To: Covington City Council  
From: Richard Hart, Community Development Director  
Date: May 8, 2018  
Re: Written Comments received on the proposed 2018 Docket

City staff has received the attached written comments from the public on the proposed Comprehensive Plan Amendments for the Final 2018 Docket.

These attached written comments, specifically related to proposed Docket item LA18-0001 & LA 18-0002, were received after the Blue Sheet was prepared and should be entered into the record at the May 8, 2018 public hearing on the 2018 Docket:

Comments on LA18-0001  
1) Mark Rubeck, May 1, 2018  
2) Jane Gardner, May 1, 2018  
3) Peter Sturtevant, May 1, 2018  
4) Joe Miles, President of Friends of Soos Creek Park, May 8, 2018  
5) Marc A. Imlay, May 8, 2018  
6) Heather Holt, May 8, 2018  
7) Elizabeth Jovanovich, May 8, 2018

Comments on LA 18-0002  
8) Lynn Bubenas, May 8, 2018
Mr. Rubeck,

Thank you for the email. Your comments will be entered into the May 8, 2018 public hearing record.

Sharon Scott

Sharon G Scott
Executive Assistant/City Clerk
City of Covington
16720 SE 271st Street, Suite 100
Covington, WA 98042

phone: 253-480-2405
fax: 253-480-2401
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Ms. Scott,

I'm writing to voice my support for the continued use of Urban Separators along the Soos Creek Trail. This trail is a true gem in our community. I would hate to see it diminished by overdevelopment. I use it regularly as do scores of others. It's one of the most popular trails in the area. Please do what you can to protect it.

Thank you.

Mark Rubeck
Renton
Hi! Just wanted to let you know that I'm against changing zoning to Calhoun St. I went the rubber separator to stay.

Sharon Scott
Mr. Sturtevant,

Thank you for the email. Your comments will be entered into the May 8, 2018 public hearing record.

Sharon Scott

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From: Peter Sturtevant [mailto:psturtev1@gmail.com]
Sent: Tuesday, May 1, 2018 10:20 PM
To: Sharon Scott <Scott@covingtonwa.gov>
Subject: Protection of Urban Separator

I want to voice my opposition to the Soos Creek Water District request to change zoning of an urban separator parcel that the District originally acquired for the public purpose of constructing a pump station. They now want to sell off this parcel as a commercial property at great profit. I contend that this a breach of public trust on the part of the District. I strongly oppose Docket # LA18-001t and urge the City to reject the zoning change.

Pete Sturtevant
Soos Creek Watershed Resident
City Council,
City of Covington
16720 SE 271st Street, Suite 100,
Covington, WA 98032

May 8th, 2018

RE: LA18-0001 – Future Land Use Map Amendment – Urban Separator to General Commercial

Covington City Council,

Soos Creek Park is a 700-acre regional park and trail traversing several jurisdictions including the western border of Covington, King County, Kent, and Renton. Soos Creek Park surrounds the ecologically important Soos Creek and its associated critical areas. Six species of anadromous fish depend upon Soos Creek, including Coho and the threatened Chinook salmon. Over 100 species of birds have been identified along Soos Creek. Red-tailed hawks and great blue herons nest in the ecologically important habitat. Thousands of individuals, many from the City of Covington, visit Soos Creek Park and cross the Soos Creek corridor as they travel on Kent-Kangley (SR516) to and from Covington, to momentarily escape urban stress and enjoy the natural and peaceful surroundings. Soos Creek and Soos Creek Park are local treasures worthy of community protection.

Friends of Soos Creek Park was established nearly 20 years ago as a non-profit organization comprised of local residents committed to the protection and enhancement of Soos Creek Park. In addition to coordinating clean-ups and leading educational nature walks through Covington’s Recreation Program, we monitor local land use designations which protect Soos Creek Park.

Soos Creek and Soos Creek Park are buffered from impacts of high density urban and commercial development by the Urban Separator land use designation and SR-1 zoning required by the City of Covington’s Comprehensive Plan, King County’s Comprehensive Plan, and the Countywide Planning Policies. Urban Separators preserve open space, connect wildlife habitat corridors, and protect critical areas, while allowing a low density residential development of 1 home per acre.

Over the past 20 years, the Friends of Soos Creek Park, together with other local environmental groups and residents, worked diligently with the Cities of Covington and Kent to establish and preserve the Urban Separator designation along Soos Creek.

We are very concerned to learn the City of Covington is considering a docket to amend the city’s Future Land Use Map in the Comprehensive Plan to change the land use designation of a parcel, along Soos Creek, owned by Soos Creek Sewer and Water District from “Urban Separator” to “Downtown-General Commercial”. Please preserve the status quo and not consider the proposed Future Land Use Map Amendment (LA18-0001) in the 2018 docketing process.

Covington’s Municipal Code (CMC) 14.25.060 establishes the criteria for including a proposed land use amendment in the annual docketing process. Proposed amendment LA18-0001 does not satisfy Covington’s CMC 14.25.060. The CMC states,

(1) Proposed amendments that meet one of the following criteria may be included in the final docket:
(a) 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.
(b) State law requires or a decision of a court or administrative agency has directed such a change.
(c) There exists an obvious technical error in the pertinent comprehensive plan provision.
Proposed amendment LA18-0001 is unsuitable for commercial development, as the site:
- is located between Big Soos Creek and Little Soos Creek,
- is encumbered by critical areas, such as steep slopes and wetlands, with associated buffers and setbacks, requiring variances to Covington's Critical Areas code, and
- contains contaminated soil.

Proposed amendment LA18-0001 is not in general conformance with adjacent land use and surrounding development pattern, as the site:
- is located in the center of the low density residential (1 home/acre) Urban Separator corridor, along Soos Creek, and shared by both the City of Covington and City of Kent, and
- The parcel abuts low density residential homes and Soos Creek Park open space owned by King County Parks.

Proposed amendment LA18-0001 does not comply with zoning standards under the potential zoning classifications, as the site:
- is located at the very congested and uncontrolled intersection of Kent-Kangley (SR 516) and 156th Ave SE, where numerous traffic accidents occur,
- has limited commercial access to the adjacent roadways and is unlikely to satisfy the City's road standards without variances.

Proposed amendment LA18-0001 is not:
- Resulting from decision of a court or administrative agency, or
- an obvious technical error in the comprehensive plan.

The CMC further states,
(2) Proposed amendments that do not meet one of the criteria in subsection (1) of this section shall meet all of the following criteria:
(a) The amendment represents a matter appropriately addressed through the comprehensive plan, and the proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the City.
(b) The amendment is in compliance with the three-year limitation rules as specified in CMC 14.25.040(3).
(c) The amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council.
(d) 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.
(e) The proposed amendment is consistent with the comprehensive plan and other goals and policies of the City, the Countywide planning policies, the Growth Management Act, other State or Federal law, and the Washington Administrative Code and other applicable law.

Proposed amendment LA18-0001 does not meet the criteria established by Subsection (2a), (2b), (2d) or (2e).
With regards to (2a), proposed amendment LA18-0001 does not demonstrate a public benefit or enhance the public health, safety and welfare of the City. There is no community need to amend the Urban Separator designation to allow commercial development. This effort only appears to address the interests of a specific property owner, and not the interests of the entire community. This docket compromises the quality of life of the community by reducing open space and negatively impacting the environment.

With regards to (2b), proposed amendment LA18-0001 raises policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council, and the Growth Management Planning Council, not a site specific docketing review process.

With regards to (2d), proposed amendment LA18-0001 does not address significantly changed conditions since the last comprehensive plan update. There are no changes in policy, site conditions, of a magnitude that need to be addressed for the comprehensive plan to function as an integrated whole.

With regards to (2e), proposed amendment LA18-0001 is clearly inconsistent with the comprehensive plan and goals and policies of the City, the Countywide planning policies, and the Growth Management Act. For example, Countywide planning policy (CPP) DP-9 states, “Designate Urban Separators as permanent low-density incorporated and unincorporated areas within the Urban Growth Area. Urban Separators are intended to protect Resource Lands, the Rural Area, and environmentally sensitive areas, and create open space and wildlife corridors within and between communities while also providing public health, environmental, visual, and recreational benefits. Changes to Urban Separators are made pursuant to the Countywide Planning Policies amendment process described in policy G-1.” As described in policy G-1, amending the Urban Separator designation requires approval by the Growth Management Planning Council, King County Council, and ratification by all the cities towns within King County.

In conclusion, proposed amendment LA18-0001 is totally inconsistent with the City's and County's Comprehensive Plans, fails to meet Covington's Municipal Code 14.25.060 and does not comply with Countywide Planning Policy DP-9. Our organization remains deeply committed to the protection and enhancement of Soos Creek Park. Soos Creek, the park, and the trail are currently protected and enhanced by the surrounding Urban Separator designation and zoning. We ask the City of Covington to preserve the quality of life afforded to our local residents and the environmental benefits given to our local flora and fauna, by maintaining the open space and habitat provided by the current Urban Separator designation.

Thank you for the opportunity to express our perspective and your sincere consideration of our request to not include proposed amendment LA18-0001 in the 2018 docketing process.

Sincerely,

Joe Miles

Joe Miles, president
Friends of Soos Creek Park

CC: FOSCP Board of Directors
Tonight's council meeting.

Untitled Note
Urban Separator Rezoning

I, Marc Imlay, lived on the boundary between Kent and Covington on 148th Avenue from 1987 to 2014 (27 years). I began leading interpretive walks at Soos Creek Trail Park one year after its creation, initially for King County Parks, then Kent Parks, and for the past year Covington Parks who schedule, promote and register participants for 10 walks this year. I am a founding member of Friends of Soos Creek Park and have been on their board of directors as treasurer since. I currently reside in Longview, WA to assist my wife in caring for her 88 year old father but still return to lead 6 interpretive walks this year. Once caring for her father is not necessary, we plan to relocate to this area.

I am a retired physician (Doctor of Chiropractic and Doctor of East Asian Medicine/ Acupuncture). Regular exposure to natural settings has been proven by published research to enhance physical and mental health and lack of exposure to natural settings has been shown to be detrimental to physical and mental health and expression of optimum creative potential (reference "Last Child in the Woods" and "The Nature Principal" by Richard Louv which address "Nature Deficit Disorder" in children and adults, respectively, with reference to hundreds of published research findings in each book.)

For many people, contact with nature is a religious experience, feeling closer to God when surrounded by His creations than when surrounded by the creations of man. These are people of various religious and philosophical orientations, including Christians who remember Jesus' taking his disciples away from the hubbub of the cities to be in nature. Billy Graham's revelation that began his lifelong crusade occurred in unspoiled nature. It seems that the importance of spending time in natural settings is one of the few things both science and religion agree upon.

Just take a walk in Soos Creek Park and observe others there. You will see many people exercising, groups of people reflecting on their lives, and others looking happy and relieved. The therapeutic effects of this natural area are obvious to anyone who pays attention.

While immersing oneself in nature is best, research has shown that a school child just having a view of nature from a classroom window demonstrates improved scholastic performance. Just driving through a natural setting can reduce stress and improve outlook. Driving through the Urban Separator around Soos Creek can significantly and positively impact one's mood.

Now, a tale of two countries I have visited; Switzerland and India. Switzerland and its neighbors Austria and Bavaria, are amazingly beautiful. This happened because they have prioritized protection of natural lands by severe restrictions and management of growth. You can't even cut a tree on your property without permits and required offsets. While this lurks the American free spirit, it certainly makes for a beautiful country. The other extreme is India, where anything goes when it comes to growth. The environment is horrible, even for those who become rich from the growth. We sit somewhere in between these two extremes. We've already lost Switzerland and we're not quite to India yet, but the direction is not encouraging.

We still allow precedent and adjacent zoning to allow up zoning variances on properties. This allows unchecked growth to occur, what some call the "Cancer Theory of Growth Management". If there is no boundary beyond which growth can not occur, unspoiled nature will disappear.

Eighteen years ago, these issues were addressed by WA state, King County, and the local cities of Covington, Kent, Renton, and Auburn. They all adopted the current Urban Separator as permanent to preserve some little bit of nature for our benefit and that of our descendants. A line beyond which growth cannot continue.

Now we sit with a new generation of elected, appointed, and hired managers of growth who have little or no connection with or memory of this history. The current issue seems like a small matter. Just one acre that was sold to Soos Creek Water and Sewer District for a pump station. They purchased private property across the street and built there instead. Now they want to sell the original property and can get more for it if it is upzoned from 1 home per acre residential to commercial. This would set a precedent that every nearby property owner looking to sell would site. "You allowed a variance for SCWSD, why not me? # unfair"
Once the Urban Separators are compromised, an incremental degradation occurs and they will exist only in name but not form. This tendency toward generational, incremental degradation is demonstrated well in the history of Soos Creek Trail Park. At first adjacent lands were "permanently" zoned at 1 home per 5 acres. A few years later, the next generation of overseers responded to property owner concerns by up zoning adjacent properties to 1 home per acre. Ten years later, the city of Kent next generation tried to up zone its recently annexed properties adjacent to the park to 6 homes per acre, but after much public outcry abandoned the idea. Then the Urban Separator was established as a permanent 1 home per acre residential zoning. Now you, the current generation of administrators in Covington are considering a commercial up zoning variance. Each successive generation finds its encroachment on nature as insignificant, but taken to gather, it is very significant.

The land under question should stay at its current Urban Separator zoning of 1 home per acre. Soos Creek Water and Sewer should not be given special privilege to make more money on the sale of this land. They were allowed to buy and use this land for a pump station. They decided not to do that. Nothing in this indicates that current zoning should be changed.

I would like to state for the record that I do not consider SCWSD to be "the bad guys". Indeed, water and sewer districts are the unsung heroes that deserve an equal or greater share of the praise given to the medical profession for the increase in health and life expectancy in our country over the past century. It could not have happened without their providing safe drinking water and disposal of human waste. Also, I have known Gary Cline, a SCWSD board member, since my youth. I have personally benefited from his service as a school teacher, coach, vice principal, school administrator, board member of two water districts that provided me their services, and an officer in a local service club in which I was a member in the early years of my career. I have found him to always behave in a just, fair, compassionate, and ethical manner and I know he would not be affiliated with an organization that did not hold itself to the same standards.

I also understand and have compassion for the situation they are facing. I served on the board of directors of WA state's first acupuncture college for 3 years in the capacity of treasurer and later chair. Some years after my leaving the board, the school tried to insure its permanence by buying its own facility. The facility they purchased and began to improve was found to be contaminated and they could not move forward with it. Having already given up written possession of their previous lease, they were forced to move to a new leased facility. That and their losses was their undoing, and even though this transpired after I was no longer involved, I was saddened by the loss of something I had worked so hard for and whose cause I believed in. I can only imagine how difficult this project has been for them. They are too important to let fail and they need our help.

That being said, I still feel whatever financial gain this would allow them to pass on to the public they serve would be more than offset by the loss of the Urban Separator that this precedent would produce. I hope you will stop this process at this juncture and not add it to the 2018 docket for further consideration.

I feel I should only resist something like this if I can offer a plausible solution. The improvements made to the property under consideration make it perfect for a Soos Creek Trail entry point similar to the one at Gary Grant Park on 208th Street, with parking, bathrooms, covered picnic area, and toddler playground. Perhaps with the help of the lobbying efforts of Friends of Soos Creek Park, Audubon Society, Sierra Club, Free River Coalition, and local citizens they contact, King County Parks, another embattled good guy, could be encouraged to offer a price for the property that realistically reflects its true value. That could be a win-win for everyone!

Sincerely,

Marc A. Imlay

Evernote helps you remember everything and get organized effortlessly. Download Evernote.
May 8, 2018

Dear City Council members,

I grew up in the Covington community and graduated from Kentwood High School in 2006. Although I now live in Des Moines, I frequently come to Covington with my young children to visit family and walk along the Soos Creek trail.

The quality of life in Covington is greatly enhanced by the open space and natural environment woven into the community through regulated zoning. I see no public benefit in reducing the amount of open space provided by the Urban Separator along Soos Creek. Alternatively, the City should pursue efforts to increase Urban Separators.

Please do not add LA18-0001, which proposes convert the Urban Separator into Commercial Development, to the 2018 docket.

Thank you,

Heather Holt
May 8th, 2018

Covington City Council,

Regarding LA18-0001 amendment to remove the Urban Separator.

Dear City Council members,

I'm a long-time resident in the community, frequently traveling to downtown Covington for shopping and business. I appreciate the natural visual breaks of open space provided by the Urban Separator between Kent and Covington. These nature breaks provide meaningful mental relief from the daily stress associated with traffic congestion and continuous commercial development.

Please do not give any further consideration to altering the continuity of the Urban Separator by adding proposed LA18-0001 to the 2018 docket.

Sincerely,

[Signature]

Elizabeth Jovanovich
May 8, 2018

To:

Mr. Mayor and Covington City Council

RE: May 8th Public Hearing,

I am not savvy about Covington’s Robert’s Rules of Order so I will tell you what I want my City Council to do regarding the Oakpoint, Lakepointe Destination Village, one of the topics for hearing tonight.

I want Covington to make a trade with Oakpoint.

I want the council to require Oakpoint to enlarge (by widening not lengthening) the set back or buffer zone between the TBD residences and the hotel location. It is an approximately 1.5 mile long section to be used for green space TBD by an appointed citizen committee to work with Oakpoint as Mr. Hart’s “agree to disagree” statement will no longer be considered politically correct by residents living adjacent to the Lakepointe Village. The sad truth is that residents have lost confidence in Mr. Hart’s interests.

In return, grant permission to Oakpoint to develop the residential and commercial areas discussed in tonight’s hearing.

Lynn Bubenas, 18729 SE 258th Place, 253-631-5008