



PUBLIC WORKS DEPARTMENT

Findings, Conclusions and Decision Public Works Variance EN-22-0015

Site: The Reserve Preliminary Plat
Parcel No. 0222323134

Applicant: Darton Riely-Gibbons, P.E.
Project Manager
CPH Consultants
11321 120th Street, Suite B
Kirkland, WA 98034

Re: **(EN-22-0015)** The Reserve Preliminary Plat Joint Use Driveway - Public Works
Variance Request

Dear Mr. Riely-Gibbons:

The City of Gig Harbor Public Works Department has reviewed the submitted materials for the Reserve Preliminary Plat Public Works Variance and has concluded the following:

I. Findings.

A. Facts. On May 9th, 2022, Darton Riely-Gibbons, P.E., of CPH Consultants, submitted an application to the City of Gig Harbor requesting a variance from the City of Gig Harbor Public Works Standards (Standards) Section 2B.072 for the Reserve Preliminary Plat Development. The Applicant's package included a letter addressing the variance criterion, a preliminary site plan, a preliminary road grading plan, and the typical roadway sections.

The Applicant requests a variance from Public Works Standard Section 2B.072, which states that joint-use driveways serving two adjacent parcels are encouraged whenever feasible. The requested variance would allow four new single-family residential lots to access from a single, 20-foot-wide paved drive within a privately maintained joint use access and utility tract.

B. The Applicant's submittal included the variance application, payment in the amount of \$2,000.00, and letter and pertinent documents addressing the variance criterion (copy attached).

C. Application of Facts to Criteria for Approval. The City Engineer may grant variances from the Standards if the Applicant presents substantial evidence to demonstrate that all of the criteria in Section 1.035(C) of the Standards are satisfied. Following is the City

Engineer's analysis of the facts to the criteria for approval based on information supplied by the applicant:

1. *"Strict compliance with the Public Works Standards is undesirable or impractical because of impracticality or undesirable conditions".*

The Applicant states:

- The PWS encourages the use of joint use driveways. As written, PWS 2B.072 suggests that a joint-use driveway be shared between two properties. It does not, however, explicitly preclude more than two residences sharing a joint-use driveway nor does it state that two adjacent joint use driveways cannot be combined into a single driveway. The Reserve is encumbered by significant topography. The site grading design accommodates this steep topography and maintains the maximum allowable grade of Road A by sloping the side yards and rear yards of the lots.
- Having two separate joint-use driveways for Lots 1 and 2 and Lots 3 and 4 respectively would reduce the area available to accommodate such yard slopes. The configuration of these lots provides a practical solution to the challenge of site grades and a lot configuration that optimizes density. Individual driveways or separate joint-use driveways for Lots 1 through 4 would also result in the undesirable condition of increasing the number of driveways on the steep slope of Road A.

The City Engineer's analysis concurs with the Applicant's claim that the constraints created by the existing site conditions make it impractical due to reasons stated by the Applicant.

2. *"The proposed variations are functionally equivalent to and are consistent with the intent of the Public Works Standards, and/or provide compensating benefits to the City and the public".*

The Applicant states the following:

- The proposed variation is consistent with the intent of the Public Works Standards because it provides access to the adjoining parcels while reducing the number of access locations on the main roadway. Additional driveway entrances would create a higher likelihood of vehicles entering the main roadway in reverse increasing the chance of collision. The use of a joint use driveway serving lots 1, 2, 3, and 4 would create a single entrance in which residents of each of the four lots would be able to maneuver to enter and exit the main roadway in the safest manner possible.

The City Engineer's analysis has concluded that the requested variation is functionally equivalent to and is consistent with the intent of Section 2B.072.

3. *"The proposed variation(s) are based on sound engineering judgment".*

The Applicant states:

- The use of a single joint use driveway to serve four lots will allow the use of a single-entry point for the four adjacent residential lots, thus reducing the number of driveways directly accessing the main path of travel. A joint use driveway was chosen as opposed to a private street in order to provide both vehicle and pedestrian access while also providing a narrower total width to facilitate grading. The proposed joint use driveway would utilize 20ft of pavement width. The use of a private street would require 22ft of pavement as well as 6ft of curb, gutter, and sidewalk on either side of the road resulting in a total of 34ft. This would reduce the amount of horizontal area that could be used to grade by a total of 14ft. It would also reduce the available usable yard space for each of the benefiting lots.

The City Engineer's analysis concludes that the Applicant has demonstrated that the proposed driveway configuration conforms with the intent of Section 2B.072 of the City of Gig Harbor Public Works Standards. The requested variance meets sound engineering practice as indicated.

4. *"The proposed variations have not been made necessary by actions of the Applicant or Property Owner".*

The Applicant states the following:

- The proposed variation has been made necessary by the limited definition of joint use driveways in the PWS. The use of a single joint use driveway would facilitate a reduction in number of driveways accessing the main path of travel required without requiring the use of a private street.

The City Engineer's analysis concludes that the fact the site is constrained by the existing site topography are not the result of actions by the Applicant.

5. *"Safety, function, appearance, and economical maintenance requirements are met with the proposed variation".*

The Applicant states the following:

- The variation proposed will meet the safety requirements by providing a single access for the adjacent four residential lots which will reduce the number of driveways directly accessing the Road A. This will reduce the number of entering and exiting points at the steep public roadway. The function requirements will still be met through the use of a single joint use driveway because vehicular and pedestrian access will be provided and not reduced. Pedestrian access will be improved along Road A by reducing the number of driveway ramps required to be built in the sidewalk. Appearance requirements will be met by providing access to lots 1 through 4 that readily facilitate the deemphasis of garages as recommended by GHMC 17.99.490.A

The City Engineer's analysis concludes appropriate safety and functional requirements are met by providing the essential elements of the applicable roadway section. The proposed driveway meets the expectations of the

Access Spacing requirements and thus the proposed variance causes no meaningful increase in maintenance costs.

I. Decision.

For the Reserve Preliminary Plat Joint Use Driveway Variance request, the Gig Harbor City Engineer concludes that the variance satisfies all the Criteria for Approval and therefore approves the variance request. Any modifications to the proposed development may nullify or require re-consideration of this approval, at the sole discretion of the City Engineer.

II. Appeal.

This decision shall be considered the Notice of Decision on the variance and any appeal shall be filed and processed as described in Title 19 GHMC for a Type II application, as provided in Section 1.035E of the City’s Public Works Standards. An appeal may be filed with the City of Gig Harbor Engineering Department within fourteen (14) working days of issuance of this decision (GHMC 19.06.004). All other procedures for an appeal of a Type II application shall be followed in the appeal process (GHMC 19.06.005).

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01/09/2023

Date

January 4, 2023

Mr. Jeff Langhelm, PE
Public Works Director
City of Gig Harbor
Public Works Department
3510 Grandview Street
Gig Harbor, WA 98335

RE: The Reserve — CPH Project No. 0228-21-001
Request for Public Works Standards Variance for Joint Use Driveways
City of Gig Harbor Permit No. EN-22-0015

Mr. Langhelm,

This letter and the attached site plan are provided on behalf of Prospect Development to request the City's review and approval of a *Public Works Standards Variance* for the use of an access way for the proposed 14-lot subdivision known as The Reserve (**PL-PPLAT-22-0001**). The requested *Variance* would allow for access of four new single-family residential lots—lots 1,2,3, and 4—from a single, 20-foot-wide paved drive within a privately maintained joint use access and utility tract (PAT100).

The proposed shared access and utility tract is oriented perpendicular to the private Road A and parallel with the site topography (see Figure 1). This provides a more convenient and safe access condition for these four lots and allows for more optimal density of the site. For this project in particular, the resulting reduction in the number driveways accessing the steep private Road A is an improvement in public safety and public infrastructure maintenance.

The 2018 City of Gig Harbor Public Works Standards (PWS) section 2B.072 states “Joint-use driveways serving two adjacent parcels are encouraged whenever feasible.” The provisions of the PWS do not specifically preclude more than two lots from a joint-use driveway or private road or effectively combining adjacent joint-use driveways into a single tract and driving surface.

The requested *Variance* to provide access to the adjacent four single family residential lots is proposed in accordance with Gig Harbor Municipal Code (GHMC) 12.16.010 and complies with the provisions and necessary approval criteria of PWS section 1.035 (C) and as follows:

1. *Strict compliance with the public works standards is undesirable or impractical because of impracticality or undesirable conditions.*

The PWS encourages the use of joint use driveways. As written, PWS 2B.072 suggests that a joint-use driveway be shared between two properties. It does not, however, explicitly preclude more than two residences sharing a joint-use driveway nor does it state that two adjacent joint use driveways cannot be combined into a single driveway. The Reserve is encumbered by significant topography. The site

grading design accommodates this steep topography and maintains the maximum allowable grade of Road A by sloping the side yards and rear yards of the lots.

Having two separate joint-use driveways for Lots 1 and 2 and Lots 3 and 4 respectively would reduce the area available to accommodate such yard slopes. The configuration of these lots provides a practical solution to the challenge of site grades and a lot configuration that optimizes density. Individual driveways or separate joint-use driveways for Lots 1 through 4 would also result in the undesirable condition of increasing the number of driveways on the steep slope of Road A.

2. *The proposed variation is functionally equivalent to and is consistent with the intent of the Public Works Standards, and/or provides compensating benefit to the city and the public.*

The proposed variation is consistent with the intent of the Public Works Standards because it provides access to the adjoining parcels while reducing the number of access locations on the main roadway. Additional driveway entrances would create a higher likelihood of vehicles entering the main roadway in reverse increasing the chance of collision. The use of a joint use driveway serving lots 1, 2, 3, and 4 would create a single entrance in which residents of each of the four lots would be able to maneuver to enter and exit the main roadway in the safest manner possible.

3. *The proposed variation is based on sound engineering judgment.*

The use of a single joint use driveway to serve four lots will allow the use of a single-entry point for the four adjacent residential lots, thus reducing the number of driveways directly accessing the main path of travel. A joint use driveway was chosen as opposed to a private street in order to provide both vehicle and pedestrian access while also providing a narrower total width to facilitate grading. The proposed joint use driveway would utilize 20ft of pavement width. The use of a private street would require 22ft of pavement as well as 6ft of curb, gutter, and sidewalk on either side of the road resulting in a total of 34ft. This would reduce the amount of horizontal area that could be used to grade by a total of 14ft. It would also reduce the available usable yard space for each of the benefiting lots.

4. *The proposed variation has not been made necessary by the actions of the applicant or property owner.*

The proposed variation has been made necessary by the limited definition of joint use driveways in the PWS. The use of a single joint use driveway would facilitate a reduction in number of driveways accessing the main path of travel required without requiring the use of a private street.

5. *Safety, function, appearance and economical maintenance requirements are met with the proposed variation.*

The variation proposed will meet the safety requirements by providing a single access for the adjacent four residential lots which will reduce the number of driveways directly accessing the Road A. This will reduce the number of entering and exiting points at the steep public roadway. The function requirements will still be met through the use of a single joint use driveway because vehicular and pedestrian access will be provided and not reduced. Pedestrian access will be improved along Road A by reducing the number of driveway ramps required to be built in the sidewalk. Appearance requirements will be met by providing access to lots 1 through 4 that readily facilitate the de-emphasis of garages as recommended by GHMC 17.99.490.A

Please contact me directly at (425) 484-0949 or by e-mail at darton@cphconsultants.com if you have questions or need any additional information to complete your review and approval of the requested Variance. Your prompt response is appreciated. Thank you.

Sincerely,
CPH Consultants

Darton Riely-Gibbons, PE
Project Manager



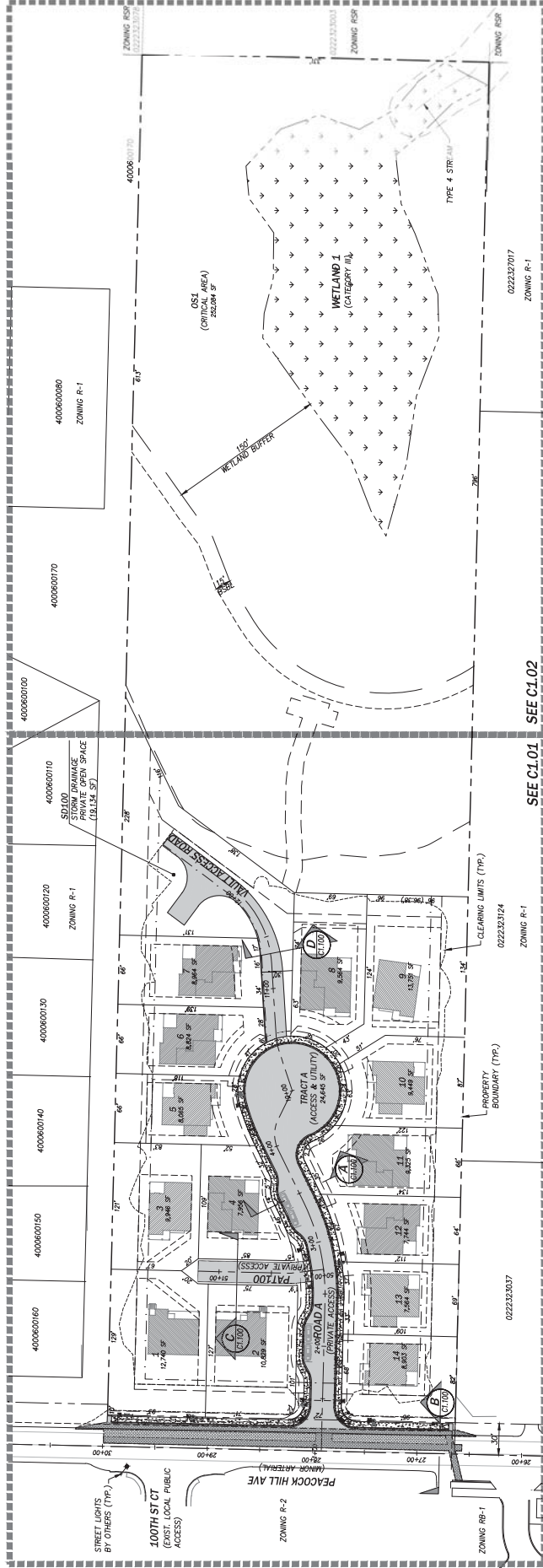
1/4/23

Enclosures: Figure 1 – Preliminary Site Plan
Figure 2 – Preliminary Road A Grading Profile
Figure 3 - Typical Roadway Sections

Cc: Prospect Development, LLC
copy to file

PTN. SEC. 32, TWP 22 N, R2E W.M.

FIGURE 1 - PRELIMINARY SITE PLAN



PROJECT INFORMATION

GENERAL
PARCEL NO.

022232314 AND 022232315

10017 PEACOCK HILL AVE

GIG HARBOR, WA 98152

OWNER

THE RESERVE

DEVELOPER

PROPOSED USE

SINGLE-FAMILY, DETACHED

NO

FLOOD HAZARD

7,500 SF

MINIMUM LOT AREA

70 FT

MINIMUM FRONT YARD SETBACKS

20 FT

MINIMUM SIDE YARD SETBACKS

26 FT

MINIMUM REAR YARD SETBACKS

8 FT

MINIMUM HARD SURFACE LOT COVERAGE

40%

MINIMUM GROSS DENSITY

4 U/A

MINIMUM HEIGHT

35 FT

DESCRIPTION

14 SINGLE-FAMILY, DETACHED UNITS WITH

STREET LIGHTS, DETACHED UNITS WITH

STREET LIGHTS, DETACHED UNITS WITH

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PROJECT TEAM

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PUGET SOUND ENERGY

PUGET SOUND ENERGY

CENTURY LINK

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GIG HARBOR FIRE AND MEDIC ONE

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