

ANACORTES PLANNING COMMISSION



AUGUST 10, 2016

Municipal Building Council Chambers

6th Street and "Q" Avenue

AGENDA

6 P.M.

1. **Roll Call**
2. **Minutes of June 22 and July 13, 2016**
3. **Correspondence**
4. **Old Business**
No Old Business
5. **New Business**
 - a. **Public Meeting**: PUD amendment to Sunset Cove's Tract G, PLN-2016-1005

If reasonable accommodation of a disability is needed please contact Cherri Kahns at 299-1950
at least 48 hours prior to this meeting.



Planning Commission Meeting Minutes for –June 22, 2016

Chair Laumbattus called the Meeting of June 22, 2016 to order at approximately 6 p.m.

Roll Call

Commissioners Laumbattus, Oppel, Moffitt, McNett, Cleland McGrath, and Farnsworth

Minutes

Minutes of June 8, 2016 were approved as read

Correspondence

No correspondence was presented

New Business

Shoreline Substantial Development Permit, Anacortes Marina Gangway Replacement Project, SDP-2016-1002

Kevin Cricchio, City Planner, presented the proposed project which will consist of the reconfiguration of the Anacortes Marina's gangway system. The SSDP would permit the replacement and reconfiguration of seven, fifty foot long aluminum gangways with seven, eighty foot aluminum gangways.

Jeff Layton, Layton Consulting, provided information on some of the changes required to allow for a longer gangway and how the project is up to code.

Chair Laumbattus commented on the benefit of the gangways being less steep.

There were no comments for the open record public hearing

Commissioner Oppel made a motion to approve SDP-2016-1002 with conditions by staff. Commissioner Farnsworth seconded the motion. Vote called was unanimous.

Old Business

Public Hearing – Tom Allen, Haddon Road Plat & PUD

Members of the audience who would be speaking took an oath at this time, and the appearance of fairness doctrine was addressed to the Planning Commissioners

Mr. Stephen Nicol, Attorney for Allen Family Investments, requested the chair address Commissioner Farnsworth's previous relation to Mr. Patrick O'Hearn. Commissioner Farnsworth clarified his previous work for Mr. O'Hearn and that his parents own property near the project and concluded he believes he can be and impartial on the matter before the Commission.

Kevin Cricchio, City Planner, gave a summary of the Planning Commission open record public hearing on June 8, 2016. He also identified three new comments received since the last hearing from Cynthia Richardson, Ross Barnes, and Dorsay & Easton LLP.

Chair Laumbattus opened the public hearing at this time

Kara Fox, 500 Haddon Road. Ms. Fox read a letter written by Ryan Fox, which addresses an opposition to the project due to inconsistency with the character of the neighborhood.

Allen Roads, 4105 Mitchel Drive. Mr. Roads expressed concern with the interpretation of the code and the inconsistency with the character of the neighborhood.

Gene Derig, 1302 K Avenue. Mr. Derig provided a recap of concerns expressed by both himself and Ross Barnes of the code interpretation and density.

Jeaneen Brogan, 304 Haddon Road. Ms. Brogan provided a recap of previously submitted comments to the City, which are on record. Ms. Brogan's concerns were focused on possible flooding and privacy, with a request to lower the density.

Kathy Brown, 4308 Whistle Lake Road. Ms. Brown requested that the development maintain R1 designation.

Vernon Lauridsen, 2219 32nd Street. Mr. Lauridsen provided an interpretation of relevant matters of this project, as well as concerns with the project, involving street improvements, stormwater runoff, frontage and access requirements, setbacks, and open space.

Rebecca Bean, 4315 Whistle Lake Road. Ms. Bean expressed concerns with proposed density.

Debbie Martin, 6407 Dow Lane. Ms. Martin expressed concerns with traffic impacts.

Gary Van Luven, 1019 Haddon Road. Mr. Van Luven requested consideration of safer transportation for pedestrians and bicyclists.

John Prosser, 3912 Michigan Avenue. Mr. Prosser clarified that there is a shortage of housing, that the PUD allows for creativity, and gave his support for the PUD process and its allowances.

Carol O'Hearn, 11039 Post Drive. Ms. O'Hearn provided information to support providing a geological report in the wet season.

Patricia Young, 2219 32nd Street. Ms. Young requested that zoning regulations be used as a means of defense for residents against builders.

Patrick O'Hearn, 11039 Post Drive. Mr. O'Hearn expressed several concerns including project density and street boundaries.

Brian Allen, AFI. Mr. Allen addressed public comments and proceeded with a rebuttal.

Commissioner Moffitt requested clarification on applicant intentions for density and Commissioner Farnsworth requested clarification on lot length and width verses front and back.

John Ravnik, Ravnik Associates. Mr. Ravnik addressed public concerns.

Aaron Fits, Materials Testing and Consulting. Mr. Fits summarized the assessment on the site, with no direct evidence of instability of the slope of groundwater table.

Chair Laumbattus asked about other options for water dispersion on the site and low impact development options. Mr. Ravnik explained the engineering aspects of both. Chair Laumbattus clarified the critical areas slope as buildable with engineering, and that the Stittwood property elevations would be roughly the same as this project. Don Measamer asked Mr. Fits about the different outcome boring during certain seasons can have. Mr. Fits responded by clarifying that he could not say what the test would actually show during the rainy season, but that their more vigorous study did not appear to warrant extra testing in the rainy season.

Stephen Nicol, Attorney for Allen Investments. Mr. Nicol provided a rebuttal that clarified legal requirements.

Commissioner Farnsworth provided the section of code to Mr. Nicol that applies to the most restrictive standards. Commissioner Oppel requested clarification on the large size of lot 13 being due to a higher overall project site, allowing the development of more lots. Commissioner Oppel requested clarification from Mr. Measamer on interpretation of code. Commissioner Farnsworth requested clarification on the amount of lots for the project.

Chair Laumbattus took no further comments due to the number of requested public input and time constraint, extending the meeting to July 13. The Chair then adjourned the meeting at approximately 9:10 p.m.



Planning Commission Meeting Minutes for –July 13, 2016

Chair Laumbattus called the Meeting of July 13, 2016 to order at approximately 6 p.m.

An executive session was held prior to new business.

The applicant for the Haddon Road PUD requested adjusting the agenda to allow old business first. Chair Laumbattus made a motion to keep the agenda as is, seconded by Commissioner Farnsworth. The vote passed with opposition from Commissioner Oppel.

Roll Call

Members Present: Commissioners Laumbattus, Oppel, Moffitt, and Farnsworth.

Minutes

No minutes

Correspondence

No correspondence was presented.

New Business

Public Hearing & Workshop – Low Impact Development Regulations

John Franz, City Capital Project Coordinator, gave an introduction to the shoreline permit and the requirements associated with it that the City is required to implement. Mr. Franz requested comments from both the commissioners and the public to contribute towards the updated code.

David Roberts, Kulshan Services, gave a presentation on the code changes, changes to engineering standards, and the process that will take place to implement the project. Updates will be made in several titles within the code and a part of the process will involve creating a map of likely areas to infiltrate.

With no comments, the public hearing closed

Old Business

Public Hearing – Tom Allen Haddon Road PUD

Kevin Cricchio, City Planner, provided a brief summary of the project.

Steve Lange, Engineering Technician, gave a presentation that addressed concerns voiced at previous meetings about the mitigation for the project and clarified recommendations to commissioners.

Chair Laumbattus requested clarification on the location of the road in front of Ms. Brogan's property and how moving the road could impact the power pole. The recommendations would involve moving the entire road fronting that property six feet south from the location in the application proposal, and moving the road should not have an effect on the power pole. Commissioner Farnsworth requested further clarification on the placement of the road.

Mr. Lange provided information on the project meeting sufficient sight distance. Commissioner Farnsworth requested clarification on the direction of sight.

Mr. Lange provided a breakdown of how the traffic report impacts the neighborhood, showing that there will not be a large change. Mr. Lange also showed a diagram which shows the engineering of sidewalks and an in depth example of stormwater work. Commissioner Farnsworth requested clarification that the project will not have a negative effect on stormwater. There was some discussion between Chair Laumbattus and Steve Lange regarding a gas cable going through the sanitary sewer lines.

Chair Laumbattus opened the hearing for public comment. Those members of the audience who would be speaking, including the applicant, took an oath at this time.

Bud Anderson, 11067 Post Drive. Mr. Anderson expressed his concern with moving the road south, related to the placement of the power pole discussed in past meetings. Mr. Lange stated that the power pole would be discussed with the county and Puget Sound Energy.

Allen Rhoades, 4105 Mitchell Drive, HOA President of Stittwood Property. Mr. Rhoades was concerned with using Ravnik Engineering as a third-party person for stormwater. Mr. Lange clarified that the third party was John Semrau of Sumrau Engineering.

Rebecca Bean, 4315 Whistle Lake Road. Ms. Bean was concerned for the rights of the neighborhood residences compared to the developer's rights. Ms. Bean recommended that the City Council deny the application for this project.

Jeaneen Brogan, 304 Haddon Road. Ms. Brogan provided a recap of her previous concerns and requested that the planning commission deny the application.

Vernon Lauridsen, 2219 32nd Street. Mr. Lauridsen stated his opinion regarding the duties of staff and provided standards for wetlands in subdivisions. Mr. Lauridson stated that based on those standards, the open space requirement has not been met and requested the applicant adjust his proposal.

Carol O'Hearn, 11039 Post Drive. Ms. O'Hearn expressed concerns with the applicant proposing a park as a way of avoiding the R1 regulations.

Patrick O'Hearn, 11039 Post Drive. Mr. O'Hearn addressed an email between Cynthia Richards and Kurt Oppel, which discussed the intent of the code on PUDs and is on record. Mr. O'Hearn also provided a recap on concerns expressed at previous meetings.

Craig Sjostrom, 1204 Cleveland Avenue, Mt. Vernon. Mr. Sjostrom requested the planning commission not allow the project proposal to change after the initial application.

Patricia Young, 2219 32nd Street. Ms. Young played a video recording of the neighborhood and expressed concerns with the compatibility of the project with the neighborhood. Ms. Young requested disapproval of the project to the planning commissioners.

Debbie Martin, 6407 Dow Lane. Ms. Martin expressed concerned that the project will affect the health, safety, and well-being of the residents within the neighborhood.

John Ravnik, Ravnik and Associates. Mr. Ravnik assured the planning commissioners that he would not produce any more runoff to Ms. Brogan's property, and provided examples of research done on infiltration for the project. Chair Laumbattus requested clarification on the location of an easement for infiltration.

Stephen Nicol, Nicol Law PLLC. Mr. Nicol cited several Supreme Court cases that support the project. One case determined a permit must be granted when the applicant demonstrates a willingness to mitigate any and every legitimate problem. Another case interprets a PUD process as allowing rezoning. Mr. Nicol also cited a case that determined PUDs could be used to cluster buildings to allow a section of critical or natural areas to be retained without sacrificing developmental applicability. Mr. Nicol ensured the Planning Commission that they would adjust the project as required by the law. Mr. Nicol preceded by addressing concerns from the public and providing rebuttal.

Chair Laumbattus questioned Mr. Measamer, City Director, on flag lots. Mr. Measamer provided clarification on the PUD process and Ms. Darcy Swetnam presented AMC 17.06.490, which states the definition of flag lots.

With no further comments, Chair Laumbattus closed the public hearing and requested comments from the Commissioners.

Chair Laumbattus made a motion to add as a condition that a homeowners association shall be established and be responsible for the maintenance of common use elements including, but not limited to, private drainage facilities, landscaped areas, shared driveways, parking on private property, and common open space east of the cedar fence. A note to this effect shall be shown on the face of the final plat and PUD. Commissioner Oppel seconded. Unanimous yes.

Commissioner Farnsworth made a motion to clarify the original motion to have Lot 13 include the portions of lot 9, 10, 11, and 12 east of the split cedar fence. Chair Laumbattus seconded the motion. The motion passed with opposition from Commissioner Moffitt.

Commissioner Farnsworth made a motion that all lots must comply with R2 standards, including that no lot may be under 7,500 square feet. Chair Laumbattus seconded. Unanimous yes.

Chair Laumbattus made a motion to require the developer put up a seven foot high wooden 100% site obscuring fence on the north and west property line, and the front yard fencing requirements be considered on proposed lot 1. Commissioner Oppel seconded. The motion passed unanimously.

Commissioner Farnsworth made a motion to require curb, gutter, and sidewalk along the proposed Haddon Road and Whistle Lake Road, with the exceptions of the five foot pathway in front of 304 Haddon (Ms. Brogan's residence). The motion was withdrawn.

Commissioner Oppel made a motion that curb and gutter shall be provided adjacent to the development on Haddon Road. Chair Laumbattus seconded the motion which passed unanimously.

Chair Laumbattus made a motion to approve the project with the conditions voted upon by the commissioners and staff. Commissioner Oppel seconded. The motion passed unanimously.

Chair Laumbattus called the meeting to a close at approximately 10:45 p.m.



Planning Commission Agenda Bill

Meeting Date: 8/10/2016 Agenda Item: 5A

Subject: PUD Amendment to Sunset Cove Estates PUD Tract G

Staff Contact: Kevin Cricchio, AICP, Associate Planner

Approved for Submittal to Commission by	
X	Don Measamer, Director

Action Type	
X	Public Meeting
X	Discussion
X	Possible Action

Summary & Background: At 6:00 PM on August 10, 2016, a meeting will be conducted concerning a proposed amendment to the Sunset Cove Estates Planned Unit Development (PUD) that would permit the construction of 9 single-family residences in Condominium Tract G replacing the previously approved 10 single-family residences. Please bring your packets to the August 10, 2016, meeting.

Recommendation: The Department of Planning, Community, and Economic Development recommends that the Planning Commission approve the subject PUD amendment subject to staff recommended conditions of approval.

Attachments: Planning Commission's Draft Findings of Fact, Conclusions of Law, Decision, and Exhibits

EXHIBIT #1, 2016, PUD AMENDMENT APPLICATION, NARRATIVE, & SITE PLAN, TO TRACT G OF SUNSET COVE ESTATES PUD

EXHIBIT #2, GIS & ASSESSOR'S INFO

EXHIBIT #3, NOTICE OF MEETING

EXHIBIT #4, PUBLIC COMMENTS RECEIVED

EXHIBIT #5, DEPARTMENT & AGENCY COMMENTS RECEIVED

EXHIBIT #6, VICINITY MAP OF SUNSET COVE DEVELOPMENT

EXHIBIT #7, CITY COUNCIL FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION FOR THE SUNSET COVE PUD

EXHIBIT #8, RECORDED —PLAT MAP OF PLAT OF SUNSET COVE ESTATES PUD

EXHIBIT #9, 2005, PUD AMENDMENT TO SUNSET COVE ESTATES PUD

EXHIBIT #10, PLANNING COMMISSION MINUTES, 2005 PUD AMENDMENT
TO SUNSET COVE ESTATES PUD

EXHIBIT #11, SITE PLAN TO 2015, PUD AMENDMENT TO SUNSET COVE
ESTATES PUD (NEVER BUILT)



**PLANNING COMMISSION'S
DRAFT FINDINGS OF FACT, CONCLUSIONS OF LAW,
& DECISION:**

Meeting Date: Wednesday, August 10, 2016, @ 6:00 PM

Project Title: PUD Amendment to Tract "G" of Sunset Cove Estates PUD

Project Location: Tract G of Sunset Coves Estates PUD is located off of Sundown Court north of Observation Avenue. Parcel #: P117686 is located in a portion of Section 21, Township 35 North, Range 01 East, Willamette Meridian.

Applicant/Owner: Ted Filler
GT Investment Properties, LLC
3308 Friday Creek Road
Burlington, WA 98233

**Staff Report
Prepared by:** Kevin Cricchio, AICP, Associate Planner
Planning, Community, & Economic Development Department
City of Anacortes
904 6th Street | P.O. Box 547
Anacortes, WA 98221

Subject Proposal: An amendment to the Sunset Cove Estates Planned Unit Development (PUD) that would permit the construction of 9 single-family residences in Condominium Tract G replacing the previously approved 10 single-family residences.

Existing Land Use: Tract G of Sunset Cove Estates PUD is currently vacant.

**Current Zoning & Comp.
Plan Designation:** Residential District (R2)

Surrounding Zoning & Land Uses:

Direction:	Zoning:	Land-Use:
North:	Public	Public
South:	Residential Low Density (R2)	Single-family residential
East:	Residential Low Density (R2) & Public	Single-family residential & Public
West:	Residential Low Density (R2)	Single-family residential

FINDINGS OF FACT:**I. GENERAL BACKGROUND:**

1. According to Anacortes Municipal Code (AMC) § 16.40.090, minor changes in the location, siting, and height of buildings and structures may be authorized by the Planning Commission without additional public hearings provided the change does not meet any of the criteria listed therein.
2. The project site is located in the City of Anacortes' Residential 2 (R2) Zoning District.
3. On June 3, 1992, a meeting was conducted with the Planning Coordinating Committee.
4. On June 10, 1992 the Planning Commission conducted an open-record public hearing concerning Sunset Coves Estates PUD which was continued to June 17, 1992.
5. City Council conducted an open-record public hearing concerning Sunset Cove Estates PUD on July 6, 1992 and continued the meeting to July 20, 1992. Council also conducted a site visit on July 20, 1992 prior to the hearing.
6. On August 3, 1992, the preliminary plat for Sunset Cove PUD was approved with nineteen (19) conditions of approval.
7. City Council held a closed-record public meeting on July 19, 1999, on the preliminary plat application review of Sunset Cove PUD final development plan.
8. On November 29, 2000, the Plat of Sunset Cove Estates was recorded with Skagit County Auditor's Office.
9. Sunset Cove Estates PUD was permitted to have 18 single-family residences (18 lots) and 38 individual units within the Sunset Village Condominium portion of Sunset Coves Estates.
10. Currently, Tract "G" is vacant with no improvements. It was originally approved through the PUD /platting process, for 12 duplexes (24 dwelling units).
11. Since the PUD was approved, there have been several amendments to the final development plan including but not limited to:

- A. **TRACT E (a neighboring tract)**: On February 14, 2001, a PUD amendment was requested to change the layout of Sundown Court from four (4) fourplexes (2 stories each) to three (3) sixplexes (3 stories each). The Planning Commission recommended unanimously approval of this revised layout to the City Council for their approval. On March 5, 2001, the City Council approved the subject PUD amendment request.
- B. **TRACT G**: On October 12, 2005, Assistant Planning Director Don Measamer presented to the Planning Commission a request by the landowner to amend the final development plan of Sunset Cove Estates PUD. A proposed amendment to Tract G of the subject PUD was proposed. The landowner wanted to change the configuration of Tract G from 11 duplexes (22 dwelling units total) to 6 fourplex units (24 total dwelling units). The Planning Commission voted and approved the subject amendment to Sunset Cove Estates PUD.

	Proposed 6 Fourplexes	Previous 11 duplex buildings
Tract G	112,500 square feet	112,500 square feet
Lot Coverage	6 X 6,140 – 36,846 SQ feet	11 x 4504 = 49,544 SQ'
% Lot Coverage	32.70%	44%

12. Since the Planning Commission approved the six fourplexes (as stated above), 2 fourplexes have been built as construction has occurred in phases. The remaining approval on Tract G not currently built is 16 dwelling units (4 fourplexes).
13. On November 18, 2014, the City of Anacortes' Planning, Community, & Economic Development Department received a request from the landowner/developer to amend the approved PUD concerning Tract G thereby decreasing the approved allocation of 4 fourplexes (a total of 16 dwelling units) to 10 single-family residences.

	Proposed 10 Units	Tract Coverage	Previous 16 units	Tract Coverage
Building Footprint	15,761 Square feet	21.3%	21,560 SQ feet	29.2%
Common Drive	6,802 square feet	9.2%	11,681 SQ feet	15.8%
Community Common Area	5,984 Square feet	8.1%	N/A	0.0%

14. On January 14, 2015, the Planning Commission conducted a meeting to hear said PUD amendment to Tract G. A motion was made to approve the subject PUD amendment following a revision to staff's suggested conditions of approval. The motion was seconded. Following a vote, the Planning Commission approved the PUD amendment to permit the construction of ten (10) single-family residences on Tract G. To date however, the residences were never constructed.
15. On June 3, 2016, the applicant /landowner applied for another PUD amendment to Sunset Cove PUD's Tract G. The applicant now wishes to construct nine (9) single-family residences instead of the ten (10) previously permitted.
16. Tract "G" is 73,861 square feet in area.
17. As displayed in the table below, the proposed nine (9) single-family residences in Tract G will be less in footprint and impervious surface (common drive) than was previously approved in the ten (10) single-family residences. Common area however has increased from the previous ten residences.

	Proposed 9 Units	Tract Coverage	Previous 10 units	Tract Coverage
Building Footprint	15,384 square feet	20.8%	15,761 square feet	21.3%
Common Drive	5,819 square feet	7.8%	6,802 square feet	9.2%
Community Common Area	6,154 square feet	8.3%	5,984 square feet	8.1%

II. NOTICE OF MEETING:

1. Notice of the meeting was mailed to property owners within 300-feet of the subject property, posted on-site and published in the newspaper. This however is not a requirement of PUD amendments per AMC § 16.40.090. However, staff noticed accordingly to be consistent with how past PUD amendments were processed and noticed.
2. Notice of meeting was published in the Anacortes American Newspaper on July 6, 2016. Additionally, the subject property was posted with public notice signage in two (2) different areas on June 28, 2016. On June 28th, notice was also posted at the local USPS office, the library, city hall, and on the City's website. Property owners within 300 feet of the project site were also mailed notice of the meeting on the subject PUD amendment on June 28, 2016. Lastly, agencies /departments of jurisdiction were emailed the notice of meeting on June 28, 2016.
3. The 14-day public comment period ended on July 20, 2016 (**See Exhibit 3**). However, comment was accepted up until the Planning Commission meeting on

August 10, 2016. Any comment received from departments/agencies of jurisdiction and/or the public are referenced in the attached exhibit list.

4. At the conclusion of the meeting, the Planning Commission deliberated and voted to **approve, approve subject to conditions, or deny** the subject PUD amendment.

III. **STATE ENVIRONMENTAL POLICY ACT:**

SEPA environmental review for the subject PUD amendment is not required as SEPA review occurred years ago during the PUD platting process which including permitting 24 units on Tract G (12 duplexes).

IV. **2012 COMPREHENSIVE PLAN:**

1. The Comprehensive Plan contains general policies and goals to guide development. The following goals and policies potentially apply to this project:

General City Goal 3:

Promote compatible land uses and improve visual appearance in each and every zoning district.

Staff Analysis:

Tract G currently is vacant and unimproved. The construction of nine (9) single-family residences on Tract G is proposed. Tract G fronts on Sundown Court and is surrounded by multifamily development (sixplexes).

Housing/Residential Goal 3:

Single family, detached residential units shall be the major residential form in the community.

Staff Analysis:

Nine (9) single-family residences are proposed on Tract G previously approved for ten (10).

Housing/Residential Goal 7:

Improve visual appearance of residential neighborhoods and maintain integrity of existing residential areas and neighborhoods.

Staff Analysis:

Tract G is currently vacant and unimproved. In 2015, the Planning Commission approved an amendment to Tract G of Sunset Cove Planned Unit Development thereby permitting the construction of ten (10) single-family residences instead of the four (4) fourplexes previously approved. However, the ten (10) residences were never constructed. The applicant now wishes to construct nine (9) residences on the subject property instead of ten. Tract G is surrounded by

multifamily development. The construction of nine residences will thereby improve the visual appearance of the neighborhood while maintaining the integrity of the residential area.

Transportation Goal 7:

Require adequate off-street parking in all zones.

Staff Analysis:

AMC Chapter 17.46 requires two (2) off-street parking spaces per single-family residence. Each residence's garage will meet the underlying zoning district's setback requirements. Therefore, adequate space will exist for the parking of two (2) vehicles in front of the garage as well as in the garage. This requirement will be reviewed at time of building permit application submittal.

2. The subject proposal **is/is not** consistent with the goals and policies of the City of Anacortes' Comprehensive Plan as identified above.

V. ZONING ORDINANCE/CODE:

1. The City Zoning Map establishes zone boundaries and the City Zoning Ordinance establishes (1) the permitted use of land in the various zones, and (2) development standards.
2. The subject property is located in the Residential Low Density (R2) Zoning District.
 - A. Pursuant to AMC § 17.36.010, the purpose of the R2 zone is to "maintain and create an environment which meets the standards for single-family residential development, by restricting uses within the district, and by requiring a minimum lot size and maximum density."
3. According to AMC § 17.36.040, in the Residential District (R2) Zoning District, single family residences are allowed /permitted land uses.
4. According to AMC § 17.36.050, the minimum lot size for a single family residence in the R2 Zoning District is 7,500 square feet. According to the applicant, Tract G consists of 73,861 ± (1.69 acres) square feet in area. Tract G however was approved during the PUD platting process as a Condominium Tract.
5. According to AMC § 17.36.080, the maximum land coverage by buildings shall be thirty-five percent. Conformance with this requirement will be reviewed at time of building permit application submittal for the propose residences /condominiums.
6. According to AMC § 17.36.090, the maximum permitted building height in the R2 Zone is thirty-five (35) feet above average original grade. Conformance with this requirement will be reviewed at time of building permit application submittal. No increase in height is proposed.

7. According to AMC § 16.40.09, an amendment to the final development plan concerning minor changes in the location, siting, and height of buildings and structures may be authorized by the Planning Commission without additional public hearing provided no change may cause any of the following:

- A. A change in the use or character of the development

Staff Analysis:

No change in the use or character of Tract G is proposed. Ten single-family residences were permitted in 2015, via a PUD amendment and nine are proposed today.

- B. An increase in the overall coverage of structures

Staff Analysis:

The proposed overall coverage of structures will decrease from the ten (10) single-family residences previously approved to the nine (9) proposed.

- C. An increase in the intensity use

Staff Analysis:

A decrease in the intensity of use is proposed and nine (9) residences are proposed where ten (10) were previously permitted on the subject property.

- D. An increase in the problems of traffic circulation and public utilities

Staff Analysis:

Public utilities are already in place onsite. The traffic circulation will decrease as the number of homes proposed (nine) will decrease from that previously approved (ten).

- E. A reduction in approved open-space

Staff Analysis:

An increase in the approved open-space is proposed as part of the subject PUD amendment. The applicant however proposes increasing the approved open-space from 5984 square feet to 6,154 square feet.

- F. A reduction of off-street parking and loading space

Staff Analysis:

A reduction in off-street parking and loading spaces is not proposed per se as part of the subject PUD amendment. However, the number of single-family

residences proposed will be decrease from ten (10) to nine (9) thereby decreasing off-street parking.

G. A reduction in required pavement widths

Staff Analysis:

The applicant does not propose a reduction in pavement width per se. Common drives must meet fire access requirements. The applicant however proposes reducing impervious surface of the common drive from 6,802 square feet to 5,819 square feet.

8. The subject proposal **is/is not** consistent with the above development regulations.

VI. COMMENTS RECEIVED:

Agency & Department Comments:

Agency /Department comments can be found in **Exhibit 5** hereafter.

Public Comments Received:

To date, no public comments have been received. See **Exhibit 4**.

VII. CONCLUSIONS OF LAW:

1. The Planning Commission bases its Findings of Fact, Conclusions of Law & Decision on the entire record, including all testimony and exhibits. Any finding which would be deemed a Conclusion of Law, and any Conclusion of Law which should be deemed a finding is hereby adopted as such.
2. The proposed PUD amendment as conditioned conforms to the general purpose of the City's Comprehensive Plan, the city's planning standards and specifications of the zoning ordinance, including AMC § 16.40.090 –Amendments to the final development plan.

VIII. PCED RECOMMENDATION:

The Department of Planning, Community, and Economic Development recommend that the subject PUD amendment be approved by the Planning Commission subject to staff's suggested conditions of approval listed below.

IX. DECISION:

Based on the foregoing information and analysis submitted by the applicant, and the City regulatory authority to implement the policies, standards, and the regulations of the Comprehensive Plan and the Anacortes Municipal Code (AMC), the Planning Commission hereby **approves /approves with conditions/or denies** the subject PUD amendment, subject to the following conditions of approval:

CONDITIONS OF APPROVAL:

1. A building permit(s), fill & grade permit, and/or clearing & grading permit shall be secured with the City of Anacortes' Planning/Building Department prior to work beginning.
2. The scope of this project shall not exceed that as described per the subject PUD amendment and in accordance with the determinations made and conditions imposed herein. **Exhibit 1** shall be the approved site plan.
3. Development shall comply with all requirements of the City of Anacortes' Public Works Department (**Exhibit 4**).
4. All utilities associated with the construction of the new single-family residences shall be placed underground.
5. Best management practices (BMP) shall be employed during construction activities associated with the construction of the proposed residences. At time of building permit application submittal, a temporary erosion and sediment control plan / Large Parcel Storm Water Plan shall be submitted per AMC Chapter 13.36.
6. The access road providing ingress and egress to the proposed residences shall not exceed 150 feet in length without conforming to the Public Works Department short cul-de-sac standard.
7. A commercial type garbage dumpster for use by the residents shall be placed on the subject property (Tract G), surrounded by an enclosure, and landscaped per approved plans. The dumpster and pad shall comply with minimum standards per the City of Anacortes' Solid Waste Department. The landowner/applicant shall work with the City of Anacortes' Sanitation Department to locate the commercial type dumpster, pad, enclosure, & landscaping so that it is easily accessible and meets city requirements. Before building permit application submittal, the site plan shall be revised reflecting this and be resubmitted to the Department of Planning, Community, & Economic Development for approval.
8. Before building permit submittal, covenants, conditions, and restrictions (CC&Rs) shall be recorded with the Skagit County Auditor's Office, addressing maintenance of all common areas within the project site (Tract G). A copy of the recorded CC&Rs shall be provided to the City of Anacortes' Department of Planning, Community, and Economic Development for review and approval at time of building permit application submittal.
9. Before building permit application submittal, a USPS approved cluster box unit (CBU) type mailbox shall be installed in a USPS approved location near the project site providing locked mailboxes for each of the proposed 10 residences. The site of the CBU shall also be approved by the City Engineer.
10. Before building permit application submittal or approval, the landowner/applicant shall be responsible for reimbursing the City for the cost of posting, mailing and publication of the meeting for this proposal.

11. The subject PUD amendment supersedes previous PUD amendments to Tract G of Sunset Coves Estates PUD and does not void the original PUD approval.

These Findings of Fact, Conclusions of Law, and Decision were adopted by the City of Anacortes' Planning Commission on **August 10, 2016**, the date signed by the Planning Commission Chair.

Marty Laumbattus, Planning Commission Chair

Date

EXHIBITS:

EXHIBIT NUMBER:	NAME OF EXHIBIT:
Exhibit #1	2016, PUD Amendment Application, Narrative, & Site Plan, to Tract G of Sunset Cove Estates PUD
Exhibit #2	GIS & Assessor's Info
Exhibit #3	Notice of Meeting
Exhibit #4	Public Comments Received
Exhibit #5	Department & Agency Comments Received
Exhibit #6	Vicinity Map of Sunset Cove Development
Exhibit #7	City Council Findings of Fact, Conclusions of Law, and Decision for the Sunset Cove PUD
Exhibit #8	Recorded –Plat Map of Plat of Sunset Cove Estates PUD
Exhibit #9	2005, PUD Amendment to Sunset Cove Estates PUD
Exhibit #10	Planning Commission Minutes, 2005 PUD Amendment to Sunset Cove Estates PUD
Exhibit #11	Site Plan to 2015, PUD Amendment to Sunset Cove Estates PUD (never built)

EXHIBIT #1:

2016, PUD AMENDMENT APPLICATION, NARRATIVE,
& SITE PLAN, TO TRACT G OF SUNSET COVE
ESTATES PUD

City of Anacortes – Planning, Community, and Economic Development
906 – 6th Street, P.O. Box 547, Anacortes, WA 98221-0547

MASTER PERMIT APPLICATION

1. Applicant Contact Person (if different)
- Name: TED Filler _____
- Mailing Address: 3308 Friday Creek Rd. _____
- City, State, Zip: Burlington, WA 98233 _____
- Phone#: 360-661-7574 _____
- Fax#: _____
- E-mail: TEDFILLER1@gmail.com _____
2. Applicant's Interest to Property (check one)
☒ Owner ☐ Contract Purchaser ☐ Lessee ☐ Other (specify) _____
3. All Persons/Firms having an ownership interest in the property:
- Name: GT Investment Properties LLC Phone# 360-661-7574
- Address: 3308 Friday Creek Rd., Burlington WA 98233
- Name: _____ Phone# _____
- Address: _____
- Name: _____ Phone# _____
- Address: _____
4. Property Address TRACT G of Sunset Cove Estate PUD
- General location of property (including nearest intersection): SEC: 21 TWP: 35 RNG: 01 EAST
- NEAR OBSERVATION AVE AND SUNDOWN COURT
- *By submittal of this application, the property owner/applicant grants permission for public officials at the City of Anacortes to enter the subject property, if necessary, for the purpose of site inspection.
5. Attach legal description of property. (If recording of legal description is required, the format MUST comply with Recording Requirements.) 2.15 AC Sunset Cove Estates Condominium TRACT G- COMMON AREA. EXCEPT THAT PORTION AKA PLAT 4989 GAULENS AT SUNSET COVE CONDO PHASE 2 RECORDED UNDER AF#200908040049
6. List all Property Tax Account Numbers involved in this application (Attach separate pages if necessary):
117686
7. Approximate acreage: 2.15 AC 8. Present zoning: R2
9. Present use of property: Gauley Village Homes Condominium, An Amendment TO SUNSET COVE ESTATES PUD

10. Source of water supply and sewer supply: city of Anacondes

11. Permits requested from City:

- | | |
|--|---|
| ☐ Annexation | ☐ Rezone |
| ☐ Boundary Line Adjustment | ☐ Shoreline Exemption |
| ☐ Binding Site Plan | ☐ Shoreline Management Conditional Use Permit |
| ☐ Conditional Use Permit | ☐ Shoreline Management Substantial Development |
| ☐ Comprehensive Plan Amendment | ☐ Shoreline Variance |
| ☒ Planned Unit Development | ☐ Short Plat |
| ☐ Plat Modification | ☐ Special Use |
| ☐ Preliminary Plat | ☐ Variance |

☒ Other: PUD Amendment

12. Explain your request and ALL proposed uses included in this proposal: See ATTACHMENTS
Requesting Amendment under AMC 16.040.090

PLEASE FILL IN ALL APPLICABLE SECTIONS

FOR REZONES:

13. Requested zoning: NA

14. Comprehensive Plan designation: NA

15. Has anyone applied for a rezone of this property within the last five years? NO
If yes, who? _____ Year? _____

FOR SUBDIVISIONS (PLATS):

16. Plat Name: NA

17. Number of Lots: NA

FOR SHORT SUBDIVISIONS (SHORT PLATS):

18. Number of Lots: NA

19. Duplex Lots Proposed: NA

FOR SHORELINE MANAGEMENT SUBSTANTIAL DEVELOPMENT OR CONDITIONAL USE:

20. Total cost or fair market value (whichever is higher) of project (please state total value of all construction finishing work for which the permit will be issued, including all permanent equipment to be installed on the premises): \$ N/A
21. Construction dates for which permit is requested (month & year): Begin: /
End: /
N/A
22. Does the project require a Shoreline/Floodplain location? If yes, please explain why: N/A
23. Water Body: N/A 24. Shoreline Environment Designation: N/A

FOR VARIANCE (ZONING AND SHORELINE):

25. Code sections involved: N/A
26. Description of variance requested: N/A

A notarized affidavit is required to be completed by all persons having an ownership interest in the subject property and the applicant, if different from the property owner(s). If the signatory is not listed as the owner in the title report, or if the signatory is signing on behalf of an entity, documentation authorizing the signatory to sign the affidavit on behalf of the individual or entity shall be provided.

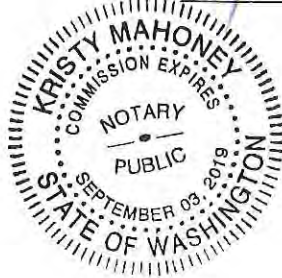
STATE OF WASHINGTON)

) ss

I (we) TED Filler, being duly sworn, depose and say that I am (we are) the **OWNER(s)** of the property involved in this application, and that I (we) have familiarized myself (ourselves) with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my (out) knowledge and belief.

T. Diver Authorized Signatory
Signed: GT Investment Properties LLC
Property Owner

Subscribed and sworn to before me this 9th day of June, 20 16



Kristy Mahoney
Notary Public in and for the State of Anacortes, Washington
residing at Anacortes

STATE OF WASHINGTON)

) ss

I (we) _____, being duly sworn, depose and say that I am (we are) the **APPLICANT(s)** for this application, and that I (we) have familiarized myself (ourselves) with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my (out) knowledge and belief.

Signed: _____
Applicant

Subscribed and sworn to before me this _____ day of _____, 20 _____

Notary Public in and for the State of _____
residing at _____

**GT INVESTMENT PROPERTIES LLC
CERTIFICATE OF AUTHORITY**

I, Gary Filler, a member of GT Investment Properties LLC, a Limited Liability Corporation organized and existing under the laws of the State of Washington, UBI No. 603266613, hereby certify that the following resolution was adopted at a meeting of the members of said Limited Liability Corporation duly held on January 10, 2013.

Resolved, that Ted Filler, as agent of GT Investment Properties LLC is hereby authorized to make, execute, and approve on behalf of this Limited Liability Corporation any and all contracts, applications, amendments and all documents required or associated with the normal business of GT Investment Properties LLC. Further resolved that Ted Filler is hereby authorized to act and represent GT Investment LLC in any and all matters related to the operation of GT Investment LLC. Further resolved that a copy or copies of this Certificate of Authority shall be as valid as the original.

And I do further certify that the above resolution has not been in any way altered, amended, revoked, or repealed and is now in full force and effect.

In witness whereof, I hereunto set my hand this 7th day of June, 2016.



Gary Filler
GT Investment Properties LLC, Member

Garden Village Homes Condominium

Planned Unit Development Site Plan Minor Change Amendment

Presented by
GT Sunset Gardens LLC
Anacortes, WA

We are requesting approval of an amendment and minor change to the final development plan for our Garden Village Homes PUD as described in AMC 16.40.090. The PUD was approved January 14, 2015.

Attached are plans for our Sunset Garden Homes Condominium PUD project. These plans include minor changes that became apparent during the civil engineering study and site requirements. The civil engineering plan shows the location of each planned residence, the utility and roadway design. The overall site plan is intended to give a graphic description of the individual structures, paved surfaces and common area.

The amendment will reduce the number of homes to nine rather than ten. There will be a minor decrease in the structure footprint square footage and a decrease in the common drive square footage. The community common area remains substantially the same, but is re-sited for better access to all the members of the condominium. All units will now have two car garages as well as two car off street parking.

There are no changes that modify the character, intensity or use of the development. The open space has been increased. Traffic and parking allocations have been enhanced by minor changes to the siting and location of the structures. The common drive width has not been modified. There are no changes to the traffic circulation or public utilities.

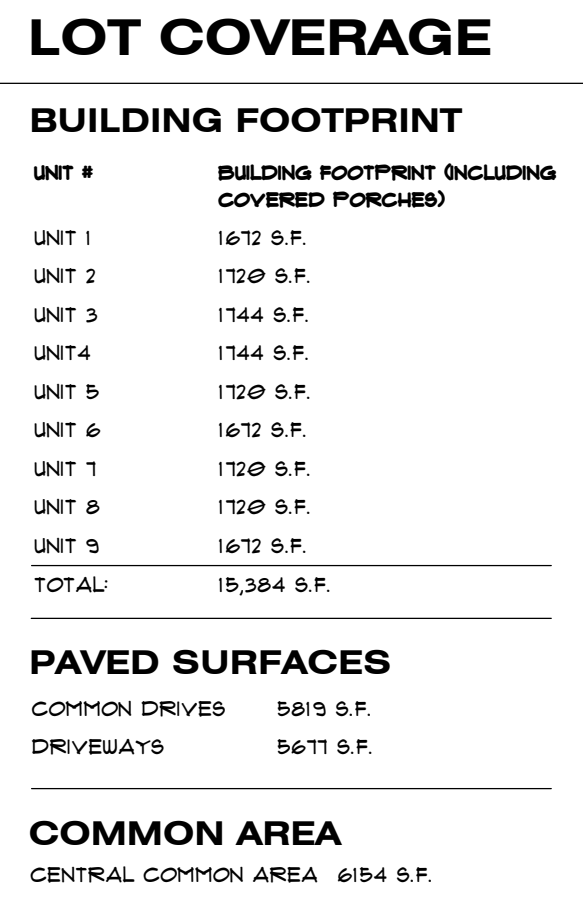
The setback minimum of 20 feet to the outer property line is unchanged. The minimum of 15 foot separation between units is maintained.

	Proposed 9 Units	Previous 10 Units
Tract G	73,861 sqft	73,861 sqft
Building Footprint	15,384 sqft	15,761 sqft
Common Drive	5,819 sq ft	6,802 sqft
Community Common Area	6,154 sq ft	5,984 sqft

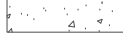
The modified design improves and extends the original concept of a Sunset Village by providing large multi-family units (The Crest - 3 three story buildings, 18 units), medium multi-family, (The Gardens - 2 two story four-plex buildings, 8 units) and individual residence homes.

Sincerely,

Ted Filler
GT Sunset Gardens, LLC.



LEGEND

	PAVED COMMON DRIVE
	PAVED DRIVEWAY
	CENTRAL COMMON AREA
	BUILDING SETBACK

THE GARDENS AT SUNSET COVE

SITE ADDRESS: 6116 SOUTH CAMPBELL LAKE ROAD
ANACORTES, WASHINGTON
PARCEL #: P73049

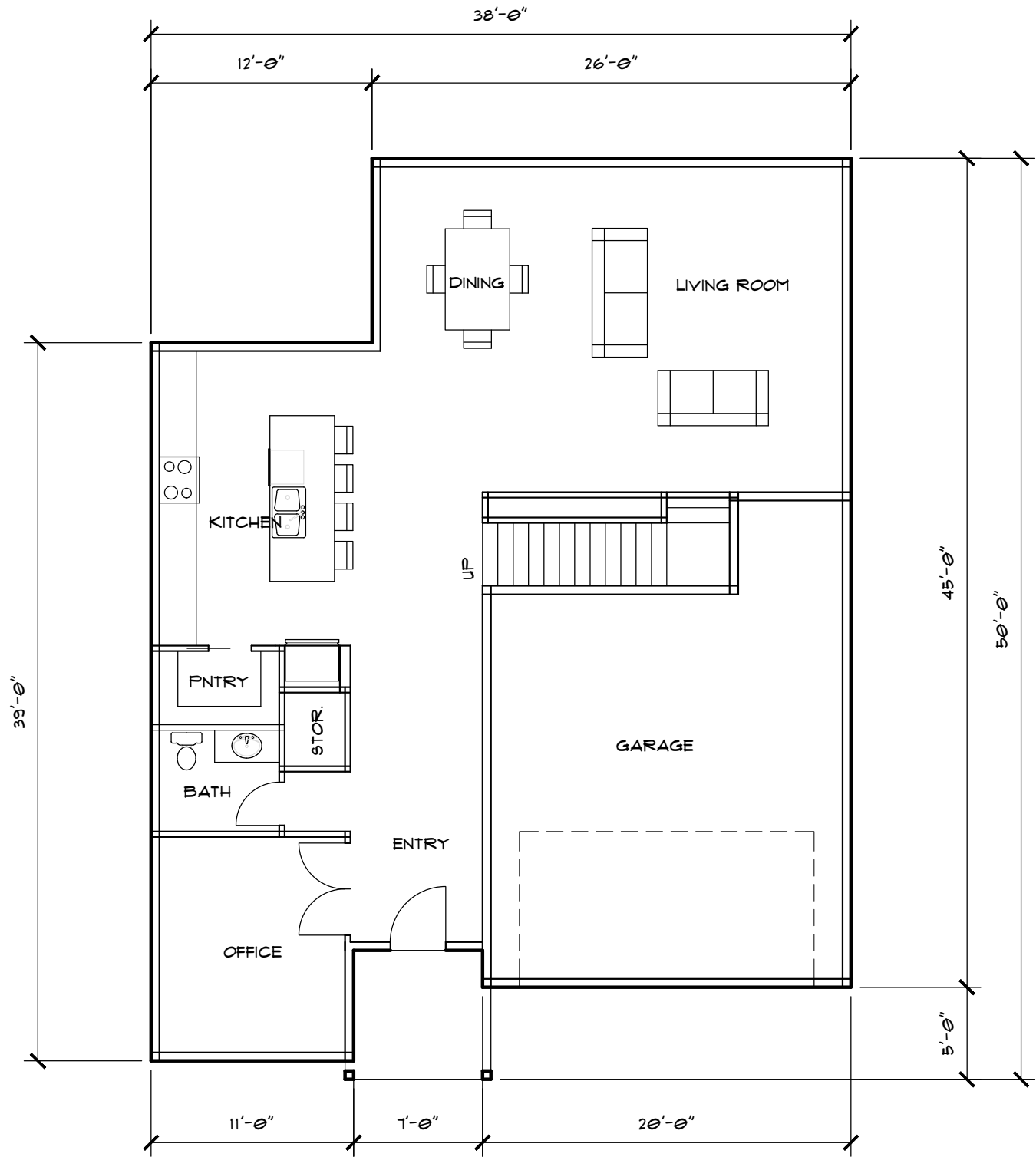
PAGE DESCRIPTION:

OVERALL SITE PLAN

DRAWN BY JAD
SCALE 1" = 20'
JD JOB#
DATE 02/24/2016

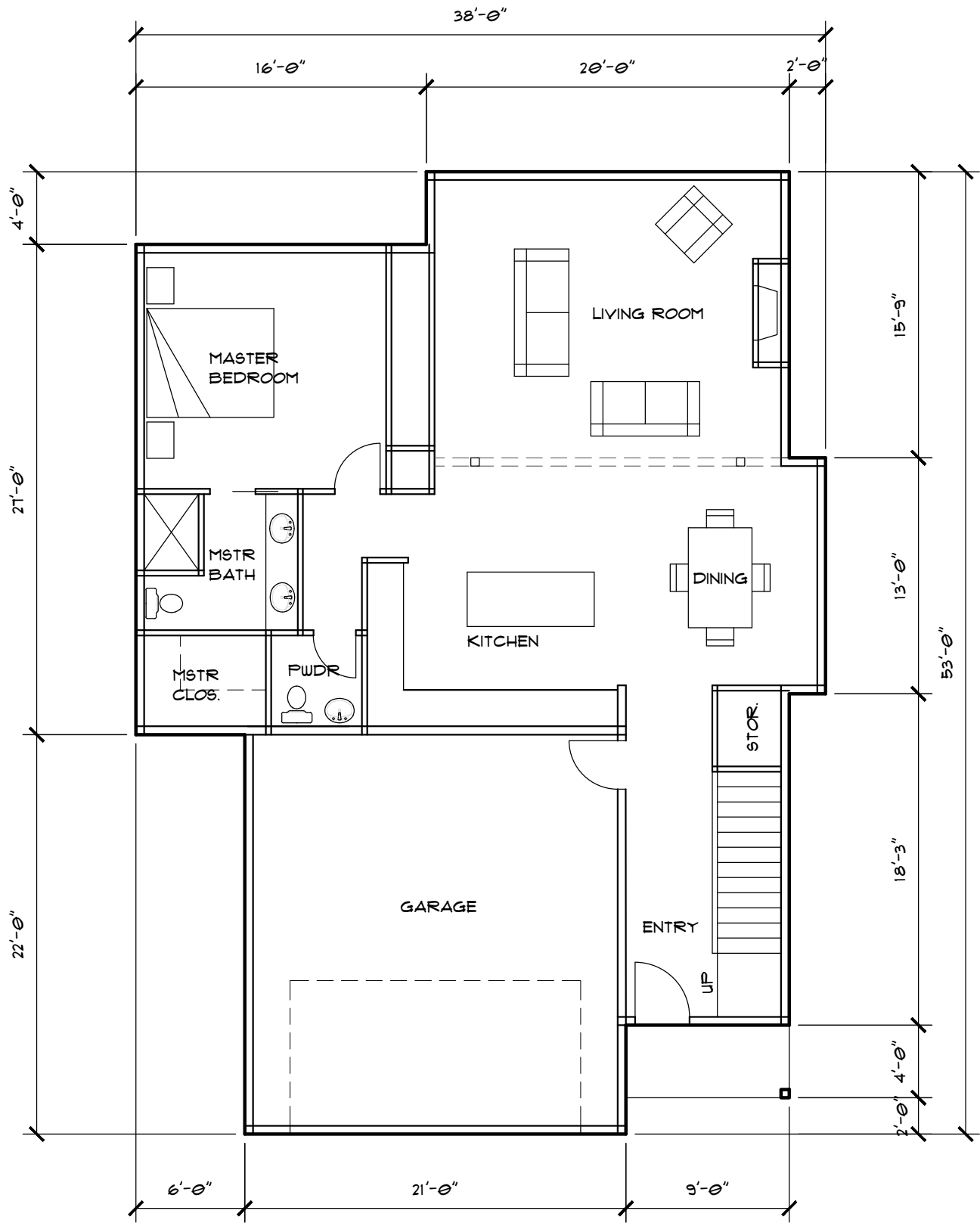
REVISIONS
05/16/2016
07/25/2016

A1



MAIN FLOOR PLAN DESIGN 'A'

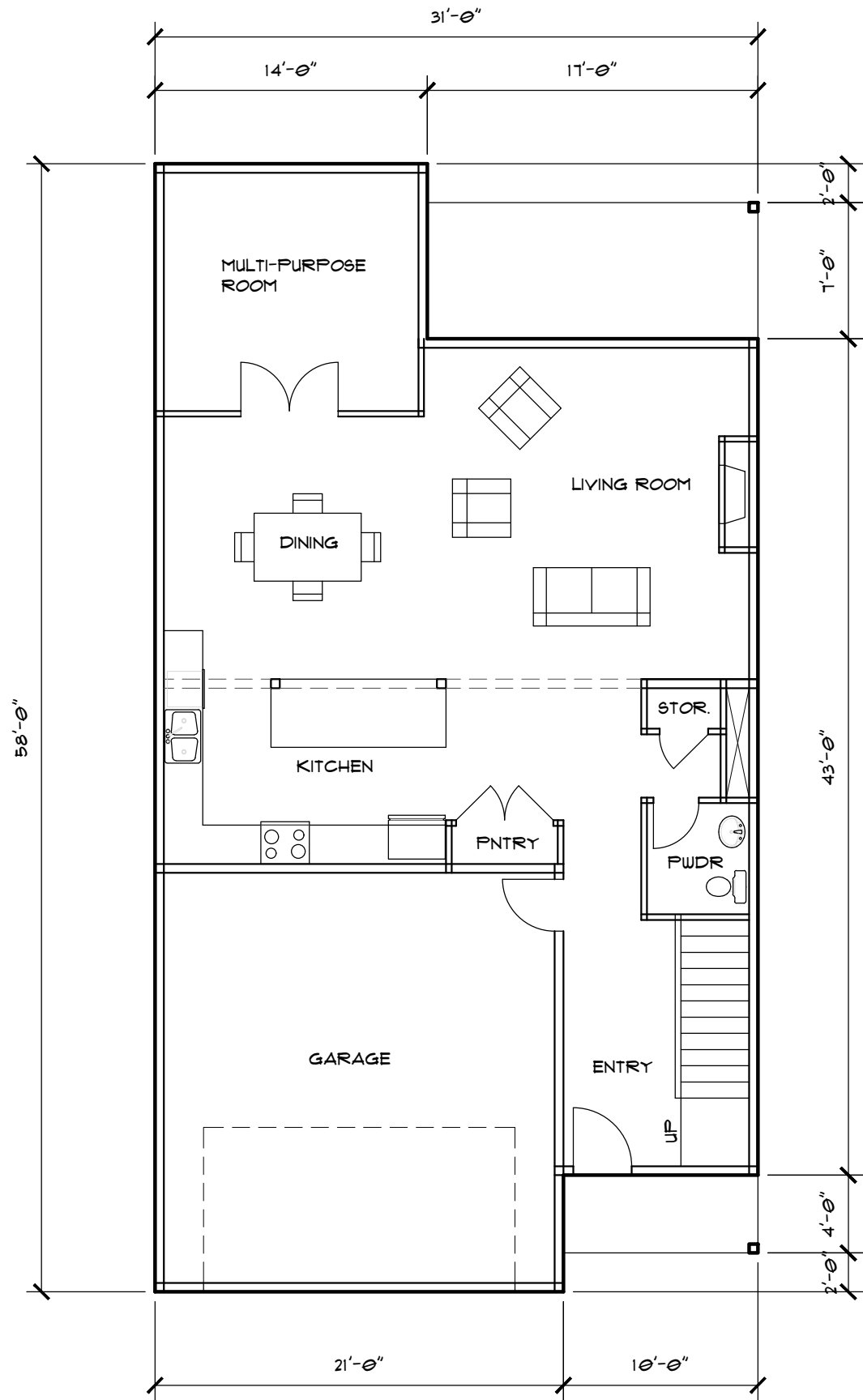
SCALE: 1/8" = 1'-0" 38' x 50'
1672 S.F. FOOTPRINT



MAIN FLOOR PLAN DESIGN 'C'

SCALE: 1/8" = 1'-0" 38' x 53'
1720 S.F. FOOTPRINT

GARDENS CONCEPT
DESIGN 'B'

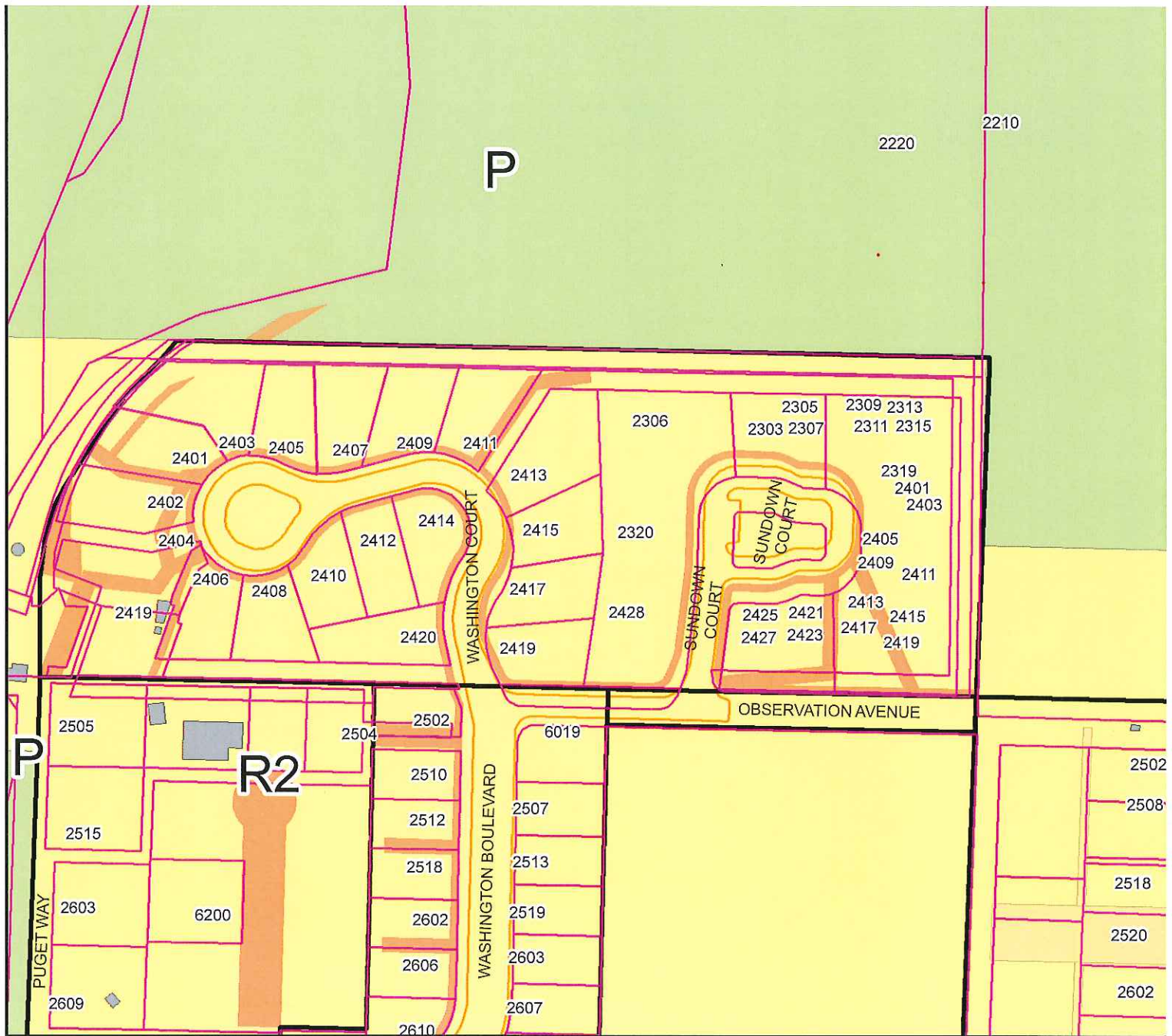


MAIN FLOOR PLAN DESIGN 'B'

SCALE: 1/8" = 1'-0" 31' x 58'
1744 S.F. FOOTPRINT

EXHIBIT #2:

GIS & ASSESSORS INFO



0 112.5 225 Feet

City of Anacortes Utilities

Parks also



Revised
July 2016

County Parcel Data	Zone
Plats	AZ
Encroachments	C
Easements	CBD
Vacations	CM
Out Buildings	CM1
Paved Streets	CM2
	HM
	I
	LM
	LM1
	MS
	P
	R1
	R2
	R3
	R4
	R4A
	R4B



Legend

- City Limits
- County Parcel Data
- Right of Way
- Parcel Lines City
- Section Lines
- Plots
- Encroachments
- Easements
- Vacations
- Buildings
- Backflows
- Rectifiers
- Monument
- Paved Streets
- PIV_FDC
- Cathodic Protection
- Water Tank
- Fire Hydrant
- Air Release Valve
- Water Blow Off
- Pressure Relief Valve
- Water Meter
- Water Valve
- Water Drain
- PRV Segment
- WARV Segment
- FH Segments
- Water Pipe Segments
- Water Firelines
- Water Service line

This map was created from available public records and existing map sources. Not from field surveys. Map features from all sources have been adjusted to achieve a "best fit" registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. The relative positioning of map features to one another results from combining different map sources without field "ground-truthing".

Details for Parcel: P117686



Jurisdiction: ANACORTES
Please contact the city of **ANACORTES** for ANACORTES zoning information.

Zoning Designation:

[Recorded Documents](#)

[Excise Affidavits](#)

Documents scanned and recorded by the Auditor's office

Document scans of excise affidavits

Parcel Number	XrefID	Quarter	Section	Township	Range
P117686	4771-000-999-0600	03	21	35	01
Owner Information	Site Address(es)	Map Links			
GT INVESTMENT PROPERTIES LLC	SUNDOWN COURT	Open in iMap			
3308 FRIDAY CREEK RD	Anacortes, WA (Jurisdiction, State)	Assessor's Parcel Map:			
BURLINGTON, WA 98233	Zip Code Lookup Site Address Information	PDF DWF			
2015 Values for 2016 Taxes*	Sale Information	2016 Property Tax Summary			
Building Market Value \$.00	Deed Type QUIT CLAIM DEED	2016 Taxable Value	\$.00		
Land Market Value +\$.00	Sale Date 2013-08-23	General Taxes	\$.00		
Total Market Value \$.00	Sale Price \$.00	Special Assessments/Fees			
Assessed Value \$.00		Total Taxes	\$.00		
Taxable Value \$.00					

* Effective date of value is January 1 of the assessment year (2015)

Legal Description [Definitions](#)

2.15 ac SUNSET COVE ESTATES, , CONDOMINIUM TRACT G, COMMON AREA, EXCEPT THAT PORTION AKA PLAT NO. 4989 GARDENS AT SUNSET COVE CONDO PHASE 2 RECORDED UNDER AF#200908040049.

*Land Use	(140) CONDO RESIDENTIAL		WAC 458-53-030	
Neighborhood	(23ACONDO2) ANACORTES CONDO UPPER			
Levy Code	0900	Fire District		
School District	SD103	Exemptions		
Utilities		Acres	2.15	
Improvement 1 Attributes Summary				
Building Style	SINGLE FAMILY RESIDENCE			
Year Built		Foundation		
Above Grade Living Area		Exterior Walls		
Finished Basement		Roof Covering		
*Total Living Area		Heat/Air Conditioning		
Unfinished Basement		Fireplace		
*Total Garage Area		Bedrooms		
Bathrooms				
For additional information on individual segments see Improvements tab				

* Land Use codes are for assessment administration purposes and do not represent jurisdictional zoning. Please contact the appropriate planning department in your jurisdiction for land use questions.

* Total living area includes above grade living area and finished basement area.

* Garage square footage includes all garage areas; basement garages, attached garages, detached garages, etc.

Assessment data for improvements is based on exterior inspections. Please contact the Assessor's office if the information does not accurately reflect the interior characteristics.

EXHIBIT #3:

NOTICE OF MEETING



NOTICE OF MEETING:

NOTICE IS HEREBY GIVEN that the Anacortes Planning Commission will have a meeting at **6:00 PM on Wednesday, August 10, 2016**, in City Council Chambers located at 904 6th Street to consider the following application:

Applicant: Ted Filler, GT Investment Properties, 3308 Friday Creek Road, Burlington, WA 98233

Project Location: Tract G of Sunset Coves Estates PUD (located near Observation Avenue & Sundown Court)

Description: An amendment to an existing Planned Unit Development (PUD) to create 9 single-family residences (known as: Garden Village Homes Condominiums) within Tract G of Sunset Cove Estates PUD thereby replacing the previously approved 10 single-family residences on the subject property/tract.

City Council Meeting: Not applicable /required.

Existing Environmental Documents: Not applicable/required.

Public Comment Period: Any person may provide comment on this application. Written comments should be submitted by **July 20, 2016, 5:00 PM** to the City of Anacortes Department of Planning, Community & Economic Development Department (PCED), P.O. Box 547, Anacortes, WA 98221, but will be accepted up to the close of the meeting.

How to Become a Party of Record: Any person may comment on the PUD amendment application by submitting written testimony, including a USPS return mailing address, to the project contact listed below, or by testifying at the public meeting. If reasonable accommodation due to a disability is needed, please contact Cherri Kahns at 299-1950 48 hours prior to the meeting date.

The application and complete case file are available for review at the City of Anacortes' Department of Planning, Community, and Economic Development located at 904 6th Street, Anacortes, WA 98221.

Project Information: For project information, please contact: Kevin Cricchio, AICP, Associate Planner, City of Anacortes, Phone: (360) 630-6270, Email: kevinc@cityofanacortes.org

Published in the Anacortes American Newspaper: **Wednesday, July 6, 2016**

EXHIBIT #4:

PUBLIC COMMENTS RECEIVED

No public comments have been received to date regarding the subject PUD amendment.

EXHIBIT #5:

DEPARTMENT & AGENCY COMMENTS RECEIVED

Cricchio, Kevin

From: handzlik@skagitpud.org
Sent: Thursday, June 30, 2016 5:34 PM
To: Cricchio, Kevin
Subject: Fw: PUD Amendment to Sunset Cove's Tract G, PLN-2016-1005
Attachments: Combined Sunset Cove PUD Amendment, PUD-2016-1005.pdf

Kevin,

Thank you for submitting this for our review. The District does not provide utility service in this area. Therefore we have not comment on the attached proposed PUD amendment.

Sincerely,

Mark Handzlik
Assistant Engineering Manager



1415 Freeway Drive
PO Box 1436
Mount Vernon, WA 98273

P. (360) 848-2170
F. (360) 424-8764
E. Handzlik@skagitpud.org
W. www.SkagitPUD.org

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----- Forwarded by Mark Handzlik/Skagitpud on 06/30/2016 05:32 PM -----

From: Kim Carpenter/Skagitpud
To: "Cricchio, Kevin"
Date: 06/29/2016 08:51 AM
Subject: Re: PUD Amendment to Sunset Cove's Tract G, PLN-2016-1005

Mr. Cricchio

The District is in receipt of your email dated 6/29 regarding the above referenced subject.

Your email has been forwarded to our Engineering Department for response.

Should you require further assistance, please contact us.

Kim

Kim Carpenter
Executive Assistant/Clerk of the Board
(360) 848-4460
Kim.Carpenter@skagitpud.org

From: "Cricchio, Kevin"
To: Development Review Group, "stormer@wsdot.wa.gov", "Doug.Thompson@dfw.wa.gov", "TeamMillCreek@dfw.wa.gov", "Bob.Fritzen@ecy.wa.gov", "Kaehler, Gretchen (DAHP)", "brandonb@co.skagit.wa.us", "dalep@co.skagit.wa.us", "ddigges@skagittransit.org", "bobh@mountvernonwa.gov", "Miller,

Mark", "lcampbell@swinomish.nsn.us", "thyatt@skagitcoop.org", 'Todd Woodard', 'Jackie Ferry', "sschuyler@UPPERSKAGIT.com", Sarah Tchang ,
"masmundson@nwcleanair.org", "PUD@skagitpud.org", "vwellington@asd103.org", "McCammant, Ted", "teresa.loop@pse.com", "jane.major@pse.com"
Date: 06/29/2016 08:30 AM
Subject: PUD Amendment to Sunset Cove's Tract G, PLN-2016-1005

6-29-16

RE: PUD Amendment to Sunset Cove's Tract G, PLN-2016-1005

Hello all. Attached is an application and site plan for a PUD amendment to the Sunset Cove's Tract G. In 2015, a PUD amendment was permitted to permit 10 single-family residences on Tract G. The applicant now wishes to permit 9 single-family residences on Tract G instead of 10. Please provide any conditions of approval /requirements to me by **5:00 PM on July 20, 2016**. Thank you.

Kevin Cricchio, AICP
Associate Planner
Department of Planning, Community, & Economic Development
City of Anacortes
(360) 630-6270



Development Review Group (DRG)

Name of Applicant: GT Investment Properties LLC

Brief Description: PUD Amendment to Sunset Cove PUD's Tract G, PLN-2016-1005

Please initial if approved and/or include your comments:

Street Department: B.L.

Comments:

OK

Water Department: TSN

Comments:

OK

Solid Waste: mk

Comments:

OK

Sandi Andersen: SJA

Comments:



Anacortes Planning, Community & Economic Development Dept.

Permit Center

P.O. Box 547, Anacortes, WA 98221-0547

Don Measamer, *Director of Planning, Community and Economic Development*

PH (360) 293-1901

FAX (360) 293-1938

DEPARTMENT / AGENCY COMMENT FORM:

June 28, 2016

Project Name: **PUD Amendment to Sunset Cove PUD's Tract G, PLN-2016-1005**

From: Kevin Cricchio, AICP, Associate Planner; City of Anacortes; 904 6th Street; P.O. Box 547, Anacortes, WA 98221; Phone: (360) 630-6270; Email: kevinc@cityofanacortes.org

Description of Subject Proposal:

PLN-2016-1005: The applicant recently submitted for a PUD amendment to Tract G of Sunset Cove PUD to permit the construction of 9 single-family residences (on Tract G) which currently is approved for 10 single-family residences. The project site is zoned R2. Please review the attached application material and provide me with any conditions of approval by Wednesday, July 20, 2016.

Applicant / Landowner:

GT Investment Properties LLC
3308 Friday Creek Road
Anacortes, WA 98221

Conditions &/or Requirements:

NO ADDITIONAL COMMENTS FROM PREVIOUSLY APPROVED 10-LOT.

Signature:

STEVEN LANGE

Date:

07.11.16

Dept. / Agency Name:

ENGINEERING



Development Review Group (DRG)

Name of Applicant: GT Investment Properties LLC

Brief Description: PUD Amendment to Sunset Cove PUD's Tract G, PLN-2016-1005

Please initial if approved and/or include your comments:

Street Department: B.L.

Comments:

OK

Water Department: DSN

Comments:

ok

Solid Waste: mk

Comments:

OK

Sandi Andersen: SJA

Comments:

Cricchio, Kevin

From: handzlik@skagitpud.org
Sent: Thursday, June 30, 2016 5:34 PM
To: Cricchio, Kevin
Subject: Fw: PUD Amendment to Sunset Cove's Tract G, PLN-2016-1005
Attachments: Combined Sunset Cove PUD Amendment, PUD-2016-1005.pdf

Kevin,

Thank you for submitting this for our review. The District does not provide utility service in this area. Therefore we have not comment on the attached proposed PUD amendment.

Sincerely,

Mark Handzlik
Assistant Engineering Manager



1415 Freeway Drive
PO Box 1436
Mount Vernon, WA 98273

P. (360) 848-2170
F. (360) 424-8764
E. Handzlik@skagitpud.org
W. www.SkagitPUD.org

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----- Forwarded by Mark Handzlik/Skagitpud on 06/30/2016 05:32 PM -----

From: Kim Carpenter/Skagitpud
To: "Cricchio, Kevin"
Date: 06/29/2016 08:51 AM
Subject: Re: PUD Amendment to Sunset Cove's Tract G, PLN-2016-1005

Mr. Cricchio

The District is in receipt of your email dated 6/29 regarding the above referenced subject.

Your email has been forwarded to our Engineering Department for response.

Should you require further assistance, please contact us.

Kim

Kim Carpenter
Executive Assistant/Clerk of the Board
(360) 848-4460
Kim.Carpenter@skagitpud.org

From: "Cricchio, Kevin"
To: Development Review Group, "stormer@wsdot.wa.gov", "Doug.Thompson@dfw.wa.gov", "TeamMillCreek@dfw.wa.gov", "Bob.Fritzen@ecy.wa.gov", "Kaehler, Gretchen (DAHP)", "brandonb@co.skagit.wa.us", "dalep@co.skagit.wa.us", "ddigges@skagittransit.org", "bobh@mountvernonwa.gov", "Miller,



Anacortes Planning, Community & Economic Development Dept.

Permit Center

P.O. Box 547, Anacortes, WA 98221-0547

Don Measamer, Director of Planning, Community and Economic Development

PH (360) 293-1901

FAX (360) 293-1938

DEPARTMENT /AGENCY COMMENT FORM:

Date: November 17, 2014

To: Kevin

Please return this comment form
& your comments by:

November 24, 2014

From:	Type of Permit:
Kevin Cricchio, AICP	DRG Meeting: ☒
Associate Planner	Short Plat: ☐
City of Anacortes	Variance: ☐
904 6 th Street, PO Box 547	Plat /PUD: ☐
Anacortes, Washington 98221	Shoreline Permit: ☐
(360) 299-1969	

Description of Subject Proposal:

DRG Meeting (PRE-2014-045): This DRG meeting concerns a proposed site layout for improvements on Phase 3 of Tract G, Sunset Cove Estates, Sundown Court. The proposal creates Garden Village Homes Condominiums. The development will reduce the # of residences from the present allocation of 16 dwelling units (4 four-plexes) to 10 individual residences. Underling zone is R2. The DRG meeting is scheduled for **2:00 PM on Tuesday November 25, 2014.**

Applicant: Ted Filler
GT Investment Properties, LLC
3308 Friday Creek Road
Burlington, WA 98233

Agent:

Comments &/or Requirements:

*** SEE ATTACHED.**

Print Name: STEVEN LANGE
Signature: [Signature]

Dept./Agency Name: ENGINEERING
Date: 11.20.14



ANACORTES PUBLIC WORKS DEPARTMENT

Steven Lange, Project Manager

P.O. BOX 547, ANACORTES, WA 98221

E-MAIL: stevel@cityofanacortes.org

PH(360) 293-1920

FAX(360) 293-1938

Memo

Date: November 25, 2014

To: Don Measamer

From: Steven Lange, Public Works Engineering

Subject: Proposed 10-units at Sunset Cove (Tract G) - Filler

cc: Eric Shjarback, Kevin Cricchio

The Engineering Department has reviewed the submitted documents for the November 25, 2014 Development Review Meeting and makes the following comments and or recommendations.

It is understood that this meeting was general in nature and may require a pre-application meeting before moving the proposed project forward when more information is available.

Attached is an area vicinity map that shows the known City of Anacortes Utilities in the area.

Zoning:

- This property is located within the R2 Zone

Subdisivison:

- It is not clear as to the type of Subdivision that is proposed for Tract G. Appears to be a Planned Unit Development?

Critical Areas:

- Contact the Planning Department regarding Critical Areas requirements.

Mapping:

- See attached: vicinity maps on 8 ½ x 11(N.T.S.)

Permits:

- Right-of-Way Permit for work being performed Inside and Outside the Traveled Way. (See attached)
- Encroachment agreements are required for any encumbrances within the Public Right-of-Ways and Easements. (See attached.)



- Water • Wastewater • Streets • Storm Drainage • Engineering • Solid Waste
- Transportation • Equipment • Capital Projects • Development Services

- Contact the City of Anacortes Planning Department for additional permitting requirements.

City of Anacortes Development Standards:

- The 2011 Development Standards can be found on-line at www.cityofanacortes.org. If the Engineer of Record needs any COA Standard Details in AutoCAD format, they can email me at stevel@cityofanacortes.org and request a CD. This CD will be mailed to a provided address.
- It is requested that the Designated Representative for the project schedule a meeting with the Public Works Engineering Department to go over the Required Submittal Checklist. (*See attached.*) This checklist will be modified for the project.

Sewer:

- For additional Sewer information and design criteria, see the 2011 EDS Standards, Chapter 5 – Sanitary Sewer.
- There are 4 side sewers services available to Tract G.
- City records do not indicate the size of each side service. Owner will need to verify.
- Each side service is allowed 3-connections and still remain private, if 6-inch. If 4-inch, this project will need to install additional service connections.

Storm:

- For additional Storm information and design criteria, see the 2011 EDS Standards, Chapter 4 – Storm Drainage.
- There is storm sewer available at the property.
- This project is required to provide a Large Parcel Storm Water Plan for land disturbance greater than 5,000 SF.
- This project is required to provide a Water Quality Plan.
- This project is required to provide a Storm Water Quantity Plan.
- This project is required to provide a Construction Stormwater Discharge Permit for land disturbing activities of 1-acre or more.

Traffic:

1. No street lighting required for this proposal.
2. Project will be required to submit a Traffic Control Plan.
3. Pedestrian facilities are available and do not need to be constructed as part of this project.



- Water • Wastewater • Streets • Storm Drainage • Engineering • Solid Waste
- Transportation • Equipment • Capital Projects • Development Services

Street: (Sundown Court)

- Frontage improvements are all constructed.
- There are broken sidewalk panels that will need to be replaced along the frontage of this property.

Street: (Internal - Private)

- Anacortes Municipal Code – Section 16.20.060 – Streets and Roads.

To assure consistent levels of safety for all city residents and develop an integrated street system, all development standards, including the rights-of-way of all platted private roads, shall be consistent with requirements for similar public roads, and grades shall not exceed maximums set for dedicated roadways. This will also assist in maintaining consistent levels of infrastructure quality in the event any private road is taken over by the city in the future. Platted private roads shall be maintained by a property owners' association.

- Anacortes Municipal Code – Section 16.32 – Short Cul-de-Sac standard applies to this scenario.
- Design to be determined

Garbage:

- Pick up will be at curb side in Sundown Court.
- Additional questions regarding Sanitation collection, Contact Matt Koegel at 360.293.1921.

Water:

- This property is serviced by multiple water services via an 8-inch Ductile Iron water pipe.

Fire Coverage:

- This property has existing fire coverage via FH#716.
- Based on the type of building to be constructed, the Fire and Building Departments may require additional methods for fire coverage.
 - Fire Department: Jack Kennedy (Assistant Fire Chief) – 360.293.1925.
 - Building Department: Paul Ingalls (Plans Examiner/Inspector) 360.293.1901.

Utility Companies:

- (See attached contact information.)



- Water • Wastewater • Streets • Storm Drainage • Engineering • Solid Waste
- Transportation • Equipment • Capital Projects • Development Services

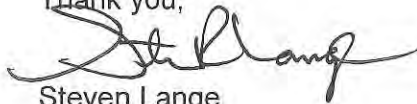
Fees:

- See the Planning and Building Department for fees related to building permits.
- Per AMC 15.24.010 this project is subject to Engineering Fees for Plan Review and Construction Inspection.
 - 0.5% = Plan Review. Based on the approved Estimated Construction amount.
 - 1.5% = Construction Inspection. Based on the approved Estimated Construction amount.
 - Engineering Plan Review and Construction Inspection Fee form attached.

Other:

- Improvements shall be designed by a Professional Engineer, licensed in the State of Washington.
- Provide an Erosion Control Plan.
- Provide a Traffic Control Plan (Current MUTCD Manual) prior to any construction taking place for approval by the City of Anacortes City Engineer.
- Improvements are subject to a 2-year Maintenance Bond in the amount of 10% of the actual construction costs.
- Contractor shall be licensed by the State of Washington and hold a City of Anacortes Business License.

Thank you,



Steven Lange
Project Manager



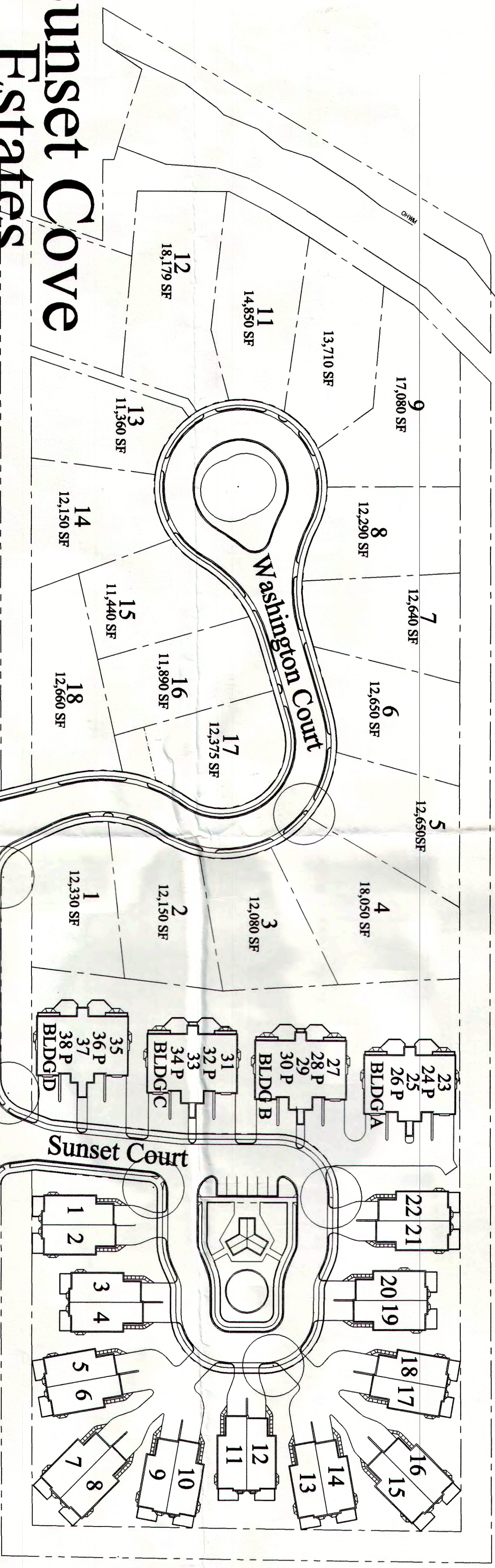
- Water • Wastewater • Streets • Storm Drainage • Engineering • Solid Waste
- Transportation • Equipment • Capital Projects • Development Services

EXHIBIT #6:

VICINITY MAP OF SUNSET COVE DEVELOPMENT

Sunset Cove Development

Sunset Cove Estates (18 view lots)



Sunset Village Condominium (38 individual units)

Washington Park Estates 34 Individual lots

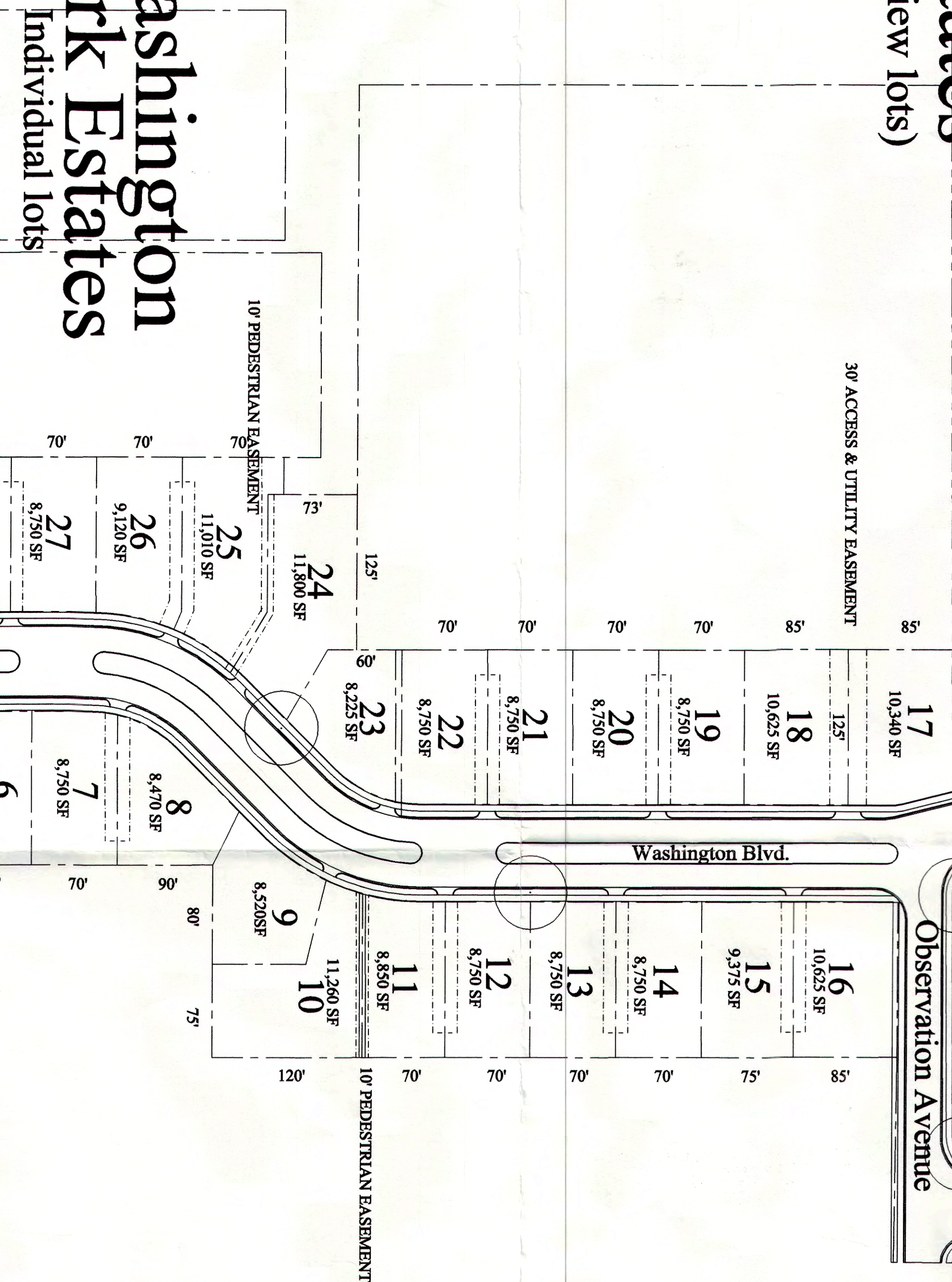




EXHIBIT #7:

CITY COUNCIL FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND DECISION
FOR THE SUNSET COVE PUD

**FINDINGS OF FACT AND CONCLUSIONS OF LAW AND
DECISION THEREON ON WILLIAM SURYAN'S PROPOSAL FOR THE
SUNSET COVE PLANNED UNIT DEVELOPMENT**

Adopted by City Council

1.0 General Background

- 1.1 In February 1988, the City of Anacortes issued a draft environmental impact statement (DEIS) which identified and evaluated potential environmental impacts of the Sunset Cove Planned Unit Development (PUD) proposed for construction in the Shannon Point area of Anacortes, Washington. A final EIS (FEIS) for the proposed Sunset Cove PUD was issued in March 1988. The Sunset Cove PUD application was subsequently denied by the City of Anacortes. Reasons for denial included the finding that proposed development densities, density bonus point calculations, and the provision of open space were not specific in relation to the PUD approval process and did not meet provisions in the city zoning code and subdivision ordinance. Additionally, efforts to meet public shoreline access requirements as stated in the City of Anacortes Shoreline Master Plan were not specified in the original proposal. Since the 1988 PUD application, the proposed PUD has been redesigned to incorporate stipulations and requirements contained in the City of Anacortes zoning, subdivision, and shoreline management regulations.
- 1.2 The 1988 proposal called for the development of an 81-unit PUD, consisting of 36 single-family detached dwelling units and 45 condominium units housed in three buildings. The density of the original PUD was to be 5.63 dwelling units per acre, which was a 40% increase over the density allowed in a standard subdivision (four units per acre).
- 1.3 Under this 1992 proposal, a total of 71 dwelling units and associated recreation and support facilities would be constructed on approximately 15.39 acres located on the buildable upland portion of the 21.48-acre Sunset Cove site. The project would be developed in three divisions as determined by market demand. Division 1 would consist of 18 detached single-family dwelling units on individual lots. Division 2 would consist of 26 attached single-family units in duplex buildings on individual lots. Division 3 would consist of 27 multi-family units located in two three-story buildings with elevators. Total allowable density has been determined from a base density of 59.8 units (14.70 acres of RL acreage with four units per acre, and .69 acre of P acreage with one allowable unit), plus a 35% density bonus granted for open space reservation, site design, and landscaping. Under the present application, 80.73 units could be allowed; however, 71 units are proposed. Although a 35% density bonus is permitted, an 18% increase is proposed.
- 1.4 The applicant is to provide the public with regulated public access across the Harker property, down a stairway or other

satisfactory beach access route, along the abandoned railroad right-of-way for the length of the project site, and to the shore and tideland areas owned by the applicant.

- 1.5 Pursuant to Chapter 16.40(d) of the City of Anacortes Subdivision Ordinance the Planning Coordinating Committee reviewed preliminary plans and sketches and basic site information on the proposed Sunset Cove Planned Unit Development (hereinafter "Sunset Cove") at a June 3, 1992 meeting. At this June 3rd meeting the Committee attached conditions 8-13 (see pages 13, 14). The Committee reached no conclusion and makes no recommendation on the proposed density bonus requested by the applicant.
- 1.6 After that June 3 meeting, the applicant was informally advised as to changes sought by City staff in order to bring the proposal closer to general development objectives and City policies in the area. Section 16.40(d) and Section 16.40(e).
- 1.7 The formal preliminary application submitted to the Planning Coordinating Committee was accompanied by the following written documents:
 - (a) a Supplemental Environmental Impact Statement (SEIS)---Exhibit 1
 - (b) a project summary, including legal description---Exhibit 2
- 1.8 At the June 3, 1992 meeting, the Planning Coordinating Committee determined that the preliminary development plan included the following:
 - A legal description of the total site proposed for development, including a statement of present and proposed ownership and present and proposed zoning.
 - A statement of objectives to be achieved by the PUD through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
 - A development schedule indicating the approximate date when construction of the PUD or stages of the PUD can be expected to begin and be completed.
 - A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the PUD, such as land areas and dwelling units.
 - Quantitative data for the following: total number and type of dwelling units; parcel size; proposed lot coverage of buildings and structures; approximate gross and net residential densities; total amount of open space (including a separate figure for usable open space); total amount of nonresidential construction

(including a separate figure for commercial or institutional facilities); economic feasibility studies or market analysis where necessary; and other studies as required by the Planning Director.

- If the proposed site is within shoreline management jurisdiction an application for Shoreline Substantial Development Permit, and any other permits required, shall be filed.
- An Environmental Checklist or Environmental Impact Statement as required by the City's SEPA Ordinance.
- Site Plan and Supporting Maps. A site plan and any maps necessary to show the major details of the proposed PUD must contain the following minimum information:
 - The existing site conditions including contours at five foot intervals, water courses, unique natural features and forest cover.
 - Proposed lot lines and plot designs.
 - The location and floor area size of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, density per type and nonresidential structures, including commercial facilities.
 - The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites and similar public and semi-public uses.
 - The existing and proposed circulation system of arterial, collector and local streets including off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way (including major points of ingress and egress to the development). Notations of proposed ownership, public or private, should be included where appropriate. (Detailed engineering drawings of cross sections and street standards should be handled in the final development plan stage.)
 - The existing and proposed pedestrian circulation system, including its interrelationships with the vehicular circulation system, indicating proposed treatments of points of conflict.
 - A general landscape plan indicating the treatment of materials used for private and common open spaces. (This landscape plan should be in general schematic form at this stage.)
 - Enough information on land areas adjacent to the proposed PUD to indicate the relationships between the proposed development and existing and proposed adjacent areas, including land uses, zoning classifications, densities, circulation systems, public facilities, and unique natural features of the landscape.

- The proposed treatment of the perimeter of the PUD, including materials and techniques used such as screens, fences, and walls.
- Any additional information as required by the Planning Director necessary to evaluate the character and impact of the proposed PUD.
- Outline provisions for maintenance of common open space and/or common property.
- Information on all of the land intended to be included in the application. (Where projects are developed in stages, formal application can only be considered for the stage for which the above materials have been presented. Sketch plans including the bare essentials, land uses, densities, site design, adjacent uses, circulation, should be submitted for the remaining lands to be developed in future stages of the project even though they are not under consideration for approval at this time.)"

Anacortes Subdivision Ordinance Section 16.40(e)

1.9 At the June 3, 1992 meeting the Planning Coordinating Committee determined that the proposed development meets the minimum requirements for approval, and generally conforms to the intent of this Ordinance and the Comprehensive Plan. However, the Committee made no recommendation on the density bonus applied for.

1.9.1 The Committee determined that economic feasibility or market analysis was not necessary for this project.

1.9.2 The Planning Director determined that studies other than those already undertaken for this project were not required.

1.10 As the application was determined to have met the minimum requirements, it was processed and a public hearing held by the Planning Commission on June 10, 1992. Notice of such hearing was in accordance with Section 17 of the City Zoning Ordinance, and as detailed in Section 5.0 infra.

1.11 The proposed PUD is to be constructed in an area designated in the City of Anacortes Comprehensive Land Use Plan as Residential Low Density/"Residential Low".

1.12 The proposed PUD is to be constructed in an area designated in the City of Anacortes Zoning Ordinance as Residential Low Density/"Residential Low" where minimum lot size is 7,500 square feet unless a Planned Unit Development Permit is secured.

2.0 Description of the Project

2.1 The applicant is proposing to use Chapter 17.44 of the City of Anacortes Zoning Ordinance and Chapter 16.40 of the City of Anacortes Subdivision Ordinance, both entitled "Planned Unit Developments".

2.2 The project proposes 71 dwelling units and associated recreation and support facilities on approximately 15.39 acres located on the buildable upland portion of the 21.48-acre Sunset Cove site. The project would be developed in three divisions as determined by market demand. Division 1 would consist of 18 detached single-family dwelling units on individual lots. Division 2 would consist of 26 attached single-family units in duplex buildings on individual lots. Division 3 would consist of 27 multi-family units located in two three-story buildings with elevators. Total allowable density has been determined from a base density of 59.8 units (14.70 acres of RL acreage with four units per acre, and .69 acres of P acreage with one allowable unit), plus a 35% density bonus granted for open space reservation, site design, and landscaping. Under the present application, 80.73 units could be allowed; however, 71 units are proposed. Although a 35% density bonus is permitted, an 18% increase is proposed.

2.2.1 The open space will be managed by a homeowners association.

2.2.2 The PUD ordinance requires a buffer zone for multi-family PUDs such as this.

2.3 A 30' buffer area extends around much of the site.

3.0 Consideration of Alternatives

3.1 The applicant is no longer pursuing an 81-unit project that would maximize the density permitted under current zoning.

3.2 The applicant considered and rejected layouts with public streets.

3.3 The applicant considered and rejected layouts that did not provide public access.

4.0 State Environmental Policy Act

4.1 A Supplemental Environmental Impact Statement was issued on May 28, 1992 by the City of Anacortes, the SEPA lead agency.

5.0 Notice

5.1 The Anacortes Subdivision Ordinance contains public notice requirements for Planned Unit Development applications: Notice of such hearings shall be in accordance with Section 17.62 of the City Zoning Ordinance. Section 17.62 of the City Zoning Ordinance stipulates that public notice be given as follows:

"Except where specified otherwise in the Ordinance Notice of Public Hearings shall be given at least eight days in advance of the hearing by posting copies of the Notice of Hearing at the Anacortes Municipal Building, at the United States Post Office in Anacortes, and, if applicable, on the property proposed to be

changed. Notice shall also be published once in the official City newspaper at least six days in advance of the hearing.

If the Public Hearing is on a...PUD Permit, Notice of Hearing shall be sent to all property owners within 300 feet of the exterior boundaries of the subject property. Expense of such posting and publication shall be borne by the applicant. Where public hearings are scheduled before both Planning Commission and City Council, a period of not less than seven (7) days shall elapse between the two hearings."

Anacortes Zoning Ordinance Section 17.62

- 5.2 On May 28, 1992, a Notice of Application for the PUD Permit Application and a Notice of Public Hearing before the Anacortes Planning Commission, for a hearing on June 10, 1992, were posted at the Anacortes City Hall and the Anacortes Post Office. The property was posted with both notices on May 28, 1992. All of the posting was done at least eight days in advance of the public hearing date.
- 5.3 On June 3, 1992, the Anacortes American published a copy of the notices. Publication took place more than six days in advance of the hearing.
- 5.4 Because the public hearing involved a PUD Permit, copies of both notices were mailed to property owners within 300 feet of the exterior boundaries of the subject property on May 28, 1992 and June 1, 1992.
- 5.5 A Public Hearing was held before the Anacortes Planning Commission on June 10, 1992.
 - 5.5.1 The Planning Commission made recommendation on the application to the City Council as follows: voted unanimously to approve project subject to conditions 1-18 as outlined on pages 14 and 15. (Conditions revised by City Council Action - see 5.11)
- 5.6 After the Planning Commission's hearing, the City Council scheduled a public hearing on the Planned Unit Development Application for July 6, 1992.
- 5.7 On June 22, 1992 a Notice of Application for the PUD and a Notice of Public Hearing before the Anacortes City Council for a hearing on July 6, 1992 were posted at the Anacortes City Hall and the Anacortes Post Office. This posting occurred more than six days before the hearing.
- 5.8 Copies of both notices were posted on the property on June 23, 1992, more than six days before the hearing date.
- 5.9 On June 24, 1992 and July 1, 1992, the Anacortes American published copies of both notices. The first publication occurred more than eight days before the hearing.

- 5.10 Because the public hearing was for a PUD, copies of both notices were mailed to property owners within 300 feet of the exterior boundaries of the subject property on June 22, 1992.
- 5.11 A public hearing was held before the Anacortes City Council on July 6, 1992, pursuant to the notices. This hearing was more than seven days from the public hearing before the Planning Commission, as required by Zoning Ordinance 17.04.18. The City Council continued the meeting of July 6, 1992 to July 20, 1992 and conducted a site visit at that time. Then, the Anacortes City Council voted 4 to 3 to approve the Sunset Cove PUD subject to Conditions 1-19 on pages 14 and 15.

6.0 Zoning Ordinance

- 6.1 The City Zoning Map establishes zone boundaries and the City Zoning Ordinance establishes (1) the permitted use of land in the various zones and (2) development standards.

6.1.1 The Planned Unit Development (hereinafter "PUD") section of the City Zoning Ordinance, however, allows for deviations from both permitted uses and development standards. Zoning Ordinance Section 17.44.

- 6.1.2 The purposes of a PUD are as follows:

"a) To permit greater flexibility and consequently more creative and imaginative design for the development of residential and business uses than generally is possible under conventional zoning regulations.

b) To promote more economical and efficient use of the land while providing a harmonious variety of housing choices, a higher level of City attractiveness and quality, and preservation of scenic open space.

c) To correlate the intentions of this Ordinance and other ordinances of the City to encourage developments which will provide a desirable and stable environment in harmony with that of the surrounding area."

Zoning Ordinance Section 17.14.010

- 6.1.3 These general purposes as set forth in Section 17.14.010 have all been met with the Sunset Cove PUD.

- 6.2 Section 17.14.020 specifies that Residential PUDs are allowed in...Residential Low...Districts. Sunset Cove is proposed for a Residential Low District and therefore can utilize the PUD provisions of the Zoning Ordinance.

- 6.3 Section 17.14.030 specifies that single-family uses, multi-family uses and condominiums shall be permitted in a Planned Unit Development subject to the criteria established in the Zoning Ordinance.

- 6.4 At the time of formal application for a PUD, a filing fee is required. The purpose of such fees is to help defray costs of reviewing PUD proposals. Such application, together with all plans, specifications, and other papers pertaining to the application has been accompanied by a receipt of the City Treasurer showing payment by the applicant for Sunset Cove of a fee based on the fee established by City Ordinance.

7.0 Subdivision Ordinance

- 7.1 The City of Anacortes Subdivision Ordinance applies to this Planned Unit Development Application. The relevant sections of the Subdivision Ordinance as regards procedure are set-out in Sections 1 through 5 above. Other relevant sections of the Subdivision Ordinance are set forth below.
- 7.2 Pursuant to Chapter 16.40(a)1 of the Subdivision Ordinance the PUD application is submitted by the owner of all of the property involved.
- 7.3 Chapter 16.40(b) entitled "Availability of Public Services" sets out general standards for PUD approvals.

"The purpose of this section is to assure that PUD approvals are not granted unless such facilities as water lines, sewer lines, and streets exist or are immediately planned in sufficient quantity to service the proposed new development.

Relation to Major Transportation Facilities: PUD projects shall be so located with respect to major streets and highways or other transportation facilities as to provide easy access to such districts.

Relation to Utilities and Public Facilities: PUD projects shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations that minimizes net public cost. Such PUD projects shall be so located with respect to schools, parks, playgrounds, and other public facilities as to have access in the same degree as would development in a form generally permitted in the area. However, if developers will (1) provide private utilities, facilities, or services approved by the public agencies which would normally provide such utilities, facilities, or services as substituting on an equivalent basis, and assure their satisfactory continuing operation and maintenance permanently or until equivalent public utilities, facilities, or services are available, or (2) make provision acceptable to the City and the County for off-setting any added net public cost or early commitment of public funds necessitated by such development, the location of the PUD district may be approved. In any computations of added net public costs, the difference in anticipated public installation, operation, and maintenance costs, and the difference in anticipated public revenue shall be given due consideration. Costs for making such determinations, as may be required above, shall be paid by applicants. The

determinations shall be made by the City or by experts acceptable to the City." (Anacortes Sub-Div. Ord. Section 16.40(b))

7.4 The standards set-forth in Section 16.40(b) have all been satisfied as conditioned on pages 14 and 15.

7.4.1 With the road mitigation measures specified there is easy access to the Sunset Cove PUD.

7.4.2 With the developer bearing the full cost of installing all utilities to full City standards, net public costs have been minimized.

7.4.3 With the provision of an emergency access by public street to Shannon Point Road, access to public facilities with this PUD is in the same degree as would development in a form generally permitted in the area.

7.4.4 No private utilities are proposed in the PUD; all utilities will be transferred to City ownership.

7.4.5 Net public costs and early commitment of public funds necessitated by this development are recovered from the following City of Anacortes system development fees: water hook-up fees, sewer hook-up fees, Ferry Terminal Road Traffic light fee. No other system development fees are necessary for this project, but some may be added prior to building permits being issued.

7.5 Density increases pursuant to Section 16.40(i) and Section 16.40(j) are being sought by the applicant.

7.6 Section 16.40(k) states that "Setback requirements within the PUD shall be determined by the Planning Coordinating Committee". The applicant is seeking setbacks as shown on project plans. The Planning Coordinating Committee has determined that these building set-backs are acceptable.

7.7 As required by Section 16.40(L) the 6.04 areas of upland open space includes land area of the site not covered by buildings, parking structures, or accessory structures except recreational structures and land which is accessible and available to all occupants of dwelling units for whose use the space is intended; the 6.04 acres does not include proposed street rights-of-way, open parking areas and driveways for dwellings, school sites, commercial areas and the buildings, accessory buildings, parking and loading facilities for these commercial areas, and land totally unsuitable for building because of topographic features.

7.8 Section 16.40(m) states that standards of design and construction for roadways, both public and private, within planned residential development districts may be modified as is deemed appropriate by the Planning Coordinating Committee. Right-of-way width and street roadway widths may also be reduced, especially where it is found that the plan for the PUD provides for the separation of vehicular and pedestrian circulation patterns and provides for

adequate off-street parking facilities. The applicant's proposal has been deemed to be appropriate by the Planning Coordinating Committee.

7.9 Section 16.40(n) states that there must be a minimum 30-foot buffer zone in any planned unit development of multi-family or nonresidential buildings or structures that are adjacent to a low-density residential use district. The buffer zone must be kept free of buildings or structures and must be landscaped, screened, or protected by natural features, so that adverse effects on surrounding areas are minimized. This buffer zone may be used as part of the open space acreage for the PUD development if the Planning Commission finds that it is suitable for that purpose within the criteria established in the Open Space section. The applicant is proposing a 30-foot buffer zone, and including this in his open space calculations.

7.10 There is no nonresidential development pursuant to Section 16.40(o) proposed for this residential PUD.

8.0 Anacortes Comprehensive Plan

8.1 The applicable goals and policies of the Comprehensive Plan have been met by this application as conditioned on pages 14 and 15.

8.2 Housing Goal #2. "LOW DENSITY. Low density, single family residential shall be the major residential form in the community."

8.2.1 18 single family residential and 53 multi-family units are proposed in this project, but only 18 single family and 42 multi-family units are permitted in order to increase the single family/multi family ratio from approximately 1:4 to approximately 1:3.

8.3 Housing Goal #4.

... 4) high density housing shall be allowed where appropriate.

8.3.1 "Appropriateness" is defined in the zoning ordinance as: 1) "land adjoining or convenient to a major arterial"; 2) "land adjoining shopping centers, service centers, or areas having special views, water access, or open space amenities"; 3) space near the central business district (CBD), presently occupied with substandard or underutilized, uneconomical structures"; and 4) "areas where transit or pedestrian access is provided to employment and shopping access".

8.3.2 Only (2) applies here. It is the applicant's public access and open space proposals that justifies the location of multi-family housing units in a Low Density Zone.

8.4 Transportation Goal #3/Policy (d): "In future subdivision development, plat rights of way so they tie in with existing rights of way where practical."

8.4.1 The main project thoroughfare is proposed to tie in with existing, paved right of way at Sunset Avenue.

8.5 Transportation Goal #3/Policy (e): "In future subdivision development, require street designs which provide routes for through traffic where practical."

8.5.1 The main project street is designed to provide an emergency through route to Shannon Point Road.

8.6 Conservation Goal #7: "Maintain or improve the functional integrity of water-courses, wetlands, bodies of water and their shores by keeping them in a natural condition where possible."

8.6.1 A comprehensive erosion hazard and sediment transport control plan shall be submitted with the Final Development Plan.

8.7 Conservation Goal #8/Policy (a): "All proposed development subject to City review through the conditional use or Planned Unit Development policies directly affecting existing residential neighborhoods should be compatible and shall seek to maintain the intrinsic value of life as presently experienced by those residing in said neighborhoods."

8.7.1 The low density character of the neighborhood is preserved in part with extensive use of buffer zones and common areas and adherence to Conservation Goal #7 as described in Section 8.6 above. To further ensure that this character is maintained: all roads and utilities and all mitigations shall be installed prior to issuance of the first building permit; and the density is to be reduced from 71 to 60 units; and only two story buildings are permitted.

8.7.2 The DEIS points out that:

"The primary impact of the proposed project on existing land use is the change from a wooded, undeveloped site, to residential land use. Secondary impacts include: the potential stimulation of further residential development that this project may trigger in the immediate vicinity; the possible precedent set by the project for similar increases in density, through the PUD process, on other large parcels in the vicinity; and the change in character of the natural shoreline due to increased use."

8.7.3 More specifically, the DEIS highlights that:

"A precedent may be set for other PUDs on large parcels in the area. In view of the land assembly that has occurred, other PUDs appear to be quite possible. If the undeveloped land in the vicinity was to be developed in a standard subdivision pattern, the density would be fully consistent with the Comprehensive Plan and zoning ordinance. But, with the development of other PUDs, there could possibly be a density greater than that envisioned in the Comprehensive Plan. If the land was to be developed in the PUD format,

there could be as many as 372 dwelling units added to the area, assuming a maximum bonus (increase) of 50 percent over the standard subdivision's maximum density."

8.7.4 This 372 unit figure includes a possible cumulative 124 bonus units. The FEIS concludes as follows:

"Land use impacts which are considered important are the cumulative impacts should other PUDs be approved in the same vicinity, and the fact that the increased density associated with the proposed PUD does not appear to be balanced by a commensurate benefit in open space and environmental quality."

8.7.5 The FEIS recommended the following optional mitigation:

"Land Use. Reduction in density to achieve a better balance between increased density and usable open space. (This would also have the effect of minimizing the possible precedent-setting nature of the proposal, and decrease the other cumulative impacts associated with the project.)"

8.8 Shoreline The shoreline of the site of the proposed PUD is designated "Conservancy." The Conservancy designation is given to the areas "where biological and physical limitations and desired shoreline character are incompatible with intense development."

8.8.1 To comply with this policy no density bonus is granted for this location.

9.0 State Subdivision Law

9.1 State Subdivision Law requires that the city, town, or county legislative body shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. It shall determine: (a) if appropriate provisions are made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or

roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) whether the public interest will be served by the subdivision and dedication.

Section 51 (1) Growth Management Act

9.1.1 As detailed in the previous sections, and as conditioned on pages 14-15, appropriate provision has been made for the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable

water supplies, sanitary wastes, parks and recreation, playgrounds, schools, schoolgrounds, and sidewalks.

9.1.2 For the reasons detailed in the previous sections, and as conditioned, the public interest will be served by this subdivision and dedication.

9.2 State Subdivision further requires that "a proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: a) appropriate provisions are made for the public healthy, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the subdivision and dedication. Dedication of land to any public body, provision of public improvements to serve the subdivision, and/or impact fees imposed under section 43 through 48 of this act may be required as a condition of subdivision approval. Dedications shall be clearly shown on the final plat. No dedication, provision of public improvements, or impact fees imposed under sections 43 through 48 of this act shall be allowed that constitutes an unconstitutional taking of private property. The legislative body shall not as a condition to the approval of any subdivision require a release from damages to be procured from other property owners." Sect. 52(2) Growth Management Act

9.2.1 As detailed in this "Findings of Fact and Conclusions of Law" written findings have been made in accordance with Section 52(2) of the Growth Management Act.

CONCLUSIONS OF LAW

- 1.1 The requirements of SEPA have been complied with through the DEIS, FEIS and SEIS consideration of the environmental impacts associated with the Sunset Cove PUD and of the feasible, reasonable alternatives thereto.
- 2.1 The notice requirements of Subdivision Ordinance Section 16.40(e)(3) and Zoning Ordinance Section 17.62 have been satisfied.
- 3.1 The conditions set forth in Subdivision Ordinance Section 16.40 and Zoning Ordinance Section 17.62 have been satisfied by this application as conditioned on pages 14 and 15.

- 4.1 The applicable goals and policies of the Comprehensive Plan have been met by this application as conditioned on pages 14 and 15.

**DECISION TO ISSUE A PRELIMINARY DEVELOPMENT PLAN PERMIT
FOR SUNSET COVE PUD**

Based on the foregoing Findings of Fact and Conclusions of Law, the Anacortes Planning Director is hereby directed to issue a preliminary development plan permit for Sunset Cove Planned Unit Development subject to the following conditions:

1. The final development plan shall include: draft covenants including provisions for a home owners association that will manage the open space and playground area.
2. Within a maximum of three years following the approval of the preliminary development plan, the applicant shall file with the Planning Commission a final development plan containing in a final detailed form the information required in Part e.(1) of Section 16.40 of the City of Anacortes Subdivision Ordinance. At its discretion and for good cause, the Planning Commission may extend for one year the period for filing of the final development plan.
3. If the applicant fails to apply for final approval, for any reason, the preliminary approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to the zoning and subdivision ordinances otherwise applicable thereto.
4. Perch trees for bald eagles shall be retained as required by the Washington State Departments of Wildlife and Natural Resources (Forest Practice Permit).
5. All buildings shall be set back 25 feet from the top of the bank adjacent to the abandoned railroad right of way.
6. A comprehensive erosion hazard and sediment transport control plan shall be submitted with the Final Development Plan.
7. The applicant is to provide the public with regulated public access across the Harker property, down a stairway or other satisfactory beach access route, along the abandoned railroad right of way for the length of the project site, and to the shore and tideland areas owned by the applicant.
8. There be no fence on Observation Avenue and as a result the Observation Avenue access to Shannon Point Road shall be paved and Shannon Point Road itself shall be paved; both road areas shall be paved to a 28' width with minimum drainage, but with no curbs, gutters or sidewalks.

9. The applicant shall construct a fence along the pedestrian right-of-way where abuts the Harker and Olich properties; this fence shall be constructed to the standard established by the Director of Parks and Recreation.
10. Unless otherwise approved by the Fire Chief, the cul-de-sac in Division 3 shall be located at the north end of the parking lot as approved by the City Fire Chief.
11. The parking area in the Division 2 cul-de-sac shall be deleted.
12. All engineering requirements for submission of the final development plan shall be rigidly adhered to.
13. All conditions of any shoreline permit shall be incorporated into the planned unit development approval conditions.
14. The final development plan for the planned unit development shall include a complete design for Warren Avenue.
15. The south boundary survey discrepancy shall be settled prior to final plat approval.
16. Construction access shall not be by Shannon Point Road.
17. The housing style of the two 9-plexes shall blend into the natural landscaping.
18. Only two story buildings shall be permitted.
19. No density bonus shall be permitted.

These Findings of Fact and Conclusions of Law were adopted by Anacortes City Council on August 3, 1992.

By Doyle E. Geer
Doyle E. Geer, Mayor

ATTEST:

George Khtaian
George Khtaian, City Clerk

Steve Mansfield
Steve Mansfield, City Attorney

EXHIBIT #8:

RECORDED -PLAT MAP OF PLAT OF
SUNSET COVE ESTATES PUD

BASIS OF BEARING

BASIS OF BEARING IS SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 1 EAST OF THE W.M., AS SHOWN ON RECORD OF SURVEY RECORDED AUGUST 27, 1991, IN BOOK 11 OF SURVEYS AT PAGES 161 AND 162, UNDER AUDITOR'S FILE NO. 9108270107, BEARING N 89° 56' 05" E FROM THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER THEREOF. MONUMENTS USED WERE RAILROAD SPIKE IN ASPHALT AT SAID SOUTHWEST CORNER AND MONUMENT IN CASE AT SAID SOUTHEAST CORNER.

UTILITIES EASEMENT

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF ANACORTES, PUGET SOUND ENERGY, VERIZON, CASCADE NATURAL GAS CORP., TCI CABLEVISION OF WASHINGTON, INC., OTHER PUBLIC FRANCHISE UTILITIES AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR TEN (10) FEET OF THE FRONT BOUNDARY LINES OF ALL LOTS AND TRACTS AS SHOWN ON THE FACE OF THE PLAT. TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AND TRACTS AT ALL TIMES FOR THE PURPOSES STATED, WITH THE UNDERSTANDING THAT ANY GRANTEE SHALL BE RESPONSIBLE FOR RESTORING THE PROPERTY TO CONDITIONS FOUND PRIOR TO WORK WITHIN THE EASEMENT.

NOTES

1. THIS SURVEY WAS PERFORMED IN THE FIELD USING A LEICA TCA-1105 ELECTRONIC DISTANCE MEASURING THEODOLITE.
2. ZONING: R2 - RESIDENTIAL LOW DENSITY.
3. SEWAGE DISPOSAL: CITY OF ANACORTES.
4. WATER: CITY OF ANACORTES.
5. 20' SANITARY SEWER EASEMENT ACROSS LOTS 10-13 AND PORTION OF TRACT B IS HEREBY GRANTED TO THE CITY OF ANACORTES. ACCESS SHALL NOT BE OBSTRUCTED BY FENCING, SHRUBS OR OTHER LANDSCAPE OR FENCE FEATURES THAT WOULD OBSTRUCT ACCESS TO MANHOLES. SHOULD EXCAVATION OF THE SEWER LINE BE REQUIRED FOR MAINTENANCE BEYOND ROUTINE MANHOLE ACCESS, THE GRANTEE SHALL RESTORE THE EASEMENT AREA TO ALL WEATHER ACCESS CONDITION ONLY. GRANITOR, SUCCESSOR OR ASSIGNS SHALL BE RESPONSIBLE FOR RESTORATION TO PRIOR CONDITIONS.
6. 20' SANITARY SEWER EASEMENT ACROSS LOTS 4 AND 5 IS HEREBY GRANTED TO AND TO BE PRIVATELY MAINTAINED AND OPERATED BY THE OWNERS OF SERVED STRUCTURES LOCATED ON SAID LOTS AND ON THE ADJOINING TRACT E.

DECLARATION REFERENCE

THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS PREPARED FOR THIS SUBDIVISION AND TO WHICH THIS PLAT REFERS IS RECORDED WITH THE AUDITOR OF SKAGIT COUNTY, WASHINGTON ON November 28, 2000 UNDER AUDITOR'S FILE NO. 100011290070. RECORDS OF SKAGIT COUNTY, WASHINGTON

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF SUNSET COVE ESTATES IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 21, TOWNSHIP 35 NORTH, RANGE 1 EAST, W.M.; THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY THEREON, THAT THE MONUMENTS HAVE BEEN SET, AND THE LOT AND BLOCK CORNERS ARE SET CORRECTLY ON THE GROUND AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE CITY OF ANACORTES AND STATE OF WASHINGTON STATUTES AND ORDINANCES.

JEFFREY A. SKODJE, T.S., CERTIFICATE NO. 19645

DATE: 11-26-2000

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 29 DAY OF Nov, 2000 AT 2:57 P.M.
UNDER AUDITOR'S FILE NO. 100011290070, RECORDS OF
SKAGIT COUNTY, WASHINGTON AT THE REQUEST OF LEONARD, BOLDINOT AND
SKODJE, INC.

Notary Public
Skagit County Auditor

APPROVALS

THE PLANNING COMMISSION OF THE CITY OF ANACORTES, MEETING IN REGULAR SESSION ON 9-18-00, DID FIND THAT THE PLAT OF SUNSET COVE ESTATES SERVES THE PUBLIC USE AND INTEREST AND HAS AUTHORIZED ITS SUBDIVISION ADMINISTRATOR TO EXECUTE ITS WRITTEN APPROVAL HEREON.

Subdivision Administrator

APPROVED BY THE COUNCIL OF THE CITY OF ANACORTES, WASHINGTON THIS 18th DAY OF September, 2000

ATTEST: CITY CLERK

Deane K. Hansen

EXAMINED AND APPROVED THIS 14th DAY OF November, 2000

CITY ENGINEER

TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT ALL TAXES HERETOFORE LEVIED AND WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED HAVE BEEN FULLY PAID AND DISCHARGED ACCORDING TO THE RECORDS OF MY OFFICE UP TO AND INCLUDING THE YEAR 2001.

I, Katie Jungquist, TREASURER OF SKAGIT COUNTY, WASHINGTON, HEREBY CERTIFY THAT A DEPOSIT HAS BEEN PAID TO COVER ANY UNPAID TAXES UP TO AND INCLUDING THE YEAR 2001.

THIS 28th DAY OF November, 2000

Katie Jungquist
Deputy County Treasurer

CITY TREASURER'S CERTIFICATE

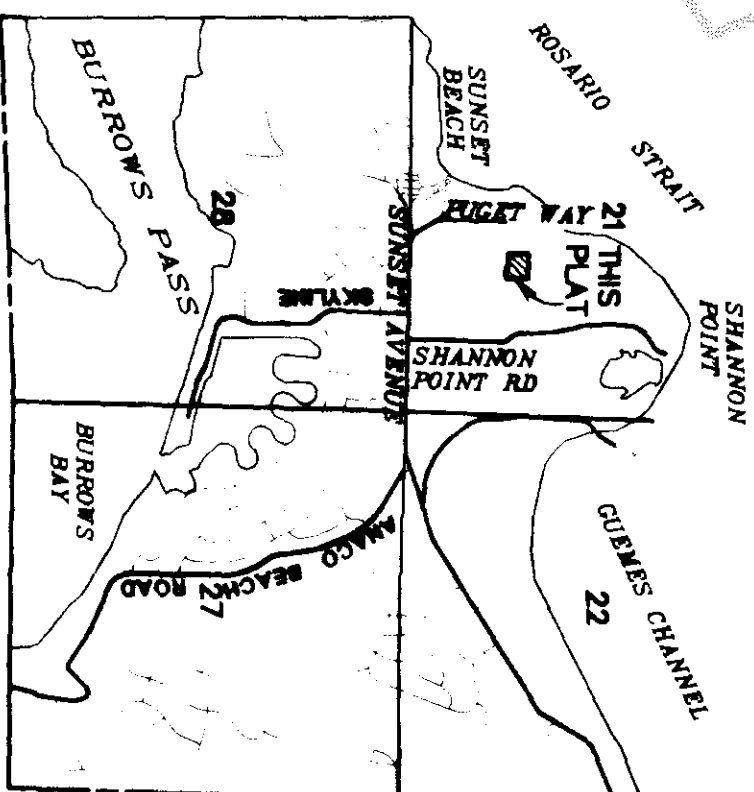
I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN CONTAINED, DEDICATED AS STREETS, ALLEYS, OR FOR OTHER PUBLIC USE, ARE PAID IN FULL.

THIS 7th DAY OF November, 2000

Deane K. Hansen
City of Anacortes Treasurer

OCCUPATIONAL INDICATORS NOTE

THIS SURVEY HAS DETECTED EXISTING OCCUPATIONAL INDICATORS IN ACCORDANCE WITH W.A.C. OR 352.130. THESE OCCUPATIONAL INDICATORS MAY INDICATE A POTENTIAL FOR CLAIMS OF UNWRITTEN TITLE OWNERSHIP. THE LEGAL RESOLUTION OF OWNERSHIP, BASED UPON UNWRITTEN TITLE CLAIMS HAS NOT BEEN RESOLVED BY THIS BOUNDARY SURVEY.



VICINITY MAP

SECTIONS 21, 22, 27, 28, TWP 35 N., RGE 1 E., W.M.
SCALE: 1" = 1/2 MILE

DEVELOPER:
SUNSET COVE DEVELOPMENT L.L.C.
C/O SCHEMMER ENGINEERING, INC.
1610 COMMERCIAL AVE., SUITE A
ANACORTES, WA 98221
(360) 293-9006

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT JOHN J. PIAZZA, SR., DOROTHY ANN PIAZZA, WILLIAM L. OBRUCK, JARILYN M. OBRUCK, SUNSET COVE DEVELOPMENT, L.L.C., AND STERLING SAVINGS BANK, THE UNDERSIGNED OWNERS IN FEE SIMPLE AND MORTGAGE HOLDER OF THE LAND HEREBY PLATED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS AND PUBLIC PLACES FOR ANY AND ALL PUBLIC PURPOSES, NOT INCONSISTENT WITH THE USE THEREOF OR PUBLIC HIGHWAY PURPOSES. ALSO ALL CLAIMS FOR DAMAGE BY THE OWNERS AND THEIR SUCCESSORS, AND ASSIGNS AGAINST ANY GOVERNMENTAL AUTHORITY ARE WAIVED WHICH MAY BE OCCASIONED BY THE ADJACENT LAND AND THE ESTABLISHMENT, CONSTRUCTION, DRAINAGE, AND MAINTENANCE OF SAID ROADS. THE UNDERSIGNED OWNERS IN FEE SIMPLE AND MORTGAGE HOLDER AND ASSIGNS DO HEREBY DEDICATE AND CONVEY TO THE CITY OF ANACORTES, WASHINGTON, THE EASEMENTS AND TRACTS A, B, C AND D SHOWN HEREON AND CONSIDERED AS DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED SEPARATELY AND REFERENCED HEREON.

IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS AND SEALS THIS 20 DAY OF November, 2000

John J. Piazza, Sr.
John J. Piazza, Sr.
William L. Obruck
William L. Obruck
Jarilyn M. Obruck
Jarilyn M. Obruck
Dorothy Ann Piazza
Dorothy Ann Piazza

SUNSET COVE DEVELOPMENT, L.L.C. Deane K. Hansen STERLING SAVINGS BANK

ACKNOWLEDGMENT FOR OWNER

STATE OF WASHINGTON }
COUNTY OF SKEKET } SS

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THIS INSTRUMENT AND ACKNOWLEDGED IT AS THE MEMBERS OF SUNSET COVE DEVELOPMENT, L.L.C. AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: November 20, 2000

Deane K. Hansen
Notary Public for the State of Washington, My Commission Expires 8-17-2001

ACKNOWLEDGMENT FOR OWNER

STATE OF WASHINGTON }
COUNTY OF SS }

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 20

NOTARY PUBLIC FOR THE STATE OF WASHINGTON, MY COMMISSION EXPIRES

ACKNOWLEDGMENT FOR MORTGAGEE

STATE OF WASHINGTON }
COUNTY OF SS }

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Thomas D. Stewart AND SS ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS VIC PRESIDENT RESPECTIVELY OF SS, S.B. TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: November 16, 2000

Thomas D. Stewart
Notary Public for the State of Washington, My Commission Expires 9-14-2001



PLAT OF SUNSET COVE ESTATES
CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON

GOVERNMENT LOTS 2 (THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER) AND 3 (THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER) OF SECTION 21, T.35N, R.1E, W.M.

OWN BY JOB DATE OCTOBER 2000
FIELD BOOK 576/74 575/47
LEONARD, BOLDINOT and SKODJE, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360) 336-5751
SCALE: --
JOB NO: 00015-A

LEGAL DESCRIPTION

(PARCEL A)

ALL THAT PORTION OF THE SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2, SECTION 21, TOWNSHIP 35 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2, AS SAID POINT IS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED IN BOOK 11 OF SURVEYS AT PAGES 161 AND 162, UNDER AUDITOR'S FILE NO. 9108270107, IN THE AUDITOR'S OFFICE OF SKAGIT COUNTY, WASHINGTON; THENCE NORTH 89° 40' 16" EAST ALONG THE SOUTH LINE OF SAID SOUTH 15 1/2 ACRES, A DISTANCE OF 30.01 FEET TO THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO BORS OLICH AND ANN B. OLICH, HUSBAND AND WIFE, BY INSTRUMENT DATED MARCH 16, 1964, AND RECORDED MARCH 27, 1964, UNDER AUDITOR'S FILE NO. 648412, RECORDS OF SAID COUNTY AND STATE, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 18° 00' 16" EAST ALONG SAID SOUTHERLY EXTENSION, A DISTANCE OF 31.60 FEET TO THE SOUTHWEST CORNER OF SAID OLICH TRACT; THENCE NORTH 89° 40' 16" EAST ALONG THE SOUTH LINE OF SAID OLICH TRACT, A DISTANCE OF 120.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 18° 00' 16" EAST ALONG THE EAST LINE OF SAID OLICH TRACT, A DISTANCE OF 80.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE NORTH 85° 41' 05" WEST ALONG THE NORTH LINE THEREOF FOR A DISTANCE OF 4.37 FEET; THENCE NORTH 07° 16' 24" EAST A DISTANCE OF 12.54 FEET; THENCE NORTH 85° 22' 39" WEST A DISTANCE OF 110.33 FEET TO THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID OLICH TRACT; THENCE NORTH 70° 42' 09" WEST A DISTANCE OF 73.87 FEET TO THE WEST LINE OF SAID SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2; THENCE NORTH 00° 45' 59" EAST ALONG SAID WEST LINE, A DISTANCE OF 21.47 FEET; THENCE NORTH 13° 33' 37" EAST A DISTANCE OF 43.16 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 449.28 FEET; THENCE NORTHEASTERLY, FOLLOWING SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 41° 43' 14" FOR AN ARC DISTANCE OF 327.15 FEET TO THE NORTH LINE OF SAID SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2; THENCE NORTH 89° 40' 16" EAST ALONG SAID NORTH LINE, A DISTANCE OF 1139.22 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 15 1/2 ACRES; THENCE SOUTH 00° 45' 59" WEST A DISTANCE OF 479.40 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH 15 1/2 ACRES; THENCE SOUTH 89° 40' 16" WEST ALONG THE SOUTH LINE OF SAID SOUTH 15 1/2 ACRES, A DISTANCE OF 1298.12 FEET TO THE TRUE POINT OF BEGINNING.

(PORTION OF PARCEL B)

TOGETHER WITH ALL THOSE PORTIONS OF THE SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2 AND OF GOVERNMENT LOT 3, ALL IN SECTION 21, TOWNSHIP 35 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

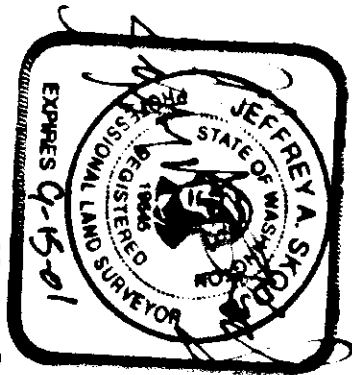
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2, AS SAID POINT IS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED IN BOOK 11 OF SURVEYS AT PAGES 161 AND 162, UNDER AUDITOR'S FILE NO. 9108270107, IN THE AUDITOR'S OFFICE OF SKAGIT COUNTY, WASHINGTON; THENCE NORTH 0° 45' 59" EAST ALONG THE WEST LINE OF SAID SOUTH 15 1/2 ACRES, A DISTANCE OF 13.73 FEET TO THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DEEDED TO HAROLD HARKER AND MADINE L. HARKER, HUSBAND AND WIFE, BY DEED RECORDED MAY 13, 1971 UNDER AUDITOR'S FILE NO. 752622, RECORDS OF SAID COUNTY AND STATE; THENCE NORTH 89° 56' 55" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 26.41 FEET TO THE SOUTHEAST CORNER OF SAID HAROLD HARKER TRACT; THENCE NORTH 18° 16' 55" EAST ALONG THE EAST LINE OF SAID HAROLD HARKER TRACT, A DISTANCE OF 91.16 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 89° 40' 16" WEST ALONG THE NORTH LINE OF SAID HAROLD HARKER TRACT, A DISTANCE OF 31.66 FEET TO THE MOST EASTERLY CORNER OF THAT CERTAIN TRACT OF LAND DEEDED TO HOWARD D. HARKER AND JOAN HARKER, HUSBAND AND WIFE, BY DEED RECORDED SEPTEMBER 13, 1991 UNDER AUDITOR'S FILE NO. 9109130042, RECORDS OF SAID COUNTY AND STATE; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID HOWARD D. HARKER TRACT FOR THE FOLLOWING COURSES:

NORTH 23° 05' 19" WEST A DISTANCE OF 26.72 FEET;
SOUTH 46° 58' 38" WEST A DISTANCE OF 38.34 FEET;
SOUTH 89° 40' 16" WEST A DISTANCE OF 10.36 FEET;
NORTH 1° 00' 37" EAST A DISTANCE OF 10.94 FEET;
NORTH 72° 59' 14" WEST A DISTANCE OF 9.66 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 72° 59' 14" WEST A DISTANCE OF 80.77 FEET; THENCE SOUTH 33° 59' 14" WEST A DISTANCE OF 45.88 FEET TO THE NORTH LINE OF SAID HAROLD HARKER TRACT; THENCE SOUTH 89° 40' 16" WEST ALONG SAID NORTH LINE, A DISTANCE OF 33.64 FEET TO THE WESTERLY LINE OF SAID GOVERNMENT LOT 3; THENCE NORTH 30° 14' 27" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 430.25 FEET; THENCE NORTH 65° 59' 28" EAST ALONG SAID WESTERLY LINE, A DISTANCE OF 22.04 FEET TO THE NORTH LINE OF SAID SOUTH 15 1/2 ACRES OF GOVERNMENT LOT 2; THENCE NORTH 89° 40' 16" EAST ALONG SAID NORTH LINE, A DISTANCE OF 92.02 FEET TO A POINT ON A CURVE TO THE LEFT, THE CENTER OF WHICH BEARS SOUTH 38° 08' 23" EAST AND IS 469.28 FEET DISTANT; THENCE SOUTHWESTERLY, FOLLOWING SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 38° 18' 00" FOR AN ARC DISTANCE OF 313.69 FEET TO THE END OF SAID CURVE; THENCE SOUTH 13° 33' 37" WEST FOR A DISTANCE OF 110.62 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN SKAGIT COUNTY, WASHINGTON.

SOURCE OF LEGAL DESCRIPTION IS ISLAND TITLE COMPANY SUBDIVISION GUARANTEE NO. SA-19921, DATED AUGUST 23, 2000.

20001290070
Skagit County Auditor
11/29/2000 Page 2 of 4 2:54:28PM



SHEET 2 OF 4

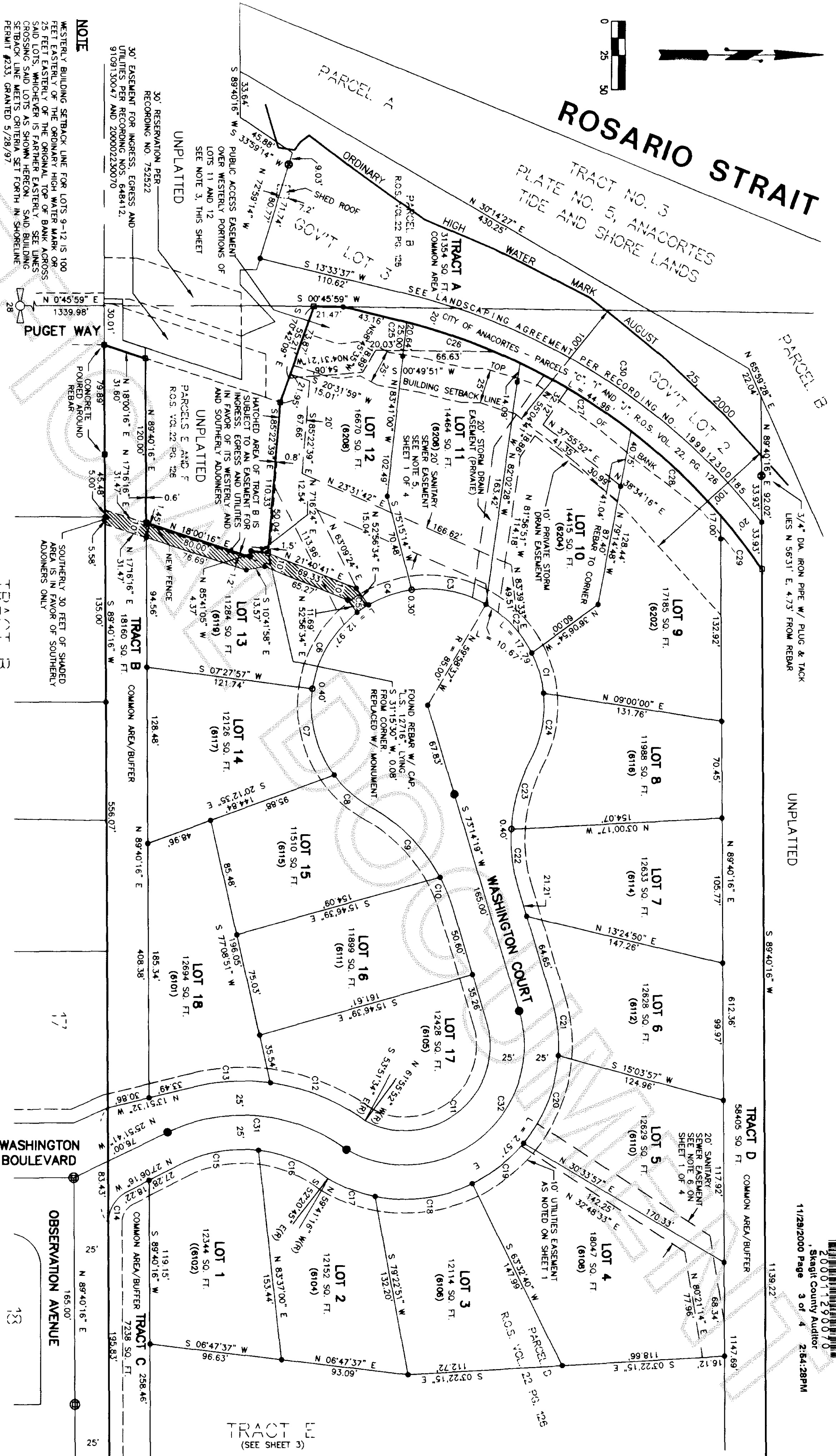
PLAT OF SUNSET COVE ESTATES
CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON

GOVERNMENT LOTS 2 (THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER)
AND 3 (THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER) OF SECTION 21, T.35N, R.1E., W.M.

DEVELOPER:
SUNSET COVE DEVELOPMENT L.L.C.
C/O SCHEIMER ENGINEERING, INC.
1610 COMMERCIAL AVE., SUITE A
ANACORTES, WA 98221
(360) 293-9006

DRAWN BY	JHB	DATE	OCTOBER 2000	LEONARD, BOUDINOT and SKODUE, INC.	SCALE	--
FIELD BOOK	576/74	575/47		CIVIL ENGINEERS AND LAND SURVEYORS	JOB NO.	00015-A
				603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360)336-5751		

ROSARIO STRAIT



CURVE TABLE

NUMBER	RADIUS	CENTRAL ANGLE	LENGTH
C1	85.00'	20° 43' 02"	30.73'
C2	85.00'	33° 17' 19"	49.38'
C3	85.00'	37° 55' 03"	56.25'
C4	85.00'	22° 36' 09"	33.53'
C5	85.00'	6° 45' 18"	10.02'
C6	85.00'	44° 41' 58"	66.31'
C7	85.00'	44° 40' 53"	66.29'
C8	85.00'	24° 32' 39"	36.41'
C9	125.00'	33° 09' 55"	72.36'
C10	125.00'	11° 15' 00"	24.54'
C11	62.00'	134° 49' 49"	145.90'
C12	151.00'	28° 36' 07"	75.38'
C13	151.00'	21° 23' 51"	56.39'
C14	25.00'	63° 13' 28"	27.59'
C15	101.00'	32° 14' 56"	56.85'
C16	101.00'	31° 16' 00"	55.12'
C17	112.00'	19° 03' 32"	37.26'
C18	112.00'	37° 15' 21"	72.83'
C19	112.00'	24° 30' 29"	47.91'
C20	112.00'	35° 40' 40"	69.74'
C21	112.00'	20° 34' 23"	40.22'
C22	125.00'	20° 02' 57"	43.74'
C23	125.00'	24° 21' 58"	53.16'
C24	85.00'	33° 37' 29"	49.88'

CURVE TABLE (CONT.)

NUMBER	RADIUS	CENTRAL ANGLE	LENGTH
C25	449.28'	00° 34' 02"	4.45'
C26	449.28'	11° 13' 21"	88.00'
C27	449.28'	12° 10' 11"	95.43'
C28	449.28'	11° 28' 40"	90.00'
C29	449.28'	6° 16' 59"	49.27'
C30	468.28'	38° 18' 00"	313.70'
C31	126.00'	62° 42' 01"	137.89'
C32	87.00'	136° 08' 31"	206.72'



NOTES

- TRACT B IS SUBJECT TO A 10 FOOT WIDE PUBLIC PEDESTRIAN AND NON-MOTORIZED TRANSPORTATION EASEMENT. THE LOCATION OF SAID EASEMENT IS TO FOLLOW THE CENTER LINE OF THE TRAIL AS DESIGNED, BUILT AND ACCEPTED BY THE CITY OF ANACORTES.
- SOME LOT CORNERS ALONG WASHINGTON COURT WERE OFFSET TOWARD THE CENTER OF THE STREET DUE TO DISTANCES FROM TRUE LOT CORNERS ARE SHOWN NEXT TO THE LOT CORNER SYMBOL.
- THE PUBLIC ACCESS EASEMENT OVER THE WESTERLY PORTIONS OF LOTS 11 AND 12 AS SHOWN HEREON IS A PEDESTRIAN OR OTHER NON-MOTORIZED ACCESS EASEMENT AND IS HEREBY GRANTED TO THE CITY OF ANACORTES AND THE PUBLIC. THE EASEMENT AREA MAY NOT BE OBSTRUCTED OR USED FOR ANY PURPOSE OTHER THAN PEDESTRIAN OR OTHER NON-MOTORIZED ACCESS WITH THE EXCEPTION OF LANDSCAPING THAT SHALL NOT OBSTRUCT, OVERHANG OR INTERFERE WITH THE INTENDED USE OF THE EASEMENT. NO OTHER OBSTRUCTION TO PEDESTRIAN OR NON-MOTORIZED USE SHALL BE PERMITTED.

PLAT OF WOODS ADDITION TO ANACORTES VOL. 4 PG. 35

LEGEND

- DENOTES REBAR WITH YELLOW CAP MARKED "L.S. 19645". SET
- DENOTES CONCRETE MONUMENT SET.
- DENOTES CONCRETE MONUMENT IN CASE SET.
- ⊙ DENOTES FOUND CONCRETE MONUMENT IN CASE.
- ⊙ DENOTES LOT ADDRESS ALONG WASHINGTON COURT
- ⊙ DENOTES REBAR W/ CAP. "L.S. 12716". FOUND AS NOTED. 12/23/1999.
- DENOTES REBAR WITH RED CAP MARKED "TRAV. POINT" "L.S. 19645". SET

PLAT OF SUNSET COVE ESTATES CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON

GOVERNMENT LOTS 2 (THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER) AND 3 (THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER) OF SECTION 21, T.35N., R.1E., W.M.	
OWN BY: JMD DATE: OCTOBER 2000	LEONARD, BOUDINOT and SKODJE, INC.
CIVIL ENGINEERS AND LAND SURVEYORS	
FIELD BOOK 576/74, 575/47	603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360)336-5751
SCALE: 1" = 50'	DB NO. 00015-A



NUMBER	RADIUS	CENTRAL ANGLE	LENGTH
C1	30.00'	69° 07' 27"	36.19'
C2	4.50'	14° 50' 40"	1.17'
C3	59.00'	82° 45' 02"	85.21'
C4	59.00'	24° 11' 47"	24.92'
C5	9.00'	24° 11' 47"	3.80'
C6	59.00'	90° 00' 00"	92.68'
C7	59.00'	90° 00' 00"	92.68'
C8	9.00'	24° 11' 47"	3.80'
C9	59.00'	24° 11' 47"	24.92'
C10	15.00'	84° 17' 51"	22.07'
C11	3.50'	13° 13' 41"	0.81'
C12	59.00'	07° 14' 58"	7.47'
C13	20.00'	82° 48' 12"	28.90'
C14	9.00'	90° 00' 00"	14.14'
C15	9.00'	24° 11' 47"	3.80'
C16	59.00'	24° 11' 47"	24.92'
C17	9.00'	90° 00' 00"	14.14'
C18	9.00'	90° 00' 00"	14.14'
C19	9.00'	24° 11' 47"	24.92'
C20	9.00'	24° 11' 47"	3.80'
C21	9.00'	90° 00' 00"	14.14'
C22	34.00'	24° 11' 47"	14.36'
C23	34.00'	24° 11' 47"	14.36'
C24	34.00'	24° 11' 47"	14.36'
C25	34.00'	90° 00' 00"	53.41'
C26	34.00'	90° 00' 00"	53.41'
C27	34.00'	24° 11' 47"	14.36'
C28	34.00'	24° 11' 47"	14.36'
C29	29.50'	05° 42' 09"	2.94'

CURVE TABLE

LEGEND

- DENOTES REBAR WITH YELLOW CAP MARKED "J.S. 19645", SET
- DENOTES CONCRETE MONUMENT SET
- DENOTES CONCRETE MONUMENT IN CASE, SET
- DENOTES FOUND CONCRETE MONUMENT IN CASE
- DENOTES LOT ADDRESS ALONG WASHINGTON COURT
- DENOTES MONUMENT FOUND AS NOTED, 12/23/1999

WASHINGTON PARK ESTATES
VOL. 4 PG. 35



11-06-2000

DEVELOPER:
SUNSET COVE DEVELOPMENT, LLC
C/O SCHEMMER ENGINEERING, INC.
1610 COMMERCIAL AVE., SUITE A
ANACORTES, WA 98021
(360) 293-9006

PLAT OF WOODS ADDITION TO ANACORTES
VOL. 4 PG. 35

PLAT OF SUNSET COVE ESTATES
CITY OF ANACORTES, SKAGIT COUNTY, WASHINGTON

GOVERNMENT LOTS 2 (THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER)
AND 3 (THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER) OF SECTION 21, T.35N., R.1E., W.M.

LEONARD, BOUDINOT and SKODJE, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
603 SOUTH FIRST ST., MOUNT VERNON, WA 98273 (360) 336-5751

DATE: OCTOBER 2000

BY: JMD

FIELD BOOK: 576/74 575/47

SCALE: 1" = 50'

SHEET 4 OF 4

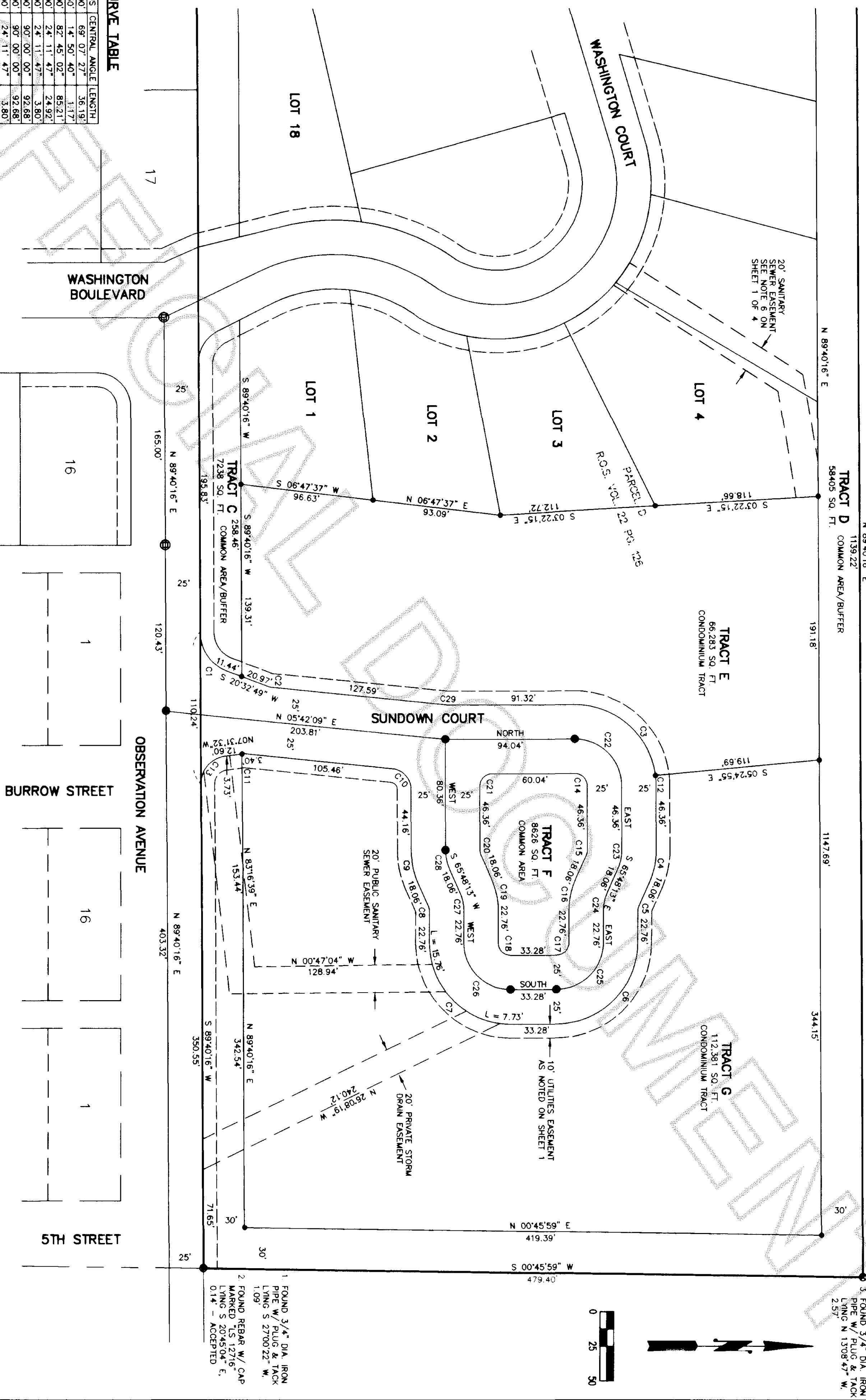


EXHIBIT #9:

2005, PUD AMENDMENT TO
SUNSET COVE ESTATES PUD



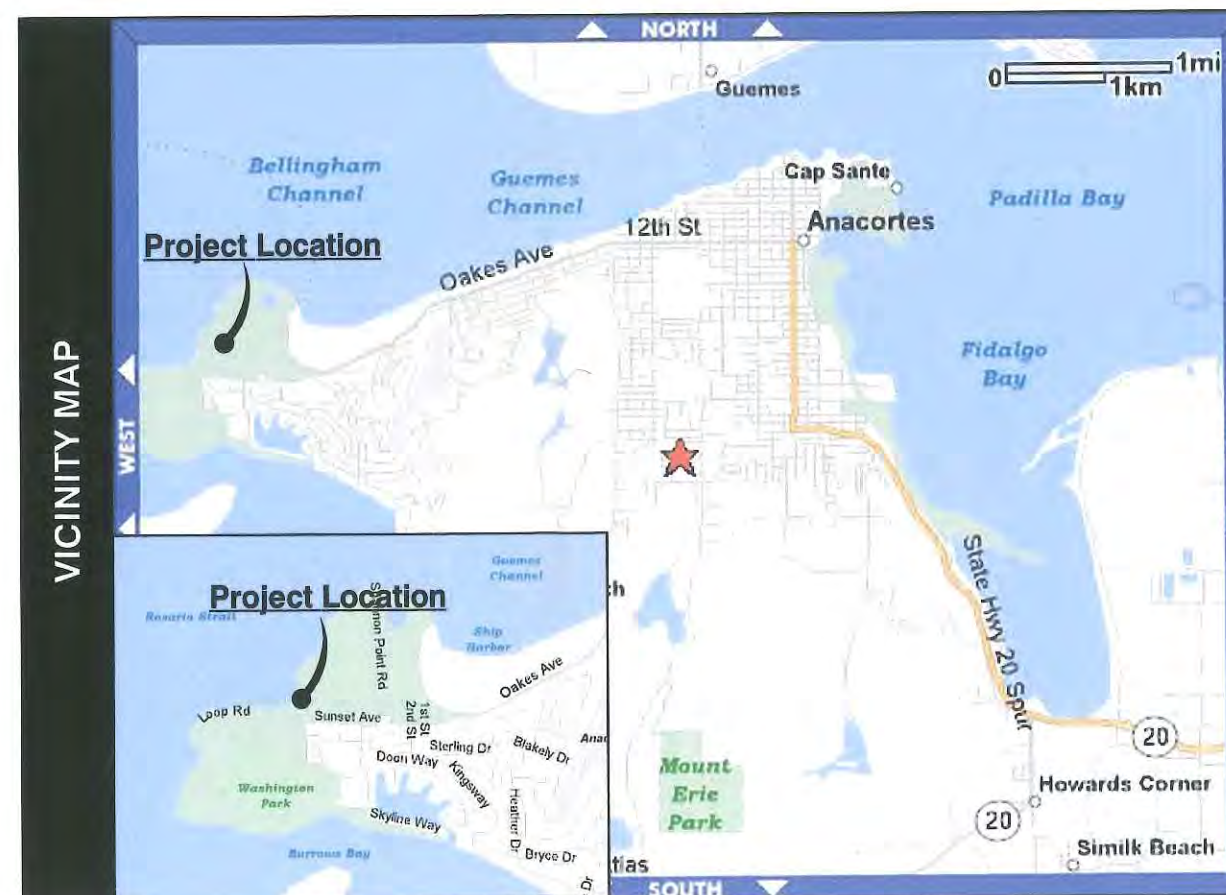
Skagit County/City of Anacortes

The Gardens at Sunset Cove Planned Unit Development

City of Anacortes, Washington

Located in Portion of 21, Township 35 N, Range 1
Sundown Court

August 1, 2005



OBROCK | COX LLC
ARCHITECTS & PLANNERS

1015 14th Street Suite A
ANACORTES, WASHINGTON 98221
TEL 360 293 4415 FAX 360 230 2301
www.obrockcox.com

Developer:

GT Development LLC
1015 14th Street Suite A
Anacortes, Washington 98221

Owner:

Sunset Cove Development LLC
120 E George Hopper Rd
Burlington, Washington 98233

Contacts:

William Obrock (or) John-Paul Cox

OBROCK|COX Architects & Planners
1015 14th Street Suite A
Anacortes, Washington 98221
PH (360) 293.4415 FAX (360) 230.2301
bill@obrockcox.com
jp@obrockcox.com

Project No. 0507001

Revision No.:

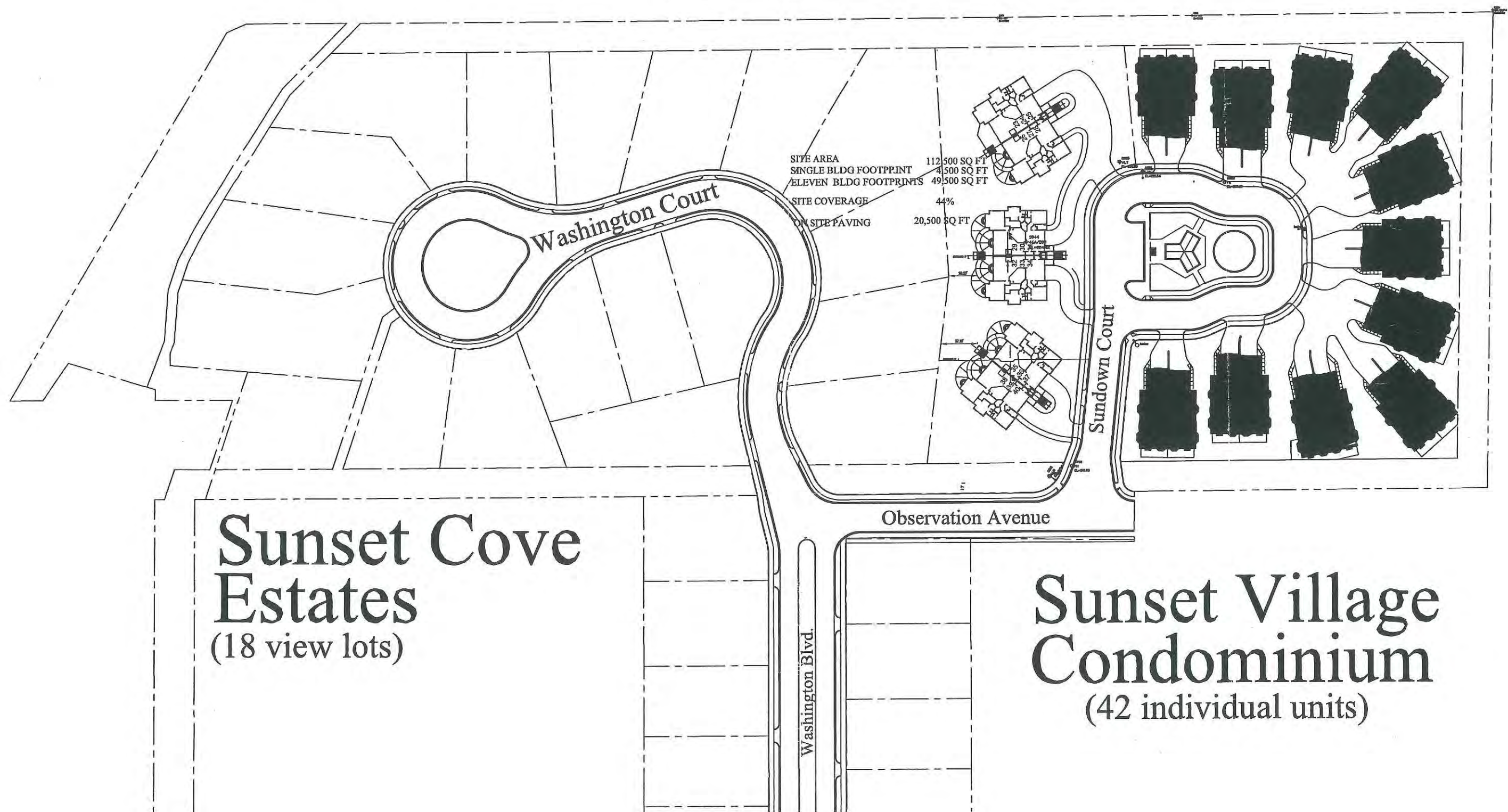
Project Manager: Bill Obrock

Submittal Date:

City Contact: Don M. - 360.293.1901

Sunset Cove PUD (AS CURRENTLY APPROVED)

(60 units)



Sunset Cove Estates
(18 view lots)

Sunset Village Condominium
(42 individual units)

Site Area: 112,500 SQ. FT.
Single Bldg Footprint: 6,140 SQ. FT.
Six Bldg Footprints: 36,846 SQ. FT.
Site Coverage: 32.7%

TRACT C: 7238 SQ. FT.
TRACT F: 8626 SQ. FT.

Observation Avenue
Washington Boulevard
Washington Park Estates Vol. PGS.

Sunset Cove Estates
(18 view lots)

SITE AREA	112,500 SQ. FT.
SINGLE BLDG FOOTPRINT	6,140 SQ. FT.
SIX BLDG FOOTPRINTS	36,846 SQ. FT.
SITE COVERAGE	32.7%

Sunset Village Condominium
(42 individual units)

The site plan for Sunset Village Condominium illustrates the layout of the development. It features several building footprints, some highlighted in red and others in blue. A central common area is labeled 'TRACT F 8626 SQ. FT. COMMON AREA'. The plan also shows 'Sunset Court' and 'Observation Avenue'. A table of statistics is provided:

SITE AREA	112,500 SQ. FT.
SINGLE BLDG FOOTPRINT	6,140 SQ. FT.
SIX BLDG FOOTPRINTS	36,846 SQ. FT.
SITE COVERAGE	32.7%

Additional labels include 'TRACT C 7238 SQ. FT.', 'COMMON AREA/BUFFER', 'WASHINGTON BOULEVARD', and 'WASHINGTON PARK ESTATES VOL. PGS.'. The plan also shows '20' front yard', '20' rear yard', and '20' side yard' setbacks.

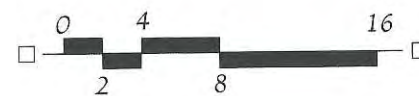
Sunset Cove Estates
(18 view lots)

Sunset Village Condominium
(42 individual units)

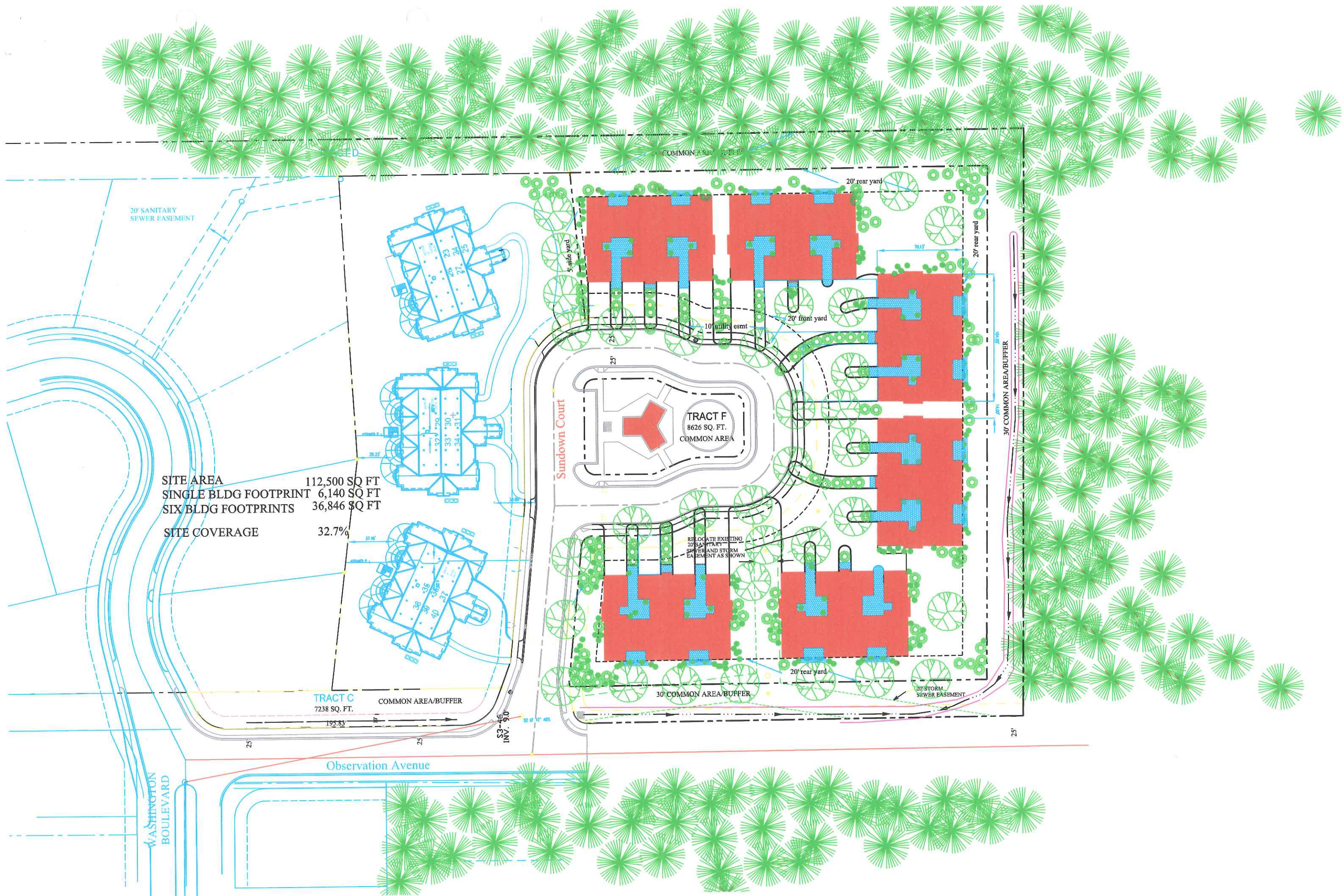


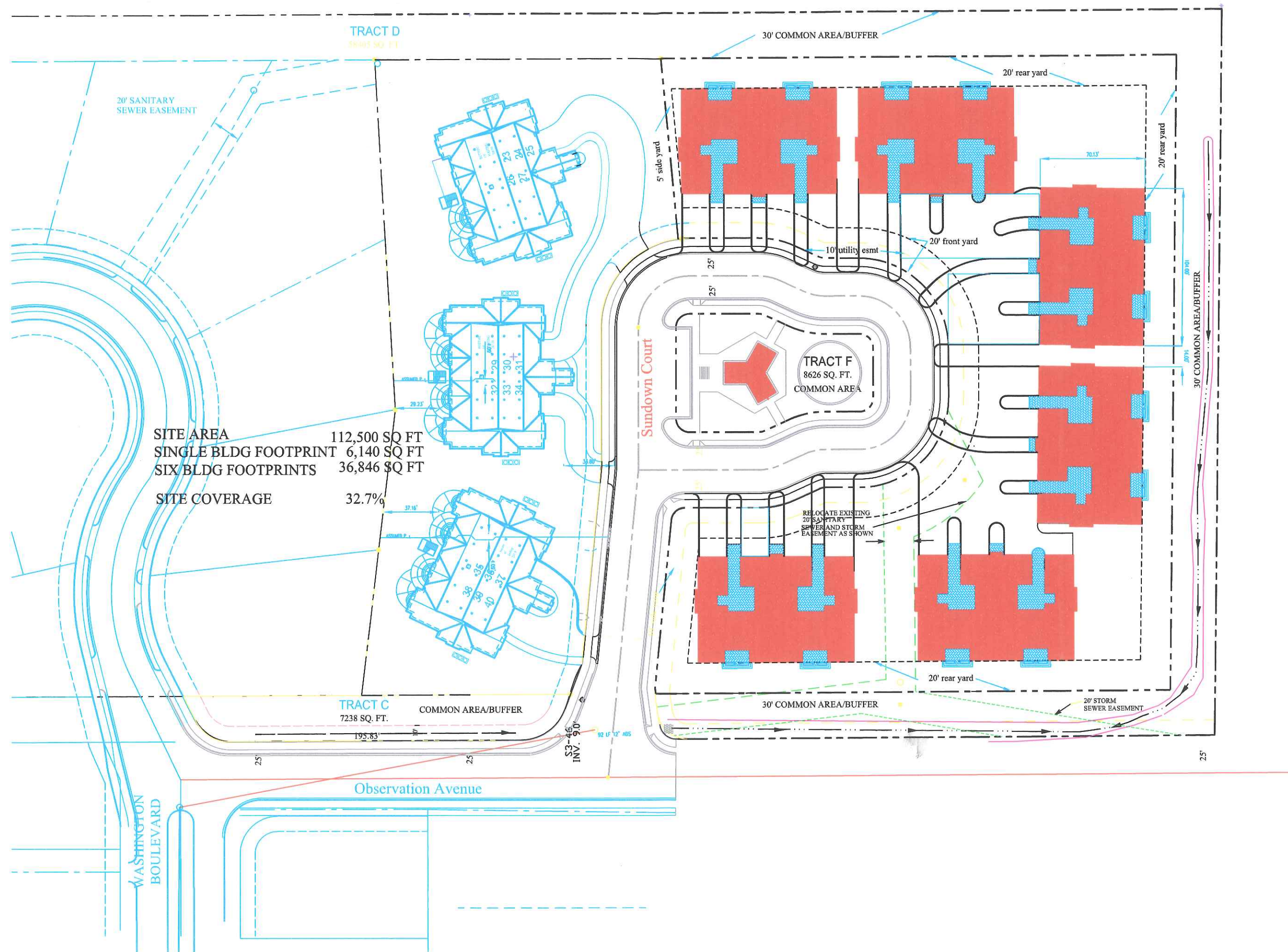
Street Elevation

Nantucket Style Elevation



The  *Gardens*[™]
at Sunset Cove





“The Gardens”

Planned Unit Development Site Plan Review

	Proposed Site Plan 6 - Four Unit Residences	Previous Site Plan 11 Duplex Buildings
Tract G	112,500 ft ²	112,500 ft ²
Lot Coverage	6 x 6,140 = 36,846 ft ²	11 x 4504 = 49,544 ft ²
% of Lot Coverage	32.70%	44.00%



Street Elevation



Sunset Cove
Anacortes, Washington

PROJECT:
Concept

LOCATION:
ANACORTES, WASHINGTON

PREPARED FOR:
GT Development LLC.



Conceptual
Elevations

DRAWN BY:
JP

DATE:
July 28, 2005

DRAWING #:

REVISED DATE:



Conceptual Nantucket Style Elevation



Conceptual Caribbean Style Elevation



Sunset Cove
Anacortes, Washington

PROJECT:
Concept

LOCATION:
ANACORTES, WASHINGTON

PREPARED FOR:
GT Development LLC.



Conceptual Elevations

DRAWN BY:
JP

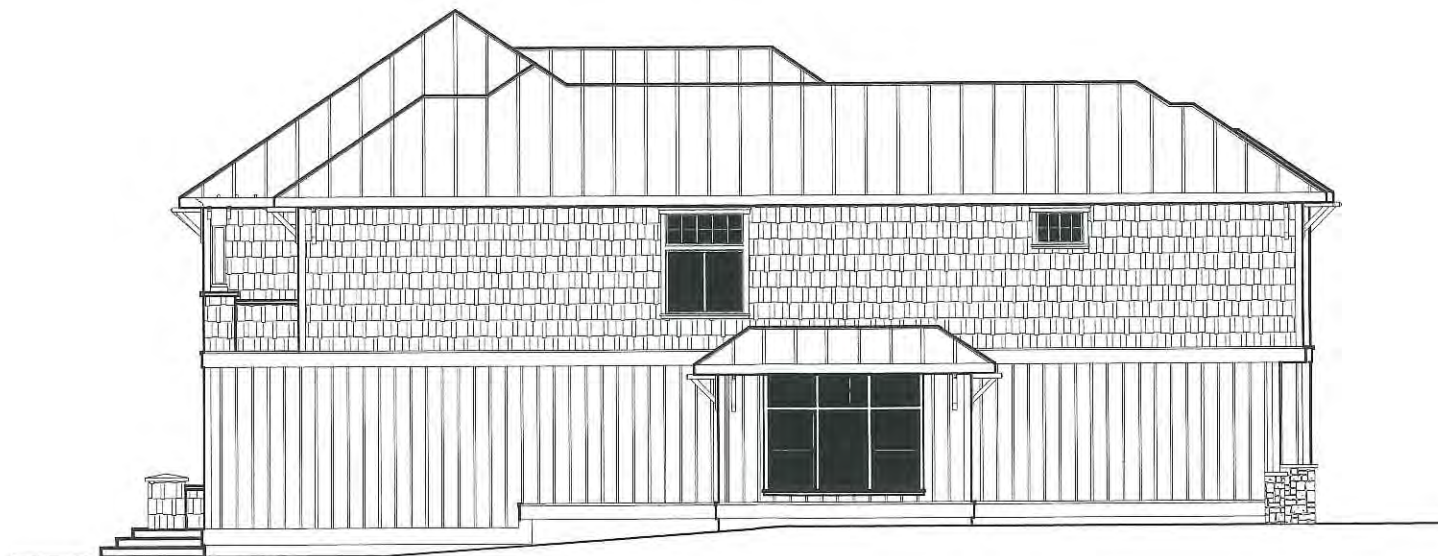
DATE:
July 28, 2005

DRAWING #:

REVISED DATE:



Conceptual Rear Elevation



Conceptual Side Elevation



Sunset Cove
Anacortes, Washington

PROJECT:
Concept

LOCATION:
ANACORTES, WASHINGTON

PREPARED FOR:
GT Development LLC.



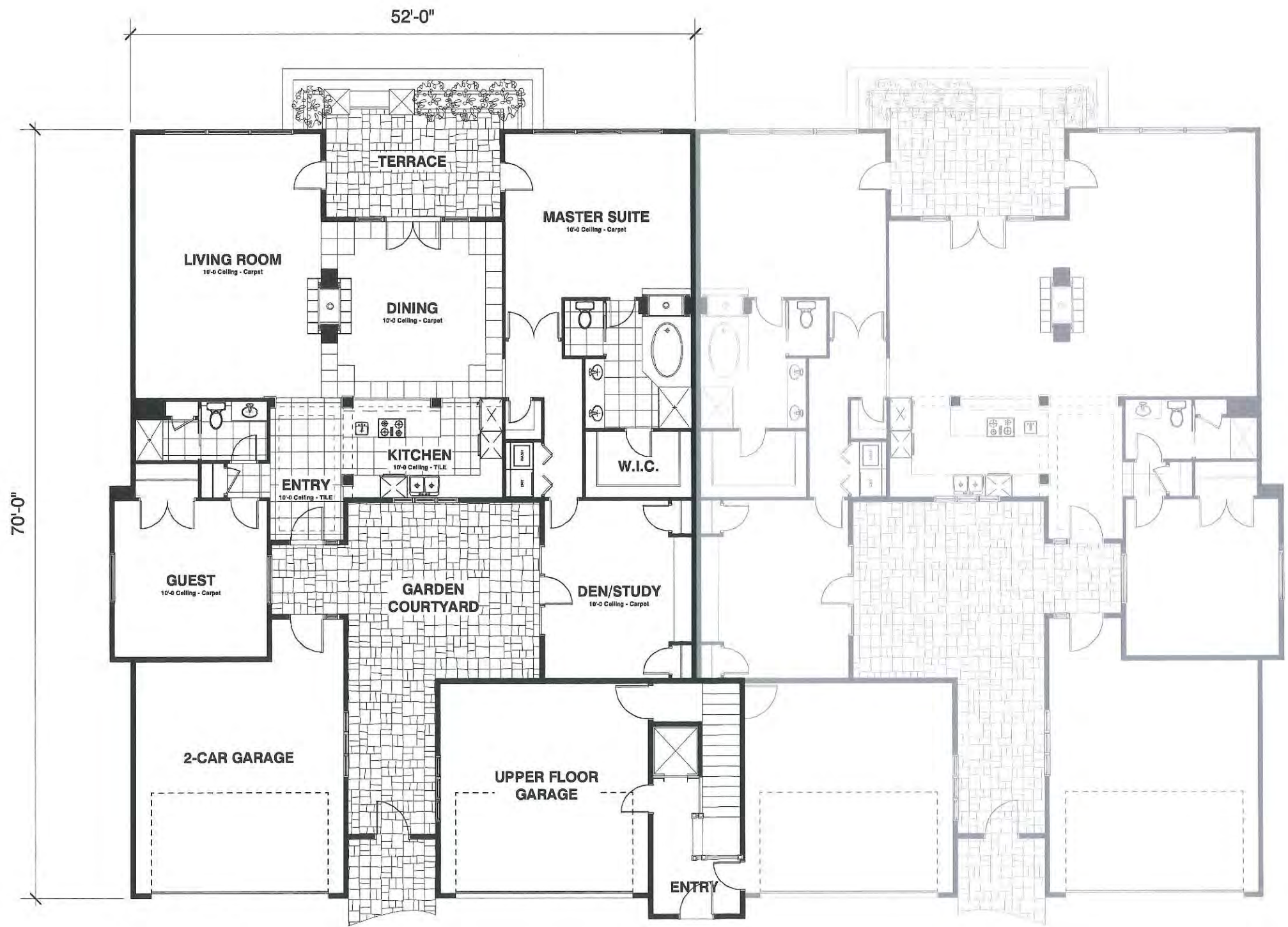
Conceptual
Lower Floor Plan

DRAWN BY:
JP

DATE:
July 28, 2005

DRAWING #:

REVISED DATE:



First Floor Level

Approx. 2100 S.F.

Sunset Cove
Anacortes, Washington

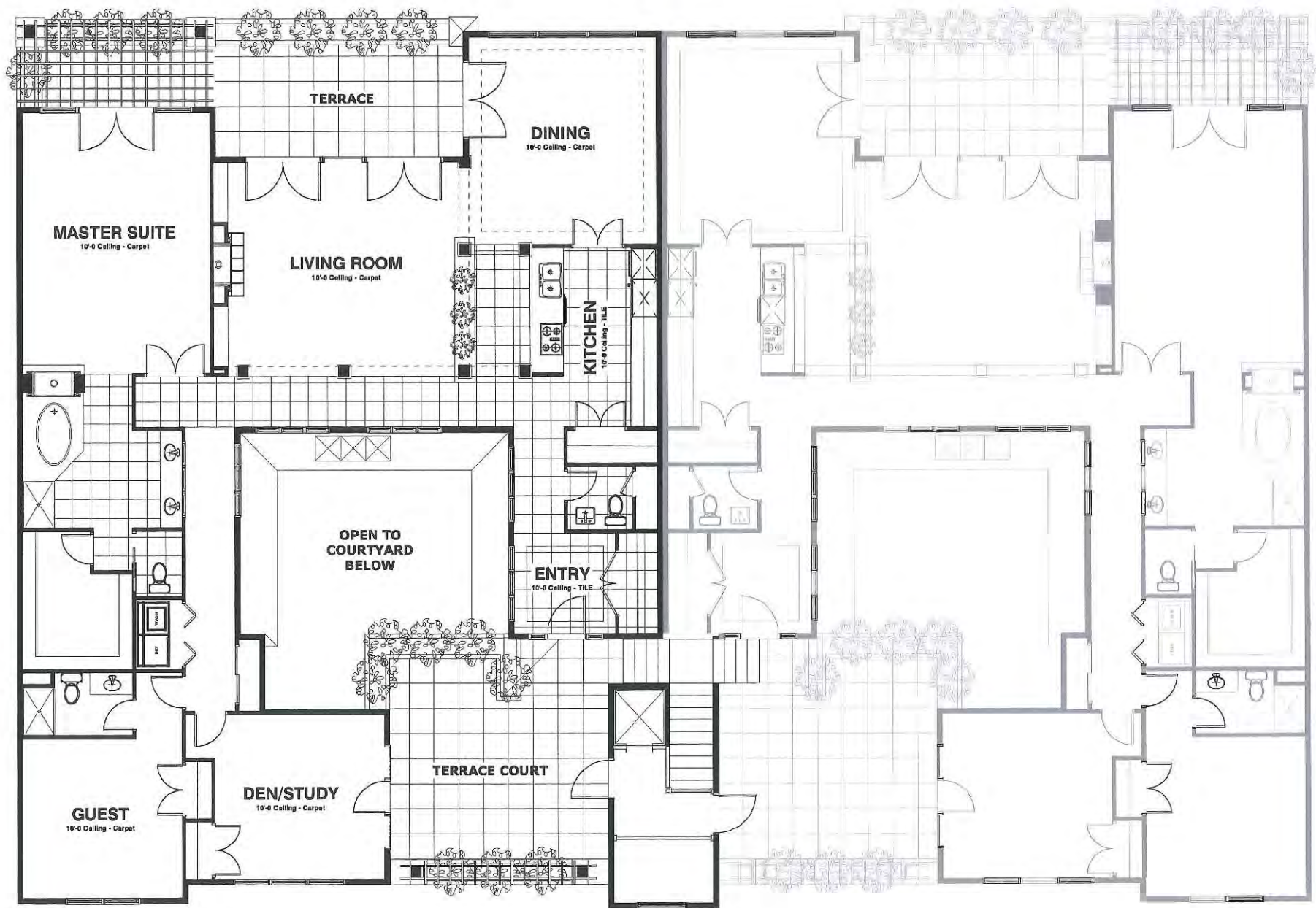
PROJECT:
Concept

LOCATION:
ANACORTES, WASHINGTON

PREPARED FOR:
GT Development LLC.



Conceptual Upper Floor Plan



Second Floor Level

Approx. 2150 S.F.

DRAWN BY:
JP

DATE:
July 28, 2005

DRAWING #:

REVISED DATE:

EXHIBIT #10:

PLANNING COMMISSION MINUTES, 2005 PUD
AMENDMENT TO SUNSET COVE ESTATES PUD



Planning Commission Minutes – October 12, 2005

Public Hearing: Sunset Cove Development Plan Amendment

The Vice-Chair, Mr. Clay Leming introduced the amended application to the Final Development Plan for Sunset Cove Planned Unit Development. The project was originally approved for 24 living units (duplex style). The proposed revision is to develop six four plex units (24 living units). Mr. Don Measamer, Assistant Director of Planning presented an overhead drawing. He explained that City Council had recommended this proposal come before the Commission for possible public input. A letter was submitted from the Sunset Cove Homeowners Association, which indicated support of the proposed amendment. With that, the Vice-Chair Mr. Leming opened the public hearing to take testimony.

Vicki Cooley, Real Estate Agent, 3702 Biz Point Road, read her letter submitted letter to the Commission, which spoke in support of the proposed amendment to Sunset Cove Development Plan. Bill Obrock, 4205 Glasgow Way, Architect for the project explained that the proposal will allow for lower roof lines, and increased area for more landscaping/open space. With that, the Vice-Chair closed the public hearing.

After discussion, the Commission approved the amended application for the Sunset Cove Development. This action was taken on a motion by Commissioner Nelson, seconded by Commissioner Folsom, and passed unanimously.

Excerpt from City Council Minutes – September 6, 2005

Proposed Amendments to Development Plan for Sunset Cove PUD

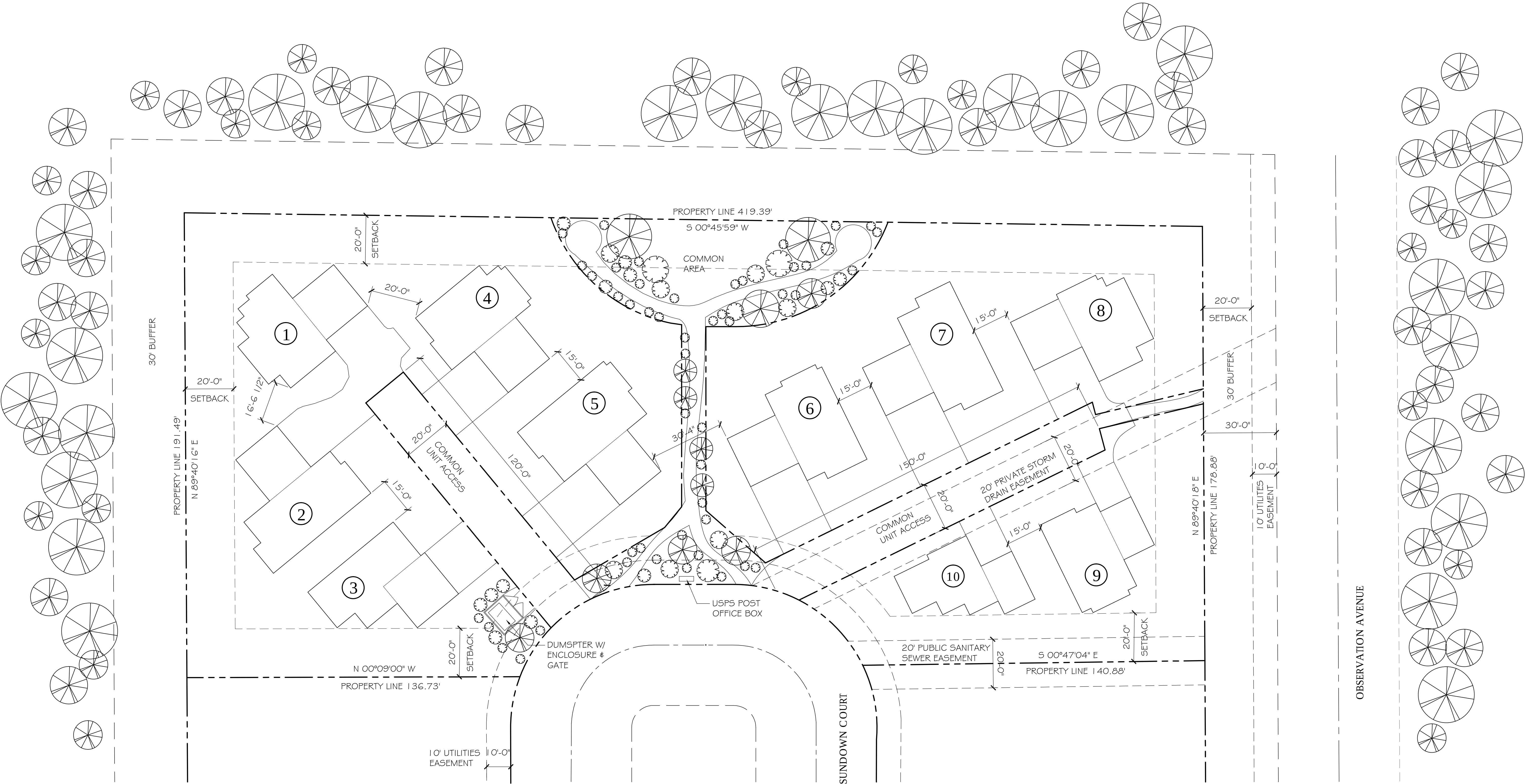
Mr. Ian Munce, Planning Director, introduced a request by the current owners of the Sunset Cove Planned Unit Development to amend the approved Final Development Plan. Originally approved for 12-duplex units (24 total living units) the current concept is now for 6-fourplex units (24 total living units). Procedurally, the Planning Commission can approve this amendment without additional public hearing. Neighbors within 300 feet of the project were notified of this proposed change and were given an opportunity to comment. Mr. Christiansen suggested that it would be appropriate for the Planning Commission to decide on this revision. On a question from Council, the proponent offered that there would be more open space through this amendment. Mrs. Richardson discussed the need for public input and moved to authorize the Planning Commission to make a decision on this matter through the Public Hearing process. Mr. Sizemore seconded the motion. Vote: Ayes – Christiansen, Richardson, Rock, Hoboy, Petrish, Sizemore, and Adams. Motion carried.

EXHIBIT #11:

SITE PLAN TO 2015, PUD AMENDMENT TO
SUNSET COVE ESTATES PUD (NEVER BUILT)

GARDEN VILLAGE HOMES CONDOMINIUM

PHASE 3: HOUSING DEVELOPMENT
ANACORTES, WASHINGTON



SITE PLAN CONCEPT - LANDSCAPING

SITE AREA	73,861 SQ FT
BUILDING FOOTPRINTS	~15,761 SQ FT
SITE COVERAGE	~21.3 %