

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	<u>September 28, 2015</u>
Subject:	<u>Ordinance No. 2015-8 Approving a</u>	Prepared by:	<u>Town Attorney</u>
	<u>Site Specific Rezone for Real Property</u>		<u>Gregory A. Jacoby</u>
	<u>Located at 110 Oak Street East and</u>	Atty Routing No:	<u>038-15</u>
	<u>Amending the Town's Zoning Map</u>	Atty Review Date:	<u>September 24, 2015</u>

Summary: Curtis and Gretchen Hood have submitted a request to rezone the undeveloped real property located at 110 Oak Street East, Pierce County tax parcel number 3660000090, from multi-family residential district, high density (MF-2) to single-family residential district, high density (SF-3). In accordance with the procedure set forth in EMC 18.09.050, the Planning Commission held a duly noticed public hearing and has unanimously recommended approval of the rezone request. For the reasons set forth in the proposed Ordinance, the rezone and its future development with single family residences is consistent with the Town's Comprehensive Plan and with the existing development in the area – which is entirely single family residential.

Recommendation: Staff recommends approval of the first reading of Ordinance No. 2015-8 approving a site specific rezone for the real property located at 110 Oak Street East and amending the Eatonville zoning map by changing the zoning classification for the property from multi-family residential district, high density (MF-2) to single-family residential district, high density (SF-3).

Motion for consideration: I move to approve the first reading of Ordinance No. 2015-8 approving a site specific rezone for the real property located at 110 Oak Street East and amending the Eatonville zoning map by changing the zoning classification for the property from multi-family residential district, high density (MF-2) to single-family residential district, high density (SF-3).

Fiscal Impact:

Attachments: Ordinance No. 2015-8

ORDINANCE NO. 2015-8

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, APPROVING A SITE SPECIFIC REZONE FOR THE REAL PROPERTY LOCATED AT 110 OAK STREET EAST AND AMENDING THE EATONVILLE ZONING MAP BY CHANGING THE ZONING CLASSIFICATION FOR THE PROPERTY FROM MULTI-FAMILY RESIDENTIAL DISTRICT, HIGH DENSITY (MF-2) TO SINGLE-FAMILY RESIDENTIAL DISTRICT, HIGH DENSITY (SFR-3)

WHEREAS, Curtis and Gretchen Hood (the applicant) are the owners of the real property located at 110 Oak Street East, Eatonville; Pierce County tax parcel number 3660000090 (the subject property); and

WHEREAS, the applicant has submitted an application to rezone the subject property from Multi-Family Residential District, High Density (MF-2) to Single-Family Residential District, High Density (SF-3) so as to be able to subdivide the property for the development of two single-family residences; and

WHEREAS, all fees associated with the rezone application have been paid to the town; and

WHEREAS, a SEPA Determination of Non-Significance was issued on August 26, 2015 and no comments were received; and

WHEREAS, on September 8, 2015, the Eatonville Planning Commission held a public hearing and received public comment regarding the applicant's request to rezone the subject property; and

WHEREAS, at least ten (10) days prior to the public hearing, notice of the public hearing was provided to all property owners within at least 300 feet of the proposed rezone and a public notice was posted on the subject property; and

WHEREAS, public notice was also published in the local newspaper at least ten (10) days prior to the public hearing; and

WHEREAS, having conducted the public hearing and considered the entire record, including but not limited to the Planning Department's file, a staff report, and public comment, the Planning Commission has unanimously recommended approval of the application for the rezone of the subject property; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. Findings and Conclusions. Based on the Planning Department's file, the staff report prepared for the Planning Commission's public hearing (a copy of

which is attached as Exhibit A), and the materials submitted at the public hearing, all of which are incorporated herein by reference, the Town Council identifies the following findings of fact as relevant to the applicant's request for a site specific rezone.

- A. The Whereas clauses set forth above are adopted herein as findings of fact.
- B. The Town's Comprehensive Plan land use designation for the subject property is Multi-Family. The current zoning designation for the subject property is Multi-Family Residential District, High Density (MF-2).
- C. The Comprehensive Plan describes single family residential as the predominant land use in the Town. The residential land designation is described as encompassing both single family and multi-family development.
- D. The Comprehensive Plan identifies the following as goals and policies in support of residential land use: encouraging residential neighborhoods; encouraging the efficient use of developable residential land; and encouraging residential development adjacent to downtown.
- E. The abutting area land use designations are north: multi-family; south: single-family; east: single-family; and west: multi-family.
- F. The abutting area zoning designations are north: MF-2; south: SF-3; east: SF-3; and west: MF-2.
- G. The national recession that began in 2008 has had lingering affects on real estate development in the Town. Single-family residential development remains far more marketable than multi-family development.
- H. Development of the subject property will increase its tax assessed value and generate increased property tax and utility fees.
- I. The subject property was last rezoned in 2006.

Section 2. Conclusions of Law. Based on the findings of fact set forth above in Section 1, the Town Council makes the following conclusions of law:

- A. Section 18.09.050 of the Eatonville Municipal Code provides, in part:

C. Standards and Criteria for Granting a Request for Rezone. The following standards and criteria shall be used by the planning commission and town council to evaluate a request for rezone. Such an amendment shall only be granted if the town council determines that the request is consistent with these standards and criteria:

- 1. The proposed rezone is consistent with the comprehensive plan;*

2. The proposed rezone and subsequent development of the site would be compatible with development in the vicinity;

3. The proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated;

4. Circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone;

5. The proposed rezone will not adversely affect the health, safety and general welfare of the town.

B. The applicant has met his burden as to the five criteria set forth in EMC 18.09.050(C).

1. The rezone request is consistent with the Comprehensive Plan. The Plan identifies single family residential development as the predominant land use in the Town. The residential land use designation is recognized as encompassing both single-family and multi-family development. Development of the subject property with single-family residences furthers the goals and policies set forth in the Plan for residential land use.
2. The proposed rezone and subsequent development of the subject property is compatible with development in the vicinity. The land area abutting the subject property has a land use designation of either multi-family or single-family and a zoning designation of either MF-2 or SF-3. However, the existing pattern of actual land development abutting the subject property is entirely single-family residential use.
3. The proposed rezone will not unduly burden the transportation system in the vicinity of the subject property. Oak Street is a paved public road that is developed with curb, gutter, sidewalk, and street lighting. The addition of two single family residences will not burden the existing transportation system.
4. As a result of the 2008 national recession and its impact on residential development in the Town, single-family residences are much more marketable than multi-family residences. These changed circumstances since the property was rezoned in 2006 support the request to rezone.
5. The requested rezone has a substantial relation to the health, safety, and general welfare of the Town because once developed the property will generate additional tax revenue and because the rezone furthers the goals of the Town's Comprehensive Plan.

Section 3. Final Decision. Based on the recommendation of the Planning Commission and the findings of fact and conclusions of law set forth above, the Town Council approves the request to rezone and the Town of Eatonville Zoning Map is hereby amended by changing the zoning classification for the property located at 110 Oak Street East, Pierce County tax parcel number 3660000090, from Multi-Family Residential District, High Density (MF-2) to Single-Family Residential District, High

Density (SF-3).

Section 4. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 09/28/2015

2ND READING: 10/12/2015

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this ____ day of September, 2015.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney



Staff Report

Scott Clark, Town Planner
Larson and Associates

Hood Rezone

Planning Commission Hearing
September 8, 2015

TABLE OF CONTENTS:

- I. Application Scope..... Page 2
- II. Site Location..... Page 2
- III. Background Page 2
- IV. Rezone Rules & Regulations Page 4
- V. Comprehensive Plan..... Page 6
- VI. State Environmental Policy Act (SEPA) Page 8
- VII. Staff Analysis & Recommendations..... Page 8
- VIII. DRAFT Findings of Fact..... Page 9
- IX. DRAFT Planning Commission Recommendation Page 10
- X. Attachments Page 10

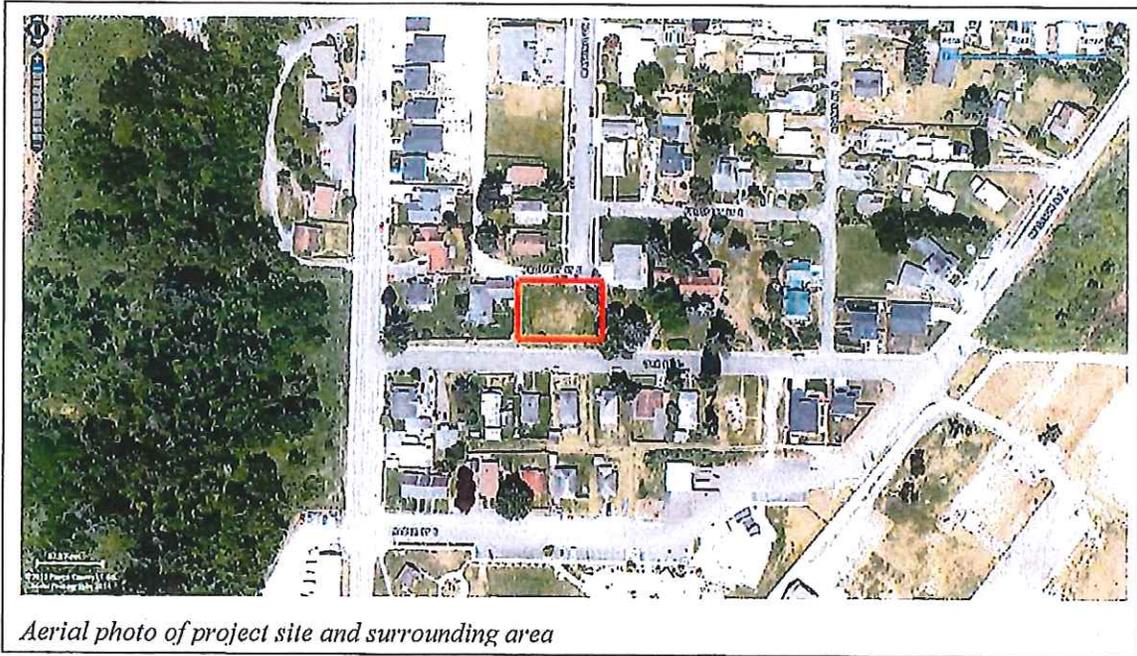


I. APPLICATION SCOPE:

The Applicant is requesting to “rezone” a single vacant ~12,600 sq/ft (0.29 acres) parcel from “Multifamily Residential District, High Density” (MF-2) –to- “Single-Family Residential District, High Density” (SF-3).

II. SITE LOCATION:

The Hood property fronts on two (2) Town streets, Oak Street East on the south and Prospect Street East on the north.



III. BACKGROUND:

Owner/Applicant: Curtis and Gretchen Hood
PO Box 83, Eatonville, WA 98328

Application Type: Rezone

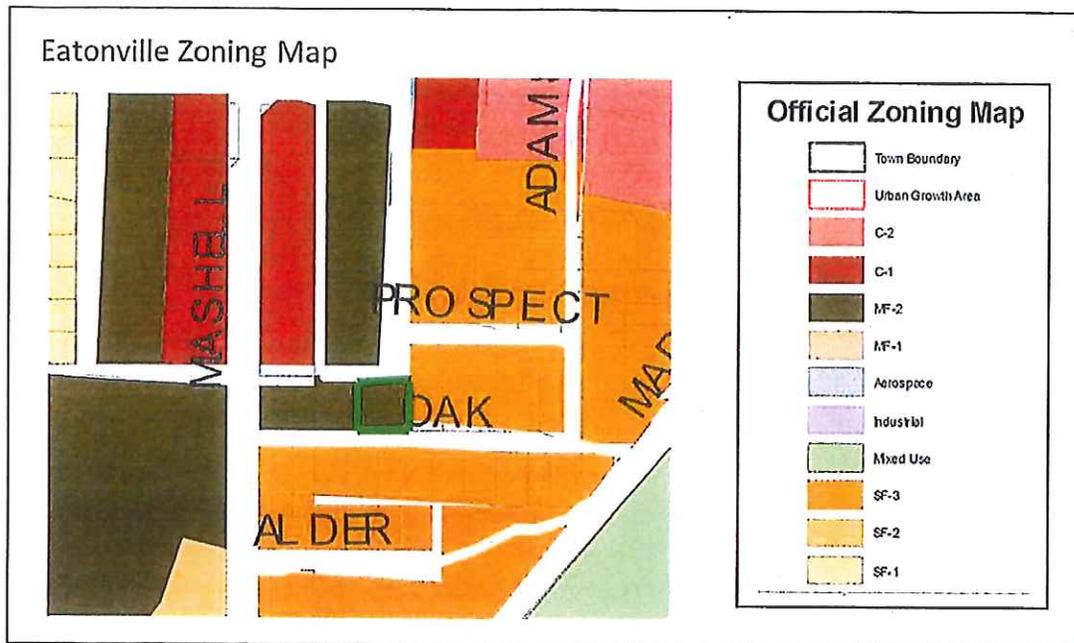
Application Vested: July 20, 2015

Tax Parcel Number: 3660000090

Location: The site is located between Oak Street East and Prospect Street East, in ¼ section 12, Section 23, Township 16, Range 04, WM.

Current Zoning: Multifamily Residential District, High Density (MF-2)

Area Zoning:



Abutting Area Zoning: North: MF-2
 South: SF-3
 East: SF-3
 West: MF-2

Existing Conditions: The ~12,600 sq/ft site is currently undeveloped.

The frontage along Oak Street is developed with curb, gutter, sidewalk and street lighting. The frontage along Prospect Street is partially paved, partially graveled, and does not have curb, gutter, sidewalk or street lighting improvements along the frontage.

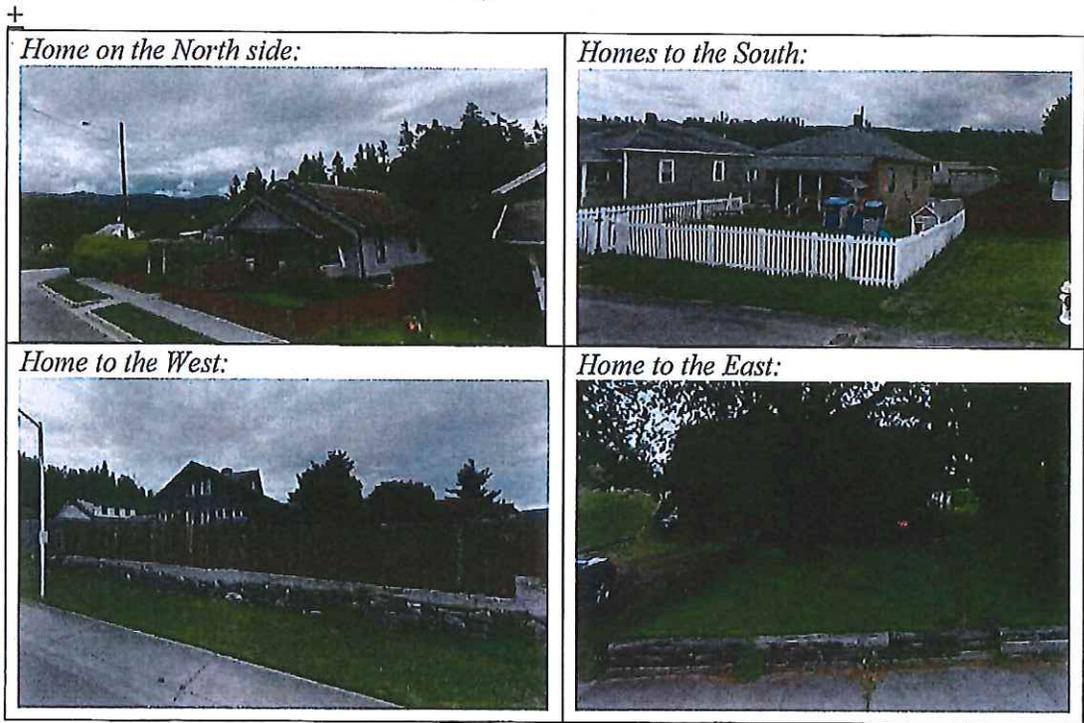


View of site along Oak Street East – looking northeast



View of site along Prospect Street East – looking southwest

The property is flanked on the west and east sides by existing single family residences. Single family residences are also located across Prospect and Oak streets to the north and south respectively.



Historic Actions: On May 8, 2006 this site (*parcel No. 3660000090*) was successfully rezoned from SF-3 –to- MF-2 (Ordinance 2006-12).

IV. REZONE RULES & REGULATIONS:

For review and consideration, please find below some of the relevant Eatonville Municipal Codes (EMC) related to this proposal:



Chapter 18.09. Administration, including but not limited to:

18.09.050, Amendments, provides the following:

This title may be amended by the town council by changing the boundaries of zoning districts (rezones which change the official zoning map) or by changing any other provisions thereof (text amendments which add, delete or otherwise modify the text of this title) whenever the public necessity and convenience and the general welfare require such amendment, by following the procedures of this section.

A. Initiation. An amendment may be initiated as follows:

- 1. Amendments to the text of this title and official zoning map amendments may be initiated by resolution of intention by the town council. Text amendments are heard by the board of adjustment and recommended to the town council for final approval.*
 - 2. Amendments to the text of this title may be initiated by resolution of intention by the planning commission.*
 - 3. Official zoning map amendments (rezones) may be initiated by application of one or more owners, or their agents, of the property affected by the proposed amendment, which shall be made on a form prescribed by the planning director and filed with the planning director. The application shall be submitted at least 30 days prior to the next regularly scheduled public hearing date, and shall be heard by the planning commission within 45 days of the date of the application; provided, however, that this period may be extended in any case for which an environmental impact statement is required.*
- B. Public Hearing. The planning commission shall hold at least one public hearing on any proposed amendment, and shall give notice thereof in at least one publication in the local newspaper at least 10 days prior to the public hearing.*

1. Notice shall be given to all property owners within at least 300 feet and, when determined by the planning director, a greater distance from the exterior boundaries of the property which is the subject of the application. Such notice is to be sent 10 days prior to the public hearing. The failure of any property owner to receive the notice of hearing will not invalidate the proceedings.

2. Public notices shall be posted in one conspicuous place on or adjacent to the property which is the subject of the application at least 10 days prior to the date of the public hearings. Public notice shall be accomplished through use of a two-foot by two-foot plywood face generic notice board, to be issued by the town planning director, and as follows: The applicant shall apply to the town for issuance of the notice board, and shall deposit with the town planning director the amount of dollars as specified in the current rate and/or fee resolution. The applicant shall be responsible for placement of the notice boards in one conspicuous place on or adjacent to the property which is the subject of the application at least 14 days prior to the date of the public hearing. Planning department staff shall post laminated notice sheets and vinyl formation packets on the board no later than 10 days prior to the hearing. Upon return of the notice board in good condition to the planning director by the applicant, an amount of dollars of the initial notice board deposit shall be refunded to the applicant as specified in the current rate and/or fee resolution.

C. Standards and Criteria for Granting a Request for Rezone. The following standards and criteria shall be used by the planning commission and town council to evaluate a request for

rezone. Such an amendment shall only be granted if the town council determines that the request is consistent with these standards and criteria:

1. The proposed rezone is consistent with the comprehensive plan;
2. The proposed rezone and subsequent development of the site would be compatible with development in the vicinity;
3. The proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated; Circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone;
5. The proposed rezone will not adversely affect the health, safety and general welfare of the town.

Chapter 18.03, Districts Established – Zoning Map

Chapter 18.04 District Regulations

The following are excerpts of the “Purpose” of the two zones under review and their respective “Principally Permitted Uses”:

18.04.025 SF-3 – Single-family residential district, high density.

It is the purpose of the SF-3 single-family residential district to stabilize and preserve older established residential neighborhoods.

A. Lot Area. Minimum lot area is 6,000 square feet.

C. Principally Permitted Uses. Principally permitted uses are as follows:

1. One single-family dwelling per lot;
2. Crop and tree farming;
3. Group homes class I-A and I-B.

18.04.040 MF-2 – Multifamily residential district, high density.

It is the purpose of the multifamily residential district, MF-2, to provide for a substantial increase in population density and allow for a greater variety of housing types.

A. Principally Permitted Uses. Principally permitted uses are as follows:

1. Single-family dwellings;
2. Duplexes;
3. Multiple-family dwellings, including apartments and townhouses;
4. Group homes class I-A, I-B and I-C;
5. Crop or tree farming; and
6. Cottage housing in accordance with Chapter 19.06 EMC.

G. Development Standards.

1. Single-Family Dwellings and Duplexes.

For single-family dwellings and duplexes, the development standards of EMC 18.04.010 and 18.04.020 shall apply.

18.04.010 SF-1 – Single-family residential district, low density.

A. Lot Area. Minimum lot area is 9,600 square feet.

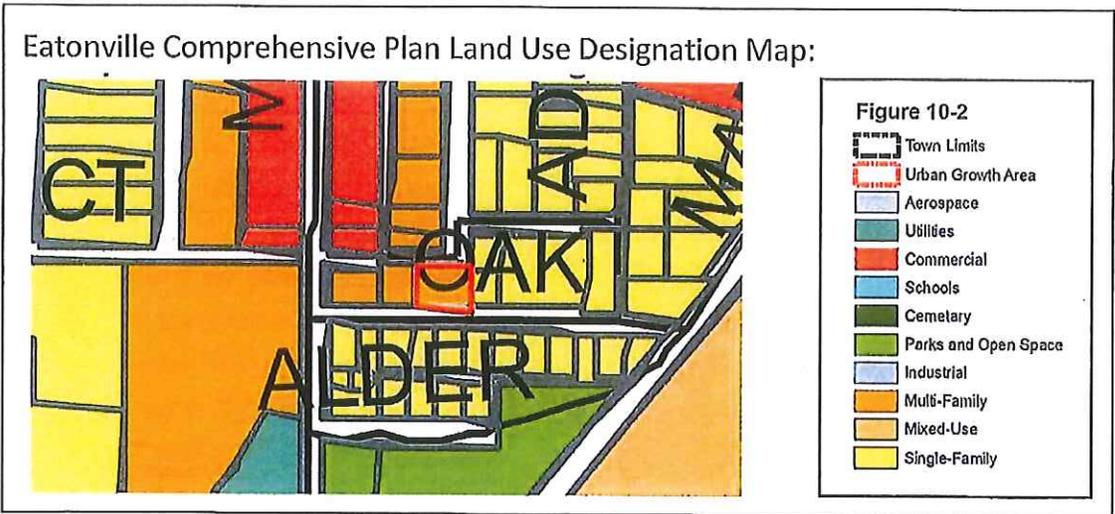
Chapter 18.09A, Land Use Permits and Appeal Procedure



V. COMPREHENSIVE PLAN:

For review and consideration, please find below some of the relevant Eatonville Comprehensive Plan excerpts and other relevant Comprehensive Plan information for this proposal:

Current Land Use Designation: Multi-Family



Abutting Area Land Use Designations:

- North: Multi-Family
- South: Single-Family
- East: Single-Family
- West: Multi-Family

Comprehensive Plan Text:

10.8.2 Residential Land – covers “SFR and MF” within a single descriptive paragraph, which reads as follows:

Designation Description:

10.8.2 Residential Land. The predominant land use in the Draft Comprehensive Plan Update for Eatonville is single family residential as shown in Figure 10-2. This is natural, since Eatonville is a rural residential community. In addition to land designated for single family residential development, additional lands have been designated for multi-family development.

Goals and Policies:

10.7.2 Residential Areas Land Use

Goal LU-2

To encourage residential neighborhoods within the Town to have convenient access (including pedestrian) to commercial facilities, parks, and other community services.

Policies



1. *Encourage the efficient use of developable residential land through the application of zoning policies.*
2. *Encourage residential development adjacent to downtown.*
3. *Encourage the use of master plans for large developments which emphasize aesthetics and community compatibility. Include in the master plan development circulation, landscaping, open space, identification of historic and archaeological properties, storm drainage, utilities and building location and design, and access to commercial and community facilities.*
4. *Discourage the use of fencing, particularly when fencing separates neighborhoods from schools, parks, shopping, or other neighborhoods. Fencing should only be used when other methods of buffering are not possible.*

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA):

A Determination of Non-significance (DNS) was issued on August 26th, 2015, with comment due by August 21, 2015. No SEPA comments were received.

VII. STAFF ANALYSIS & RECOMMENDATIONS:

A request for a rezone from “Multifamily Residential District, High Density” (MF-2) –to- “Single-Family Residential District, High Density” (SF-3) is allowed under EMC 18.09.050. In this case it’s Staff’s understanding the land owner intends to subdivide for the development of two (2) single family residences. However, a “development agreement” has not been made part of this application. As such, rezone requests such as this (*without an accompanying “development agreement”*) should be decided (*without conditions, if approved*) after having considered the full range of potential uses, allowances and standards contained in the requested zoning district.

Although this particular site is mapped as “Mixed-Use” within in the Comprehensive Plan, the land use designation descriptions for Single-Family and Mixed-Use have been blended and combined within a single description. Unlike other descriptions within the Plan, there is clear overlap within these two (2) particular land use designations. While case by case evaluations of various proposals may lead to differing outcomes and/or interpretations, it is Staff’s opinion that an examination of the history, the unique circumstances and characteristics of this particular case tends to lean towards a finding of Comprehensive Plan compliance. As such, based on the zoning history of this site (*including the 2006 rezone from SF-3*), the existing pattern of single family residential development in this particular area, and the overlapping allowance for single family residential development in the “designation description”, the Planning Commission could reasonably make a finding of consistency with the Comprehensive Plan.

Based on the existing pattern of development abutting this site, which is single family residential in all directions, Staff believes the proposed rezone and subsequent development of the site under the proposed SF-3 Zone will be compatible with development in the vicinity.

Based on the existing single family residential pattern of development abutting this site, Staff believes the proposed rezone (*down-zone from MF-2 to SF-3*) will likely result in a reduced burden on the transportation system. Moreover, any significant adverse impacts that may be associated with a future proposal under the SF-3 zone will be evaluated and mitigated at the time of land development application.

Although only a number of years have transpired since the site was rezoned in May of 2006, circumstances have changed, including but not limited to the national recession that has effected Eatonville residents during the same timeframe. As such, Staff believes the Planning Commission could reasonably find that circumstances have changed enough in the last 9 years to warrant the approval of the requested rezone.

Based on the existing pattern of development, the existing infrastructure serving the site, and with findings of consistency with the Eatonville Municipal Code and the Eatonville Comprehensive Plan, Staff believes the Planning Commission could reasonably determine the proposed rezone (*a down-zone*) will not adversely affect the health, safety and general welfare of the town.

Finally, based on the above analysis it's Staff's opinion the Planning Commission could find the rezone compliant with the criteria of approval under EMC 18.09.050.C., and forward a recommendation of approval to Town Council.

VIII. DRAFT FINDINGS OF FACT:

1. The applicant has submitted an application for rezone from "Multifamily Residential District, High Density" (MF-2) –to- "Single-Family Residential District, High Density" (SF-3).
2. All fees associated with the application for rezone have been paid.
3. Notice has been provided to all property owners within at least 300 feet of the proposed rezone at least 10 days prior to the public hearing.
4. The required public notice regarding the proposed rezone has been be posted on site at least 10 days prior to the date of the public hearing.
5. Public notice has been published in a local newspaper at least 10 days prior to the public hearing.
6. A request for rezone may be allowed pursuant to the requirements of Eatonville Municipal Code, including but not limited to, EMC 18.09.050.
7. A SEPA Determination of Non-significance (DNS) was issued on August 26th, 2015.
8. On September 8, 2015, the Eatonville Planning Commission held a hearing and received public comment regarding the applicant's request for a rezone of Parcel No. 3660000090.



Pursuant to Eatonville Municipal Code (EMC) 18.09.050, Standards and Criteria for Granting a Request for Rezone, the Eatonville Planning Commission makes the following additional findings: (please circle selections below: **bold and underlined** for approval – *italic* for denial)

- 9. The proposed rezone is *is not* consistent with the comprehensive plan;
- 10. The proposed rezone and subsequent development of the site would be *would not be* compatible with development in the vicinity;
- 11. The proposed rezone will not *will* unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated;
- 12. Circumstances have *have not* changed substantially since the establishment of the current zoning district to warrant the proposed rezone;
- 13. The proposed rezone will not *will* adversely affect the health, safety and general welfare of the town.

AIF Beach Miller
Beach Justice
Beach Craig
Beach Miller
Beach AIF Miller
Beach Justice

IX. DRAFT PLANNING COMMISSION RECOMMENDATION:

Having conducted the required public hearing and carefully considering the entire record, including but not limited to the Planning Department file, the recommendations and comments of Planning Staff, the presentation and comments of the Applicant and the public, by a vote of 4 in favor and 0 apposed, the Planning Commission hereby adopts the Planning Staff Analysis, Recommendations and Draft Findings of Fact contained herein and as noted above, and recommends **APPROVAL** / *DENIAL* of the Hood Rezone request.



Planning Commission Chairman

9/8/2015
Date

X. ATTACHMENTS:

- Attachment A:** Hood Rezone Application Materials (*Master Application, Rezone Application, SEPA Checklist, Rezone Supplemental Application Materials, Assessor's Parcel Map, Title Snapshot, Statutory Warranty Deed, etc.*)
- Attachment B:** Ordinance 2006-12
- Attachment C:** SEPA Determination



Date Recv'd. 7.8.15
 Deposit \$ 500.00
 Receipt # 55015

**TOWN OF EATONVILLE
 PLANNING DEPARTMENT
 201 Center St W / PO Box 309
 360-832-3361 / Fax 360-832-2573**

MASTER APPLICATION FOR LAND USE ACTIONS
 Check all applications for which you are applying.

<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Non-Conforming Use Permit	<input type="checkbox"/> Boundary Line Adjustment
<input type="checkbox"/> SEPA Review	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Binding Site Plan
<input type="checkbox"/> Variance	<input type="checkbox"/> Short Plat / Long Plat	<input type="checkbox"/> Other : _____
<input checked="" type="checkbox"/> Rezone	<input type="checkbox"/> Final Plat	_____

*****APPLICATION DATA*****

Project Name: 110 Oak St E. - REZONE
 Owner: Curtis Hood Address: P.O. Box 83 Eatonville
 Phone: 253.375.3354 ^{Gretchen} Cell: 253.875.0285 Business: _____
 Contact Person: Curtis or Gretchen Cell: _____

*****PARCEL DATA*****

Site Address: 110 Oak St. E Parcel # 366 0000090
 Legal Description : QTR SEC. 12 Section 23 Township 16 Range 04
 Related Parcels: N/A
 Utility Sources: Water: TOE ; Sewer TOE ; Power: TOE
 **Include Development Plans (Drawn to scale)

TOWN OF EATONVILLE
REZONE APPLICATION

RECEIVED
JUL 08 2015
BY: [Signature]

Parcel # 3660000090

FOR TOWN USE ONLY	
Date received:	7.8.15
Fee paid:	500.00 Deposit.
Receipt #:	
Received by:	[Signature]

APPLICANT INFORMATION

Applicant's Name CURTIS HOOD

Address PO BOX 83, EATONVILLE, WA 98328

Telephone/FAX 253-375-3354 / 253-875-0285

If owner is different from applicant, what is the legal relationship of the applicant to the owner that entitles the applicant to make application? _____

Applicant's Signature _____ Date 7/3/15

Owner's Name SAME AS ABOVE

Address _____
↓

Telephone/FAX _____

I (we) grant the above applicant permission to use my (our) property in the manner described in this application.

Owner's Signature NA Date _____
Owner's Signature NA Date _____
Owner's Signature NA Date _____

Representative's Name NA

Address NA

Telephone/FAX NA

We the above signatories attest under penalty of perjury that the information in this application is true and accurate. We also understand that it is our responsibility to understand and comply with all applicable federal, state, and local regulations.

CONTACT PERSON/ENTITY

Please designate a single person/entity to receive determinations and notices from the Town

Name CURTIS HOOD
Address PO BOX 83 EATONVILLE, WA 98328
Telephone/FAX 253-375-3354 / 253-875-0285

SITE SPECIFIC INFORMATION

1. For what area are you requesting a rezone? List address, tax parcel number and attach a

map: 110 OAK ST. E
EATONVILLE, WA 98328
Parcel: 366 0000090

2. Availability of utilities: water ___; fireflow ___; sewer ___; stormwater ___

3. Current use of property VACANT LOT

4. Describe current use of properties to the north, south, east and west

SINGLE FAMILY RESIDENCES

5. Current zoning MF 2

6. Proposed zoning SF 3

7. Why are you requesting a rezone? RETURN TO PREVIOUS

ZONING OF SF3 / MAXIMIZE POTENTIAL
OF LOT



SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

A. background

- 1. Name of proposed project, if applicable: HOOD Project
- 2. Name of applicant: CURTIS & GRETCHEN HOOD
- 3. Address and phone number of applicant and contact person: PO BOX 83, Eatonville WA 98328
253-375-3354
- 4. Date checklist prepared: 7/17/15
- 5. Agency requesting checklist: INDIVIDUAL
- 6. Proposed timing or schedule (including phasing, if applicable): UPON APPROVAL
- 7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. IF APPROVED - CONSTRUCT (2) SINGLE FAMILY RESIDENCES
- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. NONE

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
NONE

10. List any government approvals or permits that will be needed for your proposal, if known.
IF APPROVED (REZONE) BLDG PERMITS WILL BE REQUIRED

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
CONSTRUCT 2 SFR (IF APPLICATION FOR REZONE IS APPROVED) PLANS HAVE NOT BEEN DRAWN - Initially a request for rezone from MF-2 to SF-3

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.
TOWNSHIP & RANGE. ADDRESS: 110 OAK ST. E
EATONVILLE WA 98328
pursuant to Curtis & Gretchen Hood 253-375-3354 7-23-15

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other Flat

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

Flat

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

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. NONE

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

NO FILL REQUIRED AT THIS TIME

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

NO

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? 80%

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

SILT FENCING IF REQUIRED

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. NONE

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. NONE

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

NONE

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe

NO

type
and provide names. If appropriate, state what stream or river it flows into.

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

LAKES, PONDS etc ^WIN. NO STREAMS, 200 FT.

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

NONE

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

OR DIVERSIONS NO WITHDRAWALS

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

NO

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

NONE

b. Ground Water:

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

NO WELL
(TOWN OF EATONVILLE WATER)

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

NO SEPTIC
(TOWN OF EATONVILLE SEWER)

c. Water runoff (including stormwater):

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

NO
TOWN OF EATONVILLE
STORM WATER COLLECTION -

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

NO

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

NO

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

TOWN OF EATONVILLE RIGHTS

4. Plants

a. Check the types of vegetation found on the site:

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

WEEDS
BLACKBERRY BUSHES

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

MAJORITY WILL BE REMOVED TO ACCOMMODATE CONSTRUCTION

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

NONE

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

PLANTED WE PLAN TO HAVE GRASS

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

NONE

5. Animals

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

- birds: hawk, heron, eagle, songbirds, other: _____
- mammals: deer, bear, elk, beaver, other: _____
- fish: bass, salmon, trout, herring, shellfish, other: _____

NO WILDLIFE OBSERVED

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

NONE

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

WE DO NOT BELIEVE WE ARE IN A MIGRATION RTE

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

NONE AT THIS TIME

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

NONE

6. Energy and natural resources

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

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **NO SOLAR AT ADJACENT PROP.**

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: **RESIDENTIAL STRUCTURES WILL HAVE ENERGY EFF. HVAC / WINDOWS**

7. Environmental health

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

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

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. **NONE**

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. **NONE**

4) Describe special emergency services that might be required. **NONE**

5) Proposed measures to reduce or control environmental health hazards, if any: **NONE AT THIS TIME**

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **OUR PROJECT SHOULD NOT BE AFFECTED BY DAY TO DAY OPERATIONS IN EATONVILLE**

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. **MINIMAL NOISE ASSOCIATE W/ CONSTRUCTION HRS OF OPERATION 7AM - 7PM**

3) Proposed measures to reduce or control noise impacts, if any: **WE WILL BE RESPECTFUL OF ALL SURROUNDING PROPERTIES**

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. **CURRENT USE IS MF - SURROUNDING IS SFR - OUR REQUEST TO PLACE THE PROPERTY BACK TO SFR SHOULD HAVE NO IMPACT**

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? ^{NO} If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? ^{NONE}

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: ^{NO IMPACT WHATSOEVER}

c. Describe any structures on the site. ^{NO STRUCTURES}

d. Will any structures be demolished? If so, what? ^{NO STRUCTURE(S) ON SITE}

e. What is the current zoning classification of the site? ^{M F}

f. What is the current comprehensive plan designation of the site? ^{RESUME TO PREVIOUS DESIGNATION OF SFR}

g. If applicable, what is the current shoreline master program designation of the site? ^{NOT APPLICABLE}

i. Has any part of the site been classified as a critical area by the city or county? If so, specify. ^{NO}

i. Approximately how many people would reside or work in the completed project? ^{I would assume 2 families (# cannot be determined)}

j. Approximately how many people would the completed project displace? ^{0 AT THIS TIME}

k. Proposed measures to avoid or reduce displacement impacts, if any: ^{NO DISPLACEMENT IMPACT}

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: ^{SURROUNDING PROPERTIES ARE ALL SFR}

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: ^{NO AG OR FOREST LOCATED NEAR THE PROPERTY}

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. ^{2 - MIDDLE - SFR}

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. ⁰

c. Proposed measures to reduce or control housing impacts, if any: ⁰

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? ^{NO PLANS DEVELOPED AT THIS TIME - BOTH STRUCTURES WOULD BE CONSTRUCTED IAW TOE ROWNTS}

b. What views in the immediate vicinity would be altered or obstructed? **NONE**

c. Proposed measures to reduce or control aesthetic impacts, if any: **NONE**

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **NONE**

b. Could light or glare from the finished project be a safety hazard or interfere with views? **NO**

c. What existing off-site sources of light or glare may affect your proposal? **NONE**

d. Proposed measures to reduce or control light and glare impacts, if any: **NONE**

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

**PROJECT SITS IN THE TOWN OF EATONVILLE
COMMUNITY CTR / LIBRARY ACCESSIBLE**

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

NO

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

NO IMPACT WHATSOEVER

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. **NONE**

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **NONE**

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

NONE

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

NO IMPACT / DISTURBANCE

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
PUBLIC STREETS NOT AFFECTED
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
NO PUBLIC TRANSPORTATION
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
BE IN THE PROPOSED GARAGES (SEF) - NO ELIMINATION OF ANY PARKING
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).
NO AFFECT
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
NO
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
I CAN ONLY ASSUME WHOMSOEVER BUYS THE COMPLETED STRUCTURE(S) WOULD COMMUTE - NO TRAFFIC IMPACT
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
NO
- h. Proposed measures to reduce or control transportation impacts, if any:
NO IMPACT OF ANY KIND W/REGARDS TO TRANSP.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
NO
- b. Proposed measures to reduce or control direct impacts on public services, if any.
NO IMPACT ON PUBLIC SERVICES

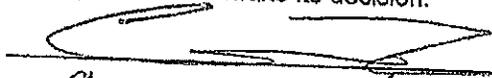
16. Utilities

- a. Circle utilities currently available at the site:
 electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
AVAILABLE / NOT CONNECTED
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
ELECTRIC, WATER, PHONE & SEWER WILL ALL NEED CONNECTED

C. Signature

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

Signature: _____



Name of signee CURTIS HOOD

Position and Agency/Organization PROP. OWNER

Date Submitted: 7/17/15

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

no Impact

Proposed measures to avoid or reduce shoreline and land use impacts are:

no Impact

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

no affect

Proposed measures to reduce or respond to such demand(s) are:

This project should have no affect

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

*NO affects WITH regards
TO THE ENVIRONMENT*



REZONE

SUPPLEMENTAL APPLICATION MATERIALS

PROJECT SCOPE

- 1. Parcel No(s) Requested for Rezone: 366 00000 90
- 2. Current Zoning: MF-2
- 3. Requested Zoning: SFR-SF-3

APPLICANT RESPONSES Re: CRITERIA OF APPROVAL

4. Please describe how the proposed rezone is consistent with the comprehensive plan.

RESPONSE: *The request you rezone is merely returning it to its previous designation.*

5. Please describe how the proposed rezone and subsequent development of the site would be compatible with Development in the vicinity? **RESPONSE:**

Surrounding prop. are SFR3 our 2 proposed SFR would completely fit in to surroundings

6. Please describe how the proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated.

RESPONSE: *our proposed project should have absolutely no impact on the transportation system.*

7. Please describe how the circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone. **RESPONSE:**

We are only requesting the prop. be returned to its previous designation

8. Please describe how the proposed rezone will not adversely affect the health, safety and general welfare of the town. **RESPONSE:**

There should be no adverse effect on the town. We will only strive to beautify the town and offer an affordable housing option for a current resident or newcomer to Eatonville.

Use additional sheets as necessary to fully and completely answer the above.

*Km 7-23-15
Curtis Hood
253.375.3354
7-23-15*

Curtis Hood

From: CW Title <cwtitlebrad@cwtitle.net>
Sent: Friday, March 06, 2015 3:32 PM
To: jleigh@cwtitle.net; CWEscrowJulie@cwtitle.net; curtishood@soundheating.com; ghmaryb@yahoo.com; jenniferjones@windermere.com; bonnie@cwtitle.net; abair@cwtitle.net; cwsnapshotbrad@cwtitle.net
Subject: 40146305-110 OAK STREET E-Mary F Henley

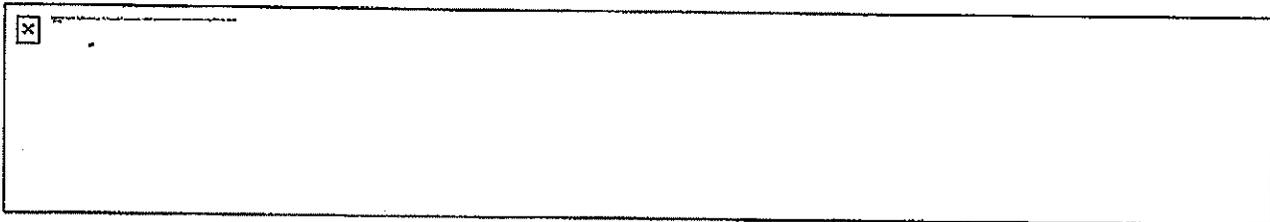
Please find below your Title Snapshot for **preview purposes only**.

For the actual Title Commitment, please click on the blue hyperlink below.

Also, your Title Snapshot contains active hyperlinks to the recorded documents, property map, and other documents in the title commitment. To view these hyperlinks, please left-click on the items with underlined blue text within the body of the Title Snapshot.

For questions regarding this Title Snapshot, please reply to this email or call 1.800.441.7701

Thank you for choosing CW Title, our Customers are the difference!



<h2>Your Title Snapshot</h2>	
Our File No. 40146305	Effective Date: February 25, 2015
Property address: 110 OAK STREET E	
Click here for your complete Title Commitment	
Click here for Exhibit "A"	
Click here for a copy of the Vesting Deed	
Click here for a copy of the Map	
LEGAL DESCRIPTION	
LOT 2 IN BLOCK 3 OF ELCO FIRST ADDITION, AS PER PLAT RECORDED IN VOLUME 17 OF PLATS, PAGE 37, RECORDS OF PIERCE COUNTY AUDITOR;	
EXCEPT THE WEST 5 FEET THEREOF;	
SITUATE IN THE CITY OF EATONVILLE, COUNTY OF PIERCE, STATE OF WASHINGTON.	

SELLERS

George R. Kreger, who also appears of record as George Robert Kreger, as his separate estate and the heirs and devisees of Raymonde L. Kreger, deceased

BUYERS

Charles Curtis Hood and Gretchen Hood, husband and wife

LENDER

POLICY OR POLICIES TO BE ISSUED

ALTA Owner's Policy 6-17-2006 - STANDARD COVERAGE General Schedule Rate

Proposed Insured: Charles Curtis Hood and Gretchen Hood, husband and wife

Amount:	\$54,000.00		
Premium:	\$ 450.00	Agent Portion of Premium:	\$405.00
Tax:	\$ 42.75	Underwriter Portion of Premium	\$45.00
Total:	\$ 492.75		

EXCEPTIONS

1. REAL ESTATE EXCISE TAX PURSUANT TO THE AUTHORITY OF RCW CHAPTER 82.45 AND SUBSEQUENT AMENDMENTS THERETO.

AS OF THE DATE HEREIN, THE TAX RATE FOR SAID PROPERTY IS 1.53%.

FOR ALL TRANSACTIONS RECORDED ON OR AFTER JULY 1, 2005:

- A FEE OF \$10.00 WILL BE CHARGED ON ALL EXEMPT TRANSACTIONS;
- A FEE OF \$5.00 WILL BE CHARGED ON ALL TAXABLE TRANSACTIONS IN ADDITION TO THE EXCISE TAX DUE;

2. GENERAL PROPERTY TAXES AND SERVICE CHARGES, AS FOLLOWS, TOGETHER WITH INTEREST, PENALTY AND STATUTORY FORECLOSURE COSTS, IF ANY, AFTER DELINQUENCY:
(1ST HALF DELINQUENT ON MAY 1; 2ND HALF DELINQUENT ON NOVEMBER 1)

TAX ACCOUNT NO.:	3660000090		
YEAR	BILLED	PAID	BALANCE
2015	\$497.14	\$0.00	\$497.14

TOTAL AMOUNT DUE, NOT INCLUDING INTEREST AND PENALTY: \$497.14.

THE CURRENT LEVY CODE IS 060.

3. PLEASE BE ADVISED THAT OUR TITLE SEARCH DID NOT DISCLOSE ANY OPEN DEEDS OF TRUST IN THE PUBLIC RECORD. IF YOU HAVE KNOWLEDGE OF ANY OUTSTANDING OBLIGATION(S), PLEASE CONTACT THE TITLE DEPARTMENT IMMEDIATELY FOR FURTHER REVIEW PRIOR TO CLOSING.

4. RESERVATIONS CONTAINED IN DEED FROM THE NORTHERN PACIFIC RAILROAD COMPANY DATED OCTOBER 23, 1934, RECORDED NOVEMBER 3, 1934, UNDER RECORDING NO. 1127894, AS FOLLOWS: RESERVING AND EXCEPTING FROM SAID LANDS SO MUCH OR SUCH PORTIONS THEREOF AS ARE OR MAY BE MINERAL LANDS OR CONTAIN COAL OR IRON, AND ALSO THE USE AND THE RIGHT AND TITLE TO THE USE OF SUCH SURFACE GROUND AS MAY BE NECESSARY FOR MINING OPERATIONS, AND THE RIGHT OF ACCESS TO SUCH RESERVED AND EXCEPTED MINERAL LANDS, INCLUDING LANDS CONTAINING COAL OR IRON FOR THE PURPOSE OF EXPLORING, DEVELOPING AND WORKING THE SAME.
5. RIGHT OF THE PUBLIC TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON THE LAND HEREIN DESCRIBED IN THE REASONABLE ORIGINAL GRADING OF STREETS, AVENUES, ALLEYS AND ROADS, AS DEDICATED IN THE PLAT OF ELCO FIRST ADDITION RECORDED UNDER RECORDING NO. 1722573.
6. MATTERS DISCLOSED BY SURVEY:
RECORDED: FEBRUARY 11, 1988
RECORDING NO.: 8802110312
7. ALL COVENANTS, CONDITIONS, RESTRICTIONS, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, RESERVATIONS, EASEMENTS OR OTHER SERVITUDES, IF ANY, DISCLOSED BY THE SHORT PLAT RECORDED UNDER RECORDING NO. 8802110312.

THIS POLICY DOES NOT INSURE THAT THE LAND DESCRIBED IN SCHEDULE A IS BENEFITED BY EASEMENTS, COVENANTS OR OTHER APPURTENANCES SHOWN ON THE PLAT OR SURVEY TO BENEFIT OR BURDEN REAL PROPERTY OUTSIDE THE BOUNDARIES OF SAID LAND.

8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: TOWN OF EATONVILLE
PURPOSE: SEWER, POWER, AND STORM SEWER LINES
AREA AFFECTED: A PORTION OF SAID PREMISES
RECORDED: MAY 22, 1995
RECORDING NO.: 9505220424

9. REAL ESTATE CONTRACT AND THE TERMS AND CONDITIONS THEREOF:

SELLER: GEORGE ROBERT KREGER AND RAYMONDE L. KREGER, HUSBAND AND WIFE

PURCHASER: LINDA CLEVINGER

RECORDED: MARCH 25, 1975

RECORDING NO.: 2595967

EXCISE RECEIPT NO.: 366693

SELLER'S INTEREST IS NOW HELD BY GEORGE R. KREGER, WHO ALSO APPEARS OF RECORD AS GEORGE ROBERT KREGER, AS HIS SEPARATE ESTATE AND THE HEIRS AND DEVISEES OF RAYMONDE L. KREGER, DECEASED PURSUANT TO THE DEATH OF RAYMONDE L. KREGER AND LACK OF PROBATE PROCEEDINGS.

IT IS OUR UNDERSTANDING THAT RAYMONDE L. KREGER IS NOW DECEASED, BUT WE FIND NO RECORD OF A PROBATE FOR SAID PARTY IN THE SUPERIOR COURT FOR PIERCE COUNTY. THE COMPANY, THEREFORE, DOES NOT INSURE AGAINST THE RIGHTS OF HEIRS, CREDITORS, OR THE LIABILITY FOR ESTATE TAX, IF ANY, OR ANY OTHER MATTERS THAT A PROBATE OF THE ESTATE OF RAYMONDE L. KREGER MIGHT DISCLOSE.

PURCHASER'S INTEREST ASSIGNED TO GEORGE H. HENLEY AND ELSIE M. HENLEY, HUSBAND AND WIFE .

RECORDED: JANUARY 4, 1979
RECORDING NO.: 2879313
EXCISE RECEIPT NO.: 479875

10. QUIT CLAIM DEED AND THE TERMS AND CONDITIONS THEREOF:
GRANTOR: GEORGE H. HENLEY AND ELSIE M. HENLEY, HUSBAND AND WIFE
GRANTEE: HENLEY ENTERPRISES, INC., A WASHINGTON CORPORATION
RECORDED: NOVEMBER 13, 1992
RECORDING NO.: 9211130485
EXCISE RECEIPT NO.: 822945
NOTE: WE ARE UNABLE TO DETERMINE FROM THE RECORD IF SAID DEED IS INTENDED TO ASSIGN THE PURCHASER'S INTEREST IN THE CONTRACT.
11. QUIT CLAIM DEED AND THE TERMS AND CONDITIONS THEREOF:
GRANTOR: HENLEY ENTERPRISES INC.
GRANTEE: GEORGE S. HENLEY AND MARY F. HENLEY, HUSBAND AND WIFE
RECORDED: AUGUST 22, 2005
RECORDING NO.: 200508221876
EXCISE RECEIPT NO.: 4095863
NOTE: WE ARE UNABLE TO DETERMINE FROM THE RECORD IF SAID DEED IS INTENDED TO ASSIGN THE PURCHASER'S INTEREST IN THE CONTRACT.
12. QUIT CLAIM DEED AND THE TERMS AND CONDITIONS THEREOF:
GRANTOR: GEORGE S. HENLEY AND MARY F. HENLEY, HUSBAND AND WIFE
GRANTEE: GEORGE B. HENLEY AND KIMBERLY K. HENLEY, HUSBAND AND WIFE
RECORDED: JANUARY 15, 2008
RECORDING NO.: 200801150645
EXCISE RECEIPT NO.: 4119385
SAID INSTRUMENT IS A RE-RECORD OF INSTRUMENT RECORDED ON MARCH 23, 2006, UNDER RECORDING NO. 200603230024 TO CORRECT LEGAL DESCRIPTION.
NOTE: WE ARE UNABLE TO DETERMINE FROM THE RECORD IF SAID DEED IS INTENDED TO ASSIGN THE PURCHASER'S INTEREST IN THE CONTRACT.
13. QUIT CLAIM DEED AND THE TERMS AND CONDITIONS THEREOF:
GRANTOR: GEORGE B. HENLEY AND KIMBERLY K. HENLEY, HUSBAND AND WIFE
GRANTEE: GEORGE S. HENLEY AND MARY F. HENLEY, HUSBAND AND WIFE
RECORDED: JANUARY 15, 2008
RECORDING NO.: 200801150646
EXCISE RECEIPT NO.: 418568
NOTE: WE ARE UNABLE TO DETERMINE FROM THE RECORD IF SAID DEED IS INTENDED TO ASSIGN THE PURCHASER'S INTEREST IN THE CONTRACT.
GRANTEE'S INTEREST IS NOW HELD BY MARY F. HENLEY, AS HER SEPARATE ESTATE.
PURSUANT TO PIERCE COUNTY CAUSE NO. 10-4-00520-2
TYPE OF PROCEEDINGS PROBATE
14. ACCORDING TO INFORMATION DISCLOSED BY THE OFFICE OF THE SECRETARY OF STATE, HENLEY ENTERPRISES, INC. CEASED TO EXIST AS A CORPORATION ON APRIL 1, 2011 FOR FAILURE TO PAY ITS ANNUAL CORPORATE LICENSE FEES FOR THREE CONSECUTIVE YEARS. ON THAT DATE THE CORPORATION WAS DISSOLVED AND TITLE VESTED IN ITS THEN DIRECTORS FOR THE BENEFIT OF CREDITORS AND STOCKHOLDERS. CONTACT THE COMPANY FOR OUR REQUIREMENTS TO INSURE ANY TRANSACTION IN THE LAND.

NOTES

NOTE 1: IN THE PAST 24 MONTHS, THERE HAVE BEEN NO CONVEYANCES OF RECORD FOR THE PROPERTY DESCRIBED IN SCHEDULE A HEREIN. TITLE WAS ACQUIRED BY DEED RECORDED ON SEPTEMBER 29, 1971, UNDER RECORDING NO. 2413026.

NOTE 2: BASED ON INFORMATION PROVIDED TO THE COMPANY, ON THE DATE OF THIS COMMITMENT IT APPEARS THAT THERE IS LOCATED ON THE LAND:

VACANT LAND

KNOWN AS:
110 OAK STREET E
EATONVILLE, WA 98328

MAP

NOTE 3: ACCORDING TO THE APPLICATION FOR TITLE INSURANCE, THE PROPOSED INSURED IS CHARLES CURTIS HOOD AND GRETCHEN HOOD, HUSBAND AND WIFE, WE FIND NO PERTINENT MATTERS OF RECORD AGAINST THE NAME(S) OF SAID PARTY(IES).

NOTE 4: THE COUNTY TAX ROLLS DISCLOSE THE CURRENT ASSESSED VALUATIONS AS FOLLOWS:

LAND:	\$36,100.00
IMPROVEMENTS:	\$0.00
MOBILE HOME (IF ANY)	\$0.00
TOTAL:	\$36,100.00

NOTE 5: IF YOU WOULD LIKE THE COMPANY TO ACT AS TRUSTEE IN THE PROPOSED DEED OF TRUST, PLEASE NOTE THAT CW TITLE MAY ACT AS TRUSTEE OF A DEED OF TRUST UNDER RCW 61.24.010(1).

NOTE 6: THE COMPANY REQUIRES THE PROPOSED INSURED TO VERIFY THAT THE LAND COVERED BY THIS COMMITMENT IS THE LAND INTENDED TO BE CONVEYED IN THIS TRANSACTION. THE DESCRIPTION OF THE LAND MAY BE INCORRECT, IF THE APPLICATION FOR TITLE INSURANCE CONTAINED INCOMPLETE OR INACCURATE INFORMATION. NOTIFY THE COMPANY WELL BEFORE CLOSING IF CHANGES ARE NECESSARY. CLOSING INSTRUCTIONS MUST INDICATE THAT THE LEGAL DESCRIPTION HAS BEEN REVIEWED AND APPROVED BY ALL PARTIES.

NOTE 7: THE FOLLOWING MAY BE USED AS AN ABBREVIATED LEGAL DESCRIPTION ON THE DOCUMENTS TO BE RECORDED, PER AMENDED RCW 65.04. SAID ABBREVIATED LEGAL DESCRIPTION IS NOT A SUBSTITUTE FOR A COMPLETE LEGAL DESCRIPTION WITHIN THE BODY OF THE DOCUMENT.

PORTION OF LOT 2 IN BLOCK 3 OF ELCO FIRST ADDITION

NOTE 8: IN THE EVENT THAT THE COMMITMENT JACKET IS NOT ATTACHED HERETO, ALL OF THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN SAID JACKET ARE INCORPORATED HEREIN. THE COMMITMENT JACKET IS AVAILABLE FOR INSPECTION AT ANY COMPANY OFFICE.

NOTE 9: THE POLICY(S) OF INSURANCE MAY CONTAIN A CLAUSE PERMITTING ARBITRATION OF CLAIMS AT THE REQUEST OF EITHER THE INSURED OR THE COMPANY. UPON REQUEST, THE COMPANY WILL PROVIDE A COPY OF THIS CLAUSE AND THE ACCOMPANYING ARBITRATION RULES PRIOR TO THE CLOSING OF THE TRANSACTION.

NOTE 10: PURSUANT TO MODIFIED PROVISIONS OF CHAPTER B65 OF THE FHLMC SINGLE FAMILY

SELLER/SERVICER GUIDE AND THE FNMA SERVICING GUIDE, SHORT SALE LETTERS FROM FHLMC AND FNMA MAY PROHIBIT SUBSEQUENT RESALE FOR UP TO 90 DAYS.

PLEASE NOTIFY THE COMPANY IMMEDIATELY IF YOU RECEIVE A SHORT SALE APPROVAL LETTER PROHIBITING SUBSEQUENT RESALE FOR UP TO 90 DAYS.

NOTE 11: A \$2.00 MAILING FEE WILL BE CHARGED PER DOCUMENT RECORDED.

NOTE 12: WHEN SENDING DOCUMENTS FOR RECORDING, VIA U.S. MAIL OR SPECIAL COURIER SERVICE, PLEASE SEND TO THE FOLLOWING ADDRESS, UNLESS SPECIFIC ARRANGEMENTS HAVE BEEN MADE WITH YOUR TITLE UNIT:

CW TITLE
3318 BRIDGEPORT WAY WEST, STE D-4
UNIVERSITY PLACE, WA 98466
ATTN: RECORDING DEPT.

DISCLAIMER/DISCLOSURES/EXPLANATIONS OF COVERAGE

The information provided in the Title Snapshot is for preview purposes only. Any conflict with the information displayed herein and the contents of the official Title Commitment issued in connection with this order will be controlled by said official Title Commitment. Questions regarding any discovered conflict should be directed to the Contact Persons shown herein

2
CW TITLE
24-2015
40146305 Bit

201504200385 RJOHNSO 3 PGS
04/20/2015 01:58:56 PM \$74.00
AUDITOR, Pierce County, WASHINGTON

After recording return to:
Charles Curtis Hood
Gretchen Hood
PO BOX 83
Eatonville, WA 98328

Reference: 40146305- -804- -JL4

STATUTORY WARRANTY DEED

THE GRANTOR(S) Mary F. Henley, a single person,

for and in consideration of Ten (\$10.00) Dollars and other good and valuable consideration

in hand paid, conveys and warrants to Charles Curtis Hood and Gretchen Hood, husband and wife

the following described real estate, situated in the County of Pierce, State of Washington:

LOT 2 IN BLOCK 3 OF ELCO FIRST ADDITION, AS PER PLAT RECORDED IN VOLUME 17 OF PLATS, PAGE 37, RECORDS OF Pierce COUNTY AUDITOR; EXCEPT THE WEST 5 FEET THEREOF; SITUATE IN THE CITY OF EATONVILLE, COUNTY OF PIERCE, STATE OF WASHINGTON.

Subject to: Those items specifically set forth on Exhibit "A" attached hereto.

Abbreviated Legal: (Required if full legal not inserted above.) PORTION OF LOT 2 IN BLOCK 3 OF ELCO FIRST ADDITION

Tax Parcel Number(s): 3660000090, , ,

Statutory Warranty Deed

LPB-10-05 (ltr) (1/06)

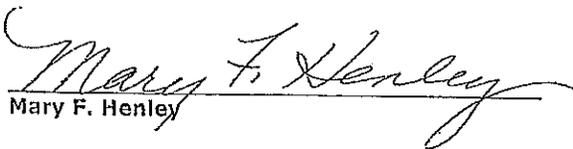
CW Title

04/20/2015 01:57:49 PM RJOHNSO 4365199 1 PG
EXCISE COLLECTED: \$826.20 PROC FEE: \$0.00
AUDITOR
Pierce County, WASHINGTON TECH FEE: \$5.00

3

Reference: Statutory Warranty Deed 40146305 804 JL4

Dated: March 25, 2015

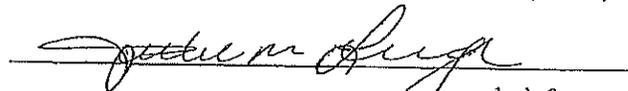

Mary F. Henley

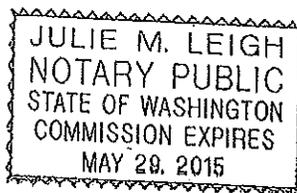
State of Washington

County of PIERCE SS:

On this 15th day of April, 2015, before me personally appeared Mary F. Henley to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

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


Notary Public in and for the State of WA
Residing at Eatonville, WA
My Appointment expires: 5/29/15



Reference: Statutory Warranty Deed 40146305 804 JL4

EXHIBIT A

SUBJECT TO:

1. RESERVATIONS CONTAINED IN DEED FROM THE NORTHERN PACIFIC RAILROAD COMPANY DATED OCTOBER 23, 1934, RECORDED NOVEMBER 3, 1934, UNDER RECORDING NO. 1127894, AS FOLLOWS:

RESERVING AND EXCEPTING FROM SAID LANDS SO MUCH OR SUCH PORTIONS THEREOF AS ARE OR MAY BE MINERAL LANDS OR CONTAIN COAL OR IRON, AND ALSO THE USE AND THE RIGHT AND TITLE TO THE USE OF SUCH SURFACE GROUND AS MAY BE NECESSARY FOR MINING OPERATIONS, AND THE RIGHT OF ACCESS TO SUCH RESERVED AND EXCEPTED MINERAL LANDS, INCLUDING LANDS CONTAINING COAL OR IRON FOR THE PURPOSE OF EXPLORING, DEVELOPING AND WORKING THE SAME.

2. RIGHT OF THE PUBLIC TO MAKE NECESSARY SLOPES FOR CUTS OR FILLS UPON THE LAND HEREIN DESCRIBED IN THE REASONABLE ORIGINAL GRADING OF STREETS, AVENUES, ALLEYS AND ROADS, AS DEDICATED IN THE PLAT OF ELCO FIRST ADDITION RECORDED UNDER RECORDING NO. 1722573.

3. MATTERS DISCLOSED BY SURVEY:

RECORDED: FEBRUARY 11, 1988
RECORDING NO.: 8802110312

4. ALL COVENANTS, CONDITIONS, RESTRICTIONS, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW, RESERVATIONS, EASEMENTS OR OTHER SERVITUDES, IF ANY, DISCLOSED BY THE SHORT PLAT RECORDED UNDER RECORDING NO. 8802110312.

THIS POLICY DOES NOT INSURE THAT THE LAND DESCRIBED IN SCHEDULE A IS BENEFITED BY EASEMENTS, COVENANTS OR OTHER APPURTENANCES SHOWN ON THE PLAT OR SURVEY TO BENEFIT OR BURDEN REAL PROPERTY OUTSIDE THE BOUNDARIES OF SAID LAND.

5. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: TOWN OF EATONVILLE
PURPOSE: SEWER, POWER, AND STORM SEWER LINES
AREA AFFECTED: A PORTION OF SAID PREMISES
RECORDED: MAY 22, 1995
RECORDING NO.: 9505220424

Ordinance 2006-12

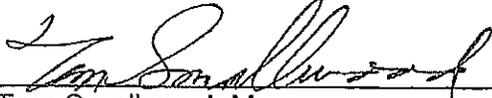
**AN ORDINANCE OF THE TOWN OF EATONVILLE AMENDING THE
DEVELOPMENT REGULATIONS (EMC 18.03.020 AND ORDINANCE 94-06)
TO REZONE A PARCEL OF PROPERTY FROM SF-3 TO MF-2 BY ADDING A
NEW SECTION 18.03.021**

1. A new section 18.03.021 is added to chapter 18.03 of the Eatonville Municipal Code as follows:

The designation of property located at 110 Oak Street (Parcel No. 3660000090) is hereby changed from SF-3 to MF-2, and this change accordingly will be made on the official zoning map.

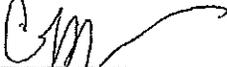
This Ordinance shall take effect after its passage; approval and publication as required by law.

PASSED by the Town Council and approved by the Mayor of the Town of Eatonville, Washington, at a regular meeting thereof this 8th day of May, 2006.



Tom Smallwood, Mayor

ATTEST:



Carrie Lynn Loffelmacher, Town Clerk

APPROVED AS TO FORM:



Robert Mack, Town Attorney

TOWN OF EATONVILLE

201 Center Street West PO Box 309 Eatonville Washington 98328 Phone: 360-832-3361 FAX: 360-832-3977

WAC 197-11-970

SEPA DETERMINATION OF NONSIGNIFICANCE

Hood Rezone 110 Oak Street East

Description of proposal: **The Hood Rezone request is a nonproject action proposing to change the existing zoning of "(MF-2) Multifamily Residential, High Density" –to- "(SF-3) Single-Family Residential, High Density".**

Proponent: **Curtis and Gretchen Hood**

Location of proposal, including street address, if any: **110 Oak Street East, Eatonville, WA 98328**
Parcel No.: **3660000090**

Lead agency: **The Town of Eatonville**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by August 21, 2015.

Responsible official: **Mr. Doug Beagle**

Position/title: **Town Administrator / SEPA Official** Phone: **(360) 832-3361**

Address: **201 Center Street West / PO Box 309, Eatonville, WA 98328**

Date: 7-31-15 Signature _____

Doug R. Beagle

You may appeal this determination to: *Mr. Doug Beagle, Town Administrator/SEPA Official*
at: *201 Center Street West / PO Box 309, Eatonville, WA 98328*
no later than: *August 21, 2015. Appeals must be submitted in writing.* You should be prepared to make specific factual objections. Contact Mr. Doug Beagle to read or ask about the procedures for SEPA appeals.