

ORDINANCE NO. 2021-8

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, APPROVING A SITE-SPECIFIC REZONE FOR THE REAL PROPERTY LOCATED AT 331 AND 333 WASHINGTON AVE N AND AMENDING THE EATONVILLE ZONING MAP BY CHANGING THE ZONING CLASSIFICATION FOR THE PROPERTY FROM MULTI-FAMILY RESIDENTIAL DISTRICT (MF-1) TO DOWNTOWN COMMERCIAL DISTRICT (C-1)

WHEREAS, Jaegga, LLC and Baublits Memorial, LLC (the applicant) are the owners of the real property located at 331 and 333 Washington Ave N, Eatonville; Pierce County tax parcel numbers 0416145034 and 0416145038 (the subject property); and

WHEREAS, the applicant has submitted an application to rezone the subject property from Multi-Family Residential District (MF-1) to Downtown Commercial District (C-1); 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 11, 2021 and no comments were received; and

WHEREAS, on September 7, 2021, 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. The Town Council adopts the findings and conclusions of the Planning Commission Report dated September 7, 2021, a copy of which is attached hereto as Exhibit A and incorporated by this reference.

Section 2. Final Decision. Based on the recommendation of the Planning Commission and the findings of fact and conclusions of law set forth in Exhibit A, 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 properties located at 331 and 333 Washington Ave N, Pierce County tax parcel numbers 0416145034 and 0416145038, from Multi-Family Residential District (MF-1) to Downtown Commercial District (C-1).

Section 3. 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 4. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 09/27/2021

2ND READING: 10/11/2021

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this ____ day of September, 2021.

Mike Schaub
Mayor

ATTEST:

Miranda Doll
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney



Planning Commission Report

Scott Clark, Town Planner
Larson and Associates

JAEGGA & BAUBLITS MEMORIAL REZONE (Consolidated)

Planning Commission Hearing
September 7, 2021

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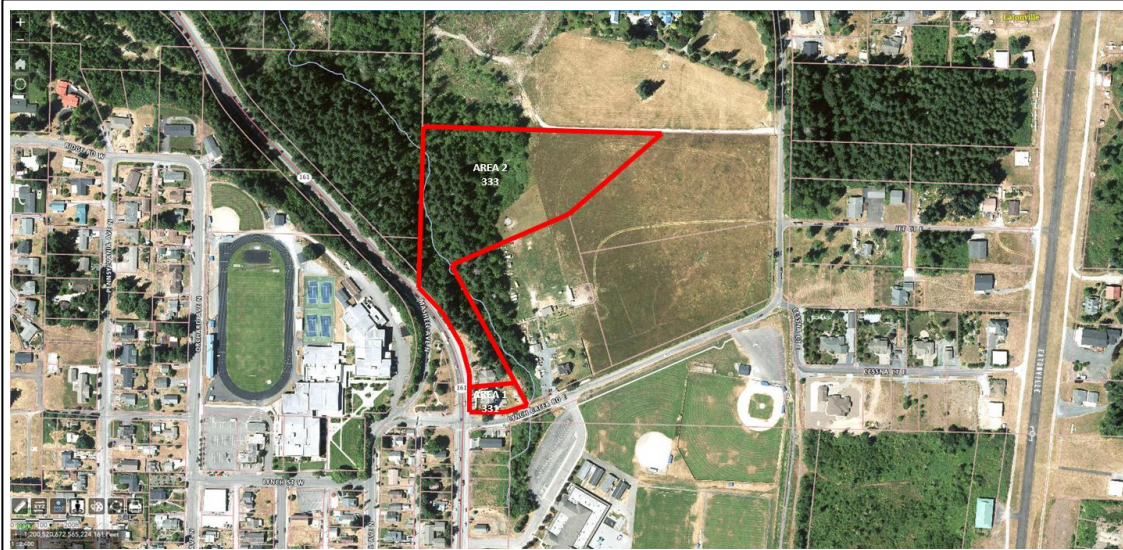
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I. APPLICATION SCOPE (Consolidated):

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

II. GENERAL DESCRIPTION AND SITE LOCATION:

The Applicants are proposing a rezone of two (2) parcels, totaling ~8.13 acres, from Multifamily Residential District (MF-1) –to- Downtown Commercial District (C-1). The rezone area includes the following parcels: 0416145034 and 0416145038. The project site is generally located north of Lynch Creek Road, South of unincorporated Pierce County lands, east of Eatonville High School and west of two Multifamily designated parcels containing two single-family residences.



Aerial photo of the project site (outlined in red) and surrounding area

III. BACKGROUND:

Owners/Applicants: Jaegga LLC; David Baublits
35813 Mountain Highway East, Eatonville WA, 98328

Baublits Memorial LLC; David Baublits
35813 Mountain Highway East, Eatonville WA, 98328

Tax Parcel Numbers: 0416145034 and 0416145038

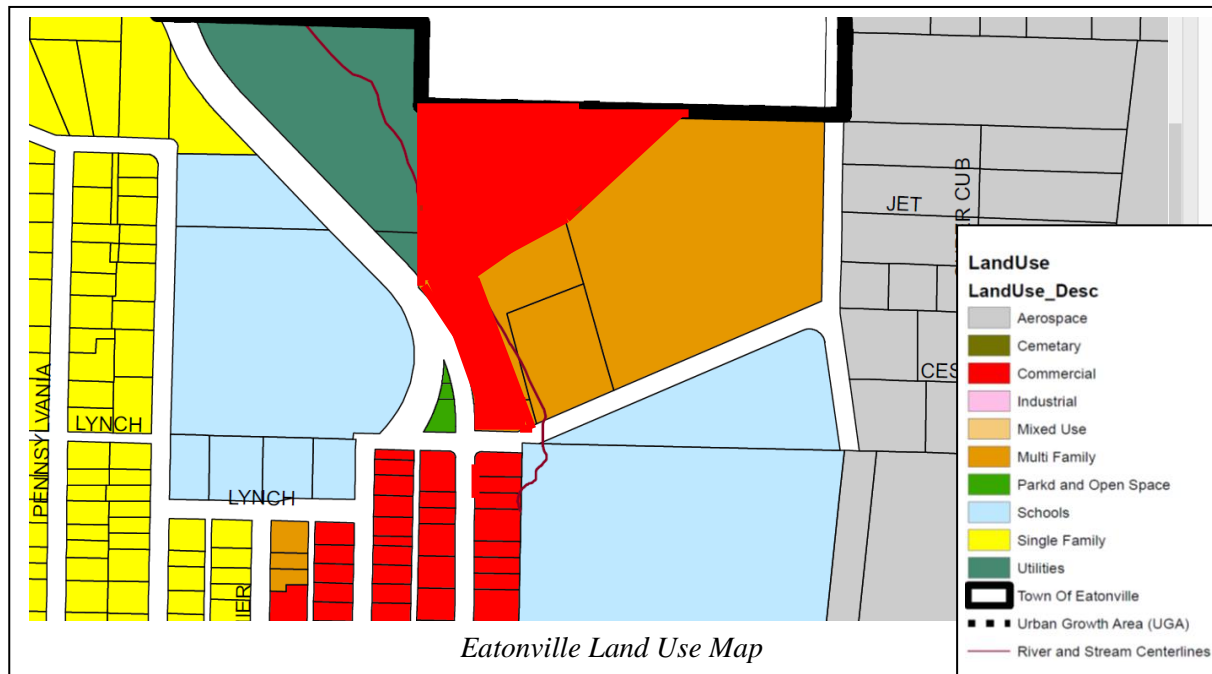
Legal Descriptions: APN 0416145034 Assessor Tax Description: Section 14 Township 16
Range 04 Quarter 13 L 2 OF SP 2013-01-08-5001 EASE OF REC
OUT OF 1-004 SEG 2013-0278 JP 2/11/13 JP

APN 0416145038 Assessor Tax Description: Section 14 Township 16
Range 04 Quarter 13 LOT 1 OF LL 2020-08-20-5001 EASE OF REC
OUT OF 04-16-14-5-033 & 5-036 SEG 2021-0120 JP 09/11/20 JP

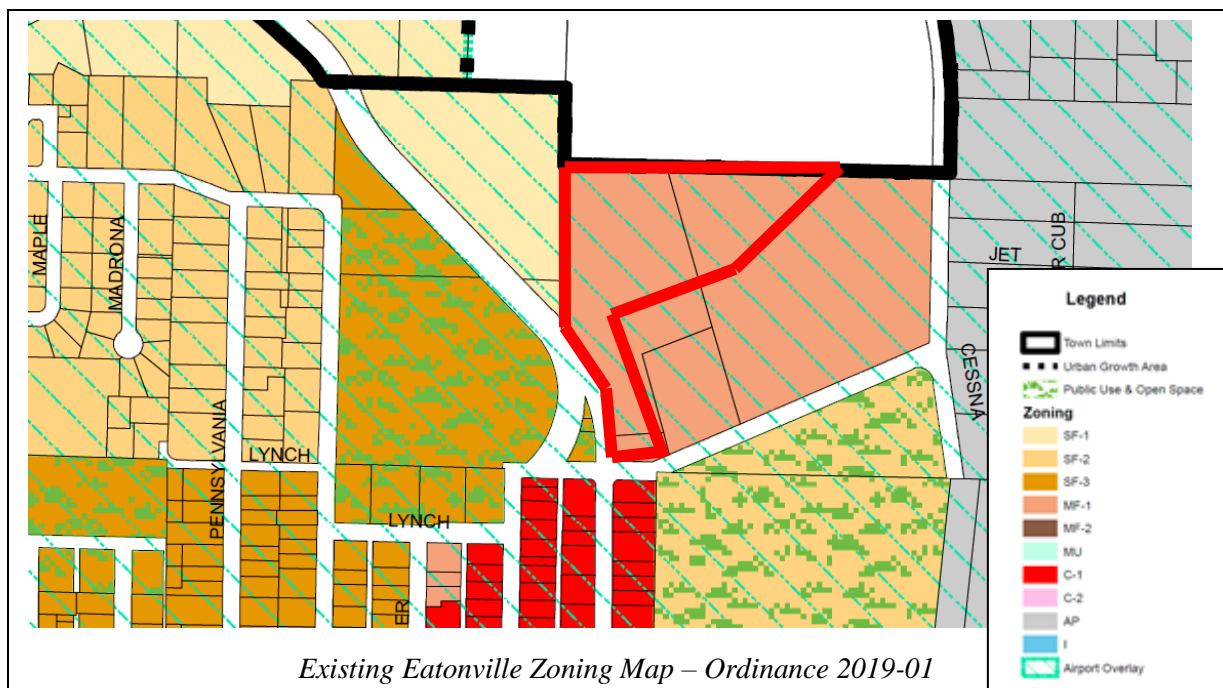
Application Type: Rezone (2 applications - consolidated)

Application Submittal: December 31, 2020 (*submitted concurrent with unprocessed applications for Comp Plan Land Use Designation Amendments*)

Existing Land Use Designation: Commercial (*2021 Land Use Designation amendment*)



Existing Zoning: Multi-Family 1 (MF-1) (*as amended in 2011 [Ord. 2011-10]*)



Requested Zoning: Commercial 1 (C-1)

Abutting Zoning: North: Pierce County R10
South: C-1
East: MF-1
West: SF-1 and SF-3

Abutting Development: North: Ag and Single Family Residential
South: Multi-family five-plex
East: 2 Single Family Residences
West: Park and High School

Existing Site Conditions: Parcel 0416145034 is currently developed with an existing Multi-family Tri-plex.

Parcel 0416145038 is currently developed with an existing Multi-family Five-plex and a memorial.

IV. PROJECT AREA VIEWS:



Looking east from Washington Avenue (SR 161) at a portion of the proposal site, Parcel 0416145038 – currently developed with an existing Multi-family Five-plex.



Looking east from Washington Avenue (SR 161) at a portion of the proposal site, Parcel 0416145034 – currently developed with an existing Multi-family Tri-plex.



Looking north along the frontage of Washington Avenue (SR 161) at a portion of the proposal site, Parcels 0416145034 and 0416145038 – with both existing Multi-family structure in view.



From Washington Avenue (SR 161) looking east along Lynch Creek Road – the existing Multi-family Tri-plex located on Parcel 0416145034 is on the left.



Looking south from the intersection Washington Avenue (SR 161) and Lynch Creek Road – view of southerly properties in the Commercial land use designation.



Looking south along Washington Avenue (SR 161) along the westerly frontage of the proposal site – the existing Multifamily units within the proposal area on the left and a park is on the right.

V. CRITICAL AREAS

A small portion of the southeast corner of parcel 0416145034 is mapped as potentially containing a frequently flooded area. This parcel is currently developed with multi-family residential development and no new development is currently proposed as part of the requested rezone proposal. Please see the attached Figure, Frequently Flooded Areas.

A large area of parcel 0416145038 is mapped as containing landslide and erosion hazard areas (within the ravine). This parcel is currently developed with multi-family residential development and a memorial and no new development is currently proposed as part of the requested rezone proposal. Please see the attached Figure, Landslide and Erosion Hazard Areas.

A large area of parcel 0416145038 is mapped as containing wetlands (within the ravine). This parcel is currently developed with multi-family residential development and a memorial and no new development is currently proposed as part of the requested rezone proposal. Please see the attached Figure, Wetland Inventory Map.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA):

Pursuant to WA 197-11-800, a SEPA threshold determination of non-significance (DNS) was made for the rezone on August 11, 2021.

VII. 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

VIII. EATONVILLE COMPREHENSIVE PLAN EXCERPTS:

For Planning Commission reference, please find below some of the Eatonville Comprehensive Plan excerpts that 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.

IX. COMMENTS:

As of the date of writing, September 1, 2021, only one agency comment from Washington State Department of Ecology. No public comments have been received.

X. STAFF REVIEW & ANALYSIS:

Pursuant to EMC 18.09.050, Amendments, the Planning Commission is authorized 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, the rezone abuts existing C-1 zoning to the south and since the property immediately abutting the rezone area to the east is zoned multifamily, which is generally considered to be a transitional zone, it appears the exiting development within the rezone area as well as any subsequent development may be determined compatible with neighborhood development.

The rezone site is primarily served by Washington, with additional side-road service being provided by Lynch Creek Road. Given the existing development pattern along Washington and the existing service road west of the gully area (*the centrally located critical area*), it appears

the Commission could find the proposed rezone will not unduly burden the transportation system or create significant adverse impacts that cannot be mitigated in the future. Consistent with the existing MF-1 zoning, access and potential transportation impacts for future development of the easterly portion of the rezone area will need to be reviewed and mitigated (*if determined necessary*) at the time of future development.

Since the Town's adoption of the Comprehensive Plan, circumstances have changed in that this site has been recognized in an approved Comprehensive Plan amendment changing the land use designation from Multifamily to Commercial.

Pursuant to the goals and policies provided herein, 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 two (2) multi-family buildings, which are allowed uses in the Commercial 1 zone. In recognition of existing individual circumstances and conditions, neighborhood compatibility, and that the rezone would be supportive and enhance economic vitality in Town, it appears the Commission could find the rezone consistent with the goals and policies of the Comprehensive Plan.

Finally, given the above comments and analysis, it appears the Commission could find the requested rezone will not adversely affect the health, safety and general welfare of the town.

XI. 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 applicants have submitted 2 Rezone applications to modify the existing Multifamily Residential District (MF-1) –to- Downtown Commercial District (C-1) on parcels 0416145034 and 0416145038 (~8.13 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.
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 September 7, 2021, the Eatonville Planning Commission held a public hearing and received public comment regarding the consolidated rezone applications.
9. The proposed rezone area is contiguous to and by bordered on the south side by the requested zoning district, Downtown Commercial District (C-1). The remaining three (3) sides are adjacent to MF-1, SF-3 and SF-1 zoning districts, which based on the individual circumstances in this case have not been found to conflict with the requested C-1 zoning.
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 appears generally consistent with the existing area development and zoning pattern of this area.
12. Since the properties within the rezone boundary are already developed with allowed uses in the C-1 zone and a substantial portion of the rezone is located within mapped critical areas, the ~8.13-acre reduction in multifamily zoning and a ~8.13-increase in commercial zoning will not substantially affect overall development opportunities for either zoning classifications across the Town.

Please circle the applicable selections below: **bold and underlined** for approval – *italic* for denial:

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

XII. PLANNING COMMISSION RECOMENDATION:

Having conducted an open record 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 ____3____ in favor and ____0____ apposed, the Planning Commission hereby adopts the Planning Staff Analysis, Recommendations and Findings of Fact contained herein and as noted above, and hereby recommends **APPROVAL** of the Jaegga LLC and Baublits Memorial LLC rezone amendment, requesting to change from Multi-family 1 (MF-1) to Commercial 1 (C-1):


Planning Commission Chairman

9/20/2021
Date

XIII. ATTACHMENTS:

Attachments: Rezone Application Materials
August 11, 2021 DNS
DOE Comment
Zoning Map



PLANNING DEPARTMENT / 201 Center Street W / PO Box 309
360-832-3361 / Fax 360-832-3977

Date Received: JAN 28 2020
Application Fee \$ 500.00
Deposit Paid \$ 500.00
Permit # 2020.0005

In addition to the application fee, a Review deposit is required to start initial plan review. Any additional review/engineering fees incurred by Town will be passed through to applicant.

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

_____ BOUNDARY LINE ADJ _____ SEPA REVIEW _____ VARIANCE _____ OTHER _____
_____ CONDITIONAL USE _____ NON-CONFORMING USE
_____ PRELIMINARY PLAT _____ SHORT PLAT / LONG PLAT (ORIG # _____ PROPOSED# _____)
_____ FINAL PLAT _____ BINDING SITE PLAN _____ ☒ REZONE - from MF-1 to C-1

***** APPLICANT INFORMATION *****

Project Name: J2egga Rezone
Owner: J2egga, LLC Address: 35813 Mtn Hwy E, Eatonville, WA 98328
Phone: 360 832 4486 Cell: 253 222 4935 Business: _____
Authorized Agent/Contact Person David Baublitz Email tohsford@hotmail.com
Company Name _____ Cell: _____ Office Ph _____
Mailing Address _____

***** PARCEL INFORMATION *****

Site Address: 331 Washington Ave N, Eatonville Parcel # 0416145034
Legal Description: QTR SEC. 13 Section 14 Township 16 Range 04
Related Parcels: 0416145038
Utility Sources: Water: TOWN OF EATONVILLE; Sewer TOWN OF Eatonville; Power: TOWN OF Eatonville

*****Include Development Plans including Site Plan (Drawn to scale)*****

I, David Baublitz being duly sworn, declare that I am the contract purchaser, agent or owner of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are true in all respects and correct to the best of my knowledge and belief.

Owner Signature: David Baublitz Date: 12/28/20
(OR an Authorized Agent signature if an "Owner Authorization" is signed and attached)

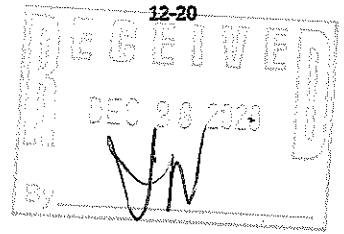
Authorized Agent Signature: _____ Date: _____



REZONE APPLICATION

SUPPLEMENTAL APPLICANT RESPONSES

(please use additional 8½ X 11 sheets of paper as needed for responses)



Applicant Name: Jaeggers LLC

Parcel number(s) in proposed Rezone: 6416145034

Current Zoning: MF-1

Proposed Zoning: C-1

Comprehensive Plan Land Use Designation: Multi Family

Site Map: Please attach an 8½ X 11 site plan that includes the area proposed for rezone. The site plan should also include: a) any existing development; b) any physical features or site constraints; c) any area roads, driveways or access; d) any easements; e) abutting parcels.

1. Describe how the proposed rezone is consistent with the Eatonville Comprehensive Plan (please include references to the land use designation and applicable goals and policies, etc.):

APPLICANT RESPONSE:

Section 10.8.4 Commercial Land of the comprehensive Plan states: "Commercial Development in Eatonville ... is along Washington and Mashell Avenues and along Center Street East". Section 7.2.2 states "commercial developments that cater to residents as well as tourists continue to be built along Washington Avenue, Mashell Avenue, and Center Street". This parcel is located on Washington Ave and is one of two lots attached to the North end of 53 lots already zoned commercial in the commercial growth area targeted by 10.8.4 and 7.2.2 of the comprehensive plan.

2. Describe how the proposed rezone and subsequent development of the site would be compatible with development in the vicinity:

APPLICANT RESPONSE:

Currently, 53 lots of 55 potential commercial lots on Washington Avenue are zoned commercial. Washington Avenue is identified by the comprehensive plan (section 10.8.4 and section 7.2.2) as a commercial growth area. This is one of two remaining lots on Washington Avenue that make sense to zone commercial which have not yet been rezoned to commercial. Rezoning of this parcel to commercial aligns with the stated goals of the comprehensive plan in this vicinity. There are currently no plans for development of this parcel.

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JN

3. 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:

APPLICANT RESPONSE:

As 53 lots are already zoned commercial in the vicinity of this parcel, the addition of one more commercial lot (2% of total commercial lots) will have no impact whatsoever on the transportation system in the area.

4. Describe how the circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone:

APPLICANT RESPONSE:

Current zoning for this property was established when the property was annexed into the town of Eatonville. Two things have happened since that time. First, the property has been divided into lots that are smaller which better fit a commercial zoning designation. Second, the town developed a comprehensive plan which targets this lot within its commercial growth area (section 10.8.4 and section 7.2.2).

5. Describe how the proposed rezone will not adversely affect the health, safety and general welfare of the Town of Eatonville:

APPLICANT RESPONSE:

As 53 lots are already zoned commercial in the vicinity of this parcel, the addition of one more commercial lot (2% of total commercial lots) will have no impact whatsoever on the health, safety and general welfare of the community.

ADJACENT LANDOWNER INFORMATION
(please attach separately)

The Applicant shall provide a current Pierce County assessor's map(s) showing the property(ies) within a 300' radius of the subject site, including 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 or licensed surveyor.

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

Date Recv'd.
 Deposit \$ 500⁰⁰
 Receipt #

12/20

OWNER AUTHORIZATION

Parcel No.:	0416145034
Proposed Land Development Action:	Rezone from MF-1 to C-1
Authorized Agent Name:	David Baublitz
Mailing Address:	35813 1 st Ave E. Eden, WA 98328
Email:	tahspord@hotmail.com
Phone:	253-222-4935

I/We, David Beublit, am the (CIRCLE ONE:)
Legal Owner(s) -or- Ownership Representative of the above parcel. I/We consent to the land
development action noted above, which has been made with the free consent and in accordance with
the desires of the owner or owners.

I/We grant _____ permission to file and coordinate land development action noted above with the Town of Eatonville on my behalf as an authorized agent for this proposed project.

James B. B. B.

Signature

Date 12/28/20

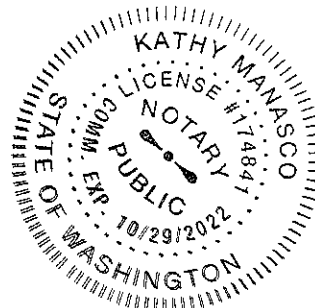
Date _____

Signature

Date _____

Subscribed and sworn to before me this 28th day of December, 2020

Notary Public in and for the State of Washington,
Residing at Eatonville WA
My commission expires 10/29/2022



DEC 28 2020

TOWN OF EATONVILLE

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

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.

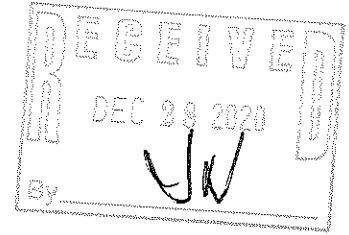
Instructions for Lead Agencies:

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

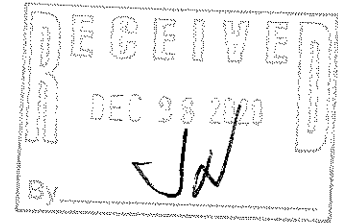


1. Name of proposed project, if applicable:
Jaegga and Baublits Memorial Rezone
2. Name of applicant:
Jaegga LLC and Baublits Memorial LLC
3. Address and phone number of applicant and contact person:
35813 Mtn Hwy E., Eatonville, WA 98328 253 222 4935 David Baublits
4. Date checklist prepared:
12/28/2020
5. Agency requesting checklist:
Town of Eatonville
6. Proposed timing or schedule (including phasing, if applicable):
Early 2021
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No.
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.
None
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.)
Rezone of two parcels from MF-1 to C-1
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.

331 Washington Ave N. Eatonville, WA 98328 Section 14, Township 16, Range 04
Parcel # 0416145034
333 Washington Ave. N. Eatonville, WA 98328 Section 14, Township 16, Range 04
Parcel # 0416145038



B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other ~~70% flat/ 30% steep slopes~~
- b. What is the steepest slope on the site (approximate percent slope)?
Over 30%
- 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.
Topsoil, silt and trace sands. No removal of soils required
- 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.
None required
- 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)?
None
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
None

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

DEC 23 2020

JW

type

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

A seasonal stream runs through the parcel # 0416145038 flowing into Lynch Creek

- 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.

No

- 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.

None

- 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.

No

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.

None

- 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.

None

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.

None

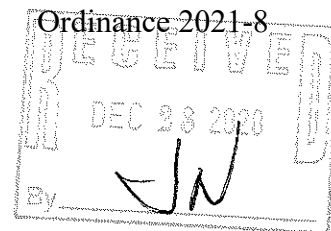
- 2) Could waste materials enter ground or surface waters? If so, generally describe.

None

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

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

None



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

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

None

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:

None

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 _____

songbirds, deer, bear, elk

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.

No

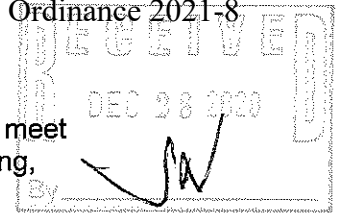
d. Proposed measures to preserve or enhance wildlife, if any:

None

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.
None

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.
No

- 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:
None

7. Environmental health

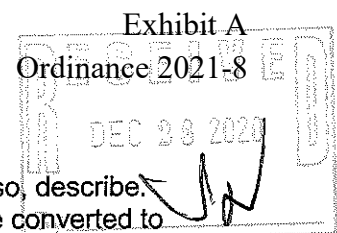
- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.
No
- 1) Describe any known or possible contamination at the site from present or past uses.
None
 - 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

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
None
- 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.
None
- 3) Proposed measures to reduce or control noise impacts, if any:
None

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.
No affect on nearby residential and school properties



- 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? 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?
No change in use
- 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
- c. Describe any structures on the site.
5 plex on parcel #0416145038, triplex on parcel #0416145034
- d. Will any structures be demolished? If so, what?
No
- e. What is the current zoning classification of the site?
MF-1
- f. What is the current comprehensive plan designation of the site?
Multi Family
- g. If applicable, what is the current shoreline master program designation of the site?
None
- 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?
None
- j. Approximately how many people would the completed project displace?
None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
None
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:
None

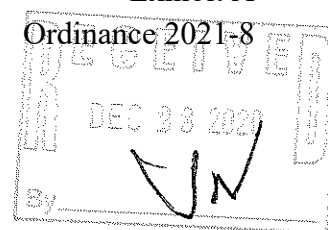
9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
None
- c. Proposed measures to reduce or control housing impacts, if any:
None

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?

Not applicable



- 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

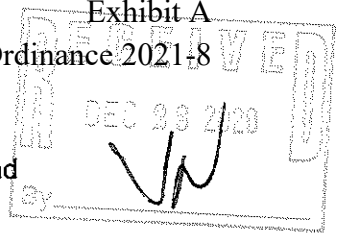
12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
A baseball field across the street
- 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:
None

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.
No
- 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.
No
- 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.
None

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. Washington Ave. N and Lynch Creek Rd currently serve the two parcels.
- 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
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
None
- 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
- 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?
None
- 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:

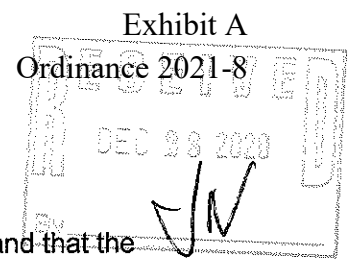
None

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.
None

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- 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.
None



C. Signature

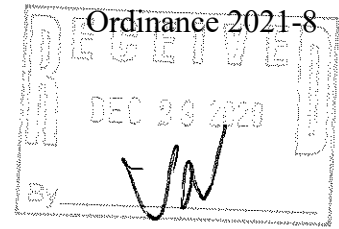
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee David Baublits

Position and Agency/Organization Managing Member/ Jaegga and Baublits Memorial LLCs

Date Submitted: 12/29/2020



D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
None

Proposed measures to avoid or reduce such increases are:
None

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
None

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

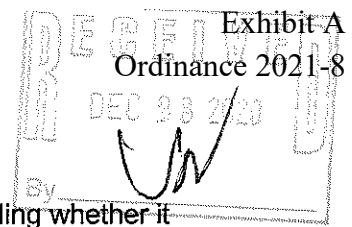
None

3. How would the proposal be likely to deplete energy or natural resources?
None

Proposed measures to protect or conserve energy and natural resources are:
None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
None

Proposed measures to protect such resources or to avoid or reduce impacts are:
None



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?
None

Proposed measures to avoid or reduce shoreline and land use impacts are:
None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
None

Proposed measures to reduce or respond to such demand(s) are:
None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.
No conflicts

Exhibit A
Ordinance 2021-8

1 0416145034 1203
JAEGGA LLC
35813 MOUNTAIN HWY E
EATONVILLE, WA 98328-9237

2 0416145038 1101
BAUBLITS MEMORIAL LLC
35813 MOUNTAIN HWY E
EATONVILLE, WA 98328-9237

3 0416141005 7600
EATONVILLE TOWN OF
PO BOX 309
EATONVILLE, WA 98328-0309

4 0416141006 7600
EATONVILLE TOWN OF
PO BOX 309
EATONVILLE, WA 98328-0309

5 0416141008 6810
EATONVILLE SCH DIST 404
PO BOX 698
EATONVILLE, WA 98328-0698

6 0416141009 1101
VAN EATON TERRANCE J
41918 LYNCH CRK RD E
EATONVILLE, WA 98328-9402

7 0416141016 7600
EATONVILLE TOWN OF
PO BOX 309
EATONVILLE, WA 98328-0309

8 0416142093 9100
MC GINLEY DANIEL R & GAIL D
1515 DOCK ST UNIT 721
TACOMA, WA 98402-3254

9 0416142104 9100
TOWN OF EATONVILLE
PO BOX 309
EATONVILLE, WA 98328-0309

10 0416142105 9100
EATONVILLE SCH DIST 404
PO BOX 698
EATONVILLE, WA 98328-0698

11 0416142106 6820
EATONVILLE SCH DIST 404
PO BOX 698
EATONVILLE, WA 98328-0698

12 0416142107 6820
TOWN OF EATONVILLE
PO BOX 309
EATONVILLE, WA 98328-0309

13 0416144001 6810
EATONVILLE SCHOOL DIST #404
PO BOX 698
EATONVILLE, WA 98328-0698

14 0416145039 9100
BAUBLITS THOMAS & BARBARA
420 LYNCH CREEK RD E
EATONVILLE, WA 98328

15 0416145040 9100
BAUBLITS RAINIER VISTA LLC
35813 MOUNTAIN HWY E
EATONVILLE, WA 98328-9237

16 0416145041 1101
BAUBLITS DANIEL & SHEILA
220 LYNCH CREEK RD E
EATONVILLE, WA 98328

17 3605000010 1305
SAWYER DANIELLE D
8421 W MCMYRON ST
MILWAUKEE, WI 53214

18 3605000020 9170
MTN VIEW INVESTMENTS LLC
PO BOX 1758
EATONVILLE, WA 98328-1758

19 3605000030 9170
MTN VIEW INVESTMENTS LLC
PO BOX 1758
EATONVILLE, WA 98328-1758

20 3605000040 9170
MTN VIEW INVESTMENTS LLC
PO BOX 1758
EATONVILLE, WA 98328-1758

21 3605000100 1101
HCL PROPERTY LLC
PO BOX 888
GRAHAM, WA 98338-0888

22 3605000110 1101
BUTLER CHARLES H & LYNN M
PO BOX 955
EATONVILLE, WA 98328-0955

23 3605000120 1101
BUTLER CHARLES H & LYNN M
PO BOX 955
EATONVILLE, WA 98328-0955

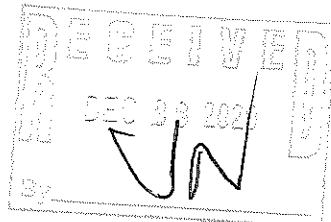
24 3605000130 5800
212 WASHINGTON AVE LLC
PO BOX 955
EATONVILLE, WA 98328-0955

25 3605000180 1800
MATTHEWS FRED & CAROL
PO BOX 631
EATONVILLE, WA 98328-0631

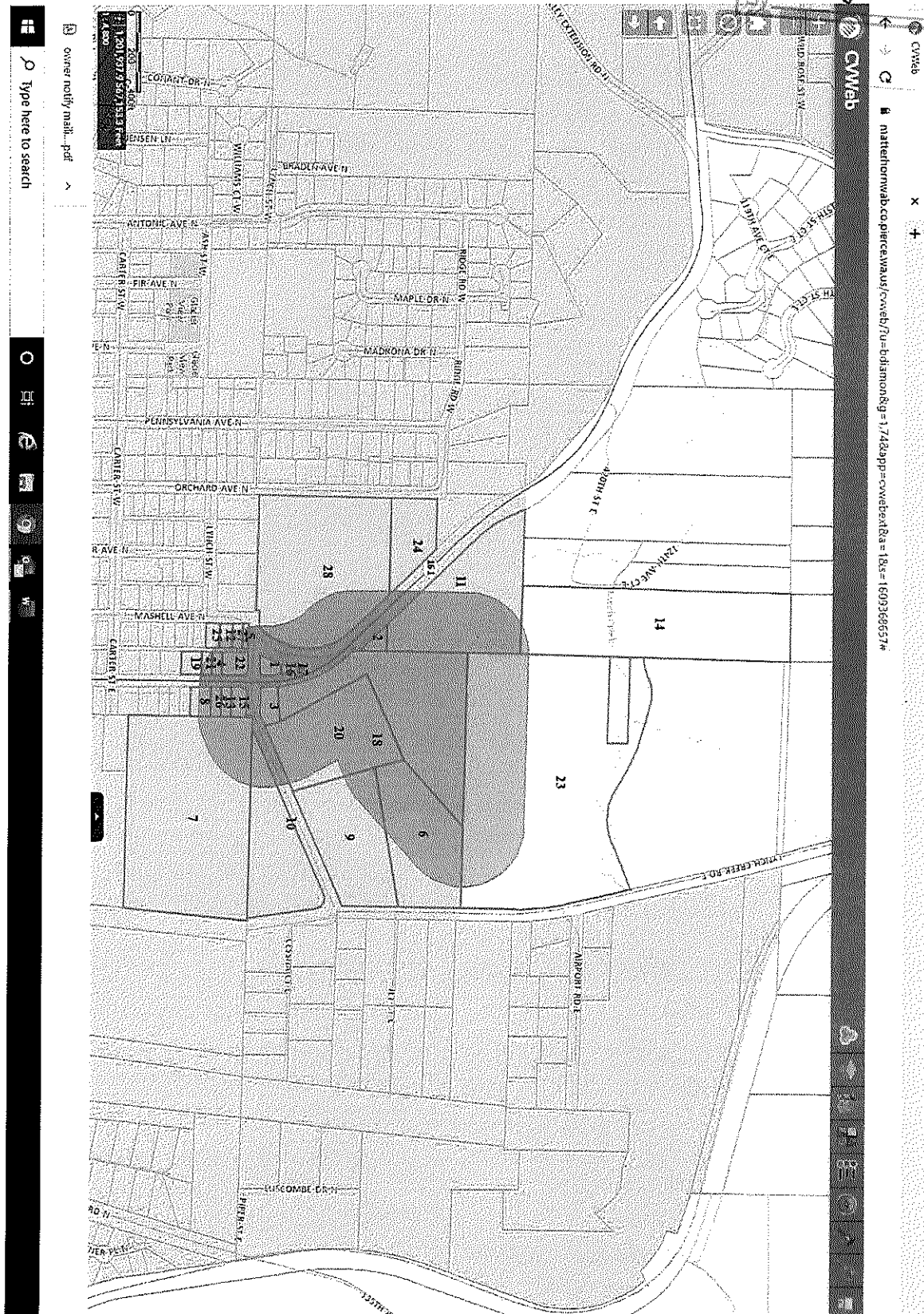
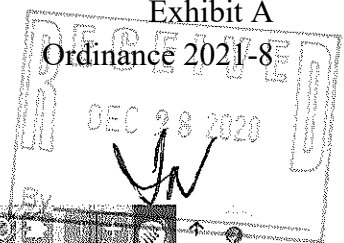
26 3605000190 1101
MATTHEWS FRED & CAROL
PO BOX 631
EATONVILLE, WA 98328-0631

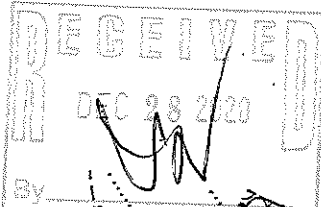
27 3605000200 1101
233 MASHLE AVENUE LLC
PO BOX 955
EATONVILLE, WA 98328-0955

28 3605000210 1101
JUNGBLUTH DANNY K & SHARONANN DEETT.
PO BOX 98344
LAKEWOOD, WA 98496-8344



17





S 88°39'41" E

N. LINE OF THE SW 1/4
OF THE NE 1/4 S. 14

S 88°39'41" E 1272.01'

GRAVEL DRIVE (N)

LOT 1

337668.61 sq ft
7.75 Acres

041614503-5

N 48°20'49" E
444.99'

R=20' (TYP.)

LOT 4

221879.33 sq ft
5.09 Acres
3.6%

LOT 1 OF S.P.201301085001
APN 041614-503-5

FOUND BISHOP
REBAR & CAP,
0.5' ELY OF P/L

NOTHING SET,
POINT FALLS IN
CREEK

LOT 3 OF S.P.201301085001
APN 041614-503-5

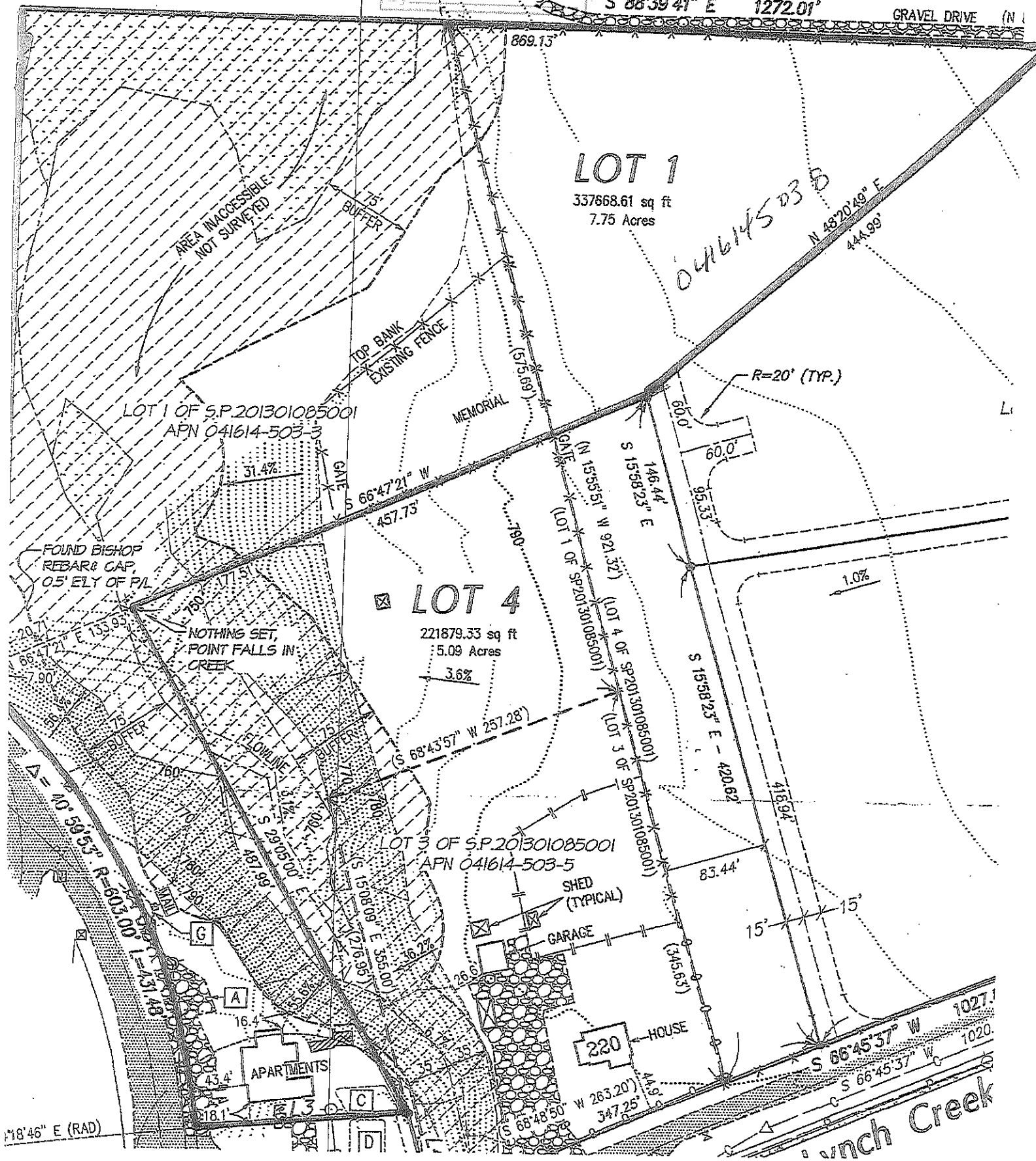
SHED
(TYPICAL)

GARAGE

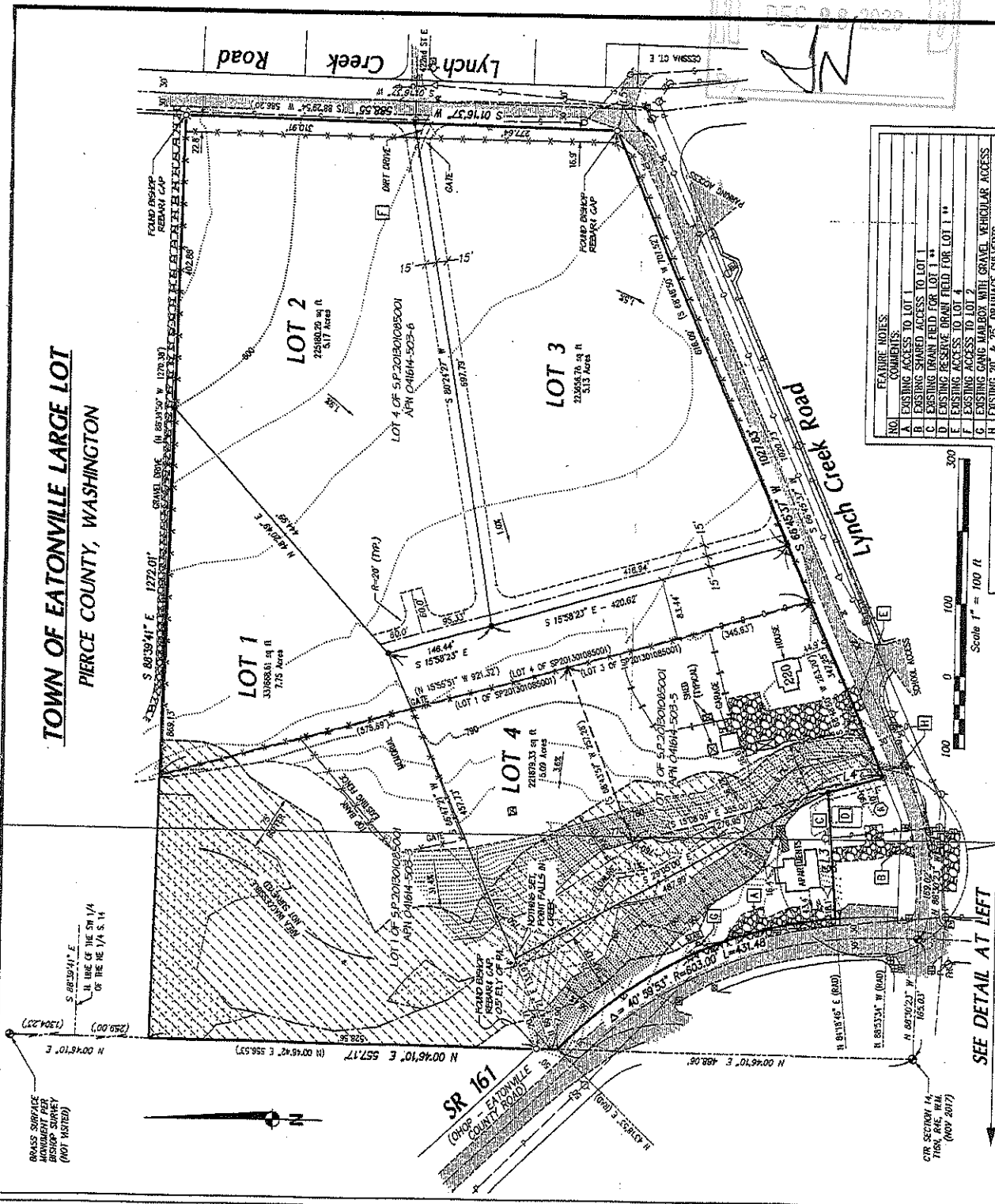
HOUSE

APARTMENTS

Winch Creek



TOWN OF EATONVILLE LARGE LOT
PIERCE COUNTY, WASHINGTON



NO.	FEATURE NOTES
A	EXISTING ACCESS TO LOT 1
B	EXISTING SHARED ACCESS TO LOT 1
C	EXISTING DRAIN FIELD FOR LOT 1
D	EXISTING RESERVE DRAIN FIELD FOR LOT 1
E	EXISTING ACCESS TO LOT 2
F	EXISTING ACCESS TO LOT 3
G	EXISTING GANG MAILBOX WITH GRAVEL VEHICULAR ACCESS
H	EXISTING 20' & 25' DRAINAGE EASEMENTS

INDICATES EXACT LOCATION, SIZE, DIMENSIONS ARE UNKNOWN, RELIED UPON RECOLLECTION OF PROPERTY AGENT FOR APPROXIMATE DEPICTION.

APP #

Aspen Land Surveying LLC
at The Landing in Key Center
15510 92nd Street, NW
Gig Harbor, WA 98329
P.O. Box 124, Vangun, WA 98384-0124

David B. Johnson
1-24-2020

DANIEL B. JOHNSON
PROFESSIONAL LAND SURVEYOR
WASHINGTON STATE
NO. 29408

SHEET 2 OF 2
DRAWING NO. 5865C

NO.	LOT DATA
1	333 WASHINGTON AVE N
2	LYNCH CREEK RD E
3	LYNCH CREEK RD E
4	720 LYNCH CREEK RD E

LEGEND	
○	FOUND BRASS SURFACE MONUMENT (NOV 2017)
○	FOUND RE-BAR & CAP
○	SET 5/8" RE-BAR & CAP
—	WOOD FENCE LINE
—	WIRE FENCE LINE
—	BARBED WIRE FENCE LINE
—	CONCRETE
—	ASPHALT PAVEMENT
—	GRAVEL
○	EXISTING POWER
○	EXISTING SEWER
○	EXISTING WATER
○	EXISTING STORM DRAIN
○	UTILITY VAULT
○	WATER IRRIGATION VALVE
○	WATER VALVE
○	FIRE HYDRANT
○	WATER METER
○	SANITARY SEWER MANHOLE
○	STORM DRAIN CATCH BASIN
○	CLEAN OUT
○	UTILITY POLE
○	POWER METER
○	CONM RISER
○	CONM BOX
○	CABLE TELEVISION BOX
○	BURIED CABLE SIGN
○	GANG MAIL BOX

5 OF BEARINGS: STATE PLANE COORDINATE SYSTEM, WASHINGTON ZONE SOUTH.

RECORD OF SURVEY FOR MERCEDES BAUBLITS, INC. DATED JANUARY 10, 2007; TOWN OF EATONVILLE SHORT PLAT, 201301065001.

NOTES AND DISTANCES SHOWN HEREON ARE BASED ON MEASUREMENTS FOUND BY FIELD SURVEY AND THEIR ELATION TO RECORD OF SURVEY FOR MERCEDES BAUBLITS, INC. DATED SEPTEMBER 10, 2007.

INDICATES DATA PER DIVERSIFIED SURVEYING SERVICES SURVEY DATED SEPT 10, 2007 FOR MERCEDES BAUBLITS

INDICATES WETLAND BUFFER ZONE

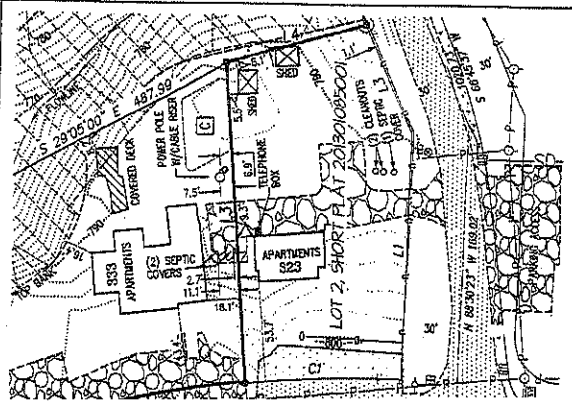
INDICATES WETLAND

SHOWN BY APPENDIX "E" BASE MAP OF "DRAINAGE EROSION CONTROL REPORT" PREPARED BY PETRA KEEFER LLC, DATED AUGUST 20, 2008.

AGENT NOTE:
00 FT WIDE UTILITY EASEMENT PER SHORT PLAT N 201301065001.

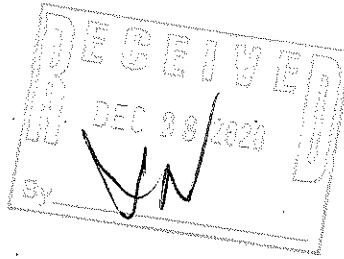
CURVE DATA	
ARC	DELTA
73.00	06°47'40"
93.00	14°59'53"
431.48	

LINE DATA	
BEARING	DISTANCE
N 01°04'10" E	42.27
S 01°07'15" W	30.00
S 84°18'46" E	30.00
S 85°39'38" W	174.53 (174.45)
S 15°11'22" W	74.05 (74.05)
S 01°06'37" W	39.97

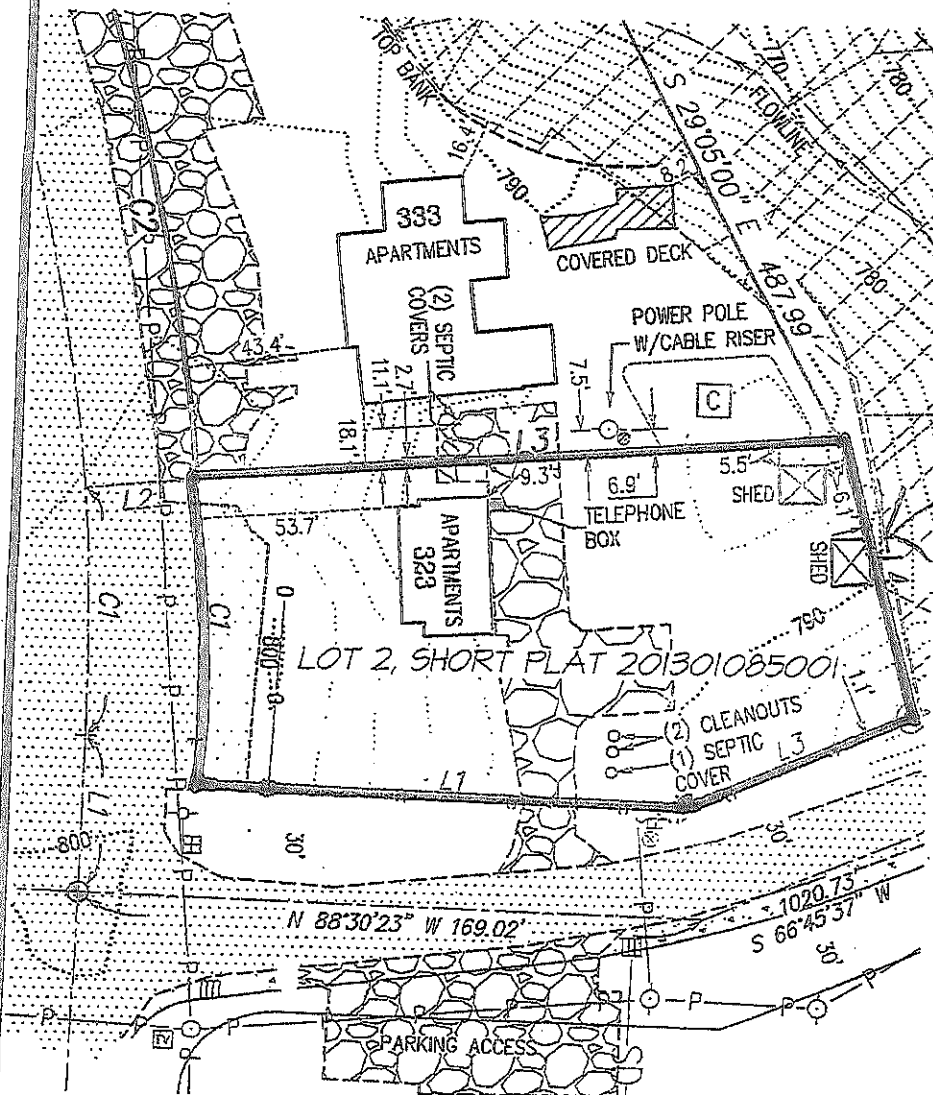


DETAIL
SCALE: 1" = 50'

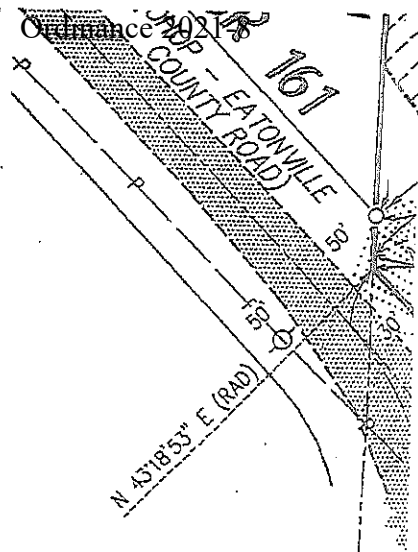
CURVE DATA			
NO.	RADIUS	DELTA	LENGTH
C1	573.00'	06°47'40"	67.95'
C2	603.00'	40°59'53"	431.48'



LINE DATA		
NO.	BEARING	DISTANCE
L1	N 01°04'10" E (S 01°07'13" W)	42.47'
L2	N 84°18'46" E - RADIAL	30.00'
L3	S 85°39'38" W (S 85°42'51" W)	174.53' (174.55')
L4	N 15°11'22" W (S 15°08'09" E)	78.05' (78.05')
L5	S 01°16'37" W	32.97'

**DETAIL**

SCALE: 1" = 50'



CTR SECTION 14,
T16N, R4E, W.M.
(NOV 2017)

SEE

- ⊕ FOUND BRASS SURFACE MONUMENT (NOV 2017)
- FOUND RE-BAR & C.A.
- SET 5/8" RE-BAR &
- WOOD FENCE LINE
- |— WIRE FENCE LINE
- x—x— BARBED WIRE FENCE
- ▨ CONCRETE
- ▨ ASPHALT PAVEMENT
- ▨ GRAVEL

TOWN OF EATONVILLE

PLANNING DEPARTMENT / 201 Center Street W / PO Box 309
360-832-3361 / Fax 360-832-3977

Exhibit A
Ordinance 2021-8
DEC 28 2020

Date Received: 12/28/20

Application Fee \$ 501.25

Deposit Paid \$ _____

Permit # 2020.0006

In addition to the application fee, a Review deposit is required to start initial plan review. Any additional review/engineering fees incurred by Town will be passed through to applicant.

MASTER APPLICATION FOR LAND USE ACTIONS

Check all applications for which you are applying.

_____ BOUNDARY LINE ADJ _____ SEPA REVIEW _____ VARIANCE _____ OTHER _____
_____ CONDITIONAL USE _____ NON-CONFORMING USE
_____ PRELIMINARY PLAT _____ SHORT PLAT / LONG PLAT (ORIG # _____ PROPOSED# _____)
_____ FINAL PLAT _____ BINDING SITE PLAN ☒ REZONE - from MF-1 to C-1

TYPE OF APPLICATION

***** APPLICANT INFORMATION *****

Project Name: Baublitz Memorial Rezone
Owner: Baublitz Memorial LLC Address: 35813 Mt Hwy E, Eatonville, WA 98328
Phone: 360 832 4486 Cell: 253 222 4935 Business: _____
Authorized Agent/Contact Person David Baublitz Email tdhs.pord@hotmail.com
Company Name _____ Cell: _____ Office Ph _____
Mailing Address _____

***** PARCEL INFORMATION *****

Site Address: 333 Washington Ave N, Eatonville Parcel # 0416145038
Legal Description: QTR SEC. 13 Section 14 Township 16 Range 04
Related Parcels: 0416145034
Utility Sources: Water: Town of Eatonville ; Sewer Septic ; Power: Town of Eatonville

****Include Development Plans including Site Plan (Drawn to scale)****

I, David Baublitz being duly sworn, declare that I am the contract purchaser, agent or owner of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are true in all respects and correct to the best of my knowledge and belief.

Owner Signature: David Baublitz Date: 12/28/20

(OR an Authorized Agent signature if an "Owner Authorization" is signed and attached)

Authorized Agent Signature: _____ Date: _____



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

Date Recv'd. 12/28/20
Deposit \$ 501.25
Receipt # _____

12/20

OWNER AUTHORIZATION

Parcel No.:	0416145038
Proposed Land Development Action:	REZONE FROM MF-1 TO C-1
Authorized Agent Name:	David Baublitz
Mailing Address:	35813 mm Hwy E Eatonville, WA 98328
Email:	tohsord@hotmail.com
Phone:	253-222-4935

I/We, David Baublitz, am the (CIRCLE ONE:) Legal Owner(s) -or- Ownership Representative of the above parcel. I/We consent to the land development action noted above, which has been made with the free consent and in accordance with the desires of the owner or owners.

I/We grant _____ permission to file and coordinate land development action noted above with the Town of Eatonville on my behalf as an authorized agent for this proposed project.

David Baublitz
Signature

12/28/20
Date

Signature

Date

Subscribed and sworn to before me this 28th day of December, 2020

Notary Public in and for the State of Washington,
Residing at Eatonville WA
My commission expires 10/29/2022

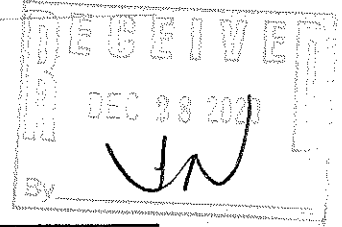




12-20

REZONE APPLICATION**SUPPLEMENTAL APPLICANT RESPONSES**

(please use additional 8½ X 11 sheets of paper as needed for responses)

Applicant Name: Bubblitz Memorial, LLCParcel number(s) in proposed Rezone: 0416145038Current Zoning: MF-1Proposed Zoning: C-1Comprehensive Plan Land Use Designation: Multi Family

Site Map: Please attach an 8½ X 11 site plan that includes the area proposed for rezone. The site plan should also include: a) any existing development; b) any physical features or site constraints; c) any area roads, driveways or access; d) any easements; e) abutting parcels.

1. Describe how the proposed rezone is consistent with the Eatonville Comprehensive Plan (please include references to the land use designation and applicable goals and policies, etc.):

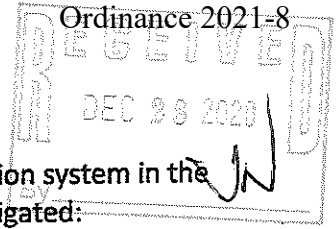
APPLICANT RESPONSE:

Section 10.8.4 Commercial Land of the comprehensive Plan states: "Commercial Development in Eatonville ... is along Washington and Mashell Avenues and along Center Street East". Section 7.2.2 states "commercial developments that cater to residents as well as tourists continue to be built along Washington Avenue, Mashell Avenue, and Center Street". This parcel is located on Washington Ave and is one of two lots attached to the North end of 53 lots already zoned commercial in the commercial growth area targeted by 10.8.4 and 7.2.2 of the comprehensive plan.

2. Describe how the proposed rezone and subsequent development of the site would be compatible with development in the vicinity:

APPLICANT RESPONSE:

Currently, 53 lots of 55 potential commercial lots on Washington Avenue are zoned commercial. Washington Avenue is identified by the comprehensive plan (section 10.8.4 and section 7.2.2) as a commercial growth area. This is one of two remaining lots on Washington Avenue that make sense to zone commercial which have not yet been rezoned to commercial. Rezoning of this parcel to commercial aligns with the stated goals of the comprehensive plan in this vicinity. There are currently no plans for development of this parcel.



3. 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:

APPLICANT RESPONSE:

As 53 lots are already zoned commercial in the vicinity of this parcel, the addition of one more commercial lot (2% of total commercial lots) will have no impact whatsoever on the transportation system in the area.

4. Describe how the circumstances have changed substantially since the establishment of the current zoning district to warrant the proposed rezone:

APPLICANT RESPONSE:

Current zoning for this property was established when the property was annexed into the town of Eatonville. Two things have happened since that time. First, the property has been divided into lots that are smaller which better fit a commercial zoning designation. Second, the town developed a comprehensive plan which targets this lot within its commercial growth area (section 10.8.4 and section 7.2.2).

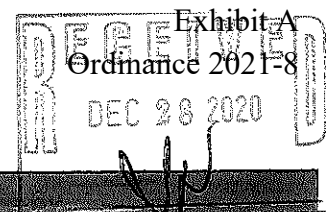
5. Describe how the proposed rezone will not adversely affect the health, safety and general welfare of the Town of Eatonville:

APPLICANT RESPONSE:

As 53 lots are already zoned commercial in the vicinity of this parcel, the addition of one more commercial lot (2% of total commercial lots) will have no impact whatsoever on the health, safety and general welfare of the community.

ADJACENT LANDOWNER INFORMATION
(please attach separately)

The Applicant shall provide a current Pierce County assessor's map(s) showing the property(ies) within a 300' radius of the subject site, including 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 or licensed surveyor.



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.

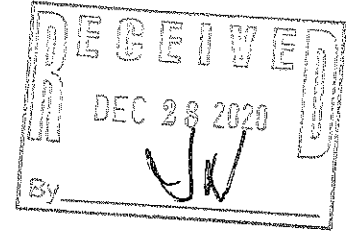
Instructions for Lead Agencies:

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

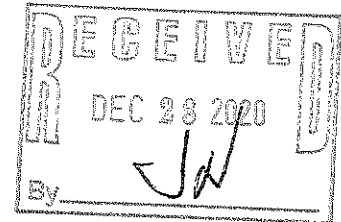


1. Name of proposed project, if applicable:
Jaegga and Baublits Memorial Rezone
2. Name of applicant:
Jaegga LLC and Baublits Memorial LLC
3. Address and phone number of applicant and contact person:
35813 Mtn Hwy E., Eatonville, WA 98328 253 222 4935 David Baublits
4. Date checklist prepared:
12/28/2020
5. Agency requesting checklist:
Town of Eatonville
6. Proposed timing or schedule (including phasing, if applicable):
Early 2021
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
No.
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.
None
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.)
Rezone of two parcels from MF-1 to C-1
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.

331 Washington Ave N. Eatonville, WA 98328 Section 14, Township 16, Range 04
Parcel # 0416145034
333 Washington Ave. N. Eatonville, WA 98328 Section 14, Township 16, Range 04
Parcel # 0416145038



B. ENVIRONMENTAL ELEMENTS

1. Earth

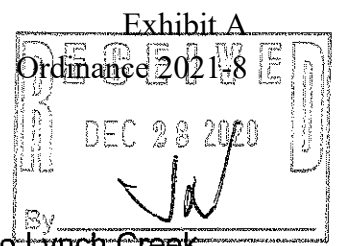
- a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other ~~70% flat/ 30%~~ steep slopes
- b. What is the steepest slope on the site (approximate percent slope)?
Over 30%
- c. What general types of soils are found on the site (for example, clay, sand, gravel, 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.
Topsoil, silt and trace sands. No removal of soils required
- 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.
None required
- 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)?
None
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
None

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



type
and provide names. If appropriate, state what stream or river it flows into.
A seasonal stream runs through the parcel # 0416145038 flowing into Lynch Creek

- 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.

None

- 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.

None

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

None

- 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.

None

- 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.

None

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.

None

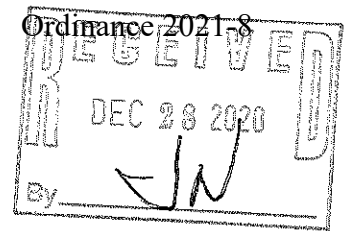
- 2) Could waste materials enter ground or surface waters? If so, generally describe.

None

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

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

None



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

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

None

- 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:

None

- 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 _____

songbirds, deer, bear, elk

- 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.

No

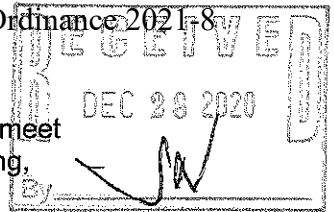
- d. Proposed measures to preserve or enhance wildlife, if any:

None

- 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.
None

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.
No

- 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:
None

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

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?
None
- 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.
None
- 3) Proposed measures to reduce or control noise impacts, if any:
None

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.
No affect on nearby residential and school properties

- 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? 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?
No change in use
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
- c. Describe any structures on the site.
5 plex on parcel #0416145038, triplex on parcel #0416145034
- d. Will any structures be demolished? If so, what?
No
- e. What is the current zoning classification of the site?
MF-1
- f. What is the current comprehensive plan designation of the site?
Multi Family
- g. If applicable, what is the current shoreline master program designation of the site?
None
- 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?
None
- j. Approximately how many people would the completed project displace?
None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None
- L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
None
- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:
None

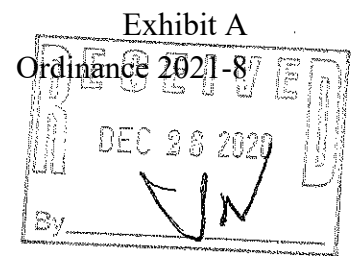
9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
None
- c. Proposed measures to reduce or control housing impacts, if any:
None

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?

Not applicable



- 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?
A baseball field across the street
- 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:
None

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.
No
- 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.
No
- 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.
None

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. Washington Ave. N and Lynch Creek Rd currently serve the two parcels.
- 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
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
None
- 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
- 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?
None
- 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:

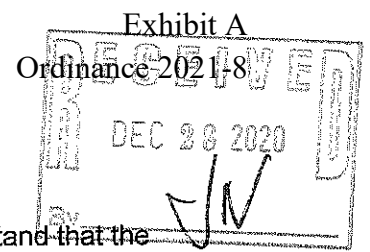
None

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.
None

16. **Utilities**

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____
- 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.
None



C. Signature

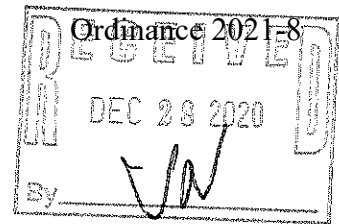
The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee David Baublits

Position and Agency/Organization Managing Member/ Jaegga and Baublits Memorial LLCs

Date Submitted: 12/29/2020



D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
None

Proposed measures to avoid or reduce such increases are:
None

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
None

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

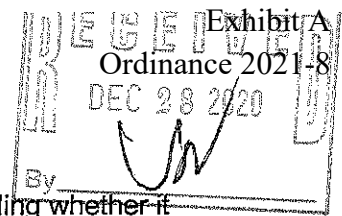
None

3. How would the proposal be likely to deplete energy or natural resources?
None

Proposed measures to protect or conserve energy and natural resources are:
None

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
None

Proposed measures to protect such resources or to avoid or reduce impacts are:
None



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?
None

Proposed measures to avoid or reduce shoreline and land use impacts are:
None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?
None

Proposed measures to reduce or respond to such demand(s) are:
None

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.
No conflicts

Exhibit A
Ordinance 2021-8

1 0416145034 1203
JAEGGA LLC
35813 MOUNTAIN HWY E
EATONVILLE, WA 98328-9237

2 0416145038 1101
BAUBLITS MEMORIAL LLC
35813 MOUNTAIN HWY E
EATONVILLE, WA 98328-9237

3 0416141005 7600
EATONVILLE TOWN OF
PO BOX 309
EATONVILLE, WA 98328-0309

4 0416141006 7600
EATONVILLE TOWN OF
PO BOX 309
EATONVILLE, WA 98328-0309

5 0416141008 6810
EATONVILLE SCH DIST 404
PO BOX 698
EATONVILLE, WA 98328-0698

6 0416141009 1101
VAN EATON TERRANCE J
41918 LYNCH CRK RD E
EATONVILLE, WA 98328-9402

7 0416141016 7600
EATONVILLE TOWN OF
PO BOX 309
EATONVILLE, WA 98328-0309

8 0416142093 9100
MC GINLEY DANIEL R & GAIL D
1515 DOCK ST UNIT 721
TACOMA, WA 98402-3254

9 0416142104 9100
TOWN OF EATONVILLE
PO BOX 309
EATONVILLE, WA 98328-0309

10 0416142105 9100
EATONVILLE SCH DIST 404
PO BOX 698
EATONVILLE, WA 98328-0698

11 0416142106 6820
EATONVILLE SCH DIST 404
PO BOX 698
EATONVILLE, WA 98328-0698

12 0416142107 6820
TOWN OF EATONVILLE
PO BOX 309
EATONVILLE, WA 98328-0309

13 0416144001 6810
EATONVILLE SCHOOL DIST #404
PO BOX 698
EATONVILLE, WA 98328-0698

14 0416145039 9100
BAUBLITS THOMAS & BARBARA
420 LYNCH CREEK RD E
EATONVILLE, WA 98328

15 0416145040 9100
BAUBLITS RAINIER VISTA LLC
35813 MOUNTAIN HWY E
EATONVILLE, WA 98328-9237

16 0416145041 1101
BAUBLITS DANIEL & SHEILA
220 LYNCH CREEK RD E
EATONVILLE, WA 98328

17 3605000010 1305
SAWYER DANIELLE D
8421 W MCMYRON ST
MILWAUKEE, WI 53214

18 3605000020 9170
MTN VIEW INVESTMENTS LLC
PO BOX 1758
EATONVILLE, WA 98328-1758

19 3605000030 9170
MTN VIEW INVESTMENTS LLC
PO BOX 1758
EATONVILLE, WA 98328-1758

20 3605000040 9170
MTN VIEW INVESTMENTS LLC
PO BOX 1758
EATONVILLE, WA 98328-1758

21 3605000100 1101
HCL PROPERTY LLC
PO BOX 888
GRAHAM, WA 98338-0888

22 3605000110 1101
BUTLER CHARLES H & LYNN M
PO BOX 955
EATONVILLE, WA 98328-0955

23 3605000120 1101
BUTLER CHARLES H & LYNN M
PO BOX 955
EATONVILLE, WA 98328-0955

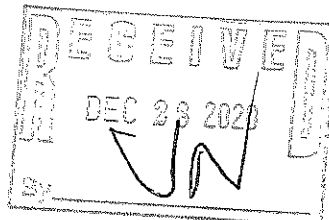
24 3605000130 5800
212 WASHINGTON AVE LLC
PO BOX 955
EATONVILLE, WA 98328-0955

25 3605000180 1800
MATTHEWS FRED & CAROL
PO BOX 631
EATONVILLE, WA 98328-0631

26 3605000190 1101
MATTHEWS FRED & CAROL
PO BOX 631
EATONVILLE, WA 98328-0631

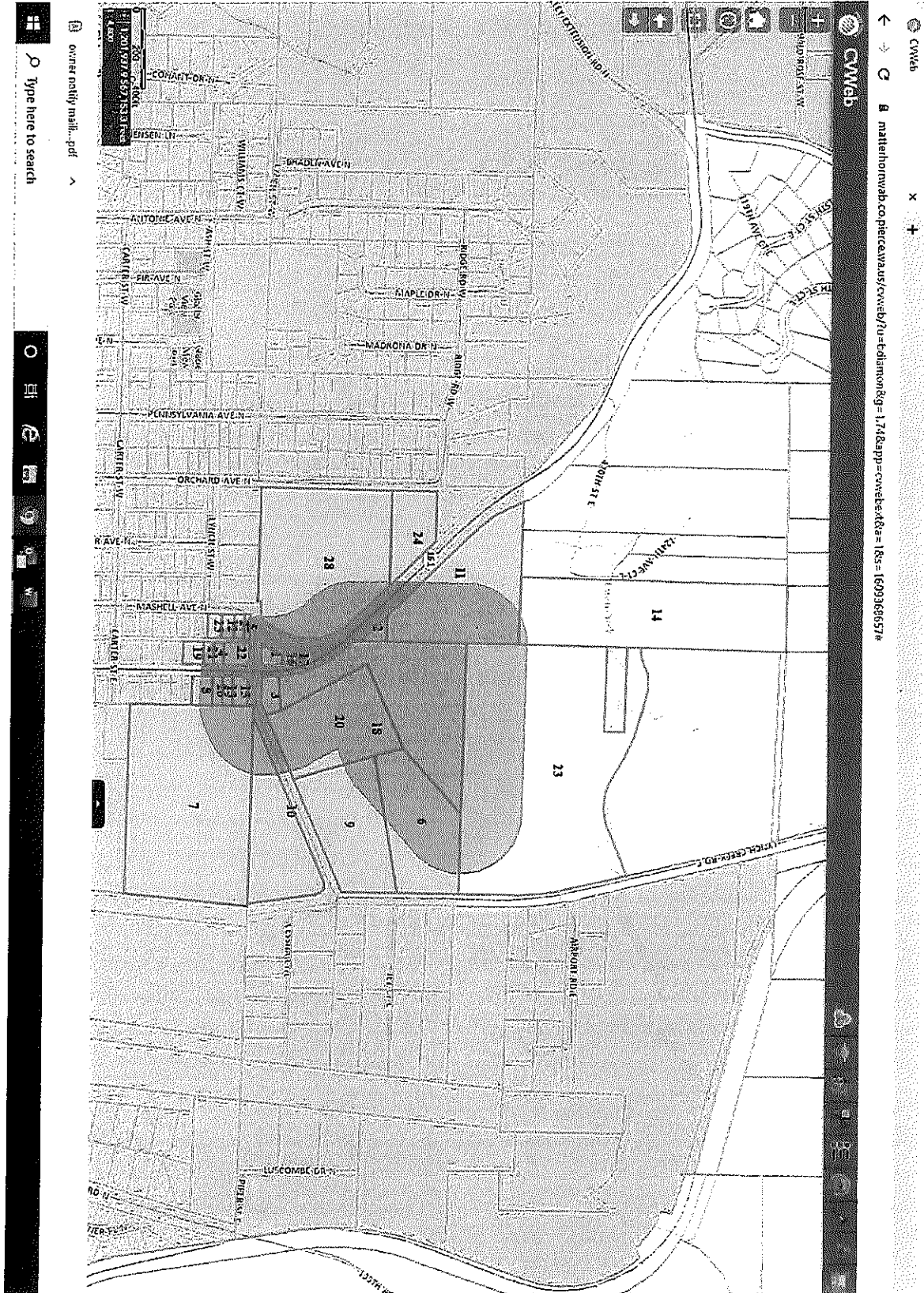
27 3605000200 1101
233 MASHIEL AVENUE LLC
PO BOX 955
EATONVILLE, WA 98328-0955

28 3605000210 1101
JUNGBLUTH DANNY K & SHARONANN DEETT.
PO BOX 98344
LAKEWOOD, WA 98496-8344

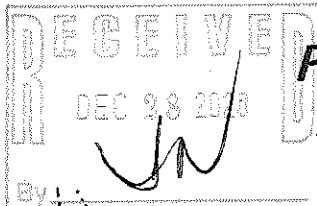


17

By 



PIERCE COUNTY, WASHINGTON



S 88°39'41" E

N. LINE OF THE SW 1/4
OF THE NE 1/4 S. 14

S 88°39'41" E 1272.01'

GRAVEL DRIVE (N 1

LOT 1

337668.61 sq ft
7.75 Acres

0416145038

N 48°20'49" E
444.99'

AREA INACCESSIBLE
NOT SURVEYED

TOP BANK
EXISTING FENCE

MEMORIAL

LOT 1 OF S.P. 201301085001
APN 041614-503-3

S 66°47'21" W
457.73'

LOT 4

221879.33 sq ft
5.09 Acres
3.6%

NOTHING SET,
POINT FALLS IN
CREEK

LOT 3 OF S.P. 201301085001
APN 041614-503-5

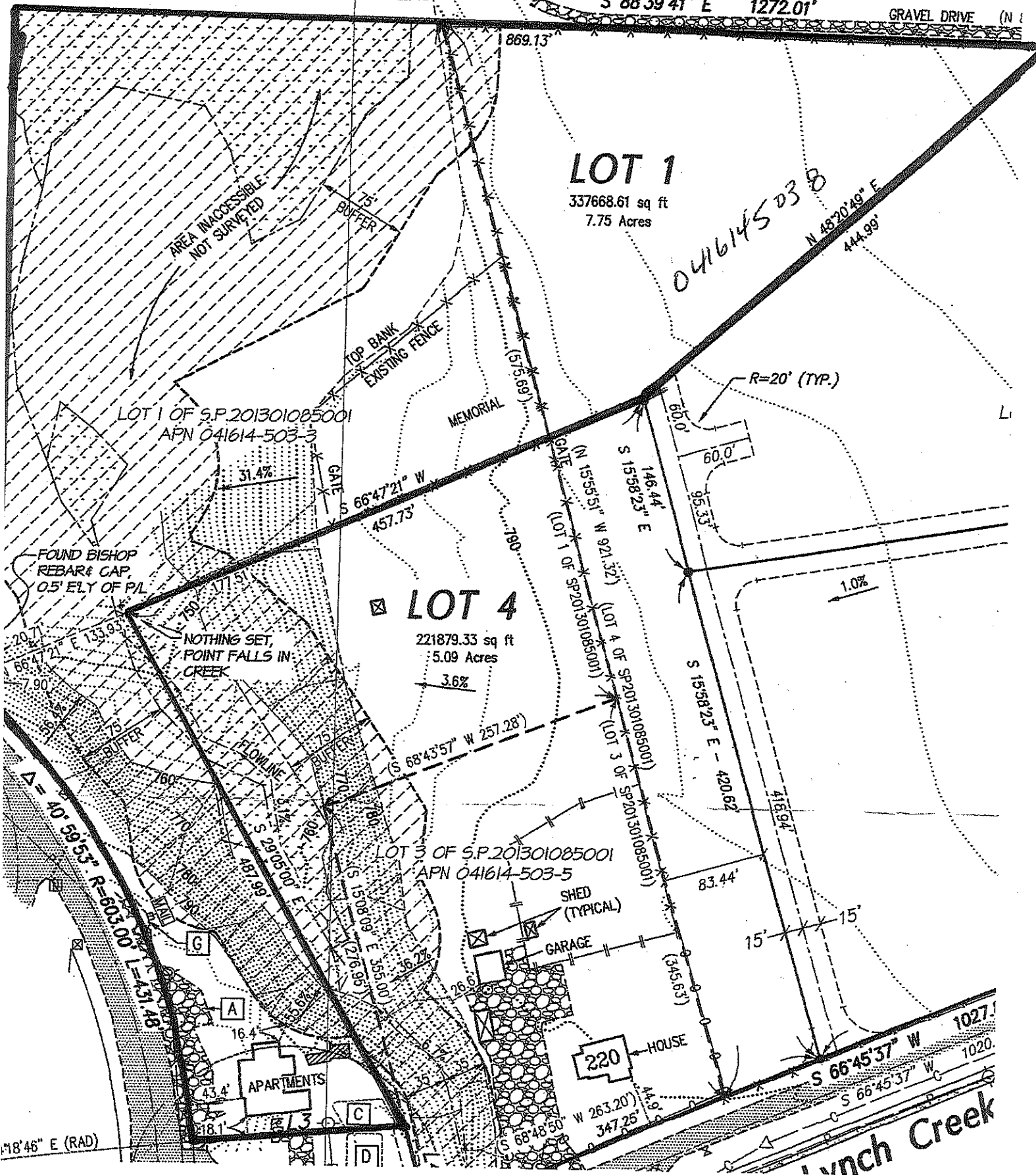
SHED
(TYPICAL)

GARAGE

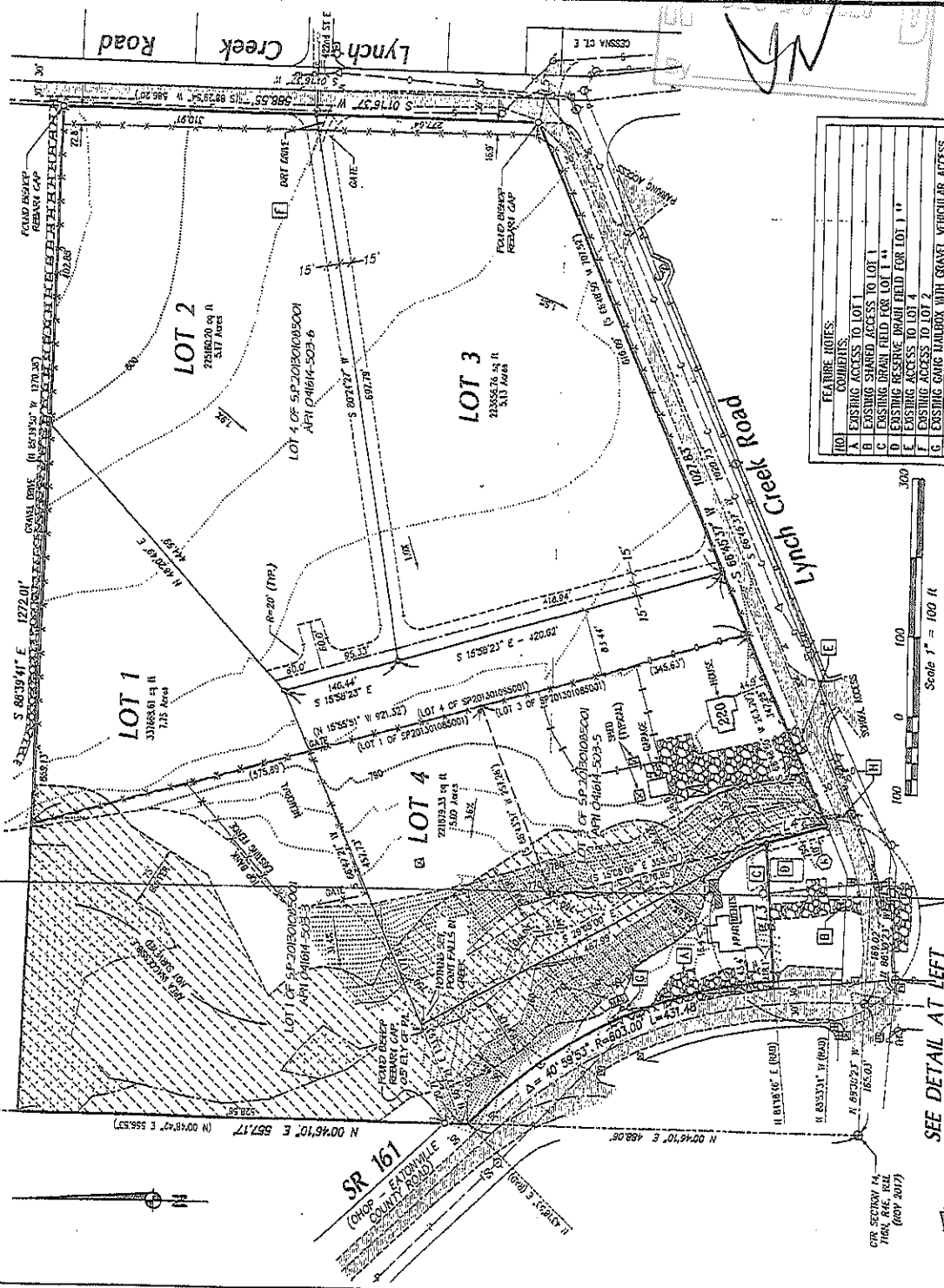
HOUSE

APARTMENTS

Winch Creek



TOWN OF EATONVILLE LARGE LOT PIERCE COUNTY, WASHINGTON



APP #

COMMENTS:

1. EXISTING ACCESS TO LOT 1

2. EXISTING SHARED ACCESS TO LOT 1

3. EXISTING DRAIN FIELD FOR LOT 1

4. EXISTING RESERVE DRAIN FIELD FOR LOT 1

5. EXISTING ACCESS TO LOT 2

6. EXISTING ACCESS TO LOT 3

7. EXISTING ACCESS TO LOT 4

8. EXISTING GANG MIDDLE WITH GRAVEL VEHICULAR ACCESS

9. EXISTING 20' & 25' DRAINAGE EASEMENTS

LOT DATA

1. 333 WASHINGTON AVE N

2. 1100 CREEK RD E

3. 1100 CREEK RD E

4. 220 LYNCH CREEK RD E

LEGEND

FOUND BRASS SURFACE MONUMENT (NOV 2017)

FOUND RE-BAR & CAP

SET 5/8" RE-BAR & CAP

WOOD FENCE LINE

WIRE FENCE LINE

BARBED WIRE FENCE LINE

CONCRETE

ASPHALT PAVEMENT

GRAVEL

EXISTING POWER

EXISTING SEWER

EXISTING WATER

EXISTING STORM DRAIN

UTILITY VAULT

WATER IRRIGATION VALVE

WATER VALVE

FIRE HYDRANT

WATER METER

FEATURE NOTES:

1. EXISTING ACCESS TO LOT 1

2. EXISTING SHARED ACCESS TO LOT 1

3. EXISTING DRAIN FIELD FOR LOT 1

4. EXISTING RESERVE DRAIN FIELD FOR LOT 1

5. EXISTING ACCESS TO LOT 2

6. EXISTING ACCESS TO LOT 3

7. EXISTING ACCESS TO LOT 4

8. EXISTING GANG MIDDLE WITH GRAVEL VEHICULAR ACCESS

9. EXISTING 20' & 25' DRAINAGE EASEMENTS

INDICATES EXACT LOCATION, SIZE, DIMENSIONS ARE UNKNOW, RELED UPON RECOLLECTION OF PROPERTY AGENT FOR APPROPRIATE DEPICTION.

Aspen

Land Surveying LLC

At The Landing in Key Center
13510 92nd Street NE
Gig Harbor, WA 98329
P.O. Box 124, Vaughn, WA 98384-0124

David B. Johnson

1-24-2020

SHEET 2 OF 2

ORDINANCE NO. 5555

DANIEL B. JOHNSON, CERTIFICATE NO. 78404

S OF BEARING: STATE PLANE COORDINATE SYSTEM, NAD83 ZONE 10N, SOUTH.

RECORD OF SURVEY FOR MERCEDES BAUBLITS, ADDED BY UNDISPERSED SURVEYING SERVICES, INC. DATED FEBRUARY 10, 2007; TOWN OF EATONVILLE SHORT PLAT, 201301005600.

INGS AND DISTANCES SHOWN HEREON ARE BASED ON MEASUREMENTS FOUND BY FIELD SURVEY AND THEIR ELATION TO RECORD OF SURVEY FOR MERCEDES BAUBLITS PREPARED BY UNDISPERSED SURVEYING SERVICES, DATED SEPTEMBER 10, 2007.

INDICATES DATA PER UNDISPERSED SURVEYING SERVICES SURVEY DATED SEPT 10, 2007 FOR MERCEDES BAUBLITS

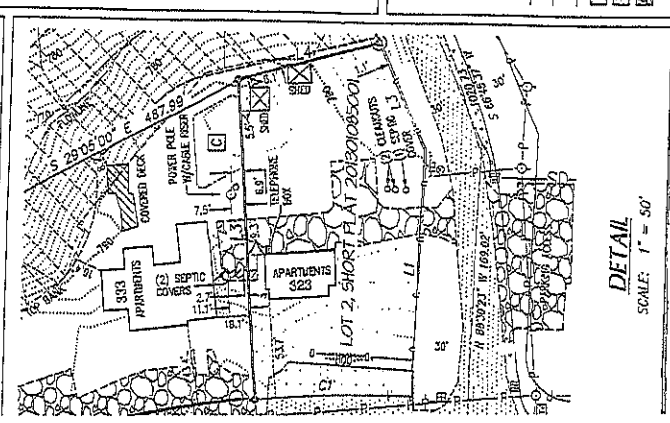
INDICATES WETLAND BUFFER ZONE

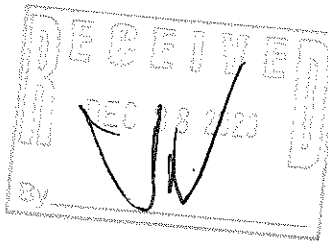
INDICATES WETLAND

SHOWN BY APPENDIX "E" BASE MAP OF "DRAINAGE EROSION CONTROL REPORT" PREPARED BY PETRA WHEELING LLC, DATED AUGUST 20, 2008.

NOTE: 60 FT WIDE UTILITY EASEMENT PER SHORT PLAT N 201301005600.

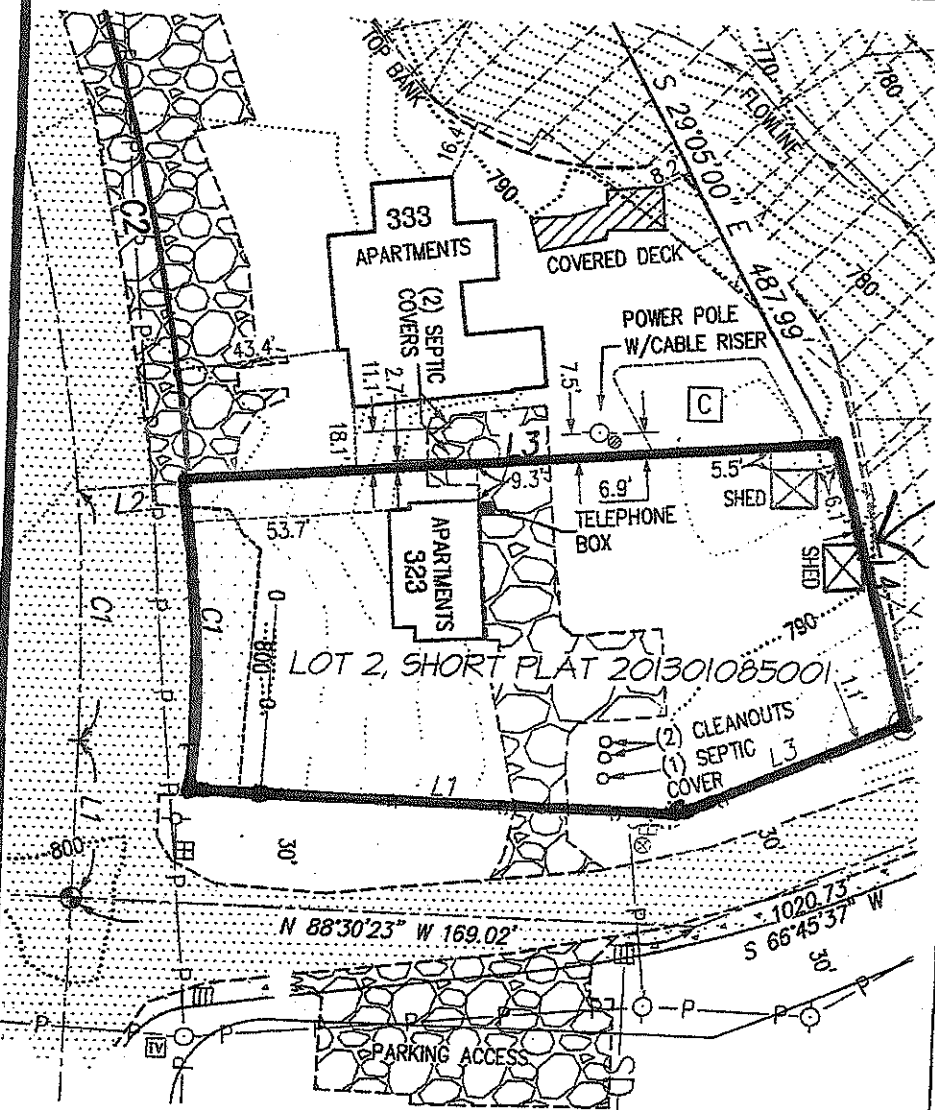
CURVE DATA		LINE DATA	
MINUS	DELTA	BEARING	DISTANCE
101.00	08.47.40	S 01°07'13" W	49.77
101.00	08.47.40	S 84°18'46" E - RAIL	70.77
101.00	08.47.40	S 85°42'31" W	174.53 (174.55)
101.00	08.47.40	S 15°08'09" E	70.03 (70.05)
101.00	08.47.40	S 01°07'13" W	51.97





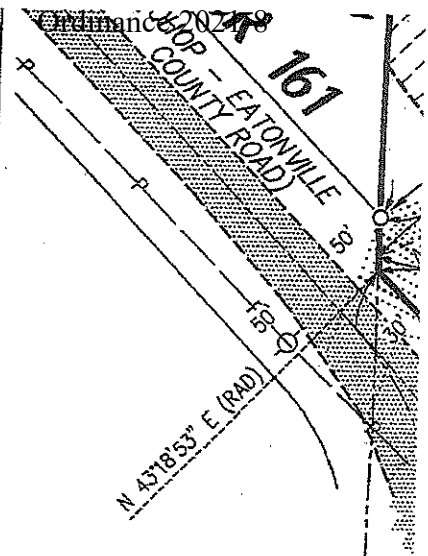
CURVE DATA			
NO.	RADIUS	DELTA	LENGTH
C1	573.00'	06°47'40"	67.95'
C2	603.00'	40°59'53"	431.48'

LINE DATA		
NO.	BEARING	DISTANCE
L1	N 01°04'10" E (S 01°07'13" W)	42.47'
L2	N 84°18'46" E - RADIAL	30.00'
L3	S 85°39'38" W (S 85°42'51" W)	174.53' (174.55')
L4	N 15°11'22" W (S 15°08'09" E)	78.05' (78.05')
L5	S 01°16'37" W	32.97'



DETAIL

SCALE: 1" = 50'



046145034

CTR SECTION 14,
T16N, R4E, W.M.
(NOV 2017)

SEE

- ⊕ FOUND BRASS SURFACE MONUMENT (NOV 2017)
- FOUND RE-BAR & CA
- SET 5/8" RE-BAR &
- o—o— WOOD FENCE LINE
- |—|— WIRE FENCE LINE
- x—x— BARBED WIRE FENCE L
- ▨ CONCRETE
- ▨ ASPHALT PAVEMENT
- ▨ GRAVEL



WAC 197-11-970

SEPA DETERMINATION OF NONSIGNIFICANCE
Rezone from MF1 to C1

Description of proposal: On parcels 0416145034 and 0416145038, the proposals would amend the Zoning District on 8.13 acres from Multi-Family 1 (MF-1) to Commercial 1 (C-1), within the Town of Eatonville, Washington.

Proponent: Baublits Memorial LLC & Jaegga LLC,
C/O David Baublits, Managing Member
35813 Mountain Highway East
Eatonville WA, 98328

Location of proposal: 331 & 333 Washington Avenue, Eatonville, Washington.

Review Document: SEPA 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, September 1, 2021.

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: 8/11/21

Signature: M. L. Schaub



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

September 1, 2021

Johnnie Newell, Planning/Building Admin
Town of Eatonville
201 Center Street West
Eatonville, WA 98328

Dear Johnnie Newell:

Thank you for the opportunity to comment on the determination of nonsignificance for the Jaegga & Baublits Memorial Rezone as proposed by Baublits Memorial LLC & Jaegge LLC care of David Baublits. The Department of Ecology (Ecology) reviewed the environmental checklist and has the following comment(s):

TOXICS CLEANUP: Sandy Smith (360) 407-7269

This property is within a quarter mile of three known or suspected contaminated sites. The sites are Van Cleve Motors Inc, Facility Site Identification (FSID) 71436538; Venture Bank, FSID 204996; and Associated Petroleum Pro Eatonville, FSID 36651329. To search and access information concerning these sites see <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Cleanup-sites>.

If contamination is suspected, discovered, or occurs during future site preparation and construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by sampling, the Department of Ecology must be notified. To notify Ecology, contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Sandy Smith with the Toxics Cleanup Program at the Southwest Regional Office at (360) 407-7269.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(GMP:202104403

cc: Sandy Smith, TCP

Town of Eatonville Official Zoning Map

Legend

Town Limits

Urban Growth Area

Public Use & Open Space

Zoning

SF-1

SF-2

SF-3

MF-1

MF-2

MU

C-1

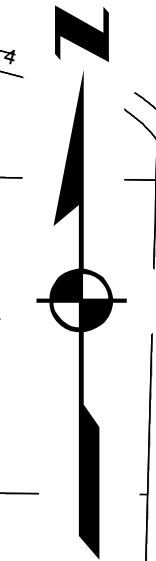
C-2

AP

I

Airport Overlay

0 370 740 1,110 1,480 Feet



Zoning Districts shall extend across roads and water bodies, except when a dissimilar Zoning exists on the other side, where each side shall then extend to the centerline of the road or water body.

Map Disclaimer: The map features are approximate and are intended only to provide an indication of said feature. This is not a survey. All data is expressly provided "As Is" and "With all faults". All GIS data used to produce this map was developed and provided by Pierce County. 9-20-18

As Adopted by the Town of
Eatonville Ordinance 2019-1

Mayor 1-14-2019
Date

Town Clerk 1-14-2019
Date

Town Attorney 1-14-2019
Date



Staff Report

Scott Clark, Town Planner
Larson and Associates

JAEGGA & BAUBLITS MEMORIAL REZONE (Consolidated)

Planning Commission Hearing
September 7, 2021

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XII.	DRAFT Planning Commission Recommendation	12
XIII.	Attachments	13

I. APPLICATION SCOPE (Consolidated):

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

II. GENERAL DESCRIPTION AND SITE LOCATION:

The Applicants are proposing a rezone of two (2) parcels, totaling ~8.13 acres, from Multifamily Residential District (MF-1) –to- Downtown Commercial District (C-1). The rezone area includes the following parcels: 0416145034 and 0416145038. The project site is generally located north of Lynch Creek Road, South of unincorporated Pierce County lands, east of Eatonville High School and west of two Multifamily designated parcels containing two single-family residences.



Aerial photo of the project site (outlined in red) and surrounding area

III. BACKGROUND:

Owners/Applicants: Jaegga LLC; David Baublits
35813 Mountain Highway East, Eatonville WA, 98328

Baublits Memorial LLC; David Baublits
35813 Mountain Highway East, Eatonville WA, 98328

Tax Parcel Numbers: 0416145034 and 0416145038

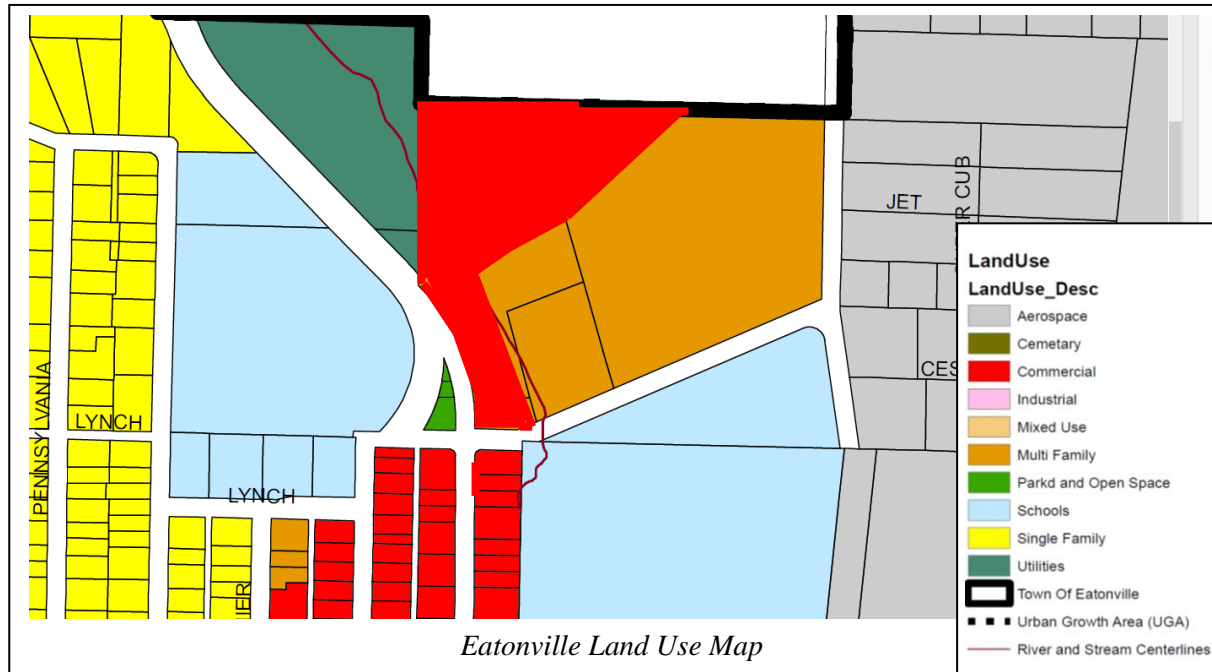
Legal Descriptions: APN 0416145034 Assessor Tax Description: Section 14 Township 16
Range 04 Quarter 13 L 2 OF SP 2013-01-08-5001 EASE OF REC
OUT OF 1-004 SEG 2013-0278 JP 2/11/13 JP

APN 0416145038 Assessor Tax Description: Section 14 Township 16
Range 04 Quarter 13 LOT 1 OF LL 2020-08-20-5001 EASE OF REC
OUT OF 04-16-14-5-033 & 5-036 SEG 2021-0120 JP 09/11/20 JP

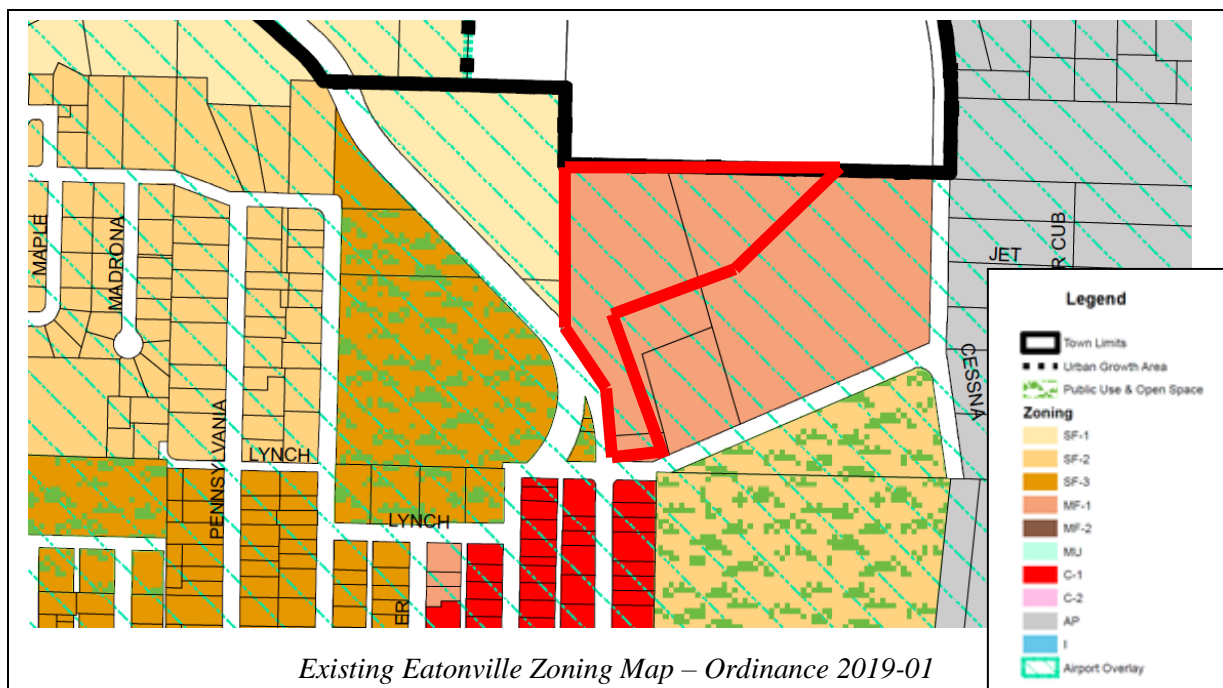
Application Type: Rezone (2 applications - consolidated)

Application Submittal: December 31, 2020 (*submitted concurrent with unprocessed applications for Comp Plan Land Use Designation Amendments*)

Existing Land Use Designation: Commercial (*2021 Land Use Designation amendment*)



Existing Zoning: Multi-Family 1 (MF-1) (*as amended in 2011 [Ord. 2011-10]*)



Requested Zoning: Commercial 1 (C-1)

Abutting Zoning: North: Pierce County R10
South: C-1
East: MF-1
West: SF-1 and SF-3

Abutting Development: North: Ag and Single Family Residential
South: Multi-family five-plex
East: 2 Single Family Residences
West: Park and High School

Existing Site Conditions: Parcel 0416145034 is currently developed with an existing Multi-family Tri-plex.

Parcel 0416145038 is currently developed with an existing Multi-family Five-plex and a memorial.

IV. PROJECT AREA VIEWS:



Looking east from Washington Avenue (SR 161) at a portion of the proposal site, Parcel 0416145038 – currently developed with an existing Multi-family Five-plex.



Looking east from Washington Avenue (SR 161) at a portion of the proposal site, Parcel 0416145034 – currently developed with an existing Multi-family Tri-plex.



Looking north along the frontage of Washington Avenue (SR 161) at a portion of the proposal site, Parcels 0416145034 and 0416145038 – with both existing Multi-family structure in view.



From Washington Avenue (SR 161) looking east along Lynch Creek Road – the existing Multi-family Tri-plex located on Parcel 0416145034 is on the left.



Looking south from the intersection Washington Avenue (SR 161) and Lynch Creek Road – view of southerly properties in the Commercial land use designation.



Looking south along Washington Avenue (SR 161) along the westerly frontage of the proposal site – the existing Multifamily units within the proposal area on the left and a park is on the right.

V. CRITICAL AREAS

A small portion of the southeast corner of parcel 0416145034 is mapped as potentially containing a frequently flooded area. This parcel is currently developed with multi-family residential development and no new development is currently proposed as part of the requested rezone proposal. Please see the attached Figure, Frequently Flooded Areas.

A large area of parcel 0416145038 is mapped as containing landslide and erosion hazard areas (within the ravine). This parcel is currently developed with multi-family residential development and a memorial and no new development is currently proposed as part of the requested rezone proposal. Please see the attached Figure, Landslide and Erosion Hazard Areas.

A large area of parcel 0416145038 is mapped as containing wetlands (within the ravine). This parcel is currently developed with multi-family residential development and a memorial and no new development is currently proposed as part of the requested rezone proposal. Please see the attached Figure, Wetland Inventory Map.

VI. STATE ENVIRONMENTAL POLICY ACT (SEPA):

Pursuant to WA 197-11-800, a SEPA threshold determination of non-significance (DNS) was made for the rezone on August 11, 2021.

VII. 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

VIII. EATONVILLE COMPREHENSIVE PLAN EXCERPTS:

For Planning Commission reference, please find below some of the Eatonville Comprehensive Plan excerpts that 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.

IX. COMMENTS:

As of the date of writing, September 1, 2021, only one agency comment from Washington State Department of Ecology. No public comments have been received.

X. STAFF REVIEW & ANALYSIS:

Pursuant to EMC 18.09.050, Amendments, the Planning Commission is authorized 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, the rezone abuts existing C-1 zoning to the south and since the property immediately abutting the rezone area to the east is zoned multifamily, which is generally considered to be a transitional zone, it appears the exiting development within the rezone area as well as any subsequent development may be determined compatible with neighborhood development.

The rezone site is primarily served by Washington, with additional side-road service being provided by Lynch Creek Road. Given the existing development pattern along Washington and the existing service road west of the gully area (*the centrally located critical area*), it appears

the Commission could find the proposed rezone will not unduly burden the transportation system or create significant adverse impacts that cannot be mitigated in the future. Consistent with the existing MF-1 zoning, access and potential transportation impacts for future development of the easterly portion of the rezone area will need to be reviewed and mitigated (*if determined necessary*) at the time of future development.

Since the Town's adoption of the Comprehensive Plan, circumstances have changed in that this site has been recognized in an approved Comprehensive Plan amendment changing the land use designation from Multifamily to Commercial.

Pursuant to the goals and policies provided herein, 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 two (2) multi-family buildings, which are allowed uses in the Commercial 1 zone. In recognition of existing individual circumstances and conditions, neighborhood compatibility, and that the rezone would be supportive and enhance economic vitality in Town, it appears the Commission could find the rezone consistent with the goals and policies of the Comprehensive Plan.

Finally, given the above comments and analysis, it appears the Commission could find the requested rezone will not adversely affect the health, safety and general welfare of the town.

XI. DRAFT 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 applicants have submitted 2 Rezone applications to modify the existing Multifamily Residential District (MF-1) –to- Downtown Commercial District (C-1) on parcels 0416145034 and 0416145038 (~8.13 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.
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 September 7, 2021, the Eatonville Planning Commission held a public hearing and received public comment regarding the consolidated rezone applications.
9. The proposed rezone area is contiguous to and by bordered on the south side by the requested zoning district, Downtown Commercial District (C-1). The remaining three (3) sides are adjacent to MF-1, SF-3 and SF-1 zoning districts, which based on the individual circumstances in this case have not been found to conflict with the requested C-1 zoning.
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 appears generally consistent with the existing area development and zoning pattern of this area.
12. Since the properties within the rezone boundary are already developed with allowed uses in the C-1 zone and a substantial portion of the rezone is located within mapped critical areas, the ~8.13-acre reduction in multifamily zoning and a ~8.13-increase in commercial zoning will not substantially affect overall development opportunities for either zoning classifications across the Town.

Please circle the applicable selections below: **bold and underlined** for approval – *italic* for denial:

13. The proposed rezone **is** / *is not* consistent with the comprehensive plan.
14. The proposed rezone and subsequent development of the site **would** / *would not* be compatible with development in the vicinity.
15. 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.
16. Circumstances **have** / *have not* changed substantially since the establishment of the current zoning district to warrant the proposed rezone.
17. The proposed rezone **will not** / *will* adversely affect the health, safety and general welfare of the town.

XII. DRAFT PLANNING COMMISSION RECOMENDATION:

Having conducted an open record 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 _____ in favor and _____ apposed, the Planning Commission hereby adopts the Planning Staff Analysis, Recommendations and Findings of Fact contained herein and as noted above, and hereby recommends **APPROVAL** / *DENIAL* of the Jaegga LLC and Baublits

Memorial LLC rezone amendment, requesting to change from Multi-family 1 (MF-1) to Commercial 1 (C-1):

Planning Commission Chairman

Date

XIII. ATTACHMENTS:

Attachments: Rezone Application Materials
August 11, 2021 DNS
DOE Comment
Zoning Map