| From: | Don Dawes |
| :--- | :--- |
| Sent: | Monday, November 16, 2020 2:53 PM |
| To: | PermitCenter@puyallupwa.gov |
| Cc: | Joseph Berkey; Kendall Wals; Doug Ellison; Justin Younker |
|  | (justin@cascadiadevelopment.com); Mike Schefter; Mark Roehrig; Gunnar Melstrand |
|  | (gmelstrand@cdsmith.com); Colleen Allen |
| Subject: | Fieldstone Meridian - Variance Submittal Package (BCE \#17378) |
| Attachments: | 17378-S-Variance-LAND-Puyallup-2020-11-16.pdf |

Enclosed is a variance request application and all of the required submittal items for the Fieldstone Meridian project, City file No. E-18-0158. Please send an invoice for the application fee so that we can coordinate payment. If there are any additional submittal items needed, please let me know.

Thanks,

Don Dawes, P.E.| Senior Project Engineer
Office: 425-251-6222 | Direct: 425-656-7495 | Mobile: 206-396-8616
Barghausen Consulting Engineers, Inc.
300 Deschutes Way SW, Suite 215, Tumwater, WA 98501
www.barghausen.com


## Site Information

Zoning Designation: RM-20 / RS-10 Comprehensive Plan Designation: HDR / LDR

Setbacks (measured from the property line to the closest vertical wall)

|  | Proposed/Existing | Required by Zoning |
| :---: | :---: | :---: |
| Front Yard: | +/-100' (WEST) | $\underline{\text { RS-10 }=25^{\prime}(\text { (RM-20=20 }}$ ) minimum |
| Rear Yard: | +/-300' (EAST) | RS-10=20' (RM-20=20') ${ }^{\text {( }}$ minimum |
| Side Yard (interior): | +/-72' (NORTH) | RS-10=15' (RM-20=15') ${ }^{\text {minimum }}$ |
| Side Yard (interior): | +/-30' (SOUTH) | RS-10=15' (RM-20=15) ${ }^{\text {( }}$ minimum |
| Side Yard (street): | +/-300' (EAST) | RS-10=15' (RM-20=15') ${ }^{\text {minimum }}$ |
| Side Yard (arterial street) | +/-100' (WEST) | RS-10=N/A (RM-20=N/A) minimum |
| From Adjacent Residential Use | $30^{\prime} \mathrm{MIN}$. | ${ }^{\text {RS- } 10=30^{\circ} \text { LS (RM-20=BUFFER) }}$ minimum |
| Building Height: | 32'-3" | RS-10=28' (RM-20=28') ${ }^{\text {( }}$ maximum |
| Lot Coverage: | 40\% | RS-10=80\% (RM-20=55\%) maximum |
| Lot Width: | IRREGULAR | RS-10=75' (RM-20=40') ${ }^{\text {minimum }}$ |
| Lot Length: | IRREGULAR | RS-10=100' (RM-20=70 ${ }^{\prime}$ ) minimum |
| Lot Size (Square Feet): | 178,261 | RS-10=10,000 (RM-20=4,000) minimum |
| Number of Parking Stalls: | 48 | $\underline{\text { RS-10 }=38^{\prime}(\text { (RM-20=13') }}$ minimum |

## CRITERIA

The following criteria must be met in order for the Hearing Examiner to approve your variance request. There are explanations for each criteria below. Please respond FULLY as to how your request meets each of these criteria. "Yes" or "No" answers are not acceptable.
6.I. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and/or contiguous zone in which the property is located. For purposes of this sub-section, vicinity shall be defined to only include a radius of $I, 000$ feet or be within the boundaries of an established subdivision when the variance request pertains to a single-family residential use.
This variance request will not affect or limit the uses of properties in the vicinity and/or contiguous zone of the subject property. This variance request does not pertain to single-family residential use.
6.2. That the granting of such variance will not be detrimental to the public health, safety, comfort, convenience and general welfare, will not adversely affect the established character of the surrounding neighborhood within a radius of $I, 000$ feet, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located.
(I.E.TO ALLOW THIS FINDING TO BE MADE, YOU NEED TO DEMONSTRATE THAT YOUR PROPOSED ADJUSTMENT WILL NOT BE UNFAVORABLE TO THE SURROUNDING PROPERTIES AND NEIGHBORHOOD.)

This variance request to eliminate a portion of the of the 30-foot wide, Type I landscape buffer in the southwest corner of the subject property, north of parcel 77900-0321, will not be detrimental to the public health, safety, comfort, convenience, and general welfare. We also believe that it will not adversely affect the character of the surrounding neighborhood or be injurious to the adjacent properties or improvements. The owner of parcel 77900-0321 is claiming adverse possession of this area (see attached exhibit showing lawn encroachment from neighbor) and does not desire to have the required landscaping installed in this area.
6.3. That such variance is necessary, because of special circumstances relating to the size, shape, topography, unusual natural features, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity within a radius of 1,000 feet and/or in the zone in which the subject property is located. Such circumstances shall not be the result of some action caused by the applicant and/or previous property owners.
(I.E. TO ALLOW THIS FINDING TO BE MADE, YOU NEED TO DEMONSTRATE THAT YOUR PROPOSED ADJUSTMENT IS NECESSARY BECAUSE OF SPECIAL CIRCUMSTANCES ON THE PROPERTY AND THE HARDSHIP IS NOT CAUSED BY THE APPLICANT AND/OR PREVIOUS PROPERTY OWNERS).

As previously stated, the reason for this variance request is due to an adverse possession claim by the owner of parcel 779000-0321. The owner of this parcel desires to continue using the area "as is" and does not want the dense planting required by the Type I landscape buffer. The existing landscape in this area consists of lawn and five trees. We believe that the adverse possession claim meets the requirements of a special circumstance and is a hardship that is caused by the adjacent property owner, not by the applicant and/or previous owners.
As we understand, the 30-foot Type I landscape buffer is only required by hearing examiner in order to benefit the adjacent residential properties by creating a buffer between them and the commercial use of the subject property. We agree that this is a good thing and that most adjacent residential property owners would want and desire to have the buffer. However, the owner of parcel 779000-0321 does not desire to have the landscape buffer.

## Submittal Requirements for a Variance:

1) Completed application form, signed and dated. Please print or type. Do not leave any question unanswered, doing so will make you application incomplete.
2) A vicinity map no larger than $8 \mathrm{I} / 2^{\prime \prime} \times \mathrm{II}$ ", indicating the location of the property in relation to adjacent streets and major streets. A copy of any Puyallup map clearing marking your property will be sufficient.
3) $8 \mathrm{I} / 2^{\prime \prime} \times 1 \mathrm{I}$ " site plan, dimensioned, drawn to scale and including the following items:

- The boundaries of the property
- Dimensions of property and square footage of property
- Location of existing and proposed structures indicating setback distances from property lines and square footage of each structure
- Landscaping: existing and/or proposed
- Location of all existing major on site natural features; including specimen trees, ponds, etc.
- Parking areas
- North Arrow

4) Critical Area ID Form (unless expressly waived by City Staff)
5) Application fee of $\$ 770.00$ due at time of submittal.

## CERTIFICATION:

I hereby state that I am the applicant listed above, and certify that all information contained above and in exhibits attached hereto is true and correct to the best of my knowledge and belief and is submitted for consideration by the City of Puyallup, pursuant to the provision of the Puyallup Municipal Code. It is understood that the processing of this application may require additional supporting evidence, data or statements upon request of City staff.

RIGHT OF ENTRY: By signing this application the applicant grants unto the City and it's agents the right to enter upon the premises for purpose of conducting all necessary inspections to determine compliance with applicable laws, codes and regulations. The right of entry shall continue until an approval by all applicable City departments has been obtained.


Print Name: $\qquad$
michael Sol after


Signature of Applicant:
Print Name:
Michad Sohefren

Date:


## Enclosure 1

## CRITICAL AREA IDENTIFICATION FORM

506 N 40TH AV STE 100

This identification form is to be submitted in advance or concurrently with a project application if the proposed project is subject to the requirements found in the City's critical area code PMC 21.06. The purpose of this form is to determine if a critical area report is required due to the development site being on or near any critical areas. Please fill out this form completely where applicable.

## APPLICATION INFORMATION

| APPLICATION INFORMATION |  |
| :---: | :---: |
| OWNER INFORMATION |  |
| NAME: BFG PUYALLUP MC PROPCO LLC |  |
| APPLICANT INFORMATION |  |
| NAME: JUSTIN YOUNKER, CASCADIA SENIOR LIVING LLC |  |
| STREET ADDRESS: 506 N. 40TH AVENUE, SUITE 100 |  |
| CITY: YAKIMA ${ }^{\text {P }}$ ( STATE: WA | \| |
| PHONE: ${ }^{\text {(509) 480 }}$ 480-0642 | EMAlL:justin@cascadiadevelopment.com |
| CONTACT INFORMATION (IF DIFFERENT FROM ABOVE) |  |
| STREET ADDRESS: 18215 72ND AVENUE SOUTH |  |
| CITY: KENT ${ }^{\text {a }}$ ( STATE: WA | - ZIP CODE: 98032 |
| $\begin{aligned} & \text { PHONE: (425) 251-6222/ (425)-251-8782 } \\ & \text { FAX: } \end{aligned}$ |  |

## Project Name

| Parcel Number (s) | $7790000310,-0290,-0300$ |
| :--- | :--- |
| Address (s) | $2101 \& 2121$ South Meridian Street |

## Applicant Information

| Name | Same as Applicant above |  |
| :--- | :---: | :---: |
| Address |  |  |
| City | State | Zip |
| Email |  | Phone |

## Briefly describe the proposed development project:

62-bed Memory Care facility in the RM-20 zone. Parking for 48 cars will be provided on site. Access to be exclusively from South Meridian Street. A Boundary Line Adjustment will be processed in the future so that each use is contained within its own parcel.

| Based on the applicant's knowledge and research of the project site, please select any of the critical areas listed below that are located on or within 300 feet of the property boundaries |  |  |  |
| :---: | :---: | :---: | :---: |
| $\checkmark$ | Wetlands | $\square$ Lakes/Ponds | $\square$ Streams/Creeks |
| $\checkmark$ | Slopes 0\% - 15\% | $\sqrt{ } \sqrt{ }$ Slopes 16\% - 39\% | Slopes 40\% or Greater |
|  | Puyallup River Shoreline | Clarks Creek Shoreline | Volcanic Hazard Areas |
|  | Shoreline Classification | Wellhead Protection Area | Habitat Conservation Area |
|  | Conservancy | Flood Zones | Habitat Corridor |
|  | Rural | Flood Classification: | Aquifer Recharge Area |
|  | $\checkmark$ Urban |  |  |

Please describe the critical areas checked above and their location in relation to the proposed development. Please show their location on any plans to be submitted
The wetland is located in the southeast corner of the site. According to the wetland delineation provided by Habitat Technologies, it is a City of Puyallup category 3 wetland.

> Do you know of any present or past critical area studies that have been conducted for critical areas on-site or adjacent to the site? Please describe below; including their date, scope, conclusions, and parcels they included

Other than the reports prepared over the last few years by Habitat Technologies for the on-site wetland, we are not aware of any other critical area studies prepared for this site. The date of the most recent Habitat Technologies report is November 14, 2018.

Do you know if any critical areas have been placed inside a tract or a protection easement that is recorded on the title or plat for this site or any adjacent site? Please describe below, including name of tract or easement, location, and Puyallup permit number or recording number
The wetland and buffer on this site is located in a separate tract. A BLA was completed and recorded on 2-21-19 to create the separate tract.

## AUTHORIZATION:

I, the undersigned hereby certify that this application has been made with the consent of the lawful property owner(s) and that all information submitted on or with this application is complete and correct. I understand that false statements, errors, and/or omissions may be sufficient cause for denial of any related applications. I acknowledge that if the City needs to obtain the services of an expert third party to review any technical


| THIS BOX FOR STAFF USE ONLY |  |  |  |
| :---: | :---: | :---: | :---: |
| CRITICAL AREA REPORT REQUIRED: |  | YES | No |
| EXEMPT FROM CRITICAL AREA ORDINANCE: |  | YES | NO |
| EXCEPTION FOR MINOR NEW DEVELOPMENT IN BUFFER: |  | YES | NO |
| STAFF VERIFICATION | COMMENTS |  |  |
| GEOLOGICAL HAZARD AREA |  |  |  |
| VOLCANIC HAZARD AREA |  |  |  |
| FLOOD ZONE |  |  |  |
| FISH AND WILDLIFE HABITAT |  |  |  |
| AQUIFER RECHARGE/WELLHEAD |  |  |  |
| STREAM/SHORELINE |  |  |  |

## Enclosure 2



## Enclosure 3



## Enclosure 4



