that as much as we possibly can. We have licensed bartenders that keep an eye on things like that, and sometime things do get out of control and I apologize for that. I'm in support of this request.

(#2600) Robert Allen of Grapeview stated he is here wearing two hats. As a Port Commissioner

(#2620) Phil Wolff inquired if Robert had authorization to speak for the Commissioners.

(#2630) Dennis Pickard stated he would have an opportunity to rebut at a later date.

(#2635) Robert Allen stated he did not have the authority to speak for or against as the notification arrived the day after our last Port meeting, and this session happens the day before our next board meeting. As a Port Commissioner, we cannot speak to it as we have not discussed it. Mr. Wolff, as a former Port Commissioner, resigned recently, and we are attempting to replace his position within our district. I can

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speaking to the fact that the project is not across the street from the Marina. If you look at your maps you will see that it is kitty corner from the Marina. The dividing line is Griswald Ave. As a private citizen, the driveways across the street from the Marina are all residences. There is no commercial development. Those commercial properties are actually south of Griswald as it exists platted to the west, and as it exists as a deeded road for the Port of Grapeview. I also remind the PAC that the Marine Project Center referred to in the application hasn't been a Marine Project Center for several years, and has been Fair Harbor storage, where the owners of that have specialized in boat storage. They are intending to develop that property with full storage facilities. The Port has discussed openly in session the 20 home development. We have been asked on a couple of occasions by that developer to see if there is a way for us to create road easements that would allow them to have a southern access to that site. It's my understanding that the application is on hold right now pending an additional road in and out other than the one that was told to the commission to the north. The Grapeview Store that has been closed for several years is currently being remodeled. They hope to reopen soon. There is a stream of water that flows through the back of this site. It does start on the Nelsons 5 acres, but it also includes Harley Somers 5 acres, which is just next to that. Grapeview Loop Road line of site problems have existed for a long time. The Port has actively sought a sidewalk from their parking lot to Griswald Ave, and that has been denied twice by the Road Department. The Port has no adjacent property to this project. Robert showed the PAC the Port properties and their relation to the project on the map. Discussion ensued regarding right-of-way.

(#3150) Dennis Pickard noted the specifics of ownerships of adjoining properties are not the subject of this hearing tonight. This is a Rezone Request. Any discussion of that is secondary at best to the matter at hand. The potential technicalities of this are to be worked out at a later date.

(#3200) Cathi Bright stated her question is related to which parcels the Port owns. The Port Districts exist for economic development and so the property they own is supposed to be owned for that purpose. If we're talking about a competing interest between a private property owner and a Port property owner, that's what I'm trying to understand.

(#3250) Robert Allen further explained that the access to that commercial is off the Port's private road. All the Port's property outlined on the map is in recreational use in perpetuity by the Port of Grapeview.

(#3330) Phil Wolff stated for the record to be included in the minutes is that Commissioner Allen is here speaking on behalf of the Port and also for himself. I spoke to another Commissioner Bill VanderWal about this

(#3355) Jim Sims stated he distinctly recalls Commissioner Allen speaking as a Commissioner but not for the Commission.

(#3365) Dennis Pickard stated, as the Chair of the PAC, that from now on we will not receive third party comments about what they may or may not have said in your private discussions.

(#3375) Phil Wolff stated the Ports are here for economic development, and they also have authority to provide recreation. This property may be able to serve the Port in the future.

(#3415) Yvonne Wolff stated the line of site is difficult at times, and we plan on mitigating that in the future. We plan on leveling out the corner to improve the line of site. As far as the wetland, the development site is not in that area.

(#3500) Gary Longmeyer stated he lives on Treasure Island and looks directly across to the Marina. The intent of starting this type of zoning was to allow a certain amount of commercial development but restrict it to certain types. They need the opportunity to have this type of development; we need it as a community. If you don't allow a certain amount of growth, I feel you're being too restrictive. I would like to speak in favor of it.

(#3535) Kathy Walch stated she is a business owner in Allyn on Sherwood Creek Road. I have a home child care business. I have taken care of children for the last twelve years. I would like to expand my business and part of this rezoning would help that. I would like to lease the bottom portion of their home and move my

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child care center. We have met with the state child care licenser and she agrees that it is a good place. We would not have a convenience store next to a child care facility.

(#3600) Roy Howard, who is a neighbor, testified he is in favor of rezoning this property.

(#3675) Phil Wolff stated he would like to work with the county as well as the road department regarding the line of site issue to make sure we would have safety for that area.

(#3720) Randy Neatherlin inquired if there is an actual designated wetland on the site.

(#3750) Allan Borden stated we would have to verify our maps and consult on the site. It doesn't really matter whether it stays in the current zone or changes to any other zone it will have to abide by the critical areas ordinance.

(#3800) Jim Sims stated that would require a SEPA.

(#3820) Allan Borden responded it's the permitting process that would require that.

(#3855) Cathi Bailey inquired where the Grapeview Store is located.

(#3865) Cathi Bailey was shown the location on the map.

(#0130) Ken VanBuskirk inquired if the Port of Grapeview was notified of this rezone.

(#0135) Allan Borden stated they were notified. We have not received any correspondence from them.

(#0140) Ken VanBuskirk inquired if it was correct that the Port has not met on this yet.

(#0145) Robert Allen explained they received the day after the last time we met, and we meet tomorrow, so there's no opportunity for them to meet on this.

(#0150) It was pointed out that the Port of Grapeview, as well as others, will have another opportunity to speak to this request in front of the Board of County Commissioners.

(#0155) Phil Wolff noted the Port could have convened in a special meeting to discuss this request. There was never any intention to hide this proposal whatsoever. We went through the proper notification.

(#0185) Dennis Pickard closed the public comment period on this rezone request.

(#0190) Randy Neatherlin stated he was glad to see Mr. Howard testify, as his home is directly behind it and would be most impacted of any of the neighbors. If he's comfortable with it, that makes me a lot more comfortable with it. A Hamlet exists as a place to provide certain services. In this particular area, it is the natural place for growth. I see this as a benefit to this area.

(#0220) Dennis Pickard noted there are a number of technical issues that have been raised that are outside the scope of the specific matter before us this evening, which is providing a recommendation on the proposed rezone request itself. Any development application will require compliance with all particular regulations regarding access, wetlands, mitigation, buffering, etc. Given that the specific properties proposed for rezone were designated as part of the Hamlet, with that indication that there is intent for them to be part of that small commercial zone, given that our mandates of the Comprehensive Plan, this seems to be consistent with the Comprehensive Plan as has been previously applied to that area.

(#0265) Ken VanBuskirk stated he would like to see what the Port of Grapeview has to say before he makes a decision or a recommendation. I would hope we could defer it for a month until they have an opportunity to weigh in on it.

(#0275) Dennis Pickard noted we are only making a recommendation; we're not approving the rezone at this

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time. The Port will have an opportunity for additional public comment before any recommendations are acted on. That being said, if you wish to make a motion to that fact, or if that is a general consensus that is where the PAC would like to go, we can certainly entertain that motion.

(#0300) Bill Dewey stated he is not hearing anything that suggests a rezone is not appropriate, at least on the information presented tonight. He stated he would be comfortable passing a motion that supported the rezone request and forward it on to the BOCC with a caveat that we were not privy to this important input from the Port, and would encourage them to solicit their information.

(#310) Dennis Pickard stated he would not lean in that direction because the designation of the Hamlet itself has been in place for a number of years and presumably the Port had ample opportunity at that time to comment on that aspect of the overall county planning as it pertains to the area under their jurisdiction. Therefore, I'm less inclined to want to want to handle it that way.

(#0330) Randy Neatherlin noted that all of Belfair is a Hamlet and they still have the same issues with a larger scale area. The Port couldn't weight in over switching one piece of land.

(#0355) Cathi Bailey stated the Port owns these rights to these roads, they're actually owned by the public. If you look at the reasons for having Port Districts and having these Hamlet designations, it's for commercial and recreational intelligent planning as the goal. Being that any other services would be a mile and a half away, if I come into this area on a boat, I can go to the Marina facilities there but to walk down to another commercial area on a busy road with a narrow shoulder would be really dangerous. I think that having something there that would be accessible like a commercial enterprise would be a real advantage in terms of their commercial and economic development. As the Hamlet becomes developed and there are more and more services available, this parcel would be part of a larger commercial area, which is what the Hamlet is intended to do. I would be in support of it. I feel the Port Commissions will have the opportunity to weight in on it at the BOCC level.

(#0420) Dennis Pickard agreed, and encouraged them to do so.

(#0430) Randy Neatherlin stated he is for the rezone, but explained a Hamlet still has all the different zonings and is a Hamlet just for commercial?

(#0435) Dennis Pickard stated the definition of a Hamlet which is stated in the Mason County Development Regulations which says "Residential Uses are not included in Hamlets". The character of what is designated Hamlet would seem to imply that it is intended to be commercial in nature.

(#0460) Miscellaneous discussion regarding Hamlets.

(#0485) Randy Neatherlin made a motion to approve the rezone request of #10-02 by Mr and Mrs Wolff with a new caveat that we were not privy to the Port of Grapeview comments. The motion was taken as a friendly amendment, and there was a second. The motion was to recommend approval of the rezone request by Phil and Yvonne Wolff with a stipulation that formal comment from the Port of Grapeview was not received by this Commission. A vote was taken and with all members in attendance voting in favor, and 1 'nay' vote by Jim Sims.

Meeting adjourned.