



Updated Initial Project Review

Conditional Use Permit / Environmental Review: Kensington Garden Holdings, LLC

Application Numbers: 943680, 944093
Parcel Number: 0221194053

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: ~~January 13, 2020~~ April 14, 2021, at 6:30 p.m. Due to COVID-19 restrictions, this meeting will be held virtually. To participate, visit www.Zoom.com and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: 925 6817 5117 and Passcode: 355895 or click on the following link: <https://piercecountywa.zoom.us/j/92568175117?pwd=OVRVeVI4NHM5cUZodEUreitGS1JvQT09>. For additional questions regarding the virtual meeting process, contact Tiffany Aliment at 253-798-3226 or tiffany.aliment@piercecountywa.gov.

Proposal: The applicant requests approval of a Conditional Use Permit to convert a detached single-family residence to a Group Home for up to 16 residents. Building permit #920516 for a detached single-family residence has been issued but has not received final approval. The issued building permit is for a 18,354-square foot, two-story residence and 9,026-square foot basement garage.

Project Location: 3618 Olson Drive NW, Gig Harbor, WA, in the Rural 5 (R5) zone classification, and the Gig Harbor Peninsula Community Plan area, within section 19, T21N, R2E, W.M., in Council District #7

Staff Review: Staff has reviewed the proposal for compliance with all policies, codes and regulations.

State Environmental Policy Act (SEPA): An Environmental Checklist was submitted per Pierce County Code Title 18D.

County Contact: Andrew Van Gordon, Associate Planner, (253) 798-7113, andrew.vangordon@piercecountywa.gov

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentsStatus?applPermitId=943680>



Project Data

Application Complete: September 30, 2020

IPR Mailed Date: January 6, 2021

Updated IPR Mailed Date: April 7, 2021

Owner/Applicant: Kensington Gardens Holdings, LLC
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Public and Legal Notice

- *October 1, 2020*: Notice of Application and Public Notice, including the Gig Harbor Peninsula Advisory Commission (PAC) public meeting date and time, 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.
- *October 7, 2020*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *December 30, 2021, and December 31, 2021*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*), and the *Peninsula Gateway* newspaper, advertising the PAC public meeting.
- *March 31, 2021, and April 1, 2021*: Legal notices were published in the official County newspaper (*Tacoma News Tribune*), and the *Peninsula Gateway* newspaper, advertising the PAC public meeting.

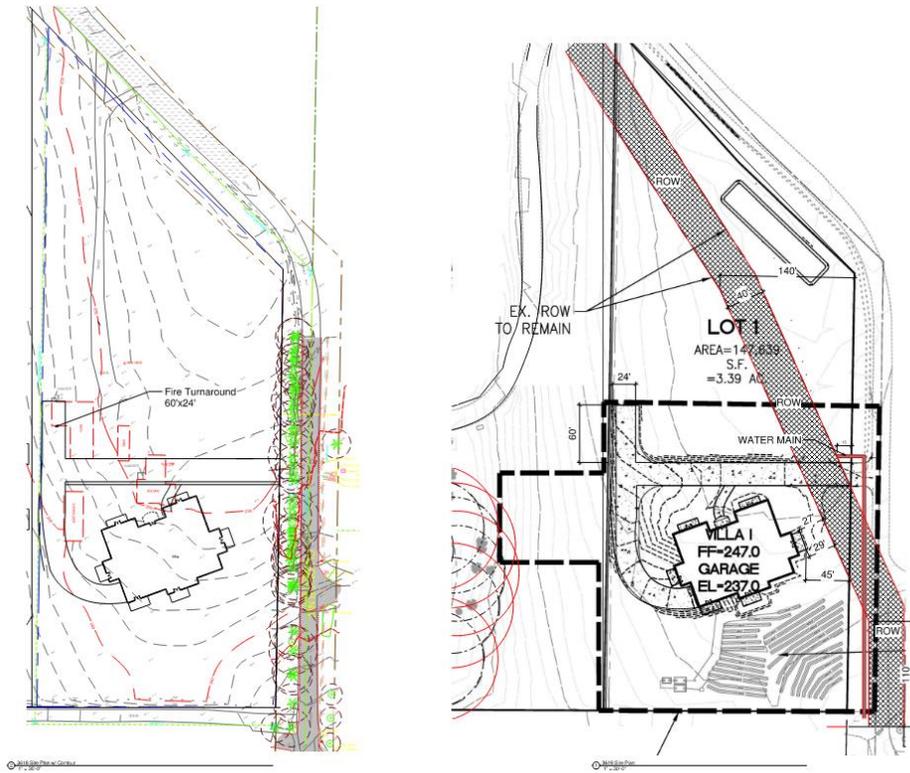
Staff Comment: The proposal was originally scheduled to go before the PAC on January 13, 2021. On January 8, 2021 the applicant requested the applications go before the PAC at a later date. The next available date was April 14, 2021.

2019 Ortho Photo



Figure 1: Applicants' property highlighted.

Proposed Site Plan



Zoning

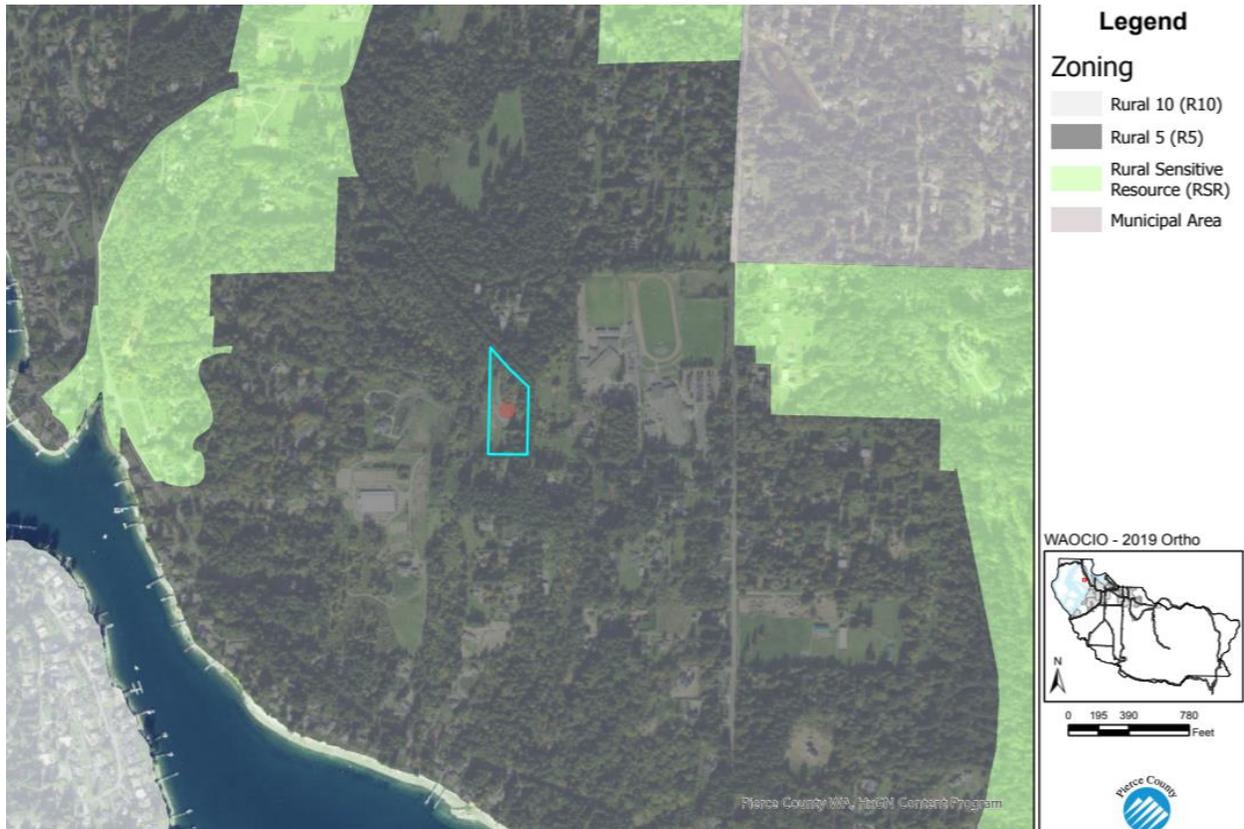


Figure 2: Applicants' property highlighted.

Perspective Illustration of Proposed Group Home



Surrounding Land Use / Zoning Classification

	LAND USE	ZONING
North	Olson Drive NW	Rural 5 (R5)
South	Single Family Residence	R5
West	Single Family Residence	R5
East	Olson Drive NW	R5

Staff Comment: The property directly to the west (tax parcel #0221194052) is permitted to have a detached single-family residence and Accessory Dwelling Unit. Application for a Preliminary Plat (#943681), Planned Development District (#943683) and associated environmental review application (#943740), has been made to convert the existing detached single-family residence into a group home and place four additional group homes.

Comments from Agencies and Public

Written comments received on this proposal may be found by accessing the Online Permit Information referenced on Page 1. The substance of these comments will be reflected, where appropriate, in the conditions of approval.

- County Staff have received one written comment from the public opposing the project on the grounds that it will destroy wildlife habitat, increase traffic, and be overall detrimental to the established character of the area.

- Various public agencies have provided comment. Of note, Pierce County Fire Protection District Five requests the proposal be denied unless the requested conditions, which include minimum commercial fire flow requirements, fire sprinkler requirements, elevator car requirements and Emergency Vehicle Access requirements, be included as part of the approval.

Initial Staff Review for Consistency with Applicable Land Use Policies and Regulations

The proposal is subject to review for conformance with Pierce County plans, codes and regulations.

Title 19A, Pierce County Comprehensive Plan

The Comprehensive Plan applies to all land uses within the County. Policies include, but are not limited to:

- **LU-62.4.1:** Encourage low-density residential and resource-based activity as primary uses.
- **Goal LU-63:** Allow a variety of rural residential land uses and densities that are consistent with the rural lifestyle and within the carrying capacity of the natural environment.
- **LU-63.3:** Maintain and promote rural residential land uses that:
 - **LU-63.3.1:** Promote a low-density rural land use pattern.
 - **LU-63.3.2:** Preserve rural character.
- **Goal D-10:** Minimize aesthetic impacts of activities and maintain rural character.
- **Goal H-1:** Allow for a range of housing types in appropriate areas of the County.
 - **H-1.2:** Ensure that housing types within the rural and resource areas retain the rural character and respect the features of the land.

Staff Comment: The Comprehensive Plan, on page 2.45, identifies rural character as: “Rural areas are characterized by low densities with scattered residential sites and moderate sized to large open acreages for farm or forest use, often with an owner's home on such acreage”. The proposal is to convert a detached single-family residence under construction to a group home serving up to 16 residents. The proposal is at a greater intensity than the same acreage with detached single-family residences on it. The proposal does not maintain the character of rural lands nor is it consistent with the rural lifestyle.

Title 19A Appendix E: Gig Harbor Community Plan

The Gig Harbor Community Plan applies to all land uses with the Gig Harbor Peninsula Community Plan area. Policies include, but are not limited to:

- **Goal GH LU-2:** Infill development should be designed to be compatible with the established neighborhood through transitions in housing density, screening or other appropriate methods.
- **Goal GH LU-10:** Preserve the natural, forested and pastoral character of rural lands outside the Urban Growth Area. Ensure that development which does occur in rural areas is planned in an environmentally conscientious manner to be compatible with this desired character through the control of lot sizes, intensity and density of land uses, and protection of open space. The preservation of agricultural and forest lands is a priority. Through careful planning, ensure urban levels of service do not occur in the rural area.

- **Goal GH LU-11:** The rural area shall be separate and distinct from the urban area in terms of land use, infrastructure, and visual character. Visually, it is intended to be an area characterized by an abundance of pastureland, forests, and naturally vegetated buffer areas. Provide an incentive, including property tax assessments at the current use rather than the highest and best use for prioritized open space properties and similar programs, to accomplish this goal. Limit land uses within the area to low density and intensity, and limit them primarily to agricultural, forestry, natural resource industries, and single-family residential uses. Large lot sizes should prevail and homes should be generally well separated from one another. Within the rural area, recognize historic communities such as Arletta, Rosedale, and Fox Island and make limited provisions for the continued existence of the cultural focal points of these communities. Plan and construct infrastructure improvements, such as the transportation system, to reflect and support the desired goals for the rural area.
- **Goal GH D-12:** The presence of farms, forests, natural areas, and undisturbed lands are valuable features in the rural area of the Gig Harbor Peninsula. Native vegetation provides a variety of benefits including critical area buffering, protection of aquifer recharge areas, fish and wildlife habitat areas, and pleasing visual aesthetics. Agricultural uses and forest practice activities help sustain the rural character in the community outside of the Urban Growth Area. Preservation of these characteristics that have historically been associated with the rural environment on the Gig Harbor Peninsula creates the rural character that the community considers essential.
- **Goal GH CF-3:** Fire District #5 provides emergency services in the community plan area. Pierce County shall support the efforts of Fire District #5 in responding to the increasing population and demand for services on the Gig Harbor Peninsula.

Staff Comment: The Gig Harbor Community Plan calls for the rural area to be preserve farms, forests, natural areas etc. Preservation of agricultural uses and forest practices helps to sustain the rural character outside of the Urban Growth Area. Uses should be limited to low intensity and density with uses themselves limited primarily to agricultural, forestry, natural resource industries, and single-family residential uses. As the proposal is for a group home serving up to 16 residents. This is in addition to an existing ADU (which, as of the writing of this report, the applicant has not identified what it will be converted to) and a conservatory currently under review. The proposal is at a greater intensity than the same acreage with a detached single-family residence. The proposal does not maintain the rural character. Additionally, as spoken to above, Fire District #5 is opposed to the project unless its requested conditions are included.

Title 18A, Development Policies and Regulations – Zoning

- Gig Harbor Peninsula: Rural and Resource Zone Classification (Table 18A.23.020)

Within the Rural 5 (R5) zone in the Gig Harbor Peninsula Community Plan Area, the Group Home use type requires review and approval through a Conditional Use Permit.

Staff Comment: The applicant is proposing to convert a detached single-family residence, to a group home. Of note, the building permit to construct the detached single-family residence has been issued but, as of the writing of this report, has not received final inspection.

- Parking (18A.35)
One parking space per two bedrooms is the minimum and maximum number of required parking spaces for the Group Home use type.

Staff Comment: The approved design for the structure has eight bedrooms. Planning Staff has requested the applicant identify the number and location of required parking stalls. The approved plans provide a basement garage.

- Conditional Use Permit: Required Findings (18A.75.030 B.1)

a. That the granting of the proposed Conditional Use Permit will not:

1) Be detrimental to the public health, safety and general welfare.

Staff Comment: At this time Staff cannot make a determination that the proposal will be detrimental to the public health, safety and general welfare. For example, from the comments received, the fire district has safety concerns; the County Fire Prevention Bureau reviewer, Laurie Bischof, has requested the applicant respond to multiple concerns including those raised by the fire district. At the time this report was written a response had not been received.

2) Adversely affect the established character and planned character of the surrounding vicinity.

Staff Comment: Staff has received comment from neighbors concerned with the intensity of the proposed use. A detached single-family residence previously existed on the site but was demolished to make way for the proposed detached single-family residence. The surrounding vicinity is developed with detached single-family residences; Harbor Heights Elementary School is less than a tenth-of-a-mile to the east as the crow flies.

The proposal is for a group home to serve up to 16 residents; the applicant has not identified the number of staff that will be on-site. The applicant has applied for a Preliminary Plat / Planned Development District / Environmental Review to subdivide the abutting tax parcel (#0221194052) to the west for the benefit of five group homes; it is currently under review. If approved, it would serve up to 80 residents. Planning Staff has requested the applicant clarify if this other proposed group home will be run as part of the same facility. At the time this report was written a response had not been received.

The applicant has stated that the group homes will not affect the established character of the surrounding vicinity. They identify the following reasons:

- There are large single-family homes with families of various sizes residing in them;
- Harbor Heights Elementary School is nearby;

- There is an existing group home with numerous outbuildings directly to the west; and
- A horse arena is to the south of the project area.

There is no permitted group home to the west. A detached single-family residence is on the neighboring property to the west; the applicants run an adult family home out of the detached single-family residence. An adult family home is a residential home licensed to care for up to six non-related individuals. If a group home is being run on the parcel it is unpermitted.

The established character of the surrounding area is detached single-family residences. While the proposed group home may be similar in size to the largest detached single-family residences the use itself is more intensive than a detached single-family residence. Services and activities for 16 unrelated people will be more intensive than a detached single-family residence. If this group home is being run as part of the same facility as the neighboring proposal, that is up to 96 residences receiving services and activities.

- 3) Be injurious to the uses, planned uses, property or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.

Staff Comment: As previously spoken to in the report, the Fire Reviewer has requested additional information regarding fire regulations. Development Engineering has requested a traffic impact analysis. At the time this report was written neither have been addressed by the applicant.

- b. That the granting of the proposed Conditional Use Permit is consistent and compatible with the intent of the goals, objectives and policies of the County's Comprehensive Plan, appropriate Community Plan (provided that, in the event of conflict with the Comprehensive Plan, the Comprehensive Plan prevails), and any implementing regulation.

Staff Comment: As previously spoken to in this report, the proposal does not appear to be consistent and compatible with the intent of the goals, objectives and policies of the Comprehensive Plan and Community Plan. More information has been requested from the applicant to determine if the proposal is consistent and compatible with implementing regulations.

- c. That all conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.

Staff Comment: At this time, Staff has not seen that there are conditions that cannot be monitored and enforced.

- d. That the proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety, and welfare of the community from such hazard.

Staff Comment: At this time Staff cannot make a determination as additional information is required and has been requested from the applicant.

- e. That the conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.

Staff Comment: At this time Staff cannot make a determination as additional information is required and has been requested from the applicant.

- f. That the Level of Service standards for public facilities and services are met in accordance with concurrency management requirements.

Staff Comment: At this time Staff cannot make a determination as additional information is required and has been requested from the applicant.

Title 18J Development Regulations – Design Standards and Guidelines

- Countywide Design Standards and Guidelines (18J.15)

- Site Design (18J.15.015)

Staff Comment: The proposal will be required to meet the requirements in this section. However, a site development plan has not been submitted at this time.

- Site Clearing (18J.15.020)

Staff Comment: The site has a previously approved site development permit for the detached single-family residence. While the parcel is located completely in an Open Space Corridor, the applicant, at this time, is only proposing to convert what has already been initially approved.

- Tree Conservation (18J.15.030)

Staff Comment: Forty tree credit units per net developable acre is required. A minimum of 30% of significant trees are required to be preserved. Net developable acreage has not been provided. Neither have tree calculations.

- Landscape Buffers (18J.15.040)

Staff Comment: An L2 buffer is required to be located adjacent to all properties improved with a detached single-family residence. An L2 buffer is required along the entirety of the southern property line.

- Off-Street Parking, Pedestrian, Bus and Bicycle Facilities (18J.15.080)

Staff Comment: Planning Staff has requested the applicant identify areas for employee parking, loading areas and parking for residents to ensure that the applicable regulations in this section are met.

- Exterior Illumination (18J.15.085)

Staff Comment: The applicant has not provided a lighting plan at this time.

- Parking Lot Landscaping (18J.15.090)

Staff Comment: Planning Staff has requested the applicant identify areas for employee parking, loading areas, and parking for residents. Depending on what is proposed the applicant may need to meet requirements in this section.

- Low Impact Development (LID) (18J.15.140)

Staff Comment: Projects within open space corridors in the Gig Harbor Community Plan area are required to be designed to meet the full comprehensive LID standards of the Pierce County Stormwater Management and Site Development Manual, Volume VI. Development Engineering has been alerted to this requirement.

- Stormwater Facilities (18J.15.170)

Staff Comment: The applicant has not identified how they are meeting stormwater requirements at this time. Stormwater facilities shall meet the requirements of this section.

- Gig Harbor Community Plan Area Design Standards and Guidelines (18J.40)

- Building Design (18J.40.060 B)

Staff Comment: While technically applicable the structure itself has already been approved to be a detached single-family residence. The applicant is proposing to convert the residence to a group home.

- Color and Material Design (18J.40.060 C)

Staff Comment: Structures will be required to meet the requirements in this section. Color and façade materials have not been provided at this time.

Questions from Staff for the Gig Harbor Peninsula Advisory Commission (PAC):

1. Does the PAC believe that the design standards are being met within Title 18J.70?
2. Does the Commission believe that the applicant is meeting the Conditional Use Permit Standards?
3. Does the Commission believe that the applicant is meeting the Gig Harbor Peninsula Community Plan Standards?

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