



Community Center Area Rezone

Planning Commission Recommendation: APPROVAL

Scott Clark, Town Planner
Larson and Associates

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I. APPLICATION SCOPE:

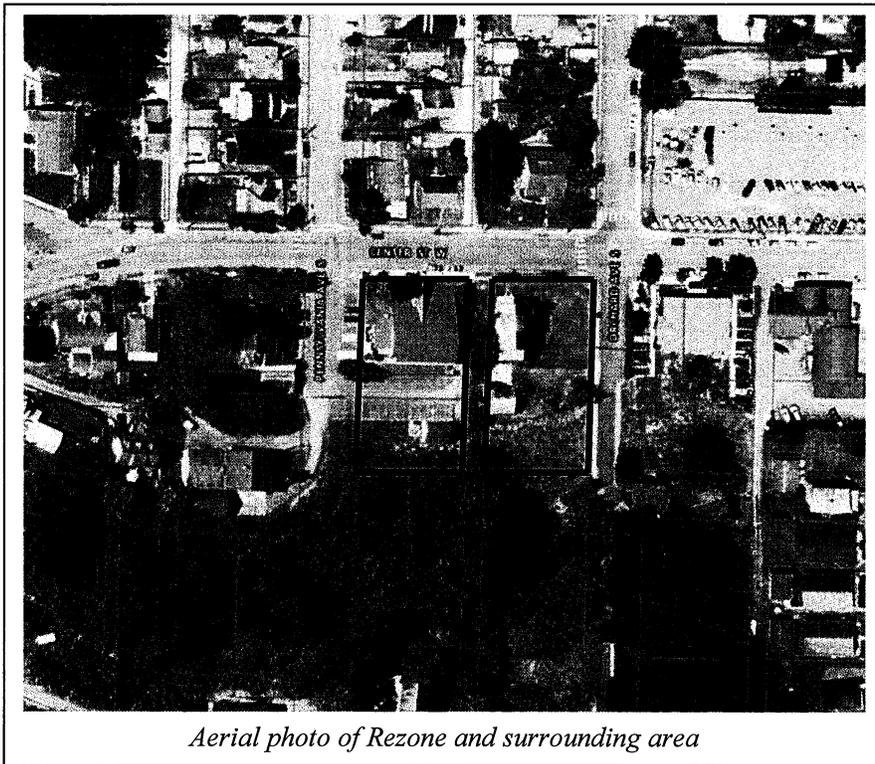
Rezone of four (4) parcels from Multifamily Residential District (MF-2) –to- Downtown Commercial District (C-1).

II. PROJECT DESCRIPTION:

The Town of Eatonville (*the Applicant*) is proposing a rezone of four (4) parcels, totaling ~1.11 acres, from Multifamily Residential District (MF-2) –to- Downtown Commercial District (C-1). The rezone area includes the following parcels: 3605002280, 3605002300, 3605002310 and 3605002322.

III. GENERAL SITE LOCATION:

The rezone area is located south of Center Street West, between Pennsylvania Avenue South and Orchard Avenue South.



Aerial photo of Rezone and surrounding area

IV. BACKGROUND:

Applicant / Owner 1:	Town of Eatonville PO Box 309 Eatonville WA 98328	Parcels: 3605002300, 3605002310 and 3605002322
Owner 2:	Audrey Baardson PO Box 161 Eatonville WA 98328	Parcel: 3605002280

Application Type: Rezone

Application Complete: May 23, 2016

Tax Parcel Numbers: 3605002300, 3605002310, 3605002322 and 3605002280

Legal Descriptions: **TAX PARCEL # 3605002300:**

LOTS 1 AND 2, BLOCK 31 OF THE MAP OF THE TOWN OF EATONVILLE AS FOUND IN BOOK 7, PAGE 41 OF PLATS, PIERCE COUNTY AUDITOR, IN SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST, W.M.;

TAX PARCEL # 3605002310:

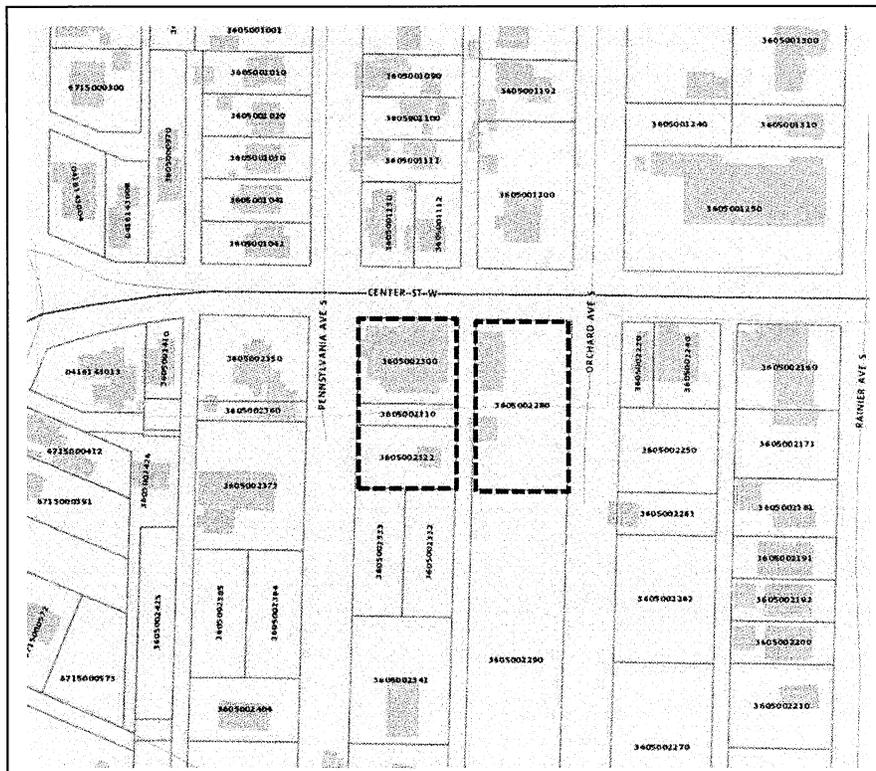
THE NORTH HALF OF LOT 3, BLOCK 31 OF THE MAP OF THE TOWN OF EATONVILLE AS FOUND IN BOOK 7, PAGE 41 OF PLATS, PIERCE COUNTY AUDITOR, IN SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST, W.M.;

TAX PARCEL # 3605002322:

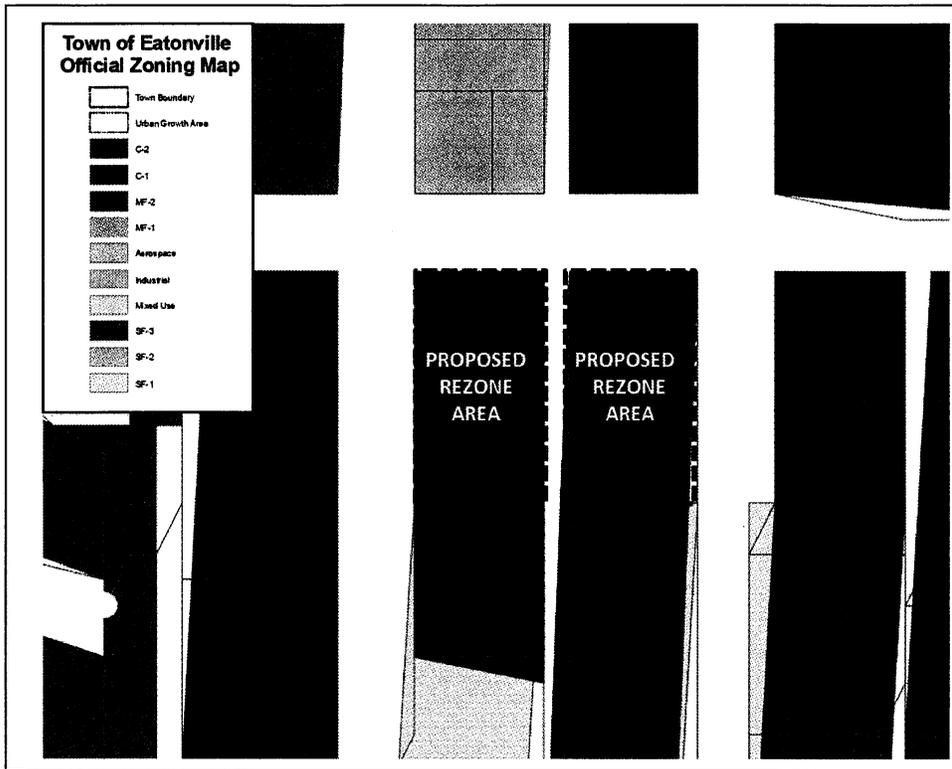
THE SOUTH HALF OF LOT 3 AND ALL OF LOT 4, BLOCK 31 OF THE MAP OF THE TOWN OF EATONVILLE AS FOUND IN BOOK 7, PAGE 41 OF PLATS, PIERCE COUNTY AUDITOR, IN SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST, W.M.;

TAX PARCEL # 3605002280:

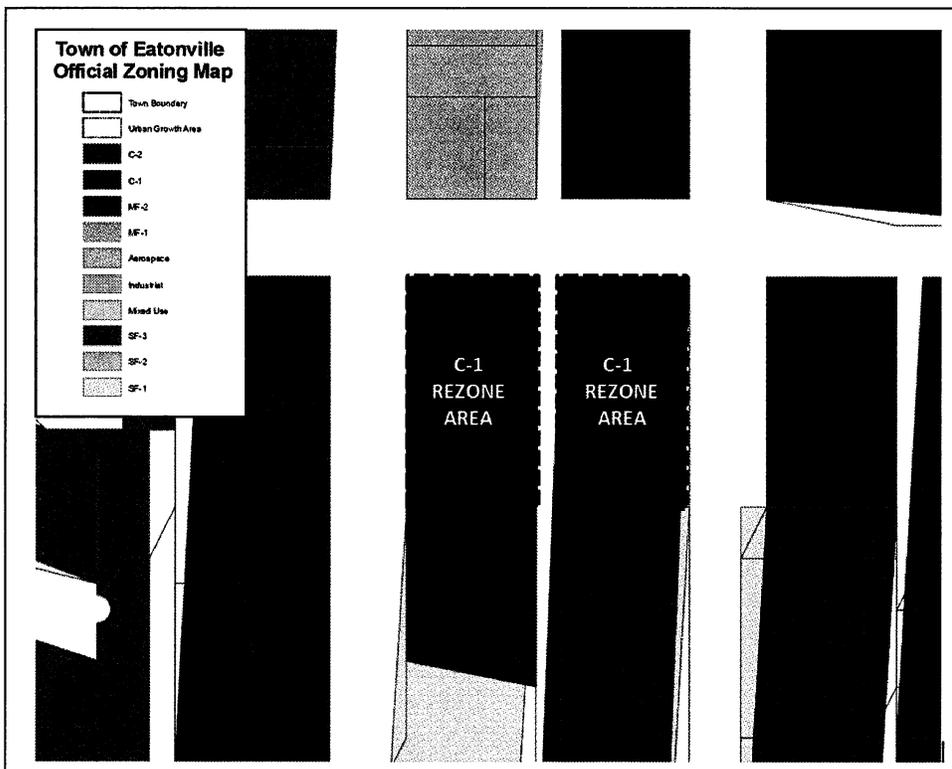
LOT'S 1-4, INCLUSIVE, BLOCK 30, MAP OF THE TOWN OF EATONVILLE, AS FOUND IN BOOK 7, PAGE 41 OF PLATS, PIERCE COUNTY AUDITOR, IN SECTION 14, TOWNSHIP 16 NORTH, RANGE 4 EAST, W.M.



Existing Zoning: Multifamily Residential District (MF-2)



Requested Zoning Proposal: Downtown Commercial District (C-1)



Abutting Zoning: North: C-1 & MF-1
 South: MF-2
 East: C-1
 West: MF-2

Abutting Development: North: 1 Commercially zoned dwelling & 2 Single Family Residences (*across Center St W*)
 South: 3 undeveloped multifamily lots abut to the south (*up the hill rising to the south*)
 East: Eatonville Library & a vacant commercial lot (*across Orchard Ave S*)
 West: 2 Single Family Residences (*across Pennsylvania Ave S*)

Existing Utility Services: Water: Town of Eatonville
 Sewer: Town of Eatonville
 Power: Town of Eatonville

Existing Conditions: 3 of the 4 parcels within the rezone area are owned by the Town of Eatonville and already contain development that is commercial in nature, the Eatonville Community Center, parking facilities and accessory activities and uses. 1 privately owned lot is developed with a single family residence and accessory outbuildings.

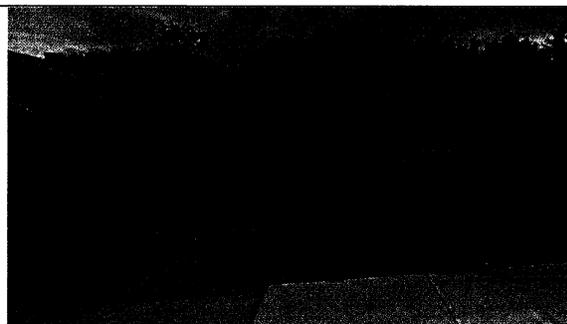
Rezone Area:



Looking Southeast from the intersection of Pennsylvania Ave S and Center St W



Looking South from Center Street West – The Eatonville Community Center

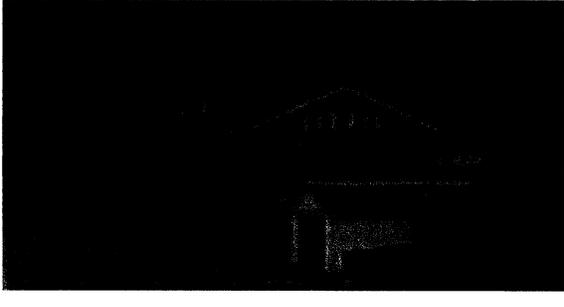
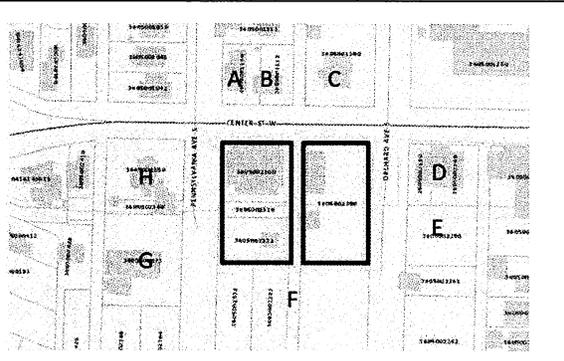


Looking Southwest down the alleyway between the SFR & Community Center from Center St W



Looking Southwest from the intersection of Orchard Ave S and Center St W

Neighboring properties:

	
<p><i>A. and B. Residences across Center St</i></p>	<p><i>C. Commercially zoned dwelling</i></p>
	
<p><i>D. Eatonville Library</i></p>	<p><i>E. Undeveloped commercial lot</i></p>
	
<p><i>F. Undeveloped multifamily lots on hill</i></p>	<p><i>G. Residence across Pennsylvania Ave S</i></p>
	
<p><i>H. Residence across Pennsylvania Ave S</i></p>	

V. REGULATIONS AND PROCEDURES:

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

18.09.050 Amendments.

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:

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;*
- 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.*

D. Recommendation of Planning Commission. Following the public hearing provided for in this section, the planning commission shall make a report of findings and recommendations with respect to the proposed amendment and shall forward such to the town council, which shall have the final authority to act on the amendment.

E. City Council Action.

- 1. Within 30 days of receipt of the planning commission's recommendation, the town council shall, at a regular public meeting, consider the recommendation.*
- 2. If the application for an amendment is denied by the town council, the application shall not be eligible for resubmittal for one year from date of the denial, unless specifically stated to be without prejudice. A new application affecting the same property may be submitted if, in the opinion of the planning commission, circumstances affecting the application have changed substantially.*

18.03.020 Official zoning map.

D. Amendments. If changes are made in the district boundaries or other matters portrayed by the official zoning map, such changes shall be entered on the official zoning map after the amendment has been approved by the town council. The signature of the town clerk and the town attorney shall be entered on the official zoning map with the ordinance number of the amendment. Each amendment shall be filed as part of the official zoning record.

Chapter 18.09A, Land Use Permits and Appeal Procedure

VI. COMPREHENSIVE PLAN

For Town Council reference, please find below some of the Eatonville Comprehensive Plan excerpts that the Planning Commission found relate to this proposal:

Goal LU-1

To support and improve a rural small town, residential community comprised largely of single-family neighborhoods together with a central commercial area and a broad range of other support services and businesses which occur in identified commercial areas.

Policies

- 1. Consider the following before decisions in land use are made:*



- a. *The need for the proposed use;*
- b. *Adequacy of and proximity to community facilities and utilities, roads, parks, recreation facilities and schools;*
- c. *Benefit to the neighborhood, Town or region;*
- f. *The effect of the proposed use on the small town image of Eatonville.*

2. *Ensure compatibility with adjacent land uses. The following should be considered prior to land use decisions:*

- a. *The type of land use and the design of new development should be compatible with existing developments and land uses and should preserve Eatonville's small town image;*
- b. *Land uses which generate high traffic volumes should have access limited to collector or arterial streets;*
- c. *Land uses along highways and major streets should consider noise, air quality, visual and other unique environmental conditions which occur in these areas; and*

Goal LU-2

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

Goal LU-7

Land use decisions shall support and enhance the economic vitality of the Town by maintaining and increasing employment opportunities, professional and personal services, and retail sales within the town boundaries.

VII. STATE ENVIRONMENTAL POLICY ACT (SEPA):

A SEPA determination on non-significance (DNS) was made on May 23, 2016. No comments on the DNS were received, which were due by June 8, 2016.

VIII. PROJECT COMMENTS: None received

Public notices, including site posting, newspaper publication, and agency/neighbor notifications were completed as required by Town regulations. No agency or public comments were received during the project and SEPA comment periods. No agency representatives or members of the public attended or provided comment at the June 27, 2016 Planning Commission hearing.

IX. PLANNING COMMISSION ANALYSIS & RECOMMENDATIONS:

Pursuant to EMC 18.09.050, Amendments, the Planning Commission is authorized and required to review and make recommendations to Town Council on all requests for rezone. In consideration of such requests, the Commission is minimally required to review and make recommendations regarding whether or not such applications will or will not: 1) Be consistent with the Comprehensive Plan; 2) Be determined compatible; 3) Have unreasonable traffic impacts; 4) Acknowledge a change in circumstances; and 5) Be adverse to the health, safety and general welfare of the Town.

First, pursuant to the goals and policies provided herein, it is the Planning Commission's opinion that the requested rezone is consistent. The Comprehensive Plan serves to recognize and promote existing and future conditions that are supportive of the overall community. A large portion of the rezone area has historically been developed with community facilities, which are commercial in nature (*based on size, scale, use impacts etc.*). It is the Planning Commission's opinion that consistent with the goals and policies of the Comprehensive Plan, approval of the rezone will be balanced in recognition of existing conditions, neighborhood compatibility, and as well, be supportive and enhance economic vitality in the Town.

Second, given two sides of the rezone area are bordered by the same commercial zone (C-1) and that the other two sides bordered by multifamily zoning districts (*which are typically considered to be transitional zones*), it is the Planning Commission's opinion that the exiting development within the rezone area as well as any subsequent development of the site will be compatible with development in the vicinity.

The rezone site is primarily served by Center Street West, with additional side-road service being provided by Orchard Avenue South and Pennsylvania Avenue South. Given the fact that this area is largely developed and adequate existing service roads are in place, it is the Planning Commission's opinion the proposed rezone will not unduly burden the transportation system or create significant adverse impacts that cannot be mitigated in the future.

Since the Town's adoption of the Comprehensive Plan and implementing regulations, circumstances have changed in that this site has been recognized as containing existing commercial type development that appears to have been overlooked in previous planning efforts. As such, it is the Planning Commission's opinion that the rezone is warranted as it will simply correct the previous oversight.

Finally, given the above comments and analysis, it is the Planning Commission's opinion that the requested rezone will not adversely affect the health, safety and general welfare of the town.

X. PLANNING COMMISSION FINDINGS OF FACT:

1. Requests for Rezone may be allowed pursuant to the requirements of Eatonville Municipal Code, including but not limited to EMC 18.09.050 Amendments.
2. Pursuant to EMC 18.09.050 and consistent with the Comprehensive Plan, the Town of Eatonville (applicant) has submitted a Rezone application to modify the existing Multifamily Residential District (MF-2) –to- Downtown Commercial District (C-1) on parcels 3605002300, 3605002310, 3605002322 and 3605002280 (~1.11 acres).
3. Pursuant to Eatonville Municipal code, all applicable rezone application requirements and the application processing procedures (*including but not limited to 18.09 and 18.09A*) have been completed and satisfied.
4. A SEPA Determination of Non-significance was issued for the proposal. No comments were received by the comment deadline of June 8, 2016.

5. Notice has been provided to all property owners within at least 300 feet of the proposed Rezone at least 10 days prior to the Planning Commission public hearing.
6. The required public notice regarding the proposed Rezone has been be posted on site at least 10 days prior to the date of the Planning Commission public hearing.
7. Public notice has been published in a local newspaper at least 10 days prior to the Planning Commission public hearing.
8. On June 27, 2016, the Eatonville Planning Commission held a public hearing and provided opportunity for public comment regarding the Community Center Area Rezone Application. No agency or public comments were received on the proposal.
9. The proposed rezone area is contiguous to and by bordered on two (2) sides by the requested zoning district, Downtown Commercial District (C-1). The remaining two (2) sides are adjacent to Multifamily Residential zoning districts, which are typically considered as transitional zones.
10. The properties located with the rezone area are currently developed with uses that are permitted within the proposed Downtown Commercial District (C-1) zone.
11. The proposed rezone is consistent with the existing area development pattern and recognizes and acknowledges existing conditions.
12. Since the properties within the rezone boundary are already developed with allowed uses in the C-1 zone (*with 2 properties having redevelopment and/or intensification potential*), a ~1.11 acre reduction in multifamily zoning and a ~1.11 increase in commercial zoning will not substantially affect overall development opportunities for either zoning classification.
13. Although a development agreement is not part of this application, it is understood that approval of the requested rezone will likely facilitate the approval of a Conditional Use Permit the Town of Eatonville is concurrently pursuing for the development of the Family Support Center (*a Public Facility*) on one of the properties within the rezone area.
14. The proposed rezone is consistent with the comprehensive plan.
15. The proposed rezone and subsequent development of the site will be compatible with development in the vicinity.
16. The proposed rezone will not unduly burden the transportation system in the vicinity of the property with significant adverse impacts which cannot be mitigated.
17. Circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone.

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

XI. 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 Applicant, interested agencies and the public, Planning Staff discussion and recommendations, by a unanimous vote of five (5) in favor and zero (0) apposed, the Planning Commission hereby recommends **APPROVAL** of the Community Center Area Rezone application.

Judy Justice (co-chair)
Planning Commission Chairman

6/28/16
Date *JJD*

XII. ATTACHMENTS:

- Attachment A: Rezone Letter of Completeness
Attachment B: May 23, 2016 SEPA Determination

TOWN OF EATONVILLE

201 Center Street West PO Box 309 Eatonville Washington 98026 Phone: 360-892-3361 FAX: 360-892-3977



DATE: May 23, 2016
TO: Town of Eatonville Project File: Community Center Area Rezone
FROM: Scott Clark, Town Contract Planner
SUBJECT: Letter of Completeness (*Community Center Area Rezone Application*)

As of May 23, 2016, the Community Center Area Rezone application has been received, reviewed and determined "Technically Complete", pursuant to the applicable requirements of the Town of Eatonville municipal code.

The following minimal materials have been provided:

1. A complete original Master Application For Land Use Actions;
2. A legal description of the project area has been supplied by a surveyor licensed in the state of Washington;
3. A current Pierce County assessor's map(s) showing the property(ies) within a radius of the subject site as required and a list of the names and addresses of owners of all properties within that radius, certified as accurate and complete by the Pierce County assessor, a title company, licensed surveyor, or other party approved by the planning commission;
4. All information listed as application requirements in the relevant sections of applicable Town ordinances;
5. A SEPA checklist, typewritten and signed.

The Contact Person for this project shall be Kerri Murphy, Planning Secretary. The Town intends on publishing a Notice of Application May 25, 2016; and targeting a Hearing Notice publishing date of June 8, 2016, and hearing date of June 20, 2016.

Attachment "A"

TOWN OF EATONVILLE

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

WAC 197-11-970

SEPA DETERMINATION OF NONSIGNIFICANCE Community Center Area Rezone

Description of proposal: The proposal is to rezone four (4) contiguous parcels (3 owned by the Town of Eatonville, and 1 privately owned property) from MF-2 to C-1. The rezone area is ~1.11 acres, all of which contains existing development allowed in the proposed C-1 Zone.

Proponent: The Town of Eatonville

Location of proposal, including street address, if any: The proposal will apply within the corporate limits of the Town of Eatonville, Wa. Sec-14, T-16, R-04, Q-34. 3 parcels owned by the Town: 3605002300 (305 Center St W.), 3605002310 and 3605002322; and one privately owned, parcel 3605002280.

Review Document: Community Center Area Rezone SEPA Environmental Checklist.

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 the proposal for 14 days from the date below. Comments must be submitted by 5:00 PM, June 8, 2016.

The document is available to read and review at the address below, between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

Responsible official: Mayor Mike Schaub

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

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

Date: 5/23/16

Signature: M. Schaub

Attachment "B"