

City of Sumner

**PLANNING COMMISSION
MINUTES**

Regular Meeting

**November 4, 2004
7:00 p.m.
Sumner City Hall 1104 Maple Street**

CALL TO ORDER

WALTER called the meeting to order at 7:04 p.m.

ROLL CALL

Members Present: Ganz, Hannus, Morrison, Powers and Walter

Members Absent: Bush (notified) Myers (notified)

Also Present: Ryan Windish, Senior Planner

APPROVAL OF MINUTES

GANZ made a correction to the October 7, 2004 regular meeting minutes. On page 6 of 11, where it states that Auburn and Orting are as large as Sumner, that sentence should be deleted.

GANZ motioned to approve the October 7, 2004 regular meeting minutes as corrected. POWERS seconded the motion and it passed unanimously.

PUBLIC COMMENT

There was no Public Comment.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

WALTER explained to the public in attendance, the rules and guidelines of public comment, and explained that the limit on public comment is 5 minutes, giving everybody an opportunity to speak. She further explained that no action would be taken on the 2004 Comprehensive Plan Update at this meeting

1. 2004 Comprehensive Plan Update (Public Hearing)

WINDISH reviewed Staff's Report by power presentation as outlined below. Public comment was given on each area affected by the 2004 Comprehensive Plan Update after presentation of the same.

Background Overview:

This is the 10- year update to the 1994 Comprehensive Plan, as mandated by the Growth Management Act. There have been general changes in policy. These changes are available on line for review. The Town Center Plan is also a part of this proposal, along with an update to the Economic Development Element, Map Amendments, and finally East Sumner. These changes all support planning for new growth.

Next Steps:

- Planning Commission Decision (Dec-Jan)
- City Council Public Hearing (Jan-Feb)
- City Council Decision (Feb-Mar).

East Sumner Neighborhood Plan Area:

The East Sumner Neighborhood Plan was a Council initiated proposal. This plan includes eliminating East Sumner Neighborhood Commercial, making the area General Commercial. WINDISH discussed the plan at the map (Location Specific Map – East Sumner Neighborhood Area). WINDISH noted that there was an error on the map, and that a modified map has been distributed to all.

Public Comment:

GENE GATSOS, Mountain View Estates (15904 – 67th St. Ct. East), appeared. He was looking at the new proposal changing from Neighborhood Commercial to General Commercial, and that was going to change his environmental impact statement. In going over that, he had a few questions to the Commission as to any feasibility study as to the pipeline that runs to the north side. Commercialization of that area is going to happen. With the age of that pipeline, what is going to happen if there is a proposal by the State to expand highway 410 for more access? They have been there 13 years. They have seen quite a bit of traffic going through there and stoppage. Their back yard is against 410, so they hear all the noise. If they were to take and move the pipeline to the south side, next to the road and Sumner Tractor, it would give greater possibility for expansion of those properties. About 49 feet of easement has to be granted for the pipelines going through there. If that were moved, it would create greater easement access and more potential for the commercial customers who want to come in and purchase the land for commercial usage. They would have a greater potential for larger buildings and more parking space. There is a little wedge there adjacent to the green house where Mr. Bruno is putting up residential. That could also be fencing for more residential if that were to be part of the Commission's choice too, and allowing residential to go back up against the east side of Mountain View Estate, or to the west side of that property line. Those are some considerations that he will be proposing and he just want to bring that around now at this time.

LOREN COMBS, 1102 Broadway, Tacoma, appeared. He represents John and Jackie Beckholm, who own approximately 7 ½ acres of land from the very western boundary of the proposed East Sumner Neighborhood area map change. Their property address is 6108 160th Ave. East. The proposal has been rezoned to low density residential. He thanked the City and Ryan Windish for their work. The City of Sumner has put together, over the last couple of years, a great plan and so has the Public Works Department. Having originally ran and practiced law in this area for the last almost 30 years, the change is phenomenal. They support this change. A number of people have been pounding on his clients' door saying that they want to develop in a portion of that new plan. They want to be a part of this, and they want to build a development that everyone will be proud of. His clients also want that as well, and they want to create a project that is developed that the City will be proud of and it will further meet the intent and purpose of what we are trying to do. On behalf of his clients, he would like to say that they highly support what the City is doing out there. It has been a long time coming. The City has obviously spent a

lot time thinking about it and they encourage the Planning Commission to recommend approval of The East Sumner Neighborhood Plan.

DEAN SNECKVICK, 6211 160th Avenue East, appeared. He had a couple of concerns with regard to the proposed changes, not necessarily proposed on this map. His concern is with 62nd Avenue, which runs east and west to the middle of Sumner. He has not seen any recent traffic studies. In the last one done there was going to be a considerable amount of traffic generated in East Sumner. As he understood it, 62nd and 64th were going to split that traffic and kind of give some relief for Valley Avenue and they would get another entrance to Hwy 410. If that is done, and if the traffic is as high as he expects it will be, he is a little concerned about residential uses right up against those streets. If we have residential with mixed use, we could have it upstairs or behind those buildings to maybe make it a little bit safer for the children that are going to be living in the area, as well as create a buffer for the noise. Those are his main concerns.

Location – Specific Map Amendments

WINDISH noted that the following criteria listed in the Zoning Code (SMC 18.56.147(N)), must be met for approval of the requested amendments:

- 1) An amendment is necessary to resolve inconsistencies between the Sumner comprehensive plan and other city plans or ordinances; or, to resolve inconsistencies between the Sumner comprehensive plan and other jurisdictions' plans or ordinances;
- 2) Conditions have so changed since the adoption of the Sumner comprehensive plan that the existing goals, policies, objectives, and/or map classifications are inappropriate;
- 3) The proposed amendments is consistent with the overall intent of the goals of the Sumner comprehensive plan;
- 4) The proposed amendment is consistent with chapter 36.70A RCW (Growth Management Act), the county-wide planning policies (CWPP) for Pierce County, and the applicable Multi-county planning policies (VISION 2020);
- 5) Where an amendment to the comprehensive plan map is proposed, the proposed designation is adjacent to property having a similar and compatible designation, or the subject property is of sufficient size, or other conditions are present;
- 6) Environmental impacts have been disclosed, and measures have been included to reduce adverse impacts; and
- 7) Potential ramifications of the proposed amendment to other comprehensive plan elements and supporting plans have been considered and satisfactorily addressed.

7306 Orting Hwy (PLN2003-00072):

WINDISH reviewed PLN2003-00072, 7306 Orting Hwy. The Applicant is requesting a Comprehensive Plan map amendment and rezone of 1 acre from Low Density Residential – 7.2 to commercial. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2003-00072, 7306 Orting Hwy, Staff is recommending denial.

ERIC LANSFORD, 7306 Orting Hwy, Applicant, appeared. He is the homeowner and the Applicant for the rezoning. He did not know this was going to cause such a stir. He is a one-man operation, a mortgage broker. Orting Hwy is adjusting and it is growing and changing and granted, within the little area around his place, it is specifically residential. He believes that residential-commercial would be consistent with the area, considering that across the street there is a new home daycare, and down the street a little further there is an in home beauty salon. Up and down Orting Hwy, it is for the most part a residential commercial area. There are some areas that are considerably more commercial than not. What he is trying to do is not be the catalyst necessarily to encourage commercial, but simply, literally just hang a sign. That is what he brought here tonight to show the Commissioners. The sign is very consistent with a sign that would be a "Welcome Signs" or a "Lansford Home" sign, not a neon sign. He has been a Sumner resident

for 7 years, he has three little girls. He is not trying to cause waves. He just wants to simply hang a sign. There was a petition that was originally sent around. When it first came around they were told outlandish stories. The rescission that he actually proposed through the petition was not that they support him or hinder him, or stand in opposition, but simply to rescind from that. He does have two letters from adjacent neighbors who do support the rezoning, simply due to the fact that Orting Hwy is changing and it is growing and it is becoming more of a commercial atmosphere.

Public Comment:

JEFF RAMSDALE, 7302 Orting Hwy, appeared. He is opposed to this rezoning because of the amount of traffic that there is in that area. There is a time in the evening time where 410 has people parked along the side of the highway there. In the morning times they have people back up all the way to the Puyallup River and it is hard to get in and out. Until the State of Washington changes that, he is definitely opposed to any rezone.

GLADYS RAMSDALE, 7302 Orting Hwy, appeared. She owns property to the north of the proposed application for commercial. She has lived there 45 years. She does not believe that the Orting Hwy from the bridge to the freeway should have commercial zoning there. She thinks it should be residential. If they want to have stop and go traffic, it should be farther south and not in the City of Sumner. She has also been vilified in a letter that is in the pamphlet, which is not true, and she does not think that this is the time to answer it. It shall be answered in a court about libel.

1418 Wood Avenue (PLN2003-00073):

WINDISH reviewed PLN2003-00073, 1418 Wood Avenue. The Applicant is requesting a Comprehensive Plan map amendment and rezone of 0.4 acre from Medium Density Residential to light industrial or commercial. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2003-00073, 1418 Wood Avenue, Staff is recommending approval.

Public Comment: There was no public comment.

207 Valley Avenue (PLN2003-00074):

WINDISH reviewed PLN2003-00074, 207 Valley Avenue. The Applicant is requesting a Comprehensive Plan map amendment and rezone of 1 acre from Low Density Residential – 8.5 to commercial. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2003-00074, 207 Valley Avenue, Staff is recommending denial.

ROD SCHRENGOYST, 207 Valley Avenue, Applicant, appeared. His mom lived at 207 Valley Avenue a long time. His mother is dying, and at this time he is deciding what he wants to do with her property. The long term plan is that he wants to keep the house. He feels the plan is consistent with what the City Staff has in mind for the Sumner's character goals. He wants to save the house. It is a historic home and everybody agrees that it is the character of Sumner that we all love and want to maintain. His goal is to save the house at all costs. He and his father have invested everything that they had over the years into that place. When they bought it, being next to the freeway interchange, it was a dilapidated rental. They completely restored that home. It was built in 1901 and has only had two other owners, both Mayors of Sumner, the Ryan Family and them. There is a lot of history there. His approach to saving the house is to make it a commercially viable property as the residence is no longer valuable. Anyone who is going to buy a home with that character and value, is not going to buy it next to a freeway interchange and bordered by a State highway, they are going to buy it in a gated community or a nicer neighborhood, but not fronting the freeway. Unfortunately, just as his dad told him when they bought the property together, it is not always going to be a residential property. It can no longer be sold as a residence. He is trying to find a way to put a use into the house that will take the house and make it possible for him to keep the house there and not turn it into a rental and let it go down hill. His father's lawyer's office, Vernon Scales,

is in an old home in Sumner. When Mr. Duffy built his law office out on East Main, he built it to look like their house. It is a brand new building that looks like a 1900 Victorian. If you look at some of the beautiful homes around Puyallup and Sumner that have been saved, most of them have been saved because of the permission to turn them into a commercial property. Keith Peterson, who used to be the Mayor of Sumner, bought a house that Mr. Meeker built on the corner of Pioneer and 5th over in Puyallup. It is now the home of the Puyallup Chamber of Commerce. It was a dilapidated rental and he saved it. Now it is a beautiful asset to the community in Puyallup. The Kirkhill Mansion was a dilapidated home for years and years and only the commercial use brought that property back around. There are numerous examples of old homes that have been saved by commercial use. His thought is that turning it into a neighborhood commercial use would not increase the traffic. Things like law offices or hair salons do not have a lot of traffic. They also do not have pedestrian activity associated with it. Having this property disconnected from other commercial uses does not necessarily cause a problem with pedestrians. Nobody is walking to a law office, nobody is walking to the hair salon, they drive there. Allowing commercial would be very consistent with their house. There is plenty of land for parking and access. They can put multiple driveways in there to get in and out. The opposition believes that it would be inconsistent with the residential area. There is no longer a residential area. There is one other house. The laws tend to prohibit spot zoning. They want it to be a zone and not spot zoning. They have become a de facto spot zone. The City has let everything around them change. There are no more houses left. There is one house surrounded by an office building which the Church was able to do without coming to the City because they are a church. There is a church, a huge parking lot, and next to the church office building is another church, and then there is a school. There are no more houses on that side of the street all the way into Sumner. They are on an interchange so there are no houses there. The character impacts nobody. If they cannot have a commercial use, it would mean he has to get rid of that house and put the highest density residential there that he can put in. He will lose money if he tries to sell the residence. He will lose his 30 years of investment if he tries to sell it as a residence. He thinks we all want the same thing, and that is to save that beautiful home, and save the property, and keep it looking the way it is. That is his goal. It is important to him as a person. That house has a lot of emotion tied up with it. His family has been in the City of Sumner for six generations, so they are not going anywhere.

Public Comment:

VERNON SCALES, Ryan Avenue, appeared. He did not come here to comment on Rod Schrengohst's property, he came to watch some of the other fireworks that may still be happening. He wanted to add, however, to Rod's comments. He completely agrees with everything he said. He covered every point he could. His parents put a lot of work into saving that house and making it the nice piece of property that it is. It is very isolated. Rod is not sitting next to a church. This is not a neighborhood type area. If you are familiar with that piece of property, it is not freeway- house-church-house-house, it is freeway, the Schrengohst's house, a huge parking lot, and somewhere in there is a church and there is what started out as a driveway, that due to an easement problem is actually now a roadway. There is a house hidden behind there that is isolated also. This is not his idea of a neighborhood. It is nice to note that Rod's mother can walk or ride, or be carried from the parking lot, but people are not going back and forth to the Schrengohst's property. The first thing they are going to have to do is wait. They almost need a stoplight where the driveway is to the church, and the neighborhood is beyond that. He is absolutely right, it is completely de facto spot zoned. He just wanted to add his comments. He was not paid to come in and do anything else like that. He would urge reconsideration of this.

15615 Elm Street (PLN2003-00075):

WINDISH reviewed PLN2003-00075, 15615 Elm Street. The Applicant is requesting a Comprehensive Plan map amendment and rezone of 0.52 acre from Low Density Residential – 12 to High Density Residential. Staff recommends expanding this request to include surrounding properties and therefore totals 5.7 acres. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2003-00075, 15615 Elm Street, Staff is recommending approval.

Public Comment:

BRIAN KAPLAN, 5001 Parker Road East, appeared. The last slide made him laugh about the proposed traffic light in 2025. He has been a resident now two years at 5001 Parker Road East. He moved from Seattle. Since the new multi-use residential commercial, which is not even occupied at the corner of Elm and East Valley, traffic is horrendous, and that traffic light is needed now. Accidents have not happened frequently, but frequently can happen because the volume of traffic there is unbelievable. He lives in a home right next to the apartments that they back up to. If somebody in the future decides to take down those buildings, because those buildings were built quite a while ago and are in disarray, and they bring in higher density into that neighborhood, they will need to widen Elm Street, and will need a traffic light at the corner of Parker and Elm Street. There are a lot of children in the neighborhood. They have had increased traffic on their street alone, with people not obeying the 25 mile an hour speed limit. He has a little boy that comes every other week, and grandchildren that will be playing out in front of his house. With the increased traffic in the neighborhood, the safety of the children in our neighborhood is going to be affected. He would like to see this denied. They need some major things done on Elm Street as far as dealing with the traffic and control of the traffic. If we allow more apartments to come back there with higher density, we are going to have some major problems.

TERRI WALKER, 5001 Parker Road, appeared. She can see the logic behind wanting to re-designate the pieces of property that are already being used as multifamily. What she cannot see the logic in is including single family residential into that package. It seems that if it is drawing clean lines on our map, and because this property abuts a higher use, then that is why the next one should be rezoned too. That is setting a precedent for a domino effect where everything that abuts a higher use is going to be rezoned. Before long we would have a City full of the highest density possible. She served on this Planning Commission for 11 years and as part of this whole Comprehensive Plan process, the one thing that she heard very clearly from the public through all of those meetings and public hearings and comments was "enough multifamily residential". They moved here and they stay here because of the small town and single family character, and that is the way that they want it to remain. She would ask the Planning Commission to please remember and respect the fact that they represent the voice of the community both present and past.

5221 160th Avenue (PLN2003-00076):

WINDISH reviewed PLN2003-00076, 5221 160th Avenue. The City of Sumner is requesting a Comprehensive Plan map amendment and rezone of 3.43 acres from Light Manufacturing (M-1) to Low Density Residential – 12. WINDISH gave a brief history of this project and the reasons behind the requested amendment. WINDISH further reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2003-00076, 5221 160th Avenue, Staff is recommending approval.

POWERS had a question with regard to the set back on the creek, as to whether it would be possible to do anything with that property?

WINDISH stated that there would have to be some variance provided.

POWERS asked if that, the way it is now, nothing can be done without a variance being provided?

WINDISH stated that he could not say without a specific proposal, however, it is the perfect candidate for a variance. There is a creek restriction, a steep slope restriction, and a road right of way. There are enough issues with a piece like that, that it is a classic variance kind of situation.

Public Comment:

LISA KUECKER EHLE, P.O. Box 3482, Federal Way, appeared. Not only does she have a vested interest in the plant, but she owns property surrounding the plant. As far as the variance goes, they have had no less than three offers for the acreage behind the plant to be developed for residential. Each one of those buyers has backed out, because they cannot get a variance from the City. They cannot build

a house and make the property worth wild to purchase. Basically, the City rezoned that property back in 1994, from commercial to residential. They are having a hard time trying to sell it. It has made it very difficult. When the property was annex from Pierce County with the City of Sumner, apparently the City arbitrarily down zoned from a commercial / general use classification to residential. They were never given proper notification. From 1995 to 1997 they debated the issue with the City of Sumner as to why the planning zoning should be restored. At that time the cost to them for consultants, surveys and legal fees was in excess of \$115,000.00. This does not include upgrades done to the plant that the City desired to make it more esthetically pleasing and other expensive things they wanted at the time, such as painting and landscaping. At that time, because the situation took so long to resolve with the City, the business that was running and operating the plant, that wanted to purchase it, had certain contracts and obligations to meet with the Federal Government and they decided because the City had down zoned it, to leave, so they lost a potential buyer for the plant at that time. The reason why the City essentially over turned itself and gave them back the zoning, still applies today. Nothing has changed. A conditional use permit or grandfathering it in just will not work. You cannot secure financing from the bank, or you cannot get a reasonable rate. It is virtually impossible to get financing. There are serious issues regarding insurance, rebuilding, or remodeling because there it is a conditional use or non-conforming. It is impossible to sell the property. Even to the same type of business is considered a conditional use, or non-conforming. The plant has been in continuous operation since as early as 1916. Prior to that the Webber family of Sumner who started the plant originally, also owned businesses in Sumner. The plant has a long history of service in the community and it is part of Sumner's agricultural heritage. This plant has been here long before any of the housing and recent development. It now serves the need of certain ethnic and religious communities who should not be ignored or pushed aside. As far as the high density classification, one of the City administrators, when asked what is one of the reasons they are doing this, said the high traffic. The traffic impact of the last two years is considerably less than they are going to get from a high density residential development. This plant does not do as much as when it was Webber Meats that slaughtered 100 cattle a day. It is custom slaughtering, custom meat. There is no where near the traffic that there used to be. She spoke with the Department of Ecology recently and asked them if they were dealing with the problems. They said that they were alerted to one problem and it was immediately rectified by the current operators of the plant. There would be no impact, and he was quite happy with the response. This is a little frustrating, here we are today, and the City wants to change the zoning again. She is very concerned. The only difference now from before is that there is a Muslim group operating the plant now instead of Caucasians. She would hate to think that the City is persecuting them. They have made considerable upgrades to the plant inside and out, they have been very cooperative. To require them to invest a considerable sum of money into their plant that the City is intent to shutdown is just short-sided. If the City Council decides to down zone it, they have every intention of looking to the City for reimbursement and for all the legal costs and fees for the improvements that they have done. If the City of Sumner wants another park area, it is just not developable. Houses cannot be built there. It is impossible. It is worthless property. She would encourage the Planning Commission to opposed this rezone, as she does not see why, just years later, we are rezoning it again.

CHARLIE CHANG, 1539 Snoqualmie St., Seattle, appeared. He was the former owner and general manner of that property. He purchased the property from the Webber family. This has been operating since 1916. This is the only USDA site that operates between Snohomish, King County and the immediate area. This meat packing and slaughter site is used as a single unit serving the 4H group. The youngsters need to sell the auction animals to the slaughterhouse. There is no other place but here that they can use from King County, Snohomish County to here. When they purchased this site, they did a lot of research and paid a lot of money to the City of Sumner and many other consultants. He is here to oppose and protest the rezoning. This is a 100 year historical piece that the City has here. You can go to that site and take a look. It is a historical site. You can preserve other historical sites for Sumner. He even talked to U.S. Representative, Jay Inslee. His wife often comes to this site to have animals slaughtered for them. His wife talked to the Secretary of the State and Department of Agriculture, and the USDA and WSD. A Washington State Professor says that they use this site for students to study medicine at the University of Washington. They provide animal organs for students to study medicine. This is unique. It is also a great need to the Muslim Community. That site provides cultural animal slaughter, such as Halah meat, and that is the only site in the entire U.S. that has Halah meat beside Chicago. So if the City shuts down this site or rezones it, the Muslim Community will have to buy meat from Chicago, or New Zealand.

Please keep it the way it is and everybody will be happy. They pay \$3,500 every month for the sewer system to the City. It is a benefit for both to keep it the way it is and to not rezone here.

AZIZ JONEJO, P. O. Box 46881, Seattle, appeared. He thanked everybody for the opportunity. He is a member of the Muslim community. He is the first child who grew-up in Washington here as a Muslim. In 1960 there were two families and a few students at the University of Washington. Since then they have grown exponentially. Their rules of how they slaughter an animal with kindness and cleanliness is a ritual that has been practiced over 14,000 years, and is mandatory upon every living Muslim. This building, this establishment, this business serves a community of between 65,000 and 70,000 Muslims just here in King County. They have grown a lot since 1960. When he was a kid, because of this requirement, they used to have to slaughter animals in the back yard. Sometimes, because of neighbors and others, they would have to do it in the basement. This is a ritual that is mandatory as a part of their religion. He is the media spokesperson for the Muslim community, and can tell you that he brought NPR Nation. NPR National came and did a segment on it. He can tell you that the P.I. and Times have done several stories on this. He can also tell you that most of the news media, KIRO, KING and KOMO have all been down there, because of the significance and importance it serves in our community. Sumner has great history here, like the paintings on the back wall. For instance, the lumber house. It provided lumber for people who needed to build houses, they could not build the houses without it. We cannot do without this slaughterhouse. This slaughterhouse site is on the side of a hill. It really is not in the middle of an area that everybody is surrounded by residential housing. As he understands it, from Webber's grandson, this was actually started in the 1,800's but only became a business in 1916. It has been there over 100 years. He just wants to say that he would recommend, he would appeal to the heart, he would appeal to the sense of just being reasonable. This is very important. It is mandatory for the Muslim community that they have something like this. He would hate to see the Muslims having to go back to the way it was in the 1960's when they had to slaughter animals in the back yard. It is essential because of their religious requirements. It is the only Muslim owned and operated plant west of the Mississippi and it serves a great need to our community. They really appreciate that Sumner has given them this opportunity that they can have this and have given them the opportunity to serve their community. The Muslim community here is one that are contributors to our society and are good citizens, and appreciate it very much.

DENNIS SUTHERLAND, 5607 160th Avenue East, appeared. In looking at the map he thinks he is about three lots down from the slaughterhouse. He is here primarily to object to high density usage in that area. It is already a dense population. He also wanted to say a little bit about having a slaughterhouse as a neighbor. The only problem that happened is one morning they woke up with a few cows in the back yard that had gotten out of the fence several years ago. They have been an excellent neighbor and they have no objections to them continuing.

MOLOSE KITACHA, 817 South 30th Street, Tacoma, appeared. After giving praises to God, he extended their greetings to Ms. Walter and all the other distinguished people on the panel. They would like to discuss the Crescent Meat business. Brother Aziz was very correct when he indicated the need that this facility provides. First, there are very few people that have had a problem with goats, sheep or cattle escaping from the pen. They do not say this is something that they look forward to really having, but he does know that anything changed up is like the lion in the cage seeking a way out. To be very specific about the plant, the word is Halah. In the preparation of the meat, first of all they are taught to calm the animal as much as possible. They do not get them excited as their blood flows and their muscles tense. The animal is laid down on the right side, then they proceed to slaughter. Why? Because it lets all the venomous blood out of the animal. There are no chemicals added to the preparation. The animal is to be opened, washed and the entrails taken away. It is absolutely forbidden to place chemicals in the meat. Now what does this do for a community that stretches from Blaine, Washington down to Oregon and into Oregon and down into California? This is the only Muslim owned business in this particular area. It serves thousands of people who depend on it. They cannot go to the grocery store or the supermarket and buy meat. It is absolutely forbidden for those who have learned correctly. When this facility opened, it eliminated the need for Muslims going to auction houses or farms. They would have to get in the car and ride out and have to negotiate with the farmer. They would have to bring it back if they do not have a place on site, to prepare the animal. They would have to bring the animal back in a conveyance and find

some place which usually meant taking it to a dresser. It costs \$45.00 additional dollars for that. This is an economic mutual benefit for both the Muslims and Sumner, because of the people who will come to purchase this meat will leave their money here in this area. It is a family affair. They are asking that passions not be generated to take a business like this out of Sumner, because they would be very proactive to try and encourage Sumner to keep it here. He does not mean confrontationally, he means through negotiation and sound and safe advice. They come tonight to inform and request consideration of things on both sides. If the USDA and the Department of Ecology are satisfied, he does not see how there can be the kinds of considerations that are coming up with respect to the conveyances that are shown on the screen. He is certain that this owner has spent over \$200,000 to build this plant completely in compliance with modern requirements. They had to pay out all of the old system, \$200,000, and then additional monies to also meet certain requirements and standards. They appeared before City Council on Monday, and it appears that there will be some dialog to see what can be worked out. It says very conveniently that this business would not be sold, but in the event that it closes down for 12 months, it could be put out of business and rezoned. Suppose something occurred like a major rupture in one of the systems that had to be repaired and it took that kind of time to bring the plant back on line? It means that this business could be jeopardized. Again, in their final statements, they want to be good neighbors. He lives here and he has never troubled anyone. The Muslims who come in and out of the community respect the benefit that they get. In his closing comments let us make our best intentions for the all mighty creator, that he balance the books, that in due justice and under due consideration, he permit the haves and the havenots to mutually coincide.

A. CHAVA, 303 S.E., appeared. He noted that it seems the proposal comes from the City, and not the public. It will be rezoned and the business will continue. Why should there be a rezone then? They would like this issue taken out. This does not just serve the Muslims, it also serves the Christians. This plant serves the Muslims and the Christians. There could be a negotiation with the City. There is no consultation to the owner. They do not want something taken from them that they have put a lot of hard work into. There is a tremendous amount of money that will be wasted.

HIRRU MOHAMAD, Olympia, appeared. The City of Sumner should be very proud to have such a structure in their midst. He thinks they should never even think about removing it, because it is an asset. He lives in Olympia and he also works as a Chaplain for the Muslim Community. They have recently approached the owner of this slaughterhouse to provide meat for the inmates. They asked him to extend his services to the inmates, so they could eat Halah meat. Also, he has known the owner for quite a while. There is not much traffic from people coming in to purchase meat. The main business the owner does is he supplies and makes deliveries of meats. He does not want to burden the inhabitants of the City. Another benefit that the slaughterhouse is providing to the Muslim and other communities is employment. Please, please, he urges the City not to abandon this building. If Salmon is the purpose of rezoning, then give the owner an alternative. Provide a financial way for the owner to do this elsewhere. Housing is not doing a favor to salmon.

MAY XEE LY, 1539 Snoqualmie Street, Seattle, appeared. She was former owner of the plant. She had purchased the plant back in 1999. When buying the property they had to talk to Sumner. They were only told that a grandfather ran it for a long time. They ran the business for one year. She was one of the shareholders and she was working at the time. She was working and running it under USDA rules. Everything is clean and they use very hot water to clean everything. Nothing bothers the neighbors. Everything is run under the USDA. Even kids play in creek and are able to fish. She is here and frustrated and concerned. She and others have worked hard and put a lot of money into this plant. She is asking that the City consider giving them a chance run the plant.

KATHY HAMMED, 927 Willow Street, appeared. What she has to speak about is the high-density zoning. WASL scores in this area are high. It would be ashamed that we have worked so hard to increase our WASL scores, but all the effort would be in vain if we put in apartments, because they are transient in nature. This is her concern, and it should be one of the City's big concerns. If we put in apartments it will all go down hill. The WASL scores and the reading for Kent Meridian Highschool were 55% passing the WASL, and in Sumner 74.9% passing the WASL. This is something all school districts are struggling with.

It is the nature of massive apartments in high density areas. The teachers have made such strides. They are changing their curriculum to increase the WASL scores, but again, that all that will be in vain if we bring in too many high resident apartment buildings. (She submitted information with regard to the WASL scores to the minutes taker).

ROD SCHRENGOYST, 207 Valley Avenue, appeared. He did not come here to speak on this issue, he came here to speak for his own issue tonight. He grew up next door to Freddie Webber, who had no children of his own. He mowed his lawn. He was one of the most respected and charitable members of our community. Of the major businesses in town, Webber Meats was one of our most important businesses and the City would have never done anything to interfere with the successful operation of that businesses when that family owned it. He does not think they should be able to now. All the City's actions in those days were to support the meat plant. One thing his Dad told him was that Sumner had the most industry per capita of any City on the West Coast. That was something that was important. They had some great businesses out of happy middle class families because of the industry that is here. He just cannot see the City doing anything at this point to interfere with the operation of this facility, and on the contrary the City should be thinking of ways to make this business more commercially successful. Culturally, it is kind of nice that Sumner has the opportunity to have brought this cultural diversity into our town. The opportunity to interact with another culture is good for all of us.

MOHAMAD HAMAD, Sumner, appeared. He has been a resident of Sumner for 24 years. Sumner is known around the State of Washington for having this business here. He is very proud of having a Muslim business in the City of Sumner. He is opposed to this initiative or this plan to rezone this property from residential commercial to high density commercial. He understands the City says it is not shutting down the business. Not shutting down the business? The City is putting on limitations that will not allow it to grow with the expansion of the Muslim community. There are a lot of issues in the future to come.

MICHAEL McCAULLY, 66028 South Warner Street, Tacoma, appeared. He did not have much to say. He can say something in appreciation of this slaughterhouse. Many years ago his father worked in slaughterhouse in Portland, Oregon. He lost his job and they had no money. He took the job and he lasted five days. He described the blood and the rivers of blood. After five days he quit. He saw fear in this father's face. He realizes the desperation people feel when they have to do what they have to do. His father eventually worked at a golf course. He felt similarly about the Crescent Meat Company. He has been Muslim for years now. He went into the plant and it was clean. He has worked in a hospital for years and it was clean. One needs evidence. We all have rational minds and rational minds can allow this operation to continue.

Staff's Response to Public Comment:

WINDISH responded to public comment. He stated that, as a land use planner, he took a look at this from a land use planning perspective, and obviously the world is a lot bigger than the criteria that a land use planner has to consider. He appreciates the comments today, and he now has a much better understanding and a much better appreciation for what that service provides to the Muslim community as well as the Christian community. There was some indication in letters that there may be some racial motive or some other motive behind this. Personally, there is no motive for him. He has not heard any other motive. He wanted to make that statement clear. Further, WINDISH wanted to add that he does have reports from the Department of Ecology and they say the same thing, that is that they found there was an issue and it was taken care of. They are working in conjunction with the USDA and things are being taken care of.

WALTER called a five minute recess in the meeting at this time.

901, 913 & 915 Wood Avenue (PLN2004-00004):

WINDISH reviewed PLN2004-00004, 901, 913 & 915 Wood Avenue. The Applicant is requesting a Comprehensive Plan map amendment and rezone of 0.76 acre from Low Density Residential – 6 to Central Business District. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2004-00004, 901, 913 & 915 Wood Avenue, Staff is recommending denial.

Public Comment:

MARTIN FLEISCHMAN, 908 Wood Avenue, appeared. His back yard abuts the parking lot of the church. He fully appreciates the Staff's recommendations that this be denied for the reasons they gave. There is a church there now, but if zoned commercial it opens it up to anything in the future. A few years from now someone could come along, or six months from now. They can move the church and they can develop it for some other commercial purpose. That would not be compatible with the neighborhood. He just wanted to say that he is in agreement with Staff's recommendation.

VAUGHN SCHMITZ, 6609 Parker Road, appeared. He represents the Trustees of the Church. Stewart Schurman said that he could get this through before he left City Council. His major concern at that time, was that they did not want the property taxes on one of those rental houses being used as a rental to go up because of commercial. He talked to John Doan and was told that if it were residential commercial they would have to jump through the same hoops. If they removed their housing and wanted to make it a parking lot they would have to jump through the same hoops. He did not hear that tonight from Staff. They would like to know that. If it does not matter, and they have to jump through the same hoops then they would recommend that it be denied. If it is going to cause problems in the future, and they want to make it into a parking lot that might get shut down, then they would like it to go forward.

WINDISH stated that he would double check the design code, however, his recollection was that it is a permitted outright use as a church in a commercial zone, which would mean they would need to go through a conditional use permit in order to build the parking if it was commercial.

SCHMITZ stated that that is not what John Doan was telling him. They struggled with this issue, because they knew that the residents might be upset. They do not have any desire at all to tear that church down and sell it. In fact, they have been asked if they want to sell all those houses. They do not want to get rid of any of that because they need the property for expansion in the future hopefully. He stated that if they have to go through the same hoops, they do not want it changed. Is it is not a big hassle to get a conditional use permit?

WINDISH stated that he would find out for sure. A conditional use permit would entail public hearing and public notice, similar to this situation where people come and testify. Then there is a hearing in front of a hearings examiner to make that final decision. It can be appealed to City Council. It is a 10 to 12 weeks of process.

3202 East Valley Hwy (PLN2004-00005):

WINDISH reviewed PLN2004-00005, 3202 East Valley Hwy. The City of Sumner is requesting a Comprehensive Plan map amendment and rezone of 0.76 acre from Low Density Residential – 6 to Central Business District. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2004-00005, 3202 East Valley Hwy., Staff is recommending approval.

Public Comment: There was no public comment.

6004/6006 Bock Avenue (PLN2004-00011):

WINDISH reviewed PLN2004-00011, 6004/6006 Bock Avenue. The Applicant is requesting a Comprehensive Plan map amendment and rezone of 0.34 acre from Low Density Residential – 8.5 to General Commercial. WINDISH reviewed the Comprehensive Plan Amendment Criteria specific to this amendment. With regard to PLN2004-00011, 6004/6006 Bock Avenue, Staff is recommending denial.

JEFF HOGAN, 5312 Pacific Hwy. East, Fife, Applicant, appeared. They are the Applicant for the rezone of two lots. He is looking at proposed developments of four lots, it would then be a six lot project. To meet the new East Main Development Guidelines, they need to put the buildings up on Main Street and a portion of parking behind the buildings, which would put the lots' steps on Main Street. There would not be enough room for both the building and parking. That was the main focus of why they are rezoning those two lots. If you look in the East Main Guidelines strategy, those lots are shown as commercial lots on their diagram. They are zoned commercial, so that is why they have filed the applications they have. In the letters in opposed to them, they seem to be more directed towards the use of a pharmacy competition in the City versus a real planning issue. They proposed multiple alternatives trying to reduce the impacts to the neighborhood. Of the two lots they are rezoning, they have commercial on three sides of them. The one that is above the residential area has proposed some screening, landscaping and fences, reduced light glare, noise, etc. The traffic that is going to come from the center, usually will come off of Main Street or Valley. It does not put anymore traffic on to the residential areas. It is hard to believe that they will force traffic back into the neighborhood. They intend to create a very pedestrian friendly area to be able to walk down three sides of it. They have not finalized their design yet. They proposed multi-story buildings. One has the potential for residential above, which would be compatible with the residential area in the back. That is one of the proposals, and he would just like to say they meet most of the criteria and he believes they can get to the point that they can mitigate the adverse impacts to the neighborhood that have arisen. This is the first time they have ever seen these letters in opposition. It is kind of hard to believe that people already seem to know who the tenant would be if they do not even have a tenant, so he has to disregard some of those. That is why they proposed it. He thinks they can continue on with the Sumner tradition. They have proposed a lot of things downtown, also combined with the Fred Meyer. On Valley they basically eliminated all the entrances on Main due to some traffic conflicts along there. They proposed some on street parking and some more walkways. They are planning to make the corner look very nice, consistent with the look of Sumner, but they cannot really do it without those two lots because the other four lots just do not have the right dimensions. That is why they are trying to rezone the other two into making it a six lot complex.

Public Comment:

KATHY BAERNY, 15112 - 61st Street East, appeared. She thanked Staff for their patience. When she received notification of the rezoning, she canvassed the neighborhood. They went to houses and got signatures and submitted them to Staff. These people in the area were eager and offered money to support legal action. It will make traffic horrendous there. In a letter she submitted to Staff, she said that there is a natural division between the business section and the residential area existing now. By having it zoned commercial you have a very difficult separation. If the two properties listed become a business, it will change the very nature of the neighborhood. The traffic will increase. Why would you try to make a left on Main Street? It is so busy. She has a neighbor that lives across the street. He is an elderly man who needs help. With his walker, it takes him 11 ½ minutes round trip to get from his front porch to the mailbox across the street and back. He is not compatible with traffic in that neighborhood. The intersection there is comparable to other high traffic areas in other locations. They all look exactly alike. She hopes that they would make Sumner a cut above that.

PATTI McKEE, 6206 Bock Avenue, appeared. She is four houses away from these two properties. When this first came up, they all kind of put their heads together and went on the website and were able to find out, looking at the properties, who owned what. They conceded that there is an obvious pattern. At the time, it was rumored that this would be a Walgreen's. She lives at the end of the dead end street. They only have had traffic on a couple of occasions. They are now seeing an increase in traffic and cars are tearing down their street. The concern is that at the end of the property, where there is a natural divide,

that is the area where there is affordable, rentable property. She does not think that Sumner can afford to lose affordable rental property. She does not want any more traffic coming down that street.

MYRA RUSSELL, 5010 Bock Avenue, appeared. She was just wondering how many more houses they are going to buy out? She likes where she lives and hopes that she can stay there.

WINDISH noted that that was the last site specific proposal. They will be accepting comments on that proposal now and also comments on the overall Comprehensive Plan. He noted that the next part of the presentation will be to go over the changes in the Comprehensive Plan and further to look at those amendments, which are mostly housekeeping.

WINDISH reviewed the update to the Vision Statement. This looks out 20 years. City Council has readopted the vision statement with the changes. One of the underlying themes is to keep a small town character in Sumner. They are looking at housing for all life stages, and how to provide for those different life stages, providing diversity from elderly people to young families, to people without kids. Another theme is communication with the public about what the City does. This also addresses the shifting of density. WINDISH further reviewed changes to the various elements, outlined as follows: Cultural Resource Sub-Element; Economic Development Element; Commuter Rail Element; Permit Process Element; Plan and Government; Community Character Element; Environmental Element; and the Housing Element. He also discussed the Population Growth / Targets (2004, 2022); the Population and Employment Impacts (those were looked at through a "no action" and "proposed action" comparison); and the Human Services Element.

WINDISH offered to provide copies of Environmental Impact Statement to the Commissioners.

Public Comment: There was no public comment.

WALTER thanked Staff for their presentation.

WALTER advised that City Council is going to have another public comment session, and they will be accepting written comments through December 6th on the issues presented tonight on the zoning changes.

POWERS asked Windish what the City provides as far as separation from commercial and residential in the way of buffering, fencing, etc?

WINDISH stated that they are required to do a 10 foot landscape buffer and a 6 foot solid fence.

WALTER thanked the public for their comments and ended the public comment portion of the meeting.

CORRESPONDENCE

WINDISH provided the Commissioners a list of all comments, correspondence and e-mails received prior to the meeting. The same was received from the following: 1000 Friends of Washington; John Williamson, Scott Smith, Master Builders Association, Robert Akhtar, Issa Qandeel, Joanna Childs, Kathy Hammed and Patti McKee.

COMMISSIONER COMMENTS

HANNUS commented that he enjoyed hearing the public's point of view. He especially enjoyed the point of view of the Muslim community. He commented that they were very well spoken and respectful.

MORRISON thanked Staff for his comment at the end of the Crescent Meats presentation and public comment, in that they are here for land use purposes and not in opposition to anyone's beliefs.

WINDISH added that the media has also been very fair in their presentation of the story.

MORRISON asked if Crescent Meats was owner operated?

HANNUS responded that it is not.

WINDISH added that Wendell Kuecker sold it to Charlie Chang, who then also sold it, and that they all have an interest in it.

GANZ also commented that Staff's comment was well done.

WALTER extended much thanks to Ryan Windish and the Planning Staff for a job well done.

WINDISH introduced Lisa Grueter, who was in attendance in the audience, and noted that she has also done a lot of work on this.

WALTER also thanked Lisa Grueter for her help.

STAFF COMMENTS

WINDISH had the following Staff Comments:

- 1) In Puyallup, across from the Daffodil Bowl bowling alley, on East Main, there are 425 apartment units being constructed;
- 2) A proposal came in for a subdivision of the Van Lierop farm, which is 269 acres south of the railroad tracks, for an industrial subdivision. It is 52 lots. They wanted to vest their application; and
- 3) Right of way has been laid out in the Shaw Road connection.

ADJOURNMENT

POWERS motioned to adjourn the meeting at 10:20 p.m. GANZ seconded the motion and it passed unanimously.

Ryan Windish, AICP
Senior Planner