

**BEFORE THE LAND USE HEARINGS EXAMINER
FOR THE CITY OF CAMAS, WASHINGTON**

Regarding an application by Michael Andreotti for approval) **FINAL ORDER**
of major variances to setback and lot coverage for the Camas) **MAJVAR24-01**
Meadows Hole 9 development in the MX zone at 4525 NW) **(Camas Meadows**
Camas Meadows Drive in the City of Camas, Washington) **Hole 9 Variance)**

A. SUMMARY

1. The applicant, Michael Andreotti, requests approval of a major variance to setback and lot coverage requirements for the previously approved Camas Meadows Hole 9 Mixed Use development located on a 13.81-acre parcel located at 4525 NW Camas Meadows Drive, also known as tax assessor’s parcel Nos. tax parcel numbers 175980000, 172973000, 172963000, 986035734, 986035733, 172970000, & 986026906 (the “site”). The site is zoned MX (Mixed Use). Properties to the north, south, and southwest are zoned LI-BP (Light Industrial-Business Park). Properties to the southeast are zoned R-18 (Medium Density Residential, 18 units per acre).

2. The City previously approved a development consisting of 77 lots for detached and attached single-family homes, an additional lot (Lot 78) for a 6,600 square-foot commercial building, and tracts for private streets and alleys, open space, and stormwater on the site. CUP23-01 (Camas Meadows Hole 9 Mixed Use).

3. With this 2024 application, the applicant is requesting a major variance to:

- a. Increase the maximum front yard setback for all residential lots from ten feet to 15 feet;
- b. Decrease the minimum side yard setback for all residential lots from ten feet to five feet; and
- c. Increase the lot coverage for two-story townhome lots from 50% to 60%.

4. City of Camas Hearing Examiner Joe Turner (the “examiner”) conducted a public hearing to receive testimony and evidence about the application. City staff recommended that the examiner approve the application subject to conditions. See the Staff Report and Recommendation to the Hearings Examiner dated July 3, 2024 (the “Staff Report”). The applicant accepted the findings and conditions in the Staff Report without exceptions. No one else testified orally or in writing.

5. Based on the findings provided or incorporated herein, the examiner approves the proposed variances, subject to the conditions at the conclusion of this final order.

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at a public hearing about this application on July 9, 2024. All exhibits and records of testimony are filed at the City of Camas. At the beginning of the hearing, the examiner described how the hearing would be conducted and how interested persons could participate. The examiner disclaimed any *ex parte* contacts, bias, or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Madeline Sutherland summarized the Staff Report.

a. She noted that the applicant requests major variance approval to increase the maximum front yard setback for all residential lots from ten feet to 15 feet, decrease the minimum side yard setback for all residential lots from ten feet to five feet, and increase the lot coverage for two-story townhomes lots from 50% to 60%.

b. She requested the examiner modify proposed condition of approval 2 in the Staff Report to require a minimum 18-foot front yard garage setback for Lots 20-56 as noted in Exhibits 18 and 19.¹

c. She noted that the setback requirements of the MX zone assume that commercial development will be located on the ground floor with residential development above. However, the applicant is proposing commercial and residential development on separate lots in this case. Therefore, it is appropriate to require residential development on the site comply with the same setback requirements that apply to development in residential zones. The increased front yard setback allows adequate space for vehicles to park in driveways in front of residential garages.

3. Engineer Michael Andreotti and attorney Steve Morasch appeared on behalf of the applicant.

a. Mr. Andreotti accepted the findings and conditions in the Staff Report without exceptions. He noted that the increased lot coverage is necessary to allow for attached townhome structures as interior townhomes have no side yard setbacks.

b. Mr. Morasch noted that CMC 18.45.040.B.2 allows variances for “special circumstances”, which is less restrictive than prior variance requirements. The type of development proposed in this case is a “special circumstance”, as the applicant is proposing to develop a “horizontal” mixed use development, with commercial and residential development on separate lots, rather than “vertical” mixed use, with residential dwellings above ground-floor commercial uses. The narrow dimensions of this site is also a special circumstance that warrants a variance; absent the variance there is not enough room to develop the mix of residential development proposed on the site.

4. No one else testified orally or in writing regarding this application. At the conclusion of the hearing the examiner closed the record and announced his intention to approve the application subject to the findings and conditions of approval in the Staff Report.

¹ Exhibits 18 and 19 incorrectly refer to proposed condition of approval 5. The language the applicant and staff are correcting is actually in proposed condition of approval 2 of the Staff Report.

C. DISCUSSION

1. City staff recommended approval of the application, based on the affirmative findings and subject to conditions of approval in the Staff Report. The applicant accepted those findings and conditions without exceptions.

2. The examiner finds that the Staff Report identifies all of the applicable approval standards for the application and contains sufficient findings showing the application does or can comply with those standards, subject to conditions of approval. These findings were not disputed and are supported by substantial evidence in the record. The examiner adopts the findings in the Staff Report as his own. In addition, the examiner finds that the “special circumstances” in this case include the type of development proposed, with residential and commercial development proposed on separate lots.

D. CONCLUSION

Based on the above findings and discussion, the examiner concludes that MAJVAR24-01 (Camas Meadows Hole 9 Variance) should be approved, because it does or can comply with the applicable standards of the Camas Municipal Code and the Revised Code of the State of Washington, subject to conditions of approval necessary to ensure that any resulting development will comply with the Code.

E. DECISION

Based on the findings, discussion, and conclusions provided or incorporated herein and the public record in this case, the examiner hereby approves MAJVAR24-01 (Camas Meadows Hole 9 Variance), subject to the following conditions of approval:

Conditions of Approval

Standard Conditions:

The Standard Conditions of Approval, as noted in the CUP23-01 Final Order, issued September 21, 2023, remain in effect.

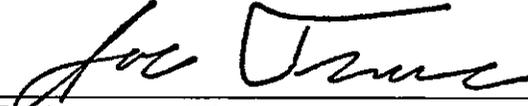
Special Conditions of Approval:

Except for the following conditions, The Special Conditions of Approval, as noted in the CUP23-01 Final Order, issued September 21, 2023, remain in effect.

1. The front yard setback for the residential lots shall be a maximum of 15 feet.
2. The front yard garage setback for the single-family detached lots (lots 20-56) must be a minimum of 18-feet to the face of the garage.
3. The street side yard setback shall remain at 10-feet to accommodate the 6-foot-wide public utility easements for lots 3, 4, 19-21, 27, 28, 74, and 75. All other side yard setbacks for the residential lots shall be a minimum of 5 feet.

4. The side yard setback of residential lots (lots 48, 77) abutting the commercial development shall remain at 10-feet.
5. The maximum lot coverage for townhomes is 60%.

DATED this 17th day of July 2024.



Joe Turner, AICP
City of Camas Land Use Hearings Examiner