

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 11th day of October 2021.



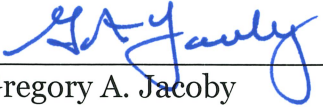
Mike Schaub
Mayor

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

TABLE OF CONTENTS:

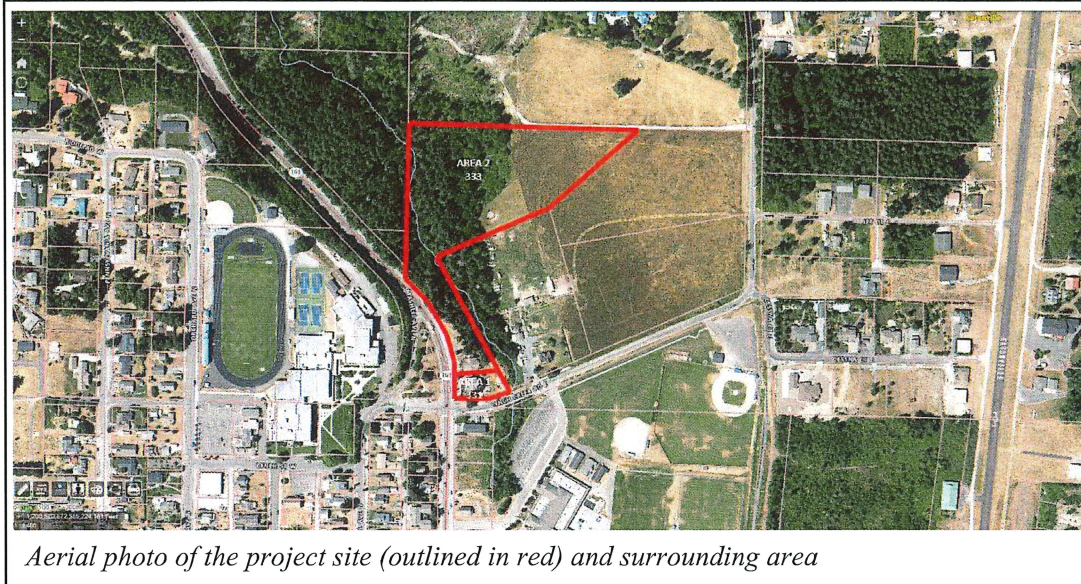
I.	Application Scope (Consolidated)	2
II.	General Description and Site Location	2
III.	Background	2
IV.	Project Area Views	4
V.	Critical Areas	7
VI.	State Environmental Policy Act (SEPA)	7
VII.	Regulations and Procedures	8
VIII.	Eatonville Comprehensive Plan Excerpts	9
IX.	Comments	10
X.	Staff Review and Analysis	10
XI.	DRAFT Findings of Fact	11
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.



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

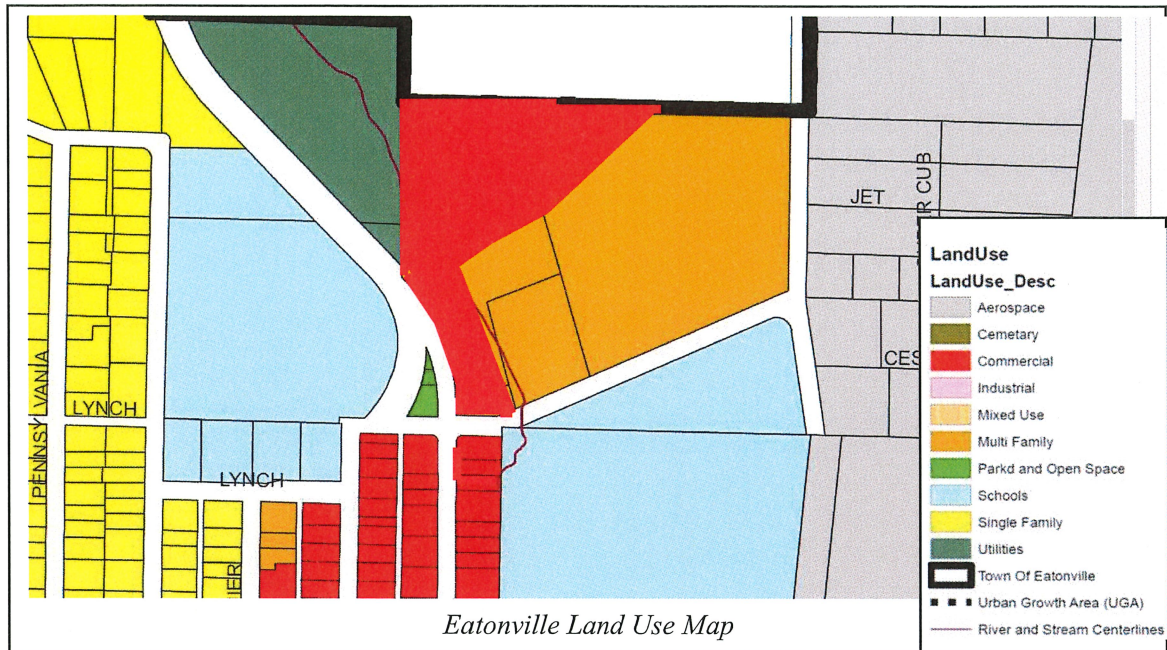
Legal Descriptions: APN 0416145034 Assessor Tax Description: Section 14 Township 16
Range 04 Quarter 13 L 2 OF SP 2013-01-08-5001 EASE OF REC
OUT OF 1-004 SEG 2013-0278 JP 2/11/13 JP

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

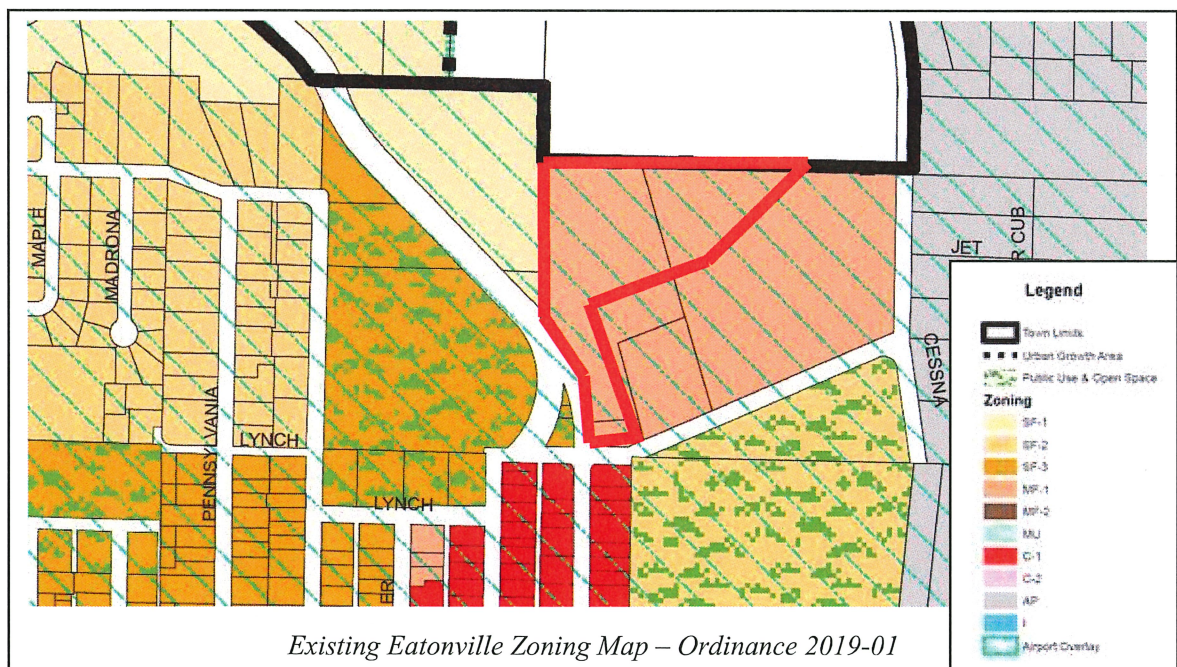
Application Type: Rezone (2 applications - consolidated)

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.