

# Initial Project Review

## Preliminary Plat / Planned Development District / Rezone: Hollow Pointe Park

**Application Numbers: 921345, 921352, 921354, 921356**  
**Tax Parcel Numbers: 0320346003, 0320346004, 0320342061, 0320342062**

**Parkland – Spanaway - Midland Advisory Commission (PSMAC) Public Meeting:**  
**February 5, 2020, at 6:30 p.m.**, at Southeast Tacoma Community Center, 1614 99<sup>th</sup> Street East,  
Tacoma, WA 98445

**Proposal:** The applicant requests Preliminary Plat, Planned Development District, Rezone and environmental approval to subdivide 14.14 acres into 63 single-family residential lots, dedicate 39,657 square feet to recreation area, and 78,250 square feet to open space. The subject property is currently zoned Single-Family (SF). The applicant proposes to rezone the property to Moderate Density Single-Family (MSF). The MSF zone requires a minimum density of 4 dwelling units per acre and a maximum density of 6 dwelling units per acre when connected to public sewer. The proposed density is 5.27 dwelling units per acre.

City of Tacoma public water and Pierce County public sewer are to be extended into the subdivision to serve all lots.

**Project Location:** 1308 - 85<sup>th</sup> Street East, Tacoma WA, within the NW 1/4 of Section 34, T20N, R3E, W.M., in Council District #5

**Review Summary:** County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. The County finds, based on an initial project review, that the proposal appears to be consistent with the applicable codes and regulations and that staff intends to recommend approval of the proposal, subject to conditions.

**Zone Classification:** The current zoning of the property is SF. The primary use of the SF zone is single-family residences with a minimum, base, and maximum density of 4 dwelling units per acre. The Comprehensive Plan designates the property as MSF.

The proposed application includes a rezone application to rezone the property from SF to MSF. The primary use of the MSF classification is low and moderate density single- and two-family residential activities and compatible civic uses in areas with a mixed residential pattern. The minimum MSF density is 4 dwelling units per net developable acre, with a maximum of 6 dwelling units per net developable acre when sanitary sewer is available. The applicant is proposing a density of 5.27 dwelling units per acre, based on 11.96 net developable acres.

**Community Plan:** Parkland - Spanaway - Midland

**State Environmental Policy Act (SEPA):** Pursuant to the State Environmental Policy Act and the Pierce County Environmental Regulations, Title 18E, an environmental checklist has been submitted as a result to the proposed plat being greater than 20 dwelling units.

**County Contact:** Tony Kantas, Senior Planner, [tony.kantas@piercecountywa.gov](mailto:tony.kantas@piercecountywa.gov), or 253-798-2789

**Pierce County Online Permit Information:**

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentStatus?applPermitId=921345>



**Project Data**

Application Complete Date: October 21, 2019

IPR Mailed Date: January 29, 2020

Property Owner(s): Sundae Lavergne  
1314 169<sup>th</sup> Street South  
Spanaway, WA 98387

Kathleen Gray  
P.O. Box 126  
Tahuya, WA 98588

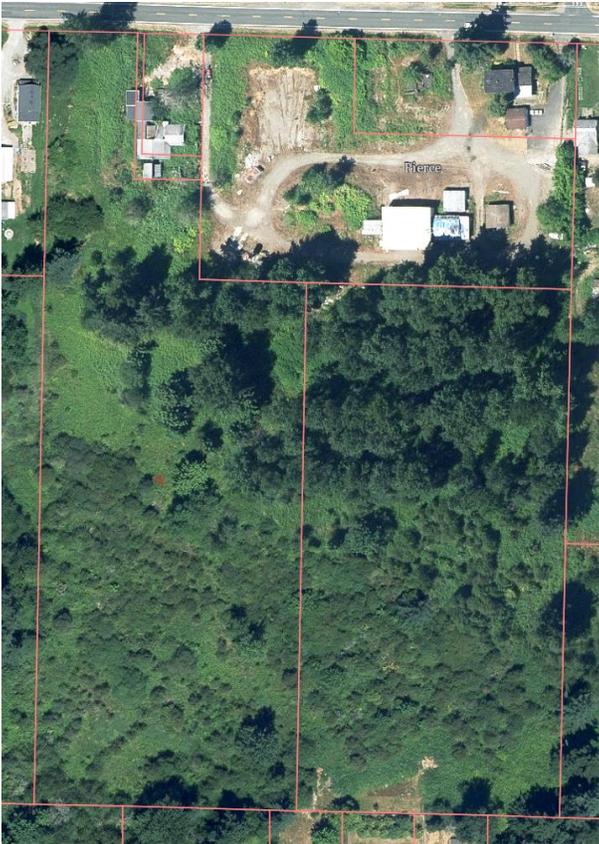
Applicant: Sager Family Homes  
P.O. Box 44428  
Tacoma, WA 98448  
[fred@sagerfamilyhomes.com](mailto:fred@sagerfamilyhomes.com)

Agent: Grant Middleton PE  
Larson & Associates  
9027 Pacific Avenue, Suite 4  
Tacoma, WA 98444  
[gmiddleton@rllarson.com](mailto:gmiddleton@rllarson.com)

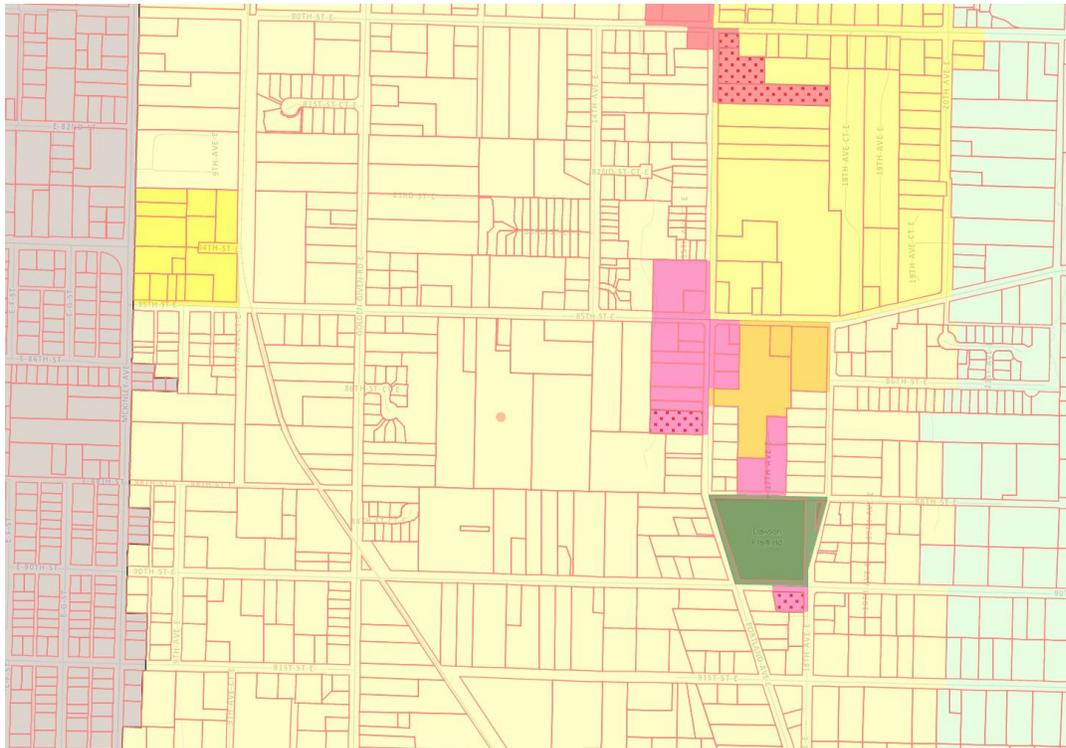
**Public and Legal Notice**

- *November 26, 2019:* Notice of Application and Public Meeting Notice, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *December 2, 2019:* The site was posted with a Public Notice sign, confirmed with a Declaration of Posting.
- *January 22, 2020:* Legal Notice was published in the official County newspaper (*The News Tribune*), advertising the public meeting to be held by the Parkland-Spanaway-Midland Advisory Commission.

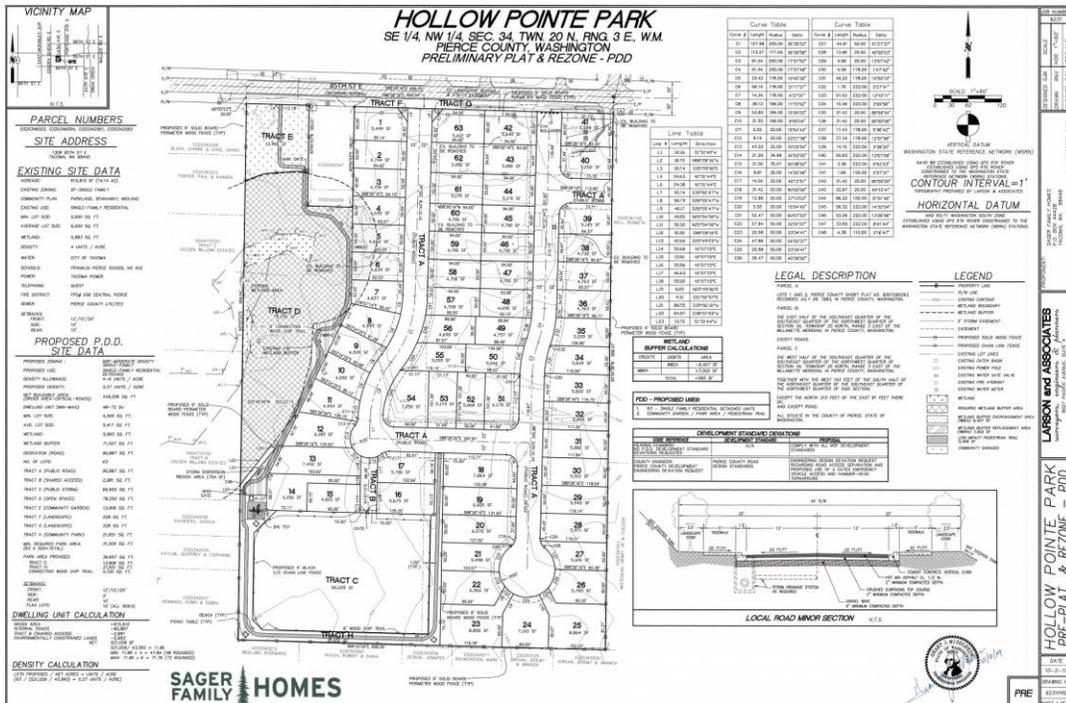
2017 County Aerial Photos

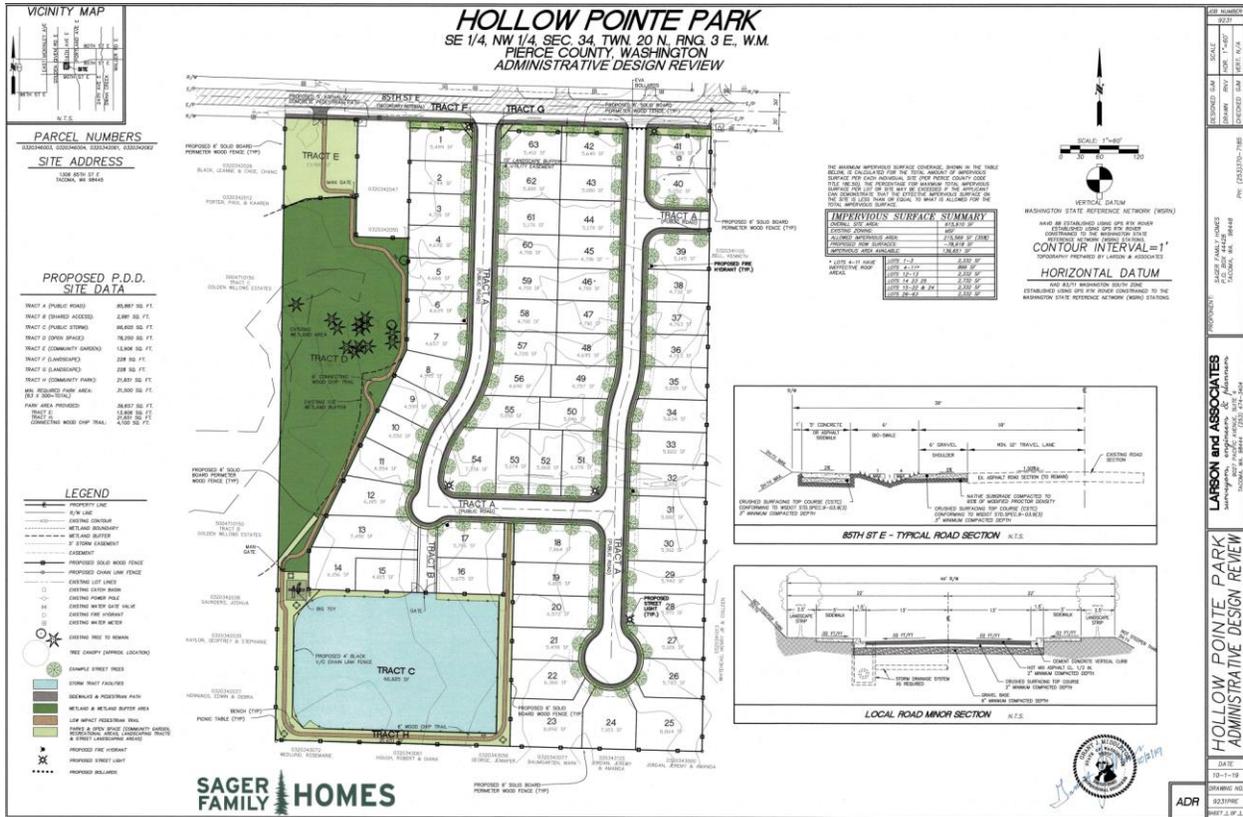


# Zoning Map



# Proposed Preliminary Plat Site Plans

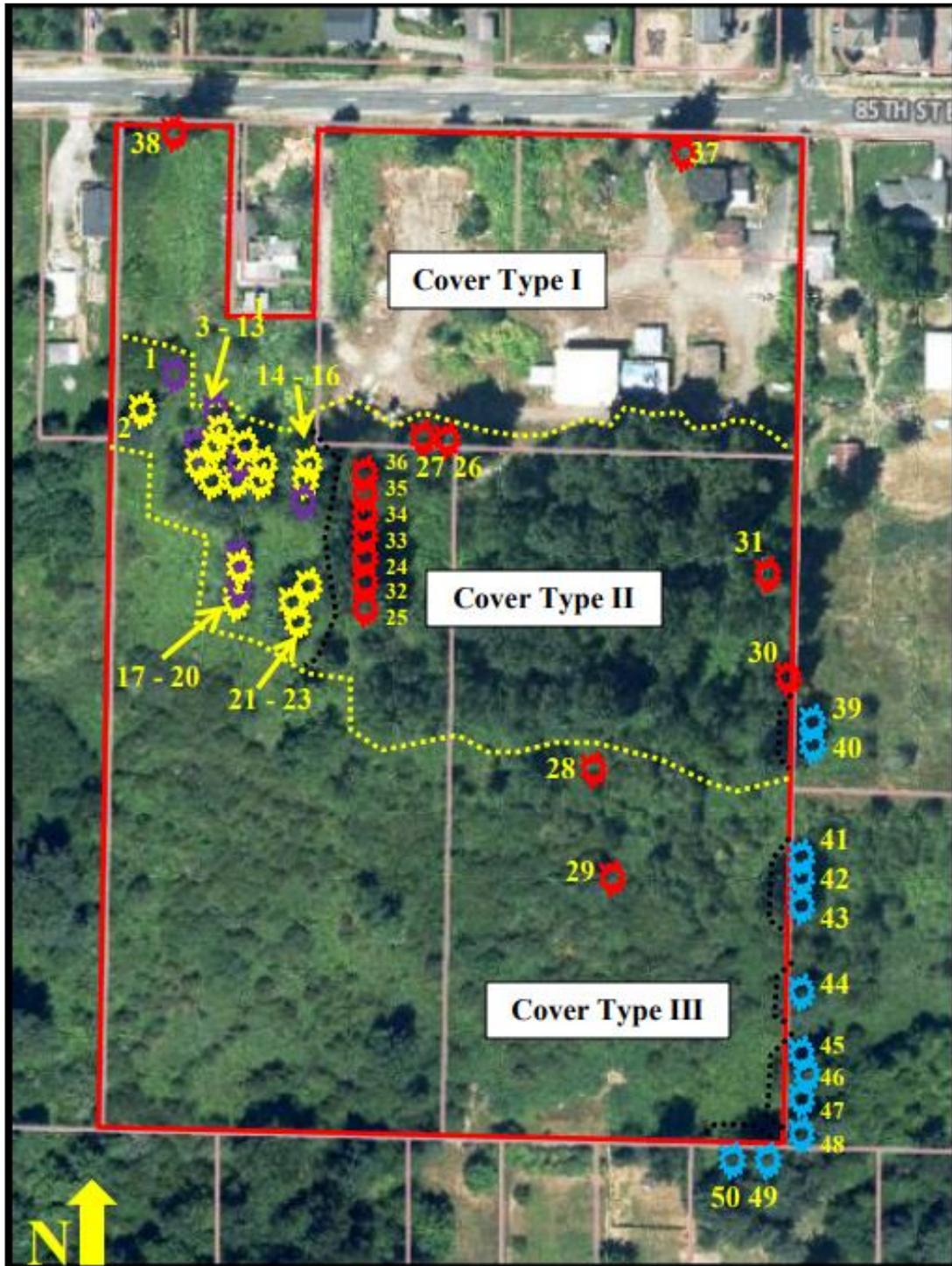




## Landscape Plan



# Tree Conservation Plan



-  Project Area Boundary
-  Cover Type Boundary
-  Location of Significant Tree to Retain
-  Location of Other Tree to Retain
-  Location of Significant Tree to Remove
-  Off-Site Tree
-  Location of Tree Protection Fencing

## Delineated Wetland



## Public and Agency Review Comments

In response to the notice of application that was mailed to neighboring property owners, the County received one comment letter from an adjacent property owner to the south with the following concerns:

- Proposed rezone/density is not compatible with surrounding area.  
*Staff response:* The applicant's response to the required findings to approve a Planned Development District (PDD) and a Rezone are provided as attachments to this report. The property is currently zoned SF, but the Pierce County Comprehensive Plan designates the subject property and neighboring properties as MSF.
- Proposal is detrimental to the historical character of the surrounding community.  
*Staff response:* The application has been routed to all tribes within the vicinity and the State of Washington Department of Archaeology & Historic Preservation for their respected reviews.
- The proposal should consider the average lot sizes within the vicinity.  
*Staff response:* Pierce County code does not require residential subdivisions to average the lot sizes within the vicinity in designing a residential subdivision. Table 18A.15.020-1 requires a minimum lot size of 5,000 square feet within the SF zone and a minimum lot size of 4,000 in the MSF zone. The smallest lot proposed is 4,550 square feet with the average lot size being 5,417 square feet. If developed under SF, the lots would also be smaller than surrounding lots.
- Surface water impacts to neighboring properties and their septic systems.  
*Staff response:* Pierce County Development Engineering is reviewing the proposed plat to ensure compliance with the Pierce County Storm Water Manual. The storm water review will ensure the proposed improvements will not impact any neighboring properties.

Comments have been received to date on the plat from the following departments and agencies:

- Tacoma Water:
  - Tacoma Water has provided a water availability letter. An 8-inch main is located along 85<sup>th</sup> Street East.
- Pierce County Fire Prevention Bureau:
  - Remains in review.
- Tacoma-Pierce County Health Department:
  - Has recommended approval with a condition that all demolition material must go to a permitted solid waste handling and disposal facility and all on-site sewage systems to be abandoned pursuant to Environmental Health Code, Chapter 2, On-Site Sewage.
- Cartography Section of Planning and Public Works (PPW):
  - Street names are required.
- Development Engineering Section of PPW:
  - Development engineering has reviewed the preliminary plat and has requested an additional 5-feet of right-of-way along 85<sup>th</sup> Street East, and has provided the following red line comments: comments regarding the secondary emergency vehicle access onto 85<sup>th</sup> Street East, comments regarding the stub-out road to the neighboring east property, and requests a deviation to the application for the proposed cul-de-sac as a result to the plat being greater than 50 lots.
- Resource Management Section of PPW:
  - The County Biologist has requested additional information to ensure the proposal follows all requirements as they pertain to wetland buffer width averaging.
- Franklin Pierce School District:
  - Requested a bus stop and shelter and a walking path from the project area to Harvard Elementary School.
- Washington State Department of Ecology:
  - Provided general comments regarding solid waste management, toxics cleanup, and water quality.
- Nisqually Indian Tribe:
  - Has no further comments or concerns.
- Sewer Division of PPW:
  - Has recommended approval and states sewer is within 300 feet of the site. All sewer improvements must be constructed at the applicant's expense, and must conform to the latest revision of the PCC Chapter 13, the Pierce County Sanitary Sewer Standard Plans.

Comments received on this proposal may be found by accessing the Online Permit Information referenced on page 1. The substance of these comments is reflected, where appropriate, in the analysis provided below.

## Background

The 14.14-acre four-parcel site is generally rectangular shaped and fronts 85<sup>th</sup> Street East to the north. Two of the parcels are currently developed with a single-family residence and a commercial service type of use and an assortment of buildings associated with the residence and business. All existing improvements are located along the northern portion of the property, which would all be removed as part of this project. Two of the four parcels are undeveloped. A wetland and its buffer occupy the western portion of the project area. The topography of the site is generally flat.

A majority of the of the on-site trees are located within the central portion of the property. The following is the applicants tree retention and tree planting proposal:

### Potential Tree Retention

The Pierce County Code (PCC) requires that 30% of all significant trees be retained on the project site. There are a total of 31 significant trees on the parcel, 30 of which are in 'Fair' condition or better. A total of 9 significant trees will need to be retained on the project. This plan retains 15 significant trees (50%), 6 more than the minimum required by PCC. The best area for tree retention is in the western portion of the project area near a wetland area (Attachment 1.).

Additionally, PCC requires a minimum tree unit density of 30 tree units per acre for urban residential developments. The total site acreage is 14.16 acres. A total of 425 tree units will need to be retained or replanted on the site. The 15 significant trees, and an additional 7 non-significant trees proposed for retention are worth a total of 56 tree units, 369 units short of the minimum requirement.

The following is a summary of the planned tree retention:

Total Project Acreage	14.16 acres
Minimum Tree Density Requirement: (14.16 acres x 30 tree units/acre)	425 Tree Units
Total # of Healthy Significant Trees to Retain on Site:	15 Trees (43 Tree Units)
Total # of Healthy Non-Significant Trees to Retain on Site:	<u>7 Trees (13 Tree Units)</u>
Total # of Trees Proposed for Retention:	24 Trees (56 Tree Units)
Shortfall of Required Tree Units: (425 Tree Units minus 56 Tree Units)	369 Tree Units

Replacement Trees will be Required:

Replacement Tree Options:	<u># of Trees</u>
4 ft. Conifers/1.5 in. caliper Deciduous:	492, or
Open Space Seedlings:	1,476

Surrounding Land Use / Zoning Designation:

LAND USE		ZONING (Title 18A)
North	Single-family residences on both larger and urban sized lots	Single-Family (SF)
South	Single-family residences on larger lots	SF
East	Single-family residences on larger lots	SF
West	Single-family residences on both larger and urban sized lots	SF

Utilities/Public Facilities: Utility service and public facilities are proposed as follows:

- Water - Tacoma Water
- Sewer- Pierce County
- Power - Puget Sound Energy
- School- Franklin Pierce School District

**Governing Regulations**

The proposed plat is being reviewed for conformance with the following goals, policies and requirements in effect on the October 21, 2019 complete application date of this proposal:

- Title 19A Comprehensive Plan - January 1, 1995, as amended
- Title 17A Construction and Infrastructure Regulations – Site Development and Stormwater Drainage
- Title 17B Construction and Infrastructure Regulations – Road and Bridge Design and Construction Standards
- Title 18 Development Regulations - General Provisions
- Title 18A Development Regulations – Zoning  
Planned Development Districts  
Rezoning
- Title 18D Development Regulations - Environmental
- Title 18E Development Regulations - Critical Areas
- Title 18F Development Regulations - Land Division and Boundary Changes
- Title 18H Development Regulations - Forest Practices
- Title 18J Design Standards and Guidelines

**Initial PPW Staff Review for Consistency with Land Use Policies and Regulations**

State Environmental Policy Act (SEPA)

- The proposed plat application is being reviewed in accordance to SEPA requirements. A SEPA determination will be issued once all the review departments have found the proposed plat complies with all applicable codes as they relate to a subdivision, PDD, and rezone. The SEPA determination will include a 14-day comment period and a 14-day appeal period.

#### Title 18E, Development Regulations – Critical Areas

- There is a Category III wetland located along the western portion of the property. The applicant has consulted with Beaver Creek Environmental Services to complete a wetland analysis report. Pierce County’s Biologist has made a site visit to the property and has reviewed and concurs with the submitted wetland report. Category III wetlands require an 80-foot standard buffer for a high intensity land use. The critical areas ordinance allows buffer averaging of a wetland, if the proposal meets the criteria outlined in Section 18E.30.060(B)(2). The County Biologist has requested additional information to ensure the proposal follows all requirements as they pertain to wetland buffer width averaging.

#### Title 18A, Development Regulations - Zoning

- The subject property is currently zoned SF. The proposed preliminary plat application is accompanied by a rezone application to rezone the property to MSF. The primary purpose of the MSF classification is for low and moderate density single and two family residential activities and compatible civic uses in areas with a mixed residential pattern. The minimum MSF density is 4 dwelling units per net developable acre, with a maximum of 6 dwelling units per net developable acre when sanitary sewer is available. The applicant is proposing a density of 5.27 dwelling units per net developable acre, based on 11.96 net developable acres. The plat will be served by sanitary sewer.

#### Title 18J, Development Regulations – Design Standards and Guidelines

- Street trees will be provided internally along the new roadways at 1 per 30 lineal feet of frontage of tracts and a minimum of 1 street tree per lot will be required on the plat roads prior to home occupancy; 85<sup>th</sup> Avenue East is considered an arterial road, therefore a Level 3 landscape buffer will be required along 85<sup>th</sup> Avenue East.
- Curbs, gutters, sidewalks and streetlights will be required within the plat and along the 85<sup>th</sup> Avenue East frontage.
- A minimum of .72 acre (31,500 square feet) of total recreation area is required within the plat. The applicant is proposing a total of .91 acre (39,657 square feet) of recreation area.
- In addition to on-site recreational improvements, park impact fees, currently \$2,552.39 per dwelling unit, to be adjusted upward for inflation are required prior to building permit issuance.
- Storm drainage is being proposed to be handled through an infiltration storm drainage tract (Tract C) located in the southwestern portion of the plat.

### **Required Findings for Preliminary Plat Approval**

#### **Title 18F, Development Regulations - Land Division and Boundary Changes**

Section 18F.40.030 Proposed Preliminary Plat Requirements.

- C. Required Written Findings and Determinations. The Examiner's written decision on the preliminary plat shall include findings and conclusions, based on the record, to support the decision. The Examiner shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. A proposed subdivision and dedication shall not be approved unless the Examiner makes written findings that:

1. Appropriate provisions are made for, but not limited to, the public health, safety and general welfare, for open spaces, drainage ways, critical areas, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and all other relevant facts including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school; and
  2. The public use and interest will be served by the subdivision and dedication.
- D. Approval. The Examiner has the authority to approve or deny any proposed preliminary plat and may impose additional or altered conditions and requirements as necessary to assure that the proposal conforms with the intent of the Comprehensive Plan, applicable community plans, and other applicable County codes and state laws.

### **Title 18A.95 - Rezone**

The subject property is zoned SF and has a land use designation of MSF. The applicant proposes to rezone the subject property to MSF. Section 18A.95.020(B) states the Hearing Examiner may consider a rezone application only when it is accompanied with an application for a Planned Development District (PDD).

Section 18A.95.050(C) states the Hearing Examiner may approve an application for a rezone only if all of the following criteria are met:

1. The proposed rezone is consistent with the purpose and intent of the Comprehensive Plan, respective community(ies) plan, PDD approval criteria contained in PCC [18A.75.050](#), and other applicable regulations;
2. The proposed rezone bears a substantial relation to public health, safety, or welfare;
3. The proposed rezone is in the best interest of the residents of Pierce County and the surrounding community(ies); and
4. The proposed rezone is appropriate because of one of the following:
  - a. Conditions in the immediate vicinity have so markedly changed since the property was given its present zoning and that under those changed conditions a rezone is within the public interest; or
  - b. The rezone will correct a zone classification or zone boundary that was inappropriate when established.

### **Section 18A.75.050 – Planned Development Districts (PDD)**

Section 18A.75.050(J) provides the findings that need to be made to approve a PDD.

**PDD Approval – Findings Required.** The action by the Examiner to approve a preliminary development plan for a proposed PDD with or without modifications shall be based upon the following findings:

1. That the proposed development is in substantial conformance with the Comprehensive Plan and adopted Community Plans.
2. That exceptions from the standards of the underlying district are warranted by the design and amenities incorporated in the development plan and program such as: setting aside additional open space; creating more functional park/open space areas; providing greater protection of critical areas; providing variations in housing style and type; preserving native trees; and, providing transportation features such as narrower streets and alleyways. In order to achieve the base density within a zone classification, the Examiner may determine that additional design amenities are not necessary when a site has a significant percentage of land area encumbered by constraint areas such as wetlands or steep slopes.

3. That exceptions or deviations from road standards are warranted by the design and amenities incorporated in the development plan and also subject to review and approval of the County Engineer.
4. That the proposal is in harmony with the surrounding area or its potential future use.
5. That the system of ownership and means of developing, preserving, and maintaining open space is suitable.
6. That the approval will result in a beneficial effect upon the area which could not be achieved under the current zoning and development regulations that apply to the property.
7. That the proposed development or units thereof will be pursued and completed in a conscientious and diligent manner.
8. That adequate provisions have been made for sidewalks, curb, gutters and street lighting for developments in urban areas.

### **Questions for PSMAC Discussion and Consideration**

#### Rezone:

- Have conditions changed since the SF zone was applied to this site, and is the rezone within the public interest?

#### Planned Development District:

- Is the request to develop a 63-lot single-family project in the MSF zone rather than a 48-lot single-family plat in the SF zone warranted by the design and amenities incorporated in the plat design? If not, what changes are recommended?
- Will a 63-lot single-family subdivision have the same or more beneficial effect on the area than if the site was developed with a 48-lot plat?

#### Preliminary Plat:

- Is the plat proposal adequately addressing public health, safety and general welfare issues as discussed above? If no, what changes are recommended?
- Will the public use and interest be served by the proposal? If not, what changes are recommended?

#### General:

- Are the Rezone, PDD and/or Preliminary Plat requests consistent with the Pierce County Comprehensive Plan or Parkland-Spanaway-Midland Communities Plan? If not, how can they be made consistent?

### **Other Questions or Concerns?**

Hollow Pointe Park PP-PDD PSMAC-TK.docx