13. FINDINGS OF FACT AND CONCLUSIONS AND AN ORDINANCE AMENDING A ZONE CLASSIFICATION.

STAFF REPORT

QUESTIONS FROM COUNCIL ON STAFF REPORT

FINDINGS OF FACT AND CONCLUSIONS

READING OF ORDINANCE NO. 12-7

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FROM R1 TO R2 FOR THE REAL ESTATE HEREIN DESCRIBED CONSISTING OF APPROXIMATELY 80.06 ACRES LOCATED WEST OF THE CENTER STREET TERMINUS ON SUNNYSIDE HILL.

DISCUSSION

ACTION TAKEN

NOTES:

REQUEST FOR COUNCIL ACTION

For Meeting of: 4/10/12

ACTION REQUESTED:

Review and take action on a proposed zone change for 80.06 acres of land located west of the Center Street terminus on Sunnyside Hill.

BACKGROUND:

Taylor Engineering, Inc., initiated this zone change on behalf of Copper Basin Construction in order to economically develop this property for affordable housing. The proposal involves an amendment of the zoning classification for the subject property from R1 Single Family Residential to R2 Low Density Multi-Family Residential. On March 28, 2012, the Planning Commission conducted a public hearing to review this proposal. At that hearing, the Commission recommended approval of the applicant's request. For more information pertaining to this case, please refer to the attached staff report.

RECOMMENDATION:

The Planning Commission and planning staff recommend that the proposal be approved.

FISCAL IMPACT: $_____

_____
BARS Code Number

SUBMITTED BY:

Name Pete Dickinson PD

Title Planning Director

Dept. Planning

ATTACHMENTS FOR COUNCIL REVIEW/ACTION:

1. Staff Report No. 12-2
2. Ordinance No. 12-7

REVIEWED BY:	Initial	Date
Department Head	PD	4/5/12
City Supervisor	KSA	4-6-12
City Attorney (As to Form)	Mary	4-6-12

S.R. # 036

CITY OF PULLMAN

Public Works and Planning Departments

325 S.E. Paradise Street, Pullman, WA 99163
(509) 338-3220 or (509) 338-3213 Fax (509) 338-3282
www.pullman-wa.gov

MEMORANDUM

TO: Mayor Johnson and Pullman City Council

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

FOR: Meeting of April 10, 2012

SUBJECT: Zone Change Application No. Z-12-2

DATE: April 5, 2012

Staff Report No. 12-2

BACKGROUND DATA

Applicant: Taylor Engineering, Inc., on behalf of Copper Basin Construction.

Property Location: West of the Center Street terminus on Sunnyside Hill in Pullman (See Attachment A, Location and Zoning Map).

Property Size: 80.06 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-12-2; and Attachment C, Applicant's Proposed Findings of Fact); the applicant indicates on the application form that this rezone is requested in order to economically develop this property for affordable housing.

Applicable Zoning District Descriptions: R1 district: provides for detached single family residences and manufactured homes developed to a maximum density of seven dwelling units per net

acre.

R2 district: provides for single family residences, duplexes, manufactured homes and apartments in densities up to 15 dwelling units per acre.

Property Features:

Current Land Use: vacant land;
Utilities: city utilities exist in the vicinity of the subject parcel;
Topography: mild to moderate slopes.

Adjacent Zoning and Land Use:

North: R1/PRD (Planned Residential Development), R2/PRD, R2 districts; single family houses and vacant land;
East: R1 district; Whitman Senior Living Center, single family houses, and vacant land;
South: County; agricultural land;
West: County; agricultural land.

Access:

SW Center Street and SW Lost Trail Drive, designated as an arterial collector and local access street, respectively, on the Comprehensive Plan Street Plan Map.

Environmental Review:

Environmental Checklist submitted 1/25/12 (See Attachment D); Determination of Nonsignificance issued 3/2/12 (See Attachment E).

Hearing Notification:

Notice of Public Hearing mailed 3/13/12; Notice of Public Hearing published 3/16/12; Notice of Public Hearing posted 3/14/12.

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 concerns.
c. Pullman Police Department: No concerns.
d. Pullman Public Works Department: Finds the proposal acceptable.
e. Pullman Protective Inspections Division: *No response.*

f. **Pullman School District:** Finds the application for land use suggests a large growth potential and impact on pedestrian traffic need and access, and future infrastructure will need to address this.

PERTINENT PLANNING PROVISIONS

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

Comprehensive Plan Goals LU1, LU3, LU4, H2, 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

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.

Taylor Engineering, Inc., has initiated this zone change, on behalf of Copper Basin Construction, to better accommodate affordable residential development. In the material it submitted for this proposal, the applicant states that the R2 zone is preferred over the existing R1 designation so that the owner can economically develop the subject property and provide additional housing options for city residents. The "Great Recession" that began in late 2007 has had a chilling effect on the housing industry nationwide, and real estate developers are attempting to expand alternatives for low-cost housing. In staff's view, the effects of the still-sluggish economy on the residential market constitute changed circumstances that are sufficient to justify the applicant's request.

The subject property appears to be well-suited for the establishment of an R2 district. The purpose of the low density multi-family residential district is to accommodate housing densities up to 15 dwelling units per acre, including apartment complexes with up to eight units per structure. This zone change would expand the current R2 zone to the north. Therefore, this amendment is considered compatible with existing zone designations and uses.

From planning staff's perspective, infrastructure in the area would easily accommodate residential development on the subject property and adjacent land. The site would be accessed via an arterial collector street (SW Center Street) from the east and a local access street (SW Lost Trail Drive) from the north. Staff expects permitted uses on the property would not significantly impact the level of service on these roadways. Also, in staff's estimation, the utilities that would serve the parcel in question are adequate to accommodate developments allowed in an R2 district.

As indicated on the Location and Zoning Map (Attachment A), if this requested zone change were to be approved, a "peninsula" of land zoned R1/PRD would extend into the subject property. Planning staff asked the applicant about including this land in the proposed zone change area so that it could also be considered for R2 zoning, but the applicant stated that incorporating the R1/PRD property in the current application would be impractical because it would demand written consent from each of the many owners in the subdivision. Planning staff anticipates addressing this issue as part of a subsequent legislative process wherein the zoning of several of these anomalies around town can be re-assessed.

Given the above information, planning staff believes the applicant's 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 LU4, which promotes "opportunities for high-quality, diversified life styles within the community's residential neighborhoods," and H2, which encourages "housing in a range of types and prices suitable for all social and economic segments of Pullman." It is also noteworthy that the existing R1 zone and proposed R2 district are both categorized as Low Density Residential in the Comprehensive Plan; therefore, no Comprehensive Plan Map amendments are requested as part of this application. Furthermore, planning staff concludes that this application would be consistent with the applicable purposes of the zoning code, including Subsection 17.75.010(1) that advocates providing "areas for residential uses at a range of densities consistent with public health and safety and the adopted Comprehensive Plan." Therefore, planning staff recommends that the zone change be approved.

PLANNING COMMISSION REVIEW AND RECOMMENDATION

On March 28, 2012, the Planning Commission held a public hearing regarding this request. One proponent and one opponent testified during the proceedings.

Tom Stirling of Taylor Engineering, Inc. spoke as a proponent, representing Copper Basin Construction. He said the zone change had been proposed to facilitate expanded options for affordable housing given current economic challenges.

Dave Whitehead of 1130 SW Crestview Street testified as an opponent. He expressed interest in maintaining consistency of zoning throughout neighborhoods. Mr. Whitehead opined that, if this zone change were to be approved, Center Street would experience increased congestion to the point where it could become a safety concern. He suggested that the Planning Commission take a longer view on matters such as this rather than reacting to current economic conditions. In response, Mr. Stirling said Copper Basin attempts to develop property in a manner that is compatible with surrounding uses. He also stated that, when Center Street is eventually connected to Lost Trail Drive, the increase in traffic on Center Street will be substantially the same regardless of whether the subject property is zoned R1 or R2.

Next, the Planning Commission discussed the matter. Some Commission members expressed concern about the proposal, citing issues with increased traffic on Center Street, the effect of population growth on the capacity of Pullman's schools, and the loss of R1-zoned land. The majority of the Commission declared its support for the request, noting that the provision of expanded housing options would be beneficial to city residents. The Commission added some Findings of Fact and altered a Conclusion to reflect the points raised during its discussion. It then voted 7-2 to recommend approval of the requested zone change (See Attachment F, Resolution No. PC-2012-3). The applicable portion of the Commission's draft minutes for the meeting of March 28 are included herein as Attachment G.

FINDINGS OF FACT AND CONCLUSIONS

The City Council's decision must be supported by Findings of Fact and Conclusions based upon the record before the Council. As noted above, the findings and conclusions suggested by the Planning Commission are included in its resolution (Attachments F).

ACTION REQUESTED

A. Accept the staff report summarizing the record in this case. In keeping with the state's "single hearing rule," no new comments or questions from the public may be entertained by the Council with regard to this matter.

B. If the Council believes more input from the Planning Commission is warranted, remand the case to the Commission. If the case is remanded, the Council must specify the time by which the Commission shall report back its findings and recommendations to the Council.

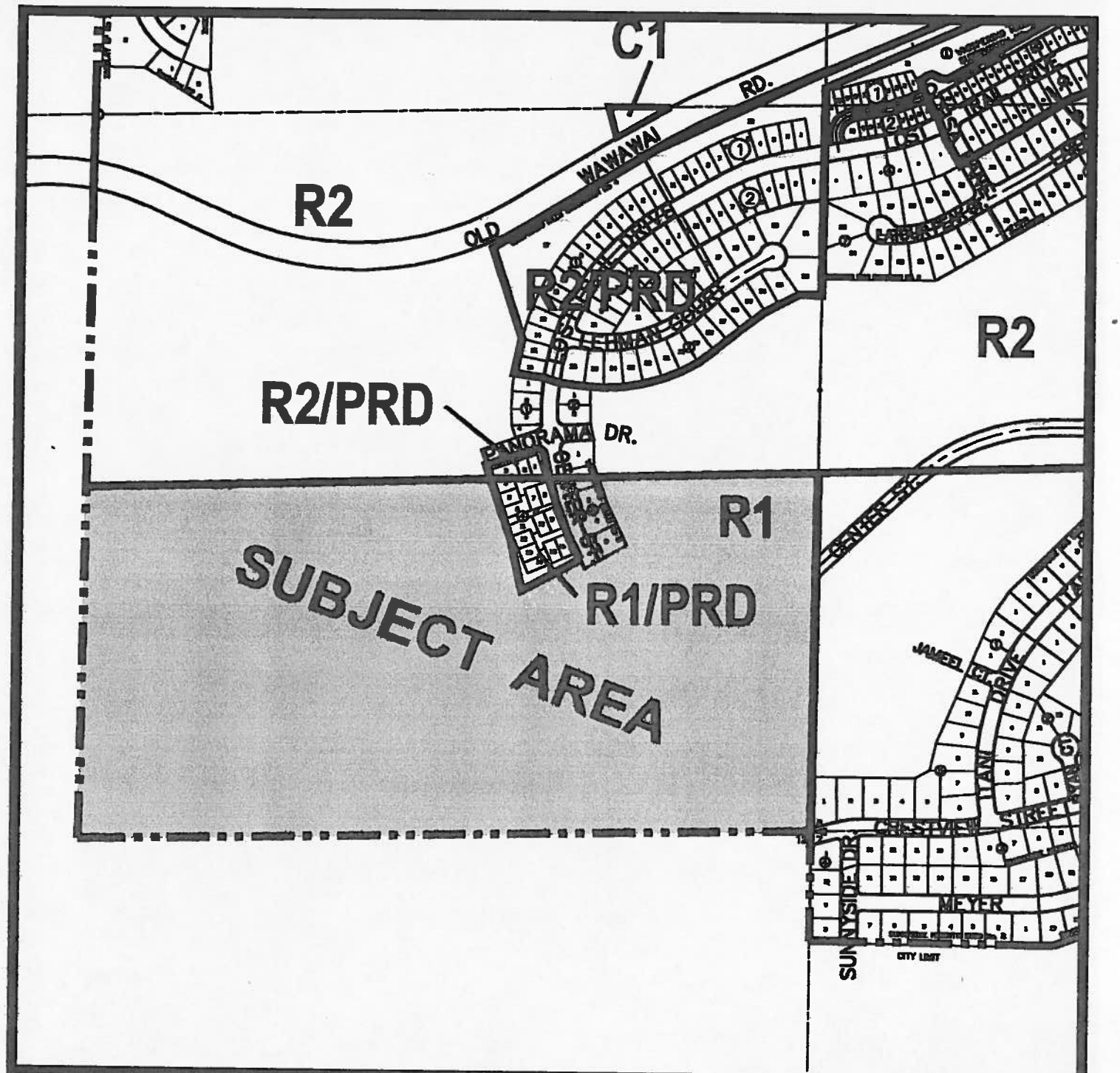
C. If the Council wishes to consider any change to the Planning Commission recommendation and does not wish to remand the case, revise the proposed Council ordinance accordingly; if the amendments are significant, direct staff to draft findings of fact and conclusions to support these amendments.

D. If the Council decides to accept the Planning Commission recommendation, adopt findings of fact and conclusions, and approve the attached Council ordinance.

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" Planning Commission Resolution No. PC-2012-3
"G" Planning Commission Draft Minutes



LOCATION & ZONING MAP

CASE NUMBER Z–12–2

Attachment "A"

RECEIPT NO.: 42333
DATE APPLICATION RECEIVED: 1-25-12
DATE APPLICATION ACCEPTED AS COMPLETE:

CITY OF PULLMAN
ZONE CHANGE APPLICATION

APPLICANT:

NAME: Taylor Engineering, Inc.
ADDRESS: 245 E Main St. Pullman, WA 99163
TELEPHONE: 509-334-5115
STATUS (property owner, lessee, agent, purchaser, etc.): Agent

PROPERTY OWNER (if different than applicant):

NAME: Copper Basin Construction
ADDRESS: PO Box 49
TELEPHONE: 208-765-5059 (Steve White)

PROPRTY LOCATION (general or common address):

SE 1/4 Section 1, T14N, R44E South of Wawawai Road + East of Whispering Hills I-5.

REASON FOR ZONE CHANGE REQUEST:

Applicant requests a zone change on the subject property from a(n) R1 zoning district to a(n) R2 zoning district in order to allow lower income housing units to be built on all of Copper Basin's property. Currently, only the northerly half of this property is located in the R2 zone. To economically develop this property and provide additional housing options for City of Pullman residents, an R2 zone is beneficial for the entire parcel owned by Copper Basin Construction, Inc.

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

1-25-12
Date