

Revised Initial Project Review

Preliminary Plat/Planned Development District/ Rezone: Leske

Application Numbers: 965632, 965634, 965635
Tax Parcel Numbers: 0319101062 and 0319101063

Mid-County Advisory Commission (MCAC) Public Meeting: December 14, 2021, at 6:30 p.m. Due to COVID-19 restrictions, this meeting will be held remotely. To participate in the virtual meeting, visit www.Zoom.com and click “Join a Meeting” or call 253-215-8782, then enter the Meeting ID: **957 7636 5991**, and Passcode: **7156**, or click on the following link: <https://piercescountywa.zoom.us/j/95776365991?pwd=R1F0czlMcVJHYlAzRk04OFNFdW9Xdz09>
For additional questions regarding the virtual meeting process, contact Danica Williams, 253-798-7156, or Danica.williams@piercescountywa.gov

Proposal: The applicant requests Preliminary Plat, Planned Development District (PDD), and Rezone approval to subdivide 5 acres into 18 single-family residential lots and dedicate .16 acres to passive open space. The subject property is currently zoned Residential Resource (RR). The RR zone requires a minimum density of 1 dwelling unit per net developable acre and a maximum of 3 dwelling units per net developable acre.

The applicant proposes to rezone the property to Single-Family (SF) through the PDD process. The SF zone requires a minimum and a maximum density of 4 dwelling units per net developable acre. The proposed density is 3.6 dwelling units per 4.45 net developable acres.

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

Project Location: 11314 17th Avenue East, Bonney Lake WA, within Section 10, T19N, 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 will be recommending approval of the proposal, subject to conditions.

Zone Classification: The current zoning of the property is RR. The primary use of the RR is low density single-family residences with a minimum density requirement of one dwelling unit per acre, base density of two dwelling units per acre, and a maximum density requirement of three dwelling units per acre. The Comprehensive Plan designates the property as Moderate Density Single-Family (MSF).

The proposed application includes a rezone application to rezone the property from RR to SF. The primary use of the SF classification is low density single-family residential with a minimum, base, and maximum density of 4 dwelling units per acre. The applicant is proposing a density of 3.6 dwelling units per acre, based on 4.45 net developable acres.

Community Plan: Mid-County

State Environmental Policy Act (SEPA): Pursuant to the State Environmental Policy Act and the Pierce County Environmental Regulations, Title 18E, the proposal is considered exempt to the requirements of SEPA as a result to the proposed plat being less than 20 dwelling units.

County Contact: Tony Kantas, Senior Planner, tony.kantas@piercecounitywa.gov, or 253-798-2789

Pierce County Online Permit Information:

<https://pals.piercecounitywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=965632>



Project Data

Application Complete Date: July 9, 2021

IPR Mailed Date: **December 7, 2021**

Property Owner: Donald II and Emiliana Leske
20916 Church Lake Drive East
Bonney Lake, WA 98391-8639
don@realty10x.com

Applicant: Chuck Sundsmo
18820 Meridian, Suite 171
Puyallup, WA 98375
chucksundsmo@msn.com

Public and Legal Notice

- *July 16, 2021:* Notice of Application (NOA) and Public Meeting Notice, including the Mid County Advisory Commission (MCAC) public meeting information, 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.
- *July 20, 2021:* The site was posted with a Public Notice sign, confirmed with a Declaration of Posting.
- *August 31, 2021:* A Revised NOA and Public Meeting Notice, including the corrected MCAC public meeting information, 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.
- *August 31, 2021,* Legal Notice was published in the official County newspaper (*The News Tribune*), advertising the public meeting to be held by the MCAC.

- *November 30, 2021*, Legal Notice was published in the official County newspaper (*The News Tribune*), advertising the public meeting to be held by the MCAC.
- *December 7, 2021*: A 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.

2019 County Aerial Photos

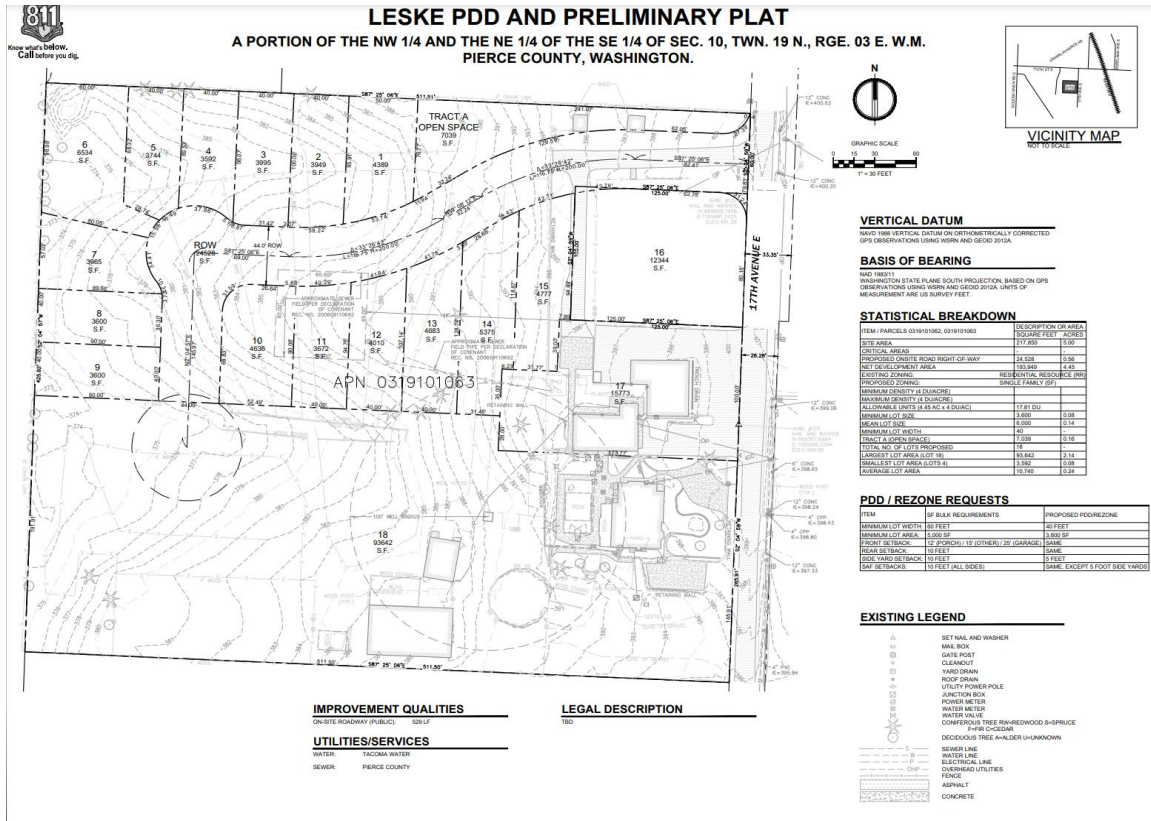


Zoning Map



Yellow – RR Zoning
Blue – Community Employment Zoning

Proposed Preliminary Plat Site Plan



Public and Agency Review Comments

In response to the notice of application that was mailed to neighboring property owners, the County has received three comment emails, to date, from nearby property owners with the following concerns:

- The proposal will negatively impact the roads, schools, and quality of life within the vicinity.

Staff Response: Pierce County Traffic and Engineering is currently reviewing the proposal for traffic impacts. The proposal will be required to pay traffic and school impact fees to mitigate any potential impacts posed by the development. The Mid-County design and landscape standards are intended to mitigate and improve the visual and functional quality of new residential developments.

- The proposed rezone will alter the unique neighborhood and states the Mid-County Community Plan vision is to protect and foster the unique open space character and environmental sensitivity. The comment also states the community plan's vision is to protect and foster the unique rural atmosphere and conserve the natural environment and natural processes of ecosystems present in the community and surrounding areas.

Staff Response: There are no designated critical areas or associated buffers on the subject property. The subdivision design includes a mixture of smaller lots and an individual larger lot to maintain the existing agriculture of the property.

- A development of this sort would pose several negative consequences to the quality of life for the current residents of 17th Avenue East in terms of increased noise, inevitable environmental impacts and increased traffic issues. The comment email further discusses 17th Avenue being a dead-end road and the road connectivity is difficult in the area and the increased traffic generated by the proposed plat will bring more traffic impacts to the area.

Staff Response: As stated, there are no critical areas on the site and the Pierce County Traffic and Engineering departments are reviewing the proposal for traffic impacts and compliance with the Pierce County Road Standards.

The County received the following comments on the plat, to date, from departments and agencies:

- Tacoma Water:
 - Tacoma Water provided a water availability letter and a map of water lines within the vicinity of the property.
- Pierce County Fire Prevention Bureau (FPB):
 - FPB indicated that installation of additional hydrants is required.
- Tacoma-Pierce County Health Department (TPCHD):
 - TPCHD requested clarification of the existing well on proposed Lot 18. If the well is not to be utilized, a well decommissioning permit is needed.

- Cartography Section of Planning and Public Works (PPW):
 - Request road names to be added to the site plan.
- Development Engineering Section of PPW:
 - Engineering marked up the preliminary plat and asked for the following revisions: road name and legal description to be included on the site plan.
- Resource Management Section of PPW:
 - The County Biologist stated that there are no mapped critical areas or associated buffers impacting the proposal.
- Nisqually Indian Tribe:
 - The Tribe has no further comments or concerns.
- Sewer Division of PPW:
 - The applicant proposes to connect the subject preliminary plat to the Pierce County public sanitary sewer system. If the applicant does not connect the subject preliminary plat to sewers, then installation of dry sewer facilities shall be required per PCC Title 18J.15.160 Dry Sewer Lines. Installation of the dry sewer facilities shall comply with the standards and basin planning established by Pierce County.

All on-site and off-site sanitary sewer improvements required by the County to provide sanitary sewer service for this development shall be designed and 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, Checklists and Specifications, the Pierce County Sanitary Sewer Standard Details Manual, the Pierce County General Sewerage Plan, and the Pierce County Sewer Division's comprehensive sewerage strategies as defined by the Pierce County Wastewater Utility Manager.

Comments received on this proposal may be found by accessing the Online Permit Information referenced on page 2. The substance of these comments is reflected, where appropriate, in the analysis provided below.

Background

The 5-acre two-parcel site is generally square shaped and fronts 17th Avenue East. Both parcels are currently developed with a single-family residence. Both residences are to be retained through the subdivision design. The larger of the two parcels is used as agriculture. Proposed Lot 18 is designed to be 93,642 square feet in size to maintain the existing single-family residence, many outbuildings and the established agricultural use. The internal road of the plat includes a stub-out road to Lot 18.

The topography of the property moderately slopes from a high point elevation of 400 feet along 17th Avenue East to a low point of 373 feet along the western boundary of the property. Based on a 2019 aerial of the property, there appears to be 10-12 trees on the property.

The primary access into the subdivision is via a new public road that will connect onto 17th Avenue East; 17th Avenue East dead-ends to the south and interconnects to 112th Street East to the north.

Surrounding Land Use / Zoning Designation:

LAND USE		ZONING (Title 18A)
North	Church and Mini-Storage	RR and CE
South	Single-family Residence on 1.88 acres	RR and CE
East	17 th Avenue East, Two Duplexes, and Undeveloped Property	RR and CE
West	Governmental Services	RR and CE

Utilities/Public Facilities

Utility service and public facilities are proposed as follows:

- Water - Tacoma Water
- Sewer- Pierce County
- Power - Tacoma Power
- School- Franklin Pierce

Governing Regulations

The proposed plat is being reviewed for conformance with the following goals, policies and requirements in effect on the July 9, 2021 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 is considered exempt to the requirements of SEPA as a result to the number of lots being less than 20.

Title 18E, Development Regulations – Critical Areas

- Aquifers are regulated per Section 18E.50.040.A. The stormwater review will ensure compliance with all aquifer recharge requirements. There are no other critical areas on this project site.

Title 18A, Development Regulations – Zoning

- The subject property is currently zoned RR. The proposed preliminary plat application is accompanied by a rezone application to rezone the property to SF through the PDD process. The primary purpose of both the RR and SF classifications is for low density single-family residential uses. The following are the differences between the two zones:

The maximum density of the RR zone is 3 dwelling units per net developable acre. The maximum density of the SF zone is 4 dwelling units per net developable acre. The applicant is proposing a density of 3.6 dwelling units per acre, based on 4.45 net developable acres. PCC 18A.15.020.A.4 states that if a density calculation results in a partial dwelling unit, the partial dwelling unit shall be rounded to the nearest whole number. Less than .5 shall be rounded down. Greater than or equal to .5 shall be rounded up. Based on this section of code, the proposed plat only exceeds the RR maximum density by .2 or one lot.

- The RR zone does not require a mean or minimum lot size within the subdivision, while the SF zone requires a mean lot size of 6,000 square feet and a minimum lot size of 5,000 square feet. Through the PDD, the applicant is proposing a minimal lot size of 3,592 square feet and a mean lot size of 10,720 square feet.
- The RR zone requires a minimum lot width of 50 feet and the SF zone requires a minimum lot width of 60 feet. Through the PDD, the applicant is proposing a minimum lot width of 40 feet.
- The RR and SF zones require the same structural setbacks from property lines. Through the PDD, the applicant is proposing a 5-foot side yard setback, rather than the required 10 feet.

Table 18A.15.020-1. Urban Residential Density and Urban Lot Dimensions							
Urban Zone Classification		Residential Density (du/ac)			Lot Dimensions		
		Minimum	Base	Maximum	Lot Size (square feet)		Minimum Lot Width (feet) (3)
					Mean	Minimum	
RR	Residential Resource (All County)	1	2	3	N/A	N/A	50
SF	Single Family (All County)	4	4	4	6,000	5,000	60

Table 18A.15.040-1. Urban Setbacks					
PCC 18A.15.040 B.1.-6. provisions supersede the figures in this Table when applicable.					
Urban Zone Classification (All County)		Minimum Building Setback (feet)			
		Front – Arterial	Front – Non-Arterial	Interior/Side	Rear
RR	Residential Resource	25	12/15/25 (3)	10	10
SF	Single Family	25	12/15/25 (3)	10 (2)	10 (2)

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.

- Curbs, gutters, sidewalks, and streetlights will be required within the plat.
- PCC 18J.15.180.A requires dedication of recreational space within all new residential development only of 31 dwelling units or more.
- 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 will be designed in accordance with the Pierce County Stormwater Manual.
- Table 18J.15.040-1 requires L2 landscaping along the north, south, and east property lines of the plat. L2 landscaping is a minimum of 8 feet in width and is intended to provide a visual separator between land uses.
- The review of the site development permit application will assure the proposal complies with the tree conservation and planting requirements of 18J.15.030.

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

Section 18F.40.030 provides the requirements for the proposed preliminary plat.

- 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

PCC 18A.95.020(B) states the Hearing Examiner may consider a rezone application only when it is accompanied with an application for a PDD. The subject property is zoned RR and has a land use designation of MSF. The applicant proposes to rezone the subject property to SF, which also has a land use designation of MSF. PCC 18A.95.020.D states the rezone procedure cannot be used to change the land use designation of parcels designated in the Comprehensive Plan. PCC 18A.10.080.G.6.d indicates both the RR and SF zones are within the MSF land use designation.

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)

A PDD is intended to be a flexible zoning concept; it will provide the Examiner a chance to mold a district so that it creates more desirable environments, and results in as good or better use of land than that produced through the limiting standards provided in the regular zone classifications. Section 18A.75.050(J) provides the findings that need to be made to approve a PDD.

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 MCAC Discussion and Consideration

- Is the plat, PDD, and rezone 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?

Other Questions or Concerns?