

TACOMA PERMITS

CITY OF TACOMA

Planning & Development Services Department
747 Market St, Rm 345 | Tacoma, WA 98402

NOTICE OF DECISION*

** You are receiving this postcard because your property is located within the required noticing radius of the proposal. No action is required, but we invite your participation in the process.*

Date of Decision: November 30th, 2018

Appeal Period Ends: December 14th, 2018

Decision Final: December 17th, 2018

Decision: Approved

Applicant: Soundview Consultants LLC
2907 Harborview Drive, Suite D
Gig Harbor WA 98335

Location: 6640 S. Alaska Street
Parcel: 9345000091

Application No.: LU18-0214

Proposal: It has been confirmed through a Critical Area Verification for the presence of critical areas that none are present on the property. There is no development proposal being approved at this time.

For further information regarding the proposal, **log on to the website at tacomapermits.org and select "Public Notices"**. The case file may be viewed in Planning and Development Services, 747 Market Street, Rm 345.

Reconsideration: Any person having standing may request reconsideration of the Director's decision, based upon errors of procedure or fact, by submitting a request in writing to Planning and Development Services at the address below.

Appeal to Hearing Examiner: Any aggrieved person or entity may appeal to the Hearing Examiner by filing a written Notice of Appeal and submitting the filing fee of **\$343** to the Hearing Examiner (at the Customer Service Center, 747 Market st., Second Floor) which contains the following:

- A brief statement showing how the appellant is aggrieved or adversely affected.
- A statement of the grounds for the appeal, explaining why the appellant believes the administrative decision is wrong.
- The requested relief, such as reversal or modification of the decision.
- The signature, mailing address and telephone number of the appellant and any representative of the appellant.

The fee shall be refunded to the appellant should the appellant prevail.

Staff Contact: Shannon Brenner, Senior Environmental Specialist, 747 Market St, Room 345, (253) 591-5482, sbrenner@cityoftacoma.org

Environmental Review: Per SEPA, WAC 197-11-800 and TMC Chapter 13.12, the Environmental Official has reviewed this project and determined the project is exempt from SEPA provisions.



To request this information in an alternative format, please contact Planning and Development Services by phone at (voice) 253-591-5030. TTY or STS users please dial 711 to connect to Washington Relay Services



City of Tacoma
Planning & Development Services Department
747 Market St. Rm 345
Tacoma, WA 98402

NOTICE OF DECISION



City of Tacoma
Planning and Development Services
Report And Decision

CRITICAL AREA VERIFICATION

FILE NO: LU18-0214

APPLICANT:

Soundview Consultants LLC
Attn: Ann Boeholt
2907 Harborview Drive, Suite D
Gig Harbor, Washington 98335

via email: pm@soundviewconsultants

SUMMARY OF REQUEST:

A Critical Area Verification to verify the absence of critical areas on the subject property pursuant to the Critical Area Preservation Ordinance in the Tacoma Municipal Code (TMC) Chapter 13.11.

LOCATION:

6640 S Alaska St, Tax Parcel 9345000091

SUMMARY OF DECISION:

No regulated critical areas were found on the site or in the immediate area. The Critical Area Verification permit is **Approved**.

NOTE:

The appeal period on this decision close **December 14th, 2018** and the effective date of this decision is the following business day, provided no requests for reconsideration or appeals are timely filed as identified in **APPEAL PROCEDURES** of this report and decision.

The Director has jurisdiction in this matter per Tacoma Municipal Code (TMC), Chapter 13.05.030. The applicant bears the burden of proof to demonstrate the proposal is consistent with the provisions of the TMC, the applicable provisions and policies of the City's comprehensive plan, *One Tacoma*, and other applicable ordinances of the City.

FOR ADDITIONAL INFORMATION CONCERNING THIS LAND USE PERMIT PLEASE CONTACT:

Shannon Brenner, Environmental Specialist
Planning and Development Services
747 Market Street, Room 345 Tacoma, WA 98402
Email: sbrenner@cityoftacoma.org

SUMMARY OF RECORD

The following attachments and exhibits constitute the administrative record:

Attachments:

- A. Technical Memorandum dated November 19, 2018 prepared by Mrs. Brenner

Exhibits¹:

- A. Donkey Island Technical Memorandum dated July 9, 2018 prepared by Soundview Consultants LLC
- B. Donkey Island Invasive Species Map dated October 18, 2018 prepared by Soundview Consultants

The Acting Land Use Administrator enters the following Findings of Fact and Conclusions of Law based upon the applicable criteria and standards set forth in the TMC, the policies of the City's comprehensive plan, and the attachments and exhibits listed above.

FINDINGS

Project site:

1. The site is located at 6040 South Alaska Street, Tax Parcel 9345000091.
2. The property is vacant and vegetated with an overstory of conifer trees and understory of native and nonnative shrubs and groundcover. There are informal trails through portions of the property. A single family home and associated structures is located on the southeastern portion of the property.

Surrounding Area:

3. The property is surrounded by commercial development to the south and St. Ann Convent – Sisters of Francis to the north. Interstate-5 is located to the west and Metro Parks Wapato Lake is located to the east.
4. A small isolated wetland approximately 850 square feet in size is located on the property to the northwest. Due to the wetlands location and size, it is not regulated and no buffers extend on to the subject property from the wetland. See TMC 13.11.210.B.3 and Attachment A.

Notification and Comments:

5. The project proposal was transmitted to several reviewing agencies, qualified neighborhood groups, and all owners of property within 100 feet of the site for review and comment on August 20, 2018 allowing 14 days to comment. A public information sign was posted at the entrance to the site along the public right-of-way of S. Alaska Street.
6. The City's Environmental Specialist (ES) Shannon Brenner conducted a critical area review and has presented her analysis of the project in her technical memorandum dated November 19, 2018. See Attachment A. The ES generally concurs with the

¹ All Exhibits are contained in Planning and Development Services Department file No. LU18-0214 and are referenced and incorporated herein as though fully set forth.

information provided in assessments prepared by Soundview Consultants and finds that there are no regulated critical areas as defined in TMC 13.11 on or in the immediate area.

Applicable Land Use Regulations and Policies:

7. This application is vested under the Critical Areas Preservation Ordinance, Chapter 13.11 of the Tacoma Municipal Code (TMC), in effect as of June 26, 2018.
8. A Verification permit can be requested to demonstrate that there are no jurisdictional critical areas located on a subject site. See TMC 13.11.220.1.
9. Information submitted must be of a level sufficient to protect critical areas and will be reviewed to its validity. Information will include critical areas report prepared by a qualified professional. See TMC 13.11.230.B.3.
10. TMC 13.11.900. B provides the definition for Biodiversity areas. Biodiversity Areas are areas with a vertically diverse assemblage of native plants or horizontally diverse mosaic of habitat.
11. TMC 13.11.510.B.1.b provides further criteria for identifying Biodiversity Areas including a minimum size threshold and conditions that do not qualify as Biodiversity Areas.
12. TMC 13.11.900. S provides the definition for Streams. Streams must have a defined channel or bed.
13. TMC 13.11.900.W provides the definition for Wetlands. Wetlands are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support the prevalence of hydrophytic vegetation.

CONCLUSIONS²

1. The Administrator concludes that the critical area verification, as represented by the applicant and confirmed by the City's ES, conforms to the requirements set forth in TMC 13.11 and no critical areas are present. Findings 4,6,10,11,12,13.

² Conclusions are based upon the applicable criteria and standards set forth in the Tacoma Municipal Code (TMC), the policies of the Comprehensive Plan, and the Attachments and Exhibits listed herein. Any conclusion of law here in after stated which may be deemed a finding of fact herein is hereby adopted as such.

DECISION

Based on the findings and conclusions, the requested Verification Permit is **APPROVED** subject to the following conditions:

ORDERED this 30th day of November, 2018.



Peter Huffman
Director
Planning and Development Services Department

FULL DECISION TRANSMITTED by first class mail to:

Soundview Consultants, Anne Boeholt, 2907 Harborview Drive Suite D, Gig Harbor, Washington 98335

Interoffice Email:

Elliott Barnett
John Griffith

SUMMARY OF DECISION TRANSMITTED by first class and interoffice mail to:

All property owners within 100 feet of the subject property as indicated by the records of the Pierce County Assessor/Treasurer.

Tahoma Audubon Society, Emily Kalnicky, 2917 Morrison Road West, University Place, WA, 98466

Tony Caldwell, South End Neighboring Council, 6101 South G Street, Tacoma, WA 98418

Brian Kilen, South End Neighborhood Council, 5040 ½ South G Street, Tacoma, WA 98418

John Pellessier, South End Neighborhood Council, 1512 South 53rd Street, Tacoma, WA 98418

Cary Nilson, South End Neighborhood Council, 3816 South D Street, Tacoma, WA 98418

Shannel Ball, South End Neighborhood Council, 4806 South M Street, Tacoma, WA 98418

Antonio Rendina, South End Neighborhood Council, 1524 South 43rd Street, Tacoma, WA 98418

Brandon Jones, South End Neighborhood Council, 7225 East F Street, Tacoma, WA 98404

NOTE: Pursuant to RCW 36.70B.130, you are hereby notified that affected property owner(s) receiving this notice of decision may request a change in valuation for property tax purposes consistent with Pierce County's procedure for administrative appeal. To request a change in value for property tax purposes you must file with the Pierce County Board of Equalization on or before July 1st of the assessment year or within 30 days of the date of notice of value from the Assessor-Treasurer's Office. To contact the board, you may call 253-798-7415 or by e-mail at www.co.pierce.wa.us/boe.

APPEAL PROCEDURES

RECONSIDERATION:

Any person having standing under the ordinance governing this application and feeling that the decision of the Administrator is based on errors of procedure or fact may make a written request for review by the Administrator within fourteen (14) days of the issuance of the written order. This request shall set forth the alleged errors, and the Administrator may, after further review, take such further actions as deemed proper, and may render a revised decision. A request for RECONSIDERATION of the Land Use Administrator's decision in this matter must be filed in writing with the Building and Land Use Services Division, Room 345, Third Floor, Tacoma Municipal Building, 747 Market Street, Tacoma, WA 98402, on or before December 14th, 2018.

APPEAL TO HEARINGS EXAMINER:

The applicant, property owner, or owners of property entitled to receive a copy of the decision of the Land Use Administrator shall have the right, within fourteen (14) days of the issuance of this decision, or within seven (7) days of the date of issuance of the Administrator's decision on a reconsideration, to appeal the decision to the Hearing Examiner.

An appeal to the Hearing Examiner is initiated by filing a Notice of Appeal accompanied by the required filing fee. Filing of the appeal shall not be complete until both the Notice of Appeal and required filing fee have been received. The Notice of Appeal must be in writing and shall contain the following:

- (1) A brief statement showing how the appellant is aggrieved or adversely affected.
- (2) A statement of the grounds for the appeal, explaining why the appellant believes the administrative decision is wrong.
- (3) The requested relief, such as reversal or modification of the decision.
- (4) The signature, mailing address and telephone number of the appellant and any representative of the appellant.


An APPEAL of the Land Use Administrator's decision in this matter must be filed with the Hearing Examiner's Office, Seventh Floor, Tacoma Municipal Building, on or before December 14th, 2018, together with a fee of **\$343.00**. THE FEE SHALL BE REFUNDED TO THE APPELLANT SHOULD APPELLANT PREVAIL. (Pursuant to Section 2.09.020 of the Tacoma Municipal Code, fees for appeals shall be waived for qualifying senior citizens and persons who are permanently handicapped who are eligible for tax exemption because of financial status).



City of Tacoma
Planning and Development
Services Department

Technical Memorandum

TO: File LU18-0214

FROM: Shannon Brenner, Environmental Specialist 

SUBJECT: Critical Area Verification

DATE: November 19, 2018

Project site:

The site is located at 6040 South Alaska Street, Tax Parcel 9345000091.

The property is vacant and vegetated with an overstory of conifer trees and understory of native and nonnative shrubs and groundcover. There are informal trails through portions of the property. A single family home and associated structures is located on the southeastern portion of the property.

Surrounding Area:

The property is surrounded by commercial development to the south and St. Ann Convent – Sisters of Francis to the north. Interstate-5 is located to the west and Metro Parks Wapato Lake is located to the east.

A small isolated wetland approximately 850 square feet in size is located on the property to the northwest.

Findings:

There are no wetland indicators or evidence of streams on the property. The property, absent the home and accessory structures, is forested and the forested area extends off site to the north and northwest. The area was inspected to see if the conditions met the criteria for Biodiversity Areas or Corridors under TMC 13.11.510.B.1.b. and definition in TMC 13.11.900.B.

After conducting a site visit several non-native species of plants were seen to dominate in the understory. The consultant provided additional information demonstrating that much of the understory is dominated by non-native vegetation and the site did not meet the criteria listed in TMC 13.11 for Biodiversity Areas or Corridors.

Conclusions:

In Conclusion, I am in general agreement with the information provided and conclude the site does not exhibit the indicators required for a wetland, stream, biodiversity area, or other critical area regulated under TMC 13.11. While meeting the formal wetland criteria, due to its location, small size, and rating, the wetland located to the northwest is not a regulated wetland per TMC 13.11.210.B.3.

Applicable Land Use Regulations and Policies:

1. This application is vested under the Critical Areas Preservation Ordinance, Chapter 13.11 of the Tacoma Municipal Code (TMC), in effect as of June 26, 2018.
2. A Verification permit can be requested to demonstrate that there are no jurisdictional critical areas located on a subject site. See TMC 13.11.220.1.
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