

PROJECT MEMO



TO: DuPont Planning Commission and
Jeff Wilson, AICP - Community Development Director

DATE: July 17, 2017- **REVISED**

FROM: Ryan Givens, AICP – Contract Planner

PROJECT NO.: COMP-16-05 & TEXT-16-07

PROJECT NAME: Commercial at Center Drive and
DuPont-Steilacoom Road.

SUBJECT: DuPont – Community Commercial Opportunity Area – Proposed Language

The purpose of this memorandum is to recommend a Comprehensive Plan, Zoning, and Land Use Code approach that would allow future commercial land uses in the vicinity of Center Drive and DuPont-Steilacoom Road.

Objective

This is a City-initiated endeavor with the intent to achieve the following objectives: (i) provide opportunity for commercial development to serve DuPont residents, (ii) take advantage of and capture existing vehicle trips in the vicinity, (iii) reduce the number of consumer trips leaving the City of DuPont, (iv) recognize the existing industrial/employment future land use designations and businesses, and (v) work within the existing Comprehensive Plan and Land Use Code framework to establish a land use mechanism to allow future commercial development at this location and potential future locations.

Existing Comprehensive Plan Map and Text

The subject area is located within the *Manufacturing / Research Park and Industrial Area [Village]* of the Comprehensive Plan. The Plan designates this area as a focus of jobs and industry; the Plan allows for only small scale retail establishments that are intended to complement employment uses. The subject area has two future land use designations; the Comprehensive Plan describes these designations as follows:

- ***Industrial*** - The purpose of this district is to provide for the location and grouping of industrial uses, and similar uses involving manufacturing, assembly, fabrication, processing, bulk handling, storage, research, and heavy trucking. This purpose is accomplished by permitting a wide range of industrial uses, establishing appropriate development standards.
- ***Manufacturing and Research*** - This district allows for light manufacturing and high technology industries such as biotechnology, computer technology and communications equipment uses. Land uses with any significant adverse impacts, such as excessive noise or emission of significant quantities of dirt, dust, odor, radiation, glare or other pollutants, are prohibited. This district also provides in limited locations small scale retail.

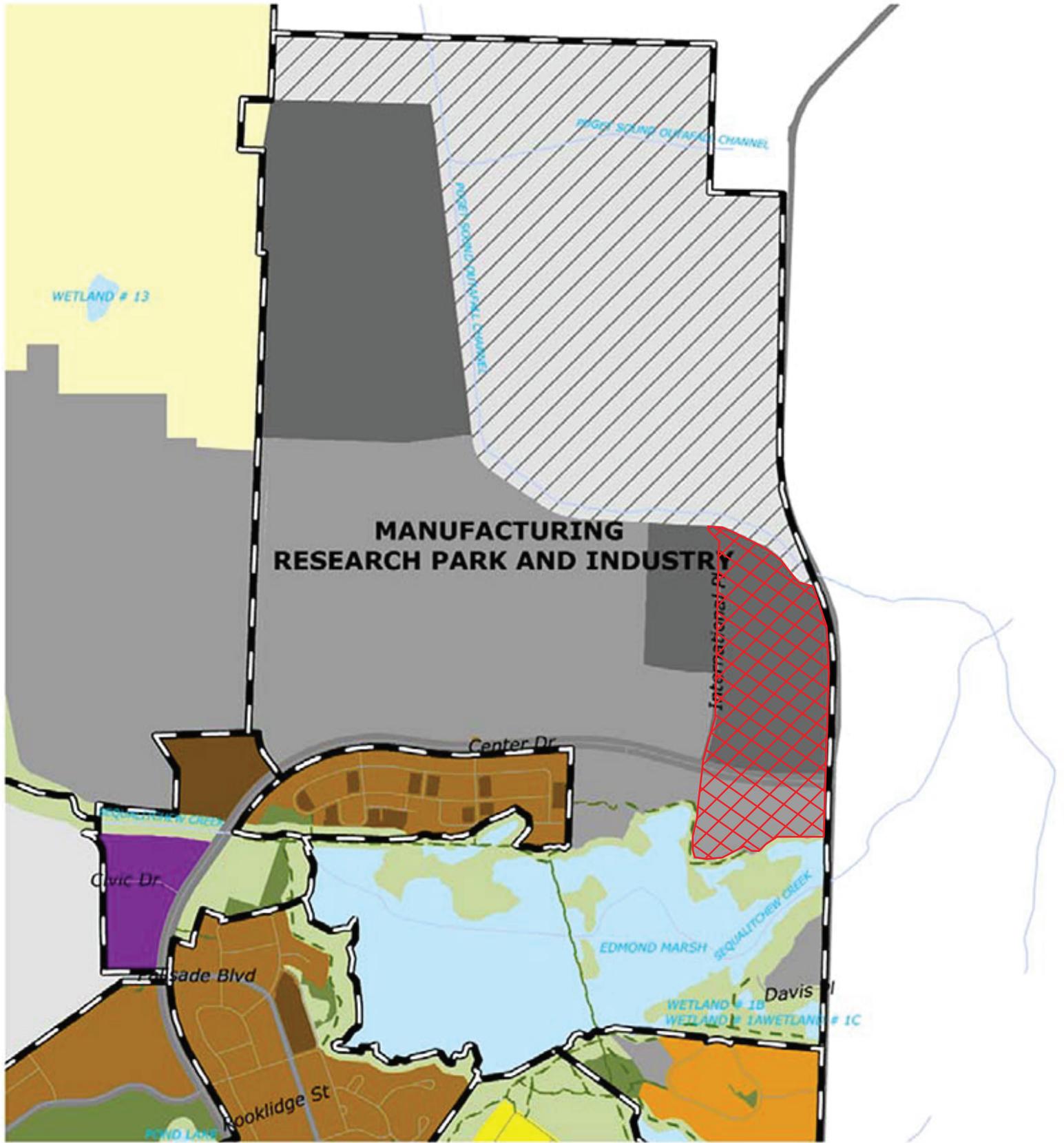
Proposed Comprehensive Plan Text and Map

The project objective can be partially implemented through a Comprehensive Plan Amendment; this would involve both text and map amendments. The City also intends to recognize the existing businesses and respect the existing employment-based development potential afforded by the current designations. As an option, the City could establish a future land use overlay designation that could be assigned to an area in addition to a standard future land use designation. In addition to the recommended text amendments, the Future Land Use Map should be amended to designate portions of the area as the Community Commercial Opportunity Area (CCOA) land use overlay. These provisions require an amendment to the Future Land Use Map and the Comprehensive Plan Text; the proposed text and map amendment are illustrated as attachments.

Proposed Land Use Code and Zoning Map

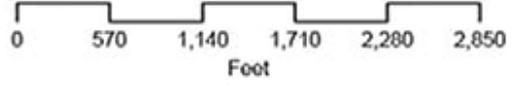
The project objective and proposed Comprehensive Plan amendments can be implemented by establishing a new zoning district. This would require establishing the district on the zoning map and adopting land use controls within the Land Use Code. For the purposes of this City-initiated amendment, only the land use code text amendments are proposed at this time. Property rezones may be initiated in the future as a separate request. The recommended text amendments are summarized in the following:

- **Establish a new zoning district** – it is recommended that a new zoning district be established that allows for commercial services while also permitting the industrial and manufacturing activities described in the underlying future land use designations. Furthermore, multifamily development may be allowed as a conditional use; multifamily is only recommended in this new district when ground floor commercial uses are provided. The new district could be called the *Community Business (CB)* and combine any of the uses allowed in the *Commercial (C)*, *Industrial (IND)*, and *Manufacturing and Research (MRP)* districts. The proposed text is listed as an attachment.
- **Require design regulations and guidelines** – it is recommended that the design guidelines required for the *Commercial* and *Mixed-Use* development shall apply to future commercial development within the new *CB* district. Furthermore, design guidelines required for the *Multifamily* developments shall apply. This would require that future commercial and multifamily developments in the *CB* district will provide similar site/building design elements that are expected in other parts of the city. In contrast, industrial and manufacturing uses are subject to parking, pedestrian access, and landscaping/buffer standards that are already in place in the code. The proposed text additions are listed as an attachment.



MANUFACTURING RESEARCH PARK AND INDUSTRY

Residential Reserve	Office	Industry	Community Commercial Opportunity Area
Residential 3	Commercial	Military	Open Space/Sensitive Areas
Residential 4	Mixed Use	Park Land	Village Boundary
Residential 5	Business Tech Park	Park Land	Trails
Residential 12	Manufacturing and Research	Village Boundary	Streams



1 **PROPOSED COMPREHENSIVE PLAN AMENDMENT**

2 Table 10: Future Land Use Designation Description

3 **Designation: Community Commercial Opportunity Area Overlay**

4 Description: The purpose of this designation is to allow for commercial services as a development option at
5 strategic locations within the City. The Community Commercial Opportunity Area (CCOA) is an overlay
6 designation; the underlying future land use designation(s) shall remain applicable to the properties. In addition
7 to the allowable uses for the underlying future land use designation(s), the CCOA allows for retail trade,
8 service businesses and similar uses. Multifamily may be allowed when ground level commercial uses are
9 provided; densities shall be limited to 12 dwelling units per acre. The Community Business (CB) District is the
10 primary implementing zone for the CCOA and may be applied to all or portions of the CCOA. Other
11 consistent zoning districts may be assigned to implement CCOA in terms of allowable uses, urban design,
12 and neighborhood compatibility.

13 ***Manufacturing/ Research Park and Industrial Area***

14 The area of the City between Sequalitchew Village, the DuPont Steilacoom Road, the northern city limits and
15 the eastern edge of the Palisade and Historical Villages is identified as Manufacturing/ Research and
16 Industrial Area and provides land for industrial activity, manufacturing, office and some nonmanufacturing
17 activities such as wholesaling and distribution. The boundaries of this area have been reduced from the 1995
18 Plan on the west and from the 2001 Plan on the southeast to create a portion of Sequalitchew Village and the
19 entirety of Bell Hill Village respectively. Access is provided by Center Drive, an east/west route intended for
20 truck traffic along the JBLM Land Fill site and the DuPont-Steilacoom Road.

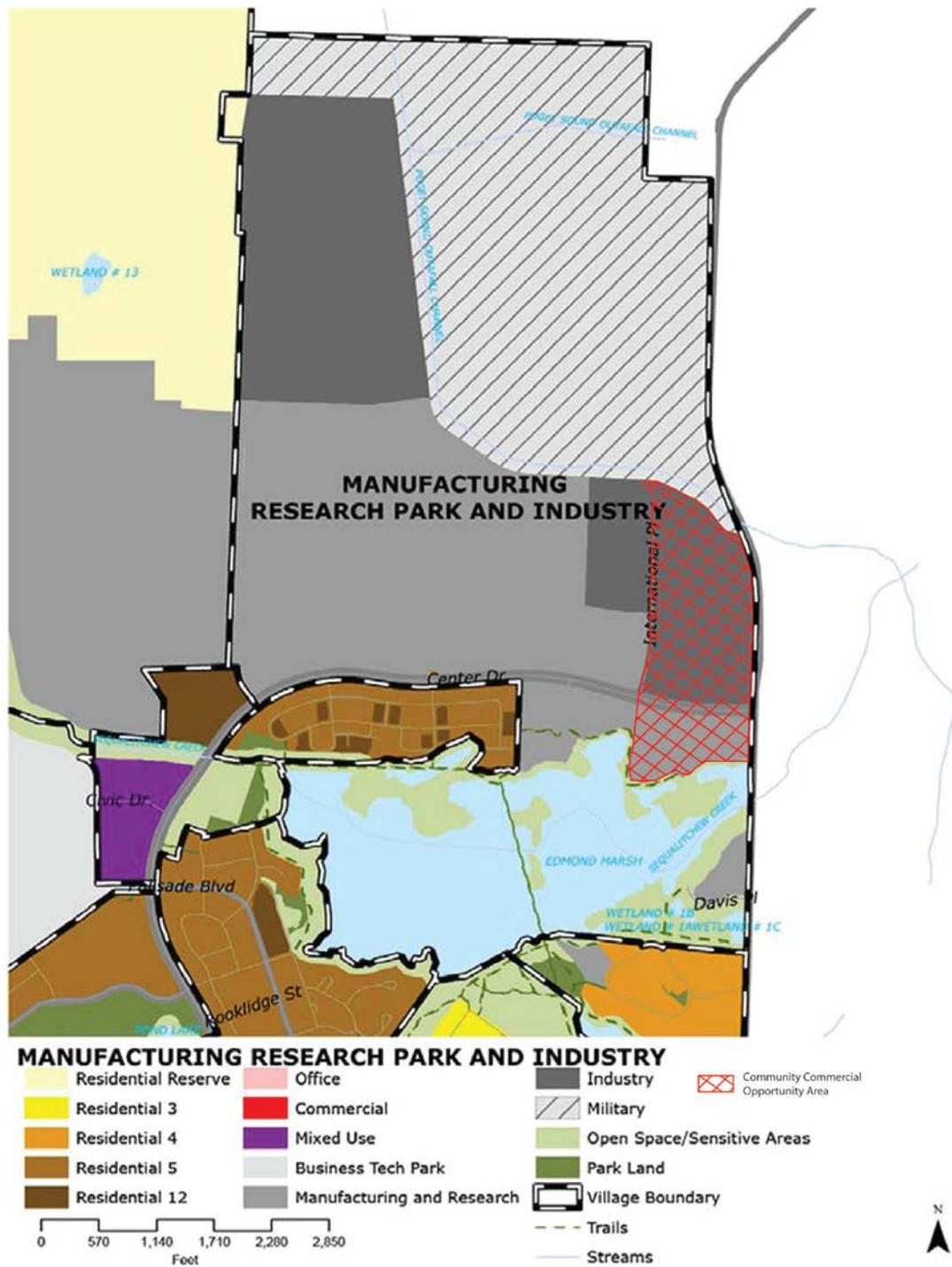
21 This area has two primary land use designations, Manufacturing/Research Park and Industrial. The
22 Manufacturing and Research Park designation is located adjacent to Center Drive and includes office uses
23 and less intense, generally smaller scale industrial uses. Larger scale, somewhat more intense industrial uses
24 are located in the industrial designation to both the north and east. Current businesses in this village include
25 Intel Corporation in the Manufacturing/Research Park area and Westblock Pacific and Glacier Northwest in
26 the Industrial area.

27 The industrial area on the east side, along DuPont Steilacoom Road, has been in place since the 1995 plan
28 and was developed in order to compensate for the proposed elimination of industrial uses from the then,
29 newly created Sequalitchew Village. Included in the industrial classification at the intersection of Center Drive
30 and DuPont-Steilacoom Road is a 5-acre site intended for a bus barn. Based on the school district's current
31 plans this site may be surplus property and become available for industrial development.

32 Contained within this area is Edmond Marsh and its associated buffer. This land area provides a major
33 passive recreation opportunity for the community and nearby business users. A trail system through wetland
34 buffers connects various sites within neighboring villages. A trail within the landscape buffer along Center
35 Drive connects to DuPont-Steilacoom Road and the Civic Center.

36 Another property owner in this area is the U.S. Army. JBLM is phasing out its old landfill and intends to
37 convert the land to open space. The JBLM Real Property Master Plan projects this area to “be set aside for
38 training, recreation and preservation of aesthetics of the post.” The City will pursue the opportunity for joint
39 use with JBLM.

40 The Manufacturing/ Research Park and Industrial Area also supports future commercial service at the corner
41 of Center Drive and DuPont-Steilacoom Road to provide retail trade, service businesses, and/or office uses to
42 support the larger DuPont community. Complementing multifamily is also permitted where ground level
43 commercial is provided. The intersection is designated with the Community Commercial Opportunity Area
44 (CCOA) land use overlay. Furthermore, a street and pedestrian network shall be developed to interconnect
45 roadways and land uses. The land use code shall establish the development controls to further define the
46 allowable uses, ensure quality urban design, and promote an interconnected transportation network.



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Proposed Comprehensive Plan Future Land Use Map

1 **PROPOSED LAND USE CODE AND ZONING MAP**

2
3 **Chapter 25.27**

4 **Community Business (CB) District**

5 **25.27.010 Purpose.**

6 The purpose of this district is to create business districts that include a mix of commercial services, office,
7 manufacturing, and industry. The Community Business (CB) District is intended to accommodate quality
8 employment and commercial services to serve the DuPont community and immediate vicinity; the district also
9 allows complementing multifamily when built with ground level commercial uses. The CB is intended to
10 implement the Community Commercial Opportunity Area (CCOA) as defined in the DuPont Comprehensive
11 Plan and Future Land Use Map.

12 **25.27.020 Permitted uses.**

- 13 (1) All forms of retail trade, such as stores, shops, and sales offices except those listed in DMC
14 25.27.030;
- 15 (2) All forms of service businesses, other than adult entertainment, such as hotels, entertainment
16 facilities, restaurants, fitness centers, family day care and child day care center vehicles service
17 stations, and banks, except those listed in DMC 25.27.030.
- 18 (3) Offices; including medical clinics and veterinary clinics;
- 19 (4) Public Uses and quasi-public uses;
- 20 (5) Open-air vending;
- 21 (6) Drive thru window; provided, however, that restaurants with a drive thru window must also provide
22 seating inside the restaurant in an area equal to at least 15 percent of the restaurant's total floor area;
- 23 (7) Underground utilities;
- 24 (8) Above-ground utility structures under 50 square feet in area and under seven feet in height;
- 25 (9) Wireless communication facilities, attached;
- 26 (10) Wireless communication facilities, public.
- 27 (11) Manufacturing or repair of:
- 28 (i) Furniture and fixtures;
- 29 (ii) Food and beverages;
- 30 (iii) Textiles, apparel, and leather goods;
- 31 (iv) Building materials other than asphalt, batch concrete when in an unenclosed facility, lumber
32 and wood products;
- 33 (v) Products made from light stone, clay, and glass;
- 34 (vi) Hand-crafted products;

- 1 (vii) Electrical and electronic equipment and appliances;
- 2 (viii) Fabricated metal products, containers, hand tools, and heating equipment;
- 3 (ix) Measuring, analyzing, and control instruments;
- 4 (x) Photographic, medical, audio, and optical equipment;
- 5 (xi) Signs; and
- 6 (xii) Automobiles, trucks, boats, and recreational equipment;
- 7 (12) Miscellaneous light fabrication and assembly;
- 8 (13) Industrial equipment sales, service, and rental;
- 9 (14) Industrial laundry and upholstery services;
- 10 (15) Building construction, well drilling, and general contractor services;
- 11 (16) Warehouse and distribution uses;
- 12 (17) Mini-storage and indoor storage;
- 13 (18) Other similar uses as determined by the Community Development Director.

14 25.27.025 Accessory uses.

- 15 (1) Electric vehicle charging and battery exchange facilities.
- 16 (2) A single on-site security dwelling. The sole purpose of the dwelling is to furnish housing for an
- 17 employee, including family, engaged in on-site security;

18 25.27.030 Exceptions to DMC

19 Service businesses such as wrecking yards and bulk fuel distributors, are prohibited. (Ord. 02-707 § 1)

20 25.27.040 Conditional uses.

- 21 (1) Above-ground utility structures over 50 square feet in area or over seven feet in height.
- 22 (2) Outside storage when not associated with another use on the property.
- 23 (3) Multifamily
- 24 (i) Multifamily development shall provide ground level retail trade, service businesses, office,
- 25 and/or live-work units.
- 26 (ii) Multifamily developments shall be designed to buffer residential units from adjacent industrial
- 27 and manufacturing uses; this may include a landscaping and/or opaque walls.
- 28 (iii) Multifamily may be permitted a residential density up to 12 dwelling units per acre. For the
- 29 purposes of determining allowable density, only the portions of the site used for multifamily
- 30 and its ancillary uses (e.g. open space and parking) may be used in the density calculation.

1 25.27.050 Building bulk restrictions.

2 (1) Building height shall not exceed 65 feet within 100 feet of a public street and no taller than 70 feet
3 when set back 100 feet or more from a public street. Mechanical equipment and its minimum
4 screening shall not be included in the height measurement.

5 (2) Building Setbacks.

6 (a) Front. No structure shall be closer than 10-feet from any front property line.

7 (b) Side. No structure shall be closer than 15 feet to any side property line

8 (c) Side. No structure shall be closer than 15 feet to any side property line

9 (3) Outdoor storage (supplies, materials, or products not contained in a structure) shall not cover more
10 than two percent of the total site area and shall be screened from streets and adjoining properties by
11 a 100 percent sight obscuring wall or fence.

12 (4) Loading and service areas shall be screened from the public rights-of-way with an opaque wall,
13 fence, or other similar architectural feature.

14 25.27.060 Site plan approval.

15 Site plan approval is required for all development projects. Projects within the community business district
16 shall be reviewed as set forth in DMC 25.175.010.

17 25.27.070 Design review.

18 Design review is required for commercial and mixed-use development projects pursuant to DMC Chapter
19 25.70. Design review is required for multifamily projects pursuant to DMC Chapter 25.65. Design review shall
20 be processed with a Type I procedure as set forth in DMC 25.175.010.

21
22 **Chapter 25.70**

23 **COMMERCIAL AND MIXED USE DESIGN REGULATIONS AND GUIDELINES**

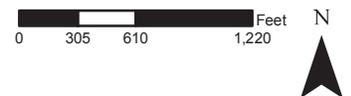
24 **25.70.010 Administration.**

25 (1) Design Review Required. All applications for site plan and conditional use permits in the commercial
26 and mixed use land designations or districts are subject to the regulations and guidelines in this
27 chapter. Additionally, all applications for site plans involving retail trade, service businesses, offices
28 and mini storage in the community business districts are subject to the regulations and guidelines in
29 this chapter.



Community Commercial Opportunity Area

Date: 2017-7-18



July 18, 2017

VIA OVERNIGHT MAIL AND EMAIL

City of DuPont Planning Commission
c/o Jeffrey S. Wilson, Community Development Director
1700 Civic Drive
DuPont, Washington 98327-9603
jwilson@dupontwa.gov

Re: Proposed Community Commercial Opportunity Area at Center Drive and DuPont-Steilacoom Road (Project No. COMP-16-05 & TEXT-16-07), as described in the Project Memo dated July 7, 2017 from Ryan Givens, contract planner, to the City of DuPont Planning Commission and Jeff Wilson, Community Development Director (the "City Memo")

Honorable Commissioners:

This letter is submitted on behalf of our client NWLC-P2 LLC ("**NWLC**"), the owner of Tax Parcel No. 3000390011, a thirty-two acre site commonly known as 3230 International Pl. N, DuPont, Washington 98327 (the "**Property**"). We are writing to commend the City's efforts to promote commercial development by its consideration of Proposed Community Commercial Opportunity Area at Center Drive and DuPont-Steilacoom Road (Project No. COMP-16-05 & TEXT-16-07) and also to provide comments for the Commission's consideration.

Although it will likely take some time for NWLC to fully digest its options in the event the proposed amendments are adopted, NWLC recognizes the City's desire to provide its residents with additional commercial resources and certainly would consider options for nonindustrial development of the Property in the future. In the meantime, however, NWLC is concerned that some aspects of the proposal will impose unreasonable burdens on NWLC and other property owners.

First, if the Property were rezoned from its current Industrial ("**IND**") designation to the proposed Community Business ("**CB**") designation, the site plan approval process would become a Type III decision (proposed Section 25.27.060), rather than a Type II decision (current Section 25.50.040). We recognize that in some instances, public hearings and hearing examiner decisions add value and result in better land use decisions, but they also increase costs and risks and can add delay to land development projects. In our experience, in Washington cities and counties site plan approvals typically are staff decisions (often with a right of appeal to a hearing

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examiner), not hearing examiner decisions (which often have no right of administrative appeal). We do not believe moving site plan approval from a staff decision to a hearing examiner decision adds sufficient public benefits to outweigh the costs. We ask that site plan review decisions remain Type II decisions in the proposed CB zone.

Second, we understand the Commission is considering recommending that the City subject all development projects (including future industrial projects) within the proposed CB zone to design review. Not only would this contradict the initial proposal set forth in the City Memo (which limited the design review requirement to retail trade, service business, offices, and mini storage uses), but it also would impose an additional impediment to development that does not exist under the current IND framework. As noted on page 4 of the City Memo, it is appropriate to exempt industrial uses from design review given that "many industrial and manufacturing uses may be burdened [by design guidelines] due to their operational characteristics."

NWLC is affected by the proposals set forth in the City Memo more than any other landowner. While NWLC appreciates the City's willingness to expand the scope of uses permitted at the Property by potentially rezoning the area to the CB designation, it respectfully requests that such expansion be accomplished without increasing regulatory burdens on affected property owners given the lack of clear public benefits to be gained.

We would be happy to discuss NWLC's concerns further at your convenience.

Thank you for your consideration.

Sincerely yours,

DAVIS WRIGHT TREMAINE LLP



Marco de Sa e Silva



Kevin Badgley

cc: Jeff Wilson, Community Development Director
Ryan Givens, Contract Planner
Angelo Ianello
Nick Griot