



CITY OF PULLMAN
Public Works and Planning Departments
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www.pullman-wa.gov

MEMORANDUM

TO: Pullman Planning Commission

FROM: Pete Dickinson, Planning Director PD
Jason Radtke, Assistant Planner JR

FOR: Meeting of October 26, 2016

SUBJECT: Zone Change Application No. Z-16-2

DATE: October 19, 2016

Staff Report No. 16-15

BACKGROUND DATA

Applicant: Glenn Petry for Lumberyard Partners, LLC.

Property Location: 305 N Grand Avenue (See Attachment A, Location and Zoning Map).

Property Size: 33,600 square feet.

Applicant's Request: Amend the zoning classification from C3 General Commercial to C2 Central Business District (See Attachment B, Application Z-16-2; and Attachment C, Applicant's Proposed Findings of Fact). The applicant states he is requesting this zone change to align the zoning district boundary with the topographic line of the South Fork of the Palouse River, rather than the discontinued rail line.

Applicable Zoning District Descriptions: **C3 district:** Provides for general commercial uses dependent upon convenient vehicular access.
C2 district: Provides for retail and service businesses in a pedestrian-friendly environment that do not require large off-street parking facilities.

Property Features: **Current Land Use:** The former Pullman Building Supply retail

center and lumber warehouse;
Utilities: subject parcel is served by city utilities;
Topography: property is fairly flat.

Adjacent Zoning
and Land Use:

North: C3 and I2 Heavy Industrial districts; businesses;
East: C3 and R4 High Density Multi-Family Residential districts; Pufferbelly Depot, single family homes, and duplexes;
South: C2 district; Neill Public Library and businesses;
West: R2 Low Density Multi-Family Residential and I2 districts; businesses, Pullman Transit transfer station, and single family homes.

Access:

N Grand Avenue, designated on the Comprehensive Plan Arterial Street Plan Map as a major arterial; and NW State Street, designated on said map as an arterial collector street.

Environmental Review:

Environmental Checklist submitted 8/1/16 (See Attachment D); Determination of Nonsignificance issued 9/21/16 (See Attachment E).

Hearing
Notification:

Notice of Public Hearing mailed 10/13/16; Notice of Public Hearing published 10/15/16; Notice of Public Hearing posted 10/11/16.

Comments of Affected
Departments/
Agencies:

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

- a. **Public Services Department:** *No response.*
- b. **Pullman Fire Department:** *No response.*
- c. **Pullman Police Department:** No law enforcement or public safety concerns.
- d. **Pullman Public Works Department:** No concerns or objections.
- 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), are referenced below.

Comprehensive Plan Goals LU3, LU5, and their respective policies

Zoning Code Sections 17.01.050, 17.80.010, 17.80.030, 17.80.040, 17.110.030,
17.110.040, 17.115.020

Zoning Code Section 17.115.020 includes special criteria for proposed rezones involving commercial and industrial districts. The rezone guidelines for the C2 district are as follows:

- (i) extensions of the C2 district should be contiguous to the existing C2 Central Business District;
- (ii) C2 districts should be located along major or secondary arterials as identified in the circulation element of the Comprehensive Plan;
- (iii) extensions of the C2 district should contain enough land to provide for a reasonable amount of on-site off-street parking considering the potential uses and land available.

STAFF ANALYSIS AND RECOMMENDATION

Planning staff is in favor of granting the applicant's request. Based on the discussion below, staff believes that approval of this proposal would promote the public health, safety, and welfare, and be a benefit to the residents of the city. The applicant argues that, while the railroad line currently delineates the northern boundary of the downtown district, the South Fork of the Palouse River, north of the subject property, is the logical natural boundary to this district, especially since the rail line is in the process of being abandoned.

According to the Zoning Code, the allowable uses in the C2 and C3 districts are similar. The differences envisioned in the code for these two districts are related more to scale than activity. Generally speaking, the focus in the C2 zone is on smaller businesses that cater primarily to pedestrians (who may park in a public parking space and walk to several shops during their visit downtown). On the other hand, the emphasis in the C3 district is on sizable commercial enterprises that can sometimes generate a large amount of vehicle traffic and demand a significant number of parking spaces.

Planning staff agrees with the applicant that this proposal represents a sensible extension of C2 zoning. The parcel in question is oriented toward the downtown area given its location south of the river shoreline. It appears to be well-suited for the uses allowed in the C2 district, and it contains sufficient land for a reasonable amount of on-site parking. Given the comparable uses allowed in the C2 and C3 zones, staff anticipates that the proposed rezone would maintain compatibility with surrounding zoning and land use.

Existing infrastructure at this site would accommodate C2 commercial development on the subject property. The site is accessed via NW State Street, a collector arterial, and N Grand Avenue, one of Pullman's major arterials. Therefore, staff believes the site to have sufficient access for allowable uses.

Based on the foregoing discussion, planning staff believes the applicants' request would

have a positive effect on the community's physical, economic, and social environment. Planning staff finds the proposal would be consistent with the Comprehensive Plan—particularly Goal LU5, which promotes “[strengthening and enlarging] the economic base of the community by providing commercial areas that offer a variety of goods and services in settings that are readily accessible...” Also, planning staff concludes that this application would be consistent with the applicable purposes of the zoning code, including Subsection 17.80.010(2) that advocates providing “areas where commercial uses may concentrate for the convenience of the public and in mutually beneficial relationships with each other.” Therefore, planning staff recommends that the proposed zone change be approved.

FINDINGS OF FACT AND CONCLUSIONS

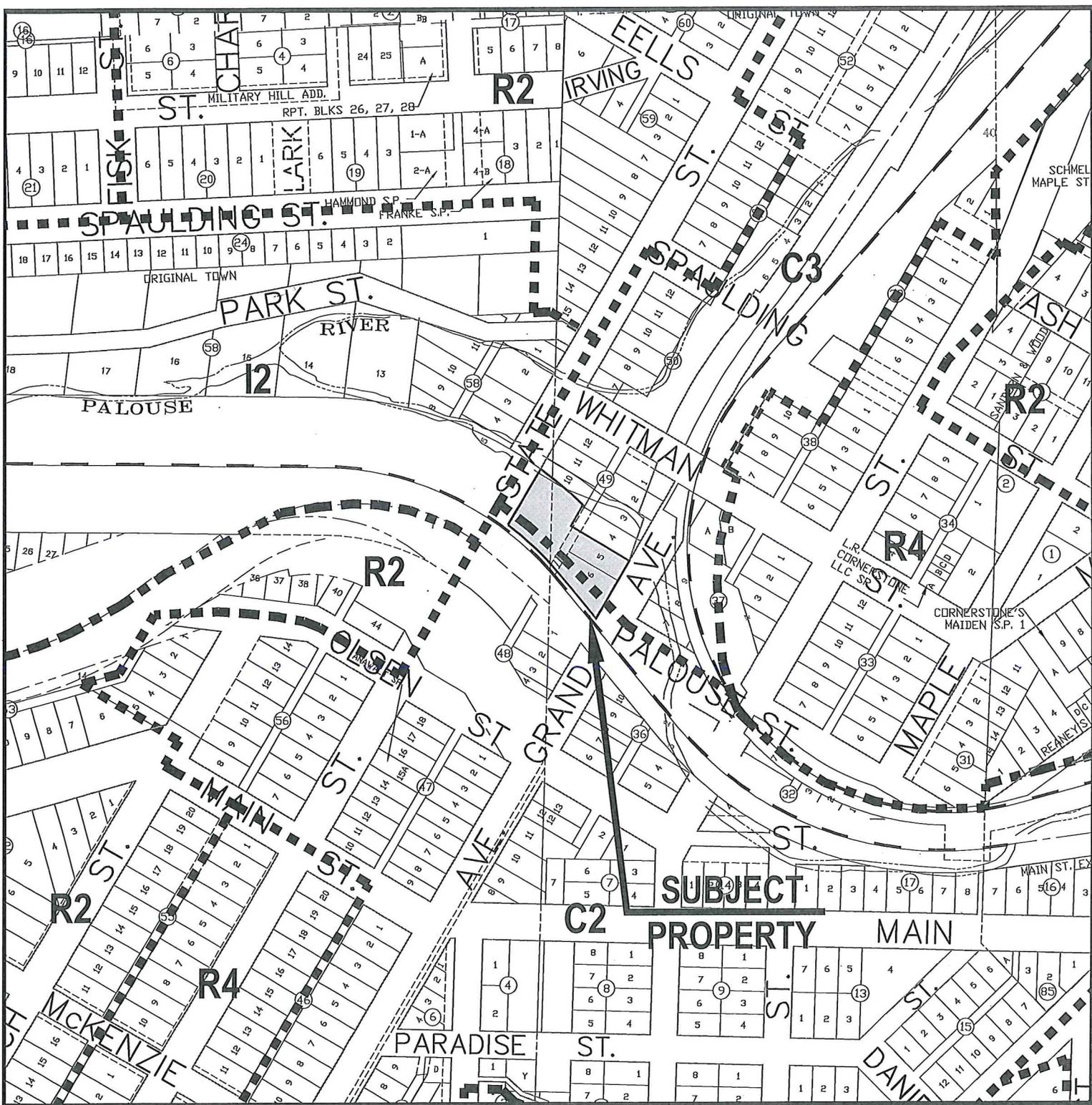
The Planning Commission may abstract findings of fact and conclusions regarding this case from the applicant, staff, public hearing participants, or its own members. Planning staff's suggested findings and conclusions are incorporated in draft Resolution No. PC-2016-5 (See Attachment F).

ACTION REQUESTED

- A. Establish rules of procedure and ask Appearance of Fairness questions.
- B. Accept staff report.
- C. Take testimony on the proposed zone change request.
- D. Adopt, by motion, Findings of Fact.
- E. Adopt, by motion, Conclusions.
- F. 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” Determination of Nonsignificance
- “F” Draft Resolution No. PC-2016-5



SUBJECT PROPERTY



ZONING DISTRICT BOUNDARY



RECEIPT NO.: 43534
DATE APPLICATION RECEIVED: 8-23-16
DATE APPLICATION ACCEPTED AS COMPLETE: _____

CITY OF PULLMAN
ZONE CHANGE APPLICATION
Pullman City Code 17.115

APPLICANT:

NAME: Lumberyard Partners LLC - Glenn Petry
ADDRESS: 64420 Old Bend Redmond Highway; Bend, OR. 97703
TELEPHONE: 541-280-0222
STATUS (property owner, lessee, agent, purchaser, etc.): Property Owner

PROPERTY OWNER (if different than applicant):

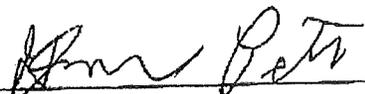
NAME: _____
ADDRESS: _____
TELEPHONE: _____

PROPERTY LOCATION (general or common address): 305 N. Grand Avenue
Former Pullman Building Supply

REASON FOR ZONE CHANGE REQUEST:

Applicant requests a zone change on the subject property from a(n) C3 zoning district to a(n) C2 zoning district in order to Facilitate the orderly conversion of a land parcel at the edge of the downtown district, that was formerly separated from the core by railroad tracks, but now is directly contiguous with the downtown core and is in position to support the comprehensive plan goal making the downtown core the key commercial district. The revised boundary of the C2 district would then follow the natural/topographic line of the South Fork of the Palouse River.

All information provided in this application is said to be true under penalty of perjury by the laws of the State of Washington.


Applicant's Signature

8/19/16
Date

APPLICANT'S PROPOSED FINDINGS OF FACT

- (1) Is the proposal consistent with the Comprehensive Plan?

The current comprehensive plan designates this area as C3 area. This parcel has in the past been separated from the downtown core, by railroad tracks. The railroad right-of-way is in the process of being abandoned and regardless of the disposition of this abandonment the parcel in question will no longer be separated from the adjacent C2 zoning district. Historically, geographically, and topographically this parcel is a part of downtown – as the South Fork of the Palouse River to the north of the parcel is the logical physical boundary of Downtown Pullman. This supports the major Comprehensive Plan goal of “maintaining the downtown as the key commercial district in the city.” Without the ability for the C2 district to absorb this logical extension of land, the commercial viability of the downtown district will be diminished. Further, this re-zoning will support several other of the comprehensive plan’s goals.

- “conserve natural resources,” by encouraging denser development in the downtown core as opposed to development of other areas on the outer edges of town.

- “improve the overall quality of local streams and shoreline areas,” by allowing downtown quality development adjacent to the South Fork of the Palouse improvement of this area is encouraged

- “enhance community appearance,” by encouraging this small expansion of the downtown area to the north this will encourage the improvement of this section of North Grand Avenue and seek to connect this with the Grand Avenue Greenway improvements underway elsewhere along this arterial.

Based upon the surrounding designation the zone change is consistent with the Comprehensive Plan.

- (2) Is the proposal consistent with the purposes of the Zoning Code and the proposed zone district? Yes, the future development of the parcel may include commercial and mixed-use development consistent with the C2 zone and the goals of downtown development. The location directly adjacent the C2 district allows for synergy with existing C2 zoned parcels and the overall development of downtown as the key commercial district in the city. Likely uses for the parcel will be commercial occupancies that will create more people coming to the downtown core to shop, eat, drink and participate in entertainment options.

- (3) What is the relationship of the proposed zoning change to the existing land uses, and the zoning of surrounding or nearby property?

The parcel in question is currently zoned C3 with a former Building Supply store being a non-conforming legal use at the time of its’ relocation to the periphery of town. The parcel is bordered by C3 land to the north across the South Fork of the Palouse River, and I2 zoning district across NW State Street to the West. To the south is C2 zoned land. This is the logical zoning district for the parcel in question based upon the planned abandonment of the existing railroad tracks. The parcel in question is much more connect to and contiguous with the parcels to the south than the disconnected zoning districts to the north and west of the parcel. Based upon these existing uses and zoning designations the proposed zoning change is compatible.

- (4) Has there been sufficient change in the character of the surrounding or nearby area, or in city policy, to justify the rezone?

Yes, the planned removal of the railroad tracks offers the opportunity to rezone based upon the natural boundary of the South Fork of the Palouse River instead of a transportation feature that will cease to exist. This change in character of the area immediately adjacent to the parcel in question justifies the rezoning. The zoning designation revision to a C2 designation is compatible with the City's comprehensive plan, in keeping with City policy, and logical in light of the natural features of the central portion of Pullman.

- (5) Is the property economically and physically suitable for the uses allowed under the existing zoning, and under the proposed zoning? Consideration should be given to the length of time the property has remained undeveloped compared to the surrounding and other parcels in the city with the same zoning. The existing parcel's zoning is not suited to the physical location and layout of the lot, and was only economically feasible in the recent past by the allowance for non-conforming legal use as a pre-existing building supply store. The property is a prime opportunity to expend the people-centered activity in the core of town. Due to its close proximity to the very center of town it is a great opportunity to develop uses that will contribute to the downtown C2 district being the key commercial portion of the city, however the vehicular access to the lot, the size and arrangement of the parcel are not conducive to the development of the site for C3 type uses.

- (6) What is the relative gain to the public health, safety and welfare compared to a potential increase or decrease in value to the property owners?

The City of Pullman in general will benefit from the proposed zone change by allowing continued redevelopment within the developed city area, without requiring extension of existing public services. Utility infrastructure, public transport, and public service operations already include the parcel within their service areas. No decrease in value to surrounding property owners is anticipated, and surrounding parcels may indeed increase in value depending on the success of the possible development(s) to occur on the parcel in question.

- (7) Is the proposal necessary to correct an error?

No.

- (8) Are special conditions necessary to achieve compatibility of development with surrounding properties?

No.

CITY OF PULLMAN ENVIRONMENTAL CHECKLIST

A. BACKGROUND

1. Name(s) of proposed project, if applicable:
LUMBERYARD PARTNERS LLC
2. Name of applicant:
GLENN PETRY
3. Address and phone number of applicant and contact person:
*64420 OLD BEND REDMOND HWY
BEND OR 97703
541-280-0222*
4. Date Checklist prepared: *7/22/16*
5. Agency requesting Checklist: *City of Pullman*
6. Proposed timing or schedule (including phasing, if applicable):
*ZONE CHANGE - ASAP
SITE WORK PHASE ONE - FRONT BUILDING 9-12 MONTHS
PHASE TWO - BACK BUILDING - UNKNOWN*
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
NO
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
REMOVE RAILROAD STRUCTURE & TRACKS POSSIBLE

10. List any governmental approvals or permits that will be needed for your proposal, if known.

DEMO PERMIT

BUILDING PERMIT

ZONE CHANGE FROM C2 TO C3

CRITICAL AREAS REPORT

FLOODPLAIN PERMIT

SHORELINE PERMIT

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this Checklist that ask you to describe certain aspects of your proposal. You need not repeat those answers here.

SITE - FOOD & BEVERAGE COURT

proposed zone
change from
C3 General
Commercial to
C2 Central
Business District

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the City, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this Checklist.

305 N. GRAND, PULLMAN WA
LOTS 5, 6 BLOCK 49, ORIGINAL TOWN OF PULLMAN
SITE PLAN ALREADY SUBMITTED.

B. ENVIRONMENTAL ELEMENTS (TO BE COMPLETED BY APPLICANT)

1. EARTH

a. General description of the site (circle one):

flat rolling, hilly, steep slopes, mountainous, other WITH SOME SLOPES UNDER FRONT BUILDING of

b. What is the steepest slope on the site (approximate percent slope)? TO SIDE.

30%

c. What general types of soil are found on the site (e.g., clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

ZONE CHANGE N/A
SITE = CLAY

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

ZONE CHANGE N/A
SITE - SOME SOIL GETS WASHED IN DURING HIGH WATER

e. Describe the purpose, type, total area and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

ZONE CHANGE - N/A
SITE - SLIGHT AMOUNT OF EXCAVATION, GRADING, & FILL FOR EXTENDING SEVERAL PARKING SPOTS. GRAVEL 2-4 YARDS. LEASED PARKING AREA - GRAVEL 10 YDS. SLIGHT GRADING.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

ZONE CHANGE N/A
SITE - NO

g. About what percent of the site will be covered with impervious surfaces after project construction (e.g., asphalt or buildings)?

SITE - ALMOST THE SAME AS NOW.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

ZONE CHANGE - N/A
SITE - MINIMAL GRADING SO NONE UNLESS CITY REQUIRES IT.

2. AIR

- a. What types of emissions to the air would result from the proposal (e.g., dust, automobile, odors, industrial, wood smoke) during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities, if known.

ZONE CHANGE N/A

SITE - MOSTLY WOODS SO A LITTLE VEHICLE EXHAUST AND SOME WOOD DUST.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

- c. Proposed measures to reduce or control emissions or other impacts to the air, if any: MINIMAL EMISSIONS SO NONE

3. WATER

- a. Surface Water:

- i. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

ZONE CHANGE - N/A

SITE - S. FORK OF THE PALOUSE

- ii. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, describe and attach available plans.

ZONE CHANGE - N/A

SITE - SOME LIGHT GRADING & GRAVEL FILL FOR PARKING

- iii. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

ZONE CHANGE N/A

SITE - NONE

- iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities, if known.

YES

- v. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

NO

- vi. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge?

NO

b. Ground Water:

- i. Will ground water be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to ground water? Give general description, purpose and approximate quantities, if known.

NO

- ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (c.g., domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable) or the number of animals or humans the system(s) are expected to serve.

N/A

ii. Could waste materials enter ground or surface waters? If so, generally describe.

NO

iii. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

ZONE CHANGE N/A
SITE + LEASED AREA - MINIMALLY WHERE PARKING IS
PAVED

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

ZONE CHANGE N/A
SITE - NONE

as noted previously,
a critical areas
report floodplain
permit, and shoreline
permit will be
required

4. PLANTS

a. Check and/or circle the following types of vegetation found on the site:

- Deciduous tree: alder, maple, aspen, other _____
- Evergreen tree: fir, cedar, pine, other _____
- Shrubs
- Grass
- Pasture
- Crop or grain
- Orchards, vineyards or other permanent crops
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other _____
- Water plants: water lily, celgrass, milfoil, other _____
- Other types of vegetation _____

b. What kind and amount of vegetation will be removed or altered?

NONE

c. List threatened and endangered species known to be on or near the site.

NONE

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

ZONE CHANGE - NONE
SITE - NONE

5. ANIMALS

- a. List any birds and other animals which have been observed on or near the site, or are known to be on or near the site. Examples include:

BIRDS: Hawk, heron, eagle, songbirds, other _____

MAMMALS: Deer, bear, elk, beaver, other NONE

FISH: Bass, salmon, trout, herring, shellfish, other NONE

- b. List any threatened and endangered species known to be on or near the site.

ZONE CHANGE N/A
SITE - NONE

- c. Is the site part of a migration route? If so, explain.

ZONE CHANGE N/A
SITE - UNLIKELY

- d. Proposed measures to preserve or enhance wildlife, if any:

ZONE CHANGE N/A
SITE - NONE

- e. List any invasive animal species known to be on or near the site.

ZONE CHANGE N/A
SITE - NONE

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

ZONE CHANGE N/A
SITE - ELECTRIC & GAS

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

NO

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

ZONE CHANGE N/A
SITE: MEET NEW INSULATION STANDARDS

7. ENVIRONMENTAL HEALTH

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

ZONE CHANGE N/A
SITE - FIRE IS A POSSIBILITY

- i. Describe any known or possible contamination at the site from present or past uses.

ZONE CHANGE N/A
SITE - NONE KNOWN

- ii. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

ZONE CHANGE N/A
SITE - IT WILL HAVE ITS OWN NATURAL GAS PIPELINE

- iii. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

ZONE CHANGE N/A
SITE - MIGHT BE SOME PAINT THINNER, AUTOMOTIVE EQUIPMENT WOULD HAVE FUEL,

- iv. Describe special emergency services that might be required.

ZONE CHANGE - NONE
SITE - WORKER INJURY
- FIRE

- v. Proposed measures to reduce or control environmental health hazards, if any:

NONE

b. Noise:

- i. What types of noise exist in the area which may affect your project (traffic, equipment, operation, other)?

ZONE CHANGE N/A
SITE - TRAFFIC

- ii. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours noise would come from site.

ZONE CHANGE N/A
SITE - SHORT-TERM - TRAFFIC, CONSTRUCTION 8-5PM
- LONG-TERM - TRAFFIC, GUESTS

- iii. Proposed measures to reduce or control noise impacts, if any:

ZONE CHANGE N/A
SITE - HEAVY INSULATION, ON SITE MANAGERS

8. LAND AND SHORELINE USE

- a. What is the current use of site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

ZONE CHANGE N/A

SITE - VACANT, ADJACENT - MOSTLY BUSINESSES.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of this proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

NO

- i. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

NO

- c. Describe any structures on the site.

TWO DOME BUILDINGS.

- d. Will any structures be demolished? If so, describe.

NO

- e. What is the current zoning classification of the site?

C-3

f. What is the current Comprehensive Plan designation of the site?

COMMERCIAL

g. If applicable, what is the current Shoreline Master Program designation of the site?

URBAN SHORELINE

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

YES ADJACENT RURAL AREA.

i. Approximately how many people would reside or work in the completed project?

SITE 10-15 (FULL + PART-TIME)

j. Approximately how many people would the completed project displace?

NONE

k. Proposed measures to avoid or reduce displacement impacts, if any:

NONE

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

COMPLIANCE WITH CRITICAL AREAS ORDINANCE, SHORELINE MASTER PROGRAM, AND COMPREHENSIVE PLAN

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

NONE

9. HOUSING

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low income housing.

NONE

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle or low income housing.

NONE

- c. Proposed measures to reduce or control housing impacts, if any:

NONE

10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas? What is the principal exterior building material(s) proposed?

ZONE CHANGE

SITE - SAME AS EXISTING

- b. What views in the immediate vicinity would be altered or obstructed?

SAME AS EXISTING

- c. Proposed measures to reduce or control aesthetic impacts, if any:

SAME AS EXISTING

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

ZONE CHANGE

SITE: SOME PARKING LOT LIGHTING FOR SAFETY, AN ADVERTISING SIGN, VEHICLE HEADLIGHTS

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

ZONE CHANGE

SITE: NO

c. What existing off-site sources of light or glare could affect your proposal?

NONE

d. Proposed measures to reduce or control light and glare impacts, if any:

ZONE CHANGE

SITE LANE

12. RECREATION

a. What designated and informal recreational opportunities are in the immediate vicinity?

ZONE CHANGE

SITE - PEDESTRIAN/BIKE TRAIL

b. Would the proposed project displace any existing recreational uses? If so, describe.

NO

c. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant, if any:

NONE

13. HISTORIC AND CULTURAL PRESERVATION

a. Are there any buildings, structures, or sites, located on or near the site, that are over 45 years old and listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

UNKNOWN EXCEPT FOR THE BUILDING ON SITE,

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

NO

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

NONE

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

NONE

14. TRANSPORTATION

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

N, GRAND & STATE STREET. WILL USE EXISTING ACCESS.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

YES, 1/2 BLOCK AWAY.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

TOTAL PARKING SPACES - 38-40

- d. Will the proposal require any new, or improvements to existing, roads, streets, pedestrian/bicycle facilities, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

POSSIBLE CROSSING SIGNAL

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, describe.

NO

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

PEAK → 10-15/HOUR ROUNDTrips WE EXPECT MANY PEDESTRIANS.
AVE 5-7/HOUR " 10-15% Trucks
USED OBSERVATIONS AT OTHER RESTAURANTS

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

NO

- h. Proposed measures to reduce or control transportation impacts, if any:

NONE

15. PUBLIC SERVICES

- a. Would the project result in an increased need for public services (e.g., fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

POLICE - OPEN IN EVENING

- b. Proposed measures to reduce or control direct impacts on public services, if any.

MORE STAFF

16. UTILITIES

- a. Circle utilities currently available at the site:

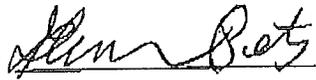
electricity, natural gas, water, refuse service, telephone, sanitary sewer,
septic system, other: _____

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

SAME AS NOW.

C. SIGNATURE

I certify (or declare) under penalty of perjury pursuant to the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Name of signee: GLENN PETRY

Position and Agency/Organization MEMBER, LUMBERVARD PARTNERS LLC

Date Submitted: 7/23/16

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a great intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase: discharge to water; emissions to air; production, storage or release of toxic or hazardous substances; or production of noise?

AT THE OLD FULLMAN BUILDING SUPPLY, THERE ^{WERE} FEW PEDESTRIANS AND LOTS OF TRUCKS AND LARGE VEHICLES. WE EXPECT MANY PEDESTRIANS AND FEW TRUCKS AND FEW DELIVERY TRUCKS SO WE EXPECT NO MORE OR FEWER EMISSIONS.

Proposed measures to avoid or reduce such increases are:

NONE

2. How would the proposal be likely to affect plants, animals, fish or marine life?

NO EFFECT

Proposed measures to protect or conserve plants, animals, fish or marine life are:

NONE

N/A

3. How would the proposal be likely to deplete energy or natural resources?

N/A

Proposed measures to protect or conserve energy and natural resources are:

INSULATION WILL BE TO A STRONGER CODE & HEATING & A/C WILL BE MORE EFFICIENT.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection (e.g., parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, prime farmland)?

NO EFFECT

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with the existing plans?

NO EFFECT

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

NO EFFECT

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

NO EFFECT

FINAL DETERMINATION OF NONSIGNIFICANCE

Description of Proposal: Convert existing building to food and beverage court, and associated site work.

Proponent: Glenn Petry

Location of Proposal, including street address, if any: Located at N Grand Avenue, Lots 5&6, Block 49, Original Town of Pullman, within the northwest ¼ Section 5, Township 14 North, Range 45 East W.M.

Lead agency: City of Pullman.

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the city. This information is available to the public on request.

There is no comment period for this DNS.
 This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal until 10 days from the date of this determination (September 21, 2016). The appeal period for this action expires at 5:00 p.m. on October 3, 2016.

Responsible Official: Kevin Gardes, P.E.

Position/Title: Director of Public Works

Phone: (509) 338-3217

Address: 325 SE Paradise Street, Pullman, WA 99163

Date 9-21-16 Signature Kevin Gardes

You may appeal this determination to the Hearing Examiner at City Hall, 325 SE Paradise Street, Pullman, WA 99163, no later than **October 3, 2016**.

An appeal must conform to the requirements of Sections 16.39.170 (1) (a), (b), and (d) of Pullman City Code.

You should be prepared to make specific factual objections and to pay the required filing fee.

Contact the Director of Public Works for additional information about the procedure to file an appeal of this determination.

There is no agency appeal.

**BEFORE THE PLANNING COMMISSION
FOR THE CITY OF PULLMAN**

In the Matter of Zone Change
Application No. Z-16-2

) Resolution No. PC-2016-5
)
) A Resolution Adopting Findings of
) Fact and Conclusions Representing
) the Official Determination of the
) City of Pullman Planning
) Commission

WHEREAS, Glenn Petry, on behalf of Lumberyard Partners, LLC, requested consideration of a zone change from C3 General Commercial to C2 Central Business District with respect to real property located at 305 N Grand Avenue on Military Hill, and more particularly described in Exhibit "A," attached hereto and by this reference made a part hereof as though set forth in full herein; and,

WHEREAS, a notice of the Planning Commission public hearing on this matter was mailed to pertinent parties on October 13, 2016, said notice was published in the Moscow-Pullman Daily News on October 15, 2016, and said notice was posted at the subject property on October 11, 2016; and,

WHEREAS, a public hearing was held before the Planning Commission on October 26, 2016, at 7:30 p.m. in the Council Chambers at City Hall, 325 SE Paradise Street, Pullman, Washington, at which time public comment from persons favoring and opposing this proposal was solicited, and after hearing public comment thereon, Commission members deliberated over the matter in open session; and,

WHEREAS, this Commission now considering it appropriate to enter its formal written decision, makes and enters the following

Findings of Fact

1. The proposal under consideration involves a zone change from C3 to C2 for approximately 33,600 square feet of land located at 305 N Grand Avenue on Military Hill.
2. Planning Department Staff Report No. 16-15 provides the following zoning district descriptions:
 - C2 district:** provides for retail and service businesses in a pedestrian-friendly environment that do not require large off-street parking facilities.
 - C3 district:** provides for general commercial uses dependent upon convenient vehicular access.
3. The subject parcel consists of the former Pullman Building Supply retail center and lumber warehouse.

4. City utilities serve the subject parcel.
5. The topography of the subject parcel is fairly flat.
6. The area to the north of the subject property is zoned C3 and I2 Heavy Industrial and is occupied by businesses; the area to the east is zoned C3 and R4 High Density Multi-Family Residential and is occupied by Pufferbelly Depot, single family homes, and duplexes; the land to the south is zoned C2 and is occupied by Neill Public Library and businesses; the area to the west is zoned R2 Low Density Multi-Family Residential and I2 and is occupied by businesses, Pullman Transit transfer station, and single family homes.
7. Access to the subject property is gained by way of N Grand Avenue, designated as a major arterial on the Comprehensive Plan Arterial Street Plan Map; and NW State Street, designated as an arterial collector street on the Comprehensive Plan Arterial Street Plan Map.
8. An Environmental Checklist was submitted for this proposal on August 1, 2016; following a review of said checklist, the Responsible Official issued a Determination of Nonsignificance for the proposal on September 21, 2016.
9. Prior to the Planning Commission public hearing on this matter, notification of this proposal was distributed to a number of local agencies. Staff Report No. 16-15 provides the following description of these agencies' responses to this notification:
 - a. **Pullman Public Services Department:** *No response.*
 - b. **Pullman Fire Department:** *No response.*
 - c. **Pullman Police Department:** No law enforcement or public safety concerns.
 - d. **Pullman Public Works Department:** No concerns or objections.
 - e. **Pullman Protective Inspections Division:** *No response.*
 - f. **Pullman School District:** *No response.*
10. Staff Report No. 16-15 references the following provisions from the Pullman Comprehensive Plan and Pullman Zoning Code that are pertinent to this Comprehensive Plan map amendment and zone change proposal:

Comprehensive Plan Goals LU3, LU5, and their respective policies.

Zoning Code Sections 17.01.050 (Zoning Code Purposes), 17.80.010 (Commercial Districts General Purposes), 17.80.030 (C2 District Purposes), 17.80.040 (C3 District Purposes), 17.110.030 (Review Criteria for Comprehensive Plan Amendments), 17.110.040 (General Findings for Comprehensive Plan Amendments), 17.115.020 (Rezone Criteria).
11. Staff Report No. 16-15 includes the following passage:

Zoning Code Section 17.115.020 includes special criteria for proposed rezones involving

commercial and industrial districts. The rezone guidelines for the C2 district are as follows:

- (i) extensions of the C2 district should be contiguous to the existing C2 Central Business District;
- (ii) C2 districts should be located along major or secondary arterials as identified in the circulation element of the Comprehensive Plan;
- (iii) extensions of the C2 district should contain enough land to provide for a reasonable amount of on-site off-street parking considering the potential uses and land available.

12. Staff Report No. 16-15 states the following:

Planning staff is in favor of granting the applicant's request. Based on the discussion below, staff believes that approval of this proposal would promote the public health, safety, and welfare, and be a benefit to the residents of the city. The applicant argues that, while the railroad line currently delineates the northern boundary of the downtown district, the South Fork of the Palouse River, north of the subject property, is the logical natural boundary to this district, especially since the rail line is in the process of being abandoned.

13. Staff Report No. 16-15 reads, in part, as follows:

According to the Zoning Code, the allowable uses in the C2 and C3 districts are similar. The differences envisioned in the code for these two districts are related more to scale than activity. Generally speaking, the focus in the C2 zone is on smaller businesses that cater primarily to pedestrians (who may park in a public parking space and walk to several shops during their visit downtown). On the other hand, the emphasis in the C3 district is on sizable commercial enterprises that can sometimes generate a large amount of vehicle traffic and demand a significant number of parking spaces.

14. Staff Report No. 16-15 includes the following paragraph:

Planning staff agrees with the applicant that this proposal represents a sensible extension of C2 zoning. The parcel in question is oriented toward the downtown area given its location south of the river shoreline. It appears to be well-suited for the uses allowed in the C2 district, and it contains sufficient land for a reasonable amount of on-site parking. Given the comparable uses allowed in the C2 and C3 zones, staff anticipates that the proposed rezone would maintain compatibility with surrounding zoning and land use.

15. Staff Report No. 16-15 states the following:

Existing infrastructure at this site would accommodate C2 commercial development on the subject property. The site is accessed via NW State Street, a collector arterial, and N Grand Avenue, one of Pullman's major arterials. Therefore, staff believes the site to have sufficient access for allowable uses.

16. Staff Report No. 16-15 reads, in part, as follows:

Based on the foregoing discussion, planning staff believes the applicants' request would have a positive effect on the community's physical, economic, and social environment. Planning staff finds the proposal would be consistent with the Comprehensive Plan—particularly Goal LU5, which promotes “[strengthening and enlarging] the economic base of the community by providing commercial areas that offer a variety of goods and services in settings that are readily accessible...” Also, planning staff concludes that this application would be consistent with the applicable purposes of the zoning code, including Subsection 17.80.010(2) that advocates providing “areas where commercial uses may concentrate for the convenience of the public and in mutually beneficial relationships with each other.” Therefore, planning staff recommends that the proposed zone change be approved.

FROM the foregoing Findings of Fact, this Commission now makes the following

Conclusions

1. This proposal is consistent with the goals and policies of the Pullman Comprehensive Plan.
2. This proposal is consistent with the general purposes of the zoning code and the purposes of the proposed zoning district.
3. The uses allowed under the proposed zoning designation would be compatible with adjacent land uses and zoning classifications.
4. Existing community facilities are adequate to serve the land uses that would be allowed under the proposed zoning designation.
5. The subject property is suitable for the land uses allowed under the proposed zoning designation.
6. The discontinued use of the rail line at the southern boundary of the subject property and the orientation of the property to the downtown area provide sufficient justification for the proposed zone change.
7. This proposal meets all of the special criteria applicable to rezones that involve a change to a C2 Central Business District designation.
8. This proposal would have a positive effect on the community's physical, economic, and social environment.
9. This proposal would not have a significant adverse environmental impact.
10. This proposal would promote the public health, safety, and welfare, and would be a benefit to the residents of the city.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Planning Commission for the city of Pullman that, based upon the foregoing Findings of Fact and Conclusions, this Commission

now makes and enters its formal

Decision

The proposed zone change from C3 General Commercial to C2 Central Business District for the property as described herein is hereby forwarded to the City Council with a recommendation for approval.

DATED this _____ day of _____, 2016.

Dave Gibney, Chair
Pullman Planning Commission

ATTEST:

Pete Dickinson, Planning Director

TRANSMITTED to the City Council through the office of the Mayor by the Planning Commission pursuant to the provisions of P.C.C. 17.180.040(1) this _____ day of _____, 2016.

RECEIVED by the Mayor this _____ day of _____, 2016, and certified by the Finance Director as to the date of receipt thereof.

Glenn Johnson, Mayor

Leann L. Hubbard, Finance Director

LEGAL DESCRIPTION

A Parcel of land situated in portions of the Northeast Quarter of Section 6 and the Northwest Quarter of Section 5, all in Township 14 North, Range 45 East, Willamette Meridian, located in the City of Pullman, Whitman County, Washington, and being more particularly described as follows:

Lots 5 and 6, Block 49, Original Town of Pullman, according to the plat thereof, recorded in Book A of Plats, Page 75, records of Whitman County, Washington.

EXCEPT for that portion lying within the Railroad Right of Way.

ALSO EXCEPTING any portion lying within the following described property:

A Parcel of land situated within portions of the Northeast Quarter of Section 6 and the Northwest Quarter of Section 5, Township 14 North, Range 45 East, Willamette Meridian, Whitman County, Washington, and further described as follows:

A portion of the former Union Pacific Railroad property within the City of Pullman; **BEGINNING** at the intersection of the Westerly Right of Way (ROW) boundary of Grand Avenue in Pullman and a line drawn 10 Feet Northerly of the (outermost) through track as measured from the center of said track, as existing; Thence Westerly, along a line parallel to and 10 Feet Northerly of said (outermost) through track, to Station 985+89.8 (as described in Quitclaim Deed from Palouse River and Coulee City Railroad, Inc., to State of Washington, Department of Transportation as filed under Auditor's File No. 668414 records of Whitman County, Washington); Thence Northerly, perpendicular to said (outermost) through track, 40 Feet to the Northerly ROW boundary of said Railroad (RR); Thence Easterly, along said Northerly ROW boundary, parallel to, and 50 Feet Northerly of said (outermost) through track, to the North-South subdivision line of the Northeast Quarter of said Section 6 (approximate Station 987+21.0 by RR ROW map); Thence Northerly, along the boundary of said RR ROW to a point 150 Feet Northerly of said (outermost) through track; Thence Easterly, along said Northerly ROW boundary, a line parallel to and 150 Feet Northerly of said (outermost) through track, to a point on the Westerly boundary of the North-South Alley within Block 49 of the Original Town of Pullman as recorded in Book A of Plats, at Page 75, records of said County; Thence Southerly, along the Westerly boundary of said Alley (and being the Northerly ROW boundary of said RR), to a point 50 Feet Northerly of said (outermost) through track; Thence Easterly, along a line drawn parallel to, and 50 Feet Northerly of said (outermost) through track, to a point on said Westerly ROW boundary of Grand Avenue; Thence Southwesterly, along said Westerly ROW boundary, to the **POINT OF BEGINNING**.

TOGETHER WITH,

THAT PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING EAST OF STATE STREET, CITY OF PULLMAN, WHITMAN COUNTY, WASHINGTON.

A Parcel of land situated within portions of the Northeast Quarter of Section 6 and the Northwest Quarter of Section 5, Township 14 North, Range 45 East, Willamette Meridian, Whitman County, Washington, and further described as follows:

A portion of the former Union Pacific Railroad property within the City of Pullman; **BEGINNING** at the intersection of the Westerly Right of Way (ROW) boundary of Grand Avenue in Pullman and a line drawn 10 Feet Northerly of the (outermost) through track as measured from the center of said track, as existing; Thence Westerly, along a line parallel to and 10 Feet Northerly of said (outermost) through track, to Station 985+89.8 (as described in Quitclaim Deed from Palouse River and Coulee City Railroad, Inc., to State of Washington, Department of Transportation as filed under Auditor's File No. 668414 records of Whitman County, Washington); Thence Northerly, perpendicular to said (outermost) through track, 40 Feet to the Northerly ROW boundary of said Railroad (RR); Thence Easterly, along said Northerly ROW boundary, parallel to, and 50 Feet Northerly of said (outermost) through track, to the North-South subdivision line of the Northeast Quarter of said Section 6 (approximate Station 987+21.0 by RR ROW map); Thence Northerly, along the boundary of said RR ROW to a point 150 Feet Northerly of said (outermost) through track; Thence Easterly, along said Northerly ROW boundary, a line parallel to and 150 Feet Northerly of said (outermost) through track, to a point on the Westerly boundary of the North-South Alley within Block 49 of the Original Town of Pullman as recorded in Book A of Plats, at Page 75, records of said County; Thence Southerly, along the Westerly boundary of said Alley (and being the Northerly ROW boundary of said RR), to a point 50 Feet Northerly of said (outermost) through track; Thence Easterly, along a line drawn parallel to, and 50 Feet Northerly of said (outermost) through track, to a point on said Westerly ROW boundary of Grand Avenue; Thence Southwesterly, along said Westerly ROW boundary, to the **POINT OF BEGINNING**.

TOGETHER WITH vacated streets and alleys attached thereto by operation of law.

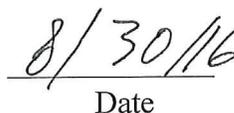
EXCEPT that parcel of land quit claimed to the Grange Supply Co., Inc. by deed filed under Auditor's File No. 667376, and corrected by Auditor's File No. 668820, records of Whitman County, Washington.

ALSO EXCEPT for that parcel of land quit claimed to the City of Pullman, a municipal corporation of the State of Washington by deed filed under Auditor's File No. 220713, Book 272 of Deeds, Page 380, records of Whitman County, Washington.

ALSO EXCEPT that portion of the above described real estate lying West of the North-South subdivision line of the Northeast Quarter of Section 6, Township 14 North, Range 45 East, Willamette Meridian, Whitman County, Washington.

Approved for Form:


Engineering Technician


Date