



City of

# Edgewood

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[www.cityofedgewood.org](http://www.cityofedgewood.org)

## Staff Report

Design Review Permit

<u>File Name:</u>	<u>Edgewood Park</u>
<u>Project Number:</u>	<u>20-1144</u>
<u>Date of Decision:</u>	<u>July 7, 2020</u>
<u>Decision:</u>	<b>Approved with Conditions</b>
<u>Applicant:</u>	Jordan Zlotoff: Berger Partnership 1927 Post Alley Suite #2 Seattle, WA 98101
<u>Owner:</u>	City of Edgewood: 2224 104th Avenue E., Edgewood, WA 98372-1513
<u>Project Description:</u>	Design Review Permit to allow for a City park with a 60 car parking lot, restroom, shelter, play area, lawn, paths, and earth berms. The total site is 18 acres with 3 acres of proposed developed activity space, the remainder will remain as it exists today. Critical areas have been identified on this property. A Critical Areas Report and Special Area Management Plan have been submitted as a part of this permit application.
<u>Project Location:</u>	10301 36 <sup>th</sup> St E. Edgewood, WA 98372   (Parcel #0420152006) Nearest intersection: 36 <sup>th</sup> St E and Meridian Ave E
<u>SEPA Threshold Determination:</u>	The City issued a Mitigated Determination of Non-significance (MDNS) under WAC 197-11-340 on June 16, 2020 for the proposed project. This determination included two mitigation measures.
<u>SEPA Appeal:</u>	Expired (June 16, 2020-July 1, 2020)
<u>Permit Appeal:</u>	July 8, 2020-July 22, 2020

### **SECTION I. Review Process**

#### **Request for Review:**

- 1.1 The application proposes to develop 18 acres into a community public park owned by the City of Edgewood at 10301 36th Street East Edgewood. The site is located within the Public zoning

district and is designated as Public on the Future Land Use Map. The site has frontage on Meridian Avenue East and 36th Street East. The proposed park proposes vehicular access off 36th Street East. A Design Standards Review application was submitted for review of the proposal pursuant to EMC 18.50.050. The applicant submitted for a Site Development Permit, file #20-1145 pursuant to Title 13 Surface Water Management and Site Development. Preliminary Engineering materials for stormwater, site layout, access and the SEPA Environmental Checklist were routed to Public Works for review along with the Traffic Concurrency materials. The materials reviewed are contained within the case file for this review #20-1144.

**Public Notice:**

- 1.2 The City received the application for a Design Review Permit on August 28, 2018. Staff determined the application complete on April 2, 2020. The Notice of Application was issued on April 6, 2020 by 1) mailed notice to property owners within 300 feet of the subject site; 2) a sign posted on the subject site; and 3) publication in The Tacoma News Tribune consistent with EMC 18.40.180. A 14-day public comment period was utilized.

Application Received:	March 25, 2020
Determination of Completeness:	April 2, 2020
Notice of Application:	April 6, 2020
Public Comment Period:	April 6, 2020 – April 21, 2020

**SEPA:**

- 1.3 The proposed park requires SEPA review pursuant to EMC Title 20 and chapter 43.21C RCW. Pursuant to EMC 18.40.070(B) Process 1 permits that are subject to SEPA Review are subject to the provisions of EMC 18.40.090 Process II Administrative Action. An Environmental Checklist was submitted with the Design application to facilitate the review.

**Design Standards:**

- 1.4 **Applicability (EMC 18.95.020):** Design standards shall only apply to commercial, mixed use, multifamily, and accessory dwelling unit projects in the city. However the Public Zone requires design standard compliance and the City aims to apply the design standards within this zone consistent with the intent and development standard flexibility provided for this zoning district.

- 1.5 **Site Planning:**

- (1) **Compatibility with Surrounding Properties.** The park development has been designed as an open space feature for developing properties to orient towards and provide perimeters that can easily accommodate future connections to development.
- (2) **Building Location and Orientation.** The intent of this criterion is to create physical and visual connections between businesses, streets, and open space in order to create a vibrant and attractive business and streetscape environment. The proposed project is a park use that is principally located outside. As such the buildings have been located to serve the primary outdoor park uses with the intent that the park/open space use is the focus of the site and the buildings act as support

structures. The City's aim is to provide a public green space that future developing properties can orient buildings towards.

- (3) **Streetscape Features.** The intent of this criterion is to create a streetscape that is safe, convenient, comfortable, and appealing for people on foot. The proposal provides incorporates a pathway along Meridian Avenue and 36<sup>th</sup> Street that is separated from the roadway. The pathway aims to provide paths into and along the park frontage.
- (4) **Access.** The intent of this criterion is to provide safe and efficient access to the site and buildings from the street for pedestrians and vehicles. The proposal complies with the access provisions.
- (5) **Parking Lot Design.** The intent of this criterion is to minimize the visual impact of parking facilities, ensure that they do not dominate the pedestrian realm, allow for shade and landscaping to soften their appearance, and maintain the safety and viability of business. The parking lot is proposed to be separated by a central vegetated LID facility to break up the parking area into smaller areas.
- (6) **Open Space and Common Areas.** The intent of this criterion is to enhance the vitality of the business environment and the pedestrian experience by linking public plazas, courtyards, green spaces, and other gathering spaces to the public sidewalk and each other. The proposal is the development of a public open space use that aims to provide opportunities for future connections with development as it occurs.
- (7) **Pedestrian Connections.** The intent of this criterion is to ensure that there are clear pedestrian connections within and between commercial and mixed-use districts. The park design provides pedestrian paths to, and through the park connecting with each adjacent right of way.
- (8) **Landscaping.** The intent of the criterion is to provide landscaping that is attractive, drought tolerant, and appropriate for the conditions. Landscaping is intended to soften the built form and should be integrated with the overall design of the site. The design of the park has focused the landscape plan on establishing the outdoor park environment consistent with the provisions.
- (9) **Service Areas and Outdoor Storage Areas.** The intent of this criterion is to reduce the impact of service areas, mechanical equipment, and utilities. The proposal includes a refuse area within the parking area that is fenced and screened from view. Service access has been incorporated into the site plan to meet the maintenance needs without a formal service area requiring screening.
- (10) **Site Lighting.** The intent of this criterion is to establish site lighting that is compatible with the development as well as the surrounding area and streetscape, promote pedestrian and vehicular safety, and improve the aesthetic appearance of the development. The proposal includes a lighting plan on Plan Sheet E1.0 for seven extruded aluminum pole-mounted Type III LED area luminaire lights with the parking lot and play area, and additional wall and ceiling hung lighting for the bathroom. Lighting is limited within the parking and playground as the illumination is intended to provide visibility into the park at night for security purposes, not facilitate use of the park after dark. Park use is restricted to daylight hours. Lighting details are not

included on the Plan Sheet E.1.0. A condition has been included to require the applicant demonstrate conformance with EMC 18.95.040(J).

1.6 **Building Design:** The proposal is principally an outdoor use and many of the design requirements established for buildings are not appropriate to apply to the proposal. To assure the intent of the City's Design Standards is implemented massing and articulation standards, and material standards have been applied to the application.

(11) **Massing and Articulation.** The intent of this criterion is to reduce the apparent bulk of buildings, maintain a human scale, and provide a variety and an overall sense of consistency along the street face. Additionally, the code requires that each building has a distinct "base", "middle", and "top." The proposed buildings for the park use include the restroom and picnic shelter, both are located interior to the site visible from adjacent roadways. The proposal include prefabricated shelters detailed on Plan Sheet L4.0. The proposal provides a "top" but does not include a features that distinguish between the middle and base of the structures. Incorporation of a base material/color change that can be implemented on both structures is recommended to provide a distinct middle and base to the structures. Additional detailing in the form of extended rooflines or awnings over doorways are encouraged to enhance the detailing on the restroom. The applicant has added a note to comply with EMC 18.95.040 stating, "The architectural design features of the proposed restroom building shall be in accordance with EMC 18.95.040. Façade design, veneer options, or some other articulation shall be employed". A condition has been included to require the applicant demonstrate conformance with EMC 18.95.040(A)(2) at the time of building permit submittal.

(12) **Building Materials.** The intent of this criterion is to encourage the use of high-quality materials that enhance the character of the building. The proposal utilizes a steel structure for the picnic shelter, while a precast structure is proposed for the restroom. The precast proposal includes barnwood texture walls and cedar shake roof texture to enhance the design.

**Procedures for Land Use Permits and Decisions:**

1.7 Pursuant to EMC 18.40.090(I)(2) In making a decision on the application, the community development director or designee shall use the criteria listed in the provisions of this chapter. In addition, the community development director or designee may approve the application only if it is consistent with:

- a. The comprehensive plan;
- b. All applicable provisions of this chapter;
- c. The public health, safety, and welfare; and
- d. The streets and utilities in the area of the subject property are adequate to serve the anticipated demand from the proposal.

**SECTION 2. Findings**

Based upon an analysis of the application materials and the applicable portions of the Edgewood Municipal Code (EMC), the following findings are made with regard to this Design Review:

**Comprehensive Plan.**

- 2.1 The proposal conforms to the Edgewood Comprehensive Plan as it implements the Public designation (LU.I.n), Provides a land use pattern that strengthens Edgewood’s identity and sense of place (LU.II), Provide design flexibility to encourage the preservation and integration of existing natural site features in new development, including clusters of trees, watercourses, slopes and open spaces (LU.III.a), incorporate pedestrian amenities into the design of public and commercial areas (CC.I.f), preserve and encourage open space as a dominant element of the community’s character through parks, trails, water features, cemeteries and other significant properties that provide public benefit (CC.I.m), promote the creation of highly usable public spaces that maintain community character and increase public safety (CC.II).
- 2.2 Proposal includes two structures which are subject to the provisions of Title 15 Buildings and Construction. Building Permits are required for the project prior to construction.

**Title 18 EMC.**

Development standards in Title 18 EMC, as follows:

- 2.3 The site conforms to the “Public” (P) zoning district detailed in EMC 18.80.110 as follows:
  - Purpose.** This zoning district provides for moderate-scale and large-scale activities relating to the purpose of state and local governmental entities and semi-public institutions providing necessary public services. The designation allows for the specialized needs of providing public services to all areas of Edgewood. The proposed park reflects a moderate scale development owned by the City to provide public recreation and open space amenities consistent with the City’s Parks, Recreation and Open Space plans. As conditioned, the proposal is compliant with the Public zoning district purpose.
  - Use:** The proposed use of the property meets the definition of a Parks, Open Space, and Public Recreation use and is consistent with the permitted uses in the Public zone as listed in EMC 18.70.050, Land Use Table.
- 2.4 **Development Standards:** EMC 18.80.110(E) establishes the development standards for this zone. Because of the nature of the typical uses characterizing this use type and the high need for flexibility in siting and operating public facilities, general development standards shall be determined by the community development director or designee on a case-by-case basis considering the type and intensity of the proposed use, adjacent uses and zoning, environmental issues, site design, and/or type and construction of buildings.

The district is subject by reference to: Chapter 18.95 EMC, Design Standards; EMC 18.90.180, Tree preservation; EMC 18.90.090, Landscaping, as it applies in their appropriate zones; EMC 18.90.130, Parking; and Chapter 18.97 EMC, Sign Code
- 2.5 **Tree Preservation and Protection Standards (EMC 18.90.180):** Significant trees are described as those trees that have a minimum diameter of 15 inches at three feet above grade. EMC 18.90.180(C)(2)(c) requires that all significant trees within 15 feet of the lot perimeter be preserved unless the tree removal is necessary for access, buildings, sight areas, roads, utilities, sidewalks, trails, or storm drainage.

The site includes three trees of significant size, totaling 68 inches in tree diameter, per sheet G2.0. Several additional trees were included in the survey that are below the threshold of significance that were additionally considered, but fell within areas of grading and were not viable options for retention. The proposal retains the largest tree (36 inches located near the northeast corner of the site, where development is not proposed). The 16 inch tree proposed for removal is located within the area proposed to be graded for the park use. The 16 inch apple exists at the edge of the grading area and is not viable to retain in its current poor condition within the active park area. The two significant trees proposed for removal total 32 inches.

EMC 18.90.180(D)(1) requires replacement of significant trees at a rate of 1.5 times the total diameter inches of all significant trees removed. Required mitigation for the tree removal is 48 inches. Twenty-four two inch diameter trees planted within the landscape plan are needed to mitigate the proposed level of tree removal. The proposal exceeds the minimum required mitigation.

- 2.6 **Landscaping (EMC 18.90.090):** The proposal includes a landscape plan focused on the developing, western areas of the park with the intention of retaining the perimeter vegetation and meadow on the eastern area where development is limited to trails. The landscape plans for the developing areas of the park provide a 15 foot vegetated buffer on the north property line where the active park improvements are proposed adjacent to MUR zoning, the north property line east of the wetland buffer area is proposed to retain perimeter vegetation given the low level of use proposed for the areas east of the wetland. Park frontage pathways lined with trees are provided along Meridian and 36th in lieu of traditional streetscape improvements, to invite pedestrians into the park and provide a desirable pedestrian walkway at the perimeter for passersby. Parking lot landscaping is provided within and around the parking facility to soften and screen the parking use.

Landscaping buffers shall be required adjacent to any open or above ground stormwater facilities, as required in the city's construction standards, subject to the approval of the community development director or designee. The configuration and plant species of landscape areas on a site shall be designed as not to disrupt the functions of stormwater systems. The landscape proposal incorporates an above ground stormwater feature without adjacent landscaping. A condition has been included to require the applicant demonstrate conformance with consistent with requirements of EMC 18.90.090(18) Landscaping at the time of Site Development Permit approval.

Irrigation Standards: EMC 18.90.090(F) requires a water use and conservation plan for any project that proposes the use of an irrigation system. Additionally, the irrigation method shall comply with the irrigation methods outlined in EMC 18.90.090(F)(2). The proposal includes an irrigation system for the on-site landscaping that meets the requirements of the code.

- 2.7 **Parking (EMC 18.90.130):**

Parking Standards: A parking study is required for Parks, Open Space, and Public Recreation per EMC 18.90.130(G) Table 1. The parking study submitted in support of the proposed level of park development analyzes the parking demand without special event, and with a special event within the amphitheater. The report also considered the parking rates of nearby parks where there are similarly flexible parking rates. The study supports that the proposed 63 parking stalls are adequate for the proposed facilities being developed within the park.

Parking stall and Aisle Design and Access: EMC 18.90.130(E)(2) requires a minimum of a 24-foot, two-way drive aisle that provides access to parking spaces at 90-degree angles, a minimum of a 9-foot by 18-foot parking stall, wheels stops when the parking space abuts a LID system. The proposal provides a 26-foot two-way drive aisle, meets the minimum parking stall dimensions, and provides wheels stops as required. The proposal is compliant with these standards.

Transit Facilities: EMC 18.90.130(E)(2) requires that development generating a parking demand greater than 24 parking spaces shall install transit support facilities. The proposals peak parking demand is 63 parking spaces, off peak is 35 spaces per the parking study. Pierce County transit did not request upgrades to the existing stop, however the City is proposing to replace the shelter at the existing bus stop located along the Meridian frontage of the park. The park layout also provides connecting pathways to the bus stop to facilitate use and access to transit.

2.8 **Concurrency Management:** EMC 18.105.030 requires that all development that generates any new peak pm traffic trips is subject to Concurrency Review. A Traffic Concurrency Certificate was received on March 24, 202 and was reviewed and approved by the City Public Works Department on April 21, 2020. A Trip Generation Analysis prepared by Transpo Group was submitted on April 1, 2020 to the City and was approved by the City Public Works Department on April 21, 2020. A revised set of Plan Sheets including detailed plans for utilities and lighting for water, sewer and stormwater collection and lighting throughout the parking lots and play area was reviewed received on June 26, 202 and approved by the City Public Works Department.

2.9 **EMC Title 14 Critical areas.** The project site includes both wetlands and wellhead protection areas regulated by EMC Title 14 Critical Areas.

- (1) The site includes wetland areas. There are two existing wetlands on-site, at the north-central portion of the site (North Wetland) and south of the site near the 36th Street East right-of-way (South Wetland). Proposal includes a compensatory mitigation plan to locate the northern park loop trail through the outer portion of the on-site wetland buffer on the North Wetland, mitigation is in the form of native buffer establishment. The existing wetlands will be protected during construction.
- (2) The site is mapped as being located partially within the 10-year wellhead protection area and partially within the Zone of Contribution. Pursuant to EMC 14.60.040 (E), uses that do not involve hazardous substance processing or handling are considered a “nonhazardous use” and permitted subject to the following provisions.
  - (a) Stormwater quality treatment and flow control shall be provided in conformance with the city’s adopted stormwater management manual
  - (b) Floor drains shall not be allowed to drain to the stormwater system and must be designed and installed to meet the Uniform Plumbing Code (UPC) Section 303
  - (c) If any roof venting carries a contaminant, then the portion of the roof draining from this area must go through pretreatment pursuant to UPC Section 304(b)
  - (d) Integrated pest management (IPM) practices for pest control and BMPs for the use of fertilizers, as described by the Washington State University Pierce County Cooperative Extension Office, shall be utilized

The applicant submitted a drainage report Edgewood Community Park Edgewood, WA Drainage Report dated August 2019 and revised March 2020 as part of the Site Development Permit. The report was reviewed by the City Public Works Department for compliance with the City’s adopted stormwater manual, Chapter 13.05 EMC demonstrating that the total post-development infiltration rate for the project area will be equal to or better than the predevelopment rate. The proposal is compliant with Chapter 14.60 EMC.

**3.0 EMC Title 20 State Environmental Protection Act (SEPA):** The City of Edgewood issued a Mitigated Determination of Non-significance (MDNS) on June 16, 2020, and there were no appeals to the MDNS. As the project was subject to SEPA review, public noticing occurred consistent with the provisions of EMC 18.40.

**a. Public comment.** Public Comments were submitted in response to the application

Name	Concern/Comment	Response
Kathy Wilson	Concerns about the access point location on 36 <sup>th</sup> Street, Requested access be off Meridian	Location of access reflects obtaining access from the lower volume roadway, to facilitate safe access consistent with EMC 18.95.030(D)
Ga Hsin Lai	Owns abutting property to park and had questions as to development plans adjacent to her lot	Public Works Director met with and discussed plans for the area to address concerns along shared property line.

A mitigation measure was included to address construction impacts and provision of an east-west pedestrian walkway through the parking facility. The applicant has since incorporated the connection into the plans. The remaining mitigation measure requires conformance with limitations on work hours and a pre-construction conference.

**SECTION 3. Conclusion**

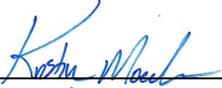
- 1) The proposal furthers the goals and policies of the comprehensive plan.
- 2) The proposal has demonstrated compliance with Title 14 Critical Areas.
- 3) Concurrence review addressed the potential impact of the proposal and determined that the streets were adequate to serve the anticipated demand.

The proposal as conditioned will comply with all applicable provisions of this chapter.

**SECTION 4. Decision**

The authority to approve design review is granted to the Community Development Director or Designee per EMC 18.40.070. Type I Design Review for the proposed project is **hereby approved** subject to the following conditions:

1. The Applicant shall demonstrate conformance with massing and articulation in EMC 18.95.040(A)(2a-d)) prior to building permit approval.
2. The Applicant shall demonstrate conformance with lighting details in EMC 18.95.040(J)(2) for all parking lot lights at the time of Site Development Permit approval.
3. The Applicant shall demonstrate conformance with the requirements of EMC 18.90.090(18) landscaping buffer adjacent to the above ground stormwater facility at the time of Site Development Permit approval.



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Kristin Moerler  
Senior Planner  
City of Edgewood

7-7-2020  
Date

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**PROCEDURAL INFORMATION:**

Duration of Permit Approval: The applicant shall begin construction or submit to the city a complete building permit application for the development activity, use of land or other actions approved under this process within one year after the final decision on the matter, or the decision becomes void. Further the applicant must substantially complete construction for the development activity, use of land, or other actions approved under this process and complete the applicable conditions listed in the decision within five years after the final decision of the city on the matter, or the decision becomes void.

Appeal: This decision is final unless appealed by a party with standing to the City of Edgewood Community Development Department within fourteen (14) calendar days of the issuance of this decision. Appeals must be submitted in accordance with EMC Section 18.40.080(D) along with the filing fee by **5:00 PM, on July 22, 2020**, to City Hall, 2224 104th Avenue East, Edgewood, WA 98372-1513 or by on-line by visiting the City's Public Portal, <https://ci-edgewood-wa.smartgovcommunity.com/Public/Account/LogIn?returnUrl=%2fApplication%2fApplicationEntry>

Permit Documents: The complete project permit file, including official decision, findings, conclusions and conditions of approval, if any, is available for review City Hall, 2224 104th Avenue East, Edgewood, WA 98372-1513, during normal business hours, Monday through Friday or by visiting the City of Edgewood Public Portal <https://ci-edgewood-wa.smartgovcommunity.com/PublicNotice/PublicNoticeSearch>

Other Permits Required:

Site Development Permit, #20-1145, ROW permit, Building Permit and Construction Stormwater General Permit.