



# Pierce County

Department of Planning and Land Services

**MINOR MODIFICATION TO THE CASCADIA EMPLOYMENT –  
BASED PLANNED COMMUNITY PLANNED UNIT  
DEVELOPMENT (PUD): CASCADIA – PHASE 1,  
PARCEL O - PERMITER BUFFER ENCROACHMENT**

**June 2, 2008**

**Prepared By: Robert Jenkins, Senior Planner**

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**PROPOSAL:**

The request is for a Minor Modification to Phase 1 of the Cascadia Employment Based Planned Community (EBPC) Planned Unit Development (PUD) to encroach into the 100-foot perimeter forest buffer around Cascadia with portions of two planned golf course fairways. The fairway encroachment would reduce the perimeter buffer to a minimum of 50 feet in two sections and 80 feet in another section. The perimeter forest buffer would be reduced in size by 27,140 square feet. As compensation, the applicant is proposing to retain 27,300 square feet of existing forested area between the two fairways and abutting the perimeter buffer.

The 100-foot perimeter buffers are required per Finding Nos. 21 and 27 and Condition Nos. 116 and 119 of the June 18, 1999, decision and Section 1.2.3 of the September 8, 1999, Development Agreement between Pierce County and Cascadia Development Corporation. The preservation of these perimeter buffers was for habitat and buffering purposes.

The overall 1,689.8 acre Phase 1 of the Cascadia EBPC is served by public roads, public water, and sanitary sewers and is within the Employment-Based Planned Community (EBPC) zone classification. The current Minor Modification request is being considered under the EBPC zoning in effect at the time of the original June 18, 1999, rezone/planned unit development (PUD) approval.

The site is located at the southern end of the Bonney Lake Plateau, south of 128<sup>th</sup> Street East and accessed via 198<sup>th</sup> Avenue East, in Sec. 16, the E 1/2 of Sec. 17, the NE 1/4 of Sec. 20, Sec. 21 and 22, the NW 1/4 of Sec. 23, and the NE 1/4 of Sec. 27, T19N, R5E, W.M., in Council District No. 1.

**APPLICATION DATA:**

Application Complete: March 10, 2008

Application Number: 630438

Written Order Sent: June 2, 2008

Tax Parcel Numbers: 0519221006, 0519224002, 0519232002

Owner/Applicant: Cascadia Resort Communities, LLC  
Attn: Patrick Kuo  
11232 N.E. 15<sup>th</sup> Street, Suite 201  
Bellevue, WA 98004-3719

The Cascadia Project LLC  
Attn: Tom Uren, P.E., Vice President & Director of Engineering  
11232 N.E. 15<sup>th</sup> Street, Suite 201  
Bellevue, WA 98004-3719

Agent: Goldsmith & Associates, Inc.  
Attn: Erik Enstrom, P.E., Project Manager  
P.O. Box 3565  
Bellevue, WA 98009

Attorney: William T. Lynn

Gordon, Thomas, Honeywell, et al  
P.O. Box 1157  
Tacoma, WA 98401

**SUMMARY:**

The project has been reviewed for conformance with Section 6.21.1 of the September 8, 1999, Development Agreement, Condition No. 136 of the Pierce County Hearing Examiner's June 18, 1999, decision, and Condition L of the August 14, 2007, decision of the Pierce County Hearing Examiner on the first periodic five year review of the Cascadia EBPC PUD. The Department finds that the proposal meets the criteria required for the granting of a Minor Modification to the Cascadia EBPC PUD approval, provided the conditions of approval are met. The permit does not require a public hearing before the Examiner. The request has been approved subject to conditions.

**STATE ENVIRONMENTAL POLICY ACT (SEPA):**

The Cascadia Environmental Impact Statement (EIS) (Draft EIS, dated March 1998, and Final EIS dated August 1998), analyzed development impacts of Phase 1 at the specific or project level. Phases 2 and 3 were analyzed only for programmatic or conceptual impacts. Development of Phases 2 and 3 will require additional environmental review. This minor amendment application is subject to the requirements of the Final EIS.

**FINDINGS OF FACT:**

1. The overall 1,689.8 acre Phase 1 of the Cascadia EBPC is served by public roads, public water, and sanitary sewers and is located within the Employment-Based Planned Community (EBPC) zone classification. The Minor Modification request is being considered under the EBPC zoning in effect at the time of the original June 18, 1999, rezone/planned unit development (PUD) approval.
2. The original Cascadia Employment-Based Planned Community (EBPC) was approved by the Pierce County Hearing Examiner on June 18, 1999. The three phase, 4,719 acre Cascadia EBPC project includes residential, employment, business park, golf course, school, park, and open space uses. The overall project will include 6,437 dwelling units, and approximately 3.9 million square feet of employment-related uses and will be developed over a 20+ year period. The overall development plan approved by the Pierce County Hearing Examiner is conceptual in nature, particularly in Phases 2 & 3.
3. Phase 1 of Cascadia is located in the northeast portion of the overall project site and includes 1,049,762 square feet/119.2 acres of employment uses, 1,719 residential dwelling units, and 697 acres of golf course, open space, school, and parks. Phase 2 of Cascadia is located in the northwestern portion of the overall project site and includes 319 acres of light to medium intensity employment uses, 696 acres of residential uses, and associated school, park, and open space uses. Phase 3 of Cascadia is located in the southern portion of the overall project site and would contain a development pattern similar to Phases 1 and 2.

4. A first Minor Amendment was submitted on November 30, 2004. The applicant proposed to retain the original development concept approved in 1999 with revisions to allow for: 1) flexibility in residential housing types, lot sizes, etc., within an overall cap of 1,719 dwelling units; 2) elimination of the northwestern off-site access, i.e., Canyonfalls Boulevard East, into Phase 1; 3) relocation of school, park, neighborhood commercial center, and multi-family areas to allow for the potential expansion of the neighborhood center into a larger town center in the future, which would require additional review and approval; 4) allow for alternative locations for the golf resort to allow for enhanced views of Mount Rainier; and 5) adjustment of the development parcels to reflect detailed road alignments, topography, etc. Development of subdivisions will require the applicant to apply for individual preliminary and final plat approvals. Revised layouts were resubmitted on August 10, 2005, January 10, 2006, and February 14, 2006. The first Minor Amendment was approved on April 5, 2006.
5. A second Minor Amendment was submitted on April 9, 2007. The applicant proposed to modify Condition Nos. 16, 95, and 97 of the original June 18, 1998, approval for Cascadia to: 1) eliminate the restriction on the number of connections using an interim community drainfield during the first two years, eliminate the 300 connection cap, and defer the number and timing of connections to that permitted by the appropriate sewer regulatory agency(ies) as defined by permit regulations; 2) allow the option for the ultimate sanitary sewer provider to be Pierce County, a future sewer district or other entity; and 3) clarify that either the Tacoma-Pierce County Health Department or the Washington State Departments of Health and Ecology will be the reviewing agency(ies), depending upon the type of interim septic system used.

The applicant also proposed to modify the sewer facilities section (1.3.1), Exhibit K-1, and Exhibit M to: 1) allow for the option of Pierce County Utilities owning and operating the sewer collection system and being the sanitary sewer provider in lieu of the City of Orting or a separate Cascadia sewer district and allow community drainfields to serve more than the initial 295 connections in order to serve the 504 dwelling units approved in the first four preliminary plats, i.e. Columbia Vista at Cascadia, Whitman at Cascadia, Liberty Ridge at Cascadia, and Winthrop at Cascadia, the future elementary school and fire station, and possibly other residential and non-residential uses permitted in Phase 1; and 2) to eliminate the restriction of 300 connections to a community drainfield and defer the degree of required nitrate-nitrogen concentration monitoring to that required by the Washington State Department of Health designated sewer regulatory agency(ies) (e.g., Washington State, Pierce County Utilities or Tacoma-Pierce County Health Department) as defined by permit. The application also identified two possible locations for the interim community drainfields have been identified. Both drainfield locations are in the future Phase 2 employment areas in the northwest portion of the overall Cascadia development.

The second Minor Amendment was approved on July 17, 2007. An appeal of the second Minor Amendment was filed by the City of Bonney Lake on July 26, 2007. The applicant and the City of Bonney Lake reached an agreement on the City's concerns. In an October 12, 2007, decision, the Pierce County Hearing Examiner modified the July 17<sup>th</sup> Minor Amendment decision to include language providing for the opportunity for the City of Bonney Lake to become the ultimate sewer service provider for Cascadia.

6. Per Section 6.21.1 of the September 8, 1999, Development Agreement, Condition No. 136 of the Pierce County Hearing Examiner's June 18, 1999, decision, and Condition L of the August 14, 2007, decision of the Pierce County Hearing Examiner on the first periodic five year review of the Cascadia EBPC PUD, the Director need not process a minor modification as a "minor amendment" under PCC 18A.85.040, and may give a proposed minor modification a level of notice, circulation and review commensurate with the nature of the proposal, the extent of the modification, the potential impact on third parties, and the extent to which the modification necessitates review by other departments or agencies. The Director shall maintain a written list of approved minor modifications and shall provide that list to the Hearing Examiner at least annually. The Examiner shall determine if the proposal is consistent with the original decision, and shall advise the Director of any objection prior to the Director's decision on the proposed modification.

Examples of minor modifications that do not require any substantial circulation and review include the following: (1) changes that address aspects of the development not specifically discussed by the hearing examiner decision and do not significantly alter the overall plan for Cascadia; (2) changes that resolve ambiguities in the hearing examiner's decision in a manner fully consistent with the intent of that decision; (3) changes that alter conditions of approval in minor ways that are fully consistent with the purpose of the prior condition; (4) changes that modify the site plan to alter road alignments so long as the change is consistent with applicable County standards and does not affect the connection to lands outside of the Cascadia boundary; (5) changes in the location of the allees as long as the new location has similar characteristics to the prior location; and (6) changes that adjust the location of uses in such a way as to have no material impact on surrounding uses or the overall character of the development.

7. The Planning and Land Services Department has received no unfavorable comments from the reviewing local, County, or State agencies. The Development Engineering Section of Pierce County Planning and Land Services expressed no concern with the proposal since the reduction in the buffer will not adversely impact the nearby slope. The Resource Management Section of Pierce County Planning and Land Services expressed no concern over the reduction in buffer since the reduction in buffer is being compensated by preservation of natural area outside of and adjacent to the buffer.
8. No opposition to, or comment on, the proposal has been received from neighbors of the subject site.
9. Pierce County's approval (issuance) of this decision pertains only to the County's regulatory jurisdiction and thus compliance with County regulations does not necessarily ensure compliance with other federal or state laws.

## CONCLUSIONS:

### PIERCE COUNTY COMPREHENSIVE PLAN – TITLE 19A

#### **19A.30.110 New Fully Contained Communities and Employment Based Planned Communities.**

- B. **LU-EBPC Objective 40.** Encourage development of new self-sufficient planned communities that address the full-range of needs of the residents, including housing, jobs, services, and recreation. Employment Based Planned Communities (EBPC) may develop within an Urban Growth Area. While an EBPC is located inside rather than outside of an Urban Growth Area, it must meet the substantive requirements for a New Fully Contained Community established by RCW 36.70A.350(1).
1. EBPC development must meet the requirements for MPCs set forth in Objective 42. (PCC 19A.30.130 A.)
  2. By allowing EBPCs, the County is not committing to provide levels of public services and facilities which would serve the development. Any extension of services and facilities must be in accord with other provisions of the Comprehensive Plan.
  3. The proponent will be required to submit an infrastructure and public facilities plan, including an analysis of financing options that conform to the proposed phasing plan and assure concurrency; and
  4. EBPCs must be developed with an Employment Center in the first component of development. Residential development will not be accepted as the exclusive use in the initial phases of an EBPC. Over the course of project development, the EBPC shall maintain an appropriate mix of jobs, services, recreation, and housing as established by the initial approval.
  5. Establish an EBPC land use classification to allow for EBPC developments approved pursuant to the planned unit development or planned development district permit process.

#### **19A.30.130 Master Planned Communities.**

**LU-MPC Objective 42.** Master Planned Communities (MPC) developments are encouraged within an Urban Growth Area as a way to achieve well-designed, compact urban development with a balance of uses, more efficient use of public facilities, and greater open space.

- A. Undeveloped or underdeveloped property of at least 320 acres within an Urban Growth Area should be considered for MPC development.
- B. MPC developments should be allowed provided that any approval shall include a phasing plan to ensure that the various segments of the development are served by adequate public facilities and services.
- C. MPC developments should consider including the following:
  1. A appropriate mix of housing, services, and recreation;
  2. Neighborhoods with a variety of housing options, including affordable housing for a range of income levels, consistent with a jobs-housing balance;
  3. A phasing plan to assure orderly urban growth and ability to respond to market demands for economic development and housing;

4. An infrastructure and public facilities plan, including an analysis of a range of financing options where appropriate, that conform to the proposed phasing plan;
  5. Site planning that encourages transit use and non-motorized transportation, and a transportation demand management plan;
  6. Open space to promote both active and passive recreation, and centers for community activities and assembly;
  7. Measures to protect critical areas and conserve resource lands.
- D. An MPC development should be reviewed and evaluated by the Director of the Planning and Land Services Department at least every five years until buildout. The review should address compliance with the conditions of approval. The review may also assess whether the development is well designed, contains a balance of uses, efficiently uses public facilities and services, and provides adequate open space.
- E. A Master Planned Community shall be permitted only as a planned community pursuant to the planned unit development or planned development district permit process.
1. Once a MPC map designation has been approved through an amendment to the Comprehensive Plan, proposed land use activities within the MPC must conform to the requirements and conditions of the adoption of the Plan amendment to designate the MPC and final approval of the MPC permit, land use activities proposed in the interval shall be subject to the development regulations applicable to the previous designation.

**Comment: The reduction in perimeter buffer is consistent with the above policies. There will be no net loss of buffer function since additional forested area to be retained outside the perimeter buffer is essentially increasing the perimeter buffer width adjacent to the encroached buffer area with an equal amount of native vegetation square footage.**

## **DEVELOPMENT REGULATIONS-ZONING – TITLE 18A**

### **18A.75.080 Planned Unit Development.**

- A. **Purpose.** A Planned Unit Development (PUD) is intended to be a flexible zoning concept. Depending on the type of PUD, it will provide the Examiner a chance to encourage development of a variety of housing types; allow for non-residential development; create and/or preserve usable open space; provide recreational opportunity and aesthetic enjoyment to residents; preserve, to the maximum extent possible, the natural characteristics of the land; encourage creativity in design; provide predictability for the development of a project; and provide for maximum efficiency in the layout of streets, utility networks, and other public improvements, as appropriate.
- B. **Classifications of Planned Unit Development.** PUDs shall be classified as one of six types: Employment Based Planned Community, Master Planned Community, Master Planned Resort, New Fully Contained Community, Essential Public Facility-Rural Airport, or Essential Public Facility-State Corrections Overlay.
- C. **Definitions.**
1. Employment Based Planned Community (EBPC). Employment Based Planned Community means a planned unit development within an established Urban Growth Area which contains a mix of jobs, services, recreation, housing types,

and densities.

**G. Uses Permitted within a PUD.**

1. **Minimum Project Area Required.**
  - a. **NFCC/EBPC/MPC.** 320 acres.
2. **Uses Permitted.**
  - a. **NFCC/EBPC.** Any residential and non-residential use allowed in the following zones: MUC, CC, AC, UNC, MUD, HRD, MSF, and EC.

**H. Land Use Standards.**

1. **Basic Residential Density.**
  - a. **NFCC/EBPC/MPC.** Residential densities may vary between two and twenty-five units per acre as long as the overall average residential density is between four and ten units per acre.
2. **Employment Use Requirements - EBPC/NFCC.** At a minimum, 10 percent of the total gross acreage of a EBPC or NFCC project shall be developed as an employment center. Such a center may be planned as one contiguous development or may be divided into several centers located in various portions of the PUD project site, and may include land dedicated to the commercial and civic components in the 10 percent calculation. Based on the approved EBPC or NFCC conceptual plan, the residential development shall be approved at a rate proportional to the area designated to employment.

**I. Zoning Code Standards.**

1. **NFCC/EBPC/MPC/MPR/EPF-SC.** As part of the approval the Examiner shall prescribe bulk requirements and landscaping including but not limited to required yards, height, parking, buffers and screens. As provided in the Pierce County Subdivision Code, Title 16, binding site plans in lieu of subdivisions may be utilized in a project for all commercial and industrial uses.

**N. PUD Applications/Agreements.** The applicant shall submit as part of the application, a proposed Project Development Agreement that shall at a minimum include:

1. **NFCC/EBPC/MPC/MPR/EPF-SC Content.**
  - a. A plan for the property that includes overall development criteria and standards that establish the development policy for the total project. The criteria and standards will generally address land use types and densities; design features (land use, roads, stormwater, parks and open space); and concepts for affordable housing and phasing and financing of public services and infrastructure.
  - b. Conceptual Plan. A land use plan designed to meet the criteria and standards established in 18A.75.080 N.1.a. The detailed land use plan will identify:
    - (1) The location and density of residential development;
    - (2) The location and type of commercial component;
    - (3) The location and type of open space, recreational facilities, stormwater facilities, public facilities such as schools and libraries, and transportation systems including auto, pedestrian, bicycle, equestrian, transit;
    - (4) A phasing plan and the expected build-out period for the project and its phases;
    - (5) The mechanisms to assure affordable housing is provided for a broad range of income levels;

- (6) The acreage and range of uses authorized for any non-residential development within the PUD; and
- (7) The minimum and maximum number of residential units for the PUD.

O. **PUD Approval - Findings Required.** The action by the Examiner to approve a PUD application, with or without modifications, shall be based upon the following findings:

1. **General Findings.**

- a. The proposal is consistent with the Pierce County Comprehensive Plan and the principles and standards set forth in any applicable Community Plan.
- b. Exceptions from the standards are warranted by the design and amenities incorporated in the project development agreement. The system of ownership and means of developing, preserving, and maintaining open space is suitable.
- c. SEPA has been complied with.
- d. Proven ability to finance the needed capital facilities.
- e. There are adequate provisions for the preservation of open space. The preservation of open space should be consistent with the Comprehensive Plan policies.
- f. School impacts should be addressed.
  - g. An inventory of the critical areas on and adjacent to the PUD has been completed pursuant to Title 18E and development in environmentally constrained lands or required buffers are avoided wherever possible.

2. **EBPC/MPC/NFCC Findings.**

- a. Transit-oriented site planning and traffic demand management programs can be implemented.
- b. Buffers will be provided between the project and adjacent urban development.
- c. Affordable housing will be provided within the project for a broad range of income levels.
- d. The Examiner shall review and evaluate each residential phase for consistency for the achieving overall density as approved in the conceptual plan.
- e. The Examiner shall review and evaluate each employment phase for consistency for achieving overall intensity as approved in the conceptual plan.
- f. EBPC and NFCC projects meet the requirements of RCW 36.70A.350.

P. **Development Agreement Approval Procedures.**

1. **Procedure for Approval.** The following process shall apply to the review and approval of a PUD project development agreement pursuant to this subsection:
- a. The review and approval of a proposed project development agreement (and subdivision proposal if submitted) by the Examiner after staff review, public notice, and public hearing. The Examiner shall use the guidelines set forth in this Section and other appropriate sections of the Code in the review and approval of the proposed development agreement.
  - b. The final development agreement shall be prepared by the applicant incorporating the changes and/or conditions to the proposed development agreement adopted by the Examiner. The final development agreement

may be approved and adopted in stages/phases.

- c. The final development agreement shall be approved after the Director finds it conforms with the guidelines included in the approved proposed development agreement. Approval of the final development agreement shall be pursuant to all concurrency and adequacy requirements.
  2. **Subdivisions.** When it is the intention of an applicant to subdivide or re-subdivide all or portions of property within a proposed PUD project, application for approval of a preliminary subdivision may be filed and considered concurrently with an application for approval of a proposed development agreement.
  3. **Final Development Agreement - Time Limitation.** Within five years from the date of approval of a proposed development agreement by the Examiner, the applicant shall submit a final development plan (or a Binding Site Plan in the case of the RA-PUD) for the project, or a stage/phase thereof for approval unless a different time frame is otherwise provided for in the proposed development agreement. When deemed reasonable and appropriate, the Examiner may grant an extension of one year for such submittal. If at the date of expiration of the time period provided herein a final development agreement has not been filed for approval or at any time after a final plan has been approved it appears that the project or phase thereof is not progressing in a reasonable and consistent manner or the project has been abandoned, action may be initiated pursuant to Section 18A.85.060 of this Code to revoke the PUD project approval.
  4. **Final Development Agreement - Changes.** A final development agreement, including land use plan elements or conditions of approval, may be amended or modified at the request of the applicant or the applicant's successor in interest. The Director may administratively approve minor modifications to a Final Development Agreement. Minor modifications may include changes in density, provided the total number of dwelling units approved shall not exceed 10 percent of the maximum number approved in that approved final development agreement for the project (or the phase) and provided that the net residential density is not altered; and also provided such changes do not significantly increase impacts on transportation, significantly reduce buffers or open space, or significantly increase impacts on the environment. Modifications that do not qualify as minor shall be subject to applications, notices, hearings, and appeals in the same manner as the original application. The County may vary or specify additional criteria for determining whether proposed modifications are major or minor through the final development agreement.
  5. **Parties Bound by PUD Project Development Agreement.** Once the Final Development Agreement is approved by the Director and signed by the property owner, all persons and parties, their successors, and heirs who own or have any interest in the real property within the proposed PUD project are bound by the final development agreement.
- Q. **Procedures.** Procedures for application modification, review and amendment as well as permit extensions and relinquishment are outlined in Chapter 18A.85. For additional information about application requirements, see Chapter 18.40; for public hearing and appeal procedures, see Chapter 1.22; for the review process, see Chapter 18.60; for public notice, see Chapter 18.80; for fees, see Chapter 2.05; and for compliance, see Chapter 18.140.

**Comment:** The applicant has proposed changes to the overall proposal, and Phase 1 specifically, to alter the standard 100-foot perimeter buffer in a portion of Parcel O. The changes will alter the following exhibit to the 1999 Development Agreement: Exhibit "C", the Phase 1 Conceptual Plan, as revised per the April 5, 2006, first Minor Amendment approval. The "Cascadia Employment Based Planned Community Development Agreement" was entered into by Pierce County and the applicant, Cascadia Development Corporation, on September 8, 1999. The Development Agreement was a requirement of Condition No. 62 of the June 18, 1999, approval of the Cascadia EBPC Planned Unit Development proposal by the Pierce County Hearing Examiner.

**18A.85.040 Amendments.**

- A. Purpose.** The purpose of this Section is to define types of amendments to Preliminary Plats or Use Permits and to identify procedures for those actions.
- C. Amendment Standards - Use Permits.** This Section is to provide the method for amending an approval or conditions imposed through a Use Permit or Preliminary Plat issued by the Examiner.

**Comments:** Per Section 6.21.1 of the September 8, 1999, Development Agreement, Condition No. 136 of the Pierce County Hearing Examiner's June 18, 1999, decision, and Condition L of the August 14, 2007, decision of the Pierce County Hearing Examiner on the first periodic five year review of the Cascadia EBPC PUD, The Director of Planning and Land Services need not process a minor modification as a "a ■ under RCC 18A.85.040, and may n m give a proposed minor modification a level of notice, circulation and review commensurate with the nature of the proposal, the extent of the modification, the potential impact on third parties, and the extent to which the modification necessitates review by other departments or agencies. The Director shall maintain a written list of approved minor modifications and shall provide that list to the Hearing Examiner at least annually. The Examiner shall determine if the proposal is consistent with the original decision, and shall advise the Director of any objection prior to the Director's decision on the proposed modification.

In Condition L of the Periodic Review decision, examples of minor modifications that do not require any substantial circulation and review were listed. The following is a response to how this proposal relates to those examples:

- (1) Changes that address aspects of the development not specifically discussed by the Hearing Examiner decision and do not significantly alter the overall plan for Cascadia;

**Comment:** *This example does not apply to the current proposal.*

- (2) Changes that resolve ambiguities in the Hearing Examiner’s decision in a manner fully consistent with the intent of that decision;

*Comment: This example does not apply to the current proposal.*

- (3) Changes that alter conditions of approval in minor ways that are fully consistent with the purpose of the prior condition;

*Comment: The reduction in perimeter buffer is consistent with Finding Nos. 21 and 27 and Condition Nos. 116 and 119 of the June 18, 1999, decision and Section 1.2.3 of the September 8, 1999, Development Agreement since there will be no net loss of buffer function since additional forested area to be retained outside the perimeter buffer is essentially increasing the perimeter buffer width adjacent to the encroached buffer area with an equal amount of native vegetation square footage and the encroached area is being used by another form of open space.*

- (4) Changes that modify the site plan to alter road alignments so long as the change is consistent with applicable County standards and does not affect the connection to lands outside of the Cascadia boundary;

*Comment: This example does not apply to the current proposal.*

- (5) Changes in the location of the allees as long as the new location has similar characteristics to the prior location; and

*Comment: This example will not alter allee location. However, the compensating natural area proposed is of the same or equal quality to that part of the perimeter buffer to be removed.*

- (6) Changes that adjust the location of uses in such a way as to have no material impact on surrounding uses or the overall character of the development.

*Comment: The reduction in perimeter buffer is consistent with the above policies since there will be no net loss of buffer function since additional forested area to be retained outside the perimeter buffer is essentially increasing the perimeter buffer width adjacent to the encroached buffer area with an equal amount of native vegetation square footage. In addition, between 50 and 80 feet of the perimeter buffer width will be retained and this portion of perimeter buffer is located over 100 feet from the top of bank. Therefore, the preservation of tree and understory vegetation at the top of the bank edge and along the slope will minimize any aesthetic impact from the valley floor. In addition, the use encroaching into the buffer is another form of open space – a golf course fairway.*

**DECISION:** This Minor Modification to the Cascadia Employment-Based Planned Community Planned Unit Development (PUD): Cascadia - Phase 1 for perimeter buffer encroachment in Parcel O, is hereby **approved**, subject to compliance with the following conditions:

1. Exhibit "C" (Phase 1 Conceptual Plan) to the September 8, 1999, Cascadia Development Agreement, as revised per the April 5, 2006, Minor Amendment approval has been replaced with a revised Exhibit "C" – Phase 1 Conceptual Plan, dated May 29, 2008.

**APPEAL:**

In accordance with Pierce County Code, 1.22., Appeals of Administrative Decisions to the Examiner, any person aggrieved, or affected by any decision of an administrative official may file a notice of appeal. A notice of appeal, together with the appropriate appeal fee, shall be filed within 14 days of the date of an Administrative Official's decision, at the Public Services Building, Planning and Land Services Development Center, 2401 So. 35th, Tacoma, Washington.

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Vicki Diamond, Supervisor, Current Planning

for: Chuck Kleeberg, Director  
Planning and Land Services Department

**TRANSMITTED TO:**

Owner/Applicant: Cascadia Resort Communities, LLC  
Attn: Patrick Kuo  
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Bellevue, WA 98004-3719

The Cascadia Project LLC  
Attn: Tom Uren, P.E., Vice President & Director of Engineering  
11232 N.E. 15<sup>th</sup> Street, Suite 201  
Bellevue, WA 98004-3719

Agent: Goldsmith & Associates, Inc.  
Attn: Erik Enstrom, P.E., Project Manager  
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Attorney: William T. Lynn  
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Pierce County Development Engineering (Paul Barber)  
Pierce County Resource Management (Carla Vincent)  
Pierce County Hearing Examiner

Pierce County Council

REJ:sl

Cascadia Ph 1 Minor Modification #1 WO-RJ.doc

June 2, 2008

**DECISION BY THE DIRECTOR**  
**PIERCE COUNTY PLANNING AND LAND SERVICES DEPARTMENT**

**PROPOSAL:** The request is for a Minor Modification to Phase 1 of the Cascadia Employment Based Planned Community (EBPC) Planned Unit Development (PUD) to encroach into the 100-foot perimeter forest buffer around Cascadia with portions of two planned golf course fairways. The fairway encroachment would reduce the perimeter buffer to a minimum of 50 feet in two sections and 80 feet in another section. The perimeter forest buffer would be reduced in size by 27,140 square feet. As compensation, the applicant is proposing to retain 27,300 square feet of existing forested area between the two fairways and abutting the perimeter buffer.

The 100-foot perimeter buffers are required per Finding Nos. 21 and 27 and Condition Nos. 116 and 119 of the June 18, 1999, decision and Section 1.2.3 of the September 8, 1999, Development Agreement between Pierce County and Cascadia Development Corporation. The preservation of these perimeter buffers was for habitat and buffering purposes.

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The site is located at the southern end of the Bonney Lake Plateau, south of 128<sup>th</sup> Street East and accessed via 198<sup>th</sup> Avenue East, in Sec. 16, the E 1/2 of Sec. 17, the NE 1/4 of Sec. 20, Sec. 21 and 22, the NW 1/4 of Sec. 23, and the NE 1/4 of Sec. 27, T19N, R5E, W.M., in Council District No. 1.

**CASE: MINOR MODIFICATION TO THE CASCADIA EMPLOYMENT – BASED  
PLANNED COMMUNITY PLANNED UNIT DEVELOPMENT (PUD):  
CASCADIA – PHASE 1, PARCEL O – PERIMETER BUFFER  
ENCHROACHMENT**

**APPLICATION NUMBER:** 630438

**OWNER/APPLICANT:** Cascadia Resort Communities, LLC  
Attn: Patrick Kuo  
11232 N.E. 15<sup>th</sup> Street, Suite 201  
Bellevue, WA 98004-3719

OVER

The Cascadia Project LLC  
Attn: Tom Uren, P.E., Vice President & Director of Engineering  
11232 N.E. 15<sup>th</sup> Street, Suite 201  
Bellevue, WA 98004-3719

AGENT: Goldsmith & Associates, Inc.  
Attn: Erik Enstrom, P.E., Project Manager  
P.O. Box 3565  
Bellevue, WA 98009

ATTORNEY: William T. Lynn  
Gordon, Thomas, Honeywell, et al  
P.O. Box 1157  
Tacoma, WA 98401

On **June 2, 2008**, the Pierce County Planning and Land Services Department took action to approve this application subject to conditions.

The decision on an application for Minor Amendment approval shall be final and conclusive unless an Appeal to the Hearing Examiner is timely filed.

Appeal: In accordance with Pierce County Code, 1.22., Appeals of Administrative Decisions to the Examiner, any person aggrieved, or affected by any decision of an administrative official may file a notice of appeal. A notice of appeal, together with the appropriate appeal fee, shall be filed within 14 days of the date of an Administrative Official's decision, at the Public Services Building, Planning and Land Services Development Center, 2401 So. 35th, Tacoma, Washington.

TRANSMITTED THIS 2ND DAY OF JUNE 2008

TO: Surrounding Property Owners

RJ:sl  
Cascadia Ph 1 Minor Modification #1 WO-RJ.doc