

City of Prosser, WA
601 7th Street
Prosser, WA 99350

**CITY OF PROSSER, WASHINGTON
BOARD OF ADJUSTMENT SPECIAL MEETING
AGENDA
6:00 P.M.
THURSDAY, October 23, 2014**

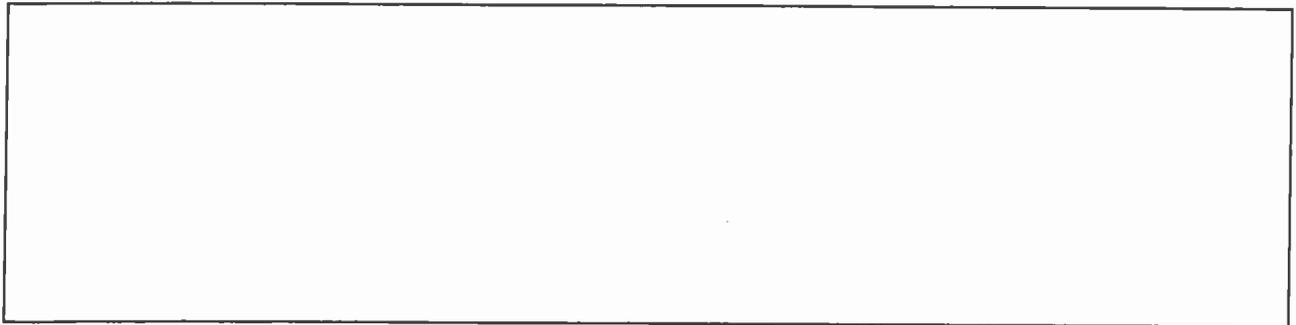
1. **Call to Order by Chair**

2. **Roll Call**

3. **Public Hearing Variance 451 Wine Country Road**

ACTION: Approve, deny or make changes, or provide direction to staff.

4. **Adjournment**





**CITY OF PROSSER, WASHINGTON
NOTICE OF COMPLETE APPLICATION AND PUBLIC HEARING AT A
SPECIAL MEETING
451 Wine Country Road Variance**

Notice of Application October 8, 2014

Please take notice that the following land use application has been filed with the City of Prosser Washington and is available for public review:

Type of Application: Variance Application

Date Filed: October 3, 2014

Notice of Complete Application Issued: October 8, 2014

Applicant: Capital Growth Real Estate

Location: 451 Wine Country Road, Prosser WA. Near the intersection of Chardonnay Ave.

Filed Pursuant to: Prosser Municipal Codes; 16.08, 17.12, and Title 19 of the Prosser Municipal Code.

This application seeks a variance for driveway access along Wine Country Road in Commercial Thoroughfare zone (CT). The variance seeks a break in access larger than 36 feet and requests a 14 foot variance allowing access to be 50 feet to accommodate traffic to a new retail facility.

City of Prosser Contact: Prosser City Clerk

The public is invited to comment on the application. The public comment period **will begin October 8, 2014**. All public comments received on the Notice of Application must be received by the City of Prosser **by 5:00 PM, October 23, 2014**. Comments may be mailed or personally delivered to the Prosser City Clerk, Prosser City Hall, 601 7th Street, Prosser, Washington, 99350 or sent by facsimile to (509) 786-3717. Comments should be in writing and be as specific as possible.

**PUBLIC HEARING
SPECIAL MEETING**

NOTICE IS HEREBY GIVEN by the undersigned City Clerk of the City of Prosser, Washington, that the Prosser City **Board of Adjustment** will hold a Public Hearing at a **SPECIAL MEETING on Thursday October 23, 2014 at 6:00 p.m.**, or as soon thereafter as possible, in the City Council Chambers, City Hall, 601 7th Street, Prosser, Washington, for the purpose of receiving public comment on a requested variance for driveway access along Wine Country Road.

Anyone interested may appear and be heard, or provide written comments regarding the requested variance.

The City Hall Council Chambers is wheelchair accessible. American with Disabilities Act (ADA) accommodations are available upon request to the City Clerk at least 2 days in advance by calling 509-786-2332.

All available information, including but not limited to, the complete application, for the request may be viewed at the City Clerk's Office, located at Prosser City Hall, 601 7th St, Prosser, WA 99350, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, excluding official holidays, or may be viewed at www.cityofprosser.com.

NOTICE OF SPECIAL MEETING

Notice is hereby given by the undersigned City Clerk of the City of Prosser, Washington that the Prosser Board of Adjustment will conduct a Special Meeting on **Thursday October 23, 2014 at 6:00 p.m.** The purpose of the Special Meeting is for the Board of Adjustment to discuss and potentially take action as indicated on the below agenda. The Special Meeting will be held in the Council Chambers, Prosser City Hall, 601 7th Street, Prosser, Washington at 6:00 PM.

SPECIAL MEETING AGENDA

1. Call to Order by Chair.
2. Roll Call.
3. Public Hearing- Variance to driveway access along Wine Country Road
ACTION: Approve, modify, or deny variance request.
4. Adjournment.

Dated: October 3, 2014



Rachel Shaw, CMC
City Clerk, City of Prosser

Published: Prosser Record Bulletin
Publish Date: October 8, 2014



LAND USE ZONING & PERMIT APPLICATION

CITY OF PROSSER, WASHINGTON

APPLICANT'S NAME Capital Growth Real Estate, Scott Smith

PROJECT NAME Shopko Hometown

PARCEL INFORMATION (Include all parcel(s) information. Attach additional sheets, if necessary.)

Project Address: 451 WINE COUNTRY RD , PROSSER, WA 99350
(Leave blank if not assigned)

Parcel Number (Property Tax Account Number): 135943000019000

Legal Description: Section 35 Township 9 Range 24 Quarter SW; OLNEY'S SUBDIVISION.

PROPERTY OWNER INFORMATION

Name: PATRICIA OLNEY HELTON

Address: 4206 W 16TH CT City: KENNEWICK State: WA Zip: 99337-2210

Phone: _____ Cell Phone: _____

Email: _____ (email will not be used for transmittal of official findings)

OWNERS AUTHORIZED AGENT: Capital Growth Real Estate, Scott Smith

Address: 361 Summit Boulevard, Suite 110 City: Birmingham State: AL Zip: 35243

Phone: (205) 968-9841 Cell Phone: _____

Email: _____ (email will not be used for transmittal of official findings)

PROJECT INFORMATION

- | | |
|--|--|
| <input type="checkbox"/> Site Review | <input type="checkbox"/> Conditional Use (requires Conditional Use form LUA-S1) |
| <input type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Variance (requires Variance request form LUA-S2) |
| <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Similar Use |
| <input type="checkbox"/> Accessory Dwelling Unit | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Overlay Zone | <input type="checkbox"/> Adult Family Home |
| <input type="checkbox"/> Right-of-Way Use Permit | <input type="checkbox"/> Continuation and/or Minor Alteration of Non-Conforming Use |
| <input type="checkbox"/> Other | <input type="checkbox"/> SEPA |

PROJECT DESCRIPTION Increase driveway access width along Wine Country Road from 36-ft to 50-ft to account for two outbound and one inbound lanes to service a new commercial retail development.

City of Prosser
601 7th Street
Prosser WA 99350
(509) 786-2332

PLEASE ATTACH THE REQUIRED VICINITY MAP

ESTIMATED PROJECT VALUATION: \$ N/A

CONTRACTOR INFORMATION

Company Name: N/A Email: _____

Contact Person: _____ Contact Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

Contractor's Registration No.: _____ Expiration Date: _____

I, the undersigned, do hereby certify that, to the best of my knowledge, the information on this application and other submitted information is true and correct. In addition, I understand that acceptance of this application and fees does not constitute submittal of a valid application until so informed by the City. I have attached, enclosed, or submitted the applicable fees for this application.

Applicant Signature _____ Date _____ Owner Signature _____ Date _____

If the property owner is other than an individual such as a corporation, partnership or agency,
please provide proof of signatory authorization.

<p>SITE REVIEW <u>Application must include the following.</u></p> <ol style="list-style-type: none">1. Critical Areas Worksheet2. Proof of Legal Lot3. Proof of ownership or authority4. 25 year Storm Water Calculations stamped by an engineer5. Site Plan Drawing which shows....<ul style="list-style-type: none"><input type="checkbox"/> All existing and proposed lot lines.<input type="checkbox"/> The location of all existing structures to remain and the location of all proposed structures.<input type="checkbox"/> The location of all utilities proposed to be used.<input type="checkbox"/> The proposed number and location of water meters.<input type="checkbox"/> The location of all solid waste receptacle areas.<input type="checkbox"/> The method of handling storm water removal.<input type="checkbox"/> All easements and right-of-ways.<input type="checkbox"/> All off-street parking and loading areas.<input type="checkbox"/> All driveway locations.<input type="checkbox"/> All landscaping, outdoor lighting and fencing..<input type="checkbox"/> A north arrow.<input type="checkbox"/> Scale of drawing	<p>Deposits are required at the time an application is submitted. You will still get a monthly bill for actual costs incurred. Your deposit will not be refunded until the project has closed.</p> <table><tr><td>SITE REVIEW</td><td>\$500.00 Deposit</td></tr><tr><td>VARIANCE</td><td>\$500.00 Deposit</td></tr><tr><td>SITE REVIEW</td><td>\$500.00 Deposit</td></tr><tr><td>SEPA</td><td>\$500.00 Deposit</td></tr><tr><td>ANNEXATION</td><td>\$500.00 Deposit</td></tr><tr><td>ZONE CHANGE</td><td>\$1000.00 Deposit</td></tr><tr><td>CONDITIONAL USE</td><td>\$500.00 Deposit</td></tr></table>	SITE REVIEW	\$500.00 Deposit	VARIANCE	\$500.00 Deposit	SITE REVIEW	\$500.00 Deposit	SEPA	\$500.00 Deposit	ANNEXATION	\$500.00 Deposit	ZONE CHANGE	\$1000.00 Deposit	CONDITIONAL USE	\$500.00 Deposit
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CITY USE ONLY

RECIEVED BY _____ DATE _____

APPROVED BY _____ DATE _____

RETURNED BY _____ DATE _____

REASON FOR APPLICATION RETURN _____



Project # _____
Deposit \$500

LUA-S2

VARIANCE REQUEST

CITY OF PROSSER, WASHINGTON

Supplemental to Land Use application LUA-1

Applicant Name: Capital Growth Real Estate, Scott Smith Date: Oct. 2, 2014

Project Name: Shopko Hometown

Project Location: 451 WINE COUNTRY RD., PROSSER, WA 99350

Description of variance: Increase driveway access width along Wine Country Road from 36-ft to 50-ft to account for two outbound and one inbound lanes to service a new commercial retail development. The proposed request is to improve access in and out of the site and improve overall traffic safety.

INSTRUCTIONS

A variance may be approved when all of the following are found and explained in PMC 18.75.080 (see reverse). **Please write your responses to the following conditions on a separate piece of paper and include with the application.** Be as clear and accurate as possible to avoid misinterpretation of your request.

- A. Special privilege is not being granted, and why.
 - B. The variance is necessary because of special circumstances, and why.
 - C. The granting of the variance will not be materially detrimental to the public welfare, and why.
3. State Environmental Policy Act (SEPA) checklist is required if there is a change in density.

Prosser Municipal Code 18.75.80

Variances are heard and decided by the board of adjustment, in accordance with Title 19.
Variances will be approved only when all of the following are found:

- A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property, on behalf of which the application was filed, is located; and
- B. That such variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
- C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is located. (Ord. 1917 § 1 (part), 1997).

Yes and no answers will not be accepted.

All applications must be legible.

A SEPA checklist must be submitted.

No red ink.

Electronic submissions will not be accepted.

Applications must be delivered or mailed to the City Clerk

Prosser City Clerk
601 S 7th St.
Prosser WA
99350

A. Special privilege is not being granted, and why.

Special privilege is not being granted for the driveway access. A wider access is requested to allow for two out bound lanes and one inbound lane. The current requirements will not allow enough room for smooth unimpeded traffic flow.

B. The variance is necessary because of special circumstances, and why.

Due to the site configuration, the queue area for outbound traffic is short and a separate right and left turn lane exiting the site is needed to reduce the queue from backing up into the parking lot and drive aisles. In addition, the extra width is needed to accommodate passenger cars, delivery trucks and emergency vehicles entering the site with limited difficulties when the two outbound lanes are occupied.

C. The granting of the variance will not be materially detrimental to the public welfare, and why.

The variance has the potential to improve the public welfare by decreasing traffic impacts to the intersection as well as improve the traffic flow in and out of the site.