PLANNING COMMISSION AGENDA
March 15, 2018
6:30 PM

CALL TO ORDER

ROLL CALL
Chair Chele Dimmett, Vice Chair David Caudle, Jennifer Gilbert-Smith, Jonathan Ingram, Elizabeth Porter, & Murray Williams

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA
C1. Minutes from February 15, 2018

CITIZEN COMMENTS - Note: The Citizen Comment period is to provide the opportunity for members of the audience to address the Commission on items either not on the agenda or not listed as a Public Hearing. The Chair will open this portion of the meeting and ask for a show of hands of those persons wishing to address the Commission. When recognized, please approach the podium, give your name and city of residence, and state the matter of your interest. If your interest is an Agenda Item, the Chair may suggest that your comments wait until that time. Citizen comments will be limited to four minutes for Citizen Comments and four minutes for Unfinished Business. If you require more than the allotted time, your item will be placed on the next agenda. If you anticipate your comments taking longer than the allotted time, you are encouraged to contact the Planning Department ten days in advance of the meeting so your item may be placed on the next available agenda.

UNFINISHED BUSINESS – No action Required

1. Continued Discussion of Proposed Zoning Code Amendment to Reduce Setbacks in Mixed Housing and Office (MHO) Zone Along Wax Road (Staff Memo & Exhibits 1-12)

PUBLIC HEARING – Action Required

2. Review and Recommend Docketing for 2018 Proposed Comprehensive Plan and Development Regulation Amendments (Staff Memo and Attachments)

NEW BUSINESS- None

ATTENDANCE VOTE

PUBLIC COMMENT: (Same rules apply as stated in the 1st CITIZEN COMMENTS)

COMMENTS AND COMMUNICATIONS OF STAFF AND COMMISSIONERS

ADJOURN

Any person requiring a disability accommodation should contact the City at least 24 hours in advance.
For TDD relay service please use the state's toll-free relay service (800) 833-6384 and ask the operator to dial (253) 480-2400
Web Page: www.covingtonwa.gov
CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Dimmett.

MEMBERS PRESENT
Chele Dimmett, Jennifer Gilbert-Smith, Jonathan Ingram, David Caudle, and Elizabeth Porter

MEMBERS ABSENT- Paul Max and Murray Williams

STAFF PRESENT
Richard Hart, Community Development Director
Kelly Thompson, Planning Commission Secretary

APPROVAL OF MINUTES AND AGENDA

C1. Commissioner Porter moved and Commissioner Caudle seconded to approve the December 17, 2017 minutes and meeting agenda for February 15, 2018. Motion carried 5-0.

CITIZEN COMMENTS - None

UNFINISHED BUSINESS - None

PUBLIC HEARING - None

NEW BUSINESS
1. Discussion of Proposed Zoning Code Amendment to Reduce Setbacks in Mixed Housing and Office (MHO) Zone Along Wax Road

Community Development Director, Richard Hart provided background regarding development challenges along the east side of SE Wax Road due to the current 10’ setback, wide right-of-way dedication, and critical area buffers.

The city consolidated 13 former downtown zones down to 4 zones in 2010 which include the Town Center (TC), Mixed Commercial (MC), General Commercial (GC) and Mixed Housing/Office (MHO). The current zoning on the east side of Wax Road is MHO. The Daniel Ross Salon and the Apex Building were constructed
with the previous 0’ setbacks. Staff has been unable to determine why the change was made from 0’ to 10’ setbacks when the code was updated with the city’s consultant in 2010. It could be considered a detriment to the remaining properties to enforce the 10’ setback as they redevelop. The Public Works Department has no objection to changing the setback back to 0’, as the ultimate design of a widened Wax Road has not been determined.

Commissioner Ingram asked about specific uses allowed in the MHO zone. Mr. Hart responded that we are focusing on just the setback issue.

Commissioner Caudle asked whether the amendment would apply to the west side of Wax Road. Mr. Hart responded that it would not. The reason is that they do not have critical areas or buffers that significantly reduce the buildable land area.

Commissioner Gilbert-Smith questioned the visual aesthetic by having the setback different on either side of Wax Road and requested visual aids be provided prior to the next Planning Commission discussion. Chair Dimmatt would also like to see visual aids. Chair Dimmatt also asked about the types of housing in the MHO zone. She does not like the idea of residential being right up against the street and asked about the viability of developing that area with a 5’ setback.

Mr. Hart responded that during the public hearing, the property owner(s) can provide feedback regarding the viability of development with a 5’ setback. Staff decided the 10’ setback is enough of an issue to propose the code amendment. The developer could also request the change to the setbacks as a code amendment and pay the fee to process the request.

Commissioner Caudle says there is a precedent set by Daniel Ross and Apex with a 0’ setback. Mr. Hart responded that the MHO zone is a unique type of zone and not that common among the suburban downtowns. The city’s consultant created this hybrid zone that includes both housing and office uses. When the setback changed from 0’ to 10’, staff did not realize the extent of the wetlands at the rear of the properties on the east side of Wax Road. The wetland studies show that the wetlands are more extensive than originally realized.

Commissioner Porter asked about the future development and widening of SE Wax Rd. Mr. Hart responded that SE Wax Road will be expanded to 4 lanes with a center median, curb, gutter, sidewalk, and landscaping.

Commissioner Gilbert-Smith asked about the width of the sidewalk and asked for visual examples. Mr. Hart responded that staff will work on providing examples of 0’ setbacks adjacent to 4 story buildings. Mr. Hart added that the reconstruction and widening of SE Wax Road is at least 8 to 10 years away.
current properties contain older single-family homes. Staff has received requests from property owners wanting to convert some of these homes to offices, which is cost prohibitive. When a property is developed, parking, public improvements, and storm drainage facilities must be provided. The concern of a current developer, is that the buildable area of their property is too small to develop with the current setback requirements and required right-of-way dedication.

Commissioner Caudle confirmed that this topic is for discussion. Mr. Hart responded that staff will bring the topic back for discussion at the second Planning Commission meeting in March. He anticipates that the public hearing will be held in April. Following the public hearing, the Planning Commission will make their recommendation to the city council.

ATTENDANCE VOTE
➢ Commissioner Gilbert-Smith moved and Commissioner Ingram seconded to excuse the absence of Commissioner Murray and Commissioner Max. Motion carried 5-0.

PUBLIC COMMENTS - None

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS
Mr. Hart reminded the Planning Commission that a report is needed at the City Council meeting on February 27, 2018. Commissioner Porter agreed to give the report.

Mr. Hart also presented Chair Dimmett with her plaque for Commissioner of the Year.

Chick-Fil-A is planning to open mid-March. The Multicare hospital also anticipates being operational in March. Staff received an amended Commercial Site Development application for an assisted living and memory care facility on SE Wax Road. There has also been interest in the Jones property north of the hospital for another senior/assisted living housing development.

ADJOURN
The February 15, 2018 Planning Commission Meeting adjourned at 7:25 p.m.

Respectfully submitted,

__________________________
Kelly Thompson, Planning Commission Secretary
Memo

To: Planning Commission

From: Richard Hart, Community Development Director
Brian Bykonen, Associate Planner
Salina Lyons, Principal Planner

Date: March 15, 2018

Re: Proposed Zoning Code Amendment for Reduction of Setbacks in the Mixed Housing & Office (MHO) Zoning District east of SE Wax Road CMC 18.31.090

Overview

This agenda item for a request to reduce the street setbacks on the east side of SE Wax Road from 10 feet to zero feet in the MHO (Mixed Housing Office) zone is a continuation of the discussion from the February 15, 2017 meeting. The Planning Commission asked the planning staff to provide graphic aids and visuals showing how multi-story housing and office developments might look along a widened and fully constructed SE Wax Road. Attached are several photos showing other 3-4 story mixed-use housing and office development within Covington, other Washington cities and other States. Also included is a copy of the street-section designs for Wax Road that are included in our current Downtown Design Standards. These visuals should assist the Commission in better understanding how an improved ROW might look with multi-story mixed-use buildings using a zero-street setback. (Exhibits 1-8)

It should be noted that the specific design to improve SE Wax Road has not been completed, as it’s at least 5-10 years in the future depending upon availability of capital funding dollars. However, it is intended that SE Wax Road will function as a Major Collector and will be designed in accordance with the standard that will include curb, gutter, sidewalk and planter strips. There is a possibility as the city continues to evaluate SE Wax Road and its position in our overall street network, that it could ultimately be constructed more similar to a Type II street, such as 180th Ave SE, north of SE 272nd. (Exhibit 9)

Challenges

As redevelopment of the existing single-family homes occurs on the east side of Wax Road, developers are faced with significant challenges due to the existing 10-foot street setback, required ROW dedication to accommodate the future SE Wax Road configuration, and critical area protection of Jenkins Creek and associated wetlands. (Jenkins Creek runs along the rear of the properties between Covington Way SE and SE 272nd St.) (Exhibit 11) All these factors result in a small buildable area for the land uses permitted within the MHO zone. Of these three challenges, the setbacks are the one issue the city can control and grant relief for development. The street classification, Major Collector, is necessary to accommodate development within the city, and the state defines the level of protection and setbacks from major stream corridors and wetlands. The
city adopted new critical area regulations last year that resulted in an increase of setbacks through the Jenkins Creek corridor; thus, further limiting the possible buildable area.

The City’s 20-year Capital Improvement Plan (CIP) requires that 40 feet of right away be dedicated by the developer to accommodate the future alignment and construction of SE Wax Road. The requirement for 40 feet is only applicable to properties north of SE 275th St. Properties to the south are only required to dedicate up to 20 ft. of frontage. While the requirement to dedicate isn’t as onerous for the southern MHO properties; the road alignment for all properties on the east side of SE Wax Road will be a challenge. This large ROW acquisition requirement, coupled with the large wetland and stream critical area and buffers at the back of these properties, along with the 10-foot front yard setback, causes large challenges to redevelopment, including maintaining enough buildable land area for a building footprint and required parking.

Street Type in Relation to Setbacks

In 2010, because of the downtown study, the city consolidated the former 13 downtown zoning districts into four less complicated districts. At that time the street setbacks for all zones were evaluated and the MHO was increased from zero feet (no street setback) under the previous downtown code to ten feet in the new code. The specific reasons for the increased setback is not entirely clear, however, based on the downtown study and definition of the MHO Zone the intent is defined as follows:

The mixed housing/office district (MHO) is applied to areas where infill development and redevelopment of low intensity areas with multifamily housing and office is encouraged. Residential uses that are encouraged in this district include townhouses, cottages, and low-rise multifamily. Office development and limited intensity neighborhood retail is also permitted. Development and design standards applied to this district require buffers, lower height limits and building scale that is appropriate to the size of the lot. Trail connections are also emphasized in this district. (CMC 18.15.080)

The intention of the zone is to allow less dense, but vertical development that takes into consideration the natural setting. Often this intention is achieved through applied setbacks and density. What the current code provision regarding setbacks fails to consider is the future design of SE Wax Road in relation to buildable areas of the MHO zone along SE Wax Road. Referring to Exhibit 10 (the standard road design), SE Wax Road is a Type III street for design purposes and is intended to provide a “park like” setting within the 15-foot walk/amenity zone. The 15-ft. amenity zone results in a greater setback from the roadway compared to any other downtown zone, which only requires up to 13 ft. (5 ft. planter & 8 ft. sidewalk). Further, the amenity zone is intended to be heavily planted and include Low Impact Development components that will create some visual screening from the properties to the street.

Therefore, if the concern of the Planning Commission is the location of buildings in relation to a roadway, the construction of the roadway will provide some relief, understanding that technically, if you calculate the bike lanes and parking along with the amenity zone, any structure will ultimately be approximately 28 feet from the roadway. Arguably, if the intention is to further soften the edge between the building and the street, then 28 ft. provided with the road design would provide enough setback, and it then becomes very onerous on new development to provide an additional 10 ft. of street setback.
Existing Projects in MHO Zone- SE Wax Road

Two other commercial buildings in the area were constructed with zero street setbacks before 2010. They are the Daniel Ross Salon and the Apex Office Center. The prior development code identified properties now in the MHO with a zoning designation of DN-7A and DN-7B, and prior to the 2010 code amendment, the minimum setback in these zones was zero. The term was zero setback from street wall, and street wall is defined as the frontage of a development site that abuts a public street. The prior code also had a clear provision regarding the 40-ft. dedication area. Given the deliberate code provisions for the dedication and the zero-street setback, it can be assumed that the DN-7A and DN-7B zones more adequately considered the design of SE Wax Road in the zoning and design provisions. *(Exhibit 13)*

This assumption is further supported by the fact that those developments occurred under the previous zone. Since implementation of the new MHO zoning provisions the city has met with multiple developers, and there have been no new applications, except for the Goraya proposal *(Exhibit 12)* which is only feasible to develop if the city changes the setbacks to zero.

City staff believes this change in the street setback for the properties zoned MHO east of SE Wax Road will provide the incentives necessary to spur redevelopment of the older single-family homes along the east side of SE Wax Road, which supports the goals and objectives in the Comprehensive Plan.

**Proposed Amendments**

This will be accomplished by adding an exception in the table in CMC 18.31.090(1) next to the standard for minimum setback within District: “Except development located east of SE Wax Road in the MHO zoning district, the setback for non-single-family residential development from a street may be 0’ feet.” *(Exhibit 14)*

If the planning commission votes to recommend the modification to the city council, staff’s next steps will be to return to the Planning Commission with revisions to the Downtown Design Guidelines and Standards to enhance the site design criteria to coincide with the future design of SE Wax Road and to include additional criteria regarding ground level details.

After tonight’s discussion, staff would like to proceed with the public hearing on these proposed zoning code amendments on April 19, 2018.

**Exhibits**

1. Examples of zero lot line development
2. Type II Street Standard (such as SE 270th St, 180th Ave SE north of SE 272nd St.
3. Type III Street Standard (SE Wax Road)
4. Street Setback with Jenkins Creek Buffers
5. Goraya site plan (current development)
6. Applicable zoning regulations prior to 2010
7. Proposed Code Amendments
8. Permitted Use Table -for reference only
EXHIBIT 1
EXHIBIT 3

Lake Oswego, Oregon
EXHIBIT 4

Mercer Island Business District
EXHIBIT 5
EXHIBIT 8

Covington
EXHIBIT 9

c. Street Section Diagram

Downtown Design Guidelines and Standards Type II Street
EXHIBIT 10

Downtown Design Guidelines and Standards Type III Street (Wax Road)
Approximate Stream & Wetland Buffer 130’+
Approximate 40’ Street Dedication without 10’ Street Setback
Approximate 20’ Street Dedication without 10’ Street Setback

For informational purposes only. All lines are approximations. Not to scale.

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REVISION SCHEDULE

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>DESCRIPTION</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>EXHIBIT 12</td>
<td>Planning Commission March 15, 2018</td>
<td>page 31 of 67</td>
</tr>
</tbody>
</table>

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vides safe and functional access within the
downtown area and linked to surrounding neigh-
borhoods and regional trails.

The intent of these regulations is to achieve
development that is consistent with the principles
described in the comprehensive plan, the Coving-
ton Design Manual, the Covington Design and
Construction Standards and Specifications and the
City’s Vision Statement.

(2) Table of Building Form Regulations.

<table>
<thead>
<tr>
<th>Table 1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STANDARDS</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Maximum number of floors</td>
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<tr>
<td>Maximum building height</td>
</tr>
<tr>
<td>Maximum impervious surface percentage</td>
</tr>
<tr>
<td>Maximum building footprint</td>
</tr>
<tr>
<td>Minimum setback from street wall</td>
</tr>
<tr>
<td>Multifamily residential density**</td>
</tr>
<tr>
<td>Residential density (if ground floor is retail use)</td>
</tr>
</tbody>
</table>

* These standards apply only to non-single-family uses in DN-5 and DN-10 zones. Otherwise, see R-8 zone standards.
** Single-family detached, townhouse and cottages are not permitted in all zones. Please see use charts in CMC 18.25.105 for permitted uses.

(3) Definitions.
(a) “Articulate” means to give emphasis to or distinctly identify a particular building element. An articulated facade would be the emphasis of elements on the face of a wall including a change in setback, materials, texture, color, roof pitch, or height.
(b) “Berm” means an earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or provide a buffer from adjoining uses.
(c) “Building height” means the height of a structure measured from the average finished grade at a point five feet from the average building face to the finished roof surface; excluding parapets, equipment rooms, equipment enclosures, equipment penthouses, towers, window washing equipment, stairway penthouses and similar areas.
(d) “Buffer” means an area provided to reduce impacts between two different land uses. Buffers are intended to mitigate undesirable views, noises or glare. Buffers typically consist of plant materials, walls, fences, and/or significant land area to separate uses.
(e) “Development proposal site” means the legal boundaries of the parcel or parcels of land for which an applicant has or should have applied for authority from the City of Covington to carry out a development proposal.
(f) “Facade” means the portion of any exterior elevation of the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building.
(g) “Gable roof” means a triangular wall section at the end of a pitched roof, bounded by the two roof slopes. See Figure 1.
(h) “Hip roof” means a roof without gables. See Figure 1.
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emergency services access only even if the current public access to the DN-5 zone at Covington Way remains unchanged.

(d) DN-7A Zone.

Figure 22

Figure 23

Figure 24

(i) Purpose and Intent. The standards for this zone are designed to facilitate development with a wide range of uses and moderate scale building forms while also recognizing the natural amenity and environmental constraint represented by Jenkins Creek and associated wetlands. Buildings up to three stories in height are appropriate. See Figures 22, 23 and 24 for illustrative examples.

(ii) Building Design Standards.

(A) The maximum horizontal dimension of new structures shall be parallel to, not perpendicular to, Wax Road.

(B) Building facades within 150 feet of the edge of Jenkins Creek or its associated wetlands shall include windows oriented to the Jenkins Creek Community Trail.

(iii) Site Design Standards.

(A) Consistent with C.I.P. project No. 1085, Wax Road widening, 40 feet of additional public right-of-way shall be dedicated adjacent to and along the entire Wax Road frontage.

(B) Consistent with C.I.P. project No. 1087, Jenkins Creek Community Trail, a 20-foot wide public pedestrian easement shall be dedicated within the required building setback from Jenkins Creek. The design of the walkway shall meet City design specifications, and connect with existing or prospective segments of the Jenkins Creek Community Trail on abutting properties.

(C) In addition to the design departures authorized at subsection (6) of this section, any property in the DN-7A zone is eligible for a "reasonable use exception" authorized by CMC 18.65.070(1)(c). For purposes of that section, the minimum "reasonable use" for properties in the DN-7A zone is a retail or office building. The size of the footprint and site location of said minimum reasonable use will be a function of the criteria set forth at CMC 18.65.070(1)(c).

(D) New drive-through facilities are prohibited.

(e) DN-7B Zone.

Figure 25
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(i) Purpose and Intent. The standards for these zones are designed to promote small-scale residential (see Figure 25 for an illustrative example of a townhouse configuration and Figure 26 for an illustrative example of a cottage configuration) and office uses (see Figure 27 for an illustrative example of a house re-used as an office) that complement the more intense uses in adjacent commercial zones while also recognizing the natural amenity and environmental constraint represented by Jenkins Creek and associated wetlands. Buildings up to three stories in height are appropriate in DN-7B and up to two stories in DN-7C.

(ii) Building Design Standards.
(A) Existing single-family structures may be adapted to office uses, subject to parking, signage, landscaping and other regulations, building code requirements and standards for such uses.
(B) New residential structures arranged as freestanding cottages in the DN-7B zone shall not exceed an individual footprint of 1,500 square feet and shall not exceed a density of 12 units per acre. New residential structures arranged as freestanding cottages in the DN-7C zone shall not exceed an individual footprint of 1,500 square feet and shall not exceed a density of eight units per acre. Cottages may be arranged in a clustered configuration with minimal interior setbacks between structures.
(C) New residential structures arranged as common wall townhouses in the DN-7B zone shall not exceed a building footprint of 4,500 square feet and a density of 12 units per acre. New residential structures arranged as common wall townhouses in the DN-7C zone shall not exceed a building footprint of 4,500 square feet and a density of eight units per acre.
(D) New residential structures arranged as apartments or condominiums in the DN-7B zone shall not exceed a building footprint of 5,000 square feet and a density of 36 units per acre. New residential structures arranged as apartments or condominiums in the DN-7C zone shall not exceed a building footprint of 5,000 square feet and a density of eight dwelling units per acre.
(E) In the DN-7B zone, commercial uses are allowed on the ground floor of primarily residential buildings. General downtown building and site design standards shall apply, and, insofar as possible, low impact development practices shall be implemented to reduce impacts to nearby Jenkins Creek and its associated wetlands.

(iii) Site Design Standards.
(A) For lands south of SE 272nd Street, in DN-7B, consistent with C.I.P. project No. 1085, Wax Road widening, an additional 40 feet of public right-of-way shall be dedicated adjacent to and along the entire Wax Road frontage.
(B) Consistent with C.I.P. project No. 1087, Jenkins Creek Community Trail, a 20-foot-wide public pedestrian easement shall be dedicated within the required building setback from Jenkins Creek. The design of the walkway shall meet City design specifications, and connect with existing or prospective segments of the Jenkins Creek Community Trail on abutting properties.
(C) In addition to the design departures authorized at subsection (6) of this section, property located in the DN-7B and DN-7C zones may be eligible for an exception authorized by CMC 18.65.070(1)(c) that would allow alteration of a critical area in limited circumstances.
## Proposed Code Amendment to CMC 18.31.090 pertaining to setbacks in the MHO Zone

### 18.31.090 Downtown zoning districts density and dimension standards.

1. Table of Density and Dimension Standards, Downtown Zoning Districts.

<table>
<thead>
<tr>
<th>Standards</th>
<th>Town Center (TC)</th>
<th>Mixed Commercial (MC)</th>
<th>General Commercial (GC)</th>
<th>Mixed Housing Office (MHO)</th>
<th>Exceptions and Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Building Height</td>
<td>75 feet</td>
<td>60 feet</td>
<td>55 feet</td>
<td>45 feet</td>
<td>Maximum height shall be 45 feet within 50 feet of any zone outside of the downtown zone. In the MHO district, the 35 feet maximum height shall also apply within 50 feet of another MHO property.</td>
</tr>
<tr>
<td>Maximum Residential Density (if ground floor is commercial)</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>24 D.U./acre</td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR) with Bonus Features</td>
<td>4:1</td>
<td>3:1</td>
<td>3:1</td>
<td>2:1, 1.25:1 east of Wax Road</td>
<td>Refer to CMC 18.31.100 for bonus features.</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR) without Bonus Features</td>
<td>1.5:1</td>
<td>1:1</td>
<td>1:1</td>
<td>1:1, 75:1 east of Wax Road</td>
<td>No minimum FAR. Development within the Jenkins Creek Corridor shall utilize low impact development (LID) techniques as adopted in CMC 13.25.020.</td>
</tr>
<tr>
<td>Maximum Impervious Surface</td>
<td>80%</td>
<td>90%</td>
<td>80%</td>
<td>70%; 50% east of Wax Road and south of SE 272nd St.</td>
<td>Developments in the MHO located east of Wax Road and south of SE 272nd St., and cottage housing developments shall not exceed the 50% maximum impervious surface.</td>
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<tr>
<td>Minimum Lot Frontage Occupied by a Building</td>
<td>Type I Street – 80%</td>
<td>Type II Street – 50%</td>
<td>Type IV Street – 40%</td>
<td>None</td>
<td>A building shall be located within 5 feet of the back of sidewalk or on a public plaza. Where utility easements greater than 5 feet exist, the building shall be set back to the extent of the easement and this area shall be designed as an extension of the sidewalk and/or may be included as part of the public space requirement.</td>
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<tr>
<td>Minimum Setbacks within District</td>
<td>None</td>
<td>None</td>
<td>20 feet</td>
<td>10 feet</td>
<td>Except in the TC and MC districts, a minimum of 5 feet setback shall be provided from any public property other than a street. Except development located east of SE Wax Road in the MHO zoning district, the setback for non-single-family residential buildings from SE Wax Road may be 0’ feet.</td>
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<td>Minimum Setbacks from any public property other than a street</td>
<td>None</td>
<td>None</td>
<td>5 feet</td>
<td>5 feet</td>
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<tr>
<td>Minimum Setbacks to Adjoining Downtown District</td>
<td>10 feet where adjoining the MHO District only</td>
<td>10 feet</td>
<td>N/A</td>
<td>10 feet</td>
<td>In districts other than the MHO, no setback shall be required for mixed-use development or commercial building less than 50,000 square feet, with no significant outside storage or sales.</td>
</tr>
</tbody>
</table>
(2) Additional Density and Dimension Development Standards Referenced in This Title.

(a) CMC 18.30.060 through 18.30.090 for density measurement and calculation methods.

(b) CMC 18.30.130 through 18.30.200 for measurement of setbacks and allowed projections into the setbacks. (Ord. 14-12 § 2 (Exh. B); Ord. 10-10 § 1 (Exh. A))
## Permitted Use Table - for reference only

### 18.31.080 Permitted land uses.

(3) Permitted Use Table.

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Town Center (TC)</th>
<th>Mixed Commercial (MC)</th>
<th>General Commercial (GC)</th>
<th>Mixed Housing Office (MHO)</th>
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<td>Residential</td>
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<td>Dwelling Unit, Accessory</td>
<td>NP</td>
<td>NP</td>
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<td>Dwelling Unit, Multifamily</td>
<td>P²⁶</td>
<td>P</td>
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<td>Dwelling Unit, Single-Family Attached, Detached or Cottage Housing²¹,²⁷</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>P²</td>
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<td>Senior Citizen Assisted Housing</td>
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<td>Commercial</td>
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<td>Adult Entertainment</td>
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<td>P³</td>
<td>P³</td>
<td>NP</td>
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<td>Business Services¹⁹</td>
<td>P⁵</td>
<td>P</td>
<td>P</td>
<td>P⁴,³</td>
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<td>Drive-Through Use</td>
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<td>P</td>
<td>P</td>
<td>NP</td>
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<tr>
<td>Farmers’ Markets and Public Markets⁶</td>
<td>P</td>
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<tr>
<td>Gambling and Card Rooms</td>
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<td>NP</td>
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<tr>
<td>Home Occupation and Live/Work</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Veterinary Clinics (SIC 074), Animal Shelters, Kennels, and Catteries²⁰</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
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<tr>
<td>Outdoor Commercial</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Personal and Beauty Services²¹</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Private Electric Vehicle Parking Facility (Primary Use)</td>
<td></td>
<td></td>
<td></td>
<td>P⁵,²⁴</td>
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<tr>
<td>Private Parking Facility (Primary Use)</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
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<tr>
<td>Professional Office</td>
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<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Retail Trade and Services – 100,000 sq. ft. or less for all structures</td>
<td>P⁵</td>
<td>P</td>
<td>P⁰⁰</td>
<td>P⁴,³</td>
</tr>
<tr>
<td>Retail Trade and Services – greater than 100,000 sq. ft. for all structures</td>
<td>C⁴,⁹,¹⁸</td>
<td>P</td>
<td>P⁰⁰</td>
<td>NP</td>
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<tr>
<td>Shooting Ranges²⁵</td>
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<td>Storage/Self Storage</td>
<td>NP</td>
<td>P³</td>
<td>P</td>
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<tr>
<td>Temporary Lodging/Hotel</td>
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<td>P</td>
<td>P</td>
<td>C²²</td>
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<tr>
<td>Marijuana Retailer and Retail Outlets²⁸</td>
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<td>P</td>
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<tr>
<td>Cultural/Recreation</td>
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<tr>
<td>Cinema, Performing Arts and Museums</td>
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<td>P</td>
<td>P</td>
<td>NP</td>
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<td>Meeting Hall/Other Group Assembly</td>
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<td>P</td>
<td>C</td>
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<td>Recreation, Indoor or Outdoor</td>
<td>C</td>
<td>P</td>
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</tbody>
</table>
### Use Categories

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Town Center (TC)</th>
<th>Mixed Commercial (MC)</th>
<th>General Commercial (GC)</th>
<th>Mixed Housing Office (MHO)</th>
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<tbody>
<tr>
<td>Religious</td>
<td>C7</td>
<td>P</td>
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<td>Health Services</td>
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<tr>
<td>Emergency Care Facility</td>
<td>C9,18</td>
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<td>Hospital</td>
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<tr>
<td>Medical Office/Outpatient Clinic</td>
<td>P8</td>
<td>P</td>
<td>NP</td>
<td>P</td>
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<tr>
<td>Nursing/Personal Care Facility</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
<td>C</td>
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<tr>
<td>Industrial/Manufacturing</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Asphalt Plants</td>
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<tr>
<td>Light Industrial/Manufacturing</td>
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<tr>
<td>Government/Institutional</td>
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<tr>
<td>Essential Public Facilities</td>
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<td>Government Services</td>
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<td>P</td>
<td>P12</td>
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<td>Major Utility Facility</td>
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<td>Minor Utility Facility</td>
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<td>P</td>
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<td>Schools: Compulsory, Vocational and Higher Education</td>
<td>C13</td>
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<td>NP</td>
<td>C</td>
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<tr>
<td>Wireless Communication Facilities</td>
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<td></td>
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<tr>
<td>Antenna, Collocation on an Existing Structure</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Wireless Communication Facility Tower</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
</tbody>
</table>

(4) Permitted Use Conditions.

1. a. Unless the use can be accommodated within an existing structure, development and/or redevelopment in the Covington Firs and Covington Township subdivisions shall be a minimum of two acres;
   b. Be contiguous to a non-single-family use of two acres or more to be eligible to redevelop to a new use; and
   c. Successive development cannot isolate existing single-family residential lots less than two acres (as a group) between developments.

2. a. No new subdivision of land is permitted for single-family homes except for townhouses and cottage developments. The exception is a binding site plan for commercial uses.
   b. New single-family homes are allowed on existing single-family lots.
   c. An accessory dwelling unit is allowed as an accessory to a single-family detached unit subject to the development standards in CMC 18.25.030(7).

3. Adult entertainment uses are prohibited within certain locations pursuant to the development standards provided in Chapter 5.20 CMC and CMC 18.25.040(2).

4. This use is restricted to a maximum of 5,000 gross square feet within the MHO district.

5. Services and operations other than customer parking shall be fully contained within a structure.
6. Temporary farmers’ and public markets shall be permitted in accordance with CMC 18.85.125.

7. The development shall not occupy more than one acre for the total of the site development, including any planned phases and/or expansions.

8. a. Buildings greater than four stories shall provide 80 percent of required parking within a structure. Structured parking shall not front onto 171st Ave. SE.

   b. Medical office uses greater than two stories shall have a minimum of 60 percent ground floor retail trade and services and 40 percent business and professional services when fronting onto 171st Ave. SE, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045.

9. The development shall be located west of the proposed 171st Ave. SE road alignment with frontage onto 168th Pl. SE or the planned SE 276th St. alignment.

10. All structures shall meet the required setbacks, landscaping and all other standards contained in this chapter. Equipment storage, manufacturing activities, and wrecked, dismantled and/or inoperative vehicles shall be enclosed in a structure or fully screened from public right-of-way, including SE 272nd St. and Covington Way with Type I landscaping in accordance with CMC 18.40.040.

11. Maintenance yards, substations and solid waste transfer stations are not permitted in the TC, MC, or MHO downtown zoning districts.

12. Transit stations and park and ride facilities, not including bus stops, shall be reviewed by a conditional use permit pursuant to CMC 18.125.040.

13. All schools for compulsory, vocational and higher education shall be located on the upper floors of a mixed-use building that includes ground floor commercial uses, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045.

14. All facilities shall not occupy more than one acre of a site and the facility shall be screened with Type I landscaping in accordance with CMC 18.40.040.

15. Minor utility facilities, such as telecom, fiber optics, Internet and similar facilities, shall be located within a fully enclosed structure, unless otherwise determined by the Director.

16. Chapter 18.70 CMC, Wireless Communication Facilities, outlines the approval and review process. In the event of a conflict between the requirements of Chapter 18.70 CMC and the requirements of this chapter, Chapter 18.70 CMC shall govern.

17. All antennas and ancillary wireless communication facilities shall be concealed facilities and mounted on an existing building or structure or placed underground as provided for in Chapter 18.70 CMC.

18. a. Emergency care facilities shall not occupy more than four acres for the total of the site development including any planned phases and/or expansions of the emergency care use;

   b. Shall not exceed 50,000 square feet of total building square footage; and

   c. Shall not exceed more than two stories or 35 feet whichever is greater.

19. Gasoline service stations and battery exchange stations are limited to the general commercial and mixed commercial districts and subject to the following conditions:

   a. A gasoline service station shall be limited to eight pumps and 16 price gauges to service no more than 16 vehicles.

   b. A battery exchange station shall provide a minimum of three stacking spaces.
c. Stacking spaces and drive-through facilities shall be designed in accordance with CMC 18.50.080.

d. Any associated materials, equipment storage, outdoor storage tanks and battery exchange activities shall be within a fully enclosed structure, unless otherwise determined by the Director.

20. a. No burning of refuse or dead animals is allowed;

b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas shall be surrounded by an eight-foot-high solid wall and surfaced with concrete or other impervious material;

c. Subject to animal keeping provisions of Chapter 18.80 CMC;

d. Prior to issuance of a development permit, documentation shall be provided by a qualified acoustical consultant, for approval by the Community Development Director, verifying that the expected noise to be emanating from the site complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property;

e. Not permitted in any subdivision containing dwelling units; and

f. May only treat domestic animals on premises.

21. Day care I is allowed only as an accessory to a single-family detached unit.

22. Except bed and breakfasts, guesthouses are permitted outright and do not require a conditional use permit.

23. Mixed-use structures greater than one story shall provide ground floor retail, restaurant, or personal services along 60 percent of the building facade, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045. Permitted uses under the headings of cultural/recreation and governmental/institutional in subsection (3) of this section are exempt from this provision.

24. Parking facilities shall be fully screened from the public right-of-way with Type 1 landscaping in accordance with CMC 18.40.040.

25. a. The indoor shooting range, including its plans, rules, procedures, management and staff, shall comply with the applicable safety guidelines and provisions in the latest edition of “the Range Source Book” (National Rifle Association of America: Fairfax, Virginia) or its successor, as appropriate to the type of facility involved.

b. Any new development proposal and/or business license application for an indoor shooting range shall be accompanied by a notarized letter by the shooting facility operator that the facility complies with Federal and State regulations, meets commonly accepted shooting facility safety and design practices, and will be operated in a manner that protects the safety of the general public.

c. Outdoor shooting ranges are not permitted.

26. a. Multifamily residential dwellings in the TC zone shall be located in a minimum three-story mixed-use structure; and

b. Sixty percent or more of the ground floor abutting a street, public space, public plaza and/or public green space shall be occupied by one or more of the following permitted uses: retail, restaurant or personal services, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use.

27. New and existing single-family attached and detached dwellings within commercial zones shall abide by the density and dimension standards for the R-8 zone provided in CMC 18.30.030.
28. Subject to the applicable 1,000-foot and 500-foot sensitive use buffers outlined in CMC 18.33.050. (Ord. 12-16 § 7; Ord. 03-16 § 1 (Exh. A); Ord. 05-15 § 1 (Exh. A); Ord. 06-13 § 2 (Exh. A); Ord. 14-12 § 2 (Exh. B); Ord. 09-12 § 2 (Exh. B); Ord. 04-12 § 1 (Exh. A); Ord. 01-12 § 1 (Exh. 1); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 1 (Exh. A))
Memo

To: Planning Commission
From: Ann Mueller, Senior Planner
Richard Hart, Director

Date: March 15, 2018
Re: Proposed Comprehensive Plan Amendments for the 2018 Docket

Two privately initiated proposals for amendments to Covington’s Comprehensive Plan were received by the January 22, 2018 deadline. The city will also be doing technical amendments to the Comprehensive Plan that will include some updated information, corrections, and clarifications. Attached are copies of the two Comprehensive Plan applications received by the city.

All annual amendments to the Comprehensive Plan must be considered concurrently. These three proposals constitute the initial docket for 2018 and have been posted on the city’s website and at the City Hall Kiosk since Monday, January 29, 2018 to allow for citizen review and comments. Notice of the Planning Commission’s public hearing on the proposed 2018 docket was published in the Covington Reporter on February 16, 2018, and March 2, 2018.

The comprehensive plan amendment process calls for review of these proposed amendments by the Planning Commission, a public hearing on the 2018 docket by the Planning Commission with a recommendation to the City Council for the placement of some or all of these amendments on the final 2018 docket. The public hearing for this review is scheduled for the Planning Commission’s meeting on March 15, 2018. There will be further opportunities for public comment on the proposed amendments at the City Council’s review of the recommended 2018 docket as well as the individual public hearings in the summer and fall for those amendments that are placed on the 2018 docket by the City Council.

The Director of Community Development recommends that both privately initiated proposed amendments to the Comprehensive Plan as well as the city initiated technical amendments be recommend to the City Council for placement on the final 2018 docket for further review and analysis.
A summary of the proposed docket follows:

<table>
<thead>
<tr>
<th>Permit #</th>
<th>Applicant</th>
<th>Location</th>
<th>Associated Applications</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>LA18-0001 (submitted 1/10/2018)</td>
<td>Soos Creek Sewer &amp; Water District</td>
<td>Site-specific amendment to: APN: 2622059016 27110 160th Ave SE</td>
<td>SEPA2018-01 &amp; Soos Creek Zoning Map Amendment</td>
<td>Amend the Comprehensive Plan’s Future Land Use Map (FLUM) for a parcel from Urban Separator (US/R-1) to General Commercial (GC). This would include expansion of the city’s Downtown District. In conjunction with this proposed Comprehensive Plan Amendment the applicants have submitted Zoning Code amendments to amend the city’s zoning map to be consistent with their requested FLUM amendment as well as a SEPA checklist.</td>
</tr>
<tr>
<td>LA18-0002 (submitted 1/22/2018)</td>
<td>Oakpointe</td>
<td>Site-specific amendment to Lakepointe Urban Village Subarea: APNs: 1922069041, 3022069001, 2022069152, 2922069162, 2022069012, &amp; 3022069090 18808 SE 256th St.</td>
<td>None submitted at this time</td>
<td>Amend various sections of the Comprehensive Plan to increase the housing and commercial square footage thresholds allowed within the Lakepointe Urban Village Subarea (e.g. allow 1,750 housing units 1.32 million square feet of commercial development with in the Lakepointe Urban Village Subarea).</td>
</tr>
<tr>
<td>LA18-0003 (submitted 1/22/2018)</td>
<td>City-initiated</td>
<td>City-wide amendment</td>
<td>None submitted at this time</td>
<td>Technical Amendments and minor updates to the comprehensive plan.</td>
</tr>
</tbody>
</table>
Attachments

- LA18-0001  Soos Creek Water & Sewer District Comprehensive Plan Land Use Reclassification
- LA18-0002 Oakpointe Amendments related to the Lakepointe Urban Village
# Agenda Item 2

## Comprehensive Plan Amendment Application

### 2018 Application Deadline: January 22, 2018

<table>
<thead>
<tr>
<th>STAFF USE ONLY</th>
<th>Docket Number: LA8-0001</th>
<th>Application Date: 1/16/18</th>
</tr>
</thead>
</table>

### Applicant

- **Name:** Soos Creek Water & Sewer District
- **Address:** 14618 SE 192nd Street
- **City/State/Zip:** Renton, WA 98058-9420
- **Phone:** 253.630.9900
- **E-mail Address:** rspeer@sooscreek.com

### Agent

- **Name:** Stantec Consulting - Rebecca Saur
- **Address:** 11130 NE 33rd Place Ste 200
- **City/State/Zip:** Bellevue, WA 98004
- **Phone:** 425.280.7373
- **E-mail Address:** rebecca.saur@stantec.com

### Property Owner

- **Name:** Soos Creek Water & Sewer District
- **Address:** 14618 SE 192nd Street
- **City/State/Zip:** Renton, WA 98058-9420
- **Phone:** 253.630.9900
- **E-mail Address:** rspeer@sooscreek.com

### Property Owner 2

- **Name:** Not Applicable
- **Address:**
- **City/State/Zip:**
- **Phone:**
- **E-mail Address:**

### Type of Comprehensive Plan Amendment

- This is a site-specific amendment proposal. Complete site-specific information below.
- This is a non-site-specific amendment proposal. Complete area-wide/textual amendment information.
- This amendment proposal involves changes to development regulation text and/or tables and/or changes to the zoning map. Complete a separate Application for Development Regulation and/or Zoning Map Amendment.

### Site-Specific Amendments

Give street address or, if vacant, indicate lot(s), block, and subdivision OR tax lot number, access street and nearest intersection. If proposal applies to several parcels, list the streets bounding the area.

- **Address(ES):** 27110 180TH AVE SE
- **Assessor's Parcel Number(S):** 262205-9016
- **Site Area:** 42,184 sf / 0.97 ac
- **Legal Description(S):** LOT 1 CITY OF COVINGTON SHORT PLAT NO LU13-0014/0002 RECORDING NO 20131023900008

(Being a portion of SW QTR and SE QTR of SE QTR STR 28-22-05)

- **Proposed Change to Future Land Use Map Designation:** From Urban/Industrial (Current) to Downtown (Proposed)
- **Proposed Change to Official Zoning Map Designation:** From US (R-1) (Current) to GC (Proposed)
AREA-WIDE & TEXT AMENDMENTS

Chapter and section of comprehensive plan to be amended: Chapter 2 - Land Use Element, "Our Land Use Plan" Section & LU Exhibits

Indicate either conceptual or specific amendatory language. Please be as specific as possible to aid in the evaluation of your proposal. If specific changes are proposed, please indicate current language and proposed language.

Applicable Exhibits within Chapter 2 would need to be amended to reflect change in Land Use Classification for parcel number 282205-9016 from US (R-1) to GC, including but not limited to: text, graphs and future/existing land use maps. Specifically, text may need to be updated if the 0.97 acre parcel change in Land Use Classification from US (R-1) to GC alters percent use by zone as detailed on page LU-17. Text on page LU-21 under "General Commercial: This 95-acre..." would need to be updated to read "General Commercial: This 96-acre...".

---

DESCRIBE HOW PROPOSAL MEETS DECISION CRITERIA

An amendment may be considered for placement on the final docket under any one of the following circumstances. Check the applicable box, and describe in detail how the proposed amendment complies with the criterion. Attach additional sheets as necessary.

- If the proposed amendment is site-specific, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications.

Soos Creek Water & Sewer District short platted (from the original Calhoun sand/gravel pit) and purchased this 0.97 acre parcel from King County in 2013 with the intent to construct regional sewer facilities on the site. The regional facilities, however, were constructed on an alternate site. The parcel has been subdivided, cleared, and improved with on-site utilities since the City last evaluated the parcel as part of its Comprehensive Plan Update in 2015. Provided the recent improvements to the site, the proposed Land Use Classification amendment request to Downtown is consistent with the City of Covington Land Use Classification directly across the street and within 0.1 miles east on SE 272nd Street which are also designated as Downtown. Additionally, reclassifying the site to Downtown would be consistent with the City of Kent's Commercial Land Use designations located 0.2 miles west of the site on SE 272nd Street, while leaving the remaining portion of the Calhoun site classified as Urban Separator to maintain conformity with parcels to the northeast and northwest, and Kent open space parcels directly to the west.

☐ State law requires, or a decision of a court or administrative agency has directed such a change.

☐ There exists an obvious technical error in the pertinent comprehensive plan provision.
DESCRIBE HOW PROPOSAL MEETS SELECTION / DECISION CRITERIA (CONT’D.)

If none of the three conditions on p.2 apply, then the proposed amendment must meet all five of the following criteria. Please answer the following questions, providing specific details and attaching additional sheets as necessary.

1. Explain how the proposed amendment is appropriately addressed through the comprehensive plan and how it would be a public benefit to the City of Covington (i.e. enhances the public health, safety, and welfare).
   Not Applicable.

2. Proposed amendments that are the same or substantially-similar to an amendment proposed during the last three amendment cycles are not eligible for consideration, except in certain cases due to geographic expansion by the City (see CMC 14.25.040(3)). Has the same or a substantially-similar amendment been proposed during the last three annual amendment cycles? □ No  □ Yes
   If yes, how has geographic expansion necessitated the proposed amendment?
   Not Applicable.

3. Does the proposed amendment raise any policy or land-use issues that are more appropriately addressed by an ongoing work program approved by the City Council? □ No  □ Yes
   Please explain:
   Not Applicable.

4. Explain how the proposed amendment addresses significantly changed conditions since the last time the pertinent comprehensive plan map or text was amended. “Significantly changed conditions” are those resulting from unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent comprehensive plan map or text; where such change has implications of a magnitude that need to be addressed for the comprehensive plan to function as an integrated whole.
   Not Applicable.
DESCRIBE HOW PROPOSAL MEETS SELECTION / DECISION CRITERIA (CONT’D.)

5. Explain how the proposed amendment is consistent with:

a. The vision, goals, and policies of the comprehensive plan, and other goals and policies of the City:
   Not Applicable.

b. The Countywide Planning Policies, the Growth Management Act, State Environmental Policy Act (SEPA), the Washington Administrative Code, and other applicable state and federal laws.
   Not Applicable.

COSTS & BENEFITS / ADDITIONAL INFORMATION

1. Describe the effects of the proposed amendment in terms of costs and benefits to the public, both monetary and non-monetary.
   The proposed amendment will not monetarily impact the public as the amendment process will be paid for by the applicant via fees assessed by the City. If the parcel is developed in the future, there could be additional traffic to the site depending on the development proposed. Due to existing traffic volumes in the area, traffic impacts would likely be minimal to the public traveling on SE 272nd Street and 156th Place SE. Alternatively, if the parcel is developed in the future, there would be benefit to the public: Aesthetically there would be an improvement to a very visible area as the public enters the City of Covington gateway on SE 272nd Street. Any new commercial development on the site would also provide additional services to the public depending on the development proposed.

2. Describe and/or attach any studies, research information, or further documentation that will support this proposal.
   Prior to submitting this application, SCWSD approached King County, the neighboring property owner, to make them aware of the District’s intent for application of Comprehensive Plan and Zoning Map amendments to the City. King County was not opposed to either action.

CERTIFICATION / SIGNATURE

I have reviewed the Comprehensive Plan Amendment Instruction Guide and Timeline, and certify that the information provided on this application is true and correct.

Applicant’s/Agent’s Signature: ___________________________ Date: 1/3/2018

Please note: If this is a site-specific amendment proposal, all affected property owners must complete, sign, and have notarized a Property Owner Declaration.
Agenda Item 2

PROPERTY OWNER DECLARATION

STAFF USE ONLY

<table>
<thead>
<tr>
<th>Permit/Project Number:</th>
<th>Application Date:</th>
</tr>
</thead>
</table>

I/We make the following statements based upon personal knowledge:

1. I am/We are the current owner(s) of the following parcel number(s) that is/are the subject of this application, including all rights-of-way, easements, or other property ownerships which are necessary to fulfill the requirements of the application: Ron Speer, General Manager, Snoo Creek Water & Sewer District

2. All statements contained in the application are true and correct to the best of my/our knowledge.

3. The application is being submitted with my/our knowledge and consent.

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.

Signed this 9th day of January, 2018, at Renton, Washington

Signature

Print Name

Address

Phone Number

State of Washington

County of King

I certify that I know or have seen satisfactory evidence that Ron Speer (Property Owner) signed this instrument and acknowledges it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 1/09/2018

Signature:

Print Name:

Notary Public in and for the State of Washington

My appointment expires: 11/20/2018

(Notary Seal or Stamp)

Use additional pages as needed for all property owner signatures.
COMPREHENSIVE PLAN AMENDMENT APPLICATION
2018 Application Deadline: January 22, 2018

STAFF USE ONLY

Docket Number: LA18-M002

□ City-initiated  □ Privately-initiated

Application Date: 01/22/18

APPLICANT
Name: Oakpointe Land Covington LLC
Address: 3025 112th Avenue NE, Suite 100
City/State/Zip: Bellevue, WA 98004
Phone: (425) 898-2100  Fax: (425) 898-2139
E-mail Address: dund@oakpointe.com
Signature: __________________________

AGENT
Name: Oakpointe Land Covington LLC
Address: 3025 112th Avenue NE, Suite 100
City/State/Zip: Bellevue, WA 98004
Phone: (425) 898-2100  Fax: (425) 898-2139
E-mail Address: dund@oakpointe.com
Signature: __________________________

PROPERTY OWNER
Name: Hawk Family Properties Limited Partnership
Address: 701 5th Avenue, Suite 6500
City/State/Zip: Seattle, WA 98104
Phone: (206) 682-7090  Fax: (206) 625-9534
E-mail Address: brockman@mpba.com
Signature: __________________________

PROPERTY OWNER 2
Name: Hughes Family Investment, Ltd.
Address: 701 5th Avenue, Suite 6500
City/State/Zip: Seattle, WA 98104
Phone: (206) 682-7090  Fax: (206) 625-9534
E-mail Address: brockman@mpba.com
Signature: __________________________

TYPE OF COMPREHENSIVE PLAN AMENDMENT
□ This is a site-specific amendment proposal. Complete site-specific information below.
□ This is a non-site-specific amendment proposal. Complete area-wide/textual amendment information.
□ This amendment proposal involves changes to development regulation text and/or tables and/or changes to the zoning map. Complete a separate Application for Development Regulation and/or Zoning Map Amendment. AmendmentRegulation.

SITE-SPECIFIC AMENDMENTS
Give street address or, if vacant, indicate lot(s), block, and subdivision OR tax lot number, access street and nearest intersection. If proposal applies to several parcels, list the streets bounding the area.
ADDRESS(ES): 18003 SE 256th Street, Covington, WA 98042

ASSESSOR’S PARCEL NUMBER(S): See attached

SITE AREA: Approximately 214.08 acres

LEGAL DESCRIPTION(S): See attached

□ PROPOSED CHANGE TO FUTURE LAND USE MAP DESIGNATION: FROM (CURRENT) TO (PROPOSED)
□ PROPOSED CHANGE TO OFFICIAL ZONING MAP DESIGNATION: FROM (CURRENT) TO (PROPOSED)
**AREA-WIDE & TEXT AMENDMENTS**

Chapter and section of comprehensive plan to be amended:  
__________________________________________________________

Indicate either conceptual or specific amendatory language. Please be as specific as possible to aid in the evaluation of your proposal. If specific changes are proposed, please indicate current language and proposed language.

See attached

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**DESCRIBE HOW PROPOSAL MEETS DECISION CRITERIA**

An amendment may be considered for placement on the final docket under any one of the following circumstances. Check the applicable box, and describe in detail how the proposed amendment complies with the criterion. Attach additional sheets as necessary.

- [ ] If the proposed amendment is site-specific, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications.

  See attached

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- [ ] State law requires, or a decision of a court or administrative agency has directed such a change.

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- [ ] There exists an obvious technical error in the pertinent comprehensive plan provision.

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DESCRIPT HOW PROPOSAL MEETS SELECTION / DECISION CRITERIA (CONT'D.)

If none of the three conditions on p.2 apply, then the proposed amendment must meet **all five** of the following criteria. Please answer the following questions, providing specific details and attaching additional sheets as necessary.

1. Explain how the proposed amendment is appropriately addressed through the comprehensive plan and how it would be a public benefit to the City of Covington (i.e. enhances the public health, safety, and welfare).

2. Proposed amendments that are the same or substantially-similar to an amendment proposed during the last three amendment cycles are not eligible for consideration, except in certain cases due to geographic expansion by the City (see CMC 14.25.040(3)). Has the same or a substantially-similar amendment been proposed during the last three annual amendment cycles? □ No □ Yes

   If yes, how has geographic expansion necessitated the proposed amendment?

3. Does the proposed amendment raise any policy or land-use issues that are more appropriately addressed by an ongoing work program approved by the City Council? □ No □ Yes

   Please explain:

4. Explain how the proposed amendment addresses significantly changed conditions since the last time the pertinent comprehensive plan map or text was amended. "Significantly changed conditions" are those resulting from unanticipated consequences of an adopted policy, or changed conditions on the subject property or its surrounding area, or changes related to the pertinent comprehensive plan map or text; where such change has implications of a magnitude that need to be addressed for the comprehensive plan to function as an integrated whole.
5. Explain how the proposed amendment is consistent with:

   a. The vision, goals, and policies of the comprehensive plan, and other goals and policies of the City:

   b. The Countywide Planning Policies, the Growth Management Act, State Environmental Policy Act (SEPA), the Washington Administrative Code, and other applicable state and federal laws.

COSTS & BENEFITS / ADDITIONAL INFORMATION

1. Describe the effects of the proposed amendment in terms of costs and benefits to the public, both monetary and non-monetary.
   See attached

2. Describe and/or attach any studies, research information, or further documentation that will support this proposal.
   See attached

CERTIFICATION / SIGNATURE

I have reviewed the Comprehensive Plan Amendment Instruction Guide and Timeline, and certify that the information provided on this application is true and correct.

[Signature]

Applicant's/Agent's Signature

[Date]

Date

Please note: If this is a site-specific amendment proposal, all affected property owners must complete, sign, and have notarized a Property Owner Declaration.
LAKEPOINTE COMPREHENSIVE PLAN AMENDMENT

PARCEL 1

That portion of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northwest Quarter, all in Section 19 and that portion of the Southwest Quarter of the Southwest Quarter of Section 20, all in Township 22 North, Range 6 East, W.M., in King County, Washington, described as follows:

Commencing at the Southeast Corner of said Northeast Quarter of the Southeast Quarter of Section 19;

Thtence North 89°35'29" West along the South Line of said Northeast Quarter of the Southeast Quarter and the Northerly Right of Way of Collier-Lund Road, 207.94 Feet to the True Point of Beginning;

Thtence continuing North 89°35'29" West along said Northerly Right of Way, 437.38 Feet to a Point of Curve;

Thtence continue along said Northerly Right of Way and said curve to the left having a Radius of 530.00 Feet, through a Central Angle of 15°30'13", an Arc Distance of 143.41 Feet to the Southeasterly Right of Way of SR-18;

Thtence along said Southeasterly Right of Way the following courses:

North 60°18'55" East, 440.64 Feet;
South 28°29'35" East, 15.00 Feet;
North 61°30'21" East, 53.32 Feet;
Thtence leaving said Right of Way, South 33°27'49" East, 258.50 Feet to the True Point of Beginning;

Together with;

Commencing at said Southeasterly Corner of the Northeast Quarter of the Southeast Quarter;

Thtence South 01°12'51" West along the East Line of said Southeast Quarter of the Southeast Quarter, 60.01 Feet to the Southerly Right of Way of said Collier-Lund Road;

Thtence North 89°35'29" West along said Southerly Right of Way, 168.82 Feet to the True Point of Beginning;

Thtence continue North 89°35'29" West along said Southerly Right of Way, 477.56 Feet to a Point of Curve;

Thtence westerly continuing along said Southerly Right of Way and said curve to the left having a Radius of 470.00 Feet, through a Central Angle of 26°41'24", an Arc Distance of 218.94 Feet;

Thtence leaving said Right of Way South 22°56'08" East, 632.14 Feet;

Thtence North 67°03'54" East, 428.30 Feet;

Thtence North 43°16'24" East, 416.05 Feet;

Thtence North 63°56'26" West, 100.78 Feet;

Thtence North 76°00'37" West, 88.20 Feet;

Thtence North 33°27'49" West 110.18 Feet to the True Point of Beginning.

PARCEL 2

That portion of the Southeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 19, that portion of the Southwest Quarter of the Southwest Quarter of Section 20 and that portion of the Northeast Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 30, all in Township 22 North, Range 6 East, W.M., in King County, Washington, described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 19, said Township and Range;

Thtence South 01°12'51" West along the East Line of said Southeast Quarter of the Southeast Quarter, 60.01 Feet to the Southerly Right of Way of said Collier-Lund Road;

Thtence North 89°35'29" West, along said Southerly Right of Way, 168.82 Feet;

Thtence South 33°27'49" East, 110.18 Feet;

Thtence South 76°00'37" East, 88.20 Feet;

Thtence South 63°56'26" East 100.78 Feet to the True Point of Beginning;

Thtence continue South 63°56'26" East, 157.43 Feet;

Thtence South 56°37'55" East, 107.81 Feet;
THENCE SOUTH 64°10'32" EAST, 214.71 FEET;  
THENCE SOUTH 48°23'28" EAST, 353.84 FEET;  
THENCE SOUTH 80°16'03" WEST, 981.06 FEET;  
THENCE SOUTH 09°43'57" EAST, 485.00 FEET;  
THENCE SOUTH 80°16'03" WEST, 414.01 FEET;  
THENCE SOUTH 09°43'57" EAST, 516.43 FEET;  
THENCE SOUTH 80°16'03" WEST, 1544.09 FEET TO A POINT ON THE EASTERY LINE OF COVINGTON PARK DIVISION 3, AS RECORDED IN VOLUME 114 OF PLATS AT PAGES 95 THROUGH 97;  
THENCE NORTH 23°35'09" WEST, ALONG SAID EASTERY LINE, 278.60 FEET;  
THENCE SOUTH 65°39'51" WEST, ALONG SAID EASTERY LINE, 369.64 FEET;  
THENCE NORTH 18°53'27" WEST, ALONG SAID EASTERY LINE, 322.39 FEET;  
THENCE NORTH 71°10'06" EAST, 100.97 FEET;  
THENCE NORTH 19°15'11" EAST, 94.13 FEET;  
THENCE NORTH 30°21'57" WEST, 74.75 FEET;  
THENCE NORTH 42°08'55" WEST, 216.54 FEET TO THE SOUTHEASTERLY RIGHT OF WAY OF SR-18;  
THENCE NORTH 44°49'00" EAST, ALONG SAID RIGHT OF WAY, 128.62 FEET;  
THENCE NORTH 31°43'27" WEST, ALONG SAID RIGHT OF WAY, 34.40 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS SOUTH 46°08'55" EAST, 2920.00 FEET;  
THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 7°33'32", AN ARC DISTANCE OF 385.23 FEET;  
THENCE NORTH 58°30'21" EAST, ALONG SAID RIGHT OF WAY, 1023.85 FEET TO A POINT OF CURVE;  
THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 11325.00 FEET, THROUGH A CENTRAL ANGLE OF 3°14'30" AN ARC DISTANCE OF 640.75 TO A POINT OF COMPOUND CURVE;  
THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY AND SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 3°58'15" AN ARC DISTANCE OF 32.57 FEET;  
THENCE SOUTH 22°56'06" EAST, 632.14 FEET;  
THENCE NORTH 67°03'54" EAST, 428.30 FEET;  
THENCE NORTH 43°16'24" EAST, 416.05 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 3


COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19;  
THENCE SOUTH 01°12'51" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 60.01 FEET TO THE SOUTHERLY RIGHT OF WAY OF SAID COLLIER-LUND ROAD;  
THENCE NORTH 89°35'29" WEST ALONG SAID SOUTHERLY RIGHT OF WAY, 166.82 FEET;  
THENCE SOUTH 33°27'49" EAST, 110.18 FEET;  
THENCE SOUTH 76°00'37" EAST, 88.20 FEET;  
THENCE SOUTH 63°56'26" EAST, 258.20 FEET;  
THENCE SOUTH 58°39'55" EAST, 107.81 FEET;  
THENCE SOUTH 64°10'32" EAST, 214.71 FEET;  
THENCE SOUTH 48°23'28" EAST, 353.84 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 80°16'03" WEST, 981.06 FEET;  
THENCE SOUTH 09°43'57" EAST, 485.00 FEET;  
THENCE SOUTH 80°16'03" WEST, 414.01 FEET;  
THENCE SOUTH 09°43'57" EAST, 516.43 FEET;  
THENCE NORTH 80°16'03" EAST, 787.01 FEET;  
THENCE NORTH 09°43'57" WEST, 271.43 FEET;  
THENCE NORTH 80°16'03" EAST, 1100.37 FEET;  
THENCE NORTH 25°44'12" EAST, 537.99 FEET;  
THENCE NORTH 71°57'03" WEST, 107.72 FEET TO A POINT OF CURVE;  
THENCE NORTH-WESTERLY, ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 506.30 FEET, THROUGH A CENTRAL ANGLE OF 9°57'26", AN ARC DISTANCE OF 87.99 FEET;
THENCE NORTH 61°59'37" WEST, 146.21 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS SOUTH 28°04'07" WEST, 498.41 FEET;
THENCE WESTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 37°48'05", AN ARC DISTANCE
OF 328.83 FEET;
THENCE SOUTH 80°16'03" WEST, 214.16 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 4

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHEAST QUARTER OF
SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29 AND THE
NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND THE NORTHEAST QUARTER OF SECTION 30, ALL IN TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, SAID TOWNSHIP AND RANG;
THENCE SOUTH 01°12'51" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST
QUARTER, 60.01 FEET TO THE SOUTHhots RIGtH WAY OF SAID COLLIER-LUND ROAD AND TO THE TRUE POINT OF
BEGINNING;
THENCE NORTH 80°35'20" WEST, ALONG SAID SOUTHERLY RIGHT OF WAY, 166.82 FEET;
THENCE SOUTH 33°27'49" EAST 110.16 FEET;
THENCE SOUTH 78°00'37" EAST 88.20 FEET;
THENCE SOUTH 63°56'26" EAST 258.20 FEET;
THENCE SOUTH 56°37'55" EAST 107.81 FEET;
THENCE SOUTH 64°10'32" EAST 214.71 FEET;
THENCE SOUTH 48°23'28" EAST 353.84 FEET;
THENCE NORTH 80°16'03" EAST 214.16 FEET TO A POINT OF CURVE;
THENCE EASTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 498.41 FEET, THROUGH A CENTRAL
ANGLE OF 37°48'05", AN ARC DISTANCE OF 328.83 FEET;
THENCE SOUTH 61°59'37" EAST 146.21 FEET TO A POINT OF CURVE,
THENCE EASTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 508.30 FEET, THROUGH A CENTRAL
ANGLE OF 9°57'26", AN ARC DISTANCE OF 87.99 FEET;
THENCE SOUTH 71°57'03" EAST 107.72 FEET;
THENCE SOUTH 25°44'12" WEST 537.99 FEET;
THENCE SOUTH 80°16'03" WEST 1100.37 FEET;
THENCE SOUTH 9°43'57" EAST 271.43 FEET;
THENCE SOUTH 80°16'03" WEST, 2331.10 FEET TO A POINT ON THE EASTERLY LINE OF COVINGTON PARK DIVISION 3,
AS RECORDED IN VOLUME 114 OF PLATS AT PAGES 95 THROUGH 97;
THENCE ALONG THE EASTERLY AND NORTHERLY LINES OF SAID COVINGTON PARK DIVISION 3, COVINGTON PARK
DIVISION 4, AS RECORDED IN VOLUME 116, PAGES 5 AND 6, TIMBERLINE ESTATES DIVISION 4, AS RECORDED IN
VOLUME 89 OF PLATS AT PAGES 3 AND 4 AND SHIRE HILLS DIVISION 1, AS RECORDED IN VOLUME 164 OF PLATS AT
PAGES 13 THROUGH 19, THE FOLLOWING COURSES:
THENCE SOUTH 23°35'09" EAST, 87.66 FEET;
THENCE SOUTH 10°30'09" EAST, 270.00 FEET;
THENCE SOUTH 85°05'09" EAST, 530.00 FEET;
THENCE NORTH 07°59'51" EAST, 130.00 FEET;
THENCE NORTH 86°49'51" EAST, 1098.11 FEET;
THENCE NORTH 20°46'16" EAST, 130.55 FEET;
THENCE NORTH 41°13'16" EAST, 400.00 FEET;
THENCE NORTH 87°03'34" EAST, 332.91 FEET;
THENCE SOUTH 61°57'30" EAST, 103.00 FEET;
THENCE SOUTH 28°02'30" WEST, 45.00 FEET;
THENCE SOUTH 61°57'30" EAST, 150.00 FEET;
THENCE NORTH 28°02'30" EAST, 45.00 FEET;
THENCE SOUTH 61°57'30" EAST, 62.00 FEET;
THENCE NORTH 63°43'39" EAST, 146.42 FEET;
THENCE SOUTH 49°20'48" EAST, 21.54 FEET;
THENCE NORTH 40°39'12" EAST, 60.00 FEET;
THENCE NORTH 70°09'12" EAST, 154.46 FEET.
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THENCE NORTH 78°39'12" EAST, 186.00 FEET;
THENCE NORTH 87°09'12" EAST, 56.08 FEET;
THENCE SOUTH 64°48'48" EAST, 68.56 FEET;
THENCE NORTH 25°11'12" EAST, 635.30 FEET;
THENCE LEAVING SAID LINES, NORTH 89°46'42" EAST, 610.93 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS SOUTH 82°53'35" WEST, A DISTANCE OF 500.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, THOUGH A CENTRAL ANGLE OF 31°13'45", AND ARC DISTANCE OF 272.52 FEET;
THENCE NORTH 59°42'46" EAST, 680.75 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER;
THENCE NORTH 01°02'56" EAST ALONG SAID LINE, 378.34 FEET TO SAID SOUTHERLY RIGHT OF WAY OF COLLIERTOWN ROAD;
THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES;
THENCE SOUTH 54°03'08" WEST, 519.82 FEET TO A POINT OF CURVE;
THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 439.53 FEET, THROUGH A CENTRAL ANGLE OF 36°18'00", AN ARC DISTANCE OF 278.47 FEET;
THENCE NORTH 89°38'52" WEST, 95.42 FEET TO A POINT OF CURVE;
THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 630.00 FEET, THROUGH A CENTRAL ANGLE OF 31°41'50", AN ARC DISTANCE OF 348.53 FEET;
THENCE NORTH 57°57'02" WEST, 911.61 FEET TO A POINT OF CURVE;
THENCE WESTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 570.00 FEET, THROUGH A CENTRAL ANGLE OF 31°38'27", AN ARC DISTANCE OF 314.78 FEET;
THENCE NORTH 89°35'29" WEST, 480.58 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20;
THENCE SOUTH 89°35'29" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHWEST QUARTER, 479.74 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUE ALONG SAID NORTH LINE, 852.14 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20;
THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89°35'29" EAST, 1331.88 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER;
THENCE SOUTH 01°02'56" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 247.70 FEET TO THE NORTHERLY RIGHT OF WAY OF COLLIERTOWN ROAD;
THENCE ALONG SAID NORTHERLY RIGHT OF WAY THE FOLLOWING COURSES:
THENCE SOUTH 54°03'08" WEST, 565.03 FEET TO A POINT OF CURVE;
THENCE WESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 379.53 FEET, THROUGH A CENTRAL ANGLE OF 36°18'00", AN ARC DISTANCE OF 240.45 FEET;
THENCE NORTH 89°38'52" WEST, 95.42 FEET TO A POINT OF CURVE;
THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, THROUGH A CENTRAL ANGLE OF 31°41'50", AN ARC DISTANCE OF 315.34 FEET;
THENCE NORTH 57°57'02" WEST, 911.62 FEET TO A POINT OF CURVE;
THENCE WESTERLY ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 630.00 FEET, THROUGH A CENTRAL ANGLE OF 31°38'27", AN ARC DISTANCE OF 347.91 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19;
THENCE NORTH 89°35'29" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE NORTHERLY RIGHT OF WAY OF COLLIERTOWN ROAD, 207.94 FEET;
THENCE NORTH 33°27'49" WEST, 258.50 FEET TO THE SOUTHEASTERLY RIGHT OF WAY OF SR-18;
THENCE NORTH 61°30'21" EAST, 408.71 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
Agenda Item 2

THENCE SOUTH 01°12'51" WEST, 412.20 FEET TO THE POINT OF BEGINNING.

PARCEL 5

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M., IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20;
THENCE SOUTH 89°35'29" EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 20, A DISTANCE OF 2663.75 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SOUTHWEST QUARTER OF SECTION 20;
THENCE SOUTH 01°02'56" WEST ALONG SAID EAST LINE, 701.16 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUE SOUTH 01°02'56" WEST ALONG SAID EAST LINE, 589.87 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER;
THENCE SOUTH 89°46'42" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, 473.08 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH BEARS SOUTH 82°53'35" WEST, A DISTANCE OF 500.00 FEET;
THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT, THOUGH A CENTRAL ANGLE OF 31°13'45", AND ARC DISTANCE OF 272.52 FEET;
THENCE NORTH 59°42'46" EAST, 680.75 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 6

THAT CERTAIN PROPERTY DESCRIBED AS TRACT 3 IN KING COUNTY SUPERIOR COURT STIPULATED JUDGMENT AND DECREE, CAUSE NO. 00-2-21259-3-KNT, DATED MAY 2, 2001 AND BEING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER REFERRED TO AS HES) DW 74+24.56 ON THE DW LINE SURVEY OF SR 18, SR 516 INTERCHANGE TO CEDAR RIVER VICINITY AND 66.88 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES DW 76+45 ON SAID LINE SURVEY AND 39 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES 77+25 ON SAID LINE SURVEY AND 31 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES 77+86.705 ON SAID LINE SURVEY AND 61.043 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHWESTERLY TO A POINT OPPOSITE 77+63.437 ON SAID LINE SURVEY AND 140.816 FEET SOUTHWESTERLY THEREFROM, SAID POINT BEING ON THE NORTHEASTERLY LINE OF THE PLAT OF COVINGTON PARK DIVISION 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 114 OF PLATS, PAGES 95 THROUGH 97, INCLUSIVE, IN KING COUNTY, WASHINGTON;
THENCE NORTH 19°33'18" WEST ALONG THE NORTHEASTERLY OF SAID PLAT TO THE POINT OF BEGINNING.
Area-Wide and Text Amendments

Chapter and section of Comprehensive Plan to be amended:

- **Exhibit LU-6; Page LU-9** – Exhibit LU-6 provides targets and capacity for anticipated projects in the City of Covington between the years 2012 and 2035. Lapointe Urban Village Capacity is noted as 1,500 Housing units and 1,889 Jobs. The proposed Comprehensive Plan Amendment would modify the Housing target for the Lakepointe Urban Village to 1,750 and the Jobs target to approximately 2,900.

- **Exhibit LU-7; Page LU-9** – Similar to Exhibit LU-6 above, Exhibit LU-7 provides a graphical representation of growth targets, the projected 20-year demand and capacity. The graph indicates Lakepointe Planned Development at 1,500 housing units and 1,889 jobs. The proposed Comprehensive Plan Amendment would modify the Housing target for the Lakepointe Urban Village to 1,750 and the Jobs target to approximately 2,900.

- **Page LU-14** – The text indicates “The City adopted a range of concepts for the subarea allowing 1,000-1,500 dwellings and 680,000 to 850,000 square feet of commercial development.” The proposed Comprehensive Plan Amendment would modify the target housing units to 1,750 and modify the targeted commercial square feet to 1.32 million square feet.

- **Page ED-5** – The text indicates “The addition of 850,000 square feet of commercial space – largely retail – in the Lakepointe Urban Village will reinforce the city’s retail and service center reputation, create a substantial number of new jobs, and reduce the leakage of retail sales dollars to businesses located outside the city.” The proposed Comprehensive Plan Amendment would modify the targeted commercial square feet to 1.32 million square feet.

Describe How Proposal Meets Decision Criteria

If the proposed amendment is site-specific, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications.

The subject property is the Lakepointe Urban Village property which has undergone City adoption of a Planned Action EIS, a Subarea Plan, new zoning classifications and modifications to the City’s Comprehensive Plan. Further, the City adopted a Development Agreement which vests the development as a mixed use urban village over the next 15 years. Therefore, the proposed Lakepointe Urban Village has been determined to be in general conformance with adjacent land use and surrounding development pattern and new zoning standards have been implemented to accommodate the proposed uses.

As part of the final Development Agreement negotiations, the City desired to have residential units on the peninsula area. Section 19.1.3 of the adopted Lakepointe Development Agreement states “Development to the north of the central pond feature, in the peninsula area, shall consist of mixed-use development that includes upper-story residential units.”

Residential units were not originally contemplated on the peninsula area in initial site planning studies. However, locating additional residential units on the Peninsula can be provided as units above planned retail space in mixed-use buildings and will help activate the space. Therefore, a
request is being made to increase the number of residential units from 1,500 to 1,750 to accommodate the adopted provision of the Development Agreement while ensuring there is an appropriate number of residential units on the peninsula area to activate the space.

The requested Comprehensive Plan Amendment includes an increase in the commercial square footage from 850,000 square feet to 1.32 million square feet. Since the time of the Subarea Plan, substantial site analysis has been conducted and the site has a capacity well in excess of 1.32 million square feet of commercial. This is primarily a result of adding second floor retail to a number of buildings and providing a significant number of parking spaces in structured parking. The additional square footage fits within the existing commercial footprint as depicted during the Development Agreement process and of specific note, no charge to the “hotel area” at the southwesterly portion of the site would occur. The additional square footage would occur primarily between Highway 18 and the Covington Connector and on the peninsula area.

It is also anticipated that the specific land uses contemplated within the Lakepointe Urban Village will generate less PM peak vehicle trips than the general commercial land use threshold anticipated in the Planned Action EIS. If this proposed amendment moves forward, an update to the PM Peak vehicle trip analysis will be provided to the City as part of an update to the Planned Action EIS.

Costs & Benefits / Additional Information

Describe the effects of the proposed amendment in terms of costs and benefits to the public, both monetary and non-monetary.

Increasing the commercial square footage from 850,000 square feet to 1.32 million square feet will substantially increase the city’s long-term tax base while creating a vibrant urban village serving southeast King County. The additional square footage is made possible through the accommodation of several parking stalls in parking structures. There is no other currently entitled planned urban village in the region that has the potential to create a true gathering space both for the local citizens and the surrounding communities. Restaurants, entertainment venues, aspirational shopping, and office space with an active waterfront and numerous parks and trails will provide activities for a host of people of all ages.

The additional square footage will further reduce the leakage of retail sales dollars to businesses located outside the City and will draw additional retail dollars to the City of Covington from the surrounding communities.

The modification of residential units from 1,500 to 1,750 will primarily be located on the peninsula area over planned retail space. The infrastructure necessary to serve the additional units will already be provided by the planned commercial buildings. Additional structured parking would be required; however, this does not add any short-term or long-term cost to the City as structured parking will be provided by the developer. The City will benefit from initial REET dollars from a land or building sale and additional building permit fees, impact fees, and property and city taxes.
Describe and/or attach any studies, research information, or further documentation that will support this proposal.

Increasing the commercial square footage from 850,000 square feet to 1.32 million square feet and increasing the residential units from 1,500 to 1,750 will be done on the existing planned footprint of the project and will generate fewer PM peak vehicle trips than anticipated by the general commercial land use contemplated in the Planned Action EIS. The planned amendments also do not require any modifications to the planned “hotel area” in the southwest portion of the site which was a concern for adjacent residents during the Development Agreement deliberations. If this proposal moves forward, a separate analysis of various sections of the Planned Action EIS (such as PM peak vehicle trips and greenhouse gas emissions) will need to be evaluated to determine if any additional mitigations measures would be necessary as a result of the increase in commercial and residential units.
Agenda Item 2

PROPERTY OWNER DECLARATION

I/We make the following statements based upon personal knowledge:

1. I am/We are the current owner(s) of the following parcel number(s) that is/are the subject of this application, including all rights-of-way, easements, or other property ownerships which are necessary to fulfill the requirements of the application: 3022069090.

2. All statements contained in the application are true and correct to the best of my/our knowledge.

3. The application is being submitted with my/our knowledge and consent.

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.

Signed this 22nd day of JANUARY, 2018, at BELLEVUE, WASHINGTON.

[Signature]

Print Name
3025 112th Avenue NE, Suite 100, Bellevue, WA 98004
Address
(425) 898-2100
Phone Number

State of Washington } ss.
County of King

I certify that I know or have seen satisfactory evidence that Brian Ross, Authorized Signatory (Property Owner) signed this instrument and acknowledges it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 1/22/18
Signature: [Signature]
Printed Name: JUSTIN J. WORTMAN
Notary Public in and for the State of Washington
My appointment expires: 9/30/19

(Notary Seal or Stamp)

Use additional pages as needed for all property owner signatures.

[Stamp]
Notary Public
State of Washington
JUSTIN J. WORTMAN
My Appointment Expires Sep 30, 2019
I/We make the following statements based upon personal knowledge:

1. I am/We are the current owner(s) of the following parcel number(s) that is/are the subject of this application, including all rights-of-way, easements, or other property ownerships which are necessary to fulfill the requirements of the application: 1922069041, 2022060012, 2022069152, 2922069162, 30220699001

2. All statements contained in the application are true and correct to the best of my/our knowledge.

3. The application is being submitted with my/our knowledge and consent.

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.

Signed this 19th day of January, 2018, at Covington, Washington.

Hawk Family Properties Limited Partnership

Signature
Jim Hawk, Authorized Partner

Print Name
701 5th Avenue, Suite 5500, Seattle, WA 98104
Address
(206) 682-7090
Phone Number

State of Washington
County of King

I certify that I know or have seen satisfactory evidence that Jim Hawk on behalf of Hawk Family Properties Limited Partnership (Property Owner) signed this instrument and acknowledges it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 1/18/2018
Signature: ____________________________
Printed Name: JUSTIN WORTMAN
Notary Public in and for the State of Washington
My appointment expires: 9/30/19

(Notary Seal or Stamp)

Use additional pages as needed for all property owner signatures.
<table>
<thead>
<tr>
<th>STAFF USE ONLY</th>
<th>Permit/Project Number: LA18-0002 Application Date: 1/22/18</th>
</tr>
</thead>
</table>

I/We make the following statements based upon personal knowledge:

1. I am/We are the current owner(s) of the following parcel number(s) that is/are the subject of this application, including all rights-of-way, easements, or other property ownerships which are necessary to fulfill the requirements of the application: 1922066041, 2022066012, 2022066152, 2922066162, 3022069001

2. All statements contained in the application are true and correct to the best of my/our knowledge.

3. The application is being submitted with my/our knowledge and consent.

I/We declare under penalty of perjury under the laws of the State of Washington that the foregoing statement is true and correct.

Signed this 16th day of January, 2018, at Seattle, Washington.

Hughes Family Investments, Ltd.

______________________________
Signature
Kevin Hughes, Authorized Partner

Print Name: 227 Bellevue Way NE # 518

Address: Bellevue 98004

Phone Number: 206-399-5301

State of Washington
County of King

I certify that I know or have seen satisfactory evidence that Kevin Hughes on behalf of Hughes Family Investment, Ltd. (Property Owner) signed this instrument and acknowledges it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Date: 1/16/18
Signature: ______________________________
Printed Name: JUSTIN J WORTMAN
Notary Public in and for the State of Washington
My appointment expires: 9/30/19

(Notary Seal or Stamp)

Use additional pages as needed for all property owner signatures.