



**STAFF REPORT TO THE BOARD OF ARCHITECTURAL REVIEW  
AND THE PLANNING COMMISSION  
Prepared September 13, 2011**

HEARING DATE: September 22, 2011

STAFF CONTACT: Stacy MacGregor, Assistant Planner

FILE NUMBERS: L08-051 Public Hearing Design Review  
L08-052 Preliminary Subdivision

ASSOCIATED FILES: L08-015 SEPA

APPLICANT: Steve Detwiller, ReHabitat Northwest

OWNER: Riverton Park United Methodist Church

REQUEST: Preliminary Subdivision approval by the Planning Commission and Design Review approval by the Board of Architectural Review for a cottage housing development consisting of thirty compact single family homes (1 ½ story, < 1500 square foot homes) on seven existing parcels totaling 5.2 acres. The proposal includes frontage improvements, landscaping, site design, and architectural design of the proposed homes. This project is being proposed under the City of Tukwila’s Housing Options Program (Ord. 2103).

LOCATION:	Parcel Number: 1623049060	Address: Vacant
	Parcel Number: 1623049162	Address: 3118 S 140th Street
	Parcel Number: 1623049165	Address: 13834 Military Road South
	Parcel Number: 1623049152	Address: 13842 Military Road South
	Parcel Number: 1623049150	Address: 13848 Military Road South
	Parcel Number: 1623049044	Address: Vacant
	Parcel Number: 1623049159	Address: Vacant

These seven parcels are located in the Cascade View neighborhood. They are located at the northeast corner of Military Road and South 140<sup>th</sup> Street. The Riverton Park United Methodist Church and Riverton Crest Cemetery are to the east. The Cascade View Elementary School is to the north. Military Road, including the street frontage improvements proposed for this project, is under the jurisdictional authority of the City of SeaTac.

NOTIFICATION: Prior to acceptance into the Housing Options Program, a public meeting was held on May 8, 2007, to get input from residents in the area. The Notice of Application for this proposal was issued and mailed to the surrounding property owners and tenants on October 16, 2008. Another neighborhood meeting was held on October 22, 2008, at the Riverton Park United Methodist Church. The Notice of Public Hearing was mailed to the surrounding properties and tenants, posted on-site and published in the Seattle Times on September 8, 2011.

COMPREHENSIVE PLAN &  
ZONING DESIGNATION: Low-Density Residential

SEPA COMPLIANCE: The City of Tukwila, as the lead agency for this project, issued a Determination of Non-Significance for this project on May 7, 2010.

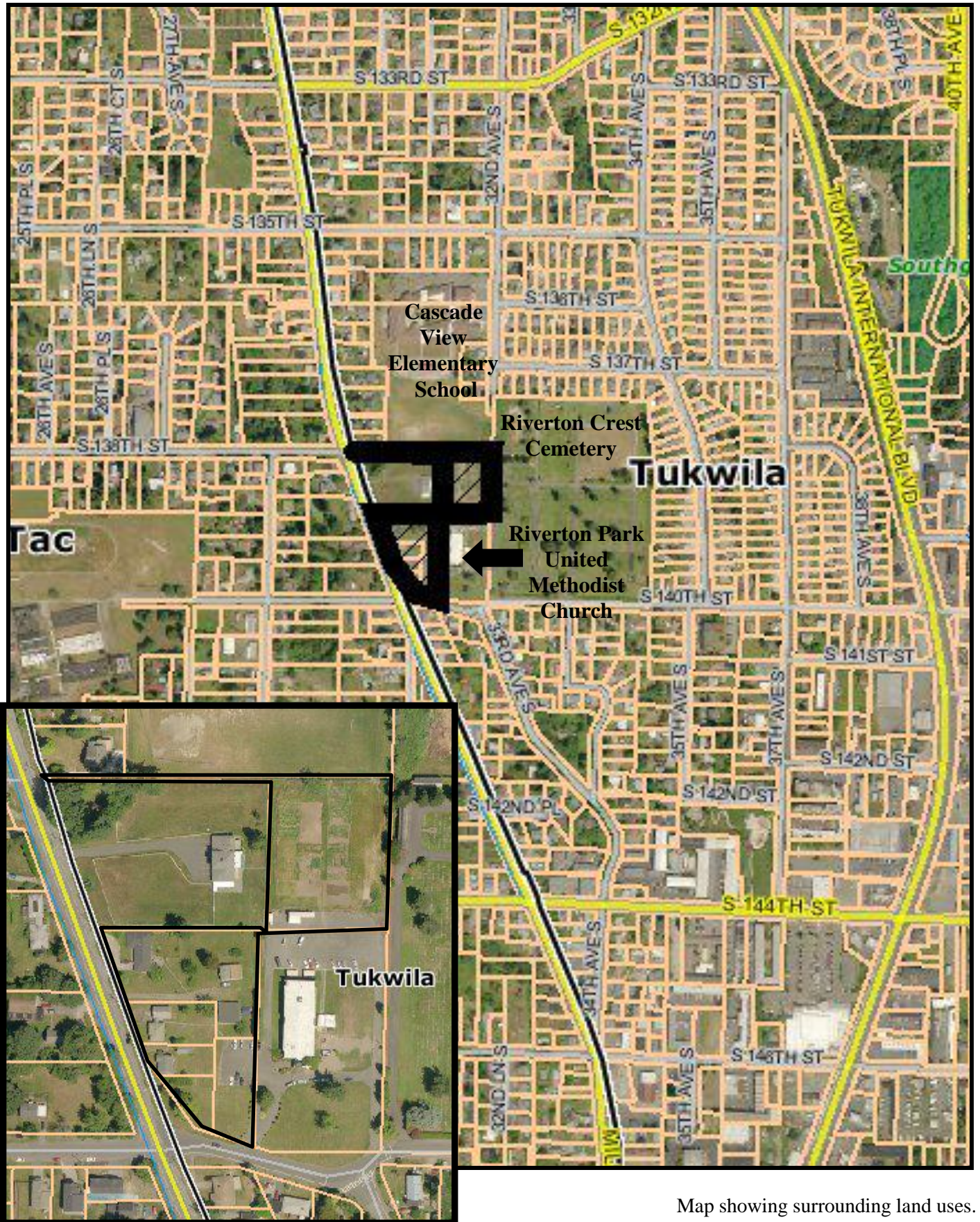
RECOMMENDATIONS: File L08-051 Public Hearing Design Review  
Staff recommends approval of the development project with conditions.

File L08-052 Preliminary Subdivision  
Staff recommends approval of the Preliminary Subdivision with conditions.

ATTACHMENTS:

- A. Application for the Housing Options Program
- B. Site Plan
  - L1.01
- C. Architectural Plans
  - A1.01-03 Floor Plans
  - A2.01-2.03 Elevations
- D. Landscape Plans
  - L2.01 Tree Retention Plan
  - L3.01-.0 3 Planting Plans, Notes and Details
- E. Preliminary Subdivision Survey Map
  - Sheets 1-3
- F. Streetscapes (2 pages in color)
- G. Color Schemes (in color)
- H. Colors and Materials Board (list)
- I. Exterior Lighting Design Cut Sheets
- J. Declaration of Covenants, Conditions and Restrictions of Riverton Cottages (draft)
- K. Comment Letters (6 letters)





Map showing surrounding land uses.

Detailed view of the site.



## **FINDINGS**

### **BACKGROUND**

In 2005, the City of Tukwila adopted the Housing Options Program by Ordinance 2103. This demonstration program led to the selection of three small-scale cottage housing projects to increase the housing choices not currently available in the city. Cottages, defined as homes less than 1000 square feet, and compact single-family homes, defined as homes less than 1500 square feet, can be developed at a density of one and one-half to two times the density than would otherwise be allowed in LDR zone. Approved cottage communities are to be designed with shared common space and high-quality site design, landscaping and architecture that serve to improve the character and enhance the sense of community in a neighborhood.

A Notice of Decision was issued on September 7, 2007, making this project eligible to be considered under Tukwila Municipal Code (TMC) 18.120.030, as one of the three demonstration cottage housing projects in the City of Tukwila. This is the only project approved in the Cascade View Neighborhood.

### **PROJECT DESCRIPTION**

This application is for thirty compact single family (CSF) homes on 3.5 acres. The compact single homes are allowed under the Housing Options Program (Cottage Ordinance) as long as they are no more than 1,500 square feet square feet in floor area; provide at least two parking spaces per home; and are not more than twenty-five feet high. The homes range in size from 1013-1683 square feet and are no more than twenty-five feet tall. There are a total of seventy-two parking stalls provided on the site in the attached garages, detached garages, in the driveways and on the private streets within the project.

While the entire project is allowed 1.5 times the density of what is allowed in the LDR zone, which is 4,333 square feet of lot area per home, there is no minimum lot size. When taken as a whole, each home has an average of 5,175 square feet per home. The fee-simple lots are approximately 2000 square feet each and each lot is adjacent to shared open space. Three “pocket-parks” are included in the development for the use of the residents and include two shared picnic areas. A four-foot wide paved path will extend from South 140<sup>th</sup> street to the Cascade View Elementary School. The frontage improvements, including curb, gutter, sidewalk, and landscaping are proposed along both Military Road and South 140<sup>th</sup> Street. The frontage along Military Road is under the City of SeaTac jurisdiction and will require their final approval.

The church will lose an existing parking area of twenty stalls but will retain sixty-five stalls. The church has 142 moveable seats in their 2500 square foot sanctuary. Tukwila Municipal Code requires parking at a ratio of one stall for every four fixed seats, therefore a total of thirty-six stalls would be required if the seats were fixed. The City’s Building and Fire Departments determined that the maximum occupancy load is 167 people. If 167 fixed seats were provided, the church would need to provide forty-two parking stalls. A plan has been submitted showing the existing parking lot reconfigured for eighty-eight parking stalls with parking lot landscaping. The reconfiguration of the church parking is not covered under this application. While the development of the cottage project will remove some existing church parking, parking for the church will not become non-conforming as long as the church maintains forty-two parking stalls at all times. The paved foot path to the school and the frontage improvements including curb, gutter, sidewalk, landscape strip and the colored crossings in front of the church will be completed as part of this project.

The proposed subdivision will create new lot lines for the parsonage and that lot will not be a part of the cottage project site. The parsonage will continue to be served by an existing circular driveway onto Military Road.

### **VICINITY/SITE INFORMATION**

#### **Existing Development**

The project site is just over five acres and is zoned Low Density Residential. The subject site includes seven existing lots containing the Riverton Park United Methodist Church, the parsonage and four additional older homes. Four homes will be demolished while a new lot will be created around the parsonage that meets the Low-Density Residential development standards. A lot that contains parking for the church and the lot north of the church currently used as a garden and cornfield will

be developed as part of the cottage housing project. Two driveways onto North 140<sup>th</sup> Street will remain, one to access the church and the other to access the new development and the church.

### Surrounding Land Uses

The project is in the Cascade View Neighborhood; this area was annexed into the City in 2000. Military Road and the frontage improvements along Military Road define the west side of the property and are under the City of SeaTac's jurisdiction. To the northwest of the property is a veterinary clinic with boarding facilities. Cascade View Elementary is directly north of the property. The Riverton Crest Cemetery is to the east. South 140<sup>th</sup> Street defines the southern boundary. A walking path to the Cascade View Elementary School runs along the east side of the property.

## **PUBLIC COMMENTS**

Prior to the approval as a demonstration project, a public meeting was held on May 8<sup>th</sup>, 2007, to gather community input. The concerns included "appearance, maintenance of open space, lack of sidewalks, increased traffic, parking requirements, issues with the carriage house, control on converting to rental units, safety in the neighborhood and controlling the number of people in the units." The City of SeaTac commented and has jurisdiction over frontage improvements including access on Military Road.

After the application for the Design Review was filed, a second community meeting was held on February 4, 2009. The meeting was well attended and many comments were received during the public meeting. The concerns included traffic and access on 140<sup>th</sup> and Military Road; potential storm drainage issues; maintenance and the role of Covenants, Conditions, and Restrictions versus code enforcement; design and appearance of the homes; noise from the adjacent veterinary clinic; and owner-occupied versus rental ratio. Three letters were received from the concerned citizens and are included as Attachment K. The applicant made design changes and has submitted CC&R's that address some of the comments received. The CC&R's are included as Attachment J. The proposed storm drainage design, frontage improvements, and off-site traffic impacts have been reviewed by the Public Works department and the proposal conforms to the city standards and will be discussed as part of this staff report. Civil plans prepared by Pace Engineering, dated June 2010, were also reviewed as part of the subdivision review process (File L08-052). The concerns that are within the scope of the Design Review and the Preliminary Subdivision are addressed in this staff report. Other issues, such as noise and property maintenance, are subject to City Ordinances and are not specific to this project.

King County Metro and the City of SeaTac also provided written comments which were incorporated into the project. Their comments are included in Attachment K. Permits from the City of SeaTac will be necessary for frontage and work within the right of way. Coordination with the City of SeaTac will continue during the construction phase.

## **REPORT ORGANIZATION**

This staff report is divided into two sections. The first section covers the Design Review decision to be made by the Board of Architectural Review; the second section covers the Subdivision Preliminary Plat decision to be made by the Planning Commission. Staff's conclusions and recommendations follow each section.

## **SECTION ONE-DESIGN REVIEW**

### **REVIEW CRITERIA**

Design Review approval is subject to the Housing Options Program Decision Criteria as set forth in TMC 18.120.050C, the Multi-Family, Hotel and Motel Design Review Criteria, and the City of Tukwila Comprehensive Plan.

Below is the staff analysis and response.

## HOUSING OPTIONS PROGRAM DECISION CRITERIA

1. *Meets the goals of the program, as set forth in TMC 18.120.010. The goals of the Housing Options Program are to:*
- a) *Increase the choice of housing styles available in the community through projects that are compatible with existing single-family projects;*

Staff's Response: Cottages are a form of infill development that maintains compatibility with the established neighborhood development pattern while providing developers an alternative housing style other than typical low-density subdivisions and high density multi-family complexes. The surrounding development is typically mid-century, one story ramblers that are less than 1,500 square feet. The average new single family home constructed in Tukwila in the last few years has been around 3,000 square foot home, including garages. This project is creating "small" homes by the standards for infill development and in doing so these homes are compatible with the surrounding neighborhood. By contrast, typically infill development at this site could result in as many as twenty-three 4,550 square foot homes on 6,500 square foot lots. With the density incentive, building thirty smaller homes on the same piece of land becomes viable and a new housing choice becomes available for Tukwila residents.

- b) *Promote housing affordability and ownership by encouraging smaller homes;*

Staff's Response: These homes will be much smaller than other new homes typically built. As smaller homes, they will be more affordable than the lower density alternatives that could have been built in their place. They also contribute to the overall housing supply; improve the housing stock with new construction; and provide an alternative to higher-density apartments; thus encouraging home ownership.

During the community meeting, neighbors raised concerns that the homes may not be owner-occupied. The CC&R's address this concern; under Article V, 1.5, no more than 10% of the units are to be available for rent at any given time.

- c) *Stimulate innovative housing design that improves the character and sense of community in a neighborhood and can serve as a model for other areas;*

Staff's Response: The housing design is notable in that front porches are a required element and the garages are detached or visually minimized with either alley entrances or recessed beyond the front entrance. Homes are separated with minimal setbacks (10' total) from each other. The homes are grouped around shared common space. The common space includes a barbeque area and a gazebo. Common design elements include fences, pedestrian-scale light posts, and a color palette of muted earth-tones. Sidewalks, shared clustered garages, and common space is designed to create interactions among neighbors and to foster a sense of community among residents and the surrounding neighborhood.

- d) *Develop high-quality site, architectural and landscape elements in neighborhoods; and*

Staff's Response: To make higher-density projects attractive to the marketplace, increased density is countered with increased features and appeals to a niche market willing to trade quantity of space for quality of space. In an urban setting the urban amenities are a trade-off for increased density; in a project such as this, quality architecture, landscaping and site design are a trade-off for decreased interior space and increased density. Additionally, choosing to live in a neighborhood such as this is choosing to live in a community that is designed for neighbor-to-neighbor interaction; the site and architectural design thoughtfully intends to create neighborhood engagement. The design guidelines that apply to a cottage housing project require high-quality site design, landscaping, and architectural design. This process is in contrast to other single-family developments in Tukwila that are not subject to the design review process. Typically architecture is not reviewed and landscaping is not required for standard single family developments. This proposal is being reviewed as a demonstration project and therefore is subject to extensive standards, guidelines, and review process prior to gaining approval. Finally, a homeowner's association and CC&R's are created to ensure the buildings and common areas are maintained as designed.

- e) *Provide a greater variety of housing types, which respond to changing household sizes and ages (e.g. retirees, small families, single-person households) and provide a means for seniors to remain in their neighborhoods.*

Staff's Response: The proposed compact single family homes are 1 ½ story, 1013-1683 square feet, detached dwelling units to be sold on fee-simple lots with shared ownership of common areas. Twelve of the homes have only one bedroom while the others have three bedrooms (or two bedrooms and a den). Twelve of the homes have detached garages and nine of the homes have an attached single car garage. The homeowner's association will delineate landscape maintenance responsibilities but private lots are approximately 2000 square feet. Twenty-three homes have first floor bedrooms.

The housing type is much more than simply smaller-than-average homes. The design of the homes and the design of the site is a lifestyle choice that appeals to a different demographic than typical suburban development. Detached garages and space devoted to shared pocket parks rather than individual, private space encourages interaction amongst neighbors. First floor bedrooms are typically appealing to seniors. Small yards may appeal to people who are not able or interested in yard maintenance. This type of design typically appeals to small households (retirees, small families, and single-person or childless households) seeking to be a part of a community.

2. *Complies with the Multi-family, Hotel and Motel Design Review Criteria stated in the Board of Architectural Review chapter, Design Review Criteria section of the Tukwila Zoning Code (TMC 18.60.050-C).*

Staff's Response: What follows is a review of the project's compliance with the Multi-family, Hotel and Motel Design Review Criteria.

## **MULTI-FAMILY, HOTEL AND MOTEL DESIGN REVIEW CRITERIA**

### **1. Site Planning**

a) *Building siting, architecture, and landscaping shall be integrated into and blend harmoniously with the neighborhood building scale, natural environment, and development characteristics as envisioned in the Comprehensive Plan. For instance, a multi-family development's design need not be harmoniously integrated with adjacent single-family structure if that existing single-family use is designated as "Commercial" or "High-Density Residential" in the Comprehensive Plan. However, a "Low-Density Residential" (detached single-family) designation would require such harmonious design integration.*

Staff's Response: The Cascade View neighborhood that surrounds this site is predominately single family homes built from 1930-1960. Lot size varies from less than 6,000 square feet to a few lots over half an acre in size. Home styles reflect the era in which they were built and are predominately one story to story-and-a-half cottages. The one-and-a-half story compact single family homes, clad in lap siding and shingles with three-tab roofing and contrasting trim, will harmoniously integrate with the existing neighborhood.

Homes built under this ordinance are no taller than twenty-five feet and no larger than 1500 square feet of living area which reflects the development pattern of the neighborhood. Front porches, landscaped transitional spaces, internal sidewalks and detached garages all reflect the goal of "small town" development envisioned in the City's Comprehensive Plan.

b) *Natural features, which contribute to desirable neighborhood character, shall be reserved to the maximum extent possible. Natural features include, but are not limited to, existing significant trees and stands of trees, wetlands, streams, and significant topographic features.*

Staff's Response: The northern portion of the proposal has a territorial view toward the east. Site constraints, specifically access and building separation from the adjacent veterinary clinic, prevented the site design from taking advantage of this view. Homes along the eastern side will take advantage of the view but the remainder of the site and homes will not. The only off site development that could have views impacted by the project is the veterinary clinic. Heavy landscaping was proposed to create a visual and sound barrier between the clinic and the project to address the clinic's concerns that barking dogs could disturb cottage residents. The other nearest homes are over 500 feet from the project. This project only allows homes no taller than twenty-five feet in height and subject to design review; these standards will result in homes smaller than homes that could be built under the regular development standards in the low density residential district.

c) *The site plan shall use landscaping and building shapes to form an aesthetically pleasing and pedestrian scale streetscape. This shall include, but not be limited to facilitating pedestrian travel along the street, using architecture and landscaping to provide a desirable transition from streetscape to the building, and providing an integrated linkage from pedestrian and vehicular facilities to building entries.*

Staff's Response: The public streets will be lined with street trees in the planting strips separating the sidewalks from the vehicular travel lanes. Homes face the street with front porches and landscaped front yards. The houses are set as close to the property line as allowed by code with front yard setbacks of ten feet along Military Road and twenty feet along South 140<sup>th</sup> Street. Smaller setbacks are used to facilitate direct interaction between pedestrians and residents. A variety of elevations and color combinations are used to add interest to the streetscape. The streetscape is shown as Attachment F.

Fences are reserved for the rear yards between the homes and are semi-transparent cedar picket fences. Solid cedar fences line the project boundaries. Fence details are shown under Attachment D. The fences proposed provide a solid privacy screen at

the project perimeters and the semi-transparent three foot tall fences provide a transition between shared common space and private outdoor space on the site.

Walking paths crisscross the site connecting the sidewalks to the fronts of each home; walking paths also surround the common space providing a link between recreation areas and the individual homes and separate the shared common area from the semi-private rear yards. Where the garages are detached, walking paths lead from the garages to the fronts of each home.

- d) *Pedestrian and vehicular entries shall provide a high-quality visual focus using building siting, shapes and landscaping. Such a feature establishes a physical transition between the project and public areas, and establishes the initial sense of high quality development.*

Staff's Response: The entire project is entered, either in a vehicle or on foot, via the existing driveway on South 140<sup>th</sup> Street. The entrance is lined with sidewalks and pedestrian paths; the two travel lanes are separated by an existing planting island. The mature cedar tree in the island will be protected and enhanced with additional shrubbery in the island. A fire access lane is created off of Military Road south. This point will be cordoned off with removable bollards. Grasscrete is proposed at this entrance, which should help distinguish it from an actual vehicular entrance, and is required per the City of SeaTac.

- e) *Vehicular circulation design shall minimize driveway intersections with the street.*

Staff's Response: Circulation will occur on private roads on site with all thirty homes accessed by one principal entrance from S 140<sup>th</sup> Street. Further, the project will eliminate two access points on Military Road and convert a third access point into a fire access only as required by the City of SeaTac.

- f) *Site perimeter design (i.e., landscaping, structures, and horizontal width) shall be coordinated with site development to ensure a harmonious transition between adjacent projects.*

Staff's Response: Site perimeter design takes into account the adjacent use. Alongside the veterinary clinic, a six foot tall cedar fence and heavily landscaped strip is proposed. During the public comment period, the veterinary clinic raised concerns that the barking dogs at their facility may be annoying to the residents in the cottage community and asked the developer to consider ways to minimize or prevent complaints. In response, the developer chose not to locate any homes directly adjacent to the veterinary clinic property. A solid structure, such as a fence, can reduce direct noise levels. Noise, or the perception of noise, can be reduced through a visual barrier. Specifically, if the source of the noise cannot be seen, the noise experienced is not as loud. The landscaping will help to reduce the ability to see towards the veterinary clinic. All of these actions should help minimize the residents hearing of barking dogs. While the site plan shows a six foot fence, the CC&R's state that no fence can exceed three feet in height (Article IV, Section 7(G)).

The other site perimeters are designed for visual access. A low three-foot fence lines the site perimeters along the school and the cemetery. Existing trees will remain alongside the school perimeter. A four foot wide paved walking path will be constructed alongside the east property line leaving from South 140<sup>th</sup> Street to the school. The landscaped area between the private street and the church will be heavily landscaped to minimize views between the church and the new development. The perimeters fronting the public streets all have curb, gutter, sidewalk and landscape strip. Street trees are proposed in the landscape strip lining the public streets. Along South 140<sup>th</sup> Street where the homes are setback at least twenty feet from the edge of the street, a grassy area will separate the homes from the sidewalk.

The project is proposed in phases (see phasing detail on Attachment B). Phase I includes development of the northern section and the access road from South 140<sup>th</sup> Street. Phase II involves the southern section and adjacent frontage improvements on Military Road South and South 140<sup>th</sup> Street. Improvements on the church lot include redesign of the parking lot, landscaping, the walking path to the school and curb, gutter, sidewalk and landscape strip on South 140<sup>th</sup> Street.

- g) *Varying degrees of privacy for the individual residents shall be provided; increasing from the public right-of-way, to common areas, to individual residences. This can be accomplished through the use of symbolic and actual physical barriers to define the degrees of privacy appropriate to specific site area functions.*

Staff's Response: The transition from public to private realms is successful through site and architectural design. Front yards and front porches face the streets with ten foot setbacks on Military Road and twenty foot setbacks on South 140<sup>th</sup> Street. Front yards are landscaped with a mix of trees, shrubs and groundcovers which will provide filtered privacy between the public street and the homes. The common spaces are placed in the interior of the site and are surrounded and shielded by the homes or the schoolyard. The common spaces are designed as semi-public spaces that are available to the residents but private



from the surrounding development. The homes are separated from the common space with five foot wide paved paths and three foot high cedar picket fences. The two shared picnic areas are incorporated into the private “pocket” parks which are removed from the public streets and separated by houses.

*h) Parking and service areas shall be located, designed and screened to interrupt and reduce the visual impact of large paved areas;*

Staff’s Response: Parking requirements are met in four different ways. On-street parking is provided adjacent to the two interior private streets. Twenty-two on street parking stalls increase the road width by eight and a half feet to twenty-eight and a half feet total. The use of on-street parking eliminates the need to create a large paved area to park cars. Parking is also provided in the attached garages and the private driveways. Four detached garage bays provide an additional eighteen parking spaces. Private roads are only twenty feet wide with a portion of one alley sixteen feet wide.

*i) The height, bulk, footprint and scale of each building shall be in harmony with its site and adjacent long-term structures.*

Staff’s Response: The neighborhood consists of mostly older homes one story or one and one-half story homes that generally meet the definition of a cottage. The proposed project more closely reflects the older homes in the neighborhood.

## **2. Building Design**

*a) Architectural style is not restricted; evaluation of a project shall be based on the quality of its design and its ability to harmonize building texture, shape, lines and mass with the surrounding neighborhood.*

Staff’s Response: The compact single family homes are simple, one and a half story homes with generally craftsman-style features. The surrounding neighborhood has an architectural style representing mainly the 1940’s through the 1960’s. The majority of the homes in the neighborhood are small, one or one-and-a-half story homes. Only a project such as this, built under the cottage housing ordinance, could develop small homes that harmonize with the older, established neighborhood while also adding new, high-quality housing stock to the neighborhood.

At the community meeting, neighbors voiced opposition over the design of the homes. The drawings shown were very preliminary and the homes appeared to be dominated by roofs. The designs were refined with bump-outs, sheds and dormers added to the roofs. The elevations show that the homes address the concerns raised at the community meeting (see Attachment C).

*b) Buildings shall be of appropriate height, scale, and design/shape to be in harmony with those existing permanent neighboring developments which are consistent with, or envisioned in, the Comprehensive Plan. This will be especially important for perimeter structures. Adjacent structures that are not in conformance with the Comprehensive Plan should be considered to be transitional. The degree of architectural harmony required should be consistent with the nonconforming structure's anticipated permanence.*

Staff’s Response: Tukwila’s Comprehensive Plan envisions residential areas that are “small town” in character with front porches; smaller front yards; garages located to the rear or side of the lot; and lawn, trees and low-scale fences in the front yards (Goal 1.6). This project includes all of these features. The Comprehensive Plan and the development code do not require design review process for single-family homes. The development standards allow but do not require the specific character details outlined in the Comprehensive Plan. The surrounding neighborhood is generally in conformance with the development code and could be rebuilt to existing standards or with higher density and larger mass than what currently exists.

The existing development regulations allow for much larger homes and minimal site and architectural requirements while the Housing Options Ordinance (Ordinance 2103) allows for an increase in density in exchange for smaller, clustered homes with high quality site and architectural design. The Ordinance also allows for flexibility in the development standards. The applicant requested relief from strict adherence to the floor area limitations under the Ordinance. All of the homes proposed are over 1,000 square feet and are considered compact single family homes. Allowed floor area includes attached garages while detached garages are exempt from the floor area limitations. Thirteen of the homes are larger than the 1,500 square feet allowed. Of these thirteen homes, two are only eight feet larger than allowed. Four homes are 1,635 square feet with a one car garage; seven homes are 1,683 square feet and include a two car garage. The applicant has requested flexibility in the development standards to allow these models. If the garages were detached, which may be possible but would be at the loss of common space and require some site redesign, or if the one car garages were eliminated and the two car stalls reduced to one stall, the parking requirement would still be met and the homes would be under the allowed 1,500 square feet.

- c) *Building components, such as windows, doors, eaves, parapets, stairs and decks shall be integrated into the overall building design. Particular emphasis shall be given to harmonious proportions of these components with those of adjacent developments. Building components and ancillary parts shall be consistent with the anticipated life of the structure.*

Staff's Response: The building components are appropriate for the building design. Design elements include shingles and two sizes of lap siding. Homes have contrasting trim around the windows and doors. Horizontal banding separates the first story from the half story above. The cottage ordinance requires that all homes have front porches with minimum dimensions of eight feet on all sides.

- d) *The overall color scheme shall work to reduce building prominence and shall blend in with the natural environment.*

Staff's Response: The color palette is a variety of earth tones that harmonize with the natural environment and integrate together. Five color schemes are proposed and include a body color, accent color and trim color. The color palette is shown as Attachment G.

- e) *Monotony of design in single or multiple building projects shall be avoided. Variety of detail, form, and siting shall be used to provide visual interest. Otherwise monotonous flat walls and uniform vertical planes of individual buildings shall be broken up with building modulation, stairs, decks, railings, and focal entries. Multiple building developments shall use siting and additional architectural variety to avoid inappropriate repetition of building designs and appearance to surrounding properties.*

Staff's Response: The proposed thirty homes consist of four models, nine elevations and a palette of five color schemes. The buildings each have trim, front porches, are sided in a variety of treatments including shingles and horizontal lap siding. Roof pitch, windows, decks, and porches are varied between homes but complimentary to each other. In order to add variety and avoid repetition the same model is never adjacent to itself.

### **3. Landscape and Site Treatment**

- a) *Existing natural topographic patterns and significant vegetation shall be reflected in project design when they contribute to the natural beauty of the area or are important to defining neighborhood identity or a sense of place.*

Staff's Response: The natural topography is essentially flat. Significant trees are retained where possible. The entrance to the project was designed to preserve the existing mature Cedar tree.

- b) *Landscape treatment shall enhance existing natural and architectural features, help separate public from private spaces, strengthen vistas and important views, provide shade to moderate the affects of large paved areas, and break up visual mass.*

Staff's Response: Landscaping is used to soften the edges and reinforce the small town character of this development. Front yards are planted with a mix of trees, shrubs, grasses, and groundcover. Along the public and private street, a landscape strip with street trees separates the sidewalk from the street. Landscaping in the common areas will be maintained by the homeowner's association; within the private yards the landscaping will be the responsibility of the individual resident.

- c) *Walkways, parking spaces, terraces, and other paved areas shall promote safety and provide an inviting and stable appearance. Direct pedestrian linkages to the public street, to on-site recreation areas, and to adjacent public recreation areas shall be provided.*

Staff's Response: The public frontage is defined by a five foot perimeter landscape strip, which shall be planted with grass and street trees thirty feet on center. Six foot sidewalks are provided along Military Road and South 140<sup>th</sup> Street. Five foot separated sidewalks line the interior private streets. A four foot paved path separates the common open spaces from the homes and connects the detached parking garages to the homes. A four foot paved walking path is shown from South 140<sup>th</sup> Street along the church property and the east side of the development and connects to a gravel path on the school property.

- d) *Appropriate landscape transition to adjoining properties shall be provided.*

Staff's Response: There are no landscaping requirements for dwelling units in the LDR zone and the cottage ordinance does not include specific landscape standards. However, extensive landscaping is included in this project. A heavy landscape border is created between the project and the veterinary clinic and between the project and the church to provide a visual buffer. A more transparent and natural landscaped edge separates the project from the elementary school.

### **4. Miscellaneous Structures**

- a) *Miscellaneous structures shall be designed as an integral part of the architectural concept and landscape. Materials shall be compatible with buildings, scale shall be appropriate, colors shall be in harmony with buildings and surroundings, and structure proportions shall be to scale.*

Staff's Response: Miscellaneous structures include two outdoor community gathering spaces. A covered patio is created off of the rear of the six-bay garage adjacent to the southern pocket park. A second covered area, this one a free-standing gazebo, is located off of the northern-most pocket park. Materials and colors are not shown on the plans. The areas above the shared garages are designed as attic space and will not function as common area or living space.

- b) *The use of walls, fencing, planting, berms, or combinations of these shall accomplish screening of service yards and other places that tend to be unsightly. Screening shall be effective in winter and summer.*

Staff's Response: This is not applicable as the site does not contain community service areas. There is no common trash and recycling collection area, it is anticipated to function similar to other single family development where each individual unit is responsible for their own trash and recycling containers.

- c) *Mechanical equipment or other utility hardware on roof, ground or buildings shall be screened from view. Screening shall be designed as an integral part of the architecture (i.e., raised parapets and fully enclosed under roof) and landscaping.*

Staff's Response: This is not applicable as neither mechanical equipment nor utility hardware is proposed.

- d) *Exterior lighting standards and fixtures shall be of a design and size consistent with safety, building architecture and adjacent area. Lighting shall be shielded and restrained in design with no off-site glare spill-over. Excessive brightness and brilliant colors shall not be used unless clearly demonstrated to be integral to building architecture.*

Staff's Response: Exterior lighting fixtures are shown in Attachment I and consist of street lights, walkway lights, entry lights and garage lights. Cut-off lighting is proposed to reduce glare and to avoid light spilling onto adjacent properties. The applicant did not submit a light distribution plan to demonstrate that no off-site glare spill-over occurs and that common areas are illuminated sufficiently for public safety.

***Additionally, Housing Options Decision Criteria TMC 18.120.050 C3 includes that the project:***

***3. Demonstrates the following:***

- a) *The proposal is compatible with and is not larger in scale than surrounding development with respect to size of units, building heights, roof forms, building setbacks from each other and property lines, parking location and screening, access and lot coverage.*

Staff's Response: The units are smaller than the size of new construction that could be built in the area and comparable in size to the older, existing development. The compact single family homes are no more than twenty-five feet tall at the roof peak while surrounding single family development can be constructed to thirty feet at the midpoint of the roof. Building setback lines are established from the parent property line and buildings are separated at least ten feet from each other. Seventy-two parking spaces are provided in a mix of garage bays, driveway spaces, and on-street parking. Sixty parking spaces are required under the cottage ordinance. If developed under the LDR development standards (and with no land removed from development) 23 homes could have been built requiring 46 parking stalls (for 3 bedroom homes). Building footprint is capped at thirty-five percent for both cottage development or if the lot was short platted into 6,500 square foot lots. Buildings cover just over twenty percent of the lot for this proposal.

- b) *Variety is provided through a mixture of building designs, sizes and footprints.*

Staff's Response: The thirty homes that make up this project comprise four different models with eight elevations. Five colors combinations and a mix of lap siding and shingles further differentiate the homes. The homes range in size from 1,013-1,683 square feet. Some homes have detached garages (in parking clusters away from the homes) while other homes have attached one or two car garages.

- c) *The proposal provides elements that contribute to a sense of community within the development and the surrounding neighborhood by including elements such as front entry porches, common open space and/or common buildings.*

Staff's Response: All of the homes are designed with front entry porches. Common open space is contiguous to all of the homes. Common open space abuts every property. Two picnic areas are provided. At the north end of the property, a covered gazebo with picnic and barbeque space is adjacent to the common area. Off the backside of one garage structure, a barbeque and picnic patio is created for the southern common space. Each of the homes has a covered front porch. The

homes are also designed to have “double fronts”. Both the street entrance side of the homes and the side adjacent to common space are designed to look like the front of the home.

d) *Any proposed Type 2, 3 and 4 modifications to requirements of the Permit Application Types and Procedures (TMC 18.104), other than those specifically identified in TMC 18.120.020, are important to the success of the proposal as a housing options project.*

Staff’s Response: The project has no Type 2, 3, or 4 modifications.

## COMPREHENSIVE PLAN POLICIES

### 1. Community Image – Goal 1.6: “Residential neighborhood physical features that are “small town” in character.”

- Lawns, trees, and low-scale fences in front yards
- Garages located toward the rear or side of the lot
- Front porches and sidewalks that allow interaction between neighbors

Staff’s Response: The project is designed to create a community that facilitates interactions amongst neighbors. The project also engages with the larger Cascade View neighborhood through porches, low fences, and minimal setback along the public frontage.

### 2. Housing - Goal 3.2: "Continue to provide the City’s fair share of affordable housing.”

- a) *Encourage a full range of housing opportunities for all populations segments by actions including, but not limited to, revising the Tukwila development codes as appropriate to provide a range of housing types.*
- Allow limited demonstration projects such as clustered or cottage housing.

Staff’s Response: This will be the second of three approved projects to go through the design review process as a cottage housing demonstration project. In the future, the results from the cottage housing demonstration projects will be reviewed to determine if cottage housing is an appropriate option for Tukwila on a broader scale.

### 3. Housing - Goal 3.4: "A full range of housing for persons in all stages of life".

- a) *Develop housing design standards for special populations that reflect the different demands generated for their different types of housing, such as increased inside-recreation needs (3.4.1).*

Staff’s Response: Small, new homes with one to three bedrooms, landscaped common space, and neighborhood-oriented design features will appeal to some populations. Without the Housing Options ordinance, a project such as this could not be built. The incentives offered to the developer such as decreased parking requirements and increased density in exchange for high-quality design and restricted home size allow the developer to pursue an economically viable alternative to the larger tract homes built on infill lots in Tukwila. The common areas will be extensively landscaped and the homeowner’s association will be responsible for the landscaping, which will likely be appealing to residents who cannot or do not want to maintain a large yard.

### 4. Residential Neighborhoods– Goal 7.1 Neighborhood Quality: “Urbanization and development that fosters a sense of community and replaces lost vegetation and open spaces with improvements of at least equal value to the community.”

- a) *Maximize neighborhood quality through City actions that help define the City and neighborhoods as specific “places” (7.1.1)*
- High quality public facility and private development design for neighborhood quality.
  - Provide infill assistance for short plats or smaller developments.

Staff’s Response: This project will remove four substandard homes from Tukwila’s housing stock and replace them with a well-designed, community-oriented neighborhood. The minimal loss of mature vegetation will be mitigated with planned landscaping across the entire site.

### 5. Residential Neighborhoods– Goal 7.6 Private Sector Development: “Residential neighborhoods with a high-quality, small-town, pedestrian character.”

- a) *Ensure that residential development reflects high design quality in harmony with identified, valued natural features and with a small-town orientation (7.6.2).*
- b) *Support single-family residential in-fill housing that is in harmony with the existing neighborhood as a means of achieving adequate, affordable, and/or diverse housing.*



c) *Encourage single-family residence design to foster a sense of safety and security.*

Staff's Response: This project meets all of these goals. It is a traditional neighborhood design that includes porches adjacent to the common spaces; garages and automobiles that are not prominent; a neighborhood gathering area with a barbeque; and homes that overlook the shared spaces for increased surveillance and opportunities for neighbors to engage with each other. Design guidelines, design review, and an architectural firm familiar with cottage housing ensure high quality design. Code that allows an incentive to develop anything aside from large tract homes provides a means to develop diverse and more affordable new housing stock.

## **CONCLUSIONS -DESIGN REVIEW**

### **HOUSING OPTIONS PROGRAM DECISION CRITERIA**

#### **1. *Meets the goals of the program, as set forth in TMC 18.120.010***

Staff's Response: This project meets all of the goals of the Housing Options program. Covenants, conditions, and restrictions (CC&R's) should be recorded with the language to ensure that the goals of the Housing Options Program are maintained throughout the life of the project. CC&R's must be approved by the Planning Department and the City Attorney.

#### **2. *Meet the Multi-family, hotel and motel design review criteria.***

##### *1. Site Planning*

Staff's Response: The site plan meets the goals of the multi-family design review criteria. The site design will enhance and harmonize with the surrounding neighborhood. The site will be pedestrian-friendly with sidewalks and pathways. The site design delineates public, semi-private and private spaces through physical structures such as fences, porches and pathways.

To transition the site development to adjacent properties, the sidewalk in front of the church at South 140<sup>th</sup> and the paved walking path to the school on the church parking lot should be included as part of this project. The phasing plan should be modified to include completing the path to the school on the church lot under Phase I and completing the curb, gutter, sidewalk, and landscaping in front of the church under Phase II. The church shall maintain a minimum of 42 parking stalls in order to meet the parking requirements of Tukwila Municipal Code.

The CC&R's do not allow fences over three feet; they need to be modified to allow a six foot perimeter fence as shown on the plans.

##### *2. Building Design*

Staff's Response: The project involves small homes clustered together on one lot around shared common space. The homes correspond in mass and style to the older surrounding development while being smaller and at the same density as newer homes constructed in the area.

The developer has requested flexibility in the allowed size of the homes. Thirteen of the homes do not meet strict adherence to the required 1,500 square foot floor area limitation. Two of the homes are eight feet larger than 1,500. The eleven homes that are 135-183 square feet too large could be redesigned to meet the code. The simplest redesign would be to simply eliminate some of the attached garages. If the garages were either eliminated or reduced to one car, the homes would meet code. Parking could be created in additional detached garages but the site design would either need to change and some of the common space would have to be eliminated. However, the site could have twelve fewer parking spaces and still meet code. Eliminating the garages would neither decrease the living space of the homes nor the number of bedrooms and consequently the likely number of residents residing in the homes; it could decrease the parking provided. The additional parking addresses concerns raised at the neighborhood meeting over potential spill-over parking.

Staff recommends approving the deviation to floor area shown on the plans as this is a demonstration project and the Ordinance allows flexibility in the standards.

##### *3. Landscape and Site Treatment*

Staff's Response: Landscaping is used to define and separate public and private spaces and to separate properties from each other. Landscaping plans are not typically required in low-density residential zones and this project benefits from a comprehensive landscape plan.

#### 4. *Miscellaneous Structures*

Staff's Response: The picnic areas, the fencing, and the lighting standards all conform to the design review criteria. The colors for the two covered community spaces should use those colors submitted on the colors and materials board and referenced on Attachment G and H. The applicant will need to provide a light-distribution plan to demonstrate no off-site glare spill over and that light levels provide adequate lighting for public safety.

#### 3. *Meets the additional criteria of TMC 18.120.050C3.*

Staff's Response: The project meets all of the additional criteria of TMC 18.120.050 C3.

### **COMPREHENSIVE PLAN POLICIES**

#### 1. *Community Image - Goal 1.6*

Staff's Response: This project meets all of the goals that describe "small town" character in the city's Comprehensive Plan. The application of the design guidelines and the skill of the architect work together to realize the character desired in the Comprehensive Plan.

#### 2. *Housing - Goals 3.2 and 3.4*

Staff's Response: While not necessarily "affordable" by traditional income calculations, these homes will be less costly than larger new homes. The site amenities and design, the smaller size, and the shared maintenance will appeal to a segment of the population.

#### 3. *Residential Neighborhoods— Goals 7.1 and 7.6*

Staff's Response: The project is designed for neighborhood interaction both on the site and with the surrounding neighborhood. Neighborhood interaction and the opportunities for on-site surveillance increase safety through design. The application of the design guidelines, the involvement of an architect in the design of the project, and a landscape plan all help make the project compatible with the small-town character and the neighborhood design.

### **EXCEPTIONS TO THE HOUSING OPTIONS ORDINANCE**

In order to meet the goals of the Housing Options Program, TMC 18.120.010 states that there will be flexibility with regard to normally applicable requirements; specific incidences of where approval of the proposed design requires flexibility of existing codes is called out below:

Increase the allowed home size above the 1,500 square foot limit to allow two homes at 1,508 square feet, four homes at 1,635 square feet and seven homes at 1,683 square feet as shown in Attachment B and C.

### **RECOMMENDATIONS-DESIGN REVIEW**

Staff recommends design review approval of the Cottages at Riverton subject to the following conditions:

#### **Conditions:**

1. The church shall have at least 42 parking stalls available at all times.
2. Applicant shall provide a lighting design plan that demonstrates that lighting does not spill over onto adjacent properties and is adequate for public safety.
3. The colors for the two covered community spaces shall use those colors submitted on the colors and materials board and referenced on Attachment G and H.
4. The path to the school on the church lot should be completed under Phase I and the curb, gutter, sidewalk, and landscaping in front of the church should be completed under Phase II.
5. CC&R's must be approved by the Planning Department and the City Attorney before the issuance of the construction permit for the infrastructure.
6. The CC&R's need to be amended with the following to satisfy the intent of the Housing Options ordinance and the comments received during the project review:
  - a. Article III, Section 2A (new): All structures, site design elements, landscaping and fixtures on the subject property are subject to City of Tukwila Design Review decision approved under File L08-051 and subdivision approval under File L08-052. . Any change to the approved design is subject to review and approval by the City of Tukwila.
  - b. Article III, Section 6 (new): Garages and driveways are to be utilized for the storage of vehicles and are not to be used primarily as storage units.

- c. Article IV, Section 3 (correct): replace “a consistence and harmony in the community” with “consistent and harmonious community”
- d. Article IV, Section 7A (remove): Garages are designed for the storage of vehicles and are not to be used primarily as storage units.
- e. Article IV, Section 7E (change): replace the word “upon” with “or interior living area after”
- f. Article IV, Section 1 –last line and Section 7 (D) (change): References to King County shall be replaced with City of Tukwila.
- g. Article IV, Section 7 (G): Add: A six foot tall Cedar fence is required adjacent to the veterinary clinic.
- h. Article IX (correct): replace “to wit” with “together with”
- i. Article X (change): References to King County shall be replaced with City of Tukwila.

## **SECTION TWO- SUBDIVISION PRELIMINARY PLAT APPLICATION**

### **Review Process – Subdivision Preliminary Plat and Final Plat Approval**

**There are three basic steps in the subdivision approval process:**

#### **1. Preliminary Approval**

Any land being divided into ten or more unit lots shall receive preliminary plat approval by the Tukwila Planning Commission as a Type 4 decision according to the provisions of 18.108.040. The criteria for Preliminary Plat Approval are contained in section 17.14.020(D). The application was reviewed by the Tukwila Short Subdivision Committee; staff’s response to each of the criteria for preliminary plat approval and recommended conditions of approval are included below.

Once a cottage project receives the preliminary subdivision and the design review approval by the Planning Commission/Board of Architectural Review, the applicant must apply for a construction permit (Public Works permit) for the construction of project infrastructure. The project must receive final approval from the Tukwila City Council prior to the construction of the dwellings.

#### **2. Final Approval**

After construction of the project infrastructure and compliance with the conditions of the preliminary approval, the applicant must apply to receive the final approval for the subdivision plat. The final approval decision on a subdivision plat is made by the Tukwila City Council. Before the final plat is submitted to the City Council, it shall be reviewed and signed by the Tukwila Finance Director, Fire Chief, Director of Public Works, and the Director of the Department of Community Development.

#### **3. Recording**

Upon approval by the City Council, the subdivision plat shall be signed by the Mayor and attested by the City Clerk. It is the applicant’s responsibility to record the City-approved final subdivision plat documents with the King County Department of Records. The applicant will need to pay the recording fees and submit the approved original final subdivision plat to King County. The final subdivision plat is not complete until the recording occurs and copies of the recorded documents are provided to the Department of Community Development. The approved final subdivision plat must be filed with the King County Department of Records five years from the date of this preliminary approval or the application will expire. The Planning Commission may grant a single one year extension.

### **DECISION CRITERIA -- PRELIMINARY PLAT APPROVAL**

**The criteria for preliminary plat approval are listed below in italics, followed by staff’s response to each of the criteria.**

#### ***17.14.020 (D) Criteria for Preliminary Plat Approval***

*The Planning Commission shall base its decision on an application for preliminary plat approval on the following criteria:*

- 1. The proposed subdivision is in conformance with the Tukwila Comprehensive Plan and any other city adopted plans.*  
Review of this project’s conformance with the Comprehensive Plan is already noted above.

1. *Appropriate provisions have been made for water, storm drainage, erosion control and sanitary sewage disposal for the subdivision that are consistent with current standards and plans.*

Storm drainage was raised as a concern at the community meeting. Plans for water, storm drainage, erosion control, and sanitary sewage disposal are contained in the Civil Plans for the project (on file), and have been reviewed by the City's Public Works Department for compliance with the city standards.

2. *Appropriate provisions have been made for road, utilities and other improvements that are consistent with current standards and plans.*

Provisions for access, utilities and other improvements have been reviewed by the Planning, Fire, Building and Public Works departments for compliance with the city standards.

At the community meeting, off-site traffic impacts were raised as a concern. The site design includes straightening the alignment and narrowing South 140<sup>th</sup> Street to improve access and control traffic. The City of SeaTac submitted written comments during the comment period. There were subsequent revisions submitted for this project addressing the concerns raised by the City of SeaTac and the City of SeaTac has reviewed the revised plans. All comments letters are included in the Attachment K. The project is subject to the city of Tukwila's traffic mitigation fees, which will be collected at the time of issuance of the building permit for the homes. Tukwila's traffic engineer has reviewed the project and the proposed project meets all city requirements. The safety concerns have been addressed and adequate capacity exists to accommodate the small increase in traffic associated with this project. The applicant is responsible to obtaining all permit approval for improvements along Military Road as the City of SeaTac has jurisdiction over the frontage improvements along Military Road.

The project is proposed to be constructed in two phases. According to TMC 17.14.040 "the subdivider may develop and record the subdivision in phases. Any phasing proposal shall be submitted for City Council review at the time at which a final plat for the first phase is submitted." Phasing shall be subject to the findings of 17.14.040. The phasing plan is shown on Sheet L1.01. The phasing plan does not include improvements to the church lot. If improvements to the church lot are necessary to ensure the access, utilities, and development standards are met, those improvements that are deemed necessary will be conditions of phasing approval. See also number 8 below.

3. *Appropriate provisions have been made for dedications, easements, and reservations.*

The applicant has submitted a draft copy of the "Declaration of Covenants, Conditions, and Restrictions of Record of Riverton Cottages". (See Attachment J) This draft has been submitted to the Planning, Public Works, and City Attorney's office for comments. The CC&R's must be reviewed and approved by the City Attorney and the City Council prior to the final subdivision approval and shall include the amendments listed under the conditions of approval for the Design Review application .

4. *The design, shape and orientation of the proposed lots are appropriate to the proposed use for which the lots are intended and are compatible with the area in which they are located.*

This is the second cottage housing project reviewed under the Housing Options ordinance and the only project that is a subdivision (10 or more homes). The configuration and size of the individual lots are appropriate for this type of development. The individual lots all include private yard space and the setbacks that are required by code. The homes front onto shared common areas and have access to private alleys or streets. The homes also front the public streets which preserve the existing development pattern. The lots are significantly smaller than many existing lots in the area and smaller than what would be allowed under LDR development standards. The homes are clustered around common open space. When taken as a whole, each home has an average of 5,175 square feet per home; the LDR development standard for single family homes is 6,500 square feet per home.

5. *The subdivision complies with the relevant requirements of the Tukwila Subdivision and Zoning Ordinances, and all other relevant local regulations.*

The project has been reviewed for compliance with the requirements of the Tukwila Subdivision, Zoning and Housing Options Ordinances. Issues that will need to be addressed prior to the final subdivision approval are listed under the "Conclusions" section below.



*6. Appropriate provisions for maintenance of privately owned common facilities have been made.*

The applicant has submitted a draft of the Codes, Covenants, and Restrictions (CC&Rs) for the Riverton Cottages. These rules state the one of the duties of the board of directors is to "...provide for and supervise the care, upkeep and surveillance of the common areas, property and facilities." (Article V, Section 4d)

*7. The subdivision complies with RCW 58.17.110.*

Review of this project included review by multiple departments at the City of Tukwila, including Building, Community Development, Public Works, and Fire, and written findings based on the project review found here meet the requirements of RCW 58.17.110 which states that the subdivisions will generally serve the public interest and specifically will consider open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds, and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.

The easement to formalize the walking path between South 140<sup>th</sup> Street and Cascade View Elementary needs to include that portion of the walking path that is on the church lot. This will ensure that access to school via a safe route is provided for children within the cottage housing development and those from coming from around the neighborhood. Otherwise, the plans submitted by the applicant provide appropriate provisions for the public health, safety, and general welfare, for recreation areas, and for infrastructure including access and utilities.

## **CONCLUSIONS - SUBDIVISION PRELIMINARY PLAT APPROVAL**

The following conclusions are numbered according to the Subdivision Preliminary Plat criteria:

1. The project complies with the applicable goals and policies of the Tukwila Comprehensive Plan.
2. The project has been reviewed by the Public Works department to ensure that appropriate provisions, consistent with the city standards and plans, are included for water, storm drainage, erosion control, and sanitary sewage disposal.
3. Proposed infrastructure, including access road, utilities, and frontage improvements have been reviewed by the Public Works, Planning, Building, and Fire department for consistency with current standards and plans. The final phasing plan will be reviewed as part of the Public Works permit to ensure compliance with TMC 17.14.040.
4. Appropriate provisions have been made for easements and for codes, covenants, and restrictions. Prior to the final subdivision approval, easements and the "Declaration of Covenants, Conditions and Restrictions for Riverton Cottages" shall be revised to reflect the changes listed under Design Review Condition #6 above. The easement for the walking path to the elementary school shall cover the entire length from South 140<sup>th</sup> Street to the school including the portion that crosses the church lot.
5. The design, shape and orientation of the proposed lots are appropriate for the proposed use of the site for a cottage housing development. The type of development and the site design is compatible with the area in which it is located. The proposed development is subject to design review approval (File L08-0561).
6. The subdivision complies with the relevant zoning requirements of the LDR zone and the cottage ordinance; it has been reviewed for compliance with the subdivision code.
7. The "Declaration of Covenants, Conditions and Restrictions" includes provisions for use and maintenance of privately owned common facilities, including parks, playgrounds, open areas, and other common areas.
8. The proposed subdivision is consistent with Tukwila's Comprehensive Plan, zoning and subdivision regulations, and other city plans. The subdivision as proposed will serve the public interest and will comply with RCW 58.17.110.

## **RECOMMENDATION – SUBDIVISION PRELIMINARY PLAT APPROVAL**

Staff recommends approval of the Subdivision Preliminary Plat application with the following conditions:

## PRELIMINARY APPROVAL CONDITIONS

### *The following shall be addressed as part of the Public Works Construction Permit:*

1. Infrastructure improvements including frontage improvements, grading, paving, and storm water design shall be based on the Civil Site Plans prepared by Pace Engineers dated June, 2010 and reviewed as part of file L08-052. The infrastructure for each phase shall be completed before the final subdivision approval of each phase. The pedestrian path to the school shall be completed prior to the final subdivision approval of Phase I. The frontage improvements along S. 140<sup>th</sup> Street (both the subject site and the church site) and Military Road including curb, gutter, 6' sidewalk, 5' landscape strip, and the colored crossings shall be completed prior to the final subdivision approval of Phase II.
2. A minimum of 42 parking stalls shall be maintained on the church lot to meet the parking requirements of the Tukwila Municipal Code.
3. Applicant shall provide a light distribution plan that demonstrates that lighting does not spill over onto adjacent properties and is adequate for public safety.
4. All utilities for the project shall be completed as part of the Public Works construction permit.
5. The trail easement with school shall be reviewed by the City of Tukwila and recorded prior to final subdivision.
6. Ingress/egress and overflow parking easements shall be approved prior to final subdivisions.
7. Owner/Applicant to complete Traffic Concurrency Certificate Application and pay Traffic Concurrency Test Fee in the amount of \$6,500.(Application previously provided.).
8. The City of SeaTac shall approve street frontage improvements along Military Rd. South.
9. Provide a current Sanitary Sewer Availability Certificate from Valley View Sewer District.
10. All landscape areas are required to be irrigated. An irrigation plan shall be required as part of the Public Works permit.
11. The cherry tree being saved along the north property line will most likely be damaged by a ladder truck making a left hand turn to exit to Military Road South. The tree shall be pruned up to 13'.
12. Post sign on bollards "No Parking Fire Lane" and Military Road South access point. Bollards shall be lightweight and easily removable. Southcenter Self Storage at 5950 Southcenter Boulevard has an example of an acceptable bollard.
13. All utilities including power are required to be underground, per City of Tukwila ordinance.
14. Transportation Impact Fee applies to the future Building Permit(s). See Pavement Mitigation and Transportation Impact Fees Bulletin no. A3.
15. Site is Level 2 for storm drainage detention. Storm drainage shall be per the 1998 King County – Surface Water Design Manual. Verify if there is an existing utility easement across the Cascade View Elementary School located at 13601 – 32<sup>nd</sup> Ave. South, Tukwila, WA 98168. (South Central School District – 206-244-2100) (or) have the School District grant a new utility easement)
16. The applicant shall apply for a Public Works (PW) type 'C' permit for approval. A Street Use will be part of this permit and require bonding, insurance, and a Hold Harmless Agreement; for work within the Public Right-of-Way.
17. Civil site plans shall be designed per City Of Tukwila standards, details, and specifications.
18. Provide note on site plan - Project to comply with Geotechnical Engineering Report, by GEO Group Northwest, Inc., dated July 25, 2007; and subsequent geotechnical reports.
19. The applicant shall obtain an NPDES construction permit for this project.
20. Install all required site improvements, including those proposed in the application and those identified above as conditions of approval. You will need to obtain all required permits prior to beginning any construction. For water and sewer permits, contact the individual provider District. For City of Tukwila utilities, contact Tukwila Public Works at (206) 433-0179 for a Public Works (PW) type 'C' permit for approval. A Street Use approval will be part of this permit and require bonding, insurance, and a Hold Harmless Agreement for work within the Public Right-of-Way.

### *The following shall be addressed as part of the Demolition Permit(s):*

1. Existing structures shall be demolished prior to final approval, unless a bond for demolition of the structures is submitted to and approved by the Director of the Department of Community Development.

### *The following shall be addressed prior to final approval of the subdivision plat:*

1. The survey shall be modified to reference BAR approval, and to include joint maintenance agreements for access road, utilities, common and shared spaces and landscaping areas.
2. The CC&R's must be reviewed and approved by the City Attorney and the City Council prior to final subdivision approval and shall include the amendments listed under Design Review conditions of approval. The legal

descriptions shall be added to the document and reviewed administratively. The survey shall include a note that the project is subject to the CC&R's and City of Tukwila Design Review Approval File L08-051.

3. Separate easement documents and maintenance agreements for any common infrastructure (utility lines, access roads/driveways) shall be submitted for review and approval by the Public Works Director.
4. Provide access easements and joint use and maintenance agreements for the common/shared garages, parking areas, common open space, etc. for recording with the KC Dept of Records. Required parking for a dwelling unit that is provided on a different unit lot is allowed provided the use of that parking is formalized by an easement on the plat.
5. Provide note on final subdivision map, to comply with the Geotechnical Engineering Report, by GEO Group Northwest, Inc., dated July 25, 2007; and subsequent geotechnical reports.
6. Public Works will prepare and Owner shall sign with Notary, a Storm Water Easement and Maintenance Agreement. City will sign with Notary and have the document recorded at the King County Office of Records.
7. Any Dedication of Public Right-of-Way (if applicable), is to be part of a turnover process and on City of Tukwila forms, together with an Excise Tax Affidavit. Public Works will prepare forms, for the Owner(s) signature. The dedication should be executed at the Owner(s) earliest convenience, as the City Council must review and accept turnover of the public right-of-way.
8. Street infrastructure within public right-of-way is to be part of a turnover process and on City of Tukwila forms. Public Works will prepare forms, for the Owner(s) signature.
9. Submit a set of recording documents in either legal or record of survey format that meet the King County Recorder's requirements and contain the following items:
  - a) A survey map as described in the application checklist that is consistent with all of the conditions of approval. The surveyor's original signature must be on the face of the plat.
  - b) Separate easement document with legal descriptions for any common access/utility infrastructure.
  - c) Separate joint Maintenance Agreements for the access road, drainage system, and landscaping areas.
  - d) Add Tukwila land use file number L08-052 for the subdivision application to all sheets of the survey.
  - e) Add "After" legal description to the survey sheets for the boundaries of the new subdivision. Also add legal descriptions for each of the tracts.
  - f) That the development of the individual unit lots may be limited as a result of the application of development standards to the parent lot and the constraints of the housing options program and Design Review File L08-051 shall be noted on the plat.

***The following shall be addressed as part of the Building Permits:***

1. Transportation, Parks, and Fire impact fees will apply to the future Building Permit(s).
2. Buildings will be required to meet fire flow requirements per the International Fire Code.
3. Adequate ground ladder access area of 15 feet minimum depth to be provided for 2nd story bedroom rescue windows
4. Residential Fire Sprinklers shall be included in all structures.

