



PUBLIC WORKS DEPARTMENT

Findings, Conclusions and Decision Public Works Variance EN-22-0050

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-22-0050)** The Reserve Preliminary Plat Cul-de-Sac Variance - 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.090 for the Reserve Preliminary Plat Development. The Applicant's package included a letter addressing the variance criterion and a set of plans showing the proposed design.

The Applicant requests a variance from Public Works Standard Section 2B.090. The requested Variance is to allow usage of a cul-de-sac for The Reserve with the required per the intent of Section PWS 2B.090.

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.)

B. 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 Section 2B.090 requires a variance where geographical, topographic or environmental conditions preclude connection. Because of the location of the site, there is no location of future connection due to the existing residential developments north and south and the existing wetland east of parcel boundary. This cul-de-sac will serve as an access and turn around for residents, emergency vehicles, and maintenance personnel. Without the cul-de-sac, the project alternatively requires a hammer-head turnaround, which is similarly discouraged by the City. Without this variance, a temporary cul-de-sac would be required with end of road barricade and require future access tract off-site. Given the conditions of the topography and the surrounding area, there is no logical location to extend a future access. A future access connection would be left idle and would be an undesirable long-term condition for a residential development. This would also result in the loss of a residential lot when additional homes in Gig Harbor are needed as well as require additional fill required on-site due to the existing topography. Current, grading has been optimized to attempt to balance the earthwork volume, the use of daylight style homes, maximum roadway slopes and retaining walls. Providing a future extension would require additional fill and push the earthwork balance further away from the City’s goal of only a 10% margin in earthwork volumes. Based on the impractical applicability of a future roadway extension, the lack of potential future connection, the increase in unbalance earthwork volumes, the project is requesting this variance to provide a cul-de-sac without a future roadway extension or barrier.

The City Engineer’s analysis concurs with the Applicant’s claim that strict compliance is impractical due to the 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 PWS 2B.090 because of the geographical conditions of the site. This cul-de-sac will comply with the minimum 45-foot radius (Standard Detail 2- 11) and effectively convey runoff to the storm vault and provide access for residents, emergency vehicles, or maintenance personnel to access and leave the site. If this variance is denied, the result will be similar, except with the loss of a residential unit, additional fill required pushing the earthwork more out of balance and resulting in an idle future extension that does not appear to have any practical potential for being used.

The City Engineer’s analysis concurs with the Applicant’s assessment that the proposed variations are functionally equivalent to and consistent with

the intent of the standards and provide compensating benefits to the City and the Public as stated by the Applicant.

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

The Applicant states:

- The Reserve is bordered by a public street, residential developments and wetland. Therefore, there is no feasible access points that could serve as a future connection. As such, the proposed variation is based on sound engineering judgement.

The City Engineer's analysis concludes that the Applicant has demonstrated that the current and proposed configuration does not allow for future connections. 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 existing geographical conditions of the site. The variance provides for an effective way for residents, emergency vehicles, and maintenance personnel to access and leave the site.

The City Engineer's analysis concurs that the variance requested is not a result of actions by the Applicant and are pre-existing conditions of the site.

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

The Applicant states the following:

- The variance proposed will meet the same safety and function as a standard through street by allowing ingress and egress for all lots, and emergency vehicle compliant access and turnaround. The function for future plats and roadways will also not change, the eastern portion of the site is covered in sensitive areas and will be placed in a protected tract, which will prohibit development. The parcel to the north of the plat is fully developed. The parcel to the south is currently developed with a singlefamily home and no located within the City of Gig Harbor incorporated area. A future roadway extension will not provide additional function as there are no appropriate locations for a future roadway connection. The appearance will be identical to the typical City detail for a temporary dead in road, except for now the appearance will be a turn-around and access point for residents of the Lots 5-11 and the private open space. The cost of maintenance will remain unchanged.

The City Engineer's analysis concludes appropriate safety and functional requirements are met. The proposed cul-de-sac meets safety, function, appearance, and economical maintenance requirements.

I. Decision.

For the Reserve Preliminary Plat Cul-de-Sac 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).



Aaron Hulst, P.E.
City Engineer

01/09/2023

Date



Site Planning
Civil Engineering
Landscape Architecture
Project Management
Land Use Consulting

January 4, 2023

Mr. Jeff Langhjem, 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 a Cul-de-Sac as a Road End
City of Gig Harbor Permit No. EN-22-0050

Mr. Langhjem,

This letter and the enclosed 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 proposed Road A to end in a cul-de-sac for the proposed 14-lot subdivision known as The Reserve (**PL-PPLAT-22-0001**). The requested Variance would allow deviation from providing a future roadway connection to another potential development or public roadway system.

The 2018 City of Gig Harbor Public Works Standards (PWS) Section 2B.090 specifies that cul-de-sacs may be allowed by variance with the approval of the City engineer where geographical, topographic or environmental conditions preclude connection. This variance for this project proposes to utilize a cul-de-sac as a road end.

The Reserve site has significant topographic relief that under existing conditions falls at an approximately 15% grade from the existing edge of pavement approximately 17 feet from the centerline of Peacock Hill Avenue NW to approximately 500 feet east in the site where steeper slopes as high as 45% exist. The project parcel is borderer by residential developments that exist north and south, a public road to the west, and a wetland east. This cul-de-sac will be used due to no future connection points within this project parcel and to provide an emergency vehicle turnaround per fire department code. Please see the attached site plan exhibits for reference.

The requested Variance is to allow usage of a cul-de-sac for The Reserve with the required per the intent of Section PWS 2B.090. This variance 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 Section 2B.090 requires a variance where geographical, topographic or environmental conditions preclude connection. Because of the location of the site, there is no location of future connection due to the existing residential developments north and south and the existing wetland east of parcel boundary. This cul-de-sac will serve as an access and turn around for residents, emergency vehicles, and maintenance personnel. Without the cul-de-sac, the project alternatively requires a

hammer-head turnaround, which is similarly discouraged by the City. Without this variance, a temporary cul-de-sac would be required with end of road barricade and require future access tract off-site. Given the conditions of the topography and the surrounding area, there is no logical location to extend a future access. A future access connection would be left idle and would be an undesirable long-term condition for a residential development. This would also result in the loss of a residential lot when additional homes in Gig Harbor are needed as well as require additional fill required on-site due to the existing topography. Current, grading has been optimized to attempt to balance the earthwork volume, the use of daylight style homes, maximum roadway slopes and retaining walls. Providing a future extension would require additional fill and push the earthwork balance further away from the City's goal of only a 10% margin in earthwork volumes. Based on the impractical applicability of a future roadway extension, the lack of potential future connection, the increase in unbalance earthwork volumes, the project is requesting this variance to provide a cul-de-sac without a future roadway extension or barrier.

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 PWS 2B.090 because of the geographical conditions of the site. This cul-de-sac will comply with the minimum 45-foot radius (Standard Detail 2-11) and effectively convey runoff to the storm vault and provide access for residents, emergency vehicles, or maintenance personnel to access and leave the site. If this variance is denied, the result will be similar, except with the loss of a residential unit, additional fill required pushing the earthwork more out of balance and resulting in an idle future extension that does not appear to have any practical potential for being used.

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

The Reserve is bordered by a public street, residential developments and wetland. Therefore, there is no feasible access points that could serve as a future connection. As such, the proposed variation is based on sound engineering judgement.

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 existing geographical conditions of the site. The variance provides for an effective way for residents, emergency vehicles, and maintenance personnel to access and leave the site.

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

The variance proposed will meet the same safety and function as a standard through street by allowing ingress and egress for all lots, and emergency vehicle compliant access and turnaround. The function for future plats and roadways will also not change, the eastern portion of the site is covered in sensitive areas and will be place in a protected tract, which will prohibit development. The parcel to the north of the plat is fully developed. The parcel to the south is currently developed with a single-family home and no located within the City of Gig Harbor incorporated area. A future roadway extension will not provide additional function as there are no appropriate locations for a future roadway connection. The appearance will be identical to the typical City detail for a temporary

dead in road, except for now the appearance will be a turn-around and access point for residents of the Lots 5-11 and the private open space. The cost of maintenance will remain unchanged.

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

Cc: Prospect Development, LLC
copy to file

