



THE CITY OF FIRCREST

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**FIRCREST PLANNING/BUILDING DEPARTMENT
STAFF REPORT
CASE # 19-06 Conditional Use Permit**

APPLICANT/OWNER: Lynn Susoeff
c/o Jaime Hayward-Susoeff
325 Berkeley Avenue
Fircrest WA 98466

PROPOSAL: Convert a 780 square foot garage into a detached accessory dwelling unit

LOCATION: 325 Berkeley Street

PARCEL ID: Assessor Parcel Number 7160001010

PARCEL SIZE: 5,500 square feet

ZONING CLASSIFICATION: Residential-6 (R-6)

PLAN DESIGNATION: Low Density Residential (LDR)

ADJACENT ZONING: Residential-6 (R-6)

ENVIRONMENTAL

DETERMINATION: Not Applicable - Project is exempt from environmental review pursuant to WAC 197-11-800(2)(e) and (6)(e).

PROPOSAL SUMMARY: The applicant has applied to convert a 780 square foot existing garage into a detached accessory dwelling unit. A site plan, elevations, and floor plan have been included (*see exhibit 2*).

REVIEW PROCESS: Conditional Use Permits are subject to review under FMC 22.68.002, which is reiterated, below:

The planning commission may approve, approve with conditions, modify and approve with conditions, or deny, a conditional use permit. The planning commission shall grant a conditional use permit when it has determined that the criteria listed in FMC 22.68.003 are met by the proposal. The planning commission may impose specific conditions upon the

use, including an increase in the standards of this title, which will enable the planning commission to make the required findings in FMC 22.68.003. These conditions may include, but are not limited to restrictions in hours of operations; restrictions on locations of structures and uses; structural restrictions which address safety, noise, light and glare, vibration, odor, views, aesthetics, and other impacts; and increased buffering requirements, including open space, berms, fencing and landscaping.

CRITERIA FOR CONDITIONAL USE PERMIT APPROVAL: FMC 22.68.003 provides the approval criteria that must be met by the proposal in order for the Commission to grant approval.

Before any conditional use permit may be granted, the planning commission shall adopt written findings showing that the following criteria are met by the proposal:

(a) The proposed use will not be detrimental to the public health, safety, and welfare; injurious to property or improvements in the vicinity; or adversely affect the established character of the surrounding vicinity.

(b) The proposed use will meet or exceed all applicable development, design and performance standards and guidelines required for the specific use, location, or zoning classification.

(c) The proposed use will be consistent and compatible with the goals, objectives and policies of the comprehensive plan.

(d) All conditions necessary to lessen any impacts of the proposed use are measurable and can be monitored and enforced.

ANALYSIS: An analysis of the requested conditional use permit is provided below. Included in this analysis are the approval criteria that must be met in order for the application to be approved and the arguments presented by the applicant in favor of an affirmative finding for each criterion.

Criterion (1): The proposed use will not be detrimental to the public health, safety, and welfare; injurious to property or improvements in the vicinity; or adversely affect the established character of the surrounding vicinity.

Staff Finding: The proposed use is allowed in the zoning designation and, as such, will not be detrimental to the public health, safety and welfare nor be injurious towards the surrounding properties.

Criterion (2): The proposed use will meet or exceed all applicable development, design and performance standards and guidelines required for the specific use, location, or zoning classification.

Staff Finding: The proposed use will comply with all the standards and criteria listed in FMC 22.58.012 Accessory Dwelling Units.

Standards and Criteria. An ADU shall meet the following standards and criteria:

- a) The design and size of the ADU conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes;
- b) Only one ADU is being created;
- c) The property owner will occupy either the principal unit or the ADU as their permanent residence;
- d) The detached ADU complies with the accessory building size limits and related standards listed in FMC 22.58.003;
- e) The detached ADU uses the same design vocabulary as the principal unit to the extent feasible;
- f) The ADU shall be connected to the utilities of the principal unit;
- g) The total number of occupants in both the principal unit and ADU combined will not exceed the maximum number established by the definition of “family” in FMC 22.98.267.
- h) A concomitant agreement shall be filed as a deed restriction with the Pierce County auditor to indicate the presence of the ADU, the requirement of owner-occupancy, and other standards for maintaining the unit as described above.

Criterion (3): The proposed use will be consistent and compatible with the goals, objectives and policies of the comprehensive plan.

Staff Finding: The proposed use is supported by the following Housing Element goals and policies of the Fircrest Comprehensive Plan:

GOAL H1

Preserve and enhance existing residential neighborhoods.

Policy H1.1

Effectively implement zoning regulations, including design standards and guidelines, to help support the stability of established residential neighborhoods.

GOAL H2

Achieve a mix of housing types to meet the needs of diverse households at various income levels.

Policy H2.1

Support and encourage innovative and creative responses, through the use of appropriate incentives, to meet Fircrest’s needs for housing affordability and diversity for a variety of household sizes, incomes, types and ages.

Policy H2.3

Permit accessory dwelling units in conjunction with single-family structures.

GOAL H4

Support opportunities for the provision of special needs housing, including group homes, assisted care facilities, nursing homes and other facilities.

Policy H4.7

Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain in their own neighborhood as their housing needs change.

Criterion (4): All conditions necessary to lessen any impacts of the proposed use are measurable and can be monitored and enforced.

Staff Finding: The proposed condition of approval listed in the preliminary resolution (Exhibit 3) will ensure that all potential impacts resulting from the project are mitigated to a satisfactory level in conformance with applicable code requirements. All proposed conditions can be monitored and enforced through the administrative design review, site development permit, and building permit approval processes and subsequent site inspection process.

COMMENTS RECEIVED: None.

RECOMMENDATION: Staff recommends that the planning commission accept public testimony on the proposal, consider the findings and conclusions. If after receiving public testimony and reviewing the findings and conclusions, the Planning Commission feels the applicant meets the approval criteria, staff would recommend adoption of the following motion approving the request:

I move to approve Notice of Decision/Resolution no. 19-01, a resolution of the Planning Commission of the City of Fircrest, Washington, approving a conditional use permit to convert a 780 square foot garage into a detached accessory dwelling unit.

Angelie Stahlnecker

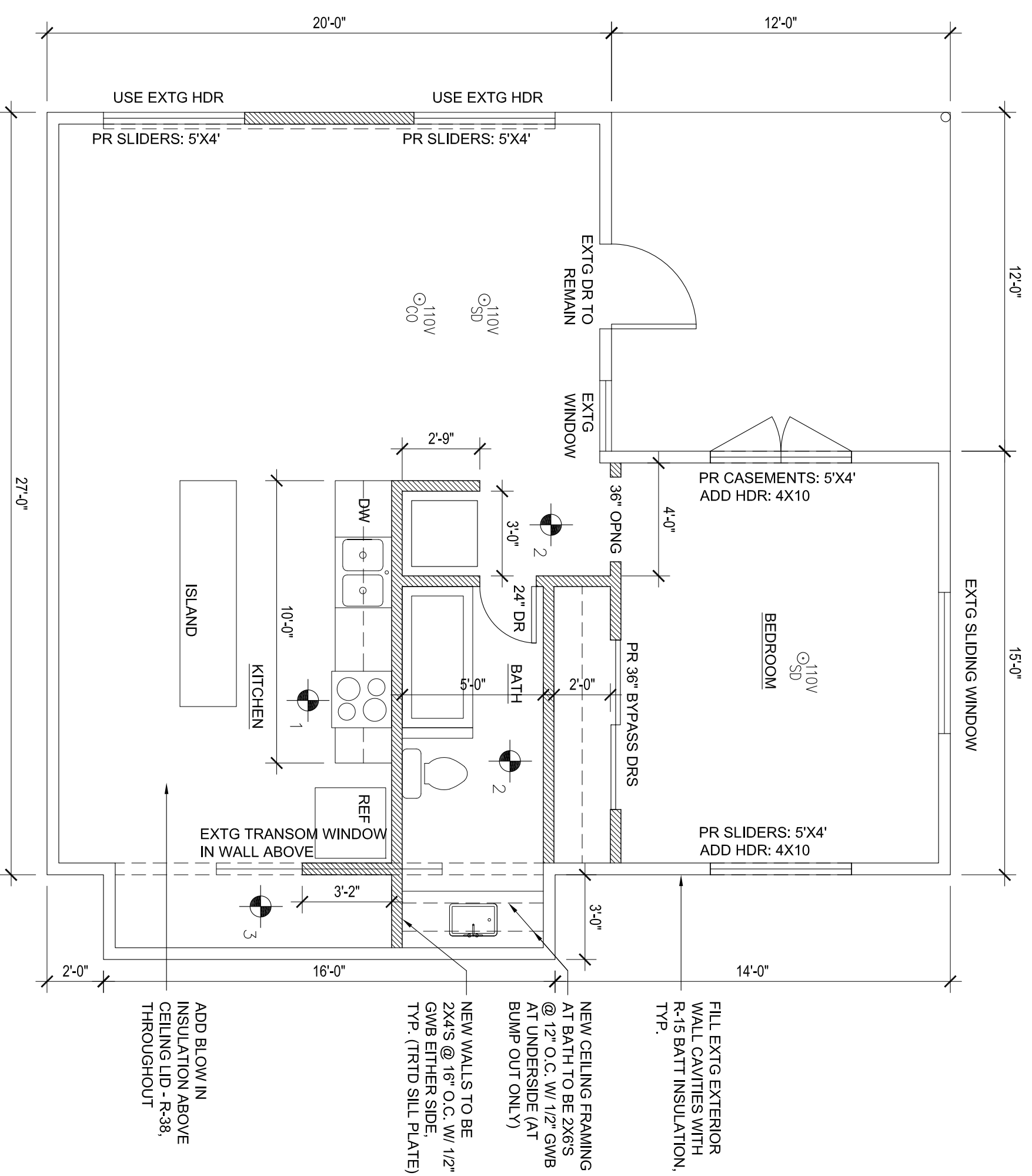
July 16, 2019

Angelie Stahlnecker, Planning & Building Administrator

Date

Exhibits:

1. Site Plan and Elevations
2. Draft Resolution



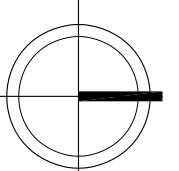
VENTILATION SCHEDULE

MINIMUM SOURCE SPECIFIC VENTILATION CAPACITY REQ. TABLE M1507.4

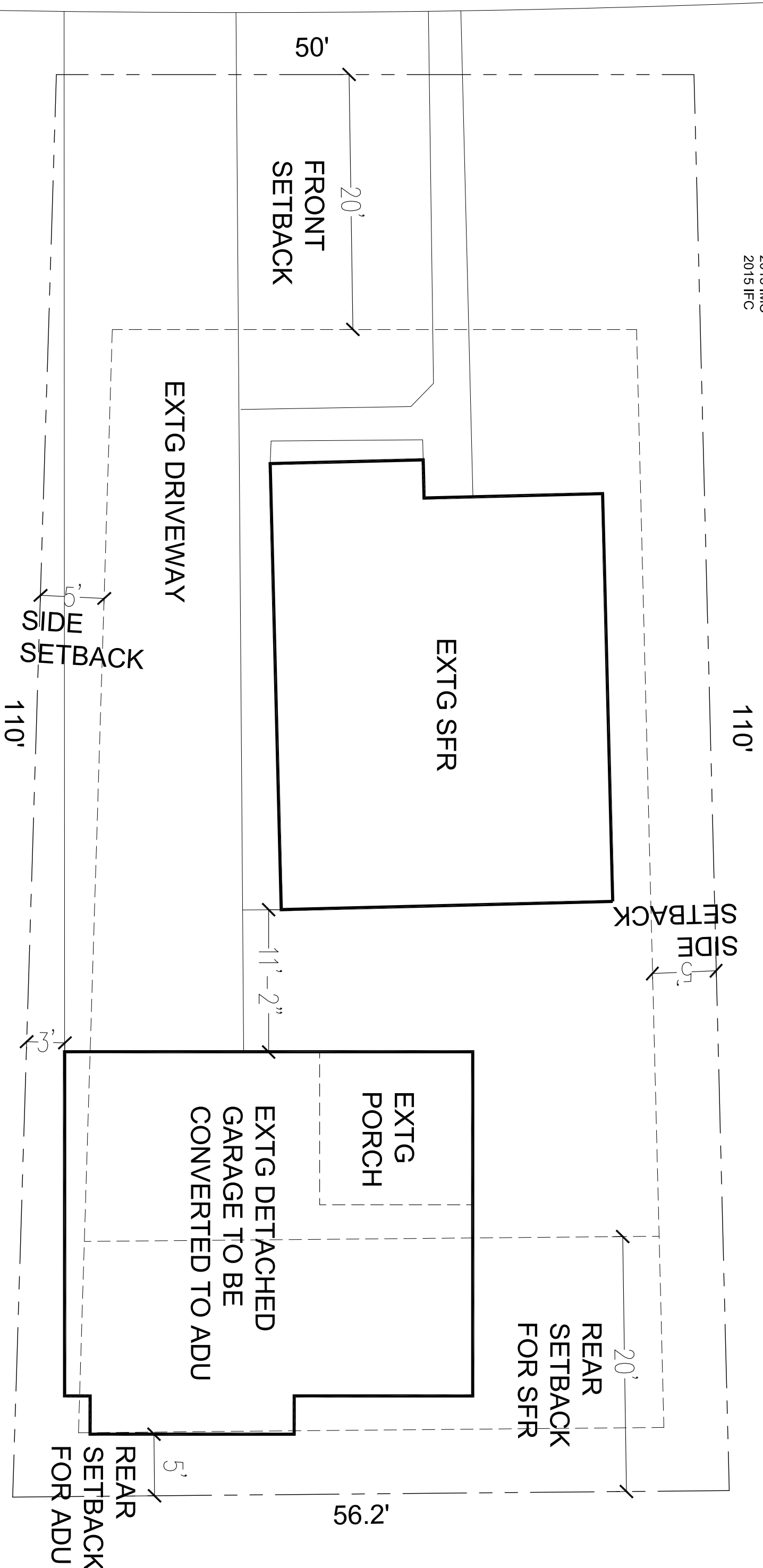
SYMBOL		
1	KITCHENS	100 CFM INTERMITTENT OR 25 CFM CONTINUOUS
2	BATHROOMS, TOILET ROOMS AND LAUNDRY/UTILITY ROOM	MECHANICAL EXHAUST CAPACITY OF 50 CFM INTERMITTENT OR 20 CFM CONTINUOUS
3	WHOLE HOUSE FAN	320 CFM @ 60 MIN EVERY FOUR HOURS

FLOOR PLAN

SCALE: 1/4" = 1'-0"



BERKELEY AVE



PARCEL: 7160001010

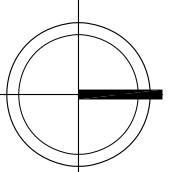
LEGAL DESCRIPTION:
 Section 11 Township 20 Range 02 Quarter 13 REGENTS PARK; REGENTS PARK L 44 & 45 B 5 SUBJ TO EASE

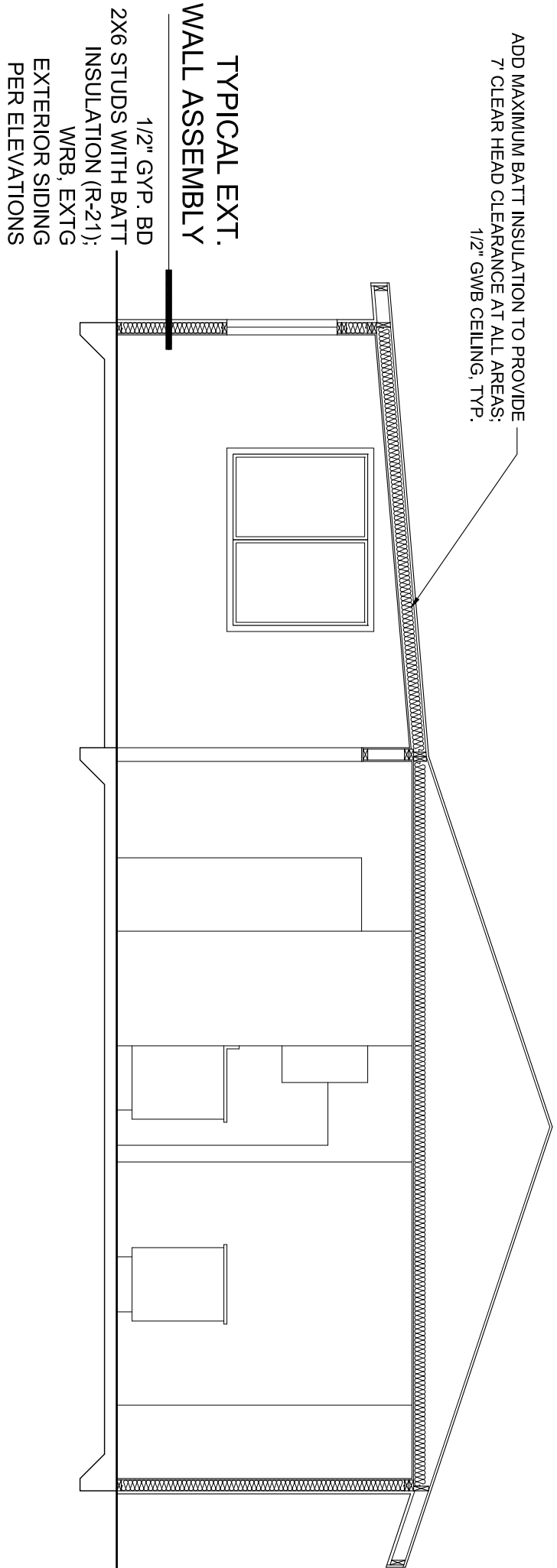
SCOPE OF WORK PROPOSED:
 DETACHED 780 S.F. GARAGE CONVERSION TO ADU - INSULATE AND PROVIDE WALLS, FIXTURES AND EGRESS
 CITY OF FIRCREST JURISDICTION
 ZONING = R8

APPLICABLE CODES:
 2015 IRC
 2015 UPC
 2015 IMC
 2015 IFC

SITE PLAN

SCALE: 1/8" = 1'-0"

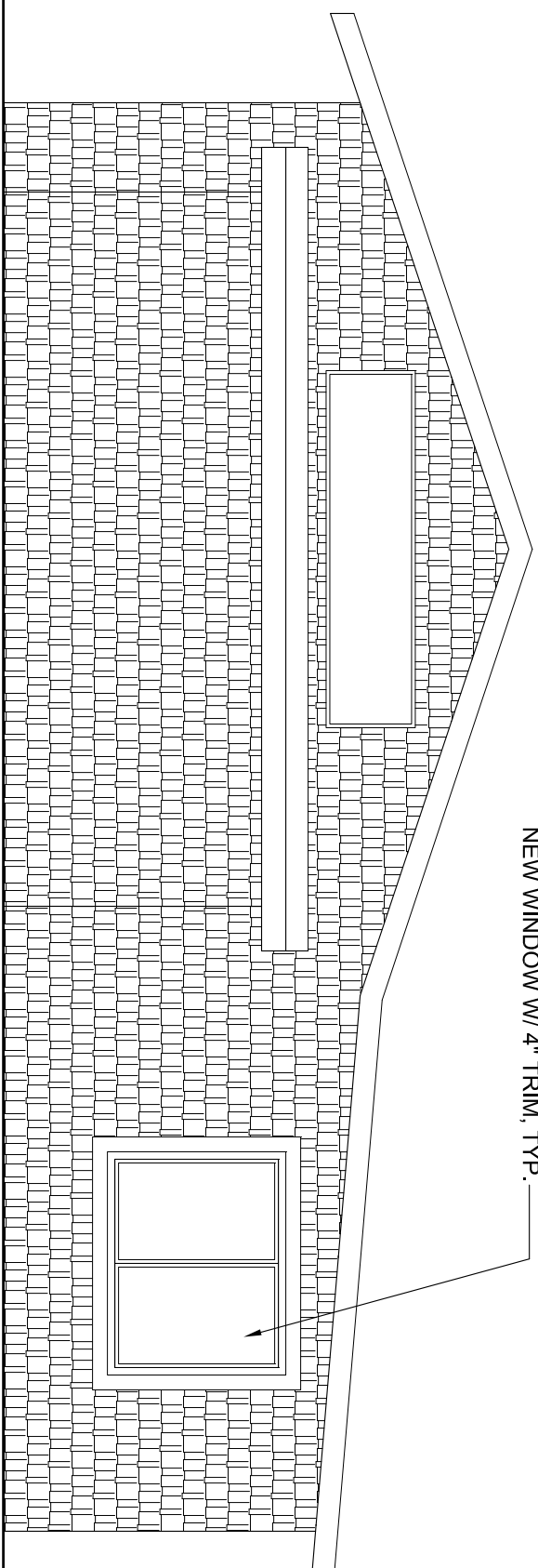




SECTION LOOKING EAST

SCALE: 1/4" = 1'-0"

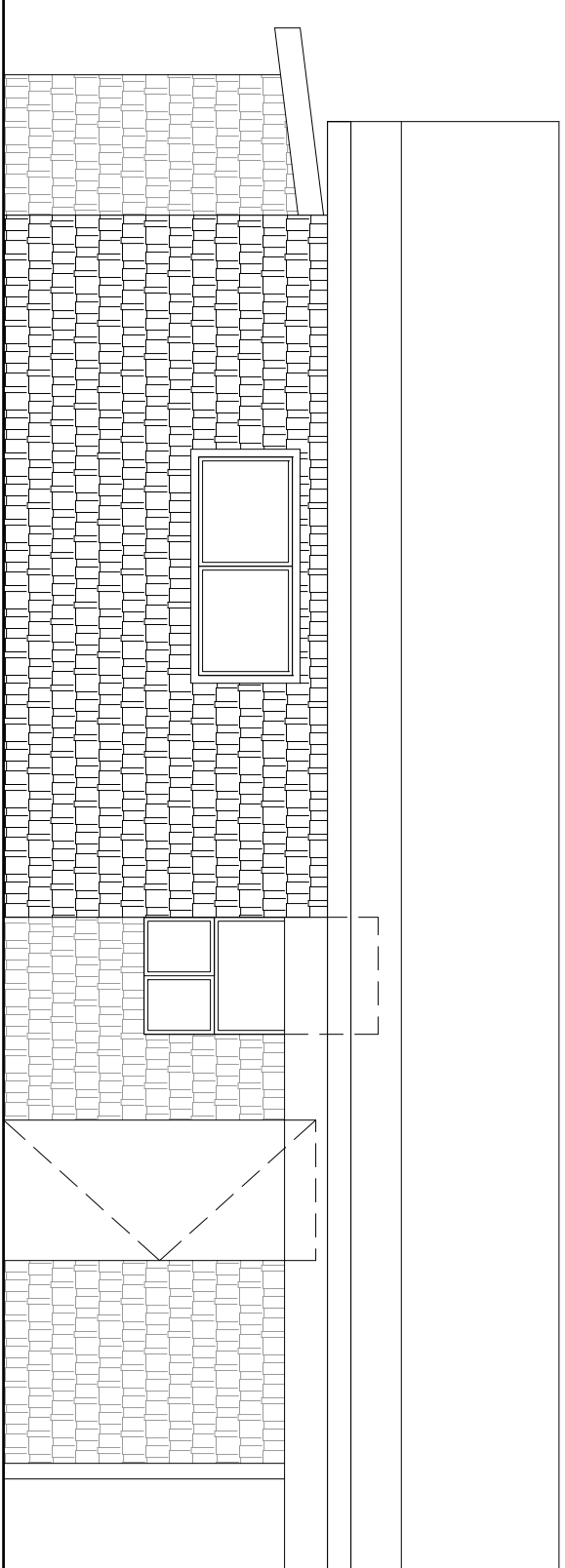
1



EAST ELEVATION

SCALE: 1/4" = 1'-0"

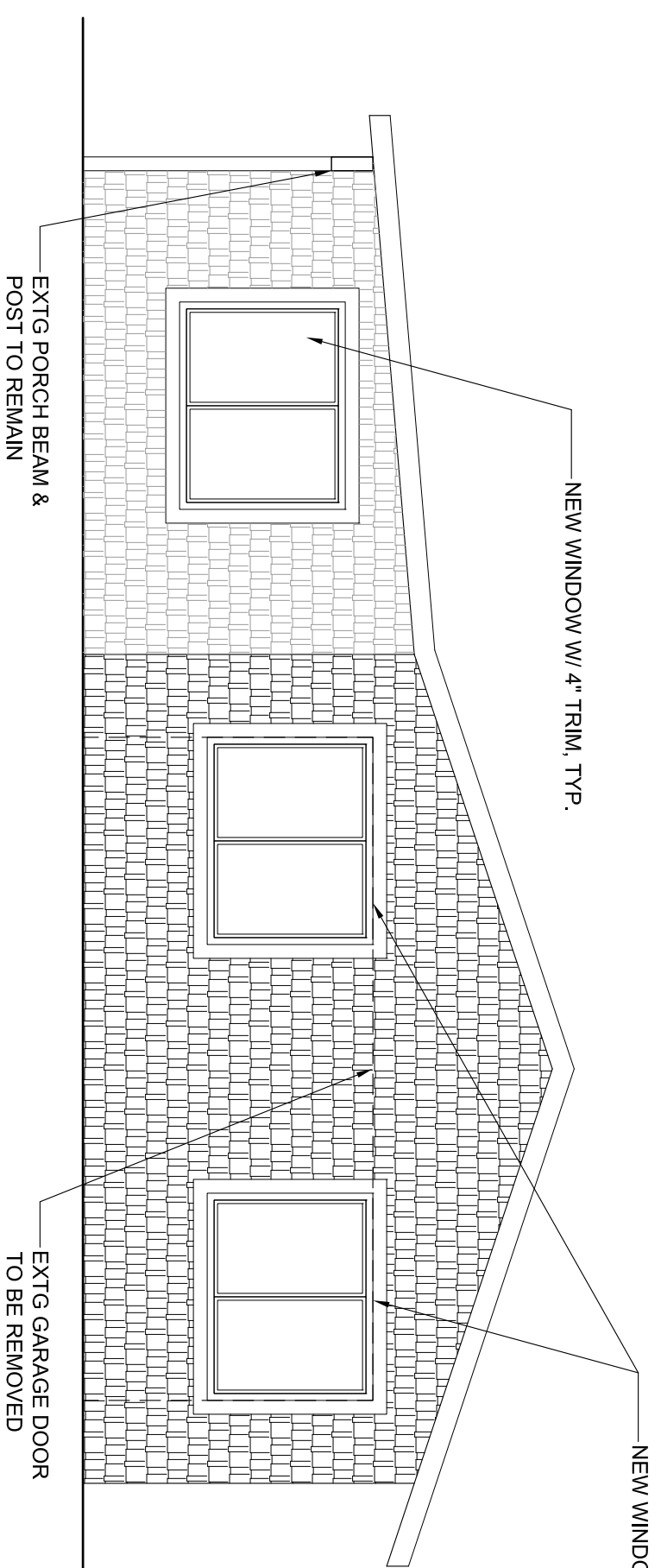
2



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

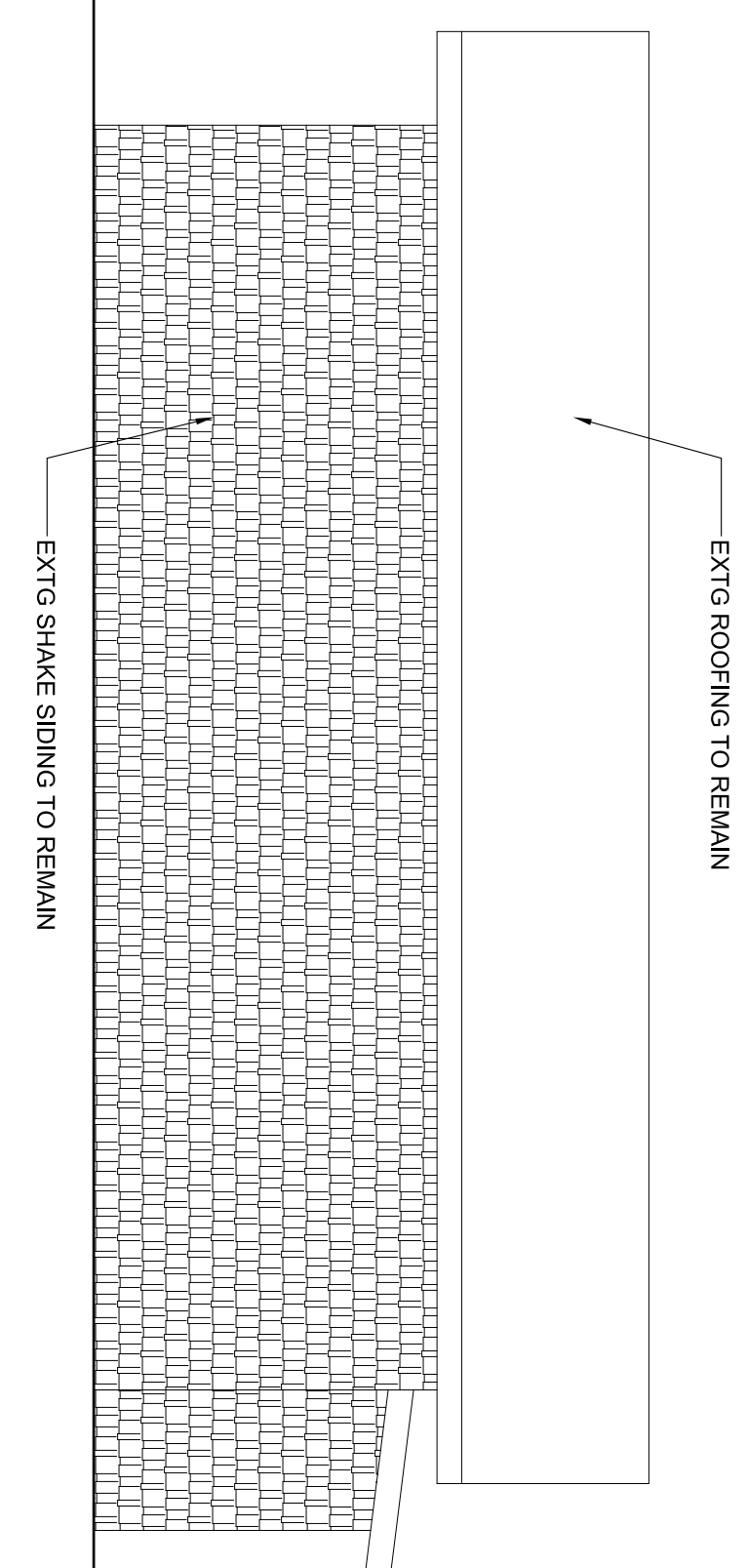
3



WEST ELEVATION

SCALE: 1/4" = 1'-0"

4



SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

5

CITY OF FIRCREST PLANNING COMMISSION
Notice of Decision / Resolution No. 19-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FIRCREST, WASHINGTON, APPROVING A CONDITIONAL USE PERMIT TO CONVERT AN EXISTING GARAGE INTO A DETACHED ACCESSORY DWELLING UNIT AT 325 BERKELEY AVENUE.

WHEREAS, an application was made by Jaime Hayward-Susoeff on behalf of Lynn Susoeff on February 12, 2019 for a conditional use permit to convert an existing 780 square foot garage into a detached accessory dwelling unit; and

WHEREAS, the application was assigned Case Number 19-04 and deemed complete on July 9, 2019; and

WHEREAS, a Notice of Application/Notice of Public Hearing was issued on July 11, 2019 with a comment period of at least 14 days ending July 30, 2019 and mailed to owners of property located within 300 feet of the subject property; and

WHEREAS, a notice of application and hearing was posted on the subject property on July 12, 2019; and

WHEREAS, a public hearing notice was published in the Tacoma Daily Index on July 11, 2019; and

WHEREAS, the subject property is designated *Low Density Residential* in the City's Comprehensive Plan; and

WHEREAS, the subject property is zoned *Residential-6*, which permits detached accessory dwelling units, subject to a conditional use permit; and

WHEREAS, the Commission has held a public hearing on this application on July 30, 2019, considered public comment, and has examined pertinent maps, drawings, and documents; and

WHEREAS, the Commission has made the following Findings of Fact and Conclusions of Law:

1. The proposed use is allowed in the zoning designation and, as such, will not be detrimental to the public health, safety and welfare nor be injurious towards the surrounding properties.

2. The proposed use with comply with all the standards and criteria listed in FMC 22.58.012 Accessory Dwelling Units as well as other de
3. The proposed detached accessory dwelling unit will be consistent and compatible with the following Comprehensive Plan policies:

GOAL H1

Preserve and enhance existing residential neighborhoods.

Policy H1.1

Effectively implement zoning regulations, including design standards and guidelines, to help support the stability of established residential neighborhoods.

GOAL H2

Achieve a mix of housing types to meet the needs of diverse households at various income levels.

Policy H2.1

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Permit accessory dwelling units in conjunction with single-family structures.

GOAL H4

Support opportunities for the provision of special needs housing, including group homes, assisted care facilities, nursing homes and other facilities.

Policy H4.7

Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain in their own neighborhood as their housing needs change

4. All proposed conditions can be monitored and enforced through the conditional use permit and building permit approval processes and subsequent site inspection process.

THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Fircrest hereby approves the conditional use permit for Case 19-04 with the following condition:

1. The concomitant agreement must be signed and filed with the Pierce County Auditor, prior to the issuance of the certificate of occupancy.

PASSED AND ADOPTED by the Planning Commission of the City of Fircrest on the 30th day of July, 2019 by the following vote:

AYES:

NAYS:

ABSENT:

, Planning Commission Chair

ATTEST: _____
Angelie Stahlnecker, Planning Administrator

Assessor's Notice per HB 2567: Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Information Regarding Appeals

Appeals of this decision shall be governed by the provisions contained within Fircrest Municipal Code Chapter 22.10. Only parties of record have standing to appeal the Planning Commission's decision. An appeal of this decision must be filed within fourteen (14) calendar days of the date of this Notice of Decision, which is May 22, 2019. Therefore, the appeal deadline for this decision is June 5, 2019 at 5:00 PM. Appeals shall be in writing, accompanied by an appeal fee, and containing the information requested in FMC 22.10.004(A)(4). For more information, contact Angelie Stahlnecker, 115 Ramsdell Street, Fircrest WA 98466, 253-238-4125 or planning@cityoffircrest.net.