



STAFF REPORT

Detroit Pizza

File No. CUP23-02

(Consolidated files: DR23-05)

Report Date: September 26, 2023

TO	Hearings Examiner	HEARING DATE	October 19, 2023
PROPOSAL	To establish an approximately 1,650 square-foot neighborhood pizza restaurant within an existing commercial building located in the NC – Neighborhood Commercial Zone.		
LOCATION	The site is located at 1410 NE Everett Street and is situated on the northeast corner of the intersection of Everett Street and 14 th Avenue, in the NW ¼ of Section 11 Township 1 North, Range 3 East, Camas, WA, Parcel Number: 81039000.		
APPLICANT/ CONTACT	Michael Lewallen 319 NE Cedar Street Camas, WA 98607	OWNER	Tony Domine 2122 NW Couch Street Camas, WA 98607
APPLICATION SUBMITTED	June 6, 2023	APPLICATION COMPLETE	July 14, 2023
PUBLIC NOTICES	A Notice of Application was mailed to property owners within 300 feet of the site and published in the Post Record on August 10, 2023. Legal publication #826750. A Notice of Public Hearing was mailed to property owners within 300 feet of the site and published in the Post Record on October 5, 2023. Legal publication #839750.		

APPLICABLE LAW: The application was submitted on June 6, 2023, and the applicable codes are those codes that were in effect at the date of the application's first submittal. Camas Municipal Code (CMC) Title 16 Environment, Title 17 Land Development, and Title 18 Zoning.

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SUMMARY

An application has been made to the City of Camas for a conditional use permit to establish an approximately 1,650 square-foot pizza restaurant with take-out, delivery, and limited indoor dining in an existing commercial building.

The approximate 0.05-acre site is zoned NC - Neighborhood Commercial and is situated within an existing neighborhood commercial center on the northeast corner of the intersection of NE Everett Street and NE 14th Avenue. The subject site is surrounded by single-family residential development to the west and east, with a fast-food restaurant to the north. The site is part of a larger commercial building and shares the southerly side of the building with a neighborhood market.

The project requires permits and approval from the City, which include: a conditional use permit, minor design review, building and sign permits. The proposed commercial development does or can comply with the applicable standards of the Camas Municipal Code (CMC) and Revised Code of Washington (RCW).

FINDINGS

Chapter 18.43 Conditional Use Permit (CUP23-02)

CMC Chapter 18.43.050 Criteria for Conditional Use Permit Approval:

The hearings examiner shall be guided by the following criteria in granting or denying a conditional use permit:

A. The proposed use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the vicinity of the proposed use, or in the district in which the subject property is situated;

The proposed restaurant is allowed within the Neighborhood Commercial (NC) zone subject to the approval of a Conditional Use Permit as per CMC 18.07.030 Table 1 - Commercial and Industrial land uses.

Per CMC 18.05.050, the purpose of neighborhood commercial zones is to provide for the day-to-day needs of the immediate neighborhood. Since the proposed use is not prohibited in the zone, the city has considered that the proposed use will not be determinantal to the public.

The applicant's narrative indicates that the takeout pizza restaurant is in line with other food services that are permitted by right in the NC – Neighborhood Commercial zone, such as a retail bakery, candy store, café, coffee shop or kiosk. The restaurant will serve the surrounding neighborhood's needs for takeout food, similar to the adjacent Hill Top Burger fast-food restaurant.

FINDING: The proposed development is an allowed use, subject to the approval of a conditional use permit, per CMC Chapter 18.07 Use Authorization and will not be detrimental to the public or injurious to adjacent uses as discussed and conditioned throughout this staff report.

B. The proposed use shall meet or exceed the development standards that are required in the zoning district in which the subject property is situated;

The subject property does not meet the current requirements for establishing new lots in the NC – Neighborhood Commercial zone, as it is an existing approximately 2,000-square foot lot, where the minimum lot size is 5,000-square-feet. It also does not meet the lot width standard of 40-feet but meets the remaining density and dimension standards as noted in CMC 18.09.030, Table 1. The proposed restaurant will utilize a vacant commercial space within an already developed neighborhood commercial

center. The applicant indicates that most of the business will be take-out and delivery, with limited space for indoor seating.

The proposed development is subject to the Minor Design Review requirements of CMC 18.19 and therefore building elevations and details related to the minor exterior modifications were submitted for staff review. Design Review is discussed in further detail in the previous section of this staff report.

Off-street parking will be provided within the existing parking areas. CMC 18.11.130 requires restaurants to provide 1 parking space per 100 gross square feet of dining area. Carry out restaurants require 1 space per 225 gross square feet of dining area. The proposed project will provide approximately 600 square feet of seating area. According to the applicant's narrative, 6 parking spaces would be required for the pizza restaurant. A total of 6 spaces will be available for the restaurant with 3 being designated for pickup orders and the other 3 for in-store dining.

Roads

The proposed project is to meet the requirements of CMC 17.19.040.B Streets and the Camas Design Standards Manual (CDSM).

The proposed development is located on the east side of NE Everett Street (SR 500), between NE 14th Avenue and NE 15th Avenue. NE Everett Street and NE 14th Avenue are classified as existing arterials with curb & gutter and sidewalks on both side of the roadway. NE 15th Avenue is classified as a fully improved local road with curb & gutter and sidewalks on both sides of the roadway. The proposed development, Detroit Pizza, will share the existing parking lot with the Camas Hilltop Market and the Top Burger fast-food restaurant and be accessible from both NE Everett Street (SR 500) and NE 15th Avenue.

Per CMC 17.19.040.B.1, half width street improvements and per CMC 17.19.040.B.5 dedication of additional right-of-way may be required for a development when it is necessary to meet the minimum street width standards or when lack of such dedication would cause or contribute to an unsafe road or intersection.

As all frontages abutting the proposed development are fully improved roadways, neither half width street improvements nor dedication of additional right-of-way is required.

Per CDSM, Table 3 – Access Spacing Standards, roadways classified as an arterial require a minimum driveway setback of 300-feet. The access drives off NE 14th Avenue and NE Everett Street, do not meet the minimum driveway setback standards, however these are existing drive accesses that have been in-place for over 30 years, thus a deviation from the minimum driveway setback standard is supported by the city engineer.

FINDING: Staff finds that the proposed project can or will meet the requirements of CMC 17.19.040.B and the Camas Design Standards Manual (CDSM) for Roads.

Sanitary Sewer

The proposed project is to meet the requirements of CMC 17.19.040.C.2 sanitary sewers.

There is an existing 8-inch vitrified clay pipe sanitary sewer main in NE Everett Street, with an existing sanitary sewer lateral to the existing building that will house both the future Detroit Pizza and Hill Top Market. Additionally, the existing building has an internal sanitary sewer system that will stay in place and will not be removed or abandoned.

As there is an existing sanitary sewer lateral to the proposed development, a new sanitary sewer lateral from the main is not required.

FINDING: Staff finds that the proposed project can or will meet the requirements of CMC 17.19.040.C.2 and the Camas Design Standards Manual (CDSM) for Sanitary Sewer.

Storm Sewer

The proposed project is to meet the requirements of CMC 14.02 Stormwater Control and Camas Design Standards Manual (CDSM).

There are three parcels on the east side of NE Everett Street that consists of existing businesses, Hill Top Market, Top Burger, and the future development. The total size of the three parcels is approximately 0.46 acres (20,038 sf) in size. The proposed development, Detroit Pizza, is located on parcel number 81039000, which is approximately 0.05 acres (2,000 sf) in size and will be located on the north end of the existing building on said parcel that includes Hill Top Market. The combined parcel includes the businesses noted above, which are surrounded by an existing parking lot that provides parking for the future Detroit Pizza, Hill Top Market, and Top Burger.

As the proposed development, Detroit Pizza, will replace a previous tenant and be located within an existing building, there are not any requirements to add new or replace any existing hard surface areas.

FINDING: Staff finds that the proposed project can or will meet the requirements of CMC 14.02 and the Camas Design Standards Manual (CDSM) for Storm Sewer.

Water

The proposed project is to meet the requirements of CMC 17.19.040.C.4 Water System and the Camas Design Standards Manual (CDSM).

There is an existing 6-inch steel water main in NE Everett Street, with an existing water service from the main to the existing Hill Top Market building that will be used to provide water to the proposed Detroit Pizza site. The existing water service is not proposed to be upsized, however if there is not an existing Reduced Pressure Backflow Assembly (RPBA) on the existing water service to the proposed development, an RBPA may be required.

Staff recommends a condition of approval that prior to building permit approval, the applicant should work with staff, if a Reduced Pressure Backflow Assembly (RPBA) is required, in determining an appropriate location for the RPBA, which is to be accessible for testing and inspection purposes.

FINDING: Staff finds the proposed development as conditioned can or will meet the requirements of CMC 17.19.040.C.4 and the Camas Design Standards Manual (CDSM) for Water.

Erosion Control

Per CMC 14.06 Erosion and Sediment Control and CMC 17.21.030 Land disturbing activities greater than once acre, will be required to meet the provisions for erosion prevention and sediment control as outlined in CMC 17.21.030 Land Disturbing Activities and CMC 14.06 Erosion and Sediment Control.

The proposed development, Detroit Pizza, is located on parcel number 81039000, which is approximately 0.05 acres (2,000 sf) in size and will be located at the north end of the existing building that includes Hill Top Market. With the exception of parking lot restriping, signage, and exterior improvements, which includes painting the building, the majority of the proposed improvements will be to the interior of the existing building.

There are not any proposed or required land-disturbing activities as part of the proposed development.

FINDING: Staff finds the proposed development, can and will meet the requirements of CMC 14.06 and the Camas Design Standards Manual (CDSM) for Erosion Control.

FINDING: Staff finds the proposed development as conditioned can or will meet the development standards that are required in the zoning district.

C. The proposed use shall be compatible with the surrounding land uses in terms of traffic and pedestrian circulation, density, building, and site design;

Traffic and Pedestrian Circulation

The proposed development, Detroit Pizza restaurant, will utilize a vacant commercial space within an already established commercial center. The existing commercial center has an established on-site traffic circulation pattern, which allows for ingress/egress via NE Everett Street (SR 500), egress only on the east side of Top Burger onto NE 15th Avenue, and existing pedestrian connections via the existing sidewalks on all three sides of the frontages on NE Everett Street (SR 500), NE 14th Avenue (SR 500), and NE 15th Avenue.

The access drive from NE 14th Avenue to the south side of Hill Top Market is an existing drive access. The existing onsite drive aisle width on the south side of the Hill Top Market building varies from 11-foot-wide to 14-foot-wide, which allows for deliveries to Hill Top Market and for pickup of recycling and garbage receptacles.

Ingress and egress to the future Detroit Pizza site is to be via the existing drive access on NE Everett Street (SR 500), with an additional egress from the site onto NE 15th Avenue located on the east side of Top Burger.

[Traffic Impact Study]

A traffic impact study (TIS) is required when a proposed development/use generates 200 vehicles per day (VPD) or more. The proposed use is shown to generate approximately 178 ADTs, which is less than the 200 average daily trips (ADTs) that trigger a TIS, therefore a traffic impact study is not required.

Density

There is no new construction included in this proposal. The proposed pizza restaurant will occupy space in an already developed commercial building. The existing commercial space will be remodeled with a new storefront, paint, and signage.

Site Design

The proposed pizza restaurant will occupy space in an already developed commercial building. With the exception of increased window sizes and repainting of the exterior of the existing building, no other changes to the subject site will occur as a result of this project. Access to the site will continue from the existing drive access off of NE Everett Street.

FINDING: Staff finds the proposed development, as conditioned, is compatible with surrounding land uses in terms of traffic and pedestrian circulation, density, building, and site design.

D. Appropriate measures have been taken to minimize the possible adverse impacts that the proposed use may have on the area in which it is located;

Proposed minor modifications to the existing commercial building include installation of a new storefront entry system that will increase the window area of the commercial space, creating better visibility into the space.

FINDING: Staff has proposed conditions of approval to minimize potential adverse project impacts to the area.

E. The proposed use is consistent with the goals and policies expressed in the comprehensive plan;

The proposed restaurant is consistent with the goals and policies of the comprehensive plan. The small neighborhood eatery would occupy a vacant commercial space within an existing building that is adjacent to similar uses. *Comprehensive 2035, 1.4 Goals and Policies* are supported with a neighborhood node

providing baseline employment and a mix of development LU-1.1, Neighborhood food access LU-3.6, grouping similar businesses for ease in community choices.

FINDING: As mentioned above, the development is consistent with the goals and policies of the comprehensive plan.

F. Any special conditions and criteria established for the proposed use have been satisfied. In granting a conditional use permit the hearings examiner may stipulate additional requirements to carry out the intent of the Camas Municipal Code and comprehensive plan.

FINDING: After conducting a public hearing and deliberating over the evidence, the Hearings Examiner may include any additional conditions or criteria necessary to carry out the intent of the CMC and the Comprehensive Plan.

Chapter 18.19 Design Review (DR23-05)

As per CMC 18.19.020, design review is required for commercial redevelopment (including change of use) or exterior changes that would require a building permit. The proposed project includes minor modifications to the exterior of the building, including the cleaning and painting of the existing CMU walls, a new storefront window system consisting of aluminum framing with opaque glazing utilized on some of the bottom panels, and new signage. No modifications to the site are proposed at this time. The site will continue to function as it is currently developed. Sign approval is not a part of this proposal. A separate application and permit fee will be required for any new signage on the subject site. The project application includes a request for minor design review approval for the proposed modifications and can be conditioned to be in compliance with the Design Review Manual.

FINDING: Staff found the proposed commercial development is generally in compliance with the Design Review Manual, and applicable design principles and guidelines of CMC Chapter 18.19 as conditioned.

PUBLIC COMMENTS

No public comments have been received.

CONCLUSION

Based on the above findings and discussion provided in this staff report, staff concludes that the proposed Conditional Use Permit for Detroit Pizza (CUP23-02) could be approved with the applicable standards and all conditions of approval are met.

RECOMMENDATION

Staff recommends APPROVAL of the Conditional Use Permit for Detroit Pizza (CUP23-02) subject to the following conditions of approval:

CONDITIONS OF APPROVAL

STANDARD CONDITIONS OF APPROVAL:

1. Final engineering site improvement plans shall be prepared in accordance with the Camas Design Standards Manual (CDSM) and CMC 17.19.040.
2. Community Development (CDEV) Engineering is responsible for plan review (PR) and construction inspection (CI) of all site improvements outside of building footprints, which includes re-striping and signing of improvements to the existing parking lot.

3. The engineering site plans shall be prepared by a licensed civil engineer in Washington State and submitted to the City's Community Development (CDEV) Engineering Department for review and approval. Submittal requirements for first review are as follows:
 - a. Final engineering civil site improvement plans are not to be submitted until after Planning issues the land-use decision.
 - b. Submit one (1) full size sets and one (1) half size set of plans.
 - c. Stamped preliminary engineer's estimate.
4. CDEV shall collect a total 3% plan review and construction inspection (PR&CI) fee for the proposed development outside of the building footprints.
 - a. The 3% fee is based on a stamped engineer's estimate.
 - b. Payment of the 3% plan review (PR) and construction inspection (CI) fee is to be paid prior to release of approved construction drawings by CDEV Engineering Dept.
5. A building permit shall be required prior to commencement of proposed tenant improvements.
6. The applicant will be responsible for maintenance of all on-site private improvements.

SPECIAL CONDITIONS OF APPROVAL:

Planning:

7. All proposed signage is required to obtain approval per CMC 18.15 prior to receiving a building permit for the sign. Signs located on the building shall be unobtrusive and vandal resistant.

Prior to Building Permit Approval:

Engineering:

[Water]

8. The applicant shall work with staff, if a Reduced Pressure Backflow Assembly (RPBA) is required, in determining an appropriate location for the RPBA, which is to be accessible for testing and inspection purposes.

Prior to Final Occupancy:

Planning:

10. Detailed construction plans for any new building signage shall be submitted for city review and approval.
11. Unless construction of the site improvements commences within two (2) years of issuance of this decision, this permit will expire.