



CITY OF EDGEWOOD REGULAR COUNCIL MEETING AGENDA

Tues., November 27, 2018 – 7:00 pm. ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1. CALL TO ORDER

Pledge of Allegiance, Roll Call, Additions/Deletions

2. PUBLIC HEARINGS

1.  **AB18-054** – Comprehensive Plan Amendments: **(1)** Uchida Farms' applications for a comprehensive plan amendment to change the comprehensive plan land use map designation from Moderate Density Residential to Industrial and a zoning code map amendment from Single-Family Moderate to Industrial for the property located at 8819 Valley Avenue E., Edgewood WA; and **(2)** Lake Chalet's (Project S22) applications for a comprehensive plan amendment to change the comprehensive plan land use map designation from Town Center & Moderate Density Residential to Town Center, and a zoning code map amendment from Single Family Moderate to Town Center & Single Family Moderate, for property located at 10304 24th St. E., Edgewood, WA.
2. **AB18-055** – 2019 Final Budget

3. AUDIENCE COMMENT

4. MAYOR'S REPORT

5.  **CONSENT AGENDA:** *The consent agenda includes items that are routine in nature and are adopted by one motion. Should Council wish to discuss a consent agenda item, the item would be removed from the consent agenda and discussed under Council Business.*

The following items are presented for Council approval:

- A. Regular City Council Meeting Minutes of November 13, 2018
- B. **AB18-056**, a motion approving September 2018 Budgeted Expenditures as follows: Deferred Compensations Program; Payroll Direct Deposit; Dept. of Retirement Systems; Dept. of Labor and Industry; IRS 941 ACHs; and AWC Employee Benefit Trust in the amount of \$72,677.22; and Vendor Check Numbers 23568 through 23583 with EFT Payments in the amount of \$125,649.69. Total distributions submitted for review & authorization in the amount of \$198,326.91

6. COUNCIL BUSINESS

- A.  **AB18-0438**, a motion to adopt Resolution No. 18-0438, approving the Rainier Ridge Estates Final Plat, located at 9810 Taylor Street East, Edgewood, WA.
- B.  **AB18-0534**, a motion to adopt Ordinance No. 18-0534, relating to street vacations, approving that portion of Wyoming Avenue (also known as 115th Avenue E. or 14th Street NE) and 1st Street (also known as 72nd Avenue NE or 1st Street E) within the City of Edgewood, imposing conditions
- C.  **AB18-0535**, a motion to adopt Ordinance No. 18-0535, relating to Land Use and Zoning, amending density and rounding calculations in SF zones with community on-site systems, amending the standards for Residential Cluster Developments in various zoning districts, and amending EMC Sections 18.50.035, 18.80.040, and 18.090.040

- D.  **AB18-0536**, a motion to adopt Ordinance No. 18-0536, relating to land use and zoning, adding new requirements for attached Accessory Dwelling Units (ADUs) amending EMC Section 18.90.190
- E.  **AB18-0437**, a motion adopting Resolution No. 18-0437, relating to the proposed park at 36th and Meridian, approving the publication of a RFQ to solicit responses and qualifications from interested firms/individuals to perform the Phase One park design
- F.  **AB18-057**, a motion confirming the Mayoral recommendation of Andrew Wiesenfeld, Position No. 2; Lora Butterfield, Position No. 3 to the City of Edgewood Economic Development Advisory Board.

7. COUNCIL COMMENTS

8. ADJOURN



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Public hearing pertaining to the proposed annual amendments of the Edgewood Comprehensive Plan		Agenda Item #: AB18-054	
		For Agenda of: November 27, 2018	
		Department: Comm. Dev.	
		Prepared by: Darren Groth	
ATTACHMENTS (list): ☒ AHBL Staff Report with Exhibits			
Review of Materials:			
Mayor, Daryl Eidinger	☒	Expenditure Required:	\$0
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	\$0
City Attorney, Carol Morris	☒	Appropriation Required:	\$0
City Clerk, Rachel Pitzel	☒	Timeline: November 20: Study Session November 27: Public Hearing December 04: Study Session January 8, 2019: Final Action	
Community Development Director, Darren Groth	☒		
Public Works, Jeremy Metzler	☒		
SUMMARY STATEMENT: The City may considered amendments to its Comprehensive Plan once every year. Applications for Comprehensive Plan amendments are submitted before December 31st in order to be considered during the following year's amendment process. In 2017, the City received two applications that met the required deadline to be processed in 2018. Both items were approved by City Council to proceed onto the Final Docket that the City would consider in 2018. The Final Docket consists of project file 17-1549 for the application known as Uchida Farms, which was named after the individual owning the most property within the application area, and project file 17-1550 for the application submitted by Project S22, LLC for their request near Lake Chalet. The Commission unanimously approved the request for file 17-1549, Uchida Farms; however, file 17-1550, Lake Chalet, was approved with a split 3-2 vote. Several of the dissenting voters expressed concern over the fact the 2013 amendment for this site was approved for a less intensive zoning district than the current TC request. The main point was focused on the increased density of the 2013 amendment and what that means in terms of screening and compatibility of adjoining land uses. One question asked if the request could be changed to allow TC up to the parallel road and keep the existing designation (or possibly change to the 2013 designation) on the east side of 104th Ave E. To help process the Final Docket in accordance with state law and the Edgewood Municipal Code (EMC), the City contracted with AHBL to serve as the project manager for this case. The AHBL staff report is attached and includes analysis, findings, and recommendations for each submitted request. The AHBL report was prepared under the direction and guidance of City staff.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: On November 5, 2018, the Planning Commission recommended APPROVAL of both project file 17-1549 and project file 17-1550 by a 5-0 and 3-2 vote, respectively.			
RECOMMENDED ACTION: Hold a public hearing regarding the proposed annual amendment to the Edgewood Comprehensive Plan.			



City of Edgewood, Washington

2224 104th Avenue East, Edgewood WA 98372-1513

Phone: (253) 952-3299 Fax: (253) 952-3537

Staff Report

Comprehensive Plan Amendments

File # 17-1549 & 17-1550

Public Hearing November 27, 2018 at 7:00 PM

To:	City of Edgewood City Council
From:	Wayne Carlson, FAICP, Brittany Port, AICP and Ryan Givens, AICP (Contract Planners)
Date:	November 21, 2018
Subject:	Annual Comprehensive Plan Amendment

Part 1 – Background

Pursuant to RCW 36.70A.130(4), the City of Edgewood must update its comprehensive plan every eight years. The deadline for the next major update is June 2023; however, per Edgewood Municipal Code (EMC) Section 18.60.130, the City may consider amendments to its Comprehensive Plan once every year. Applications for Comprehensive Plan amendments must be submitted on or before December 31st in order to be considered during the following year's amendment process. All applications submitted by the December 31st deadline are identified on the preliminary docket that is maintained by the Planning Director. In 2017, the City received two applications that met the required deadline to be processed on the 2018 docket.

EMC Chapter 18.60 establishes a process and criteria for comprehensive plan amendments. The City Council shall consider the proposed amendment to the development regulations and the Planning Commission recommendation at a regularly scheduled meeting. City Council shall also apply the criteria set forth in EMC 18.60.220, as applicable, in order to make a final decision.

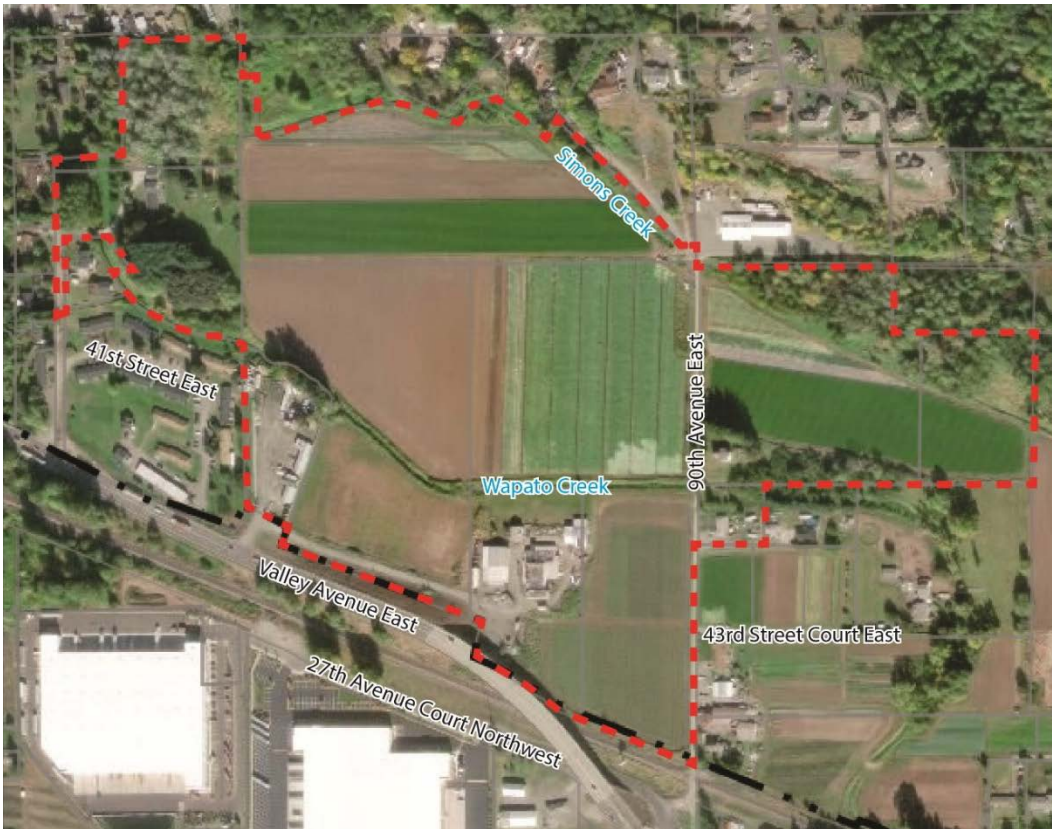
If the city council concludes that no change in the recommendation of the planning commission is necessary, the city council may make a final determination on the proposed amendment(s) without holding another public hearing, and make a final decision.

If the city council concludes that a change in the recommendation of the planning commission is necessary, the city council shall consider whether another opportunity for public review and comment is needed under RCW 36.70A.035(2)(a) and, if so, it shall hold another public hearing before making a final decision.

This annual update includes two citizen-initiated requests for amendments to Comprehensive Plan designations and zoning. The site-specific requests are described in Part 2 of this staff report.

Part 2 – Citizen-Initiated Site-Specific Requests

1. SITE SPECIFIC REQUEST #1 – UCHIDA FARMS



FILE NUMBER: 17-1549 – Uchida Farms

LOCATION: 8819 Valley Avenue East

TAX PARCEL(S): Parcel Nos. 0420163054, 0420163055, 0420163702, 0420163047, 0420163026, 0420163023, 0420163052, 0420162700, 0420165004, 0420166003, 0420175005

APPLICANT: Uchida Farms LLC, 8819 Valley Avenue East, Edgewood, WA 98371

EXISTING COMPREHENSIVE PLAN: Moderate Density Residential

REQUESTED COMPREHENSIVE PLAN: Industrial

EXISTING ZONING: Single-Family Moderate (SF-3)

REQUESTED ZONING: Industrial (I)

REASON FOR REQUEST:

The applicant requests concurrent approval of a Comprehensive Plan Map Amendment to the 2015 Edgewood Comprehensive Plan, Future Land Use Map (FLUM) and a rezoning or zone change to Industrial (I) of eleven (11) tax parcels within the southwest corner of Edgewood immediately adjacent to Valley Avenue East. The applicant states their reason for the request is to develop the property as an industrial complex, and cites the need for additional industrial zoned land in Edgewood as the basis for rezoning the property.

Within the Edgewood/Puyallup/Fife area, there is virtually no vacant industrial space. Since 2005, fifteen (15) new industrial sites have been developed within 1.5 miles of the Uchida Farm LLC site; more than 5.2 million square feet of industrial space has been constructed – with nearly 100% occupancy of the new space.

The rezone of the Uchida Farm LLC property is supported by the existing industrial development in the area, and infrastructure improvements made in the area by adjacent jurisdictions including:

- The City of Fife widened and reconstructed Freeman Road from Valley Avenue to 20th Street.
- The City of Puyallup created, widened and signalized the intersection on Valley Avenue immediately adjacent the Uchida Farm LLC property.
- WSDOT is proposing the extension of Highway 167 from its current terminus at Meridian Avenue to the Port of Tacoma, with an interchange proposed in the immediate vicinity of the Uchida Farm LLC property.

The benefits of the proposed comprehensive plan amendment and development of the Uchida Farms LLC property to the City of Edgewood include acceleration of job creation within the City, spurring: growth within the local housing market and increased tax revenues.

The request may also the cities of Edgewood, Fife, and Puyallup, someday achieve designation as an Industrial Center within Pierce County, making the City eligible for transportation funding from Puget Sound Regional Council.

SURROUNDING ZONING & LAND USE:

The Uchida Farm LLC property is surrounded by the following land uses:

	Zoning	Existing Land Use
North	Single-Family Moderate (SF-3)	Single-family residences located above the project site on top of the hill
South	City of Puyallup, Limited-Manufacturing (ML)	Valley Avenue, industrial development
East	Single-Family Moderate (SF-3)	Single-family residences
West	Single-Family Moderate (SF-3)	Multi-family residences

AVAILABILITY OF UTILITIES:

The Uchida Farms LLC property is located in an area where utilities and infrastructure are readily available. The applicant realizes improvements may be required to fully provide the infrastructure necessary to bring these resources to bear on the proposed industrial development. The applicant will bear the responsibility for the design and installation of the improvements required to meet Edgewood's development codes.

AVAILABILITY OF PUBLIC SERVICES:

There are no known public service deficiencies in this area. The City requires future development proposals to demonstrate service demand and available capacity as part of the permitting process. The applicant has submitted a traffic impact analysis demonstrating that the nearby traffic network has sufficient capacity to accommodate the proposed development. In addition, the applicant recognizes that they may be responsible for the construction of off-site improvements necessary to facilitate their proposed development in accordance with Edgewood's development codes and standards.

SITE CHARACTERISTICS:

While site constraints exist in the form of watersheds, the overall topography of the site lends itself to development of large-scale industrial projects. The conceptual plan for the Uchida Logistics Center offers an initial insight into how the needs of a particular use can be accommodated on a unique site. The site's suitability for the intended development is supported by the substantial amount of development in the immediate area.

CRITICAL AREAS:

The applicant contracted Soundview Consultants LLC to prepare a fish and wildlife habitat and wetland inventory as the City's wetlands inventory map identifies potential wetlands on and adjacent to the subject property. These wetland areas are located along three streams that are mapped as flowing through the property as well as offsite in adjoining agricultural fields or undeveloped land. Pierce County stream maps and DNR stream typing maps identify three streams on and adjacent to the property: Wapato Creek, Simons Creek, and an unidentified Simons Creek tributary in the northwest portion of the property. The site investigation evaluated wetland hydrology, hydrophytic vegetation, and hydric soils to determine standard buffer widths, which include 165 feet for Category II wetlands on the property, and vary from 60-105 feet for Category III wetlands on the property. Wapato Creek, Simons Creek, and the unnamed tributary are Type F streams with a standard buffer of 100 feet. Future on-site industrial development would need to avoid impacts to the critical areas on or adjacent to the site and incorporate these buffers into their plan, though buffer averaging can be evaluated on an individual project basis.

ACCESS:

Vehicular access to the site would be provided from 90th Ave E, which provides access to Valley Avenue East via 27th Avenue Court Northwest. The applicant contracted Transportation Engineering NorthWest to prepare a transportation analysis. The analysis found that the level of service for the intersection would operate at LOS C or better in 2024 and 2030 with or without the project. While secondary access may become available, this traffic analysis is based on a single access at 90th Avenue East. A more detailed operational analysis would be completed with a formal project application.

2. SITE SPECIFIC REQUEST #2 – LAKE CHALET



FILE NUMBER:	17-1550 – Lake Chalet
LOCATION:	10304 24th Street East
TAX PARCEL(s):	Parcel No. 0420107031
APPLICANT:	Project S22 LLC, 18605 17th Avenue Northwest, Shoreline WA 98177
EXISTING COMPREHENSIVE PLAN:	Town Center (1.36-ac.) & Moderate Density Residential (5.16-ac.)
REQUESTED COMPREHENSIVE PLAN:	Town Center
EXISTING ZONING:	Single-Family Moderate (SF-3)
REQUESTED ZONING:	TC (1.36-ac.) & SF-3 (5.16-ac.)

REASON FOR REQUEST:

The applicant owns a +/-10.23-acre site on the south side of 24th Street E directly across from 104th Avenue East. The site includes two tax lots (0420107030 and 0420107031). The western lot includes the Lake Chalet Park Apartments and has six existing buildings each with 6 apartment units (for a total of 36 dwelling units). The eastern property is undeveloped.

The applicant would like to build additional apartments on the undeveloped site areas. The proposed project that may be developed as a result of this Comprehensive Plan FLUM amendment could include 106 additional apartment units and 37 freestanding cottages (143 total dwelling units).

The applicant requests to amend the City of Edgewood Comprehensive Plan FLUM from *Single-Family Moderate* to *Town Center* for tax lot 0420107031 (eastern parcel). The applicant also requests to change the zoning from SF-3 to TC. The subject parcel is 6.52-acres; whereas, +/-1.36-acres has a *Town Center* designation and the remaining +/-5.16 acres has a *Single-Family Moderate* designation.

The applicant would like to build additional dwelling units on the undeveloped site areas. The applicant submitted a site plan that illustrates the site accommodating 106 additional apartment units and 37 freestanding cottages.

TOWN CENTER PLANNING

The Comprehensive Plan envisions the Town Center as the City's commercial hub and its policies anticipated a walkable, mixed-use district. To date, most of the Town Center has developed as single-use multi-family or commercial projects. The Town Center area has no true mixed-use projects. The Town Center has not yet developed as originally intended, but there is opportunity to achieve the envisioned mixed-use center.

In mid-2017, the City adopted several code updates that require ground level non-residential uses in all Town Center projects fronting along arterial roadways. These code changes provide certainty that the Town Center will develop as a true mixed-use district.

There is an opportunity for the City to expand the Town Center designation and create a mixed-use corridor along 24th Street East and a planned north-south Neighborhood Collector (see Access subsection below). If the City adopts the amendment, development at this location must include active ground floor uses (retail) and a mix of other uses.

PAST AND FUTURE LAND USE AND ZONING ACTIONS:

The site was classified as Town Center/TC Single-Family Moderate/SF-3 in the City's initial Comprehensive Plan. In 2013, the City approved the property for a land use amendment/zone change from Town Center/TC and Single-Family Moderate/SF-3 to Mixed Use Residential/MU-R. Through the 2015 Comprehensive Plan adoption, the Future Land Use/zoning reverted back to Town Center/TC and Single-Family Moderate/SF-3. Staff is unaware why the Comprehensive Plan did not carry forward the approved amendment/zone change since the City found the site to be appropriate for higher intensity in 2013.

SURROUNDING ZONING & LAND USE:

The subject property is surrounded by the following land uses:

	Zoning	Existing Land Use
North	Public, Single-Family Moderate (SF-3)	City Hall and single-family residences located across 24th St E
South	Single-Family Moderate (SF-3)	Lake Chalet and single-family residences
East	Public, Single-Family Moderate (SF-3)	Single-family residences
West	Town Center (TC)	Multi-family residences

ZONING COMPARISON:

The following table summarizes the permitted uses and dimensional standards for the current, proposed, and previously approved zoning districts.

ZONING COMPARISON TABLE			
EDGEWOOD MUNICIPAL CODE STANDARD	ZONING DISTRICTS		
	SF-3 (CURRENT ZONE)	TC (CURRENT AND PROPOSED ZONE)	MU-R (PREVIOUSLY APPROVED ZONE)
Land Uses (condensed list)			
Single-Family Detached	Permitted	Not Permitted	Permitted
Single-Family Attached	Not Permitted	Not Permitted	Permitted
Multifamily	Not Permitted	Permitted	Permitted
Retail	Not Permitted	Permitted ¹	Permitted
Office	Not Permitted	Permitted ¹	Permitted
Density	Min. 1 du/a ² Max. 3 du/a ²	Min. 24 du/a Max. 48 du/a	Min. 10 du/a Max. 24 du/a Max. 48 du/a (mixed-use)
Floor Area Ratio (FAR) <i>(FAR does not apply to single-family detached dwelling or cottage housing)</i>	N/A	1:1 OR 4:1 w/ bonus	0.5:1 OR 2:1 w/ bonus
Height (Max.)	35-ft	45-ft OR 55-ft w/ bonus	35-ft OR 35-ft w/ bonus

ZONING COMPARISON TABLE			
EDGEWOOD MUNICIPAL CODE STANDARD	ZONING DISTRICTS		
	SF-3 (CURRENT ZONE)	TC (CURRENT AND PROPOSED ZONE)	MU-R (PREVIOUSLY APPROVED ZONE)
Setbacks from non TC & MUR zones	N/A	25-ft	20-ft
Lot Dimensions	50-ft width (min.) 8,750-sf (min.)	N/A	N/A
Design Guidelines	No	Yes, applicable	Yes, applicable

¹ 30% of the area within 150' of the arterial ROW line is required to be reserved for or developed with office or retail type commercial uses.

² Based on net area

AVAILABILITY OF UTILITIES:

Water and sewer lines are adjacent to the site. Existing service lines are also present on the applicant's adjacent property. The site is located within the City's local improvement district (LID). The City established the LID to provide sanitary sewer service to the Meridian corridor. The water and sewer providers indicated to staff that adequate capacity is available to service this site and the vicinity. The City requires applicants to demonstrate utility capacity as part of the permitting process.

AVAILABILITY OF PUBLIC SERVICES:

There are no known public service deficiencies in this area. The City requires development proposals to demonstrate service demand and available capacity as part of the permitting process. Staff anticipates this analysis will occur closer to the time of site development.

SITE CHARACTERISTICS:

The subject site is presently undeveloped. Vegetation covers most of the site. The property has a heavy tree canopy along the eastern property line and a cluster along 24th Street East. Lake Chalet abuts the site at the southeast corner and shoreline vegetation extends onto the property. The site slopes down toward Lake Chalet.

CRITICAL AREAS:

The Edgewood's GIS Map shows a potential wetland in the southeast corner of the site and along the Lake Chalet shoreline. Lake Chalet shoreline vegetation extends into the site. The applicant will provide a wetland delineation as part of site development permitting. As described above, the site is heavily vegetated with trees, grasses, and understory shrubs. The property has mature trees are clustered along the eastern boundary and in an isolated cluster along 24th Street East.

ACCESS:

The site has roadway access from 24th Street East. The property is associated with the property to the west. The western site has an existing apartment community with drive aisles that terminate at the subject site. If this development occurs, there is an opportunity to provide internal vehicle access to the existing drive aisles.

The Comprehensive Plan includes plans for a new Neighborhood Collector to extend south into the site from 104th Avenue East (Edgewood Comprehensive Plan Figure 10 Meridian Corridor Collector Street Classifications). The Meridian Avenue/State Route Corridor Roadway Network Ordinance (Ord. 07-0279) plans for the Neighborhood Collector alignment to wrap around the Edgewood Dale residential neighborhood and connect to 29th Street East. The Ordinance does not show a street connection to 103rd Avenue Court East. Future development on the subject site will incorporate this new Neighborhood Collector and provide bicycle/pedestrian connections to the adjacent neighborhoods.

Part 3 – Compliance with EMC 18.60.220

Edgewood Municipal Code section 18.60.220 establishes the evaluation criteria for proposed amendments to the comprehensive plan and development regulations. Pursuant to Section 18.60.010(B), the development regulations are the controls placed on development or land use, including, but not limited to, the city's codes on zoning, critical areas, official controls, planned unit developments, subdivisions, binding site plans and the shoreline master program. Applicants provide responses to said criteria as part of their submittal packages. The following lists the review criteria and staff's assessment of the applicants' responses:

A. All Amendments. All of the comprehensive plan amendments shall be reviewed under the following criteria:

1. Whether the proposed amendment(s) conform to the Growth Management Act (Chapter 36.70A RCW);

SITE SPECIFIC REQUEST #1

Applicant Response: As stated in the Project Narrative submitted with the application, the applicant believes the proposed map amendment and rezoning is consistent not only with the City of Edgewood's Comprehensive Plan, but also regional plan goals set forth in the Puget Sound Regional Council's Vision 2040 Plan and procedural requirements established in the State of Washington's Growth Management Act (GMA).

Beginning with the most wide-ranging element – conformance with the requirements of the GMA, specifically RCW 36.70A – the applicant has submitted the requisite documents in accordance with Edgewood's protocols for amendments and rezoning. Staff will continue the process in a manner which ensures public participation and review by the appropriate commissions and elected officials.

RCW 36.70A.110.2 mandates each urban growth area/city to include "...areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses." Going further, the same section states, "...An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth."

An analysis of the data provided in support of this application leads the applicant to believe the need for Edgewood to acknowledge a limited local land capacity to address existing and projected industrial demand have been clearly demonstrated in a manner and to the full extent of consistency with GMA.

Staff Response: Staff concurs with the applicant's assessment. The City's Municipal Code outlines a process for amendments to the Comprehensive Plan FLUM in accordance with GMA. By following the City's process and incorporating citizen participation, the amendments conform to the procedural requirements of GMA. In particular, the amendment supports the following Statewide planning goals: Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.

The proposed amendment from *Single-Family Moderate* to *Industrial* supports this effort to promote economic development within the City of Edgewood, the recruitment of new businesses, and employment opportunities within the City of Edgewood. The Uchida Farms LLC property is located within a City, where GMA prioritizes growth which requires a wide range of uses (such as industrial) that support urban growth.

SITE SPECIFIC REQUEST #2

Applicant Response: The change from SF-3 to TC conforms to the GMA. The proposed development will encourage urban growth in a consolidated manner, developing inner center (urban infill) and reduce sprawl. Because the development is in the urban area, people will also have access to multimodal transportation systems. This meets GMA in providing design and layout that shape the City into more livable and healthy spaces.

The applicant will be able to provide open space, trails and bikeways within the development. Even with a buffer from the environmentally critical areas adjacent Lake Chalet, the applicant will be able to create a mini-park with walkways, seating and view to the lake. This also meets with GMA in its planning goal to retain open space, enhance recreational opportunities, and develop parks and recreation facilities.

Staff Response: GMA requires the City of Edgewood to develop a Comprehensive Plan that aligns with and implements the Statewide goals. As it relates to this proposal, the applicable Statewide goals direct the City to (i) contain urban development near adequate public services, (ii) reduce urban sprawl and keep growth close to establishes areas, and (iii) provide a variety of housing in terms of size and affordability.

The proposed amendment from *Single-Family Moderate* to *Town Center* aligns with the applicable Statewide goals. The site is within an established urban area and the

Town Center designation creates opportunity for housing variety within the City. First, the site is near existing utilities, transit, and parks. The amendment does not represent outward urban expansion into rural or resource areas. Second, the property is located within the City's core development area, whereas, the surrounding properties have existing development. Third, the proposed *Town Center* designation allows for several housing types that could provide diverse living choices for Edgewood citizens.

2. Whether the proposed amendment(s) are consistent with and implement the city's comprehensive plan, including the goals, policies and implementation strategies of the various elements of the plan;

SITE SPECIFIC REQUEST #1

Applicant Response: In addition to the compliance with Comprehensive Plan goals outlined earlier in this document, the Uchida Farm LLC proposal is a direct response to market factors which led to the City of Edgewood's intention to establish a Special Land Use Study Overlay to investigate redesignation of land uses within the study area to potentially accommodate industrial development (Volume 1, Page 22). Goal LU.VII best states the Community's position on industrial uses and future growth opportunities.

The Uchida Farm LLC proposal – including the conceptual development of the Uchida Logistics Center – addresses the Land Use Goal for Industrial Uses (LU.I.m, Volume 1, Page 25). While the development is conceptual at this time, the Uchida plan demonstrates the applicant's intent to fully comply with a goal of achieving transitional standards which help protect adjacent single-family residential areas (LU.V.i, Page 27).

Edgewood's Comprehensive Plan acknowledges the predominance of residential land use (58.6%) within the community and indirectly, a priority to develop multi-family and mixed-use projects in appropriate locations, thereby increasing residential density. A limited industrial base (0.3%) is acknowledged; indicating the regional focus of industrial demand has been primarily directed elsewhere – most likely towards the neighboring communities of Fife, Puyallup, and Sumner.

Staff Response: Staff concurs with the applicant's assessment. Though the request is not consistent with the future land use map designations, it is consistent with many instances of Comprehensive Plan text, goals and policies. Of most relevance, the incorporation of this area into a "Special Land Use Study Overlay" in the City's 2015 Comprehensive Plan (Volume 1, Page 22) denotes the City's identification of the changing character of this area as well as its acknowledgement of the need for industrial development to support local job creation in the City of Edgewood. The proposed amendment from *Single-Family Moderate* to *Industrial* and accompanying application materials serve to address a portion of the Special Land Use Study Overlay area with its findings of an *Industrial* designation being appropriate for the amendment area.

The Land Use Element provides several policies that support this amendment, including policies for studying new land use designations and responding to changing community conditions. The potential for economic development, recruitment of businesses,

transportation access, availability of public facilities and services, compatibility with surrounding development, and property owner interests are all listed as factors for considering new land use designations. The redesignation of the Uchida Farms property to *Industrial* meets most of these requirements.

SITE SPECIFIC REQUEST #2

Applicant Response: The proposed amendment will maintain the small-town character, ambiance, and charm of the City of Edgewood as described in the Comprehensive Plan. The applicant is doing this by maintaining a buffer from Lake Chalet and using it as a mini-park. It will also provide open space, trails, and bikeways throughout the new community. The proposed amendment is an urban infill that also capitalizes the opportunities offered by the proposed TC zone development - commercial amenities, open space and outdoor activities - and encourages the Comprehensive Plan's general goal of increased commercial use. The proposal concentrates the growth of multi-family housing within the City Urban Center that is zoned for TC and protects future growth from sprawling into the SF-3 and SF-2 zones. Portions of the site is already zoned TC.

Staff Response: Though the request is not consistent with the future land use map designations, it is consistent with many instances of Comprehensive Plan text, goals and policies. The Edgewood Comprehensive Plan provides Land Use, Housing, and Transportation goals and policies that support the proposed Future Land Use Plan amendment from *Single-Family Moderate* to *Town Center*. The Plan's vision statement reads, "[the] Town Center is our commercial hub and home to a vibrant local economy. Pedestrian and bike paths connect people and places throughout our community."

The Land Use Element provides several policies that call for a well-designed, pedestrian-friendly community that is compatible with the surrounding development. The Plan directs the City to promote a mix of uses and to create a Town Center to serve the community and to attract regional visitors. The policies call for compatible transition to adjacent single-family residential areas.

The Housing Element directs the City to ensure new housing development supports City and regional growth plans and to provide adequate land supply to accommodate growth. The Housing Element encourages a supply of rental units to provide housing choices for those who are not homebuyers. The Plan encourages new residential units within the Town Center land use designation. Finally, the Housing Element encourages new affordable housing units to locate near amenities and services to lower residents' transportation costs.

3. **Whether circumstances related to the proposed amendment(s) and/or the area in which it is located have substantially changed since the adoption of the city's comprehensive plan;**

SITE SPECIFIC REQUEST #1

Applicant Response: Whereas the national and regional economies have shown a degree of sustainable growth in a variety of sectors, Edgewood has lagged behind in recent times (Page 21). While recession may create the initial circumstances, one of the main drivers of growth consistently lies in the development of industrial land uses. Besides the benefits of increased tax revenues, industrial development drives employment; which in turn radiates economic growth into residential and retail sectors. The City of Edgewood has responded to this need by designating much of the southwest portion of Edgewood – including the entire Uchida Logistics Center site – as the subject to a Special Land Use Overlay Study Area.

While certain observers catalog a surplus of available industrial land in Edgewood (12.82 acres according to the Puget Sound Regional Council), the applicant believes the perceived underutilization of Edgewood’s industrial base is essentially incorrect and does not reflect current market conditions. Local market activity indicates a shortage of industrial land in all submarkets stretching from Tacoma to Seattle – and this particular submarket is one of the region’s most sought-after industrial locations. Over the past four years, approximately 2.6 million square feet of Class A industrial buildings have been developed on 175 acres of industrial land located within 1½ miles of the Uchida Farms LLC site. The majority of this development is located within ½ mile of the site - and serving as an even greater indicator of demand – all of the 12 industrial structures are 100% occupied.

Being a “first mover” in a competitive marketplace and able to provide the size, scale and location of market-driven industrial infrastructure needed by tenants, is an advantage provided to the City of Edgewood by the applicant’s proposal –which focuses regional industrial interest in Edgewood.

Whereas the national and regional economies have shown a degree of sustainable growth in a variety of sectors, Edgewood has lagged behind in recent times (Page 21). While recession may create the initial circumstances, one of the main drivers of growth consistently lies in the development of industrial land uses. Besides the benefits of increased tax revenues, industrial development drives employment; which in turn radiates economic growth into residential and retail sectors. The City of Edgewood has responded to this need by designating much of the southwest portion of Edgewood – including the entire Uchida Logistics Center site – as the subject to a Special Land Use Overlay Study Area.

Staff Response: As discussed above, the area in question had been identified within the 2015 Comprehensive Plan as an area where “a number of factors have led to interest in possible redesignation of land uses in the overlay area, including industrial development in the surrounding area, support for local job creation, and changes in the economics of the small-scale farming activities that are currently practiced in the area.” As the applicant has assessed in their analysis of the changing market factors in the area:

industrial growth in both Fife and Puyallup and a lack of vacant industrial space lend this property to have a more productive use under an *Industrial* land use designation.

SITE SPECIFIC REQUEST #2

Applicant Response: The population decreased from 2011 to 2012, which is commonly attributed to the recession. The current zoning policies are based on the drop in population. However, the recent population growth in the City of Edgewood may affect future zoning policies. There are large multi-family developments being built to both west and north of the Lake Chalet Development to serve the growing population in the City of Edgewood. Our proposal to increase the density from SF-3 to TC will only serve the growing population, where there is already high density, as well as sustaining the small-town character, ambiance and charm in the surrounding City of Edgewood in accordance with the comprehensive plan, as mentioned before.

Staff Response: The Comprehensive Plan originally envisioned the Town Center as the City's commercial hub and its policies anticipated the Town Center to develop into a walkable, mixed-use district. However, as it stands a large portion of the Town Center has developed as single-use, multi-family residential with few non-residential uses and no mixed-use projects.

This single-use development pattern occurred due to zoning standards that did not require a mixed-use component within the *Town Center* designation. In mid-2017, the City adopted an ordinance amending EMC 18.80.080 to require a non-residential component within Town Center projects fronting arterial roadways.

A lot of the Town Center is already developed and Meridian Avenue East is a large highway with heavy traffic volumes. These factors make it challenging to attract/accommodate future mixed-use projects in Edgewood. However, there is an opportunity for the City to expand the *Town Center* designation and create a mixed-use corridor along 24th Street East and a new Neighborhood Collector. This arrangement will place active ground floor uses (retail) on smaller streets which lend itself to a more comfortable pedestrian environment. This also creates an opportunity to use urban design techniques to weave together the surrounding neighborhoods, Civic Center Park, and City Hall into a cohesive, interconnected neighborhood.

4. **Whether the assumptions upon which the city's comprehensive plan is based are no longer valid, or whether new information is available which was not considered during the adoption process or any annual amendments of the city's comprehensive plan; and**

SITE SPECIFIC REQUEST #1

Applicant Response: The Uchida Logistics Center would be a prime example of the validity of assumptions serving as the foundation of Edgewood's comprehensive planning effort; including the projection that 30% of future industrial growth would

occur in the southwest corner of Edgewood – where the Uchida Farm LLC site is located.

Projecting industrial growth in an area zoned and planned for residential growth under current planning tools is a procedural inconsistency which seems to foresee a need for the amendment process - such as the applicant's proposal - in order to realize that projection and achieve the desired economic growth.

Staff Response: Staff concurs with the applicant's assessment - the assumptions within the City's Comprehensive Plan are valid. The Future Land Use Map of the City's 2015 Comprehensive Plan identifies a "Special Land Use Study Overlay" including the Uchida Farms property that the City intends for possible redesignation after further study to align with the industrial development in the surrounding area. The Transportation Element of the City's 2015 Comprehensive Plan already identifies within its land use forecasts in as the southwestern areas of the City near the railroad corridor accommodating 30% of the employment growth in manufacturing and industrial/warehousing uses.

SITE SPECIFIC REQUEST #2

Applicant Response: See response to question A.2.

Staff Response: As summarized in question A.3, the Comprehensive Plan originally envisioned the Town Center as the City's commercial hub and home to a vibrant local economy. Several policies suggest the Town Center will develop as a walkable, mixed-use district. However, much of the Town Center developed quickly with single-use, multi-family projects with no active ground floor uses. This left the Town Center falling short of its intended goal.

In April 2017, the City amended EMC 18.80.080 to require a non-residential component to all Town Center projects fronting on arterial roadways (Ord. 17.0496). This ordinance ensures that the remainder of the Town Center will develop with mixed-use projects.

Coupled with the recently adopted code changes, the proposed amendment creates an opportunity to achieve a vibrant, mixed-use district along 24th Street East and the planned Neighborhood Collector. The amendment will provide more vacant land in the Town Center to accommodate true mixed-use style development, whereas, much of the current designation is built-out or exists in fragmented ownership patterns.

5. Whether the proposed amendment(s) reflects current, widely held values of the residents of the city.

SITE SPECIFIC REQUEST #1

Applicant Response: The applicant's proposal conforms and supports community values in two ways; first, through the collective engagement process used to debate the proposal's merits; and second, in the proposal's obvious efforts to address any and all

issues which may arise from the approval of this amendment and the implementation of development (LU.V.11/Page 28).

Staff Response: This criteria is difficult to determine compliance with at this stage. It is likely that the proposed amendment will reflect the values of some residents and not others. The City is soliciting for public feedback through comments, a neighborhood meeting, and a public hearing. Following the conclusion of these efforts, it is hoped that a consensus can be formed as to the merits of the project and its reflection of the community's values.

SITE SPECIFIC REQUEST #2

Applicant Response: The proposed amendment from SF-3 to TC reflects the values of the residents. There appears to be a demand for multi-family housing due to the number of these building types being constructed in the central core of the City. Portions of the parcel is already zoned TC and it is the natural place to increase density. So it is a natural to make the rest of the parcel TC with little impact to the City. It concentrates the higher density where it should.

Staff Response: The Comprehensive Plan envisions a small town character and family-friendly neighborhoods. It also calls for a Town Center that is the commercial hub and home to a vibrant local economy. The Plan includes several references to walkability, housing options, and land use compatibility. The City strengthened this vision through a series of amendments to its Municipal Codes in April 2017 to require a non-residential component to all Town Center projects fronting on arterial roadways (Ord. 17.0496).

The amendment provides opportunity to strengthen the Town Center by creating a mixed-use corridor along 24th Street East and the planned Neighborhood Collector (104th Avenue East extension). With the prior amendments to the EMC, the proposed amendment will provide opportunity for the community to achieve its vision for a vibrant, mixed-use Town Center by adding land and development potential.

The amendment may present some compatibility challenges along the eastern and southern boundaries. The proposed designation represents a change in intensity for the areas that abut the Single-Family Moderate designation. However, the intensity change will occur along rear and side lot lines of the abutting homes. Furthermore, the EMC requires buffers, landscaping, and building design solutions where higher intensity zones abut residential. For these reasons, the proposed amendment aligns with the community values addressed in the Comprehensive Plan.

- B. Amendments for Site-Specific Proposals. In addition to the above, any proposal for a site-specific development or amendment shall be reviewed under the following criteria:
1. **Whether the proposed site-specific amendment(s) meets concurrency requirements for transportation and does not adversely affect adopted level of service standards for other public facilities and services (e.g., police, fire and emergency medical services, parks, fire flow and general governmental services);**

SITE SPECIFIC REQUEST #1

Applicant Response: The proposed amendment does not specifically address transportation issues, but the concurrency evaluation prepared by The Transpo Group as part of the staff's analysis of the Uchida Farm LLC application provides an initial assessment of projected impacts on levels of service associated with the proposed reclassification.

The Transpo Group assessment indicates the Uchida proposal meets the adopted level of service requirements pursuant to EMC Chapter 18.105. The assessment indicates a projected trip generation of 346 new PM peak hour trips – with 80% of the trips using Valley Avenue to leave the site, with the remaining 20% being handled by the City's roadway system. Levels of service associated with various intersections evaluated under the City's 2035 travel demand model would remain unchanged by the reclassification, with the exception of a single intersection (Meridian Avenue East and 36th Street East).

To confirm the Transpo assessment and lay the groundwork for future analysis of traffic issues, the applicant commissioned an independent transportation analysis, prepared by Transportation Engineering NorthWest (TENW), dated August 21, 2018. The preliminary TENW study analyzed vehicular access, trip generation, level of service and outlined parameters for future traffic analysis for a proposed industrial development of up to 865,000 square feet on the Uchida Farms LLC site. The preliminary findings are summarized below:

- Access ... Vehicular access to the site would be provided from 90th Avenue East, which provides access to Valley Avenue East via 27th Avenue Court Northwest. While secondary access may become available, this traffic analysis is based on a single access at 90th Avenue East. The expected year of opening for the project is 2024.
- Trip Generation ... The proposed Uchida Farms project is estimated to generate 2,883 weekday daily trips with 346 trips occurring during the weekday AM peak hour (280 in, 66 out), and 346 trips occurring during the weekday PM peak hour (73 in, 273 out).
- Level of Service Analysis ... Level of service (LOS) analyses were conducted at three study intersections adjacent to the project site, one of which is stop-controlled and would provide access to the proposed project (90th Avenue East/27th Avenue Court Northwest). The signalized study intersections and controlled movements at the stop-controlled study intersection are estimated to operate at LOS C or better in 2024 and 2030 without or with the proposed project during both the weekday AM and PM peak hours.

Future Traffic Analysis ... A more detailed operational analysis will be completed with a formal project application, which is expected to include evaluation of peak hour queues at the 27th Avenue Court Northwest/Valley Avenue Northwest and 90th Avenue

East/27th Avenue Court Northwest intersections. Alternate access is also expected to be considered in the comprehensive traffic analysis with the formal project application.

Staff Response: The applicant's assessment of transportation impacts on the City's adopted level of service provide an initial indication that the proposed amendment will not have an adverse impact on the City's transportation network. The proposed amendment from *Single-Family Moderate* to *Industrial* will not have an impact on the City's adopted Level of Service for parks and it will have a positive impact on general government services, as it is typical that local governments receive more in taxes than is spent on commercial/industrial uses as compared to residential uses. Full compliance with concurrency standards will be determined at the time of project application.

SITE SPECIFIC REQUEST #2

Applicant Response: The proposed amendment from SF-3 to TC will meet concurrency requirements for transportation and does not adversely affect any other public facilities and services. A concern might be overtaking public services such as fire and emergency medical services by creating more density. The applicant notes that development of the site will not adversely affect public services because the overall density in the Lake Chalet Development will not exceed the maximum density allowed on the development.

Staff Response: Staff does not expect that the proposed amendment from *Single-Family Moderate* to *Town Center* will adversely affect the adopted level of service standards for transportation and public services. Pursuant to the Comprehensive Plan, the City's streets and parks have available capacity to accommodate future development. The City will determine other service capacity at the time of project application to better assess the direct impact.

The proposed amendment will increase the site's development potential from 77 residential units to 312. The change will also allow retail and office. The *Town Center* designation requires several urban design components such as pedestrian facilities, open space, and a mix of land uses. These design requirements will help mitigate demands on public services. Furthermore, services and amenities are located within close proximity to the amendment area.

Future development proposals will require administrative and/or hearing examiner review (Process II or III), based on land use. The City will require the applicants to provide a transportation and utilities analysis as part of the review procedures. Furthermore, the City will assess the impacts on other public services based on the time of development and the project scale.

2. **Any proposed site-specific amendment(s) will not result in probable significant adverse impacts to the city's transportation network, capital facilities, utilities, parks and environmental features that cannot be mitigated, and will not place uncompensated burdens upon existing or planned service capabilities;**

SITE SPECIFIC REQUEST #1

Applicant Response: While new growth of any kind will add to the potential for increased demand for public services, the applicant believes the Uchida Farm LLC proposal will minimize demand by developing within an area where existing services are available; limiting any growth in service demand to minimal levels.

A secondary impact – with the potential of tremendous benefit - is found in the City of Edgewood's Proposed Capital Improvement Plan, 2015-2020. The applicant's proposal and resulting development may help structure and accelerate a significant program element in the Transportation Category – the Railroad Frontage Road – which has feasibility expenditures scheduled for FY2019-20. Likewise, the extension of sewer service from Fife will provide benefit to properties along the frontage of Valley Avenue.

Staff Response: Staff concurs with the applicant's assessment. Similar to evaluation criteria B.1 above, full impacts will be analyzed at the time of project application; however, any development that occurs as a result of this proposed amendment will be required to comply with all adopted City of Edgewood development regulations and standards, including preservation of environmentally sensitive areas.

SITE SPECIFIC REQUEST #2

Applicant Response: Our initial design proposal has confirmed that there will be no adverse impacts to the City's transportation network, capital facilities, utilities, and parks because the project does not require more facilities than it did in its original zoning. The applicant intends to provide open space, a buffer from Lake Chalet (while utilizing the buffer as a park with trails, seating and other amenities), trails and bikeways, which support the transportation network, capital facilities, utilities, parks, and environmental features.

Staff Response: As stated in evaluation criteria B.2., staff does not expect that the proposed amendment from *Single-Family Moderate* to *Town Center* will cause significant adverse impacts to the city's transportation network, capital facilities, utilities, parks, and environmental features. Services are located within close proximity to the amendment area.

Future development that occurs as a result of the proposed amendment must demonstrate that proposed service demands and impacts on transportation and public services are mitigated. Applicants must mitigate these impacts on the transportation network and provide solutions where other public services are unavailable. The future analysis will consider the project's land uses, scale, and intensity.

3. **In the case of a site-specific amendment(s) to the comprehensive plan's land use map, that the subject parcels are physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, the following: (a) access; (b) provision of utilities; and (c) compatibility with existing and planned surrounding land uses;**

SITE SPECIFIC REQUEST #1

Applicant Response: While site constraints exist in the form of watersheds, the overall topography of the site lends itself to development of large-scale industrial projects. The conceptual plan for the Uchida Logistics Center offers an initial insight into how the needs of a particular use might be accommodated within the amendment area. The area's suitability for the intended industrial development is supported by the substantial amount of development in the immediate area.

Staff Response: As the applicant has noted, the property is physically suitable for industrial uses. The property has utilities either readily available or available to extend, sufficient access is available, and further access may be provided. The site will also be accessible to the new SR-167 extension and an interchange, linking it to the Port of Tacoma and further supporting its designation as Industrial. The character of nearby development in adjacent jurisdictions also supports the designation of the Uchida Farms LLC property as Industrial. Where existing uses are incompatible with the proposed use of the property as Industrial (such as existing residential uses in the area), any proposed development will be required to comply with the City's Municipal Code which requires buffers, screening, and landscaping where higher intensity zones abut residential zoned uses.

SITE SPECIFIC REQUEST #2

Applicant Response: The Lake Chalet Development will provide a new north to south road, 103rd Avenue East, in compliance with Ordinance No. 07-0279. Utilities will be provided from 24th Street East on the north. The amendment will have minimal impact on the SF-3 community surrounding the Lake Chalet Development on the east and south. The area north of the 24th Street East has been rezoned for the new City of Edgewood City Hall. To the east of the City Hall, the property is zoned SF-3 but 24th Street East provides a natural buffer to the Lake Chalet Development. The requested amendment area with a rezoning of TC will provide higher, more compatible, density to the City Hall than would the current SF-3. The applicant contends that the amendment will not have an adverse impact on the area.

Staff Response: Upon staff's review of the proposed amendment, the subject parcel appears to be physically suitable for the requested land use designation. The request represents a +/-5.16-acre Town Center designation that will allow for a broad range of land uses. The site's topography allows for urban development and its critical areas appear to be clustered to the southeast corner. The parcel has multiple opportunities for access including 24th Street East and the planned Neighborhood Collector. The site is located near existing utilities and can extend service lines from the developed portions of the applicant's larger land holdings (the existing apartment community to the west).

The *Town Center* designation allows for a broad range of land uses including commercial, office, and residential, whereas, these uses are compatible with the surrounding multi-family and single-family communities. Furthermore, the City's Municipal Code has several design requirements to ensure compatibility and buffering with lower intensity

uses. Specifically, the code includes design guidelines to address building scale and requires larger buffers/setbacks when abutting residential zones.

4. **The proposed site-specific amendment(s) will not create pressure to change the land use designation of other properties, unless the change of land use designation for other properties is in the long-term best interests of the city as a whole;**

SITE SPECIFIC REQUEST #1

Applicant Response: The applicant demonstrated their commitment to avoid potential spot zoning serving as a precursor to the initiation of similar requests from other property owners in the immediate area.

However, it must be noted, the successful development of other industrial properties in the immediate vicinity, in neighboring communities, serving as an indicator of successful industrial demand, is a factor more likely than the applicant's proposal, to create pressure for industrial land uses within the region. Edgewood's stated goals of increased industrial growth and the targeting of this area as a candidate for industrial development as evidenced by the overlay district, indicate a response to market forces which may be mutually reinforcing and consistent with goals and policies expressed in the Comprehensive Plan.

Staff Response: Staff concurs with the applicant's response. The proposed amendment may create pressure to change the land use designation of other properties within the "Special Land Use Study Overlay." However, this is not contrary to the City's Comprehensive Plan as it designated a larger area as potentially appropriate for industrial uses. In addition, it is likely that the pressure to rezone may come from permitted development in adjacent jurisdictions (Fife and Puyallup), as a subcenter is created within the valley. The applicant has done their best to incorporate as many properties into their request. It may be appropriate to reconsider additional redesignations in the future, where this proposal may serve as a catalyst for economic development.

SITE SPECIFIC REQUEST #2

Applicant Response: The applicant does not anticipate the change from SF-3 to TC on the east portion of the Lake Chalet Development will create pressure on the City of Edgewood to change land use designations on adjacent properties. The TC zone to the west of the property would not prefer to downzone to an MR-2. On the southeast portion, adjacent the Lake Chalet Development is public property. This property is complemented, rather than pressured to change by the development. All the properties to the south of the Lake Chalet Development are single-family lots that have already been developed with recently constructed homes. The applicant does not anticipate that these properties would want to rezone due to the infeasibility. On the northeast of the Lake Chalet Development are small SF-3 properties that are owned by individuals. While we do not believe because of the size of the properties and the difficulty inherent in the property owners having to work together to request rezoning. The properties east

of the City Hall and across the street to the north of the Lake Chalet Development is zoned SF-3, but because it sits across 24th Street East, a busy street, the applicant expects the street to create a natural barrier between higher density and single-family zones.

Staff Response: The proposed amendment represents a gradual extension of the *Town Center* designation onto vacant land. The proposed amendment is not expected to produce pressure to change the land use designation on neighboring properties since the abutting sites contain existing development. These neighboring properties are in good condition and do not warrant redevelopment.

5. The proposed site-specific amendment(s) does not materially affect the land use and population growth projections that are the bases of the comprehensive plan;

SITE SPECIFIC REQUESTS #1 AND #2

For the purpose of analyzing the impacts of Comprehensive Plan amendments, staff has combined the two requests for analysis of the City's land use and population growth projections and impacts.

Site Specific Request #1 Applicant Response: There is no doubt that approval of this amendment and the development of the Uchida Logistics Center will serve as catalysts for additional changes in land use categories and planning designations. Population growth may follow on a slower pace, but the development of employment centers typically provide for some increase in local populations as workers relocate to shorten their commutes and/or improve their lifestyle.

Site Specific Request #2 Applicant Response: The population growth projection and land use will only minimally change with the proposed site-specific amendment. It provides increased density to TC since it will be adjacent to a TC zone and is in the same block bordering Meridian Avenue East. It does not materially affect the basis of the Comprehensive Plan. The area will still mainly support housing, concentrates higher density in the center of the City, and many of the Comprehensive Plan's goals are being implemented. The rezoning will increase density without affecting existing pockets of existing SF-2 and SF-3 in the remainder of the City.

Staff Response: The City's Comprehensive Plan strives to achieve a balance with housing, commercial, jobs, and open space. The proposed Comprehensive Plan amendments do not negatively affect the City's ability to accommodate/achieve its growth projections. Moreover, the amendments could provide for a wider range of housing types and employment opportunities to accommodate future populations. Staff does not expect the proposed amendments to change the basis of the Comprehensive Plan.

The Comprehensive Plan estimates a 2035 capacity surplus for both jobs and housing. Staff acknowledges that the proposed amendments (Site Specific Request #1 and #2)

may increase this surplus marginally. Additionally, both amendments could increase jobs, commercial uses, and open space amenities in the City.

This proposed amendment at the Uchida Farms LLC property from *Single-Family Moderate* to *Industrial* would lower the housing capacity for the City by approximately 54 units using the methodology described in the Pierce County Buildable Lands Report:

	Single-Family Moderate (Existing)	Industrial (Proposed)
Gross Acres	68.51	68.51
Residential Split¹	68.51	0
Public Facilities²	1.30	0
Adjusted Gross Acres	67.21	0
Plat Deductions		
Roads³	6.59	0
Critical Areas	38.82	0
Parks and Open Space⁴	3.36	0
Net Acres	18.44	0
Assumed Density	3 du/ac	0
Unit Capacity	55	0
Displaced Units	1	1
Total Capacity	54	0

¹The residential/commercial split for SF-3 zoned properties is assumed to be 100% (residential).

²Public facilities are assumed to encompass 1.90% of the gross acres

³Roads are assumed to encompass 9.80% of the gross acres

⁴Parks and open space are assumed to encompass 5% of the gross acres

The proposed amendment on the Lake Chalet property represents an approximate increase in residential density potential from 30 units to 87 using the methodology described in the Pierce County Buildable Lands Report. The current site includes two land use designations; approximately 5.16 acres has a Single-Family Moderate designation and the residual area is Town Center. The applicant requests the entire property be designated *Town Center*.

	Town Center (Existing)	Single-Family Moderate (Existing)	Town Center (Proposed)

Gross Acres	1.36	5.16	6.52
Residential Split¹	0.95	5.16	5.02
Public Facilities²	0.03	0.10	0.12
Adjusted Gross Acres	0.93	5.06	4.90
Plat Deductions			
Roads³	0.09	0.50	0.48
Critical Areas	0	0.56	0.56
Parks and Open Space⁴	0.05	0.25	0.24
Net Acres	0.79	3.75	3.61
Assumed Density	24 du/ac	3 du/ac	24 du/ac
Unit Capacity	19	11	87
Displaced Units	0	0	0
Total Capacity	30		87

¹The residential/commercial split for TC zoned properties is assumed to be 70% (residential) /30% (commercial). The residential/commercial split for SF-3 zoned properties is assumed to be 100% (residential).

²Public facilities are assumed to encompass 1.90% of the gross acres

³Roads are assumed to encompass 9.80% of the gross acres

⁴Parks and open space are assumed to encompass 5% of the gross acres

The total proposed change as a result of the Lake Chalet rezone would be an increase of 56 dwelling units. The total proposed change as a result of the Uchida Farms LLC rezone would be a loss of 54 dwelling units. Combined, the City-wide residential development potential could increase by 2 dwelling units.

6. **If within an incorporated urban growth area (UGA), the proposed site-specific amendment(s) does not materially affect the adequacy or availability of urban facilities and services to the immediate area and the overall UGA;**

SITE SPECIFIC REQUEST #1

Applicant Response: No response.

Staff Response: As part of the Comprehensive Plan Amendment application, the applicant has applied for a Concurrency Reservation Certificate, which implements the concurrency provisions of the transportation and utilities elements of the City's Comprehensive Plan.

SITE SPECIFIC REQUEST #2

Applicant Response: The adequacy or availability of urban facilities and services might be affected if amended density exceeded what is currently allowed on the property. The

Comprehensive Plan already takes into account the possible density growth within the subject parcels, thus the applicant contends that their site-specific amendment does not does not materially affect the adequacy or availability of urban facilities and services in the immediate area and the UGA.

Staff Response: The amendment area is within close proximity to urban services. The property currently allows for residential urban development but its eastern portions are restricted to single-family homes. The proposed amendment from *Single-Family Moderate* to *Town Center* will increase the development potential on the subject parcel to allow additional density and land uses. The Town Center designation requires urban design elements, on-site amenities, and multi-modal features.

Staff does not anticipate that the proposed amendment will materially affect the adequacy or availability of urban facilities and services. Future development that occurs as a result of this proposed amendment will require land use review (e.g., Process I, II, or III). During this review, future projects must demonstrate that proposed service demands and impacts on transportation and public services are mitigated. The future analysis will consider the project's land uses, scale, and intensity. Currently, staff is unaware of any service deficiencies in this immediate area.

7. **The proposed amendment(s) is consistent with any applicable county-wide policies for the city and any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws.**

SITE SPECIFIC REQUEST #1

Applicant Response: Regionally, the planning process described in Vision 2040 emphasizes growth being directed towards the manufacturing distribution centers and regional growth centers as defined by the Puget Sound Regional Council (PSRC). While not a defined growth center under Vision 2040, Edgewood's strategic location within an urban growth area and adjacent to one of the region's transportation projects (Highway 167 Expansion) suggests consideration under the same growth projections used by PSRC to define said centers. Vision 2040 states that, "...Subregional centers, such as those designated through county-wide processes or identified locally, will also play important roles in accommodating planned growth according to the regional vision. (PSRC Vision 2040, Page 49)."

With the approval of the applicant's proposed map amendment and rezoning, Edgewood will significantly support this regional goal; enabling the community to complement nearby growth centers while achieving a level of diversity in both the local economy and land use inventory which can only lead to benefits being realized by every sector of Edgewood's economic base; including support for residential growth - which complies with a key goal of GMA planning. The City's expressed desire for retail and mixed-use growth, particularly in the Meridian Corridor, could also support additional residential growth from the projected 600 employees who may consider living in the community in which they work. This could help increase residential growth.

A review of the regional manufacturing/industrial centers goal and policies articulated in the Vision 2040 Plan is featured above. The applicant's proposal clearly focuses on supporting viable regional centers by creating a "subcenter" within Edgewood's corporate boundaries, separate, but readily accessible to neighboring centers within 1½ miles and would be capable of accepting any outstanding or unique requirements the market may have. The Highway 167 Expansion project could clearly provide and enhance transportation access required for Edgewood to meet this goal. Edgewood could prepare a subarea plan for regional evaluation of the inclusion of the "subcenter" within the regional planning framework.

Staff Response: Staff concurs with the applicant's response.

SITE SPECIFIC REQUEST #2

Applicant Response: The amendment, changing the zoning from SF-3 to TC, is consistent with all applicable county-wide policies for the city and any other applicable interjurisdictional policies or agreements, and any other local, state, or federal laws. It is adjacent the urban growth area and other high-density developments.

Staff Response: The County-wide Planning Policies (CCPs) help implement the Puget Sound Regional Council's (PSRC) Vision 2040 plan for the region. The CPPs' purpose is to achieve consistency amongst area plans on regional matters. Staff finds that the proposed amendment is consistent with the CPPs. Specifically, the following CCPs support the amendment:

- Goal AH-5. Jurisdictions should plan to meet their affordable and moderate-income housing needs goal by utilizing a range of strategies that will result in the preservation of existing, and production of new, affordable and moderate-income housing that is safe and healthy.
 - 5.2 Jurisdictions should promote the use of reasonable measures and innovative techniques (e.g., clustering, accessory dwelling units, cottage housing, small lots, planned urban developments, and mixed use) to stimulate new higher-density affordable and moderate-income housing stock on residentially-zoned vacant and underutilized parcels.
- Goal CU-1. The County, and each municipality in the County, will develop high quality, compact communities that: 1.1 impart a sense of place; 1.2 preserve local character; 1.3 provide for mixed uses and choices in housing types; and 1.4 encourage walking, bicycling, and transit use.
- Goal CU-4. Promote context-sensitive design of transportation facilities, both for facilities to fit in the context of the communities in which they are located, as well as applying urban design principles for projects in centers/transit station areas.
- Goal EC-2. The County, and each municipality in the County, shall promote diverse economic opportunities for all citizens of the County, especially the

unemployed, disadvantaged persons, minorities and small businesses. The following measures may be used in accomplishing this policy, where appropriate:

- o 2.5 encouraging flexibility in local zoning and land use controls in order to permit a variety of economic uses, but doing so without sacrificing sound design and development standards;
- Goal HW-1. The County, and each municipality in the County, will be designed to promote physical, social, and mental well-being so that all people can live healthier and more active lives by:
 - o 1.1 designing communities to provide an improved environment for walking and bicycling; and
 - o 1.2 developing and implementing design guidelines to encourage construction of healthy buildings and facilities to promote healthy people.
- Goal HW-3. The County, and each municipality in the County, shall promote cooperation and coordination among transportation providers, local government, and developers to ensure that joint- and mixed-use developments are designed to promote and improve physical, mental, and social health and reduce the impacts of climate change on the natural and built environments.
- Goal HW-4. The County, and each municipality in the County, shall promote and develop transportation systems and options that minimize negative impacts to human health by:
 - o 4.2 improve local street patterns-including their design and how they are used, for walking, bicycling, and transit use to enhance communities, connectivity, and physical activity, such as through the adoption of “Complete Streets” policies.
- Goal Rur-9. Direct commercial, retail, and community services that serve rural residents into neighboring cities and existing activity areas to prevent the conversion of rural land into commercial uses.

Part 4 – Compliance with Comprehensive Plan Goals and Policies

The following existing Comprehensive Plan goals and policies support the proposed Comprehensive Plan amendments:

1. SITE SPECIFIC REQUEST #1

Staff Response: The City of Edgewood Comprehensive Plan includes several goals and policies to help guide staff, the Planning Commission, City Council, and the public to decide whether the proposed Future Land Use amendment and rezone are appropriate at this location. Staff provided an analysis in evaluation criterion A.2 in Part 3 of this report.

The request is to amend the Comprehensive Plan Future Land Use Map (FLUM) to redesignate the Uchida Farms LLC property from its existing designation of *Single-Family Moderate* to *Industrial*. The *Industrial* designation allows for a range of light-industrial, manufacturing, warehousing, and research uses. In 2015, the City designated this area a “Special Land Use Study Overlay” that it intended to study and potentially redesignate to accommodate industrial development (Volume I, Page 22).

Staff did not discover any goals or policies that specifically discourage this type of amendment at this location. The following goals and policies support the proposed amendment:

Land Use Element

GOAL LU.1.a: Ensure land use policies and regulations support the City’s vision

Beginning with an initial effort in 2015, the applicants have focused on a need for changes to the land use designations for this area within the context of supporting the City’s vision, while realizing the development potential of their own properties.

The Uchida Farms LLC request for an industrial designation is based on the cumulative effects of small-scale farming activity over the years and the limited potential for single-family residential development based on locational constraints and financial limitations.

The applicant believes the current 2018 proposal will confirm the underlying conditions which fostered the City’s designation of the area as a Special Land Use Study Overlay and the applicants’ previous effort, while building upon specific goals (LU.VII) supporting industrial growth found within the Comprehensive Plan.

GOAL LU.1.b: Create a “first-mover” advantage for quality projects which respect the City’s vision.

Being the first to realize a potential need for change is often a difficult position to occupy, but the applicant’s previous efforts in 2015 indicate the Uchida Farms LLC proposal occupies this niche. The proposal reflects a commitment to the need for change established through exhaustive market research and an examination of similar industrial development opportunities realized by neighboring communities. The applicant’s proposal supports the City’s vision, as articulated on Page 7 of the Comprehensive Plan:

- By presenting an option for future land use which preserves the character, neighborhoods, and natural features which comprise the Edgewood of today.
- By demonstrating how the designation of the Uchida Farms properties as industrial may produce development accomplished in a fiscally responsible manner without burdening the City’s finances.
- By developing a preliminary development plan which demonstrates a commitment to environmental sustainability and minimizes impacts on adjacent natural systems.

GOAL LU.1.c: Continue to use the adopted FLUM to guide land use and development regulations; updating as needed.

The applicant's proposal is based on the need to update the FLUM to reflect a need for additional industrial land use within Edgewood, as identified through an analysis of current market trends within the industrial sector.

2. SITE SPECIFIC REQUEST #2

Staff Response: The amendment area has two future land use designations and two zoning districts; Town Center (TC) and Single-Family Moderate (SF-3). The *Town Center* designation allows for a wide range of land uses including retail, office, and multi-family. The Town Center is intended to create a pedestrian-oriented, mixed-use environment with compact, urban-scaled projects. The Comprehensive Plan includes plans for an interconnected parallel road network that weaves together other properties in the Town Center and adjacent neighborhoods. The Comprehensive Plan delineates a future Neighborhood Collector across the site.

As stated in evaluation criterion A.2, the amendment provides opportunity for a larger Town Center that would weave together existing multi-family communities, Civic Center Park, and City Hall. Future development on this property will require a new Neighborhood Collector roadway (an extension of 104th Avenue East) and new sidewalks along 24th Street East. Future projects must provide non-residential uses along 30 percent of their arterial frontage. The design requirements and the surrounding land use pattern create an opportunity for 24th Street East to develop as a vibrant, mixed-use corridor. This site provides an opportunity for the City to achieve the mixed-use Town Center it envisions. In addition, the amendment allows for housing variety and can support the City's housing goals.

Staff does not find any goals or policies that discourage this amendment proposal. The following goals and policies support the proposed amendment:

Land Use Element

Goal LU.I

Establish a future land use pattern that is consistent with the City's vision.

- Town Center LU.I.j: "The Town Center designation is intended to support a well-designed, pedestrian-friendly community center that reflects Edgewood's unique local character and rural roots. It allows for a range of uses including a variety of vertical and horizontal mixed use development, pedestrian-oriented retail, multifamily residential, senior housing and civic uses. Compatible uses are also allowed."

Goal LU.II: Promote a land use pattern that strengthens Edgewood's identity and sense of place.

- LU.II.b: Promote community character and identity, including consideration of the following: Compatibility with natural site characteristics, Development at a scale and character appropriate to the site and surrounding vicinity, Design that reflects the community's current and historic character, AND Landscaping to enhance building and site appearance.

Goal LU.IV: Promote the quality, character and function of residential neighborhoods.

- LU.IV.b: Support innovative design options that help to preserve significant natural features and provide transitions between single-family and other uses, such as zero lot line housing and locating townhouses and cottage housing in areas near services.
- LU.IV.c: Encourage infill development that is compatible with surrounding development.
- LU.IV.e: Focus multi-family development in areas nearest to transportation facilities, commercial services and other amenities.

Goal LU.V Establish Town Center as the commercial, mixed use heart of Edgewood.

- LU.V.a Support the continued development of the Town Center to better serve the community and to attract regional visitors.
- LU.V.e Promote a mix of uses in Town Center, including residential, retail, office and community gathering places.
- LU.V.g Encourage ground floor commercial or public uses in all development.
- LU.V.i Consider standards to ensure a smooth and compatible transition to adjacent single-family residential areas, including: Limitations on building height and bulk, lighting and parking adjacent to single-family areas, Clustering of buildings away from single-family residential development, Preservation and enhancement of critical areas and open space adjacent to single-family areas, AND Provision of pedestrian and bicycle connections to residential areas.

Housing Element

Goal H.I: Ensure new housing development supports City and regional growth plans.

- H.I.a: Provide an adequate supply of land to accommodate the city's housing growth target.
- H.I.b: Encourage new housing development within the following land use designations, in order to support community objectives such as a vibrant Meridian Corridor and preservation of existing single-family neighborhoods: Town Center, Mixed Use Residential and Commercial.
- H.I.e: Develop implementation plans and strategies to ensure that adequate housing is available for all community members in the future, in accordance with the policies contained in the Comprehensive Plan.

Goal H.II: Encourage housing design that provides quality living spaces and contributes to the character of existing neighborhoods.

- H.II.d: Promote site planning techniques that create quality outdoor spaces and are in harmony with neighboring properties.

- H.II.f: Provide guidelines for transitions and buffers around different types of residential uses, in order to mitigate any negative impacts associated with higher intensity uses and foster quality living environments for all community members.

Goal H.III: Promote a mix of housing types to meet the needs of current and future residents.

- H.III.d: Increase the diversity of the City's housing stock by encouraging construction of moderate- and higher-density housing, such as apartment buildings, mixed use developments, townhomes, cottage housing and garden apartments, in appropriate land use designations.
- H.III.f: Encourage a supply of rental units in the City to provide housing choice for community members who are not home buyers.

Goal H.IV Promote a range of housing costs that are affordable for all community members.

- H.IV.f: Encourage the location of new affordable housing units near community amenities and services, in order to provide low transportation costs for future residents.

Transportation Element

Goal T.I Develop a safe and efficient street system that accommodates all transportation modes and maximizes people-carrying capacity. Improve the operating efficiency of the existing system and maintain the capacity to adequately serve present and future travel demand.

- T.I.c: Require dedication of roadway rights-of-way as part of new development consistent with the appropriate functional classification, adopted road standards and Comprehensive Plan.
- T.I.f: Design transportation facilities to fit within the context of the built or natural environments in which these facilities are located.
- T.I.g: Assure that transportation systems are appropriately sized and designed to support the land use element, serve the surrounding land uses and minimize the negative impacts of growth.

Goal T.X Maintain a dynamic relationship between transportation and land use along the Meridian Avenue E corridor.

- T.X.b: Work to create an interconnected transportation system by requiring new roadway connections consistent with the Comprehensive Plan.

Goal T.XI Protect the livability and safety of residential neighborhoods from the adverse impacts of the automobile.

- T.XI.a: Design new residential streets to discourage cut-through traffic while maintaining the connectivity of the transportation system

Part 5 – Public Notices and Comment:

1. PUBLIC NOTICES:

SITE SPECIFIC REQUEST #1

The City received an application to amend the Comprehensive Plan Future Land Use Map (FLUM) on December 27, 2017, prior to the December 31, 2017, deadline for inclusion in the 2018 preliminary docket.

On May 8, 2018, the Planning Director issued a recommendation to City Council to include the proposed amendment on its final docket.

The City held a Neighborhood Meeting on the proposed amendment at City Hall on September 25, 2018. Notice of said neighborhood meeting was mailed to property owners within 1,000 feet of the Uchida Farms LLC property on September 11, 2018. Approximately 8 members of the public were in attendance and the meeting lasted approximately one hour. Questions/concerns that were addressed regarding Site Specific Request #1 related primarily to the buffering/screening of an industrial complex from adjacent land uses, and compensatory flood storage that could be accomplished through the enhancement of streams on the property.

SITE SPECIFIC REQUEST #2

The City received an application to amend the Comprehensive Plan Future Land Use Map (FLUM) on December 27, 2017, prior to the December 31, 2017, deadline for inclusion in the 2018 preliminary docket.

On May 8, 2018, the Planning Director issued a recommendation to City Council to include the proposed amendment on its final docket.

The City held a Neighborhood Meeting on the proposed amendment at City Hall on September 25, 2018. Notice of said neighborhood meeting was mailed to property owners within 1,000 feet of the Lake Chalet property on September 11, 2018. Approximately 8 members of the public were in attendance and the meeting lasted approximately one hour. Questions/concerns that were addressed regarding Site Specific Request #2 related primarily to the quantity of apartments being constructed in Edgewood and the need for additional apartments. In addition, concerns were addressed regarding the perception that the parallel road that would be constructed would punch through to the cul-de-sac to the south, which staff clarified would not be the case.

2. PUBLIC COMMENTS:

At the time of preparation of this staff report, no public comments have been received on the proposed comprehensive plan amendments.

Part 6 – State Environmental Policy Act Compliance and Agency Comment:

The Notice of Consultation and Environmental Checklist was routed electronically to Agencies with jurisdiction on September 12, 2018. The comment period for this notice concluded on September 26, 2018.

The City of Edgewood issued a Determination of Nonsignificance (DNS) on September 27, 2018. One comment was received from Pierce County, relating to Site Specific Request #1, which is summarized below. The decision was not appealed.

1. AGENCY COMMENTS:

Pierce County Planning & Public Works: The project will access Valley Avenue East at 42nd Street Court East, a Pierce County roadway, when developed. Pierce County requests to be included in any traffic impact analysis scoping and study review, where it relates to Pierce County infrastructure. Pierce County traffic impact fees may be requested of this project, when developed.

Part 7 – Staff Recommendations:

1. SITE SPECIFIC REQUEST #1

- Staff recommends that the City Council approve the proposed Future Land Amendment from *Single-Family Moderate* to *Industrial*.
- Staff recommends that the City Council approve the change in zone from SF-3 to I.
- Staff recommends that the City Council approve amendments to the applicable text, figures, tables, and maps in the Comprehensive Plan to reflect the Future Land Use Map amendment.

2. SITE SPECIFIC REQUEST #2

- Staff recommends that the City Council approve the proposed Future Land Amendment from *Single-Family Moderate* to *Town Center*.
- Staff recommends that the City Council approve the change the zone from SF-3 to TC.
- Staff recommends that the City Council approve amendments to the applicable text, figures, tables, and maps in the Comprehensive Plan to reflect the Future Land Use Map amendment.

Part 8 – Planning Commission Recommendation:

On November 5, 2018, Planning Commission held the required public hearing on the proposed amendments. Their recommendations are as follows:

- (5-0) Vote to recommend approval of the proposed Future Land Use Amendment from *Single-Family Moderate* to *Industrial* for Site Specific Request #1. Planning Commission recommended that the zone change from SF-3 to I also be approved, and that staff make the applicable changes to the text, figure, tables and maps within the Comprehensive Plan.
- (3-2) Vote to recommend approval of the proposed Future Land Use Amendment from *Single-Family Moderate* to *Town Center* for Site Specific Request #2. Planning Commission recommended that the zone change from SF-3 to TC also be approved, and that staff make the applicable changes to the text, figure, tables and maps within the Comprehensive Plan.

Part 9 – City Council

On November 20, 2018, the proposed Comprehensive Plan amendments were presented to the City Council as an introduction to the requests in advance of the scheduled November 27, 2018 public hearing. The City Council discussed with staff the two site-specific requests and sought additional information regarding the overall impact of the Growth Management Act (GMA) on Edgewood, as well as the Department of Commerce's comments regarding Edgewood's future under the GMA.

Part 10 – Staff Report Exhibits

The following exhibits are found in the binder submitted with the Staff Report:

- Exhibit A Vicinity Map of Site Specific Request #1
- Exhibit B Current Zoning Map of Site Specific Request #1
- Exhibit C Future Land Use Map of Site Specific Request #1
- Exhibit D Applicant Staff Report and Analysis of Site Specific Request #1
- Exhibit E Vicinity Map of Site Specific Request #2
- Exhibit F Current Zoning Map of Site Specific Request #2
- Exhibit G Future Land Use Map of Site Specific Request #2
- Exhibit H Meridian Corridor Collector System Map of Site Specific Request #2
- Exhibit I Staff Presentation

Exhibit A
Site Specific Request #1 -Uchida Farms Property
Vicinity Map

[Back to Agenda](#)

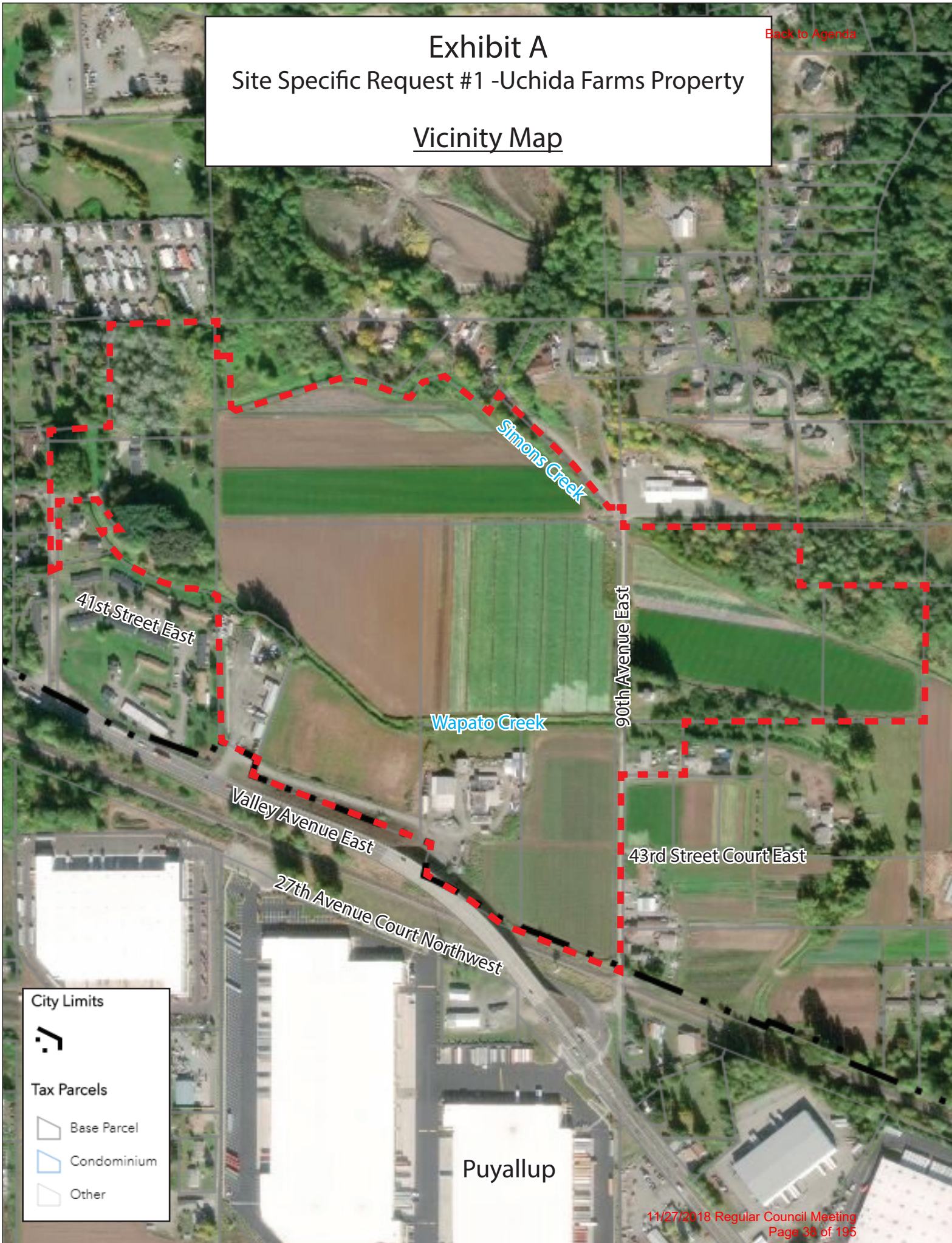


Exhibit B

Site Specific Request #1 -Uchida Farms Property

Future Land Use Map

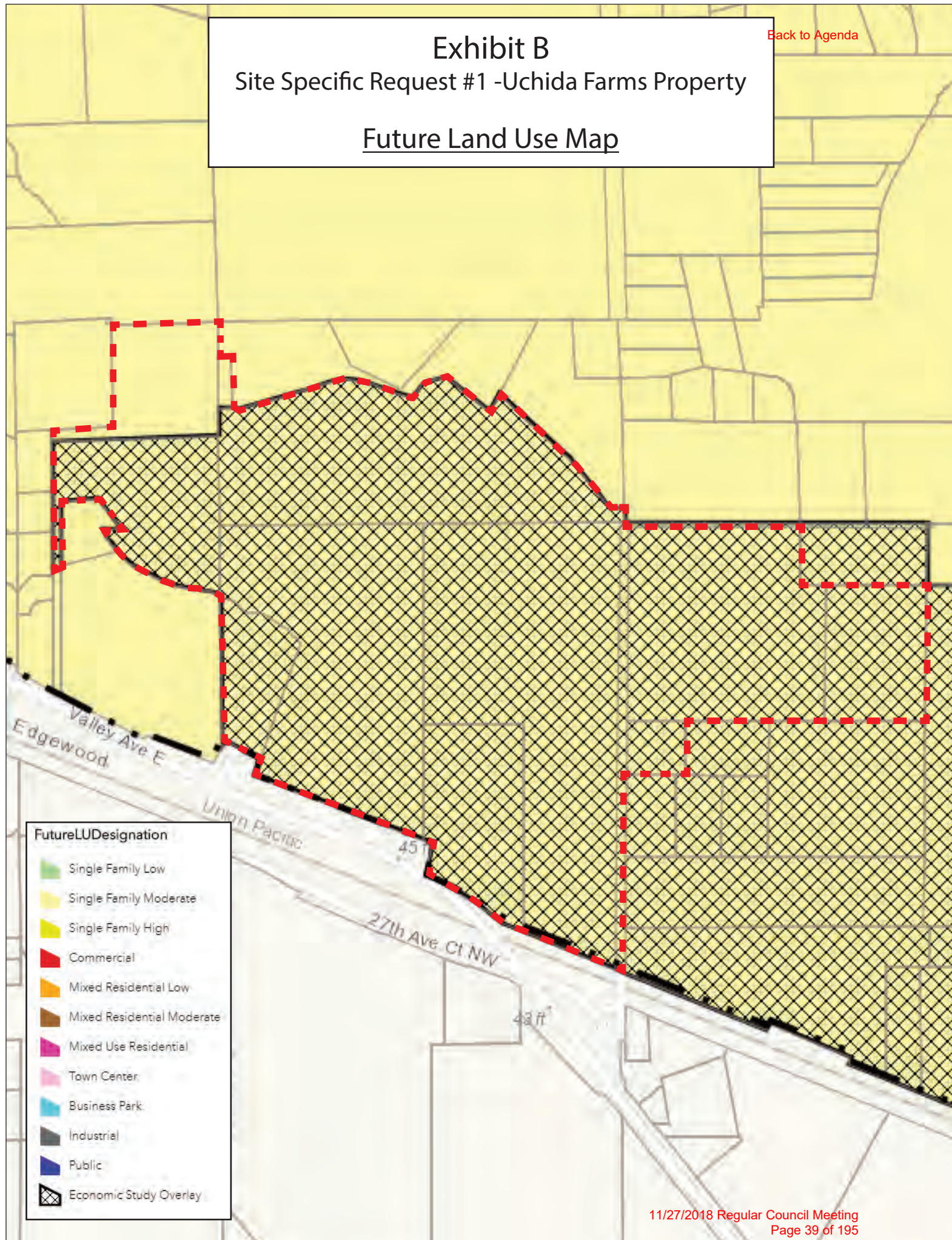


Exhibit C

Site Specific Request #1 -Uchida Farms Property

Current Zoning Map



COMPREHENSIVE PLAN MAP AMENDMENT AND ZONE CHANGE: PROJECT NARRATIVE AND EXHIBITS SUPPLEMENTAL RESPONSE: STAFF REPORT AND ANALYSIS

**8819 Valley Avenue East
Edgewood, Washington**

**Prepared for:
Uchida Farm LLC**

August 2018

January 2018

**Submittal Date: December 29, 2017
Our Job No. 18957**



18215 72ND AVENUE SOUTH KENT, WA 98032 (425) 251-6222 (425) 251-8782 FAX
BRANCH OFFICES ♦ TUMWATER, WA ♦ LONG BEACH, CA ♦ ROSEVILLE, CA ♦ SAN DIEGO, CA
www.barghausen.com

**SUPPLEMENTAL RESPONSE:
STAFF REPORT and ANALYSIS
8819 Valley Avenue East
Edgewood, Washington 98371-2535**

**In Support of an Application Requesting Approval of a
Comprehensive Plan Map Amendment
and
Zone Change**

**Proposed by
Uchida Farm LLC**

**Supplemental Report Prepared by
Barghausen Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, Washington 98032**

August 2018

Introduction

Prior to the City of Edgewood's incorporation in 1995, the Uchida Farm area was located in Pierce County and historically used for agriculture. After incorporation, the City of Edgewood zoned the property SF-3 (single-family residential / 3 units per acre), with a Comprehensive Plan Land Use designation of Single Family Moderate.

During the 2015 Comprehensive Plan update, the City of Edgewood held public input meetings to discuss the possibility for a change to the Future Land Use Map (FLUM) in the Uchida Farm area. In lieu of amending the map, the City adopted a Special Land Use Study Overlay. The intent of the Overlay was to continue studying the area for a FLUM amendment after the Comprehensive Plan update was complete.

Consequently, in December 2017, Uchida Farm LLC submitted the required application, fees, narrative and supporting documentation for a Comprehensive Plan Amendment and to rezone 68.51 acres of land from residential (SF-3) to Industrial (I). On April 16, 2018, City staff and the City of Edgewood Planning Commission recommended placing the request on the 2018 docket of amendments. On May 8, 2018, the City Council unanimously approved the inclusion of the request on the docket. A public hearing for the request is anticipated in the fall of 2018.

This narrative discusses the overall benefits of the proposal, the need for additional industrial zoned land in Edgewood, and methods to achieve responsible development of the site. This document also provides findings for approval of the amendment based on the criteria outlined in the City's April 16, 2018, staff report.

This narrative is comprised of two sections: Part 1, Issues Analysis, discusses a number of key factors including market demand, infrastructure, environmental impacts, and future land use. Part 2, Comprehensive Planning Goals and Policies, provides findings for approval based on the goals, policies, and criteria contained in the City's Comprehensive Plan and Municipal Code.

Part 1: Issues Analysis

As part of the City of Edgewood's review of the Uchida Farm LLC application seeking a Comprehensive Plan map amendment and concurrent rezoning of ±66 acres of land from residential (SF-3) to Industrial (I), many factors must be considered:

- Identify recent changes in the local real estate market that point towards increasing market demand for industrial space.
- Illustrate how communities have responded to demand by investing in supporting infrastructure, and identify the benefits of WSDOT's proposed Highway 167 Expansion project.
- Discuss the benefits of designating the area as a regional Manufacturing / Industrial Center (MIC) similar to the Sumner / Pacific MIC.
- Project the financial benefits that can be accrued in Edgewood's tax base from existing industrial projects; providing an indicator of future jobs and revenues from projects such as the proposed Uchida Logistics Center. Compare these benefits to the development of the site under existing zoning.
- Examine alternate zoning for the site in terms of economic feasibility and compatibility with the existing and emerging land use.
- Discuss how site-specific impacts of industrial development can be appropriately mitigated through design development.
- Consider the pressure to rezone nearby property resulting from the proposed zone change, and discuss the applicability of spot rezoning.

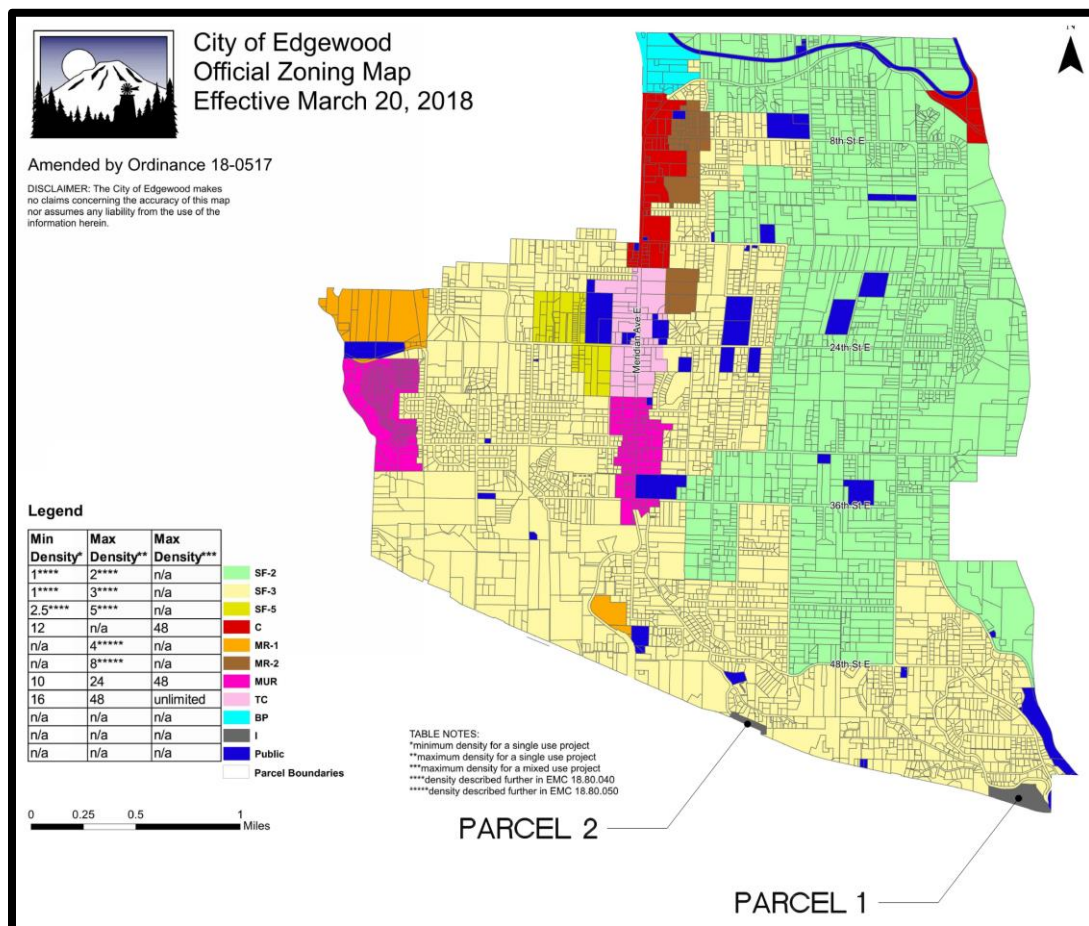
- The City's need to evaluate the proposal in terms of compliance with existing planning initiatives, goals, and objectives and consistency at the local and regional level – including the region's Vision 2040 Plan. Additionally, the need to evaluate potential impacts concerning utilities, critical areas, and transportation. (See Part 2).

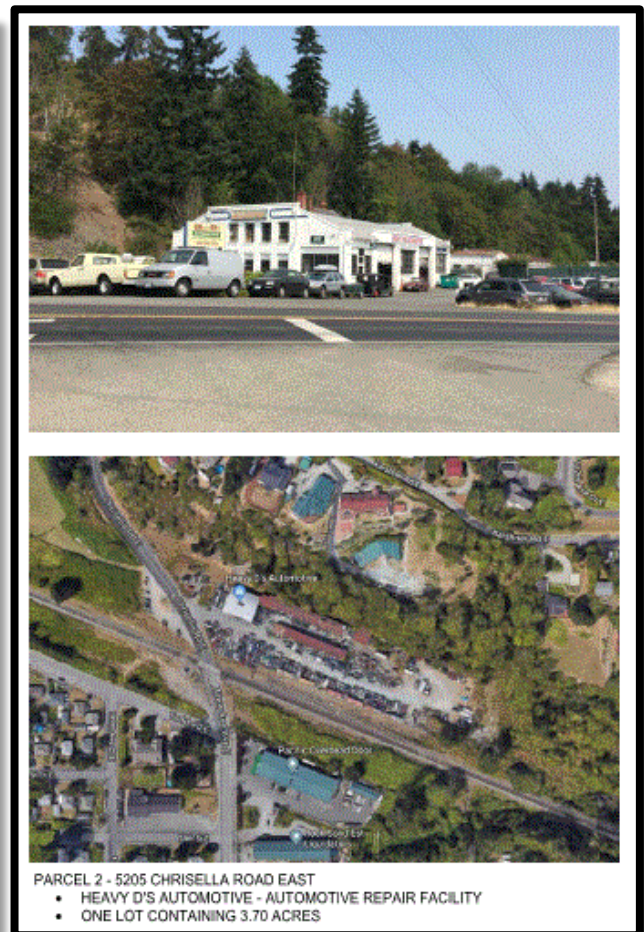
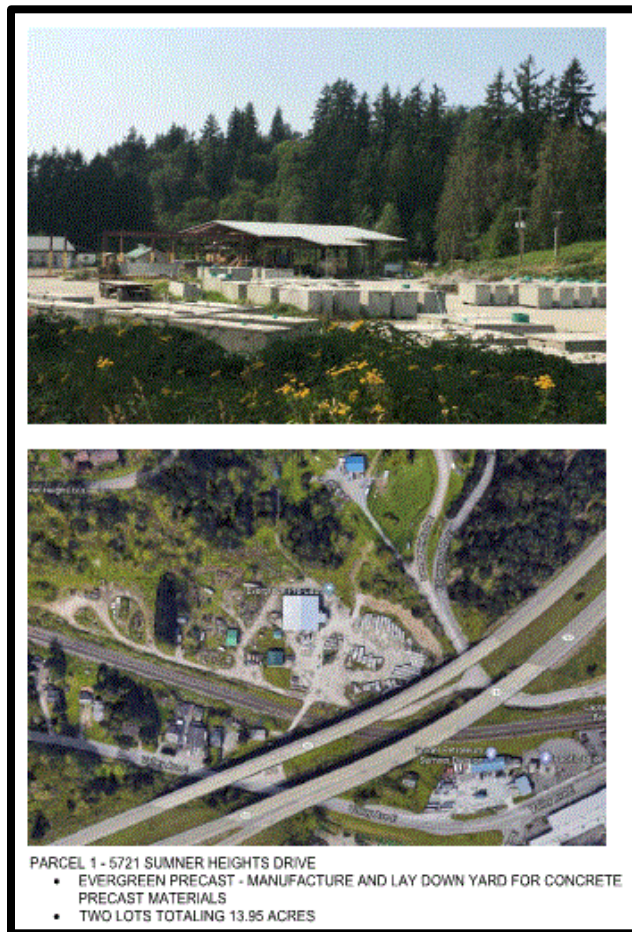
A. Market Demand

A sustainable local or regional economy is obviously driven by inherent advantages in location, resources, work force, education, transportation, etc., and perhaps most uniquely, by a dynamic balance between the diverse variety of land uses associated within the typical community and a willingness to acknowledge and respond to changes in the economic marketplace.

The Uchida Farm LLC proposal is derived from an analysis of the local industrial real estate market and an understanding of the unique opportunity presented for its properties in Edgewood. Possibly best known as a bedroom community serving other regional growth centers as a residential resource, Edgewood has a small portion of land available for industrial use; consisting of three (3) parcels and approximately 17.65 acres of industrial use and an estimated ±10,000 square feet of usable space – an industrial base of only 0.3% of land area - featuring pre-cast concrete and auto repair as principal uses (see exhibit and photos below)..

EXISTING INDUSTRIAL USES IN EDGEWOOD





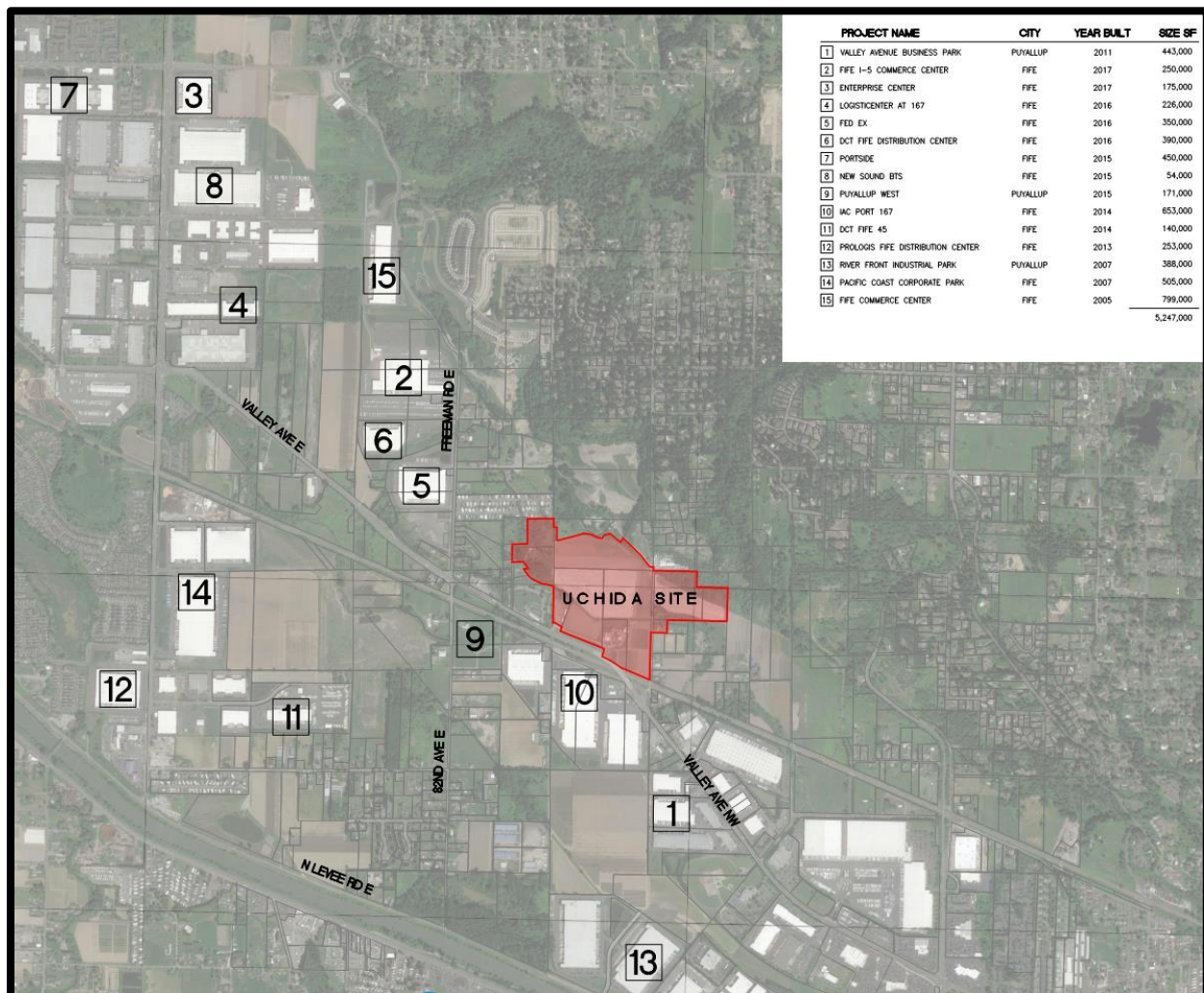
However industrial growth has been a driving force in the regional economy as indicated by tremendous growth of industrial properties in the adjacent communities of Fife and Puyallup. Starting in the early 1960's, industrial development slowly expanded southward; extending through South King County, the Kent Valley, into Auburn and more recently, the Puyallup Valley and Fife. Both the Fife and Puyallup submarkets have been consistently growing since 2012, as reflected in the table below. As projects have been delivered, vacancy rates rose, but absorption has allowed both of these submarkets to achieve some of the strongest demand / lowest vacancy rates within the Puget Sound region.

Industrial Market Demand in Edgewood's Neighbors Market Statistics per CBRE				
	Fife Submarket		Puyallup Submarket	
Year	Market Base (SF)	Vacancy (%)	Market Base (SF)	Vacancy (%)
2012	10,068,000	7.2	4,331,000	5.3
2013	10,361,000	3.6	4,621,000	3.3
2014	10,361,000	3.5	4,904,000	8.7
2015	11,376,000	5.3	5,288,000	3.1
2016	11,995,000	6.4	5,941,000	9.9
2017	12,469,000	3.5	5,986,000	2.5

Today, available industrial tenancy is virtually non-existent in the Edgewood / Puyallup / Fife area; one project is currently under construction in Puyallup and none in Fife. According to local analysts, as of late 2017, there are as many as 36 industrial requirements, seeking 5.9 million square feet of new space in the region – an opportunity Edgewood could take advantage of through approval of the Uchida Farm LLC proposal.

The demand for new space is not a recent phenomenon, but rather a consistent factor in local and regional growth. Since 2005, fifteen (15) new industrial sites have been developed by some of the premier industrial developers in the region within 1.5 miles of the Uchida Farm LLC site; more than 5.2 million square feet of industrial space has been constructed – with 100% occupancy of the new space.

INDUSTRIAL CORRIDOR GROWTH SINCE 2005



Changes in the Market: 2001 to 2018 Industrial Projects Developed in the Cities of Puyallup and Fife Within 1½ Miles of the Uchida Farm LLC Site				
Project Name Location & Developer	Year Built	Buildings	Square Footage	Tenants
Fife Commerce Center Fife WA ... NW Building Corp	2005	2	799,000	Western Container, UPS Supply Chain Logistics, Trans-Trade, Inc., Bargreen Ellingson
River Front Industrial Park Puyallup WA ... Prologis	2007	1	388,000	XPO Logistics, SuperValu
Pacific Coast Corporate Park Fife WA ... Opus / Clarion	2007	2	505,000	Bridgwell Industries, Village Farms, Johnson Controls, Recall Corporation, Prologis Distribution Service, Mercer Distribution, CMI Transportation
Valley Avenue Business Park Puyallup WA ... Schnitzer / IAC	2011	5	443,000	Panera Bread, Advanced Filter & Mechanical, Roof Truss Supply, 1-800 Pack Rat, Apex Moving & Storage, Danson's, Peoples Injury Network NW, Mens Wearhouse, TGR Logistics, Container Graphics, Service Partners Gutter Supply NW, Northwest Healthcare, Steelcase Furniture, Environmental Chemical Solutions, Clopay Building Products, Safelite Fulfillment
Prologis Fife Distribution Center Fife WA ... Prologis	2013	1	253,000	Government Services Administration (GSA), Acme Distributing
DCT Fife 45 Fife WA ... DCT Industrial	2014	2	140,000	Danson's, Crystal Distribution, Roof Truss Supply, Scott's Dental, Flair Flexible Packaging Corp.
IAC Port 167 Fife WA ... Trammell Crow / IAC	2014	2	653,000	Simmons Mattress, UPS Supply Chain Logistics, Inc., Cabela's, Niagara Bottling, L.J. Smith
New Sound BTS Fife WA ... Benaroya / New Sound	2015	1	54,000	New Sound Transportation
Puyallup West Puyallup WA ... Avenue 55 / Cabot	2015	1	171,000	LSI Logistic Service Solutions
Portside Fife WA ... Davis / LBA	2015	5	450,000	Regal Logistics, MWI Veterinary Supply, Roofline Supply, Cascade Millwork & Supply, Commercial Distribution Specialists, Hanes Industries, Mud Bay, Crate & Barrel
Fed Ex Fife WA ... SunCap / Fed Ex	2016	1	350,000	Federal Express

DCT Fife Distribution Center Fife WA ... DCT Industrial	2016	1	390,000	Milgard, United Parcel Service, Pet Food Experts
LogistiCenter at 167 Fife WA ... Dermody	2016	1	226,000	Regal Logistics
Fife I-5 Commerce Center Fife WA ... Trammell Crow	2017	1	250,000	Associated Materials, Inc.
Enterprise Center Fife WA ... Panattoni	2017	1	175,000	Lennox Industries Pioneer Human Services
15 Properties ... 27 Buildings ... 5,247,000 SF of Industrial Space				

As the table above illustrates, demand has consistently produced a diverse list of tenants at these sites. National brands such as Panera Bread, Men's Wearhouse, Steelcase Office Furniture and Safelite Fulfillment Center call the Valley Avenue Business Park in Puyallup, their home – sharing the site with local businesses such as Northwest Healthcare, TGR Logistics, Container Graphics and Roof Truss Supply. The DCT Distribution Center in Fife features Milgard, United Parcel Service and Pet Food Experts on their current list of tenants.

This listing illustrates not only diversity in tenants, but also dramatically illustrates the discrepancy between the current Edgewood inventory of industrial sites and the market potential being offered by the Uchida Farm LLC proposal. A review of the occupants will also find a dearth of older, traditional large-scale heavy manufacturing and industrial uses - uses often cited by those opposed to adding industrial land to a community's inventory due to problems typically characterized as public nuisances (noise, odors, etc.).

B. Response to Demand

Having available land and construction of new industrial space is not enough to seize the opportunities presented in a competitive market which often sees properties fully leased prior to the start of construction. Edgewood's neighbors and Washington State have recognized the local market's needs and responded with improvements designed to encourage economic development, improve transportation access and by extension - support industrial growth

- The City of Fife widened and reconstructed Freeman Road, from Valley Avenue to 20th Street; including substantial improvements to the intersection of Freeman Road and Valley Avenue. This project was specifically designed and constructed to ease the flow of truck traffic to accommodate industrial development.
- The City of Puyallup created, widened and signalized the intersection on Valley Avenue, immediately adjacent to the proposed site; accommodating traffic flow into and out of the IAC Port 167 and Puyallup West developments.
- WSDOT is proposing the extension of Highway 167 from its current terminus at Meridian Avenue to the Port of Tacoma – an improvement recently funded by Washington State. Right-of-way has been acquired and construction is projected to occur in phases over the next 13 years.

An interchange is proposed in the immediate vicinity of the Uchida Farm LLC property; enabling easier access from both Kent Valley and the Port of Tacoma to the proposed

Uchida Logistics Center. It is important to note that in almost all cases, land immediately adjacent to the proposed extension is zoned for industrial use; serving not only as a buffer for nearby residential uses, but also to take advantage of the transportation access provided by the project.



C. Manufacturing / Industrial Center (MIC) Designation

Rezoning the Uchida Farm properties to Industrial provides the opportunity for the City of Edgewood to join with adjacent cities such as Fife, Milton, and/or Puyallup to create a Manufacturing / Industrial Center, which would qualify for priority for local and regional infrastructure investments pursuant to the Policy Framework for Puget Sound Regional Council's Federal Funds. PSRC describes the MIC as follows:

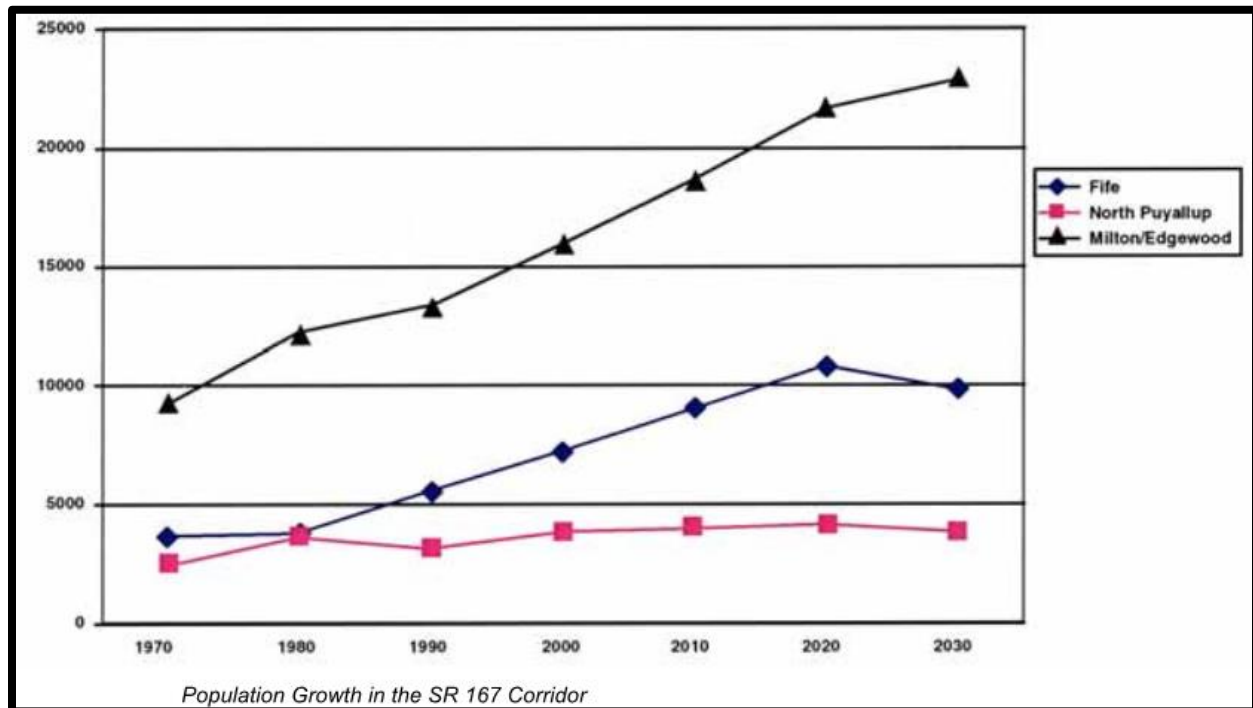
Manufacturing/industrial centers are identified as concentrations of employment that will accommodate a significant share of regional employment growth, promote efficient use of land and provision of infrastructure, and support the industrial and manufacturing sectors of the region's economy. Because centers serve as an organizing framework for an efficient multimodal transportation system and are targeted to accommodate significant growth, they have been given priority for local and regional infrastructure investments since 2002, when designated regional centers and the corridors that connect them became the policy focus in the regional Policy Framework for PSRC's Federal Funds.

In April 2016, PSRC approved a provisional designation for the Sumner-Pacific MIC. Designation procedures require the cities of Sumner and Pacific to adopt a center subarea plan within two years. This process is currently underway. A similar effort can be initiated in the southern Edgewood area where industrial demand is already robust.

D. Population, Jobs and Revenues

When government agencies invest in improvements oriented towards a specific market segment or unique situation within a jurisdiction, officials tend to focus on revenues and expenditures and the benefits they will produce – specifically job creation and tax revenues.

Given the cyclical nature of our economy, major investments such as the Highway 167 Expansion place a heavier emphasis on job creation than may typically be brought to bear on smaller, localized projects, both in construction and longer-term employment to areas served by the project. As population grows in a transportation corridor, development of all types tends to keep pace. WSDOT projects growth in the Milton/Edgewood Corridor will grow exponentially through 2030, as illustrated in the chart below.



With population growth, industrial demand and increasing challenges to land use decision-making will likely become topics of debate in each community. The type of growth Edgewood may reasonably expect as a by-product of the Highway 167 project will increase market forces as agricultural land is repurposed for industrial and accompanying residential and commercial growth. The table below features WSDOT's projected employment by industry sector; data used in support of the Highway 167 extension. Edgewood is part of FAZ 1200 – a focused activity zone roughly equivalent to the area projected for population growth as evidenced in the previous chart.

Typically, office uses generate approximately four (4) employees per 1,000 square feet of space, while warehousing would create less than one employee (.5) per 1,000 square feet of space. For a project such as the proposed Uchida Logistics Center, employment projections show as many as 605 employees working onsite – a number consistent with proposed parking onsite and likely leading to secondary, related growth in Edgewood’s residential and retail sectors.

The Applicant is highly motivated by the growth trend exhibited in the relevant sectors targeted as potential tenants and uses for the proposed Uchida Logistics Center – manufacturing, transportation, wholesale, communications and utilities. Combined with market demand factors and growth trends since 2000, the Applicant sees a strong case for the need and desirability of adding industrial land to Edgewood’s inventory; supporting the need for a change in the Comprehensive Plan and zoning of the subject property.

The definition of industrial use detailed in Edgewood’s Comprehensive Plan Current Land Use (Volume II, Page 91), “...provides for regional research, light manufacturing, warehousing and other major regional employment uses. Industrial lands are limited to areas where regional transportation is available.” These statements define and clearly support the Applicant’s contention that the Uchida Farm LLC proposal is not only consistent with Edgewood’s own goals, but when considered as part of a regional focus, complements existing plans/projects designed to support job growth in manufacturing industrial centers in neighboring communities and regional growth centers on a scale outlined in the Puget Sound Regional Council’s long-range plan – Vision 2040.

Table 3.11-4: Current and Projected Employment by Industry Sector

Industry Sector	FAZ 1130*		FAZ 1200*		FAZ 2000*		Pierce County	
	2000	2030	2000	2030	2000	2030	2000	2030
Retail	456	1,807	957	2,040	1,603	2,493	50,045	77,097
Services (Finance, Insurance, Real Estate)	202	1,556	694	1,336	2,707	4,424	89,340	149,315
Government/ Education	46	240	451	632	356	896	74,401	86,001
Wholesale, Transportation, Communications, Utilities	278	1,347	323	822	4,656	7,115	23,917	41,718
Manufacturing	359	1,375	381	763	3,226	2,000	23,992	30,496
Total Employment	1,341	6,325	2,806	5,593	12,995	16,929	261,695	384,627

*FAZ 1130 = North Puyallup (Census Tract equivalent 705) FAZ 1200= Milton/Edgewood (Census Tract equivalent 707.01, 707.03, 707.04)

FAZ 2000 = Fife (Census Tract equivalent 709)

Puget Sound Regional Council 2001b Employment Working Forecasts

Revenues are often a concern as well when viewed as a return on investment, but industrial properties tally fairly well on the property tax side of the balance sheet. While future projections are always difficult and only an estimate, the Applicant has researched a similar property in neighboring Fife to project Edgewood revenues in the future.

With a cumulative assessed value of nearly \$38.7 million on almost 535,000 square feet of industrial space, the figures show an estimated \$72.26 per square foot of assessed value. The property's total millage rate is \$13.3846 per \$1,000 of value, or 1.33%; Fife's share of the millage is \$1.4085 per \$1,000 of value, or 0.14%. Projecting the Fife example onto the Uchida Farm LLC proposal, and specifically, the proposed Uchida Logistics Center will provide an estimate of tax revenue. With a base of 865,395 square feet and using \$72.26 as a multiplier for assessed value, the estimated assessed value tallies \$62.5 million; using Fife's millage as a multiplier, the projected annual property tax revenue for Edgewood would be approximately \$88,000 if developed as industrial. By contrast, the subject properties currently generate roughly \$ 30,519 in tax revenue according to Pierce County Assessor records. In addition to this revenue source, Edgewood could receive significant traffic impact fees and permit fees.

The recent adoption of a six percent (6%) utility tax by Edgewood will add to the advantages of the proposed industrial use, versus the use of the property for residential under current zoning. With 48.34 acres defined as usable for residential development, the approximate tally of 116 homes/households (see Item E below) would likely generate far less revenue than a fully developed industrial park.

E. Alternative Land Use Analysis

Under current codes, Edgewood allows a number of uses within the Single-Family Residential 3 (SF3) zoning district; whether permitted outright, under a conditional use permit or an administrative conditional use permit, the Applicant feels the development of the property under any of these uses – agriculture, civic or religious uses – would produce value, but would certainly not produce the highest and best use of the property in terms of economic return on investment, employment or growth management.

Our team's environmental analysis projects 38.82 acres of the Uchida site as being unencumbered with critical area restrictions. Given the unlikely possibility of agricultural uses or civic uses being realistic alternatives, the Uchida Farm LLC

team focused our comparative analysis on the use of the subject property for large-scale residential development. The table at right shows a comparison of residential development options under current Edgewood code. The Mixed Use Residential (MUR) zones are not included because they are targeted for Edgewood's downtown core.

Potential Residential Uses by Edgewood Zoning District			
Single-Family Residential 3	SF3	3 Units / Acre	116
Single-Family Residential 5	SF5	5 Units / Acre	194
Mixed Residential 1	MR1	4 Units / Acre	155
Mixed Residential 2	MR2	8 Units / Acre	310

To evaluate the potential for residential development on the Uchida parcels, the development costs must be considered. There are significant costs that are unique to the Uchida Farms parcels, including the costs for earthwork, stormwater, flood storage, stream channelization (widening and restoration), road realignment and railroad crossing improvements, and a significantly long sewer extension with a pump station. Barghausen Consulting Engineers has prepared a basic cost analysis for some projected costs associated with grading and utilities. The estimate is attached to this narrative and summarized below:

\$ 2,500,000	Earthwork & Grading
\$ 1,500,000	Detention and Water Quality including Flood Compensation
\$ 1,800,000	Frontage & Road Improvements

\$ 1,200,000	Wetland Buffer and Mitigation Improvements
\$ 600,000	Water Connection
\$ 850,000	Sanitary Sewer Connection & Pump Station
\$ 400,000	<u>Railroad Crossing Improvements</u>
\$ 8,850,000	Infrastructure Costs
\$ 440,000	Estimated Design Costs
\$ 800,000	<u>Contingencies</u>
\$10,090,000	Grand Total

Based on the above numbers, the projected special costs for development on the Uchida site would add approximately \$87,862 per lot using the SF3 category and a maximum of 116 lots. This does not include soft costs such as professional fees, impact and mitigation fees, power/dry utility fees, and any other special development fees specific to the City of Edgewood, which could add another \$25,000 to \$40,000 per lot. In addition, the basic costs to construct the plat itself, including streets, sidewalks, utilities, lighting, landscaping, etc., will add about \$50,000 per lot. In today's marketplace, the average price to develop a detached residential plat in the South Puget Sound area averages a low of \$80,000 per lot to a high end of as much as \$130,000 per lot (including contingencies). Even when economies of scale are factored into residential development, costs approaching \$180,000 per lot would likely prove to be prohibitive for the Uchida Farm LLC site being feasible for single-family homes.

Additionally, consideration must be given to the adjacent land development pattern. While adjoining properties are vacant and/or developed with very low-density residential homes, the area is becoming increasingly industrial as demonstrated earlier in this narrative. In addition, the site is adjacent to high noise generators, including railroad tracks along the south property line, SR167, and Valley Avenue. Finally, the site is also substantially lower in elevation from homes to the north in southern Edgewood. Development of the site with industrial buildings will not block views or be incompatible with the views of industrial development in the area.

Lastly, the City of Edgewood is already flush with residentially zoned land, whereas industrial land represents only .3 percent of the City's total land area. Edgewood has plenty of residential land capacity to meet its residential growth targets, whereas the City's economic base is constrained by the lack of industrial zoned land.

F. Design Development

Given the Uchida Farm LLC property's location within Edgewood, but adjacent to other communities as well, infrastructure and utility connections could originate from different sources. The developer would bear the costs of all onsite and offsite improvements. No out-of-pocket costs would be borne by the City of Edgewood taxpayers. Demand for public safety services would likely be relatively consistent with the demand generated by existing retail and industrial uses in Edgewood.

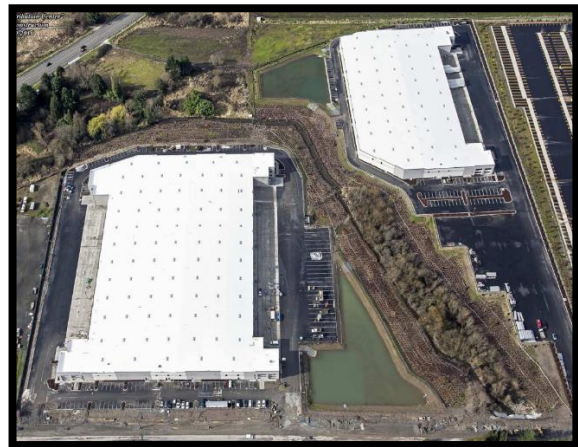
Adjacent properties have a legitimate interest in insisting Edgewood address any adverse impacts identified as being associated with the potential rezoning of the Uchida Farm LLC property, or subsequent use of the site for a large-scale industrial project such as the proposed Uchida Logistics Center. Site-specific issues await development review at a future date, but perhaps the best way to demonstrate how impacts can be appropriately addressed is by examining a recently completed nearby project, the DCT Fife Distribution Center.

The DCT Fife Distribution Center is located less than one half mile west of the Uchida Farm properties. The site is slightly smaller, but similar to the Uchida site. The site is very similar to the Uchida Farm LLC

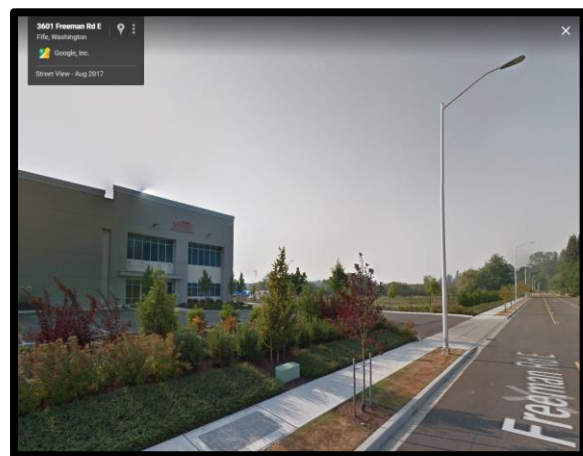
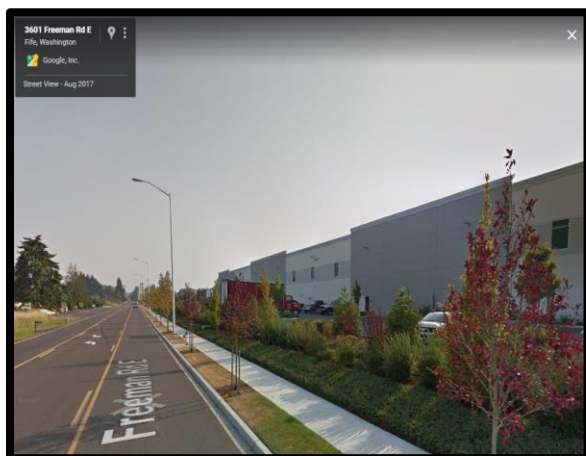
site – featuring nearby residential uses and a need to protect and preserve the environment of adjacent Wapato Creek. It is important to note this project also supports the goals and objectives not only the Vision 2040 plan, but also WSDOT's Highway 167 Expansion project.

The developer invested significantly in terms of environmental preservation and enhancement of the Wapato Creek watershed and improving access to adjacent residential properties on Freeman Road. The developer widened and restored Wapato Creek to accommodate flood storage, stormwater, and improve the environmental habitat. The same approach would apply to the Uchida properties because the creek is the natural discharge point and offers capacity for flood storage and stormwater runoff in lieu of constructing large detention vaults. The pictures below offer an idea of the site development investment pursued on the Fife site – which could be replicated on the Uchida Farm LLC property.

DCT Fife - Before and After



Please note the improved streetscape; offering pedestrian access with a landscaped parkway bordered by perimeter landscaping separating the parking areas from the right-of-way. In addition to a dedicated left turn lane to address congestion and backups from turning traffic, each direction has a paved travel lane with street lights at driveways and improved access to adjacent residential properties on the east side of the road.



Finally, the architecture of the buildings is varied and attractive. The intent was to avoid a monotonous appearance by using different rooflines, colors, and window placement.

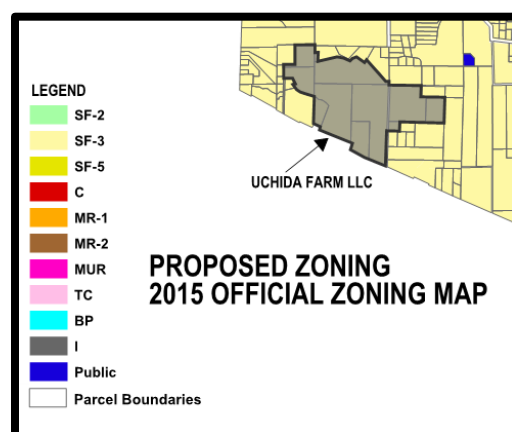
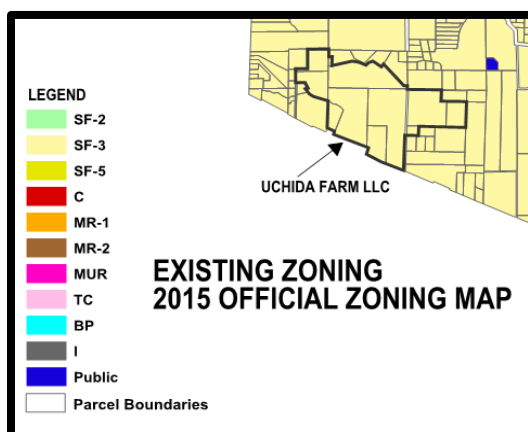
Analysis of impacts on utilities, critical areas, and transportation relative to the Uchida site are discussed in Part 2 of this narrative, Comprehensive Planning Goals and Findings.

G. Pressure to Rezone and Spot Zoning

The Applicant has taken note of the concern expressed by staff regarding pressure to rezone other property in the area, in particular those between the main Uchida site and the singular outlier parcel. After consultation with the affected property owners, a collective decision resulted in the removal of the outlying parcel from the application to remove pressure from properties in between to rezone.

Spot zoning is singling out a small parcel of land for a rezone that is different from that of the surrounding area for the benefit of an individual property owner. The Uchida Farm LLC request is to rezone an area over 66 acres in size that consists of eleven (11) parcels owned by five (5) different property owners. The Uchida proposal is not spot zoning due to the size of the rezone area, the number of parcels, and the number of owners. The City of Edgewood recognized this as an area rezone when it created an overlay designation.

REVISED Parcel Information Table – Uchida Farm LLC					
Parcel No	Acreage	Square Footage	Zoning	Primary Use	Ownership
042016-3054	44.7	1,947,132	SF-3 Moderate Density Single-Family Residential	Farmland	Minoru Uchida
042016-3055					
042016-3702					
042016-3047					
042016-3026					
042016-3023					
042016-3052	2	82,764		Warehouse / Storage	Darth & Andrea Castan
042016-2700	11	469,557		Farmland	William Bennett
042017-5004	5.1	220,849		Farmland	Gary & Linda Todd
042016-6003	3.1	134,601		Vacant / Undeveloped	Cathy V Canorro
042017-5005					



Part 2 - Comprehensive Planning Goals and Findings

The staff report briefly discusses previous efforts to address the status of area properties as part of a Comprehensive Plan update process in 2015; noting designation of the area as a Special Land Use Study Overlay focusing on possible changes for the southwest portion of Edgewood, and by reference, the need for a land use study covering the area in question.

While the City has not commissioned such a study, the staff report correctly points to the Uchida Farm LLC application as providing an opportunity for the development of such a study; serving as a basis for review of not only the Uchida Farm LLC application, but also as possible evidence of unrealized development opportunities for the City of Edgewood.

City staff correctly points to the evaluation of the Uchida Farm LLC application relative to goals outlined in Edgewood's Comprehensive Plan; specifically, those identified under Goal LU.1 – a listing to guide residents and officials in the consideration of changes in the future land use pattern in a manner which maintains consistency with the City's vision.

The following responses to these goals and the remaining materials contained herein will not only highlight the need for additional industrial land in Edgewood, but also provide insight into how future development potential may provide benefits to Edgewood's growth, while addressing adverse impacts cited by some objecting to the proposed changes.

Comprehensive Planning Goals

❖ **GOAL LU.1.a**
Ensure land use policies and regulations support the City's vision

Beginning with an initial effort in 2015, the Applicants have focused on a need for changes to the land use designations for this area within the context of supporting the City's vision, while realizing the development potential of their own properties.

The Uchida Farm LLC application's request for an industrial designation is based on the cumulative effects of small-scale farming activity over the years and the limited potential for single-family residential development in terms of locational constraints and financial limitations.

The Applicant believes the current 2018 proposal will confirm the underlying conditions which fostered the City's designation of the area as a Special Land Use Study Overlay in 2015, and the Applicants' previous effort, while building upon specific goals (LU.VII) relative to proposed industrial growth found within the Comprehensive Plan (see text box above).

GOAL LU.VII

Accommodate and facilitate industrial development that positively contributes to Edgewood's economy and character.

❖ **GOAL LU.VII.a**

Establish opportunities for a range of industrial uses, such as regional research, manufacturing, warehousing or other regional employment centers.

❖ **GOAL LU.VII.b**

Expand the number and type of industrial uses in the City through more intensive use of existing industrial lands and expansion of industrial uses in appropriate locations.

❖ **GOAL LU.1.b**

Create a “first-mover” advantage for quality projects which respect the City’s vision.

Being the first to realize a potential need for change is often a difficult position to occupy, but the Applicants’ previous efforts in 2015 indicate the Uchida Farm LLC proposal occupies this niche. The proposal clearly reflects a commitment to the need for change having been identified through not only exhaustive market research, but also examination of similar industrial development opportunities realized by neighboring communities. The Applicant’s proposal – from a detailed application through to the inclusion of a preliminary development plan demonstrating how the Uchida Farm properties could be responsibly developed as an industrial or logistics center – demonstrably supports the City’s vision, as articulated on Page 7 of the Comprehensive Plan:

- By presenting a necessary option for future land use which preserves the character, neighborhoods and natural features which comprise the Edgewood of today.
- By demonstrating how the designation of the Uchida Farm properties as industrial may produce development accomplished in a fiscally responsible manner without burdening the City’s finances.
- By developing a preliminary development plan which demonstrates a commitment to environmental sustainability and is reflective of impacts on adjacent natural systems.

❖ **GOAL LU.1.c**

Continue to use the adopted FLUM to guide land use and development regulations; updating as needed.

The Applicant’s proposal is based on the need to update the FLUM to reflect a need for additional industrial land use within Edgewood, as identified by results of their analysis of current market trends within the industrial sector. Updating the City’s development regulations will likely be an ongoing process driven by a staff experience and a cooperative effort with the Uchida Farm LLC team.

❖ **GOAL LU.1.d**

Study the potential for new land use designations on an as-needed basis; responding to changing community conditions and/or regulatory requirements; considering the following...

- *Potential for a master plan or small area plan*

Early on, both the City of Edgewood and the Applicant identified potential for a coordinated planning effort or master plan on this portion of Edgewood. The Applicant proceeded with their own effort, based on their goal of eventually achieving a planned industrial project onsite, similar to those in adjacent communities such as Fife and Puyallup; resulting in the preparation of the preliminary plan for the Uchida Logistics Center included with this application as an example of industrial development potential.

- *Potential for economic development, recruitment of businesses providing family-wage jobs and support for locally-owned businesses*

In terms of economic development potential, realizing employment opportunities generating family-wage incomes while providing economic support for Edgewood businesses, the Applicant believes industrial uses offer a greater potential for achieving this goal. The Applicant believes most industrial jobs consistently pay a living wage which provides a solid foundation for economic prosperity and upward social mobility for workers and their families.

- *Transportation access*

The potential for increased economic growth being realized through the addition of industrial land to Edgewood's land inventory is solidly rooted in the accessibility of the Uchida Farm LLC property to local transportation assets. Proximity to Interstate 5 and State Highway 167, offering unmatched access for trucking and the nearby presence of rail lines for transcontinental shipping provide excellent incentives for industrial tenants to consider land in Edgewood. The local highway system also provides easy access to employment opportunities for those seeking to better their employment situation.

- *Availability of public facilities and services*

While located along Edgewood's southern boundary, the Uchida Farm LLC property is located in an area where public facilities, services, utilities and infrastructure are readily available. The Applicant realizes improvements may be required to fully provide the infrastructure necessary to bring these resources to bear on the proposed industrial development. The Uchida Farm LLC team is fully committed to bearing responsibility for the design and installation of the improvements required to meet Edgewood's development codes.

- *Environmental constraints*

The Applicant's proposal recognizes that transforming what is essentially a small-scale farming use into a fully developed industrial area will require working within the existing environmental constraints to responsibly develop the property. A closer look at the preliminary plan for the Uchida Logistics Center provides the best indication of how the proposed development of an industrial use onsite can not only consider, but work with environmental constraints onsite.

By necessity at this stage, the plan is general in nature, providing a sample of larger scale industrial development with multiple structures scattered across the site. While final plans await the preparation of a boundary and topographical survey, this initial site plan assumes a useable development area of 48.34 acres; allowing nearly 18 acres of buffer area onsite – approximately twenty-five percent (25%) of the site – a larger percentage of open space onsite than currently available citywide (2.1%). Subject to permitting and plan review, this plan also presumes required landscaping, parking, creek buffers and provides ample opportunity for onsite stormwater facilities with a number of detention ponds providing over 900,000 cubic feet of detention capacity. Perimeter and interior landscaping would provide a natural aesthetic for a number of internal access drives and parking areas.

- *Compatibility with surrounding development*

The Applicant believes the change in use proposed for the site will have minimal impacts on adjacent properties. While adjacent residential uses will be, by definition, somewhat incompatible; however a responsible developer will utilize every possible buffer technique to minimize adverse impacts. Consequently, any development plan will almost certainly build around the natural features of Wapato Creek and Simons Creek and incorporate some form of creek/stream enhancement into the development plan, along with dense vegetation within the perimeter buffers.

The Uchida Farm LLC site is within a short distance of a number of similarly scaled industrial properties in nearby Fife and Puyallup. To the degree they would be similar in terms of tenants and uses, they reinforce the compatibility of small-scale industrial development within a checkerboard of commercial and residential uses.

- *Community input*

The Applicant supports and encourages the participation of the community in an ongoing dialogue regarding the proposed change to industrial use, and later, during the permitting and plan review process, when specific projects plans begin to take shape.

- *Property owner interests*

The Uchida Farm LLC properties are owned by individuals who have agreed on a common purpose – to realize the highest and best use of their property in a manner which is supportive of the community's goals, as expressed in the Comprehensive Plan; including the need to periodically evaluate different land use scenarios within the context of proven factors pointing towards the need for change.

- *Consistency with City plans and policies*

To the extent that the City of Edgewood has already seen fit to designate the area for additional study through an overlay district mechanism, the Uchida Farm LLC proposal is clearly consistent; focusing an array of market research on the justification of the proposed land use change and corresponding rezone; discussed thoroughly in the Part 1 – Market Research section of this report's discussion of the local and regional industrial market .

- *Open space preservation*

The change in land use proposed by the Uchida Farm LLC application will result in a larger amount of impervious surface onsite than under the current residential/small-scale farming use. While open space in an environmental or recreational sense is not found onsite, responsible development of the properties will result in a significant amount of open space used for landscaping and detention purposes, along with creekside improvements along Wapato and Simons Creeks.

❖ **GOAL LU.1.e**

Ensure that the City's functional plans (sewer, etc.) are supportive of land use patterns.

The degree to which this goal is addressed will be compiled during permitting and plan review, but the Applicant is aware that all of the necessary utilities are readily available, either onsite already or readily available for extension to the site.

Issue: Amendment Application Review Criteria

The Planning Commission and City Council are obligated to review applications for Comprehensive Plan amendments under the following criteria set forth in Edgewood Municipal Code Section 18.60.220 – formulated below as questions:

1. *Does the amendment conform to the Growth Management Act (Chapter 36.70A RCW)?*

As previously stated in the Project Narrative submitted with the application, the Applicant believes the proposed map amendment and rezoning is consistent not only with the City of Edgewood's Comprehensive Plan, but also regional plan goals set forth in the Puget Sound Regional Council's Vision 2040 Plan and procedural requirements established in the State of Washington's Growth Management Act (GMA).

Beginning with the most wide-ranging element – conformance with the requirements of the Growth Management Act (GMA), specifically RCW 36.70A – the Applicant has submitted the requisite documents in accordance with Edgewood's protocols for amendments and rezoning. Staff will continue the process in a manner which ensures public participation and review by the appropriate commissions and elected officials.

LAND USE CATEGORY	ACREAGE	PERCENT OF TOTAL CITY ACREAGE
Single-Family	3,152	58.6%
Multi-Family	246	4.6%
Retail	33	0.6%
Services	84	1.6%
Industrial	16	0.3%
Civic	9	0.2%
Parks & Open Space	111	2.1%
Schools	56	1.0%
Utilities	41	0.8%
Resource Lands	303	5.6%
Unimproved Lands	883	16.4%
All Other Uses (Including Roads)	448	8.3%

RCW 36.70A.110.2 mandates each urban growth area/city to include “...areas sufficient to accommodate the broad range of needs and uses that will accompany the projected urban growth including, as appropriate, medical, governmental, institutional, commercial, service, retail, and other nonresidential uses.” Going further, the same section states, “...An urban growth area determination may include a reasonable land market supply factor and shall permit a range of urban densities and uses. In determining this market factor, cities and counties may consider local circumstances. Cities and counties have discretion in their comprehensive plans to make many choices about accommodating growth.”

An analysis of the data provided in support of this application leads the Applicant to believe the need for Edgewood to acknowledge a limited local land capacity to address existing and projected industrial demand have been clearly demonstrated in a manner and to the full extent of consistency with GMA.

2. *Is the amendment consistent with the City’s Comprehensive Plan, including goals, policies and implementation strategies of the various elements of the plan?*

In addition to the compliance with Comprehensive Plan goals outlined earlier in this document, the Uchida Farm LLC proposal is a direct response to market factors which led to the City of Edgewood’s intention to establish a Special Land Use Study Overlay to investigate redesignation of land uses within the study area to potentially accommodate industrial development (Volume 1, Page 22). Goal LU.VII best states the Community’s position on industrial uses and future growth opportunities.

The Uchida Farm LLC proposal – including the conceptual development of the Uchida Logistics Center – addresses the Land Use Goal for Industrial Uses (LU.I.m, Volume 1, Page 25). While the development is conceptual at this time, the Uchida plan demonstrates the Applicant’s intent to fully comply with a goal of achieving transitional standards which help protect adjacent single-family residential areas (LU.V.i, Page 27).

Edgewood’s Comprehensive Plan acknowledges the predominance of residential land use (58.6%) within the community and indirectly, a priority to develop multi-family and mixed-use projects in appropriate locations, thereby increasing residential density. A limited industrial base (0.3%) is acknowledged; indicating the regional focus of industrial demand has been primarily directed elsewhere – most likely towards the neighboring communities of Fife, Puyallup and Sumner (see Table 3 above).

3. *Have circumstances related to the proposed amendment substantially changed since the adoption of the City’s Comprehensive Plan?*

Whereas the national and regional economies have shown a degree of sustainable growth in a variety of sectors, Edgewood has lagged behind in recent times (Page 21). While recession may create the initial circumstances, one of the main drivers of growth consistently lies in the development of industrial land uses. Besides the benefits of increased tax revenues, industrial development drives employment; which in turn radiates economic growth into residential and retail sectors. The City of Edgewood has responded to this need by designating much of the southwest portion of Edgewood – including the entire Uchida Logistics Center site – as the subject to a Special Land Use Overlay Study Area.

While certain observers catalog a surplus of available industrial land in Edgewood (12.82 acres according to the Puget Sound Regional Council), the Applicant believes the perceived underutilization of Edgewood’s industrial base is essentially incorrect and does not reflect current

market conditions. Local market activity indicates a shortage of industrial land in all submarkets stretching from Tacoma to Seattle – and this particular submarket is one of the region's most sought-after industrial locations. Over the past four (4) years approximately 2.6 million square feet of Class A industrial buildings have been developed on 175 acres of industrial land located within 1½ miles of the Uchida Farm LLC site. The majority of this development is located within ½ mile of the site - and serving as an even greater indicator of demand – all of the twelve (12) industrial structures are 100% occupied.

Being a “first mover” in a competitive marketplace and able to provide the size, scale and location of market-driven industrial infrastructure needed by tenants, is an advantage provided to the City of Edgewood by the Applicant's proposal –which focuses regional industrial interest on a signature project for Edgewood.

4. *Are the assumptions upon which the City's Comprehensive Plan is based no longer valid, or is new information available which was not considered during the adoption process?*

The Uchida Logistics Center would be a prime example of the validity of assumptions serving as the foundation of Edgewood's comprehensive planning effort; including the projection that 30% of future industrial growth would occur in the southwest corner of Edgewood – where the Uchida Farm LLC site is located (Page 121).

Projecting industrial growth in an area zoned and planned for residential growth under current planning tools is a procedural inconsistency which seems to foresee a need for the amendment process - such as the Applicant's proposal - in order to realize that projection and achieve the desired economic growth.

5. *Does the amendment reflect current, widely held values of Edgewood residents?*

The Applicant's proposal conforms and supports community values in two ways; first, through the collective engagement process used to debate the proposal's merits; and second, in the proposal's obvious efforts to address any and all issues which may arise from the approval of this amendment and the implementation of development (LU.V.11/Page 28).

6. *Does the amendment meet concurrency requirements for transportation and will the amendment not adversely affect adopted level of service standards for other public facilities and services?*

The proposed amendment does not specifically address transportation issues, but the concurrency evaluation prepared by The Transpo Group as part of the staff's analysis of the Uchida Farm LLC application provides an initial assessment of projected impacts on levels of service associated with the proposed Uchida Logistics Center.

The Transpo assessment indicates the Uchida proposal meets the adopted level of service requirements pursuant to EMC Chapter 18.105. The assessment indicates a projected trip generation of 346 new PM peak hour trips for the proposed Uchida Logistics Center – with eighty percent (80%) of the trips using Valley Avenue to leave the site, with the remaining twenty percent (20%) being handled by the City's roadway system. Levels of service associated with various intersections evaluated under the City's 2035 travel demand model would remain unchanged by the presence of the Uchida Logistics Center, with the exception of a single intersection (Meridian Avenue and 36th Street).

To confirm the Transpo assessment and lay the groundwork for future analysis of traffic issues, the Applicant commissioned an independent transportation analysis, prepared by Transportation Engineering NorthWest (TENW), dated August 21, 2018, and provided with this submittal. The preliminary TENW study analyzed vehicular access, trip generation, level of service and outlines parameters for future traffic analysis for a proposed industrial development of up to 865,000 square feet on the Uchida Farm LLC site. The preliminary findings are summarized below:

- ❖ Access ... Vehicular access to the site would be provided from 90th Ave E, which provides access to Valley Ave E via 27th Ave Ct NW. While secondary access may become available, this traffic analysis is based on a single access at 90th Ave E. The expected year of opening for the project is 2024.
- ❖ Trip Generation ... The proposed Uchida Farm project is estimated to generate 2,883 weekday daily trips with 346 trips occurring during the weekday AM peak hour (280 in, 66 out), and 346 trips occurring during the weekday PM peak hour (73 in, 273 out).
- ❖ Level of Service Analysis ... Level of service (LOS) analyses were conducted at three study intersections adjacent to the project site, one of which is stop-controlled and would provide access to the proposed project (90th Ave E/27th Ave Ct NW). The signalized study intersections and controlled movements at the stop-controlled study intersection are estimated to operate at LOS C or better in 2024 and 2030 without or with the proposed project during both the weekday AM and PM peak hours.
- ❖ Future Traffic Analysis ... A more detailed operational analysis will be completed with a formal project application, which is expected to include evaluation of peak hour queues at the 27th Ave Ct NW/Valley Ave NW and 90th Ave E/27th Ave Ct NW intersections. Alternate access is also expected to be considered in the comprehensive traffic analysis with the formal project application.

7. *Will the amendment avoid creating probable significant adverse impacts to the City's transportation network, capital facilities, utilities, parks and environmental features; impacts that cannot be mitigated and/or place uncompensated burdens upon existing or planned service capabilities?*

While new growth of any kind will add to the potential for increased demand for public services, the Applicant believes the Uchida Farm LLC proposal will minimize demand by developing within an area where existing services are available; limiting any growth in service demand to minimal levels.

A secondary impact – with the potential of tremendous benefit - is found in the City of Edgewood's Proposed Capital Improvement Plan, 2015-2020. The Applicant's proposal and resulting development may help structure and accelerate a significant program element in the Transportation Category – the Railroad Frontage Road – which has feasibility expenditures scheduled for FY2019-20. Likewise, the extension of sewer service from Fife will provide benefit to properties along the frontage of Valley Avenue.

8. *Are the subject parcels physically suitable for the requested land use designation and the anticipated land use development, including, but not limited to, access, utilities and compatibility with existing and planned surrounding land uses?*

While site constraints exist in the form of watersheds, the overall topography of the site lends itself to development of large-scale industrial projects. The conceptual plan for the Uchida Logistics Center offers an initial insight into how the needs of a particular use can be accommodated on a unique site. The site's suitability for the intended industrial development is supported by the substantial amount of development in the immediate area; occurring on industrial-zoned land with strikingly similar characteristics to the Uchida site.

9. *Will the amendment create pressure to change the land use designation of other properties or influence changes in the best interests of Edgewood?*

Previously in this document, the Applicant demonstrated their commitment to avoid potential spot zoning serving as a precursor to the initiation of similar requests from other property owners in the immediate area.

However, it must be noted, the successful development of other industrial properties in the immediate vicinity, in neighboring communities, serving as an indicator of successful industrial demand, is a factor more likely than the Applicant's proposal, to create pressure for industrial land uses within the region. Edgewood's stated goals of increased industrial growth and the targeting of this area as a candidate for industrial development as evidenced by the overlay district, indicate a response to market forces which may be mutually reinforcing and consistent with goals and policies expressed in the Comprehensive Plan.

10. *Will the amendment not materially affect land use and population growth projections which are the bases of the comprehensive plan?*

There is no doubt that approval of this amendment and the development of the Uchida Logistics Center will serve as catalysts for additional changes in land use categories and planning designations. Population growth may follow on a slower pace, but the development of employment centers typically provides for some increase in local populations as workers relocate to shorten their commutes and/or improve their lifestyle.

11. *Is the amendment consistent with applicable county-wide policies for the city and any other applicable interjurisdictional policies or agreements, and any other local, state or federal laws?*

Regionally, the planning process described in Vision 2040 emphasizes growth being directed towards the manufacturing distribution centers and regional growth centers as defined by the Puget Sound Regional Council (PSRC). While not a defined growth center under Vision 2040, Edgewood's strategic location within an urban growth area and adjacent to one of the region's signature transportation projects (Highway 167 Expansion) mandates consideration under the same growth projections used by PSRC to define said centers. Vision 2040 states that, "...Subregional centers, such as those designated through countywide processes or identified locally, will also play important roles in accommodating planned growth according to the regional vision. (PSRC Vision 2040, Page 49)."

With the approval of the Applicant's proposed map amendment and rezoning, Edgewood will significantly support this regional goal; enabling the community to complement nearby growth centers while achieving a level of diversity in both the local economy and land use inventory which can only lead to benefits being realized by every sector of Edgewood's economic base; including support for residential growth - which complies with a key goal of GMA planning. The City's expressed desire for retail and mixed-use growth, particularly in the Meridian Corridor, could also

be supportive of additional residential growth – promoted by the projected addition of more than 600 employees to Edgewood's daytime population – may consider living in the community in which they work. This could help increase residential growth in the neighborhood of six (6) units per acre – achieving another long-term goal articulated by Edgewood staff.

A review of the regional manufacturing/industrial centers goal and policies articulated in the Vision 2040 Plan is featured above; the Applicant's proposal clearly focuses on supporting viable regional centers by creating a "subcenter" within Edgewood's corporate boundaries, separate, but readily accessible to neighboring centers within 1½ miles and would be capable of accepting any outstanding or unique requirements the market may have. As previously discussed in this report, the Highway 167 Expansion project could clearly provide and enhance transportation access required for Edgewood to meet this goal. Edgewood could prepare a subarea plan for regional evaluation of the inclusion of the "subcenter" within the regional planning framework; basing it on the conceptual plan proposed for the Uchida Logistics Center.

Issue: Analysis of Criteria Supporting Quasi-Judicial Map Amendment

The Applicant is required to demonstrate compliance with the criteria outlined in Edgewood Municipal Code Section 18.40.114, to ensure the associated zoning classification is analyzed for the criteria specified below. The zoning being sought is Industrial (I) and the preliminary plan for the Uchida Logistics Center is serving as a basis for our compliance with criteria.

1. Consistency with the Existing Comprehensive Plan

The Applicant's request for a map amendment and rezoning to Industrial is consistent with the current Comprehensive Plan due to the Uchida Farm LLC proposal's commitment to fulfilling citywide and regional planning goals for expanding the industrial base, providing for growth in employment and updating the Plan itself to reflect changes in the regional marketplace.

2. Consistency with the Purpose of the Proposed Zoning District

Under EMC 18.80.100, the Industrial (I) zoning district provides for regional research, light manufacturing, warehousing, and other major regional employment uses. Industrial lands are limited to areas where regional transportation access is available. The Uchida Farm LLC proposal fully complies with this criterion; the proposed Uchida Logistics Center is designed with research, light manufacturing and warehousing uses in mind; with as many as 600 employees projected to be working onsite. The site also complies by being adjacent to, or in the vicinity of, regional transportation access.

3. Consistency between Zone Criteria and Area Characteristics

The Industrial zoning district allows for a preponderance of large-scale uses (including the site's current use, agricultural), either permitted by right, or through the conditional use process. With the consolidation of parcels proposed to accommodate the development of an industrial center, the site offers an opportunity to create a development in excess of sixty acres.

4. Zoning History and Precedential Effect

To the best of the Applicant's knowledge, there is a limited history of zoning changes in the Uchida Farm LLC area – excluding the Applicant's previous effort in 2015 which did not proceed through the approval stage. In 2015, the site was changed from Agricultural (AG) to the current Single-

Family 3 (SF3) Residential. It should also be noted that Pierce County had the area zoned for General Use, prior to the Edgewood annexation.

5. *Impacts on Adjacent Zones of Differing Intensity through the Use of Buffers*

Site constraints onsite which may require the use of buffers are likely limited to peripheral area near or adjacent to the watersheds of either/both Wapato Creek and Simons Creek. The Applicant's preliminary plan for the Uchida Logistics Center offers the best way to analyze how the use of buffers can separate industrial buildings/uses.

It is also important to note, the geographical separation of the Uchida Farm LLC site from residential and commercial areas adjacent to the Meridian Avenue corridor. Located on the Valley floor, the location supports the development of a separate use; using natural features and buffer landscaping to further achieve separation from adjacent uses.

6. *Zone Boundaries*

The Uchida Farm LLC proposal follows natural boundaries, established parcel lines and public rights-of-way as the proposed boundaries for the proposed rezone area which is the same as the proposed area outlined by the preliminary development plan for the Uchida Logistics Center.

7. *Height Limits*

The Industrial zone's maximum building height of thirty-five (35) feet is anticipated to be adequate for many of the industrial uses likely to consider the rezone area. It is important to realize the degree of compliance with Industrial district development standards could be determined through a development agreement covering bulk regulations.

8. *Impact Evaluation*

There are a number of specific criteria outlined in the code which are to be addressed in this section. Again, it is important to realize most if not all of these areas are likely to be subject to the particulars associated with an approved development plan.

- a) Housing: There is no proposed residential component envisioned under the Uchida Farm LLC proposal. Future development would be limited to industrial and/or manufacturing uses similar to those outlined in the EMC Section 18.80.100.
- b) Public Services: The Applicant does not anticipate any additional demands will be placed on Edgewood's public services beyond those normally associated with typical industrial, warehousing and/or light manufacturing uses – market sectors likely to be targeted as tenants for the Uchida Logistics Center.
- c) Environmental Factors: Municipal development codes typically establish standards for nuisances such as noise, glare and odor; often prohibiting specific types of industrial uses which are known to emit noxious odors or excessive noise. The Applicant has every intent of cooperating with Edgewood officials to limit the types of uses either permitted-by-right or under a conditional use permit, which may be deemed as candidates for such violations.

Other environmental factors such as air and water quality, impacts on aquatic life and wildlife habitats will require a thorough evaluation with recommendations for best management practices to minimize adverse impacts or specific mitigation measures linked to the site's

unique environment. Energy conservation will be addressed through compliance with state and local standards for the construction of buildings and supporting site improvements.

- d) Pedestrian Safety: The Applicant's preliminary design for the Uchida Logistics Center offers glimpse of the onsite circulation patterns for both pedestrians and vehicles. Every effort will be made to maximize pedestrian access to the site and to the surrounding natural features such as walkways along the banks of creeks and detention facilities onsite.
- e) Manufacturing Activity: Needless to say, an application to change zoning and land use designation to an industrial use will support the development of industrial or manufacturing facilities. The Applicant's intent is to recruit light industrial uses or warehousing uses to the site; providing support for a growing market in logistics and related uses.
- f) Employment Activity: The Uchida Farm LLC proposal projects as many as 600 employees may ultimately be employed by the industrial uses recruited to the site. In terms of economic pass-through, the manufacturing sector has the highest multiplier of any economic sector – with every dollar spent on manufacturing sales realizing \$1.33 in additional economic output; widely exceeding the economic output produced by either retail (\$0.66) or professional/business services (\$0.61).
- g) Character of Areas having Architectural or Historic Value: To the best of the Applicant's knowledge, none of the properties or structures currently occupying the subject properties have been identified as having any architectural or historic value.
- h) Shoreline View, Public Access and Recreation: As private property, the site currently does not have either public access or recreational opportunities; nor are any under consideration for inclusion in future industrial development.

With two small creeks occupying strategic locations onsite, shoreline development and the preservation of the watershed, while simultaneously incorporating the area into future development, will be constraints faced by a responsible developer. The Uchida Farm LLC proposal for a logistics center offers an example of how to accomplish both goals at the same time. The Applicant is aware further analysis will be required to identify specific elements in a development which can guarantee the preservation and/or enhancement of a natural shoreline.

- i) Service Capacities: The Applicant believes the Uchida Farm LLC proposal, in whatever form the final development plan assumes, will incorporate sufficient infrastructure to serve the uses onsite without adversely affecting the services available to Edgewood residents

9. Changed Circumstances

The Applicant believes the City of Edgewood's own designation of the Uchida Farm LLC site as a Special Land Use Study area, combined with the surge in industrial land use demand on a localized and regional basis, clearly indicate circumstances have changed since the original zoning and/or land use classifications were identified.

10. Critical Areas

The evaluation of critical areas – their identification, delineation and classification - will be governed by Edgewood code; using the recently revised ordinance. The Applicant has commissioned a professional analysis of the Uchida Farm LLC site to conduct a preliminary evaluation of potential wetlands and/or fish and wildlife habitats located on or near the subject properties. The Applicant

realizes protection of critical areas is vital in protecting human safety and their properties from natural hazards, preserving environmentally sensitive areas and enhancing our quality of life.

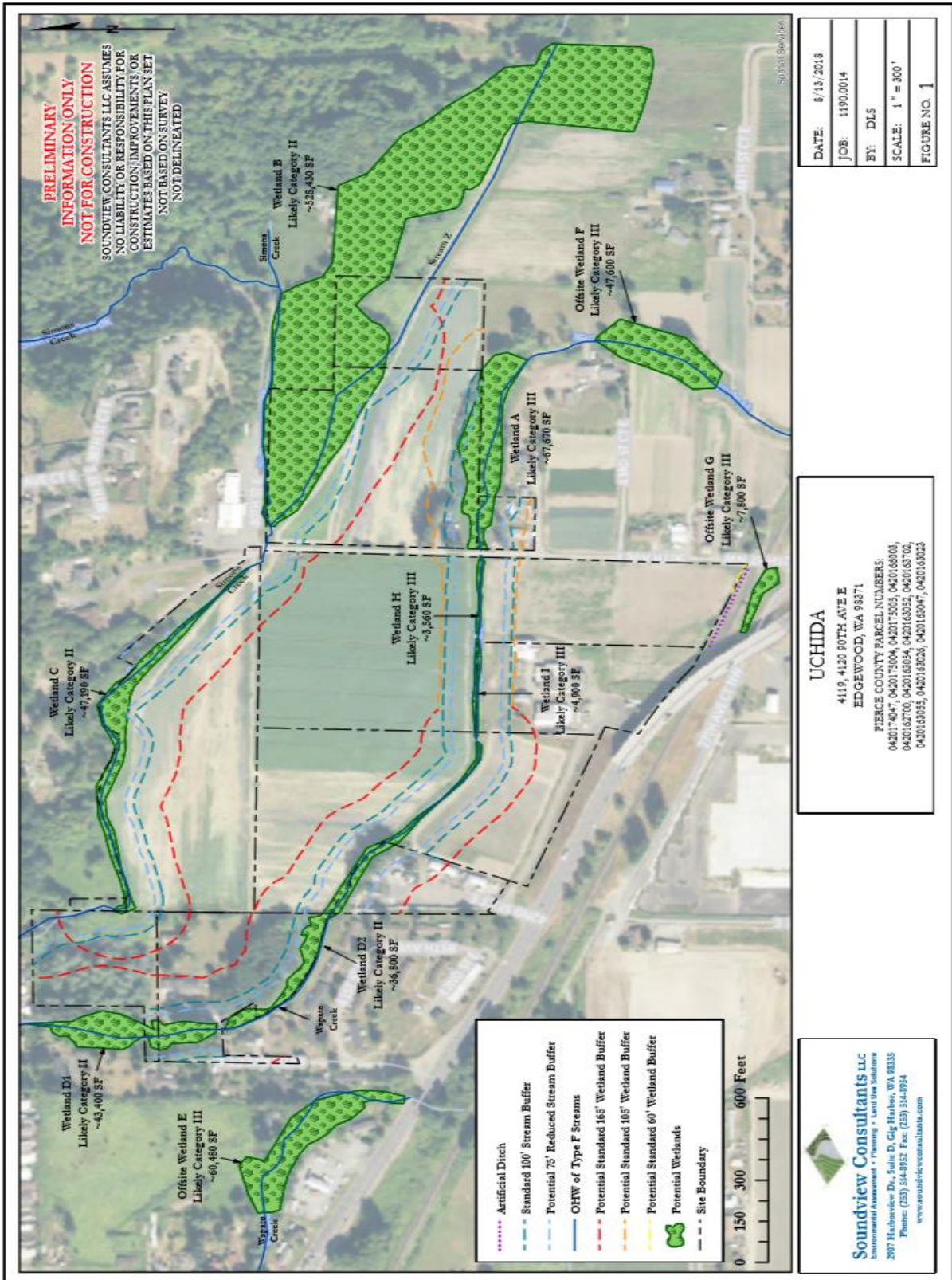
The Uchida Farm LLC analysis, “*Technical Memorandum*,” prepared by Soundview Consultants, and dated August 15, 2018, is intended to support the long-term planning goals associated with this application and is not intended for project-specific planning purposes. The study focuses on potential wetlands related to three (3) streams located onsite or immediately adjacent to the site; Wapato Creek, Simons Creek and an unidentified tributary to Simons Creek in the northeastern portion of the site. While not a formal delineation assessment, this analysis provides a snapshot of existing conditions.

Wetland	Predominant Wetland Classification / Rating				Buffer Width (feet) ^E
	Cowardin ^A	HGM ^B	WSDOE ^C	City of Edgewood ^D	
A	PFO/EMCD	Depressional	III	III	105
B	PFO/SS/EMCD	Depressional	II	II	165
C	PSS/EMCD	Riverine	II	II	165
D1	PSS/EMCD	Riverine	II	II	165
D2	PEM/SS/CD	Riverine	II	II	165
E (offsite)	PFOCD	Riverine	II	II	165
G (offsite)	PEMCD	Depressional	III	III	60
H	PEMC	Riverine	III	III	105
I	PEMC	Riverine	III	III	105

The site investigation identified seven (7) potentially-regulated onsite wetlands (A, B, C, D1, D2, H and I) and three (3) offsite wetlands (E, F and G). Wetland F is not relevant to this study as it falls more than 300-feet offsite, to the southeast (please refer to the Existing Conditions Exhibit on the next page).

Each identified wetland exhibited indicators of wetland hydrology, hydric soils and a predominance of hydrophytic vegetation. Each has been evaluated as to typology and classified as either a Category III or Category II wetland; an important step in that wetland buffers vary in size based on the habitat score; buffers for Category III wetlands vary from 60- to 225-feet depending on the habitat score, while similarly, buffers for Category II wetlands vary from 75- to 225-feet. In addition to the standard buffers, future development would also require a 15-foot buffer setback from the regulated wetland buffer edge.

UCHIDA - EXISTING CONDITIONS



The analysis not only delineates the standard buffer width, but also provides a list of minimization measures which are presumed to minimize impacts and are incorporated within the minimum buffer width required by code. The Soundview Consultants' analysis outlines minimization measures and criteria set forth in Edgewood code which can allow for an averaging process to be implemented when specific criteria are met; buffer averaging should be evaluated on an individual project basis. While more central to a future development proposal, it is important to note that the Applicant's preliminary proposal for the Uchida Farm LLC has incorporated buffers into the plan; indicating a clear willingness to respect and enhance protected buffers.

Summary

The Uchida Farm LLC proposal is calling for a number of changes; a change in planning land use designation, a basic change in the character of a small portion of the community to accommodate future growth and diversify in Edgewood, and a willingness to accept a small, but significant shift in the manner in which the community views a commodity – industrial land use – which has been on the decline in traditional terms in many markets, but which has been thriving within those markets which remain in tune with real estate demands. Industrial markets have shifted away from the dated images of smokestacks and heavy industry spewing pollutants and inflicting noxious odors, noise and a less than aesthetic approach to the design of buildings and surrounding landscaping.

Today's demands have successfully transformed the Puget Sound regional marketplace; eliminating the image of traditional industrial projects with their history of public nuisances and environmental issues and replacing it with an image of warehousing and light assembly uses, technology companies and research facilities within a landscaped, sustainable environment which respects its neighbors and originates with developers who work with communities to achieve responsible growth. Edgewood's comprehensive plan emphasizes exactly the type of project Uchida Farm LLC is bringing to the table, in a single paragraph on Page 101.

Quality community design is essential in Edgewood to ensure that the growth anticipated in the next 20 years will maintain and enhance community character. New commercial, industrial and multi-family development is anticipated during this time in areas near existing single-family residential neighborhoods. For this development to be compatible with existing neighborhoods, it is necessary to have appropriate transitions and mitigate for potential negative impacts. If designed thoughtfully, new development can have positive impacts such as increased access to local services and improved pedestrian connectivity.

Uchida Farm LLC stands ready to accept a role as Edgewood's partner in accommodating future growth while preserving and enhancing the community's character through appropriate transitions and a partner's commitment to identify and mitigate negative impacts.

Exhibit E
Site Specific Request #2 - Lake Chalet Property
Vicinity Map

[Back to Agenda](#)



Lake Chalet

103rd Avenue Ct East

106th Avenue East

104th Avenue East

24th Street East

Existing Lake
Chalet Apartments

0420107031

City Hall

City Limits

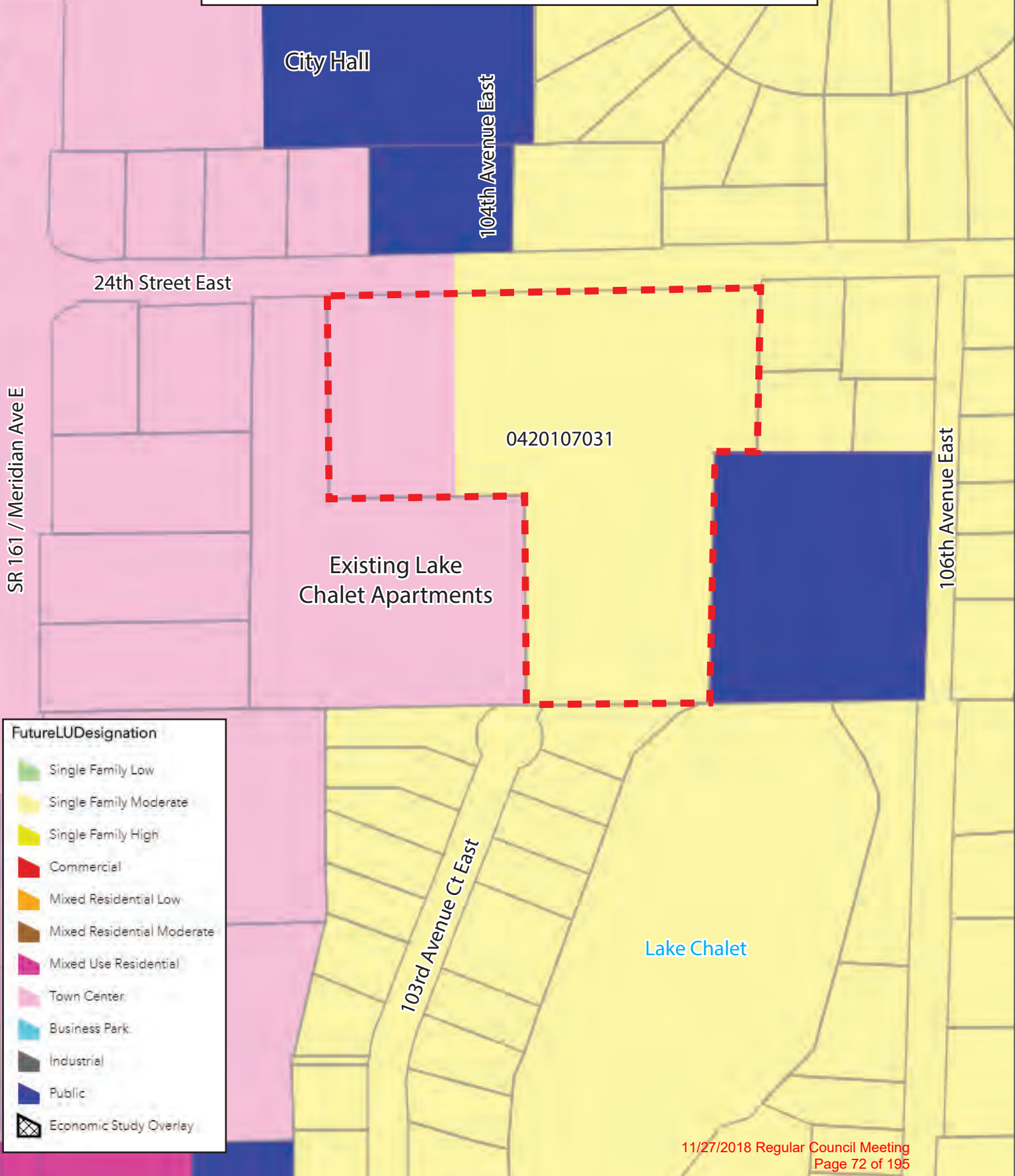
Tax Parcels

- Base Parcel
- Condominium
- Other

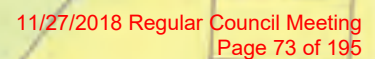
Exhibit F

Site Specific Request #2 - Lake Chalet Property

Future Land Use Map



[Back to Agenda](#)



8TH ST E



- 

0 0.25 0.5 miles

EXHIBIT I



City of Edgewood
City Council - **Public Hearing**
November 27, 2018

COMPREHENSIVE PLAN AMENDMENT REQUESTS

FILE NO. 17-1549 & 17-1550

UCHIDA FARMS LLC & LAKE CHALET

INTRODUCTIONS

City of Edgewood

- Darren Groth, AICP, CPM

AHBL, Inc.

- Brittany Port, AICP
- Wayne Carlson, FAICP

BACKGROUND

- **EMC Section 18.60.130:**
 - Property owners may apply for site-specific comprehensive plan amendments
 - Applications must be submitted by December 31st of each calendar year
 - Director to include suggested amendments for consideration on City Council docket
 - Amendments can only be considered once a year

AMENDMENT REVIEW CRITERIA

- **EMC Section 18.60.220:**
 - Establishes review criteria for proposed amendments to the Comprehensive Plan
 - Applicant and staff findings can be found in Part 3 of the staff report
- **Compliance with existing Comprehensive Plan goals and policies found in Part 4 of the staff report**

SEPA COMPLIANCE & COMMENTS

- Notice of Consultation and SEPA checklist issued on September 12, 2018
 - Comment period ended on September 26, 2018
 - 1 comment letter received from the County relating to traffic impact fees
- SEPA DNS issued on September 27, 2018
 - Appeal period ended on October 12, 2018, no appeals filed.

SITE SPECIFIC REQUEST #1

File No. 17-1549 Uchida Farms LLC	
Existing Comprehensive Plan:	Moderate Density Residential
Requested Comprehensive Plan:	Industrial
Existing Zoning:	Single-Family Moderate (SF-3)
Requested Zoning:	Industrial (I)

VICINITY MAP

Uchida Farms LLC Property

- 11 tax parcels comprising ~67 acres



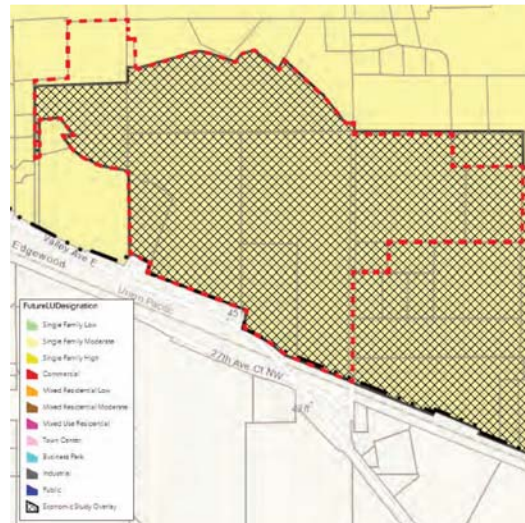
EXISTING ZONING

- Single-Family Moderate (SF3)



EXISTING FLUM

- Moderate Density Residential
- Economic Study Overlay



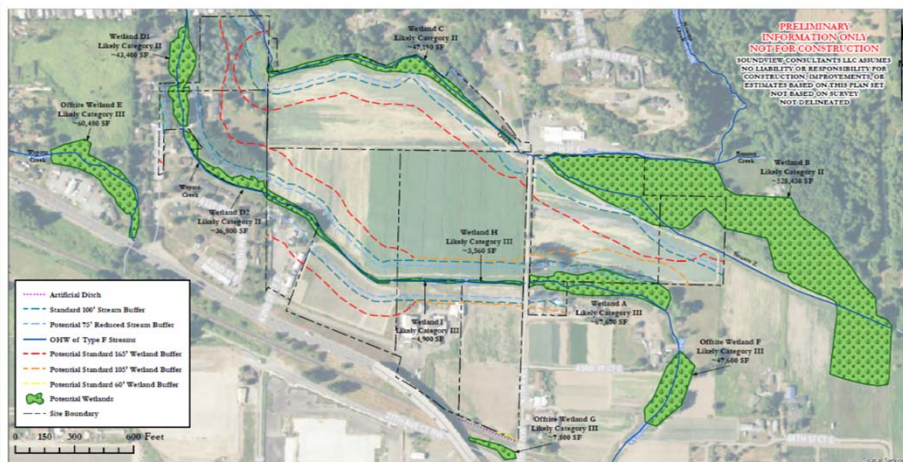
INDUSTRIAL LAND IN EDGEWOOD

Zoning Designation	Acres	Percent
Single Family 2 (SF-2)	2,106	37.5%
Single Family 3 (SF-3)	2,311 2,239	42.9 41.6
Single Family 5 (SF-5)	46	0.8
Mixed Residential 1 (MR-1)	101	1.9
Mixed Residential 2 (MR-2)	69	1.3
Town Center (TC)	81 86	1.3 1.6
Commercial (C)	82	1.5
Mixed Use Residential (MUR)	126	2.3
Business Park (BP)	32	0.6
Industrial (I)	17 84	0.3 1.6
Public (P)	177	3.3
Unzoned Areas (Including Roads)	325	6



CONSISTENCY WITH ADJACENT LAND USES

- I (Industrial) zones that abut Single-family zones: Type IV, solid barrier, 25-foot landscape strip



SITE SPECIFIC REQUEST #2

File No. 17-1550 Lake Chalet	
Comprehensive Plan (Existing):	Town Center (1.36-ac) & Moderate Density Residential (5.16 ac)
Comprehensive Plan (Requested):	Town Center
Zoning (Existing):	Town Center (TC) & Single-Family Moderate (SF-3)
Zoning (Requested):	Town Center (TC)

VICINITY MAP

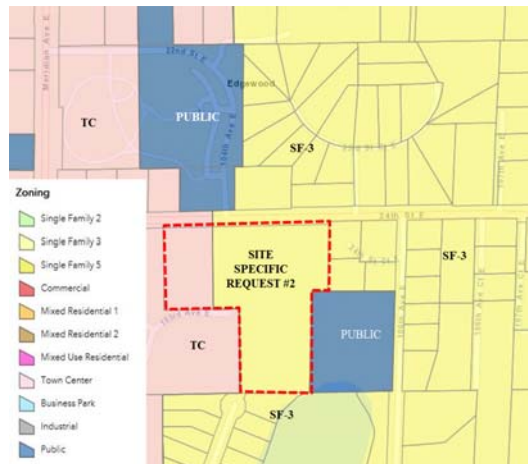
Lake Chalet

- One tax parcel comprising 6.52 acres
- Applicant also owns tax parcel 0420107030 (existing Lake Chalet apartments)



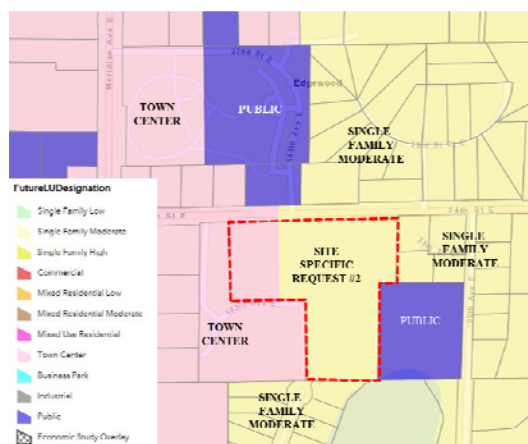
EXISTING FLUM

- Town Center
(1.36 ac)
- Moderate
Density
Residential
(5.16 ac)



EXISTING ZONING MAP

- Town Center
(TC) +/- 1.36 ac
- Single-Family
Moderate (SF3)
+/- 5.16 ac



2013 REZONE REQUEST

- Mixed-Use Residential
- Inadvertently NOT carried forward in 2015 Comprehensive Plan



MERIDIAN CORRIDOR NETWORK



CITY OF EDGEWOOD
MERIDIAN CORRIDOR PROPOSED
ROADWAY NETWORK PLAN



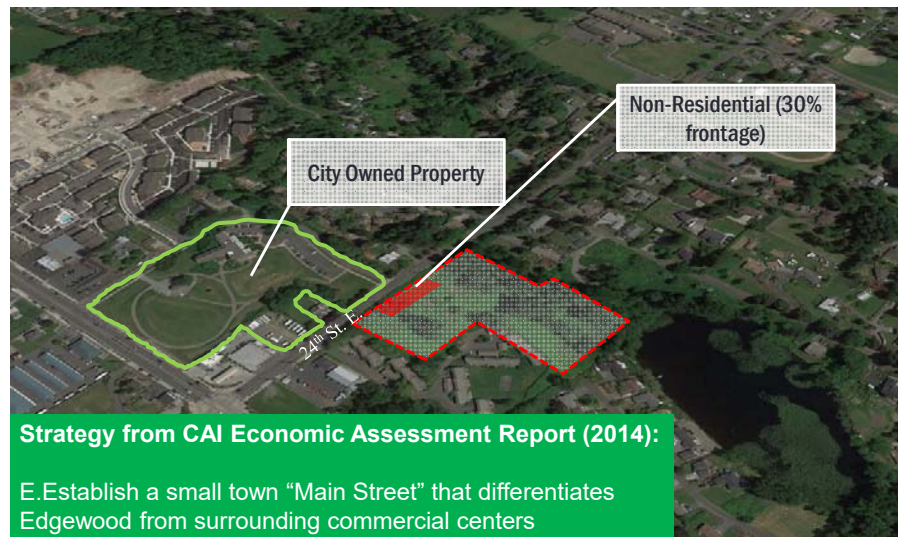
TOWN CENTER PLANNING



TOWN CENTER PLANNING



TOWN CENTER PLANNING



ZONING COMPARISON

	Zoning Districts		
	SF-3 (current zone)	TC (current and proposed zone)	MU-R (previously approved zone)
Land Uses (condensed list)			
Single-Family Detached	Permitted	Not Permitted	Permitted
Single-Family Attached	Not Permitted	Not Permitted	Permitted
Multifamily	Not Permitted	Permitted	Permitted
Retail	Not Permitted	Permitted ¹	Permitted
Office	Not Permitted	Permitted ¹	Permitted
Density	Min. 1 du/a ² Max. 3 du/a ²	Min. 24 du/a Max. 48 du/a	Min. 10 du/a Max. 24 du/a Max. 48 du/a
Floor Area Ratio (FAR)	N/A	1:1 OR 4:1 w/ bonus	0.5:1 OR 2:1 w/ bonus
Height (Max.)	35-ft	45-ft OR 55-ft w/ bonus	35-ft OR 35-ft w/ bonus
Setbacks from non TC/MUR zones	N/A	25-ft	20-ft
Lot Dimensions	50-ft width (min.) 8,750-sf (min.)	N/A	N/A
Design Guidelines	No	Yes, applicable	Yes, applicable

HOUSING/EMPLOYMENT TARGETS



	EXISTING	2035 TARGET	AVAILABLE CAPACITY	SURPLUS
Housing Units	3,814 units	6,003 units	5,744 <u>5,857</u> units	3,555 <u>3,668</u> units
Employment	1,191 jobs	3,094 jobs	2,308 <u>3,063</u> jobs	405 <u>1,160</u> jobs

PLANNING COMMISSION

- On November 5, 2018, the Planning Commission voted 5-0 to recommend approval of Site Specific Request #1.
- On November 5, 2018, the Planning Commission voted 3-2 to recommend approval of Site Specific Request #2.



**CITY OF EDGEWOOD
COUNCIL STUDY SESSION SUMMARY**

November 20, 2018 – 7:00 PM ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1. CALL TO ORDER

Mayor Eiding called the meeting to order at x:xxpm and led attendees in the Pledge of Allegiance.

ROLL CALL

Staff Present: Assistant City Administrator Dave Gray, City Clerk Rachel Pitzel, Community Development Director Darren Groth, Jeremy Metzler Public Works Director, City Attorney Carol Morris, Police Chief Micah Lundborg.

2. COUNCIL BUSINESS

A. Interviews – Economic Development Board Interviews

Community Development Director Darren Groth briefed Council on this agenda item. He noted, in 2012, City Council adopted Ordinance Number 12-0381, which established an Economic Development Advisory Board (EDAB). The EDAB was created to assist and advise City Council in connection with issues and programs involving economic policy, commercial business, land development policy, and business retention. The board is an advisory body with power to recommend policy to City Council.

In an effort to reestablish the EDAB, the City has accepted applications for membership for approximately the past eight months. While 11 total applications were received by the City Clerk, two of the applications were from duplicative applicants. As a result, only nine individuals expressed interest in EDAB membership. Of the nine applicants, three withdrew as candidates. The five remaining candidates were scheduled to be interviewed during the October 2, 2018 City Council meeting and four were present for the interviews. Those four (Colleen Wise, Kim Larson, Jeff Southard, and Jason Neil) were appointed to the EDAB on October 9, 2018 with terms ending on June 30, 2020.

The fifth applicant, Andrew Wiesenfeld, and Joseph Blackner are seeking appointment to EDAB positions 2 and 3. Per Edgewood Municipal Code (EMC) Section 2.23.010, Positions 2 and 3 expire on June 30 every odd year. As a result, the City Council could decide to recommend Andrew Wiesenfeld and Joseph Blackner serve a one-year term until June 30, 2019 or a three-year term until June 30, 2021. Position 1 is not scheduled to interview; however, the Mayor recruited another EDAB member from the FME Chamber of Commerce to fill Position 1. On November 27, 2018, Positions 1-3 can be confirmed.

He introduced the candidates and Council asked the following questions:

1. CM West question – “The Economic Development title- what does it mean to you & what your view for Edgewood is”
2. CM Creley question – “Please give an example of what type of business Edgewood should have, or what is needed here”
3. CM Day question – “What do we as a community need that we don’t already have that prevents businesses from locating here so far”

4. DM Christopherson question – “How would you reach out to business to encourage them to come to Edgewood and be relevant to the changes of today”
5. CM Hunter question – “Council has discussed previously missed use residential business on top with retail below, what is your vision for our cities town center”
6. CM Tomyn question – “How would you describe our city to a stranger on a plane”
7. CM Lowry question – “Currently online sales continue to soar including even groceries now, while brick and mortar business continues to decline with some even closing their doors. Given Edgewood residents desire to see more retail offerings how would you propose to bridge this gap”

B. Discussion – Comprehensive Plan Amendment

Community Development Director Darren Groth briefed Council on this agenda item.

Discussion followed between staff and the Council.

Council action: Council recommended staff to

C. Discussion/Review – Perceived Density Code Amendment

Community Development Director Darren Groth briefed Council on this agenda item.

Discussion followed between staff and the Council.

Council action: Council recommended staff to

D. Discussion/Review – Accessory Dwelling Units (ADU) Amendment

Community Development Director Darren Groth briefed Council on this agenda item.

Discussion followed between staff and the Council.

Council action: Council recommended staff to

E. Discussion/Review – Hall Street Vacation

Public Works Director Jeremy Metzler briefed Council on this agenda item.

Discussion followed between staff and the Council.

Council action: Council recommended staff to

F. Discussion/Review – 36th and Meridian Park

Public Works Director Jeremy Metzler briefed Council on this agenda item.

Discussion followed between staff and the Council.

Council action: Council recommended staff to

G. Review – CM Lowry article for Winter Edition of Edgewood Magazine

3. OTHER COUNCIL ISSUES

Councilmember
Councilmember
Councilmember

4. ADJOURN

Mayor Eidinger adjourned the meeting at x:xxpm.

Rachel Pitzel, City Clerk

Daryl Eidinger, Mayor



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Claims and Payroll for November 2018		Agenda Bill No.:		AB18-056
		For Agenda of:		November 27, 2018
		Prepared by:		Stephanie Goff
ATTACHMENTS (list): ☒ Claims Register ☒ Voucher Directory				
Approval of Materials:				
Mayor, Daryl Eidinger	☒	Expenditure Required:	\$0	
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	\$0	
City Attorney, Carol Morris	☒	Appropriation Required:	\$0	
City Clerk, Rachel Pitzel	☒	Timeline:		
Community Development Director, Darren Groth	☒			
Public Works, Jeremy Metzler	☒			
Fiscal Note/Consideration: N/A				
SUMMARY STATEMENT: Approving November 2018 Budgeted Expenditures as follows: Deferred Compensations Program; Payroll Direct Deposit; Dept. of Retirement Systems; Dept. of Labor and Industry; IRS 941 ACHs; and AWC Employee Benefit Trust in the amount of \$72,677.22; and Vendor Check Numbers 23568 through 23583 with EFT Payments in the amount of \$125,649.69. Total distributions submitted for review & authorization in the amount of \$198,326.91.				
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A				
RECOMMENDED ACTION: Staff recommends that the City Council adopt the Claims and Payroll Expenditures as presented under the Consent Agenda.				
ALTERNATIVES TO RECOMMENDED ACTION: 1) Do not adopt 2) Forward to Study Session for further review				

City of Edgewood 2018

November 27th 2018 Council Meeting Check & EFT Payment Distribution Review & Authorization

Number	Name	Print Date	Amount
US Bank PAYROLL ACCOUNT DISTRIBUTION			
10607 Last Number Issued Previous Authorization			
<u>DCP EFT 11/15/18</u>	Deferred Compensation Program	11/15/2018	\$8,789.72
<u>Direct Deposit Run -</u>	Payroll Vendor	11/15/2018	\$45,861.00
<u>DRS EFT 11/15/18</u>	Dept of Retirement Systems	11/15/2018	\$11,111.12
<u>IRS 941 EFT 11/15/18</u>	IRS 941	11/15/2018	\$6,915.38
Total			\$72,677.22

Number	Name	Print Date	Amount
CLAIM VOUCHER ACCOUNT DISTRIBUTION			
23567 Last Number Issued Previous Authorization			
<u>23568</u>	All Purpose Door Repair, Inc.	11/27/2018	\$263.76
<u>23569</u>	Drain-Pro	11/27/2018	\$489.00
<u>23570</u>	Flags A' Flying & Banners Too!	11/27/2018	\$200.57
<u>23571</u>	Gray & Osborne, Inc	11/27/2018	\$24,849.78
<u>23572</u>	Herrera Environmental Consultants, Inc.	11/27/2018	\$7,002.87
<u>23573</u>	Lakehaven Water & Sewer District	11/27/2018	\$306.80
<u>23574</u>	Motion Picture Licensing Corporation	11/27/2018	\$586.50
<u>23575</u>	Office Depot	11/27/2018	\$93.40
<u>23576</u>	Raedeke Associates, Inc.	11/27/2018	\$4,942.30
<u>23577</u>	Secoma Fence, Inc.	11/27/2018	\$651.42
<u>23578</u>	State Auditor's Office	11/27/2018	\$9,046.17
<u>23579</u>	Summit Law Group	11/27/2018	\$396.50
<u>23580</u>	TCMS Corp.	11/27/2018	\$66,491.56
<u>23581</u>	The News Tribune	11/27/2018	\$1,540.27
<u>23582</u>	Transpo Group	11/27/2018	\$1,517.50
<u>23583</u>	United States Postal Service	11/27/2018	\$1,264.56
<u>Direct Pay Payment</u>	Public Finance Inc.	11/27/2018	\$975.00
<u>EFT Payment</u>	Mt. View-Edgewood Water Co.	11/27/2018	\$1,063.84
<u>EFT Payment</u>	Shell	11/27/2018	\$965.74
<u>EFT Payment</u>	US Bank Corporate Payment System	11/27/2018	\$2,888.22
<u>EFT Payment</u>	Wells Fargo Financial Leasing	11/27/2018	\$85.93
<u>EFT Payment</u>	US Bank ACH/EFT	11/27/2018	\$28.00
Total Claims Voucher Distribution			\$125,649.69

Total Distribution Submitted for Review & Authorization
\$198,326.91
Authorization Adjustments:
\$ -
Total Distribution Net of Prior Authorized Adjustments
\$198,326.91

Claims Voucher Approval: I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Edgewood, and that I am authorized to authenticate and certify to said claim.

_____ Accounting Manager, Stephanie Goff

_____ Mayor, Daryl Eidinger

_____ Council Member



Voucher Directory

[Back to Agenda](#)

Fiscal : 2018 - November
Council Date : 2018 - November - 2nd Council Meeting

Vendor	Number	Reference	Account Number	Description	Amount
All Purpose Door Repair, Inc.					
	23568		2018 - November - 2nd Council Meeting		
		25144			
			November Services		
			001-018-000-518-30-48-03	Maintenance/Repairs - Buildings	\$263.76
				Hallway Side Door Service	
		Total 25144			\$263.76
	Total 23568				\$263.76
Total All Purpose Door Repair, Inc.					\$263.76
Drain-Pro					
	23569		2018 - November - 2nd Council Meeting		
		48748			
			10/7-11/3/18 Rental-Edgemont Park		
			001-076-000-576-80-45-03	Operating Rentals	\$145.00
				Edgemont Park	
		Total 48748			\$145.00
		48749			
			10/7-11/3/18 Rental-Nature Park		
			001-076-000-576-80-45-03	Operating Rentals	\$145.00
				Nature Park	
		Total 48749			\$145.00
		48750			
			10/7-11/3/18 Rental-Nelson Farm		
			001-076-000-576-80-45-03	Operating Rentals	\$99.50
				Nelson Farm	
		Total 48750			\$99.50
		48751			
			10/7-11/3/18 Rental-Trailhead Park		
			001-076-000-576-80-45-03	Operating Rentals	\$99.50
				Trailhead Park	
		Total 48751			\$99.50
	Total 23569				\$489.00
Total Drain-Pro					\$489.00

Vendor	Number	Reference	Account Number	Description	Amount
Flags A' Flying & Banners Too!					
	23570		2018 - November - 2nd Council Meeting		
		83172			
			November Purchases		
			001-018-000-518-20-31-01	Office & Operational Supplies	\$200.57
				US Flag & WA State Flag	
		Total 83172			\$200.57
	Total 23570				\$200.57
Total Flags A' Flying & Banners Too!					\$200.57
Gray & Osborne, Inc					
	23571		2018 - November - 2nd Council Meeting		
		1-G&O Prj. 18626.00			
			10/14-11/10/18 Services		
			001-058-000-558-60-41-03	Prof. Services (Non-reimbursable)	\$325.23
				On-Call Engineering-Curren & Viewpoint	
		Total 1-G&O Prj. 18626.00			\$325.23
		2-G&O Prj. 18626.01			
			10/14-11/10/18 Services		
			410-000-000-594-31-64-64	Infrastructure Spot Improvement	\$16,072.60
				56th St E Stormwater Improvements	
		Total 2-G&O Prj. 18626.01			\$16,072.60
		4-G&O Prj. 17572.06			
			10/14-11/10/18 Services		
			001-019-000-594-18-63-01	Gen'l Govt-Cap Exp-City Campus Improvements	\$1,088.85
				CH Kitchenette Build Out	
		Total 4-G&O Prj. 17572.06			\$1,088.85
		6-G&O Prj. 17572.04			
			10/14-11/10/18 Services		
			340-000-000-595-30-63-03	Improvements - Other	\$1,955.35
				Edgewood Dr & Sumner Hts Dr Pavement Preservation	
		Total 6-G&O Prj. 17572.04			\$1,955.35
		6-G&O Prj. 17572.05			
			10/14-11/10/18 Services		
			001-019-000-594-18-63-01	Gen'l Govt-Cap Exp-City Campus Improvements	\$5,407.75
				CH Campus Parking Lot	
		Total 6-G&O Prj. 17572.05			\$5,407.75
	Total 23571				\$24,849.78
Total Gray & Osborne, Inc					\$24,849.78
Herrera Environmental Consultants, Inc.					
	23572		2018 - November - 2nd Council Meeting		
		43365			
			9/29-10/26/18 Services		
			410-000-000-531-38-41-02	Prof. Service-Plan Update	\$7,002.87

Vendor	Number	Reference	Account Number	Description	Amount
				Stormwater Plan	
		Total 43365			\$7,002.87
		Total 23572			\$7,002.87
Total Herrera Environmental Consultants, Inc.					\$7,002.87
Lakehaven Water & Sewer District					
	23573			2018 - November - 2nd Council Meeting	
		3574701 8/13-10/15/18			
			8/13-10/15/18 Services		
			001-018-000-518-30-47-04	Sewer Charges	\$306.80
			City Hall		
		Total 3574701 8/13-10/15/18			\$306.80
		Total 23573			\$306.80
Total Lakehaven Water & Sewer District					\$306.80
Motion Picture Licensing Corporation					
	23574			2018 - November - 2nd Council Meeting	
		504182069			
			2019 MPLC License		
			001-076-000-576-80-49-01	Memberships	\$586.50
			2019 License		
		Total 504182069			\$586.50
		Total 23574			\$586.50
Total Motion Picture Licensing Corporation					\$586.50
Mt. View-Edgewood Water Co.					
	EFT Payment 11/20/2018 3:30:26 PM - 1			2018 - November - 2nd Council Meeting	
		15563-3401 9/11-11/10/18			
			9/11-11/10/18 Services		
			001-018-000-518-30-47-02	Water	\$58.45
			1425 110th Ave E		
		Total 15563-3401 9/11-11/10/18			\$58.45
		2746-3401 9/11-11/10/18			
			9/11-11/10/18 Services		
			001-018-000-518-30-47-02	Water	\$333.37
			City Hall		
		Total 2746-3401 9/11-11/10/18			\$333.37
		2823-3401 9/11-11/10/18			
			9/11-11/10/18 Services		
			001-018-000-518-30-47-02	Water	\$57.51
			10311 22nd Ave E		
		Total 2823-3401 9/11-11/10/18			\$57.51

Vendor	Number	Reference	Account Number	Description	Amount
		2961-3401 9/11-11/10/18			
			9/11-11/10/18 Services		
			001-018-000-518-30-47-02	Water	\$419.11
				1800 Meridian Ave E	
		Total 2961-3401 9/11-11/10/18			\$419.11
		3796-3401 9/11-11/10/18			
			9/11-11/10/18 Services		
			001-018-000-518-30-47-02	Water	\$195.40
				1200 Meridian Ave E	
		Total 3796-3401 9/11-11/10/18			\$195.40
		Total EFT Payment 11/20/2018 3:30:26 PM - 1			\$1,063.84
Total Mt. View-Edgewood Water Co.					\$1,063.84
Office Depot					
	23575			2018 - November - 2nd Council Meeting	
		224791520001			
			October Purchases		
			001-018-000-518-20-31-01	Office & Operational Supplies	\$93.40
				Drafting Stool/Chair	
		Total 224791520001			\$93.40
	Total 23575				\$93.40
Total Office Depot					\$93.40
Public Finance Inc.					
		Direct Pay Payment 11/20/2018 3:31:12 PM - 1		2018 - November - 2nd Council Meeting	
		0002124			
			LID Segregation Services		
			001-019-000-518-90-41-01	Gen'l Gov't-Professional Services	\$975.00
				LID Segregation-Carrera Holdings/Arbors	
		Total 0002124			\$975.00
		Total Direct Pay Payment 11/20/2018 3:31:12 PM - 1			\$975.00
Total Public Finance Inc.					\$975.00
Raedeke Associates, Inc.					
	23576			2018 - November - 2nd Council Meeting	
		57648			
			Oct Svcs-Task 001		
			410-000-000-531-38-41-01	Professional Service	\$4,942.30
				Conservation Futures-Wetland Delineation	
		Total 57648			\$4,942.30
	Total 23576				\$4,942.30
Total Raedeke Associates, Inc.					\$4,942.30

Vendor	Number	Reference	Account Number	Description	Amount
Secoma Fence, Inc.	23577			2018 - November - 2nd Council Meeting	
		13541			
			November Services		
			340-000-000-595-10-41-06	Public Works Facility Acquisition	\$651.42
				Install Walk Gate in Fence	
		Total 13541			\$651.42
	Total 23577				\$651.42
Total Secoma Fence, Inc.					\$651.42
Shell					
	EFT Payment 11/20/2018 3:30:26 PM - 2			2018 - November - 2nd Council Meeting	
	8000093974811				
			November Purchases		
			001-018-000-518-30-32-01	Fuel	\$965.74
		Total 8000093974811			\$965.74
	Total EFT Payment 11/20/2018 3:30:26 PM - 2				\$965.74
Total Shell					\$965.74
State Auditor's Office	23578			2018 - November - 2nd Council Meeting	
		L128013			
			2016-17 Audit No. 41770		
			001-019-000-514-23-41-01	State Auditor	\$9,046.17
				2016-17 Audit	
		Total L128013			\$9,046.17
	Total 23578				\$9,046.17
Total State Auditor's Office					\$9,046.17
Summit Law Group	23579			2018 - November - 2nd Council Meeting	
		98860			
			Oct Svcs-Client 10249-2 SEP		
			001-015-000-515-41-41-01	Legal Services-External	\$396.50
		Total 98860			\$396.50
	Total 23579				\$396.50
Total Summit Law Group					\$396.50
TCMS Corp.	23580			2018 - November - 2nd Council Meeting	
		2198			
			Agreement P10436		
			001-018-000-518-30-48-03	Maintenance/Repairs - Buildings	\$66,491.56

Vendor	Number	Reference	Account Number	Description	Amount
				HVAC Control System Replacement	
		Total 2198			\$66,491.56
	Total 23580				\$66,491.56
Total TCMS Corp.					\$66,491.56
The News Tribune					
	23581			2018 - November - 2nd Council Meeting	
		255556 10/1-11/4/18			
			10/1-11/4/18 Services		
			001-014-000-511-30-41-02	Legal Publications	\$685.06
				Legal Notice	
			001-058-000-558-60-41-08	Legal Notices/Publications	\$855.21
				Legal Notice	
		Total 255556 10/1-11/4/18			\$1,540.27
	Total 23581				\$1,540.27
Total The News Tribune					\$1,540.27
Transpo Group					
	23582			2018 - November - 2nd Council Meeting	
		22476			
			Oct Svcs-Prj 1.17286.00		
			001-058-000-558-60-41-01	Reim.Engineering - Prof. Serv	\$587.50
				Task 05-Wolf Point #17-1444	
		Total 22476			\$587.50
		22478			
			Oct Svcs-Prj 1.17286.00		
			340-000-000-595-60-63-01	Pedestrian Safety Improvements	\$930.00
				Task 13-TIB Grant Assistance	
		Total 22478			\$930.00
	Total 23582				\$1,517.50
Total Transpo Group					\$1,517.50
United States Postal Service					
	23583			2018 - November - 2nd Council Meeting	
		110918-USPS			
			Winter Magazine Postage		
			001-018-000-518-20-42-02	Postage	\$1,264.56
				Winter 2018/19 Magazine	
		Total 110918-USPS			\$1,264.56
	Total 23583				\$1,264.56
Total United States Postal Service					\$1,264.56

Vendor	Number	Reference	Account Number	Description	Amount
US Bank ACH/EFT					
	EFT Payment 11/20/2018 3:29:06 PM - 1		2018 - November - 2nd Council Meeting		
	110718-USBank				
		October Safekeeping Fees			
		001-014-000-514-20-42-05	Bank & Bond Fees		\$28.00
			Oct Safekeeping		
	Total 110718-USBank				\$28.00
	Total EFT Payment 11/20/2018 3:29:06 PM - 1				\$28.00
Total US Bank ACH/EFT					\$28.00
US Bank Corporate Payment System					
	EFT Payment 11/20/2018 3:30:26 PM - 3		2018 - November - 2nd Council Meeting		
	102518-USBank				
		October PCard Statement			
		001-014-000-514-20-43-01	Training & Travel Costs		\$103.42
			J.Herrera-Campbells Lodge-WMCA Conference		
		001-018-000-518-20-31-01	Office & Operational Supplies		\$17.46
			D.Eidinger-Lowes-Reader Board Lights		
		001-018-000-518-20-31-01	Office & Operational Supplies		\$92.91
			S.Goff-DS Services-CH Water Delivery		
		001-018-000-518-20-31-01	Office & Operational Supplies		\$50.50
			D.Eidinger-Angelos-Gift Card Reimbursed on Rec #5361		
		001-018-000-518-20-35-01	Small Tools/Minor Equipment		\$988.99
			D.Eidinger-Rolling Hills Trading-Tent for Community Events		
		001-018-000-518-30-32-02	Supplies/Parts - Vehicles		\$10.97
			D.Mundy-O'Reilly-Car Cleaner		
		001-018-000-518-30-48-06	Equipment Repairs		\$588.29
			D.Eidinger-Pacific Power-Generator Repair		
		001-018-000-518-30-48-07	Maintenance & Repairs-Vehicles		\$5.00
			D.Mundy-Tahoma Mkt-Car Wash		
		001-058-000-558-50-43-01	Training/Travel Costs		\$369.18
			J.Bartelson-Campbells Lodge-Permit Tech Conference		
		001-058-000-558-50-43-01	Training/Travel Costs		\$418.00
			D.Mundy-ICC-G.Mehr IBC Test		
		340-000-000-595-10-41-06	Public Works Facility Acquisition		\$243.50
			D.Eidinger-Structure for Life-Deposit for Metal Bldg/Shed		
	Total 102518-USBank				\$2,888.22
	Total EFT Payment 11/20/2018 3:30:26 PM - 3				\$2,888.22
Total US Bank Corporate Payment System					\$2,888.22
Wells Fargo Financial Leasing					
	EFT Payment 11/20/2018 3:30:26 PM - 4		2018 - November - 2nd Council Meeting		
	5005496703				
		12/4-1/3/19 Lease			
		001-018-000-518-30-45-06	Copier Lease		\$85.93

Vendor	Number	Reference	Account Number	Description	Amount
				Lexmark Printers	
		Total 5005496703			\$85.93
		Total EFT Payment 11/20/2018 3:30:26 PM - 4			\$85.93
		Total Wells Fargo Financial Leasing			\$85.93
Grand Total		Vendor Count	22		\$125,649.69



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Rainier Ridge Estates Final Plat, permit file number 18-1310		Agenda Item #: AB18-0438	
		For Agenda of: November 27, 2018	
		Department: Community Development	
		Prepared by: Kristin Moerler	
EXHIBITS: ☒ Resolution No. 18-0438 ☒ Final Plat Drawing (3 pages) ☒ Staff Report ☒ City Engineer's Certificate ☒ Reference Location Map			
Approval of Materials:			
Mayor, Daryl Eidinger	☒	Expenditure Required:	\$0
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	\$0
City Attorney, Carol Morris	☒	Appropriation Required:	\$0
City Clerk, Rachel Pitzel	☒	Timeline: RCW 58.17.140 requires that a final decision on a final plat must be issued within 30 days or less after submission of the complete application.	
Community Development Director, Darren Groth	☒		
Public Works, Jeremy Metzler	☒		
Fiscal Note/Consideration: NONE			
SUMMARY STATEMENT: The Rainier Ridge Estates subdivision is located at 9810 Taylor Street East, Edgewood Washington. This project subdivides 4.45 acres located in the Single-Family Three (SF-3) zoning classification into 13 single-family lots. A State Environmental Policy Act (SEPA) Mitigated Determination of Non-significance (MDNS) was issued on May 27, 2016. The City of Edgewood Hearing Examiner granted preliminary approval of the Rainier Vista Preliminary Plat subject to fifty-four (54) conditions on July 14 2016. The applicant has five years from the date of preliminary plat approval to submit a final plat application. The Final Plat application was submitted to the City on August 8, 2018. The staff report (Exhibit 3) details the facts relating to the applicant's compliance with the approvals issued for the project. (Give a short summary of what improvements have not been constructed and which are the subject of performance and maintenance bonds here.) The applicant is finalizing the Covenants, Conditions, Easements Restrictions and Reservations document and obtaining signatures on the final plat document. Staff will confirm final acceptance of the final documents prior to the Council meeting. Staff recommends approval of the final plat having reviewed the detail of the referenced permits and all associated approvals, conditioned upon the submittal of the final documents. The process to be followed by the City Council in the review, approval or denial of this application is that of a closed record decision under EMC 18.40.190(H)(8). There is no opportunity for public testimony. The Council must make a decision based upon the record (the materials in the files, staff report, etc.). The Council may ask questions of the applicant and staff, relating to the existing record. Pursuant to EMC Section 16.04.160 and RCW 58.17.170(1), "when the legislative body of the city . . . finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval and that said subdivision meets the requirements of chapter 58.17 RCW, other applicable state laws and any local ordinances			

adopted under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written approval on the face of the plat."

COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A

RECOMMENDED ACTION: MOTION to approve Resolution No. 18-0438, approving the Rainier Ridge Estates Final Plat, File No. 18-1310, subject to the applicant's performance under the Performance and Maintenance Bonds dated October 4, 2018.

RESOLUTION NO. 18-0438

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, APPROVING THE RAINIER RIDGE ESTATES FINAL PLAT, LOCATED AT 9810 TAYLOR STREET EAST, EDGEWOOD WASHINGTON

WHEREAS, in March 2016, an application was submitted to the City for a preliminary plat to divide 4.45 acres into 13 single-family lots. The site is zoned Single-Family Three (SF-3), located at 9810 Taylor Street East, Edgewood Washington; and

WHEREAS, the City issued a Mitigated Determination of Nonsignificance (MDNS) on May 27, 2016 with 33 mitigating conditions and there were no appeals to the MDNS; and

WHEREAS, on June 28 2016, the Hearing Examiner held a hearing on the preliminary plat, and on July 14, 2016, the Hearing Examiner granted preliminary plat approval, subject to fifty - four (54) conditions; on July 28, 2016 the Hearing Examiner issued minor corrections to the Decision affecting two of the original conditions; and

WHEREAS, the site development permit for the subdivision infrastructure was submitted to the City on July 5, 2016 filed as permit number 16-5503—Rainier Ridge Estates; this permit was approved on November 22, 2016 and issued to the applicant on March 16, 2017; and

WHEREAS, the City of Edgewood issued the City Engineer's Certificate of Improvements Project 16-5503—Rainier Ridge Estates on August 7, 2018 documenting the substantial completion of the required improvements through construction and bonding subject to conditions; and

WHEREAS, on August 8, 2018, an application was submitted to the City for final plat approval, this application was deemed complete by the City on August 24, 2018; and

WHEREAS, on August 24, 2018, the City requested submittal of the performance and maintenance bonds and the Surface Water Maintenance Agreement required for the project; on August 30, 2018 the City additionally requested documentation related to conditions issued on the project and revisions to be made to the application documents based upon the review by City staff; and

WHEREAS, the performance and maintenance bonds associated with the Rainier Ridge Estates Subdivision were accepted by the City on October 4, 2018.

WHEREAS, required materials needed for review were received for review by staff on November 7, 2018; and

WHEREAS, City staff reviewed the revised materials, and requested additional minor revisions to the Final Plat and Covenants, Conditions and Restrictions (CC&R) document on November 13, 2018; and

WHEREAS, on November 15, 2018, revised materials including an updated final plat map, attached as Exhibit A, attached hereto and incorporated herein by this reference as set forth in full, were provided to the City for review and circulated for final approval; and

WHEREAS, the final plat application has been reviewed by relevant City departments in a staff report dated November 19, 2018 and attached as Exhibit B; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. Findings. The Edgewood City Council makes the following findings with regard to the Rainier Ridge Estates final plat:

- A. In the City Staff Report dated November 19, 2018, and attached to this Resolution as Exhibit B, the City of Edgewood staff including the City Engineer have determined that the conditions of the preliminary plat and SEPA mitigations have been complied with as discussed therein.
- B. The Rainier Ridge Estates Subdivision, has posted performance bonding for remaining landscape improvements associated with the private road. The bond for landscaping improvements is not released by this approval and which the applicant is required to complete within two years (August of 2020) unless an extension is granted by the City.
- C. The final plat as conditioned and with the performance posted for the Rainier Ridge Estates Subdivision Final Plat, satisfies all applicable state and local requirements for final plat approval, including without limitation all applicable requirements set forth in Chapter 16.04 EMC and Chapter 58.17 RCW.
- D. The Rainier Ridge Estates Final Plat, as conditioned, is in conformity with all applicable zoning ordinances and land use controls.
- E. The Rainier Ridge Estates Final Plat, as conditioned, is supported by all applicable staff and agency approvals, attestations, certifications, and/or recommendations as required by state and local regulations.
- F. The Rainier Ridge Estates Final Plat complies with the conditions of the Hearing Examiner's decision.
- G. The Rainier Ridge Estates Final Plat has been processed and reviewed in compliance with all applicable state and local procedural requirements.

Section 2. Final Plat Approval. Based upon the above findings, the City Council of Edgewood hereby adopts the Staff Report dated November 19, 2018 by reference attached as Exhibit B, and **APPROVES** the final plat of the Rainier Ridge Estates Subdivision subject to

completion of the bonded landscaping as identified above, and authorizes and directs staff and the Mayor to inscribe and execute the Council's written approval on the face of the plat. The original of the plat shall be filed for record by the City at the applicant's cost with the Pierce County Auditor's office.

Section 3. Severability. If any section, sentence, clause or phrase of this resolution should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this resolution.

Section 4. Effective Date. This resolution will take effect immediately upon passage by the City Council

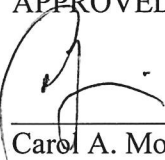
PASSED THIS 27TH DAY OF NOVEMBER, 2018

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:



Carol A. Morris, City Attorney

Exhibit A

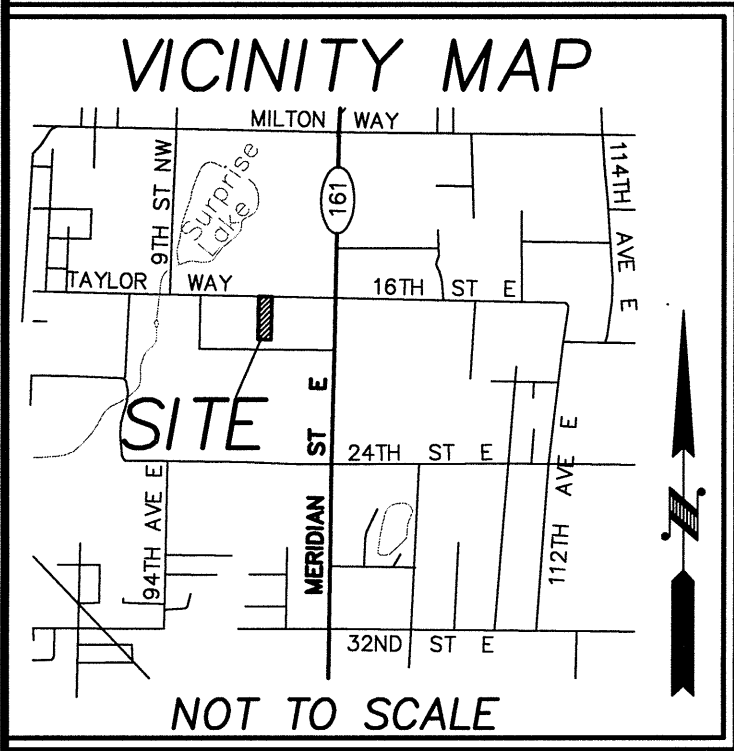
The Rainier Ridge Estates Final Plat

Exhibit B

November 19, 2018 - City of Edgewood Staff Report

RAINIER RIDGE ESTATES

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9,
TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON



LEGAL DESCRIPTION

THE LAND IN THE COUNTY OF PIERCE, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

REVISED PARCEL A, RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT, ACCORDING TO THE SURVEY THEREOF RECORDED FEBRUARY 23, 2016 UNDER RECORDING NO. 201602235002, RECORDS OF PIERCE COUNTY AUDITOR;

SITUATE IN THE CITY OF EDGEWOOD, COUNTY OF PIERCE, STATE OF WASHINGTON.

DEDICATION

WE/I THE UNDERSIGNED, ATTEST THAT WE/I ARE THE OWNERS(S) IN FEE SIMPLE OF THE LAND REPRESENTED ON THIS PLAT AND THAT THIS FULL SUBDIVISION HAS BEEN MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

WE/I THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED PROPERTY DEDICATE THESE LOTS TO THE PURCHASERS THEREOF. ALL ROADS ARE PRIVATE AND ARE NOT DEDICATED TO THE PUBLIC. EACH LOT OWNER SHALL HAVE AN EASEMENT FOR INGRESS, EGRESS AND UTILITY PURPOSES, AND ANY OTHER PURPOSES NOT INCONSISTENT WITH ITS USE AS A ROADWAY, OVER AND ACROSS ALL THE PRIVATE ROADS SHOWN ON THE PLAT. THE OWNERS RESERVE THE RIGHT TO MAKE ANY NECESSARY CUTS AND FILLS UPON THESE LOTS IN THE ORIGINAL REASONABLE GRADING OF THESE ROADS. THESE STREETS AND ROADS ARE PRIVATE AND WILL NOT BE DEDICATED TO THE CITY OF EDGEWOOD UNTIL SUCH TIME AS THEY ARE CONSTRUCTED TO CITY OF EDGEWOOD STANDARDS, AND AT SUCH TIME AS THE CITY OF EDGEWOOD DESIRES TO ACCEPT THEM.

FURTHER THE UNDERSIGNED OWNERS OF THE LAND HEREBY SUBDIVIDED WAIVE FOR THEMSELVES, THEIR HEIRS AND ASSIGNS AND ANY PERSON OR ENTITY DERIVING TITLE FROM THE UNDERSIGNED, ANY AND ALL CLAIMS FOR DAMAGES AGAINST THE CITY OF EDGEWOOD, ITS SUCCESSORS AND ASSIGNS, WHICH MAY BE OCCASIONED BY THE ESTABLISHMENT, CONSTRUCTION, OR MAINTENANCE OF ROADS AND/OR DRAINAGE SYSTEMS WITHIN THE SUBDIVISION.

WE/I DEDICATE TO CITY OF MILTON WATER COMPANY, ITS OFFICERS, EMPLOYEES, AGENTS, SUCCESSORS, ASSIGNS, CONTRACTORS, FOR THE USE OF THE PUBLIC FOREVER, A PERPETUAL EASEMENT WITH A RIGHT OF IMMEDIATE ENTRY AND CONTINUED ACCESS FOR THE CONSTRUCTION, IMPROVEMENT, MAINTENANCE AND REPAIR OF WATER LINES OVER, UNDER AND ACROSS FOR THE EASEMENTS SHOWN ON THE FACE OF THIS PLAT.

RAINIER VISTA, LLC.

A WASHINGTON LIMITED LIABILITY COMPANY

BY: _____

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
COUNTY OF PIERCE)ss

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF RAINIER VISTA, LLC. A WASHINGTON LIMITED LIABILITY CORPORATION, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED : _____

PRINTED NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON
RESIDING AT _____
MY COMMISSION EXPIRES: _____

APPROVALS

CITY OF EDGEWOOD PLAT NO. 18-1310

CITY OF EDGEWOOD AGENCY APPROVAL

APPROVED AS TO BEING IN COMPLIANCE WITH ALL TERMS OF THE PRELIMINARY APPROVAL OF THE PROPOSED PLAT.

APPROVED THIS _____ DAY OF _____, 2018.

COMMUNITY DEVELOPMENT DIRECTOR

CITY ENGINEER

APPROVED AS TO THE LAYOUT OF STREETS, ALLEYS AND OTHER RIGHTS OF WAY, DESIGN OF STORM SEWER SYSTEMS, AND OTHER STRUCTURES.

APPROVED THIS _____ DAY OF _____, 2018.

PUBLIC WORKS DIRECTOR

CITY OF EDGEWOOD COUNCIL APPROVAL

PURSUANT TO RESOLUTION, _____ THE EDGEWOOD CITY COUNCIL FINDS THIS PLAT CONFORMS TO ALL TERMS OF ITS PRELIMINARY APPROVAL, APPLICABLE STATE AND LOCAL LAWS AND THE EDGEWOOD MUNICIPAL CODE IN EFFECT AT THE TIME OF PRELIMINARY PLAT APPROVAL AND HEREBY AUTHORIZES THE MAYOR TO EXECUTE ITS WRITTEN APPROVAL ON THE FACE OF THE PLAT.

APPROVED THIS _____ DAY OF _____, 2018.

CITY OF EDGEWOOD MAYOR

ASSESSOR/TREASURER

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREIN, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED.

ASSESSOR/TREASURER
PIERCE COUNTY WASHINGTON
TAX PARCEL NO. 0420091152

TACOMA-PIERCE COUNTY HEALTH DEPARTMENT

PRELIMINARY INSPECTIONS INDICATE SOIL CONDITIONS ALLOW THE USE OF SEPTIC TANKS AND COMMUNITY DRAINFIELD SEWAGE DISPOSAL FOR ALL LOTS WITHIN THIS PLAT. PROSPECTIVE PURCHASERS OF THE LOTS MUST RECEIVE SEPTIC DISPOSAL TANK PERMITS PRIOR TO THE ISSUANCE OF BUILDING PERMITS.

DEPARTMENT REPRESENTATIVE

AUDITOR

FILED FOR RECORD THIS _____ DAY OF _____, 201____, AT _____ MINUTES
PAST _____ O'CLOCK, ____M.
RECORDS OF THE PIERCE COUNTY AUDITOR, TACOMA, WASHINGTON.

RECORDING NO.: _____

FEE: \$ _____

JULIE ANDERSON
PIERCE COUNTY AUDITOR

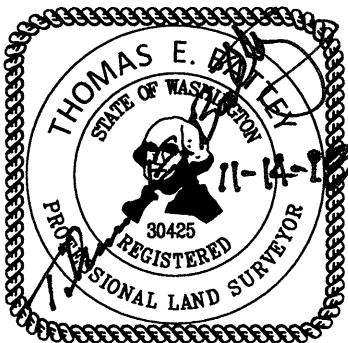
BY: _____

THIS PLAT IS SUBJECT TO CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R's) RECORDED UNDER RECORDING NUMBER: _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL SURVEY DONE BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE BEARINGS AND DISTANCES ARE SHOWN CORRECTLY; THAT THE PERIMETER MONUMENTS HAVE BEEN SET AND THAT ALL OTHER MONUMENTS AND LOT CORNERS HAVE BEEN SET OR BONDED WITH THE CITY AND WILL BE SET PRIOR TO THE RELEASE OF THE BOND; THAT I HAVE COMPLIED WITH ALL STATE AND CITY REGULATIONS GOVERNING PLATTING AND THAT IT CONFORMS TO THE APPROVED PRELIMINARY PLAT AND THE CONDITIONS OF APPROVAL THEREOF.

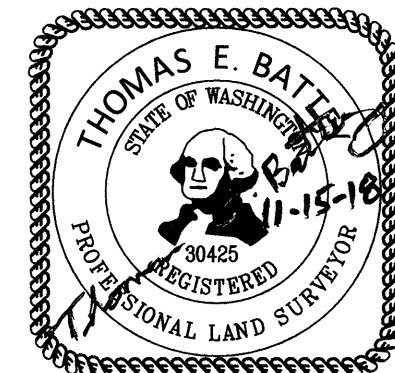
Thomas E. Battey
THOMAS E. BATTEY
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 30425



SHEET 1 OF 3



A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9,
TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON



11/27/2018 Regular Council Meeting
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A PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9,
TOWNSHIP 20 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN,
CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON



- (R1) RECORD OF
SURVEY AFN
8806230345
- (R2) SHORT PLAT
AFN 76-156
- (R3) RECORD OF
SURVEY AFN
200603285001
- (R4) RECORD OF
SURVEY AFN
8307150218

PRIMARY SURVEY CONTROL POSITIONS AND ACCESSIBLE MONUMENT POSITIONS WERE FIELD MEASURED UTILIZING LEICA GS-12 GPS EQUIPMENT. MONUMENT POSITIONS THAT WERE NOT DIRECTLY OBSERVED USING GPS SURVEY TECHNIQUES WERE TIED INTO THE CONTROL NETWORK (AS WELL AS THE LOCATION OF SITE FEATURES) UTILIZED TRIMBLE S6 ELECTRONIC TOTAL STATION FOR THE MEASUREMENT OF BOTH ANGLES AND DISTANCES.

THIS SURVEY MEETS OR EXCEEDS ACCURACY REQUIREMENTS CONTAINED IN W.A.C. 332.130.090.

AN EASEMENT IS HEREBY RESERVED FOR AND CONVEYED TO PUGET SOUND ENERGY, CITY OF MILTON WATER COMPANY, CITY OF EDGEWOOD, CENTURY LINK COMMUNICATIONS, INC., ANY TELEPHONE COMPANY, ANY CABLE COMPANY, PIERCE COUNTY, U. S. POSTAL SERVICE, ANY OTHER PUBLIC OR PRIVATE UNDERGROUND UTILITY SERVICE AND OTHER UTILITIES, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, UNDER, OVER AND ACROSS THE EXTERIOR 10 FEET OF ALL LOTS AND TRACTS AND SPACES WITHIN THE PLAT LYING PARALLEL WITH AND ADJOINING EXISTING OR PROPOSED ACCESS RIGHT OF WAY AND TRACTS, AS WELL AS AN EASEMENT WITHIN ALL PRIVATE ROADS, TRACTS AND DRIVES, IN WHICH TO INSTALL, LAY, CONSTRUCT, ENLARGE, RENEW, OPERATE AND MAINTAIN UNDERGROUND DISTRIBUTION SYSTEMS WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSES OF SERVING THIS SUBDIVISION AND OTHER PROPERTY WITH SANITARY SEWERS, STORM DRAINAGE, ELECTRIC, GAS, TELEPHONE, WATER AND OTHER UTILITY SERVICES, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS, STREETS, SPACES AND TRACTS AT ALL TIMES FOR THE PURPOSES HEREIN STATED. NO LINES OR WIRES FOR THE TRANSMISSION OF ELECTRIC CURRENT OR FOR TELEPHONE USE, CABLE TELEVISION, FIRE OR POLICE SIGNALS, OR FOR OTHER PURPOSES, SHALL BE PLACED UPON ANY LOT UNLESS THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO A BUILDING.

EASEMENTS ARE HEREBY GRANTED FOR INSTALLATION, INSPECTION, AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES AS DELINEATED ON THE PLAT FOR THE SUBDIVISION OF RAINIER RIDGE ESTATES. NO ENCROACHMENT WILL BE PLACED WITHIN THE EASEMENTS SHOWN ON THE PLAT WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION, INSPECTION, AND MAINTENANCE OF UTILITIES. MAINTENANCE AND EXPENSE THEREOF OF THE UTILITIES AND DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE RAINIER RIDGE HOMEOWNER'S ASSOCIATION AS ESTABLISHED BY THE COVENANT RECORDED.

- 1) THE ARTICLES OF INCORPORATION FOR THE RAINIER RIDGE ESTATES HOMEOWNERS ASSOCIATION IS ON FILE WITH THE SECRETARY OF STATE OF WASHINGTON IN OLYMPIA.
- 2) TRACT "A" IS A PRIVATE STREET AND UTILITIES TRACT. ALL LOT OWNERS (EXCEPT LOT 1) HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT "A", AND UNDIVIDED RESPONSIBILITY FOR THE TAXES FOR TRACT "A". THE RAINIER RIDGE ESTATES HOMEOWNERS ASSOCIATION IS GRANTED AN EASEMENT FOR THE MAINTENANCE OF TRACT "A". THE CITY OF EDGEWOOD IS HEREBY GRANTED A PERMANENT, NONEXCLUSIVE EASEMENT AND RIGHT OF ACCESS TO, OVER, AND THROUGH TRACT "A".
- 3) TRACT "B" IS A PRIVATE SEPTIC AND OPEN SPACE TRACT. ALL LOT OWNERS (EXCEPT LOT 1) HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT "B", AND UNDIVIDED RESPONSIBILITY FOR THE TAXES FOR TRACT "B". THE RAINIER RIDGE ESTATES HOMEOWNERS ASSOCIATION IS GRANTED AN EASEMENT FOR THE MAINTENANCE OF TRACT "B".
- 4) TRACT "C" IS A PRIVATE STORM DRAINAGE TRACT. ALL LOT OWNERS (EXCEPT LOT 1) HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT 'C', AND UNDIVIDED RESPONSIBILITY FOR THE TAXES FOR TRACT 'C'. THE RAINIER RIDGE HOMEOWNER'S ASSOCIATION IS GRANTED AN EASEMENT FOR THE MAINTENANCE OF TRACT 'C'.

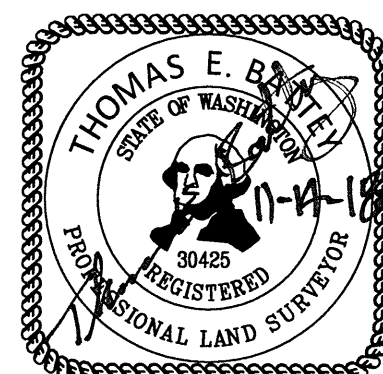
THE CITY OF EDGEWOOD IS GRANTED A RIGHT OF ENTRY IN TO THIS TRACT FOR THE PURPOSES OF STORMWATER INSPECTION AS DETAILED IN THE STORMWATER MAINTENANCE AGREEMENT RECORDED UNDER AFN _____
- 5) TRACT 'D' IS A PRIVATE SHARED INGRESS, EGRESS, AND UTILITIES EASEMENT TO BENEFIT LOTS 8, 9, & 10. ALL LOT OWNERS (EXCEPT LOT 1) HAVE AN EQUAL AND UNDIVIDED OWNERSHIP INTEREST IN TRACT 'D', AND UNDIVIDED RESPONSIBILITY FOR THE TAXES FOR TRACT 'D'. THE RAINIER RIDGE HOMEOWNER'S ASSOCIATION IS GRANTED AN EASEMENT FOR THE MAINTENANCE OF TRACT 'D'.

- 1) EMERGENCY VEHICLE ACCESS REQUIREMENTS SHALL BE MET IN ACCORDANCE WITH EMC. 15.05.110. FIRE FLOW AND OR FIRE PROTECTIONS REQUIREMENTS SHALL BE DETERMINED AT THE TIME OF APPLICATION FOR A BUILDING PERMIT.
- 2) INFILTRATION/DETENTION SYSTEMS ARE SUSCEPTIBLE TO FAILURE. IF NOT PROPERLY MAINTAINED. IT IS THE PROPERTY OWNER'S RESPONSIBILITY TO SCHEDULE REGULAR INSPECTIONS AND MAINTENANCE.
- 3) ALL ROADS ARE PRIVATE WITHIN THIS PLAT.
- 4) THE PROPERTY INCLUDED WITHIN THE LEGAL DESCRIPTION CONTAINS A PRIVATE STORM DRAINAGE SYSTEM. IT SHALL BE THE RESPONSIBILITY OF THE RAINIER RIDGE HOMEOWNER'S ASSOCIATION TO MAINTAIN THE PRIVATE STORM DRAINAGE SYSTEM IN ITS ORIGINALLY DESIGNED CONDITION.
- 5) NO BUILDING SHALL BE CONSTRUCTED WITHIN 8 FEET OF A POWER TRANSFORMER.
- 6) THE RAINIER RIDGE HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR ONGOING MAINTENANCE OF ALL COMMON TRACTS WITHIN THIS SUBDIVISION INCLUDING THE PLANTER BUFFER STRIPS (INCLUDING WEEDING, MOWING ETC.) PRIVATE E.V.A. TRACT, PRIVATE ROAD TRACT, STORMWATER FACILITIES, COMMUNITY SEPTIC/OPEN SPACE TRACT AND STREET LIGHTING.
- 7) LOT 1 WILL HAVE DIRECT ACCESS TO TAYLOR STREET EAST. ALL OTHER LOTS SHALL ACCESS OFF OF 98TH AVENUE COURT EAST.
- 8) GATED ENTRANCE TO THIS SUBDIVISION IS ALLOWED SUBJECT TO HEARING EXAMINER CONDITION #19 AND #44 WHICH REQUIRE 'THE GATED ENTRANCE SHALL INCORPORATE ... AN OPTICOM TYPE RECEIVER FOR FIRE/POLICE ACCESS IN AN EMERGENCY. THE ... GATE SHALL BE DESIGNED IN ACCORDANCE WITH THE 'MANUAL ON DESIGN GUIDELINES AND SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION IN PIERCE COUNTY' APPENDIX A: VEHICULAR ACCESS GATE ... WHERE INSTALLED, SECURITY GATES ON FIRE APPARATUS ACCESS ROADS SHALL BE EQUIPPED FOR AUTOMATIC OPERATION BY USE OF A KNOX KEY SWITCH AND SHALL BE DESIGNED AND INSTALL IN ACCORDANCE WITH THE EAST PIERCE FIRE & RESCUE REQUIREMENTS FOR SECURITY GATES.'

GUARANTEE NO. 3014258 DATED OCTOBER 4, 2018 FIRST AMERICAN TITLE
COMPANY SPECIAL EXCEPTIONS

- 2) CONDITIONS, NOTES, EASEMENTS, PROVISIONS, ENCROACHMENTS AND/OR OTHER MATTERS CONTAINED OR DELINEATED ON THE FACE OF THE SURVEYS RECORDED UNDER RECORDING NUMBERS 8307150218 & 8606230345.
- 3) TERMS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, BOUNDARY DISCREPANCIES, ENCROACHMENTS AND/OR OTHER MATTERS AS CONTAINED IN RECORDED LOT LINE ADJUSTMENT (BOUNDARY LINE REVISIONS) UNDER RECORDING NUMBERS 201602235002 WHICH IS AN AMENDMENT OF RECORD OF SURVEY 201508245007.
- 4.) EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN IN FAVOR OF PUGET SOUND ENERGY, INC. AFN. 201802230438.

TAX PARCEL NO. 0420091152



The logo for Larson and Associates is enclosed in a rectangular border. On the left side of the border is a large, stylized monogram of the letters 'L' and 'A'. The 'L' is formed by a thick black line, and the 'A' is formed by a thinner black line. To the right of the monogram, the text 'LARSON AND ASSOCIATES' is written in a large, bold, sans-serif font. Below this, the words 'LAND SURVEYORS', 'ENGINEERS', and 'PLANNERS' are stacked vertically in a smaller, sans-serif font. In the bottom left corner of the logo area, the date '11/13/2018' is stamped in a bold, sans-serif font. In the bottom right corner, the address '9027 PACIFIC AVENUE, SUITE 4 TACOMA, WASHINGTON 98444-6247' and the phone/fax number '253-474-3404 / Fax 253-472-7358' are printed in a smaller, sans-serif font.



City of Edgewood, Washington

2224 104th Avenue East, Edgewood WA 98372-1513

Phone: (253) 952-3299 Fax: (253) 952-3537

Staff Report and Recommendation Rainier Ridge Estates Subdivision Final Plat Approval

To: Edgewood City Council
From: Kristin Moerler, Senior Planner
Date: November 19, 2018
Subject: Final Plat Approval for Rainier Ridge Estates Subdivision

NAME OF SUBDIVISION: Rainier Ridge Estates Subdivision

NUMBER OF LOTS: Thirteen (13) single family residential lots

CITY FILE NUMBER: 18-1310

CITY FILE NUMBER AND NAME FOR PRELIMINARY PLAT APPROVAL: 5225 Rainier Vista Subdivision

City File Number and Name for Site Development Permit Approval: 16-5503 Rainier Vista Subdivision

LOCATION: 9810 Taylor Street East, Edgewood, WA

TAX PARCELS: 04200291152

APPLICANT: Rainier Vista LLC

PROPERTY OWNER: Rainier Vista LLC

LEGAL DESCRIPTION: REVISED PARCEL A, RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT, ACCORDING TO THE SURVEY THEREOF RECORDED FEBRUARY 23, 2016 UNDER RECORDING NO. 201602235002, RECORDS OF PIERCE COUNTY AUDITOR; SITUATE IN THE CITY OF EDGEWOOD, COUNTY OF PIERCE, STATE OF WASHINGTON.

ZONING: Single Family 3 (SF-3)

COMPREHENSIVE PLAN DESIGNATION: Single Family Moderate

CRITICAL AREAS: No critical areas were identified on the property.

SEPA: The City of Edgewood issued a Final Mitigated Determination of Nonsignificance (MDNS) on May 27, 2016 and there were no appeals to the MDNS.

PRELIMINARY PLAT APPROVAL: The City of Edgewood Hearing Examiner granted preliminary approval subject to fifty-four (54) conditions on July 14 2016. A correction was additionally issued on July 28, 2018. The analysis within this staff report includes responses to all conditions placed on the project.

FINAL PLAT APPLICATION: Application was received on August 8, 2018. The City deemed the application complete on August 24, 2018. The City also requested additional information to be submitted to support approval of the final plat on August 24, 2018. The City requested additional revisions and clarifications on the final plat and Covenants, Conditions and Restrictions (CC&R) documents on August 30, 2018. The review clock was stopped until November 7, 2018 pursuant to EMC 18.40.150. While a number of submittals came in during the time the review clock was stopped, the clock did not restart as the submittals did not provide a complete response to the prior requests until that date.

Staff sent a request for minor clarifications to the final plat and CC&R document on November 13, 2018. Final plat was resubmitted for review on November 14, 2018. One additional edit was determined required on the 15th of November. Revisions were submitted the same day and accepted on November 16, 2018. A revised copy of the CC&RS is required to be provided to staff for final acceptance prior to the Council Meeting on the November 27, 2018.

ATTACHMENTS:

1. The City of Edgewood Engineer's Certificate of Completion
2. Final Plat Map attached as Exhibit A to Resolution No. 18-xxxx

I. APPROVAL PROCESS

The final plat is reviewed by staff for conformance with preliminary plat approval conditions and all applicable laws and regulations. In this report, City staff is submitting written findings and a recommendation to the City Council for final plat approval.

Pursuant to EMC Section 16.04.160 and RCW 58.17.170(1), "when the legislative body of the city . . . finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval and that said subdivision meets the requirements of chapter 58.17 RCW, other applicable state laws and any local ordinances adopted

under this chapter which were in effect at the time of preliminary plat approval, it shall suitably inscribe and execute its written approval on the face of the plat."

II. PROJECT ANALYSIS

The proposed subdivision is determined by staff to meet the criteria established in the Edgewood zoning and subdivision ordinances, the City of Edgewood Comprehensive Plan and to be generally consistent with the requirements and conditions of the preliminary plat approval. The legal requirements as well as the hearing examiner's conditions are set forth below, together with staff's recommended findings on each.

A. Conformance with the City of Edgewood Zoning Ordinance (EMC Title 18)

The zoning designation of the property is Single Family (3) three. The preliminary plat approval details the project's compliance with the zoning designation applicable to the site. The project includes 13 single family residential lots (lot 1 contains the existing residence, so plat will create 12 vacant lots to be developed). All lots generally have a rectangular shape and sufficient building area to accommodate a reasonably sized, single-family residential home. The building permit process will include review of zoning provisions applicable to the individual lot development and assure compliance. The proposed final plat satisfies all lot size regulations of the SF-3 zone.

B. Conformance with the City of Edgewood Subdivision Ordinance (EMC Title 16) and Issuance of the Hearing Examiner's conditions of approval.

The applicant submitted a final plat application in conformance with 16.04.100-16.04.180. Staff finds the proposed subdivision conforms to EMC Title 16.

C. Conformance with the Comprehensive Plan

The Comprehensive Plan designation of the property is Single Family Medium. Allowed uses in the Single-Family Medium designation includes single family detached dwelling units and compatible uses. The maximum number of allowable dwelling units in the Single-Family Moderate is three dwelling units per acre. Staff finds the proposed subdivision is in conformance with the Comprehensive Plan. Staff finds the proposed subdivision is in conformance with the Comprehensive Plan.

D. Conformance with the City of Edgewood Engineering Requirements

The City's Public Works staff and City Engineer have reviewed the civil design, construction drawings and final plat application with the purpose to promote the public health, safety, and welfare in accordance with the standards established by the state and the City to provide and promote safe, convenient vehicle access on public and private streets, to facilitate the adequate provision of public water and sewer service and for the proper handling of stormwater.

The City Engineer issued a City Engineer's Certificate of Improvements for Rainier Ridge Estates file #16-5503 for site development improvements in accordance with Chapter 16.04 EMC on August 7, 2018. The letter authorizes bonding for landscaping and irrigation that has not yet been installed at the site. It additionally required submittal of the maintenance bond for completed frontage improvements to Taylor Street, an executed Surface Water Maintenance Agreement and confirmation street lights have been activated.

Bonds have been submitted pursuant to the Engineers Certificate for the maintenance of Taylor street frontage improvements and for the remaining landscape features. An executed Surface Water Maintenance Agreement has been received and accepted. Staff has confirmed street lights have been activated.

B. Conformance with Hearing Examiner's conditions of approval

The following conditions have been imposed on the project through the MDNS and Hearing Examiner approval. Staff responses to the conditions of approval are listed in *italicized text* after the condition.

HEX 1. The preliminary full subdivision shall be finalized and recorded within five (5) years of the preliminary approval in accordance with 58.17.140 RCW.

The preliminary plat approval was granted in July of 2016, so the deadline for final plat recording is July 16, 2021.

HEX 2. The Mitigated Determination of Nonsignificance was issued May 27, 2016. The conditions are hereby incorporated fully and shall be incorporated into the design of the plat and considered as conditions of the final plat approval.

Thirty three (33) mitigating conditions were imposed as SEPA mitigation. Some conditions were duplicated in the plat conditions imposed by the Hearing Examiner (HEX), where this occurs the reference is made to the HEX condition where the response is provided.

MDNS # 1. During and following site development activity, compliance with EMC Chapter 13.05 (Surface Water) is required. A Temporary Erosion and Sedimentation Control plan (TESC) is required to be submitted to address temporary erosion control measures during construction. The TESC must be submitted prior to site development permit issuance, approved by the City Engineer, and implemented during site development and future home construction. A Certified Erosion and Sediment Control Lead (CESCL) shall be present throughout the construction of site development improvements, shall implement and maintain a Storm Water Pollution Prevention Plan (SWPPP), and shall provide weekly reports to the City of Edgewood.

The Site Development Permit was submitted, reviewed, approved and issued under File Number 16-5503. This permit demonstrates compliance with EMC 13.05 and contains the required TESC & SWPPP plans. CESCL reports have been provided to the City as required.

MDNS # 2. The applicant shall provide adequate site control measures for erosion control for the proposed movement of up to 3,590 cubic yards of material in the TESC.

The Erosion Control (TESC) plan was reviewed for adequacy and approved under File Number 16-5503.

MDNS # 3. During construction, all oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained onsite and removed in a manner that will prevent their discharge from the site, either to surface waters or soils. The cleanup of any spills shall take precedence over any other work on the site.

This condition addresses potential spills and discharges which can contaminate soils or water to facilitate the ability of staff to shut down a site if such issues are not being immediately addressed to protect the environment. Staff monitored the construction activity under File Number 16-5503, and staff is not aware of any violations of these provisions during the construction of this project.

MDNS # 4. Dust control measures shall be performed during site development and home construction, as needed due to soil conditions during periods of dry weather. Dust control plans shall be included in the SWPPP.

The SWPPP provided dust control measures and procedures as required by this condition. Staff monitored the site construction activity under File Number 16-5503 for conformance with this requirement. Appropriate dust control methods were employed during periods of dry weather as required.

MDNS # 5. Appropriate provisions shall be made to minimize the tracking of sediment by construction vehicles onto paved public roads during site development and home construction. If sediment is deposited, it shall be cleaned by the end of each day by shoveling or sweeping. Water cleaning shall only be done after the area has been shoveled out or swept.

The SWPPP and TESC Plan provided under File Number 16-5503 included appropriate provisions for minimizing sediment track-out during construction. Staff monitored the site construction activity under File Number 16-5503 for conformance with this requirement, and appropriate actions were taken as necessary.

MDNS # 6. As more than one (1) acre of land disturbance is expected, the applicant shall acquire a National Pollution Discharge Elimination System (NPDES) permit and provide a copy of the permit to the City of Edgewood at the time of pre-construction and prior to site development permit issuance.

See response under HEX #28 which is substantially the same requirement and language.

MDNS # 7. A Pre-Construction Meeting with the City of Edgewood shall be held upon pre-construction fee payment prior to any site development work, scheduled at least 72 hours in advance. All construction activity during site development shall be limited by the hours of

operation from 8 a.m. to 5 p.m., Monday through Friday. Special provisions to work beyond the established hours may be permitted through written request to the Mayor or Designee a minimum of two days prior to the special hours or days requested.

The required pre-construction meeting was held on March 16, 2017 for this project. Staff has no record of any requests to work outside the designated construction activity hours.

MDNS # 8. Engineered stormwater drainage facilities are required. The applicant shall provide a Stormwater Site Plan in accordance with EMC Chapter 13.05 and the 2005 DOE Stormwater Management Manual for Western Washington (SMMWW) at the time of site development. The plan shall include a Stormwater Pollution Prevention Plan (SWPPP) addressing Minimum Requirement Two for all proposed development. The applicant shall provide engineering plans for City approval for all required surface water facilities prior to site development approval.

See response under HEX #24 and 27 which are substantially the same requirements.

MDNS # 9. The applicant's geotechnical engineer shall verify and confirm soil conditions and design infiltration rates during and following construction of any proposed stormwater retention BMPs, including Low Impact Development (LID) techniques. If conditions are found to be different than designed, the applicant's geotechnical engineer shall provide a revised design infiltration rate and the stormwater retention BMPs shall be redesigned accordingly. Corrections and/or design errors may require revisions to the plat. Any revisions shall be submitted to the City of Edgewood for review and approval prior to implementation and final site development construction approval.

Inspection reports and test results provided by the project Geotechnical Engineer were received and filed under File Number 16-5503. Conditions were found to be equal to or better than those anticipated in design, requiring no revisions to the plat.

MDNS # 10. Any proposed surface water discharged from the project site must meet all of the Minimum Requirements of the SMMWW, including stormwater modeling of pre-development conditions assuming forested land cover. Any revisions, corrections and/or design errors that require revisions to the plat, shall be submitted to the City for review and approval prior implementation and final site development construction approval.

See response under HEX #25, 27, & 29 which were written more specifically to address the same requirements and code.

MDNS # 11. The applicant shall provide right of entry by the City of Edgewood for all stormwater facilities prior to final site development approval. Reference shall be made on face of plat and in HOA CCRs.

A Surface Water Maintenance Agreement has been prepared following City of Edgewood regulations, providing right of entry for stormwater facility inspection purposes, and said agreement will be recorded concurrently with the approved final plat map.

MDNS # 12.The applicant shall construct street improvements associated with the new private roadway proposed with this project, prior to final short plat submittal. Improvements shall be in compliance with EMC 12.05, Streets, Sidewalks and Public Places that adopts by reference Pierce County Code Title 12. The specific cross section shall be in accordance with the “Manual on Design Guidelines and Specifications for Road and Bridge Construction in Pierce County,” and Pierce County Standard Drawing PC.A3.2 and as described therein.

The required private roadway improvements have been designed, reviewed, approved and constructed under File Number 16-5503. An Engineer’s Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

MDNS # 13.The cul-de-sac and road shall include, at minimum, a 20-foot drive lane per City of Edgewood Local Street cross-section and PCC Section 17B.20.040, Table 17B.20.040-3. A 1.5-foot curb and gutter section on both sides of the road, a stormwater management system per EMC 13.05, a 4-foot landscaping strip, and a 5-foot concrete sidewalk shall be placed in an Emergency Vehicle Access (EVA) easement (Tract “D”). The cul-de-sac EVA turnaround is required to have a minimum driven surface of 96-foot diameter (48-foot radius) per the International Fire Code (IFC). The site development plans must be submitted to the City of Edgewood and be approved prior to site development commencement.

See response under HEX #17.

MDNS # 14.Tract ‘A’ (private road) must include the entire width of the roadway travel surface at a minimum, from face-of-curb to face-of-curb, but not including the cul-de-sac turnaround and EVA bulb at entrance to plat (see Tract “D” on Preliminary Plat Map). The remainder of the curb, landscape buffer, and sidewalk area shall be placed within a separate tract (i.e., Tract ‘D’ as presented on the Preliminary Plat Map received May 5, 2016) and/or dedicated as an easement.

See response under HEX #18.

MDNS # 15.The new roadway intersection to the proposed private road from Taylor Street East shall be constructed in accordance with EMC Title 12: Streets, Sidewalks, and Public Places which adopts by Pierce County Code Title 17B, including Section 178.10.060, the “Manual on Design Guidelines and Specifications for Road and Bridge Construction in Pierce County.” Details on the roadway intersection improvements may be found in Chapter 5: Access and Intersections. Intersection design requires City of Edgewood approval.

The required roadway intersection improvements have been designed, reviewed, approved and constructed under File Number 16-5503. An Engineer’s Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

MDNS # 16.Improvements to Taylor Street East shall include half street improvements including minimum 12-foot drive lane, 4-foot buffer, 5-foot concrete sidewalk, and a culvert

under the proposed private access (12-inch minimum diameter) to maintain the existing roadside drainage, all designed in accordance with EMC Title 12.

See response under HEX #16 which is identical.

MDNS # 17. The private street shall include at minimum vehicle level street lighting at the end of the cul-de-sac turnaround and at the intersection with Taylor Street East per PCC Section 17B.20.005, Table 17B.20.005-2, as incorporated in EMC Title 12. Installation and ongoing maintenance of private road street lighting provided by this project shall be the responsibility of the developer and future homeowners association. Street lighting design shall be consistent with City of Edgewood design standards and requires City of Edgewood approval.

See response under HEX #20 which is identical.

MDNS # 18. The gated entrance shall incorporate a turnaround and “Opticom” type receiver for fire/police access in an emergency. The turnaround and gate shall be designed in accordance with the “Manual on Design Guidelines and Specifications for Road and Bridge Construction in Pierce County” Appendix A: Vehicular Access Gate. The gated entrance and turnaround design shall be submitted to the City of Edgewood and be approved prior to site development.

No gate has been installed at this time. The applicant is intending to install a gated entrance to the subdivision in the future and has developed the roadway access to meet the referenced standards to accommodate the gate when developed. The applicant has documented the required gate features on the face of the plat to document these standards must be met if/when a gate is installed at the site.

MDNS # 19. The applicant shall provide all roadway signs in accordance with Manual on Uniform Traffic Control Devices (MUTCD) standards prior to final site development approval.

See response under HEX #21.

MDNS # 20. The design and construction of the new roadways and pedestrian improvements shall meet or exceed current Americans with Disabilities Act (ADA) requirements. This includes but is not limited to design of sidewalk transitions, curb ramps, street crossings, and lighting.

See response under HEX #22.

MDNS # 21. The applicant shall submit and receive approval of a landscape plan in accordance with EMC 18.90.090 prior to approval of site development plans. The landscape plans shall include provisions for the streetscape, storm tract, and park/community drainfield area landscaping as well as irrigation. Common space and storm tract landscaping shall be required at the time of site development unless otherwise approved by Community Development Director.

See response under HEX #30.

MDNS # 22.The applicant shall provide a copy of the landscape and streetscape maintenance plan prior to permit issuance of the first building permit to address all common spaces and shall specifically include provisions regarding stormwater maintenance referencing the Operation and Maintenance (O&M) Manual prepared by the Engineer of Record, landscaping, roadway, park/septic area, and storm tract.

See response under HEX #31.

MDNS # 23.A Homeowners' Association (HOA) shall be created to address all private improvements within the proposed plat including storm tract and stormwater facilities, community septic system, private street, EVA and utility easement infrastructure, street lighting, landscaping, irrigation, and private roadway gate including the "Opticom" type receiver for fire/police access. Associated Covenants, Conditions and Restrictions (CCRs) shall be submitted at the time of final plat for review and approval. Once approved by the City, the CCRs shall be recorded separately at the time of final plat recording and the recording number shall be hand-written on the face of the final plat and the final plat number hand-written on the cover sheet of the CCRs as cross-reference.

The applicant has submitted CC&Rs for review and approval by the City. Minor revisions were requested on August 30, 2018 and November 13, 2018 to assure the document clearly reflected the long term obligations of the HOA as specified in the preliminary plat approval. The final CC&Rs will be provided to staff prior to the Council review for final acceptance and shall be recorded at the time of the final plat to allow cross referencing between the two documents.

MDNS # 24.Management and maintenance of the streetscape landscaping, both onsite and along the Taylor Street East frontage, shall be the responsibility of the HOA.

See response under HEX #32 which is identical.

MDNS # 25.The applicant submitted a Significant Tree Plan on March 25, 2016 that adequately addresses significant trees on site according to EMC 18.90.180. Per EMC 18.90.180 the applicant is required to preserve trees up to 15 inches in diameter measured 3-feet above grade up to 50-percent of the total number of trees located within the interior landscaping area of the lot or individual lots. When a significant tree cannot be retained, the tree shall be replaced per the Significant Tree Plan or as approved by the Community Development Director or Designee per EMC 18.90.180.

The condition reflects the status of the conformance of the plat relative to tree retention requirements and details requirements of the code. The applicant has preserved trees in conformance with the plan referenced in the condition with minor changes needed to adapt to field conditions in conformance with the referenced codes.

MDNS # 26.The applicant shall construct a school bus stop waiting area at the southwest corner of the proposed intersection of the private road and Taylor Street East near the proposed street light shown on the preliminary plat site plan. The school bus stop waiting

area shall meet the requirements of the Puyallup School District as outlined in the “Findings of Fact” above. The waiting area shall be incorporated into site development plans for review and approval.

See response under HEX #12.

MDNS # 27.The applicant shall provide an approved subdivision application from the Tacoma-Pierce County Health Department at the time of application for the community drainfield system and prior to site development plan submittal.

See response under HEX #48.

MDNS # 28.The applicant shall comply with the requirements of the City of Milton Water Department as outlined within “Findings of Fact” above and provide written approval of system acceptance prior to final plat submittal.

See response under HEX #49.

MDNS # 29.The applicant shall comply with the requirements of East Pierce Fire and Rescue as outlined within “Findings of Fact” above.

See response under HEX #50.

MDNS # 30.The applicant shall pay School Impact Fees to the Puyallup School District at the time of building permit issuance in accordance with EMC 4.10.

See response under HEX #51.

MDNS # 31.The applicant shall pay Park Impact Fees at the time of building permit issuance in accordance with EMC 4.20.

See response under HEX #52.

MDNS # 32.The applicant shall pay Traffic Impact fees at the time of building permit issuance in accordance with EMC 4.30.

See response under HEX #53.

MDNS # 33.If significant changes are made to the proposal, additional documentation and study will be required to be submitted to the City of Edgewood and supplemental SEPA environmental review will be required.

See response under HEX #54.

HEX 3. A Homeowners’ Association shall be established under the provisions set forth in RCW 64.38 to assume responsibility for, and insure proper maintenance of, common or community facilities. In order to insure proper responsibility and authority to carry out necessary maintenance activities, the Homeowners’ Association shall, at a minimum, include the following provisions:

- a. Membership in the Homeowners' Association will be mandatory for all lot owners within the project boundaries.
- b. The Homeowners' Association shall have the power to levy fees and dues necessary to successfully accomplish necessary activities.
- c. The Homeowners' Association shall have the provision for the collection of attorney fees extended in collecting delinquent assessments from lot owners.
- d. Responsibility of the Homeowners' Association for maintenance of common areas shall be specifically detailed.
- e. Assessment of the Association dues shall initially be established by the applicant and submitted to the City of Edgewood Department of Community Development for review. The applicant shall provide a description of the organization, including its bylaws, and all documents governing maintenance requirements and use restrictions for common facilities. Such documents shall be reviewed and approved by the City prior to final plat approval.
- f. The Homeowners' Association and CCRs shall be recorded prior to recording the final plat and the Auditor's File Number shall be noted on the Final Plat with the following note:

"The Homeowners' Association shall be responsible for ongoing maintenance of all common Tracts within this Subdivision including the planter buffer strips (including weeding, mowing, etc.), private E.V.A. tract, private road tract, stormwater facilities, community septic/open space tract and street lighting."

The applicant has submitted CC&Rs for review and approval to the City. Minor revisions were requested on August 30, 2018 and November 13, 2018 to assure the document clearly reflected the long term obligations of the HOA as specified above. The final CC&Rs will be provided to staff prior to the Council review for final acceptance and shall be recorded at the time of the final plat to allow cross referencing between the two documents. Final plat incorporates the required reference language as well.

HEX 4. EMC Chapter 4.20 establishes a park impact fee for new development. A fee will be collected at the time of application for a building permit to construct each new dwelling unit. The amount of the fee will be based on the Park Impact Fee Schedule in place when the building permit application is submitted.

See response under HEX #52.

HEX 5. Pursuant to RCW 58.17.170, the subdivision shall be governed by the terms of approval of the final plat, and the statutes, ordinances, and regulations in effect at the time of final approval.

This condition is informative in nature, documenting the vesting of the plat which will e

HEX 6. Addresses for individual residential lots shall be obtained from the City at the time of final plat submittal and shown on the face of the final plat drawings.

Addresses were issued to the applicant for this subdivision by the City on June 8, 2018. The addresses are listed, as issued, on page 2 of the final plat.

HEX 7. Two (2) copies of a plat certificate shall accompany a request for approval of the final plat.

The applicant provided two copies of the required plat certificate as a part of the final plat application materials.

HEX 8. The final plat drawing shall be prepared in accordance with the requirements in RCW Chapter 58.09, WAC Chapter 332-130, EMC Title 16, and the conditions contained within this approval. Six (6) copies of the final plat drawings shall be submitted for review. After the City is satisfied that all requirements and conditions have been met, a Mylar drawing of the final plat with the appropriate signatures shall be submitted to the City for City Council approval within five (5) years of the date the preliminary plat approval pursuant to 58.17140 RCW.

The final plat has been prepared in accordance with RCW Chapter 58.09, WAC Chapter 332-130, EMC Title 16, and the conditions contained within this approval. Staff was provided adequate copies of the final plat for the review to occur. Staff authorized the applicant to proceed with preparation of the final plat document and obtaining final signatures on November 16, 2018. Mylar is no longer required for recording due to improved scanning capabilities, the applicant has been informed that mylar or paper is acceptable for recording. As discussed in response to HEX #1, the final plat recording is anticipated to occur well before the 5 year timeline allowed.

HEX 9. The applicant will be responsible for obtaining the following signatures on the Mylar prior to the Mylar being submitted for final review and approval by the City Council: Pierce County Assessor-Treasurer, Owner's Free Consent, Tacoma-Pierce County Health Department, City of Edgewood Community Development

This condition reflects that it is the applicant's responsibility to obtain the final review and approval of each of the agencies listed. The applicant has provided documentation of the final acceptance of each agency required for approval and is in the process of obtaining final signatures which are anticipated to be in hand by staff prior to the Council review.

HEX 10. The Mylar shall include approval signature blocks for the following: City Engineer, Community Development Director, Pierce County Assessor-Treasurer, Pierce County Auditor, and Mayor, representing the City Council

All required signature blocks have been provided.

HEX 11. The Plat shall not be deemed final until it has been duly recorded with the Pierce County Auditor. A copy of the recorded plat shall be submitted to the City prior to issuance of building permits for the construction of residential dwellings within the full subdivision.

The condition reflects the process of recording the final plat which cannot occur until after the council review and approval of the final plat.

HEX 12. The applicant shall provide a school bus stop, consistent with the Puyallup School District standards at the southwest corner of the proposed intersection of the private road and Taylor Street East near the proposed street light shown on the preliminary plat site plan. The applicant shall also coordinate with the Puyallup School District prior to site development application submittal and the waiting area shall be incorporated into site development plans for review and approval by the City of Edgewood.

The required bus stop was designed, reviewed, approved and constructed under File Number 16-5503. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

HEX 13. The applicant shall pay School Impact Fees consistent with EMC Chapter 4.10. A copy of the receipt from the School District showing the fees have been paid is required prior to the issuance of building permits.

See response under HEX #51.

HEX 14. Site development is subject to City review and approval. Substantial completion of site development work must be completed prior to final plat approval. A construction bond or financial guarantee at 130 percent of the engineer's estimate for all Public Works improvements may be accepted prior to completion of all work at the discretion of the City Manager or Designee to obtain final plat approval.

Site Development was reviewed and approved under File Number 16-5503 prior to permit issuance and construction activity. Substantial completion of site development was achieved upon issuance of the Engineer's Certificate on August 7, 2018. Appropriate bonding was accepted by the City for remaining items and / or maintenance on October 4, 2018.

HEX 15. The applicant shall construct street improvements associated with the new private roadway and roadway intersection proposed with this project, prior to final short plat submittal. Improvements shall be in compliance with EMC 12.05, Streets, Sidewalks and Public Places that adopts by reference Pierce County Code Title 12. The specific cross sections shall be in accordance with the "Manual on Design Guidelines and Specifications for Road and Bridge Construction in Pierce County," and as described herein. Details on the roadway intersection improvements may be found in Chapter 5: Access and Intersections. Intersection design requires City of Edgewood approval.

See responses under MDNS #12 and #15, which contain identical conditions.

HEX 16. Improvements to Taylor Street East shall include half street improvements including minimum 12-foot drive lane, 4-foot buffer, 5-foot concrete sidewalk, and a culvert under the proposed private access (12-inch minimum diameter) to maintain the existing roadside drainage, all designed in accordance with EMC Title 12.

The required public roadway improvements have been designed, reviewed, approved and constructed under File Number 16-5503. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

HEX 17. The cul-de-sac and road shall include, at minimum, a 20-foot drive lane per City of Edgewood Local Street cross-section and PCC Section 17B.20.040, Table 17B.20.040-3. A 1.5-foot curb and gutter section on both sides of the road, a stormwater management system per EMC 13.05, a 4-foot landscaping strip, and a 5-foot concrete sidewalk shall be placed in an Emergency Vehicle Access (EVA) easement (Tract 'D' on the preliminary plat map). The cul-de-sac portion of the EVA turnaround is required to have a minimum driven surface of 96-foot diameter (48-foot radius) per the International Fire Code (IFC). The site development plans must be submitted to the City of Edgewood and be approved prior to site development commencement.

The required site development plans have been designed, reviewed, approved and constructed under File Number 16-5503. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018. The private roadway as detailed is contained in Tract A, while the sidewalks are located in the private sidewalk and utilities easement as noted on the final plat.

HEX 18. Tract 'A' (private road) must include the entire width of the roadway travel surface at a minimum, from face-of-curb to face-of-curb. The remainder of the curb, landscape buffer, and sidewalk area shall be placed within a separate tract (i.e., Tract 'D' as presented on the Preliminary Plat Map received May 13, 2016) and/or dedicated as an easement.

The entire width of the private roadway travel surface is included within Tract 'A' as shown on the final plat map. The remaining roadway elements described above are contained within a private sidewalk and utilities easement as shown on the final plat map.

HEX 19. The gated entrance shall incorporate a turnaround and "Opticom" type receiver for fire/police access in an emergency. The turnaround and gate shall be designed in accordance with the "Manual on Design Guidelines and Specifications for Road and Bridge Construction in Pierce County" Appendix A: Vehicular Access Gate. The gated entrance and turnaround design shall be submitted to East Pierce Fire and Rescue and be approved prior to site development.

See response under MDNS #18 (identical) and HEX 44 (related).

HEX 20. The private street shall include at minimum vehicle level street lighting at the end of the cul-de-sac turnaround and at the intersection with Taylor Street East per PCC Section 178.20.005, Table 178.20.005-2, as incorporated in EMC Title 12. Installation and ongoing maintenance of private road street lighting provided by this project shall be the responsibility of the developer and future homeowners association. Street lighting design shall be consistent with City of Edgewood design standards and requires City of Edgewood approval.

Street lighting was designed, reviewed, approved and constructed under File Number 16-5503. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City

Engineer on August 7, 2018. Lighting is operable at this time and addressed in the CC&RS for the plat.

HEX 21. The applicant shall provide all roadway signs in accordance with Manual on Uniform Traffic Control Devices (MUTCD) standards prior to final site development approval.

The roadway signage was designed, reviewed, approved and constructed under File Number 16-5503. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018

HEX 22. The design and construction of the new roadways and pedestrian improvements shall meet or exceed current Americans with Disabilities Act (ADA) requirements. This includes but is not limited to design of sidewalk transitions, curb ramps, street crossings, and lighting.

The ADA-compliant improvements have been designed, reviewed, approved and constructed under File Number 16-5503. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

HEX 23. EMC Chapter 4.30 establishes a traffic impact fee for new development. The applicant shall pay traffic impact fees at the time of building permit issuance for each residential unit.

See response under HEX #53.

HEX 24. The applicant shall provide a Final Stormwater Management Plan per EMC Chapter 13.05, which adopts the 2005 Department of Ecology (DOE) Surface Water Management Manual for Western Washington (SWMWW) with local amendments. This plan shall be submitted as part of the Site Development Application and shall require approval prior to construction. The plan shall include management of stormwater associated with the improvements to Taylor Street East.

The stormwater management plan was designed, reviewed, approved and implemented under File Number 16-5503 in conformance with this condition. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

HEX 25. A downstream analysis shall be prepared and submitted in accordance with Volume 1, Section 2.6.2 of the SMMWW to ensure downstream property and drainage channels are not adversely impacted by the proposal.

The required downstream analysis was prepared, reviewed, and approved under File Number 16-5503.

HEX 26. The project collectively and individually on a lot-by-lot basis shall provide surface water control in accordance with EMC Chapter 13.05.

Surface water controls were designed and installed in accordance with EMC 13.05 under File Number 16-5503.

HEX 27. Prior to and during site development, compliance with EMC Chapter 13.05 (Surface Water) is required. A temporary erosion and sedimentation control plan associated with the Stormwater Pollution Prevention Plan (SWPPP) is required to be submitted and approved by the City Engineer prior to site development permit issuance. The plan shall be implemented on the project site prior to and during site development and future home construction.

See response under MDNS #1, which contains identical conditions.

HEX 28. The applicant shall acquire a National Pollution Discharge Elimination System (NPDES) permit from the Department of Ecology if more than one acre of the project site is disturbed during the site development process.

The applicant acquired NPDES permit coverage from the Department of Ecology on September 27, 2016 under Permit Number WAR304527.

HEX 29. If constructed conditions are found to be different than those designed and approved, the applicant's engineer shall revise the stormwater system accordingly. Any revisions shall be provided to the City of Edgewood and approved prior to implementation and final site development construction approval. Corrections and/or design errors may require revisions to the plat.

Staff coordinated site inspections, review, and field revisions with the applicant's engineer during construction under File Number 16-5503. All revisions were found to be equal to or better than those approved in design, requiring no revisions to the plat. An Engineer's Certificate acknowledging substantial completion was issued by the Contract City Engineer on August 7, 2018.

HEX 30. The applicant shall submit and receive approval of a landscape plan in accordance with EMC 18.90.090 prior to approval of site development plans. The landscape plans shall include provisions for the streetscape, storm tract, and park/community drainfield area landscaping as well as irrigation. Common space and storm tract landscaping shall be required at the time of site development unless otherwise approved by Community Development Director.

The landscaping plan was approved on October 17, 2016, which is after the date that the City issued the site development plan for the site. The landscaping plan is noted as a revision, staff was not able to locate a prior approved plan in the file. It is not clear if staff authorized construction ahead of the landscaping plan or if it was revised after construction started. Plan provides landscaping for areas as required by the condition. The stormwater tract and the park/community drainfield tract have been landscaped consistent with the approved plan, while streetscape landscaping has been bonded.

HEX 31. The applicant shall provide a copy of the landscape and streetscape maintenance plan prior to permit issuance of the first building permit to address all common spaces and shall specifically include provisions regarding stormwater maintenance referencing the Operation and Maintenance (O&M) Manual prepared by the Engineer of Record, landscaping, roadway, park/community septic area, and storm tract.

Landscape and Stormwater maintenance provisions have been addressed and referenced as required in the CC&Rs for the project.

HEX 32. Management and maintenance of the streetscape landscaping, both onsite and along the Taylor Street East frontage, shall be the responsibility of the HOA.

Frontage improvements are noted as required to be maintained by the HOA in the CC&R document as required.

HEX 33. The applicant shall provide water service improvements in accordance with the City of Milton Water requirements above, numbers 21-30. All work and material shall be in accordance with the most current version of the City of Milton Water Guidelines.

This condition was amended in the corrected decision to reference conditions 34-37 which occur below. The City of Milton issued a water main extension project completion approval letter for this site on October 23, 2018, documenting acceptance of the completed improvements.

HEX 34. An on-site water main system extension is required. The City will require that onsite water system be looped to and through the development and connect to the existing City system, as required for fire flow, girding of system, hydraulic and water quality (potential connection to 18th St Ct E south of development).

The City of Milton issued a water main extension project completion approval letter for this site on October 23, 2018, documenting acceptance of the completed improvements.

HEX 35. Prior to submitting plans to the City for review, an executed standard City of Milton Developer Agreement shall be place.

The City does not have documentation of this permit process, however The City of Milton issued a water main extension project completion approval letter for this site on October 23, 2018, documenting acceptance of the completed improvements per their requirements.

HEX 36. Connection and system development fees for individual lots will be collected at the time of building permit for each lot by City of Milton Water. Proof of payment shall be submitted along with each residential unit within the project area at the time of building permit

This condition references codes applicable to the future development of the single family residences within the plat which will be served water by the City of Milton.

HEX 37. All required improvements by the City of Milton shall be installed prior to approving the final plat. This includes installation of water main extensions and other improvements per the City of Milton's most current development standards to service the plat. An approval acknowledgement from City of Milton shall be provided to the City at the time of final plat submittal regarding completion of the water requirements.

The City of Milton issued a water main extension project completion approval letter for this site on October 23, 2018, documenting acceptance of the completed improvements.

HEX 38. The minimum fire flow requirements for detached one-family residential dwellings having a fire flow calculation area which does not exceed 3,600 square feet shall be 1,000 gallons per minute with a minimum duration of 45 minutes. Fire flow and flow duration for dwellings having a fire flow calculation area in excess of 3,600 square feet shall not be less than specified in the International Fire Code. For residential fire-flow requirements, see Section B105.1 One family dwellings.

This condition references codes applicable to the future development of the single family residences within the plat which all new construction must comply with. The future building permits will be reviewed for compliance with these standards.

HEX 39. Provide proof of water availability prior to the issuance of building permits for the proposed development.

Water availability was documented at the time of preliminary plat approval for the lots created by the subdivision.

HEX 40. At the time of a building permit submittal, a fire flow worksheet shall be completed.

This condition references codes applicable to the future development of the single family residences within the plat which all new construction must comply with. The future building permits will be reviewed for compliance with this requirement.

HEX 41. The maximum spacing for fire hydrants serving single family residences shall be 600 feet. Show the location of all fire hydrants within 600 feet of the proposed plat in order to determine if additional hydrants will be required.

The site development plans were reviewed and accepted by the Fire Marshal as a part of the review for file 16-5503. Further the Fire Marshall has reviewed the final plat application and site improvements and documented approval of the final subdivision.

HEX 42. Fire apparatus access roads shall be provided to within 150 feet of all portions of the exterior walls of the first story of the proposed residence(s) as measured by an approved route around the exterior of the building. The minimum width of the fire apparatus access road serving 2 lots shall be 15 feet paved More than 2 lots shall be 20 feet wide paved. The access road shall be provided with a driving surface designed to support the imposed load of fire apparatus.

The site development plans were reviewed and accepted by the Fire Marshal as a part of the review for file 16-5503. Such access is provided to all lots. Additional review of such standards occurs at the time of single family development to assure home placement and size maintains conformance.

HEX 43. All fire lanes over 150 feet shall be provided with an approved turnaround and shall adhere to Appendix D of the IFC 2015 for the type and size of construction.

The site development plans were reviewed and accepted by the Fire Marshal as a part of the review for file 16-5503. Such turnarounds are provided where required to comply with the

standard. Additional review of such standards occurs at the time of single family development to assure home placement and size maintains conformance.

HEX 44. Where installed, security gates on fire apparatus access roads shall be equipped for automatic operation by use of a Knox key switch and shall be designed and installed in accordance with the East Pierce Fire & Rescue requirements for security gates.

No gate has been installed at this time. The applicant is intending to install a gated entrance to the subdivision in the future. The applicant has documented the required gate features on the face of the plat to document these standards must be met if/when a gate is installed at the site.

HEX 45. An automatic fire sprinkler system shall be installed in all townhouses and duplexes regardless of square footage and in all single family residences that exceed 5,000 square feet of livable space. A separate permit and plan review submittal is required for the installation of the residential fire sprinkler system.

This condition references codes applicable to the future development of the single family residences within the plat which all new construction must comply with. The future building permits will be reviewed for compliance with these standards. Townhouses and Duplexes are not permitted in this district.

HEX 46. Provide a guarantee of access to all lots/parcels through a recorded easement or other appropriate legal instrument.

All lots are provided access via the public road and or shared access corridors which are delineated on the face of the final plat to assure access is provided to all lots.

HEX 47. All lots shall be addressed in accordance with the standard adopted by the City of Edgewood, Planning and Community Development Department.

See response under HEX 6.

HEX 48. The applicant shall provide an approved subdivision application from the Tacoma-Pierce County Health Department at the time of application for the community drainfield system and prior to site development plan submittal.

The preliminary subdivision septic approval was granted for this project by TPCHD on February 3, 2016 according to the exhibits included in the preliminary plat file. Final plat approval has also been submitted to document the completion of the community septic system per their standards for final plat approval.

HEX 49. The applicant shall comply with the requirements of City of Milton Water as outlined within "Staff Analysis/Findings of Fact" above and provide written approval of system acceptance prior to final plat submittal.

The referenced "requirements of City of Milton Water as outlined within "Staff Analysis/Findings of Fact" above" are also imposed as conditions #33-37, see responses to those conditions.

HEX 50. The applicant shall comply with the requirements of East Pierce Fire and Rescue as outlined within "Staff Analysis/Findings of Fact" above.

The referenced "requirements of East Pierce Fire and Rescue as outlined within "Staff Analysis/Findings of Fact" above" are also imposed as conditions #38 – 47, see responses to those conditions.

HEX 51. The applicant shall pay School Impact Fees to the Puyallup School District at the time of building permit issuance in accordance with EMC 4.10.

The applicant is required to pay School Impact Fees consistent with EMC Chapter 4.10. The applicant will be required to provide documentation that this fee has been paid to the school district prior to issuance of building permits or document a deferral approved by the School district.

HEX 52. The applicant shall pay Park Impact Fees at the time of building permit issuance in accordance with EMC 4.20.

The applicant is required to pay Park Impact Fees consistent with EMC Chapter 4.20. The amount will be calculated at the time of application and paid at issuance of each building permit unless a deferral is requested until final inspection. The deferral process includes additional fees.

HEX 53. The applicant shall pay Traffic Impact fees at the time of building permit issuance in accordance with EMC 4.30.

The applicant is required to pay Traffic Impact Fees consistent with EMC Chapter 4.30. The amount will be calculated at the time of application and paid at issuance of each building permit unless a deferral is requested until final inspection. The deferral process includes additional fees.

HEX 54. If significant changes are made to the proposal, additional documentation and study will be required to be submitted to the City of Edgewood and supplemental SEPA environmental review will be required.

Substantial changes were not made to the proposal so no additional SEPA review was required to be conducted.

III. STAFF RECOMMENDATION

Based on the information above and materials provided in the file, the City of Edgewood staff has determined that the final plat meets the applicable requirements for final plat approval. The applicant has substantially completed required improvements for the development as noted above and submitted performance bonds for the remaining landscape improvements. Therefore, the City staff recommends the City Council adopt the findings in this report and **APPROVE** the Rainier Ridge Estates Subdivision Final Plat, File Number 18-1310, subject to completion of the bonded landscape improvements. Completion of improvements shall occur on or before August 15, 2020, unless an extension is granted by the Community Development Director.



August 7, 2018

Mr. Grant Middleton, P.E.
President
Larson and Associates, Land Surveyors & Engineers, Inc.
9027 Pacific Avenue, Suite 4
Tacoma, Washington 98444-6247

SUBJECT: CITY ENGINEER'S CERTIFICATE OF IMPROVEMENTS
PROJECT 16-5503 – RAINIER RIDGE ESTATES

Dear Mr. Middleton:

This letter is to inform you that, pursuant to City of Edgewood Municipal Code (EMC) Section 16.04.110, the City has determined that completion of the required improvements associated with conditions for preliminary subdivision approval and as described within the approved Site Development Plans have been substantially approved by the Public Works Department.

Prior to final plat approval, the City must receive the required Maintenance Bond Guarantee for the completed frontage improvements, the required Performance Bond for Landscaping yet to be installed, an executed Surface Water Maintenance Agreement, and confirmation that the streets lights are activated.

A copy of this letter certifying Substantial Completion of site improvements along with accompanying documents as outlined in EMC Section 16.04.140 shall be submitted with the final plat application.

Please contact the Public Works Department at (253) 952-3299 if you have any questions regarding this letter.

Sincerely,

GRAY & OSBORNE, INC.

Tani Stafford, P.E.
Contract City Engineer

TLS/16463.10/hh

cc: Mr. Jeremy Metzler, P.E., Public Works Director, City of Edgewood
Ms. Kristin Moerler, Senior Planner, City of Edgewood
File 16-5503

Reference Map

Rainier Ridge Estates Location Map with Aerial Image





City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Hall Street Vacation – Proposed vacation of a portion of Wyoming Avenue (115 th Ave. E.) and 1 st Street (1 st Street E.) in the Townsite of Jovita	Agenda Item #:	AB18-0534	
	For Agenda of:	November 27, 2018	
	Prepared by:	Carol Morris and Jeremy Metzler	
ATTACHMENTS (list): ☒ Staff Report with Attachments ☒ Ordinance 18-0534			
Approval of Materials:			
Mayor, Daryl Eidinger	☒	Expenditure Required:	N/A
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	N/A
City Attorney, Carol Morris	☒	Appropriation Required:	N/A
City Clerk, Rachel Pitzel	☒	Timeline: Council Consideration – 11/27	
Community Development Director, Darren Groth	☒		
Public Works, Jeremy Metzler	☒		
Fiscal Note/Consideration: The petitioners are required to pay all costs relating to the street vacation, including: (1) the provision of public notice; (2) cost of an appraisal to determine the value of the area proposed to be vacated; and (3) compensation to the City for the property sought to be vacated, up to full market value as per the appraisal. See, EMC Section 12.14.030 and 12.14.070.			
SUMMARY STATEMENT: The City has received a petition from adjacent landowners Brian and Faith Hall, Mariya Chmyr and Paige Ropac (the "Hall Vacation Petition") to vacate public right-of-way, as dedicated to the public in the Plat of Jovita in 1910. As previously discussed, the petition meets the requirements of EMC 12.14.010, and a Public Hearing was held at the last regular meeting in accordance with EMC 12.14.010(D). There were no objections to the proposed street vacation from any abutter and no one testified at the public hearing on this matter, either for or against. The Public Works Director's recommendation is included in the attached staff report. Jeremy Metzler's recommendation is that the street vacation be approved, because it meets all of the criteria for a street vacation, and will not affect the access of the public or any member of the public. In addition, Mr. Metzler provided a recommendation to the Council on the amount that the property owners should be required to pay for the street vacation, based on the appraisal and other factors. Attached is the Ordinance for Council's consideration, which would adopt written findings and conclusions in support of its decision to either grant the vacation, grant it with conditions or deny it (EMC 12.14.060 C). In addition, the Ordinance establishes the amount that the petitioners are required to pay as a condition of the street vacation, and the length of time that they have to make this payment to the City. If granted, the street vacation ordinance will not become effective until payment is received, which will result in the City Clerk's transmittal of the approved street vacation ordinance to the Pierce County Auditor, who will put the property on the County's tax rolls.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A			
RECOMMENDED ACTION: MOTION to adopt Ordinance No. 18-0534, relating to street vacations, approving that portion of Wyoming Avenue (also known as 115 th Avenue East or 14 th Street Northeast) and 1 st Street (also known as 72 nd Avenue Northeast or 1 st Street East) within the City of Edgewood, imposing conditions. ALTERNATIVES TO RECOMMENDED ACTION: Forward to a future study session for further review and discussion.			



City of Edgewood, Washington

2224 104th Avenue East, Edgewood WA 98372-1513

Phone: (253) 952-3299 Fax: (253) 952-3537

Staff Report and Recommendation Hall Street Vacation Petition

To: Edgewood City Council
From: Jeremy Metzler, PE – Public Works Director
Date: November 6, 2018
Subject: Staff Recommendation for Hall Street Vacation Petition for a vacation of a portion of Wyoming Avenue and 1st Street

CITY FILE NUMBER: 18-1268

LOCATION: Adjacent to 21-114th Avenue East, 11416 County Line Road, and 11514 County Line Road

TAX PARCELS: Adjacent to 484500-0111, -0120, -0130, -0140, -0150, and 042003-1059

PETITIONERS: Brian T. & Faith D. Hall, Mariya Chmyr, and Paige A. Ropac

LEGAL DESCRIPTION: That portion of Wyoming Avenue (also known as 115th Avenue East or 14th Street Northeast) and 1st Street (also known as 72nd Avenue Northeast or 1st Street East) lying south of the Easterly extension of the Northerly line of Lot 11, Block 113 and lying East of the Southerly extension of the Westerly line of Lot 6, Block 113, TOWNSITE OF JOVITA, according to the plat thereof, recorded in Volume 10 of Plats, Page 35, in Pierce County, Washington.

ZONING: SF-2 (Single-Family Low)

COMPREHENSIVE PLAN DESIGNATION: Single Family Low

CRITICAL AREAS: There are potential wetland areas mapped near Tax Parcel Nos. 484500-0140 and -0150, in an area occupied by a detached single-family residence.

SEPA: Exempt per WAC 197-11-800(2)(i)

ATTACHMENTS:

1. Vacation Petition

2. Exhibit A – Map
3. Exhibit B – Legal Description
4. Appraisal

I. APPROVAL PROCESS

A petition for street / right-of-way vacation is reviewed by staff for conformance with all applicable laws and regulations. In this report, City staff is submitting written findings and a recommendation to the City Council for approval.

Pursuant to EMC Section 12.14.060(B):

The City Council shall hold a public hearing on the proposed vacation and shall:

1. Consider the written recommendation of staff, and the testimony/objections of abutters, the public and all verbal testimony provided at the hearing;
2. Determine whether compensation must be paid to the City under the factors set forth in Section 12.14.070, and the amount of such compensation;
3. Decide whether any conditions should be imposed on the vacation, such as the retention of an easement or the right to exercise and grant easements with respect to the vacated land for the construction, repair and maintenance of public utilities and services; and
4. Determine whether the public interest is served by such vacation.

Following the public hearing, EMC Section 12.14.060(C) states, “The City Council shall adopt written findings and conclusions in support of its decision to either grant the vacation, grant it with conditions or deny it.”

II. PROJECT ANALYSIS

Staff has determined the subject petition meets the criteria for approval established in Chapter 12.14.050(A) of the Edgewood Municipal Code, as set forth below together with staff’s recommended findings on each:

1. **The history of private and public use of the area sought to be vacated, including the type of use (pedestrian, vehicular, etc.) and length of time such use has occurred;**

The subject right-of-way was established by dedication upon recording of the plat “TOWNSITE OF JOVITA” in June 1910. There is aerial photographic evidence of private residential use by adjacent property owners since 1990, to varying degrees. There is no evidence of public use within the subject area.

While there are a couple tax parcels adjacent to the subject right-of-way without direct individual access to County Line Road or 114th Avenue East (adjacent

public rights-of-way to remain), these parcels are under contiguous ownership with direct access to County Line Road and/or 114th Avenue East. Also, one of the petitioners currently uses a portion of the subject right-of-way for residential access to County Line Road, and some portion of said right-of-way may be prescriptively conveyed to another adjacent petitioner if vacated.

2. A description of the manner in which the area sought to be vacated was acquired (whether by dedication, public expense, etc.);

The subject right-of-way was established by dedication upon recording of the plat "TOWNSITE OF JOVITA" in June 1910.

3. A physical description of the street or alley area sought to be vacated, whether the right-of-way is improved, whether there are sidewalks, curbs, gutters, etc.

The subject right-of-way area is mostly unimproved, containing no public improvements (sidewalks, curbs, gutters, roadways) or known utilities. There is aerial photographic evidence of private residential use by adjacent property owners since 1990, to varying degrees (vegetation removal, maintained lawn, gravel driveway, fencing, and at least one private residential structure).

4. A description of all utilities or other public services that currently utilize the area sought to be vacated, whether by easement or otherwise;

There are no known utilities or public services that utilize the subject right-of-way area.

5. The staff's recommendation on the functionality of the area sought to be vacated for public purposes;

The subject right-of-way area is not recommended for any public purpose. The City owns the 100-foot wide former Interurban Railway right-of-way immediately south of the subject right-of-way area, which is for the future expansion of the Interurban Trail.

6. Identification of any references to any planning document, such as the City's Comprehensive Plan, the Transportation Element of the Comprehensive plan, the 6-Year Road Plan or the Capital Facilities Element of the Comprehensive Plan that mention the area sought to be vacated for any purpose;

There are no references to the subject right-of-way area in City planning documents.

7. **The staff's recommendation whether the area sought to be vacated will be needed in the future as part of the City's transportation system (pedestrian, bicycle or vehicular) or for utility access, and any other matters pertinent to future use;**

Staff does not anticipate a future transportation, utility or other system need for the subject right-of-way area.

8. **The staff's recommendation on the compensation to be paid to the City, considering the factors identified in Section 12.14.070; and**

Pursuant to EMC 12.14.070, as the subject right-of-way has been dedicated for twenty-five years or more, "the City may require the owners of the property abutting the street to compensate the City in an amount that does not exceed the full appraised value of the area vacated." Per the attached appraisal, fair market value is \$223,000. Staff offers the following findings:

- a. the subject right-of-way was dedicated to Pierce County at no cost,
- b. the City of Edgewood accepted said right-of-way from Pierce County during its incorporation at no cost,
- c. there is no evidence of public use since incorporation of the City,
- d. the City has not expended any public funds on the right-of-way during the last 22 years (since incorporation).
- e. the subject area is currently being used and enjoyed exclusively by the adjacent land owners,
- f. there are no public facilities located on the property (such as underground lines), and
- g. the City has no plans to utilize said right-of-way for public purposes.

Therefore, staff recommends that the vacation be granted for a reduced value of \$150,000.

9. **A statement that the street vacation is exempt from SEPA under WAC 197-11-800(2)(i).**

Right of Way Vacations are Categorically Exempt from SEPA Threshold determinations per WAC 197-11-800(2)(i).

10. **If the area proposed to be vacated abuts a body of fresh or salt water, the procedures in Section 12.14.080 shall be followed.**

Not Applicable

III. STAFF RECOMMENDATION

Based on the information above and materials provided in the file, the City of Edgewood staff has determined that the vacation petition meets the applicable requirements for approval. Therefore, the City staff recommends the City Council adopt the findings in this report and **APPROVE** the Hall Street Vacation Petition, File Number 18-1268, subject to compensation for the area being vacated in the amount of \$150,000.

VACATION PETITION

TO THE CITY OF EDGEWOOD CITY COUNCIL PIERCE COUNTY, WASHINGTON

To Whom It May Concern:

We, the undersigned freeholders of the City of Edgewood, Pierce County, state of Washington, do hereby respectfully petition for the vacation of the following described property:

WYOMING AV (115TH AVE) AND 1ST ST (1ST ST E) AS SHOWN
ON THE TOWNSITE OF JOVITA, SITUATED EAST OF
WISCONSIN AV (114TH AVE).

The Petitioners herein pray that this right-of-way be vacated for up to the appraised value of the area vacated as prescribed in RCW 35.79.030

Reserving, however, to the City of Edgewood and such utility companies duly franchised in the City of Edgewood, perpetual easements under or over the above-described property for the installation, operation, and maintenance of such utility facilities as they may exist at the time of this vacation.

The area to be vacated contains.....	31,850	sq. ft
The assessed value.....	TBD	per sq. ft.
Total value of land to be vacated that shall be due if the vacation is approved.....	TBD	

Notice to all parties signatory hereto:

Please print your name beneath your signature and clearly print your address to assure notice of forthcoming public hearings.

PRINCIPAL PETITIONER

ADDRESS

BRIAN T. HALL

(SEE BELOW)

253 606 0164

ADDITIONAL PETITIONERS INCLUDING ADJOINING OWNERS

PARCEL NO. OF PROPERTY OWNER

COMPLETE ADDRESS

- Signature: Brian T. Hall Parcel No.: 4845008120 Complete Address: 11416 County Line Rd
 Print Name: BRIAN T. HALL Parcel No.: 130 Complete Address: Edgewood, Wa. 98372
 Parcel No.: 140
- Signature: Faith D. Hall Complete Address: 11
 Print Name: Faith D. Hall

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes a false statement, shall be guilty of a misdemeanor

**ADDITIONAL PETITIONERS
INCLUDING ADJOINING OWNERS**

**PARCEL NO. OF
PROPERTY OWNER**

**COMPLETE
ADDRESS**

3. [Signature]
Signature
Mariya Chung
Print Name
11514 County Rd
Edgewood, WA 98372
4. [Signature]
Signature
Fuge Ropac
Print Name
21 114th Ave E.
Edgewood WA 98372
5. _____
Signature

Print Name
6. _____
Signature

Print Name
7. _____
Signature

Print Name

Said Petitioners believe that the above-described right-of-way is not useful as part of the City Road System, the public will be benefited by the Vacation; and, therefore, pray for the Vacation of said right-of-way as provided by law and assume responsibility for all aforementioned fees and/ or costs as per RCW Chapter 35.79.

Respectfully submitted this 19 day of July, 2018.

Note: Notice of the Vacation Hearing shall be mailed to the person designated a Principal Petitioner.
Note: Application Fee: \$3565 + \$0.10 per square foot

STATEMENT OF UNDERSTANDING

In signing this Petition, the Principal Petitioner certifies that he/ she has read and agrees to the following:

1. City of Edgewood does not warrant title to any vacated lands. Such title as does pass by virtue of the process will vest according to law.
2. Petitioners understand that abutting property owners may be required to compensate the City in an amount prescribed by RCW 35.79.030 for the area so vacated in order for the vacation to become effective.

WARNING

Every person who signs this petition with any other than his or her true name, or who knowingly signs more than one of these petitions, or signs a petition seeking an election when he or she is not a legal voter, or signs a petition when he or she is otherwise not qualified to sign, or who makes a false statement, shall be guilty of a misdemeanor

35

For reference only, not for re-sale.

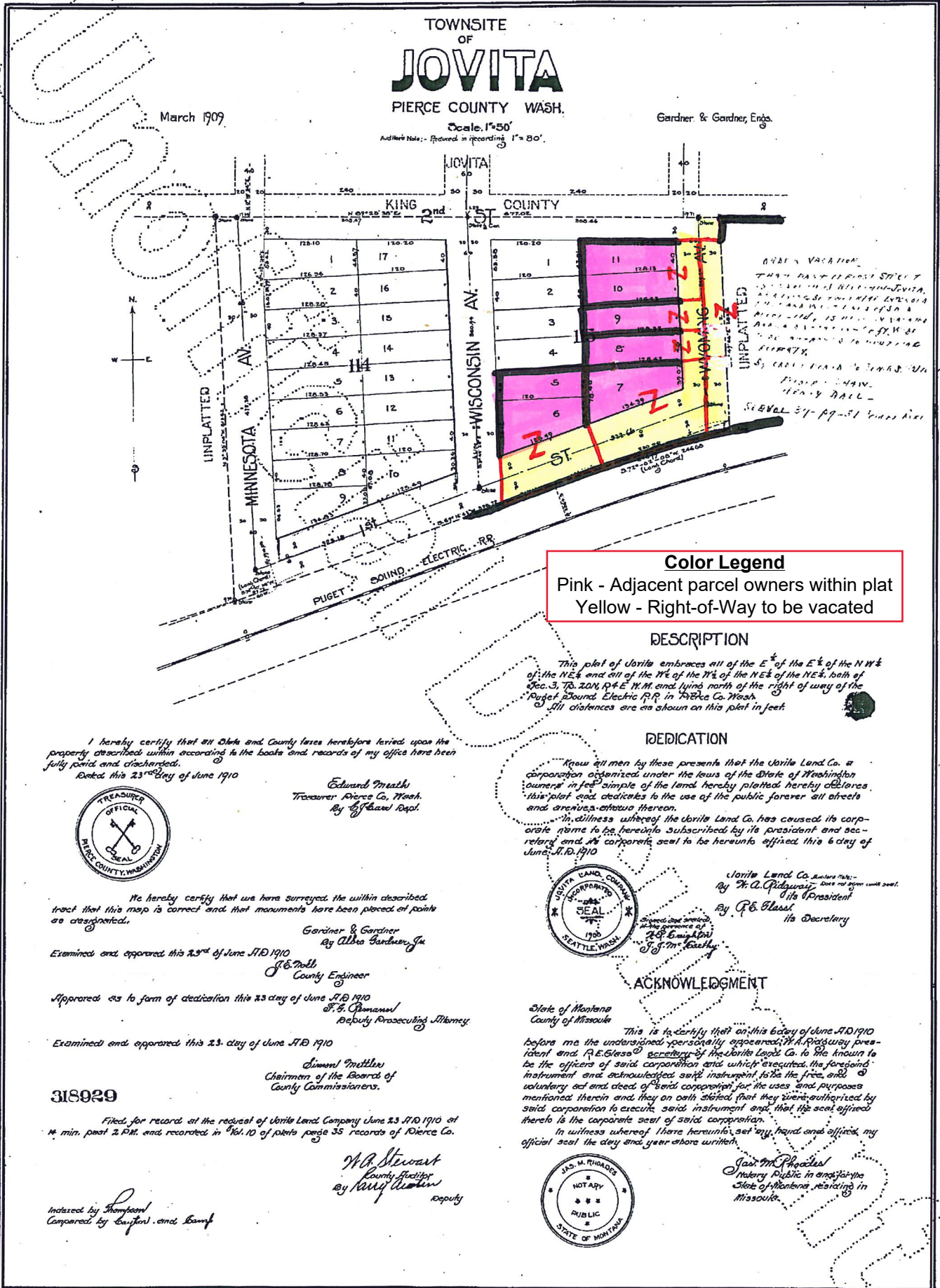


EXHIBIT 'B'

Wyoming Ave and 1st Street Right-of-Way Vacation

That portion of Wyoming Avenue (also known as 115th Avenue East or 14th Street Northeast) and 1st Street (also known as 72nd Avenue Northeast or 1st Street East) lying South of the Easterly extension of the Northerly line of Lot 11, Block 113 and lying East of the Southerly extension of the Westerly line of Lot 6, Block 113, TOWNSITE OF JOVITA, according to the plat thereof, recorded in Volume 10 of Plats, Page 35, in Pierce County, Washington.

Contains: Approximately 31,648 Square Feet, more or less.



**APPRAISAL of
Right of Way Vacation
Near 114th Avenue E &
County Line Road
Edgewood, WA**

PREPARED BY:
David Hahn, ASA, CVA, MAFF, CM&AA, CCIM, MBA
Washington State Certified General Real Estate Appraiser
1100670
Alpha Appraisal Consulting Group
5806 119th Avenue SE, Suite A250
Bellevue, WA 98006
(425) 644-6200

LETTER OF TRANSMITTAL

David Hahn, ASA, CVA, MAFF, CM&AA, CCIM, MBA
Washington State Certified General Real Estate Appraiser
1100670
Alpha Appraisal Consulting Group
5806 119th Avenue SE, Suite A250
Bellevue, WA 98006
(425) 644-6200

November 6, 2018

Jeremy Metzler, P.E.
Public Works Director
City of Edgewood
2224 104th Avenue E
Edgewood, WA 98372

Regarding: Property Appraisal for
 Right of Way Vacation
 Adjoining to 5 Parcels (31,850 Square Feet)
 Near 114th Avenue E &
 County Line Road
 Edgewood, WA

Dear Mr. Metzler,

At your request, I have made the necessary inspection and analysis to appraise the above referenced property. The attached report provides essential data and detailed reasoning employed in estimating my final value estimate.

The purpose of the following report was to estimate the fair market value "as is" in the fee simple estate in the property described herein, based on market conditions prevailing on as of October 20, 2018.

These values are predicated upon the definition of values presented in the body of the report. The function of the report is for evaluation purposes.

The following analyses, opinions, and conclusions were developed, and this narrative report has been prepared, in conformity with the requirements of the Uniform Standards of Professional Appraisal Practice (USPAP.) The value reported is qualified by certain definitions, limiting conditions, and certifications which are set forth within the attached report.

It is my opinion and conclusion that the market value of the fee simple estate of the said real property "as is" as of the appraisal date, was **\$223,000.**

This transmittal letter precedes the appraisal report, further describing the subject property and containing the reasoning and pertinent data leading to the estimated value. Your attention is directed to the "General Underlying Assumptions" and "Limiting Conditions" which are considered usual for this type assignment and have been included at the rear section of the report.

Respectfully submitted,

David Hahn

David Hahn, ASA, CVA, MAFF, CM&AA, CCIM, MBA

Washington State Certified General Real Estate Appraiser #1100670

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INTRODUCTION

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IDENTIFICATION, LOCATION, LEGAL DESCRIPTION

IDENTIFICATION and LOCATION

The subject property is a right of way vacation adjoining to five parcels, located at near 114th Avenue E & County Line E, Edgewood, WA 98372.

LEGAL DESCRIPTION

Please see the title report for the detailed full legal description.
The following description is provided by the City of Edgewood.

Wyoming Ave and 1st Street Right-of-Way Vacation

That portion of Wyoming Avenue (also known as 115th Avenue East or 14th Street Northeast) and 1st Street (also known as 72nd Avenue Northeast or 1st Street East) lying South of the Easterly extension of the Northerly line of Lot 11, Block 113 and lying East of the Southerly extension of the Westerly line of Lot 6, Block 113, TOWNSITE OF JOVITA, according to the plat thereof, recorded in Volume 10 of Plats, Page 35, in Pierce County, Washington.

Contains: Approximately 31,648 Square Feet, more or less.

Parcels Abutted to the proposed Right of Way (ROW) Vacation.

The Assessor's Parcel Numbers: 4835000111
4845000120
4845000130
4845000140
4845000150

OWNERSHIP AND HISTORY OF THE PROPERTY

Current ownership of the ROW has been held by the City of Edgewood.

SOPE OF THE APPRAISAL

At the onset of the assignment the appraisers contacted the client and/or property owner to request the physical, legal, and economic information required to complete the appraisal. The appraisers researched the public record (deed history, assessment, taxes, zoning, etc.) by: i) visiting the courthouse or other public offices, ii) phone call, and/or iii) consulting online sources. Unless otherwise noted, we have not considered a title report and we have not made a detailed compliance check as to the subject's zoning and permitting. The appraisers used only the most applicable approach to value, in this case, the Sales Comparison Approach. We also surveyed the area for regional and local factors that impact the value and appeal of the subject property.

PURPOSE OF APPRAISAL

The purpose of the appraisal is to estimate the market value of the fee simple interest in the property, subject to the market conditions prevailing on October 20, 2018.

FUNCTION OF APPRAISAL

The function of this appraisal is for estimating the fair market value for the proposed ROW vacation from the City of Edgewood to the adjoining property owners.

INTENDED USE AND INTENDED UERS OF APPRAISAL

The term “Intended Use” is defined in USPAP as -- The use or uses of an appraiser’s reported appraisal, consulting, or review assignment opinions and conclusions, as identified by the appraiser based on communication with the client at the time of the assignment. Adherence to the afore-mentioned definition, this report is intended for use only by the client named in this appraisal report. Use of this report by others is not intended by the appraiser. This report is intended only for the purpose of estimating market value property for proposed ROW vacation. This report is not intended for any other use.

DATE OF VALUE ESTIMATE AND INSPECTION

The analyses, opinions and conclusions set forth here apply only to the value date. The property was appraised as of October 20, 2018.

DEFINITION OF MARKET VALUE

“Market value” means the most probable price which a property should bring in a competitive and open market under all condition’s requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date, and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well-informed or well-advised, and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold, unaffected by special or creative financing, or sales concessions granted by anyone associated with the sale.

The definition of market value was taken from the Department of the Treasury, Office of the Comptroller of the Currency, 12 CFR Part 34, dated August 24, 1990. (Section 34.42. Definitions.)

DEFINITION OF FEE SIMPLE ESTATE OR INTEREST

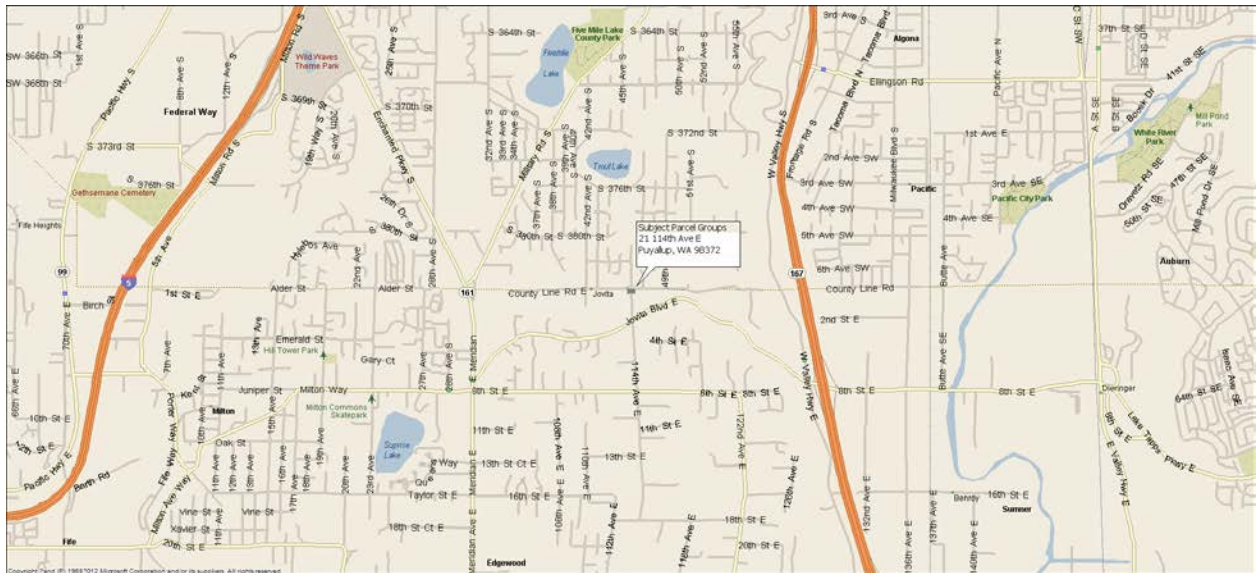
Fee simple estate is the absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

DEFINITION OF LEASED FEE INTEREST

Leased fee interest is the ownership interest held by a landlord with the rights of use and occupancy conveyed by lease to others. The rights of lessor (the leased fee owner) and leased fee are specified by contract terms contained within the lease.

DESCRIPTIONS, ANALYSIS, AND CONCLUSIONS

Neighborhood Map



SUBJECT PROPERTY PHOTOGRAPHS



Looking East from 114th Avenue E



114th Avenue E and ROW to the right side

SUBJECT PROPERTY PHOTOGRAPHS

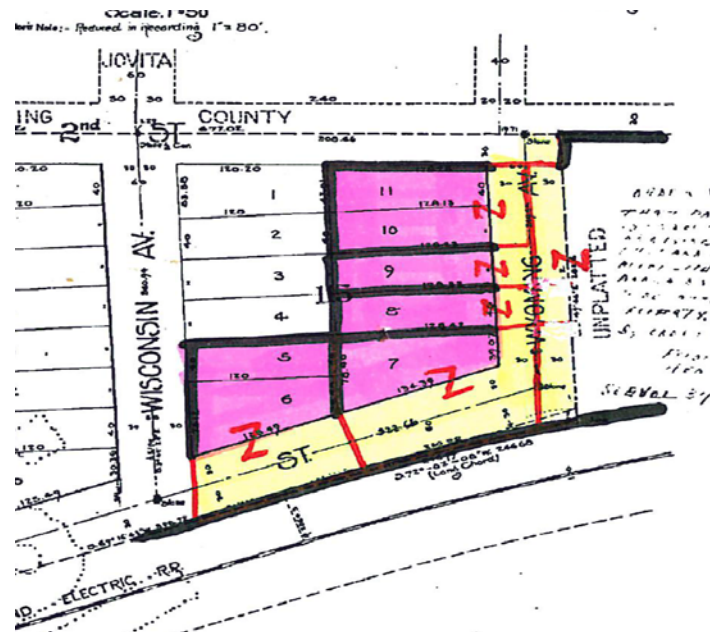


ROW to the left side – Looking from County Line Road



County Line Road – Row is situated on the left

SITE PLAT



SITE DATA AND ANALYSIS

The subject site consists of rights of ways that adjoins to the five different parcels. The following is a brief description of the site characteristics according to the available site plan and the site's plat map, as well as information on a physical inspection of the property.

Dimensions, shape & area of size:

The subject site collectively, as shown on the attached parcel map shown in the beginning of this report, is an irregular shape. Contained within the lot is a gross area of 31,850 square feet.

Topography, soil and sub-soil conditions:

The site is mostly flat. The reader should be aware the appraiser has not conducted nor had made available to him a soil survey or geological study.

Drainage: The land appears it naturally drains to the south.

Utilities & Services:

Electricity is available to the site.

Access: Access is rated average.

Exposure and View: Visibility of the subject property is generally average.

Manmade improvements (streets, curbs, walks): Public access is paved from the street level.

Proximity of hazards, nuisances and/or adverse environmental conditions: No apparent adverse environmental conditions were discovered other than wetlands. This valuation is subject to the site having no environmental contamination. The routine inspection of the subject and nearby area disclosed no unusual adverse conditions affecting the land, but no responsibility is accepted for the discovery of the hidden or unusual conditions. The General Underlying Assumptions at the beginning of the appraisal cover unapparent conditions of the property. Photographs at the beginning of the appraisal aid in visualizing the subject property.

Adjacent Properties: The subject property is surrounded by commercial and governmental services properties.

Easements and encroachments (effect on property):

No apparent adverse easements or encroachments are noted. The title report was not reviewed.

Zoning:

Designation/meaning: According to the Planning Department, the subject site is generally zoned Residential to the adjoining parcels.

IMPROVEMENTS DESCRIPTIONS AND ANALYSIS

The ROW is vacant.

HIGHEST AND BEST USE

Highest and best use is an important concept in real estate valuation as it represents the premise upon which value is based.

Definition and source: Highest and best use may be defined as:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability. The definition immediately preceding applies specifically to the highest and best use of land and/ or property.

AS THOUGH VACANT if Vacated:

The highest and best use of the site as though vacant appears to be for its development with general residential use as the current zoning allows.

AS IMPROVED:

The highest and best use of the site as improved appears to be a future extension from the existing residential use.

DAMAGES OR BENEFITS TO THE PROPERTY OWNERS AFTER ROW VACATION

In the typical government whole takings or partial takings, there are damages to the remainders or benefits to the remainder parcel. However, the proposed ROW vacation does not impact to the adjoining property owners in terms of any damages or benefits.

VALUATION METHODOLOGY

The purpose of the appraisal is to estimate the “as is” market value of the fee simple interest in the subject property as of the date of value. The property is appraised based upon current prevailing market conditions. In estimating the market value of a parcel of real estate, the motivations and anticipations of the typical purchaser for that type of property must be considered. The market value of a property is the most probable sales price of that property. Thus, the price is based on the typical buyer’s reaction to the various economic factors in the marketplace, including supply and demand affecting that particular type of property. The highest and best use is the basis for the valuation of the subject property. Additionally, surrounding land use patterns heavily influence the market’s perception of value in relation to the property.

Cost approach is not applicable in this appraisal.

The most common and accepted for valuing the vacant (as if) land is the Direct Sales Comparison Approach.

SALES COMPARISON APPROACH

The sales comparison approach is a technique used to estimate the value of a particular property by comparing it with properties that have sold recently. This approach is based on the principle of substitution, which states that a typical purchase would pay no more for a particular property than it would cost him to acquire a property that is equally desirable. This approach to value involves locating sales of comparable properties and then analyzing the sales in relation to the subject property.

The application of this approach produces an estimate of value of a property by comparing it with similar properties of the same type and class, which have been sold recently in the same or competitive market areas.

The appraiser performed two methods:

Vacant Land Sales Analysis

Improved SFR Sales Analysis with the assessed value allocated to the vacant land attributable to the land value

Vacant Land Sales Analysis

LAND SALES COMPARABLES DATA ANALYSIS FOR LAND VALUE ESTIMATE

<i>PROPERTY NO.</i>	<i>Subject</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
LOCATION	near portion of 114th Ave E & 115th Ave E Edgewood	31 xx 100th Ave E Edgewood	214 117th Ave E Edgewood	xxxx 21st St Ct Edgewood Edgewood	10316 31st St E Edgewood
APN:		420094039	420035025	9770000206	420103042
S.F. LAND AREA	31,850	12,632	18,584	44,780	130,680
SALE DATE	NA	10/29/18	1/2/18	11/29/17	5/19/18
SALE PRICE	NA	\$40,000	\$150,000	\$215,000	\$400,000
\$ PER/SF	NA	\$3.17	\$8.07	\$4.80	\$3.06
Adjustments					
Property Rights		\$0	\$0	\$0	\$0
Financing		\$0	\$0	\$0	\$0
Condition of Sale		\$0	\$0	\$0	\$0
Market Condition		\$0	\$0	\$0	\$0
Adjusted Sales Price		\$40,000	\$150,000	\$215,000	\$400,000
\$ PER S.F. after Adjust		\$3.17	\$8.07	\$4.80	\$3.06
** - indicates superior, + indicates inferior					
Location		=	-	=	=
Size		=	=	=	+
Utilities		=	=	=	=
Overall Adjustment		Similar	Negative	Similar	Positive
Relative Ranking		2	4	1	3

Value Indication

\$6.00

PSF

Comments: The residential vacant land sales indicated a value range of \$3.06 PSF and \$8.07 PSF. I selected the land value indication at \$6.00 PSF for the subject's location.

Improved SFR Sales Analysis with the assessed value allocated to the vacant land attributable to the land value

LAND SALES COMPARABLES					
DATA ANALYSIS FOR LAND VALUE ESTIMATE					
Land Value Abstracted from Assessor's Data					
PROPERTY NO.	Subject	1	2	3	4
LOCATION	near portion of	708	411	422	418
	114th Ave E	119th Ave	106th Ave	106th Ave	104th Ave
	&	E	E	E	E
	115th Ave E				
	Edgewood	Edgewood	Edgewood	Edgewood	Edgewood
APN:		042002-2-043	499200-016-0	499200-005-0	042003-2-104
S.F. LAND AREA	31,850	13,504	11,550	13,695	9,583
SALE DATE	NA	2/23/18	3/7/18	4/26/18	12/19/17
Sale Price		\$445,000	\$425,000	\$337,000	\$355,000
Assessed Vale		\$323,600	\$277,500	\$293,500	\$293,200
% over Assessed Value		137.5%	153.2%	114.8%	121.1%
Assessed Land V		\$105,700	\$100,500	\$106,200	\$94,600
Indicated V \$/SF		\$145,354	\$153,919	\$121,940	\$114,540
\$ PER/SF	NA	\$10.76	\$13.33	\$8.90	\$11.95
	Value Indication		\$9.00		

Comments:

The above table shows the value range developed from the land value abstracted from Assessor's Data. The actual recent sales are utilized. The actual sales price versus the assessed value was derived to have a percentage ratio, then the indicated vacant land value was multiplied by the ratio.

The indicated the vacant land value in the range from \$8.90 to \$13.33 PSF.

I selected the land value at \$9.00 PSF.

Value Indication:

The appraiser performed two methods in the sales comparison approach:

Vacant Land Sales Analysis ----- \$6.00 PSF

Improved SFR Sales Analysis with the assessed value allocated to the vacant land attributable to the land value ----- \$9.00 PSF

Reconciling the two methods mentioned above, I formed the value opinion at \$7.00 PSF due to the utility accessibility to the adjoining parcels is better than the vacant land sales.

$$\text{\$7.00} \times 31,850 \text{ SF} = \text{\$223,000}$$

Value by Sales Comparison Approach \$223,000

FINAL VALUE CONCLUSIONS

The objective of this appraisal is to estimate the fair market value of the fee simple interest in the subject ROW Vacation parcels. In the preceding sections of this report, indications of value based upon two methods have been derived by analyzing data considered pertinent to each method and significant with respect to the property being appraised.

Reconciliation is the process of analyzing the relevance of the value indications, resulting in a final value estimate.

Sales comparison approach was used in estimating the market value of the subject property.

Sale Comparison Approach	\$223,000
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Conclusion

Based on the current market conditions as of the valuation date; without consideration to existing or proposed financing - i.e. on the basis of all cash to the seller; the market value of the fee simple estate in the subject property is estimated to be **\$223,000**.

CERTIFICATION OF VALUE

I certify that, to the best of our knowledge and belief:

- * The statements of fact obtained in this report are true and correct.
- * The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.
- * I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- * My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- * My analyses, opinions, and conclusions were developed, and this report has been prepared, in accordance with the appraisal standards and regulations by the Federal Deposit Insurance Corporation (FDIC), published in the Federal Register, Vol. 59, No. 108; Tuesday, June 7, 1994; Rules and Regulation; 12 CFR Part 323, pages 29482-29503, and appraisal regulations issued by the Office of the Comptroller of Currency (OCC) regarding the enactment of Title XI of the Federal Institution Reform, Recovery and Enforcement Act (FIRREA) of 1989 and the Uniform Standards of Professional Appraisal Practice and in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute and the American Society of Appraisers.
- * I have made a personal inspection of the property that is the subject of this report.
- * No one provided significant professional assistance to the persons signing this report.
- * I have not provided any professional appraisal service during the past three years for the subject Property.
- * The value estimates in this report were not based on a requested minimum valuation, a specific valuation, or for the approval of any local.
- * **COMPETENCY PROVISIONS**
I hereby attest that the writers of this report have attained a level of competency necessary to complete the assignment in a diligent manner, utilized all of the commonly recognized analysis techniques considered normal for a prudent evaluation effort. The readers are referred to the appraiser qualifications in the addendum section of the report for further confirmation of adequate technical training.
- * The American Society of Appraisers conducts a mandatory program of continuing education for its designated members. As of the date of this report, Mr. Hahn has completed the education requirements of the continuing education program of the American Society of Appraisers. Mr. Hahn is currently certified under the mandatory program.

David Hahn

David Hahn, ASA, CVA, MAFF, CM&AA, CCIM, MBA

Date: November 6, 2018

GENERAL UNDERLYING ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal has been prepared subject to the following general assumptions and limiting conditions. They are critical to the analyses and conclusions contained in this report.

1. The valuation herein is the fee simple interest, and the subject property is appraised free and clear of any and all liens or encumbrances unless otherwise stated. Encumbrances considered in the valuation include, where applicable: real estate taxes, recorded easements and/or covenants, CC&R's, purchase options or sale agreements, signed leases, and unpaid bond debt.
2. It is assumed that any easements noted on the title report without specific locations will have no material effect on the normal use of any of the subject parcels.
3. Responsible ownership and competent property management are assumed.
4. Information furnished by others is believed to be reliable if it cannot be independently verified by the appraiser. However, no warranty is given for its accuracy.
5. No responsibility is assumed for the legal description or other matters involving legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
6. All engineering surveys are assumed to be correct. The plot plans and other illustrative material in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the subject property, subsoil, or structures which would render it more or less valuable than other comparable properties. No responsibility is assumed for any such conditions or for professional engineering services which might be required to discover such facts. No soils or geologic reports were made available to provide further input in this area.
8. It is assumed that all customary public utilities for this property type and market are reasonably available to the subject property, unless otherwise stated.
9. It is assumed that the subject is in compliance with all applicable zoning use regulations and restrictions, unless otherwise stated. It is further assumed that any required governmental entitlements, licenses, certificates of occupancy, consents, etc., have been or can be obtained or renewed for any use upon which the value estimate in this report is based.
10. Any forecasts or projections contained in this report are the product of the analysis of current, historical, and anticipated market conditions and assume continuation of prevailing political, social, economic, and environmental conditions. Such factors and contingent forecasts and/or projections are subject to change.
11. It is assumed that any utilization of land and improvements is within the described legal boundaries of the subject property, and that there is no encroachment or trespass, unless otherwise noted.
12. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
13. The Americans With Disabilities Act (ADA) became effective in January 1992. The appraiser has not made a specific compliance survey or analysis of this property to determine whether it is in conformance with the various, detailed requirements of the ADA. The value estimate is predicated on the assumption that, except as identified by the appraiser, the subject improvements comply with the ADA. It is possible that a comprehensive compliance survey could reveal additional areas in which the property does not conform with one or more of the Act's requirements. If so, this could have a negative effect upon the market value or marketability of the property.

ADDENDUM

Qualifications of Appraiser

**Curriculum Vitae and Qualifications of:
DAVID HAHN, MAFF, CVA, ASA, CM&AA, CCIM, MBA**

Commercial Real Estate Appraisal and Business Valuation Services, Forensic Accounting, Forensic Economic Damages Evaluation, Forensic Financial Business Valuation Services For:

Economic Damages, Lost Profits, Business Interruption, Intellectual Property Damages, Matrimonial Family Law, Business Financial Valuation, Financial & Commercial Real Estate Settlement, Distressed Business Financial Valuation/ Bankruptcy Valuation, Personal Injuries, Forensic Real Estate

Office: 5806 119th Ave SE, Suite A250, Bellevue WA 98006

Phone: (425) 644-6200, Fax: 888-492-0776

VALUATION & FINANCIAL FORENSICS CREDENTIALS

WA State Certified General Real Estate Appraiser

Accredited Senior Appraiser (ASA) credential from the American Society of Appraisers

Master Analyst in Financial Forensics (MAFF) credential from

the National Association of Certified Valuation Analysts (NACVA)

Certified Valuation Analyst (CVA) business-valuation credential from the NACVA

Certified Merger & Acquisition Advisor (CM&AA)

Certificate in Exit Planning from the Exit Planning Institute

Certified Commercial-Investment Member (CCIM) credential from the Commercial-Investment Real Estate Institute

WA State Designated Real Estate Broker

PROFESSIONAL MEMBERSHIPS

Member of the American Academy of Economic and Financial Experts (AAEFE)

Member of the Association of Certified Fraud Examiners (ACFE)

Member of the American Bankruptcy Institute (ABI)

Member of the Association of Insolvency and Restructuring Advisors (AIRA)

Member of the Alliance of Merger & Acquisition Advisors (AM&AA)

EDUCATIONAL ACTIVITIES

Bachelor of Science from San Jose State University

Major in Industrial Technology/Computer Science and Minor in Business, May 1981

Master in Business Administration (MBA) degree from the University of Phoenix, 1983

UCLA Graduate School of Management, **Executive Management Program Certificate, 1995**

Topics of Organization & Management, Business Negotiations, Marketing Management, Business Strategy,

Managerial Economics & Accounting & Finance, Creativity & Problem Solving, Entrepreneurship

Doctorate Studies in Public Administration (1995-1998), University of Laverne, Laverne, California

PROFESSIONAL EDUCATIONS:

Successful completion of Courses sponsored by the **Appraisal Institute:**

All courses leading to MAI designation

MAI designation from 1997-2002

Successful completion of Professional courses, each course - 40 clock hours, through

the **Commercial- Investment Real Estate Institute**

Fundamentals of Real Estate Investment and Taxation - 40 classroom hours

Fundamentals of Location and Market Analysis - 40 classroom hours

Decision Analysis for Commercial Real Estate - 40 classroom hours

Marketing Techniques for Leasing and Selling Commercial Property - 40 classroom hours

The Impact of Human Behavior on Commercial Investment Decision Making - 40 classroom hours

Exchanging Commercial Investment Real Estate - 16 classroom hours

Train the Trainers (Instructor's training) - 16 classroom hours

Marketing and Managing Troubled Assets - 24 classroom hours

Successful completion of Professional courses through the Building Owner and Manager's Institute (**BOMI**)

Design, Operation, and Maintenance of Building Systems, Part I – 32 classroom hours

Appraisal Courses through the **International Right of Way Association:**

Course 401: The appraisal of Partial Acquisitions - 40 classroom hours

Appraisal Seminars through the **International Association of Assessing Officers:**

Hotel & Motel Mass Appraisals

Public Utilities Valuations under Deregulation Environments

Urban Land Institute (ULI) - Financing and Investing in Real Estate Projects – 12 hours

Forensic Financial & Business Valuations courses through the **National Association of Certified Valuation Analysts (NACVA)**

(40 Hours) – Litigation Boot-camp for Financial Experts (Business Damages & Lost Profits)

(24 Hours) – Expert Witness Bootcamp for Valuation & Forensic Financial Damages Expert

(40 Hours) - Fundamentals, Techniques and Theory, Income and Asset Approaches, Fair Value, Mergers and Acquisitions Special Valuation, Litigation, Market Approach

Passed Comprehensive Exam and Demonstration Valuation Report

(4 Hours) – Mergers & Acquisitions Workshop

Appraisal Courses and Seminars through the **American Society of Appraisers:**

BV201 - Business Valuation (27 Hours)

BV202 – Business Valuation – Income Approach (27 Hours)

BV204 (1998) – Advanced Business Valuation (27 Hours)

BV204 (2015) – Advanced Topics in Business Valuation (27 Hours)

BV302 - Special Topics in the Valuation of Intangible Assets (27 Hours)

ME204 – Machinery and Equipment Valuation – Advanced Topics and Report Writing (27 Hours)

Fair Value Workshop – Update (8 Hours)

Gift & Estate Tax Valuation – Update (8 Hours)

Valuations of Hotel Casinos, Casinos in Riverboats and Indian Reservations (16 Hours)

Distressed Business & Financial Reporting Courses through the **Association of Insolvency & Restructuring Advisors (AIRA)**

CDBV Part 1: Understanding Bankruptcy Code & How it Impacts Valuation of Distressed Businesses (24 hours)

CDBV Part 3: Application of Business Valuation Concepts to Bankruptcy and other Distressed Situations (27 hours)

CIRA Part 3: Accounting, Financial Reporting and Taxes (20 hours)

Certified Merger & Acquisition Advisor course (40 hours) from the Alliance of Merger & Acquisition Advisors, Attended the 2015 Winter Conference for 20 hours CPE Continuing Education

University of Southern California, Public enterprise **cost/benefit analysis** graduate course

American Bankruptcy Institute (ABI) – Valuation 2010 Conference – 20 hours, Bankruptcy BootCamp 2010 – 8 hours

Valuation 2012 Conference – 20 hours, Bankruptcy BootCamp 2012 – 8 hours, Valuation 2014 Conference – 16 hours

Valuation 2015 Conference – 16 hours

FINANCIAL FORENSICS & VALUATION APPRAISAL EXPERIENCES

OCTOBER 1985 - PRESENT: Alpha Appraisal Consulting, Principal

Forensic Accounting & Valuation in connection with Matrimonial Settlement, corporations Business, Gifts & Estates,

Forensic Financial Valuations (Lost Profits, Business/Economic Damages, Intellectual Property (Patent, Trademark,

Copyright) Infringement, Fair Value Financial Reporting, M&A Advisory, Distressed Business Valuation, Partial Interests,

Goodwill Loss due to relocation, Intangible Value Allocation, Economic & Market Analysis, Feasibility Analysis

APPRAISAL/ECONOMICS TEACHING EXPERIENCES

Accredited Instructor from the State, taught the appraisal, business management, and investment subjects (total of 4,500 hours) since 1985.

OTHER EXPERIENCES

1983 – 1985: Lockheed Missiles & Space Company, Sunnyvale, CA, Software Engineer

1981 - 1983: Control Data Corporation, San Jose, CA, Systems Analyst

MILITARY SERVICE 1976 - 1979, U.S. ARMY, Data Control Specialist, honorable discharge

CREDENTIALS

Community College Instructor Credential (Valid for Life) in the subjects of Business & Industrial Management, Real Estate

CLIENTS Client of Alpha Appraisal Consulting Group include attorneys, accountants, public agencies, banks, insurance companies, and individuals

ORDINANCE NO. 18-0534

AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO STREET VACATIONS, APPROVING THAT PORTION OF WYOMING AVENUE (ALSO KNOWN AS 115TH AVENUE EAST OR 14TH STREET NORTHEAST) AND 1ST STREET (ALSO KNOWN AS 72ND AVENUE NORTHEAST OR 1ST STREET EAST) WITHIN THE CITY OF EDGEWOOD, IMPOSING CONDITIONS, PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City received a petition from Brian T. & Faith D. Hall, Mariya Chyr and Paige A. Ropac, collectively, requesting that a portion of Wyoming Avenue public right-of-way and the 1st Street public right-of-way be vacated, as the same is depicted and legally described in the map labeled Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the vacation petition contains the signatures of the owner(s) of more than two-thirds of the property abutting the portion of right-of-way requested to be vacated; and

WHEREAS, this Ordinance is categorically exempt from SEPA under WAC 197-11-800(2)(i); and

WHEREAS, on October 9, 2018, the City Council passed Resolution No. 18-0432, calling for a public hearing regarding the vacation of the subject right-of-way; and

WHEREAS, the City Clerk performed the public notice requirements in Edgewood Municipal Code (EMC) Section 12.14.010(E); and

WHEREAS, the City did not receive any objections to the proposed street vacation prior to the public hearing from any owners of property abutting the area proposed to be vacated; and

WHEREAS, the City Council held a public hearing during the Council's regular meeting on November 13, 2018, and there were no members of the public desiring to be heard; and

WHEREAS, the City Council discussed the street vacation petition during its study session on November 20, 2018; and

WHEREAS, the City Council considered the street vacation petition during its regular Council meeting on November 27, 2018;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings and Conclusions. The City Council makes the following findings and conclusions on the street vacation petition:

A. The petitioners Brian T. & Faith D. Hall, Mariya Chmyr and Paige A Ropac own property abutting a portion of Wyoming Avenue (also known as 115th Avenue East or 14th Street Northeast) and 1st Street (also known as 72 Avenue Northeast or 1st Street East), and have submitted a petition to the City for the vacation of the following right-of-way:

That portion of Wyoming Avenue (also known as 115th Avenue East or 14th Street Northeast) and 1st Street (also known as 72nd Avenue Northeast or 1st Street East) lying south of the Easterly extension of the Northerly line of Lot 11, Block 113 and lying East of the Southerly extension of the Westerly line of Lot 6, Block 113, TOWNSITE OF JOVITA, according to the plat thereof, recorded in Volume 10 of Plats, Page 35, in Pierce County, Washington.

The area proposed to be vacated is depicted in the map attached hereto as Exhibit A, which is incorporated herein by this reference.

B. The requisite notice of this public hearing was provided by the City Clerk, and the City received no objections from any owners of property abutting the subject streets.

C. The City Public Works Director, Jeremy Metzler, testified that since dedication of the street to the public in 1910, the street was never opened, no public improvements have been constructed on the street area, there are no public facilities (such as underground lines) on the property, no public money has been spent on the proposed vacation area and that the proposed vacation will not affect anyone's access. Mr. Metzler also has submitted a recommendation for approval of the petition in his staff report dated November 6, 2018;

D. During the public hearing, no one was interested in providing any testimony on the street vacation petition;

E. In accordance with State Law and EMC Section 12.14.070, the City Council may determine that as a condition of the vacation, that the petitioners pay an amount equal to the appraised value of the property, and based on the appraisal and other factors cited by the Public Works Director in his recommendation, the Council concludes that the petitioners shall pay \$223,000 as a condition of the Council's approval of the street vacation;

F. The City Council finds that there are no public utilities in the proposed area of the vacation, and that there is no need for the City to reserve an easement for any public facilities in the area;

G. The City Council concludes, based on the above, that the proposed street vacation satisfies all of the criteria for a vacation in EMC Section 12.14.060, and enters these findings in support of approval, as required by EMC Section 12.14.070(C).

Section 2. Condition of Vacation. This vacation is contingent upon payment of compensation to the City by the petitioners in the amount of \$223,000 for the area vacated, and \$6,750 for the City's fees/costs associated with this vacation (including payment of recording costs identified in

Section 3). The approval granted by this ordinance shall be null and void if the petitioners fail to make this payment to the City within one year of the date of approval of this ordinance, unless such deadline is extended by the Council by ordinance.

Section 3. Effective Date. This ordinance shall not be published or become effective until all compensation and fees/costs have been paid in full by the petitioner. Once the City Clerk receives such payment she is authorized to: (1) direct publication of this Ordinance, which shall take effect five days after publication of the summary; and (2) record a certified copy of this Ordinance in the records of the County Auditor. Costs of recording shall be the responsibility of the petitioners. This vacation and transfer of title to petitioners shall be effective at such time as this Ordinance is recorded in the Office of the County Auditor.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

ADOPTED BY THE CITY COUNCIL ON THE 27TH DAY OF NOVEMBER, 2018.

Daryl Eidinger, Mayor

ATTEST/AUTHENTICATED:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:



Carol Morris, City Attorney

Date of Publication: November 29, 2018

Effective Date: December 4, 2018



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Various Edgewood Municipal Code (EMC) amendments pertaining to perceived density		Agenda Item #: AB18-0535	
		For Agenda of: November 27, 2018	
		Department: Comm. Dev.	
		Prepared by: Darren Groth	
ATTACHMENTS (list): ☒ Ordinance No. 18-0535			
Review of Materials:			
Mayor, Daryl Eidinger	☒	Expenditure Required:	\$0
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	\$0
City Attorney, Carol Morris	☒	Appropriation Required:	\$0
City Clerk, Rachel Pitzel	☒	Timeline: November 6: Intro Study Session November 13: Public Hearing November 20: Study Session November 27: Final Action	
Community Development Director, Darren Groth	☒		
Public Works, Jeremy Metzler	☒		
SUMMARY STATEMENT: After several agenda discussions, the Planning Commission discussed the option to remove the lot reduction provision for community septic systems. The Commission indicated automatic lot size reductions give the appearance of increased density on a case-by-case basis without a comprehensive review of the City's development regulations. The discussion resulted in the Commission providing a recommendation to staff to propose an amendment to the Edgewood Municipal Code (EMC) that eliminated the outright allowance of decreased lot sizes for a community septic system and to keep this discussion item on the Commission's work plan to further identify how to best address this issue comprehensively. The ability to utilize the Residential Cluster Development (RCD) for residential zoning districts was approved in concept; however, the lot size reductions were not favored even with an RCD. As a result of the discussion on July 9, the drafted code amendment merely suggests the inclusion of single-family residential districts with the allowed zoning districts for an RCD and also proposes to eliminate the lot size reduction provision for a community septic system, which revises EMC Sections 18.50.035 and 18.80.040, respectively. In addition, this agenda item includes a modification to the EMC regarding the rounding of fractional density. On May 6, 2016, the Community Development Director issued an Administrative Interpretation (AI) to clarify the rounding of fractional densities when calculating total dwelling units allowed under EMC Section 18.90.040. The AI recommended that the City should interpret the total dwelling units allowed by rounding fractions to the nearest whole number—less than 0.5, rounded down and 0.5 or greater, rounded up. The AI included a note indicating the City shall bring a minor code change forward to the Planning Commission. The proposed code amendment in 2016 was to add two new paragraphs to EMC Section 18.90.040. This proposal was sent to the Department of Commerce on May 17, 2016. In addition, the May 16, 2016 Planning Commission minutes reflect Item 5 as a minor code update for density rounding that was passed unanimously as a recommendation to City Council for a permanent code update. On November 13, 2018, the City Council conducted a public hearing regarding the proposed amendments to the EMC. Several public comments were received regarding the proposal to eliminate the lot size reductions for community septic systems. One comment from a local home builder indicated a preference to allow similar lot size reductions to be included in RCDs. As noted above, the Planning Commission discussed and did not recommend this option.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: On October 8, 2018, the Planning Commission recommended APPROVAL of the proposed changes pertaining to perceived density.			
RECOMMENDED ACTION: Hold a discussion and take action on the proposed revisions to Edgewood Municipal Code (EMC) Sections 18.50.035, 18.80.040, and 18.90.040.			

ORDINANCE NO. 18-0535

AN ORDINANCE OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO LAND USE AND ZONING, AMENDING THE DENSITY AND ROUNDING CALCULATIONS IN SINGLE FAMILY ZONES, ELIMINATING THE MINIMUM LOT SIZES IN SINGLE FAMILY ZONES WITH COMMUNITY ON-SITE SYSTEMS, AMENDING THE STANDARDS FOR RESIDENTIAL CLUSTER DEVELOPMENTS IN VARIOUS ZONING DISTRICTS, AND AMENDING EDGEWOOD MUNICIPAL CODE (EMC) SECTIONS 18.50.035, 18.80.040, AND 18.90.040; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Edgewood Municipal Code (EMC) Title 18 – Development Standards, regulates development standards in the City of Edgewood; and

WHEREAS, the City Council approved Ordinance 06-0278 and Ordinance 07-0287 to allow clustering of development in Residential Cluster Developments (RCD) to protect environmentally sensitive areas and create and preserve open space; and

WHEREAS, the RCD ordinance did not initially allow cluster developments in the Single-Family Low (SF2) and Single-Family Moderate (SF3) zoning districts; and

WHEREAS, the City desires to allow RCD developments in all single-family zones as long as the cluster development meets the same density requirements as all other development in that zone; and

WHEREAS, the City desires to eliminate the minimum developable lot sizes with community on-site septic system in single family zones and to require that the net buildable area for RCD or any other development shall conform to the standard minimum lot size requirements for all new residential construction in Edgewood; and

WHEREAS, the City of Edgewood established minimum and maximum density requirements for each zoning district established in EMC Title 18; and

WHEREAS, the Council wishes to clarify that no administrative approval, rounding interpretation, or other manipulative calculation is permissible to circumvent the established minimum and maximum density requirements established in EMC Title 18; and

WHEREAS, an Environmental Checklist for a non-project action was prepared under the State Environmental Policy Act (RCW Chapter 43.21.C), pursuant to Washington Administrative Code Chapter 197-11, and a determination of Non-Significance (“**DNS**”) was issued on the 29th day of October, 2018; and

WHEREAS, in accordance with RCW 36.70A.106 and WAC 365-196-630, a notice of intent to adopt the proposed new development regulations was sent on October 23, 2018 to the State of Washington Department of Commerce and other state agencies to allow for a 60-day review and comment period, which ended prior to adoption of this ordinance; and

WHEREAS, the Planning Commission held a Public Hearing to receive public testimony regarding the proposed code amendment at their October 8, 2018 meeting; and

WHEREAS, after the public hearing, the Planning Commission considered the evaluation criteria in EMC 18.60.220 for text amendments and voted 5-0 to recommend approval of the proposed code amendments; and

WHEREAS, the City Council considered this ordinance and the Planning Commission's recommendation during its regular City Council meeting of November 27, 2018; and

WHEREAS, the City Council finds that the proposed regulations satisfy the criteria in EMC 18.60.220 for text amendments;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Edgewood Municipal Code (EMC) Section 18.50.035 is hereby amended to read as follows:

18.50.035 - Residential Cluster Development.

* * *

B. General Provisions.

1. A RCD may be approved for development containing residential uses located within the Single-Family Low (SF2); Single-Family Moderate (SF3); Single-Family High Five (SF5), Mixed Residential (MR1 and MR2), Mixed Use Residential (MUR), Commercial (C), and Town Center (TC) zoning districts.
2. The city or the owner of the subject land, or their authorized agent may initiate an application for a RCD.
3. The appropriate fee prescribed in Chapter 3.35 EMC shall accompany an application for a RCD.
4. A RCD application shall be submitted and reviewed pursuant to the requirements and procedures set forth in Chapter 18.40 EMC for a Process III hearing examiner action.

5. All principal and accessory uses authorized by the applicable zoning district shall be allowed within a RCD, subject to the following:

- a. Use/uses included in the RCD approval shall be exempt from requirements to obtain an administrative use permit or conditional use permit; and
- b. The exemption from the requirement for an administrative use permit or conditional use permit shall not prevent the hearing examiner from imposing conditions on specific uses within the RCD as a condition for approving the RCD; and
- c. Approval of a RCD shall not be construed as authorizing any primary or accessory use not allowed by the underlying zoning district.

6. If two or more zoning districts are located within the boundaries of the RCD, the following shall apply in determining the development that may be allowed:

- a. The portion of land in each zoning district shall be subject to the uses, density and development standards applicable to the underlying zoning district in which that portion of land is located; and
- b. The total development allowed within the RCD shall be the sum of development allowed for each portion of land located within each zoning district; and
- c. Use/uses included in the RCD approval may be located anywhere within the boundaries of the RCD and shall not be dependent on the boundaries of the underlying zoning district, unless the location of the use would adversely affect adjacent properties.

7. Scope of Approval.

- a. Approval of a RCD constitutes an overlay to the zoning district. Modifications to any provisions for minimum lot size, setbacks, number of stories, maximum square footage of the floor space and/or building footprints for residential uses, lot coverage and impervious surface coverage may be granted at the discretion of the approving authority.
- b. Approval of a RCD shall govern the design of the site to only those designs and standards that are specifically included as set forth in the approved site plan, and the underlying zoning district standards shall apply to all present and future uses not specifically addressed in the approved site plan.

C. Density and Dimensional Standards.

1. The maximum density of the underlying zoning district shall apply. Density is based on the net buildable area as prescribed in EMC 18.90.040.

2. The modifications to development standards allowed pursuant to subsection (B)(7)(a) of this section shall be subject to the following limitations:

a. The maximum building height shall be the same as that set forth in the underlying zoning district where the building is located and the provision in subsection (B)(6)(c) of this section shall not apply.

b. Each lot shall have a minimum net buildable area in accordance with EMC Section 18.80.040.E.2 or the following Table 1.

Table 1: Minimum Net Buildable Area Lot Size

Zoning District	Land Use Type	Net Buildable Area (square feet)
SF-5/MR-1	Single-Family Detached	5,000
	All Other Allowed Uses	3,000
MR-2	All Allowed Uses	3,000
MUR	Single-Family Detached	4,000
	All Other Allowed Uses	2,000
TC	All Allowed Uses	None
C	All Allowed Uses	None

c. The following development standards shall be applied to the entire RCD rather than to individual lots:

i. Maximum impervious surface (not to include surface areas for roads, sidewalks, bicycle and pedestrian pathways, utilities such as stormwater and sewers, and similar infrastructure); and

ii. Maximum lot coverage (not to include structures that house utilities and similar infrastructure); and

iii. The minimum number of required off-street parking spaces.

d. The setbacks of the underlying zoning district shall apply to the perimeter of the RCD, except when adjacent to single-family

zoned property where the minimum setback shall be 25 feet from all property lines abutting the single-family zoning district.

e. Buildings containing residential uses shall maintain a minimum 10-foot distance separation between the buildings as measured from the outdoor side of the exterior walls.

Section 2. Edgewood Municipal Code Section 18.80.040.E.2 is hereby amended to read as follows:

18.80.040 - Single-Family Residential zoning districts.

* * *

E. In addition to the regulations and requirements contained in other sections of this title, the following property development standards apply to all land and buildings in the Single-Family zoning districts:

1. The density for the Single-Family zoning districts is the number of dwelling units allowed per net buildable acre (dua) and shall be as follows:

	Maximum	Minimum
a. SF-2 zoning district:	2 dua	1 dua
b. SF-3 zoning district:	3 dua	1 dua
c. SF-5 zoning district:	5 dua	2.5 dua

2. Lot Size. The minimum net developable lot sizes for the Single-Family zoning districts shall be as follows:

	Minimum	Minimum with Community On-Site System
a. SF-2 zoning district:	18,500 square feet	12,950 square feet
b. SF-3 zoning district:	12,500 square feet	8,750 square feet
c. SF-5 zoning district:	6,500 square feet	4,450 square feet

* * *

Section 3. Edgewood Municipal Code Section 18.90.040 is hereby revised to read as follows:

18.90.040 - Density standards.

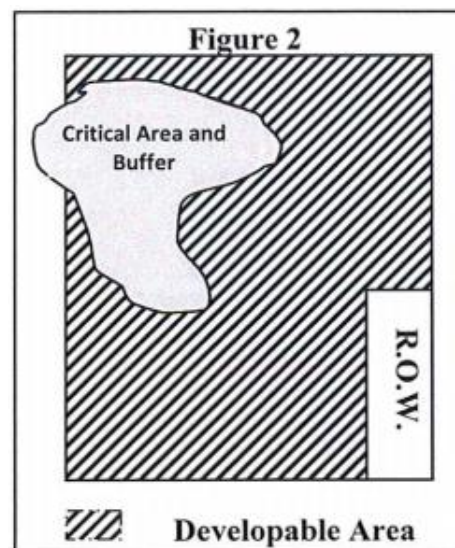
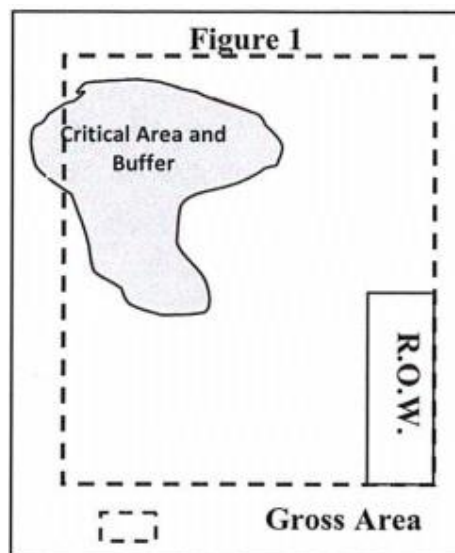
A. Gross area is the total area of the lot (see Figure 1 below).

B. The developable area is the area of a lot remaining after public and/or private rights-of-way and critical area/buffers are subtracted from the gross area (see Figure 2 below).

C. The maximum density for Single-Family zoning districts (SF-2, SF-3 and SF-5) is the maximum number of dwelling units allowed per net developable area of an acre, and is expressed as a ratio, i.e., one dwelling unit per net developable acre. Accessory dwelling units shall be excluded from the maximum number of allowable dwelling units. The minimum lot size does not determine maximum density.

D. The maximum density for all other zoning districts shall be based on the gross area minus any critical areas and associated buffers.

E. Density standards for the Single-Family Residential zoning districts shall fall within the ranges stated in EMC 18.80.040.E.1.



Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication.

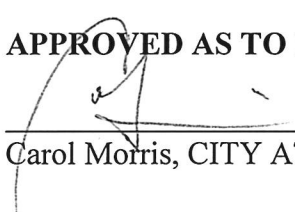
ADOPTED BY THE CITY COUNCIL ON THE 27TH DAY OF NOVEMBER, 2018.

Daryl Eidinger, Mayor

ATTEST/AUTHENTICATED:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:



Carol Morris, CITY ATTORNEY

Date of Publication: November 29, 2018

Effective Date: December 4, 2018



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Edgewood Municipal Code (EMC) amendments pertaining to Accessory Dwelling Units (ADU)		Agenda Item #:	AB18-0536
		For Agenda of:	November 27, 2018
		Department:	Comm. Dev.
		Prepared by:	Darren Groth
ATTACHMENTS (list): ☒ Draft Ordinance No. 18-0536			
Review of Materials:			
Mayor, Daryl Eiding	☒	Expenditure Required:	\$0
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	\$0
City Attorney, Carol Morris	☒	Appropriation Required:	\$0
City Clerk, Rachel Pitzel	☒	Timeline: November 6: Intro Study Session November 13: Public Hearing November 20: Study Session November 27: Final Action	
Community Development Director, Darren Groth	☒		
Public Works, Jeremy Metzler	☒		
Fiscal Note/Consideration: N/A			
SUMMARY STATEMENT: In 2016, City Council approved Ordinance No. 16-0469 to add Edgewood Municipal Code (EMC) Section 18.90.190 – Accessory Dwelling Units to establish development standards regulating Accessory Dwelling Units (ADU). Ordinance No. 16-0469 did not contain specific criteria that must be present to identify an attached ADU regulated under EMC Section 18.90.190 versus an edition or expansion of a single-family dwelling that does not trigger compliance with EMC Section 18.90.190. As a result, City staff has routinely answered questions regarding the need to direct customers to apply for an ADU permit when seeking to remodel or expand their single-family home. The proposed code amendment would add qualifying language to the EMC that proactively identifies which home improvements will trigger compliance with codified ADU requirements. To clearly outline the attached ADU criteria, staff will not be required to potentially surprise customers at the front counter with additional steps that are not currently included in the EMC. By adding paragraph C.4.f to EMC Section 18.90.190, which will read: “an attached ADU must utilize a private entrance; contain a bath, kitchen, and sleeping quarters; and provide fire separation from the main unit,” all of the criteria for an attached ADU will be included in the EMC. On November 13, 2018, the City Council conducted a public hearing regarding the proposed amendments to the EMC. No public comments were received regarding the proposal.			
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: On October 8, 2018, the Planning Commission recommended APPROVAL of the proposed changes to EMC Section 18.90.190 by adding paragraph C.4.f.			
RECOMMENDED ACTION: Hold a discussion and take action regarding proposed revisions to Edgewood Municipal Code (EMC) Section 18.90.190.			

ORDINANCE NO. 18-0536

**AN ORDINANCE OF THE CITY OF EDGEWOOD,
WASHINGTON, RELATING TO LAND USE AND
ZONING, ADDING NEW REQUIREMENTS FOR
ATTACHED ACCESSORY DWELLING UNITS
AMENDING EDGEWOOD MUNICIPAL CODE (EMC)
SECTION 18.90.190; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Edgewood Municipal Code (EMC) Title 18 – Development Standards, regulates development standards in the City of Edgewood; and

WHEREAS, the City Council approved Ordinance 16-0469 to add EMC Section 18.90.190 – Accessory Dwelling Units to establish development standards regulating Accessory Dwelling Units (ADU); and

WHEREAS, Ordinance 16-0469 did not contain specific criteria that must be present to identify an attached ADU regulated under EMC Section 18.90.190 versus an edition or expansion of a single-family dwelling that does not trigger compliance with EMC Section 18.90.190; and

WHEREAS, without specific criteria for an attached ADU of this type, the City of Edgewood may limit development potential on property such as by classifying home improvements as accessory dwellings and impacting pervious lot coverage calculations that require additional parking; and

WHEREAS, the City’s SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA under WAC Section 197-11-800(19) because it is a “text amendment resulting in no substantive changes respecting use and modification of the environment”; and

WHEREAS, in accordance with RCW 36.70A.106 and WAC 365-196-630, a notice of intent to adopt the proposed new development regulations was sent on October 23, 2018 to the State of Washington Department of Commerce and other state agencies to allow for a 60-day review and comment period, which ended prior to adoption of this ordinance; and

WHEREAS, the Planning Commission held a Public Hearing to receive public testimony regarding the proposed code amendment at their October 8, 2018 meeting; and

WHEREAS, after the public hearing, the Planning Commission considered the evaluation criteria for text amendments in EMC 18.60.220 and voted 5-0 to recommend approval of the proposed code amendments; and

WHEREAS, the City Council considered this ordinance and the Planning Commission’s recommendation during its regular City Council meeting of November 27, 2018; and

WHEREAS, the City Council finds that the proposed regulations satisfy the criteria in EMC 18.60.220;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. EMC Section 18.90.190.C shall be amended to read as follows:

18.90.190 - Accessory dwelling units.

* * *

C. General Requirements. The creation of an ADU shall be subject to the following general requirements:

1. Number. One ADU shall be allowed per lot of record as an accessory use in conjunction with any detached single-family structure. ADUs shall not be counted in site net density calculations pursuant to EMC 18.90.040.
2. Type of Unit. An ADU shall be permitted as a second dwelling unit either attached to, or detached from, the primary residence.
3. Size. An ADU shall be no greater than 1,200 square feet (net square feet including only livable space) or 80 percent of primary residence size, whichever is less.
4. Design. Each ADU shall be architecturally consistent with the primary dwelling unit on site in the following ways:
 - a. Exterior finish materials shall visually match in color, texture, type, size and placement, the exterior finish materials of the primary dwelling.
 - b. The roof style shall match the predominant roof style of the primary dwelling.
 - c. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not be permitted within the required front, side, or rear yard setback. An exception to the required rear and side yard setback shall be allowed if the rear yard abuts an alley.
 - d. For detached ADUs, the building height of the ADU shall not be greater than the principal dwelling's building height.
 - e. An ADU shall have a permanent foundation.

f. An attached ADU must utilize a private entrance; contain a bath, kitchen and sleeping quarters; and provide fire separation from the main unit.

5. Utilities. The landowner shall be responsible for obtaining all necessary utility service for an ADU, including without limitation, water, sewer, electric, and phone service, in accordance with applicable rules, regulations, and policies.

6. Parking. One off-street parking space shall be required for the ADU in addition to off-street parking required for the principal dwelling pursuant to EMC 18.90.130, Parking.

* * *

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication.

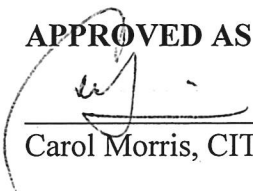
ADOPTED BY THE CITY COUNCIL ON THE 27TH DAY OF NOVEMBER 2018.

Daryl Eidinger, Mayor

ATTEST/AUTHENTICATED:

Rachel Pitzel, City Clerk

APPROVED AS TO FORM:



Carol Morris, CITY ATTORNEY

Date of Publication: November 29, 2018
Effective Date: December 4, 2018



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: 36 th & Meridian Park – Request for Qualifications to Design Phase One		Agenda Item #:		AB18-0437
		For Agenda of:		November 27, 2018
		Prepared by:		Jeremy Metzler
ATTACHMENTS (list): ☒ Resolution 18-0437 ☒ Request for Qualifications				
Approval of Materials:				
Mayor, Daryl Eidinger	☒	Expenditure Required:	\$250,000 (est.)	
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	TBD	
City Attorney, Carol Morris	☒	Appropriation Required:	\$250,000 (2019)	
City Clerk, Rachel Pitzel	☒	Timeline: Council Consideration – 11/27		
Community Development Director, Darren Groth	☒			
Public Works, Jeremy Metzler	☒			
Fiscal Note/Consideration: All costs associated with design and contract administration are fundable using existing Park Impact Fee revenues.				
SUMMARY STATEMENT: Since its acquisition in December 2004, the Parks and Recreation Advisory Board (PRAB) has been focused on construction of a community park on City-owned property at the northeast corner of 36 th Street East & Meridian Avenue East (SR-161). The 36 th and Meridian Park Adhoc Committee was formed in early 2007, and a Master Plan of the 18-acre park facility was presented to the Council and citizens of Edgewood soon thereafter with the help of a landscape architect. Formal design work for the project began in 2015, and a 30% plan developed as part of the submittal package for two RCO grants in June of 2016. The current design for Phase One includes a shelter, parking lot, play equipment and picnic facilities. Before construction can begin, the Phase One design needs to be brought forward from the existing 30% plan to 100% construction plans and specifications. The agreement with the prior consultant has expired, requiring the City to solicit a new contract. Because this work can only be done by an architect or engineer, the City is required to use the procedure established in chapter 39.80 RCW. This involves publication of an announcement of the City's need for the professional services (RCW 39.80.030). The attached Resolution will authorize the publication of the attached Request for Qualifications (RFQ) to solicit qualified consultants to perform said design work, as required under state law.				
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: PRAB recommends RFQ authorization ASAP.				
RECOMMENDED ACTION: MOTION adopting Resolution No. 18-0437, relating to the proposed park at 36 th and Meridian, and approving the publication of a RFQ to solicit responses and qualifications from interested firms/ individuals to perform the Phase One Park Design.				
ALTERNATIVES TO RECOMMENDED ACTION: Forward to future study session for further discussion.				

RESOLUTION NO. 18-0437

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, RELATING TO THE PROPOSED PARK AT 36TH AND MERIDIAN, APPROVING THE PUBLICATION OF A RFQ TO SOLICIT RESPONSES AND QUALIFICATIONS FROM INTERESTED FIRMS/INDIVIDUALS TO PERFORM THE PHASE ONE PARK DESIGN

WHEREAS, the City Council formed a Parks and Recreation Advisory Board to advise the Council on park issues; and

WHEREAS, in 2015, the City hired a landscape architect, who prepared a Master Plan showing a 30% design for a 18 acre park located at 36th and Meridian in Edgewood; and

WHEREAS, the City desires to continue work on this park by hiring a consultant in order to develop a Phase One design, and to will bring the 30% plan to a 100% plan with construction detail/plans and specifications; and

WHEREAS, in order to accomplish this, the City desires to publish an RFQ to solicit qualifications from interested firms and individuals for the work; and

WHEREAS, this Resolution is categorically exempt from SEPA under WAC 197-11-800(19); and

WHEREAS, the Council considered this Resolution during its November 27, 2018 regular City Council meeting;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EDGEWOOD, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council authorizes the Public Works Director to publish the RFQ attached hereto as Exhibit A and incorporated herein by this reference, to solicit responses/qualifications from interested firms and individuals for the Phase One work on the 36th and Meridian Park in Edgewood.

Section 2. This Resolution shall become effective upon passage.

PASSED THIS 27TH DAY OF NOVEMBER 2018.

Daryl Eiding, Mayor

ATTEST:

Rachel Pitzel, City Clerk

Exhibit A
Request for Qualifications (RFQ)

City of Edgewood

REQUEST FOR QUALIFICATIONS

36TH AND MERIDIAN PARK – PHASE ONE PLANNING AND DESIGN

I. PURPOSE OF REQUEST

The City of Edgewood is requesting statements of qualifications from professional landscape architects, engineers, and planning consultants licensed under the laws of the state of Washington to support the City's completion of the design for Phase One of the City of Edgewood's 36th and Meridian Community Park.

The City of Edgewood does not expect or require a large amount of preliminary work to be performed by the applicants for this phase of the selection process. It is the City's intent to select consultants based on qualifications, abilities, past performance, and the ability to perform the necessary work and complete the project within the timeframe specified. **Do not submit any price or fee information at this time. Firms providing such information as part of their response to this RFQ will be disqualified.**

II. BACKGROUND

The City of Edgewood is 8.9 square miles and home to approximately 10,900 residents. The City is entirely within Pierce County and is geographically located in the "North Hill" area surrounded by the cities of Milton, Fife, Puyallup and Sumner. The City's northern boundary is adjacent to King County. Incorporated as a code city, the City of Edgewood formed on February 28, 1996 and has operated under the strong Mayor form of government since August 2015.

30% design for Phase One of the 36th and Meridian Community Park has been completed. The design work was suspended at that point due to a lack of funding. Funding is now in place to complete the design, and the city seeks to hire a consultant to complete the design to 100% construction documents, permitting, bidding, and construction administration.

III. TIME SCHEDULE

The following preliminary schedule for the project has been laid out:

RFQ Issued	November 30, 2018
Deadline for Submittal of Qualifications	December 28, 2018
Review of Submittals	January 2-4, 2019
Preliminary Selection of Firm(s)	January 7, 2019
Interviews (if needed)	January 14 – 18, 2019
Notify Firm Chosen	January 23, 2019
Contract Negotiations	January 24-30, 2019
City Council Acceptance	February 12, 2019
Executed Agreement	February 13, 2019

IV. INSTRUCTIONS TO PROPOSERS

- A. **Three (3) copies** of the response to the City's RFQ must be submitted to City by **4:30 PM, Friday, December 28, 2018**. No faxed or e-mail copies will be accepted. It is the responsibility of the firm to ensure the qualifications statements arrive on time and to the correct location. Any qualifications statements received after the scheduled closing time shall be returned to the firm unopened.
- B. All submittals should be sent or hand delivered to:
City of Edgewood
Attn: City Clerk
2224 104th Avenue E
Edgewood, WA 98372-1513
- C. Responses to the RFQ should be prepared simply and economically, providing a straightforward, concise description of provider capabilities to satisfy the requirements of request. All responses shall be limited to **fifteen (15) pages total, including a cover letter**.
- D. All qualifications must include the following information:
 - a. The names of individuals who will be working on the proposed services and their areas of responsibility.
 - b. A brief overview of the company, including how long in business, privately or publicly owned, etc.
 - c. At least three (3) references, including entity name, contact person, and telephone number. Municipal references preferred.
 - d. Ability to execute contract upon award.

V. SELECTION CRITERIA

The following will be used to evaluate the applicants:

- A. References and demonstrated experience working on similar projects and past work with small cities. (40%)
- B. Prior experience with the City of Edgewood or similar facility designs (40%)
- C. General impressions and presentation of qualifications. (20%)

VI. GENERAL SCOPE OF WORK

The successful consultant team is expected to develop project documents, 60%, 90%, and 100% complete, permitting, bid administration and construction administration. This will include one public meeting to get feedback on the plan, and regular coordination with city staff, elected officials, and the park and recreation advisory board. The City of Edgewood Public Works Director will direct the activities of the Consultant on behalf of the City.

- Reconcile the existing 30% design to fit project budget and RCO grant requirements
- Establish a project schedule
- Prepare necessary permit application(s) and associated reports
- Conduct 1 public meeting
- Prepare technical specifications
- Prepare bid package
- Construction Administration and Observation

VII. TERMS AND CONDITIONS

- A. The City reserves the right to reject any and all responses to this RFQ.
- B. The City reserves the right to request clarification of information submitted and to request additional information from any firm.
- C. The City reserves the right to reject all responses to the RFQ, or to award any contract to the next most qualified firm, if the successful firm does not execute a contract by the proposed date of February 13th, 2019.
- D. The contract resulting from acceptance of a proposal by the City shall be in the attached form and reflect the specifications in this RFQ. The City reserves the right to reject any proposed amendments to the City's form agreement.
- E. The City shall not be responsible for any costs incurred by the firm in preparing, submitting or submitting its response to the RFQ.
- F. The City reserves the right to waive irregularities and informalities in the submittal and evaluation process.

VIII. PRESUBMITTAL SITE VISIT

The City of Edgewood will host an optional pre-submittal meeting on Friday, December 14th, 2018 at the 36th and Meridian Park site from 1:00 pm to 2:00 pm, interested firms will be provided an opportunity to ask questions regarding the history of the park property and review the documents relating to the previous planning and design work.

IX. OTHER INFORMATION

For additional information or explanation of the contents or intent of these specifications, please contact the City with your questions to the attention of Jeremy Metzler, PE, Public Works Director by phone at (253) 952-3299 ext. 114, or via e-mail at jeremy@cityofedgewood.org.

X. ADDITIONAL INFORMATION

Please refer to the attached Professional Services Agreement template. Background documents for the park can be found on the City of Edgewood's website, including the current master plan, the RCO Grant application materials, and the 30% Design Concept.

CITY OF EDGEWOOD PROFESSIONAL SERVICES AGREEMENT

THIS Agreement is made effective as of the ____th day of _____, 2019, by and between the City of Edgewood, a municipal corporation, organized under the laws of the State of Washington, whose address is:

CITY OF EDGEWOOD, WASHINGTON (hereinafter the “CITY”)
2224 - 104th Avenue E.
Edgewood, Washington 98372
Contact: Mayor Daryl Eiding Phone: 253-952-3299 Fax: 253-952-3537

and _____, (a corporation, limited liability corporation, sole proprietorship, etc.)
organized under the laws of the State of _____, doing business at:

_____ (hereinafter the “CONSULTANT”)
_____ (address)

Contact: _____ Phone: _____ Fax: _____ e-mail: _____

for professional services in connection with the following Project:

36th and Meridian Park – Phase One Planning and Design

TERMS AND CONDITIONS

1. Services by Consultant.

A. Consultant shall perform the services described in the Scope of Work attached to this Agreement as Exhibit "A." The services performed by the Consultant shall not exceed the Scope of Work without prior written authorization from the City.

B. The City may from time to time require changes or modifications in the Scope of Work. Such changes, including any decrease or increase in the amount of compensation, shall be agreed to by the parties and incorporated in written amendments to the Agreement.

2. Schedule of Work.

A. Consultant shall perform the services described in the scope of work in accordance with the Schedule attached to this contract as Exhibit “A.” If delays beyond Consultant's reasonable control occur, the parties will negotiate in good faith to determine whether an extension is appropriate.

B. Consultant is authorized to proceed with services upon receipt of a written Notice to Proceed.

3. **Terms.** This Agreement shall commence on _____, (“Commencement Date”) and shall terminate on _____ unless extended or terminated in writing as provided herein.

4. Compensation.

- ☐ LUMP SUM. Compensation for these services shall be a Lump Sum of \$_____, which includes all applicable tax.
- ☐ TIME AND MATERIALS NOT TO EXCEED. Compensation for these services shall not exceed \$_____, including all applicable tax, without written authorization and will be based on billing rates and reimbursable expenses attached hereto as Exhibit “B.”
- ☐ TIME AND MATERIALS. Compensation for these services shall be on a time and material basis according to the list of billing rates and reimbursable expenses attached hereto as Exhibit “B.”
- ☐ OTHER. _____

5. Payment.

A. Consultant shall maintain time and expense records and provide them to the City monthly after services have been performed, along with monthly invoices in a format acceptable to the City for work performed to the date of the invoice.

B. All invoices shall be paid by City warrant within sixty (60) days of receipt of a proper invoice. If the City objects to all or any portion of any invoice, it shall so notify the Consultant of the same within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute, and the parties shall immediately make every effort to settle the disputed portion.

C. Consultant shall keep cost records and accounts pertaining to this Agreement available for inspection by City representatives for three (3) years after final payment unless a longer period is required by a third-party agreement. Copies shall be made available on request.

D. On the effective date of this Agreement (or shortly thereafter), the Consultant shall comply with all federal and state laws applicable to independent contractors, including, but not limited to, the maintenance of a separate set of books and records that reflect all items of income and expenses of the Consultant’s business, pursuant to Revised Code of Washington (RCW) 51.08.195, as required by law, to show that the services performed by the Consultant under this Agreement shall not give rise to an employer-employee relationship between the parties, which is subject to Title 51 RCW, Industrial Insurance.

E. If the services rendered do not meet the requirements of the Agreement, Consultant will correct or modify the work to comply with the Agreement. City may withhold payment for such work until the work meets the requirements of the Agreement.

6. Discrimination and Compliance with Laws

A. Consultant agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, age, disability, or other circumstance prohibited by federal, state, or local law or ordinance, except for a bona fide occupational qualification.

B. Even though the Consultant is an independent contractor with the authority to control and direct the performance and details of the work authorized under this Agreement, the work must meet the approval of the City and shall be subject to the City's general right inspection to secure the satisfactory completion thereof. The Consultant agrees to comply with all federal, state and municipal laws, rules and regulations that are now effective or become applicable within the terms of this Agreement to the Consultant's business, equipment and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

C. Consultant shall obtain a City of Edgewood business license prior to receipt of written Notice to Proceed.

D. Violation of this Paragraph 6 shall be a material breach of this Agreement and grounds for cancellation, termination, or suspension of the Agreement by City, in whole or in part, and may result in ineligibility for further work for City.

7. Relationship of Parties. The parties intend that an independent contractor-client relationship will be created by this Agreement. As the Consultant is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or sub-consultant of the Consultant shall be or shall be deemed to be the employee, agent, representative or sub-consultant of the City. In the performance of the work, the Consultant is an independent contractor with the ability to control and direct the performance and details of the work, the City being interested only in the results obtained under this Agreement. None of the benefits provided by the City to its employees including, but not limited to, compensation, insurance, and unemployment insurance are available from the City to the employees, agents, representatives or sub-consultants of the Consultant. The Consultant will be solely and entirely responsible for its acts and for the acts of its agents, employees, representatives and sub-consultants during the performance of this Agreement. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work that the Consultant performs hereunder.

8. Suspension and Termination of Agreement

A. Termination without cause. This Agreement may be terminated by the City at any time for public convenience, for the Consultant's insolvency or bankruptcy, or the Consultant's assignment for the benefit of creditors.

B. Termination with cause. The Agreement may be terminated by the City upon the default of the Consultant. Upon 30 days' notice and reasonable cause, as determined by the sole discretion of the City, the Agreement may be terminated by the Consultant.

C. Rights Upon Termination.

1. *With or Without Cause.* Upon termination for any reason, all finished or unfinished documents, reports, or other material or work of Consultant pursuant to this Agreement shall be submitted to City, and Consultant shall be entitled to just and equitable compensation for any satisfactory work completed prior to the date of termination, not to exceed the total compensation set forth herein. Consultant shall not be entitled to any reallocation of cost, profit or overhead. Consultant shall not in any event be entitled to anticipated profit on work not performed because of such termination. Consultant shall use its best efforts to minimize the compensation payable under this Agreement in the event of such termination. Upon termination, the City may take over the work and prosecute the same to completion, by contract or otherwise.

2. **Default.** If the Agreement is terminated for default, the Consultant shall not be entitled to receive any further payments under the Agreement until all work called for has been fully performed. Any extra cost or damage to the City resulting from such default(s) shall be deducted from any money due or coming due to the Consultant. The Consultant shall bear any extra expenses incurred by the City in completing the work, including all increased costs for completing the work, and all damage sustained, or which may be sustained by the City by reason of such default.

D. **Suspension.** The City may suspend this Agreement, at its sole discretion. Any reimbursement for expenses incurred due to the suspension shall be limited to the Consultant's reasonable expenses, and shall be subject to verification. The Consultant shall resume performance of services under this Agreement without delay when the suspension period ends.

E. **Notice of Termination or Suspension.** If delivered to the Consultant in person, termination shall be effective immediately upon the Consultant's receipt of the City's written notice or such date as stated in the City's notice of termination, whichever is later. Notice of suspension shall be given to the Consultant in writing upon one week's advance notice to Consultant. Such notice shall indicate the anticipated period of suspension. Notice may also be delivered to the Consultant at the address set forth in Section 15 herein.

9. Standard of Care. Consultant represents and warrants that it has the requisite training, skill and experience necessary to provide the services under this agreement and is appropriately accredited and licensed by all applicable agencies and governmental entities. Services provided by Consultant under this agreement will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing in similar circumstances.

10. Ownership of Work Product.

A. All data materials, reports, memoranda, and other documents developed under this Agreement whether finished or not shall become the property of City, shall be forwarded to City at its request and may be used by City as it sees fit. Upon termination of this agreement pursuant to paragraph 8 above, all finished or unfinished documents, reports, or other material or work of Consultant pursuant to this Agreement shall be submitted to City.

B. All written information submitted by the City to the Consultant in connection with the services performed by the Consultant under this Agreement will be safeguarded by the Consultant to at least the same extent as the Consultant safeguards like information relating to its own business. If such information is publicly available or is already in Consultant's possession or known to it, or is rightfully obtained by the Consultant from third parties, the Consultant shall bear no responsibility for its disclosure, inadvertent or otherwise.

11. Work Performed at the Consultant's Risk. The Consultant shall take all precautions necessary and shall be responsible for the safety of its employees, agents and sub-consultants in the performance of the work hereunder, and shall utilize all protection necessary for that purpose. All work shall be done at the Consultant's own risk, and the Consultant shall be responsible for any loss or damage to materials, tools, or other articles used or held by the Consultant for use in connection with the work.

12. Indemnification. The Consultant shall defend, indemnify and hold the City, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including all legal costs and attorneys' fees, arising out of or resulting from the acts, errors or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City. The City's inspection or acceptance of any of the Consultant's work when completed shall not be grounds to avoid any of these covenants of indemnification.

Should a court of competent jurisdiction determine that this Agreement is Subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, agents and Volunteers, the Consultant's liability hereunder shall be only to the extent of the Consultant's negligence.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES THE CONSULTANT'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER. THE CONSULTANT'S WAIVER OF IMMUNITY UNDER THE PROVISIONS OF THIS SECTION DOES NOT INCLUDE, OR EXTEND TO. ANY CLAIMS BY THE CONSULTANT'S EMPLOYEES DIRECTLY AGAINST THE CONSULTANT.

13. Insurance. The Consultant shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

A. Minimum Scope of Insurance

Consultant shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named by endorsement as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington and Employer's Liability Insurance.
4. Professional Liability insurance appropriate to the Consultant's profession.

B. Minimum Amounts of Insurance

Consultant shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.
4. Employer's Liability insurance each accident \$1,000,000; Employer's Liability Disease each employee \$1,000,000; and Employer's Liability Disease – Policy Limit \$1,000,000.

C. Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. The Consultant's insurance coverage shall be primary insurance as respect the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.
2. The Consultant's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City.
3. The City will not waive its right to subrogation against the Consultant. The Consultant's insurance shall be endorsed acknowledging that the City will not waive their right to subrogation. The Consultant's insurance shall be endorsed to waive the right of subrogation against the City, or any self-insurance, or insurance pool coverage maintained by the City.
4. If any coverage is written on a "claims made" basis, then a minimum of a three (3) year extended reporting period shall be included with the claims made policy, and proof of this extended reporting period provided to the City.

D. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

E. Verification of Coverage

Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Consultant before commencement of the work.

- 14. Assigning or Subcontracting.** Consultant shall not assign, transfer, subcontract or encumber any rights, duties, or interests accruing from this Agreement without the express prior written consent of the City, which consent may be withheld in the sole discretion of the City.

15. Notice. Any notices required to be given by the City to Consultant or by Consultant to the City shall be in writing and delivered to the parties at the following addresses:

Daryl Eidinger
Mayor
2224 - 104th Avenue E.
Edgewood, WA 98372

CONSULTANT

(add address and contact info)

Phone: 253-952-3299
Fax: 253-952-3537

16. Resolution of Disputes and Governing Law.

A. Should any dispute, misunderstanding or conflict arise as to the terms and conditions contained in this Agreement, the matter shall first be referred to the Mayor, who shall determine the term or provision's true intent or meaning. The Mayor shall also decide all questions which may arise between the parties relative to the actual services provided or to the sufficiency of the performance hereunder.

B. If any dispute arises between the City and the Consultant under any of the provisions of this Agreement which cannot be resolved by the Mayor or Administrator's determination in a reasonable time, or if the Consultant does not agree with the Mayor or Administrator's decision on a disputed matter, jurisdiction of any resulting litigation shall be filed in Pierce County Superior Court, Pierce County, Washington.

C. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In any suit or action instituted to enforce any right granted in this Agreement, the substantially prevailing party shall be entitled to recover its costs, disbursements, and reasonable attorney's fees from the other party.

17. General Provisions.

A. Non-waiver of Breach. The failure of either party to insist upon strict performance of any of the covenants and agreements contained herein, or to exercise any option herein contained in one or more instances, shall not be construed to be a waiver or relinquishment of said covenants, agreements, or options, and the same shall be in full force and effect.

B. Modification. No waiver, alteration, modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of the City and the Consultant.

C. Severability. The provisions of this Agreement are declared to be severable. If any provision of this Agreement is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision.

D. Entire Agreement. The written provisions of this Agreement, together with any Exhibits attached hereto, shall supersede all prior verbal statements of any officer or other representative of the

City, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner whatsoever, the Agreement or the Agreement documents. The entire agreement between the parties with respect to the subject matter hereunder is contained in this Agreement and the Exhibits attached hereto, which may or may not have been dated prior to the execution of this Agreement. All of the above documents are hereby made a part of this Agreement and form the Agreement document as fully as if the same were set forth herein. Should any language in any of the Exhibits to this Agreement conflict with any language contained in this Agreement, then this Agreement shall prevail.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year set forth above.

CITY OF EDGEWOOD, WASHINGTON

CONSULTANT

By: _____
Daryl Eidinger
Mayor

Date: _____

Attest:

By: _____
Rachel Pitzel
City Clerk

APPROVED AS TO FORM:

By: _____
Carol A. Morris
City Attorney

By: _____

Name: _____

Title: _____

Date: _____



City Of Edgewood Council Agenda Summary Sheet

SUBJECT: Appointments for the Economic Development Advisory Board (EDAB)		Agenda Bill #:		AB18-057
		For Agenda of:		November 27, 2018
		Department:		Comm. Dev.
		Prepared by:		Darren Groth
ATTACHMENTS (list): ☒ None				
Review of Materials:				
Mayor, Daryl Eiding	☒	Expenditure Required:	<u> \$0 </u>	
Asst. City Administrator, Dave Gray	☒	Amount Budgeted:	<u> \$0 </u>	
City Attorney, Carol Morris	☒	Appropriation Required:	<u> \$0 </u>	
City Clerk, Rachel Pitzel	☒	Timeline: N/A		
Community Development Director, Darren Groth	☒			
Public Works, Jeremy Metzler	☒			
Fiscal Note/Consideration: N/A				
SUMMARY STATEMENT:				
In 2012, City Council adopted Ordinance Number 12-0381, which established an Economic Development Advisory Board (EDAB). The EDAB was created to assist and advise City Council in connection with issues and programs involving economic policy, commercial business, land development policy, and business retention. The board is an advisory body with power to recommend policy to City Council. In an effort to reestablish the EDAB, the City has accepted applications for membership for approximately the past eight months. While 11 total applications were received by the City Clerk, two of the applications were from duplicative applicants. As a result, only nine individuals expressed interested in EDAB membership. Of the nine applicants, three withdrew as candidates. The five remaining candidates were scheduled to be interviewed during the October 2, 2018 City Council meeting and four were present for the interviews. Those four (Colleen Wise, Kim Larson, Jeff Southard, and Jason Neil) were appointed to the EDAB on October 9, 2018 with terms ending on June 30, 2020. The fifth applicant, Andrew Wiesenfeld, was interviewed during the November 20, 2018 City Council study session. In addition to Mr. Wiesenfeld's interview, Lora Butterfield from the FME Chamber of Commerce was also introduced to City Council during that meeting. Mr. Wiesenfeld and Ms. Butterfield seek confirmation to fill Positions 2 and 3, respectively. If both candidates are confirmed and appointed, then the EDAB roster will be as follows: Position 1: Vacant; Position 2: Andrew Wiesenfeld; Position 3: Lora Butterfield; Position 4: Jeff Southard; Position 5: Kim Larson; Position 6: Colleen Wise; and Position 7: Jason Neil.				
COUNCIL COMMITTEE REVIEW AND RECOMMENDATION: N/A				
RECOMMENDED ACTION: Finalize appointments to EDAB Positions 1, 2, and 3.				
ACTIONS TO CONSIDER: 1) Fill Positions 2 and 3 for one-year terms ending on June 30, 2019; or 2) Fill Positions 2 and 3 for three-year terms ending on June 30, 2021.				