



City of Tacoma
Planning & Development Services
Report And Recommendation

FINAL PLAT APPLICATION OF:

James Kerby
Benjamin Ryan Communities
10011 Bridgeport Way SW Suite 1500-212
Lakewood, WA 98499

FILE NO: PLT2013-40000203255

SUMMARY OF PROPOSAL AND RECOMMENDATION

Proposal:

The applicant requests Final Plat Approval of "Hawks Pointe", an eight lot subdivision for single-family development.

Location:

1418 East 64th Street, parcel number 0320271028.

Public Process:

The Director approved the Preliminary Plat of "Hawks Pointe" on February 21, 2013. A summary of the decision was sent to all parties of record.

Recommendation of Director:

Recommend Approval

Note:

The appeal period on this decision closes December 24, 2013.

The effective date of recommended approval for this request is December 25, 2013, provided no requests for reconsideration or appeals are timely filed as identified in the "APPEAL PROCEDURES" section of this report and decision.

FOR ADDITIONAL INFORMATION CONCERNING THIS LAND USE PERMIT PLEASE CONTACT:

Dustin Lawrence, Associate Planner
Planning & Development Services
747 Market Street, Room 345, Tacoma, WA 98402
Telephone: (253) 591-5845 E-mail: dlawrence@cityoftacoma.org

FINDINGS

1. The applicant, Benjamin Ryan Communities, is requesting final plat approval for a residential subdivision known as "Hawks Pointe". The project will consist of eight lots for the future development of single-family dwellings.
2. The site received preliminary plat approval on February 21, 2013 (Planning and Development Services File No. 40000188415). The preliminary plat allowed for the property to be divided into eight lots for single-family development.
3. The City's *Comprehensive Plan* designates the site as a Low Intensity Single-Family Detached Housing Area. The *Comprehensive Plan* also designates the area as a Tier I "Primary Growth Area. The proposed development conforms to both the aforementioned comprehensive plan designations and applicable zoning requirements.
4. Planning and Development Services recommends approval of the final plat and advises that the applicant has met the required conditions by constructing or bonding for the required on- and off-site improvements including, but not limited to, streets and utilities.
5. The final plat, as presented, conforms in all respects to the approval of the preliminary plat.
6. Any Conclusion of Law hereafter stated which may be deemed a Finding of Fact is hereby adopted as such.

CONCLUSIONS

1. The Director has jurisdiction over this application pursuant to the *Tacoma Municipal Code* (hereinafter *TMC*), Section 13.04.100.E.

Section 13.04.100 provides, *inter alia*:

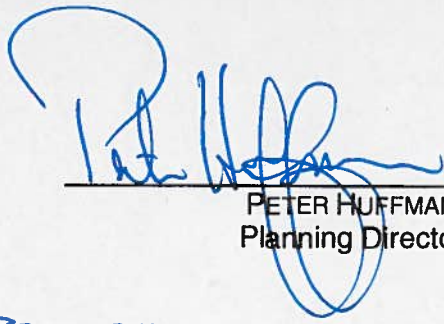
... Approval of the preliminary plat, however, shall be assurance to a subdivider that the final plat will be approved provided: (a) that the final plat conforms to the approved preliminary plat: (b) that all requirements specified for the final plat are fully complied with...

2. The final plat, as presented and represented by the applicants and Planning and Development Services, conforms to the Preliminary Plat previously approved and all conditions imposed thereon have been satisfied. Accordingly, the final plat should be approved.
3. Any Finding of Fact hereinbefore stated which may be deemed to be a Conclusion of Law herein is hereby adopted as such.

RECOMMENDATION

It is hereby recommended that the requested final plat of "Hawks Pointe" be approved.

DATED this 17 day of DECEMBER, 2013.



PETER HUFFMAN
Planning Director

TRANSMITTED this 17 day of DECEMBER, 2013 by first mail to:

- Benjamin Ryan Communities, 10011 Bridgeport Way SW, Suite 1500-212, Lakewood, WA 98499
- Contour Engineering, 3309 56th Street NW, Suite 106, Gig Harbor, WA 98335
- City Clerk
- Steve Ward, Building and Land Use Services
- Rick Coyne, Solid Waste
- James Coffman, Site Development
- Ryan Erickson, Tacoma Fire
- Jeff Rusler, Tacoma Power
- Jessie Angel, Tacoma Water
- Peter Huffman, PDS
- Brad Harp, Tacoma Pierce County Health Department

APPEAL PROCEDURES

RECONSIDERATION:

Any person having standing under the ordinance governing this application and feeling that the recommendation of the Director is based on errors of procedure or fact may make a written request for review by the Director within fourteen (14) days of the issuance of the written order. This request shall set forth the alleged errors, and the Director may, after further review, take such further actions as deemed proper, and may render a revised recommendation. A request for RECONSIDERATION of the Director's decision in this matter must be filed in writing with Planning and Development Services, Room 345, Third Floor, Tacoma Municipal Building, 747 Market Street, Tacoma, WA 98402, on or before December 24, 2013.

APPEAL TO HEARINGS EXAMINER:

The applicant, property owner, or owners of property entitled to receive a copy of the decision of the Director shall have the right, within fourteen (14) days of the issuance of this recommendation, or within seven (7) days of the date of issuance of the Director's recommendation on a reconsideration, to appeal the decision to the Hearing Examiner.

An appeal to the Hearing Examiner is initiated by filing a Notice of Appeal accompanied by the required filing fee. Filing of the appeal shall not be complete until both the Notice of Appeal and required filing fee have been received. The Notice of Appeal must be in writing and shall contain the following:

- (1) A brief statement showing how the appellant is aggrieved or adversely affected.
- (2) A statement of the grounds for the appeal, explaining why the appellant believes the administrative recommendation is wrong.
- (3) The requested relief, such as reversal or modification of the recommendation.
- (4) The signature, mailing address and telephone number of the appellant and any representative of the appellant.

An APPEAL of the Director's recommendation in this matter must be filed with the Hearing Examiner's Office, Seventh Floor, Tacoma Municipal Building, on or before December 24, 2013, together with a fee of **\$311.30**. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD APPELLANT PREVAIL.