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Northeast Tacoma golf course must remain open space, judge rules

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A Pierce County judge has dealt another blow to a proposed development that would add hundreds of homes over the North Shore Golf Course in northeast Tacoma.

Superior Court Judge Katherine Stolz affirmed the City of Tacoma's previous decisions denying permits needed for the Pointe at Northshore project, which would put 366 houses and 494 town houses over the 116-acre golf course.

"The judge's ruling means the city's decision was upheld on all counts," said Jay Derr, outside counsel representing the city. "It's now up to (the developers) to decide if they're going to continue this."

Neither lawyers for the developers nor lawyers for the golf course's owners responded to a reporter's requests for comment.

A local citizens' group praised Friday's ruling as the latest victory in its 4 1/2-year battle against the development.

"We're very happy," said John Lovelace, president of Save NE Tacoma, which formed in 2007 to fight the project. "We think the judge made the correct decision – that signed documents do have meaning."

Lovelace was referring to documents from a 1981 city-approved rezone that allowed development of The Northshore Country Club Estates – a 338-acre planned neighborhood around the private golf course. When the Tacoma City Council approved that rezone three decades ago, it came with the condition that the neighborhood "will maintain and always have the use of the adjacent golf course for its open space and density requirement," those documents say.

Stolz's ruling last week upheld separate decisions from 2010 by a city hearing examiner and by the City Council, both of which denied the Pointe at Northshore development partly based on the open-space condition.

"The one thing (Judge Stolz) emphasized was the fact that the owners originally offered the golf course to the city for open space," said Gary Huff, a lawyer for the citizens' group. "The implication is, it's too late to take that back now."

Citing advancing age and declining revenues, the golf course's owners agreed to sell the property to developers in 2006. Both contend that the 1981 open-space requirement should be disregarded and the Pointe development allowed due to a "change in circumstances" in the owners' ability to maintain the property as a golf course.

Opponents contend the project would hurt their home values and the environment, and run afoul of city open-space requirements. Since forming, the opposition group has raised and spent more than \$300,000 to fight the project, Lovelace said.

Stolz is expected to sign and enter a written order on her ruling by July 22. Once the order is signed, the developers and golf course owners would have 30 days to appeal the ruling to the state's Court of Appeals.

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