

## MEMORANDUM

TO: Pullman Planning Commission

FROM: Pete Dickinson, Planning Director  
Heidi Sowell, Assistant City Planner

FOR: Meeting of March 22, 2006

SUBJECT: Zone Change Application No. Z-06-1

DATE: March 17, 2006

Staff Report No. 06-3

### BACKGROUND DATA

Applicant: High Point Development, LLC.

Property Location: Southwest of the terminus of Center Street, west of Jameel Court and north of SW Crestview Street (See Attachment A, Location and Zoning Map).

Property Size: 9.7 acres.

Applicant's Request: Amend the zoning classification of the subject property from R1 Single Family Residential to R2 Low Density Multi-Family Residential (See Attachment B, Application Z-06-1; and Attachment C, Applicant's Proposed Findings of Fact); the applicant has indicated that it is requesting this proposal to allow for the placement of 24 duplex residences (twelve buildings with two dwelling units per building) associated with a proposed assisted living facility.

Applicable Zoning District Descriptions: **R1 district:** provides for detached single-family residences developed to a maximum density of seven (7) dwelling units per net acre.

**R2 district:** provides for single-family dwellings, duplexes, manufactured homes, townhouses, and apartments developed to a maximum density of 15 dwelling units per net acre.

Property Features:

**Current Land Use:** undeveloped farmland.

**Utilities:** currently the property is not on City utilities; however, utilities are available through Center Street, and a storm drain facility would be constructed with any future development on the property.

**Topography:** property is relatively flat with the exception of substantial slopes on the south and east portion of the site.

Adjacent Zoning and Land Use:

**North:** R2 district; farmland.

**South:** R1 district; single-family dwellings.

**East:** R1 district; single-family homes.

**West:** R1 district; farmland.

Access:

Center Street; Center Street is classified as both a collector street (from Grand Avenue to Fountain Street) and a local access street (from Fountain Street to the proposed site) on the Comprehensive Plan Arterial Street Plan Map.

Environmental Review:

Environmental Checklist submitted 1/9/06 (See Attachment D); Mitigated Determination of Nonsignificance issued 2/13/06 (See Attachment E).

Hearing Notification:

Notice of Public Hearing mailed 3/9/06; Notice of Public Hearing published 3/11/06; Notice of Public Hearing posted 3/9/06.

Comments of Affected Departments/Agencies:

Notification of the applicant's request was distributed to affected governmental entities. These entities, and their response to the notification, are presented below.

- a. **Pullman Public Services Department:** Commented that Itani Linear Park and Itani Park are both easily accessible from the subject property.
- b. **Pullman Fire Department:** Noted no concerns.
- c. **Pullman Police Department:** Noted no issues regarding the proposed zone change.
- d. **Pullman Public Works Department:** Noted no

outstanding concerns.

- e. **Pullman Protective Inspections Division:** *No response.*
- f. **Pullman School District:** *No response.*

### PERTINENT PLANNING PROVISIONS

There are a number of provisions contained within the Comprehensive Plan and Zoning Code that relate to zone change and Comprehensive Plan map amendment proposals. These provisions, which are available for review at the city's web site ([www.pullman-wa.gov](http://www.pullman-wa.gov)) are referenced below.

Comprehensive Plan Goals LU1, LU3, LU4, H2, and H3 and their respective policies

Zoning Code Sections 17.01.050, 17.75.010, 17.75.020, 17.75.040, 17.115.020

### STAFF ANALYSIS AND RECOMMENDATION

Ordinarily with zone change requests, planning staff advises the Planning Commission and City Council to disregard any specific development proposals for the land because those development proposals can change and view the rezone instead as a potential alteration from one set of allowable land uses to another. However, in this instance, it is important to explain some of the details of the proposed development project to understand the rationale for this application.

This zone change is requested in conjunction with a proposal to establish an assisted living facility on the southerly two-thirds of the area proposed for rezoning. This facility, as currently proposed, would consist of a main building containing 80 living spaces and one central kitchen/dining area, and 24 duplex residences (twelve buildings with two dwelling units per building) situated adjacent to the main building. The living spaces within the main building are not classified in the zoning code as dwelling units because they would not have cooking appliances. The duplex residences are categorized as dwelling units by zoning code standards because they would each have provisions for cooking, sanitation, and sleeping. The proposed main building of the assisted living center is allowed in any residential zoning district as a conditional use. The proposed duplex residences, despite being part of the assisted living facility from the developer's perspective, are addressed by zoning code standards in the same way as any other duplexes since they are self-contained dwelling units.

As noted in a previous section of this report, the current zoning of the subject property is R1. Duplexes are not permitted in the R1 zone, but they are allowed in the R2 district. Thus, the applicant is proposing this zone change to allow it to proceed with the construction of duplexes on the property. If the requested zone change is not approved, staff understands the applicant would build 24 detached dwelling units around the main building. The applicant has told staff that it wishes to build duplexes at the site rather than single dwellings because the duplexes would be less

costly to construct and the mass of the duplex structures would fit in better with the character of the single family homes in the surrounding neighborhood.

While planning staff appreciates the applicant's interest in providing affordable housing that is aesthetically pleasing, staff is opposed to this proposed zone change. From planning staff's perspective, the rationale for this request is insufficient to approve a rezone that appears to be antithetical to sound zoning principles.

In attempting to establish a zoning district that would accommodate the proposed duplexes, the applicant has requested a zone change that would result in a narrow peninsula of R2-zoned land surrounded on three sides by R1 zoning. In staff's view, this rezone would present numerous opportunities for land use conflicts between occupants of single family homes in the R1 district and residents in adjacent multi-family units in the proposed R2 district. Ideally, zoning areas should be large districts with logical, orderly boundaries so a community can avoid a checkerboard pattern of allowable land uses. The instant proposal appears to defeat the purpose of zoning by inserting a narrow finger of R2 land into a sizable R1 district.

In staff's estimation, the applicant has not provided adequate evidence to show that there has been sufficient change in the character of this area, or in city policy, to justify the proposed rezone. Also, staff believes it is difficult to argue that more R2-zoned land is needed at this location. The existing R2 district directly north of the subject property contains approximately 140 acres of vacant property.

In conclusion, staff believes it is inappropriate to effect the potentially harmful change in zoning requested by the applicant just so 24 dwellings associated with a proposed assisted living facility can be attached as duplexes. In staff's opinion, this proposed zone change would not promote the public health, safety, or welfare, nor would it be a benefit to the residents of the city. Likewise, the proposal does not seem to be consistent with applicable Comprehensive Plan and Zoning Code provisions—most notably, Comprehensive Plan Policy LU4.2 and Zoning Code Purpose 17.01.050(4). Therefore, planning staff recommends that the applicant's request be denied.

#### FINDINGS OF FACT AND CONCLUSIONS

Planning staff has prepared Findings of Fact and Conclusions regarding this case. These findings and conclusions are incorporated in draft Resolution No. PC-2006-3 for the zone change proposal (See Attachment F).

#### ACTION REQUESTED

- A. Take testimony on the proposed Comprehensive Plan map amendment and proposed zone change request.

- B. Adopt, by motion, Findings of Fact.
- C. Adopt, by motion, Conclusions.
- D. Recommend, by motion, to the City Council that the proposed Comprehensive Plan map amendment be approved, denied, or modified.
- E. Recommend, by motion, to the City Council that the proposed zone change request be approved, denied, or modified.

ATTACHMENTS

- “A” Location and Zoning Map
- “B” Zone Change Application
- “C” Applicant's Proposed Findings of Fact
- “D” Environmental Checklist
- “E” Mitigated Determination of Nonsignificance
- “F” Draft Resolution No. PC-2006-3