Planning Commission Minutes

March 15, 2018
City Hall Council Chambers

CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:30 p.m. by Chair Dimmett.

MEMBERS PRESENT
David Caudle, Chele Dimmett, Jennifer Gilbert-Smith, Jonathan Ingram, and Murray Williams

MEMBERS ABSENT- Elizabeth Porter

The record is noted that Commissioner Max has moved outside of the city limits and is no longer serving on the Planning Commission.

STAFF PRESENT
Brian Bykonen, Associate Planner and Code Enforcement Officer
Richard Hart, Community Development Director
Ann Mueller, Senior Planner
Kelly Thompson, Planning Commission Secretary

APPROVAL OF MINUTES AND AGENDA

C1. Commissioner Ingram moved and Commissioner Caudle seconded to approve the February 15, 2018 minutes and meeting agenda for March 15, 2018. Motion carried 5-0.

CITIZEN COMMENTS

Marlin Gabbert, architect and certified planner, represents the property owner who has submitted a Commercial Site Development Application for the Goraya mixed-use development on SE Wax Road. He is concerned about the current 10’ setback requirement. He is aware that there will be a public hearing on this topic in the future. He referenced a book by David Sucher where his recommendation is to build to the sidewalk to create a more walkable environment. There was a recent change to wetland requirements where they lost some buildable area. He asks the Planning Commission recommend that the City Council allow the building to be built to the property line with a 0’ setback.
UNFINISHED BUSINESS

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

Community Development Director, Richard Hart noted that visual aids have been provided to the Planning Commission depicting street cross sections for type 2 and type 3 streets. The design of SE Wax Road has not been finalized and is not anticipated to be constructed for 5-10 years. Additional exhibits show how mixed-use buildings constructed with a 0’ setback might look. The existing 10’ street setback, the 40’ required right-of-way dedication, and the wetland buffer create a smaller building footprint area which make those properties along the east side of SE Wax Road more difficult to develop.

Mr. Hart explained that the previous code provisions allowed for a 0’ setback and more closely aligned with the design of the roadway. Planning staff feel that the 0’ setback on the east side of SE Wax Road will still meet the goals and objectives of the Comprehensive Plan. A public hearing will be held in April where the Planning Commission will make a recommendation to the City Council.

Associate Planner and Code Enforcement Officer, Brian Bykonen noted that the packet includes a preliminary site plan for the Goraya mixed-use development on SE Wax Road.

Vice Chair Caudle asked if there is potential for the wetlands to change. Mr. Bykonen answered yes, wetlands can change, typically over the course of years. As codes change, a new critical area ordinance could potentially adopt a larger buffer.

Senior Planner, Ann Mueller added that a wetland delineation is required to be submitted at the time of application for redevelopment. This information is recorded on the property records with King County.

Commissioner Ingram asked if changing the existing setback could be setting a precedent for future requests. Mr. Hart responded no, it would not set a precedent. Anyone can request a code change at any time, but they must go through the process.

Commissioner Williams asked for a clarification on language related to commercial and office building setbacks. Ms. Mueller explained that a new single-family dwelling unit would be regulated by different setback requirements.

Vice Chair Caudle understands that when the setback changed from 0’ to 10’ the extent of the wetland and required buffer was not known.
Chair Dimmett asked for more information about how the 10’ setback was determined in 2010.

Mr. Hart responded that staff didn’t have the detailed information about the impact of the 40’ right-of-way dedication and the extent of the wetlands. We have better information than we had 8 years ago when the MHO regulations were adopted.

Mr. Bykonen added that the city adopted a new critical area ordinance last year where some of the critical area buffers increased. When the city adopted the downtown plan, the city worked with consultants. The consultants may not have analyzed all the aspects of the downtown area in relation to critical areas.

Commissioner Williams asked about Exhibit 12 and the development beyond the wetland buffer. Mr. Bykonen shared how buffer averaging can work.

Ms. Mueller added that buffer averaging must take place within a parcel and there are specific criteria that must be met.

Mr. Hart asked if there was any additional information the Planning Commission would like for the next discussion. Vice Chair Caudle asked for the visual representations to be included in the packet for the public hearing in April.

PUBLIC HEARING


Chair Dimmett opened the public hearing.

Ms. Mueller provided the staff report. The Growth Management Act (GMA) requires cities to review Comprehensive Plan and Development Regulation Amendments once per year and notify the public of the submittal deadline.

Soos Creek Water Sewer District (SCWSD) has submitted a Comprehensive Plan Amendment application requesting to reclassify a specific site from Urban Separator (US) to General Commercial (GC).

Oakpointe has submitted a Comprehensive Plan Amendment application to increase the number of housing units and increase the commercial square footage thresholds within the Lakepointe Urban Village Subarea.

The city has also submitted for technical amendments and minor updates to the Comprehensive Plan.
Public Testimony

Ron Speer, General Manager of SCWSD, indicated that they have submitted a request to change the zoning at the Calhoun Pit from Urban Separator (US) to General Commercial (GC). A few years ago, the city approached the district to install additional sewer infrastructure. SCWSD purchased the Calhoun Pit property from King County. Due to site contamination, the lift station was moved across the street. The lift station serves the Polaris and Affinity apartments, the new Multicare hospital, and the Covington Crossing Shopping Center. They ask that the property be zoned as General Commercial (GC) and can serve as a gateway to the city. The remaining 27 acres will still be zoned Urban Separator (US).

Commissioner Murray asked what they anticipate developing. Mr. Speer responded some type of an office building with a portion of the property being allocated to the city for a gateway sign.

Commissioner Gilbert-Smith clarified the process for setting the docket. Commissioner Ingram asked if specific uses are allowed in the General Commercial (GC) zone. Ms. Mueller responded there is a list of permitted uses in the Covington Municipal Code.

Colin Lund, Oakpointe Development, is seeking an amendment to the number of residential units and an increase of commercial development square footage for the Lakepointe Urban Village. The developer intends to go up 3 or 4 stories above ground floor commercial space. They are finding there is a large band of retailers that like a two-story format such as Crate and Barrel, Restoration Hardware, and some apparel shops. Another opportunity they want to consider is assisted living in the residential areas. They intend to keep the development on the same footprint. He asks that this be moved forward to the 2018 final docket.

Commissioner Ingram asked if they would be increasing parking. Mr. Lund responded that they would likely be increasing the parking, but they would need to do additional analysis which would be reviewed during the site development process.

Vice Chair Caudle asked about the term "leakage of retail sales". Mr. Lund explained how many retail dollars are leaving the city. It is challenging in this marketplace to keep those dollars in the city.

Chair Dimmett closed the public hearing.
Commissioner Ingram moved and Commissioner Williams seconded that the proposed amendments to the Comprehensive Plan, as well as the city initiated technical amendments, be recommended to the City Council for placement on the final 2018 docket for further review and analysis. Motion carries 5-0.

NEW BUSINESS - None

ATTENDANCE VOTE

Commissioner Gilbert-Smith moved and Vice Chair Caudle seconded to excuse the absence of Commissioner Porter. Motion carried 5-0.

PUBLIC COMMENTS - None

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS

Mr. Hart will discuss a possible reception for Paul Max’s years of service at a later Planning Commission meeting.

A presentation “For the Love of Covington” will be held on April 5th at 5:30 pm. The regularly scheduled Planning Commission meeting will be cancelled.

Ms. Mueller shared that the city is soliciting consultant proposals for updates to the Shoreline Master Plan.

Mr. Hart stated that the next Planning Commission meeting will be held on April 19, 2018. There will be a public hearing to discuss the proposed code amendment to reduce setbacks in the MHO zone. Staff may also present proposed sign code amendments. Mr. Hart provided the Planning Commission an article regarding the post Reed vs. Gilbert legal environment from the American Planning Association.

Commissioner Williams thanked the public for their comments.

ADJOURN

The March 15, 2018 Planning Commission Meeting adjourned at 8:00 p.m.

Respectfully submitted,

[Signature]

Kelly Thompson, Planning Commission Secretary