

**CITY OF TACOMA
PLANNING AND DEVELOPMENT SERVICES
PRELIMINARY REPORT**

HEARINGS EXAMINER HEARING

**City Council Chambers
September 17, 2015 – 9:00 a.m.**

Benjamin Ryan Communities, John Bays

File No: REZ2015-40000247673, SEP2015-40000247674

A. SUMMARY OF REQUEST

Rezone of approximately 1.85 acres from a combination of C-2 General Community Commercial and T Transitional to entirely C-2 for the purposes of constructing up to 120 apartments with associated site improvements.

B. GENERAL INFORMATION

1. Applicant: John Bays, Benjamin Ryan Communities, 10011 Bridgeport Way SW #1500-212, LAKEWOOD, WA 98499
2. Property Owner: RRDN LLC, PO Box 300, Dupont, WA 98327-0300
Columbia State Bank, PO Box 2156, Tacoma, WA 98401-2156
3. Location: 8445 Pacific Avenue, Parcels 032033-2037, -2012, -2174, -2175
4. Project Size: 81,200 square feet (280 feet by 290 feet)

C. PROJECT DESCRIPTION

The applicant is proposing a rezone of four parcels, totaling 1.85 acres, from a combination of C-2 General Community Commercial, and T Transitional District, to entirely C-2 zoning. The applicant has provided additional information about the proposal, including a site plan which is included as Exhibit 2.¹

The site is comprised of four tax parcels, is rectangular in shape, and occupies approximately 1.85 acres of land. The site is generally flat and heavily disturbed, with the lowest elevations along Pacific Avenue. Over the approximate 290-foot depth of the site there is a grade change of about 8 feet, rising from west to east. There are currently two billboards located on the site which will be removed with redevelopment. Pacific Avenue is a fully developed Principal Arterial (and State Route 7) to the westerly boundary of the site, with a 95-foot right-of-way.

The site would be redeveloped with multiple residential buildings totaling up to 120 residential units with up to 92 parking stalls.

¹ The current site plan is a conceptual drawing and does not fully incorporate all development requirements (e.g. landscaping and ADA accessibility), but does account for the 15-foot landscaping buffer that will be required adjacent to the residentially-zoned properties. A comprehensive review will be done at the time of development permitting to ensure that all applicable requirements are met. The result may be a different site plan and/or a smaller number of units.

D. ADDITIONAL EXHIBITS

- Ex. 1 Staff Report
- Ex. 2 Vicinity Map
- Ex. 3 Site Plan and Example Elevation
- Ex. 4 Current Zoning Map
- Ex. 5 Land Use Designations
- Ex. 6 Historic Zoning Map
- Ex. 7 SEPA Record
- Ex. 8 Comments, Traffic Division
- Ex. 9 Traffic Impact Analysis
- Ex. 10 Land Use and Rezone application
- Ex. 11 Excerpts, Growth Strategy and Development Concept (Comprehensive Plan)
- Ex. 12 Excerpts, Generalized Land Use Element, Residential (Comprehensive Plan)
- Ex. 13 Advisory Comments, Site Development Group
- Ex. 14 Advisory Comments, Buildings Engineering/Plan Review
- Ex. 15 Advisory Comments, Tacoma Fire Department
- Ex. 16 Advisory Comments, Tacoma Water
- Ex. 17 2010 Rezone Record

E. ADDITIONAL INFORMATION

Application History:

The project application was determined complete on July 14, 2015. The applicant provided additional information about the proposal, including a site plan, photos, and justification for the rezone request.² The site is owned by RRDN, LLC and Columbia State Bank.

General Zoning and Surrounding Conditions:

The site's current zoning map shows the site to be a mix of C-2 and T zoning – with approximately 175 feet on the western side zoned C-2 and the remainder zoned T.

The four parcels on the subject site are zoned as follows:

Parcel	Total s.f.	Zoning	@ s.f.	Zoning	@ s.f.
0320332012	23,540	C-2	14,350	T	9,190
0320332037	37,884	C-2	22,750	T	15,034
0320332175	9,583	C-2	9,583	T	0
0320332174	9,583	C-2	2040	T	7,543

Adjacent properties are developed with a mix of uses, with single-family residential the predominant use to the east of the site. See the zoning and land use intensity maps for the area, which are included in Exhibit 3.

² The applicant bears the burden of proof to demonstrate that the proposal is consistent with the criteria for the approval of multifamily residential development found in Chapter 13.06 - Zoning, of the *TMC* and the criteria for the approval of rezone applications found in Section 13.06.650 of the *TMC*. The proponent of a rezone has the burden of showing that the reclassification bears a substantial relationship to the public health, safety, morals, or general welfare. See *Bassani v. County Commissioners*, 70 Wn. App. 389, 394, 853 P.2d 945 (1993) citing *Parkridge v. Seattle*, 89 Wn.2d 454, 153, P.2d 359 (1978); *Woodcrest Invs. Corp v. Skagit Cy.*, 39 Wn. App. 622, 694, P.2d 705 (1985). Under Washington law, a "strong showing" of change is not required and the rule is intended to be flexible and allow consideration of each case on its own facts. See *Bassani* at 394. A showing of changed circumstances is not required when a rezone is intended to implement an amendment to a comprehensive plan. See *SORE v. Snohomish Cy.*, 99 Wn.2d 363, 370, 662 P.2d 816 (1983).

The zoning of the surrounding area:

	Zoning Designation	Intensity Designation	Current Land Use
<i>North</i>	C-2/T	Medium Intensity	Small Commercial and Multifamily Dwellings
<i>East</i>	R-2	Low Intensity	Single-Family Dwellings
<i>South</i>	R4-L and R-2	Medium Intensity	Multifamily Dwellings
<i>West</i>	R4-L and C-2	Medium Intensity	Commercial and Multifamily

Most of the properties along Pacific Avenue between 84th and 88th have been rezoned over the years – in many cases to extend commercial zoning the full depth of the property. The historic (pre-2010) zoning map is included in Exhibit 6. The resulting development pattern in the neighborhood is a mix of commercial and medium-density residential. Commercial uses are located across Pacific Avenue from the subject site, as well as directly north. To the south is a 24-unit apartment complex built in 1966. To the east is a single-family neighborhood built out in the 1990s.

There are currently 101 residential units within the Medium Intensity designation between 84th and 88th, on approximately 3.93 net acres of property. The resulting residential density is approximately 26 units per residential acre. If the project is built with 120 units the density will increase to about 38 units per acre. The desired density for the Medium Intensity area is up to 45 units per acre.

Regulatory History:

The subject site was rezoned to its current configuration (including the parcel immediately adjacent to the north) with a site-specific rezone in 2010. The proposal at that time was to rezone a 2.18-acre site from C-1, C-2, R4-L and R-2 to a combination of C-2 and T. The applicant also proposed a boundary line adjustment to separate the multifamily development on the east side of the property from the commercial development along Pacific Avenue. See file REZ2007-40000106521, Exhibit 17. The then-owner of the property recorded a Concomitant Zoning Agreement in November of 2009 (Exhibit 17), and the rezone was finalized with Ordinance 27752 on March 30, 2010.

Prior to 2010, the site and the majority of the surrounding area were classified within the C-2 General Community Commercial and R-2 One-Family Dwelling District in 1953, when the zoning code was enacted. The westernmost 130 feet of the site, approximately, was zoned C-2 with the exception of the southernmost parcel, which remained R-2 until 2010. An additional 127 feet of the northerly two parcels was rezoned to R4-L in 1966, to allow for the development of multifamily dwellings (File no. 120.338). The easterly portion (160 feet) of parcel 0320332037 was rezoned to C-1 in 1992 (file no. 120.1322) to allow for two retail/office buildings. That rezone was subsequently modified in 2006 (REZ2005 – 40000051858) to modify the site plan to allow for the development of a grocery store.

With the exception of a single-family home in the southeast portion of the site, aerial photos indicate that the site has been vacant since at least 1990.

The relevant decisions, reports, and recommendations are appended to this staff report as Exhibit 17. The current proposal would supersede all previous reclassification actions at the site, as well as their concomitant zoning agreements. The historic zoning map is included as Exhibit 6.

The City's *Generalized Land Use Element* designates the area as located within a Tier I - Primary Growth Area. The *Generalized Land Use Element* designates the site as within a Medium Intensity area. See the Land Use Intensity Map for the area, which is included in Exhibit 5.

Notification and Public Comments:

In accordance with the requirements of TMC 13.05.020 regarding notice of rezone applications, written notice of the application was mailed to all owners of property within 400 feet of the site, the appropriate neighborhood council and qualified neighborhood groups on August 6, 2015. In addition, a public notice sign was posted on the property. To date, no public comments have been received regarding the proposal.

As part of the project review process, Planning and Development Services has provided notification of this project to various City, outside governmental, and non-governmental agencies³. Departmental comments and requirements regarding this proposal are included as Exhibits, and where appropriate, incorporated as recommended conditions of approval.

F. ENVIRONMENTAL EVALUATION

Pursuant to the State's SEPA Rules (WAC 197-11) and the City of Tacoma's Environmental Code (TMC 13.12), the Director of Planning & Development Services issued a Determination of Environmental Non-Significance (SEP2015-40000247674) for the proposed project on August 28, 2015. This determination was based on a review of the applicant's Environmental Checklist and other supporting information on file with Planning & Development Services. No appeals of this Determination have been filed. The SEPA record is included as Exhibit 7.

G. APPLICABLE SECTIONS OF THE TACOMA MUNICIPAL CODE

13.06.650 Application for rezone of property

- B. Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:
1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Comprehensive Plan.
 2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the comprehensive plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
 3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
 4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for

³ No comments were received from the outside governmental and non-governmental agencies (e.g. Pierce Transit, Tacoma-Pierce County Health Department, and Washington Department of Ecology) on this proposal. These agencies will have additional opportunities to comment on the development permits.

which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.

5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

13.06.200 Commercial Districts

A. District purposes. The specific purposes of the Commercial Districts are to:

1. Implement goals and policies of the City's Comprehensive Plan.
2. Implement Growth Management Act goals, county-wide, and multi-county planning policies.
3. Create a variety of commercial settings matching scale and intensity of use to location.
4. Attract private investment in commercial and residential development.
5. Provide for predictability in the expectations for development projects.
6. Allow for creative designs while ensuring desired community design objectives.

B. Districts established.

5. C-2 General Community Commercial District. This district is intended to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential uses are also appropriate. This classification is not appropriate inside Comprehensive Plan designated mixed-use centers or low-intensity areas.

C. Land use requirements.

2. Use requirements. Use requirements. The following use table designates all permitted, limited, and prohibited uses in the districts listed. Use classifications not listed in this section or provided for in Section 13.06.500 are prohibited, unless permitted via Section 13.05.030.E. Certain street level use restrictions may apply; see Section 13.06.200.C.4 below.

3. Use table abbreviations.

P =	Permitted use in this district.
TU =	Temporary Uses allowed in this district subject to specified provisions and consistent with the criteria and procedures of Section 13.06.635.
CU =	Conditional use in this district. Requires conditional use permit, consistent with the criteria and procedures of Section 13.06.640.
N =	Prohibited use in this district.

4. District use table. (Uses proposed for under this reclassification application.)

	T	C-1	C-2	HM	PDB
Dwelling, multiple-family	P	P	P	P	P

- H. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Section 13.06.500 and 13.06.600. These requirements apply to Section 13.06.100 by reference:

- 13.06.501 Building design standards
- 13.06.502 Landscaping and/or buffering standards
- 13.06.503 Residential compatibility standards
- 13.06.510 Off-street parking
- 13.06.511 Transit support facilities
- 13.06.512 Pedestrian and bicycle support standards
- 13.06.520 Signs
- 13.06.602 General restrictions
- 13.06.700 Definitions

H. Applicable Policies of the Comprehensive Plan – Growth Strategy and Development Concept

The subject site is located within a “Medium Intensity” area of the city, per the Generalized Land Use Plan Map. Excerpts of the City’s Growth Strategy and Development Concept are included as Exhibit 11.

The following chart depicts the relationship between intensity designations and zoning classifications.

Comprehensive Plan Designation	Typical Zoning Classifications
Medium Intensity	R-4L Low-Density Multiple Family Dwelling District R-4 Multiple Family Dwelling District C-2 General Community Commercial District PDB Planned Development Business District M-1 Light Industrial District M-2 Heavy Industrial District

Further, the Comprehensive Plan identifies typical residential densities appropriate in the land use intensity designations. For the Medium Intensity area, an overall residential density would be 0-45 units per acre.

I. Applicable Policies of the Generalized Land Use Element (GLUE)

The Generalized Land Use element contains policies for general growth and development, tiering, mixed-use centers, residential development, commercial development, and industrial development. It sets forth the goals and policies specific to the siting and design of all types of residential in all zoning districts. Relevant excerpts from the Residential Section of the GLUE are included as Exhibit 12.

Medium intensity residential development typically consists of medium-rise clustered apartments or large garden court apartment complexes or town homes in outlying areas, and walkup or elevator apartments and condominiums in the central inlying areas. Medium intensity residential developments may be located in concentrations along major transportation corridors, near or within mixed-use centers, in areas of similar character and intensity, and between areas of high and low intensity as buffer uses.

The following GLUE policies are intended to guide residential development in Medium Intensity areas, and are pertinent to this request:

LU-RDMI-1 Neighborhood Amenities: Medium intensity residential development should be provided with the same basic amenities and services generally associated with single-family neighborhoods.

LU-RDMI-2 Buffer Uses: Allow medium intensity residential developments as buffers between lower intensity development and higher intensity development.

LU-RDMI-3 Locate in Concentrations: Encourage medium intensity residential development to locate in concentrations, in order that there can be a more efficient use of utilities and open space, provided that such concentrations are consistent with the established or planned character of the area in which they are to be located.

LU-RDMI-7 Access to Principal Arterial Streets: Locate medium intensity residential developments either adjacent or immediately accessible to principal arterial streets for buffer, public transit and convenience purposes.

LU-RDMI-8 Arterial Locations: Some medium intensity residential development may be located on minor arterials having adequate capacity provided the development's scale, design and density characteristics are compatible with surrounding land uses.

Further, the GLUE establishes the City's policies for residential design. It is the intent that high quality design of residential developments will enhance the livability of the community. Usable private open space is and will continue to be critical to the livability of residential uses – multifamily uses will provide a variety of usable open spaces. Examples include private balconies and patios and shared porches, courtyards, and green spaces.

Design standards are used to help ensure that new developments meet these objectives. Pertinent policies are as follows.

LU-RDD-2 Compatibility: Insure that new residential development is compatible with the existing development and/or the desired character of the area in terms of building location and orientation, pedestrian and vehicular access, building massing and scale, light and glare, outdoor storage areas, service elements and mechanical equipment location and design, and landscaping design. Compatible design is most critical in areas where multifamily developments border designated single-family areas.

LU-RDD-3 Site Layout: Promote the site layout of residential development where residential buildings face the street and parking and vehicular access is provided to the rear or side of buildings. Where multifamily developments are allowed in established neighborhoods, the layout of such developments should respect the established pattern of development, except where a change in context is desired per the goals and policies of the Comprehensive Plan.

LU-RDD-5 Pedestrian-friendly Design: Site and design residential uses with safe, convenient, connected and attractive pedestrian access. Specifically:

- Locate and orient buildings towards the street for pedestrian convenience and enhance the spatial definition of the street.
- Provide direct pedestrian connections between all residential buildings and the sidewalk.
- For large multifamily developments, provide safe and attractive internal pedestrian connections between buildings and linkages to surrounding properties and neighborhoods, where possible and desirable.

LU-RDD-6 Vehicular Access and Parking: Promote site design that minimizes the safety and visual impacts of vehicular access, surface parking lots, and parking structures on pedestrian safety and the visual environment.

LU-RDD-7 Open Space and Amenities: Provide on-site open space for all types of residential uses. Specifically:

- For multifamily uses, this includes balconies, patios, rooftop decks, and/or shared common open space.

LU-RDD-8 Building Design and Massing: Promote multifamily building design that is compatible with the existing and/or desired character of the area. Building design should incorporate:

- Façade articulation that reduces the perceived scale of the building and adds visual interest.
- Covered entries visible from the street and/or common open space.
- Utilize building materials that are durable and provide visual interest.

J. Project Analysis

1. Consistency with TMC 13.06.100 – C-2 District Zoning Regulations:

Multifamily development, provided it meets development standards, is a permitted use in the C-2 District. The project will be designed to meet or exceed all of the parking, design and landscaping requirements for a multifamily development.

2. Consistency with TMC 13.06.650.B – Reclassification Criteria:

As detailed in TMC 13.06.650, applications for reclassifications may be approved if the proposal is found to be consistent with the stated decision criteria. Staff has reviewed this project against these criteria.

- *That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Comprehensive Plan.*

The applicable land use intensity is “medium”, for which the intended residential density is up to 45 units per acre. Multifamily development is appropriate in the Medium Intensity designation. In this case, the proposal would increase residential density in the vicinity from approximately 26 units per acre to about 38 units per acre.

The proposal is generally within the goals and policies of both the Growth Strategy and Development Concept Element and the GLUE for the location and density of multifamily development. The development would be constructed as a buffer between a single-family neighborhood and the high-traffic Pacific Avenue corridor, in an area of mixed multifamily and commercial development.

The current proposal is conceptual at this stage, to show that the proposed development can be accommodated on this site. Therefore the consistency with residential design goals and policies of the Comprehensive Plan cannot be fully assessed and these should be included as conditions of development, especially concerning pedestrian access to the public way, and open space availability.

- *That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or*

recommendation set forth in the Comprehensive Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.

The rezone will implement a provision or recommendation set forth in the Plan, in making the zoning designation more consistent with the site's designated Intensity. The Transitional District is not generally appropriate in the Medium Intensity designation. Making the entire site one zoning classification may provide an incentive to development of the site.

- *That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.*

The district establishment statement for the C-2 District specifically indicates that the district is intended to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential development is considered appropriate within the C-2 District as well.

- *That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.*

Records indicate that there have not been any area-wide rezone actions taken by the City Council in the past two years affecting this property.

- *That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.*

The TMC and GLUE set forth policies and requirements aimed at regulating growth to ensure consistency with the public health, safety, morals and general welfare. In order to further ensure that projects in these areas are compatible with the intended character of the district and do not have significant negative impacts on surrounding uses, the TMC also includes development regulations for projects in the C-2 District, including landscaping, design, and parking standards.

In this instance, the applicant has not yet finalized the site and building design but has provided a conceptual site plan. If approved, the applicant will ensure that all development standards will be met as the project is further refined and as development permits are obtained.

Notice of this proposal was provided to governmental and non-governmental agencies for review and comment, and the substance of these comments, which further ensure provisions for the public health, safety, and general welfare, is included in the recommended conditions section of this report. Notice of this project was also provided to area property owners. The proposal and the conditions recommended by staff in this report include provisions that address required improvements, adequate parking, and normal utility services.

K. RECOMMENDED CONDITIONS OF APPROVAL

Should this request be approved, Planning and Development Services recommends that the comments below be made conditions of approval for the application:

1. The site shall be developed in substantially the same manner as the proposal: uses shall be limited to residential. The intent of this condition is to maintain the integrity of the associated environmental (SEPA) review and findings thereof.
2. The final design of the multifamily development shall include private and public usable open space for the development. This can include a mix of private balconies or patios, as well as shared porches, courtyards, and green spaces. Each unit shall have direct access to at least one such space. Outdoor covered spaces (e.g., picnic pavilion or play area) can be counted toward this space. The intent of this condition is to fulfill the goals and policies of the Comprehensive Plan, which points out that usable open space is critical to the livability of residential uses.
3. The final design of the development shall include accessible pedestrian access from each building, through the development, to the public sidewalk on Pacific Avenue. The intent of this condition is to insure the development meets the TMC for pedestrian access, as well as to respond to Comprehensive Plan policies and to support transit use.
4. In the final design of the buildings, the applicant shall ensure that the buildings closest to Pacific Avenue are oriented toward the street; that is, the façade closest to the street is not a side or rear of the building. The intent of this condition is to comply with the Comprehensive Plan goals for residential design.
5. The final design of the development shall comply with all landscaping and parking standards, as well as all applicable building and site development code requirements.

In addition, several reviewers made advisory comments that will apply to the development permits for the site. Those comments are included for reference as Exhibits 8, and 13-16.

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SEP2015-40000247674

Exhibit 2: Vicinity Map/Aerial Photo



STATISTICS

PROPOSED USE: APARTMENTS (MULTI-DWELLING UNITS)
FOUR STORY, TYPE V-B CONSTRUCTION
WITH NFPA 13R FIRE SPRINKLER SYSTEM

SITE ADDRESS: 8445 PACIFIC AVE, TACOMA, WA

PROJECT TAX ASSESSOR NO.: 0320332-012, 031, 114 4 IT5

SITE ZONING: C-2 (CURRENT TRANSITION (T)
ZONING AT REAR OF SITE TO BE
REZONED TO C-2)

SITE AREA: 1.85 ACRES (80,585 SF.)

PROPOSED UNIT MIX:
A 36 491 SF.
B 36 592 SF.
C 20 185 SF.
92

H/C UNITS REQUIRED: 92 UNITS x 5% = 4.6 TYPE 'A'
UNITS (IEC 11016.2.1.1)

H/C UNITS PROVIDED: 5 ♿

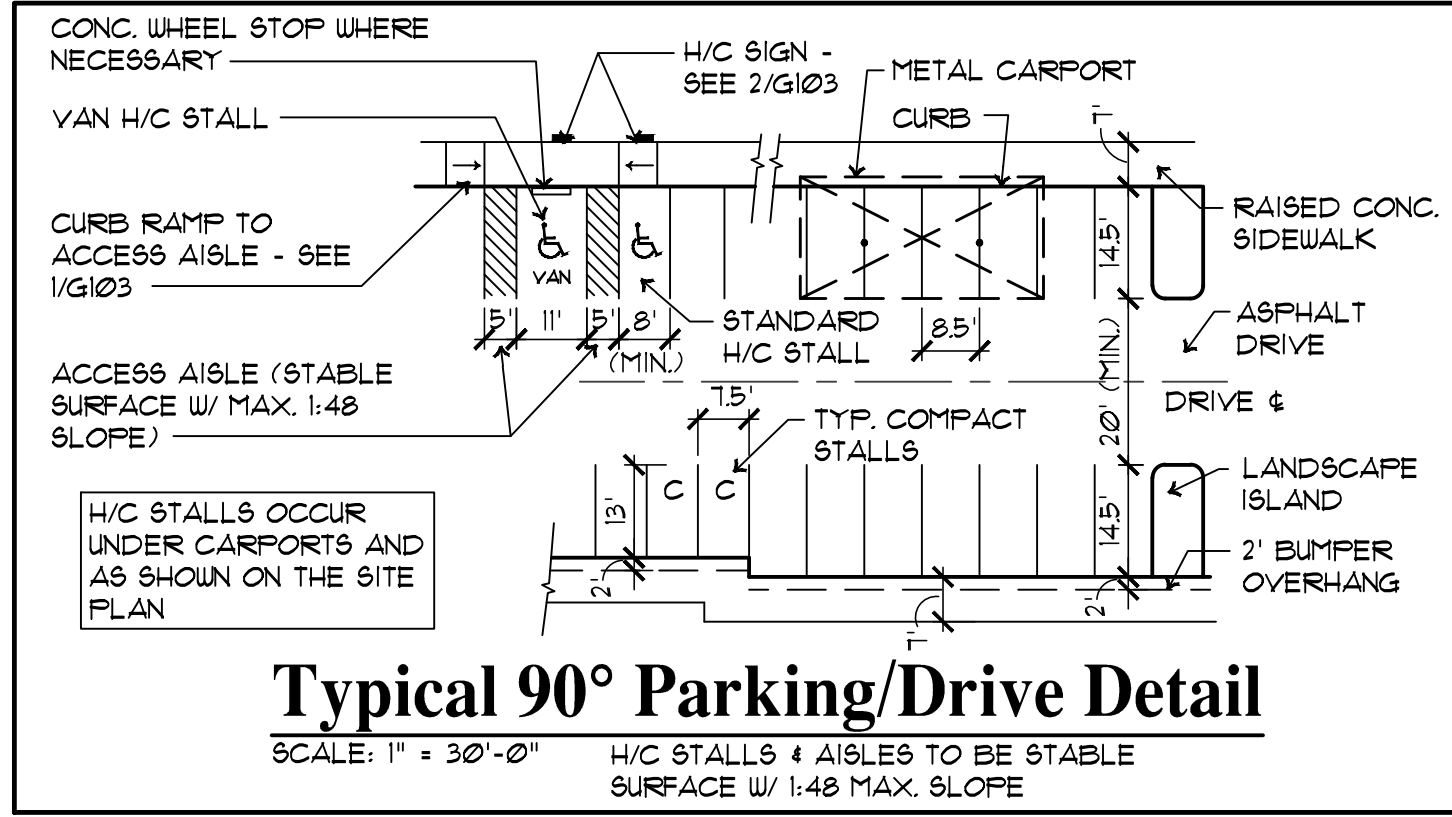
PARKING CALCULATIONS:
REQUIRED 10 STALLS/UNIT:
92 UNITS x 125 = 115 STALLS
PARKING QUANTITY REDUCTION (TRANSIT ACCESS)
50% REDUCTION FOR TRANSIT STOP WITHIN 500
FEET OF SITE WITH STOPS AT LEAST EVERY 20 MIN.
DURING PEAK HOURS.
115 STALLS (50%) = 57.5 OR 58 STALLS

PROVIDED: 92 (75 COMPACT)
OPEN STALLS: 92 (75 COMPACT)

MIN. LANDSCAPE SITE AREA = 80,585 SF.
10% OF SITE NOT COVERED WITH STRUCTURES = 25,318 SF.
55,267 SF.

MIN. LANDSCAPE REQ'D: 55,267 SF. (10%) = 55,267 SF.

LANDSCAPE PROVIDED: APPROX. 15,000 SF.



REVISIONS THIS SHEET

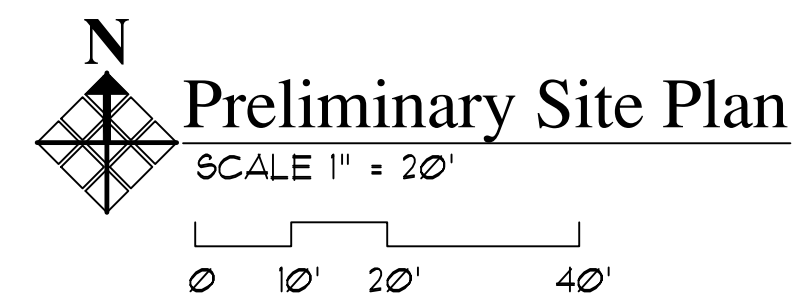
4994 REGISTERED ARCHITECT
PAUL J. CASEY
STATE OF WASHINGTON

PAUL J. CASEY
DAVID L. DECHANT JR.

Pacific Ridge Apartments
Tacoma, Washington

5521 100th Street SW, Suite A Lakewood, Washington 98499 (253) 584-5207

PROJECT NO. : 15-011
DRAWN BY : FJC
ISSUE DATE : 6-22-15
LATEST REV. THIS SET : 1



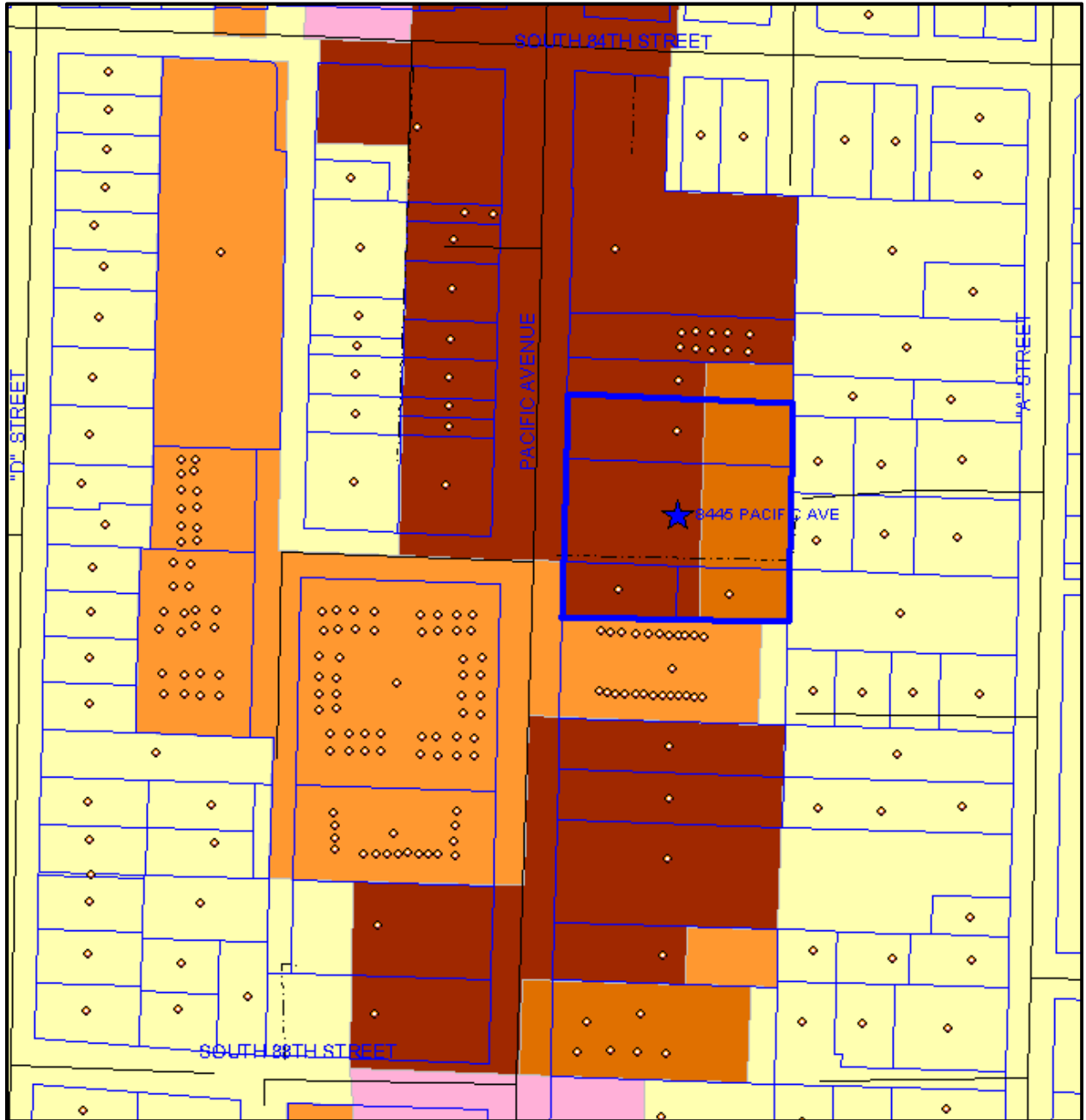
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REZ2015-40000247673
SEP2015-40000247674
Exhibit 3

REZ2015-40000247673
SEP2015-40000247674

Exhibit 4: Existing Zoning Designations

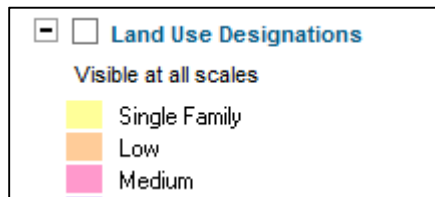


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|---|--|---|--|
| <input type="checkbox"/> Zoning Districts | <input checked="" type="checkbox"/> Zoning Districts | <input type="checkbox"/> R2: One Family Dwelling | <input type="checkbox"/> T: Transitional |
| Visible at all scales | | <input type="checkbox"/> R2-SRD: One Family Dwelling Sp | |
| <input type="checkbox"/> C1: Commercial | | <input type="checkbox"/> R3: Two Family Dwelling | |
| <input type="checkbox"/> C2: Commercial | | <input type="checkbox"/> R4: Multiple-Family Dwelling | |
| | | <input type="checkbox"/> R4L: Low Density Multiple Family | |

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SEP2015-40000247674

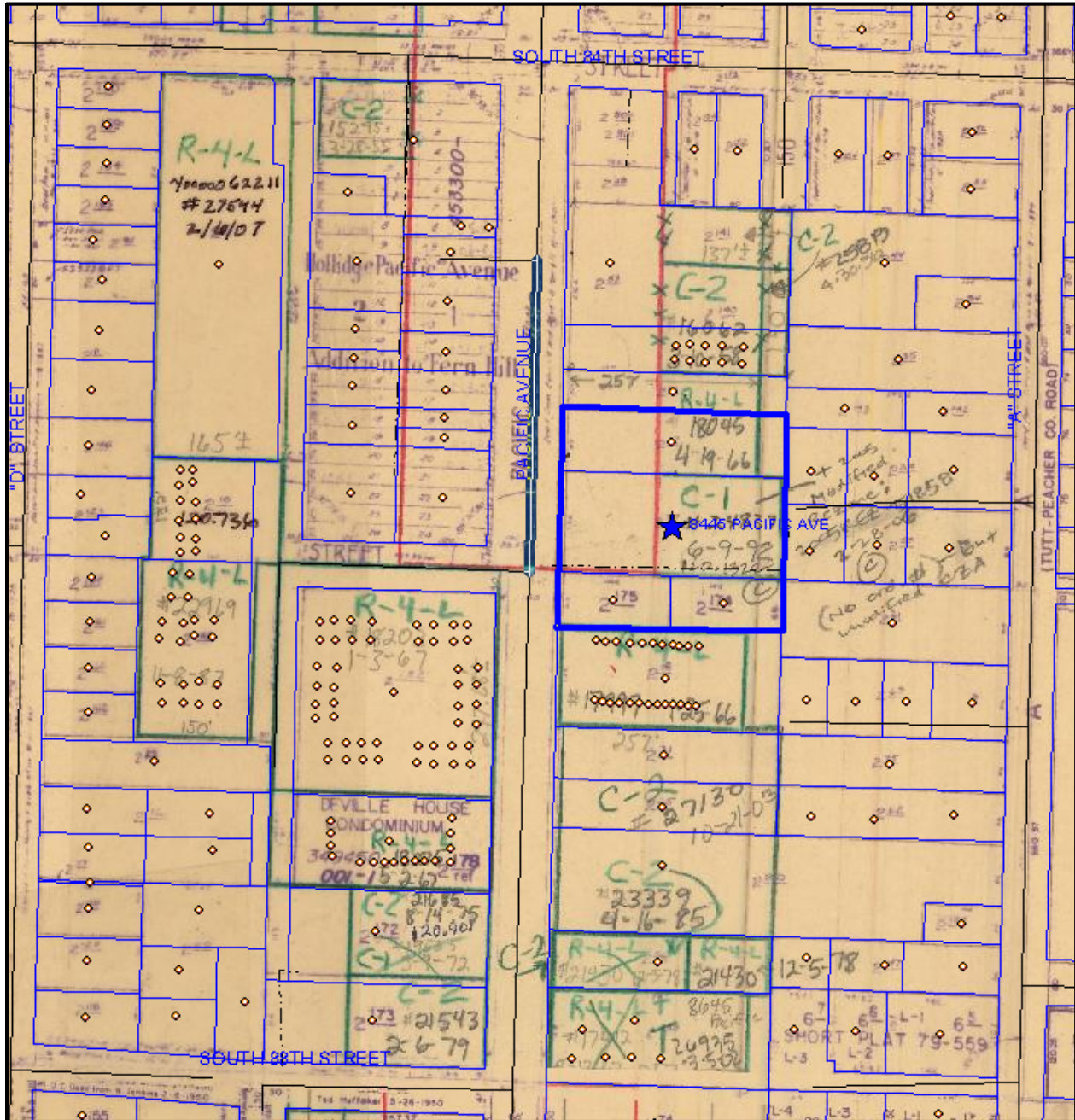
Exhibit 5: Land Use Designations



REZ2015-40000247673

SEP2015-40000247674

Exhibit 6: Historic Zoning Map





Determination of Environmental Nonsignificance (DNS)

SEPA File Number: SEP2015-40000247674
Related File Number: REZ2015-40000247673

To: All Departments and Agencies with Jurisdiction

Subject: Determination of Environmental Nonsignificance

In accordance with *Washington Administrative Code (WAC)* 197-11-340, and 197-11-355 a copy of the Determination of Nonsignificance (DNS) for the project described below is transmitted.

Applicant: Benjamin Ryan Communities, John Bays, 10011 Bridgeport Way SW #1500-212, Lakewood, WA 98499

Proposal: Rezone of approximately 1.85 acres from a combination of “C2” General Community Commercial and “T” Transitional to entirely “C2” for the purposes of constructing up to 120 apartments with associated site improvements.

Location: 8445 Pacific Avenue, parcels 032033-2037, -2012, -2174, -2175

Lead Agency: City of Tacoma

City Contact: Shirley Schultz
Principal Planner
Planning and Development Services
747 Market Street, Room 345
Tacoma, WA 98402
253-591-5121 | shirley.schultz@cityoftacoma.org

The Responsible Official for the City of Tacoma hereby makes the following findings and conclusions based upon a review of the environmental checklist and attachments, other information on file with the City of Tacoma, and the policies, plans, and regulations designated by the City of Tacoma as a basis for the exercise of substantive authority under the *Washington State Environmental Policy Act (SEPA)* pursuant to *RCW* 43.21C.

Findings of Fact:

General:

1. The applicant proposes to rezone approximately 1.85 acres from a combination of "C2" General Community Commercial and "T" Transitional to entirely "C2" for the purposes of constructing up to 120 apartments with associated site improvements to include up to 150 parking spaces and 3,000 cubic yards of grading.

An environmental review is required for the proposal in accordance with the SEPA, *RCW 43.21C*, *Washington Administrative Code (WAC) 197-11*, and *Tacoma Municipal Code (TMC) 13.12 Environmental Code*. Rezoning actions require environmental review, as do projects proposing in excess of 20 dwelling units, 40 parking spaces, or 500 cubic yards of grading activity.

Earth:

2. The project proposes to comply with all regulations including the *International Building Code (IBC) Appendix J (Grading)* as adopted and amended by the City of Tacoma, as well as *TMC Chapter 13.06 Zoning* and *Chapter 13.11 Critical Areas Ordinance*.
3. Soil contamination issues associated with the Asarco Plume are addressed in the Environmental Health subsection of this document.

Air:

4. Watering of exposed soil during construction to suppress dust will ensure that no impacts to ambient air quality will result from the project.

Water:

5. The project will meet all requirements of the current and any future revisions to the Stormwater Management Manual, the Critical Areas Ordinance and other City regulatory requirements related to stormwater.
6. No regulated wetlands, streams, or associated buffers have been identified on the project site pursuant to *TMC 13.11 Critical Areas Ordinance*.
7. The site is not located within a flood hazard and/or coastal high hazard area as regulated by *TMC 13.11.600*, *13.11.610* and *13.11.620* and Sections *2.12.040* and *2.12.050*.

Plants:

8. The proposed project will meet *TMC 13.06.502 Landscaping/Buffering Standards*.

Aesthetics:

9. The proposed project will meet *TMC 13.06.501 Building Design Standards*, *TMC 13.06.502 Landscaping/Buffering Standards*, and *TMC 13.06.503 Residential Compatibility Standards*.

Animals:

10. No state or federal candidate, threatened or endangered plant or animal species, or habitat has been identified on the project site.

Energy and Natural Resources:

11. The proposed project will comply with the City's Energy Code.

Environmental Health:

12. According to the Department of Ecology (Ecology) Facility/Site Atlas, the site is located within the Tacoma Smelter Plume with an arsenic concentration range of “Non-Detect to 20.0 ppm”. Due to the facility atlas indicating that arsenic concentration is below the Model Toxics Control Act standards, no further review of the site relative to Asarco contamination is required at this time.
13. All requirements of the Tacoma-Pierce County Health Department (TPCHD) and Ecology will be met.

Noise:

14. All WAC noise levels shall be met.
15. Activities at the site shall comply with all applicable provisions of TMC 8.122 Noise Enforcement.

Land Use:

16. The project the project proposal does not comply with the density and development standards of the “C2” and “T” District and will require a change to and modification of the current zoning classification.
17. The Comprehensive Plan designation for the site is Medium Intensity. This designation would support a rezone to higher-intensity development, including multifamily residential at an area average of 45 units per acre. Appropriate zoning in the designation includes R-4L Low-Density Multiple Family Dwelling District, R-4 Multiple Family Dwelling District, and C-2 General Community Commercial District, among others.

Housing:

18. The project will provide up to 120 units of housing. No adverse impacts to housing will result from the proposal.

Recreation:

19. The project will not be developed on property designated as open space or public recreation area. No adverse impacts to recreation will result from the proposal.

Historical and cultural preservation:

20. The project is not located within or adjacent to any property listed on the Tacoma, Washington State or National Registers of Historic Places, and is not within proximity to any known archaeological site or archaeological site that is inventoried by the State of Washington Department of Archaeology and Historic Preservation. Additional review of impacts to cultural resources may be required for projects under the jurisdiction of federal agencies under Section 106 of the National Historic Preservation Act (36 CFR 800).

Transportation:

21. The project will comply with TMC 13.06.510 Off-street parking and storage areas.
22. The project will be located on and be accessed via Pacific Avenue, which is designated in this location as State Highway 7.
23. Review by the Public Works Engineering Division indicates that the traffic volumes generated by the project may result in significant adverse impacts to the City’s street system. A traffic impact analysis for the project prepared by Heath and Associates, dated July 14, 2015, has been submitted to, reviewed, and approved by the Engineering Division.

The Division has determined that implementation of the conditions recommended in the report, in conjunction with code requirements and development standards, will adequately mitigate any potential significant adverse impacts associated with the development. (See Attachment "A")

Public Services/Public Utilities:

- 24. Project concurrency certification or an appropriate mitigation will be completed at the building permit review stage.
- 25. The project will comply with emergency vehicle circulation requirements.
- 26. Fire protection must be provided in accordance with the requirements of *TMC* 3.02 Fire Code.

CONCLUSION OF THE RESPONSIBLE OFFICIAL:

The City of Tacoma, the lead agency for this proposal, has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under Chapter 36.70A *RCW*, and in other applicable local, state, or federal laws or rules, as provided by *RCW* 43.21C.240 and *WAC* 197-11-158. The City will not require any additional mitigation measures under SEPA.

Additionally, the City of Tacoma has determined that this project does not have a probable significant adverse impact on the environment. The proposal will have no significant adverse environmental impacts to fish and wildlife, water, noise, transportation, air quality, environmental health, public services and utilities, or land and shoreline use. An environmental impact statement (EIS) is not required under *RCW* 43.21C.030(2). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

As noted previously, the applicants have also filed for zoning reclassification (Rezone). In order to receive approval of this permit the applicant will be required to demonstrate that the project will meet the applicable requirements of the *TMC*. If approved, the City's decision regarding the requested Rezone will likely include conditions of approval that may address necessary utility upgrades, street and sidewalk improvements, street lighting, grading and erosion control measures, and stormwater controls.

You may appeal this final determination. Appeals may be filed at the SEPA Public Information Center, Tacoma Municipal Building, 3rd Floor, 747 Market Street, Tacoma, Washington 98402, by filing a notice of appeal; the contents of the appeal as outlined in *Tacoma Municipal Code* 13.12.820; and a \$320.90 filing fee, within 14 days after the issue date of this determination.

Responsible Official: Peter Huffman

Position/Title: Director, Planning and Development Services

Signature: 

SEPA Officer Signature: 

Issue Date: August 28, 2015

Last Day to Appeal: September 14, 2015

NOTE: The issuance of this *SEPA* Determination does not constitute final project approval. The applicant must comply with all other applicable requirements of the City of Tacoma Departments and other agencies with jurisdiction prior to receiving construction permits.

cc via email:

Applicant

South End Neighborhood Council, Chairperson

Washington Department of Ecology, sepaunit@ecy.wa.gov

Washington Department of Transportation, OR-SEPA-REVIEW@wsdot.wa.gov

Tacoma-Pierce County Health Department, SEPA, SEPA@tpchd.org

Planning and Development Services, Reuben McKnight, Peter Huffman, Ian Munce

Public Works, Engineering, Brennan Kidd

Washington State Office of Archaeology & Historic Preservation, Gretchen Kaehler,
gretchen.kaehler@dahp.wa.gov

Pierce Transit - Bus Stop Program, Ben Han, bhan@piercetransit.org

Pierce County Assessor Treasurer, Darci Brandvold, dbrandv@co.pierce.wa.us

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PLT DATE: Jun 22, 2015 - 4:51pm

FILE NAME: N:\acofjobs-15\15-011 BR- Pacific Ridge, 8445 Pacific Ave\Arch\ G101.dwg

STATISTICS

PROPOSED USE: APARTMENTS (MULTI-DWELLING UNITS)
FOUR STORY, TYPE V-B CONSTRUCTION
WITH NFPA 13R FIRE SPRINKLER SYSTEM

SITE ADDRESS: 8445 PACIFIC AVE, TACOMA, WA

PROJECT TAX ASSESSOR NO.: 0320332-012, 031, 114 4 115

SITE ZONING: C-2 (CURRENT TRANSITION (T)
ZONING AT REAR OF SITE TO BE
REZONED TO C-2)

SITE AREA: 1.85 ACRES (80,585 SF.)

PROPOSED UNIT MIX:

A	36	491 SF.
B	36	592 SF.
C	20	185 SF.
		92

H/C UNITS REQUIRED: 92 UNITS x 5% = 4.6 TYPE 'A'
UNITS (IEC 11016.2.11)

H/C UNITS PROVIDED: 5 ♿

PARKING CALCULATIONS:
REQUIRED 120 STALLS/UNIT:
92 UNITS x 125 = 115 STALLS
PARKING QUANTITY REDUCTION (TRANSIT ACCESS)
50% REDUCTION FOR TRANSIT STOP WITHIN 500
FEET OF SITE WITH STOPS AT LEAST EVERY 20 MIN.
DURING PEAK HOURS.

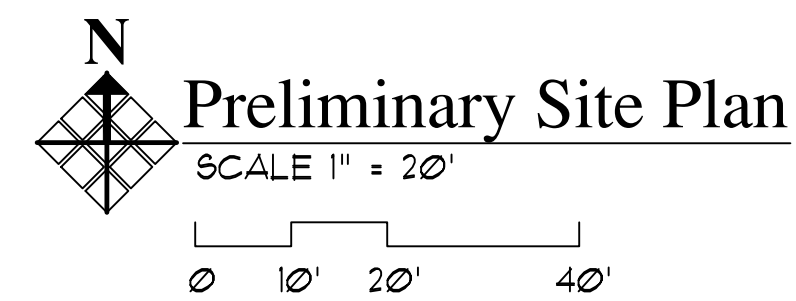
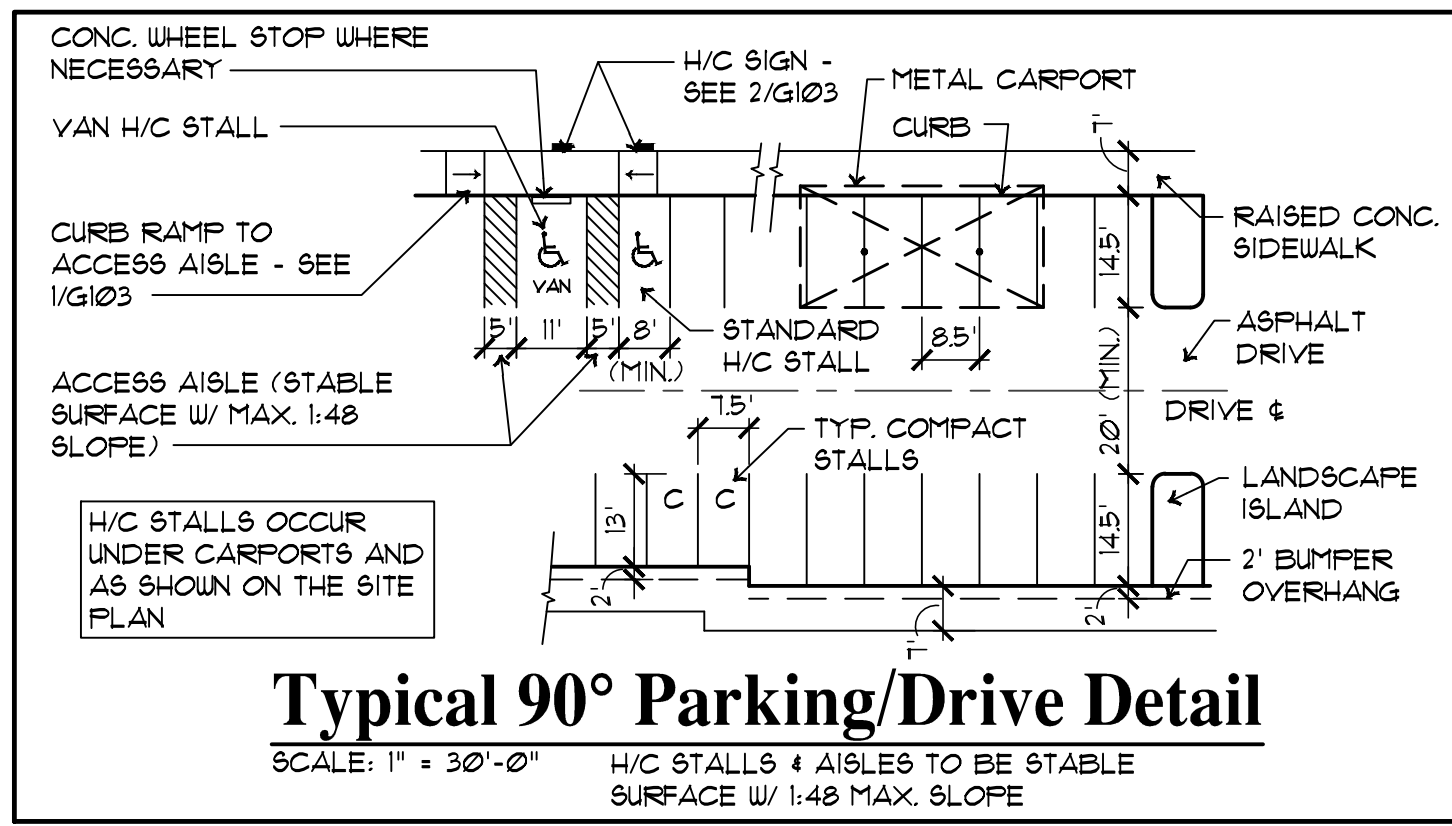
115 STALLS (.50) = 57.5 OR 58 STALLS

PROVIDED: 92 (75 COMPACT)
OPEN STALLS: 92 (75 COMPACT)

MIN. LANDSCAPE: 10% OF SITE NOT COVERED
WITH STRUCTURES: SITE AREA = 80,585 SF.
STRUCTURES = 25,318 SF.
55,267 SF.

MIN. LANDSCAPE REQ'D: 55,267 SF. (10%) = 5,527 SF.

LANDSCAPE PROVIDED: APPROX. 15,000 SF.



DRAFT

REGISTERED ARCHITECT
PAUL J. CASEY
STATE OF WASHINGTON

PAUL J. CASEY
DAVID L. DECHANT JR.

REVISIONS THIS SHEET

- 1
- 2
- 3
- 4

Pacific Ridge Apartments
Tacoma, Washington

5521 100th Street SW, Suite A Lakewood, Washington 98499 (253) 584-5207

PROJECT NO. : 15-011
DRAWN BY : FJC
ISSUE DATE : 6-22-15
LATEST REV. THIS SET : 4

P1
SEP2015-400024673
Ex. 7 - SEPA Record



To: Shirley Schultz
Planning & Development Services

FROM: Brennan Kidd, PE, PTOE
Public Works / Engineering Division

SUBJECT: Pacific Ridge Traffic Review
(8445 Pacific Avenue SEPA)

DATE: August 25, 2015

The City Engineering Division has reviewed the applicant's SEPA application proposing the development of a 92-unit multi-family housing at 8439-8455 Pacific Avenue. After consideration of the applicant's Traffic Impact Analysis (dated July 14, 2015) conducted by Heath & Associates, Inc., staff have determined the applicant and representative have conducted a reasonable analysis of probable traffic conditions associated with the proposed site. The analysis of the new trips as presented does not appear to adversely impact the City's arterial street system.

In addition, the proposed site access driveway on Pacific Avenue opposite the intersection of South 86th Street is positioned to minimize impact to the safety and operation of the intersection and is not anticipated to adversely impact other nearby driveways. Based on these proposed conditions and the information conveyed in the Traffic Impact Analysis, Traffic Engineering has no objections or stipulated mitigation with regard to site's vehicular access and operation within the right-of-way.

The proposed on-site layout appears to provide adequate circulation, including code-required space at the end of dead-end parking aisles to facilitate vehicle turn-around. Review of the preliminary site plan did indicate that the depiction of standard and compact parking stalls as being deficient with respect to Tacoma Municipal Code (TMC) 13.06.510.B.2.f.: "Standard parking spaces shall have a minimum width of eight and one-half feet, a minimum length of 16.5 feet." and "Compact parking spaces shall have a minimum width of seven and one-half feet and a minimum length of 15 feet." It appears the parking space lengths shown in the site plan are 2 feet shorter than prescribed by code. Please note that the parking space dimensions cited in the code already account for the typical front overhang distance for vehicles, which can still affect the necessary width of walkway for providing adequate accessibility. Therefore, as shown in the site plan, the minimum parking aisle width (see TMC 13.06.510.B.2.b) would be compromised by the rear of vehicles protruding into the aisle.

The development proposal indicates that the site will be providing a reduced number of parking spaces based on proximity to bus stops and the frequency of the service provided at those stops. As such, the development of this site as proposed can be expected to increase pedestrian and transit trips within the area. Therefore, the project will need to address accessibility to/from transit service on the east and west sides of Pacific Avenue, which would include upgrading curb ramps and improving sidewalk to meet current ADA standards. It appears the closest bus stops to the site are on both sides of Pacific Avenue between 180 and 350 feet to the south of the property's south property line.

If circumstances change and the project scope is modified then the City reserves the right to reconsider this recommendation. If you have any questions, please contact me at (253) 591-5077 or bkidd@cityoftacoma.org.

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants: [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. background [\[help\]](#)

1. Name of proposed project, if applicable:

Pacific Ridge Apartments

2. Name of applicant:

Benjamin Ryan Communities

3. Address and phone number of applicant and contact person:

James Kerby 10011 Bridgeport Way SW #1500-212,
Lakewood, WA 98499 (253) 537-3732

4. Date checklist prepared:

5/28/15

5. Agency requesting checklist:

City of Tacoma

6. Proposed timing or schedule (including phasing, if applicable):

September 2015 – July 2017

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal?

If yes, explain. No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal?

If yes, explain. No

10. List any government approvals or permits that will be needed for your proposal, if known.

Clarification of zoning/rezone necessary

Site development permit (Work Order) and building permits (including fill/grade, paving, utilities, etc.) will be required

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Proposed use is a 100 unit apartment building/site consisting of 6 building and surface parking. This includes approximately 3,000 cy of grade/fill and up to 200 parking spaces.

Maximum number of units would be 120, with associated parking at 1.25 spaces per dwelling unit (max of 150 spaces).

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

8445, 8439, 8601 and 8603 Pacific Ave So, Tacoma, WA

Reference address being used is
8445 Pacific Avenue.
Pierce County Parcels:
0320332037, 0320332012,
0320332174, 0320332175

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth

a. General description of the site [\[help\]](#)

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other :
Slight topography over site, mostly flat.

b. What is the steepest slope on the site (approximate percent slope)?

2% in most areas, 12% in one spot.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Clay, not great.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No fill, grading of 3,000 yards.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not likely that erosion would occur.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

65,000 sf

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

BPM's

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.
Some dust may occur during construction.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
No
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
Dust control measures in affect, using water.

3. **Water**

a. Surface Water: [\[help\]](#)

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.
No
- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
N/A
- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.
N/A
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
N/A
- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.
N/A

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.
No

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.
N/A

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.
None

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. Water will flow into city runoff system

Project will meet the City's stormwater management manual.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.
No

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.
No

- d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:
Standard flow control and water quality measures

4. **Plants** [help]

a. Check the types of vegetation found on the site: [help]

- deciduous tree: alder, maple, aspen, other
- evergreen tree: fir, cedar, pine, other
- shrubs
- grass
- pasture
- crop or grain
- Orchards, vineyards or other permanent crops.
- wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- water plants: water lily, eelgrass, milfoil, other
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Surface Brush

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None

e. List all noxious weeds and invasive species known to be on or near the site.

5. **Animals**

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

- birds: hawk, heron, eagle, songbirds, other:
- mammals: deer, bear, elk, beaver, other:
- fish: bass, salmon, trout, herring, shellfish,
- other _____
- None

b. List any threatened and endangered species known to be on or near the site.

None

c. Is the site part of a migration route? If so, explain.

No

d. Proposed measures to preserve or enhance wildlife, if any:

Will be providing landscaping to enhance wildlife

e. List any invasive animal species known to be on or near the site.

N/A

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
Electric

b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.
No

c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:
Current Code

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.
No

1) Describe any known or possible contamination at the site from present or past uses.
None

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area

and in the vicinity.
Code

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.
- 4) Describe special emergency services that might be required.
- 5) Proposed measures to reduce or control environmental health hazards, if any:

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Traffic
- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Standard construction noise during business hours.
- 3) Proposed measures to reduce or control noise impacts, if any:
Code

No impacts are expected to be generated by this residential project other than traffic noise. The project will provide a buffer landscaping area between it and the adjacent residential area.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?
Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
Multifamily, commercial, residential
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
No
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

- c. Describe any structures on the site.
Billboards
- d. Will any structures be demolished? If so, what?
Billboards
- e. What is the current zoning classification of the site?
"C-2" General Community Commercial and "T" Transitional
- f. What is the current comprehensive plan designation of the site?
Medium Intensity
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.
No
- i. Approximately how many people would reside or work in the completed project?
100-200
- j. Approximately how many people would the completed project displace?
None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
N/A
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
Zoning Classification
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Proposal will rezone site to C2 in its entirety.

9. Housing

- a. Approximately how many units would be provided, if any?
Indicate whether high, middle, or low-income housing.
Low income – small percent

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
N/A
- c. Proposed measures to reduce or control housing impacts, if any:
N/A

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
35 ft – 40 ft
- b. What views in the immediate vicinity would be altered or obstructed?
None
- c. Proposed measures to reduce or control aesthetic impacts, if any:
Design Review

Height limit is 45 feet.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
N/A
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
N/A
- c. What existing off-site sources of light or glare may affect your proposal?
N/A
- d. Proposed measures to reduce or control light and glare impacts, if any:
N/A

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
Parks, Schools

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

No

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A

- c. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Pacific Avenue

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the

approximate distance to the nearest transit stop?

Yes

Transit stops are in the vicinity for route on Pacific Avenue. They may have to be improved or relocated in conjunction with this project.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
150-200

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).
No

As required by code - offsite improvements may apply.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

See associated Traffic Impact Analysis.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
Common Entrance

See associated Traffic Impact Analysis.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

See associated Traffic Impact Analysis.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

~~Probably, more restrictions~~

No impacts are expected to be generated by this residential project other than typical for the area.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

~~Common location~~

16. Utilities


a. Circle utilities currently available at the site: [help]
electricity, natural gas, water, refuse service, telephone,
sanitary sewer, septic system,
other _____
All

b. Describe the utilities that are proposed for the project, the
utility providing the service,
and the general construction activities on the site or in the
immediate vicinity which might
be needed.

All

C. Signature [HELP]

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Name of signee John Bays

Position and Agency/Organization Benjamin Ryan Communities

Date Submitted: 6/2/15



TO: Shirley Schultz
Planning & Development Services

FROM: Brennan Kidd, PE, PTOE
Public Works / Engineering Division

SUBJECT: Pacific Ridge Traffic Review
(8445 Pacific Avenue SEPA)

DATE: August 25, 2015

The City Engineering Division has reviewed the applicant's SEPA application proposing the development of a 92-unit multi-family housing at 8439-8455 Pacific Avenue. After consideration of the applicant's Traffic Impact Analysis (dated July 14, 2015) conducted by Heath & Associates, Inc., staff have determined the applicant and representative have conducted a reasonable analysis of probable traffic conditions associated with the proposed site. The analysis of the new trips as presented does not appear to adversely impact the City's arterial street system.

In addition, the proposed site access driveway on Pacific Avenue opposite the intersection of South 86th Street is positioned to minimize impact to the safety and operation of the intersection and is not anticipated to adversely impact other nearby driveways. Based on these proposed conditions and the information conveyed in the Traffic Impact Analysis, Traffic Engineering has no objections or stipulated mitigation with regard to site's vehicular access and operation within the right-of-way.

The proposed on-site layout appears to provide adequate circulation, including code-required space at the end of dead-end parking aisles to facilitate vehicle turn-around. Review of the preliminary site plan did indicate that the depiction of standard and compact parking stalls as being deficient with respect to Tacoma Municipal Code (TMC) 13.06.510.B.2.f.: "Standard parking spaces shall have a minimum width of eight and one-half feet, a minimum length of 16.5 feet." and "Compact parking spaces shall have a minimum width of seven and one-half feet and a minimum length of 15 feet." It appears the parking space lengths shown in the site plan are 2 feet shorter than prescribed by code. Please note that the parking space dimensions cited in the code already account for the typical front overhang distance for vehicles, which can still affect the necessary width of walkway for providing adequate accessibility. Therefore, as shown in the site plan, the minimum parking aisle width (see TMC 13.06.510.B.2.b) would be compromised by the rear of vehicles protruding into the aisle.

The development proposal indicates that the site will be providing a reduced number of parking spaces based on proximity to bus stops and the frequency of the service provided at those stops. As such, the development of this site as proposed can be expected to increase pedestrian and transit trips within the area. Therefore, the project will need to address accessibility to/from transit service on the east and west sides of Pacific Avenue, which would include upgrading curb ramps and improving sidewalk to meet current ADA standards. It appears the closest bus stops to the site are on both sides of Pacific Avenue between 180 and 350 feet to the south of the property's south property line.

If circumstances change and the project scope is modified then the City reserves the right to reconsider this recommendation. If you have any questions, please contact me at (253) 591-5077 or bkidd@cityoftacoma.org.



PACIFIC RIDGE APARTMENTS
TRAFFIC IMPACT ANALYSIS

CITY OF TACOMA, WA



Prepared for: Mr. John Bays
Benjamin-Ryan Communities
10209 Bridgeport Way SW
Lakewood, WA 98499

July 2015

PACIFIC RIDGE APARTMENTS
TRAFFIC IMPACT ANALYSIS

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PACIFIC RIDGE APARTMENTS TRAFFIC IMPACT ANALYSIS

I. INTRODUCTION

This report summarizes traffic impacts related to the Pacific Ridge Apartments project. The general goals of this impact study concentrate on 1) the assessment of existing roadway conditions and intersection congestion, 2) forecasts of newly generated project traffic, 3) estimations of future delay, and 4) recommendations for mitigation. Preliminary tasks include the detailed collection of roadway information, road improvement information, and peak hour traffic counts. A level of service analysis for existing traffic conditions is then made to determine the present degree of intersection congestion. Based on this analysis, forecasts of future traffic levels on the surrounding street system are found. Following this forecast, the future service levels for the key intersections are investigated. As a final step, applicable conclusions and possible on-site or off-site mitigation measures are defined. The findings of this study are intended to ensure safe and efficient progression of vehicular/non-motorist traffic near the site.

II. PROJECT DESCRIPTION

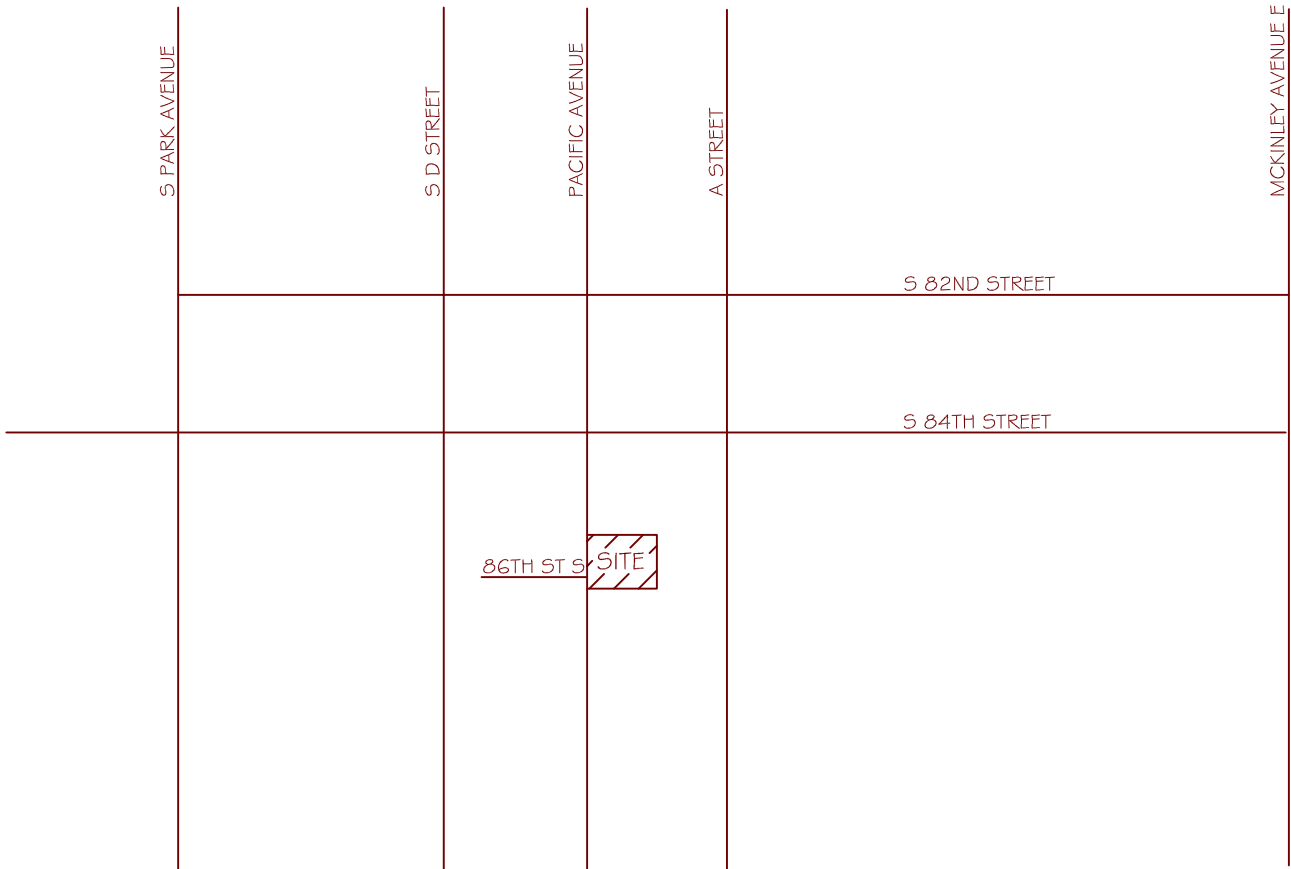
The proposed project is defined as an apartment complex with up to 108 units located in the City of Tacoma. The site is located on the east side of Pacific Avenue at the intersection of Pacific Avenue & 86th Street. Surrounding development is generally residential or commercial. Primary access to the site will be provided by one entrance onto Pacific Avenue across from 86th street. Figure 1 on the following page shows the general site location along with the local street network. The site plan is given in Figure 2.

III. EXISTING CONDITIONS

A. Surrounding Roadway System

Roadways serving the proposed site consist of multi-lane arterials and two-lane collector roads which vary in width, terrain, and posted speeds. As indicated by their specific arterial designations, these roadways also vary in their overall function as part of the general network. The key streets near the site are described on page 6.

Pacific Avenue, or SR-7, is a north-south, multi-lane state route that borders the west side of the property. The posted speed limit is 35 mph and pavement surfacing consists of asphalt concrete. Lane widths are approximately 12 feet while side street treatment is comprised of curb/gutter/sidewalk. Left turn lanes are provided at major intersections. Other portions of the road have a two-way left turn lane. The roadway is generally flat.



PACIFIC RIDGE APARTMENTS



HEATH & ASSOCIATES, INC
Transportation and Civil Engineering

VICINITY MAP & ROADWAY SYSTEM

FIGURE 1



PACIFIC RIDGE APARTMENTS



HEATH & ASSOCIATES, INC
Transportation and Civil Engineering

SITE PLAN

FIGURE 2

S 86th Street is a dead end east-west local road that lies to the west of the site. Total roadway width is roughly 20 feet, with sidewalks and grass/gravel shoulders. The posted speed limit is 25 mph.

B. Existing Peak Hour Volumes and Patterns

Field data collected for this study was taken in July of 2015. The traffic counts were taken during the evening peak period between the hours of 4 PM and 6 PM. This specific peak period was targeted for analysis purposes since it generally represents the worst case scenario with respect to traffic conditions. The PM peak period typically has higher volumes than the AM peak period due to the greater number of recreation and shopping trips associated with the late afternoon period. Existing PM peak hour volumes for the key intersections of Pacific Avenue & 86th Street and Pacific Avenue & 84th Street can be found in Figure 3.

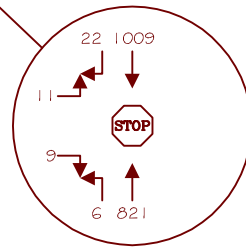
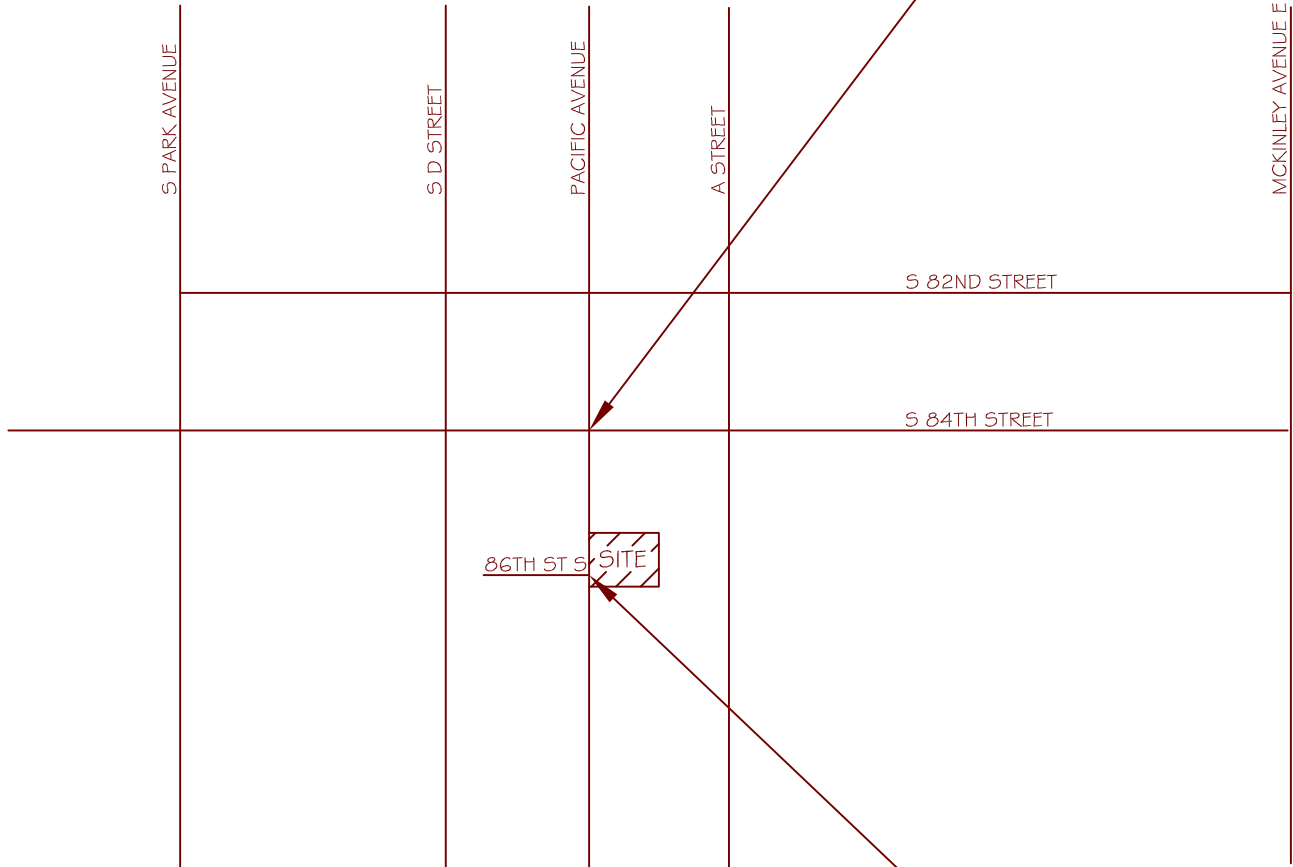
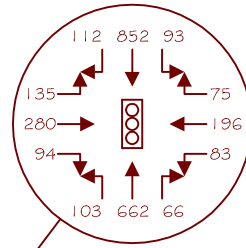
C. Roadway Improvements

A review of a current City of Tacoma 6-Year Comprehensive Transportation Program indicates no improvement projects near the site.

D. Existing Level of Service

Existing peak hour delays were determined through the use of the *Highway Capacity Manual*. Capacity analysis is used to determine level of service (LOS) which is an established measure of congestion for transportation facilities. LOS is defined for a variety of facilities including intersections, freeways, arterials, etc. A complete definition of level of service and related criteria can be found in the HCM.

The methodology for determining the LOS at unsignalized intersections strives to determine the potential capacities for the various vehicle movements and ultimately determines the average total delay for each movement. *Potential Capacity* represents the number of additional vehicles that could effectively utilize a particular movement, which is essentially the equivalent of the difference between the movement capacity and the existing movement volume. *Total delay* is described as the elapsed time from when a vehicle stops at the end of a queue until the vehicle departs from the stop line. *Average total delay* is simply the mean total delay over the entire stream. A number of factors influence potential capacity and total delay including the availability/usefulness of gaps.



PACIFIC RIDGE APARTMENTS



EXISTING PM PEAK HOUR VOLUMES

FIGURE 3

The range for intersection level of service is LOS A to LOS F with the former indicating the best operating conditions with low control delays and the latter indicating the worst conditions with heavy control delays. Existing LOS for the PM peak hour is shown below in Table 1. This analysis involved the HCS 2010 intersection analysis program. As shown in Table 1, existing analysis shows moderate delays in the LOS B to the LOS D range.

TABLE 1
Existing Level of Service
Delays given in seconds per vehicle

<u>Intersection</u>	<u>Control</u>	<u>Approach</u>	<u>LOS</u>	<u>Delay</u>
Pac Ave/84th St	Signal	Eastbound	D	52.0
		Westbound	C	29.9
		Northbound	D	49.7
		Southbound	D	52.9
		Overall	C	48.8
Pac Ave/86th St	Stop	Eastbound	C	18.5
		Northbound LT	B	10.7

E. Pedestrian and Bicycle Activity

Pedestrian and bicycle activity was observed on the nearby street segments studied for this project. Observations were made during routine peak hour movement counts and during other site visits. Moderate bicycle and pedestrian activity was noted during field observations. The area has well developed pedestrian facilities in the form of sidewalks and crosswalks that help alleviate any impact between motorist and non-motorist traffic.

F. Public Transit

A review of the Pierce Transit regional bus schedule shows transit service is provided to the vicinity of the project. Pierce Transit Route 1 runs along Pacific Avenue with service from the Tacoma Community College Transit Center to the Spanaway area near the Roy “Y”. Stops are made in the vicinity of the property with service from roughly 4:35 AM to 11:40 PM. Refer to the Pierce Transit schedule for detailed route information.

G. Sight Distance at Access Driveways

Analysis was made of the existing roadways near the site. According to AASHTO guidelines for the 35 mph design speed on Pacific Avenue, approximately 390 feet of entering sight distance is needed to ensure safety for project traffic exiting the site. Based on established standards and field notes, sight distance is acceptable at the proposed project access driveway. The area has no vertical curvature or horizontal curvature. With no other sight distance hindrances present requirements are easily met.

IV. FUTURE TRAFFIC DEMAND

A. Trip Generation

Data presented in this report was taken from the Institute of Transportation Engineer's publication *Trip Generation*, 9th Edition. The applicable land use code is Apartments (LUC 220). ITE average rates were used to determine peak hour trips. Table 2 shows the trip generation values used for this 108 apartment units. Refer to the appendix for trip generation output.

TABLE 2
Project Trip Generation
108 Apartment Units

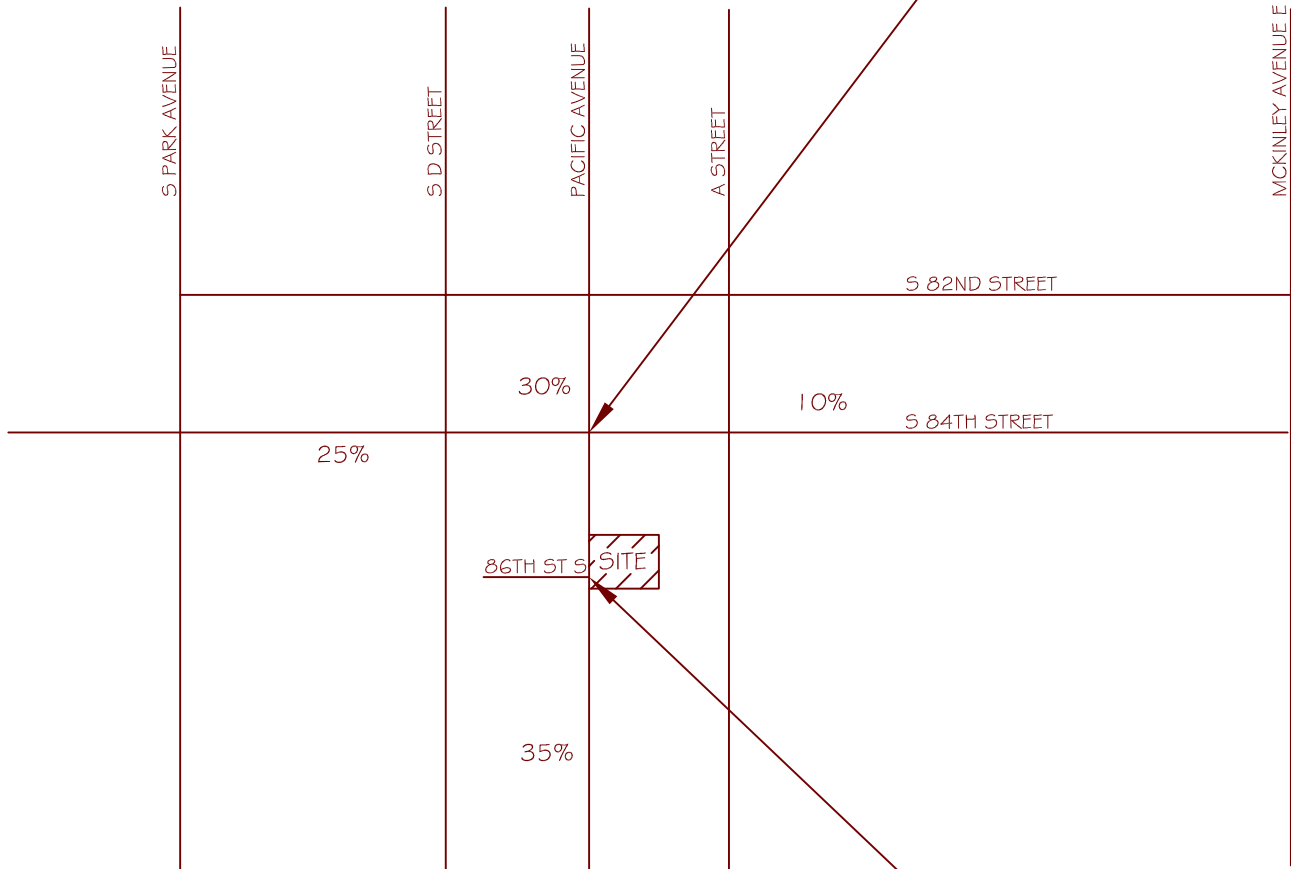
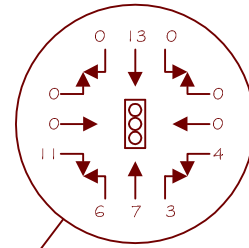
<u>Time Period</u>	<u>Volume</u>
AWDT	718 vpd
AM Peak Inbound	11 vph
AM Peak Outbound	44 vph
AM Peak Total	55 vph
PM Peak Inbound	43 vph
PM Peak Outbound	24 vph
PM Peak Total	67 vph

B. Trip Assignment and Distribution

The destination and origination of the generated traffic primarily influences the project entrance and the key intersections which would effectively receive the majority of project related traffic. Site generated trips are expected to follow the pattern shown in Figure 4 on the following page. The figure reflects work-based and home-based trips taken by project traffic during the PM peak hour. As shown in the figure, traffic is likely to split along a number of paths. These percentages are estimated based on existing travel patterns and the location of nearby major roadways.

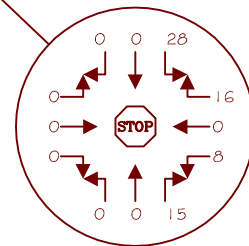
C. Future Traffic Volumes With and Without the Project

A horizon year of 2017 was chosen for the future study period. The future 2017 traffic volumes without the project were derived by applying a 2 percent annual growth rate through the year 2017 to the existing traffic volumes shown in Figure 3. Much of the land in the area is already developed limiting the amount of traffic growth created by future new projects. Future 2017 volumes without project traffic included are shown in Figure 5. Future 2017 volumes with Pacific Ridge Apartments traffic are shown in Figure 6.



NEW PM PEAK HOUR TRIPS

INBOUND: 43 VPH
OUTBOUND: 24 VPH

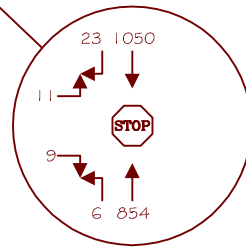
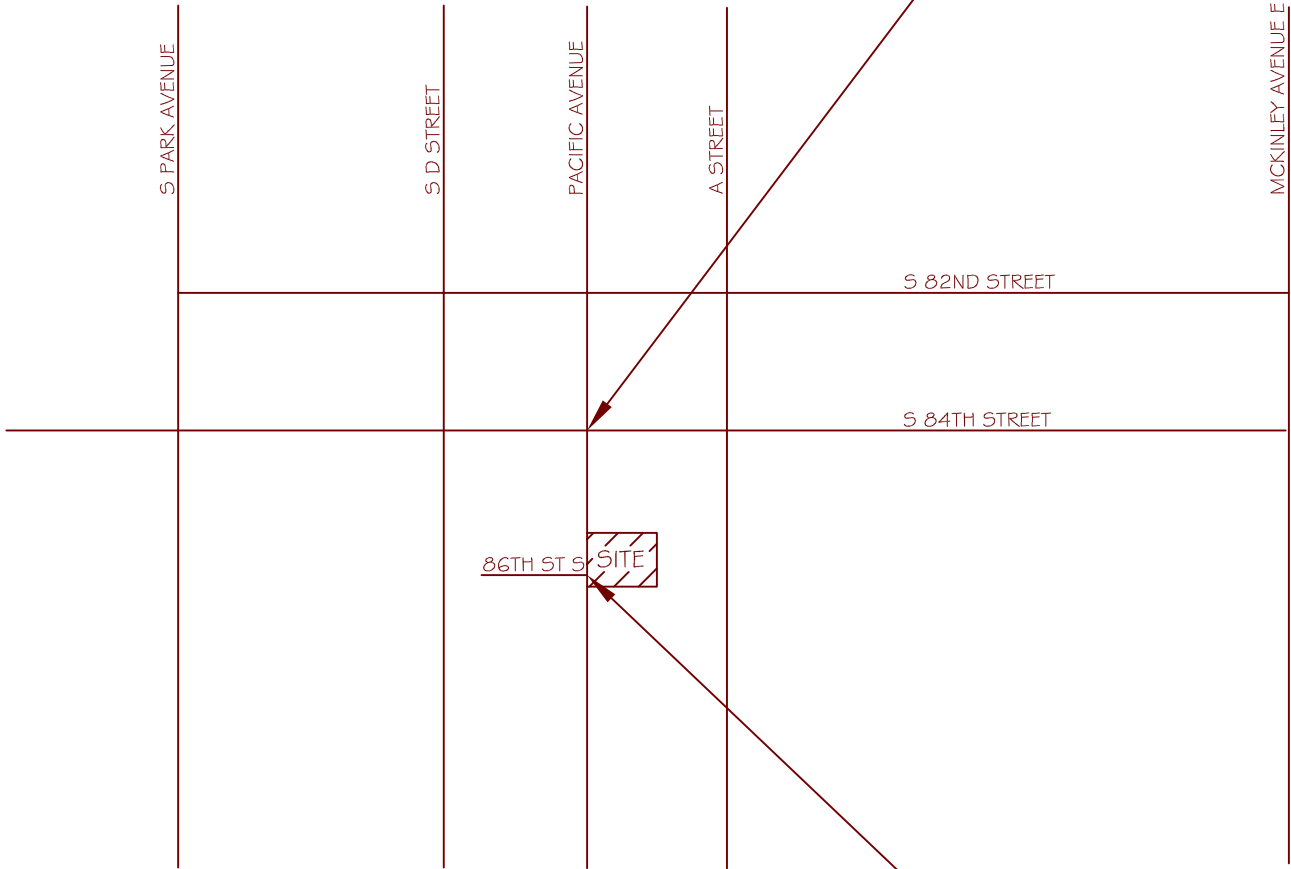
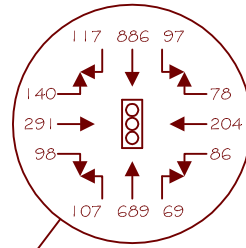


PACIFIC RIDGE APARTMENTS



TRIP DISTRIBUTION & ASSIGNMENT

FIGURE 4

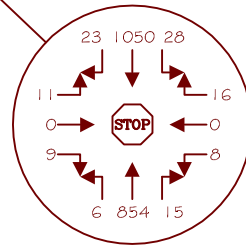
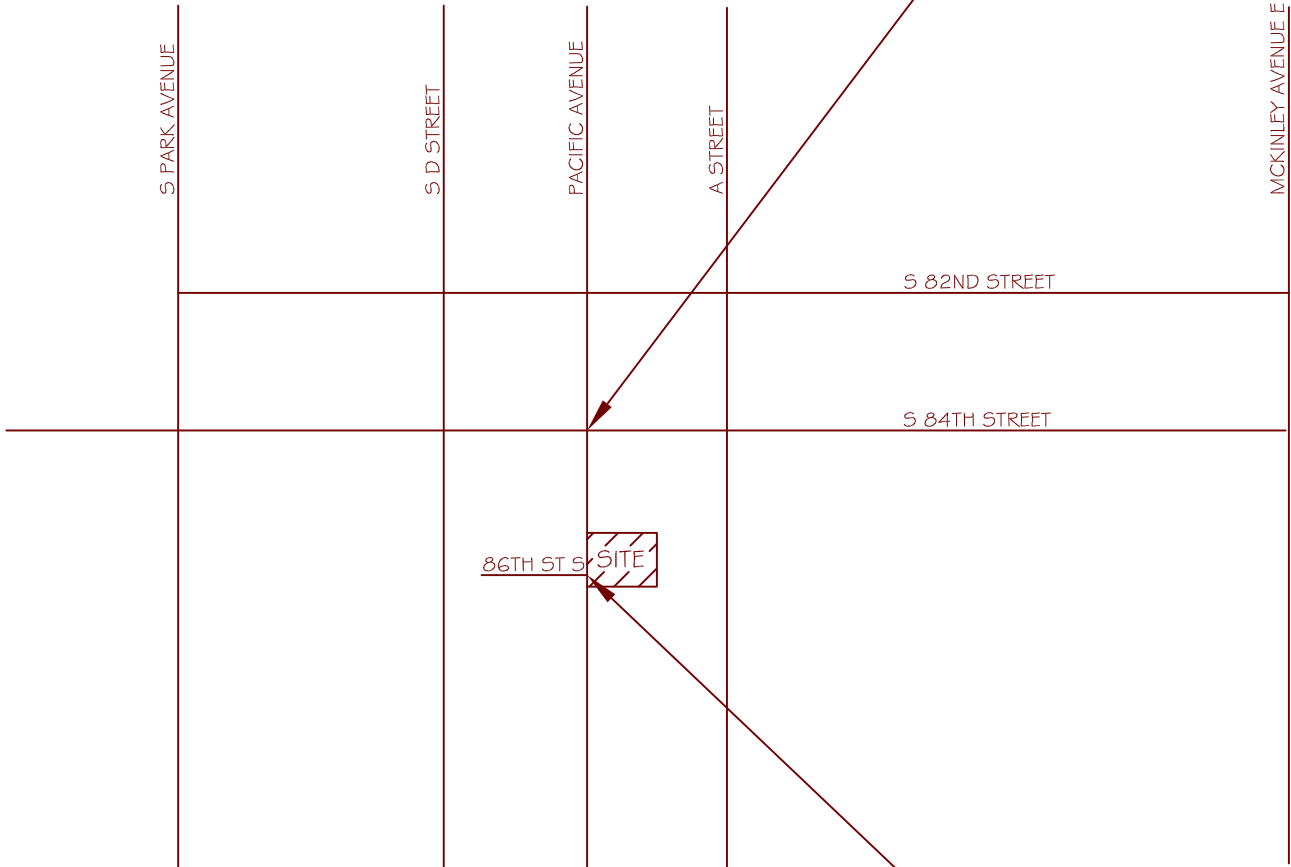
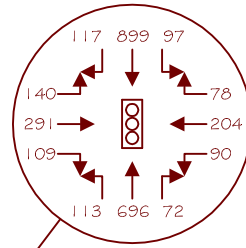


PACIFIC RIDGE APARTMENTS



2017 PM PEAK VOLUMES WITHOUT PROJECT

FIGURE 5



PACIFIC RIDGE APARTMENTS



2017 PM PEAK HOUR VOLUMES WITH PROJECT

FIGURE 6

D. Future Level of Service

Level of service analyses were made of the future PM peak hour volumes without and with trips from the project added to the key roadways and intersections. This analysis once again involved the use the HCS 2010 analysis program. Delays for the key intersections under future conditions are shown below in Table 3.

TABLE 3
 Future 2017 PM Level of Service
Delays given in seconds per vehicle

<u>Intersection</u>	<u>Control</u>	<u>Geometry</u>	Without Project		With Project	
			<u>LOS</u>	<u>Delay</u>	<u>LOS</u>	<u>Delay</u>
Pac Ave/84th St	Signal	Eastbound	E	56.3	E	58.7
		Westbound	C	30.5	C	30.9
		Northbound	D	52.3	D	54.0
		Southbound	E	64.2	E	69.0
		Overall	D	54.8	D	57.6
Pac Ave & 86th/Ent	Stop	Eastbound	C	19.2	C	23.7
		Westbound	-	-	C	16.9
		Northbound LT	B	10.9	B	10.9
		Southbound LT	-	-	B	10.1

Future LOS results show delays up to LOS E which is expected with a high volume intersection such as Pacific Avenue and South 84th Street. Project traffic is shown to cause a negligible impact in LOS, with only minor increases in delays expected. The additional east leg to the South 86th Street and Pacific Avenue intersection maintains LOS C.

V. CONCLUSIONS AND MITIGATION

The project proposes 108 apartment units on the east side of Pacific Avenue across from 86th Street. Roughly 718 total daily trips are expected to be generated on a typical weekday with 55 trips during the AM peak hour and 67 trips during the PM peak hour.

Existing delays for the key intersection of Pacific Avenue/S 86th Street are generally mild at LOS C or better. Pedestrian and bicyclist volumes are mild. Entering and stopping sight distance for the new project access point is adequate.

Future delay conditions for area intersections are outlined in Table 3. Delays will operate up to LOS E at the 84th Street and Pacific intersection, due to the higher volumes already present. Project traffic is expected to cause only minor increases in delays. A center two-way left turn lane is already provided on Pacific Avenue, so left turn lane warrants were not analyzed.

Based on the above, no off-site mitigations are identified at this time.

PACIFIC RIDGE APARTMENTS
TRAFFIC IMPACT ANALYSIS

APPENDIX

LEVEL OF SERVICE

The following are excerpts from the *2010 Highway Capacity Manual - Transportation Research Board Special Report 209*.

Quality of service requires quantitative measures to characterize operational conditions within a traffic stream. Level of service (LOS) is a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.

Six LOS are defined for each type of facility that has analysis procedures available. Letters designate each level, from A to F, with LOS A representing the best operating conditions and LOS F the worst. Each level of service represents a range of operating conditions and the driver's perception of those conditions.

Level-of-Service definitions

The following definitions generally define the various levels of service for arterials.

Level of service A represents primarily free-flow operations at average travel speeds, usually about 90 percent of the free-flow speed for the arterial classification. Vehicles are seldom impeded in their ability to maneuver in the traffic stream. Delay at signalized intersections is minimal.

Level of service B represents reasonably unimpeded operations at average travel speeds, usually about 70 percent of the free-flow speed for the arterial classification. The ability to maneuver in the traffic stream is only slightly restricted and delays are not bothersome.

Level of service C represents stable operations; however, ability to maneuver and change lanes in midblock locations may be more restricted than in LOS B, and longer queues, adverse signal coordination, or both may contribute to lower average travel speeds of about 50 percent of the average free-flow speed for the arterial classification.

Level of service D borders on a range in which small increases in flow may cause substantial increases in approach delay and hence decreases in arterial speed. LOS D may be due to adverse signal progression, inappropriate signal timing, high volumes, or some combination of these. Average travel speeds are about 40 percent of free-flow speed.

Level of service E is characterized by significant delays and average travel speeds of one-third the free-flow speed or less. Such operations are caused by some combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.

Level of service F characterizes arterial flow at extremely low speeds, from less than one-third to one-quarter of the free-flow speed. Intersection congestion is likely at critical signalized locations, with long delays and extensive queuing.

These definitions are general and conceptual in nature, and they apply primarily to uninterrupted flow. Levels of service for interrupted flow facilities vary widely in terms of both the user's perception of service quality and the operational variables used to describe them.

For each type of facility, levels of service are defined based on one or more operational parameters that best describe operating quality for the subject facility type. While the concept of level of service attempts to address a wide range of operating conditions, limitations on data collection and availability make it impractical to treat the full range of operational parameters for every type of facility. The parameters selected to define levels of service for each facility type are called "measures of effectiveness" or "MOE's", and represent available measures that best describe the quality of operation on the subject facility type.

Each level of service represents a range of conditions, as defined by a range in the parameters given. Thus, a level of service is not a discrete condition, but rather a range of conditions for which boundaries are established.

The following tables describe levels of service for signalized and unsignalized intersections. Level of service for signalized intersections is defined in terms of average control delay. Delay is a measure of driver discomfort, frustration, fuel consumption and lost travel time, as well as time from movements at slower speeds and stops on intersection approaches as vehicles move up in queue position or slow down upstream of an intersection. Level of service for unsignalized intersections is determined by the computed or measured control delay and is determined for each minor movement.

Signalized Intersections - Level of Service

<u>Level of Service</u>	<u>Control Delay per Vehicle (sec)</u>
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

Unsignalized Intersections - Level of Service

<u>Level of Service</u>	<u>Average Total Delay per Vehicle (sec)</u>
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

As described in the 2000 Highway Capacity Manual, level of service breakpoints for all-way stop controlled (AWSC) intersections are somewhat different than the criteria used for signalized intersections. The primary reason for this difference is that drivers expect different levels of performance from distinct kinds of transportation facilities. The expectation is that a signalized intersection is designed to carry higher traffic volumes than an AWSC intersection. Thus a higher level of control delay is acceptable at a signalized intersection for the same level of service.

AWSC Intersections - Level of Service

<u>Level of Service</u>	<u>Average Total Delay per Vehicle (sec)</u>
A	≤ 10
B	> 10 and ≤ 15
C	> 15 and ≤ 25
D	> 25 and ≤ 35
E	> 35 and ≤ 50
F	> 50

Detailed Average Rate Trip Calculations
For 108 Dwelling Units of Apartments(220) - [R]

Project: Pacific Ridge Apartments
Phase:

Open Date:
Analysis Date:

Description:

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	6.65	3.07	1.00	718
7-9 AM Peak Hour Enter	0.10	0.00	1.00	11
7-9 AM Peak Hour Exit	0.41	0.00	1.00	44
7-9 AM Peak Hour Total	0.51	0.73	1.00	55
4-6 PM Peak Hour Enter	0.40	0.00	1.00	43
4-6 PM Peak Hour Exit	0.22	0.00	1.00	24
4-6 PM Peak Hour Total	0.62	0.82	1.00	67
AM Pk Hr, Generator, Enter	0.16	0.00	1.00	17
AM Pk Hr, Generator, Exit	0.39	0.00	1.00	42
AM Pk Hr, Generator, Total	0.55	0.76	1.00	59
PM Pk Hr, Generator, Enter	0.41	0.00	1.00	44
PM Pk Hr, Generator, Exit	0.26	0.00	1.00	28
PM Pk Hr, Generator, Total	0.67	0.85	1.00	72
Saturday 2-Way Volume	6.39	2.99	1.00	690
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.52	0.74	1.00	56
Sunday 2-Way Volume	5.86	2.73	1.00	633
Sunday Peak Hour Enter	0.00	0.00	1.00	0
Sunday Peak Hour Exit	0.00	0.00	1.00	0
Sunday Peak Hour Total	0.51	0.75	1.00	55

Note: A zero indicates no data available.

Source: Institute of Transportation Engineers
Trip Generation Manual, 9th Edition, 2012

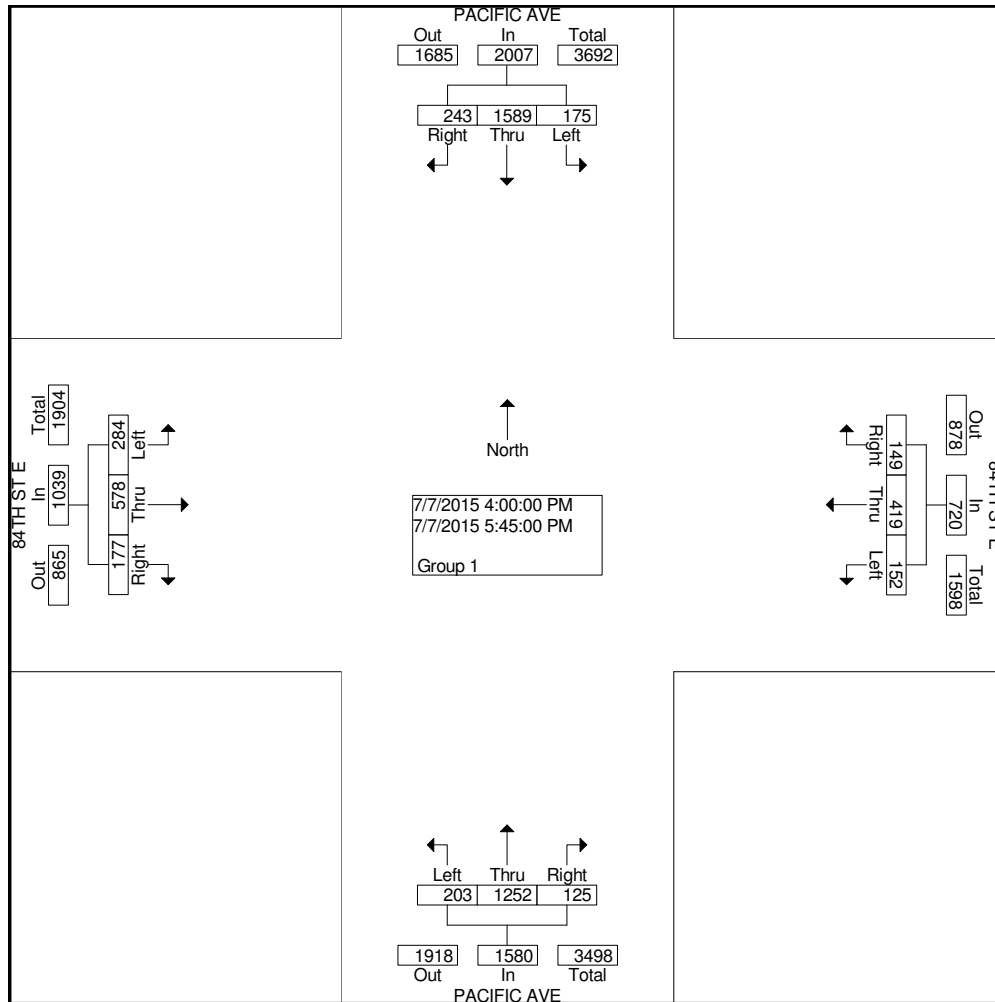
TRIP GENERATION 2013, TRAFFICWARE, LLC

Heath & Associates, Inc.
 2214 Tacoma Road
 Puyallup, WA 98371

File Name : 3643a
 Site Code : 00003643
 Start Date : 7/7/2015
 Page No : 1

Groups Printed- Group 1

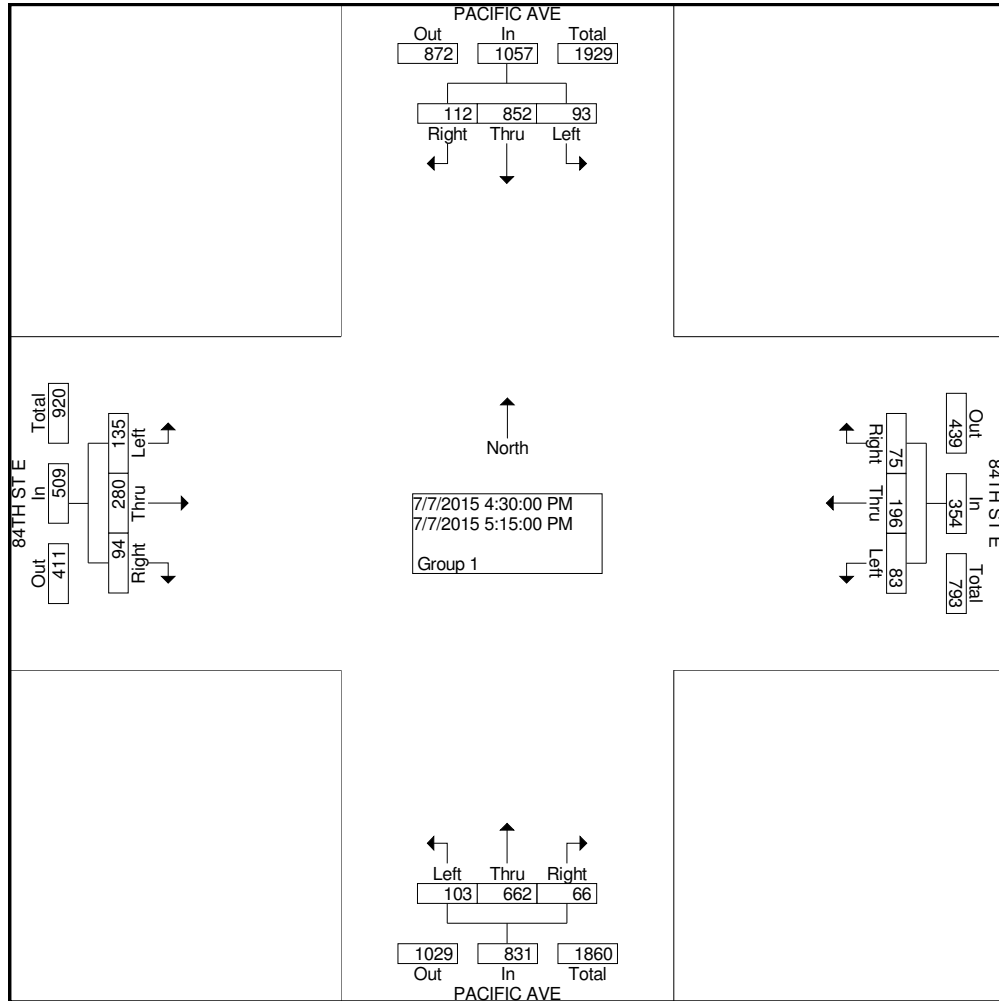
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	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
04:00 PM	29	166	27	22	64	17	13	158	18	24	82	38	658
04:15 PM	39	189	15	12	54	20	12	134	33	15	68	32	623
04:30 PM	21	196	17	22	50	21	19	162	32	23	58	41	662
04:45 PM	28	196	22	17	58	18	11	171	24	28	75	28	676
Total	117	747	81	73	226	76	55	625	107	90	283	139	2619
05:00 PM	26	249	23	18	41	17	19	195	21	21	71	35	736
05:15 PM	37	211	31	18	47	27	17	134	26	22	76	31	677
05:30 PM	34	191	20	22	44	13	11	139	21	20	80	38	633
05:45 PM	29	191	20	18	61	19	23	159	28	24	68	41	681
Total	126	842	94	76	193	76	70	627	96	87	295	145	2727
Grand Total	243	1589	175	149	419	152	125	1252	203	177	578	284	5346
Apprch %	12.1	79.2	8.7	20.7	58.2	21.1	7.9	79.2	12.8	17.0	55.6	27.3	
Total %	4.5	29.7	3.3	2.8	7.8	2.8	2.3	23.4	3.8	3.3	10.8	5.3	



Heath & Associates, Inc.
 2214 Tacoma Road
 Puyallup, WA 98371

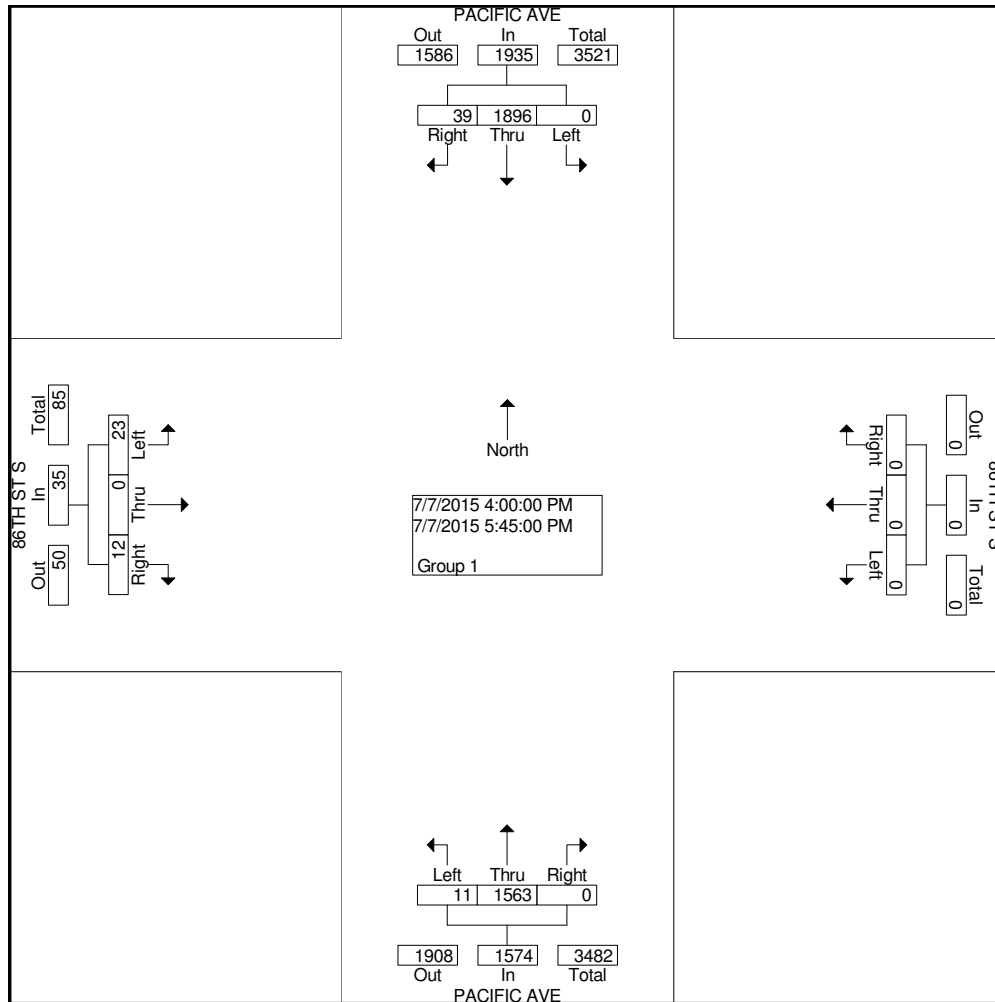
File Name : 3643a
 Site Code : 00003643
 Start Date : 7/7/2015
 Page No : 2

Start Time	PACIFIC AVE Southbound				84TH ST E Westbound				PACIFIC AVE Northbound				84TH ST E Eastbound				Int. Total			
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total				
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																				
Intersection	04:30 PM																			
Volume	112	852	93	1057	75	196	83	354	66	662	103	831	94	280	135	509	2751			
Percent	10.6	80.6	8.8		21.2	55.4	23.4		7.9	79.7	12.4		18.5	55.0	26.5					
05:00																				
Volume	26	249	23	298	18	41	17	76	19	195	21	235	21	71	35	127	736			
Peak Factor	0.934																			
High Int.	05:00 PM																			
Volume	26	249	23	298	04:30 PM				05:00 PM				04:45 PM							
Peak Factor	0.887								0.952				0.884				0.971			



Groups Printed- Group 1

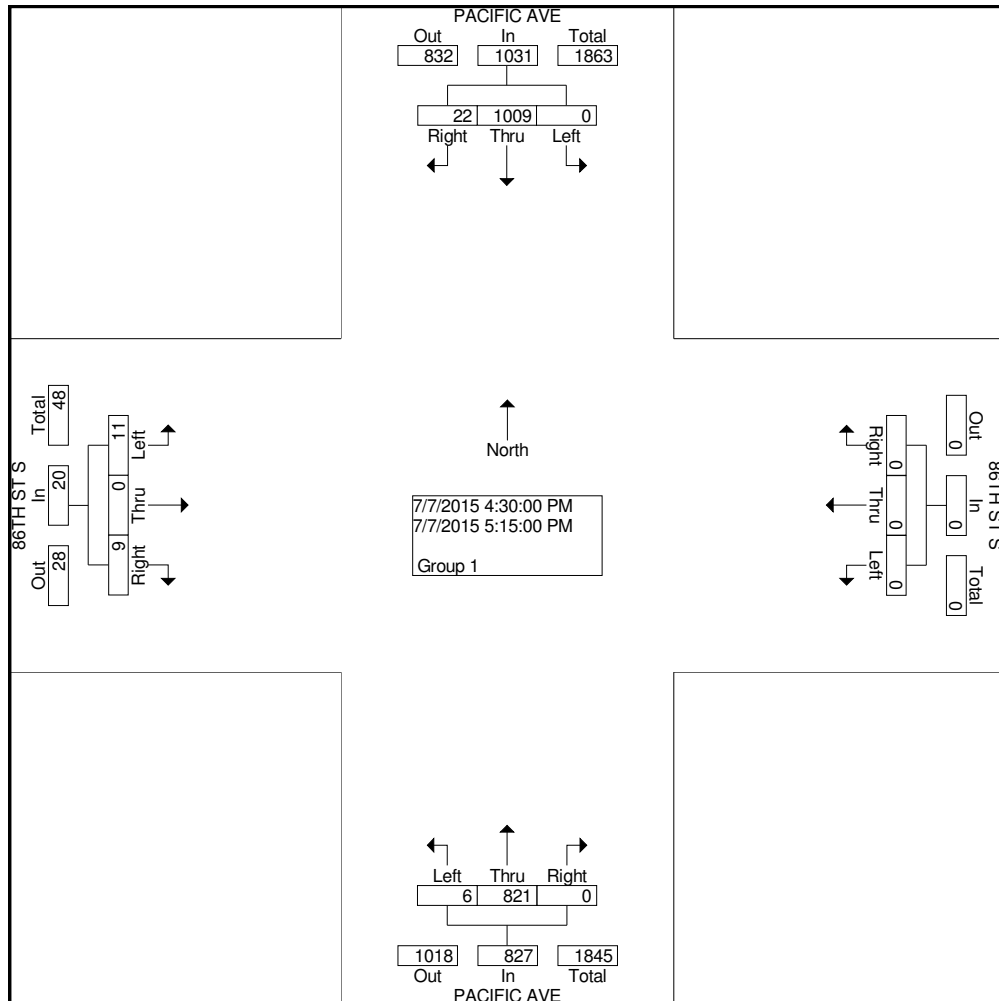
Start Time	PACIFIC AVE Southbound			86TH ST S Westbound			PACIFIC AVE Northbound			86TH ST S Eastbound			Int. Total
	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	
Factor	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	
04:00 PM	4	205	0	0	0	0	0	173	1	1	0	4	388
04:15 PM	1	216	0	0	0	0	0	200	3	1	0	2	423
04:30 PM	6	244	0	0	0	0	0	214	1	3	0	2	470
04:45 PM	5	241	0	0	0	0	0	202	3	3	0	2	456
Total	16	906	0	0	0	0	0	789	8	8	0	10	1737
05:00 PM	5	255	0	0	0	0	0	223	1	2	0	4	490
05:15 PM	6	269	0	0	0	0	0	182	1	1	0	3	462
05:30 PM	6	229	0	0	0	0	0	175	1	0	0	4	415
05:45 PM	6	237	0	0	0	0	0	194	0	1	0	2	440
Total	23	990	0	0	0	0	0	774	3	4	0	13	1807
Grand Total	39	1896	0	0	0	0	0	1563	11	12	0	23	3544
Apprch %	2.0	98.0	0.0	0.0	0.0	0.0	0.0	99.3	0.7	34.3	0.0	65.7	
Total %	1.1	53.5	0.0	0.0	0.0	0.0	0.0	44.1	0.3	0.3	0.0	0.6	



Heath & Associates, Inc.
 2214 Tacoma Road
 Puyallup, WA 98371

File Name : 3643b
 Site Code : 00003643
 Start Date : 7/7/2015
 Page No : 2

Start Time	PACIFIC AVE Southbound				86TH ST S Westbound				PACIFIC AVE Northbound				86TH ST S Eastbound				Int. Total
	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Intersection	04:30 PM																
Volume	22	1009	0	1031	0	0	0	0	0	821	6	827	9	0	11	20	1878
Percent	2.1	97.9	0.0		0.0	0.0	0.0		0.0	99.3	0.7		45.0	0.0	55.0		
05:00 Volume	5	255	0	260	0	0	0	0	0	223	1	224	2	0	4	6	490
Peak Factor	0.958																
High Int.	05:15 PM																
Volume	6	269	0	275	0	0	0	0	0	223	1	224	2	0	4	6	
Peak Factor	0.937												0.833				



Intersection

Int Delay, s/veh 0.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Traffic Vol, veh/h	11	9	6	821	1009	23
Future Vol, veh/h	11	9	6	821	1009	23
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	150	-	-	-
Veh in Median Storage, #	1	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	83	83	92	92	94	94
Heavy Vehicles, %	0	0	0	1	1	0
Mvmt Flow	13	11	7	892	1073	24

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	1545	549	1098 0
Stage 1	1086	-	- -
Stage 2	459	-	- -
Critical Hdwy	6.8	6.9	4.1 -
Critical Hdwy Stg 1	5.8	-	- -
Critical Hdwy Stg 2	5.8	-	- -
Follow-up Hdwy	3.5	3.3	2.2 -
Pot Cap-1 Maneuver	107	485	643 -
Stage 1	289	-	- -
Stage 2	609	-	- -
Platoon blocked, %			- -
Mov Cap-1 Maneuver	106	485	643 -
Mov Cap-2 Maneuver	219	-	- -
Stage 1	289	-	- -
Stage 2	602	-	- -

Approach	EB	NB	SB
HCM Control Delay, s	18.5	0.1	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	643	-	291	-	-
HCM Lane V/C Ratio	0.01	-	0.083	-	-
HCM Control Delay (s)	10.7	-	18.5	-	-
HCM Lane LOS	B	-	C	-	-
HCM 95th %tile Q(veh)	0	-	0.3	-	-

Lanes, Volumes, Timings
6: PACIFIC AVENUE & 84TH STREET S

EXISTING PM PEAK
7/13/2015



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	135	280	94	83	196	75	103	662	66	93	852	112
Future Volume (vph)	135	280	94	83	196	75	103	662	66	93	852	112
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	75		0	150		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.962			0.958			0.986			0.983	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1805	1828	0	1805	3458	0	1805	3527	0	1805	3518	0
Flt Permitted	0.449			0.194			0.950			0.950		
Satd. Flow (perm)	853	1828	0	369	3458	0	1805	3527	0	1805	3518	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		16			52			10			14	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		1432			1364			638			1095	
Travel Time (s)		32.5			31.0			14.5			24.9	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%	1%	0%
Adj. Flow (vph)	145	301	101	89	211	81	111	712	71	100	916	120
Shared Lane Traffic (%)												
Lane Group Flow (vph)	145	402	0	89	292	0	111	783	0	100	1036	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		12			12			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA		pm+pt	NA		Split	NA		Split	NA	
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases	4			8								
Detector Phase	7	4		3	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Minimum Split (s)	9.5	22.5		9.5	22.5		22.5	22.5		22.5	22.5	
Total Split (s)	10.9	28.4		9.8	27.3		28.4	28.4		33.4	33.4	
Total Split (%)	10.9%	28.4%		9.8%	27.3%		28.4%	28.4%		33.4%	33.4%	
Maximum Green (s)	6.4	23.9		5.3	22.8		23.9	23.9		28.9	28.9	
Yellow Time (s)	3.5	3.5		3.5	3.5		3.5	3.5		3.5	3.5	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	4.5	4.5		4.5	4.5		4.5	4.5		4.5	4.5	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	

Lanes, Volumes, Timings
6: PACIFIC AVENUE & 84TH STREET S

EXISTING PM PEAK
7/13/2015

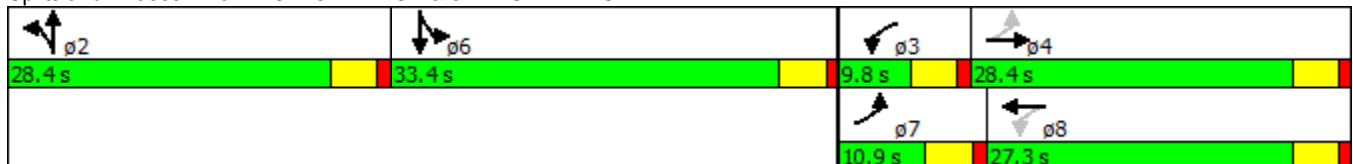


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	27.8	22.9		24.8	19.5		23.3	23.3		29.1	29.1	
Actuated g/C Ratio	0.29	0.24		0.26	0.20		0.24	0.24		0.30	0.30	
v/c Ratio	0.47	0.90		0.51	0.39		0.26	0.91		0.18	0.97	
Control Delay	30.3	59.8		34.8	28.4		32.6	52.1		27.7	55.3	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	30.3	59.8		34.8	28.4		32.6	52.1		27.7	55.3	
LOS	C	E		C	C		C	D		C	E	
Approach Delay		52.0			29.9			49.7			52.9	
Approach LOS		D			C			D			D	
Queue Length 50th (ft)	66	240		39	67		58	254		48	~349	
Queue Length 95th (ft)	115	#415		76	106		106	#369		90	#494	
Internal Link Dist (ft)		1352			1284			558			1015	
Turn Bay Length (ft)	150			150			75			150		
Base Capacity (vph)	310	468		174	862		450	887		544	1071	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.47	0.86		0.51	0.34		0.25	0.88		0.18	0.97	

Intersection Summary

Area Type: Other
 Cycle Length: 100
 Actuated Cycle Length: 96.4
 Natural Cycle: 90
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 0.97
 Intersection Signal Delay: 48.8
 Intersection LOS: D
 Intersection Capacity Utilization 72.9%
 ICU Level of Service C
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 6: PACIFIC AVENUE & 84TH STREET S



Intersection

Int Delay, s/veh 0.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Traffic Vol, veh/h	11	9	6	854	1050	23
Future Vol, veh/h	11	9	6	854	1050	23
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	150	-	-	-
Veh in Median Storage, #	1	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	83	83	92	92	94	94
Heavy Vehicles, %	0	0	0	1	1	0
Mvmt Flow	13	11	7	928	1117	24

Major/Minor	Minor2	Major1	Major2
Conflicting Flow All	1606	571	1141 0
Stage 1	1129	-	- -
Stage 2	477	-	- -
Critical Hdwy	6.8	6.9	4.1 -
Critical Hdwy Stg 1	5.8	-	- -
Critical Hdwy Stg 2	5.8	-	- -
Follow-up Hdwy	3.5	3.3	2.2 -
Pot Cap-1 Maneuver	98	469	620 -
Stage 1	275	-	- -
Stage 2	596	-	- -
Platoon blocked, %			- -
Mov Cap-1 Maneuver	97	469	620 -
Mov Cap-2 Maneuver	208	-	- -
Stage 1	275	-	- -
Stage 2	589	-	- -

Approach	EB	NB	SB
HCM Control Delay, s	19.2	0.1	0
HCM LOS	C		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	620	-	277	-	-
HCM Lane V/C Ratio	0.011	-	0.087	-	-
HCM Control Delay (s)	10.9	-	19.2	-	-
HCM Lane LOS	B	-	C	-	-
HCM 95th %tile Q(veh)	0	-	0.3	-	-

Lanes, Volumes, Timings
6: PACIFIC AVENUE & 84TH STREET S

2017 PM PEAK WITHOUT PROJECT

7/13/2015



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	140	291	98	86	204	78	107	689	69	97	886	117
Future Volume (vph)	140	291	98	86	204	78	107	689	69	97	886	117
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	75		0	150		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.962			0.958			0.986			0.982	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1805	1828	0	1805	3458	0	1805	3527	0	1805	3514	0
Flt Permitted	0.437			0.191			0.950			0.950		
Satd. Flow (perm)	830	1828	0	363	3458	0	1805	3527	0	1805	3514	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		16			52			10			14	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		1432			1364			638			1095	
Travel Time (s)		32.5			31.0			14.5			24.9	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%	1%	0%
Adj. Flow (vph)	151	313	105	92	219	84	115	741	74	104	953	126
Shared Lane Traffic (%)												
Lane Group Flow (vph)	151	418	0	92	303	0	115	815	0	104	1079	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		12			12			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA		pm+pt	NA		Split	NA		Split	NA	
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases	4			8								
Detector Phase	7	4		3	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Minimum Split (s)	9.5	22.5		9.5	22.5		22.5	22.5		22.5	22.5	
Total Split (s)	10.9	28.4		9.8	27.3		28.4	28.4		33.4	33.4	
Total Split (%)	10.9%	28.4%		9.8%	27.3%		28.4%	28.4%		33.4%	33.4%	
Maximum Green (s)	6.4	23.9		5.3	22.8		23.9	23.9		28.9	28.9	
Yellow Time (s)	3.5	3.5		3.5	3.5		3.5	3.5		3.5	3.5	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	4.5	4.5		4.5	4.5		4.5	4.5		4.5	4.5	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	

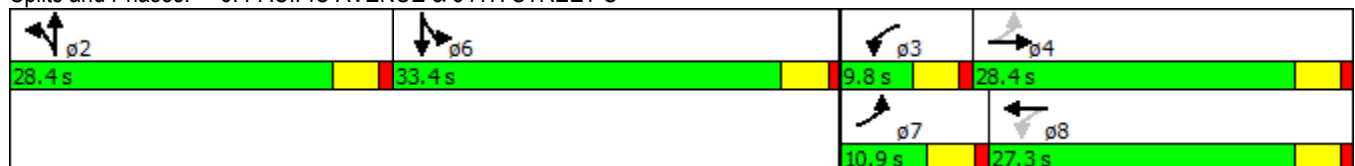


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	28.2	23.2		25.2	19.9		23.9	23.9		29.0	29.0	
Actuated g/C Ratio	0.29	0.24		0.26	0.20		0.25	0.25		0.30	0.30	
v/c Ratio	0.50	0.93		0.53	0.41		0.26	0.93		0.19	1.02	
Control Delay	31.3	65.4		36.0	28.9		32.6	55.1		27.8	67.7	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	31.3	65.4		36.0	28.9		32.6	55.1		27.8	67.7	
LOS	C	E		D	C		C	E		C	E	
Approach Delay		56.3			30.5			52.3			64.2	
Approach LOS		E			C			D			E	
Queue Length 50th (ft)	69	253		41	70		60	267		50	~394	
Queue Length 95th (ft)	119	#439		78	110		109	#393		93	#526	
Internal Link Dist (ft)		1352			1284			558			1015	
Turn Bay Length (ft)	150			150			75			150		
Base Capacity (vph)	304	463		172	853		445	877		538	1058	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.50	0.90		0.53	0.36		0.26	0.93		0.19	1.02	

Intersection Summary

Area Type: Other
 Cycle Length: 100
 Actuated Cycle Length: 97.2
 Natural Cycle: 100
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 1.02
 Intersection Signal Delay: 54.8
 Intersection LOS: D
 Intersection Capacity Utilization 75.2%
 ICU Level of Service D
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 6: PACIFIC AVENUE & 84TH STREET S



Lanes, Volumes, Timings
6: PACIFIC AVENUE & 84TH STREET S

PM PEAK WITH PROJECT
7/13/2015



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	140	291	109	90	204	78	113	696	72	97	899	117
Future Volume (vph)	140	291	109	90	204	78	113	696	72	97	899	117
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)	150		0	150		0	75		0	150		0
Storage Lanes	1		0	1		0	1		0	1		0
Taper Length (ft)	25			25			25			25		
Lane Util. Factor	1.00	1.00	1.00	1.00	0.95	0.95	1.00	0.95	0.95	1.00	0.95	0.95
Frt		0.959			0.958			0.986			0.983	
Flt Protected	0.950			0.950			0.950			0.950		
Satd. Flow (prot)	1805	1822	0	1805	3458	0	1805	3527	0	1805	3518	0
Flt Permitted	0.439			0.189			0.950			0.950		
Satd. Flow (perm)	834	1822	0	359	3458	0	1805	3527	0	1805	3518	0
Right Turn on Red			Yes			Yes			Yes			Yes
Satd. Flow (RTOR)		18			52			10			14	
Link Speed (mph)		30			30			30			30	
Link Distance (ft)		1432			1364			638			1095	
Travel Time (s)		32.5			31.0			14.5			24.9	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Heavy Vehicles (%)	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%	1%	0%
Adj. Flow (vph)	151	313	117	97	219	84	122	748	77	104	967	126
Shared Lane Traffic (%)												
Lane Group Flow (vph)	151	430	0	97	303	0	122	825	0	104	1093	0
Enter Blocked Intersection	No	No	No	No	No	No	No	No	No	No	No	No
Lane Alignment	Left	Left	Right	Left	Left	Right	Left	Left	Right	Left	Left	Right
Median Width(ft)		12			12			12			12	
Link Offset(ft)		0			0			0			0	
Crosswalk Width(ft)		16			16			16			16	
Two way Left Turn Lane								Yes				
Headway Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Turning Speed (mph)	15		9	15		9	15		9	15		9
Turn Type	pm+pt	NA		pm+pt	NA		Split	NA		Split	NA	
Protected Phases	7	4		3	8		2	2		6	6	
Permitted Phases	4			8								
Detector Phase	7	4		3	8		2	2		6	6	
Switch Phase												
Minimum Initial (s)	5.0	5.0		5.0	5.0		5.0	5.0		5.0	5.0	
Minimum Split (s)	9.5	22.5		9.5	22.5		22.5	22.5		22.5	22.5	
Total Split (s)	10.9	28.4		9.8	27.3		28.4	28.4		33.4	33.4	
Total Split (%)	10.9%	28.4%		9.8%	27.3%		28.4%	28.4%		33.4%	33.4%	
Maximum Green (s)	6.4	23.9		5.3	22.8		23.9	23.9		28.9	28.9	
Yellow Time (s)	3.5	3.5		3.5	3.5		3.5	3.5		3.5	3.5	
All-Red Time (s)	1.0	1.0		1.0	1.0		1.0	1.0		1.0	1.0	
Lost Time Adjust (s)	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Lost Time (s)	4.5	4.5		4.5	4.5		4.5	4.5		4.5	4.5	
Lead/Lag	Lead	Lag		Lead	Lag							
Lead-Lag Optimize?	Yes	Yes		Yes	Yes							
Vehicle Extension (s)	3.0	3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Recall Mode	None	None		None	None		Min	Min		Min	Min	

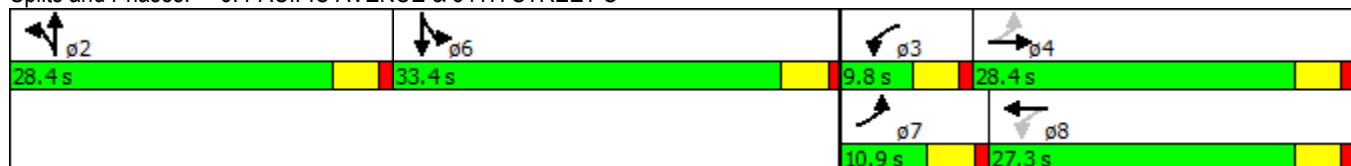


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Walk Time (s)		7.0			7.0		7.0	7.0		7.0	7.0	
Flash Dont Walk (s)		11.0			11.0		11.0	11.0		11.0	11.0	
Pedestrian Calls (#/hr)		0			0		0	0		0	0	
Act Effct Green (s)	28.6	23.5		25.6	20.3		24.0	24.0		29.0	29.0	
Actuated g/C Ratio	0.29	0.24		0.26	0.21		0.25	0.25		0.30	0.30	
v/c Ratio	0.49	0.95		0.56	0.40		0.28	0.95		0.19	1.04	
Control Delay	31.1	68.3		37.7	28.8		32.8	57.1		27.9	72.9	
Queue Delay	0.0	0.0		0.0	0.0		0.0	0.0		0.0	0.0	
Total Delay	31.1	68.3		37.7	28.8		32.8	57.1		27.9	72.9	
LOS	C	E		D	C		C	E		C	E	
Approach Delay		58.7			30.9			54.0			69.0	
Approach LOS		E			C			D			E	
Queue Length 50th (ft)	69	262		43	70		64	272		50	~404	
Queue Length 95th (ft)	119	#457		81	110		114	#400		93	#536	
Internal Link Dist (ft)		1352			1284			558			1015	
Turn Bay Length (ft)	150			150			75			150		
Base Capacity (vph)	307	460		172	849		442	872		535	1053	
Starvation Cap Reductn	0	0		0	0		0	0		0	0	
Spillback Cap Reductn	0	0		0	0		0	0		0	0	
Storage Cap Reductn	0	0		0	0		0	0		0	0	
Reduced v/c Ratio	0.49	0.93		0.56	0.36		0.28	0.95		0.19	1.04	

Intersection Summary

Area Type: Other
 Cycle Length: 100
 Actuated Cycle Length: 97.7
 Natural Cycle: 110
 Control Type: Actuated-Uncoordinated
 Maximum v/c Ratio: 1.04
 Intersection Signal Delay: 57.6
 Intersection LOS: E
 Intersection Capacity Utilization 76.8%
 ICU Level of Service D
 Analysis Period (min) 15
 ~ Volume exceeds capacity, queue is theoretically infinite.
 Queue shown is maximum after two cycles.
 # 95th percentile volume exceeds capacity, queue may be longer.
 Queue shown is maximum after two cycles.

Splits and Phases: 6: PACIFIC AVENUE & 84TH STREET S



Intersection												
Int Delay, s/veh	0.7											

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Traffic Vol, veh/h	11	0	9	8	0	16	6	854	15	28	1050	23
Future Vol, veh/h	11	0	9	8	0	16	6	854	15	28	1050	23
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	150	-	-	100	-	-
Veh in Median Storage, #	-	1	-	-	1	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	83	92	83	92	92	92	92	92	92	92	94	94
Heavy Vehicles, %	0	0	0	0	0	0	0	1	0	0	1	0
Mvmt Flow	13	0	11	9	0	17	7	928	16	30	1117	24

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1667	2148	571	1568	2151	472	1141	0	0	945	0	0
Stage 1	1190	1190	-	949	949	-	-	-	-	-	-	-
Stage 2	477	958	-	619	1202	-	-	-	-	-	-	-
Critical Hdwy	7.5	6.5	6.9	7.5	6.5	6.9	4.1	-	-	4.1	-	-
Critical Hdwy Stg 1	6.5	5.5	-	6.5	5.5	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.5	5.5	-	6.5	5.5	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	4	3.3	2.2	-	-	2.2	-	-
Pot Cap-1 Maneuver	64	49	469	76	49	544	620	-	-	734	-	-
Stage 1	202	263	-	284	342	-	-	-	-	-	-	-
Stage 2	543	338	-	448	260	-	-	-	-	-	-	-
Platoon blocked, %												
Mov Cap-1 Maneuver	60	46	469	71	46	544	620	-	-	734	-	-
Mov Cap-2 Maneuver	151	147	-	184	149	-	-	-	-	-	-	-
Stage 1	200	252	-	281	338	-	-	-	-	-	-	-
Stage 2	520	334	-	420	249	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	23.7	16.9	0.1	0.3
HCM LOS	C	C		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1	SBL	SBT	SBR
Capacity (veh/h)	620	-	-	217 329	734	-	-
HCM Lane V/C Ratio	0.011	-	-	0.111 0.079	0.041	-	-
HCM Control Delay (s)	10.9	-	-	23.7 16.9	10.1	-	-
HCM Lane LOS	B	-	-	C C	B	-	-
HCM 95th %tile Q(veh)	0	-	-	0.4 0.3	0.1	-	-



Planning and Development Services Department
PERMIT APPLICATION FOR LAND USE - STAFF FORM

Property Information (All fields marked with * are required for submittal)			
* Site Address:	8445, 8603, 8601 Pacific Ave, Tacoma	Parcel Number:	0320332037, 2012, 2174, 2175
Contact Information			
* Contact Person:	James Kerby	Business Name:	Benjamin Ryan Communities, LLC
* Mailing Address:	10011 Bridgeport Way SW #1E	* City:	Lakewood
		* State:	WA
		* Zip:	98499
* Phone Number:	(253) 486-8622	* Email:	KERBY@BENJAMIN-RYAN.COM
<input checked="" type="checkbox"/> Same as above			
* Property Owner:	BENJAMIN RYAN COMMUNITIES, LLC		
* Mailing Address:	10011 Bridgeport Way SW #1E	* City:	LAKEWOOD
		* State:	WA
		* Zip:	98499
* Phone Number:	(253) 486-8622	Email:	KERBY@BENJAMIN-RYAN.COM
Type of Permit			
<input type="checkbox"/> Accessory Dwelling Unit	<input type="checkbox"/> Plat	<input type="checkbox"/> Short Plat	<input type="checkbox"/> Variance - Height
<input type="checkbox"/> Boundary Line Adjustment	<input checked="" type="checkbox"/> Reclassification	<input type="checkbox"/> Site Approval	<input type="checkbox"/> Zoning Verification
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Shoreline	<input type="checkbox"/> Variance	<input type="checkbox"/> Other: _____
* Pre-Application Number: _____			
Note: Some Land Use permits require a pre-application meeting with City staff prior to submitting the application. If you have not had a pre-application meeting with staff, you can request one online or by phone. After your meeting, you will be given a pre-application number to use with this application form.			
Current Use of Property			
Please describe how the property is currently being used and what structures exist			
THE SUBJECT PROPERTY IS CURRENTLY MOSTLY VACANT LAND WITH A SMALL PARKING LOT AND BILLBOARD SIGNS.			



Planning and Development Services Department
PERMIT APPLICATION FOR LAND USE - STAFF FORM

Proposal				
Please describe your proposal. To help you write your description, review the requirements and criteria for the permit for which you are applying. Please address the permit requirements and criteria in your description below, or if more appropriate, in the maps and attachments you provide.				
THE PROPERTY HAS BEEN THE SUBJECT OF A FEW DEVELOPMENT PROPOSALS IN THE PAST 2 DECADES. NO DEVELOPMENT HAS EVER BEEN CONSTRUCTED. CURRENTLY THE PROJECT WAS REZONED IN 2009 TO A MIX OF C2 ZONING AND T ZONING. OUR PROPOSAL IS THE ZONE ENTIRE SITE C2 ZONING, AND PUT MULTIFAMILY ON THE SITE. ROUGHLY 6 BUILDINGS, 4 FLOORS OF RESIDENTIAL LIVING PER BUILDING FOR A TOTAL OF 100 - 120 UNITS. THESE UNITS WOULD BE SERVED BY EXISTING INFRASTRUCTURE AND AMMENITIES IN THE AREA.				
Attachments				
Please review the instruction sheet to determine what attachments* must be submitted with your application. Types of attachments that may be required are:				
<table border="0"> <tr> <td>Site plans, floor plans and building elevations</td> <td>Building or site sections</td> </tr> <tr> <td>Landscape plans</td> <td>Question sheets or studies</td> </tr> </table>	Site plans, floor plans and building elevations	Building or site sections	Landscape plans	Question sheets or studies
Site plans, floor plans and building elevations	Building or site sections			
Landscape plans	Question sheets or studies			
* All application materials must be provided electronically in PDF format. Attach files below.				

Please ensure this application is as complete as possible before submitting to avoid unnecessary delays.

How will payment be made: Mail in Check Walk-in Payment Credit Card

I certify that the information contained herein is complete and accurate to the best of my knowledge.

Applicant's Signature: _____ Date: 5/28/2015



Planning and Development Services Department
PERMIT APPLICATION FOR LAND USE - STAFF FORM

For Office Use Only					
Project Name: _____					
Project Description: _____					
Permit Type	Fee	Permit #	Permit Type	Fee	Permit #
418 SHR Exemption			435 PLT Final Plat		
420 SHR Develop/CUP			436 CUP Conditional Use		
421 SHR Variance			438 MLU Variance		
423 SHR Revision			440 BLA Boundary Line Adj		
431 REZ Rezone			441 MPD Binding Site Plan		
432 SIT Site Approval			442 INT Info Item/ADU		
433 PLT Preliminary Plat			443 SEP Environmental		
434 MPD Short Plat			Other		
NO FEE					
Route to: _____					
Permit Number(s): _____					

Submit



May 28, 2015

Shirley Schultz

City of Tacoma

Development Services

RE: Application for Rezone of 8445 Pacific Ave (4 parcels)

We are applying for the rezone of property at 8445 Pacific Ave (4 Parcels) from C2 and T zoning.... To the entire cite being zoned C2. This rezone further clarifies the zoning for the parcel and clearly defines the project. This zoning is Medium Intensity Concentrations as defined by City of Tacoma Comprehensive Plan, "Growth Strategy and Development Concept Element". Section IV defines "Medium Intensity Development" as developments generating moderate activity patterns and traffic generation. The site is currently designated mostly C2 and is currently Medium intensity. Our proposal is a multifamily project, consisting of 6 buildings of roughly 100 – 120 units total. The proposed use as Apartments would meet the criteria of middle density apartments located in concentrated centers along transportation corridors. The property is strongly linked by major transportation and transit routes to community services via Pacific Avenue and is close to major highways (I-5). C2 zoning is intended to allow for a broad range of medium to high intensity uses of larger scale commercial and residential. This proposal meets the intent of the comprehensive plan and the area zoning designations.

The rezone would not result in any substantial change to an area-wide rezone.

This project is being located in an area that is in need of new development and could motivate other property owners to do the same. The need for housing located in areas with close transportation and amenities is needed. This is a benefit to the cities goals and long range planning.

Thank you

John Bays

Director of Operations

BENJAMIN RYAN COMMUNITIES, LLC

**REZ2015-40000247673
EXHIBIT 11**

**Comprehensive Plan
Growth Strategy and Development Concept Element Excerpts**

Residential Development

The single-family detached house will continue to be the preferred type of housing structure. Nevertheless, the demand for multifamily residential development, including duplexes and triplexes, townhouses, condominiums and apartments, will increase due to the projected growth in population, increased housing costs, and the need for other housing options for some segments of the population.

Housing will continue to be developed in the urban growth area outside the city's boundaries where adequate facilities and services are available. Residential density is likely to increase in mixed-use centers, along some major transportation routes, near transit centers, and within or near employment and shopping centers. Preservation of existing housing stock will be emphasized. Accommodating the projected population growth will be achieved through a variety of strategies including infill housing, multifamily housing development and innovative techniques such as clustering and adding second units to existing homes.

Environment

Air, noise and water pollution will continue to be of special concern to the region. Maintaining the quality of the air we breathe, the quiet of our residential neighborhoods, and the quality of the water we drink, live around and use for recreation is essential for assuring the health and welfare of the region. The region's economic development is dependent upon water-related commerce and trade. Maintaining pollution-free waters is vital to present and future economic interests. Ensuring that the region's water resources remain relatively pollution free is paramount to its survival and continual growth and development.

Measures to control suspended particulates (dust, smoke, fumes and other liquid or solid matter) will continue to be needed to maintain air quality in the region. Reduction of the level of transportation related emissions will continue to be important in addressing air pollution problems. Transportation plans and policies concerned with traffic congestion and related air and noise pollution will focus on a multi-modal transportation system and the curtailment of single-occupancy vehicle use.

Urban Design

Design will influence the degree to which development is attractive and appealing, comfortable and safe, whether it is compact, efficient, and encourages natural and social interaction, discourages environmentally disruptive influences, and is well connected to other areas. Greater awareness and appreciation of the value of design will continue and the demand for development that demonstrates design excellence will increase. Public participation and interest in design will continue to increase with greater emphasis on design in city projects. With increasing density in some areas, particularly within mixed-use centers, design will become an important factor in providing stylistic compatibility and privacy.

Capital Facilities

Increased growth makes heavy demands on all forms of capital facilities and infrastructure. As growth continues, the demand for developing new facilities and maintaining and improving existing facilities will increase. Private investment will be necessary to continue to provide adequate services to growing urban areas. Growth is dependent on the provision of necessary services and facilities. Services and facilities in urban areas will need to be provided at a consistent level of service and new growth will occur only with the provision of adequate facilities and services. Tacoma must plan closely with other providers of capital facilities to coordinate the provision of services.

Utilities

The city, for the most part, is adequately served by all utilities. As growth and development occurs, the expansion or upgrading of existing facilities may be necessary. The expansion or upgrading of utilities and services will be accomplished concurrently with new development. Extension of service areas will occur consistent with growth management goals for phasing of urban development. Many utilities have system reliability and conservation programs to efficiently use existing resources and reduce the need for new facilities that will be more aggressively pursued through governmental regulations and programs.

Joint City/County Planning

Joint planning will be important to successfully guide orderly and timely growth within urban growth areas. Prior to any annexation, areas within the city's urban growth area will be planned jointly by the City, other jurisdictions and Pierce County to discourage sprawl, inappropriate development and to ensure the adequacy and concurrent development of public facilities and services.

Section III – Growth Strategy and Development Concept

Tacoma's growth and development concept is derived from consideration of state goals, regional policies, factors affecting land use, the assumptions about future trends, and public opinion. The concept is entitled *Concentrations and Corridors - Designated Centers* and is shown in Maps and Figures.

The *Concentrations and Corridors - Designated Centers* concept directs future development to specified areas of the city. The concept directs new development to occur in three types of areas: mixed-use and manufacturing/industrial centers, in concentrations of similar uses, or in concentrated nodes along major transportation corridors. These elements are defined as:

Corridors

Corridors are major transportation routes consisting of freeways, highways, principal arterial streets and transit routes that provide access into and out of the city, act as travel ways between designated centers and concentrations and/or support high levels of transit service.

Increased growth and development in the metropolitan area has made the daily movement of people and goods a complex problem, requiring a sophisticated system of multimodal transportation facilities and services. The predominant characteristics of this system are the major transportation routes, primarily the interstate freeways and higher traffic volume arterials and the regional transit system including local feeder service. This system provides for the movement of people and goods via rail, bus, automobile, ferry, bicycle, walking and other modes at the neighborhood, community, regional and interstate levels. Major arterial streets link residential neighborhoods to the regional system and to other neighborhoods, as well as expediting movement between centers.

Transportation corridors can act as boundaries, providing a physical separation between different types of land use and as corridors for joint use activities such as public utility lines and communication networks. Compatible land use development along major corridors is important. Higher intensity development is appropriate to take advantage of access and visibility.

In addition to directing where and how growth should occur, the concept is intended to guide when growth should occur. It is intended that growth occur only when adequate needed public facilities and services are in place at the time of development. The timing of growth and development will be consistent with growth tiers that delineate areas in the city and within its urban growth area based on the availability and adequacy of facilities and services.

Section IV – Development Intensities

The amount and type of development allowed in an area is determined by designating development intensities on the Generalized Land Use Plan Map. Development intensities are an indication of how much influence a development has over the surrounding area. Conventional land use plans separate developments according to categories of uses such as residential, commercial and industrial. The development intensities approach in the comprehensive plan recognizes that different types of land use may be located in the same area as long as the character of the area remains consistent. This approach permits greater flexibility in land use arrangements and encourages innovative techniques of land development.

Factors that determine the intensity level of a development include size, scale, bulk, nuisance level, amount of open space and traffic generation. For example, a ten-story apartment complex and high traffic generation would be viewed as a high intensity use while a typical, single-family detached home is regarded as a low intensity development.

Although land use intensity and density are somewhat related, they are not the same concept. Density is the number of people or housing units per unit of land. The type and size of housing units and the number of occupants in these units can widely vary; therefore, density does not accurately indicate the degree of impact a given development asserts over surrounding land uses. The concept of density is further limited in that it only applies to residential development and cannot be used to assess the impacts of commercial or industrial development. Development intensities, on the other hand, apply to all land uses and provide a more accurate account of the character and nature of a given development.

Development intensities are classified as high intensity, medium intensity and low intensity.

High Intensity Development

High intensity development generates high activity patterns and high traffic generation. High-density residential development, major employment centers and commercial and industrial developments of regional significance are all examples of high intensity development.

Medium Intensity Development

Medium intensity development generates moderate activity patterns and traffic generation. Commercial or industrial activity of community-wide significance and medium density residential development are examples of medium intensity development.

Low Intensity Development

Low activity patterns and traffic generation characterize low intensity development. Low intensity development is predominantly single-family residential development, but can include duplexes, triplexes, and small-scale multifamily development. Supportive neighborhood convenience commercial establishments and community facilities such as churches, schools, libraries and fire stations also are considered low intensity uses. Open space areas may also be considered a low intensity use and can include recreational areas and parks. To better differentiate the range of uses within low intensity areas, single-family detached housing areas are delineated separately.

The relationship of intensity and density is shown below.

Intensity Designation	Allowable Density (min – max) (dwelling units/net acre)
Single-family Detached Housing Areas	0 – 8
Low Intensity	0 – 15
Medium Intensity	0 – 45
High Intensity	0 – unlimited
Mixed-Use Centers	25- unlimited

Section IX – Generalized Land Use Plan Map

The *Generalized Land Use Plan Map* applies the *Concentrations and Corridors – Designated Centers* concept and its components. The land use intensity and centers configuration shown would allow for a population of about 300,000 to 350,000, if fully developed. This estimate is based on past trends, future projections, and certain assumptions and is not an absolute number.

The *Generalized Land Use Plan Map* illustrates the City's intended future land use pattern through the geographic distribution of three levels of land use intensities, the designation of mixed-use and manufacturing/industrial centers, as well as shoreline and single-family detached designations. This illustrated form was a result of analysis of the development concept, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the intensity areas. The focus on intensities of land use supports the belief that perceived nuisances, impacts and other concerns are to a significant degree a product of the intensity of land use rather than the type of land use. The *Generalized Land Use Plan Map* is not a land use map in the normal sense in that it does not differentiate between the various uses of land, but rather depicts the intended future development pattern through the geographic distribution of three levels of land use intensities. A fourth level for established single-family areas also is depicted on the map for areas that are predominately developed with single-family residences. The map is to be used in conjunction with the adopted policies of the Comprehensive Plan for any land use decision.

The designation and boundaries of the land use intensity areas, shoreline designation, and the designations and boundaries for the mixed-use and manufacturing/industrial centers are established by adoption of the Comprehensive Plan and amendments thereof. The *Generalized Land Use Plan Map* is the official land use map of the City, and is maintained as such by the Community and Economic Development Department in an electronic format to facilitate its accurate use and implementation. The

Generalized Land Use Plan Map depicted in this document, on a citywide basis and by Neighborhood Council area, is generated from the official, *Generalized Land Use Plan Map* electronic map file.

The *Generalized Land Use Plan Map* is intended to provide a firm basis for land use and zoning decisions. Policies should be considered and interpreted in accordance with the geographic characteristics of the mapped areas.

Areas of the city should develop and redevelop in accordance with the intensity configuration depicted on the *Map*. Generalized intensities have also been developed for Tacoma’s urban growth areas. These designations are based on current information and reflect anticipated future patterns of development. However, as more detailed planning efforts take place, these urban growth area intensities may be modified. Land use intensities and a generalized intent for the City’s urban growth area can be found in the Land Use chapter of this plan.

Development both in and out of the city should be consistent with these designations; however, in some instances lower intensity developments may occur in higher intensity areas. Some supporting reasons for such lower intensity development include physical site limitations, surrounding area characteristics, environmental constraints and prematurity of higher intensity development.

The boundaries of the intensity areas were located on the map based upon existing and proposed land use and zoning patterns. These boundaries often correspond with readily identifiable features such as freeways, streets, alleys, topographic breaks, land use changes, and other physical features normally associated with land use separation. Where no readily identifiable feature was available, a determination was made to locate the boundary edge to provide a logical separation and transition of intensity areas. The boundary edge could coincide with the boundary of a zoning classification, the pattern of adjacent development or the extension of an imaginary line representing the logical and desired pattern of future development.

It is recognized that some areas of the city may not be zoned to support the intensity levels shown on the map. Areas that may need to be rezoned will undergo separate study to determine the appropriate zone changes. The Planning Commission or City Council will normally initiate these studies with the actual zone changes accomplished by established area-wide rezoning procedures. Private property owners or developers also may initiate rezone requests. Such requests must be consistent with the *Generalized Land Use Plan Map* and adopted policies of the Comprehensive Plan and will be subject to appropriate development controls as determined in established site specific rezone procedures.

The following chart depicts the relationship between intensity designations, designated mixed-use and manufacturing/industrial centers and zoning classifications. Some zoning classifications may be appropriate in more than one intensity designation.

Relationship of Relevant Comprehensive Plan Designations and Zoning Classifications

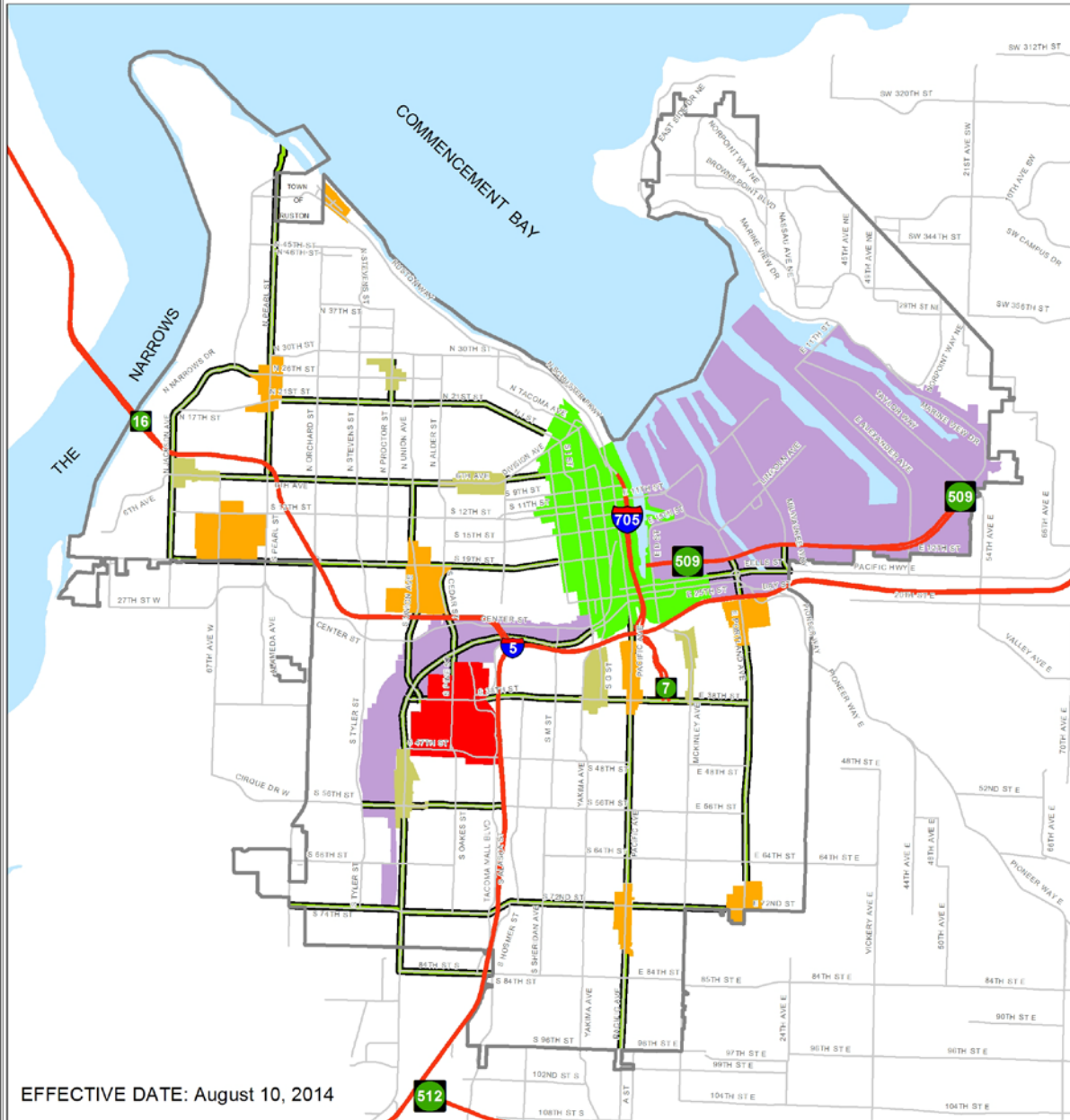
Comprehensive Plan Designations	Typical Zoning Classifications*	
High Intensity	R-5 HM	Multiple Family Dwelling District Hospital Medical District
Medium Intensity	R-4L R-4 C-2 PDB M-1 M-2	Low-Density Multiple Family Dwelling District Multiple Family Dwelling District General Community Commercial District Planned Development Business District Light Industrial District Heavy Industrial District

Low Intensity	R-3 Two Family Dwelling District R-4L Low-Density Multiple Family Dwelling District HMR-SRD Historic Mixed Residential District T Transitional District C-1 General Neighborhood Commercial District
---------------	--

* This chart does not include overlay zoning districts. Other zoning classifications may be present in the designated areas due to a number of factors including non-conforming use rights.

Tacoma Growth Concept

Concentrations and Corridors - Designated Centers



EFFECTIVE DATE: August 10, 2014

- City Boundary
- Connecting Corridors
- Designated Centers**
- Downtown Regional Growth
- Urban Center
- Community Center
- Neighborhood Center
- Manufacturing / Industrial Center



City of Tacoma
Community & Economic Development Department
GIS Analysis & Data Services

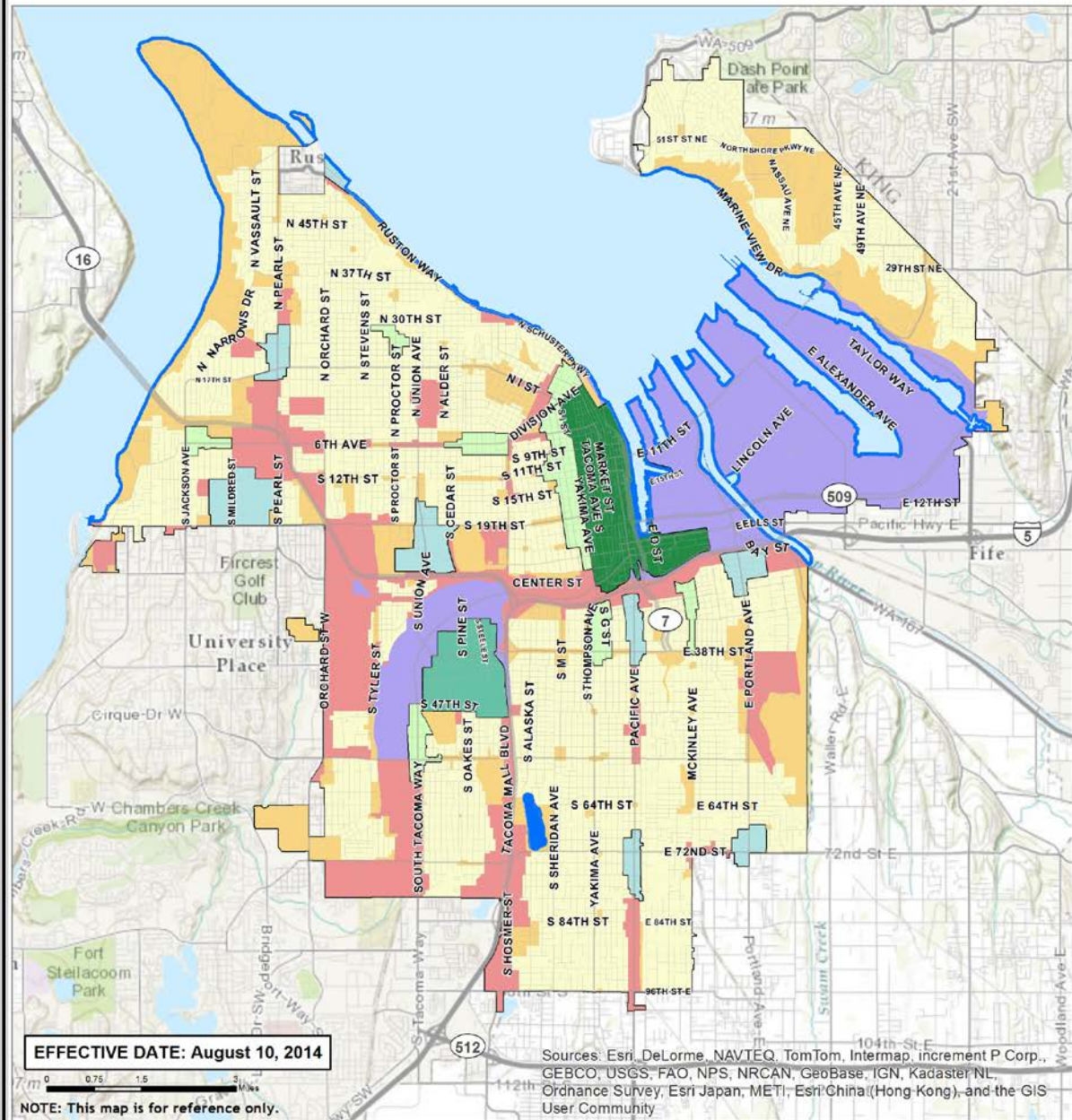


0 0.5 1 2 Miles

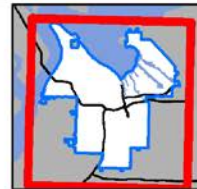
NOTE: This map is for reference only.



Generalized Land Use Plan Map



- | | | |
|---------------|--------------------------|---------------------------|
| City Boundary | Mixed Use Centers | Land Use Intensity |
| Shoreline | Neighborhood Center | Single Family |
| | Community Center | Low |
| | Urban Center | Medium |
| | Downtown Center | High |



Appendix: Comprehensive Plan Land Use Designation Framework

The City has embarked on a multi-phase, multi-year project intended to revise and update the Comprehensive Plan's land use designation approach, from the *Land Use Intensities* system to a more simplified and easily understood classification system.

The first phase has been accomplished as part of the 2013 Annual Amendment to the Comprehensive Plan adopted by the City Council on June 25, 2013, per Ordinance No. 28158.

This first phase amended the Growth Strategy and Development Concept Element of the Comprehensive Plan by:

1. Creating separate land use designations for the four different types of mixed-use centers (neighborhood, community, urban and downtown);
2. Adding a new land use designation for Shoreline areas;
3. Modifying the land use designation for properties within the mixed-use centers and shoreline areas based on these new designations (effectively removing the "underlying" intensity designations in these areas, recognizing the more detailed and specific policy guidance already provided for the shoreline areas and mixed-use centers); and
4. Creating a new land use designation framework to guide subsequent phases of the project, including a comprehensive review of the land use patterns and substantial redesignation of properties in the City. The new Comprehensive Plan Land Use Designation Framework includes the following designations:
 - Single-Family Residential
 - Multi-Family (low-density)
 - Multi-Family (high-density)
 - Neighborhood Commercial
 - General Commercial
 - Downtown Mixed-Use Center
 - Urban Mixed-Use Center
 - Community Mixed-Use Center
 - Neighborhood Mixed-Use Center
 - Light Industrial
 - Heavy Industrial
 - Parks and Open Space
 - Shoreline

The following chart outlines the Comprehensive Plan Land Use Designation Framework, along with the general intent statement for each of the designations and the corresponding zoning classifications that would commonly fit within each plan designation.

Comprehensive Plan Land Use Designations	Corresponding Zoning
<p>Single Family Residential Qualities associated with single-family residential neighborhoods that are desirable include: low noise levels, limited traffic, large setbacks, private yards, small scale buildings, and low-density development. Much of the city's land is strongly committed to single-family development and has been determined to be deserving of special protection from incompatible land uses. Community facilities, such as parks, schools, day cares, and religious facilities are also desirable components of single-family neighborhoods. Limited allowances for other types of residential development are also provided with additional review to ensure compatibility with the desired, overarching single-family character.</p>	<p>R-1 Single-Family Dwelling District R-2 Single-Family Dwelling District R-2SRD Residential Special Review District</p>
<p>Multi-Family (low-density) This district enjoys many of the same qualities as single-family neighborhoods such as low traffic volumes and noise, larger setbacks, and small-scale development, while allowing for multi-family uses and increased density (generally up to 15 dwelling units/net acre) along with community facilities and institutions. The Multi-Family (low-density) district can often act as a buffer between the single-family designation and the greater density and higher intensity uses that can be found in the Multi-Family (high density designation) or commercial or mixed-use designations.</p>	<p>R-3 Two-Family Dwelling District R-4L Low-Density Multiple-Family Dwelling District HMR-SRD Historic Mixed Residential Special Review District</p>
<p>Multi-Family (high-density) This designation allows for a wide range of residential housing types at medium and higher density levels, along with community facilities and institutions, and some limited commercial uses and mixed-use buildings. It is characterized by taller buildings, higher traffic volumes, reduced setbacks, limited private yard space, and greater noise levels. These areas are generally found in the central city and along major transportation corridors where there is increased access to public transportation and to employment centers.</p>	<p>R-4 Multiple-Family Dwelling District R-5 Multiple-Family Dwelling District</p>
<p>Neighborhood Commercial This designation is characterized primarily by small-scale neighborhood businesses with some residential and institutional uses. Uses within these areas have low to moderate traffic generation, shorter operating hours, smaller buildings and sites, and less signage than general commercial or mixed-use areas. There is a greater emphasis on small businesses and development that is compatible with nearby, lower intensity residential areas.</p>	<p>C-1 General Neighborhood Commercial District T Transitional District</p>
<p>General Commercial This designation encompasses areas for medium to high intensity commercial uses which serves a large community base with a broad range of larger scale uses. These areas also allow for a wide variety of residential development, community facilities, institutional uses, and some limited production and storage uses. These areas are generally located along major transportation corridors, often with reasonably direct access to a highway. This designation is characterized by larger-scale buildings, longer operating hours, and moderate to high traffic generation.</p>	<p>PDB Planned Development Business District HM Hospital Medical District C-2 General Community Commercial District</p> <p>**Note: this is the proposed designation for the subject site.</p>

Section III – Residential Development

Residential Development Goal: To provide fair and equitable distribution of a variety of housing types and living areas as well as protect and enhance already established neighborhoods.

General - Intent

The single-family detached house, that is, a single home on an individual lot, is the most predominant type of residential structure in the city. It is the preferred living mode for many people and is associated with a relatively quiet and stable neighborhood environment. Other types of housing such as duplexes, apartments, townhomes and condominiums are also needed and desired by large segments of the population. Housing choices are influenced by income, family size, age, lifestyles, and other factors and can change during a person's lifetime. A wide variety of housing types are needed within a community to serve the varied needs of residents.

It is intended that higher intensity residential development locate within mixed-use centers and in concentrations along some major transportation corridors in areas of similar character and intensity.

Density within most predominately single-family neighborhoods will stay at or near existing levels. Density may increase slightly in some neighborhoods as a result of infill development and the development of accessory unit housing. Densities will be higher in medium and high intensity areas than those found in low intensity residential areas.

As used in this document, density is the number of dwelling units per acre, less allowances for street and public and quasi-public uses (dwelling units/net acre). The percentage of land needed for streets and other uses varies in different locations of the city depending on the amount of vacant land, the number and width of streets, and the existing development pattern. Tacoma has many unique neighborhoods. The identity of these neighborhoods has been established through the recognition of landmarks and special or community features located in the neighborhood. The character of the neighborhoods can be further enhanced and enriched through the emphasis of these elements. The use of design elements such as signs, landscaping, special paving and public spaces can all help to reinforce the uniqueness of a neighborhood.

It is intended that the viability of residential areas will be strengthened by eliminating incompatible land uses, protecting natural physical features, promoting quality design and encouraging repair and rehabilitation of existing residential structures. Adequate streets and public facilities are also important to meet the needs of the citizens living in residential areas. The viability of the city's urban residential areas is essential if they are to continue to provide an acceptable alternative to suburban living.

Policies

The following general residential policies apply to all residential development, regardless of intensity. Residential development within mixed-use centers is also guided by policies in Section II specifically addressing the centers. Where mixed-use center policies are inconsistent with the policies below, center policies take precedence.

LU-RDG-1 Protect Established Residential Areas

Protect, preserve and maintain established residential neighborhood areas located outside of designated mixed-use centers where a definite density, housing type and character prevail; nuisances and incompatible land uses should not be allowed to penetrate these areas.

LU-RDG-2 Prohibit Incompatible Land Uses

Prohibit incompatible land uses from situating within or adjacent to existing or future residential developments and gradually eliminate existing incompatible uses from existing residential areas.

LU-RDG-3 Housing Opportunities

Encourage the development of residential areas that offer a variety of housing opportunities for all segments of the population within all areas of the city.

LU-RDG-4 Innovative Development

Encourage residential development of mixed structural type and design, as well as unique building and site arrangements to increase affordable housing options and achieve appropriate densities provided that the development is compatible and the desirable characteristics of the surrounding area are maintained.

LU-RDG-5 Regulate Non-conforming Uses

Provide stricter regulation of non-conforming uses with the goal of gradual elimination of the non-conforming uses or achieving conformity to existing regulations.

LU-RDG-6 Rehabilitation and Renewal Efforts

Encourage and assist deteriorating residential areas in rehabilitation and renewal efforts in order to improve their quality and promote a sound, healthful and safe living environment.

LU-RDG-7 Evaluate Land Use Needs

Carefully study and evaluate severely deteriorated residential areas to determine the most appropriate future land use.

LU-RDG-8 Residential Development and Adequate Services

New or expanded residential developments should be located where there are adequate streets, utilities, and services necessary to support the development; these facilities and services must exist prior to or be developed concurrently with the intended development.

LU-RDG-9 Adequate and Safe Circulation Facilities

Require sufficient rights-of-way, street improvements, access control, circulation routes, off-street parking and safe bicycle paths and pedestrian walkways for residential developments.

LU-RDG-10 Public Services and Facilities

Residential areas should have convenient access to public transportation, parks and open space, schools, and community facilities.

LU-RDG-11 Higher Rise and Density/View Concerns

Encourage housing of varying densities to accommodate projected population, achieve desirable land use patterns, allow for the orderly and efficient provision of services, maintain housing affordability and support transit use.

LU-RDG-12 Encourage Private Covenants

Encourage the establishment of private covenants to control height and vegetation in new plats to promote view preservation.

LU-RDG-13 Neighbor Cooperation

Encourage neighboring property owners to work together to preserve individual property views.

LU-RDG-14 Multiple Family Compatibility

Review of multifamily development that may impact single-family areas should ensure that compatibility with nearby single-family areas is achieved. Compatibility will be determined by considering the following: height, design of buildings, scale, bulk, landscaping, lighting, and any other characteristics found in adjacent single-family areas.

Policy Design Guidelines

The following design guidelines should be used, considered and applied as may be appropriate as conditions of approval for multifamily developments.

Site layout: *Compatibility of the proposed multifamily development with the character and scale of nearby single-family areas is important. Buildings designed with a sense of height and bulk not substantially different from that of nearby one-family dwellings should be located on the perimeter and near adjacent single-family areas.*

Parking: *Parking areas should be screened from adjacent single-family residential areas. No parking or vehicular circulation should occur in setback areas. Natural vegetation and topography will be preserved to the extent possible.*

Landscaping: *A heavily vegetated buffer of sufficient height to provide for visual screening should be provided in the setback areas near adjacent or abutting residential areas. Natural vegetation and topography should be preserved to the extent possible.*

Access: *The site should be located on an arterial or have direct access to an arterial street and significant increase in traffic volumes should be avoided as a result of the proposal on residential streets or portions of residential streets where a predominance of single-family houses exists.*

Other: *Lighting and glare should be shielded or directed away from single-family residential areas. Mechanical equipment or outdoors activities such as storage, loading, utilities, and trash containers which may be visually obtrusive or which create disturbing noises or odors should be oriented away from single-family areas. They should be integrated into the design of the building, soundproofed, and screened from view in an attractive and effective manner. Recreational or service facilities should be located away from single-family areas.*

Design - Intent

It is the intent that high quality design of residential developments will enhance the livability of the community. Compatibility is a critical issue, particularly for infill developments and where multifamily uses border single-family areas. New developments thus will be sensitive to their existing and intended context in the design of new residential developments. Special attention will be paid to setbacks, building orientation, location and design of parking and vehicular access, and the design and form of buildings.

Usable private open space is and will continue to be critical to the livability of residential uses. Lower intensity uses such as detached single family uses and duplexes will provide front and back yard open



Compatible development is particularly important at the edges of single family areas.

space. Multifamily uses will provide a variety of usable open spaces. Examples include private balconies and patios and shared porches, courtyards, and green spaces.

Design standards will be used to help ensure that new developments meet these objectives. Such standards will be easy to use and help to encourage desired forms of development. Design standards may be supplemented with design guidelines for special areas and/or situations. Design guidelines will provide greater flexibility and detail in how residential developments can meet design objectives.

Policies

LU-RDD-1 Development Standards

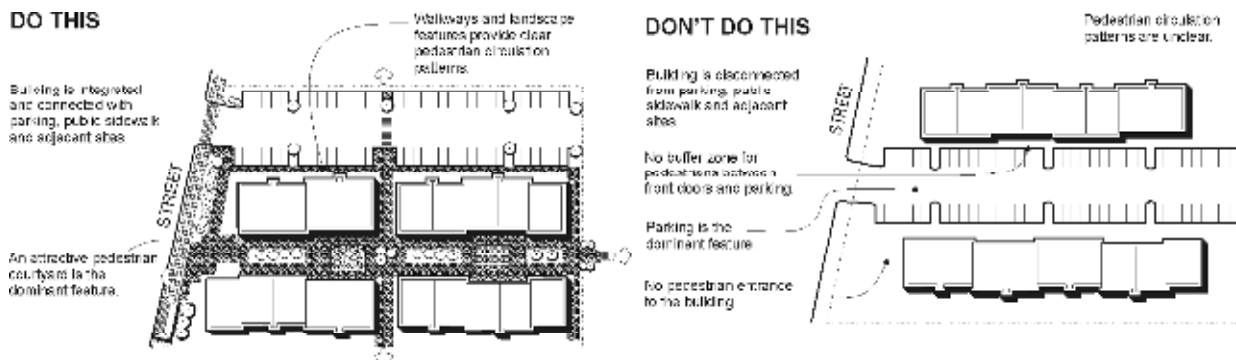
Residential development standards should address the desired safety, convenience, functionality, and aesthetics of the development itself, as well as effects on adjacent surrounding properties.

LU-RDD-2 Compatibility

Ensure that new residential development is compatible with the existing development and/or the desired character of the area in terms of building location and orientation, pedestrian and vehicular access, building massing and scale, light and glare, outdoor storage areas, service elements and mechanical equipment location and design, and landscaping design. Compatible design is most critical in areas where multifamily developments border designated single-family areas.

LU-RDD-3 Site Layout

Promote the site layout of residential development where residential buildings face the street and parking and vehicular access is provided to the rear or side of buildings. Where multifamily developments are allowed in established neighborhoods, the layout of such developments should respect the established pattern of development, except where a change in context is desired per the goals and policies of the Comprehensive Plan.



Good and bad examples of residential site design and layout.

LU-RDD-4 Emphasize Natural Qualities

Emphasize the natural physical qualities of our city (for example, trees, marine view and natural features) and the site in locating and developing residential areas, provided such development can be built without adversely impacting the natural areas. Where possible, development should be configured to utilize existing natural features as an amenity to the development.

LU-RDD-5 Pedestrian-friendly Design

Site and design residential uses with safe, convenient, connected and attractive pedestrian access. Specifically:

- Locate and orient buildings towards the street for pedestrian convenience and enhance the spatial definition of the street.
- Provide direct pedestrian connections between all residential buildings and the sidewalk.

- For large multifamily developments, provide safe and attractive internal pedestrian connections between buildings and linkages to surrounding properties and neighborhoods, where possible and desirable.



Promote pedestrian-friendly design of multifamily developments.

LU-RDD-6 Vehicular Access and Parking

Promote site design that minimizes the safety and visual impacts of vehicular access, surface parking lots, and parking structures on pedestrian safety and the visual environment.



Development examples that minimize impacts of vehicular access through structured parking (left example), landscaped alleys (middle), and internal auto-courts (right).

LU-RDD-7 Open Space and Amenities

Provide on-site open space for all types of residential uses. Specifically:

- For single family uses and duplexes, this includes private rear yard areas and landscaped front yards.
- For triplexes and townhouses, this includes landscaped yard space, patios, balconies, rooftop decks, porches, and/or common open spaces.
- For multifamily uses, this includes balconies, patios, rooftop decks, and/or shared common open space.

LU-RDD-8 Building Design and Massing

Promote multifamily building design that is compatible with the existing and/or desired character of the area. Building design should incorporate:

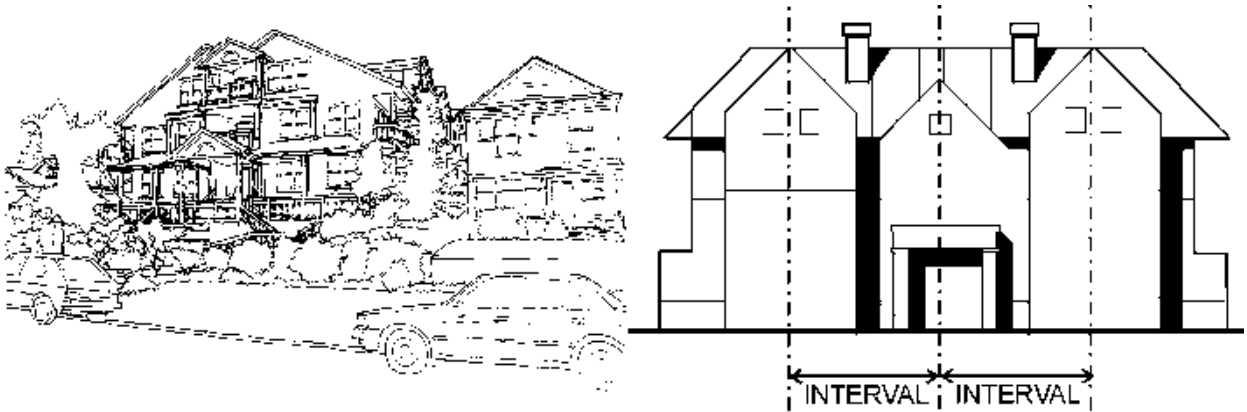
- Façade articulation that reduces the perceived scale of the building and adds visual interest.
- For infill residential in established neighborhoods, encourage the use of similar façade articulation and detailing as existing structures.
- Covered entries visible from the street and/or common open space.
- Utilize building materials that are durable and provide visual interest.

LU-RDD-9 Solar Access and Privacy

Promote site and building design that maximizes solar access to dwelling units and provides a sense of privacy.

LU-RDD-10 Large Scale Development

Encourage development techniques for large scale residential developments that make better use of the land, allow a mix of housing types, provide for efficient service delivery, promote design flexibility, and preserve open space.



Promote façade articulation patterns appropriate to the existing and/or desired scale and character of the neighborhood or area.

LU-RDD-11 Encourage Maintenance and Revitalization of Neighborhoods

Encourage the preservation and/or maintenance of sound, viable neighborhoods and the revitalization of those that are declining.

LU-RDD-12 Design Diversity

Encourage the diversity of design in multi-unit residential developments. Examples include provisions for a diversity of façade treatments and architectural styles that can add visual interest and diversity to the neighborhood.

LU-RDD-13 Landscaping

Utilize landscaping elements to improve the livability of residential developments, block unwanted views, enhance environmental conditions, provide compatibility with existing and/or desired character of the area, and upgrade the overall visual appearance of the development.



Incorporate landscaping elements to enhance the character and compatibility of residential developments.

Medium Intensity

Intent

Medium intensity residential developments provide an alternative to the single-family home for large segments of the population. They are sometimes characterized by a more active living environment and are usually located in close proximity to larger activity and employment centers.

Medium intensity residential development areas may consist of apartment, condominium, and townhouse developments, as well as larger-scale clusters of duplexes and triplexes. Developments within these areas can vary. Typically, they consist of medium-rise clustered apartments or large garden court apartment complexes or town homes in outlying areas, and walkup or elevator apartments and condominiums in the central inlying areas.

The density of medium intensity residential areas is higher than that found in lower intensity areas. Overall residential density for a medium intensity area will range from 15-45 dwelling units per net acre outside of mixed-use centers, depending on the nature and location of the development, the physical limitations of the site, the existing development pattern, the zoning, and the characteristics of the surrounding area. Site densities will typically be greater than 15 units per net acre outside of mixed-use centers. Site densities within mixed-use centers will typically be defined by densities of 25-80 units per net acre. Densities of 25 units per net acre are envisioned for mixed-use center areas near single-family zones where building height should be limited to ensure compatibility. Higher densities are envisioned in other parts of the mixed-use centers depending on the established height limit, with the highest densities occurring along pedestrian streets.

Medium intensity residential developments may be located in concentrations along major transportation corridors, near or within mixed-use centers, in areas of similar character and intensity, and between areas of high and low intensity as buffer uses. Some medium intensity residential development may be located on minor arterials of adequate capacity provided the development is compatible with surrounding land uses.

Policies

LU-RDMI-1 Neighborhood Amenities

Medium intensity residential development should be provided with the same basic amenities and services generally associated with single-family neighborhoods.

LU-RDMI-2 Buffer Uses

Allow medium intensity residential developments as buffers between lower intensity development and higher intensity development.

LU-RDMI-3 Locate in Concentrations

Encourage medium intensity residential development to locate in concentrations, in order that there can be a more efficient use of utilities and open space, provided that such concentrations are consistent with the established or planned character of the area in which they are to be located.

LU-RDMI-4 Innovative Development

Encourage innovative development techniques for the construction of medium intensity residential uses on large tracts of land that are either adjacent or immediately accessible to higher volume arterial streets in order to maximize the use of the land, promote design flexibility and preserve open space.

LU-RDMI-5 Accommodate Recycling

Encourage building and site design for medium intensity residential developments that accommodates and facilitates recycling by residents of the development.

LU-RDMI-6 Locate in Outlying Areas

High or medium-rise residential developments can be located in outlying medium intensity residential areas provided that the development's character and density is compatible with the surrounding area, increased building setbacks and substantial landscaping are provided, and views are not unreasonably affected.

LU-RDMI-7 Access to Principal Arterial Streets

Locate medium intensity residential developments either adjacent or immediately accessible to principal arterial streets for buffer, public transit and convenience purposes.

LU-RDMI-8 Arterial Locations

Some medium intensity residential development may be located on minor arterials having adequate capacity provided the development's scale, design and density characteristics are compatible with surrounding land uses.

LU-RDMI-9 Unique Sites

Allow medium intensity residential development in areas that possess unique land use characteristics wholly or partially incompatible with low intensity development.

Low Intensity - Single-family Detached Housing Areas

Policies

LU-RDLISFD-1 Protect and Preserve Single-Family Neighborhoods

Established, viable, single-family residential areas having uniform housing type and character should be protected, preserved and maintained.

LU-RDLISFD-3 Discourage Multifamily, Commercial and Industrial Uses

Protect identified single-family detached housing areas by restricting within their boundaries and buffer from the edges of these areas higher residential densities and commercial or industrial uses that can adversely affect the established or planned neighborhood environment.



TO: Shirley Schultz, Planning and Development Services

FROM: Frank Marescalco, Environmental Services, Site Development Group

SUBJECT: Rezone, REZ2015-40000247673
8445 Pacific Avenue

DATE: August 21, 2015

These comments and conditions are based on the following information provided for review:

- Application dated May 28, 2015
- Site Plan dated August 20, 2015

The following comments are for information only and intended to assist the applicant with development of the proposal. If you have questions regarding these advisory comments, please contact Frank Marescalco at (253) 591-5423 or by email at fmarescalco@cityoftacoma.org.

1. Storm and Sanitary Sewers

- a. The proposal shall comply with all applicable requirements contained in the City of Tacoma Stormwater Management Manual, Side Sewer and Sanitary Sewer Availability Manual, Tacoma Municipal Code 12.08, Tacoma Municipal Code 2.19, Tacoma Municipal Code 10.14, Tacoma Municipal Code 10.22 and the Public Works Design Manual in effect at time of vesting land use actions, building or construction permitting.
- b. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
- c. A Covenant and Easement Agreement shall be required for all projects with private storm drainage systems.
- d. Public utility easements are known to exist on the site. The applicant shall comply with all easement provisions. The site plan submitted appears to be in compliance, but the City advises that buildings which are constructed with no setback from the easement should be investigated by a geotechnical engineer for stability during excavations within the easement. If the foundations for the buildings are too close or not deep enough, the structural integrity of the building could be undermined.
- e. If the access for the site crosses the existing easements, the easements will need to be rewritten to acknowledge potential loss of access during utility maintenance.
- f. The applicant shall review SWMM Minimum Requirements #1-12 and comply with all applicable requirements. For off-site improvement requests we should include the following Based upon the scope of the project as currently proposed, it appears that this project is required to comply with Minimum Requirements #(LIST those that apply). Compliance with Minimum Requirement #10 shall be required if any on-site stormwater management features are installed.
- g. Per Minimum Requirement #5, projects that meet or exceed the SWMM thresholds shall employ, where feasible and appropriate, On-Site Stormwater Management BMPs to infiltrate, disperse, and retain stormwater runoff onsite to the maximum

extent feasible. On-Site Stormwater Management BMPs include: Roof Downspout Control BMPs, Dispersion of all impervious surfaces and Soil Quality BMPs. If drainage cannot be managed on-site, it shall be conveyed to the City storm system in accordance with the Stormwater Management Manual and Public Works Design Manual.

- h. Water quality shall be provided for all projects that meet or exceed the thresholds for Minimum Requirement #6 as outlined in the City of Tacoma Stormwater Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
- i. Flow control or other mitigation in accordance with the City of Tacoma Stormwater Management Manual shall be provided for all projects that meet or exceed the thresholds for Minimum Requirement #7 as outlined in the City of Tacoma Stormwater Management Manual. Impervious surfaces created and/or replaced offsite as a result of this project shall count toward the impervious surface total.
- j. All projects shall comply with Minimum Requirement #11: Off-Site Analysis and Mitigation.
- k. This project is located in the natural drainage course of abutting properties. Adequate provisions shall be made to collect drainage that naturally flows across the project site.
- l. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). Contact Ecology's Office of Regulatory Assistance at 1-800-917-0043 to determine if any additional requirements are necessary. Additional information is also available online at <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. City approval does not release the applicant from state or other permitting requirements.
- m. Per Section 2.050 of the Side Sewer and Sanitary Sewer Availability Manual, a new development or redevelopment will be classified as large if the proposed wastewater flow will be equal to or greater than 10 percent of the capacity of the public sanitary sewer system serving the development or if the development will include 100 units or more. If the project is classified as large, the Developer shall submit peak daily wastewater flow calculations prepared by a licensed engineer. Peak daily flows shall be calculated based on full site build out in accordance with the Washington State Department of Ecology Criteria for Sewage Works Design (Orange Book). Environmental Services will determine if the public sanitary sewer system has enough capacity to accommodate the new peak flows in addition to upstream peak flows for fully developed conditions. If the public sewer system does not have enough capacity to accommodate the proposed large development or redevelopment, the developer will be required to upsize the public sanitary sewer prior to sewer connection.

2. Streets, Driveways, and Sidewalks

- a. Pacific Avenue fronting the property shall be restored in accordance with the Right-of-Way Restoration Policy.

- b. All broken, damaged, or hazardous curb and gutter abutting the site along Pacific Avenue shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.
- c. All broken, damaged, or hazardous sidewalk abutting the site along Pacific Avenue shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer.
- d. Unused driveways adjacent to the site shall be removed and curb and gutter, planter strip, and sidewalk placed back per TMC 10.14.050.
- e. The type, width, and location of all driveway approaches serving the site shall be approved by the City Engineer.
- f. It appears from the site plan submitted that the proposed driveway may conflict with an existing catch basin in Pacific Avenue. If this is the case, the conflict must be resolved by relocating the catch basin or the driveway.
- g. A Work Order is required. A licensed professional civil engineer must submit the street plans for review and approval following the City's work order process. To initiate a work order, contact the Public Works Private Development at (253) 591-5760. A performance bond is required for all work orders per TMC 10.22.070.F.

Additional Information

City documents are available online at the following locations:

- City of Tacoma Stormwater Management Manual:
<http://www.cityoftacoma.org/stormwater>.
- City of Tacoma Side Sewer and Sanitary Sewer Availability Manual:
<http://www.govme.com/Common/Doc/displayDoc.aspx?category=manual&id=SideAndSaniSewerAvailManJan2011>
- Public Works Design Manual:
<http://www.govme.org/download/PDF/Code/2004DesignManual1.pdf>
- City of Tacoma Right-of-Way Restoration Manual:
<http://www.govme.org/download/PDF/PublicWorks-Right-of-Way-RestorationPolicy.pdf>

From: Sully, Dan
Sent: Thursday, August 20, 2015 8:13 AM
To: Schultz, Shirley
Cc: Beard, Scott; Hayes, Barrett; Smith, Andy; Still, Michael; Terrill, Frank; Kuntz, Craig; Shadduck, Lucas; Coffman, Susan; Seaman, Chris; Erickson, Ryan
Subject: RE: City of Tacoma ODNS/Public Notice - Rezone/SEPA REZ2015-40000247673, 8445 Pacific Avenue

Categories: Permit Files

These comments do not directly relate to the land use approval but are basic enough that they may affect the building design and alter their proposal. They should be forwarded to the architect either in the response or separately as additional comments.

Comments:

1. These buildings must be designed to the requirements of the International Building Code. For a Type V-B building, a minimum 10 foot separation is required from the property lines unless the walls are 1-hour fire-resistive per IBC Table 602 and Section 705.5. Projections must comply with IBC 705.2, openings with IBC 705.8, and roof requirements with IBC 705.11. The fire separation distance between buildings must be 20 feet per IBC 705.3 unless the above requirements are met.

Daniel P. Sully, P.E., S.E.
Plan Review Engineer

City of Tacoma
Planning and Development Services Department
Development Services Division
747 Market Street, Room 345
Tacoma, WA 98402-3769
(253) 591-5334 FAX (253) 591-5433
dsully@cityoftacoma.org

From: Schultz, Shirley
Sent: Thursday, August 06, 2015 11:12 AM
To: sepaunit@ecy.wa.gov; 'sepa@tpchd.org' (sepa@tpchd.org); 'bhan@piercettransit.org'; brydsonsr@nventure.com
Cc: Kammerzell, Jennifer; Kidd, Brennan; Darci Brandvold (dbrandv@co.pierce.wa.us); McKnight, Reuben; Munce, Ian; Huffman, Peter; Aplin, Alan; Ferguson, Cheryl; Seaman, Chris; Kuntz, Craig; Sully, Dan; Porter, Hal; Webster, Jeff; Kammerzell, Jennifer; Angel, Jesse; Gaddis, John; Crothers, Kelly; Hamlin, Linda; Rambow, Peter; PWRO@cityoftacoma.org; Ripley, Rachele; McKnight, Reuben; Price, Richard; Coyne, Richard; Erickson, Ryan; Flynn, Ryan; Ingalls, Sherri; Site Development
Subject: City of Tacoma ODNS/Public Notice - Rezone/SEPA REZ2015-40000247673, 8445 Pacific Avenue

REZ2015-40000247673
Exhibit 14

From: Seaman, Chris
Sent: Monday, August 17, 2015 8:30 AM
To: Schultz, Shirley
Subject: RE: City of Tacoma ODNS/Public Notice - Rezone/SEPA REZ2015-40000247673, 8445 Pacific Avenue

Categories: Permit Files

Shirley,

TFD has no conditions regarding the rezone, however the applicant is advised that the site plan included with the rezone has not been reviewed for compliance with the International Fire Code (IFC). All future development must comply with the IFC adopted at the time of building permit submittal.

Regards,
CHRIS SEAMAN, P.E.
Senior Engineer
Tacoma Fire Department | Prevention Division
901 Fawcett Avenue | Tacoma, WA 98402
253.591.5503 | cseaman@cityoftacoma.org



From: Schultz, Shirley
Sent: Thursday, August 06, 2015 11:12 AM
To: sepaunit@ecy.wa.gov; 'sepa@tpchd.org' (sepa@tpchd.org); 'bhan@piercetransit.org'; brydsonsr@nventure.com
Cc: Kammerzell, Jennifer; Kidd, Brennan; Darci Brandvold (dbrandv@co.pierce.wa.us); McKnight, Reuben; Munce, Ian; Huffman, Peter; Aplin, Alan; Ferguson, Cheryl; Seaman, Chris; Kuntz, Craig; Sully, Dan; Porter, Hal; Webster, Jeff; Kammerzell, Jennifer; Angel, Jesse; Gaddis, John; Crothers, Kelly; Hamlin, Linda; Rambow, Peter; PWRO@cityoftacoma.org; Ripley, Rachelle; McKnight, Reuben; Price, Richard; Coyne, Richard; Erickson, Ryan; Flynn, Ryan; Ingalls, Sherri; Site Development
Subject: City of Tacoma ODNS/Public Notice - Rezone/SEPA REZ2015-40000247673, 8445 Pacific Avenue

Dear SEPA reviewing agency and other interested parties:

Attached are the Public Notice, SEPA checklist, and site plans for REZ2015-40000247673 and SEP2015-40000247674, for a rezone application and its associated SEPA review. Public notice of the application is being mailed today.

You may access the entire application package at: <http://tacomapermits.org/wp-content/uploads/2013/06/40000247673.pdf>

The City will be using the optional DNS process under WAC 197-11-355 to issue its SEPA Determination, and anticipates issuing a Determination of Nonsignificance (DNS) for this rezone.

REZ2015-40000247673
Exhibit 15

From: Angel, Jesse
Sent: Friday, August 07, 2015 8:45 AM
To: Schultz, Shirley
Subject: RE: City of Tacoma ODNS/Public Notice - Rezone/SEPA REZ2015-40000247673, 8445 Pacific Avenue

Categories: Permit Files

Tacoma Water has reviewed the proposed request and has the following comments:

City ordinance 12.10.045 requires a separate water service and meter for each parcel.

Existing water services to be retired by Tacoma Water crews on a Time and Materials basis.

Extension of a permanent water main shall be constructed by private contract. The developer of the privately financed project will be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications will be estimated by Tacoma Water. The developer will be required to pay a deposit in the amount of the estimated cost. The actual costs for the work will be billed against the developer's deposit. The new mains will be installed by and at the expense of the developer. The developer will be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developers Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling will be due to Tacoma Water. Upon completion of the project, the developer will either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.

Customer is advised to obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.

If fire sprinklering, contact the Tacoma Water Permit Counter at (253) 502-8247 for policies related to combination fire/domestic water service connections.

New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters will be installed by Tacoma Water after payment of the System Development Charge.

If a new fire hydrant is required at a location with an existing water main, the hydrant will be installed by Tacoma Water after payment of an installation charge.

If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they will be relocated by Tacoma Water at the owners' expense.

Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

**REZ2015-40000247673
Exhibit 16**

Jesse Angel - Utility Service Specialist

Tacoma Water

3628 S. 35th St.
Tacoma, WA 98409-3192
253-502-8280 OFFICE
253-380-2614 CELL
253-502-8694 FAX
[Tacoma Water Website](#)

From: Schultz, Shirley

Sent: Thursday, August 06, 2015 11:12 AM

To: sepaunit@ecy.wa.gov; 'sepa@tpchd.org' (sepa@tpchd.org); 'bhan@piercettransit.org'; brydsonsr@nventure.com

Cc: Kammerzell, Jennifer; Kidd, Brennan; Darci Brandvold (dbrandv@co.pierce.wa.us); McKnight, Reuben; Munce, Ian; Huffman, Peter; Aplin, Alan; Ferguson, Cheryl; Seaman, Chris; Kuntz, Craig; Sully, Dan; Porter, Hal; Webster, Jeff; Kammerzell, Jennifer; Angel, Jesse; Gaddis, John; Crothers, Kelly; Hamlin, Linda; Rambow, Peter; PWRO@cityoftacoma.org; Ripley, Rachele; McKnight, Reuben; Price, Richard; Coyne, Richard; Erickson, Ryan; Flynn, Ryan; Ingalls, Sherri; Site Development

Subject: City of Tacoma ODNS/Public Notice - Rezone/SEPA REZ2015-40000247673, 8445 Pacific Avenue

Dear SEPA reviewing agency and other interested parties:

Attached are the Public Notice, SEPA checklist, and site plans for REZ2015-40000247673 and SEP2015-40000247674, for a rezone application and its associated SEPA review. Public notice of the application is being mailed today.

You may access the entire application package at: <http://tacomapermits.org/wp-content/uploads/2013/06/40000247673.pdf>

The City will be using the optional DNS process under WAC 197-11-355 to issue its SEPA Determination, and anticipates issuing a Determination of Nonsignificance (DNS) for this rezone.

This may be the only opportunity to comment on environmental impacts. Additional mitigation may be required during project review.

Applicant: Benjamin Ryan Communities, John Bays

Project Description: Rezone of approx. 1.85 acres from a combination of "C2" General Community Commercial and "T" Transitional to entirely "C2" for the purposes of constructing up to 120 apartments with associated site improvements.

Location: 8445 Pacific Avenue, parcels 032033-2037, -2012, -2174, and -2175

Notification Date: 8/6/15

SEPA Comments Due: 8/27/2015

REZ2015-40000247673
Exhibit 16



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ORDINANCE NO. 27752

AN ORDINANCE relating to zoning; amending Chapter 13.06 of the Tacoma Municipal Code by deleting certain described property from Section 13.06.200.B.2, Section 13.06.200.B.3, Section 13.06.110, and Section 13.06.130; and by adding new sections to be known as Section 13.06.200.B.3(244) and Section 13.06.200.B.1(128).

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendation contained in the Hearing Examiner's Report dated September 9, 2008, bearing File No. REZ2007-40000106521, SEP2007-40000106541, MPD2007-40000106520 and filed in the office of the City Clerk.

Section 2. That Chapter 13.06 of the Tacoma Municipal Code is hereby amended by adding thereto a new section to be known as Section 13.06.200.B.3(244), to read as follows:



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13.06.200.B.3(244) ADDED TO C-2 GENERAL

COMMUNITY COMMERCIAL DISTRICT. The following property shall be included in the C-2 General Community Commercial District:

Parcel 1: (0320332175)

The West half of the following described property:

Beginning at the Northwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 3 East, W.M.;

Running thence East along the North line of said subdivision of said Section 330 feet;

Thence South at right angle with said North line 66 feet;

Thence West on a line parallel with said North line of said subdivision 330 feet;

Thence North along the East line of said subdivision of said section 66 feet to the place of beginning;

Less that part taken off from the West end of said tract for Pacific Avenue.

Situated in the County of Pierce, State of Washington.



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Section 3. That the above-described property be and is hereby deleted from Section 13.06.110, R-2 One-Family Dwelling District, of the Tacoma Municipal Code.

Section 4. That Chapter 13.06 of the Tacoma Municipal Code is hereby amended by adding thereto a new section to be known as Section 13.06.200.B.1(128), to read as follows:

13.06.200.B.1(128) ADDED TO T TRANSITIONAL DISTRICT. The following property shall be included in the T Transitional District:

Parcels: (0320332012), (0320332037), (0320332174), (0320332081)

Commencing at the Northwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 03 East, W.M.;

Thence South 88°05'52" East along the North line of said subdivision a distance of 40 feet to the east margin of Pacific Avenue and the True Point of Beginning;



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Thence North 01°23'11" East along said East margin
264.00 feet;

Thence South 88°06'21" East a distance of 290 feet
more or less to the East line of the West half of the
Northeast quarter of the Southeast quarter of the
Northwest quarter of said Section 33;

Thence South 01°29'50" West along said East line
and its southerly extension a distance of 330.00 feet;

Thence North 88°05'52" West a distance of 144.65
feet;

Thence North 01°38'25" East a distance of 65.95 feet
to the North line of Southeast quarter of the
Southeast quarter of the Northwest quarter of Section
33, Township 20 North, Range 03 East, W.M.;

Thence North 88°05'52" West along said North Line a
distance of 145.00 feet to the Point of Beginning.


Situated in the County of Pierce, State of
Washington.




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Section 5. That the above-described property be and is hereby deleted from Section 13.06.200.B.2, "C-1 General Neighborhood Commercial District," Section 13.06.200.B.3, "C-2 General Community Commercial District," Section 13.06.110, "R-2 One Family Dwelling District," and Section 13.06.130, "R-4-L Low-Density Multiple-Family Dwelling District," of the Tacoma Municipal Code.

Passed MAR 30 2010

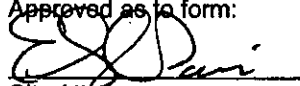


Mayor


Attest:


City Clerk

Location: 8431 Pacific Avenue
Applicant: Ismail Arslingiray
Rezone No. REZ2007- 40000106521; SEP2007- 40000106541;
MPD2007- 40000106520

Approved as to form:


City Attorney

Property description approved:


Chief, Surveyor
Public Works Department



CITY CLERK USE ONLY

REQUEST FOR RECEIVED
ORDINANCE RESOLUTION

Request #: 2012
Ord./Res. #: 27752

2008 OCT -7 PM 3: 10

CITY CLERK'S OFFICE

1. DATE: October 7, 2008

2. SPONSORED BY: COUNCIL MEMBER(S) N/A
3a. REQUESTING DEPARTMENT/DIVISION/PROGRAM Hearing Examiner
3b. DO PASS FROM [Committee Name] Yes No Did not go before a Committee
4a. CONTACT (for questions): Louisa Legg PHONE: X. 5195
4b. Person Presenting: Rodney Kerslake PHONE: X. 5195
4c. ATTORNEY: Elizabeth Pauli PHONE: 591-5627
Department Director/Utility Division Budget Officer/Finance Director City Manager/Director Utilities

5. REQUESTED EFFECTIVE DATE: October 28, 2008

(If a specific council meeting date is required, explain why; i.e., grant application deadline, contract expiration date, required contract execution date, public notice or hearing required, etc.)

6. SUMMARY AGENDA TITLE: (A concise sentence, as it will appear on the Council agenda.)

Applicant: Jon Graves Architects and Planners - File Nos.: REZ2007-40000106521
for Ismail Arslingiray -- SEP2007-40000106541
Arsland 84th and Pacific Rezone and MPD2007-40000106520
Boundary Line Adjustment

The applicant is proposing a rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site and "T" Transitional on the easterly portion of the site. The site would be redeveloped with a small retail use and a commercial car wash along Pacific Avenue and multifamily dwellings on the east side. Boundary lines for the five parcels would be reconfigured to create three revised lots, two of which would abut Pacific Avenue and one of which would be accessed via driveway through the Pacific Avenue properties.

LOCATION: The site is located at 8431 Pacific Avenue in Tacoma.

7. BACKGROUND INFORMATION/GENERAL DISCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Table with 2 columns: Source Documents/Backup Material, Location of Document. Rows include Hearing Examiner Report and Recommendation and Decision (Attached) and Departmental (DPW) Preliminary Report (Exhibit 1) (Attached).

9. FINANCIAL IMPACT: A. NO IMPACT (NO FISCAL NOTE)
 B. YES, OVER \$100,000, Fiscal Note Attached
 C. YES, UNDER \$100,000, (NO FISCAL NOTE) Provide funding source information below:

FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name:	State \$	City \$	Other \$	Total Amount
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If an expenditure, is it budgeted? Yes No Where? Cost Center:
 Acct #:

143

27552

Ordinance No. _____

First Reading of Ordinance: OCT 28 2010

Final Reading of Ordinance: MAR 30 2010

Passed: MAR 30 2010

Roll Call Vote:

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Boe	✓			
Mr. Campbell	✓			
Mr. Fey	✓			
Mr. Lonergan	✓			
Mr. Manthou	✓			
Mr. Mello				✓
Ms. Walker	✓			
Ms. Woodards	✓			
Mayor Strickland	✓			

MEMBERS	AYES	NAYS	ABSTAIN	ABSENT
Mr. Boe				
Mr. Campbell				
Mr. Fey				
Mr. Lonergan				
Mr. Manthou				
Mr. Mello				
Ms. Walker				
Ms. Woodards				
Mayor Strickland				

RECEIVED

20091120522 17 PGS
11/12/2009 02:45:14 PM \$79.00
PIERCE COUNTY, WASHINGTON

NOV. 19 2009

TACOMA CITY ATTORNEY
CIVIL DIVISION

When Recorded, Return To:

City of Tacoma
City Clerk's Office
747 Market Street, Room 220
Tacoma WA 98402-3769

Duplicate
ORIGINAL

DOCUMENT TITLE Concomitant Agreement
Grantor City of Tacoma
Grantee Jon Graves Architects for Ismail Arslingiray
Description Rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site.
Reference Number
Assessor's Parcel Number

When Recorded, Return To:

**Elizabeth A. Pauli
City Attorney
747 Market Street, Room 1120
Tacoma, WA 98402**

CONCOMITANT AGREEMENT

THIS AGREEMENT is entered into this 29th day of October 2009, by and between ISMAIL ARSLINGIRAY, hereinafter referred to as the "Owner/Applicant," and the CITY OF TACOMA, a municipal corporation, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS the Owner/Applicant has applied for a rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site, and legally described as follows:

Parcel 1: (0320332175)

The West half of the following described property:

Beginning at the Northwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 3 East, W.M.;

Running thence East along the North line of said subdivision of said Section 330 feet;

Thence South at right angle with said North line 66 feet;

Thence West on a line parallel with said North line of said subdivision 330 feet;

Thence North along the East line of said subdivision of said section 66 feet to the place of beginning;

Less that part taken off from the West end of said tract for Pacific Avenue.

Situated in the County of Pierce, State of Washington.

and to "T" Transitional on the easterly portion of the site, and legally described as follows:

Parcels: (0320332012), (0320332037), (0320332174),
(0320332081)

Commencing at the Northwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 03 East, W.M.;

Thence South $88^{\circ}05'52''$ East along the North line of said subdivision a distance of 40 feet to the east margin of Pacific Avenue and the True Point of Beginning;

Thence North $01^{\circ}23'11''$ East along said East margin 264.00 feet;

Thence South $88^{\circ}06'21''$ East a distance of 290 feet more or less to the East line of the West half of the Northeast quarter of the Southeast quarter of the Northwest quarter of said Section 33;

Thence South $01^{\circ}29'50''$ West along said East line and its southerly extension a distance of 330.00 feet;

Thence North $88^{\circ}05'52''$ West a distance of 144.65 feet;

Thence North 01°38'25" East a distance of 65.95 feet to the North line of Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 03 East, W.M.;

Thence North 88°05'52" West along said North Line a distance of 145.00 feet to the Point of Beginning.

Situated in the County of Pierce, State of Washington.

hereinafter sometimes referred to as the "site," and

WHEREAS the City has authority to enact laws and to enter into agreements to promote the health, safety, and welfare of its citizens and thereby control the use and development of property within its jurisdiction, and WHEREAS the City, pursuant to RCW 43.21C, the Washington State Environmental Policy Act, should mitigate any adverse effects which might result because of the proposed rezone, and

WHEREAS the City, pursuant to RCW 43.21C, the Washington State Environmental Policy Act, should mitigate any adverse effects which might result because of the proposed rezone, and

WHEREAS the Owner/Applicant has indicated its understanding of its obligation to cooperate with the City, its Public Works Department, and the Hearing Examiner of the City to ensure compliance with all City ordinances and all other local, state, and federal laws relating to the use and development of the site by entering into an agreement, and

WHEREAS the City, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interests of the public by this Concomitant Agreement.

NOW, THEREFORE, in the event the site is rezoned from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District, to a combination of "C-2" General Community Commercial District on the westerly portion of the site and "T" Transitional on the easterly portion of the site, and subject to the terms and conditions hereinafter stated, the

Owner/Applicant does hereby covenant and agree to develop the property as follows:

All of the terms, conditions, and requirements of the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation to the City Council, File Nos. REZ2007-40000106521, SEP2007-40000106541, and MPD2007-40000106520 ("FFCL"), attached hereto are incorporated by reference herein in full, regardless of whether they are set forth separately in this Agreement.

A SPECIAL CONDITIONS

1. STREETS, DRIVEWAYS, AND SIDEWALKS

- a. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer.
- b. Per RCW 35.68.075, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be required at the direction of the Traffic Engineer.
- c. A 5-foot wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per *TMC* standards for internal lot access.
- d. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.
- e. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per *TMC* standards for internal commercial and residential developments.

- f. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.
- g. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2 1/2 inches of Crushed Surfacing Top Course and 5 inches of Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.
- h. The type, width and location of all driveway approaches serving the site(s) shall be approved by the City Engineer.

2. STORM AND SANITARY SEWERS

- a. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
- b. Each building shall have an independent connection to the City sanitary sewer at the building construction stage. The existing side sewer shall be abandoned per Chapter 7, Section 722.0 of the Uniform Plumbing Code. Permits for this work shall be obtained.
- c. Multiple units and buildings that are under single ownership and located on a single parcel may use shared private side sewers that connect to the public sanitary sewer. In the event that this development is divided into more than one parcel in the future (whether from platting, boundary line adjustments, lot segregations, or any other land use actions), each new parcel shall have an individual side sewer connection to the public sanitary sewer. This may require re-routing any existing shared side sewers, or constructing new side sewers in order to individually connect each parcel to the public sanitary sewer. A public sanitary sewer extension may also be required in order to

individually connect each parcel. Notice of this requirement shall be recorded on title of this parcel.

- d. Private sanitary sewer easements shall be provided across any parcel(s) that side sewers must cross to serve parcels which do not have direct access to a public sanitary sewer. No permanent structures shall be placed within or over the required easements. All private easements shall appear on the face of the plat Mylar.
- e. All storm drainage shall be collected and conveyed to the City storm system in compliance with the City reviewed storm water site plan submitted with the building plan.
- f. An existing public storm sewer main within a public storm easement appears to be under the proposed car wash facility. This is not allowed, however the storm main and easement can be rerouted from under the proposed building at the applicants' expense. The City storm sewer shall be relocated through the City's work order process. Storm sewer plans shall be prepared by a licensed civil engineer registered in the state of Washington, per City standards, and shall be submitted to the Public Works Department Construction Division for approval.
- g. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). City approval does not release the applicant from state or other permitting requirements.
- h. This project will contribute stormwater to the City's regional detention system in the Flett Creek Drainage Basin, which is at capacity. If this project totals 10,000 square feet or more of new effective impervious surface in a threshold discharge area, the applicant shall meet one of the following criteria in accordance with the City of Tacoma Surface Water Management Manual:

- Prepare a 1/4-mile downstream hydrological analysis of the City storm system. If the analysis shows the system has sufficient capacity, an in-lieu-of detention fee will be offered negating the requirement for on-site detention. The fee collected will be used to make future improvements to the City's regional Flett Creek Drainage Basin. The applicant must sign an Agreement Regarding Stormwater Detention and pay the fee before issuance of building permits; or
- Provide on-site detention of stormwater to match a forested condition; or
- Provide on-site detention of stormwater to match the existing site conditions, and pay the in-lieu-of-detention fee.

Note: Effective impervious surface created offsite as a result of this project shall count toward the effective impervious surface total.

- i. Projects totaling 5,000 square feet or more of effective pollution-generating impervious surface within a threshold discharge area shall be required to construct stormwater treatment facilities. Commonly used stormwater treatment facilities include cartridge filtration, biofiltration, wet ponds/vaults, or a combination of such devices. Due to any number of site-specific conditions, the selection of an appropriate stormwater treatment facility is the responsibility of the project engineer and shall be based on Volume V, Chapter 2 of the City of Tacoma Surface Water Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
- j. All easements required for public storm sewer main relocations shall be granted to the City of Tacoma and be prepared by the City of Tacoma Public Works, Real Property Services Department.
- k. No permanent structure(s) shall be erected within the public easement area(s) unless specifically approved in writing by the City of Tacoma Director of Public Works. Permanent structures shall mean any concrete foundation, concrete slab, wall,

rockery, pond, stream, building, deck, overhanging structure, fill material, tree, recreational sport court, carport, shed, private utility, fence, or other site improvement that restricts or unreasonably interferes with the City of Tacoma's access to install, construct, inspect, maintain, remove, repair and replace public storm sewer utilities in said easement(s). Permanent structures shall not mean flowers, ground cover and shrubs less than 3-feet in height, lawn grass, asphalt paving or gravel improvements that do not prevent the access of men, material, and machinery across, along and within the said easement area. Land restoration by the City within the said easement area due to the construction, shall mean planting grass seed or grass sod, asphalt paving and gravel unless otherwise determined by the City of Tacoma.

3. TACOMA WATER

- a. City ordinance 12.10.045 requires a separate water service and meter for each parcel.
- b. Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project shall be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications shall be estimated by Tacoma Water. The developer shall be required to pay a deposit in the amount of the estimated cost. The actual costs for the work shall be billed against the developer's deposit. The new mains shall be installed by and at the expense of the developer. The developer shall be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developer's Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling shall be due to Tacoma Water. Upon completion of the project, the developer

shall either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.

- c. The customer shall obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.
- d. If fire sprinklering, the customer shall contact the Tacoma Water Permit Counter for policies related to combination fire/domestic water service connections.
- e. New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters shall be installed by Tacoma Water after payment of the System Development Charge.
- f. If a new fire hydrant is required at a location with an existing water main, the hydrant shall be installed by Tacoma Water after payment of an installation charge.
- g. If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they shall be relocated by Tacoma Water at the owner's expense.
- h. Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

4. SOURCE CONTROL

- a. Commercial car washes are reviewed on a case by case basis; requirements are based on the facility's design. Manual (wand) bays, automatic wash tunnels and one-, or two-step washing processes each have different requirements.
- b. Wastewater generated from covered manual (wand) car wash bays shall discharge to a properly sized coalescing plate oil/water separator connected to the sanitary sewer.
- c. Wastewater generated from uncovered manual (wand) car wash bays shall be limited in size and shall discharge to a

coalescing plate oil/water separator sized using the Rational Method for the 25 year storm.

- d. For the one-step washing process where only surfactants are used to wash only vehicle exteriors, a Type 1 catch basin with a 6" tee outlet discharging to the sanitary sewer shall be provided.
- e. For the two-step washing process, the acidic and basic wastewater streams shall be combined or otherwise neutralized prior to discharging the wastestreams into the sanitary sewer.
- f. Material Safety Data Sheets for washing chemicals, neutralizing chemicals, or both, shall be submitted to Building and Land Use Services Division with the building plans.
- g. For all washing processes, provisions shall be made to capture and remove from the wastestream any sand, grit or other solid material prior to its discharge into the sanitary sewer.
- h. Dragout from the wash tunnel shall be captured and directed to the sanitary sewer to prevent excess soap, wax, or both from entering the storm drainage system.
- i. Applicant shall submit plumbing and mechanical drawings together with the building plans during the plan review process.

5. TACOMA POWER

- a. Any relocation of Tacoma Power's facilities shall be done at the customer's expense.
- b. All new services shall be installed underground and additional utility easements may be required.

6. TACOMA FIRE DEPARTMENT

- a. The future building(s) and site improvements shall meet all requirements of the International Fire Code as amended by the State of Washington and City of Tacoma as determined at the building permit stage.
- b. At minimum, a new fire hydrant shall be installed within the site located at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units.

- If a fire access is not provided from the site to the existing hydrant (hydrant # 7388) to the west along the private drive from South 'A' Street, a second hydrant shall be installed within the site.
- c. The estimated minimum fire flow is 2000 GPM.
- d. An automatic fire sprinkler system shall be installed throughout all future residential condo dwelling(s) to be constructed. Installation shall be in accordance with National Fire Protection Association Standard 13R.
- e. An approved fire apparatus turnaround, per the Public Works Design Standards, shall be provided at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units. All fire access lanes on the site shall be designed to meet the turning radii of the approved fire apparatus.

7. GRADING AND EROSION CONTROL

- a. Grading plans shall be evaluated at the Building Permit stage.
- b. The project developer shall take reasonable precautions to avoid fugitive dust emissions during construction activities. By employing Best Management Practices (BMPs), such as watering or covering exposed areas during dry periods, the developer shall not allow fugitive dust to travel beyond the project boundaries.
- c. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval shall be obtained through the Tacoma-Pierce County Health Department prior to filling.
- d. Provisions shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- e. Erosion control measures must be in place prior to any

clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.

- f. During construction, all release of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.

8. PROTECTION OF ADJACENT PROPERTY

- a. With the development of the project, the proponent shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. Slopes shall be constructed with cuts no steeper than 1-1/2:1, and fills no steeper than 2:1, except where more restrictive criteria is stipulated by the soils engineer. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, the project engineer shall address them.

9. MISCELLANEOUS

- a. The proposal shall be developed substantially in compliance with the site plans and representations made in the project application. The project shall be designed to meet or exceed all applicable requirements of the *TMC*, the *IBC*, and all other relevant regulations.
- b. The applicant must provide Solid Waste Management (SWM) with a detailed site plan indicating location of solid waste/recycle collection point(s). The siting of the collection point shall be specifically approved by SWM staff prior to construction. The size/type of container to be used shall be

noted at time of plan submittal.

- c. The applicant shall provide a detailed Landscaping Plan per the requirements of *TMC 13.06.502* for review and approval of the Land Use Administrator.
- d. Prior to obtaining building or grading permits, the proponent shall contact the appropriate City departments to make the necessary arrangements for all required improvements.
- e. This Agreement shall be executed and recorded with the Pierce County Auditor prior to final approval of the reclassification by the City.
- f. The access easement through the site shall be depicted on the final mylar for the boundary line adjustment.

B USUAL CONDITIONS:

1. This Agreement is based upon representations made and exhibits, including development plans and proposals, submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.
2. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances are conditions precedent to the approvals granted and are continuing requirements of such approvals. By accepting this approval, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
3. The owners/applicants understand and agree that if the property that is subject to this agreement is rezoned as a part of an area-wide rezone after the date of this agreement, the requirements of the subsequent area-wide rezone may supersede the provisions of this agreement.

4. The Owner/Applicant further agrees and understands that prior to obtaining a temporary certificate of occupancy, the required improvements shall be constructed or the Owner/Applicant shall provide to the City of Tacoma a performance bond or other financial security, as approved by the City Attorney, guaranteeing the completion of such improvements. A final certificate of occupancy will not be issued until such improvements are completed.

5. No modifications of this agreement shall be made unless mutually agreed upon by the parties in writing. It is the intent of this section that, since this Agreement applies to more than one parcel, that any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed be agreed to by the owners of each parcel, or those persons' heirs, successors, and assigns, as well as by the City of Tacoma, before a change can be approved.

6. The City may, at its discretion, bring a lawsuit to compel specific performance of the terms of this agreement. In addition to all other remedies available to the City by law, the City reserves the right to revoke the reclassification of the site should the Owner/Applicant fail to comply with any of the terms and conditions of this Agreement.

7. If any condition or covenant herein contained is not performed by the Owner/Applicant, the Owner/Applicant hereby consents to entry upon the site by the City of Tacoma or any entity, individual, person, or corporation acting on behalf of the City of Tacoma for purposes of curing said defect and performing said condition or covenant. Should the City in its discretion exercise the rights granted herein to cure said defect, the Owner/Applicant, his successors and assigns, consent to the entry of the City on the above described property and waive all claims for damages of any kind whatsoever arising from such activity, and the Owner/Applicant further agrees to pay the City all costs incurred by the City in remedying said defects or conditions. The obligations contained in this section are covenants running with the land, and burden the successors and assigns of the respective parties.

8. In the event that any term or clause of this agreement conflicts with applicable law, such conflict shall not affect other terms of this agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this agreement are declared to be severable.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

CITY OF TACOMA

Attest:

11-2-09
Doris Brown
City Clerk

By: Cecil Robinson
Mayor

[seal]

Legal Description Approved

OWNER/APPLICANT:

Lois J. Webb
Chief Surveyor
Public Works Department

Ismail Arslingiray
ISMAIL ARSLINGIRAY

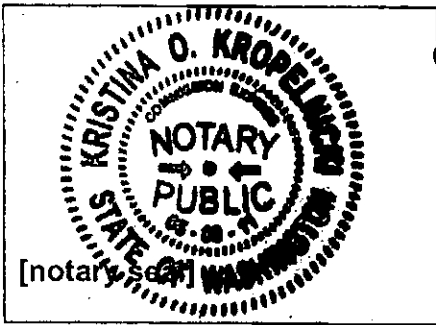
Approved as to form:

[Signature]
Deputy City Attorney

STATE OF WASHINGTON)
) ss
COUNTY OF PIERCE)

I, THE UNDERSIGNED, a Notary Public in and for the state of Washington, do hereby certify that on this 29 day of October, 2009, before me personally appeared ISMAIL ARSLINGIRAY, to me known to be the individual who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Kristina Kropelnick
NOTARY PUBLIC

Printed Name: KRISTINA KROPELNICK
Residing at TALOMA
My commission expires 5/8/11



City of Tacoma
Hearing Examiner

September 9, 2008

Jon Graves Architects & Planners, PLLC
3110 Ruston Way
Tacoma WA 98402

Re: REZ2007-400000106521, SEP2007-40000106541, and MPD2007-40000106520

Enclosed please find your copy of the Hearing Examiner's Findings of Fact, Conclusions of Law, Recommendation, and Decision as a result of a hearing held on August 21, 2008.

LOUISA LEGG
Administrative Legal Secretary

Enclosure

cc: Puget Creek Restoration Society, ATTN: Scott Hansen, 702 Broadway, STE 101
Tacoma WA 98402
Ismail Arslingiray, Arland, 4826 Tacoma Mall Blvd. STE C, Tacoma WA 98409
City Clerk
Department of Public Works, City of Tacoma (Env. Svcs. Eng./Merita Pollard)
Department of Public Works, City of Tacoma (Solid Waste Mgmt./R. Coyne)
Department of Public Works, City of Tacoma (BLUS/C. Haynes-Castro)
Department of Public Works, City of Tacoma (BLUS/S. Schultz)
Department of Public Works, City of Tacoma (Construction/LID/S. Simpson)
Tacoma Fire Department, City of Tacoma (Carl Anderson, P.E.)
Tacoma Fire Department, City of Tacoma (Ryan Erickson, P.E.)
Tacoma Power, City of Tacoma (Transmission & Distribution/R. Barrutia)
Tacoma Water, City of Tacoma (J. Angel)
CEDD, City of Tacoma (L. Wung)
Pierce County Assessor-Treasurer (Sally Barnes)
Tacoma-Pierce County Health Department, ATTN: Nedda S. Turner, R.S.,
Env. Source Protection Liason, 3629 South D Street, Tacoma, WA 98418-6813
WA State Dept. of Ecology, Environmental Review Section, ATTN: Al Salvi,
P.O. Box 47775, Olympia, WA 98504-7775
WA State Dept. of Ecology, Environmental Review Section, ATTN: Margaret Hill, WQ,
c/o Opal Smitheran, P.O. Box 47775, Olympia, WA 98504-7775

OFFICE OF THE HEARING EXAMINER

CITY OF TACOMA

REPORT

AND

RECOMMENDATION AND DECISION

APPLICANT: Jon Graves Architects and Planners, PLLC on behalf of Ismail Arslingiray

FILE NOS.: REZ2007-40000106521, SEP2007-40000106541, and MPD2007-40000106520

SUMMARY OF REQUESTS:

The applicant is proposing a rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One-Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site and "T" Transitional on the easterly portion of the site. The site would be re-developed with a small retail use and a commercial car wash along Pacific Avenue and multi-family dwellings on the east side. Boundary lines for the five parcels would be re-configured to create three revised lots, two of which would abut Pacific Avenue and one of which would be accessed via driveway through the Pacific Avenue properties.

LOCATION:

The site is addressed as 8431 Pacific Avenue.

RECOMMENDATION OF THE HEARING EXAMINER:

The subject rezone application is recommended for approval, subject to conditions.

DECISION OF THE HEARING EXAMINER:

The requested boundary line adjustment and "officially approved accessway" are approved, subject to conditions and contingent upon the Tacoma City Council's approval of the related rezone application.

PUBLIC HEARING:

After reviewing the report of the Department of Public Works, examining available information on file with the application, and visiting the subject site and the surrounding area, the Hearing Examiner conducted a public hearing on the application on August 21, 2008.

FINDINGS, CONCLUSIONS, AND RECOMMENDATION AND DECISION:

FINDINGS:

1. Jon Graves Architects and Planners, PLLC on behalf of Ismail Arslingiray (hereinafter "Arslingiray") is requesting the rezoning of property located on the east side of Pacific Avenue South, south of South 84th Street (8431 Pacific Avenue) from its current "C-1" General Neighborhood Commercial, "R4-L" Low Density Multiple-Family, and "R-2" One-Family Dwelling District zoning classifications to a "C-2" General Community Commercial zone and "T" Transitional District. Also being requested is a boundary line adjustment (BLA) to reconfigure the current boundary lines of five parcels comprising the 2.18 acre development site so that three parcels would be created which would be consistent with the development plan for the 2.18 acre site proposed by Arslingiray. Finally, being requested is "officially approved accessway" to allow a proposed private access easement to serve as access serving the residential portion of the development on the site.

2. Arslingiray proposes the development of the 2.18 acre site with a one-story 6,000 square foot retail building on the northwest portion of the property, a car wash on the southwest portion, and 13 attached residential units, located within five buildings, on the east part of the site. Parking spaces for 36 vehicles are planned for the residential development and 25 parking spaces and a loading area are shown on the development plan for the retail commercial building. Exhibit 1 at Attachment 1. Access to the development would be provided via an access easement extending east from Pacific Avenue. No vehicular access is proposed to "A" Street lying east of the development site.

3. The 2.18 acre development site has a number of zoning classifications applied to it. Except for the southerly portions of the site, which is zoned "R-2", the rest of the site's Pacific Avenue frontage is zoned "C-2". Exhibit 1 at Attachment 3, first page. The easterly portion of the site has areas zoned "R4-L", "R-2", and "C-1". *Id.* Through the rezone request, Arslingiray proposes to have the west part of the site, fronting on Pacific Avenue, entirely located within the "C-2" zoning classification and the entire easterly part included within a "T" zone. Exhibit 1 at Attachment 3, second page.¹ Such zoning pattern would permit Arslingiray's proposed commercial development along the portion of the site fronting Pacific Avenue and the attached housing units proposed for the east part of the property.

4. The development site is generally flat and has been previously graded and a small dilapidated commercial building occupies the northernmost corner of the property. The referred to commercial building is intended to be demolished in order to accommodate Arslingiray's proposed development of the property.

5. Pacific Avenue, in the vicinity of the development site, is a commercial corridor comprised of a variety of commercial uses and some apartment developments. Pacific Avenue is a state highway (SR 7), is designated by the City as a principal arterial street, and is developed with four travel lanes in each direction, with a center left turn lane, curb, gutter, and sidewalks. Property to the east of the

¹ At hearing, Building and Land Use Services (BLUS) advised that Exhibit 1, Attachment 3, second page, erroneously indicated that the proposed zoning for the easterly portion of the site was "R4-L", which should have been correctly labeled "T".

Arlsingiray's property, in the vicinity of "A" Street, are generally developed with single-family homes.

6. The development site has a substantial land use regulatory history. The westerly portion of the site, as well as much of the Pacific Avenue corridor in the area, was zoned "C-2", with the "R-2" zone being applied to the east and south portions of the property in 1953. In 1966, an "R4-L" zone was applied to the east of the then existing "C-2" zone portions of the property to allow development of apartments. In 1992, the east central portion of the property was rezoned to a "C-1" zone in order to allow development of two office/retail buildings. Finally in 2006, a modification to the "C-1" rezone was approved allowing development of this portion of the development site (along with the abutting "C-2" zone to the west of the "C-1" zone) with a grocery store instead of the earlier approved office/retail buildings.

7. The City's *Comprehensive Plan* locates the development site within a Tier I Primary Growth Area where new urban growth is encouraged due to the availability of necessary infrastructure and services to support urban levels of development and the presence of existing urban development. Also, the *Comprehensive Plan* locates the site with a "Medium Intensity" land use plan designation where commercial development of community-wide significance and residential densities ranging up to 45 dwelling units per acre are allowed. Additionally, the Larchmont Neighborhood Sub-Area provision of the Neighborhood Element of the City's *Comprehensive Plan* indicates that vehicular access for commercial development along this section of Pacific Avenue corridor should be directed to Pacific Avenue and not to "A" Street, which is a residential access street. The Hearing Examiner finds that the proposed commercial/residential development proposed by Arslingiray, with access limited to Pacific Avenue, is consistent with applicable *Comprehensive Plan* provisions.

8. Numerous changes in conditions have occurred affecting the property over the years, some of which are reflected in the numerous changes in zoning involving the property. See Finding 6. In addition, over the years, increased commercial and multiple-family development has occurred along the Pacific Avenue corridor in the area of the development site and traffic on Pacific Avenue has steadily increased. Also, the City's current *Comprehensive Plan* designates the entire development site for "Medium Intensity" development. These changed conditions support the rezone being requested.

9. The intent of the "T" District is to provide a transition between commercial or institutional areas and residential areas. *Tacoma Municipal Code (TMC)* 13.06.200.B.1. The "T" zone proposed here, would be consistent with that intent since it would provide a transition between the commercial development along Pacific Avenue and the single-family residential areas to the east. The "C-2" zone is intended to be developed with a broad range of medium to high intensity residential uses including office, retail, and service uses. *TMC* 13.06.200.B.3. The proposed retail commercial development and car wash use proposed along the Pacific Avenue frontage of the development site are consistent with the "C-2" District Establishment Statement.

10. The development site is not located within an area that has been the subject of an area-wide rezone which has occurred within two years preceding the filing of the Arslingiray rezone application.

11. Since the rezone site is consistent with the City's *Comprehensive Plan* and the development proposed fully complies with all development standards of the City, the public interest would be furthered by approval of the rezone application.

12. The proposed BLA is minor in nature and reduces the number of parcels within the development site from five to three in order to reflect the development configuration proposed. No open space or protected environments would be diminished as a result of the adjustment to boundary lines. Further, all lots resulting from the boundary line alteration would be in conformance with the requirements not only of the "C-2" and "T" zones but also subdivision standards.

13. The applicant proposes a 24-foot private roadway within a 30-foot wide easement to provide access to the residential portion of the development from Pacific Avenue. The accessway would be permanent, unobstructed, and designed and approved to accommodate fire apparatus and necessary mobile service equipment. The proposed accessway has been reviewed by utility providers and the fire department and no objections have been expressed. The easement for the accessway would run to the benefit of the property served by accessway.

14. The request for rezone, BLA, and "officially approved accessway" have been reviewed by numerous governmental agencies and utility providers and none object to approval of the request; however, numerous conditions have been recommended concerning street, driveway, and sidewalk improvements; storm and sanitary sewer facilities; provisions for water service; source control requirements; power service requirements; fire protection measures; grading and control measures; measures to protect adjacent properties; and miscellaneous procedural matters. Exhibit 1 at 18 through 24.

15. The applicant concurs in all of the conditions recommended by reviewing agencies and utility providers and agrees to comply with the same.

16. No one appeared at hearing in opposition to the applications presented by Arslingiray. The Puget Creek Restoration Society (PCRS) presented suggestions concerning retention of mature trees on the property and implementation of low impact development techniques.

17. In response to the suggestions of the PCRS, BLUS indicated that the property had been previously cleared and there were little or no mature vegetation on the property and that City's landscaping and development standards do not require low impact development techniques as suggested by the PCRS; however, they are encouraged.

18. Pursuant to SEPA Rules (WAC 197-11) and the City of Tacoma's SEPA Procedures, the Director of Public Works issued a Determination of Environmental Nonsignificance for the proposed action on June 28, 2008. The determination was based on a site survey, a review of the applicant's Environmental Checklist, and other supporting information on file with the DPW. No appeal was taken from the Director of Public Works environmental determination.

19. The DPW Preliminary Report, as entered into this record as Exhibit 1, accurately describes the proposal, general and specific facts about the site, applicable sections of the *GLUP*, and applicable regulatory codes. The report is incorporated herein by reference as though fully set forth.

20. Written notice of the public hearing has been mailed to all property owners of property within 400 feet of the site on June 23, 2008. Additionally, a public notice sign has been posted on the site, notice was posted on the City's website, and notice of hearing was published in a newspaper of general circulation.

**FINDINGS OF FACT,
CONCLUSION OF LAW,
AND RECOMMENDATION
AND DECISION**

21. Any conclusion hereinafter stated which may be deemed to be a finding herein is hereby adopted as such.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction over the permit actions which are the subject of these proceedings. *TMC* 1.23.050.A.1 and .120.

2. Applications for rezones are reviewed for consistency with all of the following criteria:

Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:

1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Land Use Management Plan.
2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the Land Use Management Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.
5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

TMC 13.06.650.B.

3. Applications for boundary line adjustments are reviewed for consistency with the following criteria:

- A. A boundary line adjustment shall be a minor alteration in the location of lot boundaries of an existing lot. Such alteration shall not increase the number of lots nor diminish in size open space or other protected environments.

- B. Such alteration shall not diminish the size of any lot so as to result in a lot of less square footage than prescribed in the zoning regulations for the property in question.
- C. Such alteration shall not result in the reduction of setbacks or site coverage to less than prescribed by the zoning regulations.
- D. All lots resulting from the boundary line alteration shall be in conformance with the design standards of this chapter.

* * *

TMC 13.04.085.

4. TMC 13.04.140.B authorizes the designation of an "officially approved accessway" to serve lots within a subdivision in lieu of standard street access, provided such access conforms to enumerated standards as set forth below:

- A. There shall be no reserve strips controlling access to streets except where such strips are controlled by the City under conditions approved by the Hearing Examiner or Land Use Administrator. The land shall be subdivided/short subdivided, providing each lot, by means of either a public or private street or way, or permanent access easement, with satisfactory access to an existing public highway or to a thoroughfare as shown in the Major Street Plan, the comprehensive plan, or an official map.
- B. Officially Approved Accessway. When considering a subdivision, short subdivision, boundary line adjustment and/or binding site plan approval, a public or private street or way, or permanent access easement, which does not conform to the minimum requirements of the Major Street Plan and the specifications of the City of Tacoma, and which provides principal access to the property it is intended to serve, shall be found by the Land Use Administrator or Hearing Examiner to be adequate to provide all necessary ingress and egress to a parcel or parcels of land for specific uses subject to the following conditions:
 - 1. That a minimum of 10-foot-wide officially approved accessway be required for one dwelling unit, and a minimum of a 16-foot-wide officially approved accessway be required for two or more dwelling units, or for any use other than residential;
 - 2. That such officially approved accessway be permanent, unobstructed, and designed, improved, and maintained to accommodate fire apparatus and necessary mobile service equipment;
 - 3. That, if determined to be necessary for the convenience and safety of the residents served by said officially approved accessway, the Land Use Administrator or Hearing Examiner may require other reasonable standards and improvements of said officially approved accessway;
 - 4. That the ownership and control of said officially approved accessway be with the owner of the property it serves, unless other provisions are determined to be satisfactory;

5. That the Hearing Examiner or Land Use Administrator may attach to such a determination reasonable conditions limiting and controlling the development of said parcel according to the practical capacity of said officially approved accessway and in the interest of the particular neighborhood and of the general public.

5. The applicant bears the burden of proof to establish, by a preponderance of the evidence, that its requests are consistent with the applicable legal standards for the approval of such requests. *TMC 1.23.070.A and .C.*

6. Findings based on substantial and un-rebutted evidence in the hearing record, support a conclusion that the applications for rezone, BLA, and "officially approved accessway" conform with the applicable legal standards for such requests provided conditions recommended herein are imposed and complied by Arslingiray.

7. Accordingly, the requested rezone, BLA, and "officially approved accessway" should be approved subject to the following conditions:

A. SPECIAL CONDITIONS:

1. STREETS, DRIVEWAYS, AND SIDEWALKS

- a. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer.
- b. Per RCW 35.68.075, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be required at the direction of the Traffic Engineer.
- c. A 5-foot wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per *TMC* standards for internal lot access.
- d. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.
- e. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per *TMC* standards for internal commercial and residential developments.

**FINDINGS OF FACT,
CONCLUSION OF LAW,
AND RECOMMENDATION
AND DECISION**

- f. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.
- g. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2½ inches of Crushed Surfacing Top Course and 5 inches of Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.
- h. The type, width and location of all driveway approaches serving the site(s) shall be approved by the City Engineer.

2. STORM AND SANITARY SEWERS

- a. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
- b. Each building shall have an independent connection to the City sanitary sewer at the building construction stage. The existing side sewer shall be abandoned per Chapter 7, Section 722.0 of the Uniform Plumbing Code. Permits for this work shall be obtained.
- c. Multiple units and buildings that are under single ownership and located on a single parcel may use shared private side sewers that connect to the public sanitary sewer. In the event that this development is divided into more than one parcel in the future (whether from platting, boundary line adjustments, lot segregations, or any other land use actions), each new parcel shall have an individual side sewer connection to the public sanitary sewer. This may require re-routing any existing shared side sewers, or constructing new side sewers in order to individually connect each parcel to the public sanitary sewer. A public sanitary sewer extension may also be required in order to individually connect each parcel. Notice of this requirement shall be recorded on title of this parcel.
- d. Private sanitary sewer easements shall be provided across any parcel(s) that side sewers must cross to serve parcels which do not have direct access to a public sanitary sewer. No permanent structures shall be placed within or over the required easements. All private easements shall appear on the face of the plat Mylar.
- e. All storm drainage shall be collected and conveyed to the City storm system in compliance with the City reviewed storm water site plan submitted with the building plan.
- f. An existing public storm sewer main within a public storm easement appears to be under the proposed car wash facility. This is not allowed, however the storm main and easement can be rerouted from under the proposed building at the applicants' expense. The City storm sewer shall be relocated through the City's work order process. Storm sewer plans shall be prepared by a licensed civil engineer registered

in the state of Washington, per City standards, and shall be submitted to the Public Works Department Construction Division for approval.

- g. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). City approval does not release the applicant from state or other permitting requirements.
- h. This project will contribute stormwater to the City's regional detention system in the Flett Creek Drainage Basin, which is at capacity. If this project totals 10,000 square feet or more of new effective impervious surface in a threshold discharge area, the applicant shall meet one of the following criteria in accordance with the City of Tacoma Surface Water Management Manual:
- Prepare a ¼-mile downstream hydrological analysis of the City storm system. If the analysis shows the system has sufficient capacity, an in-lieu-of detention fee will be offered negating the requirement for on-site detention. The fee collected will be used to make future improvements to the City's regional Flett Creek Drainage Basin. The applicant must sign an Agreement Regarding Stormwater Detention and pay the fee before issuance of building permits; or
 - Provide on-site detention of stormwater to match a forested condition; or
 - Provide on-site detention of stormwater to match the existing site conditions, and pay the in-lieu-of-detention fee.
- Note: Effective impervious surface created offsite as a result of this project shall count toward the effective impervious surface total.*
- i. Projects totaling 5,000 square feet or more of effective pollution-generating impervious surface within a threshold discharge area shall be required to construct stormwater treatment facilities. Commonly used stormwater treatment facilities include cartridge filtration, biofiltration, wet ponds/vaults, or a combination of such devices. Due to any number of site-specific conditions, the selection of an appropriate stormwater treatment facility is the responsibility of the project engineer and shall be based on Volume V, Chapter 2 of the City of Tacoma Surface Water Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
- j. All easements required for public storm sewer main relocations shall be granted to the City of Tacoma and be prepared by the City of Tacoma Public Works, Real Property Services Department.
- k. No permanent structure(s) shall be erected within the public easement area(s) unless specifically approved in writing by the City of Tacoma Director of Public Works. Permanent structures shall mean any concrete foundation, concrete slab, wall, rockery, pond, stream, building, deck, overhanging structure, fill material, tree, recreational sport court, carport, shed, private utility, fence, or other site

improvement that restricts or unreasonably interferes with the City of Tacoma's access to install, construct, inspect, maintain, remove, repair and replace public storm sewer utilities in said easement(s). Permanent structures shall not mean flowers, ground cover and shrubs less than 3-feet in height, lawn grass, asphalt paving or gravel improvements that do not prevent the access of men, material, and machinery across, along and within the said easement area. Land restoration by the City within the said easement area due to the construction, shall mean planting grass seed or grass sod, asphalt paving and gravel unless otherwise determined by the City of Tacoma.

3. TACOMA WATER

- a. City ordinance 12.10.045 requires a separate water service and meter for each parcel.
- b. Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project shall be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications shall be estimated by Tacoma Water. The developer shall be required to pay a deposit in the amount of the estimated cost. The actual costs for the work shall be billed against the developer's deposit. The new mains shall be installed by and at the expense of the developer. The developer shall be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developer's Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling shall be due to Tacoma Water. Upon completion of the project, the developer shall either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.
- c. The customer shall obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.
- d. If fire sprinkling, the customer shall contact the Tacoma Water Permit Counter for policies related to combination fire/domestic water service connections.
- e. New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters shall be installed by Tacoma Water after payment of the System Development Charge.
- f. If a new fire hydrant is required at a location with an existing water main, the hydrant shall be installed by Tacoma Water after payment of an installation charge.
- g. If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they shall be relocated by Tacoma Water at the owner's expense.

- h. Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

4. SOURCE CONTROL

- a. Commercial car washes are reviewed on a case by case basis; requirements are based on the facility's design. Manual (wand) bays, automatic wash tunnels and one-, or two-step washing processes each have different requirements.
- b. Wastewater generated from covered manual (wand) car wash bays shall discharge to a properly sized coalescing plate oil/water separator connected to the sanitary sewer.
- c. Wastewater generated from uncovered manual (wand) car wash bays shall be limited in size and shall discharge to a coalescing plate oil/water separator sized using the Rational Method for the 25 year storm.
- d. For the one-step washing process where only surfactants are used to wash only vehicle exteriors, a Type 1 catch basin with a 6" tee outlet discharging to the sanitary sewer shall be provided.
- e. For the two-step washing process, the acidic and basic wastewater streams shall be combined or otherwise neutralized prior discharging the wastestreams into the sanitary sewer.
- f. Material Safety Data Sheets for washing chemicals, neutralizing chemicals, or both, shall be submitted to Building and Land Use Services Division with the building plans.
- g. For all washing processes, provisions shall be made to capture and remove from the wastestream any sand, grit or other solid material prior to its discharge into the sanitary sewer.
- h. Dragout from the wash tunnel shall be captured and directed to the sanitary sewer to prevent excess soap, wax, or both from entering the storm drainage system.
- i. Applicant shall submit plumbing and mechanical drawings together with the building plans during the plan review process.

5. TACOMA POWER

- a. Any relocation of Tacoma Power's facilities shall be done at the customer's expense.
- b. All new services shall be installed underground and additional utility easements may be required.

6. TACOMA FIRE DEPARTMENT

- a. The future building(s) and site improvements shall meet all requirements of the International Fire Code as amended by the State of Washington and City of Tacoma as determined at the building permit stage.
- b. At minimum, a new fire hydrant shall be installed within the site located at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units.
 - If a fire access is not provided from the site to the existing hydrant (hydrant # 7388) to the west along the private drive from South 'A' Street, a second hydrant shall be installed within the site.
- c. The estimated minimum fire flow is 2000 GPM.
- d. An automatic fire sprinkler system shall be installed throughout all future residential condo dwelling(s) to be constructed. Installation shall be in accordance with National Fire Protection Association Standard 13R.
- e. An approved fire apparatus turnaround, per the Public Works Design Standards, shall be provided at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units. All fire access lanes on the site shall be designed to meet the turning radii of the approved fire apparatus.

7. GRADING AND EROSION CONTROL

- a. Grading plans shall be evaluated at the Building Permit stage.
- b. The project developer shall take reasonable precautions to avoid fugitive dust emissions during construction activities. By employing Best Management Practices (BMPs), such as watering or covering exposed areas during dry periods, the developer shall not allow fugitive dust to travel beyond the project boundaries.
- c. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval shall be obtained through the Tacoma-Pierce County Health Department prior to filling.
- d. Provisions shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- e. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.
- f. During construction, all release of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on

the site.

8. PROTECTION OF ADJACENT PROPERTY

- a. With the development of the project, the proponent shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. Slopes shall be constructed with cuts no steeper than 1-1/2:1, and fills no steeper than 2:1, except where more restrictive criteria is stipulated by the soils engineer. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, the project engineer shall address them.

9. MISCELLANEOUS

- a. The proposal shall be developed substantially in compliance with the site plans and representations made in the project application. The project shall be designed to meet or exceed all applicable requirements of the *TMC*, the *IBC*, and all other relevant regulations.
- b. The applicant must provide Solid Waste Management (SWM) with a detailed site plan indicating location of solid waste/recycle collection point(s). The siting of the collection point shall be specifically approved by SWM staff prior to construction. The size/type of container to be used shall be noted at time of plan submittal.
- c. The applicant shall provide a detailed Landscaping Plan per the requirements of *TMC* 13.06.502 for review and approval of the Land Use Administrator.
- d. Prior to obtaining building or grading permits, the proponent shall contact the appropriate City departments to make the necessary arrangements for all required improvements.
- e. A Concomitant Zoning Agreement incorporating the conditions of approval imposed shall be executed and recorded with the Pierce County Auditor prior to final approval of the reclassification by the City.
- f. The access easement through the site shall be depicted on the final mylar for the boundary line adjustment.

B. USUAL CONDITIONS:

1. THE DECISIONS SET FORTH HEREIN ARE BASED UPON REPRESENTATIONS MADE AND EXHIBITS, INCLUDING DEVELOPMENT PLANS AND PROPOSALS, SUBMITTED AT THE HEARING CONDUCTED BY THE HEARING EXAMINER. ANY SUBSTANTIAL CHANGE(S) OR DEVIATION(S) IN SUCH DEVELOPMENT PLANS, PROPOSALS, OR CONDITIONS OF APPROVAL IMPOSED SHALL BE SUBJECT TO THE APPROVAL OF THE HEARING EXAMINER AND MAY REQUIRE FURTHER AND ADDITIONAL HEARINGS.

2. THE AUTHORIZATION(S) GRANTED HEREIN IS/ARE SUBJECT TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, REGULATIONS, AND ORDINANCES. COMPLIANCE WITH SUCH LAWS, REGULATIONS, AND ORDINANCES ARE CONDITIONS PRECEDENT TO THE APPROVALS GRANTED AND ARE CONTINUING REQUIREMENTS OF SUCH APPROVALS. BY ACCEPTING THIS/THESE APPROVALS, THE APPLICANT REPRESENTS THAT THE DEVELOPMENTS AND ACTIVITIES ALLOWED WILL COMPLY WITH SUCH LAWS, REGULATIONS, AND ORDINANCES. IF, DURING THE TERM OF THE APPROVALS GRANTED, THE DEVELOPMENTS AND ACTIVITIES PERMITTED DO NOT COMPLY WITH SUCH LAWS, REGULATIONS, OR ORDINANCES, THE APPLICANT AGREES TO PROMPTLY BRING SUCH DEVELOPMENTS OR ACTIVITIES INTO COMPLIANCE.

8. Any conclusion herein which may be deemed a finding is hereby adopted as such.

RECOMMENDATION:

The subject rezone application is recommended for approval, subject to conditions set forth herein.

DECISION:

The requested boundary line adjustment and "officially approved accessway" are approved, subject to conditions and contingent upon the Tacoma City Council's approval of the related rezone application.

DATED this 9th day of September, 2008.



RODNEY M. KERSLAKE, Hearing Examiner

NOTICE

Pursuant to RCW 36.70B.130, you are hereby notified that affected property owner(s) receiving this notice of decision may request a change in valuation for property tax purposes consistent with Pierce County's procedure for administrative appeal. To request a change in value for property tax purposes, you must file with the Pierce County Board of Equalization on or before July 1st of the assessment year or within 30 days of the date of notice of value from the Assessor-Treasurer's Office. To contact the board, call 253-798-7415 or www.co.pierce.wa.us/boe.

**FINDINGS OF FACT,
CONCLUSION OF LAW,
AND RECOMMENDATION
AND DECISION**

NOTICE

RECONSIDERATION/APPEAL OF EXAMINER'S DECISION

RECONSIDERATION:

Any aggrieved person or entity having standing under the ordinance governing the matter, or as otherwise provided by law, may file a motion with the office of the Hearing Examiner requesting reconsideration of a decision or recommendation entered by the Examiner. A motion for reconsideration must be in writing and must set forth the alleged errors of procedure, fact, or law and must be filed in the Office of the Hearing Examiner within 14 calendar days of the issuance of the Examiner's decision/recommendation, not counting the day of issuance of the decision/recommendation. If the last day for filing the motion for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. The requirements set forth herein regarding the time limits for filing of motions for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole discretion of the Examiner to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. The Examiner, after a review of the matter, shall take such further action as he/she deems appropriate, which may include the issuance of a revised decision/recommendation. (*Tacoma Municipal Code 1.23.140*)

APPEAL TO SUPERIOR COURT OF EXAMINER'S DECISION:

COPY
NOTICE

Pursuant to the Official Code of the City of Tacoma, Section 1.23.160, the Hearing Examiner's decision is appealable to the Superior Court for the State of Washington. Any court action to set aside, enjoin, review, or otherwise challenge the decision of the Hearing Examiner shall be commenced within 21 days of the entering of the decision by the Examiner, unless otherwise provided by statute.

RECONSIDERATION/APPEAL TO SUPERIOR COURT
7/11/00

NOTICE

RECONSIDERATION/APPEAL OF EXAMINER'S RECOMMENDATION RECONSIDERATION:

Any aggrieved person or entity having standing under the ordinance governing the matter, or as otherwise provided by law, may file a motion with the office of the Hearing Examiner requesting reconsideration of a decision or recommendation entered by the Examiner. A motion for reconsideration must be in writing and must set forth the alleged errors of procedure, fact, or law and must be filed in the Office of the Hearing Examiner within 14 calendar days of the issuance of the Examiner's decision/recommendation, not counting the day of issuance of the decision/recommendation. If the last day for filing the motion for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. The requirements set forth herein regarding the time limits for filing of motions for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole discretion of the Examiner to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. The Examiner, after a review of the matter, shall take such further action as he/she deems appropriate, which may include the issuance of a revised decision/recommendation. (*Tacoma Municipal Code 1.23.140*)

APPEALS TO CITY COUNCIL OF EXAMINER'S RECOMMENDATION:

Within 14 days of the issuance of the Hearing Examiner's final recommendation, any aggrieved person or entity having standing under the ordinance governing such application and feeling that the recommendation of the Examiner is based on errors of procedure, fact or law shall have the right to appeal the recommendation of the Examiner by filing written notice of appeal with the City Clerk, stating the reasons the Examiner's recommendation was in error.

EACH APPEAL SHALL BE ACCOMPANIED BY A FEE AS SET FORTH IN TACOMA MUNICIPAL CODE (TMC) 2.09.500. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD APPELLANT PREVAIL. APPEALS SHALL BE REVIEWED AND ACTED UPON BY THE CITY COUNCIL IN ACCORDANCE WITH TMC 1.70.

GENERAL PROCEDURES FOR APPEAL: The Official Code of the City of Tacoma contains certain procedures for appeal, and while not listing all of these procedures here, you should be aware of the following items which are essential to your appeal. Any answers to questions on the proper procedure for appeal may be found in the City Code sections heretofore cited:

1. The written request for review shall also state where the Examiner's findings or conclusions were in error.
2. Any person who desires a copy of the electronic recording must pay the cost of reproducing the tapes. If a person desires a written transcript, he or she shall arrange for transcription and pay the cost thereof.



City of Tacoma
Public Works Department

Determination of Environmental Nonsignificance (DNS)

SEPA File Number: SEP2007-40000106541
Related File Number: REZ2007-40000106521
MPD2007-40000106520

To: All Departments and Agencies with Jurisdiction

Subject: Determination of Environmental Nonsignificance

In accordance with *Washington Administrative Code (WAC)* 197-11-340, a copy of the Determination of Nonsignificance (DNS) for the project described below is transmitted.

Applicant: Ed Wells, Jon Graves Architects & Planners, PLLC, 3110 Ruston Way, Tacoma, WA 98402 for
Ismail Arslingiray/Arsland, 4826 Tacoma Mall Blvd, Ste. C, Tacoma, WA 98409

Proposal: The applicant is proposing rezone and boundary line adjustment of all or part of five parcels, totaling 2.62 acres, from a combination of "C-1", "C-2", "R-2", and "R4-L" to "C-2" General Community Commercial on the westerly portion of the site and "T" Transitional on the east.. The site would be redeveloped with a commercial car wash along Pacific Avenue and multifamily dwellings on the east side abutting the adjacent residential zone.

Location: The site is located at 8431 Pacific Avenue, with associated Assessor Parcel Numbers of 0320332081, 0320332012, 0320332037, 0320332175 and 0320332174.

Lead Agency: City of Tacoma

City Contact: Shirley Schultz, Land Use Administration Supervisor
Tacoma Public Works Department
747 Market Street, Room 345
Tacoma, WA 98402
253-591-5121, shirley.schultz@cityoftacoma.org

The Responsible Official for the City of Tacoma hereby makes the following findings and conclusions based upon a review of the environmental checklist and attachments, other information on file with the City of Tacoma, and the policies, plans, and regulations designated by the City of Tacoma as a basis for the exercise of substantive authority under the *Washington State Environmental Policy Act (SEPA)* pursuant to *RCW 43.21.C*.

Findings of Fact:

General:

1. The applicant is proposing a rezone and boundary line adjustment of all or part of five parcels, totaling 2.62 acres, from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One-Family Dwelling District, and "R4-L" Low Intensity Multifamily Residential to "C-2" on the westerly portion of the site and "T" Transitional on the easterly portion of the site. The boundary lines of the five underlying parcels would be reconfigured to three parcels. The northwesternmost parcel (approximately 26,393 square feet) would be redeveloped with a 6,000-square foot retail building along with 25 parking stalls and associated site improvements. The southwesternmost parcel (approximately 31,900 square feet) would be redeveloped with a commercial self-serve car wash facility of approximately 3,616 square feet. The easterly parcel (approximately 37,660 square feet) would be developed with 13 townhomes, 36 parking spaces, and associated site improvements.

An environmental review is required for the proposal in accordance with the SEPA, *RCW 43.21C, Tacoma Municipal Code (TMC) 13.12 Environmental Code, and Washington Administrative Code (WAC) 197-11*. The project involves the construction of 9,616 square feet in two commercial structures, 13 townhome units, and 53 stalls of parking. The project exceeds the thresholds found in *WAC197-11-800(b)* for parking lots of more than 20 stalls and for projects in excess of four residential units. In addition, zoning reclassifications are specifically *not* exempted from SEPA reviews. Thus, a SEPA threshold determination is required.

Earth:

2. The project proposes to comply with all regulations including the *International Building Code (IBC) Appendix J (Grading)* as adopted and amended by the City of Tacoma; and *TMC Chapter 13.06 Zoning and Chapter 13.11 Critical Areas Ordinance*.
3. A geotechnical assessment, prepared by Krazan and Associates and dated November 15, 2007 was submitted to, and reviewed by the Public Works Department Building and Land Use Services (BLUS) Division in association with this project. The results of the review confirmed the absence of any geologically hazardous areas on the project site as defined and regulated by *TMC Chapter 13.11 Critical Areas Ordinance*.
4. Soil contamination issues associated with the "Asarco Plume" are addressed in the "Environmental Health" subsection of this document.

Air:

5. Watering of exposed soil during construction to suppress dust will ensure that no impacts to ambient air quality will result from the project.

Water:

6. The project will meet all requirements of the current and any future revisions to the Stormwater Management Manual, the Critical Areas Ordinance and other City regulatory requirements related to stormwater.
7. No regulated wetlands, streams or associated buffers have been identified on the project site pursuant to *TMC 13.11 Critical Areas Ordinance*.

Plants:

8. The proposed project will meet *TMC 13.06.502 Landscaping/Buffering Standards*.

Aesthetics:

9. The proposed project will meet *TMC 13.06.501* Building Design Standards, *TMC 13.06.502* Landscaping/Buffering Standards, and *TMC 13.06.503* Residential Compatibility Standards.

Animals:

10. No state or federal candidate, threatened or endangered plant or animal species, or habitat has been identified on the project site.

Energy and Natural Resources:

11. The proposed project will comply with the City's Energy Code.

Environmental Health:

12. According to the Department of Ecology (Ecology) Facility/Site Atlas, the site is located within an area which has not been tested for contaminants from the Tacoma Smelter Plume. No further review of the site relative to Asarco contamination is required at this time. See Attachment "A" for a copy of the Tacoma Smelter Plume map.
13. Ecology submitted a comment letter (Attachment "B") relating to requirements for solid waste handling as existing buildings are demolished, and for water quality during and after construction. All requirements of the Tacoma-Pierce County Health Department (TPCHD) and Ecology will be met.

Noise:

14. All WAC noise levels shall be met.
15. Activities at the site shall comply with all applicable provisions of *TMC 8.122* Noise Enforcement.

Land Use:

16. The project is not a permitted use within the "R-2" One-Family Dwelling District and will require a discretionary land use permit. The applicant has requested a zoning reclassification to apply the appropriate zoning classifications to the parcels.
17. The Comprehensive Plan designation for the site is "Medium Intensity".

Housing:

18. The project will provide 13 units of housing. No adverse impacts to housing will result from the proposal.

Recreation:

19. The project will not be developed on property designated as open space or public recreation area. No adverse impacts to recreation will result from the proposal.

Historical and cultural preservation:

20. The project is not located within or adjacent to any property listed on the Tacoma, Washington State or National Registers of Historic Places, and is not within proximity to any known archaeological site or archaeological site that is inventoried by the State of Washington Department of Archaeology and Historic Preservation. Additional review of impacts to cultural resources may be required for projects under the jurisdiction of federal agencies under Section 106 of the National Historic Preservation Act (36 CFR 800).

Transportation:

21. The project will comply with *TMC* 13.06.510 Off-street parking and storage areas.
22. The Public Works Engineering Division indicates that the traffic volumes generated by the proposal will not result in significant adverse impacts to the City's street system. A traffic impact analysis for the project was prepared by Heath and Associates, Inc., dated September 2007, and has been submitted to, reviewed, and approved by the Engineering Division. The Division has concurred with the conclusions of the report that the traffic expected to be generated will have no adverse effects on traffic levels or safety. See Attachment "C" for the comments from the Engineering Division.

Public Services/Public Utilities:

23. Project concurrency certification or an appropriate mitigation will be completed at the building permit review stage.
24. The project will comply with emergency vehicle circulation requirements.
25. Fire protection must be provided in accordance with the requirements of *TMC* 3.02 Fire Code.
26. The Tacoma Public Works Department Review Panel reviewed this proposal on January 9, 2008, and has provided comments pertaining to off-site improvements including sidewalk, curb, street improvements and other miscellaneous infrastructure. The Review Panel comments are shown in Attachment "D".

CONCLUSION OF THE RESPONSIBLE OFFICIAL:

The City of Tacoma, the lead agency for this proposal, has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under Chapter 36.70A *RCW*, and in other applicable local, state, or federal laws or rules, as provided by *RCW* 43.21C.240 and *WAC* 198-11-158. The City will not require any additional mitigation measures under SEPA.

Additionally, the City of Tacoma has determined that this project does not have a probable significant adverse impact on the environment. The proposal will have no significant adverse environmental impacts to fish and wildlife, water, noise, transportation, air quality, environmental health, public services and utilities, or land and shoreline use. An environmental impact statement (EIS) is not required under *RCW* 43.21C.030(2). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

As noted previously, the applicants have also filed for a Zoning Reclassification. In order to receive approval of this permit the applicant will be required to demonstrate that the project will meet the applicable requirements of the *TMC*. If approved, the City's decision regarding the requested Rezone will likely include conditions of approval that may address necessary utility upgrades, street and sidewalk improvements, street lighting, grading and erosion control measures, and stormwater controls.

You may appeal this final determination. Appeals may be filed at the SEPA Public Information Center, Tacoma Municipal Building, 3rd Floor, 747 Market Street, Tacoma, Washington 98402, by filing a notice of appeal; the contents of the appeal as outlined in *Tacoma Municipal Code 13.12.680*; and a \$281.29 filing fee, within 14 days after the issue date of this determination.

Responsible Official: Michael P. Slevin III, P.E.

Position/Title: Interim Director, Public Works Department

Signature: M.P.S. [Signature]

SEPA Officer Signature: Shirley Schultz [Signature]

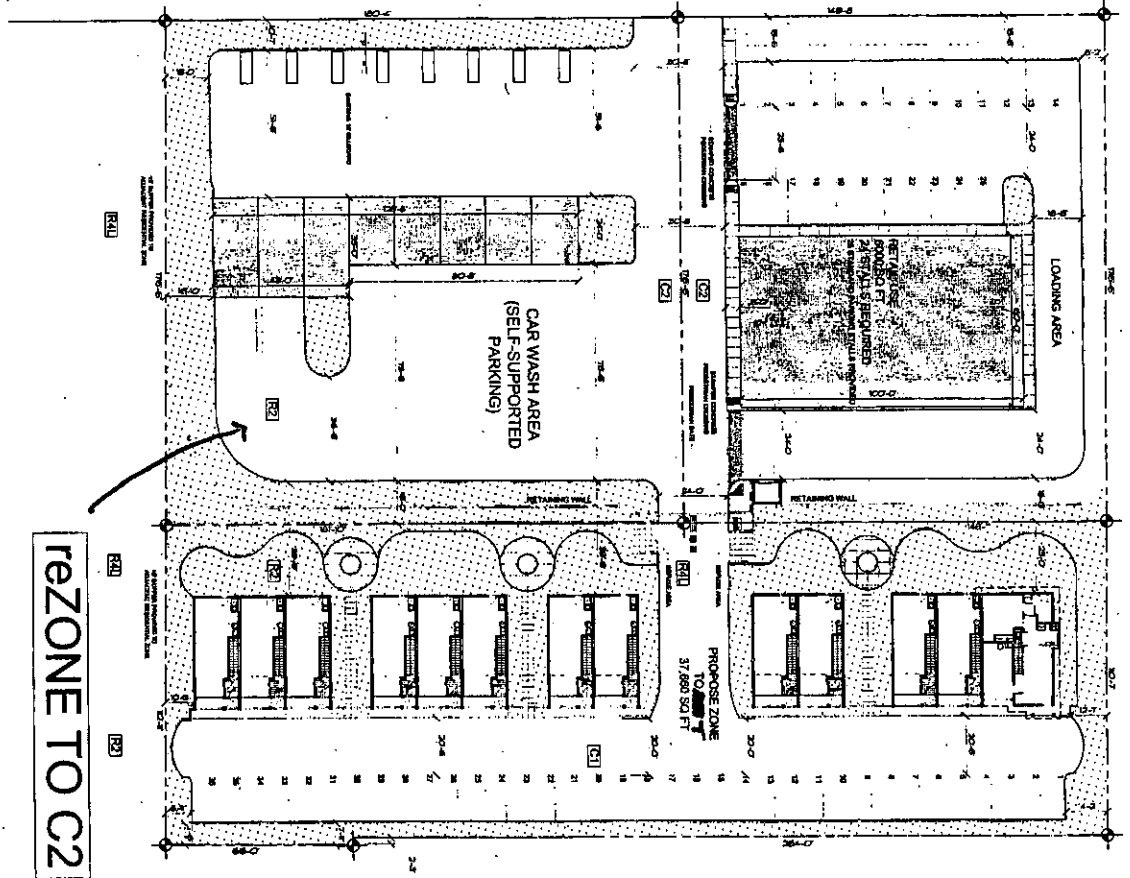
Issue Date: July 28, 2008

Last Day to Appeal: August 11, 2008

NOTE: The issuance of this *SEPA* Determination does not constitute final project approval. The applicant must comply with all other applicable requirements of the City of Tacoma Departments and other agencies with jurisdiction prior to receiving construction permits.

cc: Ed Wells, Jon Graves Architects & Planners, PLLC, 3110 Ruston Way, Tacoma, WA 98402
Ismail Arslingiray/Arslan, 4826 Tacoma Mall Blvd, Ste. C, Tacoma, WA 98409
WDOE, SEPA Unit, PO Box 47703, Olympia, WA 98504-7703
Nedda Turner, RS, Tacoma-Pierce County Health Department, 3629 South D Street, Tacoma, WA 98418-6813
South End Neighborhood Council, Chairperson
Community Economic Development Department, Reuben McKnight, Peter Huffman, Donna Stenger
Washington State Office of Archaeology & Historic Preservation, Stephenie Kramer, 1063 South Capital Way, Suite 106, Olympia, WA 98501

File: SAP File No. SEP2007-40000106541, Building and Land Use Services Division, Public Works Department.



PROJECT INFORMATION

SITE ADDRESS:
 8431 PACIFIC AVENUE
 TACOMA WA 98444

PARCELS:

- 0320332081 - 14,354 SF (0.33 ACRES)
- 0320332012 - 23,541 SF (0.54 ACRES)
- 0320332037 - 37,884 SF (0.87 ACRES)
- 0320332175 - 10,166 SF (0.44 ACRES)
- 0320332174 - 10,166 SF (0.44 ACRES)

PROPOSED SITE USES:

- CAR WASH - 3,616 SF
- RETAIL - 6,000 SF
- 13 CONDO UNITS
- PARKING PROVIDED - 47 STALLS
- TOTAL SITE AREA - 94,925 SF
- TOTAL SITE IMPERVIOUS SURFACE - 69,959 SF
- TOTAL SITE LANDSCAPING AREA - 24,966 SF

REZONE TO C2

PROPOSED SITE PLAN
 SCALE 1"=50'

REZONE - 11/21/07



A1.0

84th & PACIFIC AVE
 8431 PACIFIC AVENUE
 TACOMA, WASHINGTON 98444

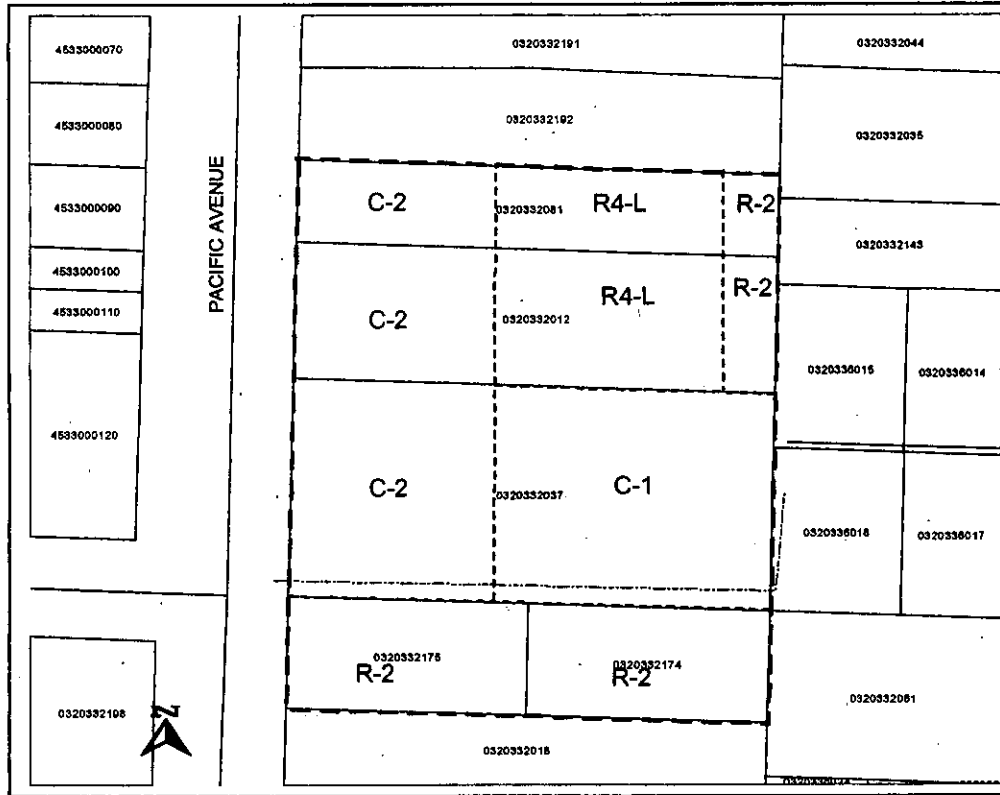


JON GARVES ARCHITECTS & PLANNERS
 3110 PULSTON WAY, SUITE D, TACOMA, WA 98402
 PH: 253-377-4214 FAX: 253-377-4218

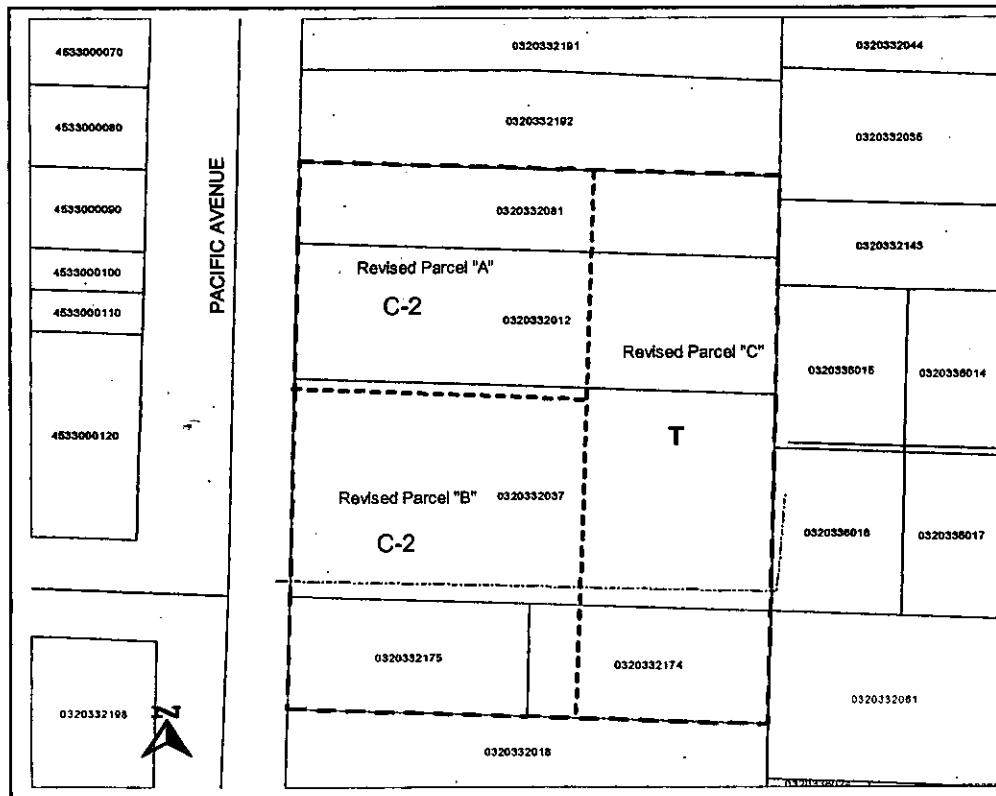


REZ2007-40000106521

Current Zoning



Proposed Zoning and Approximate Parcel Lines



A. BACKGROUND

1. Name of proposed project, if applicable:

84th and Pacific Avenue

2. Name of applicant:

Jon Graves Architects and Planners, PLLC

3. Address and phone number of applicant and contact person:

**Contact: Ed Wells
Jon Graves Architects & Planners, PLLC
3110 Ruston Way, Tacoma, WA 98402
(253) 272-4214**

4. Date checklist prepared:

15 November 2007

5. Agency requesting checklist:

City of Tacoma

6. Proposed timing or schedule (including phasing, if applicable):

Approximately One Year

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No plans for future additions or expansion at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

N/A

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No applications pending at this time.

10. List any governmental approvals or permits that will be needed for your proposal, if known.

<u>Bldg. Permit to include:</u>	<u>Site Development Permit to include:</u>	<u>Land Use Permit:</u>
Demolition	Driveway	Reclassification
Building	Grading/Excavation/Paving	
Plumbing	Sewer	
Electrical	Water	
Mechanical	Drainage	
Fire Sprinkler		

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.

The owner would like to take the first three parcels, divide each in half north to south and rezone the west side as C2 and the east side as R4L. The owner would like to rezone the fourth parcel from R2 to C2 and the fifth parcel from R2 to **R4L**. This would allow the owner to build a commercial carwash on the west side along Pacific Avenue and residential units on the east side abutting a residential zone. The total site area is 114,111 SF (2.62 acres).

*note
changed
to "T"
per
letter
6-20-08*

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Site Address of the proposed project is 8431 Pacific Ave. Please see the attached vicinity maps and the proposed site plan.

1. 0320332081 – 14,354 SF (0.33 acres): Currently Zoned C2, R4L, R2
Section: 33 Township: 20 Range: 03 Quarter: 24
2. 0320332012 – 23,541 SF (0.54 acres): Currently Zoned C2, R4L, R2
Section: 33 Township: 20 Range: 03 Quarter: 24
3. 0320332037 – 37,884 SF (0.87 acres): Currently Zoned C2, C1
Section: 33 Township: 20 Range: 03 Quarter: 24
4. 0320332175 – 19,116 SF (0.44 acres): Currently Zoned R2
Section: 33 Township: 20 Range: 03 Quarter: 24
5. 0320332174 – 19,166 SF (0.44 acres): Currently Zoned R2
Section: 33 Township: 20 Range: 03 Quarter: 24

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- a. General description of the site (circle one): **flat**, rolling, hilly, steep slopes, mountainous, other _____.
- b. What is the steepest slope on the site (approximate percent slope?)

The site slopes to the west side from 400 to 383.3 ‘

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The soils generally consist of a few inches of top soil, and several feet of silty sand with gravel.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None of which we are aware.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

It is unknown at this time. Every effort will be made to balance the site and avoid costly dirt work.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes, as always, clearing and construction associated with development could contribute to the likelihood of erosion. Best Management Practices to control erosion and sedimentation during construction as required.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Commercial Lot: 78.9% Impervious, Residential Lot: 72.4% Impervious

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Best Management Practices to control erosion and sedimentation during construction as required.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

Automobile exhaust and minor amounts of construction dust during construction. Once the project is completed we estimate no significant impacts.

- b. Are there any off-site sources of emission or odor that may affect your proposal? If so, generally describe.

Vehicle emissions from Pacific Avenue are anticipated to have minimal impact on the proposal.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

If necessary, a water truck will be used during construction activities to suppress dust.

3. WATER

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

There are no surface bodies of water in the immediate vicinity of the site.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

- 5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground Water:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

It is anticipated that no water will be withdrawn or discharged to groundwater for this project.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No septic systems are allowed for this project. All sewerage to be directed into the City of Tacoma Public sewer system in Pacific Avenue.

c. **Water Runoff (including storm water):**

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters, if so, describe.

The stormwater will be collected in an internal storm drainage conveyance system. It is also anticipated that collected stormwater from the site will be directed to a water quality vault designed to adhere to the current City of Tacoma stormwater manual in effect at the time of application to prevent pollutants from being discharged to the downstream system in Pacific Avenue. Stormwater flow control such as underground detention may be required prior to discharge to the downstream system due to capacity issues.

- 2) Could waste material enter ground or surface waters? If so, generally describe.

Common pollutants from parked vehicles may collect on impervious surfaces and be washed into the storm drainage system. Common pesticides and nutrients from the landscaping areas may also enter the storm drainage system.

- d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

Common commercial and residential Best Management Practices (BMP's) will be enforced with all the property owners. A water quality BMP (or several as final design dictates) for stormwater will be installed in the storm system prior to discharge to the downstream storm system in Pacific Avenue. As mentioned in 3.c.1 flow control may be required if capacity is not available in the downstream system.

4. **PLANTS**

- a. Check or circle types of vegetation found on the site:
- deciduous tree: alder, maple, aspen, other
 - evergreen tree: fir, cedar, pine, other
 - shrubs
 - grass
 - pasture
 - crop or grain
 - wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - water plants: water lily, eel grass, milfoil, other
 - other types of vegetation

- b. What kind and amount of vegetation will be removed or altered?

N/A

- c. List threatened or endangered species known to be on or near the site.

No threatened or endangered species known to be on or near the site.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

All areas cleared for storm drainage, driveway, parking and utilities shall, at a minimum, be re-seeded upon completion of construction activities. New landscaping is anticipated to supplement areas disturbed by construction activities.

5. ANIMALS

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other _____
Mammals: deer, bear, elk, beaver, other _____
Fish: bass, salmon, trout, herring, shellfish, other _____

- b. List any threatened or endangered species known to be on or near the site:

No endangered animal species have been identified as having home territory within the site.

- c. Is the site part of a migration route? If so, explain

This site is not part of a migration route.

- d. Proposed measures to preserve or enhance wildlife, if any:

It is not anticipated that the proposed project will impact wildlife habitat or cause disturbance such that mitigation measures will be needed.

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

The use and incorporation of electrical or gas heating is anticipated. Electricity for street, parking lot, and other lighting is also anticipated in connection with the roadways, individual structures, and parking areas.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No. It is unlikely that use of solar energy by adjacent properties would be affected considering the proposed use of the sites and City limitations on heights of the structures.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Proposed buildings are required to be constructed per current energy codes.

7. ENVIRONMENTAL HEALTH

- a. Are there any **environmental health hazards**, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

Developments will require construction activities which have potential environmental health hazards associated with the use and operation of heavy construction equipment. No other environmental health hazards are anticipated to occur as a result of the proposal.

- 1) Describe special emergency services that might be required.

None anticipated.

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Best Management Practices shall be implemented during all construction activities.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

General traffic from surrounding streets is anticipated to have a minimal impact.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Localized noise of short duration commonly associated with construction of a project of this type and the operation of construction equipment. Noise from the construction equipment will occur during daylight hours.

- 3) Proposed measures to reduce or control noise impacts, if any:

Contractors shall be required to comply with the City of Tacoma limitations for operating hours of construction equipment.

8. LAND AND SHORELINE USE

- a. What is the current use of the site and adjacent properties?

Two parcels to the north share a Health Foods Store. The next parcel south is commercial vacant land. The last two parcels south are vacant residential land. Adjacent properties along Pacific Avenue are generally commercial and multi-family uses. Properties to the east are generally one-family residential.

- b. Has the site been used for agriculture? If so, describe.

None known.

- c. Describe any structures on the site.

There is one commercial TV repair shop located on the site.

- d. Will any structures be demolished? If so, what?

The TV repair shop is set to be demolished.

- e. What is the current zoning classification of the site?

The site is Zoned C2, C1, R2, R4L

- f. What is the current comprehensive plan designation of the site?

The comprehensive plan designation of the site is medium-density commercial (C2).

- g. If applicable, what is the current shoreline master program designation of the site?

N/A

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

N/A

- i. Approximately how many people would reside or work in the completed project?

The completed development will have approximately 50 people living or working on the site.

- j. Approximately how many people would the completed project displace?

The planned development may displace 3-4 employees that work in the existing commercial building.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

Improved commercial buildings with more residential units.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The completed development would provide secure and inviting places for families to live while the retail spaces will bring revenue to the area and provide new jobs in the future stores.

9. HOUSING

- a. Approximately how many units would be provided, if any?

13 Units

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units would be eliminated as a result of this project.

- c. Proposed measures to reduce or control housing impacts, if any:

None.

10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed.

The roof peak of the condo buildings are +/- 38' 10". The condos were designed to be attractive and affordable. The principle cladding material will be a composite concrete material such as Hardi board.

- b. What views in the immediate vicinity would be altered or obstructed?

Views within the site are anticipated to be altered to the extent that new multi-family / commercial developments will replace vacant land.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Landscaping screen will be used where appropriate to reduce impact to nearby residential uses.

11. LIGHT AND GLARE

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Light from street lights along roadways and within the associated parking lot will occur during hours of darkness.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

No. The lighting will be designed to increase safety within the project site and minimize glare to surrounding development.

- c. What existing off-site sources of light or glare may affect your proposal?

Light and glare from Pacific Avenue are anticipated to have minimal impact on the site.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Street and parking lot luminaries will be designed to control impacts. In addition, landscaping screen will be used where appropriate to reduce impact to nearby residential uses.

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Celebration Park is about 4 blocks North of the proposed site.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

This project will not displace any existing recreational uses.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None proposed.

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known within or next to the proposed site.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known.

- c. Proposed measures to reduce or control impacts, if any:

None.

14. TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

Pacific Avenue is the main corridor that serves this sight and 84th is the closest cross street. Access to the site will be driveway access from Pacific Avenue.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Yes, the site is served by Pierce Transit.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

25 stall for the commercial development, 28 stalls for the residential development.

8 stalls will be eliminated.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private?)

No.

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

There are air, rail and water transportation available, but not in the immediate vicinity. It is not anticipated that this proposal will directly use these facilities.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

On a daily basis the project can be expected to generate roughly 1240 total daily trip movements with 23 trips during the AM peak hour and 86 trips during the PM peak hour. 43% of the proposed auto parts store trips are expected to be in the form of pass-by-trips which amounts for 160 daily trips.

- g. Proposed measures to reduce or control transportation impacts, if any:

None proposed.

15. PUBLIC SERVICES

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

There would be increased demands for electricity, natural gas, water, refuse service, telephone, sanitary sewer, storm sewer. Residential units will slightly increase the need for health care, schools, fire and police protection.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

The demands for increased services will be so slight that reduced measures have not been proposed.

16. UTILITIES

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Electricity : Tacoma Public Utilities
Telephone: Qwest
Water: Tacoma Public Utilities

Sewer: Tacoma Wastewater Management
Natural Gas: Puget Sound Energy
Refuse: Tacoma Solid Waste Management

C. SIGNATURE

I hereby state that I am the owner or authorized agent listed above, and clarify that all information contained above and in exhibits attached hereto are true and correct to the best of my knowledge and belief. I understand that the processing of this application may require additional supporting material upon request to City Staff.

RIGHT OF ENTRY: By signing this application the applicant grants unto the city and it's agents the right to enter upon the premises for purpose of conducting all necessary inspection to determine compliance with applicable laws, codes, and regulations. This right of entry shall continue until a certificate of occupancy is issued for the property.

Signature of Property Owner: _____

Date: _____

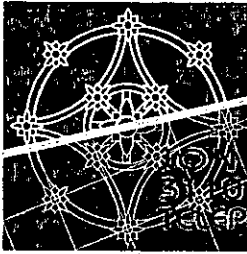
Signature of Agent: E. Wilke _____

Date: 11-21-07 _____

Signature of Applicant: E. Wilke _____

Date: 11-21-07 _____

Received ¹¹⁻²¹⁻⁰⁷ ~~11-20-07~~
BWS
S. Schultz



GRAVES ARCHITECTS & PLANNERS
RUSTON WAY SUITE D TACOMA, WA 98402
PHONE (253) 272-4214 FAX (253) 272-4218

J G A R C H S . C O M

05-20-08 10:09:21 AM IN June 20, 2008

To: Shirley Schultz
Land Use Administration Supervisor
Building and Land Use Services
City of Tacoma
747 Market Street Tacoma, WA 98402-3769

From: Ed Wells
Sr. Project Manager
Jon Graves Architects & Planners, PLLC
3110 Ruston Way Suite D Tacoma, WA 98402

RE: *Change of proposed zoning.*

Dear Shirley,

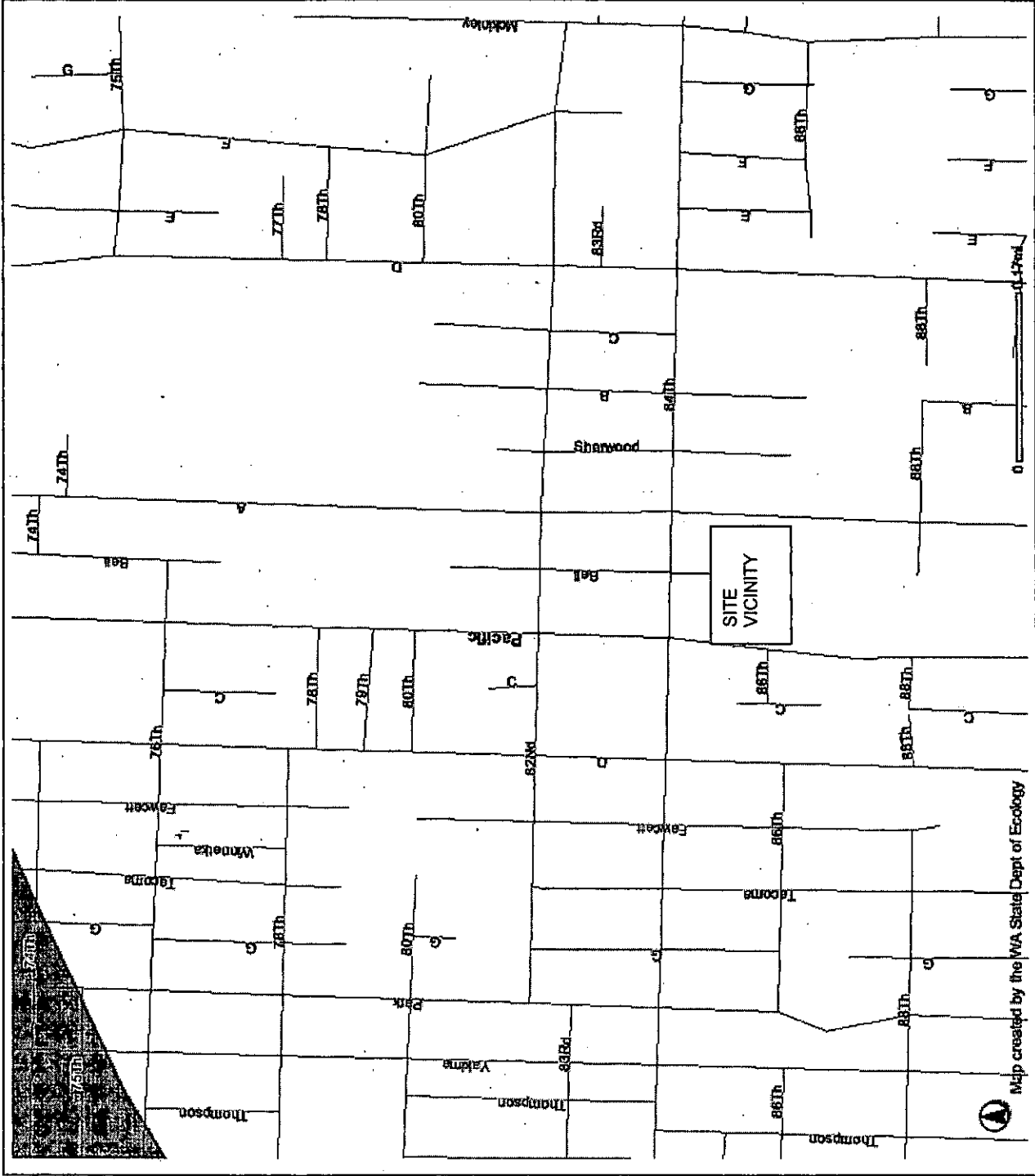
After further investigation of the new information provided by you during your review, the client Ismail Arslangiray would like to change to proposed R4L zone to the T zone. This will allow the proposed carwash facility to be constructed as planned. We found in our study that the T zone allows the multi family housing and the densities that the client was after without the screening and restrictions of the R4L zone.

Please proceed with the change from the R4L to the T zone. I look forward to working with you on this project to make it a successful one. Please feel free to call if you have any questions or comments.

Thank you,

Ed Wells
Sr. Project Manager.

■	Non-Detect to 20.0 ppm
▨	Non-Detect to 20.0 ppm; Max > 20.0
▩	20.1 ppm to 40.0 ppm
▧	40.1 ppm to 100.0 ppm
▦	100.1 ppm to 200.0 ppm
■	Greater than 200.0 ppm
■	Ruston Superfund Site
■	Not Tested - Possibly Contaminated
⊠	Military Base



Map created by the WA State Dept of Ecology



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

December 21, 2007

Ms. Shirley Schultz, AICP
City of Tacoma
Public Works Department
747 Market Street, Room 345
Tacoma, WA 98402

Dear Ms. Schultz:

Thank you for the opportunity to comment on the optional determination of nonsignificance for the 84th and Pacific-Rezone, Boundary Line Adjustment for Future Car Wash, and Multi Family Dwellings project (REZ2007-40000106521, SEP2007-40000106541; MPD2007-40000106520) located at 8431 Pacific Avenue, as proposed by Ed Wells, Jon Wells Architects & Planners, PLLC for Ismail Arslingiray/Arsland. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

SOLID WASTE & FINANCIAL ASSISTANCE: Al Salvi (360) 407-6287

Landscaping should incorporate waste prevention measures and the use of organic materials. Water needs are reduced by use of drought tolerant plantings, compost material, mulch, and drip irrigation. Pesticide needs are reduced by use of pest resistant plantings. Compost is also an effective soil amendment. Chipped woody debris can be used to mulch ornamental beds, suppress weeds, retain moisture, control erosion, and provide a base for pathways. We also recommend using organic debris generated on-site if possible for landscaping.

The applicant proposes to demolish an existing structure(s). In addition to any required asbestos or lead abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury, are removed prior to demolition. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials.

Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," posted at Ecology's website, www.ecy.wa.gov/programs/hwtr/demodebris/. The applicant may also contact Rob Rieck of Ecology's Hazardous Waste and Toxics Reduction Program at (360) 407-6751 for more information about safely handling dangerous wastes and demolition debris.

A T.V. repair shop has the potential to cause environmental contamination. If environmental contamination is encountered during development and/or construction of the proposed SEPA action, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator in the Southwest Regional Office at (360) 407-6300.

Property owners, developers, and contractors are encouraged to recycle all possible leftover construction, demolition, and land clearing (CDL) materials and reduce waste generated. Recycling

SEP4-100541
Attach "B"



December 21, 2007

Page 2

construction debris is often less expensive than landfill disposal. Please call Ecology's 1-800-RECYCLE hotline for facilities in the area that will accept your CDL materials for reuse or recycling.

WATER QUALITY: Margaret Hill (360) 407-0246

A Construction Stormwater National Pollution Discharge Elimination System (NPDES) permit is required if the site already has or will have offsite discharge (to waters of the state or to stormdrains that drain to waters of the state) and one or more acres of soil surface area will be disturbed during construction. The permit application form, called a Notice of Intent, is available on Ecology's website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/#Application>. To avoid project delays, we encourage the applicant to submit a completed application form and to publish public notices more than 60 days before the planned start of the project.

Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.

Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

Proper disposal of construction debris must be on land in such a manner that debris cannot enter stormdrains draining to waters of the state or cause water quality degradation of state waters.

During construction, all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.

Soil in stockpiles should be stabilized or protected with sediment-trapping measures to prevent soil loss. All exposed areas of final grade or areas that are not scheduled for work, whether at final grade or otherwise, shall not remain exposed and un-worked for more than two days, between October 1 and April 30. Between May 1 and September 30, no soils shall remain exposed and un-worked for more than 7 days.

Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing.

A permanent vegetative cover should be established on denuded areas at final grade if they are not otherwise permanently stabilized.

All types of sediment control, such as sediment ponds or traps, should be constructed as a first step in grading and be made functional before any upslope disturbance takes place.

All temporary erosion control systems should be designed to contain the runoff from the developed two year, 24-hour design storm without eroding.

Provision should be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.

SEP 4 - 106541
Attach "B"

December 21, 2007

Page 3

Wash water from paint and wall finishing equipment should be disposed of in a way which will not adversely impact waters of the state. Untreated disposal of this wastewater is a violation of State Water Quality laws and statutes and as such, would be subject to enforcement action.

Source control Best Management Practices (BMPs) such as plastic covering, mulch, temporary seeding, and phased clearing (for example) should be used to control erosion during construction. More examples of effective source control BMPs can be found in Ecology's two stormwater management manuals, *Stormwater Management Manual for Puget Sound (1992)* and *Stormwater Management Manual for Western Washington (2001)*.

Ecology's comments are based upon information provided by the lead agency. As such, they do not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 07-9708)

cc: Charles Gilman, HQ/WQ
Margaret Hill, WQ
Joyce Smith, HQ/WQ
Elaine Worthen, HQ/WQ
Ed Wells, Jon Graves Architects & Planners, PLLC (Applicant/Contact)
Ismail Arslingiray/Arsland (Applicant)

SEP4-106541
Attach "B"



City of Tacoma
Public Works Department

July 22, 2008

Shirley Schultz, Land Use Administration Supervisor
Building and Land Use Services Division, Room 300
Public Works Department
747 Market Street
Tacoma, WA 98402

RE: SEP2007-4-106541 Traffic Impact Analysis

Dear Ms. Schultz:

Thank you for the opportunity to review the proposal and SEPA checklist (SEP-40000106541) for the "Arsland 84th & Pacific Rezone." The site address is 8431 Pacific Avenue, parcel numbers 0320332081, 0320332012, 0320332037, 0320332175 and 0320332174. I understand the proposal is to rezone the site to "C-2" General Community Commercial and "T" Transitional. The site would be redeveloped with commercial and residential uses. The applicant is proposing adequate drive aisles, fire access, and turnaround space within the site.

The project site is located in an area of general commercial activity. The existing transportation infrastructure is well developed and supports this project. A Traffic Impact Analysis (TIA) was prepared by Heath & Associates for the proposed project. We concur with the traffic consultant's methodology and recommendation that no mitigation measures are required. Therefore no further traffic studies will be required for the proposed project. However, should the applicant make changes to the proposal that increases trip generation or relocates driveways then the City may require additional analysis. The City reserves the right to require improvements or modifications as necessary before final occupancy permits are issued.

If you have any questions or concerns regarding this memorandum, please contact me at 253-591-5538.

Sincerely,

Chris E. Larson, P.E.
Assistant Engineering Division Manger
City of Tacoma

4-106541 Attachment
"C"



PUBLIC WORKS DEPARTMENT
BUILDING AND LAND USE SERVICES DIVISION



REVIEW PANEL MINUTES (PART)

Wednesday, January 9, 2008

10:00 am

Third Floor Conference Room

ATTENDEES:

Craig Kuntz
Shirley Schultz
Pete Rambow
Teresa Dusek

Richard Meuschke
Carl Anderson
David Jones
Lucas Shaddock

Larry Criswell
Spencer Beier
Dustin Lawrence

1.	
Action:	The applicant is proposing rezone and boundary line adjustment of all or part of five parcels, totaling 2.62 acres, from a combination of "C-1", "C-2", "R-2", and "R4-L" to "C-2" on the westerly portion of the site and "R4-L" (see attached map). The site would be redeveloped with a commercial car wash along Pacific Avenue and multifamily dwellings on the east side abutting the adjacent residential zone.
File Number:	REZ2007-40000106521 SEP2007-40000106541 MPD2007-40000106520
Applicant:	Ed Wells
Staff Contact:	Shirley Schultz
Location:	8431 Pacific Avenue, Parcel Numbers 0320332081, 0320332012, 0320332037, 0320332175, and 0320332174.
Impacts:	<input checked="" type="checkbox"/> Vehicle trips <input checked="" type="checkbox"/> Pedestrian trips <input checked="" type="checkbox"/> Impervious surface <input checked="" type="checkbox"/> Utilities <input checked="" type="checkbox"/> Emergency access and services <input type="checkbox"/> Other:
<input checked="" type="checkbox"/>	Sidewalks: 1. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer. <i>FINDING: The project will result in increased pedestrian trips. The requirement to remove and replace existing damaged sidewalks addresses the increases in pedestrian trip and is proportional to those impacts.</i> 2. Per RCW 35.68.075, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86 th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be require at the direction of the Traffic Engineer. <i>FINDING: Sidewalks are required to address the increased pedestrian trips, including access for people with disabilities. Requiring ramps along the street frontage of the site, and ramps at the</i>

corner of the site and opposite it, as required by state law, is proportional to that impact.

3. A 5 feet wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per *Tacoma Municipal Code (TMC)* standards for internal lot access.

FINDING: Sidewalks are required to address the increased pedestrian trips. Requiring sidewalks along the access way frontage of the new building site is proportional to that impact. Sidewalks will provide safe walking paths for the residents living in the proposed residential units at Parcel C.



Curbs & Gutters:

4. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.

FINDING: The project will result in increased pedestrian and vehicle trips and increased runoff. The requirement to remove and replace existing damaged curb and gutter, which addresses drainage issues and increases pedestrian and vehicular safety, is proportional to those impacts.

5. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per *Tacoma Municipal Code (TMC)* standards for internal commercial and residential developments.

FINDING: The project will result in increased pedestrian and vehicle trips and increased runoff. The requirement to install curb and gutter, which addresses drainage issues and increases pedestrian and vehicular safety, is proportional to those impacts.



Streets:

6. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.

FINDING: Any utility cuts or other damage to the City streets associated with this proposal would constitute impacts directly resulting from the development actions. There is a clear nexus between this impact and this condition. Furthermore, requiring that any project impacts to streets be repaired and maintained to existing or better conditions is proportional to those impacts.

7. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2½ inches of Crushed Surfacing Top Course and 5 inches of Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.

FINDING: The proposal results in the need to provide adequate vehicular and emergency access to the site. The Fire and Subdivision Codes require provision of adequate turnaround facilities for emergency vehicles, in order to ensure accessibility and the safety of the inhabitants of the proposed residential structures. Therefore, there is a clear nexus between requiring construction of the private access way and the project impacts. Furthermore, since the project is the direct cause of this impact, and these lots are the only ones which will benefit from the road, the condition is proportional to that impact.

NOTE: The applicant must gain approval from the property owners to the east to have access to the private easement to the east. If the applicant is not able to gain an access agreement to the easement to the east, the driveway and access to that easement will not be allowed.

8. The type, width and location of all driveway approaches serving the site(s) shall be

	<p>approved by the City Engineer.</p> <p><i>FINDING: The City's driveway standards have been formulated to ensure public safety where driveways intersect with roads. Such trips are a direct result of the proposed development, and the requirement to meet City driveway standards is proportional to those impacts.</i></p> <p><u>NOTE: The Tacoma PWD is presently finalizing new standards for repairing pavement cuts for utilities such as gas, water and sewer. The new standards are expected to go into effect beginning in late Winter. These new standards are expected to significantly increase the area of pavement replacement required for utility cuts as well as implement new compaction testing requirements. Permits obtained to work in street or alley right of way after the new standards are in effect will be expected to meet the new requirements.</u></p>
	<p>Work Order Required?</p> <p><input checked="" type="checkbox"/> Yes. All street work shall be accomplished via the City's work order process. To initiate a work order, contact the Public Works Construction Division at 591-5760.</p> <p><input type="checkbox"/> No. The proposed street work can be accomplished without a work order.</p> <p>A work order for work within the right-of-way may be required by the Public Works Department. Please contact the Construction Division at 591-5760 for work order requirements.</p>
<input type="checkbox"/>	Dedicate Right-of-way:
<input type="checkbox"/>	Other Improvements:
<input checked="" type="checkbox"/>	Miscellaneous: ESSE will provide comments via separate memorandum.

The site would be redeveloped with a retail building of approximately 6,000 square feet with associated parking for 25 cars, as well as a commercial car wash along Pacific Avenue. The applicant proposes to develop five multifamily buildings on the east side of the site, totaling 13 townhome units abutting the adjacent residential zone. Parking would be provided for 36 additional cars. Boundary lines for the five parcels would be reconfigured to create three revised lots, two of which would abut Pacific Avenue and one of which would be accessed via driveway through the Pacific Avenue properties.

The applicant has provided additional information about the proposal, including a site plan which is included as Attachment "A-1".

D. ADDITIONAL INFORMATION:

1. Application History

The project application was determined complete on April 29, 2008. The original application was for "C-2" and "R4-L" zoning, but was subsequently amended to request the rezone to "T".

2. Existing Site Conditions

The site is comprised of 5 tax parcels, is rectangular in shape, and occupies approximately 2.18 acres of land. The site is generally flat and heavily disturbed, with the lowest elevations along Pacific Avenue. Over the approximate 290-foot depth of the site there is a grade change of about 8 feet, rising from west to east. There is currently a small dilapidated commercial building on the northwesternmost corner of the site, proposed for demolition as the site is redeveloped. In addition, there are two billboards located on the site. Pacific Avenue is a fully developed Principal Arterial (and State Route 7) to the westerly boundary of the site, with a 95-foot right-of-way.

3. General Zoning and Surrounding Conditions:

Subject site:

Parcel	Total s.f.	Zoning	@ s.f.	Zoning	@ s.f.	Zoning	@ s.f.
0320332081	14,354	C-2	6,000	R4-L	6,800	R-2	1,734
0320332012	23,541	C-2	9,960	R4-L	11,288	R-2	2,293
0320332037	37,884	C-2	15,960	C-1	21,924		
0320332175	9,583	R-2	9,583				
0320332174	9,583	R-2	9,583				

Surrounding area:

	Zoning Designation	Intensity Designation	Current Land Use
North	"C-2"	Medium Intensity	Multifamily Dwellings
East	"R-2"	Low Intensity	Single-Family Dwellings
South	"R4-L" and "R-2"	Medium Intensity	Multifamily Dwellings
West	"R4-L" and "C-2"	Medium Intensity	Commercial and Multifamily

Adjacent properties are developed with a mix of uses, with single-family residential the predominant use to the east of the site. See the zoning and land use intensity maps for the area, which are included as part of Attachments "A-3" and "A-4".

4. Regulatory History:

The site proposed for rezoning and the majority of the surrounding area was classified within the "C-2" General Community Commercial and "R-2" One-Family Dwelling District in 1953, when the zoning code was enacted. The westernmost 130 feet of the site, approximately, is zoned "C-2" with the exception of the southernmost parcel, which has remained "R-2" since 1953. An additional 127 feet of the northerly two parcels was rezoned to "R4-L" in 1966, to allow for the development of multifamily dwellings (File no. 120.338). The easterly portion (160 feet) of parcel 0320332037 was rezoned to "C-1" in 1992 (file no. 120.1322) to allow for two retail/office buildings. That rezone was subsequently modified in 2006 (REZ2005 – 40000051858) to modify the site plan to allow for the development of a grocery store.

The relevant decisions, reports, and recommendations are appended to this staff report as Reference Document "R-3". The current proposal would supersede all previous reclassification actions at the site, as well as their concomitant zoning agreements. The historic zoning map is included as part of Attachment "A-3".

The City's *Generalized Land Use Element* designates the area as located within a Tier I - Primary Growth Area. The *Generalized Land Use Element* designates the site as within a medium intensity area. See the Land Use Intensity Map for the area, which is included as part of Attachment "A-4".

5. Attachments and Reference Documents:

- A-1: Existing and Proposed Site Plans
- A-2: Proposed Building Elevations
- A-3: Historic and current zoning map for the area
- A-4: Land Use Intensity Map
- A-5: Applicant's response to Reclassification Criteria
- A-6: Public Works Review Panel Minutes, February 27, 2008
- A-7: Environmental Services – Science and Engineering
- A-8: Environmental Services – Source Control
- A-9: Tacoma Water
- A-10: Tacoma Fire
- A-11: Building and Land Use Services – Plan Review
- A-12: Washington Department of Ecology
- A-13: Tacoma-Pierce County Health Department
- A-14: Pierce Transit

Reference Documents:

Reference documents are located in the Public Works Department project file REZ2006 - 40000106521 and are incorporated by reference.

- R-1: Site Plan, BLA Red Line, and proposed building elevations (full-sized)
- R-2: Mitigated Determination of Nonsignificance, July 28, 2008
- R-3: Prior rezone decisions, conditions, for site

6. Notification and Public Comments:

In accordance with the requirements of *TMC* 13.05.020 regarding notice of rezoning applications, written notice of the application was mailed to all owners of property within 400 feet of the site, the appropriate neighborhood council and qualified neighborhood

groups on June 23, 2008. In addition, a public notice sign was posted on the property. Staff has received no comment letters to date in response to the public notice.

E. ENVIRONMENTAL EVALUATION

Pursuant to the State's SEPA Rules (WAC 197-11) and the City of Tacoma's Environmental Code (TMC 13.12), the Director of Public Works issued a Determination of Environmental Nonsignificance for the proposed project on July 28, 2008. This determination was based on a review of the applicant's Environmental Checklist and other supporting information on file with the Public Works Department. The SEPA appeal period ended August 11, 2008; no appeals of this determination have been filed with the Public Works Department. The Mitigated Determination of Nonsignificance and related materials are included as Reference Document "R-2".

F. APPLICABLE SECTIONS OF THE TACOMA MUNICIPAL CODE:

TMC Chapter 13.04 -- Platting and Subdivisions

13.04.085 Boundary line adjustment.

- A. A boundary line adjustment shall be a minor alteration in the location of lot boundaries of an existing lot. Such alteration shall not increase the number of lots nor diminish in size open space or other protected environments.
- B. Such alteration shall not diminish the size of any lot so as to result in a lot of less square footage than prescribed in the zoning regulations for the property in question.
- C. Such alteration shall not result in the reduction of setbacks or site coverage to less than prescribed by the zoning regulations.
- D. All lots resulting from the boundary line alteration shall be in conformance with the design standards of this chapter.
 1. Review Process. The Land Use Administrator or designee has the authority to approve boundary line adjustments.
 2. Applications. Applications for boundary line adjustments shall be submitted to the Public Works Department in a manner consistent with the procedure for applications for short plats and shall include the following information:
 - a. The existing lot lines (shown in dashed lines) and the area, in square feet, of each of the existing lots;
 - b. The new lot lines (shown in solid lines) and the area, in square feet, of each of the new lots;
 - c. The location of all structures and access drives on the lots and the distance of each from both the existing and proposed lot lines, when such distance is less than 25 feet.
 3. Recordation. All approved boundary line adjustments shall be recorded with the Pierce County Auditor's office.

13.04.140 Access.

- A. There shall be no reserve strips controlling access to streets except where such strips are controlled by the City under conditions approved by the Hearing Examiner or Land Use Administrator. The land shall be subdivided/short subdivided, providing each lot, by means of either a public or private street or way, or permanent access easement, with satisfactory access to an existing public highway or to a thoroughfare as shown in the Major Street Plan, the comprehensive plan, or an official map.
- B. Officially Approved Accessway. When considering a subdivision, short subdivision, boundary line adjustment and/or binding site plan approval, a public or private street or

way, or permanent access easement, which does not conform to the minimum requirements of the Major Street Plan and the specifications of the City of Tacoma, and which provides principal access to the property it is intended to serve, shall be found by the Land Use Administrator or Hearing Examiner to be adequate to provide all necessary ingress and egress to a parcel or parcels of land for specific uses subject to the following conditions:

1. That a minimum of 10-foot-wide officially approved accessway be required for one dwelling unit, and a minimum of a 16-foot-wide officially approved accessway be required for two or more dwelling units, or for any use other than residential;
2. That such officially approved accessway be permanent, unobstructed, and designed, improved, and maintained to accommodate fire apparatus and necessary mobile service equipment;
3. That, if determined to be necessary for the convenience and safety of the residents served by said officially approved accessway, the Land Use Administrator or Hearing Examiner may require other reasonable standards and improvements of said officially approved accessway;
4. That the ownership and control of said officially approved accessway be with the owner of the property it serves, unless other provisions are determined to be satisfactory;
5. That the Hearing Examiner or Land Use Administrator may attach to such a determination reasonable conditions limiting and controlling the development of said parcel according to the practical capacity of said officially approved accessway and in the interest of the particular neighborhood and of the general public.

13.04.160 Public or private streets or ways, or permanent access easement widths.

The widths for public or private streets or ways, or permanent access easements shall conform to the widths designated on the Major Street Plan and the specifications of the City of Tacoma. In cases where topography or other conditions make a public or private street or way, or permanent access easement of this width impractical, the Hearing Examiner or Land Use Administrator may modify this public or private street or way, or permanent access easement width regulation.

13.04.180 Public or private streets or ways, or permanent access easement design.

In general, the horizontal and vertical components of public or private streets or ways, or permanent access easement design shall conform with the latest current edition of "A Policy on Geometric Design of Highways and Streets" as published by the American Association of State Highway and Transportation Officials (AASHTO).

All non-arterial public or private streets or ways, or permanent access easements shall be constructed with a minimum pavement section consisting of three inches of asphaltic concrete pavement over 2.5 inches of crushed surfacing top course over five inches of crushed ballast or alternative section subject to approval by the City Engineer. All design and construction features shall conform to design standards and policies of the City of Tacoma.

13.05.060 Applications considered by the Hearing Examiner.

- A. **Reclassifications.** A public hearing shall be held by the Hearing Examiner for parcel reclassification of property. The application shall be processed in accordance with provisions of Sections 13.05.010 and 13.05.020. Refer to Section 13.06.650 for criteria which apply to reclassification of property.

C. Consolidated Review of Multiple Permit Applications and of Environmental Appeals Considered Concurrently. The Hearing Examiner shall consider concurrently all related land use permit applications for a specific site, and any accompanying environmental appeal. Applications for which the Land Use Administrator has authority shall be transferred to the jurisdiction of the Hearing Examiner to allow concurrent consideration of all land use actions, as prescribed in Section 13.05.040.

13.06.200 Commercial Districts.

B. Districts established.

1. T Transitional District. This district is intended as a transition between commercial or institutional areas and residential areas. It may also provide a transition between residential districts and commercial districts on arterial street segments supported by the comprehensive plan. It primarily consists of office uses with negligible off-site impacts. It is characterized by lower traffic generation, fewer operating hours, smaller scale buildings, and less signage than general commercial areas. Residential uses are also appropriate. A T Transitional District may, in limited circumstances, also be applied to locations that meet the unique site criteria of the comprehensive plan. This classification is not appropriate inside a designated mixed-use center.
3. C-2 General Community Commercial District. This district is intended to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential uses are also appropriate. This classification is not appropriate inside comprehensive plan designated mixed-use centers or low-intensity areas.
4. District use table.

Uses	T	C-2	Additional Regulations
Brewpubs/taverns	N	P	2,400 barrel annual brewpub production maximum, equivalent volume winery limit.
Business support services	N	P	
Day care, family	P	P	
Drive-throughs with any permitted use	N	P	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Dwellings/residential	P	P	
Eating and drinking	N	P	
Gas stations	N	P	
Office	P	P	
Parking areas	P	P	All parking areas shall comply with Sections 13.06.502 and 13.06.510.
Personal services	N	P	See Table 13.06.200.D for size limitation in PDB and HM.
Repair services	N	P	Must be contained within a building with no outdoor storage. Engine repair, see Vehicle Repair.
Retail	N	P	See Table 13.06.200.D for size limitation in PDB and HM.
Self-storage.	N	P	Any other use of the facility shall be consistent with this section.
Vehicle rental and sales	N	P	Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).
Vehicle service and repair	N	P	Car washes: limited to 2 stalls in C-1. Washing bays shall be enclosed on at least 2 sides covered with a roof. No water shall spray or drain off-site. Subject to development standards contained in Section 13.06.510.E. Prohibited in any commercial district combined with a VSD View-Sensitive Overlay District and adjacent to a Shoreline District (i.e., Old Town Area).

D. Building envelope standards.

	T	C-2
Minimum Lot Area	0 non-residential; ,500 square feet per residential unit	0
Minimum Lot Width	0	0
Maximum Lot Coverage	None	None
Maximum Height Limit	35 feet	45 feet
Maximum Gross Floor Area per Building	None	None

F. Common requirements. To streamline the Zoning Code, certain requirements common to all districts are consolidated under Section 13.06.500. These requirements apply to Section 13.06.200 by reference.

Refer to Section 13.06.500 for the following requirements in Section 13.06.200 districts:

- 13.06.501 Building design standards.
- 13.06.502 Landscaping and/or buffering standards.
- 13.06.503 Residential compatibility standards.
- 13.06.510 Off-street parking.
- 13.06.511 Transit support facilities.
- 13.06.512 Pedestrian and bicycle support standards.
- 13.06.520 Signs.

13.06.500 Requirements in all preceding districts.

Applicability. The regulations of this section are applicable in all zoning districts, with exceptions only as noted. Regulations may refer to districts by class of districts, for example Districts or Industrial Districts, this means that all districts carrying the designated prefix or suffix are required to meet the given regulation. Overlay districts are combined with an underlying zoning district and supplement the regulations of that district. Overlay districts only apply to land carrying the overlay district designation.

13.06.501 Building design standards.

A. General applicability. The design standards of this section are required to implement the urban design goals of the comprehensive plan of the City of Tacoma.

The building design standards apply to all new development in C-1, C-2, HM, T, PDB, and Mixed-Use Center Districts, except as follows:

1. Standards. Each item of this section shall be addressed individually. Exceptions and exemptions noted for specific development situations apply only to the item noted.
5. Remodel. Remodel projects valued below 60 percent of the building value, as determined by the Building Code, are exempt from the design standards of this section.
6. Residential and/or mixed-use. The standards apply only to residential structures of five dwelling units or greater. The standards apply to all mixed-use structures.

13.06.502 Landscaping and/or buffering standards.

General requirements. The landscaping requirements, as a whole, are intended to contribute to the aesthetic environment of the City; provide green spaces that can support wildlife, such as birds, in the urban environment; help reduce storm water runoff; filter pollution; and buffer visual impacts of development.

<p>Section 13.06.502.B Commercial and X- District Landscaping</p>	<p>T, C-2</p>
<p>Applicability</p>	
<ul style="list-style-type: none"> • A landscaping plan shall be provided consistent with this table for all new development of structures and/or parking lots, unless exempted below. • Any requirement resulting in a fraction, when applied, shall be rounded up or down from the midpoint as appropriate. • The same planting may satisfy more than one requirement, except as noted. 	
<p>Exemptions</p>	
<ul style="list-style-type: none"> • C, T, HM, PDB, or X District property across an arterial street from R-District property is not required to provide a Buffer Planting Area along the affected property line abutting the arterial street. 	
<p>Minimum Landscaping Area (unless exempted above)</p>	
<p>Overall site</p>	<ul style="list-style-type: none"> • A minimum of 10 percent of the entire site minus the area covered by structures in T, C-1, C-2, HM, PDB, CCX, UCX, and CIX Districts. • A minimum of 5 percent of the entire site minus the area covered by structures in NCX, UCX-TD, and RCX Districts, and conditional uses permitted in Section 13.06.640. • Parking lots of 20 stalls or less, located behind buildings and accessed by alleys, are only required to meet the minimum percent for overall site landscaping, outlined above. • Landscaped areas shall be covered with a mixture of trees, shrubs, and/or groundcover.
<p>Site perimeter strip</p>	<ul style="list-style-type: none"> • A minimum 7-foot wide site perimeter strip on sides without abutting street trees. • A minimum 5-foot wide site perimeter strip on sides with abutting street trees. • The perimeter strip shall be covered with a mixture of trees, shrubs, and/or groundcover. • Perimeter strips may be broken only for vehicle lanes, walkways, or primary structures.
<p>Buffer Planting Areas. In addition to the intent of the landscaping requirements noted above, buffer planting areas are intended to provide substantial vegetative screening between dissimilar zoning districts to soften visual and aesthetic impacts (unless exempted above).</p>	
<p>C, T, HM, PDB, or X District property abutting R-District property</p>	<ul style="list-style-type: none"> • A continuous planting area on the required property with a minimum width of 15 feet that contains: • A minimum of 6 trees, at least 2-inch caliper, per 100 lineal feet of abutting property line. • A minimum of 12 shrubs, minimum 3-gallon size per 100 lineal feet of abutting property line. • Where the property required to provide a buffer is 150 feet or less in depth, measured perpendicularly from the residential parcel, the buffer can be reduced to the minimum 7-foot wide buffer listed below.
<p>Credit for Retaining Existing Trees and Shrubs. These requirements are provided to encourage tree and shrub preservation because of the greater visual and ecological benefits of mature plantings.</p>	
<p>Credit ratios</p>	<p>The following tree planting credits are available for existing trees, provided an arborist's or landscape architect's appraisal determines that the tree(s) is healthy and can be saved:</p> <ul style="list-style-type: none"> • One required tree for every retained tree of at least equal size; • Two required trees for every retained tree that is 25 inches to 63 inches in circumference (measured 4.5 feet from the ground); • Three required trees for every retained tree 63 inches to 100 inches in circumference; • Four required trees for every retained tree over 100.5 inches in circumference. • If retained trees are damaged during or after construction, replacement shall be based upon the same ratios. • Existing shrubs, which comply with the minimum plant size specifications of this table,

	may count towards the required landscape plantings. Invasive plants such as blackberry, scotch broom, etc. shall not count towards the required plantings.
Maintenance	
Landscaping meeting the standards of this section shall be installed by the time of occupancy. Landscaping shall be maintained in a healthy, growing, and safe condition for the life of the project. Modifications to the landscaping shall be in conformance with these standards.	

13.06.510 Off-street parking and storage areas.

1. Off-street parking spaces - quantity. The quantity of off-street parking shall be provided in accordance with the standards of the tables below.

Use	Unit	Required parking spaces
Located in R-4-L, T, HMR-SRD, and PRD Districts ¹²	Dwelling.	1.50
Retail commercial establishments, except as otherwise herein, less than 15,000 square feet of gross floor area	1,000 square feet of gross floor area.	2.50
Business and professional offices	1,000 square feet of gross floor area.	3.00
Car wash	Wash stall or 25 feet of wash lane.	4.00 ⁸

8. The required stalls may include waiting and finishing or drying space.
9. The number and size of required handicapped accessible parking spaces shall be consistent with the Uniform Building Code.

E. Vehicle services and repair; and vehicle service and repair, industrial.

1. Intent. It is the intent of this regulation to require minimum standards for all vehicle repair uses in order to protect adjoining property, minimize nuisances, and maintain a landscaped setting along street frontages.
2. Minimum standards.
 - a. Screening. Vehicles awaiting repair must be fully screened from public view. These areas shall be screened by a six-foot tall, opaque screening fence.
 - b. Junk vehicles and auto parts must be stored inside an enclosed building, except in the M, PMI, UCX, or UCX-TD Districts.
 - c. Customer vehicles awaiting repair or pickup must be parked on business property and not on City right-of-way.
 - d. All repairs must be conducted entirely within an enclosed building.
 - e. No windows or openings are allowed if facing a residential district.
3. Application. The foregoing regulations shall apply in all zoning districts with exceptions only as noted.

13.06.602 General Restrictions

3. Area and yards. Any building or structure hereafter built, enlarged, or moved on a lot shall conform to the area regulations of the district in which such building or structure is located.
 - i. Yards for group buildings.
 - (1) In the case of group buildings on one site, including institutions and dwellings, the yards on the perimeter of the site or lot shall not be less than

required for one building on one lot in the district in which the property is located.

- (2) The distance separating buildings, exclusive of accessory buildings, shall not be less than 15 feet.
- (3) For a building exceeding six stories in height, separation from other buildings on the site shall be increased by one foot in width for each additional story or part thereof that such building exceeds six stories. Where two adjacent buildings on one site both exceed six stories in height, the building separations between them shall be increased by two feet in width for each additional story or part thereof that such buildings exceed six stories.
- (4) No multiple-family dwelling court shall be less than 25 feet in width.
- (5) In the case of row houses or dwellings rearing on one side yard and fronting upon another, in districts where multiple-family dwellings are permitted, the side yard on which dwellings rear shall be increased one foot for each dwelling unit abutting on such side yard, and the side yard on which dwellings front shall be not less than 20 feet in width.

13.06.650 Application for rezone of property

- B. Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:
1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the comprehensive plan.
 2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the comprehensive plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
 3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
 4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.
 5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

G. APPLICABLE POLICIES OF THE CITY OF TACOMA COMPREHENSIVE PLAN:

Section III – Growth Strategy and Development Concept

Tacoma's growth and development concept is derived from consideration of state goals, regional policies, factors affecting land use, the assumptions about future trends, and public opinion. The concept is entitled *Concentrations and Corridors - Designated Centers* and is shown in Maps and Figures.

Corridors

Corridors are major transportation routes consisting of freeways, highways, principal arterial streets and transit routes that provide access into and out of the city, act as travel ways

between designated centers and concentrations and/or support high levels of transit service.

Transportation corridors can act as boundaries, providing a physical separation between different types of land use and as corridors for joint use activities such as public utility lines and communication networks. Compatible land use development along major corridors is important. Higher intensity development is appropriate to take advantage of access and visibility.

Section IV –Development Intensities

The amount and type of development allowed in an area is determined by designating development intensities on the Generalized Land Use Plan Map. Development intensities are an indication of how much influence a development has over the surrounding area. Conventional land use plans separate developments according to categories of uses such as residential, commercial and industrial. The development intensities approach in the comprehensive plan recognizes that different types of land use may be located in the same area as long as the character of the area remains consistent. This approach permits greater flexibility in land use arrangements and encourages innovative techniques of land development.

Factors that determine the intensity level of a development include size, scale, bulk, nuisance level, amount of open space and traffic generation. For example, a ten-story apartment complex and high traffic generation would be viewed as a high intensity use while a typical, single-family detached home is regarded as a low intensity development.

Although land use intensity and density are somewhat related, they are not the same concept. Density is the number of people or housing units per unit of land. The type and size of housing units and the number of occupants in these units can widely vary; therefore, density does not accurately indicate the degree of impact a given development asserts over surrounding land uses. The concept of density is further limited in that it only applies to residential development and cannot be used to assess the impacts of commercial or industrial development. Development intensities, on the other hand, apply to all land uses and provide a more accurate account of the character and nature of a given development.

Development intensities are classified as high intensity, medium intensity and low intensity.

Medium Intensity Development. Medium intensity development generates moderate activity patterns and traffic generation. Commercial or industrial activity of community-wide significance and medium density residential development are examples of medium intensity development. Mixed use centers other than Downtown and the Tacoma Mall area are further examples of medium intensity areas.

The relationship of intensity and density is shown below.

Intensity Designation	Allowable Density (min – max) (dwelling units/net acre)
Medium Intensity	0 – 45

Relationship of Comprehensive Plan Designations and Zoning Classifications

Comp. Plan Designations	Typical Zoning Classifications*
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Medium Intensity (outside mixed-use centers)	R-4L	Low-Density Multiple Family Dwelling District
	R-4	Multiple Family Dwelling District
	C-2	General Community Commercial District
	PDB	Planned Development Business District
	M-2	Heavy Industrial District

* This chart does not include shoreline and overlay zoning districts. Other zoning classifications may be present in the designated areas due to a number of factors including non-conforming use rights.

Tier I – Primary Growth Areas. Lands within this designation are areas already characterized by urban growth and the key public facilities and services are available and either meets the adopted levels of service standards or are planned to meet the standards through programmed capital investments within the next six years. Mixed-use centers and major employment centers such as the Port of Tacoma are included in Tier I. Tier I areas include enough land to provide for the population and employment needs for the next six years. Generally, the majority of forecasted growth for the next six years will occur in Tier I. Under certain circumstances, some development may occur in Tier II and in limited instances within Tier III.

Section III –Residential Development

- LU-RDG-1 Protect Established Residential Areas: Protect, preserve and maintain established residential neighborhood areas located outside of designated mixed-use centers where a definite density, housing type and character prevail; nuisances and incompatible land uses should not be allowed to penetrate these areas.
- LU-RDG-2 Prohibit Incompatible Land Uses: Prohibit incompatible land uses from situating within or adjacent to existing or future residential developments and gradually eliminate existing incompatible uses from existing residential areas.
- LU-RDG-20 Multiple Family Compatibility: Review of multifamily development that may impact single-family areas should ensure that compatibility with nearby single-family areas is achieved. Compatibility will be determined by considering the following: height, design of buildings, scale, bulk, landscaping, lighting, and any other characteristics found in adjacent single-family areas.

Medium Intensity Intent: Medium intensity residential developments provide an alternative to the single-family home for large segments of the population. They are sometimes characterized by a more active living environment and are usually located in close proximity to larger activity and employment centers.

Medium intensity residential development areas may consist of apartment, condominium, and townhouse developments, as well as larger-scale clusters of duplexes and triplexes. Developments within these areas can vary.

- LU-RDMI-1 Neighborhood Amenities: Medium intensity residential development should be provided with the same basic amenities and services generally associated with single-family neighborhoods.
- LU-RDMI-2 Buffer Uses: Allow medium intensity residential developments as buffers between lower intensity development and higher intensity development.
- LU-RDMI-7 Access to Principal Arterial Streets: Locate medium intensity residential developments either adjacent or immediately accessible to principal arterial streets for buffer, public transit and convenience purposes.

LU-RDMI-8 Arterial Locations: Some medium intensity residential development may be located on minor arterials having adequate capacity provided the development's scale, design and density characteristics are compatible with surrounding land uses.

Section IV – Commercial Development

LU-CDLA-4 Locate in Existing Commercial Areas and in Mixed-use Centers: Encourage new commercial development to locate within existing commercial areas and in mixed-use centers in order to maximize the use of the land and maintain the economic viability of established commercial developments.

LU-CDLA-8 Arterial Street Access: Encourage new commercial developments to locate near arterial streets for maximum accessibility and maintenance of efficient traffic flows provided they are designed and situated to be consistent with the established character of the surrounding area.

South End Neighborhood Area Vision

The vision of the residents of the South End, as represented by the "action strategy" is a low-density residential district with commercial development located along major arterial streets and limited multifamily development within established residential neighborhoods. While focus is on the automobile and the street network to get motorist safely through the neighborhood and increased public transit service, the residents seek to support homogeneous residential areas with access to recreational activities, open space as well as basic public and private facilities and services.

Larchmont Neighborhood, Outlook

Larchmont is expected to see changes in the years to come from new residential development. New single-family homes will be added and a few older homes may be replaced. The few non-conforming uses in the area are residential properties, which will likely not detract from the stability of the neighborhood.

Special Policy

Within the medium and low intensity areas boarded [sic.] by Pacific Avenue and "A" Street to the east, and between East 72nd to East 84th Street, access shall be limited to Pacific Avenue. An exception may be granted where a development is proposed with a density at or lower than fifteen units per acre. The intent of this policy is to limit traffic on "A" Street to a level normally associated with single family residential generation levels to protect the single-family neighborhood along both sides of "A" Street from the adverse affects of traffic from higher density and intensity uses from adjacent properties using this residential street for access.

H. AGENCY COMMENTS/RECOMMENDATIONS:

As part of the project review process the Building and Land Use Services Division has provided notification of this project to various City, outside governmental, and non-governmental agencies. Some of these agencies have provided comments and/or recommendations regarding this proposal. These responses are included as Attachment "A-6" to "A-14" to this Staff Report and are included, where appropriate, in the review and recommended conditions sections of this report.

I. BURDEN OF PROOF

The applicant bears the burden of proof to demonstrate that the proposal is consistent with the criteria for the approval of rezone applications found in Section 13.06.650 of the *TMC* and the criteria for the approval of a wetland development permit found in Section 13.11 of the *TMC*. The proponent of a rezone has the burden of showing that the reclassification bears a substantial relationship to the public health, safety, morals, or general welfare. See *Bassani v. County Commissioners*, 70 Wn. App. 389, 394, 853 P.2d 945 (1993) citing *Parkridge v. Seattle*, 89 Wn.2d 454, 153, P.2d 359 (1978); *Woodcrest Invs. Corp v. Skagit Cy.*, 39 Wn. App. 622, 694, P.2d 705 (1985). Under Washington law, a "strong showing" of change is not required and the rule is intended to be flexible and allow consideration of each case on its own facts. See *Bassani* at 394. A showing of changed circumstances is not required when a rezone is intended to implement an amendment to a comprehensive plan. See *SORE v. Snohomish Cy.*, 99 Wn.2d 363, 370, 662 P.2d 816 (1983).

J. PROJECT ANALYSIS

Consistency with *TMC* 13.06.650.B – Reclassification Criteria:

As detailed in *TMC* 13.06.650, applications for reclassifications may be approved if the proposal is found to be consistent with the stated decision criteria. Staff has reviewed this project against these criteria and this review is set forth below.

1. *That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the comprehensive plan.*

The *Comprehensive Plan* incorporates many specific plan elements, including the *Generalized Land Use Element (GLUE)*, which is intended to provide the broad development plan and policies to guide new development in the City of Tacoma.

The *GLUE* identifies the site as within a "Medium Intensity" area. This area is approximately 94,919 gross square feet. Medium Intensity areas are intended for medium intensity residential developments between 15 and 45 units per acre, depending on site characteristics and zoning. These developments can serve as buffers between lower intensity and higher intensity development. The *GLUE* further specifies that site densities will be approximately 15 units per net acre. The applicant is proposing 13 dwelling units, which would be a density of approximately 6 dwelling units per gross acre for the entire site. On the parcel proposed for "T" zoning, the density would be approximately 11 units per acre, below the range supported by the intensity designation.

The *GLUE* also sets forth specific policies for medium-intensity residential uses, and emphasizes that such uses should be buffers between lower and higher intensity developments, that such development should be concentrated, and that it should be adjacent or immediately accessible to arterial corridors. Further, the overall policy intent for the South End Neighborhood is to focus commercial development along major arterials and protect the single-family neighborhoods to the east of Pacific Avenue and South "A" Street. Access to multiple family developments used for buffers between commercial and single-family developments is typically restricted to Pacific Avenue.

The proposed development is located between an area of lower-density housing, consisting of single-family development, and the Pacific Avenue transportation corridor.

The site is adjacent to the Pacific Avenue principal arterial, a fully developed, high-volume street.

This site is also designated as a Tier I – Primary Growth Area by the *GLUE*. Tier I areas are characterized by urban growth where key public facilities and services are available and either meet the adopted levels of service standards or are planned to meet the standards through programmed capital investments. These facilities exist or can be provided to the subject site. The proposal has been reviewed by the appropriate agencies and their recommendations have, where relevant, been included as recommended conditions should this project be approved. As such, the proposal is consistent with the *GLUE* Tier and intensity designations and will not create significant impacts on public services in this area.

2. *That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the comprehensive plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.*

As previously noted, this site was zoned both "R-2" One-Family Dwelling District and "C-2" General Community Commercial District in 1953 and has been developed, redeveloped, and rezoned in pieces since that time. Each of those actions has been to maintain or increase the intensity of the uses at the site. The surrounding area has also changed over the intervening years, resulting in an increasing mix of commercial and higher-density residential uses along Pacific Avenue, and an increase in single-family residential development to the east of the site (as evidenced by subdivisions). Reclassifications in the area have primarily been to provide automobile-oriented commercial uses along the Pacific Avenue corridor, as supported by the *Comprehensive Plan*.

3. *That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.*

The district establishment statement for the "T" Transitional District specifically indicates that the district is "intended as a transition between commercial or institutional areas and residential areas...it primarily consists of office uses... residential uses are also appropriate." Further, the "T" District is not appropriate in a Mixed-Use area. The district establishment statement for the "C-2" General Community Commercial District is "to allow a broad range of medium- to high-intensity uses of larger scale. Office, retail, and service uses that serve a large market area are appropriate. Residential uses are also appropriate. This classification is not appropriate inside comprehensive plan designated mixed-use centers or low-intensity areas."

The applicant has designed a site and proposed zoning districts which provide for community-serving facilities along Pacific Avenue, while also providing a transitional area between the commercial district and the single-family residential areas to the east. Therefore, the change of zoning classification is consistent with the district establishment statement for the requested "T" and "C-2" Districts.

4. *That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for*

which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.

The subject site was zoned "R-2" One-Family Dwelling District and "C-2" General Community Commercial District in 1953. While there have been site-specific rezones affecting the subject parcels in the intervening years, records indicate that there have been no area-wide rezone actions taken by the City Council in the past two years affecting this property.

5. *That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.*

The *TMC* and *GLUE* set forth policies and requirements aimed at regulating growth to ensure consistency with the public health, safety, morals and general welfare. The *TMC* and *GLUE* identify this area as a location which is intended to be an area of continued medium-intensity urban growth, to include a mix of commercial, residential, retail and service uses. The policies applicable to development in this area encourage low intensity residential development and the provision of community-serving commercial. In order to further ensure that projects in these areas are compatible with the intended character of the district and do not have significant negative impacts on surrounding uses or habitat areas the *TMC* also includes development regulations for projects in the "T" and "C-2" District, including parking standards, landscaping and buffering standards, and design standards.

The proposal and the conditions recommended by staff in this report include provisions for appropriate vehicular access to the new property, adequate parking, normal utility services, and protection and enhancement of adjacent areas. Notice of this proposal has been provided to governmental and non-governmental agencies for review and comment, and the substance of these comments, which would further ensure provisions for the public health, safety, and general welfare, is included in the recommended conditions section of this report.

Consistency with *TMC* 13.04 – Boundary Line Adjustment Criteria

The *TMC* sets forth the required submittals and procedures for approval of a Boundary Line Adjustment (BLA) in chapter 13.04.085, which are included in this Staff Report in Section F – Applicable Sections of the *Tacoma Municipal Code*.

A. *A boundary line adjustment shall be a minor alteration in the location of lot boundaries of an existing lot. Such alteration shall not increase the number of lots nor diminish in size open space or other protected environments.*

The applicant has provided a proposed lot configuration in which all proposed lots meet the minimum size and dimension requirements of the "T" and "C-2" Districts.

D. *All lots resulting from the boundary line alteration shall be in conformance with the design standards of this chapter.*

1. *Review Process. The Land Use Administrator or designee has the authority to approve boundary line adjustments.*

Per the Consolidated Review procedures set forth in *TMC*13.05, the BLA in this case is reviewed concurrently with the request for Reclassification, and is therefore subject to the Hearing Examiner decision.

2. *Applications. Applications for boundary line adjustments shall be submitted to the Public Works Department in a manner consistent with the procedure for applications for short plats and shall include the following information:*

- a. *The existing lot lines (shown in dashed lines) and the area, in square feet, of each of the existing lots;*
- b. *The new lot lines (shown in solid lines) and the area, in square feet, of each of the new lots;*
- c. *The location of all structures and access drives on the lots and the distance of each from both the existing and proposed lot lines, when such distance is less than 25 feet.*

A "red-line" version of the BLA has been included with this Staff Report as Reference Document "R-1". The BLA has been reviewed by both Land Use Administration Staff and the City Surveyor, with required corrections as noted on the plan. In particular, the final BLA shall reference all five original parcels and their square footage, bearings shall be corrected, and a current (within 90 days) title report and lot closure report shall be submitted with the final BLA mylar.

3. *Recordation. All approved boundary line adjustments shall be recorded with the Pierce County Auditor's office.*

Final mylars will be submitted per BLUS procedures following a decision from the Hearing Examiner, and following the appropriate corrections on the mylars.

Officially Approved Accessway- TMC 13.04.140:

In order for the Hearing Examiner to authorize an officially approved accessway, TMC 13.04.140 requires that the Examiner find that the accessway is adequate to provide all necessary ingress and egress to a parcel or parcels of land for specific uses subject to the following conditions:

- (1) *That a minimum of 10-foot-wide officially approved accessway be required for one dwelling unit, and a minimum of a 16-foot-wide officially approved accessway be required for two or more dwelling units, or for any use other than residential;*
- (2) *That such officially approved accessway be permanent, unobstructed, and designed, improved, and maintained to accommodate fire apparatus and necessary mobile service equipment;*
- (3) *That, if determined to be necessary for the convenience and safety of the residents served by said officially approved accessway, the Land Use Administrator or Hearing Examiner may require other reasonable standards and improvements of said officially approved accessway;*
- (4) *That the ownership and control of said officially approved accessway be with the owner of the property it serves, unless other provisions are determined to be satisfactory;*
- (5) *That the Hearing Examiner or Land Use Administrator may attach to such a determination reasonable conditions limiting and controlling the development of said parcel according to the practical capacity of said officially approved accessway and in the interest of the particular neighborhood and of the general public.*

The proposed BLA, including the use of a 24-foot permanent easement to provide primary access to the easterly parcel, has been reviewed by the numerous City

Departments, including the City's Public Works Department Review Panel, which includes representatives from the Fire Department and the City Traffic Engineer (see meeting minutes at Attachment "A-6"). The Review Panel is the interdepartmental body with expertise in determining appropriate on and on and off-site recommendations for development applications.

The Review Panel found that the proposed access width, at 24 feet, is sufficient to serve the proposed development. In addition, the applicant will be required to improve that access easement to City standards, with appropriate provisions made for pedestrian access, and for paving and drainage. Where applicable, the necessary conditions of approval to ensure adequate access have been placed upon the proposal an are included below.

K. RECOMMENDED CONDITIONS OF APPROVAL

Should this request be approved, the Public Works Department recommends that the following conditions be made conditions of approval for this application.

1. Streets, Driveways and Sidewalks

- A. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer.
- B. Per *RCW 35.68.075*, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be required at the direction of the Traffic Engineer.
- C. A 5-foot wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per *TMC* standards for internal lot access.
- D. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.
- E. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per *TMC* standards for internal commercial and residential developments.
- F. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.
- G. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2½ inches of Crushed Surfacing Top Course and 5 inches of

Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.

- H. The type, width and location of all driveway approaches serving the site(s) shall be approved by the City Engineer.

2. Storm and Sanitary Sewers

- A. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
- B. Each building shall have an independent connection to the City sanitary sewer at the building construction stage. The existing side sewer shall be abandoned per Chapter 7, Section 722.0 of the Uniform Plumbing Code. Permits for this work shall be obtained.
- C. Multiple units and buildings that are under single ownership and located on a single parcel may use shared private side sewers that connect to the public sanitary sewer. In the event that this development is divided into more than one parcel in the future (whether from platting, boundary line adjustments, lot segregations, or any other land use actions), each new parcel shall have an individual side sewer connection to the public sanitary sewer. This may require re-routing any existing shared side sewers, or constructing new side sewers in order to individually connect each parcel to the public sanitary sewer. A public sanitary sewer extension may also be required in order to individually connect each parcel. Notice of this requirement will be recorded on title of this parcel.
- D. Private sanitary sewer easements shall be provided across any parcel(s) that side sewers must cross to serve parcels which do not have direct access to a public sanitary sewer. No permanent structures shall be placed within or over the required easements. All private easements shall appear on the face of the plat Mylar.
- E. All storm drainage shall be collected and conveyed to the City storm system in compliance with the City reviewed storm water site plan submitted with the building plan.
- F. An existing public storm sewer main within a public storm easement appears to be under the proposed car wash facility. This is not allowed, however the storm main and easement can be rerouted from under the proposed building at the applicants' expense. The City storm sewer shall be relocated through the City's work order process. Storm sewer plans shall be prepared by a licensed civil engineer registered in the state of Washington, per City standards, and shall be submitted to the Public Works Department Construction Division for approval.
- G. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). City approval does not release the applicant from state or other permitting requirements.
- H. This project will contribute stormwater to the City's regional detention system in the Flett Creek Drainage Basin, which is at capacity. If this project totals 10,000

square feet or more of new effective impervious surface in a threshold discharge area, the applicant must meet one of the following criteria in accordance with the City of Tacoma Surface Water Management Manual:

- Prepare a ¼-mile downstream hydrological analysis of the City storm system. If the analysis shows the system has sufficient capacity, an in-lieu-of detention fee will be offered negating the requirement for on-site detention. The fee collected will be used to make future improvements to the City's regional Flett Creek Drainage Basin. The applicant must sign an Agreement Regarding Stormwater Detention and pay the fee before issuance of building permits; or
- Provide on-site detention of stormwater to match a forested condition; or
- Provide on-site detention of stormwater to match the existing site conditions, and pay the in-lieu-of-detention fee.

Note: Effective impervious surface created offsite as a result of this project shall count toward the effective impervious surface total.

- I. Projects totaling 5,000 square feet or more of effective pollution-generating impervious surface within a threshold discharge area shall be required to construct stormwater treatment facilities. Commonly used stormwater treatment facilities include cartridge filtration, biofiltration, wet ponds/vaults, or a combination of such devices. Due to any number of site-specific conditions, the selection of an appropriate stormwater treatment facility is the responsibility of the project engineer and shall be based on Volume V, Chapter 2 of the City of Tacoma Surface Water Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
- J. All easements required for public storm sewer main relocations shall be granted to the City of Tacoma and be prepared by the City of Tacoma Public Works, Real Property Services Department.
- K. No permanent structure(s) shall be erected within the public easement area(s) unless specifically approved in writing by the City of Tacoma Director of Public Works. Permanent structures shall mean any concrete foundation, concrete slab, wall, rockery, pond, stream, building, deck, overhanging structure, fill material, tree, recreational sport court, carport, shed, private utility, fence, or other site improvement that restricts or unreasonably interferes with the City of Tacoma's access to install, construct, inspect, maintain, remove, repair and replace public storm sewer utilities in said easement(s). Permanent structures shall not mean flowers, ground cover and shrubs less than 3-feet in height, lawn grass, asphalt paving or gravel improvements that do not prevent the access of men, material, and machinery across, along and within the said easement area. Land restoration by the City within the said easement area due to the construction, shall mean planting grass seed or grass sod, asphalt paving and gravel unless otherwise determined by the City of Tacoma.

3. Tacoma Water

- A. City ordinance 12.10.045 requires a separate water service and meter for each parcel.

- B. Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project will be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications will be estimated by Tacoma Water. The developer will be required to pay a deposit in the amount of the estimated cost. The actual costs for the work will be billed against the developer's deposit. The new mains will be installed by and at the expense of the developer. The developer will be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developers Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling will be due to Tacoma Water. Upon completion of the project, the developer will either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.
- C. Customer is advised to obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.
- D. If fire sprinklering, contact the Tacoma Water Permit Counter for policies related to combination fire/domestic water service connections.
- E. New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters will be installed by Tacoma Water after payment of the System Development Charge.
- F. If a new fire hydrant is required at a location with an existing water main, the hydrant will be installed by Tacoma Water after payment of an installation charge.
- G. If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they will be relocated by Tacoma Water at the owners' expense.
- H. Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

4. Source Control

- A. Commercial car washes are reviewed on a case by case basis; requirements are based on the facility's design. Manual (wand) bays, automatic wash tunnels and one-, or two-step washing processes each have different requirements.
- B. Wastewater generated from covered manual (wand) car wash bays shall discharge to a properly sized coalescing plate oil/water separator connected to the sanitary sewer.

- C. Wastewater generated from uncovered manual (wand) car wash bays shall be limited in size and shall discharge to a coalescing plate oil/water separator sized using the Rational Method for the 25 year storm.
- D. For the one-step washing process where only surfactants are used to wash only vehicle exteriors, a Type 1 catch basin with a 6" tee outlet discharging to the sanitary sewer shall be provided.
- E. For the two-step washing process, the acidic and basic wastewater streams shall be combined or otherwise neutralized prior discharging the wastestreams into the sanitary sewer.
- F. Material Safety Data Sheets for washing chemicals, neutralizing chemicals, or both, shall be submitted to Building and Land Use Services Division with the building plans.
- G. For all washing processes, provisions shall be made to capture and remove from the wastestream any sand, grit or other solid material prior to its discharge into the sanitary sewer.
- H. Dragout from the wash tunnel shall be captured and directed to the sanitary sewer to prevent excess soap, wax, or both from entering the storm drainage system.
- I. Applicant shall submit plumbing and mechanical drawings together with the building plans during the plan review process.

5. Tacoma Power

- A. Any relocation of Tacoma Power's facilities will be done at the customer's expense.
- B. All new services will be installed underground and additional utility easements may be required.

6. Tacoma Fire Department

- A. The Tacoma Fire Department has reviewed the revised proposal for this action:
- B. The future building(s) and site improvements shall meet all requirements of the International Fire Code as amended by the State of Washington and City of Tacoma as determined at the building permit stage.
- C. At minimum, a new fire hydrant shall be installed within the site located at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units.
 - If a fire access is not provided from the site to the existing hydrant (hydrant # 7388) to the west along the private drive from South 'A' Street, a second hydrant shall be installed within the site.
- D. The estimated minimum fire flow is 2000 GPM.
- E. An automatic fire sprinkler system shall be installed throughout all future residential condo dwelling(s) to be constructed. Installation shall be in accordance with National Fire Protection Association Standard 13R.

- F. Provide an approved fire apparatus turnaround per the Public Works Design Standards at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units. All fire access lanes on the site shall be designed to meet the turning radii of the approved fire apparatus.

7. Grading and Erosion Control

- A. Grading plans will be evaluated at the Building Permit stage.
- B. The project developer shall take reasonable precautions to avoid fugitive dust emissions during construction activities. By employing Best Management Practices (BMPs), such as watering or covering exposed areas during dry periods, the developer shall not allow fugitive dust to travel beyond the project boundaries.
- C. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval must be obtained through the TPCHD prior to filling.
- D. Provisions should be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- E. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.
- F. During construction, all release of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.

8. Protection of Adjacent Properties

With the development of the project, the proponent shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. Slopes shall be constructed with cuts no steeper than 1-1/2:1, and fills no steeper than 2:1, except where more restrictive criteria is stipulated by the soils engineer. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, the project engineer shall address them.

9. Miscellaneous

- A. The proposal shall be developed substantially in compliance with the site plans and representations made in the project application. The project shall be designed to meet or exceed all applicable requirements of the *TMC*, the *IBC*, and all other relevant regulations.

- B. The Applicant must provide Solid Waste Management with a detailed site plan indicating location of solid waste/recycle collection point(s). The siting of the collection point must be specifically approved by SWM staff prior to construction. The size/type of container to be used must be noted at time of plan submittal.
- C. The Applicant must provide a detailed Landscaping Plan per the requirements of *TMC 13.06.502* for review and approval of the Land Use Administrator.
- D. Prior to obtaining building or grading permits, the proponent shall contact the appropriate City departments to make the necessary arrangements for all required improvements.
- E. A Concomitant Zoning Agreement incorporating the conditions of approval imposed shall be executed and recorded with the Pierce County Auditor prior to final approval of the reclassification by the City.

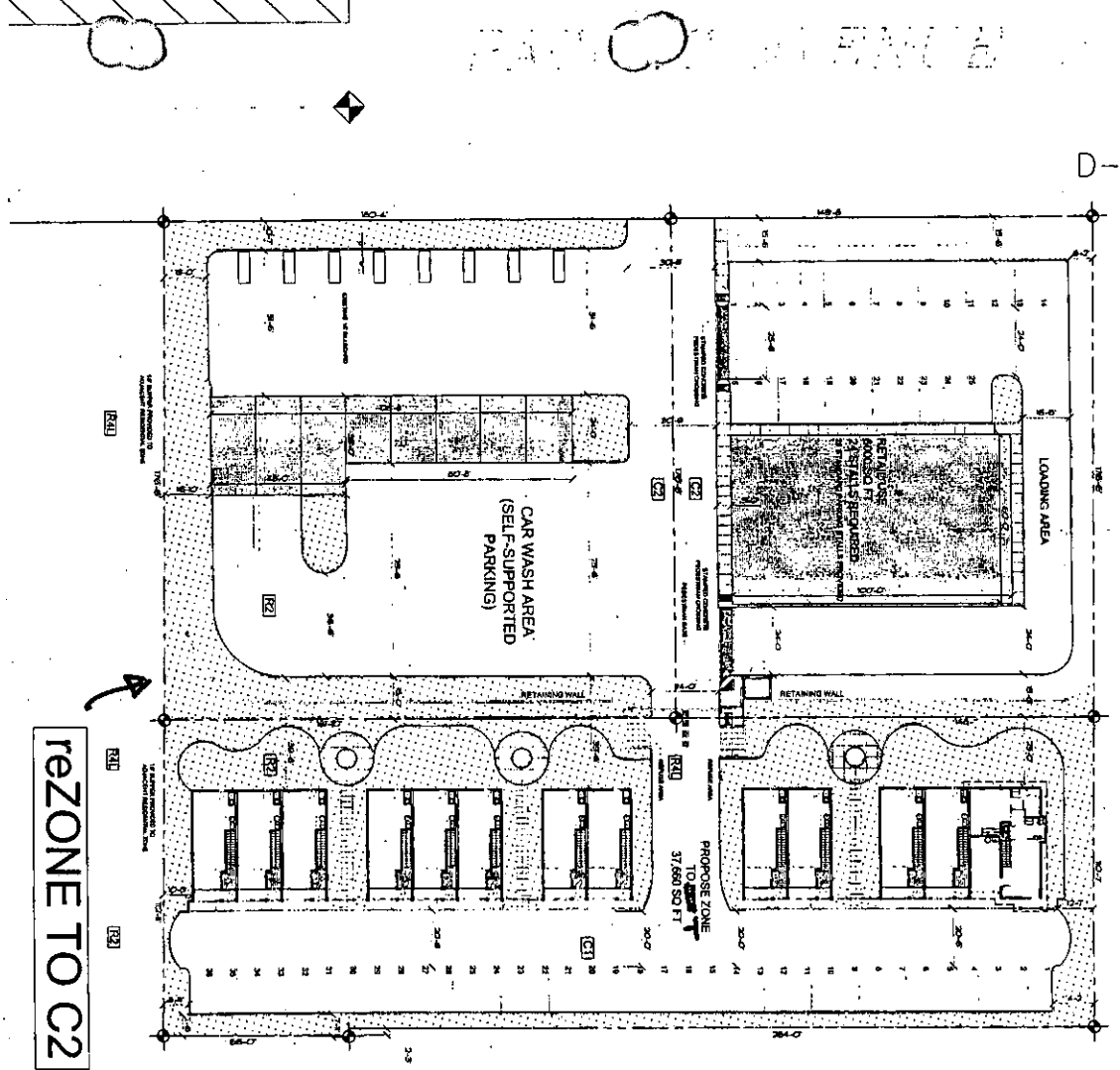
Attachments

File No. REZ2007-40000106521
MPD2007-40000106520
Arslan 84th & Pacific

Reclassification and Boundary Line Adjustment

Attachments:

- A-1: Existing and Proposed Site Plans
- A-2: Proposed Building Elevations
- A-3: Historic and current zoning map for the area
- A-4: Land Use Intensity Map
- A-5: Applicant's response to Reclassification Criteria
- A-6: Public Works Review Panel Minutes, February 27, 2008
- A-7: Environmental Services – Science and Engineering
- A-8: Environmental Services – Source Control
- A-9: Tacoma Water
- A-10: Tacoma Fire
- A-11: Building and Land Use Services – Plan Review
- A-12: Washington Department of Ecology
- A-13: Tacoma-Pierce County Health Department
- A-14: Pierce Transit



PROJECT INFORMATION

SITE ADDRESS:
 8431 PACIFIC AVENUE
 TACOMA, WA 98444

PARCELS:

- 0320332081 - 14,354 SF (0.33 ACRES)
- 0320332012 - 23,541 SF (0.54 ACRES)
- 0320332037 - 37,884 SF (0.87 ACRES)
- 0320332175 - 19,166 SF (0.44 ACRES)
- 0320332174 - 10,166 SF (0.44 ACRES)

PROPOSED SITE USES:

- CAR WASH - 3,616 SF
- RETAIL - 6,000 SF
- 13 CONDO UNITS

95B3
 each

- PARKING REQUIRED - 47 STALLS
- PARKING PROVIDED - 53 STALLS
- TOTAL SITE AREA - 94,925 SF
- TOTAL SITE IMPERVIOUS SURFACE - 69,959 SF
- TOTAL SITE LANDSCAPING AREA - 24,966 SF

REZONE TO C2

PROPOSED SITE PLAN
 SCALE: 1"=25'
 NORTH
 REZONE - 11/21/07

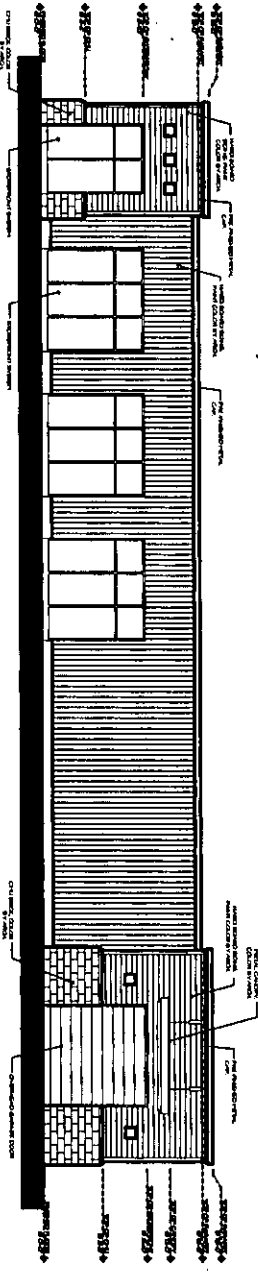
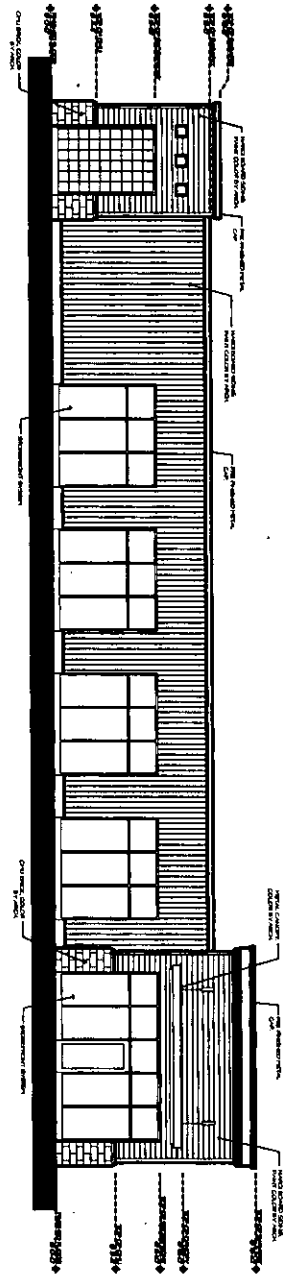
A1.0

84th & PACIFIC AVE
 8431 PACIFIC AVENUE
 TACOMA, WASHINGTON 98444



JON GRAVES ARCHITECTS & PLANNERS
 3110 HURSTON WAY, SUITE D, TACOMA, WA 98402
 PH: 252-272-4214 FAX: 252-272-4718

REGISTERED ARCHITECT
 JOHN CARL CHRISTENSEN
 STATE OF WASHINGTON



EXTERIOR ELEVATIONS

10/9/07

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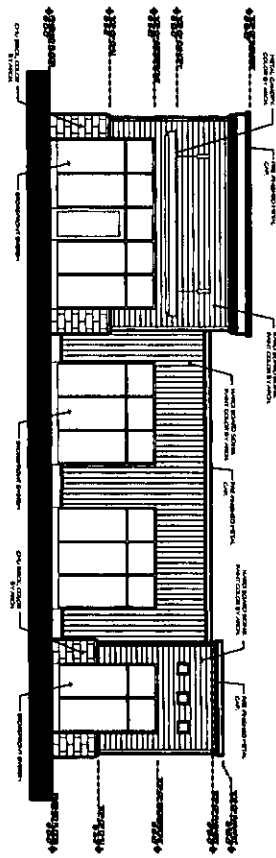
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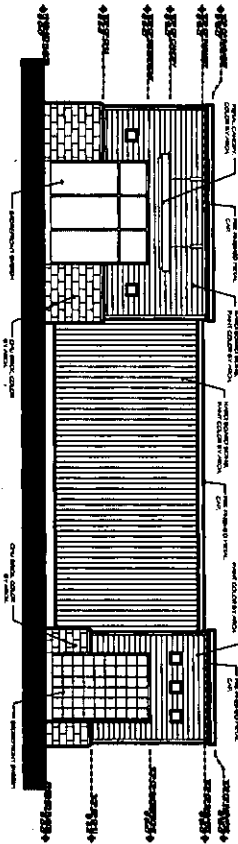
JON GARVES ARCHITECTS & PLANNERS
3115 PULITZER WAY, SUITE D, TACOMA, WA 98402
PH: 252-272-0114 FAX: 252-272-0716



REZ2007-40000106521
Attachment "A-2"



1 ELEVATION



2 ELEVATION

EXTERIOR ELEVATIONS

-109/07

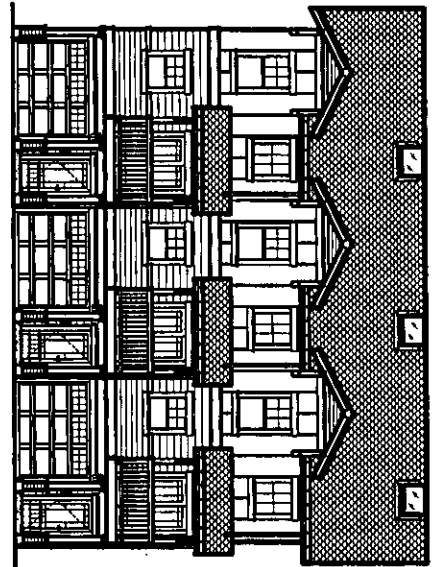
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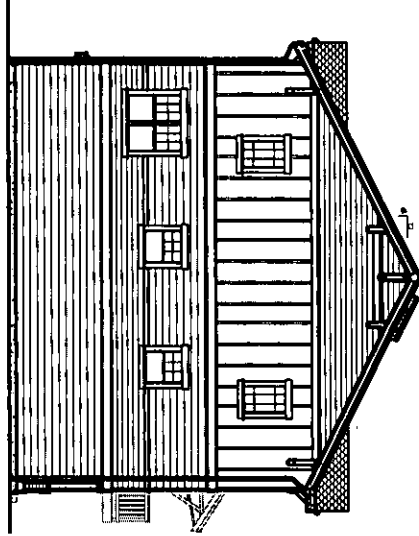


JON GRAVES ARCHITECTS & PLANS
2115 BRISTOL WAY, SUITE 212, TACOMA, WA 98402
PH: 252-272-2214 FAX: 252-272-0218

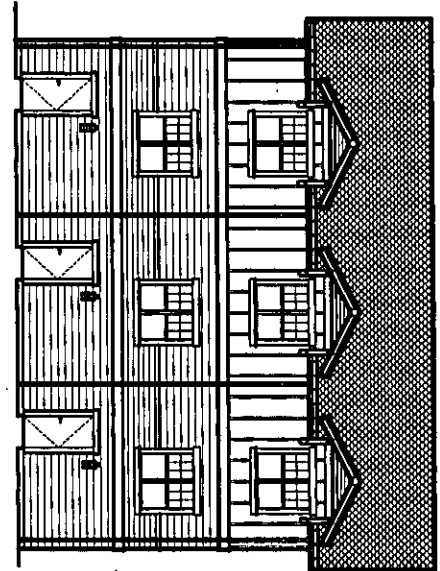
REZ2007-40000106521
Attachment "A-2"



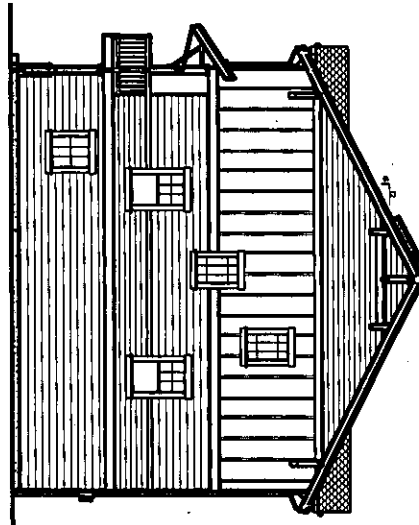
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3 ELEVATION - 3 UNIT



2 ELEVATION - 3 UNIT



4 ELEVATION - 3 UNIT

EXTERIOR ELEVATIONS, 3-UNIT

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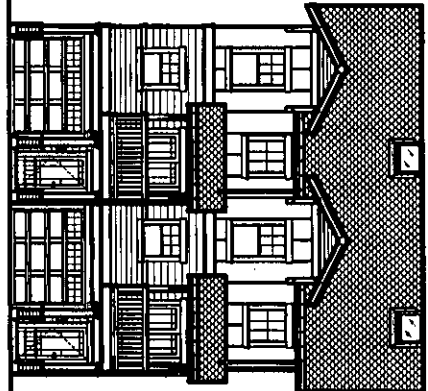
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TACOMA, WASHINGTON



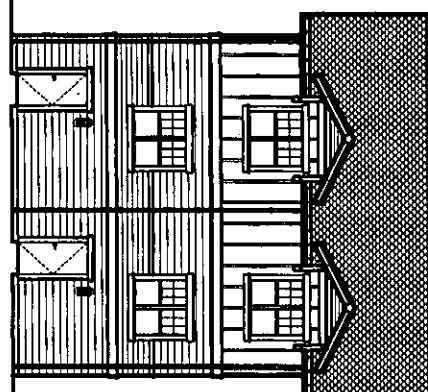
JON GARVES ARCHITECTS & PLANNER
3175 PEARSON HWY., SUITE 101, TACOMA, WA 98402
PH: 252-4214 FAX: 252-72-4214

REGISTERED ARCHITECT

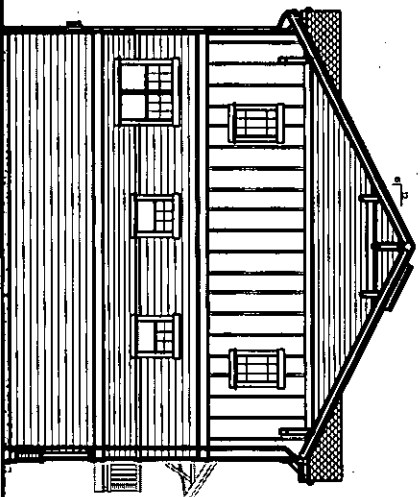
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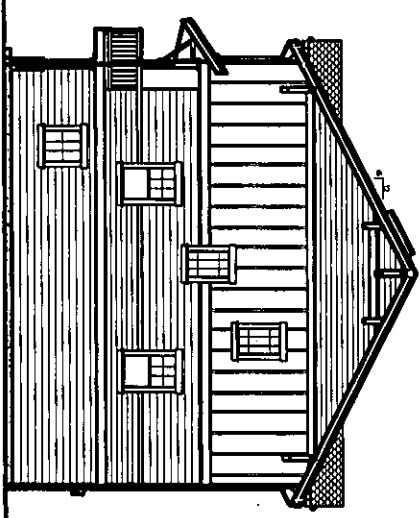
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4 ELEVATION - 2 UNIT

EXTERIOR ELEVATIONS - 2 UNIT

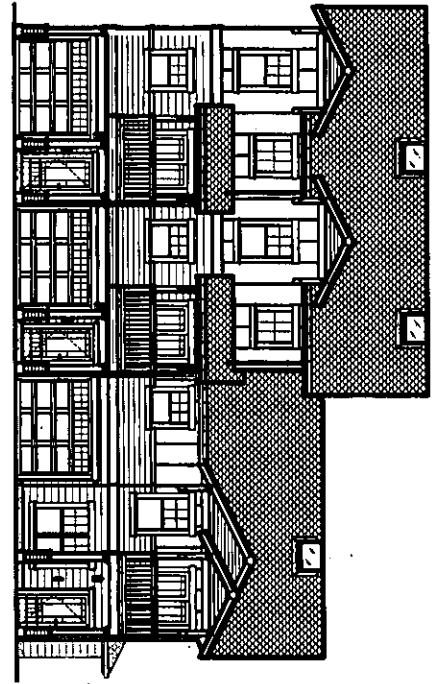
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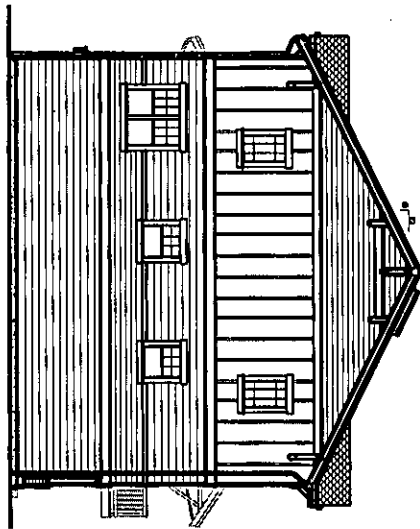
PACIFIC AVE CONDOS
PACIFIC AVENUE
TACOMA, WASHINGTON

JON GRAVES ARCHITECTS & PLANNING
2115 RAINIER BLVD. SUITE 200, TACOMA, WA 98402
PH: 253-273-0214 FAX: 253-273-0718

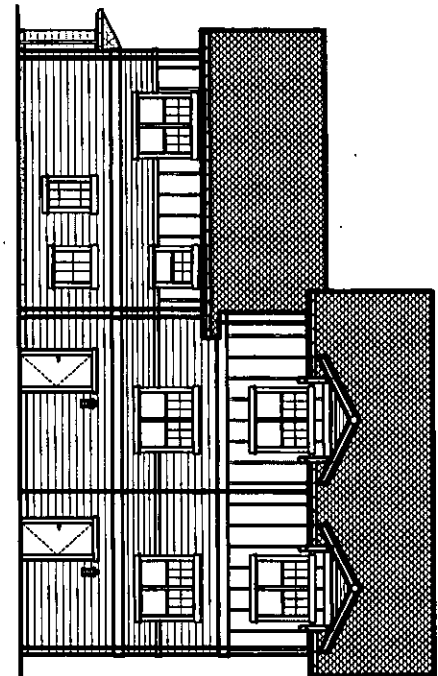
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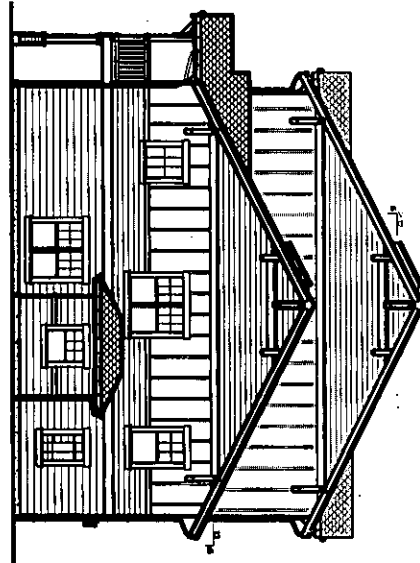
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3 ELEVATION - 2 UNIT & ADA



2 ELEVATION - 2 UNIT & ADA



4 ELEVATION - 2 UNIT & ADA

EXTERIOR ELEVATIONS - 2 UNIT & ADA

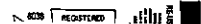
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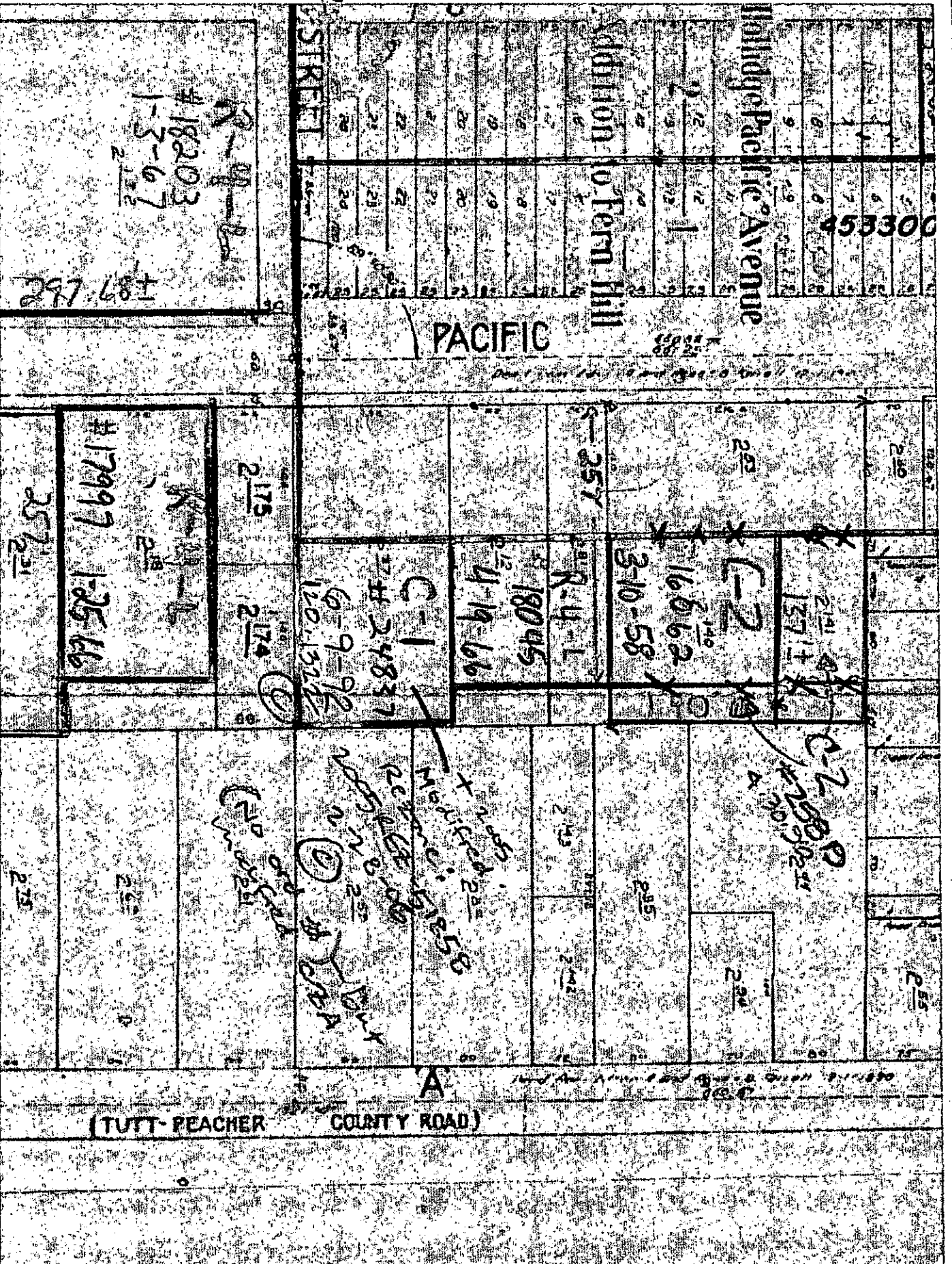
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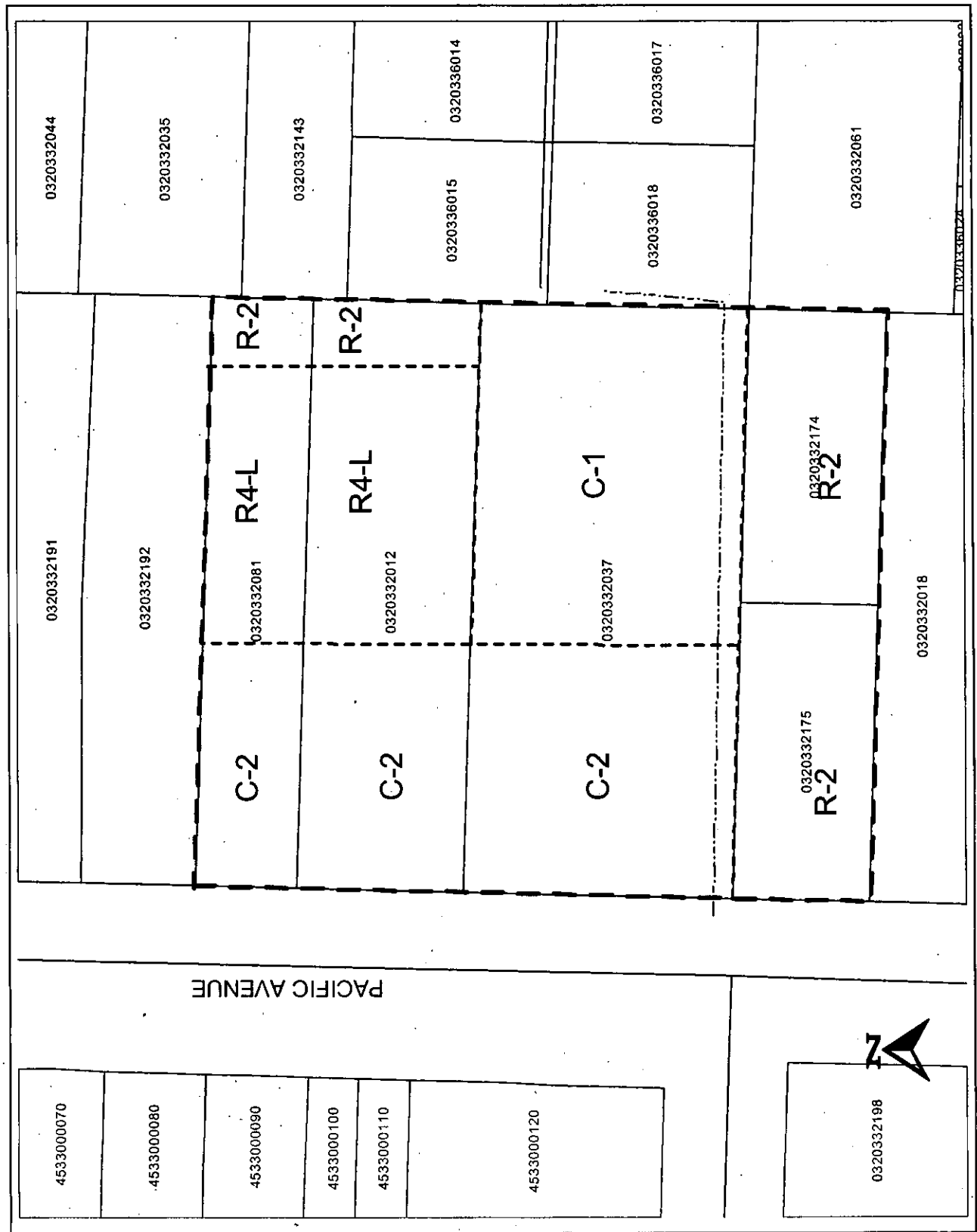
JON GRAVES ARCHITECTS & PLAN
1110 PALM ON WAY, SUITE D, TACOMA, WA 98402
PH: 252-972-0414 FAX: 252-972-0414



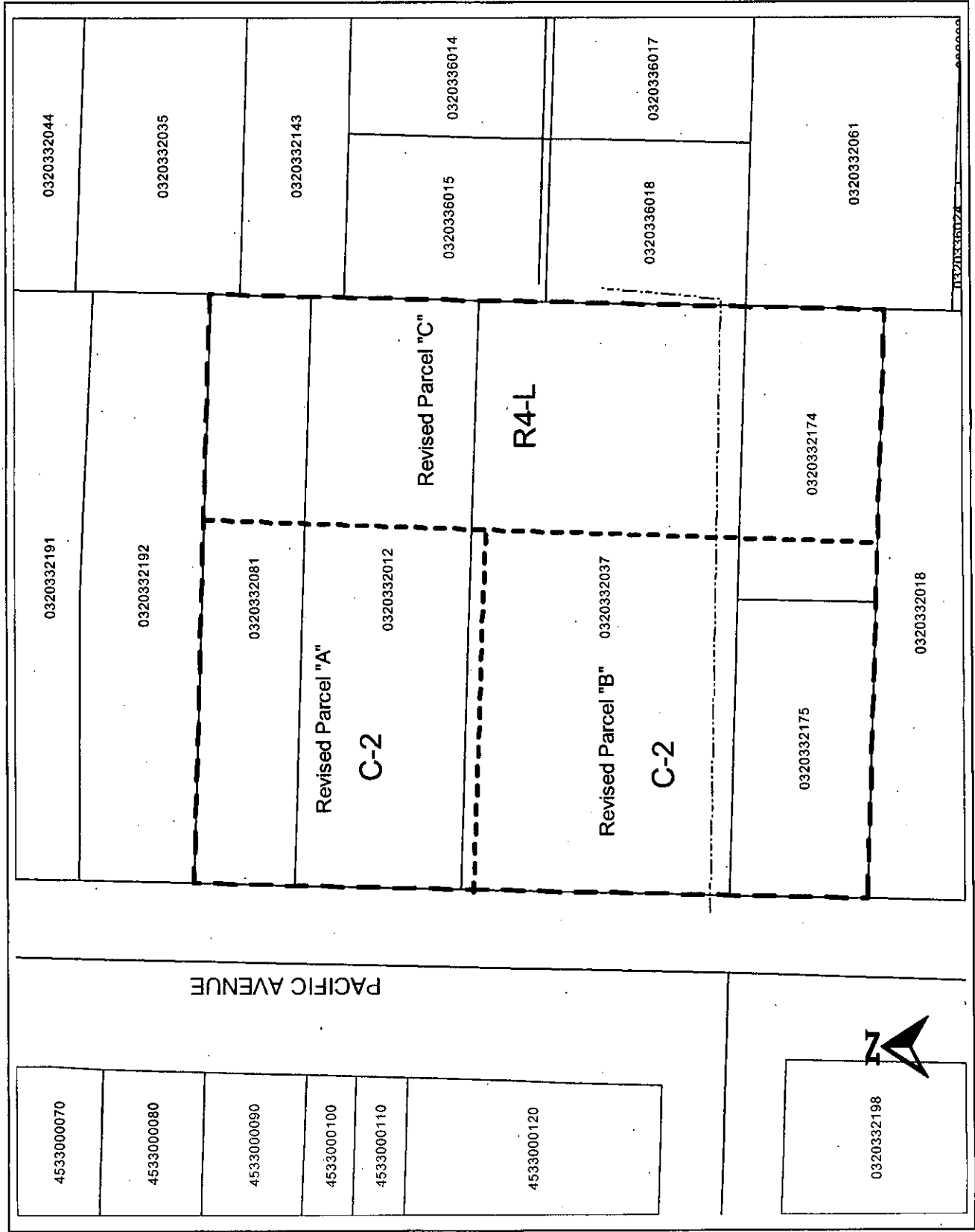
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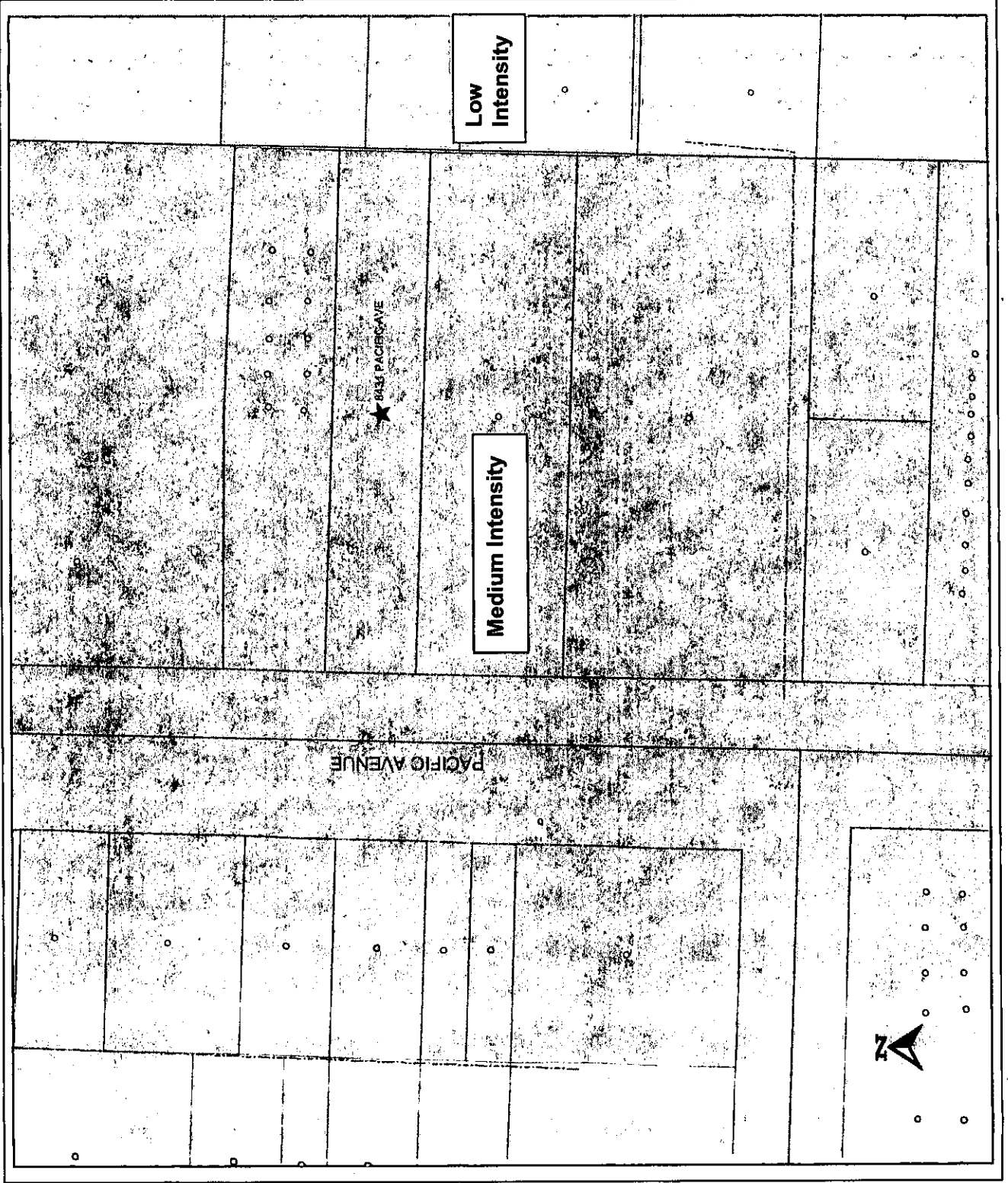


REL 4-10US21 Attachment "A-3"



REZ2007 - 40000106521, SEP2007 - 40000106541, MPD2007 - 40000106520 Proposed Zoning







Public Works Department
 Building and Land Use Services Division
 747 Market Street, Room 345
 Tacoma, WA 98402-3769
 (253) 591-5363

Land Use Permit Application

Before submitting this form, review the instruction sheet for the type of permit for which you are applying.
 Ask staff at the address above for the appropriate instruction sheet.

Type of Permit

For Office Use Only

Boundary Line Adjustment	Site Approval	Variance	File No. _____
Binding Site Plan	Special/Conditional Use	Waiver	Env. Checklist yes/no
Plat	Special Development	Exception	Concurrency yes/no
Short Plat	Temporary Use	Other: _____	Pre-app Meeting yes/no
<input checked="" type="checkbox"/> Reclassification			Planner at mtg. _____

Applicant

Name: Jon Graves Architects & Planners, PLLC Relationship to Property _____
 Mailing Address: 3110 Ruston Way Suite 'D' Owner _____
 City & zip Code: Tacoma, WA 98402 Lessee _____
 Phone (Work) 253-272-4214 Contract Purchaser _____
 (Home) _____ Other: agent
 (Fax) 253-272-4218

Property Description

Site Address: 8431 Pacific Ave
 (or nearest intersection if no address) Tacoma, WA
 Assessor's Parcel Number(s): 0320332081, 0320332012
0320332037, 032033 Section 33 Township 20 Range 3
 Legal Description: see attached
 (may be attached) _____

Is there a wetland on the site? Yes No If yes, please describe: _____

Property Owners (if different from applicant)

Name:	<u>Ismail Arslingiray / RRDN</u>
Mailing Address:	<u>4826 Tacoma Mall Blvd, Suite 'C'</u>
City & Zip Code:	<u>Tacoma, WA 98409</u>
Phone (Work)	<u>253-906-1400</u>
(Home)	
(Fax)	

Current Use of Property

Please describe how the property is currently being used and what structures exist.

vacant

Proposal

Please describe your proposal. To help you write your description, review the requirements and criteria for the permit for which you are applying. *Please address the permit requirements and criteria in your description below, or if more appropriate, in the maps and attachments you provide.*

Rezone (see attached letter)

Attachments

Please review the instruction sheet to determine what attachments must be submitted with your application. Type of attachments that may be required are:

- | | |
|---|--|
| <input type="checkbox"/> Site plans, floor plans and building elevations. | <input type="checkbox"/> Building or site sections. |
| <input type="checkbox"/> Landscape plans | <input type="checkbox"/> Question sheets or studies. |

I hereby state that I am the applicant listed above and that the foregoing statements and answers herein made, all information and evidence herein made, and all information and evidence herewith submitted are, in all respects and to the best of my knowledge and belief, true and complete. I understand that the filing fee accompanying this application is not refundable, is only for the purpose of partially defraying the normal administrative expenses of processing the application, and that the payment of said fee does not result in automatic issuance of the permit requested in this application.



Signature

11-20-07

Date

original in file

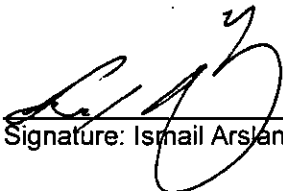
Received, Public Works Department

Date

Ismail Arslangiray
84th and Pacific

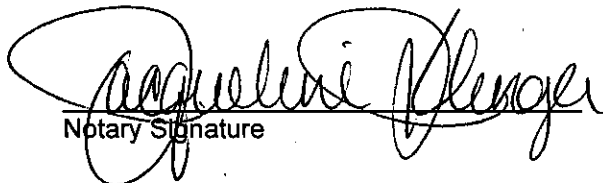
I, Ismail Arslangiray, do hereby appoint Jon Graves Architects & Planners, PLLC and its employees to act as an agent for 84th and Pacific as well as personally, Ismail Arslangiray.

Signed this 26th day of August 2007.


Signature: Ismail Arslangiray

I certify that I know or have satisfactory evidence that Ismail Arslangiray is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledge it as the Owner and/or Managing Partner of said listed company to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated this 26th day of August 2007.

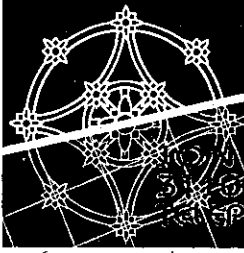

Notary Signature

Jacqueline J. Klinger

SEAL:



My appointment expires: 06-29-2011



GRAVES ARCHITECTS & PLANNERS
RUSTON WAY SUITE D TACOMA, WA 98402
PHONE (253) 272-4214 FAX (253) 272-4218

J G R A C H S . C O M

06-20-08 A09:21 IN June 20, 2008

To: Shirley Schultz
Land Use Administration Supervisor
Building and Land Use Services
City of Tacoma
747 Market Street Tacoma, WA 98402-3769

From: Ed Wells
Sr. Project Manager
Jon Graves Architects & Planners, PLLC
3110 Ruston Way Suite D Tacoma, WA 98402

RE: *Change of proposed zoning.*

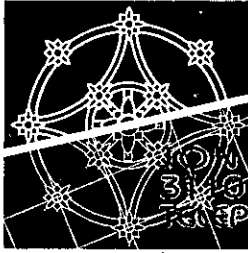
Dear Shirley,

After further investigation of the new information provided by you during your review, the client Ismail Arslangiray would like to change to proposed R4L zone to the T zone. This will allow the proposed carwash facility to be constructed as planned. We found in our study that the T zone allows the multi family housing and the densities that the client was after without the screening and restrictions of the R4L zone.

Please proceed with the change from the R4L to the T zone. I look forward to working with you on this project to make it a successful one. Please feel free to call if you have any questions or comments.

Thank you,

Ed Wells
Sr. Project Manager



GRAVES ARCHITECTS & PLANNERS
3110 RUSTON WAY SUITE D TACOMA, WA 98402
PHONE (253) 272-4214 FAX (253) 272-4218

J G A R C H S . C O M

Jon Graves Architects and Planners PLLC
Ed Wells, Sr. Project Manager
3110 Ruston Way, Suite D
Tacoma, WA 98405

RE: Reclassification of Five Parcels Along Pacific Avenue Near the Intersection of 84th Street South

PROPOSAL:

This project consists of five parcels:

1. **0320332081** – 14,354 SF (0.33 acres): Currently Zoned C2, R4L, R2
Section: 33 Township: 20 Range: 03 Quarter: 24
2. **0320332012** – 23,541 SF (0.54 acres): Currently Zoned C2, R4L, R2
Section: 33 Township: 20 Range: 03 Quarter: 24
3. **0320332037** – 37,884 SF (0.87 acres): Currently Zoned C2, C1
Section: 33 Township: 20 Range: 03 Quarter: 24
4. **0320332175** – 19,116 SF (0.44 acres): Currently Zoned R2
Section: 33 Township: 20 Range: 03 Quarter: 24
5. **0320332174** – 19,166 SF (0.44 acres): Currently Zoned R2
Section: 33 Township: 20 Range: 03 Quarter: 24

The owner would like to take the first three parcels, divide each in half north to south and rezone the west side as C2 and the east side as ~~R4L~~. The owner would like to rezone the fourth parcel from R2 to C2 and the fifth parcel from R2 to ~~R4L~~. This would allow the owner to build a commercial carwash on the west side along Pacific Avenue and residential units on the east side abutting a residential zone.

Criteria for Rezone of Property:

1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Land Use Management Plan.

Reclassifications of these properties are consistent with the current Land Use Intensity Designation and the current Land Use Management Plan. Reclassification of these properties will allow for growing commercial activity along Pacific Avenue while also providing a residential element that is consistent with the current surrounding R2 (one family) and R4L (multi-family) residential area. The commercial development on the subject parcels will be buffered, with particular attention paid to the R2 (one family) parcels to the east.

2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the Land Use Management Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.

The area surrounding the subject parcels have changed in recent years with the growing commercial activity along Pacific Avenue as a major arterial. The traffic increase along Pacific Avenue has caused a negative impact on residential compatibility within the area. The proposed rezone is therefore more appropriate to the current commercial uses along Pacific Avenue, and will also provide a transitional multi-family residential buffer to the one-family residential parcels to the east.

3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.

The proposed zoning changes are consistent with the abutting zoning and uses along the Pacific Avenue Corridor. Furthermore, the proposed buildings/uses will provide for improved buildings on the two parcels that have a poor quality repair shop and three parcels that are currently vacant.

4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.

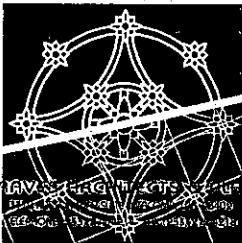
To our knowledge, the proposed rezone for the subject parcels is not in violation of this requirement, and will not result in a substantial

change to any area-wide rezone action adopted in the immediate area within the past two years.

5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals or general welfare.

Three out of the five properties are currently vacant.

Reclassifications of the subject parcels would allow for commercial economic growth along the Pacific Avenue corridor while still holding onto the residential element that surrounds this area. This is consistent with the Tacoma Growth Concept that uses the nearby 72nd and Pacific Avenue as a community center that incorporates both commercial activity and residential growth.



JON GRAVETT ARCHITECTS AND PLANNERS

J O A R C H S . C O M



PUBLIC WORKS DEPARTMENT
BUILDING AND LAND USE SERVICES DIVISION



REVIEW PANEL MINUTES

Wednesday, January 9, 2008

10:00 am

Third Floor Conference Room

ATTENDEES:

Craig Kuntz
Shirley Schultz
Pete Rambow
Teresa Dusek

Richard Meuschke
Carl Anderson
David Jones
Lucas Shaddock

Larry Criswell
Spencer Beier
Dustin Lawrence

1.	
Action:	The applicant is proposing rezone and boundary line adjustment of all or part of five parcels, totaling 2.62 acres, from a combination of "C-1", "C-2", "R-2", and "R4-L" to "C-2" on the westerly portion of the site and "R4-L" (see attached map). The site would be redeveloped with a commercial car wash along Pacific Avenue and multifamily dwellings on the east side abutting the adjacent residential zone.
File Number:	REZ2007-40000106521 SEP2007-40000106541 MPD2007-40000106520
Applicant:	Ed Wells
Staff Contact:	Shirley Schultz
Location:	8431 Pacific Avenue, Parcel Numbers 0320332081, 0320332012, 0320332037, 0320332175, and 0320332174.
Impacts:	<input checked="" type="checkbox"/> Vehicle trips <input checked="" type="checkbox"/> Pedestrian trips <input checked="" type="checkbox"/> Impervious surface <input checked="" type="checkbox"/> Utilities <input checked="" type="checkbox"/> Emergency access and services <input type="checkbox"/> Other: _____
<input checked="" type="checkbox"/>	Sidewalks: 1. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer. <i>FINDING: The project will result in increased pedestrian trips. The requirement to remove and replace existing damaged sidewalks addresses the increases in pedestrian trip and is proportional to those impacts.</i> 2. Per RCW 35.68.075, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86 th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be require at the direction of the Traffic Engineer. <i>FINDING: Sidewalks are required to address the increased pedestrian trips, including access for people with disabilities. Requiring ramps along the street frontage of the site, and ramps at the</i>

	<p>corner of the site and opposite it, as required by state law, is proportional to that impact.</p> <p>3. A 5 feet wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per <i>Tacoma Municipal Code (TMC)</i> standards for internal lot access.</p> <p><i>FINDING: Sidewalks are required to address the increased pedestrian trips. Requiring sidewalks along the access way frontage of the new building site is proportional to that impact. Sidewalks will provide safe walking paths for the residents living in the proposed residential units at Parcel C.</i></p>
<input checked="" type="checkbox"/>	<p>Curbs & Gutters:</p> <p>4. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.</p> <p><i>FINDING: The project will result in increased pedestrian and vehicle trips and increased runoff. The requirement to remove and replace existing damaged curb and gutter, which addresses drainage issues and increases pedestrian and vehicular safety, is proportional to those impacts.</i></p> <p>5. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per <i>Tacoma Municipal Code (TMC)</i> standards for internal commercial and residential developments.</p> <p><i>FINDING: The project will result in increased pedestrian and vehicle trips and increased runoff. The requirement to install curb and gutter, which addresses drainage issues and increases pedestrian and vehicular safety, is proportional to those impacts.</i></p>
<input checked="" type="checkbox"/>	<p>Streets:</p> <p>6. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.</p> <p><i>FINDING: Any utility cuts or other damage to the City streets associated with this proposal would constitute impacts directly resulting from the development actions. There is a clear nexus between this impact and this condition. Furthermore, requiring that any project impacts to streets be repaired and maintained to existing or better conditions is proportional to those impacts.</i></p> <p>7. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2½ inches of Crushed Surfacing Top Course and 5 inches of Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.</p> <p><i>FINDING: The proposal results in the need to provide adequate vehicular and emergency access to the site. The Fire and Subdivision Codes require provision of adequate turnaround facilities for emergency vehicles, in order to ensure accessibility and the safety of the inhabitants of the proposed residential structures. Therefore, there is a clear nexus between requiring construction of the private access way and the project impacts. Furthermore, since the project is the direct cause of this impact, and these lots are the only ones which will benefit from the road, the condition is proportional to that impact.</i></p> <p>NOTE: The applicant must gain approval from the property owners to the east to have access to the private easement to the east. If the applicant is not able to gain an access agreement to the easement to the east, the driveway and access to that easement will not be allowed.</p> <p>8. The type, width and location of all driveway approaches serving the site(s) shall be</p>

	<p>approved by the City Engineer.</p> <p><i>FINDING: The City's driveway standards have been formulated to ensure public safety where driveways intersect with roads. Such trips are a direct result of the proposed development, and the requirement to meet City driveway standards is proportional to those impacts.</i></p> <p><u>NOTE: The Tacoma PWD is presently finalizing new standards for repairing pavement cuts for utilities such as gas, water and sewer. The new standards are expected to go into effect beginning in late Winter. These new standards are expected to significantly increase the area of pavement replacement required for utility cuts as well as implement new compaction testing requirements. Permits obtained to work in street or alley right of way after the new standards are in effect will be expected to meet the new requirements.</u></p>
	<p>Work Order Required?</p> <p><input checked="" type="checkbox"/> Yes. All street work shall be accomplished via the City's work order process. To initiate a work order, contact the Public Works Construction Division at 591-5760.</p> <p><input type="checkbox"/> No. The proposed street work can be accomplished without a work order.</p> <p>A work order for work within the right-of-way may be required by the Public Works Department. Please contact the Construction Division at 591-5760 for work order requirements.</p>
<input type="checkbox"/>	Dedicate Right-of-way:
<input type="checkbox"/>	Other Improvements:
<input checked="" type="checkbox"/>	Miscellaneous: ESSE will provide comments via separate memorandum.



TO: Shirley Schultz, Building and Land Use Services Division

FROM: Richard A. Meuschke, Environmental Services Engineering Division

SUBJECT: Rezone (REZ2007)
File No 40000106521
8431 Pacific Avenue

DATE: January 22, 2008

The Environmental Services Engineering Division has the following comments on the subject site rezone:

1. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
2. Each building shall have an independent connection to the City sanitary sewer at the building construction stage. The existing side sewer shall be abandoned per Chapter 7, Section 722.0 of the Uniform Plumbing Code. Permits for this work shall be obtained.
3. Multiple units and buildings that are under single ownership and located on a single parcel may use shared private side sewers that connect to the public sanitary sewer. In the event that this development is divided into more than one parcel in the future (whether from platting, boundary line adjustments, lot segregations, or any other land use actions), each new parcel shall have an individual side sewer connection to the public sanitary sewer. This may require re-routing any existing shared side sewers, or constructing new side sewers in order to individually connect each parcel to the public sanitary sewer. A public sanitary sewer extension may also be required in order to individually connect each parcel. Notice of this requirement will be recorded on title of this parcel.
4. Private sanitary sewer easements shall be provided across any parcel(s) that side sewers must cross to serve parcels which do not have direct access to a public sanitary sewer. No permanent structures shall be placed within or over the required easements. All private easements shall appear on the face of the plat Mylar.
5. All storm drainage shall be collected and conveyed to the City storm system in compliance with the City reviewed storm water site plan submitted with the building plan.
6. An existing public storm sewer main within a public storm easement appears to be under the proposed car wash facility. This is not allowed, however the storm main and easement can be rerouted from under the proposed building at the applicants' expense. The City storm sewer shall be relocated through the City's work order process. To start the work order, please contact Dan Handa, Public Works Construction Division at (253) 591-5765. Storm sewer plans shall be prepared by a licensed civil engineer registered in the state of Washington, per City standards, and shall be submitted to the Public Works Department Construction Division for approval.

7. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). Contact Ecology's Office of Regulatory Assistance at 1-800-917-0043 to determine if any additional requirements are necessary. Additional information is also available online at <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. City approval does not release the applicant from state or other permitting requirements.
8. This project will contribute stormwater to the City's regional detention system in the Flett Creek Drainage Basin, which is at capacity. If this project totals 10,000 square feet or more of new effective impervious surface in a threshold discharge area, the applicant must meet **one** of the following criteria in accordance with the City of Tacoma Surface Water Management Manual:
 - Prepare a ¼-mile downstream hydrological analysis of the City storm system. If the analysis shows the system has sufficient capacity, an in-lieu-of detention fee will be offered negating the requirement for on-site detention. The fee collected will be used to make future improvements to the City's regional Flett Creek Drainage Basin. The applicant must sign an *Agreement Regarding Stormwater Detention* and pay the fee before issuance of building permits; or
 - Provide on-site detention of stormwater to match a forested condition; or
 - Provide on-site detention of stormwater to match the existing site conditions, **and** pay the in-lieu-of-detention fee.
- Note:** Effective impervious surface created offsite as a result of this project shall count toward the effective impervious surface total.
9. Projects totaling 5,000 square feet or more of effective pollution-generating impervious surface within a threshold discharge area shall be required to construct stormwater treatment facilities. Commonly used stormwater treatment facilities include cartridge filtration, biofiltration, wet ponds/vaults, or a combination of such devices. Due to any number of site-specific conditions, the selection of an appropriate stormwater treatment facility is the responsibility of the project engineer and shall be based on Volume V, Chapter 2 of the City of Tacoma Surface Water Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
10. All easements required for public storm sewer main relocations shall be granted to the City of Tacoma and be prepared by the City of Tacoma Public Works, Real Property Services Department. Once the utility location(s) on the site are approved by Public Works Department, Environmental Services Engineering Division the applicant shall contact Ronda Cornforth Public Works, Real Property Services Department at (253) 591-5052 to prepare the replace and supersede easements for recording during the work order process. Please include work order number(s) along with the easement legal description(s).

11. No permanent structure(s) shall be erected within the public easement area(s) unless specifically approved in writing by the City of Tacoma Director of Public Works. Permanent structures shall mean any concrete foundation, concrete slab, wall, rockery, pond, stream, building, deck, overhanging structure, fill material, tree, recreational sport court, carport, shed, private utility, fence, or other site improvement that restricts or unreasonably interferes with the City of Tacoma's access to install, construct, inspect, maintain, remove, repair and replace public storm sewer utilities in said easement(s). Permanent structures shall not mean flowers, ground cover and shrubs less than 3-feet in height, lawn grass, asphalt paving or gravel improvements that do not prevent the access of men, material, and machinery across, along and within the said easement area. Land restoration by the City within the said easement area due to the construction, shall mean planting grass seed or grass sod, asphalt paving and gravel unless otherwise determined by the City of Tacoma.

If you are interested in reading the City of Tacoma Surface Water Management Manual, an online version is available at www.ci.tacoma.wa.us/waterServices/permits/manual.htm. The Surface Water Manual can be purchased by contacting the Public Works Department, Environmental Services Engineering Division at (253) 591-5588.

If you would like to schedule a meeting with an engineer or have questions regarding these storm and sanitary sewer comments, please call the Public Works Department, Environmental Services Engineering Division at (253) 591-5588.

ram:crt (G:\ENGRNG\Land Use\Land Use 2007\Rezoning (REZ)\Rezone2007 File No 40000106521 - 8431 Pacific Av.doc)



TO: Shirley Schultz, Building and Land Use Services Division

FROM: Vida Piera, Environmental Services Science & Engineering Source Control

SUBJECT: Rezone and Boundary Line Adjustment for Commercial Care Wash and Multifamily Dwellings
REZ2007 – 40000106521
SEP2007 – 40000106541
MPD2007 – 40000106520
Parcels 0320332081; 0320332174; 0320332175; 0320332037; 0320332012
8431 Pacific Ave

DATE: December 17, 2007

The following preliminary comments are based upon a review for completeness of the application materials. Additional corrections and comments may be generated during the plan review process.

We have the following source control comments on the subject land use action.

1. Commercial car washes are reviewed on a case by case basis; requirements are based on the facility's design. Manual (wand) bays, automatic wash tunnels and one-, or two-step washing processes each have different requirements.
2. Wastewater generated from covered manual (wand) car wash bays shall discharge to a properly sized coalescing plate oil/water separator connected to the sanitary sewer.
3. Wastewater generated from uncovered manual (wand) car wash bays shall be limited in size and shall discharge to a coalescing plate oil/water separator sized using the Rational Method for the 25 year storm.
4. For the one-step washing process where only surfactants are used to wash only vehicle exteriors, a Type 1 catch basin with a 6" tee outlet discharging to the sanitary sewer shall be provided.
5. For the two-step washing process, the acidic and basic wastewater streams shall be combined or otherwise neutralized prior discharging the wastestreams into the sanitary sewer.
6. Material Safety Data Sheets for washing chemicals, neutralizing chemicals, or both, shall be submitted to Building and Land Use Services Division with the building plans.
7. For all washing processes, provisions shall be made to capture and remove from the wastestream any sand, grit or other solid material prior to its discharge into the sanitary sewer.

8. Dragout from the wash tunnel shall be captured and directed to the sanitary sewer to prevent excess soap, wax, or both from entering the storm drainage system.
9. Applicant shall submit plumbing and mechanical drawings together with the building plans during the plan review process.

These comments do not comprise a complete Source Control review of this project. Additional requirements may be assessed during the plan review process.

If you would like to schedule a meeting or have questions regarding these comments, please contact Vida Piera, Environmental Services Engineering Division at (253) 502-2263.

Schultz, Shirley

From: Angel, Jesse
Sent: Tuesday, December 11, 2007 8:05 AM
To: Schultz, Shirley
Cc: Bowen, Heather
Subject: REZ2007-40000106521 & SEP2007-40000106541 & MPD2007-40000106520

REZ2007-40000106521 & SEP2007-40000106541 & MPD2007-40000106520, 8431 Pacific Ave., Parcel No. 0320332081, 0320332012, 0320332037, 0320332175, and 0320332174

City ordinance 12.10.045 requires a separate water service and meter for each parcel.

Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project will be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications will be estimated by Tacoma Water. The developer will be required to pay a deposit in the amount of the estimated cost. The actual costs for the work will be billed against the developer's deposit. The new mains will be installed by and at the expense of the developer. The developer will be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developers Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling will be due to Tacoma Water. Upon completion of the project, the developer will either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.

Customer is advised to obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.

If fire sprinklering, contact the Tacoma Water Permit Counter at (253) 502-8247 for policies related to combination fire/domestic water service connections.

New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters will be installed by Tacoma Water after payment of the System Development Charge.

If a new fire hydrant is required at a location with an existing water main, the hydrant will be installed by Tacoma Water after payment of an installation charge.

If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they will be relocated by Tacoma Water at the owners' expense.

Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

Jesse Angel
 Engineering Office Coordinator
 Tacoma Water
 253-502-8280
 jangel@ci.tacoma.wa.us

8/12/2008

REZ2007-40000106521
 Attachment "A-9"

RECEIVED

NOV. 19 2009

TACOMA CITY ATTORNEY
CIVIL DIVISION



200911120522 17 PGS
11/12/2009 02:45:14 PM \$79.00
PIERCE COUNTY, WASHINGTON

When Recorded, Return To:

City of Tacoma
City Clerk's Office
747 Market Street, Room 220
Tacoma WA 98402-3769

Duplicate
ORIGINAL

DOCUMENT TITLE Concomitant Agreement
Grantor City of Tacoma
Grantee Jon Graves Architects for Ismail Arslingiray
Description Rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site.
Reference Number
Assessor's Parcel Number

When Recorded, Return To:

**Elizabeth A. Pauli
City Attorney
747 Market Street, Room 1120
Tacoma, WA 98402**

CONCOMITANT AGREEMENT

THIS AGREEMENT is entered into this 29th day of October, 2009, by and between ISMAIL ARSLINGIRAY, hereinafter referred to as the "Owner/Applicant," and the CITY OF TACOMA, a municipal corporation, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS the Owner/Applicant has applied for a rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site, and legally described as follows:

Parcel 1: (0320332175)

The West half of the following described property:

Beginning at the Northwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 3 East, W.M.;

Running thence East along the North line of said subdivision of said Section 330 feet;

Thence South at right angle with said North line 66 feet;

Thence West on a line parallel with said North line of said subdivision 330 feet;

Thence North along the East line of said subdivision of said section 66 feet to the place of beginning;

Less that part taken off from the West end of said tract for Pacific Avenue.

Situated in the County of Pierce, State of Washington.

and to "T" Transitional on the easterly portion of the site, and legally described as follows:

Parcels: (0320332012), (0320332037), (0320332174), (0320332081)

Commencing at the Northwest corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 03 East, W.M.;

Thence South $88^{\circ}05'52''$ East along the North line of said subdivision a distance of 40 feet to the east margin of Pacific Avenue and the True Point of Beginning;

Thence North $01^{\circ}23'11''$ East along said East margin 264.00 feet;

Thence South $88^{\circ}06'21''$ East a distance of 290 feet more or less to the East line of the West half of the Northeast quarter of the Southeast quarter of the Northwest quarter of said Section 33;

Thence South $01^{\circ}29'50''$ West along said East line and its southerly extension a distance of 330.00 feet;

Thence North $88^{\circ}05'52''$ West a distance of 144.65 feet;

Thence North 01°38'25" East a distance of 65.95 feet to the North line of Southeast quarter of the Southeast quarter of the Northwest quarter of Section 33, Township 20 North, Range 03 East, W.M.;

Thence North 88°05'52" West along said North Line a distance of 145.00 feet to the Point of Beginning.

Situated in the County of Pierce, State of Washington.

hereinafter sometimes referred to as the "site," and

WHEREAS the City has authority to enact laws and to enter into agreements to promote the health, safety, and welfare of its citizens and thereby control the use and development of property within its jurisdiction, and WHEREAS the City, pursuant to RCW 43.21C, the Washington State Environmental Policy Act, should mitigate any adverse effects which might result because of the proposed rezone, and

WHEREAS the City, pursuant to RCW 43.21C, the Washington State Environmental Policy Act, should mitigate any adverse effects which might result because of the proposed rezone, and

WHEREAS the Owner/Applicant has indicated its understanding of its obligation to cooperate with the City, its Public Works Department, and the Hearing Examiner of the City to ensure compliance with all City ordinances and all other local, state, and federal laws relating to the use and development of the site by entering into an agreement, and

WHEREAS the City, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interests of the public by this Concomitant Agreement.

NOW, THEREFORE, in the event the site is rezoned from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District, to a combination of "C-2" General Community Commercial District on the westerly portion of the site and "T" Transitional on the easterly portion of the site, and subject to the terms and conditions hereinafter stated, the

Owner/Applicant does hereby covenant and agree to develop the property as follows:

All of the terms, conditions, and requirements of the Hearing Examiner's Findings of Fact, Conclusions of Law, and Recommendation to the City Council, File Nos. REZ2007-40000106521, SEP2007-40000106541, and MPD2007-40000106520 ("FFCL"), attached hereto are incorporated by reference herein in full, regardless of whether they are set forth separately in this Agreement.

A SPECIAL CONDITIONS:

1. STREETS, DRIVEWAYS, AND SIDEWALKS

- a. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer.
- b. Per RCW 35.68.075, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be required at the direction of the Traffic Engineer.
- c. A 5-foot wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per *TMC* standards for internal lot access.
- d. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.
- e. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per *TMC* standards for internal commercial and residential developments.

- f. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.
- g. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2 1/2 inches of Crushed Surfacing Top Course and 5 inches of Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.
- h. The type, width and location of all driveway approaches serving the site(s) shall be approved by the City Engineer.

2. STORM AND SANITARY SEWERS

- a. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
- b. Each building shall have an independent connection to the City sanitary sewer at the building construction stage. The existing side sewer shall be abandoned per Chapter 7, Section 722.0 of the Uniform Plumbing Code. Permits for this work shall be obtained.
- c. Multiple units and buildings that are under single ownership and located on a single parcel may use shared private side sewers that connect to the public sanitary sewer. In the event that this development is divided into more than one parcel in the future (whether from platting, boundary line adjustments, lot segregations, or any other land use actions), each new parcel shall have an individual side sewer connection to the public sanitary sewer. This may require re-routing any existing shared side sewers, or constructing new side sewers in order to individually connect each parcel to the public sanitary sewer. A public sanitary sewer extension may also be required in order to

individually connect each parcel. Notice of this requirement shall be recorded on title of this parcel.

- d. Private sanitary sewer easements shall be provided across any parcel(s) that side sewers must cross to serve parcels which do not have direct access to a public sanitary sewer. No permanent structures shall be placed within or over the required easements. All private easements shall appear on the face of the plat Mylar.
- e. All storm drainage shall be collected and conveyed to the City storm system in compliance with the City reviewed storm water site plan submitted with the building plan.
- f. An existing public storm sewer main within a public storm easement appears to be under the proposed car wash facility. This is not allowed, however the storm main and easement can be rerouted from under the proposed building at the applicants' expense. The City storm sewer shall be relocated through the City's work order process. Storm sewer plans shall be prepared by a licensed civil engineer registered in the state of Washington, per City standards, and shall be submitted to the Public Works Department Construction Division for approval.
- g. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). City approval does not release the applicant from state or other permitting requirements.
- h. This project will contribute stormwater to the City's regional detention system in the Flett Creek Drainage Basin, which is at capacity. If this project totals 10,000 square feet or more of new effective impervious surface in a threshold discharge area, the applicant shall meet one of the following criteria in accordance with the City of Tacoma Surface Water Management Manual:

- Prepare a 1/4-mile downstream hydrological analysis of the City storm system. If the analysis shows the system has sufficient capacity, an in-lieu-of detention fee will be offered negating the requirement for on-site detention. The fee collected will be used to make future improvements to the City's regional Flett Creek Drainage Basin. The applicant must sign an Agreement Regarding Stormwater Detention and pay the fee before issuance of building permits; or
- Provide on-site detention of stormwater to match a forested condition; or
- Provide on-site detention of stormwater to match the existing site conditions, and pay the in-lieu-of-detention fee.

Note: Effective impervious surface created offsite as a result of this project shall count toward the effective impervious surface total.

- i. Projects totaling 5,000 square feet or more of effective pollution-generating impervious surface within a threshold discharge area shall be required to construct stormwater treatment facilities. Commonly used stormwater treatment facilities include cartridge filtration, biofiltration, wet ponds/vaults, or a combination of such devices. Due to any number of site-specific conditions, the selection of an appropriate stormwater treatment facility is the responsibility of the project engineer and shall be based on Volume V, Chapter 2 of the City of Tacoma Surface Water Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
- j. All easements required for public storm sewer main relocations shall be granted to the City of Tacoma and be prepared by the City of Tacoma Public Works, Real Property Services Department.
- k. No permanent structure(s) shall be erected within the public easement area(s) unless specifically approved in writing by the City of Tacoma Director of Public Works. Permanent structures shall mean any concrete foundation, concrete slab, wall,

rockery, pond, stream, building, deck, overhanging structure, fill material, tree, recreational sport court, carport, shed, private utility, fence, or other site improvement that restricts or unreasonably interferes with the City of Tacoma's access to install, construct, inspect, maintain, remove, repair and replace public storm sewer utilities in said easement(s). Permanent structures shall not mean flowers, ground cover and shrubs less than 3-feet in height, lawn grass, asphalt paving or gravel improvements that do not prevent the access of men, material, and machinery across, along and within the said easement area. Land restoration by the City within the said easement area due to the construction, shall mean planting grass seed or grass sod, asphalt paving and gravel unless otherwise determined by the City of Tacoma.

3. TACOMA WATER

- a. City ordinance 12.10.045 requires a separate water service and meter for each parcel.
- b. Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project shall be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications shall be estimated by Tacoma Water. The developer shall be required to pay a deposit in the amount of the estimated cost. The actual costs for the work shall be billed against the developer's deposit. The new mains shall be installed by and at the expense of the developer. The developer shall be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developers Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling shall be due to Tacoma Water. Upon completion of the project, the developer

shall either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.

- c. The customer shall obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.
- d. If fire sprinklering, the customer shall contact the Tacoma Water Permit Counter for policies related to combination fire/domestic water service connections.
- e. New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters shall be installed by Tacoma Water after payment of the System Development Charge.
- f. If a new fire hydrant is required at a location with an existing water main, the hydrant shall be installed by Tacoma Water after payment of an installation charge.
- g. If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they shall be relocated by Tacoma Water at the owner's expense.
- h. Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

4. SOURCE CONTROL

- a. Commercial car washes are reviewed on a case by case basis; requirements are based on the facility's design. Manual (wand) bays, automatic wash tunnels and one-, or two-step washing processes each have different requirements.
- b. Wastewater generated from covered manual (wand) car wash bays shall discharge to a properly sized coalescing plate oil/water separator connected to the sanitary sewer.
- c. Wastewater generated from uncovered manual (wand) car wash bays shall be limited in size and shall discharge to a

coalescing plate oil/water separator sized using the Rational Method for the 25 year storm.

- d. For the one-step washing process where only surfactants are used to wash only vehicle exteriors, a Type 1 catch basin with a 6" tee outlet discharging to the sanitary sewer shall be provided.
- e. For the two-step washing process, the acidic and basic wastewater streams shall be combined or otherwise neutralized prior to discharging the wastestreams into the sanitary sewer.
- f. Material Safety Data Sheets for washing chemicals, neutralizing chemicals, or both, shall be submitted to Building and Land Use Services Division with the building plans.
- g. For all washing processes, provisions shall be made to capture and remove from the wastestream any sand, grit or other solid material prior to its discharge into the sanitary sewer.
- h. Dragout from the wash tunnel shall be captured and directed to the sanitary sewer to prevent excess soap, wax, or both from entering the storm drainage system.
- i. Applicant shall submit plumbing and mechanical drawings together with the building plans during the plan review process.

5. TACOMA POWER

- a. Any relocation of Tacoma Power's facilities shall be done at the customer's expense.
- b. All new services shall be installed underground and additional utility easements may be required.

6. TACOMA FIRE DEPARTMENT

- a. The future building(s) and site improvements shall meet all requirements of the International Fire Code as amended by the State of Washington and City of Tacoma as determined at the building permit stage.
- b. At minimum, a new fire hydrant shall be installed within the site located at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units.

- If a fire access is not provided from the site to the existing hydrant (hydrant # 7388) to the west along the private drive from South 'A' Street, a second hydrant shall be installed within the site.
- c. The estimated minimum fire flow is 2000 GPM.
 - d. An automatic fire sprinkler system shall be installed throughout all future residential condo dwelling(s) to be constructed. Installation shall be in accordance with National Fire Protection Association Standard 13R.
 - e. An approved fire apparatus turnaround, per the Public Works Design Standards, shall be provided at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units. All fire access lanes on the site shall be designed to meet the turning radii of the approved fire apparatus.

7. GRADING AND EROSION CONTROL

- a. Grading plans shall be evaluated at the Building Permit stage.
- b. The project developer shall take reasonable precautions to avoid fugitive dust emissions during construction activities. By employing Best Management Practices (BMPs), such as watering or covering exposed areas during dry periods, the developer shall not allow fugitive dust to travel beyond the project boundaries.
- c. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval shall be obtained through the Tacoma-Pierce County Health Department prior to filling.
- d. Provisions shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- e. Erosion control measures must be in place prior to any

clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.

- f. During construction, all release of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.

8. PROTECTION OF ADJACENT PROPERTY

- a. With the development of the project, the proponent shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. Slopes shall be constructed with cuts no steeper than 1-1/2:1, and fills no steeper than 2:1, except where more restrictive criteria is stipulated by the soils engineer. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, the project engineer shall address them.

9. MISCELLANEOUS

- a. The proposal shall be developed substantially in compliance with the site plans and representations made in the project application. The project shall be designed to meet or exceed all applicable requirements of the *TMC*, the *IBC*, and all other relevant regulations.
- b. The applicant must provide Solid Waste Management (SWM) with a detailed site plan indicating location of solid waste/recycle collection point(s). The siting of the collection point shall be specifically approved by SWM staff prior to construction. The size/type of container to be used shall be

- noted at time of plan submittal.
- c. The applicant shall provide a detailed Landscaping Plan per the requirements of *TMC* 13.06.502 for review and approval of the Land Use Administrator.
 - d. Prior to obtaining building or grading permits, the proponent shall contact the appropriate City departments to make the necessary arrangements for all required improvements.
 - e. This Agreement shall be executed and recorded with the Pierce County Auditor prior to final approval of the reclassification by the City.
 - f. The access easement through the site shall be depicted on the final mylar for the boundary line adjustment.

B USUAL CONDITIONS:

1. This Agreement is based upon representations made and exhibits, including development plans and proposals, submitted at the hearing conducted by the hearing examiner. Any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed shall be subject to the approval of the hearing examiner and may require further and additional hearings.
2. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances are conditions precedent to the approvals granted and are continuing requirements of such approvals. By accepting this approval, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
3. The owners/applicants understand and agree that if the property that is subject to this agreement is rezoned as a part of an area-wide rezone after the date of this agreement, the requirements of the subsequent area-wide rezone may supersede the provisions of this agreement.

4. The Owner/Applicant further agrees and understands that prior to obtaining a temporary certificate of occupancy, the required improvements shall be constructed or the Owner/Applicant shall provide to the City of Tacoma a performance bond or other financial security, as approved by the City Attorney, guaranteeing the completion of such improvements. A final certificate of occupancy will not be issued until such improvements are completed.

5. No modifications of this agreement shall be made unless mutually agreed upon by the parties in writing. It is the intent of this section that, since this Agreement applies to more than one parcel, that any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed be agreed to by the owners of each parcel, or those persons' heirs, successors, and assigns, as well as by the City of Tacoma, before a change can be approved.

6. The City may, at its discretion, bring a lawsuit to compel specific performance of the terms of this agreement. In addition to all other remedies available to the City by law, the City reserves the right to revoke the reclassification of the site should the Owner/Applicant fail to comply with any of the terms and conditions of this Agreement.

7. If any condition or covenant herein contained is not performed by the Owner/Applicant, the Owner/Applicant hereby consents to entry upon the site by the City of Tacoma or any entity, individual, person, or corporation acting on behalf of the City of Tacoma for purposes of curing said defect and performing said condition or covenant. Should the City in its discretion exercise the rights granted herein to cure said defect, the Owner/Applicant, his successors and assigns, consent to the entry of the City on the above described property and waive all claims for damages of any kind whatsoever arising from such activity, and the Owner/Applicant further agrees to pay the City all costs incurred by the City in remedying said defects or conditions. The obligations contained in this section are covenants running with the land, and burden the successors and assigns of the respective parties.

8. In the event that any term or clause of this agreement conflicts with applicable law, such conflict shall not affect other terms of this agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this agreement are declared to be severable.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

CITY OF TACOMA

Attest:

11-2-09
Doris Sarum
City Clerk

By: Cecil W. Bauman
Mayor

[seal]

Legal Description Approved

OWNER/APPLICANT:

[Signature]
Chief Surveyor
Public Works Department

[Signature]
ISMAIL ARSLINGIRAY

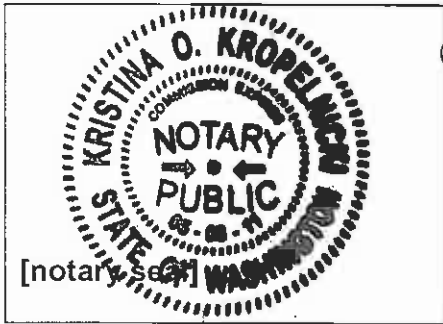
Approved as to form:

[Signature]
Deputy City Attorney

STATE OF WASHINGTON)
) ss
COUNTY OF PIERCE)

I, THE UNDERSIGNED, a Notary Public in and for the state of Washington, do hereby certify that on this 29 day of October, 2009, before me personally appeared ISMAIL ARSLINGIRAY, to me known to be the individual who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Kristina Kropelnicka
NOTARY PUBLIC

Printed Name: KRISTINA KROPELNICKA
Residing at TALOMA
My commission expires 5/8/11

OFFICE OF THE HEARING EXAMINER

CITY OF TACOMA

REPORT

AND

RECOMMENDATION AND DECISION

APPLICANT: Jon Graves Architects and Planners, PLLC on behalf of Ismail Arslingiray

FILE NOS.: REZ2007-40000106521, SEP2007-40000106541, and MPD2007-40000106520

SUMMARY OF REQUESTS:

The applicant is proposing a rezone and boundary line adjustment of all or part of five parcels from a combination of "C-1" General Neighborhood Commercial, "C-2" General Community Commercial, "R-2" One-Family Dwelling District, and "R4-L" Low-Density Multiple-Family Dwelling District. The proposed rezone would be to "C-2" on the westerly portion of the site and "T" Transitional on the easterly portion of the site. The site would be re-developed with a small retail use and a commercial car wash along Pacific Avenue and multi-family dwellings on the east side. Boundary lines for the five parcels would be re-configured to create three revised lots, two of which would abut Pacific Avenue and one of which would be accessed via driveway through the Pacific Avenue properties.

LOCATION:

The site is addressed as 8431 Pacific Avenue.

RECOMMENDATION OF THE HEARING EXAMINER:

The subject rezone application is recommended for approval, subject to conditions.

DECISION OF THE HEARING EXAMINER:

The requested boundary line adjustment and "officially approved accessway" are approved, subject to conditions and contingent upon the Tacoma City Council's approval of the related rezone application.

PUBLIC HEARING:

After reviewing the report of the Department of Public Works, examining available information on file with the application, and visiting the subject site and the surrounding area, the Hearing Examiner conducted a public hearing on the application on August 21, 2008.

FINDINGS, CONCLUSIONS, AND RECOMMENDATION AND DECISION:

FINDINGS:

1. Jon Graves Architects and Planners, PLLC on behalf of Ismail Arslingiray (hereinafter “Arslingiray”) is requesting the rezoning of property located on the east side of Pacific Avenue South, south of South 84th Street (8431 Pacific Avenue) from its current “C-1” General Neighborhood Commercial, “R4-L” Low Density Multiple-Family, and “R-2” One-Family Dwelling District zoning classifications to a “C-2” General Community Commercial zone and “T” Transitional District. Also being requested is a boundary line adjustment (BLA) to reconfigure the current boundary lines of five parcels comprising the 2.18 acre development site so that three parcels would be created which would be consistent with the development plan for the 2.18 acre site proposed by Arslingiray. Finally, being requested is “officially approved accessway” to allow a proposed private access easement to serve as access serving the residential portion of the development on the site.

2. Arslingiray proposes the development of the 2.18 acre site with a one-story 6,000 square foot retail building on the northwest portion of the property, a car wash on the southwest portion, and 13 attached residential units, located within five buildings, on the east part of the site. Parking spaces for 36 vehicles are planned for the residential development and 25 parking spaces and a loading area are shown on the development plan for the retail commercial building. Exhibit 1 at Attachment 1. Access to the development would be provided via an access easement extending east from Pacific Avenue. No vehicular access is proposed to “A” Street lying east of the development site.

3. The 2.18 acre development site has a number of zoning classifications applied to it. Except for the southerly portions of the site, which is zoned “R-2”, the rest of the site’s Pacific Avenue frontage is zoned “C-2”. Exhibit 1 at Attachment 3, first page. The easterly portion of the site has areas zoned “R4-L”, “R-2”, and “C-1”. *Id.* Through the rezone request, Arslingiray proposes to have the west part of the site, fronting on Pacific Avenue, entirely located within the “C-2” zoning classification and the entire easterly part included within a “T” zone. Exhibit 1 at Attachment 3, second page.¹ Such zoning pattern would permit Arslingiray’s proposed commercial development along the portion of the site fronting Pacific Avenue and the attached housing units proposed for the east part of the property.

4. The development site is generally flat and has been previously graded and a small dilapidated commercial building occupies the northernmost corner of the property. The referred to commercial building is intended to be demolished in order to accommodate Arslingiray’s proposed development of the property.

5. Pacific Avenue, in the vicinity of the development site, is a commercial corridor comprised of a variety of commercial uses and some apartment developments. Pacific Avenue is a state highway (SR 7), is designated by the City as a principal arterial street, and is developed with four travel lanes in each direction, with a center left turn lane, curb, gutter, and sidewalks. Property to the east of the

¹ At hearing, Building and Land Use Services (BLUS) advised that Exhibit 1, Attachment 3, second page, erroneously indicated that the proposed zoning for the easterly portion of the site was “R4-L”, which should have been correctly labeled “T”.

Arlingiray's property, in the vicinity of "A" Street, are generally developed with single-family homes.

6. The development site has a substantial land use regulatory history. The westerly portion of the site, as well as much of the Pacific Avenue corridor in the area, was zoned "C-2", with the "R-2" zone being applied to the east and south portions of the property in 1953. In 1966, an "R4-L" zone was applied to the east of the then existing "C-2" zone portions of the property to allow development of apartments. In 1992, the east central portion of the property was rezoned to a "C-1" zone in order to allow development of two office/retail buildings. Finally in 2006, a modification to the "C-1" rezone was approved allowing development of this portion of the development site (along with the abutting "C-2" zone to the west of the "C-1" zone) with a grocery store instead of the earlier approved office/retail buildings.

7. The City's *Comprehensive Plan* locates the development site within a Tier I Primary Growth Area where new urban growth is encouraged due to the availability of necessary infrastructure and services to support urban levels of development and the presence of existing urban development. Also, the *Comprehensive Plan* locates the site with a "Medium Intensity" land use plan designation where commercial development of community-wide significance and residential densities ranging up to 45 dwelling units per acre are allowed. Additionally, the Larchmont Neighborhood Sub-Area provision of the Neighborhood Element of the City's *Comprehensive Plan* indicates that vehicular access for commercial development along this section of Pacific Avenue corridor should be directed to Pacific Avenue and not to "A" Street, which is a residential access street. The Hearing Examiner finds that the proposed commercial/residential development proposed by Arslingiray, with access limited to Pacific Avenue, is consistent with applicable *Comprehensive Plan* provisions.

8. Numerous changes in conditions have occurred affecting the property over the years, some of which are reflected in the numerous changes in zoning involving the property. See Finding 6. In addition, over the years, increased commercial and multiple-family development has occurred along the Pacific Avenue corridor in the area of the development site and traffic on Pacific Avenue has steadily increased. Also, the City's current *Comprehensive Plan* designates the entire development site for "Medium Intensity" development. These changed conditions support the rezone being requested.

9. The intent of the "T" District is to provide a transition between commercial or institutional areas and residential areas. *Tacoma Municipal Code (TMC)* 13.06.200.B.1. The "T" zone proposed here, would be consistent with that intent since it would provide a transition between the commercial development along Pacific Avenue and the single-family residential areas to the east. The "C-2" zone is intended to be developed with a broad range of medium to high intensity residential uses including office, retail, and service uses. *TMC* 13.06.200.B.3. The proposed retail commercial development and car wash use proposed along the Pacific Avenue frontage of the development site are consistent with the "C-2" District Establishment Statement.

10. The development site is not located within an area that has been the subject of an area-wide rezone which has occurred within two years preceding the filing of the Arlsingiray rezone application.

11. Since the rezone site is consistent with the City's *Comprehensive Plan* and the development proposed fully complies with all development standards of the City, the public interest would be furthered by approval of the rezone application.

12. The proposed BLA is minor in nature and reduces the number of parcels within the development site from five to three in order to reflect the development configuration proposed. No open space or protected environments would be diminished as a result of the adjustment to boundary lines. Further, all lots resulting from the boundary line alteration would be in conformance with the requirements not only of the "C-2" and "T" zones but also subdivision standards.

13. The applicant proposes a 24-foot private roadway within a 30-foot wide easement to provide access to the residential portion of the development from Pacific Avenue. The accessway would be permanent, unobstructed, and designed and approved to accommodate fire apparatus and necessary mobile service equipment. The proposed accessway has been reviewed by utility providers and the fire department and no objections have been expressed. The easement for the accessway would run to the benefit of the property served by accessway.

14. The request for rezone, BLA, and "officially approved accessway" have been reviewed by numerous governmental agencies and utility providers and none object to approval of the request; however, numerous conditions have been recommended concerning street, driveway, and sidewalk improvements; storm and sanitary sewer facilities; provisions for water service; source control requirements; power service requirements; fire protection measures; grading and control measures; measures to protect adjacent properties; and miscellaneous procedural matters. Exhibit 1 at 18 through 24.

15. The applicant concurs in all of the conditions recommended by reviewing agencies and utility providers and agrees to comply with the same.

16. No one appeared at hearing in opposition to the applications presented by Arslingiray. The Puget Creek Restoration Society (PCRS) presented suggestions concerning retention of mature trees on the property and implementation of low impact development techniques.

17. In response to the suggestions of the PCRS, BLUS indicated that the property had been previously cleared and there were little or no mature vegetation on the property and that City's landscaping and development standards do not require low impact development techniques as suggested by the PCRS; however, they are encouraged.

18. Pursuant to SEPA Rules (WAC 197-11) and the City of Tacoma's SEPA Procedures, the Director of Public Works issued a Determination of Environmental Nonsignificance for the proposed action on June 28, 2008. The determination was based on a site survey, a review of the applicant's Environmental Checklist, and other supporting information on file with the DPW. No appeal was taken from the Director of Public Works environmental determination.

19. The DPW Preliminary Report, as entered into this record as Exhibit 1, accurately describes the proposal, general and specific facts about the site, applicable sections of the *GLUP*, and applicable regulatory codes. The report is incorporated herein by reference as though fully set forth.

20. Written notice of the public hearing has been mailed to all property owners of property within 400 feet of the site on June 23, 2008. Additionally, a public notice sign has been posted on the site, notice was posted on the City's website, and notice of hearing was published in a newspaper of general circulation.

**FINDINGS OF FACT,
CONCLUSION OF LAW,
AND RECOMMENDATION
AND DECISION**

21. Any conclusion hereinafter stated which may be deemed to be a finding herein is hereby adopted as such.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction over the permit actions which are the subject of these proceedings. *TMC* 1.23.050.A.1 and .120.

2. Applications for rezones are reviewed for consistency with all of the following criteria:

Criteria for rezone of property. An applicant seeking a change in zoning classification must demonstrate consistency with all of the following criteria:

1. That the change of zoning classification is generally consistent with the applicable land use intensity designation of the property, policies, and other pertinent provisions of the Land Use Management Plan.
2. That substantial changes in conditions have occurred affecting the use and development of the property that would indicate the requested change of zoning is appropriate. If it is established that a rezone is required to directly implement an express provision or recommendation set forth in the Land Use Management Plan, it is unnecessary to demonstrate changed conditions supporting the requested rezone.
3. That the change of the zoning classification is consistent with the district establishment statement for the zoning classification being requested, as set forth in this chapter.
4. That the change of the zoning classification will not result in a substantial change to an area-wide rezone action taken by the City Council in the two years preceding the filing of the rezone application. Any application for rezone that was pending, and for which the Hearing Examiner's hearing was held prior to the adoption date of an area-wide rezone, is vested as of the date the application was filed and is exempt from meeting this criteria.
5. That the change of zoning classification bears a substantial relationship to the public health, safety, morals, or general welfare.

TMC 13.06.650.B.

3. Applications for boundary line adjustments are reviewed for consistency with the following criteria:

- A. A boundary line adjustment shall be a minor alteration in the location of lot boundaries of an existing lot. Such alteration shall not increase the number of lots nor diminish in size open space or other protected environments.

- B. Such alteration shall not diminish the size of any lot so as to result in a lot of less square footage than prescribed in the zoning regulations for the property in question.
- C. Such alteration shall not result in the reduction of setbacks or site coverage to less than prescribed by the zoning regulations.
- D. All lots resulting from the boundary line alteration shall be in conformance with the design standards of this chapter.

* * *

TMC 13.04.085.

- 4. *TMC 13.04.140.B* authorizes the designation of an “officially approved accessway” to serve lots within a subdivision in lieu of standard street access, provided such access conforms to enumerated standards as set forth below:
 - A. There shall be no reserve strips controlling access to streets except where such strips are controlled by the City under conditions approved by the Hearing Examiner or Land Use Administrator. The land shall be subdivided/short subdivided, providing each lot, by means of either a public or private street or way, or permanent access easement, with satisfactory access to an existing public highway or to a thoroughfare as shown in the Major Street Plan, the comprehensive plan, or an official map.
 - B. Officially Approved Accessway. When considering a subdivision, short subdivision, boundary line adjustment and/or binding site plan approval, a public or private street or way, or permanent access easement, which does not conform to the minimum requirements of the Major Street Plan and the specifications of the City of Tacoma, and which provides principal access to the property it is intended to serve, shall be found by the Land Use Administrator or Hearing Examiner to be adequate to provide all necessary ingress and egress to a parcel or parcels of land for specific uses subject to the following conditions:
 - 1. That a minimum of 10-foot-wide officially approved accessway be required for one dwelling unit, and a minimum of a 16-foot-wide officially approved accessway be required for two or more dwelling units, or for any use other than residential;
 - 2. That such officially approved accessway be permanent, unobstructed, and designed, improved, and maintained to accommodate fire apparatus and necessary mobile service equipment;
 - 3. That, if determined to be necessary for the convenience and safety of the residents served by said officially approved accessway, the Land Use Administrator or Hearing Examiner may require other reasonable standards and improvements of said officially approved accessway;
 - 4. That the ownership and control of said officially approved accessway be with the owner of the property it serves, unless other provisions are determined to be satisfactory;

5. That the Hearing Examiner or Land Use Administrator may attach to such a determination reasonable conditions limiting and controlling the development of said parcel according to the practical capacity of said officially approved accessway and in the interest of the particular neighborhood and of the general public.

5. The applicant bears the burden of proof to establish, by a preponderance of the evidence, that its requests are consistent with the applicable legal standards for the approval of such requests. *TMC* 1.23.070.A and .C.

6. Findings based on substantial and un-rebutted evidence in the hearing record, support a conclusion that the applications for rezone, BLA, and “officially approved accessway” conform with the applicable legal standards for such requests provided conditions recommended herein are imposed and complied by Arslingiray.

7. Accordingly, the requested rezone, BLA, and “officially approved accessway” should be approved subject to the following conditions:

A. SPECIAL CONDITIONS:

1. STREETS, DRIVEWAYS, AND SIDEWALKS

- a. All damaged or defective sidewalk abutting the site shall be removed and new cement concrete sidewalk constructed in its place to the approval of the City Engineer.
- b. Per RCW 35.68.075, a wheelchair ramp shall be constructed at the northeastern or southeastern corner of the intersection of South 86th Street and Pacific Avenue, to the approval of the City Engineer. Ramps may be required in the direction of travel across Pacific Avenue, located at the northwest or southwest corners. Cross walk striping and possibly flashers may be required at the direction of the Traffic Engineer.
- c. A 5-foot wide internal sidewalk and easement is required on one side of the access way to the residential proposed Parcel C. Panel recommends that sidewalks be installed at both sides of the residential access way out to Pacific Avenue. The internal sidewalks shall be installed and required per *TMC* standards for internal lot access.
- d. All damaged or defective cement concrete curb and gutter abutting the site shall be removed and new cement concrete curb and gutter constructed in its place to the approval of the City Engineer.
- e. Cement concrete curb and gutter shall be constructed, abutting the proposed private access ways, to the approval of the City Engineer. The internal curbing shall be installed and required per *TMC* standards for internal commercial and residential developments.

- f. Any damage or cuts associated with the proposal to Pacific Avenue, abutting the site(s), shall be maintained and repaired to existing or better conditions.
- g. A private access way permanent turnaround, meeting the requirements of the Fire Code and the Solid Waste Division, shall be designed and constructed within a private access easement, a minimum of 30 feet in width, to serve Parcel C. The access way shall be constructed with an asphalt surface with a minimum width of 24 feet. The minimum roadway section shall be 3 inches of Hot Mix Asphalt PG58-22, 2½ inches of Crushed Surfacing Top Course and 5 inches of Crushed Surfacing Base Course, to the approval of the City Engineer. The private access way shall include all necessary drainage. Soil conditions may dictate that additional foundation materials are required.
- h. The type, width and location of all driveway approaches serving the site(s) shall be approved by the City Engineer.

2. STORM AND SANITARY SEWERS

- a. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
- b. Each building shall have an independent connection to the City sanitary sewer at the building construction stage. The existing side sewer shall be abandoned per Chapter 7, Section 722.0 of the Uniform Plumbing Code. Permits for this work shall be obtained.
- c. Multiple units and buildings that are under single ownership and located on a single parcel may use shared private side sewers that connect to the public sanitary sewer. In the event that this development is divided into more than one parcel in the future (whether from platting, boundary line adjustments, lot segregations, or any other land use actions), each new parcel shall have an individual side sewer connection to the public sanitary sewer. This may require re-routing any existing shared side sewers, or constructing new side sewers in order to individually connect each parcel to the public sanitary sewer. A public sanitary sewer extension may also be required in order to individually connect each parcel. Notice of this requirement shall be recorded on title of this parcel.
- d. Private sanitary sewer easements shall be provided across any parcel(s) that side sewers must cross to serve parcels which do not have direct access to a public sanitary sewer. No permanent structures shall be placed within or over the required easements. All private easements shall appear on the face of the plat Mylar.
- e. All storm drainage shall be collected and conveyed to the City storm system in compliance with the City reviewed storm water site plan submitted with the building plan.
- f. An existing public storm sewer main within a public storm easement appears to be under the proposed car wash facility. This is not allowed, however the storm main and easement can be rerouted from under the proposed building at the applicants' expense. The City storm sewer shall be relocated through the City's work order process. Storm sewer plans shall be prepared by a licensed civil engineer registered

in the state of Washington, per City standards, and shall be submitted to the Public Works Department Construction Division for approval.

- g. Coverage under the NPDES Construction General Permit is required for any clearing, grading, or excavating that will disturb one or more acres of land area and that may discharge stormwater from the site into surface water(s), or into storm drainage systems that discharge to a surface water, per the Washington State Department of Ecology (Ecology). City approval does not release the applicant from state or other permitting requirements.
- h. This project will contribute stormwater to the City's regional detention system in the Flett Creek Drainage Basin, which is at capacity. If this project totals 10,000 square feet or more of new effective impervious surface in a threshold discharge area, the applicant shall meet one of the following criteria in accordance with the City of Tacoma Surface Water Management Manual:
- Prepare a ¼-mile downstream hydrological analysis of the City storm system. If the analysis shows the system has sufficient capacity, an in-lieu-of detention fee will be offered negating the requirement for on-site detention. The fee collected will be used to make future improvements to the City's regional Flett Creek Drainage Basin. The applicant must sign an Agreement Regarding Stormwater Detention and pay the fee before issuance of building permits; or
 - Provide on-site detention of stormwater to match a forested condition; or
 - Provide on-site detention of stormwater to match the existing site conditions, and pay the in-lieu-of-detention fee.
- Note: Effective impervious surface created offsite as a result of this project shall count toward the effective impervious surface total.*
- i. Projects totaling 5,000 square feet or more of effective pollution-generating impervious surface within a threshold discharge area shall be required to construct stormwater treatment facilities. Commonly used stormwater treatment facilities include cartridge filtration, biofiltration, wet ponds/vaults, or a combination of such devices. Due to any number of site-specific conditions, the selection of an appropriate stormwater treatment facility is the responsibility of the project engineer and shall be based on Volume V, Chapter 2 of the City of Tacoma Surface Water Management Manual. Pollution-generating impervious surfaces created and/or replaced offsite as a result of this project shall count toward the pollution-generating impervious surface total.
- j. All easements required for public storm sewer main relocations shall be granted to the City of Tacoma and be prepared by the City of Tacoma Public Works, Real Property Services Department.
- k. No permanent structure(s) shall be erected within the public easement area(s) unless specifically approved in writing by the City of Tacoma Director of Public Works. Permanent structures shall mean any concrete foundation, concrete slab, wall, rockery, pond, stream, building, deck, overhanging structure, fill material, tree, recreational sport court, carport, shed, private utility, fence, or other site

improvement that restricts or unreasonably interferes with the City of Tacoma's access to install, construct, inspect, maintain, remove, repair and replace public storm sewer utilities in said easement(s). Permanent structures shall not mean flowers, ground cover and shrubs less than 3-feet in height, lawn grass, asphalt paving or gravel improvements that do not prevent the access of men, material, and machinery across, along and within the said easement area. Land restoration by the City within the said easement area due to the construction, shall mean planting grass seed or grass sod, asphalt paving and gravel unless otherwise determined by the City of Tacoma.

3. TACOMA WATER

- a. City ordinance 12.10.045 requires a separate water service and meter for each parcel.
- b. Extension of a permanent water main may be constructed by private contract. The developer of the privately financed project shall be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications shall be estimated by Tacoma Water. The developer shall be required to pay a deposit in the amount of the estimated cost. The actual costs for the work shall be billed against the developer's deposit. The new mains shall be installed by and at the expense of the developer. The developer shall be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developer's Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling shall be due to Tacoma Water. Upon completion of the project, the developer shall either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.
- c. The customer shall obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.
- d. If fire sprinklering, the customer shall contact the Tacoma Water Permit Counter for policies related to combination fire/domestic water service connections.
- e. New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters shall be installed by Tacoma Water after payment of the System Development Charge.
- f. If a new fire hydrant is required at a location with an existing water main, the hydrant shall be installed by Tacoma Water after payment of an installation charge.
- g. If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they shall be relocated by Tacoma Water at the owner's expense.

- h. Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".

4. SOURCE CONTROL

- a. Commercial car washes are reviewed on a case by case basis; requirements are based on the facility's design. Manual (wand) bays, automatic wash tunnels and one-, or two-step washing processes each have different requirements.
- b. Wastewater generated from covered manual (wand) car wash bays shall discharge to a properly sized coalescing plate oil/water separator connected to the sanitary sewer.
- c. Wastewater generated from uncovered manual (wand) car wash bays shall be limited in size and shall discharge to a coalescing plate oil/water separator sized using the Rational Method for the 25 year storm.
- d. For the one-step washing process where only surfactants are used to wash only vehicle exteriors, a Type 1 catch basin with a 6" tee outlet discharging to the sanitary sewer shall be provided.
- e. For the two-step washing process, the acidic and basic wastewater streams shall be combined or otherwise neutralized prior discharging the wastestreams into the sanitary sewer.
- f. Material Safety Data Sheets for washing chemicals, neutralizing chemicals, or both, shall be submitted to Building and Land Use Services Division with the building plans.
- g. For all washing processes, provisions shall be made to capture and remove from the wastestream any sand, grit or other solid material prior to its discharge into the sanitary sewer.
- h. Dragout from the wash tunnel shall be captured and directed to the sanitary sewer to prevent excess soap, wax, or both from entering the storm drainage system.
- i. Applicant shall submit plumbing and mechanical drawings together with the building plans during the plan review process.

5. TACOMA POWER

- a. Any relocation of Tacoma Power's facilities shall be done at the customer's expense.
- b. All new services shall be installed underground and additional utility easements may be required.

6. TACOMA FIRE DEPARTMENT

- a. The future building(s) and site improvements shall meet all requirements of the International Fire Code as amended by the State of Washington and City of Tacoma as determined at the building permit stage.
- b. At minimum, a new fire hydrant shall be installed within the site located at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units.
 - If a fire access is not provided from the site to the existing hydrant (hydrant # 7388) to the west along the private drive from South 'A' Street, a second hydrant shall be installed within the site.
- c. The estimated minimum fire flow is 2000 GPM.
- d. An automatic fire sprinkler system shall be installed throughout all future residential condo dwelling(s) to be constructed. Installation shall be in accordance with National Fire Protection Association Standard 13R.
- e. An approved fire apparatus turnaround, per the Public Works Design Standards, shall be provided at the intersection of the east-west private access drive to the east of Pacific Avenue and the north-south parking lot aisle to the east of the residential condo dwelling units. All fire access lanes on the site shall be designed to meet the turning radii of the approved fire apparatus.

7. GRADING AND EROSION CONTROL

- a. Grading plans shall be evaluated at the Building Permit stage.
- b. The project developer shall take reasonable precautions to avoid fugitive dust emissions during construction activities. By employing Best Management Practices (BMPs), such as watering or covering exposed areas during dry periods, the developer shall not allow fugitive dust to travel beyond the project boundaries.
- c. All grading and filling of land must utilize only clean fill, i.e., dirt or gravel. All other materials, including waste concrete and asphalt, are considered to be solid waste and permit approval shall be obtained through the Tacoma-Pierce County Health Department prior to filling.
- d. Provisions shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
- e. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil will damage aquatic habitat and are considered pollutants.
- f. During construction, all release of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on

the site.

8. PROTECTION OF ADJACENT PROPERTY

- a. With the development of the project, the proponent shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. Slopes shall be constructed with cuts no steeper than 1-1/2:1, and fills no steeper than 2:1, except where more restrictive criteria is stipulated by the soils engineer. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, the project engineer shall address them.

9. MISCELLANEOUS

- a. The proposal shall be developed substantially in compliance with the site plans and representations made in the project application. The project shall be designed to meet or exceed all applicable requirements of the *TMC*, the *IBC*, and all other relevant regulations.
- b. The applicant must provide Solid Waste Management (SWM) with a detailed site plan indicating location of solid waste/recycle collection point(s). The siting of the collection point shall be specifically approved by SWM staff prior to construction. The size/type of container to be used shall be noted at time of plan submittal.
- c. The applicant shall provide a detailed Landscaping Plan per the requirements of *TMC* 13.06.502 for review and approval of the Land Use Administrator.
- d. Prior to obtaining building or grading permits, the proponent shall contact the appropriate City departments to make the necessary arrangements for all required improvements.
- e. A Concomitant Zoning Agreement incorporating the conditions of approval imposed shall be executed and recorded with the Pierce County Auditor prior to final approval of the reclassification by the City.
- f. The access easement through the site shall be depicted on the final mylar for the boundary line adjustment.

B. USUAL CONDITIONS:

1. THE DECISIONS SET FORTH HEREIN ARE BASED UPON REPRESENTATIONS MADE AND EXHIBITS, INCLUDING DEVELOPMENT PLANS AND PROPOSALS, SUBMITTED AT THE HEARING CONDUCTED BY THE HEARING EXAMINER. ANY SUBSTANTIAL CHANGE(S) OR DEVIATION(S) IN SUCH DEVELOPMENT PLANS, PROPOSALS, OR CONDITIONS OF APPROVAL IMPOSED SHALL BE SUBJECT TO THE APPROVAL OF THE HEARING EXAMINER AND MAY REQUIRE FURTHER AND ADDITIONAL HEARINGS.

2. THE AUTHORIZATION(S) GRANTED HEREIN IS/ARE SUBJECT TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, REGULATIONS, AND ORDINANCES. COMPLIANCE WITH SUCH LAWS, REGULATIONS, AND ORDINANCES ARE CONDITIONS PRECEDENT TO THE APPROVALS GRANTED AND ARE CONTINUING REQUIREMENTS OF SUCH APPROVALS. BY ACCEPTING THIS/THESE APPROVALS, THE APPLICANT REPRESENTS THAT THE DEVELOPMENTS AND ACTIVITIES ALLOWED WILL COMPLY WITH SUCH LAWS, REGULATIONS, AND ORDINANCES. IF, DURING THE TERM OF THE APPROVALS GRANTED, THE DEVELOPMENTS AND ACTIVITIES PERMITTED DO NOT COMPLY WITH SUCH LAWS, REGULATIONS, OR ORDINANCES, THE APPLICANT AGREES TO PROMPTLY BRING SUCH DEVELOPMENTS OR ACTIVITIES INTO COMPLIANCE.

8. Any conclusion herein which may be deemed a finding is hereby adopted as such.

RECOMMENDATION:

The subject rezone application is recommended for approval, subject to conditions set forth herein.

DECISION:

The requested boundary line adjustment and "officially approved accessway" are approved, subject to conditions and contingent upon the Tacoma City Council's approval of the related rezone application.

DATED this 9th day of September, 2008.



RODNEY M. KERSLAKE, Hearing Examiner

NOTICE

Pursuant to RCW 36.70B.130, you are hereby notified that affected property owner(s) receiving this notice of decision may request a change in valuation for property tax purposes consistent with Pierce County's procedure for administrative appeal. To request a change in value for property tax purposes, you must file with the Pierce County Board of Equalization on or before July 1st of the assessment year or within 30 days of the date of notice of value from the Assessor-Treasurer's Office. To contact the board, call 253-798-7415 or www.co.pierce.wa.us/boe.

**FINDINGS OF FACT,
CONCLUSION OF LAW,
AND RECOMMENDATION
AND DECISION**

NOTICE

RECONSIDERATION/APEAL OF EXAMINER'S DECISION

RECONSIDERATION:

Any aggrieved person or entity having standing under the ordinance governing the matter, or as otherwise provided by law, may file a motion with the office of the Hearing Examiner requesting reconsideration of a decision or recommendation entered by the Examiner. A motion for reconsideration must be in writing and must set forth the alleged errors of procedure, fact, or law and must be filed in the Office of the Hearing Examiner within 14 calendar days of the issuance of the Examiner's decision/recommendation, not counting the day of issuance of the decision/recommendation. If the last day for filing the motion for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. The requirements set forth herein regarding the time limits for filing of motions for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole discretion of the Examiner to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. The Examiner, after a review of the matter, shall take such further action as he/she deems appropriate, which may include the issuance of a revised decision/recommendation. (*Tacoma Municipal Code 1.23.140*)

APEAL TO SUPERIOR COURT OF EXAMINER'S DECISION:

NOTICE

Pursuant to the Official Code of the City of Tacoma, Section 1.23.160, the Hearing Examiner's decision is appealable to the Superior Court for the State of Washington. Any court action to set aside, enjoin, review, or otherwise challenge the decision of the Hearing Examiner shall be commenced within 21 days of the entering of the decision by the Examiner, unless otherwise provided by statute.

NOTICE

RECONSIDERATION/APPEAL OF EXAMINER'S RECOMMENDATION

RECONSIDERATION:

Any aggrieved person or entity having standing under the ordinance governing the matter, or as otherwise provided by law, may file a motion with the office of the Hearing Examiner requesting reconsideration of a decision or recommendation entered by the Examiner. A motion for reconsideration must be in writing and must set forth the alleged errors of procedure, fact, or law and must be filed in the Office of the Hearing Examiner within 14 calendar days of the issuance of the Examiner's decision/recommendation, not counting the day of issuance of the decision/recommendation. If the last day for filing the motion for reconsideration falls on a weekend day or a holiday, the last day for filing shall be the next working day. The requirements set forth herein regarding the time limits for filing of motions for reconsideration and contents of such motions are jurisdictional. Accordingly, motions for reconsideration that are not timely filed with the Office of the Hearing Examiner or do not set forth the alleged errors shall be dismissed by the Examiner. It shall be within the sole discretion of the Examiner to determine whether an opportunity shall be given to other parties for response to a motion for reconsideration. The Examiner, after a review of the matter, shall take such further action as he/she deems appropriate, which may include the issuance of a revised decision/recommendation. (*Tacoma Municipal Code 1.23.140*)

APPEALS TO CITY COUNCIL OF EXAMINER'S RECOMMENDATION:

Within 14 days of the issuance of the Hearing Examiner's final recommendation, any aggrieved person or entity having standing under the ordinance governing such application and feeling that the recommendation of the Examiner is based on errors of procedure, fact or law shall have the right to appeal the recommendation of the Examiner by filing written notice of appeal with the City Clerk, stating the reasons the Examiner's recommendation was in error.

EACH APPEAL SHALL BE ACCOMPANIED BY A FEE AS SET FORTH IN TACOMA MUNICIPAL CODE (TMC) 2.09.500. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD APPELLANT PREVAIL. APPEALS SHALL BE REVIEWED AND ACTED UPON BY THE CITY COUNCIL IN ACCORDANCE WITH TMC 1.70.

GENERAL PROCEDURES FOR APPEAL: The Official Code of the City of Tacoma contains certain procedures for appeal, and while not listing all of these procedures here, you should be aware of the following items which are essential to your appeal. Any answers to questions on the proper procedure for appeal may be found in the City Code sections heretofore cited:

1. The written request for review shall also state where the Examiner's findings or conclusions were in error.
2. Any person who desires a copy of the electronic recording must pay the cost of reproducing the tapes. If a person desires a written transcript, he or she shall arrange for transcription and pay the cost thereof.



ORDINANCE NO. 24837

AN ORDINANCE relating to zoning, and amending Chapter 13.06 of the Official Code of the City of Tacoma, Washington, by deleting certain described property from Section 13.06.040 and by adding a new section to be known as Section 13.06.120(125).

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 13.06 of the Official Code of the City of Tacoma, Washington, be and the same is hereby amended by adding thereto a new section to be known as Section 13.06.120(125) to read as follows:

13.06.120(125) ADDED TO C-1 DISTRICT. The following property shall be included in the "C-1" Commercial District:

Beginning at the intersection of the east line of Pacific Avenue, as laid out by the City of Tacoma before widening, with the south line of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 33, Township 20 North, Range 3 East of the W.M.; thence on said east line of Pacific Avenue, north 132 feet; thence east parallel with the south line of said subdivision, 300 feet, more or less, to the north and south center line of said subdivision; thence south along said center line, 132 feet to the south line of said subdivision; thence west along said south line of said subdivision, 300 feet, more or less, to the point of beginning. EXCEPT a portion taken for widening of Pacific Avenue and EXCEPT the westerly 120 feet of the above-described property. (Assessor's Parcel No. 0320332037)

Section 2. That the above-described property be and is hereby deleted from Section 13.06.040 of the Official Code of the City of Tacoma, Washington.

Passed JUN 9 1992

Attest City Clerk

Mayor

Location: Northeast corner of Pacific Avenue & South 86th Street extended
Approved by Hearings Examiner after public hearing
This is a reclassification from an "R-2" One-Family Dwelling District
Application submitted by Lundstrom, Inc.
Rezone #120.1322

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DISTRIBUTION:
 WHITE—City Clerk
 CANARY—Legal
 PINK—Finance
 GOLDENROD—Departmental



REQUEST FOR ORDINANCE OR RESOLUTION

CITY CLERK USE

Request #:	24837
Ordinance #:	24837
Resolution #:	
Approved Council Date:	

1. Request Date: February 4, 1991

Requesting Department/Division/Program	Submitted Or Sponsored By	Phone/Extension
2. <u>Hearing Examiner</u>	<u>Rodney M. Kerslake</u> Hearing Examiner	<u>(SUE) 5196</u>

3. Preparation of an Ordinance/~~Resolution~~ (indicate which) is requested for the City Council meeting of Tuesday February 19, 1991

4. Summary Title: (A brief sentence, as it will appear on the Council Agenda)
Applicant: Lundstrom, Inc. File No.: 120.1322

Reclassification of property located at the northeasterly corner of Pacific Avenue and South 86th Street extended from "R-2" One-Family Dwelling District to "C-1" Commercial District to allow the development of two retail/office buildings.

5. Background Information: (Why is this request necessary?) Comments:

6. List all material available as backup information for the request and indicate where filed:

Source Documents/Backup Material	Location of Document
Hearing Examiner's Report.	
Planning Department's Report (Exhibit 2).	
Site Plan (Exhibit 3A).	

7. Funding Source: (Enter amount of funding from each source)

Fund Number & Name:

Federal \$	State \$	City \$	Other \$	Total Amount

If an expenditure, is it budgeted? Yes No Where? Org # Acct #

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 8. Department Director/Utility Division Approval	Approved as to Availability of Funds Controller	 Director of Finance
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FILE NO. 1522

9106260577

BK 069386066P

96151-022191bKJC
Rezone 120.1322

91 JUN 26 PM 3: 36

CONCOMITANT AGREEMENT

RECORDED
BRIAN SONNTAG
AUDITOR PIERCE CO. WASH.

THIS AGREEMENT is entered into this 17 day of May, 1991, by and between LUNDSTROM INC., hereinafter referred to as the "Applicant," and the CITY OF TACOMA, Washington, a municipal corporation, hereinafter referred to as the "City."

WITNESSETH:

WHEREAS the City has authority to enact laws and to enter into agreements to promote the health, safety, and welfare of its citizens and thereby control the use and development of property within its jurisdiction, and

WHEREAS the Applicant has applied for a rezone of certain property described below within the City's jurisdiction from an "R-2" One-Family Dwelling District to a "C-1" Commercial District, and

WHEREAS the City, pursuant to RCW 43.21C, the State Environmental Policy Act, should mitigate any adverse effects which might result because of the proposed rezone, and

WHEREAS the City and the Applicant are both interested in complying with the Land Use Management Plan and the ordinances of the City of Tacoma relating to the use and development of the property situated in the City described as follows:

Beginning at the intersection of the east line of Pacific Avenue, as laid out by the City of Tacoma before widening, with the south line of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 33, Township 20 North, Range 3 East of the W.M.; thence on said east line of Pacific Avenue, north 132 feet; thence east parallel with the south line of said subdivision, 300 feet, more or less, to the north and south center line of said subdivision; thence south along said center line, 132 feet to the south line of said subdivision; thence west along said south line of said subdivision, 300 feet, more or less, to the point of beginning. EXCEPT a portion taken for widening of Pacific Avenue and EXCEPT the westerly 120 feet of the above-described property. (Assessor's Parcel No. 0320332037)

hereinafter sometimes referred to as the "Site," and

WHEREAS the Applicant has indicated willingness to cooperate with the City, its Planning Department, and the Hearings Examiner of the City to ensure compliance with all City ordinances and all other local, state, and federal laws relating to the use and development of the Site; and

WHEREAS the City, in addition to civil and criminal sanctions available by law, desires to enforce the rights and interests of the public by this Concomitant Agreement;

NOW, THEREFORE, in the event the Site is rezoned from an "R-2" One-Family Dwelling District to a "C-1" Commercial District, and subject to the terms and conditions hereinafter stated, the Applicant does hereby covenant and agree as follows:

1. The Applicant promises to comply with all the terms and conditions of this agreement in the event the City, as full consideration herein, grants the rezone relating to the Site.
2. The Applicant hereby agrees to be bound by and to comply with the following conditions:

9106260577

- a. The proposed building on the east portion of the site shall be limited to one story in height.
- b. The applicant shall submit a detailed landscape plan to the City's Land Use Administrator for review and approval prior to the issuance of any building permits for the site. The landscape plan shall address the following:
 1. The 20-foot rear yard setback area shall be developed as a vegetative buffer. All mature deciduous and fir trees located within the setback area shall be retained and incorporated into the required landscaping. In addition, 15- to 18-foot high trees shall be planted within the area to enhance the existing vegetation in numbers approved by the Land Use Administrator. Lastly, a 6-foot high solid wooden fence shall be constructed along the east rear property line to provide additional separation between the site and the residences to the east. A detail of the fence shall be provided on the required landscape plan.
 2. The 4-tree cluster of mature Douglas Fir located along the southerly property line of the site shall be retained and incorporated into the landscaping required for the south property line.
 3. Street trees shall be provided along the front property line of the overall site.
 4. Interior planting areas with a 7-foot wide minimum width (back of curb measurement) shall be provided.
 5. Perimeter landscaping areas shall be of adequate size to sustain tree growth and provide protection from vehicles.
 6. The landscape plan shall depict the location of the dumpster/refuse collection area. The area shall be screened to the greatest extent possible with a solid wall constructed of the same material utilized on the exterior of the buildings. The area around the enclosure shall be planted with landscaping. A detail of the required enclosure shall be depicted on the landscape plan.
 7. Pedestrian access shall be provided from Pacific Avenue to the both buildings. Walkway standards are 5 feet wide with 2 additional feet for car overhang when abutting a parking area.
- c. One off-street loading stall 10 feet by 25 feet in dimension shall be provided to serve the site.
- d. All outside lighting utilized on the site shall be directed inward to the site or shielded as necessary to prevent glare from adversely affecting the residential uses located to the north, south, and east.
- e. All mechanical equipment, including any located on the roof of either building, shall be screened to the greatest extent possible.
- f. Any signage proposed for use on Building "B" shall be submitted to the Land Use Administrator for review and approval prior to the issuance of any permits. The Administrator shall review the signage for any potential incompatibilities with the neighborhood to the east.
- g. The applicant shall maintain a minimum of 30 feet of clearance along the south property line by adjusting the location of Building "B". This will allow for possible future extension of South 86th Street.

h. The width and location of all driveways serving the site shall comply with the Driveway Ordinance No. 20966 and must be approved by the Traffic Engineer. Typical driveways accessing commercial properties are 30 feet in width. Aisleways within the site shall be a minimum of 20 feet in width. Circulation shall be two-way throughout the site and shall be designed for single-unit vehicle use.

All existing driveways that will not be used shall be removed and new cement concrete curb, gutter, and sidewalk constructed in their place.

i. The parking area shall be constructed to meet parking lot development standards. The design, including paving and striping, shall be approved by the Traffic Engineer.

j. The required number of handicap parking stalls shall be shown on the site plan. Handicap parking stalls are required to be located directly adjacent to the building they serve.

k. Erosion control measures shall be constructed for each lot to prevent sediment from entering the City storm system, right-of-way, and adjacent property during and following construction. An erosion control plan shall be submitted with the building permit application for City review.

l. All storm drainage shall be collected and conveyed to the City storm sewer in Pacific Avenue in compliance with the City-reviewed drainage plan. The storm drainage shall be directed to a new manhole constructed over the existing storm sewer. The drainage plan shall be submitted with the building permit application.

m. A sanitary sewer in-lieu of assessment charge shall be paid prior to any connection to the City sewer.

n. All buildings shall be connected to the City sanitary sewer at the building construction stage. Permits for this work shall be obtained.

o. The applicant shall grant, to the City of Tacoma, all necessary sewer easements.

p. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.

q. The applicant shall provide a refuse collection system to serve the site as approved by the Refuse Utility Division. Approval of the proposed collection system shall be obtained prior to the hearing date.

The City of Tacoma recommends that the owner set aside an area, on site, for the collection of recyclable materials such as cardboard, glass, and aluminum. The owner may contact the Refuse Utility Division, at 591-5543, for a list of independent recycling companies which may be contacted to arrange for pick up of these recyclable items.

r. The alignment, grade and other design elements of all improvements within public right-of-way must be approved by the City Engineer.

With the development of the project, the applicant shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, they shall be addressed by the

project engineer.

s. In accordance with City Ordinance No. 24493, cement concrete sidewalk shall be constructed on all street frontages abutting the site. Sidewalk construction may be delayed until the time of building permit application. All damaged or defective sidewalk shall be removed and new cement concrete sidewalk installed in its place.

t. Any relocation of existing equipment will be at the developer's expense. Electrical service may be required to be underground per City of Tacoma Council Resolution No. 19022.

u. Fire protection shall comply with the requirements of the Uniform Fire Code and Water Division standards and specifications. The proposed structures must be designed and built so that the fire flow required to protect them does not exceed the flow available in the adjacent water distribution system.

v. At least one fire hydrant located near Building "B" shall be installed in accordance with Water Division requirements, which shall also include a properly-sized main supplying the referred-to hydrant.

3. THE DECISION AND CONDITIONS IMPOSED HEREIN ARE BASED UPON REPRESENTATIONS MADE AND EXHIBITS, INCLUDING DEVELOPMENT PLANS AND PROPOSALS, SUBMITTED AT THE HEARING CONDUCTED BY THE HEARINGS EXAMINER. ANY SUBSTANTIAL CHANGE(S) OR DEVIATION(S) IN SUCH DEVELOPMENT PLANS, PROPOSALS, OR CONDITIONS OF APPROVAL IMPOSED SHALL BE SUBJECT TO THE APPROVAL OF THE HEARINGS EXAMINER AND MAY REQUIRE FURTHER AND ADDITIONAL HEARINGS.

4. The applicant further agrees and understands that prior to obtaining a temporary certificate of occupancy, the required improvements shall be constructed or the applicant shall provide to the City of Tacoma a performance bond or other financial security, as approved by the City Attorney, guaranteeing the completion of such improvements. A final certificate of occupancy will not be issued until such improvements are completed.

5. No modifications of this agreement shall be made unless mutually agreed upon by the parties in writing.

6. The City may, at its discretion, bring a lawsuit to compel specific performance of the terms of this agreement. In addition to all other remedies available to the City by law, the City reserves the right to revoke the rezoning of the Site should the Applicant fail to comply with any of the terms and conditions of this agreement.

7. If any condition or covenant herein contained is not performed by the Applicant, the Applicant hereby consents to entry upon the Site by the City of Tacoma or any entity, individual, person, or corporation acting on behalf of the City of Tacoma for purposes of curing said defect and performing said condition or covenant. Should the City in its discretion exercise the rights granted herein to cure said defect, the Applicant, his successors and assigns, consent to the entry of the City on the above described property and waive all claims for damages of any kind whatsoever arising from such activity, and the Applicant further agrees to pay the City all costs incurred by the City in remedying said defects or conditions. The obligations contained in this section are covenants running with the land, and burden the successors and assigns of the respective parties.

8. In the event that any term or clause of this agreement conflicts with applicable law, such conflict shall not affect other terms of this agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this agreement are declared to be severable.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.



CITY OF TACOMA

By [Signature]
Mayor

Legal Description Approved:

[Signature]
City Engineer SURVEYOR

LUNDSTROM, INC.

Approved as to form:

[Signature]
Assistant City Attorney

[Signature]
Title

STATE OF WASHINGTON)
) SS
County of Pierce)

I, THE UNDERSIGNED, a Notary Public in and for the State of Washington, do hereby certify that on this 17 day of May, 1991, personally appeared before me [Signature] and [Signature], to me known to be the [Signature] and [Signature], respectively, of the corporation which executed the above instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes above mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

GIVEN under my hand and official seal the day and year last above written.

[Signature]
Notary Public in and for the
State of Washington, residing
at Tacoma



Pete - File

OFFICE OF THE HEARING EXAMINER
CITY OF TACOMA
REPORT AND RECOMMENDATION

APPLICANT: Lundstrom, Inc.

FILE NO: 120.1322

SUMMARY OF REQUEST:

A reclassification of property from an "R-2" One-Family Dwelling District to a "C-2" Commercial District to allow the development of two retail/office buildings.

LOCATION:

Northeasterly corner of Pacific Avenue and South 86th Street extended.

DEPARTMENTAL REPORT:

Received by the Examiner's office on December 11, 1990.

RECOMMENDATION:

Recommend approval, subject to conditions, of a "C-1" Commercial District classification rather than the "C-2" Commercial District requested.

PUBLIC HEARING:

After reviewing the report of the Planning Department, examining other available information on file with the application, and visiting the subject property and the surrounding area, the Hearing Examiner conducted a public hearing on the application on December 18, 1990.

FINDINGS, CONCLUSIONS, AND RECOMMENDATION:

FINDINGS:

1. Lundstrom, Inc. (applicant) is seeking reclassification of property, located on the northeasterly corner of Pacific Avenue and South 86th Street extended, from an "R-2" One-Family Dwelling District ("R-2" District) to a "C-2" Commercial District ("C-2" District) to allow the development of two retail/office buildings and associated off-street parking.

2. The applicant proposes a development consisting of two buildings containing a total of 12,000 square feet of retail office space. Building "A", to be located on the westerly portion of the property, which is currently zoned for commercial use, would be a two-story building, while Building "B", to be located on the easterly portion of the overall site, would be a one-story building. Off-street parking would be provided along the Pacific Avenue frontage of the property, as well as between the two buildings. No off-street parking would be located to the east of Building "B". Access to the development would be via one driveway from Pacific Avenue. A landscaped buffer is proposed along the east boundary of the development site, as well as landscaped screening areas are proposed along the north and south property lines. Internal landscaped areas are also depicted in plans presented within the parking areas and adjacent to buildings.

3. That portion of the subject property which is located adjacent to Pacific Avenue is relatively flat; however, the easterly portion of the property slopes upward from west to east. The property has recently been cleared; however, no development has occurred on any portion of the overall site. The overall development site is 132 feet by 288 feet containing 38,016 square feet with the portion proposed for reclassification being the easterly 168 feet of the aforescribed property.

4. The subject site is located within the commercial corridor extending along both sides of Pacific Avenue. Commercial and "R-4-L" Low Density Multiple-Family District ("R-4-L" District) zoning between South 84th and 88th Streets on certain properties extends easterly to the Bell Street corridor, which lies approximately 260 feet east of Pacific Avenue. Bell Street, however, does not extend south of South 84th Street. Pacific Avenue is designated and developed as a principal city arterial street carrying large volumes of traffic. South 84th Street, a short distance to the north of the subject site, is also a principal city arterial street. Single-family residential development is located along "A" Street. Most of the referred-to homes are located in reasonably close proximity to "A" Street; however, the properties extend westward to the Bell Street corridor.

5. The City's Generalized Land Use Plan (GLUP), adopted in 1980, designates the Pacific Avenue corridor, south of South 84th Street and south to the city limits, as suitable for medium intensity development. The easterly extent of the medium intensity designation is not clearly defined since there are no topographic or other physical features, major streets, or established land use patterns which specifically define the east edge of said designation. Where edges of intensity areas are not readily identifiable, the specific location of intensity edges must be considered to be flexible to the extent permitted by the policies of the GLUP. See GLUP, page 38. Furthermore, the area to the east of the referred-to portion of the Pacific Avenue corridor is designated as suitable for single-family detached housing. In establishing the boundaries of single-family detached housing areas, the GLUP, at page 60, notes the following:

* * *

In consideration that this is a generalized land use plan document, specific delineation of the "edges" of single-family areas was not made, which may result in occasionally imprecise and sometimes indefensible area designations. Where valid arguments can be presented regarding the location of an edge line, it is intended that the written policies of this Plan document be utilized to make the determination.

* * *

Here, due to the lack of an identifiable edge separating the medium-intensity development from the adjacent single-family detached housing area, it is necessary to review the policies of the GLUP, including the criteria utilized to establish the single-family detached housing areas.

6. The criteria for establishing single-family areas within the GLUP are set forth at page 83 and are as follows:

* * *

1. 90% or more of each block or a portion thereof is developed with single-family detached housing.
2. Sparsely developed or vacant land that can be reasonably assumed will develop as a single-family detached housing area because:
 - a. it is an area located between, amongst or surrounded by established single-family detached housing areas.

- b. it is located adjacent to an existing single-family detached housing area which has an obvious impact and influence and, therefore, it would appear reasonable and logical that development in the adjacent area would occur in a similar manner.
 - c. it is physically suited for development with single-family detached houses.
3. A commitment to single-family detached housing as a result of:
- a. official actions such as preliminary plat approval for single-family detached housing.
 - b. neighborhood plan adoption.
 - c. Planning Commission recommendation after detailed analysis and review.
4. A location adjacent to other governmental jurisdictions which are either developed, developing or committed as single-family detached housing.

Here, substantial single-family development has not occurred, except some distance to the east along "A" Street. Moreover, the site is not located between, amongst or surrounded by established single-family detached housing areas. To the contrary, adjacent development to the north is commercial and multiple-family, and multiple-family also exists a short distance south of the subject site. Due to the topographic separation between the subject property and properties to the west, it would not appear reasonable or logical that development of the site would occur as detached single-family housing. Also, due to the site's isolation from nearby single-family development and access through single-family areas, the property is not well suited for development for single-family houses. Finally, no official actions have been presented in this record which would demonstrate that a commitment to single-family detached housing has been made on the subject property or abutting properties.

7. Based on the foregoing, the Hearing Examiner (Examiner) finds that the property is properly located within the medium-intensity classification. Commercial development with a medium-intensity classification provides for the limited expansion of linear commercial developments, provided adverse influence on adjacent properties are minimized. See GLUP, page 69, Policy 4. The limitation of commercial use on the easterly portion of the

site to those uses permitted within the "C-1" Commercial District ("C-1" District) classification; providing a substantial landscaped buffer along the easterly boundary, which separates the subject site from nearby single-family residential development; limiting building height on the east portion of the site to one story; and providing no access to the residential area to the east, would provide for mitigation of possible adverse influence on the adjacent residential properties to the east and would also provide compatibility with multiple-family development located to the north and south of the subject property.

8. The portion of the overall site proposed here for reclassification is currently zoned "R-2" District, which principally allows single-family homes on lots containing a minimum of 5,000 square feet. The remainder of the site is located within a "C-2" District, which permits a variety of commercial uses. Both zoning districts were applied to the property in 1953.

9. Several changes in the conditions affecting the subject property have occurred since its current zoning was applied in 1953. First, extensions of commercial and "R-4-L" District zonings have occurred on properties to the north in approximately 1958 through 1966. Also, to the south "R-4-L" District and commercial zonings have been extended since 1953 east to approximately the Bell Street corridor.

Subsequent to 1953, there has been a substantial increase in the volume of traffic carried on Pacific Avenue and an intensive linear commercial corridor has developed along both sides of said arterial.

The foregoing changes support the reclassification of the property from its "R-2" District zoning.

10. The reviewing departments and agencies have proposed conditions to mitigate the impacts of the proposed development, including providing a landscaped screening and buffer area along the east boundary of the property and other site landscaping, limitations on outside lighting, screening of mechanical equipment, and sign restrictions. See Planning Department conditions, Exhibit 2, pages 17 and 18. The Department of Public Works recommends certain on- and off-site improvements and, further, recommends that Building "B", i.e., the easterly building, provide a minimum 30-foot setback from the south property line in order to allow for future extension of South 86th Street east of Pacific Avenue. The Department of Public Utilities and Fire Department commented relative to adequate fire protection and provision of electrical service.

The applicant concurs in the conditions recommended, including limiting the rezone to a "C-1" District classification, placing Building "B" at least 30 feet from the south property line

to provide for the future extension of South 86th Street to the east, and limiting the building height of the easterly building to one story.

11. An owner of a single-family residence located a short distance to the south of the subject site and fronting on Pacific Avenue appeared at hearing expressing concern that development of the overall site, including that portion already zoned for commercial use, could cause property taxes in the area to increase.

12. Pursuant to the State's SEPA Rules (WAC 197-11) and the City of Tacoma's Environmental Code, the Director of Planning issued a Determination of Environmental Nonsignificance for the proposed action. No appeal of the environmental determination has been brought pursuant to Section 13.12.680, Tacoma Municipal Code, (TMC).

13. The Department of Planning Preliminary Report, as entered into this record as Exhibit 2, accurately describes the proposed project, general and specific facts about the proposal, applicable sections of the GLUP, and the applicable regulatory codes. The report is incorporated herein by reference as though fully set forth.

14. Written notice of the public hearing has been mailed to all owners of property within 400 feet of the site and has been published in the Tacoma Daily Index at least 47 days prior to the date of the public hearing.

15. Any conclusion hereinafter stated which may be deemed to be a finding herein is hereby adopted as such.

CONCLUSIONS:

1. The Hearing Examiner has jurisdiction over the parties and subject matter of this proceeding. See Sections 13.03.070 and 13.06.470, TMC.

2. Requests for zoning reclassifications must conform to at least one of the following criteria:

* * *

1. That substantial evidence was presented demonstrating the subject reclassification appears not to have been specifically considered at the time of the last area land use analysis and area zoning; or

2. That the property is potentially zoned for the reclassification being requested pursuant to

the policies set forth in the Land Use Management Plan and conditions have been met which would indicate the change is appropriate; or

3. That since the last previous land use analysis of the area and area zoning of the subject property, authorized public improvements, permitted private development or other circumstances affecting the subject property have undergone significant and material change.

* * *

Section 13.03.110, TMC.

Furthermore, the following tests, derived from Parkridge v. Seattle, 89 Wn.2d 454, 573 P.2d 359 (1978), must be met in order for a local government to rezone property:

(1) The rezone bears a substantial relationship to the public health, safety, morals or welfare; and

(2) That conditions have changed substantially since the original zoning was applied to the property.

3. Based on the evidence in the record, changes in conditions have occurred since the site's current "R-2" District zoning was applied in 1953, to support its reclassification. Moreover, provided the project is limited to that represented at hearing and conditions are imposed, as recommended by reviewing departments and agencies, the property is potentially zoned for reclassification to a "C-1" District. Such a reclassification would permit development consistent with commercial, multiple-family, and single-family development currently existing in the surrounding area and would be in the public interest.

4. The potential for development of the site causing an increase in property values in the area; thus, resulting in higher property taxes, does not form a basis for the Examiner to recommend denial of the reclassification requested.

5. Therefore, the reclassification to a "C-1" District should be approved, subject to imposition of the following conditions:

a. The proposed building on the east portion of the site shall be limited to one story in height.

b. The applicant shall submit a detailed landscape plan to the City's Land Use Administrator for review and approval prior to the issuance of any building permits for the site. The landscape plan shall address the following:

1. The 20-foot rear yard setback area shall be developed as a vegetative buffer. All mature deciduous and fir trees located within the setback area shall be retained and incorporated into the required landscaping. In addition, 15- to 18-foot high trees shall be planted within the area to enhance the existing vegetation in numbers approved by the Land Use Administrator. Lastly, a 6-foot high solid wooden fence shall be constructed along the east rear property line to provide additional separation between the site and the residences to the east. A detail of the fence shall be provided on the required landscape plan.
2. The 4-tree cluster of mature Douglas Fir located along the southerly property line of the site shall be retained and incorporated into the landscaping required for the south property line.
3. Street trees shall be provided along the front property line of the overall site.
4. Interior planting areas with a 7-foot wide minimum width (back of curb measurement) shall be provided.
5. Perimeter landscaping areas shall be of adequate size to sustain tree growth and provide protection from vehicles.
6. The landscape plan shall depict the location of the dumpster/refuse collection area. The area shall be screened to the greatest extent possible with a solid wall constructed of the same material utilized on the exterior of the buildings. The area around the enclosure shall be planted with landscaping. A detail of the required enclosure shall be depicted on the landscape plan.

7. Pedestrian access shall be provided from Pacific Avenue to the both buildings. Walkway standards are 5 feet wide with 2 additional feet for car overhang when abutting a parking area.
- c. One off-street loading stall 10 feet by 25 feet in dimension shall be provided to serve the site.
- d. All outside lighting utilized on the site shall be directed inward to the site or shielded as necessary to prevent glare from adversely affecting the residential uses located to the north, south, and east.
- e. All mechanical equipment, including any located on the roof of either building, shall be screened to the greatest extent possible.
- f. Any signage proposed for use on Building "B" shall be submitted to the Land Use Administrator for review and approval prior to the issuance of any permits. The Administrator shall review the signage for any potential incompatibilities with the neighborhood to the east.
- g. The applicant shall maintain a minimum of 30 feet of clearance along the south property line by adjusting the location of Building "B". This will allow for possible future extension of South 86th Street.
- h. The width and location of all driveways serving the site shall comply with the Driveway Ordinance No. 20966 and must be approved by the Traffic Engineer. Typical driveways accessing commercial properties are 30 feet in width. Aisleways within the site shall be a minimum of 20 feet in width. Circulation shall be two-way throughout the site and shall be designed for single-unit vehicle use.
- All existing driveways that will not be used shall be removed and new cement concrete curb, gutter, and sidewalk constructed in their place.
- i. The parking area shall be constructed to meet parking lot development standards. The design, including paving and striping, shall be approved by the Traffic Engineer.

j. The required number of handicap parking stalls shall be shown on the site plan. Handicap parking stalls are required to be located directly adjacent to the building they serve.

k. Erosion control measures shall be constructed for each lot to prevent sediment from entering the City storm system, right-of-way, and adjacent property during and following construction. An erosion control plan shall be submitted with the building permit application for City review.

l. All storm drainage shall be collected and conveyed to the City storm sewer in Pacific Avenue in compliance with the City-reviewed drainage plan. The storm drainage shall be directed to a new manhole constructed over the existing storm sewer. The drainage plan shall be submitted with the building permit application.

m. A sanitary sewer in-lieu of assessment charge shall be paid prior to any connection to the City sewer.

n. All buildings shall be connected to the City sanitary sewer at the building construction stage. Permits for this work shall be obtained.

o. The applicant shall grant, to the City of Tacoma, all necessary sewer easements.

p. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.

q. The applicant shall provide a refuse collection system to serve the site as approved by the Refuse Utility Division. Approval of the proposed collection system shall be obtained prior to the hearing date.

The City of Tacoma recommends that the owner set aside an area, on site, for the collection of recyclable materials such as cardboard, glass, and aluminum. The owner may contact the Refuse Utility Division, at 591-5543, for a list of independent recycling companies which may be contacted to arrange for pick up of these recyclable items.

r. Prior to obtaining a building permit, the applicant shall contact the appropriate City departments to make the necessary arrangements for all required improvements. The required departmental approvals shall be acquired from, but not necessarily limited to, City Light (383-2471), City Water (383-2471), Public Works (591-5525), and Planning (591-5363).

s. The applicant shall be advised that the alignment, grade and other design elements of all improvements within public right-of-way must be approved by the City Engineer.

With the development of the project, the applicant shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. When encroaching on private property, the project engineer shall be responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, they shall be addressed by the project engineer.

t. The applicant further agrees and understands that prior to obtaining a temporary certificate of occupancy, the required off-site improvements shall be constructed or the applicant shall provide to the City of Tacoma a performance bond or other financial security, as approved by the City Attorney, guaranteeing the completion of such improvements. A final certificate of occupancy will not be issued until such improvements are completed.

u. The applicant is advised that, in accordance with City Ordinance No. 24493, cement concrete sidewalk shall be constructed on all street frontages abutting the site. Sidewalk construction may be delayed until the time of building permit application. All damaged or defective sidewalk shall be removed and new cement concrete sidewalk installed in its place.

v. Any relocation of existing equipment will be at the developer's expense. Electrical service may be required to be underground per City of Tacoma Council Resolution No. 19022.

w. Fire protection shall comply with the requirements of the Uniform Fire Code and Water Division standards and specifications. The proposed structures must be designed and built so that the fire flow required to protect them does not exceed the flow available in the adjacent water distribution system.

x. At least one fire hydrant located near Building "B" shall be installed in accordance with Water Division requirements, which shall also include a properly-sized main supplying the referred-to hydrant.

y. A Concomitant Zoning Agreement (CZA), incorporating the conditions of approval imposed, shall be executed and recorded prior to final reading of the ordinance reclassifying the property.

z. Prior to preparation of the CZA, the applicant shall furnish to the City Attorney documentation verifying the current ownership of the property to be classified.

aa. THE DECISION IMPOSED HEREIN IS BASED UPON REPRESENTATIONS MADE AND EXHIBITS, INCLUDING DEVELOPMENT PLANS AND PROPOSALS, SUBMITTED AT THE HEARING CONDUCTED BY THE HEARING EXAMINER. ANY SUBSTANTIAL CHANGE(S) OR DEVIATION(S) IN SUCH DEVELOPMENT PLANS, PROPOSALS, OR CONDITIONS OF APPROVAL IMPOSED SHALL BE SUBJECT TO THE APPROVAL OF THE HEARING EXAMINER AND MAY REQUIRE FURTHER AND ADDITIONAL HEARINGS.

bb. THE AUTHORIZATION(S) GRANTED HEREIN IS/ARE SUBJECT TO ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, REGULATIONS, AND ORDINANCES. COMPLIANCE WITH SUCH LAWS, REGULATIONS, AND ORDINANCES ARE CONDITIONS PRECEDENT TO THE APPROVALS GRANTED AND ARE CONTINUING REQUIREMENTS OF SUCH APPROVALS. BY ACCEPTING THIS/THESE APPROVALS, THE APPLICANT REPRESENTS THAT THE DEVELOPMENTS AND ACTIVITIES ALLOWED WILL COMPLY WITH SUCH LAWS, REGULATIONS, AND ORDINANCES. IF, DURING THE TERM OF THE APPROVALS GRANTED, THE DEVELOPMENTS AND ACTIVITIES PERMITTED DO NOT COMPLY WITH SUCH LAWS, REGULATIONS, OR ORDINANCES, THE APPLICANT AGREES TO PROMPTLY BRING SUCH DEVELOPMENTS OR ACTIVITIES INTO COMPLIANCE.

6. Any finding hereinbefore stated which may be deemed to be a conclusion herein is hereby adopted as such.

RECOMMENDATION:

It is hereby recommended that the subject property be reclassified to a "C-1" Commercial District, rather than "C-2" Commercial District requested, and that the reclassification be subject to the conditions set forth in Conclusion 5 herein.

ORDERED this 24th day of January, 1991.



RODNEY M. KERSLAKE, Hearing Examiner

TRANSMITTED this 24th day of January, 1991, via certified mail to:

Lloyd Lundstrom, c/o Lundstrom, Inc., Box 98009, Tacoma, WA 98498

TRANSMITTED this 24th day of January, 1991, to the following:

Kenneth A. Jones, 5515 Steilacoom Blvd. S.W., Tacoma, WA 98467
Zenczak & Partners, Architects, 2120 - 54th Avenue East,
Tacoma, WA 98424, ATTENTION: Ben Zenczak
Betty Magell, 8609 Pacific Avenue, Tacoma, WA 98444
City Clerk, City of Tacoma
City/Planning and Development Services Department (Smith/Gatewood)
City/Building and Land Use Services (Wm. Larkin/Mills)
Public Utilities Department, City of Tacoma (Medak/Water LID)
Fire Department, City of Tacoma (Kirsop)

N O T I C E

Pursuant to the Official Code of the City of Tacoma, Sections 13.03.120, 13.03.130, and 13.06.485, a request for RECONSIDERATION (by filing the same with the Hearing Examiner) or, alternatively, a request for APPEAL to the City Council (by filing the same with the City Clerk) of the Examiner's recommendation in this matter must be filed in writing on or before February 7, 1991.

NOTICE

RECONSIDERATION AND APPEAL OF EXAMINER'S DECISION

RECONSIDERATION:

Any aggrieved person having standing under the ordinance governing such application and feeling that the decision of the Examiner is based on errors of procedure or fact may make a written request for review by the Examiner within fourteen (14) days of the issuance of the Examiner's decision or recommendation. This request shall set forth the alleged errors, and the Examiner may, after review of the record, take such further action as he deems proper and may render a revised decision. (Official Code of the City of Tacoma, Section 13.03.120)

APPEALS TO CITY COUNCIL OF EXAMINER'S DECISIONS OR RECOMMENDATIONS:

Within fourteen (14) days of the issuance of the Examiner's decision or recommendation involving any application or appeal filed pursuant to the provisions of this chapter, the applicant or any aggrieved party owning property or residing within the area entitled to public notice by mail as set forth in the section of this chapter governing such application, shall have the right to appeal the decision or recommendation of the Hearings Examiner by filing written notice of appeal in duplicate with the City Clerk, stating the reasons the Hearings Examiner's decision or recommendation was in error; provided, however, that in the event application is made pursuant to Section 13.03.120 of this Title for reconsideration by the Examiner, the appellant shall have seven (7) days from the date of issuance of the Examiner's decision on the reconsideration to appeal the Examiner's decision to the City Council. EACH APPEAL SHALL BE ACCOMPANIED BY A FEE AS SET FORTH IN SECTION 13.06.471 OF THIS CHAPTER. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD APPELLANT PREVAIL. (Pursuant to Section 13.06.471.B.3 of the Official Code, fees for appeals shall be waived for qualifying senior citizens who are eligible for tax exemption because of financial status and for persons who are permanently handicapped and are likewise eligible for tax exemption because of financial status.)

Appeals shall be reviewed and acted upon by the City Council in accordance with Section 13.03.130 of this Title. (Official Code of the City of Tacoma, Section 13.06.485)

NOTE: YOUR ATTENTION IS DIRECTED TO THE LAST PARAGRAPH OF THE ATTACHED EXAMINER'S REPORT where you will find specific dates for filing a request for reconsideration or notice of appeal to the Council of the matter under consideration herein.

COUNCIL REVIEW:

In reviewing a decision, all parties of record may submit memoranda, but no additional hearings shall be held and no new evidence or testimony shall be taken by the City Council. The City Council shall accept, modify or reject any findings and conclusions or remand the decision to the Examiner for further hearing, provided that any decision of the City Council shall be based on the record of the hearing conducted by the Hearings Examiner; however, the Council may publicly request additional information of the appellant and the Examiner at its discretion. (Official Code of the City of Tacoma, Section 13.03.130.)

GENERAL PROCEDURES FOR APPEAL:

The Official Code of the City of Tacoma contains certain procedures for appeal, and while not listing all of these procedures here, you should be aware of the following items which are essential to your appeal. Any answers to questions on the proper procedure for appeal may be found in the City Code sections heretofore cited:

1. The cost of transcription of the hearing record shall be borne by the party or parties requesting such transcript. Therefore, if a verbatim transcript is required, said parties should make such request for the transcript directly to the Hearings Examiner.

2. The written application of appeal shall also state where the Examiner's conclusions or findings were in error, and in zoning reclassifications, why, because of public necessity and the general welfare, such zoning reclassification is required or should remain the same.

DEPARTMENT OF PLANNING
PRELIMINARY REPORT
AND
ENVIRONMENTAL EVALUATION

HEARINGS EXAMINER HEARING
December 18, 1990

Exh. #2

APPLICANT: LUNDSTROM, INC.

FILE NO. 120.1322

A. SUMMARY OF REQUESTS:

A reclassification from "R-2" One-Family Dwelling District to "C-2" Commercial District to allow the development of two retail/office buildings.

B. GENERAL INFORMATION:

1. Applicant/Owner: Lundstrom Inc.
Box 98009
Tacoma, WA 98498
2. Associated Party: Kenneth A. Jones
5515 Steilacoom Blvd. SW
Tacoma, WA 98467
3. Location: Northeasterly corner of Pacific Avenue and
South 86th Street extended.
4. Property Description: See attached.
5. Size: Overall development site - 132 feet by
288 feet (38,016 square feet);
reclassification - 132 feet by 168 feet
(22,176 square feet)

C. PROJECT DESCRIPTION:

The applicant is requesting a reclassification from "R-2" One-Family Dwelling District to "C-2" Commercial District to allow the development of a two building, 12,000 square foot retail/office development. The westerly 120 feet of the overall site was zoned "C-2" Commercial District in 1953. The balance of the site was zoned "R-2" Single-Family Dwelling District at the same time. The reclassification of the site would allow for the entire parcel to be developed with commercial uses.

Proposed building's "A" and "B" would contain 9,000 and 3,000 square feet of floor area, respectively. Proposed building "A" would be two-stories in height, while proposed building "B" would contain one-story and have a maximum height of 25 feet. A total of 60 off-street parking stalls are proposed to serve the site. Access is proposed via one driveway from Pacific Avenue abutting on the west, which is classified as a principal arterial street.

D. ADDITIONAL INFORMATION:

1. General Zoning in the Area: "R-2" One-Family Dwelling District, "R-4-L" Low Density Multiple-Family Dwelling District and "C-2" Commercial District.
2. History: As previously noted, both the "R-2" Single-Family Dwelling District and "C-2" Commercial District were established in 1953. The westerly 120 feet of the site has been designated as suitable for "medium intensity" development by the City's Generalized Land Use Plan (GLUP), while the easterly 168 feet of the site has been designated as suitable for "single-family detached housing development" under the plan. The GLUP was adopted in 1980.
3. Attachments:
 - a. Site plan
 - b. Memorandum dated December 7, 1990, from Benjamin J. Thompson, City Engineer
 - c. Memorandum dated November 26, 1990, from Kenneth F. Olsen, Superintendent, Water Division, Department of Public Utilities
 - d. Response dated November 21, 1990, from Richard Kirsop, Tacoma Fire Department
 - e. Response dated November 16, 1990, from Elton Gatewood, Community Development Department
 - f. Section 13.06.290 ("C-2" District Use Regulations)
4. Notification: Written notice of the public hearing has been mailed to all owners of property within 400 feet of the site and has been published in the Tacoma Daily Index at least 47 days prior to the date of the public hearing.

E. EXISTING CONDITIONS AND ENVIRONMENTAL EVALUATION:

Pursuant to the State's SEPA Rules (WAC 197-11) and the City of Tacoma's Environmental Code, the Director of Planning has issued a Determination of Environmental Non-Significance for the proposed action. The determination was based on a survey of the site, a review of the applicant's Environmental Checklist, and other supporting information on file with the Tacoma Planning Department.

The easterly half of the subject site slopes downward from east to west while the west half is relatively level and at the same grade as Pacific Avenue. The majority of the site's vegetation has been removed. However, a small group of mature Douglas Fir trees are located along the southeast portion of the site and a number of mature deciduous trees and one Douglas Fir remain along the east rear property line. Pacific Avenue, which is classified as a principal arterial street, abuts the site on the west and is traveled by approximately 20,000 vehicles per day. Based upon the I.T.E. Trip Generation Manual, the proposed project would generate approximately 410 additional vehicular trips per day; a two percent increase in traffic volume.

Commercial uses and an off-street parking area abut on the north, with multiple-family dwellings located farther to the north, a single-family home abuts on the south, with multiple-family dwellings located farther to the south, single-family dwellings located within a well-defined single-family neighborhood abut on the east, and commercial and multiple-family development is located across Pacific Avenue to the west.

F. APPLICABLE SECTIONS OF THE LAND USE REGULATORY CODE:

1. Section 13.03.110 states the following:

13.03.110 EXAMINER'S DECISION AND RECOMMENDATION - FINDINGS REQUIRED. When the Examiner renders a decision or recommendation, such Examiner shall make and enter findings from the record and conclusions thereof which support such decision, and the findings and conclusions shall set forth and demonstrate the manner in which the decision or recommendation carries out and helps to implement the goals and policies of the Land Use Management Plan and the standards set forth in the various land use regulatory codes; provided that in any case where a reclassification of property is recommended, at least one of the following circumstances shall be found to apply:

1. That substantial evidence was presented demonstrating the subject reclassification appears not to have been specifically considered at the time of the land area land use analysis and area zoning; or
2. That the property is potentially zoned for the reclassification being requested pursuant to the policies set forth in the Land Use Management Plan and conditions have been met which would indicate the change is appropriate; or
3. That the last previous land use analysis of the area and area zoning of the subject property, authorized public improvements, permitted private development or other circumstances affecting the property have undergone significant and material change.

2. Section 13.06.290, states the following regarding permitted use activities in the "C-2" Commercial District:

See attachment "F"

G. APPLICABLE SECTIONS OF THE GENERALIZED LAND USE PLAN:

1. Growth and Development Framework (Pgs. 33 - 41)

Generalized Land Use Plan Map

The Generalized Land Use Plan Map on page 53 illustrates the City's intended future land use pattern through the geographic distribution of three levels of land use intensities. This illustrated form was a result of analysis of the previously discussed development concept, existing land use and zoning, development trends, anticipated land use needs and desirable growth and development goals. Various types of zoning and land use may be permitted within each of the intensity areas as discussed beginning on page 55.

Intent

The Generalized Land Use Plan Map is intended to provide a firm basis for land use and zoning decisions. Policies for each of the intensity areas should be considered and interpreted in accordance with the geographic configurations of the mapped areas.

Lower intensity developments may occur in higher intensity areas in some instances. Some supporting reasons for such lower intensity development include physical site limitations, changing area characteristics, environmental constraints and prematurity of higher intensity development. Except as just mentioned, areas of the city should develop and redevelop in accordance with the intensity configuration depicted on the Generalized Land Use Plan Map.

The "edges" of the intensity areas were located on the map based on general policies and criteria rather than on a parcel by parcel analysis. Consequently, upon close examination, it may be determined that similar conditions exist on both sides of an edge line and that reasonable arguments can be presented for moving the line. Such situations would be most prevalent where no readily identifiable physical features were used as edges. Readily identifiable features may include freeways, arterial streets, topographic breaks, major land use changes and other physical features normally associated with land use separations. In these imprecise situations, the specific locations of intensity edges must be considered to be flexible to the extent permitted by the adopted policies of the plan as they apply to the properties and proposals in question.

While some minor edge adjustments may be appropriate and within the intent of this Plan, major shifts in edge lines which could adversely affect the character of an area will be considered to be revisions to the Plan and as such are subject to the procedures of the plan amendment process.

The map also serves as a base for neighborhood planning efforts. As neighborhood plans are developed, changes may occur to the development intensity areas as shown on the map. Much of the generalization, and consequently the flexibility of the map will be eliminated through the development and adoption of the various neighborhood land use plans. The higher level of detail of these neighborhood plans will permit a parcel by parcel analysis and result in precise and defensible edge locations for the intensity areas.

It is recognized that some areas of the city may not be zoned to accommodate the intensity levels shown on the map. It is intended that some areas that may need to be "downzoned," i.e., rezoned to a zoning classification that allows less intensive or lower density uses will undergo separate study to determine the appropriate zone changes. These studies will normally be initiated by the Planning Commission or City Council with the actual zone changes accomplished by established rezoning procedures.

"Upzoning" of areas to a zoning classification that allows more intensive or higher density uses will, in most instances, be initiated by the private sector. Such action must be consistent with adopted policies and will be subject to appropriate development controls as determined in established rezone procedures.

2. Residential Policies

Low Intensity-Single Family Detached Housing Area

Single-family detached housing is the preferred housing structure type for most of Tacoma's citizens. Qualities associated with single-family neighborhoods are generally viewed as desirable and include: low noise levels, limited traffic, compatible building styles and uses, and low density development. Much of the city's land is strongly committed to single-family development and has been determined to be deserving of special protection from incompatible land uses.

Single-family detached housing areas have consequently been identified and a series of specific policies established to provide for this protection. The map on page 99 delineates these single-family detached housing areas. These areas were identified on a city-wide basis, using the criteria found in the Appendix, page 139. These criteria provide that single-family areas include not only areas that are presently predominately developed with single-family detached houses, but those areas that are proposed or can reasonably be anticipated to develop in a like manner. It should be noted that these single-family detached housing areas lie within low intensity areas as depicted on the Generalized Land Use Plan map, page 53.

The Single-Family Detached Housing Areas Map is intended to reflect the various policy statements and criteria in the Plan regarding the protection, preservation and enhancement of identified single-family neighborhoods. The map should be considered and utilized as a delineated interpretation of these criteria and policies and therefore has the same status as the aforementioned policies.

In consideration that this is a Generalized Land Use Plan document, specific delineation of the "edges" of single-family areas was not made, which may result in occasionally imprecise and sometimes indefensible area designations. Where valid arguments can be presented regarding the location of an edge line, it is intended that the written policies of this Plan document be utilized to make the determination.

Although this map does not have the same plan status as the Generalized Land Use Plan Map, it is intended to guide and constrain development within the identified single-family areas. A greater burden of proof, therefore, is placed upon those desiring to adjust the boundaries of, or zoning within, these areas.

Single-family detached housing areas which have been delineated as a part of an adopted neighborhood plan effort, and consequently incorporated into this city-wide, single-family detached housing areas map, should be accorded an additional degree of status and protection as specified by the individual neighborhood plan.

Intent

The intent discussion and policies that follow apply only to the areas identified for single-family detached housing purposes on the map.

The City recognizes the desirability of maintaining and preserving the character of single-family detached housing areas. It is intended that these areas be protected from intrusion of incompatible uses by restricting higher residential densities and commercial or industrial developments that can adversely affect or change the character of the neighborhood environment.

Densities within single-family detached housing areas will depend upon their location within the city. Inlying densities are generally higher than those found in outlying areas due to the prevalence of smaller lots in the city's older areas. Typical single-family site development density ranges from two units per acre in outlying areas to approximately six units per acre in the inlying areas.

Neighborhood Facilities and Services

Uses that provide service to the neighborhoods and surrounding community and do not alter the character of the existing neighborhood are appropriate in established single-family areas.

Generally, these include public and quasi-public uses such as schools, churches, fire stations, libraries, substations, community facilities, neighborhood parks and playgrounds. These uses are generally considered desirable and are viewed as part of the living environment of a neighborhood. New public and quasi-public development should be limited in number in single-family detached housing areas. Individually, these uses may have little effect on the surrounding neighborhood; however, a concentration of such uses could create unacceptable levels of noise and traffic. It is intended that such developments be sited, designed, scaled and located to be compatible with the existing character of the neighborhood.

Unique Sites

It is intended that the majority of new development within identified single-family areas consist of single-family detached houses.

A limited number of small, individual sites may be considered for development with uses other than single-family detached houses. The preferred use for these unique sites would be duplexes, triplexes and some small, garden court apartments. These other uses should be designed and scaled to be compatible with the surrounding area and

utilize proper development controls in order to maintain the established character of the area. Unique sites are those properties having unique locations or characteristics that are not considered appropriate or desirable for single-family homes.

The viability of single-family areas depends on the maintenance of their existing character. New developments, regardless of their use, should recognize the established character of the area and be designed and scaled to be compatible with the existing or planned neighborhood. Such factors as height, bulk, noise level, landscaping, lighting, signing and traffic generation should be considered in determining compatibility.

9. Established, viable, single-family residential areas having uniform housing type and character should be protected, preserved and maintained.
10. Within identified single-family detached housing areas, single-family detached housing development shall be considered the overriding land use.
11. Protect identified single-family detached housing areas by restricting within their boundaries higher residential densities and commercial or industrial uses that can adversely affect the established or planned neighborhood environment.
12. Encourage the maintenance and rehabilitation of single-family homes in established single-family areas in order to maintain the character and quality of the neighborhood.
13. Within single-family detached housing areas permit public and quasi-public uses and community facilities, provided they are designed and scaled to be compatible with the existing character, properly located and adverse effects are minimized.
14. Permit Planned Residential Developments (PRD) comprised of single-family detached housing within identified single-family areas in order to encourage a better use of the land, promote design flexibility and provide open space, provided that the overall density and character of the area is maintained.
15. New development within identified single-family detached housing areas should be designed and scaled to blend in with the existing or planned neighborhood character.
16. Recognizing that there may be individual sites within identified single-family detached housing areas with unique characteristics, development with uses other than single-family detached housing may be considered, provided that the proposed development is properly located, designed, scaled and developed to be compatible with the surrounding area.

3. Residential Policies - General (p. 53-55)

Intent

The single-family detached house, that is, a single home on an individual lot, is the most predominate type of residential structure in the city. It is the preferred living mode for most people and is associated with a relatively quiet and stable neighborhood environment. However, other types of housing such as duplexes, apartments and condominiums are also needed and desired. These types of housing provide an alternative living environment for a large segment of the population.

Higher intensity residential development is located within or near larger activity centers and along some major transportation corridors in areas of similar character and intensity. Some higher intensity residential development may occur on sites with unique characteristics provided the development is compatible and does not adversely affect the surrounding area.

Density within single-family neighborhoods will stay at or near existing levels. It is expected that densities in planned residential developments will be slightly higher than conventional subdivision developments because of fewer streets and other incentives associated with planned developments. Densities will be higher in medium and high intensity areas than those found in low intensity residential areas.

As used in this document, density is the number of dwelling units per acre, less allowances for street and public and quasi-public uses. The percentage of land utilized for streets and other uses varies in different locations of the city depending on the amount of vacant land, the number of streets and the existing development pattern.

The viability of residential areas is strengthened by eliminating incompatible land uses, emphasizing natural physical features, promoting quality design and encouraging repair and rehabilitation of existing residential structures. Adequate streets and public facilities are also important to meet the needs of the citizens living in these residential areas. The viability of the city's urban residential areas is essential if they are to continue to provide an acceptable alternative to suburban living.

General Residential Policies 1 and 3

1. Protect, preserve and maintain established residential neighborhood areas where a definite density, housing type and character prevail; nuisances and incompatible land uses should not be allowed to penetrate these areas.
3. Prohibit incompatible land uses from situating within or adjacent to existing or future residential developments.

Commercial Policies Intent - General

Intent

Commercial development involves a wide variety of uses including retail, office and service. The development can range in scale from small neighborhood convenience shops to regional shopping centers. Commercial establishments provide goods and services to meet the needs of citizens as well as those of the business community.

Commercial establishments must be properly located and easily accessible for the convenience of their customers. Commercial developments may be located on individual sites, in concentrations within areas of similar character, or in nucleated linear districts along major traffic corridors. The city's largest commercial concentrations are the downtown central business district and the Tacoma Mall. Locating retail and other commercial activities in concentrated centers maximizes the use of land, encourages the joint use of parking facilities and provides one-stop convenience for the consumer.

The viability of the city's commercial areas is strengthened by promoting quality design and aesthetic considerations which minimize adverse effects on surrounding property. Their viability is further insured by encouraging the physical maintenance and rehabilitation of existing commercial developments. Fill-in development and limited expansion of existing commercial areas will aid their continued economic viability. Adequate provisions for both vehicle and pedestrian safety, as well as adequate parking and loading facilities, are important considerations for both new and existing commercial areas.

1. Encourage commercial development, including business and professional offices, to situate in concentrations which maximize the use of space and which minimize negative influences on adjacent land use.
2. Encourage planned shopping centers, to help insure grouped development, optimum use of the land, quality design, and to minimize traffic congestion and conflict and other adverse effects on adjacent properties.
3. Locate commercial recreational facilities of an outdoor nature, such as mini-golf courses and driving ranges, on tracts of land that are open and are compatible with other open space uses or in areas of unstable soil conditions.
4. Encourage new commercial development to locate within existing commercial areas in order to maximize the use of the land and maintain the economic viability of established commercial developments.

5. Employ performance standards, new design concepts and aesthetic considerations in the construction of new office/commercial developments.
6. Encourage the joint use of parking facilities whenever possible to obtain the optimum use of the land and maximize consumer convenience.
7. Encourage rehabilitation and physical maintenance of established commercial areas.
8. Consider population needs and land use compatibilities when planning the development of neighborhood, community or regional commercial facilities in order to insure minimal adverse influences on surrounding or adjacent land uses.
9. Commercial developments must have sufficient rights-of-way, street improvements, access control, safe pedestrian walkways, circulation routes, off-street parking and loading facilities.
10. Locate new or expanded commercial developments where there are adequate streets and utilities such as water, power and sewers; these facilities must exist prior to or be developed concurrently with the intended development.
11. Encourage new commercial developments to locate either adjacent or immediately accessible to arterial streets provided they are designed and situated to be consistent with the established character of the surrounding area.
12. Permit limited commercial development that provides convenience goods to be situated within high-rise residential structures in order to serve the needs of the persons within.
13. The physical size of new or expanded commercial areas should be guided by the size of the trade area it serves, as well as its arterial accessibility to insure minimal traffic congestion, ease of operation and maximum convenience.
14. Site development standards of commercial areas should address the safety, convenience and aesthetics of the development itself, as well as effects on adjacent surrounding properties.
15. Encourage commercial recreational facilities to situate near or within existing or proposed higher intensity commercial areas.
16. Off-street parking facilities in commercial areas should be adequate to accommodate normal and peak use periods.

Low Intensity Commercial Policies - Intent

Low intensity commercial development consists of neighborhood-oriented convenience stores and community facilities such as small neighborhood grocery stores, local shops, and office

and business uses that have limited contact with the public. If properly scaled and located, these developments may consist of "Planned Neighborhood Shopping Centers."

Commercial uses in low intensity areas generally provide goods and services that meet the daily needs of the residential neighborhoods they serve. They are conveniently located to these neighborhoods, often within walking distance.

Because low intensity commercial development is usually a traffic generator, these uses should be located on arterial streets on the fringe of neighborhood areas.

1. Low intensity neighborhood convenience commercial developments should be situated on arterial streets.
2. Permit small scaled office, medical and institutional uses having limited contact with the general public and not involving the sale of retail merchandise, except incidentally, to situate in transitional or buffer areas provided the surrounding property is not adversely affected.
3. Low intensity convenience commercial development should be properly designed and located in order to be compatible with the surrounding area and to minimize adverse effects on adjacent and nearby properties.
4. Small scale neighborhood shopping and service facilities should be immediately accessible to residential neighborhoods.
5. Allow neighborhood convenience commercial development on sites with unique characteristics within established single-family residential areas provided that the design and scale are compatible with surrounding development and the general character of the area is maintained.

Commercial Policies

Medium Intensity

Intent

Medium intensity commercial developments supply everyday goods and services for several surrounding neighborhoods and are of community-wide significance. Newer commercial development is usually located in concentrated centers. These centers consist of a clustered grouping of stores and businesses surrounded by a large parking area. Usually there is one major store which is the primary customer generator and several smaller supportive and complementary establishments. This arrangement encourages multi-purpose trips and increases customer convenience.

Planned business parks are a relatively new type of concentrated commercial development. Because of their relatively nuisance-free nature, planned business parks may be compatible with adjacent residential areas provided the character of the area is maintained.

Commercial development is encouraged to locate in concentrations in order to lessen traffic congestion, increase consumer convenience, reduce utilities and services installation and maintenance costs and encourage joint use of parking facilities.

Older commercial development is usually found in linear districts. These districts generally consist of a continuous row of commercial establishments along key arterial streets which were historically used as principal entry routes to the downtown business area. This type of commercial development does not require the drawing power of a major retail store and encourages single purpose trips. Each establishment is oriented to its own site and usually maintains a separate parking lot.

Medium intensity commercial developments require access to higher volume arterial streets that are capable of carrying the traffic that is generated by these developments. These developments should be located within easy access to the residential communities that they serve.

1. Encourage medium intensity commercial developments to locate in concentrations to maximize the use of land, promote the efficient use of public services and facilities and to minimize adverse influences on surrounding properties.
2. Medium intensity commercial development should be conveniently located near the residential areas that they serve.
3. Medium intensity commercial developments should be situated on either principal or minor arterial streets or at the intersection of two arterial streets having adequate capacity.
4. Allow for the limited expansion of linear commercial development provided adverse influences on adjacent properties are minimized.
5. Locate freeway-oriented commercial facilities at locations convenient to the freeway user provided the facilities do not impede nor impair traffic.
6. Allow moderately scaled office, medical and institutional complexes within medium intensity areas, provided adverse effects on surrounding areas are minimized.

H. PROJECT RECOMMENDATIONS:

<u>Public Works:</u>		See attachment "B"
<u>Public Utilities:</u>		See attachment "C"
<u>Fire Department:</u>		See attachment "D"
<u>Health Department:</u>	11-26-90	No objections
<u>Police:</u>		No response
<u>Human Rights:</u>		No response
<u>Human Development:</u>		No response
<u>Community Development:</u>		See attachment "E"
<u>Pierce Transit:</u>		No response
<u>U.S. West Communications:</u>		No response
<u>Washington Natural Gas:</u>		No response

Planning Department:

BURDEN OF PROOF

Before a parcel of land within the city of Tacoma can be reclassified, it must be shown that the request is consistent with the findings specified in Section 13.03.110; the applicable policies of the Generalized Land Use Plan, and the "Parkridge Test." The findings specified by Section 13.03.110 and the applicable policies of the Generalized Land Use Plan are found in Sections "F" and "G" of this report. The "Parkridge Test" was derived from a 1978 Washington Supreme Court Case (Parkridge v. Seattle, 89 WN. 2d 454). The opinion in Parkridge states that in a rezone action, the "burden of proof is on the one seeking the change to show that:

1. the rezone bears a substantial relationship to the public health, safety, morals, or welfare; and
2. that conditions have changed substantially since the original zone was applied to the property.

Each of these standards or criteria must be met to effect a legally supportable reclassification.

ISSUES

1. The subject requests consistency with the policies of the "unique sites" section of the Generalized Land Use Plan (GLUP).

Comments: As previously noted, the westerly 120 feet of the subject site is zoned "C-2" Commercial District and has been designated as suitable for "medium intensity" development under the GLUP. However, the easterly 168 feet of the site and the portion which is subject to the reclassification request, has been designated by the GLUP as suitable for single-family detached housing development. Single-Family Detached Housing Areas are afforded the highest level of protection under the GLUP which recognizes the desirability of maintaining and preserving the character of such areas. The policies of the GLUP use designed to protect such areas from a intrusion of incompatible land uses that can adversely affect or change the character of the neighborhood environment.

The Planning Department's analysis of the applicable policies of the GLUP, including the "unique site's" policies, will follow. The applicant should come to the hearing prepared to address the "unique site test" and the project's compatibility with the neighborhood to the east.

* * *

General Residential Policies 1 and 3

1. Protect, preserve and maintain established residential neighborhood areas where a definite density, housing type and character prevail; nuisances and incompatible land uses should not be allowed to penetrate these areas.

3. Prohibit incompatible land uses from situating within or adjacent to existing or future residential developments.

Comment: Commercial uses, an off-street parking area and multiple-family development abut or are located to the north, a single-family dwelling abuts on the south, with multiple-family dwellings located farther to the south, and commercial, and multiple-family uses are located across Pacific Avenue to the west.

No access through the residential neighborhood to the east is proposed under the project. All access will be provided via a single driveway to Pacific Avenue abutting on the west.

Residential Low Intensity - Single Family Detached Housing Policies 9-12

9. Established, viable, single-family residential areas having uniform housing type and character should be protected, preserved and maintained.
10. Within identified single-family detached housing areas, single-family detached housing development shall be considered the overriding land use.
11. Protect identified single-family detached housing areas by restricting within their boundaries higher residential densities and commercial or industrial uses that can adversely affect the established or planned neighborhood environment.
12. Encourage the maintenance and rehabilitation of single-family homes in established single-family areas in order to maintain the character and quality of the neighborhood.

Comment: As previously noted, the subject site is located along the easterly periphery of an existing single-family neighborhood. No access is proposed through the neighborhood under the request and the closest access currently existing is via South 84th and A Streets located to the northeast of the site.

All homes within the previously identified neighborhood are oriented toward the A Street corridor. The lack of east/west connector streets between Pacific Avenue and A Street, and the higher topography of the properties located along the A Street corridor appear to have contributed to the isolation of the subject site from the neighborhood to the east.

If properly developed and conditioned, it's the department's opinion that the project will not adversely affect the character of the residential neighborhood or the neighborhoods environment.

Residential-Low Intensity - Single-Family Detached Housing Policies 15 and 16

15. New development within identified single-family detached housing areas should be designed and scaled to blend in with the existing or planned neighborhood character.

16. Recognizing that there may be individual sites within identified single-family detached housing areas with unique characteristics, development with uses other than single-family detached housing may be considered, provided that the proposed development is properly located, designed, scaled and developed to be compatible with the surrounding area.

Comment: The applicant is proposing to develop two retail/office buildings under the proposal. The most westerly of the two structures, building "A," would be two-stories in height along its west side and due to the rising topography, one story in height along its east side. Proposed building "B" would contain one-story and have a maximum height of 25 feet.

The 25 foot height of building "B," which is consistent with the height of a single-family dwelling, and the provision of a substantial vegetative buffer along the site's east periphery, should ensure compatibility between the proposal and the neighborhood to the east in terms of scale and aesthetic considerations.

The department is somewhat concerned, however, that the uses allowed under the "C-2" designation may not be compatible with the residential neighborhood to the east in terms of intensity.

The "C-2" District designation would allow a number of uses that produce odors, noise, litter, etc., that could impact the residential neighborhood. In an instance where the structures are apparently being developed on a speculative basis and no firm tenants have been identified, it would appear appropriate to stipulate to the types of uses allowed within building "B," place formal restrictions on its use, or possibly reclassify the easterly half of the site to "C-1" District in order to ensure that incompatible uses do not locate within the structure. The applicant should come to the hearing prepared to address this issue.

Based upon the previous analysis, it would appear to the Planning Department that due to its location adjacent to a principal arterial street, and the site's separation from the established neighborhood to the east and, further, the fact that the area proposed for reclassification abuts an existing "C-2" zoned area which has been designated as suitable for medium intensity development, the site can qualify as a unique site as addressed by the GLUP.

Commercial Policies - General - 1 and 4

1. Encourage commercial development, including business and professional offices, to situate in concentrations which maximize the use of space and which minimize negative influences on adjacent land use.

4. Encourage new commercial development to locate within existing commercial areas in order to maximize the use of the land and maintain the economic viability of established commercial developments.

Comment: As previously noted, the subject site abuts an existing "C-2" Commercial District and the area to the north and across Pacific Avenue to the west is developed with a number of commercial uses.

Commercial Policy - General 5

5. Employ performance standards, new design concepts and aesthetic considerations in the construction of new office/commercial developments.

Comment: Proposed building "B" would be constructed to one-story and 25 feet in height. Metal roofing and stucco or wood siding would be utilized on the exterior of the building. Fabric awnings would be utilized over window openings. Significant landscape areas would be provided including the provision of a vegetative landscape buffer along the easterly perimeter of the site.

Commercial Policies - General - 9, 10, and 11

9. Commercial developments must have sufficient rights-of-way, street improvements, access control, safe pedestrian walkways circulation routes, off-street parking and loading facilities.
10. Locate new or expanded commercial developments where there are adequate streets and utilities such as water, power and sewers; these facilities must exist prior to or be developed concurrently with the intended development.
11. Encourage new commercial developments to locate either adjacent or immediately accessible to arterial streets provided they are designed and situated to be consistent with the established character of the surrounding area.

Comment: Pacific Avenue abutting on the west is classified as a principal arterial street. Access to Pacific Avenue would be via one driveway. Off-street parking in excess of the code requirement is available to serve the site. Adequate services and utilities exist or are available to serve the site.

Low Intensity Commercial Policies

Low Intensity Commercial Policy - 2

2. Permit small scaled office, medical and institutional uses having limited contact with the general public and not involving the sale of retail merchandise, except incidentally, to situate in transitional or buffer areas provided the surrounding property is not adversely affected.

Comment: The request would allow the development of a 3,000 square foot, one-story office/retail building on property located between an existing "C-2" District and an existing residential neighborhood to the east. The size and scale of the proposed building is consistent with that which could be considered a buffer between the "C-2" District with its 45 foot height limit and the more sensitive "R-2" area to the east. This would be further supported should the use of proposed building "B" be limited to those uses allowed in the "C-1" District.

Low Intensity Commercial Policy 4

4. Small scale neighborhood shopping and service facilities should be immediately accessible to residential neighborhoods.

Comment: As previously noted, the site is somewhat isolated from the residential neighborhood to the east. While such isolation strengthens the site's potential as a "unique site" under the GLUP, it tends to make access to and from the neighborhood more difficult.

Based upon the previous analysis, it's the department's position that the request, if properly conditioned, is consistent with the policies of the Generalized Land Use Plan.

The applicant should come to the hearing prepared to address the land use changes affecting the subject site which have occurred since the last zoning of the property in 1953 and which would justify the reclassification. Changes identified by the Planning Department would include reclassifications to "C-2" and "R-4-L" of property located to the north of the site in 1958 and 1966, respectively, and the designation of the "C-2" zoned portion of the site as suitable for "medium intensity" development by the GLUP in 1980.

Should the requested reclassification be approved, the Planning Department would recommend imposition of the following special conditions of approval:

1. The applicant shall submit a detailed landscape plan to the City's Land Use Administrator for review and approval prior to the issuance of any building permits for the site. The landscape plan shall address the following:
 - a. The 20 foot rear yard setback area shall be developed as a vegetative buffer. All mature deciduous and fir trees located within the setback area shall be retained and incorporated into the required landscaping. In addition, 15 to 18 foot high trees shall be planted within the area to enhance the existing vegetation in numbers approved by the Land Use Administrator. Lastly, a 6 foot high solid wooden fence shall be constructed along the east rear property line to provide additional separation between the site and the residences to the east. A detail of the fence shall be provided on the required landscape plan.

- b. The 4 tree cluster of mature Douglas Fir located along the southerly property line of the site shall be retained and incorporated into the landscaping required for the south property line.
 - c. Street trees shall be provided along the front property line of the overall site.
 - d. Interior planting areas with a 7 foot wide minimum width (back of curb measurement) shall be provided.
 - e. Perimeter landscaping areas shall be of adequate size to sustain tree growth and provide protection from vehicles.
 - f. The landscape plan shall depict the location of the dumpster/refuse collection area. The area shall be screened to the greatest extent possible with a solid wall constructed of the same material utilized on the exterior of the buildings. The area around the enclosure shall be planted with landscaping. A detail of the required enclosure shall be depicted on the landscape plan.
 - g. Pedestrian access shall be provided from Pacific Avenue to the both buildings. Walkway standards are 5 feet wide with 2 additional feet for car overhang when abutting a parking area.
2. One off-street loading stall 10 feet by 25 feet dimension shall be provided to serve the site.
 3. All outside lighting utilized on the site shall be directed inward to the site or shielded as necessary to prevent glare from adversely affecting the residential uses located to the north, south and east.
 4. All mechanical equipment, including any located on the roof of either building, shall be screened to the greatest extent possible.
 5. Any signage proposed for use on building "B" shall be submitted to the Land Use Administrator for review and approval prior to the issuance of any permits. The Administrator shall review the signage for any potential incompatibilities with the neighborhood to the east.

USUAL CONDITIONS:

1. A Concomitant Zoning Agreement (CZA), incorporating the conditions of approval imposed, shall be executed and recorded prior to final reading of the ordinance reclassifying the property.
2. Prior to preparation of the CZA, the applicant shall furnish to the City Attorney documentation verifying the current ownership of the property to be classified.
3. The effective date of the site plan approved herein shall be the date of the Examiner's decision provided, however, in the event the decision is appealed, then in that event the effective date shall extend from the date that the decision on appeal becomes final.

LEGAL DESCRIPTION

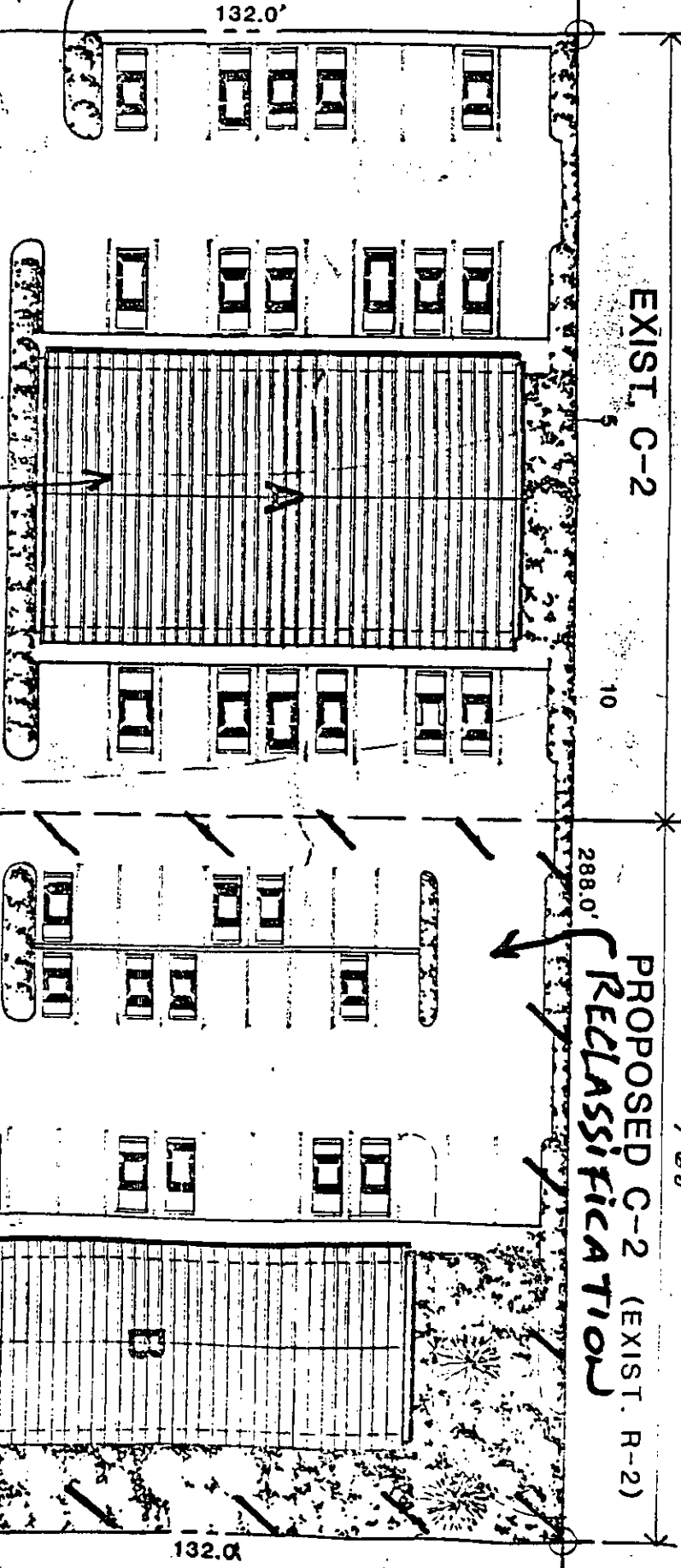
Beginning at the intersection of the east line of Pacific Avenue, as laid out by the City of Tacoma before widening, with the south line of the northeast quarter of the southeast quarter of the northwest quarter of Section 33, Township 20 North, Range 3 East of the W.M.; thence on said east line of Pacific Avenue, north 132 feet; thence east parallel with the south line of said subdivision, 300 feet, more or less, to the north and south center line of said subdivision; thence south along said center line, 132 feet to the south line of said subdivision; thence west along said south line of said subdivision, 300 feet, more or less, to the point of beginning. EXCEPT portion taken for widening of Pacific Avenue and except the westerly 120 feet of the above described property.

PACIFIC AVENUE

ATTACH "A"

LUNDSTROM, Inc

File # 120.1322



INTER-DEPARTMENTAL COMMUNICATION

TO: Kathlyn C. Mills
Principal Planner
Land Use Administration

FROM: Benjamin J. Thompson, P.E.
City Engineer

SUBJECT: Lundstrom, Inc.
Reclassification No. 120.1322
Northeasterly corner of Pacific Avenue and South 86th Street extended

DATE: December 7, 1990

We have reviewed the subject request and recommend the following conditions of approval:

1. The applicant shall maintain a minimum of 30 feet of clearance along the south property line by adjusting the location of building B. This will allow for possible future extension of South 86th Street.
2. The width and location of all driveways serving the site shall comply with the Driveway Ordinance No. 20966 and must be approved by the Traffic Engineer. Typical driveways accessing commercial properties are 30 feet in width. Aisleways within the site shall be a minimum of 20 feet in width. Circulation shall be two-way throughout the site and shall be designed for single-unit vehicle use.

All existing driveways that will not be used shall be removed and new cement concrete curb, gutter and sidewalk constructed in their place.
3. The parking area shall be constructed to meet parking lot development standards. The design, including paving and striping, shall be approved by the Traffic Engineer.
4. The required number of handicap parking stalls shall be shown on the site plan. Handicap parking stalls are required to be located directly adjacent to the building they serve.
5. Erosion control measures shall be constructed for each lot to prevent sediment from entering the City storm system, right-of-way, and adjacent property during and following construction. An erosion control plan shall be submitted with the building permit application for City review.

6. All storm drainage shall be collected and conveyed to the City storm sewer in Pacific Avenue in compliance with the City reviewed drainage plan. The storm drainage shall be directed to a new manhole constructed over the existing storm sewer. The drainage plan shall be submitted with the building permit application.
7. A sanitary sewer in-lieu of assessment charge shall be paid prior to any connection to the City sewer.
8. All buildings shall be connected to the City sanitary sewer at the building construction stage. Permits for this work shall be obtained.
9. The applicant shall grant, to the City of Tacoma, all necessary sewer easements.
10. Any utility construction, relocation, or adjustment costs shall be at the applicant's expense.
11. The applicant shall provide a refuse collection system to serve the site as approved by the Refuse Utility Division. Approval of the proposed collection system shall be obtained prior to the hearing date.

The City of Tacoma recommends that the owner set aside an area, on site, for the collection of recyclable materials such as cardboard, glass, and aluminum. The owner may contact the Refuse Utility Division, at 591-5543, for a list of independent recycling companies which may be contacted to arrange for pick up of these recyclable items.


12. Prior to obtaining a building permit, the applicant shall contact the appropriate City departments to make the necessary arrangements for all required improvements. The required departmental approvals shall be acquired from, but not necessarily limited to, City Light (383-2471), City Water (383-2471), Public Works (591-5525), and Planning (591-5363).
13. The applicant shall be advised that the alignment, grade and other design elements of all improvements within public right-of-way must be approved by the City Engineer.

With the development of the project, the applicant shall be responsible for adverse impacts to other property abutting the project. The project shall be designed to mitigate impacts including, but not limited to, discontinuities in grade, abrupt meet lines, access to driveways and garages, and drainage problems. When encroaching on private property, the project engineer shall be

Kathlyn C. Mills
December 7, 1990
Page Three

responsible to obtain a construction permit from the property owner. The design shall be such that adverse impacts are limited as much as possible. When they do occur, they shall be addressed by the project engineer.

14. The applicant further agrees and understands that prior to obtaining a temporary certificate of occupancy, the required off-site improvements shall be constructed or the applicant shall provide to the City of Tacoma a performance bond or other financial security, as approved by the City Attorney, guaranteeing the completion of such improvements. A final certificate of occupancy will not be issued until such improvements are completed.
15. The applicant is advised that, in accordance with City Ordinance No. 24493, cement concrete sidewalk shall be constructed on all street frontages abutting the site. Sidewalk construction may be delayed until the time of building permit application. All damaged or defective sidewalk shall be removed and new cement concrete sidewalk installed in its place.


BENJAMIN J. THOMPSON, P.E.
City Engineer

BJT:FJD:sj

cc: Construction Division
Engineering Division: Gary Wheeler
Pat Baughman
Police Traffic Services Division
Refuse Utility Division
Sewer Utility Division:
Traffic Engineering Division

Boyd Lundstrom
c/o Lundstrom, Inc.
P.O. Box 98009
Tacoma, WA 98498

File: DPW #93

OS2942G.955F



ATTACH. C

MEMORANDUM

DATE: November 26, 1990

TO: E. E. Coates, Director of Utilities

FROM: Kenneth F. Olson, Superintendent, Water Division

SUBJECT: RECLASSIFICATION NO. 120.1322 - LUNDSTROM, INC.

LOCATION: PACIFIC AVENUE AND SOUTH 86TH STREET EXTENDED

Both Light and Water Divisions have reviewed the subject request.

The Light Division states that any relocation of existing equipment will be at the developer's expense. Electrical service may be required to be underground per City of Tacoma Council Resolution No. 19022.

The Water Division comments that fire protection must comply with the requirements of the Uniform Fire Code and Water Division standards and specifications. The proposed structures must be designed and built so that the fire flow required to protect them does not exceed the flow available in the adjacent water distribution system.

KFO/RWC/RVW17/pls

(Lundstrom, Inc. No. 120.1322)
November 1, 1990
Page Two

ATTACH. "D"

cc: Public Works Department (8)
Public Utilities (4)
Fire Department
Health Department, Steve Marek EH-3128 (3)
Police Department
Human Rights Department
Human Development Department
Community Development Department
Pierce Transit
U.S. West Communications - Attn: BIC Clerk
Washington Natural Gas Company
Planning Department, Design Section

RESPONSE	
<input type="checkbox"/>	No objections
<input checked="" type="checkbox"/>	Comments attached
<u><i>My Murray</i></u>	
Signature	
<u>11-21-90</u>	<u>FIRE</u>
Date	Dept.

DUE TO DEPTH OF LOT, THE FIRE CODE WILL REQUIRE AT LEAST ONE HYDRANT NEAR BLDG. B, PROBABLY AT SOUTH PARKING ISLAND BETWEEN BLDGS A & B. MAIN SUPPLYING HYDRANT TO BE INSTALLED PER WATER DIVISION REQS.

(Lundstrom, Inc. No. 120.1322)
November 1, 1990
Page Two

● ATTACH. "E"
NOV 16 1990

PLANNING DEPARTMENT

- cc: Public Works Department (8)
- Public Utilities (4)
- Fire Department
- Health Department, Steve Marek EH-3128 (3)
- Police Department
- Human Rights Department
- Human Development Department
- Community Development Department
- Pierce Transit
- U.S. West Communications - Attn: BIC Clerk
- Washington Natural Gas Company
- Planning Department, Design Section

RESPONSE

No objections

Comments attached

Ellen [Signature]

Signature

11/16/90 *C. D.*

Date Dept.

Should attempt to establish communications with residents in the area to discuss proposed request.

City of Tacoma
Planning Department
9th Floor, Tacoma Municipal Building
747 Market Street
Tacoma, WA 98402

TO: All Concerned Agencies and Departments

FROM: *KCM* Kathlyn C. Mills
Principal Planner
Land Use Administration

SUBJECT: Reclassification No. 120.1322
Lundstrom, Inc.

DATE: November 1, 1990
LC

Applicant or Contact Person:

Boyd Lundstrom
c/o Lundstrom, Inc.
P.O. Box 98009
Tacoma, WA 98498
Phone: (206) 584-2000

NOV 1 1990
PLANNING DEPARTMENT

REQUEST: A reclassification from "R-2" One-Family Dwelling District to "C-2" Commercial District to allow the development of two retail/office buildings.

LOCATION: Northeasterly corner of Pacific Avenue and South 86th Street extended

SIZE: Overall site .87 acre - (38,016 square feet) - reclassification 18,216 square feet.

PURPOSE OF REQUEST: To allow the development of two, 3-story retail commercial/office buildings containing 12,000 square feet of gross floor area. The westerly 120 feet of the site is presently zoned "C-2" Commercial District. The easterly 168 feet is presently zoned "R-2" One-Family Dwelling District and requires reclassification to allow its development under the proposal. A total of 60 off-street parking stalls are proposed to serve the site.

ACCESS: Via one driveway from Pacific Avenue abutting on the west.

ADDITIONAL INFORMATION: The "C-2" Commercial District and "R-2" One-Family Dwelling District were established in 1953.

PROPERTY DESCRIPTION: Beginning at the intersection of the east line of Pacific Avenue, as laid out by the City of Tacoma before widening, with the south line of the northeast quarter of the southeast quarter of the northwest quarter of Section 33, Township 20 North, Range 3 East of the W.M.; thence on said east line of Pacific Avenue, north 132 feet; thence east parallel with the south line of said subdivision, 300 feet, more or less, to the north and south center line of said subdivision; thence south along said center line, 132 feet to the south line of said subdivision; thence west along said south line of said subdivision, 300 feet, more or less, to the point of beginning. EXCEPT portion taken for widening of Pacific Avenue and except the westerly 120 feet of the above described property.

Preliminary determination indicates the project will not result in an action significantly affecting the quality of the environment and, therefore, will not require a detailed environmental impact statement to accompany the process.

Your comments and/or recommendations are requested by November 30, 1990.

KCM:PK:vg

Attachment(s)

exception, the following information shall be submitted:

- a. A narrative describing how the proposal is consistent with the criteria listed above,
- b. A colored rendering or drawing, to scale, showing the proposed signs and how they relate to development in the area and on the subject property. (Ord. 24230 § 1; passed Nov. 15, 1988; Ord. 24026 § 5; passed Feb. 2, 1988; Ord. 23909 § 6; passed Aug. 4, 1987; Ord. 23401 § 3; passed May 28, 1985).



13.06.290 C-2 commercial district — Use — Height — Area — Parking and loading regulations. The following are the regulations of the "C-2" Commercial Districts:

A. USE REGULATIONS.

A building, structure or land shall be used and a building or structure hereafter built, altered or enlarged, shall be used for only the following permitted uses:

- 1. Any use permitted in the "C-1" Commercial District.
- 2. Auditoriums.
- 3. Automobile, truck and trailer sales establishments, as well as sales establishments for boats, motorcycles, snowmobiles, all-terrain vehicles and other recreational vehicles. Servicing and repair of vehicles shall be permitted as an accessory use to such sales establishments or as an independent use, provided all servicing and repair of vehicles shall be conducted entirely within the building and when any structure or portion thereof, wherein the servicing or repair of vehicles is conducted, is located within fifty (50) feet of a dwelling district, there shall be no openings in the building walls facing the boundaries of the dwelling district other than stationary windows, except where the building walls abut streets or alleys.
- 4. Baseball or football stadium.
- 5. Baths, public.
- 6. Battery repairing.
- 7. Bicycle repair shop.
- 8. Billiard hall and bowling alley.
- 9. Blueprinting and photostating.
- 10. Business college.
- 11. Cabinet shop, conducted within the building as a retail business only and in which not more than three thousand board feet of lumber may be stored.
- 12. Clothes cleaning and pressing establishments (excluding dyeing on the premises).
- 13. Department store.
- 14. Express office.
- 15. Fish market, retail.
- 16. Feed and seed store, conducted entirely within the building.
- 17. Furniture store.
- 18. Garden supplies store or florist shop, including greenhouse, as a

13.06.290 ZONING AND PLATTING

retail business.

19. Harness shop or leather goods or luggage store.
20. Ice storage building, not more than five tons in capacity.
- 20.5 Packaging and distribution of cosmetics, drugs, pharmaceutical products, perfume, and toiletries conducted within a building not to exceed five thousand square feet in floor area.
21. Pawnshop.
22. Pet shop, provided that:
 - (1) The operation be enclosed and conducted entirely within the building with odors and noise effectively confined to the premises.
 - (2) Such a use be located no closer than twenty feet from any residential dwelling district.
23. Plumbing or sheet metal shop, conducted entirely within the building.
24. Printing, lithographing and publishing.
25. Private club, lodge or fraternal organizations operated as a commercial enterprise.
26. Public garage, including usual automobile repairs and servicing conducted entirely within the building. When a public garage is within fifty feet of a Dwelling District there shall be no openings in the building walls facing the boundaries of the Dwelling District other than stationary windows, except where the building walls abut streets or alleys.
27. Restaurant, tea room, cafeteria, including drive-in restaurant and establishments where alcoholic beverages are served as permitted by law.
28. Retail stores and shops.
29. Secondhand store or antique shop, conducted entirely within the building.
30. Laundries.
31. Sign painting shop, conducted entirely within the building.
32. Signs and billboards as permitted by ordinance and codes of the City of Tacoma.
- 32.5 Skating rinks.
- 32.7 Storage and treatment facilities for hazardous wastes, on-site only, subject to the state locational standards adopted pursuant to the requirements of Chapter 70.105 RCW and the provisions of any groundwater protection ordinance of the City of Tacoma as applicable.
33. Storage building for household goods.
34. Studio, music, art, voice, etc. (excluding motion picture studios).
35. Tavern, any establishment with special space and accommodation for sale by the glass and for consumption on the premises of beer and/or wine.
36. Tire shop, conducted within the building.
37. Tourist court, camp or motel, trailer court.
38. Undertaking establishment.
39. Upholstering shop or interior decorating store.

40. Welfare organizations including missions.

41. Accessory uses and buildings customarily incident to the above retail stores, shops and businesses and permitting only such incidental processing, manufacturing, assembling or treatment of products as is necessary to prepare retail goods sold only on the premises.

42. Fuel oil agencies, excluding the storage of any type of fuel oil, and excluding fuel oil loading and distribution equipment, and excluding the storage and parking of fuel oil distribution trucks, provided, however, that automobile service stations may distribute, by retail sale at the station, stove oil from aboveground storage facilities, of a capacity not to exceed two hundred seventy-five gallons, located at the premises.

43. Miniature golf courses. Yard space other than required front and side yards may be used for this use.

44. Veterinary out-clinic, provided that:

(1) The operation be conducted entirely within a building with a gross floor area not to exceed fifteen hundred square feet and with no exterior openings in the areas or rooms where animals are confined or treated.

(2) No overnight boarding or hospitalization is permitted except in cases of emergency.

(3) Odors and noise are effectively confined to the premises.

(4) Such a use be located no closer than twenty feet from any residential dwelling district.

45. Automatic car washing facilities and self-service car washing facilities, as independent establishments, in accordance with provisions of Section 13.06.377.

46. Group Care Homes Class I for the care of not more than twenty residents.

47. Group Care Homes Class II for the care of not more than eight residents.

B. HEIGHT REGULATIONS.

A building, structure, or portion thereof, hereafter erected, shall not exceed a height of forty-five feet.

C. AREA REGULATIONS.

A building or structure hereafter built, enlarged or moved shall provide the following yards and lot areas:

1. **Front Yard.** Where all the frontage is located in the "C-2" Commercial District no front yard is required. Where the frontage is partly in the "C-2" Commercial District and partly in a Dwelling District, the front yard requirement of the Dwelling District shall apply in the "C-2" Commercial District.

2. **Side Yard.** Where the side of a lot in the "C-2" Commercial District abuts the side of a lot in a Dwelling District there shall be a side yard of not less than seven and one-half feet in width.

Where the rear lot line of a corner lot abuts the side of a lot in a Dwelling



DETERMINATION OF ENVIRONMENTAL NONSIGNIFICANCE

Please type or print and submit in Triplicate to Planning Department.

TO BE FILLED IN BY APPLICANT:

Description of proposal: Partial reclassification and Site Plan review ¹⁶⁸ ~~10-31-90~~ ^{8PK} extending the existing C-2 zoning approximately ~~437~~ ¹⁶⁸ ft. east to allow construction of 2 commercial structures consisting of 12,000 S.F. total, on a .87 acre parcel.

Proponent/Applicant: Lundstrom, Inc.

a. Contact person: Kenneth A. Jones, Consultant Phone: 588-8712

City action(s) requested: Reclassification, Site Plan review, building permit ^{APK}

Location of proposal, including street address, if any: 8433-39 Pacific Ave., NE corner ¹⁰⁻³¹⁻⁹⁰ of 86th and Pacific in Sec. 33, T. 20 N., R. 3 E.

AGENCY USE ONLY:

Lead agency CITY OF TACOMA

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This section to be used only for DNS's issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 15 days. Comments must be submitted by _____ for agency consideration.

Responsible official: George A. Hoivik

Position/title: DIRECTOR Phone: 591-5363

Department/division: PLANNING

Signature: [Signature] Date: 11-1-90

SEPA Public Information Center:

Approved as to form by:

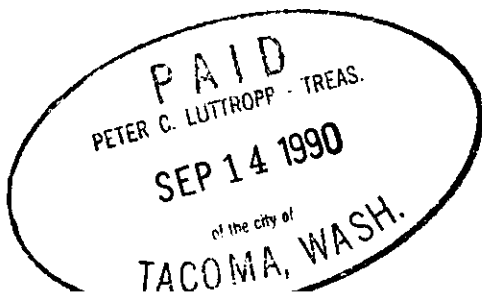
You may appeal this determination to the SEPA Public Information Center, Tacoma Municipal Building, 9th Floor, 747 Market Street, Tacoma, Washington 98402, by filing a notice of appeal together with a \$50.00 filing fee, no later than _____

SEPA PIC Officer: Jimmie M. Lee Date: 11/1/90

SEPA PIC File # DNS-02818-90 Department File # 120.1322

Filing Fee \$ \$50 Account # 34198

WBB 0510



ENVIRONMENTAL CHECKLIST

Purpose of Checklist

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help you describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (WAC 197-11-960 PART D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: Lundstrom Property
2. Name of applicant/Proponent: Lundstrom, Inc.
3. Address and phone number of applicant and contact person. Appl: P.O. Box 98009 Tacoma, 98498, Ph: 584-2000/Contact: 5515 Steilacoom Blvd. SW Ph: 588-8712
4. Date checklist prepared: 8-29-90
5. Agency requesting checklist: City of Tacoma
6. Proposed timing or schedule (including phasing, if applicable): From time of approval: Bldg. "A" - 2 yrs., Bldg. "B" - 3 yrs.
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. Not at this time.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. None.
9. Do you know whether applicants are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. No.
10. List any government approvals or permits that will be needed for your proposal, if known. Partial reclassification, Site Plan review and all construction related permits and approvals.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. To allow construction of 2 retail commercial structures consisting of 12,000 S.F. on a .87 acre parcel. Bldg. "A" - 9,000 S.F., Bldg. "B" - 3,000 S.F.
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. 8433-39 Pacific Ave. NE Cor. of 86th & Pacific Ave. in Sec. 33, T. 20 N., R. 3. E.

B. ENVIRONMENTAL ELEMENTS

TO BE COMPLETED BY APPLICANT

EVALUATION FOR
AGENCY USE ONLY

1. Earth

- a. General description of the site (circle one):
Flat, rolling, hilly, steep slopes, mountainous,
other Gentle slope to rear of property.
- b. What is the steepest slope on the site
(approximate percent slope)? Less than 5%.
- c. What general types of soils are found on the
site (for example, clay, sand, gravel, peat,
muck)? If you know the classification of
agricultural soils, specify them and note
any prime farmland. Alderwood gravelly sandy loam.
- d. Are there surface indications or history of
unstable soils in the immediate vicinity
If so, describe. No.
- e. Describe the purpose, type, and approximate
quantities of any filling or grading proposed.
Indicate source of fill. Only a slight
amount of on-site grading will be
required for building foundations
and parking areas.
- f. Could erosion occur as a result of clearing,
construction, or use? If so, generally
describe. Not likely.
- g. About what percent of the site will be covered
with impervious surfaces after project construc-
tion (for example, asphalt or buildings)?
78%

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Normal careful site preparation and construction practices.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known. Temporary dust during construction period.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. Vehicle emissions from adjacent arterial.

c. Proposed measures to reduce or control emissions or other impacts to air, if any. None proposed.

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. No.

NOTE:

AN erosion control plan will be required AS A condition of approval should the reclassification be Authorized. APE 10-31-90

NOTE:

NO significant, long-term impacts ARE ASSOCIATED with the proposal. APE 10-31-90

- 2) Will the project require any work, in, or adjacent to (within 200 feet) of the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No.

TO BE COMPLETED BY APPLICANT

EVALUATION FOR AGENCY USE ONLY

- ___ crop or grain
- ___ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ___ water plants: water lily, eelgrass, milfoil, other
- ___ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Most existing vegetation will be removed to allow for structures and parking areas.

c. List threatened or endangered species known to be on or near the site.

None.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Perimeter supplemental landscaping will be utilized for screening and buffers.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

None observed.

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish,
other:

None.

b. List any threatened or endangered species known to be on or near the site.

None.

NOTE:
A Landscaping plan will be required AS A CONDITION OF APPROVAL should the reclassification be authorized. The Landscaping plan may require the provision of substantial screening along the easterly northerly & southerly property lines.
AKK 10-31-90

c. Is the site part of a migration route? If so, explain.
No.

d. Proposed measures to preserve or enhance wild-life, if any:
None proposed.

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs: Describe whether it will be used for heating, manufacturing, etc.
Electricity or natural gas for heating.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.
No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
As required by the City of Tacoma Energy Code.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.
No.

1). Describe special emergency services that might be required:
N/A

- 2) Proposed measures to reduce or control environmental health hazards, if any:
None proposed.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
Vehicle noise from Pacific Ave.

- 2) What types and levels would be created by or associated with the project on a short-term or long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.
Short-term: Construction related. Long-term: Increased traffic on Pacific Ave.

- 3) Proposed measures to reduce or control noise impacts, if any:
None proposed.

8. Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?
Mixed residential, commercial and multi-family.

- b. Has the site been used for agriculture? If so, describe.
No.

- c. Describe any structures on the site.
N/A

NOTE: Construction activity shall be permitted during normal working hours (7:30 am to 6:00 pm) ATK. 10-31-90

- d. Will any structures be demolished? If so, what?
No.
- e. What is the current zoning classification of the site?
West 150 ft., C-2
East 138 ft., R-2
- f. What is the current comprehensive plan designation of the site?
"Medium Intensity"
- g. If applicable, what is the current shoreline master program designation of the site?
N/A
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.
No.
- i. Approximately how many people would reside or work in the completed project?
75-100
- j. Approximately how many people would the completed project displace?
None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None needed..
- l. Proposed measures to ensure the proposal is compatible with existing and projected land use and plans, if any: Binding Site Plan approval. Use of buffers and screening.

NOTE:
The westerly 120 feet of the site is zoned "C-2" Commercial District.
APK 10-31-90

NOTE:
The site has been designated as suitable for "medium intensity" development under the City's Generalized Land Use Plan which was adopted in 1980.
APK 10-31-90

NOTE:
The request must be found consistent with the City's Land Use Management Plan and the regulations set forth in Chapter 13.06 of the City's Official Code.
APK 10-31-90

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
None.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
None.
- c. Proposed measures to reduce or control housing impacts, if any:
None proposed.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
30 ft.
- b. What views in the immediate vicinity would be altered or obstructed?
None.
- c. Proposed measures to reduce or control aesthetic impacts, if any:
Supplemental landscaping & screening
Fencing along rear property line.

note:
The proposed 2-story structures would have metal roofs, stucco siding, fabric awnings.
APK 10-31-90

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? On-site lighting for security purposes and business identification.
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No.

c. What existing off-site sources of light or glare may affect your proposal? Lights from other businesses and vehicle traffic along Pacific Ave.

d. Proposed measures to reduce or control light and glare impacts, if any: Proposed lighting will be directed away from adjacent residential uses.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

None.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

None proposed.

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

No.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A

c. Proposed measures to reduce or control impacts, if any: None needed.

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any. 1 driveway access to Pacific Ave. as shown on Site Plan.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop? Yes.

c. How many parking spaces would the completed project have? How many would the project eliminate? 42/None.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private). Not likely.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. N/A

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur. 400-600

NOTE:
A Total of 60 off-street parking stalls are proposed & 42 stalls are required under section 13.06.350 of the City's zoning code.
ATK 10-31-90

NOTE:
The City of Tacoma Public Works Department may require only off-site improvements as a condition of approval should the reclassification be authorized.
ATK 10-28-90

NOTE:
Per the I.T.E. Trip Generation manual, the project will generate approximately 410 vehicular trips per day.
ATK 10-31-90

g. Proposed measures to reduce or control transportation impacts, if any:

As required for condition of approval.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe. Only a slight increase in the need for fire & police protection.

b. Proposed measures to reduce or control direct impacts on public services, if any.

None proposed.

16. Utilities

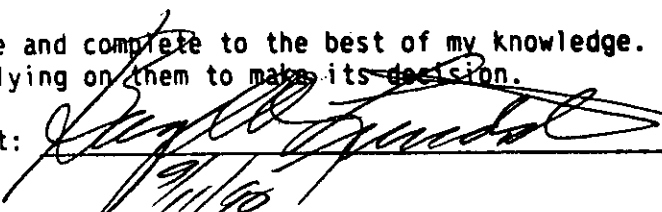
a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

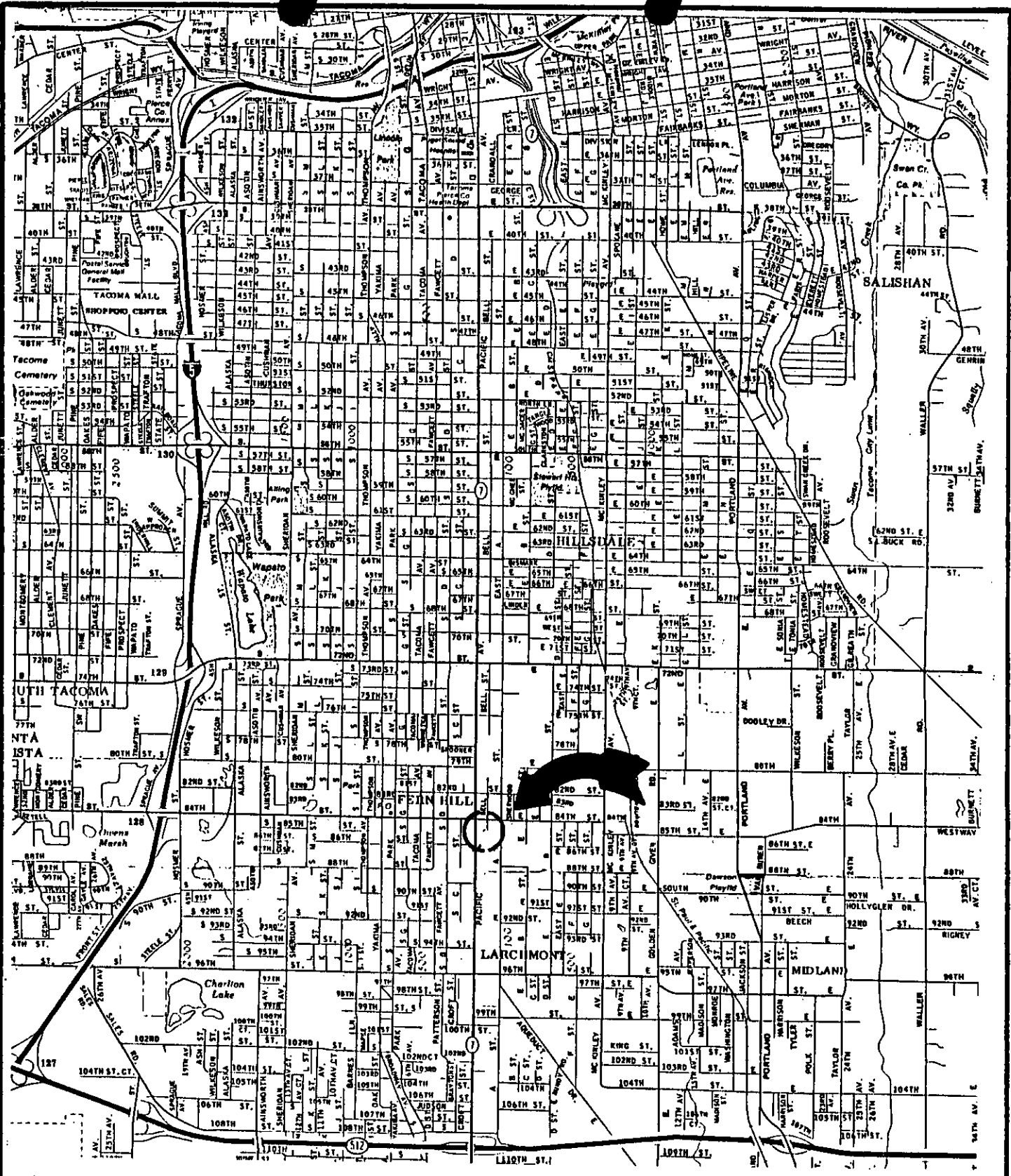
Electricity, Water, Sewer, Refuse, by City of Tacoma, Telephone - U.S West. Natural Gas- Washington

C. Signature Natural Gas.

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature of Proponent: 

Date Submitted: 7/11/90



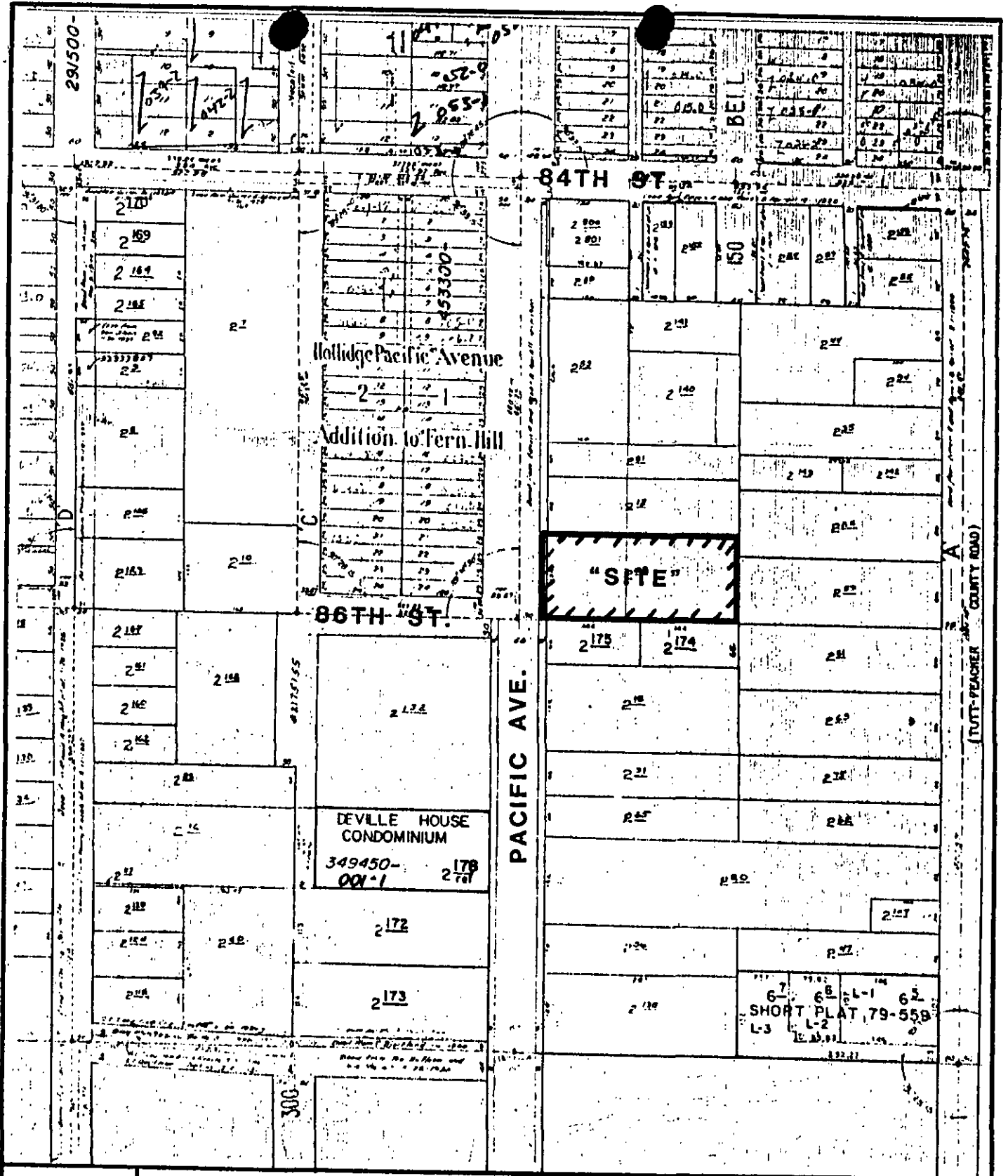
K
A
J

VICINITY MAP



NORTH

LUNDSTROM PROPERTY



K
AJ

SITE MAP



LUNDSTROM PROPERTY

- LEGAL DESCRIPTION -

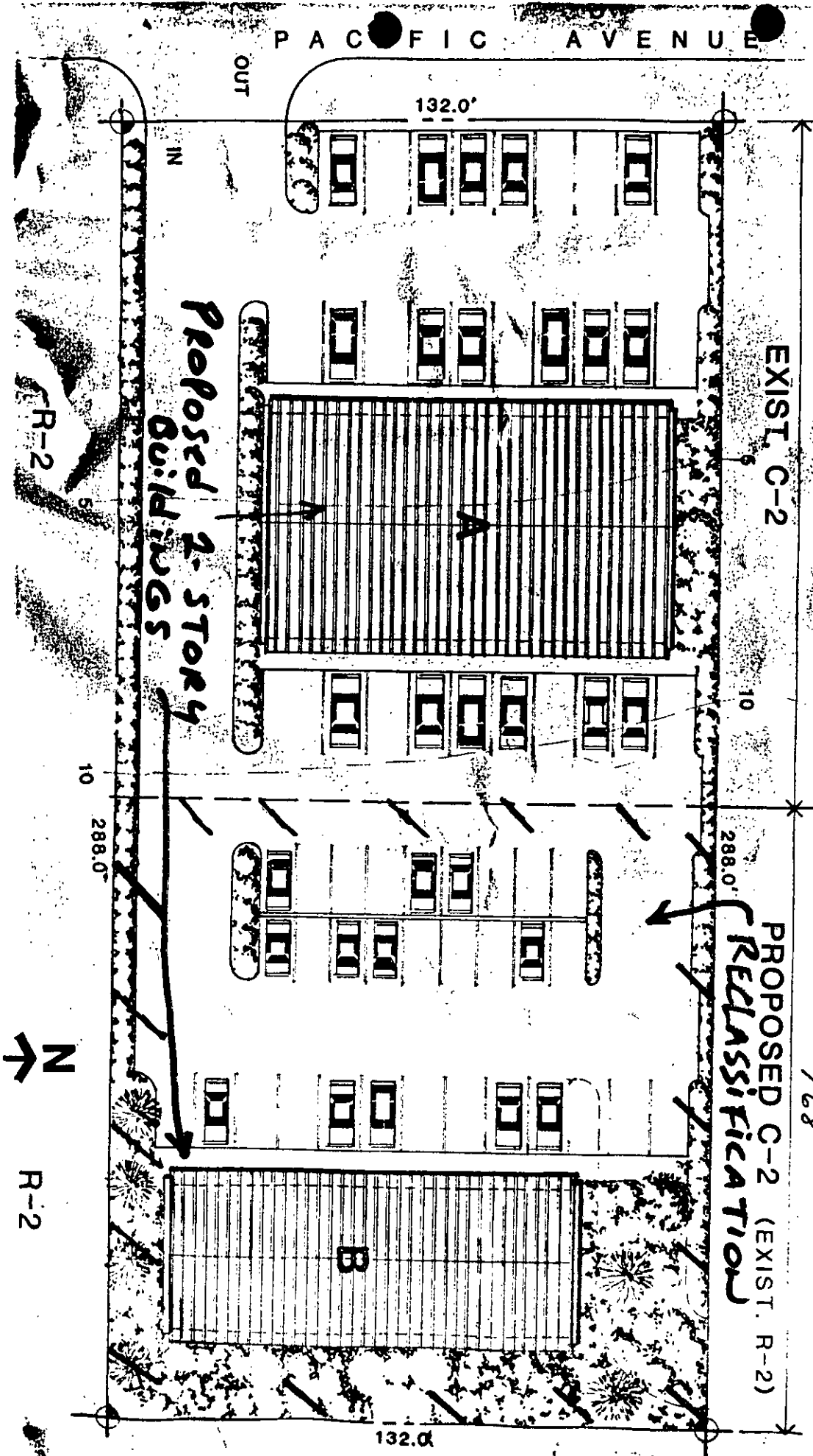
Lundstrom Property
86th & Pacific

Beginning at the intersection of the east line of Pacific Avenue, as laid out by the City of Tacoma before widening, with the south line of the northeast quarter of the southeast quarter of the northwest quarter of Section 33, Township 20 North, Range 3 East of the W.M.; thence on said east line of Pacific Avenue, north 132 feet; thence east parallel with the south line of said subdivision, 300 feet, more or less, to the north and south center line of said subdivision; thence south along said center line, 132 feet to the south line of said subdivision; thence west along said south line of said subdivision, 300 feet, more or less, to the point of beginning. EXCEPT portion taken for widening of Pacific Avenue.

PACIFIC AVENUE

LUNDSTROM, Inc

File # 120.1322



EXIST. C-2

C-2

PROPOSED C-2 (EXIST. R-2) RECLASSIFICATION

R-4-L

Proposed 2-Story BUILDINGS

R-2

N

R-2

132.0'

168'

120'

288.0'

10'

10' 288.0'

132.0'

8040

120.338

18045

ORDINANCE NO.

AN ORDINANCE relating to zoning, and amending Chapter 13.06 of the Official Code of the City of Tacoma, Washington, by deleting certain described property from Section 13.06.040 and by adding a new section to be known as Section 13.06.065(53).

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 13.06 of the Official Code of the City of Tacoma, Washington, be and the same is hereby amended by adding thereto a new section to be known as Section 13.06.065(53) to read as follows:

13.06.065(53) ADDED to R-4-L DISTRICT. The following property shall be included in the "R-4-L" Low Density Multiple-Family Dwelling District:

Beginning on the east line of Pacific Avenue at a point 132 feet north of the south line of the North-east Quarter of the Southeast Quarter of the North-west Quarter of Section 33, Township 20 North, Range 3 East; thence north along said east line of Pacific Avenue a distance of 132 feet; thence east and parallel to the south line of said subdivision a distance of 287 feet more or less to the east line of the west half of said subdivision; thence south along said east line a distance of 132 feet; thence west and parallel to the south line of said subdivision a distance of 287 feet more or less to the point of beginning. Except the west 120 feet thereof and except the east 30 feet thereof.

Section 2. That the above-described property be and is hereby deleted from Section 13.06.040 of the Official Code of the City of Tacoma, Washington.

Passed APR 19 1968

H. M. TOLLEFSON
Mayor

Attest JOSEPHINE MELTON
City Clerk

Location: Between Pacific Avenue and Bell Street extended approximately 400 feet south of South 84th Street.

Approved by Planning Commission after public hearing. This is a reclassification from an "R-2" One-Family Dwelling District. Application submitted by Television Service Center.

120.338

RESOLUTION NO. 18659

WHEREAS, a request has been received for the rezoning of the following described property from an "R-2" One-Family Dwelling District to an "R-4-L" Low-Density Multiple Family Dwelling District, to wit:

Beginning on the east line of Pacific Avenue at a point 132 feet north of the south line of the North-east Quarter of the Southeast Quarter of the North-west Quarter of Section 33, Township 20 North, Range 3 East; thence north along said east line of Pacific Avenue a distance of 132 feet; thence east and parallel to the south line of said subdivision a distance of 287 feet more or less to the east line of the west half of said subdivision; thence south along said east line a distance of 132 feet; thence west and parallel to the south line of said subdivision a distance of 287 feet more or less to the point of beginning. Except the west 120 feet thereof and except the east 30 feet thereof.

and

WHEREAS, the Planning Commission, pursuant to a public hearing, has recommended such change and is therefore requesting a resolution by the City Council setting a date for hearing on the reclassification; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That Tuesday, April 5, 1966, at 4:00 o'clock P.M., is hereby fixed as the time and the Council Chamber in the County-City Building in the City of Tacoma as the place when and where said matter shall be heard and determined.

Adopted MAR 22 1966

H. M. TOLLEFSON
Mayor

Attest JOSEPHINE MELTON
City Clerk

Location: Between Pacific Avenue and Bell Street extended approximately 400 feet south of South 84th Street.
Recommended by Planning Commission vote of 5-0 (4 absent).
Application submitted by Television Service Center, Inc.

ggl

TACOMA CITY PLANNING COMMISSION

City of Tacoma, Washington

March 10, 1966

Honorable Mayor and
Members of the City Council
City of Tacoma, Washington

re: Rezone request,
Television Service Center

At its regular meeting of February 21, 1966, a duly notified continued public hearing, the City Planning Commission recommended approval of the reclassification of the below described property from an "R-2" One-Family Dwelling District to an "R-4-L" Low Density Multiple Family Dwelling District.

The applicants have requested the reclassification to allow for an apartment development.

The petitioners' application requested "C-2" Commercial zoning. The Planning Commission voted unanimously (5 - 0, 4 absent) to deny the "C-2" Commercial request and then voted unanimously (5 - 0, 4 absent) to recommend "R-4-L" Low-Density Multiple Family zoning for a majority of the site. Since the applicants chose not to submit a letter agreeing to the recommended "cutback", they were advised of their appeal rights which have since terminated.

PROPERTY DESCRIPTION

Beginning on the east line of Pacific Avenue at a point 132' north of the south line of the NE 1/4 of the SE 1/4 of the NW 1/4 of Section 33, Township 20 N., Range 3 East; thence north along said east line of Pacific Avenue a distance of 132'; thence east and parallel to the south line of said subdivision a distance of 287' more or less to the east line of the west half of said subdivision; thence south along said east line a distance of 132'; thence west and parallel to the south line of said subdivision a distance of 287' more or less to the point of beginning. Except the west 120' thereof and except the east 30' thereof.

LOCATION

Between Pacific Avenue and Bell Street extended approximately 400' south of So. 84th Street.

(continued)

March 10, 1966

Attached herewith are the original application forms and maps filed with the City Clerk.

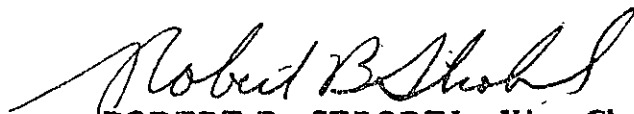
The reasons for the Planning Commission's recommendations are briefly outlined as follows.

REASONS FOR RECOMMENDATION

1. The "R-4-L" zoning will serve as a transitional use between the existing "C-2" Commercial to the west and north and the "R-2" One-Family District to the east.
2. The 257' depth zoning line has been established by prior reclassifications along the east side of Pacific Avenue in this immediate vicinity to allow for the possible future extension of Bell Street.
3. "R-4-L" zoning is "in keeping" with past actions by the Planning Commission regarding apartment zoning along Pacific Avenue and within this immediate vicinity.
4. Such a location is compatible with the "Intent" clause of the "R-4-L" District.

Yours truly,

TACOMA CITY PLANNING COMMISSION

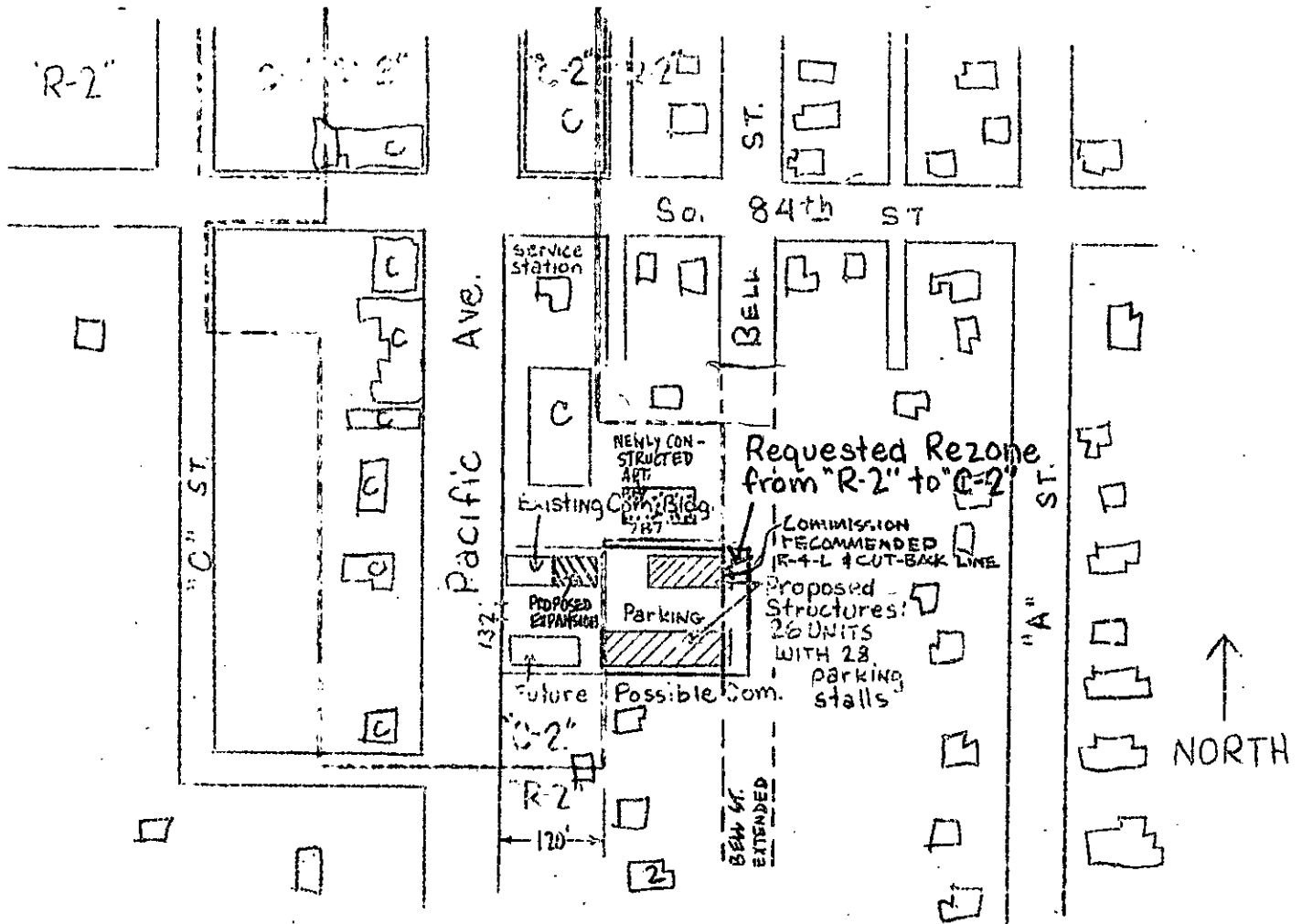


ROBERT B. STROBEL, Vice Chairman

cc: City Manager
cc: Building Inspector

RECLASSIFICATION

Television Service Center Inc. - reclassification of the below described property from an "R-2" Single-Family Dwelling District to a "C-2" Commercial District between Pacific Ave. and Bell St. extended, approximately 400' South of So 484th St.

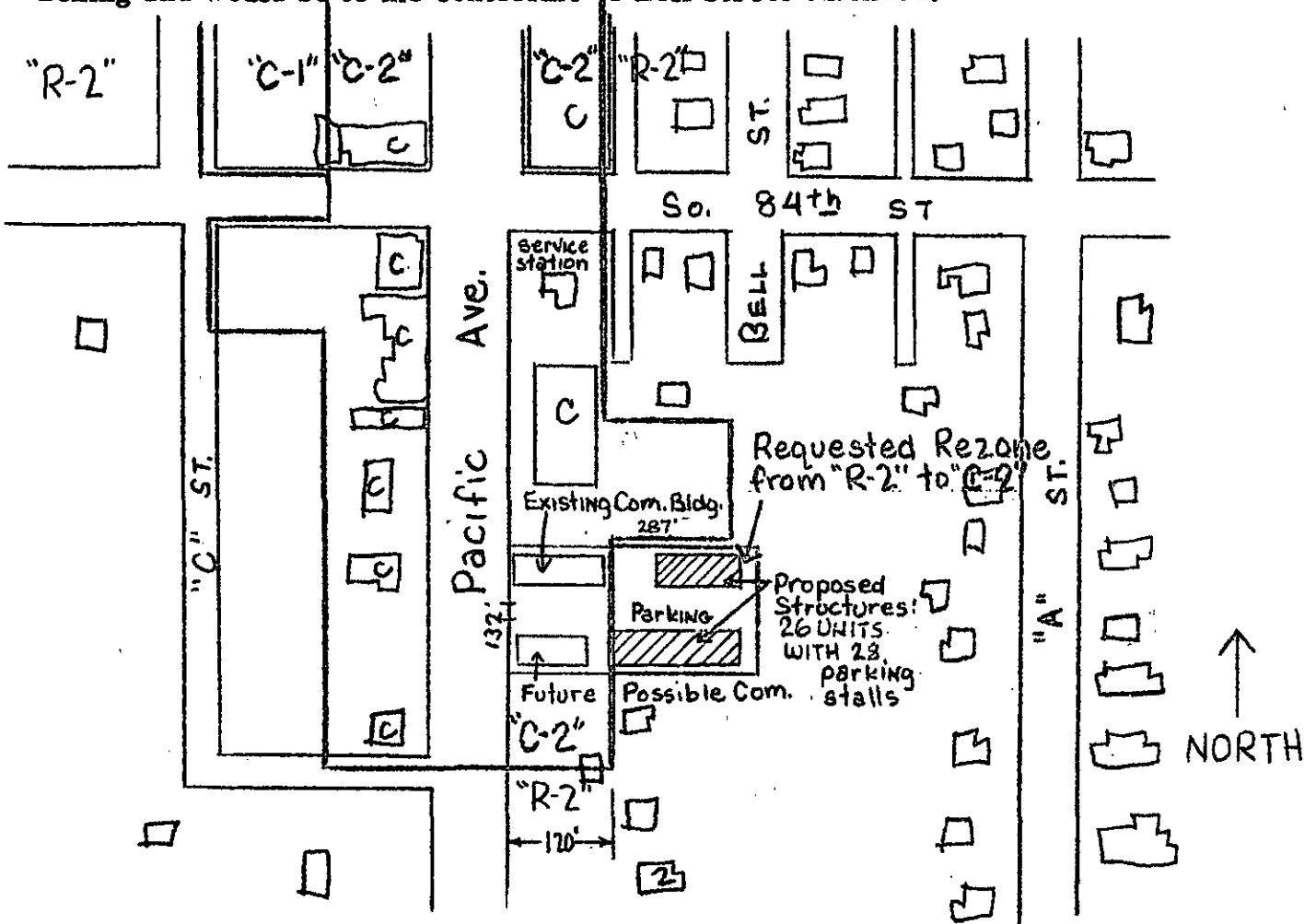


Recommendation: By a vote of 5-0, (4 absent) the Planning Commission recommended DENIAL of the "C-2" Commercial request and recommended the above "R-4-L" Low Density Multiple Family zoning for the reasons noted in its attached letter to the Council dated March 10, 1966.

Note: Since the above "C-2" Commercial request was not appealed by the applicant, the "R-4-L" Low Density Multiple Family Dwelling District zoning classification was advertised by the City Clerk.

1. Television Service Center, Inc. - reclassification of the below described property from an "R-2" Single-Family Dwelling District to a "C-2" Commercial District, between Pacific Avenue and Bell Street extended approximately 400' south of So. 84th Street.

Status: The applicant proposes to construct two (2) apartment structures containing a total of 26 units and having 28 off street parking stalls. The access as shown on the below diagram is from Pacific Ave. and the structures are to be located to the rear of an existing commercial building and a proposed structure containing future shops. The ownership is 132'x287', the west 120' of which is presently zoned "C-2". The applicant's request would allow for an additional 167' of "C-2" commercial zoning and would be to the centerline of Bell Street extended.



Observations: Field Committee: To be given at meeting.

Planning Staff: Study is still being conducted by the staff on this proposal.