

TOWN OF COUPEVILLE
Design Review Board Minutes
Tuesday, January 16, 2007
9:00 a.m.

BOARD MEMBERS PRESENT:

Boardmembers Millie Fonda, Chuck Poust, Alette Pringle, and Randy Williams were present. Chairperson Carol Thrailkill and Boardmembers Larry Cort and Jill Usher were excused.

STAFF PRESENT:

Town Planner, Larry Kwarsick; and Recording Secretary, Karen Fuller.

CALL TO ORDER

Boardmember Poust, acting a temporary chair, called the meeting to order at 9:01 a.m.

APPROVAL OF MINUTES

The minutes of December 19, 2006 were approved as submitted.

NEW BUSINESS

PUBLIC HEARING

The public hearing portion of the meeting began at 9:02. Boardmembers were asked whether they believed they had any conflict of interest or appearance of fairness issues. None were stated. No members of the audience spoke to this issue.

Larry Kwarsick explained that this is the second phase of the Krueger Commons Project. Previously reviewed was the initial site and architectural design, and through the public hearing process, that portion was approved by the DRB. This parcel of property is one of the sub areas in the MOA zoning district. Under the terms and conditions of the MOA, there was the assignment of 20 residential units for this specific sub-area. Previously, the applicant's intent was that each building would be in separate ownership; with the individual residential units being rented. The applicant now intends that each residential unit will be a separately owned condominium.

There will be approximately 39K square feet of the parcel set aside as open space. The MOA zone and agreement has had some unforeseen benefits. The standard requirement for open space in a multi-family development would be 100 square feet per unit or 2000 square feet. Much more open space than was originally conceived is being set aside in the MOA area. Density is less than what is allowed in the towns code for a multi-family project. The lot coverage is also less.

This public hearing is not about the merits of developing this property. It is about the details of the development, the technical side, and how that relates to overall objectives of the town and community. The Town Comprehensive Plan and the MOA have determined the form and density of development.

Currently NW First Street is a dead end local access street. The street will function and be designated as a construction access route for the project and play a bigger role in the Town's circulation system as Krueger Farms (the MOA) develops. The applicant will be required to resurface the existing NW First Street with 2" asphalt concrete pavement consistent with the Town's standards following the completion of the project construction.

The applicant shall also construct Wilkes Street from NW First Street to NW Sixth Street consistent with the submitted project plans. The applicant shall pave Wilkes Street to the north boundary of the Town's Open Space Tract at the applicant's sole expense.

A gravity sewer main will be constructed to access the existing sewer systems. The applicant shall be financially responsible for the extension of the Town sanitary sewer, water system, and storm sewer between the project site to NW Sixth Street. The financial responsibility may be shared with the owners of adjacent and benefiting properties and may be subject to a "late comer's" agreement, pursuant to Chapter 35.91 RCW for utilities. Infrastructure will be complete and ready for future development within the MOA.

Formal sidewalks will be constructed adjacent the project. Beyond the project, the sidewalk will become a walking path/trail.

Boardmember Pringle asked when the roadway will be finished and paved. Mr. Kwarsick answered that the applicant has proposed two phases. The road will be a requirement for final Binding Site Plan approval of the first phase. The Town Council will act on the Preliminary Site Plan you are reviewing today. The infrastructure will be constructed and/or bonded for, with a specific timeframe for completion.

Boardmember Williams asked about exterior and interior parking places. Each unit has a two-car garage. The parking standard is 30 spaces for 20 units. This project exceeds the requirement for parking with 50. Visitor parking will be inside the complex with 10 spaces. No roadside parking.

Boardmember Poust asked where the stormwater run off is going now? Existing stormwater runoff is contained onsite and ponds at the west end of NW First Street. Mr. Kwarsick explained that it will be conveyed by the new storm sewer to the detention pond and water quality pond at the end of Krueger Street. In addition there will be a rain garden inside the project. The intention is to reduce the run off as it flows north to the two ponds.

Boardmember Poust asked what the sanitary sewer will hook up to. Mr. Kwarsick answered it will connect to the Front Street lift station.

Boardmember Williams asked if the rain garden runoff flows to a holding pond. Mr. Kwarsick explained that there is no holding pond onsite. There is an engineered landscaped area containing piping and plants conducive to water runoff.

John Meehan, representing Cascadian Holdings, thanked Larry Kwarsick for his work on this project. In terms of marketing, we don't want cars to be seen from the street. The landscaping budget is large. The rain garden is a really nice feature which ties into the roof run off. Its been

sized by the engineers by the amount of rain we normally receive. John asked how the Board feels about the colors.

Boardmember Williams stated that he agrees with the different colors on each unit.

Boardmember Fonda asked whether people will have a choice of the outside colors? Mr. Meehan answered that the condominium CC&Rs will state that any color changes must be approved. He hopes that the colors originally chosen will stay. Non repetition of colors will also be in the CC&Rs. Initially we'll be very specific and then will release control of the CC&Rs to the residents.

Mr. Meehan also explained that building in phases will indicate market interest. Based on the appraisal, it looks good. If a good response is received on Phase 1, Phase 2 will begin. 12 units will be completed first. The plan will be to start with dirt work and site grades, then push roads through, and then the foundations can be started. It is expected to take three months to complete infrastructure work. With a good marketing response, Phase 2 will begin two months later.

Doug McFadyen of Alexander/Coveland asked about the size of the units. Mr. Meehan stated that at base cost they are 1,230 square feet with a 20x20' garage. Based on the appraisal done last April, the units will cost \$259K per unit with a possible \$50-60K increase by Phase 3.

Public Hearing and input portion of the meeting was closed at 9:39.

Motion: Boardmember Williams moved, and Boardmember Fonda seconded, that BSP 06-02 (Krueger Commons) be approved, subject to the following Findings and Conditions. Motion passed 4-0.

Findings and Conclusions of Law:

1. The Town received an application from Cascadian Holdings, LLC on July 13, 2006, for preliminary site plan and design approval to subdivide parcel number R13233-164-3100 into 20 attached residential condominium units.
2. The property is located in the MOA zoning district.
3. As a proposed binding site plan, it was reviewed for consistency with Title 16 of the Coupeville Town Code (Development Regulations), the Coupeville Comprehensive Plan, RCW 43.21C.120 (State Environmental Policy Act), and RCW 58.17 (Plats, Subdivisions, Dedications).
4. The project fulfilled the requirements of the Town concurrency management program under CTC 16.06.090. Available capacity shall be the basis of the concurrency test for water supply, power, sanitary sewer, septic systems, stormwater management and fire flow. Available and planned capacity shall be the basis of the concurrency test for streets, solid waste collection, public transit, fire protection, law enforcement, ambulance, library services, schools and parks.
5. On October 13, 2006, the Town issued a Notice of Completion on the application for binding site plan approval.

6. On December 8, 2006 the Town issued a Notice of Application with SEPA to neighboring property owners and agencies with jurisdiction. The comment period on the application and SEPA concluded on December 22, 2006. The SEPA appeal period ended January 2, 2007. The prior MDNS issued for Krueger Farms Division #2 on April 15, 2005 is binding on this and future developments in the MOA zone. A single comment email was submitted in response to this Notice, and was made a part of the written record.
7. The Design Review Board finds that the proposed binding site plan for Krueger Commons can be conditioned for consistency with town standards and is generally in conformance with the Coupeville Comprehensive Plan.
8. The Design Review Board held a public hearing on the proposals at their January 16, 2007. Following discussion with staff, the applicants and interested members of the public, the DRB passed a recommendation of approval with 26 conditions on the binding site plan approval.

Binding Site Plan Approval Conditions

1. Compliance with the terms and conditions of the Mitigated Determination of Nonsignificance (MDNS - SEPA Threshold Determination) issued on December 8, 2006. For clarification, paving of the entire Wilkes Street extension is required and paving for NW 1st Street shall commence at the easterly boundary of Compass Mental Health property, unless the existing surface is damaged by construction, under which circumstance, the entire road will be resurfaced.
2. Prior to clearing, grading and other ground disturbance associated with the subdivision, construction plans, clearing, grading and drainage plans, utility plans, erosion and sedimentation control plans and street plans shall receive the approval of the town engineer. A preconstruction conference with Town Staff must be held with the applicant's contractor and Town staff prior to initiating construction.
3. A General Construction Stormwater permit must be obtained from the Washington State Department of Ecology under the Federal Clean Water Act, unless determined to be exempt by the Department of Ecology. A contractor provided certified Erosion and Sediment Control Lead must conduct inspections as required by DOE.
4. Construction plans, clearing, grading and drainage plans, utility plans and street plans shall comply with Town standard construction specifications for water mains, sewers and storm drains and standards specified in Chapter 16.24, Development Regulations.
5. The preliminary engineering plans for the project have been reviewed and approved. Prior to construction or final approval, whichever comes first, the final project engineering plans must be approved by Ryan Goodman, Town Engineer and Malcolm Bishop, Town Public Works Director, including State approval if necessary.
6. Building permits for Phase 1 must be submitted in conjunction with the review and approval of the final binding site plan.
7. Approximately 6,500 square feet of open space is allocated to the extension of Wilkes Street. An equivalent area of either Tract A or the northwest corner of the project (which is contiguous to the Town's open space) must be conveyed to the Town.

8. The applicant must, in coordination with and the cooperation of the adjacent owner, provide the Town of Coupeville with a deed in a form acceptable to the Town of Coupeville for all street right-of-way outside the boundary of the project parcel. Said right-of-way must be accepted by the Town prior to final project approval or the commencement of off-site construction, whichever comes first. The right-of-way and constructed road must be surveyed and appropriately monumented.
9. The private driveway access shall include a directory of unit addresses and in addition each unit will display the address consistent with Town standards. The addresses will be assigned prior to final site plan approval and be included on the face of the final site plan.
10. The final binding site plan must contain the following certificates pursuant to CTC 16.18.040:
 - a. All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.
 - b. The final site plan shall include a statement that the binding site plan has been made with the free consent and in accordance with the desires of all parties with ownership interest. If the binding site plan is subject to dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual(s), or to any corporation, public or private as shown on the certificate, in a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having ownership interest in the lands divided and recorded.
 - c. A certificate is required giving a full and correct description of all lands divided as they appear on the binding site plan, including a statement that the division has been made with the free consent and in accordance with the desires of the owners. If the binding site plan is subject to a dedication, the certificate or a separate written instrument shall also contain the dedication of all streets and other areas to the public, to an individual or individuals, religious society or societies or to any corporation, public or private as shown on the binding site plan and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the road. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the land divided and recorded as part of the final binding site plan. The town shall have an easement for access along and over access ways and parking areas to allow police, building, fire and utility department personnel to inspect and observe such property, buildings and activities on the property as well as for providing emergency and law enforcement services and easements for utilities over and under such access ways.

- d. A certification by a licensed surveyor is required, licensed in the state of Washington, that the binding site plan survey is accurate and conforms to the provisions of these regulations and state law.
11. Traffic Maintenance. If traffic is to be disrupted in any way, the applicant's contractor may be required to submit a plan to the Town Public Works Director describing the proposed signing, barricades, etc. Approval of the plan shall be attained before any work is started. Notification twenty-four (24) hours in advance of implementing the plan will be given to the Public Works Director. Saturday, Sunday and holidays shall not be considered in computing time for notification. The Town reserves the right to limit the amount of disruption. Where access to residences or businesses' is affected, special consideration shall be given. The Town may require the contractor to provide advanced written notification to any properties where access is disrupted or denied for a period of more than two hours. The applicant shall require that all contractor's employees use the undeveloped property owned by the applicant for parking and to the degree practicable for construction staging.
12. Air Pollution and Noise Control. The applicant's contractor shall take adequate measures to control dust. These control measures shall be exercised at all times, including weekends and holidays. A permit must be obtained from the Town for fire or smoke generating activity pursuant to the Uniform Fire Code and the Northwest Air Pollution Control Authority. Sounds which create a noise disturbance originating from temporary construction sites as a result of construction activity shall be prohibited between seven p.m. and seven a.m.
13. Maintenance Bond. The applicant's contractor shall guarantee that all of the work, materials or equipment furnished by him and deeded to the Town will meet fully all requirements for quality of workmanship, materials, strength, and any and all other requirements whatsoever prescribed in the specifications. In case of failure of any part of the work, materials or equipment under test or otherwise, the applicant's contractor, without delay, shall make such changes, replacements and renewals as may be necessary to meet fully all of the requirements and guarantees of the specifications. The applicant's contractor shall furnish a surety bond to guarantee the work against faulty workmanship or materials for a period of one year following acceptance by the Town of the work.
14. Insurance--Performance Bond--Proof of Registration. Prior to commencement of work the applicant's contractor shall submit approved forms for compliance with state law regarding contractor registration. The applicant's contractor shall provide proof of public liability and property damage insurance prior to commencement of work if any work is to be performed within public streets and right-of-ways or if the work performed is done under contract to the Town. A performance bond will be required to insure the completion of certain improvements. If the contractor fails to avail himself within ten (10) days after due notice by certified mail to make the necessary corrections, the Town shall have the right to replace the defective work or equipment by purchase from or contract with any other parties at the expense of the applicant's contractor. Due notice shall mean written notification to the address provided by the contractor and written notice to the contractor's surety. The Town reserves the right to take limited corrective action as may be necessary to protect public health, safety and welfare immediately without notice.
15. As-Built Drawings. As-built drawings of all improvements deeded or conveyed to the Town shall be provided. As-built drawings shall show all approved modifications made during construction and shall be signed by the design engineer. It shall also show precisely the

location of all buried utilities, including the measured distance to all sewer tees or wyes and distance from valves to fittings. The location of water and sewer shall be located by showing measured distances to monuments or other approved permanent reference.

16. Testing. Testing shall comply with that specified in the adopted specifications. If additional testing is ordered by the Town to determine if the work is in compliance with the specifications, that testing will be performed at the cost of the Town unless the original test should fail. Additional tests shall be performed by the contractor at his expense after necessary corrective work has been performed. All costs of the original test shall be borne by the contractor.
17. Inspection. All work to be deeded to the Town shall be inspected by a qualified inspector and certificates of inspection provided by the applicant's engineer to the Town. All costs of inspection shall be at the contractor's expense. The applicant's contractor shall provide the Town with a minimum of 48 hours notice of the inspection.
18. That the applicant submits and has approved a Large Parcel Erosion Control Plan in accordance with Section 13.20.080(C) of the Town Code. The intent of this plan is to control erosion and sediment runoff during construction and to permanently stabilize soils exposed during construction.
19. That the applicant shall submit and have approved by the Town the final Permanent Stormwater Quality Control Plan and a Stormwater Rate Control Plan, in accordance with Section 13.20.080 of the Town Code and the Puget Sound Water Quality Standards. While the project relies on an offsite detention and water quality treatment system, a rain garden shall be included in the final plans to address project related storm water quality prior to release from the site. A maintenance bond is required to guarantee the performance of the constructed system. Also the Permanent Stormwater Quality Control Plan and a Stormwater Rate Control Plan shall be amended to include the accommodation of any subsurface water collected by footing drains;
20. Unless otherwise modified by the decision, the applicant must submit detailed design plans and as-built plans for all public improvements consistent with the requirements of Chapter 16.24 and the standard construction specifications. All work must conform to these standards and performance and maintenance guarantees will be required.
21. Improvements to all public streets shall be in accordance with the engineering plans approved by the Town.
22. All street name and traffic controls signs will be installed in accordance with Town standards by the applicant.
23. The final binding site plan must include as a separate sheet the landscaping and general site improvements represented in the application.
24. Site plan development shall be in compliance with the plans submitted by the applicant, which are on file with the Coupeville Planning Department. Any proposed changes must be reviewed and approved by the Town. If the infrastructure is not completed before the request for final site plan approval the applicant shall post a financial guarantee in a form acceptable to the Town in an amount based upon an engineer's estimate for public works construction, i.e. the payment of prevailing wages. The financial guarantee shall be at the engineer's estimate plus 25%. The financial guarantee shall run for one year from the date of recording of the final site plan and may be extended at the discretion of the town to accommodate

subsequent project phases. At the conclusion of Phase 1 the Town may consider a reduction in the financial guarantee provided a new engineer's estimate is submitted and the bond amount covers the costs of installing the remaining project improvements plus 25%.

25. All construction debris shall be disposed of at a Town-approved site.
26. The applicant and all contractors employed by the applicant are required to stop work and immediately notify the Town Planner and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.

ADJOURN

The meeting adjourned at 9:40 a.m.