

Initial Project Review

Preliminary Plat / Planned Development District / Environmental Review: Presley Hills

Application Numbers: 943612 / 943623 / 943615
Parcel Number: 0319152142

Parkland-Spanaway-Midland (PSMAC) Advisory Commission Public Meeting: February 3, 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: **992 2024 5599** and Passcode: **362758**, or click on the following link: <https://piercecountywa.zoom.us/j/99220245599?pwd=N1pDdjVGaFNSVDlrTEJ3MDU0VXpBZz09> 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 Preliminary Plat application and Planned Development District application to subdivide 6.29 acres into 21 lots and 6 tracts. Proposed lots range in size from 4,004 square feet to 15,648 square feet. There are 14 detached single-family lots and seven zero-lot-line single-family lots. The detached single-family lots are proposed to have reduced five foot interior setbacks. The zero-lot-line lots are proposed to have the common interior yard setback reduced to zero feet with the other interior yard setback reduced to five feet.

Project Location: 716 – 128th Street East, Tacoma, WA, in the Single Family (SF) zone classification and the Parkland-Spanaway-Midland Communities Plan area, within section 16, T19N, R3E, W.M., in Council District #5.

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

State Environmental Policy Act (SEPA): An Environmental Checklist has been 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?appPermitId=943612>



Project Data

Application Complete: September 23, 2020

IPR Mailed Date: January 27, 2021

Owner/Applicant: Ashcreek Land Development, LLC
Attn: Rick Brunaugh
15528 – 95th Avenue Court East
Puyallup, WA 98375
rick@unilandinvestment.com

Agent: Azure Green Consultants
Attn: Paul Green
409 East Pioneer, Suite A
Puyallup, WA 98372
paul@mailagc.com

Public and Legal Notice

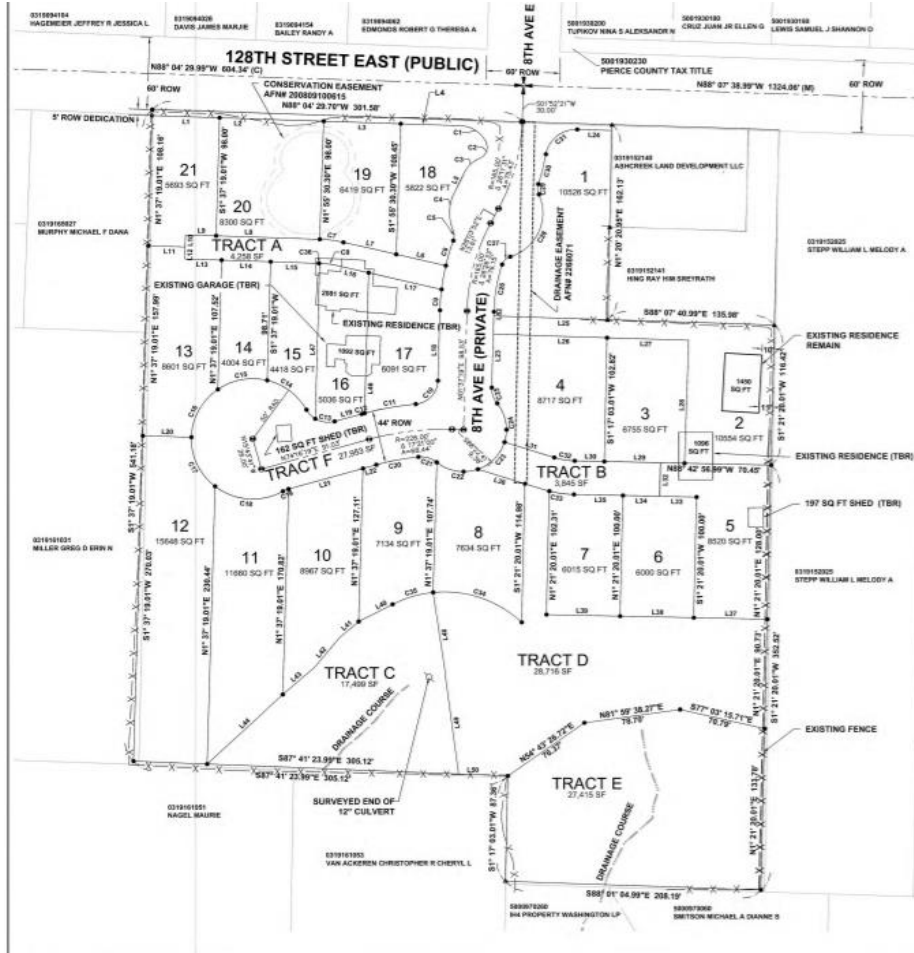
- *October 5, 2020*: Notice of Application and Public Meeting Notice, including the Parkland-Spanaway-Midland Advisory Commission (PSMAC) public meeting date, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *October 9, 2020*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *January 20, 2021*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the PSMAC public meeting.

2019 Ortho Photo



Figure 1: Applicants' property highlighted.

Proposed Site Plan



Zoning

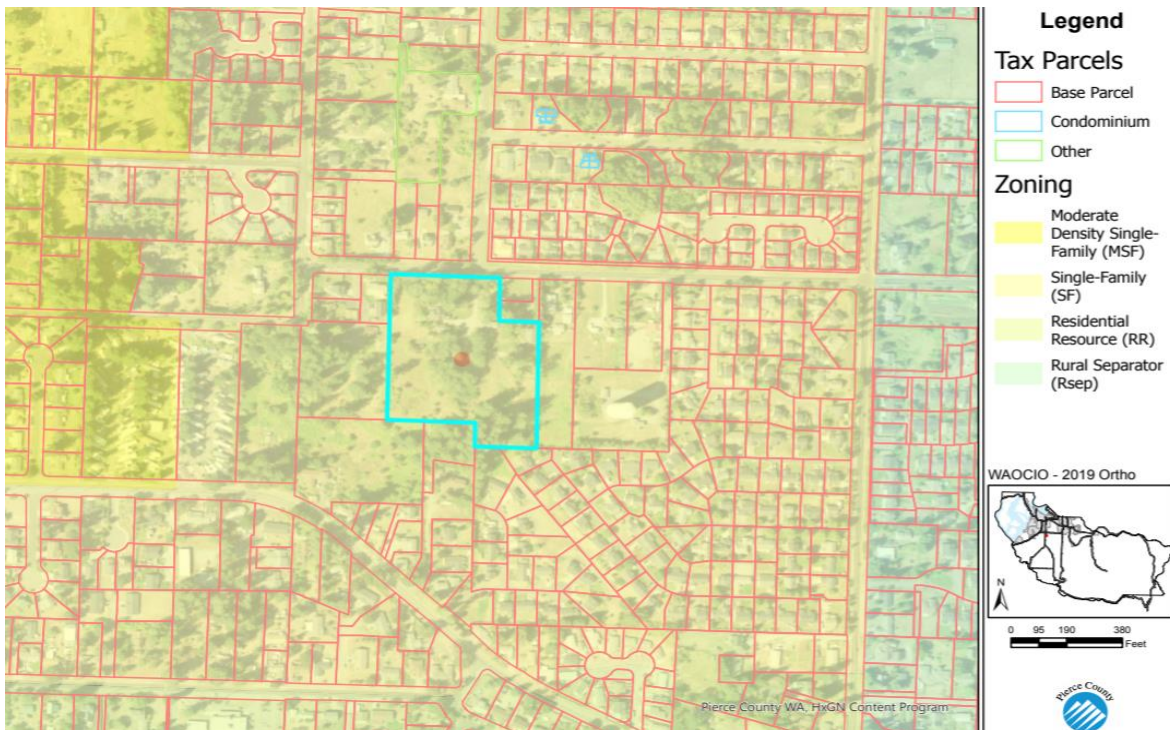


Figure 2: Applicants' property highlighted.

Surrounding Land Use / Zoning Classification

LAND USE		ZONING
North	128 th Street East	Single Family (SF)
South	Single Family Residences	SF
West	Single Family Residences/Vacant Land	SF
East	Single Family Residences/Vacant Land	SF

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 has not received comment from members of the public regarding the proposal.
- County Staff has received comments from public agencies but has not received notice they are against the proposal. Comments have been received from: the Nisqually Tribe, Washington Department of Ecology, the Tacoma-Pierce County Health Department, and Pierce County Fire Prevention Bureau, Cartography, Development Engineering, Sewer, and Resource Management sections of PPW.

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. Applicable policies include, but are not limited to:

- **Goal LU-23:** Establish a minimum, base and maximum density for all residential zones.
- **Goal LU-30:** Implement the Moderate Density Single-Family land use designations through the following zone classifications: Moderate Density Single-Family (MSF) 4 to 6 units per acre, Single-Family (SF) 4 units per acre, and Residential Resource (RR) 1 to 3 units per acre.
- **Goal D-1:** Encourage development that is visually attractive, consistent with the community's identity, compatible with surrounding uses, and respectful of the natural environment.
- **Goal D-3:** Enhance residential neighborhood quality and promote a strong sense of community.
D-5.3: Make use of zero-lot-line provisions to further implement new site layout and design.
- **Goal Env-1:** Conserve and protect critical and environmentally sensitive areas.
- **Goal Env-12:** Reduce light pollution.
- **H-2.3:** Redevelop properties where infrastructure exists.

Title 19A Appendix I: Parkland-Spanaway-Midland Communities Plan

The Parkland-Spanaway-Midland Communities Plan applies to all land uses with the Parkland-Spanaway-Midland Community Plan area. Applicable policies include, but are not limited to:

- **PSM LU-16.3:** New residential growth in established single-family neighborhoods shall develop at densities of 4 to 6 dwelling units per acre.
- **PSM LU-17.4:** Duplexes should be prohibited in the SF and RR zones and allowed in the MSF zone.
- **PSM LU-18.2:** The Single-Family (SF) zoning classification shall allow a minimum and maximum density of 4 dwelling units per acre.
- **PSM LU-18.2.1:** Single-family attached and two family units shall be prohibited.

Title 18A, Development Policies and Regulations – Zoning

- Residential Density (18A.15.020)

Within the Single Family (SF) zone minimum, base and maximum residential density is four dwelling units per acre. Minimum lot size is 5,000 square feet. Average lot size is 6,000 square feet. Minimum lot width is 60 feet.

Staff Comment: The proposal is currently meeting minimum density. However, Development Engineering has requested a geotechnical landslide assessment. If it is determined there are environmentally constrained lands due to erosion hazard areas or landslide hazard areas, then the design of the project may need to be revised.

The applicants propose to have two lots (Lot 14 and Lot 15) below minimum lot size. The applicant also proposes to have four lots (Lot 14, Lot 15, Lot 16, and Lot 21) below minimum lot width. These bulk requirements can be reduced through the Planned Development District (PDD) permitting process. The applicant has applied for a PDD which will be discussed later in this report.

- Setback and Height (18A.15.040)

The SF zone has the following required setbacks: Front-Arterial – 25 feet; Front-Non-Arterial - 12/15/25; Side and Rear – 10 feet.

Staff Comment: The applicant has requested that the side yard setback for seven lots (Lot 14, Lot 15, Lot 16, Lot 18, Lot 19, Lot 20, and Lot 21) be reduced to zero feet with the remainder of the lots having their side yard setback reduced to five feet. These bulk requirements can be reduced through the PDD permitting process. The applicant has applied for a PDD which will be discussed later in this report.

- Parkland-Spanaway-Midland: Urban Zone Classification (Table 18A.28.010)

Within the SF zone Single-Family Detached Housing is permitted outright. Duplexes and multi-family housing are not permitted.

Staff Comment: The applicant indicated in their Master Application that the proposal would be for 21 single family lots. The only permitted single-family residential use permitted is single-family detached housing. Based on review of the proposal, it appears the applicant is proposing attached single-family zoning or potentially duplexes on the lots with zero lot line side yard setbacks. These uses are not permitted within the SF. A rezone through the PDD to Moderate Density Single Family (which would permit both duplexes and tri- and four-plexes) is possible, however, the applicant has not applied for a rezone through the PDD process. When alerted to this through the most recent review comments the applicant indicated they would be making changes to address the issues; however, a resubmittal has not been provided as of the writing of this report.

- Planned Development Districts (18A.75.050)

Staff Comment: The applicant has stated that they are proposing a Residential PDD. The proposal includes a request to reduce minimum lot size, reduce minimum lot width, and reduce the side yard setback, as previously stated in this report. The applicant, in the Master Application, indicated they are proposing 21 single family lots. However, based on the zero-lot line request combined with the request for approval of a Residential PDD it appears the applicant is proposing a residential use type that is not permitted within the SF zone; the only permitted single-family use type is the detached single-family residence use type and consequently, for now, the PDD review will be against the Urban Residential – Single Family Detached PDD review criteria. Given a recent decision of the Pierce County Hearing Examiner, zero-lot-line single-family lots are not permitted if the associated construction type, in this case duplexes and attached single-family, are not permitted in the zone. Neither of those uses types are permitted in the SF zone.

- Single Family Detached Housing – Design Requirements for PDD (18A.75.050 I)

Staff Comment: Table 18A.75.050 – 1: Design Requirements for PDD outlines the design standards required for approval of reductions in interior setbacks, lot width reduction and lot size reduction. Design standards include requirements for public roads, minimum fire requirements and aesthetic and architecture requirements. Designs have not been provided at this time but will be required prior to Final Plat approval.

- Planned Development Districts: PDD Approval-Required Findings (18A.75.050 J.)

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.

Staff Comment: Planning Staff has requested the applicant provide additional information about how the proposal is in conformance with the Comprehensive Plan and Parkland-Spanaway-Midland Communities Plan. As of the drafting of this report a response has not been received.

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.

Staff Comment: The applicant has stated that the exception from the standards is warranted because:

- They would not be able to meet minimum density requirements without the exception;
- Having lots with zero lot lines is more affordable;
- The project is creating three tracts for storm drainage facilities and tree preservation totaling 73,630 square feet; and
- An oak habitat easement totaling 6,096 square feet is on site.

Planning Staff has requested further clarification about how the zero lot lines will provide more affordable housing. As of the drafting of this report a response has not been provided.

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.

Staff Comment: The applicant has not requested exception or deviations from the road standards at this time.

4. That the proposal is in harmony with the surrounding area or its potential future use.

Staff Comment: The applicant has stated the proposal will meet this requirement; however, they have not provided an explanation or evidence of how it will accomplish it. Planning Staff has requested the applicant provide additional information on how the proposal will be in harmony with the surrounding area or its potential future use. As of the drafting of this report, a response has not been received.

5. That the system of ownership and means of developing, preserving, and maintaining open space is suitable.

Staff Comment: The applicant has stated that the open space will be owned and maintained by the homeowners' association.

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.

Staff Comment: The applicant has stated that the approval will be beneficial because the proposal will meet minimum density requirements and provide more affordable zero lot line lots. As previously stated in this report, Planning Staff has asked the applicant how zero-lot line lots will provide more affordable housing. As of the drafting of this report a response has not been provided.

7. That the proposed development or units thereof will be pursued and completed in a conscientious and diligent manner.

Staff Comment: The applicant has stated the proposal will meet this requirement; however, they have not provided an explanation or evidence of how it will accomplish it. Planning Staff has requested the applicant provide additional information how the proposal will be in harmony with the surrounding area or its potential future use. As of the drafting of this report a response has not been received.

8. That adequate provisions have been made for sidewalks, curb, gutters and street lighting for developments in urban areas.

Staff Comment: The project will be required to meet all requirements for sidewalks, curb, gutters, and street lighting.

Title 18F, Development Regulations – Land Divisions and Boundary Changes

- Proposed Preliminary Plat Requirements: Required Written Findings and Determinations (18F.40.030 C.)

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.

Staff Comment: At this time Planning Staff cannot make a determination if the proposal is meeting the above requirements as the project is still under review. The applicant has stated in their initial application cover letter that they have provided a response to the required findings for a Preliminary Plat. Planning Staff cannot find a copy of said document and has requested the applicant provide said findings. As of the drafting of this report required findings have not been provided.

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 proposal is not within an Open Space Corridor. It will be required to meet the standards in this section. However, a site development plan has not been submitted at this time.

- Tree Conservation (18J.15.030)

Within Urban Residential zones 30 tree units/acre of net developable acreage is required. Retaining a minimum of 30% of on-site significant trees is required.

Staff Comment: One hundred fifty-nine tree credits are required. The applicant has provided a tree conservation plan identifying they are meeting the tree credits unit requirements and significant tree retention rates.

- Landscape Buffers (18J.15.040)

Staff Comment: An L3 buffer is required along 128th Street East. The applicant is showing an L3 buffer on the site plan.

- Street Trees (18J.15.050)

Staff Comment: Street trees are required at a rate of one per 30 lineal feet of all roads and access ways. This item is not required to be shown prior to Preliminary Plat approval but is required prior to Final Plat approval.

○ Infill Development (18J.15.060)

Staff Comment: The requirements of this section are applicable to Lot 13 and Lot 21. The applicant has stated they are not because the lot line shared with the adjacent property is not a rear lot line but a side lot line. However, the requirements of this section do not apply to the shared lot line but to the rear setback independent of the shared lot line.

○ 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.

Questions for PSMAC Discussion and Consideration

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?

Planned Development District:

- Is the request to deviate from minimum lot width, minimum lot size and the side yard setback warranted by the design and amenities incorporated in the plat design? If not, what changes are recommend?

General:

- Is the Preliminary Plat request consistent with the Pierce County Comprehensive Plan or the Parkland-Spanaway-Midland Communities Plan? If not, how can it be made consistent?

Other Questions or Concerns?

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