

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING AGENDA  
TUESDAY, APRIL 26, 2022**



**PLEASE NOTE: The maximum occupancy of the Council Chambers is 49 individuals at one time. Access to exits must be kept clear to ensure everyone in the Chambers can safely exit in the event of an emergency.**

**This meeting will be held in person and will also be available via teleconference. For meeting information and instructions, please contact City Hall at (509) 882-9200.**

**REGULAR MEETING – 7:00 PM**

**PAGE**

1. **CALL TO ORDER & ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVE AGENDA**
4. **PRESENTATIONS**
5. **PUBLIC COMMENT** – At this time, the public may address the Council on any topic whether on the agenda or not, except those scheduled for public hearing. If you would like to address the Council, please step up to the microphone and give your name and address for the record. Your comments will be limited to three minutes.
6. **CONSENT AGENDA** – Items on the Consent Agenda will be voted on together by the Council, unless a Councilmember requests that items be removed from the Consent Agenda and discussed and voted upon separately. An item removed from the Consent Agenda will be placed under Unfinished and New Business.
  - A. Minutes of the April 12, 2022 Committee-of-the-Whole meeting 1-4
  - B. Minutes of the April 12, 2022 Council meeting 5-12
  - C. Payroll Check Nos. 12681-12694 in the amount of \$108,998.45
  - D. Payroll Electronic Fund Transfers (EFT) Nos. 60774-60778 in the amount of \$99,594.43
  - E. Payroll Direct Deposit 4/1/22-4/15/22 in the amount of \$129,924.39
  - F. Claim Check Nos. 124039-124133 in the amount of \$666,459.26
7. **ACTIVE AGENDA** – Notice: Items discussed at the 6:00 pm Committee-of-the-Whole meeting of an urgent or time sensitive nature may be added to the active agenda pursuant to City Council Procedures Manual Section 3.18(c).
  - A. Closed Record Public Hearing – Grapevine Estates Rezone & Preliminary Plat Subdivision – 97 Lots 13-16
    - Grandview Hearing Examiner Public Hearing Packet dated March 15, 2022 is included as part of the agenda packet per reference in the Hearing Examiner’s Recommendation and Decision (1-94)
  - B. Ordinance No. 2022-06 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by SG Land Management LLC for Parcel No. 230914-23002 located on North Euclid Road, Grandview, Washington 17-35

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C. Resolution No. 2022-17 approving the Grapevine Estates Preliminary Plat Residential Subdivision – 97 Lots	36-53
D. Closed Record Public Hearing – Ronald J. Emick Comprehensive Plan Amendment and Rezone	54-57
• Grandview Hearing Examiner Public Hearing Packet dated March 15, 2022 is included as part of the agenda packet per reference in the Hearing Examiner’s Recommendation and Decision	(1-81)
E. Ordinance No. 2022-07 amending the Comprehensive Plan Future Land Use Map Designation, changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by Ronald J. Emick for Parcel No. 230924-32014 located on Highland Road, Grandview, Washington	58-72
<b>8. UNFINISHED AND NEW BUSINESS</b>	
<b>9. CITY ADMINISTRATOR AND/OR STAFF REPORTS</b>	
<b>10. MAYOR &amp; COUNCILMEMBER REPORTS</b>	
<b>11. EXECUTIVE SESSION (30 minutes) – City Administrator/Public Works Director employment contract and union negotiations proposals for the following bargaining units: PD Sergeants-Patrol, PD Support and Public Works</b>	
<b>12. ADJOURNMENT</b>	

The City of Grandview Committee-of-the-Whole and Regular Council Meetings scheduled for Tuesday, April 26, 2022 at 6:00 pm and 7:00 pm will be held in person and will also be available via teleconference.

Please join the meeting from your computer, tablet or smartphone.

Join Zoom Meeting

<https://us06web.zoom.us/j/86083666925?pwd=T0ZtYTV2YitDamRrWmgvSSStRNGRjUT09>

Meeting ID: 860 8366 6925

Passcode: 530398

To join via phone: +1-253-215-8782

Meeting ID: 860 8366 6925

Passcode: 530398

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES  
APRIL 12, 2022**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the Committee-of-the-Whole meeting to order at 6:00 p.m., in the Council Chambers at City Hall.

The meeting was held in person and was also available via teleconference.

**2. ROLL CALL**

Present in person: Mayor Mendoza and Councilmembers David Diaz, Bill Moore (Mayor Pro Tem), Robert Ozuna, Javier Rodriguez and Joan Souders (6:05 pm)

Present via teleconference: Councilmember Mike Everett

Absent: None

Staff present: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Police Chief Kal Fuller, Fire Chief Pat Mason, Parks and Recreation Director Gretchen Chronis, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios

**3. PUBLIC COMMENT**

Ray Vining, President of Main Street Grandview, provided a brief update on Main Street Grandview's activities and events. The first event planned would be the Grandview Days Vendor Market and Street Festival to be held in Downtown Grandview on April 23<sup>rd</sup>.

Curt Still, Grandview, thanked the Council for not imposing the COVID-19 vaccine mandate for City employees.

Pedro Navarrete, Assistant Dean with Yakima Valley College, 500 W. Main Street, Grandview, WA, introduced himself to the Council.

Benjamin Cover, 1361 Olmstead Road, Grandview, WA, thanked the Council for not imposing the COVID-19 vaccine mandate for City employees.

Romona & Erica Ramos, 310 East Fourth Street, Grandview, WA, requested reimbursement from the City for sewer repairs to their home's side sewer service in the amount of \$17,000. Mrs. Ramos submitted a claim for damages to the City for the sewer repairs that she claimed were caused by the re-construction of East Fourth Street in 2015. Her claim was denied by the City's Insurance Pool.

**4. NEW BUSINESS**

On motion by Councilmember Moore, second by Councilmember Rodriguez, the C.O.W. amended the New Business section of the agenda to move item (I) "COVID-19 Vaccine Mandate" to item (A).

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**A. COVID-19 Vaccine Mandate – Councilmember Everett – tabled from October 26, 2021 Committee-of-the-Whole Meeting**

**On motion by Councilmember Diaz, second by Councilmember Moore the C.O.W. agreed not to impose a COVID-19 vaccine mandate for City employees.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**B. Housing Action Plan – Byron Gumz, YVCOG Land Use Planning Manager**

Byron Gumz, YVCOG Land Use Planning Manager provided an overview of the process that the City along with the assistance of YVCOG would undertake to create and adopt the City's Housing Action Plan.

Discussion took place. No action was taken.

**C. Resolution authorizing the Mayor to sign an Interlocal Cooperative Agreement between Energy Northwest and the City of Grandview, Washington for lease of land and procurement, installation and maintenance of an electric vehicle charging station**

City Administrator Arteaga explained that staff was working with Energy Northwest to locate and install an electric vehicle charging station in the City of Grandview. The Museum parking lot was selected as the location of the charging station. He presented an Interlocal Cooperative Agreement between Energy Northwest and the City for lease of land and procurement, installation and maintenance of an electric vehicle charging station.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Diaz, the C.O.W. moved a resolution authorizing the Mayor to sign an Interlocal Cooperative Agreement between Energy Northwest and the City of Grandview, Washington for lease of land and procurement, installation and maintenance of an electric vehicle charging station to the April 12, 2022 regular meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**D. Resolution approving Task Order No. 2022-01 with HLA Engineering and Land Surveying, Inc., for the Pappy's Landing Phase 1 Development – Construction Services**

City Administrator Arteaga explained that on October 26, 2021, Council approved Resolution No. 2021-43 approving Pappy's Landing 111-Lot Residential Preliminary Plat. Staff approved the Phase 1 Site Improvement Plans for the Pappy's Landing plat. Infrastructure for this plat would consist of domestic water, sanitary sewer and streets which would become property of the City upon completion of construction and formal acceptance by the City. Staff desired construction of infrastructure be observed to confirm work was performed in accordance with the approved plans and specifications for the plat. Construction was anticipated to begin the week of February 28, 2022 and substantially be complete by July 1, 2022. As observation of construction was a condition of plat approval, staff recommended HLA perform construction observation and invoice Birdie Shots, LLC., for reimbursement of work performed.

Discussion took place.

**On motion by Councilmember Souders, second by Councilmember Diaz, the C.O.W. moved a resolution approving Task Order No. 2022-01 with HLA Engineering and Land Surveying, Inc., for the Pappy's Landing Phase 1 Development – Construction Services to the April 12, 2022 regular meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**E. Ordinance amending the 2022 Annual Budget**

City Treasurer Cordray explained that staff monitoring and review of fund and department budgets identified numerous budget accounts to be amended. An ordinance was prepared to provide for the amending of the 2022 Annual Budget to accommodate the changes in sources and uses.

By Fund the highlights of the budget changes were:

- Current Expense Fund: Increased appropriations for Chamber of Commerce tourism 2021, 2% support of substance abuse programs, Police Administration corrected salaries and Police Detective retirement buyout. Decreased appropriations to move one officer from this fund into the Yakima County Law & Justice Fund. Net effect was an increase to estimated ending fund balance.

- Yakima Co. Law & Justice Tax Fund: Increased appropriations to move one officer into this fund from Current Expense Fund. Net effect was a decrease to estimated ending fund balance.
- Transportation Benefit District Fund: Increased appropriations in Professional Services for the West Wine Country Road Park and Ride Improvements application. Net effect was a decrease to estimated ending fund balance.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved an Ordinance amending the 2022 Annual Budget to the April 12, 2022 regular meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Inaudible
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**5. RECESS & RECONVENE OF C.O.W. MEETING**

**On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. recessed the Committee-of-the-Whole meeting at 7:00 p.m., to reconvene following the regular Council meeting.**

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
APRIL 12, 2022**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

The meeting was held in person and was also available via teleconference.

Present in person: Mayor Mendoza and Councilmembers David Diaz, Bill Moore (Mayor Pro Tem), Robert Ozuna, Javier Rodriguez and Joan Souders

Present via teleconference: Councilmember Mike Everett

Absent: None

Staff present: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Police Chief Kal Fuller, Fire Chief Pat Mason, Parks and Recreation Director Gretchen Chronis, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios

**2. PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Moore led the pledge of allegiance.

**3. PRESENTATIONS**

**A. 2022 Arbor Day Proclamation & Arbor Day Celebration**

Mayor Mendoza proclaimed April 20, 2022 as Arbor Day in the City of Grandview and urged all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

**4. PUBLIC COMMENT – None**

**5. CONSENT AGENDA**

On motion by Councilmember Diaz, second by Councilmember Ozuna, Council approved the Consent Agenda consisting of the following:

- A. Minutes of the March 22, 2022 Committee-of-the-Whole meeting
- B. Minutes of the March 22, 2022 Council meeting
- C. Payroll Check Nos. 12655-12680 in the amount of \$25,626.07
- D. Payroll Electronic Fund Transfers (EFT) Nos. 60762-60768 in the amount of \$112,549.27
- E. Payroll Direct Deposit 3/16/22-3/31/22 in the amount of \$147,313.75
- F. Claim Check Nos. 123924-124038 in the amount of \$281,670.14



Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Inaudible
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**6. ACTIVE AGENDA**

**On motion by Councilmember Everett, second by Councilmember Moore, Council moved the following items from the C.O.W. agenda to the regular agenda for consideration:**

- **Resolution approving the final plat of Grandridge Estates – Phase 9 located on Grandridge Road**
- **Resolution approving Task Order No. 2019-06 Amendment No. 3 with HLA Engineering and Land Surveying, Inc., for the Sanitary Sewer Trunk Main Replacement**
- **Resolution accepting the bid for the Municipal Pool Repainting and authorizing the Mayor to sign all contract documents with Columbia Industrial Coatings, LLC**
- **2022 Budget Postponements**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**A. Declarations of Interest – Appointment for Vacant City Council Position**

A Declaration of Interest for appointment to the vacant City Council position was received from Jessie Espinoza. Mr. Espinoza was provided three minutes to address the Council.

**On motion by Councilmember Souders, second by Councilmember Moore, Council appointed Jessie Espinoza to fill the vacant Council position.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

Mr. Espinoza would receive the Oath of Office at the April 26, 2022 C.O.W. meeting.

**B. Resolution No. 2022-10 declaring certain City property from the Fire Department as surplus and authorizing disposal by public auction, sale, trade or disposal**

This item was previously discussed at the March 22, 2022 C.O.W. meeting.

**On motion by Councilmember Moore, second by Councilmember Rodriguez, Council approved Resolution No. 2022-10 declaring certain City property from the Fire Department as surplus and authorizing disposal by public auction, sale, trade or disposal.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**C. Resolution No. 2022-11 accepting the fuel bid from Bleyhl Farm Service for the year beginning April 1, 2022 to March 31, 2023**

This item was previously discussed at the March 22, 2022 C.O.W. meeting.

**On motion by Councilmember Diaz, second by Councilmember Rodriguez, Council approved Resolution No. 2022-11 accepting the fuel bid from Bleyhl Farm Service for the year beginning April 1, 2022 to March 31, 2023.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**D. Ordinance No. 2022-04 providing for the annexation of property known as the Pro-Made Construction Annexation to the City of Grandview pursuant to the petition method, and incorporating the same within the corporate limits thereof, providing for the assumption of existing indebtedness, requiring said property to be assessed and taxed at the same rate and basis as other property within said city, adopting a comprehensive land use plan, and changing the official zoning map of the City**

This item was previously discussed at the March 22, 2022 C.O.W. meeting.

**On motion by Councilmember Moore, second by Councilmember Ozuna, Council approved Ordinance No. 2022-04 providing for the annexation of property known as the Pro-Made Construction Annexation to the City of Grandview pursuant to the petition method, and**

incorporating the same within the corporate limits thereof, providing for the assumption of existing indebtedness, requiring said property to be assessed and taxed at the same rate and basis as other property within said City, adopting a comprehensive land use plan, and changing the official zoning map of the City.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**E. Resolution No. 2022-12 authorizing the Mayor to sign an Interlocal Cooperative Agreement between Energy Northwest and the City of Grandview, Washington for lease of land and procurement, installation and maintenance of an electric vehicle charging station**

This item was previously discussed at the April 12, 2022 C.O.W. meeting.

**On motion by Councilmember Moore, second by Councilmember Diaz, Council approved Resolution No. 2022-12 authorizing the Mayor to sign an Interlocal Cooperative Agreement between Energy Northwest and the City of Grandview, Washington for lease of land and procurement, installation and maintenance of an electric vehicle charging station.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**F. Resolution No. 2022-13 approving Task Order No. 2022-01 with HLA Engineering and Land Surveying, Inc., for the Pappy's Landing Phase 1 Development – Construction Services**

This item was previously discussed at the April 12, 2022 C.O.W. meeting.

**On motion by Councilmember Souders, second by Councilmember Rodriguez, Council approved Resolution No. 2022-13 approving Task Order No. 2022-01 with HLA Engineering and Land Surveying, Inc., for the Pappy's Landing Phase 1 Development – Construction Services.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes

- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**G. Ordinance No. 2022-05 amending the 2022 Annual Budget**

This item was previously discussed at the April 12, 2022 C.O.W. meeting.

**On motion by Councilmember Rodriguez, second by Councilmember Souders, Council approved Ordinance No. 2022-05 amending the 2022 Annual Budget.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

City Treasurer Cordray recommended that the next six items from the ARPA Eligible First Year Allocation List be considered:

- Asphalt Paving of Dykstra Park - \$100,000
- New Small Business grants (\$10,000 x 5) - \$50,000
- Residents' Utilities Support - \$50,000
- Downtown Beautification - \$100,000
- New Broadband Infrastructure Installation - \$10,000
- Entrance Beautification - \$50,000

Discussion took place.

**On motion by Councilmember Ozuna, second by Councilmember Moore, Council directed the City Treasurer to prepare a budget amendment to include the following ARPA eligible first year allocations:**

- **Asphalt Paving of Dykstra Park - \$100,000**
- **New Small Business grants (\$10,000 x 5) - \$50,000**
- **Residents' Utilities Support - \$50,000**
- **Downtown Beautification - \$100,000**
- **New Broadband Infrastructure Installation - \$10,000**
- **Entrance Beautification - \$50,000**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**H. Resolution No. 2022-14 approving the final plat of Grandridge Estates – Phase 9 located on Grandridge Road**

City Administrator Arteaga explained that at the March 24, 2020 meeting, Council adopted Resolution No. 2020-13 approving the Grandridge Estates Subdivision 227-lot preliminary plat. Following approval of the preliminary plat, the developer proceeded with the infrastructure improvements for Grandridge Estates subject to the conditions as outlined in the Hearing Examiner’s report and per Grandview Municipal Code Section 16.24 Design Standards and Section 16.28 Improvements. Phase 1 consisting of 25 lots was approved by the Council on September 8, 2020. Phase 2 consisting of 47 lots was approved by the Council on November 10, 2020. Phase 4 consisting of 22 lots was approved by the Council on April 13, 2021. Phase 8 consisting of 27 lots was approved by Council on November 9, 2021. The infrastructure improvements for Grandridge Estates Phase 9 consisting of 33 lots was completed to the City’s standards. The final plat map for Phase 9 was presented for consideration.

Discussion took place.

**On motion by Councilmember Rodriguez, second by Councilmember Everett, Council moved to table Resolution No. 2022-14 to the April 26, 2022 regular Council meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – No
- Councilmember Everett – No
- Councilmember Moore – No
- Councilmember Ozuna – No
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**On motion by Councilmember Moore, second by Councilmember Ozuna, Council approved Resolution No. 2022-14 approving the final plat of Grandridge Estates – Phase 9 located on Grandridge Road.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – No
- Councilmember Souders – No

**I. Resolution No. 2022-15 approving Task Order No. 2019-06 Amendment No. 3 with HLA Engineering and Land Surveying, Inc., for the Sanitary Sewer Trunk Main Replacement**

City Administrator Arteaga explained that the City applied for and was granted a Water Quality Combined Financial Assistance 2019 Agreement between the State of Washington Department of Ecology to fund the Sanitary Sewer Trunk Main Replacement project. On December 10, 2019,

the City approved Task Order No. 2019-06 with HLA Engineering and Land Surveying, Inc., for the Sanitary Sewer Trunk Main Replacement for professional engineering services and land surveying during construction. Amendment No. 1, Amendment No. 2 and Amendment No. 3 to Task Order No. 2019-06 revised the time of performance and the fee for services to reflect 48 additional construction contract days utilized by Culbert Construction Inc., for completion of the re-bid work for the sanitary sewer trunk main replacement. Amendment No. 3 also revised the fee for services related to phase 1.0 funding administration and closeout. The Task Order Amendment has an increase in Phase 1.0 of \$20,000 and Phase 3.0 of \$105,600, for total Amendment amount of \$135,600.

Discussion took place.

**On motion by Councilmember Souders, second by Councilmember Moore, Council approved Resolution No. 2022-15 approving Task Order No. 2019-06 Amendment No. 3 with HLA Engineering and Land Surveying, Inc., for the Sanitary Sewer Trunk Main Replacement.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**J. Resolution No. 2022-16 accepting the bid for the Municipal Pool Repainting and authorizing the Mayor to sign all contract documents with Columbia Industrial Coatings, LLC**

Parks and Recreation Director Chronis explained that at the March 8, 2022 meeting, Council approved the swim pool tank repair recommendation and directed staff to prepare the necessary bid documents. Bids for the Municipal Pool Repainting were opened on April 7, 2022. A total of two (2) bids were received with Columbia Industrial Coatings, LLC of Richland, Washington, submitting the low bid in the amount of \$64,011.60. The low bid was approximately 17 percent below the City Engineer's estimate of \$76,680.00.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Souders, Council approved Resolution No. 2022-16 accepting the bid for the Municipal Pool Repainting and authorizing the Mayor to sign all contract documents with Columbia Industrial Coatings, LLC.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes

- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**K. 2022 Budget Postponements**

City Treasurer Cordray explained that at the March 8, 2022 C.O.W. meeting, he presented the 2022 budget postponements. He recommended Council continue to postpone the budget items to a future date due to ongoing union negotiations and discussions regarding the use of ARPA funds. Council postponed the budget items to the April 12, 2022 C.O.W. meeting.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Diaz, Council continued to postpone the budget items to the April 26, 2022 C.O.W. meeting.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

**7. UNFINISHED AND NEW BUSINESS – None**

**8. CITY ADMINISTRATOR AND/OR STAFF REPORTS – None**

**9. MAYOR & COUNCILMEMBER REPORTS**

Community Survey Update and Start of Business Surveys – Councilmember Ozuna reported that the community surveys were complete and the City received 502 surveys. The business surveys would be mailed out in the next week. Berk Consulting would be presenting the results of the community survey at the April 26, 2022 C.O.W. meeting.

**10. ADJOURNMENT**

**On motion by Councilmember Moore, second by Councilmember Rodriguez, the Council meeting adjourned at 8:05 p.m.**

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk

**CITY OF GRANDVIEW  
AGENDA ITEM HISTORY/COMMENTARY  
CITY COUNCIL MEETING**

**ITEM TITLE:**

Closed Record Public Hearing – Grapevine Estates Rezone & Preliminary Plat Subdivision – 97 Lots

Ordinance No. 2022-06 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by SG Land Management LLC for Parcel No. 230914-23002 located on North Euclid Road, Grandview, Washington

Resolution No. 2022-17 approving the Grapevine Estates Preliminary Plat Subdivision – 97 Lots

**AGENDA NO.** Active 7 (A), (B) & (C)

**AGENDA DATE:** April 26, 2022

**DEPARTMENT**

Planning/Hearing Examiner

**FUNDING CERTIFICATION** (City Treasurer)  
(If applicable)

**DEPARTMENT DIRECTOR REVIEW**

Anita Palacios, City Clerk (Planning)



**CITY ADMINISTRATOR**



**MAYOR**



**ITEM HISTORY** (Previous council reviews, action related to this item, and other pertinent history)

The City received applications for a rezone and preliminary plat submitted by applicant RP Development and property owners SG Land Management LLC requesting a rezone of Parcel No. 230914-23002 located on North Euclid Road from AG Agricultural District to R-1 Low Density Residential District and preliminary plat approval of a 97-lot subdivision to be known as Grapevine Estates.

**ITEM COMMENTARY** (Background, discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

On March 15, 2022, the Hearing Examiner conducted an open record public hearing to receive comments on the proposed rezone and preliminary plat applications. A copy of the Hearing Examiner's Recommendation RZ#2022-02 and SUB#2022-01 dated March 29, 2022 is attached.

**ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's recommendation that the City Council (i) rezone Parcel No. 230914-23002 from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approve the 97-lot preliminary plat to be named Grapevine Estates, subject to compliance with the conditions outlined in Recommendation SUB#2022-01.

Further recommend that Council approve Ordinance No. 2022-06 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by SG Land Management LLC for Parcel No. 230914-23002 located on North Euclid Road, Grandview, Washington.

Further recommend Council approve Resolution No. 2022-17 approving the Grandridge Estates Subdivision 97-Lot Preliminary Plat.





**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
GRAPEVINE ESTATES REZONE AND PRELIMINARY PLAT**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, April 26, 2022 at 7:00 p.m.**, to consider the Hearing Examiner's recommendation that the City Council approve the following:

**Applicant(s):** RP Development  
**Property Owner(s):** SG Land Management LLC  
**Proposed Project:** Grapevine Estates Rezone & Preliminary Plat Subdivision – 97 Lots  
**Current Zoning:** AG Agricultural  
**Proposed Zoning:** R-1 Low Density Residential  
**Comprehensive Plan Designation:** Residential  
**Location of Project:** North Euclid Road, Grandview, Yakima County, Washington.  
**Parcel No.:** 230914-23002

The closed record public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, Washington and will also be available via teleconference as follows:

Please join the meeting from your computer, tablet or smartphone.

Join Zoom Meeting

<https://us06web.zoom.us/j/86083666925?pwd=T0ZtYTV2YitDamRrWmgvSStRNGRjUT09>

Meeting ID: 860 8366 6925

Passcode: 530398

To join via phone: +1-253-215-8782

Meeting ID: 860 8366 6925

Passcode: 530398

A copy of the Hearing Examiner's recommendation is available at no charge from the City Clerk's Office, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200 or [anitap@grandview.wa.us](mailto:anitap@grandview.wa.us).

**CITY OF GRANDVIEW**

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – April 6, 2022

**CITY OF GRANDVIEW  
CITY COUNCIL**

**CLOSED RECORD PUBLIC HEARING PROCEDURE**

**THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS AND TO CREATE OR SUPPLEMENT THE HEARING RECORD:**

**MAYOR**

Tonight's closed record public hearing will include the following land use proposal:

**Applicant(s):** RP Development

**Property Owner(s):** SG Land Management LLC

**Proposed Project:** Grapevine Estates Rezone & Preliminary Plat Subdivision – 97 Lots

**Current Zoning:** AG Agricultural

**Proposed Zoning:** R-1 Low Density Residential

**Comprehensive Plan Designation:** Residential

**Location of Project:** North Euclid Road, Grandview, Yakima County, Washington.

**Parcel No.:** 230914-23002

The closed record public hearing will now begin:

1. This hearing must be fair in form and substance as well as appearance, therefore:
  - a. Is there anyone in the audience who objects to my participation as Mayor or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
  - b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?
  - c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.
  - d. Thank you, the hearing will continue.  
(or)  
At this point, Councilmember \*\*\*\*\* will be excusing him/herself from the meeting. [Ask Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Council to review the record and consider the pertinent facts relating to this issue.
3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.
4. The record generated will be provided by staff. Staff will now provide a review of the record.
5. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

6. If clarification of the record is authorized:
  - a. When you address the Council, begin by stating your name and address for the record.
  - b. Speak slowly and clearly.
  - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
7. Now that we have reviewed the record concerning this issue, this subject is open for decision. Council may:
  - a. Approve as recommended.
  - b. Approve with conditions.
  - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
    - i. Enlarge the area or scope of the project.
    - ii. Increase the density or proposed building size.
    - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
    - iv. Deny (re-application or re-submittal is permitted).
    - v. Deny with prejudice (re-application or re-submittal is not allowed for one year).
    - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

**ORDINANCE NO. 2022-06**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
CHANGING THE ZONING CLASSIFICATION OF CERTAIN LANDS AND  
AMENDING THE ZONING MAP OF THE CITY OF GRANDVIEW  
AS REQUESTED BY SG LAND MANAGEMENT LLC FOR PARCEL NO. 230914-  
23002 LOCATED ON NORTH EUCLID ROAD, GRANDVIEW, WASHINGTON**

**WHEREAS**, the City of Grandview Hearing Examiner, upon application and after due notice pursuant to Grandview Municipal Code Chapter 14, conducted an open record public hearing on March 15, 2022 for a rezone which was duly filed by SG Land Management LLC for Parcel No. 230914-23002 located east of the 800 and 900 blocks of North Euclid Road, Grandview, Washington; and

**WHEREAS**, the Hearing Examiner, after receiving public comments and reviewing the staff report containing staff's findings of fact, issued his recommendation dated March 29, 2022 entitled RZ#2022-02, a copy of which is attached, recommending said rezone to the City Council for approval; and

**WHEREAS**, the City Council of the City of Grandview, after due notice pursuant to Grandview Municipal Code Chapter 14, conducted a closed record public hearing for said rezone on April 26, 2022 to consider the conclusions and recommendation by the Hearing Examiner; and

**WHEREAS**, the City Council, after reviewing the Hearing Examiner's conclusions and recommendation, and having deliberated upon said matter, accepted the Hearing Examiner's recommendation RZ#2022-02 as their own and approved the rezone submitted by SG Land Management LLC for Parcel No. 230914-23002 located east of the 800 and 900 blocks of North Euclid Road, Grandview, Washington,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The City of Grandview "Official Zoning Map" referred to in Grandview Municipal Code Section 17.16.020, a copy of which is on file in the office of the Grandview City Clerk, is hereby amended to show the following rezoned area:

General Location: East of the 800 and 900 blocks of North Euclid Road,  
Grandview, WA

Parcel No. 230914-23002

Rezone: AG Agricultural District to R-1 Low Density Residential District

**Section 2.** This ordinance shall be in full force and effect five (5) days after its passage and publication as required by law.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on April 26, 2022.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**PUBLISHED: 04/27/22**

**EFFECTIVE: 05/02/22**

**City of Grandview, Washington  
Hearing Examiner's Recommendations**

**March 29, 2022**

**In the Matter of Applications for )  
A Rezone and for Preliminary )  
Plat Approval Submitted by: )  
)  
RP Development )  
)  
Requesting a Rezone from the )  
AG Agricultural District to the )  
R-1 Low Density Residential )  
District and the Approval of a )  
97-Lot Preliminary Plat to be )  
Named "Grapevine Estates" )**

**RZ#2022-02  
SUB#2022-01**

**A. Introductory Findings.** The introductory findings relative to the hearing process for these Rezone and Preliminary Plat applications may be summarized as follows:

(1) The Hearing Examiner conducted an open record public hearing for these applications on March 15, 2022.

(2) Jeff Watson, Yakima Valley Conference of Governments Senior Planner who serves as Planner for the City of Grandview for this matter, presented a staff report for these applications which recommended approval of both the Rezone application and the Preliminary Plat application subject to conditions.

RP Development, Applicant  
Rezone from AG to R-1  
97-Lot Preliminary Plat  
Plat of "Grapevine Estates"  
RZ 2022-02; SUB 2022-01

1

(3) Testimony was also presented relative to the applications by Licensed Civil Engineer Jason Mattox of PBS Engineering and Environmental who spoke on behalf of the property owners. He summarized the steps that have been taken to date in order to comply with City requirements. City Administrator/Public Works Director Cus Arteaga answered questions. City Clerk Anita Palacios indicated that no written comments were submitted relative to these applications.

(4) No testimony or written comments were presented in opposition to these Rezone or Preliminary Plat applications.

(5) These recommendations for both the Rezone application and the Preliminary Plat application have been issued within 10 business days of the public hearing, and also within the 14 days of the public hearing as required by Subsection 14.09.030(A)(4) of the Grandview Municipal Code (GMC).

**B. Summary of Recommendations.** The Hearing Examiner recommends that the Grandview City Council (i) approve the applicant’s request to rezone the subject 22.64-acre parcel located east of the 800 and 900 blocks of North Euclid Road from the AG Agricultural District to the R-1 Low Density Residential District, and (ii) approve subject to conditions the proposed 97-lot Preliminary Plat of “Grapevine Estates.”

**C. Basis for Recommendations.** Based upon a view of the site and the surrounding area without anyone else present on March 15, 2022; the information contained in the staff report, exhibits, testimony and other evidence presented at an open record public hearing on March 15, 2022; and a consideration of the Grandview Zoning Ordinance and Subdivision Ordinance; the Hearing Examiner makes the following:

## FINDINGS

**I. Applicant/Property Owner.** The applicant is RP Development, 105609 East Wisner Parkway, Kennewick, Washington 99338. The property owner is SG Management LLC, 6159 West Deschutes Avenue, Suite 508, Kennewick, Washington 99338.

**II. Location.** The subject parcel is located on the east side of the 800 and 900 blocks of North Euclid Road and abuts the I-82 right-of-way on the north. It is Assessor's Parcel Number 230914-23002.

**III. Proposal.** The nature of these Rezone and Preliminary Plat applications and the characteristics of the relatively flat 22.64-acre parcel where the Rezone to R-1 Low Density Residential and the 97-lot Preliminary Plat of "Grapevine Estates" would be located may be summarized as follows:

(1) These applications request (i) approval of a Rezone of Assessor's Parcel Number 230914-23002 adjacent to the east side of North Euclid Road from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approval of a 97-lot Preliminary Plat for the construction of single-family residences to be located on said rezoned parcel. The plat would be known as "Grapevine Estates" and is depicted on page 52 of the record. The subdivision is planned for middle-income housing to be completed in two phases with the first phase being completed this summer.

(2) The subject parcel does not fall within or near a floodway, floodplain, shoreline, wetland or other critical area.



(3) GMC §16.12.020 provides that a Preliminary Plat shall be processed simultaneously with an application for a Rezone to the extent that procedural requirements applicable to these actions permit simultaneous processing unless an applicant for Preliminary Plat approval requests otherwise. Since the applicant has not requested otherwise, this Preliminary Plat application is being processed concurrently with the Rezone application.

(4) The Rezone application and Preliminary Plat application can be approved, denied or conditioned by the Grandview City Council. However, the Preliminary Plat application cannot be approved unless the requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District is approved so as to allow the 97 single-family residential lots on the parcel.

**IV. Public Notice.** In accordance with the applicable City ordinance requirements for notice of open record public hearings conducted by the Hearing Examiner, the City's Notice of Development Application, Environmental Determination & Notice of Public Hearing for the March 15, 2022, open record public hearing (i) was posted at the City Hall, Library and Police Department and on the City's website at [www.grandview.wa.us](http://www.grandview.wa.us) on February 3, 2022; (ii) was mailed to owners of property within 300 feet of the property under consideration, to interested parties and to governmental agencies on February 3, 2022; (iii) was posted on the property in three places on February 9, 2022; and (iv) was published in the official newspaper of the City (Grandview Herald) on February 9, 2022.

**V. Environmental Review.** The City distributed a Notice of Development Application, Environmental Determination and Notice of Public Hearing on February 9, 2022, using the optional DNS process authorized by WAC 197-11-355.

No comments were received. The City’s SEPA Responsible Official issued a Determination of Non-Significance (DNS) on February 25, 2022, which was not appealed.

**VI. The Comprehensive Plan Land Use Designation.** The Comprehensive Plan designation of the parcel is Residential. The requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District would bring the zoning into conformity with the Residential designation of the Comprehensive Plan which is intended to include “Areas appropriate for rural, single-family, and multifamily residential living.” The requested Preliminary Plat which would create an additional 97 single-family residential lots within a residential area of the City would also be consistent with Land Use Element and Housing Element provisions of the 2016 Comprehensive Plan including, for example, the following Goals, Policies and Objectives:

GOAL 1 of the Land Use Element: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid urban sprawl and the inefficient leapfrog pattern of development.

GOAL 4 of the Land Use Element: To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

Policy 4.1: The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

GOAL 1 of the Housing Element: Provide safe and sanitary housing for all persons within the community.

Objective 1: Encourage the construction of new units to increase the local housing supply. New construction should provide for a moderate- to low-income and senior housing market demand as well as upscale residences. It should also provide for an appropriate mix of housing types and intensities ...

Objective 5: Encourage infilling in residential areas.

GOAL 2 of the Housing Element: Residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview.

**VII. Zoning and Land Uses.** The zoning of the subject parcel is currently AG Agricultural District. The land use of the parcel is currently a vineyard. The characteristics of adjacent properties are as follows:

<i>Direction</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>	<i>Land Use</i>
North:	N/A	N/A	I-82 R/W
South:	R-1 Low Density Residential	Residential	Undeveloped*
East:	Residential (County R-1)	UGA Residential	Undeveloped**
West:	R-1 Low Density Residential	Residential/Commercial	Residential

\*A residential PUD/Plat is approved.

\*\*Annexation with R-1 zoning is pending.

**VIII. Concurrency.** The proposed Preliminary Plat will have to satisfy the concurrency test and requirements of GMC Chapter 14.10 entitled Transportation Concurrency Management. Dedication of additional right-of-way and construction of half-street frontage improvements to the east half of North Euclid Road will be required in order to match the existing street improvements and the required future street improvements on North Euclid Road south of this property. North Euclid

Road dead ends at the I-82 right-of-way on the north side of this parcel. Traffic volumes on City streets would not be expected to fall below the City’s requisite street Level of Service if traffic impacts are mitigated. A traffic impact analysis (TIA) prepared by a licensed traffic engineer which identifies mitigation and implementation strategies to offset any significant adverse traffic impacts will be required to be submitted for review and approval by the City and by WSDOT.

**IX. Development Standards.** The requested Rezone and Preliminary Plat of “Grapevine Estates” would comply with the Grandview Municipal Code (GMC) development standards in the following particulars:

(1) The proposed 97-lot Preliminary Plat would comply with the street and sidewalk design standards and permitted use standards prescribed by GMC §17.62.080 because the public streets and sidewalks for the single-family residences will be constructed in accordance with minimum City standards.

(2) All new development within the City must include curb, gutters, sidewalks and provision for handling storm drainage. Unless adjustments from the City’s requirements are granted, the proposed Preliminary Plat must comply with requirements prescribed by GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 13 (Buildings and Construction), GMC Title 14 (Administration of Development Regulations), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions), GMC Title 17 (Zoning), GMC Title 18 (Environmental Protection) and other applicable local, state and federal requirements.

**X. Review Criteria for Rezones and Preliminary Plats.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator.

GMC §14.07.030(B) requires at least 10 days prior notice of public hearings by means of publication, mailing and posting. GMC §14.03.040(A)(4), GMC §14.03.040(A)(6) and GMC §14.09.030(A)(4) provide that a recommendation is to be made to the Grandview City Council regarding Rezones and applications for Preliminary Plats that must comply with the provisions of GMC §14.09.030(A)(3), GMC §14.09.030(A)(4) and GMC §17.88.040. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits or variances. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to recommend approval of a proposed development without first making the following findings and conclusions:

**(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** The requested Rezone and Preliminary Plat will satisfy this requirement. Since the City’s 2016 Comprehensive Plan Future Land Use Map designates the property under consideration as Residential, the Rezone would bring the zoning of the parcel into compliance with its Comprehensive Plan designation. And the Preliminary Plat would be consistent with the Goals, Policies and Objectives of the Comprehensive Plan as explained in detail in Section VI above. The Rezone and Preliminary Plat would also be consistent with the intent of the Grandview Municipal Code so long as they satisfy all of the criteria prescribed for their approval.

**(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** The development is required to make provisions for drainage, streets, City of Grandview water and City of Grandview sewer to City standards.

**(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The City determined that the requested Rezone and proposed Preliminary Plat would not result in any

probable significant adverse environmental impacts under GMC Title 18 by issuing a final SEPA Determination of Non-Significance on February 25, 2022, which was not appealed.

**(4) The development is beneficial to the public health, safety and welfare and is in the public interest.** The proposed 22.64-acre 97-lot residential Preliminary Plat on parcel 230914-23002 would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed additional housing stock in the form of single-family residences which would be located near other existing and proposed residential areas.

**(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.** Here the concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied to the proposed Rezone and Preliminary Plat. Consideration of the applicant’s Transportation Checklist information on pages 23-33 of the record resulted in a finding that the additional traffic to be generated by the Preliminary Plat requires half-street pavement, curb, gutter and sidewalk improvements, as well as dedication of right-of-way to the same width that currently exists on North Euclid Road to the south of the subject parcel and that is required of the residential development on North Euclid Road adjacent to the subject parcel.

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.** A requirement for the applicant to dedicate additional right-of-way along North Euclid Road is recommended if at some locations of the North Euclid Road frontage there is insufficient right-of-way to make half-street pavement, curb, gutter, sidewalk improvements to the same width that either

currently exists or is required to be provided south of the property. Any dedication of additional right-of-way along the frontage of North Euclid Road to make a width of 25 feet from the centerline would be reasonably needed to mitigate the effects of the development whose residents would utilize that street and also would be proportional to the impacts created by the development.

**XI. Additional Specific Review Criteria for Rezones.** GMC §17.88.060 provides that after the completion of an open record hearing regarding a request for a Rezone, the Hearing Examiner shall make and enter findings and conclusions which support a recommendation relative to five considerations. GMC §17.88.080 provides that those findings and conclusions are to be forwarded to the City Council to decide at a regular business meeting in accordance with GMC Chapter 2.50 whether to approve the Rezone with or without modification, whether to enter into a concomitant agreement with the applicant or whether to deny the Rezone. GMC §17.88.060 provides that the Hearing Examiner shall find whether or not:

**(1) The proposal is in accord with the goals and policies of the comprehensive plan.** The requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District is in accord with the Comprehensive Plan “Residential” designation of the parcel and is also in accordance with the Goals, Policies and Objectives of the Comprehensive Plan as explained above in Section VI of these recommendations.

**(2) The effect of the proposal on the immediate vicinity will be materially detrimental.** The effect on the immediate vicinity of the requested Rezone of the parcel to the R-1 Low Density Residential District would not be materially detrimental because the Comprehensive Plan designation for all of the property surrounding the parcels other than the I-82 right-of-way is Residential, and the use of those parcels is either existing or proposed residential use. None of the nearby property owners submitted written comments or appeared at the hearing to object to

the proposal even though they were invited to do so by means of posting, mailing and publishing notice of the hearing.

**(3) There is merit and value in the proposal for the community as a whole.** The merit and value for the community as a whole would be to have additional single-family housing within the City in an area that already has either existing or proposed residential uses.

**(4) Conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** The City's SEPA Responsible Official determined that the requested rezone will not have any significant adverse impacts in need of mitigation and issued a final Determination of Non-Significance on February 25, 2022, which was not appealed.

**(5) A development agreement should be entered into between the city and the petitioner, and if so, the terms and conditions of such an agreement.** The City in its discretion may require a development agreement to be entered into between the property owner and the City.

## **XII. Additional Specific Review Criteria for Preliminary Plats.** GMC

§16.12.090 and §16.12.110 require that a Preliminary Plat be reviewed to determine conformance with the following standards:

**(1) Conformance with the provisions of the zoning ordinance for the City.** The Preliminary Plat will conform with the provisions of the City's zoning ordinance.

**(2) Conformance with the general purposes of the Comprehensive Plan.** As previously explained in Section VI above, the proposed Preliminary Plat for residential development would be in conformance with the Residential designation for the property in the Comprehensive Plan and with the Goals, Policies and Objectives of the Comprehensive Plan.

**(3) Conformance with the provisions of this title.** The Preliminary Plat is not only required to be in conformance with all applicable provisions of GMC Title 16 (Subdivisions), it is also required to be in conformance with all applicable



requirements of GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 13 (Buildings and Construction), GMC Title 14 (Administration of Development Regulations), GMC Title 15 (Buildings and Construction), GMC Title 17 (Zoning), GMC Title 18 (Environmental Protection), and other applicable local, state and federal requirements.

**(4) Conformance with the comprehensive water and sewer plans.** The proposed Preliminary Plat would utilize City water and sewer and would otherwise be in conformance with the comprehensive water and sewer plans.

**(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters.** The proposed Preliminary Plat would be in conformance with the ordinances governing streets, rights-of-way, curbs and gutters.

**(6) Conformance with any other standards necessary to serve the public good.** GMC §16.12.110 states that the City Council shall approve a proposed Preliminary Plat if it makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and if the public use and interest will be served by the platting of such subdivision and dedication. Here no neighbors or other residents or property owners submitted written comments or testimony at the hearing in opposition to any aspect of the proposed Preliminary Plat even though notices were mailed, posted and published inviting their input. These criteria are satisfied for the following reasons:

(a) Public health, safety and general welfare: The Preliminary Plat will provide lot sizes for the development of single-family residences that are served by public streets, curbs, gutters and sidewalks constructed to City standards.

(b) Open spaces: The Preliminary Plat is expected to have about 35% impervious surfaces when it is built out. The combination of one or more tracts devoted to the extension of the sewer line from North Euclid Road, the expected percentage of lot coverage, the required setbacks and the size of the proposed lots will provide adequate open spaces within the plat.

(c) Drainageways: The Preliminary Plat will be designed to capture, retain and infiltrate surface water on-site in accordance with City standards and the Department of Ecology Eastern Washington Stormwater Manual.

(d) Streets, alleys and other public ways: The Preliminary Plat will make appropriate provisions for streets by having public streets with curbs, gutter and sidewalks that will be constructed to City standards.

(e) Transit stops: The proposed Preliminary Plat will not be required to make appropriate provisions for transit stops because the City does not currently have a public transportation system.

(f) Potable water supplies: The proposed Preliminary Plat will make appropriate provisions for potable water supplies that will be supplied by the City.

(g) Sanitary Wastes: The proposed Preliminary Plat will make appropriate provisions for sanitary wastes by extending City sanitary sewer to the site. Wastewater in the plat will gravity flow to the existing gravity sewer in North Euclid Road, which then flows to the Forrest Road lift station.

(h) Parks and Recreation: A park is proposed for the adjacent Euclid Meadows residential plat south of the proposed Preliminary Plat. Westside Park, Vista Grande Park and Euclid Park are existing parks located within approximately one mile of the proposed Preliminary Plat.

(i) Playgrounds, schools and schoolgrounds: There are playgrounds, schools and schoolgrounds in the vicinity that will be available for children living in the plat. No testimony or written comments were submitted by the school district relative to this proposal.

(j) Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school: The Preliminary Plat will make appropriate provisions for sidewalks that will be constructed to City standards within the plat and along the North Euclid Road frontage of the plat.

(k) Other relevant facts: The Preliminary Plat will make appropriate provisions for irrigation water by providing the pipeline extension and pump which the City will take over after it is completed to City standards. It will

make appropriate provisions for fire flow by oversizing or looping the water main in a manner approved by the Public Works Director and the Fire Chief. A note will be required on the face of the plat to the effect that it is the developer's responsibility to dampen or deflect any traffic noise from I-82 that affects this property.

(1) Public use and interest: The public use and interest will be served by the Preliminary Plat by providing additional housing options within the City.

## CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following conclusions:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve combined applications for a Rezone and a Preliminary Plat per provisions of GMC §2.50.080(C)(2), §14.09.030(A)(3)(c), §16.12.090, §16.12.110 and §17.88.060 where, as here, they satisfy the zoning ordinance, subdivision ordinance and other applicable requirements and criteria for approval.

(2) The public hearing notice requirements of the Grandview Municipal Code have been satisfied.

(3) SEPA environmental review for the requested Rezone and the proposed Preliminary Plat which was completed pursuant to RCW 43.21C and GMC Title 18 resulted in the issuance of a Determination of Non-Significance (DNS) for both applications on February 25, 2022, which was not appealed.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the requested Rezone and the proposed Preliminary Plat.

(5) The public use and interest would be served by the requested Rezone and the proposed Preliminary Plat because it would provide additional housing choices within the City.

(6) The requested Rezone and proposed Preliminary Plat would be consistent and compliant with the Comprehensive Plan, the zoning ordinance, the subdivision ordinance, the applicable development standards and all of the requisite criteria for the approval of both.

(7) The Hearing Examiner's recommendations regarding the requested Rezone and the proposed Preliminary Plat will be considered and decided by the Grandview City Council at a closed record public hearing with the result that the requested Rezone can be approved, conditioned, modified or denied by the City Council. and (ii) the proposed Preliminary Plat can be approved with or without conditions if the requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District is approved so as to allow the proposed 97 lots to be created for residential development on the parcel.

## **RECOMMENDATIONS**

The Hearing Examiner recommends that the City Council (i) approve the requested Rezone of Assessor's Parcel Number 230914-23002 from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approve the proposed Preliminary Plat of "Grapevine Estates" containing 97 single-family residential lots subject to the following conditions:

(1) The Preliminary Plat will be subject to all applicable provisions of GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 13 (Buildings and Construction), GMC Title 14 (Administration of Development Regulations), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions), GMC Title 17

(Zoning), GMC Title 18 (Environmental Protection), and other applicable local, state and federal requirements.

(2) A traffic impact analysis (TIA) shall be performed by a licensed traffic engineer at the proponent's expense which shall be submitted to the City and the Washington State Department of Transportation (WSDOT) for review and comment. The TIA shall analyze this project's impacts to the I-82 Exit 73 interchange ramp terminals and identify mitigation and implementation strategies to offset any significant adverse impacts which shall be subject to WSDOT approval. The TIA shall also consider other approved developments in the immediate vicinity to assure accurate projected counts.

(3) A Note shall be placed on the face of the Plat of "Grapevine Estates" stating: "I-82 is an existing facility and the applicant is proposing a more noise-sensitive land use. The proponent and future residents should be aware that this is an area with existing traffic noise. They should also expect traffic noise to continue to increase. It is the developer's responsibility to dampen or deflect any traffic noise affecting this property."

(4) Site development shall be in conformance with the current Stormwater Management Manual for Eastern Washington.

(5) The applicant shall work with the Department of Ecology to determine if an NPDES Construction Stormwater General Permit is required.

(6) Wastewater in the subdivision will gravity flow to the existing gravity sewer in North Euclid Road which then flows to the Forrest Road lift station.

(7) The water system for the plat which would be served by a single water main in North Euclid Road must meet the fire flow requirements of the City in a manner that is approved by the Public Works Director and the Fire Chief by either oversizing the water main in North Euclid Road or looping the water main to the northwest through commercial property or to the south with a connection to the Euclid Meadows development.

(8) A Note shall be placed on the face of the Plat of "Grapevine Estates" stating: "A building setback or open space buffer of at least 15 feet shall be maintained on the south frontage and on the east frontage of Lot 97."

(9) A Note shall be placed on the face of the Plat of "Grapevine Estates" stating: "Lots 40-47 must obtain the City's prior approval on a case-by-case basis to have driveway access to North Euclid Road."

(10) Additional right-of-way shall be dedicated along the North Euclid Road frontage of the plat as necessary to provide twenty five (25) feet of right-of-way from the centerline of the street, and half-street improvements required by the City shall be installed on North Euclid Road along the frontage of the plat.

**DATED** this 29<sup>th</sup> day of March, 2022.

  
\_\_\_\_\_  
**Gary M. Cuillier, Hearing Examiner**

**RESOLUTION NO. 2022-17**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING THE GRAPEVINE ESTATES PRELIMINARY PLAT RESIDENTIAL  
SUBDIVISION – 97 LOTS**

**WHEREAS**, the applicant, RP Development on behalf of property owners SG Land Management LLC, applied for preliminary plat approval for a 97-lot residential subdivision designated as Grapevine Estates; and

**WHEREAS**, the Hearing Examiner held an open record public hearing on March 15, 2022 on the proposed preliminary plat and provided a recommendation for approval to the City Council subject to compliance with conditions; and

**WHEREAS**, the City Council held a closed record public hearing on April 26, 2022 on the proposed preliminary plat and approved the preliminary plat subject to the conditions outlined in the Hearing Examiner's Recommendation SUB#2022-01 dated March 29, 2022;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:**

The City Council hereby adopts the Hearing Examiner's Recommendation in SUB#2022-01 and approves the 97-lot preliminary plat known as "Grandridge Estates" subject to conditions as outlined in the Hearing Examiner's Recommendation, a copy of which is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on April 26, 2022.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**City of Grandview, Washington  
Hearing Examiner’s Recommendations**

**March 29, 2022**

<b>In the Matter of Applications for</b>	)	
<b>A Rezone and for Preliminary</b>	)	
<b>Plat Approval Submitted by:</b>	)	
	)	
<b>RP Development</b>	)	<b>RZ#2022-02</b>
	)	<b>SUB#2022-01</b>
<b>Requesting a Rezone from the</b>	)	
<b>AG Agricultural District to the</b>	)	
<b>R-1 Low Density Residential</b>	)	
<b>District and the Approval of a</b>	)	
<b>97-Lot Preliminary Plat to be</b>	)	
<b>Named “Grapevine Estates”</b>	)	

**A. Introductory Findings.** The introductory findings relative to the hearing process for these Rezone and Preliminary Plat applications may be summarized as follows:

(1) The Hearing Examiner conducted an open record public hearing for these applications on March 15, 2022.

(2) Jeff Watson, Yakima Valley Conference of Governments Senior Planner who serves as Planner for the City of Grandview for this matter, presented a staff report for these applications which recommended approval of both the Rezone application and the Preliminary Plat application subject to conditions.

RP Development, Applicant                               **1**  
Rezone from AG to R-1  
97-Lot Preliminary Plat  
Plat of “Grapevine Estates”  
RZ 2022-02; SUB 2022-01



(3) Testimony was also presented relative to the applications by Licensed Civil Engineer Jason Mattox of PBS Engineering and Environmental who spoke on behalf of the property owners. He summarized the steps that have been taken to date in order to comply with City requirements. City Administrator/Public Works Director Cus Arteaga answered questions. City Clerk Anita Palacios indicated that no written comments were submitted relative to these applications.

(4) No testimony or written comments were presented in opposition to these Rezone or Preliminary Plat applications.

(5) These recommendations for both the Rezone application and the Preliminary Plat application have been issued within 10 business days of the public hearing, and also within the 14 days of the public hearing as required by Subsection 14.09.030(A)(4) of the Grandview Municipal Code (GMC).

**B. Summary of Recommendations.** The Hearing Examiner recommends that the Grandview City Council (i) approve the applicant's request to rezone the subject 22.64-acre parcel located east of the 800 and 900 blocks of North Euclid Road from the AG Agricultural District to the R-1 Low Density Residential District, and (ii) approve subject to conditions the proposed 97-lot Preliminary Plat of "Grapevine Estates."

**C. Basis for Recommendations.** Based upon a view of the site and the surrounding area without anyone else present on March 15, 2022; the information contained in the staff report, exhibits, testimony and other evidence presented at an open record public hearing on March 15, 2022; and a consideration of the Grandview Zoning Ordinance and Subdivision Ordinance; the Hearing Examiner makes the following:

## FINDINGS

**I. Applicant/Property Owner.** The applicant is RP Development, 105609 East Wisner Parkway, Kennewick, Washington 99338. The property owner is SG Management LLC, 6159 West Deschutes Avenue, Suite 508, Kennewick, Washington 99338.

**II. Location.** The subject parcel is located on the east side of the 800 and 900 blocks of North Euclid Road and abuts the I-82 right-of-way on the north. It is Assessor's Parcel Number 230914-23002.

**III. Proposal.** The nature of these Rezone and Preliminary Plat applications and the characteristics of the relatively flat 22.64-acre parcel where the Rezone to R-1 Low Density Residential and the 97-lot Preliminary Plat of "Grapevine Estates" would be located may be summarized as follows:

(1) These applications request (i) approval of a Rezone of Assessor's Parcel Number 230914-23002 adjacent to the east side of North Euclid Road from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approval of a 97-lot Preliminary Plat for the construction of single-family residences to be located on said rezoned parcel. The plat would be known as "Grapevine Estates" and is depicted on page 52 of the record. The subdivision is planned for middle-income housing to be completed in two phases with the first phase being completed this summer.

(2) The subject parcel does not fall within or near a floodway, floodplain, shoreline, wetland or other critical area.

(3) GMC §16.12.020 provides that a Preliminary Plat shall be processed simultaneously with an application for a Rezone to the extent that procedural requirements applicable to these actions permit simultaneous processing unless an applicant for Preliminary Plat approval requests otherwise. Since the applicant has not requested otherwise, this Preliminary Plat application is being processed concurrently with the Rezone application.

(4) The Rezone application and Preliminary Plat application can be approved, denied or conditioned by the Grandview City Council. However, the Preliminary Plat application cannot be approved unless the requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District is approved so as to allow the 97 single-family residential lots on the parcel.

**IV. Public Notice.** In accordance with the applicable City ordinance requirements for notice of open record public hearings conducted by the Hearing Examiner, the City's Notice of Development Application, Environmental Determination & Notice of Public Hearing for the March 15, 2022, open record public hearing (i) was posted at the City Hall, Library and Police Department and on the City's website at [www.grandview.wa.us](http://www.grandview.wa.us) on February 3, 2022; (ii) was mailed to owners of property within 300 feet of the property under consideration, to interested parties and to governmental agencies on February 3, 2022; (iii) was posted on the property in three places on February 9, 2022; and (iv) was published in the official newspaper of the City (Grandview Herald) on February 9, 2022.

**V. Environmental Review.** The City distributed a Notice of Development Application, Environmental Determination and Notice of Public Hearing on February 9, 2022, using the optional DNS process authorized by WAC 197-11-355.

No comments were received. The City’s SEPA Responsible Official issued a Determination of Non-Significance (DNS) on February 25, 2022, which was not appealed.

**VI. The Comprehensive Plan Land Use Designation.** The Comprehensive Plan designation of the parcel is Residential. The requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District would bring the zoning into conformity with the Residential designation of the Comprehensive Plan which is intended to include “Areas appropriate for rural, single-family, and multifamily residential living.” The requested Preliminary Plat which would create an additional 97 single-family residential lots within a residential area of the City would also be consistent with Land Use Element and Housing Element provisions of the 2016 Comprehensive Plan including, for example, the following Goals, Policies and Objectives:

GOAL 1 of the Land Use Element: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid urban sprawl and the inefficient leapfrog pattern of development.

GOAL 4 of the Land Use Element: To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

Policy 4.1: The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

GOAL 1 of the Housing Element: Provide safe and sanitary housing for all persons within the community.

Objective 1: Encourage the construction of new units to increase the local housing supply. New construction should provide for a moderate- to low-income and senior housing market demand as well as upscale residences. It should also provide for an appropriate mix of housing types and intensities ...

Objective 5: Encourage infilling in residential areas.

GOAL 2 of the Housing Element: Residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview.

**VII. Zoning and Land Uses.** The zoning of the subject parcel is currently AG Agricultural District. The land use of the parcel is currently a vineyard. The characteristics of adjacent properties are as follows:

<i>Direction</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>	<i>Land Use</i>
North:	N/A	N/A	I-82 R/W
South:	R-1 Low Density Residential	Residential	Undeveloped*
East:	Residential (County R-1)	UGA Residential	Undeveloped**
West:	R-1 Low Density Residential	Residential/Commercial	Residential

\*A residential PUD/Plat is approved.

\*\*Annexation with R-1 zoning is pending.

**VIII. Concurrency.** The proposed Preliminary Plat will have to satisfy the concurrency test and requirements of GMC Chapter 14.10 entitled Transportation Concurrency Management. Dedication of additional right-of-way and construction of half-street frontage improvements to the east half of North Euclid Road will be required in order to match the existing street improvements and the required future street improvements on North Euclid Road south of this property. North Euclid

Road dead ends at the I-82 right-of-way on the north side of this parcel. Traffic volumes on City streets would not be expected to fall below the City's requisite street Level of Service if traffic impacts are mitigated. A traffic impact analysis (TIA) prepared by a licensed traffic engineer which identifies mitigation and implementation strategies to offset any significant adverse traffic impacts will be required to be submitted for review and approval by the City and by WSDOT.

**IX. Development Standards.** The requested Rezone and Preliminary Plat of "Grapevine Estates" would comply with the Grandview Municipal Code (GMC) development standards in the following particulars:

(1) The proposed 97-lot Preliminary Plat would comply with the street and sidewalk design standards and permitted use standards prescribed by GMC §17.62.080 because the public streets and sidewalks for the single-family residences will be constructed in accordance with minimum City standards.

(2) All new development within the City must include curb, gutters, sidewalks and provision for handling storm drainage. Unless adjustments from the City's requirements are granted, the proposed Preliminary Plat must comply with requirements prescribed by GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 13 (Buildings and Construction), GMC Title 14 (Administration of Development Regulations), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions), GMC Title 17 (Zoning), GMC Title 18 (Environmental Protection) and other applicable local, state and federal requirements.

**X. Review Criteria for Rezones and Preliminary Plats.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator.

GMC §14.07.030(B) requires at least 10 days prior notice of public hearings by means of publication, mailing and posting. GMC §14.03.040(A)(4), GMC §14.03.040(A)(6) and GMC §14.09.030(A)(4) provide that a recommendation is to be made to the Grandview City Council regarding Rezones and applications for Preliminary Plats that must comply with the provisions of GMC §14.09.030(A)(3), GMC §14.09.030(A)(4) and GMC §17.88.040. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits or variances. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to recommend approval of a proposed development without first making the following findings and conclusions:

**(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** The requested Rezone and Preliminary Plat will satisfy this requirement. Since the City’s 2016 Comprehensive Plan Future Land Use Map designates the property under consideration as Residential, the Rezone would bring the zoning of the parcel into compliance with its Comprehensive Plan designation. And the Preliminary Plat would be consistent with the Goals, Policies and Objectives of the Comprehensive Plan as explained in detail in Section VI above. The Rezone and Preliminary Plat would also be consistent with the intent of the Grandview Municipal Code so long as they satisfy all of the criteria prescribed for their approval.

**(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** The development is required to make provisions for drainage, streets, City of Grandview water and City of Grandview sewer to City standards.

**(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The City determined that the requested Rezone and proposed Preliminary Plat would not result in any

probable significant adverse environmental impacts under GMC Title 18 by issuing a final SEPA Determination of Non-Significance on February 25, 2022, which was not appealed.

**(4) The development is beneficial to the public health, safety and welfare and is in the public interest.** The proposed 22.64-acre 97-lot residential Preliminary Plat on parcel 230914-23002 would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed additional housing stock in the form of single-family residences which would be located near other existing and proposed residential areas.

**(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.** Here the concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied to the proposed Rezone and Preliminary Plat. Consideration of the applicant’s Transportation Checklist information on pages 23-33 of the record resulted in a finding that the additional traffic to be generated by the Preliminary Plat requires half-street pavement, curb, gutter and sidewalk improvements, as well as dedication of right-of-way to the same width that currently exists on North Euclid Road to the south of the subject parcel and that is required of the residential development on North Euclid Road adjacent to the subject parcel.

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.** A requirement for the applicant to dedicate additional right-of-way along North Euclid Road is recommended if at some locations of the North Euclid Road frontage there is insufficient right-of-way to make half-street pavement, curb, gutter, sidewalk improvements to the same width that either



currently exists or is required to be provided south of the property. Any dedication of additional right-of-way along the frontage of North Euclid Road to make a width of 25 feet from the centerline would be reasonably needed to mitigate the effects of the development whose residents would utilize that street and also would be proportional to the impacts created by the development.

**XI. Additional Specific Review Criteria for Rezones.** GMC §17.88.060 provides that after the completion of an open record hearing regarding a request for a Rezone, the Hearing Examiner shall make and enter findings and conclusions which support a recommendation relative to five considerations. GMC §17.88.080 provides that those findings and conclusions are to be forwarded to the City Council to decide at a regular business meeting in accordance with GMC Chapter 2.50 whether to approve the Rezone with or without modification, whether to enter into a concomitant agreement with the applicant or whether to deny the Rezone. GMC §17.88.060 provides that the Hearing Examiner shall find whether or not:

**(1) The proposal is in accord with the goals and policies of the comprehensive plan.** The requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District is in accord with the Comprehensive Plan “Residential” designation of the parcel and is also in accordance with the Goals, Policies and Objectives of the Comprehensive Plan as explained above in Section VI of these recommendations.

**(2) The effect of the proposal on the immediate vicinity will be materially detrimental.** The effect on the immediate vicinity of the requested Rezone of the parcel to the R-1 Low Density Residential District would not be materially detrimental because the Comprehensive Plan designation for all of the property surrounding the parcels other than the I-82 right-of-way is Residential, and the use of those parcels is either existing or proposed residential use. None of the nearby property owners submitted written comments or appeared at the hearing to object to

the proposal even though they were invited to do so by means of posting, mailing and publishing notice of the hearing.

**(3) There is merit and value in the proposal for the community as a whole.** The merit and value for the community as a whole would be to have additional single-family housing within the City in an area that already has either existing or proposed residential uses.

**(4) Conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** The City's SEPA Responsible Official determined that the requested rezone will not have any significant adverse impacts in need of mitigation and issued a final Determination of Non-Significance on February 25, 2022, which was not appealed.

**(5) A development agreement should be entered into between the city and the petitioner, and if so, the terms and conditions of such an agreement.** The City in its discretion may require a development agreement to be entered into between the property owner and the City.

## **XII. Additional Specific Review Criteria for Preliminary Plats.** GMC

§16.12.090 and §16.12.110 require that a Preliminary Plat be reviewed to determine conformance with the following standards:

**(1) Conformance with the provisions of the zoning ordinance for the City.** The Preliminary Plat will conform with the provisions of the City's zoning ordinance.

**(2) Conformance with the general purposes of the Comprehensive Plan.** As previously explained in Section VI above, the proposed Preliminary Plat for residential development would be in conformance with the Residential designation for the property in the Comprehensive Plan and with the Goals, Policies and Objectives of the Comprehensive Plan.

**(3) Conformance with the provisions of this title.** The Preliminary Plat is not only required to be in conformance with all applicable provisions of GMC Title 16 (Subdivisions), it is also required to be in conformance with all applicable

requirements of GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 13 (Buildings and Construction), GMC Title 14 (Administration of Development Regulations), GMC Title 15 (Buildings and Construction), GMC Title 17 (Zoning), GMC Title 18 (Environmental Protection), and other applicable local, state and federal requirements.

**(4) Conformance with the comprehensive water and sewer plans.** The proposed Preliminary Plat would utilize City water and sewer and would otherwise be in conformance with the comprehensive water and sewer plans.

**(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters.** The proposed Preliminary Plat would be in conformance with the ordinances governing streets, rights-of-way, curbs and gutters.

**(6) Conformance with any other standards necessary to serve the public good.** GMC §16.12.110 states that the City Council shall approve a proposed Preliminary Plat if it makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and if the public use and interest will be served by the platting of such subdivision and dedication. Here no neighbors or other residents or property owners submitted written comments or testimony at the hearing in opposition to any aspect of the proposed Preliminary Plat even though notices were mailed, posted and published inviting their input. These criteria are satisfied for the following reasons:

(a) Public health, safety and general welfare: The Preliminary Plat will provide lot sizes for the development of single-family residences that are served by public streets, curbs, gutters and sidewalks constructed to City standards.

(b) Open spaces: The Preliminary Plat is expected to have about 35% impervious surfaces when it is built out. The combination of one or more tracts devoted to the extension of the sewer line from North Euclid Road, the expected percentage of lot coverage, the required setbacks and the size of the proposed lots will provide adequate open spaces within the plat.

(c) Drainageways: The Preliminary Plat will be designed to capture, retain and infiltrate surface water on-site in accordance with City standards and the Department of Ecology Eastern Washington Stormwater Manual.

(d) Streets, alleys and other public ways: The Preliminary Plat will make appropriate provisions for streets by having public streets with curbs, gutter and sidewalks that will be constructed to City standards.

(e) Transit stops: The proposed Preliminary Plat will not be required to make appropriate provisions for transit stops because the City does not currently have a public transportation system.

(f) Potable water supplies: The proposed Preliminary Plat will make appropriate provisions for potable water supplies that will be supplied by the City.

(g) Sanitary Wastes: The proposed Preliminary Plat will make appropriate provisions for sanitary wastes by extending City sanitary sewer to the site. Wastewater in the plat will gravity flow to the existing gravity sewer in North Euclid Road, which then flows to the Forrest Road lift station.

(h) Parks and Recreation: A park is proposed for the adjacent Euclid Meadows residential plat south of the proposed Preliminary Plat. Westside Park, Vista Grande Park and Euclid Park are existing parks located within approximately one mile of the proposed Preliminary Plat.

(i) Playgrounds, schools and schoolgrounds: There are playgrounds, schools and schoolgrounds in the vicinity that will be available for children living in the plat. No testimony or written comments were submitted by the school district relative to this proposal.

(j) Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school: The Preliminary Plat will make appropriate provisions for sidewalks that will be constructed to City standards within the plat and along the North Euclid Road frontage of the plat.

(k) Other relevant facts: The Preliminary Plat will make appropriate provisions for irrigation water by providing the pipeline extension and pump which the City will take over after it is completed to City standards. It will

make appropriate provisions for fire flow by oversizing or looping the water main in a manner approved by the Public Works Director and the Fire Chief. A note will be required on the face of the plat to the effect that it is the developer's responsibility to dampen or deflect any traffic noise from I-82 that affects this property.

(l) Public use and interest: The public use and interest will be served by the Preliminary Plat by providing additional housing options within the City.

## CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following conclusions:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve combined applications for a Rezone and a Preliminary Plat per provisions of GMC §2.50.080(C)(2), §14.09.030(A)(3)(c), §16.12.090, §16.12.110 and §17.88.060 where, as here, they satisfy the zoning ordinance, subdivision ordinance and other applicable requirements and criteria for approval.

(2) The public hearing notice requirements of the Grandview Municipal Code have been satisfied.

(3) SEPA environmental review for the requested Rezone and the proposed Preliminary Plat which was completed pursuant to RCW 43.21C and GMC Title 18 resulted in the issuance of a Determination of Non-Significance (DNS) for both applications on February 25, 2022, which was not appealed.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the requested Rezone and the proposed Preliminary Plat.

(5) The public use and interest would be served by the requested Rezone and the proposed Preliminary Plat because it would provide additional housing choices within the City.

(6) The requested Rezone and proposed Preliminary Plat would be consistent and compliant with the Comprehensive Plan, the zoning ordinance, the subdivision ordinance, the applicable development standards and all of the requisite criteria for the approval of both.

(7) The Hearing Examiner's recommendations regarding the requested Rezone and the proposed Preliminary Plat will be considered and decided by the Grandview City Council at a closed record public hearing with the result that the requested Rezone can be approved, conditioned, modified or denied by the City Council. and (ii) the proposed Preliminary Plat can be approved with or without conditions if the requested Rezone from the AG Agricultural District to the R-1 Low Density Residential District is approved so as to allow the proposed 97 lots to be created for residential development on the parcel.

## **RECOMMENDATIONS**

The Hearing Examiner recommends that the City Council (i) approve the requested Rezone of Assessor's Parcel Number 230914-23002 from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approve the proposed Preliminary Plat of "Grapevine Estates" containing 97 single-family residential lots subject to the following conditions:

(1) The Preliminary Plat will be subject to all applicable provisions of GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 13 (Buildings and Construction), GMC Title 14 (Administration of Development Regulations), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions), GMC Title 17

(Zoning), GMC Title 18 (Environmental Protection), and other applicable local, state and federal requirements.

(2) A traffic impact analysis (TIA) shall be performed by a licensed traffic engineer at the proponent's expense which shall be submitted to the City and the Washington State Department of Transportation (WSDOT) for review and comment. The TIA shall analyze this project's impacts to the I-82 Exit 73 interchange ramp terminals and identify mitigation and implementation strategies to offset any significant adverse impacts which shall be subject to WSDOT approval. The TIA shall also consider other approved developments in the immediate vicinity to assure accurate projected counts.

(3) A Note shall be placed on the face of the Plat of "Grapevine Estates" stating: "I-82 is an existing facility and the applicant is proposing a more noise-sensitive land use. The proponent and future residents should be aware that this is an area with existing traffic noise. They should also expect traffic noise to continue to increase. It is the developer's responsibility to dampen or deflect any traffic noise affecting this property."

(4) Site development shall be in conformance with the current Stormwater Management Manual for Eastern Washington.

(5) The applicant shall work with the Department of Ecology to determine if an NPDES Construction Stormwater General Permit is required.

(6) Wastewater in the subdivision will gravity flow to the existing gravity sewer in North Euclid Road which then flows to the Forrest Road lift station.

(7) The water system for the plat which would be served by a single water main in North Euclid Road must meet the fire flow requirements of the City in a manner that is approved by the Public Works Director and the Fire Chief by either oversizing the water main in North Euclid Road or looping the water main to the northwest through commercial property or to the south with a connection to the Euclid Meadows development.

(8) A Note shall be placed on the face of the Plat of "Grapevine Estates" stating: "A building setback or open space buffer of at least 15 feet shall be maintained on the south frontage and on the east frontage of Lot 97."

(9) A Note shall be placed on the face of the Plat of "Grapevine Estates" stating: "Lots 40-47 must obtain the City's prior approval on a case-by-case basis to have driveway access to North Euclid Road."

(10) Additional right-of-way shall be dedicated along the North Euclid Road frontage of the plat as necessary to provide twenty five (25) feet of right-of-way from the centerline of the street, and half-street improvements required by the City shall be installed on North Euclid Road along the frontage of the plat.

**DATED** this 29<sup>nd</sup> day of March, 2022.

  
\_\_\_\_\_  
**Gary M. Cuillier, Hearing Examiner**



**CITY OF GRANDVIEW**  
**AGENDA ITEM HISTORY/COMMENTARY**  
**CITY COUNCIL MEETING**

**ITEM TITLE:**

Closed Record Public Hearing – Ronald J. Emick Comprehensive Plan Amendment and Rezone

Ordinance No. 2022-07 amending the Comprehensive Plan Future Land Use Map Designation, changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by Ronald J. Emick for Parcel No. 230924-32014 located on Highland Road, Grandview, Washington

**AGENDA NO.** Active 7 (D) & (E)

**AGENDA DATE:** April 26, 2022

**DEPARTMENT**

Planning/Hearing Examiner

**FUNDING CERTIFICATION** (City Treasurer)  
(If applicable)

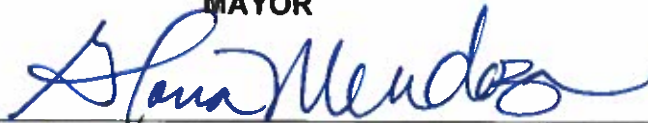
**DEPARTMENT DIRECTOR REVIEW**

Anita Palacios, City Clerk (Planning)



**CITY ADMINISTRATOR**

**MAYOR**

**ITEM HISTORY** (Previous council reviews, action related to this item, and other pertinent history)

The City received a rezone application submitted by applicant Ronald J. Emick and property owners Richard and Michelle Eucker requesting a Comprehensive Plan Amendment and Rezone of Parcel No. 230924-32014 located on Highland Road, Grandview, Washington, changing the Comprehensive Plan from industrial to residential and rezoning from M-1 Light Industrial and R-2 Medium Density Residential. The current use of the property is a vineyard.

**ITEM COMMENTARY** (Background, discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

On March 15, 2022, the Hearing Examiner conducted an open record public hearing to receive comments on the proposed rezone. A copy of the Hearing Examiner's Recommendation CPA #2022-01 AND RZ #2022-01 dated March 29, 2022 is attached.

**ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's conclusions and recommendation that the City Council approve the requested amendment to the Comprehensive Plan Future Land Use Map designation of Parcel No. 230924-32014 from the Industrial designation to the Residential designation and approve the requested Rezone of the parcel from the M-1 Light Industrial District to the R-2 Medium Density Residential District as outlined in Recommendation CPA #2022-01 AND RZ #2022-01.

Further recommend that Council approve Ordinance No. 2022-07 amending the Comprehensive Plan Future Land Use Map Designation, changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by Ronald J. Emick for Parcel No. 230924-32014 located on Highland Road, Grandview, Washington.



**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
EMICK COMPREHENSIVE PLAN AMENDMENT & REZONE**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, April 26, 2022 at 7:00 p.m.**, to consider the Hearing Examiner's recommendation that the City Council approve the following:

**Applicant(s):** Ronald J. Emick  
**Property Owner(s):** Richard & Michelle Eucker  
**Proposed Project:** Comprehensive Plan Amendment and Rezone  
**Current Comprehensive Plan Designation:** Industrial  
**Current Zoning:** M-1 Light Industrial  
**Current Use:** Concord grape vineyard  
**Proposed Comprehensive Plan Designation:** Residential  
**Proposed Zoning:** R-2 Medium Density Residential  
**Location of Project:** Highland Road, Grandview, Yakima County, Washington.  
**Parcel No.:** 230924-32014

The closed record public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, Washington and will also be available via teleconference as follows:

Please join the meeting from your computer, tablet or smartphone.

Join Zoom Meeting

<https://us06web.zoom.us/j/86083666925?pwd=T0ZtYTV2YitDamRrWmgvSStRNGRjUT09>

Meeting ID: 860 8366 6925

Passcode: 530398

To join via phone: +1-253-215-8782

Meeting ID: 860 8366 6925

Passcode: 530398

A copy of the Hearing Examiner's recommendation is available at no charge from the City Clerk's Office, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200 or [anitap@grandview.wa.us](mailto:anitap@grandview.wa.us).

**CITY OF GRANDVIEW**

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – April 6, 2022

**CITY OF GRANDVIEW  
CITY COUNCIL**

**CLOSED RECORD PUBLIC HEARING PROCEDURE**

**THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS AND TO CREATE OR SUPPLEMENT THE HEARING RECORD:**

**MAYOR**

Tonight's closed record public hearing will include the following land use proposal:

**Applicant(s):** Ronald J. Emick

**Property Owner(s):** Richard & Michelle Eucker

**Proposed Project:** Comprehensive Plan Amendment and Rezone

**Current Comprehensive Plan Designation:** Industrial

**Current Zoning:** M-1 Light Industrial

**Current Use:** Concord grape vineyard

**Proposed Comprehensive Plan Designation:** Residential

**Proposed Zoning:** R-2 Medium Density Residential

**Location of Project:** Highland Road, Grandview, Yakima County, Washington.

**Parcel No.:** 230924-32014

The closed record public hearing will now begin:

1. This hearing must be fair in form and substance as well as appearance, therefore:
  - a. Is there anyone in the audience who objects to my participation as Mayor or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
  - b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?
  - c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.
  - d. Thank you, the hearing will continue.  
(or)  
At this point, Councilmember \*\*\*\*\* will be excusing him/herself from the

meeting. [Ask Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Council to review the record and consider the pertinent facts relating to this issue.
3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.
4. The record generated will be provided by staff. Staff will now provide a review of the record.
5. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

6. If clarification of the record is authorized:
  - a. When you address the Council, begin by stating your name and address for the record.
  - b. Speak slowly and clearly.
  - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
7. Now that we have reviewed the record concerning this issue, this subject is open for decision. Council may:
  - a. Approve as recommended.
  - b. Approve with conditions.
  - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
    - i. Enlarge the area or scope of the project.
    - ii. Increase the density or proposed building size.
    - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
    - iv. Deny (re-application or re-submittal is permitted).
    - v. Deny with prejudice (re-application or re-submittal is not allowed for one year).
    - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

**ORDINANCE NO. 2022-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP  
DESIGNATION, CHANGING THE ZONING CLASSIFICATION OF CERTAIN LANDS  
AND AMENDING THE ZONING MAP OF THE CITY OF GRANDVIEW AS  
REQUESTED BY RONALD J. EMICK FOR PARCEL NO. 230924-32014 LOCATED  
ON HIGHLAND ROAD, GRANDVIEW, WASHINGTON**

**WHEREAS**, the City of Grandview Hearing Examiner, upon application and after due notice pursuant to Grandview Municipal Code Chapter 14, conducted an open record public hearing on March 15, 2022 upon an application to amend the Comprehensive Plan Future Land Use Map Designation and to Rezone Parcel No. 230924-32014 located on Highland Road, Grandview, WA, which was duly filed by Ronald J. Emick; and

**WHEREAS**, the Hearing Examiner, after receiving public comments and reviewing the staff report containing staff's findings of fact, issued his recommendations dated March 29, 2022 entitled CPA #2022-01 and RZ #2022-01, copy attached, recommending said Comprehensive Plan Future Land Use Map designation amendment and Rezone applications to the City Council for approval; and

**WHEREAS**, the City Council of the City of Grandview, after due notice pursuant to Grandview Municipal Code Chapter 14, conducted a closed record public hearing for said rezone on April 26, 2022 to consider the conclusions and recommendations by the Hearing Examiner; and

**WHEREAS**, the City Council, after reviewing the Hearing Examiner's conclusions and recommendations, and having deliberated upon said matter, accepted the Hearing Examiner's recommendations as their own and approved the Ronald J. Emick Comprehensive Plan Future Land Use Map designation amendment and Rezone CPA #2022-01 and RZ #2022-01.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The City of Grandview Comprehensive Plan Future Land Use Map and the City of Grandview Zoning Map, copies of which are on file in the office of the Grandview City Clerk, be, and the same are hereby amended for Parcel No. 230924-32014 consisting of 23.85-acres located on the south side of the 600 block of Highland Road about 385 feet east of Elm Street, Grandview, WA, as follows, to-wit:

- Comprehensive Plan Future Land Use Map amended from Industrial to Residential; and
- Zoning Map amended from M-1 Light Industrial to R-2 Medium Density Residential District.

**Section 2.** This ordinance shall be in full force and effect five (5) days after its passage and publication as required by law.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on April 26, 2022.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**PUBLISHED: 4/27/22**  
**EFFECTIVE: 5/2/22**

**City of Grandview, Washington  
Hearing Examiner's Recommendations**

**March 29, 2022**

**In the Matter of Application for a )  
Comprehensive Plan Amendment )  
And for a Rezone Submitted by: )  
Ronald J. Emick )  
To Amend the Comprehensive )  
Plan Future Land Use Map )  
Designation from Industrial )  
To Residential and Rezone )  
A Parcel on Highland Road )  
From the M-1 Light Industrial )  
District to the R-2 Medium )  
Density Residential District )**

**CPA #2022-01  
RZ #2022-01**

**A. Introductory Findings.** The introductory findings relative to the hearing process for these applications may be summarized as follows:

(1) The Hearing Examiner conducted an open record public hearing for these applications on March 15, 2022.

(2) Jeff Watson, Senior Planner of the Yakima Valley Conference of Governments serving as Planner for the City of Grandview, presented the staff report which recommended approval of both the Comprehensive Plan amendment application and the Rezone application. He also detailed some of the conditions that would be applicable to future residential development of the property if the applications are approved.

Ronald J. Emick, Applicant  
Comprehensive Plan Amendment  
From Industrial to Residential and  
Rezone from M-1 Light Industrial  
To R-2 Medium Density Residential  
CPA #2022-01 and RZ #2022-01

(3) City Administrator/Public Works Director Cus Arteaga answered questions that were asked, and City Clerk Anita Palacios indicated that a written comment was received from the Washington State Department of Transportation relative to this application.

(4) The applicant, Ronald J. Emick, testified that he has built housing for 50 years, that he built housing near the airport in Prosser in 2015, that he likes this property south of Highland Road because of the existing residential development on the north side of Highland Road in this location, and that he hopes to develop this property in the future with a mix of single-family residences and duplexes.

(5) No one submitted written comments or testimony in opposition to these applications.

(6) The recommendations for these applications have been issued within 14 days of the open record public hearing as required by Subsection 14.09.030(A)(4) of the Grandview Municipal Code (GMC).

**B. Summary of Recommendations.** The Hearing Examiner recommends that the Grandview City Council approve the requested amendment to the Comprehensive Plan Future Land Use Map designation of the subject parcel from Industrial to Residential and the requested Rezone of the parcel from the M-1 Light Industrial District to the R-2 Medium Density Residential District.

**C. Basis for Recommendations.** Based upon a view of the site without anyone else present on March 15, 2022; the information contained in the staff report, exhibits, testimony and other evidence presented at an open record public hearing on March 15, 2022; and a consideration of the standards and criteria for approval of amendments to Comprehensive Plan Future Land Use Map designations and for approval of Rezones; the Hearing Examiner makes the following:



## **FINDINGS**

**I. Applicant/Property Owners.** The applicant is Ronald J. Emick, 19905 South 1745 PRSW, Prosser, Washington 99350, and the property owners are Richard and Michelle Eucker, P.O. Box 9, Grandview, Washington 98930.

**II. Location.** The location of the 23.85-acre parcel is on the south side of the 600 block of Highland Drive about 385 feet east of Elm Street. It is currently a vineyard. The Assessor's Parcel Number is 230924-32014.

**III. Proposal.** These applications request approval of an amendment to the Comprehensive Plan Future Land Use Map designation of the subject parcel from the Industrial to the Residential designation and also approval of a Rezone from the M-1 Light Industrial District to the R-2 Medium Density Residential District.

**IV. Floodplain, Shoreline and Other Critical Area.** The subject parcel is not within or near a floodplain, a shoreline regulated by the Shoreline Master Program or other critical area regulated by Chapter 18.06 of the Grandview Municipal Code (GMC).

**V. Public Notice.** Public notice of the open record public hearing of March 15, 2022, was given in the following ways pursuant to GMC §14.07.030(B):

Notice mailed to owners of property within 300 feet: February 3, 2022  
 Notice posted at City Hall, Library, Police Dept. & website: February 3, 2022  
 Notice posted in three places on the property: February 9, 2022  
 Notice published in the Grandview Herald: February 9, 2022

**VI. Environmental Review under the State Environmental Policy Act**

**(SEPA).** The City distributed a Notice of Application and Public Hearing under the optional DNS process of WAC 197-11-355. During the comment period, Paul Gonseth of the Washington State Department of Transportation submitted a letter dated February 15, 2022. Although it indicates support of the applications, it also indicates that Exit 75 which is the closest access to I-82 will be impacted by future development and that impacts should be mitigated in ways normally detailed in a Traffic Impact Analysis to be obtained by the developer. The City’s SEPA Responsible Official, Cus Arteaga, issued a final SEPA Determination of Non-Significance on February 25, 2022. It was not appealed.

**VII. Zoning and Land Uses.** The parcel under consideration is currently zoned M-1 Light Industrial. Adjacent properties have the following characteristics:

<i>Direction</i>	<i>Zoning</i>	<i>Comprehensive Plan</i>	<i>Land Use</i>
North:	R-1 Low Density Residential	Residential	Residential
South:	M-1 Light Industrial	Industrial	Agricultural
East:	AG Agriculture (County)	County Agricultural Resource	Agricultural/ Residential
West:	R-1 Low Density Residential	Residential	Single-Family Residential

**VIII. Standards and Criteria for Approval of Amendments to Future Land Use Map Designations.** Chapter 17.90 of the Grandview Municipal Code provides that recommendations shall be made to the Grandview City Council regarding amendments to Comprehensive Plan Future Land Use Map designations. The following standards and criteria for consideration of amendments to the Comprehensive Plan Future Land Use Map designations set forth in the Grandview Comprehensive Plan Administration Element, Part IV, apply to the City's application in the following specific ways:

(1) **The proposal is consistent with the provisions of the GMA and other applicable state planning requirements.** The requested amendment to the Future Land Use Map designation of the parcel involved in this application will be consistent with Growth Management Act provisions and applicable state planning requirements so long as all of the standards and criteria for its approval are satisfied and zoning consistent with the amended designation is adopted.

(2) **The proposal is consistent with and will help implement the goals, objectives, and policies of this plan.** Land Use Policy 4.3 generally discourages the abutment of industrial zoned property to residential zoned property. Granting the requested Comprehensive Plan amendment would reduce the linear footage of industrial zoned property abutting residential zoned property. Comprehensive Plan Housing Element Goal 1 is to provide safe and sanitary housing for all persons within the community. Objective 1 is to encourage the construction of new units to increase the local housing supply. Goal 2 is to establish and maintain residential areas that are safe, sanitary and attractive places to live.

(3) **Required changes to the implementing regulations are identified prior to adoption of the proposed change and are scheduled for revision so that these implementing regulations remain consistent with the Comprehensive Plan.** To implement the requested amendment of the Future Land Use Map designation for the subject parcel from Industrial to Residential, the parcels will need to be rezoned from the M-1 Light Industrial District to a residential zone such as the R-2 Medium Density Residential District.

**(4) The proposal will increase the development or use potential of a site or area without creating significant adverse impacts on existing sensitive land uses or on other uses legally existing or permitted in the area.** The Determination of Non-Significance (DNS) for this application determined that the proposal would not result in any probable significant adverse environmental impacts. The DNS became final without an appeal. Implementation of the requested Residential designation would avoid impacts to sensitive land uses.

**(5) The proposal is an extension of similar adjacent use or is of sufficient size to make the proposal logical.** The requested Residential Future Land Use Map designation of the subject parcel would be an extension of the Residential designation to the north and west of the parcel. It would also be an extension of similar adjacent residential uses that currently exist to the north of the parcel.

**(6) The traffic generated by the proposal will not unduly burden the traffic circulation systems in the vicinity. The collector and arterial system currently serves or can concurrently be extended to serve the proposal, as needed.** Future development will be subject to GMC Chapter 14.10 requirements relative to Transportation Concurrency Management to determine if the additional traffic resulting from a proposed development will require improvements to the traffic circulation systems in the vicinity.

**(7) Adequate public facilities exist or can be concurrently developed to serve the proposal.** Adequate public facilities either exist or can be developed to serve residential uses on the parcel involved in this request.

**(8) The other characteristics of the proposal are compatible with those of other uses in the vicinity.** The requested Residential designation of the parcel involved in this application would be compatible with adjacent and nearby residential uses that already exist in the area.

**(9) The other uses in the vicinity of the proposal are such as to permit the proposal to function properly.** The adjacent and nearby residential uses in the area of the subject parcel and the infrastructure which serves those residential uses can be extended and improved to permit residential uses to function properly on the subject parcel.

**(10) If the proposal has significant adverse impacts beyond the City limits, the proposal has been jointly reviewed by Yakima County.** The requested

amendment of the Future Land Use Map designation to Residential is not expected to have any significant adverse impacts beyond the City limits. Adjacent County parcels to the east are developed with residential and agricultural uses that would not experience significant adverse impacts from future residential development on the subject parcel. No comments were received from Yakima County regarding the SEPA review of this proposal. The City's Determination of Non-Significance for the requested Comprehensive Plan amendment became final without an appeal by the County or by any other person or entity.

(11) **Any other similar considerations that may be appropriate to the particular case.** The requested amendment of the Future Land Use Map designation to Residential will help meet an unprecedented and unforeseen need and demand for additional housing within the City and will not deprive the City of land needed for industrial development. The evidence presented at the hearing indicated that more than half of the 800+ acres currently designated as Industrial are still available for industrial development. Since RCW 36.70A.130(5)(C) mandates a Comprehensive Plan update by June 30, 2026, the City will in less than two years begin a complete reassessment of the City's growth projections and land use needs for the following 20-year planning window. In the meantime there will be ample property designated and zoned for industrial uses to meet the demand for that type of development in the City for the next four years until the updated Comprehensive Plan reassessment of land use needs is completed.

**IX. Standards and Criteria for Rezones.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of either the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days notice of public hearings by publication, mailing and posting. GMC §14.03.040(A)(4), GMC §14.09.030(A)(4) and GMC §17.88.020(A)(2) provide that a recommendation is to be made to the City Council regarding rezones in accordance with GMC Title 14. GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4) provide applicable procedures. GMC §14.01.040(H)

defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits or variances. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to recommend approval of a proposed development such as a rezone without making the following findings and conclusions:

**(1) The development (proposed Rezone) is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** As explained above in Subsection VIII(2) of these recommendations, the zoning of the subject 23.85-acre parcel is recommended by the City's Planner and Hearing Examiner to be the R-2 Medium Density Residential District which would be consistent with the intent of the requested 2016 Comprehensive Plan "Residential" designation and which would also be consistent with the policies of the 2016 Comprehensive Plan. A Rezone to that district would not be consistent with the Comprehensive Plan if the Comprehensive Plan designation is not changed from Industrial to Residential. The requested Rezone to the R-2 zone would meet the requirements and intent of the City's zoning ordinance so long as that zone satisfies all of the following criteria for approval of a Rezone.

**(2) The development (proposed Rezone) makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** Drainage, street, irrigation water, domestic water and sanitary waste improvements, as well as other improvements, may be required of a developer in the future depending upon the nature of the residential development. Existing utilities are available in the area which may be extended and improved to serve future development of R-2 Medium Density Residential District uses on the subject parcel.

**(3) The development (proposed Rezone) adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The proposed Rezone has been determined to lack any probable significant adverse impacts on the environment through the SEPA Determination of Non-Significance that was issued pursuant to GMC Title 18 on February 25, 2022, as the final threshold determination.

**(4) The development (proposed Rezone) is beneficial to the public health, safety, morals and welfare and is in the public interest.** The requested Rezone is beneficial to the public health, safety, morals and welfare and is in the public interest because it can serve in the future as a site for additional residential uses within the City. The permitted uses in the R-2 Medium Density Residential District are single-family dwellings, duplexes, churches and similar places of worship, as well as gardening and fruit raising on vacant parcels. Residential uses on the subject parcel would be compatible with nearby residential uses. There currently is more demand for additional residential uses than for additional industrial uses in the City. Any future residential development of the subject parcel would be required to comply with the requirements of GMC Title 12 relative to Streets, Sidewalks and Public Places; Title 13 relative to Public Places; Title 14 relative to Administration of Development Regulations; Title 15 relative to Buildings and Construction; Title 16 relative to Subdivisions; Title 17 relative to Zoning; and Title 18 relative to Environmental Protection. Any future development may also be required to mitigate potential negative impacts to abutting agricultural zones and uses; to have a traffic impact analysis prepared and submitted to the City and WSDOT to identify mitigation and implementation strategies to offset significant adverse transportation impacts; to develop the parcel in conformance with the current Stormwater Management Manual for Eastern Washington; to work with the Department of Ecology to determine if an NPDES Construction Stormwater General Permit is required prior to development; and to otherwise comply with City development requirements.

**(5) The development (proposed Rezone) does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.** No development is proposed at this time and any future development will be subject to the Transportation Concurrency Management requirements of GMC Chapter 14.10. There is no indication in the record that the development of R-2 Medium

Density Residential uses on the subject parcel would lower the level of service of transportation below the minimum standards specified by the Comprehensive Plan so long as necessary improvements are made to accommodate the increased traffic that the future development would generate. If the development would result in a level of service lower than those specified by the Comprehensive Plan, the development could be approved subject to incorporating improvements or strategies concurrent with the development that would raise the level of service. The term “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.** Here this criterion is not applicable because there is no land proposed for dedication at this time, but that may be required as a condition of future development of the subject parcel.

In addition, Section 17.88.060 of the Grandview Municipal Code provides that the Hearing Examiner shall enter findings for a Rezone indicating whether the following additional criteria are satisfied:

**(1) Whether the proposal is in accord with the goals and policies of the Comprehensive Plan.** A Rezone of the 23.85-acre parcel to the R-2 Medium Density Residential District would be in accord with the goals and policies of the 2016 Comprehensive Plan set forth above in Subsection VIII(2) of these recommendations.

**(2) Whether the effect of the proposal on the immediate vicinity will be materially detrimental.** The requested R-2 Medium Density Residential District zoning for the 23.85-acre parcel will not be materially detrimental to the immediate vicinity and will have merit and value for the community as a whole. The subject parcel is adjacent to existing residential development to the north and residences that are also located to the east and west. Although notice was given to nearby



property owners by mailing, posting and publication, no members of the public submitted written comments or testimony in opposition to the requested R-2 zoning of the subject parcel.

**(3) Whether there is merit and value in the proposal for the community as a whole.** There is merit and value in the recommended zoning of the subject parcel for the community as a whole because it can provide an area for residential development in the future that will provide needed additional housing in the City to help the City meet its unprecedented and unforeseen demand for additional housing in locations that will not adversely impact critical areas.

**(4) Whether conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** There is no need for conditions to be imposed in order to mitigate significant adverse impacts from the recommended zoning. The City's SEPA Determination of Non-Significance determined that no likely significant adverse environmental impacts will result from the requested amendment of the Comprehensive Plan designation or the Rezone.

**(5) Whether a development agreement should be entered into between the City and the petitioner and, if so, the terms and conditions of such an agreement.** There is no need for a development agreement between the City and the applicant or property owners at this time as a condition for approval of the requested R-2 zoning because there is no specific proposal as to how the property will be developed for residential uses in the future. The City may in its discretion require a development agreement when a specific development plan is proposed.

## CONCLUSIONS

Based upon the Findings, the Hearing Examiner concludes as follows:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve amendments to Comprehensive Plan Future Land Use Map designations and Rezones.

(2) The public hearing notice requirements of the Grandview Municipal Code have been satisfied.

(3) SEPA environmental review completed pursuant to RCW 43.21C resulted in the issuance of a Determination of Non-Significance on February 25, 2022, which was not appealed.

(4) Sufficient water, sewer and street capacity can be provided for R-2 residential development that could be approved for the parcel in the future if the requested Comprehensive Plan amendment and Rezone are approved.

(5) The requested Comprehensive Plan amendment and Rezone would be compatible with adjacent and nearby residential land uses.

(6) The public use and interest would be served by the requested Comprehensive Plan amendment and Rezone.

(7) The requested Comprehensive Plan amendment and Rezone satisfy all of the standards and criteria for their approval.

## RECOMMENDATIONS

The Hearing Examiner recommends that the Grandview City Council approve the requested amendment to the Comprehensive Plan Future Land Use Map designation of Assessor's Parcel Number 230924-32014 from the Industrial designation to the Residential designation and approve the requested Rezone of the parcel from the M-1 Light Industrial District to the R-2 Medium Density Residential District.


DATED this 29<sup>th</sup> day of March, 2022.

  
\_\_\_\_\_  
Gary M. Cullier, Hearing Examiner

Ronald J. Emick, Applicant  
Comprehensive Plan Amendment  
From Industrial to Residential and  
Rezone from M-1 Light Industrial  
To R-2 Medium Density Residential  
CPA #2022-01 and RZ #2022-01

Yakima County GIS - Washington  
**Land Information Portal**

Yakima County Assessor  
 Yakima County GIS  
 Yakima County



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MapScale: 1 inch = 300 ft.

Overlays: Aerial Photography:  FEMA  Critical Areas  Contours  Utilities

MapSize: Small (800x600)

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Map Report

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Easting(N) | Northing(N)  
 Longitude(E) | Latitude(N)

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One Inch = 300 Feet  
 Feet 200 400

PROPERTY PHOTOS: 1		PROPERTY INFORMATION AS OF 4/16/2022 1:06:18 AM				PRINTING				
	Parcel Address:	UN-ASSIGNED, WA				Printer-Friendly Page				
	Parcel Owner(s):	RICHARD & MICHELLE EUCKER								
	Parcel Number:	23092432014	Parcel Size:	23.85 Acre(s)						
	Property Use:	83 Current Use Agricultural								
TAX AND ASSESSMENT INFORMATION										
Tax Code Area (TCA):		440	Tax Year:		2022	Detailed Report				
Improvement Value:		\$57800	Land Value:		\$178900					
Current Use Value:		\$55130	Current Use Improvement:		\$57800					
New Construction:		\$0	Total Assessed Value:		\$112930					
RESIDENTIAL INFORMATION										
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4, 1/2)	Garage (bsmt/att/b/tin)	Carport	SECTION MAPS
No Residence Information Found.										
SALE INFORMATION							Qtr SECTION MAPS			
Excise	Sale Date	Sale Price	Grantor		Portion					
433483	11/8/2013	\$645000	KERCHEVAL, VIRGINIA T		N					
DISCLAIMER							NW-Qtr 1"=200ft	NE-Qtr 1"=200ft		
While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or <a href="mailto:small.us">small.us</a> .							SW-Qtr 1"=200ft	SE-Qtr 1"=200ft		

OVERLAY INFORMATION			
Zoning:		Jurisdiction:	Grandview
Urban Growth Area:	Grandview	Future Landuse Designation:	(Yakima County Plan 2015)
FEMA 100 Year:	FEMA Map	FIRM Panel Number:	53077C2282D
Download Map			
LOCATION INFORMATION			
+ Latitude: 46° 15' 00.089"		+ Longitude: -119° 53' 25.424"	
Range: 23 Township: 09 Section: 24			
Narrative Description: Section 24 Township 09 Range 23 Quarter SW: NW1/4 SW1/4 AND W1/2 W1/2 NE1/4 SW1/4 EX S 448.3 FT N MEAS AL W LN OF NW1/4 OF SW1/4 AND EX W 396 FT OF SD NW1/4 OF SW1/4 AND EX N 17 FT OF W 532 FT OF NW1/4 OF SW1/4 AND EX COM AT PT ON N LN OF NW1/4 OF SW1/4 811 FT E OF NW COR, TH S 70 FT, TH E 50 FT, TH N 70 FT, TH W 50 FT TO POB AND EX N 20 FT FOR RD R/W			
DISCLAIMER			
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION			