EXHIBIT LIST

HEARING DATE: June 28, 2022
FILE NUMBER: P-20-0124

EXHIBIT NUMBER	EXHIBIT DESCRIPTION	SUBMITTED BY	A	E	W	COMMENT
EX. 1	Variance Application Submitted 11/16/2020	City of Puyallup Department Services				
EX. 2	Complete Application Letter 12/07/2020	COP/DS				
EX. 3	Notice of Application Packet 12/08/2020	COP/DS				
EX. 4	Resubmittal Letter dated 03/14/2022	COP/DS				
EX. 5	Updated Landscape Plan received 03/14/2022	COP/DS				
EX. 6	Final Development Review Team Letter dated 05/05/2022	COP/DS				
EX. 7	1000-foot Buffer Map	COP/DS				
EX. 8	Prior Hearing Examiner Conditional Use Permit Decision (Case #P-16-0002)	COP/DS				
EX. 9	Staff Report to the Hearing Examiner dated 06/16/2022	COP/DS				
EX. 10	Notice of Hearing Packet	COP/DS				
EX. 11	Staff Hearing PowerPoint Presentation	COP/DS				To be admitted at hearing

KEY
A=Admitted E=Excluded W=Withdrawn

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

Office Use Only:
Submittal Date: 11 / 16 / 20 Case No: P - 20 - 0124 Related Case No: P - 16-0002

Variance Application

CITY OF PUYALLUP
Development Services
333 S. Meridian
Puyallup, WA 98371
Phone: 253-864-4165
www.cityofpuyallup.org

Submittal Checklist:

- ✔ Application is signed and dated
- ✔ 8 Copies of completed application form
- ✔ 8 copies of a location map indicating location of property in relation to adjacent properties and major streets, no larger than 8 ½ " x 11"
- ✔ 8 copies: 8 ½ " X11" site plan showing boundaries of property, structures, diveway, etc.
- ✔ Critical Area ID Form
- ✔ Application Fee: **$770.00**
- ☐ 1 (one) CD of complete submittal package
  ELECTRONIC SUBMITTAL PROVIDED

Date Received: _____

Staff Initials: _____

When preparing this application, please print or type the reply to each question. If you have any questions, please contact the Development Services Center at (253)864-4165. The following plans, specifications and other documents pertaining to the application shall be submitted at the time of filing. Please note that incomplete application packets may cause a delay in reviewing your application.

To help you understand City standards and the Variance process, a pre-application meeting is strongly encouraged. This pre-application meeting can be scheduled within a short period of time (e.g. 3-5 days) and is free of charge. This meeting could consist of staff representatives from planning, engineering and building divisions, as warranted.

Application Information

Site Information:

Parcel Number:	779000-0310, -0290, -0300
Street Address:	2121 South Meridian Street

Applicant Information:

Name: Cascadia Senior Living, LLC
Address 506 N. 40th Ave, Suite 100
City Yakima State WA Zip 98908

Day time Phone (509) 480-0642

Owner Information

Name: BFG PUYALLUP MC PROPCO LLC
Address 506 N. 40th Ave, Suite 100
City Yakima State WA Zip 98908

Day time Phone (509) 480-0642

NATURE OF REQUEST (Please Be Specific)

This variance request is to eliminate a portion of the 30-foot wide Type I landscape buffer required by the hearing examiner. The affected area is located in the southwest corner of the site, north of parcel 77900-0321.

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)	RS-10=25' (RM-20=20') minimum
Rear Yard:	+/-300' (EAST)	RS-10=20' (RM-20=20') minimum
Side Yard (interior):	+/-72' (NORTH)	RS-10=15' (RM-20=15') minimum
Side Yard (interior):	+/-30' (SOUTH)	RS-10=15' (RM-20=15') minimum
Side Yard (street):	+/-300' (EAST)	RS-10=15' (RM-20=15') minimum
Side Yard (arterial street)	+/- 100' (WEST)	RS-10=N/A (RM-20=N/A) minimum
From Adjacent Residential Use	30' MIN.	RS-10=30' LS (RM-20=BUFFER) minimum
Building Height:	32'-3"	RS-10=28' (RM-20=28') maximum
Lot Coverage:	40%	RS-10=80% (RM-20=55%) maximum
Lot Width:	IRREGULAR	RS-10=75' (RM-20=40') minimum
Lot Length:	IRREGULAR	RS-10=100' (RM-20=70') minimum
Lot Size (Square Feet):	178,261	RS-10=10,000 (RM-20=4,000) minimum
Number of Parking Stalls:	48	RS-10=38' (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.

6.1. 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 1,000 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 1,000 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 1/2" X 11", 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) 81/2" X 11" 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.

Signature of Property Owner: _____ Date 11/12/2020

Print Name: Michael Schaffer

Signature of Applicant: _____ Date: 11/12/2020

Print Name: Michael Schaffer

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

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	STATE: WA	ZIP CODE: 98908
PHONE: (509) 480-0642	EMAIL: justin@cascadiadevelopment.com	
CONTACT INFORMATION (IF DIFFERENT FROM ABOVE)		
NAME: DON E. DAWES, BARGHAUSEN CONSULTING ENGINEERS, INC.		
STREET ADDRESS: 18215 72ND AVENUE SOUTH		
CITY: KENT	STATE: WA	ZIP CODE: 98032
PHONE: FAX: (425) 251-6222/ (425)-251-8782	EMAIL: ddawes@barghausen.com	

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

✓ Wetlands	☐ Lakes/Ponds	☐ Streams/Creeks
✓ Slopes 0% - 15%	✓ 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
✓ 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:

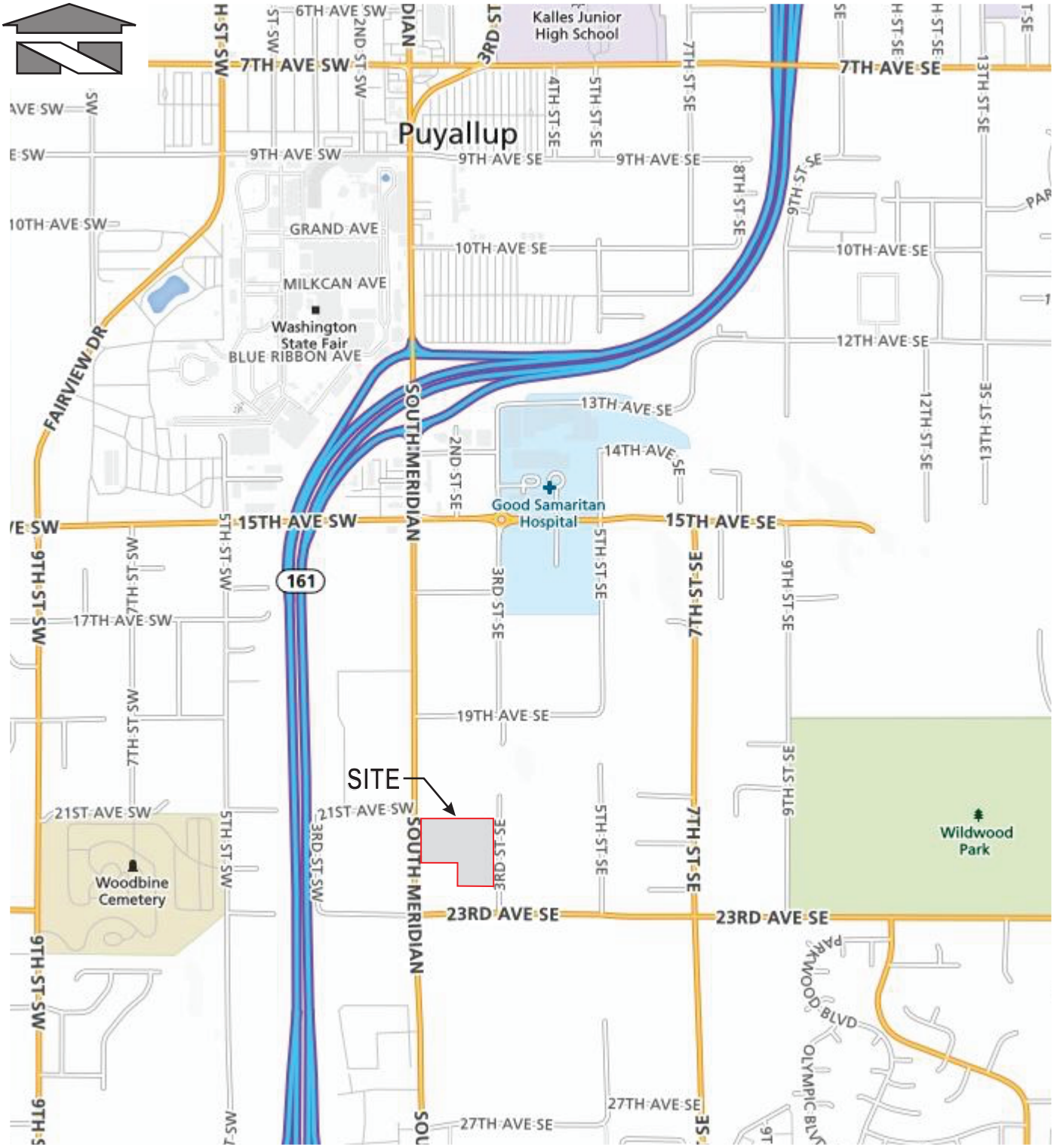
I, the undersigned hereby certify that this application has been made with the consent of the lawful property owner(s) and that all information submitted on or with this application is complete and correct. I understand that false statements, errors, and/or omissions may be sufficient cause for denial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

AUTHORIZED SIGNATURE **DATE** 11/14/2020

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
☐ WETLAND	
☐ GEOLOGICAL HAZARD AREA	
☐ VOLCANIC HAZARD AREA	
☐ FLOOD ZONE	
☐ FISH AND WILDLIFE HABITAT	
☐ AQUIFER RECHARGE/WELLHEAD	
☐ STREAM/SHORELINE	

Enclosure 2



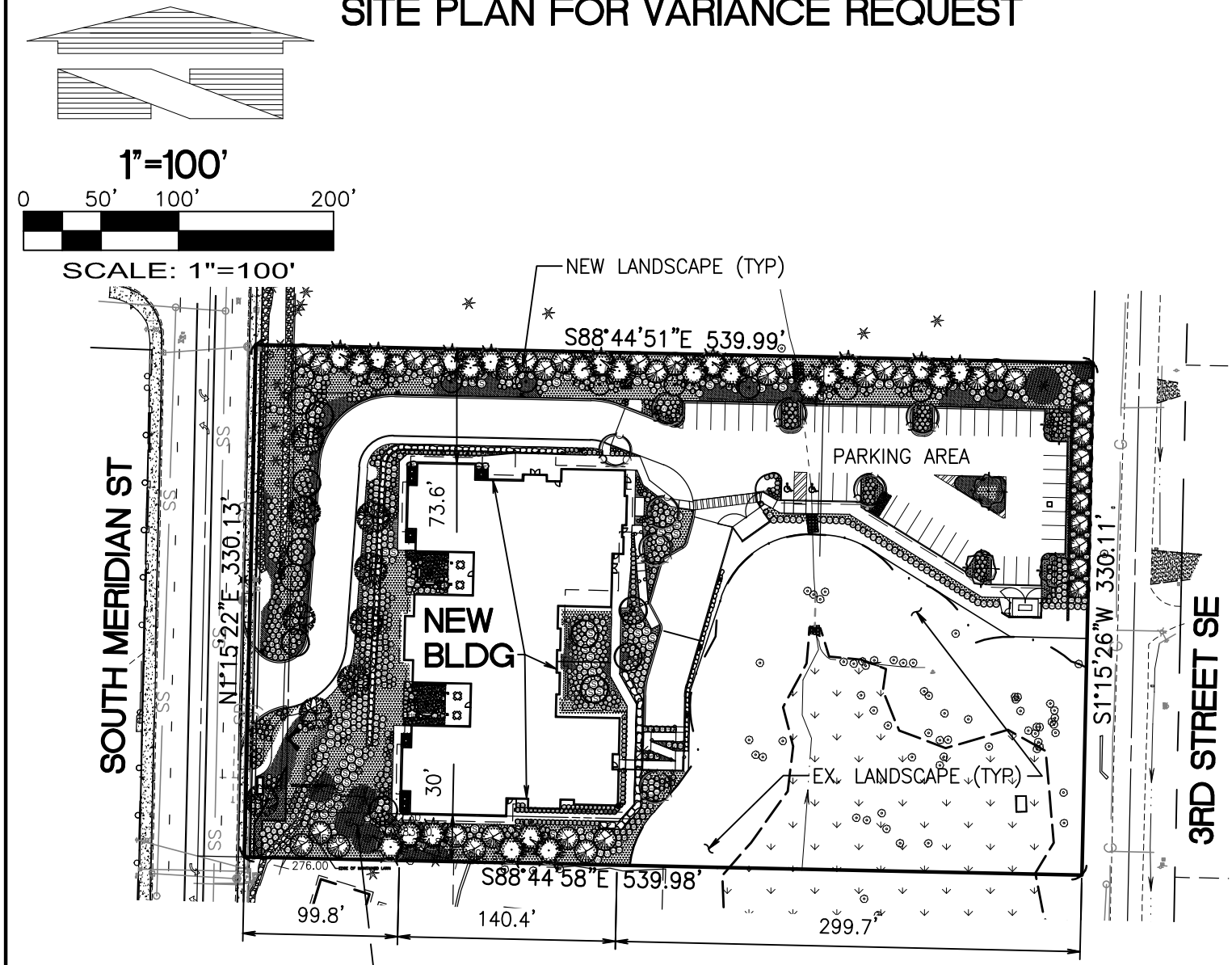
REFERENCE: Rand McNally (2015)

Scale: *Horizontal:* ***N.T.S.*** *Vertical:* ***N/A***	*For:* Cascadia Senior Living Puyallup, Washington	Job Number 17378
BARGHAUSEN CONSULTING ENGINEERS, INC. 18215 72ND AVENUE SOUTH KENT, WA 98032 (425) 251-6222 (425) 251-8782 CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES	*Title:* VICINITY MAP	DATE: 10/21/15

P:\17000s\17378\exhibit\graphics\17378 vmap.cdr

Enclosure 3

SITE PLAN FOR VARIANCE REQUEST



SEE ATTACHED EXHIBIT DATED 11-5-20 SHOWING AREA OF LAWN ENCROACHMENT FROM ADJACENT PROPERTY – THIS IS THE AREA FOR THE REQUESTED VARIANCE

TOTAL SITE AREA: 178,261 S.F.
NEW BUILDING AREA: 29,851 S.F.

For: FIELDSTONE MERIDIAN

Title: SITE PLAN FOR VARIANCE REQUEST

Scale: Horizontal 1"=100' Vertical N/A

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVENUE SOUTH
KENT, WA 98032
425.251.6222 BARGHAUSEN.COM

Designed DD
Drawn DD
Checked DD
Approved DD
Date 11-12-20

Job Number 17378

Sheet 1 of 1

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Enclosure 4

FIELDSTONE MERIDIAN - LANDSCAPE PLAN WITH LAWN ENCROACHMENT FROM NEIGHBOR

NORTH
1"=20'

BCE #17378
11-5-20
D. DAWES

CITY OF PUYALLUP

Development Services Center
333 S Meridian, Puyallup, WA 98371
(253) 864-4165 | Fax (253) 840-6678

DETERMINATION OF COMPLETE APPLICATION

Date of application: November 16, 2020

Date of complete application determination: December 7, 2020

Case No(s): P-20-0124

Applicant: Cascadia Senior Living, LLC

Applicant Address: 506 N 40th Ave, Suite 100 Yakima, WA 98908

Applicant Email: justin@cascadiadevelopment.com

Site Address: 2121 S Meridian St

Parcel No.: 779000-0310, -0290, -0300

Project Name: Cascadia Senior Living

☐ **Binding Site Plan**	☐ **Major Plat**	☐ **Shoreline**
☐ **Boundary Line Adjustment**	☐ **Preliminary Site Plan**	☐ **Short Plat**
☐ **Conditional Use Permit**	☐ **Rezone**	☑ **Variance/Adjustment**
☐ **Administrative CUP**	☐ **SEPA**	☐ **Other**

The City of Puyallup's Development Services completed its initial review of your application as referenced above and has determined that adequate information has been submitted to allow for permit processing. Therefore, as of the date of this letter, your application has been determined to be complete and the 120 calendar day's maximum project review time period specified in Puyallup Municipal Code Section 20.11.006 has commenced. **Please note: you will receive a city review letter ("DRT letter") in the coming days to week(s);** the 120 day time limit is simply the statutory maximum allotted time period for cumulative review of your project in total and is not an approximation of the city's current review timeline.

Be advised that during the course of project review, additional information may be requested (if deemed necessary by the development review team) in order to ensure that your application conforms to applicable codes, policies and development standards. When additional information is requested, the 120-day review period is put on hold until the requested information is submitted.

For project status information or questions pertaining to this letter, please contact the appropriate Case Planner (see checked box below).

- ☐ Chris Beale, Senior Planner (253) 841-5418 cbeale@ci.puyallup.wa.us
- ☑ Kendall Wals, Associate Planner (253) 841-5462 kwals@ci.puyallup.wa.us
- ☐ Rachael Brown, Assistant Planner (253) 770-3363 rnbrown@ci.puyallup.wa.us
- ☐ Nabila Comstock, Planning Technician (253) 770-3361 ncomstock@ci.puyallup.wa.us

Cc: Project File

CITY OF PUYALLUP

AFFIDAVAT OF NOTICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **Notice of Complete Application** to each person listed below, or on the attached mailing list, in the matter of **Cascadia Senior Living, LLC**, Planning Case No. **P-20-0124 – Cascadia Senior Living Variance**, in the manner indicated.

Party	Method of Service
Publication Notice: Tacoma News Tribune Publication Date: 12/09/2020	☐ U.S. First Class Mail, postage prepaid ☐ Inter-office Mail ☒ E-mail ☐ Fax ☐ Hand Delivery ☐ Legal Messenger
(Attached mailing list) Puyallup Tribe of Indians Puyallup School District	☒ U.S. First Class Mail, postage prepaid ☐ Inter-office Mail ☐ E-mail ☐ Fax ☐ Hand Delivery ☐ Legal Messenger
	☐ U.S. First Class Mail, postage prepaid ☐ Inter-office Mail ☐ E-mail ☐ Fax ☐ Hand Delivery ☐ Legal Messenger

Dated: December 08, 2020 – Materials submitted by Associate Planner Kendall Wals

Nabila Comstock

Nabila Comstock
Planning Technician

Public Comments

Recipients of this notice, consulted agencies and other agencies are encouraged to contact the staff listed below to become a 'Party of Record' on the subject permit application(s). The public may review contents of the official file for the subject proposal, provide written comments, participate in public hearings/ meetings for the subject permit(s), and request a copy of the final decision. The application file is available for public review at www.cityofpuyallup.org/ActivePermits

Written comments will be accepted if filed with the Development Services Department on or before 3:00PM on:

December 22nd, 2020

Staff Contact

Kendall Wals, Associate Planner (253) 841-5462 or KWals@PuyallupWA.gov

City of Puyallup

Notice of Complete Land Use Permit Application

The following land use permit application has been submitted to the Development Services Department for review

This notice was sent to all property owners within 300 feet of the site

333 South Meridian
Puyallup, WA 98371

Notice of Complete Application — December 8, 2020

Case number & permits required:

P-20-0124 Variance

Applicant:

Cascadia Senior Living, LLC

Project Location:

2101 S Meridian
TPN 779000-0310, -0290, -0300

Date of Public Hearing (if set):

To be determined

Date of Application

November 16, 2020

Date of complete application determination:

December 7, 2020

Environmental documents/studies required:

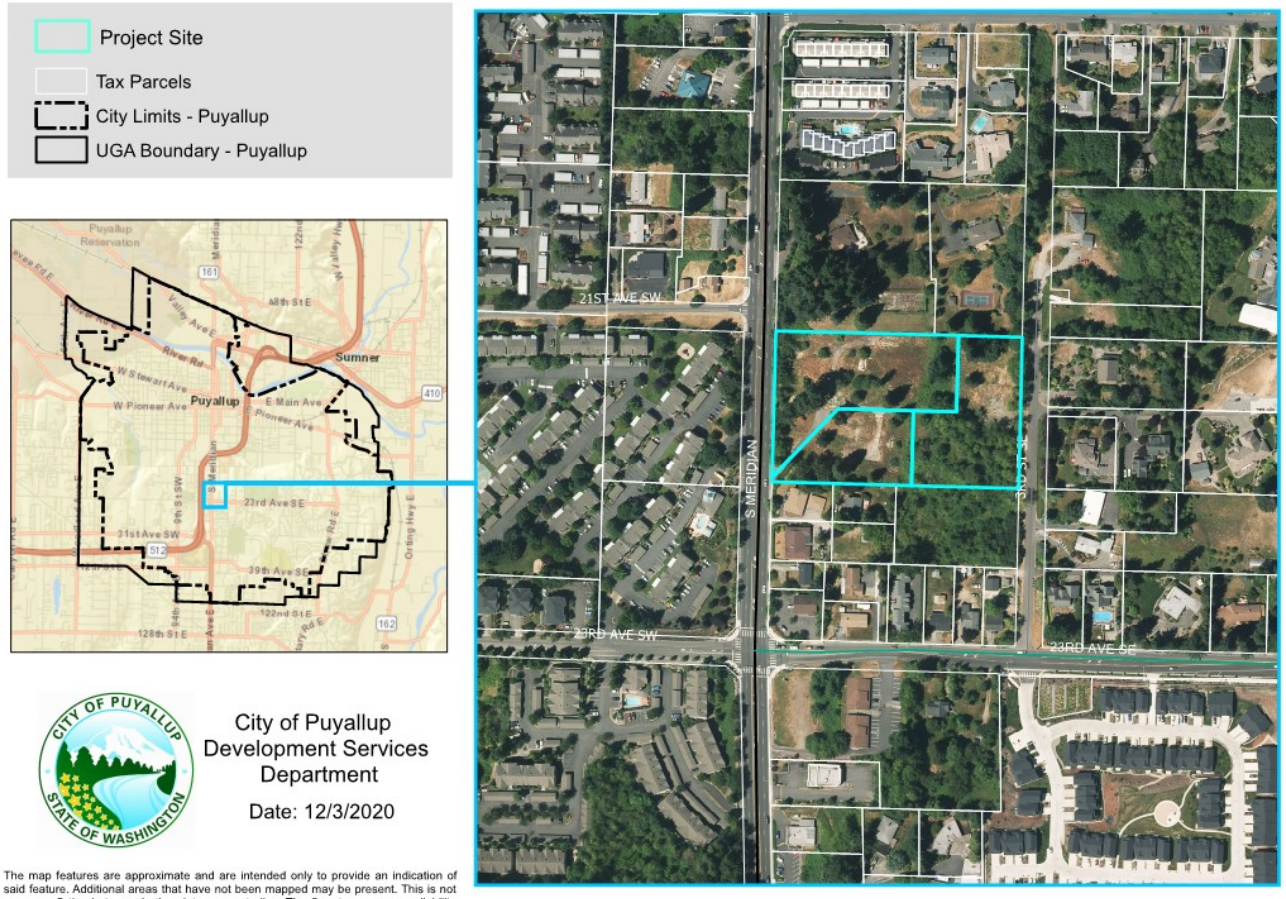
None identified at this time

Identified critical areas on or adjacent to site:

Potential landslide hazard area

Project Description: Variance request to eliminate a portion of the 30-foot wide Type I landscape buffer. The affected area is located in the southwest corner of the site, north of tax parcel number 7790000321.

Vicinity Map:

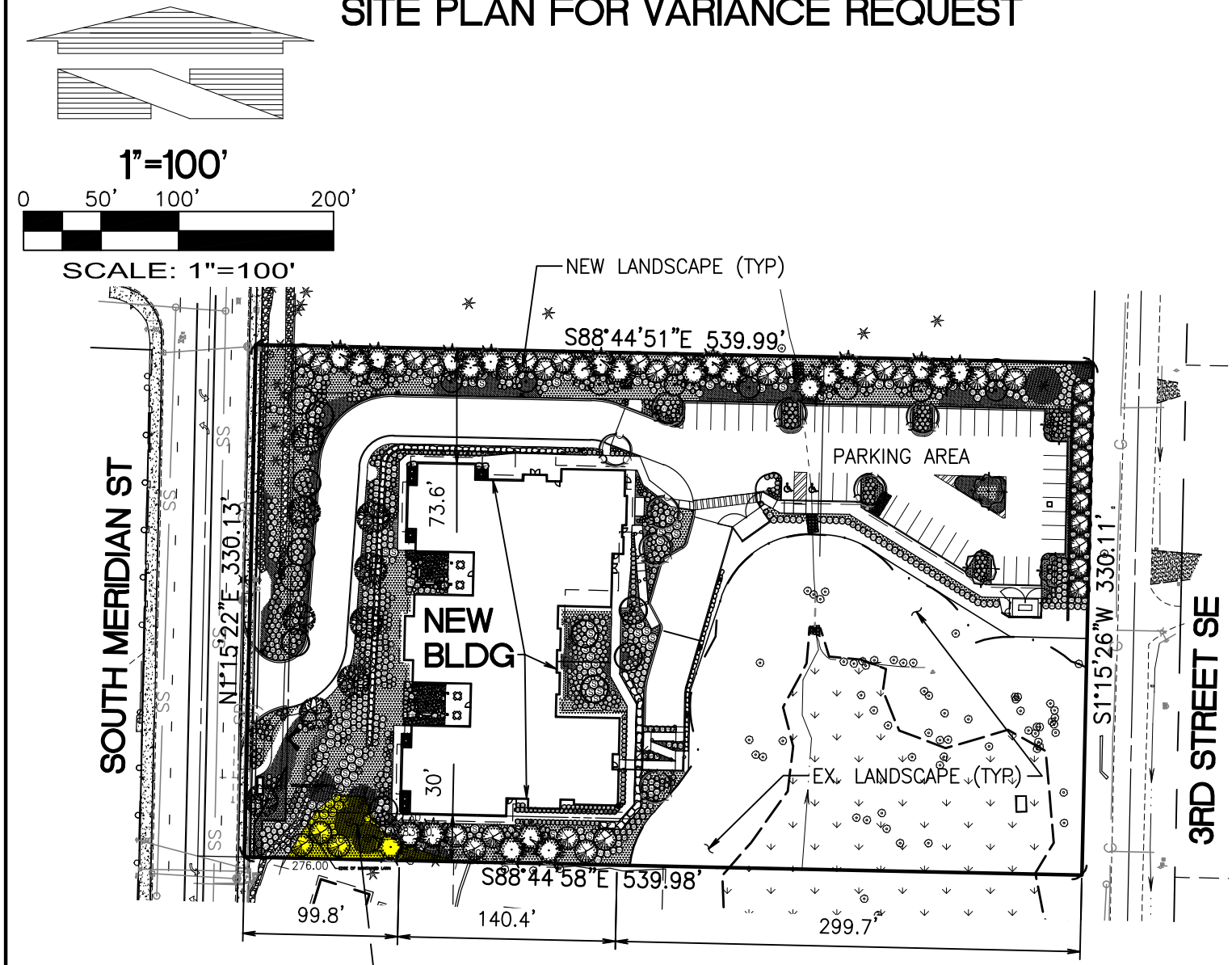


Staff Contact:

Kendall Wals, Associate Planner (253) 841-5462 or KWals@PuyallupWA.gov

Additional project information available online:
www.cityofpuyallup.org/ActivePermits

SITE PLAN FOR VARIANCE REQUEST



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For: FIELDSTONE MERIDIAN

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Scale: Horizontal 1"=100' Vertical N/A

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVENUE SOUTH
KENT, WA 98032
425.251.6222 BARGHAUSEN.COM

Designed DD
Drawn DD
Checked DD
Approved DD
Date 11-12-20

Job Number 17378

Sheet 1 of 1

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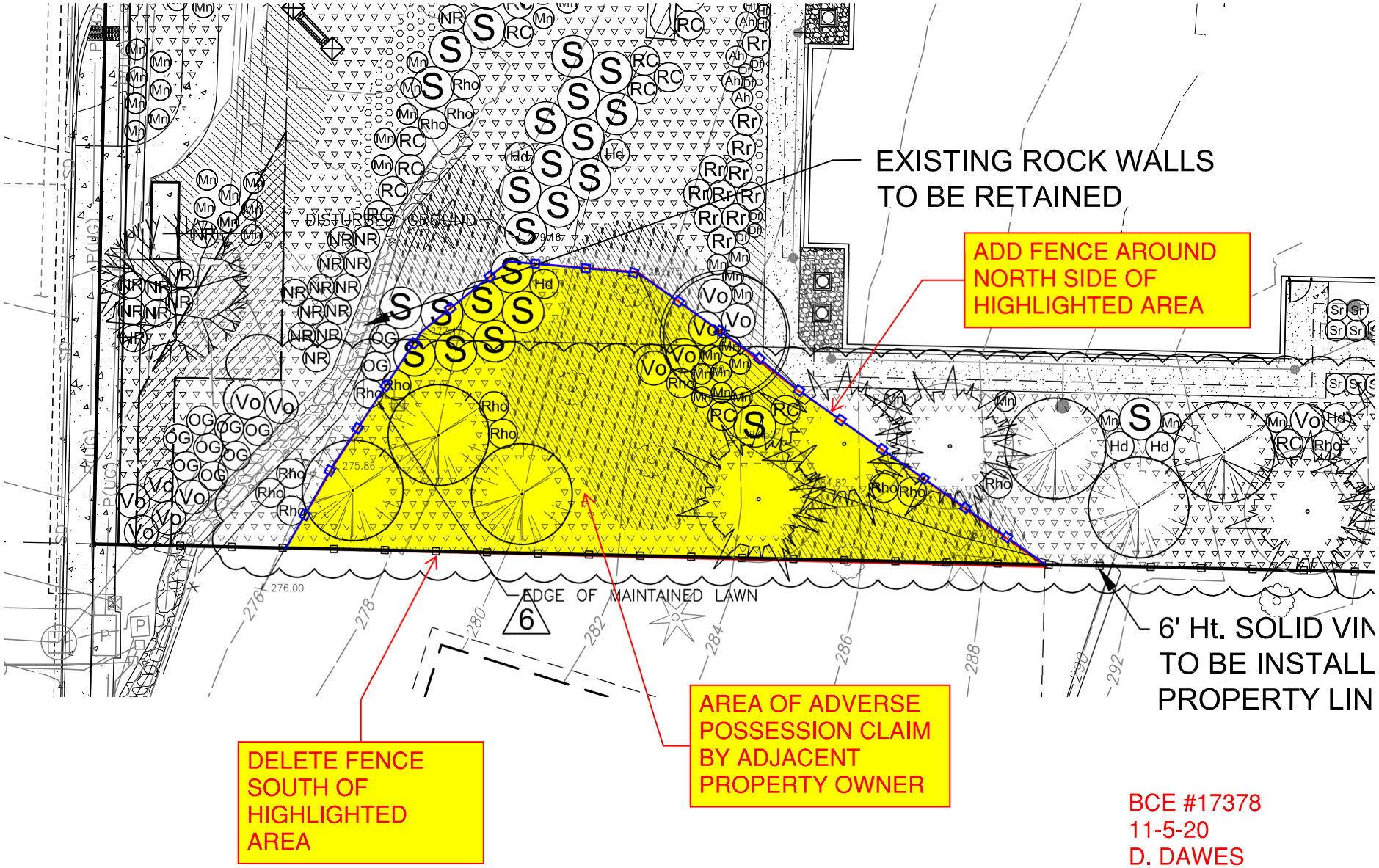
FIELDSTONE MERIDIAN - LANDSCAPE PLAN WITH LAWN ENCROACHMENT FROM NEIGHBOR

NORTH
1"=20'



BCE #17378
11-5-20
D. DAWES

1 7790000290 9170
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AV STE 100
YAKIMA, WA 98908

2 7790000300 9170
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AV STE 100
YAKIMA, WA 98908

3 7790000310 9170
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AV STE 100
YAKIMA, WA 98908

4 0420334081 1101
MBUGUA BEATRICE & AMOS
119 21ST AVE SW
PUYALLUP, WA 98371-7490

5 0420334111 1305
MOTU-HP HOLDINGS LLC
PO BOX 309
GIG HARBOR, WA 98335-0309

6 0420334119 1101
SUNDSTROM JEANINE C
123 21ST AVE SW
PUYALLUP, WA 98371-7490

7 0420334191 6511
EWA INVESTMENTS LLC
PO BOX 111088
TACOMA, WA 98411-1088

8 0420334192 6511
EWA INVESTMENTS LLC
PO BOX 111088
TACOMA, WA 98411-1088

9 0420334206 1305
MOTU-HP HOLDINGS LLC
PO BOX 309
GIG HARBOR, WA 98335-0309

10 0420334207 1197
MOTU-HP HOLDINGS LLC
PO BOX 309
GIG HARBOR, WA 98335-0309

11 7790000283 1101
JOHNSON GREGORY C & CINTHIA A
10202 149TH ST E STE 101
PUYALLUP, WA 98374-3746

12 7790000284 1101
FERGUSON JANICE
2007 S MERIDIAN
PUYALLUP, WA 98371-7509

13 7790000321 1101
CLAIBORNE LUTHER L
2205 S MERIDIAN
PUYALLUP, WA 98371-7503

14 7790000330 1101
XU SHUREN
115 23RD AVE SE
PUYALLUP, WA 98372-4528

15 7790000340 9170
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AV STE 100
YAKIMA, WA 98908

16 7790000350 1101
MORRIS
113 23RD AVE SE
PUYALLUP, WA 98372-4528

17 7790000361 1204
HUFF KENNETH J & CHERYL A TTEE
4646 NE 12TH AVE
PORTLAND, OR 97211-4616

18 7790000371 1101
XU SHUREN
115 23RD AVE SE
PUYALLUP, WA 98372-4528

19 7790000381 1101
AMBUEHL SHERRY
207 23RD AVE SE
PUYALLUP, WA 98372-4530

20 7790000390 6511
SKINNER LINDA
206 CONANT DR N
EATONVILLE, WA 98328

21 7790000400 1101
ROYAL MOTORS INC
18030 E VALLEY HWY
KENT, WA 98032

22 7790000410 1101
ARMSTRONG JEFFREY
2221 S MERIDIAN
PUYALLUP, WA 98371-7503

23 7790000411 1800
XU SHUREN
115 23RD AVE SE
PUYALLUP, WA 98372-4528

24 7790000412 1101
SINGH PRITPAL & KAUR JASWINDER
215 23RD AVE SE
PUYALLUP, WA 98372-4530

25 7790000413 1101
ASKAY HENRY C & PENNY S
225 23RD AVE SE
PUYALLUP, WA 98372-4530

26 7790000474 1101
MOSICH MARK A TTEE
2017 NARROWS VIEW CIR NW UNIT A-206
GIG HARBOR, WA 98335

27 7790000475 9100
MOSICH MARK A TTEE
2017 NARROWS VIEW CIR NW UNIT A-206
GIG HARBOR, WA 98335

28 7790000480 1101
CRAIN BILLY E
2101 3RD ST SE
PUYALLUP, WA 98372-4510

29 7790000491 1101
LAM DUNG & SON THANH
2121 3RD ST SE
PUYALLUP, WA 98372

30 7790000492 1101
MOAN KEVIN & KAREN
2127 3RD ST SE
PUYALLUP, WA 98372-4510

31 7790000516 1101
BLAKELEY DEANNA & JAMES
2209 3RD ST SE
PUYALLUP, WA 98372-4512

32 7790000522 1101
DELARGY NANETTE
2205 3RD ST SE
PUYALLUP, WA 98372-4512

33 7790000523 1101
KIM SOO BEM & SEUNG MIN
18723 3RD ST E
LAKE TAPPS, WA 98391-6264

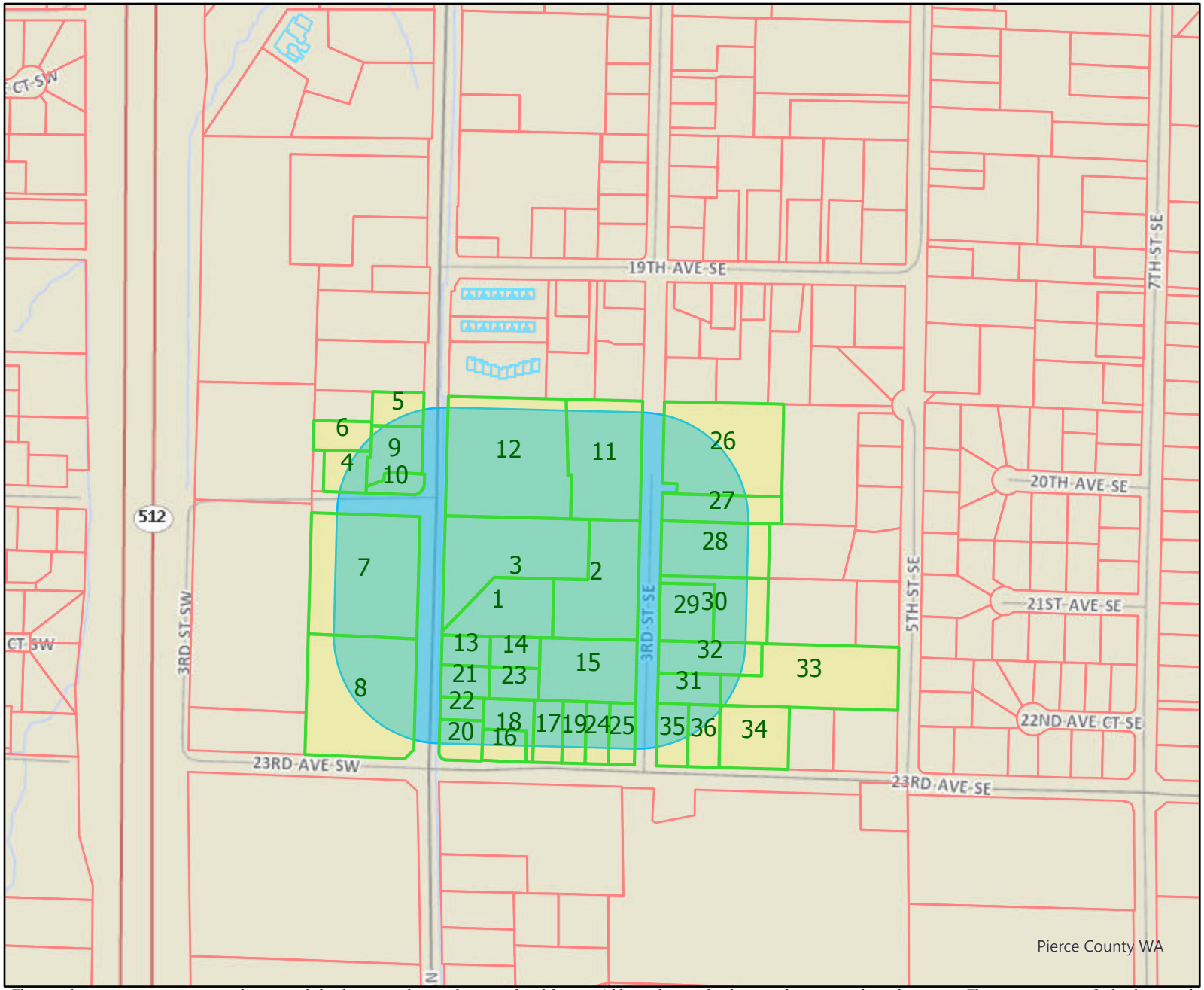
34 7790000530 1101
JONES ROBERT J & CYNTHIA L
325 23RD AVE SE
PUYALLUP, WA 98372-4532

35 7790000542 1101
GAROFALO ALICE
2217 3RD ST SE
PUYALLUP, WA 98372-4512

36 7790000543 1101
EVANS MIMY & BLAKE
2213 3RD ST SE
PUYALLUP, WA 98372

P200124 Mailing Map

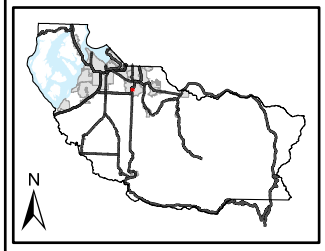
300' Radius



Legend

Tax Parcels

- Base Parcel
- Condominium



0 95 190 380 Feet

The map features are approximate and are intended only to provide an indication of said feature. Additional areas that have not been mapped may be present. This is not a survey. Orthophotos and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED 'AS IS' AND 'WITH ALL FAULTS'. The County makes no warranty of fitness for a particular purpose.

Date: 12/8/2020 08:05 AM

Document Path:

CITY OF PUYALLUP
DEVELOPMENT SERVICES
333 South Meridian
Puyallup, WA 98371
(253) 864-4165

NOTICE OF LAND USE PERMIT APPLICATION

PERMIT TYPE: Variance

PROJECT DESCRIPTION: Variance request to eliminate a portion of the 30-foot wide Type I landscape buffer. The affected area is located in the southwest corner of the site, north of tax parcel number 7790000321.

PERMIT CASE #: P-20-0124

LOCATION: 2101 S MERIDIAN

ZONING: High density multiple-family residential zone (RM-20)

APPLICANT: Cascadia Senior Living, LLC

DATE OF APPLICATION: November 16, 2020

STATUS OF ENVIRONMENTAL REVIEW: Not applicable (N/A)

DATE OF PUBLIC HEARING, IF APPLICABLE: To be determined (TBD)

City Staff Contact: Kendall Wals, Associate Planner (253) 841-5462 KWals@puyallupwa.gov

BARGHAUSEN

March 14, 2022
ELECTRONIC SUBMITTAL

Kendall Wals
Associate Planner
City of Puyallup
333 South Meridian
Puyallup, WA 98371

RE: Revised Landscape Variance
Cascadia Senior Living/Fieldstone Meridian
Permit No. P-20-0124
Our Job No. 17378

Dear Kendall:

We have revised the plans for the above-referenced project in accordance with the Development Review Team (DRT) comments dated March 19, 2021. Enclosed are the following documents for your review and approval:

1. Updated Landscape Plan

The following outline provides each of your comments in italics exactly as written, along with a narrative response describing how each comment was addressed:

1. *The site plans provided call out the areas on the previously approved final landscape plan. Please provide an updated landscape plan to show how the subject area and the adjacent area onsite will be landscaped/fenced if the variance were approved. Please call out the adjusted landscape buffer width and the setback from the new fence line to the building on the project site.*

   Response: Please refer to the enclosed updated Landscape plan that shows the landscape design and fence location that currently exists on the site, which is the proposed condition if the variance were to be approved by the City. The adjusted landscape buffer width has also been shown.

2. *Establish building setback line based on the type of construction, please present as a record based on existing construction and current building code requirements.*

   Response: I spoke with Ray about this comment last week and let him know that the boundary line of the property has not changed. Please let me know if there is anything further needed to address this comment.

We believe that the above responses, together with the enclosed revised plans, address all of the comments in your letter dated March 19, 2021.

Please review and approve the enclosed as soon as possible. If you have questions or need additional information, please contact me at this office. Thank you.

Respectfully,

Don E. Dawes, P.E.
Senior Project Engineer

DED/ca
17378c.025.docx
cc: Justin Younker, Cascadia Senior Living, LLC
Hal P. Grubb, Barghausen Consulting Engineers, Inc.
Dan Cheney, Barghausen Consulting Engineers, Inc.

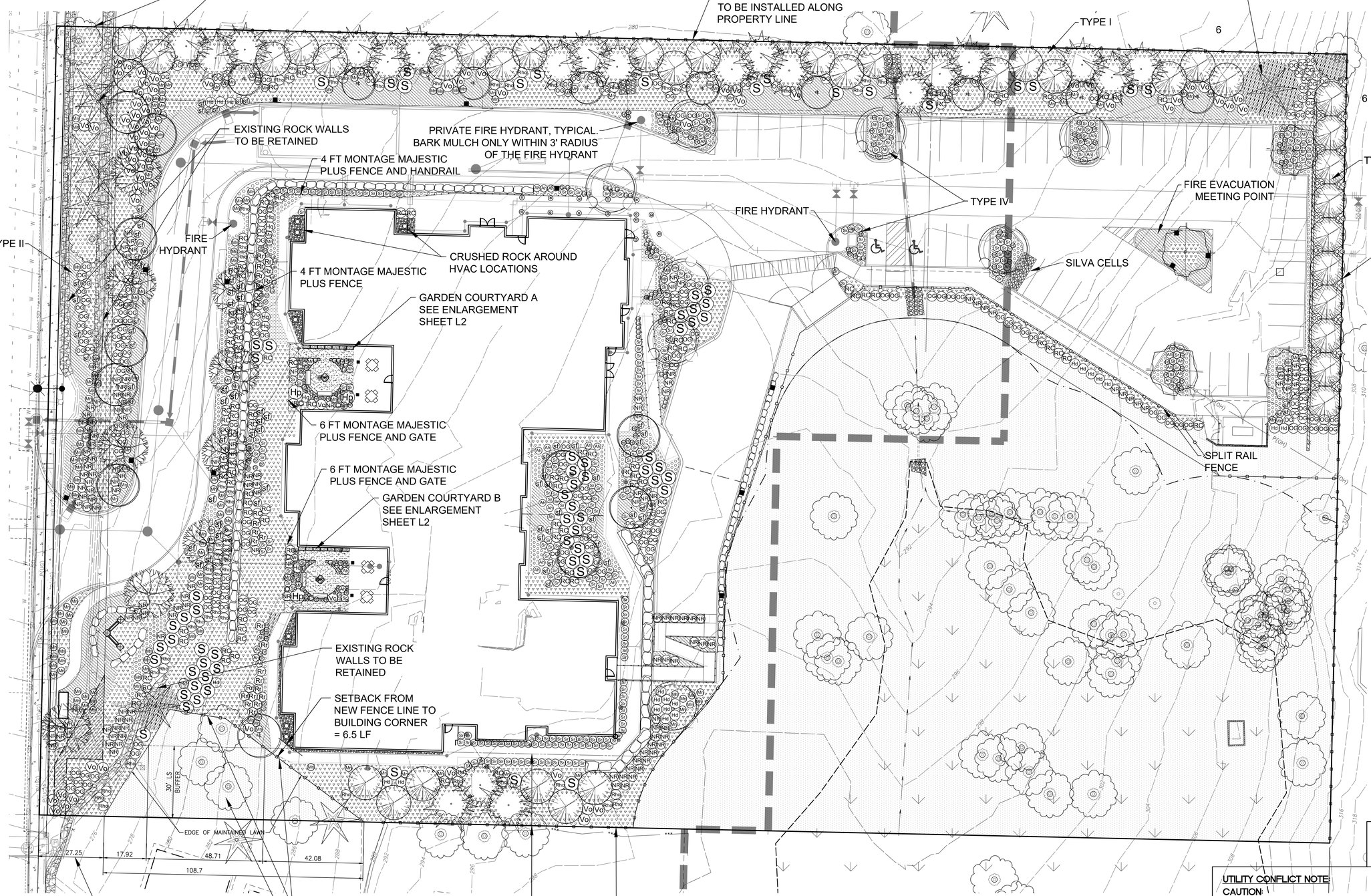
LANDSCAPE AND IRRIGATION SET

FIELDSTONE MERIDIAN

A PORTION OF SECTION 34, TOWNSHIP 20 N., RANGE 04 E., W.M.
CITY OF PUYALLUP, PIERCE COUNTY, WASHINGTON

1"=20'

0 10' 20' 40'



No.	Date	By	Ckd.	Appr.	Revision
7	03/07/22	LRP	LRP		VARIANCE ADJUSTMENT
6	02/04/20	BLS	BLS		REVISED PER FENCE RELOCATIONS
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2	10/8/18	BLS	JMV		SITE PLAN CHANGES PER CLIENT
1	8/15/18	BLS	JMV		REVISED PER CITY COMMENTS DATED 8/9/18

Title: LANDSCAPE PLAN OF *FIELDSTONE MERIDIAN*

For: CASCADIA SENIOR LIVING AND DEVELOPMENT
4120 ENGLEWOOD AVENUE
YAKIMA, WA 98908
CONTACT: JUSTIN YOUNKER

STATE OF WASHINGTON
LAUREN R. PERRY
NO. 488 EXP. 2/18/23
LANDSCAPE ARCHITECT

Scale: Horizontal 1"=30' Vertical N/A

Designed LP/BS
Drawn LP/BS
Checked LP/JM
Approved LRP
Date 03-07-22

APPROVED

BY: _____
CITY OF PUYALLUP
PLANNING DIVISION

DATE: _____

NOTE:
THIS APPROVAL IS VOID AFTER 1 YEAR FROM APPROVAL DATE.
THE CITY WILL NOT BE RESPONSIBLE FOR ERRORS AND/OR OMISSIONS ON THESE PLANS.
FIELD CHANGES MAY DICTATE CHANGES TO THESE PLANS AS DETERMINED BY THE ENGINEERING SERVICES MANAGER.

CALL BEFORE YOU DIG:
1-800-424-5555

UTILITY CONFLICT NOTE:
CAUTION:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLING ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT BARGHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)251-6222
(425)251-8782 FAX
CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES

Job Number 17378

Sheet L1 of 7

File:P:\17000s\17378\engineering\17378-L.dwg Date/Time:3/7/2022 10:31 AM LPERRY

LANDSCAPE PLANT LEGEND AND DETAILS

FIELDSTONE MERIDIAN

A PORTION OF SECTION 34, TOWNSHIP 20 N., RANGE 04 E., W.M.
CITY OF PUYALLUP, PIERCE COUNTY, WASHINGTON

PLANT SCHEDULE

SYMBOL	BOTANICAL / COMMON NAMES	SIZE CONDITION	SPACING	REMARKS	QUANTITY
	TREES:				
	MAGNOLIA GRANDIFLORA 'VICTORIA' / SOUTHERN MAGNOLIA	1" CAL.	AS SHOWN	STAKE & GUY ONE GROWING SEASON, NURSERY GROWN FOR STREET TREE USE, BRANCHED AT 5'	8
	AUTUMN GOLD GINKGO 'AUTUMN GOLD' / AUTUMN GOLD GINKGO	1" CAL.	AS SHOWN	"	4
	GLEDITSIA TRIACONTHOS 'SUNCOLE' / SUNBURST HONEYLOCUST	1" CAL.	AS SHOWN	"	9
	THUJA PLICATA 'EXCELSA' / EXCELSA WESTERN RED CEDAR	8' HT.	AS SHOWN	FULL AND MATCHING	37
	ACER CIRCINATUM / VINE MAPLE	1" CAL.	AS SHOWN	MIN. 3 STEMS	11
	PINUS CONTORTA / LODGEPOLE PINE	8' HT.	AS SHOWN	FULL AND MATCHING	24
	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' / SERVICEBERRY	1" CAL.	AS SHOWN		10
	NATIVE SHRUBS / GROUNDCOVER:				
(Vo)	VACCINIUM OVATUM / EVERGREEN HUCKLEBERRY	3-GALLON	AS SHOWN	FULL AND BUSHY	66
(Mn)	MAHONIA NERVOSA / LEATHER LEAF MAHONIA	3-GALLON	AS SHOWN	FULL AND BUSHY	176
(Pl)	POLYSTICHUM MUNITUM/ WESTERN SWORD FERN	3-GALLON	AS SHOWN	FULL AND BUSHY	75
(Nk)	ROSA NUTKANA / NOOTKA ROSE	3-GALLON	AS SHOWN	FULL AND BUSHY	157
(Hm)	RHODODENDRON MACROPHYLLUM / PACIFIC RHODODENDRON	3-GALLON	AS SHOWN	FULL AND BUSHY	62
(Rs)	RIBES SANGUINEUM / RED FLOWERING CURRANT	3-GALLON	AS SHOWN	FULL AND BUSHY	94
(Co)	MAHONIA AQUIFOLIUM / OREGON GRAPE	3-GALLON	AS SHOWN	FULL AND BUSHY	216
(S)	CORNUS SERICEA / REDOISER DOGWOOD	3-GALLON	AS SHOWN	FULL AND BUSHY	70
(Ho)	HOLODISCUS DISCOLOR / OCEANSPRAY	3-GALLON	AS SHOWN	FULL AND BUSHY	23
	GAULTHERIA SHALLON/ SALAL	1-GALLON	36" O.C	FULL AND BUSHY	
	ARCTOSTAPHYLOS UVA-URSI/ KINNIKINNIK	1-GALLON	24" O.C.	FULL AND BUSHY	
	NON-NATIVE SHRUBS / GROUNDCOVER:				
(Rr)	ROSA RUGOSA 'FRAU DAGMAR HARTOPP'/ FRAU DAGMAR HARTOPP ROSE	2-GALLON	AS SHOWN	FULL AND BUSHY	23
(La)	LAVANDULA SP. 'HIDCOTE'/ LAVENDER	2-GALLON	AS SHOWN	FULL AND BUSHY	53
(Vc)	VIBURNUM CARLESII/ KOREAN SPICE VIBURNUM	2-GALLON	AS SHOWN	FULL AND BUSHY	2
(Hp)	HYDRANGEA PANICULATA 'GRANDIFLORA'/ PEE GEE HYDRANGEA	2-GALLON	AS SHOWN	FULL AND BUSHY	3
(Ah)	AZALEA X 'HINO-CRIMSON'/ HINO CRIMSON AZALEA	2-GALLON	AS SHOWN	FULL AND BUSHY	47
(Sr)	SARCOCOCCA HOOKERIANA VAR. DIGYNA 'PURPLE STEM' / SWEET BOX	2-GALLON	AS SHOWN	FULL AND BUSHY	268
(D)	DRYOPTERIS FILIX-MAS 'ROBUSTA'/ RUBUST MALE FERN	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	31
(Hq)	HYDRANGEA QUERCIFOLIA 'MUNCHKIN'/ MUNCHKIN OAKLEAF HYDRANGEA	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	6
(C)	CAMELLIA SASANQUA 'SETSUGEKKA'/ SETSUGEKKA CAMELLIA	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	7
(H)	HELLEBORUS FOETIDUS/ HELLEBORE	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	85
(A)	AJUGA REPTANS 'CATLIN'S GIANT'/ CATLIN'S GIANT CARPET BUGLE	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	71
(N)	NEPETA X FAASSENII 'WALKERS LOW'/ WALKER'S LOW CATMINT	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	7
(E)	CLEMATIS ARMANDII/ EVERGREEN CLEMATIS	2-GALLON	AS SHOWN	FULL AND BUSHY MEMORY CARE	0
	ERICA SP. 'MED. WHITE'/ HEATHER	1-GALLON	24" O.C.	"	
	LIRIOPE SPICATA/ CREEPING LILYTURF	1-GALLON	24" O.C.	"	
	ARBORIST CHIPS				
	STONE MULCH, 4" DEPTH COMPACTED OVER GEO-TEXTILE				
	2 RAIL POST AND RAIL FENCE, SEE DETAIL THIS SET				
	LOW-GROWING, LOW-MAINTENANCE, DROUGHT TOLERANT LAWN SEED MIX MAINTAIN ECO-TURF AT ABOUT 6" HEIGHT. MOW 2-3 TIMES EACH YEAR. SOIL CONDITIONING FOR ECOTURF AREAS: 2" COMPOST TILLED INTO EXISTING SOIL PRIOR TO HYDROSEED INSTALLATION. NOTIFY LANDSCAPE ARCHITECT OF HYDROSEED SCHEDULE IN ORDER TO DETERMINE ANY ADDITIONAL INPUTS THAT MAY BE NECESSARY FOR THE SUCCESSFUL GERMINATION AND COVERAGE				

SUNMARK SEEDS INTERNATIONAL, INC.
PO Box 1210
Fairview OR 97024
503-241-7333
888-214-7333

Native EcoTurf

Sunmark Prairie Mix

Acres: 1
Quantity: 43.67 lbs.

Botanical Name	Common Name	% by Weight	Seeds per lb. of Mix	Seeds per lb.	Actual % by Seed Size	Lbs. Needed	% Requested
Festuca rubra rubra	Native Red Fescue	45.00%	359000	800,000	56.63%	19.65	355
Bouteloua gracilis	Blue Grama	25.00%	206250	825,000	10.92%	10.92	355
Buchloe dactyloides	Buffalograss	20.00%	11200	56,000	1.83%	8.73	35
Koeleria macrantha	Prairie Junegrass	7.00%	152050	2,315,000	36.45%	1.56	355
Trifolium fragiferum	Strawberry Clover	3.00%	9000	300,000	1.63%	1.31	25
		TOTALS: 100.00%		4133000	100%	43.67	1000

Seeding Rate
1.00 PLS lbs. per 1000 sq. ft.
43.67 PLS lbs. per acre

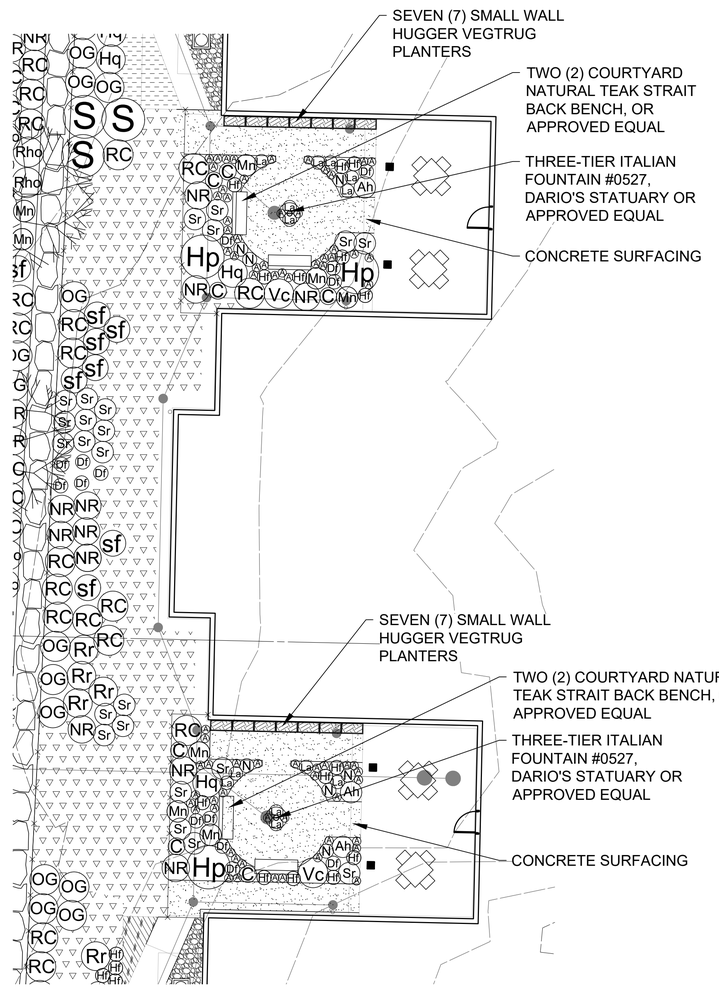
RAINER FIBER + TACKIFIER, OR APPROVED EQUAL, 2,000 POUNDS PER ACRE
SLOW RELEASE FERTILIZER 16-16-16, 200 POUNDS PER ACRE

Eco-Turf is a native EcoLawn mix that has been designed for low/no maintenance sites. Similar to other "EcoLawns" but this one is NATIVE!!

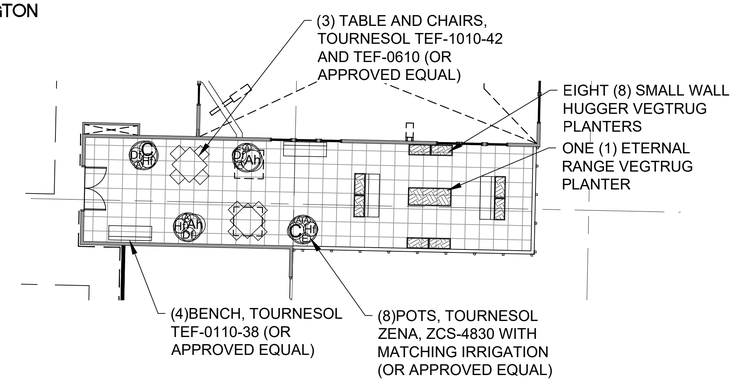
LEGEND

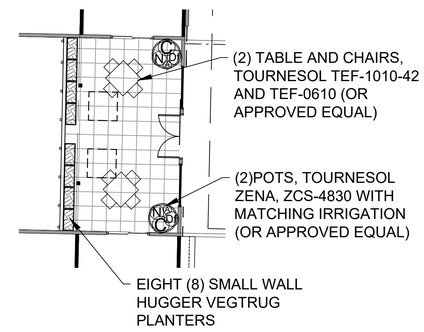
EXISTING VEGETATION TO REMAIN

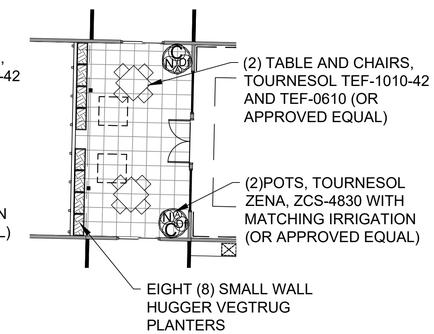
EXISTING TREE TO BE RETAINED, TYPICAL



GARDEN COURTYARD ENLARGEMENT
SCALE 1"=10'

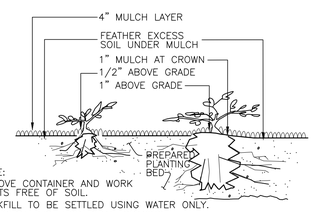






SECOND FLOOR TERRACES LANDSCAPE PLAN
SCALE 1"=10'

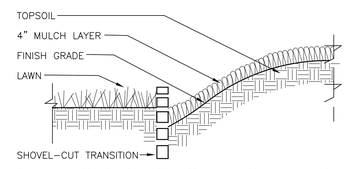
NOTE: LANDSCAPE CONTRACTOR TO COORDINATE WITH GENERAL CONTRACTOR A SOURCE OF WATER FOR THE PLANT MATERIAL SHOWN ON THE SECOND FLOOR OF THE PROPOSED BUILDING



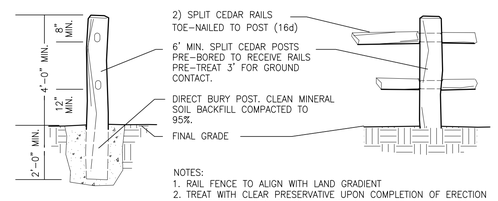
NOTE:
REMOVE CONTAINER AND WORK ROOTS FREE OF SOIL.
BACKFILL TO BE SETTLED USING WATER ONLY.
SEE PLANT LIST FOR PLANT SPACING.

LESS THAN 1 GALLON CONTAINER (PLANTED BEFORE MULCH)
1 GALLON CONTAINER and LARGER (PLANTED BEFORE MULCH)

GROUNDCOVER PLANTING DETAIL
NOT TO SCALE



PLANTING BED ADJACENT TO LAWN DETAIL
NOT TO SCALE



NOTES:
1. RAIL FENCE TO ALIGN WITH LAND GRADIENT
2. TREAT WITH CLEAR PRESERVATIVE UPON COMPLETION OF ERECTION
3. ALL FASTENERS TO BE GALV. STEEL

SPLIT-RAIL FENCE DETAIL
NOT TO SCALE

APPROVED

BY:_____
CITY OF PUYALLUP
PLANNING DIVISION

DATE:_____

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CALL BEFORE YOU DIG:
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Title: LANDSCAPE PLANT LEGEND AND DETAILS OF FIELDSTONE MERIDIAN

For: CASCADIA SENIOR LIVING AND DEVELOPMENT
4120 ENGLEWOOD AVENUE
YAKIMA, WA 98908
CONTACT: JUSTIN YOUNKER

STATE OF WASHINGTON LAUREN R. PERRY NO. 488 EXP. 2/18/23 LANDSCAPE ARCHITECT

Scale: Horizontal N/A Vertical N/A

Designed LP/BS
Drawn LP/BS
Checked LP/JV
Approved LRP
Date 03-07-22

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVENUE SOUTH
KENT, WA 98032
(425)251-6222
(425)251-8782 FAX
CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES

Job Number 17378
Sheet L2 of 7

File:P:\17000s\17378\engineering\17378-L.dwg Date/Time:3/7/2022 10:31 AM LPERRY

City of Puyallup
Planning Division
333 S. Meridian, Puyallup, WA 98371
(253) 864-4165
www.cityofpuyallup.org

May 05, 2022

JUSTIN YONKER
CASCADIA SENIIOR LIVING LLC
4120 ENGLEWOOD AVE
YAKIMA, WA 98908

FINAL DEVELOPMENT REVIEW TEAM (DRT) LETTER	
PERMIT #	P-20-0124
PROJECT NAME	CASCADIA SENIOR LIVING/FIELDSTONE MERIDIAN
PERMIT TYPE	Variance
PROJECT DESCRIPTION	Variance request to eliminate a portion of the 30-foot-wide Type I landscape buffer. The affected area is located at the southwest corner of the site, north of tax parcel number 7790000321.
SITE ADDRESS	2121 S MERIDIAN, PUYALLUP, WA 98371;
PARCEL #	7790000311; 7790000312
ASSOCIATED LAND USE PERMIT(S)	P-16-0002
APPLICATION DATE	November 16, 2020
APPLICATION COMPLETE DATE	December 6, 2020
PROJECT STATUS	**Final Development Review Team (DRT) letter.** The latest revised copy of submitted materials has fulfilled the city's requirements related to the land use permit in accordance with the following conditions and notes. The project is now proceeding to scheduling of a public hearing on the project.
APPROVAL EXPIRATION	Project is still pending approval; the application is subject to review and approval by the Hearing Examiner.
CONDITIONS	**See notes and conditions below**. The project shall conform to all conditions outlined herein and shall comply with all applicable provisions of the Municipal Code and any SEPA conditions (if SEPA environmental review was performed).

HOW TO USE THIS LETTER

The "**Conditions"** are items that will govern the final permit submittal(s) for the project. Please be aware that these conditions will become conditions of the final permits and/or recommendations to the Hearing Examiner, if applicable.

If you have questions regarding the action items or conditions outlined in this letter, please contact the appropriate staff member directly using the phone number and/or email provided.

CONDITIONS

The following are conditions of approval. All future civil and/or building permit submittals shall comply with the following conditions, if any:

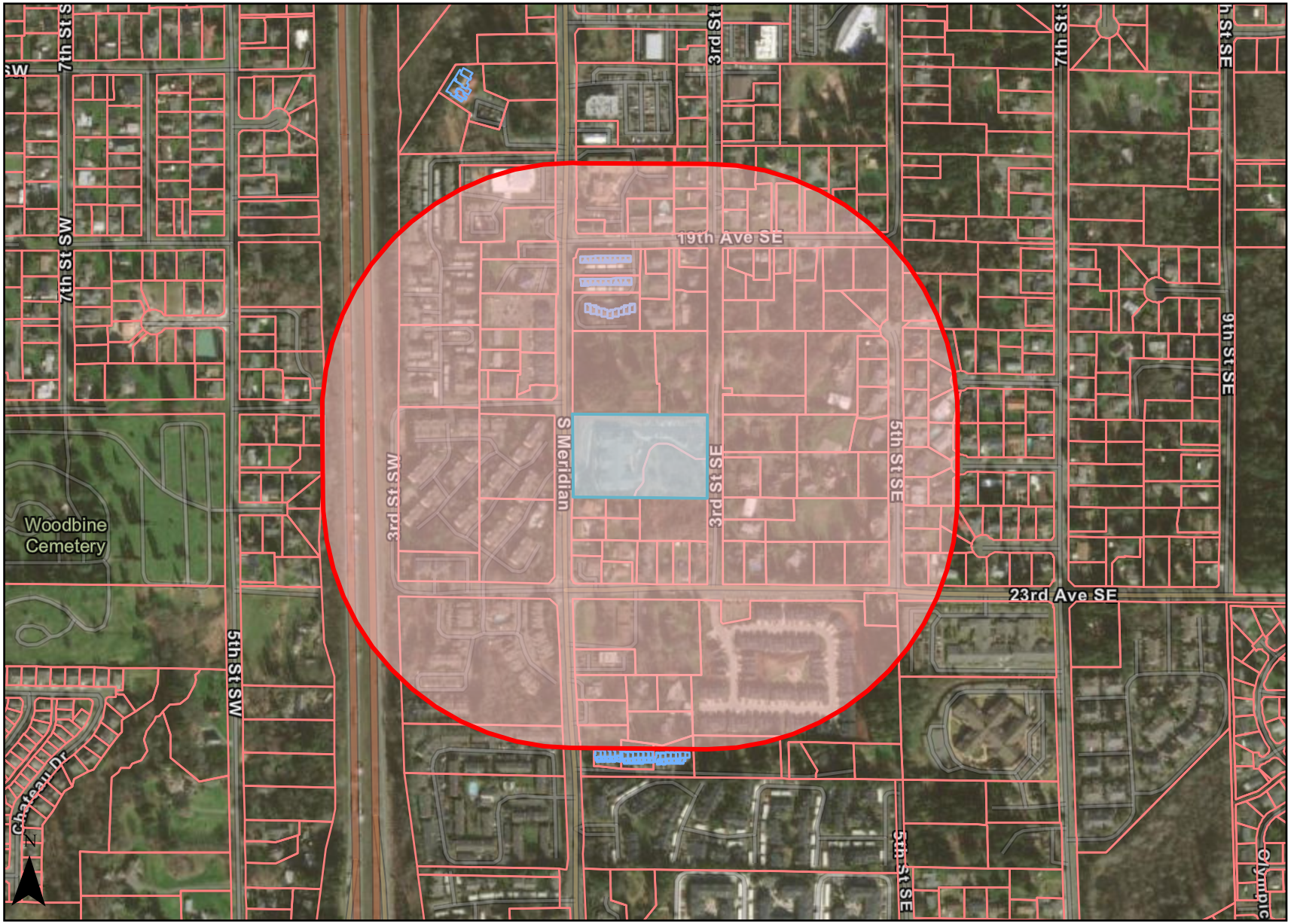
Sincerely,

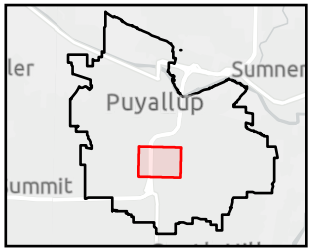
Kendall Wals
Senior Planner
(253) 841-5462
KWals@PuyallupWA.gov

PUYALLUP
WASHINGTON

City of Puyallup Planning Division

P-20-0124 - 1,000' Buffer Map





Tax Parcels

- Base Parcel
- Condominium

- Puyallup City Limits

0 0.1 0.2 0.4 mi

Scale: 1:10,182

Map produced using City of Puyallup GIS web apps.

Date: 6/15/2022

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BEFORE THE HEARING EXAMINER
FOR THE CITY OF PUYALLUP

In the Matter of the Application of	)	No. P-16-0002
	)	
Justin Younker, on behalf of	)	Cascadia Senior Living
Cascadia Senior Living, LLC	)	
	)	
	)	FINDINGS, CONCLUSIONS,
For a Conditional Use Permit	)	AND DECISION

SUMMARY OF RECOMMENDATION

The request for a conditional use permit to construct a 47,257 square foot, 66-bed memory care facility on a four-acre site located in multi-family and single-family residential zones at 2101 and 2021 South Meridian is **GRANTED.** Conditions are necessary to mitigate impacts from the proposed use.

SUMMARY OF RECORD

Hearing Date:
The Hearing Examiner held an open record hearing on the request on January 23, 2018. The Hearing Examiner held the record open until January 26, 2018, to allow additional documents in the application file to be submitted into the hearing record.

Testimony:
The following individuals presented testimony under oath at the open record hearing:

Kendall Wals, Associate City Planner
Richard Kiilsgaard
Ivana Halvorsen, for Applicant
Justin Younker, Co-owner

Exhibits:
The following exhibits were admitted into the record:

1. Staff Report, dated January 12, 2018
2. Conditional Use Application, received November 8, 2016, with narrative dated November 1, 2016
3. Site plans

a. Preliminary CUP Landscape Planting Plan (Sheet L-1 of 1), dated December 18, 2015
b. Preliminary Conditional Use Permit Cover Sheet (Sheet 1 of 7), revised February 1, 2017
c. Preliminary Conditional Use Permit Site Plan (Sheet 2 of 7), revised February 1, 2017
d. Preliminary Conditional Use Permit Grading and Drainage Plan (Sheet 3 of 7), revised February 1, 2017
e. Preliminary Conditional Use Permit Site Cross Section Plan (Sheet 4 of 7), revised February 1, 2017
f. Preliminary Conditional Use Permit Cross Sections Plan (Sheet 5 of 7), revised February 1, 2017
g. Preliminary Conditional Use Permit Utilities Plan (Sheet 6 of 7), revised February 1, 2017
h. Preliminary CUP Tree Retention Plan (Sheet 7 of 7), revised February 1, 2017
i. Concept Design – elevations (No. CD302), dated October 19, 2016
j. Concept Design – elevations (No. CD301), dated October 19, 2016
k. Parking/lighting plans (pages 1 through 4), Blankenship & Associates, dated November 2, 2016

4. Final Development Review Team Letter from Kendall Wals to Justin Younker, dated October 18, 2017
5. Preliminary Determination of Nonsignificance, dated December 1, 2017
6. Letter from Southwest Regional Office, Washington Department of Ecology to Kendall Wals, dated December 15, 2017, with email from Zachary Meyer to Kendall Wals, dated December 19, 2017, and email string
7. Public notice
   a. Certificate of Notice, dated January 5, 2018
   b. Hearing Examiner Public Notice
   c. Preliminary CUP Landscape Planting Plan (Sheet L-1 of 1), dated December 18, 2015
   d. Notice of Public Hearing, the *News Tribune*, published ad
   e. Notice of Public Hearing, the *News Tribune*, ad copy
   f. Mailing list
8. Comments
   a. Email from Marty Kiilsgaard to Kendall Wals, dated February 2, 2016, with email string
   b. Email from Melanni Rezek to Kendall Wals, dated February 3, 2016, with email string
   c. Email from Tina Vaslet, Pierce Transit, to Kendall Wals, dated February 5, 2016, with email string
   d. Email from Nanette Delargy to Kendall Wals, dated February 9, 2016
   e. Email from Alice Garofalo to Kendall Wals, dated February 21, 2016
   f. Letter from William J. Hill to Kendall Wals, dated March 10, 2016
   g. Email from Marty Kiilsgaard to Kendall Wals, dated June 4, 2016

h. Email from Marty Kiilsgaard to Kendall Wals, dated December 9, 2016, with email string
i. Email from Marty Kiilsgaard to Kendall Wals, dated December 22, 2016, with email string
j. Email from Marty Kiilsgaard to Kendall Wals, dated April 15, 2017, with email string
k. Email from Alice Garofalo to Kendall Wals, dated October 18, 2017, with email string
l. Email from Kendall Wals to Marty Kiilsgaard, dated October 19, 2017, with email string

9. Traffic studies
   a. City of Puyallup Traffic Scoping Worksheet, received November 8, 2016
   b. Right Turn Analysis AASHTO P Design Vehicle (Sheet 1 of 2), dated July 21, 2017; Left Turn Analysis AASHTO P Design Vehicle (Sheet 2 of 2), dated July 21, 2017
   c. Memorandum from Trevin Roletto, P.E., Transportation Engineering NorthWest, to Justin Younker, dated June 19, 2017
10. Full size site plans
   a. Preliminary Conditional Use Permit Cover Sheet (Sheet 1 of 7), revised June 14, 2017
   b. Preliminary Conditional Use Permit Site Plan (Sheet 2 of 7), revised June 14, 2017
   d. Preliminary Conditional Use Permit Grading and Drainage Plan (Sheet 3 of 7), revised June 14, 2017
   e. Preliminary Conditional Use Permit Site Cross Section Plan (Sheet 4 of 7), revised June 14, 2017
   f. Preliminary Conditional Use Permit Cross Sections Plan (Sheet 5 of 7), revised June 14, 2017
   g. Preliminary Conditional Use Permit Utilities Plan (Sheet 6 of 7), revised June 14, 2017
   h. Preliminary CUP Tree Retention Plan (Sheet 7 of 7), dated December 18, 2015
11. Wetland Buffer Establishment and Restoration/Enhancement Program, Habitat Technologies, dated February 1, 2017
12. Vegetation Management Standards Administrative Policies and Procedures, dated November 2015
13. City PowerPoint presentation

The Hearings Examiner enters the following findings and conclusions based upon the testimony at the open record hearing and admitted exhibits:

FINDINGS

Application and Notice

1. Justin Younker, on behalf of Cascadia Senior Living, LLC (Applicant), requests a conditional use permit to construct a 47,257 square foot, 66-bed memory care facility on

a four-acre site located in multi-family and single-family residential zones. Associate City Planner Kendall Wals testified that the proposed memory care facility is included in the definition of a "nursing home and assisted living facility," which is allowed with a conditional use permit in both residential zones. The proposed use would be located at 2101 and 2021 South Meridian.[1] *Testimony of Ms. Wals; Exhibit 1, Staff Report, page 1; Exhibit 2; Exhibit 3.*

2. The City of Puyallup (City) determined the application to be complete on January 28, 2016. The City mailed notice of the application to all owners of property within 400 feet of the site on January 29, 2016. The City received a revised application on November 8, 2016. The Applicant posted on-site the notice of the open record hearing associated with the application on January 4, 2018. The next day, the City mailed notice of the hearing to all owners of property within 400 feet of the site, and published notice in the *Tacoma News Tribune* on January 8, 2018. *Exhibit 1, Staff Report, page 3; Exhibit 7.*

3. The City received the following comments on the application in response to the Notice of Application:

- Tina Vaslet, Pierce Transit, requested that the developer purchase a six-foot-long bench to be placed at existing bus stop #1512, located on the east side of South Meridian.
- Richard and Karen Kiilsgaard, 2133 3rd Street SE, expressed concerns about stormwater detention and management, parking on-site and off-site (3rd Street SE), street improvements on 3rd Street SE, conditional allowance of a memory care facility in single-family zones, and access to the site.
- Melanni Rezek, 21903 26th Street E, expressed concerns about management and maintenance of existing residences on the project site.
- Nanette Delargy, 2205 3rd Street SE, expressed concerns about the conditional allowance of memory care facilities in single-family zones, street improvements on 3rd Street SE, parking on 3rd Street SE, and stormwater management.
- William J. Hill, 214 19th Avenue SE, expressed concerns about stormwater management and runoff.
- Alice Garofalo, 2217 3rd Street SE, expressed concerns about increased traffic and vehicle access to 3rd Street SE.

Exhibit 8. The City responded to these comments in the staff report, noting that no new traffic or on-street parking on 3rd Street SE is anticipated. The City's engineering staff reviewed the Applicant's preliminary stormwater site plan report and determined that it would meet the 2012 Department of Ecology Stormwater Design Manual and all

[1] The properties subject to the CUP request are identified by Pierce County tax parcel numbers 779000-0310, -0290, and -0300. *Exhibit 1, Staff Report, page 2.*

applicable stormwater regulations. The City did not receive any written comments in response to the notice of public hearing, but several members of the public attended the hearing to testify. *Exhibit 1, Staff Report, pages 3 and 5.*

State Environmental Policy Act

4. The City Development Services Department (DSD) acted as lead agency and analyzed the environmental impacts of the proposal as required by the State Environmental Policy Act (SEPA), Chapter 43.21C Revised Code of Washington (RCW). City staff reviewed the Applicant's environmental checklist and other information on file and determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the applicable development regulations and Comprehensive Plan adopted under Chapter 36.70A RCW and in other local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. No federally listed endangered species, state threatened species or habitat, or state sensitive species are known to inhabit the project boundaries. The City determined that the proposal would not have a probable significant adverse impact on the environment.

City SEPA Responsible Official Tom Utterback issued a Preliminary Determination of Nonsignificance (DNS) on December 1, 2017, with a publication date of December 5, 2017, in the *Tacoma News Tribune*, a comment deadline of December 15, 2017, and a January 2, 2018 appeal deadline. No appeal was filed.[3] The Department of Ecology, Southwest Regional Office, submitted comments, dated December 15, 2017, requesting an opportunity to review the project's wetland reports and noting that certain listed construction activities require coverage under the Construction Stormwater General Permit. *Exhibit 1, Staff Report, pages 2 and 3; Exhibit 5; Exhibit 6.*

Existing Site

5. The 4.09-acre site consists of three parcels. Prior development has occurred including clearing and grading, and development of single-family homes and associated outbuildings. This development resulted in directing seasonal surface water runoff from the upslope properties generally to the south and southeast into the project site. The eastern portion of the site contains a swale that directs seasonal surface water runoff to the north. Prior on-site and off-site development captured this eastern seasonal runoff within a buried stormwater system to convey the runoff off-site to the north into a series of constructed ornamental ponds and property line ditches. The site is currently vacant. Three single-family houses with outbuildings have been demolished. *Exhibit 1, Staff Report, pages 3 and 4; Exhibit 3; Exhibit 11.*

Comprehensive Plan and Zoning

6. The site has a split designation in the Comprehensive Plan of Low Density Residential (LDR) and High Density Residential (HDR) under the City's Comprehensive Plan. Low-density residential areas allow single-family detached dwelling units, including

[3] A preliminary Determination of Nonsignificance becomes final if no formal appeals are filed. *Exhibit 5.*

manufactured homes. Other dwelling types, such as duplexes, single-family attached, cottage housing, and accessory dwellings are also allowed under certain conditions. High-density residential development is intended for areas near employment or commercial areas, where high levels of transit are present or likely. The designation creates a transition between commercial uses and lower intensity residential uses. Some commercial uses may also be permitted. *Comprehensive Plan, page 3.16 (2015) Exhibit 1, Staff Report, page 2.*

7. The City identified the following Comprehensive Plan policies as relevant to the proposed rezone: Land Use Element LU-10.2, to provide a broad range of housing choices; LU-13.1, to provide high-density residential development near employment or commercial areas; LU-16.2, to buffer general commercial uses from residential neighborhoods with extensive screening and landscaping; Community Character Element CC – 1.1, to maintain the identity and character of established residential neighborhoods through appropriate landscaping and site design; CC-1.3, to create a sensitive interface between residential and non-residential areas; CC-2.3, to buffer the visual and noise impact on residential areas or institutional development; Housing Element H-3, to promote a variety of residential densities and housing types; H-3.1, to support the private sector's efforts to respond to ever-changing housing demands and special housing needs; and H-6, to promote a variety of housing for people with special needs, such as the elderly and disabled. *Exhibit 1, Staff Report, pages 6 and 7.*

8. The site has split RM-20 (multi-family) and RS-10 (single-family) zoning. The proposed use places the care facility within the RM-20 zone and the parking lot within the LRS-10 zone. The RS single-family residential zones are intended to reserve appropriate areas for low-density residential living at a broad range of densities consistent with the Puyallup Comprehensive Plan. The RS zones are further intended to protect the public health, safety, and general welfare by doing the following: ensuring adequate access to light, air, privacy, and open space; minimizing traffic congestion and utility overload; protecting residential properties from noise, direct illumination, unsightliness, odors, smoke, and other objectionable influences; and facilitating the provision of public facilities and services commensurate with anticipated population and dwelling unit densities. *Puyallup Municipal Code* (*PMC) 20.20.005*. The RS-10 zone requires that no more than 75 percent of the property be covered with buildings and parking lots and that the remainder be landscaped. *PMC 20.20.015(7)(b)*. The proposed use would cover less than 75 percent of the property and would provide landscaping. The RS-10 zone requires that the minimum lot size for nursing homes and assisted living facilities be double the area otherwise required in the zone. *PMC 20.20.015(7)(c)* The RS-10 zone has a minimum lot size of 10,000 square feet. The RS-10 zone parcel contains 63,525 square feet. *Exhibit 1, Staff Report, pages 2 and 4.*

9. The RM multi-family residential zones are intended to reserve appropriately located areas for multi-family living at a broad range of dwelling unit densities consistent with the Puyallup comprehensive plan. They are intended to protect the public health, safety, and

general welfare by ensuring that the opportunities to obtain reasonable cost housing exist for households representing a variety of income categories and lifestyles; facilitating the provision of utility services and other public facilities commensurate with anticipated population and dwelling unit densities; providing that multi-family developments offer the amenities and conveniences necessary to ensure the comfort and enhance the lifestyles of their occupants; and assuring the compatibility of multi-family development with other uses and adjacent zoning districts. The RM multi-family residential zone districts are further intended to provide housing types that possess attractive architectural and site-design characteristics that are complementary to the community character of Puyallup. The RM-20 and RM-Core multi-family residential zones allow for a wider range of multi-family uses, including apartments, duplex, triplex, fourplex, townhouse, and other multi-family residential housing types. The RM-20 and RM-Core zones are intended to provide for substantially higher-density, multi-family residential land uses, with RM-Core being specifically the densest and intended to promote a more compact form of residential land use. *PMC 20.25.005.* Nursing homes and assisted living facilities are listed as a conditional use in both the RS and RM zones. *PMC 20.20.015(7); PMC 20.25.015(10).*

10. The project site is surrounded by single-family development within multi-family and single-family residential zones. Properties along South Meridian are zoned MR-20, and properties along 3rd Street SE are zoned RS-10. The MultiCare Good Samaritan Hospital campus and Meridian Hills Assisted Living are located to the north. The Regency and Life Care Center (with nursing/rehabilitation facilities) is located to the southeast. *Exhibit 1, Staff Report, page 4.*

11. The Applicant provided a project narrative with its application materials addressing the compliance of the proposed project with the Comprehensive Plan and Zoning Code, and how the proposed project is designed to be an appropriate in the zone as a conditional use. Specifically, the Applicant states:

- The proposed conditional use is consistent with the underlying zone and surrounding land uses because the use is classified as a "nursing home," an allowed use with a CUP.
- Access to the site would be exclusively from South Meridian, and the project would be screened from neighbors by a 30-foot-wide vegetated buffer. Stormwater would be detained and treated consistent with City requirements.
- The project location is suitable for senior housing and in close proximity to nearby commercial areas, recreation, transit facilities, and medical facilities. South Meridian has adequate capacity to handle traffic from the proposed use, approximately 113 average daily trips.
- The site accommodates all the zoning requirements for setbacks, perimeter landscaping, buffers, parking stall ratios, parking lot landscaping, impervious area limits, open spaces, etc., as well as the bulk regulations of the RS-10 and RM-20

zones. Trees along South Meridian would be retained between two existing rockeries to the maximum extent feasible. The Applicant would plant new trees around the perimeter of the site to replace removed trees in the development footprint or for grading utilities.

- The proposed use would further the Comprehensive Plan's Land Use and Housing Element goals and policies.

Exhibit 2.

Critical Areas

12. Habitat Technologies prepared a wetland delineation report and a Wetland Buffer Establishment and Restoration/Enhancement Program (Wetland Program) for the Applicant, dated February 1, 2017. The Wetland Program located a Category III wetland ("Wetland A") in the southeast portion of the site. This wetland was identified as a "slope" wetland, significantly impacted by prior land use actions on-site and off-site, requiring an 80-foot buffer. The Applicant's wetland delineation report and Wetland Program were reviewed by the City's third-party wetland biologist, who determined they were consistent with the City's Critical Area Ordinance. *Exhibit 1, Staff Report, pages 3 and 8; Exhibit 3; Exhibit 11; Exhibit 15.*

13. No development would occur within the wetland. The Applicant proposes to reduce the wetland buffer to 60 feet, with mitigation, including wetland buffer restoration and enhancement. The Applicant proposes dense plantings, to provide screening from the proposed development, and a split rail fence marked with wetland buffer boundary signs along the outer perimeter of the wetland buffer. *Exhibit 1, Staff Report, page 5.*

14. GN Northern, Inc., prepared a Geotechnical Engineering Report for the Applicant, dated June 2015. No impacts to geologic hazard areas were identified, and the report determined that the site is suitable for the proposed use, provided the recommendations provided in the report are followed. *Exhibit 5.*

Transportation and Access

15. The project site is located on South Meridian, a major arterial roadway. The proposed use would generate approximately 113 average daily trips and 11.5 net new PM peak-hour trips. The City's Traffic Engineer reviewed and approved the Traffic Impact Analysis prepared for the project. The Applicant would pay a traffic impact fee per peak-hour PM trip at the time a building permit is issued. *PMC 21.20.130. Exhibit 1, Staff Report, page 5; Exhibit 2; Exhibit 9.*

16. The proposed facility would receive vehicular and pedestrian access only from South Meridian. No access would occur from 3rd Street SE. The City Engineer granted the Applicant's alternative Method Request (Permit #E-17-0116) to eliminate a code requirement requiring frontage improvements on 3rd Street SE. The Applicant would provide half-street improvements for the property frontage on South Meridian, where applicable. The City determined that the proposed use would not increase traffic or on-

street parking, or impact the adjacent neighborhood on 3rd Street SE. *Exhibit 1, Staff Report, pages 4 and 6.*

17. The Applicant would provide a five-foot pedestrian sidewalk along one side of the driveway from South Meridian to the facility entrance and parking area. The City determined that the proposed use would comply with Chapter 20.55 PMC for off-street parking. The City determined that the proposed use would be compliant with all Title 11 PMC streets and sidewalks standards, including roadway improvements, street trees, and street lighting. *Exhibit 1, Staff Report, pages 5 and 6.*

18. A Pierce Transit bus stop (#1512) is located on the east side of South Meridian. The Applicant would provide a six-foot-long bench, as requested by Pierce Transit. The City determined that the proposed use would be compliant with the Comprehensive Plan Transportation Element and Active Transportation Plan. *Exhibit 1, Staff Report, pages 5 and 6; Exhibit 8.c.*

<u>Landscaping</u>

19. The Applicant would provide a 30-foot-wide, dense vegetative buffer and opaque fencing along the north and south property lines adjacent to residentially zoned properties. The Applicant would provide a 12-foot, dense landscape buffer with fencing along the east (rear) property line on 3rd Street SE, outside of the on-site wetland and associated buffer area. *Chapter 20.58 PMC; PMC 20.26.500. Exhibit 4; Exhibit 5.*

20. Washington Forestry Consultants, Inc., prepared a Preliminary Tree Protection Plan (PTPP) for the Applicant, received November 8, 2016. The PTPP identified 80 trees over 6 inches in diameter breast height (DBH) within the building areas of the site. Twenty-four trees would be retained and protected, two of which are significant trees (over 15 inches at DBH). *Exhibit 3.h; Exhibit 5.*

<u>Stormwater</u>

21. The site contains a ridgeline running north/south. The west basin drains to South Meridian, and the east basin flows north. Stormwater runoff from all impervious surfaces would be collected and conveyed to one of two proposed detention vaults. Two storm filters are proposed to provide water quality treatment. No stormwater would be discharged into the existing east basin system. Stormwater runoff from the proposed detention and water quality systems would be discharged directly to the existing pipe conveyance system in South Meridian, which ultimately drains to Clarks Creek. *Exhibit 5.*

22. The Applicant would comply with the 2012 Department of Ecology stormwater regulations. The Applicant has submitted a preliminary stormwater management site plan. Temporary erosion, sedimentation, and construction dust control Best Management Practices (BMPs) would be used in accordance with the City's design standards under

Section 500 – Grading, Erosion and Sedimentation Control. *Exhibit 1, Staff Report, page 5; Exhibit 4; Exhibit 5.*

Testimony

23. Ms. Wals testified generally about the application and explained how the proposed use would comply with the City's Comprehensive Plan and zoning ordinances. She testified that a neighborhood vicinity meeting was held on June 20, 2016, where concerns were raised about stormwater, critical areas, and traffic/parking on 3rd Street SE. As a result of comments about the proposed building's height and location, the building was shifted to the west. She noted that restricting access from 3rd Street SE during construction should be considered. *Testimony of Ms. Wals.*

24. Richard Kiilsgaard testified that the original proposal was for a 100-bed memory care facility with only 20 parking spaces. He asked whether psychiatric patients would use the facility. He requested that there be no driveway off of 3rd Street SE; a landscaping buffer all along 3rd Street SE; a secure fence; no off-site lighting impacts; and no staff parking on 3rd Street SE. He also requested that construction traffic impacts be addressed. *Testimony of Mr. Kiilsgaard.*

25. Ivana Halvorsen, Barghausen Engineers, testified for the Applicant, in response to public testimony, that the use would be for a memory care facility only and that if the use changes a revision to the CUP would be required. She also noted that water and sewer availability letters would be obtained prior to construction and that prior to occupancy a bench would purchased to be installed at the Pierce Transit bus stop. She agreed that a six-foot, solid fence would be constructed along the parking lot, although no fence would be placed south of the parking lot along the wetland area. Prior to construction, the Applicant would obtain a building line revision (BLR) for the wetland area, with a required buffer and a Native Growth Protection Area (NGPA) designation. Lighting would be screened to avoid off-site impacts to comply with PMC 20.26.500(7). She testified that, because of the proposed water connection to a main in South Meridian, water pressure in the area would improve. *Testimony of Ms. Halvorsen.*

26. Justin Younker, co-owner of Cascadia Senior Living, LLC, testified that his company now has five facilities, with others under construction. No independent-living, assisted-living, or psychiatric care would be offered at this site. He noted that, as a memory care facility, the residents would not leave the residence. One caregiver would be in charge of six to eight residents. With dining and administrative staff, there would be 50 to 60 full-time employees (FTEs), over three shifts. He testified that there would be no construction traffic off of 3rd Street SE and no construction workers or employees would park on this street. Access to the proposed facility would be solely off of South Meridian. *Testimony of Mr. Younker.*

Staff Recommendation and Applicant Response

27. The City staff recommended approval of the CUP application, with one condition addressing the duration of the CUP. Mr. Younker testified that he agrees with the

additional conditions as discussed during the hearing, as those are consistent with the expectations of the Applicant. The Applicant desires a facility that is viewed, and that operates, as an enhancement to the neighborhood. *Exhibit 1, Staff Report, page 9; Testimony of Mr. Younker.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner has authority to hear and make a decision whether to grant a conditional use permit that is in harmony with the scope and purpose of Title 20 PMC and the zoning district in which the use is to be located as well as the goals, objectives, and policies of the Puyallup Comprehensive Plan. *PMC 20.12.015; PMC 20.80.005.*

Criteria for Review

Each decision granting a conditional use permit must be supported by written findings of fact showing specifically that all of the following conditions exist:

> (1) That the use for which the conditional use permit is applied for is specified by this title as being conditionally permitted within, and is consistent with the description and purpose of the zone district in which the property is located;
>
> (2) That the granting of such conditional use permit 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, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located;
>
> (3) That the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity; and, further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on such facilities and streets;
>
> (4) That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are required by this title or as are needed in the opinion of the hearing examiner are properly provided to be compatible and harmonious with adjacent and nearby uses;
>
> (5) That the granting of such conditional use permit will not be contrary to the adopted comprehensive plan, or to the objectives of any code, ordinance, regulation, specifications or plan in effect to implement said comprehensive plan.

PMC 20.80.010.

> The hearing examiner has the authority to impose conditions and safeguards as he deems necessary to protect and enhance the health, safety and welfare of the

surrounding area, and to assure that the proposed use or activity fully meets the findings set forth in PMC 20.80.010. No conditional use permit decision can require the dedication of land for any purpose not reasonably related to the use of property for which the conditional use permit is requested, nor posting of a bond to guarantee installation of public improvements not reasonably related to the use of property for which the conditional use permit is requested.

PMC 20.80.015.

The criteria for review adopted by the Puyallup City Council are designed to implement the requirement of Chapter 36.70B RCW to enact the Growth Management Act. In particular, RCW 36.70B.040 mandates that local jurisdictions review proposed development to ensure consistency with City development regulations, considering the type of land use, the level of development, infrastructure, and the characteristics of development. *RCW 36.70B.040*.

Conclusions Based on Findings

1. **The use for which the conditional use permit is applied for is specified by this title as being conditionally permitted within, and is consistent with the description and purpose of, the zoning district in which the property is located**. The property is split between the RS-10 and RM-20 zones. Although both zones are residential in nature, the proposed facility would be located in the RM-20 zone, which is intended to provide for substantially higher-density, multi-family residential land uses. The City considers a memory care facility to be a type of nursing home and assisted living facility, which is allowed in both zones with a CUP. *Findings 1, 8, 9, 10.*

2. **With conditions, the granting of the conditional use permit would not be detrimental to the public health, safety, comfort, convenience, and general welfare; will not adversely affect the established character of the surrounding neighborhood; and will not be injurious to the property or improvements in the vicinity and/or zone in which the property is located.** The City provided a neighborhood meeting, as well as a reasonable opportunity to comment on the application and to testify at the open-record hearing. The City and Applicant addressed neighborhood concerns about traffic, landscape buffering, lighting, construction impacts, and wetland buffer impacts. The City issued a SEPA DNS and determined that the proposed use would not result in a probable significant adverse impact on the environment and that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations; the Comprehensive Plan; and other applicable local, state, and federal laws and rules, as provided by RCW 43.21C.240 and WAC 197-11-158.

   City staff and the Applicant addressed concerns from the public about stormwater management and parking along 3rd Street SE. The Applicant would construct stormwater facilities in compliance with the 2012 Department of Ecology Stormwater Design Manual. The Applicant would carry out mitigation for impacts to the on-site wetland buffer and would provide a vegetative buffer on the property from surrounding

residences. Conditions are necessary, including those to ensure that the Applicant submits water and sewer availability certifications prior to construction; purchases and installs a six-foot bench at the Pierce Transit bus stop; installs a six-foot, solid fence along the parking lot; screens lighting to avoid off-site light spill impacts on surrounding properties; and prevents construction workers and employees from parking along 3rd Street SE. *Findings 1-27.*

3. **With conditions, the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity; and, further, the use can be adequately served by such public facilities and street capacities without placing an undue burden on such facilities and streets.** The site is located on South Meridian, a major arterial with a Pierce Transit bus stop. The proposed use would generate 11.5 net new PM peak-hour trips. The City Traffic Engineer reviewed and approved the Applicant's traffic impact analysis, and the Applicant would pay a traffic impact fee at the time a building permit is issued. The City conducted a preliminary review of utilities -- including water, sanitary sewer, stormwater, and fire flow -- and issued a preliminary determination of adequacy. A final determination would occur at final civil permit review. Conditions are necessary, including those to ensure that the Applicant submits water and sewer availability certifications prior to construction; installs a six-foot, solid fence along the parking lot; and prevents construction workers and employees from parking along 3rd Street SE. *Findings 1, 4, 15-27.*

4. **With conditions, the site is of sufficient size to accommodate the proposed use, and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features required by this title, or needed in the opinion of the Hearing Examiner, are properly provided to be compatible and harmonious with adjacent and nearby uses**. The site is 4.09 acres and can accommodate the proposed building and parking. Because this is a commercial use within residential zones, conditions are necessary to mitigate any adverse impacts including those to ensure that the Applicant installs a six-foot, solid fence along the parking lot; screens lighting to avoid off-site light spill impacts on surrounding properties; and prevents construction workers and employees from parking along 3rd Street SE. *Findings 1-27.*

5. **With conditions, the granting of such conditional use permit will not be contrary to the adopted comprehensive plan, or to the objectives of any code, ordinance, regulation, specifications, or plan in effect to implement said comprehensive plan.** The proposed use would meet the Land Use Element policies that provide a broad range of housing choices and buffer general commercial uses from residential neighborhoods with extensive screening and landscaping. The proposed use would meet the Community Character Element policies that maintain the identity and character of established residential neighborhoods through appropriate landscaping and site design, create a sensitive interface between residential and non-residential areas, and buffer the visual and noise impact on residential areas or institutional development. The proposed use would meet the Housing Element policies that promote a variety of residential densities and

housing types, support the private sector's efforts to respond to ever-changing housing demands and special housing needs, and promote a variety of housing for people with special needs, such as the elderly and disabled. *Findings 1-27.*

DECISION

The request for a conditional use permit to construct a 47,257 square foot, 66-bed memory care facility on a four-acre site located in multi-family and single-family residential zones at 2101 and 2021 South Meridian is **GRANTED**, with the following conditions:[6]

1. The Conditional Use Permit shall be valid for two (2) years from the time of Hearing Examiner approval with an optional one-time/one-year administrative extension, upon request by the Applicant, prior to the expiration of the original two-year expiration date. The time extension shall be based upon a finding that there has been no material change of circumstances applicable to the property since the granting of said permit that would be injurious to the neighborhood or otherwise be detrimental to the public health, safety, and general welfare.

2. The proposed use shall be allowed only as a Memory Care facility. An application to revise the CUP shall be submitted for any other use.

3. Prior to construction, the Applicant shall submit to the City water and sewer availability certifications.

4. Prior to occupancy, the Applicant shall purchase from Pierce Transit a six-foot bench to be installed at the Pierce Transit bus stop in front of the proposed facility on South Meridian.

5. The Applicant shall install a six-foot, solid fence along the parking lot.

6. Prior to construction, the Applicant shall obtain a BLR for the wetland area and required buffer, and obtain a Native Growth Protection Area (NGPA) designation.

7. Lighting shall be screened to avoid off-site light spill impacts as required by PMC 20.26.500.

8. Access to the facility shall be provided only from South Meridian. No access shall be provided to the site by vehicles or pedestrians from 3rd Street SE.

[6] This decision includes conditions required to reduce impacts from the proposed use as well as conditions required to meet City code standards.

9. No construction workers or employees shall park along 3rd Street SE.

Decided this 9th day of February 2018.

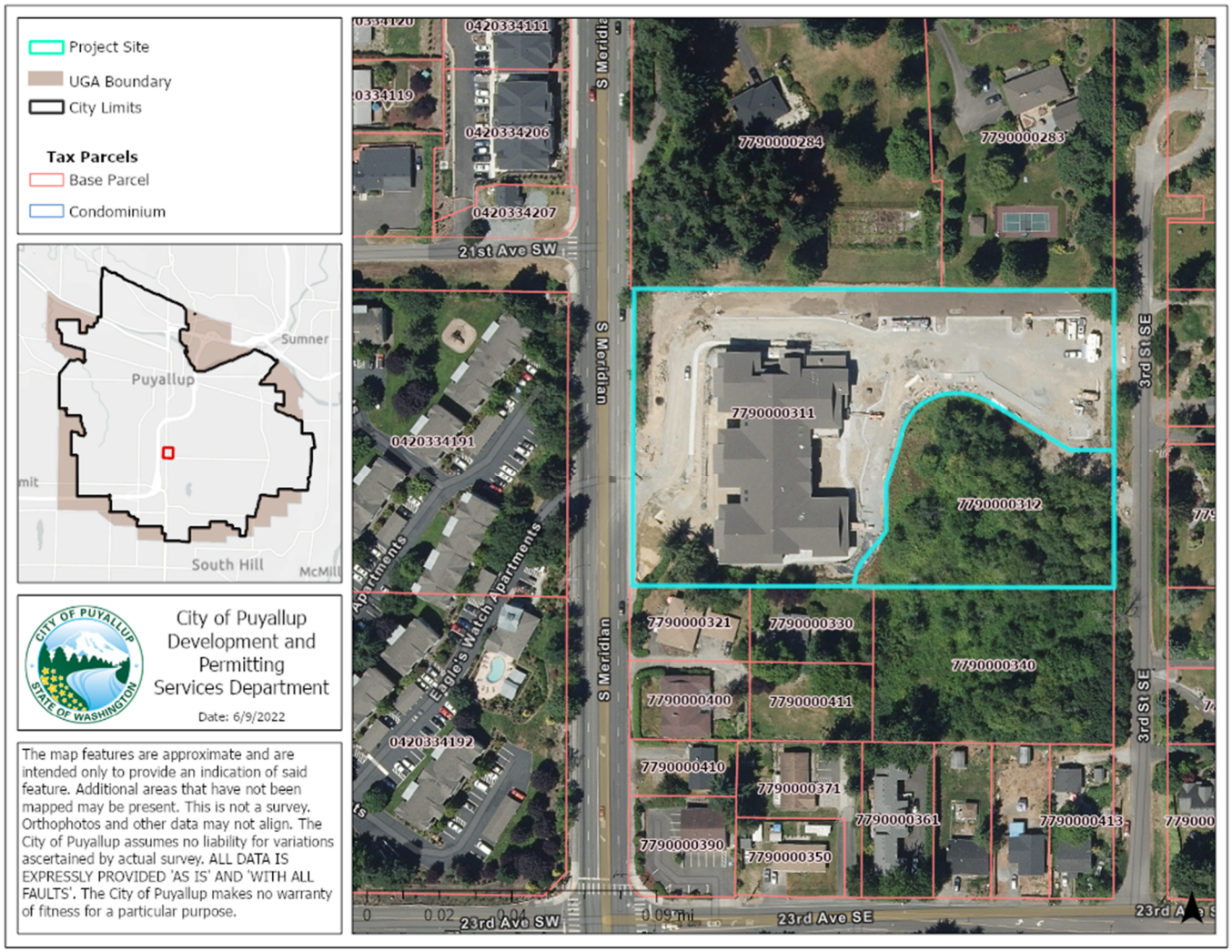
THEODORE PAUL HUNTER
Hearing Examiner
Sound Law Center

City of Puyallup
Planning Division
333 S. Meridian, Puyallup, WA 98371
(253) 864-4165
www.cityofpuyallup.org

STAFF REPORT TO HEARING EXAMINER

To:	Hearing Examiner
From:	Kendall Wals, Senior Planner
RE:	CASCADIA SENIOR LIVING - Project # P-20-0124
Date of memo:	June 16, 2022
Hearing Date:	June 28, 2022

VICINITY MAP



PROJECT OVERVIEW	
Applicant: CASCADIA SENIOR LIVING LLC **Staff Coordinator:** Kendall Wals, Senior Planner **Property Owner:** BFG PUYALLUP MC PROPCO LLC **Address:** 2121 S MERIDIAN, PUYALLUP, WA 98371; **Parcel ID#:** 7790000311, 7790000312 **Site Size:** 176,813 square feet (2.3 acres) **Comp Plan Designation:** High Density Residential (HDR)/ Low Density Residential (LDR) **Zoning:** RM-20/RS-10	**Proposal:** Variance request to eliminate a portion of the required 30-foot-wide Type I landscape buffer. The affected area is located at the southwest corner of the site, north of 2205 S MERIDIAN (TPN 7790000321). **Relevant History:** The subject site received Conditional Use Permit approval in 2018 for a 47,257 square foot, 66-bed memory care facility within multi-family and single-family residential zones (Case #P-16-0002). **Summary of Key Issues:** Applicant states that the abutting property owner to the south is claiming adverse possession and is requesting the landscape buffer not be installed, but rather fenced off to be used as part of their backyard. It is staff's understanding that the adverse possession claim has not been litigated. **Staff Recommendation:** Approve the request as proposed

PUBLIC NOTIFICATION RECORD – APPLICATION NOTICE

- Permit request received by city on November 16, 2020
- Initial submittal deemed complete by Department on December 7, 2020
- Notice of complete land use application mailed to all owners of property within a specified radius of the site (as required by PMC 20.12.010) as indicated by the Pierce County Assessor Treasurer's records: December 8, 2020
- Notice of Application Published in the Tacoma News Tribune: December 9, 2020
- Notice of Application was posted at the project site by the applicant: December 15, 2020.

PUBLIC NOTIFICATION RECORD – HEARING NOTICE

- Notice of Public Hearing mailed to all owners of property within a specified radius of the site as indicated by the Pierce County Assessor Treasurer's records: June 13, 2022 (15 days in advance of hearing – 14 days minimum required by PMC 20.12.010 (2)).
- Notice of Public Hearing was posted at the project site by the applicant: CASCADIA SENIOR LIVING LLC (verification provided by application via affidavit of posting – June 16, 2022; 12 days in advance of public hearing, 10 days minimum required by PMC 20.12.010(3)).
- Notice of Public Hearing published in the Tacoma News Tribune: June 13, 2022 (15 days in advance of hearing – 14 days minimum required by PMC 20.12.010(1)).

COMMENT RECORD

- The City of Puyallup received an inquiry but did not receive public comments on the proposal as of the date of this staff report.

STATUS OF REGULATIONS

- Since the filing of a complete application, no amendments to the applicable sections of the Puyallup Municipal Code have been adopted by City Council.

STATE ENVIRONMENTAL POLICY ACT (SEPA) STATUS

- The subject permit application does not require SEPA environmental review.

PROJECT DETAILS

- Applicant requests a variance to eliminate a portion of the 30-foot-wide Type I landscape buffer. The affected area is located at the southwest corner of the site, north of 2205 S MERIDIAN (TPN 7790000321).
- This variance request is related to a previously approved Conditional Use Permit (CUP) application (Case #P-16-0002) for a 66-bed memory care facility in the RS-10 (single-family residential) and RM-20 (high density multi-family residential) zones (split zoned site).
- Per PMC 20.26.500, a 30-foot buffer with a dense vegetative screen is required on nonresidential development sites when abutting a residential zone, or when a nonresidential use is permitted in an RS (single-family residential) zone. As stated above, the subject property is split zoned with two residential zones, and the abutting property to the south (within the subject area of the variance request) is zoned RM-20 (multi-family residential zone).
- The previously approved site plan for the subject site accommodated the required zone transition landscape buffer at the perimeter of the site. It is staff's understanding that during the final construction stage of the project, the abutting property owner requested that the area not be landscaped per the approved plan and the fencing meander to allocate a portion of the project site to the benefit of the abutting property owner (i.e. backyard use). It is staff's understanding that the five existing trees within in the subject area would remain.

SURROUNDING AREA

- The properties to the north and south of the project site consist of single-family development within existing multi-family (RM-20) and single-family residential (RS-10) zones. The properties to the east, on the east side of 3rd Street SE, are zoned single-family residential (RS-10) and contain residential uses. The properties to the west, on the west side of S Meridian, contain multi-family residential development and RM-20 zoning.
- The southeastern portion of the subject site contains an existing wetland and buffer area, which continues onto a parcel to the south.

APPLICABLE REGULATIONS AND POLICIES

The following represents analysis of applicable findings in the city's Variance ordinance (PMC 20.85) as it relates to the current modification request by the applicant:

Variance Findings per Puyallup Municipal Code Section 20.85.010

(1) The variance shall not constitute a grant of special privilege inconsistent with the limitations upon uses of other properties in the vicinity and/or contiguous zone in which the property on behalf of which application has been filed is located. For purposes of this subsection, vicinity shall be defined to only include a radius of 1,000 feet or be within the boundaries of an established subdivision when the variance request pertains to a single-family residential use.

Applicant's response:

This variance request will not affect or limit the uses of properties in the vicinity and/or contiguous zone of the subject property. The request does not pertain to a single-family residential use.

Staff analysis:

- Within 1,000 feet of the site, two variance requests have been granted: one related to sign size and another related to reduced building setback. There has not been another landscape variance request within the vicinity, but it would be an option, subject to the same review criteria, for a conditionally permitted nonresidential use in the RM-20 and/or RS-10 zone within the vicinity of the site.
- The proposed deviation from the city's zoning standards would only apply for the interface of the project site to 2205 S MERIDIAN (TPN 7790000321); all other abutting residential properties will retain the existing landscape buffer.
- This is a unique circumstance wherein the project site plan was reviewed and approved under conditional use permit P-16-0002, civil permit E-18-0158 and building permit B-18-0223. The approved permits were compliant with the zone transition (landscape buffer) requirement. However, in the final stages of site work, the abutting property owner opposed the planting and fencing of the specified area of the site. The buffering standards are put in place for protection/mitigation of impacts to the abutting residential properties; therefore, if the abutting property owner opposes the subject improvements and the applicant is compliant with their request to stagger the fencing on-site, staff does not find that this is a grant of special privilege for the site.

(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 1,000 feet, and will not be injurious to the property or improvements of such vicinity and/or contiguous zone in which the property is located.

Applicant's response:

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.

Staff analysis:

- The Hearing Examiner decision for the previously approved conditional use permit application (P-16-0002) included a finding regarding the dense landscape buffer provided along the north and south property lines adjacent to residentially zoned properties.
- The location of the variance request is along S Meridian, a major arterial. The subject area would function as the abutting property owner's backyard and does not appear to be out of character with the neighborhood. The six-foot-high vinyl fencing has been in place since the completion of the project, and the five existing mature trees remain within the subject area. The existing vegetation provides some buffering from the nonresidential use on site.
- The subject zone transition standards are intended to mitigate impacts of nonresidential uses within/adjacent to residential zones. However, the abutting property owner is requesting that it remain as-is and not be improved. The landscape buffer would remain for the other abutting residential properties.
- The granting of this variance will not be detrimental to the public health or safety of the neighborhood, or general welfare because the public will not perceive the lack of landscape buffering in this area. The front yard of the development abuts the backyard of the abutting residential property. The front yard landscaping for the memory care site abuts the fencing of the subject area and the existing trees will be retained within the subject area. The proposed variance would not cause harm to the abutting property owner who is objecting the landscape buffer but would improve/continue their comfort and convenience by retaining the existing characteristics of the subject area.

(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 contiguous 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.

Applicant's response:

- 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.

Staff analysis:

- The applicant states that the adjacent residential homeowner is claiming adverse possession and is requesting that the landscape buffer not be installed. It is staff's understanding that the adverse possession claim has not been litigated and the applicant is attempting to work with the abutting property owner instead of taking legal action. The adverse possession claim/request by the abutting property owner is a unique situation and could be seen as a special circumstance not caused by the current or previous property owners of the project site.

STAFF CONCLUSIONS

Based on the results of the review presented in the preceding sections, staff proposes the following findings to the Hearing Examiner, required pursuant to Section 20.85.010 (Variances) of the Puyallup Municipal Code:

- The requested variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity; and,
- The proposal, as presented, is not anticipated or known to be a detriment to public health, safety, general welfare nor would the requested variance adversely impact the established character or the comfort/convenience enjoyed by the surrounding/abutting property owners of the neighborhood currently; and,
- There is a special circumstance related to the request by the adjacent property owner (TPN 7790000321) that justifies a need for relief from the code required landscaping buffers.

STAFF RECOMMENDATION

Based on the above analysis for the required findings pursuant to Section 20.85.010 of the Puyallup Municipal Code, staff recommends the Hearing Examiner **APPROVE** variance request P-20-0124. Staff has not identified recommended conditions necessary to mitigate this variance request.

CITY OF PUYALLUP

AFFIDAVIT OF NOTICE

I certify under penalty of perjury under the laws of the State of Washington that on this date I sent true and correct copies of the attached **Notice of Hearing** to each person listed below, or on the attached mailing list, in the matter of **Justin Yonker**, Planning Case No. **P-20-0124**, in the manner indicated.

Party	Method of Service
Publication Notice: Tacoma News Tribune Publication Date: June 13, 2022	☐ U.S. First Class Mail, postage prepaid ☐ Inter-office Mail ☒ E-mail ☐ Fax ☐ Hand Delivery ☐ Legal Messenger
(Attached mailing list) Puyallup Tribe of Indians Puyallup School District	☒ U.S. First Class Mail, postage prepaid ☐ Inter-office Mail ☐ E-mail ☐ Fax ☐ Hand Delivery ☐ Legal Messenger
	☐ U.S. First Class Mail, postage prepaid ☐ Inter-office Mail ☐ E-mail ☐ Fax ☐ Hand Delivery ☐ Legal Messenger

Dated: June 17, 2022 – Materials submitted by Senior Planner Kendall Wals

Gabriel Clark

Gabriel Clark
Planning Technician

CITY OF PUYALLUP

Development Services Center
333 S Meridian, Puyallup, WA 98371
(253) 864-4165 | Fax (253) 840-6678

DECLARATION OF SIGN POSTING

Date of Sign Posting: June 16, 2022

Case No(s): _____

Project Name: _____

Applicant: _____

Applicant Email: _____

Site Address: _____

Parcel No.: _____

☐ **Notice of Hearing** or ☐ **Notice of Application**

☑ **Attached photo of sign posted (required)**

Description of sign location:

Entrance to property location at 2121 South Meridian Puyallup, WA 98371
Facing South Meridian

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

Signed on June 16 (Date), 2022, at Puyallup (City), WA (State)

Signature: _____

Print Name: Steven McKeen

Please send Declaration of Sign Posting to:
Nabila Comstock
Planning Technician
(253) 770-3361
ncomstock@ci.puyallup.wa.us

PUBLIC NOTICE
PROJECT: P-20-0124; PERMIT TYPE: VARIANCE
PUBLIC HEARING/MEETING
PROPOSAL: VARIANCE REQUEST TO ELIMINATE A PORTION OF
STAFF CONTACT:
PHONE (253) 864-4165

City of Puyallup
Development and Permitting Services
333 S. Meridian, Puyallup, WA 98371
(253) 864-4165
www.cityofpuyallup.org

HEARING EXAMINER PUBLIC HEARING NOTICE

All interested parties are invited to attend

Hearing Date:	06/28/2022
Hearing Time:	01:00 PM
Hearing Location:	Remote only via Zoom Conferencing; please see information below.
Project Name:	CASCADIA SENIOR LIVING/FIELDSTONE MEMORY CARE
Case #:	P-20-0124
Permit Type:	Variance
Applicant(s):	CASCADIA SENIOR LIVING LLC
Project Location:	2121 S MERIDIAN, PUYALLUP, WA 98371 (TPN 7790000311; 7790000312)
Project Description:	Variance request to eliminate a portion of the 30-foot-wide Type I landscape buffer. The affected area is located at the southwest corner of the site, north of tax parcel number 7790000321. A vicinity map showing the location of the property is attached to this notice.
Staff Contact:	Kendall Wals Senior Planner (253) 841-5462 KWals@PuyallupWA.gov

You are receiving this notice because our records indicate that you own property within a specified radius of the subject property or your agency may be affected by the proposal.

PUBLIC COMMENTS

Written and verbal testimony will be accepted. Written testimony may be submitted to the case planner at KWals@PuyallupWA.gov or 333 S. Meridian Attn: Kendall Wals by 3:00 pm the business day prior to the hearing to be made part of the public hearing record. All participation in the hearing will occur remotely via internet and/or phone access. Verbal testimony will be accepted during the Public Hearing via telephone or computer audio. The hearing will be held over Zoom and can be watched and listened to via this conferencing link: https://puyallupwa-gov.zoom.us/j/85970251829.

Zoom Meeting ID: 859 7025 1829
Passcode: 882058
Phone Call-In Number: +1 (253) 215-8782

Persons who would like to participate in the hearing that require auxiliary aids/services, or other disability or language accommodation services, please contact Michelle Ochs at least 48 hours prior to the meeting. Michelle Ochs may be reached at MichelleO@puyallupwa.gov or (253) 841-5485.

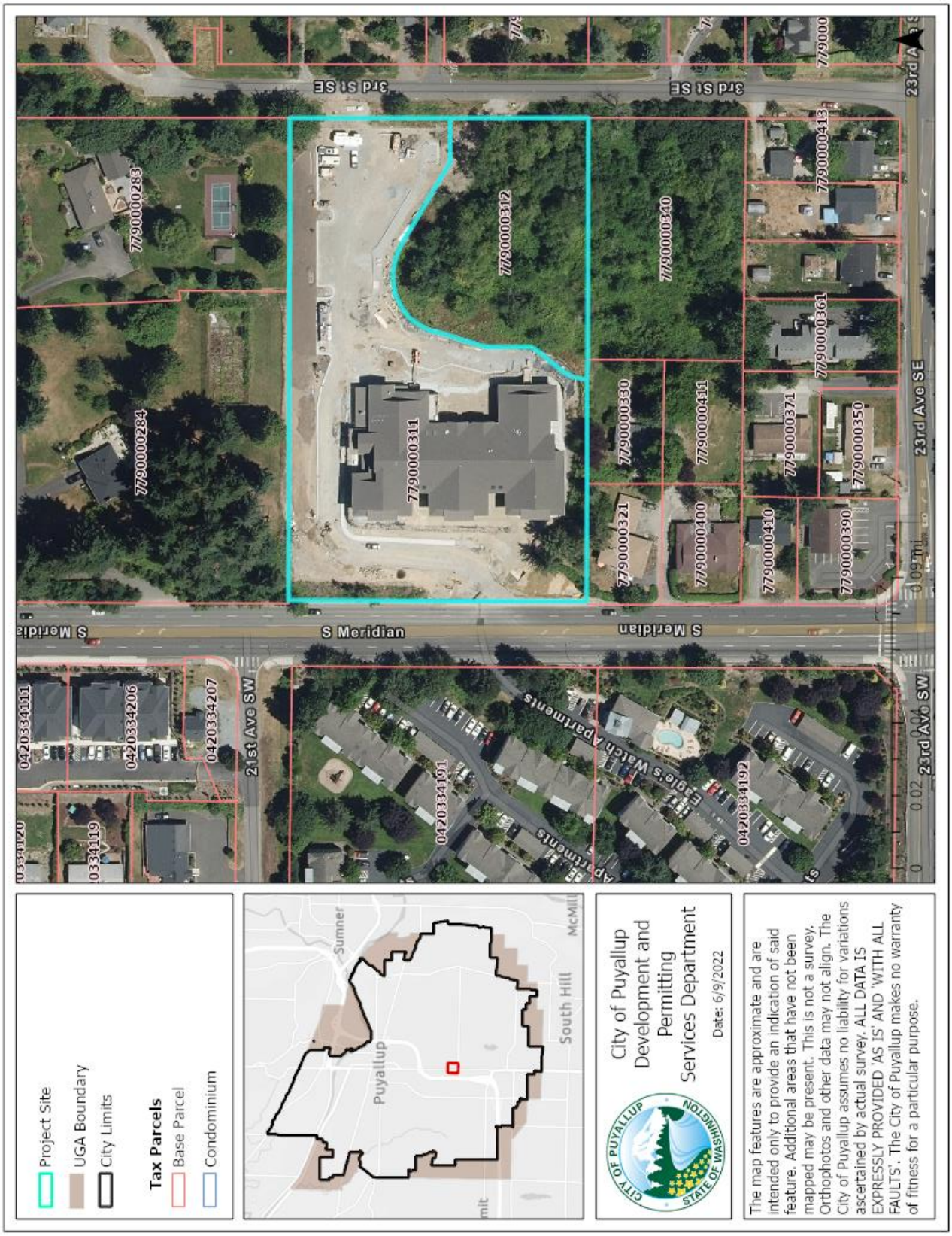
PARTY OF RECORD

If you wish to become a party of record for the subject application, please contact the case planner at KWals@PuyallupWA.gov or (253) 841-5462. All parties of record will receive notice of the final decision.

MORE INFORMATION

Should you desire additional information, you may contact the City of Puyallup Planning Staff using the staff contact information listed above. The permit project file can be reviewed at City Hall during regular business hours or on the City's web site at https://permits.puyallupwa.gov/Portal by searching the case # or project address, or using the following link:
https://permits.puyallupwa.gov/portal/Planning/StatusReference?referenceNumber=P-20-0124.

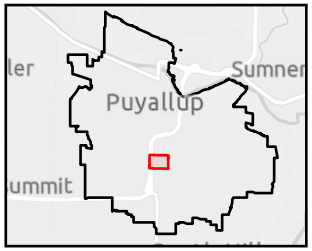
VICINITY MAP



PUYALLUP
WASHINGTON

City of Puyallup Planning Division

Mailing Map



Tax Parcels

- Base Parcel
- Condominium

- Puyallup City Limits

0 0.05 0.1 0.19 mi

Scale: 1:4,514

Map produced using City of Puyallup GIS web apps.

Date: 6/17/2022

The printed information was derived from digital databases within the City of Puyallup GIS Portal. The City of Puyallup cannot accept responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

7790000522
DELARGY NANETTE
2205 3RD ST SE
PUYALLUP, WA 98372-4512

7790000523
KIM SOO BEM & SEUNG MIN
2114 5TH ST SE
PUYALLUP, WA 98372-4613

7790000530
JONES ROBERT J & CYNTHIA L
325 23RD AVE SE
PUYALLUP, WA 98372-4532

7790000542
GAROFALO ALICE
2217 3RD ST SE
PUYALLUP, WA 98372-4512

7790000543
EVANS MIMY & BLAKE
2213 3RD ST SE
PUYALLUP, WA 98372

0420334081
MBUGUA BEATRICE & AMOS
119 21ST AVE SW
PUYALLUP, WA 98371-7490

0420334111
SANTA ANA 6961 LLC
10 INVERNESS DR E STE 250
ENGLEWOOD, CO 80112-5612

0420334119
SUNDSTROM JEANINE C
123 21ST AVE SW
PUYALLUP, WA 98371-7490

0420334191
EWA INVESTMENTS LLC
PO BOX 111088
TACOMA, WA 98411-1088

0420334192
EWA INVESTMENTS LLC
PO BOX 111088
TACOMA, WA 98411-1088

0420334206
SANTA ANA 6961 LLC
10 INVERNESS DR E STE 250
ENGLEWOOD, CO 80112-5612

0420334207
SANTA ANA 6961 LLC
10 INVERNESS DR E STE 250
ENGLEWOOD, CO 80112-5612

7790000283
JOHNSON GREGORY C & CINTHIA A
10202 149TH ST E STE 101
PUYALLUP, WA 98374-3746

7790000284
FERGUSON JANICE
2007 S MERIDIAN
PUYALLUP, WA 98371-7509

7790000311
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AVE STE 100
YAKIMA, WA 98908

7790000312
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AVE STE 100
YAKIMA, WA 98908

7790000321
CLAIBORNE LUTHER L
2205 S MERIDIAN
PUYALLUP, WA 98371-7503

7790000330
XU SHUREN
115 23RD AVE SE
PUYALLUP, WA 98372-4528

7790000340
BFG PUYALLUP MC PROPCO LLC
506 N 40TH AVE STE 100
YAKIMA, WA 98908

7790000350
MORRIS
113 23RD AVE SE
PUYALLUP, WA 98372-4528

7790000361
HUFF KENNETH J & CHERYL A TTEE
4646 NE 12TH AVE
PORTLAND, OR 97211-4616

7790000371
XU SHUREN
115 23RD AVE SE
PUYALLUP, WA 98372-4528

7790000381
ESTRADA HERNANDEZ JOSE LUIS & FERNANDEZ IZAZAGA BRENDA K
207 23RD AVE SE
PUYALLUP, WA 98372-4530

7790000390
SKINNER LINDA
206 CONANT DR N
EATONVILLE, WA 98328

7790000400
ROYAL MOTORS INC
18030 E VALLEY HWY
KENT, WA 98032

7790000410
ARMSTRONG JEFFREY
2221 S MERIDIAN
PUYALLUP, WA 98371-7503

7790000411
XU SHUREN
115 23RD AVE SE
PUYALLUP, WA 98372-4528

7790000412
SINGH PRITPAL & KAUR JASWINDER
215 23RD AVE SE
PUYALLUP, WA 98372-4530

7790000413
ASKAY HENRY C & PENNY S
225 23RD AVE SE
PUYALLUP, WA 98372-4530

7790000474
MOSICH MARK A TTEE
2017 NARROWS VIEW CIR NW UNIT A-206
GIG HARBOR, WA 98335

7790000475
MOSICH MARK A TTEE
2017 NARROWS VIEW CIR NW UNIT A-206
GIG HARBOR, WA 98335

7790000480
CRAIN BILLY E
2101 3RD ST SE
PUYALLUP, WA 98372-4510

7790000491
LAM DUNG & SON THANH
2121 3RD ST SE
PUYALLUP, WA 98372

7790000492
HINGER GARY W II & REYES ALCALA ANDRES
2127 3RD ST SE
PUYALLUP, WA 98372-4510

7790000516
BLAKELEY DEANNA & JAMES
2209 3RD ST SE
PUYALLUP, WA 98372-4512

McCLATCHY

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
19367	275660	Print Legal Ad - IPL0076893		$422.79	2	37 L

Attention: Nabila Comstock

CITY OF PUYALLUP DEVELOPMENT SERVICE
333 S MERIDIAN
PUYALLUP, WA 983715913

NOTICE OF PUBLIC HEARING
City of Puyallup – Hearing Examiner

NOTICE is hereby given that the City of Puyallup Hearing Examiner will conduct a hearing at 01:00 PM, June 28, 2022 via Zoom conference call on the following:
Case No: P-20-0124
Applicant: CASCADIA SENIOR LIVING LLC
Location: 2121 S MERIDIAN, PUYALLUP, WA 98371;
Project: Variance request to eliminate a portion of the 30-foot-wide Type I landscape buffer. The affected area is located at the southwest corner of the site, north of 2205 S MERIDIAN (TPN 7790000321).
Staff Contact: Kendall Wals, Senior Planner
(253) 841-5462 I KWals@PuyallupWA.gov

The Puyallup Hearing Examiner will hear testimony from interested persons via telephone or computer audio. **The hearing will be held over Zoom and can be watched and listened to via this conferencing** link: https://puyallupwa-gov.zoom.us/j/85970251829.
Zoom Meeting ID: 859 7025 1829
Passcode: 882058
Phone Call-In Number: +1 (253) 215-8782
For information and questions on how to participate in the hearing remotely, please contact Michelle Ochs at michelleo@puyallupwa.gov or at (253) 841-5485. Persons who would like to participate in the hearing remotely that require auxiliary aids/services, or other disability or language accommodation services, please contact Michelle Ochs, at least 48 hours prior to the meeting.
Written comments may be submitted to the City of Puyallup at 333 S. Meridian Puyallup, WA 98371 (attn: Michelle Ochs) or via email to planning@puyallupwa.gov in advance of the hearing by 3:00 pm June 27, 2022.
The Hearing Examiner gives equal weight to submitted written comments and spoken testimony. Any person may attend the public hearing and offer oral or written testimony regarding this case, which will become part of the public hearing record. Copies of the staff report that will be considered by the Hearing Examiner at the public hearing can be viewed at https://permits.puyallupwa.gov/portal/ and
searching for the property in the property search after June 21, 2022.
IPL0076893
Jun 13 2022

Calandra Daniels, being duly sworn, deposes and says: That he/she is the Principal Clerk of the publication; The News Tribune, printed and published in Tacoma, Pierce County, State of Washington, and having a general circulation therein, and which said newspaper(s) have been continuously and uninterruptedly published in said County during a period of six months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The News Tribune, as amended, for:

No. of Insertions: 1
Beginning Issue of: 06/13/2022
Ending Issue of: 06/13/2022

Principal Clerk

Sworn to and subscribed before me this 13th day of June in the year of 2022 before me, a Notary Public, personally appeared before me Calandra Daniels known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

PUBLIC HEARING

VIRTUAL HEARING VIA ZOOM

JUNE 28,2022– 1:00PM

Cascadia Senior Living

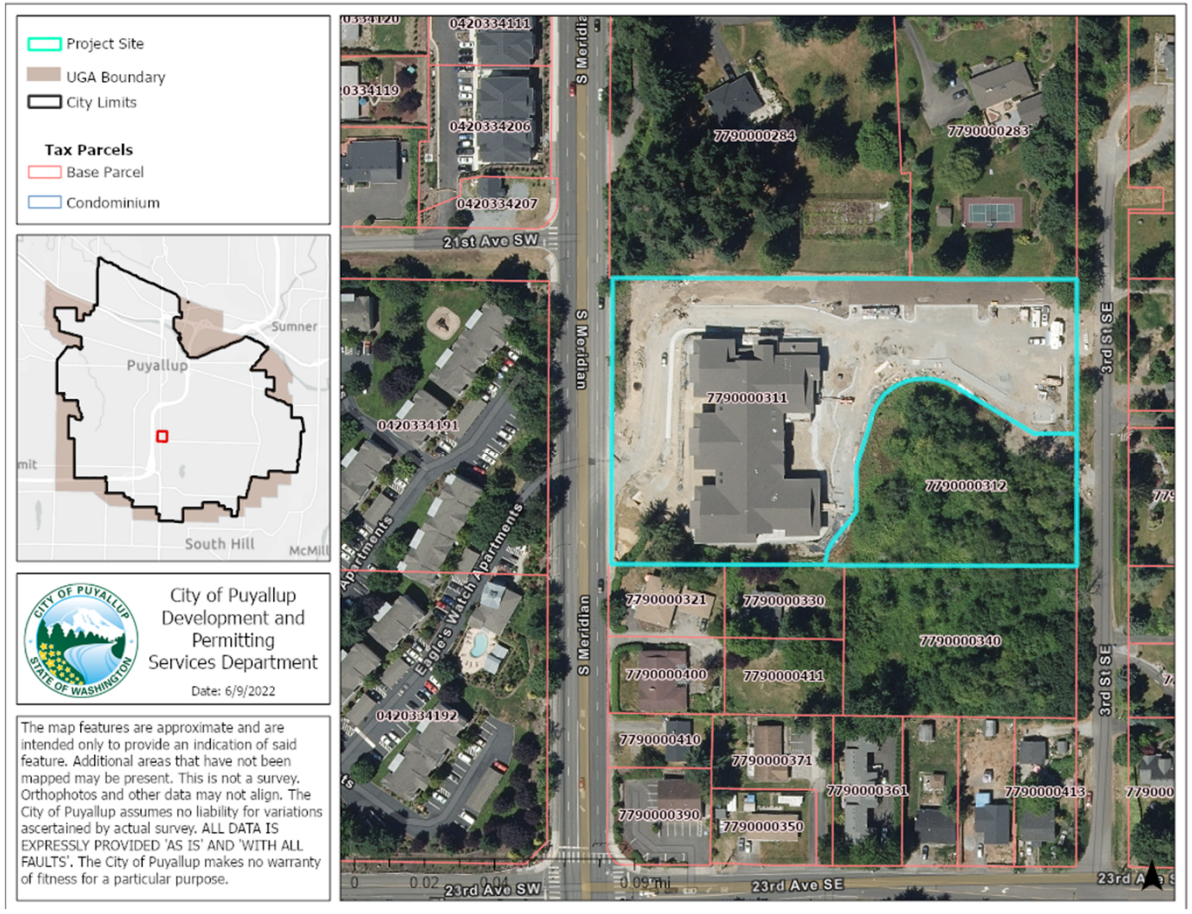
Variance Public Hearing

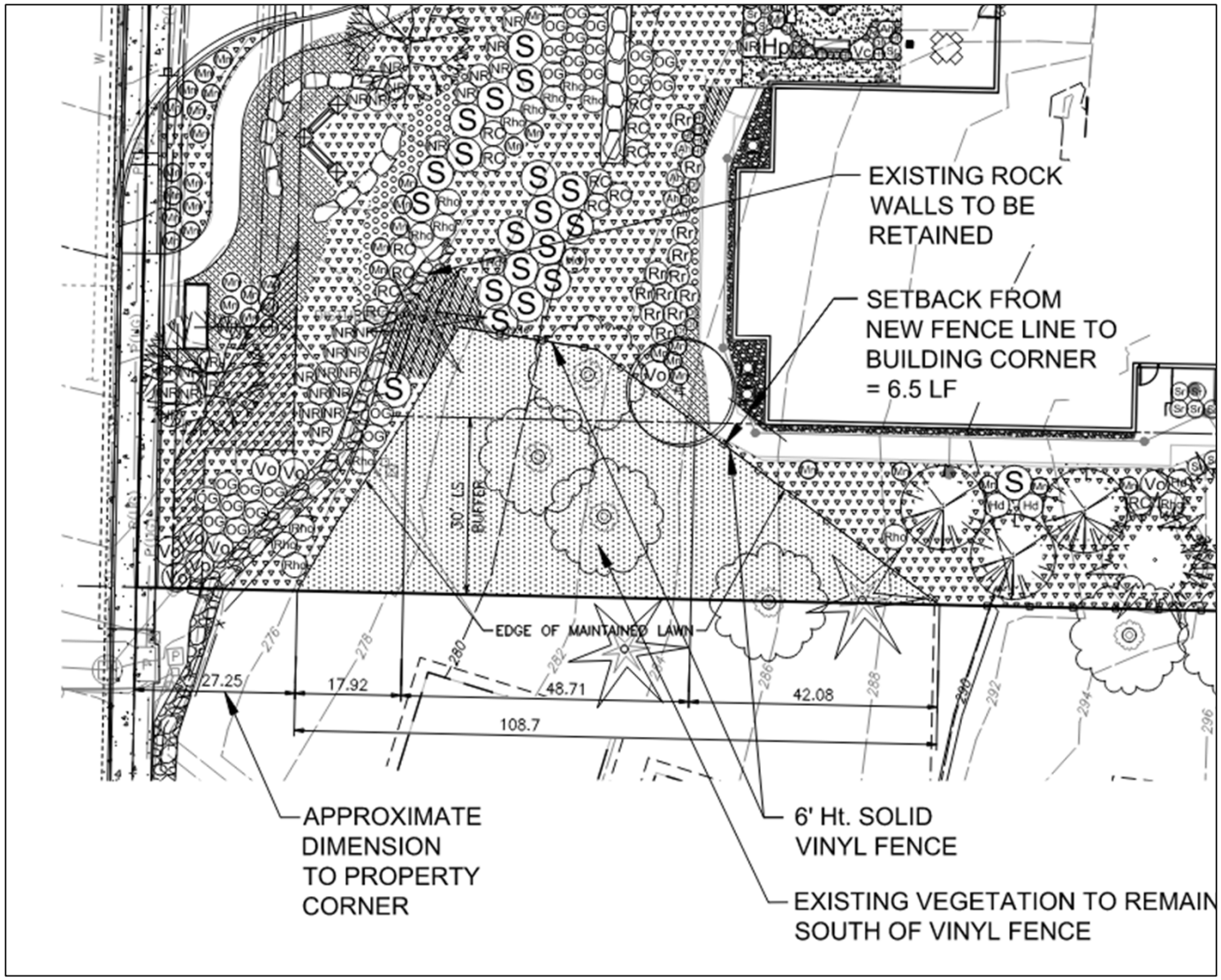
Case ID: P-20-0124

Application Information

- **Applicant:** Cascadia Senior Living
- **Site:** 2121 S Meridian
- **Zoning:** RM-20/RS-10
- **Land use designation:** High Density Residential (HDR)/ Low Density Residential (LDR)
- **Request:** Reduce required 30’ landscape buffer at the southwest portion of the site abutting 2205 S Meridian due to an adverse possession claim
- **Relevant history:** Conditional Use Permit approval in 2018 for a memory care facility (Case P-16-0002)

Vicinity Map




EXISTING ROCK WALLS TO BE RETAINED
SETBACK FROM NEW FENCE LINE TO BUILDING CORNER = 6.5 LF
30' LS BUFFER
EDGE OF MAINTAINED LAWN
27.25
17.92
48.71
42.08
108.7
APPROXIMATE DIMENSION TO PROPERTY CORNER
6' Ht. SOLID VINYL FENCE
EXISTING VEGETATION TO REMAIN SOUTH OF VINYL FENCE

Application Review Process

- **Applicant submitted application:** Nov 16, 2020
  - Application form, site plan, landscape plan
- **Notice to public sent:** Dec 8, 2020
- **City staff performed initial review – Review Team notes sent to applicant:** March 19, 2021
- **Applicant resubmitted:** March 16, 2022
- **Final review letter issued:** May 5, 2022
- **Public hearing scheduled:** May 2022
- **Notice of hearing mailed:** June 13, 2022

Development Review Team

- **Case Planner:** Kendall Wals
- **Review Engineer:** Joseph Berkey, P.E.
- **Traffic Engineer:** Bryan Roberts, P.E.
- **Building official:** Ray Cockerham
- **Fire Protection:** David Drake

Public Comments

One inquiry, but did not receive public comments on the proposal

Review Criteria (PMC 20.85.010)

<u>Hearing Examiner to consider – will the proposal:</u>

1. Constitute a grant of special privilege inconsistent with the limitations upon uses of other properties within the vicinity (1,000 ft) and/or contiguous zone?
2. Be detrimental to the public health, safety, comfort, convenience and general welfare, and not adversely affect the character of the surrounding neighborhood?
3. Necessary because of special circumstances relating to size, shape, topography, unusual natural features, location or surroundings of such property, to provide it the use rights and privileges permitted to other properties within the vicinity?

Criterion 1 – Analysis

- **Applicant's response:**
  - Request will not affect or limit the uses of properties within the vicinity or contiguous zones
- **Staff analysis:**
  - Within the vicinity, there have been two variance requests
  - Variance request would be an option for other properties in vicinity with a conditionally permitted use in a residential zone, subject to the same review/findings
  - Request only applies for the interface of 2205 S Meridian
  - Project was reviewed and approved for consistency with code, but during construction the abutting property owner requested the area not be improved

Criterion 2 – Analysis

- **Applicant's response:**
  - Request will not be detrimental to the public health, safety, comfort, convenience or general welfare, or adversely affect the character of the surrounding neighborhood or be injurious to adjacent properties. Abutting property owner is claiming adverse possession and does not desire the required landscaping.
- **Staff analysis:**
  - Prior CUP decision included finding regarding the landscape buffer requirements
  - Area would function as the backyard of neighboring property, and does not appear out of character with the neighborhood
  - Improvements include 6' fence and retention of existing trees
  - Subject standards are intended to mitigate impacts of the nonresidential use

Criterion 3 – Analysis

- **Applicant's response:**
  - Adverse possession claim; abutting owner requests the area remain "as-is"
  - Area would remain with existing lawn and 5 trees, including fencing

- **Staff analysis:**
  - Our understanding that the adverse possession claim has not been litigated
  - The adverse possession claim is a unique situation that could be seen as a special circumstance not caused by the current or previous property owners

Staff Recommendation

Staff recommends **approval** based on the following findings:

- The requested variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity; and,
- The proposal is not anticipated or known to be a detriment to public health, safety, general welfare nor would the requested variance adversely impact the established character, or the comfort/convenience enjoyed by the surrounding/abutting property owners of the neighborhood currently; and,
- There is a special circumstance related to the request by the adjacent property owner that justifies a need for relief from the code required landscaping buffers.

No conditions have been identified at this time.