

# CITY OF PULLMAN

# Public Works and Planning Departments

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#### **MEMORANDUM**

TO:

Pullman Planning Commission

FROM:

Pete Dickinson, Planning Director

Jason Radtke, Assistant Planner

FOR:

Meeting of October 22, 2008

SUBJECT:

**Proposed Kopf Annexation** 

DATE:

September 24, 2008

Staff Report No. 08-9

#### **BACKGROUND**

On September 23, 2008, Keith Kopf, L.L.C. filed a "Notice of Intent to Annex Real Property" with the city. This proposal involves the annexation of approximately 2.5 acres of land located north of Airport Road at the airport complex (See Attachment "A." Location and Zoning Map, and Attachment "B," Notice of Intent to Annex). The Kopf property borders the city limits and is pre-zoned C3 General Commercial within the city's urban growth area as set forth in the 1999 Pullman Comprehensive Plan. This growth area was created to accommodate urban development over a 20-year time horizon.

This type of annexation request is processed in two steps. The first step is initiated with the submittal of a Notice of Intent to Annex. This notice is reviewed by the Planning Commission and City Council. If the Council accepts the annexation, the applicant begins the second stage by filing a Petition for Annexation. The Council then holds a public hearing to consider this petition and, at the conclusion of this hearing, acts on an ordinance approving or denying the requested annexation.

As noted above, the Commission is the first committee to consider a proposed incorporation. According to Zoning Code Subsection 17.20.070(7), the Commission is mandated to "review and make recommendations on pending annexations to the City."

The property, in its entirety, is owned by Keith Kopf, L.L.C., and is currently undeveloped. The property's planned use is for a water reservoir to provide fire suppression service to Memorandum to Planning Commission October 8, 2008 Page 2

the Pullman/Moscow Regional Airport. The C3 zoning district allows for public facilities as permitted uses.

### COMMENTS OF AFFECTED DEPARTMENTS/AGENCIES

The following departments and agencies were recently provided notice of this proposal. Their responses to this notification are as follows:

- a. **Pullman Public Works Department**: Public works encourages this annexation as it is critical to constructing infrastructure to protect airport facilities from fire. Whitman County Planning has encouraged this annexation as opposed to attempting to get the targeted project permitted and constructed in the county.
- b. Pullman Public Services Department: No response.
- c. **Pullman Police Department**: The general impact on police services will increase with the increase in any development.
- d. Pullman Fire Department: No response.
- e. Pullman Finance Department: No response.
- f. Pullman School District: No response.
- g. Whitman County Planning: No response.

## COMPREHENSIVE PLAN PROVISIONS

The Pullman Comprehensive Plan includes a number of standards that apply to annexation proposals. The pertinent provisions are cited below.

- GOAL LU2.1: Annex land to accommodate growth in an orderly fashion, considering the needs and desires of the property owner, the community, and the adjacent residents, and considering the costs of extending service.
- Policy LU2.1: Consider favorably proposals to annex land in the urban growth area that meet the general criteria for annexation except under unusual circumstances, such as land particularly unsuitable for development or other use with the city, land with environmental or other considerations that would make it more logical for governance in the county, or land whose annexation would provide a glut of undeveloped property in the city.
- Policy LU2.3: Ensure that proposed annexation areas can be furnished with city water, sanitary sewer, and storm drain service without having lines run through unincorporated areas.

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- Policy LU2.4: Consider the fiscal impacts of extending services to annexation areas based on the proposed uses and/or prezone designations and require that, in most cases, new development bear the cost of these services. The annexation may be conditioned on capital improvements being made and agreements for bearing other costs being completed.
- Policy LU2.6: Discourage the establishment of narrow projections of incorporated land surrounded on three sides by unincorporated property.
- Policy LU2.7: Assign prezone designations to all areas outside the city limits that are within the urban growth area; when land outside the urban growth area is proposed to be annexed, assign an appropriate prezone designation(s) for the property under consideration.
- Policy LU2.8: Require property owners within an area to be annexed to assume their proportionate share of the city's indebtedness upon annexation.
- Policy LU2.9: Require petitioners for city annexation to apply for annexation to other service districts (e.g., the Hospital District) at the same time.
- Policy LU2.10: Provide ample notice of annexation proposals to all affected parties.

### STAFF ANALYSIS AND RECOMMENDATION

Planning staff is in favor of the subject annexation. The city has desired reliable water service for fire suppression at the airport facility for some time. The purpose of this annexation, as noted above, is to incorporate land for placement of the needed reservoir. The shape of the annexation is the result of city negotiations with the landowner; it would accommodate an access route from Airport Road leading to the proposed reservoir site in an elevated position at the northernmost point of the subject property. Following annexation, the city intends to acquire the parcel.

With regard to fiscal impact, city staff anticipates minimal long-term effects. After constructing the water tower and accompanying access road, staff expects maintenance costs to be relatively low.

Despite the irregular configuration of the proposed annexation that conflicts with Comprehensive Plan Policy LU2.6, there is an overriding public interest in effecting this proposal. Therefore, planning staff recommends that the requested annexation be approved with the following conditions of approval:

1. The petitioners shall assume their proportionate share of city indebtedness

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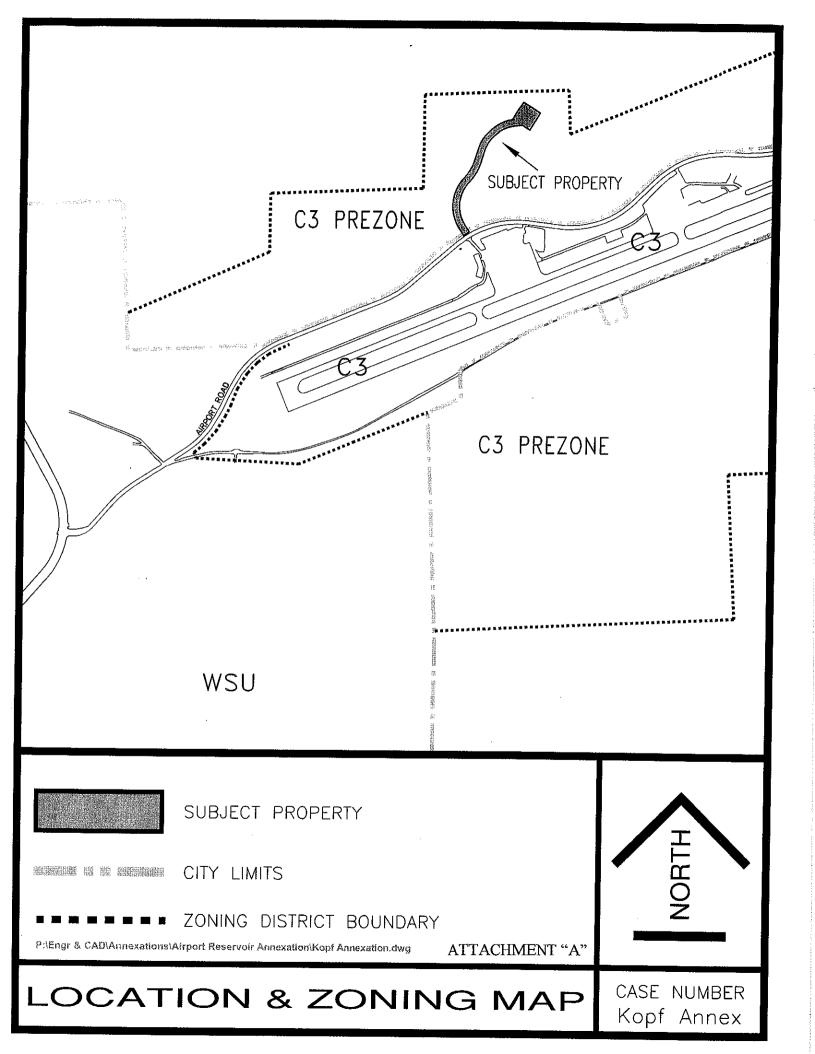
upon annexation as determined by the city finance director.

- 2. The petitioners shall accept the assignment of a C3 General Commercial zoning designation for the subject property to become effective immediately upon annexation.
- 3. Prior to the City Council public hearing on this annexation proposal, the petitioners shall initiate proceedings for annexation to Whitman County Hospital District No. 1A.

### **ATTACHMENTS**

"A" Location and Zoning Map

"B" Notice of Intent to Annex





#### NOTICE OF INTENT TO ANNEX REAL PROPERTY

The undersigned owners of not less than ten percent (10%) in value, according to the assessed valuation for general taxation of the property for which annexation is sought, do hereby notify the City Council of the City of Pullman of their intention to commence annexation proceedings, under which the undersigned shall seek annexation of the following described real property, situated in the County of Whitman, State of Washington to wit:

A parcel of land situated within the County of Whitman, State of Washington, in the west ½ of the Northwest Quarter of Section 35, Township 15 North, Range 45 East, Willamette Meridian.

PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE IS MADE A PART HEREOF.

WHEREFORE, the undersigned do hereby request the City Council of the City of Pullman to set a date, not later than sixty (60) days after the filing of this notice, for a meeting with the undersigned to determine whether the City will accept the proposed annexation, whether it shall require the simultaneous adoption of a proposed zoning regulation, and whether it shall require the assumption of existing City indebtedness by the area to be annexed.

DATED this 23 day of Suptember, 2008.

Kot / ( ivêmben Keith Kopf, Keith Kopf, L.L.C.

# LEGAL DESCRIPTION AIRPORT FIRE RESERVOIR ANNEXATION

A parcel of land situate within the County of Whitman, State of Washington, in the west half of the northwest quarter of Section 35, T 15 N, R 45 E, WM, said parcel being more particularly described as follows:

Commencing at the northwest corner of said Section 35;

thence S59°59'24"E 1,066.03 feet to the Point of Beginning;

thence S58°14'57"E 180.00 feet;

thence S31°45'03"W 180.00 feet;

thence N58°14'57"W 78.56 feet;

thence S82°40'16" W 81.31 feet to the beginning of a curve to the left;

thence 164.85 feet along said curve, on a radius of 270.00 feet, through a central

angle of 34°58'54", the long chord of which bears S65°10'49"W 162.30 feet;

thence S47°41'22"W 34.99 feet to the beginning of a curve to the left;

thence 146.60 feet along said curve on a radius of 270.00 feet, through a central angle

of 31°06'36", the long chord of which bears S32°08'04"W 144.81 feet;

thence \$16°34'46"W 111.77 feet to the beginning of a curve to the right;

thence 202.63 feet along said curve on a radius of 430.00 feet, through a central angle

of 27°00'00", the long chord of which bears S30°04'46"W 200.76 feet to the

beginning of a reverse curve to the left;

thence 413.99 feet along said curve on a radius of 310.00 feet, through a central angle

of 76°30'54", the long chord of which bears S05°19'19"W 383.90 feet;

thence S32°56'08"E 72.76 feet to the northerly right-of-way (ROW) line of Airport

Road and the beginning of a curve to the left;

thence 60.01 feet along said ROW line and curve on a radius of 863.51 feet, through a

central angle of 03°58'55", the long chord of which bears S57°03'52"W 60.00 feet;

thence leaving said ROW line N32°56'08"W 72.76 feet to the beginning of a curve

to the right;

thence 494.11 feet along said curve on a radius of 370.00 feet, through a central angle of 76°30'54", the long chord of which bears N05°19'19"E 458.21 feet to the beginning of a reverse curve to the left;

thence 174.36 feet along said curve on a radius of 370.00 feet, through a central angle of 27°00'00", the long chord of which bears N30°04'46"E 172.75 feet; thence N16°34'46"E 111.77 feet to the beginning of a curve to the right; thence 176.18 feet along said curve on a radius of 330.00 feet, through a central angle of 31°06'36", the long chord of which bears N32°08'04"E 176.99 feet; thence N47°41'22"E 34.99 feet to the beginning of a curve to the right; thence 201.48 feet along said curve on a radius of 330.00 feet, through a central angle of 34°58'54", the long chord of said curve bearing N65°10'49"E 198.36 feet; thence N82°40'16"E 7.43 feet;

thence N58°14'57"W 6.27 feet;

thence N31°45'03"E 180.00 feet to the Point of Beginning,

Said parcel containing 2.47 acres, more or less.

Approved for Form:

Director of Public Works

Date