

**GRANT COUNTY  
PLANNING COMMISSION**

Chairman: Bill Bailey  
Vice Chairman: Ollie Click  
Board Members: Carol Dawson, Terry Dorsing, Ann, Drader, Jim Fleming, Blair Fuglie, Lee Graham and Kevin Richards  
Secretary: Doris Long

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**COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON**

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**JULY 2, 2014 @ 7:00 P.M.**

Members Present: Bill Bailey, Ollie Click, Carol Dawson, Ann Drader, Jim Fleming, Lee Graham and Kevin Richards

Members Absent: Blair Fuglie and Terry Dorsing

Chairman, Bill Bailey, opens the meeting and explains how the public hearing will be conducted.

Mr. Bailey swears in those wishing to testify at this hearing en masse:

Do you hereby swear or affirm under penalty of perjury under the laws of the State of Washington that the testimony that you give is truthful and accurate to the best of your knowledge and belief?

Associate Planner, Tyler Lawrence, is presenting the five proposals to be heard. He explains the Comprehensive Plan Amendments are non-project specific and the SEPA is a non-project consideration of all of the proposals. Copies of the application materials were sent to over 150 agencies and known groups of interest. Each site was posted with a Notice of Application and public hearing and was sent to property owners within 300 feet of the subject parcels. The notices were also published in the Columbia Basin Herald, Grant County Journal and the Quincy Valley Post Register. An addendum to the EIS of the Comprehensive Plan was issued June 16, 2014, along with a Determination of Non-Significance. All Staff records and files are admitted into the record. Those proposals that include a zone change will require a second recommendation from the Planning Commission.

**PUBLIC HEARING – Tyler Reffett – File #14-5909 – Moses Lake Area – Site Specific Land Use Re-designation from Irrigated Agriculture to Rural Residential 2 and Zone Change from Agriculture to Rural Residential 3.**

Mr. Richards recuses himself from hearing this proposal.

Staff reports the proposal is for the re-designation of an approximately 60 acre portion of a parcel from Irrigated Agriculture to Rural Residential 2 and a zone change from Agriculture to Rural Residential 3. A portion of the property is currently designated and zoned as Rural Residential. The parcel is not within a Farm Unit and does not contain soils listed as prime farmland. There were not any public comments or any proposal specific agency comments received. Staff recommends approval of the proposed amendment and zone change. Photos and mapping depicting the zoning of the subject parcel and surrounding parcels are displayed by staff.

Mr. Graham asks how the parcel came to be split zoned.

Staff explains at one time a Boundary Line Adjustment was completed, which resulted in the split zoning.

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Danielle Escamilla, Western Pacific Engineering and Survey, 1328 East Hunter Place, Moses Lake, representing the proponent, has been sworn in.

Ms. Escamilla reports that the requested change in designation and zoning is the optimal use for the subject property. The land does not have long term agricultural production capability. It is not a part of a Farm Unit and the soils caliche level is high.

*Public Testimony Opened*

There is no public testimony.

*Public Testimony Closed*

Ms. Drader moves to recommend approval of the land use re-designation to the Board of County Commissioners with the nine Findings of Fact.

Mr. Fleming seconds the motion.

**Board Action:**

**ACTION: ANN DRADER MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE TYLER REFFETT COMPREHENSIVE PLAN AMENDMENT LAND USE RE-DESIGNATION BE APPROVED WITH THE NINE FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.**

**JIM FLEMING SECONDS THE MOTION.**

**VOTED ON AND PASSES UNANIMOUSLY**

Mr. Bailey reads from the Staff Report, the subject site is comprised of approximately 94.93 acres with a Comprehensive Plan Land Use Designation of Irrigated, Agriculture and Rural Residential 2. The applicant has submitted a Site Specific Land Use Re-designation application requesting the portion of the subject property currently designated as Irrigated, Agriculture (approximately 60 acres) be re-designated to Rural Residential 2 along with an application for a rezone from Agriculture to Rural Residential 3.

Mr. Fleming moves to recommend approval of the zone change to the Board of County Commissioners with the ten Findings of Fact.

Mr. Graham seconds the motion.

**Board Action:**

**ACTION: JIM FLEMING MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE TYLER REFFETT ZONE CHANGE BE APPROVED WITH THE TEN FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.**

**LEE GRAHAM SECONDS THE MOTION.**

**VOTED ON AND PASSES UNANIMOUSLY**

**PUBLIC HEARING – City of Quincy (*Multiple Land Owners*) – File #14-5906 - Quincy Area – Urban Growth Area Amendment and a Site Specific Land Use Re-designation from Irrigated Agriculture to Industrial (Urban).**

Staff reports the proposal is to re-designate four separate parcels, approximately 114 acres, from Irrigated Agriculture to Industrial Urban, and amend the Urban Growth Area (UGA) of Quincy to include those parcels. The four parcels have three separate property owners. No public comments were received. One project specific agency comment was received from the State Department of Commerce. Commerce's comment addressed their concern of converting prime agricultural lands for urban development, and the application's lack of a comprehensive analysis of the existing industrial properties within the UGA. The subject parcels are located within a Farm Unit. Two of the parcels are currently in agricultural production and receiving irrigation water. The other two parcels, owned by the Port of Quincy, currently contain storage

buildings. The soils are considered to be prime farmland. Staff's analysis determined there are currently large tracts of Industrial designated land, located within the UGA, that are currently not being used for industrial purposes. Approximately 700 acres within the Urban Growth Area of Quincy are currently designated Industrial. With such a large amount of industrial land within the UGA, the Planning Department can not support the conversion of agricultural lands for additional industrial development. However, the smaller parcels owned by the Port of Quincy are not currently used in agriculture production and should be included within the UGA. The Planning Department's recommendation is **denial** of Parcels #31-2627-000 and the northern portion of parcel #20-0843-000, and **approval** of Parcels #20-0841-001 and #20-0841-002.

Photos and mapping depicting the subject parcels and surrounding parcels are displayed by Staff.

Tim Snead, City of Quincy, 1075 Alder Street, has been sworn.

Mr. Snead explains a large food processor is in the process of purchasing the bigger parcels prompting the amendment. The City's primary industrial wastewater facility is located in the vicinity of this property making it feasible for the infrastructure to be placed for future development. Only food processors are allowed to connect to the industrial wastewater facility. The City's intention is to keep the agriculture food processing facilities on the west side of Quincy. The industry located on the east side focuses on Agriculture shipping and use related to the intermodal system. Mr. Snead acknowledges that Quincy Foods is located on the east side of Quincy, but they own and installed the infrastructure, which was designed for their facility. There is not any industrial capacity on the east side of Quincy, and all of the industrial ground on the west side has been purchased. If this property is not included in the Urban Growth Area it will not be possible for the City to provide water and sewer for development.

Curt Morris, 602 "N" Street SW, Quincy, President of the Port of Quincy and representing landowner, Jeff Jones, has been sworn.

Mr. Morris reports that there is a purchase and sale agreement for Farm Unit 187. He reiterates that the intent is to keep the food processors on the west side of Quincy. The goal is to keep the available property on the east side for distribution type warehouses, cold storage type warehouses and activities that would utilize the rail service and intermodal system. This would require some infrastructure, but not the type that would require the industrial sewer facility.

Mr. Richards asks how much vacant ground is available to the west.

Mr. Morris replies there is one 45 acre piece.

*Public Testimony Opened*

Jim Weitzel, 5656 North Frontage Road West, representing the Ker Family (Farm Unit 300), has been sworn.

Mr. Weitzel explains the Ker Family has been farming the property for over 50 years. They farmed onions and built packing sheds. They wanted out of the onion business and sold the packing shed to the Port District. The Ker Family realizes food processors are needed to be able to sell local crops. The property is bordered by the canal, Amway, Microsoft and the proposed waste treatment plant. The Port District has made an offer for the land, and this would be an appropriate use of the property.

Jonathan Smith, 1604 Truman, Moses Lake, is sworn in by Mr. Bailey.

Mr. Smith reports he is employed with the Economic Development Council. The size of parcels companies are looking for are not available in the Quincy area. The property that is available has been submitted to a number of AG related companies, but has not been found desirable due in part to their location, size or shape. He states that expanding the Urban Growth Area, on the west side of Quincy, will encourage and increase economic growth in the Quincy community.

*Public Testimony Closed*

The Planning Commissioners all speak in favor of the proposal.

Mr. Bailey points out to the Commissioners that Staff's recommendation was to recommend approval of two of the parcels and denial of two of the parcels.

Staff displays the map and indicates which parcels were recommended for denial.

Mr. Graham asks Staff to clarify the figures relating to the adequate amount of ground already located in the UGA.

Staff answers his initial research showed that there was approximately 700 acres designated industrial within the Urban Growth Area, although some of those do already contain development. Over 500 acres of those 700 are located on the east side of Quincy. The majority of those parcels are currently used for AG purposes.

Mr. Bailey states there is still the issue of the east side lacking the infrastructure for the industrial wastewater facility.

Staff replies the City has made that argument, although the fact still remains that there is a significant amount of property within the UGA that is not currently being utilized.

Mr. Click moves to recommend approval of the proposal, as requested by the proponents, to the Board of County Commissioners with the appropriate Findings of Fact. (Comprehensive Plan Amendment land use re-designation to Industrial and inclusion into the UGA of Parcels #31-2627-000, the northern portion of parcel #20-0843-000, #20-0841-001 and #20-0841-002.)

Mr. Fleming seconds the motion.

**Board Action:**

**ACTION: OLLIE CLICK MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE CITY OF QUINCY COMPREHENSIVE PLAN LAND USE RE-DESIGNATION AND URBAN GROWTH AREA AMENDMENT BE APPROVED AS SUBMITTED WITH THE NINE FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.**

**JIM FLEMING SECONDS THE MOTION.**

**VOTED ON AND PASSES UNANIMOUSLY**

**PUBLIC HEARING – Nick Tommer (*LBT Enterprises*) – File #14-5908 – Quincy Area – Site Specific Land Use Re-designation from Dryland Agriculture to Rural Remote and Zone Change from Agriculture to Rural Remote.**

Staff reports the proposal is to re-designate and rezone approximately 160 acres from Dryland Agriculture to Rural Remote. No public comments or application specific agency comments were received. The property is not located within a Farm Unit, does not have irrigation water available and the soils are not listed as prime farmland. The Agriculture zone allows for a residential density of one dwelling unit per forty acres. The Rural Remote zone would allow for one dwelling unit per twenty acres, or a minimum lot size of 20 acres, if the property was to be subdivided further.

Photos and mapping depicting the zoning of the subject parcel and surrounding parcels are displayed by staff.

Mr. Bailey asks Planning Director, Damien Hooper, to briefly explain the history behind a large portion of the County becoming designated as AG.

Mr. Hooper explains in 2000, when the Comprehensive Plan was adopted, one of the primary goals was to preserve AG land. As part of establishing the Comprehensive Plan, land use and zoning designations were assigned. The land that was not obvious as being AG, Rural Residential or Rural Remote designations was given an AG designation. As a result of this action, AG restrictions are being applied to properties that are not suitable as AG, and should be designated as something else.

Nick Tommer, PO Box 1150, Ephrata, has been sworn.

Mr. Tommer explains he has domestic water rights for eight home sites. His intention is to divide the land into eight twenty acre parcels with a Class B water system.

*Public Testimony Opened*

There is no public testimony.

*Public Testimony Closed*

Mr. Richards states that with Mr. Hooper's explanation, he feels comfortable with the application. He moves to recommend approval of the re-designation to the Board of County Commissioners with the nine Findings of Fact.

Mr. Graham seconds the motion.

**Board Action:**

**ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE NICK TOMMER COMPREHENSIVE PLAN LAND USE RE-DESIGNATION BE APPROVED WITH THE NINE FINDINGS OF FACT IN THE AFFRIMATIVE FOR THE PROJECT.  
LEE GRAHAM SECONDS THE MOTION.  
VOTED ON AND PASSES UNANIMOUSLY**

There is no additional discussion regarding the rezone.

Mr. Richard moves to recommend approval of the zone change to the Board of County Commissioners with the ten Findings of Fact.

Mr. Click seconds the motion.

**Board Action:**

**ACTION: KEVIN RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE NICK TOMMER ZONE CHANGE BE APPROVED WITH THE TEN FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.  
OLLIE CLICK SECONDS THE MOTION.  
VOTED ON AND PASSES UNANIMOUSLY**

**PUBLIC HEARING – Nick Tommer (*Ephrata Properties*) – File #14-5907 – Ephrata Area – Site Specific Land Use Re-designation from Rural Residential 1 to Rural Remote and Zone Change from Rural Residential 1 to Rural Remote.**

Staff reports the proposal is for a re-designation and rezone of an approximately 120 acre parcel from Rural Residential 1 to Rural Remote. Four public comments were received in opposition to the proposal. One of those comments was received late and provided to the Planning Commissioners before the start of the meeting. The late comments are entered into the record as Exhibit #1. The public comments that were received seemed to be primarily concerned with potential increase in traffic, increase noise, lower property values, and incompatible uses that would be allowed on the subject property. These are issues that would be addressed when a project action is proposed. The change in the land designation and zoning, in of itself, is not going to cause an increase in traffic or noise level in the vicinity, and will not decrease property values. Any uses that are allowed in the Rural Remote land use designation will not create any disturbances that can not be mitigated through Conditions of Approval, if a project application should be submitted in the future. There were not any application specific agencies comments received. The Rural Remote designation would greatly reduce the density potential for the subject parcel. The current land use designation and zoning would allow twenty-four dwelling units. Rural Remote would allow a maximum of six dwelling units, one dwelling unit per 20 acre parcel. With the existing exempt well restrictions, it would be difficult to develop the property to the full potential of the current Rural Residential designation. The Planning Department recommends approval of the proposed amendment and zone change.

Photos and mapping depicting the zoning of the subject parcel and surrounding parcels are displayed by staff.

Mr. Tommer states he would prefer to wait until after the public testimony to speak. He would then be better able to address any of the audience's concerns.

*Public Testimony Opened*

John Hecker, 11478 Road "E" NW, has been sworn, lives near the subject property.



Mr. Hecker is concerned that Rural Remote zone allows mineral extraction. If the property is to be used for housing he has no objections, but if it is to be used for mineral extraction he is opposed. He sleeps during the day so the noise is an issue. When he first moved into his home he could see the Cascade Mountain Range. The mounds are stacked so high that now all they can see from their patio is mounds of gravel and dirt.

Lisa Dodson, 11426 Road "E" NW, has been sworn, lives near the subject property.

Ms. Dodson explains they chose to live in a rural area without a lot of construction. The gravel permit is located directly behind her home, and has continued to grow in size. Her concern is that the minerals will be extracted from the subject parcel, and then hauled to the existing gravel pit to be processed. She is not opposed to housing, but is concerned about the equipment being on the roads, the noise and the traffic.

Raymond Villarreal, 307 "O" Street SW, Quincy, has been sworn.

Mr. Villarreal explains he owns property near the subject property. He is concerned that this project could develop into mineral extraction causing an increase in truck traffic, noise, dust and property values to drop.

Jesus Lopez, 321 "J" Street SE, Ephrata, has been sworn.

Mr. Lopez states he is speaking in opposition to the proposal. His Dad owns property in the Country Meadows development. If the property is developed into anything other than residential use it will be a significant detriment to the neighborhood. There are other areas in the County zoned for the specific purpose of mineral extraction without the need to change the zoning.

Jack Trautman, 11350 Road "E" NW, has been sworn, lives near the subject property.

Mr. Trautman explains he owned his property before the property was developed around him. Mineral extraction could be a problem. The highway is the gateway to Ephrata, looking at a mineral pit is not attractive. Because of the mining activity behind the housing, Mr. Tommer was asked to improve the driveway into the area, but he instead chose to block off the road. Mr. Trautman is concerned the gravel pit is going to expand, and he is opposed to the project.

Brooklyn Fankhauser, 5054 Meadows Loop, has been sworn.

Ms. Fankhauser states she agrees with what has been said. She is concerned with the quality of the air, the increased dust, the noise and the safety.

Christa Hecker, 11478 Road "E" NW, has been sworn.

Mrs. Hecker states she is opposed to the proposal. One of her major concerns is that her Granddaughter has asthma and chronic lung disease. When the air is very dusty she cannot visit or be outside. If minerals are allowed to be extracted the property values will decrease.

Mr. Lopez explains that his Dad (Ariel Lopez) has his primary residence and two investment properties in Meadows Loop. Mr. Lopez comments, the Comprehensive Plan states that the purpose of the Rural Remote zone is to reflect the areas remoteness and or limited opportunity for development. This parcel is located next to a major highway with electric utilities and communication utilities running next to it. It is located next to a residential development. To call the area remote with limited opportunity for development is inaccurate.

Ariel Lopez, has been sworn. Mr. Lopez explains he paid a lot of money for his property. He was told it would be residential and they could not even raise animals. Now there is gravel pit in the back. He feels it is not good.

*Public Testimony Closed*

Nick Tommer, PO Box 1150, Ephrata, has been sworn.

Mr. Tommer tells all those who testified that he appreciates all the comments made. He wants to be a good neighbor, and works hard to try and be a good neighbor. He explains that if the zoning was left as is, he could develop 24 home sites on the property. The traffic, that would be a result of that development, would access near the existing homes. His choice to change to the Rural Remote zone, which allows for 6 home sites, would limit the amount of traffic that would be using the access. Mr. Tommer refers to the comment made regarding the back access being closed off. He reports that they have the right to use Road "E" as an access, but he has chose not to do this. He does not want to run the truck traffic by the residential area. Mr. Tommer points out an irrigation circle on the aerial photo, and explains the circle is an area that has had material removed. Top soil has been brought in and a circle is now located there. The intent is to restore the property

to a better condition than it was before the mining took place. The intention is not to do anything that is detrimental to the area. There is not enough water available to develop the property to the Rural Residential 1 density. He states they are in this for the long haul, and are protecting their value and assets. And they certainly want to protect the local homeowners too.

Ms. Dawson asks if the current zoning was maintained, does the property have to be developed to that density.

Mr. Tommer replies no, he doesn't have to.

Ms. Dawson asks the proponent if there are mineral rights for the property allowing him to mine it.

Mr. Tommer points out a portion of property on the aerial photo, and explains this is a hump that some day will probably be lowered down. But they are governed by a certain elevation, and are not digging holes.

Mr. Tommer clarifies the application is to rezone the property from 24 lots to 6 lots. It has nothing to do with aggregate or mining. If at a later date he chooses to lower the hump, by removing material, the public will have an opportunity to comment at that time.

Mr. Trautman and Mr. Hecker both make comments relating to there being an adequate amount of available water.

Mr. Bailey asks Staff to explain what would need to happen in order for the proponent to be allowed to mine the property, should the property be re-designated and zoned as Rural Remote.

Staff explains mineral extraction is a use that is permitted within the Rural Remote zone. It is not allowed out right, but is a permitted activity that requires a Conditional Use Permit, which is heard by the Hearings Examiner. During that public hearing the members of the public would have the opportunity to testify.

There is further discussion between the Planning Commission, the public and the proponent regarding the reasoning behind changing the land use designation and zoning to Rural Remote. The debate is; unless the intention is for future mining, why change to a Rural Remote designation. Developing to the density of the existing designation and zoning is not mandatory.

Mr. Fleming moves to recommend denial of the land use re-designation to the Board of County Commissioners.

Ms. Dawson seconds the motion.

Mr. Richards states that he would be an advocate for the approval of the re-designation, based on the fact that if mining activity was applied for, mitigation for that activity would take place within the appropriate hearing.

Mr. Graham speaks in favor of the motion, due to the fact that an island of Rural Remote zoning would be created if it was approved.

It is clarified that there is no other area of Rural Remote zoning near by, and the property currently being mined is zoned Agriculture.

Mr. Bailey comments that the island concept doesn't work in some respects; there is already an island there with the Country Meadows Development.

Mr. Tommer explains that the proposal being heard tonight is protecting Country Meadows by minimizing traffic, decreasing the amount of homes that would be allowed and by protecting the rural remote aspect of the area. The only proposal being decided tonight is the zoning, not the future development of the property.

Mr. Richards responds that the assumption has to be made that all of the activities allowed within the requested zone may be utilized.

Mr. Bailey reiterates that this is a non-project action. At this stage it doesn't matter how many options the property owner has, none of them are being considered. Re-designating the use of the property is not allowing an activity.

Mr. Fleming calls for the question.

Mr. Bailey asks for those in favor of the motion to signify by saying aye and a raise of hands.

Mr. Fleming, Ms. Drader and Ms. Dawson vote in favor.

Mr. Bailey asks for those who wish to defeat the motion signify by saying aye and a raise of hands.

Mr. Click, Mr. Graham, Mr. Richards and Mr. Bailey vote against the motion.

The motion to deny is defeated with a vote of four to three.

**Board Action:**

**ACTION: MR. FLEMING MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE NICK TOMMER LAND USE RE-DESIGNATION BE DENIED.**

**CAROL DAWSON SECONDS THE MOTION.**

**VOTED ON AND THE MOTION IS DEFEATED WITH A VOTE OF FOUR TO THREE**

Mr. Richards moves to recommend approval of the land use re-designation to the Board of County Commissioners with the nine Findings of Fact.

Mr. Click seconds the motion.

Mr. Bailey asks for those in favor of the motion to approve signify by saying aye and a raise of hands.

Mr. Click, Mr. Graham, Mr. Richards and Mr. Bailey vote in favor of the motion.

Mr. Bailey asks for those opposed to the motion to approve signify by saying aye and a raise of hands.

Mr. Fleming, Ms. Drader and Ms. Dawson vote in opposition.

The motion is approved with a vote of four to three.

**Board Action:**

**ACTION: MR. RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE NICK TOMMER LAND USE RE-DESIGNATION BE APPROVED WITH THE NINE FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.**

**OLLIE CLICK SECONDS THE MOTION.**

**VOTED ON AND PASSES WITH A VOTE OF FOUR TO THREE**

Mr. Richards moves to recommend approval of the zone change to the Board of County Commissioners with the ten Findings of Fact.

Mr. Graham seconds the motion.

Mr. Bailey asks for those in favor of the motion to approve signify by saying aye and a raise of hands.

Mr. Click, Mr. Graham, Mr. Richards and Mr. Bailey vote in favor of the motion.

Mr. Bailey asks for those opposed to the motion to approve signify by saying aye and a raise of hands.

Mr. Fleming, Ms. Drader and Ms. Dawson vote in opposition.

The motion is approved with a vote of four to three.

**Board Action:**



**ACTION: MR. RICHARDS MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE NICK TOMMER ZONE CHANGE BE APPROVED WITH THE TEN FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT. LEE GRAHAM SECONDS THE MOTION. VOTED ON AND PASSES WITH A VOTE OF FOUR TO THREE**

**PUBLIC HEARING – Live Nation/Martin Hanson – File #14-5905 – The Gorge – Site Specific Land Use Re-designation from Recreation Development/Irrigated Agriculture to Master Plan Resort and Zone Change from Recreation Development/Agriculture to Master Plan Resort.**

Staff reports the application is for a re-designation and zone change of approximately 415 acres, more commonly known as the Gorge Amphitheater and Campground, from Recreation Development and Agriculture to Master Plan Resort (MPR). There were seven public comments received in opposition to the proposal. Those comments focused primarily on trespassing issues, health issues, more specifically water and sewer provisions, litter associated with the Gorge, medical care and traffic. Most of the issues referred to are project specific issues, and would be addressed in a subsequent Planned Unit Development application, which would be necessary should the amendment be approved.

The traffic report submitted with the application states that Silica Road has the capacity to accommodate existing Gorge traffic. Although, as part of any project moving forward, additional traffic study would be necessary to determine what the impacts might be.

The MPR application also includes provisions for more onsite medical care to try and reduce the burden on local hospitals. The debt incurred by the Quincy Valley Medical Center was also referenced in the public comments. This is not a planning issue and the Planning Department does not feel it would be an appropriate topic for this forum.

To address water and sewer provisions on site; the Gorge has required water rights, and a new water system has been approved by the State Department of Health. They also met with the State Department of Health regarding sewer and septic issues, and are working to resolve any outstanding issues. Any future development will need to be reviewed by the State or local Health District at the time a project action is proposed.

In response to the public comments Live Nation has stated they are open to installing more effective fencing to try and prevent concert patrons from leaving the facility and trespassing onto adjacent properties.

There were two specific agency comments received. One was from the Bureau of Reclamation (BOR), which was related to the agricultural water supply. If the portion of the property that is currently designated Agriculture was approved and changed to Master Plan Resort the BOR would revoke the agricultural water supply for that portion. Water would then need to be approved under a municipal and industrial contract to serve the facility.

The other comment was from the Washington State Department of Health, and it was to ensure that any future development would be approved by either the State or local health jurisdiction. Neither agency comment would prohibit the approval of the proposal.

Photos depicting the subject parcel are displayed by staff.

Mr. Bailey asks Staff to explain what the purpose is for changing to a Master Plan Resort designation.

Staff explains that the development of the Gorge has occurred over the past thirty years through a series of Conditional Use Permits. This makes the administration of the Conditions of Approval for the Gorge difficult to manage. By establishing the MPR a consolidated sub-area plan for the facility would be provided. If this proposal is approved, prior to any future development, a Planned Unit Development (PUD) would need to be approved.

If this proposal is denied, future development is still possible through additional Conditional Use Permits, provided it is a use allowed in the Recreation Development zone. Although, the Planning Department is of the opinion that the facility would be more manageable with a MPR designation rather than the manner in which it is currently being managed. The Planning Department is recommending approval of the proposal with nineteen Findings of Fact and two Conditions of Approval.

David Bricklin, 35 West Main, Spokane, WA, 99201, representing the proponents, has been sworn in.

Mr. Bricklin explains this is an attempt to consolidate a set of difficult to manage Conditions into a single permit, which would make those Conditions more manageable. The purpose is to provide a long term plan for significant infrastructure improvements. Some of these improvements have already begun. Upgrades are to be made to the water delivery system, the sewage treatment system, traffic control, health and safety provisions, security and new fencing. He reiterates that when it comes time to implement future changes there will be many other permitting processes, hearings and reviews to

undergo. The approval of this proposal does not eliminate the need of the annual review, or in any way authorize expansion. Contemplated in the proposed MPR is the increase in camping spaces, which would be safer than having concert patrons driving the country roads late at night, improve access routes providing for smoother traffic operations, upgrade the sewer system, permanent bathrooms, install fencing along the Foglesong property and establish permanent retail structures. Water rights have been secured and a water transportation system has been installed,

Danny Wilde, 754 Silica Road, General Manager of the Gorge Amphitheater, has been sworn.

Mr. Wilde states the Gorge Amphitheater and campground is a world class musical entertainment venue that he has managed for the past six years. The re-designation of the 415 acres to Master Plan Resort is consistent with and in full compliance of all County development codes, as well with State environmental growth management laws. Future plans for the Gorge, as an MPR, will be clearer, cohesive and comprehensive and no longer piece meal or incremental. In order to accommodate future concert goers they will need to improve facilities, and modernize the infrastructure. Over the past 30 years a series of separate land use and development permit applications have been approved for incremental improvements. This has made the Conditions of Approval difficult for Live Nation and the County to manage comprehensively and cohesively. The MPR would make the future development plans and operational activities more transparent. They would like to minimize any adverse impacts to their immediate neighbors and local farmers. They will strive to be compatible with the predominantly agriculture economy and rural nature of the community.

*Public Testimony Opened*

Jack Kling, 825 Hunter Avenue SW, Quincy, WA, has been sworn.

Mr. Kling states he is present as a homeowner and as a representative of Sunland Estates community as the Vice-President of the Homeowner Association. He reports that there are currently over 500 property owners in the community located next to the Gorge. Over the years they have experienced vandalism, trespassing, garbage in the parks and along the roads, kids urinating in the streets and partying until all hours of night and morning. Their driveways are blocked and the road congestion makes traveling difficult. They do not have the resources to deal with these issues. The citizens would like to see a concert lane established, a plan developed to address the local issues, and for consideration to be given to the neighbors.

Patrick Escure, 532 Road "U" SW, has been sworn.

Mr. Escure reports that he has lived his entire life 3.50 miles from the amphitheater, and has farmed in the area for 40 years. He is not against growth, but he is against growth without checks and balances. He asks that no more growth be allowed until the existing problems are resolved. All the farms in Block 77 have existed since before the amphitheater was developed. Those farmers are a business, need to be looked at as a business and protected as a business. He states the amphitheater will not take responsibility for their patrons. Some of the issues that need to be dealt with are noise, the bands are extremely loud. Parking on private land and trespassing. The concert patrons leave all types of waste behind using the entire neighborhood as their toilet. All four entry roads need to be cleaned for their entire length. The roads are blocked, and are not adequate to handle all of the increased concert traffic. More safety measures need to be established.

Jack Bielinski, 25203 Community Drive South, Quincy, WA, has been sworn.

Mr. Bielinski reports he agrees with Mr. Kling and Mr. Escure's comments, and supports them 100%. He protests the volume of traffic and how it impedes traveling. He states that if a concert lane is created, it should not be constructed at the expense of the tax payers or the County, but paid for by Live Nation.

Jaime Omlin, 1454 Silica Road SW, has been sworn.

Mrs. Omlin explains they are farmers and live 1.50 miles from the Gorge. She expresses her frustrations stating that she can't let her children play outside due to the traffic being backed up and stopped along Silica Road. The individuals get out of their vehicles, wander around, trespass onto their property, relieve themselves, and leave all types of waste behind. The traffic is horrific making it impossible to move their farm equipment.

Cody Isbell, 723 Boyer, Quincy, Sunland Estates, has been sworn.

Mr. Isbell comments that this is about growth, and there is a right way and a wrong way to do growth. Growth that is solely focused on a specific entity, and isn't achieved properly, has an impact on the surrounding community. What has been said about the traffic issues are 100% true.

Randy Zolman, 20290 Hwy 28 West, Quincy, has been sworn.

Mr. Zolman questions if Live Nation is going to comply with the existing Conditional Use Permits and fix the problems before the MPR is implemented, or is the new plan going to address that. Shut them down if they don't fix the problems.

Mehdi Merred, 908 10 Avenue SW, Quincy, WA, has been sworn. (Grant County Hospital District #2)

Mr. Moored reports there is a long history of ignoring the problems. He has gotten the same response from Live Nation as others have gotten, and that is that the behaviors of the patrons are not their responsibility. He does not agree. He would like to see some responsibility and accountability. He is not speaking against the expansion. If the expansion is done correctly it could be a solid proposal, but history has not shown that there is a commitment to fix the problems.

Jefferson Ketchel, 1038 West Ivy #1, Administrator for the Grant County Health District, has been sworn.

Mr. Ketchel reports he has been with the Grant County Health District for over four years, and has been experiencing challenges with the implementation of the Conditional Use Permits, specifically with sewage disposal and drinking water. Once the Conditional Use Permits were approved, and operations began, there was minimal compliance and no leverage. They are working closely with the Washington State Department of Health on addressing the issues. If the MPR leads to a requirement that all regulations relating to sewage and drinking water be in full compliance, before operations begin, the Grant County Health District will be in support. If operations continue as normal, and compliance may or may not happen, then the Health District can not support the proposal. They are concerned about the public's health without adequate drinking water available, and the sewage regulations being enforced and complied with.

Don Fortier, 1400 7<sup>th</sup> Avenue, Quincy, WA, Fire Chief Grant County Fire District #3, has been sworn.

Mr. Fortier explains he has been the Fire Chief for the District that services this area for about twelve years. He comments on some of the issues that need to be resolved. The fire protection pond has not been in service for many years, and he would like to have it up and running, as it was in the past when the property was a winery. Access for emergency vehicles is a big issue due to the congestion. They have asked for fire lanes and better roads, but it never seems to happen. He is concerned that the Planned Unit Development will be another piecemeal approach. He asks if the MPR will provide for better public safety than what there has been in the past.

Bruce Loranger, 32 "C" Street NW, Ephrata, WA, representing the Bureau of Reclamation (BOR), has been sworn.

Mr. Loranger reports if the re-designation is approved the AG water for the property will be in jeopardy. The BOR will change the AG designation, which will remove the subsidy from the water requiring the Gorge to pay full price for any water used.

Austin Foglesong, 126 Berverly Burke Road NW, has been sworn.

Mr. Foglesong reports he is representing CBJ LLC, who owns a large amount of property that borders both sides of the campground. He states their main concern is the security fence, which is not very tall or much of an obstacle. They would like to have the installation of a proper security fence; one that would keep people from climbing over it. Trespassers are going into their fields and climbing on the irrigation equipment. Last weekend they had fourteen cars parked in their driveway; the occupants of those cars showed no concern that they were on private property.

#### *Public Testimony Closed*

Mr. Bailey states that after listening to the public testimonies it appears that control seems to be the main issue. Currently there doesn't seem to be much control, or the ability to accommodate the needs of the neighbors. He asks Staff what difference would it make for the people of Grant County to have a Master Plan Resort designation in place.

Mr. Hooper explains that the Master Plan Resort is an attempt to take a holistic view of the situation. It would provide the avenue for applying Conditions appropriate to the development, for both the short term and long term. The MPR designation would require Live Nation to produce a Planned Unit Development. He does not see one issue that has been talked about tonight that would not be some component of that PUD.

Members of the public vent their frustrations. The Planning Commissioners and Staff attempt to explain the benefits of re-designating the subject site, and what the next steps would be in the permitting process should the proposal be approved. *(There is much discussion.)*



The audience would like to know why the Gorge should be allowed to expand when they can't or won't take care of the issues they have now. Without specific plans being identified to address the existing issues the proposal should not be approved.

Mr. Hooper explains if the existing development is inadequate it is addressed through the PUD. If the MPR was approved and they move forward with a PUD, part of the PUD process would include a Binding Site Plan (BSP). The BSP is going to look at the entire Gorge Amphitheater property and the Martin Hansen property that is included in the proposal. The proponent has proposed development that is to be completed over a span of time in phases; those phases are going to be identified as part of the Binding Site Plan. The BSP is recorded just like a plat, and would be recorded in the proposed phases. As a part of that process, the impact that is going to be created in each phase is identified, and the mitigation to offset the impact is put in place. If the mitigation is not in place the Binding Site Plan does not get recorded. If the required improvements are not completed ahead of time, the phase is not recorded and the project does not move forward.

Mr. Graham states what he is hearing is that Live Nation is addressing what is happening on site, but the public is talking about activity that is happening off site. There seems to be a disconnect, and he isn't sure that a Master Plan Resort designation is going to resolve that.

Mr. Hooper responds that he doesn't know that any zoning regulation is going to cause somebody to be a good citizen.

Ryan Escure, 1503 Road "U" SW, Quincy, has been sworn.

Mr. Escure asks, as far as the control factor is concerned, what is the difference between the existing situation with the Conditional Use Permits versus a Master Plan?

Mr. Hooper answers the mechanism for requiring the Gorge to comply with the set Conditions or mitigations, is that those requirements have to be met before any portion of the Planned Unit Development or Binding Site Plan can be recorded.

Mr. Bricklin addresses some of the audience's concerns. He explains if this proposal is approved, the permitting process will ultimately proceed to the Hearing Examiner. During that process the members of the community will have an opportunity to advocate for very specific Conditions of Approval and very specific penalties if those Conditions are not meant. The Hearing Examiner will consider the details such as traffic studies, sewage reports and community testimony. The end result will be more specific and community friendly than what exists today.

Live Nation is a corporation with many facilities around the world. Mr. Wilde has to compete with other facility managers for operating funds. If he can approach corporation headquarters with a vision and a Master Plan in place; his ability to receive funding for improvements is enhanced.

Mr. Bricklin states he doesn't question a lot of the testimony that was given, but feels some was not fact based. For instance regarding the comment pertaining to the Gorge not having an adequate sewer system; documents were provided from the Washington State Department of Health as evidence that the issues have been addressed. Regarding the comment not having fire lanes on the property; the fire lanes were an issue three years ago, and have been established.

Mr. Bricklin agrees with Mr. Graham's comment that the issues seem to be more off site than on site. He recognizes that there are issues out in the community that need to be addressed, and the way to address those issues is through this process.

Tanna Bielinski, 25203 Community Drive South, Quincy, WA, Sunland Estates, has been sworn.

Mrs. Bielinski expresses her frustrations with the entire situation. She feels no one is listening, and that the people are not being heard.

Mr. Bailey explains that if the proposal is not approved the problems are going to continue right on as they are today. The proposed re-designation will provide a course of action for getting the situation under control.

(public comment) Why can't the various issues be addressed before this is moved to the next step. It appears there is a plan, but the plan is only regarding the infrastructure.

Mr. Merred states that the Hearing Examiner is a gamble; it is someone else, not involved in the issues, making the decisions. He is seeing the same attitude tonight that he has been getting all along from Mr. Wilde; the problem is attitude and the lack of follow up and follow through.

Mr. Graham reminds the audience that the Planning Commission is not approving or disapproving a plan tonight, they are making a decision on a process.

Glenda Bishop, 7271 Ancient Lake Road, Quincy, has been sworn.

Ms. Bishop states that she understands the Planning Commission is not an enforcement agency. Isn't it possible that by denying this request, a loud message would be sent, not only to Live Nation, but to the community members and County leadership to say that before something bigger is built you want to know who is responsible for enforcement? To convey that it is not a bad idea, but somebody needs to take care of the current issues first.

Mr. Bailey replies that if the Planning Commission were to deny the proposal they would lose control, and have nothing to do with it anymore. If they approve the Master Plan concept, there would be more permitting steps required.

*More discussion.*

Mr. Bailey states that he would like to continue the Hearing, which will allow everyone some time to think about the proposal. There is discussion regarding the continuation.

Mr. Bailey reports that this proposal will be continued to the August 6, 2014, Planning Commission meeting.

Approval of the April 2, 2014 Planning Commission Meeting Minutes.

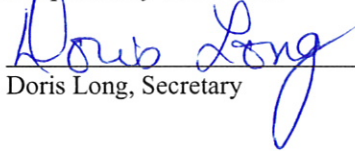
Mr. Fleming moves to approve the meeting minutes as presented.

Mr. Richards seconds the motion.

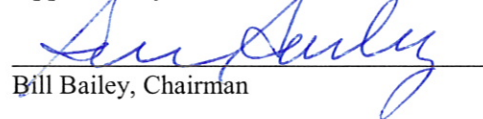
Voted on and passes unanimously

Meeting adjourned at 11:17 PM.

Respectfully submitted:

  
\_\_\_\_\_  
Doris Long, Secretary

Approved by:

  
\_\_\_\_\_  
Bill Bailey, Chairman



