

## Background and Reasons for this Amendment Request

We at Woodard Lane Cohousing (WLCH) had asphalt laid on February 24 and 25, 2016 for bicycle and pedestrian access to our basement bike storage and to provide easier maintenance as well as delivery and handicapped access from vehicles entering on our driveway. Our driveway, as referred to here, is the south half of the turnaround at the end of Muirhead Avenue. The north half is The City of Olympia's right-of-way known as Muirhead Avenue. Notice the jog and decreased width of Muirhead Avenue on our site map exhibit #1.

WLCH Residents have been and would like to be able to continue parking on the north end of their property in the area we refer to as our driveway, a circular driveway that attaches to Muirhead in two different places. By applying for this hearing we are complying with the second option given to us by the City of Olympia on March 9, 2016 in an email (below) from Tim Smith, City Planner.

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Staff reviewed your proposal for the asphalt bike path and parking area recently installed on the north side of Unit D of the Woodard Lane Co-Housing project. These two site features would be allowed if consistent with the Planned Residential Development (PRD) project application approved by the Hearing Examiner. Planning staff reviewed the file and determined that the asphalt bike path and parking area are not approved elements. This determination is based on the following information:

- Findings #12 and #13 of the Hearing Examiner's decision on the PRD application adopted by the City Council on July 22, 2008 specifically address parking for the project. The vehicular entrance to the proposal is from Woodard Avenue, on the south boundary of the site. The findings state "as shown on the site plan, the parking area for cars is located at the Woodard entrance, contiguous to the Woodard Street right-of-way, and does not extend into the area of the residences. Aside from emergency vehicles and perhaps necessary deliveries, no cars would be allowed in the area of the residences." The findings further state that "the applicant describes the parking area as containing 29 spaces on 10,915 square feet. With the removal of the shop, two spaces would be added for a total of 31. The Department believes that this will supply sufficient parking for 21 units. Id. Two handicapped parking spaces are proposed."
- An amendment to the PRD was approved by the City in 2013 to increase density and does not further address parking.
- The site plans included in both decisions (original and amendment) do not show the parking area or bike path in question. The only document that shows these features are a preliminary drawing of the site submitted by the applicant to the City on February

9, 2016. The drawing relates to establishing the cohousing as condominiums. This preliminary drawing has not been approved by the City.

Two options for resolving this matter are outlined below. Either option must be completed within thirty (30) days. Final binding site plan approval for the project will not be granted until this matter is resolved.

1) Remove all asphalt pavement north of Building D and west of the gravel turnaround. This includes the parking area and bike path to the bike storage area in the basement of Unit D. This area will need to be restored and/or devices installed to prevent vehicles from accessing and parking in this area west of the gravel turnaround. A surfacing alternative for a bike/pedestrian pathway that staff will support without an amendment to the PRD is one comprised of wood chips or similar material that is not an impervious surface such as concrete, gravel or asphalt.

2) Apply for a Planned Residential Development (PRD) amendment that incorporates the subject bike path and parking area. The amendment would require a public hearing with the Hearing Examiner and be processed in the same manner as the previous PRD amendment application.

### **Comments on Hearing Examiner's Finding #12:**

I believe that the Hearing Examiner's Finding #12 on the PRD application adopted by the City Council on July 22, 2008 (cited by Tim Smith in the email above) is ambiguous enough that either the City's interpretation or ours could have been intended. City staff interprets #12 to say that parking is not allowed anywhere on the property except in the parking lot at the south end of the property (away from the residences).

To my memory there was no discussion about our driveway at the north end of the property. It was simply shown on the map as a circular driveway or half of the turnaround. I believe Finding #12 meant that car parking "does not extend into the area of the residences" internal to the community and entered from the south parking area. At that time an oval fire truck lane was intended where the walkway now encircles the "Common Green." Notice the "grass paver fire lane" on shown on the last page of this document. This access was changed by the Fire Marshall when the grass pavers did not meet their standards. Just before completion of the first buildings in 2010, approval was given for fire trucks to drive only to the edge of the oval pathway where all buildings can be accessed from a hydrant. The fire truck lane around the circle was reduced to a 6' wide sidewalk, no longer accessible by cars.

### **Comments on Parking in the Circular Driveway:**

After April 29, 2010, when we moved into WLCH, I asked Tom Hill, City Official, if we were not allowed to park in our driveway as our neighbor had suggested. He checked it out and verbally told me that we could park there because it is on our private property. We have continued to park in this driveway for almost 6 years.

Subsequently, our neighbor, Debra Vantuinen, set out two cones about 12' apart on her property line with Muirhead, one being a few feet east of our joint property line, with a sign between them saying "driveway," see lower left photo in Exhibit #5. I assumed this meant that she wanted a driveway like ours on her property and that she thought it was okay to have and use such a driveway. However, I never saw her driveway used. We have been parking in our driveway ever since with no complaints about it that I know of. No neighbors need to drive around the turnaround to access their property. We don't mind if they do but to my knowledge this has seldom happened except during this last year's construction of building D.

The three parking spaces we are requesting would not block the turnaround.

### **Comments on Hearing Examiner's Finding #13:**

Finding #13 implies that if more units are allowed then more parking spaces will be allowed and available. I incorrectly assumed that this was sufficient so now we have come back to apply for an amendment to add parking.

### **Comments on Asphalt Extending to Muirhead Avenue:**

In addition to providing additional parking we are asking for approval to asphalt the rest of our driveway as it extends to Muirhead Avenue both to the north corner of the east side of WLCH property and to the north of the circular driveway. This will prevent erosion and mud run off, provide ease of maintenance, and improve aesthetics in the neighborhood. Exhibits #3, 4, and 5.

We have not decided that we want to asphalt the whole driveway and we are asking for permission now so we won't need to take the City's and our time and expense for another Hearing later. In addition, our new adjacent neighbor at 1616 Muirhead Avenue wants to improve the looks of the street. If the part of Muirhead to the north of WLCH were to be paved, we would like to be able to pave the 5 foot by 25 foot strip between our northern property line and our asphalt. Exhibit #3 and #4 in the lower right photo.

## **Comments on the Asphalt Pad at the North Entry of the Cohousing Community:**

We have an ADA access to our Community from the south end and would like a smooth access, without a curb, from the north as well. We would like to retain the asphalt pad that smoothly abuts the sidewalk that enters WLCH from the north. This allows walkers, wheelchairs, delivery dollies, hand carts, and bicycles a safe transition. Our member with an official handicapped designation lives in building E, right by this north entrance. By removing the asphalt it would once again be a rough rutted surface with a curb to the walkway. She was too unstable to use this entry as it was and as it will be again if the asphalt is removed. She and the elder individuals moving in, particularly the 85 year old man who will own a unit in building D, also adjacent to this entrance, would have a much shorter distance to carry things and to maneuver when they are picked up or dropped off if this entry is safe for them.

The following page is part of the site plan that was submitted to the Hearing Examiner in 2008. Notice the grass paver fire lane inside the oval walkway in the center of the buildings. The Hearings Examiner didn't want cars parking in that area. Before final approval of our community by the Fire Marshall the grass pavers were eliminated, asphalt was required from the parking area (lower left) to the edge of the oval sidewalk.