

ORDINANCE 734

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR PEGGY GILHULY DUPLEX IN THE R-1 RESIDENTIAL ZONING DISTRICT

WHEREAS, Ashleigh Krueger applied for a Conditional Use Permit to establish a duplex dwelling unit at 39 Shafer Avenue, Naches, Washington, 98937, on parcel no. 171403-31434 which is owned by Peggy Gilhuly and zoned R-1 Residential, and;

WHEREAS, the Naches Planning Commission, at their regular meeting on July 2, 2018, held an Open Record Public Hearing to receive evidence and public comment regarding the Conditional Use Permit request, and;

WHEREAS, the Naches Planning Commission has determined that the request complies with the Naches Municipal Code Title 17, and recommended approval of the permit with conditions as described in its Findings and Recommendation signed by Chairman Silvestri on July 3, 2018; and

WHEREAS, the Naches Town Council, held a Closed Record Public Hearing on July 9 2018 and after consideration of the Planning Commission's written findings and recommendations, approved the Conditional Use Permit for property at 39 Shafer Avenue in Naches, Washington, with conditions;

NOW, THEREFORE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NACHES, WASHINGTON:

The Naches Town Council hereby makes the following findings and conclusions with regards to the Krueger/Gilhuly conditional use permit request:

SPECIFIC FINDINGS APPLICABLE TO THE CONDITIONAL USE PERMIT

A conditional use shall only be granted if the following findings are made:

- 1. The proposed use(s) in the proposed location will not be detrimental to other uses legally existing or permitted outright in the zoning district;**

The proposed use is residential, which is a similar use to neighboring properties. The proposed use should not be detrimental to neighboring properties because the lot is large enough to accommodate the use and meet all the development standards in the zoning code (i.e. setbacks, lot coverage, access and parking standards, height limits and lot coverage). Additionally, the duplex will have direct access onto Schafer Avenue, which will prevent traffic generated by this proposal from disrupting

neighboring properties. The property is also located on a collector arterial and is located near existing school and open space facilities.

2. The size of the site is adequate for the proposed use(s).

The site is adequate because it can accommodate the proposed use without any variances to the zoning code development standards (i.e. setbacks, lot coverage, access and parking standards, height limits and lot coverage).

3. The traffic generated by the proposed use(s) will not unduly burden the traffic circulation system in the vicinity.

Traffic generated by the proposal will not unduly burden the traffic circulation system in the vicinity because the property fronts on a Town maintained collector arterial which is adequate to serve the proposal. Access to the site and driveway parking area shall be designed to permit vehicles entering and leaving the site to do so in a forward manner. It will not be necessary for vehicles to back onto Schafer Avenue, which can burden traffic by slowing it down. See Condition of Approval, No. 1.

4. The other characteristics of the proposed use(s) are compatible with those of other uses in the neighborhood or vicinity.

The characteristics of the proposed use are compatible with those of other uses in the neighborhood and vicinity because this project will be a residential use in an existing residential neighborhood. All activities will be conducted on-site as should be expected of a residential use. The property fronts on a busy collector arterial and beyond the arterial are outdoor playfields. These types of uses are normally compatible with one another.

5. Adequate buffering devices such as fencing, landscaping or topographic characteristics protect adjacent properties from adverse effects of the proposed use(s), including adverse visual and auditory effects.

The application does not indicate that any buffering devices such as fencing or landscaping are proposed. The property is flat so no topographic characteristics are present which would provide buffering. Public testimony did indicate a form of aesthetic buffering would be appropriate and a condition to this effect is adopted in section 8.a., below.

6. The other uses in the vicinity of the proposed site are such as to permit the proposed use(s) to function properly.

The other uses in the vicinity are residential, educational and recreational. All these uses would permit the proposed use to function properly.

7. That the proposed use(s) complies with other requirements in this title.

The proposed use complies with all other zoning requirements under this title. No variances have been requested.

8. Other findings applicable to the Conditional Use Permit:

a. Based on the public testimony from Dale Critchlow of 43 Shafer Avenue, it was determined by the Planning Commission that aesthetics from Shafer Avenue were important to the neighborhood and the Town for compatibility reasons. To promote compatibility, the Planning Commission found that the west end of the duplex must simulate the front of a single-family residence (instead of the side of a residence as currently proposed). To provide compatibility, a Condition of Approval will require the west end of the duplex to simulate a single-family residence. See Condition of Approval, No. 4.

CONCLUSIONS

Based upon consideration of the above factors and the specific findings, applicable to the project and the conditional use, the proposal is **CONSISTENT** with the criteria, purpose and intent of the Town of Naches Comprehensive Plan, Town of Naches Zoning Ordinance and Conditional Use Criteria.

REASONS FOR APPROVAL OR DENIAL: Based on the findings of fact, it is in the Town's interest to **APPROVE** the conditional use.

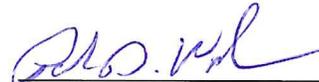
RECOMMENDATION

Consistent with the findings and conclusions, the Town of Naches recommends **APPROVAL** of the Conditional Use Permit proposal by Ashleigh Krueger (applicant) on property owned by Peggy Gilhuly to establish a duplex in the R-1 Residential Zoning District as described in this application, subject to the following conditions of approval.

1. The site plan must be redesigned so that the duplex is shifted to the south to accommodate a 14-foot wide driveway along the north property line and 4 parking spaces in front of the garage that are 9 feet wide and 19 feet deep.

2. The driveway and parking spaces must be constructed of asphalt concrete pavement (ACP) or concrete or a combination of both.
3. Building permits must be obtained from the Town of Naches, as determined by the Town Building Official.
4. The west end of the duplex must front on Shafer Avenue to simulate a single-family residence.

**PASSED BY THE TOWN COUNCIL OF THE TOWN OF NACHES,
WASHINGTON, this 9th day of July, 2018.**



Paul Williams, Mayor

ATTEST:



Elvira Birrueta, Clerk/Treasurer

APPROVED AS TO FORM:



Michael F. Shinn, Town Attorney