

RESOLUTION NO. 1221

A RESOLUTION OF THE CITY OF CAMAS,
WASHINGTON adopting findings for the Farrell House
Unclassified Use Permit, File No. UUP 11-01.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

I

The Council makes the following findings with respect to the application submitted for the Farrell House Unclassified Use Permit, File No. UUP 11-01:

1. Heidi Curley filed an application on April 29, 2011, on a proposal to host catered garden events for a maximum of 100 people and indoor events for a minimum of 10 people on certain real property situated at 416 NE Ione Street, Camas, Washington.
2. The City issued a letter finding the application technically complete on June 1, 2011.
3. A Notice of Application and Hearing was mailed to all property owners within 300 feet of the site on July 8, and published and posted according to law on July 12 and July 19, 2011.
4. The Planning Commission conducted a hearing on July 28, 2011, and received testimony in favor and against the application. The hearing continued for deliberations only to August 2, 2011, at which time the Planning Commission by a vote of three to one recommended approval of the application with conditions.
5. Pursuant to Camas Municipal Code Chapter 18.49 the matter was thereafter submitted to City Council for a closed record meeting, deliberations and decision. The City Council held a closed record meeting on September 19, at which time Council heard presentations from City Staff, and deliberations were held in relation to the Staff Report and all documents and testimony received at the Planning Commission Hearing, including an audio recording of the Planning Commission proceedings.
6. The Camas Municipal Code 18.49.060 provides the criteria for guidance in granting an unclassified use permit, which include the following:
 - A. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity;
 - B. The proposed use shall meet or exceed the same standards for parking, landscaping, yards, and other development regulations that are required in the

district it will occupy;

C. The proposed use shall be compatible generally with the surrounding land uses;

D. The proposed use shall be in keeping with the goals, objectives, and policies of the comprehensive plan.

E. All measures shall be taken to minimize the possible adverse impacts the proposed use may have on the area in which it is located.

7. The Council finds that the lot for the proposed use is located within a single family medium (R-7.5) zone. The surrounding properties are also zoned R-7.5. There is a neighboring house and adjoining lot to the site. The site of the home of the neighboring lot is approximately 11 feet from the property line and the yard on this residential property is elevated approximately three to four feet above the subject property, which is in close proximity to a driveway that would be used for parking on the subject property. Further, the backyard of this property looks out over the subject property.

8. The Council finds the following impacts are associated with the proposed use as set forth within the application as submitted: Alcohol use by participants at events; An increase in noise levels outside the parameters of City Code; Inability to accommodate parking for all event attendees including the impact to the on street parking; Potential for traffic and safety issues associated with major events; The placement of restroom trailers within the parameters of a residential lot; Increase in ambient light to adjoining properties.

9. Council further finds that the Comprehensive Plan under LU-5, which acts to "protect residential areas from the impacts of non-residential use of a scale not appropriate to the neighborhood" would not be satisfied by granting this application. Further, Comprehensive Plan LU-7, which seeks to maintain stability and improve the vitality of residential neighborhoods, would also be adversely impacted. Council concludes that the proposal would result in a frequency and intensity of events that is incompatible with the neighborhood, and given the proximity to the adjoining property, is not in keeping with the goals, objectives and policies as noted.

10. The Council finds that the applicant has not proposed a design that can adequately provide visual relief from temporary structures, such as porta-potties and tents, lighting, both direct and ambient, noise from events both amplified and unamplified, noise from guest and

event staff both loading and unloading, and vehicular parking and engine noise immediately behind this residence. The Council finds that the proposal cannot be mitigated to a scale appropriate for a residential neighborhood, given the combined factors of the scale of the use that could include up to 100 guests (as proposed) and the frequency of the potential events, regardless of a proposed condition to lower the total number of guests. Further, Council finds that the applicant has not demonstrated how the proposed plan submitted can or will satisfy the parking requirements under Camas Municipal Code 18.11 and as such finds noncompliance with Camas Municipal Code 18.49.060(B).

11. The Council further finds that pursuant to the criteria as set forth within Camas Municipal Code 18.49.060 that the proposed use cannot be mitigated sufficiently to adequately comply with the standards therein and therefore said application must be denied.

II

Based upon the foregoing findings, Council makes the following decision:

1. The Farrell House Unclassified Use Permit, File No. UUP 11-01 is hereby denied.

III

ADOPTED AT A SPECIAL MEETING OF THE COUNCIL OF THE CITY OF
CAMAS this 26th day of September, 2011.

SIGNED: _____

Mayor

ATTEST: _____

Clerk

APPROVED as to form:

Shirley M. ...

City Attorney