

MINUTES OF SPECIAL MEETING
PIERCE COUNTY PLANNING COMMISSION
Wednesday, January 16, 2019, 6:30 P.M.
Public Meeting Room, 2401 So. 35th St., Tacoma

MEMBERS PRESENT

Sharon Benson
Sharon Hanek
Jeff Brown
Kathryn Jerkovich
Jon Higley
Kevin Rau

MEMBERS ABSENT

Julie Williams-excused

Clerk: Danica Williams, PPW-PALS

Other Staff: Jeff Mann and Dan Cardwell, Long Range Planning

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Sharon Benson, Chair. Roll was called and a quorum was present. Copies of all staff reports and related documents under review were made available. Members of the public were in attendance.

Chair Benson gave an overview of the process for review of plan amendments. It was announced that deadline for comments will be January 23, 2019, at 4:30 to allow the Clerk to get them to the commissioners prior to January 30. January 30 will be the meeting where recommendations will be made.

PUBLIC HEARINGS

2019 Comprehensive Plan Amendments

The Growth Management Act requires that comprehensive plans be subject to continuing review and evaluation with consideration of amendments and revisions no more than once per year. Chapter 19C.10, PCC Title 19C.10, Pierce County's amendment procedures, directs the Planning Commission to review initiated Plan amendments and make recommendations to the County Council. Council Resolution R2018-108s directs the Planning Commission to submit its recommendations to the Council by February 15, 2019.

Amendments to the Comprehensive Plan include: Text Amendments (changes in policies or text); Area-Wide Map Amendments (changes in the Land Use Map resulting in changes in zoning); Urban Growth Area/Urban Service Area Amendments (changes to designated Urban Growth Areas/Urban Service Areas); and Community Plan Amendments (changes to text or policies of a community plan). Related documents can be viewed at www.co.pierce.wa.us/4694/2019-Comprehensive-Plan-Amendments.

Jeff Mann, Long Range Planning Senior Planner, provided information relating to the County and GMA requirements and procedures for amendments to the Comprehensive Plan, noting that Council resolution R2018-108s initiated the amendments in this review cycle. PALS is required to transmit the Planning Commission's recommendation to County Council by February 15, 2019. Staff will provide an overview of each application as review proceeds.

Staff provided an overview of each application and the staff recommendation. A power point presentation was provided as well that addressed each amendment as well as the website and process used for review of the 2019 Comprehensive Plan amendments.

Application #891418, Applicant: Charles Bitton

The proposal would redesignate one parcel from MSF to NC and one parcel from MSF to EC to better reflect use and surroundings. The properties are located along Valley Avenue, north of the City of Puyallup. The proposal is located in the Urban Growth Area (UGA)/Potential Annexation Area(PAA) of the City of Puyallup. Staff recommends support amendment, but to also include parcel 7705000070 since it is located in the middle of two parcels requesting for change.

DISCUSSION

Discussion regarding location of request. There were further questions/concerns regarding the smaller parcel (7705000070) in the middle and what the current zoning is and if they are a willing party to be rezoned. Concerns regarding if residents fully understand what is going to happen and the impacts that the zone change could have. Owner has not responded. Mr. Mann explained it was the county's recommendation to include, but they could certainly exclude it. Mr. Cardwell explained we can only reach out to the property owner and ask, but there is no guarantee when noticing is done. Mr. Brown commented that it would be a benefit because they could live there as long as they want, but if there were to potentially sell it they could sell it to a commercial owner.

PUBLIC TESTIMONY

Charles Bitton was present to represent the Malones (his neighbor) and himself. The Malones have been running a sandbag operation for at least the 20 years and would like to bring their business into its zoning. The parcel that Mr. Bitton owns has been a contractor's yard and a mechanic's shop also running out of its zone for 20 years. Mr. Bitton explained the city and county also seem to support this zoning change of bringing the zoning of the parcels into the use its's been for the last 20 years.

Application #890881, Applicant: Bryan Bartelson submitted by Azure Green

The proposal changes the land use classifications of seven parcels north of SR-512 and SR-167 in the area of Valley Avenue E. and Milwaukee Avenue E. The parcels are currently MSF and would be redesignated EC. The area is in the Urban Growth Area (UGA)/Potential Annexation Area (PAA) of the City of Puyallup. Staff recommendation does not support amendment. There is no way for us to condition the amendment with having access from Milwaukee.

DISCUSSION:

Discussion regarding exploration of a right of way and whether there has been time to explore a right of way. Puget Sound Energy (PSE) was working with Mr. Bartelson, but after PSE had a reorganization, the applicant has been unable to meet with PSE staff regarding access to Milwaukee easement. Further questions from the commission to the applicant regarding the

length and type of non-conforming use and well as the use of the residential street for operating the business. Mr. Bartelson explained what type of residential housing was located off of Milwaukee.

PUBLIC TESTIMONY

Paul Green Gave description of the parcels to be rezoned and a brief history of Mr. Bartelson's trucking company. Mr. Green explained that Mr. Bartelson originally only wanted to redesignate his 4+ acres however more than one parcel was needed to make an application. Staff requested we include the four houses. Mr. Bartelson would like to gain access through Milwaukee Ave instead of through the residential neighborhood. He would like to purchase the parcel or gain access through an easement through Puget Sound Energy and they have been interested if it is zone EC. They are in agreement with city of Puyallup and access from Milwaukee. After staff has expressed concern, Mr. Bartelson has prepared a Declaration of Restrictive Covenant that can be recorded again the property and if it's used for commercial, it would have to have access to Milwaukee.

Ted Spice-Owns the property surrounding Mr. Bartelson and stated that Puget Sound Energy (PSE) and himself are not giving Mr. Bartelson access to Milwaukee. Mr. Spice explained the history of litigation between Mr. Bartelson and himself. Without access to Mr. Spice's property, Mr. Bartelson is not able to follow the city and county recommendation to use Milwaukee as the entry point. Mr. Spice does not support the proposal for map amendment.

Mary Rader moved into her house for a nice quiet place. It looked like a perfect spot until the trucks began running. There were awful smells from flushing and illegal stripping porta potties. She felt like they were being punished for finding a nice place to start. She does not feel Mr. Bartelson should be allowed access. She feels like Mr. Bartelson is the rich owner who feels he is going to get his way. It's been a nightmare and now he wants to bring it in all the time. She is starting to think he's gotten away with way too much. She lives in the house adjacent to the west of the Bartelson property.

Application #891686 & 891709, Applicant: Raining Mountain LLC

The proposal is to establish policies to allow light industrial and resource-based manufacturing uses in the Elbe and Ashford Village Center zones of the Upper Nisqually Valley Gateway Communities designation, as well as encourage interpretive activities with such uses.

The proposal would require amendments to the Pierce County Comprehensive Plan and Upper Nisqually Valley Community Plan. Staff recommends approval.

DISCUSSION

Ms. Hanek asked how this proposal involves the residents and if it is what they want. Mr. Cardwell explained that he was one of the co leads in that project and that it being a smaller community there was involvement with the community during the initial development of community plan. Ms. Jerkovich asked how the area to be designated is currently developed. Mr.

Mann explained the applicant is really looking at Elbe and that there is a mix of commercial and residential.

PUBLIC TESTIMONY

Byron Adams gave a brief history of area and how it has historically been used. He explained the household income in Elbe is below average and that would help the community economically. He explained how water is a natural resource that is already there flowing through the Nisqually Dam. Raining Mountain would like to take some of that water and create a miniature brewery, an environmentally friendly water company and use existing railroad to bring it down to Tacoma. The line is still functional for industrial use. Tacoma is willing and we would want to take proceeds from the usage from us to help fund rail line upgrades for passenger transit up to the mountain. They want to use natural resource to benefit community. He would like to add in an interpretive center and keep the rustic feel of the community.

James Halmo expressed concern is regarding the definitions. His major concern was with the term “light industrial use”. He would like to see the word “light” quantified more. With development regulations a lot can happen in which the residents of Elbe would not be happy with. More work with definitions needs to be done so that the wording makes sense.

Application #891941, 891909, 891940, Applicant: 12905- 140th Ave. LLC

The proposal would amend Comprehensive Plan policies to allow for the review and redesignation of the five parcels in the original application as Rural Industrial Center (RIC) in the Alderton McMillin Community Plan. Staff recommends adding two properties which are located adjacent to the RIC and meet the criteria for inclusion in the rural industrial center. The proposal would also amend the Community Plan land use tables and correct citations. Staff supports with recommendation with addition to of 2 policies regarding the additional parcels. That would limit the access to the two parcels to only an internal access road and not highway 162.

DISCUSSION

Mr. Higley asked for clarification on the location in which Ms. Hanek was able to clarify with reference to a box company. Ms. Benson raised questions regarding ingress and egress in the event of a lahar. If we are putting in more jobs and people how would they get out in case of an emergency. An answer could not be provided at this time. However, Dan Cardwell did mention an active short line that does serve that area. There would be some opportunity for other industry to help reduce the number of freight vehicles on the highway. Ms. Jerkovich asked why properties south of 128th that were not included. They are currently zoned R10 and seem to be a part of the Scholz Farm. Jeff mentioned a logical outer boundary that defines this rural industrial center. You have highway, hill, water line that create it. The purpose of having a logical outer boundary is so they don't expand out into rural areas. We do have one neighbor who is concerned about light and glow, glare and light. Our rebuttal while property extends the hillside does take up most of the area. There is also a wetland at the bottom of the hill. It provides some

separation from residents. Seems like a pocket is being created. Mr. Cardwell said this is something Long Range Planning can look at further.

PUBLIC TESTIMONY

Rueben Schutz Represents the owner of the 5 parcels. In 2007 these parcels should have gotten pulled in. He described the natural buffers created by the wetland and the hillside that will restrict the amount and type of use. Buffer development will be restricted to some parcels. 142nd was built just to access the park and industry. The only access to get to these parcels. The use would be consistent with what is already occurring.

James Halmo Those 5 parcels were not included by board in the past. State legislature specifies that there needed to be commercial activity by a certain date. Mr. Halmo went into a description describing the discrepancies with the parcels listed in the staff report. 1 digit number. It included tax forms showing commercial activity on July 1, 1990. With regard to other two parcels, what bothered him was that he could not find a reference to the 3 permit numbers that everything is found on.

Eugene Curbow described their property and the wish to sell it, but they are not allowed to because the only thing that can be parked on it is trackers. When they came out a few years they said they did not want to be designated as far only. They would like to sell their property as commercial because it connects to commercial. She would like it to be rezoned so she can sell it.

Application #891942, 891914, Applicant: Pierce County Parks and Recreation Description

The proposal would change the land use designation of two (2) parcels across 1.37 acres from Rural 10 (R-10) to Rural Neighborhood Center (Rural Center designation). The two parcels are located on the southeast corner the intersection of SR 162 and E. Pioneer Road in the Alderton-McMillin Community Plan area. An accompanying Community Plan text amendment recognizes the changes to tables and other text in the Community Plan, if approved. Staff recommends supporting this amendment.

DISCUSSION

Mr. Higley inquired about future intentions, however the applicant currently has no future plans. Ms. Jerkovich asked about the buffer requirement between the R10 and RNC zone. Mr. Mann provided 18J as having the landscape and setback standards.

PUBLIC TESTIMONY

Rueben Schutz explained that property owners have operated a nursery and bakery. The question is, should it be permitted? He expressed that this location is a busy intersection and that this amendment would make it more marketable in the future. Because it is surrounded by Rural Farm, ARL, and Rural 10, there is no danger of it spreading and there are no future plans for development. It's not an ideal location and it's not suitable for farming either. Concerns can be dealt with at site development stage. I don't think it's a concern here.

Martin Oroshiba has more issues with the county specifically. Our neighborhood has been requesting to make a gated community and have the county take care of the road. This business touches up against the property. 6ft fences aren't going to cover it. We are looking at homelessness, alcohol related issues. He was concerned that letters only went out to people who lived within 300 ft not the whole community. This is a significant thing.

ADJOURN

The meeting adjourned at 8:20 p.m.