

The Garden Cottages

Grounds for Appeal

1. The Planning Commission erred in dismissing concerns submitted by residents of the 'established neighborhood' who contend that on-street parking and traffic would result in Mountain View Drive becoming a queuing lane that would compromise the purpose and intent of the Cottage Housing ordinance (AMC 18.2.3.090.A), which seeks to ensure compatibility with established neighborhoods;
2. The Planning Commission erred in approving the proposed development according to AMC Table 18.4.3.060 (Parking Management Strategies) and AMC Table 18.5.2.050.E. Parking bays have been requested and are considered of great importance by neighbors, who contend that parking bays comply with street standards and do not widen the street as a whole, as maintained by the Planning Commission;
3. The Planning Commission erred in approving the proposed development because subdivisions in Wildfire Hazard Areas require a Fire Prevention & Control Plan be submitted and none was submitted here. Appellants further contend that the proposal would create a new and inadequate traffic pattern for Mountain View Drive so as to slow traffic during a wildfire evacuation and at all times;
4. The Planning Commission erred in approving a project that did not follow procedural requirements in that the applicants held one meeting with a minimum number of neighbors and the neighborhood's traffic concerns have not been addressed; and
5. The private traffic study presented by the applicant should not have been accepted by the Planning Commission because it is flawed and incomplete in that it fails to show what the impacts of slowing traffic will be on residents and neighbors, especially during a wildfire evacuation; and fails to address or evaluate the substantially increased street patterns and traffic coming with the development of the Reynolds property. Further, the Planning Commission erred in approving the application without asking Public Works/Engineering Department to require a Traffic Impact Analysis.

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Cottage Housing Proposal

City Council Appeal Hearing

April 16, 2019

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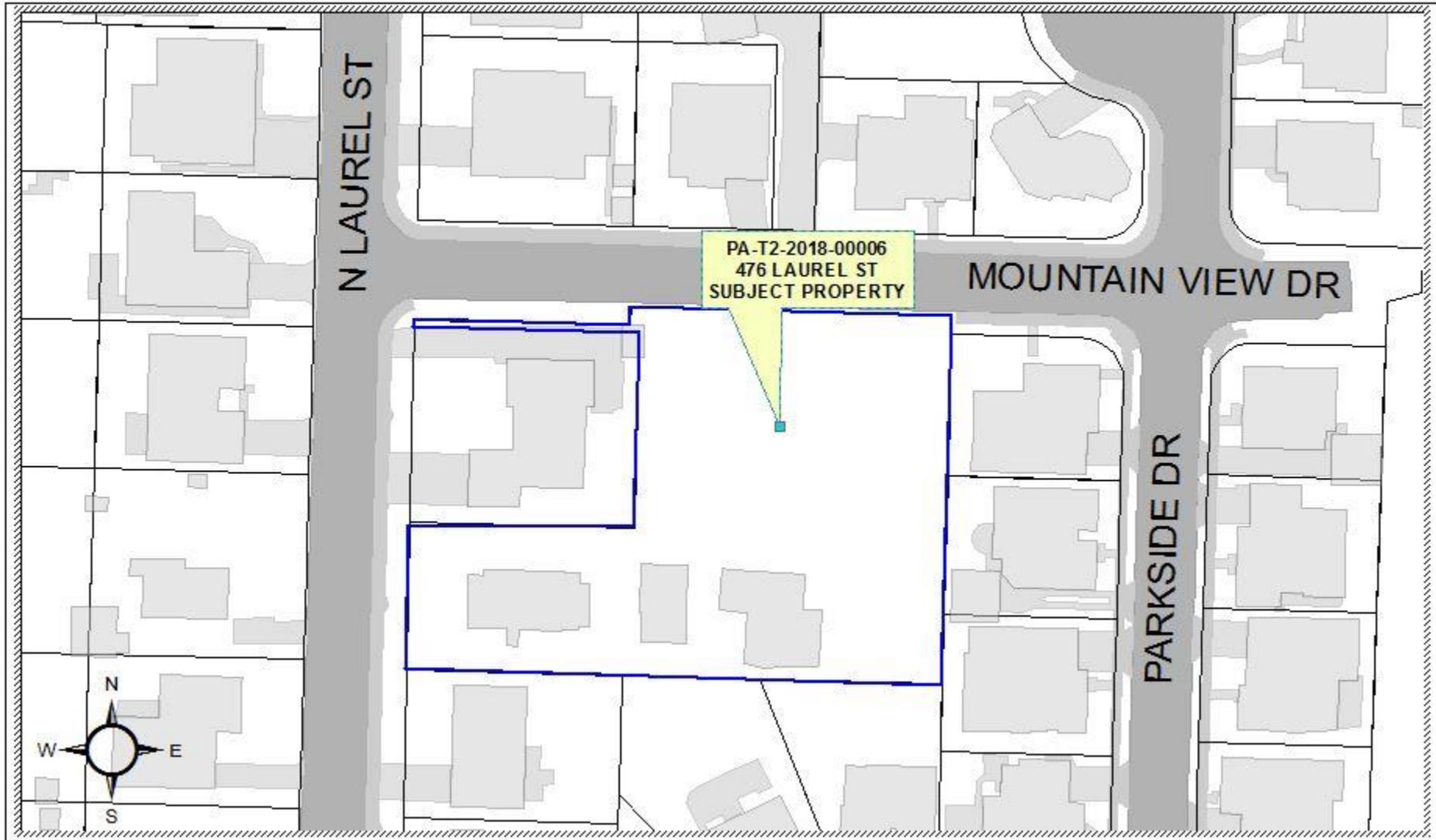


The Garden Cottages Proposal

- Site Design Review approval for a 12-unit Cottage Housing development.**
- Performance Standards Subdivision Outline Plan approval for a 13-lot subdivision, with *12 lots for the units and a 13th lot for common parking and open space*).**
- An Exception to the Street Standards to reduce the required parkrow width from 7 feet to 3.7 feet on the Mountain View Drive frontage of 478 North Laurel Street.**
- Tree Removal Permits to remove two trees: a 12-inch diameter Apple tree, and a 12-inch diameter Walnut tree.**
- A Demolition Permit for the existing home and two accessory buildings located at 476 North Laurel Street.**

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Vicinity Map



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Cottage Housing Outline Plan



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Perspectives



Laurel St.
frontage



Mountain
View Dr.
frontage

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Central Open Space



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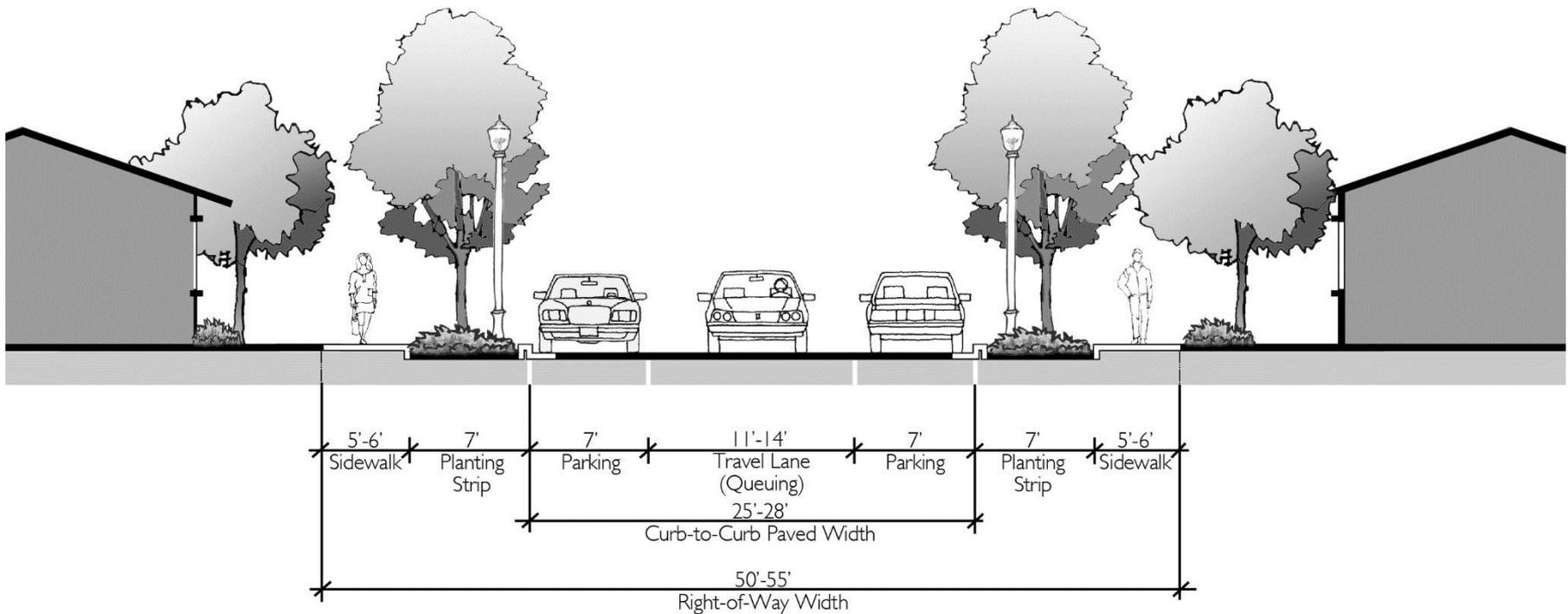
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- ❑ The Planning Commission considered the purpose & intent in the ordinance and found that it was not a criterion for approval, but rather provided the legislative rationale for the ordinance adoption.
- ❑ The applicant has provided written argument discussing case law relative to purpose and intent statements which support the Planning Commission’s finding.
- ❑ Mountainview Drive is already designated a “Residential Neighborhood Street” in the city’s Transportation System Plan. The street standard calls for a “queuing” travel lane. The curb-to-curb configuration that already exists meets the current street standard and is not proposed to change here.

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Residential Neighborhood Streets (Mountain View Drive)

Prototypical Section: Residential Neighborhood Street, Parallel Parking Both Sides



Mountain View Existing Curb-to-Curb Width: Approx. 27'8"

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#2) The Planning Commission erred in approving the proposed development according to AMC Table 18.4.3.060 (Parking Management Strategies) and AMC Table 18.5.2.050.E. Parking bays have been requested and are considered of great importance by neighbors, who contend that parking bays comply with street standards and do not widen the street as a whole, as maintained by the Planning Commission;

- Parking Management Strategies in AMC 18.4.3.060 deal with ways to reduce required parking, including on-street credits. **No parking reductions are requested here.**
- There is no “Table” 18.5.2.050.E; the section addresses Exceptions to the Site Development & Design Standards. **No such exceptions are requested here.**
- Development meets parking requirements on site, and is not required to provide or rely on on-street parking credits and does not include Site Design exceptions.
- Criteria call for compliance with city street standards, which call for a 25- to 28-foot curb-to-curb width to allow an 11-14 foot queuing travel lane with 7 feet for parking along both curbs.
- Existing street width is 27’8” and complies with the above in its current configuration.
- City standards and supporting Comp Plan policies have this standard for traffic calming...
- PC considered parking bays and found that the queuing lane’s traffic calming effects were preferable given their benefit to pedestrians and cyclists.

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Residential Neighborhood Streets

- **Comp Plan Policy 10.09.02.5** - Reduce excessive street pavement width in order to facilitate convenient pedestrian and bicycle circulation, to reduce the costs of construction, to provide for more efficient use of land and to discourage excessive traffic volumes and speeds.
- **Neighborhood Street Volumes:** Design neighborhood streets to carry traffic volumes at low speeds. Neighborhood streets should function safely while reducing the need for extensive traffic regulations, control devices, and enforcement.
- **Pavement Area:** Minimize the pavement area of neighborhood streets, consistent with efforts to reduce street construction and maintenance costs, storm water runoff, and negative environmental impacts. Narrower streets also distinguish neighborhood streets from boulevards and avenues, and enhance neighborhood character.
- Designed for 1,000 to 1,500 average daily trips (ADT).

The Garden Cottages On-Street Parking Utilization

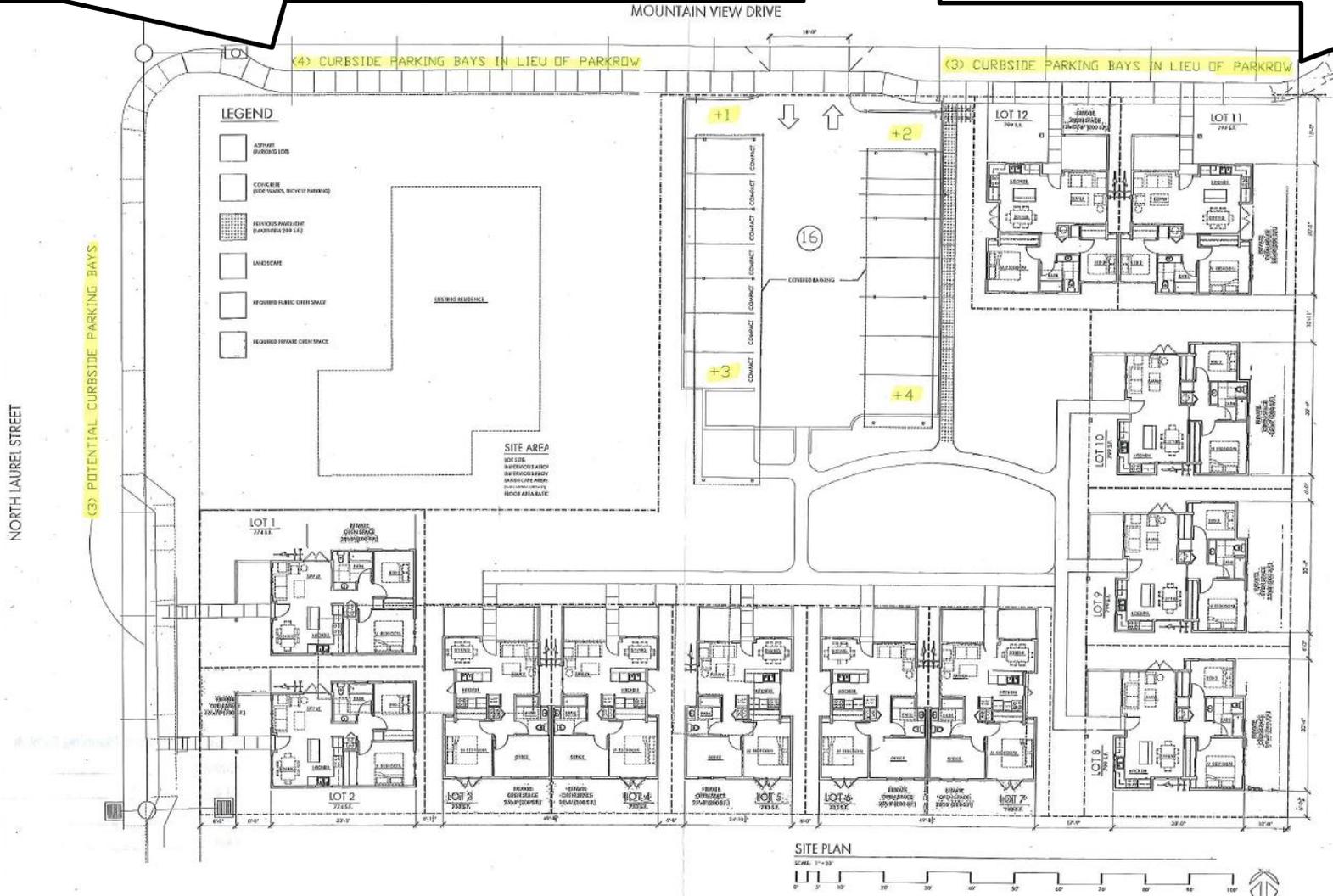


Mountain View Existing Curb-to-Curb Width: Approx. 27'8"

The Garden Cottages Grounds for Appeal

Not enough width for bay & sidewalk behind existing curb

No Parkrow would require an Exception



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Grounds for Appeal

#3) The Planning Commission erred in approving the proposed development because subdivisions in Wildfire Hazard Areas require a Fire Prevention & Control Plan be submitted and none was submitted here. Appellants further contend that the proposal would create a new and inadequate traffic pattern for Mountain View Drive so as to slow traffic during a wildfire evacuation and at all times;

- ❑ Staff recommended and the PC conditioned the Outline Plan subdivision approval to require that the Fire Prevention & Control Plan be provided with the Final Plan application, to be reviewed before any work, other than demolition, could occur on the property.
- ❑ A Fire Prevention & Control Plan addresses:
 - ❖ Location & dimensions (and grade) of existing and proposed structures, parking areas, driveways and fire apparatus access serving all structures on the property, and those structures on adjacent properties within 30 feet of the property line.
 - ❖ Existing & proposed hydrants.
 - ❖ Contours and slope.
 - ❖ A Tree & Vegetation Management Plan, with details addressing the General Fuel Modification Area and a schedule of vegetation removal/thinning.
- ❑ The Fire Marshal indicated that there were two access routes and he saw no obvious red flags with the proposal.
- ❑ The traffic engineer did note that in his analysis Mountain View Drive by itself could accommodate full neighborhood traffic for the entire neighborhood east of the property with 475 average daily trips where the street standard is designed to accommodate up to 1,500 average daily trips.
- ❑ The street, as it currently exists, meets the current standards for travel lane width and on-street parking and is not proposed to change.

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Grounds for Appeal

#4) The Planning Commission erred in approving a project that did not follow procedural requirements in that the applicants held one meeting with a minimum number of neighbors and the neighborhood's traffic concerns have not been addressed;

- There is no procedural requirement to hold a neighborhood meeting.
- There is no procedural requirement to address neighborhood concerns separately from approval criteria.
- The information cited in the appeal is a pre-application comment providing advice from staff to the applicant to consider informing neighbors in advance of an application, and is neither a code requirement *nor is it part of the record considered by the Planning Commission.*
- The applicant nonetheless did hold a neighborhood meeting as advised by staff.

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Grounds for Appeal

#5) The private traffic study presented by the applicant should not have been accepted by the Planning Commission because it is flawed and incomplete in that it fails to show what the impacts of slowing traffic will be on residents and neighbors, especially during a wildfire evacuation; and fails to address or evaluate the substantially increased street patterns and traffic coming with the development of the Reynolds property. Further, the Planning Commission erred in approving the application without asking Public Works/Engineering Department to require a Traffic Impact Analysis(TIA).

- The application was not required to provide a Traffic Impact Analysis (TIA).
- The applicant nonetheless provided a traffic report prepared by a qualified engineer noting minimal peak hour trips (6-8) and finding that a full TIA was not required.
- The engineer, however, did note that in his analysis Mountain View Drive by itself could accommodate full neighborhood traffic for the entire neighborhood east of the property with 475 average daily trips where the street standard is designed to accommodate up to 1,500 average daily trips.
- As previously noted, the Fire Marshal had also indicated that there were two access routes and he saw no obvious red flags with the proposal.
- The street, as proposed, meets the current width standards for the travel lane width and on-street parking.

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Staff Recommendation

With the above in mind, staff recommends that the Council reject each of the five grounds for appeal, uphold the Planning Commission decision, approve the project and direct staff to prepare written findings for adoption on May 7th.

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