

**AGENDA
WESTPORT PLANNING COMMISSION
REGULAR MEETING**

Tuesday, March 17, 2015

Chairperson William Leraas called the meeting to order at 6:02 p.m.

Roll was taken and a quorum was established.

1. ROLL CALL:

Present: Chairperson William Leraas, Vice Chairperson Robert Parnell and Commissioners Marc Myrsell and Douglas Olson.

Staff Present: City Attorney Wayne Hagen and Barbara Nissar, Planning Commission Secretary

Absent: Commissioner Dennis Rasmussen

2. PUBLIC HEARING – Westport Cold, LLC Rezone

William Leraas opened the public hearing by reading the staff report. He stated that anyone that wanted to speak will be given the opportunity to do so.

He then asked each member of the Planning Commission if there was a conflict of interest. He stated his wife works for the Port of Grays Harbor and Marc Myrsell stated he surveyed Mr. Mike Cornman's land for him. The City Attorney Wayne Hagen asked if any of the public members had a conflict of interest. Answer: No.

City Attorney Hagen made a motion to submit Westport Cold's complete packet with the exhibit list; Sections A, B, C, D and E. **Motion** made by Robert Parnell, **seconded** by Marc Myrsell. **Motion carries.** A copy of the complete packet has been available at City Hall for anyone who wanted to see it.

Mr. Cornman, from Westport Cold, passed out several handouts which are all part of the record. He presented information as to why he considers this rezone to be beneficial for the City of Westport. He also stated he owns the building, next to the condos, on Neddie Rose Drive but he is not allowed to expand there. He would like to expand his business at his building bordered between Patterson and Lamb Streets.

Mr. Cornman read the definitions of Marine Industrial zoning, Commercial zoning, Retail Sales and MUTZ2 zoning. He stated he has no immediate plans for expansion.

Douglas Olson read Attorney Goldstein's letter regarding truck traffic noise, etc. He stated he does not concur with this statement. Mr. Irving stated the language refers to future expansion. Michael Cornman referred to the zoning map

and stated you cannot spot-zone. He does not know if there is any vacant land available for development. In addition, he referred to the commercial and tourist buildings that are vacant and have been vacant for a long period of time. He stated his business will create jobs and will be beneficial to the City. It will also reduce the noise at his Neddie Rose Street location.

A long-haul truck driver, who lives on W. Washington Street, asked about the noise ordinance. He stated he want to prevent trucks from idling overnight and is concerned about the noise. Michael Cornman stated he uses approximately two semi-trucks a day when they are very busy.

Mr. Irving stated marine industrial zoning is vital to our economy. He asked if it is possible to go around the rezone and talk only about Mike Cornman's property.

Representatives from the Mermaid Deli questioned if the City is giving up on tourism.

Another point of discussion was what does a rezone due to property values.

Chairperson William Leraas asked the Commission if they had any questions. Marc Myrsell asked if the rezone was not approved what would happen. Mike Cornman stated he would have to take his product out of the Lamb Street location and take it to his building on Neddie Rose Drive. He would then have to move it to his location at Lamb Street to freeze. He also stated he would employ approximately 15 to 60 people depending on the season.

Another issue that was discussed was the weight and length of vehicles. It was stated there are safety concerns. Mr. Cornman stated in regards to the vehicles that he does not operate at night.

Ms. Kathryn Franzen stated Westport Cold has been an excellent neighbor. Michael Cornman has addressed all of the condos concerns. She asked the question if Westport Cold could be granted a variance without having to rezone the other properties. Attorney Hagen stated no. The Comprehensive Plan provides for industrial expansion.

Ms. Franzen also asked about the City of Westport's design guidelines. She stated there are buildings that are not conforming. Attorney Hagen stated that for the record Randy Lewis is not speaking on behalf of the City. Mr. Lewis stated that not all buildings have to conform to the design guidelines. He also stated the design guidelines are available at City Hall.

Mr. and Mrs. Salene were concerned about the rezone regarding their property. Chairperson William Leraas clarified their property was not within the proposed rezone.

The representative from the Mermaid Deli, located at 200 E. Patterson Street, is opposed to the rezone. She stated the rezone would completely ruin their future plans. They stated this rezone would allow for explosive material to be stored close

to their business. She feels the rezone would just benefit one company, Westport Cold.

Ms. Helen Gunderson, at 1080 Juniper Street, completely agrees with the opinions of Mermaid Deli. She feels the vision of Westport would be completely destroyed. The City of Westport should be for tourism.

It was stated that residential real estate growth is expanding in the City of Westport. Buyers want the %em+ of the City of Westport.

The representative from Mermaid Deli stated the vacant lots in the marine industrial zoning should be developed first. She feels Mike Cornman should look at this vacant land instead of rezoning. She also stated the City of Westport should have a vision for future development.

Mike Cornman stated the vacant industrial land is owned by the Port of Grays Harbor. He would have to sign a long-term lease but would not be able to own the land.

Mr. Irving asked what other options are available. He suggested perhaps an industrial park. He also inquired if the City Council and the Planning Commission have done any studies regarding land usage.

Ms. Lina Sohn feels the rezone is a good idea. More industry will make the City grow.

William Leraas closed the public comments.

Marc Myrsell stated the staff report regarding the issue of rezoning be remanded back to the Planning Commission. Randy Lewis was directed by the City Council to consider a larger area for the rezone. Letters were mailed to the adjacent property owners. An enclosure in the letter showed the original rezone request in green and the expanded rezone in pink.

Attorney Hagen stated to Randy Lewis the white area does not want to be rezoned.

Marc Myrsell asked Attorney Hagen if he could address the current noise ordinance. Randy Lewis stated there is a variance in Residential 1 and 2 zoning, but not in Industrial Marine.

Robert Parnell asked Attorney Hagen if there was a legal definition for spot zoning. Attorney Hagen stated spot zoning is debatable.

William Leraas stated the Planning Commission's responsibility is to make a recommendation to the City Council. He stated the proposed rezone is consistent with the Comprehensive Plan and the community. Marc Myrsell stated if it is not rezoned, the additional vehicle traffic is a concern to him.

William Leraas paraphrased the comments made from the public. He then asked the Planning Commission for a motion regarding the rezone. Robert Parnell made a motion, **seconded** by Douglas Olson, Marc Mrysell **abstained**. **Motion carries 3 to 1.** Motion to forward Westport Cold\$ rezone application to City Council.

END OF PUBLIC HEARING

3. MINUTES:

William Leraas asked for a **motion** to approve the minutes of the February meeting. **Motion** made by Douglas Olson, **seconded** by Robert Parnell. **Motion carries.**

4. OLD BUSINESS:

The representative from AHBL, Brad Medrud, passed out handouts regarding Meeting 3. He stated the most important parts are the audience comments. There is a summary of Department of Ecology comments. He stated to start a discussion at the next meeting regarding shoreline buffers.

5. NEW BUSINESS:

None

6. CORRESPONDENCE:

Memorandum from Randy Lewis, dated March 6, 2015 regarding Planning Commission rules and procedures. William Leraas tabled this until the next meeting.

7. ADJOURNMENT:

Motion for adjournment made by Marc Mrysell; **seconded** by Douglas Olson. Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Barbara Nissar
Planning Commission Secretary