



TO: Development Review Commission

FROM: Jessica Numanoglu, Senior Planner
Planning & Building Services Department

SUBJECT: Engineering Division response to traffic issues for LU 12-0052

DATE: May 3, 2013

In the April 26 staff report for LU 12-0052, staff noted that the following exhibits attached to the report would be addressed by staff in a separate memo. All of the exhibits relate to the Traffic Impact Analysis (Exhibit F10) submitted by the applicant.

- Exhibit G1. Email from the Waluga Neighborhood Association, dated April 17, 2013
- Exhibit G2. Email from the Waluga Neighborhood Association with Correction to Exhibit G1, dated April 23, 2013
- Exhibit F17. Response to the Waluga Neighborhood Association comments (Exhibits G1 and G2) by Kittelson & Associates, Inc., dated April 24, 2013

The Engineering Division has reviewed these exhibits and responded to the issues raised in the attached staff memo (Exhibit F19).

The following additional exhibits consisting of comments from the Waluga Neighborhood Association in response to Exhibit F17 and two letters in support of the application were received and are attached:

- Exhibit G3. Email, with attachment, from the Waluga Neighborhood Association responding to Exhibit F17, dated May 3, 2013
- Exhibit G101. Letter from Steven Wasson, dated April 30, 2013
- Exhibit G102. Letter from Thomas A. Wiley, dated May 2, 2013

The applicant also submitted a letter (Exhibit F20, attached) requesting modifications of several staff recommended conditions of approval. The following is a list of suggestions by the applicant and staff response:

1. *Condition A.2. calls for a recorded document to memorialize the Traffic Management Program, the RP district as delineated and approved by the City, and the trees that will be preserved.*

We understand that the Council has been re-examining the sensitive lands and may at some time rescind some of those designations on private lands. Our property would benefit if this resource designation was removed from public lands, or those in public right-of-ways and we request that some additional language be added: "vi. Should the RP District be removed, the property would be subject to the base zone uses and standards."

The City Council has directed staff to develop alternative policy options for revisiting the Sensitive Lands program. It is not clear at this time what the final decision might be. However, staff has no objection to revising Condition A(2) as suggested by the applicant and recommends the following revision for Commission's consideration. The old text will be shown with ~~strike through~~ and new text will be shown in **Bold**.

Condition A(2)(b)

- iv. In the event the RP district designation is removed from property by the action of the City Council, the property would be subject to the base zone uses and standards, and any other regulations that may be applicable to the property.**
2. *Condition A.13. requires a 3-year refundable deposit of 120% of the value of the RP mitigation. Condition C.6 requires a 1-year guarantee for all landscaping at 5% of the total costs of all landscaping. We request that Condition C.6 be clarified to exclude the 1-year guarantee for vegetation within the RP mitigation area. In this manner there will not be an overlap or redundancy in the types of guarantees being provided for specific land areas.*

Staff finds this suggestion to be reasonable and recommends the following revision for the Commission's consideration:

Condition ~~CB~~(6)

Provide a one-year guarantee (one 12-month growing season from the date of installation) for all landscape materials required by Condition ~~CB~~(4), above, pursuant to LOC 50.06.010.2, **except for the mitigation planting that is subject to special bonding requirements of Condition A(13), above.** The guarantee shall consist of a security in the amount of five percent of the total landscaping cost

(including material and labor). The applicant/owner shall also submit a landscape maintenance plan for review and approval of City staff.

3. *Condition B.1. We believe the Carmen Drive improvements as required do not meet any of the definitions or purpose in this Charter section. We recommend this condition be deleted, as it does not apply.*

Staff had reviewed this issue with the Engineering staff and the City Attorney's Office, and determined that the requirements of Section 40 of City Charter are not applicable to the proposed street improvements along Carman Drive. Section 40 applies to Major Roads and Major Road Expansions. Major road expansion is defined as "any construction that would increase the width of the pavement of any existing road. However, "major road expansion" does not include (1) construction on a road which will not exceed 20 feet in **pavement (emphasis added)** width after such construction or (2) road maintenance which will not significantly increase the width of a road". Additionally, pavement is defined as "the paved surfaces of any road including, but not limited to, travelling lanes, parking lanes, turning lanes, gutters, and paved median strips. "Pavement" does not include sidewalks available for use by pedestrians but not by automobiles. "Pavement" also does not include bicycle lanes which are physically separated from other paved areas and which are not available for use by automobiles.

A careful review of Exhibits E2 and E14 indicates that the proposed pavement widening along the site frontage on Carman Drive is designed to accommodate the required 5-foot bicycle lane. No additional widening of the road pavement is proposed at this time. The bicycle lane is shown to be striped and therefore physically separated from the travel lane, because it would no longer be available for use by automobiles. Based on this finding, staff recommends Condition B(1) to be deleted and the subsequent conditions to be renumbered accordingly.

~~B. Prior to Performing Street Widening on Carman Drive, the Applicant/Owner Shall:~~

- ~~1. Satisfy the public notice and election requirements of Section 40 of the City Charter. The City will initiate the process and public notice, including preparation of the Council report.~~

CB. Prior to Final Building Inspection or Occupancy of any Building, the Applicant/Owner Shall:

DC. Prior to Issuance of any Sign Permit, the Applicant/Owner Shall:

Staff also recommends that applicant submit final construction cross-sections of existing and proposed pavement widths along the site frontage on Carman Drive to assure the proposed pavement widening would be the minimum necessary to construct the required 5-foot bicycle lane, in accordance with Section 40 of City Charter. Any additional widening beyond existing pavement that is not related to construction of the bicycle lane may be subject to the Charter requirements. Staff recommends the following condition for Commission's consideration:

Condition A(4)(a)

- x. **Cross-sections of existing and proposed pavement widths. Any widening beyond existing pavement that is not necessary for the construction of the 5-foot bicycle lane shall be subject to the requirements of Section 40 of the City Charter.**

4. *Condition D.d states "the monument sign shall not include any marquee (name plates), and shall incorporate architectural details from the proposed building." The City's sign code in Chapter 47 does not list "marquee or name plates" in the definitions section, nor can we readily locate this Chapter 47. We request that this first portion of the condition be deleted, such that it will read "The monument sign shall incorporate architectural details from the proposed building."*

The limitation on placement of name plates on future monument sign(s) was based on building and site design principles. The Commission had placed similar limitation on other commercial developments in order to reduce sign clutter and assure compatibility with other signs in the immediate area. The majority of the existing monument signs in the area only identify the project by name. Staff recommends no changes to the condition.