

MEMORANDUM

TO: Pullman Board of Adjustment

FROM: Pete Dickinson, Planning Director

FOR: Meeting of June 19, 2006

SUBJECT: Conditional Use Permit Application No. C-06-3
Beasley Apartments

DATE: June 14, 2006

Staff Report No. 06-9

BACKGROUND DATA

Applicant: Ron Beasley of R.E. Beasley Building & Development.

Property Location: East side of the 200 Block of NW Terre View Drive, between NW Clay Court and the Clark Terrace apartments on NW Terre View Drive (See Attachment A, Location and Zoning Map).

Applicant's Request: Develop two apartment buildings with more than eight dwelling units each; one building would contain 15 units and another building would contain 12 units (the applicant is proposing to establish a total of 37 dwelling units and associated off-street parking on the subject property). (See Attachment B, Application C-06-3; and Attachment C, Proposed Site Plan).

Property Zoning: R2 Low Density Multi-Family Residential District.

Applicable Zoning Regulations: Section 17.70.030 states that buildings with nine or more dwelling units per structure are conditional uses in the R2 district.

Property Features: **Current Land Use:** Vacant.
Lot Area: 3.2 acres.
Utilities: city water, sanitary sewer, and storm drain lines exist in the vicinity of the subject property.
Topography: the site slopes downhill to the east at a moderate decline.
Vegetation: primarily grasses.

Adjacent Zoning and Land Use: **North:** R2 zoning district; single family dwellings, townhouses, and multi-family dwellings;
East: R2 and C3 General Commercial zoning districts; single family dwellings and automobile service business;
South: R2 zoning district; multi-family dwellings;
West: R2 zoning district; single family and multi-family dwellings.

Access: NW Terre View Drive and NW Clay Court; Terre View Drive and Clay Court are designated as a collector arterial and local access street, respectively, in the Pullman Comprehensive Plan Arterial Street Plan Map.

Environmental Review: Environmental Checklist submitted 4/25/06 (See Attachment D); Mitigated Determination of Nonsignificance issued 5/19/06 (See Attachment E).

Comments of Affected Agencies: **Department of Public Works:** No comments.
Protective Inspections Division: *No response.*
Department of Public Services: *No response.*
Fire Department: *No response.*
Police Department: *No response.*
Pullman School District: *No response.*

Hearing Notification: Notice of Public Hearing mailed 6/6/06; Notice posted 6/8/06; Notice published 6/8/06.

PERTINENT PLANNING PROVISIONS

There are a number of provisions contained within the Comprehensive Plan and zoning code that relate to this conditional use permit application. These provisions, which are available for review at the city's web site (www.ci.pullman-wa.gov), are referenced below.

Comprehensive Plan Goals LU4, H2, T1, T4, P1 and their respective policies.
Zoning Code Chapters 17.01, 17.70, 17.75 and 17.125

ZONING CODE DEVELOPMENT STANDARDS

The following table compares applicable zoning code development standards to the characteristics of the subject proposal.

DEVELOPMENT STANDARDS	ZONING CODE REQUIREMENTS	SUBJECT PROPOSAL
Lot Size	0.14 acres minimum	3.2 acres
Lot Width	60 feet minimum	210 feet
Dwelling Unit Density	Minimum of 3,000 square feet of land per unit	3,817 square feet of land per unit
Building Coverage	35 percent maximum	19 percent
Building Height	35 feet maximum	35 feet maximum
Setbacks	Front: 15 feet minimum Rear: 10 feet minimum North Side: 5 feet minimum South Side: 5 feet minimum	Front: 50 feet Rear: 165 feet North Side: 10 feet South Side: 10 feet
Off-Street Parking	One stall per bedroom minimum	One stall per bedroom minimum

CONDITIONAL USE PERMIT REVIEW CRITERIA

In accordance with Zoning Code Section 17.125.020, a conditional use permit may be approved when all of the following findings can be made:

- (1) that the proposed use is consistent with the Comprehensive Plan;
- (2) that the proposed use, and its location, are consistent with the purposes of the zone district in which the use is to be located;
- (3) that the proposed use will meet all required yard, parking, and other material development standards of the Zoning Code unless otherwise varied in the approved conditional use permit;

- (4) that the use, as approved or conditionally approved, will
 - (a) be located on a site that is adequate in size and shape;
 - (b) be located on a site that has sufficient access to streets and highways adequate in width and type of surface to carry the quantity and quality of traffic generated by the proposed use;
 - (c) not have a significant adverse environmental impact on the adjacent area or the community in general;
 - (d) be compatible with surrounding land uses;
 - (e) be provided with adequate parking; and,
 - (f) be served by adequate public utilities and facilities.

STAFF ANALYSIS AND RECOMMENDATION

From planning staff's perspective, the applicable criteria of the zoning code would be met if this conditional use permit is granted. As explained above, two of the proposed apartment structures would contain more than the eight dwelling units per building that is permitted outright in the R2 zone. (This regulation exists to limit the intensity of any one apartment building in the R2 district). However, Section 17.70.030 of the Pullman Zoning Code provides for more than eight units per building when the Board of Adjustment reviews and approves the project as a conditional use.

In this particular case, the proposed development of structures with more than eight apartments each would result in a number of benefits. First, it would help provide space for two vehicular access points into the site. In the conceptualization stages of this project, the city public works department requested that these two access routes be established to maximize traffic safety and efficiency. Second, it would allow for reasonable use of the site by the developer. If the city were to require that each structure be limited to eight dwelling units in this instance, the challenging slopes on the parcel might prevent reasonable utilization of the property. Third, it would conserve open space and likely lessen environmental impacts. For these reasons, planning staff feels that the two apartment buildings requested in this application would provide more advantages than the four or more smaller buildings that would be an outright permitted use in the R2 zone.

As noted in a previous section of this report, the proposal under consideration would meet all pertinent development standards in the city code, including provisions related to the size and shape of the parcel, and off-street parking. The land use planned by the applicant is similar in nature to the 60-unit Clark Terrace apartment complex located directly south of the subject property, so the proposed project would be a continuation of existing development in the neighborhood. Also, the

public works department has determined that the adjacent streets and utilities are adequate to serve the proposed housing units.

Given the above information, planning staff finds that the proposed use is consistent with the applicable Comprehensive Plan objectives and zoning code purposes. Therefore, planning staff recommends that the applicant's request be approved without conditions.

FINDINGS OF FACT AND CONCLUSIONS

The applicant has prepared findings of fact for the Board to review (See Attachment F). Planning staff has also prepared findings of fact and conclusions for consideration at the public hearing. Staff's findings and conclusions are incorporated in draft Resolution No. BA-2006-6 (See Attachment G).

Prior to making a decision to approve or deny a conditional use permit application, the Board must adopt findings of fact and conclusions which specify the basis for its decision. The Board may abstract findings and conclusions from the applicant, staff, public, or Board of Adjustment members.

ACTION REQUESTED

- A. Establish rules of procedure and ask Appearance of Fairness questions.
- B. Accept staff report.
- C. Take testimony on the request for a conditional use permit.
- D. Adopt, by motion, Findings of Fact.
- E. Adopt, by motion, Conclusions.
- F. Move to approve or deny the granting of the conditional use permit. If the motion is to approve, the same motion should include any conditions the Board wishes to apply.

ATTACHMENTS

- "A" Location and Zoning Map
- "B" Conditional Use Permit Application C-06-3
- "C" Site Plan
- "D" Environmental Checklist
- "E" Mitigated Determination of Nonsignificance
- "F" Applicant's Findings of Fact
- "G" Draft Resolution No. BA-2006-6