

**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

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

AUGUST 6, 2014 @ 7:00 P.M.

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

Members Absent: Ann Drader and Terry Dorsing

Chairman, Bill Bailey, opens the meeting.

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

Mr. Click moves to approve the meeting minutes with the correction of two spelling errors.

Mr. Fleming seconds the motion.

Voted on and passes unanimously

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.

Mr. Bailey explains the meeting tonight is a continuation of the Live Nation/Martin Hanson land use re-designation and zone change from the July 2nd Planning Commission meeting.

The public hearing portion has been closed, but public comment may be allowed later in the evening. Due to this possibility he 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?

Mr. Bailey reports that the Planning Commission is in the deliberation phase of the public hearing process. He asks Staff to give a brief explanation of what can be expected if the land use designation is not changed, and what can be expected if the Master Plan Resort (MPR) designation is approved.

Associate Planner, Tyler Lawrence, explains that the establishment of a MPR facility is essentially establishing a sub-area plan outlining the improvements proposed for the facility over the next twenty years. The approval of the MPR, in of itself, does not allow any development or expansion to take place, but only establishes the MPR designation and zone. If the MPR were to move forward it would allow for the landowner to apply for a Planned Unit Development (PUD) and a Binding Site Plan. Both of these land use permits are required to be approved by the County prior to the actual development or expansion of the facility. The mitigation improvements must be completed before final approval. It is a two stage approval process. A preliminary approval would allow for infrastructure improvements to begin, and a final approval would be necessary before the facility could begin operation.

The Conditional Use Permit is a final decision. It anticipates that the required improvements, and any mitigations determined to be necessary, are completed prior to the start up of the approved activity. If the MPR request were to be denied, the situation would remain as is. Any expansion would require the submittal of a Conditional Use Permit application. Some of the uses being considered in the MPR might not be allowed under the current zoning designation.

Mr. Bailey points out that the decision made by the Planning Commission moves forward to the Board of County Commissioners (BoCC) as a recommendation only. He asks, if the MPR was to be approved by the BoCC, who would manage the negotiation of the Planned Unit Development, or is there any negotiation?

Grant County Planning Director, Damien Hooper, states that it is more of a project level review than a negotiation. The Unified Development Code (UDC) contains significant standards regarding how PUDs have to look and certain things they must achieve. The MPR sets the sideboards for what the project is going to look like in the near term and the long term. The Conditions of Approval are developed when the application is sent out to the Federal, State and County agencies of jurisdiction. Those agencies provide comments back to the Planning Department. Any Conditions of Approval that are identified in those comments are applied to the project.

Mr. Bailey asks if a Planned Unit Development is reviewed by the Planning Commission or Hearing Examiner. Mr. Hooper replies it would be reviewed by the Hearing Examiner. There is discussion regarding the public hearing process.

Chairman, Bill Bailey, opens the mike allowing questions from the public.

Carl Coyle, primary residence is in Kitsap County, owns property downstream from the subject property. Mr. Coyle asks if this proposal is site specific.

Mr. Bailey answers that it is site specific. Although, based on the review of the commenting agencies, there may be off site requirements as well.

Staff explains the subject application is site specific. The future Planned Unit Development application would take into account off site mitigation, if it is determined to be necessary during the review.

Jack Bielinski, 25203 Community Street South, Quincy, WA, Sunland Estates.

Mr. Bielinski states if the Planning Commission is representing the public, and they don't agree with the Hearing Examiner performing the final review, how can they expect the public to feel good about moving forward with the MPR.

Mr. Richards responds that they have to follow the process that is at hand, and he feels that, as long as all of the suitable evidence is provided, the Hearing Examiner will be able to take a comprehensive look.

Mr. Bielinski reports that Danny Wilde, of Live Nation, had a meeting with some of the neighbors and local residents. The results were favorable. If that type of cooperation is continued, the MPR should move forward.

Patrick Escure, 532 Road 'U' SW, Quincy.

Mr. Escure asks who is going to be the police and how is it enforced. It is being said that there are rules; can they hear the rules, and how they will be enforced? Unless there are rules, and someone to go to when the rules are not being followed, they are back to the same place they have been for the past thirty years.

Mr. Graham explains they are not looking at plans or rules right now. They are looking at the process. Is it going to remain as the CUP process or be changed to a MPR process, which one works best? He thinks under the Master Plan Resort process the public will have more opportunity for input, and the Planning Department will have more control over what is going on.

Mr. Hooper explains there are many agencies that have jurisdiction over the activity that goes on at the Gorge. From a land use perspective, the Planning Department would be the consolidated single point of contact regarding issues or concerns.

Martin Hanson, 23108 Road 1 NW, Quincy.

Mr. Hanson reports that he is the other applicant in the proposal with Live Nation. He states that he has worked closely with the Gorge, and he feels this is the next step. It is the way to go to get to where they want to be. It does provide an opportunity for public input. The way things are now isn't working for anybody; so go to the next step and let them try.

David Bricklin, Law firm of Bricklin & Newman, representing the applicant.

Mr. Bricklin acknowledges that what has been done in the past has not been enough. He states that the meeting with the community members was not a one time effort. They are committed to developing a community outreach element, including a neighborhood newsletter, setting up a hotline allowing problems to be reported during events and setting up a process that would allow private security firms to access private property to help with issues. They concur that a lot of the problems stem from the volume of traffic. They are finding methods to remove the traffic from the roads; such as rearranging the way the parking lot is stacked, and the manner in which campground fees are collected.

He explains that one way to look at the situation is that the system that allowed circumstances to get this far, was not the right system to be used to create the Conditions that would give the Planning Department the tools needed to address the existing problems. The Master Plan Resort may be a better process.

Mr. Bricklin reports, through his practicing of land use law, he has been in front of many Hearing Examiners. He explains that they take evidence from the neighbors, figure out what the problems are, and develop Conditions that can be enforced and used to address the neighbors concerns in a reasonable way. These Conditions are included in the Planned Unit Development or Binding Site Plan approvals.

Mr. Bricklin reads from the Unified Development Code (23.04.800(i) (*Conditions of Approval*)). The Hearing Examiner shall approve a PUD if the record contains clear and convincing evidence that the application complies with the approval criteria. The Hearing Examiner has the duty to impose reasonable conditions necessary to achieve conformance with the application review criteria listed above and the following, including such things as access; transportation; site design; control of off-site impacts and facility operations.

He states the Hearing Examiner system is set up to allow the Examiner to delve into the issues in detail, and the time to address both the on-site and the off-site impacts.

Harriet Weber, 7246 Road "V" NW, Quincy, has been sworn in.

Ms. Weber asks what the purpose would be to allow the Gorge to expand before the current problems are taken care of.

Mr. Bailey states that he does not have a good answer for the question, but at least the Gorge is starting to try and take care of some of the problems. This is an opportunity to address a lot of things that haven't been addressed in the past.

Discussion takes place.

Mr. Bailey asks if the Planning Commissioners have any comments.

Mr. Richards states, that if nothing else, it is nice to see that a dialog has opened up between the neighbors and Live Nation. That is a good start.

Mr. Graham reports that everyone should realize, and remember, that on the eight to twelve occasions of the year that Live Nation has a large concert, there is a group of people that comes in that could be a town second to the size of Moses Lake.

Mr. Click states that it seems this particular way is the way to go in order for the Gorge to advance, and provides a basis for planning the future. He moves to recommend to the Board of County Commissioners that this proposal be approved with the 19 Findings of Fact and the 2 Conditions of Approval.

Mr. Graham seconds the motion. He suggests that for the record Mr. Bailey read the 2 Conditions of Approval so that the audience is aware of what they are.

Mr. Bailey reads the Conditions of Approval.

1. *This Master Plan Resort approval shall in no way determine the number of attendees allowed at concert and festival concert events. The Concert Management Agreement shall govern the attendance limitations at this facility.*

2. *Approval of this Master Plan Resort does not void any Conditions of Approval for previous land use decisions including, but not limited to: Conditional Use Permits. All previous Conditions of Approval still apply. These pre-existing conditions shall be consolidated into the Planned Unit Development approval, and revised/modified as necessary through that process.*

Mr. Fleming calls for the question.

Voted on and is approved unanimously

Board Action:

ACTION: OLLIE CLICK MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE LIVE NATION WORLDWIDE, INC./MARTIN AND ELAINE HANSON COMPREHENSIVE PLAN LAND USE RE-DESIGNATION BE APPROVED WITH THE NINETEEN FINDINGS OF FACT AND TWO CONDITIONS OF APPROVAL IN THE AFFIRMATIVE FOR THE PROJECT.

LEE GRAHAM SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Zone Change

Mr. Bailey reads "The subject site is comprised of approximately 415 acres with a current Comprehensive Plan Land Use Designation of Recreation Development & Irrigated Agriculture. The applicant has submitted a Site Specific Land Use Re-designation application requesting the subject property be re-designated to Master Plan Resort along with an application for a rezone from Recreation Development/Agriculture to Master Plan Resort."

Mr. Click moves to recommend approval of the zone change with the 10 Findings of Fact.

Mr. Fleming seconds the motion.

Voted on and is approved unanimously

Board Action:

ACTION: OLLIE CLICK MOVES TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE LIVE NATION WORLDWIDE, INC./MARTIN AND ELAINE HANSON ZONE CHANGE BE APPROVED WITH THE TEN FINDINGS OF FACT IN THE AFFIRMATIVE FOR THE PROJECT.

JM FLEMING SECONDS THE MOTION.

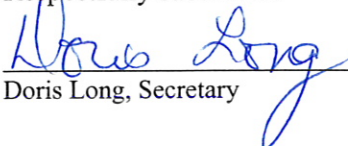
VOTED ON AND PASSES UNANIMOUSLY

Planning Director, Mr. Hooper, reports that the September meeting will be a workshop on the Code Enforcement Chapter of the Unified Development Code.

It is decided that the mandatory Open Records Public Meetings training will also be completed as a group during the meeting.

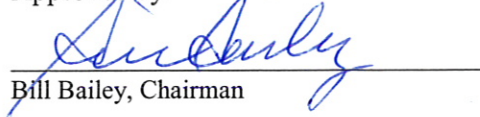
Meeting adjourned at 8:12 PM.

Respectfully submitted:



Doris Long, Secretary

Approved by:



Bill Bailey, Chairman