



May 7, 2020

**WORKGROUP MEETING #5**

**Conducted via the video conferencing software ZOOM**

**City of Maple Valley Downtown Design Standards & Guidelines**

**Online Attendees:**

Syd Dawson – City Council  
Erin Weaver – City Council  
Jonathan Miller – Planning Commission  
Dave Pilgrim – Planning Commission  
Jeff McCann – Property Representative  
Laura Philpot – City Manager  
Tawni Dalziel – Public Works & Community Development Director  
Tim Morgan – Economic Development Manager  
Amy Taylor – Senior Planner  
Matt Torpey – Community Development Manager  
Jeff Taraday – City Attorney

Candace Tucker – Planning Commission  
Daren Crabill – NBBJ  
Kim Selby – NBBJ  
Gerrard Allam –NBBJ

*Guests:*

*Ian McGrady-Beach – Incoming Planning Commission*  
*Lisa and Robert Pausheck – Property Owners (user: Isaou392)*  
*Mike Zahajko – Economic Development Commission*  
*Betsy – Member of Public*

**Meeting Summary & Intent:**

- ✓ Review and discuss comments made by Workgroup relating to the *Downtown Design Standards & Guidelines* (“DGs”) draft document
- ✓ Introduce Virtual Public Open House format and agenda.

**Public Comment:**

- Ian McGrady Beach, Robert Pausheck and Lisa Pausheck identified themselves.
- Betsy joined mid meeting and identified herself at the public comment period that was allowed at the end of the session.
- Robert and Lisa Pausheck had signed out of the meeting by the time it the public comment at the end arose.
- There was no public comment during the allotted time at the end of the meeting.

**Review Purpose & Schedule:**

- 5/8 meeting delayed from original, March timeframe
- Staff will be meeting with property owners
- Staff will present to planning commission & council (public meetings)
- Virtual public open house anticipated, date TBD
- Workgroup had reviewed initial draft of the DGs and provided comments. NBBJ made corrections and noted responses. Purpose of the meeting is to review a few topics that received multiple comments and/or warranted additional discussion.
- All language, percentages, and figures in the document are not final or complete.

### **Proportional Compliance**

- A statement was made that the property owners will have a challenging time with some of the language in the Proportional Compliance as it stands today.
  - Discussion of history of 2016 Comp Plan language and adoption
  - Most of Downtown district is zoned Town Center (TC); 2 parcels are Commercial Business (CB). Staff to research ordinance(s) that rezoned properties differently and not all as TC.
- Summary presented showing properties' uses and their conformance (or not) under existing and proposed code language.
  - Determination of non-conformance does not impact continued use of Downtown district properties.
  - Some understood previous Comp Plan discussions were going to make existing uses all conforming under current [pre-DGs] code.
  - See also non-conformance language in Maple Valley Municipal Code (MVMC) 18.80.
- Existing buildings that change the interior floorplan or layout may trigger the Proportional Compliance requirements, depending on the value of the improvements. Previous meetings had discussed whether or not interior renovations should trigger Proportional Compliance. Who made this decision?
  - It matter was discussed in the previous Workgroup Meeting without resolution, NBBJ and City Staff drafted the current version that is seen in the document which does include interior renovations.
  - This matter is a policy choice. The choice is between allowing current uses and business to continue to invest and expand on the site or whether the City and the Workgroup want a Downtown in Maple Valley. The more you allow investment on existing site the more an establishment of the downtown is prolonged.
  - There needs to be general consensus on whether or not the City and the Workgroup want a Downtown developed.
  - Businesses currently located on the site can continue to operate in their full capacity but would need to meet the proposed standards and guidelines if the business invests in expansion.
- A member of the public asked how one researches why zoning changed and whom changed it. The city manager politely reminded all the attendees that public comment was now closed. The Workgroup session was not a Public Open House and it had to follow OPMA standards and Robert's Rules of Order.
  - A second opportunity for public comment and questions was offered at the end of the meeting.
  - City Staff stated that they would happily have a conversation outside of this meeting either via e-mail or one-on-one.
- Use of percentage value was intended to equitably impact current property owners and their ability to invest in existing development. The percentages and thresholds can be changed if policy makers want to change them.
  - The nexus between interior remodeling and outside improvements was brought into question and why they should be related? May make it so that business owners will feel penalized for investing in their business. NBBJ

reminded the Workgroup that Proportional Compliance was a mechanism to allow businesses to stay in place reinvest in those businesses as well if making proportional improvements toward meeting downtown code.

- Is there a way to include an “inflation metric” when stating dollar numbers as to compensate for normal inflation rates? The King County Assessor’s information already does this through yearly updates.
- Expansion beyond current footprint or the addition on area to an existing building will be required to meet DGs.
- Right of Way (ROW) Fund
  - What other cities have similar mechanisms? Do they allow any options to paying into a district fund?
    - Business improvement districts
    - Middleburg, Virginia has a parking fund if property owner can’t provide on-site parking
  - Discussion of fund or add option that property owner could invest on pedestrian/public realm improvements adjacent to their parcel(s).
  - Fund allows for varying conditions across Downtown parcels and adjacent rights-of-way; not all are developed and/or have different jurisdictional requirements for Highway 169 (WSDOT). The varying conditions of each parcel is part of the reason an option to create improvements adjacent(on-site) was not included.
  - Potential 20% of maximum \$250,000 improvement for the ROW Fund equates to maximum \$50,000. This amount doesn’t provide a lot of right-of-way improvement, which is another reason not to have equivalent improvement on-site.
- The City is over reliant on single family tax base for support and needs to create a more diverse tax base.
- King County land assessors assess the value of land + building improvements with a “broad brush”. These assessments can be reviewed or challenged if the property owner thinks there has been a misrepresentation of the value of their property. Could also request parcels could be combined into single property.
- After seeing the King County assessed values for properties on the site, the thresholds and proportional compliance made more sense to some hesitant members of the Workgroup.
- A consensus on Proportional Compliance was reached among policy makers present and was moved forward with some potential minor edits.

### **Multi-Family Residential**

- There is a moratorium on multi-family housing pending a further traffic and capacity study.
  - Maple Valley reached housing growth targets faster than anticipated.
  - State has not prioritized investment in Hwy 169, which is main arterial into/through town. Infrastructure must accommodate all traffic related to existing and potential development.



- At this time City Council has yet to make a decision on this issue and the timeline for this is running in parallel to these Standards and Guidelines.

**Civic Open Space & Development Bonus**

- The language surrounding: “based on Director Approval” included in DGs is standard process for city codes and is already present in MVMC.
  - Alternatives to Director Approval would be to require a development agreement or establish a design review process.
  - Assumption is that Director would keep Downtown DGs Vision and Guiding Principles in mind.
- Bonus includes both increased podium height and permission for multi-family residential development (assuming the use is ultimately not permitted outright).
- Residential allowance warrants additional conditions:
  - Minimum/maximum density?
  - Location on upper floors only?
  - Mix of unit size and type? Example provided of recent development application with disproportionate number of studios.

**Parking Requirements**

- Discussion of off-street parking maximums, in comparison to existing code requirements. Consensus decided nonresidential parking to be set at a maximum of 5 stalls / 1,000 SF.
  - Desire for consistency between uses.
  - Concern that uses change over time. Same requirement allows for long-term flexibility.
  - Restaurant parking requirement elsewhere in Maple Valley is 10 stalls / 1,000 SF.
- Off-street parking minimums were agreed upon as shown.
  - Zero minimum seen as opportunity for creative solutions.
  - Anticipate provided parking will largely be market-driven since developers will want the businesses to succeed.

**Other Discussion**

- If there are specific Guidelines that the Workgroup would like to see become Standards send them to City Staff and/or Consultants for review.
- Virtual Public Open house Agenda shared but possible date of 5/21/2020 is not set in stone pending some conversations with City Staff and Consultants as how to best prepare for a virtual meeting during COVID-19.
  - Zoom meeting, with break-out sessions to allow for small group discussion?
  - Confirmation to soon follow when the meeting will be held.
- Second public comment period offered. No public comment received at the end of the meeting.