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PLANNING COMMISSION AGENDA

September 5, 2018
6:30 p.m. Regular Meeting

Tahoma School District Building
25720 Maple Valley Black Diamond Rd SE
Maple Valley, WA

- | | |
|--|-------------|
| 1. Call to Order | Chair |
| 2. Roll Call | Clerk |
| 3. Public Comment (not related to a public hearing) | Chair |
| 4. Approval of Agenda | Chair |
| 5. Approval of Minutes – July 18, 2018 | Chair |
| 6. Public Hearing - None | Chair |
| 7. Continued Business | Chair/Staff |
| (a) Interim Zoning Ordinance | |
| 8. New Business | Chair/Staff |
| 9. Public Comment (not related to a public hearing) | Chair |
| 10. Commission/Staff Reports/Work Plan Items | Chair/Staff |
| 11. Announcements of upcoming meetings: | Chair/Staff |
| <ul style="list-style-type: none">• Next Regular Meeting
Wednesday, September 19, 2018, 6:30 PM
Tahoma School District Building | |
| 12. Adjourn | Chair |

Agenda items may be added or removed at the Commission's discretion.
Americans with Disabilities Act (ADA) reasonable accommodations provided upon request.
Please call Debi Yankeh, Administrative Assistant IV, at 425-413-8800.

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**CITY OF MAPLE VALLEY, WASHINGTON
PLANNING COMMISSION
MINUTES OF MEETING
July 18, 2018
Tahoma School District #409
Central Services Board Room
25720 Maple Valley-Black Diamond Road SE**

1. Call to Order

Chair Greg Wood called the meeting to order at 6:30 PM.

2. Roll Call

Commissioners present: Chair Greg Wood, Vice Chair Robert Tykoski, Andrew Johnson, Robert Palmer, Candace Tucker.

Commissioner Richard Axtell, Commissioner Johnathan Miller, and Alternate Commissioner Carladenise Edwards were absent and staff was notified.

Staff present: Community Development Manager Matt Torpey and Administrative Assistant Debi Yankeh.

3. Public Comment (not related to a public hearing)

None.

4. Approval of Agenda

MOTION to approve the agenda was made by Commissioner Robert Tykoski, seconded by Commissioner Candace Tucker. Motion carried 5-0.

5. Approval of Minutes – June 20, 2018

MOTION to approve the minutes of the June 20, 2018, meeting as submitted was made by Commissioner Andrew Johnson and seconded by Commissioner Robert Palmer. Motion carried 5-0.

6. Public Hearing

a. Zoning Regulations Regarding Multifamily Development

Chair Wood explained the Public Hearing procedure and opened the Public Hearing at 6:30 PM

Jim Flynn, 22301 SE 236th Place, Maple Valley, WA expressed concerns about the structured parking requirements. His property is located in the area where 50% is being proposed and because that is so expensive, the only way that will work is if the cost is passed on to tenants. Mr. Flynn stated that if the Commission is going to stick with that requirement, mixed use should just be eliminated from properties like his, which will leave mini-storage as the only thing left that makes sense there, both of which are not things he wants to do. Mr. Flynn also expressed concern about the Marques project and having seven story buildings looming over single-family homes. Mr. Flynn also stated that putting a tall building in the CB zone would be the same thing with them looking down on single family and doesn't think that is consistent with the vision of

Maple Valley; he thinks the Marques thing may be commercially successful but a huge eyesore and doesn't want to do that to someone else. He is not happy about the parking requirement.

The Public Hearing was closed at 6:37 PM

7. Continued Business

Chair Wood 3 goals this evening— walk away making a recommendation, based on consensus, to Council about percentage parking in CB and TC, the percent of 3 bedroom in multi-family, perhaps capping that with a percentage, and at least review the percent commercial requirement for multi-family in TC and CB.

Chair Wood then opened the floor for conversation on those three points and any other points related to the interim zoning ordinance. Our Code currently requires 85% in TC and 50% in CB.

Mr. Torpey added that the percentage is not dependent on the number of stalls; it is just the percentage of all stalls. Our Code does have a certain number of stalls required per number of units, depending on the number of bedrooms, as well as for retail or office use. Parking studies may be done to reduce the number of stalls. Staff is comfortable, and feels the development community is as well, with the flexibility in our Code that reduction is not an issue.

At the last meeting, the Commission requested to see the parking analysis for the Marques project, and Staff sent that out via email. Their recommendation is 8% and Mr. Torpey believes the City will go along with that.

Matt Torpey gave a short presentation on the Marques project located at the corner of 240th and Maple Valley Highway, directly across the street from Kentucky Fried Chicken and Columbia Bank. There are 186 total units, 113 of which are studio units. The rest make up one and two bedroom apartments. There are no three-bedroom apartments at all. The studios are not true studios, it is called a studio plus. It has something that could be a bedroom, but legally cannot qualify as a bedroom because of either size or egress window, so it is called a den. Associated with that on the corner is the University of Washington medical center, two stories, 12,000 square feet per floor, for a total of 24,000 square feet. That will be a medical office and day surgery facility. Farther north by Dance Expressions, is a 7,000-foot retail building that will have a drive-thru, already identified as having a Starbucks. We have received vested permit applications for all three buildings, so they are very likely to move forward. The large building in the back is the multi-family building, which will be seven stories, one and one-half of which will be underground, because of the slope difference part of the garage parking becomes above ground parking. One can see the depiction of the number of parking spots which will be underneath that unit; that will be two floors and comes out to be about twenty percent. Staff was asked if they believed that was done based on the topography of the site vs. a desire to have it underground. Staff responded that was the sole reason. According to the developer, it was more cost efficient to do that than to grade the hill completely flat and build flat parking. Staff pointed out that the building will be six stories off the ground. The first floor will have the rental offices, gymnasiums, Amazon lockers. There is only a retail component so this is not considered vertical mixed use.

Commissioner Palmer stated his appreciation for Mr. Flynn's last letter and for him showing up tonight.

Commissioners expressed their concerns and viewpoints individually, as well as their reasons for their decision on both the structured parking requirement and cap of three-bedroom apartments. After lengthy discussion, consensus was reached and they concluded they would like to recommend 50% (from 85%) vertical mixed-use structures in the TC zone and 25% (from 50%) of the required parking. They will keep the 20% retail. The Commission stated they would also like there to be a zero cap on 3-bedroom apartments.

Staff feels he has clear direction to do the edits on page 22 to change the structured or underground parking requirements from 85% to 50% in the TC zone, on page 25 the 50% parking requirement will change to 25%, and the retail requirement stays at 20% in the CB zone. The way Mr. Torpey will write it is for all mixed use developments, the total number of apartments and/or condo units shall be limited to studios, one-bedroom and two-bedroom units exclusively.

Commissioner Palmer would like to be able to limit the number of occupants to six and Chair Wood asked staff to get an opinion from the City Attorney.

8. New Business

None from Staff.

Commissioner Palmer read a prepared statement regarding the process of appointing Former Chair Rohrbach as Alternate #2.

Motion that the Planning Commission has a vote of no confidence in the City Council's management of the change of process, leadership, and professionalism of appointing positions in this last round of appointments to the Planning Commission of the City of Maple Valley made by Commissioner Palmer; seconded by Commissioner Tykoski. Motion carried 5-0.

9. Public Comment (not related to a public hearing)

Jim Flynn, 22301 SE 236th Place, Maple Valley, WA stated that he was on Council for 11 years and interviewed every single applicant for the Planning Commission and other Commissions at the time. Mr. Flynn stated that he was surprised with what happened with Bob. He appreciates the Commission's bold step and understands the position they are in balancing different interests. Mr. Flynn appreciates the action taken tonight on the proposed regulations and believes a clarification needs to be considered regarding the new proposed parking regulations if it is added on to existing parking.

Mr. Torpey believes the existing parking for existing commercial is a vested parking and that 25% of new parking would have to be structured. Mr. Torpey will verify with the City Attorney.

10. Commission/Staff Reports/Work Plan Items

None

11. Announcements of Upcoming Meetings

- **Next Regular Meeting**
 - **Wednesday, September 5, 2018**
 - **Tahoma School District Building**

12. Adjourn

The meeting was adjourned at 7:46 PM.

Debi Yankeh
Administrative Assistant



Date: September 5, 2018
To: Planning Commissioners
From: Matt Torpey, Community Development Manager
Subject: September 5, 2018 Planning Commission Meeting

Enclosed you will find the Planning Commission meeting agenda and packet materials. The minutes of the July 18, 2018 meeting are included.

Public Hearing

None

Continued Business

The Commission will continue discussion of mixed use/multifamily developments in the Community Business and Town Center zones. The Commissioners have come to a consensus regarding the recommendation and proposed code is attached in the draft recommendation to Council. It is anticipated that the Commission will take action at this meeting. At the previous meeting on July 18, 2018 the Commission instructed staff to include an additional provision that would not allow units in mixed use developments other than studio, one bedroom and two bedrooms.

Under the proposed zoning amendments, in the TC zone, only vertical mixed use will be allowed. In the CB zone, only vertical mixed use is allowed on properties fronting on SR-169, SR-516, and Witte Road. All other CB zoned parcels may be either vertical or horizontal mixed use. If horizontal mixed use is proposed, a minimum of 20% of the footprint of all structures must be commercial. Finally, in the TC zone 50% of all parking shall be underground or structure parking, in the CB zone 25% of all parking shall be underground or structure parking.

New Business

None.

Announcements of Upcoming Meetings

The next regularly scheduled meeting is on September 19, 2018 at 6:30 PM at the Tahoma School District Administration Building.

You may contact Matt Torpey at 425-413-8800 or by email at matt.torpey@maplevalleywa.gov.

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September 5, 2018

To: Mayor Kelly and Councilmembers

From: Greg Wood, Chair, Planning Commission

Re: Proposed Zoning Text Amendments – Mixed Use

Description

Planning Commission's review and recommendation of proposed amendments to Title 18 of the Municipal Code amending the allowance of mixed-use type developments in the Town Center and Community Business Zones.

Background and Task

In the winter of 2017, City Council directed the Commission to review and consider amendments to the City's municipal code. The City Council passed interim zoning regulations in late 2017, which limited the number of mixed-use housing units the City would allow to permit to no more than 200 until such a time as an amended code was adopted. The Commission spent months reviewing options, discussing implications and has reached a consensus as to how the Commission believes mixed uses in commercial zones would best work for the City of Maple Valley.

The task before the Planning Commission is to forward a recommendation on the proposed amendments to Council for review. The Commission reviewed materials created and sought input from the community by way of public hearing on June 20th and July 18th in order to forward a recommendation to Council.

Factors of Consideration and Key Findings

1. The Planning Commission reviewed and deliberated the proposed amendments during several meetings in the spring and summer of 2018.
2. The Commission recognizes the impact mixed uses have on traffic, the school district, police services and fire services.
3. The Commission finds that the loss of retail uses in the commercial zones to mixed uses is not acceptable at the current, allowed ratios

4. The City held public hearings on June 20th and July 18th of 2018. Four members of the public provided comment between the two meetings. The City received one written comment on the proposal.

RECOMMENDATION

After review of the pertinent application materials, the Planning Commission has formulated a recommendation for the proposed amendments as attached.

The Planning Commission voted with a (_____) vote to recommend adoption of the proposed zoning text amendments.

Greg Wood, Chair

Date

18.30.030 Allowed uses by zoning district – Residential.

A. Table.

USE	ZONING DISTRICT										
	R-4/6	R-8	R-12	R-18/24 ¹⁵	NB	CB	PUB	PRO	TC	REC	RLTC
Dwelling, Single-Family	P	P ¹²	P ¹²	P ¹²				P ¹³			
Factory-Built Home	P ¹	P ¹	P ¹	P ¹				P ^{1, 13}			
Townhouse	C ⁴	P	P	P				P ^{4, 13}	A		
Group Home	P ³	P ³	P ³	P ³		P ³					
Bed and Breakfast	C ⁵	C ⁵	C ⁵	C ⁵							
Dwelling, Multiple-Family		C	P	P	P ⁶	P ¹¹			P ²		
Retirement Home			P	P							
Senior Assisted Housing	P ³	P ^{3, 14}	P ^{3, 14}	P ^{3, 14}		P ³					
Nursing Home	P ³	P ³	P ³	P ³		P ³					
Home Occupation	A ⁷	A ⁷	A ⁷	A ⁷					A ⁷		
Accessory Dwelling Unit	A ⁸	A ⁸	A ⁸	A ⁸							
Dormitories										A	A
Caretaker Dwelling Unit					A ⁹	A ⁹	A ⁹	A ⁹	A ⁹	A	A
Animals	A ¹⁰	A ¹⁰	A ¹⁰	A ¹⁰	A ¹⁰	A ¹⁰			A ¹⁰		

B. Specific Requirements.

1. Mobile, manufactured and modular homes shall be subject to the following development standards:

a. The home comprises at least one 14-foot-wide by 60-foot-long section or two parallel sections each of not less than 12 feet wide by 36 feet long;

b. The home must be placed on a permanent foundation similar to that required of other residential construction;

c. The home was originally constructed with and now has a pitched roof with a slope no less than three-inch rise to 12-inch run, and the roof must be an integral part of the home and shall be made of either composition, shakes or shingles (wood or metal);

d. The home has exterior siding similar in appearance to siding materials commonly used on conventional site-built single-family residences;

e. All requirements of this title and other applicable regulations must be met.

~~2. The first floor of vertical mixed uses in the TC zone shall have commercial uses on the entirety of the ground floor. Horizontal mixed uses shall incorporate a minimum of 25 percent of the site footprint to include commercial uses. Retail and office uses shall be oriented to the street frontage. Rental offices, private gymnasiums, conference rooms, recreation areas, and other nonpublic spaces shall not count toward the required commercial area. All multifamily and mixed-use development in the TC zone shall be constructed as vertical mixed-use structures, with the entire first floor dedicated to business or commercial uses. 50% of the required parking shall be located in a parking garage located under the primary building(s) or in a shared, above grade parking garage located to serve one or more than one building. The remaining parking may be accommodated in paved ground level parking areas or along the streets serving the development. Parking garages shall be designed to look similar in architecture, materials, and fenestration to the building(s) they serve and are limited to a height of 55 feet. For all mixed-use developments, units are limited to studio, one bedroom, and two bedroom only.~~

3. Group homes, senior assisted living homes and nursing homes shall be subject to the following development standards:

a. The home shall be limited to individuals who need special care due to sensory, mental, or physical disabilities and who are considered handicapped or who are otherwise within the scope of [42 U.S.C. 3602](#);

b. The home shall be licensed by an appropriate agency of the State;

c. The home shall conform to the development standards of this code applicable to other residential uses in the zone in which it is located; and

d. Off-street parking spaces meeting the requirements of this code shall be provided.

4. Townhouse units located within the R-4, R-6 and PRO zones as applicable shall be limited to no more than 50 percent of the total units within a development and limited to buildings with no more than four attached units. A Conditional Use Permit is not required for townhouse units on lots in a subdivision designed and designated for townhouse units.

5. Bed and breakfasts shall meet the following development standards:

a. The facility must serve as an accessory use to the permanent residence of the operator;

b. The only meal to be provided to guests shall be breakfast and it shall only be served to guests taking lodging in the facility;

c. Guest rooms shall be limited to three or fewer;

- d. Length of stay shall be no longer than two consecutive weeks; and
 - e. Adequate off-street parking of one space for each guest room plus the required minimum two spaces for the residence shall be provided, and the parking shall not be in the required front yard unless it is screened from the street with at least Type I landscaping and is compatible with the surrounding neighborhood.
6. Residential uses allowed as a part of a development at second story and above only in the Neighborhood Business zoning district.
7. Home occupations shall be subject to the following restrictions:
- a. The total area devoted to all home occupation(s) shall not exceed 20 percent of the floor area of the total dwelling unit;
 - b. There shall be no visible permanent change in the appearance of the dwelling unit, such as signs, lighting, exterior display, or permanent (longer than 60 days) unscreened outdoor storage of material or equipment, which would attract attention to the home occupation conducted therein;
 - c. No more than one nonresident shall be employed on site by the home occupation(s);
 - d. The following activities shall be prohibited:
 - i. Automobile, truck and heavy equipment repair;
 - ii. Auto body work or painting;
 - iii. Parking and storage of heavy equipment; and
 - iv. Storage of building materials for use on other properties;
 - e. The home occupation(s) shall not generate pedestrian traffic or vehicular traffic or parking demand unreasonable for the district or neighborhood in which it is located;
 - f. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
 - i. One stall for a nonresident employed on site by the home occupation(s); and
 - ii. Minimum one additional stall for patrons when services are rendered on site; and to prevent visual and traffic impacts, the home occupation may use or store no more than one vehicle for the pickup of materials used by the home occupation or the distribution of products from the site;
 - g. The home occupation(s) shall not use equipment or processes which generate noise, vibration, dust, glare, fumes, odors, radio/television/electrical interference, fire hazards, or any other

nuisance-like effect to any greater or more frequent extent than that which is normal to the district or neighborhood in which it is located.

8. Accessory dwelling units shall comply with the following development standards:

- a. Only one accessory dwelling shall be permitted per lot;
- b. The accessory dwelling must be in the same building as the principal residence when the lot is less than 10,000 square feet in area;
- c. The primary residence or the accessory dwelling unit shall be owner occupied;
- d. The accessory dwelling unit shall not be larger than 50 percent of the living area of the primary residence;
- e. At least one additional off-street parking space shall be provided; and
- f. The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied.

9. Caretaker units may be allowed, subject to the following restrictions:

- a. Only one caretaker dwelling unit shall be permitted for each primary use or multi-tenant building;
- b. At least one additional off-street parking space shall be provided; and
- c. The caretaker dwelling unit may only be occupied by a watchman, custodian, manager, or property owner for the subject property.

10. Animals may be kept as an accessory to a residential use in accordance with animal control regulations and subject to the following conditions:

a. Small Animals.

- i. Small animals kept indoors as household pets shall not be limited in number.
- ii. Small animals kept outdoors shall be limited to five, unless the resident obtains a hobby kennel license from King County Animal Control.
- iii. Structures for the keeping of small animals outdoors such as aviaries, apiaries, kennels, runs, cages, etc., shall be set back from property lines a minimum of 10 feet.

b. Large Animals.

- i. Large animals are limited to one per each one-half acre of property.

ii. Enclosures or structures for the housing of large animals shall be set back from property lines a minimum of 20 feet.

iii. Large animals not kept within enclosures shall be restricted to roaming areas which are set back a minimum of 10 feet from property lines.

iv. The keeping of large animals on properties containing streams, wetlands, shorelines or other protected water sources shall be in compliance with critical area requirements.

~~11. The first floor of vertical mixed uses in the CB zone shall have commercial uses on the entirety of the ground floor. Horizontal mixed uses shall incorporate a minimum of 25 percent of the site footprint to include commercial uses when the site has frontage on SR-169, SR-516, or Witte Road. Commercial uses shall be oriented to the street frontage. Horizontal mixed uses not fronting on the above streets shall incorporate a minimum of 10 percent of the site footprint to include commercial uses. Retail and office uses shall be oriented to the street frontage. Rental offices, private gymnasiums, conference rooms, recreation areas, and other nonpublic spaces shall not count toward the required commercial area. Multi-family and mixed-use developments that front on SR-169, SR-516, or Witte Road shall be vertical mixed-use and shall have the entire first floor dedicated to business or commercial use. All other CB zoned parcels may be either vertical or horizontal mixed-use. If horizontal mixed-use, a minimum 20% of the total footprint of all structures must be commercial or business uses. 25% of the required parking shall be located in a parking garage located under the primary building(s) or in a shared, above grade parking garage located to serve one or more than one building. The remaining parking may be accommodated in paved ground level parking areas or along the streets serving the development. Parking garages shall be designed to look similar in architecture, materials, and fenestration to the building(s) they serve and are limited to a height of 55 feet. For all mixed-use developments, units are limited to studio, one bedroom, and two bedroom only.~~

12. Single-family detached development in Multifamily zones (R-8 through R-24) shall be subject to the development standards applicable to single-family detached development in the R-6 zone.

13. Single-family and townhouse residential developments are allowed as accessory uses in the PRO zones:

a. When utilizing less than 50 percent of the amount of land area dedicated toward the primary recreational use.

b. At a maximum density of one dwelling unit per gross acre.

c. Subject to the development standards set forth in Chapter [18.40](#) MVMC for single-family development in the R-4 zone.

14. Density may be calculated at the rate of 0.5 dwelling units per senior assisted housing unit. To qualify for this density calculation, and as a condition of development permit approval, the applicant must record with the King County Assessor a covenant that runs with the land stating

that the building(s) will be used for senior assisted living housing. This covenant shall not be released without the express written approval of the City of Maple Valley. Prior to releasing the covenant, the City shall determine that the intended use of the property meets density requirements for the current zoning of the property.

15. Senior housing and similar uses are required in the R-24 zone north of SE 240th Way.