



# Planning Department Newsletter

## JUDGE UPHOLDS WAL-MART DECISION

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At a hearing in Colfax on October 18, Superior Court Judge David Frazier sustained the decision of the Pullman hearing examiner to approve the proposed Wal-Mart store on Bishop Boulevard. Prior to delivering his ruling, Judge Frazier listened to arguments from attorneys representing appellant Pullman Alliance for Responsible Development (PARD), Wal-Mart, and the city. In making his determination, Judge Frazier indicated he could not find adequate justification to overturn the decision of hearing examiner John Montgomery in favor of the proposed development.

The original application materials for the planned 223,000-square-foot store were submitted to the city in October of 2004. These materials, which included an environmental checklist and a site plan review application, were revised several times before the city took action on them.

On August 25, 2005, public works director Mark Workman issued a Final Determination of Nonsignificance (DNS) based on his review of the environmental checklist. Then, on September 22, 2005, Mr. Workman approved the site plan application subject to 35 conditions involving such matters as compliance with mitigation measures offered by Wal-Mart in its environmental checklist, construction of transportation and utility facilities necessitated by the project, and installation of a vegetative screen on the north side of the cemetery. Soon thereafter, PARD appealed both of these decisions to the Pullman hearing examiner.

In January of this year, Mr. Montgomery conducted a public hearing over the course of three days to accept public input on the appeal. On February 26, Montgomery ruled

to uphold the city's decision approving the application for the proposed store, subject to the following additional conditions:

1. A traffic signal must be installed at the intersection of Bishop Boulevard and Fairmount Road prior to occupancy of the proposed Wal-Mart supercenter. The public works director shall determine the level of Wal-Mart's financial participation in the construction of this traffic signal.



*A view of the proposed Wal-Mart site from the Pullman Cemetery.*

2. A traffic signal and southbound right turn lane must be installed at the intersection of Bishop Boulevard and Professional Mall Boulevard prior to issuance of a permit for a future gasoline service station at the Wal-Mart site, unless a new traffic analysis prepared by Wal-Mart after the construction of the supercenter demonstrates to the public works director that traffic service levels are acceptable at this intersection. The

## REEVALUATION OF PULLMAN'S URBAN GROWTH AREAS

In the July 2006 Planning Department Newsletter, we reviewed the status of Pullman's growth over the past few years. That narrative noted the population of Pullman (which includes

WSU students) increased by 8.3 percent since 2000. Annexation of land in Pullman over that same period has kept pace with this rise in population. From 2000 to the present, the city has incorporated a total of 425 acres, distributed over Sunnyside, Military, and Pioneer Hills. And planning staff is currently responding to multiple inquiries from landowners to annex more property to the city.

In response to these growth pressures, the City Council adopted the following as one of its 2006 goals: "Work with Whitman County in a mutually beneficial manner to re-evaluate and update the Comprehensive Plan as it pertains to Urban Growth Areas." In the coming months, the planning department will be conducting public discussions of community growth and the best means to accommodate it. These discussions will necessarily involve the county because of changes in its code to allow limited development outside the city limits but in close proximity to Pullman. City and county officials have expressed interest in working together to satisfy the need for growth and associated public facilities in a way that best serves all residents and property owners in the greater Pullman area.

Notifications about upcoming public meetings on this topic will be provided in city announcements and local media reports. If you wish to provide any comments regarding this subject in the meantime, please contact the planning department office.



*One of the largest annexations in recent times was the Grey Estate Annexation on Wawawai Road.*

## COLLEGE HILL CONSULTANT TENTATIVELY SELECTED

As mentioned in previous editions of this newsletter, the City Council has requested that a consultant be retained to conduct a global review of College Hill issues. This review, jointly sponsored by the city and WSU, will involve a study of land use and transportation matters in the College Hill core area bounded by Stadium Way, Grand Avenue, and Main Street.

In September, city personnel solicited proposals from various planning consultants in the region. Four firms responded with requests to perform the study. These

firms were BHC Consultants, LLC of Seattle; David Evans and Associates, Inc. of Spokane; LMN Architects of Seattle; and Studio Cascade, Inc. of Spokane. All of these organizations are highly respected in the Washington state planning community.

The proposals from these companies were transmitted to the city's newly formed College Hill Advisory Committee (CHAC), a panel composed of various stakeholders in the neighborhood. The CHAC held a meeting on October 12 to discuss the strengths

and weaknesses of the submissions and reach consensus on a preferred consultant. After much deliberation, the majority of the committee recommended Studio Cascade as its top choice. Then, administration officials from the city and WSU reviewed the CHAC's suggestion and tentatively decided on Studio Cascade to conduct the study.

City staff is currently negotiating a draft contract with Studio Cascade. If all goes smoothly, staff plans to bring the contract to the City Council for review and

action at its meeting of November 14. The consultant indicates that a final report documenting its findings and recommendations for the College Hill area will be ready for presentation to the Council early next year. Along the way, the CHAC will be called upon to provide input to the planning firm regarding the neighborhood study.

## PENDING LAND USE APPLICATIONS



Displayed below are land use applications submitted to the planning or public works department or city-generated proposals for planning provisions that require a public meeting, public notice, or site plan review in accordance with the city code.

PROJECT	DESCRIPTION	LOCATION	STATUS
Brannan/Brelsford Annexation	annex 9.8 acres to the city	west of S. Grand Avenue/ Fairmount Drive intersection	CC accepted annexation; city awaiting annexation petition
Paradise Downtown LLC Conditional Use Permit (C-06-5)	provide for doubling of housing density in mixed use development to allow up to 50 residences on a 25,000-sq-ft parcel	southwest corner of SE Paradise Street/SE High Street intersection	BOA hearing scheduled for 11/20
High School Administrative Conditional Use Permit (06-2)	construct 520-sq-ft concessions stand and 1,800-sq-ft press box near high school football field	510 NW Larry	staff approved application; appeal period ends 11/4
Renstrom Administrative Variance (AV-06-1)	construct single family house with 9-ft, 4-in rear setback rather than standard 10-ft rear setback	835 NW Palouse View Court	staff approved application; appeal period ends 11/4
Wal-Mart Supercenter SEPA determination and site plan	develop 223,000-sq-ft store on a 28-acre site	south of SE Harvest Dr/Bishop Boulevard intersection	Superior Court judge denied PARD appeal on 10/18
Humane Society Adoption Center site plan (03-15)	construct 12,000-sq-ft animal shelter facility on a 6.2-acre site	1350 SE Old Moscow Road	staff requested applicant to revise site plan
Valley Road Apartments site plan (05-18)	develop 7 apartments on a 10,832-sq-ft lot	1245 NE Valley Road	staff requested applicant to revise site plan
North Campus Heights Apartments Expansion site plan (05-19)	develop 42 additional apartments	1540 NE Merman Drive	staff requested applicant to revise site plan
Emmanuel Baptist Church Addition site plan (06-5)	construct 2,850-sq-ft addition to existing church building	1300 SE Sunnymead Way	staff requested applicant to revise site plan
Fire District #12 Storage Building site plan (06-10)	construct 3,000-sq-ft truck storage building on 30,500-sq-ft site	912 W. Main Street	staff requested applicant to revise site plan
Beasley Apartment (Phase I) site plan (06-13)	develop 11 condominiums in Phase I of 37-unit project on 3.1-acre site	210 NW Terre View Drive	staff requested applicant to revise site plan
VBC Apartments (Phase II) site plan (06-14)	develop 26 apartments on 1.4-acre site	555 NE Terre View Drive	staff requested applicant to revise site plan
High School Concessions and Press Box site plan (06-15)	construct 520-sq-ft concessions stand and 1,800-sq-ft press box at high school	510 NW Larry Street	staff reviewing application
Bishop Place Porte-cochere Extension site plan (06-16)	expand shelter at main entrance by 650 sq ft	811 SE Klemgard Avenue	staff reviewing application



**KEY TO ZONING DISTRICTS:** R1 Single Family Residential; RT Residential Transitional; R2 Low Density Multi-Family Residential; R3 Medium Density Multi-Family Residential; R4 High Density Multi-Family Residential; C1 Neighborhood Commercial; C2 Central Business District; C3 General Commercial; I1 Light Industrial; I2 Heavy Industrial; IRP Industrial Research Park; WSU Washington State University

**KEY TO ABBREVIATIONS:** CC: City Council; PC: Planning Commission; BOA: Board of Adjustment; DOE: State Department of Ecology; LC: Landmarks Commission

NOTES: 1) If an applicant fails to act on a pending application for a period of six months, said application will be dropped from the above list. 2) Numbers in parentheses are planning staff's internal file numbers. 3) Site plan review by city staff is generally conducted for proposed construction of developments other than single family homes, duplexes, or manufactured homes; it does not apply to most construction on the WSU campus.



Planning Department  
325 SE Paradise St.  
Pullman, WA 99163

Phone: 509-338-3213

Fax: 509-338-3282

Email: [bethany.johnson@pullman-wa.gov](mailto:bethany.johnson@pullman-wa.gov)

Pullman Planning Department Staff

*Pete Dickinson, Planning Director*

*Erin Schau, Assistant Planner*

*Beth Johnson, Public Works Administrative Assistant*

*Neil Jeffers, Engineering/Planning Aide*

*Evan Pond, Engineering/Planning Aide*

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**WAL-MART** *continued from page 1*

public works director shall determine the level of Wal-Mart's financial participation in the construction of this traffic signal if it is to be installed.

3. In the event that human remains are disturbed during the construction of the Wal-Mart supercenter, given the location of the subject property relative to the Pullman Cemetery, Wal-Mart shall cease construction at the site pending a governmental determination on an appropriate course of action.

Court of the hearing examiner's decision, claiming that "the Supercenter will have a myriad of negative impacts upon the surrounding community and residents that have not been addressed or mitigated by Wal-Mart or the City of Pullman." At a hearing in June, Judge Frazier ruled that the hearing examiner's written decision was insufficient as a matter of law because some of the issues raised during the January sessions were not specifically addressed in his decision. In addition, Judge Frazier said he found it difficult to reconcile some of the hearing examiner's conclusions with the written findings. In the interest of preserving

an adequate record for appeal, Judge Frazier remanded the matter to the hearing examiner for clarification of the findings and conclusions.

With revised documentation from the hearing examiner on hand at the proceedings in October, Judge Frazier decided to uphold Mr. Montgomery's determination. This Superior Court decision can be appealed to the Washington State Court of Appeals in Spokane. The appeal period is 30 days from the date Judge Frazier signs the court order. He is expected to sign this document soon.

On March 17, PARD filed an appeal with the Superior

Your comments,  
questions and  
suggestions are  
always welcome.