

CITY OF PULLMAN  
**BOARD OF ADJUSTMENT**  
Regular Meeting Minutes  
May 21, 2007

The City of Pullman Board of Adjustment held a regular meeting at 7:30 p.m. on Monday, May 21, 2007, in Council Chambers, City Hall, 325 SE Paradise, Pullman, Washington with Chairperson Michael Kallaher presiding.

ROLL CALL: Present: Beaumont, Finch, Harbour, Kallaher, Schoenbachler,  
Smart, Yrazabal  
Staff: Dickinson, Johnson

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**KALLAHER** Opened the meeting at 7:30 pm and called roll.

**MOTION** Schoenbachler moved to accept the minutes for the Regular Meeting of April 16, 2007 as prepared by staff. Finch seconded and passed unanimously.

**REGULAR BUSINESS** Kallaher read the public hearing rules of procedure, administered the oath or affirmation for those wishing to provide testimony during the hearing and qualified all Board members. Asked for the staff report.

Conduct a public hearing to review and take action on a variance application submitted by David E. Gunderson to construct a detached garage with a reduced rear yard setback at 605 SE Spring Street on Pioneer Hill.

Dickinson noted that Smart and Yrazabal had arrived while Kallaher was reading the rules of procedure and had answered the 'Appearance of Fairness Doctrine' questions and been qualified to serve during this hearing.

Dickinson stated that the application was submitted by David E. Gunderson; the subject property is located at the top of an incline along Spring Street, a collector arterial that is used by more than 1,800 vehicles per day; a large evergreen tree is located on the site, just north of the existing driveway near its intersection with Spring Street which, while an asset to the neighborhood, impairs visibility for motorists utilizing the driveway on the subject property. The applicant wishes to construct a detached garage that will allow space for vehicles to turn around so entrance to Spring Street will be forward-facing; with a full read-yard setback of 10 feet, the applicant will either need to forego the turn-around or remove the tree. Staff is in support of the proposed variance.

Dickinson entered Staff Report 07-19 with Attachments A through I as Exhibit No. 1.

Dickinson answered questions regarding the tree.

- KALLAHER Called for proponents.
- DAVID GUNDERSON Stated that he is the applicant and owner of the subject property.  
605 SE Spring Street Answered questions regarding the tree.  
Pullman, WA 99163
- DICKINSON Entered a letter from R.S. Lasswell, dated May 21, 2007, into the record as Exhibit No. 2.
- KALLAHER Called for opponents; no response.  
Called for neutral parties; no response.  
Closed the public portion of the hearing.
- DISCUSSION Board members expressed concern with the safety of backing onto Spring Street.
- MOTION Schoenbachler moved to accept Findings of Fact Nos. 1-18 as prepared by staff. Yrazabal seconded and passed unanimously.
- MOTION Finch moved to accept Conclusions Nos. 1-6 as prepared by staff. Beaumont seconded and passed unanimously.
- MOTION Smart moved to approve Zoning Code Variance Application No. V-07-2. Schoenbachler seconded and passed unanimously by roll call vote.
- REGULAR BUSINESS** Kallaher read the public hearing rules of procedure, administered the oath or affirmation for those wishing to provide testimony during the hearing and qualified all Board members. Asked for the staff report.
- Conduct a public hearing to review and take action on a conditional use permit application submitted by Inland Oasis, Inc. to modify the existing Valhalla Tavern at 1000 NE Colorado Street on College Hill.
- Dickinson stated that the application was submitted by Inland Oasis, Inc. to modify the existing Valhalla Tavern at 1000 NE Colorado Street by changing its liquor license from its current 21 and over Class H license to a Restaurant license and by expanding the floor area of the tavern by approximately 2,500 square feet on the ground floor of the building. Staff generally supports this request for a conditional use permit, and recommends approval with five conditions: 1) the conditional use permit applies only to the current owner; 2) the conditional use permit applies only to operation of the subject business under its requested "Restaurant" license; 3) the applicant shall submit a conditional use permit application to the city for any expansion of the building floor area devoted to the subject business; 4) the applicant shall install enhanced lighting in the vicinity of the subject property to the satisfaction of the police and public works departments prior to occupancy of the additional 2,500 square feet of floor space; 5) in addition to the six off-street parking stalls on the subject property currently maintained for use by the subject business between the hours of 6:00 pm and 8:00 am each business day, the applicant shall establish

a minimum of three off-street parking stalls for exclusive use by the subject business located on the subject property or within 500 feet of the subject property boundaries.

Dickinson entered Staff Report 07-20 with Attachments A through H as Exhibit No. 1.

Dickinson answered questions regarding the liquor license and how the applicant might establish an off-street parking space.

KALLAHER

Called for proponents.

JEFF PACKER  
630 NE High Street  
Pullman, WA 99163

Stated that he is the owner of Valhalla Tavern since its inception in 1999. Introduced his attorney, Scott Gallina.

SCOTT GALLINA  
1230 Toby Court  
Clarkston, WA

Stated that he has a law practice with an office in Lewiston, ID, but he lives in Clarkston, WA and practices law in both states. Valhalla Tavern is largely patronized by pedestrian clientele, and the Pullman police department has had a largely favorable review since the business was established. Addressed the conditions of additional lighting as requested by the police department; closing-time crowds which are difficult to control as closing times are mandated by the state; and parking. Stated that the establishment of three additional parking stalls on the subject property or within 500 feet of the property boundaries would be near to impossible. The business owner is also trying to minimize vehicular traffic and maximize pedestrian traffic.

JEFF PACKER  
630 NE High Street  
Pullman, WA 99163

Answered questions regarding nearby parking spaces, including 20 spaces behind WSU Parking Services which are currently Green 1 parking spaces and available without a parking permit after 5:00 pm on weekdays and on weekends, 22 spaces at The Bookie and five spaces on Thatuna which are metered only until 6 pm on weekdays. He also stated that Pullman Transit provides services to the area Thursday through Saturday until 3:00 am.

ALLISON MUNCH-  
ROTOLO  
635 NE Illinois Street  
Pullman, WA 99163

Stated that she is co-chair of the College Hill Association. Corroborated that the subject business is a pedestrian business and stated that the College Hill Association is in support of the conditional use permit.

ALEX HAMMOND  
1110 NE Indiana Street  
Pullman, WA 99163

Stated that he has been a member of the College Hill Association since 1994. Emphasized that this is a pedestrian business. Opined that the change from an establishment that serves predominantly alcohol to one that also serves a variety of foods is a good change. Pointed out Finding of Fact No. 38 from Resolution No. BA-00-6 that stated planning staff's support for limiting the number of required parking spaces for Valhalla

Tavern when it applied for its original conditional use permit in 2000.

KALLAHER

Called for opponents; no response.  
Called for neutral parties; no response.  
Closed the public portion of the hearing.

DISCUSSION

Several Board members were impressed that the business is viewed positively and that the business expansion is supported by the College Hill Association. Discussed the parking requirements per the code and current parking use, as well as the additional parking spaces in the vicinity.

MOTION

Schoenbachler moved to accept Findings of Fact Nos. 1-20 as prepared by staff. Seconded by Yrazabal and passed unanimously.

MOTION

Yrazabal moved to add Finding of Fact No. 21 stating, "At the public hearing on this matter, testimony was offered by proponents that the vast majority of patrons utilizing the subject business are pedestrians." Seconded by Finch and passed unanimously.

MOTION

Smart moved to add Finding of Fact No. 22 stating, "At the public hearing on this matter, testimony was offered by proponents that bus service is available throughout the day Thursday through Saturday until 3:00 a.m." Seconded by Beaumont and passed unanimously.

MOTION

Yrazabal moved to add Finding of Fact No. 23 stating, "At the public hearing on this matter, testimony was offered by proponents that parking is available after 5:00 p.m. on the nearby streets." Seconded by Finch and passed unanimously.

MOTION

Finch moved to accept Conclusions Nos. 1-7 and 9 as prepared by staff and Conclusion No. 8 amended to state, "Given the pedestrian orientation of the business in question, and existing opportunities for parking and transit in the area, the subject use would be provided with adequate parking." Seconded by Smart and passed unanimously.

MOTION

Yrazabal moved that Conditional Use Permit No. C-07-3 be approved subject to conditions nos. 1-4 as prepared by staff and condition no. 5 amended to state, "The subject business shall maintain a minimum of six off-street parking stalls on the subject property for use by the subject business between the hours of 6:00 p.m. and 8:00 a.m. each business day. It is acknowledged that this condition authorizes a variation from the existing zoning code standards, as permitted under Pullman Zoning Code Subsection 17.125.020(3)." Seconded by Schoenbachler and passed unanimously by roll call vote.

**UPCOMING  
MEETINGS**

Schoenbachler will be unavailable for the regular meeting on June 18, 2007. Smart may be unavailable on June 18, 2007.

**ADJOURNMENT**

The meeting was adjourned at 9:03 p.m.

**ATTEST:**

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Chairperson

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Planning Director

\_\_\_\_\_  
Secretary