ORDINANCE NO. 683

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, APPROVING COMPREHENSIVE PLAN MAP AMENDMENTS PERTAINING TO PROPERTIES LOCATED ON 67^{TH} AVENUE WEST, AND AT 54^{TH} STREET WEST AND BRIDGEPORT WAY WEST

WHEREAS, the City Council established and appointed the Planning Commission to advise the City Council on the following topics: growth management; general land use and transportation planning; long range capital improvement plans; and other matters as directed by the City Council; and

WHEREAS, the Planning Commission is charged with holding hearings on and developing a comprehensive plan for the City and making recommendations to the City Council on amendments to the comprehensive plan, the zoning code and map, and other development regulations of the City.

67th Avenue West - Chambers Landing Amendment

WHEREAS, on August 30, 2016, Chambers Landing, LLC submitted an application to amend the comprehensive plan map designation from Low Density Residential to Moderate Density Residential for a 4.73 acre parcel to allow construction of a 72-unit condominium project with a density of approximately 15.25 units per acre, at 5904 67th Avenue West (Parcel No. 0220224043); and

WHEREAS, the City issued a Determination of Completeness on September 12, 2016 and a Notice of Application on September 13, 2016; and

WHEREAS, the Planning Commission held study sessions on September 7, 2016 and October 5, 2016 to review the proposed amendment and identify issues that might require further analysis or consideration by the applicant or staff; and

WHEREAS, the City submitted a *Notice of Intent to Adopt* to the Washington State Department of Commerce on October 13, 2016, which was issued to state agencies for a 60-day comment period, as required pursuant to RCW 36A.70 RCW, and did not receive any formal comments in response to this *Notice*: and

WHEREAS, the City issued a SEPA Determination of Non-significance pertaining to proposed amendment and associated rezone on October 14, 2016 with a 14-day comment period, and no adverse comments were received; and

WHEREAS, on October 14, 2016 the City published a public hearing notice in the Tacoma News Tribune, mailed public hearing notices to all property owners of record within a radius of 300 feet, but not less than two parcels deep, and posted the amendment site regarding a November 2, 2016 public hearing to be held on the proposed amendment; and

WHEREAS, the Planning Commission conducted a public hearing on November 2, 2016 to consider written and oral public comments on the proposed amendment, closed the hearing to additional oral comment, and continued the deadline for written comment through November 8, 2016 at 5:00 PM; and

WHEREAS, the Planning Commission, having considered public comment and the approval criteria listed in UPMC 16.10.090, voted unanimously on December 7, 2016 to recommend to the City Council approval of the comprehensive plan map amendment pursuant to Planning Commission Resolution No. 2016-02; and

WHEREAS, the City Council conducted a public review of the plan map amendment at a study session held on February 13, 2017; and

WHEREAS, the City Council conducted an open record hearing to consider public comment on the plan map amendment March 20, 2017; and

WHEREAS, the City Council has considered the Planning Commission's findings and conclusions contained in Planning Commission Resolution No. 2016-02 and the Comprehensive Plan Approval Criteria listed in UPMC 16.10.090; and

WHEREAS, the City Council has made the following findings and conclusions:

- 1. The Chambers Landing, LLC property meets all of the major locational criteria for future moderate density residential development, set forth on page 1-28 of the Comprehensive Plan:
 - It is located along 67th Avenue W, a secondary arterial, just north of its intersection with Bridgeport Way W, a principal arterial, and in close proximity to the transit route on Bridgeport Way W.
 - It is close to Fred Meyer and other shopping opportunities, public facilities and services at the intersection of 67th Avenue W and Bridgeport Way W.
 - It is adjacent to a property that is planned to be developed with moderate density residential apartments (following the rezone of the adjacent property to the south to MF-L in 2015).
 - The property is uniquely situated to provide an effective transition between higher-intensity land uses to the south and single family residential uses to the north and west.
 - The property is treed and, therefore, can retain a perimeter buffer of existing trees to provide screening. The perimeter buffer can be augmented with additional landscaping that will help to further mitigate impacts to adjacent single-family residential areas to the north and west. As shown on the Conceptual Site Plan, the buildings can be clustered in the center of the site and oriented toward around a common driveway, to direct vehicle noise and light inward. As shown on the Concept Plans, the neighborhood can be stepped down the hillside to minimize building profiles and maintain scenic views across the site. It can also feature vegetated corridors between the buildings and incorporate building articulation and fenestration treatments to maximize compatibility with neighboring single family residential communities.

Re-designation of the Chambers Landing, LLC property to MF-L is consistent with all of the following Comprehensive Plan goals and policies:

Goal LUI - Achieve a rational and prudent mix of land uses within the City.

Increasing density in this particular location - adjacent to another area that has already been zoned for multi-family residential uses, in close proximity to arterials and transit routes, and in an area well served by shopping, public facilities and services - promotes a rational and prudent mix of land uses within the City.

LUI-A - Protect the property rights of landowners ...do not take private property for public use.

Re-designation of this property to the same designation recently approved for the adjacent property to the south protects the property rights of Chambers Landing, LLC, both by virtue of extending similar development rights as granted to the neighboring landowner and by allowing for uses that will be less impacted by the higher intensity commercial uses that have been and are planned to be developed to the south.

LUI-B - Create a well-balanced well-organized mix of land uses. Make preservation and protection of residential neighborhoods a priority.

The Chambers Landing, LLC proposal will create a better-balanced combination of land uses in the area by establishing more of a transitional area of moderate density multi-family residences (up to approximately 15.25 units/acre) between the more intensive commercial uses to the south, and lower density single family residences (4-6 units/acre) to the north and west.

LUI-C - Manage growth so that delivery of public facilities and services will occur to support development.

Re-designation of the Chambers Landing, LLC property will promote effective management of growth by locating multi-family residences in an area that is well served by arterial roads, transit routes, shopping, and other public facilities and services.

LUI-E - Require buffers between different types of land uses.

Re-designating the Chambers Landing, LLC property to allow for a moderate density multi-family residential uses (up to approximately 15.25 units per acre) will create a more effective transition between the higher intensity commercial land uses to the south and single family residential uses to the north and west. Existing trees on the Chambers Landing, LLC property make it ideal for retaining a natural treed buffer around the perimeter that will help to ease the transition to the single family residential areas to the north, west and east (across 67th Avenue W). This treed buffer can be augmented with robust landscaping to enhance the natural screening.

LUI-F - Require landscaping for land uses.

The perimeter buffer of existing trees on the Chambers Landing, LLC property can be augmented with robust landscaping, to maintain the vegetated character of the area and enhance the effectiveness of the natural screening. Additional landscaping between the structures can also preserve the character of the property by creating green corridors between the buildings and maintaining views across the site.

LUI-G - Plan for gradual transition to less automobile intensive transportation system.

The Chambers Landing, LLC property is within walking distance to the Fred Meyer shopping center and transit routes at the intersection of 67th Avenue W and Bridgeport Way W. Increasing the density of residential uses in this area that is already well served by public facilities and services will help to reduce reliance on motorized vehicles.

Goal LU2 - Achieve a mix of housing types and densities while maintaining healthy residential neighborhoods, and guide new housing development to appropriate areas.

The vision for the Chambers Landing, LLC property is to develop a unique neighborhood of up to 72 single-floor condominium units that are accessible for seniors and other members of the community who seek stair-free living. This design will provide a unique housing stock that is not widely available elsewhere in the City. This location is appropriate for such multi-family housing, as the City rezoned the adjacent property for multi-family residential uses in 2015. While the MF-L zoning currently allows up to 35-40 units per acre, Chambers Landing, LLC seeks only a mid-range density of up to approximately 15.25 units per acre for its property. With such a moderate density, the Chambers Landing, LLC property can provide a more gradual transition between the higher intensity commercial areas to the south, and the single-family residential areas to the north and west.

LU2-A - Preserve the character of single-family neighborhoods.

The Chambers Landing, LLC neighborhood would be stepped down the hillside to minimize building profiles and maintain scenic views. It would also feature vegetated perimeter buffers that would be augmented with robust landscaping to enhance the natural screening from adjacent properties. The interior site design would incorporate vegetated corridors between the buildings and building articulation and fenestration treatments to maximize compatibility with neighboring single family residential communities. Thus the neighborhood would be designed to respect the character of the surrounding single family uses to the north and west, and to provide an effective transition between those uses and the more intensive commercial area to the south.

LU2-B - Maintain moderate density residential development in the existing multi-family and mixed-use areas along or close to major arterial and transit routes.

The Chambers Landing, LLC property is immediately adjacent to another property that has been zoned for multi-family residential uses. It is located at the crest of the hill overlooking that property, the Fred Meyer shopping center and the area that has been zoned for neighborhood commercial uses at the intersection of 67th Avenue W and Bridgeport Way W. The property is well served by arterial roads, located along 6ih Avenue W and close to Bridgeport Way W, and it is within walking distance to the transit route on Bridgeport Way W.

LU2-D - Ensure that multi-family residential development is designed and scaled to be compatible with adjacent single-family neighborhoods.

Chambers Landing, LLC proposes to limit the density of multi-family development on its property up to 72 units (up to approximately 15.25 units per acre), in order to create a more gradual transition between more intensive commercial uses to the south, and single-family residential areas to the north and west. As shown on the Concept Plans, the top row of buildings would be nosed into the slope to minimize building profiles and the entire neighborhood would be stepped down the hillside to maintain views across the property. As shown on the Conceptual Site Plan, the community would also feature treed perimeter buffers that would be augmented with robust landscaping to enhance the natural screening from adjacent properties. The interior site design would incorporate vegetated corridors between the buildings and building articulation and fenestration treatments to maximize compatibility with neighboring single family residential communities.

LU2-E - Provide for a range of residential densities based upon existing development patterns, community needs and values, proximity to facilities and services, immediate surrounding densities and protection of natural environmental features.

The Chambers Landing, LLC property is immediately adjacent to a property that the City re-designated and rezoned for similar moderate density multi-family residential (MDR/MF-L) uses in 2015, and just up the hill from a property that the City zoned for neighborhood commercial (NC) uses. While the MF-L zoning currently allows up to 35-40 units/acre, Chambers Landing, LLC only seeks to develop its property with up to 72 units (up to approximately 15.25 units/acre). Like the MF-L property to the south, the Chambers Landing, LLC property is well-served by arterial roads, infrastructure, shopping, transit routes and other public facilities and services. The Conceptual Plan for the Chambers Landing, LLC property envisions a high quality, attractive, moderate density condominium community that will help to provide a more gradual and more effective transition between the more intensive land uses to the south and the single-family residential neighborhoods to the north and east. The Concept Plans show how the development can be designed to maximize compatibility with neighboring single family residential neighborhoods.

2. The Chambers Landing, LLC property is well served by public facilities and services and utilities. Only marginally increased demand for public services is expected by increasing the number of homes from 19-28 single family residences (at the current R1 density of 4-6 units/acre), up to 72 condominium units (the proposed MF-L density of up to approximately 15.25 units/acre). This is not expected to decrease or diminish public services.

The Chambers Landing, LLC property is well served by existing arterial roadways. It is located along a secondary arterial, 67th Avenue W, just north of the intersection with a principal arterial, Bridgeport Way W. The Traffic Impact Analysis supporting the SEPA Checklist for Chambers Landing, LLC confirms that a 72-unit condominium project would not cause any significant change in the levels of service or delays on nearby roadways.

This area is well served by water and sewer infrastructure and other public services and facilities. Utilities are available to the site at 67th Avenue W. The property is within walking distance to the transit route on Bridgeport Way W. It is also within walking distance to Fred Meyer and other shopping opportunities at the intersection of 67th Avenue W and Bridgeport Way W.

3. In 2015, the City re-designated and rezoned the adjacent property to the south to the same designation moderate density residential designation - MDR/MF-L - that Chambers Landing, LLC seeks for its property.

The City also re-designated and rezoned the property at the corner of 67th Avenue W and Bridgeport Way W for additional neighborhood commercial (NC) uses adjacent to Fred Meyer. While the MF-L zoning currently allows densities up to 35-40 units/acre, Chambers Landing, LLC only seeks to develop its property with a moderate density of up to approximately 15.25 units/acre, to allow for a condominium community of up to 72 units. The Conceptual Plan and Concept Plans illustrate how the condominium community is designed to respect the character of the surrounding single family uses to the north and west and to provide a more gradual transition of moderate density multi-family residences between those uses and the higher density commercial uses to the south.

Chambers Landing, LLC proposes to develop its property in a manner that maximizes compatibility with neighboring single family residential communities to the north, west and east (across 67th Avenue W). Chambers Landing, LLC envisions an attractive neighborhood of high quality single-level, stacked condominium units, appropriate for seniors and other residents who like the convenience of stair-free living. The Concept Plans show the neighborhood would be stepped down the hillside to minimize building profiles and maintain scenic views across the site. The Conceptual Site Plan shows the buildings would be clustered in the center of the site, retaining a treed buffer around the perimeter of the property. That buffer would be augmented with robust landscaping to enhance the natural screening. The buildings would be oriented around a center driveway that would focus vehicle noise and light inward. It would also feature vegetated corridors between the buildings and incorporate building articulation and fenestration treatments to maximize architectural compatibility with neighboring single family residential communities.

4. Land Use Policy LU2-E and the discussion of existing moderate density multi-family residential areas on page 16 of the City's Comprehensive Plan assumes that new multi-family development will be concentrated in the Town Center and along five arterials: Bridgeport Way, 19th, 27th, 40th & Orchard. However, the City rezoned a property on 67th Avenue W for multi-family uses in 2015. Therefore, that assumption is no longer strictly valid. By rezoning the adjacent property to MF-L, the City has created another location - along 67th Avenue W near the intersection with Bridgeport Way W - where multi-family residential uses are appropriate.

The Chambers Landing, LLC property is immediately adjacent to this property that was rezoned for multi-family uses in 2015. Thus, the Chambers Landing, LLC re-designation request is consistent with the new approach the City has taken of permitting multi-family uses on 67th Avenue W, near the intersection with Bridgeport Way W.

The Chambers Landing, LLC property meets the major locational criteria for future moderate density residential development, set forth on page 1-28 of the Comprehensive Plan:

- It is located along 67th Avenue W, a secondary arterial, just north of its intersection with Bridgeport Way W, a principal arterial, and in close proximity to the transit route on Bridgeport Way W.
- It is close to Fred Meyer and other shopping opportunities, public facilities and services at the intersection of 67th Avenue W and Bridgeport Way W.
- It is adjacent to a property that is planned to be developed with moderate density multi-family apartments (following the rezone of the adjacent property to the south to MF-L in 2015).

The property is uniquely situated to provide an effective transition between higher-intensity commercial land uses to the south and single family residential uses to the north and west. The property is treed and, therefore, can retain a perimeter buffer of existing trees to provide screening. The perimeter buffer can be augmented with additional landscaping that will help to further mitigate impacts to adjacent single-family residential areas to the north and west. As shown on the Conceptual Site Plan, the buildings can be clustered in the center of the site and oriented toward around a common driveway, to direct vehicle noise and light inward. As shown on the Concept Plans, the neighborhood can be stepped down the hillside to minimize building profiles and maintain scenic views across the site. It can also feature vegetated corridors between the buildings and incorporate building articulation and fenestration treatments to maximize compatibility with neighboring single family residential communities.

5. The character of the area to the south of the Chambers Landing, LLC property is changing rapidly. All the way to the intersection with Bridgeport Way W the area is now zoned for higher density residential uses and additional commercial uses surrounding the Fred Meyer store. In 2015, the property immediately to the south of the Chambers Landing, LLC property (parcel #4001700700) was re-designated to moderate density residential MDR (with MF-L zoning), and the property at the corner of 67th Avenue W and Bridgeport Way W (parcel #0220271062) was re-designated for additional neighborhood commercial {NC} uses. Located at the crest of the hill overlooking this area of more intensive development, the Chambers Landing, LLC property is uniquely impacted by these changes. With the appropriate moderate density Comprehensive Plan Map designation, however, the Chambers Landing, LLC property also will be uniquely situated to provide an effective transition between the more intensive commercial uses to the south, and the single family residential uses to the north and west.

Chambers Landing, LLC seeks the same Comprehensive Plan Map designation and Zoning designation that was approved for the adjacent property to the south in 2015. Chambers Landing, LLC does not seek to maximize the density of development on its property under the MF-L zoning (which currently allows up to 35-40 units/acre). Rather, Chambers Landing, LLC seeks to develop its property with an attractive neighborhood of up to 72 high quality condominium units, at a density of up to approximately 15.25 units per acre. This would create a more of a moderate density multi-family transitional area between the single family residences to the north and west, and the commercial area to the south.

The Chambers Landing, LLC proposal is consistent with the GMA's planning goals, set forth in RCW 36.70A.020:

1 - Urban Growth.

Consistent with RCW 36.70A.020 (1), the proposal seeks to locate urban density multi-family development on a currently undeveloped property within the urban area, where it is well served by public facilities and services.

2 - Reduce Sprawl.

Concentrating growth on this undeveloped property within the urban growth area will help to reduce the inappropriate conversion of other undeveloped land into sprawling low-density development, consistent with RCW 36.70A.020 (2).

4 - Housing.

Consistent with RCW 36.70A.020(4), the vision for the Chambers Landing, LLC property is to provide a unique type of housing stock that is appropriate for seniors and other members of the community who require stair-free living, which is currently not widely available in the City.

5 - Economic Development.

Development of this vacant land within the urban growth area will help to provide construction jobs and increase customers to support the economic development planned for neighboring commercial areas, consistent with RCW 36.70A.020(5).

6 - Property Rights.

Re-designation of the Chambers Landing, LLC property will extend the same development rights as were granted to the neighboring property owner, with the rezone of the adjacent property in 2015, consistent with RCW 36.70A.020(6).

10 - Environment.

As described in the applicant's SEPA Checklist, multi-family uses on the Chambers Landing, LLC can be designed to avoid and minimize potential environmental impacts.

12 - Public Facilities and Services.

The Chambers Landing, LLC property is located in an area that is already well served by arterials roadways, transit routes, infrastructure, shopping, and other public facilities and services. Thus, it is consistent with the concurrency requirements of the GMA.

The Chambers Landing, LLC proposal is also consistent with the County-wide Planning Policies and VISION 2040: Growth and Transportation Strategy for the Puget Sound Region:

The GMA, in conjunction with the County-wide Planning Policies and VISION 2040, call upon each jurisdiction to plan for and identify sufficient development capacity to accommodate their allocated share of the forecasted population growth. Re-designation of the Chambers Landing, LLC property will promote these policies, as it convert currently vacant land within the urban growth area into valuable housing stock that will increase the capacity of the City of University Place to accommodate forecasted population growth.

7. Re-designating this property to MDR (with MF-L zoning) advances the public interest by according the same development rights to Chambers Landing, LLC that were granted to the adjacent property owner in 2015. Chambers Landing, LLC proposes to limit the density of its condominium community to approximately 15.25 units per acre, up to 72 units, which would create an effective transitional area of multi-family develop between the more intensive commercial uses to the south and the lower density single family residential areas to the north. Chambers Landing, LLC seeks to provide a unique single-level stair-free housing option for the citizens of City of University Place that is currently not available elsewhere in the City. As shown on the Conceptual Site Plan, the Concept Plans and the attached SEPA Checklist, this development would be designed to maximize compatibility with the neighboring single family communities and avoid any significant adverse impact. The re-designation to MDR (with MF-L zoning) will help the City to accommodate forecasted population growth, in a location that is already planned to be developed with other multi-family housing and is well served by public facilities and services. Development of the Chambers Landing, LLC property with condominiums will help to support construction jobs, stimulate additional economic activity for nearby commercial businesses and increase the City's tax base.

Additionally, this re-designation furthers the public interest as it is:

- · Consistent with the City's previous zoning decisions;
- Consistent with the City's Comprehensive Plan locational criteria for locating residential growth;
- Consistent with applicable Land Use Goals and Policies within the City's Comprehensive Plan;
- Consistent with GMA planning policies;
- Consistent with County-wide Planning Policies and VISION 2040 for accommodating the City's growth targets, and
- Causes no significant adverse environmental impact to the surrounding area (as detailed on the applicant's SEPA Checklist).

54th and Bridgeport Amendment

WHEREAS, on November 7, 2016, the University Place City Council adopted Resolution No. 821, thereby requesting the Planning Commission seek public opinion, review, and provide recommendations regarding a city-initiated proposed rezone that would apply to two vacant residential parcels located at the southwest corner of 54th Street West and Bridgeport Way West, immediately adjacent to the U. P. Care Center, to allow for commercial use; and

WHEREAS, Council action was prompted by the property owner, Greenwood Park Properties, LLC, which requested Council support for the amendments; and

WHEREAS, the property owner has expressed support for amending the plan map designation from Low Density Residential to Mixed Use – Office, and amending the zoning classification from Residential 2 to Mixed Use – Office, which would allow for the construction of administrative and professional offices, including medical and dental facilities, and attached single-family units that could be located above ground floor commercial office uses; and

WHEREAS, per Resolution No. 821, the property owner has proposed a public benefit consideration, which would be an easement and access through the site to improve Police, Fire and EMS access to and from the abutting U. P. Care Center; and

WHEREAS, the Planning Commission held a study session on January 18, 2017 to review the proposed amendments and identify issues that might require further analysis or consideration by the property owner, applicant or staff; and

WHEREAS, the City submitted a *Notice of Intent to Adopt* to the Washington State Department of Commerce on January 20, 2017, which was issued to state agencies for a 60-day comment period, as required pursuant to RCW 36A.70, and did not receive any formal comments in response to this *Notice*; and

WHEREAS, on January 20, 2017, the City published a public hearing notice in the Tacoma News Tribune, mailed public hearing notices to all property owners of record within a radius of 300 feet, but not less than two parcels deep, and posted the amendment site regarding a February 15, 2017 public hearing to be held on the proposed plan map and zoning map amendments; and

WHEREAS, the City issued a SEPA Determination of Non-significance pertaining to proposed plan map and zoning map amendments on January 24, 2017 with a 14-day comment period, and no adverse comments were received; and

WHEREAS, the Planning Commission conducted a public hearing on February 15, 2017 to consider written and oral public comments on the proposed plan map and zoning map amendments; and

WHEREAS, the Planning Commission considered the Comprehensive Plan Approval Criteria listed in UPMC 16.10.090 and adopted findings in support of denial of the proposed plan map amendment pursuant to Planning Commission Resolution No. 2017-02; and

WHEREAS, the City Council conducted a public review of the plan map amendment at a study session held on April 3, 2017; and

WHEREAS, the City Council conducted an open record public hearing to consider public comment on the proposed plan map amendment on April 17, 2017; and

WHEREAS, the City Council has considered the Planning Commission's findings and conclusions contained in Planning Commission Resolution No. 2017-02 and the Comprehensive Plan Amendment Approval Criteria listed in UPMC 16.10.090; and

WHEREAS, the City Council has made the following findings and conclusions:

1. Re-designation of the 54th and Bridgeport property to MU-O would be consistent with the following Comprehensive Plan goals and policies supporting them:

GOAL LU1

Provide sufficient land area and densities to meet University Place's projected needs for housing, employment and public facilities while focusing growth in appropriate locations.

Policy LU1E

Encourage infill development on suitable vacant parcels and redevelopment of underutilized parcels. Ensure that the height, bulk and design of infill and redevelopment projects are compatible with their surroundings.

GOAL LU6

Ensure that decisions on land use designations and zoning are consistent with the City's vision, goals, objectives and policies as articulated in the Comprehensive Plan and take into account GMA goals regarding urban growth, sprawl, property rights, permits, economic development, and open space and recreation.

GOAL LU7

Achieve a mix of housing types in which people of a wide range of incomes, ages and needs can live, and guide new housing into appropriate areas while maintaining and enhancing the special qualities and character of existing residential neighborhoods.

GOAL LU8

Achieve a mix of commercial land uses that serves the needs of the City's residents, businesses and visitors.

Policy LU8A

Maintain and enhance a well-distributed system of commercial uses that serve the needs of residential neighborhoods, workplaces and the greater University Place community. Encourage commercial land uses that support or provide services to adjacent land uses to encourage nonmotorized travel.

- 2. The site is well-served by public facilities, services and utilities. Only marginally increased demand for public services is expected by increasing the intensity of use from nonresidential uses and/or single family dwellings allowed under the current LDR plan designation and R2 zoning (6-12 du/acre) to office, residential, and nonresidential uses allowed under the proposed MU-O designation and MU-O zoning. This potentially increased demand is not expected to decrease or diminish public services. The site is well-served by existing arterial roadways. It is located along a neighborhood collector arterial (54th Street West) and a principal arterial (Bridgeport Way West). This area is well served by water and sewer infrastructure and other public services and facilities. Utilities are available to the site, and the property is served by Pierce Transit Route 2 on Bridgeport Way. Fire/EMS access to the adjoining UP Care Center would be enhanced through the granting of an easement through, and physical improvements on, the subject property.
- 3. The Bridgeport Way corridor includes a number of plan designations including Mixed Use Office (MU-O), Mixed Use, Community Commercial, Town Center, Neighborhood Commercial, Moderate Density Residential, and Low Density Residential (LDR). Adjacent properties located to the north, east and west are designated LDR. Adjacent property to the south is designated Moderate Density Residential. The proposed MU-O designation is generally compatible with the surrounding designations based on where the MU-O designation previously has been applied next to LDR designations elsewhere along Bridgeport Way. The property owner's intended use of the site for professional offices, or for mixed use development including offices and residential units, would be compatible with surrounding land uses that include the UP Care Center to the south, condominiums located across 54th Street to the north, and vacant parcels across Bridgeport Way to the east -- assuming the design complies with applicable design standards. Effective screening or buffering of future development and associated parking on the site through compliance with adopted performance and design standards will minimize impacts on adjacent single family dwellings to the west, which are owned by Greenwood Park Properties, LLC, the owner of the two parcels that are the subject of this amendment.
- 4. No assumptions on which the Comprehensive Plan is based and that are relevant to this proposal are known to be invalid.
- 5. The segment of Bridgeport Way adjacent to the site was redesigned and rebuilt as a "complete street" in 2015 to include pedestrian facilities (sidewalks and bike lanes), medians, street trees, lighting and other improvements. These facilities, including city-standard frontage improvements abutting the site, support more intensive development and use of the property than what historically has been allowed under the current LDR plan designation and R-2 zoning.

The property is one of very few sites located along the Bridgeport corridor that is located abutting two arterial streets and not already designated and zoned for commercial use.

- 6. The proposal is consistent with the GMA's planning goals, set forth in RCW 36.70A.020:
- 1- Urban Growth.

Consistent with RCW 36.70A.020 (1), the proposal seeks to locate urban density development on a currently undeveloped property within the urban area, where it is well served by public facilities and services.

2 - Reduce Sprawl.

Concentrating growth on this undeveloped property within the urban growth area will help to reduce the inappropriate conversion of other undeveloped land into sprawling low-density development, consistent with RCW 36.70A.020 (2).

5 - Economic Development.

Development of this vacant land within the urban growth area will help to provide construction jobs and promote the retention and expansion of existing businesses and recruitment of new businesses to the community, consistent with RCW 36.70A.020 (5).

6 - Property Rights.

Re-designation (and rezoning) of the site to allow for commercial use will ensure greater consistency in terms of development rights already granted to most other properties fronting on Bridgeport Way, consistent with RCW 36.70A.020 (6).

12 - Public Facilities and Services.

The property is located in an area that is already well served by arterial roadways, transit routes, infrastructure, and other public facilities and services. Thus, the proposal is consistent with the concurrency requirements of the GMA.

The proposal is also consistent with the County-wide Planning Policies and Vision 2040: Growth and Transportation Strategy for the Puget Sound Region:

The GMA, in conjunction with the County-wide Planning Policies and Vision 2040, call upon each jurisdiction to plan for and identify sufficient development capacity to accommodate their allocated share of the forecasted employment and population growth. Re-designation of the site will promote these policies, as it will support the conversion of vacant land within the urban growth area into commercial or commercial mixed use development that will increase the capacity of the City of University Place to accommodate forecasted employment and population growth.

7. Re-designating the property to MU-O advances the public interest by according development rights to the property owner that are more consistent with, or comparable to, those rights possessed by owners of other properties located along the Bridgeport Way corridor — especially those properties located at the intersections of two arterial streets. Increased development potential on this site will accommodate services that benefit the community, provide employment opportunities, and perhaps result in additional housing choices.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. <u>University Place Municipal Code Title 16 Comprehensive Plan Map Amendments Adopted</u>. The City of University Place Comprehensive Plan Land Use Map, adopted by reference in UPMC 16.05.020, is hereby amended as indicated in Exhibits "A" and "B" attached.

Section 2. <u>Condition of Approval for 54th and Bridgeport Amendment</u>. Following the effective date of this Ordinance, the owner of the 54th and Bridgeport parcels depicted on Exhibit "B" will execute and record, in a form approved by the City Attorney, a permanent, perpetual access easement through a portion of the corner of the parcels allowing access to North side of the UP Care Center. If full satisfaction of the conditions specified in this Section 2 is not complete within one (1) year from the effective date of this Ordinance, the sections of this Ordinance pertaining to the 54th and Bridgeport parcels shall expire and be of no further force or effect.

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

Section 4. <u>Publication and Effective Date</u>. A summary of this ordinance, consisting of its title, shall be published in the official newspaper of the City. This ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON MAY 1, 2017.

avier H. Figueroa, Mayor

ATTEST:

Emelia Genetia, City Clerk

APPROVED AS TO FORM:

Steve Victor, City Attorney

Published: 05/03/17 Effective Date: 05/08/17

EXHIBIT B

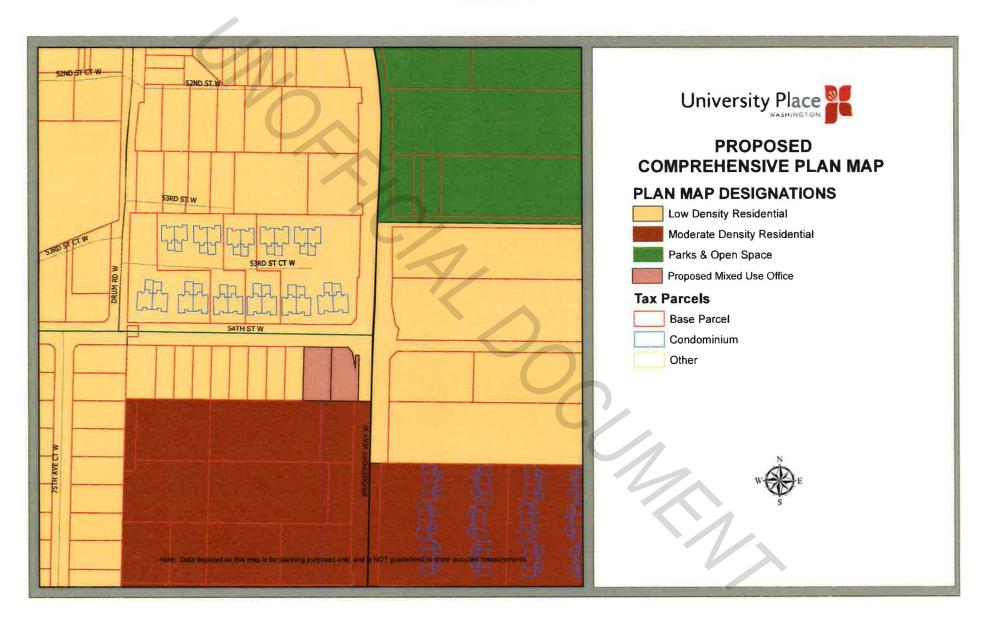
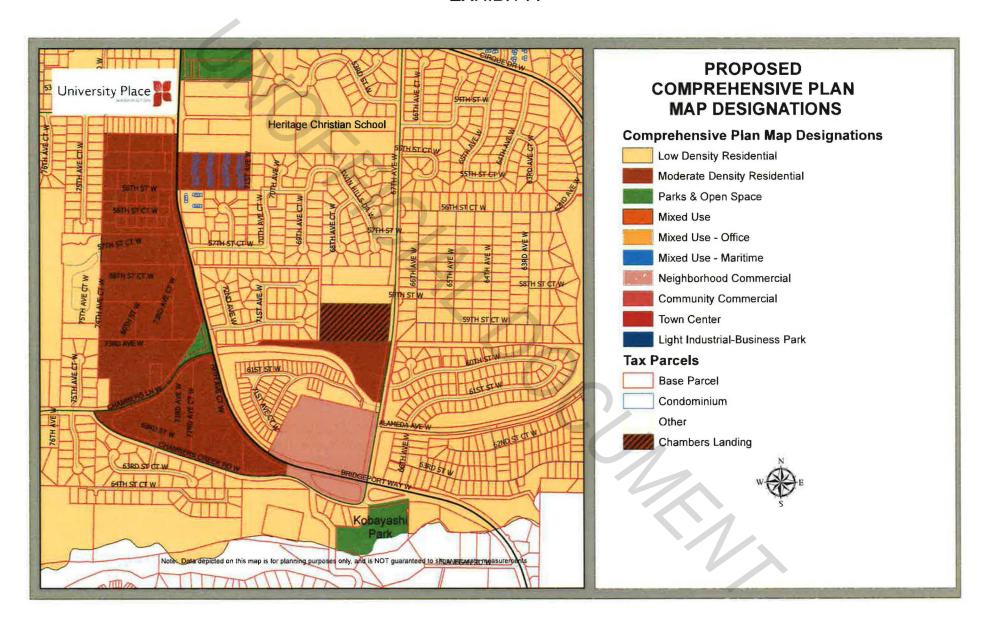


EXHIBIT A





Memo

DATE:

May 14, 2018

TO:

Emy Genetia, City Clerk

FROM:

Matt Kaser, City Attorney

SUBJECT:

Ordinance 683 Approval

Ordinance 683, passed May 1, 2017 contains a section which requires certain actions to be performed prior to becoming effective. Specifically, Section 2 of the Ordinance provides:

Section 2. Condition of Approval for 54th and Bridgeport Amendment. Following the effective date of this Ordinance, the owner of the 54th and Bridgeport parcels depicted on Exhibit "B" will execute and record, in a form approved by the City Attorney, a permanent, perpetual access easement through a portion of the corner of the parcels allowing access to North side of the UP Care Center. If full satisfaction of the conditions specified in this Section 2 is not complete within one (1) year from the effective date of this Ordinance, the sections of this Ordinance pertaining to the 54th and Bridgeport parcels shall expire and be of no further force or effect.

The purpose of this memorandum is to certify approval with this condition. Prior to the one year anniversary of the effective date of this Ordinance, "the owner of the 54th and Bridgeport parcels depicted on Exhibit "B" [has] execute[d] and record[ed], in a form approved by the City Attorney, a permanent, perpetual access easement through a portion of the corner of the parcels allowing access to North side of the UP Care Center." A copy of this easement is attached for your records.

201805010255 ACLARK1 5 F 05/01/2018 10:28:53 AM \$78.00 AUDITOR, Pierce County, WASHINGTON

AFTER RECORDING MAIL TO: Jeff Edwards 6506 88th Avenue Ct W University Place, WA 98467

GRANT OF EASEMENT

Grantor:

Greenwood Park Properties LLC

Grantee:

CF Franklin LP

Legal Description (abbreviated): GREENWOOD PARK ADD : PARCEL "A" OF DBLR 95-06-30-0051, L 1 THRU 6

Additional legal(s) on page 1

Assessor's Tax Parcel ID#: 4260000151, 4260000152

Reference Nos. of Documents Released or Assigned:

This Grant of Easement is made this 2018 by Greenwood Park Properties LLC ("Greenwood").

Background.

- A. CF Franklin LP owns real property (the "CF Franklin Property)" legally described on Ex. A.
 - B. Greenwood owns real property (the "Greenwood Property") legally described on Ex B.
- C. The Greenwood Property is undeveloped. The CF Franklin Property is improved with an assisted living facility and associated parking lots. The Greenwood Property was granted rezone approval by the City of University Place in May 2017, conditioned on the Greenwood Property owners granting a perpetual ingress/easement easement to the owners of the CF Franklin Property.

NOW THEREFORE, in light of this background Greenwood makes the following grant:

- 1. <u>Grant of Easement</u>. Greenwood hereby grants to CF Franklin LP, for the benefit of the CF Franklin Property, a perpetual, non-exclusive easement for ingress and egress (the "Easement").
- 2. <u>Location of the Easement</u>. The location of the Easement, on the Greenwood Property, will be determined based on the final construction of improvements on the Greenwood Property including, but not limited to, building(s), parking lot, parking spaces and ingress/egress surfaces.

EXCISE TAX EXEMPT DATE 5/1/18

Pierce County

~Auth. Sig.

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The Easement will be located, in the sole discretion of the Greenwood Property owner, over and across an established ingress/egress surface improved for the purpose of vehicular travel.

- 3. <u>Successors and Assigns</u>. This Grant of Easement shall run with the affected properties, be binding on and inure to the benefit of the owners of the Greenwood Property and the CF Franklin Property, their heirs, successors, and assigns.
 - 4. Venue. Venue shall be Pierce County, Washington.

Dated this 30th day of April, 2018.

By: Greenwood Properties LLC

Jeffrey Edwards, its managing member

STATE OF WASHINGTON)

(County of Pierce)

I certify that I know or have satisfactory evidence that Jeffrey Edwards is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the managing member of Greenwood Properties LLC to be the free and voluntary act of Greenwood Properties LLC for the uses and purposes mentioned in this instrument.

GIVEN under my hand and official seal this 30 day of April, 2018.

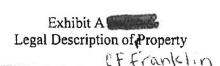


Notary Public in and for the State of Washington,

Residing at PIERCE Co

Name (printed or typed): Brandy Richman

My appointment expires: 12 - 19



Lots 33 through 48, inclusive, in Block 6 of Greenwood Park Addition to Tacoma, Washington, according to Plat recorded in Volume 5 of Plats at Page(s) 15, in Pierce County, Washington;

TOGETHER WITH the North half of vacated 8th Street adjoining or abutting thereon, which upon vacation, attached to said premises by operation of law;

EXCEPT the East 10 feet thereof as conveyed to Pierce County for Road by Deed recorded April 30, 1991 under recording no. 9104300623.

Lots 1 through 16, inclusive, in Block 5 of Greenwood Park Addition to Tacoma, Washington, according to Plat recorded in Volume 5 of Plats at Page(s) 15, in Pierce County, Washington;

TOGETHER WITH the South half of vacated 8th Street adjoining or abutting thereon, which upon vacation, attached to said premises by operation of law;

EXCEPT the East 10 feet thereof as conveyed to Pierce County for Road by Deed recorded April 30, 1991 under recording no. 9104300623.

Lots 29 through 48, inclusive, in Block 5 of Greenwood Park Addition to Tacoma, Washington, according to Plat recorded in Volume 5 of Plats at Page(s) 15, in Pierce County, Washington;

TOGETHER WITH that portion of vacated 9th Street adjoining or abutting thereon, which upon vacation, attached to said premises by operation of law;

EXCEPT the East 10 feet thereof as conveyed to Pierce County for Road by Deed recorded April 30, 1991 under recording no. 9104300623.

Lots 25 through 28, inclusive, in Block 5 of Greenwood Park Addition to Tacoma, Washington, according to Plat recorded in Volume 5 of Plats at Page(s) 15, in Pierce County, Washington;

TOGETHER WITH that portion of vacated 9th Street adjoining or abutting thereon, which upon vacation, attached to said premises by operation of law;

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Lots 25 through 32, inclusive, in Block 6 of Greenwood Park Addition to Tacoma, Washington, according to Plat recorded in Volume 5 of Plats at page(s) 15, in Pierce County, Washington;

TOGETHER WITH the North half of vacated 8th Street abutting said Lots on South vacated as per Quiet Title Suit, Pierce County Superior Court Cause No. 99-2-12162-2.

Lots 17 to 24, inclusive, in Block 5, Greenwood Park Addition to Tacoma, Washington, according to Plat recorded in Volume 5 of Plats at page(s) 15, in Pierce County, Washington;

TOGETHER WITH that portion of vacated East Street adjoining or abutting the West line of Lot 24, and ALSO TOGETHER WITH the South half of vacated 8th Street adjoining or abutting Lots 17 through 24, thereon, which upon vacation, attached to said premises by operation of law.

Exhibit B Greenwood Properties LLC Property

Tax Parcel No. 4260000151:

LOTS 1 THROUGH 3 INCLUSIVE, BLOCK 6, GREENWOOD PARK ADDITION TO TACOMA WASHINGTON, ACCORDING TO PLAT RECORDED IN VOLUME 5 OF PLATS AT PAGE 15, RECORDS OF PIERCE COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF 7TH STREET ADJACENT TO LOTS 1 TO 3 INCLUSIVE, BLOCK 6, GREENWOOD PARK ADDITION TO TACOMA AS PER MAP RECORDED IN VOLUME 5 OF PLATS AT PAGE 15, RECORD OF PIERCE COUNTY, WASHINGTON PER PIERCE COUNTY SUPEIROR COURT QUIET TITLE NO. 96-2-07021-7

EXCEPT THAT PORTION THEREOF CONVEYED TO PIERCE COUNTY BY STATUTORY WARRANTY DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FEE NUMBER 9302050175.

Tax Parcel no. 4260000152:

LOTS 4 THROUGH 6 INCLUSIVE, BLOCK 6, GREENWOOD PARK ADDITION TO TACOMA WASHINGTON, ACCORDING TO PLAT RECORDED IN VOLUME 5 OF PLATS AT PAGE 15, RECORDS OF PIERCE COUNTY, WASHINGTON.

TOGETHER WITH THAT PORTION OF 7TH STREET ADJACENT TO LOTS 4 TO 6 INCLUSIVE, BLOCK 6, GREENWOOD PARK ADDITION TO TACOMA AS PER MAP RECORDED IN VOLUME 5 OF PLATS AT PAGE 15, RECORD OF PIERCE COUNTY, WASHINGTON PER PIERCE COUNTY SUPEIROR COURT QUIET TITLE NO. 96-2-07021-7

EXCEPT THAT PORTION THEREOF CONVEYED TO PIERCE COUNTY BY STATUTORY WARRANTY DEED RECORDED UNDER PIERCE COUNTY AUDITOR'S FEE NUMBER 9302050175.